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UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 79th CONGRESS
SECOND SESSION

VOLUME 92—PART 1

JANUARY 14, 1946, TO FEBRUARY 18, 1946
(PAGES 3 TO 1442)

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PROCEEDINGS AND DEBATES OF THE 79th CONGRESS, SECOND SESSION

SENATE

MONDAY, JANUARY 14, 1946

The 14th of January being the day provided by Public Law No. 289, Seventy-ninth Congress, first session, for the meeting of Congress, the second session of the Seventy-ninth Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

KENNETH McKELLAR, a Senator from the State of Tennessee, and President pro tempore of the Senate, called the Senate to order at 12 o'clock meridian.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following

PRAYER

Our Father God who in the toils and troubles of time has set vistas of eternity in our hearts, as a new year and a new session summon us to face the creative endeavor which Thou dost require of Thy servants who are workers together with Thee in the fashioning of a new order for Thy children, before we talk to one another and to a listening world, we would talk to Thee, without whose strength and wisdom our feeble hands will fail. Save us from the supreme hypocrisy of making this holy moment of communion with the unseen and eternal but a conventional gesture of unfelt piety. At this high altar of the national life, preserve us from praying with our lips only and not with our hearts and minds.

As we come in a high hour of human destiny solemnized by the tangled tragedy in which all human life is caught, help us in these trying days, rising above all that is base and small, to work together in glad and eager harmony for the honor, safety, and welfare of our Nation and of all the peoples of this stricken earth who unite in mutual good will, determined to open the gates of a new life for all mankind. We ask it in the dear Redeemer's name. Amen.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk (John C. Crockett) called the roll, and the following Senators answered to their names:

Aiken	Briggs	George
Andrews	Buck	Gerry
Austin	Capper	Green
Bailey	Chavez	Hart
Ball	Donnell	Hayden
Bankhead	Eastland	Hickenlooper
Barkley	Ellender	Hill
Bilbo	Ferguson	Hoey
Brewster	Fulbright	Huffman
Johnson, Colo.	Magnuson	Taft
Johnston, S. C.	Millikin	Thomas, Okla.
Kilgore	Morse	Thomas, Utah
La Follette	Murray	Tydings
Langer	O'Daniel	Walsh
Lucas	Radcliffe	Wherry
McCarran	Russell	White
McClellan	Smith	Wiley
McKellar	Stanfill	Willis
McMahon	Stewart	Wilson

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent because of illness.

The Senator from Nevada [Mr. CARVILLE], the Senator from Idaho [Mr. GOSSETT], the Senators from Pennsylvania [Mr. GUFFEY and Mr. MYERS], the Senator from New Mexico [Mr. HATCH], the Senator from South Carolina [Mr. MAYBANK], the Senator from Arizona [Mr. MCFARLAND], the Senators from New York [Mr. MEAD and Mr. WAGNER], the Senator from Washington [Mr. MITCHELL], the Senator from Utah [Mr. MURDOCK], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Florida [Mr. PEPPER], the Senator from Idaho [Mr. TAYLOR], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

The Senator from Virginia [Mr. BYRD], the Senator from California [Mr. DOWNEY], and the Senator from Louisiana [Mr. OVERTON] are detained on official business at various Government departments.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business as a member of the Mead committee.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations now being held in London.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee.

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], the Senator from Oregon [Mr. CORDON], the Senator from New Jersey [Mr. HAWKES], the Senator from Oklahoma [Mr. MOORE], the Senator from Kansas [Mr. REED], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Hampshire [Mr. TOBEY], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The Senators from South Dakota [Mr. BUSHFIELD and Mr. GURNEY], the Senator from West Virginia [Mr. REVERCOMB], and the Senator from Minnesota [Mr. SHIPSTEAD] are unavoidably detained from the Senate.

The PRESIDENT pro tempore. Fifty-seven Senators having answered to their names, a quorum is present.

LIST OF SENATORS BY STATES

Alabama.—John H. Bankhead and Lister Hill.

Arizona.—Carl Hayden and Ernest W. McFarland.

Arkansas.—John L. McClellan and J. William Fulbright.

California.—Sheridan Downey and William F. Knowland.

Colorado.—Edwin C. Johnson and Eugene D. Millikin.

Connecticut.—Brien McMahon and Thomas C. Hart.

Delaware.—James M. Tunnell and C. Douglass Buck.

Florida.—Charles O. Andrews and Claude Pepper.

Georgia.—Walter F. George and Richard B. Russell.

Idaho.—Glen H. Taylor and Charles C. Gossett.

Illinois.—Scott W. Lucas and C. Wayland Brooks.

Indiana.—Raymond E. Willis and Homer E. Capehart.

Iowa.—George A. Wilson and Bourke B. Hickenlooper.

Kansas.—Arthur Capper and Clyde M. Reed.

Kentucky.—Alben W. Barkley and William A. Stanfill.

Louisiana.—John H. Overton and Allen J. Ellender.

Maine.—Wallace H. White and Ralph O. Brewster.

Maryland.—Millard E. Tydings and George L. Radcliffe.

Massachusetts.—David I. Walsh and Leverett Saltonstall.

Michigan.—Arthur H. Vandenberg and Homer Ferguson.

Minnesota.—Henrik Shipstead and Joseph H. Ball.

Mississippi.—Theodore G. Bilbo and James O. Eastland.

Missouri.—Forrest C. Donnell and Frank P. Briggs.

Montana.—Burton K. Wheeler and James E. Murray.

Nebraska.—Hugh A. Butler and Kenneth S. Wherry.

Nevada.—Patrick A. McCarran and Edward P. Carville.

New Hampshire.—Styles Bridges and Charles W. Tobey.

New Jersey.—Albert W. Hawkes and H. Alexander Smith.

New Mexico.—Carl A. Hatch and Dennis Chavez.

New York.—Robert F. Wagner and James M. Mead.

North Carolina.—Josiah W. Bailey and Clyde R. Hoey.

North Dakota.—William Langer and Milton R. Young.

Ohio.—Robert A. Taft and James W. Huffman.

Oklahoma.—Elmer Thomas and E. H. Moore.

Oregon.—Guy Cordon and Wayne L. Morse.

Pennsylvania.—Joseph F. Guffey and Francis J. Myers.

Rhode Island.—Peter G. Gerry and Theodore Francis Green.

South Carolina.—Burnet R. Maybank and Olin D. Johnston.

South Dakota.—Chan Gurney and Harlan J. Bushfield.

Tennessee.—Kenneth McKellar and Tom Stewart.

Texas.—Tom Connally and W. Lee O'Daniel.

Utah.—Elbert D. Thomas and Abe Murdock.

Vermont.—Warren R. Austin and George D. Aiken.

Virginia.—Carter Glass and Harry Flood Byrd.

Washington.—Warren G. Magnuson and Hugh B. Mitchell.

West Virginia.—Harley M. Kilgore and Chapman Revercomb.

Wisconsin.—Robert M. La Follette, Jr., and Alexander Wiley.

Wyoming.—Joseph C. O'Mahoney and Edward V. Robertson.

LEGISLATIVE PROGRAM

Mr. BARKLEY. Mr. President, a number of Senators have asked me about proceedings in the Senate today, and in view of these requests I feel that I should make a statement.

As a matter of courtesy to the President, it has always been customary for the Senate to transact no business, by way of the introduction of bills and resolutions, or taking action upon matters, until he has delivered his annual message. No inconvenience has resulted from that practice, and I think it should be observed now. I understand the President's message will be ready by Thursday, and therefore, it is my purpose, when we have finished the routine business of today, to move to adjourn until Thursday.

I hope that Senators will not ask that the custom to which I have referred, which has been followed almost from time immemorial, be violated today. I know of no hardship that will come by reason of the postponement of the introduction of bills or resolutions until Thursday.

Mr. WHITE. Mr. President, of course I cannot go back to time immemorial, as the Senator from Kentucky does, but I know that for some time past the practice of the Senate has been in accordance with what he has stated. I think it is a wise practice; I think it is a courtesy to which the President is entitled, and I hope the suggestion of the Senator from Kentucky will be followed.

Mr. BARKLEY. I appreciate the statement of the Senator from Maine. I did not mean to intimate that his memory went back to time immemorial. I applied my remarks to him only during the last century. [Laughter.]

Mr. GREEN. Mr. President, I should like to ask the majority leader kindly to inform us what will happen if the President does not send in his message on Thursday. I think the practice of waiting until the President sent in his message was coincident with the President sending in his message the day after the Congress reconvened. Personally, the postponement will be very inconvenient to me, because I had arranged to be here in connection with what I regard as a very important concurrent resolution I was about to submit. The Senator says that nothing is to be lost by the delay. It will mean 3 days' time being lost in the discharge of the work of the Congress.

Mr. BARKLEY. When I said no inconvenience or loss would result, I assumed that new bills or resolutions introduced today and referred to committees would have very little chance of being acted upon before Thursday, and that so far as the consideration of measures was concerned, no time would be lost between now and Thursday.

I realize that it is a little unusual for the President's annual message to be delayed as much as 3 days. Ordinarily it comes in the day following the reconvening of the Congress, but in view of the multiplicity of matters demanding the President's attention, and his routine duties, it has not been possible to have the message ready for tomorrow. Otherwise, I would ask that the Senate adjourn until tomorrow.

Mr. GREEN. Is the Senator willing to state what will happen in case the President does not send in his message on Thursday? I make the inquiry because I should like to arrange my own affairs accordingly.

Mr. BARKLEY. I would feel inclined to suggest that if the President's message is not here by Thursday, Senators will not be asked to delay further the introduction of bills and other measures.

Mr. GREEN. I thank the Senator from Kentucky.

NOTIFICATION TO THE PRESIDENT

Mr. BARKLEY submitted the following resolution (S. Res. 211), which was read, considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

Under the foregoing resolution the President pro tempore appointed Mr. BARKLEY and Mr. WHITE the committee on the part of the Senate.

NOTIFICATION TO THE HOUSE OF REPRESENTATIVES

Mr. WHITE submitted the following resolution (S. Res. 212), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

HOUR OF DAILY MEETING

Mr. HILL submitted the following resolution (S. Res. 213), which was read, considered by unanimous consent, and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

DEMOBILIZATION OF THE ARMED FORCES—STATEMENTS BY GENERAL EISENHOWER AND ADMIRAL NIMITZ

Mr. BARKLEY. Mr. President, I wish to make an announcement for the information of the Members of the Senate.

Arrangements have been made to have General of the Army Dwight D. Eisenhower and Fleet Adm. Chester W. Nimitz appear before a joint meeting of the Congress, including the press, to give the present status of and the future plans for the demobilization of the armed forces. The meeting is to be held in the Coolidge Memorial Auditorium of the Library of Congress at 10 o'clock a. m., tomorrow, Tuesday, January 15. Because of the great public interest in the present demobilization situation the War and Navy Departments have offered to have General Eisenhower and Admiral Nimitz present the full picture to the Congress and the press.

I hope that all Senators who are in town and who will not be otherwise engaged will be able to attend, as I am sure that this meeting will be most helpful to us and to the country in clarifying the present difficult situation. I repeat that the meeting is to be tomorrow morning at 10 o'clock in the Auditorium of the Library of Congress.

I should like to say, further, in response to numerous requests from members of the Committee Investigating the Pearl Harbor Disaster and members of the press, that the committee had recessed until 10 o'clock tomorrow, and although the members of the committee would appreciate the opportunity of hearing General Eisenhower and Admiral Nimitz, it is not the purpose to postpone the beginning of the hearing tomorrow on account of the appearance of General Eisenhower and Admiral Nimitz at the informal meeting in the Library of Congress. We have scheduled Admiral Kimmel as the first witness for tomorrow, and in view of the limitations of time, and the circumstances surrounding the investigation, it is not thought wise or necessary to postpone the hearing on account of the meeting tomorrow in the Library of Congress.

ADJOURNMENT TO THURSDAY

Mr. BARKLEY. I move that the Senate adjourn until Thursday next.

The motion was agreed to; and (at 12 o'clock and 20 minutes p. m.) the Senate adjourned until Thursday, January 17, 1946, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 14, 1946

This being the day fixed by Public Law 289, Seventy-ninth Congress, enacted pursuant to the twentieth amendment to the Constitution for the meeting of the second session of the Seventy-ninth Congress, the Members of the House of Representatives of the Seventy-ninth Congress met in their Hall and at 12 o'clock noon were called to order by the Speaker pro tempore, Hon. JOHN W. MCCORMACK, a Representative from the State of Massachusetts.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication:

JANUARY 14, 1946.

I hereby designate the Honorable JOHN W. MCCORMACK to act as Speaker pro tempore today.

SAM RAYBURN.

PRAYER

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Great God and Father of mankind, mercifully Thou hast led us as a people. From loss and panic we have been saved and we pray that Thy blessing may continue to rest upon us. O renew within us a sense of our duty, leading us to a rendezvous with our pledged obligation to our country, that the foes of progress may have no dominion over us. With firmness in the right as Thou dost give us to see the right, let us strive on to finish the work we are in, to bind up the Nation's wounds, and to achieve and cherish a just and lasting peace among ourselves and with all nations.

O God of grace, bless our President. Strengthen his arm with the confidence of our people and clear the pathway that leads to peace and unity. The day of decision is now with us. It is not for us to command success but to deserve it by harkening unto Thy word:

Who shall ascend into the hill of the Lord and who shall stand in His holy place? He that hath clean hands and a pure heart; who hath not lifted up his soul unto vanity nor sworn deceitfully. He shall receive the blessing from the Lord.

Through Jesus Christ our Saviour. Amen.

CALL OF THE ROLL

The SPEAKER pro tempore. The Clerk will call the roll to determine whether a quorum is present.

The Clerk called the roll, and the following Members answered to their names:

[Roll No. 1]

Abernethy	Bates, Ky.	Butler
Adams	Bennet, N. Y.	Camp
Andersen, H. Carl	Bennett, Mo.	Campbell
	Bland	Cannon, Mo.
Anderson, Calif.	Bonner	Carnahan
Andresen, August H.	Boykin	Case, N. J.
	Bradley, Mich.	Case, S. Dak.
Andrews, Ala.	Bradley, Pa.	Chelf
Andrews, N. Y.	Brown, Ga.	Chiperfield
Arnold	Brown, Ohio	Church
Auchincloss	Brumbaugh	Clements
Bailey	Bryson	Clevenger
Baldwin, Md.	Buckley	Cochran
Barden	Buffett	Cole, Kans.
Barrett, Pa.	Bulwinkle	Cole, Mo.
Cole, N. Y.	Holmes, Mass.	Pickett
Cooper	Holmes, Wash.	Pittenger
Corbett	Hope	Price, Ill.
Cox	Hook	Priest
Cravens	Howell	Rabaut
Crawford	Huber	Rankin
Crosser	Jenkins	Rich
Curtis	Jones	Richards
D'Alesandro	Judd	Riley
Daughton, Va.	Kearney	Robertson, N. Dak.
Davis	Kee	
De Lacy	Keefe	Robertson, Va.
Delaney, John J.	Kefauver	Robsion, Ky.
	Keogh	Rodgers, Pa.
Dirksen	Kerr	Roe, Md.
Dolliver	Kinzer	Roe, N. Y.
Dondero	Kirwan	Rogers, Fla.
Doughton, N. C.	Knutson	Rogers, Mass.
Douglas, Ill.	Kopplemann	Rooney
Doyle	Kunkel	Rowan
Dworshak	Lanham	Sadowski
Earthman	Lea	Sasscer
Eaton	LeCompte	Savage
Eberharter	Lemke	Sharp
Ellis	Lesinski	Sheppard
Elston	Lewis	Short
Engel, Mich.	Link	Simpson, Ill.
Engle, Calif.	Luce	Simpson, Pa.
Fallon	Ludlow	Slaughter
Fenton	Lyle	Smith, Maine
Fernandez	McConnell	Smith, Va.
Flannagan	McCormack	Smith, Wis.
Forand	McCowen	Snyder
Gary	McDonough	Sparkman
Gavin	McGregor	Spence
Gearhart	McMillan, S. C.	Springer
Geelan	McMillen, Ill.	Starkey
Gifford	Mahon	Stefan
Gillette	Manasco	Stockman
Gillie	Mansfield, Mont.	Sullivan
Goodwin		Sumners, Tex.
Gordon	Mansfield, Tex.	Taber
Gore	Martin, Iowa	Talbot
Graham	Martin, Mass.	Talle
Granahan	Mason	Tarver
Green	Mathews	Thomason
Griffiths	May	Tibbott
Gross	Merrow	Tolan
Gwinn, N. Y.	Michener	Traynor
Hagen	Miller, Nebr.	Trimble
Hale	Mills	Vinson
Hare	Morgan	Voorhis, Calif.
Harless, Ariz.	Murdock	Vorys, Ohio
Harness, Ind.	Murphy	Vursell
Harris	Murray, Wis.	Walter
Hart	Neely	Weaver
Havenner	Norrell	Welch
Hays	O'Brien, Ill.	Whitten
Healy	O'Brien, Mich.	Whittington
Hendricks	O'Hara	Wolfenden, Pa.
Herter	O'Neal	Wood
Hess	Pace	Woodhouse
Hinshaw	Patman	Woodruff
Hoch	Patrick	Worley
Hoeven	Peterson, Ga.	Zimmerman
Hoffman	Pfeifer	
Holifield	Philbin	

The SPEAKER pro tempore. On this roll call 235 Members have answered to their names. A quorum is present.

ELECTION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair requests the gentleman from North Carolina [Mr. BULWINKLE] to assume the chair.

Mr. BULWINKLE assumed the chair as Speaker pro tempore.

Mr. COOPER. Mr. Speaker, on account of the unavoidable absence of the Speaker due to illness in his family, and at his request, I offer a resolution (H. Res. 470) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That Hon. JOHN W. MCCORMACK, a Representative from the State of Massachusetts, be, and he is hereby, elected Speaker pro tempore during the absence of the Speaker.

Resolved, That the President and the Senate be notified by the Clerk of the election of the Honorable JOHN W. MCCORMACK as Speaker pro tempore during the absence of the Speaker.

The resolution was agreed to.

Mr. MCCORMACK assumed the chair as Speaker pro tempore.

Mr. COOPER administered the oath of office as Speaker pro tempore to Mr. MCCORMACK.

COMMITTEE TO NOTIFY THE PRESIDENT OF THE UNITED STATES

Mr. SPARKMAN. Mr. Speaker, I offer a resolution (H. Res. 471) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That a committee of three Members be appointed by the Speaker pro tempore on the part of the House of Representatives to join with a committee on the part of the Senate, to notify the President of the United States that a quorum of each House has assembled, and Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

The Chair appointed Mr. DOUGHTON of North Carolina, Mr. SPARKMAN, and Mr. MARTIN of Massachusetts as a committee to notify the President.

NOTIFICATION TO THE SENATE

Mr. DOUGHTON of North Carolina. Mr. Speaker, I offer a resolution (H. Res. 472) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Clerk of the House inform the Senate that a quorum of the House is present and that the House is ready to proceed with business.

The resolution was agreed to.

DAILY HOUR OF MEETING

Mr. COX. Mr. Speaker, I offer a resolution (H. Res. 473) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That until otherwise ordered, the daily hour of meeting of the House of Representatives shall be at 12 o'clock meridian.

The resolution was agreed to.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had adopted the following resolutions:

Senate Resolution 211

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

Senate Resolution 212

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

ESTATE OF GEORGE O'HARA

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House:

JANUARY 14, 1946.

The honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to the authority heretofore granted the Clerk of the House received from the Secretary of the Senate on January 2, 1946, a message indicating that the Senate

had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 90, an act for the relief of the estate of George O'Hara.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

DECEMBER 27, 1945.

Hon. SAM RAYBURN,
Speaker of the House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I have this day forwarded to the Governor of the State of New York my resignation as Representative in Congress from the Nineteenth Congressional District of New York.

Respectfully yours,
SAMUEL DICKSTEIN,
Member of Congress.

ORDER OF BUSINESS

The SPEAKER pro tempore. The Chair desires to state that in view of the unfortunate death of our late colleague from North Carolina, Mr. ERVIN, Members will be recognized only for the purpose of making unanimous-consent requests and for 1-minute speeches, if there is no objection, and also for the transaction of some legislative matters which can be agreed to by unanimous consent.

Thereafter, Members will be recognized in connection with the resolution which will be offered to adjourn out of respect for our late colleague.

MERCHANT SHIP SALES ACT OF 1945

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 3603, an act to provide for the sale of surplus war-built vessels, and for other purposes, with a Senate amendment thereto; disagree to the Senate amendment; and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. BLAND, MANSFIELD of Texas, BOYKIN, WELCH, and BRADLEY of Michigan.

MEETING OF MEMBERS OF CONGRESS ON DEMOBILIZATION

Mr. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute to make an announcement.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MAY. Mr. Speaker, arrangements have been made by the leaders of the Congress for General of the Army Dwight D. Eisenhower and Fleet Adm. Chester W. Nimitz to appear at a meeting of the Members of Congress, including the press, in the Coolidge Auditorium of the Library of Congress at 10 a. m. Tuesday, January 15—tomorrow. General Eisenhower and Admiral Nimitz will present at that time the present situation and the future plans for the demobilization of the armed forces. The Army and Navy Departments have offered their services to present the full story.

We all know how intensely interested the Congress and the country are in this subject at this time. I urge that all Members of the House attend this meeting which I am sure will be very helpful in giving us and the people a clear picture of our demobilization program and assisting us all in arriving at an adequate solution to this difficult problem. The time is 10 a. m. tomorrow, and the place is the Coolidge Auditorium in the Library of Congress.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield for a question?

Mr. MAY. I yield.

Mr. BROWN of Ohio. Will any opportunity be given to the Members of Congress to question either General Eisenhower or Admiral Nimitz at this meeting?

Mr. MAY. I understand they will probably be in a position to answer questions. But I am not sure about that.

The SPEAKER pro tempore. The time of the gentleman from Kentucky has expired.

EXTENSION OF REMARKS

Mr. CANNON of Missouri asked and was given permission to extend his remarks in the RECORD by including a memorandum of the President's disapproval of H. R. 4407, the appropriations rescission bill, on December 22, 1945.

PERMISSION TO ADDRESS THE HOUSE

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent that on Wednesday next, after the disposition of business on the Speaker's desk, I may be permitted to address the House for 1 hour in commemoration of the twenty-fifth anniversary of the founding of the United States Junior Chamber of Commerce.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that on tomorrow, after the disposition of business on the Speaker's desk, I may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that on Thursday, after the disposition of business on the Speaker's desk, I may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. DOUGHTON of North Carolina. Mr. Speaker, your committee on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and is ready to receive any communications he may make has performed that duty. The President has informed the committee that he would communicate to the Congress a message in writing.

EXTENSION OF REMARKS

Mr. COLE of New York asked and was given permission to extend his remarks in the RECORD.

Mr. LUDLOW asked and was given permission to extend his remarks in the RECORD in two instances, in one to include a letter written to the Secretary of the Navy, and in the other to include an article by Mr. Lowell Mellett.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD and include an address delivered by Gen. Carl A. Spaatz.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his own remarks in the RECORD.

Mr. BRADLEY of Michigan asked and was given permission to extend his remarks in the RECORD in two instances, to include two radio broadcasts delivered during the recent recess.

Mr. ANDERSON of California asked and was given permission to extend his remarks in the RECORD in two instances, in one to include a letter from the Assistant Secretary of the Navy, and in the other to include an exchange of correspondence between General Vandegrift and himself.

Mr. VOORHIS of California asked and was given permission to extend his remarks in the Appendix of the RECORD on three different subjects, and to include in each instance excerpts.

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD and include a letter to the Secretary of War, a letter to the chairman of the Military Affairs Committee, and various cablegrams from different parts of the world.

LEAVE OF ABSENCE

Mr. SADOWSKI. Mr. Speaker, on behalf of my colleague the gentleman from Michigan [Mr. DINGELL] I ask unanimous consent that he may be given an indefinite leave in order to secure a much-needed rest as directed by the House physician.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

INFORMAL JOINT MEETING OF THE HOUSE AND SENATE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise to ask the chairman of the Committee on Military Affairs if the meeting tomorrow will be open to the press.

The SPEAKER pro tempore. The Chair understands the press has been invited.

Mrs. ROGERS of Massachusetts. I am very glad because that is what the country wants to know.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that on tomorrow, at the close of the remarks of the gentleman from Virginia [Mr. SMITH], I may address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

CONGRESS SHOULD INVESTIGATE DEMOBILIZATION SLOW DOWN

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. ANDRESEN]?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I desire to urge an immediate investigation by the Military Affairs Committee of the House, or a special committee, into the War Department's change in demobilization policy. In my opinion, the slow down of demobilization was made without adequate explanation, and is a breach of faith with thousands of soldiers who are stranded in the Pacific, in Europe, and also in the United States.

This change of policy by the War Department under the guise of military necessity without full explanation and justification is rapidly destroying the morale of our soldiers and destroying confidence by the public in their military leaders.

General Marshall promised the Congress a few weeks ago, which promise was published, that all men with 2 years of service would be discharged by March 1, 1946, with the exception of those men required for occupational forces. This word is now being broken and no explanation is given for the change in policy. The men are entitled to learn the reason for the change, and it is the duty of Congress to find out about it. Can it be that some secret agreement or incident occurred at the recent Moscow Conference of the Big Three which creates this new military necessity?

War Department leaders have stated that 1,200,000 men will be required for occupation purposes. On January 1 there were 4,300,000 men in the Army; 100,000 of these are officers on terminal leave, who are being discharged. This leaves 4,200,000 men in the Army from which occupation forces can be selected. Up to the present time approximately 400,000 men have entered the Army under volunteer enlistments, and about 40,000 are being inducted every month under the draft. Now that the war is over, military necessity should not require the retention of such a large personnel in the Army, to say nothing of the hardships on the part of the men and their families and the cost to the taxpayers.

For War Department policy makers to break their word with the men who have done so much to win the war, without giving a satisfactory explanation, smacks of military dictatorship. Such a policy will not be tolerated by the American people, and it is the business of Congress to see to it that our country continues to function as a democracy.

The demonstrations that have occurred during recent days in Europe and the Pacific are not without justification. The men not needed for occupation purposes were promised discharges and return to the United States. These promises must be kept at once.

A noted news correspondent, Capt. Lowell M. Limpus, has stated his observations, which I am giving herewith as a part of these remarks:

NEW "BRASS HATS" IN PACIFIC LETTING MORALE "GO TO HELL"—CORRESPONDENT REPORTS HIGH OFFICERS SEEK OWN COMFORT AND NEGLECT MEN

(EDITOR'S NOTE.—The writer of the following article is a New York News staff correspondent, who recently returned from the Philippines, where he covered the Yamashita trial and served as a war correspondent during the closing scenes of the war.)

(By Capt. Lowell M. Limpus)

NEW YORK, January 7.—Too many newly arrived "brass hats," having a good time for themselves and neglecting their men, while they let discipline and morale go to hell; that's apparently one of the principal reasons for what is getting dangerously close to open mutiny among our forces in the Philippines.

It is a situation which has been worrying conscientious officers of the Regular Army for months, but they've been hoping it would work itself out in time. Evidently it hasn't and the accumulated neglect of many weeks is beginning to boil over. Now a lot of "good-time Charlies" from Washington are beginning to pay for that neglect of the men.

They've been looking after their own comfort and letting their subordinates stew in the sweltering Tropics. Swarms of high-ranking staff officers who rushed to the Far East, as soon as the shooting ended, have been concentrating on finding luxurious quarters for themselves in that war-shattered area and enjoying life therein once they were installed. And they don't seem to have paid too much attention to the men while they were doing it.

Most field grade officers are living very comfortably, indeed, in Manila and, to a lesser extent, in Tokyo, Yokohama, and other Japanese cities. They've snatched all the good hotel rooms, gradually ranking their juniors out into the surrounding wreckage. They have private baths and excellent clubrooms. They take over every decent building as soon as it is repaired. And a lot of them have acquired the well-staffed homes of well-to-do refugees.

FEW WEAR BATTLE STARS

Very few of these comfort-seeking gentry wear battle stars or combat ribbons. They arrived on the scene after Japan surrendered and pulled their rank right and left on the boys who did the actual fighting.

They snatched souvenirs greedily—and therein lies one cause of a lot of friction that hasn't been discussed publicly. Many a staff delegation swooped down on the combat units and confiscated heaps of samurai swords and daggers from the men who captured them. Then they took them back and distributed them according to rank among the be-starred and be-eagled tourists from Washington while the boys who had won medals in action fretted and fumed—and came home without any souvenirs at all.

The staff officers in the well-pressed uniforms even ranked liberated prisoners out of available comforts. I saw whole truck loads of those gaunt, hollow-eyed prisoners—colonels and lieutenant colonels themselves—driven away from the Admiral Apartments in Manila, to which they were first taken, and dumped in a muddy replacement center 20 miles out in the suburbs amid signs reading, "Be careful. This is malaria country."

Out there the liberated colonels lived in crowded tents, using open latrines, until they were sent back to the States, while newly arrived staff colonels from Washington took over the nice rooms with the private baths in the Admiral. (The replacement depot staff did everything possible for the prisoners, but we wondered why the desk officers didn't use the tents for a while, anyway.)

Enlisted men burned up as they saw these things, and so did a lot of officers. I remember one swearing lieutenant protesting because one of his men sat up all night in a jeep while a staff colonel was inside a private home calling on friends one December night in Manila.

Regular officers burned because, as they frequently said, too many of their superiors were betraying one of the oldest traditions of the service, that an officer should look after the comfort of his men before attending to his own.

PRACTICE INCREASED STEADILY

The practice increased steadily throughout the area after the war ended. More and more nice places went "off limits" except for colonels and generals. There was coffee and doughnuts "for officers only" at a stand outside the big post exchange, just above Manila City Hall—and a sign forbidding those officers to give any to enlisted men.

Japan's spiffiest summer resort suddenly went "off limits" for everybody below colonel. There's one nice waiting room in the big Guam air terminal "for generals only." A corner of the Dai-Iti-Hotel dining room in Tokyo was roped off for lieutenant colonels and above, and angry combat captains lugged their baggage out the main entrance to make room for more Washington colonels.

These things were typical—most of all in the Philippines. And they soon showed their effect on morale. The men became angry and disgusted and they wanted to get home and get away from it all. But mighty few people took the trouble to explain the details of the transportation shortage until they began to boil over.

DISCIPLINE WENT BAD

Then discipline went bad—especially around Manila. Drunken soldiers roamed the streets, brandishing bottles on Saturday night, and lack of respect for officers became manifest.

Some of the officers—mostly Regulars—fought a valiant, if losing, battle to preserve discipline and morale, and these officers included a number of colonels and generals.

Conditions were excellent around the big base headquarters in Manila and around MacArthur's own headquarters in Tokyo. But these conscientious officers couldn't make much progress amid the general carelessness by which they were surrounded. And their smartly uniformed, well-disciplined outfits stood out in bold relief.

Contributing to the problem is the fact that many of the men themselves are newly arrived youthful replacements, who haven't been in the Army long enough or had sufficient training to really understand what they are doing. They may be easily led by malcontents, who have legitimate grievances. They really constitute the majority of the men in the theater now.

It isn't the Army which licked the Japs that is raising a ruckus today. Most of the combat-tried veterans already have been replaced. This is a bunch of kids, led by a few hot-headed men who have been really abused and neglected.

AMPUTEES ON BOARDWALK AT ATLANTIC CITY

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I should like to read one of the most distressing newspaper clippings I have ever read, which appeared in the Washington Daily News of January 12.

It was called to my attention by Paul Strachan, president of the American Federation for the Physically Handicapped, and reads as follows:

Amputees on the boardwalk at Atlantic City depress visitors and therefore hurt business, civic leaders there feel. Pressure has been brought on the War Department to close the Thomas M. England General Hospital there, which has been an amputation center. Civic leaders argue it's all for good of wounded men.

Mr. Speaker, it seems to me, on the contrary, it would be good for every single American citizen every day if he could have contact with one of these men who have made the greatest sacrifice in this war. I earnestly hope that this report is untrue, and that the War Department will not for a moment listen to such a proposal from any part of the Nation—my own section or any other. A little depression over the sacrifice made by our disabled veterans may help this Nation not to forget its obligation to them nor to relax our efforts to establish a firm peace.

The SPEAKER pro tempore. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. FERNANDEZ asked and was given permission to extend his remarks in the Appendix and to include therein an editorial from the Washington News of Saturday, January 12.

Mr. DOYLE asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. O'HARA asked and was given permission to extend his remarks in two instances in the Appendix of the RECORD.

Mrs. LUCE asked and was given permission to extend her remarks in two instances in the RECORD.

Mr. HOOK asked and was given permission to extend his remarks in the RECORD in two instances, in one to include the charges in the case of General Motors against the International Union of United Automobile Workers before the National Labor Relations Board; and in the other to include an editorial from a newspaper.

Mr. BRYSON asked and was given permission to extend his remarks in the RECORD in two instances and include certain excerpts.

Mr. ROBINSON of Utah (at the request of Mr. MURDOCK) was given permission to extend his remarks in the Appendix of the RECORD and include a letter which he recently received.

Mr. SLAUGHTER asked and was given permission to extend his remarks in the RECORD and include two letters from the Honorable William Stewart Symington.

THE LATE HON. JOSEPH WALSH

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. GIFFORD. Mr. Speaker, to me, personally it is a very sad duty to announce the death of my predecessor in this body, the Honorable Joseph Walsh. There are many here who will remember him. He served with such distinction and ability that when I followed him in this body I felt embarrassment lest I should fail to serve my people according to the high standard he had led them to expect.

He was a remarkable student of the rules of procedure here. He was outstanding as a presiding officer and was often requested to serve in that capacity in this Chamber. He resigned to accept appointment to the superior court in his State of Massachusetts. Our Nation has lost a man of courage and ability such as are greatly needed in these grievous times.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. RANKIN. This is the first I have heard of Mr. Walsh's passing away.

I assure the gentleman from Massachusetts [Mr. GIFFORD] that those Members on this side of the aisle who served with him share the sorrow that his death has brought to you.

I remember him very distinctly. He was one of the ablest parliamentarians I have ever known. When I came to Congress, from a parliamentary standpoint there were giants upon the earth; one of them was Joe Walsh; another was the distinguished gentleman from Illinois, Mr. Mann. And when I say "Joe Walsh," I say it affectionately because we all loved and admired him. There was the distinguished gentleman from Tennessee, Mr. Garrett, the distinguished gentleman from North Carolina, Mr. Kitchin, the gentleman from Georgia, Mr. Crisp, the gentleman from Illinois, Mr. Rodenburg, the gentleman from Ohio, Mr. Begg, and a large number of other men who were skilled parliamentarians, and Mr. Walsh was one of the ablest of them all. We had parliamentary battles in those days, we did not take everything for granted. My memory of Joe Walsh has been kept green because of his sterling honesty in his fights on parliamentary procedure. I never knew him to manifest the slightest degree of political prejudice in arguing for or against a point of order.

He was one of the truly great men Massachusetts has sent to Congress; and he is worthily succeeded by the gentleman who now occupies the floor.

Mr. GIFFORD. And the gentleman from Mississippi can well understand my embarrassment in trying to follow a man of the stature of Joe Walsh.

EXTENSION OF REMARKS

Mr. PITTENGER asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances, to include in two of the extensions some newspaper items and in the other extension copy of a bill he is introducing today.

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in the RECORD on three different subjects and to include in one a letter and in another a table.

Mr. SPRINGER asked and was given permission to extend his remarks in the RECORD and include three newspaper articles.

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD and include an article on the GI uniforms.

Mr. ADAMS asked and was given permission to extend his remarks in the RECORD and include a statement by Mr. HAYS on the subject of unity.

Mr. BUFFETT (at the request of Mr. CRAWFORD), was given permission to extend his remarks in the Appendix of the RECORD.

Mr. CRAWFORD asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement by Mr. Allen Ruckner.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent that on tomorrow after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may be permitted to proceed for 10 minutes in order to give a report on the request that the President has made for the constituents to see their Congressmen.

RESIGNATION FROM COMMITTEE

The SPEAKER pro tempore laid before the House the following communication which was read:

JANUARY 14, 1946.

HON. SAM RAYBURN,
Speaker, House of Representatives.

MY DEAR MR. SPEAKER: I herewith tender my resignation as chairman of the Committee on Invalid Pensions.

JOHN LESINSKI.

The SPEAKER pro tempore. Without objection, the resignation will be accepted.

There was no objection.

APPOINTMENT AS CHAIRMAN OF THE CIVIL SERVICE COMMITTEE

Mr. DOUGHTON of North Carolina. Mr. Speaker, I offer a resolution (H. Res. 474) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That JENNINGS RANDOLPH of the State of West Virginia be, and he is hereby, elected chairman of the standing committee of the House of Representatives on the Civil Service.

The resolution was agreed to.

ELECTION OF CHAIRMAN OF THE COMMITTEE ON IMMIGRATION AND NATURALIZATION

Mr. DOUGHTON of North Carolina. Mr. Speaker, I offer another resolution (H. Res. 475) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That JOHN LESINSKI of the State of Michigan be, and he is hereby, elected chairman of the standing committee of the House of Representatives on Immigration and Naturalization.

The resolution was agreed to.

RESIGNATION FROM COMMITTEE

The SPEAKER pro tempore laid before the House the following communication which was read:

JANUARY 14, 1946.

HON. SAM RAYBURN,
The Speaker, House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I herewith submit my resignation as chairman of the District of

Columbia Committee of the House of Representatives. I do wish, however, to retain, if possible, my standing on the committee.

Respectfully,

JENNINGS RANDOLPH.

The SPEAKER pro tempore. Without objection, the resignation will be accepted.

There was no objection.

ORGANIZED LABOR MONOPOLY

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, the seizure of plants for the production of goods in this country by Reuther and certain other organized labor leaders and the holding of those plants as hostages until the organized minority-monopoly leaders demands are met, runs contrary to the rights of the general welfare of the people of the United States.

The only protection the people of the United States have as consumers is in the free play of competitive forces.

During the recess I visited my district and I have had long conferences with the representatives of the CIO-UAW. I have made my position very clear to them. Insofar as I am personally concerned I am against a continuation of any Federal laws which permit organized labor leaders to participate in a minority-monopoly form of violence in this country which exceeds that ever enjoyed by any other monopoly in the history of the world.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. ROONEY asked and was given permission to extend his remarks in the RECORD and include a newspaper article appearing in the New York Sunday American.

Mr. STEFAN asked and was given permission to extend his remarks in the RECORD and include a poem.

Mr. CHURCH asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Chicago Daily News of January 4 entitled "Taking Stock of President Truman."

Mr. HOFFMAN asked and was given permission to extend his remarks in the RECORD at the conclusion of the 1-minute speeches today.

Mr. DONDERO asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. CLEVENGER asked and was given permission to extend his remarks in the RECORD and include an article by Louis Bromfield.

Mr. MURDOCK asked and was given permission to extend his remarks in the RECORD on legislation introduced today.

GOVERNMENT AND BUSINESS

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include an address delivered by me before the Highland Park Chamber of Commerce on January 8 and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CHURCH. Mr. Speaker, the major obstacle to the return to normalcy is the policy of the administration with respect to labor and management. The Federal Government does not have a labor policy that can be regarded as a coherent and integrated system, unless it is to coddle and encourage labor gangsters and racketeers. Day by day disastrous strikes are bringing to a standstill reconversion plans. This most pressing problem must be dealt with courageously and now. On January 8 I delivered the following address before the Highland Park Chamber of Commerce:

I am glad for this opportunity to meet you. Such opportunities as this are most welcome, not only enabling me to present my views on certain public issues, but also, and of equal importance in our democratic processes, for enabling me to obtain the benefit of your views.

As your elected Representative in Congress, I am responsible to you as individual citizens of the Tenth Congressional District. The value of Congress lies in its responsiveness to the will of the people as a whole. You have a constitutional right to petition Congress. When the people neglect to exercise that right, to make their opinions known to their Congressman, noisy minorities and pressure groups have been able to attain their selfish ends. A Member of Congress can better perform his proper function if his constituency make their views known to him, and I cannot too strongly emphasize my desire to have your frank expression, whether embodied in a formal resolution, personal letters, or presented orally.

There are so many national and international problems confronting the Congress, and of immediate concern to all of us, that I have been somewhat at a loss as to what should be the topic of today's discussion. I could address myself fully to the question of taxes, or price control, or labor relations, or demobilization, or Federal expenditures, or any one of a number of such questions. Each is a topic in itself, with many ramifications and complications. It occurs to me, however, that a few general remarks on government and business would best enable me to present my views on governmental policies as they relate to business and our national economy and best serve our purpose here in my desire to make my position clear.

It is my sincere conviction that existing governmental policies are converting, if unwittingly nonetheless quite definitely, our American system of free enterprise into a socialistic system of government planning and control. This has been the trend for the past decade, having its inception with the New Deal. It continues to be the trend, as evidenced by the Government's policy with respect to control over prices and materials, its fiscal policy, its taxing policy, and its labor policy, and further evidenced by the character of legislation now pending in Congress under administration sponsorship. In my opinion, the country's peacetime productive power and employment opportunities are being obstructed by the policy of the Federal Government with respect to (1) taxes, (2) deficit financing, (3) retention of wartime controls, and (4) labor. The immediate problem is to facilitate conversion from war to peace time production. The first step in such a program would be a revision of our Federal tax structure. Heavy corporate taxes amount to a direct tax on employment. They destroy private initiative and prevent the development of small business. The objective should be the encouragement of small enterprises, the creation of new ones, but under our tax system there has been little or no incentive for people to risk investment in new and uncertain undertakings. Taxes take away whatever may be gained and little compensation is given for whatever may be lost.

Some relief was obtained in the Revenue Act of 1945, which, among other things, repealed the excess-profits tax effective the first of this year. But the measure by no means sufficiently lightens the tax load on the shoulders of business to make funds available for expanded operations and to encourage new enterprises. I am not alone speaking of the tax rates, but I am referring to the tax system as a whole.

It is recognized that all of us must bear our share of the cost of the war. But it must be borne in mind that because of the free spending policy of the Federal Government we entered the war with a large deficit, and the administration is today urging the enactment of the so-called full employment bill (guaranteed full employment) which commits the Government to a policy of continued spending. I say quite earnestly, the financial integrity of the United States is at stake. Not only does the liberal spending policy disturb the normal flow of business, but if allowed to continue the policy will change the country's economic and social institutions in a manner inconsistent with American principles of Government.

The deficit financing policy and the taxing policy of the Federal Government constitute two major obstacles to the return to normalcy and represent real dangers to the future of free enterprise.

A further obstacle has been the policy with respect to wartime controls and the manner in which the price-control law has been administered. Price disparities have resulted in there being few ordinary dress shirts for men but an abundance of sport shirts; in there being few cheap house dresses for women but an abundance of expensive dresses. Because a new manufacturer has been able to sell an inferior product at a higher price, established manufacturers making a superior product have been forced to go out of business. Innumerable examples might be given as proof of the destruction to small businesses and our system of free enterprise that has been and is being wrought by the Office of Price Administration and other governmental agencies.

Some price-control law is doubtless necessary. But the existing system is dangerously faulty. Congress must not extend the act without writing into it definite standards for the administration.

The objective of the price-control law is to prevent an inflationary rise in prices resulting from a limited supply of goods in a period of heavy demand. We are faced with an inflationary condition, and all the wartime controls cannot be summarily removed until that danger has passed. But such controls must be removed as speedily as possible, and instead of maintaining artificial barriers to the free flow of commerce, the whole policy should be on increasing production and the encouragement of new enterprises.

The solution to the inflation problem lies in an early return to volume production. As manufacturers can produce at reasonable cost sufficient goods to meet the demand, inflationary price movements will be checked But unfortunately, the administration's emphasis has been upon controls and their retention rather than upon their relinquishment as an aid and stimulant to production.

The major obstacle to the return to normalcy is the policy of the administration with respect to labor. As a matter of fact, the Federal Government does not have a labor policy that can be regarded as a coherent and integrated system, unless it is to coddle and encourage labor gangsters and racketeers.

Disastrous strikes are growing day by day and reconversion plans are being brought to a standstill.

This is our most pressing problem, and it must be dealt with courageously and without delay.

Labor is entitled to just wages, to a fair share of our productive profits. But labor and the administration proceed on the fallacy that there will be a continuation of the false prosperity generated by war and that large increases in wages are justified by virtue of past and anticipated future earnings. No sound businessman can raise current production costs until his current earnings are in sight. Labor would be much wiser if it joined with business in this early period of reconversion, to reestablish production, freedom of prices, and removal of other Government restraints and controls rather than paralyze production, by wage demands. Once the wheels of industry turn in peacetime production, to fill the backlog of orders that have accumulated during the war years, it can then be determined what industry can afford to pay and should pay as labor's just share.

By virtue of the labor policy of the last decade, unscrupulous labor bosses, reds, radicals, and racketeers have slugged their way to the top of the labor union, and labor itself has been losing its democratic rights, to labor dictators. Bona fide labor leaders recognize this fact. With the development of the so-called industry-wide bargaining, every individual member of organized labor is in bondage to a few labor racketeers. Management in a particular plant or business establishment is no longer able to bargain with the employees of that plant with respect to wages, hours, and working conditions. This is done for the individual workers by the head of the union on an industry-wide basis. and individual workers have thus lost their personal right to bargain with respect to their own wages, hours, and working conditions. The forcing of all members of organized labor into nationalized unions, on an industry-wide scale, has made it possible for union bosses to set up a government within a government and to dictate not only as to what individual workers shall do but even control government policy making.

Take, for instance, the case of Mr. James Caesar Petrillo who recently handed down the edict to American radio stations that they could not broadcast any musical programs originating in any foreign country, except Canada. He orders broadcasters to hire and fire musicians, orders radio programs canceled at will, orders the number of employees to be used on the programs, and orders the levy on the manufacturers of musical records of a special income tax payable to his union. Mr. Petrillo is not interested in our national welfare. He is interested solely in himself. He is drunk with power. He is an outstanding example of the centralized power over American industry that has fallen into the hands of a few men who care nothing about the general welfare of the people as a whole. The administration has done nothing about it.

I believe in organized labor, in the right of every man to organize and to bargain collectively, but the policies of the Federal Government make the collective bargaining agreements between employers and employees meaningless. Even though workers contract not to engage in strikes, picketing, or boycotts, labor is not prevented from using such activities to compel a modification of the agreement. By force and violence, labor bosses have forced individual citizens to join the union and have demonstrated that they can paralyze the whole of American industry.

During the early period of business development, we saw industrial racketeers unhampered by any rules of law climb to positions of power. The business policy of these racketeers in business was to destroy competition, and conspiracies to control and monopolize trade and commerce resulted. But legal restraints have been put upon such activities by such laws as the Interstate Commerce Act, the Sherman antitrust law, the Clayton Act, and similar enactments. The time has long since arrived when action must likewise be taken against the avarice and greed of labor racketeers.

Let me point out to you that one of the reasons these labor racketeers are able to cause some Members of Congress to obey their orders, is that the labor racketeer makes a point to take an active interest in each and every election. Front organizations, such as the Independent Voters of Illinois, Inc., and the communistic Political Action Committee, are established to take concerted action to defeat any Member of Congress who does not comply with these labor bosses' wishes. By propaganda and misrepresentations, and mass voting, they elect their own spokesman, and misguided people of congressional districts frequently become an unwitting part of the labor boss' program for the continued control of Government policymaking.

It is my plea that you give heed to this warning. You will see this process in operation in the approaching elections.

I have not presented here tonight a very bright picture for the future of American free enterprise. I cannot do otherwise. It is only when we fully recognize and appreciate the nature of the problems confronting us that we effect remedies, and yet I am not a defeatist. I still believe that this country has a great future. The responsibility for this future, however, rests entirely with every man and woman who believes in the American way of life.

I plead with you to take a more active part as an individual citizen in the country's political affairs, both local and national. Mere lip service about individual rights and free enterprise is not enough. We must fight for freedom in the political arena here at home, as our courageous young men fought and died for these rights on foreign battlefields.

THE TELEPHONE STRIKE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, my only purpose in addressing the House is to call attention of the Members to the statement, which you doubtless all saw, which appeared in the press this morning that a Miss or Mrs. Gannon, who assumes to speak for the telephone operators, is going to "jimmy up" the dial telephone system so the public cannot use it. If that is true, and Gannon means what she is reported to have said, I would like to have the District Committee bring in some legislation fixing it so she will have a secure and secluded place to stay where there will be no phones and where she will not find it necessary to go out and fool around with the dial phones. In fact, a place where she will be sure of her meals—where she will be under no temptation to maliciously or otherwise destroy or injure the property of others.

DEMOBILIZATION

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, on last Tuesday President Truman issued a statement in support of the slowing down of demobilization by the War Department in which he said that on VE-day we had 8,300,000 men in the Army, of which slightly more than 4,750,000 had been discharged, leaving 3,500,000 men still in the Army who were there before VE-day. Since VE-day 400,000 men have been inducted into the service under the draft and 400,000 more have voluntarily enlisted. I hope that on tomorrow General Eisenhower will explain to the Congress and to the Nation just why it is that we need to maintain at this time such an Army of 4,300,000 men or more, especially when it is taken into consideration that we also have over 125,000 in the Marine Corps and over 2,000,000 in the Navy.

AN EXCUSE FOR THE CONFUSED CONGRESSMAN

Mr. HOFFMAN. Mr. Speaker, before, but with increased intensity since, the appeal to the people to put the heat on their Congressman, Members of Congress have been receiving requests for legislation which would solve not only the problems of the Nation, of foreign nations, but the problems of the individual.

One of the latter type was that which arrived on the 12th from Mrs. Ada S. Rosenbloom, of Elmira, N. Y., who, representing the Elmira section, National Council of Jewish Women, urged that, in addition to the passage of the full-employment bill and "essential national production and employment budget," asked "that you report out legislation which will place the responsibility for prosperity squarely on Congress."

No details of the proposed legislation were outlined.

I have no doubt but that the good woman is deeply concerned about the future of our country and her letter can be taken as the expression of a common and widespread desire on the part of our people.

It is my wish that we here in Congress knew how to make answer to the responsibility which she would impose upon us. The difficulty of answering the question of just what, if any, legislation we should enact in the effort to answer some of the problems which come to us is not lessened when we listen to the testimony of leaders of various powerful organizations.

During the week of December 10, 1945, when the House Labor Committee was considering the President's so-called fact-finding bill, before it appeared as witnesses, among others, John L. Lewis, William Green, Philip Murray, Secretary of Labor Schwellenbach, and Eric Johnston, president of the United States Chamber of Commerce.

Reference may later be made to the testimony of others, but at the moment and as the Congress enters upon consideration of proposed legislation which has for its purpose the solving of labor disputes and the lessening of the number and intensity of strikes—existing and threatened—permit me to quote the following excerpts from the testimony of Mr. Johnston, given on the 10th of December. The excerpts are as follows:

Mr. HOFFMAN. I think you said something to the effect that we could not pass legislation which would compel employees to live up to their obligation?

Mr. JOHNSTON. I know of none that you could at the present time pass which would have that effect.

Mr. HOFFMAN. Of course, people have been in the habit of violating their contracts ever since contracts have been made, but we have always found it to an advantage to pass regulations in an effort to make them live up to such contracts. Is that not so?

Mr. JOHNSTON. That is quite true.

Mr. HOFFMAN. Then you would not go so far as to say that Congress should not go so far as to make no effort in that direction?

Mr. JOHNSTON. If the effort is predicated on good results, I should say yes.

Mr. HOFFMAN. You can only determine whether the results are going to be good or bad by the passage of the bill and seeing what comes thereafter; is that not so?

Mr. JOHNSTON. That is true to a certain extent, but there are certain methods of approach which are more likely to insure a successful operation of a law; that is, on the one hand careful, considered, and deliberate approach to the problem, with a full opportunity for all sides to be heard, and for that testimony to be digested carefully; rather than on the other hand hasty and ill-considered action.

Mr. HOFFMAN. You would consider that more or less axiomatic?

Mr. JOHNSTON. Truly so.

Mr. HOFFMAN. You are not advocating a policy where you are advising us, as representatives of our people, not to stop strikes which may interfere with the public at large?

Mr. JOHNSTON. No; I am not making the statement that you should not assist when the general public is vitally concerned, but if you will recall, I made a statement earlier this afternoon that I did not think there was any substitute for a voluntary method of management-labor relations.

Mr. HOFFMAN. There might be times when you would consider it advisable that the Government do something? There may be aids?

Mr. JOHNSTON. There may be sides; there may be rules; there may be regulations. However, you cannot legislate productivity out of a man. You cannot legislate his desire to adhere to the American system. You cannot legislate lots of things. Those things come from understanding and mutual self-respect, and no where else. You can supply rules and regulations by which we may check these affairs.

Mr. HOFFMAN. And among the numberless things that we cannot do by legislation, one thing of importance that you cannot do is that you cannot induce people to create and maintain jobs unless there is a profit in sight in so doing.

Mr. JOHNSTON. That is quite so.

Mr. HOFFMAN. I was just wondering whether you had forgotten that or overlooked that.

Mr. JOHNSTON. Not at all. We were talking about management-labor disputes, and not profit motives, and not full employment.

Mr. HOFFMAN. As a matter of fact, are not most of the leaders of the various groups who are complaining about low wages and unemployment classed in a group which has never created or maintained jobs?

Mr. JOHNSTON. Perhaps they never had the opportunity to do so.

Mr. HOFFMAN. Regardless of what opportunity they had or did not have, they just have not done so up until the present time.

Mr. JOHNSTON. In many instances, not; I think that is not pertinent, Mr. HOFFMAN, to this particular inquiry, though.

Mr. HOFFMAN. It would not be strange for a Congressman to ask a question that was irrelevant, would it? We are discussing legislation designed to lessen labor disputes. One group to those disputes gives jobs—the other does not.

Mr. JOHNSTON. I just did not think that touched upon this.

Mr. HOFFMAN. In spite of the fact that perhaps we are asked to pass legislation which will make employment available to certain groups.

Mr. JOHNSTON. I do not believe that you could do that.

Mr. HOFFMAN. The individual employee may, if he is so inclined, bring up these things directly, as individuals?

Mr. JOHNSTON. Yes; that could be done in some instances.

Mr. HOFFMAN. But when you get to grouping together, for some reason or another, you think they are less inclined to abide by or live up to a contract?

Mr. JOHNSTON. Not at all. Most people, including labor unions, do maintain their contract guaranties during the life of the contract, but there are instances of hysteria, there are instances of mass psychology. I can remember in the State of Iowa that they hanged a judge because that judge dispossessed a farmer. This was back in 1933. Assuredly most of the people of Iowa do not want to hang judges, and I think it would be an unfair criticism to aim at them based upon this instance, but, of course, that thing did occur in a state of mass hysteria. Nevertheless we could not blame all the farmers of the State of Iowa or seek to classify them as all members of an actual or potential mob bent upon hanging some judge who should dispossess a farmer of his land.

Mr. HOFFMAN. Since you have brought up that one, I might cite an instance in the State of Michigan when the Governor of Michigan called up 3,700 State Guardsmen to guard the men on the picket line, and in factories strikers, who took possession of a plant, and perhaps we would call that a condition of "governorship psychology." You remember that one also, do you not?

Mr. JOHNSTON. I remember it very well.

Mr. HOFFMAN. I think we should have an illustration on each side.

Mr. JOHNSTON. Of course, I remember that instance very well also.

Mr. HOFFMAN. In spite of the fact that you think we cannot pass legislation which will force employees to live up to their contractual obligations, you would not go so far as to say that we should not make the effort.

Mr. JOHNSTON. I think Congress should give careful consideration to the whole legislative program before undertaking any such act as bold as that.

Mr. HOFFMAN. The one way to accomplish that would be to deny the benefits of collective bargaining legislation of the National Labor Relations Act to those unions who had committed such an act as that?

Mr. JOHNSTON. I do not think that would have any effect whatsoever.

Mr. HOFFMAN. Do you mean to say that if we deny the benefits of the National Labor Relations Act, if we should continue the National Labor Relations Act in force—that is the law under which they have got the right to insist on collective bargaining—that we should make no effort by imposing restrictions on their privileges to compel them to comply with the bargaining once they have entered into it?

Mr. JOHNSTON. Mr. Hoffman, you would throw industry into a state of anarchy if you tried that solution to the problem.

Mr. HOFFMAN. You seem to have a very poor opinion, Mr. Johnston, of the majority of the citizens, and I am glad that I do not share that opinion.

Mr. JOHNSTON (interposing). If I may interrupt you, Mr. HOFFMAN, it is a question of the possibility of passing such a law as will have the effect which you have in mind, and I just do not believe it will do it. However, I do believe this, that if you take away the law, the Labor Relations Act under which collective bargaining is handled, it seems to me that immediately you are going to have a chaotic condition in industry, because you will have no one in your plant with whom you can deal. If you have been dealing with your union, and your union is shorn of its authority to deal with you, because that union has elected certain of its chosen members to speak for the union at large, then that union has no privilege of appealing to the management.

Mr. HOFFMAN. I am not sure that I follow you there. What do you mean by that? What would the situation be, as you envision it?

Mr. JOHNSTON. You take away its collective bargaining power and the management cannot deal with the union.

Mr. HOFFMAN. Perhaps not, but for a stated time it will not be able to deal with anyone.

Mr. JOHNSTON. In that case you would have industrial chaos, and I do not see how that would solve any problem.

Mr. HOFFMAN. You have compelled, through the requirements of the Labor Relations Act, the employer and the employees to enter into a collective bargaining negotiation or negotiations.

Mr. JOHNSTON. That is right.

Mr. HOFFMAN. And the employer, willing or unwilling, enters into an agreement with the union. He has to do that whether he wants to or not, under the law.

Mr. JOHNSTON. That is in compliance with the law.

Mr. HOFFMAN. And the union gives them a contract to sign, and theoretically the employer signs that contract because of the specific privileges granted in it to the union under the provisions of the law. That is something which the union gets as a result of this collective bargaining.

Mr. JOHNSTON. That is correct.

Mr. HOFFMAN. Those things being so, is there any reason why the union should continue to have those special privileges if it does not comply with the contract after it has entered into it?

Mr. JOHNSTON. My opinion is that if you have a contract in which they have a no-strike clause—and I suppose that is what you have reference to—under those circumstances no union would write into a contract a no-strike clause.

Mr. HOFFMAN. Do you mean to say that under the collective bargaining negotiations that the union would not write in a no-strike provision?

Mr. JOHNSTON. Of course, there are many contracts which do not have that now. I have contracts with no-strike clauses in them, and there are contracts that do not have them in them. They are both ways.

Mr. HOFFMAN. If there is to be no contract with a no-strike, no-work-stoppage clause, if it is to be outlawed and put beyond the pale

of the contract, what is the use of having a contract?

Mr. JOHNSTON. There are many reasons for having a contract beyond that.

Mr. HOFFMAN. Would you write a contract for a year, under your theory of the union's position, that the union could violate it 10, 12 or more times—if they are going to do that, do you think that industry can go ahead and carry along under such situations as that?

Mr. JOHNSTON. Industry has carried along that way. As a matter of fact, no-strike clauses are not general in contracts. There are none in many, many contracts. As a matter of fact, there are not many contracts that have no-strike clauses. You can operate under a contract without a no-strike clause. As a matter of fact, we have continued to work very well under that arrangement. However, very few unions ever strike under contract, relatively, in proportion to the number of contracts that are actually written, the number is very few.

I made the statement that I thought voluntary arbitration was a long step forward in industrial disputes. We accomplished that at the labor-management conference. Then, by adjudicating these disputes that arise under the contract, we would succeed in abrogating strikes or any other type of industrial dispute which might be involved to a greater or lesser degree. I do not believe that that is the answer to it, Mr. HOFFMAN, as you suggest. It has nothing to do with this specific bill which we are now discussing, namely, the problem of fact-finding, which I am favoring, if we might have fact-finding as a new tool, because I think it is a splendid tool. I do not think this particular bill, however, is the most ideal one to accomplish that end.

Mr. HOFFMAN. When you say it has nothing to do with this, just what is it you think is under consideration, because, if I understand it correctly this discussion does not have to do solely with the consideration of this bill though it does contain a provision for the suspension of the right to strike, but we are trying to find some legislation that will be helpful in creating peace and harmony between industry and labor. Is it not true that one of the main purposes entering into a contract on the part of management or the employer is to secure uninterrupted production?

Mr. JOHNSTON. That is correct, sir.

Mr. HOFFMAN. You would not embody in any contract, a clause which would help to guarantee that?

Mr. JOHNSTON. I do not think you can legislate that very well.

Mr. HOFFMAN. Why not take it up by legislation?

Mr. JOHNSTON. As I stated before, you have to deal with people, and in dealing with large groups of men, you cannot deal with the individual, but you have to deal with them as a group.

Mr. HOFFMAN. The union would lose the benefit which it had before—which it obtained under the National Labor Relations Act—and that would be a penalty imposed upon the union for not living up to the contract which it had executed.

Mr. JOHNSTON. With whom would you deal when you are not dealing with 1 employee, but with 5,000? They are many instances of that kind, as I am sure you know.

Mr. HOFFMAN. Yes. Would you not deal with the union in that case?

Mr. JOHNSTON. When disputes occur, and they turn up almost every day, with whom would you deal?

Mr. HOFFMAN. If the union knew it would lose the right of collective bargaining if it did not keep its contracts, it might think it advisable to keep them. Disputes have to do with the individual, in the final analysis. I think that important point has been overlooked by many people. There would not be any Thomas or any Reuther, if we are speaking with reference to the General Motors situation, but there are certainly at least the wives of these men who are out on strike who would suggest to them, "John, why don't you go down there, go to work then, get your pay check and bring it home?" [Laughter.] You may laugh, but that is what happens quite often in a strike. You said you were against outlawing strikes. Do you mean that absolutely? Do you not exclude strikes which shut off the water, light, and transportation?

Mr. JOHNSTON. When you shut off the water and light, of course, Mr. HOFFMAN.

Mr. HOFFMAN. You did not mention that, and I was wondering if you included it.

Mr. JOHNSTON. I am speaking about industrial problems, primarily. When you touch upon matters affecting public health or public safety I think they should be dealt with quite differently from those ordinarily classified as industrial. I think light, power, and things of that sort, which affect the general public so vitally, must be dealt with in consideration of that situation.

Mr. HOFFMAN. There might be forced arbitration with this kind of a public utility which affects life or the safety of the general public, or the general public welfare, the health of the public at large, and things of that character.

Mr. JOHNSTON. Again, I do not like forced arbitration.

Mr. HOFFMAN. I do not either, but I do not want to have to walk to work.

Mr. JOHNSTON. There are alternatives to walking to work, and as to some of those alternatives I would prefer to walk to work.

Mr. HOFFMAN. Perhaps you remember the alternative which took place in Michigan back in 1937, when the men at some of the power companies threw the switches at the powerhouses and the water plant stopped, the fire departments could not operate, the hospitals had no light, and the general public was inconvenienced to a very considerable extent. These vital utilities were without service. Would you feel that you would force that to arbitration, a situation of that kind?

Mr. JOHNSTON. I think some method should be worked out in those instances so that service could be resumed.

Mr. HOFFMAN. Why not so that service would never be interrupted? Interruption of service might cost the lives of innocent people.

One more question. Do you or do you not think the National Labor Relations Act should be amended so as to give the parties on both sides, and labor union on the one side and the employer on the other, equal privileges and equal responsibilities?

Mr. JOHNSTON. That is a problem that I would like to think over and discuss with you later. When we may have the time to do so.

Please read the first and last questions, with the answers as given by Mr. Johnston.

If his first answer is true, what, if any, legislation should Congress enact? The last question to Mr. Johnston amounted to no more than this: Do you believe that all men should stand equal before the law—have equal responsibility, equal privileges?

To that question, Eric Johnston, president of the United States Chamber of Commerce, announced that he was unable to make answer; that he would have to consider it before he could answer.

When the president of the United States Chamber of Commerce cannot forthwith and without equivocation answer as to whether, in his opinion, employer and employee should have equal justice under law, members of his organization should not criticize Members of Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. WASIELEWSKI, for 3 days—Monday, Tuesday, and Wednesday—on account of official business.

To Mr. PLUMLEY (at the request of Mr. MARTIN of Massachusetts), indefinitely, on account of serious illness in family.

To Mr. BUCK (at the request of Mr. MARTIN of Massachusetts), indefinitely, on account of illness.

To Mr. ANGELL (at the request of Mr. MARTIN of Massachusetts), indefinitely, on account of official business.

To Mr. LARCADE, until January 31, 1946, on account of official business of the Committee on the Territories.

To Mr. HESELTON (at the request of Mr. MARTIN of Massachusetts), for 2 days, on account of illness.

To Mr. TAYLOR (at the request of Mr. MARTIN of Massachusetts) indefinitely, on account of official business.

THE LATE JOSEPH W. ERVIN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina [Mr. DOUGHTON].

Mr. DOUGHTON of North Carolina. Mr. Speaker, it is my sad duty to announce to the House the death of our colleague, Hon. JOSEPH W. ERVIN, a Representative in Congress from the Tenth Congressional District of the State of North Carolina.

A native of Morganton, Burke County, N. C., he graduated from the university of our State with an A. B. degree in 1921, and had practiced law in Charlotte since his graduation at the university law school in 1923. He served as solicitor for the city of Charlotte; at the time of his election to the Seventy-ninth Congress he was serving as attorney for the County of Mecklenburg, N. C.

During his short service in Congress, which began with the opening of the Seventy-ninth Congress, he was a member of the Committees on World War Veterans, Elections, Expenditures in the Executive Departments, Public Buildings and Grounds, and Revision of the Laws.

During my long service as a Member of the House of Representatives, I have never known any man to take his duties more seriously or conscientiously, nor to discharge them with greater earnestness, ability, sincerity, and fidelity. In fact, in my opinion, overwork and, if possible, taking his duties too seriously, were the main causes of his untimely death. The Congress, our State and the Nation have suffered a great loss in his passing, and to his family, relatives, and friends, I extend my most sincere sympathy in their great sorrow and bereavement.

Others more familiar with the life and service of Mr. ERVIN before he came to Congress will speak more at length of this most useful and outstanding man whose death we all so deeply and sincerely mourn.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. BULWINKLE].

Mr. BULWINKLE. Mr. Speaker, it is with deep sorrow that I arise today to pay tribute to the memory of a man whom I have known and admired for nearly a quarter of a century, our late

colleague JOSEPH WILSON ERVIN. We were shocked to hear of his death in Washington on Christmas Day. I have known him, I have respected him, and I have admired him for these many years.

JOE ERVIN was born in Morganton, Burke County, N. C., on March 3, 1901, and was graduated from the University of North Carolina in 1921. He studied law at the university in 1922 and 1923. After being admitted to the bar, he practiced law in my home city of Gastonia for several years. He later moved to Charlotte where he engaged in the practice of law since 1925. It was a successful practice that he had. He had a strong interest in civic affairs, as well as in politics, and during these years he made many friends over the entire State of North Carolina who admired him as well as loved him.

I had a particular interest in his presence in the Capitol because the six counties which comprise the district he represented when elected to Congress in November 1944 were counties which I had represented for nearly 20 years. I was brought in contact with many of his constituents from time to time, and they were impressed with his ability, sincerity, and honesty of purpose. During the past 12 months he worked very hard for his district, his State, and the Nation. He worried about many things that were happening during these months, and this worry, together with ill health, were the direct cause of his untimely death.

JOE ERVIN came of a distinguished family, both on his father's side and his mother's side. His father was a great lawyer; one of his brothers is a doctor who is recognized in his profession; another brother is an excellent lawyer and for some years was judge of the superior court in North Carolina. This brother, the Honorable Sam Ervin, was nominated by the Democratic executive committee to fill the unexpired term of our deceased colleague. The Republican Party graciously decided not to nominate anyone to oppose him. The election will be held on the 22d of January, and the membership of the House will recognize in this new Member many of the sterling qualities which his brother possessed and which endeared him to all.

We, the Members of the House of Representatives, will grieve with his widow, mother, and the other members of Congressman ERVIN's family in their sorrow and bereavement.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Speaker, it was quite a shock when I learned of the death of my friend, the Honorable JOSEPH ERVIN. It so happened I had the privilege of attending the University of North Carolina with Joe. He was a hard worker. He was sincere. He was honorable. He always wanted to make his contribution. When he came to the House I was in contact with him frequently. I have never seen a young man come to this body with a more sincere determination to do something worth while. He was intelligent, he was the soul of honor with energy enough to round out the qualities of a most valuable Member. It was only about 10 days before his death that I was talking to him just back of the rail here in the Chamber. I knew of the nights that he was spending in his office working in addition to the time he spent there during the day. He was not at all regular with his meals. It did not make any difference to him. He felt that he had to be either in his office, in some department of the Government, or in this Hall attending to his duties. I told him then, in my opinion, his health would be much more secure if he would take a few days off and rest. He called me by my nickname and said: "Hap, I just haven't the time." So we parted with those remarks. Now he has been removed from this Hall. The State of North Carolina and the Nation has lost a valuable citizen and a fine statesman. He was removed, you might say, in his youth. He will be succeeded by his brother whom I also know personally and with whom I attended the university. His brother Sam is an able man with a wide experience and will make a real contribution here in this House when he arrives. He is as fine a fellow as was his brother. I join the State of North Carolina and the Nation in mourning the loss of our colleague, JOE ERVIN.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. BONNER].

Mr. BONNER. Mr. Speaker, it was a shock, a great shock, to all North Carolinians to read in the paper on Christmas Day of the passing of one of North Carolina's distinguished sons, a young man from whom great things were expected. He came to Congress with a fine determination to do right and to apply himself diligently to his duties. I did not have the pleasure of knowing JOE ERVIN before he came to Congress. I, of course, immediately made his acquaintance and began to love him and admire him for his sincere devotion to his duties. Too devoted was he to his duties. So devoted was he to his duties that he neglected the physical outdoor exercise and recreation that he should have had. So devoted was he to his duties that he carried his work home with him at night when he should have been enjoying the pleasures of family life, for he had a most attractive and splendid lady as a lovable companion, loyal and devoted wife. I often talked to him here on the floor of the House and was surprised to note how seriously he took the great problems that only he could lend his aid to correct. He felt it was his individual duty to see that they were carried out as he thought they should be. JOE ERVIN labored beyond the call of duty. This House has lost a valuable Member, the Nation has lost a splendid son, and the State of North Carolina has lost a fine man. I regret the tragic passing of JOE ERVIN. I extend my sympathy to his friends, not only in the House but in the State of North Carolina, and particularly to his family. I am thankful for the friendship which I made with him and which I will miss.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. WEAVER].

Mr. WEAVER. Mr. Speaker, I wish to join with my colleagues from North Carolina and with the entire membership of this House in the deep sorrow which has come to us in the death of our beloved colleague, JOE W. ERVIN.

At this time I shall not undertake to make any extended tribute and to express my deep distress over the death of Mr. ERVIN. He came from a great family of people, from a family which has make its impress upon the history of North Carolina in every phase of service, public and private, from the days of the Revolutionary War. He was an honest man. He was deeply concerned, during his service in Congress, over the national problems that were pressing for solution upon each and every Member of the House. He was painstaking in his work. He shirked no duty. His life was clean and upright. He had contributed, as a lawyer, to the upbuilding of his State prior to his service in Congress. Always he had been eager to assist in his community. He gave promise of becoming one of the strong, outstanding Members of this body. His loss comes at a most crucial hour.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, as chairman of the Committee on World War Veterans' Legislation, on which Mr. ERVIN served, I probably knew him as well as any Member in the House. When notice of his death came to me I was on my way home. It was one of the greatest shocks of my life. I immediately called Washington and had flowers sent in the name of the Committee on World War Veterans' Legislation because I realized that every member of that committee loved and admired JOE ERVIN. He was one of the most conscientious Members of Congress I have ever known. He literally worked himself to death.

The average man on the outside, who looks down on the Halls of Congress, or reads about Congress in the newspaper, or hears Congress abused over the radio, does not realize the vast number of important problems with which Members of Congress have to deal. A man can be just as small as he wants to be in this body or he can be just as big as his capacities will permit.

There were certain measures before the House that disturbed Mr. ERVIN, and disturbed every other man who loves constitutional government; that disturbed every man who believes in the American way of life; that disturbed every man who has a conscientious regard for the welfare of his country. He devoted so much of his time to working on those problems that it literally destroyed his health and destroyed his life.

Shakespeare pointed out a time that comes in the life of most men when Hamlet said:

To be? or, not to be? that is the question?
Whether 'tis nobler in the mind to suffer
The slings and arrows of outrageous fortune;
Or to take arms against a sea of troubles,
And, by opposing, end them?

The Bible says, "Judge not that ye be not judged."

We know not the suffering of his body, the burden of his heart, the anguish of his soul, the tenor of his mind.

But we do know that while he was able to do so he rendered some of the finest services ever rendered by a new Member of this House.

These announcements of the passing of our colleagues, and former colleagues, all bring to us the sad reminder that sooner or later some casualty or disease will terminate our existence. This is the second announcement today, that of our former colleague, Mr. Walsh, of Massachusetts, and that of Mr. ERVIN, of North Carolina. It reminds us that the cradle and the grave are very near to each other; the moment we begin to live, that is the moment we begin to die. It reminds us, as I said, that we are all destined to suffer the common fate of men; but when we look around and see the ones who have been taken and realize that perhaps some of the rest of us could have been better spared we fail to understand the Divine edicts by which they are taken; and when we remember the associations, the energies, the conscientious devotion to duty of these men we wonder why they were selected by fate for the scythe of time.

When I remember all the friends so linked together
I've seen around me fall like leaves in wintry weather;
I feel like one who treads alone some banquet hall deserted,
Whose lights are fled, whose garlands dead, and all but he departed.

We will miss our distinguished friend, JOE ERVIN, but we will not forget him.

Peace to his ashes, and honor to his sacred memory.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, on Christmas Day, during the festivities that we were having in our own home, word came over the radio of the death of JOSEPH W. ERVIN, of North Carolina, a Member of Congress from that State. As I heard that broadcast it cast a cloud over me such as I have not had in a long, long time, because I had learned to know JOE ERVIN during 1945 in the Halls of Congress. To know him was to love him.

To me, JOE ERVIN was one of the finest fellows I have ever had the privilege of being associated with. I came in frequent contact with him on the Committee on Expenditures in the Executive Departments. He was honest, honorable, conscientious, able, attentive to the duties and work of the committee. He was bright and keen in his questioning of witnesses, and I learned to admire that man as much as I have admired any Member of Congress with whom I have associated during the past years.

It seems so wrong, too, that one so bright and one so useful and so intelligent and so beneficial to his district should be taken away from us.

Sometimes the angel of death strikes suddenly, as it did in this case. The country has lost one of the finest legislators it has been my privilege to be associated with.

His principles were high. He wanted to do that which he believed to be best for his country. He was more interested in the Nation's welfare than in his own. He worried a lot about much of the legislation that was discussed by the Members of Congress. He wanted to do the right thing and he did not want to see ill-conceived legislation passed, or legislation that was not in the best interest of the country become law.

I admired him very much and will miss his counsel and his friendship. I have lost a real friend in the passing of JOE ERVIN. This country, his State, and his district have lost a great legislator and will all miss him greatly.

How weak are we, how frail our bodies are; yet there will be a time that all of us will have to meet our God and it behooves each and every one of us to live that kind of life so that some day we will be able to meet JOE ERVIN again in that home in heaven that is prepared for you and me.

We are going down the valley, one by one,
With our faces toward the setting of the sun.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Speaker, I join with his many friends in mourning the passing of the late JOE W. ERVIN and I join in the deserved tributes to his public service.

JOE W. ERVIN was well-born, well educated, and unusually well trained and equipped for a successful congressional career. He had studied public issues and was familiar with economic problems. He was broadly informed with respect to public questions.

JOE W. ERVIN impressed me from the beginning of his tenure when he became a Member of the Seventy-ninth Congress. He was a member of the Committee on Expenditures in the Executive Departments and was diligent in attendance upon the hearings of the committee. He was careful in his consideration and understanding of the important bills considered by the committee during his membership. It is not too much to say that the Committee on Expenditures has had more important legislation under consideration during the past 12 months than in any previous 12 months.

Our departed colleague was patriotic. He typified the finest in the civilization of the Old North State. He was well acquainted with the best traditions of North Carolina. He not only loved his State, but he was devoted to his country. He believed in the American way of life and he was devoted to democracy. He believed that it was the duty of the citizen to maintain his Government and not the duty of the Government to support the citizen. He was conscientious and he was courageous.

JOE W. ERVIN was one of the most industrious Members of Congress. He was not satisfied unless he had done his best. He worked too much. Too much work and worry are often synonymous. JOE W. ERVIN was a victim of overwork.

I have lost a devoted friend and the country has lost a faithful public servant.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield to the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Speaker, I rise to pay humble tribute to Congressman JOE ERVIN whom I believe to have been one of the closest friends that I have made in this Congress. I also pride myself in the fact that probably I was one of the closest friends he had on the minority side of the House. I am impelled to speak because I feel it a duty to pay tribute to him, and I think he would want me to do so. In my judgment he worked and worried himself to his death over the problems of his country. He talked with me many times about the problems that were disturbing him. He talked about not being a candidate again. I told him that I regarded him as a man who had the greatest possibilities of anyone from the South, and jokingly said to him, "You can well be the second BOB DOUGHTON from your State, and you owe it to your State and to your Nation to stay in the fight." As has been said before, he was one of the most conscientious, one of the most intelligent and one of the most patriotic men privileged to serve in this body. I was greatly shocked when on Christmas day I read in the St. Louis Globe-Democrat of his untimely death, and I said to my wife, "He has worried and worked himself to death for his country." The State and the district he represented have lost the services of one of the finest men to represent that State in the Halls of Congress. We Members have lost an inspiration, in addition to his cooperative high-minded service here in the House, and the Nation, facing one of its greatest crises on the home front ever to come to this country, we have lost the services, the leadership, the effort, intelligence, and the energy of one of the greatest new Members that has come to this House, at least, during my short service here.

We all, of course, extend our condolences to the family, and we are looking forward to another able man, his brother, to help us carry on the burdens of this Republic, when he will have been sent to this body.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I was profoundly grieved to learn of the passing of my colleague, Congressman JOSEPH ERVIN. To my mind, he was one of Nature's finest gentlemen and greatest noblemen. My first meeting with him established a deep and abiding faith in his integrity, his honesty, and his desire to do what was right for his country.

In connection with legislation for the veterans, I saw him more than anyone else because we were both members of that committee. Certainly, the veterans have had no finer or truer friend than Congressman ERVIN. Their welfare was his every wish. The last thing he said to me was an expression of joy upon the passage of the medical service bill to give the disabled veterans more adequate care.

Truly, we in the House are going to miss the wise counsel of Congressman ERVIN, his ready and helpful smile, and his earnestness.

I believe his own ill health made him particularly sensitive to anyone who was oppressed and in need of assistance.

Massachusetts joins North Carolina in deep sorrow at the passing of its very able

statesman and Congressman, JOSEPH W. ERVIN.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield to the gentleman from Texas [Mr. LYLE].

Mr. LYLE. Mr. Speaker, I am proud that I served with JOE ERVIN, of North Carolina. We came to Congress together. I had the deepest and highest regard for him. He was a splendid gentleman and a fine statesman. I am only sorry that we shall not have him with us in the future.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield to the gentleman from Texas [Mr. PICKETT].

Mr. PICKETT. Mr. Speaker, as one of JOE ERVIN'S freshman colleagues in the House, I came to know him well. I sat with him in committee and visited and conferred with him in his office and he in mine during the course of the months we served together. It was my inestimable privilege to have been associated with him personally outside the Halls in which we labored together.

To me, his passing was that of a man who literally gave his life in the service of his country. His passing was that of a man who had no peer in sound thinking and good judgment on legislative and national problems. He was a man in whom the utmost confidence could be placed and in whom the utmost trust was placed by those who knew him and associated with him. Personally, I say that nothing but high praise and the highest of praise could be given to our departed colleague.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Speaker, the passing of JOE ERVIN has cast a cloud of sorrow over the Members of Congress. When I first came to Congress, JOE ERVIN was one of the first men I had the pleasure of meeting. When I was here but a few days we took counsel together. I want to make this testimony—that JOE ERVIN was one of the soundest, the most conservative, and the best men that Congress claimed as a Member. I had the pleasure of visiting in his home and of breaking bread at his table. I found him there that true American that I found him in the Halls of Congress. If we but had in this Congress a few more Joe Ervins we would not wander about in the wilderness of doubt and uncertainty, nazism, fascism, communism, or socialism. We would certainly carry out and abide by the principles and doctrines of the Constitution of the United States and the American way of life.

I want to close these remarks by saying of JOE ERVIN what Antony said of Brutus, that his life and the elements so mixed in him that Nature might stand up and say to all the world, "This was a man."

I share the loss and mourn with the immediate family, the State of North Carolina and the Nation, in the passing of JOE W. ERVIN, an outstanding American.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield to the gentleman from South Carolina [Mr. RICHARDS].

Mr. RICHARDS. Mr. Speaker, it happens that the district of the late JOE ERVIN in North Carolina joins mine—mine being one of the northern districts of South Carolina and his one of the southern districts of the Old North State. I had heard of JOE ERVIN before he came to Congress. I had heard of his sound family background, going back for generations. I had heard of his high standing as a citizen and as a lawyer in the city of Charlotte. I have never heard anyone mention anything against his character during his boyhood or manhood, in his private life, or in the practice of his profession of the law. He was an able lawyer and an outstanding citizen of the State of North Carolina. When Joe came to Congress we were thrown together a good bit and became close friends. I came to know why he was admired so much by the people of his district. He literally died a casualty of the war for constitutional government in this country. He worried and worked himself to death. Sometimes when we went home together at night—and we often rode home together here in Washington—he talked to me about the problems confronting the people of his district and the people of this great country. He feared for the future of the Republic of the United States. He felt it was incumbent upon every citizen of the United States to give his all to see that what our forefathers fought for was preserved. Once when we talked over these things I told him, "If you do not leave some of your worries in your office, this thing might get you someday." And he replied, "Dick, I am afraid it might. But I have a duty to perform here, and, so help me, God, I am going to perform it."

I do not think there is any Member of this House who knew JOE ERVIN and was associated with him who will not profit by that association. He was one of Nature's noblemen, one of God's fearless warriors for the right. Peace be to his ashes. May the red hills of North Carolina grow more men like him. His type is the backbone of America.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I yield to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, it was not my privilege to know JOE ERVIN, of North Carolina, until he came to Congress. But when he became a member of the Committee on Expenditures in the Executive Departments we became rather well acquainted. On more than one occasion he expressed his deep concern, as some of you from his State have just told us, over the course the Nation was taking. Not being a physician, not having been acquainted intimately with the gentleman other than as we were thrown together here on the floor and in committee meetings, I cannot express an opinion, a scientific opinion, as to why he left us. I can, however, from my association with him, say that I, too, was impressed by his intense desire, his determination to serve the people of his district and the people of the country. If I may be permitted to venture an opinion, it would be that he died of a broken heart, discouraged because he was not able to do more than any one man is able to do to put and keep us on the course which he so sincerely believed we must follow if we are to be a free people. May God comfort those he left behind.

ADJOURNMENT

Mr. DOUGHTON of North Carolina. Mr. Speaker, I offer a resolution (H. Res. 476).

The Clerk read the resolution, as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. JOSEPH W. ERVIN, a Representative from the State of North Carolina.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

Accordingly (at 1 o'clock and 40 minutes p. m.), the House adjourned until tomorrow, Tuesday, January 15, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE CENSUS

The Committee on the Census will hold hearings on H. R. 4781 on Thursday and Friday mornings, January 24 and 25, 1946, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

883. A letter from the Adjutant General, Grand Army of the Republic, transmitting the proceedings of the Seventy-ninth National Encampment of the Grand Army of the Republic, held at Des Moines, Iowa, September 10–15, 1944 (H. Doc. No. 412); to the Committee on Military Affairs and ordered to be printed.

884. A letter from the Director, Naval Petroleum Reserves, Navy Department, transmitting a report covering (A) all agreements, and (B) all purchases and condemnation proceedings entered into under authority of the act of June 30, 1938 (52 Stat. 1253), as amended by the act approved June 17, 1944, Public Law No. 343, Seventy-eighth Congress, second session. This report covers all such instruments entered into by the Navy Department since the last report of this nature to the Congress on November 22, 1944; to the Committee on Naval Affairs.

885. A letter from the Secretary of War, transmitting the reports of inspection, 2,709 in number, of the records and accounts of disbursing officers of the Army, made during the fiscal year ended June 30, 1945, by officers of the Inspector General's Department or others detailed for that purpose; to the Committee on Expenditures in the Executive Departments.

886. A letter from the Acting Secretary of the Interior, transmitting a report showing the amount of moneys credited to such helium-production fund as established by section 3 (c) of the amendatory Helium Act, approved September 1, 1937 (50 Stat. 885, U. S. C., sec. 164), and the amount of disbursements made therefrom during the preceding fiscal year, and the unexpended and unobligated balances on hand in such fund as of the end of such fiscal year; to the Committee on Military Affairs.

887. A letter from the General Manager, Tennessee Valley Authority, transmitting a report of expenditures for the 12 months ended November 30, 1945, of funds derived from the sale of bonds under section 15c of the Tennessee Valley Authority Act of 1933, as amended; to the Committee on Military Affairs.

888. A letter from the Acting Secretary of the Interior, transmitting a detailed report

showing credit operations to July 1, 1945, authorized under section 10 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 986), sections 6 and 7 of the Oklahoma General Welfare Act of June 26, 1936 (49 Stat. 1968), and the benefits of the revolving credit fund were also extended to Alaska by the act of May 1, 1936 (49 Stat. 1250); to the Committee on Indian Affairs.

889. A letter from the President, the Chesapeake & Potomac Telephone Co., transmitting a report of the Chesapeake & Potomac Telephone Co. for the year 1945; to the Committee on the District of Columbia.

890. A letter from the President, the Georgetown Barge, Dock, Elevator & Railway Co., transmitting the report of the Georgetown Barge, Dock, Elevator & Railway Co.; to the Committee on the District of Columbia.

891. A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of a proposed bill to incorporate into the Judicial Code the provisions of the Urgent Deficiencies Act of October 22, 1913, relating to the enforcing, suspending, and setting aside of orders of the Interstate Commerce Commission by three-judge and other district courts and to amend the provisions thereof and of section 266 of the Judicial Code relating to three-judge district courts convened upon application to restrain the enforcement of State statutes so as to make those provisions uniform so far as may be with the provisions for three-judge district courts now contained in section 1, as amended, of the Expediting Act of February 11, 1903, and section 3 of the act of August 24, 1937, relating to three-judge district courts convened upon application to restrain the enforcement of acts of Congress; to the Committee on the Judiciary.

892. A letter from the director, national legislative committee, the American Legion, transmitting two copies of the financial statement of their organization for the year of 1945 up to October 31; to the Committee on World War Veterans' Legislation.

893. A letter from the Secretary of the Interior, transmitting the fourth annual financial statement and report of operations under the provisions of section 13 of the Boulder Canyon Project Adjustment Act (54 Stat. 774, approved July 19, 1940); to the Committee on Irrigation and Reclamation.

894. A letter from the Attorney General, transmitting a draft of a proposed bill to authorize certain administrative expenses for the Department of Justice, and for other purposes; to the Committee on the Judiciary.

895. A letter from the Secretary of the Navy, transmitting a draft of a proposed joint resolution to authorize the President to appoint Rear Adm. Earle W. Mills, United States Navy, to the office of Chairman and member of the United States Maritime Commission and Administrator of the War Shipping Administration without affecting his naval status and perquisites; to the Committee on Naval Affairs.

896. A letter from the Secretary of the Interior, transmitting a report covering expenditures made from the appropriation "Education of natives of Alaska, 1944–46," for the relief of destitution of natives of Alaska during the fiscal year 1945; to the Committee on Expenditures in the Executive Departments.

897. A letter from the Chairman, United States Maritime Commission, transmitting a report of contracts entered into or modified under authority of Public Law 46 for the period beginning October 1, 1945, and ending December 31, 1945; to the Committee on the Merchant Marine and Fisheries.

898. A letter from the Secretary, Department of Agriculture, transmitting a draft of proposed legislation to provide substantive authority for various provisions now carried in the Agricultural Appropriation Act which may be subject to legislative points of order. Also statements explaining the need for the various items included in the proposed legislation; to the Committee on Agriculture.

899. A letter from the Acting Secretary of the Interior, transmitting, pursuant to section 16 of the organic act of the Virgin Islands of the United States, approved June 22, 1936, one copy each of various legislation passed by the Municipal Council of St. Croix; to the Committee on Insular Affairs.

900. A letter from the Chairman, United States Tariff Commission, transmitting the Twenty-ninth Annual Report of the United States Tariff Commission; to the Committee on Ways and Means.

901. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend the act entitled "An act to authorize blackouts in the District of Columbia, and for other purposes," approved December 26, 1941, as amended; to the Committee on the District of Columbia.

902. A letter from the Secretary of the Navy, transmitting a report to the Congress by rank and age group the number of such officers above the rank of lieutenant commander of the Navy, with the average monthly flight pay authorized by law to be paid to such officers during the 6-month period preceding the date of the report; to the Committee on Appropriations.

903. A letter from the Acting Secretary of the Interior, transmitting pursuant to section 16 of the organic act of the Virgin Islands of the United States, approved June 22, 1936, one copy each of various legislation passed by the Municipal Council of St. Thomas and St. John; to the Committee on Insular Affairs.

904. A letter from the Chairman, Federal Trade Commission, transmitting the Thirty-first Annual Report of the Federal Trade Commission for the fiscal year ended June 30, 1945; to the Committee on Interstate and Foreign Commerce.

905. A letter from the Chief Clerk, Court of Claims of the United States, transmitting statement of all judgments rendered by the Court of Claims for the year ended December 1, 1945, the amount thereof, the parties in whose favor rendered, and a brief synopsis of the nature of the claims; to the Committee on Claims.

906. A letter from the Chairman, National Mediation Board, transmitting an amended quarterly estimate of personnel requirements for the National Railroad Adjustment Board for the period ending March 31, 1946; to the Committee on the Civil Service.

907. A letter from the Secretary of the Interior, transmitting his report on operations, pursuant to the provisions of Public Law 290 (78th Cong.), approved April 5, 1944; to the Committee on Mines and Mining.

908. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 7, 1945, submitting a report, together with accompanying papers, on a preliminary examination of Fox River and tributaries, Wisconsin, authorized by the Flood Control Act approved on June 22, 1936; to the Committee on Flood Control.

909. A letter from the Administrator, Surplus Property Board, transmitting a report on transportation facilities; to the Committee on Expenditures in the Executive Departments.

910. A letter from the Administrator, Surplus Property Administration, transmitting a report on Government-owned pipe lines; to the Committee on Expenditures in the Executive Departments.

911. A letter from the Secretary of Commerce, transmitting the annual report of the Department of Commerce for the fiscal year 1945; to the Committee on Interstate and Foreign Commerce.

912. A letter from the Administrator, Surplus Property Administration, transmitting a report on patents, processes, techniques, and inventions; to the Committee on Expenditures in the Executive Departments.

913. A letter from the adjutant general, Veterans of Foreign Wars of the United States, transmitting a report of the proceedings of the Veterans of Foreign Wars of the United States for the fiscal year ended August 31, 1945, including a full and complete report of receipts and disbursements; to the Committee on Military Affairs.

914. A letter from the Attorney General transmitting a report reciting the facts and pertinent provisions of law in the cases of 179 individuals whose deportation has been suspended for more than 6 months by the Commissioner of the Immigration and Naturalization Service; to the Committee on Immigration and Naturalization.

915. A letter from the Chairman, Federal Power Commission, transmitting a classified report showing, for the fiscal year ended June 30, 1945, the permits and licenses issued under part 1 of the Federal Power Act, the parties thereto, the terms prescribed, the moneys received, if any, and an accounting thereof; to the Committee on Interstate and Foreign Commerce.

916. A letter from the Director, Bureau of the Budget, transmitting the second quarterly report of personnel ceilings as determined and fixed by him, pursuant to section 607 of the Federal Employees Pay Act of 1945, for the quarter ending December 31, 1945; to the Committee on the Civil Service.

917. A letter from the Chairman, Federal Power Commission, transmitting a statement showing the names and compensation of the members and employees of the Federal Power Commission as of June 30, 1945; to the Committee on Interstate and Foreign Commerce.

918. A letter from the Assistant Secretary, Department of Agriculture, transmitting a report for the fiscal year ended June 30, 1945, covering the receipts, expenditures, and work of the agricultural experiment stations in the States, Hawaii, Alaska, and Puerto Rico; to the Committee on Agriculture.

919. A letter from the Administrator, Civilian Production Administration, transmitting the Twenty-first Bimonthly Report of the Smaller War Plants Corporation covering its activities for the period from October 1, 1945, through November 30, 1945; to the Committee on Banking and Currency.

920. A letter from the President, Civil Service Commission, transmitting requests for personnel for the third quarter of the fiscal year 1946; to the Committee on the Civil Service.

921. A letter from the Attorney General, transmitting a request that the deportation case of Francesco or Frank Cutugno be withdrawn from those now before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on Immigration and Nauralization.

922. A letter from the Attorney General, transmitting a request that the deportation case of Erineo Lopez be withdrawn from those now before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on Immigration and Naturalization.

923. A letter from the Acting Postmaster General, transmitting a draft of a proposed bill to authorize certain administrative expenses in the Post Office Department, and for other purposes; to the Committee on the Post Office and Post Roads.

924. A letter from the Administrator, Federal Security Agency, transmitting a draft of a proposed bill to amend the act entitled "An act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes" approved June 20, 1936, and for other purposes; to the Committee on Labor.

925. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires which occurred at various Navy shore activities; to the Committee on Claims.

926. A letter from the Assistant Secretary, Department of Agriculture, transmitting a report of the activities of, funds used by, and donations to, the regional research laboratories established pursuant to section 202 of the Agricultural Adjustment Act of 1938, as required by paragraph (e) of that section; to the Committee on Agriculture.

927. A letter from the Director, Tennessee Valley Authority, transmitting the Tennessee Valley Authority's Twelfth Annual Report covering its activities for the fiscal year beginning July 1, 1944, and ending June 30, 1945; to the Committee on Military Affairs and ordered to be printed.

928. A letter from the Secretary of War, transmitting a draft of a proposed bill to govern distribution of war trophies; to the Committee on Military Affairs.

929. A letter from the Acting Secretary of the Navy, transmitting the draft of a proposed bill to establish a chief of chaplains in the United States Navy; to the Committee on Naval Affairs.

930. A letter from the Assistant Secretary, Department of Agriculture, transmitting the annual report of the Administrator of the Rural Electrification Administration covering operations of this Administration for the fiscal year of 1945; to the Committee on Interstate and Foreign Commerce.

931. A letter from the Postmaster General, Chairman, Board of Trustees, transmitting the report of operations of the Postal Savings System for the fiscal year ended June 30, 1945 (H. Doc. No. 393); to the Committee on the Post Office and Post Roads and ordered to be printed.

932. A letter from the Administrator, Veterans' Administration, transmitting a draft of a proposed bill to govern the effective dates of ratings and awards under the Veterans' Administration revised Schedule for Rating Disabilities, 1945, and for other purposes; to the Committee on World War Veterans' Legislation.

933. A letter from the Assistant Secretary, Department of Agriculture, transmitting the report of operations, expenditures, and obligations under the Soil Conservation and Domestic Allotment Act for the fiscal year ended June 30, 1945; to the Committee on Agriculture.

934. A letter from the Secretary of the Treasury, transmitting an itemized report of transactions during the fiscal year 1945, for account of the Pershing Hall Memorial Fund; to the Committee on Expenditures in the Executive Departments.

935. A letter from the Secretary of the Treasury, transmitting a report pursuant to section 5 of the act of June 30, 1906 (34 Stat. 763), relative to moneys received during the fiscal year ended June 30, 1945, which were not paid into the general fund of the United States Treasury, and the payments, if any, which were made from such moneys; to the Committee on Expenditures in the Executive Departments.

936. A communication from the President of the United States, transmitting proposed rescissions and provisions as set forth in the letter of the Director of the Bureau of the Budget (H. Doc. No. 394); to the Committee on Appropriations and ordered to be printed.

937. A letter from the Acting Secretary, Department of Agriculture, transmitting a report containing the names and addresses of payees who received $1,000 or more and showing the amount of payment to each for participation in the 1944 agricultural conservation program. There is also enclosed a supplemental list of payees who received $1,000 or more under the 1943 agricultural conservation program and 1942 crop parity payment program; to the Committee on Agriculture.

938. A letter from the Clerk of the House of Representatives, transmitting a report for the period from July 1, 1944, to June 30, 1945, both inclusive, giving names of statutory and contingent-fund employees of the House and their respective compensations, including clerks to Members; the expenditures from the contingent fund and from certain specific appropriations; to the Committee on Accounts.

939. A letter from the Acting Secretary, Department of Agriculture, transmitting the report on forest roads and trails for the fiscal year 1945; to the Committee on Roads.

940. A letter from the Clerk of the House of Representatives, transmitting a list of reports which it is the duty of any officer or department to make to Congress; to the Committee on Accounts.

941. A letter from the Secretary of the Treasury, transmitting a combined statement of receipts, expenditures, and balances of the United States Government for the fiscal year ended June 30, 1945; to the Committee on Expenditures in the Executive Departments.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 5112. A bill to authorize the city of Anchorage, Alaska, to issue bonds in a sum not to exceed $7,500,000 for the purpose of constructing, reconstructing, improving, extending, bettering, repairing, equipping, or acquiring public works of a permanent character, and to provide for the payment thereof, and for other purposes; to the Committee on the Territories.

By Mr HERTER:

H. R. 5113. A bill to permit former members of the armed forces restored to positions in the classified civil service to receive retired pay from the Army or Navy without regard to existing limitations on the amount thereof; to the Committee on Military Affairs.

By Mr. HOFFMAN:

H. R. 5114. A bill to aid in maintaining essential public services by public utilities by requiring collective-bargaining contracts to include provision for adequate notice of intention to strike; to the Committee on Labor.

By Mr. KILBURN:

H. R. 5115. A bill to amend the Tariff Act of 1930 to permit certain vessels to make entry at ports on the Great Lakes and the St. Lawrence River without filing passenger and baggage lists; to the Committee on Ways and Means.

By Mr. KING:

H. R. 5116. A bill to amend and extend the provisions of titles I, IV, and X of the Social Security Act; to the Committee on Ways and Means.

By Mr. LEA:

H. R. 5117. A bill to amend title V of the Communications Act of 1934 so as to prohibit certain coercive practices affecting radio broadcasting; to the Committee on Interstate and Foreign Commerce.

By Mr. LECOMPTE:

H. R. 5118. A bill to amend an act of September 27, 1944, relating to credit for military or naval service in connection with certain homestead entries; to the Committee on the Public Lands.

By Mr. LEMKE:

H. R. 5119. A bill to amend the Civil Service Retirement Act, approved May 29, 1930, as amended, so as to make such act applicable to officers and employees of national farm-loan associations and production-credit associations; to the Committee on the Civil Service.

By Mr. WICKERSHAM:

H. R. 5120. A bill to extend the benefits of the Mustering Out Payment Act of 1944 to all honorably discharged servicemen and to provide for immediate payment upon discharges; to the Committee on Military Affairs.

By Mr. NORRELL:

H. R. 5121. A bill authorizing the Secretary of the Navy in his discretion to deliver to the custody of the State of Arkansas the silver service presented to the United States for the battleship *Arkansas*; to the Committee on Naval Affairs.

By Mr. PITTENGER:

H. R. 5122. A bill to place the Inspector General of the Army under the jurisdiction of Congress; to the Committee on Military Affairs.

By Mr. ROBERTSON of North Dakota:

H. R. 5123. A bill to extend the educational benefits provided for veterans of World War II by part VIII of Veterans Regulations No. 1 (A) to widows of such veterans; to the Committee on World War Veterans' Legislation.

By Mr. ROBINSON of Utah:

H. R. 5124. A bill relating to the sale of electric power and lease of power privileges under the Reclamation Project Act of 1939; to the Committee on Irrigation and Reclamation.

By Mr. BLOOM:

H. R. 5125. A bill to establish the Castle Clinton National Monument, in the city of New York, and for other purposes; to the Committee on the Public Lands.

By Mr. MANASCO:

H. J. Res. 297. Joint resolution clarifying the Surplus Property Act in regard to sale of defense housing for veterans; to the Committee on Expenditures in the Executive Departments.

By Mr. LEMKE:

H. J. Res. 298. Joint resolution to provide for the designation of the Veterans' Administration hospital at Fargo, N. Dak., as the Clarence Theodore Hoverson Memorial Veterans' Hospital; to the Committee on World War Veterans' Legislation.

By Mr. HORAN:

H. J. Res. 299. Joint resolution to direct the Federal Bureau of Investigation to investigate the unlawful destruction or disposition of property under the jurisdiction of the Army and Navy; to the Committee on the Judiciary.

By Mr. ANDERSON of California:

H. Res. 477. Resolution creating a select committee to investigate and study the disposition of surplus property; to the Committee on Rules.

By Mr. KING:

H. Res. 478. Resolution to amend clause 4 of rule XXVII of the Rules of the House; to the Committee on Rules.

By Mr. ROONEY:

H. Res. 479. Resolution to investigate the operation of the court-martial systems of the Army and Navy and of places of incarceration; to the Committee on Rules.

By Mr. SPRINGER:

H. Res. 480. Resolution requesting information from the War Shipping Administration regarding transportation of troops from points overseas to the United States of America; to the Committee on the Merchant Marine and Fisheries.

By Mrs. LUCE:

H. Res. 481. Resolution to authorize and conduct a survey of experiences in profit-sharing in industry; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Colorado memorializing the President and the Congress of the United

States to amend the Social Security Act to permit recipients of old-age assistance to reside in public institutions; to the Committee on Ways and Means.

Also, memorial of the Legislature of Cuba, memorializing the President and the Congress of the United States that on each anniversary of the independence of the American republics, the flag of the corresponding nation be flown on the palace of the Capitol, to the right of the national colors, as a tribute of sympathy and understanding of ideals by the people of Cuba to the sister nation; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of Ohio:

H. R. 5126. A bill granting an increase of pension to Emma Cora White; to the Committee on Invalid Pensions.

By Mr. CANNON of Florida:

H. R. 5127. A bill for the relief of Mary Fox; to the Committee on Claims.

By Mr. HORAN:

H. R. 5128. A bill to provide for the conveyance of certain real property to G. D. Lammers, of Spokane, Wash.; to the Committee on the Public Lands.

By Mr. KEFAUVER:

H. R. 5129. A bill for the relief of Saint Elmer Davis; to the Committee on Pensions.

By Mr. PFEIFER:

H. R. 5130. A bill for the relief of Luigi de Adamich; to the Committee on Immigration and Naturalization.

H. R. 5131. A bill for the relief of Antonio De Angelis; to the Committee on Immigration and Naturalization.

H. R. 5132. A bill for the relief of Pietro Agnello; to the Committee on Immigration and Naturalization.

By Mr. RANKIN:

H. R. 5133. A bill to authorize and direct the President of the United States to award posthumously a Congressional Medal of Honor to Gen. George S. Patton, Jr.; to the Committee on Military Affairs.

By Mr. SASSCER:

H. R. 5134. A bill for the relief of Clarence W. Ohm; to the Committee on Claims.

By Mr. VINSON:

H. J. Res. 300. Joint resolution to authorize the President to appoint Rear Adm. Earle W. Mills, United States Navy, to the office of Chairman and member of the United States Maritime Commission and Administrator of the War Shipping Administration without affecting his naval status and perquisites; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1437. By Mr. ADAMS: Petition of the New Hampshire State Grange, with reference to their request to prohibit the use of corn and other grain sugar and sugar sirups by the brewers and distillers for the use of beverage alcohol, until the needs of the farms and homes are satisfied; to the Committee on Agriculture.

1438. Also, petition of the New Hampshire State Grange, petitioning consideration of their resolution with reference to their opposition to proposed fertilizer legislation resulting in Federal Government control and operation of the commercial fertilizer business; to the Committee on Agriculture.

1439. By Mr. LECOMPTE: Petition of Mrs. George Smeaton, president, Mrs. John W. Grum, and other members of the Women's Guild of the Evangelical and Reformed Church of Sigourney, Iowa, opposing peacetime military training; to the Committee on Military Affairs.

1440. By the SPEAKER: Petition of the Texas Power Reserve Electric Cooperative, Inc., petitioning consideration of their resolution with reference to their endorsement of measures introduced to help the people of Texas enjoy the benefits of efficient telephone service; to the Committee on Interstate and Foreign Commerce.

1441. Also, petition of Mrs. Agnes Waters, petitioning consideration of her resolution with reference to her opposition to S. 1850; to the Committee on Foreign Affairs.

1442. Also, petition of the Petworth Citizens' Association, petitioning consideration of their resolution with reference to its appreciation of the fine work of Representative JENNINGS RANDOLPH, past chairman of the House Committee on the District of Columbia; to the Committee on the District of Columbia.

1443. Also, petition of the Howard County Industrial Union Council, petitioning consideration of their resolution with reference to their endorsement of S. 1592; to the Committee on Banking and Currency.

1444. Also, petition of the community service members of the policy board under the Philadelphia volunteer price control plan, petitioning consideration of their resolution with reference to continuance of price control for the duration of the existing economic emergency; to the Committee on Banking and Currency.

1445. Also, petition of the Zionist Committee of Paris, petitioning consideration of their resolution with reference to its gratitude to the House of Representatives for their vote in favor of freedom of immigrants into Palestine and of sympathy with the cause of the Jewish people; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 15, 1946

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

How manifold are Thy mercies, Heavenly Father; we would therefore seek to magnify Thy holy name; Thine approval means more to us than the plaudits of selfish men. When the darkness hideth Thee and Thy hand seems heavy, help us to remember that whom the Lord loveth He chasteneth. By our examples of honest living, temperance, and faith, preserve us from drifting with the thoughtless and heedless crowd.

Blessed Lord, may our lives be filled with gratitude rather than with grudges; better is a dinner of herbs where love is than a stalled ox and hatred therewith. We pray Thee to restrain the passions and tensions of men; grant that Thy breath may sweep their hearts clean, giving clear direction and girding them for cooperative action. May they see the far-flung ranks of those brave men and women who have made possible and secure the rights of the individual. In all righteous efforts of the Congress increase their harvest a hundredfold, stabilizing those God-given virtues vouchsafed to free men everywhere.

Graciously be with our absent Speaker and the family circle, and give them great peace and comfort. We pray in the name of Jesus, our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. KEOGH asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an editorial appearing in the New York Times of January 9, 1946, and in the other to include an article appearing in the Brooklyn Eagle.

THE LATE JOSEPH R. EIGLER

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD to pay a brief but deserving tribute to Joseph R. Eigler, late Deputy Sergeant at Arms of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEOGH. Mr. Speaker, it is a very sad duty that I have to perform in announcing to the membership the death during the recess of Joseph R. Eigler, Deputy Sergeant at Arms, in charge of pairs. The Members will all recall his gracious and cheerful cooperation and assistance during the last four extremely busy sessions of the Congress, during which many roll calls were had on important issues. He was extremely helpful in arranging pairs for Members who found that they would be unable to be present on the roll call.

Mr. Eigler died in Brooklyn on December 22, after an illness of several months, and he will be missed by all the Members who came to know and like him during the last 4 years.

For more than 15 years he has served in several capacities, starting with my predecessors, David J. O'Connell and Stephen A. Rudd. During the first 5 years of my service, he was my personal secretary, during which he rendered invaluable assistance to me and to our constituents.

We shall all miss Joseph R. Eigler, who did his tasks in a quiet, courteous, and kindly manner, which brought him the esteem of those who knew him, particularly the Members of the New York delegation, who relied upon him in keeping abreast of the legislative program. His loss will be sincerely felt, and I know that they join me in paying this affectionate respect to his memory.

EXTENSION OF REMARKS

Mr. KUNKEL asked and was given permission to extend his remarks in the RECORD and include resolutions adopted by the Harrison B. Quigley Post, No. 72, of the American Legion, of Palmyra, Pa.

Mr. SHORT asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I wish to call your attention to an advertisement inserted in this morning's paper by the

Chesapeake & Potomac Telephone Co. asking: Should a telephone operator be dismissed for not striking?

It seems to me that if you will read that advertisement you will learn what the unions have placed in their contracts and how, by measures of duress, they are trying to stop everyone who wants to work. It seems to me it is up to the Congress to do something about it and do it quickly to permit people who want to work to enjoy their right to work without paying tribute to any racketeer or anyone trying to interfere with the orderly procedure of good, sound business.

The Chesapeake & Potomac Telephone Co. states in this advertisement that the company will never agree with the unions to dismiss any employee for refusing to engage in this strike and will protect to the utmost of its ability the job of any employee who reports to work during the strike.

I believe it is about time that the people of this country responsible for running it—I refer to Congress—see that men and women generally have the right to the liberties they are supposed to enjoy if we are to have an America such as our forefathers always wanted us to have. That is the kind of country where freedom of speech and freedom of action really exist, and that is the kind of country I want to see continued.

Why does not the President do something to stop the racketeering in labor by radical labor leaders, those who refuse to permit honest labor to work an honest day's work and get protection if they want to stay on the job. We are deteriorating fast as a Nation because of our leadership, leadership which have wishbones where their backbones ought to be. Mr. President and Congress, the people look to you. Let us go to work.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. SIMPSON of Pennsylvania asked and was given permission to extend his remarks in the RECORD and include an address by Ruth Steese, State president of the American Legion Auxiliary in Pennsylvania.

ARMY DISCIPLINE AND MORALE

Mr. BUFFETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BUFFETT. Mr. Speaker, how should I answer an Army sergeant who writes me from the Pacific on January 8 as follows:

I was ordered to get men with weapons and clips of ammunition each and report to our regimental supply officer. He told me to take my men and go with a truck to get chemical supplies. We were to drive 20 miles and pick up the equipment and our orders were to see that the truck got back to camp with the load intact.

And do you know whom we were to shoot and kill if necessary? Our own buddies and fellow Americans who were on a strike and rioting because of recent developments in the demobilization program. We didn't run into any trouble but just think of how we felt. We were ordered to kill men who were striking for the same things we all are suffering from.

Mr. Speaker, unless this Congress keeps faith with these American boys who have won the war, who know the war is over, and who now want to and are entitled to come home promptly, Congress has failed its primary responsibility.

CALENDAR WEDNESDAY

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that on tomorrow business in order on Calendar Wednesday may be dispensed with.

Mr. CHURCH. Mr. Speaker, reserving the right to object, while Members were at home the President issued a statement. I wish to ask the gentleman from Alabama whether, in view of that statement, the several bills approved by the several committees and now on the calendar and awaiting action by the House should not be taken up for consideration so that the Congress and its leadership would not be chided by the President. The chairman of one of those committees is not here, but other chairmen are present. Their committees have reported these bills out. I wonder what the leadership is going to do to prevent that sort of chiding of hard-working Congressmen. One of them died during the Christmas holidays. They should be allowed to vote "Yes" or "No" on legislation committees have worked so hard to perfect.

Mr. SPARKMAN. I, of course, do not know what particular bills the gentleman may have in mind. I do not know what committees are ready to report or what urgent bills the committees may have on the calendar that would be called up under the Calendar Wednesday rule. I do not know of any committee that has been asking to exercise its prerogatives under the Calendar Wednesday rule, and therefore I propounded the unanimous-consent request that business in order on Calendar Wednesday be dispensed with this week.

Mr. CHURCH. The gentleman is familiar with the chiding that the President gave the leadership of this Congress, is he not? And the gentleman is familiar with the fact that the chairman of the Committee on Labor is not present, is he not?

Mr. SPARKMAN. I have not heard of a request from the chairman of the Labor Committee or from the chairman of any other committee that Calendar Wednesday be utilized this week.

Mr. RANKIN. Mr. Speaker, reserving the right to object, and I shall not object, I do not know what legislation is to come before the House tomorrow. On yesterday when the House convened, immediately after the Chaplain's prayer the Speaker pro tempore ordered a roll call and 235 Members responded to their names. There was not a chance for any business at all between the ending of the Chaplain's prayer and the roll call, yet somebody presuming to represent the Associated Press took a picture while the Chaplain was offering his prayer and before the majority of the Members arrived, and spread it on the front page of practically every daily newspaper in the United States to show that the Congress was not on the job.

I regret that very much, because ordinarily the Associated Press has been rather fair with Members of Congress. I consider that an unnecessary and an unfortunate smear.

When the roll was called there were 235 Members here ready to discharge the duties of the office to which they were elected.

Let me say to the gentleman from Alabama [Mr. SPARKMAN] that some weeks ago the Committee on World War Veterans' Legislation reported to this House a bill which would permit ex-servicemen to work without having to pay tribute to a labor union or to anyone else. That bill is now soundly sleeping in the Rules Committee and the chairman of the Rules Committee is not here.

I want that legislation brought to the floor of the House for passage. If the Congress, and the American people, are going to be harassed by these inspired strikes, then the Congress must assume its duty as the representative of the American people and pass legislation to guarantee that we will have a Government by law and not a wave of lawlessness over the country.

Again, we had this morning a lecture to us on demobilization which took me back through the years. I heard these same lectures on demobilization after the last war. If we had taken the advice we received then, we would have kept all that vast army of men standing in uniform and in idleness after the war had closed. Congress is going to have to do something about demobilization, to get these men out who have been in the Army for a year and a half or two years, or who have dependents at home to look after, or who desire to return to school and complete their education.

I do not feel like objecting, and I shall not object to dispensing with Calendar Wednesday, but I do want to say to the gentleman from Alabama now, and to the House, that the American people expect us to act and to protect them against these waves of lawlessness that are sweeping over the land, and the American servicemen who fought and won this war are now expecting justice at our hands.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

Mr. CHURCH. Mr. Speaker, reserving the right to object——

Mr. RICH. Will the gentleman yield?

Mr. CHURCH. I yield briefly.

The SPEAKER pro tempore. The gentleman from Pennsylvania himself can reserve the right to object.

Mr. RICH. Mr. Speaker, then I reserve the right to object.

The regular order was demanded.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

Mr. CHURCH. Mr. Speaker, reserving the right to object——

The SPEAKER pro tempore. The regular order has been demanded.

Mr. CHURCH. Mr. Speaker, I object.

CALL OF THE HOUSE

Mr. THOMASON. Mr. Speaker, I make the point of order a quorum is not present.

The SPEAKER pro tempore. Obviously a quorum is not present.

Mr. SPARKMAN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 2]

Abernethy	Gamble	Murray, Tenn.
Adams	Gearhart	Norton
Allen, Ill.	Gibson	O'Konski
Angell	Gillespie	O'Toole
Baldwin, N. Y.	Gorski	Outland
Bates, Mass.	Granger	Pace
Beall	Grant, Ala.	Patterson
Beckworth	Grant, Ind.	Pfeifer
Bell	Gregory	Phillips
Bishop	Gwynne, Iowa	Ploeser
Bloom	Hall,	Plumley
Bolton	Leonard W.	Poage
Boren	Hancock	Powell
Brehm	Hand	Rains
Brumbaugh	Harless, Ariz.	Randolph
Buck	Hart	Reed, Ill.
Bunker	Hartley	Reed, N. Y.
Burch	Healy	Resa
Byrne, N. Y.	Hébert	Riley
Byrnes, Wis.	Hedrick	Rivers
Canfield	Henry	Rizley
Cannon, Fla.	Heselton	Robinson, Utah
Carlson	Hill	Rockwell
Chapman	Hinshaw	Russell
Chelf	Hobbs	Sabath
Chenoweth	Horan	Schwabe, Mo.
Clason	Izac	Schwabe, Okla.
Clements	Jackson	Scrivner
Clippinger	Jarman	Shafer
Coffee	Jennings	Sheridan
Colmer	Jensen	Sikes
Combs	Johnson, Calif.	Smith, Ohio
Cooley	Johnson, Ill.	Starkey
Courtney	Johnson, Ind.	Stevenson
Cunningham	Johnson,	Stewart
Curley	Lyndon B.	Stigler
Daughton, Va.	Johnson, Okla.	Sumner, Ill.
Dawson	Jonkman	Sumners, Tex.
Delaney,	Kee	Taber
James J.	Keefe	Taylor
D'Ewart	Kelley, Pa.	Thom
Dingell	Kelly, Ill.	Thomas, N. J.
Domengeaux	Kilburn	Thomas, Tex.
Drewry	King	Vorys, Ohio
Durham	LaFollette	Wasielewski
Earthman	Lane	West
Elliott	Lanham	White
Ellsworth	Larcade	Whitten
Fellows	LeFevre	Wickersham
Fernandez	Lynch	Wigglesworth
Fisher	McGehee	Wilson
Flannagan	Maloney	Winstead
Flood	Marcantonio	Winter
Fogarty	Miller, Calif.	Wolcott
Fuller	Monroney	Worley
Fulton	Morrison	
Gallagher	Mundt	

The SPEAKER pro tempore. On this roll call 258 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ELECTION TO COMMITTEE

Mr. DOUGHTON of North Carolina. Mr. Speaker, I offer a resolution (H. Res. 482) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That JOHN L. MCMILLAN of the State of South Carolina be, and he is hereby, elected chairman of the standing committee of the House of Representatives on the District of Columbia.

The resolution was agreed to.

WE MUST ACT WITH DISCRETION

Mr. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MAY. Mr. Speaker, I want to express my satisfaction at the fine attendance from this body at the discussion by General Eisenhower and Admiral Nimitz which took place in the Congressional Library Auditorium this morning. To me, it seems that America stands today at the crossroads, and I am convinced that we have more perplexing problems with which we must deal in the coming months than we have ever had in the history of this Republic. I think it is the obligation of all Members in this Chamber who want to uphold the Constitution and defend it and preserve the Republic we all love and serve to move with caution and to speak only when it is necessary to do it in condemnation or criticism of any of our armed forces or any of their actions. Of course, it is regrettable that we have discontent on the labor front. We have discontent, to some extent, in the armed forces. In one place the veterans, apparently, according to the newspapers, have gone so far as to demand the removal of the Secretary of War. I think, if you will permit me to say it, after many years of experience in this land in many activities and in 16 years of it here, that the time has come when we ought to be cautious and careful and we ought to advise our constituents frankly and candidly just what the situation is, and that is, that we have fought and won a war, and that we can still lose the peace unless we act with discretion. Let us all pull together for the good of our common country.

DEMOBILIZATION

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

[Mr. MILLER of Nebraska addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an editorial.

DEMOBILIZATION OF THE ARMED FORCES

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I enjoyed that meeting this morning very, very much. I think the fog of demobilization has been clarified considerably by the presentations of General Eisenhower and Admiral Nimitz. However, I should like to suggest to the gentleman from Kentucky [Mr. MAY] that he request of the Secretary of War that General Eisenhower digest his speech to about 30 minutes in length and go on a national and world-wide hook-up to explain the situation to these boys as he did to us so ably this morning. The same thing should be done for the Navy. We are the ones to whom the fathers, mothers, wives, and little children are pleading to get the boys home. Failing that, we are asked for an explanation. It will be impossible for us to digest Eisenhower's 1-hour speech in a letter. Let the world hear from Eisenhower and Nimitz direct over the air—and right now.

PARLIAMENTARY INQUIRY

Mr. BRADLEY of Michigan. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BRADLEY of Michigan. Mr. Speaker, I should like to know whether the picture that appeared in one of the Washington papers this morning of "Dr. Congress rushing back to work," presumably taken early yesterday, was taken in accordance with the Rules of the House, which I understood require the Speaker to give prior consent.

The SPEAKER pro tempore. The Chair will state that the picture was taken in accordance with the practice of the House on the first day of a session of Congress. However, the present occupant of the chair desires to state that when the matter was brought to his attention, he specifically stated that the picture should be taken only after the roll call, because on the first day of a session there must be an automatic call of the House. The Chair is glad the gentleman submitted the parliamentary inquiry, so that the observations of the Chair may be made a part of the RECORD. That was specifically a part of the understanding—the Chair will not say "understanding," for there was no understanding—it was the condition which the Chair requested. The Chair expected that the beneficiary of the custom of the House would comply with the request, which certainly was reasonable and very fair.

As far as the present occupant of the chair is concerned, the Chair feels that whoever took the picture violated the reasonable condition imposed. As far as the future is concerned, whenever on a similar occasion the present occupant of the chair has any voice in the matter, he will keep in mind this experience, in which there was portrayed to the country an entirely erroneous and unfair picture, as every Member of the House well knows.

DEMOBILIZATION OF THE ARMED FORCES

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I went to the Library of Congress this morning and heard the statements of both General Eisenhower and Admiral Nimitz.

They are both great men, with great records. We all honor them; but I do not agree with them on the question of demobilization.

I heard the same arguments made after the last war. This war is over. We do not have an enemy on earth that would dare bat an eye at us today, yet we have approximately 7,000,000 men scattered throughout the world, standing around largely in uniformed idleness and begging to come home.

Many of those men have been there for years. Many of them have wives and children at home who are crying for their support. Large numbers of them desire to come home and return to school.

I told you last September that Congress was going to have to pass a bill for the demobilization of the men in our armed forces. I am still of that opinion. As far as I am concerned, I am still for the passage of a measure to release from the armed forces any man who has served continuously for 18 months or more or who has dependents at home who require his attention or who desires to return to school.

That will not deplete our Army to the danger point. We do not need over 1,500,000 men in the armed forces, according to the statements of those men this morning. General MacArthur says he will not need over 200,000 men in Japan at any time and that ultimately he can get along with 60,000. We are not at war with the Philippine Islands. We are not at war with Great Britain. We are not at war with Australia. Why keep those men there?

We do not need any more men in Europe than we need in Japan. We have England and France and Russia all helping to police Germany. So I submit that Congress is going to have to take the lead in this and pass legislation for the demobilization of these men.

I am a great admirer of General Eisenhower and also of Admiral Nimitz, but I cannot agree with them on this question. These young men have served their country well in time of war; now let us do our duty toward them in time of peace. The war is over; let us bring them home.

DEMOBILIZATION OF THE ARMED FORCES

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BULWINKLE. Mr. Speaker, seldom have I taken the floor during the war to defend the conduct of it, but it is necessary to say to you and to those who are listening, if you had confidence in General Eisenhower in time of war and believed then what he said, then pray tell me what has he done to merit your disbelief now? Why, of course, the men want to come home. All want them back as soon as possible. On the Mexican border in 1917 the North Carolina brigade was divisioned with the National Guard of a certain State. This division had not been down there more than 6 or 8 months. One night they broke camp hollering, "We want to go home." We did not pay much attention to it. There was no publicity of the incident. After World War I in France, if you please, and there was not a North Carolinian who did it, the same cry went up. We were then 6 months getting home after the armistice with the few men that were in service then. I say to you that the officers in the Army and Navy have done a great job. I would like for some of you who criticize them to have been in their place and see what you would have made out of it, because when you are bringing home men at the rate of 1,250,000 a month you are doing a magnificent job.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I only have a minute.

Of course, the Army has made mistakes. Of course, the Navy has made mistakes. But their mistakes are small in comparison with their achievements. They, the War Department and the Navy Department, do not deserve condemnation but praise. I will be one to give them praise for the great job that has been accomplished.

The SPEAKER pro tempore. The time of the gentleman from North Carolina has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent that on tomorrow after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in three instances in the Appendix of the RECORD and include therein newspaper articles.

CIVILIAN PERSONNEL IN WAR DEPARTMENT

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. DWORSHAK. Mr. Speaker, naturally all Members of Congress have great confidence in and the highest regard and respect for the distinguished leaders of our Army and Navy Departments who gave us so much information this morning. I was somewhat disappointed because General Eisenhower did not give us any figures on the civilian personnel under the jurisdiction of the War Department. The United States Civil Service Commission in its latest report, November 30, 1945, stated that in this country the War Department was employing 843,869 civilian employees. Likewise, the Commission reported that on September 30, 1945, the most recent date for which figures are available, there was a total of 763,190 civilian paid employees serving outside of continental United States.

I should like to have General Eisenhower clarify those figures so that the Congress would know the extent of the civilian personnel under the direct supervision of the War Department at the present time.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. DWORSHAK. I yield.

Mr. RANKIN. General Eisenhower talked about taking care of this property over there. That can be done by civilian employees.

Mr. DWORSHAK. Maybe it can, but I should like to have information concerning the more than 1,000,000 civilian employees under the supervision of the War Department. With the President demanding economy and proposing a cut-back from $50,000,000,000 to $38,000,000,000 in the Nation's budget, it would seem logical that the War Department would reflect some of this retrenchment in its civilian personnel, which is still operating near peak levels.

The SPEAKER pro tempore. The time of the gentleman from Idaho has expired.

EXTENSION OF REMARKS

Mr. HEFFERNAN asked and was given permission to extend his remarks in the RECORD and include an article written by Miss Grace Clyde, assistant district attorney, Kings County, N. Y., entitled "Our Forgotten Children."

Mr. LECOMPTE asked and was given permission to extend his remarks in the Appendix of the RECORD and include resolutions from the Farm Bureau of Casper County, Iowa.

Mr. COLE of New York asked and was given permission to extend his remarks in the RECORD and include certain newspaper clippings.

Mrs. LUCE asked and was given permission to extend her remarks in the RECORD in two instances.

Mr. DONDERO asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article from the American Legion magazine written by the gentleman from Michigan [Mr. ENGEL].

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD.

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD and include an editorial and also a newspaper article.

Mr. FEIGHAN asked and was given permission to extend his remarks in the RECORD in two instances and include two editorials.

Mrs. DOUGLAS of Illinois asked and was given permission to extend her remarks in the RECORD and include an editorial.

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD and include a column by Malvina Lindsey.

Mr. ROONEY asked and was given permission to extend his remarks in the RECORD and include a telegram from the president of the Brotherhood of Railroad Trainmen.

Mr. MERROW asked and was given permission to extend his remarks in the

RECORD and include a letter from Ernest G. Swanburg, chairman of the special housing committee, Manchester, N. H.

PERMISSION TO ADDRESS THE HOUSE

Mr. MERROW. Mr. Speaker, I ask unanimous consent that today, after the disposition of business on the Speaker's desk and other special orders heretofore granted, I may address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

CALENDAR WEDNESDAY

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, the rule anent Calendar Wednesday should not atrophy, due to lack of use. It is a salutary rule. It developed in this House as the result of many years of experience. Calendar Wednesday should not be dispensed with. Otherwise, for example, the bill setting up the Fair Employment Practice Committee will never be considered by the House. President Truman has urged its passage. If on tomorrow the Committee on Labor is called upon, and is thus privileged to call up the FEPC bill, undoubtedly a motion to adjourn will be offered by the opponents of the bill. I ask that all friends of FEPC stand by and resist any motion to adjourn.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

SURPLUS PROPERTY ABROAD DELAYS DEMOBILIZATION

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, in his remarks this morning General Eisenhower, among other things, said that one of the major problems in demobilization was the taking care of our surplus property, and he gave some figures. Reference has been made to it by others.

It is true that civilians can guard that property if we can find civilians we can trust. The black market is such in Italy, for instance, and other places, that it is very difficult to get native civilians who can be trusted not to take some of the stuff and sell it. When a casing that cost the United States five or six dollars is worth four or five hundred dollars on the black market, you can realize the temptation for native guards to toss one over the fence to a friend at night.

The responsibility for the surplus property situation rests squarely with those who are formulating policies in the State and Treasury Departments in this country. They have been demanding United States exchange in places where the only likely customers simply do not have it and cannot get it. I recall one country that was eager to buy a large quantity of our left-over supplies, tires, trucks, jeeps, lumber, paint, and so forth. In money, it could offer only its own currency, of course. But it had property we could use. After months of delay, the United States Treasury Department finally gave an O. K. to the acceptance of only $15,000,000 in currency; the country wanted to buy several hundred million dollars worth of the left-over goods.

That is a sample of the problem. The disposition of that surplus property is being retarded by the fact that the State and Treasury Departments have not yet made up their minds as to what they will accept in payment for that property. It may be the solution may become, as General Eisenhower said this morning, to leave it; but there are many billions of taxpayers' dollars in that property abroad.

We have tremendous stocks of usable goods all around the world as was stated by General Eisenhower and is known by members of the War Department subcommittee of the Appropriations Committee which made its trip around the world in September.

Our committee recommendation when we came back was that the disposition of that property be expedited, that the State and Treasury Departments demand not merely money for it but offer to take services, bases, concessions, embassy sites, or other property that we could use, but that at all events the administration hurry up and get it off our hands so these boys will not have to stay out there forever just looking after it.

The SPEAKER pro tempore. The time of the gentleman from South Dakota has expired.

ARMY DEMOBILIZATION

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, we all, of course, have the utmost respect for General Eisenhower and Admiral Nimitz because of their great leadership in war, but I think it is clear that the American people are insistent, and I am again demanding, that our boys be brought back from the far-flung corners of the earth with the greatest possible speed. There should be no delay and there should be no discrimination in carrying out this program. There should be no partially empty American vessels returning from foreign ports. The time for excuses and equivocation is past.

Let this Congress reaffirm and manifest its intentions to devote itself to the works of peace, not to the works of war. Let us bring back all our boys. Let us abolish the Selective Service System, so that everyone in the service who does not want to remain in the service, whether married or single, student, farmer, or artisan, or whatever his status, may resume his civilian occupation and pursue his chosen civilian career.

I hope the armed forces will move at once without further controversy or argumentation to complete the job of returning all our boys and perfecting with speed and effectiveness an appropriate organization for carrying out the necessary tasks of occupation on a purely voluntary basis. This can and should be done.

The Congress has the right to assume that the Army and Navy is taking, and will take, appropriate steps to insure the continued defense of the United States along modernized lines. But let it be made clear and manifest to all that we seek no aggression or aggrandizement. The important thing now is to bring all the boys back home and return them to civil life.

The present situation is vividly illustrated by the following letter from a GI in the Southwest Pacific which I extend in the RECORD:

SIR: Following is a list of false statements, mere morale builders, and finally absurdities, handed out through the courtesy of the War Department. As the late Al Smith once said, "Let's take a look at the record."

September 22: Point scores announced: October, 70; November, 60; and after that 2-year men.

September 25: No 36-point enlisted men, or 48-point officers will be sent overseas.

October 20: Army must reduce points to keep pace with demobilization.

October 21: War Department reaffirms release target dates.

October 24: Homeward sailings lag behind goal.

November 20: Pacific based returnees promised relief as transport surplus looms in January.

December 5, 9, 12, 15: Bright prospects on shipping as backlog breaks.

December 21: 50 points good December 31.

December 28: All troops not needed to go home by March 1, says War Secretary Patterson.

January 3: Sixty-eight thousand more berths assigned to AFWESPAC.

January 5: Empty berths sail to United States for lack of eligible men.

January 5: War Secretary Patterson is reported "completely surprised" by certain facts on demobilization set-up.

January 5: Army announces demobilization will be slowed down and the return rate of some troops delayed.

When we were told several months ago that the slow return rate of troops was caused by a lack of shipping, it was at least understandable. But now ships are returning with empty berths. Why?

According to Lieutenant General Collins, the reason is that "our overseas forces would be dangerously under strength in occupying hostile countries if all eligible men were returned before sufficient replacements arrived."

Please notice the reference to "hostile countries." I can think of exactly three—Japan, Korea, and Germany. Consider the thousands of troops here in the Philippines. Since when have the Philippine Islands become a "hostile country"? Perhaps the general was thinking about China when he spoke about the "occupation of hostile countries." Can you tell me the date when China became hostile?

In a speech last night General Styer (AFWESPAC commander) gave as a reason for the empty berths the fact that we had a job to do over here. But he very conveniently forgot to mention just what that job was. Do you know what our job is here in the Philippine Islands and in China?

It is my opinion that the demobilization slow-up is a weapon being used by the War Department to force peacetime training on

the American people. Either pass the bill for peacetime military training or we will keep your sons and husbands overseas. It is also a plan to force more soldiers to enlist under the "red apple." It goes without saying that I, and the thousands of other troops over here, do not enjoy wasting our lives as pawns in the hands of the War Department. Furthermore, we expect you to stop being taken in by the Goebbels-like propaganda that the War Department gives out with. We do not want to go home next year, next month, or next week, but as soon as ships are available.

EXTENSION OF REMARKS

Mr. SADOWSKI asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. ROWAN asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Chicago Sun on the subject of the St. Lawrence seaway.

Mr. VURSELL asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter.

Mr. WEICHEL asked and was given permission to extend his remarks in the RECORD and include a statement of protest made by some of the boys recently at Manila.

CONGRESSIONAL RESPONSIBILITY

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RAMEY. Mr. Speaker, we heard the President's address. Not one statement was directly made against the Congress of the United States that was pertinent. He did state that committees are holding bills and not reporting them. His party has a majority of 236 to 190; thus, his party controls the committees. Consequently, any criticism he had was not at the Congress as a whole. However, unfortunately, publicity was given out saying "President raps Congress." He had no desire to do that in view of the fact that he stated "At least give the representatives of the people a chance to vote." In Newsweek of January 14 we find the comment "The President was willing to compromise further if the measures he recommended were not satisfactory."

The Members of Congress want to vote, at least most of them. They want to stand up and be counted. I appreciate the fact that he wanted people back home to give Congressmen their views. They surely did. No Congressman had a vacation, but each and every one was happy that the constituents contacted him both by day and by night.

The majority of the Congress of the United States is Democratic, as we know, which means the majority of all committees are members of the Democratic Party, the chairman of each committee is an outstanding Democrat who has had long service which the President well knows and are those whom he controls. Therefore he is only criticizing those whom he controls.

What is double talk?

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

EXTENSION OF REMARKS

Mr. McGREGOR asked and was given permission to extend his remarks in the RECORD and include an address by the Honorable John W. Bricker.

Mr. GORE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include an address by the Honorable Robert E. Hannegan, which he delivered before the Boston Democratic State Committee on January 12, 1946.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

Mr. CHURCH. Mr. Speaker, reserving the right to object, the gentleman is a member of the Committee on Appropriations which committee has bills approved by that committee and on the House Calendar. A request was made to dispense with business in order on Calendar Wednesday. The Military Affairs Committee has reported the so-called May-Arends bill and there are bills reported by other committees ready for consideration and can be taken up on Calendar Wednesday. I objected to the request a while ago because someone demanded the regular order and I was therefore forced to object. I do believe that the committees should follow the statement of the President, to the effect that the various committees should bring up the bills that are on the calendar so we may vote either "Yes" or "No" on them. That is one thing, and almost the only thing I agree with in the President's speech of a few days ago. Most of my constituents feel the same way. I have received very few letters in favor of the President's message as a whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Virginia [Mr. SMITH] is recognized for 20 minutes.

LABOR LEGISLATION

Mr. SMITH of Virginia. Mr. Speaker, the President, in his radio speech of January 3 made reference to the delay of the Congress in passing legislation to cope with the present widespread and disastrous wave of labor disputes, strikes, and threatened strikes.

As the President's remarks were directed at both branches of the Congress, it was quite obvious that he was not aware of the repeated action taken by the House but pigeonholed in the Senate Committee on Education and Labor. In order that the record of the House may be entirely clear on this subject, I think it important to recount in some detail just what the House has done in the way of labor legislation in anticipation of the present emergency and in an earnest and courageous effort to prevent the very situation that is now so ominous.

The President said:

I had hoped that the Congress either would follow my recommendations or would at least propose a solution of its own. It has done neither.

At another point the President said:

If the measures which I have recommended to accomplish these ends do not meet the approval of the Congress, it is my fervent wish—and I am sure that it is the wish of my fellow citizens—that the Congress formulate measures of its own to carry out the desired objectives. That is definitely the responsibility of the Congress. What the American people want is action.

I desire to take this opportunity to commend and congratulate the President upon his courageous recommendation that Congress act upon labor legislation to correct the evils that have grown up under the present inadequate and one-sided legislation. That he has incurred the enmity of the radical wing of organized labor is evidence of a courageous interest in the welfare of the great masses of the general public that does him great credit and will further endear him to the hearts of the vast majority of the American people.

That he has not been aware of the alertness and courageous efforts of the House of Representatives to correct these evils is not surprising in view of the multitudinous volume of legislative proposals in recent years.

I am making this statement merely for the purpose of recounting, in documented form, just what the House of Representatives has done to correct the situation and what that legislation would have accomplished had it been passed by the Senate and signed by the President. On three different occasions, the House, by overwhelming recorded vote, has adopted bills that would have done much to avoid the present situation.

It has been obvious for years to anyone who has given any study to labor-management relations, that unless Congress corrected the defects in the one-sided labor legislation heretofore adopted, there must inevitably come a crisis when management would stop retreating and stand and fight it out, or labor unions would obtain a complete dictatorship over the economy of the Nation. As anticipated by the House of Representatives, that time has arrived.

We have three alternatives:

First. Congress must function and pass legislation, or

Second. Industry must have the courage to stand up and fight unreasonable demands to the bitter end, and forget about profits for a while, or

Third. A handful of irresponsible, selfish, and power-seeking labor leaders will clamp upon the Nation the labor dictatorship they have so long sought.

Now what has the House done to avert this threatened catastrophe?

First, when the National Labor Relations Board was thoroughly impregnated with Communists, Reds, and pinks of every hue, seeking to place the American workingman in a state of peonage to the CIO, the House set up a select committee to investigate that Board and propose amendments to the National Labor Relations Act. After an exhaustive study that committee recommended to the House a thoroughgoing and complete revision of the National Labor Relations Act, and the bill passed the House of Representatives by a roll-call vote of 258

to 129 on the 7th day of June 1940—CONGRESSIONAL RECORD, page 7805. After its passage by the House the bill went to the Senate for its concurrence and was referred to the Committee on Education and Labor of that body, where it quietly died.

While the bill never became law, the disclosures of that investigation resulted in a reorganization of the Labor Board and its staff which eliminated much of the leftist group that had previously dictated its policies.

The President said in his speech:

I have indicated my opposition, and I repeat it now, to the antilabor bills pending in the Congress which seek to deprive labor of the right to bargain collectively or which seek to deprive a union of its ultimate right to strike.

That this measure neither deprived labor of its right to strike nor its right to collective bargaining is evidenced by the fact that it had the complete endorsement in writing of William Green, president of the American Federation of Labor—see CONGRESSIONAL RECORD, Seventy-sixth Congress, page 7714.

I introduced that bill by direction of the select committee that made the investigation and of which I was chairman. I therefore know whereof I speak.

The second action taken by the House of Representatives was the passage of the so-called Smith bill on December 3, 1941, by a vote of 252 to 136—CONGRESSIONAL RECORD, page 9397, Seventy-seventh Congress. The passage of this bill was the culmination of the wave of strikes in defense industries that was seriously delaying the production of munitions and supplies for the Army on the eve of our entrance into the war. Nothing in that bill interfered with the ultimate right to strike or destroyed or in any way interfered with the right of collective bargaining.

That bill was known as H. R. 4139 in the first session of the Seventy-seventh Congress. It was comprehensive but simple and did the following things:

It required, just as the President has recommended, a 30-day waiting period before a strike could be called and notice to the Secretary of Labor that a strike was contemplated.

It required a secret ballot by the workers to determine whether they wished to strike.

It prohibited labor unions from having as officers members of the Communist Party.

It prohibited the use of violence or intimidation in preventing employees from going to and from their place of work.

It prohibited jurisdictional strikes, boycotts, and sympathy strikes.

It carried enforcement provisions authorizing the courts to enjoin violations of the law, making unions liable to civil suit for damages for violence and taking away the bargaining rights under the National Labor Relations Act from both unions and employees who violated the act.

It required labor unions to register and file financial statements annually with the National Labor Relations Board.

It set up a complete system of mediation and voluntary arbitration and procedure for fact finding similar to the Railway Labor Act and to the President's recommendation and required both parties to maintain the status quo pending efforts at mediation.

That bill passed the House on December 3, 1941, was sent to the Senate for its concurrence on December 4, and was referred to the Committee on Education and Labor, where it likewise was pigeonholed.

While the bill aroused the violent antagonism of leaders of organized labor, there is not one single provision in it that interfered with the ultimate right to strike or the right of collective bargaining of any union that complied with the law. I challenge anyone to show any provision in that act that prohibited, curtailed, or interfered with any legitimate pursuit or activity of any labor organization.

Everyone that knows anything about the technique of labor politicans realizes that their strategy is to yell as loud as possible and to denounce in most intemperate terms everybody and everything that proposes to place upon them any restrictions of any kind which apply to other citizens.

If labor unions are to be placed in a different and preferred category from other citizens and if membership in a labor union means being exempt from the criminal and civil laws that apply to everyone else, then no amendments are needed to existing law. The real question presented to the American people is whether all of our citizens are to be free and equal or whether one class, by reason of membership in a private organization, should be, by law, placed above and beyond the reach of laws governing the rest of the people of the United States.

If you believe that one class of citizens should for any reason be exempted from all laws of decency, good order, and peaceful conduct, you should vote as the labor dictators demand—against any change in existing labor laws. If you believe that all citizens should have equality under the law and equal responsibility under the law, then you should again join me in an effort to stand up and be counted on that proposal.

I have mentioned two bills passed by the House of Representatives by overwhelming majorities. I come now to the third, known as the War Labor Disputes Act, more commonly called the Connally-Smith Act.

This act contained a provision requiring a 30-day waiting or cooling-off period before a strike could be called. That is in substance the same thing that the President recommends and it is now the law.

It has been ineffective in preventing strikes because there is no penalty provided in the law for its violation. For the same reason, the bill now pending to carry out the President's recommendation will be ineffective. To pass that bill would merely, so far as the cooling-off period is concerned, reiterate existing law.

The Connally-Smith bill passed the House in the Seventy-eighth Congress on the 4th day of June 1943, by a roll-call vote of 233 to 141—see CONGRESSIONAL RECORD, page 5392. When it passed the House, it carried enforcement provisions that imposed penalties for violation of the law and provided for injunction against persons in violation of its provisions.

As passed by the House, it would have been effective. But when it went to conference with the Senate, the enforcement provisions above referred to were stricken out. That left nothing in the act concerning the 30-day cooling-off period except a pious expression of a wish on the part of Congress, with no penalties provided to enforce the law. As a result, the no-strike provision of the act through the period of the war was observed more in the breach than in the performance. The same inherent defect is present in the bill now proposed and pending in pursuance to the President's recommendation.

On the day that the President sent his message to Congress recommending labor legislation, I introduced two proposals.

First. A resolution—House Joint Resolution 280—to appoint a joint committee of the Senate and House to work out and submit to the Congress a comprehensive bill that would be effective and so that there could be some hope of coordination and joint effort between the two Houses.

Second. I revised and reintroduced the measure that passed the House on December 3, 1941, and which I have already described. That bill is H. R. 4875.

I have no special pride in the authorship or language contained in that measure, but it does seem that if there is to be a sincere effort to put through legislation, ordinary common sense would dictate that a measure that had already been debated, considered, and passed by the House by a large majority ought to be the basis upon which to debate and formulate legislation.

I wish to say and emphasize in conclusion that the record of the House of Representatives for the past 5 years shows an overwhelming willingness to adopt legislation to correct the present evils and excesses of certain leaders of organized labor. I wish to further emphasize that the record of the House of Representatives indicates that if either the leadership of the Democratic Party or the Republican Party will come out openly and courageously for such a program of corrective legislation, it will be adopted any day that the roll is called, and adopted by majorities larger than those obtained for any of the bills heretofore enacted.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. CHURCH. The gentleman has explained the bill that he has pending. Will the gentleman explain the difference between that bill and H. R. 3937 which is on the Union Calendar and for which a rule recently was granted?

Mr. SMITH of Virginia. I do not know what H. R. 3937 is.

Mr. CHURCH. That is the May-Arends bill, I understand.

Mr. SMITH of Virginia. There is a great deal of difference between the two bills.

Mr. CHURCH. There is a great deal of difference?

Mr. SMITH of Virginia. Yes.

Mr. CHURCH. The gentleman is still in favor of this bill, H. R. 3937, is he not?

Mr. SMITH of Virginia. I am in favor of that. I am in favor of anything else that will bring about a settlement of this thing. I am afraid that we just do not realize how serious this is. Down in my State, day before yesterday, I read in the paper there is a threatened strike of the power workers in the power company that furnishes the whole State of Virginia. Suppose your light and power were suddenly cut off some night. We would be in a state of chaos. I do not know what we are going to do about it. I do not care about being the author of any particular measure. Will not somebody else suggest a measure? But let us try to do something about a situation which is so agitating and so frightening the American people.

Mr. CHURCH. I am trying to do that. But my question is for the purpose of finding out whether or not the gentleman would be able to amend H. R. 3937 which is now on the Union Calendar and which can be brought up on any Calendar Wednesday.

Mr. SMITH of Virginia. I think it would probably be passed if the bill got to the floor. You have to get something to the floor of the House before you can get any action on it.

Mr. GRAHAM. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. GRAHAM. I believe the gentleman neglected to state that the House of Representatives has twice passed the Hobbs antiracketeering bill.

Mr. SMITH of Virginia. I should have stated that. The Hobbs bill deals, of course, with only one feature of the situation. But the House has twice by a roll call vote and by large majorities passed the Hobbs antiracketeering bill, only to have it pigeonholed in the Senate.

I yield to the gentleman from California [Mr. ANDERSON].

Mr. ANDERSON of California. Mr. Speaker, I take this opportunity to commend the gentleman from Virginia for calling the attention of the country to the fact that the House has not been derelict in its duty in trying to solve these labor-management problems. I would like to ask the gentleman if he does not feel that we are not going to get any place with piecemeal legislation, with attempts being made through fact-finding committees to solve this problem. The only step for the House to take is to correct the basic law, where the evil lies.

Mr. SMITH of Virginia. I am in accord with the views expressed by the gentleman.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. HOFFMAN. On the 10th of December the Labor Committee, which has been inactive up to this time, had before it Mr. Eric Johnston, president of the United States Chamber of Commerce. With reference to the question just asked by the gentleman from California [Mr. ANDERSON], I asked Mr. Johnston this question:

> Do you or do you not think the National Labor Relations Act should be amended so as to give the parties on both sides, labor unions on the one side and the employer on the other, equal privileges and equal responsibilities?

Mr. Johnston said:

> That is a problem that I would like to think over.

When the head of the Chamber of Commerce cannot answer a question like that, where does that leave a poor Congressman?

Mr. SMITH of Virginia. A Congressman is supposed to speak for himself and express his own views.

Mr. SAVAGE. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Washington.

Mr. SAVAGE. The gentleman mentioned there was no particular penalty for violating the Smith-Connally Act. Is it not true that many of the workers who are on strike are not in violation of the act? No penalty would apply, because they have complied with the act. A vote has been taken, and they go on strike after due notice.

Mr. SMITH of Virginia. That is true. In a certain proportion they did conform to the law. They gave notice, and at the end of 30 days they went on strike. There is no law to prevent them from doing it. However, a much larger number than those who did comply, violated the law and did it openly and flagrantly.

Mr. SAVAGE. In some instances it has simply gone from one step to another. They think they will just put a little pressure on the employer. Then, when the 30 days is up, they still have not come to an agreement and they say, "We don't back down now, because they won't give us the raise."

Mr. SMITH of Virginia. With the gentleman's experience in labor relations I am sure he can help us draft a good bill that will not take away the bargaining rights of labor and still correct the situation. The gentleman may be assured I will join with him in passing any such act.

Mr. COLE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. COLE of Missouri. Is it not a fact that the Smith-Arends bill, originally introduced by you, would in effect repeal the so-called Smith-Connally antistrike law, and was that not primarily the purpose of that bill?

Mr. SMITH of Virginia. I introduced a simple measure to repeal the Smith-Connally Act. My purpose in doing it was because that act was an emergency measure for the wartime. When the war was over, I thought that that law, like a great many other emergency measures, should be eliminated.

Mr. COLE of Missouri. That law never did accomplish the purpose that was intended when you sponsored it in the first instance; is that not true?

Mr. SMITH of Virginia. I have been into that at some length. If the gentleman is not familiar with the history of that law, I do not have time to go over it again. But when that bill passed this House it contained penalties that would have taken care of the situation and would have made it effective.

The SPEAKER pro tempore (Mr. GORE). The time of the gentleman from Virginia has expired.

Under previous order of the House, the gentleman from California [Mr. VOORHIS] is recognized for 15 minutes.

AMERICAN LEADERSHIP

Mr. VOORHIS of California. Mr. Speaker, before I finish my remarks, I am going to discuss some of the things the gentleman from Virginia [Mr. SMITH] has been talking about, but I have one or two other things I should like to say first.

Mr. Speaker, at the time that President Truman took office as President of the United States, I addressed the House and said, among other things, the following:

> The clear duty which now confronts us is that of making certain that the passing of President Roosevelt becomes not an irreparable loss but rather a circumstance calling forth from every single American citizen a deeper and more earnest devotion to his Nation, its ideals and its objectives, and a greater sense of kinship with all other Americans than he has ever had before.

Never before in all history has any nation faced so great an opportunity to exert leadership on the future course of human events as our Nation possesses today. Never before has any nation faced such difficult problems of readjustment from a great war.

Never before have democratic institutions and a free system of government and economic life been so much on trial before the bar of world opinion. It is time that we considered what sort of record we, the American people including their representatives in Congress, have made under these circumstances. And I cannot refrain from pointing out that up to date that record has not been worthy of the best tradition of our country. Instead of a readiness to serve the Nation, we find dozens of able men leaving the Government service and taking lucrative positions in private business. I offer no personal criticism of any of these men, but I only point out that the trend is wrong. It is equally wrong to find an unwillingness on the part of the people who have not been with the Government to accept assignments where they could render important service in the public interest. Many of them, in the light of their experience, could do much toward improving the efficiency and service of the Government to the people of this Nation and the world. And yet I am afraid it is true that there is a general reluctance on the part of people to undertake such service.

Nor can we escape the fact that in a number of vital matters Congress has moved far too slowly. It is the immediate duty of the Congress to meet squarely the problems of our country, especially those affecting the health, welfare, and buying power of the people. Political divisions are natural among us. But it is nothing short of tragic if Congress fails to set these aside now in favor of the fundamental interest of the Nation as a whole. Prejudices and narrow interests have been in the ascendancy far too long already. America and all she stands for call on us for unselfish, courageous, wise action now.

It is time that Congress settled down to the most important legislative job it has perhaps ever faced. Let us draft better legislation if we do not approve of legislation already before the Congress. But we cannot escape responsibility for preventing either a giddy inflation or a subsequent disastrous deflation and period of unemployment.

On the all-important labor-management front we find in many quarters a completely adamant attitude which has its roots in the failure of the management-labor conference. Despite some bright spots on the horizon, there appears to be, in some industrial quarters, a positive desire to force a show-down with labor and the idea seems to be that if this can be accomplished, the strength of labor can be broken. I would only like to point out in contrast to this the action recently taken by the Kaiser-Frazer Automobile Co. in dealing with the very same union which General Motors has been dealing with. The Kaiser-Frazer Co. has signed a contract generally hailed as a model and one upon which a long period of cooperative relations between that company and labor can unquestionably be based. One of the outstanding features of this contract is the one which gives to the workers of this company a positive and direct interest in increased production by setting aside in a special fund the sum of $5 per automobile produced, which shall be used for the payment of bonuses to the workers. On the other side of the picture we have found in some instances an irresponsible insistence on the taking of strike action by some labor groups. And I have learned from the men who have had to do with labor-management relationships that in all too many instances either labor or management or both have simply presented their demands and their position in connection with negotiations and refused to budge a single inch from that position. Such action bodes ill indeed for the future of America.

It is understandable and justifiable, of course, for labor to attempt to protect the take-home pay of its membership. It is, furthermore, to the interest of the Nation as a whole that that take-home pay be not reduced, for upon it depends the mass buying power of our country, and upon that mass buying power depends the likelihood of a sustained market for goods and our opportunity to provide jobs for returning veterans. But what is labor to do in cases where management has refused to sincerely bargain and negotiate with it? This puts labor in a position where it has little choice as to the action it must take.

Into this situation the President proposed the most basic and reasonable measure that could have been suggested. He proposed that a settlement of industrial disputes be based upon the impartial investigation of the facts and the presentation of those facts to the American public for its judgment. He proposed that the force of American public opinion be mobilized not behind one side or another but behind the right and fair solution of these difficulties. He proposed something which has been found to work well in the State of Minnesota and in some of our basic industries, and yet his proposal was met by violent opposition from many quarters in the ranks of both management and labor. We have now, however, had opportunity to find out something of the reaction of the American public itself, and that reaction, both according to public-opinion polls and the response to the President's recent speech, is overwhelmingly in favor of the President's proposal.

While I do not personally believe that it would be wise to pass legislation setting up fact-finding boards and doing nothing else, and while I think that other measures, such as legislation providing for the orderly settlement of grievances, for orderly processes of conciliation and mediation, for voluntary arbitration, and things of that sort, should be adopted in the legislation as well, nonetheless it is my opinion that Congress should get down to business and pass the substance of the President's proposal at the earliest possible date. Meanwhile the American Nation is watching to see which side in these controversies will not cooperate with nor accept the findings of the impartial fact-finding groups already appointed. In the automobile industry we already have the answer to this question. And it is the corporation.

It is all very well for powerful men to say that these industrial controversies and work stoppages are none of the public's business, but it is my prediction that the public will make them its business and that in the absence of a readiness on the part of either huge corporations or powerful labor unions to abide by the findings of impartial fact-finding bodies, there will be real danger to a continuance of the freedom of action which management and labor in America have always known, and which it is decidedly to their interest as well as to the interest of the Nation as a whole to preserve.

Mr. HARNESS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Indiana.

Mr. HARNESS of Indiana. I do not know where the gentleman got his percentage figures as to approval of the President's proposal in connection with the fact-finding board.

Mr. VOORHIS of California. I got them from the Gallup poll.

Mr. HARNESS of Indiana. My mail indicates the opposite to what the gentleman stated.

Mr. VOORHIS of California. I got them from the Gallup poll, which shows that 80 percent of the public as a whole approves and 70 percent of the members of labor unions.

Mr. SMITH of Virginia. That was on the labor proposal?

Mr. VOORHIS of California. That is right.

Mr. Speaker, if I have additional time, and I hope I do, I would like to say one or two more things on this subject. If Congress is to legislate in this field, it seems to me to be of paramount importance that that legislation be aimed at a fair, just, and basic solution of the problem and that it be neither in spirit nor effect a punishment of anybody or with any vindictive purpose in view. Indeed, I do not believe it is an unreasonable thing for the workers of this country to attempt to prevent a reduction in their take-home pay. A 20-percent increase in wages would mean that the worker working 40 hours a week would receive the same take-home pay that he would formerly have received for a 48-hour week at straight time for the extra 8 hours. It seems to me, on the contrary, that for labor to take the position of protecting its take-home pay is eminently correct, from the viewpoint of the workers of this Nation, and I would say from the point of view of the Nation as a whole.

Mr. BUFFETT. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Nebraska.

Mr. BUFFETT. On September 30 there were 900,000 veterans and their families, and I refer to veterans of World War II, on the pension or compensation rolls. Does the gentleman know of any way that those people are going to be properly cared for in the future unless we all make some contribution from our earnings and pay checks toward that cause?

Mr. VOORHIS of California. No; I do not, and I am not proposing a tax exemption for labor or anybody else. Indeed, I have advocated all through the war that we should have taxed heavier than we did. I voted against the tax reduction bill and I will take my position on that.

Mr. BUFFETT. That matter is going to come up from this time on?

Mr. VOORHIS of California. Yes. Of course, and we shall be able to meet our obligation to the veteran fully only if we maintain a high level of national production and income. That is what I am speaking and working for.

Mr. BUFFETT. We are all going to have to make some contribution toward it if it is going to be paid?

Mr. VOORHIS of California. Indeed we will. Having said what I just have about wages, I would like to say that in those cases where it is found that the employer is unable to realize a fair and just profit margin, and also to pay those wages, a reasonable price increase to the employer should be made. There are corporations in especially favored positions where this will not be necessary. But where it is necessary it should be done.

Somebody says I am advocating unlimited inflation. I am doing nothing of the sort. All I have in mind is this: Since 1941 the volume of money in the United States, which consists mostly of bank deposits, as you know, has more than doubled. In 1941 there were $78,000,000,000 of deposits, adjusted, plus cash outside banks; but in June 1945 there were $163,000,000,000 of deposits, adjusted, and cash outside of banks. What does that mean? It simply means that we have a volume of purchasing power available in this Nation of perfectly unprecedented proportions. We also have a national debt of $300,000,000,000. Any course of action which risks deflation means a multiplication of the debt burden. On the contrary, if we can take such action as will expand production—and the worst thing about

these strikes is their interference with increased production, which is the very serious part of it—if we can keep a high level of production and an increasingly higher level of production and income and national income of this Nation, we will have accomplished the main purpose. And it has been true all through history that we have not been able to get that unless we had a market which was not a declining market, but rather an expanding market.

I am all in favor, and will so vote, for the continuance of price control beyond June 30 of this year. But I do agree with the recent report that was issued by the committee of which the gentleman from Virginia is chairman, and which report I signed. I think we are on sound ground in that report when we advocate that the all-important objective should be increased production in the present situation rather than any other single consideration.

Mr. VURSELL. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Illinois.

Mr. VURSELL. As I understand the gentleman, the problem before the country is how we can maintain the take-home pay at wartime levels for the highly organized highest paid men in the Nation.

Mr. VOORHIS of California. No. The gentleman does not state my position correctly.

Mr. VURSELL. All right.

Mr. VOORHIS of California. In the first place, let me say that I did not say that was the only problem before the Nation. The problem of maintaining high farm income is certainly involved. The problem of increasing production will be directly involved under the circumstances I spoke of, and every effort in that direction will have to be made. Neither am I primarily interested in the people who have received in a few instances very, very high wages. I am concerned about the great numbers of people in the field, the people who made from $30 to $40 or $50 a week, which was about the average, for example, in the airplane industry during the war.

Mr. VURSELL. That is the point I want to ask a question about. I thought the burden of the gentleman's talk had to do with the people who are striking, the higher paid, if you will pardon me. The gentleman believes they are justified in asking, we will say, for what might be a 20 percent raise. Are we not looking at 10,000,000 people and neglecting 90,000,000?

Mr. VOORHIS of California. I am not, for this reason, because I happen to be very much concerned about and in favor of legislation to increase the basic minimum wage. I think that should be done at once and that is the legislation that affects the unorganized people of this country.

Mr. VURSELL. The question that I am coming to is, How can we pay more wages to the highly skilled people who are employed without them producing more goods, and without preventing runaway inflation, to the detriment of the white-collared worker and the farmer?

Mr. VOORHIS of California. Let me answer the question before my time runs out. The answer is, We cannot. Unless we increase production all efforts will fail. It is about 2 or 3 months ago that I spoke in this very same place I am speaking from now and advocated with all the vigor at my command that in the determination of wage scales and in the solution of this problem that the best way to do it was to grant such increases as both parties could agree upon as a basis and then to proceed to negotiate for the payment to the workers of a percentage, a fair and reasonable percentage of the actual earnings or the gross sales of the company or the value of the production they turned out. Such a formula might give us the answer. It would mean to the worker a direct interest in the increase in production just as the Kaiser plan will, and I think such plans as that are not only eminently desirable, but that they must become more and more common practice.

LEAVE OF ABSENCE

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Wisconsin [Mr. BYRNES] be granted leave of absence on account of official business until next Monday.

The SPEAKER pro tempore (Mr. SPARKMAN). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. BRADLEY of Michigan asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Chicago Tribune.

The SPEAKER pro tempore. Under previous order of the House the gentleman from Pennsylvania [Mr. RICH] is recognized for 10 minutes.

THE LEGISLATIVE PROGRAM

Mr. RICH. Mr. Speaker, I address you today on the fact finding I have made since the President made his address on January 3 telling the people of this Nation to go to their Congressmen and discuss with them the questions in which they are interested, and accusing the Congress of not putting through the program which he recommended.

He criticized first that great committee of ours, the Committee on Ways and Means, because it did not report out the bill giving $25 for 26 weeks, or what we call "rocking-chair money." According to the President, the Committee on Ways and Means is responsible for not having that legislation brought before the Members of Congress.

I took this matter up with those who came in to see me, and quite a good many people visited me from the 3d of January until I returned here. Every person who spoke to me was against the President's program, except 19 members of the CIO who visited me at one time a week ago Saturday. They asked me if I would meet their committeee, which would be a small committee. When that committee of 19 came to my office, it kept me busy for a few minutes trying to find chairs enough to seat them, but we found seats for all of them and had a very pleasant time.

I told the CIO at that time that I was opposed to most of the legislation which I will mention to you. The CIO was for all of that legislation with the exception of the 30-day cool-off period in connection with the fact-finding committee, which the President wanted to have inculcated into law. They said they did not want a 30-day cool-off period; they wanted to strike whenever they wanted to strike. As I said before, however, everybody else was against the President's proposals with the exception of that one item. Most of the people that interviewed me said they wanted a 30-day cool-off period when labor wanted to strike. Cooling-off periods should be good for everybody and cannot injure any person who wants to work.

Let us take up some of these items one by one. When the Committee on Ways and Means refused to report the bill giving $25 a week for 26 weeks, the CIO wanted to know whether I was for that legislation. I told them I was not. They said, "Why are you not for it?" I said, "The reason I am not for that legislation is that you fellows yourselves demonstrated to me that it was poor business to have such a law." "How is that?" they said. "Because of the fact that you came to Washington to visit me 3 or 4 weeks ago, and at that time you wanted me to pass that legislation and wanted to know why I was not for the $25 a week. I asked them then why they were not back home working and they told me you could not get a job for more than 35 or 40 cents an hour."

I did not believe them when they told me that so I wrote back to the labor board in Williamsport asking what kind of labor the men could secure who had been working in industry. They said there was a great demand for all kinds of common labor, and from that up to skilled labor, and that these men could get jobs paying anywhere from 75 cents an hour to a dollar an hour. These men, remember, told me that 35 or 40 cents an hour was all they could receive. After they told me that, I found out that they could get 75 to 80 cents an hour for common labor. I asked them why they were taking $18 relief money which they told me they were receiving at that time. They did not answer that question. I said, "Then you would rather take $18 a week doing nothing than take $40 a week and have a job?" They refused to answer that question. Now they want me to pass a law giving them $25 a week for 26 weeks. I think it is poor business. Therefore, I am against that legislation. When they refuse jobs for $40 working for $18 per week to loaf I would encourage loafers at $25 per week. Do you not think so? I am for jobs for all.

Then, take the full-employment bill. We have had that bill up before the House. It was reported out of the Committee on Expenditures in the Executive Departments before the Christmas holidays. It was supposed to be handled before the holidays. After we passed that bill the conferees never met. They have not met up to this time. So I do not think that was so much in demand.

Certainly we worked hard for 3 months to get it out. Now it lies dormant.

Another thing, in this country today we have millions of jobs and we have not the workers to take them. Why was there any such demand on the part of the President that we pass this full-employment bill? Why rush it along now? It was only to fool the people.

Then we have a bill coming up having to do with the FEPC. The President is behind that FEPC bill and he is desirous that that bill be passed. I discussed that matter with my constituents and they think it is better to educate people to try to do things than it is to force them. The labor organizations do not want to be forced into anything. But they want this bill; why? Business does not want to be forced into anything. Why do you want to force people under the FEPC bill? I declare now that it is a much wiser and much more sensible and logical thing for us to do to let the people be educated rather than to be forced by legislation of that kind.

Then they talked to me about socialized medicine. You know the President recommended that. But I could not find anybody who wanted socialized medicine, especially the doctors. Well, the doctors are so opposed to that but they are not any more opposed to it than many of the people who interviewed me. They said, "We want to go to the doctor whom we want to employ as our family physician. We would have more confidence in him and he will do more for us than he would if we had to go to a certain doctor according to the law, a doctor whom the Government will suggest we go to if we have socialized medicine." So I think we do not need any legislation of that kind. Where will you get the money to do all this? Certainly the people of my district did not express themselves for it except the members of the CIO. Of course, as I said before, I want to be fair to the CIO, but I am opposed to everything that the CIO wanted me to do except possibly the 65-cent minimum wage. We discussed that. I said there may be some merit to that but I believe it will do more damage than it will do good because there is nobody around here now getting 65 cents an hour. Everybody wants 75 and 80 cents an hour and most of the people are getting much more money than 65 cents an hour. So that if we passed a bill creating a minimum of 65 cents an hour, there are some people in the country who will never receive a job of any kind and then those people who have jobs will have to furnish them money in order for them to live, whereas if they could go out and do something for 40 or 45 cents an hour where people are incapacitated and cannot do anything, you might say, to speak of, those people will have something to occupy their minds and they will be contented and happier and will be better people in the end; they will be happier contented people—idleness breeds discontent.

Then I said to the CIO that we had a member of the CIO before the Committee on Expenditures in the Executive Departments. He said, "We want to get 65 cents this year. Next year we are going to ask for 75 cents. The next year we are going to ask for 85 cents, and we are going to ask for a dollar an hour the year after." So you can see their object is to get a dollar an hour minimum wage; then eventually we will be worse off than we are today.

The President criticized Congress—well, I have come to the conclusion the President will go places if he recommends sensible, sound, constructive legislation. It is said that "A man is not a failure until he blames someone else for his blunders." Well, Mr. President, remember that you cannot do any more blundering, you have poor advisers, and the majority of our people do not like their philosophy, or your advice to the Congress or to the people on legislation. Mr. President, they do not like your attitude toward the strikes. I say to you if you take over the telephone companies, the automobile companies, the steel companies, the electric companies, the packing companies, you will do what the radicals want. It will be the end of our American liberties. You will play into the hands of those who want America to become communistic.

Mr. President, get the "big stick." Hold America steady, get rid of the Communists; stop listening to them. Do you not know many of the strikers today do not believe in their leaders, but they strike on account of fear? Why do you not aid in getting legislation to stop these useless strikes? It is up to you to take the lead. Give us a chance to vote on some sound legislation at once. I beg of the leaders of Congress—this means you, Mr. Speaker, Mr. Majority Leader, leaders of the Democratic Party—who have and control the votes. Our country is in danger—act and act now, do not delay.

PERMISSION TO ADDRESS THE HOUSE

Mr. BIEMILLER. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. KEFAUVER] may address the House tomorrow for 15 minutes, following any other previously entered special orders.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. ALLEN of Louisiana asked and was given permission to extend his remarks in the RECORD and include quotations and different matters, as well as statements on the lateral canal on Red River.

The SPEAKER pro tempore (Mr. GORE). Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

LABOR LEGISLATION

Mr. HOFFMAN. Mr. Speaker, the fireside chat, in which the President attempted to have the people put the heat on Congress was inconsistent, inaccurate, and inadequate. It was inconsistent because, as has been so clearly and ably pointed out today by the gentleman from Virginia [Mr. SMITH], the House itself has not been at fault.

The gentleman from Virginia [Mr. SMITH] called attention to several bills which have been passed by the House and which have been buried in the other body.

I want to enlarge on one statement which the gentleman from Virginia made. It was on the 9th day of April 1943 that this body passed the Hobbs bill, the so-called antiracketeering bill. While the President made reference to antilabor legislation, by no stretch of the imagination can the Hobbs bill be called antilabor. I am not speaking now for the information of the House, because the Members know the history of that legislation, they know its purpose, they know what it would do, but it is well that some of the folks who hear or read the words which are said on this floor may be advised as to what that bill contains.

Over a period of years it has been the practice of the teamsters' union, Dan J. Tobin's union, to make truck drivers going into the cities pay $8.41 for every small truckload of small-farm produce or merchandise transported over the highways, and $9.42 for the larger trucks. There is no justification for that. The Supreme Court in passing upon the antiracketeering legislation which had to do with that practice, in the majority opinion, admitted that it was extortion. If a group of returning servicemen went out on the highway or on any of the streets leading into any of our cities and attempted to follow that practice, they would be thrown into the penitentiary. If any citizen or any group of citizens tried to do what the teamsters are doing, they would end up in jail. But the Supreme Court, just one Justice dissenting, held that because it was an established union practice, the antiracketeering law passed by the Congress did not apply.

Then the House, as the gentleman from Virginia pointed out, on two occasions, once on the 9th of April 1943, by an overwhelming majority, passed that bill. It went to the Senate on the 12th day of April 1943. On the 12th day of April 1945 Mr. Truman became President of the United States. So for 2 long years a bill which would protect the farmers, which was in the interest of the citizens who purchase food and merchandise, people who live in the cities, which would have prevented the extortion practiced by members of the teamsters' union, rested in the other body.

You could not put your milk or your cheese, I say to the gentleman from Wisconsin [Mr. MURRAY], into Madison, your State capital, or into Chicago; I could not put the produce of my farm into Detroit until the teamsters had collected their little $8 or $9. They have no shadow of legal or moral right to do it, but they do it. We sent that bill over to the other body and for two long years the President of the United States was a Member of the United States Senate and, as far as I have been able to learn, he never raised his voice, never; no, never, in an effort to get it out and have it enacted into law.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. CURTIS. This Daniel Tobin whom the gentleman mentioned, is he the Daniel Tobin who is national chair-

man of the Labor Division of the Democratic National Party?

Mr. HOFFMAN. I do not know anything about that, I am not talking politics here, but he is the same Dan J. Tobin who is the head of the teamsters' union, the executive committee of which more than 2 years ago said they had $4,000,000 in cash, $5,000,000 in war bonds, and through the executive committee authorized the use by Dan's representative of any part of the $4,000,000 in cash to defeat the Congressmen who opposed any legislation they wanted. That is the Tobin about whom I am talking, Dan J. Tobin.

Mr. CURTIS. Mr. Speaker, will the gentleman yield for one further question?

Mr. HOFFMAN. Yes.

Mr. CURTIS. Is it beyond reason for the American people to ask the administration to stop promoting strikes?

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for five additional minutes.

The SPEAKER pro tempore (Mr. GORE). Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. The gentleman from Michigan will be recognized for five additional minutes.

Mr. HOFFMAN. In the opinion of many, the administration's statement made a few months ago that industry could afford to pay 20-percent increase in wages without increasing prices was the spark that started the strikes, because naturally we all want a little more, and if there was an opportunity to get it without increasing prices the next thing was to strike in an effort to compel that increase in wages.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Briefly.

Mr. RICH. Does the gentleman believe the President feels satisfied that the people of this country all want to have these strikes going on all over the country?

Mr. HOFFMAN. Of course, I do not know what the President thinks or feels. How would I?

Mr. CRAWFORD. Mr. Speaker, would the gentleman yield for a question on the point he was discussing?

Mr. HOFFMAN. I yield.

Mr. CRAWFORD. Would it be fair for we who are not lawyers to assume from what the gentleman just said that by the provisions of the numerous laws enacted over a period of time, and having in mind the court decision to which the gentleman has just referred, that the teamsters' union is by Federal laws protected in the type of racketeering which has been referred to, thereby making it necessary for the enactment of a bill along the lines of the so-called Hobbs bill?

Mr. HOFFMAN. Undoubtedly, we must have that bill if the Federal Government is to prevent that racketeering by the teamsters' union. It is not the Federal legislation that makes it possible, it is the failure of the Congress to act and the decision of the United States Supreme Court, the two combined, that lets the teamsters get away with it, so far as Federal prosecution is concerned. It is the failure of the sheriffs, the attorneys general, and the governors of the States to enforce the laws that are on the books that enable them to get away with it without prosecution by the States. In my State there is plenty of State law to punish them, but the local law-enforcement officials just dodge the responsibility as they do in other States.

Mr. CRAWFORD. But do not the Federal laws on the books, plus the decision of the Supreme Court, sanctify or approve a continuation of that practice until we make further changes?

Mr. HOFFMAN. Yes; in this way, that when we wrote the antiracketeering law the majority of the Members of Congress thought they were going to get rid of racketeering as such; but the Congress said that law should not apply to established union practices, and inasmuch as it has been the practice of unions over a period of years to compel truck drivers to pay a fee for the privilege of using Government highways, inasmuch as it has been the practice, for example, of this man Petrillo to require stand-by musicians rendering no service to be paid by the operators of a theater or broadcasting station, the Supreme Court went out of its way to say that we did not intend to end racketeering except of the type that had been carried on by Dillinger.

As the law stands today you cannot be reached by a Federal prosecutor if you hold up a man and compel him to pay, if you belong to the union and if the illegal act has been a part of the established practice of the union. The House passed the Hobbs Act in an effort to get rid of that exemption.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Illinois.

Mr. CHURCH. Does not the gentleman mean that, if the union leader had been practicing racketeering before the law was enacted, that thereafter that kind of racketeering can continue?

Mr. HOFFMAN. I spent 3 minutes trying to make that clear.

Mr. CHURCH. I think the gentleman has.

Mr. HOFFMAN. I thank you.

When I said the President was inaccurate I meant when he said, in substance, that a few men in the House prevented the consideration of legislation by the House. The President said that he was against the practice of the two Houses pigeonholing legislation. The President, as has been pointed out by the press since his talk, knows the situation very well. For 10 years he was a Member of Congress. He knows very well that at any time the majority of this House wants to vote on a bill all they have to do is walk over to the Clerk's desk, file a petition, and sign it, and when 218 Members have signed that petition any bill that has been introduced and held up in committee can be brought out for action. So I say the President was completely mistaken. He was just talking, he was forgetful. He had one of those lapses of memory that sometimes come to those of us who have reached a certain age.

Mr. Speaker, his message was inadequate, his proposal was inadequate.

His own words show his inconsistency. He said, and I quote:

> Experience has repeatedly shown that once the public knows the facts it can make its opinion felt in a practical way.

And then he said—and the statement is printed in his message within 3 inches of the prior one:

> No detailed information obtained from the books of the company is to be revealed.

Just how does the President expect the public, upon whose opinion he relies for the settlement of labor disputes, to know the facts, if no detailed information obtained from the books of any company is to be revealed?

Just why does he expect labor or management to be influenced by the opinion of a fact-finding board which gives merely its conclusions, none of the facts on which it bases its opinion? Does he think that the stockholders of a company will accept the opinion—the conclusions—of men who never were engaged in that particular business as to the terms upon which employees should be hired in preference to the opinion of the management the stockholders selected?

Again, why have a fact-finding board? Of his fact-finding recommendation the President said in his fireside chat:

> It is nothing new to have the Government get accurate information from a corporation. It is now done by many Federal agencies—by the Bureau of Internal Revenue, by the Securities and Exchange Commission, by the Wage and Hour Division of the Department of Labor, by the Interstate Commerce Commission, and by many others.

His proposition amounts to no more—to no less—than that his fact-finding board, with no technical knowledge of the business, with no experience in carrying on such a business, shall determine whether the profits, if any there be, shall be used for repair, replacement, improvement of production facilities or in research, or shall be divided among the employees as wages.

He also said that if Members of Congress had any better program, we should offer it. As was pointed out by the gentleman from Virginia, and I repeat it again, because he made a complete statement, the trouble with us now is that the basic law is wrong. The National Labor Relations Act grants privileges to unions and union members. It grants none, no, not one to employers. It imposes penalties upon employers. It imposes none, no, not one on a member of a union nor upon a union. A union and its members can run hog wild and nothing happens, but if an employer steps over the line, he is subject to a penalty.

Let me cite just one or two illustrations. When the bill was before the Congress, over on the other side, Senator TYDINGS offered an amendment to the then pending bill providing that there should be no coercion from any source exerted upon employees. The amendment was voted down. I offered the same

amendment over here on various occasions but I have never been able to get it out of committee. This gets into the realm of free speech, too. Is there any reason why an employer should be deprived of the right to advise employees of the character, the motives, and the purposes of organizers who may be Communists? I recall an instance in my district where the president of the union was a convict. Should the employer be deprived of the right—and he is so deprived today—of telling the union members, his own employees, of that fact?

On the other hand the union members, the union organizers, whether they be Communists or convicts, can say anything they wish against the employer or to his detriment.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for two additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. The truth is that for the past 10 years the administration in power has been strongly prolabor; that it has on more than one occasion blocked legislation which would have advanced the interests not only of labor organizations but of the individual members of labor organizations. The last administration, as the present one, has played politics with labor politicians. The last administration is directly responsible for the growth of the CIO and, many think, for the communistic influences within it. Everyone with a minimum of common sense and knowledge knows that labor as a class has no use for communism, for any un-American doctrine; that it is motivated by the same feelings of loyalty and patriotism; that it has the same desires and ambitions as do the members of other segments of our population. Unfortunately, like some other organizations, the rank and file have permitted un-American, disruptive influences to attain undue prominence. Proof of this is found in the factional fights carried on within the ranks of unions and by the statements of union leaders themselves.

I was one of four Republicans who voted with three Democrats just before the recess to consider the measure proposed by the President and to work out something which might be of value to the Nation. Members of the President's party defeated that effort, and to date there is no definite intimation as to when, if ever, bills now pending before the Labor Committee of the House will be given consideration.

Leaving for the moment the question of over-all legislation, permit me to call attention to the fact that yesterday a bill was introduced which, if adopted, will injure neither labor nor management, will go a long way toward protecting the public. Strikes in many industries, called for many reasons or for no reason at all, except, perhaps, the desire to increase the power of certain union leaders and politicians, exist throughout the land, have halted reconversion and sown the seeds for a harvest of want and suffering.

As to who may be right or wrong in these various controversies, no opinion is expressed. One thing is certain—that the interest of the public is paramount, and that in one class of strikes the Congress should take immediate and effective action.

In the quarrels between management and labor which affect public utilities, the interest of the public must be protected. Unions have grown so powerful, their power has been used so arbitrarily that the danger to the public is imminent and serious. The unions have the power—and on occasion have used it—to tie up vital transportation systems. Such a procedure is unfair to the people who must have uninterrupted transportation if they are to go about their daily business, and who are in no way responsible for the causes which bring about the strikes.

Our national, industrial life depends upon an uninterrupted flow of communications. Unions are in a position to shut off the light, the heat, the power, and the water in many a city and town. They have, and they have on occasion exercised, the power of the dictator, of a tyrant, by tying up transportation, communications. On one occasion, in Michigan during the sit-down strikes of 1937, they pulled the switches in power plants, endangering the service rendered by police and fire departments, by hospitals. The health and welfare of the public depend upon the uninterrupted operation of the service rendered by public utility corporations. The corporations should not be able to arbitrarily end such service. If they do, their charters should be revoked. Neither the unions nor individual members of unions should for one moment be permitted without notice to end that service.

The bill introduced by me yesterday provides briefly and in substance that into every contract entered into between a public utility and a union, there should be incorporated a provision requiring notice of any contemplated strike. The bill further provides that if the employees in a public-utility strike, and continue on strike for a period of 24 hours, and thus endanger the welfare, health, and lives of the public, the striking employees shall lose their status as employees and the corporations shall be at liberty to employ those who desire work.

Under no circumstances would I prohibit the right of an employee to strike, nor would I, by law, endeavor to compel him to work. On the other hand, under no circumstances would I permit an individual or a group of individuals to endanger the health and welfare of the people of our Nation. No law can require the individual to serve any employer, nor should any law be permitted to remain on the books, the effect of which is to enable an employee or a group of employees to prevent the public receiving the service to which it is entitled.

The bill is limited to public service corporations and their employees. Just forgetting for a moment strikes generally and labor disputes generally, is there any reason why here in Washington or in any city or in any community those corporations which furnish us, the people, with light, some times with heat, with water, with communications, telephone, and Western Union—I say, is there any reason why there should not be incorporated in the contract—and that is provided for in the bill which was offered—a provision that the employees shall give notice, 30 days, 60 days, whatever you want to put in, of their intention to shut off the light, the water, the phone, the transportation? Is every housewife, who wants gas or electricity for cooking, refrigeration, every individual to be at the mercy forever of some union or union employees? When you go home are you to be dependent for the water you drink—you can get along without a bath but you must drink, and sooner or later you will have to drink water, whatever may be your inclination—are you to be dependent for that glass of water upon the will of some union or union boss or for light? Can someone downtown—somewhere—do as they did in Michigan once, pull the switches in the power company's plant and shut off the light, depriving, as they did in Michigan, the police and the fire departments of the ability to render service; doing as they did in Michigan, shutting off the power and the light from the hospitals? Now to end or to prevent that hardship and injustice a bill was introduced yesterday.

If Mr. Truman wants legislation, here is one bill which is not antilabor, which is not promanagement, which is drawn primarily and solely to protect the welfare of the Nation.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Hampshire [Mr. MERROW] is recognized for 10 minutes.

NEW ENGLAND DAIRY INDUSTRY RECONVERSION THREATENED BY OPA POLICY OF CREAM PRICES

Mr. MERROW. Mr. Speaker, milk production is the main source of farm income in New England, and the processing, distribution, and sale of milk and milk products by thousands of milk-plant operators and milk processors and handlers is one of New England's main industries. The industry furnishes more than 40,000 people with their livelihood as employees, route salesmen, and plant workers. Normally it is one of our most stable industries and can be counted on to furnish farmers a steady market in good times and bad, to provide steady employment at good wages for thousands of workers in good times and bad, and to furnish steady dependable service to consumers, not only in good and bad times, but in all kinds of weather.

This milk industry in New England, including the dairy farmers, has a rather serious reconversion problem. The three highest priced and most desirable outlets for milk are fluid milk, fluid cream, and ice cream. Farmers want to sell their milk for these uses if they can. Milk distributors want to increase sales volume for these products if they can. The health of the Nation is improved with every increase in the sales of these highly nutritious products. During the war and until after VJ-day sales of fluid milk were under quota control, to force more milk into manufactured dairy products needed

for war. Sales of heavy cream or whipping cream were banned entirely, largely to keep more milk fat moving into butter and other products. On top of this, sales of light cream or coffee cream were placed under rigid sales-quota control. The combined effect was to reduce to 60 percent of the 1941 level the amount of milk that could be sold as cream. Also, the quantity of milk ingredients that could be used to make ice cream were rigidly controlled at 65 percent of the 1942 level.

All of these controls meant less money to farmers because they limited their highest-priced outlets. They meant less fresh dairy products for consumers. They meant less commission earnings for route salesmen. They meant limiting sales volume when the high incomes gave the best chance in history for milk and cream consumption levels to climb closer to the levels nutritionists have been working toward for years.

With the end of the war, our new Secretary of Agriculture was prompt to lift these controls so that reconversion could get under way. Milk production expanded during the war but much of the new milk went into products not needed in such large quantities in peacetime. If these products were dumped on the civilian market the result could only be chaotic prices. If the added milk could be sold in these higher-priced outlets then reconversion would be relatively easy. Experience since VJ-day has shown that much of it can be sold in these high-priced outlets, as milk, cream, and ice cream. There is no reason from the dairy farmers' standpoint, from the consumers' standpoint, from the industry's standpoint, nor from the Government's standpoint why such sales should not be encouraged. Congress, faced with its postwar farm price support problem, should be especially interested.

In the face of these facts, it is shocking to find OPA doing everything in its power to move in the opposite direction. Milk distributors are being forced in most New England markets to absorb direct out-of-pocket losses on every jar, and bottle, and can of cream they sell. No price adjustment can be obtained despite a direct case of financial loss that has been presented to and accepted by the OPA as being sufficient to justify action. Not only this, but a roll-back in the return to the farmer is threatened, with a new ceiling regulation, now that the war is over, that threatens also to create a new problem in distribution of available supplies. New England has had too much experience with maldistribution of butter and meat and other products not to be fully aware that such a new ceiling would simply drastically reduce the supply.

The facts in the case today are relatively simple. The Boston market can be used as an example. The United States Department of Agriculture reported officially that the average cost of cream f. o. b. Boston in carlots for the week ending January 5, 1946, was $28.10 for a 40-quart can of 40-percent-butterfat cream. Records submitted to OPA show that the average milk dealer, large and small, has to pay about $30 for such a can delivered to his plant. Some pay $2 or $3 more, but this is the average. The dealer processes this cream, puts it in a sterile package, and delivers it to the final buyer. The direct cash cost of these operations—no overhead, no advertising, no credit losses, no profit—are $2.28 per can for a 40-quart can, making a total cash out-of-pocket cost of $32.28. The ceiling is only $24. The ceiling is only 75 percent of the direct cash cost. The loss is $8.28 per can plus that part of the other costs of the business which this cream should carry. Other size packages have similar losses.

What is the real significance of the forced continuation of this type of condition? There are several inevitable results. In New England it threatens immediately the entire dairy industry because cream is a very large share of the average milk business. In normal times Boston milk dealers sell about 1 can of 40-percent cream for every 12 to 15 cans of milk. For the country as a whole the ratio is closer to 1 can of cream to 40 cans of milk. This means that these losses on cream can be made up only by having a very high margin on milk. Traditionally, and from a common-sense standpoint, cream should carry its full share and perhaps a bit more of the overhead of the whole business. Certainly it would be ridiculous to have to raise retail milk prices to absorb direct losses on cream.

If dealers could stop selling cream without having their competitors take away their milk customers, many of them would do so in New England today. Cream is too important, however. Dealers are slow to give up cream sales since they may also have to give up their milk business. An agreement to stop cream sales might be of a nature that would violate antitrust laws. Besides, dealers want to develop and expand the cream market, to get consumers back in the habit of using cream, instead of stopping its sale. Small dealers have the fullest incentive possible to go into the black market on a deal like this. Those who do not face a relatively fast liquidation of their capital.

The real threat in the long run is that cream sales will gradually fall off as more and more dealers decide that they can no longer afford the losses. This means a direct cut in farmers' income. In 1945 the 15,000 farmers selling milk to Boston handlers had about 1,000,000 pounds of milk per day that under normal conditions would all be sold as cream or ice cream. This was surplus above fluid milk sales. A cream market for this milk in 1945 meant at least 50 cents per 100 pounds more than would have been received had this surplus gone to butter. The difference in market values meant at least $5,000 per day to these dairy farmers, or almost $2,000,000 for the year. If cream sales are cut out, the route salesman or driver would lose close to $10 per week in take-home pay through the loss of the commission on cream sales and loss of volume. Consumers, of course, would be the real losers, both through not having cream to use and through the danger of higher milk prices.

To the whole dairy industry this problem is the real key to their reconversion hopes for years ahead and represents an issue of really major and vital proportions.

The chronology of the efforts of the New England dairy industry to obtain relief on this matter will doubtless sound familiar to those thousands of small businessmen who have read with hope the "usual business practice" sections of the OPA Act, only to find that in actual practice they encounter prejudices, delays, evasions, requests for more information, broken promises, repeated referrals to local and regional offices and back again, excessive expenses in trips and telephone calls and still get no corrective action.

The problem was presented to OPA early in October 1945 through a formal petition. This was followed by conferences on methods and procedures between regional and national offices. Actual cost data assembled through reputable accounting firms were submitted early in November. Meantime, raw material costs were increasing and the situation growing more critical every day. A conference was arranged in Washington with responsible OPA officials early in December. The petitioners were told that the cost data submitted were sufficient to judge the case and that it would be made the first order of business.

These petitions by the New England dairy representatives requesting first that historical margins be reestablished and that a procedure be written into the regulation providing for automatic adjustment. This was quickly rejected, despite the fact that cream is not a cost-of-living item and that reasonable handling margins on cream might well contribute to lower costs on fluid milk. The petitions next requested, pursuant to OPA suggestion, that OPA adjust ceilings so as to cover out-of-pocket costs—no profit, no overhead, no advertising, nothing but direct cash cost—including of course, raw material costs. Finally, the petitions requested that OPA correct immediately, pending the apparently ponderous consideration of other actions, the regional inequity in the situation by allowing all New England to sell cream at the ceilings already in effect for the State of Connecticut.

These ceilings in Connecticut are substantially lower than those in New York or Washington or Philadelphia or many other places. But they are substantially higher than those in Boston and Providence and many other major New England markets, and their emergency application would provide material emergency relief. The 40-quart can ceiling, for example, is $6.40 higher than in Boston. Its use in Boston would reduce the direct cash loss from $8.24 per can to $1.84 per can. This emergency request would not solve the problem, therefore, by any means, but would provide material relief.

What has OPA done about this matter, about these petitions? The answer is very simple: Nothing has been done. The matter has been before OPA for more than 3 months. On an emergency matter such as this it should be possible to construct a simple amendment in 1 day if it were made the first order of business and if OPA employees felt that relief was justified. Certainly, a week

should be sufficient to clear with all other agencies. Yet the matter has dragged along with no action whatsoever until it has reached the breaking point and the very critical stage that exists today.

There are, apparently, a number of arguments or counter arguments or reasons requiring ponderous consideration that have been given to the representatives of New England's dairy industry in the various conferences that have attended all these negotiations. These should all be explored, and have been explored and answered.

One of these arguments has been that fluid cream is a luxury product and that the public welfare is not advanced by encouraging its sale or making its sale profitable. The answer to this is that cream is not a luxury food product, either in New England or elsewhere. No dairy product would be classed as a luxury by any nutritionist. Cream contains both butterfat and milk solids not fat. It is really more nutritious than butter. In New England it is widely consumed by all classes. Its prices have been low. That is why our consumption is so heavy and also why supply would be threatened by roll-back ceilings to the farmer. Instead of being classed as a luxury, cream should be looked upon as a major high-value sales outlet for dairy farmers. As much or more milk will be used for cream in 1946 as for either cheese or evaporated milk, and the farmer will get a higher price for the milk that goes to cream. A strong demand for cream and heavy sales is one of the dairy farmer's strongest assets during this reconversion period.

A second argument is that cream margins were so wide in 1942 when resale prices were frozen that milk dealers can absorb the cost increases. The bare figures on direct cash costs speak for themselves on this point. The facts are that cream margins were never wide in New England. Dealers preferred low margins and low resale prices and a heavy volume of sales. These margins have long ago disappeared entirely.

The third major argument is that cream is largely responsible for the current butter shortage, that a resale price adjustment will only draw more cream to eastern markets, and that the cream price to the farmer should be rolled back so that cream will not be available for fluid use or ice cream but will be forced into butter. By and large this complex argument is but a pawn in the justifiable arguments of some of the leaders in the butter groups for a higher butter price to encourage butter production. There are several basic facts bearing on this point that need to be made completely clear, however, in order to insure that OPA does not try to avoid any action on butter or cream prices through playing one side against the other. One fact is that no group in the dairy industry is trying consciously to make the butter supply situation worse. Butter is a basic dairy product that furnishes an outlet for vast quantities of milk fat. It is the shock absorber, the surplus absorber, and the bellwether of the entire industry. It happens to be the lowest value outlet for milk, but it has always been so. If prices were free of ceiling control, butter prices would increase but so would all other dairy products prices. At present milk supply is short of demand at ceiling prices. Milk fat is short of demand. Naturally the higher value uses have first call on the milk as they have always had.

If it is to be national food policy to limit the use of milk in other products in order to get more butter, it should be done directly by the United States Department of Agriculture openly and directly. It should not be done by OPA after Agriculture has openly and directly lifted the sales restrictions.

Another basic fact is that eastern cream originates only from factory-separated cream. Not more than about 10 percent of our total creamy butter in any recent year has come from factory-separated cream. The balance has come from cream that was separated on the farm. Such cream is not usually suitable for fluid use. It seems probable that under present conditions there is practically no factory-separated cream going into butter. It would be practically impossible, therefore, for eastern markets to draw more heavily as the result of a resale price adjustment on fluid cream. Instead, the higher price may limit demand slightly and thus result in smaller eastern shipments.

A further basic fact is that dairy farmers and milk-plant operators in the Middle West are receiving higher returns for their milk fat when it comes East as cream than when it goes to butter. The difference today in some cases must be close to 22 cents per pound of fat at the farm, or close to 88 cents per 100 pounds of milk. Consumers are getting the same milk fat in a slightly different form along with more solids not fat, and, even though the price may be higher, cream is probably more evenly distributed today than butter. The only real loser under these conditions is the butter merchandiser who has less volume of butter to sell. Certainly there is no evidence so far that the shortage of butter has resulted in any permanent injury can be shown, no dairy farmer will gain from restricting his higher-value outlets so as to force more milk into butter. We might as well restrict the output of bread so as to have more feed wheat, or restrict orange sales so as to have more orange juice to sell in cans.

Few, if any, more clearly drawn issues have come to my attention which so clearly illustrate the potentially and increasingly probable disastrous consequences of inefficient and vindictive regulation of American agriculture and American industry. Such regulatory methods clearly are retarding and blocking sound and speedy reconversion. They represent a type of regulation never intended by Congress and never sanctioned by Congress. Such regulations and such regulatory methods should have no place in our Government. They should be eliminated by Congress at the earliest possible date.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BLOOM (at the request of Mr. MCCORMACK), for an indefinite period, on account of attending, as a delegate, a meeting of the United Nations Organization in London, England.

To Mr. JAMES J. DELANEY (at the request of Mr. QUINN of New York), until January 31, 1946, on account of official business of the Committee on the Territories.

CALENDAR WEDNESDAY BUSINESS

Mr. SPARKMAN. Mr. Speaker, earlier today I propounded a unanimous-consent request that the business in order on tomorrow, Calendar Wednesday, be dispensed with. I renew that request at this time.

The SPEAKER pro tempore (Mr. MCCORMACK). Is there objection to the request of the gentleman from Alabama?

Mr. CELLER. Reserving the right to object, Mr. Speaker, and I shall not object finally, I wish to serve notice that if a request is made for the suspension of Calendar Wednesday next week it is my intention at this time to object, because I deem it incumbent upon the House to consider the Fair Employment Practice Committee bill, which the President has asked that we pass. In view of the fact that the distinguished gentleman from Alabama has made his request now, and further because, as I understand, many Members of the House have been informed that no legislation of any real importance would be taken up this week, I shall not object to the suspension of Calendar Wednesday on tomorrow.

Mr. CHURCH. Reserving the right to object, Mr. Speaker, I merely want to emphasize what I said earlier in the day. There are numerous bills pending on the several calendars ready to be heard by this House and to be voted up or down, as the President, while the Members were back home, indicated this House and the Congress should do. Emphasizing the chiding of the Members by the President, I cannot conscientiously join in the shadow-boxing that goes on in that way.

Mr. Speaker, when the Smith-May-Arends bill was before the House, when the rule failed on that day because of lack of votes, the chairman of that committee was ready by the next Tuesday "or before," and I quote.

Mr. Speaker, in view of the fact that so many bills are ready, that so many Members are here, I am eager that Congress get down to business and not keep Members here throughout the year and kill them off with hard work just because the sessions are so long.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

Mr. CHURCH. Mr. Speaker, I object.

Mr. SPARKMAN. Mr. Speaker, will the gentleman withhold his objection for just a minute?

Mr. CHURCH. I will withhold it.

Mr. SPARKMAN. I should like to call the attention of the gentleman from Illi-

nois that the President of the United States is sending his message to the House on Thursday of this week. It has been customary in the past for Congress not to start with its legislative program until after the receipt of the President's message on the State of the Union. Acting on the basis of that custom, assurance has been given to many Members of the House that legislation would not be taken up until after that time. If the gentleman insists on objecting to the unanimous consent request, it means that on tomorrow the calendar will be called and that legislation will come up. Those Members who have been given the assurance that nothing would be taken up, an assurance coming from both sides of the aisle, will feel they have not been fairly treated. I ask the gentleman from Illinois not to object for this time.

Mr. CHURCH. Mr. Speaker, I love the gentleman. I believe he has taken seriously my suggestion, and I do not object.

The SPEAKER pro tempore (Mr. McCORMACK). The Chair desires to observe that when the gentleman from Illinois objected at the time the unanimous-consent request was first made, the Chair would not recognize another request unless he was advised that it was agreeable to the gentleman from Illinois. The Chair recollects that the gentleman from Illinois stated that he would not object on this occasion. At least, that is the recollection of the Chair. Of course, if a Member is not on the floor and would object, the Chair would seek to protect him. When the gentleman from New York [Mr. CELLER] objected, the gentleman from Alabama consulted with the gentleman from New York, as a result of which the gentleman from New York took the position as evidenced by his remarks. In view of the understanding of the Chair, who thought that he had heard the gentleman from Illinois say that he would not object on this occasion, the Chair did not think it was necessary to confer with him.

Is there objection to the request of the gentleman from Alabama?

There was no objection.

ADJOURNMENT

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 28 minutes p. m.) the House adjourned until tomorrow, Wednesday, January 16, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE CENSUS

The Committee on the Census will hold hearings on H. R. 4781 on Thursday and Friday mornings, January 24 and 25, 1946, at 10 o'clock a. m.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 4918) granting a pension to Benjamin Cowden Ash; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 4944) for the relief of Gail E. Plunkett; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FLANNAGAN:

H. R. 5135. A bill to amend the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

H. R. 5136. A bill to incorporate the Air Force Association; to the Committee on the Judiciary.

By Mr. KEFAUVER:

H. R. 5137. A bill to provide acreage allotments and marketing quotas of tobacco, corn, wheat, cotton, rice, and peanuts for veterans of World War II; to the Committee on Agriculture.

By Mr. McMILLAN of South Carolina:

H. R. 5138. A bill to amend the act entitled "An act to authorize black-outs in the District of Columbia, and for other purposes," approved December 26, 1941, as amended; to the Committee on the District of Columbia.

By Mr. PETERSON of Florida:

H. R. 5139. A bill to incorporate the Military Order of the Purple Heart; to the Committee on the Judiciary.

By Mr. TRAYNOR:

H. R. 5140. A bill to provide for the bonding of Federal officials and employees, to provide travel pay and allowances, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. BARRY:

H. R. 5141. A bill to regulate rents of business property in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. DIRKSEN:

H. R. 5142. A bill to provide for the return to the States of their employment service facilities, property, and personnel loaned to the United States for the period of the war emergency; to resume the operation of the national system of public employment offices established by the act of June 6, 1933 (48 Stat. 113), as amended; and to amend said act; and for other purposes; to the Committee on Labor.

By Mr. HENDRICKS:

H. R. 5143. A bill to permit retired officers of the armed forces to act as an agent or attorney for prosecuting a claim against the United States; to the Committee on the Judiciary.

By Mr. RANDOLPH:

H. R. 5144. A bill to establish a national air museum, and for other purposes; to the Committee on the Library.

By Mr. VINSON:

H. R. 5145. A bill to authorize the Secretary of the Navy to grant and convey to the Virginia Electric & Power Co. a perpetual easement in two strips of land comprising portions of the Norfolk Navy Yard, Portsmouth, Va., and for other purposes; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1446. By Mr. KEARNEY: Petition containing signatures of 60 citizens of the Thirty-first Congressional District, State of New York, protesting against the enactment by the Congress of prohibition legislation; to the Committee on the Judiciary.

1447. By Mr. SMITH of Wisconsin: Petition of UAW-CIO Local, No. 72, of the city of Kenosha, to provide Federal Government aid for the readjustment in civilian life of returning veterans of World War II; to the Committee on World War Veterans' Legislation.

1448. By the SPEAKER: Petition of S. Heller, New Rochelle, N. Y., and various citizens, petitioning consideration of their resolution with reference to endorsement of H. Res. 312; to the Committee on Foreign Affairs.

1449. Also, petition of the Cuban Congressional Committee for Independence of Puerto Rico, petitioning consideration of their resolution with reference to the independence of Puerto Rico; to the Committee on Insular Affairs.

1450. Also, petition of Sylvia F. Metcalf and various citizens of Louisiana, petitioning consideration of their resolution with reference to their support of the President's proposal to find means to stop strikes; to the Committee on Labor.

1451. Also, petition of Filipino Federation of America, Inc., petitioning consideration of their resolution with reference to the result of the Second Decennial Convention of the Filipino Federation of America, Inc.; to the Committee on Foreign Affairs.

1452. Also, petition of John Hartmann, Euclid, Ohio, and various citizens, petitioning consideration of their resolution with reference to the preservation of all small nations; to the Committee on Foreign Affairs.

1453. Also, petition of the Second District Association of Altrusa Clubs, petitioning consideration of their resolution with reference to the hunger situation in Europe and quick and efficient operation of UNRRA; to the Committee on Foreign Affairs.

1454. Also, petition of the Colorado State Industrial Union Council, petitioning consideration of their resolution with reference to endorsement of the Wagner-Murray-Dingell social security bill; to the Committee on Ways and Means.

1455. Also, petition of the Colorado State Industrial Union Council, petitioning consideration of their resolution with reference to endorsement of the Murray-Patman full employment bill; to the Committee on Expenditures in the Executive Departments.

1456. Also, petition of the Fifth Naval District Metal Trades Council, petitioning consideration of their resolution with reference to opposition to the merger of the Army and Navy; to the Committee on Expenditures in the Executive Departments.

1457. Also, petition of Silver Spring Memorial Post, No. 2562, Veterans of Foreign Wars, petitioning consideration of their resolution with reference to universal military training for American youth; to the Committee on Military Affairs.

1458. Also, petition of the Hawaiian Civic Club of Honolulu, petitioning consideration of their resolution with reference to endorsement of H. R. 3230; to the Committee on the Merchant Marine and Fisheries.

1459. Also, petition of the National Institute of Municipal Law Officers, petitioning consideration of their resolution with reference to Federal Airport Legislation; to the Committee on Interstate and Foreign Commerce.

1460. Also, petition of Central Body, Moslem Young Men Societies, petitioning consideration of their resolution with reference to Palestine immigration; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 16, 1946

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Most patient and ever-loving Father, who hast committed unto us the solemn trust of life, hear us as we humble ourselves at the altar of prayer. As we meet the challenge of our great needs, grant that prudence and courage may usurp the throne of our spirits, forbidding ease and inaction. Preserve us from all groundless fears and from whatever hinders us from our vision of duty and responsibility.

O Lord of Life, when we recall our country's glorious past, the great souls who accepted the hazard of faith and made the great adventure of devotion to a land of justice and opportunity, these are they who came out of great tribulation and are before the throne of the Most High. As we behold the disquietude of our land, we pray for the calmness of divine strength to keep us this day from anything that cannot bear the brave light of reason and the scrutiny of conscience, and that we may find our way in the power and wisdom of a just God.

Watch ye, stand fast in the faith, quit you like men, be strong.

In the name of our Elder Brother. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. ROE of Maryland asked and was given permission to extend his remarks in the RECORD in two instances, in one to include a letter and in the other to include an editorial.

Mr. STEFAN asked and was given permission to extend his remarks in the RECORD and include a poem.

PERMISSION TO ADDRESS THE HOUSE

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that tomorrow I may address the House for 10 minutes after the business of the day and any other special orders.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin

There was no objection.

A DISTRICT OF COLUMBIA REPRESENTATIVE IN CONGRESS

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. STEFAN. Mr. Speaker, within the shadow of the Washington Monument and the dome of the Capitol taxation without representation is in vogue, and, according to all our preachments, this constitutes tyranny. Hundreds of thousands of solid American citizens living here lack the fundamental rights possessed by the inhabitants of Hawaii, Puerto Rico, Virgin Islands, and the Philippines—namely, representative government.

Intelligent men and women throughout the Nation are becoming more and more interested in their Nation's Capital and in the attitude which the Congress sometimes assumes in matters relating to this Federal area.

With its own spokesmen in Congress, with a voice in the election of President and Vice President, the District would be in a position to assert itself, demand fair play, and at least have a voice in the enactment of taxes, which it must pay.

Until that need is fully recognized it becomes the responsibility of some of us more closely associated with District affairs to represent these people and to present to you as best we can the complex problems confronting the municipality.

A District of Columbia Representative on the floor would certainly be representing the best interest of his constituency if he called attention to the rapid shrinkage of taxable land within the District of Columbia.

The total land area of the District of Columbia, exclusive of streets and alleys, is 31,016 acres.

The taxable land in the District of Columbia has decreased from 17,989 acres on July 1, 1934, to 15,385 acres on July 1, 1945, a decrease of 14.5 percent in 11 years.

At the beginning of the fiscal year 1935 the taxable land was 56.9 percent of the total area of land excluding streets and alleys, while on June 30, 1945, it was only 49.6 percent.

Where do we go from here? You perhaps are acquainted with proposed legislation providing for the acquisition, control and development of certain lands in the District of Columbia under the National Capital Development Plan, which will reduce the area of taxable land 174 acres, and thereby reduce the taxable land area to 49 percent of the total land in the District of Columbia. In addition, there are many other great development ideas advanced which will steadily decrease the taxable area. Due to territorial limitations, we cannot expand; we can only shrink while the metropolitan area expands and becomes rich with the taxes we would be receiving if there were room for adequate residential and commercial expansion.

Do you know that there was a decrease in taxable land of 7.3 percent of the total area of the District, excluding streets and alleys, between 1934 and 1945, which has been caused almost entirely by the increase in land owned by the United States, which was 34.8 percent on July 1, 1934, and 41.7 percent in 1945, an increase of 6.9 percent?

During the period July 1, 1934, to July 1, 1945, the Federal Government acquired 1,946.49 acres of land in the District of Columbia valued at $28,607,544. This is an increase over 1934 of 17.7 percent in the area of land owned by the Federal Government and an increase of 8.5 percent in land valuation.

A factor now figuring prominently in removing property from the tax roll is that foreign governments are acquiring larger and more valuable pieces of property than they held previously. During the fiscal year ended June 30, 1945, Belgium acquired 12 acres of land, the assessed value of which, including improvements, was $328,000, and Peru purchased 19 acres, the assessed value of which, including improvements, was $228,390.

Between July 1, 1934, and July 1, 1945, total tax-exempt land increased by 2,031.02 acres.

The following statement shows the increase in the area of tax-exempt land between July 1, 1934, and July 1, 1945:

	Number of acres			
	July 1—		Increase	Percent of increase
	1934	1945		
Federal Government	10,978.80	12,925.29	1,946.49	17.7
District Government	1,043.55	1,046.52	2.97	0.3
Other tax-exempt	1,578.33	1,659.89	81.56	5.2
Total tax-exempt	13,600.68	15,631.70	2,031.02	14.9

A District of Columbia representative having now aroused your interest would naturally invite your attention to the great park areas within the District of Columbia.

Do you know that there are 7,656 acres of park land in the District and that this park land comprises 24.7 percent of the total land area excluding streets and alleys? Under the jurisdiction of the National Park Service there are 6,667 acres of land.

Under the jurisdiction of the United States Engineer's office there are 721 acres of land. Under the National Zoological Park there are 171 acres and under the Architect of the Capitol there are 97 acres.

Washington has far more park area than other cities of comparable size.

In a publication of the National Recreation Association under the title, "Municipal and City Parks in the United States, 1940," park areas are shown for certain cities. Most of these, however, include out-of-city parks.

The 1940 population, park areas, and population per acre of park land for cities between 500,000 and 1,000,000 population are as follows:

City	1940 population	Park area (acres)	Population per acre
Baltimore	859,336	[1] 3,907.2	220
Boston	770,816	[1] 3,700.0	208
Buffalo	575,901	[1] 1,783.1	323
Cleveland	878,336	[1] 3,887.0	226
Pittsburgh	671,859	2,178.5	308
St. Louis	816,048	3,098.	263
San Francisco	634,536	[1] 4,631.2	137
Washington, D. C.	663,091	7,656.0	87

[1] Includes out-of-city parks.

Washington, as Capital of the Nation should have more park area than other cities of comparable size. It should also have its great wide streets and avenues taking up thousands of acres of its land area, but it should be clearly recognized that these great areas are dedicated to these uses solely because this is the Capital of the Nation.

The distinguished gentleman from the District of Columbia would naturally at this point endeavor to lead your thinking to what this shrinkage of taxable land area means and has meant to the District of Columbia in loss in taxes.

First, let us make it clear that although approximately 2,031 acres of land has become tax-exempt since July 1, 1934, the assessed value of taxable land on July 1, 1945, was $504,193,989, or $16,451,438 more than on July 1, 1934.

On July 1, 1941, the assessed value of land was $5,776,560 less than on July 1, 1934, but between July 1, 1941, and July 1, 1945, there was an increase in the assessed value of land amounting to $22,227,998. This increase was caused principally by the development of large tracts of land in the southeast section of the city.

There is very little undeveloped land remaining in the District of Columbia, therefore any large increase in revenue on account of the development of vacant land cannot be anticipated.

On July 1, 1945, 40 percent of the assessed value of land and improvements in the District of Columbia was tax-exempt as follows: 30.8 percent owned by the Federal Government; 3.9 percent owned by the District Government and 5.3 percent was privately owned tax-exempt property.

At the present rate of taxation, tax on land and improvements owned by the United States would amount to $12,407,257 per annum, or more than 50 percent of the amount of realty taxes assessed. The amount of tax on privately owned tax-exempt property at the same rate would amount to $2,139,381, or approximately 8.8 percent of the realty taxes assessed.

During the 5-year period ending June 30, 1945, the United States acquired taxable land and improvements assessed at $16,295,000, tax-exempt institutions acquired taxable property valued at $18,943,000, and the District of Columbia purchased property assessed at $1,045,000, making a total of $36,283,000 worth of property transferred from the tax roll to a tax-exempt status in 5 years. Taxes on this property would amount to $634,953 per annum.

The average value of land and improvements per acre acquired by the United States during the 5-year period was $18,581, which was more than three times the average value of property per acre acquired by the District of Columbia during that period, or $5,543.

The average value per acre of property—land and improvements—lying north and south of East Capitol Street, between the Capitol Grounds and the Anacostia River, which the United States proposes to purchase is $148,965 per acre and the value of property—land and improvements—in square 167, bounded on the north by H Street, on the west by Seventeenth Street, on the south by Pennsylvania Avenue, and on the east by Jackson Place, which the Federal Government also proposes to purchase is $1,360,417 per acre, both of which are considerably in excess of the cost of any large piece of property heretofore purchased by the United States.

For the fiscal year 1935, taxable land and improvements was 62.2 percent of the assessed value of all property in the District compared with 60 percent for the year 1945.

Under the National Capital Development Plan, the Federal Government may acquire taxable land and improvements assessed at $32,190,413, which, at the rate of $1.75 per hundred dollars of valuation, will reduce the tax revenue by $563,332 per annum. This would reduce the taxable property to 58.6 percent of the total assessed value of property in the District.

In addition to the property that may be acquired under the National Capital Development Plan, it is also proposed that certain large areas in the northwest and southwest sections of the city known as the blighted areas, be acquired for low-cost housing projects.

During the period of redevelopment of these areas, the District will lose a considerable amount of taxes and the low-cost housing may not produce as much tax revenue as is now being received from such property.

In addition to losing taxes on property acquired by the Federal Government, the District of Columbia must stand the full expense of special improvements adjacent to Federal property, such as curbs, gutters, sidewalks, alley paving, sewers, and water mains, which is partially borne by the owner when land is privately owned.

Another problem which should be given consideration is that by the reduction of taxable land and the rapid change in the population of the District of Columbia, many families are moving beyond the District line, which may decrease the number of persons now paying income tax to the District of Columbia. Good highways are available in Virginia and Maryland. Public-utility service has been expanded beyond the District line to far distant points, and some of our old residents are on the move. Who can blame them when nearby they can find full political freedom. I am beginning to wonder what is happening in this city when I am advised that the number of enrollments in the white elementary schools has steadily decreased from 30,774 in October 1938, to 26,678 in October 1945, a decrease of 13.3 percent in 7 years. Again I ask, Where do we go from here?

The gentleman from the District of Columbia would be derelict in his duty if he failed to discuss with you the increase in expenditures against revenue availability.

The population of the District of Columbia in 1930 was 486,869. On July 1, 1944, the estimated population was 926,260, an increase of 90 percent, so naturally the expense of running the city has increased rapidly.

The appropriations payable from the general revenues of the District of Columbia for the year 1930 were $40,694,305. For the year 1945 they were $62,595,755, an increase of $21,901,450, or 54 percent.

Expenditures of the District of Columbia are controlled entirely by Congress.

The Capper-Cramton Act of May 29, 1930, authorized the appropriation of $16,000,000 for the purpose of acquiring lands in the District of Columbia suitable for the continuous development of the park, parkway, and playground system of the National Capital. Since that time more than one-half of the amount authorized has been expended by the District of Columbia for the purchase of land, the title of which is held by the Federal Government.

Public Laws 22 and 49, enacted in 1943, increased the District pay roll by $3,700,000 per annum. Public Laws 106, 151, and 158, enacted during 1945, added another $3,350,000 to the pay roll for the fiscal year ending June 30, 1946. This amount, however, included $1,340,000 for overtime pay, a substantial part of which should be eliminated by reducing the workweek to 40 hours.

Pending legislation approved by the Senate will raise salaries of classified employees an average 11 percent.

Taxes on real estate did not keep pace with the expenses of the District and it was therefore necessary to resort to other sources of revenue.

During the fiscal year ended June 30, 1935, 64.7 percent of the general revenue of the District of Columbia was derived from real-estate taxes while during the fiscal year 1945, taxes from this source constituted only 47.6 percent of the general revenue.

Tax on personal intangible property during the year 1935 was 7 percent of the general revenues. The law imposing this tax was repealed as of July 1, 1939, but during the same year laws were enacted imposing taxes on individual incomes, corporation net incomes, inheritances and estates. The income from these taxes for the calendar year 1945 was 20.5 percent of the general revenue.

Revenues per capita in the District of Columbia are higher than in most cities of comparable size. In 1943, of the nine cities between 500,000 and 1,000,000 population, the revenue per capita in the District was exceeded by only one city, Boston.

Revenue per capita for the nine cities, as computed by the Bureau of the Census for the year 1943, are shown hereunder by rank:

Rank	City	Revenue per capita
1	Boston, Mass	$102.98
2	Washington, D. C	80.70
3	Buffalo, N. Y	70.28
4	Milwaukee, Wis	59.48
5	San Francisco, Calif	59.03
6	Baltimore, Md	54.97
7	Cleveland, Ohio	39.97
8	St. Louis, Mo	37.01
9	Pittsburgh, Pa	27.71

The following table shows the total revenue contributed to the general fund

by sources of revenue for the fiscal years 1935 and 1945:

TABLE NO. I.—*Comparison of revenues included in the general fund of the District of Columbia, fiscal years 1935 and 1945*

[Source: 1937 and 1947 Budgets]

	Fiscal years ended June 30—	
	1935	1945
Total revenue, general fund	$29,140,878	$50,867,867
Taxes:		
Property taxes:		
Realty	18,851,913	24,225,718
Personal tangible	991,839	3,264,747
Motor vehicle, personal	548,036	939,217
Penalties and interest	(1)	281,572
Personal intangible [2]	2,052,366	13,862
Total, property taxes	22,444,154	28,725,116
Sales and gross receipts:		
Alcoholic beverages	$905,701	$2,138,519
Beer		287,270
Business privilege [3]		9,515
Insurance	436,035	1,078,195
Public utilities, banks, etc	1,997,722	3,276,693
Total, sales and gross receipts	3,339,458	6,790,192
Licenses and permits	1,537,597	1,783,156
Individual income (1939)		3,488,738
Corporation net income (1939)		5,420,97
Inheritance and estate (1937-39)		1,505,323
Total, taxes	27,321,209	47,713,497
Earnings and miscellaneous:		
Charges, current service	77-,507	-20,88-
Fines, escheats, and profits	391,506	873,392
Reimbursements	174,176	649,525
Special assessments	349,670	108,738
Rents and royalties	128,891	358,424
Other	1,519	243,403
Total earnings and miscellaneous	1,819,669	3,154,370

[1] Included in above taxes.
[2] Intangible tax law was repealed during 1939.
[3] Collection of business privilege tax repealed during 1939.

FISCAL RELATIONS WITH THE FEDERAL GOVERNMENT—NATIONAL ASPECT OF THE CITY OF WASHINGTON

The District of Columbia is the seat of the Government of the United States with full legislative powers retained by Congress. It is not just a city in which its residents are interested, but a city in which all of the inhabitants of the United States should be interested.

Congress had this in mind when legislation establishing Rock Creek Park was enacted, which reads in part as follows:

be perpetually dedicated and set apart as a public park or pleasure ground for the benefit and enjoyment of the people of the United States.

The act creating the National Capital Park Commission provides that:

There is authorized to be appropriated each year, in the annual District of Columbia Appropriation Act, a sum not exceeding 1 cent for each inhabitant of the continental United States as determined by the last decennial census.

The above language was used intentionally to imply that the money so appropriated would come from all the people of the United States in whose name title to the parks is vested and not merely from the tax-paying residents of the District of Columbia.

While parks have been created and are owned by the Federal Government, more than 90 percent of the cost of improving, maintaining, and policing them is borne by the residents of the District of Columbia. The cost of maintaining and policing parks during the fiscal year ended June 30, 1945, was $1,009,466, of which 90.55 percent was paid by the residents of the District of Columbia.

During the same year, the District taxpayers paid $48,630 as its share of maintaining the National Capital Park and Planning Commission, the total cost of which amounted to $53,705.

The National Zoological Park, as the name implies, is a national institution created not only for the benefit of the residents of the District, but for all inhabitants of the United States. The cost of improving, maintaining, and policing the "Zoo" is borne principally by the residents of the District. There were no capital improvements during the year 1945, but the operating expenses amounted to $296,277, of which the residents of the District paid 90.55 percent.

PAYMENTS BY THE UNITED STATES

While the appropriations for the District of Columbia payable from the general revenue of the District of Columbia have increased from $22,977,411 in 1922 to $63,488,777 in 1945, an increase of 176 percent, the United States share has decreased from $9,192,763 in 1922 to $6,000,000 for the fiscal year 1945, a decrease of 35 percent.

Payments made by the United States in 1922 were 40 percent of the total appropriation from the general fund and 9.45 percent for the year 1945.

The percentage of the United States share for the fiscal years 1922 to 1945 follow:

Year	Percentage of United States share	Year	Percentage of United States share
1922	40.00	1934	19.19
1923	39.45	1935	13.11
1924	39.49	1936	14.90
1925	29.33	1937	12.46
1926	28.90	1938	12.21
1927	26.51	1939	12.35
1928	25.79	1940	14.36
1929	25.03	1941	13.91
1930	22.12	1942	12.66
1931	20.82	1943	12.14
1932	21.67	1944	10.98
1933	19.62	1945	9.45

On July 1, 1945, the assessed value of property in the District of Columbia owned by the Federal Government was $708,986,150, which at the rate paid by the taxpayers of $1.75 per hundred dollars of assessed value would amount to $12,407,257 per annum.

Under the proposed National Capital development plan, the United States will acquire land valued at approximately $11,200,000 on which, with other land owned by the Federal Government within the District, it is proposed to erect public buildings at a cost of $169,245,000—H. R. 4276, Seventy-ninth Congress, first session.

Taxes on the proposed land and improvements for the United States Government at the present rate of taxation would amount to $3,157,788 per annum.

In addition to free taxes the Federal Government receives water from the District without charge. During the year 1945, 9,319,600,000 gallons of water at an approximate value of $872,095 were delivered to the Federal Government free of charge.

A summary of the free taxes and value of free water granted the Federal Government and the cost of improvement, operation, maintenance, and policing of parks owned by the Federal Government for the fiscal year ended June 30, 1945, is shown hereunder:

Taxes	$12,407,257
Free water	872,095
Improvements, maintenance, and policing nationally owned parks	1,009,466
Expense of National Capital Park and Planning Commission	$53,705
Operation, maintenance, and policing the National Zoological Park	296,277
Total	14,638,800

The $6,000,000 per annum paid by the United States toward the expenses of the National Capital is approximately only 41 percent of the value of concessions granted the United States by the District of Columbia.

During the year 1944, the District of Columbia paid $161,555 for the support of 198 convicts in Federal institutions, but the Federal Government does not pay the District of Columbia for Federal prisoners held in District institutions.

On October 23, 1945, there were 118 persons, convicted of Federal offenses, serving sentences of over 1 year at Lorton Reformatory. This expense is being borne by the District of Columbia.

During September and October 1945, the average daily number of persons held for Federal offenses in the District jail was 59.

Mr. Speaker, the time has come when we must all consider Washington as a great national city existing for millions of citizens through the Union. Committee after committee and expert after expert has studied and reported on this matter of fiscal relationship. Now let us have some action. It would not be difficult to continue our analysis to show that the citizens of the District are not fairly treated. We could refer to St. Elizabeths Hospital where there are 4,948 patients charged to the District. Do you, for a moment, think that there would be 4,948 District patients in that institution if this were not the Capital City? Their maintenance chargeable against the revenues of the District exceeds $3,294,000 annually. We could speak of the manifold municipal services enjoyed by many many thousands of permanent employees assigned here who do not contribute one penny for the maintenance of the city government.

We could speak of the many vast projects ordered by the Congress for this city merely because it is the Nation's Capital—projects which would ordinarily be too vast for a city of this size. We could speak of the millions upon millions involved in salary increases about which the local officials were not even consulted. It is true, we can do as we please because the sovereign power in the District

of Columbia is lodged in the United States. The Congress possesses full and unlimited jurisdiction, both of a political and municipal nature over the District.

Yes; we have the power and we also have the power to deal fairly with the municipal corporation which we created.

Mr. Justice Sutherland, on delivering an opinion of the United States Supreme Court on May 29, 1933, said in part:

The District is not an ephemeral subdivision of the outlying dominion of the United States, but the Capital—the very heart—of the Union itself, to be maintained as the permanent abiding place of all its supreme departments and within which the immense powers of the General Government were destined to be exercise for the great and expanding population of 48 States, and for a future immeasurable beyond the prophetic vision of those who designed and created it.

If you fail to render full justice to this Nation's Capital City, it will be only because you fail to recognize its relationship to all other cities, to all States and to all the people in this great Union.

WHERE DO WE GO FROM HERE?

This question I have asked several times. Now I give the answer.

The District government goes in the red very shortly unless drastic economies are immediately imposed.

To save the situation and continue the present standard of service, taxes must be sharply increased or the Federal payment materially raised.

The SPEAKER pro tempore. The time of the gentleman from Nebraska has expired.

Mr. STEFAN. Mr. Speaker, I now ask unanimous consent to extend my own remarks on this problem and include therein some tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

EXTENSION OF REMARKS

Mrs. LUCE (at the request of Mr. MARTIN of Massachusetts) was given permission to extend her remarks in the RECORD and include several excerpts.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from New Jersey [Mr. HAND] be permitted to speak for 10 minutes today following the special orders heretofore entered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BUFFETT. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes today following the special orders heretofore entered.

Tne SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

PRACTICE OF CHRISTIAN LEADERSHIP

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SAVAGE. Mr. Speaker, this week, on Monday night, I attended the second national dinner held here in Washington at the Statler Hotel, sponsored by the National Committee for Christian Leadership. The organization is incorporated, and supposed to sponsor a program for cultivation and promotion of Christian leadership. It is the sponsor of the breakfast groups.

The word "Christian" implies good and kind-hearted tolerance and love for our fellow man. Therefore, you can well understand my amazement and what a shock it was to me when the president of the national committee, Mr. Nathaniel Leverone, in his capacity as master of ceremonies, in his opening remarks made derogatory statements about our great beloved former President, Franklin D. Roosevelt.

To me President Roosevelt stands for all things Christian. His heart was a thousand times bigger than the hearts of his attackers. He showed, by his constant fights in behalf of the common people, that he loved his fellow man and would sacrifice in order to help those who needed help. It has often been shown that 98 percent of the controlled press was against Roosevelt.

Since when has Christianity taken up the cudgels of corporations and monopolies against the common people? The statements made by President Roosevelt's puny attacker, Mr. Leverone, were to the effect that we should not try to streamline our religion, because we had streamlined everything else; that we had even streamlined our financial habits to where we no longer go to a bank to borrow money. We just have somebody's father, or father-in-law, or somebody, call up the head of some big grocery company and borrow a couple hundred thousand dollars, and later on pay back about $4,000 and then nobody owes anybody anything.

Such an un-Christian remark by the national president against a great man who is no longer here to defend himself certainly raises serious doubts as to the purpose of the organization, and also serious doubts as to whether it is really Christian or not.

The meaning of such a remark is very obvious, and it is not only a shock to me but it is a shock to many of my colleagues who have been attending these breakfast groups.

I think if Mr. Leverone is going to try to give Christian leadership he better practice a little of it.

MRS. HENRIETTA EIGLER

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit a privileged resolution (H. Res. 483) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That there shall be paid out of the contingent fund of the House to Mrs. Henrietta Eigler, widow of Joseph R. Eigler, late an employee of the House, an amount equal to 6 months' salary, at the rate he was receiving at the time of his death, and an additional amount, not to exceed $250, toward defraying the funeral expenses of the said Joseph R. Eigler.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MRS. AUGUSTA W. BRILL

Mr. COCHRAN. Mr. Speaker, I offer a privileged resolution (H. Res. 484) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That there shall be paid out of the contingent fund of the House to Mrs. Augusta W. Brill, widow of William C. Brill, late an employee of the House, an amount equal to 6 months' salary, at the rate he was receiving at the time of his death, and an additional amount, not to exceed $250, toward defraying the funeral expenses of the said William C. Brill.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. CARNAHAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include certain excerpts from newspapers in my district. I am advised by the Public Printer that this material will require two pages of the RECORD, at a cost of $104. Notwithstanding the cost, I ask unanimous consent that the extension may be made.

The SPEAKER pro tempore. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

RESPONSIBILITY FOR LEGISLATIVE DELAY

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, a week ago last Thursday night President Truman made a radio address to the Nation criticizing Congress and the committees thereof for alleged slowness in considering legislation he had proposed; especially labor legislation he had suggested early in December—a little more than 2 weeks before the first session of the Seventy-ninth Congress adjourned. He asked the people to "put pressure" on Congress to get action.

The new session of Congress convened last Monday, January 14, ready for business, but Members were advised the President's annual message on the state of the Union, usually considered a legislative guide for each new session of Congress, would not be presented until tomorrow, Thursday, January 17. The House has, since Monday, been marking time, awaiting the Presidential message. In the other legislative body the administration leader blocked all legislative activity before the President's message had been received. That body is not in session today. Now we are informed the President's message on the state of the Union will not be ready before next Monday, January 21, by which time Congress will have been in session for 8 days, willing and ready to legislate.

The present delay in the consideration and enactment of important legislation rests squarely with the White House. I hope the President will accept his responsibility therefor and not attempt to place the blame on the Congress.

INCORPORATION OF LABOR UNIONS

Mr. ANDREWS of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include the provisions of H. R. 4960.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ANDREWS of New York. Mr. Speaker, just before the recess I introduced a bill, H. R. 4960, which provides for the incorporation of labor unions. That bill has been referred to the Judiciary Committee.

Mr. Speaker, may I say that since I introduced this bill I have received quite a large volume of correspondence in regard to its provisions. It is apparent to me now, as it has been for several years, that the incorporation of labor unions is something that the majority of the members of labor unions is for. I do not believe there is a single act that could be passed by the Congress that would do more to place the organizations engaged in collective bargaining in better standing with the citizenry of this country than such a bill as this, and I am calling the special attention of the members of the Labor Committee to this proposal; also the members of my own Committee on Military Affairs, which has a bill pending before it, as well as the members of the Judiciary Committee.

I intend to press for the enactment of this provision in any labor bill that is brought before the House and I shall offer it on the floor as an amendment.

The bill to which I refer follows:

H. R. 4960

A bill to require labor organizations to incorporate and file annual financial reports.

Be it enacted, etc., That the term "labor organization," when used in this act, means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exist for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

SEC. 2. Every labor organization shall become a body corporate as provided in this act. The officers of each labor organization shall make, sign, and acknowledge, before any officer competent to take acknowledgment of deeds, and file in the office of the recorder of deeds of the District of Columbia, to be recorded by him, a certificate in writing, in which shall be stated—

First. The name or title by which such labor organization is to be known.

Second. The term for which it is organized, which may be perpetual.

Third. The purposes and objects of the organization.

Fourth. The names and addresses of its officers for the first year of its corporate existence.

SEC. 3. When the certificate provided for in section 2 has been filed, the labor organization shall be a body corporate, and may, in its corporate name, sue and be sued, grant and receive property, real, personal, and mixed, and use such property, and the income thereof for the objects of the corporation. Members of the corporation shall not be personally liable for the acts, debts, or obligations of the corporation.

SEC. 4. A labor organization incorporated under this act shall have the power to make and establish such constitution, rules, and bylaws (including rules and bylaws defining the duties and powers of its officers and the time and manner of their election) as its members may deem proper for carying out its lawful objects, and amend, add to, or repeal such constitution, rules, and bylaws to such extent as its members may deem proper.

SEC. 5. A labor organization incorporated under this act shall, on or before the 1st day of March of each year, make and file with the office of the recorder of deeds of the District of Columbia a complete report of its financial activities during the year, including in itemized form, among other things—

(a) The total amount and the various types of corporate incomes, including particularly the amounts received in the form of admission fees, dues, and assessments from members and others; and

(b) The names and salaries of all officers, whose aggregate compensation from activities on the part of labor organizations total more than $5,000.

SEC. 6. Section 2 (5) of the National Labor Relations Act (U. S. C., 1940 ed., title 29, sec. 152 (5)), is amended to read as follows:

"(5) The term 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, incorporated under the Labor Organizations Incorporation Act, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work."

SEC. 7. Section 6 shall take effect ——— days after the date of the enactment of this act.

SEC. 8. This act may be cited as the "Labor Organizations Incorporation Act."

EXTENSION OF REMARKS

Mr. RICH asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article by Mark Sullivan appearing the Times-Herald on January 16.

ALTERATIONS TO WHITE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I notice in the paper an article to the effect that we are going to make the White House into an office building and spend over a million dollars now to change the White House from what it was intended to be, a home for the President, a "white elephant" instead of a White House.

You know, you cannot do the things that some people in this administration want to do and continue our American way of life. Ever since Adams was President the White House has been a place of distinction in the Capital City as the home of the President. They are suggesting now that we make it into an office building. That is not what it was intended for in the first place. It should never be made into an office building by any administration. It should always remain the home of the President.

It seems to me with the large amount of surplus space we have in Washington owned by the Government they can secure office space for the Chief Executive's staff if they desire to do so in close proximity to the White House. The point is that the President has the power to reduce Government agencies. That is what he ought to do. He ought to cut them out rather than increase them, then we would not have to change the White House into an office building. We could cut down Government functions, cut out Government agencies, cut down departments, eliminate many Government employees, thus eliminating expense and save the taxpayers of the country. I hope the District Committee of the House will oppose this proposal of increasing the size of the White House in order to make it an office building. Stop it now. It is wrong.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

EXTRACURRICULAR ACTIVITIES OF FEDERAL JUDGES

Mr. O'HARA. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. O'HARA. Mr. Speaker, it is to be hoped that the business of appointing Federal judges on extracurricular activities may be avoided in the future. There should be no more walk-outs of the Federal judiciary. The appointment last May of Justice Robert H. Jackson as chief counsel for the United States to prosecute German war criminals is an example.

The press of the country recently called attention to three important cases which were ordered to be reargued when Justice Jackson returns from his extracurricular assignment. It is apparently no secret that the eight remaining judges were equally divided. For some months now, the United States Supreme Court has been handing down decisions, with the explanation, "Mr. Justice Jackson took no part in the consideration or decision of this case."

No reflection is intended to Justice Jackson's distinguished ability or the part he may have played in the prosecution of the Nazi criminals, but it is a fact that a Federal or Supreme Court judge has an even more important position in the eyes of the general public. With all due respect to Justice Jackson, there are other men of equal legal learning and ability who could have served without crippling the Supreme Court. Service on the Court may give some particular prestige for extraordinary tasks but its ultimate and unfortunate effect upon the courts themselves is obvious. It is even more important that functioning courts be preserved to administer to the important rights of litigants of this country.

A most serious phase of appointment of Federal judges to extracurricular activities is the fact that nothing could be more destructive of public confidence in our courts, as one of the three coordinate branches of our Government, than to create the impression that our courts are political and to imply that extra-

curricular appointive favors are made upon the basis of court decisions and as a reward for "playing ball" with the appointive power.

United States judges have for many years been prohibited the exercise of the profession or employment of counsel or attorney, or to be engaged in the practice of the law—United States Code pages 28–373. This prevents judges from practicing their own profession which qualified them for judicial appointment and emphasizes the fact that it is the congressional intent that they shall devote their entire time and effort in their judicial duties.

I have today introduced a bill which will make it unlawful for any judge appointed under authority of the United States, except when specifically authorized by law, to accept, hold, or discharge the duties of any other office or employment under or for the United States while holding office as such judge.

My sole motive is as I have said above and because I am seriously disturbed not as to personalities but as to principles and the far-reaching effect upon public respect and confidence in our courts; as well as in defining the responsibilities which members of the judiciary must assume when they accept such judicial appointments, with the intent of prohibiting judicial walk-outs.

EXTENSION OF REMARKS

Mr. ENGLE of California asked and was given permission to extend his remarks in the RECORD and include an item from the Army Times.

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD in two instances and include editorials and comments in each.

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the RECORD and include a letter from a soldier in Brazil.

Mr. ALLEN of Illinois asked and was given permission to extend his remarks in the RECORD and include an article by Sumner Welles, former Under Secretary of State.

Mr. JENKINS asked and was given permission to extend his remarks in the RECORD and include a speech delivered by himself.

Mr. PITTENGER asked and was given permission to extend his remarks in the RECORD and include a copy of a letter that the Governor of Ohio wrote to the Governor of Louisiana and a copy of the the letter the Governor of Ohio wrote Mr. PITTENGER.

PERMISSION TO ADDRESS THE HOUSE

Mr. MASON. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 10 minutes on the British loan.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent that on Monday next, following the gentleman from Illinois, I may be permitted to address the House for 30 minutes on the subject of butter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

ST. LAWRENCE SEAWAY AND POWER PROJECT

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PITTENGER. Mr. Speaker, while we are filling in a vacuum here due to the pressure of heavy work, I will tell the President, and I will tell the majority leaders something they can do to keep busy. You can start in now with committee hearings on the St. Lawrence seaway and power project. You can do that in a whale of a hurry and get the steam shovels going and do something for the American people. That is just a little side issue and a small piece of work for you Members who believe in heavy undertakings.

Mr. Speaker, one of the most significant things that has happened recently in connection with the St. Lawrence seaway and power project is the fact that the Governor of the great State of Ohio had the courage to tell some people down in Louisiana some facts and to give them some information. I want to say to my colleagues here, those who have doubted the fact that the people of Ohio are progressive and forward looking, those who have doubted the fact that the people of Ohio want to see something done for their own welfare and for the benefit of the American people, you ought to take a look at this Governor from Ohio. He is a wonderful man.

So, Mr. Speaker, while we are busy waiting for the President to tell Congress what he wants done, we can well give consideration to immediate legislation dealing with this subject. I am glad to testify to the fact that those folks who rated the people in the State of Ohio as sort of backward, are entirely wrong. The people of Ohio realize that the Federal Government has expended millions of dollars to help them in the improvement of the Ohio River and other improvements of like character in that great and outstanding State. So they do not want to be selfish. They want to help the people in other sections of the United States achieve some of those advantages which they enjoy and which will contribute to the prosperity of other sections of the country. These outstanding American citizens in Ohio realize that whatever adds to the wealth and well-being and happiness of the people in one section of the United States contributes indirectly and sometimes very directly to their own advantage and well-being.

Elsewhere today, in an extension of remarks, I shall call attention to the Governor of Ohio, the Honorable Frank J. Lausche, and to his letter to the Governor of Louisiana in which he does himself proud by taking a sound and national viewpoint in relation to the St. Lawrence seaway and power project. Needless to say, we need more governors like this fellow. He is not subsidizing me to hand him this bouquet. I never met him. He owes me nothing. He deserves this tribute, however, and he can do nothing better than to justify the faith that the American people have in public officials by going straight ahead on this St. Lawrence seaway and power project and by making his predictions in his letter of November 28, 1945, to Jimmie Davis, the Governor of Louisiana, come true.

EXTENSION OF REMARKS

Mr. KEOGH asked and was given permission to extend his remarks in the RECORD and include the speeches delivered by the outgoing and incoming presidents of the New York Foreign Trade Forwarders and Brokers Association at its annual dinner held on January 8, 1946, at the Hotel Roosevelt.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a report which I submitted as chairman of the Committee on Criminal Code of the Criminal Law Section of the American Bar Association at its convention in Cincinnati in December. I think this report will exceed the usual limit, but in spite of that I ask that it be inserted in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MERROW asked and was given permission to extend his remarks in the RECORD and to include an editorial from the New York Times entitled "Labor Legislation."

Mr. BLAND asked and was given permission to extend his remarks in the RECORD and include a letter he had received from Admiral Waesche, former Commandant of the Coast Guard.

Mr. COCHRAN asked and was given permission to extend his remarks in the RECORD and include a radio address.

Mr. ROE of New York asked and was given permission to extend his remarks in the RECORD and include an article which appeared in the American magazine last month entitled "Do You Want Errand Boys or Lawmakers," by a former Member of this House, Hon. Matthew J. Merritt, of New York.

THE GOVERNOR OF OHIO

Mr. THOM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. THOM. Mr. Speaker, the gentleman from Minnesota [Mr. PITTENGER], a Republican, has been very generous in his applause for the Governor of Ohio. He omitted, however, two very serious and important facts, first, that the Governor of Ohio is Gov. Frank Lausche, and second, that he is a member of the Democratic Party, and Democrats make pretty good governors. We thank him for the praise he has bestowed on the Governor.

In this connection, I call the attention of the gentleman from Minnesota to the fact that the Ohio Republicans have two Republican candidates for President, Senator TAFT and former Governor Bricker. We hope the gentleman's enthusiasm for a Democratic governor will also communicate itself to the support of these two eminent Republicans. Of course, he can vote for only one. We hope he picks one of them.

PARLIAMENTARY INQUIRY

Mr. MURRAY of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MURRAY of Wisconsin. Mr. Speaker, I should like to have the Chair decide whether or not it is in keeping with the Rules of the House to discuss Members of the other body on the floor of this House.

Mr. HOFFMAN. Mr. Speaker, may I be heard on that?

The SPEAKER pro tempore. The Chair does not need the assistance of the gentleman.

The Chair will state, without the response being other than a general expression of the Chair's opinion on a matter which is not before the Chair to decide at the present time, that of course under the rules of the House and under the rules of any legislative body reference to debates in another body, generally speaking, violates the rules and tends to create lack of harmony between the branches.

Mr. MURRAY of Wisconsin. I have a kind letter that I wrote to a Member of the other body that I should like to include in an extension of my remarks. I submitted it to the Parliamentarian. I do not want to violate any rules of the House. I did not place anything personal in the letter. It is a letter dealing only with issues. However, if this is going to be the practice of the House, I should like to get on the same train and take a little ride, too.

The SPEAKER pro tempore. The Chair will inform the gentleman that a point of order can always be raised as to any insertion in the RECORD in violation of the rule.

Mr. MURRAY of Wisconsin. The membership, Mr. Speaker, would not know what was in the insertion until after they saw it in the RECORD; is that not so?

The SPEAKER pro tempore. Of course, the House then could pass upon the question of whether it was a violation or not.

The rules provide the procedure to meet the actual situation which the gentleman has in mind.

Mr. MURRAY of Wisconsin. I thank the Speaker.

Mr. MARTIN of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MARTIN of Massachusetts. Mr. Speaker, I am raising this question not because of this particular instance concerning which I have no desire to enter into any discussion, but in the interest of proper observance of the rules of the House I believe we ought to have a clear-cut decision as to whether we can mention in debate the name of a person who is a Member of the other body. I understand, of course, that the Chair has not been called upon to make a rule in this particular case because no objection was raised, but I do not think the matter should be left with the understanding that, generally speaking, it would not be in order. We ought to know whether it is in order or not in case an objection is raised.

Mr. RANKIN. Mr. Speaker, I would like to discuss the point raised by the gentleman from Massachusetts.

The SPEAKER pro tempore. The Chair will be glad to hear from the gentleman from Mississippi.

Mr. RANKIN. Mr. Speaker, the gentleman from Massachusetts [Mr. MARTIN] is right, so far as mentioning the name of a Member of the other body as a Senator. But when a man arises here and mentions the name of a distinguished citizen of a State as a candidate for President, who happens to be a Member of the other body and does not mention that fact, I doubt if he violates the rules of the House. That rule is to create and maintain comity between the two Houses. It is to prevent the criticism of Members of the other body as such on the floor of the House. The same thing applies in the Senate. However, the gentleman from Wisconsin was a little late. A while ago when some Member here mentioned the fact that the other body was not in session and referred to it in that respect, I think he violated the rules of the House. But if you merely refer to a man, a distinguished citizen of the United States who happens to be a Member of the other body and do not refer to that fact, I do not think it violates the rule.

The SPEAKER pro tempore. The whole purpose of the rule, of course, is to maintain and preserve comity between the two legislative bodies, which is of paramount importance. At the present time there is no question presented to the Chair to rule upon, and naturally the Chair in answering the parliamentary inquiry is going to be quite general, because the present occupant of the Chair is not going to make any ruling that might be construed as a decision covering a particular question which might be referred to as a precedent when a question might arise in the House on some future occasion. But the Chair calls attention to the rules of the House:

> It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses.

That quotation is from Jefferson's Manual and may be found in section 371 of the House Rules and Manual.

Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOFFMAN. The Member from Michigan from the Fourth District was on his feet seeking recognition under the 1-minute rule. I understood that the Chair recognized the Member. Then along came the gentleman from Wisconsin [Mr. MURRAY] with a parliamentary inquiry. The Chair permitted the gentleman to put it and was about to announce a decision when the Member from Michigan sought to be heard on that question. He was not recognized for that purpose. The discussion continued, and the gentleman from Mississippi [Mr. RANKIN] secured recognition on the proposition concerning which the gentleman from Michigan was seeking recognition. I just do not understand what the rule may be as to order of recognition.

The SPEAKER pro tempore. The Chair will advise the gentleman from Michigan that the recognition of Members for the discussion of a matter such as a parliamentary inquiry is purely within the discretion of the Chair.

Mr. HOFFMAN. I understood that.

The SPEAKER pro tempore. For what purpose does the gentleman from Michigan now rise?

Mr. HOFFMAN. For the same purpose I sought and obtained recognition before—to speak for 1 minute and revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr Speaker, the gentleman from Ohio, in making his remarks, at least I so understood him, was not referring to any Member of the other body. He was referring to the Governor of Ohio. I assure the gentleman that the merit of the Governor of Ohio was recognized by the Republican Member from Wisconsin, because as Republicans we are always willing to praise a man regardless of his political affiliation if and when you have a man who is entitled to praise.

Now, what I wanted to talk about was this: It is encouraging to have the influential Republican Member, the gentleman from New York [Mr. ANDREWS], speak in favor of legislation which he thinks will aid us in settling the labor dispute and lessening the duration of the strikes. Legislation of that kind, which he said he had introduced yesterday or the day before, has been before the House Committee on Labor for 4 or 5 years. So there is nothing new about it.

I understand the minority party had or intends to have a meeting of the Steering Committee. If they will advise the rank and file on the minority side what program they intend to follow, perhaps we can get some worth-while legislation if the administration leaders do not block it.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

EXTENSION OF REMARKS

Mr. PRICE of Illinois asked and was given permission to extend his own remarks in the RECORD and include a speech which he delivered at Belleville, Ill., on January 8.

TRUCK STRIKE IN MINNESOTA

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to address the House

for 1 minute and revise and extend my remarks and insert a telegram from Governor Thye, of Minnesota.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KNUTSON. Mr. Speaker, on yesterday, Gov. E. J. Thye, of Minnesota, again wired President Truman requesting him to appoint a fact-finding commission to determine and perhaps settle the differences existing between the truck operators and the truck owners, involving a strike which has held our section of the country in its grip for something like 10 weeks; a strike that has cut off service from the outside world to scores of small communities which are not located on the railroads.

It occurs to me, Mr. Speaker, that if a fact-finding commission would be helpful in settling the General Motors strike it would be equally helpful in settling the truck strike which exists in seven Midwestern States. I call upon the President to give us at least such relief, as may be had from the appointment of such a group. Governor Thye's message to myself follows:

ST. PAUL, MINN., *January 15, 1946.*
Hon. HAROLD KNUTSON,
Washington, D. C.:

For your information I have today wired the President again urging that he appoint a fact-finding commission to bring about an equitable solution of the Midwest truck strike which has been in effect in seven States for 10 weeks, and to assure an immediate restoration of peaceful operation.

EDWARD J. THYE,
Governor of Minnesota.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

EXPENDITURES IN GOVERNMENT

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, the Budget, a part of the Executive Office and supposedly speaking for the President, should keep in closer contact with the President and his announced determination to reduce appropriations. Personally, as a member of the Appropriations Committee, I am discouraged to see the amount requested by the Budget for one of our departments of government. Demands for millions of dollars for hundreds of additional personnel above what that particular department was allocated by Congress for last year have been made by the Budget. I am serving notice here today that it is my intention to help the President fulfill his promise to the Nation as to economy and sincerely hope that the Budget office, an adjunct to the White House, will also cooperate.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MURRAY of Wisconsin. Mr. Speaker, I was amused by this little farce we have had here as to what is going to appear in the RECORD and what is not going to appear in the RECORD, but it is something that has bothered me ever since I have been here. There is surely nothing partisan in it as far as I am concerned, because 2 years ago in connection with a certain piece of legislation which I sponsored and which was passed both here and in the Senate, I happened to be over in the other body and heard a certain Member of that body take a bite out of me. A Member of the Senate that belonged to neither my party nor the Democratic Party defended me. One doesn't forget these little things. I could not do much about it because I could not get the floor. If it had been up in northern Wisconsin where the rules and regulations of the lumberjacks control either I would have poked him in the "snoot" for his remarks or he would have poked me, like William Hale Thompson was always going to do to the King of England.

I have seen references to Senators time and time again and in fact have shown them to our Speaker [Mr. RAYBURN]. He has always said to me: "I do not see why they keep on doing that." Last year before we adjourned on July 1 there was a very flagrant violation of the rule. Many times I would like to take members of the other body to task. But also I like to follow the rules. Even though we may not like a rule, if it is a rule we should follow it. And I mean all of us, too.

FACT-FINDING COMMITTEES

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, it is my personal opinion that the fact-finding committees now operating and which are being proposed by the President constitute no more than a new scheme of taxation on the industry of America. If a fact-finding committee has the right to go into a company and raid its accumulated reserves which have accrued since the inception of the company and distribute those reserves solely to an organized minority group of workers in that company or in that industry, then it simply takes the place of a Federal law which operated at one time and which said that a company's undistributed profits should be taxed and the tax to flow to the Treasury's general fund for the benefit of all the people. We had to repeal that law because it would not conform to the social and economic welfare of our people. Personally, I am very much opposed to the creation and institution of fact-finding committees authorized to go in and tell a company what it must do.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

THE FULL-EMPLOYMENT BILL

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, I am sure most of you, like myself, listened to the President's speech over the radio, in which he took the Congress to task. He especially mentioned the full employment bill.

When that bill first came to the Committee on Expenditures in the Executive Department, almost every Cabinet head, as well as other important administration spokesman, testified for the original full employment bill. The Senate, meanwhile, passed a bill which the majority leader of that body described as a bill "to guarantee every man who is out of work the right to look for a job, and take one if he can find it." We finally reported an abortion out of our committee, labeled "A full employment bill" and the Truman administration in and out of the House urged the passage of that bill. Now, however, the President says that the Senate bill, which the administration at first frowned upon, is satisfactory, and that they are against the bill which they advocated and which the House passed.

Frankly, all these sleight-of-hand performances on the floor of the House, as well as in the other body, by the members of the majority party, puzzle me. It is all in line with the policy of the administration to attempt to be all things to all men. When I see them perform, I don't know whether we are afoot or horseback. I am wondering who they think they are kidding, and what it is they really want. As one of the conferees, I was advised that the conference committee would meet today to consider the bill. Now I understand that this meeting has been postponed. Consistency, thou art a jewel.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. HALE. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes on Monday, January 21, after the disposition of the legislative business of the day and other special orders.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

EXTENSION OF REMARKS

Mr. HARNESS of Indiana asked and was given permission to extend his remarks in the RECORD and include an address recently made by himself.

STRIKES

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. GIFFORD. Mr. Speaker, my mail indicates that Congress is expected to act effectively and promptly to remedy the present strike situation. But I am a member of the minority party and I cannot reply for the majority party, on whom responsibility largely rests. My people are asking, "What is Congress going to do about these strikes?"

I am very grateful to the gentleman from Virginia [Mr. SMITH] for his remarks of yesterday, and I am sending out all copies of the CONGRESSIONAL RECORD that I have this morning to show that the House has really tried to do something. I appeal today, with all earnestness, and with all the forcefulness at my command: "Will you Democratic leaders tell me what you propose to do so that I may reply to my constituents?"

Our people should understand the minority position. We greatly desire some action which will be really effective. The country is in a grievous state. I think of the story of the head of an organization who could not use certain music or hire certain musicians who had applied. When asked about this, with a shake of his poor, little head, he replied, "Petrillo, Petrillo, Petrillo."

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

CONGRESS SHOULD GO TO WORK

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, the other day the papers came out with a picture of the House when it reconvened, and that picture showed there were only a few Members present. I happened to be one of them, but that is not what I want to talk about. The people in the gallery may be wondering why we are fooling away our time, twiddling our thumbs. It is because the administration is on strike. It does not bring anything in here and it does not give the Congress anything to do.

I received a letter from a fellow in the merchant marine who is in China now. He talked about hauling a lot of dead soldiers over to Guadalcanal and burying them. While they were handling the boxes, one box broke open and three bodies fell out. This man told how these soldiers were buried and stated:

> I have an idea if the strikers back in America could see the miles of little white crosses over here they might go to work.

That might be something for the administration leaders to think about. I am ready to go to work and I will vote for any legislation they propose if it makes labor unions and leaders responsible and recognizes the rights of employers, the public, and men who want to work.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

LEGISLATION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, may I have the attention of the gentleman from Ohio [Mr. BROWN] who attacked President Truman a while ago because he had not told the Congress what to do.

That is not the President's job. The President reports to the House on the state of the Union and it is the duty of the Congress to legislate for the American people. So far as I am concerned, I am ready to do that now.

It is not the duty of the President to tell Congress what to do.

There is a bill before the Rules Committee now to permit every ex-serviceman to work without having to pay tribute and I am going to ask the gentleman from Ohio, who is a member of the Rules Committee, to bring that bill out and let us pass it now.

Mr. BROWN of Ohio. To which bill does the gentleman refer?

Mr. RANKIN. That is the bill to permit an ex-serviceman to work without having to pay tribute to a labor union or to anybody else. The first freedom is the freedom to work for our daily bread without having to pay tribute.

Mr. BROWN of Ohio. May I answer the gentleman?

Mr. RANKIN. Let me say another thing.

Mr. BROWN of Ohio. The gentleman has asked me a question.

Mr. RANKIN. I only have a minute.

Mr. BROWN of Ohio. Let me say to the gentleman that I will vote to bring that bill out.

Mr. RANKIN. I know that.

Mr. BROWN of Ohio. And I will be glad to vote to bring out the FEPC bill too.

Mr. RANKIN. The gentleman is wrong there.

That is one of the most dangerous pieces of communistic legislation that has ever been proposed, and if the people of Ohio knew what it means they would oppose it almost unanimously.

Mr. Speaker, we do not need any fact-finding bodies or any fact-finding commissions. We already know the facts. What we need in Congress is the wisdom, the judgment, and the courage to legislate for all the American people.

We went over to the Library of Congress yesterday to hear the facts about the Army and Navy. We found out what we already knew.

The Congress knows the facts about conditions in this country now. It is our duty to legislate. Let us bring out and pass some legislation that will guarantee to the American people their freedom to work without having to pay tribute, and save the country from being harassed by these unnecessary strikes—which in my opinion are going to do infinite harm to the rank and file of organized labor.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, it may not be the duty of the President to tell the Congress what to do, but it is the duty of the President to settle this meat strike so that the people of the country will be able to buy meat from here on.

Congress does not administer or execute laws. That is the constitutional duty of the President and his executive agencies.

While members of the CIO and other labor organizations pay lip service to the OPA, the present meat strike is in fact a strike against the Truman administration's policies as administered by the OPA. Last June the administration recognized that slaughterers of livestock were losing money on their slaughtering operations, and the Barkley-Bates amendment to the OPA law was approved. This amendment, although not carried out by the OPA, provided for reimbursement out of subsidies for the losses sustained by packers on cattle and hogs, and it is therefore quite apparent that if the slaughterers of livestock are to increase wage scales the OPA must increase meat prices. The OPA has refused to grant such an increase, and I assume that the action of this agency is under the direction of President Truman. Reliable authorities and statisticians state that if the wholesale price of meat is increased one-half cent per pound wages for labor in the plants can be increased 17½ cents per hour.

If the packing strike is not promptly settled, a vicious and Nation-wide black market in meat will soon appear, and people who patronize the black market will pay more than a dollar a pound for their meat. Much of the meat slaughtered for the black market will be unsanitary and possibly diseased. The effect will be far-reaching, and I predict that the black market in meat will outstrip the bootlegging operations of the prohibition days.

I am told by Army authorities that there is a short supply of meat for the men in the armed forces. The strike will force our men in the Army and Navy to go without meat. Our leaders have made commitments of meat to the hungry people of the world. These commitments will now be canceled. One hundred and thirty-five million Americans in this country also demand meat. Their supplies will be cut off within the next week. The farmers who have hogs and cattle ready for market will suffer tremendous damage because of scarcity of feed and changes in grade.

Mr. President, it is up to you to act. The responsibility is yours, and I am making this statement to give the American people the reasons why they will not be able to secure meat.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. The gentleman from Ohio [Mr. BROWN] and eight other Republican Members have arisen during the noon hour and their remarks have been aimed in criticism of the President in the delay of sending his message to the House. For his information may I say that in the past session the President sent two messages to the Congress and one general appeal to the public in which he made clear the legislation which he recommended and urged of enactment. In view of the fact that the committees have before them several of the bills which he recommended, no time has been lost by reason of delay in sending in his message because these committees could and should have proceeded in considering these measures.

Mr. Speaker, without having consulted with the President for the reasons for the delay in sending the messages to the Congress, I can say that he aims to bring about the settlement of the pending discord between industry and labor and thus eliminate the pending strikes, not only in the interest of industry and labor but in the interest of the entire Nation.

The gentleman from Mississippi [Mr. RANKIN] again has attacked the labor leaders and has charged them with being responsible for the strikes.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I will not yield, Mr. Speaker. The gentleman's record is an answer to his statement.

I do not recollect the gentleman's exact language and therefore cannot quote him, but I can say to him notwithstanding his abuse that if he personally knew or was acquainted with these labor leaders, many of whom I have met personally, he would find that they are gentlemen and patriots. True, their aim is to aid the cause of labor, but I have never heard the gentleman from Mississippi say anything about the industrial leaders who have accumulated from twenty-six to thirty billions of dollars during the war and who have refused, notwithstanding their tremendous profits, to adjust and agree to a small increase in wages so that the laboring man and his family could live and exist decently, especially in view of the fact of the ever-increasing cost of living.

Mr. Speaker, the facts are that the pay envelopes since the end of the war have been reduced from 30 to 40 percent because of the reduction of the 48-hour week to a 40-hour week and the elimination of overtime.

Labor has agreed to the recommendation of the fact-finding committee while industry, on the other hand, has wilfully refused to comply, and if the real truth and facts be known, and I am sure that the gentleman from Mississippi must be aware of them, then industry is responsible for the strikes and not the labor leaders.

PERMISSION TO ADDRESS THE HOUSE

Mr. VURSELL. Mr. Speaker, I ask unanimous consent that on Tuesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

EXTENSION OF REMARKS

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent that the several gentlemen to whom I shall yield may have permission to extend their remarks and that the gentleman from Utah [Mr. ROBINSON] and the gentleman from Washington [Mr. HORAN] may be permitted to extend their remarks at the point at which I will recognize them.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. HINSHAW] is recognized for 1 hour.

COMMEMORATING THE TWENTY-FIFTH ANNIVERSARY OF THE FOUNDING OF THE UNITED STATES JUNIOR CHAMBER OF COMMERCE

Mr. HINSHAW. Mr. Speaker, I have asked for this special order in order to permit Members of the House to join in commemorating the twenty-fifth anniversary of the founding of the United States Junior Chamber of Commerce.

When a group of more than 100,000 young men volunteer to work together unselfishly for the improvement of their communities, they deserve special notice. Such a group is the United States Junior Chamber of Commerce. This present year marks the observance of their silver anniversary, 25 years of work for the good of their communities, the State, and the Nation.

It is fitting that we recognize the contribution to the national welfare these young men are making in more than 1,000 of our towns and cities. From these young men boils a stream of worthwhile projects, each offering greater happiness and well-being to our citizens.

Over 1,000 local organizations are affiliated to compose the United States Junior Chamber of Commerce. Each of them is autonomous in its operation.

Through the national body, ideas are exchanged, local activity is stimulated, and new projects are developed. The amazing thing about the junior chamber is that it has grown entirely without the help of a paid organizer. Every worker, except the clerical and over-all administrative staff, contributes his time on a volunteer basis. And there is the secret of its success. Energy, enthusiasm, and action—these three are the basic elements from which the movement has grown.

These hundred thousand young men believe that by working together unselfishly, by giving their time and energy, they can improve the welfare of our Nation. They call themselves the Jaycees.

And who are these young men? He is the young fellow who just opened the filling station on your corner, the young labor leader who lives across the hall, the truck driver who hauled your trunk this Christmas, the new history teacher in the high school. They are manufacturers, mill hands, lawyers, and janitors. They are young America climbing the exciting ladder to achievement. They are the leaders of tomorrow, 21 through 35 years of age, in search of the future. They are every color, every race, every creed. The Jaycees only ask that each member serve the community for betterment of its welfare.

The armed services called half the membership to duty, but despite that, the call of the Jaycees to community-minded men was so strong, the United States Junior Chamber of Commerce more than doubled its number of members in the past 18 months.

During the war, the junior chambers of commerce won multiple citations from the Treasury Department for enthusiastically boosting the bond drives. It piled huge mountains of paper, tin, scrap metal and clothing. Its members gave gallons of blood to the blood banks and found the services of countless other donors. Its men sparked the local drives for the Red Cross, War Chest, USO, and every other worthy war agency. The Navy Department gave them special permission to adopt LST craft. The war effort found them in the front overseas and back home. The war towns of Oak Ridge, Tennessee and Pasco, Washington, learned to accept their voluntary public service.

Today, these hundred thousand eagerly face another 25 years ready to give even greater service in a peacetime America. They are developing long-range community projects led by men who have many years of Jaycee accomplishment behind them. Their projects include agriculture, Americanism, aviation, public health, public safety, fire prevention, youth welfare, sports, recreation, and physical fitness, community face-lifting, and Christmas activities. But more important than all are the three points of special emphasis the Jaycees are working at the hardest—veterans' assistance, governmental affairs and international relations.

Because the junior chamber of commerce operates for all young men, it is unique among American institutions. Its principal contribution to the national welfare is found in its training of leaders—in its urge to awaken a sense of responsibility in every young man to public affairs. How? By actually training them in a panorama of projects—offering a complete business education to every participant. Every project requires planning, financing, labor relations, public relations, and accounting.

Every member must resign on his thirty-sixth birthday. Because that rule is rigidly enforced, there is a constant flow of leadership. Daily new opportunities become available to the young men of those communities served by a junior chamber of commerce organization.

An organization that so appeals to the good motives of every young man cannot long be kept in America alone. The mother group of the United States has founded flourishing organizations in Canada, the British Isles, Belgium, France, Switzerland, South Africa, New Zealand, Australia, and all of Central America and most of the South American countries. These young men, together with their American brothers, are working daily to establish true international friendship based upon mutual service to others. They are united in a common basis of understanding each other's ideals and objectives.

To present a graphic picture of what the United States Junior Chamber of Commerce is accomplishing in America, we will ask some of our distinguished colleagues to present a condensed report from several representative States.

Mr. Speaker, I now have the honor of yielding to the gentleman from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Speaker, when the war thinned the ranks of the junior chamber of commerce in Alabama, the few members who remained at home assumed added responsibilities and kept moving ahead. Those few were more active for community good than ever before. They sponsored canteens for the servicemen; they formed teen-age clubs which they financed and supervised; they established blood banks and kept them filled; scrap drives were regular events. They did all this without neglecting their usual splendid projects of safety, fire prevention, Americanism, agriculture, and other peacetime activities. Every war bond drive in Alabama found the Jaycees out in front. Because of their constant activity, they have earned the respect of every citizen in Alabama.

Alabama fully expects that her leaders of the future will in a large number have been trained for leadership in the junior chamber of commerce. In the junior chamber they will have had the experience of giving and taking, of success and failure, and always the growing interest and enthusiasm for the welfare of their communities, their State, and their Nation. Gentlemen, I pay tribute to this energetic, fearless, serious-minded group of young American men.

Mr. HINSHAW. Mr. Speaker, I now yield to the distinguished gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Speaker, it would be impossible for me to properly eulogize the junior chamber of commerce in the State of Arizona adequately in the time that I should take. I will use the few moments allotted to me to do one thing, to point out the splendid work done by the junior chambers of commerce at Phoenix and Tucson in Arizona at Christmastime last month. You will remember that hundreds of thousands of GI's from the South Pacific area were piled up on the west coast a few days before the holidays and were seeking to get home to many points in the interior by Christmas. The chances were slim for most of them that they could make it because transportation was tangled and inadequate.

The junior chamber of commerce at Phoenix and also at Tucson, prompted by patriotic helpfulness and the holiday spirit, assembled a group of men who were willing to give up their own Christmastime. They got airplanes, automobiles, and even jeeps and war trucks, as well as school busses, and drivers willing to make up to 1,200-mile trips if necessary, to go out to the coast to gather up those home-hungry GI's and bring them in. That is what they did, and I want to pay tribute to them for that good turn. Probably about 200 Arizona GI's will long remember it.

Mr. HINSHAW. Mr. Speaker, I now yield to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, it is a distinct privilege to participate in this program and pay tribute to a fine group of young men in America for their outstanding contribution to the Nation's welfare on this twenty-fifth anniversary of the United States Junior Chamber of Commerce. It is with peculiar pride that I speak on this occasion because I am a charter member of the junior chamber of commerce in my home town of El Dorado, Ark. One of the most outstanding and cherished experiences of my life was when I was given a lifetime honorary membership of that organization.

The history of the junior chamber of commerce in Arkansas is rich in the accomplishments of peacetime projects and wartime services. The Arkansas members have contributed much to the advancement of our State. Their activities are well known, with high aims, splendid objectives, and noble achievements.

Arkansas has the distinction of having produced one of the most outstanding national presidents of the United States Junior Chamber of Commerce—past President Bill Shepherd of Pine Bluff, who served fearlessly and nobly this great organization in 1942 and 1943.

I believe that in the next 10 years, the United States will become more and more young-man conscious largely through the growing efforts of the junior chamber of commerce. It will search out, train, and publicize young men, teaching them to become leaders in their own communities.

I, therefore, predict for both our State of Arkansas and the Nation a continued growth in youthful leadership, led by the great unselfish group of 100,000 young men working together for the welfare of their communities—the United States Junior Chamber of Commerce.

Mr. HINSHAW. Mr. Speaker, I now yield to the gentleman from Florida [Mr. PETERSON].

Mr. PETERSON of Florida. Mr. Speaker, the Florida Junior Chamber of Commerce did not wait for President Truman's plea, "Let's all get back to work." Florida Jaycees had been doubly busy during the war, and before it ended were already facing the challenge of a "young man's world" and of their young, vigorous, growing State.

From Pensacola to Key West and from the Atlantic to the Gulf of Mexico, junior chamber of commerce organizations in virtually every city are in the forefront of aggressive civic and business progress. They are maintaining the pace of the fastest growing State in the Union and making that growth mean the most to a happy, prosperous, busy people.

The most significant project to which nearly 10,000 Florida Junior Chamber members are devoting their time is the welcoming of thousands of young ex-servicemen into the junior chamber of commerce—the only young men's organization which offers them a complete field of civic training and community service. As just one example of this welcome, the West Palm Beach Junior Chamber provided $10,000 worth of refreshments to more than 50,000 servicemen on troop trains passing there during the first 100 days after VJ-day—and the club did not have to solicit a single donation to make this possible.

On the State Jaycee theme that "All Florida is one big neighborhood," practically every club in the State joined with the Winter Haven Junior Chamber in its annual tangerine festival, providing national promotion of Florida's incomparable citrus products. The Orlando Junior Chamber's national Professional Golfers' Association Tournament and Fort Myer's Edison Festival of Light are only two of many Jaycee-sponsored entertainment events for visitors and residents. Lakeland Jaycees also recently conducted a very successful rodeo.

Florida Jaycees have never forgotten that the foundation of our national heritage is democratic freedom. That is why the Key West Junior Chamber has taken the leadership in obtaining a new registration of voters and the installation of voting machines in all elections. Florida Jaycees know the importance of a sound youth in the Nation. The Pensacola Junior Chamber has just completed a successful campaign for wholesome, segregated quarters for juvenile delinquents.

These are just a few of the most recent concrete achievements of the Florida junior chambers of commerce. They are achievements that justify the declaration of the Florida Jaycees that "Ours is an organization of young men of ideas, ideals, and action."

The Jaycees of Florida have been very helpful to me and cooperative on all worthy public matters, and I am glad to pay public tribute and personal appreciation to them.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Georgia [Mr. PACE].

Mr. PACE. Mr. Speaker, the young men of Georgia are contributing to the upbuilding of their State, their Nation, and the advancement of international friendships, through the cooperative efforts made possible in the junior chamber of commerce.

With a membership of about 2,000 the 28 chapters in Georgia are in the forefront of every movement for civic betterment and community improvement. With the zeal, courage, and energy so abundant in young men, they offer a quality of leadership that is sure to prove

to be of enormous value to our State and Nation.

They are interested in good government and in efficient administration. They took a leading part in the recent adoption of a new constitution for our State and will lead in other efforts for the progress of Georgia.

With about a half of their members in the services during the war they naturally have more than the ordinary interest in the welfare of the returning veterans. Besides their interest in the care and comfort of the veteran, and in the protection of the dependents of those who gave their lives for our country, they are now formulating plans for an elaborate memorial park in honor of those who offered and those who gave.

Those who were denied the privilege of serving their country in the armed forces were, nevertheless, of great service in the fight for freedom. Every bond drive, every blood bank, every canteen program, every scrap drive, and every other war program on the home front, received the enthusiastic support of the Jaycees.

Mr. HINSHAW. Mr. Speaker, I now yield to the distinguished gentleman from Idaho [Mr. DWORSHAK].

Mr. DWORSHAK. Mr. Speaker, I am pleased to participate in this tribute to the National Junior Chamber of Commerce, at the request of President Leo Bodine, of the Idaho unit, and also on behalf of my associate, the gentleman from Idaho [Mr. WHITE], who has been unavoidably detained in the State of Idaho.

I believe one of the most critical needs of our Nation today is for enlightened, aggressive, resourceful leadership. I certainly believe the junior chamber of commerce is doing a magnificent work along this particular line. In Idaho they have an outstanding organization, with local units scattered througout the State. I have unlimited confidence in the ability of the eleven units in Idaho to support aggressively the program which is being sponsored by the national organization. One of the outstanding, and certainly one of the most commendable, activities of the junior chambers of commerce in Idaho has been a continuous yearly safety program that lays heavy stress on the importance of guarding life and property against accidents. Just recently, the Jaycees of Idaho have been promoting a State-wide brake and headlight testing project to reduce automobile mishaps.

Everyone in the State is watching the junior chamber of commerce drive to reduce the number of range fires that yearly have destroyed acres of good range grasses. Their effort is called the Keep Idaho Green program.

Last year the Jaycees managed the drive to raise money within the State for the national fund combating cancer. In 1946 the Idaho Junior Chamber of Commerce will again take care of the solicitation.

In all these projects undertaken by the Idaho Junior Chamber of Commerce the organization has never lost sight of its aim to train the young men of the State in civic leadership, to encourage them to participate actively in the affairs of the community, State, and Nation, and to stimulate the discussion and careful consideration of the problems facing young men today.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, during the past few years, we folk of Illinois have been hearing more than ever about the junior chamber of commerce. The 20 junior chambers scattered throughout the State have done outstanding things for the welfare of their communities. Take East St. Louis, for instance. The Jaycees there started a youth project that was handled so well and became so popular everyone there is acquainted with it. To reduce juvenile delinquency, they organized baseball leagues for the boys of the city. It caught on magnificently and that baseball project has become one of the finest of its kind in the country. The players that have been produced are so adept that the project has even caught the interest of the big leagues.

When the veterans first began to come home after VE-day, they were confused by the many agencies existing to help them, which were scattered all over town. If he wanted help on finding a job, he would go to one place; for a place to live, another; for questions about his pension, to a third. You can guess what organization decided to do something about that—the junior chamber of commerce. The wide-awake young fellows who make up the Peoria chapter in Illinois were instrumental in persuading the city to establish one central bureau in which all the agencies to help the veteran were centralized. So successful was the idea that it became known as the Peoria plan and has now gained recognition all over the Nation. In fact, the officers of the United States Junior Chamber of Commerce arranged for the present Illinois State president to be sent all over the country to explain the plan and assist other cities to set up similar facilities for their returning servicemen.

For those two things alone, gentlemen, sponsored by young men in Illinois, I am happy to call attention to the fine achievements of the junior chamber of commerce in this country.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, Indiana Jaycees are making leadership training their most emphasized theme. Last July they had held an executive leadership-training school at the State university. Young men were taught some of the fundamentals needed by the executive of any organization. Since then many of these men have been appointed to head various State junior chamber committees. Their leadership potential is being developed by actual use—in the Indiana Junior Chamber of Commerce. Today, more than ever, young men of Indiana realize they must be the leaders of tomorrow. They must begin their preparation now. That's the reason the junior chambers of commerce in Indiana have made "leadership training" the theme of their activity this past year.

The junior chamber young men in Indiana have launched another project which is rather unusual. Not long ago they discovered through a survey that an astoundingly large proportion of citizens have only a small conception of the meaning behind Independence Day. Few knew very much about the birth of this country.

The Jaycees believed that this country's independence was of such great consequence it deserved more than a mere day of celebration. Under the leadership of the Hammond Junior Chamber, the State body launched a campaign to celebrate Independence Week, which comes to a climax on the Fourth of July. The idea seems to be spreading throughout the Nation. To my mind this project of the Indiana junior chambers of commerce may prove to have the greatest influence for national good. Gary and East Chicago Jaycees have also contributed greatly in services during our war period and cooperated in all worthwhile civic projects.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Iowa [Mr. DOLLIVER].

Mr. DOLLIVER. Mr. Speaker, I join with other Members of Congress in paying tribute to the United States Junior Chamber of Commerce. There have been chapters of this notable organization in the State of Iowa for more than 20 years to my own personal knowledge.

The junior chamber of commerce has served well in the various communities where it has chapters in our State. Its most notable work has been in development of leadership in business and public affairs throughout the State. During the war period many of its activities were curtailed by reason of the fact that numerous members were in the armed services. Upon their return they will resume their activities which have been so beneficial to their communities.

It is expected that in 1946, the centennial year of Iowa, the junior chamber of commerce will take a leading part in promoting community and State-wide observances of the one hundredth birthday of our State.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Kansas [Mr. COLE].

Mr. COLE of Kansas. Mr. Speaker, it was only 13 years ago that the young men of Kansas organized their first junior chamber of commerce, back in 1932. In the short time since then, 25 chambers have been established in the State. Kansas, which has always been a leader, now has more than 4,000 young men—all of them tomorrow's leaders—active in the junior chamber of commerce.

Every one of the 25 Kansas groups has worked terrifically hard the last 4 years boosting war bond sales, collecting fats, gathering old clothing for United Nations Relief, and doing all they could to help entertain servicemen on leave. Kansas young men of the junior chamber secured huge funds for the use of the Red Cross, the fight against infantile paralysis, the community chests, and the War Fund.

It is because these young men have been so active in making Kansas a better place to live, in really accomplishing constructive goodness, that their membership has rapidly increased from year to year. That is the reason that the

Jaycee organization remains one of the outstanding young men's groups in the State and the Nation.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Speaker, in Michigan we have 30 junior chambers of commerce. One of these is located in my home town of Saginaw and is a live-wire organization, so I am familiar with what they are doing. Every single one of them is working hard on the community problems of juvenile welfare, governmental affairs, the returning veterans, tax education, public safety, public health, and aviation.

The project Michigan is most proud of, however, is the Percy Jones Hospital fund. Junior chambers all over Michigan have conducted successful fund-raising campaigns to provide special services and equipment for the disabled veterans at Percy Jones. That fund has given the men a speedboat for the Gull Lake Annex at Percy Jones, a new wire recorder, athletic equipment, and this fall enabled the disabled veterans to see the world series baseball game in Detroit and the football games at both the University of Michigan and Notre Dame. The Jaycees in Michigan intend to remember the disabled soldiers at Percy Jones.

Within recent months many outstanding activities have been sponsored by Michigan Jaycees. Halloween parties have been held for the children, a State fire-prevention week has been projected, recreational centers for young people have been inaugurated, town meetings for the discussion of community problems have been begun. The Jaycees of Michigan are working hard to improve the welfare of all citizens and are doing all they can to improve the lot of the returning veteran. Michigan has been so active in veterans' affairs that the United States Junior Chamber of Commerce has selected a Michigan man to head its veterans' affairs committee, and another Michigan Jaycee is a national vice president in charge of veterans' affairs.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, Minnesota can speak with authority about the junior chamber of commerce movement. It is one of the most active States in the organization. There are 47 active junior chambers in Minnesota alone. On a State-wide basis they have conducted a safety program which will reach every school child in the State. They have launched a campaign to sponsor legislation which will provide minimum health standards for the food stores of the State. They are launching this year a dynamic campaign to "sell Minnesota to Minnesotans." Every Jaycee chapter in the State is conducting an agricultural project, and their veterans' program is felt and appreciated in every community.

The Jaycee members in Duluth are building a ski slide and tow; Blue Earth has raised $50,000 for a municipal hospital; Pipestone has taken full responsibility for its youth athletic program. Half the State chapters are sponsoring Boy Scout troops. All of them helped immeasurably in the war drives.

All this is just a brief synopsis of Jaycee activity in my State of Minnesota. You may be sure the Minnesota Junior Chamber is justifying its existence by participating in every kind of constructive project.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, we do well to pay tribute to the United States Junior Chamber of Commerce and the various State Jaycee organizations of which it is constituted. The junior chamber of commerce in my State of Mississippi has rendered a splendid service to the State and Nation since its organization. While this service has meant much to our State and Nation, one of the greatest advantages which has come from this splendid organization is the training in leadership in civic affairs which the members of the junior chamber of commerce have received. Once a member of the junior chamber of commerce, always a man with civic pride and interest in the welfare and promotion of the community, State, and Nation.

During the war the Mississippi Junior Chamber of Commerce and its members assisted in putting over bond drives and have now subscribed to war bonds for a Jaycee war memorial fund for the young men of America who gave their lives in World War II. Canteens were set up during the war, and way stations for traveling servicemen. The organization has interested itself in the creation of a 4-year medical college and hospital within the State of Mississippi. On January 20, 1946, a group of men over 35 years of age will select the outstanding young man of Jaycee age, 21 to 35, as a winner of the distinguished service award for the State of Mississippi. This distinction will go to someone who deserves it. The fact that such a practice has started will serve as an added incentive to the young men of my State and will result in the furtherance of civic well-being.

Mr. Speaker, I am proud of the United States Junior Chamber of Commerce and of the Jaycees of my State and the splendid young men who are identified with the organization, as well as those who have grown up through it. To the members of this organization we look for leadership and guidance in the present and in the years to come. My opportunity to observe the benefits of membership in the Jaycees has been first-hand. It was my pleasure to serve as the first president of my local club at Charleston, Miss., in 1932. I have continuously been a member of the local club since that time, though inactive for the past few years, and nothing has given me more satisfaction, more pleasure, or a better opportunity to see the value to the individual to be derived from association with this splendid organization, with real benefits to city, State, and Nation from the work of the Jaycees. I am glad to pay tribute to the United States Junior Chamber of Commerce and to the Mississippi Jaycees, a worthy part of that organization, with a record of real achievements.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Speaker, Missouri, Mother of the West, is proud to be the birthplace of the junior chamber of commerce movement. It was born in 1915 in St. Louis, and its father was Henry Giessenbier. His idea was to train young men for civic leadership, and that has been the theme of all the junior chambers of commerce in Missouri. Last year they were busy with youth welfare work, and they sponsored Boy Scout troops. Playground projects were built throughout the State. The Missouri Jaycees led the get-out-the-vote campaign. An active State-wide committee carried on public forum discussions on Missouri's recently adopted new constitution. Public health programs were established and a 4-year drive against venereal disease completed.

The Missouri Jaycees are increasing rapidly and expect to soon create 30 more junior chambers, increasing the number of members to 5,000 young men. Hail to the junior chambers of commerce throughout the country which are making such a magnificent contribution to sound citizenship and good government.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Speaker, I am mighty happy about what the Nebraska Junior Chamber of Commerce is doing for the folks in my State. As you know, Nebraska is an agricultural State, so it is agriculture that the Jaycees have been stressing. In Fremont, for instance, the junior chamber young men wished to enliven the interest among the 4-H youngsters in raising good-blooded cattle. And here's what those fellows did. They bought 20 pedigreed calves in Wisconsin and gave them away in Nebraska to the young 4-H people who qualified for the awards. Those boys and girls raised the calves themselves. When their animals had matured, the first-born calf was given back to the Jaycees who in turn gave it away to another deserving farm boy or girl who would raise it to maturity.

The junior chamber of commerce young men in Lincoln last year sponsored a 4-H Club show featuring baby beeves and awarded $5,000 in prizes. They also put on a stirring horse show and gave the money they raised that way to the 4-H Clubs to be used as scholarship money to send deserving farm boys and girls to college.

If my constituents had more such organizations back home they would be mighty happy.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from New York [Mr. ROGERS].

Mr. ROGERS of New York. Mr. Speaker, the junior chambers of commerce of New York State have performed many valuable services during the war years. Their salvage campaigns, their work as war-bond salesmen, hospital aides, sponsors of youth centers, organizers of crop-corps programs to help farmers and canners, conductors of fire prevention, public health,

and public safety campaigns, have all contributed to greater production, reduction of waste, and safer living.

The young men of the Empire State have been first to recognize their obligation of citizenship through their organization of schools to study the operations of government. They have realized that understanding and helpfulness are more productive of good government than neglect and criticism.

With the junior chambers of the Canadian Province of Ontario they have carried on joint projects, have met and worked together, and have accepted the chief officer of each upon the executive board of the other, to show that young men of different countries, working with each other, can produce an atmosphere of international trust and cooperation.

As their members from all walks of life return from military service, the junior chambers of commerce of New York State will add to all others throughout the country its representative voice of young men, seeking a better community in which to live, and a Nation united in the quest for lasting peace and an honorable and prosperous life for all its citizens.

Mr. HINSHAW. Mr. Speaker, I yield to the distinguished gentleman from North Dakota [Mr. ROBERTSON].

Mr. ROBERTSON of North Dakota. Mr. Speaker, I am very happy on this occasion to join in this commemoration of the twenty-fifth anniversary of the United States Junior Chamber of Commerce, and I am glad to speak at the request of the president of the State of North Dakota branch, Mr. Anderson, on behalf of the young men who have taken such an active part and who give much promise to the people of North Dakota in the days to come.

For the past 10 years, clear across North Dakota from Grand Forks and Fargo to Williston and Dickinson, the active young men of the junior chamber of commerce have been serving their communities to improve the general welfare of the people and develop leadership among the men within its own ranks. There has scarcely been a single project anywhere in the State that the Jaycees have not rallied to, if it were in the public good. The junior chamber men in Bismarck have built a large-size band shell for the town. In Jamestown they arranged an airport dedication that was attended by 35,000 people. The Jaycees of Grand Forks sponsored an unusually successful blood-donors' clinic. The members of the Fargo chapter have developed an effective water safety program. In Mohall, they are planning a fine new hospital. The young fellows in Mott are promoting a new Federal building. Up in Bottineau the junior chamber is promoting a winter-sports building.

There are scores of achievements I might read to you, but the point I want to make is this: These young men who give freely of their time and their effort, and often of their money, are working for only two purposes, and both of them fine—to help the welfare of their communities, State, and Nation, and develop civic leadership among themselves. Gentlemen, we are fortunate to have them.

Mr. HINSHAW. Mr. Speaker, I now yield to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Speaker, in Ohio the junior chamber of commerce has 45 local organizations with 4,000 members. Those 45 junior chambers have already sponsored 22 youth centers. I firmly believe one of the big reasons Ohio has a low rate of juvenile delinquency is because of activity such as this by the Jaycees. For the usual vandalism of Halloween, they have substituted organized entertainment full of good fun and value.

The committee on veterans' service furnished radios for all the disabled veterans in Fletcher General Hospital. The young men of the Columbus Junior Chamber have remodeled and are furnishing two houses on the Ohio State University campus for returning veterans who wish to continue their education. Portsmouth is operating a veterans' center which has won the praise of all its citizens.

Each junior chamber in the State has a well-organized committee on Americanism, governmental affairs, and taxation. They are a valuable addition to a State that for years has been proud of its local government.

Mr. HINSHAW. Mr. Speaker, I now yield to the gentleman from Oregon [Mr. STOCKMAN].

Mr. STOCKMAN. Mr. Speaker, out in Oregon, the junior chambers are quite new. We have had them only a few years. Nevertheless the 14 chapters contain representatives from every industry in the State of Oregon. In the few years they have been active, the young men of the junior chamber of commerce have won an important position for their organization within the State.

Since the end of the war, the 14 chambers have turned from war activities to those of reconversion. In Eugene, for instance, the Jaycees are planning and sponsoring a housing show for early next spring. In Albany, the junior chamber of commerce has cooperated with the fire department to organize an extensive program for fire-prevention week. In Portland, during fire-prevention week, 30 Jaycees went to all of the Portland schools and with the help of the local firemen, gave illustrated talks to the school children. They brought their project to a climax with an original musical production, Follies of Fire, in which hundreds of Portland citizens participated.

In the brief span the junior chamber of commerce has been active in Oregon, the people of the State have learned to expect that the Jaycee young men will be in the forefront of every community activity whose aim is to improve the welfare of the community and the State.

Mr. HINSHAW. Mr. Speaker, I now yield to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, South Dakota Jaycees are in close working contact with the State 4-H groups, too. This past year they sponsored calf scrambles, assisted in county fairs, and pitched in to help the fight against rodents and weeds. They were active, too, in the farm educational field. Jaycees held farmers' night programs, put on shows for the rural schools, and worked to improve the relationship between city and county. They even put on a horse show, which as some of you know, has a strong appeal for me.

Young men of South Dakota's junior chambers of commerce are also doing a worth-while thing in maintaining and operating youth canteens where children get off the streets and find wholesome surroundings in which to gather and have fun. They are also giving parties for orphan children and crippled children and assisting their institutions through gifts of work and money.

The junior chamber members in South Dakota are busy helping to promote new community airports and modernize those already in existence. They have the future progress of their communities and State constantly before them. South Dakota is grateful to these young men in the junior chamber of commerce. May the next 25 years of their organization be as successful as the last.

Mr. HINSHAW. Mr. Speaker, I now yield to the gentleman from Tennessee [Mr. EARTHMAN].

Mr. EARTHMAN. Mr. Speaker, it is not an easy matter to express with mere words the appreciation that Tennessee, as a State, has for the junior chamber of commerce as an organization. Though their ranks have been thinned during the war era, the 16 organizations throughout the State, with their 969 members, have exemplified the true "volunteer spirit" for which our State is so well known.

The efforts of the members of the junior chamber of commerce have, to a large degree, made it possible for our citizenship to be listed among the successful in pursuing the many war activities. Throughout the critical years that we have just passed, this organization has taken the lead in many endeavors, such as the scrap drives, the war-bonds sales, the blood bank, as well as all other relative undertakings. These young men, realizing that all citizens should exercise their right of franchise, made tremendous strides toward encouraging the people to qualify themselves for voting. At the present time each of their organizations within the State is preparing a mammoth campaign to further develop our industrial life that full advantage might be taken of the facilities offered by the great Tennessee Valley Authority, and much is being done by them to draw the attention of the world to the vast beauties and the pleasures that can be enjoyed in the mountains and on the lakes of our State, and we join with the Nation today in paying tribute to the alert, aggresive, intelligent, and enthusiastic march of progress of the junior chamber of commerce.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Texas [Mr. GOSSETT].

Mr. GOSSETT. Mr. Speaker, as a charter member of the junior chamber of commerce in my old home town of Vernon, Tex., and later as a director of the Jaycees in my present home town of Wichita Falls, Tex., I deem it a privilege to join others in paying tribute to this great organization on its twenty-fifth anniversary.

When the young men of Texas learned of Henry Giessenbier's idea of the junior chamber of commerce movement, they jumped at the chance to cooperate. Dallas was the second city in the United States to form a junior chamber of commerce. By 1920, their membership had skyrocketed to more than 1,800 members. By 1941 Texas could boast a membership of 92 junior chambers, the largest in the Nation.

The Jaycees have done a lot for Texas. As energetic, foresighted, patriotic young men, they have always put their shoulders to the wheels of civic progress and improvement. Their list of achievements is too long to catalog. We will omit here their notable contributions, individually and collectively, to America's war program. Their peacetime activities have included numerous safety programs and campaigns to awaken civic consciousness. Sporting events of statewide appeal have been instigated; community chest drives and charities of all kinds have been promoted. Progress in fire prevention has been stimulated; city planning and beautification has been given diligent attention. At this time the national chairman of the Jaycee safety committee is a Texan who is doing an outstanding job. The national chairman of the Jaycee sports committee is a Texan who is launching four Nation-wide sports tournaments. Their spirit of service is an antidote to that spirit of selfishness which at times threatens our national well-being.

Mr. Speaker, in the future, as in the past, Texas Jaycees will remain alert and active in the promotion of the welfare of their communities, State, and Nation. For past achievements the junior chamber of commerce has our thanks and for the future our fondest hopes and best wishes.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Utah [Mr. ROBINSON].

Mr. ROBINSON of Utah. Mr. Speaker, because the Utah junior chambers of commerce have repeatedly performed services for their communities which no other group could undertake, we are more than proud of them and we sincerely wish them well on their silver anniversary. Among their best programs have been their Christmas activities, city beautification, and Americanism projects.

Three clubs have promoted the building of hospitals, 14 clubs have sponsored community celebrations such as "onion day," "cantaloupe day," and others to promote the products and communities in which they are located.

During the war, their greatest contribution has been in manpower, but those who remained at home sold hundreds of thousands of dollars in war bonds. They pushed drives for fat, paper, and old clothes. They aided the Red Cross and the war fund. They promoted and assisted servicemen's centers. They won Nation-wide acclaim for their marine and WAC recruiting and their preinduction training plans.

The Utah junior chambers of commerce are respected and honored by the people of Utah. I commend them for their fine work.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Speaker, we in Virginia, are very proud of our junior chambers of commerce. Since the first chapter was formed in Norfolk 16 years ago we have watched with approval the extension of the movement into all of our principal cities and several of our counties.

I have had the pleasure of working with the young men of the junior chamber on numerous occasions and have been impressed by their sincerity, and by the unselfish principles which motivate them; they exist solely for the purpose of community betterment. I am impressed also by the untiring energy they display in the activation of their projects, and by amazing versatility of projects they pursue. Where some other civic clubs might be satisfied to conduct one program per year the Jaycees seem to have five or six ventures in operation at any given moment.

Many of our most prominent Virginians first became interested in civic affairs through their participation in the constructive projects of the junior chambers of commerce. Here they developed their qualities of leadership; here they learned how to get things done.

The accomplishments of the Virginia Jaycees are many and worthy. From Bristol to Hampton Roads, from Alexandria to our southern border, these young men have made contributions to their communities—and to their State—which will stand as a lasting tribute to the efficacy of this great organization for the common good—the Virginia Junior Chamber of Commerce.

The work of these young men is a good augury for the future, and now, more than at any time previously, we need them, and are comforted and reassured by their endeavors.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Speaker, Washington State's principal contribution to the junior chamber of commerce movement during the past year was a national president, Mearns T. Gates. A school teacher from Pomeroy, Wash., Gates was elected by acclamation at the 1944 Omaha war conference and served with distinction until June 1945. His record as leader of the Jaycees is illuminating since Pomeroy is a farming community, gloriously indicating that our national leaders are not always found in the larger cities.

But the record of Mearns Gates is no more illustrious than that of any of the twenty-nine junior chambers in his native Evergreen State. In every field of national Jaycee endeavor, at least one and often all Washington State junior chamber organizations were active. Their record in raising funds for the American Cancer Society drive was 100 percent. They cooperated whole-heartedly in the March of Dimes campaign, the war salvage, war bond, and public safety programs.

Members of the Jaycees have been particularly active in my State since the war ended in reinstituting youth programs and in getting community and intercommunity sports once again on a going basis.

The record of the junior chamber of commerce is no less great since so many of its members were in service. Now that these veterans are returning with their broadened perspective and a new appreciation of what America means to ourselves and the world, we can expect even greater things from this organization.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from West Virginia [Mr. ELLIS].

Mr. ELLIS. Mr. Speaker, when one looks at the world today he wonders how it can ever be straightened out. Sometimes he thinks people do not care to take the trouble to do anything about it. And then he hears how America's young men have built an organization in which they help mankind improve his lot. It seems to me the average man wants sincerely to feel he is accomplishing something by himself to improve the world, starting inside his own community.

The trouble has been not that he did not want to help other men—he just did not know how. To my mind, that is why the United States Junior Chamber of Commerce was created by the young men themselves. It provides them with a lever and a tool with which to improve the general welfare of their communities. It is because the organization fills a need, that the number of chambers in West Virginia has doubled inside of only 12 years.

In West Virginia our Jaycees have helped provide one of the largest youth centers in the Nation—the famous Turtle Shell in Charleston. The project is for the students of three high schools and junior highs in the city. Three thousand persons attended its opening.

Last year one of the State's Jaycees was instrumental in drawing up a bill passed by the legislature which allowed each community to levy an assessment to carry on recreational programs. West Virginia has accomplished much in recreational work with the help of the junior chambers of commerce. The people of the State are grateful for their interest.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Indiana [Mr. GILLIE].

Mr. GILLIE. Mr. Speaker, under leave granted me to extend my remarks in the RECORD, I wish to take this opportunity of paying high tribute to the Fort Wayne Junior Chamber of Commerce on the twenty-fifth anniversary of the founding of the national organization.

We are particularly proud of the Fort Wayne organization. It has made many outstanding contributions to the civic welfare and progress of our community during its years of public service.

Its membership is composed of young men from every field of endeavor in our community life. The intelligent and public-spirited leadership it has offered, and the unselfish and untiring efforts it has expended in making Fort Wayne a better place in which to live deserve the highest commendation. It is an honor

for me to salute the Fort Wayne organization publicly on this national birthday anniversary which marks a quarter of a century of constructive effort for our community's welfare.

The activities of the Fort Wayne Junior Chamber of Commerce have been as diversified as its membership. Its activities have ranged from aiding in the solution of school traffic problems to assisting in the development of our industrial and economic life.

No praise is too high for the enterprise, the farsighted objectives, and the earnest devotion to assisting their community of those who have served or are serving in the Fort Wayne organization. Many of its members have been active not only in the civic life of their own home community but have served with distinction and self-sacrifice their Nation on the battle fronts of the world. We welcome back those now returning to resume their duties with the junior chamber of commerce to make Fort Wayne a better place in which to live. And we mourn those who made the supreme sacrifice in the great war now won.

The outstanding history of the Fort Wayne organization is clearly reflected in the achievements and national recognition which has come to the city. It is known as one of the "blue ribbon" cities of the country. Contributing in large measure to that record has been the sincere interest, the hopes, and aspirations of the young men who are part of this fine organization. As a sturdy youngster of 25 years in our public life, it stands ready to assist in the continued development of our fine city.

It is indeed a privilege to congratulate the Fort Wayne Junior Chamber of Commerce today, when as a part of the national organization it joins in the twenty-fifth birthday anniversary. It has done a great job. It has a bright future.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Arkansas [Mr. HAYS].

Mr. HAYS. Mr. Speaker, supplementing the statement of my colleague the gentleman from Arkansas [Mr. HARRIS] I wish to express my appreciation for the splendid civic leadership being exhibited by the junior chamber of commerce. Two brilliant young men from my district were pioneers in the national organization in the early days. I refer to Mr. Marvin Hurley, of Russellville, who served as the national executive director for a number of years, and Mr. Thomas Roy Reid, of Little Rock, who succeeded him in that office.

Members of the organization are familiar with the outstanding service of these two men. Mr. Hurley rendered distinguished service in the Corps of Engineers in World War II and is now on the staff of the Houston (Tex.) Chamber of Commerce. Mr. Reid is holding an important executive position in a nationally known firm with headquarters in Baltimore, and both of these men are rendering conspicuous service in their communities.

Their association with the junior chamber of commerce undoubtedly had much to do with establishing them as civic leaders, and the organization in providing opportunities of this type is contributing greatly to the development of community and business leadership throughout America.

Mr. HINSHAW. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. KEFAUVER.]

Mr. KEFAUVER. Mr. Speaker, I join with my friends in paying tribute, on this occasion, to the junior chamber of commerce. For many years I was a member of the junior chamber of commerce at Chattanooga. Although I am slightly over the age limit, I still feel that I am a member of this excellent organization.

Recently, I have met with the members of the junior chamber at both Chattanooga and Knoxville, and I cannot too highly praise the program and the energetic way this program is carried out by the Jaycees in my native State.

The Jaycees are now engaged in a program of getting people interested in government, of getting the voters to register and to pay their poll taxes. It is the type of leadership that we have in the junior chambers of commerce that will enable this Nation to weather the storm that we are now going through. The junior chambers of commerce are teaching young men to become better citizens and better Americans. I say, more power to them.

Mr. HINSHAW. Mr. Speaker, the present national president of the United States Junior Chamber of Commerce, Mr. Henry Kearns, is a resident of my congressional district. This young man is one of those who started from one of the more humble positions, namely a gas-station attendant. In the course of 15 years he has achieved notable business success and the highest office in the United States Junior Chamber of Commerce.

May I say at this point that the California Junior Chamber of Commerce with its 47 local organizations, including the Pasadena Junior Chamber of Commerce, of which I have the honor to be an associate member, is likewise busily engaged in many important projects similar to those discussed by you gentlemen who have heretofore spoken.

It has been my pleasure to watch the development of a great many individual members of the junior chamber of commerce from youths who believed in themselves to men of high responsibility and integrity. Indeed, the junior chamber of commerce is a great school for community leadership. It teaches the young men not only to seek worth-while projects for the benefit of their own communities, their State, and their Nation, but trains them in the art of the promotion to fruition of these worth-while projects.

Many of the finest among the present-day leaders in the civic undertakings of my home city are among or are graduates from the junior chamber of commerce. Their accomplishments are too numerous to cite here, but I salute them one and all.

I desire to thank the gentlemen who have cooperated with me in this program. You have all heard for yourselves the unselfish work accomplished by the young men of America who are members of the United States Junior Chamber of Commerce. You have heard how they have raised money for scholarships and how they have helped 4–H Clubs to raise finer cattle. You have learned of their efforts to prevent delinquency and of their projects to reduce accidents and fires. We have been told of the good they are doing for the sick and disabled, for returning veterans and for orphans and crippled children. Almost 100 worthwhile projects have been described, all of them conceived and developed by these active young men who call themselves the Jaycees. Their unselfish service for others and their goal to train the incoming young men to assume social responsibilities and civic leadership in our Nation is unique. America is proud of them, gentlemen. Our country needs young men like that. The whole world needs them more now than ever before. I say to them for all of us: A happy anniversary, and many, many more to come; may your organization prosper and always keep its high ideals.

The SPEAKER pro tempore (Mr. CARNAHAN). Under previous order of the House, the gentleman from Wisconsin [Mr. MURRAY] is recognized for 15 minutes.

THE FOOD-SUPPLY SITUATION

Mr. MURRAY of Wisconsin. Mr. Speaker, there is a situation which has developed in connection with the food supplies of this country which I am sure should be of great interest to every Member of Congress. Shortly before the Christmas recess, my good friend, the distinguished Member from Tennessee, the Honorable ALBERT GORE, sort of chided the Republicans of this House as to their declarations of principles and what their intent and purposes were. I enjoyed the colloquy that took place though I did not enter into the discussion. There is just one part of that program of the Republicans which comes to mind and I will read it to you:

> We are pledged to the stability of farm prices during the reconversion and readjustment periods. We will carry out those pledges.

I do not know for sure, because I have never been here when the Republicans have been in power, whether they are going to follow the above pledges if and when they elect enough members. The point I would like to make today, and I want to prove it beyond the doubt of any living man, is that the party which is in power at the present time is not carrying it out.

It so happens that my distinguished colleague the gentleman from Tennessee [Mr. GORE] was a member of the Committee on Banking and Currency when the so-called Steagall amendment was added to the Price Control Act. I happen to know of the interest which the gentleman from Tennessee took at that time in having the amendment adopted. I know the support that was given by the Members on both sides of the aisle. The Steagall amendment provided that during the war and for 2 years after the first January 1 following the declaration of the end of the war, the farmers of this country would be guaranteed 90 percent of parity for certain crops and products.

Whether it was right or wrong has nothing to do with the question that we are facing today. Whether parity is right or wrong does not enter into the argument at all. The point is that this Steagall amendment was enacted into law. I am sure the amendment was one of the greatest of forces in stimulating food production during the war, because the farmers of this country knew they could expand their production without losing their shirts. These farmers know a great deal more than some people seem to think they do.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. In just a moment, as soon as I have finished my statement, please.

Now this is not a partisan matter, as I will show you. The announcement with reference to Irish potatoes for next year has been issued. One cannot make it a partisan issue, because the proposed floor price for Irish potatoes for Utah, a completely Democratic State, is the lowest of any State. The Utah support price is only 50 percent of parity instead of the legal, lawful support of 90 percent of parity.

I really feel badly for the distinguished gentleman from Utah, because his State is at the bottom of the list. If that were a Republican State, it would make a nicer story, but, as I said before, it happens to be a State controlled by the Democrats. I do not like to see them use their own boys that badly.

The thing involved in this discussion is that what is done with potatoes will decide whether the Steagall amendment means anything or whether it does not; if the Congress meant what it promised the farmers of this country or if it did not. Whatever they do in connection with these potatoes is going to be a very good indication of what they will do to the rest of the producers of this country that come under the Steagall amendment. I wish I had the time to read you the whole press release issued December 7. Possibly what they need is a refresher course. That is quite a popular word. I want to give them a refresher course. I do not think they can read the law. If they can, they cannot make the computations, and I would like to give them a little refresher course in arithmetic. Anybody who has gone to school a few rainy Saturdays should be able to figure out what 90 percent of parity is. I am not making any personal attack on anybody. I am not in position to do so if I had the desire. As a matter of fact, I am not sure who did figure this out. I just know that it is wrong, and I know that the Secretary of Agriculture is acting as Secretary of Agriculture, and he must assume the responsibility for what his departments do.

The press release states this:

> The operations outlined and base prices are designed to permit growers a return of not less than 90 percent of parity.

That is an absolutely false statement, or else I am the one that needs a refresher course in arithmetic. I need another one on reading, and I need another one on knowing what I have read after I have read it.

I will give you a few of these. Take the State of Tennessee, where our distinguished colleague the gentleman from Tennessee [Mr. GORE] comes from. Tennessee is to be provided 77 percent of parity as a floor price. They have the different States all figured out in an official table. The great State of Wisconsin will get two-thirds of the legal guaranteed price. They are going to get 60 percent of parity instead of 90 percent. But in Minnesota, they do not like them quite so well up there, so they are going to give them 52 percent of parity as a floor price.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. Mr. Speaker, I promised to yield first to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. I call the gentleman's attention to the danger of that suggestion of stabilizing farm prices. I notice whenever people who do not farm begin to talk about stabilizing farm prices they usually have in mind stabilizing them below the cost of production; so you want to beware if they are going to stabilize farm prices that they stabilize them on a parity with industrial prices and wages or else you will grind the farmers down to a status of peonage.

Mr. MURRAY of Wisconsin. I may say to my distinguished colleague from Mississippi that the particular point I am trying to make here is to try to ascertain whether they are going to follow the law or not, not that that is all of it, but if they are not going to follow the law, then take these restrictions off and let the farmers plant when and where and what they want. But it is the opinion of Members of Congress that we guaranteed them a 90-percent-of-parity support price, and, as far as I am concerned, I am one Member of Congress who does not want to go back to my people and tell them that was a lot of "hooey"; I cannot believe that my colleagues want to have to do that, either.

Mr. RANKIN. So far as I am concerned, I think the farmer ought to have 100 percent of parity. The basis of parity should be changed, for instance, and a basis used that would really give the farmers an honest parity and not a phony one.

Mr. MURRAY of Wisconsin. I may say to the gentleman from Mississippi that that is not the point involved. The point involved is that the Congress passed a law, the Steagall amendment, later fortified by the La Follette-Taft amendment in the other body, and our distinguished colleague from Tennessee [Mr. GORE] took one of the leading parts in getting it passed. We all know the gentleman from Tennessee, and, of course, the people on the gentleman's side know him. I know they want to believe he stands committed to the fair administration of that law he was so instrumental in passing. It is not a question of whether the matter of parity was right or wrong, it is a question of whether we are going to follow the law.

Mr. GORE. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield.

Mr. GORE. I appreciate the kindly references of the gentleman from Wisconsin. Wherever the law is lacking in enforcement or in effectuation I will join with him in an effort to bring about its fullest application to the benefit of the farmers of the Nation. I am not as well acquainted with the workings of the program in the gentleman's State as he is. I am aware that in my own congressional district the floor prices are effective. For instance, we are now in a crisis in the marketing of burley tobacco. As the gentleman from Mississippi has just said, the parity formula may need rewriting; I think it does; but the fact stands out that the floor price of 90 percent of parity is standing and is effective on burley tobacco. It is effective on other commodities in my State and in my congressional district. I regret to hear that it is not true of potatoes and other commodities which the gentleman has mentioned. I will gladly join with him in an effort to see that it is applied fully and effectively.

Mr. MURRAY of Wisconsin. I thank the gentleman from Tennessee. I now yield to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], who was seeking recognition a little while ago.

Mr. AUGUST H. ANDRESEN. As I understand it, the gentleman insists that those States wherein there are Democratic administrations or Democratic representation in the majority or in control receive consideration and the gentleman insists that those States represented by Republicans should have the same consideration.

Mr. MURRAY of Wisconsin. I may answer the gentleman by saying that that is not exactly the picture. There is always a little politics, a little sectionalism, or geographical politics, but it is very small. This is not a case of partisan politics, however. As a matter of fact, one could contend they use the Democrats rougher than they do the Republicans. The geographical politics can be explained only in where Texas has a $1.35 floor for potatoes and California an 82-cent floor. That is something for California and Texas, but that is about the only indication I see of geographical politics. It appears many times to take a lot of money to keep our Texas friends happy.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield.

Mr. RANKIN. Is the gentleman speaking of the price of potatoes?

Mr. MURRAY of Wisconsin. I am speaking of the price of potatoes—the guaranteed price for the 1946 crop.

Mr. RANKIN. What is the difference between the prices they sell at in Tennessee and the prices they sell at in Wisconsin under this regulation?

Mr. MURRAY of Wisconsin. I am not interested in what the price is. As far as the potato program was concerned last year—1945—most producers received the legal lawful price. However, the support price announcement for 1946 is 15 cents per bushel below the support price for 1945. If anyone did not obtain the support price in 1945, it has been pretty much the responsibility of the grower himself. Out in the Red River Valley, for instance, there is no doubt but what the people there sold at least a part of their crop at a price lower than the legal support price, but, as near as I can find out, that was partly their own re-

sponsibility. They were in a hurry to sell their crop, and I am not going to blame the Department of Agriculture for that. Possibly they thought the money was going to run out. I am talking about the 1946 program. This is the time to decide whether the Steagall amendment means what it said and to decide whether it means what the Congress said it meant and the Banking and Currency Committee said it meant. If so, all well and good. If it does not mean that, let us not kid the people about it any more. Remember this, the producers are not asking for more. They are not asking for one penny more an hour. All they are asking for is that they be given what the Congress has committed itself to give them.

Mr. PHILLIPS. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from California.

Mr. PHILLIPS. As I understand the law, it says that the price shall be 90 percent of parity or more. If there is any elasticity to the law it is above 90 percent, not below?

Mr. MURRAY of Wisconsin. The gentleman is correct. He is a student of these legislative acts.

Mr. PHILLIPS. The gentleman has already answered one question I was going to ask him, knowing that the California situation was below parity. I was going to ask him what it was, but he stated that.

Mr. MURRAY of Wisconsin. Sixty-seven percent of parity.

Mr. PHILLIPS. Eighty-two percent, is it not?

Mr. MURRAY of Wisconsin. No, it is 67 percent of parity, though the floor is 82 cents per bushel, which is 67 percent of parity.

Mr. PHILLIPS. The point is, the Congress wrote a law and the bureaus that administer the law are not following the formula laid down by the Congress?

Mr. MURRAY of Wisconsin. That is right, I will say to the gentleman from California. Is this just a shadow of things to come? If it does not mean anything, let us quit talking about it and I may say that this is not the first time we have run into that situation. I have been rather complacent during the war period. May I say that Mr. Lafayette Patterson, of the United States Department of Agriculture, went out to Wisconsin a couple of years ago and he did more to straighten the dairy situation out than anybody or anything else. His services were more valuable than all the arguments that could have taken place here on the floor or anywhere else at that time. In other words, if a man has it in his heart and he has it in his mind to do what is right and what the law says, he will do it. I shall never forget the contribution of Mr. Patterson as far as my State is concerned. There were no politics in connection with that, because he put the thing in operation over there and straightened it out in an eminently satisfactory manner. Mr. Patterson appeared to approach the problem on the basis that "no politics is the best politics." The agricultural leaders of Wisconsin have respect for Mr. Patterson. They know they can place confidence in what he says and what he does.

May I say right here that if the other States had produced as much milk as Wisconsin, we would not be running around looking for a pound of butter as we are. That State produced from one-quarter to one-third of the increased milk production in the entire United States. If it had not been for the interest that Lafayette Patterson took in ironing out that dairy situation, the results might not have been so satisfactory. Lafayette Patterson did more to straighten the situation out than anyone else. We are not going to get the people to produce more if you do not keep your word with them. I would vote against all appropriations for the experiment stations, the AAA, county agents, and everything else in the 1946 agricultural appropriation that our distinguished colleagues, the gentleman from Missouri, Hon. CLARENCE CANNON, and the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], will present shortly, if it is necessary, so that we can live up to the promises in the Steagall amendment. Regardless of all the statements you make, in spite of all these good things you may say about this agency or that agricultural agency and all the new schemes you have in mind in the name of agriculture and all the additions to the agricultural pay roll, I understand they are putting a few thousand more on, it is absolutely useless if the Congress is not going to follow the promises it has made. When Congress tells the farm people or any other group of people that you are going to do something, I want the Congress to fulfill its commitments it has already made before it makes any new commitments to any group.

The SPEAKER pro tempore (Mr. SPARKMAN). The time of the gentleman from Wisconsin has expired.

Mr. GORE. Mr. Speaker, with the permission of the gentleman from Tennessee who has the following special order, I ask unanimous consent that the gentleman may proceed for five additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GORE. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from Tennessee.

Mr. GORE. First, I want to congratulate the farmers of the gentleman's State for their magnificent performance, then I want to congratulate the gentleman from Wisconsin for the fine contribution he has made to the solution of agricultural problems in the country. He is recognized as one of the leading students of farm problems in the Congress. In the completion of his remarks I wonder if the gentleman would be so kind as to do for the Congress the service of including in his remarks a full list of the commodities on which price support has been undertaken, the number on which 90 percent of parity has been effectuated, and also those about which he complains, on which 90 percent has not taken place.

Mr. MURRAY of Wisconsin. I will answer the gentleman by saying that I have already in the past put in the crops coming under the Steagall amendment. I want to confine this purely to the potato situation. I have placed in the RECORD the list of crops and food products that come under the Steagall amendment, also a list of the crops that are under the general support price program.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. I think the gentleman from Wisconsin is to be congratulated upon bringing this to the attention of the Nation. As far as I can see all that the gentleman is pleading for is simply that the bureaucrats follow the law of the land and treat all of the citizens of America in like manner as they deserve to be treated under the law.

Mr. MURRAY of Wisconsin. My answer to the gentleman from Minnesota is that I think agriculture is entitled to a permanent support price for agricultural products the same as the minimum wage is provided for other groups. Surely we have not heard anyone suggesting that we lower the minimum wage to any other group, but it seems that half a dozen men can meet in an office and lower the wages as far as potato growers are concerned.

Mr. NORRELL. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from Arkansas.

Mr. NORRELL. I want to concur in what the gentleman has said. As I gather, the gentleman is making the point that it is basic that they are not complying with the law.

Mr. MURRAY of Wisconsin. Or else I need a refresher course in arithmetic and another one in reading.

Mr. NORRELL. As I understand, the basic law provides that they shall take jurisdiction only in cases of critical materials, where there was a bid for the critical materials, and the prices would be increased. I am not talking about the commodity that the gentleman has reference to. But they are now trying to place a ceiling price upon unprocessed cotton at a time when there are probably 10,000,000 bales in this country in excess of present needs. If they can take jurisdiction and fix a ceiling price on cotton and roll the price back, there is no commodity in the country produced by the farmers or processed by industrial workers, whether there is a shortage of such commodities or not, that the OPA cannot take jurisdiction of and establish ceiling prices on.

Mr. MURRAY of Wisconsin. Of course, that is getting over into another field. I just want to confine this merely to the potato business.

Mr. CLEVENGER. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from Ohio.

Mr. CLEVENGER. I am trying to get a little light on cotton.

Mr. MURRAY of Wisconsin. Please stick to the potato business. I do not want to get into the cotton business, because that is another question.

Mr. CLEVENGER. The gentleman will remember this little discovery I

made when we were paying 4 cents a pound on exports of cotton.

Mr. MURRAY of Wisconsin. Twenty dollars a bale. The United States paid out over $12,000,000 in that program in the last year.

Mr. CLEVENGER. I discovered it through the purchase of cotton goods in Spain for relief and giving it away over there, which cost $2.40. They had a ceiling price in the United States of $1.31¼, goods made in the South, and they were using cotton that cost 4 cents a pound more than the Spanish cotton. I wondered at the time we gave it to them whether Franco was such a good ally during the war.

Mr. MURRAY of Wisconsin. I do not want to get into any argument on other sins of omission or commission. I just want to stick to the potato business. I want to know why the Steagall amendment is not being followed, together with the supporting La Follette-Taft amendment.

Economics, human nature, and geographical politics do not mix well for the benefit of the people of any country.

My prepared statement and supporting evidence follows:

THE IRISH POTATO SITUATION

Mr. Speaker, I would like to know exactly what is taking place in regard to the potato program for 1946.

On December 7, 1945, the United States Department of Agriculture announced the 1946 program. The press states, "The operations outlined and base prices are designed to permit growers a return of not less than 90 percent of parity." Someone needs a refresher course either in arithmetic or in reading. Maybe it is the Members of Congress, but I think it is some group that was never elected to any office by anybody.

The Steagall amendment provides for a 90-percent parity floor price for 2 years after the first January 1 following the declaration of the end of the war. That is unless the Secretary of Agriculture by public notice rules otherwise. That is, also, providing the Congress appropriates the necessary funds.

The following table shows the announced support prices for August and September 1946, together with the percentage of parity based on 1945 parity prices. There is nothing in the economic picture to lead one to believe that the farmer will have less production costs in 1946 than he had in 1945.

PART I.—*Early and intermediate potatoes*

SCHEDULE OF BASIC SUPPORT PRICES ON 1946-CROP IRISH POTATOES

[In dollars per hundredweight, U. S. No. 1 quality, bulk loaded at grower's gate]

State and area	From beginning of season through August	Percent of parity[1]
Early:		
Arizona	1.65	79
Arkansas	1.60	77
Georgia	1.70	81
New Mexico	1.60	77
North Carolina	1.60	77
Oklahoma	1.60	77
South Carolina	1.70	81
Tennessee	1.60	77
Texas:		
Western	1.60	77
Other	1.70	81

PART I.—*Early and intermediate potatoes*—Continued

[In dollars per hundredweight, U. S. No. 1 quality, bulk loaded at grower's gate]

State and area	From beginning of season through August	Percent of parity[1]
Intermediate:		
Delaware	1.65	79
Kansas	1.40	67
Kentucky	1.70	81
Maryland	1.65	79
Missouri	1.40	67
New Jersey	1.50	72
Virginia	1.65	79

[1] Parity figured at $2.08 per hundredweight.

PART II.—*Late potatoes*

SCHEDULE OF BASIC SUPPORT PRICES ON 1946-CROP IRISH POTATOES

[In dollars per hundredweight, U. S. No. 1 quality, bulk loaded at grower's gate]

State and area	September	Percent of parity[1]
California:		
Modoc and Siskiyou	1.35	64.9
Stockton	1.50	72.1
Colorado:		
Greeley	1.20	57.7
San Luis Valley	1.20	57.7
Western Slope	1.15	55.3
Connecticut	1.60	76.9
Idaho:		
Northern	1.10	52.9
Other	1.15	55.3
Illinois	1.50	72.1
Indiana	1.50	72.1
Iowa	1.40	67.3
Maine:		
Aroostook	1.20	57.7
Other	1.30	62.5
Massachusetts	1.60	76.9
Michigan	1.40	67.3
Minnesota:		
Northern	1.10	52.9
Other	1.25	60.1
Montana	1.15	55.3
Nebraska	1.25	60.1
Nevada	1.30	62.5
North Dakota	1.10	52.9
New Hampshire	1.60	76.9
New Jersey	1.60	76.9
New York:		
Long Island	1.60	76.9
Other	1.50	72.1
Ohio	1.50	72.1
Oregon:		
Eastern[1]	1.15	55.3
Other	1.35	64.9
Pennsylvania	1.50	72.1
Rhode Island	1.60	76.9
South Dakota	1.20	57.7
Utah	1.05	50.5
Vermont	1.60	76.9
Washington	1.25	60.1
West Virginia	1.55	74.5
Wisconsin	1.25	60.1
Wyoming	1.25	60.1
Other States	1.50	72.1

[1] Percentage of parity figured on $2.08 per hundredweight.

If anyone can explain why the support price in California is 81 cents per bushel or 67 percent of parity for May 1946 and $1.35 per bushel or over 100 percent of parity it would be interesting to hear; or why California has an April 1946 floor price of 90 cents per bushel and Texas a $1.56 per bushel April 1946 support price.

The above percentages are conservative and were figured on the April 1945 average of $2.08.

At this point I include an excerpt from a letter received by me dated January 11, 1946, from the Bureau of Agricultural Economics:

Parity prices of potatoes apply to the United States average for all potatoes, whether early, intermediate, or late. The parity price for all potatoes from April through August 1945 was $2.08 per 100 pounds; for September, $2.12 per 100 pounds; and from October through December, $2.13 per 100 pounds.

Here then are some questions that have to be answered:

First. Does the Steagall amendment really mean anything or is it just an empty promise? Is it to be another broken promise?

Second. Are a few bureaucrats to be allowed to determine these support prices or are they to be calculated to operate in conformity to the "intent of Congress" when this legislation was passed?

Third. Did you ever hear of a Government plan to negotiate or contract for an airplane costing $100,000 then pay off at 60 to 70 cents on the dollar?

Fourth. Would you approve an arbitrary pay cut in the hourly wage at the Navy Yard?

The more I see of the schemes to reduce the hourly wage of the food and fiber producer of the Nation, which have and are now being put in operation, the more I am convinced that the Farmers Union's plan to have the farmer have an individual contract with the administration is necessary. The Farmers Union evidently were more familiar with the inside workings of the Agriculture Department. The plan was turned down. Frankly, it is more apparent each day that this administration has too many people in high positions that pay no attention to the law or to the Congress, at least not enough attention to follow it anyway.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Tennessee [Mr. KEFAUVER] is recognized for 15 minutes.

REPORT AND QUESTION PERIOD

Mr. KEFAUVER. Mr. Speaker, for several years, as most of you know, I had pending a resolution before the Committee on Rules of the House to establish what is commonly called a report and question period for the purpose of enabling us to invite Cabinet members and administrators to come to the floor of the House and answer questions and report to us as to how they are administrating the laws that we have passed, about their general plans, what their program is relative to the great problems that we have before us, and to give them an opportunity of carrying their message to the whole membership of the House. The number of the current resolution is House Resolution 31.

It seems to me that since we are now faced with so many grave situations such as the industrial and labor difficulties, demobilization, reconversion, and countless other matters that are before Congress and the Nation, this is the time when we should put this plan into operation. This is a time when there has to be cooperation and coordination, working together, between the executive department and Congress if we are going to solve these pressing problems before the Nation.

In the first place, we need to be taken into the full confidence of the executive department as to the program to be worked out. I think one of the reasons Congress has not cooperated better with the President's program is that we were

not advised about the facts and the reasons for some proposals. Not many Members of Congress were taken into the confidence of the executive in working out the program which has been submitted.

Furthermore, frequently the executive department does not get our viewpoint. We can give the executive department, through this plan, the viewpoint of the people we represent, which would enable them to more intelligently formulate a recommended legislative program.

The proposal I have made is that we have a report and question period on the floor of the House of Representatives at least once every two weeks but not more than once a week. The session should not last more than 2 hours. During this period a particular Member of the Cabinet or head of an agency would be invited to appear on the floor of the House and answer written questions which had already been prepared and submitted to him by the legislative committee which issued the invitation.

This procedure would give the Cabinet officer an opportunity of preparing answers to the questions, and the legislative committee would thus be able to direct the course the discussion is to follow. The last half of the question period would be taken up with questions by Members from the floor of the House. The time for questions from the floor would be under the control of the chairman and the ranking minority member of the committee which issued the invitation. The Rules Committee of the House would fix the length of time for the period, which in any case would not be more than 2 hours, and the Rules Committee would also fix the priority of appearances in the event more than one invitation is pending at any one time.

I believe much good would result if administrators were brought face to face with the representatives of the people under an orderly procedure in order that they and the country might have the benefit of free and open consultation between them.

Mr. Speaker, on yesterday General Eisenhower, Admiral Nimitz, and Admiral Denfeld appeared in the auditorium in the Library of Congress and Members of Congress were invited to come over and listen to what they had to say about demobilization, getting our soldiers back home and out of the service. I know everyone appreciated hearing what they had to say, but we had no opportunity of asking them any questions about the details of the plan. We had no opportunity of expressing our point of view to them. We were there like a bunch of schoolboys brought in to listen to what they had to say.

Previously, we have had Secretary Stimson and Under Secretary Patterson over in the Library of Congress, and the same thing took place.

I think we all recognize that those sessions are valuable, but think how much more valuable they would be to the Members of the House and to the country at large if we could under an orderly procedure have them and other Cabinet members come here every so often upon the invitation of a committee, in our own forum, where we could direct the course of the discussion, where what took place would be printed in the CONGRESSIONAL RECORD, and where we would have an opportunity of bringing out the fact that we, the Representatives of the people, and the people want to know.

What this resolution really proposes is to enable the committees to do an important part of their work on the floor of the House. As matters now stand, there is no adequate procedure where the average Member of Congress can get a necessary working knowledge even of the organization of the big executive departments. We have no workable way of learning about their problems or even of ascertaining the make-up of the various divisions of the bureaus. We have no way of keeping currently advised as to the manner and method they pursue in administering the laws we pass. Better information along these lines is necessary if we are to legislate intelligently.

Under the proposal I have made a committee could make its work easier if it had this means of informing the entire membership of the House of the organization and problems of the departments over which the committee has jurisdiction. If nothing else is done than to have the committee bring in the heads of the departments to explain to the membership of the House the organizational plan of the departments, what the various divisions do, what laws they administer, how much personnel they have, how they deal with the public, the difficulties they encounter, and their general problems in trying to do a good job, I feel that this resolution would be justified. Certainly we have no easy method of getting this information under our present set-up. For instance, it very frequently happens that four or five committees of the House are very vitally interested in the same problem. In the matter, for instance, of reconversion, every committee in the House has something to do with some aspect of reconversion. In the matter of the sale of surplus war goods, several committees have bills dealing with that subject. The Military Affairs Committee has a bill and thus has a part in the picture. The Committee on Naval Affairs and the Committee on Banking and Currency and the Committee on the Judiciary have a part in the picture.

The result is we have these administrators very frequently running from one committee to another on both sides of the Capitol explaining to several subcommittees, or possibly to the whole committee, what the problem about the sale of surplus property is. What we need in these matters which transcend the jurisdiction of any one committee, big matters such as the sale of surplus property, demobilization, and many of these laws we are now considering, is to have a discussion and full-fledged debate and a statement about the program and the reason for it made here before the full membership of the House so that everybody can hear and understand. It would be of inestimable benefit to the membership and to the public. It would be of great benefit to the heads of the departments because they could do the whole job at one session and they would have an opportunity of getting their points of view over to the entire membership and not have to appear before six or seven subcommittees and then only reach a minor fraction of the membership.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from Mississippi.

Mr. RANKIN. That is the old British system which the framers of our Constitution got away from. One trouble is, in the first place, that we have about 40 or 50 committees of the House. We have a right to examine these bureau heads and the heads of departments before those committees. You spoke a while ago about reconversion. If you brought them here on the floor of the House, you would probably have to bring a dozen persons out of one department, or a half dozen, at least, to answer questions concerning, we will say, the disposition of surplus property, as well as other issues. You would take up the time of the Congress to a greater extent, in my opinion, that way than we do under the present system. I am chairman of the Committee on World War Veterans' Legislation. When we want information, we have no trouble in getting the head of the Veterans' Administration or anybody who is under the Administrator to come before the committee and answer questions. If you took up all that time on the floor of the House, it would leave us very little time to legislate.

Mr. KEFAUVER. May I say to the gentleman that I appreciate his observation. In the first place, however, this is not the British system which I have proposed. Their system of government is so entirely different from ours that there is not much to be gained in comparing the two. The only thing this plan is intended to do is to give better information to the Members of the House and place more direct responsibility on the heads of the executive departments and to try to bring about a little better working understanding between the two branches of government. I say also that the gentleman is mistaken in saying that the writers of the Constitution ruled out this plan. While we do have a division of power among three separate branches under our Constitution, and I want to say now that I have never had any intent nor do I have now any intent to upset the so-called traditional division of power, it was never intended by the writers of our Constitution that we should operate in three separate watertight compartments. Necessarily, there must be a fitting together of our operation if we are going to be effective. I say also to the gentleman that unquestionably the founding fathers anticiated that what I have proposed here would be done because he knows from history that in the first Congress several members of the Cabinet personally appeared before the Senate and House of Representatives and consulted and advised with those bodies while they were in session.

Even President Washington actually came before the Senate in connection with the treaty with the Creek Indians and advised with them personally. Members of the Cabinet on some 23 or 24 occasions did the same thing.

I call attention to this fact: That in the creation of the Treasury Department in the act passed in 1789, the Congress at that time, of course, had many of the founding fathers as Members of the Senate and the House. In that act the gentleman will find that the Secretary of the Treasury may be required to report to Congress, either in writing or in person. That is in the law today. So it was never contemplated that this could not be or should not be done.

Further answering the gentleman, I did not mean that it would be advisable to have any administrator here for the purpose of going into the details, the little questions, the small matters that are brought out in committee hearings. What I had in mind would be more like General Eisenhower's statement of yesterday; a general, over-all plan; not the details. The details would have to be worked out in committees.

The gentleman said he never has any trouble in getting General Hines or General Bradley or the heads of the Veterans' Administration before his committee to find out about any problem that is before the committee. The trouble is that while the members of his committee may have full facts and information about what they testified, other Members of the House who are equally interested in those things have no easy way of keeping advised of their general program or of knowing the content of the statements they make before committees.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. KEFAUVER. I yield to the distinguished gentleman from Arkansas.

Mr. HAYS. I appreciate the service the gentleman from Tennessee is rendering in directing public attention to this problem of procedural changes so as to improve the character of our service as the policy-making body of this Government. I doubt if in the history of America there has been so much interest in Congress and its work. A great responsibility rests upon us to keep our procedure modernized, leaving us with a system that is flexible enough to respond to the demands made upon us.

Addressing comment to what the gentleman from Mississippi [Mr. RANKIN] has said, I should like to point out that a great service could be rendered us with respect to th work of his committee if, in advance of such meeting as the gentleman from Tennessee has in mind, we had a set of questions prepared by the gentleman from Mississippi. The gentleman from Mississippi would be in a peculiarly good position to prepare such questions of general interest, growing out of studies made by his committee. I can think of nothing more profitable than to have a 2-hour session upon the general problem of rehabilitation and veterans' legislation, directed by the gentleman from Mississippi, pointed up by him, so that the answers would appear in the CONGRESSIONAL RECORD rather than being confined to committee reports.

The SPEAKER pro tempore (Mr. SPARKMAN). The time of the gentleman from Tennessee has expired.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for five additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. KEFAUVER. May I make this observation: I appreciate the comments of my distingulshed colleague from Arkansas [Mr. HAYS]. The gentleman has described the system as I would like to see it operate. That is, we are all tremendously interested in the work of the Veterans' Committee and matters of redeployment of veterans and questions which the gentleman from Mississippi has before his committee. Under this plan he would do just exactly what the gentleman from Arkansas stated. The gentleman from Mississippi and the ranking minority member of the Committee on Veterans' Legislation would prepare questions which would be sent to the Administrator of the Veterans' Administration, after consultation with him, of course, as to matter that the gentleman from Mississippi and the ranking minority member felt would be of great interest to the entire membership of the House.

By this method all of us could better understand what the Veterans' Administration had in mind and what the Veterans' Committee of this House was doing. When the head of the Veterans' Administration appeared here, say for an hour or 2 hours, the first half of the time would be consumed in answering those questions which had been submitted, and the next half would be under the control of the gentleman from Mississippi and the ranking minority member of his committee to yield to anyone who wanted to ask the head of the Veterans' Administration a question. The resolution provides that the questions must be germane to the preceding discussion. If they were not germane, a point of order could be made or the Administrator would not have to answer.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman referred to members of the British Cabinet appearing before the House of Commons. The members of the British Cabinet, of course, are members of the House of Commons. I merely spoke of the Veterans' Committee. I am also a member of the Committee on Rivers and Harbors. In this committee the Secretary of War seldom appears but the Army engineers do. In the matter of the Committee on the Census the head of the department does not appear but as a rule the head of the Bureau of the Census comes before the Committee. It would be almost interminable.

Thomas Jefferson, who did more toward helping to establish this Government than almost any other man of his day and generation, wrote the rules of this House. You will find them in the Manual. We have changed them from time to time, modified them to meet changing conditions. If there is any member of the Cabinet or the head of a bureau or department that any Member wants to invite to come before the House he can do so by a simple resolution; but I submit I am not ready to pull up the sheet anchors that have guided the destiny of this Congress for 150 years through peace and through war and plunge into a program that in my opinion would probably bring a waste of time if not chaos here in the House. For that reason I do not agree to the proposition at all.

Mr. KEFAUVER. May I say to the gentleman from Mississippi that we are not proposing to do anything that was not intended to be done in the beginning. The gentleman will recall that Thomas Jefferson stopped the practice of the President's personally appearing and delivering his message on the state of the Union, and for the next 115 years it was not revived until the day of Woodrow Wilson.

Let me say further that if the committees do not believe these sessions are of any value to the House that they do not have to issue any invitations. They would only be issued, in the case of the gentleman's committee, if the Veterans' Committee felt it would be of some value to the House.

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for five additional minutes.

Mr. BUFFETT. Mr. Speaker, reserving the right to object, I have a special order.

Mr. RANKIN. Mr. Speaker, I withdraw my request; I did not know that, I will say to the gentleman from Nebraska.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to proceed for one additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. RANKIN. Mr. Speaker, will the gentleman yield further?

Mr. KEFAUVER. I yield.

Mr. RANKIN. I wish to remind this House that during the early days of the Congress they started out on this proposition and even attempted to question George Washington when he was delivering his message. The wisdom of the statesmen of those days caused them to abandon that practice, and we are following in the footsteps of men like Thomas Jefferson, James Madison, John Adams, John Quincy Adams, and the other great leaders who helped to found, establish, and perpetuate this representative form of government we now enjoy; and I see no reason to change the procedure now for the European system. We have the finest parliamentary system on earth, and I see no reason for changing it, especially at this time.

Mr. KEFAUVER. And I may say to the gentleman that in one of the last letters President Washington wrote he expressed regret that some system had not been worked out whereby there could be consultation between the Executive and the legislative.

NONPARTISAN ISSUE

This is in no sense a party measure—it appeals to no partisan interest, it

awakens no party spirit. It is not intended to interfere with, to lessen, or increase the rights and prerogatives of the majority or of the minority.

Before drafting this resolution I consulted with many thoughtful members of both parties. The plan is highly recommended by Democratic and Republican newspapers in all sections of the country. It is strictly a nonpartisan effort to enable us to improve the machinery with which we do business.

NO CHANGE IN BALANCE OF POWER OR OF TRADITION

This resolution is not intended to infringe on the spirit of our Constitution. It is not intended to upset the balance of power between the divisions of our Government. It does not interfere with the so-called separation of powers. I do not seek to substitute, now or eventually, the parliamentary system, or any other system, for ours. I do not seek to either aggrandize or impair the Executive power as defined in the Constitution and vested in the President. I do not seek to give the Congress any undue or unconstitutional power over the Cabinet members and heads of departments. The Cabinet members are selected by the President and their service can be discontinued by the President. It is not the intent of this resolution to alter their legal relations either to the President or to the Congress.

The resolution only seeks to confer upon them a privilege and a duty. The privilege is to give them an opportunity to explain their departments, their problems, and to give us their advice. The duty is to give us current facts and expert information face to face, which will help us with our problems, which will enable us to legislate with better information and, therefore, more intelligently.

The report and question period provided for in the resolution is intended to be an occasion which will be carried out in an orderly fashion—an occasion of benefit to the Members of the House and to the executive alike. I do not want the executives to be subjected to heckling or improper questioning. I am sure this will not occur on these occasions. I am certain that they will be most useful and that proper decorum will be maintained by all parties concerned.

MUST CONSIDER NEEDS OF AVERAGE CONGRESSMAN

The average tenure of a Member of the House is a fraction over two terms, so, over a course of years the majority of votes cast by the House are by men who have been here slightly over two terms. We must consider in determining whether our machinery is adequate or not the question of whether that machinery enables the second-term Congressmen to become acquainted with the ramifications of the departments, the policies of the departments, and to find out whether they are doing their job as was intended by Congress.

I am serving my fourth term. I am frank to confess that there are many departments of the Government with which I am very poorly acquainted. Certainly I do not have time or the means under our present system to know as much about the workings of the bureaus as I should. These bureaus, mind you, were established by us and it is our duty to acquire more knowledge of what they are doing and to become better versed with their problems.

H. R. 31 VASTLY DIFFERENT FROM PENDLETON PLAN

A Gallup poll showed that 72 percent of the people interviewed are in favor of the plan set forth in this resolution. Only 7 percent were against it. Yet, in Congress, I know there is a larger adverse percentage. The trouble I have had is that some Members are inclined to be against this idea because they have in mind the old resolutions on this subject and they have carried over their prejudices against the old ones to this one.

This proposal is so different from that presented by Congressman Pendleton and by President Taft that I doubt the value of comparing it to these previous plans and yet the prejudice is there—based upon the Pendleton-Taft proposals. Also, since it may be charged that this idea is not in keeping with our precedents, it is at least of interest from a historical point of view to examine these precedents.

PRECEDENTS FOR PLAN

Our founding fathers never intended that the three divisions of our Government should work at cross purposes. Rather, I think our Constitution intended that some consultative custom be worked out. There is nothing in the Constitution to prohibit this being done. The branches of the Government are separate but each branch affects the workings of the other branch. It was never intended by our Constitution makers that the divisions of Government should be kept separate in a strict and actual sense. The founding fathers, I think, intended that some procedure like this should be inaugurated. In the law organizing the Treasury Department, passed in 1789, it made it the duty of the Secretary of the Treasury to "make reports and give information to either branch of the legislature, in person or in writing—as he may be required—respecting all matters which may be referred to him by the Senate or House of Representatives or which shall appertain to his office."

In the debate on that bill it was expressly objected to that it might lead to the introduction of all the Secretaries on the floor, but the bill was nevertheless passed and without so much as a denial that such would be the result.

Nor has history been without illustration of the necessity and of examples of this practice. In the early days of the Government the Secretaries were repeatedly called to the presence of either House for consultation, advice, and information.

Wednesday, July 22, 1789: The Secretary of Foreign Affairs (Mr. Jefferson) attended, agreeably to order, and made the necessary explanations. (Annals of Congress, vol. 1, p. 51, 1st Cong.)

Saturday, August 22, 1789: The Senate again entered on executive business. The President of the United States came into the Senate Chamber, attended by General Knox (Secretary of War), and laid before the Senate the following statement of the facts, with the questions thereto annexed, for their advice and consent. (Annals of Congress, 1st Cong., vol. 1, p. 66.)

And again on the Monday following the President and General Knox were before the Senate:

Friday, August 7, 1789: The following message was received from the President of the United States by General Knox (the Secretary of War), who delivered therewith sundry statements and papers relating to the same. (Proceedings of House of Representatives, Annals of Congress, vol. 1, p. 684.)

Monday, August 10, 1789: The following message was received from the President by General Knox (Secretary of War), who delivered in the same, together with statement of the troops in the service of the United States. (Proceedings of House of Representatives, Annals of Congress, vol. 1, p. 689.)

There are about 14 instances when a member of the Cabinet appeared before the Senate during the First Congress. There are 8 instances cited in the Congressional Globe of appearances before the House. The record is not clear as to just what took place on most of these occasions. It is fair to say that in most instances the Cabinet member acted largely as a courier.

WASHINGTON, CHAIRMAN OF CONSTITUTIONAL CONVENTION, BELIEVED IN CONSULTATION WITH CONGRESS

Historians usually say that Washington did not like the treatment he received before the Senate on one occasion and decided he would not go back. The record shows that he was kept waiting 2 days on one occasion when he was asked to appear. This may have been one reason for his discontinuing the practice of consulting with the Senate. It is clear, however, that Washington thought the practice in line with the Constitution and with our form of government.

In the Executive Journal of the Senate, volume 1, page 55, it appears that on August 4, 1790, President Washington sent a message to the Senate communicating the draft of a secret article to be incorporated in a treaty with an Indian tribe. The message closed with these words, "if the Senate should require any further explanation, the Secretary of War will attend them for that purpose." This—mind you—was a message from the Father of our Country, the man who presided over the Constitutional Convention.

In the debate over the establishment of the Treasury Department no one objected to the provision which requires the Secretary of the Treasury to report in person to either branch of the legislature if the legislature chooses, on the grounds that this provision violated the Constitution or was not in keeping with our precedents. Mr. Madison was there and raised no objection to this provision. Later on when Mr. Hamilton, the Secretary of the Treasury, had a report for the funding of the national debt which he wanted to make in person to the House of Representatives, a lengthy debate over his proposed appearances took place. This was during the Second Congress. It was decided to have Mr. Hamilton submit his report in writing. The decision was made principally on the ground that since the report was detailed and dealt with many figures, that it would be of more benefit to the Members of the House if delivered in writing. Perhaps the real reason Hamilton was

not allowed to present the report in person was due to the antagonism between Hamilton and his followers and the followers of Madison.

EXPERIENCE OF CONFEDERATE STATES

It is of historical interest to review the action taken by the outstanding men who wrote the Constitution of the Confederate States. I think we are far enough away from the Civil War, so that we from the South can be grateful that the Union was preserved and those from the North can appreciate the ability and genius of some of the leaders of the Confederacy such as Robert E. Lee, Jefferson Davis, and Alexander Stephens. Alexander Stephens, in spite of ill health, was one of the great statesmen and brains of his time. In the convention to adopt a constitution for the Confederate States, Mr. Stephens was chairman of the committee on rules. The provisional government of the Confederacy adopted a resolution, reported by Mr. Stephens, that the heads of departments be admitted to the floor of Congress both in secret and in open session.

The idea was later written into the permanent constitution of the Confederate States, in the following language:

Article 1, section 6 (2): No senator or representative shall, during the time for which he is elected, be appointed to any civil office under the authority of the Confederate States, which shall have been created, or the emoluments of which have been increased during such time; and no person holding any office under the Confederate States shall be a member of either house during his continuance in office. But Congress may, by law, grant to the principal officer in each of the executive departments a seat upon the floor of either house, with the privilege of discussing any measures appertaining to his department.

The Confederate Constitution was very similar to the Constitution of the United States. It followed the idea of the three separate powers. Its framers did not believe it would adversely affect the functions of the three separate divisions.

The Confederate Constitution was unanimously approved by a group of outstanding Americans—delegates were there from all the States of the Confederacy. Mr. J. L. M. Kerr, a distinguished member of the convention from the State of Alabama, in his book Civil History of the Confederate States, tells the reason why this innovation was put in the Confederate Constitution.

Anyone familiar with public life in Washington knows that, under some administrations, there has been an injurious lack of sympathizing intercourse between the executive and legislative departments, and especially between members of the Cabinet and committees of Congress, concerned in matters of mutual interest. The absence of facility of communication often proves a bar to the easy and better working of the Government.

One of the outstanding authorities on government of those days was Alexander Stephens of the State of Georgia. In his opinion the lack of consultation and coordination between the executive and legislative branches was one of the weaknesses of the Federal Government. He makes a very strong argument for the plan adopted in the Confederate Constitution in the excellent book which he later wrote. The improved procedure had been actually practiced under the provisional Federal Government of 1861, but because of conditions created by the war the plan was never fully carried out. Jefferson Davis, in his book The Rise and Fall of the Confederacy, stated:

This wise and judicious provision, which would have tended to obviate much delay and misunderstanding, was never put into execution by necessary legislation.

PENDLETON RESOLUTIONS

In 1864 a bill to permit the heads of the executive departments to occupy seats on the floor of the House was reported unanimously by a select committee headed by Mr. Pendleton, of Ohio. The urgency of the Civil War rendered it difficult to secure attention to the subject, although the debate revealed strong support for the measure by many distinguished legislators such as Mr. Garfield, afterward elected President, and Mr. Blaine, afterward Speaker of the House. Later, during the Forty-sixth session of the Congress, a resolution was introduced by Mr. Pendleton, then a Senator, to make it possible for heads of executive agencies to appear on the floor of the Senate. This resolution was referred to a select committee of seven, which unanimously reported the resolution. The committee was composed of three Democrats and four Republicans, and its membership was made up of men whom it would be difficult to surpass for ability and statesmanship. The signers of the report were Senator Pendleton, at one time Democratic candidate for Vice President; Senator James G. Blaine, who was twice Secretary of State and later a Republican candidate for President; Senator W. B. Allison, who was for 35 years a Member of the Senate; Gen. M. C. Butler, a Confederate veteran and a major general of the Spanish-American War; Senator James T. Farley; Senator John G. Inglass; and Senator Orville H. Platt.

I could give you hundreds of recommendations by former Members of Congress, executives, historians, and other prominent Americans urging favorable consideration of this means of communication. I will name only a few of our leaders who have advocated this procedure and will read short extracts from some of their statements in favor of it. These men are good authorities upon whom we can rely. In their statements are found many good reasons for the adoption of this system.

CONTEMPORARY SUPPORT

President Howard Taft, in his message to Congress made December 19, 1912, made a forceful argument for adoption of this proposal. He said in part:

There has been much lost motion in the machinery of Congress due to the lack of cooperation and interchange of views face to face between the representatives of the Executive and the Members of the two legislative branches of the Government. It was never intended they should be separated in the sense of not being in constant effective touch and relationship to each other. The legislature and Executive each perform its own appropriate functions, but these functions must be coordinated. I do not think that I am mistaken in saying that the presence of the members of the Cabinet on the floor of each House would greatly contribute to the enactment of helpful legislation.

Chief Justice Charles E. Hughes, in 1924, when Secretary of State, said:

It ought to be possible for Cabinet officers to take part in debate in both Houses on matters touching their departments and thus be able to give exact information and to defend themselves against unjust attacks. Under the present arrangement a Cabinet officer often hears of misunderstandings and of an outpouring of mistaken notions which a brief statement from him would have corrected, but the misapprehension has been voiced and has gone through the country perhaps never to be overtaken.

We can preserve the advantages of stability and enhance the opportunity of Executive leadership, not by overriding the cherished prerogatives of the Congress or by attempting to gain an illicit advantage for the leadership but having a recognized contact through the regular admission of Cabinet officers to the floor of the House of Congress.

The late Elihu Root wrote, April 20, 1935:

It has long seemed clear to me that we ought to have some arrangement under which Congress would have the benefit of more prompt and authoritative information as to the action of the executive department.

On the other hand, I think that a sense of liability of prompt explanation has a very good effect upon the head and the leading members of an executive department.

The Honorable John W. Davis wrote, March 19, 1936:

I have always thought it would be a good thing if members of the Cabinet were given the privilege of the floor of either House of Congress.

Congress, having control of its own procedure, can undoubtedly inaugurate such a system if it wants to. I am not sure that each House could not do it on its own account. One of the greatest advantages of the attempt is that it could be abandoned if it proves a failure, without any permanent amendment to the Constitution.

I do not remember that I have ever discussed the subject in any public address, but I am quite willing to be quoted in favor of the experiment.

President James A. Garfield said:

Who does not know that the enactment of such a law will tend to bring our ablest men into the Cabinet of the Republic? Who does not know that if a man is to be responsible to his executive acts and also be able to tell why he proposes new measures, and to comprehend the whole scope of his duties, weak men will shirk from taking such places? Who does not know that it will call out the best talent of the land, both executive and parliamentary? It is the silent, secret influence that saps and undermines the fabric of republics, and not the open appeal, the collision between intellects, the array of facts. I hope that this measure will be fairly considered. If it does not pass now, the day will come, I believe, when it will pass. When that day comes I expect to see a higher type of American statesmanship, not only in the Cabinet but in legislative halls.

On another occasion President Garfield said:

I have long believed that the official relations between the Executive and Congress should be more open and direct. They are now conducted by correspondence with the presiding officers of the two Houses, by consultation with committees, or by private interviews with individual Members. This frequently leads to misunderstanding, and may lead to corrupt combinations. It would be far better for both departments if the members of the Cabinet were permitted to sit in

Congress and participate in the debates on measures relating to their several departments—but, of course, without a vote. This would tend to secure the ablest men for the chief executive offices; it would bring the policy of the administration into the fullest publicity by giving both parties ample opportunity for criticism and defense.

President Woodrow Wilson, Committee or Cabinet Government? Overland Monthly, volume 3, third session, January 1884, page 25, said:

Cabinet government would, moreover, put the necessary bit in the mouth of beast caucus, and reduce him to his proper service, for it would secure open-doored government. It would not suffer legislation to skulk in committee closets and caucus conferences. Light is the only thing that can sweeten our political atmosphere—light thrown upon every detail of administration in the departments. * * *

It cannot be too often repeated that while Congress remains the supreme power of the state, it is idle to talk of steadying or cleansing our politics without in some way linking together the interests of the Executive and the Legislature. So long as these two great branches are isolated, they must be ineffective just to the extent of the isolation. Congress will always be master and will always enforce its commands on the administration. The only wise plan, therefore, is to facilitate its direction of the Government and to make it at the same time responsible in the persons of its leaders for the acts of control and for the manner in which its plans and commands are executed. The only hope of wrecking the present clumsy misrule of Congress lies in the establishment of responsible Cabinet government. Let the interests of the Legislature be indissolubly linked with the interests of the Executive. Let those who have authority to direct the course of legislation be those who have a deep personal concern in building up the executive departments in effectiveness, in strengthening law, and in unifying policies; men whose personal reputation depends upon successful administration, whose public station originates in the triumph of principles, and whose dearest ambition it is to be able to vindicate their wisdom and maintain their integrity.

Committee government is too clumsy and too clandestine a system to last. Other methods of government must sooner or later be sought, and a different economy established. First or last, Congress must be organized in conformity with what is now the prevailing legislative practice of the world. English precedent and the world's fashion must be followed in the institution of cabinet government in the United States.

Dr. Nicholas Murray Butler, president of Columbia University, and one of our greatest authorities on American government, in his excellent book, Is America Worth Saving? at page 60, had this to say:

The business of national government has become so huge and so complex that the sharp separation of the executive and the legislative powers to which we have been accustomed for 140 years is now distinctly disadvantageous. It brings in its train lack of coherence and of continuity in public policy; it conceals from the people much that they should know, and it prevents effective and quick cooperation between the Congress and the executive departments, both in times of emergency and in the conduct of the ordinary business of government. There is a way to overcome these embarrassments and difficulties without in any way altering the form of our Government or breaking down the wise safeguards which the Constitution contains. That is to provide by law, as may be done very simply, that the members of the Cabinet shall be entitled to occupy seats on the floor of the Senate and House of Representatives, with the right to participate in debate on matters relating to the business of their several departments, under such rules as the Senate and House, respectively, may prescribe. Such an act should further provide that the members of the Cabinet must attend sessions of the Senate and House of Representatives at designated times, in order to give information asked by resolution or to reply to questions which may be propounded to them under the rules of the Senate and the House of Representatives.

Were such a custom to be established an almost certain result would be the selection as heads of the great executive departments of men of large ability and personal force—men able to explain and to defend their policies and measures before the Congress of the United States in the face of the whole country. It would also follow that the Nation's Legislature would be enabled to exercise a more intelligent and a more effective control over the executive departments than is now the case, as well as to render them more intelligent and more effective aid in the form both of appropriations and of positive law.

When Representative Clyde Kelly, of Pennsylvania, became the champion of the proposal, in the course of his campaign for it he asked the views of Mr. Hoover, then a Cabinet member. In replying, June 23, 1922, Mr. Hoover said he believed this one of the most constructive steps that could be taken in furthering the development of our political machinery.

There are in my mind overwhelming arguments that can be introduced in favor of this change in our traditions. I do not believe that any fundamental criticism can be directed against it except by those who would deliberately exaggerate it as an attempt to establish a form of parliamentary government. Anyone who understands the basis of such European organization will at once recognize that the step you propose has no relation whatever to this form of government.

Dr. Charles A. Beard, the noted historian, stated:

This (requiring Cabinet members to attend Congress) should have a wholesome influence on both departments of government. Again and again Congress enacts laws in vague and general terms, leaving interpretation and application to executive authority. In such cases it frequently happens that the administrator departs, or seems to depart, from the intention of the legislation, assuming that it was ever clearly formulated. The Members of Congress attack the administration on the floor and the administration fires volleys through the press at Members of Congress. Not an edifying spectacle. More than that, it delays, confuses, and hampers the transaction of business. Every issue of this character should be defended on the floor of Congress with the parties in interest face to face, the press watching, and the country informed.

Justice Story, The Constitution, section 869, said:

The heads of the departments are, in fact, thus precluded from proposing or vindicating their own measures in the face of the Nation in the course of debate, and are compelled to submit them to other men who are either imperfectly acquainted with the measures or are indifferent to their success or failure. Thus that open and public responsibility for measures which properly belongs to the executive in all governments, and especially in a republican government, as its greatest security and strength, is completely done away. The executive is compelled to resort to secret and unseen influences, to private interviews, and private arrangements to accomplish its own appropriate purposes, instead of proposing and sustaining its own duties and measures by a bold and manly appeal to the Nation in the face of its representatives. One consequence of this state of things is that there never can be traced home t the executive any responsibility for the measures which are planned and carried at its suggestion.

Another consequence will be (if it has not yet been) that measures will be adopted or defeated by private intrigues, political combinations, irresponsible recommendations, and all the blandishments of office, and all the deadening weight of silent patronage.

H. R. 31 AVOIDS MANY OBJECTIONS MADE TO PENDLETON PLAN

Before drafting this measure I read all the congressional debate in the various Congresses on the so-called Pendleton-Taft plan. That plan, set forth by bills and resolutions, simply provided that heads of agencies and departments should have a right to sit on the floor of the House and participate in debate affecting their departments. The plan also provided that on certain days they should be required to appear in the House or Senate and answer questions.

The principal objections to the Pendleton-Taft plan were that it required attendance by the administrators. Many felt they would interfere with the work of Congress by being on the floors of Congress a great part of the time. Some felt the plan would exalt Congress over the Executive. Others felt it would take too much time of the executives. Other Members felt the plan would supplant committees. Some felt it would give the executives too much influence over Congress. Some felt it would be the entering wedge of the parliamentary system. Others were fearful that the sessions would not be orderly and might be used for partisan or heckling purposes.

I feel that many of the arguments against the Pendleton-Taft plan had some merit, so in drafting this proposal I tried to meet the objections that had been made. You will observe that attendance under H. R. 317 is voluntary. The administrators come to the floor of the House for a particular purpose and it is not expected that they will be there at any other time. The sessions will not be an undue burden because they are limited to one a week and only one administrator will appear at one session. An administrator only comes when called by a congressional committee. He only comes to give information. The resolution also endeavors to establish an orderly procedure which will avoid heckling or personal embarrassment.

The need of closer collaboration between Congress and the administration has frequently been felt and voiced in the course of our national history. So long as the United States was half empty, prosperous, and well protected by broad oceans, the old idea of the balance-of-power system was tolerable. But now that the Nation is crowded, harassed by serious social and economic problems, and deeply involved in world affairs, better teamwork between the legislative and executive branches of our National Government is essential to our welfare and security. No item on the present agenda

of democracy has a higher priority than that of inducing closer, stronger, steadier cooperation between the President and the Congress in promoting the welfare of the people of the United States and the United Nations.

Effective cooperation between the two great political branches is indispensable for successful government, which is what we need in these crucial times; government equally effective for the waging of war and the organizing of peace.

We are coming into the most important, complex, and challenging period of world history. The problems of government are not going to become easier—they will become more complicated. If we are to keep pace with the executive departments, if we are to legislate intelligently and, if we are to meet the great domestic and international issues coming before us, we must improve our system of securing information, keeping up with the administration of laws, and we must find a way of having closer teamwork between the executive and the legislative departments, particularly in the field of foreign affairs.

ANNUAL REPORTS NOT SUFFICIENT INFORMATION

The way we are supposed to keep up with what the departments are doing, under the present system, is by reading their annual reports. These reports are voluminous—those who write them tell us to some extent, at least, what they want us to know. With all the duties on a Member of Congress, very few of us have time to read these reports. Besides, they do not keep us currently informed. I think no one will argue that these reports are sufficient.

PRESENT COMMITTEE SYSTEM NOT SUFFICIENT

It is said that we have necessary contact through the committees. I find it very difficult to attend all the meetings of the one committee of which I am a member. Under the rules we cannot join in the work of the other committees and, besides, it is physically impossible to do so. Frequently 10 or 12 committees will be having hearings on the same day. It is said that committee reports should keep us currently advised. This we know is not true because, in the first place, the committee reports are only about legislation on a particular bill. There are many things about which we need information not covered in any committee reports. We need information about the departments, the administration of laws, whether the intent of Congress is being followed and, above all, we need to be kept currently informed in the field of foreign affairs.

If a bill is not favorably reported by a committee, the hearings may never be printed. Even if they are printed, it is humanly impossible for any Member to read all the hearings. They are voluminous, contain many tables, and the hearings on an appropriation bill are frequently more than 2,000 pages in length.

The present committee system tends to make the Members of a particular committee experts on the subject matter handled by that particular committee. The system does not operate to give the Members necessary facts needed for passing on national or international problems. What is needed is a system like the one proposed here to supplement the committee procedure, which will give the Members a better picture of the big overall issues which we are confronting. This would tend to make the Members more nationally and internationally minded.

I asked the Library of Congress to give me information during the Seventy-seventh Congress on the number of resolutions for investigations filed during that Congress. The number they rereported is 217; the requests for specific information from departments, and so forth, 37; and we have continued 16 special investigating committees. They say that probably they did not get all of them. The 217 requests for investigating committees certainly show that the Congress is in bad need of expert, detailed information. I am sure the necessity for a lot of these committees would be obviated if we could have the administrators up here, find out what they are doing, and get them to tell us about their plans and let them know what we think about it.

Dozens of resolutions for the creation of investigating committees are filed during each session of Congress. The fact that these resolutions are filed shows that the Members are seeking information and it shows a desire for knowledge of facts. During this Congress we have authorized the appointment of several select committees to make special investigations into the way executive departments are carrying out their functions. After a law is passed, we have no direct method of ascertaining whether the intention of Congress is being carried out. The Smith committee is now making a special investigation of the instances in which the intention of Congress was not followed in the administration of laws. The necessity for most of the investigating committees would be obviated if we could invite the administrators into this forum and here, face to face, ask them to give an account of the stewardship of their departments.

IMPORTANCE OF CONGRESS WOULD BE STRESSED

A procedure would be inaugurated, if this resolution were passed, which would establish the importance of Congress in the public mind. At present executive administrators hold press conferences. These press conferences are given more play in the newspapers and over the radio than action taken by Congress on important measures. If the plans and proposals for the administration of laws are brought out on the floor of the House, pursuant to questions from Members, the important news would arise from what was said on the floor and not what was said at some press conference.

EXECUTIVES WOULD DERIVE GREAT BENEFITS

This procedure would be beneficial to the Cabinet members and heads of the departments. In the first place, the President in making appointments would have to take into consideration that they would be called upon to appear on the floor of the House. The President's administration would be judged to a considerable extent by the impression these administrators made. He would be doubly sure that he secured outstanding men as heads of the executive agencies of the Government. The procedure would enable the administrators to obtain the people's view as expressed directly by the people's representatives. The administrators would consider more deliberately their decisions if they knew they would be called upon to give an account of what they were doing before the House. There could be no ghost writing. These men would have to know their departments and be able to give facts.

It frequently happens that rumors or unjust criticism are spread about executive officers. If this criticism comes from a Member of the House, the executive officer has no opportunity to answer except through the newspapers. Under this procedure he would be given an opportunity of appearing and explaining his side of the controversy.

POLICIES WOULD HAVE TO BE DECIDED BY EXECUTIVE

In a complex society such as we have today, it is necessary to concentrate great and far-reaching power in the Executive. This condition will continue regardless of the administration in power. One of the great values of having Cabinet members and administrative agents report in person to the Members of the House is that such appearances would necessitate clear definitions of policy on the part of the Executive. Some Cabinet members and heads of agencies do not know what the President's policy is on certain particular matters under their jurisdiction. This is no reflection on the present administration as the same condition has always existed. Before an administrator appeared at a question period, he would naturally call upon the Chief Executive to clearly define the policy of the administration in regard to the matters about which he would be questioned. Also, many questions of policy which should be decided by the administrator himself remain undetermined. Faced with the invitation of making a personal report to Congress, the administrator would be running a great risk if he did not settle those undetermined matters of policy affecting his department before submitting himself to the House Members for interrogation.

Would not it be of great help to the Members of the House if Mr. Baruch were given an opportunity of explaining his thinking and the original ideas of his committee relative to demobilization? After the war we may have to have some kind of international currency agreement. How many Members of Congress know the details of the various plans proposed or the intricacies of the problems of international currency? Would not it be of interest if the Banking and Currency Committee would invite some administrator to the floor of the House to tell all of us what is being thought of and planned in the matter of international currency?

OBJECTIONS TO PLAN ANSWERED

In this discussion I have answered some of the objections that have been or may be made to this proposal. It is said that allowing executives to consult with Members on the floor is not in keeping with our tradition or with the spirit of

our Constitution. Under the Constitution each House makes its own rules. There is ample precedent in the early days of the Republic for this kind of thing. Each House admits a chaplain to open the proceedings with prayer. By the act of 1817 each Territory has a right to send a delegate to the House who can participate in debate. This delegate is not a Member of the House. I do not see how the presence of the delegates adversely affects the tradition of the House. I think it is very wholesome to have them here to tell of the needs and problems of the Territories. The House admits contestants in election cases to present their claims on the floor. It has even admitted their attorneys.

Some Members claim that this should not be adopted because it is something new. Can no progress be made because we are afraid to try new methods?

Remember, this can be done by a simple change in the rules of the House. If the practice does not meet our expectations we can repeal the rule. In that case the Nation would at least give us credit for trying to improve the tools with which we work. The people want us to do that. They want a strong Congress—one able to hold its own with the executive departments: one which will secure the available facts before it legislates on any issue.

BALANCE OF POWER NOT AFFECTED

It is claimed by some that this might upset the balance of power or the so-called separation of powers. It will do nothing of the sort. It is only a means of securing information which is open to us under the Constitution. The departments now do not work in watertight compartments. Each division of the Government affects and has considerable influence over the others, and it was never intended that we should not communicate and exchange information and advice for the good of the country.

"APING ENGLAND" ARGUMENT RIDICULOUS

Another argument always effectively used against any plan of this kind is that it might be aping England. Our system of government is so different from the English system that a comparison is of little benefit. Yet, when the Pendleton plan was about to be adopted in 1864, Congressman Cox, of Ohio, put on a show as to how we would be copying the English and the measure was defeated. Under the parliamentary system the ministers lose their seats when Parliament does not sustain their position. Under our system the right to select and discharge Cabinet officers is solely in the President. Furthermore, we can never have the parliamentary system, in view of the constitutional provision which says that no Member of the Congress can hold any executive position. In England, however, the ministers, as you know, are members of Parliament.

Every representative form of government except ours has some direct means of communication between the Executive and Congress. It might as readily be said that we are copying any of these other systems. Besides, if we can get a good idea from the British, or any other nation, which we can fit into our system, I think we should accept it. After all, the English common law, the Bill of Rights, and habeas corpus were great institutions, and they have meant much to the American people.

It is said that the annual reports of the departments are sufficient. We know as a practical matter that this is not true. What would you think of a corporation if the directors and stockholders could only communicate with the management officials in writing? We would rate this kind of set-up as foolish and inefficient.

It is said that the committee system gives us necessary contacts. As presently operated, I know that it does not. If supplemented with this resolution so as to give the committee an opportunity to acquaint the whole House with the organization, personnel, and problems of the departments, the committee system would be capable of filling the bill.

Under this resolution there would be no opportunity for the Cabinet members to exert undue influence over the Members of Congress. They would come on the floor of the House for the specific purpose of giving information. They would only be here during that time. If they have a good plan and can persuade us that it is good, I cannot see how any harm is done, and, likewise, if we do not agree with them after giving them a hearing, no harm is done.

WOULD NOT BE HECKLING PERIOD

It is said by some that this would resolve into a heckling period. Those who say this, I think, overlook the fact that every Member of the House is here for a good purpose and wants to do his best to represent his country and his district. The people now are dead serious about this business of better government and they will not long countenance any Member using this occasion for political or improper purposes.

The press of the Nation, as evidenced by editorials, is on the whole strongly for this improvement and the press would deal harshly with any improper use by a Member of the House. Furthermore, I think the resolution has ample safeguards to prevent heckling. If the committee feels they are not ample, I am in favor of adding additional safeguards.

Furthermore, the procedure set up in H. R. 327 is wholly voluntary. The administrator does not have to appear in the first place unless he wants to. Since his appear is voluntary, he could, by the same token, refuse to answer an improper question. Furthermore, if any substantial part of the membership of the House should become so devoid of decorum as to try to make these appearances heckling sessions, the administrator would not be expected to appear. The public would certainly not want him to under such circumstances.

CONCLUSION

To sum up, if Congress wants to hold its authority, if the House wants to keep pace with the executive departments, if the House wants to mee the expectations of the people of this country, we must improve our machinery. I think this plan is worth trying. I think it would work to the benefit of Congress, the departments, and the people. If it does not, the committees do not have to issue any invitations, and, furthermore, if we do not like the way the system works, we can repeal the rule. Let us at least give it a trial.

EXTENSION OF REMARKS

Mr. PATRICK asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement by the national legislative director of the Amvets.

PERMISSION TO ADDRESS THE HOUSE

Mr. GORE. Mr. Speaker, I ask unanimous consent that on Tuesday, January 22, after disposition of business on the Speaker's desk and at the conclusion of any special orders heretofore entered, the gentlewoman from California [Mrs. DOUGLAS] may be allowed to address the House for 20 minutes.

The SPEAKER pro tempore (Mr. MANSFIELD of Montana). Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Nebraska [Mr. BUFFETT] is recognized for 10 minutes.

Mr. BUFFETT. Mr. Speaker, during the war period of 4 years, some fifteen million young men of America have used the expression "for the duration and six." This expression was based upon the actual obligation of the American Government to release them 6 months after the end of the war. It may be granted that it would be physically impossible to carry out this commitment in exactly 6 months. But no promise of the American Government has any legislative or moral priority over the honest fulfillment of this obligation.

Accordingly, I was not at all satisfied by the explanation given Members of Congress yesterday by General Eisenhower regarding the slow-down in demobilization. General Eisenhower apparently excuses the slow-down on the basis of "American commitments abroad."

Perhaps this administration and possibly even Congress is involved in commitments abroad calling for hundreds of thousands of American boys to serve as army of occupation troops. If so, those commitments were not made with the full knowledge and understanding of the American people or the boys in the services. No such commitments are incorporated in the draft law, or into the draft terms under which our boys were sent to fight.

The commitment with our soldiers is "the duration and six." That 6 months will be truly ended on March 2, 1946. The administration and this democratically controlled Congress can welch on that commitment, but this individual Member is not a voluntary participant in that breaking of faith. I have been and still am opposed to that kind of double dealing with the American people. For my part, keeping faith with the American boys in uniform should be the paramount objective of Congress. Apparently the Democratic majority leadership has determined otherwise. Apparently the President of the United States has determined otherwise.

But as a member of the minority party of this House, I object to this betrayal.

I object to the double talk and cleverly phrased alibis and excuses for the deliberate and official refusal to keep faith with the American boys in service, their wives, sweethearts, and parents.

Frankly, I know of no language strong enough to express my contempt for this course of legal trickery. Certainly this Congress, in not forcing the administration to get these boys home, is violating its allegiance to American families, is not keeping faith with American boys, and is destroying the confidence of both in the Government which sent them to war.

For myself, I have wracked my brain to discover ways and means for effectively bringing this problem before this House. I have signed various petitions at the Speaker's desk which would bring about immediate consideration of measures designed to bring the boys home. I have urged my own political minority party to demand, as a party, forthright action on this condition of legal trickery.

Undoubtedly the righteous indignation of the people will be reflected by many new faces in the next Congress. However, that change, at that date, painful as it will be to many Members here, is not an adequate solution to this problem. The people are not being fooled by the political acrobatics taking place on the failure to bring the boys home.

This Congress should keep faith with men in uniform. If anyone can suggest means of forcing Congress into forthright action on this problem, I invite their suggestions. I confess I am individually thoroughly humiliated and distressed by this failure. I have exhausted every approach in my effort to get Congress to honestly cope with the failure to demobilize with all practical speed all Americans who were drafted to win the war.

On August 9, 1945, I first discussed this problem publicly. In the light of subsequent developments my remarks then make interesting rereading. The questions raised deserve forthright discussion now by the officials of the Democratic administration who will keep millions of American boys in the armed services beyond the legitimate demobilization dates.

The column follows:

WASHINGTON REPORT BY HOWARD BUFFETT, CONGRESSMAN, SECOND NEBRASKA DISTRICT, AUGUST 9, 1945

How cruel toward its young people can a nation be and yet preserve the framework of justice and freedom? That is an ugly question, isn't it? But the problem is before America right now. Lately I have been hearing anguished pleas from both servicemen and their families. In mounting numbers, they are becoming discouraged because of ever-lengthening separations from their loved ones.

There are mental cruelties as terrifying and as destructive as the tortures of any concentration camp. I have little patience with oldsters who are disturbed about the misconduct of the lonesome victims of global militarism. The national policy that today makes normal mating and homes impossible for our young folks has been created by the older generations. Now we learn that global policing schemes are proposed that will perpetuate this ugly situation indefinitely.

Already almost 30,000,000 of our young people have lived unnatural and abnormal lives for years because of this war. These consist of 15,000,000 in the armed forces plus an equal number of their wives, sweethearts, and children at home. No political leader has even dared to discuss the colossal damage to American family life caused by these separations. That casualty list of lost morals, broken hearts, and blasted hopes will never be published.

In many ways army-of-occupation duty is worse than war. Likewise, it has probably never been truly successful. Not yet has America healed the deep wounds of Civil War reconstruction days. Bayonets cannot change the moral law that force creates hate, and hate breeds revenge. Britain saw that happen in the American Revolution that followed the Boston Massacre and other killings by a red-coat army to maintain order.

Shall we draft American boys for global armies of occupation? Can imperialists and ambitious "big brass" put this over by disguising it in the robes of collaboration and world welfare? Is it fair for an older generation, at home in ease and comfort, to force the youth of America to lose their best family years in armies of occupation? What do you think?

Beyond the few months necessary for critical readjustment, no boy who volunteered or was drafted to defend America should be forcibly kept abroad after victory. Manpower needs for our quotas in attempts to reform the world should be filled by volunteers. Except for those who volunteer for such foreign service, bring our boys home. This is simple justice. Postwar policing schemes that put the youth of America last would be the last of America.

Mr. BARRETT of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. BUFFETT. I yield to the gentleman from Wyoming.

Mr. BARRETT of Wyoming. Mr. Speaker, I want to commend the gentleman from Nebraska on his splendid presentation. I, too, have signed three different petitions a matter of 2 or 3 months ago, and it seems to me that in a democratic government the Congress should have a right to consider this problem on the floor on this House. After hearing General Eisenhower's presentation of the matter yesterday, I want to ask the gentleman if he does not agree that some means should be taken by this Congress to dispose of the surplus property scattered all over the world and now under the jurisdiction and control of the Army so that our boys will not be needed overseas for that task?

Mr. BUFFETT. I certainly believe that there are enough volunteers in the Army to take care of the job of disposing of these surplus supplies abroad. I think the gentleman is on sound ground in his proposal for solving that situation.

Mr. BARRETT of Wyoming. I do not quite agree that it necessarily should be handled by the boys in the Army. It seems to me that since the civilians are handling the surplus property in this country we could well use civilians to take care of that task. I am advised that the Army has over 800,000 civilian employees, many of whom are overseas. But in the main it seems to me it ought to be disposed of very quickly, because I think the return is going to be of such minor consequence, that we could just as well dispose of it to foreign governments right off the bat.

Mr. BUFFETT. That was the experience after the First World War.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. BUFFETT. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. The gentleman is speaking about a remedy for some of these problems. I have a resolution before the subcommittee of the Committee on the Judiciary which would declare hostilities at an end as of September 2, 1945, the day the Japs signed the surrender terms. The chairman of the committee gave us a hearing. I think there were 2 Congressmen and about 100 bureaucrats present in the room. To listen to the bureaucrats you would think this world would come to an end if we declared hostilities at an end. But one remedy certainly is for this Congress to take from the various governmental agencies all of the authority and power to issue directives that were given to them during the war and return them to the Congress. It would also take care of the drafting of the boys who did go in with the solemn promise from this Government that they would be in for the duration plus 6 months. It would also take care of many other disturbing and distressing problems and regimentation of the American people. I hope the Committee on the Judiciary will bring out that resolution and set some date for the termination of hostilities.

Mr. BUFFETT. The gentleman is right. I attended that hearing. I saw the bureaucrats there, and my supporting views of your resolution are recorded in those hearings.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mrs. NORTON, until February 15, on account of illness.

To Mr. FISHER, for an indefinite period, on account of serious illness.

EXTENSION OF REMARKS

Mr. HOOK asked and was given permission to extend his remarks in the RECORD and include the text of the complaint issued by the National Labor Relations Board against the General Motors Corp.

ADJOURNMENT

Mr. THOMASON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 20 minutes p. m.) the House adjourned until tomorrow, Thursday, January 17, 1946, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COCHRAN: Committee on Accounts. House Resolution 483. Resolution granting 6 months' salary and $250 funeral expenses to Henrietta Eigler, widow of Joseph R. Eigler, late an employee of the House; without amendment (Rept. No. 1471). Referred to the House Calendar.

Mr. COCHRAN: Committee on Accounts. House Resolution 484. Resolution granting 6 months' salary and $250 funeral expenses to Augusta W. Brill, widow of William C. Brill, late an employee of the House; without amendment (Rept. No. 1472). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. O'HARA:

H. R. 5146. A bill relating to the performance, by Federal judges, of services for the United States not related to their judicial duties; to the Committee on the Judiciary.

By Mr. PRICE of Illinois:

H. R. 5147. A bill to grant to enlisted personnel of the armed forces certain benefits in lieu of accumulated leave; to the Committee on Military Affairs.

By Mr. RANKIN:

H. R. 5148. A bill to provide for the payment of pension or other benefits withheld from persons for the period they were residing in countries occupied by the enemy forces during World War II; to the Committee on World War Veterans' Legislation.

H. R. 5149. A bill to govern the effective dates of ratings and awards under the veterans' administration revised schedule for rating disabilities, 1945, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. ROE of Maryland:

H. R. 5150. A bill to authorize a survey to determine the advisability of widening and deepening the channel in a certain part of North East River, Cecil County, Md.; to the Committee on Rivers and Harbors.

By Mr. VINSON:

H. R. 5151. A bill to establish a chief of chaplains in the United States Navy; to the Committee on Naval Affairs.

By Mr. SMITH of Wisconsin:

H. Res. 485. Resolution providing for study of food subsidies; to the Committee on Rules.

By Mr. MURRAY of Wisconsin:

H. Res. 486. Resolution to provide for a study of Government policy with respect to subsidies affecting food prices; to the Committee on Rules.

By Mr. SMITH of Ohio:

H. Res. 487. Resolution creating a select committee to make a thorough investigation of the announced slow-down of the War Department's demobilization program; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 5152. A bill for the relief of Mary Elizabeth Powers; to the Committee on Claims.

H. R. 5153. A bill for the relief of Annie L. Taylor and William Benjamin Taylor; to the Committee on Claims.

By Mr. CRAVENS:

H. R. 5154. A bill for the relief of Harley Shores; to the Committee on Claims.

By Mr. HORAN:

H. R. 5155. A bill to authorize the award of a medal to Clyde Pangborn and Hugh Herndon, Jr.; to the Committee on Military Affairs.

By Mr. O'TOOLE:

H. R. 5156. A bill for the relief of Giovanni Fiorentino; to the Committee on Immigration and Naturalization.

By Mr. SOMERS of New York:

H. R. 5157. A bill for the relief of Nekolaos Tountasakis; to the Committee on Immigration and Naturalization.

SENATE

THURSDAY, JANUARY 17, 1946

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Father of all mercies, in a dark and desperate hour, we turn to Thee with deep needs that only Thou canst meet. Everywhere in a violent world we hear voices that challenge all that men have counted fixed, final, and sure. In this day of crashing systems, save us from being prophets of gloom and of doom. Through the fiery destruction of the old, may there be vouchsafed to us vistas of a richer and fairer earth to be. Forbid that we should be so blind today that tomorrow all we now labor for prove like stubble to a devouring flame—the foundations we now choose be revealed as but sinking sand. Scorning the cheap cant of secular panaceas, give us to see that we cannot house our spirits even in ornate barns—that really to live we must build more stately mansions for our souls. We ask it through riches of grace in Christ Jesus our Lord. Amen.

ATTENDANCE OF SENATORS

STYLES BRIDGES, a Senator from the State of New Hampshire; HARLAN J. BUSHFIELD, a Senator from the State of South Dakota; HUGH BUTLER, a Senator from the State of Nebraska; HARRY FLOOD BYRD, a Senator from the State of Virginia; HOMER E. CAPEHART, a Senator from the State of Indiana; GUY CORDON, a Senator from the State of Oregon; SHERIDAN DOWNEY, a Senator from the State of California; CHARLES C. GOSSETT, a Senator from the State of Idaho; JOSEPH F. GUFFEY, a Senator from the State of Pennsylvania; CHAN GURNEY, a Senator from the State of South Dakota; BURNET R. MAYBANK, a Senator from the State of South Carolina; ERNEST W. MCFARLAND, a Senator from the State of Arizona; JAMES M. MEAD, a Senator from the State of New York; FRANCIS J. MYERS, a Senator from the State of Pennsylvania; JOHN H. OVERTON, a Senator from the State of Louisiana; CHAPMAN REVERCOMB, a Senator from the State of West Virginia; LEVERETT SALTONSTALL, a Senator from the State of Massachusetts; HENRIK SHIPSTEAD, a Senator from the State of Minnesota; CHARLES W. TOBEY, a Senator from the State of New Hampshire; and MILTON R. YOUNG, a Senator from the State of North Dakota, appeared in their seats today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 14, 1946, was dispensed with, and the Journal was approved.

NOTIFICATION TO THE PRESIDENT

Mr. BARKLEY and Mr. WHITE advanced to the center of the aisle, and Mr. BARKLEY said: Mr. President, I wish to announce that the committee appointed by the President pro tempore to wait upon the President and inform him that the Congress is in session has performed that duty, and the President advises that he hopes to communicate with the Congress about next Monday.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, informed the Senate that a quorum of the House was present and that the House was ready to proceed with business.

The message also informed the Senate that Hon. JOHN W. MCCORMACK, a Representative from the State of Massachusetts, had been elected Speaker pro tempore of the House of Representatives during the absence of the Speaker.

The message announced that a committee of three Members had been appointed by the Speaker pro tempore, on the part of the House of Representatives, to join with the committee on the part of the Senate to notify the President of the United States that a quorum of each House had assembled and that Congress was ready to receive any communication that he might be pleased to make.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 3603) to provide for the sale of surplus war-built vessels, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BLAND, Mr. MANSFIELD of Texas, Mr. BOYKIN, Mr. WELCH, and Mr. BRADLEY of Michigan were appointed managers on the part of the House at the conference.

The message communicated to the Senate the intelligence of the death of Hon. Joseph W. Ervin, late a Representative from the State of North Carolina, and transmitted the resolutions of the House thereon.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on January 11, 1946, he presented to the President of the United States the enrolled bill (S. 90) for the relief of the estate of George O'Hara.

NOTICE OF HEARING ON NOMINATION OF EDWARD S. KAMPF, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE, NORTHERN DISTRICT OF NEW YORK

Mr. MCCARRAN. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, notice is hereby given that a public hearing has been scheduled for Thursday, January 24, 1946, at 10:30 a. m., in the Senate Judiciary Committee room in the Capitol Building, upon the nomination of Edward S. Kampf, of New York, to be United States district judge for the northern district of New York, vice Frederick H. Bryant, deceased. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee in charge consists of the Senator from Nevada [Mr. MCCARRAN], chairman, the Senator from Mississippi [Mr. EASTLAND], and the Senator from Wisconsin [Mr. WILEY].

NOTICE OF HEARING ON NOMINATION OF NATHAN CAYTON, OF THE DISTRICT OF COLUMBIA, TO BE CHIEF JUDGE, MUNICIPAL COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Mr. MCCARRAN. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, notice is hereby given that a public hearing has been scheduled for Thursday, January 24, 1946, at 10:30 a. m., in the Senate Judiciary Committee room in the Capitol Building,

upon the nomination of Nathan Cayton, of the District of Columbia, to be chief judge of the Municipal Court of Appeals for the District of Columbia, vice William E. Richardson, deceased. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee in charge consists of the Senator from Nevada [Mr. McCARRAN], chairman, the Senator from Mississippi [Mr. EASTLAND], and the Senator from Wisconsin [Mr. WILEY].

NOTICE OF HEARING ON NOMINATION OF ROY M. SHELBOURNE, OF KENTUCKY, TO BE UNITED STATES DISTRICT JUDGE, WESTERN DISTRICT OF KENTUCKY

Mr. McCARRAN. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, notice is hereby given that a public hearing has been scheduled for Thursday, January 24, 1946, at 10:30 a. m., in the Senate Judiciary Committee room in the Capitol Building, upon the nomination of Roy M. Shelbourne, of Kentucky, to be United States district judge for the western district of Kentucky, vice Shackelford Miller, Jr., elevated. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee in charge consists of the Senator from Nevada [Mr. McCARRAN], chairman, the Senator from Mississippi [Mr. EASTLAND], and the Senator from Wisconsin [Mr. WILEY].

PRESERVATION OF AMERICAN LIBERTIES

Mr. WILEY. Mr. President, because of official duties, I was obliged to remain in Washington throughout the holidays.

A day or so after Christmas, after finishing the day's mail, I strolled over to the Library of Congress and asked to be shown around. I wanted to see the original Declaration of Independence and the Magna Carta. As I stood before these documents, encased behind glass and steel, with my inward eye I seemed to witness the significant historical events which led up to their coming into being. King John, a tyrant, was forced to set down in writing, under his seal and signature, a guaranty of human rights. Americans, because of another tyrant, set down in writing their concepts of man's inherent rights.

As I stood there, my attention was sharply focused to the fact that guards were standing nearby in uniform, watching, guarding, and as I left the Congressional Library and sauntered back to my office, this conclusion flashed upon my mind: "We must ever remain on guard." Even the written instruments setting forth man's accomplishments had to be guarded. That is just what we were not doing at Pearl Harbor on December 7, 1941. We were asleep.

Yes, we have to remain on guard against present-day tyranny. We have to remain on guard and see to it—

(a) That the constitutional rights of majorities and individuals are protected. We have always contended for the protection of minorities.

(b) We have to remain on guard and see that the American dollar is kept intact. Otherwise the insurance policies, savings, and United States war bonds will be valueless.

(c) We have to keep on guard and see to it that racketeers, synthetic thinkers in our society, do not take over Government.

(d) We have to keep on guard and see to it that in the international picture, chaos does not return to the world.

(e) We have to keep on guard and see to it that the spenders, the chiselers, and the grafters, do not determine the economic, and political policies of this Government.

Remember, there had to be guards to protect the sheets of paper on which were written the Magna Carta and the Declaration of Independence. How clearly this sets forth that America must remain alert, constantly alert. That is the lesson we should never forget.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED RESCISSIONS AND PROVISIONS OF APPROPRIATIONS AND CONTRACT AUTHORIZATIONS

A communication from the President of the United States, together with a letter from the Director of the Bureau of the Budget, transmitting, pursuant to law, proposed rescissions and provisions relating to war and war-related appropriations and contract authorizations (with the accompanying papers); to the Committee on Appropriations.

TAX REFUNDS

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report of refunds of internal revenue in excess of $500 made by the Bureau of Internal Revenue during the fiscal year ended June 30, 1945, on account of taxes illegally or erroneously collected, showing the names and addresses of the individual taxpayers and the amounts refunded (with an accompanying report); to the Committee on Finance.

PERSHING HALL, PARIS, FRANCE, EXPENDITURE REPORT

A letter from the Secretary of the Treasury, transmitting, pursuant to law, an itemized report of transactions for account of the Pershing Hall Memorial Fund for the fiscal year 1945 (with an accompanying paper); to the Committee on Military Affairs.

MEN IN TRAINING UNDER SELECTIVE TRAINING AND SERVICE ACT OF 1940

A letter from the Acting Secretary of War, transmitting, pursuant to law, a report of the number of men in active training and service on October 31, 1945, in the land forces under section 3 (b) of the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

ENLISTMENTS AND REENLISTMENTS IN REGULAR ARMY

A letter from the Acting Secretary of War, transmitting, pursuant to section 3 of Public Law 190 (79th Cong.), the Armed Forces Voluntary Recruitment Act of 1945, a report showing the number of enlisted men in active duty in the Regular Army as of December 31, 1945, who have been enlisted or reenlisted on or after June 1, 1945; to the Committee on Military Affairs.

REPORT OF NATIONAL FOREST RESERVATION COMMISSION (S. Doc. No. 134)

A letter from the Secretary of War, president, National Forest Reservation Commission, transmitting, pursuant to law, the annual report of the Commission for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Agriculture and Forestry and ordered to be printed, with an illustration.

SUSPENSION OF DEPORTATION OF ALIENS

Two letters from the Attorney General, transmitting, pursuant to law, (1) a report stating all of the facts and pertinent provisions of law in the cases of 179 aliens whose deportation was suspended for more than 6 months by the Commissioner of Immigration and Naturalization, together with a statement of the reason for such suspension, and (2) withdrawing a certain name from a similar report heretofore transmitted by him (with accompanying papers); to the Committee on Immigration.

A letter from the Acting Attorney General, transmitting, pursuant to law, a report stating all of the facts and pertinent provisions of law in the cases of 282 aliens whose deportation was suspended for more than 6 months by the Commissioner of Immigration and Naturalization, together with a statement of the reason for such suspension (with accompanying papers); to the Committee on Immigration.

PENALTY MAIL MATTER

A letter from the Acting Postmaster General, transmitting, pursuant to section 2 of Public Law 364, approved June 28, 1944, a report showing the quantity of penalty inscribed material on hand and on order on June 30, 1944, the number of pieces procured, estimated mailings, balance on hand June 30, 1945, and estimated cost of handling for the fiscal year 1945 (with an accompanying paper); to the Committee on Post Offices and Post Roads.

ASSISTANT POSTMASTERS GENERAL, AND ADMINISTRATIVE EXPENSES IN THE POST OFFICE DEPARTMENT

A letter from the Acting Postmaster General, transmitting a draft of proposed legislation to authorize certain administrative expenses in the Post Office Department, and for other purposes, so as to provide permanently for four Assistant Postmasters General, covering expenses in excess of revenues, and legal procedure for disposition of any excess postal revenues (with an accompanying paper); to the Committee on Post Offices and Post Roads.

FLIGHT PAY OF CERTAIN OFFICERS OF THE NAVY

A letter from the Secretary of the Navy, transmitting information as to rank and age of officers above the rank of lieutenant commander in the Navy on duty involving flying, with the average monthly flight pay authorized by law to be paid to such officers during the 6 months ended January 1, 1946 (with accompanying papers); to the Committee on Appropriations.

REDUCTION IN NAVAL SHIPBUILDING CONSTRUCTION

A letter from the Secretary of the Navy, transmitting copies of correspondence with the Director of War Mobilization and Reconversion, relating to stoppage of construction of certain naval vessels (with accompanying papers); to the Committee on Naval Affairs.

AGREEMENTS BETWEEN THE NAVY DEPARTMENT AND OIL COMPANIES IN OPERATION OF NAVAL PETROLEUM RESERVE NO. 1

A letter from the Director, Naval Petroleum Reserves, transmitting, pursuant to law, copies of agreements between the Navy Department and various oil companies for development and operation of lands of the United States and sale and purchase of petroleum produced for the Navy's account from unit operation, within Naval Petroleum Reserve No. 1, since November 22, 1944, under the provisions of the act of June 30, 1938, as amended by the act of June 17, 1944 (with accompanying papers); to the Committee on Naval Affairs.

OPERATIONS UNDER SYNTHETIC LIQUID FUELS ACT

A letter from the Secretary of the Interior, transmitting his report of operations, for the calendar year ended December 31, 1945, under the Synthetic Liquid Fuels Act (Public Law 290, 78th Cong.) (with an accompanying report); to the Committee on Mines and Mining.

ANNUAL REPORT ON BOULDER CANYON PROJECT

A letter from the Secretary of the Interior, transmitting, pursuant to law, the fourth annual report and financial statement of operations under section 13 of the Boulder Canyon Project Adjustment Act, approved July 19, 1940, for the year ended May 31, 1945 (with an accompanying report); to the Committee on Irrigation and Reclamation.

RELIEF OF DESTITUTION OF NATIVES OF ALASKA

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report covering expenditures made from the appropriation, "Education of natives of Alaska, 1944–46," for the relief of destitution of natives of Alaska during the fiscal year 1945 (with an accompanying report); to the Committee on Appropriations.

LOANS TO INDIAN CHARTERED CORPORATIONS AND INDIVIDUALS

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a report of loans to Indian chartered corporations and individuals, for the purpose of promoting the economic development of such tribes and individuals, and a report showing the status of credit operations as of June 30, 1945, of the same (with an accompanying report); to the Committee on Indian Affairs.

LAWS PASSED BY MUNICIPAL COUNCIL OF ST. CROIX AND MUNICIPAL COUNCIL OF ST. THOMAS AND ST. JOHN, V. I.

Two letters from the Acting Secretary of the Interior, transmitting, pursuant to law, copies of laws passed by the Municipal Council of St. Croix and the Municipal Council of St. Thomas and St. John, V. I., respectively (with accompanying papers); to the Committee on Territories and Insular Affairs.

REPORT OF AGRICULTURAL ADJUSTMENT AGENCY

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, the annual report of the Agricultural Adjustment Agency for the fiscal year ended June 30, 1945, covering operations, expenditures, and obligations under the Soil Conservation and Domestic Allotment Act for that fiscal year (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT OF OPERATIONS UNDER SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

A letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, a report showing the name, address, and amount of compensation of each person receiving $1,000 or more under the 1944 program, and a supplemental report under the 1943 program, administered under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and a supplemental list under the 1942 crop parity-payment program (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT ON FOREST ROADS AND TRAILS

A letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, a report on forest roads and trails for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Post Offices and Post Roads.

AGRICULTURAL EXPERIMENT STATIONS

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, a report covering the receipts and expenditures and work of the agricultural experiment stations in the United States, Hawaii, Alaska, and Puerto Rico, for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Agriculture and Forestry.

EXPENDITURES AND ACTIVITIES OF REGIONAL RESEARCH LABORATORIES

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, a report for the calendar year 1945 of the activities of, funds used by, and donations to the regional research laboratories established pursuant to section 202 of the Agricultural Adjustment Act of 1938 (with an accompanying report); to the Committee on Agriculture and Forestry.

EXTENSION SERVICE OF THE DEPARTMENT OF AGRICULTURE

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, a report of receipts, expenditures, and results of cooperative agricultural extension work for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Agriculture and Forestry.

CROP PROGRAM OPERATIONS

A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to amend section 3 of the act of April 12, 1945, by extending the authorization to pay subsidies to include commodities of the 1946 crop (with accompanying papers); to the Committee on Banking and Currency.

REPORT OF RURAL ELECTRIFICATION ADMINISTRATION

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, the annual report of the Administrator of the Rural Electrification Administration covering operations of the Administration for the fiscal year 1945 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT OF FEDERAL SURPLUS COMMODITIES CORPORATION

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to section 204 of Public Law 430 (78th Cong.), the annual report of the Federal Surplus Commodities Corporation for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT OF THE DEPARTMENT OF COMMERCE

A letter from the Secretary of Commerce, transmitting, pursuant to law, the annual report of the Department of Commerce for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Commerce.

FINAL VALUATION OF PROPERTIES OF CERTAIN PIPE-LINE COMPANIES

A letter from the Chairman of the Interstate Commerce Commission, transmitting, pursuant to law, final valuations of properties of certain pipe-line companies (with accompanying documents); to the Committee on Interstate Commerce.

REPORT OF INTERSTATE COMMERCE COMMISSION

A letter from the Chairman of the Interstate Commerce Commission, transmitting, pursuant to law, the annual report of the Commission for the period November 1, 1944, to October 31, 1945 (with an accompanying report); to the Committee on Interstate Commerce.

REPORT OF VETERANS' ADMINISTRATION

A letter from the Administrator of Veterans' Affairs, transmitting, pursuant to law, a report of the activities of the Veterans' Administration for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Finance.

VETERANS' ADMINISTRATION REVISED SCHEDULE FOR RATING DISABILITIES, 1945

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to govern the effective dates of ratings and awards under the Veterans' Administration revised schedule for rating disabilities, 1945, and for other purposes (with an accompanying paper); to the Committee on Finance.

REPORT OF THE UNITED STATES TARIFF COMMISSION

A letter from the Chairman of the United States Tariff Commission, transmitting, pursuant to law, the annual report of the Commission for the fiscal year 1945 (with an accompanying report); to the Committee on Finance.

REPORT OF FEDERAL TRADE COMMISSION

A letter from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the annual report of the Commission for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Interstate Commerce.

EXPENDITURES OF UNITED STATES COURT OF CUSTOMS AND PATENT APPEALS

A letter from the Assistant Director of the Administrative Office of the United States Courts, transmitting, pursuant to law, a statement of the expenditures of appropriations for the United States Court of Customs and Patent Appeals for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on the Judiciary.

JUDGMENTS RENDERED BY COURT OF CLAIMS (S. Doc. No. 133)

A letter from the Chief Clerk of the Court of Claims, transmitting, pursuant to law, a statement of all judgments rendered by the Court of Claims for the year ended December 1, 1945, the amount thereof, the parties in whose favor rendered, and a brief synopsis of the nature of the claims (with an accompanying statement); to the Committee on Appropriations and ordered to be printed.

REPORT OF TENNESSEE VALLEY AUTHORITY

A letter from the Board of Directors of the Tennessee Valley Authority, transmitting, pursuant to law, the annual report of the Authority for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Agriculture and Forestry.

EXPENDITURES OF FUNDS DERIVED FROM THE SALE OF BONDS OF THE TENNESSEE VALLEY AUTHORITY

A letter from the General Manager of the Tennessee Valley Authority, transmitting, pursuant to law, a report of the expenditures for the 12 months ended November 30, 1945, of funds derived from the sale of bonds under section 15c of the Tennessee Valley Authority Act of 1933, as amended (with an accompanying paper); to the Committee on Agriculture and Forestry.

SMALLER WAR PLANTS CORPORATION

A letter from the Administrator of the Civilian Production Administration, transmitting, pursuant to law, the twenty-first report of the Smaller War Plants Corporation, under the Smaller War Plants Corporation Act, for the period October 1 to November 30, 1945, submitted to him by the Chairman of the Board of that Corporation (with an accompanying report); to the Committee on Banking and Currency.

REPORTS OF SURPLUS PROPERTY ADMINISTRATOR

Six letters from the Administrator of the Surplus Property Administration, transmitting, pursuant to section 19 of the Surplus Property Act of 1944, reports on aircraft plants and facilities, aviation gasoline plants and facilities, synthetic rubber plants and facilities, Government-owned pipe lines, transportation facilities, and on patents, processes, techniques and inventories (with accompanying reports); to the Committee on Military Affairs.

CONTRACTS ENTERED INTO OR MODIFIED BY THE UNITED STATES MARITIME COMMISSION

A letter from the Chairman of the United States Maritime Commission, transmitting, pursuant to law, a report of contracts entered into or modified by the United States Maritime Commission under authority of the act of May 2, 1941, for the period October 1 to December 31, 1945 (with an accompanying report); to the Committee on Commerce.

NAMES AND COMPENSATION OF MEMBERS AND EMPLOYEES OF THE FEDERAL POWER COMMISSION

A letter from the Chairman of the Federal Power Commission, transmitting, pursuant to law, a statement showing the names and compensation of the members and employees of the Commission as of June 30, 1945 (with an accompanying paper); to the Committee on Commerce.

PERMITS AND LICENSES ISSUED BY THE FEDERAL POWER COMMISSION

A letter from the Chairman of the Federal Power Commission, transmitting, pursuant to law, a classified report showing the permits and licenses issued by the Commission during the fiscal year ended June 30, 1945, the parties thereto, the terms prescribed, the moneys received, if any, and an accounting thereof (with an accompanying report); to the Committee on Commerce.

REPORT OF FOOD AND DRUG ADMINISTRATION

A letter from the Administrator of the Federal Security Agency, transmitting, pursuant to law, the annual report of the Food and Drug Administration for the fiscal year 1945 (with an accompanying report); to the Committee on Commerce.

REPORT OF ST. ELIZABETHS HOSPITAL

A letter from the Administrator of the Federal Security Agency, transmitting, pursuant to law, the annual report of St. Elizabeths Hospital for the fiscal year 1945 (with an accompanying report); to the Committee on the District of Columbia.

COLUMBIA INSTITUTION FOR THE DEAF

A letter from the Administrator of the Federal Security Agency, transmitting, pursuant to law, the annual report of the American Printing House for the Blind, Columbia Institution for the Deaf, Howard University, Office of Community War Services and Committee on Physical Fitness, for the fiscal year 1945 (with an accompanying report); to the Committee on Education and Labor.

OPERATION OF STANDS IN FEDERAL BUILDINGS BY BLIND PERSONS

A letter from the Administrator of the Federal Security Agency transmitting a draft of proposed legislation to amend the act entitled "An act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes," approved June 20, 1936, and for other purposes (with accompanying papers); to the Committee on Education and Labor.

MERITORIOUS SALARY INCREASES OF GOVERNMENT EMPLOYEES

A letter from the President of the United States Civil Service Commission, transmitting, pursuant to law, a consolidated report and supporting data on especially meritorious salary increases of Government employees made by the various departments and agencies of the Government for the fiscal year ended June 30, 1945 (with an accompanying paper); to the Committee on Civil Service.

REPORT OF CHESAPEAKE & POTOMAC TELEPHONE CO.

A letter from the president of the Chesapeake & Potomac Telephone Co., of Washington, D. C., transmitting, pursuant to law, a report of the company's operations for the year 1945, the results of the operations for December of that year being estimated (with an accompanying report); to the Committee on the District of Columbia.

GEORGETOWN BARGE, DOCK, ELEVATOR & RAILWAY CO.

A report of the Georgetown Barge, Dock, Elevator & Railway Co., transmitted, pursuant to law, for the year ended December 31, 1945; to the Committee on the District of Columbia.

ESTIMATES OF PERSONNEL REQUIREMENTS OF GOVERNMENT DEPARTMENTS AND AGENCIES

A letter from the Director of the Bureau of the Budget, transmitting, pursuant to law, a report of his determinations during the quarter ended December 31, 1945, of the number of employees required for the proper and efficient exercise of the functions of the executive departments and agencies of the Government (with an accompanying report); to the Committee on Civil Service.

A letter from the President of the United States Civil Service Commission, transmitting, pursuant to law, an estimate of personnel requirements for the Commission for the quarter ending March 31, 1946 (with accompanying papers); to the Committee on Civil Service.

A letter from the Chairman of the National Mediation Board, transmitting, pursuant to law, a revised estimate of personnel requirements for the National Railroad Adjustment Board for the quarter ending March 31, 1946 (with an accompanying paper); to the Committee on Civil Service.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the President pro tempore and referred as indicated:

A resolution adopted by community service members of the policy board under the Philadelphia (Pa.) volunteer price control plan, favoring the enactment of legislation to continue price control for the duration of the existing economic emergency; to the Committee on Banking and Currency.

Resolutions adopted by United Packinghouse Workers of America, Swift Local No. 71, Sioux City, Iowa, and International Union of Mine, Mill, and Smelter Workers, Carquinez Local No. 51, Selby, Calif., favoring the enactment of the bill (S. 1592) to establish a national housing policy and provide for its execution; to the Committee on Banking and Currency.

A resolution adopted by the Fifth Naval District Metal Trades Council, Portsmouth, Va., protesting against the enactment of legislation providing for the merger of the Army and Navy; to the Committee on Military Affairs.

A telegram in the nature of a memorial from officers and men of the Eighty-third Infantry Division of the United States Army, remonstrating against the delay in discharging members of the armed forces; to the Committee on Military Affairs.

A resolution adopted by the National Institute of Municipal Law Officers, Washington, D. C., favoring the enactment of House bill 3615, the so-called airport bill, so as to include the provision of Senate bill 2, providing for the acquisition of land for airport purposes; to the Committee on Commerce.

A petition of sundry citizens of the State of California, praying for the enactment of Senate bill 623, to prohibit the advertising of alcoholic beverages by radio; to the Committee on Interstate Commerce.

A memorial of sundry citizens of the United States remonstrating against the official conduct of Senator THEODORE G. BILBO, of Mississippi; to the Committee on the Judiciary.

A letter from the Acting Secretary of State, transmitting a resolution of the Chamber of Representatives of Cuba, relating to the solidarity of the nations of the Western Hemisphere (with an accompanying paper); to the Committee on Foreign Relations.

A letter from the bishop and the auxiliary bishop, Bishop's Chancery Office, Philadelphia, Pa., appealing in behalf of the Americans of Ukrainian birth or extraction who reside in the United States for the cause of their relatives in Europe; to the Committee on Foreign Relations.

A resolution adopted by the New Mexico Oil and Gas Association, Roswell, N. Mex., favoring ratification of the Anglo-American oil agreement; to the Committee on Foreign Relations.

A resolution adopted by the Conference of Second District Association of Clubs of Altrusa International, at Winston-Salem, N. C., protesting against delays on the part of various nations in bringing about world peace; to the Committee on Foreign Relations.

A telegram from E. G. Collins, president, Eastern Division Pennsylvania Newspaper Women's Association, Philadelphia, Pa., relative to carrying the names of deceased Senators on the rolls of the Senate as honorary members for their unexpired terms; to the Committee on Rules.

A resolution adopted by the Board of Directors of the Institute of Engineers of Puerto Rico, relating to the salaries paid to experts from funds of the Puerto Rican Treasury Department; to the Committee on Territories and Insular Affairs.

A resolution adopted by the Filipino Federation of America, Inc., Honolulu, T. H., relating to the statehood of Hawaii; to the Committee on Territories and Insular Affairs.

A resolution adopted by the Filipino Federation of America, Inc., Honolulu, T. H., favoring the importation of Filipino laborers to Hawaii; to the Committee on Territories and Insular Affairs.

A resolution adopted by the Filipino Federation of America, Inc., Honolulu, T. H., endorsing Dr. Hilario Camino Moncada, to be President of the Philippines; to the Committee on Territories and Insular Affairs.

A resolution adopted by the Philippine-Hawaii-America Labor Union, Inc., Manila, P. I., relating to the election to be held in the Philippines on April 30, 1945; to the Committee on Territories and Insular Affairs.

A resolution adopted by the Fifth Municipal Council of St. Thomas and St. John, V. I., favoring the confirmation of William H. Hastie to be Governor of the Virgin Islands; to the Committee on Territories and Insular Affairs.

ADEQUATE AND COMPETITIVE AIR TRANSPORTATION FOR RHODE ISLAND—JOINT RESOLUTION OF RHODE ISLAND GENERAL ASSEMBLY

Mr. GERRY. Mr. President, I present for appropriate reference a joint resolution adopted by the General Assembly of Rhode Island, requesting the Senators and Representatives from Rhode Island in the Congress of the United States to use their influence with the Civil Aeronautics Board to guarantee to the State

of Rhode Island and to the city of Providence adequate and competitive air transportation, and ask unanimous consent that it be printed in the RECORD.

The PRESIDENT pro tempore. The joint resolution will be received and referred to the Committee on Commerce, and, under the rule, it will be printed in the RECORD.

The joint resolution is as follows:

Joint resolution respectfully requesting the Senators and Representatives from Rhode Island in the Congress of the United States to use their influence with the civil aeronautics board to guarantee to the State of Rhode Island and to the city of Providence adequate and competitive air transportation

Whereas the State of Rhode Island is one of the most densely populated and one of the wealthiest States in the United States; and

Whereas the Providence metropolitan district ranks fourth in population upon the Atlantic seaboard with Providence the center of a large and thriving industrial area; and

Whereas by reason of its population and industrial activities, the city of Providence is entitled to adequate and competitive airline services commensurate with its size and importance: Now, therefore, be it

Resolved, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they hereby are urgently requested to use their influence in every way with the Civil Aeronautics Board in order that adequate and competitive air transportation may be guaranteed to the State of Rhode Island and to the city of Providence; and be it further

Resolved, That the secretary of state be and he is hereby authorized and directed to transmit duly certified copies of this resolution to the Senators and Representatives from Rhode Island in the Congress of the United States and to the members of the Civil Aeronautics Board, since the members of the general assembly, in the interests of the business life of the State, favor aggressive and immediate action that the State of Rhode Island and the city of Providence may share in the benefits of future expansion of air transportation.

PROPOSED CEILING PRICES ON COTTON—RESOLUTION OF SOUTH CAROLINA LEGISLATURE

Mr. MAYBANK. Mr. President, I ask unanimous consent to have printed in the RECORD a concurrent resolution passed by the South Carolina House and Senate.

There being no objection, the concurrent resolution was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

Concurrent resolution requesting the President and the Congress of the United States of America to prohibit ceiling prices being placed upon cotton

Be it resolved by the senate (the house of representatives concurring), That the President and the Congress of the United States of America are hereby earnestly requested that they do all in their power to prohibit a ceiling price being placed upon the sale and purchase of cotton.

Mr. MAYBANK. Mr. President, I ask unanimous consent that I may comment upon the concurrent resolution for 3 minutes.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from South Carolina is recognized for 3 minutes.

Mr. MAYBANK. Mr. President, I have sent to the desk a concurrent resolution passed by the Legislature of South Carolina which requests the President and the Congress of the United States to prohibit ceiling prices being placed upon cotton.

On January the 6th, when I first learned of the attempt to place ceiling prices on cotton, I telegraphed the President from South Carolina, and I ask unanimous consent that my telegram sent to the President be printed in the RECORD at this point.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

CHARLESTON, S. C., *January 7, 1946.*

The PRESIDENT,
The White House, Washington, D. C.

MY DEAR MR. PRESIDENT: I wired you yesterday regarding the unreasonable statement issued by Mr. Bowles that appeared in the papers here, and I am sending you a copy of the statement. It appears to me that such an attempted regulation would be socialistic and unjust and unfair to the cotton farmers of the South. The cotton farmers' income depends upon the yield per acre of his crop that is to be produced this year. The elements and the weather are the main factors after the cotton is planted as to the size of the crop and as to its eventual cost. The farmers are short of labor, fertilizer is expensive, and they have had a most unusual and hard time for the last 4 years. We all know that the world is bare of cotton goods, and it is my judgment, after having seen what I did in the European countries, that the cotton mills of the world could produce at a full rate for at least 5 years to take up the slack and fill the empty shelves of the stores throughout the world. To tell the cotton farmer that he is to be punished simply because manufacturing costs have risen, all of which he has nothing to do with, is unreasonable and unjust. A pound of cotton makes 4 yards of goods, and the increased cost is not the fault of the price of cotton. Cotton prices are way below those that followed the last war, and I earnestly hope in the interest of the southern people you will not permit any such order. With my kindest personal regards,

BURNET R. MAYBANK.

Mr. MAYBANK. I also telegraphed Mr. Chester Bowles regarding the placing of ceiling prices on cotton. I shall not read the telegram, but I ask unanimous consent that it be made a part of my remarks.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

CHARLESTON, S. C., *January 12, 1946.*

Mr. CHESTER BOWLES,
Chief Price Administrator,
Washington, D. C.:

Have wired the President and do trust that you will not put a ceiling on the price of raw cotton as it cannot be enforced honestly in my opinion because of tremendous difference in value of various grades and staples.

BURNET R. MAYBANK,
United States Senator.

Mr. MAYBANK. Mr. President, my reason for sending my telegram was that it was my opinion that, taking into consideration the various grades and staples concerned in the cotton business, it would be impossible to enforce the order.

Yesterday I received a letter from Mr. Bowles which I should like to read. It is as follows:

OFFICE OF PRICE ADMINISTRATION,
Washington, D. C., January 16, 1946.

The Honorable BURNET R. MAYBANK,
United States Senate, Washington, D. C.

DEAR SENATOR MAYBANK: Thank you for your telegram about the question of ceiling prices on cotton.

As you know, the Emergency Price Control Act as amended provides that before growers' maximum prices are established for an agricultural commodity which is the product of annual or seasonal planting, notice of the proposed maximum prices must be given at least 15 days prior to the normal planting season.

I think you will agree that, as Price Administrator, I would be remiss in my duties if I foreclosed myself from any right to take whatever action seemed necessary with respect to such an agricultural commodity. It was for this reason, and this reason only, that I approved the issuance of the recent notice covering raw cotton during the crop year 1946. Without such a notice, it would have been legally impossible, regardless of circumstances, for us to establish any such maximum prices later in the year. This, and I want to emphasize the point, is only a technical procedure. It has no bearing on the actual question of whether there should or should not be ceiling prices on raw cotton. I sincerely hope that such a program will be unnecessary. However, I could not shut myself off from the opportunity to judge this situation on its merits in the future.

I want you to know that the announcement that we have made does not necessarily indicate a final decision by this office to fix ceiling prices as indicated in the notice, or at any other figures. If it becomes evident that the price of cotton is becoming stabilized because of improvement in supply or other reasons, of course it may not be necessary for the proposed ceiling prices to be put into effect. I am very conscious also of the difficulties which might be encountered in the administration of cotton ceilings. I want to assure you that we are constantly watching the situation and that every relevant factor and circumstance will receive thorough consideration.

Recognizing your knowledge of cotton problems, I appreciate very much your expression of your views on this matter.

Sincerely,

CHESTER BOWLES,
Administrator.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. WHERRY. It has been almost impossible on this side to hear what the Senator has been saying.

Mr. MAYBANK. I am sorry; I shall speak louder.

Mr. WHERRY. Was the distinguished Senator discussing the proposed extension of price ceilings on cotton, now contemplated by the Office of Price Administration?

Mr. MAYBANK. The Senator is correct. I was referring to a letter Mr. Bowles wrote me, in keeping with the order I had seen in the newspapers, and the order which had been issued for price ceilings on cotton for the 1946 crop, the crop to be harvested in August, September, and October, after the extension of the OPA if Congress should extend it.

Mr. WHERRY. Has the order actually been placed in operation, or is it a contemplated order?

Mr. MAYBANK. In substance, the letter says that the reason for the issuance of the order was the law which

makes it necessary, before crops are planted, to issue an order 15 days in advance. The letter further states that the order might not be put into effect. It also states that it is the opinion and hope that it will not be put into effect. But the letter does not state positively that it will not be put into effect. This, of course, would be better.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. I have yielded to the Senator from Nebraska.

Mr. WHERRY. I thank the Senator for his statement, and for reading the letter, because the statements are informative, and I think the matter should be brought to the attention of the Senate, because while the order is not yet operative, yet all the steps have been taken so that if the Price Administrator feels it is justified, he can put it into operation when the time comes.

Mr. MAYBANK. Provided Congress continues the OPA, and provided it appropriates the money to carry out such an order.

Mr. WHERRY. I thank the Senator.

Mr. MAYBANK. I now yield to the Senator from Mississippi.

Mr. EASTLAND. The OPA announcement to which the Senator referred suggested, and the Senator stated, that it might not be necessary to put the order into effect. Did not the statement say that the order would not be put into effect provided cotton prices did not go up between now and the summer or early fall, when the crop comes in?

Mr. MAYBANK. The letter does not exactly state that. I quote from the letter:

> I sincerely hope that such a program will be unnecessary.

The letter further states:

> If it becomes evident that the price of cotton is becoming stabilized because of improvement in supply or other reasons, of course, it may not be necessary for the proposed ceiling prices to be put into effect.

Mr. EASTLAND. But if cotton prices become stabilized at these levels, or if they are rolled back, as OPA is now attempting to do, then the order will not be put into effect. That is my understanding of the announcement.

Mr. MAYBANK. I agree, in part, with what the distinguished Senator from Mississippi says. Let me read this additional line:

> I want you to know that the announcement that we have made does not necessarily indicate a final decision by this Office to fix ceiling prices as indicated in the notice.

I might say to the Senator from Mississippi, who well knows the cotton business, that the price of cotton throughout most of the war has been below parity, that the income of the southern cotton farmer is the lowest income of any farm group in the United States, and that the order which was issued practically fixed the price of cotton at parity, while many other crops have sold above parity. Cotton during the war has been below parity, and during the Second World War has been 50 to 100 percent below what it was in World War I.

Mr. EASTLAND. The distinguished Senator from South Carolina states that this is the first time that cotton has been above parity. I should like to call the attention of the Senator to the fact that in computing parity farm labor costs are not included.

Mr. MAYBANK. With that statement I thoroughly agree.

Mr. EASTLAND. Farm labor costs today are over 300 times as high as they were during the base period on which parity was computed, and because labor costs are so high, cotton today is the cheapest commodity in the United States, and cannot be produced profitably at the price the OPA and Mr. Hillman intend to place on this commodity.

I will say further, Mr. President, that the alleged necessity, as shown in the OPA announcement, for the imposition of ceilings is the fact that wage increases have been allowed to the converters, in particular to Sidney Hillman's Garment Workers' Union, who have just received a 20-percent wage increase. Now they attempt to say that that increase should be taken out of the farmer's pocket by rolling back the price of cotton.

Mr. MAYBANK. I appreciate what the Senator from Mississippi has said about the price of cotton. I well realize that it is too low to enable the farmer to make a profit. I well realize that the South will seriously suffer. I well realize that the order cannot be enforced, and I shall certainly oppose it.

Mr. SALTONSTALL. Mr. President——

Mr. MAYBANK. I understand, Mr. President, that the few minutes I had asked for have expired, and in view of the fact that my statement was interrupted by Senators who wished to ask questions, I now ask unanimous consent that I may continue.

The PRESIDENT pro tempore. The Senator from Massachusetts (Mr. SALTONSTALL] is recognized.

Mr. MAYBANK. Mr. President, I ask unanimous consent that I may continue.

Mr. BARKLFY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Kentucky?

Mr. BARKLEY. No; Mr. President. I wanted to ask the Senator from South Carolina a question. I thought he had asked for and received further extension of time.

Mr. MAYBANK. Yes, Mr. President; I should like to have further extension of time in view of the fact that my statement was interrupted by questions from Senators.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from South Carolina? The Chair hears none, and the Senator's request is granted.

Mr. MAYBANK. Mr. President, I yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, I do not want to go into the merits of the ceiling on cotton. On that subject I am inclined to agree with the Senator from South Carolina. I hope there will be no necessity for such action, but if the OPA contemplates such action it is obliged to serve this notice in advance of the planting of the crop.

Mr. MAYBANK. Yes.

Mr. BARKLEY. Otherwise it could not put a ceiling on cotton when the time comes for disposing of the crop.

Mr. MAYBANK. Yes. Mr. Bowles says that is the reason he served the notice.

Mr. BARKLEY. And the preliminary action taken by OPA, therefore, is precautionary, in order to qualify OPA to put the ceiling on cotton if later on OPA finds it necessary to do so.

Mr. MAYBANK. The Senator is correct. That is the substance of the letter which I read.

Mr. President, with the permission of the Senate, I should like to conclude with these few remarks for the RECORD, that we of the South know that there are more than 100 different grades of cotton. Those of us who have spent our lives in the South and who are familiar with the cotton business know of the great number of types and grades of cotton, and we know that the mills buy different types of cotton which are not listed as of any particular grade or type.

Mr. President, properly to conduct the cotton industry requires scientific knowledge. It takes years of study to acquire the scientific knowledge necessary successfully to engage in the cotton industry. It would be totally and absolutely impossible to enforce such an order as is proposed to be issued. There would not be enough men connected with the OPA who would have the knowledge necessary to enforce the order. Such an order would simply bring confusion to the cotton industry, and result in unemployment to the textile workers of the South. It would only result in disrupting the operations of the farmers and the entire economy of the South.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. EASTLAND. The Senator from South Carolina has rendered a distinct service by bringing this matter to the attention of the Senate and to the attention of the country. I should like to ask the Senator from South Carolina a question. Is it the Senator's judgment that if cotton prices would go up 2 or 3 cents a pound higher than they are at the present time, that OPA would hesitate to clamp down the ceiling price which OPA has announced it is its intention to establish?

Mr. MAYBANK. Mr. President, I should not like to answer any question on behalf of OPA. I will only say that I join the Senator from Mississippi and all other Senators who believe in good government in an endeavor to stop any such proceeding, because the different grades of cotton vary in price more than 2 or 3 cents a pound, as the Senator knows, and the Senator also knows that individuals are not going to agree on the matter of differences in grades of cotton.

Mr. EASTLAND. From what I know of the situation, Mr. President, it is my judgment that the OPA is absolutely certain to place a price ceiling on raw cot-

ton should prices go up 2 or 3 cents a pound, and I say further, Mr. President, that cotton today could justifiably go to 30 cents a pound, for it will take that price to give a decent return to those in this country who produce raw cotton, but 30-cent cotton would not increase the clothing bill which consumers in the United States must pay for cotton textiles today.

Mr. MAYBANK. Of course, the Senator is correct. A pound of cotton makes 4 yards of goods. Such an increase in the price of raw cotton would not make a difference of 15 cents in the price of a shirt.

Mr. EASTLAND. Mr. President, in this connection I shall bring a matter to the attention of the Senate next week. Senators from the West who are interested in livestock, as well as Senators from the South who are interested in cotton should obtain the personnel files of OPA and see the type of men who are administering and controlling the basic American industries. Of the five men who have conducted the negotiations respecting price ceilings on raw cotton, four are from the city of New York. Several were deferred from the armed forces as keymen in the OPA. They are professional bureaucrats. They were clerks in the Government service until they were transferred to OPA. Not a single one has had any experience of any kind, character, or description in the cotton business, in the production, growing, marketing, and manufacturing of this commodity. It is utterly impossible to point to any one single qualification that any of these men have to administer and control this great business.

Mr. MAYBANK. Mr. President——

Mr. EASTLAND. And I venture to assert, Mr. President——

The PRESIDENT pro tempore. The time of the Senator from South Carolina, as extended, has expired. The Chair calls attention to the fact that it is now the morning hour.

Mr. MAYBANK. I understand, Mr. President, and I ask unanimous consent that I may conclude my statement.

Mr. EASTLAND. Just a moment. I desire but half a minute to conclude.

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Mississippi for one-half minute?

Mr. MAYBANK. I yield for one-half minute.

The PRESIDENT pro tempore. Other Senators are on their feet wishing recognition. In view of the fact that we are now in the morning hour other Senators are entitled to recognition.

Mr. EASTLAND. I venture to assert, Mr. President, that if the Senators who are interested in livestock or wheat or other commodities should check the qualifications of the men who are administering those commodities they will be presented with the same miserable picture in the OPA that is presented to the cotton growers. Mr. President, that is why this agency should be abolished and its power should be transferred to permanent Government agencies. I do not think we need any price ceilings on farm products.

Mr. LUCAS. Mr. President, I ask for the regular order.

The PRESIDENT pro tempore. The regular order is demanded.

Mr. EASTLAND. The powers of the OPA should be transferred to the Department of Agriculture and other permanent Government agencies.

The PRESIDENT pro tempore. The regular order is demanded. The presentation of further petitions and memorials is in order. The Senator from Massachusetts [Mr. SALTONSTALL] is recognized.

B'NAI B'RITH—CITATION FOR SERVICE BY THE NAVY

Mr. SALTONSTALL. Mr. President, because of the fact that certain fine war work which was begun by a service organization while I was Governor of Massachusetts, later assumed national proportions, I should like to place in the RECORD the award to that service organization, the B'nai B'rith, by the Navy.

On December 12, 1945, in Boston, the United States Navy presented to B'nai B'rith, the Nation's oldest and largest national Jewish service organization, a special citation for service to the Nation in the war effort. Rear Adm. Forrest P. Sherman, a native son of Massachusetts, and deputy chief of naval operations as the official representative of the Navy, presented a certificate of achievement to Henry Monsky, president of B'nai B'rith. The text of the citation reads: "Certificate of achievement—awarded to B'nai B'rith—in recognition of exceptional accomplishment in behalf of the United States Navy and meritorious contribution to the national war effort."

In presenting the citation, Admiral Sherman said:

> The Navy owes a debt of gratitude to the B'nai B'rith and is deeply appreciative of the unselfish service which it has rendered in this war. Particularly noteworthy has been the serve-a-ship program which was originated in Boston by Col. Elliott A. Niles, of B'nai B'rith's National War Service Committee and national chairman of its serve-a-ship program. The program was first inaugurated on the U. S. S. *Massachusetts*.
>
> Starting with the battleship *Massachusetts* in the spring of 1942, through your program more than 800 ships, ranging from battleships and aircraft carriers to destroyers, submarines and landing craft, have been provided with innumerable items which made life at sea less rigorous, and which, by improving conditions of our men, made them better fighting men. Such things as mechanical cows, magazine and newspaper subscriptions, musical instruments, games and radios add up to a very large factor in combat morale. Naval hospitals have been given pianos and a dozen Navy hospital ships have been provided with such needed recreational services and equipment.

In accepting the citation on behalf of B'nai B'rith, Mr. Monsky paid tribute to the work of Colonel Niles and of B'nai B'rith in Boston in initiating the serve-a-ship program. After reviewing the record of B'nai B'rith service to the Navy and expressing his profound appreciation of this gracious recognition by the Navy, Mr. Monsky said the army of B'nai B'rith men, women, and young people who compiled this record "did it without any expectation of reward, except the gratification that comes from having exercised a patriotic privilege. We are therefore grateful not so much for the citation as for the opportunity which the United States Navy afforded us to mobilize the manpower and womanpower of the B'nai B'rith, to serve the men and women who gave so much and made such great sacrifices in order that our democratic traditions and all which that implies, might be preserved and perpetuated."

Mr. President, I should like to add to that statement for the RECORD a slightly longer story of the service of the B'nai B'rith to the Navy.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

B'NAI B'RITH SERVES THE NAVY

A sailor and a marine were the first two servicemen who registered on Christmas Eve 1943 at the opening of the B'nai B'rith hospitality house in Los Angeles, the world's largest free hotel for servicemen, which has provided week-end sleeping accommodations, linen, coffee and doughnuts, and homelike surroundings for nearly 150,000 men.

"I don't know this guy 'Benny B'rith,' but if he's the guy who gave me this, you can thank him for me," drawled the battle-scarred marine. And a homesick sailor from Kansas exclaimed, wide-eyed, "You mean all this is free? It doesn't cost a cent? Geez! You guys are O. K."

Throughout the world men and officers of the Navy who have seen and heard what the B'nai B'rith, the Nation's oldest and largest Jewish service organization, has been doing for the men and women of the Navy since long before Pearl Harbor on a completely nonsectarian basis echo the words of that Kansas sailor: "You guys are O. K."

B'nai B'rith's service to the Navy long antedated Pearl Harbor. In the fall of 1940 B'nai B'rith began providing recreational equipment for the use of officers and crews of submarines, destroyer escorts, PT boats, and similar vessels, and for the officers and men of Marine Corps units. The most popular piece of equipment was an indoor football game which was distributed by the thousands to naval district recreational officers and commandants of Marine Corps barracks. Because of their compact form and the ease with which they could be used in the most crowded quarters, ships' officers and Marine Corps officers flooded B'nai B'rith for repeat orders.

Two other B'nai B'rith projects that began months before Pearl Harbor also included service to the Navy. Of the 1,520 recreation facilities furnished and equipped for the armed forces in every State by B'nai B'rith, 294 were outfitted at naval shore stations, training schools, naval and Coast Guard hospitals, Marine Corps bases, Navy airfields, and WAVE and SPAR barracks and schools at a cost of more than $225,000. These ranged from complete recreation buildings furnished at McIntyre Hospital, Great Lakes Naval Training Station, to recreation, reading, game, and sun rooms. Of the 200 Torah scrolls, furnished by B'nai B'rith for use in conducting Jewish religious services, 43 were provided for Navy chapels.

The biggest B'nai B'rith war-service program for the Navy is the serve-a-ship project, through which B'nai B'rith units adopted more than 800 naval vessels, ranging from battleships and giant carriers to the smallest landing craft. Starting with the U. S. S. *Massachusetts* in the spring of 1942, B'nai B'rith has outfitted fighting ships with such things as mechanical cows, musical instruments for ships' bands and orchestras, magazine and newspaper subscriptions, libraries,

games by the thousands, radios, phonographs and record libraries, playing cards, recording machines, washing machines, soda fountains, religious equipment, portable organs, sound systems, game kits, tonsorial equipment, electric irons, cameras and film, cigarette lighters.

Mechanical cows, which furnish fresh milk and ice cream at all times, were given to the U. S. S. *Boston* and the aircraft carrier *Lexington* at a cost of $5,000. The battleships *Massachusetts, Iowa, Wisconsin, Missouri* were provided with complete equipment to outfit a ship's orchestra, in addition to recording equipment, hundreds of game kits, an endless supply of magazine subscriptions, and playing cards. Scores of destroyers and destroyer escorts launched at Atlantic, Gulf, New England, and Pacific coast bases were given specially built radio receivers.

Early in 1944 the Navy's Amphibious Forces called upon B'nai B'rith to extend its services to the officers and crews of LCI, LTI, and LSM boats. Since then more than 400 of such vessels have been adopted by B'nai B'rith, which provided the officers and men with regular supplies of tobacco, candy, cigarettes, books, and games. In a number of instances these ships were outfitted with complete sound systems. Every submarine launched at the Portsmouth Naval Base was provided with a case of recreation equipment by B'nai B'rith. At the Evansville, Ind., yard every Navy ship launched went to sea flying an American flag presented by B'nai B'rith.

Over 300 portable organs for religious and recreational use by Navy and marine units throughout the world were made available by B'nai B'rith. Even such things as dutch ovens and electric irons, which were treasures to men aboard Coast Guard vessels, were furnished by B'nai B'rith. The naval gun crews on merchant marine ships were not forgotten either. Regular gift packages were provided for these men as well as chests of athletic equipment. Special shopping services were arranged for the men while on shore leave.

The serve-a-ship program was extended to Navy hospital ships in the summer of 1944, with the approval of the Surgeon General of the Navy. The first organization to undertake such service, B'nai B'rith provided special gift packages for wounded seamen en route home and added a homey touch by making available individually wrapped birthday gifts. Since the middle of 1945 this hospital ship program has been converted into a similar service for the men at Navy hospitals.

No service has been too large or too small. When the Navy Chaplains' Office found a need for supplementary ritual equipment for Jewish naval chaplains, B'nai B'rith stepped in and made it available. A 48-page brochure entitled "Ministering to Jews in the Navy," issued by the Navy Chaplains' Office, was published with the aid of a B'nai B'rith grant.

During Navy Day, B'nai B'rith helped feed and entertain thousands of bluejackets in New York, Los Angeles, and San Francisco. Countless Navy men and officers have been entertained at every manner of B'nai B'rith hospitality program.

In all these services to the Navy, B'nai B'rith was motivated by its century-old tradition of service to the Nation. But it got a big thrill about the battle exploits of the ships whose men it adopted. The high mark came when the U. S. S. *Missouri*, which had been equipped with recreation material by B'nai B'rith, was selected as the site of the Japanese surrender. When the newsreels showed an LCI boat adopted by B'nai B'rith leading the invasion of southern France, the B'nai B'rith celebrated by speeding up its recreation program for landing craft. When the U. S. S. *Massachusetts* took part in the invasion of north Africa, B'nai B'rith got a big thrill out of a gift of a piece of shell fired at Oran which the crew sent to B'nai B'rith, and the first American flag to be planted in the Palau Islands was one presented to a landing craft by B'nai B'rith.

Among B'nai B'rith's most prized possessions are the stacks of letters it has received from officers and men in all parts of the world, telling how the recreation material furnished by B'nai B'rith contributed toward the high morale of the Navy's fighting men. These letters came from Admiral Nimitz, Surgeon General McIntire, former Chief of Chaplains Workman, Admiral Denfield, and scores of officers, chaplains, and enlisted men.

No complete list of all the ships served by B'nai B'rith is available because during the war reasons of security made it impossible for ship's names to be disclosed in many cases. Thus, B'nai B'rith equipment and gifts were assigned to literally hundreds of ships whose names were not known until letters of appreciation began pouring in, but the following is a partial list of some of the bigger ships:

Battleships: *Massachusetts, Missouri, Iowa, Wisconsin.*

Aircraft carriers: *Franklin D. Roosevelt, Wasp, Lexington, Bunker Hill, Shangri-La.*

Cruisers: *Baltimore, Stamford, Boston, Biloxi, Long Beach, St. Paul, Philadelphia, Providence, Houston, Albany, Astoria, Pasadena, Chicago, Cincinnati.*

Destroyers and destroyer escorts: *Ward, O'Brien, Leland Thomas, Strauss, Miller, Stewart, Keith, Moore, Tomich, Sturtevant, Otterstetter, Mayrant, Mason, Lipan, Cabana, Jeffery, Farquhar, Stadtfield, Mifflin, Gwinnet, Richland, Lebanon, Rockland, Dawson, Norton Sound, Deule, Chilton, Telfair, Admiral Sims, Powell, Robert I. Paine, Reuben James, Sloat, Firedrake, Alexander J. Luke.*

CHRISTIAN PEACE IN A CHRISTIAN EUROPE—PETITIONS

Mr. TAFT. Mr. President, I present for appropriate reference petitions from sundry citizens of the United States, praying for a Christian peace in a Christian Europe and a curb on rampant tyranny. I ask unanimous consent that one of the petitions be printed in the RECORD.

The PRESIDENT pro tempore. The petitions presented by the Senator from Ohio will be referred to the Committee on Foreign Relations, and without objection, one of the petitions will be printed in the RECORD.

The petition is as follows:

As an American citizen, entitled to vote, I hereby sign your "Petition to Congress for a Christian peace in a Christian Europe and a curb on rampant tyranny, a peace not of fears but of charity, of hope and not of desolation, a peace without rancourt or falsehood, and fit for men born free and equal in pursuit of happiness."

REV. ANTHONY G. ANDRES.

DAYTON, OHIO.

COMPULSORY MILITARY SERVICE—EDITORIAL FROM LABOR

Mr. CAPPER. Mr. President, Labor, a well-known publication which is devoted to the interests of labor, has printed an editorial expressing its opposition to compulsory military service in peacetime, which I ask to have printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MINISTERS CONDEMN COMPULSORY SERVICE

Despite newspaper polls the people of this country are emphatically opposed to compulsory military training in peacetime. A splendid illustration of this was given in Washington within the last few days.

The Washington Ministerial Union is made up of practically all the pastors of Protestant churches in the Capital. At the last meeting of the union, Rev. Custer Cromwell, pastor of Lewis Memorial Methodist Church, offered a resolution condemning "enactment of any law by Congress which would provide for universal compulsory military training for the youth of our Nation." It was adopted almost unanimously.

A week or so before, Catholic bishops from all parts of the country met in Washington for their regular meeting and they, too, condemned the President's plan for compulsory service.

These are just "straws," but they are impressive "straws." Ministers of the gospel are not so far removed from members of their congregations as to radically differ with them on such an outstanding issue.

RELEASE OF FARM MACHINERY FOR RECLAMATION AND CONSERVATION—RESOLUTION OF MISSISSIPPI STATE ASSOCIATION OF SOIL CONSERVATION DISTRICT COMMISSIONERS

Mr. EASTLAND. Mr. President, I present for appropriate reference and printing in the RECORD a resolution adopted by the Mississippi State Association of Soil Conservation District Commissioners at its annual meeting in Jackson, Miss., on January 5, 1946, favoring release of farm machinery for reclamation and conservation of soil of Mississippi.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

"Whereas Mississippi is and has always been primarily an agricultural State;

"Whereas soil depletion and waste of soil resources due to heavy rainfall and improper land use have possibly exceeded that of any other State in the Nation;

"Whereas the State of Mississippi, through the agency of the Soil Conservation Service, now has information and plans suitable for the reclamation and conservation of the soils and natural resources of said State;

"Whereas due to the present impoverished condition of the soils of the State the majority of the individual farmers are unable financially to purchase and operate machinery capable of reclaiming and saving the soil and natural resources of the State;

"Whereas there is held by the Federal Government at this time vast stores of surplus war materials;

"Whereas the farmers of the State of Mississippi are but temporary custodians of the birthright of the State, namely, its soil and natural resources; and

"Whereas it would be to the benefit of the Nation as a whole and to generations yet unborn to reclaim and preserve this natural heritage: Now, therefore, be it

"Resolved by the Soil Conservation District Commissioners of the State of Mississippi at their annual meeting in Jackson, Miss., on January 5, 1946, That the United States Government be requested to deliver, through its proper agency, without charge, to the Soil Conservation Service for grant to soil-conservation districts such machinery as the

State Association of Soil Conservation District Commissioners in its opinion deems necessary for the proper reclamation and conservation of the soils of Mississippi; be it further

"*Resolved*, That copies of this resolution be sent to the President and Acting Vice President of the United States, the Secretary of Agriculture of the United States, and to each Member of the Congress from the State of Mississippi."

I certify that the above is a true and correct copy of a resolution unanimously passed by the Mississippi State Association of Soil Conservation District Commissioners at its annual meeting in Jackson, Miss., on January 3, 1946.

PAUL D. MERRELL,
State President of the Association.

REPORTS OF COMMITTEE ON CLAIMS

The following reports of a committee were submitted:

By Mr. ELLENDER, from the Committee on Claims:

H. R. 1613. A bill for the relief of Christopher Dance; with an amendment (Rept. No. 890).

By Mr. McMAHON, from the Committee on Claims:

S. 884. A bill conferring jurisdiction upon the United States District Court for the Middle District of North Carolina to hear, determine, and render judgment upon certain claims of the Patuxent Development Co., Inc.; without amendment (Rept. No. 891).

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate reports for the month of December 1945, from the chairmen of certain committees, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

SENATE COMMITTEE OF PUBLIC LANDS AND SURVEYS,
January 2, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the name of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of December 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944 (see attached memorandum):

CARL A. HATCH, *Chairman.*
By W. H. MCMAINS, *Clerk.*

UNITED STATES SENATE,
COMMITTEE ON PUBLIC LANDS AND SURVEYS,
January 2, 1946.

Memorandum to Senator CARL A. HATCH, chairman, Senate Committee on Public Lands and Surveys.

From Senator PAT MCCARRAN, chairman, Subcommittee To Investigate the Administration and Use of Public Lands.

The following persons are detailed from the Department of Agriculture (Forest Service) to assist with the work of the above-mentioned subcommittee:

E. S Haskell, senior administrative officer, Forest Service, CAF-12; basic salary, $5,000 per annum.

Elizabeth Heckman, clerk, CAF-5; basic salary, $2,000 per annum.

SENATE COMMITTEE ON APPROPRIATIONS

JANUARY 2, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the name of a person employed by the committee who is not a full-time employee of the Senate or of the committee for the month of December 1945, in compliance with the terms of Senate Resolution 319, agreed to Aug. 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Mrs. Mamie L. Mizen	1434 Saratoga Ave	District of Columbia government	$3,970

KENNETH MCKELLAR, *Acting Chairman.*

COMMITTEE ON NAVAL AFFAIRS

DECEMBER 31, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of December 1945, in compliance with the terms of Senate Resolution 319, agreed to Aug. 23, 1944:

Name of individua.	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Capt. James A. Saunders, USN (retired).	4105 Oliver St., Chevy Chase, Md	Office of the Chief of Naval Operations, Navy Department, Washington, D. C.	$6,000
Chief Yeoman Herbert S. Atkinson (T), USNR.	2405 Pennington Rd., Trenton, N. J	do	1,739
Yeoman First Class John M. Flannery, USNR.	17 Livingston St., Binghamton, N. Y	do	1,436

DAVID I. WALSH, *Chairman.*

SENATE NAVY LIAISON OFFICE, ROOM 461, SENATE OFFICE BUILDING

DECEMBER 31, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of December 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Lt. Comdr. Frederick A. McLaughlin, USNR.	317 Lynn Drive Chevy Chase, Md	Bureau of Naval Personnel, Navy Department, Washington, D. C.	$3,000
Lt. Comdr. Joseph G. Feeney, USNR.	2745 29th St. NW., Washington, D. C	do	3,150
Lt. Comdr. H. Harris, USNR	1835 Phelps Pl. NW., Washington, D. C	do	3,150
Loretto F. Jochman, yeoman second class, USNR.	3445 Oakwood Ter. NW., Washington, D. C	do	1,152
Eleanor W. StClair, yeoman second class, USNR.	do	do	1,152
C. Wilson, seaman first class, USNR.	Wave Quarters D, Washington, D. C	do	742

The above employees are representatives of the Bureau of Naval Personnel, Navy Department, to assist Senators on naval personnel matters.

DAVID I. WALSH.

COMMITTEE ON EDUCATION AND LABOR

JANUARY 2, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the name of a person employed by the committee who is not a full-time employee of the Senate or of the committee for the month of December 1945, in compliance with the terms of Senate Resolution 319, agreed to Aug. 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
John W. Nelson	2745 29th St. NW., Washington, D. C	Department of Labor, Washington D. C	$5,600

JAMES E. MURRAY, *Chairman.*

SUBCOMMITTEE ON WARTIME HEALTH AND EDUCATION

JANUARY 1, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of December 1945, in compliance with the terms of Senate Resolution 319, agreed to Aug. 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Lauretta April	2714 Quarry Rd NW., Washington, D. C	National Housing Agency, 1001 Vermont Ave. NW	$4,300
Charles Bragman	Arlington Village Apartments, Arlington, Va	Federal Public Housing Authority, 1201 Connecticut Ave. NW	6,440
Betty Brimberg	5331 16th St. NW., Washington, D. C	Farm Security Administration, U. S. Department of Agriculture	2,100
Olive F. Caldbeck	237 Mississippi Ave. SE., Washington, D. C	Federal Public Housing Authority, 1201 Connecticut Ave. NW	2,320
Groff Conklin	514 2d St. NW., Washington, D. C	U. S. Public Health Service	6,230
Philip C. Curtis	4303 Russell Ave., Mount Rainier, Md	Navy Department, 18th and Constitution Ave. NW	4,600
Patricia Daines	2000 F St. NW., Washington, D. C	Department of Labor, 14th and Constitution Ave. NW	2,100
Richard P. Daniels	1743 Columbia Rd. NW., Washington, D. C	Federal Public Housing Authority, 1201 Connecticut Ave. NW	1,704
Marion L. Dillon	3659 Minnesota Ave. SE., Washington, D. C	Navy Department, 18th and Constitution	3,200
Rose Gerber	2513 14th St. NW., Washington, D. C	Veterans' Administration, Vermont and I St. NW	3,047
Bernard Leroy	Persimmon Tree Rd., Bethesda, Md	Navy Department, 18th and Constitution Ave. NW	7,500
Joseph McMurray	120 C St. NW., Washington, D. C	Department of Labor, 14th and Constitution Ave. NW	5,180
Love Morgan	1607 18th St. SE., Washington, D. C	Veterans' Administration, Vermont and I St. NW	2,650
Dolores Raschella	3028 Wisconsin Ave. NW., Washington, D. C	Federal Public Housing, 1201 Connecticut Ave	2,320
Milton Rossoff	2712 29th St. SE., Washington, D. C	Office of Labor, Department of Agriculture	4,500
Lt. Comdr. John B. Truslow, M. C., USNR.	2007 Peabody St., West Hyattsville, Md	Navy Department, 18th and Constitution Ave. NW	3,000
Capt. Leslie Falk, M. C., AUS	2804 Terrace Rd. SE., Washington, D. C	War Department, Pentagon Building	2,000

CLAUDE PEPPER, *Chairman.*

SENATE MILITARY AFFAIRS COMMITTEE, SUBCOMMITTEE ON WAR MOBILIZATION

JANUARY 5, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of December 1945, in compliance with the terms of Senate Resolution 319, agreed to Aug. 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Ann S. Gertler	3721 39th St. NW., Washington, D. C	Department of the Interior, Washington, D. C	$2,980.00
Joan P. Karasik	1919 19th St. NW., Washington, D. C	Foreign Economic Administration, Washington, D. C	4,300.00
C. Theodore Larson	3917 North 5th St., Arlington, Va	National Housing Agency, Washington, D. C	6,230.00
Fritzie P. Manuel	1621 T St. NW., Washington, D. C	State Department, Washington, D. C	5,180.00
Darel McConkey	509 Fontaine St., Alexandria, Va	Department of the Interior, Washington, D. C	6,230.00
Cora L. Moen	5327 16th St. NW., Washington, D. C	Office of Price Administration, Washington, D. C	2,650.00
Elizabeth H. Oleksy	1620 Fuller St. NW., Washington, D. C	Office of War Mobilization and Reconversion, Washington, D. C	3,090.00
Mary Jane Oliveto	500 B St. NE., Washington, D. C	National Housing Agency, Washington, D. C	2,100.00
Francis C. Rosenberger	5814 64th Ave., East Riverdale, Md	Office of Price Administration, Washington, D. C	6,230.00
Herbert Schimmel	3604 Minnesota Ave. SE., Washington, D. C	Office of War Mobilization and Reconversion, Washington, D. C	9,012.50

H. M. KILGORE, *Chairman.*

SPECIAL COMMITTEE TO STUDY AND SURVEY PROBLEMS OF SMALL BUSINESS ENTERPRISES

JANUARY 1, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of December 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Herman Edelsberg	2141 Suitland Ter. SE., Washington, D. C	Foreign Economic Administration, Washington, D. C	$7,175
Harry J. Evans	3010 Gainsville St. SE., Washington, D. C	Reconstruction Finance Corporation, Washington, D. C	7,175
F. Preston Forbes	502 Four Mile Rd., Alexandria, Va	Commerce Department, Washington, D. C	7,175
Scott K. Gray, Jr.	119 Joliet St. SW., Washington, D. C	Reconstruction Finance Corporation, Washington, D. C	5,390
Stella J. Groeper	1127 Branch Ave. SE., Washington, D. C	do	2,980
Lt. George H. Soule	4020 Beecher St. NW., Washington, D. C	Navy Department, Washington, D. C	2,400
L. Evelyn Spicer	1708 Kilbourne Pl. NW., Washington, D. C	Reconstruction Finance Corporation, Washington, D. C	3,090
Frederick W. Steckman	4000 Cathedral Ave. NW., Washington, D. C	Maritime Commission, Washington, D. C	5,600
Margie L. Strubel	4632 12th St. NE., Washington, D. C	Reconstruction Finance Corporation, Washington, D. C	2,320
Allen G. Thurman	9729 Bexhill Dr., Rock Creek Hills, Md	Maritime Commission, Washington, D. C	7,175

JAMES E. MURRAY, *Chairman.*

SPECIAL COMMITTEE ON ATOMIC ENERGY

DECEMBER 31, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of December 1945, in compliance with the terms of Senate Resolution 319, agreed to Aug. 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Edward U. Condon	3324 Military Rd.	Bureau of Standards	$9,800.00
James R. Newman	1321 Holly St. NW.	Office of War Mobilization	9,012.50
Jean Sulzberger	1457 Belmont St. NW.	National Institute of Public Affairs	(1)

[1] Miss Sulzberger is employed without compensation under title of intern, a student studying committee procedure.

BRIEN MCMAHON, *Chairman.*

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RUSSELL:

S. 1731. A bill for the relief of Lester A. Dessez; to the Committee on Claims.

By Mr. ROBERTSON:

S. 1732. A bill for the relief of Mr. and Mrs. Edward H. Isenhart; to the Committee on Claims.

By Mr. McCLELLAN:

S. 1733. A bill for the relief of Desmark Wright; to the Committee on Claims.

(Mr. WILSON introduced Senate bill 1734, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

By Mr. BUTLER:

S. 1735. A bill to authorize the promotion of certain officers who were wounded while performing duties of a higher grade; to the Committee on Military Affairs.

By Mr. McCARRAN:

S. 1736. A bill to provide financing for rehabilitation of precious metal mines; to the Committee on Mines and Mining.

(Mr. McCARRAN also introduced Senate bill 1737, to incorporate into the Judicial Code the provisions of certain statutes relating to three-judge district courts, and for other purposes, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. WALSH:

S. 1738. A bill to establish a Chief of Chaplains in the United States Navy;

S. 1739. A bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires which occurred at various Navy shore activities; and

S. 1740. A bill to provide for payment of travel allowances and transportation, and for transportation of dependents and shipment of household effects, of members of the naval forces upon separation from active service, and for other purposes; to the Committee on Naval Affairs.

By Mr. TAFT:

S. 1741. A bill for the relief of Mrs. Yoneko Nakazawa; to the Committee on Immigration.

By Mr. FERGUSON:

S. 1742. A bill for the relief of Socony-Vacuum Oil Co.; to the Committee on Claims.

By Mr. ANDREWS:

S. 1743. A bill to amend the act entitled "An act defining the compensation of persons holding positions as deputy clerks and commissioners of United States district courts, and for other purposes," approved June 16, 1938;

S. 1744. A bill to permit retired officers of the armed forces to act as an agent or attorney for prosecuting a claim against the United States; and

S. 1745. A bill to change Armistice Day to World Peace Day; to the Committee on the Judiciary.

By Mr. THOMAS of Utah:

S. 1746. A bill to govern distribution of war trophies; to the Committee on Military Affairs.

S. 1747. A bill for the relief of John C. Spargo; and

S. 1748. A bill conferring jurisdiction upon the United States District Court for the Western District of Washington to hear, determine, and render judgment upon the claim of Ivor E. Nicholas; to the Committee on Claims.

(Mr. JOHNSON of Colorado (for Mr. CARVILLE) introduced Senate bill 1749, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

By Mr. CORDON:

S. 1750. A bill for the relief of Dan C. Rodgers; to the Committee on Claims.

By Mr. MORSE:

S. 1751. A bill for the relief of Wayne Parker; to the Committee on Claims.

By Mr. LANGER:

S. 1752. A bill to increase the insurance protection of depositors in federally insured banks from $5,000 to $15,000; to the Committee on Banking and Currency.

S. 1753. A bill to increase the rates of pensions payable to widows of veterans of the War with Spain, the Philippine Insurrection, and the China Relief Expedition; to the Committee on Pensions.

S. 1754. A bill to provide for allowance of premiums paid on not to exceed $5,000 of life insurance as a credit against Federal income tax; to the Committee on Finance.

By Mr. WALSH:

S. J. Res. 130. Joint resolution to authorize the President to appoint Rear Adm. Earle W. Mills, United States Navy, to the office of Chairman and member of the United States Maritime Commission and Administrator of the War Shipping Administration without affecting his naval status and perquisites; to the Committee on Naval Affairs.

By Mr. FULBRIGHT:

S. J. Res. 131. Joint resolution clarifying the Surplus Property Act in regard to sale of defense housing for veterans; to the Committee on Military Affairs.

By Mr. HILL:

S. J. Res. 132. Joint resolution clarifying the Surplus Property Act in regard to sale of defense housing for veterans; to the Committee on Military Affairs.

RELEASE OF CERTAIN INDIVIDUALS FROM THE ARMED FORCES

Mr. WILSON. Mr. President, I introduce for appropriate reference a bill to require the release of certain individuals from the armed forces, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the bill (S. 1734) to require the release of certain individuals from the armed forces, was read twice by its title, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That after the date of the enactment of this act, no member of the Army, Navy, Marine Corps, or Coast Guard, other than a commissioned officer or a warrant officer in the regular component of either of such services, may be required involuntarily to remain on active duty in the armed forces of the United States subsequent to the expiration of 6 months after October 1, 1945, unless he (1) is then serving under an enlistment in the regular component of his service which has not expired, (2) is a selectee who has not completed 1 year of training and service for which he is liable under the provisions of the Selective Training and Service Act of 1940, as amended, or (3) is serving a sentence imposed by a court martial or is under charges of having violated the Articles of War or the Articles for the Government of the Navy.

PROCEDURE FOR CONVENING THREE-JUDGE DISTRICT COURTS

Mr. McCARRAN. Mr. President, I send forward for appropriate reference a bill to incorporate into the Judicial Code the provisions of certain statutes relating to three-judge district courts, and for other purposes.

In connection with the bill, I send forward, by way of explanation of the bill, a letter from Mr. Henry P. Chandler, Director of the Administrative Office of the United States Courts, and a statement of Messrs. Albert B. Maris, Kimbrough Stone, and Orie L. Phillips on behalf of the special committee of the Conference of Senior Circuit Judges.

The PRESIDENT pro tempore. The bill introduced by the Senator from Nevada will be received and appropriately referred, and without objection, the letter and statement will be printed in the RECORD.

The bill (S. 1737) to incorporate into the Judicial Code the provisions of certain statutes relating to three-judge district courts, and for other purposes, was read twice by its title and referred to the Committee on the Judiciary.

The letter and statement ordered to be printed in the RECORD are as follows:

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS,
Washington, D. C., December 27, 1945.

HON. PAT MCCARRAN,
Chairman, Judiciary Committee,
United States Senate.

DEAR SENATOR MCCARRAN: I herewith transmit a bill recommended by the Judicial Conference of Senior Circuit Judges to regulate the procedure for convening district courts

of three judges provided for by statute, and respectfully request its introduction and consideration. The purpose is to establish a uniform method in place of the differing methods now prescribed by different statutes.

There are four statutes which at present authorize the convening of a district court of three judges and prescribe the procedure to be followed: (1) the Expediting Act (15 U. S. C., Supp. IV, 28, and 49 id. 44), which relates to suits brought by the Government under the antitrust and commerce laws; (2) section 266 of the Judicial Code (28 U. S. C. 380), which relates to suits brought to restrain the enforcement of State statutes; (3) the act of August 24, 1937 (28 U. S. C. 380a), which relates to suits brought to restrain the enforcement of Federal statutes; and (4) the Urgent Deficiencies Act (28 U. S. C. 47), which relates to suits brought to set aside orders of the Interstate Commerce Commission.

Each of the statutes cited prescribes that the three-judge district court shall include at least one circuit judge (or in the case of section 266 of the Judicial Code, a Justice of the Supreme Court). The choice of the judges to be designated is vested by the statutes Nos. 1 and 3 above in the senior circuit judge of the circuit; the choice under the statutes Nos. 2 and 4 rests in the judge before whom the case is first brought, who calls to his assistance two other judges. The former method is provided for by the act of 1937 (50 Stat. 753, 28 U. S. C. 380a) and by the last amendment of the Expediting Act (56 Stat. 198, 15 U. S. C., Supp. IV, 28, and 49 id. 44). These enactments represent the latest expression of the Congress on the subject and the method prescribed seems to the Judicial Conference logical and desirable. Consequently, it is adopted in the enclosed bill as the method to be followed in all cases in which a three-judge district court is necessary.

In addition to providing for a uniform method of constituting three-judge district courts, the enclosed bill reenacts with some rearrangement and slight changes of language for the sake of clarity and order, various provisions of the Judicial Code and the Urgent Deficiencies Act relating to proceedings of the nature involved. The need for such a revision and the nature of it are explained in a report of a committee of the Judicial Conference, consisting of Circuit Judges Kimbrough Stone, of Missouri, Orie L. Phillips, of Colorado, Albert B. Maris, of Pennsylvania, and Evan A. Evans, of Wisconsin, dated October 3, 1944, and annotations on the bill in the form recommended at that time, copies of both of which are attached. (The subsequent changes in the bill in the course of its consideration by the Judicial Conference did not affect its general nature and result, so that the report and annotations with a few minor exceptions relating to section 207 and the last two sentences of section 209 of the Judicial Code as shown in section 2 of the annotated bill (the former of which is altered and the latter of which are omitted in the enclosed bill) are still applicable.)

The measure now recommended is necessary in order to render the method of constituting three-judge district courts required by statute, certain and uniform. It will simplify and improve the part of the Judicial Code affected, and I trust that it may meet the approval of the Congress and be enacted.

Respectfully yours,

HENRY P. CHANDLER.

To the Chief Justice of the United States and Members of the Conference of Senior Circuit Judges:

Pursuant to the direction of the conference at its September session, 1942, the committee which was continued to draft a bill to provide a uniform method of assembling specially constituted district courts of three judges, submits as its report the draft bill annexed hereto as appendix A. Also annexed, marked "Appendix B," are explanatory notes as to each section of the draft bill. Some additional explanation of the plan upon which the bill was drafted and of the changes which it would effect, may be helpful.

There are four statutes which at present authorize the convening of a district court of three judges and provide in detail the procedure in respect thereto, (1) the Expediting Act (15 U. S. C. A. 28 and 49 U. S. C. A. 44) which relates to suits brought by the Government under the antitrust and commerce laws, (2) section 266 of the Judicial Code (28 U. S. C. A. 380) which relates to suits brought to restrain the enforcement of State statutes, (3) the act of August 24, 1937 (28 U. S. C. A. 380a) which relates to suits brought to restrain the enforcement of Federal statutes, and (4) the Urgent Deficiences Act (28 U. S. C. A. 47) which relates to suits brought to set aside orders of the Interstate Commerce Commission.

Prior to the passage of the act of April 6, 1942, there was no uniformity in the provisions of these statutes with regard to the convening of such courts and the procedure therein. The Expediting Act provided that the court should be made up of not less than three circuit judges but was silent as to the manner in which the circuit judges who were to sit in the case should be selected. Section 266 of the Judicial Code and the Urgent Deficiencies Act both provide that the court shall be constituted by the judge to whom the application is made calling to his assistance two other judges. Neither act, however, makes it the duty of the judges thus summoned to attend.

The act of 1937, on the other hand, sets forth a definite method of convening a three-judge district court by application to the senior circuit judge who thereupon designates the judges who are to sit in the court. The act provides that it shall be the duty of the judges so designated to participate in the case. It provides that the three-judge procedure shall apply to the grant of both interlocutory and permanent injunctions. It sets forth the procedure for granting a temporary restraining order and provides for a direct appeal to the Supeme Court. The act of 1937 is the last as well as the most carefully drawn expression by Congress on the subject. It conforms to the procedure approved by the judicial conference last year. Your committee accordingly has taken the provisions of the act of 1937 as the basis for our draft of uniform provisions in all three-judge cases.

In line with this idea Congress last year passed the act of April 6, 1942 (56 Stat. 198), which amended the Expediting Act so as to provide substantially the same method of constituting a three-judge expediting court for Government suits under the antitrust and commerce laws as is provided by the act of 1937. Your committee accordingly proposes by the draft bill herewith submitted to amend the statutory provisions for the review of Interstate Commerce Commission orders (now contained in the Urgent Deficiencies Act) and section 266 of the Judicial Code relating to suits to enjoin State statutes, so as to make them uniform, insofar as they relate to three-judge district courts, with the provisions contained in the act of 1937.

In preparing a draft act for this purpose we were strongly impressed by the unsatisfactory condition of the present statutory provisions for the enforcement and review of orders of the Interstate Commerce Commission. Jurisdiction to enforce, enjoin or suspend orders of the Commission was, by the act of June 18, 1910, taken from the circuit courts and conferred upon the Commerce Court which that act created. The provisions of the act of 1910 relating to the Commerce Court were continued in the Judicial Code of 1911 as sections 200 to 214, inclusive. When in 1913 Congress decided to abolish the Commerce Court and to transfer its jurisdiction to the district courts with the proviso that suits to enjoin, or suspend orders of the Interstate Commerce Commission should be heard by three judges, it did so by inserting provisions to that effect in the Urgent Deficiencies Appropriation Act of that year. However, Congress did not include complete provisions in the Urgent Deficiencies Act but referred as to some of the procedure to the law regulating the Commerce Court which is to be found in sections 207 to 212 of the Judicial Code.

Thus instead of expressly repealing these sections of the Judicial Code the Urgent Deficiencies Act impliedly repealed them in part and in part impliedly amended and retained them. Consequently we must look both to the Urgent Deficiencies Act and to certain portions of sections 207 to 212 of the Judicial Code for the law upon the subject of the enforcement and review of Interstate Commerce Commission orders. Just to what extent the provisions of these sections of the Judicial Code are still in force is a matter of no little difficulty and doubt, however, as is well illustrated by the differing results which the compilers of the United States Code reached in codifying these provisions in the original codification in 1925 and in the 1934 edition of the code. See, for example, sections 45a and 47a of title 28 of the code, 1934 edition, which include portions of sections 210, 212, and 213 of the Judicial Code which were omitted from the original compilation of the code. Compare also section 41 (27), 44 and 45 as they appear in the original and in the 1934 edition of the code. Furthermore there is a patent ambiguity in the venue provisions of the Urgent Deficiencies Act (28 U. S. C. A. 43) to which attention was called in the Senate at the time the conference report on the Urgent Deficiencies Act was considered, but which it was then stated could not be corrected at that late legislative stage.

In the light of this confused statutory situation your committee believed it to be timely and useful to expand the draft bill to the extent necessary to incorporate into the appropriate sections of the Judicial Code all of the statutory provisions upon this subject which are now in force, thus putting all the law into one place—and that the logical and proper place—and eliminating entirely any necessity for reference to the Urgent Deficiencies Act, which has always been an illogical and, because of its lack of section numbers, a difficult statute in which to find the law upon this subject. This task was made easier by reason of the work of the compilers of the United States Code who in the 1934 edition made a careful effort to fit all existing provisions both of the Urgent Deficiencies Act and of sections 207 to 212 of the Judicial Code into their appropriate places in the codification. Since the United States Code does not have the force of law, however, it is necessary in our draft bill to reenact all of these codified provisions so that they may have the force of law. This must be done in the case of each section in which the provisions of the Urgent Deficiencies Act and of the Judicial Code have been blended together even though, as is true in a number of instances, our committee has no change of substance to suggest.

The sections of the draft act which enact without changes of substance the provisions of the existing law as they have been codified in the United States Code, 1934 edition, are section 1, which enacts into section 24 of the Judicial Code the provisions of subdivisions 8, 27, and 28 as codified in 28 United States Code, 1934 edition, section 41, subdivisions 8, 27, and 28, and section 2, insofar as it enacts sections 210, 211, and 212 of the Judicial Code as they have been codified and appear in 28 United States Code, 1934 edition, sections 47a, 48, and 45a, respectively.

Section 2 of the draft bill also proposes to amend sections 207, 208, and 209 of the Judicial Code. It proposes to incorporate into section 207 the venue provisions of the Urgent Deficiencies Act (28 U. S. C. 43) modified so as to remove the ambiguities which appear in the original language and so as to save from implied repeal those venue provisions which have been included in more recently enacted sections of the Interstate Commerce Act. The venue provisions of the Urgent Deficiencies Act were evidently prepared very hurriedly in conference between the Senate and House of Representatives, and they contain some language which is ambiguous and other provisions which are wholly meaningless. It would unduly extend this report to discuss these provisions in detail. It may, therefore, be sufficient to point out that these ambiguities were pointed out in the Senate by Senators Sutherland and Poindexter and discussed by Senators Martin, Borah, and Walsh. (See 50 CONGRESSIONAL RECORD, pt. 3, pp. 5617–5619.) The debate was closed with the following statement by Senator Sutherland:

"Mr. SUTHERLAND. Mr. President, it may be that the courts will come to relieve this situation and straighten out this matter. As has been said by the chairman of the committee, the matter has passed the point where this body can do anything about it, but I cannot let the matter be finally disposed of without saying that it is a piece of exceedly loose legislation. It is so unhappily worded and there is so much confusion in it that a responsible legislative body like the Senate of the United States ought to be ashamed to let it go upon the statute books."

These provisions have been carefully studied by our committee in conference with the general counsel for the Interstate Commerce Commission and the provisions which are incorporated in the draft bill as section 207 of the Judicial Code represent our joint judgment as to the language which will appropriately cover all the cases which are likely to arise.

Section 208 of the Judicial Code is proposed to be amended by section 2 of the draft bill by incorporating therein the provisions of the Urgent Deficiencies Act for the restraint or suspension of orders of the Interstate Commerce Commission by three-judge district courts modified so as to make the provisions thereof uniform with those of the act of 1937. The section as proposed to be amended thus provides that judges who are to sit in the three-judge district court shall be designated by the senior circuit judge upon request of the judge to whom the application is made and that it shall be the duty of the judges designated by the senior circuit judge to participate in the hearing and determination of the case. It is likewise provided that the single judge to whom the application is made may, after hearing, grant a temporary restraining order to remain in force only until hearing and determination of the application for an interlocutory injunction by the three judges. This will make it unnecessary to convene the three-judge court immediately to consider applications for temporary restraining orders pending hearing of the application for an interlocutory injunction. Our committee is advised by the general counsel for the Interstate Commerce Commission that this particular change in the procedure will be satisfactory and that the customary practice has been for the Commission itself to suspend the operation of its orders for a temporary period in order to make it unnecessary for the three judges to convene immediately. It would seem that there is no more reason to require a court of three judges to pass upon the grant of a temporary restraining order pending preliminary hearing in an Interstate Commerce Commission case than in a suit to restrain the operation of a Federal or State statute. In the latter cases it has always been the rule that a single judge may grant a temporary restraining order for a limited time pending hearing by the three judges.

Section 209 of the Judicial Code as proposed to be amended by section 2 of the draft bill is substantially in the form in which the provisions of that section and certain provisions of the Urgent Deficiencies Act are codified in sections 44 and 45 of title 28 of the United States Code, 1934 edition. The only change of substance proposed by our committee is to make the Federal Rules of Civil Procedure applicable to cases relating to Interstate Commerce Commission orders instead of the detailed and somewhat obsolete provisions which are now contained in section 209. It is thought probable that the Rules of Civil Procedure have already superseded these provisions by virtue of the act under which the rules were adopted. The existing provision for filing copies of the summons and complaint on the secretary of the Interstate Commerce Commission has, however, been retained at the request of the General Counsel for the Commission. Also at his suggestion it is provided that answers by the United States and other defendants are to be filed in 30 days instead of 60 days and 20 days, respectively, as provided by Civil Procedure Rule 20a.

Section 4 of the draft bill amends section 266 of the Judicial Code which relates to suits brought to enjoin the operation of State statutes. The provisions of the section are modified so as to make them uniform so far as may be with the similar provisions of the act of 1937 relating to the restraint of Federal statutes. Thus it is provided that the judges who are to sit in a three-judge district court under section 266 shall be designated by the senior circuit judge at the request of the judge to whom application for an injunction is made and that it shall be the duty of the judges thus designated to take part. The procedure is also made uniform with that contained in the act of 1937 and the reference in section 266 to Justices of the Supreme Court is eliminated since it represents the inadvertent retention in the Judicial Code of a provision rendered obsolete when the code, by abolishing the old circuit courts, took from the Supreme Court Justices, sitting as circuit justices, their former power to entertain in the circuit courts applications for injunctions and to grant injunctions therein.

Sections 3, 5, 6, and 7 of the draft bill involve necessary technical amendments of related statutes which refer to the Urgent Deficiencies Act. The amendments merely substitute references to the sections of the Judicial Code into which the provisions of the Urgent Deficiencies Act are proposed by the bill to be inserted.

Section 8 proposes to repeal expressly those sections of the Judicial Code relating to the Commerce Court which were impliedly repealed by the Urgent Deficiencies Act and also those portions of the latter act which are incorporated in the Judicial Code by the draft bill.

Your committee is aware that another committee, of which Judge Learned Hand is chairman, has been considering the questions whether the review of orders of the Interstate Commerce Commission by three-judge district courts should be abandoned in favor of review by circuit courts of appeals and whether the right of appeal to the Supreme Court should be eliminated and certiorari substituted. Since that committee is making no recommendation upon these points at this time, we have incorporated no change in respect to them in the draft bill. If the conference should determine upon any such change, it can readily be incorporated in the draft bill before introduction into Congress.

Respectfully submitted.

ALBERT B. MARIS,
KIMBROUGH STONE,
ORIE L. PHILLIPS,
For the Committee.

[Signed as of September 28, 1943.]

SUPPLEMENTAL STATEMENT BY THE COMMITTEE

Since the presentation of our report and draft bill to the Conference of Senior Circuit Judges 1 year ago the consolidated committee, appointed to draft legislation providing for the review of orders of the Interstate Commerce Commission, working in collaboration with the Commission has given further study to the subject of the venue of review proceedings and has reported proposed statutory provisions upon this subject which we think are improvements upon the venue provisions which section 2 of our draft bill proposed to incorporate into section 207 of the Judicial Code. We have accordingly prepared and have appended to the draft bill an alternative amendment of section 207 which incorporates these revised and improved venue provisions. We have also in the interest of clarity inserted in the draft bill after each section the explanatory note relating to that section which we had previously inclined in Appendix B to our report. Appendix B is accordingly omitted.

KIMBROUGH STONE,
ORIE L. PHILLIPS,
ALBERT B. MARIS,
EVAN A. EVANS,
For the Committee.

OCTOBER 3, 1944.

UNIVERSAL MILITARY TRAINING

Mr. JOHNSON of Colorado. Mr. President, on behalf of the Senator from Nevada [Mr. CARVILLE], who is absent on business connected with his office and unable to be present today, I introduce a bill. The bill is to provide for the national defense and security by requiring that all qualified young men perform a period of training and service in the armed forces of the United States.

I desire to say that I am not in favor of this particular bill or any other bill providing for conscription. I ask unanimous consent to have printed in the RECORD at this point a statement released by the Senator from Nevada, explaining the bill.

The bill (S. 1749) to provide for the national defense and security by requiring that all qualified young men perform a period of training and service in the armed forces of the United States, introduced by Mr. JOHNSON of Colorado for Mr. CARVILLE, was read twice by its title, and referred to the Committee on Military Affairs.

The statement presented by Mr. JOHNSON of Colorado for Mr. CARVILLE was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., January 14.—Uninterrupted high school and college educations for those desiring them would be guaranteed under a compulsory educational military training bill sponsored in the United States Senate today by Senator E. P. CARVILLE, Democrat, Nevada.

Senator EDWIN C. JOHNSON, Democrat, Colorado, introduced the measure on behalf of Senator CARVILLE who was unable to attend.

Under Senator CARVILLE'S measure all youth will be required to serve one full year in the armed services but provisions of the bill are such that no youth who desired an education would be deprived of the opportunity of uninterrupted attendance at a high school or institution of higher education.

Educational features of the bill which provide for a course in military and naval theory in institutions of higher learning would be administered under a board the majority of which would be made up of civilian educators. Chairman of the board would be

the United States Commissioner of Education; three of the Nation's outstanding college or university presidents appointed by the President of the United States; the Chief of Staff of the United States Army; the Chief of Naval Operations; and the Commandant of the Marine Corps.

Under CARVILLE'S plan all youth would be required to register for military service upon reaching 18 years of age. Those attending high school would be automatically deferred until they drop such course or graduate.

Those desiring and capable of qualifying for a course at a college, university, or other institution would be permitted to pursue such course.

There would be no actual military training for those attending institutions of higher learning during the regular school but the annual 3-month vacation period would be spent in an Army, Navy, or Marine Corps training camp.

CARVILLE explained that upon completion of a regular 4-year course at a school of higher learning a youth would have automatically completed his required year's military service. Any youth who dropped out of college before completing the 4-year course would be required to immediately serve any unexpired portion of his military service.

It was explained the Army, Navy, and Marine Corps would furnish instructors and all necessary textbooks for those courses in military theory which would supplement the educational course selected by each student.

CARVILLE expressed the belief his bill not only would meet the necessity of providing a well-trained military force for the Nation but would offer an incentive for youth to obtain a better education. He called attention to recent reports showing approximately 80 percent of the high-school graduates of the Nation never attend college and expressed the belief if his bill was enacted, a greater percentage would avail themselves of the opportunity for a higher education.

Statistics which showed there now are more than 20,000,000 persons of military age in the United States who never went beyond the sixth grade also were quoted. In this connection it is CARVILLE'S belief his proposal would greatly increase the number who at least complete a high-school course.

CARVILLE explained that under his measure those who so desire may take the full year of military training before entering an institution of higher learning.

In all respects except for its educational features CARVILLE'S bill follows closely the pattern of the present selective-service law. Under the bill selective-service boards would continue to register youth and administer military features of the law.

PRESIDENTIAL SUCCESSION

Mr. GREEN. Mr. President, on behalf of the Senator from New Jersey [Mr. SMITH] and myself, I submit a concurrent resolution in relation to the Presidential succession and ask that it be referred to the Committee on Privileges and Elections, and a few words of explanation are in order.

A number of bills have been introduced in the Senate and House relating to this subject with the purpose of remedying the present uncertainty and inadequacy of existing law, but none of them have attempted to deal with all existing uncertainties and inadequacies.

A study of the subject shows that there are far-reaching and fundamental questions which need to be answered. These questions are interrelated and should all be answered by one comprehensive plan. It is hoped that the joint congressional committee provided in this joint resolution may devise such a plan.

The joint congressional committee will represent both houses and both parties and I hope its recommendations may be such as to entitle them to be enacted into law and thus remove all uncertainties as to the Presidential succession.

The concurrent resolution (S. Con. Res. 50), submitted by Mr. GREEN for himself and Mr. SMITH, was referred to the Committee on Privileges and Elections, as follows:

Resolved by the Senate (the House of Representatives concurring), That there is hereby created a joint congressional committee to be composed of five Members of the Senate to be appointed by the President of the Senate and five Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. The joint committee shall select a chairman from among its members. A vacancy in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original appointment.

SEC. 2. It shall be the duty of the joint committee to make a full and complete study and investigation of all matters connected with the succession to the Presidency, and the election of the President and Vice President from the time of the nomination of the President and Vice President, through the time of their election and the time of their inauguration until the termination of their respective terms of office, with the purpose of making the law certain as to the Presidential election and succession. These matters shall include, but shall not be confined to, the following:

(1) Whether or not the President and Vice President should be elected by the Electoral College, as at present, and if so whether or not the members should be legally bound to vote in accordance with their instructions.

(2) Whether or not provision should be made for the case where before the election of Presidential electors, or after such time but before the election of President and Vice President, a candidate for the Presidency or for the Vice Presidency dies, declines to run, or is found ineligible to take office if elected.

(3) Whether or not provision should be made for the case of the death of any of the individuals from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

(4) Whether or not provision should be made for the case where, after election, the President-elect or Vice President-elect, or both, die, decline to serve, or fail to qualify.

(5) How it shall be determined whether the President, or individual acting as President, is unable to execute the powers and duties of the office, and how the duration of such inability shall be determined.

(6) Whether or not provision should be made for an individual to execute the office of President in case of removal, death, resignation, or inability, both of the President and Vice President, including provision for selecting an individual to execute such office in cases where by reason of removal, death, resignation or inability there is no individual upon whom the powers and duties of such office would otherwise automatically devolve.

(7) Whether there are, or should be, any differences between the status, powers, duties, and privileges of an elected President and any other individual executing the office of President.

SEC. 3. The joint committee shall report to the Senate and House of Representatives the results of its study and investigation together with its recommendations, including drafts of legislation recommended and of any proposed constitutional amendments considered necessary or desirable. The joint committee shall submit its final report to the Senate and House of Representatives not later than May 1, 1946, and thereupon the existence of the joint committee shall terminate.

SEC. 4. For the purposes of this concurrent resolution, the joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Congress, to employ counsel, clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the joint committee, which shall not exceed $10,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers approved by the chairman of the joint committee.

JANICE McKELLAR

Mr. STEWART submitted the following resolution (S. Res. 214), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Janice McKellar, widow of D. W. McKellar, late an employee of the Senate, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

INVESTIGATION OF ADMINISTRATION OF MARTIAL LAW IN HAWAII

Mr. McCARRAN submitted the following resolution (S. Res. 216), which was referred to the Committee on the Judiciary:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation of the administration of martial law in the Territory of Hawaii subsequent to December 7, 1941, including suspension of the writ of habeas corpus, peonage, involuntary servitude, other infringement of constitutional rights of civilians, and other abuses or alleged abuses in connection therewith.

Such committee, or any duly authorized subcommittee thereof, is further authorized and directed to make a full and complete study and investigation of the operation of the courts-martial systems of the Army and Navy, both within the United States and abroad, and of the prisons, jails, and other places of incarceration or confinement of Army and Navy prisoners, with particular emphasis on (1) alleged miscarriages of justice arising out of the operation of such systems and places of incarceration or confinement; (2) the question of whether variations in such systems or in the administration and application thereof, in different areas or theaters of operations, with respect to review procedure or otherwise, constitutes or has constituted denial of due process or of equal protection of law in violation or derogation of the Constitution of the United States; (3) the question of whether or not punishments meted under such systems are unduly excessive; (4) the alleged lack of uniformity in punishments meted under such systems; (5)

the question of whether or not present methods of holding courts martial are desirable and proper; and (6) any desirable improvements in or modifications of such courts-martial systems and places of incarceration or the administration thereof.

The committee shall report to the Senate at the earliest practicable date not later than December 15, 1946, the results of its study and investigation, together with such recommendations as it may deem advisable.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to employ such experts, and such clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

AN INTERNATIONAL CREED—STATEMENT BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD a statement of international creed, issued by him on January 5, 1946, which appears in the Appendix.]

PROPHECY OF REPUBLICAN VICTORY—STATEMENT BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD a statement issued by him on January 14, 1946, entitled "Senator WILEY Predicts Victory of Conservative Republicans and Repudiation of New Deal Blunders," which appears in the Appendix.]

UNIVERSAL MILITARY TRAINING—ADDRESS BY SENATOR BANKHEAD

[Mr. BANKHEAD asked and obtained leave to have printed in the RECORD an address on the subject of the proposed universal military training program, delivered by him over the radio at Birmingham, Ala., on January 6, 1946, which appears in the Appendix.]

THE HOUSING PROBLEM—ADDRESS BY SENATOR TAFT

[Mr. TAFT asked and obtained leave to have printed in the RECORD an address on the housing problem delivered by him before the Cincinnati Chamber of Commerce on January 7, 1946, which appears in the Appendix.]

INTERNATIONAL PROBLEMS ABROAD AND ECONOMIC ISSUES AT HOME—ADDRESS BY SENATOR HOEY

[Mr. HOEY asked and obtained leave to have printed in the RECORD an address delivered by him at the annual chamber of commerce dinner at Gastonia, N. C., on January 11, 1946, on the subject of serious international problems abroad and critical economic issues at home, which appears in the Appendix.]

ADDRESS BY SENATOR MORSE ON THE TWENTY-FIFTH RADIO ANNIVERSARY

[Mr. MORSE asked and obtained leave to have printed in the RECORD an address delivered by him at a citizens' committee banquet honoring the twenty-fifth radio anniversary, at New York City, on November 10, 1945, which appears in the Appendix.]

THE AMERICAN FUTURE—ADDRESS BY WHEELER McMILLEN

[Mr. TAFT asked and obtained leave to have printed in the RECORD an address entitled "The American Future," delivered by Wheeler McMillen, editor in chief, Farm Journal, before the Pro-America Club at East Orange, N. J., on November 8, 1945, which appears in the Appendix.]

SCIENTIFIC RESEARCH FOUNDATION—EDITORIAL FROM NEWARK EVENING NEWS

[Mr. SMITH asked and obtained leave to have printed in the RECORD an editorial entitled "Solely for Science," relating to proposals to create a scientific research foundation, which appears in the Appendix.]

THE PEARL HARBOR INQUIRY—EDITORIAL FROM NEW YORK TIMES

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an editorial entitled "The Pearl Harbor Inquiry," published in the New York Times of January 5, 1946, which appears in the Appendix.]

PREVENTION OF DENTAL DECAY—STATEMENT BY THE DENTAL PROFESSION OF NEW HAMPSHIRE

[Mr. TOBEY asked and obtained leave to have printed in the RECORD a statement entitled "Prevention of Dental Decay," prepared by the Dental Profession of New Hampshire, which appears in the Appendix.]

MISSOURI VALLEY AUTHORITY

[Mr. BRIGGS asked and obtained leave to have printed in the RECORD a report on the Missouri Valley Authority and a statement in support and clarification of the official report of the Missouri Commission studying the Tennessee Valley and the Missouri Valley, which appear in the Appendix.]

JUDAISM AND RACE RELATIONS—STATEMENT BY RABBI FERDINAND M. ISSERMAN

[Mr. BRIGGS asked and obtained leave to have printed in the RECORD a statement on Judaism and Race Relations by Rabbi Ferdinand M. Isserman, Chairman, Justice and Peace Commission, which appears in the Appendix.]

NORTH DAKOTA'S PROHIBITION OF CORPORATION FARMING—EDITORIAL FROM THE BISMARCK LEADER

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled "An Old, Old Fight," from the Leader, Bismarck, N. Dak., of January 3, 1946, which appears in the Appendix.]

FAIR EMPLOYMENT PRACTICE COMMITTEE—LETTER FROM ALFRED BAKER LEWIS

[Mr. McMAHON asked and obtained leave to have printed in the RECORD a letter dated January 11, 1946, addressed to the Washington Post by Alfred Baker Lewis, dealing with the Fair Employment Practice Committee, which appears in the Appendix.]

THE NEW WORLD COURT—EDITORIAL FROM THE NEW YORK TIMES

[Mr. MORSE asked and obtained leave to have printed in the RECORD an editorial entitled "The New World Court," published in the New York Times for January 15, 1946, which appears in the Appendix.]

UNIFICATION OF THE ARMED SERVICES—EDITORIAL FROM THE PORTLAND OREGONIAN

[Mr. MORSE asked and obtained leave to have printed in the RECORD an editorial from the Portland Oregonian of December 21, 1945, entitled "Why Take It to Congress?" relating to the unification of the armed services, which appears in the Appendix.]

SENATOR MORSE TAKES OVER—EDITORIAL FROM PORTLAND OREGONIAN

[Mr. CORDON asked and obtained leave to have printed in the RECORD an editorial entitled "Senator MORSE Takes Over," published in the Portland Oregonian of January 8, 1946, which appears in the Appendix.]

IMPORTATION OF SWISS WATCHES—LETTER PUBLISHED IN PORTLAND OREGONIAN

[Mr. CORDON asked and obtained leave to have printed in the RECORD a letter relative to the importation of Swiss watches, addressed to the Portland Oregonian by Mr. Tom Burns, and published in the Portland Oregonian of December 23, 1945, which appears in the Appendix.]

MISSOURI VALLEY AUTHORITY—REMOVAL OF TIME LIMIT FOR HOLDING OF HEARINGS, ETC.

Mr. THOMAS of Oklahoma. Mr. President, on behalf of the Committee on Agriculture and Forestry I submit a brief report on Senate bill 555, to establish a Missouri Valley Authority. Inasmuch as the report suggests a change which must be made by the Senate, I ask that the report be read. Later I shall ask unanimous consent that the report be adopted.

The PRESIDENT pro tempore. Without objection, the report will be read.

The report (No. 889) was read, as follows:

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 555), to establish a Missouri Valley Authority to have jurisdiction and powers as provided in said bill, proceeded to the consideration of such measure in a meeting held on this date—Thursday, January 17, 1946.

The first witness called was the author of the bill, Senator JAMES E. MURRAY, of Montana, who made a brief statement to the effect that due to the press of business he had not been able to prepare the data deemed necessary to be presented to the committee for its consideration in connection with the hearings on the measure.

Due to the fact that the Senate has pending before it many important bills and proposals having to do with reconversion, Senator MURRAY, author of the bill, recommended that the committee postpone hearings on the measure for the time being.

The Committee on Agriculture and Forestry gave consideration to the statement and recommendations made by the author of the bill and authorized the chairman of the committee to make a brief report to the Senate and to request that the time limit heretofore fixed by the Senate for the holding of hearings and the submission of a report on the said bill, S. 555, be abrogated and set aside and that the said bill remain in the Agriculture and Forestry Committee for future consideration and action as may be hereafter determined by said committee.

Mr. THOMAS of Oklahoma. Mr. President, in order that the time limit fixed by the Senate for the committee to hold hearings and submit a report may be abrogated, it is necessary for the Senate to take some action. So at the instance of the author of the bill, the Senator from Montana [Mr. MURRAY], who is not prepared at this time to proceed with the bill because of the press of other business, I ask unanimous consent that the time limit be removed, and that the bill remain in the hands of the committee for such consideration in the future as the committee may see fit to give it.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oklahoma?

Mr. WHITE. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. WHITE. I have had no opportunity to check with any of the minority members of the Committee on Agriculture and Forestry. Can the Senator inform me whether what he is now proposing has been discussed with the minority members, and whether or not it is agreeable to them?

Mr. THOMAS of Oklahoma. The committee held a meeting this morning at 10:30, with practically the full committee present in person. The absentees were represented by proxies. The minority side was most liberally represented by its members. I think they were practically all present. The Members who reside in the Missouri Valley are agreed on this recommendation. The report is a unanimous report by all members of the committee, present or represented by proxy; and the proxies understood the request to be submitted.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oklahoma? The Chair hears none, and it is so ordered.

PROPOSED INVESTIGATION OF POLICIES AND ACTIVITIES OF OFFICES OF PRICE ADMINISTRATION AND ECONOMIC STABILIZATION

Mr. CAPEHART. Mr. President, last July the senior Senator from Maryland [Mr. TYDINGS] and I submitted Senate Resolution 153, providing for an investigation and study of OPA activities and problems, anticipating what the able Senator from South Carolina [Mr. MAYBANK] and the able Senator from Mississippi [Mr. EASTLAND] were discussing a moment ago in respect to the confusion with regard to the price of cotton.

In submitting this resolution we made the statement at the time that we thought that OPA had done a good job during the war period, that the war would soon be over, and that the problems of OPA after the war had ended would be entirely different from those which it faced during the war period.

The resolution provided for the appointment of a committee by this body to study the problem, and to cooperate with the OPA. Nothing happened to the resolution. It was referred to the Committee on Banking and Currency, and it is still before that committee.

It is my honest opinion that much, if not all, of our troubles today are due to our failure to study the rationing and pricing policies of OPA as they affect our peacetime economy. It is my opinion that had we investigated, studied, and cooperated with OPA, as we might, and as we should, as long ago as last July, we might have avoided the confusion which exists in the business world today. I question very much if there would be any strikes today if we had done so. It is my opinion that peacetime production would be on its way.

I do not believe that it is too late yet. I wish to say to the chairman of the Committee on Banking and Currency that I sincerely trust that he will call a meeting of his committee, consider our resolution, and report it favorably to the Senate so that we may vote on it.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield to the Senator from Mississippi.

Mr. EASTLAND. I entirely agree with what the distinguished Senator from Indiana has said. I know that the price ceiling structure of OPA as related to textiles is the cause of the terrible clothing shortage in the United States. Next week I hope to speak at length on that subject.

Furthermore, Mr. President, we all desire that inflation be prevented. The way to prevent inflation is to get production. OPA has prevented the production of a vast amount of goods, and in my judgment its policies are very inflationary. If we go into a spiral of inflation, it will be because of this agency. Therefore, Mr. President, I believe that OPA should be abolished.

Mr. CAPEHART. I thank the Senator.

PROCEDURE DURING MORNING HOUR

Mr. BARKLEY. Mr. President, I merely wish to call attention to what I have frequently called attention to in the past, namely, the use of the morning hour. From time immemorial the morning hour has been set aside for definite purposes: The introduction of bills and resolutions, the presentation of petitions and memorials, and other matters set forth in the rule. The morning hour was never intended to be a time for speech making. I have frequently urged that Senators observe the rule without having to have their attention called to it and without having to have the Chair call attention to it. Senators come here during the morning hour in order that they may introduce bills, submit resolutions and do whatever else they are required to do at that time, and they are entitled to be recognized promptly for such purposes. Many Members of the Senate have committee assignments and other work to which they may wish to attend, and it is not in the interest of the orderly handling of legislation to have Senators consume the morning hour by making speeches. I am not making this statement in criticism of any Senator who has made a speech today; but I simply wish to serve notice, as I have done so many times in the past, that during the session which we are just beginning I shall request that the rule be observed; and unless we are confronted with an extraordinary circumstance which I cannot now anticipate, I shall feel it my duty to object to the making of speeches by any Senator during the morning hour. I hope Senators will not make it necessary for their colleagues to object to a violation of the rule, which has been one of the rules of the Senate ever since any present Member of the Senate has been here, in order that this period during the daily sessions of the Senate may be devoted to the purposes for which it was inaugurated.

The PRESIDENT pro tempore. The Chair thanks the Senator from Kentucky, because it is very embarrassing to the Chair, just as it is to the Senator from Kentucky and other Senators, to have to call attention to the necessity for observance of the rule. The morning hour is to be devoted to what is known as the morning business, which is largely concerned with matters of routine. The Chair thinks that all Senators should conform to the unwritten rule and should not make speeches during the morning hour.

Mr. BARKLEY. Mr. President, permit me to suggest to the Chair that the rule is not an unwritten one. The rule prohibits the making of speeches during the morning hour.

The PRESIDENT pro tempore. The Senator from Kentucky is entirely correct in that respect; but we have a rule about unanimous consent, and it is frequently invoked.

Mr. BARKLEY. Yes; I understand that. Of course, the Senate can do anything here by means of unanimous consent. Let me further observe that I do not know of any speech which is so important that it must be made during the morning hour, and thus displace the handling of routine business.

COVERAGE OF CERTAIN DRUGS UNDER THE FEDERAL NARCOTIC LAWS

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendmnt of the Senate to the bill (H. R. 2348) to provide for the coverage of certain drugs under the Federal narcotic laws, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GEORGE. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. GEORGE, Mr. WALSH, Mr. BAILEY, Mr. LA FOLLETTE, and Mr. TAFT conferees on the part of the Senate.

RETIREMENT OF CERTAIN OFFICERS AND ENLISTED MEN OF THE NAVY, MARINE CORPS, AND COAST GUARD

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1405) to authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes, which were, on page 3, line 10, after "in", to insert "permanent."

On page 3, line 11, after "to", insert "the permanent rank of."

On page 4, line 9, strike out all after "with" down to and including "rank", in line 17, and insert "his permanent rank: *Provided*, That if a board appointed pursuant to section 1 or section 2 of this act shall determine that an officer's performance of duty entitles him to a higher rank in which he has satisfactorily served on active duty under a temporary appointment, the officer shall be placed on the retired list with such higher rank as determined by the board, but no officer shall be placed on the retired list with rank lower than his permanent rank."

On page 5, line 9, strike out all after "(c)" down to and including "1945", in

line 11, and insert "The highest rank in which an officer served on or prior to June 30, 1946, or if a prisoner of war at any time during World War II, the highest rank to which an officer was temporarily appointed pursuant to the provisions of the act approved July 24, 1941 (55 Stat. 603)."

On page 6, line 11, strike out all after "status", down to and including "appointment", in lines 13 and 14, and insert "their permanent grade and rank."

On page 6, line 16, after "amended", insert ": *Provided*, That if a board appointed by the Secretary of the Navy shall determine that their performance of duty entitles them to higher grade and rank in which they satisfactorily served on active duty under a temporary appointment, they shall be placed on the retired list with such higher grade and rank as determined by the board, but no officer shall be placed on the retired list with rank lower than his permanent rank."

On page 7, line 2, strike out all after "be" down to and including "rank", in line 7, and insert "placed upon the retired list with their permanent grade or rank: *Provided*, That if a board appointed by the Secretary of the Navy shall determine that their performance of duty entitles them to higher grades and ranks in which they satisfactorily served on active duty under a temporary appointment, they shall be placed on the retired list with such higher rank as determined by the board, but no officer shall be placed on the retired list with rank lower than his permanent rank: *Provided further*, That such officers shall receive retired pay computed at the rate prescribed by law and applicable to each individual case but based upon the rank with which retired."

On page 7, line 15, strike out "their permanent" and insert "the."

On page 7, line 16, strike out "to which they are entitled under other provisions of law" and insert "with which they were retired or returned to an inactive status unless under other provisions of law they are entitled to higher grades, ranks, or ratings."

On page 7, line 17, strike out all after "(e)" down to and including "1945", in line 20, and insert "The highest rank in which an officer served on or prior to June 30, 1946, or if a prisoner of war at any time during World War II the highest rank to which an officer was temporarily appointed pursuant to the provisions of this act."

On page 8, line 11, strike out all after "pay" down to and including "rank", in line 12, and insert "at the rate of 2½ percent of the active-duty pay with longevity credit of the rank with which retired, multiplied by the number of years of service for which entitled to credit in the computation of his pay while on active duty, not to exceed a total of 75 percent of said active-duty pay: *Provided*, That a fractional year of 6 months or more shall be considered a full year in computing the number of years of service by which the rate of 2½ percent is multiplied: *Provided further*, That an officer whose computation of pay on the active list is not based upon years of service shall receive as retired pay 75 percent of his active-duty pay."

Mr. WALSH. Mr. President, I move that the Senate disagree to the amendments of the House, ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the President pro tempore appointed Mr. WALSH, Mr. TYDINGS, and Mr. TOBEY conferees on the part of the Senate.

ADDITIONAL INDUCEMENTS TO CITIZENS TO MAKE THE NAVAL SERVICE A CAREER

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 1438) to provide additional inducements to citizens of the United States to make the United States naval service a career, and for other purposes, which were, on page 1, lines 6 and 7, strike out "subsequent to June 30, 1945," and insert "prior to the date of approval of this act."

On page 2, lines 14 and 15, to strike out "serving in the Regular Navy on June 25, 1938,".

On page 2, line 17, to strike out all after "months", down to and including "1938," in line 19.

On page 3, line 1, after "pay", insert "(including all permanent additions thereto)."

On page 3, line 9, after "pay", insert "(including all permanent additions thereto)."

On page 3, line 10, after "pay", insert "(including all permanent additions thereto)."

On page 3, line 13, after "of", where it appears the first time, insert "this section and of."

On page 3, line 16, strike out all after "receive:" down to and including "receive:" in line 20.

On page 4, line 21, after "the", insert "enlisted."

On page 4, line 23, strike out "promotion" and insert "advancement in rating."

On page 5, line 2, strike out "*Provided*" and insert "*Provided*, That such pay (including all permanent additions thereto) shall not exceed 75 percent of the pay (including all permanent additions thereto) of the highest rating to which entitled under the provisions of this section: *Provided further*."

On page 5, line 6, strike out all after "206:" down to and including "list:" in line 11.

On page 5, line 14, strike out "*and provided*" and insert "*Provided*."

On page 5, line 17, after "thereto", insert ": *And provided further*, That persons of the classes described in this section who have been retired or returned to an inactive-duty status prior to the date of approval of this act shall be entitled to the benefits of this section from the date of retirement or return to an inactive-duty status."

On page 5, strike out lines 18 to 24, inclusive.

On page 6, line 1, strike out "5" and insert "4."

On page 7, line 19, strike out "6" and insert "5."

On page 9, strike out lines 7 to 12, inclusive, and insert:

SEC. 6. An enlisted man of the Army of the United States, or any component thereof, who is discharged while on active duty on or after June 1, 1945, for the purpose of enlisting or reenlisting in the Regular Establishment of any of the armed forces, and any enlisted man of any component of the Navy, Marine Corps, or Coast Guard, who is discharged while on active duty on or after February 1, 1945, for such purpose, shall be entitled to the travel allowance authorized by the act of June 3, 1916 (39 Stat. 166), as amended (34 U. S. C. 895): *Provided*, That any such person who has received a furlough travel allowance pursuant to section 6 of the act approved October 6, 1945. (Public Law 190, 79th Cong.), shall be paid in connection with such discharge only so much of the travel allowance authorized by the act of June 3, 1916 (39 Stat. 166), as amended (34 U. S. C. 895), as exceeds the amount of such furlough travel allowance.

On page 9, after line 12, insert:

SEC. 7. Any person who has performed active enlisted service as a member of the Regular Army during the period from June 1, 1945, to a date 121 days after the approval of this act and who shall have completed 16 but less than 20 years of active service, may upon his own request be transferred to the Enlisted Reserve Corps and thereupon will be placed on the retired list of the Regular Army. An enlisted man so retired shall, except when on active duty, receive annual pay at the rate of one-third of the average annual enlisted base pay he was receiving for the last 6 months of his active enlisted service, plus all longevity pay. The pay (including longevity pay) authorized by this section shall be increased 10 percent for any enlisted man who is credited with extraordinary heroism in line of duty: *Provided*, That the determination of the Secretary of War as to the definition of extraordinary heroism shall be final and conclusive for all purposes.

SEC. 8. (a) Section 4 of the act approved October 6, 1945 (Public Law 190, 79th Cong.), is hereby amended to read as follows:

"SEC. 4. Whenever any enlisted man of the Regular Army shall have completed 20 but less than 30 years of active service, he may upon his own request be transferred to the Enlisted Reserve Corps and thereupon will be placed on the retired list of the Regular Army. An enlisted man so retired shall receive, except when on active duty, annual pay equal to 2½ percent of the average annual enlisted base pay he was receiving for the last 6 months of his active enlisted service multiplied by a sum equal to the sum of the number of years of his active service performed not in excess of 29 years, plus all longevity pay. The pay (including longevity pay) authorized by this section shall be increased 10 percent for any enlisted man who is credited with extraordinary heroism in line of duty or for any enlisted man having 20 or more years' active service whose character and efficiency meet such requirements as may be prescribed in regulations by the Secretary of War: *Provided*, That the determination of the Secretary of War as to the definition of extraordinary heroism shall be final and conclusive for all purposes: *Provided further*, That the total pay (including longevity pay) authorized by this section shall not exceed 75 percent of the average annual enlisted pay (including longevity pay) such enlisted man was receiving for the last 6 months of his active enlisted service."

(b) The number of years of service to be credited in computing the right to retirement and retired pay authorized by section 7 or 8 of this act, or any other provision of

law providing for the retirement of an enlisted man of the Regular Army, shall include all active Federal military service performed in the Army of the United States, the Navy, the Marine Corps, or the Coast Guard, or any component thereof, any fractional part of a year amounting to 6 months or more to be counted as a complete year.

(c) Any enlisted man retired under the provisions of section 4 of the act approved October 6, 1945 (Public Law 190, 79th Cong.), shall, commencing the first day of the month following the effective date of this act, receive retired pay computed as provided in section 8 (a) of this act.

SEC. 9. Any enlisted man who is transferred to the Enlisted Reserve Corps pursuant to the provisions of section 7 or 8 of this act shall remain a member thereof until his active Federal military service performed prior to such transfer plus the period of his service in such Corps equals 30 years, and while a member of such Corps shall be subject to perform such periods of active duty as may now or hereafter be prescribed by law.

SEC. 10. (a) Each enlisted man of the Regular Army retired under the provisions of sections 7 or 8 of this act or the provisions of section 4 of the act approved October 6, 1945 (Public Law 190, 79th Cong.), who performs or has performed active military service subsequent to retirement shall, upon relief from such active duty, receive retired pay in the amount received by him prior to his recall to active duty, or in the amount resulting from a recomputation, whichever is the greater. In such recomputation, credit shall be granted for the period of such subsequent active military service in determining his retired pay, and the amount of such retired pay shall be computed in the manner prescribed by section 7 or 8 (a) of this act, whichever is applicable depending upon his total years of active service.

(b) Each enlisted man of the Regular Army retired under the provisions of the act of March 2, 1907 (34 Stat. 1217; 10 U. S. C. 947), who performs or has performed active military service subsequent to retirement shall, upon relief from such active duty, receive retired pay in the amount received by him prior to his recall to active duty, or in the amount resulting from a recomputation, whichever is the greater. In such recomputation, the amount of his retired pay shall be 75 percent of the average annual enlisted pay (including longevity pay) he was receiving for the last 6 months of his active enlisted service.

SEC. 11. No back pay for any period prior to the date of enactment of this act shall accrue to any person by reason of the enactment of sections 7, 8, and 10 of this act.

Amend the title so as to read as follows: "An act to provide additional inducements to citizens of the United States to make a career of the United States Military or Naval Service, and for other purposes."

Mr. WALSH. Mr. President, the bill deals solely with naval subjects. On the floor of the House of Representatives an amendment relating to careers in the Army was offered. I do not care to take the responsibility in conference of deciding whether to accept the amendment. Therefore, I move that the matter be referred to the Committee on Military Affairs in order that it may give to the Naval Affairs Committee an opinion regarding the amendment which affects and relates to the Army.

The motion was agreed to.

GRANT OF PATENT LICENSES BY ALUMINUM CO. OF AMERICA

Mr. BAILEY. Mr. President, I wish to present three letters in connection with what has been a vexatious controversy. The first letter is from the Aluminum Co. of America to the Surplus Property Administrator. In its letter the company agrees to grant a royalty-free license to the Reconstruction Finance Corporation under its patents relating to the extraction of alumina from low-grade bauxite, for use in the Government-owned alumina plant at Hurricane Creek, Ark. That step is taken with a view to the issuance of such licenses in a nonexclusive manner to other corporations.

I wish to read a rather significant paragraph from the second letter, which is from the Surplus Property Administrator to the chairman of the board of the Aluminum Co. of America, Mr. Arthur V. Davis, thanking him and expressing the satisfaction of the Government:

> The Aluminum Co. of America made an outstanding contribution to the winning of the war, for which this Nation should be forever grateful. Your public-spirited action in giving the Government a free license under your alumina patents for use at the Hurricane Creek plant is, of course, less dramatic, but nonetheless an equally significant contribution to the winning of the peace.

The third letter, which is from the Attorney General of the United States, Mr. Clark, is in similar vein.

Mr. President, we have reached the end of a long controversy, and the end is a sound, satisfactory, and constructive one. There will be no monopoly in America now in respect to the manufacture of aluminum, and I think there will be peace between this great corporation, which did have a monopoly, and the Government. I should like to say that I happen to know that the Aluminum Co. of America came to the war period, in 1939, with 300,000,000 pounds of aluminum and a great plant prepared to produce aluminum at the rate of 1,000,000,000 pounds a year. But for that fact, this country would have been in a very bad plight. But the country did not consider that the capacity of the Alcoa Corp. was sufficient, and it undertook to create a capacity exceeding 2,000,000,000 pounds a year. It had to build plants in the Middle West, in the South, and in the far West. It is rather remarkable, to me, that the Aluminum Co. of America aided in the building of those plants, supplied the Government with engineers and the designs, and in addition went into debt to the extent of $300,000,000 in order to enlarge its own capacity. The consequence was that this country had all the aluminum it needed at all times throughout that trying period. Now our country has a great surplus, and the consequence of the surplus in plants and in capacity is that we have gone immediately into a period of free competition in the production of this invaluable metal.

Mr. President, I send the three letters to the desk and request that they be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JANUARY 10, 1946.

Mr. W. STUART SYMINGTON,
Surplus Property Administrator,
Washington, D. C.

DEAR MR. SYMINGTON: At a conference in your office yesterday afternoon, you requested us to grant a royalty-free license to the Reconstruction Finance Corporation under our patents relating to the extraction of alumina from low-grade bauxite, for use in the Government-owned alumina plant at Hurricane Creek, Ark., which is about to be leased to Reynolds Metals Co. You explained that this would enable the Reynolds Co. to manufacture alumina at Hurricane Creek on a low-cost basis and in tremendous quantities. The Hurricane Creek plant has an annual capacity of 1,555,000,000 pounds of alumina, sufficient to smelt 800,000,000 pounds of aluminum annually. You pointed out that this operation would assure the availability of quantities of low-cost alumina adequate for the smelting of aluminum not only at the Government-owned aluminum smelting plant at Jones Mills, Ark., which is also being leased to the Reynolds Co., but also to any or all of the three Government-owned aluminum smelting plants in the Pacific Northwest, as well as to other smelters of aluminum. You urged upon us that a royalty-free license would aid the Government in putting the Hurricane Creek alumina plant into immediate and permanent operation on advantageous terms, that this would greatly assist you in your aluminum plant disposal program, and that it would be a substantial aid to the further development of competition in the smelting of aluminum.

In view of the public considerations which you presented so effectively we are glad to grant your request. We will grant the Reconstruction Finance Corporation a royalty-free nonexclusive license for use at the Hurricane Creek alumina plant under all of our existing patents relating to the extraction of alumina from bauxite. Such patents (herein sometimes referred to as "the alumina patents") cover three inventions: (1) The use of the lime-soda-sinter process in combination with the Bayer process—United States patents Nos. 2375342 and 2375343; (2) continuous digestion—United States patent No. 2107919; and (3) the use of starch as a settling and filtering aid—United States patent No. 2280998.

The license will include the right to sublicense for use at the Hurricane Creek plant. As a term of the license, the Reconstruction Finance Corporation and any sublicensee will grant the Aluminum Co. of America a nonexclusive royalty-free license, with right to sublicense, under any patents used at the Hurricane Creek alumina plant by the Reconstruction Finance Corporation or a sublicensee which are improvements upon the alumina patents and which are owned or controlled either by the Reconstruction Finance Corporation or such sublicensee or under which either has a right to sublicense others. We will cooperate with you in the prompt preparation of a patent license to the Reconstruction Finance Corporation on the royalty-free basis above set forth.

The alumina patents are of great value. They cover inventions which make possible the extraction of alumina from low-grade bauxite at Hurricane Creek on a basis competitive with the older Bayer process utilizing high-grade bauxite. Without them, the economical and continued operation of the Hurricane Creek plant would be impossible. The alumina patents represent many years of research by Aluminum Co. of America. We have spent many millions of dollars in perfecting the processes covered by the alumina patents. Our records indicate that they effect a conservatively estimated saving of $10 to $12 a ton in the manufacture of alumina from low-grade bauxite.

Except for the public considerations which you have presented to us so effectively, we

could not consider a royalty-free license under such a valuable asset. However, we are glad to accede to these considerations and, if by so doing we have contributed in any substantial way to the solution of the complex problems of surplus property disposal confronting the Congress, the Surplus Property Administration, and other governmental agencies, we are well repaid.

Yours very truly,

ALUMINUM CO. OF AMERICA,
ARTHUR V. DAVIS, *Chairman.*

JANUARY 10, 1946.

Mr. ARTHUR V. DAVIS,
Chairman of the Board, Aluminum Co. of America, Washington, D. C.

DEAR MR. DAVIS: I want to thank you and the Aluminum Co. of America for granting our request for a free license on the company's alumina patents for use at the Government-owned alumina plant at Hurricane Creek.

Without those patents, the Hurricane Creek plant could not be successfully operated. Under the free license which you have agreed to grant, however, the immediate and permanent operation of Hurricane Creek on a low-cost basis is assured.

This will make available an additional large quantity of low-cost alumina, the key to the Surplus Property Administration's aluminum plant disposal program.

The Aluminum Co. of America made an outstanding contribution to the winning of the war, for which this Nation should be forever grateful. Your public-spirited action in giving the Government a free license under your alumina patents for use at the Hurricane Creek plant is, of course, less dramatic but nonetheless an equally significant contribution to the winning of the peace.

If in the past I have had occasion to be critical of the Aluminum Co. of America, today's action on your part demonstrates to my complete satisfaction that your company, no less than the Government agencies concerned, is moving constructively toward the solution of the problems which confront the Surplus Property Administration, the aluminum industry, and the country as a whole.

Sincerely yours,

W. STUART SYMINGTON,
Administrator.

JANUARY 10, 1946.

Hon. W. STUART SYMINGTON,
Administrator, Surplus Property Administration, Washington, D. C.

DEAR MR. SYMINGTON: I have just been informed that an understanding has been reached between you, as Surplus Property Administrator, Mr. Sam Husbands, as Director of Reconstruction Finance Corporation, and representatives of the Aluminum Co. of America, whereby the Aluminum Co. of America agrees to grant to Reconstruction Finance Corporation a nonexclusive license under its patents covering operations at the Hurricane Creek alumina plant, with the right to sublicense these patents. I am advised that the Aluminum Co. of America has agreed that the license shall be royalty-free. I am also advised that arrangements have been concluded whereby Reconstruction Finance Corporation will lease the Government-owned Hurricane Creek alumina plant and the Government-owned smelting plant at Jones Mills, Ark., to Reynolds Metals Co., and will sublicense to Reynolds Metals Co. the patents covered by the royalty-free license granted by the Aluminum Co. of America.

I want to express my gratification at the outcome of these negotiations. The consummation of this lease and the granting of this license on the terms above stated should contribute substantially to the establishment of real competition in the aluminum industry. It is entirely in line with the objective of this Department in the pending antitrust suit.

It is this teamwork of Government and business—evidenced by the public-spirited action of Alcoa in granting a royalty-free license and in the cooperative spirit of the Reconstruction Finance Corporation and Surplus Property Administration—that will get the reconversion job done. My hearty congratulations to all of you.

Sincerely yours,

TOM C. CLARK,
Attorney General.

Mr. FULBRIGHT. Mr. President, I wish to add just a word of commendation in regard to the Aluminum Co. of America, because the plant the Senator from North Carolina has mentioned, namely, the one at Hurricane Creek, is in Arkansas, and I am sure it will promote the development of competition in the industry and will help put it on a sound basis.

Mr. BAILEY. I think it has a billion pounds capacity.

Mr. FULBRIGHT. A billion and a half.

Mr. BAILEY. A billion and a half pounds. That is competition in itself.

Mr. FULBRIGHT. I think the Aluminum Co. of America deserves considerable credit for its forward-looking attitude in reaching a compromise with the Government.

APPOINTMENT OF FACT-FINDING BOARDS TO INVESTIGATE LABOR DISPUTES—DISCHARGE OF COMMITTEE ON EDUCATION AND LABOR

Mr. CHAVEZ. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. HOEY in the chair). The Senator will state it.

Mr. CHAVEZ. Has the morning business been concluded?

The PRESIDING OFFICER. It has not been concluded.

Mr. EASTLAND. On behalf of the Senator from Texas [Mr. O'DANIEL] and myself, I send forward to the desk a resolution, which I ask to have read under the rule.

The PRESIDING OFFICER. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 215) submitted by Mr. EASTLAND for himself and Mr. O'DANIEL, as follows:

Resolved, That the Committee on Education and Labor be, and it is hereby, discharged from the further consideration of the bill (S. 1661) to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes.

Mr. MURRAY. Mr. President, I object to the present consideration of the resolution.

The PRESIDING OFFICER. It is not being presently considered. The resolution will lie over under the rule.

HIGHER PRICES AS TAX HEDGE—PERSONAL STATEMENT

Mr. THOMAS of Oklahoma. Mr. President, out of order I ask unanimous consent to have printed in the RECORD at this point an Associated Press news story which appeared in today's Washington Post. The article is entitled "Senator Urges Higher Prices as Tax Hedge." The articles quotes me, and purports to set forth the substance of a conference to which it refers. The last four lines of the news article are pied. Evidently the proofreader did not read the complete article, or, having read it, became disgusted before reaching the last four lines of it, because they are meaningless. In order that my position on this particular matter may be fully understood, and that the pied lines may be clarified, I ask unanimous consent that in addition to the entire news story being printed in the RECORD at this point there also be printed a short statement clarifying my position.

There being no objection, the article and statement were ordered to be printed in the RECORD, as follows:

SENATOR URGES HIGHER PRICES AS TAX HEDGE

Senator ELMER THOMAS (Democrat, Oklahoma), called yesterday for higher prices, higher wages, higher pension—call it inflation if you want—as the only way to handle the huge public debt.

The chairman of the Senate Agriculture Committee took his stand in an interview on the prospects of American farmers in 1946.

American producers, THOMAS said, must be allowed higher average prices in a market controlled only by supply and demand.

Otherwise, he said, taxpayers cannot square their tax bills. And we can't have another depression without the country going bankrupt.

DEMAND PRICE HEARINGS

The Oklahoma Senator expressed his views as two Republican Representatives from Wisconsin, REID F. MURRAY and LAWRENCE H. SMITH, issued separate demands on Congress to decide quickly what it plans to do about prices.

They introduced resolutions calling on the House Banking Committee to start hearings at once on extension of OPA and Government subsidy programs, both due to expire June 30. Each said such action would help curtail strikes.

Subsidies are Government funds paid to producers or processors to permit them to operate profitably despite OPA ceilings on prices.

If either is abolished, MURRAY told reporters, living costs will soar and cause a new rash of strikes for wage adjustments.

SMITH, principally concerned with the subsidy program, said its continuance is imperative to keep food and clothing prices down, and added in an interview:

"Some of us who were so violently opposed to subsidies originally are getting around to the point of thinking it is absolutely necessary that they continue now."

NEED MONEY FOR TAXES

THOMAS figured the people will be saddled with taxes of $35,000,000,000 a year for some time to come, and we can't pay it at low price levels. He added:

"Take a man with a $100 tax bill. With cotton at 10 cents a pound it takes two bales to pay the tax. With cotton at 20 cents a pound one bale will pay it."

The Senator noted that many people ordinarily suffer when prices go up—wage earners and people living on pensions and annuities.

His solution: "As prices go up, increase wages, salaries, and pensions comparably."

In support of his argument, THOMAS compared things now to 1926. Counting 1926 levels as 100, he said, the price levels now are 107. Yet the national debt is approaching 100 billion dollars, he proaching 300 billion dollars, he in 1926.

Today's Washington Post carries a news story by the Associated Press which purports to be statements made by myself.

The interview was with reference to the price level and at what point such price level should be fixed to enable our country to remain a going concern.

In the news story I was quoted as having said that our people are to be saddled with taxes of $35,000,000,000 a year for some time to come. The natural inference being that the $35,000,000,000 will be annual Federal taxes, which was not my full statement.

My statement in full was substantially as follows:

It is my judgment that for some years to come our people will be required to pay Federal taxes in the sum of $25,000,000,000 annually, and that the States, counties, cities, and districts will levy and collect an additional $10,000,000,000 annually, which will make a total tax burden of some $35,000,000,000.

In the Post article the last paragraph obviously escaped the attention of the proofreader. The last four lines of the article are pied; hence, do not make sense.

My further statement to the AP representative was substantially as follows:

The First World War ended on November 11, 1918, and it was some 8 years later before the Government was able to agree upon a price level as the basis for stabilization of our domestic economy.

In 1926 the national debt was approximately $20,000,000,000. The Budget for that year was some $4,250,000,000, and the administration then in power sought to stabilize prices on the basis of the average prices for which commodities sold during the year of 1926.

The administration considered the average wholesale prices of the various commodities during the said year as being 100 percent; hence, the price level of all commodities was fixed at 100 percent, and such price level has been the basis of all prices since that year.

The matter of the tabulation of the price level is under the jurisdiction of the Bureau of Labor Statistics, and using the 100-percent wholesale price level, based on the said year of 1926, we find that today the said price level stands at 107. This means that the average price of some 900 commodities is today only 7 percent above the average price of the same commodity in the basic year of 1926.

Further clarifying the pied portion of the said news article, my statement was to the effect that the administration, in 1926, confronted with a national debt of only some $20,000,000,000 and an annual Budget of only some $4,250,000,000 undertook to stabilize our domestic economy on the 1926 average prices or with a then 100-percent price level.

Today our people are faced with a $300,000,000,000 national debt and an annual Federal Budget of some $25,000,000,000 with additional State, county, city, and district budgets totaling some $10,000,000,000. It is obvious to me that the 1926 price level of 100, with the added 7-percent increase, must be further raised in order to permit our people to make the money necessary to pay the Federal, State, county, city, and district taxes necessary to keep our country and its subdivisions going concerns.

ORDER DISPENSING WITH CALL OF THE CALENDAR

The PRESIDING OFFICER (Mr. HOEY in the chair). The morning business has now been concluded. The calendar under rule VIII is in order.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the call of the calendar be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT OF FACT-FINDING BOARDS TO INVESTIGATE LABOR DISPUTES—DISCHARGE OF COMMITTEE ON EDUCATION AND LABOR—THE STRIKE SITUATION

Mr. EASTLAND. Mr. President, earlier in the day I submitted a resolution to discharge the Senate Committee on Education and Labor from further consideration of Senate bill 1661, a bill which embodies the recommendations of the President of the United States for the solution of disputes between capital and labor.

I have no criticism of the Committee on Education and Labor. I have no controversy or argument with the committee. I understand that hearings are now being held, and that in all probability a bill will be reported from the committee on February 1, 1946, or shortly thereafter. There is no assurance that a bill will be reported at that time.

Mr. President, this country is in the midst of a grave emergency. On the domestic front the emergency today is just as grave as it was in 1933 when the Roosevelt administration first assumed power. During the early days of that administration a great many far-reaching bills were enacted into law for the purpose of counteracting the depression. On those bills no long hearings were held. We are now in the midst of another emergency. Today the wheels of American industry are locked by strikes. Our entire basic industry is threatened, and I think the Congress of the United States should rise to the occasion and speedily consider antistrike legislation. I say frankly that I do not believe that the program which has been recommended by the President goes far enough. However, those are matters which can be debated and determined on the floor of the Senate. I venture the assertion that there is no one of us who has not stated in detail on a number of occasions what are his labor views, and the type of legislation which he desires to have enacted. I believe that a large majority of the Members of the Senate know at this time exactly what their position will be when the bill to which I have referred reaches the Senate floor. Without criticizing the committee, I fail to see the necessity of holding extended hearings on the bill. It was introduced on December 6, 1945. We have passed other "must" legislation without holding extensive hearings. This measure has been said by the President of the United States to be "must" legislation, and the American people say it is "must" legislation.

A strike is threatened in the steel industry, one of the basic industries of this country. If the strike should drag along for a sufficient length of time it would shut down the wheels of a great many other American industries.

There is now a strike in the packing plants. The meat supply of this Nation will be shut off. A great amount of livestock is being backed up on the farms. It cannot be marketed. There is a critical shortage of protein feeds. I heard a radio statement by a representative of one of the great feed mills of Kansas City, which had supplied feed for 225,000 cattle feeders in the Midwest, in explanation of the fact that it could not furnish the feeders with adequate supplies of protein feed in order to finish the livestock for market. The cotton crop this year is short, and from that source comes cottonseed meal which is one of the basic feeds. There is a critical shortage. Livestock in great amounts are being backed up on the farms, thus further exhausting the feed. If the strike in the meat industry continues much longer, the dairy industry will suffer and it will become necessary to ration milk and dairy products in the United States.

There is a strike in farm-machinery plants. For 5 years the farmers of the United States have been unable to replace the equipment and the machinery which they sorely need in order to produce this country's food requirements and to meet our commitments throughout the earth. Millions of men are being discharged from the service, and a great many of them desire to go into the agricultural industry to earn their livelihood. A program has been adopted, as it should be, to give veterans priority in the purchase of tractors and other farm equipment; but, Mr. President, today they walk the streets in great numbers with a permit, and, though they have priorities in their pockets, they are unable to purchase this very essential equipment which they must have if they are to settle down and earn a livelihood and produce the food and feed and fiber which are so badly needed by the people of this earth.

Furthermore, there is a General Motors strike and other strikes. Labor conditions were bad enough in December, when the President said his bill was "must" legislation and asked for its immediate passage, but they are far worse today. Strikes are spreading and conditions become worse all the time, but the American Congress has not set up any machinery to settle the disputes between capital and labor and to return this country to an even keel.

These strikes, Mr. President, are war against the American people. They threaten the Nation's food supply. It is up to the Congress of the United States speedily and effectively to act as it acted in 1933. At that time the American Congress was at a high point in public esteem. We must act to settle the question who is boss in this country—the American Congress or the CIO. Frankly, if Congress cannot take effective action, then the CIO is sovereign in America. I mean that statement literally.

Mr. President, what is the first attribute of a sovereign? It is the power to lay and collect taxes. I hold in my hand a copy of the contract negotiated by Mr. Sidney Hillman for the American Garment Workers' Union whereby there is laid on the American people a tax of 3 percent of the pay roll of the garment workers in order to pay old-age pensions to members of that union. Then the attempt is made further to roll that back and levy a tax on the cotton producers of the United States.

The American Congress, Mr. President, must take action to demonstrate who controls the United States. If we cannot take action, then I favor abdicating and making Mr. Murray or Mr. Hillman king in name. Today certainly they exercise the very fundamental prerogatives of a sovereign.

Mr. President, I say again I have no controversy with and no criticism of the Senate committee which is considering this proposed legislation, but I think further consideration is unnecessary. I believe the Senate knows what it will do

with these bills and that they should be reported to the floor and speedily acted upon.

FAIR EMPLOYMENT PRACTICE ACT

Mr. CHAVEZ obtained the floor.

Mr. O'DANIEL. Mr. President——

Mr. MURRAY. Mr. President, will the Senator from New Mexico yield for a brief statement?

Mr. CHAVEZ. I shall be glad to yield to the Senator later.

I now move that the Senate proceed to the consideration of Senate bill 101, Calendar No. 286.

The PRESIDING OFFICER (Mr. MYERS in the chair). The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry.

Mr. WHITE. Mr. President, do I understand correctly that the Senator moves that the bill be now considered by the Senate?

Mr. CHAVEZ. I do. The Senator is correct.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. HILL. I have not discussed the matter with the Senator, but I understood he would perhaps address himself to the subject today but would not make the motion today. Am I in error in that understanding?

Mr. CHAVEZ. The Senator is in error, and I have made the motion.

Mr. EASTLAND and Mr. WHITE addressed the Chair.

Mr. LA FOLLETTE. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. LA FOLLETTE. I make the point of order that the motion having been made prior to 2 o'clock and after the conclusion of the morning business it is not debatable.

The PRESIDING OFFICER. The point of order is sustained.

Mr. WHITE. I make the point that there is not a quorum present.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Fulbright	Magnuson
Andrews	George	Maybank
Austin	Gerry	Mead
Ball	Gossett	Millikin
Barkley	Green	Morse
Bilbo	Guffey	Murray
Brewster	Gurney	Myers
Bridges	Hayden	O'Daniel
Briggs	Hickenlooper	Overton
Buck	Hill	Revercomb
Bushfield	Huffman	Shipstead
Butler	Johnson, Colo.	Smith
Byrd	Johnston, S. C.	Stewart
Capehart	Kilgore	Taft
Capper	La Follette	Thomas, Okla.
Chavez	Langer	Tobey
Cordon	Lucas	Tydings
Donnell	McCarran	Wherry
Downey	McClellan	White
Eastland	McFarland	Wiley
Ellender	McKellar	Wilson
Ferguson	McMahon	Young

The PRESIDING OFFICER. Sixty-six Senators having answered to their names, a quorum is present.

The question is on agreeing to the motion of the Senator from New Mexico [Mr. CHAVEZ] that the Senate proceed to the consideration of Senate bill 101, to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry.

Mr. CHAVEZ. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. BRIDGES. I have a general pair with the Senator from Utah [Mr. THOMAS]. I transfer that pair to the Senator from Illinois [Mr. BROOKS], and vote "yea." I am informed that if present the Senator from Illinois would vote "yea."

Mr. MAGNUSON. My colleague the junior Senator from Washington [Mr. MITCHELL] is absent on official business. Were he present he would vote "yea."

Mr. BUTLER (after having voted in the affirmative). I have a general pair with the Senator from Alabama [Mr. BANKHEAD], which I transfer to the Senator from Massachusetts [Mr. SALTONSTALL], who would vote "yea" if present, and let my vote stand.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent because of illness.

The Senator from Nevada [Mr. CARVILLE], the Senator from New Mexico [Mr. HATCH], the Senator from Utah [Mr. MURDOCK], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Florida [Mr. PEPPER], the Senator from Idaho [Mr. TAYLOR], the Senator from New York [Mr. WAGNER], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

The Senators from North Carolina [Mr. BAILEY and Mr. HOEY] are attending an important conference dealing with the cotton situation, and are unavoidably absent.

The Senator from Maryland [Mr. RADCLIFFE], the Senator from Georgia [Mr. RUSSELL], the Senator from Utah [Mr. THOMAS], and the Senator from Massachusetts [Mr. WALSH] are detained on official business at various Government departments.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business, as a member of the Mead committee.

If present and voting, the Senator from Nevada [Mr. CARVILLE], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Idaho [Mr. TAYLOR], the Senator from Utah [Mr. THOMAS], the Senator from Delaware [Mr. TUNNELL], the Senator from New York [Mr. WAGNER], the Senator from Massachusetts [Mr. WALSH], and the Senator from Montana [Mr. WHEELER] would vote "yea."

If present and voting, the Senators from North Carolina [Mr. BAILEY and Mr. HOEY], the Senator from Texas [Mr. CONNALLY], and the Senator from Georgia [Mr. RUSSELL] would vote "nay."

I wish to announce further that the Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED].

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations now being held in London.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee. If present, he would vote "yea."

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business.

The Senator from Illinois [Mr. BROOKS] and the Senator from New Jersey [Mr. HAWKES] are necessarily absent. If present the Senator from Illinois would vote "yea" and the Senator from New Jersey would vote "nay."

The Senator from Kansas [Mr. REED] has a general pair with the Senator from New York [Mr. WAGNER]. I am not advised how he would vote. He is necessarily absent from the city.

The Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from Kentucky [Mr. STANFILL] are unavoidably detained. Both Senators would vote "yea" if present.

The Senator from Connecticut [Mr. HART] and the Senator from Oklahoma [Mr. MOORE] are unavoidably absent.

The Senator from Indiana [Mr. WILLIS] is unavoidably detained. If present he would vote "yea."

The result was announced—yeas 49, nays 17, as follows:

YEAS—49

Aiken	Gossett	Morse
Austin	Green	Murray
Ball	Guffey	Myers
Barkley	Gurney	Revercomb
Brewster	Hayden	Shipstead
Bridges	Hickenlooper	Smith
Briggs	Huffman	Taft
Buck	Johnson, Colo.	Thomas, Okla.
Butler	Kilgore	Tobey
Capehart	La Follette	Tydings
Capper	Langer	Wherry
Chavez	Lucas	White
Cordon	McCarran	Wiley
Donnell	McFarland	Wilson
Downey	McMahon	Young
Ferguson	Magnuson	
Gerry	Mead	

NAYS—17

Andrews	Fulbright	Maybank
Bilbo	George	Millikin
Bushfield	Hill	O'Daniel
Byrd	Johnston, S. C.	Overton
Eastland	McClellan	Stewart
Ellender	McKellar	

NOT VOTING—30

Bailey	Knowland	Saltonstall
Bankhead	Mitchell	Stanfill
Brooks	Moore	Taylor
Carville	Murdock	Thomas, Utah
Connally	O'Mahoney	Tunnell
Glass	Pepper	Vandenberg
Hart	Radcliffe	Wagner
Hatch	Reed	Walsh
Hawkes	Robertson	Wheeler
Hoey	Russell	Willis

So Mr. CHAVEZ's motion was agreed to, and the Senate proceeded to consider the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry.

The bill reads as follows:

Be it enacted, etc.,

FINDINGS AND DECLARATION OF POLICY

SEC. 1. The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or

ancestry, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production, endangers the national security and the general welfare, and adversely affects commerce.

It is hereby declared to be the policy of the United States to eliminate such discrimination in all employment relations which fall within the jurisdiction or control of the Federal Government as hereinafter set forth.

RIGHT TO FREEDOM FROM DISCRIMINATION IN EMPLOYMENT

SEC. 2. The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity, of all citizens of the United States, which shall not be abridged by any State or by an instrumentality or creature of the United States or of any State.

UNFAIR EMPLOYMENT PRACTICES DEFINED

SEC. 3. (a) It shall be an unfair employment practice for any employer within the scope of this act—

(1) to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry;

(2) to discharge any person from employment because of such person's race, creed, color, national origin, or ancestry;

(3) to discriminate against any person in compensation or in other terms or conditions of employment because of such person's race, creed, color, national origin, or ancestry; and

(4) to confine or limit recruitment or hiring of persons for employment to any employment agency, placement service, training school or center, labor union or organization, or any other source that discriminates against persons because of their race, color, creed, national origin, or ancestry.

(b) It shall be an unfair employment practice for any labor union within the scope of this act—

(1) to deny full membership rights and privileges to any person because of such person's race, creed, color, national origin, or ancestry;

(2) to expel from membership any person because of such person's race, creed, color, national origin, or ancestry; or

(3) to discriminate against any member, employer, or employee because of such person's race, creed, color, national origin, or ancestry; or

(c) It shall be an unfair employment practice for any employer or labor union within the scope of this act to discharge, expel, or otherwise discriminate against any person because he has opposed any practices forbidden by this act or because he has filed a charge, testified, or assisted in any proceeding under this act.

SCOPE OF ACT

SEC. 4. (a) This act shall apply to any employer having in his employ six or more persons, who is (1) engaged in interstate or foreign commerce or in operations affecting such commerce; (2) under contract with the United States or any agency thereof or performing work, under subcontract or otherwise, called for by a contract to which the United States or any agency thereof is a party, awarded, negotiated, or renegotiated as hereinafter provided in section 13 of this act.

(b) This act shall apply to any labor union which has six or more members who are engaged in interstate or foreign commerce or in operations affecting such commerce or employed by the United States or any Territory, insular possession, or instrumentality thereof.

(c) This act shall apply to the employment practices of the United States and of every Territory, insular possession, agency, or instrumentality thereof, except that paragraphs (e) and (f) of section 10, providing for petitions for enforcement and review, shall not apply in any case in which an order has been issued against any department or independent agency of the United States; but in any such case the Fair Employment Practice Commission established by section 5 of this act may petition the President for the enforcement of any such lawful order, and it shall thereupon be the duty of the President to take such measures as may secure obedience to any such order. Every officer, agent, or employee who willfully violates any such order shall be summarily discharged from the Government employ.

FAIR EMPLOYMENT PRACTICE COMMISSION

SEC. 5. For the purpose of securing enforcement of the foregoing rights and preventing unfair employment practices on the part of employers and labor unions, there is hereby established a commission to be known as the Fair Employment Practice Commission, which shall consist of a chairman and four additional members to be appointed by the President, by and with the advice and consent of the Senate, who shall serve for a term of 5 years except that the terms of the members originally appointed shall expire seriatim at intervals of 1 year. Any member of the Commission may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Three members of the Commission shall at all times constitute a quorum.

REPORTS

SEC. 6. The Commission shall at the close of each fiscal year make a report in writing to the Congress and to the President concerning the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Commission, and an account of all moneys it has disbursed, and shall make such further reports on the cause of, and means of alleviating discrimination, and such recommendations for further legislation as may appear desirable.

SALARIES

SEC. 7. Each member of the Commission shall receive a salary of $10,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment.

TERMINATION OF COMMITTEE ON FAIR EMPLOYMENT PRACTICE

SEC. 8. Upon the appointment of the members of the Commission, the Committee on Fair Employment Practice, established by Executive Order Numbered 9346 of May 27, 1943, shall cease to exist. All employees of the said committee shall be transferred to and become employees of the Commission. All records, papers, and property of the committee shall pass into the possession of the Commission, and all unexpended funds and appropriations for the use and maintenance of the committee shall be available to the Commission.

LOCATION OF OFFICES

SEC. 9. The Commission shall hold its sessions in the District of Columbia and at such other places as it may designate. The Commission may, by one or more of its members or by such referees, agents, or agencies as it may designate, prosecute any inquiry or conduct any hearing necessary to its functions in any part of the United States or any Territory or insular possession thereof.

PROHIBITION OF UNFAIR EMPLOYMENT PRACTICES

SEC. 10. (a) The Commission is empowered as herein provided to prohibit any person from engaging in any unfair employment practices within the scope of this act.

(b) Whenever it is alleged that any person has engaged in any such unfair employment practice, the Commission, or any referee, agent, or agency designated by the Commission for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect and containing a notice of hearing before the Commission or a member thereof, or before a designated referee, agent, or agency at a place therein fixed not less than 10 days after the serving of said complaint.

(c) The person so complained of shall have the right to file an answer to such complaint and to appear in person or otherwise, with or without counsel, and give testimony at the place and time fixed in the complaint.

(d) If upon the record, including all the testimony taken, the Commission shall find that any person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair employment practice and to take such affirmative action, including reinstatement or hiring of employees with or without back pay, as will effectuate the policies of this act. If upon the record, including all the testimony taken, the Commission shall find that no person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue an order dismissing the said complaint.

(e) The Commission shall have power to petition any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) or, if all the circuit courts of appeals to which application might be made are in vacation, any district court of the United States, within any circuit or district, respectively, wherein the unfair employment practice in question occurred, or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court to which petition is made a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and the order of the Commission. Upon such filing, the court to which petition is made shall conduct further proceedings in conformity with the procedures and limitations established by law governing petitions for enforcement of the orders of the National Labor Relations Board.

(f) Any person aggrieved by a final order of the Commission granting or denying in whole or in part the relief sought may obtain a review of such order in any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) within any circuit wherein the unfair employment practice in question was alleged to have occurred or wherein such person resides or transacts business by filing in such court a written petition praying that the order of the Commission be modified or set aside. Upon such filing the reviewing court shall conduct further proceedings in conformity with the procedures and limitations established by law governing petitions for review of the orders of the National Labor Relations Board.

INVESTIGATORY POWERS

SEC. 11. (a) For the purpose of all hearings and investigations which in the opinion of the Commission are necessary and proper for the exercise of the powers vested in it by this act, the Commission, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question. Any member of the Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question, before the Commission, its member, agent, or agency conducting the hearing or investigation. Any member of the Commission, or an

agent or agency designated by the Commission for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

(b) In case of contumacy or refusal to obey a subpena issued to any person, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(c) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

RULES AND REGULATIONS

SEC. 12. The Commission shall have authority from time to time to make, amend, and rescind such regulations as may be necessary to carry out the provisions of this act. Such regulations shall be effective 60 days after transmission to the Congress unless the Congress has in the interim amended or nullified such regulations by appropriate legislation or has adjourned within 30 days after the submission of such regulations. Such regulations shall include the procedure for service and amendment of complaints, for intervention in proceedings before the Commission, for the taking of testimony and its reduction to writing, for the modification of the findings or orders prior to the filing of records in court, for the service and return of process and fees of witnesses, and with respect to the seal of the Commission, which shall be judicially noticed, the payment of expenses of members and employees of the Commission, the qualification and disqualification of members and employees and any other matters appropriate in the execution of the provisions of this act.

GOVERNMENT CONTRACTS

SEC. 13. (a) All contracting agencies of the Government of the United States shall include in all contracts hereafter awarded, negotiated, or renegotiated by them, except such classes of contracts as may be exempted from the scope of this provision by regulation adopted pursuant to section 12 of this act, a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, national origin, or ancestry, and requiring him to include a similar provision in all subcontracts.

(b) No contract shall be awarded or executed by the United States or any agency thereof to any person found by the Commission to have violated any of the provisions of this act or to any firm, corporation, partnership, or association in which such person has a controlling interest, for a period to be fixed by the Commission not to exceed 3 years from the date when the Commission determines such violation to have occurred. The Commission may by subsequent order, for good cause shown, reduce any period so fixed. The Comptroller General is authorized and directed to distribute a list to all agencies of the United States containing the names of such persons.

WILLFUL INTERFERENCE WITH COMMISSION AGENTS

SEC. 14. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Commission or any of its referees, agents, or agencies, in the performance of duties pursuant to this act, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both.

SEPARABILITY CLAUSE

SEC. 15. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the remainder of such act or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

DEFINITIONS

SEC. 16. (1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

(2) The term "employer" includes any person acting in the interest of any employer, directly or indirectly, and includes the United States and every Territory, insular possession, and agency or instrumentality thereof.

(3) The term "labor union" includes any organization in which employers participate and which exists for the purpose, in whole or in part, of dealing with employees concerning the terms or conditions of employment.

(4) Unless otherwise specified, the term "Commission" means the Fair Employment Practice Commission created by section 5 of this act.

(5) The term "Committee" means the Committee on Fair Employment Practice established by Executive Order No. 9346 of May 27, 1943.

(6) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or Territory or the Ditrict of Columbia or any foreign country.

(7) The terms "affecting commerce" means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

SEC. 17. This act may be cited as the "Fair Employment Practice Act."

Mr. BANKHEAD subsequently said: Mr. President, I should like to make a statement respecting my absence when the vote was had on the question of the immediate consideration of the FEPC bill. I was present at today's session when the Senate convened. I had no information of any kind that a motion would be made to proceed to the consideration of the FEPC bill. I left the Senate Chamber without any suspicion or thought, or suggestion from any source, that the bill would be taken up. In fact, I had heard here that assurances had been given, not by the Senator who made the motion but by a proponent of the bill, that it would not be taken up today.

I was requested by Mr. Edward O'Neal, the president of the American Farm Bureau Federation, to go to the Raleigh Hotel, where the National Board of Directors of the American Farm Bureau Federation was in session, to confer with that group and advise with them on agricultural measures of very great importance to the farmers. I accepted the invitation, and I was there when the motion was made to take up the FEPC bill. The motion was made at a time when, under the rules of the Senate, it was not debatable, and at a time when it was impossible for me to return to the Senate before the motion was voted upon. That is the reason, Mr. President, for my absence, which, of course, I very greatly regret.

I do not know of any time in the last few years or in the last number of years when I have gone downtown on any occasion or to take lunch anywhere, when the Senate was in session, but that happened, unfortunately, under the circumstances, on this day, and I, of course, very greatly regret my absence. I had no thought or idea at all that this motion would be made under the unusual and extraordinary circumstances under which it was made. If I had been present, of course, I should have voted against the motion, as I am definitely and positively, and to the end, opposed to the passage of this bill.

APPOINTMENT OF FACT-FINDING BOARDS TO INVESTIGATE LABOR DISPUTES—DISCHARGE OF COMMITTEE ON EDUCATION AND LABOR

Mr. CHAVEZ obtained the floor.

Mr. MURRAY. Mr. President, will the Senator yield to me?

Mr. CHAVEZ. I yield to the Senator from Montana.

Mr. MURRAY. A few moments ago the Senator from Mississippi [Mr. EASTLAND], in referring to his motion to discharge the Committee on Education and Labor from the consideration of certain bills pending before that committee, made the statement that he did not criticize the action of the Committee on Education and Labor; that he did not charge it with any dereliction of duty in regard to the handling of bills pending before it. I wish to thank the Senator for that statement.

Of course, he is absolutely correct in making that statement, because the committee has been extremely active. It has had before it a great many important measures and has spent a great deal of time in hearings and in executive meetings in the consideration of important legislation pending before it. The record is such that his statement to the effect that the committee is not to be charged with any criticism at all in this matter is absolutely correct.

Mr. President, early last fall the committee scheduled hearings on the Ball-Burton-Hatch bill and on the McMahon bill, for October 22, 1945, but when the President announced the calling of the Labor-Management Conference the sponsors of these measures came to me as chairman of the committee and requested

that those hearings be postponed because of the conference which the President had called. After that conference, which was called by the President, had failed, the President himself indicated that he would recommend a course of action for the Congress on this subject.

He did so on December 3, and on December 6 the distinguished Senator from Louisiana introduced a bill carrying out the President's recommendations and the committee immediately called hearings on that bill and is now engaged in conducting hearings on that matter.

Of course, Mr. President, these labor-management problems are of a very serious character, and it would not be advisable to discharge the Committee on Education and Labor from the consideration of these measures and bring this question to the floor of the Senate. It would certainly be an unwise procedure, and probably would result in confusion which would very seriously injure the probabilities of getting sound legislation in this direction.

FAIR EMPLOYMENT PRACTICE ACT

Mr. JOHNSON of Colorado and Mr. EASTLAND addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Mexico yield; and if so, to whom?

Mr. CHAVEZ. I yield first to the Senator from Colorado.

Mr. EASTLAND. Mr. President——

Mr. CHAVEZ. I should very much like to yield to the Senator from Mississippi, but we have a bill pending. The question which the Senator from Montana and the Senator from Mississippi were discussing will not be settled this afternoon.

Mr. EASTLAND. Mr. President, will the Senator yield for half a minute?

Mr. CHAVEZ. I yield to the Senator from Mississippi.

Mr. EASTLAND. Mr. President, I move that Senate bill 101 be recommitted to the Committee on Education and Labor.

Mr. BALL. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. BALL. The Senator from New Mexico did not yield to the Senator from Mississippi for that purpose.

Mr. CHAVEZ. That is correct.

Mr. GEORGE. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. GEORGE. When the Senator yields, he yields for any purpose which is legitimate and within the parliamentary rules of the Senate.

Mr. CHAVEZ. Possibly that is correct. But I have faith in the Senator from Mississippi. He was having a discussion with the Senator from Montana, and evidently wished to answer the Senator from Montana. I yielded for that purpose, and that purpose only. I did not yield for the purpose of making a motion.

Mr. GEORGE. Mr. President, I make the point of order that the Senator cannot yield for a specific purpose, except for a question directed to himself. When he yields otherwise, he yields for any purpose which is legitimate and parliamentary.

The PRESIDING OFFICER. The supposition is that the Senator was yielding only for a question.

Mr. EASTLAND. Mr. President, I withdraw the motion.

The PRESIDING OFFICER. A motion to recommit can be made at any time.

Mr. GEORGE. Mr. President, I thank the Chair for that information. I am aware of that fact, but I insist that whenever a Senator yields generally, as the Senator from New Mexico did in this case, he yields for every purpose which is permissible under the parliamentary situation. The Chair has not made a ruling because the Senator from Mississippi has withdrawn his motion; but had the Chair ruled, I should have been compelled to appeal from the ruling of the Chair.

I now ask the Senator from New Mexico to yield to me.

Mr. CHAVEZ. I yield for a question from the Senator from Georgia.

Mr. GEORGE. I do not wish to ask a question. I wish to make a statement.

Mr. CHAVEZ. I yield provided that I am not taken off the floor.

Mr. GEORGE. I do not wish to take the Senator off the floor.

Mr. CHAVEZ. I ask unanimous consent that I be allowed to yield to the Senator from Georgia, provided that I do not lose the floor.

The PRESIDING OFFICER. Is there objection to the Senator yielding for a statement, without losing the floor? The Chair hears none.

Mr. CHAVEZ. I am delighted to yield to the Senator from Georgia.

Mr. GEORGE. Mr. President, the action of the Senate in taking up Senate bill 101, the so-called fair employment practice bill, a bill to control and regulate, by state will, the field of human relationships, at a time of crisis such as our country faces today, is notice to the American people that the American Senate has no concept of the responsibility resting upon it.

Not only that, Mr. President. When the Senate met on Monday the distinguished majority leader [Mr. BARKLEY] asked that nothing be done until the President's message was submitted. Many of us were laboring under the definite impression, induced by the action taken at that time, that no controversial matter of any kind would be brought up at this time.

I do not criticize Senators who are pledged to support the FEPC bill for voting as they did. I criticize the Democratic Party for bringing it up under explicit conditions that at least no controversial matter would be presented to the Senate at this time, until the President's message had come before this body.

Mr. President, my party can take whatever course it will, but there are men on this side who are freemen. They will not follow the party will. I wish to serve that notice now. I serve it in all sincerity. If the President of the United States has nothing more important to submit to the American people in a time of industrial crisis, when the very life of this Nation is at stake, then I must say to the President of the United States that I shall follow the best course my judgment leads me to follow.

Senators may do as they please. It was well known that many of us had been here since the 31st of December, cutting short vacations which we needed badly to work on assigned committee duties and responsibilities. Every Senator understood that no highly controversial matter was to be called up today, or until the President had submitted his message. If this is all that Harry Truman has to offer, God help the Democratic Party in 1946 and 1948.

At a time when the very life of the Nation is at stake we are called upon to consider a bill to compel people in the field of human relationships to do what their judgment directs them not to do. We are called upon to go "Nazi." We are called upon to go totalitarian. I have no quarrel with any Senator who has promised to do it. I know that many Senators have promised, but I have not promised to do it, and I will not do it.

Mr. President, I thank the Senator from New Mexico for yielding to me. I wished to make the record plain that at a time when some of us, at least, are trying to comply with the orders of the Senate itself, a most highly controversial matter is thrown into the Senate.

Mr. CHAVEZ. Mr. President, no one is more devoted than am I to the Senator from Georgia [Mr. GEORGE]. I know that he has the respect of every Member of this body. We appreciate his sincerity of purpose, his honesty, and his thinking. It is too bad that once in a while in this body it becomes necessary to differ with those we love. But after all, every Member of the Senate took an oath to do his duty. In this particular circumstance those of us who are sponsoring this legislation and are trying to secure its passage feel that we should take it up in an orderly way and one in keeping with everything which is sacred to the Senate. It is all very well for Senators to say that they were taken by surprise. My good friend the Senator from Mississippi took to task the Senator from Montana because the Committee on Education and Labor——

Mr. EASTLAND. Mr. President, will the Senator yield to me?

Mr. CHAVEZ. I do not yield now, but I shall yield in a moment.

Mr. EASTLAND. But the Senator is misquoting me.

Mr. CHAVEZ. Very well; I shall correct it.

As I was just saying, the Senator from Mississippi took to task the Senator from Montana because a bill had not been reported from the Committee on Education and Labor. Very well; how is legislation brought about? A bill is introduced and referred to the appropriate committee. After holding hearings the committee reports the bill, and then action is taken on it by the Senate.

What have we seen lately? Practically every Member of the Senate has been back home and knows what is going on there. He knows the resentment and the complaints because the Congress of the United States is not taking action in regard to legislation which has been submitted to it.

What about Senate bill 101, Mr. President? Is the Senate ready for action on it? It has been on the calendar for some time, having been reported by the committee on May 24, 1945.

Two or three weeks ago the country heard the message of the President of the United States. Regardless of what some Democrats may think, the country heard the President's message, and in it the President called attention to legislation which should be enacted. Among the legislation which the President had in mind was fair-employment-practice legislation, and in simple American words he definitely insisted that the Congress at least consider Senate bill 101, which has for its purpose the adoption of fair-employment practices.

One of the fine characteristics of the American is fair play. So far as Senate bill 101 is concerned, what other legislation of the type or kind which the President of the United States recalled to the mind of Congress and the Nation could the Senate now take up and consider? Is any labor legislation before the Senate? No; it is in committee. Is any minimum wage legislation before the Senate? No; it is in committee. Is any measure relating to the proposed loan to England before the Senate? No; it is in committee. Every other piece of legislation which has been suggested by the President is in committee. But here is a measure which is ready for consideration. Do we wish to waste the time of the Senate? I am in favor of this bill. If the Senate wishes to kill it, well and good. But I object to any maneuvering to keep this body from taking action by voting either "yea" or "nay" on proposed legislation, especially legislation of the character which has been recommended by the President of the United States, which was talked about and endorsed by the late President Roosevelt, which was approved by President Truman, which was discussed by him in his message to the people of the country, and which also was endorsed by both the great political parties of the United States. A year ago in June the Republicans came out point-blank to the effect that "We, the Republicans, are in favor of fair employment practice legislation." Perhaps, some were trying to "cover up." I have some complaints about Democrats, too; and I say God pity the Democratic Senators who now are chairmen of committees unless the Democratic Party keeps itself liberal and votes to enact legislation such as that proposed by the bill providing for the adoption of fair-employment practices. I know that unless we do so, the people will complain, as they will have a right to do, and the people will be resentful, as they will have a right to be, and the people will vote for a change. Unless a majority of the Democratic Members of the Senate vote for this legislation, all these chairmanships, which now are in good hands, will be completely changed. So we see that the question is a two-sided one.

The main point is that fair-employment practices should be adopted in this country. What is wrong with fair-employment practices? We love to talk about liberality and about saving the world. We sent our boys to Europe, to China, and to the Pacific. The only decoration which thousands of them received was a white cross surmounting a grave. So we should look at the record; we should look at the casualty lists. On them there will be found the name of McGinty, an Irishman; the name of Michael, an Armenian; the name of Levine, a Jew; the name of Chavez, a Mexican; and the names of many others. But, despite that, some persons object to legislation by means of which justice would be done to the relatives of those who paid the supreme sacrifice in the war and generally to the American people who have made so many sacrifices.

So, Mr. President, what is wrong with the fair employment practice bill? The bill does not provide that because a man's name is Levine or Petachelli, he is entitled to a job. However, the bill does provide that a man cannot be kept from having a job because his name is Petachelli, or Garcia, or something else. It is most regrettable that some persons think that it was all well and good to use such men and call upon them to make the supreme sacrifice in foreign fields, to land on a deadly beach at Okinawa or Guam or elsewhere, but that they are not good enough to receive equal treatment in our country. I say to my colleagues that they had better place themselves in the correct position. Those boys did not die in vain. We must make sure that it can never be said that our boys who went all over the world and conquered many other nations in order to achieve freedom and victory, died in vain. The Democratic Party owes them too much, the Congress owes them too much, ever to permit that to be said. Believe me, Mr. President, the American people are fair and just, and they wish to act fairly and justly. There is no reason why the fair employment practices bill should not be enacted. Both parties promised it.

Mr. President, what about those promises? Were they supposed to be made but not to be kept? I went to the convention which was held in Chicago. The Senator from Mississippi and other Senators went to Chicago, each to the convention of his own party. The conventions made pronouncements to the American people and upon the basis of those pronouncements the people had faith in what was promised. They either believed us or they did not believe us. They believed the Democratic Party at the last election and they elected us as their representatives. We have a certain responsibility to perform. When the Democratic Convention acted in Chicago the position it took was good enough for me. On this question I do not think the Democratic Party at Chicago was quite so honest as was the Republican Party. If Senators think that the proposed legislation is political, I assure them that it is not. It is not being offered in the interest of the Democratic Party or in the interest of the Republican Party. It is being offered in the interest of America, and in the interest of fairness and decency. If the Constitution is worth anything, if the Declaration of Independence is worth anything, if the boys who died on the field of battle did not die in vain, fair-employment practices are correct and necessary.

Mr. President, I will read from the report of the committee on this bill. I ask the Senate to listen to it and then tell me if there is anything wrong with this type of legislation, if there is any reason why all Senators should not vote "yea" or "nay" on the proposition. The report begins as follows:

> The Committee on Education and Labor, to whom were referred the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, and the bill (S. 459) to establish a Fair Employment Practice Commission and to aid in eliminating discrimination in employment because of race, creed, color, national origin, or ancestry, after holding hearings and giving consideration to the two bills, report favorably on the former of these bills (S. 101) and recommend that it do pass.

After listening for weeks and weeks to testimony both in behalf of and against the bill, an outstanding legislative committee which had been created by this body reported the bill favorably to the Senate.

I continue reading:

> Inasmuch as this bill embodies all the objectives of S. 459 and also embodies powers of judicial enforcement and judicial review which the committee considers essential to any effective legislation in this field and which are entirely lacking in S. 459, no separate report on S. 459 is deemed necessary, and the following analysis is limited to the provisions of S. 101.
>
> What is the purpose of the bill?
>
> This bill is designed to eliminate discrimination in all employment relations which fall under the jurisdiction or control of the Federal Government. It forbids discrimination in (a) Federal employment—

Is that fair? There are many governmental agencies in the city of Albuquerque. Is it fair for them to employ Grace Jones and refuse to employ Mary Smith? Is it fair to employ Edna So-and-So and refuse to employ the Antonelli girl? Is it fair to employ a girl who is supposed to be white and of Anglo-Saxon extraction, and not employ a girl who might have a Jewish name?

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. CHAVEZ. Not for the moment.

Is it fair, Mr. President, to employ only those who happen to be of one racial extraction? I do not find anything in the Constitution which says that only those whose ancestors happened to be from the British Isles may be Americans. The Constitution says nothing at all like that. I have known some pretty good Americans who were not of British extraction, and when the country was in the midst of an emergency, when the shooting started, we found the Levines, the Gallaghers, the Negroes, the Assyrians, the Jews, and others doing their part in the war effort.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. CHAVEZ. Not at the moment. I am sorry.

Very well, Mr. President, I continue reading:

> It forbids discrimination in (a) Federal employment, (b) employment under Government contracts—

Let us say that a large corporation receives a contract from the Federal Government. This bill would prohibit such corporation from being unfair to any person because of race, creed, national origin, or ancestry.

The purposes of the bill are outlined further as follows:

(c) employment in activities affecting interstate or foreign commerce which are subject to Federal control in respect to labor relations. It applies equally to employers and to unions, forbidding discrimination by unions against members, employees, or employers.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from South Carolina?

Mr. CHAVEZ. I yield for a question.

Mr. JOHNSTON of South Carolina. How many persons does the Senator employ in his office?

Mr. CHAVEZ. I employ the full limit.

Mr. JOHNSTON of South Carolina. Does the Senator employ colored help in his office?

Mr. CHAVEZ. I do not happen to have any colored employees.

Mr. JOHNSTON of South Carolina. Does not the Senator believe that if he employed colored help it would result in the creation of trouble in his office?

Mr. CHAVEZ. I do not know whether it would or not. However, I may say that I employ Mexicans, Italians, Greeks, and also Jews.

Mr. JOHNSTON of South Carolina. If employers were forced to employ, for example, colored persons and require them to work alongside white persons, does not the Senator believe that it would cause trouble?

Mr. CHAVEZ. I do not know whether it would or not.

Mr. JOHNSTON of South Carolina. If this bill were enacted into law, I assert that it would cause trouble, and perhaps riots right here in Washington and in other cities.

Mr. CHAVEZ. I do not believe that it would cause any trouble.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield for a question.

Mr. EASTLAND. If I understand correctly the Senator's bill, it provides that no discrimination may be exercised because of race, creed, or color.

Mr. CHAVEZ. The Senator is correct.

Mr. EASTLAND. In other words, the bill would provide for a certain number of jobs in this country to be held by persons who were Jews.

Mr. CHAVEZ. It would not do that.

Mr. EASTLAND. It would prevent discrimination against them.

Mr. CHAVEZ. The purpose of the bill is to prevent discrimination. However, the fact that a person who may be a Negro, for example, goes to a factory seeking employment, does not of itself entitle him to a job. All the bill does is to provide that he shall not be turned down merely because he happens to be a Negro.

Mr. EASTLAND. If this bill were enacted into law, the American Government could go to a manufacturer and tell him that he must give employment to a certain number of Negroes. Am I correct?

Mr. CHAVEZ. No; the bill does not contain anything like that at all. The bill would not become effective until after the manufacturer or the union had engaged in acts of discrimination.

Mr. EASTLAND. But the manufacturer would be punished, would he not, if he did not give employment to a Negro?

Mr. CHAVEZ. All the bill provides is that if a Negro, a Jew, or a person of some other racial extraction goes to a manufacturer to seek employment, he may not be turned down because of his color, race, or religion.

Mr. EASTLAND. If the Congress of the United States has authority to say that no person shall be discriminated against in employment because of race, creed, or color, does not the Senator believe that the Congress also has the constitutional authority to say that persons may be discriminated against because of race, creed, or color?

Mr. CHAVEZ. That they may be discriminated against?

Mr. EASTLAND. Yes.

Mr. CHAVEZ. I do not believe so. I do not think that the rights of people can be taken away from them merely because Congress happens to say so. We may create rights under the Constitution, but we cannot deprive anyone of his fundamental rights under the Constitution.

Mr. EASTLAND. Will the Senator refer to the section of the Constitution which provides anything with reference to discrimination because of race, creed, or color?

Mr. CHAVEZ. No; the Constitution is definite in the creation of rights. Those rights are enhanced by legislation in order to carry out the purpose of the Constitution. But, as a matter of fact, the rights come from the Constitution. What we do, as Members of the Congress of the United States, must be within the limits of the Constitution.

Mr. EASTLAND. Does not the Senator believe that under the Constitution an employer, as a contractor, has the right to contract with whomever he desires to engage as an employee in his business?

Mr. CHAVEZ. I think he has.

Mr. EASTLAND. If that be true, then this bill is unconstitutional.

Mr. CHAVEZ. Why?

Mr. EASTLAND. Because it interferes with the freedom of contract by the employer.

Mr. CHAVEZ. That is a question of opinion. I believe so much in the Constitution, I am so devoted to it that I want it to apply to every human in this country. I do not want it to apply only to New Mexico.. I want it to apply to New York, to Vermont, and even to Mississippi. I want it to apply there, too.

Mr. EASTLAND. It does apply to Mississippi.

Mr. President, I understood that there would be some Communists—I read it in the Daily Worker—down from New York today, and I see the galleries are infested with them. If this is an American measure, it should be discussed before Americans in the galleries.

Mr. CHAVEZ. It is going to be discussed——

Mr. EASTLAND. And not before a group of Communists who come to Washington and attempt to stampede the Senate of the United States into destroying the Constitution of our country.

Mr. CHAVEZ. Mr. President, I do not know the make-up of the guests of this body. I do not know whether they are Communists, Socialists, Mississippi Democrats, or New Mexico Democrats.

Mr. EASTLAND. Mr. President, I referred to what I saw in the Daily Worker, which is the mouthpiece of the Communists.

Mr. CHAVEZ. I do not know any Communists, but personally I am becoming tired of hearing men who are merely interested in human beings and in human rights accused of being Communists. In order not to be classed as a Communist, probably one would have to be satisfied with a wage of $15 or so a month. Then he would not be called a Communist; he would be an American. The guests of the Senate seem to me to have been behaving fairly well. I do not know whether they are on my side or the other side, nor do I care.

Mr. AIKEN. Mr. President——

The PRESIDING OFFICER (Mr. MCCLELLAN in the chair). Does the Senator from New Mexico yield to the Senator from Vermont?

Mr. CHAVEZ. I yield.

Mr. AIKEN. I should like first to ask the Senator from New Mexico whether he does not know that it is customary in some quarters to call a person a Communist if nothing else wrong with him can be found.

Mr. CHAVEZ. That is correct.

Mr. AIKEN. If he disagrees with the name caller.

Mr. CHAVEZ. I have been fighting for the so-called underprivileged all my days, because I was one of them. I was reared in that atmosphere, and I am proud of the chance I had in America under the Government of the United States, and I want my fellow beings to have the same chance I had.

Mr. AIKEN. My purpose in rising was to refer to the fact that there seems to be an impression in some places that if the pending bill shall be enacted into law an employer would be required to hire so many Jews, so many Catholics, so many Negroes, so many Irish, according to the proportion of each to the population of the community. I sat in the hearings on this bill for a good many days, and, so far as I know, there is nothing in the bill which requires an employer to hire a certain number of each race according to the population of the community. Does the Senator from New Mexico understand that there is any such requirement in the bill?

Mr. CHAVEZ. No.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. CHAVEZ. I will yield as soon as I finish with the Senator from Vermont.

Mr. EASTLAND. I should like to ask the Senator from Vermont a question.

Mr. CHAVEZ. It is not provided in the bill, I say to the Senator from Vermont, nor was it contemplated or intended that anyone should be required

to hire only the Gallaghers and forget the others, to hire this one or to hire that one. He is not required to hire anyone. But the bill does provide—and it is what those sponsoring this kind of legislation want—"No; you are not obliged to hire Bill Smith, you are not obliged to hire so-and-so, but you cannot turn him down because of his race, color, religion, or national origin."

Mr. EASTLAND. Mr. President——

Mr. AIKEN. May I have the floor for just a moment?

Mr. CHAVEZ. I yield.

Mr. AIKEN. As I understand, if the bill shall be enacted into law, and an employer, either a Government employer or a private employer, finds it necessary to reduce his force, he cannot then say, "We are going to get rid of all the Jews first."

Mr. CHAVEZ. That is correct.

Mr. AIKEN. Or, "We are going to get rid of all the Catholics first, we are going to discharge all the Negroes first." Under the bill employers could not do that. I have never found anything in it which says that employers have to hire a certain number of Negroes, a certain number of Jews, or a certain number of Scandinavians.

Mr. EASTLAND. Will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. EASTLAND. Does the Senator from Vermont contend that if the Congress of the United States has the authority to say a person may not be discriminated against because of race or creed, we have not constitutional authority to say that a person may be discriminated against because of race or creed?

Mr. CHAVEZ. Let the Senator bring legislation of that character before the Senate, and, if it is enacted, the Supreme Court will pass upon it.

Mr. EASTLAND. It appears to me that, for those who think, the bill would be the very last thing the Jews or other minority groups in the United States would want. If we can say that they may not be discriminated against, then we have the authority to say that they may be discriminated against; and they are a minority group in this country. Those who think, I judge, would not today desire to go into that field in America.

Mr. AIKEN. Replying to the question of the Senator from Mississippi, I will say that I would not undertake to assume the wisdom of the Supreme Court, myself, if the law we enact is unconstitutional in any part, that body will undoubtedly so decide.

Mr. EASTLAND. It is the Senator's duty to consider the constitutionality of a measure. He held up his hand and swore that he would abide by the Constitution to the best of his judgment.

Mr. CHAVEZ. Mr. President, I read further from the report:

> A board of five members, to be appointed by the President, with Senate ratification, and to be known as the Fair Employment Practice Commission, is created to administer the act. The Federal courts are empowered, after appropriate judicial hearings, to enforce "cease and desist" orders found to have been properly issued by the Commission.
>
> The progress of the war to date—

This report was submitted before the war ended—

> The progress of the war to date has focused world attention on the miracle of American war production, which, despite all obstacles and difficulties, speedily outstripped the war production of all the rest of the world. The United States could not have thus established itself as the "arsenal of democracy" if we had not adopted a national policy of full utilization of manpower without discrimination because of race, creed, color, national origin, or ancestry. We cannot afford to return, after the war, to a situation in which efficient workers are separated from their machines and condemned to unemployment and the manifold social evils which grow out of unemployment merely because of the color of their skin, their religion, or their ancestry. Several States have already enacted legislation to protect minorities within their borders. The Federal Government, in its own sphere, can do no less.

I do not care who gets the credit for passing the bill. I believe so thoroughly in its merits that I would be willing to pass it with Republican votes and let them get the credit. As I have heretofore stated, the bill is not intended to serve the Republican Party or the Democratic Party. It is intended to serve everyone in the United States, to insure justice and fair play. I read further from the report:

> The Federal Government must not shirk its responsibility in its own employment policies and in those fields of private employment which are constitutionally subject to Federal control.
>
> S. 101 is designed to promote in peace the same national harmony and efficiency we have achieved in war; to prevent, in the reconversion and postwar readjustment period—

We were trying to get ready before the war ended for the reconversion period—

> to prevent, in the reconversion and postwar readjustment period, fears and injustices which led to mob violence and race riots in the years following World War I.

In my opinion the committee earned the gratitude and the appreciation of the country for giving time and attention and thought in an attempt to avoid such problems as arose after the last war. Does anyone want race riots in St. Louis? Does anyone want a white man shooting a Negro, or a Negro shooting an Italian, or an Italian shooting someone else? I think it is our duty to pass legislation of such a character as will prevent that kind of condition.

I read further from the report:

> To remove a serious obstacle to friendly relations with certain of the United Nations who have long been sensitive to the treatment accorded people of similar origin in this country; to give effect to our declarations for freedom from want and freedom from fear; to raise the standard of living and purchasing power of our people.

Because I happen to have been rather fortunate, and when I go home I have a fairly good meal, or, at any rate, plenty to eat, it does not make me happy to reflect that possibly there are thousands and millions throughout the country who do not have anything to eat. Others may feel happy, others may be content when there are poor people in this country as a result of discrimination. I cannot be contented with such a condition. It is not American. I read further from the report:

> And finally, to confound our enemies who hope by dividing us class by class, race by race, group by group, to vitiate the victory that is at hand and to lay the basis for World War III.

Hitler believed in discrimination. We know what happened. He carried it to its finality. He believed in a superior race. He believed in a superior people and the power of might and dictatorship. I believe in the law. I prefer due process of law to paying tribute to any individual in this country.

I read further from the committee report:

> Because we all subscribe to these objectives, it should be possible to approach this problem without political partisanship. The Republican Party, in its 1944 platform, proclaimed—

And this proclamation was made to the citizen who on election day would go to the polls and express his opinion as a free man—

> We pledge the establishment by Federal legislation of a permanent Fair Employment Practice Committee.

That, Mr. President, is what the Republican Party said. I am proud of an American like Governor Dewey who took that pledge to heart, and notwithstanding he could contribute nothing to having enacted a Federal law on the subject, he has contributed his share toward establishing a fair employment practice law in the State of New York. He did that, Mr. President. More power to him as an American.

I read further from the committee report.

> Its standard bearer, Governor Dewey, in his speech at Buffalo on October 31, 1944, announced:
>
> "We shall establish the Fair Employment Practice Committee as a permanent agency with full legal authority."

Let us now go to our side, the Democratic side. Where did we, the majority, who have the responsibility to the American people at the moment, stand?

Mr. OVERTON. Mr. President, will the Senator yield to me for a question?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Louisiana?

Mr. CHAVEZ. For a question; yes.

Mr. OVERTON. The Senator hardly expects, does he, that the Republican Party, which from the days of the War Between the States up to the present time has been a true-hearted friend of the Negro, would take any other position than that taken by Mr. Dewey, as candidate for President of the United States?

Mr. CHAVEZ. I do not know what were the motives of the members of the Republican Party, but they certainly pledged themselves to the establishment by Federal legislation of a permanent Fair Employment Practice Committee. Let us find out what our side did.

Mr. OVERTON. Before the Senator does that, let me ask him: Is it not passing strange that the Democratic Party, whose strength and whose success in national politics is dependent upon the vote of the South, should take a contrary position?

Mr. CHAVEZ. Of course, I do not try to approach and analyze this particular matter in that manner. I will say that to me the Negro is incidental, to me the Jew is incidental, to me the Irish are incidental. I am trying to approach the question only from the American point of view. To me it is not a question of racial origin; to me the question is: Are they Americans?

Mr. OVERTON. I will help the Senator approach the question from that point of view.

Mr. EASTLAND. Mr. President, will the Senator from New Mexico yield to me so I may ask the Senator from Louisiana a question?

Mr. CHAVEZ. I yield.

Mr. EASTLAND. Does not the Senator from Louisiana think that the Negro voter makes a grave mistake in voting the Democratic ticket?

Mr. OVERTON. I certainly think so. I think that for a short term of political advantage the Negro made a very bad bargain. I think the Negro ought to have stood by, and I think the Negro today ought to stand by, the great party which has been the Negro's friend from the day of the Emancipation Proclamation by Abraham Lincoln up to the present time. I believe the Negro made a mistake when he yielded his friendship for the party which had stood by him through thick and thin in return for the aid which has been given to him during the last few years.

Mr. EASTLAND. The Senator does not think the Democratic Party is friendly to the Negro, does he?

Mr. OVERTON. Certainly not the backbone of the Democratic Party.

Mr. CHAVEZ. Mr. President, possibly——

Mr. EASTLAND. Mr. President——

Mr. CHAVEZ. Mr. President, I have the floor. I refuse to yield at the moment. The fact that the Negro has voted the Democratic Party in the last few elections made it possible to have such Senators as our friends, the Senators from Pennsylvania [Mr. GUFFEY and Mr. MYERS], our friend the Senator from Illinois [Mr. LUCAS], our friend the Senator from Indiana [Mr. WILLIS], and Senators from other States. Were it not for the fact that the Negroes voted for them and that the Lucases and the Chavezes and Myers and the Guffeys were elected, so our party became the majority party, I am afraid the chairmanships of the standing committees of the Senate would be found to be in the possession of Senators on the other side of the aisle.

Mr. OVERTON. Mr. President, will the Senator yield to me?

Mr. CHAVEZ. Yes.

Mr. OVERTON. In other words, if the Senators from doubtful States who required the Negro vote in order that they might be elected to and maintain their seats in the Senate had not pursued the course they followed, the Democratic Party would have remained what it ought to be, the white man's party?

Mr. CHAVEZ. We were the white man's party for many years. From the Civil War up to the time of the election of Cleveland we were a white man's party, but we did not have a President. Then, as I recall, from 1896 until 1912 we also were a white man's party, but there was a Republican in the White House. The majority of Senators were members of the party on the other side of the Chamber. I am glad the Negroes can vote. Let me say to my friends that if the Negroes are good enough to die for their country, if they are good enough to be allowed to serve their country, to feel in their throats the points of the bayonets thrust by Japanese, and to have their lifeblood gush from their veins as a result, they are good enough to vote.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Mississippi for a question?

Mr. CHAVEZ. Yes.

Mr. EASTLAND. I shall have to ask the Senator to excuse me. I wanted to make a statement of two sentences. I asked the Senator if he would yield for a question. I made a mistake. I wanted to make a statement of two sentences. Will the Senator yield for that purpose?

Mr. CHAVEZ. No, Mr. President. Let me proceed. I want to obtain a vote on this bill quickly. Therefore I wish to proceed.

Mr. EASTLAND. I will say to the Senator that my statement will have no connection whatever with the racial issue.

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Mississippi to make a statement?

Mr. CHAVEZ. No, Mr. President, I do not yield. I feel so deeply concerning the merits of this matter that I do not want to take too much of the Senate's time.

Mr. EASTLAND. Mr. President——

Mr. CHAVEZ. I want to get a vote on the measure possibly this afternoon if I can.

Mr. EASTLAND. Mr. President——

The PRESIDING OFFICER. The Senator from New Mexico declines to yield.

Mr. EASTLAND. Mr. President, I want the American people to know that this maneuver effectively blocks consideration of antistrike legislation which is so necessary to save our country today.

Mr. CHAVEZ. Mr. President, I have stated before, and I will repeat, that this bill has been on the Senate Calendar since May of last year. It is the only measure on which the Senator can vote "yea" or "nay" this afternoon. He could not vote on labor legislation. He could not vote on legislation dealing with demobilization this afternoon. But if he gives us an opportunity, we will get the pending measure out of the way this afternoon, and then I shall join the Senator from Mississippi——

Mr. EASTLAND. Mr. President, the Senator knows, of course, that there is utterly no chance of a vote being had on this bill this afternoon. It is proposed to move to discharge the Committee on Education and Labor from consideration of a measure, and to take up antistrike legislation immediately, but the present maneuver blocks such action. The American people should know what is behind this matter.

Mr. CHAVEZ. We can vote today on the pending bill. The Senator from Mississippi can vote against it. We are not trying to delay the matter, but the President called the country's attention to the fact that he had recommended this bill. Defeat it if you must, but it is the only bill on which noses can be counted this afternoon. We are not delaying any other legislation. We are not delaying labor legislation. We are not delaying appropriation bills. But let me say to Senators who are so serious in endeavoring to have passed legislation dealing with strikes we can be counted this afternoon on the pending measure.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield to my good friend the Senator from Louisiana.

Mr. OVERTON. I thank the able Senator from New Mexico. Does not the Senator realize that we have been saved from similar legislation by not going too quickly to a vote? Does not the Senator realize that we were saved—I am speaking now of the South—from the enactment of the antilynching bills which were from time to time so strenuously advocated by presumably a majority of this body, by not going too quickly to a vote? Is it not true that we were also saved from the anti-poll-tax legislation by not going too quickly to a vote? I think I am safe in making the prediction that we will probably be saved from the infliction of the FEPC upon the South, as well as upon the Nation, by not going too quickly to a vote.

Mr. MAYBANK. Mr. President, will the Senator yield to me so I may ask the Senator from Louisiana one question?

Mr. CHAVEZ. I yield.

Mr. OVERTON. I shall be glad to try to answer the question.

Mr. MAYBANK. The Senator said we were saved from the enactment of the antilynching bill in the thirties. I should like to ask the Senator if it is not correct to say that the South has set its own house in order?

Mr. OVERTON. Absolutely.

Mr. MAYBANK. And that in the last year there was only one unfortunate lynching?

Mr. OVERTON. The Senator is absolutely correct in that statement.

Mr. CHAVEZ. Mr. President, I am sure my friend the Senator from South Carolina believes that the law should be applicable to all, and that there should be equality under the law. Knowing the Senator from Louisiana and how he feels about the everyday affairs of life, I am confused and surprised to learn that he would like to have one law apply to North Carolina or South Carolina and another law to apply elsewhere. I believe in one law for all of us, applicable everywhere.

Mr. President, I have stated what the Republicans said in their platform, and I have quoted from Governor Dewey's speech at Buffalo.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. MORSE. I am sure that the Senator will agree with the Senator from Oregon that the CONGRESSIONAL RECORD will show that on the last day of the last session the junior Senator from Minnesota [Mr. BALL], the junior Senator from New Jersey [Mr. SMITH], the junior Senator from Oregon [Mr. MORSE], and the Senator from New Mexico [Mr. CHAVEZ], who now has the floor, served notice on the Senate that at the beginning of the next session we would call for action on the FEPC bill.

Mr. CHAVEZ. That is correct. Notice was given on the last day of the session, just a few hours before the Congress adjourned.

Mr. MORSE. I am sure the Senator will agree that there is no basis for criticism of the so-called strategy used today by the proponents of FEPC on the ground that anyone in the Senate has been taken by surprise today. Due and adequate notice was served to those who read the RECORD.

Furthermore, I believe that while the Senate is waiting for the very important message of the President, which we expected on Tuesday and hoped to have today, it is the duty of the Senate to proceed with legislation as important as this. Incidentally, the President should have had his message ready in light of his urging Congress to action on legislation. This FEPC is one of his recommendations and I am ready to vote.

Let me one final comment. If taking up a bill such as this FEPC bill, which goes to the very basic principles of the American Bill of Rights and freedom of free men in America from unfair discrimination in employment, will prevent consideration of antistrike legislation of an antilabor nature, which some Members of Congress are proposing these days—I say that if proceeding with the FEPC bill will prevent the consideration of that type of legislation until the American people have an opportunity fully to apprise themselves as to its dangers to basic American freedoms, then it certainly is very wise for the Senate to take the action which it has on the motion of the Senator from New Mexico. Further, I wish to commend the Senator from New Mexico [Mr. CHAVEZ] for his nonpartisan discussion of this all-American legislation.

Mr. CHAVEZ. Mr. President, the late President Roosevelt was the only man in the short history of this Nation to be elected President four times in free elections. Evidently the American people trusted him. I was not a great believer in the third term or the fourth term, but who am I to stop the American people from doing what they can do under the Constitution if they so desire? How did the late President Roosevelt feel about this matter?

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. CHAVEZ. I should like to give a quotation from the late President Roosevelt. In his speech at Chicago on October 29, 1944, just a few days before the November election he broadcast to the entire country so that on the following Tuesday the people would know just exactly how he felt on this particular question. At that time he said:

Three years ago, back in 1941, I appointed a Fair Employment Practice Committee to prevent discrimination in war industry and Government employment. The work of that Committee and the results obtained more than justify its creation.

I believe the Congress of the United States should by law make the Committee permanent.

That was candidate Roosevelt, speaking to the American people.

I read further from the report:

It is the hope of the Committee that this unanimity of purpose will make possible the speedy enactment of S. 101. The reconversion period is already upon us. Today the fear of discriminatory discharges weighs heavily upon all who have ever known the bitterness of job discrimination, notably upon the approximately 22,000,000 Catholics, 13,000,000 Negroes, 5,000,000 Jews, 3,000,000 Americans of Mexican or Hispanic origin, 11,000,000 foreign-born, and 23,000,000 children of foreign-born. Each of these groups has contributed heavily to the ranks of our armed forces. Men who were asked to serve this country without regard to race, ancestry, or religion will bitterly resent the denial of peacetime jobs on those grounds.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. OVERTON. Under the rules of debate, all I am permitted to do is to ask a question. I should like to ask a question with reference to the statement made by the junior Senator from Oregon, who stated that no Member of the Senate was taken by surprise by this movement today. I do not know whether the Senator realizes it or not, but I wish to ask him if he does not know that many of us—of whom I was one—were assured, from what has always been considered a very reliable source, that no movement would be made to take up this legislation today, but that possibly it might come up next week. The Senator from New Mexico knows that if we had not received that assurance we could have pursued a course whereby his motion to take up the bill would not have been voted on today, or perhaps for a number of days.

Mr. CHAVEZ. Mr. President, the bill is before the Senate, and I wish to discuss it.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. CHAVEZ. I yield.

Mr. MORSE. I should like to ask a question of the Senator from Louisiana. I ask him who gave him such an assurance.

Mr. CHAVEZ. Mr. President, there must be some reason for legislation. There must be a motive underlying the creation of opinion or the desire for legislation on a particular subject. Let me read further from the report concerning the need for this legislation:

Contrary to the general impression, unfair discrimination in employment is not the exclusive problem of certain sections of the country. The experience of governmental agencies charged with the responsibility of facilitating all-out war production has demonstrated that there is scarcely any important industrial area of the United States where there is not some form of discrimination sufficient to prevent the full utilization of manpower and the free flow of goods important to the national economy. The President's Committee on Fair Employment Practice has found that only one-fourth of the cases referred to it concerning discrimination against Negroes originate in the 17 States of the South.

Unfair employment practices followed by employers may take the form of complete denial of jobs (certain groups are not even considered for employment), denial of in-service training and upgrading opportunity (the groups discriminated against are confined to the unskilled, lowest-paid jobs), or wage differentials (for example, in the Southwest, Negroes and Americans of Mexican or Hispanic descent are sometimes paid less per hour than Anglo-Americans). Some unions deny membership to certain groups, automatically barring them from closed-shop industries. Other unions bar them from representation on governing bodies and collective-bargaining bodies. Some unions confine their job opportunities, although admitting them to membership, by limiting them to certain departments or crafts. This means that an employer may be ordered by one agency of the Federal Government to bargain collectively with a union that discriminates against a particular racial or religious group, while he is asked by another Federal agency not to tolerate such discrimination. The proposed bill would relieve employers of this impossible position by forbidding such discriminatory practices on the part of unions.

Of course, there is a school of thought which actually believes that this bill is aimed only at the industrialist, the man who operates a large plant. But it applies to all. I do not see why the industrialist, the factory operator, General Motors, or an aircraft company should be by law prevented from discriminating against workmen, while at the same time the unions are allowed to do otherwise. The unions should not be above the law anywhere, any more than should industry, or the average citizen. One of the reasons why I am so strongly in favor of the bill is that it applies to all. It is not partial to any side or to any grade of people.

I read further from the report:

The denial of jobs by employers or by labor unions to qualified workers because of their race, creed, color, or national origin creates an artificial labor shortage in the restricted industries and occupations. This interferes with effective war production and can seriously impede development of our civilian economy after the war. It deprives the Nation of goods and services which might be produced by the minority workers, if their skills were fully utilized. During wartime this has the effect of depriving our fighting men of needed instruments of warfare; during peacetime it creates shortages and artificially inflates prices of scarce commodities.

Employers who are barred from employing the best man for any given job, because of discriminatory union rules or otherwise, are subjected to a serious handicap. On the other hand, from the standpoint of labor, discrimination provides the basis for the economic exploitation of members of minority groups. It results in the payment to the members of these groups of wages which represent less than the full economic value of their services. Thus, discrimination in employment artificially holds down the purchasing power of the members of minority groups. This in turn deprives industry of the full potential market for its products. In many areas, this may represent a major barrier to the healthy economic development of the region.

Discriminatory treatment of minority workers tends to create dissatisfaction and conflict among members of the working force. This interferes with efficient production. The lowering of wages and working conditions and standards, because of the exploitation of minority workers, tends to depress standards for labor as a whole. The use of excluded minority workers as strikebreakers in the past has been a major barrier to labor's progress in achieving improved wages and working conditions. This danger can be avoided only by accepting the members of minority groups on an equal basis with other workers and by providing standard wages and working conditions for them.

Finally, such discrimination burdens communities with added costs for the relief of poverty, disease, and crime which could be avoided if minority workers were permitted to make their full contribution to the production of goods and services and thus to raise their standards of living.

C. THE INTERNATIONAL IMPLICATION OF DISCRIMINATION

Our relations with the people of Latin America today are profoundly affected by the economic discriminations practiced against Americans of Spanish or Mexican descent. As the Honorable Sumner Welles recently declared, "unless these discriminations are obliterated, and obliterated soon, the term 'good-neighbor policy' will lose much of its real meaning."

Mr. President, I care not how many trips our good friend the Senator from Vermont [Mr. AUSTIN] takes to Mexico City. I care not how many trips our good friend the Senator from Texas [Mr. CONNALLY] takes to Mexico City. I care not how many pronouncements, how many Chapultepec charters, how much political discussion there may be. In the Southwest one can do more harm by discrimination than he can remedy by 100 years of visits to Mexico City or elsewhere.

I continue to read from the committee report:

In the rest of the world, too, our failures to live up to our national professions, proclaimed in our Declaration of Independence and in our Constitution, of equal justice to all, failures which have been magnified by Axis propaganda in recent years, threaten to undermine the position of moral and commercial leadership which the achievements and sacrifices of our people have won in the world.

We are prone to forget, at times, that all peoples have a stake in the war we are waging.

This report was written last May.

I continue to read from it:

Among our allies are millions of non-Caucasian soldiers from the Philippines, China, India, and Africa. The eyes of the world are turned upon us, and the downtrodden people of Europe and Asia with confidence are waiting for our leadership. If we betray this trust, our sons and theirs, a generation hence, may be called upon to fight and die on ravaged battlefields.

At this critical stage of world history, America cannot afford to say to the world that it intends to resume, within its own borders, practices of racial and religious discrimination in employment and still expect its exhortations of equality and freedom of opportunity for all to be received without skepticism by the hundreds of millions of people that constitute the United Nations.

Not only from the standpoint of fairness to those who constitute the minority groups in America, but from the standpoint of fairness to ourselves as a minority in the world community and for the greater safety of our children and our children's children, it would seem expedient and practical to prove to the entire world that we have the capacity to deal just and amicably with people in our midst without regard to differences of faith and ancestry. The passage of this bill will serve notice that America is in truth the land of equality of opportunity for all races, all creeds, and all ancestries.

Mr. President, at this point I ask unanimous consent that the last portion of the report, commencing with the heading "Wartime measures" and up to the conclusion of the report, be inserted at this point in the RECORD as a part of my remarks.

Mr. BILBO. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BILBO. Let the Senator proceed to read it.

Mr. CHAVEZ. I know that my friend the Senator from Mississippi is deeply interested in the wisdom and philosophy of this legislation and that he prefers to listen to the report, rather than to read it in the RECORD. So I shall——

Mr. BILBO. I am more concerned than the Senator from New Mexico——

Mr. CHAVEZ. Mr. President, I object; I have not yielded to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from New Mexico declines to yield.

Mr. CHAVEZ. Mr. President, I shall try to show the Senator from Mississippi that everything is fine.

I now continue to read from the report:

D. WARTIME MEASURES

Even before Pearl Harbor, the National Defense Advisory Commission anticipated that discrimination in training and employment would soon prove a formidable barrier to effective use of American power On August 31, 1940, therefore, it urged that workers should not be discriminated against because of race, creed, color, or national origin. But despite various statements of policy by Federal defense agencies, discriminatory barriers continued to stand between great segments of willing workers and idle machines. In recognition of that fact, on June 25, 1941, the President issued Executive Order 8802, later amended by Executive Order 9346, prohibiting discrimination in Government service and in war industry, and establishing the Committee on Fair Employment Practce. The Committee was directed to receive, investigate, and attempt adjustment of complaints alleging discrimination in violation of the Executive order. It must be borne in mind that the jurisdiction of the Committee has been limited to war industries, Federal employment, and labor unions engaged in war production.

Without statutory powers, and without the ability to rely on judicial enforcement of its orders, the Committee on Fair Employment Practice has not always been able to obtain compliance with its directives. It is the opinion of your committee that a body set up by, and responsible to, the Congress, with enforcement powers subject to judicial supervision, will be able to avoid the pitfalls to which the temporary Executive-order Committee has been exposed.

The policy of nondiscrimination has been enforced, to the extent that it has been enforced at all, by the use of the emergency powers of the President as Commander in Chief of the Army and Navy. By and large, compliance has been obtained on an emergency basis by war agencies destined to be abolished when the war ends. The emergency enforcement of this policy in wartime has done much to improve the morale and the economic welfare of our minority citizens, to stimulate production, and to reduce national expenditures for unemployment relief to a minimum. If this can be done in wartime, it can and should be done in time of peace.

Mr. President, I think that will be all for this afternoon, so far as I am concerned.

Mr. MORSE. Mr. President, will the Senator yield for one question?

Mr. CHAVEZ. I yield for a question.

Mr. MORSE. I should like to know whether the Senator has agreed or will agree to accept the amendments which were submitted to the bill by the Senator from Minnesota, the Senator from New Jersey, and the Senator from Oregon, on the last day of the first session of this Congress.

Mr. CHAVEZ. I recall that at the time when the amendments were submitted, my inclination was to say "yes." That is still my inclination; but I do not recall the wording of the amendments, so I prefer to wait until they are read.

Mr. MORSE. I thank the Senator.

SALE OF CERTAIN GOVERNMENT-OWNED MERCHANT VESSELS

The PRESIDING OFFICER (Mr. O'DANIEL in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 3603) to provide for the sale of surplus war-built vessels, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. RADCLIFFE. I move that the Senate insist upon its amendment, agree to the request of the House for a conference and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RADCLIFFE, Mr. BAILEY, Mr. OVERTON, Mr. BREWSTER, and Mr. HART conferees on the part of the Senate.

FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed the consideration of the bill (S. 101) to prohibit descrimination in employment because of race, creed, color, national origin, or ancestry.

Mr. MEAD. Mr. President——

Mr. EASTLAND. Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. MEAD. Mr. President, I was addressing the Chair before the Senator from Mississippi rose.

Mr. EASTLAND. Mr. President, I have been recognized.

Mr. MEAD. Mr. President——

Mr. EASTLAND. Mr. President, this bill——

Mr. MEAD. Mr. President, I make a point of order——

Mr. EASTLAND. Mr. President, this bill is manifestly unconstitutional——

Mr. MEAD. Mr. President, I make the point of order that I was on my feet——

Mr. EASTLAND. Mr. President, I have the floor.

Mr. MEAD. Well, Mr. President, I can make a point of order; this is still the Senate of the United States.

I make the point of order that I was on my feet and I addressed the Chair while the Senator from Mississippi was still in his seat. The Chair may take me off the floor if he wishes to do so, but I leave it to the judgment of the Chair and to the judgment of the Senate that I was on my feet asking for recognition while the Senator from Mississippi was seated.

Mr. EASTLAND. Mr. President, the Senator from New York is mistaken about that, and I have the floor.

As I was about to say——

Mr. MEAD. Mr. President, I do not mean to be taken off my feet. I made a point of order.

The PRESIDING OFFICER. The present occupant of the chair has only recently come to the Chair, and he is under the impression that the Senator from Mississippi was the first to ask for recognition, and the Chair therefore recognizes the Senator from Mississippi.

Mr. MEAD. Mr. President, I wish to commend the occupant of the chair for the operation of his hearing devices. I was on the floor. I was the only Senator asking for recognition at the time.

Mr. EASTLAND. Mr. President, a point of order.

Mr. MEAD. The Chair may recognize the Senator from Mississippi if he wishes to do so, but I would not want the RECORD to stand in that way, and I would not let it stand if I were in the chair.

Mr. EASTLAND. Mr. President, this bill is clearly unconstitutional. It has been stated that the Congress of the United States has the power under the Constitution to prevent discrimination being exercised in employment because of race, creed, color, or national origin. If the Congress has the constitutional power to say that a person may not be discriminated against in employment because he happens to be a Negro, because he happens to be a Jew, or because he happens to be a member of some other minority race, then the Congress has the power to say that he may be discriminated against.

Moreover, if the Congress of the United States says that 10,000 Jewish dry-goods merchants represent a discrimination against the Anglo-Saxon branch of the white race, and if the pending bill is constitutional, then we may limit the number of Jews who may engage in interstate business in this country. It appears to me that with America feeling as she does today, and with the clouds of anti-Semetism rising in this country—and let me say that to deny that fact is merely to stick one's head in the sands and not realize what is going on about us—it would be a mistake to enact into law the pending bill.

Mr. President, I am not anti-Semetic. I am not prejudiced against any race, but I know that the clouds of anti-Semetism are increasing greatly in America, and the Jews of this country who think are the last ones who should support such a measure as the one now pending.

Furthermore, the prejudice against the Negro race of this country is greatly increasing. Every person conversant with the situation know that to be true. If Congress has the authority to say that a Negro may not be discriminated against in employment, Congress certainly has the authority to say that that Negro may be discriminated against. If we have the authority to go to a shoeshining parlor, for example, which employs more than five or six or seven bootblacks, and say to the proprietor or manager of that shop, "You must employ all Negroes here," it would be a discrimination against the white race. If we have such authority, we have the authority to limit the number of Negroes in this country who may engage in the bootblack business.

The pending bill may be helpful as vote bait in order to obtain some Negro or Jewish votes, but when it is analyzed it will be found that the persons who foster it are not friends of the minority groups of this country.

It has been a recognized right in America since the creation of our Government that under our Constitution an employer has the right to contract in employment with whomever he desires to work for him. That right has been recognized by the courts and by our Government. It is the law of the land. Moreover, Mr. President, it is a recognized and admitted requirement, and a right which an employer must enjoy if we are to have a free government.

Gradually, step by step, we whittle away the rights for which our forefathers fought and died. We are gradually, step by step and day by day, encroaching upon the fundamental rights of human liberty for which our forefathers made great sacrifices.

Mr. President, the right of employment is inviolate. When an employer invests his money for the purpose of operating a business, when he takes a chance, as he must, on earning a profit or suffering financial reverses, it is his business. He certainly has the right to employ whomever he desires for the efficient operation of his business.

It has been said that the pending bill does not interfere with that right, that it merely prevents the employer from discriminating against minority groups because of race, creed, or color. Who is the person who may search into a man's heart and put his finger on the real reason which causes him to reach a decision? Of course, no person may do so.

If this bill is enacted into law a great number of additional Federal agencies will be established and representatives of those agencies will go about the country, drag men away from their businesses, and under this bill take them anywhere in the United States from Oregon to Mississippi, and from the East to the West, should some Federal bureaucrat employed by the agency cite those men under the act. Communism is spreading throughout the world, but it is spreading in the United States to a great extent. The statistics in Russia show that in connection with the income of the people of that country there are just as many and as great discrepancies as there are in this country. In Russia a small minority of the people command a greater percentage of the national income than do the minority groups of the people of the United States, or the select few, in connection with the national income of this country. In Russia the bureaucrats receive the money. They control the power and wealth of Russia. That, Mr. President, is the direction in which we are going in the United States today. We are traveling in the direction of bureaucratic and Nazi control. The pending bill is the greatest step toward the destruction of human liberty and democratic control in America that has ever been proposed for consideration by the Congress.

Before this debate is concluded I shall offer a motion to recommit the bill to the Senate Committee on Education and Labor.

Mr. President, what are the facts? Last March the Committee on Education and Labor held hearings for only 3 days on a measure as far-reaching in its effects as is the pending bill. The committee heard testimony from representatives of many Communist front organizations. The Communist front representatives and other radicals of this country were the only ones who appeared before the committee. Not one individual of all the organizations who have protested against the enactment of this bill was permitted to testify.

Mr. President, what are the facts? A man appeared who professed to be a Southerner. His name was Dr. Will Alexander. Again he was known as Dr. Will W. Alexander. He was a member in 1940 of the League of Young Southerners, an organization which I am informed the Dies committee found to be a Communist-front organization. He is one of the directors and one of the movers of the Southern Conference for Human Welfare.

The Southern Conference for Human Welfare is domiciled in Nashville, Tenn., and it professes to speak for the South. The director of that organization, Mr. President, has the typically old southern name of Dombrowski, and Mr. Dombrowski attempts to speak for the people of the South. But Dr. Alexander, who appeared before the committee, is one of the leading figures in the Southern Conference for Human Welfare. I am going to read the facts about that organization as they appeared in the Nashville Banner on July 30 last year. In this paper appears a picture, and over it the following:

> Communist Daily Worker comes to Southern Conference for Human Welfare here—and workers seem to follow "line."

Remember, Mr. President, the Southern Conference for Human Welfare is one of the prime movers, one of the prime agitators, behind the enactment of the pending bill. I want to show Senators what company they are in.

Under the picture I find this:

> At least one Daily Worker, American mouthpiece of Communism, is delivered daily in Nashville. Its destination is a suite of offices in the staid old Presbyterian Building, 150-52 Fourth Avenue, North, where it comes to the hands of the couple who have given Nashville the honor of being headquarters for the Southern Conference for Human Welfare.
>
> This article is about the two people who are the brains of the above organization with the four-inch, high-sounding title of benevolence. Big names like those of Mrs.

Eleanor Roosevelt or Justice Hugo Black are used for a front on occasion.

Mr. President, I take issue with the statement that Mrs. Roosevelt and Hugo Black are fronts for Communist-front organizations. I do not believe a word of it. But let me proceed:

But the people who do the work and receive the Daily Worker are Margaret Gelders Frantz and one James Dombrowski. Mrs. Frantz is known sometimes as Margaret Gelders or again perhaps as just plain Margie Gelders.

And therein lies the rather interesting story of a girl with a message whose trail or line, as you choose, runs through Radcliff, several Daily Worker stories, various CIO soapbox activities, the Soviet Purchasing Commission—

Think of that, Mr. President, she had been a member of the Soviet Purchasing Commission and came down to speak for the people of the South. I understand this organization and this Dombrowski and this Communist Gelders are heading the movement to defeat the senior Senator from Tennessee [Mr. MCKELLAR] this year. But let me go further:

—the Birmingham jail, and finally to the Southern Conference for Human Welfare.

Just a jailbird, just an ordinary criminal, a Communist, and one of the moving spirits behind a bill which could get enough votes in the Senate of the United States to be considered, as this bill did today.

By way of further introduction we might say that Mrs. Frantz is the good right hand of Jim Dombrowski, executive secretary of the Southern Conference for Human Welfare.

And if you do not know the philosophy of Mr. Dombrowski, we might refresh your memory by pointing out that he is the man who, at the recent Race Relations Institute held at Fisk University, said: "The Reconstruction"—

Get this, Mr. President:

"The Reconstruction was a great and glorious period in the South when all people got together and voted for those things that promote the general welfare. * * * The South is on the threshold of another great liberal period."

God forbid that any other people in the world will ever have to suffer as did southern people during the reconstruction era.

Mr. President, I do not believe that right-thinking men, in Congress or out, from any section of America, would let the Communist Party and communism secure a stranglehold on our Government and on the American way of life. Yet, if we enact this bill we go 50 percent down that road.

Mr. President, before I proceed further I wish to say that this bill was called up today, in my judgment, in order to block further consideration of antistrike legislation. I offered a resolution today to discharge the Committee on Education and Labor from further consideration of the President's fact-finding bill and to bring it to the floor for immediate consideration. Under the rules that resolution would have to lie over for a day unless unanimous consent were secured for its immediate consideration. The Senator from Montana [Mr. MURRAY] announced that he would object to the consideration of the resolution at this time, and I announced that I would press for its consideration as soon as possible.

I have read and I know that labor leaders desire that the Congress of the United States be stalemated, tied up for weeks in a fight over the measure now before the Senate, in order to stave off consideration of legislation designed to stop strikes at this, a grave hour in our country's history.

The wheels of industry are stopped. There are strikes on every side. The meat supply, the milk supply, the whole food supply America, are imperiled and the people of all sections and of all classes demand and have demanded of the American Congress that it take action, that it pass legislation to stop strikes, that it pass adequate legislation to do away with the labor racketeer, dethrone Mr. Sidney Hillman and Mr. Philip Murray, and take away from them their control of the American Government.

Congress is ready to act. Congress would rather settle that question, so as to bring back production, to prevent inflation, and to set America on an even keel so that the old "ship of state" could ride out the waves and take us to a more happy and prosperous shore on the other side. That is what the American people want. But here we are, stalemated by a maneuver to prevent the consideration of legislation which would stop strikes, a maneuver which will strengthen the hands of Mr. Murray and the other labor leaders who desire to take their pound of flesh from the American people.

Mr. RUSSELL. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield, if I do not lose the floor.

Mr. RUSSELL. Of course, the Senator will not lose the floor. The Senator was discussing the labor organizations. I have read the pending bill on occasion with a great deal of care, and have observed that there is nothing in it which would prevent an employer from discriminating against a person because he was or was not a member of a labor union. The bill is supposed to be designed to protect minorities, but there is nothing whatever in the bill which would protect any minority which did not want to be members of a closed shop in an industry.

Mr. EASTLAND. The Senator is correct.

Mr. RUSSELL. Even though the labor unions are supporting the bill, they are not willing to afford a fair deal to that minority who might not wish to be members of a labor organization.

Mr. EASTLAND. The Senator is correct, and I say to the Senator that the same unions control the American Government today. I speak frankly and reservedly when I say they control this Government, and that is why, in my judgment, such a provision was not put into the bill. If the desire was to protect minorities, why was it not in the bill? If the bill was to give the man who labors a square deal, why was it not in the bill? Oh, no; communism lives on chaos, communism lives on agitation.

Mr. RUSSELL. I should like to ask the Senator whether or not he has observed that in section 2 of the bill, in the high flown phrases with which this very unfair bill is labeled a "Fair employment practice bill," it is said that—

The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity.

I will ask the Senator whether he has observed that the bill very carefully refrains from saying, "The right to work and seek work without discrimination even though he is not a member of any labor organization."

Mr. EASTLAND. That is correct.

Mr. RUSSELL. That is not in the bill. And no person who may belong to that minority is afforded any right whatever under this bill. On the other hand, the tendency of the whole legislation is further to impinge upon the rights of that minority by bringing all persons drawn into industry into the closed shop and the check-off system.

Mr. EASTLAND. That is correct.

Further, Mr. President, as I said, this bill whittles away the great human right to contract for employment. But it goes further than that. It sets up a commission and permits that Commission to adopt its own rules of procedure, to adopt its own rules of trial. An employer who appears before the Commission is not even afforded the common, ordinary, decencies which are guaranteed in Anglo-Saxon justice. He has no right of cross-examination, if the FEPC wants to deny it. He can be convicted upon hearsay evidence. Affidavits against him can be placed in the record. The Commission can drag him anywhere it desires in the United States. Mr. President, what alarms me more than anything else respecting these movements is the ease with which the Constitution of the United States can be destroyed and human rights whittled away by the Senate of the United States, and it is done under the whiplash of Communist organizations and Communist movements over this country. I say now that more than one-half of the representatives of organizations who appeared before the committee in support of this bill spoke for Communist-front organizations. The moving power in the agitation for the enactment of the legislation is also Communist-front organizations. The American people should know, Mr. President, that Communist-front organizations on this day, the 17th of January 1946, were strong enough to sidetrack antistrike legislation in the United States Senate and to take up the FEPC measure, a bill which would promote bitter controversy throughout the United States.

Mr. President, I do not criticize or condemn any Senator for his vote on this measure, but the moving power, the moving spirit behind this drive for an FEPC is American communism, communism which is directed from Moscow.

What will destroy our country more quickly than anything else is the fact that people in responsible positions who have information, who know things, will slip around and tell about conditions and then swear one to secrecy and say "You cannot use my name. If you tell what I have said people will know where it comes from. That will give me away."

Mr. President, you would be astounded to know how many men in high places in our Government are alarmed at the Communist menace in this country, who are alarmed at the Communist drive directed by those who go underground but operate behind front organizations, and come out with Communist programs. As shown by the supporters of this bill, that is the crowd who appeared before the committee and who have been the driving power in America for a permanent FEPC.

Mr. President, let me tell the Jews, let me tell the Negroes, let me tell the minority groups of this country, that if they will apply reason to this proposal they will find that a permanent FEPC is the very last thing they should desire. If, under the Constitution, the Congress has the right to say that a person cannot be discriminated against because of race, creed, or color, then it has the authority to say that he can be discriminated against. And Congress has the authority, Mr. President, if such reasoning holds true, to limit the number of Negroes or Jews who can engage in any occupation or avocation in the United States. God forbid that such a doctrine, which would result in their persecution, should ever take hold in America. But the foundation is being laid today in the Congress of the United States which would make it possible for another Congress to enact such legislation when the clouds of racial antagonism have become thicker, clouds which are being germinated, which are being created by the same Communist group which is behind this bill, which desires controversy and hatred which would destroy and pull America apart. I say the Jew is the last person who should desire such a program for the reason that as a class the Jews of this country are much wealthier and have more property than have the gentiles as a class. When the Jew and his organizations support measures which will permit discrimination against him, he has sown the seed which can grow and which can destroy him in the future.

Mr. President, I was struck today by the very able address made by the distinguished senior Senator from Georgia [Mr. GEORGE]. I love my country much more than I love the Democratic Party. I am not owned or controlled by any party, by any man in public office or by any man in the world. It is my duty to support the Constitution and to support measures which are for the welfare of the American people, and to oppose measures which I deem to be detrimental to the welfare of the people of the United States. I am against this bill and all other measures, whether promoted by the Democratic Party or not, which are not beneficial to my country.

Mr. President, I do not believe President Truman is responsible for this bill being brought up at this time; in my judgment he has done a good job so far. However, if it is President Truman's idea of the measure which should be taken up first in this grave hour, with the wheels of industry locked by strikes, then I think he is ill-advised indeed.

Let me continue with the statement with respect to Mr. Dombrowski:

Mr. Dombrowski's Southern Conference for Human Welfare is the stooge in the South for the President's Fair Employment Practice Committee, the FEPC, which fomented the Philadelphia railway strike that the United States soldiers had to take time out from a world war to settle.

Yes, this is the organization which fomented the strike in the Philadelphia railway, which United States soldiers had to take time out from a world war to settle.

Mr. Dombrowski is the liaison man between the South and the FEPC.

Mr. Dombrowski is typical of those to whom the country would be turned over if we should enact this bill. The bill has a provision which I have never seen in any other bill. It provides that the present employees of the temporary FEPC shall be transferred by law and become employees of the new organization. Time and time again facts have been placed in the RECORD to prove that most of the employees of this organization are Communists.

Senators say that they love their country, and that they wish to bring back the good old days, when men were free in America. Yet they would cast a vote to place a group of Communists on the Federal pay roll, and turn over to them the entire business life of the country. The desire is so great to get Communists on the Federal pay roll that we are asked to do something in this bill which we have never done before, that is, to give certain specified employees a job in the Federal service.

I wish Senators to know what they are doing, in the face of the facts shown by the record. The records of the Dies committee show that a majority of such employees are members of Communist-front organizations. I believe that every reasonable man who loves his country and wishes to do the right thing, when he reads the background and record of the persons whom it is proposed to employ, will reach the conclusion that they are Communists and that they are more interested in bringing on a world revolution, destroying our country, and fomenting racial and religious hatred than in any other thing.

I know intimately most of the Members of the Senate. I know that no men anywhere have a higher sense of honor and fidelity to the principles of Americanism. I cannot see Senators supporting any proposal which would place Communists in control of the business life of our country, and which would make the employers of the country subject to common, ordinary Communists. That is what is proposed. Never before has a bill contained such a provision. The bill provides that a certain group of employees must be the employees of the new organization, the FEPC.

Let me read further with respect to Mr. Dombrowski.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield provided I do not lose the floor. Let me say to the Senator that I expect to be here for 2 weeks, 2 months, or 2 years, if necessary. I will yield for a question, if the Senator can obtain unanimous consent that I shall not lose the floor.

Mr. CORDON. I wish to place something in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none.

Mr. CORDON. I thank the Senator from Mississippi for his kindness.

(At this point Mr. EASTLAND yielded to Mr. CORDON for the purpose of having several matters printed in the Appendix of the RECORD, which appear under appropriate headings.)

Mr. EASTLAND. Mr. President, I am very much humiliated. The Senator from Oregon [Mr. CORDON] has apparently been very attentive to what I have been saying. I thought he was listening to my speech and agreeing with me, but I see now that he was waiting for an opportunity to place something in the RECORD. I am very much humiliated. [Laughter.]

Mr. CORDON. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. No; I might lose the floor. The Senator can ask me the question next week.

Let us go further with the statement with respect to Mr. Dombrowski:

Mr. Dombrowski is the liaison man between the South and the FEPC. He makes many trips to Washington, and Mrs. Frantz takes care of things while he is gone.

We don't know whether he was in Nashville or the Nation's Capital when the FEPC was struggling for some liquidation money from Congress, but the Southern Conference for Human Welfare picked up about 100 petition signers in our fair city. The plea for this legalized racial agitation agency carried the signatures of ministers, college professors, editors, white and colored, and various intellectuals.

Or perhaps you will better understand the conference when we remind you that through Dombrowski it works hand in glove with various Communist outfits that have found their way to Tennessee.

A number of my good friends on the other side of the aisle and on this side of the aisle have fallen into very bad company by associating with such organizations. For example, there is the Highlander Folk School. That school has been found to be nothing but a Communist organization, which this man Dombrowski, this leader of the South, this spokesman for the people of the South, this self-anointed scion of the old Confederacy, helped to organize. Listen to this:

The Folk School is father of the National Farmers' Union in Tennessee.

I know that in some sections of the West the Farmers' Union is a good organization, but in the South it represents the Communist Party itself. The Communist organizations are all interlocked and tied together behind the drive for the enactment of this bill.

And when the CIO and the PAC have a plan session you can bet your hat Highlander and the Farmers' Union are represented.

Let me say frankly that in my judgment the CIO and the PAC are Communist organizations. I know that there are millions of good loyal Americans who belong to the CIO; but in my judgment

the leadership of that organization is definitely Communistic. It carries the banner for communism in this country. Its leaders are fifth columnists endeavoring to bring about a Communist America. Many of its members are patriotic Americans, but they are subject to the control of radical Communists bent upon the destruction of their country and the enslavement of the men who labor for their living.

NOMINATION OF BRIG. GEN. BUTLER B. MILTONBERGER TO BE CHIEF OF THE NATIONAL GUARD BRANCH

Mr. BUTLER. Mr. President, will the Senator yield to me, with the understanding that he will not lose the floor?

Mr. EASTLAND. If the Senator can obtain unanimous consent that I will not lose the floor, I shall be glad to yield.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUTLER. Mr. President, soon after the opening of the session today the President sent to the Senate certain nominations. In the list is the name of a very prominent Nebraskan, about whom I should like to say a few words at this time.

Mr. EASTLAND. How long does the Senator intend to speak?

Mr. BUTLER. For 2 or 3 minutes.

Mr. EASTLAND. I yield, with the understanding that I will not lose the floor.

Mr. BUTLER. Mr. President, I am very much gratified with the announcement today of the appointment by the President of Brig. Gen. Butler B. Miltonberger, of North Platte, Nebr., as chief of the National Guard branch. I may say at this point that the mere fact that General Miltonberger's first name is Butler indicates no family connection whatsoever.

I am sure that General Miltonberger's abilities are so well recognized that he will be confirmed unanimously by this body.

General Miltonberger's distinguished career in the National Guard and in the Army during the war just completed justify this appointment.

He has been active in National Guard affairs for 25 years, since he came up through the ranks with the North Platte (Nebr.) National Guard unit. During the war he was advanced rapidly, finally receiving a field promotion to brigadier general, when he was made deputy commander of the Thirty-fifth Division, which included Nebraska's own One Hundred and Thirty-fourth Infantry Regiment. As a combat commander he earned the respect of Regular Army officers, as well as the loyalty and admiration of the troops under him. His new position will give him an opportunity to continue his services to the country and the National Guard in a position of far greater responsibility and influence.

I do not think any of us is inclined to minimize the importance of the role played by the National Guard during the recent conflict. When the threat to our national security appeared on the horizon, the Regular Army was obviously not large enough to handle the job of defending that security while simultaneously inducting, supplying, training, and welding into a victorious unit the millions of recruits with which it was supplied by the Selective Service System. In accordance with the well-laid plans of the War Department, the National Guard was promptly federalized and thus became a large part of the backbone around which our conquering Army was built. Many individual Guard units likewise distinguished themselves in combat.

General Miltonberger is only one of the military leaders whom Nebraska was privileged to supply during the recent emergency in continuation of the tradition which gave to the Nation General Pershing, our retired General of the Armies. Lt. Gen. Albert C. Wedemeyer, our able and courageous commander in China, is from my home town of Omaha. Lt. Gen. John L. DeWitt, commander of the Fourth Army and the Western Defense Command, was born in Fort Sidney, Nebr.

Maj. Gen. Archer L. Lerch, now military governor of Korea, was formerly Provost Marshal General. Maj. Gen. Harry C. Ingles is now chief of the Signal Corps. Maj. Gen. Alfred M. Gruenther, former chief of staff to General Eisenhower, was more recently Gen. Mark Clark's chief of staff. Maj. Gen. Charles H. Corlett distinguished himself in combat in the South Pacific. All these were Nebraska boys, as well as Maj. Gen. Jay L. Benedict, former commander at the West Point Military Academy. I wish I had time to name a few more of our distinguished military leaders, with a word about their achievements.

General Miltonberger's new position with the National Guard Bureau is a key position in view of the expanded place which the National Guard will occupy in our postwar defense system. I am sure all of us can now have confidence that development of our postwar National Guard program is in strong hands and under able leadership.

I thank the distinguished Senator from Mississippi for yielding to me for the insertion of this statement.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. O'DANIEL in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed consideration of the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry.

Mr. EASTLAND. Mr. President, I read further from the record with regard to the Southern Conference on Human Welfare:

Also very cooperative—

Speaking of Mr. Dombrowski—

with the Southern Conference for Human Welfare is the Southern Fellowship of Reconciliation which maintains headquarters as fancy as the name out in the heart——

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield if I do not lose the floor.

ADJOURNMENT

Mr. McKELLAR. Mr. President, I desire to move that the Senate now adjourn.

Mr. EASTLAND. That will be satisfactory, provided it is understood that I shall have the floor when the Senate convenes tomorrow.

Mr. McKELLAR. I now move that the Senate adjourn.

Mr. EASTLAND. Mr. President, that is with the understanding that I shall have the floor when the Senate convenes tomorrow.

Mr. McKELLAR. My motion is made with that understanding; and I now so move.

Mr. EASTLAND. Mr. President, before the motion is put, let me say that I wish the American people to know that today, when this FEPC measure has been under consideration, the galleries of the Senate have been full of Communists.

Mr. McKELLAR. Mr. President, I renew the motion that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 42 minutes p. m.) the Senate adjourned until tomorrow, Friday, January 18, 1946, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 17, 1946:

DEPARTMENT OF LABOR

William S. Tyson, of North Carolina, to be Solicitor of Labor.

WAR DEPARTMENT

Howard C. Petersen, of Virginia, to be Assistant Secretary of War, to which position he was appointed during the last recess of the Senate, vice John J. McCloy, resigned.

GOVERNOR OF THE VIRGIN ISLANDS

William H. Hastie, of the District of Columbia, to be Governor of the Virgin Islands, vice Charles Harwood.

THE TAX COURT OF THE UNITED STATES

Byron B. Harlan, of Ohio, to be a judge of The Tax Court of the United States for the unexpired term of 12 years from June 2, 1936, vice Arthur J. Mellott.

CHIEF JUDGE, MUNICIPAL COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Hon. Nathan Cayton, of the District of Columbia, to be Chief Judge of the Municipal Court of Appeals for the District of Columbia, vice Hon. William E. Richardson, deceased.

UNITED STATES DISTRICT JUDGES

Roy M. Shelbourne, of Kentucky, to be United States district judge for the western district of Kentucky, vice Hon. Shackelford Miller, Jr., elevated.

Edward S. Kampf, of New York, to be United States district judge for the northern district of New York, vice Hon. Frederick H. Bryant, deceased.

UNITED STATES ATTORNEYS

John D. Hill, of Alabama, to be United States attorney for the northern district of Alabama, vice Jim C. Smith, term expired.

Patrick J. Gilmore, Jr., of Alaska, to be United States attorney for division No. 1 of Alaska, vice Lynn J. Gemmill, resigned.

Alexander M. Campbell, of Indiana, to be United States attorney for the northern district of Indiana. (Mr. Campbell is now serving in this office under an appointment which expired December 1, 1945.)

J. Vincent Keogh, of New York, to be United States attorney for the eastern district of New York, vice Miles F. McDonald, resigned.

UNITED STATES MARSHALS

August Klecka, of Maryland, to be United States marshal for the district of Maryland. (Mr. Klecka is now serving in this office under an appointment which expired October 4, 1944.)

John M. Comeford, of Wisconsin, to be United States marshal for the western district of Wisconsin. (Mr. Comeford is now serving in this office under an appointment which expired October 30, 1945.)

REGISTER OF LAND OFFICE

Mrs. Eudochia Bell Smith, of Colorado, to be register of the land office at Denver, Colo., vice Mrs. Jessie M. Gardner, deceased.

COLLECTOR OF CUSTOMS

Louis T. Rocheleau, of Woonsocket, R. I., to be collector of customs for customs collection district No. 5, with headquarters at Providence, R. I. (Reappointment.)

CHIEF OF THE NATIONAL GUARD BUREAU

Brig. Gen. Butler Buchanan Miltonberger (colonel, Infantry (National Guard of Nebraska), National Guard of the United States), Army of the United States, to be Chief of the National Guard Bureau, with the rank of major general, for a period of 4 years from date of acceptance, and to be major general in the National Guard of the United States, Army of the United States, under the provisions of section 81, National Defense Act, as amended, vice Maj. Gen. John Francis Williams.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

To be brigadier general

Col. Henry Alfred Byroade (first lieutenant, Corps of Engineers), Army of the United States.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO QUARTERMASTER CORPS

Lt. Col. Edwin Joseph McAllister, Infantry, (temporary colonel), with rank from December 11, 1942.

Lt. Col. Arthur Launcelot Moore, Infantry (temporary colonel), with rank from December 11, 1942.

Maj. George Patrick O'Neill, Infantry (temporary lieutenant colonel), with rank from June 12, 1941.

First Lt. Charles Theodore Biswanger, Jr., Coast Artillery Corps (temporary lieutenant colonel), with rank from June 11, 1943.

TO FINANCE DEPARTMENT

Capt. Stilson Hilton Smith, Jr., Infantry (temporary lieutenant colonel), with rank from June 12, 1944.

TO ORDNANCE DEPARTMENT

Lt. Col. Clarence Edward Jones, Quartermaster Corps (temporary colonel), with rank from December 11, 1942.

First Lt. Thomas Worthington Cooke, Infantry (temporary colonel), with rank from June 12, 1939.

First Lt. Edison Albert Lynn, Jr., Coast Artillery Corps (temporary major), with rank from June 11, 1943.

TO SIGNAL CORPS

First Lt. Olin Lee Bell, Field Artillery (temporary lieutenant colonel), with rank from June 11, 1943.

TO INFANTRY

Capt. Harvey Julius Jablonsky, Coast Artillery Corps (temporary colonel), with rank from June 12, 1944.

First Lt. James Wetherby Graham, Quartermaster Corps (temporary captain), with rank from June 11, 1944.

First Lt. Jules David Yates, Coast Artillery Corps (temporary major), with rank from June 11, 1943.

TO AIR CORPS

Maj. Francis LeRoy Ankenbrandt, Signal Corps (temporary brigadier general), with rank from June 12, 1943.

Capt. Lawrence McIlroy Guyer, Coast Artillery Corps (temporary colonel), with rank from June 13, 1939.

Capt. Maurice Monroe Simons, Coast Artillery Corps (temporary lieutenant colonel), with rank from June 12, 1945.

IN THE NAVY

Rear Adm. Earle W. Mills, United States Navy, to be a vice admiral in the Navy, for temporary service, effective from the 31st day of December 1945.

The following-named officers to be assistant surgeons in the Navy with the rank of lieutenant (junior grade):

Charles D. Adams	Lloyd H. Klefstad
Alfred Agrin	John A. Leam
John H. Annegers, Jr.	Gordon V. Lillie
Ernest M. Barker	Joseph T. Lucas, Jr.
Bernard A. L. Bellew	Glenn L. Marshall, Jr.
Frank W. Bussard	Theodore R. Marvin
Joseph P. Cannon	Hugh B. McAdams
George C. Chaney	Hoyt B. Miles, Jr.
James F. Cleary, Jr.	Albert D. Nelson, Jr.
Edward B. Crohn	Leonard R. Ortega
Bernard F. Danton, Jr.	Ralph R. Preston
Francis D. Donahue	Alan Raftery
Frederick F. Ferguson	Wilfred N. Sanders
Rodes C. Garby	David J. Sanderson
William D. Grant	Clinton R. Strong
Alfred E. Gras	Loy T. Swinehart
Jack M. Gruender	Frank M. Thornburg
Robert L. Henry, Jr.	John A. Twaddle
William L. Hutchinson	Wallace R. Van Den Bosch
William J. Jenkins	Edwin C. Welsh
Carl L. Johnson	Clifford A. Wiethoff
Edward A. Johnson	
Andrew Johnston	

Lt. Frank L. Lawlor, A (3), United States Naval Reserve, to be a lieutenant in the Navy.

Ensign Ralph G. Leedy, United States Navy, to be an assistant paymaster in the Navy with the rank of ensign.

IN THE MARINE CORPS

Maj. Gen. (temporary) Raymond R. Wright, the paymaster general of the Marine Corps, to be the paymaster general of the Marine Corps for a period of 4 years from the first day of February 1946.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 17, 1946

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, the everliving One, while walking the changeful ways of time impress us that whatsoever a man soweth that shall he also reap. O cry aloud the warning of the prophet: As a man thinketh, so is he. Let us, then, think of the true, of the honorable, and accept the star-high and deep-sea truth as our personal consecration to the realities that cannot die. O God, no matter what the crisis, no matter the perplexity or apparent defeat, may it never be said we failed in following the path of patriotic service. O speak to us in benediction; shield us all with a faith that cannot be shattered; temper us with great convictions that will stand the fire of combat; keep our hearts free from bitterness and our spirits from repining. Soon, ah soon, let us catch the undertone that assures us of a brighter and a better day. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

GOVERNMENT AGENCIES RESPONSIBLE FOR DISPUTE IN THE MEAT-PACKING INDUSTRY

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Speaker, it is to be hoped that the OPA and the Department of Agriculture will take the action required to make possible an early settlement of the dispute in the meat-packing industry. No one in the industry really wanted this strike, and both management and labor know that the single point at issue is an adjustment of meat prices so that the industry can afford to pay its employees higher wages.

The price of all meat products is rigidly controlled by OPA and is held down virtually to the 1939 level. The responsibility for this situation and the responsibility for correcting it is squarely up to the Government.

Since August 1939, fish have increased in price 126 percent; eggs have gone up 102.8 percent; fresh fruits and vegetables have gone up 96 percent; vegetable shortening has increased in price 71 percent; dried prunes have gone up 99 percent—but beef and veal have been permitted to increase only 18.9 percent and pork 28 percent. It is obvious that if prices of food products were in relative balance in 1939, they are far out of balance now, and our difficulties will continue until OPA is willing to face realities and permit a price schedule that bears a realistic relationship to the laws of supply and demand as applied to the food industry.

OPA has never held the line on meat products if the total cost to the people of the United States is considered, but has been able to maintain the fiction of a low price through the subterfuge of paying the meat-packing industry a subsidy of more than one-half billion dollars a year—approximately $16 for each family in the United States.

The immediate effect of the unnecessary stoppage in packing operations will be to deprive those areas which are most dependent on interstate packers of their meat supplies. The collateral effects will reach into fields such as bakery goods, soap, drugs, and milk.

Here are some of the results of OPA's arbitrary price policies and its failure to act in this crisis:

Meat supplies: Production has stopped chiefly in the large packing houses doing interstate business. Therefore, the effect will be felt most sharply in those States depending to a large extent upon interstate packers. The District of Columbia is at the top of the list in this respect. Figures obtained by the Republican Congressional Food Study Committee during the critical meat shortage

last spring disclose that in 1944 the District of Columbia depended upon interstate packers for approximately 95 percent of its meat supply.

States depending on interstate packers for 50 percent or more of retail meat supplies are the following:

	Percent
District of Columbia	95
Rhode Island	85
Massachusetts	84
New Hampshire	84
New York	81
New Jersey	76
California	75
Connecticut	71
Illinois	69
Pennsylvania	63
Maryland	62
West Virginia	59
Maine	58
Delaware	56
Missouri	55
Minnesota	55
Virginia	54

Feed supplies: The already tight feed situation will be sharply aggravated. The effect will be felt immediately. Animals which would normally be sent to market will be kept on farms, consuming additional quantities of feed. The most important factor, however, will be the freezing by farmers of feed grains. There is nothing a farmer dreads more than to have animals for which he has no feed and the immediate result will be that farmers will hold onto their grain until they know how long they are going to have to feed the animals they have on hand.

This will cut sharply into the already inadequate commercial supplies of wheat and corn. Corn has been moving to market in relatively large quantities in the past few months but has been far short of demand. The effect of farm freezing of corn will be felt almost immediately. An almost similar situation exists in wheat.

Lard: Bakers and other users of lard will be affected in approximately 2 weeks by any major curtailment in meat slaughtering. Stocks of lard on January 1, 1946, were only 80,700,000 pounds, one of the lowest supplies on record for that date. Supplies a year ago—January 1, 1945—were well over 100,000,000 pounds. The 5-year average for January 1 is 166,400,000 pounds.

Soap: The soap industry depends on meat packers for more than 60 percent of the fats that go into soap. Supplies of fats and oils have been so low that available stocks have been distributed to manufacturers on a quota basis and the industry is limited to a few days' supply. Stocks on hand on October 31, 1945—the latest data available—were 172,000,000 pounds. This compares to 295,000,000 pounds a year previously, which was considered less than an adequate supply. A major curtailment in meat packing will be felt in the soap industry within a few days.

Vitamins and insulin: Packing-house byproducts go into some drugs—chiefly insulin and vitamin preparations. Any major curtailment of supply will have a direct effect on these vital products.

Gelatin: This is also a product of the packing industry and any shortage will cut into the output of ice cream, candy, beer, and other similar products.

Shoes: Shoe manufacturers would feel by spring the effects of any prolonged work stoppage in the packing industry. They will probably not be affected by a short stoppage, since supplies of leather are relatively adequate and it takes from 3 to 6 months to cure hides into leather.

Chickens, eggs, and butter: In many localities—chiefly those depending largely on interstate packers for meat supplies—the work stoppage in the packing plants will sharply curtail available retail supplies of chickens, eggs, and butter. These commodities are distributed in many areas through branches of the large packing companies, so that in addition to curtailing meat supplies, these products also will be affected.

The Department of Agriculture, fearing a surplus of eggs, has already forced feed manufacturers to curtail their supply of poultry feed. This has greatly discouraged the producers of chickens and eggs. Meat-packing firms pack and distribute great quantities of chickens, eggs, and butter. These commodities, already seriously handicapped by arbitrary Government policies, will fail to get to the market—to the great detriment of the consumers and the producers.

Milk: Milk supplies will be affected indirectly by aggravation of the already tight feed situation. In many sections dairymen are already having difficulty obtaining adequate quantities of dairy feed. This will become more serious if feed supplies generally become shorter, and the output of milk is certain to be affected to some extent.

PERMISSION TO ADDRESS THE HOUSE

Mr. SLAUGHTER. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HAND. Mr. Speaker, yesterday I had a special order but was not able to take advantage of it. I ask unanimous consent that today, following any special orders heretofore entered, I be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

ADJOURNMENT OVER

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

Mr. RANKIN. I object, Mr. Speaker.

EXTENSION OF REMARKS

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD and include a letter to Mr. Stuart Symington, head of the Surplus Property Board.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD and include a statement from the national legislative director of the Amvets.

Mr. SIKES asked and was given permission to extend his remarks in the RECORD.

Mr. KEARNEY asked and was given permission to extend his remarks in the RECORDS and include an editorial.

DISCHARGE PETITIONS NOS. 3 AND 4

Mr. MATHEWS. Mr. Speaker, my predecessor, the Honorable D. Lane Powers, signed discharge petitions Nos. 3 and 4. I desire to have my name entered on those petitions and ask unanimous consent that my predecessor's name be removed so that I may sign the said discharge petitions.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

BATAAN

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. STEFAN. Mr. Speaker, 4 years ago today American and Filipino fighting men were locked in combat with the invading Japanese hordes on Bataan.

Japanese warships dominated the seas about the Philippines. Japanese planes bombed and strafed almost at will. Japanese supplies were brought in to their troops over well-organized supply routes. The embattled Americans and Filipinos had only a few PT boats as their naval support. Their aircraft could be numbered on the fingers of one hand. There was a dearth of all supplies—from mortars to medicines. They were forced to kill horses and mules. The Filipinos and Americans had only two assets, and these were the spiritual assets of having the goal of freedom for which to fight and the grim, steadfast courage that could know no defeat. It was this courage, this undying devotion to freedom which kept the spark of resistance alive through Bataan, through Corregidor, through the dread march of death and through the long, dark years of Japanese occupation. It was these spiritual assets that hastened the onward march of liberation from Leyte to Luzon. It was these spiritual assets—strengthened by the memory of Bataan—that inspired the unsurpassed achievements of the fighting Filipino guerrillas.

The late President of the Philippine Commonwealth, Manuel Quezon, could well have been thinking of the blood brotherhood of the Americans and Filipinos on Bataan when he said: "By our decision to fight by the side of the United States, by our heroism, we won a battle greater than we lost. Our decision has won for our people real freedom for all time."

PERMISSION TO ADDRESS THE HOUSE

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that I may address the House for 5 minutes today following the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ARMY RULES AND REGULATIONS

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, there has been a considerable amount of discussion with respect to the rules and regulations, "made work," and things of that kind concerning our boys in the Pacific and in the European area. Here is one regulation which sort of caps the climax. A soldier stationed on one of the small islands way out in the South Pacific, waiting to come home, sent it to me. It is the mimeographed copy of the order.

SALUTING ARMY VEHICLES

All Army vehicles bearing the white star of a general officer will be saluted whether it is occupied by a general or not. The vehicle will be saluted if it passes a soldier on the street or if the vehicle is stationary and the soldier passes it.

The soldier will also salute all officers riding in a vehicle. When saluting, the soldier should turn his head in the direction of the vehicle or officer and look directly at the object of his salute. All salutes should be rendered wholeheartedly with snap and precision in a military manner.

So we have come to the place where men who have been in combat, and are waiting to come home, are not only expected to salute their superior officers, which is of course in order, but also to salute cars and jeeps, whether occupied by an officer or not, and whether going or coming or standing still. And they must do it wholeheartedly with snap and precision. That in my judgment is just about the limit.

Mr. RANKIN. Is that one of the reasons for keeping them over there, and slowing down demobilization?

The SPEAKER pro tempore. The time of the gentleman from Kansas has expired.

EXTENSION OF REMARKS

Mr. ROGERS of New York asked and was given permission to extend his remarks in the RECORD and to include an editorial which appeared in the Rochester Times-Union of Rochester, N. Y., under date of December 29, 1945.

Mr. PATMAN asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances and include therein certain statements and excerpts.

MEETING OF MEMBERS OF CONGRESS TO CONSIDER OPA CEILING PRICES ON COTTON

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, I have asked for recognition in order to make the announcement that Members of the House and Senate from the cotton areas of the country and others will meet in the caucus room of the House Office Building tomorrow morning to formulate plans for resisting the announced purpose of the OPA to put a ceiling price on cotton, which will represent absolute starvation wages for the workers in the cotton fields.

Mr. TARVER. At what hour will the meeting commence?

Mr. COX. At 10:30 a. m. tomorrow.

The SPEAKER pro tempore. The time of the gentleman from Georgia has expired.

EXTENSION OF REMARKS

Mr. KILBURN asked and was given permission to extend his own remarks in the RECORD and to include therein a resolution.

FIRST TELEVISION NEWSCAST AND VIEWSCAST OF MEMBERS OF CONGRESS.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, last night, in company with two of our colleagues, the gentleman from Tennessee [Mr. KEFAUVER] and the gentleman from Ohio [Mr. BROWN], I had the unique distinction of appearing on the first radio television news-views cast of Members of Congress. We appeared at the experimental television station 3XWT in the Hotel Harrington, operated by the Allen B. DuMont interests. The newscast was made by our good friend, Mr. Bob Coar, director of the radio room here in the Capitol, and his colleague, Mr. Gordon Graham. I understand that in the near future there will be two weekly news-views casts televised from that station and also that there will be a weekly television forum started very shortly over that station in which Mr. Coar intends to ask other Members of Congress to participate.

Mr. Speaker, of course, this particular experimental program—the first of its kind to originate from the Nation's Capital—was not very widely received here because there are relatively few television receiving sets in our Capital at present, but this program was carried on special lines to New York City where it was retelecast to some 6,000 owners of television receiving sets in our Nation's metropolis. You ask, when can everyone enjoy the delights of television? Well, I made the same inquiry myself after our program last evening, and I was told that it is hoped to have television receiving sets of the table and console models on the market by midsummer in a price range which everyone can afford. By that time regular telecast programs will be originating in Washington for telecast in Washington, Philadelphia, and New York City 7 days a week and, likewise, television programs will be sent from New York and Philadelphia to Washington via the new A. T. & T. coaxial cable. I am informed further that these newly developed coaxial cables—as they are called—will permit the pipe-line transmission of these telecasts to any radio station in the United States where, in turn, the coaxial cable terminates and they have the transmittal facilities to telecast in their own community. After all, it must be remembered that television is like a searchlight. It does not bend around the earth's circumference. If can only be received where its direct beam hits.

Mr. Speaker, I am frank to say that interesting as it was—and I am sure that my colleagues and I all experienced a feeling of appreciation at being selected for the first news-views telecast out of Washington—nevertheless I must confess it was not too pleasant an experience due to the fact that at this present moment the tremendous amount of heat emanating from the light bulbs necessary for the program—and which feeling I also experienced at the Republican convention in Philadelphia and Chicago—made the experience for my friend, Mr. Brown, most unpleasant physically. However, I am glad to report that because of the recent development of the Orthacon tube and its adaptation to television by Du Mont—in the near future it will be possible for television programs to originate without the use of any artificial lighting which is, at present, so uncomfortable to the participants in the program.

The future possibilities of television are beyond the scope of human imagination. For instance, one of New York's leading department stores plans a morning telecast in which they will show to the housewife coats, beautiful dresses, and intimate wearing apparel displayed in such a way that the housewife may make a purchase merely by phoning the store, giving them the number of the merchandise displayed, her size—and the merchandise will be delivered to her the following day. Meanwhile she continues with her household chores and will no longer have to stand in line to shop—especially at Christmas time to select the gifts for Mary, Charlie, or cousin Sue. Of course, we Congressmen, tired after a day's work here on the Hill, will not have to worry about attending a prize fight, a baseball game, or any other sporting event—or opera—all we will have to do is push the magic button and we will have it in the living room for ourselves and our dinner guests.

But, there is only one thing about this television future that I do not like, Mr. Speaker. When television is installed in this body, as is inevitable, I fear it is going to cause more of us to be on the floor more often. If that be true, how are we going to take care of our committee meetings, requests for personal services, and the correspondence in our offices. Furthermore, for the past 7 years I have been enjoying the privilege of taking off my coat, loosening my necktie and unbuttoning my collar when I deliver my weekly radio talks to my district. As of "tomorrow" we will all more or less be radio actors before the cameras and we will have to preserve our appearance and our decorum but—on the other side of the equation—perhaps that is for the good of our constituents because they will know just what their Congressman looks like, not only what he sounds like, and how he writes his letters. They will

know at first hand what kind of a Congressman they have 365 days in the year.

EXTENSION OF REMARKS

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD and include therein a letter from a constituent.

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the RECORD in two instances and include some newspaper clippings.

Mr. CRAWFORD asked and was given permission to extend his remarks in the RECORD and include certain excerpts from hearings before the Dies committee and certain excerpts from the CIO News Bulletin.

Mr. DONDERO asked and was given permission to extend his remarks in the RECORD and include a news item quoting the Governor of Virginia in opposition to Federal aid.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include a radio script by Lothrop Stoddard of the Washington (D. C.) Evening Star.

Mr. BENNETT of Missouri asked and was given permission to extend his remarks in the RECORD and include a brief editorial from the Springfield (Mo.) Leader.

Mrs. LUCE (at the request of Mr. MARTIN of Massachusetts) was granted permission to extend her remarks in the RECORD and include certain excerpts.

PERMISSION TO ADDRESS THE HOUSE

Mr. MASON. Mr. Speaker, I ask unanimous consent that tomorrow, after the regular business has been disposed of and any other special orders previously entered, I may address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent that tomorrow, after the address of the gentleman from Illinois [Mr. MASON], I may be privileged to speak for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

VETERANS AND SURPLUS PROPERTY

Mr. CLASON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CLASON. Mr. Speaker, I take this time to bring to your attention a matter which is giving a great deal of concern to every Member of Congress, that is, the miserable treatment our veterans are receiving in their attempts to secure surplus property from the United States Government under the present program.

I have before me a letter with reference to a veteran named M. C. Hankowski. The letter comes from the Smaller War Plants Corporation, and reads as follows:

Subject: M. C. Hankowski.

Concerning your letter dated January 12, the subject veteran was given a certificate, his papers processed and forwarded to RFC, in Boston. Under the procedure SWPC can do nothing more, it being the responsibility of RFC to notify the veteran if and when the truck he desires becomes available.

For your information, the last trucks sold to veterans were at the sale held at Fort Devens October 2 to 12, inclusive, under the direction of the Department of Commerce. Since that time no trucks, to our knowledge, have been sold to veterans. We have processed, during the period, certificates for approximately 500 trucks, but for some unknown reason veterans are unable to get them.

We have veterans calling at this office daily who have been to Boston calling on RFC, Consumer Goods Division, 600 Washington Street—the office that handles the disposal of trucks for this area—but all of them return very much disgusted and some of them express themselves in no uncertain terms as to the methods employed to waste both time and money.

SWPC has used every means available but, as indicated above, without tangible result. If there is something that your office can do to alleviate this situation, I am sure that it would be appreciated by all concerned.

Very truly yours.

I call upon my colleagues to do something about this matter.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

LABOR LEGISLATION

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I believe my colleagues in the House would like to know that your Committee on Labor, through general agreement of its members reached a few minutes ago, will make a definite decision on either Monday or Tuesday of next week in reference to the fact-finding proposal, which is in legislative form as a bill, pending before the Committee on Labor.

The membership of that committee feels very deeply, as expressed at this morning's session, its individual and collective responsibility to act expeditiously and courageously in connection with these employee-management problems.

I believe this explanation, not so much an explanation but a statement to the Members of this body, is in order today in view of the acute strike situation.

Mr. Speaker, I now ask unanimous consent that the Committee on Labor be permitted to meet during the session of the House this afternoon, and if the House is in session tomorrow afternoon that we be permitted to meet during that session also.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I am not going to object, I wish to clarify the statement of the gentleman from West Virginia, if I may. Do I understand the gentleman to say that he is going to bring a bill on the floor of the House next week?

Mr. RANDOLPH. It is my opinion, and I can speak only in a personal way, that next Monday or Tuesday the committee will actually vote up or down the principle embodied in the President's fact-finding proposal or a substitute or an enlargement of that measure.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, I believe the chairman of our committee might well have added that all the Republican members of that committee except one, the gentleman from New York [Mr. BALDWIN], were present this morning; that the gentleman from Indiana [Mr. LANDIS] offered a motion that we amend the Norton bill, which is the fact-finding bill, by striking that section which refers to section 11 of the National Labor Relations Act which authorized the members of this committee if it is created to subpena books, records, and witnesses—we offered an amendment taking away that power, and also striking out that provision of the bill which called for a waiting period. The motion included a provision that the chairman of the committee should apply to the Rules Committee for an open rule bringing the bill on the floor, that they should report the bill, and we lost out there. All six of the Republicans and one gentleman from the other side voted in favor of it but by use of a proxy it was finally a tie vote. I am correct, am I not?

Mr. RANDOLPH. The gentleman from Michigan in general and even in particular——

Mr. HOFFMAN. And in particular too.

Mr. RANDOLPH. My colleague has supplemented the statement I have just made.

Mr. RANKIN. Mr. Speaker, reserving the right to object, as I understand it, this is merely to find facts, it is the fact-finding bill, is it not?

Mr. RANDOLPH. I explained the committee expects to take action on the fact-finding bill. The members may act on that legislation or substitute another measure.

Mr. RANKIN. But a bill merely to find out facts.

Mr. RANDOLPH. I could not confine it to that scope because I believe the membership of the committee—I can only speak as I feel—expressed this morning desires to take necessary action.

Mr. RANKIN. When do you expect it to reach the floor?

Mr. RICH. Mr. Speaker, reserving the right to object, I wish to ask whether legislation is going to come out of the gentleman's committee now since he has resigned as mayor of the city and is going to take up this legislation—and the gentleman did a good job while he was mayor—I want to know whether the gentleman as chairman of the committee is going to be able to bring legislation out of the Committee on Labor that will give the people of this country, whether they be workers or employers, the same rights and responsibilities and the same punishment for failing to live up to their agreements.

Mr. RANDOLPH. The gentleman from Pennsylvania I hope will accept my statement when I say I believe in equal treatment under the law.

Mr. RICH. Under the law. But the trouble is our law is lopsided now. We do not want that; we want to get a law that will give equal rights, impose equal

responsibilities, and meet out equal punishment to employer and employee. That is what we want.

Mr. RANDOLPH. The gentleman from West Virginia can agree with the gentleman from Pennsylvania that the employee and the employer should be treated alike under the law whether it is now in effect or whether the Labor Committee recommends to this body, and we ultimately pass, some new measure dealing with these problems.

Mr. RICH. The gentleman is still getting away from that and I do not want him to get away from it. The law now is such that it gives labor certain rights today under laws that we have passed in the last 12 years which are detrimental to this country. Just look at what is happening all over the United States now. The people of this country are sick and tired and bewildered. We want to maintain this form of Government of ours, we want to maintain an attitude of honesty to all the people; we do not want these labor racketeers around trying to destroy America and bringing communism in here. That is the ultimate object of the labor leaders today and we do not want that.

Mr. RANDOLPH. In reply to the observation of my friend from Pennsylvania, I desire to state to my colleague that I believe in the right of labor to legitimately strike. I do, however, supplement that statement by saying—I hope I am wrong, but I feel I am right—we are seeing in the United States today more than a series of strikes. We are seeing a certain pattern followed which I am fearful is instigated and led by many persons within labor, within management, and within Government who desire ultimately Government ownership, not only of the public services and utilities of this country but general commercial and business enterprises as well.

I am fearful that responsible unionism suddenly will awaken to find a considerable segment within labor, management, and Government using economic unrest as a guise for further direction and control from Washington. I fear there is a subtle but nevertheless strong movement to force Federal Government control of business.

We have fought for adequate wages and improved working conditions and these have been attained within the framework of our free bargaining and legislative system. Now we must guard against those individuals and groups who would attempt to antagonize employee and management relationships to such an extent that the domination of our industrial pattern and our free enterprise activity would be entirely dependent on the Federal Government. Certainly sound labor leaders as well as private business representatives realize this would mean Government ownership, not only of public utilities but virtually every form of commercial undertaking.

These immediate postwar conditions must be met courageously with the spirit of cooperation. The grocer who has no goods on the shelves to supply eager customers would soon be forced to close his store, and it follows that if we have a prolonged period of nonproduction of essential consumer goods, this country, instead of enjoying a period of peacetime prosperity, will become barren and depressed. Many of us are fearful that this period is not far distant.

Mr. Speaker, I favor the principle embodied in the fact-finding bill. President Truman's proposal is meritorious. Fact-finding boards, especially during reconversion, would implement, and not destroy, collective bargaining. I believe in labor's right to strike in peacetime. I feel, however, postponing of individual strikes during determination of labor-management disputes is desirable so the public interest is provided for by continuing the production of essential consumer goods. Hard-won gains for responsible unionism and loyal labor must be preserved. I feel, however, the objectives embraced within H. R. 4908 would not destroy, but might well reinforce, voluntary mediation and sanctification of contract. I can conceive that the law's operation should be for the reconversion emergency only. If it worked well, labor, management, and Government might cooperatively desire its permanency.

Mr. COX. Mr. Speaker, reserving the right to object, I should like to say that the Rules Committee is not going to transgress upon the prerogatives of any other committee of this House; but I am confident, on the other hand, that that committee wants to be used in such manner as the House may see fit in order to save this country. It is my understanding that the Rules Committee has jurisdiction of a bill from the moment it is dropped in the hopper and that it is within its power to report to the House resolutions discharging legislative committees from the further consideration of bills pending before the committee and submitting the entire matter for consideration in the House. I make this observation in order that the membership may understand that in cases where committees sit down and refuse to act there is a means available of bringing the measure before the House.

Mr. RANKIN. Mr. Speaker, further reserving the right to object, I was listening for the gentleman from Georgia [Mr. COX], a member of the Rules Committee, giving assurance to the House that whatever bill is reported would not come in under a closed rule.

Henry Thomas Buckley, one of the greatest political philosophers in history, said that the great reforms of the English-speaking race "have consisted in not doing something new but in doing something old."

If you want to get America back to where it should be you are going to have to repeal or drastically amend the Wagner Act, the Wages and Hours Act, and the Walsh-Healey Act. There is no use whipping the devil around the stump. You are not going to get anywhere hunting facts. We know the trouble now, we know the facts now. The Congress is responsible for the passage of those laws and for the threat of revolution that is rearing its horrid head all over the Nation today as a result of those unfortunate measures.

Mr. VOORHIS of California. Mr. Speaker, reserving the right to object, for the sake of trying to straighten out the record on a few points, may I say in the first place that from the very beginning I have been publicly in support of the President's proposal for the establishment of fact-finding bodies. I flatly disagree with the statement of any Member that the appointment of those bodies will be of little effect. Indeed, I believe they are the fundamental approach to a solution of this problem, and I believe that primarily if once one of those fact-finding bodies has made its findings, the membership of this House and every other person with a capacity to influence American public opinion will stand up and be counted in defense of an impartial proposal for a settlement of these disputes.

To my mind, the real root of this difficulty is not a desire, as has been charged, on the part of labor to introduce communism in America, which I do not believe is a fair charge against more than a tiny fraction of the population of this country, but is rather to be found in a spirit which pervades a great many elements of the population today which refuses to put the national interest paramount over the particular interest of any special group, and I believe that is to be found in the ranks of management and corporations quite as much as it is found in the ranks of labor. Indeed, I think unwisdom on the part of Congress in precipitously repealing the excess-profits tax contributes to the trouble we are in today. I believe that trouble has got to be solved. I think it will require action by the Congress, and I am prepared to take that action; but unless that action is postulated on a fair and just appraisal of the fact that selfishness exists every place, and of a true attempt to put the national interest paramount over all, we shall fail in our attempt. I honestly believe that the gentleman's committee is going to do a good job, and when they bring in legislation, I hope it will be such that the membership may support it in overwhelming number.

Mr. BUCK. Mr. Speaker, reserving the right to object, with an unprecedented number of strikes now under way and in prospect, and with the country and the President looking to Congress for action, it seems very unfortunate to me that the Labor Committee this morning should devote its time to the consideration of a relatively inconsequential bill; certainly inconsequential at this time.

Mr. SABATH. Mr. Speaker, reserving the right to object, I congratulate the gentleman from West Virginia [Mr. RANDOLPH] upon his remarks that his aims are to bring in a fair bill. I know that if such is the case, there will be no trouble whatsoever to obtain speedy action on the part of the Committee on Rules, so I hope that the request of our acting Labor Committee chairman for unanimous consent that his committee might be able to continue its hearings and deliberations on this important legislation will not be objected to, so that the Committee on Labor might be able to report legislation that he favors, and I hope that that committee will recommend legislation—not labor-baiting or union-destruction legislation, but legislation that will be fair to industry, fair

to labor, and in the interest of our country.

Mr. CHURCH. Mr. Speaker, reserving the right to object, I have been receiving letters from members of the meat packing union, and this is a sample of those letters:

I learned last Saturday from certain workers, due to my direct contact with labor in the city of Chicago, that they are being called out on a meat strike and that they are very much worried about it. They are against the strike, are satisfied as things are, and cannot understand why they are being called out. This statement was unanimous, "We were forced to join the union against our will, in order to be able to work, and we are also being called out on strike against our will."

It must be that there is a communistic element in the high places along the line that is causing these things. Cannot something be done?

With kind personal regards, I am,

Yours truly,

Mr. Speaker, I would never question the patriotism of the gentleman from Virginia who is now speaking, but I regard much of the fact-finding suggestion as socialistic. I look upon the gentleman as one of our patriotic leaders. I know of his fight against communism. I think he will fight any socialistic tendencies in this country.

Mr. SAVAGE. Reserving the right to object, Mr. Speaker, we know there is a great deal of industrial disturbance that needs some attention and should be solved, but I think, above all, Congressmen should not approach it from an emotional basis. This is something serious that we should consider with good, cool judgment. The charge made that this is all communism, that labor is all Communist, is certainly an unfair charge against labor. The vast majority of American people belong to families that are headed by laboring men. Another thing to take into consideration is that we do not need to get too upset right now because right today there are more men on the job than there have ever been in peacetime in the history of America. There are a few on strike, very few, compared to those that are working. I think the committee should have the right to consider this question and come forward with some good recommendations, but not with the idea of crushing labor, either. If, as was suggested a few moments ago, we take everything away that labor has gained, that is the way you will cultivate communism in this country. If you want communism, that is the best kind of a campaign to get it. Crush them down and make them interested in something that will overthrow what we have. You have to help labor, not crush it.

Mr. SABATH. Mr. Speaker, I demand the regular order.

Mr. RICH. Further reserving the right to object, Mr. Speaker——

The SPEAKER pro tempore. The Chair has been very liberal, and the Chair does not want to restrict debate, but the Chair does not like to see a Member reserve the right to object on more than one occasion.

Mr. RICH. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RICH. If a Member makes a statement here that someone says that all labor is communistic, whom does he accuse? If so, what penalty is there for a Member of Congress making such a statement as that?

Mr. SAVAGE. I did not mention any name, but if it will fit any shoe——

The SPEAKER pro tempore. In answer to the parliamentary inquiry, the Chair thinks the gentleman from Pennsylvania [Mr. RICH] is sufficiently conversant with the rules to answer his parliamentary inquiry himself. However, the Chair will state that the gentleman from Washington is expressing his own opinion and is clearly within his rights. Whether he is right or not is another question.

Mr. RICH. I inferred from his talk that he stated that someone in the House said that all labor is communistic.

The SPEAKER pro tempore. The Chair is not responsible for the inferences the gentleman from Pennsylvania may draw.

Mr. RICH. If he accuses somebody of that, we ought to find out who that fellow is.

The SPEAKER pro tempore. The Chair has already answered the gentleman's parliamentary inquiry.

Mr. SABATH. Mr. Speaker, I demand the regular order.

Mr. RICH. I do not think the Chair has answered that inquiry.

The SPEAKER pro tempore. The regular order has been demanded.

Is there objection to the request of the gentleman from West Virginia?

There was no objection.

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, in view of the request and statement I made, and also the numerous reservations which were made, I ask unanimous consent to revise and extend my remarks to give my opinion on the fact-finding proposal and also other views that I hold in reference to this subject matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RICH asked and was given permission to extend his remarks in the RECORD and include an editorial from the Bristol Courier of Tuesday, January 15, entitled "Health and Plunder."

Mr. ANDERSON of California asked and was given permission to extend his remarks in the Appendix of the RECORD and to include a letter.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[Mr. HOFFMAN addressed the House. His remarks appear in the Appendix.]

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Virginia [Mr. SMITH] is recognized for 30 minutes.

LABOR SITUATION

Mr. SMITH of Virginia. Mr. Speaker, the colloquy that has just taken place is very revealing. To sum it up, what has happened in the Committee on Labor is what has been anticipated by the vast majority of the Members of the House. The motion that was before that committee, it seems, was a motion to extract all the little milk teeth that were in the President's proposal and then report out something that amounted to a little more than the title to the bill.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. SMITH of Virginia. Mr. Speaker, I decline to be interrupted at this time.

Mr. HOFFMAN. In view of the fact that you were talking about milk teeth, I want to know if you are in support of taking even those out.

Mr. SMITH of Virginia. Mr. Speaker, it seems to me that the time has come when the House might just as well quit stalling around with the Committee on Labor and the House might just as well make up its mind that this country knows the score. The people know that Congress is not acting on these matters. My mail indicates an overwhelming desire on the part of the people that Congress should at least try to do something about a situation that is becoming so disastrous.

Ever since the enactment of the one-sided National Labor Relations Act, the country has been gradually drifting toward a crisis that will determine whether the Government is to be run by, for, and of all of the people, or by and for a handful of ambitious, power-drunk labor leaders. Early in this struggle I took my stand in opposition to the threatened labor dictatorship, and in retaliation these groups have repeatedly sought with every weapon at their command to eliminate me from public life.

Since the end of the war, we have reached that crisis. The CIO and its Political Action Committee have declared open warfare on every public official from the President of the United States down who dares, in the slightest degree, to suggest a curtailment of their powers to dominate the Nation.

In recent weeks we have seen preliminary demonstrations and warnings of their power to close down and cut off every essential industry and enterprise upon which the Nation depends for food, fuel, transportation, communications, and other necessities of modern life.

This handful of labor barons by a series of short work stoppages, have merely served notice in unmistakable fashion that with a few dominant labor leaders in strategic industries lies the power to freeze and starve 140,000,000 of supposedly free American citizens.

This statement will be said to be a gross exaggeration, but stop and think back over the past few weeks.

With the first blasts of winter came a sudden and rather mysterious coal strike. The production of fuel for heat and power suddenly ceased. Frantic but feeble and ineffectual efforts of your Government to avert a national catastrophe were utterly ineffective, until,

with a magic and majestic wave of the hand, the lord of all the coal miners ordered them to return to work. The strike ended as abruptly as it had begun.

No one man or group of men should have the power in a free country to freeze the American people.

Then came a wave of strikes in the trucking and bus service throughout the Nation, suddenly called under the leadership of one man. Returning soldiers could not get to their homes. Towns isolated from railway systems began to feel the pinch of hunger. Government intervention and petitions were unavailing until the heads of the unions graciously and of their free will again permitted the commerce of the Nation to flow.

No one man or group should have the power to starve the American people or inhibit their freedom of movement.

Then, not to be outdone, the little dictator of the automobile industry decreed that the American people should have no automobiles until that industry agreed to accept his communistic demand that his subjects be permitted to share the profits of the industry on the basis of the wealth of the employer, instead of on the services performed. The people, whose worn-out automobiles after 4 years were going to the junk pile by the thousands, must wait in futile patience upon the lordly grace of another dictator.

No one man or group should have the autocratic power to return the American people to the "horse and buggy" days.

And then we suddenly find our telephones dead and our telegraphic system has ceased to operate, and our whole communications system becomes paralyzed to the amazing and disgraceful point where high executives of the Nation must plead in pitiful impotence with the dictators of these unions to be permitted to transmit vital official communications of the utmost importance to the Nation.

While this is going on, your Government is actually being bludgeoned into averting the catastrophe of a Nation-wide strike in the steel industry by buying off the dictators of the steel workers' union with an inflationary rise in the price of steel products to the American people.

At the same time, frantic and humiliating efforts are being made by the Government to avert a Nation-wide strike in the meat-packing industry, and it is actually proposed to buy off this strike by a subsidy to the meat packers to be passed on to the union in the form of increased wages, and paid out of the sweat and toil of 140,000,000 American taxpayers.

Is it possible that this Government has come to such a low estate that it must buy off every little group of labor dictators who threaten to halt the operation of any essential function of our economy? The answer lies with the Congress. Is a seat in this body so dear to any Member that he would sacrifice every vestige of freedom and liberty and every right of the masses of his people to retain the tolerance and support of a minority group that is seeking to cut away the very foundations of democracy?

Oh, some will say "well, the air is still free." Oh, no. We still have James Caesar Petrillo.

Petrillo is the president of the musicians' union. He exercises probably the most complete dictatorial system of peonage over his members of any labor union in the country, and through use of the boycott system, absolutely and completely controls the air waves and what programs may go out over the radio, and what the American people may listen to over the air. Any radio station that disobeys his command is boycotted and not permitted the services of any member of the union or any union-made transcription. He can and has defied successfully both the Federal Communications Commission and the President of the United States. He issued a decree levying a tax on all transcribed music, which requires radio stations to pay a fixed sum on each transcribed musical record sent out over the air. He not only levied the tax, but he made it stick, and collects. Of course, this is hard to believe, but it is a well-known fact. He has prohibited American school children bands from giving free concerts over the air and he has made that stick and enforced it. Under existing Federal law, he has actually prohibited the Army and Navy Bands from giving free entertainment to people whose taxes pay them. When the Nation was celebrating the two hundredth anniversary of the birth of George Washington, the community in which he lived held a celebration on the two hundredth birthday of the father of the country. At their request, I asked for a section of the Army Band to play at this entertainment and was astonished to find that the Army could not issue the order without consent of James Caesar Petrillo. The permission was refused and the celebration on the birthday of the first Commander in Chief of the Army had to be conducted without the presence of the Army Band.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield at that point?

Mr. SMITH of Virginia. I would rather not.

Mr. CASE of South Dakota. For a very brief observation: That when the battleship *South Dakota* was commissioned at Philadelphia an attempt to have the high-school band of the State of South Dakota play at the commissioning of the ship was objected to by James Caesar Petrillo on the same basis.

Mr. SMITH of Virginia. There are thousands of those instances that come to the attention of the Congress, yet we sit around here and do nothing. Now, what are you going to do about it? It is going to go on just like it has gone on until the people of this country get so thoroughly sick, tired, and disgusted with this monkey business that they are going to make us do something about it.

Last Armistice Day, ceremonies were held in the city of Fredericksburg near the Quantico Marine Base in commemoration of the heroes who gave their lives in the First and Second World Wars. A request was made that the Marine Band be permitted to play at that ceremony in commemoration of their fallen comrades. Again the request was submitted to James Caesar Petrillo, president of the musicians union, and again it was denied. And the memorial services had to proceed without the presence of the Marine Band.

More recently, Petrillo has extended his dictatorship over the American people into international fields. He has now issued an order prohibiting any musical broadcasts to come over the air through American radio stations that originate in foreign countries. I am informed upon the most reliable authority that the broadcasting companies have now been compelled to suspend their preparation for the extension of television, because of the dictatorial interference of Petrillo with their operations.

I state these facts in as few and simple words as possible, because the mere statement of facts which cannot be refuted and are well known to many people, both in and out of Congress, ought to be sufficient to arouse the Congress to enact some definite legislation. All of these abuses are permitted, condoned, connived at, and often abetted by existing law enacted by the Congress. The failure of Congress to correct this situation will, in the public mind, make Congress as blameworthy as the Petrillos and others who perpetrate these outrages under the shield and protection of laws which the Congress itself enacted.

Oh, say does that star-spangled banner still wave
O'er the land of the free and the home of the brave?

Today the American people can well pose that question to themselves and to their Congress and to the two great political parties that shape our destinies. The most fundamental freedom of man is the right to work and to earn a living for his family—when, where, and how he wishes—without dictation, fear, or interference from any source. That freedom was first enunciated in the Biblical injunction, "In the sweat of thy face shalt thou eat bread," and has remained the guiding rule of human endeavor through all the progress of civilization, until the political dictation of organized labor challenged the freedom of the individual to work and now challenges the power of government to enforce that right.

The revolutionary strategy adopted by a few dictatorial labor leaders under color of rights acquired through legislation enacted by the Congress has not only denied to individuals the right to work and feed their families, but now denies to the whole American people the production and distribution of those commodities essential to supply their needs for food, clothing, fuel, and necessary services. Congress, through legislation that has placed unscrupulous labor leaders on a pedestal above other citizens, has created this Frankenstein that threatens now to destroy our economy when reconversion to civilian production is a paramount need of all the people.

Will Congress act courageously to correct the abuses which have grown up under the labor laws it created? Or will it cringe and crouch under the tongue-lashings and intemperate abuses of such blustering, blundering bullies as Philip Murray, Walter Reuther, James Caesar Petrillo, and the like?

The challenge is to Congress to answer the question whether America is still the "land of the free and the home of the brave." After long years of patience and appeasement, the President has sent to Congress a message urging immediate legislation to set up a mild and insipid system of mediation and persuasion to allay the strikes that threaten the whole economy, peace, and comfort of all the people of the United States. He makes but one request of organized labor, and that is that it cooperate with its Government to the end that workers may be permitted to continue to work and feed their families and supply essential goods to the general public while the Government seeks a solution and settlement of labor disputes. Can anyone with a scintilla of respect for the paramount public rights find any fault with that proposal?

The President specifically asked Congress to go no further than the Railway Labor Act, which has worked successfully for 20 years in the interest of labor, employers, and the public, and yet this mild proposal—and the President of the United States who makes it—are attacked by our labor dictators with as much vehemence and intemperance as if the President had demanded the repeal of all protective labor laws.

These labor dictators who have been permitted unrestrained to run roughshod over the rights of the American people and to ignore the superior interests of the public have the audacity to hurl their epithets and vituperation at the President of these United States because he has the courage to remind them that the rights of the whole people are superior to the dictates of any minority group, even if it bears the brand of organized labor. They do not object so much to the President's proposal as to the fact that organized Government now challenges organized labor. They know that their boasted political power is 90 percent bluff and bluster. They live in constant fear that an administration interested primarily in the welfare of the Nation as a whole will call that bluff—and when that is done, they know that the overwhelming public opinion of the country will uphold the President and let that approval be known in no uncertain terms.

The President's proposal goes little further than the War Labor Disputes Act—commonly known as the Connally-Smith Act—which provides for a cooling-off period of 30 days before a strike can be lawfully called. It is subject to the same specious criticism that it legalizes strikes after the 30-day period has expired. The same criticism can be leveled with equal force against the Railway Labor Act.

What the American people are looking for, hoping for, and expecting is a law with enough teeth in it to end lawless, revolutionary acts in the conduct of strikes and labor disputes. The public will not be satisfied with innocuous and ineffective legislation that serves only to arouse the ire and resentment of the labor barons, without accomplishing the needed results.

The President recommends, but Congress legislates. Will Congress do so effectively, or merely give lip service to the public need in this time of crisis?

In the bill H. R. 4875, which I introduced the day the President sent his message to Congress, I make definite proposals for legislation that is not repressive and will not impair any lawful or proper right of organized labor, or interfere with the collective-bargaining rights of wage earners. They are the same proposals that passed this House by a large majority in December 1941. They will very definitely curtail the pomp and power of the few labor dictators who fatten upon the continual agitation that they constantly foment. I present these definite proposals for legislation, and will discuss them in detail.

First. We should include the President's recommendation for a provision similar to the Railway Labor Act providing for mediation and conciliation of labor disputes, with strikes and lock-outs barred during the limited period of negotiation.

Second. There should be a provision that would make unions and companies equally responsible under any contract mutually arrived at through the process of collective bargaining.

Third. There should be provisions to protect both workers and companies from the violence, intimidation, and threats so prevalent and effective in compelling workers to remain idle against their wills.

Fourth. There should be a rigid prohibition against sympathy strikes, boycotts, and jurisdictional strikes.

Fifth. The term "employee" should be defined to exclude the organization into unions of supervisory and managerial employees of the employer to whom he looks to carry on the management of the business.

Within these limitations, the right to cease work or to strike should be protected and the principle of free collective bargaining between employer and employees should be preserved.

I realize that these proposals will meet with violent objections and lurid expressions of distaste on the part of those few labor leaders who have been led to believe that they have a vested ownership in the worker and in the fruits of his labor. They cannot be brought to agree to these proposals, because they will interfere with the dictatorial control which they now exercise over labor, industry, Government, and the American people.

Take the first proposal—that of the President for a cooling-off period of 30 days before a strike. It has been attacked by the instigators of the General Motors strike in terms that charge the President with shaking the very foundations of democracy. It has been called "antilabor" on the floor of the House of Representatives. Legislators who have defended the proposal are branded as labor baiters. And yet all the President proposed was to adapt the provisions of the Railway Labor Act to labor disputes in industries which are as essential if not more essential to the public welfare and convenience as the railway transportation system.

Whatever may be said for or against the Railway Labor Act, certainly there has been no demand for its repeal or amendment, and in 20 years' operation it has served to protect the public against strikes in the railway transportation field. Had the President desired to go further in paralleling the Railway Labor Act he might have well asked for that provision which prohibits the closed shop and check off in the railway industry. The fact in that regard is that the Railway Brotherhoods have conducted their labor relations with such a degree of dignity and composure and, also, success that they have demonstrated their value and usefulness to their membership to an extent that it has not been found either necessary or desirable to compel employees to join a union in order to obtain employment. On the contrary, employees have sought membership voluntarily.

The bill also prohibits the use of violence, intimidation, and threats so prevalent and effective under existing strike practice. I have never been able to understand the arguments of those who would deny to any free American citizen the right to go to and from his lawful place of business without interference by violence, threats, and intimidation. Today when a strike occurs mass picket lines are thrown about the place of employment. All persons, including the owner of the property, are prevented by force from entering or leaving the premises.

The strikers and the union are protected by Federal law and all of the rest of the American citizens, so far as the Federal Government is concerned, are left to the mercy of mob violence. Time after time, and day after day, people seeking entrance to picketed plants are mauled and beaten, sometimes unmercifully; and although the controversy is one arising under Federal law and being adjudicated by Federal agencies, there is not one word of Federal law anywhere to give any protection to the owners of the property, or to the workers themselves who happen to disagree with the leadership of their union. It is said that the local police authorities should enforce the law against assault and battery, but that claim is merely an effort to evade the real issue. It is well known that in many communities local enforcement authorities are dominated and controlled by union politicians, and when strikes and violence occur the local authorities remain neutral. If the Federal law were amended to provide injunction against violence and intimidation, this type of lawlessness would immediately cease.

I propose a rigid prohibition against sympathy strikes, boycotts, and jurisdictional strikes. Why should the Government countenance a strike by one union that has no grievances against anybody of any kind, simply because an entirely different union, under an entirely different employer, and perhaps in an entirely different community, happens to have a labor dispute?

Why should the Government permit the goods manufactured by one set of employees to be denied access to the markets of the country in interstate commerce simply because some other union happens to dislike the employer or the union whose members manufactured the articles?

Why should we tolerate a stoppage of important and essential production be-

cause two unions cannot make up their minds which one of them should be permitted to do certain types of work? These are merely a few of the absurdities that have grown up under the present laws which Congress has enacted and so far has failed to correct.

The recent coal strike and a number of minor strikes have occurred because of the effort of the unions to organize into their membership the supervisory forces of management. It may be a little difficult for the public to understand without explanation why foremen should not belong to the same union that the other members do. But the whole theory of collective bargaining is based upon the idea that the union sits on one side of the table and the management sits on the other side of the table. For some time past certain unions have been seeking to sit on both sides of the table and to assume the prerogatives of management. The foremen and supervisory forces are a part of the management of business. They are as essential to that management as the president and other members of the executive force. When their allegiance becomes divided between their duties of management and their loyalty to the union, there can no longer be the efficient management that is absolutely essential to the successful operation of any enterprise. In all the field of distressing labor disputes now prevalent there is no principle more important or more fundamental to the efficient operation of industry than that the supervising force of management must remain divorced from the domination of the employees whose work they supervise.

The President has urged the Congress if it is not in agreement with his proposals to formulate and enact its own proposals for legislation.

I suggest to you that the obvious and sensible thing for this House to do is to again pass the same type of legislation that we have passed before by an overwhelming vote and send it over to the doorstep of the other body for such action as it may see fit to take.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Kentucky.

Mr. MAY. May I ask the gentleman if he attributes any particular significance to the fact that Mr. Petrillo's middle name is Caesar?

Mr. SMITH of Virginia. It is very significant.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from New York.

Mr. MARCANTONIO. I should like to ask the gentleman two questions. First, the gentleman, in my opinion, has omitted to discuss the position of General Motors with regard to reconversion when it refuses to abide by a decision reached by representatives of the President.

The second question——

Mr. SMITH of Virginia. I can answer but one question at a time, and I do not yield further.

The decision of the Fact Finding Board is that General Motors should just pay so much money. I guess I am a little bit old-fashioned, but I was raised up in this country and my ancestors were, and we always went out and we bargained for what we wished to purchase. If the price suited us we dealt, if not we did not. If we thought a thing was worth so much, we were willing to pay so much for it. If we thought it was not worth so much, we were not willing to pay for it. Until recent years it never came within the philosophy of the type of people I come from and it never came within the philosophy of the American people that some bureaucratic board sitting in Washington could tell me how much I should be compelled to pay for any service or commodity whether I wanted to pay it or not.

I yield to the gentleman from Illinois.

Mr. MASON. Is the gentleman from Virginia going to have copies of this speech and the speech which he made on Tuesday printed so that they will be available if we want to pay for them for circulation even by Republicans?

Mr. SMITH of Virginia. A number of Members have asked me for copies of the speech I made Tuesday and I am having some printed. I will be glad to have this one printed.

Mr. MASON. The gentleman will also have this one printed?

Mr. SMITH of Virginia. I will be glad to.

Mr. MASON. I thank the gentleman.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from California.

Mr. VOORHIS of California. The gentleman from Virginia mentioned opposition on the part of labor to the President's proposal. I am sure he has received some telegrams and messages similar to the ones I have received from corporations and management at least equally violent in their opposition to the President's proposal. Is that not true?

Mr. SMITH of Virginia. Oh, yes, yes; I do not mean to indicate that I am in sympathy with the objections of industry or with the objections of labor necessarily. I have discussed this matter this morning from my own viewpoint and not from the standpoint or viewpoint of either labor or industry.

PERMISSION TO ADDRESS THE HOUSE

Mr. DE LACY. Mr. Speaker, I ask unanimous consent that I may address the House for 5 minutes following the special orders previously entered.

The SPEAKER pro tempore (Mr. FOLGER). Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that at the conclusion of the other special orders, especially the one just requested, I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BIEMILLER. Mr. Speaker, I ask unanimous consent that following the special order of the gentleman from Michigan [Mr. HOFFMAN] I may address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. VOORHIS of California asked and was given permission to extend his remarks in the Appendix of the RECORD and include a column by Walter Lippmann bearing on this subject.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. SLAUGHTER] is recognized for 20 minutes.

THE STRIKE SITUATION

Mr. SLAUGHTER. Mr. Speaker, I do not propose to discuss the intolerable strike situation which has gripped this country for 2 months and which at the present time closely approximates a general strike. Within the next few days I shall ask for the privilege of making a few remarks concerning that subject, and relative to legislation which is so badly needed.

Today I wish to call the attention of the House to the greatest inflationary threat now before the country, which arises directly out of the strike situation. I refer to the proposal to buy temporary industrial peace in the meat-packing and steel industry with the people's money, for no matter how it is disguised, the plan now offered of raising prices to permit wage increases cannot accurately and honestly be called by any other name.

Our whole national thinking on the labor and business problem has become numb and beclouded with the avalanche of ill-considered strikes which have paralyzed large segments of our industrial system. Two months ago we were shocked and aghast at the proposition that we could not make a telephone call from Washington to Chicago, but today we have become so accustomed to the high-handed action of the striking telephone employees, who have virtually stopped our telephone communication system, that we have almost accepted it as the order of the day. This strike and others has had the effect of diverting the country's attention from the danger of the administration's proposed plan of buying a little temporary peace and quiet with the consumers' money.

A Member of Congress, particularly of the House, is close to his people. I live in a typically American city and if my mail from Kansas City, Jackson County, Mo., is any criterion, there are two things that the people are thinking about. The first and foremost is strikes. The second is inflation. Unfortunately, to date most people have not awakened to the fact that these two dangers are interlocking and that their separate and concurring influences can bring us to a degree of misery unknown in this country. This danger should be brought home to the American people before it is too late.

As a Member of Congress I am, and have always been, in favor of price control. With all his mistakes, Chester Bowles has done an outstanding job in the most thankless place in the whole

Government. He has held the line as far as he has been permitted to do so and has shown every indication of wishing to continue that policy. However, with all his good intentions and his ability, Mr. Bowles' efforts will be totally valueless if the proposed plan of granting price increases in order to buy temporary industrial peace is permitted to go through. This policy has not yet gone into effect, and my sole purpose in making these remarks is in an attempt to point out this inflationary threat with the hope that other Members of Congress may join in opposing this dangerous plan. If the price of steel and the price of meat are raised, a spiral of inflation will have been touched off that will make any extension of the Price Control Act on June 30 totally worthless.

From the time of VJ-day, when discussion of wage increases started, most of us have held to the old hardheaded, common-sense business idea that an increase in the cost of production, whether caused by increased wages or increased cost of raw materials, can only be paid for by the ultimate consumer. In some circles at one time the novel idea was put forward that substantial wage increases could be put into effect without raising the price of goods, due to increased production and improved efficiency. There are cases where some wage increases can be put into effect with little, if any, increase in the cost of the finished product, but they are few and far between. Even in these limited cases the wage increase must be moderate. Now, to all practical intents and purposes, this theory has been abandoned even by our unorthodox economic thinkers, and everyone is agreed that substantial increases in wages can only be reflected in the cost of production, which means an increase in the cost of living.

It is a matter of little consequence to a manufacturer what he pays for wages or materials, provided he can pass on his costs to the consumer. The people who care and who will suffer and who should be aware of what will happen are consumers like you and me—the white-collar workers—the fixed-income group, including public employees such as school teachers and persons living on a pension. The fixed-income group, in other words. Yes; even the union member, whose salary gains will be more than offset by the increased cost of living, will be hurt by a spiraling system of increased prices with which his wages will never catch up.

Today, and I mean literally today, the country is faced with two great strike threats. One has already hit—the meat strike. The other will apparently be upon us by Monday next—the steel strike. These two strikes are so basic in character that the manner in which they are handled will mean the difference between a reasonably well-ordered economy and an unbridled inflationary debacle.

Everyone is agreed that these two strikes pose a great threat to our reconversion program. If the great steel mills shut down, it is only a question of time until virtually all manufacturing companies will follow suit. If the meat strike is permitted to continue, the storage houses and individual ice boxes will be stripped of meat by this time next week. However, bad and alarming as are these two strike prospects, it will be better to face these issues than to buy temporary industrial peace by granting general price increases to induce the packers and steel companies to grant wage increases which they cannot and will not make under the present price ceilings. That is the issue in a nutshell that the administration is called upon to meet and which must be decided almost within a matter of hours. If the decision is made to hike the price of steel and meat, the last dam and bulwark against inflation will be gone and there will be no turning back from that disastrous policy.

In the case of the packers, the effect of such a policy will be felt at once if the price increase is passed on to the consumer. If, on the other hand, the Government attempts the more devious method of absorbing the price increase by raising the subsidy paid to the meat packers, the net result will be the same, although it will not be felt and noticed as quickly. If the latter course is attempted, it means that the long arm of the Government will reach deeper and deeper into our pockets and take more and more funds to pay subsidies to the meat producers in order that we may not so clearly see the fact that the price of meat has risen, and the public debt will continue to rise as these subsidy payments go on. There is no other possibility. There is no other answer to the proposal of hiking the price of meat to buy off the meat strikers. In either event, the people pay.

The proposal to buy off the steel strike by raising the price of steel $4 per ton in the face of Mr. Bowles' courageous and proper objections is even more alarming. If any product in our complicated civilization and economy is basic, it is steel. It is a product that goes directly into almost every manufactured item except food and clothing, and even there it is used in large quantities. The $4 per ton raise to the manufacturers of steel will multiply over and over and over again. The manufacturers of automobiles, refrigerators, washing machines, bed springs, and pots and pans will find their cost of production increased by this $4 raise, and in the processing the original $4 will be increased to $8 or $12 or $16 or perhaps $20 per ton. The next step will be that the manufacturers of automobiles and bed springs and pots and pans will come back to the Office of Price Administration, if we still maintain the then empty gesture of price control, for increases. When they come, they will either get their increases or they will refuse to produce, and the demand for goods will be such that the price will increase and increase. Consequently, the cost of living will rise again and again and again, and even the wage earners in the steel and meat industries will find their wage increases are hollow and empty, and they, together with all other organized workers, will be back for more increases. So, I say that whatever industrial peace is purchased will be temporary in character. There can only be one result, for the race between wages and the cost of living will be on, and the wage earner caught in that spiral can never catch up.

There is no such thing as a little inflation. It is a question of whole hog or nothing. Once the dam is kicked out, such as it will be in the steel and meat industries, there will be no repairing of the damage, for the forces which will be released will be so powerful that they will destroy our economy and system of living, if not the Government itself.

Every thoughtful person feels that wages must remain high after this war. After other wars and over a period of time the price of wages and commodities could and did fall, but then we had no national debt of any real proportions. This time the national debt is $300,000,000,000, and all of our economic thinking is tied and keyed to this fact. The deflationary idea of cutting wages is unthinkable, but wage increases, to be healthy for the people who receive such increase and for the country as a whole, must be confined to those isolated instances where an increase is possible through increased efficiency or accelerated volume without substantially raising the price to the consumer.

The general and unprecedented strikes that are gripping the Nation are bad. Unbridled inflation is worse and even more dangerous. The present strike danger can be met and conquered without purchasing a little temporary peace with the consumer's money. The administration and the country must meet this strike problem the hard way and not by embracing the opiate of increased prices. Any other plan can only bring destruction and untold suffering to every man, woman, and child. The administration must make the decision within the next few days, and the present problem must be met head-on and fought out courageously and with the long-time welfare of the country in mind.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. SLAUGHTER. I yield.

Mr. MARCANTONIO. Will the gentleman vote for the extension of price control?

Mr. SLAUGHTER. Would I vote to extend it?

Mr. MARCANTONIO. Yes.

Mr. SLAUGHTER. Certainly; I will vote for it. I have voted for it such times as it has been up since I have been a Member of the body.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. SLAUGHTER. I yield.

Mr. CHURCH. I wish to commend the gentleman for his statement. I am very anxious that innocent union men in my district, many of whom are writing me letters, be not held to blame in any way for these strikes, particularly the meat strike.

This is the uniform complaint I am getting, and I recited it earlier today:

> We were forced to join the union against our will in order to be able to work and we are also being called out on strike against our will.

Then one man says further:

> It must be that there is a communistic element in the high places along the line that is causing these things. Cannot something be done?

Mr. SLAUGHTER. I thank the gentleman. I want to make one further ob-

servation. This morning, during the colloquy that was going on when various reservations of the right to object were made, the gentleman from Washington [Mr. SAVAGE]—and I am sure it was the gentleman from Washington [Mr. SAVAGE]—made the statement, and I think I quote him correctly, that what the country needs is legislation that will bring about industrial peace and legislation that will not crush labor. That is right. No one can disagree with that statement. But I may say to the gentleman that, in my humble opinion, it is not labor, but leaders drunk with power and thirsting for power who are crushing labor. At least, that is true in my own district, which is the one I know most about. For instance, let us take the meat-strike situation, which can only be settled by taking money out of your pocket and mine and giving these increases to the packers. Disorder has already broken out in Kansas City, Mo., and perhaps in the district represented by the gentleman from Kansas [Mr. SCRIVNER], just across the line. This ill-considered strike that is going to strip every ice box in this country of meat before the week is out, plus the disorder, will do a lot more to crush the legitimate aspirations and the legitimate program of labor than any legislation that could be drafted by the most rabid labor baiter the world has ever known.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. SLAUGHTER. I yield to the gentleman from Kentucky.

Mr. MAY. May I say to the gentleman that yesterday at exactly 1 o'clock in the afternoon I answered a long-distance telephone call from a GI Joe who was calling me from Munich, Germany. The line was clear. After we had discussed for about 2½ minutes the question of what Congress is doing about demobilization, he propounded a question to me and it was this: "What are you doing about strikes and getting back to reconversion so we will have jobs when we get home?"

I can give his name, but I will not do it. I will simply give his APO number. It is APO 340, and he is a citizen of Cleveland, Ohio.

Mr. BUFFETT. Mr. Speaker, will the gentleman yield?

Mr. SLAUGHTER. I yield to the gentleman from Nebraska.

Mr. BUFFETT. Does not the gentleman agree that certain radical labor leaders are making about the same mistake as certain big business did in the twenties? At that time big business had tremendous social power but it refused to accept the social responsibility that went with the power. We find the labor leaders today are making the same mistake.

Mr. SLAUGHTER. Unfortunately, big business does not seem to learn many lessons. I do not know of any business bigger than the labor business. The gentleman is absolutely right. They are following the same policy of ignoring public opinion that brought the railroads into disrepute, that brought the public utilities into disrepute, and that right now is bringing the legitimate labor movement into disrepute. I do not think it is the rank and file labor dues-paying members who are responsible. In my humble judgment, this is a fight between these big autocrats, such as Mr. Reuther and Mr. James Petrillo, and they are responsible for the stamp of public disapproval which is being put upon the rank and file of the union members, the dues-paying members.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. SLAUGHTER. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. The gentleman from New York asked the gentleman from Missouri whether he was in favor of an extension of price control, to which the gentleman replied in the affirmative. I want to ask the gentleman whether he does not agree with me that the President's suggestion is very timely; that we should not only continue price control but that we ought to do it now instead of waiting until the last minute and leave that uncertainty.

Mr. SLAUGHTER. I do not think there is any question about it. Personally, so far as I am concerned, as a Member of Congress, I would like to see the Committee on Banking and Currency hold hearings and get this bill in here in plenty of time so that we are not under a deadline like we have always been in the past. But what good does it do to bring in a price-control bill if the administration yields in the steel case and in the meat case and gives an increase of $4 a ton on steel and an increase on meat in order to buy off the strikers? Your inflation is here, and there is nothing you can do about it. It is right along that line and right along the line of my support of the Price Control Act which I have always favored that I have made this speech to try to elaborate on the dangers facing the country.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. SLAUGHTER. I yield to the gentleman from New York.

Mr. MARCANTONIO. I think the gentleman has created an impression here that labor is seeking these adjustments in wages by asking for an increase in price. That is definitely not so. In the automobile and steel industries, as well as the meat industry, labor's position is that these increases in wages should come out of the bloated profits that these corporations have made. Certainly the gentleman cannot justify Mr. Wilson of General Motors earning over $8,000 a week.

Mr. SLAUGHTER. The gentleman misunderstood me. I am not talking about labor's proposal right now. It is the Government's proposal to permit these increases in order to buy off the steel strikers and the meat strikers, and I say that in the last analysis, if that is done, the wage increases that the steel workers get and the meat workers get will more than be eaten up in the increased cost of living.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. SLAUGHTER. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman called on the Committee on Banking and Currency a while ago to bring in a new price-control bill for the purpose, as I understood, of checking inflation. If the Committee on Banking and Currency really wants to check inflation, what they should do would be to stay within the realm of their prerogatives and bring out legislation to put a stop to the issuance of additional Federal Reserve notes.

Trying to bring price control by preventing inflation is just like trying to fill a barrel by pouring in water at the bung hole with both ends of the barrel out.

Mr. SLAUGHTER. To answer the gentleman's question, I think perhaps the original mistake was when price control first came about, in not being an over-all price control over everything, including wages.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. SLAUGHTER. I yield to the gentleman from California.

Mr. HOLIFIELD. I suppose the gentleman knows that over 52,000,000 people are working in the United States today, and less than 1,000,000 are on strike. That is the greatest force that has ever worked in America.

Mr. SLAUGHTER. I have no doubt that that is correct, but that will still not remedy the situation next week when we will not have any meat in our ice boxes.

EXTENSION OF REMARKS

Mr. HALLECK asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. MARCANTONIO asked and was given permission to extend his remarks in the RECORD and include a cablegram.

PERMISSION TO ADDRESS THE HOUSE

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent that on today, following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. SMITH] is recognized for 10 minutes.

PEOPLE ARE ENTITLED TO PROTECTION AGAINST RISING PRICES AND INFLATION

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and include a copy of a resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, it is obvious that this country is in the throes of an economic upheaval. The demands for higher wages are met by demands for higher prices, and a vicious circle has started which may lead to disaster for low-income groups, the salaried class, the older citizens who rely on limited incomes for support, and the returned veteran. These people do not have the advantage of belonging to pressure blocs and are, therefore, in no position to meet the rising costs of today.

There can be no doubt, Mr. Speaker, that wage increases are to be given along the entire business and industrial fronts. It follows that prices will increase as a result and hit every consumer, even the man who gets the raise. In the light of this situation it is imperative that this Congress give immediate consideration to the question of continuance of the subsidy program as it is related to foods, and especially with reference to dairy products, meat, and flour.

Mr. Speaker, in May of 1945, this body passed S. 502 to permit the continuance of certain subsidy payments on certain commodities and included as a subsidy 595 million for meat, 100 million for butter, and 190 for flour. These are known as consumer subsidies and I believe that the majority on my side of the aisle have condemned this practice most vigorously. I did not believe, Mr. Speaker, that I would get to the place where I would advocate a continuance of a subsidy program for my voice has been heard on this floor in opposition to it on several occasions. I submit, however, that conditions have changed. When the program was first advanced everybody was working and production was at a maximum. At that time most consumer groups had the money to pay the grocery bill and there was no justification to pass this burden on to future generations.

Today conditions are changed, Mr. Speaker; we are in the midst of reconversion; we are going from a wartime to a peacetime economy. In the ordinary course of events production lessens and wages decrease. Now we are rapidly approaching a situation where production has almost ceased and yet prices and wages are going up. A spiral of inflation is on the way and the payment of subsidies on the food commodities may retard that condition and protect millions of consumers.

Mr. Speaker, I do not ask approval of this suggestion at this time; I merely ask the adoption of a resolution that I introduced yesterday requesting that the Committee on Banking and Currency study and report the matter back to the House. Time is of the essence as the bill passed last May and expires in June of this year. Our people are entitled to some protection and serious consideration should be given their needs.

Resolution 485

Resolved, That the Committee on Banking and Currency of the House, acting as a whole or by subcommittee, is authorized and directed to make a thorough study and investigation of the policies and operations of the Government in relation to subsidies affecting food prices.

The committee shall report to the House (or to the Clerk of the House, if the House is not in session) as soon as practicable during the present session the results of its investigation, together with such recommendations as it deems advisable.

For the purpose of carrying out the provisions of this resolution the committee, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, records, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member designated by him, and may be served by any person designated by such chairman or member.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. HAND] is recognized for 10 minutes.

ATLANTIC CITY CARES FOR THE WOUNDED

Mr. HAND. Mr. Speaker, on Monday, January 14, the gentleman from California [Mr. VOORHIS] made a very unfortunate speech on the floor of this House. In 1 minute he succeeded in grievously wounding the feelings of 70,000 people.

Words uttered on this floor should not be thoughtless words. We cannot always be right, but we should speak only after reflection and investigation.

The gentleman himself stated that the whole foundation for his talk was a newspaper clipping from the Washington Daily News, which read as follows:

Amputees on the boardwalk at Atlantic City depress visitors and therefore hurt business, civic leaders there feel. Pressure has been brought on the War Department to close the Thomas M. England General Hospital there, which has been an amputation center. Civic leaders argue it's all for good of wounded men.

It is hardly necessary for me to say that there was no truth whatever in this clipping, and therefore, no merit whatever in the gentleman's speech. It is pure gossip, or should I say impure gossip, and is a dastardly reflection on patriotic people who have contributed more than their share to the war effort, and who have been in the forefront of all humanitarian activities.

There is certainly no citizen of Atlantic City, and I hope, none in America, who would not do everything possible for the crippled heroes resulting from this cruel war. If the author of the article, or the gentleman from California, knows of a single person in Atlantic City who would subscribe to the disgusting sentiments expressed in the news item, let him be named. There is not one. If any proof is necessary, I can produce a petition headed by the mayor and commissioners, and signed by 50,000 people, to keep these men in Atlantic City.

I have just received a telegram from a constituent which quotes a part of the reply of the mayor of Atlantic City to this slander. The telegram follows:

Congressman VOORHIS' remarks on the floor Monday regarding a Washington columnist's report that some businessmen of Atlantic City had brought pressure on the War Department to bar Army amputees from the boardwalk has done the city of Atlantic City and its 60,000 citizens a grave injustice. There is nothing further from the truth. I have here a copy of Mayor Joseph Altman's letter to the Washington Daily News and I would like to quote it in part. His letter gives the correct picture as we know it. He states: "Recently excerpts of your article pertaining to Atlantic City's thoughts as to the amputees were sent to me. There is no scintilla of truth in the statement contained in your newspaper. No civic club, no one in the city government, no citizen has ever so expressed themselves. Factually the reverse is true. As a city, its people went all out in our war effort and entertainment of the men of the military and Navy housed in this city during the war. We had here, in addition to the hospitals, basic training for ground school Air Corps, Coast Guard, redistribution centers, Air Corps, and Infantry. City officials, civic clubs, and individual citizens were recipients of citations of thanks from the commandng officers of these installations when they left our town after the war. It was only a week or so ago that I personally signed a petition which had for its purpose the retention of the England General Hospital. I am very curious to learn the identification of your informant, if you care to divulge it. I am likewise requesting a retraction of the article along the lines I suggest in this letter. I feel you realize that it is not a question of personalities but a question of a city's reputation, whose citizens oversubscribed every bond issue and who sent thousands of young men and women to service, several hundred of whom gave their lives. It is so unfair to this city that I wish you would please retract or, at least, publish my side of this issue."

Mr. Speaker, these things are true of my own knowledge. Atlantic City was engaged in almost every phase of the war effort, and its citizens performed far above and beyond the call of duty.

The gentleman from California said in his remarks, "I earnestly hope that this report is untrue." I can assure him that it is wholly untrue. I have heretofore entertained respect for the good conscience of the gentleman, and I hope he will permit me to keep that respect by frankly stating that he was misinformed.

Atlantic City has been honored in helping to care for these men, and it is not only willing but anxious to continue this sacred duty.

Mr. Speaker, there is another point that I would like to bring up. There are presently in this city 109 paraplegic patients. That means they are paralyzed. No sacrifice has been greater than theirs, and they are entitled to every care and comfort which this great Nation can give them. The Surgeon General has ordered the discontinuance of England General Hospital on March 31, 1946, and it is planned to remove these boys from Atlantic City. One hundred and one of one hundred and nine patients have filed a pitiful petition to remain where they are comfortably and well cared for. Let me quote from a letter received from Miss Frances Fedrov, of Vineland, in my district, who is a member of a committee interested in the plight of these unfortunate men:

First of all, let's get it straightened out as to just who or what the paraplegics are. These veterans of World War II are the wounded who have injured nerve centers and are paralyzed. Cord injury patients with paraplegia represent one of the most seriously wounded groups resulting from the war. Most of the men are paralyzed from the waist down, but in 25 cases out of the 109 at England General these young men are paralyzed from the neck down. Obviously they must receive unending care. Many of these boys cannot feed themselves. All of them suffer terrible pain. Their progress is very slow and exceptionally tedious. Lying in bed for 8 months or more without moving is not an unusual occurrence.

Atlantic City is a wonderful place for this particular type of patient.

I should like to quote from a petition that was signed by 101 of the paraplegic patients on the seventh floor out of a total number of

109 patients that was published toward the end of December in their own newspaper, the Myel-Stone. "We are located in a city of 66,000 population, in a hospital that was formerly a civilian hotel. This building has direct access to a 5-mile long boardwalk with sloping ramps that were constructed before the onset of this war and offers all patients an opportunity to visit restaurants, stores, and theaters in the shopping district. The large number of hotels and recreational facilities on the boardwalk level give further sources of divertisment to the patient. All patients have expressed the feeling that this civilian contact, which we would not have if we were located in a hospital a few miles distant from any city, has been most beneficial in our rehabilitation. We have lost our fears of self-consciousness by our constant mingling with normal citizens. Furthermore, the constant temperature and weather conditions of this city lend itself to outdoor activities on our part, and the fact that the city is virtually an island at sea level allows us to reach all parts of the city without difficulty from concrete sidewalks and ramps. This city is served by railroad facilites, and it is located close to large population centers in the East. There are accommodations available for our families and relatives for frequent visits, and transportation is available for us to visit nearby cities of Philadelphia and New York."

Mr. Speaker, I am going to ask the Surgeon General, and I am going to ask General Bradley of the Veterans' Administration to grant this plea. If it be necessary to vacate England General Hospital, Atlantic City can still offer the facilities that these men plead for, and will consider their care not a duty, but an honor.

There is no place on earth which has more to offer their convalescence and comfort, and no place with citizens whose hearts are bigger.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. HAND. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman from New Jersey has pointed out very forcefully the danger of a Member of Congress taking the floor and reading a newspaper article which reflects on a community or on a Member of Congress without first investigating the truth or falsity of that article.

Mr. HAND. I thank the gentleman from Mississippi. That is my opinion also.

Mr. RANKIN. I am glad the gentleman from New Jersey has made this explanation because I cannot think that there are any people in the United States who would object to these boys who fought for their country enjoying all the benefits that their community provides.

Mr. HAND. I thank the gentleman.

The SPEAKER pro tempore (Mr. FOLGER). Under previous order of the House, the gentleman from Kansas [Mr. REES] is recognized for 5 minutes.

DEMOBILIZATION OF ARMED FORCES—INCREASE PAY FOR ARMY OF OCCUPATION

Mr. REES of Kansas. Mr. Speaker, there has been a great deal of discussion in Congress and throughout the country with respect to the demobilization of men in the armed forces. The plan of demobilization has bogged down. Hundreds of thousands of men in the Pacific and in Europe, many who have seen combat service, are still waiting to be released. It is the uncertainty of the thing that makes conditions worse.

One of the things that has happened to create so much dissatisfaction is the failure on the part of those in charge of our armed forces to tell the people and the men in service more about their plans with respect to the question of demobilization. In time of war, it was all right and proper that certain information be withheld, but now that the war is over, certainly the War Department and the Navy Department and those men dealing with the entire problem should have explained and should explain now, as definitely as they can, what they have in mind with regard to the over-all problem of maintaining armed forces in various parts of the world.

Mr. Speaker, men who have been serving in the war theaters for many months feel, and rightly so, that they are entitled to be returned at the earliest possible date. There should not be any unnecessary delay. If they are being delayed for some reason, then it ought to be explained to them right on the spot.

Among reasons given by top-flight officials for slow down in demobilization is the need of replacements for occupational forces. It is claimed they are not sure that enlistments and reenlistments will be sufficient to provide satisfactory occupation forces.

Mr. Speaker, the proper manner for solving the problem of occupational forces is to make enlistments in the service more attractive for men who are willing to spend time in the armed forces. The thing to do is to increase the amount of pay for men who enlist in the Regular Army and who serve as occupational forces in foreign countries.

If it should be $75 per month in place of $50, or even more, it will be a whole lot better than to keep men in the army of occupation who were given to understand quite definitely they would have a chance to go home immediately after the war was over.

Personally, I do not think we are going to need huge armies in Europe or in the Pacific, but whatever armed forces are required, let the soldiers have substantial pay and there will be no difficulty in securing plenty of men to do the job.

It will really not cost any more money in the long run than is being spent now. There will not be so many men with dependents and the armed forces will not need to be as big as presently contemplated. Also cut drastically the number of high ranking officers.

You will certainly dispose of the problem of dissatisfied and homesick soldiers, because those who enlist under this plan will understand they are going in for a period of 3 or 4 years and will receive substantial pay therefor.

They will not be combat soldiers, of course, but men who enlisted to help carry out the problem of reconversion, redeployment, and settlement among the nations of the world. They will have the deep satisfaction of knowing that they are not only performing an important service to their country, but will also be taking the places of men who have already performed their services and who will thereby get to go home at a much earlier date.

EXTENSION OF REMARKS

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and insert a statement by General of the Army Dwight Eisenhower, supplementing his remarks on demobilization made on last Tuesday. I have received an estimate from the Government Printing Office stating that it would require seven and one-half pages of the CONGRESSIONAL RECORD at an estimated cost of $390. I ask unanimous consent, notwithstanding the additional cost, that the extension may be made.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio [Mr. FEIGHAN]?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. DE LACY] is recognized for 5 minutes.

LABOR UNREST

Mr. DE LACY. Mr. Speaker, we have heard a great deal today and have been reading considerable in the press lately about demands for antilabor legislation. There seems to be a feeling that if the Congress will only pass a law, somehow all the unrest in the country, no matter how caused, will subside, and everyone, capital and labor, will get along together. Of course, this is an illusion. Strikes and walk-outs are caused by perfectly straightforward, understandable situations, the chief among them being that since April of last year there has been at least a 28 percent cut in the take-home pay of the average worker. In some instances, with the hours of weekly labor dropping from 48 to 30 hours, meaning a staggered workweek, the cut has been more than 28 percent, running in the neighborhood of 50 percent.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. DE LACY. I yield for a brief question as my time is limited.

Mr. RICH. The workers' pay was all caused by extra work, being paid for overtime during the war, was it not?

Mr. DE LACY. Not all of it; there was upgrading and other factors that entered into it. There were also basic wage rate increases which, in many instances, tended to maintain a higher level of wages.

Mr. RICH. During the war when everybody was bending every effort to prosecute the war to its successful conclusion men were receiving high wages. Does the gentleman believe that those men who have a much larger wage scale should continue to receive the same wages if it is not necessary for the manufacturer who is now dealing with the furnishing of merchandise to civilians, he himself being held at the 1941 levels, levels which were created by freezing retail prices but not wages; and those prices are not allowed to rise?

Mr. DE LACY. The gentleman has me confused. If he asks me if I think wages should be cut, my answer is "No." I decline to yield further.

Mr. RICH. But the manufacturers' prices have all been frozen so that they

cannot meet the increased cost of production.

Mr. DE LACY. I would rather not yield further. I have only 5 minutes.

Mr. RICH. If you increase the cost of labor, the manufacturer ought to have a price increase which represents the fair amount of the increased wages.

Mr. DE LACY. We must, of course, maintain wage rates in this country or we shall have a depression the like of which has never been seen. I decline to yield further.

Mr. RICH. The gentleman spoke about being fair. I just want the gentleman to be fair.

Mr. DE LACY. The thing that is asked of us is to try to repress the right of the people to seek last resort redress of their economic grievances through the strike route. We were told this morning by a distinguished Member that a few dictators were keeping the folks from having automobiles and that they were going to force us back to the horse-and-buggy days. I believe the gentleman was correct. A few dictators, economic dictators, are trying to force us back into the horse-and-buggy era, and the name of one of those dictators is the General Motors Corporation. I think it is perfectly plain. That corporation refused negotiations. That corporation refused conciliation. That corporation refused arbitration. That corporation refused to attend and participate in the sessions of the Fact Finding Board appointed by the President of the United States. That corporation is trying to smash labor. It is trying to put the gun to OPA to compel the Government to raise auto prices. It wants to bring about an increase in the cost of automobiles to the people of this country. That corporation has money bags bulging with war profits, and still it does not want to help the purchasing power of this Nation by passing out some of those profits to workers so that they in turn can purchase the commodities of other manufacturers.

The SPEAKER pro tempore. The time of the gentleman from Washington has expired.

EXTENSION OF REMARKS

Mr. MERROW asked and was given permission to extend his remarks and include an editorial from the Carroll County Independent entitled "More Dictation."

Mr. LANDIS asked and was given permission to extend his remarks in the Appendix of the RECORD in regard to a petition signed by 30,000 war mothers of the United States pertaining to a bonus for the veterans of World War II.

Mr. HALE asked and was given permission to extend his remarks in the RECORD and include therein an editorial from the New York Times of yesterday and an article by Mr. Walter Lippmann, entitled "The White House Department."

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

LABOR

Mr. HOFFMAN. Mr. Speaker, it was through the suffering of our young men and women that this war was won; and I am wondering if those of us who remained at home are not taking the wrong attitude. The men and women in the service made the sacrifices necessary to the winning of this war. Now, many of us who remained at home, in business, and in jobs in industrial plants, made more money than ever before. When the fighting was over we found ourselves with an enormous public debt. Do you not think that it would have been well for us here at home, both businessmen and employees, if we had started our campaign of making sacrifices instead of asking more, all of us taking a little less, so as to have made conditions better for those who are returning and make it possible, perhaps, to reduce the national debt?

Mr. Speaker, as soon as the war is over, many seek not only to maintain the take-home pay and profits but to increase wages and profits. I just do not understand that attitude of mind on the part of those who remained here in safety and in comfort—insisting that all of us should, now that the war is over, have more and, in any event, no less than we had while the war was going on.

There are figures available which show that the take-home pay of some of the workers in the oil industry, under the plan in operation before these strikes, gives them more in purchasing power, not only in dollars and cents but in purchasing ability, than they had during the war.

Some of these figures I recall. They are as follows:

From an ad of the Texas Co. I take the following:

3. The Texas Co. offered a 15-percent increase prior to the strike. That increase represents 46 hours of pay for 40 hours of work. The employees have been working 48 hours per week and receiving pay for 52 hours.

5. At Port Arthur, Tex., in January 1941, the average hourly rate, excluding overtime, was 93 cents. Now this figure is $1.21—an increase of 30 percent, but due to overtime premium payments the average hourly earning now is $1.31—an increase of 40 percent.

6. In January 1941 the average take-home pay on the basis of a 36-hour week was $33.50 per week. After applying the company's offer of a 15-percent increase and reducing the workweek from 48 to 40 hours, the average take-home pay would be $55.44 per week—an increase in take-home pay of 65 percent over January 1941. This compares with an increase in the cost of living of approximately 30 percent.

From a page ad of General Motors I quote as follows:

Today, unions in our plants are demanding 52 hours' pay for 40 hours' work. Their demands, if granted, would result in over 67 hours' pay at present base rates for 48 hours of work where plants are working on such a schedule.

We all know that the increase in the dollar wage may or may not mean something other than the opportunity to get and spend more money. The real test is what the workingman's dollar will buy of the things he must have.

Let me once more quote from the United States News of November 30, 1945:

Standards of living for this country's employed workers outside of farms have been rising steadily since 1933. As the Pictogram shows, by 1939 these standards topped the boom year of 1929, and now are higher than ever before.

The figures in the Pictogram represent the actual buying power of the average jobholder—the goods and services he could buy and the savings he could make after taking cost of living and Federal taxes into account. The figures include all wage and salary workers and all persons who receive income from their own business or profession.

In 1929, the average income of the working United States citizen, adjusted for taxes and living costs, was $1,331. Actual dollar earnings in that year were $1,640, but living costs, as measured by the Bureau of Labor Statistics, were higher than they were in either 1933 or 1939. Cost of living in 1929 was 23 percent higher than the average in 1939, thereby reducing real income to $1,331 on the average.

In 1933, the real income of the average United States nonfarm worker had dropped to $1,256. The average dollar income in that depression year was lower than that—$1,163—but the cost of living in that year was only 93 percent of the 1939 average.

In 1939, recovery had carried real income of the employed population to an average of $1,435 per worker. That corresponds to the actual dollar earnings of that year, since this year is taken as the base year for measuring cost of living. Thus, on the eve of war, American workers on the whole had succeeded in raising living standards by approximately 14 percent above the depression low.

In 1945, when war ended, the real income per worker was averaging $1,603 a year, 27 percent above 1933 and almost 12 percent above 1939. War brought sharply higher taxes, the first time an income of this size was taxed, and sharply higher living costs (28.9 percent above prewar), but dollar earnings more than kept pace with this rise. Actual dollar earnings of workers this year was averaging $2,346 a year when Japan surrendered.

Rising living standards also are reflected in the number of United States citizens who are able to find jobs. In 1929, for example, the working population off farms was 36,177,000 persons. By 1933, the number of nonfarm workers had dropped to 28,081,000, but 6 years after again approached the 1929 figure at 35,759,000. In 1945, civilian employment reached its highest point with 44,470,000 persons at work.

Total employment, as well as average income, thus is a measure of United States progress.

"Real" income of average United States worker [1]

	Annually
1929	$1,331
1933	1,256
1939	1,435
1945	1,603

[1] Nonfarm wages, salaries, and payments to management after Federal taxes and adjusted for cost-of-living changes.

There has been a whole lot of bunk put out about this take-home pay proposition and even if it were true that they are to have less, I say as good patriotic Americans willing to do their part in what follows the war all of us, and I mean all, should be willing to take less instead of squawking about getting more. An increase in wages followed by an increase in prices gets us nowhere.

My proposition, again stated, is this: Having remained here at home in safety, having neither starved, been shot at, bayoneted, forced to bail out of a plane over hostile territory, over the sea, we have fared fairly well. Should we not now, by accepting less, by demanding less, begin to make some real worth-

while contribution toward what so many refer to as "the winning of the peace."

Mr. Speaker, I am thoroughly familiar with the practice of those who brand every bit of legislation which comes before a committee of this House and which is opposed by any one of the labor leaders as being antilabor. The legislation which I have introduced and which I have had a chance to support has not been antilabor. It has been antilabor-political-boss legislation. I am as anxious, and no more anxious, to trim, and by that you know what I mean, the would-be labor dictators and racketeers as I am those in the Republican Party or any other organization who seek to use others for their own selfish end and to the detriment of our national welfare. I have seen the time in my short life when I had to prosecute a minister of the gospel; I have seen the time when I had to threaten to take out a body warrant against another attorney to force repayment of a client's funds; but the fact I did so is no reason why I should be charged with opposing the ministers or their teachings or the lawyers, members of the profession to which I belong.

A LABOR POLICY

The need of a constructive labor policy now seems apparent to practically everyone. From the day when the National Labor Relations Act—commonly known as the Wagner Act—was under consideration by the Congress, thoughtful, unbiased students of legislation were convinced that it would not—as was its announced purpose—lessen the causes of labor disputes.

Experience has demonstrated that laws, to be effective, must have back of them an enlightened favorable public opinion. A favorable public opinion cannot be created and, over the years maintained for an unfair legislative enactment.

The NLRA was unfair to employers, who are usually recognized as a necessary part of our economic society, in that, while giving special privileges to unions and union members, it gave no corresponding benefits to employers—management — and investors — stockholders.

It imposed duties and liabilities upon employers without requiring any responsibility or obligations from either unions or members of unions.

It was unjust to non-union employees in that under it union employees and employers acting together could bar non-union men from the right to work, or force them to pay tribute in order to work.

It was unjust to employees in that while it protected them from coercion from employers when attempting to organize or bargain collectively, it did not protect them from coercion from union organizers or officials, or from coercion from other sources. To prove this last statement, it is but necessary to recall the facts which have been common in most jurisdictional disputes and strikes, as well as in many a campaign to organize a union or to obtain collective bargaining rights.

Employers have complained bitterly of the maladministration of the act by the NLRB. Green, Murray, and Lewis, presidents of the three major unions, have been just as bitter and vigorous in their criticism of the NLRB.

The present widespread disputes and strikes seem to have convinced some of labor's champions—of what some of us have long known and earnestly advocated, that is, that the National Labor Relations Act must be amended if the Nation is to be saved from civil strife, economic disaster. Over the years some of the Members of Congress—and it has been my lot to be one of them—have vigorously and persistently insisted that unless certain basic amendments were adopted we would eventually be confronted by labor dictators, labor politicians, who, acting within the law as it stands, would, through their political and economic power, bring about inflation, strangle production, and disrupt the Nation's business. That day is now here. Proof of that fact is found in the utterances of Donald Richberg who, as a Government official in the early New Deal years and later as an attorney, has for years been the champion of the unions, union leaders, and union politicians, advocating their theories, supporting their acts. Mr. Richberg, as attorney for the unions, has frequently given them some good advice. That advice was just as frequently disregarded. Apparently, now seeing clearly the apparent results of that policy, he has the courage to warn the unions which he has so warmly defended, in a recent New York speech, in which among other things he said—I ask the gentleman from California [Mr. DE LACY] and the gentleman from Wisconsin [Mr. BIEMILLER] if they agree with this statement:

Labor leaders are generally suffering from the delusions of rapidly swollen authority gained by political influence, by a special immunity from legal restraints, and by the command of organized force and violence which a sympathetic public permitted them to acquire and exercise in the days when unorganized, helpless wage earners were the common victims of injustice.

I ask the gentleman from California, does he agree with that statement?

Mr. DE LACY. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman.

Mr. DE LACY. Much as I appreciate being referred to as the gentleman from California, may I tell the gentleman that I come from the State of Washington.

Mr. HOFFMAN. Does the gentleman agree with that statement?

Mr. DE LACY. You make your speech.

Mr. HOFFMAN. Mr. Speaker, you know, you just cannot nail those, who here on the floor speak for labor, down to a specific proposition? You cannot get an answer to a fair question out of those who so often assume they alone speak for labor. Let me ask them about this, referring to these labor leaders:

their hostility to impartial government. They feel they are still entitled to an unfair deal.

Do you endorse that?

With shortsighted selfishness, they are trying to create an economic system in which all wage earners would be compelled to join unions and to accept the fixation of wages and jobs under the monopoly control of labor politicians. Their success would end a free, competitive economy and produce some form of state socialism as the inevitable outgrowth of the labor dictatorship which they are seeking to establish.

I say to the gentleman from Wisconsin [Mr. BIEMILLER], do you agree with that? Is that what they are after? The gentleman declines to answer. I do not assume that by his silence he gives consent. I ask him if he agrees to this statement.

The gentlemen, though present, remain silent.

As free people we can no more permit organized labor to dictate terms to management and to regulate management than we could permit management to dictate terms to labor and to regulate labor organizations.

The spectacle of several hundred thousand men launching an industrial war today should warn us that tomorrow several million may deliberately paralyze the Nation's energies. When an irresponsible labor boss today can stop the fuel, transportation, phone, and telegraph services of great cities, we should realize that tomorrow the entire Nation may be denied the necessities of life.

I ask the gentleman who just preceded me here and the gentleman from Wisconsin [Mr. BIEMILLER] who assume to speak for organized labor and organized leaders, do you agree that that is the situation today?

Let me continue to read:

The spectacle of a labor bloc in Congress today cringing under the whips of labor lobbyists should warn us that tomorrow a majority of the Congress may be whipped into line to pass laws to establish a labor domination—and that subservient administrators and courts may be forcing the freemen of America again to revolt against such a tyrannical government and again to fight for their liberties.

I quote those statements. If I made those statements here, if the gentleman from Virginia [Mr. SMITH] made those statements, or if any other Member of the House made those statements, he would be branded as antilabor, as wanting to enslave the worker. But the statements that I have read were those which came from Donald Richberg—let me repeat for the sake of emphasis—an early official in the New Deal, for years an advocate, the attorney of the unions, and of the union leaders. But the situation today so stinks to high heaven, it is so dangerous, that Donald Richberg, labor's champion, when it needed a champion, today condemns them. As the gentleman from Virginia said earlier in the day, we have not the courage here in the House to do one single thing about it.

Those of us who have seen the storm clouds gathering, who have recognized the condition toward which we were drifting, have repeatedly, over the years on the floor of the House and elsewhere, pointed out the unfair provisions of the NLRA, the unjust acts of the NLRB, the arbitrariness, the arrogance, and the assumption of dictatorship by labor leaders, and suggested appropriate amendments. For our attempts to remedy the situation, which we did by offering appropriate amendments, labor leaders and their friends, and more than one publication, rewarded us by false charges of being labor baiters seeking to

enslave the worker, intent only upon serving the interests of the employer.

Perhaps, now that Mr. Richberg, labor's champion, admits the need for constructive legislation, now that millions of people have been and, if the strikes continue, will be not only inconvenienced but seriously injured, their protests may, in volume and in intensity, drown out the whip-like command of the labor lobbyists here in Washington, and induce the people's representatives in Congress assembled to give the country equitable legislation which will protect the man who wants to work, the man who creates and maintains the job, and, more important, the average citizen.

Earlier in the week there was offered by me a bill which, if adopted and fairly enforced, will go a long, long way toward settling labor disputes, lessening the number and the intensity of strikes in those industries which supply vital transportation, communication, light, heat, power, and water services to the people of the country. If the leadership of either side of the House will get back of that or of a similar bill, the country will have at least a partial remedy—and I think, a complete one—for the disputes and strikes which tie up the service rendered by public utilities. Let me beseech the House to support such legislation.

The SPEAKER pro tempore. Under previous order of the House the gentleman from Wisconsin [Mr. BIEMILLER] is recognized for 10 minutes.

Mr. BIEMILLER. Mr. Speaker, when I entered the Chamber this afternoon I had no intention of engaging in controversy with other Members of this House. Furthermore, I do not intend this afternoon to even presume to make a full-dress speech on the labor question. I do intend to make such a speech some time during the next 10 days or 2 weeks. But certain remarks have been made on the floor this afternoon that lead me to take the rostrum for a short period.

First of all I want to take up one of the points raised by the gentleman from Virginia in his speech. The gentleman from Virginia proceeded to castigate the Committee on Labor for holding up bills. Any Member of this House is, of course, entitled to his own opinion whether or not the committee is holding up bills. But I do want to make one point to the membership of this House. It seems to me that it comes with ill grace from a Member of the Committee on Rules to talk about holding up a bill when the Fair Employment Practice Committee bill, which was passed out by the Committee on Labor many, many months ago, is still languishing in the refrigerator of the Committee on Rules. It certainly has been placed on ice.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. BIEMILLER. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Is not the gentleman a member of the Committee on Labor?

Mr. BIEMILLER. No, I am not.

Mr. HOFFMAN. I thought the gentleman was.

Mr. BIEMILLER. No. I am a member of the Committee on Naval Affairs. I am not a member of the Committee on Labor. After all, the gentleman is a member of the Committee on Labor. He has not seen me around any meetings, has he?

Mr. HOFFMAN. No, but I have not seen many other New Dealers around there, either.

Mr. BIEMILLER. In my humble opinion, the Committee on Labor is showing good sense in not precipitously rushing out a labor bill. First of all, I think we ought to recognize the fact that you cannot settle the problem of strikes by legislation. Particularly you cannot settle it by any kind of respressive legislation which is designed to curtail the rights of labor. Other countries have tried to curtail labor's rights by legislation. Australia, for example, has had a law for a great many years establishing compulsory arbitration, a law making it illegal to strike, but have strikes been stopped in Australia? Of course they have not, because any group of human beings who feel they have an economic injustice and feel that their employers refuse to deal fairly with that injustice, refuse to sit down and thrash out a good sound bargain, those workers will strike. That has been true from the beginning of history and it will continue to be true.

There has been one country in modern times in which strikes have been forbidden and the rights of labor have been curtailed, and you know where it happened. It was Germany under Hitler. I think those of you who have been lending your ears to the siren songs of the labor haters of this country who have been trying to get the Members of Congress, the majority of whom I think are fair-minded men, to listen to their cry of hate against labor unions, had better do a little studying of the pattern that worked out in Germany. The first move Hitler made was against the labor organizations in that country. First he repressed their rights and then he knocked them out of existence altogether. The result was that the main strength of the democratic forces, the core of the group that could have fought fascism, was wiped out. Once Hitler took care of the labor organizations of Germany he proceeded to attack commerce and industry in that country, until he finally got to the point where nothing meant anything in Germany except the Nazi Party and its satellites.

I warn you that that is the kind of path certain people in this country would like to have you pursue. You had better think a long time before you attack the Committee on Labor or any other committee of this Congress and ask them to bring in measures destroying labor's basic rights, and particularly any attack upon the basic right to strike.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. BIEMILLER. I yield to the gentleman from Pennsylvania.

Mr. RICH. I do not disagree with the gentleman in that respect. I think labor has the right to strike. But I want to ask the gentleman this question. I know it is the duty of Members of Congress to try to be fair. I think we all ought to be fair. We ought to give everybody an equal right in all laws that are passed. Does the gentleman believe the laws we have now, the Wagner Act, for instance, which gives labor certain rights, should not give the same rights to the man who gives employment that it gives to the man who is employed?

Mr. BIEMILLER. I am coming to just that point. I am glad the gentleman raised the question. I will proceed to answer it in some detail.

Mr. RICH. It could be answered yes or no.

Mr. BIEMILLER. No; there is a long answer.

Mr. RICH. Certainly it could.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. BIEMILLER. I shall not yield further until I answer this question.

I was coming to the question of the Wagner Labor Act. First of all, let us go back for a moment and remember why the Wagner Labor Act was passed. That act was passed because for many, many years in this country while employees technically had the right to organize and technically had the right to use all legitimate economic weapons in their fight to obtain higher wages and better working conditions, there was nothing on the statute books of the United States or of any of the States which prevented employers from interfering with the internal affairs of unions. Over and over and over again in the long labor history of this country unions would be formed and employers would come in and smash them. Also there was nothing that forced an employer to recognize the rights of labor. Employers used to stand aloof, they would refuse to bargain, just as they are doing today. That happened over a long period of time, until finally the people of the United States agreed that labor should have certain basic rights guaranteed to it, the right to organize and the right to bargain collectively, and conversely that the employer should not have the rignt to interfere with the internal affairs of a labor organization, and that employers had a definite responsibility to bargain collectively with their employees.

That is basically what the Wagner Labor Act provides. That is the essence of the Wagner Labor Act. It set up certain things that the employer could not do, which they had been doing in the past, to interfere with labor organizations. It wiped out the company unions, the Charlie McCarthy unions, which we had for so many years, where the employers simply talked to themselves across the bargaining table. I hope that day is gone forever. I hope we have firmly established the fact that collective bargaining will continue to be a fundamental part of American life; that labor unions are a basic factor in American life, and that they and the employers have now reached approximately a basis of equality as they face each other across the conference table.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. BIEMILLER. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Conceding the right of employees to strike in every industry except in those services which are furnishing the public, such as communications, food, light, power, and water, conceding that, does the gentleman think

that those who strike in industry, as they have a right to do, should also have the right to keep others, who want to work from their jobs, by force or by mass picket lines?

Mr. BIEMILLER. The question of force and violence is an old favorite of the gentleman from Michigan. He knows that no man in his right mind favors force and violence.

Mr. HOFFMAN. If the gentleman will yield, I am asking you if you do not know and if you have not noticed pictures in the papers which show that picket lines, by blocking entrances to factory gates, do, by force, by mass picket lines, keep workers from going in?

Mr. BIEMILLER. What I know is this: I know that when an economic situation has become grave and the employees feel that the employer is refusing to even sit down and justly consider their demands, passions get awfully hot. When workers are forced to the extreme of a strike, which none of them wants to do—no worker likes to strike, it is no pleasant pastime, it is a tough deal for everybody concerned—but when workers are forced to strike by an employer, they are going to see to it that no one else gets their jobs. His job is the closest thing to a property right that most workers have in this world. He believes he has a right in that job, and the Wagner Act establishes the fact that the striker is still considered as an employee. One court decision after another has definitely maintained that such is the basic law of the land. The Supreme Court has settled the issue by declaring that a striking worker is still an employee and is always to be considered as an employee of the struck firm.

I will be glad at a later date to debate this entire issue on the floor of this House with the gentleman from Michigan, but I am not yielding any further today.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that the gentleman have 3 additional minutes to answer a very simple and clear question which I asked him.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin [Mr. BIEMILLER] has expired.

Mr. RICH. Mr. Speaker, if there are no other special orders, I ask unanimous consent that I may speak for 1 minute.

The SPEAKER pro tempore. There are other special orders.

The gentleman from Nebraska [Mr. MILLER] is recognized.

Mr. MILLER of Nebraska. Mr. Speaker, this Congress in the next few weeks will have considerable discussion upon the various pros and cons of labor.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. MILLER of Nebraska. Yes; I yield.

Mr. HOFFMAN. I wonder if you will endeavor to learn whether the gentleman from Wisconsin [Mr. BIEMILLER], who just preceded you, and the gentleman from Washington [Mr. DE LACY] uphold the right of strikers, by mass picket lines, to prevent other men going to work.

Mr. MILLER of Nebraska. The gentleman knows that some organized-labor leaders do just that with their racketeering methods.

Mr. HOFFMAN. But I am anxious to learn whether the gentleman from Wisconsin [Mr. BIEMILLER] and the other gentleman who spoke believe that.

Mr. MILLER of Nebraska. I think the gentleman from Wisconsin [Mr. BIEMILLER] should take about 30 minutes under a special order at some other time to answer that question.

After visiting for 2 weeks in my district in Nebraska, I come back, thoroughly convinced that the public is greatly concerned about labor-management difficulties. The public is mad. They are not necessarily antilabor, but they are certainly antistrikes. If strikes continue to go on, they will become definitely antilabor.

Mr. Speaker, I am convinced that certain labor legislation is needed to correct some of the inequities which now exist in the so-called Wagner labor law. This labor law, in my opinion, permits the racketeers of labor to commit acts which if committed by industry would be considered a violation of the law and industry would be subject to penalties. I believe what is sauce for the goose should be sauce for the gander. We needed labor laws to protect labor, because there was a time when industry was taking an unfair advantage of the laboring man. It seems to me that the time has now arrived when labor and its leaders are taking an unfair advantage, not only of industry, but of the public. In every strike, there are three parties involved. The employer, the employee, and the public. It is the public which frequently gets hurt in the brawls between labor and in the strikes. I would like to suggest the principles of the following legislation which I believe to be fundamental and should help to remedy many of the problems which now exist. I believe we need:

First. Legislation to make labor and industry responsible for its contracts. This should prevent the many small wildcat strikes.

Second. Legislation to prevent jurisdictional strikes between unions.

Third. Legislation providing for a cooling-off period. In my opinion, when collective bargaining fails there should be a conciliator who would try to adjust differences between labor and industry and if this fails, the controversy should be referred to a judicial court. I would suggest putting the names of the Federal judges in a hat, drawing out three names and letting them adjudicate the differences between labor and industry. I would do this particularly as it relates to public utilities, transportation and communication. I believe the court's findings should be final and both labor industry should be made to abide by these findings, subject to penalty for noncompliance.

Mr. Speaker, in my opinion, the closed shop is wrong. I believe the maintenance of membership and the check-off system, which is imposed upon industry is wrong. That, however, seems to be a policy of this administration and perhaps cannot be changed at this time. I believe in the right to strike, but I also believe in the right to work. I believe we should have collective bargaining. Labor should be protected, but also industry and the public, particularly, needs protection. It seems to me that it is wrong for one man to have so much power that he can, by the wave of his hand, call thousands of men out on strike. Many of these men do not want to strike. They have families. They need their pay check. They want to work.

I believe also there should be some definition of picketing. The State of Nebraska has a picketing law, and it works. It is certainly wrong when unions, through violence, force, and mechanical methods, can prevent an employer from entering his own place of business. I am just as certain as can be that unless labor assists in getting some sound, constructive labor legislation, that sooner or later this Congress will be forced to adopt legislation which may not be satisfactory to either labor or industry.

Mr. SAVAGE. Mr. Speaker, will the gentleman yield at that point?

Mr. MILLER of Nebraska. I yield.

Mr. SAVAGE. I just wanted to ask the gentleman if the Nebraska law against the picket line also provides that the employer cannot hire a new crew while the workers are on strike?

Mr. MILLER of Nebraska. I am not sure as to that. We passed that law back in 1927, and it is working. There is no picketing going on in Nebraska. I cite an example of the truck strike in Nebraska. On December 12 there were 500 carloads of freight tied up in Omaha, Nebr. This was freight which the merchants of many towns of Nebraska and Iowa wanted for their Christmas trade. The freight contained much that the citizens of the State needed badly. The truck drivers of Nebraska, in an actual vote, voted not to strike, and yet one Daniel Tobin, president of the teamsters' union in New York City, had within his power to say to all the truck drivers of 12 Midwestern States that you shall not work. If those men went back to work, it meant loss of their jobs if and when this strike was settled.

I now yield to the gentleman from California.

Mr. HOLIFIELD. In all kindness I must say to the gentleman that I believe he would belong to a union if he were a laboring man, because I understand he is a member of the American Medical Association; and if that is not one of the tightest combines or groups ever organized, then I do not know what it is.

Mr. MILLER of Nebraska. I thank the gentleman very much.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield.

Mr. HOFFMAN. I happen to be an attorney, and I am a union man because in Michigan a lawyer cannot practice law until he pays $5 a year union dues. Now, I do not like it, and I object to it. It is not because I have to pay the $5, but I am opposed to it on principle.

I wish the gentleman from Nebraska would ask the gentleman from Washington [Mr. DE LACY] and the gentleman from Wisconsin [Mr. BIEMILLER] whether they are back of this theory that because

the men have a right, as they say a property right, in a job they should be permitted to hold up the shipment of food that the gentleman referred to in the West and cut off the meat supply of the city of Washington and other places? I wish you would get that out of them. I would like to have them get on the record.

Mr. MILLER of Nebraska. That would be an impossible task, I may say to the gentleman. He has been trying to do that and I as a member of another profession would not be any more successful.

Mr. HOFFMAN. Belonging to a profession which fights to the last ditch for a man's life and for his health, I know of no reason why the gentleman should abandon this effort to get two gentlemen to answer that question.

Mr. MILLER of Nebraska. I am sure they are in the same boat as the Labor Department, prolabor—they are biased. The Labor Department should represent the public but their personnel are all prolabor—we need legislation and now.

REQUEST TO ADJOURN OVER

Mr. SPARKMAN. Mr. Speaker, earlier today I submitted a unanimous consent request to the effect that when the House adjourns today it adjourn to meet on Monday next. At this time I should like to renew that unanimous consent request.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, there are two more full days in this week. In view of the statement of President Truman that we ought to get at this legislation, in view of the fact that long ago we sent over to the other body an antiracketeering bill which that body has not acted on as yet, I do not want the House to go on a sit-down strike. So I think I will object.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

Mr. HOFFMAN. Mr. Speaker, I want to say that I am doing this because I am supporting the President's position that this House ought to take action on some of this legislation. I object.

ELECTION TO COMMITTEE

Mr. DOUGHTON of North Carolina. Mr. Speaker, I offer a resolution, which I send to the Clerk's desk.

The Clerk read as follows:

House Resolution 488

Resolved, That AUGUSTINE B. KELLEY be, and he is hereby, elected chairman of the standing committee of the House of Representatives on Invalid Pensions.

The resolution was agreed to.

ADJOURNMENT

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 21 minutes p. m.) the House adjourned until tomorrow, Friday, January 18, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 2 o'clock p. m. Friday, January 18, 1946. Business to be considered: Resume hearing in the study of operations pursuant to the Public Utility Holding Company Act of 1935, to hear representatives of the holding-company segment of the industry.

COMMITTEE ON THE CENSUS

The Committee on the Census will hold hearings on H. R. 4781 on Thursday and Friday mornings, January 24 and 25, 1946, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

942. A letter from the Administrator, Surplus Property Administration, transmitting a report on synthetic rubber plants and facilities; to the Committee on Expenditures in the Executive Departments.

943. A letter from the Acting Secretary of War, transmitting a report concerning the number of enlisted men on active duty in the Regular Army as of December 31, 1945, who have been enlisted or reenlisted on or after June 1, 1945; to the Committee on Military Affairs.

944. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

945. A letter from the Comptroller General of the United States, transmitting the report of the Comptroller General of the United States of the work of the General Accounting Office for the fiscal year 1945; to the Committee on Expenditures in the Executive Departments.

946. A letter from the Acting Secretary, Department of Agriculture, transmitting a draft of a proposed joint resolution, to amend section 3 of the act of April 12, 1945, by extending the authorization to pay subsidies to include commodities of the 1946 crop; to the Committee on Banking and Currency.

947. A letter from the Administrator, Surplus Property Administration, transmitting a report on aviation gasoline plants and facilities; to the Committee on Expenditures in the Executive Departments.

948. A letter from the Secretary of the Treasury, transmitting a report showing refunds of internal revenue in excess of $500 made by the Bureau of Internal Revenue during the fiscal year ended June 30, 1945, on account of taxes illegally or erroneously collected; to the Committee on Expenditures in the Executive Departments.

949. A letter from the Assistant Secretary, Department of Agriculture, transmitting a copy of the Annual Report of the Federal Surplus Commodities Corporation for the fiscal year ended June 30, 1945; to the Committee on Agriculture.

950. A letter from the Comptroller General of the United States, transmitting a report of officers and administrative offices delinquent in rendering or transmitting accounts, and officers delinquent in payment of final balances, for the fiscal year 1945; to the Committee on Expenditures in the Executive Departments.

951. A letter from the Acting Postmaster General, transmitting, in compliance with the provisions of the act of July 28, 1916, a report of all cases where special contracts are made with railroad companies for the transportation of the mails, and the terms and reasons therefor; to the Committee on the Post Office and Post Roads.

952. A letter from the Administrator, Federal Security Agency, transmitting the Annual Report of the Food and Drug Administration for the fiscal year 1945; to the Committee on Interstate and Foreign Commerce.

953. A letter from the Chairman, Interstate Commerce Commission, transmitting, in compliance with the provisions of section 19a of the Interstate Commerce Ac copies of final valuations of properties of carriers subject to the act; to the Committee on Interstate and Foreign Commerce.

954. A letter from the Chairman, Interstate Commerce Commission, transmitting the Fifty-ninth Annual Report of the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

955. A letter from the Assistant Secretary, Department of Agriculture, transmitting the annual report on the receipts, expenditures, and results of cooperative agricultural extension work for the fiscal year ended June 30, 1945; to the Committee on Agriculture.

956. A letter from the Administrator, Federal Security Agency, transmitting the Annual Report of St. Elizabeths Hospital for the fiscal year 1945; to the Committee on the District of Columbia.

957. A letter from the Administrator, Federal Security Agency, transmitting the Annual Report of the American Printing House for the Blind, Columbia Institution for the Deaf, Howard University, Office of Community War Services, and Committee on Physical Fitness for the fiscal year 1945; to the Committee on the District of Columbia.

958. A letter from the Administrator of Veterans' Affairs, transmitting a report of activities of the Veterans' Administration as of June 30, 1945; to the Committee on World War Veterans' Legislation.

959. A letter from the president, Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., transmitting the Annual Report of the Georgas Memorial Laboratory for the fiscal year 1945 (H. Doc. No. 396); to the Committee on Foreign Affairs; and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. VINSON: Committee on Naval Affairs. S. 1545. An act to amend article 38 of the Articles for the Government of the Navy; without amendment (Rept. No. 1473). Referred to the House Calendar.

Mr. COLE of New York: Committee on Naval Affairs. House Joint Resolution 300. Joint resolution to authorize the President to appoint Rear Adm. Earle W. Mills, United States Navy, to the office of Chairman and member of the United States Maritime Commission and Administrator of the War Shipping Administration without affecting his naval status and perquisites; without amendment (Rept. No. 1474). Referred to the Committee of the Whole House.

Mr. MADDEN: Committee on Naval Affairs. H. R. 4896. A bill to provide for payment of travel allowances and transportation, and for transportation of dependents and shipment of household effects, of members of the naval forces upon separation from active service, and for other purposes; with amendment (Rept. No. 1475). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON of Missouri:

H. R. 5158. A bill reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes; to the Committee on Appropriations.

By Mr. ELSAESSER:

H. R. 5159. A bill to authorize the payment of premiums on national service life insurance and United States Government life insurance at United States post offices; to the Committee on World War Veterans' Legislation.

By Mr. LANDIS:

H. R. 5160. A bill to provide additional compensation for veterans of World War II, and for other purposes; to the Committee on Ways and Means.

By Mr. PETERSON of Florida:

H. R. 5161. A bill to authorize certain administrative expenditures incident to the conservation of the public lands, and for other purposes; to the Committee on the Public Lands.

By Mr. PRICE of Illinois:

H. R. 5162. A bill to promote the safety of employees and travelers upon railroads, and to protect the public by requiring certain common carriers by railroad to install and maintain communications systems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Florida:

H. R. 5163. A bill with respect to the filing of claims of the United States based upon debts of deceased persons; to the Committee on Expenditures in the Executive Departments.

By Mr. MANASCO:

H. R. 5164. A bill to amend the Surplus Property Act of 1944 to designate the Department of State as the disposal agency for surplus property outside the continental United States, its Territories, and possessions; to the Committee on Expenditures in the Executive Departments.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HALE:

H. R. 5165. A bill for the relief of Efstathios Georgas; to the Committee on Immigration and Naturalization.

By Mr. PETERSON of Florida:

H. R. 5166. A bill for the relief of Raphael Elder; to the Committee on Claims.

By Mr. PRICE of Illinois:

H. R. 5167. A bill for the relief of the estate of Mrs. Minerva C. Davis; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 5168. A bill granting a pension to Oscar O. Cox; to the Committee on Pensions.

By Mr. REECE of Tennessee (by request):

H. R. 5169. A bill for the relief of Ira Ellis Veal; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1461. By Mr. HAYS: Petition of J. H. Raney and 115 others of Mayflower, Ark.; to the Committee on Military Affairs.

1462. By Mr. KEARNEY: Petition containing the signatures of 157 citizens of the Thirty-first Congressional District, State of New York, advocating the enactment by the Congress of the original full-employment bill; to the Committee on Ways and Means.

1463. By Mr. LANDIS: Petition of 30,000 war mothers of the United States, pertaining to a bonus for veterans of World War II; to the Committee on Ways and Means.

1464. By Mr. WELCH: Resolution No. 5194 of the Board of Supervisors of the City and County of San Francisco, urging reconsideration of action whereby western half of United States was eliminated from consideration as location of permanent site for United Nations Organization; commending Mayor Lapham for his efforts and endorsing his program in connection therewith; to the Committee on Foreign Affairs.

1465. By Mr. WOLCOTT: Petition signed by 71 residents of Macomb County, Mich., expressing interest in H. R. 1648, a bill to prohibit interference with the broadcasting of noncommercial radio programs by educational institutions; to the Committee on Interstate and Foreign Commerce.

1466. By the SPEAKER: Petition of the National Association of Women Lawyers, petitioning consideration of their resolution with reference to endorsement of H. R. 4502; to the Committee on Foreign Affairs.

1467. Also, petition of the Philadelphia County Council of American Veterans of World War II, petitioning consideration of their resolution with reference to veteran representation on investigating committees; to the Committee on Rules.

1468. Also, petition of the Philippine-Hawaii-America Labor Union, Inc., petitioning consideration of their resolution with reference to their request for intervention by the High Commissioner to the Philippines against the proclamation of President Osmeña to hold election for national elective officials only; to the Committee on Insular Affairs.

SENATE

FRIDAY, JANUARY 18, 1946

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal God, in this still moment, make us vividly aware of Thy divine invasion through all the areas of our yearning lives; give us the grace of hospitality to the highest. As citizens of a world that carries on its bent shoulders a burden of suffering greater than humanity has ever borne, make us inwardly adequate to be Thy ministers of reconciliation.

May the poisoning evils which blight the earth not devastate our inner lives, subduing us to its low standards, confusing us by its chaos, or crushing our faith under its tragedy. Clothed in the undefiled garments of love's pure vestment, may we walk with Thee in white as in the spirit of the Master we face the infinite pathos of the troubled world we fain would serve before we fall on sleep. In the dear Redeemer's name. Amen.

ATTENDANCE OF SENATORS

ALBERT W. HAWKES, a Senator from the State of New Jersey; JOSEPH C. O'MAHONEY, a Senator from the State of Wyoming; and CLAUDE PEPPER, a Senator from the State of Florida, appeared in their seats today.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

CALL OF THE ROLL

Mr. CHAVEZ. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Morse
Andrews	Gossett	Murray
Austin	Green	O'Daniel
Bailey	Guffey	O'Mahoney
Ball	Gurney	Overton
Bankhead	Hart	Pepper
Barkley	Hawkes	Radcliffe
Bilbo	Hayden	Revercomb
Brewster	Hickenlooper	Russell
Bridges	Hill	Saltonstall
Briggs	Hoey	Shipstead
Buck	Huffman	Smith
Bushfield	Johnson, Colo.	Stanfill
Butler	Johnston, S. C.	Stewart
Byrd	La Follette	Taft
Capehart	Langer	Thomas, Okla.
Capper	Lucas	Thomas, Utah
Chavez	McCarran	Tobey
Cordon	McClellan	Tydings
Donnell	McFarland	Walsh
Downey	McKellar	Wherry
Eastland	McMahon	White
Ellender	Magnuson	Wiley
Ferguson	Maybank	Willis
Fulbright	Mead	Wilson
George	Millikin	Young

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent because of illness.

The Senator from Nevada [Mr. CARVILLE], the Senator from New Mexico [Mr. HATCH], the Senator from West Virginia [Mr. KILGORE], the Senator from Washington [Mr. MITCHELL], the Senator from Utah [Mr. MURDOCK], the Senator from Pennsylvania [Mr. MYERS], the Senator from Idaho [Mr. TAYLOR], the Senator from New York [Mr. WAGNER], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business as a member of the Mead committee.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee.

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business.

The Senator from Illinois [Mr. BROOKS] is necessarily absent.

The Senator from Kansas [Mr. REED] is necessarily absent from the city.

The Senator from Oklahoma [Mr. MOORE] is unavoidably absent.

The PRESIDENT pro tempore. Seventy-eight Senators having answered to their names, a quorum is present.

THE JOURNAL

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Journal of the proceedings of yesterday be approved without reading.

Mr. OVERTON. Mr. President, reserving the right to object—and I shall

object—I wish to state to the Chair that I have had occasion to examine the Journal of the proceedings of yesterday, and I desire to move to amend the Journal; and I wish to have it read in full. I should like to be recognized to offer the amendment as soon as the Journal has been read, but I object to dispensing with the reading of the Journal.

The PRESIDENT pro tempore. The clerk will read the Journal.

The Chief Clerk proceeded to read the Journal of the proceedings of Thursday, January 17, 1946.

During the reading of the Journal:

Mr. LANGER. Mr. President, I move that the further reading of the Journal be suspended.

Mr. OVERTON. I object. Such action can only be had by unanimous consent.

The PRESIDENT pro tempore. The motion is not in order under the rule. The clerk will proceed with the reading of the Journal.

The legislative clerk (Emery L. Frazier) resumed and concluded the reading of the Journal.

Mr. OVERTON. Mr. President, does that conclude the reading of the Journal?

The PRESIDENT pro tempore. That concludes the reading of the Journal.

Mr. OVERTON. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Morse
Andrews	Gossett	Murray
Austin	Green	O'Daniel
Bailey	Guffey	O'Mahoney
Ball	Gurney	Overton
Bankhead	Hart	Pepper
Barkley	Hawkes	Radcliffe
Bilbo	Hayden	Revercomb
Brewster	Hickenlooper	Russell
Bridges	Hill	Saltonstall
Briggs	Hoey	Shipstead
Buck	Huffman	Smith
Bushfield	Johnson, Colo.	Stanfill
Butler	Johnston, S. C.	Stewart
Byrd	La Follette	Taft
Capehart	Langer	Thomas, Okla.
Capper	Lucas	Thomas, Utah
Chavez	McCarran	Tobey
Cordon	McClellan	Tydings
Donnell	McFarland	Walsh
Downey	McKellar	Wherry
Eastland	McMahon	White
Ellender	Magnuson	Wiley
Ferguson	Maybank	Willis
Fulbright	Mead	Wilson
George	Millikin	Young

The PRESIDING OFFICER (Mr. HOEY in the chair). Seventy-eight Senators having answered to their names, a quorum is present.

Mr. OVERTON. Mr. President, I send to the desk a motion and ask that it be stated.

The PRESIDING OFFICER. The motion will be stated.

The motion was read by the Chief Clerk, as follows:

I move to amend the Journal of the Senate for Thursday, January 17, 1946, so as to include therein in full the prayer delivered by the Chaplain of the Senate at the convening of the Senate on said day, and that the Journal clerk be instructed to incorporate such prayer in the Journal of the proceedings at the proper place.

Mr. OVERTON. Mr. President, during the 13 years that I have been a Member of the United States Senate I have no recollection of the Journal having been read on more than one occasion prior to this day. I believe that the Journal should be read more frequently than it is. I do not intend to insist that it be read every day. However, I noticed that there was a larger attendance of Members of the Senate during the reading of the Journal than there has been in many a day in this body.

I hope that that shows the interest which Members of the Senate take in the official record of the proceedings of this great body. It furnishes not only to the Senate and to Senators who could not be constantly in attendance throughout the proceedings of yesterday information as to what took place, but it is a record which shows to the public generally exactly what their elected representatives are doing in the United States Senate. This is a democracy, and we should be perfectly willing at all times to show to the public exactly what we have done and what our proceedings are, in order that the people may be kept informed.

There is another reason why I think the Journal should be read. It is a permanent record. It is true that we have the CONGRESSIONAL RECORD, but the CONGRESSIONAL RECORD is more or less ephemeral, and is for temporary use. The Journal is the permanent record of the proceedings of the United States Senate. It is presumed that it will remain forever and a day, as long as this Nation survives, in the archives of this great Nation as a record of the proceedings of the United States Senate from day to day.

It is recognized not only as the permanent record, but as the record. For example, if there is any discrepancy between the report of the proceedings in the CONGRESSIONAL RECORD and the report of the proceedings as contained in the Journal, the Journal has predominance; the Journal governs.

We are very fortunate, indeed, Mr. President, in having extremely able and accurate reporters, who set forth in greater detail, it is true, than does the Journal, the proceedings of the United States Senate, and set forth all that has been done, all the speeches, and every word uttered on the floor of the Senate, in a marvelously accurate manner, indeed with an accuracy which seems to me almost humanly impossible. It matters not how low may be the voice of a Senator on the floor; it matters not how long he may talk; it matters not what may be his diction, whether it be in the ordinary language of the street or whether it be classical in form, whether it be a plain statement or whether it be adorned with quotations from foreign languages, the official reporters of the Senate take down accurately what a Senator has to say upon the floor of the Senate. I rarely take the trouble to look over my remarks and make corrections, or see whether any error has been committed; and I must say that on the occasions when I have looked over the RECORD it has been rare indeed that I have found an error. If I considered it an error, the probability was that I was taken down accurately and that it was my memory and not the pen of the reporter which was at fault. I think it is proper that I should pay this deserved tribute to the official reporters of debates of the Senate.

However, Mr. President, I come back to my original theme, and that is that the Journal of the Senate is the official record, which is transcendental and dominates any other record which may be made of the proceedings of the Senate.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. OVERTON. I yield for a question.

Mr. EASTLAND. The Journal transmits to future generations what has happened in the Senate on a particular day. Does not the Senator think that by all means future generations should know that sessions of the Senate are opened with prayer, and that we are a godly and Christian body?

Mr. OVERTON. Indeed, Mr. President, I thoroughly agree with the able Senator from Mississippi; so much so that I have just now offered a motion to the effect that the official Journal of the Senate shall show not only that prayer was offered, but shall embody the prayer in full. To that motion I shall presently address myself.

But, sir, when we take the time, as we should, to have read to us the official record of the Journal, there is a possibility that we may discover what to us, at least, may appear to be some error in the record.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. OVERTON. I am glad to yield for a question.

Mr. MAYBANK. The Senator has very eloquently spoken of the excellent work done by the official reporters, and I wonder whether the Senator also intends to speak of the excellent work done by the printers and those who serve in connection with the printing of the RECORD in which so few, if any, errors ever occur.

Mr. OVERTON. Indeed, I do; and I shall be glad to do so at once. I was going to speak of the work done by some of the other officers connected with transcribing and reporting what the Senate has done, but I shall be very glad to say that I think we have a public printing establishment that is unsurpassed in all the world. As the able Senator from South Carolina has stated, it is not only a very accurate RECORD, but it is gotten out with amazing rapidity. We may have sessions lasting until late in the afternoon, we may have sessions which extend after the shadows of evening have fallen, we may have sessions which are prolonged beyond the dinner hour, we may have sessions which last until midnight, but the next morning there is left at the door of our homes and also at our offices a complete and accurate record of all which has been said and done in this body.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. OVERTON. I am glad to yield for a question.

Mr. EASTLAND. I agree entirely with the Senator in regard to the rapidity with which the RECORD is gotten out. Does not the Senator think that it is marvelous that here is a document containing the wisdom of the age that is gotten out daily with great speed and practically without error? Is it not a marvelous example of the skill of modern printing? Does the Senator agree with me in that statement?

Mr. OVERTON. I do most certainly agree with the statement which the Senator from Mississippi has just made.

But now, Mr. President, let me state that in offering the motion to amend the Journal I do not wish to be understood as in any way reflecting upon our able and faithful and skillful Journal clerk. I do not wish to appear or to have the motion interpreted as being in any way critical of the work he does. He has been here for a number of years, and he commands the respect and the confidence of all Members of the Senate. I do not think there is a Senator here now or any Senator who has ever served while our present Journal clerk was sitting at the desk who would for a moment undertake to criticize him in any manner whatsoever. The motion which I have made, Mr. President, is not intended as a criticism. It is intended as a conception on my part of what should be recorded in the Journal—something which, according to the Journal clerk, perhaps should not be recorded there. It may be that on yesterday the Journal clerk failed to insert in the Journal the prayer delivered by our Chaplain. It may be that in the past he has been inserting daily the prayers delivered here by our Chaplain. I am not in a position to know that of my own personal knowledge. I am not in that position because unfortunately, as I have stated, the Journal of our proceedings is rarely read; in fact, according to my recollection, only once has the Journal been read to the Senate during the number of years I have had the honor to serve in this body. So I do not know whether it has been the custom or not the custom, and probably there is not a Senator who is within the sound of my voice who knows now whether the prayer delivered here by our Chaplain usually is incorporated in the Journal. But I wish to say that I do not believe—in fact, I refuse to believe—that there is a single Senator who would object to having the prayer of the Chaplain inserted in the permanent Journal of the proceedings of the Senate.

Mr. President, we have a very able Chaplain, who commands our respect, our esteem, and our warmest affection. It would be hard to conceive that the prayers which are delivered before the United States Senate by our Chaplain could be excelled by those of any other minister of the Gospel. They are terse; they are to the point; they are imbued with the inspiration born of a righteous life and long familiarity with the Holy Scriptures. I have listened many a time with bowed head to the prayers which have been uttered by our Chaplain upon the floor of the Senate, and certainly I have not in my heart found any occasion to object to any thought he has uttered.

For instance, let us consider the very prayer delivered yesterday, which I think should be incorporated in the Journal. Let me read it to the Senate:

Father of all mercies, in a dark and desperate hour we turn to Thee with deep needs that only Thou canst meet. Everywhere in a violent world we hear voices that challenge all that men have counted fixed, final, and sure. In this day of crashing systems, save us from being prophets of gloom and of doom. Through the fiery destruction of the old, may there be vouchsafed to us vistas of a richer and fairer earth to be. Forbid that we should be so blind today that tomorrow all we now labor for prove like stubble to a devouring flame—the foundations we now choose be revealed as but sinking sand. Scorning the cheap cant of secular panaceas, give us to see that we cannot house our spirits even in ornate barns—that really to live we must build more stately mansions for our souls. We ask it through riches of grace in Christ Jesus our Lord. Amen.

Mr. President, the diction of that prayer is beautiful; it is classical. But that is not what I am thinking about, and it is not what motivated me in making my motion.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. EASTLAND. I wish to propound to the Senator a question. During the reading of the Chaplain's prayer the Senator read the words "In this day of crashing systems." Does the Senator believe that the Chaplain spoke with prophetic vision, and that he was speaking of the onslaught against American institutions by the Communist movement of this country, and in particular by a bill called a bill to create a permanent FEPC, which was before the Senate yesterday?

Mr. OVERTON. Mr. President, much as I admire my able friend from Mississippi, I shall not for a moment believe that our Chaplain had any political motives in mind when he delivered his prayer. I do not believe that he was taking in any way a partisan view of any legislation. Of course, I have no doubt that as a citizen he has his own views.

Mr. EASTLAND. Does not the Senator believe that the ministers of this country should take an active interest in repelling communism, inasmuch as communism is an enemy of the Christian church?

Mr. OVERTON. I am not in disagreement with that thought. I really entertain the view that the Chaplain of the United States Senate, the Senate being composed of Members of widely varying views, should refrain, as does the Reverend Frederick Brown Harris, our present Chaplain, from uttering any prayer which might be interpreted as being political or partisan in character. When I say "political" I mean in the sense of a party allegiance. When I say "partisan" I refer to partisan differences which may exist in our political world.

What motivated me in making the motion which I have made was this: As I have already said, the Journal is the permanent record of the proceedings of the United States Senate. Suppose that in years to come our children's children should be looking back to see what took place in this body; suppose that it should appear to them, according to the Journal, that while it was true that prayer was offered, yet so little consideration was given to it that only bare mention of the fact of its having been uttered was incorporated in the official Journal of our proceedings. Let us also consider the fact that the reference to the prayer does not indicate what were the views of the Chaplain, or what was the character of the prayer which he uttered. In ages yet unborn, when the historian will be looking back upon the events of this year and upon the proceedings of this body, and when perhaps all other records of any great importance shall have been destroyed, and the official Journal of the proceedings of the Senate is still found to be in existence, will that historian be in a position to know whether or not our Chaplain was addressing the people who are the representatives of a Christian nation?

Mr. President, we are a Christian nation. The overwhelming majority of the people of the United States are Christians. I care not whether all of them be Christians, whether there are those who do not recognize the divinity of our Lord Jesus but do recognize the existence of a Christian God. I refer to our friends of the Hebrew race. The Jews of this country, most of whom have adhered to the faith of their fathers, do not recognize what to us is a beautiful and spiritual consummation of the Old Testament and its traditions. There is nothing in all literature more beautiful and more inspiring than the pilgrimage of the lowly Nazarene on this earth, the sermons which he delivered, the thoughts which he uttered, and the parables which he spoke. They are transcendently beautiful. His whole life was amazingly wonderful. It was not only sublime and not only divine, but as became the Son of God, it was spiritually uplifting.

Mr. President, I recall reading years ago, when I was a boy, the story of the Blind Preacher, written, as I remember, by William Wirt. Mr. Wirt was traveling through the country one Sunday morning and as he wended his way on horseback along the wooded road through the shadows and the sunshine of a beautiful summer day, he came to a little church on the hillside. It was about the time for church services. He entered the church, which was of a rustic character, with benches bare and hard. But there sat on those benches pious persons who were there for the purpose of revering their God and listening to the words of spiritual advice to be delivered to them by their minister. The minister rose and Mr. Wirt found very much to his surprise, that he was blind. But he proceeded to talk about Jesus, and as he pursued his theme he developed the beauty and glory and grandeur and divinity of the mission of Christ on earth.

Finally, when he came to the death of our Lord on Calvary, to the crucifixion, he rose to transcendent heights of eloquence. Tears were streaming from the

eyes of Mr. Wirt and all the other listeners in that little church when the blind minister concluded his description. The narrator stated that he did not know how the minister could possibly have ascended to such heights of eloquence.

The blind speaker stood there silently some 20 or 30 seconds. Then he raised his sightless eyes to Heaven and, with uplifted arms, said "Socrates died like a philosopher; Jesus Christ died like a God."

I do not know that I have read anything more eloquently descriptive of the pilgrimage on earth of our Lord and Savior than that story which I read years and years ago.

Mr. President, there is no reason why in this God-fearing Christian nation we should not incorporate in the Journal of our proceedings the prayers delivered at the opening of the sessions of the Senate. Motions made by Senators are put in the Journal with meticulous care; messages from the House are inserted and, if not set forth literally, at least their purport is embodied in the Journal. Bills introduced are referred to, and a description of them is given. A Senator sitting beside me suggests that editorials, perhaps, are included. However, they do not appear in the Journal; as a rule they are published in the Appendix of the RECORD unless they are read on the floor of the Senate by a Senator, when they become incorporated in the CONGRESSIONAL RECORD.

The Journal goes into this minutae about matters which after all are at least not more important than the fact that we are here as the representatives of a Christian nation in a Christian era, still followers of Him who made the greatest sacrifice in all the history of the world for us and for all humanity; and yet there is withheld from the permanent record of the proceedings of the Senate the voice that is raised in recognition of the divinity of our Saviour and the omnipotence of our God.

Mr. President, I do not conceive that there can be any Senator to whose attention this omission is called who would not agree with what I have said and would not support the motion which I make to amend the permanent record of our proceedings.

The prayer is not in the Journal, Mr. President. I want it there. The prayer delivered yesterday was a prayer to which every one of us and everyone in this Nation I think, be he Jew or gentile, so long as he is an American, can subscribe.

Mr. TYDINGS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Maryland?

Mr. OVERTON. I yield for a question.

Mr. TYDINGS. I do not desire to interrupt the remarks or the thought of the eloquent Senator from Louisiana but I wonder if he would bear with me for about a half a minute to make an observation, without taking him off the floor?

Mr. OVERTON. I have to have unanimous consent; and, therefore, I do not yield further.

The PRESIDING OFFICER. Is there objection to the Senator from Louisiana yielding to the Senator from Maryland?

Mr. CHAVEZ. I object.

Mr. TYDINGS. Mr. President, will the Senator yield for a question?

Mr. OVERTON. Indeed I do; I am very happy to do so.

Mr. TYDINGS. Before I state the question I should like to make a bit of background so that the Senator will comprehend the question I am about to ask.

Mr. OVERTON. Mr. President, I am not yielding the floor, and I hope the Senator will so phrase what he has to say in the form of an interrogatory as not to raise that issue, because I am yielding only for a question.

Mr. TYDINGS. The Senator from Maryland does not wish to do any injustice to his colleague from Louisiana, and therefore he will frame in the form of a question what he would prefer to say outright. I ask the Senator from Louisiana—and request that he withhold his answer until I conclude my question—I ask the Senator from Louisiana if he is not and if all other Senators are not familiar with the fact that the economic life of this Nation at this time lies prostrate; that hundreds of thousands and perhaps millions of men are now out on strike, and that the soldiers who are coming home from the wars, purportedly coming home to peace and to an opportunity to take their place in the affairs of our country, are finding their hopes set at naught? I ask the Senator if he knows these things, and I ask other Senators if they do not know from past history that it is probable that action on a certain measure either now before or shortly to come before the Senate is not possible in the immediate future under the rules and the practice of the Senate and the expressed and proven opposition to the measure on former occasions, and already present here? I would say in answer to my question——

Mr. OVERTON. Understand, Mr. President, I am yielding only for a question——

Mr. TYDINGS. That is correct.

Mr. OVERTON. And I hope the Presiding Officer will protect me in my rights.

Mr. TYDINGS. I ask the Senator if he does not see that in making this interrogatory I am not taking sides on the issue itself which is more or less under debate here? I ask the Senator if it is not apparent to all concerned that there can be no immediate action in all probability on this matter at this time? I ask the Senator from Louisiana if it is not a fact that while this measure is pending before the Senate all hope of congressional action dealing with labor-management disputes and the chaos which reaches from one end of the country to the other is impossible? I ask the Senator if it is not the hope and the wish and the desire of the millions of people who make up this Republic that we proceed to that which is the over-all important issue before our people at this time. I ask the Senator, therefore, if he would not be willing temporarily to lay this bill aside so that the Senate of the United States could take up something upon which it could legislate, and I ask him if the time has not come for us to take action in view of the unrest now prevailing, and to make such contribution as the Congress of the United States can make to bring about tranquillity in the social order?

I ask the Senator again to consider whether in making this appeal he does not see that I am not taking any side, pro or con, on the merits of the question itself, but that I am asking only if he does not believe that the big question which should be considered by us now is appropriate legislation which may in some measure at least allay the unrest and the strife which exist in the field of labor and management? I pause for an answer to my first question. [Laughter.]

Mr. OVERTON. Mr. President, the able Senator from Maryland not only makes an eloquent statement but he makes a very clear statement, in the form, of course, in the present instance, of an interrogatory addressed to me.

There is no one, not only in this body but within the range of my acquaintance, for whose lucidity of expression and whose ability to present any problem, graphically, convincingly, and clearly, I have a greater regard than I have for those distinguishing attributes of the Senator from Maryland. I regard him as the Thomas Babington Macaulay of the United States Senate. We know that in all literature no writer is clearer than Macaulay, and no one whose essays are more interesting.

I recall that when Macaulay came to write the History of England, he made the statement that he was going to write a history which would take the place of the last novel in every lady's boudoir, and he did it. When I picked up the History of England, written by Lord Macaulay, I scarcely let it drop, except to get a few hours' sleep, until I had completed it. That may be a slight exaggeration, and I always try to be as accurate as possible in my remarks.

I was about to say the Senator from Maryland is almost always right. I think I may still make that statement. He is unquestionably right in the multitude of interrogatories he has propounded to me, all of which are but a rephrasing and a clearer statement of the fundamental issue which now presents itself, not only to this body, but to the people of the United States.

Are we, who should be concerning ourselves with legislation now critically needed for the benefit of the Nation, to stop our ears to the startling problems to which the Senator from Maryland refers? Have we so forsaken our duty, have we become so indifferent to our responsibilities as United States Senators, representatives of the people of this great country, that we turn a deaf ear to the unrest prevailing here, and the great problems to which the Senator has alluded? Are we going to throw aside and decline to consider the questions now involving management and labor in order to take up a bill which undertakes to do the things this bill does?

Mr. TYDINGS. Will the Senator yield for a question?

Mr. OVERTON. I have not quite answered the Senator's question, but I very gladly yield to him.

Mr. TYDINGS. I did not wish to interrupt the Senator, but I wanted to ask him if he was not familiar with the fact that the Senator from Maryland who is propounding these interrogatories himself voted to take up the measure now pending when the question was voted upon yesterday. I should like to ask the Senator whether, in view of that circumstance, if the bill shall be laid aside, the questions I am propounding could be considered as an attack upon the merits of the pending proposition itself.

Mr. OVERTON. The Senator is correct, and when I heard his voice answer "Yea," from the very seat from which I am now speaking, I exclaimed as did Caesar in the Capitol at Rome, "Et tu, Brute," [laughter] because the Senator comes from a State resplendent in its magnificent history, great in its statesmanship, a State which very largely sympathized with the white democracies of the South, a State a large majority of whose people to this day adhere to the ideals of a section of our country that is rich in its storied ideals. So, though I have no desire to criticize the Senator, I must say that it was with keen disappointment that I heard him vote "Yea," and I said to him, jestingly, when he did, "Alas, MILLARD, has Maryland seceded from the Confederacy?" [Laughter.]

Mr. TYDINGS. Mr. President, will the Senator yield for a question?

Mr. OVERTON. I yield.

Mr. TYDINGS. Having established my good faith in the interrogatory I propounded to the Senator, and believing that the right of consideration is one of the fundamental rights, I so voted, but I hasten to ask, does the Senator from Louisiana, or does any other Senator, so far as he knows, consider that it would be possible to dispose of the measure now pending, even though it should be debated for the next 30 days?

Mr. OVERTON. The answer is "No." My very good friend, the able Senator from New Mexico [Mr. CHAVEZ], for whom I entertain a very warm affection, stated yesterday, in his presentation of the pending measure, that it could be disposed of in a few hours. It presents, so far as my section of the country, at least, is concerned, too fundamental an issue to be disposed of in a few hours.

Mr. CHAVEZ. Will the Senator yield for a question?

Mr. OVERTON. I shall be glad to yield in a moment. We would be unworthy of representing the great States we do represent did we not seek the opportunity at least to express our views, and to present to the Senate and to the people of the United States the hopes and aspirations of our people. I now yield to the Senator from New Mexico.

Mr. CHAVEZ. Mr. President, it was with the intention of propounding a question to the able Senator that I rose. I fully agree, if he will permit me just a moment, with everything the Senator has said.

Mr. OVERTON. Mr. President, I must——

Mr. CHAVEZ. I am not trying to take the Senator off his feet. I agree that all legislation should be fully debated, whether it be the legislation now proposed or other measures.

Let me, however, ask the Senator this question: Is it not true that yesterday the Senate of the United States, by a vote of 49 to 17, voted to take up this bill?

Mr. OVERTON. That is correct.

Mr. CHAVEZ. Now, if I may ask another question, let me say that I desire to go along with the Senator in the effort to enact legislation; but if the pending bill were now to be displaced, can the Senator tell us on what other particular bill the Senate of the United States could vote this afternoon?

Mr. OVERTON. Mr. President, I am not a member of the steering committee of the United States Senate. The majority leader is not in his seat. I am not in a position to answer the Senator. I could, however, refer to some of the bills which are upon the calendar. I would have to glance over the titles of the bills as I go through the calendar and determine casually whether the bills are important or not.

The first bill on the calendar is a bill to amend the Interstate Commerce Act. Of course the Interstate Commerce Commission is a very important body, and it has vast powers. I have not had an opportunity as yet to read this bill. Probably the Senator from New Mexico has not had the opportunity to read it. I do not know how far-reaching the bill is. It may be a very important bill and one which it is necessary to take up for early passage.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. TYDINGS. I ask the distinguished Senator from Louisiana if it is not a fact that to the very first bill on the calendar to which the Senator referred, amendments could be offered which would deal with the strike situation, the labor-management situation, which would be in order, and which could become the law of the land if the Senate of the United States were to adopt them and the House were subsequently to agree to them.

Mr. OVERTON. The Senator from Maryland is correct. We are not going to satisfy our constituents by saying to them that here we are in the second session of the Seventy-ninth Congress, with legislation coming over from the previous session, and we are not in a position to act on anything except on one bill.

Mr. CHAVEZ and Mr. EASTLAND addressed the Chair.

The PRESIDING OFFICER (Mr. MCCLELLAN in the chair). Does the Senator from Louisiana yield; and if so, to whom?

Mr. OVERTON. I yield first to the Senator from New Mexico, and then to the Senator from Mississippi.

Mr. CHAVEZ. I contend that every bill on the Senate Calendar should be acted upon, but it happens that at this particular moment Senate bill 101, by the voice of the Senate, by the action of the Senate, is the pending and unfinished business. Why can we not dispose of it one way or the other? I am not speaking of the merits of the bill. But I should like to have action on the measure, and I ask the Senator whether he does not think that the bill should be voted down or voted up, one way or the other, after adequate and ample debate?

Mr. OVERTON. The Senator might just as well ask me whether I do not think it ought to be voted up, because I think the Senator knows, as I know, that if the bill were put to a vote at the present time by the Senate it would be passed. But it is not going to be passed until we have an opportunity of saying what we want to say. I do not think it is important that action be had upon a bill which creates a commission in a Government which now reeks with bureaucracy, a bill which would create a commission which would be discriminatory in its very constitution, a bill which would create a commission the fundamental purpose and the scarcely concealed purpose of which is once more to grind the heel into the face of our southland.

Mr. EASTLAND. Mr. President, will the Senator now yield to me?

Mr. OVERTON. I yield.

Mr. EASTLAND. Does the Senator know that there are hundreds of thousands of American soldiers in Asia, on the islands of the Pacific, and in Europe, who want to come home?

Mr. OVERTON. Yes. The Senator is correct. That is true.

Mr. EASTLAND. And does not the Senator know that today there are hundreds of thousands of mothers in America who yearn for their boys to come home? Does not the Senator think that the taking up of this bill, which would create an FEPC, has locked the wheels and prevented the Senate from considering legislation to bring those men back to their families in America?

Mr. OVERTON. The Senator is absolutely correct. My correspondence demonstrates the truth of his statement. The majority of the letters which come to me from mothers and fathers and wives and even children of men overseas are letters which beg of me to do something to bring the soldier boys back home.

Mr. CHAVEZ and Mr. EASTLAND addressed the chair.

The PRESIDING OFFICER. Does the Senator from Louisiana yield?

Mr. OVERTON. No, Mr. President, I do not yield now. I desire first to answer the question. Those requests reach into the very profoundest depths of my sympathy. Yet nothing can be done about that matter except to continue the investigation now being conducted by the Military Affairs Committee of the Senate. We leave it to the War Department. We leave it to the Navy Department. Perhaps that is right. But, heavens above, what the fathers and mothers and wives and children of the men in service overseas want is consideration of a measure which would give an opportunity on the part of the United States Senate and the House of Representatives to declare themselves one way or the other on a question which is much

more vital to them than whether or not Mr. A, conducting a grocery store in the city of Alexandria, my adopted home, shall employ a buck Negro instead of a white man to assist him in operating the store.

Numerous other questions, such as the labor-management controversy, confront the country. I shall not go into the question of who is right or who is wrong in the labor-management dispute, but here are laborers who think they have been so wronged that they have quit their work, they have walked out of the factories, thousands and hundreds of thousands of them, and I dare say they want some consideration. And here is management which finds its business closed, going into the red, because labor refuses to work for it. Yet, Mr. President, we sit idle. We either do not have the purpose, or we do not have something else necessary to meet such a situation.

So far as I am concerned, I am willing to announce my stand on the labor-management question. I am willing to take a stand on the question of the return of our soldier boys from overseas. I am willing to take a stand on the bill now before the Senate. But it is idle for the Senator from New Mexico to say to me that the only business to which this body can direct its attention is this FEPC piece of legislation.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. MAYBANK. I wish to ask the distinguished Senator from Louisiana if he does not appreciate the further fact that since this bill has come before the Senate, and since we have met today, the offer of settlement made in the steel strike by the President of the United States has, as I notice by a late bulletin, been rejected, thus further aggravating the situation existing in this country?

Mr. OVERTON. That is the information I have received, Mr. President. It is a matter that should gravely concern us. The industry of our Nation is largely in peril. Reconversion is in peril. Production of goods necessary for our livelihood is in peril. The agitation may go further. The situation deserves our earnest consideration. So far as I am concerned, I am ready to meet the question at any time. Since I have been diverted from my subject, through no fault of my own, I shall offer a solution, which probably few Senators will agree to, respecting the management-labor question. I had intended to adhere to my text, which was my motion to amend the Journal, but I am perfectly willing to offer a solution which I think would be adequate. I am not in favor of creating commissions, and I do not know that the creation of an additional permanent commission would be involved in the suggestion I am about to make, but I should like to see a commission appointed—call it a commission of arbitration, or call it what you will—which would be armed with the authority to decide all controversies in major disputes between management and labor. I think that such a commission ought to be composed of, say, one-fourth management, one-fourth labor, and one-half members representing the general public, because, after all, John Q. Public has the greatest interest in these disputes. I do not suggest an arbitrary equation, but at least one-half the membership should represent the public, because the public is the principal sufferer from strikes and disputes between management and labor.

The decision of such a tribunal should be final and binding on both management and labor. When Bill Jones and Henry Brown, both good, stanch, loyal American citizens, have a dispute which they cannot settle amicably, they are required to go into court and submit their cause to the decision of the judiciary, and the decision of the court is binding upon them. There can be no violence. There can be no picketing. There can be no lock-outs. There can be no shut-downs. They must submit to the orderly processes of justice. If, Mr. President, you and I and all other American citizens, in the disputes which may exist between us individually, are required to go before a tribunal constituted for the purpose, and submit our controversies in a peaceful and orderly manner, why should we hesitate to require capital and labor to pursue the same course? As a nation we are willing to submit our disputes with other nations to an international tribunal. Is union labor greater than the United States of America? Is the management of great industry more to be considered than the United States of America, our country, and our Nation?

Yet, if I were to introduce a bill undertaking to carry out the proposal which I have set forth in bold outline, I dare say that very few Senators would vote for it. When I make that statement, I do not intend to criticize Members of the Senate, because I suppose it is very proper that they should represent their constituents. It is well for those who come from States where labor unions predominate, or at least where they poll votes which are decisive, to consider the attitude of labor. There are those who are not particularly interested in the problems of labor, as contradistinguished from the problems of management, and are more inclined to sympathize with management.

I believe that management would be against such a bill. Why should both labor and management refuse to submit their controversies to a tribunal for final decision in an orderly, quiet, and peaceful manner? It is a reflection upon our Government. It is because they are afraid of what would be the composition of such a tribunal. Management is afraid that it might be dominated by those who favor labor, and labor is afraid that it might be dominated by those who favor management. Yet, Mr. President, we must trust someone. The people of the United States trust you and me and Members of the House to enact legislation for them and in their behalf, on the most vital issues which concern them. But when it comes to the creation of a commission, the membership of which would be appointed by the President of the United States and confirmed by the United States Senate, management and labor are both afraid of what the President might do and what the United States Senate might do.

I branched off on this question, Mr. President, because there is no reason why I should not be willing to offer a solution. The distinguished Senator from New Mexico has stated that there is nothing to be done about management and labor because there is no bill before the United States Senate. Therefore I am offering to him my concept of a bill which I believe would do the work.

At any rate, Mr. President, it is no answer to the American people that we sit here idle and refuse to meet the issue. It may be that these strikes, disputes, and controversies will fall of their own weight. It may be that they will not, and that we shall be going from bad to worse. In any event, the issue is at our door and we ought to be able to meet it. So I say to the Senator from New Mexico, who I regret to say has stepped out of the Chamber momentarily, that there is one Senator who is perfectly willing to meet the issue at any time that the leadership of the Senate on both sides of the aisle is willing to give him an opportunity to do so.

Mr. President, I did not intend to enter into a discussion of this question, and I do not intend to discuss the bill which is now pending before the Senate. I was speaking about the propriety of incorporating into the permanent record of the Senate the prayer of a man of God in opening our solemn deliberations.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. MAYBANK. The distinguished Senator from Louisiana has ably stated his views and position as to what the Congress of the United States should do, or what he would do in connection with the terrible crisis which our country faces, involving management and labor, returning veterans, and so forth. I should like to ask the Senator if it is not his opinion that legislation such as is proposed in the so-called FEPC bill could be enacted by the States themselves which desire to do so? For example, several years ago New York State enacted such legislation. If it is so important to certain States in the Union, whose legislatures are either now in session or soon to be in session, why should not the States themselves legislate on this subject, and leave to the National Legislature the national legislation which is necessary at this time? I should like to have the Senator comment on that question if he will.

Mr. OVERTON. I thoroughly agree with the Senator. New York did meet the problem. Its legislature enacted legislation to cover the situation. Illinois has done the same thing. One other State has done likewise. Those States have met the issue as it should be met, because they respond to the views and sentiments of their people. But when we in far-off Washington undertake to say to the people of California just what they shall do in reference to the employment of labor, or whom they shall employ, and to say to the people of Louisiana that the Federal Government will step into little business or big business and require it to conform to an act of Congress, whether or not its provisions meet the necessities and problems of the particular locality

and the views of the people, I believe that that is a mistaken conception of what the National Congress should do.

A great deal of legislation which is enacted by the Federal Congress on a national basis could be enacted locally. There has been a gradual infringement of the Federal power upon State sovereignty. The Congress of the United States—and in this respect I am one who in a measure is to blame—have forgotten what are State rights, and have undertaken to regulate by national legislation what should be regulated locally.

Mr. President, I wish to revert to the theme upon which I commenced. Since no prayer is to be found in the Journal, I should like to read a few phrases from the Bible. I wish to read some verses from the Book of Revelations, and I now read from the sixteenth chapter of Revelations:

And I heard a great voice out of the temple saying to the seven angels, Go your ways, and pour out the vials of the wrath of God upon the earth.

And the first went, and poured out his vial upon the earth; and there fell a noisome and grievous sore upon the men which had the mark of the beast, and upon them which worshiped his image.

And the second angel poured out his vial upon the sea; and it became as the blood of a dead man; and every living soul died in the sea.

Mr. President, I have been reading a prophecy. It is a prophecy contained in the Book of Revelations, and in very large measure it applies, I think, to recent events not only in the life of this Nation but throughout the world.

I continue reading:

And the third angel poured out his vial upon the rivers and fountains of waters; and they became blood.

And I heard the angel of the waters say, Thou art righteous, O Lord, which art, and wast, and shall be, because Thou has judged thus.

For they have shed the blood of saints and prophets, and Thou hast given them blood to drink; for they are worthy.

And I heard another out of the altar say, Even so, Lord God Almighty, true and righteous are Thy judgments.

And the fourth angel poured out his vial upon the sun; and power was given unto him to scorch men with fire.

And men were scorched with great heat, and blasphemed the name of God, which hath power over these plagues: and they repented not to give Him glory.

And the fifth angel poured out his vial upon the seat of the beast; and his kingdom was full of darkness; and they gnawed their tongues for pain,

And blasphemed the God of Heaven because of their pains and their sores, and repented not of their deeds.

And the sixth angel poured out his vial upon the great river Euphrates; and the water thereof was dried up, that the way of the kings of the east might be prepared.

And I saw three unclean spirits like frogs come out of the mouth of the dragon, and out of the mouth of the beast, and out of the mouth of the false prophet.

For they are the spirits of devils, working miracles, which go forth unto the kings of the earth and of the whole world, to gather them to the battle of that great day of God Almighty.

Behold, I come as a thief. Blessed is he that watcheth, and keepeth his garments, lest he walk naked, and they see his shame.

And he gathered them together into a place called in the Hebrew tongue Armageddon.

And the seventh angel poured out his vial into the air; and there came a great voice out of the temple of Heaven, from the throne, saying, It is done.

And there were voices, and thunders, and lightnings; and there was a great earthquake, such as was not since men were upon the earth, so mighty an earthquake, and so great.

And the great city was divided into three parts, and the cities of the nations fell: and great Babylon came in remembrance before God, to give unto her the cup of the wine of the fierceness of his wrath.

And every island fled away, and the mountains were not found.

And there fell upon men a great hail out of Heaven, every stone about the weight of a talent: and men blasphemed God because of the plague of the hail; for the plague thereof was exceeding great.

Mr. President, that chapter in Revelations pictures the gradual growth of modern warfare, and the continually increasing destruction wrought by modern weapons, until we reach the atomic era, which has now come upon us, and which represents the greatest destruction of all, where, in the language of the Holy Writ, there are—

voices, and thunders, and lightnings; and * * * a great earthquake, such as was not since men were upon the earth, so mighty an earthquake, and so great—

And, Mr. President, the destruction of human life and the burning of humanity, with the intense glare and heat.

I do not know whether we have reached Armageddon, but it is possible that we are moving rapidly toward it. I know that we are doing what we can to bring peace on earth and to have the rule of the Prince of Peace among the nations of the world. I hope we shall be successful. I do not know. But in further answer to what the Senator from New Mexico has said in criticism of my humble effort here today, let me say that certainly there is presented in the present international situation a far greater problem than is presented by this bill which undertakes to prevent religious discrimination and undertakes to say to the Baptists, "You cannot employ so many Baptists in your business and in your industry. You must have Jews and Catholics and Methodists and Presbyterians and Episcopalians"—at least, Mr. President, such authority is given by the bill.

In further answer to the issue which has been raised by the Senator from New Mexico, and in answer to the question which he propounded to me, I should like to read several provisions of the bill which go to the very heart of the bill itself. Under the title "Unfair Employment Practices Defined" I read as follows:

SEC. 3. (a) It shall be an unfair employment practice for any employer within the scope of this act—

An employer is defined to mean any employer who has in his employ six or more persons.

Mr. BANKHEAD. Mr. President, will the Senator yield for a question?

Mr. OVERTON. I yield to the Senator from Alabama.

Mr. BANKHEAD. Is it the Senator's construction of the bill that if an employer does not employ a fair and reasonable percentage of Jews, of Catholics, of Gentiles, or of Christians, the presumption must prevail that he is discriminating against them?

Mr. OVERTON. The Senator is correct.

Mr. BANKHEAD. And is it the Senator's understanding that the bill would require the employer to apportion his employees not only in accordance with races, such as white and black, but in accordance with religion? Is that a proper construction of the bill?

Mr. OVERTON. It is a proper construction of the bill.

Mr. President, I shall read hurriedly some of the provisions of the bill:

SEC. 3. (a) It shall be an unfair employment practice for any employer within the scope of this act—

(1) to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry;

(2) to discharge any person from employment because of such person's race, creed, color, national origin, or ancestry;

An employer may not refuse to employ, and may not discharge any person because of such person's race, creed, color, national origin, or ancestry.

I continue reading:

(3) to discriminate against any person in compensation or in other terms or conditions of employment because of such person's race, creed, color, national origin, or ancestry; and

(4) to confine or limit recruitment or hiring of persons for employment to any employment agency, placement service, training school or center, labor union or organization, or any other source that discriminates against persons because of their race, color, creed, national origin, or ancestry.

Mr. President, let us consider those four provisions of the bill. Several of my very good friends, who are very able businessmen, belong to the Roman Catholic Church. They are good citizens and they are respected. So far as I know, no one criticizes them because they happen to belong to a church which is different from the church to which I belong. It happens that one of them is a very devout member of the Catholic Church and he is necessarily thrown into intercourse and friendly association with more members of his denomination than he is with those of any Protestant denomination.

The result is that there naturally is in his store a predominant number of employees of the Roman Catholic faith. They are good employees, and they do their work efficiently. But under the pending bill a representative of the FEPC could walk into that store and say, "Well, there is a Baptist who is prepared to work in your store, and at this time you are employing a Roman Catholic. The Baptist is just as good as the Roman Catholic. Why did you employ the Roman Catholic?"

The employer would perhaps reply, "Because I know him and he is a friend of mine. I did not know much about the other man. He is practically a stranger to me."

The FEPC representative could reply, "Yes, but I have looked over the personnel of your store and I find there is in it a predominance of Roman Catholics, and that is discrimination. What you should have done was to employ the Baptist and not the Catholic."

I have some very good Jewish friends—a number of whom are operating department stores and engaged in other lines of business. An overwhelming majority of their employees are of the Jewish race and of the Jewish faith. That is natural, is it not? Those employers are thrown into more intimate intercourse with members of the Jewish faith than they are with members of other denominations. And if that is not an adequate reason, why may not an employer employ whom he pleases if he believes that such person can efficiently perform his duties? Why should a representative of the Federal Government step into that man's business and say, "You are overloaded with employees of the Jewish faith and you must get rid of them and employ persons of the Protestant faith. There must be an absence of such disproportion in the racial background and the religious views of your employees."

Mr. President, this bill would arm the Federal agency with the authority to do what I have described. I have read the bill, and I am not mistaken in my understanding of it. If the law is to be obeyed Jewish managers of stores may not employ friends of theirs even if, in their opinion, such friends are capable of performing the work which will be required of them, but must employ an Episcopalian, a Baptist, a Methodist, or a Holy Roller who is better qualified, in the opinion of the FEPC or any other Federal authority which has a right to pass upon the qualifications of employees. I do not believe that fact is generally understood throughout the country.

I venture the assertion, Mr. President, that numbers of employers in large establishments in cities such as San Francisco, Omaha, New Orleans, and New York, if they understood the full purport and effect of the proposed legislation and the power that would be vested in a central authority to regulate employment in their establishments, would be pouring in letters and telegrams against the enactment of the measure.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. OVERTON. I am glad to yield.

Mr. MAYBANK. The Senator has referred to private employers. Has the Senator given any thought as to how the measure would affect civil-service employees?

Mr. OVERTON. There is a provision with reference to Federal employees, which appears at the top of page 2, where it is provided:

> It is hereby declared to be the policy of the United States to eliminate such discrimination—

That is, discrimination on account of race, creed, color, national origin, or ancestry—

> in all employment relations which fall within the jurisdiction or control of the Federal Government as hereinafter set forth.

So the bill applies to all employees of the Federal Government.

Mr. MAYBANK. It is not a question of eliminating discrimination. The bill gives a Government bureau permission to tell the representatives of the Federal Government, in the last analysis, who shall or who shall not be taken from the civil service rolls in accordance with legal authority. Is that correct?

Mr. OVERTON. That is correct. I should like to ask the author of the bill, the Senator from New Mexico, if I may do so without losing my right to the floor——

Mr. CHAVEZ. I assure the Senator that any question he might ask would not in any way jeopardize his right to continue to speak.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Louisiana? The Chair hears none.

Mr. OVERTON. Would the provision I have read apply to the clerical staffs in senatorial and congressional offices?

Mr. CHAVEZ. Let me say to the Senator that those who are sponsoring the bill, those who believe in the philosophy of the bill, do not contend that the bill provides that in a Senator's office, or in a factory, or in a shop, or in a grocery store, the owner or the management of the place is obligated to hire anyone. The only thing the bill provides for is that people shall not be discriminated against, that they shall not be disqualified, on account of race or creed, color, national origin, or ancestry.

Mr. OVERTON. I shall address an argument ad hominem. Instead of addressing the question to the Senator from New Mexico, I shall address it to myself. I have a senatorial office in which I have more than six employees. We will say a colored woman, who is thoroughly well educated, a graduate of several universities, thoroughly well qualified, walks into my office, where I have a vacancy, and desires employment, and I refuse to give it to her. Then, do I not violate this provision? The bill reads, "to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry." I would have to tell an infamous story about it and say I refused to employ her for some other reason, but my reason for refusing to employ her would be on account of her color—her race.

Mr. CHAVEZ. My opinion is that the Senator would not be bothered whatsoever by the proposed law.

Mr. OVERTON. Then what is the effect of the law? If it does not apply to me, if we Senators are exempting ourselves, are we not also exempting all other businesses of the Nation?

Mr. CHAVEZ. The Senator is posing a hypothetical question.

Mr. OVERTON. No; I am posing a concrete question.

Mr. CHAVEZ. No; the Senator does not have to hire a Jew if he does not like a Jew.

Mr. OVERTON. Even if I do not like a Jew—and I have no antipathy toward Jews—I cannot refuse to hire a Jew. That is the very language of the bill. Listen to it:

> It shall be an unfair-employment practice for any employer within the scope of this act—

That is, any employer, Federal or private, employing six or more persons.

> (1) To refuse to hire any person because of such person's race, creed, color, national origin, or ancestry.

Very well. Suppose I did have an antipathy to a Jew, or suppose I were a Protestant who had an antipathy to a Roman Catholic, and a Jew or a Catholic should walk into my office thoroughly well qualified, perhaps much abler than any employee in my senatorial office, and I should turn the applicant down and select someone less qualified. Why would I do it? I would do it on account of some antipathy to the applicant by reason of his faith or race or color or creed.

The same applies to the Negro. It cannot be said, according to the provisions of this bill, that one can make a discrimination between Mr. Negro and Mr. Jew and Mr. Protestant. So that a Negress can walk into my office, where I have white young ladies from the South in my employ, and the Federal Government can say to me I have to employ her and put her side by side with the other young ladies in my office.

Mr. President, I am a loyal, law-abiding citizen, but I do not know what I would do, under those circumstances, to any FEPC agent, be he black or white, who would walk into my office and make such a demand as that. If I feel like that about it, how do the Senator from Nevada, the Senator from North Carolina, and the Senator from California, feel about it? How do my friends down in Louisiana, who are conducting their own business, who have white laborers working side by side in large stores and small shops, and do not want Negroes, regard this bill? How is it to be enforced against them? It will be enforced at the point of the bayonet. That is the only way the Federal Government will be able to enforce it.

Mr. President, the bill is totally, radically, irretrievably, wrong. When we make personal application of it to our own offices, it is wrong.

Mr. MAYBANK. Mr. President, will the Senator further yield?

Mr. OVERTON. I yield.

Mr. MAYBANK. The Senator has given a very good description and statement as to how the bill would affect Government employees, such as those in our own offices. I wonder whether before the Senator concludes his very able address he would care to make a suggestion as to how it would affect the unions, for instance, the railroad trainmen, conductors, flagmen, switchmen, and so forth and so on.

Mr. OVERTON. There is another provision of the bill which declares:

> It shall be an unfair employment practice for any labor union within the scope of this act—
>
> (1) To deny full membership rights and privileges to any person because of such person's race, creed, color, national origin, or ancestry.

So they have to take them all in.

(2) To expel from membership any person because of such person's race, creed, color, national origin, or ancestry.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. OVERTON. Mr. President, I think I have proceeded as far as I can proceed this afternoon, and I shall be very glad to yield.

Mr. BANKHEAD. I wish to suggest, Mr. President, that the Senator from Louisiana has been making a very able and impressive argument to any man with an open mind, it makes no difference on which side of the subject he may be. I think we should have a quorum present whether he proceeds or not, so I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Louisiana yield for that purpose?

Mr. OVERTON. I yield for that purpose.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Morse
Andrews	Gossett	Murray
Austin	Green	O'Daniel
Bailey	Guffey	O'Mahoney
Ball	Gurney	Overton
Bankhead	Hart	Pepper
Barkley	Hawkes	Radcliffe
Bilbo	Hayden	Revercomb
Brewster	Hickenlooper	Russell
Bridges	Hill	Saltonstall
Briggs	Hoey	Shipstead
Buck	Huffman	Smith
Bushfield	Johnson, Colo.	Stanfill
Butler	Johnston, S. C.	Stewart
Byrd	La Follette	Taft
Capehart	Langer	Thomas, Okla.
Capper	Lucas	Thomas, Utah
Chavez	McCarran	Tobey
Cordon	McClellan	Tydings
Donnell	McFarland	Walsh
Downey	McKellar	Wherry
Eastland	McMahon	White
Ellender	Magnuson	Wiley
Ferguson	Maybank	Willis
Fulbright	Mead	Wilson
George	Millikin	Young

The PRESIDENT pro tempore. Seventy-eight Senators having answered to their names, a quorum is present.

Mr. CHAVEZ obtained the floor.

The PRESIDENT pro tempore. The Chair asks permission to state that there are some reports on the desk, together with some nominations from the President, and some morning business on the Secretary's desk. If there be no objection, these matters will be laid down, appropriately referred, and noted in the RECORD.

Mr. BALL. Mr. President, I object.

The PRESIDENT pro tempore. Objection is heard.

In his capacity as a Senator, the Chair asks unanimous consent, as in executive session, to have laid before the Senate for appropriate reference certain nominations.

Mr. BALL. Mr. President, I object.

The PRESIDENT pro tempore. Objection is heard.

REGISTRATION OF FIREARMS

Mr. HAWKES. Mr. President, I ask unanimous consent to introduce a bill which is in the form of a substitute for a bill previously introduced by me.

The PRESIDENT pro tempore. Does the Senator from New Mexico yield for that purpose?

Mr. OVERTON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. OVERTON. As I understand, it can be done only by unanimous consent.

The PRESIDENT pro tempore. That is correct.

Mr. HAWKES. I ask unanimous consent.

Mr. OVERTON. I have no objection.

Mr. HAWKES. Mr. President, I ask unanimous consent to introduce a bill providing for the registration of firearms, and for other purposes, which is a substitute for Senate bill 1678, which I introduced a few days ago. The substitute bill has amendments which meet conditions which were not foreseen. I ask that it be referred to the Committee on the Judiciary, to replace Senate bill 1678.

There being no objection, the bill (S. 1755) providing for the registration of firearms, and for other purposes, was received, read twice by its title, and referred to the Committee on the Judiciary.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Perry, one of its clerks, announced that the House insisted upon its amendments to the bill (S. 1405) to authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. VINSON, Mr. DREWRY, and Mr. COLE of New York were appointed managers on the part of the House at the conference.

RELIEF FOR THE DESTITUTE PEOPLE OF GERMANY AND AUSTRIA

Mr. McCARRAN. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a petition signed by 34 Senators, addressed to the President of the United States, requesting that he facilitate the matter of feeding the destitute people of Germany and Austria.

There being no objection, the petition was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

DEAR MR. PRESIDENT: We, the undersigned Members of the United States Senate, hereby appeal to you as the Commander in Chief of our armed forces to take immediate steps toward relieving the appalling famine in Germany and Austria.

The people of these countries are today facing starvation on a scale never before experienced in western civilization. War has destroyed most of their houses and factories. Millions of their men are dead. Many millions more are working as forced labor in foreign lands, thus unable to give aid to their wives and children. Millions of totally destitute deportees are milling aimlessly about the country. These people desperately need food, clothes, fuel, medicine, and shelter. The most appalling situation exists in the Russian zone due to the almost total loss of crops and livestock.

War has utterly destroyed Germany's war-making power. Surveillance and control are sufficient to ensure our future safety. We did not fight the war to exterminate the German people, but to destroy forever the criminal Nazi leadership and their war machine.

Now the war is over. The German people must be offered the opportunity to work their way back into the community of nations. The American people do not want to be responsible for having permitted a catastrophe which cannot but drag all Europe into ruin and chaos. We in the United States have granaries overflowing with wheat. If properly used, our surpluses are sufficient to keep alive all needy people in the lands of our allies as well as our former enemies.

We, therefore, appeal to you, Mr. President:

1. To give orders at once to our armed forces in Germany and Austria to raise food rations above the present starvation level in the United States zone of occupation and restore immediately mail and postage service.

2. To start negotiations at once with the head of the Russian State with the object of gaining his permission to send American food supplies into the Russian zone of occupation in order at least to diminish the appalling daily death toll.

3. To give permission now to private relief organizations to start operations in Germany and Austria, in order to support the efforts of our occupation forces.

4. And, Mr. President, because we believe that the conditions in Germany and Austria are so desperate that even the above steps if taken immediately will not suffice, we further appeal to you to authorize and create an independent American relief mission to avert this impending disaster of wholesale starvation and pestilence now threatening Europe, even beyond the assistance now being furnished by UNRRA.

STYLES BRIDGES, Republican, New Hampshire; C. DOUGLASS BUCK, Republican, Delaware; HARLAN J. BUSHFIELD, Republican, South Dakota; HUGH BUTLER, Republican, Nebraska; HOMER E. CAPEHART, Republican, Indiana; ARTHUR CAPPER, Republican, Kansas; E. P. CARVILLE, Democrat, Nevada; SHERIDAN DOWNEY, Democrat, California; JAMES O. EASTLAND, Democrat, Mississippi; ALLEN J. ELLENDER, Democrat, Louisiana; JOSEPH F. GUFFEY, Democrat, Pennsylvania; ALBERT HAWKES, Republican, New Jersey; B. B. HICKENLOOPER, Republican, Iowa; CLYDE R. HOEY, Democrat, North Carolina; EDWIN C. JOHNSON, Democrat, Colorado; ROBERT M. LA FOLLETTE, Jr., Progressive, Wisconsin; WILLIAM LANGER, Republican, North Dakota; E. H. MOORE, Republican, Oklahoma; ABE MURDOCK, Democrat, Utah; JAMES MURRAY, Democrat, Montana; JOSEPH C. O'MAHONEY, Democrat, Wyoming; GEORGE L. RADCLIFFE, Democrat, Maryland; LEVERETT SALTONSTALL, Republican, Massachusetts; HENRIK SHIPSTEAD, Republican, Minnesota; H. ALEXANDER SMITH, Republican, New Jersey; W. A. STANFILL, Republican, Kentucky; GLEN H. TAYLOR, Democrat, Idaho; CHARLES W. TOBEY, Republican, New Hampshire; DAVID I. WALSH, Democrat, Massachusetts; BURTON K. WHEELER, Democrat, Montana; KENNETH S. WHERRY, Republican, Nebraska; ALEXANDER WILEY, Republican, Wisconsin; RAYMOND E. WILLIS, Republican, Indiana; MILTON R. YOUNG, Republican, North Dakota.

DEATH OF REPRESENTATIVE ERVIN, OF NORTH CAROLINA

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution from the House of Representatives, which will be read.

The resolution (H. Res. 476) was read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. JOSEPH W. ERVIN, a Representative from the State of North Carolina.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That is a further mark of respect the House do now adjourn.

Mr. BAILEY. Mr. President, on behalf of my colleague [Mr. HOEY] and myself I submit the resolution which I send to the desk, and I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The resolution will be read.

The resolution (S. Res. 217) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JOSEPH W. ERVIN, late a Representative from the State of North Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. BAILEY. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was unanimously agreed to; and (at 3 o'clock and 30 minutes p. m.) the Senate took a recess until Monday, January 21, 1946, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 18, 1946

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Heavenly Father, we praise Thee for the world's purest Teacher, who hast revealed unto us the peerless depths of eternal truth; who hast given us the will to believe, the will to live, and the will to work. Enable us to pursue these realities with the reasoned conviction that all men have the high privilege of enjoying these blessings.

Create within us a passion to preserve the glorious freedoms on which our Republic was founded. Reveal Thyself in the wondrous mercies of our homeland, and inspire us to labor for the perpetuity of a government of the people, by the people, and for the people. In quietness and meditation, help us to do the right and deal justly with all men, filled with perfect trust and freedom of spirit. O control and sustain us as we dedicate ourselves to those rights with which we have been endowed. Blessed is he who can go through the thunder of life's battle and keep spotless the garment of his character. In the name of our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate insists upon its amendments to the bill (H. R. 2348) entitled "An act to provide for the coverage of certain drugs under the Federal narcotic laws," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GEORGE, Mr. WALSH, Mr. BAILEY, Mr. LA FOLLETTE, and Mr. TAFT to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 3603) entitled "An act to provide for the sale of surplus war-built vessels, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RADCLIFFE, Mr. BAILEY, Mr. OVERTON, Mr. BREWSTER, and Mr. HART to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1405) entitled "An act to authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WALSH, Mr. TYDINGS, and Mr. TOBEY to be the conferees on the part of the Senate.

The message also announced that the President pro tempore has appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following Departments and agencies:

1. Department of Agriculture.
2. Department of Commerce.
3. Department of the Interior.
4. Department of the Navy.
5. Department of War.
6. Alien Property Custodian.
7. Federal Security Agency.
8. National Archives.
9. National Housing Agency.
10. Office of Price Administration.
11. Selective Service System.
12. The Panama Canal.
13. United States Maritime Commission.
14. United States Maritime Commission and War Shipping Administration.
15. United States Railroad Retirement Board.
16. War Shipping Administration.

EXTENSION OF REMARKS

Mr. DOUGHTON of North Carolina asked and was given permission to extend his remarks in the RECORD and include a letter addressed by him to the Honorable Chester Bowles, Administrator of the Office of Price Administration, protesting against the ceiling price on cotton, and his reply.

Mrs. LUCE (at the request of Mr. MARTIN of Massachusetts) was given permission to extend her remarks in the RECORD and include excerpts.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Massachusetts [Mr. GIFFORD], who has a special order for 15 minutes today, may be permitted to proceed for an additional 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ENGLAND GENERAL HOSPITAL, ATLANTIC CITY, N. J.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, on Monday I addressed the House calling attention to an article which had appeared in the Washington Daily News stating that the England General Hospital, now located in one of the hotel buildings at Atlantic City, where a number of seriously disabled veterans have been cared for, was going to be closed. I quoted the article, which stated that pressure had been brought to bear on the Army to do this. I stated in my remarks that I earnestly hoped the report was not true, and that any attempt to get disabled veterans moved out of a community would be reprehensible in any community where it took place, in my own district or anywhere else. In the 3 days that have followed, I have received a large number of letters from people living in Atlantic City, including the mayor of the city, assuring me of their desire to have the veterans' hospital continued. This is most encouraging and is just what I would have expected from the people of an American community.

On yesterday the gentleman from New Jersey in whose district Atlantic City is located addressed the House and took exception to my remarks, or, more exactly, to the newspaper article I quoted. May I point out that the whole purpose of my speech was to try to prevent removal of these disabled veterans from their present location, which they like so much. The response to my remarks from that point of view has been all on the positive side. The fact remains, however, that the order for closing the hospital has apparently been issued and still stands. I hope it will be rescinded. I have a letter here from some of the veterans located there protesting very much against it, and I shall include it in my remarks, since it may shed some light on the whole matter. In every community in this whole country, including Atlantic City, the majority of the people stand ready to do whatever they can for the disabled veteran. But in every community I am afraid there are a few who take a different attitude. And in the instant case I find the Washington News stating today that they have verified their original story and that pressure was brought to bear upon the War De-

partment to release this hotel. I only hope that the efforts now being made, both in and out of Atlantic City, to let these veterans stay where they are will prevail.

The letter from the veterans follows:

WOUNDED-PARALYZED-LIMBLESS VETERANS APPRECIATE YOUR HELP TO KEEP THOMAS M. ENGLAND HOSPITAL AT ATLANTIC CITY

TUESDAY.

HON. JERRY VOORHIS,
United States Congress,
Washington, D. C.

HONORABLE SIR: Many of us at the Thomas M. England Hospital read with great appreciation the enclosed report in the Philadelphia Record of the interest you have taken and the efforts you are making in our cause.

The removal of the hospital is not only inhuman but very unnecessary.

We are enclosing a copy of a letter which we are sending tonight to the Washington Daily News, whose kindness has helped to focus public attention on our plight.

The city and the owners of the Haddon Hall-Chalfonte Hotels have offered this hotel which houses the main part of the Thomas M. England Hospital installation to the United Nations Organization. We don't want to keep the UNO out of Atlantic City but we don't want to get put out. There is room for both of us, as explained in our letter to the Washington Daily News.

Some of us are going to try to get to Washington so we can tell you the many reasons why Atlantic City is the finest location for an Army Hospital. We have given everything, our legs, our bodies; all we want is a chance to continue uninterrupted on our recovery back to useful citizens. The shooting is over but the war will not be over for us for a long while. Such real Americans as yourself make us feel our efforts were not in vain. If our fox-hole buddies who lived through hell with us can only get our story, they will never let us down, because they know what war is.

PURPLE HEART GI'S.
T. M. ENGLAND HOSPITAL, ATLANTIC CITY.

IMPORTS OF JEWELED WATCHES

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KNUTSON. Mr. Speaker, some years ago the Secretary of War, officially acting for the War Department, the War Department realizing that a supply of and a reliable American source of timing mechanisms were as essential in modern warfare as are ammunitions and manpower, protested to the Secretary of State against the reduction of tariff rates on watches which would imperil the continued existence of this highly essential national defense industry.

The protest fell on deaf ears and America was again sold down the river.

When we entered the war the need for these highly essential timing mechanisms justified the protest of the War Department. The War and Navy Departments' officials called upon the ingenuity and skill of the few remaining thousands of American watch workers, employed in the production of American precision watches, to meet the needs of our armed forces. Fortunately, these workers were able to produce—operating 24 hours each day—sufficient timing mechanisms to supply the needs, not alone the needs of the American armed forces, but, also the needs of our allies.

Evidence presented to the Ways and Means Committee, and not contradicted by anyone, shows that the watch factories of Switzerland, controlled by the German-Swiss cartel, supplied the timing mechanisms used by the Nazi forces to kill and maim hundreds of thousands of our American heroes. In addition it is understood that the German-Swiss watch cartel equipped some 90 timing mechanisms factories in Germany to better supply the Nazi forces.

This same Swiss watch cartel, through its control of the Swiss Government, despite promises in the present Swiss Trade Treaty with the United States, has refused to permit the exportation of watch-making machinery into the United States.

Some years ago the Tariff Commission, following the protest of cotton producers and the Department of Agriculture finding that imports of three one-hundredths of 1 percent threatened the success of the American raw-cotton industry, recommended the imposition of quota restrictions on imports, which restrictions are still in force.

The imports of Swiss-made watches from 1926 to 1941, inclusive, represent each year more than 50 percent of American consumption. During most of these years the imports represented more than 60 percent. From 1942 to 1945, inclusive, while American watch factories were producing timing mechanisms solely to aid and promote the war effort, and while the Swiss watch factories were producing similar timing mechanisms for our enemies, the Swiss watch factories produced additional millions of watches which had full control of the American market.

The American watch industry is now in process of reconversion. It is essential, if we are to promote this reconversion and make it possible for the continued existence of this highly essential national defense industry, that we impose a fair quota restriction on imports of jeweled watches.

I have presented for the consideration of the Ways and Means Committee and for the House and I ask the support of patriotic members of the Ways and Means Committee and the House to support this legislation.

Following is a table showing the imports of watches, the domestic production, and the percentages thereof for the years 1926 to 1945, inclusive.

This legislation is presented in conjunction with legislation already sponsored by my colleague the gentleman from Massachusetts [Mr. HOLMES], who, recognizing the needs of the country and the need for the continued maintenance of this highly national defense industry, has repeatedly called the attention of his colleagues to the need for this legislation.

The imports of jeweled watches and jeweled watch movements, as reported by the United States Tariff Commission and the Department of Commerce for the years 1926 to 1945, inclusive, and the domestic production of jeweled watches and jeweled watch movements for the same period, is shown as follows, in numbers:

Year	American production	Imports	Apparent consumption	Percentage	
				Domestic production	Foreign made
1926	2,089,393	2,599,776	4,632,768	45.1	56.1
1927	2,281,303	3,000,097	5,221,968	43.7	57.4
1928	1,741,495	2,600,343	4,280,449	40.7	60.7
1929	1,735,059	3,400,315	5,088,434	34.1	66.8
1930	1,327,065	2,300,029	3,610,707	36.8	63.7
1931	608,933	815,208	1,416,967	43.0	57.5
1932	434,941	421,781	854,241	50.9	49.4
1933	391,170	432,005	821,240	47.6	52.6
1934	815,000	831,000	1,646,000	49.6	50.4
1935	1,051,000	1,137,000	2,188,000	48.1	51.9
1936	1,396,000	2,131,000	3,527,000	39.6	60.4
1937	1,804,000	2,947,000	4,451,000	33.8	66.2
1938	965,000	2,135,000	3,100,000	31.0	69.0
1939	1,290,000	2,700,000	3,990,000	32.3	67.7
1940	1,484,000	3,267,000	4,751,000	31.3	68.7
1941	1,886,000	4,169,000	6,055,000	31.2	68.8
1942	[1]	5,091,000	[2]	0	100
1943	[1]	7,996,000	[2]	0	100
1944	[1]	6,912,000	[2]	0	100
1945	[3]	[4] 10,000,000	[3]	[?]	[?]

[1] Producing timing mechanisms exclusively for our armed forces.
[2] Supplied by Swiss-German cartel.
[3] Reconverting.
[4] Almost.

EXTENSION OF REMARKS

Mr. MANSFIELD of Montana and Mr. KELLEY of Pennsylvania asked and were given permission to extend their remarks in the RECORD.

Mr. ROGERS of Florida asked and was given permission to extend his remarks in the RECORD and include an editorial from the Fort Myers News-Press.

Mr. SPENCE asked and was given permission to extend his remarks in the RECORD and include a letter from J. B. Hutson, Acting Secretary of Agriculture, to the Speaker.

Mr. PLOESER asked and was given permission to extend his remarks in the RECORD and include a letter addressed to the President on the subject of the Army and Navy merger.

Mr. HESS asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

PERMISSION TO ADDRESS THE HOUSE

Mr. MERROW. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 10 minutes, and that on Wednesday next, January 23, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I be permitted to address the House for 45 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. BUFFETT. Mr. Speaker, I ask unanimous consent that on Monday next after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, my colleague, the gentleman from Nebraska [Mr. MILLER], may address the House for 15 minutes.

SOUTH DAKOTA'S JUNIOR CHAMBER OF COMMERCE

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include certain excerpts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

[Mr. MUNDT addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. HOOK asked and was given permission to extend his remarks in the RECORD and include therein a radio address he made on the USES.

INCOME TAX DEDUCTIONS ON EXPENSE ALLOWANCE OF MEMBERS OF CONGRESS

Mr. MASON. Mr. Speaker, I ask unanimous consent to address the House for one generous minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, I have been bothered lately in trying to make out my tax return insofar as it covers the expense allowance of Members of Congress. I think others have been bothered with the same problem. I have here an official communication which says:

The income tax treatment of the expense allowance is discussed in a letter to Congressman O'NEAL dated July 20, 1945, which was published in the CONGRESSIONAL RECORD on July 21, 1945.

Then I have this:

In computing the net income, the amount received—

That is, the expense account—

may be claimed as a deduction by listing it as "fully expended in the performance of official duties, subject, however, to substantiation on examination of the return."

Now, I want to say it was a mistake when we passed that law that we did not specify in the law that that expense account was not taxable. But we did specify it in the report which accompanied the bill. That distinctly shows the intent of Congress. If a test case is carried up to the courts, they would have to abide by that report which accompanied the bill.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

EXTENSION OF REMARKS

Mr. BENNETT of Missouri asked and was given permission to extend his remarks and to include a brief editorial.

WE WILL ALWAYS HAVE A U. S. A. IF WE DO NOT GIVE IT AWAY

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks, and I want to talk on the subject of We will always have a U. S. A. if we do not give it away.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, that is a great subject now and will be for some time to come. We are going to have to be the ones who are going to determine whether we will continue to have a U. S. A. We will have it providing we do not give it away. The first pack you are going to have thrust upon your back will be whether you are going to make a loan of $4,400,000,000 to Great Britain. Let me say that if Great Britain wants $4,400,000,000, she can get it from the people of the United States providing she asks for a loan like we would have to ask for it if we as individuals wanted a loan, and that is to go to the bankers of America and say to the bankers, "Great Britain wants to borrow $4,400,000,000." The bankers are going to say to Great Britain, "What security and collateral do you have to offer?" I can show you that they have lots of collateral and they have to put up that collateral. If they do not do it that way, the taxpayers are going to lose the whole business and you cannot force any more taxes on your constituents. Great Britain can put up the collateral she has of American corporations, part of which are as follows: 434,000 shares of General Motors Corp.; 177,000 shares of Radio Corp. of America; 133,000 shares of Amerada Petrol; 36,000 Chrysler Corp.; 198,000 Standard Oil of New Jersey; 315,000 Standard Oil of Indiana; 130,000 Socony-Vacuum Oil; 70,000 A. T. & T.; 21,000 United States Steel, preferred.

If they put up collateral they will pay the interest and the loan to the American bankers.

If the Congress is foolish enough to do the trick, it will be like the other loans to Great Britain—you will write it off the books because you will not and cannot collect it—then your taxpayers will pay for your incompetence. I am opposed to it. We will always have a U. S. A. if we do not give it away.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

ADMINISTRATION OF GI EDUCATIONAL FUNDS

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GILLIE. Mr. Speaker, I read a news article in the Fort Wayne (Ind.) News-Sentinel today that thoroughly aroused my indignation. It concerned the run-around one of our bureaus is giving our GI veterans. After Congress provided our returned servicemen with an opportunity of resuming their educations when they returned from the war, what happened? Because of the inefficiency and incompetency of one of our governmental agencies, our veterans are being forced to leave their schools or colleges because they are unable to get their subsistence checks. Of all things!

It is high time that we did something to eliminate the red tape which is responsible for such action. I can well imagine the feeling of frustration and discouragement which faces these returned GI's who sacrificed so much for us.

Returning with high hopes for stepping back into the role of students so that they could better equip themselves for the future, what do they get? A dash of cold water in their faces, and a first-hand disappointment. Certainly, if we were able to get the pay to the boys in the far corners of the earth while they were fighting for us, we can work out some kind of a plan for our disbursing bureau to see that the money is on hand which the Congress has provided to see that these ex-servicemen are able to carry on their educations and restore their confidence in their Government which owes them so much.

I sincerely believe that something should be done at once to correct this gross mismanagement and heartless handling of a very serious and critical problem. Surely, sufficient red tape can be cut by this responsible bureau, to see that such a condition does not continue.

The news article follows:

CHICAGO, January 16.—A survey disclosed today an increasing number of students under the GI bill of rights are dropping out of school, many of them because of long delays in subsistence payments from the Government.

In the Midwest, students from all sections of the Nation have dropped out of classes, a check with university and college officials determined.

Charles E. Hostettler, vocational rehabilitation division manager in the Chicago region, said, "More than one-quarter of the veterans who have entered college in this regional area under the GI bill of rights have dropped out since the peak last fall."

SUBSISTENCE MONTHS BEHIND

Veterans and many educators asserted a great number of the students had quit because their first subsistence checks were so slow in arriving that they had to finance themselves for a whole semester or longer.

William Enters, adjutant of American Veterans of World War II, declared:

"Payments are definitely slow and that auditing machinery should be speeded up."

HAVEN'T MONEY OF OWN

Murray Silberstein, field director of the American Veterans Committee, said:

"Many of the men who expected to be paid promptly are waiting 4 and 5 months before their first check arrives, and they just haven't the money to swing it."

APPLAUSE IN THE GALLERY

Mr. KNUTSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. KNUTSON. I noticed, following the remarks of the gentleman from Pennsylvania [Mr. RICH], there was considerable applause in approval of what he said against a loan to Great Britain. Is it not against the rules of the House for our guests in the gallery to applaud?

The SPEAKER pro tempore. The gentleman is absolutely correct.

Mr. RANKIN. Mr. Speaker, a point of order. That applause was on the floor. It was not in the gallery.

Mr. KNUTSON. It was both on the floor and in the gallery.

The SPEAKER pro tempore. The Chair is ready to rule on the parliamentary inquiry. The attention of the Chair was otherwise engaged, and the Chair did not notice any applause from the gallery. The Chair did notice manifestations from the floor on the Republican side.

Mr. KNUTSON. The applause seemed to be quite general, on both sides.

The SPEAKER pro tempore. Answering the gentleman's parliamentary inquiry, applause from the gallery violates the rules of the House.

EXTENSION OF REMARKS

Mr. HOFFMAN asked and was given permission to extend his remarks in the RECORD on three separate subjects, and to include excerpts from letters and papers.

Mr. HOFFMAN. I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, yesterday the gentleman from Virginia [Mr. SMITH], a Democrat, a man who, as chairman of a special committee, made an investigation extending over several months into the activities of the National Labor Relations Board, and who was again honored by the Speaker of the House by an appointment as chairman of the Special Committee to Investigate Acts of Executive Agencies Which Exceed Their Authority, made a statement which outlined part of the activities of some labor unions and which called attention to the fact that the Congress has failed to enact needed legislation.

Members of Congress, listening to that statement, which was factual rather than argumentative, must have had brought home to them a realization not only of what was needed but of their duty to act now.

For 7 long years I have endeavored to point out from the well of the House and elsewhere some of the evils which were sure to follow the policy adopted by some unions and which were certain to follow our failure to act.

I am personally familiar with the incidents to which the gentleman from Virginia called attention. I heartily endorse the statements he made and the conclusions he drew, and intend to send out to the constituents residing in my district copies of his remarks.

WHEN HE SINGS, YOU WRITE THE MUSIC

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks and include therein the Techniques of Interviewing, which is issued by the OPA to its investigators.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, "when he sings, you write the music." That probably sounds a bit cryptic. And so it is. In fact, it is a bit professional. It is taken from an instruction sheet to OPA investigators entitled "Techniques of Interviewing." It sets forth instructions on how to interview a witness and get him to break down.

It contains some highly intriguing suggestions. That is at least a charitable estimate.

Avoid the use of harsh or incriminating words—

Says OPA in its Technique of Interviewing—

Get him (the witness) to talk about himself. * * * He has likes, dislikes, hobbies, pet ideas. * * * When the facts in the case indicate that another person may be involved with the witness, phrase your questioning to transfer the blame. * * * Make the witness feel that he is not telling you anything that you do not already know. * * * Sometimes the factual situation is such that you can work a good "bluff" on the witness. * * * Ascertain the status and degree of friendship between the witness and third parties * * * or any degree of animosity. * * * Play this factor up by inference to the witness' mind. * * * Point out that he is possibly being played for a sucker. * * * Each little pin-point penetration that you make in the witness will make him want to "sing" to get even. * * * When he sings, you write the music. * * * Play up any reason, alibi, or excuse the witness may have. * * * The use of the double or alternate question is sometimes an effective way. * * * Play upon his sympathies in connection with his family, his standing in the community, his citizenship, his business associates, his lodge affiliations, his friends, his business, or any other factor that you are able to ascertain. * * * A set of golf clubs, mounted game heads, * * * pictures of hunting dogs, a volume of coin collections, etc., all give clues to possible subject matter to resort to in order to make your subject more receptive. * * * Filing the evidence is somewhat of a pressure technique. * * * Use a slow, deliberate, and methodical summation of the facts. * * * This crystallizes the witness' adverse position. * * * Don't be afraid of a little silence on the part of the witness. * * * It generally indicates that his nervous tension is building up, which is exactly what is desired. * * * If you have a particularly "hard to get at" witness and all other attempts to "coach" him have failed, it may be appropriate to "pile the evidence." * * * A second contact will have given the witness some time to "stew" mentally—

And so on. But, Mr. Speaker, I suggest that the membership read it in its entirety. Here is a technique that is indeed worthy of Scotland Yard, the Paris Prefect of Police, the FBI, or any other organization engaged in hunting down hardened criminals. Only in this case it is the technique for hunting down a humble grocer who inadvertently charged 2 cents too much for a can of beans or a humble dry-goods merchant who got 13 cents too much for a chemise.

To OPA investigators:

TECHNIQUES OF INTERVIEWING

SOFT WORD

Avoid the use of harsh or incriminating words in the course of questioning a witness, particularly one who may have some degree of guilt in the transactions.

Such terms as "black market," "violations," "cash on the side," "over ceiling," "false invoicing," etc., should be avoided because they immediately place the blame on the subject and point out to him that he is a law breaker.

In most cases the subject is already aware of that fact, and by repeating such phrases to him in the course of an interview, you tend to make him "clam up" and refuse to discuss the very things you want him to talk about.

The following are only a few of the various synonyms that may be substituted:

Harsh: Black market sale.
Soft: Irregular, unorthodox, extraordinary, unusual.
Harsh: Violation.
Soft: Transaction, discrepancy, nonconformance.
Harsh: Overceiling payment.
Soft: Bonus, premium, surplus.
Harsh: False invoice, record.
Soft: Erroneous, discrepancy.
Harsh: Cash on the side, side payment.
Soft: Premium, additional consideration, bonus, incentive payment.

1. Violations on your false invoices show that cash on the side was paid. Such payments on an over-ceiling basis are black-market operations. Who received the illegal money?

2. The transactions as shown indicate a possible error in billing or that an additional consideration was involved. These premium sales appear to have been made in a somewhat unorthodox manner. Who received the bonuses?

3. Transfers reflected on these records indicate a premium was required. Who received and accepted the incentive payments?

If you were involved, which type of question would you be more likely to answer?

DISCUSS THE SUBJECT

Don't be afraid to talk about the subject (your witness). Get him to talk about himself. The more you learn about him the better you will be able to study his reactions and the more verbal ammunition you will be able to employ to make him a cooperative witness. He has likes, dislikes, hobbies, pet ideas, takes pride in certain personal accomplishments and irrespective of his position is still fundamentally human. In talking about himelf, the witness will furnish you with many clues as to his personality and these in turn will point out the weak spots in his make-up where you can more profitably direct your efforts to do the "selling job" that is inherent in every good investigation of a witness.

Self-discussion is natural. It eases whatever tension the witness may be under. It gets him in the habit of talking to you. It, therefore, follows that he will more likely talk to you fully about matters that he would be unwilling to discuss if brought up at the very outset of the interview on a formal basis.

SWITCH THE BLAME

When the facts in the case indicate that another person may be involved with the witness, phrase your questioning to transfer the blame for the illegal transactions to the shoulders of the other party. This eases the tension on the conscience of the witness and makes it easier for him to explain the position to you.

For example, where a sale has been made by the witness of an excessive price to John Smith, ask the witness for details on how Smith induced him—the witness—in order that Smith could pay the particular price and made the purchase; not how the witness came to sell over-ceiling. If you have reason to believe that another party induced the individual to violate, let your witness know that you know that persons like the other party are pleading for goods, making attractive offers and that at times these may have been difficult for him to resist. Let him know that you put plenty of blame on such operations.

KNOWLEDGE OF THE DEAL

Make the witness feel that he is not telling you anything that you already do not know. Use your knowledge of the facts already established to convey to the witness by inference that you know plenty about what has been going on. Stress, however, that you are only seeking his personal confirmation of these facts in connection with particular

transactions that affect him. It has to be his story, not yours, and the fact that he tells it to you will certainly reflect more credit to his position than if you are forced to tell it yourself in your report.

Sometimes the factual situation is such that you can work a good bluff on the witness because of your partial knowledge of certain matters and thereby obtain full details and confirmation of his manner of operating.

Caution: Never bluff yourself out on a limb. If the witness catches you in a bluff, your leverage is gone and you are generally through as far as that witness is concerned.

ANIMOSITY TO THIRD PARTY

Endeavor to ascertain the status and degree of friendship between the witness and third parties concerned in the particular transaction under investigation.

If you find either a lack of substantial friendship or any degree of animosity, play this factor up by inference to the witness's mind.

Point out to him that possibly he is being taken advantage of, is holding the bag, or being played for a sucker. Show him that the third party was in a superior position to have better knowledge of the law and should never have involved the witness. Point out any unfair, competitive advantage that may be accruing to the third party.

Each little pin-point penetration that you make in the witness will make him want to sing to get even. When he sings—you write the music.

AGREEMENT

Don't argue with the witness. Agree with him even though it hurts. You are there to get the facts. If he damns the OPA, the regulation, the Administration, the Enforcement Division, or you personally, learn to "take it with a smile." Directly or indirectly convey to him the impression that you think he is probably right. In doing so you are selling yourself to the witness as being a "right guy" and thinking the way he does. This plane of common understanding makes the witness feel that whatever he may tell you as to what he did and why he did it will be understood by you in the light that he desires.

Agreement engenders confidence. You must get his confidence to get his story. When you get the story, you've "got" the case.

ALIBI

Play up any reason, alibi, or excuse the witness may have by reason of what he says or what you know about the circumstances surrounding the violations. By affording the witness the opportunity to present what he feels or claims are meritorious reasons for his actions, you salve his conscience. He becomes more receptive to questions in point if he feels you are sold on his excuses. If the witness has not offered any excuses lay the foundation yourself to give him an opening. Suggest that undoubtedly there are some circumstances that make his position more understandable than appears on the surface.

ALTERNATE QUESTION

The use of the double or alternate question is sometimes an effective way to get direct confirmation on a given point. It gives the witness the alternative of either one of two answers and whichever affirmative answer he selects pins down the fact you are endeavoring to get.

For example, you are interviewing A concerning his records which seem to indicate violations involving upgrading on the invoices covering merchandise sold to him by B. So far, A has not admitted that this condition exists, but you are reasonably sure that it does. Provide him with an opportunity to switch the blame and alibi his position by asking:

1. Was this idea yours or was this idea B's?

2. Did he approach you or did you go to him?

3. Did you want the invoice to read this way or did he insist on billing you this way?

In any event, an affirmative selection of one of the alternatives will confirm the existence of the violation and start the breaking of the case. After the violations are established we can, by further questioning, fix the true degree of responsibility for the violations.

SYMPATHY

Sympathize with the subject over his particular problems. If he is having difficulties tell him you appreciate his position and would like to help in whatever way you can. You have a tough selling job to do to get a witness to respond properly. If he is having trouble understanding the regulation or getting an interpretation, offer to refer the matter to the proper authority to see that he gets it. Whatever his trouble, be courteous and permit him a reasonable amount of your time to listen to him and respond in a sympathetic manner.

Play upon his sympathies in connection with his family, his standing in the community, his citizenship, his business associates, his lodge affiliations, his friends, his business, or any other factor that you are able to ascertain.

SWITCH THE SUBJECT MATTER

If your witness is a "clam" or is antagonistic, switch the subject matter away from the direct points in the investigation. Discuss anything that he appears to be interested in such as himself, his business, or his hobby.

Be observant of the surroundings in which the subject spends a good part of his time. If you are contacting him at his office or place of business, in many instances you will find evidences of his interests. Is his office well ordered and neat? A set of golf clubs, mounted game heads, pictures of hunting dogs, a volume on coin collections, and so forth, all give clues to possible subject matter to resort to in order to make your subject more receptive. Switching the subject matter is definitely in order when continuing the subject you are on is getting nowhere or is creating a feeling on the part of the witness which you do not want him to have. For example, do not continue to pile up the evidence repeatedly if the witness is not reacting properly or is getting angry.

FILING THE EVIDENCE

This is somewhat of a pressure technique and can be used for two purposes. First, it affords the investigator the opportunity to summarize all of the incriminating evidence or circumstances pointing to a violation. Second, it provides an excellent method for driving home the inconsistencies in the subject's explanations.

An example follows: Suppose you have examined certain documents which on their face may appear innocent. However, when considered in the light of other facts or documents there is a strong possibility that a violation has occurred. The subject has offered a verbal explanation of some entries or circumstances that do not appear or sound too plausible.

Using a slow, deliberate, and methodical summation of the facts as you go over each document, entry, or circumstance you emphasize the bad aspects together with the weak explanations offered. This procedure crystallizes the witness' adverse position in his own mind and turns a mental spotlight on the illogical explanation he has offered. Don't be afraid of a little silence on the part of the witness during the process. It generally indicates that his nervous tension is building up which is exactly what is desired. He can relieve this tension by offering you the correct explanation.

FLATTERY

This approach is self-explanatory. Suffice it to say, however, that care must be exercised to not overdo it and its application must be made with genuine sincerity. Otherwise you discredit yourself in the eyes of your subject and are then at a decided disadvantage.

Favorable comment on matters of interest to the subject can do much to strike a responsive chord and open the way for intelligent questioning.

FACE SAVING

Give your witness a chance to minimize the error of his ways in any irregular transactions. This technique touches and somewhat overlaps the alibi or justification approaches. If he does not develop possible face-saving circumstances, feel free to create this inference in relation to some of the facts he has already told you. The more reasonable or plausible you make the witness' acts appear the more likely he is to discuss those acts fully with you.

Face-saving may also be approached from the angle that now that the witness is somewhat involved, certainly he can improve his apparent position by cooperating with the Government and by such cooperation he will certainly attempt to redeem himself in the eyes of others. This is the feeling that should be created, but the investigator should refrain from any promises when creating this feeling.

JUSTIFICATION

Place your witness in the position of being able to justify or furnish his reason or reasons for his acts of commission or omission.

Justification tends to salve whatever guilty conscience he may have and eases the natural reticence to discuss situation in which he may be adversely involved. If the witness fails to offer such justification of his own accord, create the inference by adroit questioning or by your own suggestion. There is considerable analogy between this approach and the alibi and justification technique.

Just because the witness' justifications may go opposite to the purpose of price control is no reason for brushing them aside. Take notes when he is justifying. This makes him feel good and he may be telling you the defense his attorney may use in his case. Further investigation should cover any important defenses he brings up.

THINK IT OVER

If you have a particularly "hard to get at" witness and all other attempts to "coach" him have failed, it may be appropriate to "pile the evidence." Then conclude the interview with a statement to the effect that in view of all the circumstances and his position in the matter, you feel sure that after he thinks it over he can come to no other valid conclusion than to cooperate and furnish the Government with all of the facts. Arrange for a definite appointment with him at a later time the same day or the following day or week, as circumstances warrant.

The second contact will have given the witness some time to "stew" mentally, and you will have given yourself another shot at breaking him. The danger of the approach lies in the fact that it leaves your witness wide open to be either approached by other interested parties or to seek the advice of counsel, or that more material witnesses who may be placed in jeopardy by his testimony. Again, it is a last resort.

FALSE STATEMENT

This technique should always be the last resort on a witness who persists in falsehoods or who fails to "break" with the pertinent facts you have good reason to believe are within his knowledge.

Go along with him in his story and write as detailed a statement as possible. The statement will either have omissions of material knowledge or deliberate misstatements of material facts.

Upon either oral confirmation of the statement or an actual signing of the statement, you are in an advantageous position to approach the witness at a subsequent inter-

view. At this second interview a stress is placed upon your knowledge of the deal and strong inference conveyed to the witness as to falsehoods or discrepancies in the statement made to the Government. He is given the opportunity to reconsider and submit a new statement in accord with the facts.

PERMISSION TO ADDRESS THE HOUSE

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that, following other special orders today, I may address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

EXTENSION OF REMARKS

Mrs. LUCE asked and was given permission to extend her remarks in the RECORD in two instances, in one to include an editorial from the Hartford Courant, and in the other an article about Alfred Emanuel Smith.

PERMISSION TO ADDRESS THE HOUSE

Mr. MERROW. Mr. Speaker, I ask unanimous consent that the special order previously granted to me for next Wednesday be changed to Tuesday, January 22, following the special orders heretofore entered for that date.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

THE ADDITION TO THE WHITE HOUSE

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, my attention has been called during the last few days to articles and pictures in the press relative to the construction of an addition to the White House to cost $1,620,000. From the architect's drawings, at least, it appears this new construction would ruin the present lines of the White House and that historic edifice would no longer be the same building we have known during the past century or more. I, therefore, suggest to the Committee on Appropriations, and to the President as well, that it might be much better to provide the additional office space needed in some other building, and to expend $1,620,000 which has been appropriated in clearing away the slums which exist within 3 or 4 blocks of the White House and are a disgrace to the Nation's capital.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

EXTENSION OF REMARKS

Mr. CLASON asked and was given permission to extend his remarks and include a radio speech he delivered.

THE PRICE OF COTTON

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, Members of Congress from the Southern States have just had an indignation meeting over the attempt of Chester Bowles to put a ceiling price on raw cotton.

It was admitted by everyone who spoke that a cotton farmer makes only 1 cent an hour for every cent a pound he gets for his lint cotton. He is therefore toiling and sweating in the hot sun for 23 cents an hour, yet the white farmers of the South furnished a larger percentage of their sons to the armed services in this war than did any other class of people in America.

They talk about inflation! Inflation is already here and is growing every day. The Federal Reserve System attempts to curb this hedging on the cotton market of the small cotton buyer. That would mean the closing of the local exchanges, the only place the farmer has of finding out what cotton is worth on the market. While that is going on, this same Federal Reserve System has raised the volume of the Nation's currency from $5,698,000,000 in 1920 to $27,825,000,000 in 1945. Everyone who knows anything about economics knows that in a free economy prices are regulated by the volume of the Nation's currency multiplied by the velocity of its circulation.

The price of cotton today ought to be around 60 or 75 cents a pound according to the prices of manufactured articles, and according to the wages being paid industrial labor. If it were raised to that price the cotton goods you are now buying still would not cost 1 penny more.

This handkerchief I have in my hand cost me 35 cents, and it would take about 40 of them to weigh a pound. The cotton in that pound of handkerchiefs brought the farmer about 23 cents; but the handkerchiefs made from it would cost you about $14. Raising the price of that cotton to 60 cents would not affect the selling price of the handkerchiefs in the least.

The cotton farmers are going to have to have much more for their cotton than they are getting now in order to make a living.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

ELIGIBILITY TO DISCHARGE FROM THE ARMED SERVICES

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I am today introducing a bill which reads as follows:

Be it enacted, etc., That, so long as the War Department and the Navy maintain the point system for determining eligibility to discharge from the Army and the Marine Corps,

(1) Every soldier or marine serving outside the limits of continental United States and its Territories shall receive one additional point on his eligibility discharge score for each and every month so served;

(2) Every soldier or marine who completes or has completed 12 months of service in the Pacific or Asiatic theater, exclusive of time in Hawaii or continental Alaska, shall be credited with an additional five points on his eligibility discharge score for each 12 months so served.

This bill, Mr. Speaker, seeks to correct two injustices: first, the stopping of discharge credits for overseas service as of last September; second, the failure to recognize that service in the tropics and jungles and in the malaria-, typhus-, and dysentery-ridden portions of the world for a year generally takes as much from a man's vitality as does a single battle campaign for which recognition has been extended.

Members of the Congress who have been in the overseas theaters will quickly recognize the justice of this measure, I believe, particularly those who have been in the Pacific. The drugs used to combat malaria and other diseases, we are told by the Surgeon General, are not true preventives but only suppressives, and the men who have had large dosages of them are entitled to consideration for speeding up their discharge.

Mr. Speaker, I commend this bill to the attention of the membership of the House and shall ask the Committee on Military Affairs for its early consideration.

EXTENSION OF REMARKS

Mr. DE LACY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a brilliant statement by the Under Secretary of Commerce, Alfred Schindler. Mr. Speaker, this statement will run over the allowable amount. I have checked with the Public Printer and I am informed the extra cost will be $117.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

Mr. KNUTSON. Mr. Speaker, I object.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include excerpts from telegrams that I am receiving from both Europe and the Orient, especially Manila, congratulating me on my effort to get these men who have served 18 months or more, or who have dependents at home to look after or who desire to return to school, discharged from the service in order that they may return to their homes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

Mr. KNUTSON. Mr. Speaker, reserving the right to object, will the statement of the gentleman keep within the allowable cost specified by the rule?

Mr. RANKIN. Nothing that is done for the soldiers exceeds the legitimate limit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

Mr. HOOK. Mr. Speaker, reserving the right to object, I agree that the soldiers should be given consideration, but under the circumstances, other Members objecting to putting things into the RECORD, I therefore object.

Mr. RANKIN. Mr. Speaker, I just wanted to know if there is a Member of the House who does object to these soldiers being heard.

The SPEAKER pro tempore. The Chair calls attention of the Members to the fact that in connection with unanimous consent requests of this nature of necessity there must be a liberal attitude or tolerant viewpoint. The Chair has never objected in the years he has been here to the unanimous consent request of any Member to extend his or her remarks in the RECORD. Once objection is made, of course, the thing goes along, creating an unsatisfactory situation which none of us like.

The Chair hopes that Members who have objected will upon reconsideration recognize the advisability of the custom that has continued and without regard to one's views as to what a particular Member might extend in the Appendix of the RECORD, so long as it conforms with the rules, will see that the custom of years which has worked with extreme satisfaction is preserved.

PARLIAMENTARY INQUIRY

Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOFFMAN. Mr. Speaker, in view of the fact there have been two objections made, will that practice of objecting to each other's request to extend their remarks in the RECORD be limited to the majority side?

The SPEAKER pro tempore. The Chair does not consider that a parliamentary inquiry. The Chair voluntarily made a statement which the gentleman from Michigan appreciates and understands.

OBJECTIONS TO EXTENSIONS OF REMARKS

Mr. SABATH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I regret exceedingly that the gentleman from Michigan [Mr. HOOK] objected to the request made by the gentleman from Mississippi [Mr. RANKIN] who has requested unanimous consent to insert some letters he received from servicemen overseas, similar to communications which I know most of us have received, urging early return to their homes and I know, in this instance the gentleman from Mississippi has not attacked organized labor. I hope that the gentleman will withdraw his objection because I know that he is friendly to the boys overseas and that he himself has several times sought to act and to speak on this floor in behalf of the early return of all the boys who are being held overseas, many of them unnecessarily. Knowing his record as I do, I hope he will withdraw his objection.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Michigan.

Mr. HOOK. I would not have objected and have never objected to the extension of remarks by any Member, neither do I expect other people to object to similar unanimous-consent requests. It was only for the simple reason that the request made by the gentleman from Washington was objected to that I am objecting to this.

Mr. SABATH. Unfortunately, I regret that anyone should have objected to the request of the gentleman from Washington because invariably he has real information and matters of interest to the country that he inserts in the RECORD, and has not abused the privilege like some other Members by inserting matter in the RECORD which costs more than the rules of the House provide.

Mr. Speaker, once more I urge that both objections that have been raised will be withdrawn.

EXTENSION OF REMARKS

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter with reference to a serious jurisdictional labor dispute that threatens to halt agricultural production in California.

Mr. RANKIN. Mr. Speaker, reserving the right to object, and I assure my distinguished colleague from California that I am not going to object, but after seeing the communistic mob that we saw here in Washington on yesterday, and after witnessing some spectacles that are going on at the other end of the Capitol, I have become more in favor of bringing our boys home every day.

I am reminded of Thomas Jefferson's statement that if we cannot govern ourselves, how can we be expected to govern others.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDONOUGH asked and was given permission to extend his remarks in the RECORD.

ADJOURNMENT OVER

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

PROGRAM FOR NEXT WEEK

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I take this time to inquire of the acting majority leader as to the program for next week.

Mr. SPARKMAN. In answer to the gentleman's inquiry, I will say that the following is the proposed legislative program for next week:

On Monday the Consent Calendar will be called and the President's message on the state of the Union and his Budget message will be received.

On Tuesday nothing is scheduled as yet.

On Wednesday it is planned to take up the independent offices appropriation bill, and to continue that on Thursday.

On Friday it is planned to take up the bill out of the Committee on Labor regarding the return of the United States Employment Service to the States, provided that committee has in time reported out that bill and a rule has been granted.

Mr. MARTIN of Massachusetts. Can the gentleman inform us when we may receive the labor legislation requested by President Truman?

Mr. SPARKMAN. That is not listed so far. The gentleman heard, I presume, the statement made yesterday by the acting chairman of the Committee on Labor, the gentleman from West Virginia [Mr. RANDOLPH], in which he said that it was the hope of the committee, as he interpreted it, to vote on some kind of labor legislation by Tuesday of next week.

Mr. MARTIN of Massachusetts. Then, as I understand, there are no plans for any labor legislation next week, as far as the gentleman knows?

Mr. SPARKMAN. It has not been scheduled as yet.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Michigan.

Mr. HOFFMAN. It is only for the purpose of inquiring as to what knowledge, if any, the gentleman may have as to what the Committee on Labor may do. All of the Republicans who were over there voted to bring out the President's bill, with certain modifications, of course. I am wondering whether the gentleman can assure us that we will get Democratic support.

Mr. SPARKMAN. Of course, the gentleman is a member of that committee, and he knows what goes on in committee.

Mr. HOFFMAN. No; I do not think so.

EXTENSION OF REMARKS

Mr. HOOK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOOK. Mr. Speaker, it has been brought to my attention that the gentleman from Mississippi did not object to the unanimous-consent request of the gentleman from Washington; that it was the gentleman from Minnesota who objected. There was nothing personal in my objection nor to the subject matter of his request. Personalities are not a part of my make-up. It seemed to me at the time that it was a matter of principle. I stand on principle and the reference to ideologies by the gentleman does not bother me because I am a democratic American and believe in justice for all men regardless of race, creed, color, or nationality. Therefore, I withdraw any objection I may have had to the unanimous-consent request of the gentleman from Mississippi.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi, previously made?

There was no objection.

Mr. VORYS of Ohio asked and was given permission to extend his remarks in the RECORD.

DISPOSITION OF SURPLUS PROPERTY

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Speaker, there has been a great deal of complaint in reference to the Surplus Property Act, especially in regard to the disposal agencies.

We have all had complaints from the veterans who were guaranteed certain priorities under the act. I was a member of the committee that considered the original bill and also a House conferee. The House bill was much better than the Senate bill and a great improvement over the bill which was finally agreed to by the conferees. So far as I am concerned, I can say I signed the conferees' report under duress, in being told by those uptown that if we did not have some kind of a surplus property act they could not dispose of any defense plants or Government land purchased for war purposes. I stated at the time that I did not think the law would work. My prediction has come true.

Today I want to call the attention of the House to a pamphlet that came to my desk this morning announcing that $32,000,000 worth of brand new work clothes, including chambray shirts, utility shirts, utility jackets, utility trousers and dungaree trousers, would be sold by the Consumers Goods Division of the Office of Surplus Property, a disposal agency under the Reconstruction Finance Corporation. The astounding statement was made in this pamphlet that all of the goods would be sold at fixed prices, f. o. b. Brooklyn, N. Y. In every section of the country people are clamoring for work clothes. Now, what does f. o. b. Brooklyn, N. Y., mean? It means that no distributor in any part of the country is going to be able to compete with the distributors in and around Brooklyn, N. Y., because they will be compelled if they purchase any of this property to pay transportation charges to their place of business.

Up to this time manufacturers have not as yet placed this type of goods on the market. Distributors and retailers have empty shelves.

Therefore, Mr. Speaker, it is my contention that the Consumers Goods Division of the RFC should break this tremendous amount of work clothes up in lots and send a portion to every part of the country rather than disposing of the entire lot f. o. b. Brooklyn. The prices could be fixed so that transportation charges to various parts of the country could be included. It is not so much of a question of money in my mind as it is to give the people of this country a fair opportunity to secure articles that they need, necessities of life that have been declared surplus and are for sale by the Government.

I do not think it is too late for the Consumers Goods Division to take action along the line I suggested. Included in this tremendous amount of property are 8,926,905 blue chambray shirts, 4,359,025 double-duty utility shirts, 1,852,820 cotton utility jackets, 3,280,375 utility trousers, 6,010,566 dungaree trousers.

I want to say that the disposition of the clothes referred to was arranged prior to the time Major General Gregory became head of the Consumers Goods Disposal Division of the RFC. I have called this to the attention of General Gregory and pointed out that the sale would close January 29 and advised him he still has time to distribute the work clothes throughout various sections of the country and I hope he will take favorable action on my request.

WAGE INCREASES AND INFLATION

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Speaker, the President, in recommending a wage increase of 18½ cents an hour in an attempt to prevent the steel strike, is surrendering to Philip Murray and the CIO.

In making this offer he will permit the raise of $4 a ton on steel and pass the expense of this pay raise on to the public which buys refrigerators, farm machinery, kitchenware, automobiles and will add to the grocery bills because many groceries are packaged in steel containers. This deal will doubtless be followed with a similar attempt to buy off the meat packers' strike with the people's money. He is trying to buy a little temporary relief on the industrial front at the expense of the taxpayers.

Worse than that; he will touch off an inflationary spiral by starting to break the price line Nation-wide which he said in October would be disastrous to the country. The inflationary spiral he will touch off in this political surrender will work an undue hardship on the farmers who are already compelled to pay exorbitant prices for farm machinery, an undue hardship on the white-collar workers whose wages were frozen during the war and he has encouraged price inflation that will take away from even the highly organized laboring men in the future probably more in increased living costs than they will secure in this advance in wages.

He is setting a pattern for breaking the price line and encouraging inflation, Nation-wide, which will defeat the efforts of price control and may well make it not worth while to further attempt to control prices.

There are 57,000,000 laboring men and women in this country. The attempt, by this raise in wages, to benefit about 15,000,000 will increase the cost of living for 42,000,000 laboring people who will have to pay more for food, clothing, merchandise, and shelter without any increase in wages.

All the people of this country need a reduction in the cost of living, in the price of lumber, farm machinery, trucks, electrical appliances, furniture, hardware, clothing, and food. The reduction of the cost of living cannot be had unless we have greater production. There is no hope for greater production or reduction in the cost of living by the course the President is taking. Everyone must know that it will raise the cost of living and threatens the country with a race between higher living costs and higher wages which in the end is most likely to be of greater damage to the laboring man as well as to every citizen of our country because it embarks the Government on wide and dangerous inflation.

GRADE LABELING

Mr. DE LACY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. DE LACY. Mr. Speaker, I was a little bit surprised that the gentleman from Minnesota should have objected to laying before the Members of this House an important subject matter upon which the Under Secretary of Commerce, Mr. Alfred Schindler, addressed the Advertising Club in New York a few weeks ago. His address includes a good argument for informative and descriptive grade labeling. I hardly believe the gentleman from Minnesota would desire to place himself in opposition to an effort to permit the Members of this House to study these remarks and determine their soundness.

For that reason, Mr. Speaker, I ask unanimous consent that with these remarks there be included in this 1-minute speech this brilli..nt speech by the Under Secretary of the Department of Commerce.

Mr. KNUTSON. Mr. Speaker, I cannot conceive of any remarks made by a bureaucrat downtown——

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

Mr. KNUTSON. I object.

Mr. COCHRAN. Mr. Speaker, a point of order. The gentleman from Washington arose and asked permission of the Chair to speak for 1 minute and to revise and extend his remarks. That permission was granted. I take the position that under that request to address the House for 1 minute and to revise and extend his remarks the gentleman has a right to include what he desires in the RECORD.

The SPEAKER pro tempore. The Chair is of the opinion that the unanimous-consent request to speak for 1 minute and to revise and extend his remarks related to the remarks that the gentleman from Washington might make during the period that he addressed the House and that it did not include any specific extraneous matter which might be in addition to what he said himself or what he might add as his own remarks. The Chair, of course, was hopeful that the unanimous-consent request

to include this specific matter would not be objected to. With reference to the point of order made by the gentleman from Missouri, the Chair must rule that the gentleman from Minnesota was within his rights, and that the unanimous-consent request of the gentleman from Washington did not include the specific matter which has previously been referred to.

EXTENSION OF REMARKS

Mr. BEALL asked and was given permission to extend his remarks in the RECORD and include an editorial from the Baltimore Sun.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. MASON] is recognized for 10 minutes.

LOAN TO GREAT BRITAIN

Mr. MASON. Mr. Speaker, on March 6, 1945, 9 months ago, I spoke on the floor of this House on the subject Shall Uncle Sam Again Become the Financial Scapegoat for the World? Today, facing the question of approving or disapproving an already promised loan to Great Britain, amounting to $4,400,000,000, I wish to briefly review what I said 9 months ago, and also to state bluntly why I oppose giving Great Britain this already promised loan.

Mr. Speaker, international mindedness today has come to mean thinking not of ourselves first but of the world first; of our responsibilities to other people ahead of our responsibility to our own people. Does England think that way today? Where would you find a more complete British Empire nationalist than Winston Churchill? And who blames him for it? Does Russia think that way today? Where would you find a more complete Russian nationalist, or realist, than Joseph Stalin? And who blames him for it? Should not Uncle Sam take a leaf out of Churchill's book or Stalin's book and place the welfare of our people first? Today all of the sharpers, the schemers, the planners, and the dreamers of all the other nations in the world, and of the United States as well, are planning to make Uncle Sam again the financial scapegoat for the world following this war, as he was following the last war. Are we again to assume the financial sins of all the peoples of the earth?

During World War I and immediately following that war we gave loans to 20 foreign nations: Armenia, Austria, Belgium, Cuba, Czechoslovakia, Estonia, Finland, France, Britain, Greece, Hungary, Italy, Latvia, Liberia, Lithuania, Nicaragua, Poland, Rumania, Russia, and Yugoslavia. We loaned a total of $10,300,000,000, and every one of the major countries defaulted on their loans. Now these same nations, Britain, France, Italy, Russia, Belgium, Hungary, Greece, are again asking loans that total nearly $20,000,000,000, twice as much as they received after World War I, and failed to pay. Will they be able to pay loans totaling $20,000,000,000 when they claimed they could not pay the $10,000,000,000 we loaned them after the last war?

Mr. Speaker, I am opposed to the proposed loan of $4,400,000,000 to Britain for the following reasons:

First. The proposed loan is not properly secured, and the borrower has a bad record of loan repayment in the past.

Second. The terms of the proposed loan give preferential treatment on interest rates to Britain over loans that we make to our own GI boys.

Third. England, so far, has refused to agree that in exchange for the loan she will clear the international-trade highways of the obstacles she has placed thereon, namely sterling block pool arrangements and preferential Empire tariff rates, obstacles that have prevented our foreign-trade agents from traveling on those international-trade highways.

Fourth. If we make the proposed loan we have no assurance that the money thus obtained by Britain will not be used by her to make loans to other European nations in order to stimulate her own trade with those nations at our expense. Our loans to European nations were so used after World War I.

Fifth. If the British loan is made it will be followed by a Russian loan, a French loan, and an Italian loan—all of which must come out of the pay envelopes of the American taxpayers, in addition to the tax payments now being withdrawn from those same pay envelopes.

Mr. Speaker, in order to make clear the basic facts concerning the proposed British loan, I desire to personalize those facts by giving them in story form:

"Twenty-five years ago John Bull borrowed $4,000,000,000 from Uncle Sam, giving nothing but his promise to pay as security. After making one or two token payments, John Bull welched on his debt to Uncle Sam. Five years ago John Bull was attacked by a strong enemy and threatened with total destruction. Because Uncle Sam felt John Bull's destruction would not be best for America in the long run, he gave John Bull $25,000,000,000 in lend-lease materials. By doing so Uncle Sam became so involved in the war that he had to follow up by furnishing millions of men and vast supplies of war material, costing $300,000,000,000, going in debt to the tune of $230,000,000,000. This is a greater total national debt than the national debt of all our allies combined.

"Now comes John Bull and asks for a loan of $4,400,000,000 in the face of his past record of nonpayment. He asks for the loan without offering any security, wanted it without interest, but grudgingly agreed to pay 1.68 percent interest when and if his yearly budget shows a balance on the right side of the ledger."

President Truman has promised to make this loan to Britain, but must get the approval of Congress before he can make it. Since this is the first of a series of loans to our allies that will total $20,000,000,000—and we must make the others if we make this one—should Congress approve this loan to Britain?

Mr. Speaker, America has a very proper and a very important place to fill in helping the peoples of the world to help themselves back to normal life and sanity. America has no desire, and has never had any desire, to avoid her full duty in that regard. However, America can help lead the rest of the world back to sanity and a normal existence only if she remains a safe, sound, free, and solvent America. We must see to it that America is kept safe, sound, free, and solvent. As Members of Congress that is our responsibility. We should keep that responsibility uppermost in our minds. Shall Uncle Sam again become the financial scapegoat for the world? My answer to that question is an emphatic "No"—if I can prevent it.

SPECIAL ORDER

The SPEAKER pro tempore (Mr. HENDRICKS). Under the previous order of the House the gentleman from Massachusetts [Mr. GIFFORD] is recognized for 30 minutes.

Mr. GIFFORD. Mr. Speaker, "Democracy is on trial in the world on a more colossal scale than ever before."

I am greatly embarrassed. My good friend [Mr. HOFFMAN], gave you notice that I was to speak this morning. Certainly I would have suppressed that notice had I known of it soon enough. I take little pride in my efforts on the floor of this House.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. HOFFMAN. Perhaps some of the rest of us have a little pride about it.

Mr. GIFFORD. The gentleman is a very warm friend of mine and has been for many years. He knows how greatly I appreciate his own efforts. While I may like such attention, I certainly would have tried to suppress it.

The gentleman referred to my wit. I have very little of that. What I have ever perpetrated on the floor of this House were only sayings of others. I have quoted sayings that I felt contained some wisdom although they might have seemed only a jest. I do not like it said that I try to be funny, because I do not. I do try to tie up an argument in as pleasant a way as I can.

Congress has had its cooling off period, has it not? Some people think so. Now we should go ahead and do some effective legislating. My people are demanding of me that I raise my voice against the present situation of near anarchy. It almost approaches that. I represent a people that are still sound in their judgment and I have to measure up to their expectations.

Mr. Speaker, I am sure I have not an ounce of conceit in me. I realize how little I am and if anyone here shows a tendency to think that he may be conceited—I am reminded of the saying that "conceit is God's gift to little men." I have little pride in my abilities. I also realize that much speaking does not mean that you will be heard.

We all appreciate being quoted, but I am sorry to suggest that perhaps too often have I been quoted when I used someone else's witticism, meant to illustrate my argument. However, my people are condemning Congress for its failure to act. I have been forced to answer letters by saying that the party in power has a fairly good majority and

if it wished to act it could. But I remind them, that the people are themselves to blame. They have elected for many terms those who have followed a path that has led to these labor troubles. That party has even been joined by the Communists and the Socialists who seem to have needed no candidate of their own. Their purposes have been well served. I am not now to blame and I have not been to blame because I have always been ready to vote for effective legislation if and when presented to the House. I have generally refused to sign petitions to take legislation from committees. I do not like that method. But certainly I am ready now to sign a petition to force the Labor Committee to report bills. I now have to explain why there are no reports from the Labor Committee.

When I first came here they put me on the Committee on the Public Lands. They explained that they wanted a man from the East on that committee, who was not interested in taking away the public lands. Members desire to be on that committee that considers matters in which they are particularly interested. Therefore the Labor Committee, of course, has more labor sympathizers on it than perhaps it ought to have. We heard a voice here yesterday from the highly regarded Member from West Virginia, who promised us action by the Committee on Labor. Can he deliver? We heard also the voice of the gentleman from Virginia [Mr. SMITH], who demanded immediate action. Were not those promises and demands reassuring? I thank them for such statements and wish our people would read those courageous remarks. The arguments of Representative SMITH were certainly convincing and seemingly unanswerable.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. Yes; I asked for the extra time so that the Members might take a part in the discussion.

Mr. HOFFMAN. The gentleman said something about the acting chairman from West Virginia. As I heard it, the gentleman asked, "Can he deliver?"

Mr. GIFFORD. Yes.

Mr. HOFFMAN. Yesterday he cast the vote which prevented the bill coming out on the floor. He could have delivered yesterday.

Mr. GIFFORD. Yes; I have his statement here. He is very fearsome of the outcome of all this trouble. He is very fearsome of the socialistic trend. He has probably read a statement of Victor Reuther which fully explains the end which the Reuthers wish to be attained.

I quote:

> The strike is a step in the movement which in the eyes of Victor Reuther, associate director of the UAW policy committee, is aimed at destruction of the profit system and socialization of the mass-production industry.

We have known what they desired. Are we frightened? I must have confidence in the masses of the people that they will now support their Representatives in courageous action to force settlement of labor disputes.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. The gentleman is speaking of the masses of the people. Two weeks ago last night our President, in a radio message to the people, made a plea for action and listed a dozen pet measures of his on which he asked the people to express themselves to the Congress. Last night I added up what the response was from my district. I received 60 letters, 29 for the President's message and 31 in varying degrees opposed to parts of it. But that is three-twentieths of 1 percent of the public in my district. It seemed to me that was based on the Gallup poll test of scientific sampling that a sample of three-twentieths of 1 percent responding to a plea of the President for action would show that the people are not very much interested in or excited about the kind of action that the President is pleading for. I believe that the masses of the people understand the situation; that the reason they have not responded more vocally to the President's plea for action is that they do not want the type of action he pleaded for, and that they have confidence in their Representatives to take the kind of action that they want.

I would like to ask the gentleman what the response has been in his district to the President's so-called plea for action on these dozen pet measures which, in my judgment, do not, whether they are passed or defeated, solve the problems that lie before this Republic.

Mr. GIFFORD The gentleman must know the history of the State of Massachusetts. My people are not the kind that are subscribing to those doctrines. I have received but little response as a result of the President's appeal and the majority of the communications I have received are against his suggestions. His scolding was largely directed at a few Members of his own party who cannot approve of his policies. Consider the full-employment bill. With a debt of $300,000,000,000, do my people want us to commit the Nation to such vast expenditures and let loose all sorts of planning committees to propose things to whet our appetite to spend more money? I do not think my people would be enthusiastic about it. Consider the FEPC. Has that day come when you cannot question your own employees' viewpoint? Shall you force me to employ a Communist? Are you to enforce an employer to pick men whom he knows cannot and will not carry on his business properly? The title does sound harmless and does smack of American principles. But we know it would cause much trouble, much violence, and more law breaking than perhaps anything ever presented. The proposal has been so splendidly varnished that it looks well, but will not stand analysis.

We must seriously consider the proposal, although seemingly it has fairly general support.

I interrupted an advocate of fact-finding boards some weeks ago to ask, "Is there anything in that bill which would force either party to abide by the report of a fact-finding board?" It has been quickly and fully illustrated that such reports are not felt to be binding by either party. Then what is the fact-finding board expected to accomplish? Do they wish only to force a company to disclose its methods of business to the public and to the Government so that they may know their profits, and amounts set aside for future contingencies? No; they desire to look into those books to learn what the estimates of future profits might be so as to base their wage demands on what may be only the employer's hope as to future earnings.

I have a telegram here from an employer of high standing in my district. I quote:

> Fact-finding boards in the determination of wages, without question, would lead to Government setting of prices, profits, cost of materials, operating costs, and future planing.

It would lead to what? Socialism.

Will the fact-finding boards that we set up examine into a union treasury? Will they examine into the productivity of labor? No. It seems to be another one-sided operation. If we could get an impartial statement, we cannot now get impartial action. It is impossible under the present administration.

Has the time come when we will sit idly by and see the safety and health of our people endangered by strikes? Are we not ready to pass a law relating to public utilities, on which our people are so dependent? Public utilities are created by Government and should be protected by Government.

Can we not define public safety?

Calvin Coolidge, with whom I served so long, and with whom I was serving at the time he made that ringing declaration, said, "There is no right to strike against the public safety any time, anywhere." Some think that declaration made him President of the United States.

Are the masses of the people of such a mind that we can now depend on them to support measures that will protect their own health and safety? I recall a recent hurricane that devastated my vicinity. We were without light and heat and telephone for some days. Fortunately it was not in midwinter.

Although the Almighty may bring about conditions like that, no man-made strikes should be allowed to deprive our people of these essential services. Are we powerless? I do not believe we wish to tell the public that we are powerless and thereby invite their contempt. They know that the Congress is the only hope they have. That is too true.

Appointments made for the last 12 years to the executive department have been made with a viewpoint that they should travel the road that has led us to our present unfortunate situation. My judgment may be poor but my courage is not lacking. I am not excusing myself by saying, "My conscience would not let me." Often conscience and cowardice are the same thing.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Pennsylvania.

Mr. RICH. Does not the gentleman believe that 50 percent of labor today, even those who are members of the CIO

and are asked to join the PAC, do not want to do what the leaders of the PAC want them to do?

Mr. GIFFORD. I have tried to believe that and I would like to go on that assumption. Why, when a man joins a union will he sell himself into a condition of slavery? He can work only by sufference. He must accept the decreed wage and must strike when ordered. If he is out of a job, he must actually suffer even though a job is offered at a slightly less amount. Oftentimes his neighbor cannot afford to pay the price demanded by the union. I cannot believe they all want to subscribe to those demands. But the rules are such that he cannot get a job unless he agrees to imposed conditions.

I have in mind a union in my district that has been in existence for 50 years, the members of which are now obliged to join the CIO and pay dues to both unions. The CIO has forced management to agree that only those who paid their dues into the CIO could be retained and employed in the mill. The old union is seeking redress and hope that some particular case will allow them to take the matter to the courts. It does not seem possible that these men are forced to join two unions in order to hold their jobs.

Mr. RICH. Can you tell me why the Congress of the United States and the Army and the men in authority in the United States would not give a contract during the war to any contractor unless the contractor had the right to compel every man who wanted a job to join a union? Why did we ever sink so low?

Mr. GIFFORD. I have spoken in the well of this House many times on that subject. I suffered intensely when those defense plants were being built and an Army camp was constructed within 7 miles of my home. From its very inception I was called to visit that camp often to try and adjust their differences. Men without a dollar in their pockets were not allowed to work at all in the beginning, at a time when men were needed so badly, because they could not pay $75 to a union.

Other men who worked at unskilled types of jobs had to pay $25. At my insistence the union finally agreed that they would take the fee out of their pockets weekly. What a situation. They had to join a union to work in a plant building for the defense of the Nation. But that has been the policy of the administration. That same thing happened in the South and in many sections of the country where there had previously been no unions. However, it has been the Government policy. When the gentleman brings up that point he hits me in a very sore spot. The people of my district have heard my voice raised often enough in condemnation of that policy.

Mr. RICH. Do you not think the unions were very generous when they permitted the man to go to work and when they told him that as soon as he earned the first $50 he could pay it over to the union and then he could continue working and pay the balance? Do you not think that was mighty fine of them to permit them to even get started to work if they joined the union?

Mr. GIFFORD. The gentleman knows what I think about it. Speaking of generosity, our Government is expected to lend generously to Great Britain another vast sum of money. We have been and will be very generous with other people's money. Of course, they will pay us when they can. However, we are very doubtful of our collections, or of even receiving small payments at indefinite periods. But the diplomats and the executive department have promised these generous loans. Shall we not be forced to vote for it to save the face of our Nation? My face is red when I think what I may have to do in that matter. But diplomatic failure has been the cause of much trouble. Did we not have to go to war as the result of diplomatic failure? Was not our fleet shattered in Hawaii as the result of diplomatic failure? Many fear that it was. But when our diplomats pledge our Government—those duly accredited and elected officials and appointed officials pledge the Nation—can we refuse?

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. KEEFE. Of course, I am interested in what the gentleman is saying. I have heard many speeches since Congress has reconvened on this single theme. But as I have observed the temperament of the people, as it has been expressed in my correspondence, Congress is being criticized for inaction, for doing nothing. They are criticized by the CIO and labor because they have not reported the FEPC bill, housing legislation, and other legislation. They are criticized by other sections of the press and the public because we have not enacted repressive legislation or punitive legislation dealing with this so-called strike situation. I will say to my distinguished friend from Massachusetts it seems to me it is time we began to face these problems with some spirit of realistic thinking. I was impressed with the gentleman's opening statement. Prior to 1935 the minority had some chance in this Congress. If the minority so desired, 150 names on a petition would discharge a committee and force legislation to the floor of this House. In 1935, as the gentleman remembers, if he was here then, that requirement was raised to a clear majority, interpreted to mean 218 names. Now, if they want action—and that is what is required—why does not the majority amend the rules of this House to give the minority a little voice, and bring back the rule that would allow 150 Members of the House to initiate legislation by discharging a committee? The 218 requirement makes it almost impossible for the Congress as such to discharge a committee from consideration of a bill.

I offer that as a suggestion to the thinking of my friend from Massachusetts, who indicated in his opening statement that he has long refused to sign discharge petitions, but he now believes the time is here when we require action. That is a concrete suggestion to the majority, if they mean what they say; if they want this legislation brought out to the floor of this House, so that courageous Members of Congress can cast their votes one way or the other, let them reduce that rule to what it was prior to 1935 and give us a chance.

Mr. GIFFORD. I thank the gentleman from Wisconsin for his suggestion. I repeat again, that I dislike to give up the orderly processes of the House adopted with 150 years of experience. I can see the danger of taking a bill from a committee and bringing it before the House where it cannot be amended. I hesitate sometimes to approve such takings, but I see the force of the gentleman's suggestion.

But what the public is asking is immediate remedy. What are these remedies? They want both parties, both labor and management, forced to live up to their contracts. A contract means nothing to one side when there are no punitive damages to be assessed. Even if they were, the treasuries are so large they would not mind it. They will not object to peaceful picketing, but demand a stop to this riotous picketing as was so ably described yesterday by the gentleman from Virginia [Mr. SMITH]. They demand that we suppress strikes when the safety and health of our citizens is involved. Is that too much to expect of the Congress? We do not wish to take away the right to strike, but demand peaceful methods of settlement, especially when it involves the safety and health of the people.

Many feel that forcing the living up to a contract would be highly effective. I will vote for that, but it means little as long as the parties have large treasuries to draw upon. If we punished the leaders, new ones would spring up immediately. The answer seems to be that there must be different thinking on the part of the people. The soul of our people has to be awakened in order that they may save themselves from a condition of anarchy and the loss of our dearly won liberties. I repeat, when you join a union you sell your liberty. Can we not make our people see it? Or do they now know it and are getting tired of it? Some strong voice may be heard in this country sometime in whom the people would have confidence and who would lead them out of the mess we are in. We have been so highly trained to follow a personality.

However, any personality generally succumbs to a lust for power. This desire grows and leads to more power and a desire for the adulation of the people. Let us present great principles for our citizens to support, rather than build up a man to worship.

I should not prophesy unless I know. But I think I could point out principles upon which the elections of 1948 would be determined.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. RICH. Does the gentleman believe that when there is a contract signed by both employer and employee it should be carried out by each until its termination?

Mr. GIFFORD. My Yankee training taught me that. Make every bargain clear and plain so that no one afterwards may complain.

But if there are to be the lawyers' "ifs" and "ands" in all contracts, how

easily they can be voided. Amos said to Andy, "Read your insurance policy on the outside to see what you get. Read the fine print inside to see what they take away."

Mr. RICH. This is the question that is in my mind with the steel strike pending and the President coming into the picture. Let me read a part of the contract that was signed by the steel workers' union and by the steel companies. I quote as follows:

During the term of this agreement neither the union nor any employee shall (a) engage in or in any way encourage or sanction any strike or other action which shall interrupt or interfere with work or production at any of the plants or works, or (b) prevent or attempt to prevent the access of employees to any of the plants or work.

It also provides:

During the term of this agreement the company shall not engage in any lock-out of employees.

I say when they have signed such a contract it is up to both the union and the steel company to abide by the contract until its termination.

Mr. GIFFORD. But as long as things are as they are would the gentleman make a contract with another party whom he knew would not and could not live up to it?

Mr. RICH. When the labor unions force a manufacturer or a steel company to make a contract they are helpless.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts may proceed for ten additional minutes.

The SPEAKER pro tempore (Mr. HENDRICKS in the chair). The Chair reminds the gentleman that there are two other special orders on the calendar.

Mr. CASE of South Dakota. If those having the next special orders do not object, cannot the request be considered?

The SPEAKER pro tempore. The Chair may say that the gentleman from New Hampshire [Mr. MERROW] and the gentleman from Kansas [Mr. REES] have special orders. If these gentlemen do not object the Chair will put the request.

There was no objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota that the gentleman from Massachusetts may proceed for 10 additional minutes.

There was no objection.

Mr. GIFFORD. I thank the gentlemen who have the succeeding special orders for their kindness to me. I will not take all the time.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. HOFFMAN. I wish to call to the attention of the gentleman from Pennsylvania the fact that these contracts always have an escape clause.

Mr. Speaker, I also want to ask unanimous consent that after the conclusion of all the other special orders for the day the gentleman from Pennsylvania may have 15 minutes in which to explain this issue to us.

The SPEAKER pro tempore. The gentleman from Pennsylvania will have to request time for himself.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman briefly.

Mr. RICH. I have something I want to tell the gentleman from Michigan.

Mr. HOFFMAN. The gentleman does not need to tell me anything.

Mr. RICH. I cannot understand the things they are doing today, and I hope the President of the United States while he has the head of the steel company and the head of the union down in the White House will tell them they have this contract and that they must go back to work and try to get reconversion started so that the country will move on, so that we shall not be handicapped and hindered by a great steel strike at this time when it is contrary to good common sense, and is detrimental to the welfare of the American people. I believe the President should assert himself, bring out the big stick, and tell the head of the steel company and the head of the labor union that he means business.

Mr. GIFFORD. The gentleman is advising the President. I enjoy having the Members enter my discussions. I want to remind you that in my long service here I may have become prejudiced, but I am trying to keep an open mind, although it is said that a man who does not know his own mind has not lost much.

Mr. Speaker, I have much more that I intended to say, but I will reserve it for a better time. My reason for asking for this time today was that, although the House would be in session, there was to be no particular business to be transacted. I felt the Members should be entitled to the opportunity to discuss the strike situation. I sometimes feel better after stating my own views, but from a politician's standpoint I realize it is an immense advantage never to have said anything. If you keep silent, however, they will think you are ignorant. If you speak it may prove that you are. I say this to comfort those who disagree with me.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Hampshire [Mr. MERROW] is recognized for 10 minutes.

THE FOREIGN POLICY OF THE UNITED STATES

Mr. MERROW. Mr. Speaker, I have long felt that a comprehensive study of the foreign policy of the United States should be made by a select committee of the House of Representatives. After traveling in 30 countries last summer and after spending 3 weeks in London as a delegate of the United States to the recent United Nations Educational and Cultural Conference, I am more thoroughly convinced than ever that there ought to be a searching investigation of our policies and the manner in which our policies are conducted in all sections of the world.

Mr. Speaker, on the 29th of November 1945 I introduced House Resolution 433 which is as follows:

Resolved—

Mr. Speaker, I am going to read the entire resolution for the purpose of calling it to the attention of the House—

Resolved, That there is hereby created a select committee to be composed of 23 Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

SEC. 2.(a) It shall be the duty of the committee to conduct—

(1) a comprehensive study of all phases, both economic and political, of the foreign policy of the United States, including a complete review of our interests in all parts of the world—such study to be made with respect to each foreign country and each geographical region, such as the Balkan States, the Middle East, Central and South America, and so forth; and

(2) an investigation of the Department of State and the foreign service of the United States.

Mr. Speaker, during the preceding speeches this afternoon, there have been some references to realism on the part of other powers. I wish to say that I came back from the Old World this past summer feeling somewhat depressed. The subject which was most discussed was the foreign policy of the United States. The question that was most frequently asked was, what is the foreign policy of the United States? The comment that was most frequently made was, the United States has no foreign policy.

When one hears on every hand that this nation or that nation, the Soviet Union, for instance has a definite foreign policy, that Great Britain has a definite foreign policy, but that the United States of America, which has operated all over this world in the various theaters of warfare is without a foreign policy, one becomes much concerned. I think it is the duty of the Congress to ascertain what our policy ought to be in respect to every country and in respect to every section. So I have asked that—

(b) Such study and investigation shall be made for the purpose of enabling the committee to make such recommendations as it deems advisable with respect to—

(1) the formulation and execution of a realistic over-all foreign policy for the United States which will serve the best interests of the United States;

(2) improvements in the operation and administration of the Department of State and the foreign service of the United States—

You will note in one part of this resolution that I have called for an investigation of the Department of State and the foreign service of the United States. One has only to mention the foreign policy of the United States and the Department of State on any platform in this country and he will receive smiles from the members of the audience who wonder what our foreign policy is. You have only to ask questions about the Department of State to have people criticize the Department. We have heard so many criticisms on all sides that I think in all fairness we should make a thorough investigation of the Department

and the foreign service of the United States in order to ascertain whether or not these criticisms are well founded.

I have asked that such study and investigation shall be made for the purpose of enabling the committee to make such recommendations as it deems advisable with respect to—

(3) methods for securing accurate and up-to-date information concerning world conditions; and

(4) the communication of such information to the people of the United States.

SEC. 3. Such recommendations shall be embodied in reports to the House (or to the Clerk of the House, if the House is not in session) which shall be made by the committee during the present Congress at intervals of not more than 90 days—the first report to be made within 90 days after the date of the passage of this resolution and the final report to be made on January 2, 1947.

SEC. 4. For purposes of carrying out this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within or outside the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member.

Mr. Speaker, this resolution which I introduced on November 29, 1945, has been referred to the Committee on Rules. I hope that the committee will soon report the measure so that we may have an opportunity to vote on it. I believe that the development of a foreign policy is one of the most serious questions facing the American people and facing this Congress. I feel that when you hear criticism on all sides in reference to the foreign policy of the United States, it is the duty of the Congress to make a thorough study and to make recommendations as to the type of policy which we ought to have. The greatest need of the country at the present time is to have a firm realistic objective foreign policy that will best protect the interests of the United States of America, and by developing such a policy we will be able to make our contribution to the construction of international machinery to preserve the peace of the future.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Kansas [Mr. REES] is recognized for 5 minutes.

THE DEMOBILIZATION SITUATION IN THE PACIFIC SHOULD BE INVESTIGATED NOW

Mr. REES of Kansas. Mr. Speaker, I desire to call further attention to the question of demobilization and especially to the situation that exists in the Pacific area with regard to members of the armed forces who have served for a long time and want to come home.

I am today asking that investigation of that problem be made by members of committees of the House and Senate who are now on a tour in that part of the world.

A great deal of money has been expended by our Government for numerous committees of this Congress to make all kinds of investigations in various parts of the world. I am not asking for a special committee. I am simply asking that the two committees who are out in the Pacific hold hearings immediately in Manila and other important places in that area and let the officers and men in our armed forces express themselves with regard to demobilization or anything else and tell the Congressmen what they think about the whole problem. I am convinced it is time for Congress to get the facts direct from the men in these areas, and I think it will be a whole lot better if Members of Congress get it first-hand. We should have done it long ago, but let us not wait any longer; let us do it now.

Then let Congress take action and get these men back from the war areas in a fair and proper manner.

Members of Congress have, of course, received a tremendous amount of mail from servicemen and from their families. I have one this morning that came from a serviceman in the Philippines. A man whom I have known for many years and who, after joining the armed forces, has risen to a rather high position in the armed forces. This man, mind you, is not a corporal or a sergeant—he is a commissioned officer, well up in the ranks. I have a lot of confidence in his views and in his statements.

This letter is dated January 7. His name, for obvious reasons, is withheld, but here is what he has to say:

DEAR MR. REES: You have probably heard of the demonstrations of enlisted men in Manila due to the War Department's announcement about retarding the return to the States for discharge of soldiers in this area. Just this morning about 1,000 enlisted men gathered in front of headquarters here trying to get a hearing with the "brass." The anxiety of the GI's who are eligible to go home is indicated by the attached handbill which is being distributed all over Manila. The source of this paper is not known by me but the facts are really facts.

For some time I had intended to write you about the "empire building" going on here in the Philippines. Take officers, for instance. Thousands are laying around here doing little or nothing. Many of them are doing clerical or office-boy's work which could be done by most any private; but they say they are essential and are even bringing more officers here. Many activities are being accentuated that should be discontinued entirely. It seems to be the last-ditch stand for the high-ranking officers against their being reduced to their former grades of lieutenants. I remember having received a clipping from a Washington paper about the same situation in the Pentagon. This headquarters is called the little Pentagon but is rapidly reaching a close second to the one in Washington, particularly as far as surplus officers are concerned.

The Senate investigating committee looking into postwar plans, etc., in the Pacific is due to arrive here the 12th of this month. However, a good story will be cooked up.

The unrest among the enlisted men and of officers is terrific and it is common knowledge that a big boondoggle is being built up, that generally neither officers nor men are engaged in essential activities and that many of them are doing nothing but loaf.

Men and officers have been accused of engaging in black-market activities and other rackets. If racketeering is going on, and I'm inclined to believe it is, in my opinion it is largely due to the unrest of Army personnel. With nothing to do and realizing that anything they do is unnecessary, the men have a lot of time on their hands and are easily tempted with the opportunity to make easy money in the numerous rackets.

As a result of this condition many officers and soldiers are taking to drinking. Tens of thousands of cases of whisky are being brought into Manila almost weekly, practically all of which is being consumed by the Army and the top-flight officers seem to endorse this most heartily, as you will note from the enclosed handbill, second page "8." Incidentally, this is the kind of stuff they are printing in the big printing plant here. What the GI's want is to go home instead of a lot of this propaganda. They are sick and tired of promises.

Incidentally, the main attraction for entertainment publicized in big capital letters is, and I quote "A real State-side bar serving State-side liquor at popular prices."

Am writing you thinking that probably you might stir up something that might help to end this situation and speed up the return of men who are no longer needed. And, of course, there is no justification for the maintaining of such an organization as that I have mentioned. Tens of millions of taxpayers' money are being wasted.

In addition to the Army personnel here, I have been informed that there are 90,000 civilian employees on the Army pay roll in the Philippines, probably 10 times as many as are needed for essential activities.

Mr. Speaker, Members of Congress, after all, are the representatives of the people. They are also representatives of members of the armed forces wherever they are located, either in or out of this country.

These men, all of them, from the private up to the highest officer, did a magnificent job during the war period. They are entitled to every possible fair consideration that can be given them now that the war is over.

So Congress can do no better thing than to investigate this problem and do it now, and, as I said before, take such action as it deems proper to see to it that the men who have served in both theaters of war are returned to the U. S. A. with the least possible delay.

RETIRING CERTAIN OFFICERS AND ENLISTED MEN OF THE NAVY

Mr. VINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill S. 1405, an act to authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes, with amendments of the House thereto, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, what is that about?

Mr. VINSON. I am just asking for the appointment of conferees.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia [Mr. VINSON]? [After a pause.] The Chair hears none, and appoints the following conferees:

Messrs. VINSON, DREWRY, and COLE of New York.

EXTENSION OF REMARKS

Mr. JUDD asked and was given permission to extend his remarks and include therein two letters.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that I may extend the remarks I made on my reservation of objection a while ago to the request of the gentleman from California [Mr. ANDERSON] and that I may include therein excerpts from letters, radiograms and telegrams which I am receiving from servicemen overseas as well as excerpts from some speeches made here in town last night.

Mr. KNUTSON. Mr. Speaker, reserving the right to object, will the total amount exceed two pages?

Mr. RANKIN. No; I will say to the gentleman from Minnesota.

Mr. RICH. Mr. Speaker, reserving the right to object, may I ask the gentleman from Mississippi if among those letters he is receiving from servicemen overseas there are any letters from anybody saying they want to stay over there?

Mr. RANKIN. Not yet. In reply to the gentleman from Pennsylvania, I would like to say that I am receiving enormous loads of letters from fathers and mothers and wives of servicemen begging us to do something to bring them home.

Mr. RICH. I am in sympathy with them.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House next Tuesday for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

ADJOURNMENT

Mr. KELLEY of Pennsylvania. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 45 minutes p. m.) the House adjourned until Monday, January 21, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE CENSUS

The Committee on the Census will hold hearings on H. R. 4781 on Thursday and Friday mornings, January 24 and 25, 1946, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

960. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend the District of Columbia Traffic Act, 1925, approved March 3, 1925, as amended, to provide for tests of blood, urine, and breath of persons arrested in the District of Columbia for certain offenses; to the Committee on the District of Columbia.

961. A letter from the Assistant Director, Administrative Office of the United States Courts, transmitting a copy of the detailed statement of expenditures of appropriations for the United States Court of Customs and Patent Appeals for the fiscal year ended June 30, 1945; to the Committee on Expenditures in the Executive Departments.

962. A letter from the Archivist of the United States, transmitting a report on disposition of certain records of the American Consulate at Kweilin, China; to the Committee on the Disposition of Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FLANNAGAN: Committee on Agriculture. H. R. 5135. A bill to amend the Agricultural Adjustment Act of 1938, as amended; with amendment (Rept. No. 1476). Referred to the Committee of the Whole House on the State of the Union.

Mr. BISHOP: Committee on Naval Affairs. S. 1590. An act to authorize the President to appoint Graves Blanchard Erskine, major general, United States Marine Corps, to the office of Retraining and Reemployment Administrator, without affecting his service status and perquisites; without amendment (Rept. No. 1477). Referred to the Committee of the Whole House.

Mr. HESS: Committee on Naval Affairs. S. 1467. An act to provide for adjustment between the proper appropriations, of unpaid balances in the pay accounts of naval personnel on the last day of each fiscal year, and for other purposes; without amendment (Rept. No. 1478). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDERSON of California: Committee on Naval Affairs. S. 1631. An act to provide for the payment on a commuted basis of the costs of transportation of dependents of certain persons entitled to such transportation, and for other purposes; without amendment (Rept. No. 1479). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CASE of South Dakota:

H. R. 5170. A bill to amend the point system of the War and Navy Departments by providing additional credit for overseas service; to the Committee on Military Affairs.

By Mr. FLANNAGAN:

H. R. 5171. A bill to provide basic authority for the performance of certain functions and activities of the Department of Agriculture; to the Committee on Agriculture.

By Mr. KELLEY of Pennsylvania:

H. R. 5172. A bill to permit veterans to receive readjustment allowances for unemployment where stoppage of work exists because of a labor dispute; to the Committee on World War Veterans' Legislation.

By Mr. KNUTSON:

H. R. 5173. A bill to establish import quotas with respect to imports of jeweled watches and watch movements; to the Committee on Ways and Means.

H. R. 5174. A bill to terminate wartime excise tax rates after June 30, 1946; to the Committee on Ways and Means.

By Mr. RANDOLPH:

H. R. 5175. A bill to amend the act entitled "An act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes" approved June 20, 1936, and for other purposes; to the Committee on Labor.

By Mr. SPENCE:

H. J. Res. 301. Joint resolution to amend Public Law 30 of the Seventy-ninth Congress and for other purposes; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES of Kentucky:

H. R. 5176. A bill for the relief of Elwood David Arnold; to the Committee on Claims.

H. R. 5177. A bill for the relief of Clint Tolliver and Gertrude Tolliver; to the Committee on Claims.

By Mrs. DOUGLAS of California:

H. R. 5178. A bill for the relief of Marian Antoinette McCloud; to the Committee on Immigration and Naturalization.

By Mr. LEONARD W. HALL:

H. R. 5179. A bill for the relief of Mrs. Marion M. Martin; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1469. By Mr. BRUMBAUGH: Petition of 200 residents of Blair County, Pa., protesting the retention in the armed forces of married men and especially all enlisted personnel who have served 2 years or more and calling for a complete review of the entire demobilization program; protesting the establishment of fact-finding committees; urging strict control of labor unions and voicing anxiety over the communistic trend that it is felt is an active menace and a threat to our American form of government; to the Committee on Military Affairs.

1470. By Mr. COLE of Missouri: Petition of M. F. Adams and 325 others, urging continuance of the OPA until the danger of inflation is past; to the Committee on Banking and Currency.

1471. By Mr. GOODWIN: Petition of Chapter 10, Disabled American Veterans, Massachusetts Department, DAV, to amend Executive Order No. 9538 so as to extend to all post-office appointees and employees credits for all seniority purposes for the period of military service; to the Committee on the Civil Service.

1472. By Mr. GRAHAM: Petition of Pleasant Hill Grange, No. 1505, of the Lawrence County Pomona Grange, New Castle, Pa., opposing peacetime military training; to the Committee on Military Affairs.

SENATE

MONDAY, JANUARY 21, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Bernard Braskamp, D. D., minister, Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou who art the guiding intelligence in the life of men and of nations,

we thank Thee for the high and holy privilege of holding communion and counsel with the God of all wisdom.

We beseech Thee that this moment of prayer may be a veritable mount of vision. May we now receive insight and inspiration to bring to fulfillment and fruition those lofty purposes which Thou hast for all mankind.

Grant that Thy servants may have the clear and unmistakable leading of Thy Spirit in all their deliberations and decisions. Help us to lay hold of those inexhaustible resources of grace which Thou hast placed at our disposal, and at the close of each day may we be worthy of the benediction which Thou dost bestow upon the faithful.

In Christ's name we pray. Amen.

ATTENDANCE OF SENATORS

C. WAYLAND BROOKS, a Senator from the State of Illinois; CARL A. HATCH, a Senator from the State of New Mexico; and ABE MURDOCK, a Senator from the State of Utah, appeared in their seats today.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

ANNUAL MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The PRESIDENT pro tempore. Without objection, the clerk will read the message from the President of the United States.

Mr. BALL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BALL. Under the present parliamentary situation, is the reading of the President's message privileged above the approval of the Journal?

The PRESIDENT pro tempore. No; it can be read now only by unanimous consent, and the Chair said "without objection." Does the Senator from Minnesota object?

Mr. BALL. No; I am not objecting; but I wanted to clear the parliamentary situation. What the Chair has stated is what I understood.

The PRESIDENT pro tempore. The parliamentary situation is that the approval of the Journal is the question before the Senate, and the message can only be read by unanimous consent. Is there objection?

Mr. RUSSELL. Mr. President, I shall not object, but I want to make it perfectly clear by a parliamentary inquiry that the reading of the message will in no wise prejudice the pending motion.

The PRESIDENT pro tempore. It will not interfere with the status of the pending motion and the present parliamentary situation. The clerk will read the message.

The Chief Clerk read the Message of the President of the United States on the state of the Union and transmitting the Budget for 1947, as follows:

To the Congress of the United States:

A quarter century ago the Congress decided that it could no longer consider the financial programs of the various departments on a piecemeal basis. Instead it has called on the President to present a comprehensive Executive Budget. The Congress has shown its satisfaction with that method by extending the budget system and tightening its controls. The bigger and more complex the Federal program, the more necessary it is for the Chief Executive to submit a single budget for action by the Congress.

At the same time, it is clear that the budgetary program and the general program of the Government are actually inseparable. The President bears the responsibility for recommending to the Congress a comprehensive set of proposals on all Government activities and their financing. In formulating policies, as in preparing budgetary estimates, the Nation and the Congress have the right to expect the President to adjust and coordinate the views of the various departments and agencies to form a unified program. And that program requires consideration in connection with the Budget, which is the annual work program of the Government.

Since our programs for this period which combines war liquidation with reconversion to a peacetime economy are inevitably large and numerous, it is imperative that they be planned and executed with the utmost efficiency and the utmost economy. We have cut the war program to the maximum extent consistent with national security. We have held our peacetime programs to the level necessary to our national well-being and the attainment of our postwar objectives. Where increased programs have been recommended, the increases have been held as low as is consistent with these goals. I can assure the Congress of the necessity of these programs. I can further assure the Congress that the program as a whole is well within our capacity to finance it. All the programs I have recommended for action are included in the Budget figures.

For these reasons I have chosen to combine the customary message on the state of the Union with the annual Budget message, and to include in the Budget not only estimates for functions authorized by the Congress, but also for those which I recommend for its action.

I am also transmitting herewith the Fifth Quarterly Report of the Director of War Mobilization and Reconversion. It is a comprehensive discussion of the present state of the reconversion program and of the immediate and long-range needs and recommendations.

This constitutes, then, as complete a report as I find it possible to prepare now. It constitutes a program of government in relation to the Nation's needs.

With the growing responsibility of modern government to foster economic expansion and to promote conditions that assure full and steady employment opportunities, it has become necessary to formulate and determine the Government program in the light of national economic conditions as a whole. In both the executive and the legislative branches we must make arrangements which will permit us to formulate the Government program in that light. Such an approach has become imperative if the American political and economic system is to succeed under the conditions of economic instability and uncertainty which we have to face. The Government needs to assure business, labor, and agriculture that Government policies will take due account of the requirements of a full-employment economy. The lack of that assurance would, I believe, aggravate the economic instability.

With the passage of a full-employment bill which I confidently anticipate for the very near future, the executive and legislative branches of government will be empowered to devote their best talents and resources in subsequent years to preparing and acting on such a program.

I. FROM WAR TO PEACE—THE YEAR OF DECISION

In his last message on the State of the Union, delivered 1 year ago, President Roosevelt said:

This new year of 1945 can be the greatest year of achievement in human history.

1945 can see the final ending of the Nazi-Fascist reign of terror in Europe.

1945 can see the closing in of the forces of retribution about the center of the malignant power of imperialistc Japan.

Most important of all—1945 can and must see the substantial beginning of the organization of world peace.

All those hopes, and more, were fulfilled in the year 1945. It was the greatest year of achievement in human history. It saw the end of the Nazi-Fascist terror in Europe, and also the end of the malignant power of Japan. And it saw the substantial beginning of world organization for peace. These momentous events became realities because of the steadfast purpose of the United Nations and of the forces that fought for freedom under their flags. The plain fact is that civilization was saved in 1945 by the United Nations.

Our own part in this accomplishment was not the product of any single service. Those who fought on land, those who fought on the sea, and those who fought in the air deserve equal credit. They were supported by other millions in the armed forces who through no fault of their own could not go overseas and who rendered indispensable service in this country. They were supported by millions in all levels of government, including many volunteers, whose devoted public service furnished basic organization and leadership. They were also supported by the millions of Americans in private life—men and women in industry, in commerce, on the farms, and in all manner of activity on the home front—who contributed their brains and their brawn in arming, equipping, and feeding them. The country was brought through 4 years of peril by an effort that was truly national in character.

Everlasting tribute and gratitude will be paid by all Americans to those brave men who did not come back, who will never come back—the 330,000 who died that the Nation might live and progress. All Americans will also remain deeply conscious of the obligation owed to that larger number of soldiers, sailors, and marines who suffered wounds and sickness in their service. They may be certain that their sacrifice will never be forgotten or their needs neglected.

The beginning of the year 1946 finds the United States strong and deservedly confident. We have a record of enormous achievements as a democratic society in solving problems and meeting opportunities as they developed. We find ourselves possessed of immeasurable advantages—vast and varied natural resources; great plants, institutions, and other facilities; unsurpassed technological and managerial skills; an alert, resourceful, and able citizenry. We have in the United States Government rich resources in information, perspective, and facilities for doing whatever may be found necesary to do in giving support and form to the widespread and diversified efforts of all our people.

And for the immediate future the business prospects are generally so favorable that there is danger of such feverish and opportunistic activity that our grave postwar problems may be neglected. We need to act now with full regard for pitfalls; we need to act with foresight and balance. We should not be lulled by the immediate alluring prospects into forgetting the fundamental complexity of modern affairs, the catastrophe that can come in this complexity or the values that can be wrested from it.

But the long-range difficulties we face should no more lead to despair than our immediate business prospects should lead to the optimism which comes from the present short-range prospect. On the foundation of our victory we can build a lasting peace, with greater freedom and security for mankind in our country and throughout the world. We will more certainly do this if we are constantly aware of the fact that we face crucial issues and prepare now to meet them.

To achieve success will require both boldness in setting our sights and caution in steering our way on an uncharted course. But we have no luxury of choice. We must move ahead. No return to the past is possible.

Our Nation has always been a land of great opportunities for those people of the world who sought to become part of us. Now we have become a land of great responsibilities to all the people of all the world. We must squarely recognize and face the fact of those responsibilities. Advances in science, in communication, in transportation, have compressed the world into a community. The economic and political health of each member of the world community bears directly on the economic and political health of each other member.

The evolution of centuries has brought us to a new era in world history in which manifold relationships between nations must be formalized and developed in new and intricate ways.

The United Nations Organization now being established represents a minimum essential beginning. It must be developed rapidly and steadily. Its work must be amplified to fill in the whole pattern that has been outlined. Economic collaboration, for example, already charted, now must be carried on as carefully and as comprehensively as the political and security measures.

It is important that the nations come together as States in the Assembly and in the Security Council and in the other specialized assemblies and councils that have been and will be arranged. But this is not enough. Our ultimate security requires more than a process of consultation and compromise.

It requires that we begin now to develop the United Nations Organization as the representative of the world as one society. The United Nations Organization, if we have the will adequately to staff it and to make it work as it should, will provide a great voice to speak constantly and responsibly in terms of world collaboration and world well-being.

There are many new responsibilities for us as we enter into this new international era. The whole power and will and wisdom of our Government and of our people should be focused to contribute to and to influence international action. It is intricate, continuing business. Many concessions and adjustments will be required.

The spectacular progress of science in recent years makes these necessities more vivid and urgent. That progress has speeded internal development and has changed world relationships so fast that we must realize the fact of a new era. It is an era in which affairs have become complex and rich in promise. Delicate and intricate relationships, involving us all in countless ways, must be carefully considered.

On the domestic scene, as well as on the international scene, we must lay a new and better foundation for cooperation. We face a great peacetime venture; the challenging venture of a free-enterprise economy making full and effective use of its rich resources and technical advances. This is a venture in which business, agriculture, and labor have vastly greater opportunities than heretofore. But they all also have vastly greater responsibilities. We will not measure up to those responsibilities by the simple return to "normalcy" that was tried after the last war.

The general objective, on the contrary, is to move forward to find the way in time of peace to the full utilization and development of our physical and human resources that were demonstrated so effectively in the war.

To accomplish this, it is not intended that the Federal Government should do things that can be done as well for the Nation by private enterprise, or by State and local governments. On the contrary, the war has demonstrated how effectively we can organize our productive system and develop the potential abilities of our people by aiding the efforts of private enterprise.

As we move toward one common objective there will be many and urgent problems to meet.

Industrial peace between management and labor will have to be achieved—through the process of collective bargaining—with Government assistance but not Government compulsion. This is a problem which is the concern not only of management, labor, and the Government, but also the concern of every one of us.

Private capital and private management are entitled to adequate reward for efficiency, but business must recognize that its reward results from the employment of the resources of the Nation. Business is a public trust and must adhere to national standards in the conduct of its affairs. These standards include as a minimum the establishment of fair wages and fair employment practices.

Labor also has its own new peacetime responsibilities. Under our collective bargaining system, which must become progressively more secure, labor attains increasing political as well as economic power, and this, as with all power, means increased responsibility.

The lives of millions of veterans and war workers will be greatly affected by the success or failure of our program of war liquidation and reconversion. Their transition to peacetime pursuits will be determined by our efforts to break the bottlenecks in key items of production, to make surplus property immediately available where it is needed, to maintain an effective national employment service, and many other reconversion policies. Our obligations to the people who won the war will not be paid if we fail to prevent inflation and to maintain employment opportunities.

While our peacetime prosperity will be based on the private-enterprise system, government can and must assist in many ways. It is the Government's responsibility to see that our economic system remains competitive, that new businesses have adequate opportunities, and that our national resources are restored and improved. Government must realize the effect of its operations on the whole economy. It is the responsibility of government to gear its total program to the achievement of full production and full employment.

Our basic objective—toward which all others lead—is to improve the welfare of the American people. In addition to economic prosperity, this means that we need social security in the fullest sense of the term; the people must be protected from the fear of want during old age, sickness, and unemployment. Opportunities for a good education and adequate medical care must be generally available. Every family should have a decent home. The new economic bill of rights to which I have referred on previous occasions is a charter of economic freedom which seeks to assure that all who will may work toward their own security and the general advancement; that we become a well-housed people, a well-nourished people, an educated people, a people socially and economically secure, an alert and responsible people.

These and other problems which may face us can be met by the cooperation of all of us in furthering a positive and well-balanced Government program—a program which will further national and international well-being.

II. The Federal Program

International Affairs

1. Foreign policy

The year 1945 brought with it the final defeat of our enemies. There lies before us now the work of building a just and enduring peace.

Our most immediate task toward that end is to deprive our enemies completely

and forever of their power to start another war. Of even greater importance to the preservation of international peace is the need to preserve the wartime agreement of the United Nations and to direct it into the ways of peace.

Long before our enemies surrendered, the foundations had been laid on which to continue this unity in the peace to come. The Atlantic meeting in 1941 and the conferences at Casablanca, Quebec, Moscow, Cairo, Tehran, and Dumbarton Oaks each added a stone to the structure.

Early in 1945, at Yalta, the three major powers broadened and solidified this base of understanding. There fundamental decisions were reached concerning the occupation and control of Germany. There also a formula was arrived at for the interim government of the areas in Europe which were rapidly being wrested from Nazi control. This formula was based on the policy of the United States that people be permitted to choose their own form of government by their own freely expressed choice without interference from any foreign source.

At Potsdam, in July 1945, Marshal Stalin, Prime Ministers Churchill and Attlee, and I met to exchange views primarily with respect to Germany. As a result, agreements were reached which outlined broadly the policy to be executed by the Allied Control Council. At Potsdam there was also established a Council of Foreign Ministers which convened for the first time in London in September. The Council is about to resume its primary assignment of drawing up treaties of peace with Italy, Rumania, Bulgaria, Hungary, and Finland.

In addition to these meetings, and in accordance with the agreement at Yalta, the Foreign Ministers of Great Britain, the Soviet Union, and the United States conferred together in San Francisco last spring, in Potsdam in July, in London in September, and in Moscow in December. These meetings have been useful in promoting understanding and agreement among the three governments.

Simply to name all the international meetings and conferences is to suggest the size and complexity of the undertaking to prevent international war in which the United States has now enlisted for the duration of history.

It is encouraging to know that the common effort of the United Nations to learn to live together did not cease with the surrender of our enemies.

When difficulties arise among us, the United States does not propose to remove them by sacrificing its ideals or its vital interests. Neither do we propose, however, to ignore the ideals and vital interests of our friends.

Last February and March an Inter-American Conference on Problems of War and Peace was held in Mexico City. Among the many significant accomplishments of that Conference was an understanding that an attack by any country against any one of the sovereign American republics would be considered an act of aggression against all of them, and that if such an attack were made or threatened the American republics would decide jointly, through consultations in which each republic has equal representation, what measures they would take for their mutual protection. This agreement stipulates that its execution shall be in full accord with the Charter of the United Nations Organization.

The first meeting of the General Assembly of the United Nations now in progress in London marks the real beginning of our bold adventure toward the preservation of world peace, to which is bound the dearest hope of men.

We have solemnly dedicated ourselves and all our will to the success of the United Nations Organization. For this reason we have sought to insure that in the peacemaking the smaller nations shall have a voice as well as the larger states. The agreement reached at Moscow last month preserves this opportunity in the making of peace with Italy, Rumania, Bulgaria, Hungary, and Finland. The United States intends to preserve it when the treaties with Germany and Japan are drawn.

It will be the continuing policy of the United States to use all its influence to foster, support, and develop the United Nations Organization in its purpose of preventing international war. If peace is to endure it must rest upon justice no less than upon power. The question is how justice among nations is best achieved. We know from day-to-day experience that the chance for a just solution is immeasurably increased when everyone directly interested is given a voice. That does not mean that each must enjoy an equal voice, but it does mean that each must be heard.

Last November, Prime Minister Attlee, Prime Minister Mackenzie King, and I announced our proposal that a commission be established within the framework of the United Nations to explore the problems of effective international control of atomic energy.

The Soviet Union, France, and China have joined us in the purpose of introducing in the General Assembly a resolution for the establishment of such a commission. Our earnest wish is that the work of this commission go forward carefully and thoroughly, but with the greatest dispatch. I have great hope for the development of mutually effective safeguards which will permit the fullest international control of this new atomic force.

I believe it possible that effective means can be developed through the United Nations Organization to prohibit, outlaw, and prevent the use of atomic energy for destructive purposes.

The power which the United States demonstrated during the war is the fact that underlies every phase of our relations with other countries. We cannot escape the responsibility which it thrusts upon us. What we think, plan, say, and do is of profound significance to the future of every corner of the world.

The great and dominant objective of United States foreign policy is to build and preserve a just peace. The peace we seek is not peace for 20 years. It is permanent peace. At a time when massive changes are occurring with lightning speed throughout the world, it is often difficult to perceive how this central objective is best served in one isolated complex situation or another. Despite this very real difficulty, there are certain basic propositions to which the United States adheres and to which we shall continue to adhere.

One proposition is that lasting peace requires genuine understanding and active cooperation among the most powerful nations. Another is that even the support of the strongest nations cannot guarantee a peace unless it is infused with the quality of justice for all nations.

On October 27, 1945, I made, in New York City, the following public statement of my understanding of the fundamental foreign policy of the United States. I believe that policy to be in accord with the opinion of the Congress and of the people of the United States. I believe that that policy carries out our fundamental objectives:

1. We seek no territorial expansion or selfish advantage. We have no plans for aggression against any other state, large or small. We have no objective which need clash with the peaceful aims of any other nation.

2. We believe in the eventual return of sovereign rights and self-government to all peoples who have been deprived of them by force.

3. We shall approve no territorial changes in any friendly part of the world unless they accord with the freely expressed wishes of the people concerned.

4. We believe that all peoples who are prepared for self-government should be permitted to choose their own form of government by their own freely expressed choice, without interference from any foreign source. That is true in Europe, in Asia, in Africa, as well as in the Western Hemisphere.

5. By the combined and cooperative action of our war allies, we shall help the defeated enemy states establish peaceful democratic governments of their own free choice. And we shall try to attain a world in which nazism, fascism, and military aggression cannot exist.

6. We shall refuse to recognize any government imposed upon any nation by the force of any foreign power. In some cases it may be impossible to prevent forceful imposition of such a government. But the United States will not recognize any such government.

7. We believe that all nations should have the freedom of the seas and equal rights to the navigation of boundary rivers and waterways and of rivers and waterways which pass through more than one country.

8. We believe that all states which are accepted in the society of nations should have access on equal terms to the trade and the raw materials of the world.

9. We believe that the sovereign states of the Western Hemisphere, without interference from outside the Western Hemisphere, must work together as good neighbors in the solution of their common problems.

10. We believe that full economic collaboration between all nations, great and small, is essential to the improvement of living conditions all over the world, and to the establishment of freedom from fear and freedom from want.

11. We shall continue to strive to promote freedom of expression and freedom of religion throughout the peace-loving areas of the world.

12. We are convinced that the preservation of peace between nations requires a United Nations Organization composed of all the peace-loving nations of the world who are willing jointly to use force, if necessary, to insure peace.

That is our foreign policy.

We may not always fully succeed in our objectives. There may be instances where the attainment of those objectives is delayed. But we will not give our full sanction and approval to actions which fly in the face of these ideals.

The world has a great stake in the political and economic future of Germany. The Allied Control Council has now been in operation there for a substantial period of time. It has not met with unqualified success. The accommodation of varying views of four governments in the day-to-day civil administration of occupied territory is a challenging task. In my judgment, however, the Council has made encouraging progress in the face of most serious difficulties. It is my purpose at the earliest practicable date to transfer from military to civilian personnel the execution of United States participation in the government of occupied territory in Europe. We are determined that effective control shall be maintained in Germany until we are satisfied that the German people have regained the right to a place of honor and respect.

On the other side of the world, a method of international cooperation has recently been agreed upon for the treatment of Japan. In this pattern of control, the United States, with the full approval of its partners, has retained primary authority and primary responsibility. It will continue to do so until the Japanese people, by their own freely expressed choice, choose their own form of government.

Our basic policy in the Far East is to encourage the development of a strong, independent, united, and democratic China. That has been the traditional policy of the United States.

At Moscow the United States, the Union of Soviet Socialist Republics, and Great Britain agreed to further this development by supporting the efforts of the National Government and nongovernmental Chinese political elements in bringing about cessation of civil strife and in broadening the basis of representation in the Government. That is the policy which General Marshall is so ably executing today.

It is the purpose of the Government of the United States to proceed as rapidly as is practicable toward the restoration of the sovereignty of Korea and the establishment of a democratic government by the free choice of the people of Korea.

At the threshold of every problem which confronts us today in international affairs is the appalling devastation, hunger, sickness, and pervasive human misery that mark so many areas of the world.

By joining and participating in the work of the United Nations Relief and Rehabilitation Administration the United States has directly recognized and assumed an obligation to give such relief assistance as is practicable to millions of innocent and helpless victims of the war. The Congress has earned the gratitude of the world by generous financial contributions to the United Nations Relief and Rehabilitation Administration.

We have taken the lead, modest though it is, in facilitating under our existing immigration quotas the admission to the United States of refugees and displaced persons from Europe.

We have joined with Great Britain in the organization of a commission to study the problem of Palestine. The Commission is already at work and its recommendations will be made at an early date.

The members of the United Nations have paid us the high compliment of choosing the United States as the site of the United Nations headquarters. We shall be host in spirit as well as in fact, for nowhere does there abide a fiercer determination that this peace shall live than in the hearts of the American people.

It is the hope of all Americans that in time future historians will speak, not of World War I and World War II but of the first and last world wars.

2. Foreign economic policy

The foreign economic policy of the United States is designed to promote our own prosperity and at the same time to aid in the restoration and expansion of world markets and to contribute thereby to world peace and world security. We shall continue our efforts to provide relief from the devastation of war, to alleviate the sufferings of displaced persons, to assist in reconstruction and development, and to promote the expansion of world trade.

We have already joined the International Monetary Fund and the International Bank for Reconstruction and Development. We have expanded the Export-Import Bank and provided it with additional capital. The Congress has renewed the Trade Agreements Act which provides the necessary framework within which to negotiate a reduction of trade barriers on a reciprocal basis. It has given our support to the United Nations Relief and Rehabilitation Administration.

In accordance with the intentions of the Congress, lend-lease, except as to continuing military lend-lease in China, was terminated upon the surrender of Japan. The first of the lend-lease settlement agreements has been completed with the United Kingdom. Negotiations with other lend-lease countries are in progress. In negotiating these agreements, we intend to seek settlements which will not encumber world trade through war debts of a character that proved to be so detrimental to the stability of the world economy after the last war.

We have taken steps to dispose of the goods which on VJ-day were in the lend-lease pipe line to the various lend-lease countries and to allow them long-term credit for the purpose where necessary. We are also making arrangements under which those countries may use the lend-lease inventories in their possession and acquire surplus property abroad to assist in their economic rehabilitation and reconstruction. These goods will be accounted for at fair values.

The proposed loan to the United Kingdom, which I shall recommend to the Congress in a separate message, will contribute to easing the transition problem of one of our major partners in the war. It will enable the whole sterling area and other countries affiliated with it to resume trade on a multilateral basis. Extension of this credit will enable the United Kingdom to avoid discriminatory trade arrangements of the type which destroyed freedom of trade during the 1930's. I consider the progress toward multilateral trade which will be achieved by this agreement to be in itself sufficient warrant for the credit.

The view of this Government is that, in the longer run, our economic prosperity and the prosperity of the whole world are best served by the elimination of artificial barriers to international trade, whether in the form of unreasonable tariffs or tariff preferences or commercial quotas or embargoes or the restrictive practices of cartels.

The United States Government has issued proposals for the expansion of world trade and employment to which the Government of the United Kingdom has given its support on every important issue. These proposals are intended to form the basis for a trade and employment conference to be held in the middle of this year. If that conference is a success, I feel confident that the way will have been adequately prepared for an expanded and prosperous world trade.

We shall also continue negotiations looking to the full and equitable development of facilities for transportation and communications among nations.

The vast majority of the nations of the world have chosen to work together to achieve, on a cooperative basis, world security and world prosperity. The effort cannot succeed without full cooperation of the United States. To play our part, we must not only resolutely carry out the foreign policies we have adopted but also follow a domestic policy which will maintain full production and employment in the United States. A serious depression here can disrupt the whole fabric of the world economy.

3. Occupied countries

The major tasks of our Military Establishment in Europe following VE-day, and in the Pacific since the surrender of Japan, have been those of occupation and military government. In addition we have given much-needed aid to the peoples of the liberated countries.

The end of the war in Europe found Germany in a chaotic condition. Organized government had ceased to exist, transportation systems had been wrecked, cities and industrial facilities had been bombed into ruins. In addition to the tasks of occupation we had to assume all of the functions of government. Great progress has been made in the repatriation of displaced persons and of prisoners of war. Of the total of 3,500,000 displaced persons found in the United States zone only 460,000 now remain.

The extensive complications involved by the requirement of dealing with three other governments engaged in occupation and with the governments of liberated countries require intensive work and energetic cooperation. The influx of some two million German refugees into our zone of occupation is a pressing problem, making exacting demands upon an already overstrained internal economy.

Improvements in the European economy during 1945 have made it possible for our military authorities to relinquish to the governments of all liberated areas, or to the United Nations Relief and Rehabilitation Administration, the responsibility for the provision of food and

other civilian relief supplies. The Army's responsibilities in Europe extend now only to our zones of occupation in Germany and Austria and to two small areas in northern Italy.

By contrast with Germany, in Japan we have occupied a country still possessing an organized and operating governmental system. Although severely damaged, the Japanese industrial and transportation systems have been able to insure at least a survival existence for the population. The repatriation of Japanese military and civilian personnel from overseas is proceeding as rapidly as shipping and other means permit.

In order to insure that neither Germany nor Japan will again be in a position to wage aggressive warfare, the armament-making potential of these countries is being dismantled and fundamental changes in their social and political structures are being effected. Democratic systems are being fostered to the end that the voice of the common man may be heard in the councils of his government.

For the first time in history the legal culpability of war makers is being determined. The trials now in progress in Nürnberg—and those soon to begin in Tokyo—bring before the bar of international justice those individuals who are charged with the responsibility for the sufferings of the past 6 years. We have high hope that this public portrayal of the guilt of these evildoers will bring wholesale and permanent revulsion on the part of the masses of our former enemies against war, militarism, aggression, and notions of race superiority.

4. Demobilization of our armed forces

The cessation of active campaigning does not mean that we can completely disband our fighting forces. For their sake and for the sake of their loved ones at home, I wish that we could. But we still have the task of clinching the victories we have won—of making certain that Germany and Japan can never again wage aggressive warfare, that they will not again have the means to bring on another world war. The performance of that task requires that, together with our allies, we occupy the hostile areas, complete the disarmament of our enemies, and take the necessary measures to see to it that they do not rearm.

As quickly as possible, we are bringing about the reduction of our armed services to the size required for these tasks of occupation and disarmament. The Army and the Navy are following both length-of-service and point systems as far as possible in releasing men and women from the service. The points are based chiefly on length and character of service, and on the existence of dependents.

Over 5 million from the Army have already passed through the separation centers.

The Navy, including the Marine Corps and the Coast Guard, has discharged over one and a half million.

Of the 12 million men and women serving in the Army and Navy at the time of the surrender of Germany, one-half have already been released. The greater part of these had to be brought back to this country from distant parts of the world

Of course there are cases of individual hardship in retention of personnel in the service. There will be in the future. No system of such size can operate to perfection. But the systems are founded on fairness and justice, and they are working at full speed. We shall try to avoid mistakes, injustices, and hardship—as far as humanly possible.

We have already reached the point where shipping is no longer the bottleneck in the return of troops from the European theater. The governing factor now has become the requirement for troops in sufficient strength to carry out their missions.

In a few months the same situation will exist in the Pacific. By the end of June, 9 out of 10 who were serving in the armed forces on VE-day will have been released. Demobilization will continue thereafter, but at a slower rate, determined by our military responsibilities.

Our national safety and the security of the world will require substantial armed forces, particularly in overseas service. At the same time it is imperative that we relieve those who have already done their duty, and that we relieve them as fast as we can. To do that, the Army and the Navy are conducting recruiting drives with considerable success.

The Army has obtained nearly 400,000 volunteers in the past 4 months, and the Navy has obtained 80,000. Eighty percent of these volunteers for the regular service have come from those already with the colors. The Congress has made it possible to offer valuable inducements to those who are eligible for enlistment. Every effort will be made to enlist the required number of young men.

The War and Navy Departments now estimate that by a year from now we still will need a strength of about 2,000,000, including officers, for the armed forces—Army, Navy, and Air. I have reviewed their estimates and believe that the safety of the Nation will require the maintenance of an armed strength of this size for the calendar year that is before us.

In case the campaign for volunteers does not produce that number, it will be necessary by additional legislation to extend the Selective Service Act beyond May 16, the date of expiration under existing law. That is the only way we can get the men and bring back our veterans. There is no other way. Action along this line should not be postponed beyond March, in order to avoid uncertainty and disruption.

DOMESTIC AFFAIRS

1. The economic outlook

Prophets of doom predicted that the United States could not escape a runaway inflation during the war and an economic collapse after the war. These predictions have not been borne out. On the contrary, the record of economic stabilization during the war and during the period of reconversion has been an outstanding accomplishment.

We know, however, that nothing is as dangerous as overconfidence, in war or in peace. We have had to fight hard to hold the line. We have made strenuous efforts to speed reconversion. But neither the danger of a postwar inflation nor of a subsequent collapse in production and employment is yet overcome. We must base our policies not on unreasoning optimism or pessimism but upon a candid recognition of our objectives and upon a careful analysis of foreseeable trends.

Any precise appraisal of the economic outlook at this time is particularly difficult. The period of demobilization and reconversion is fraught with uncertainties. There are also serious gaps in our statistical information. Certain tendencies are, however, fairly clear and recognition of them should serve as background for the consideration of next year's Federal program. In general, the outlook for business is good, and it is likely to continue to be good—provided we control inflation and achieve peace in management-labor relations.

Civilian production and employment can be expected to increase throughout the next year. This does not mean, however, that continuing full employment is assured. It is probable that demobilization of the armed forces will proceed faster than the increase in civilian employment opportunities. Even if substantial further withdrawals from the labor market occur, unemployment will increase temporarily. The extent to which this unemployment will persist depends largely on the speed of industrial expansion and the effectiveness of the policies of the Federal Government.

Along with extraordinary demand there are still at this time many critical shortages resulting from the war. These extraordinary demands and shortages may lead to a speculative boom, especially in the price of securities, real estate, and inventories.

Therefore, our chief worry still is inflation.

While we control this inflationary pressure we must look forward to the time when this extraordinary demand will subside. It will be years before we catch up with the demand for housing. The extraordinary demand for other durable goods, for the replenishment of inventories, and for exports may be satisfied earlier. No backlog of demand can exist very long in the face of our tremendous productive capacity. We must expect again to face the problem of shrinking demand and consequent slackening in sales, production, and employment. This possibility of a deflationary spiral in the future will exist unless we now plan and adopt an effective full employment program.

2. General policies—Immediate and long-range

During the war production for civilian use was limited by war needs and available manpower. Economic stabilization required measures to spread limited supplies equitably by rationing, price controls, increased taxes, savings-bond campaigns, and credit controls. Now, with the surrender of our enemies, economic stabilization requires that policies be directed toward promoting an increase in supplies at low unit prices.

We must encourage the development of resources and enterprises in all parts of the country, particularly in underdeveloped areas. For example, the establishment of new peacetime industries in the Western States and in the South would, in my judgment, add to existing production and markets rather than merely bring about a shifting of production. I am asking the Secretaries of Agriculture, Commerce, and Labor to explore jointly methods for stimulating new industries, particularly in areas with surplus agricultural labor.

We must also aid small-business men and particularly veterans who are competent to start their own businesses. The establishment and development of efficient small-business ventures, I believe, will not take away from, but rather will add to, the total business of all enterprises.

Even with maximum encouragement of production, we cannot hope to remove scarcities within a short time. The most serious deficiencies will persist in the fields of residential housing, building materials, and consumers' durable goods. The critical situation makes continued rent control, price control, and priorities, allocations, and inventory controls absolutely essential. Continued control of consumer credit will help to reduce the pressure on prices of durable goods and will also prolong the period during which the backlog demand will be effective.

While we are meeting these immediate needs we must look forward to a long-range program of security and increased standard of living.

The best protection of purchasing power is a policy of full production and full employment opportunities. Obviously an employed worker is a better customer than an unemployed worker. There always will be, however, some frictional unemployment. In the present period of transition we must deal with such temporary unemployment as results from the fact that demobilization will proceed faster than reconversion or industrial expansion. Such temporary unemployment is probably unavoidable in a period of rapid change. The unemployed worker is a victim of conditions beyond his control. He should be enabled to maintain a reasonable standard of living for himself and his family.

The most serious difficulty in the path of reconversion and expansion is the establishment of a fair wage structure.

The ability of labor and management to work together, and the wage and price policies which they develop, are social and economic issues of first importance.

Both labor and management have a special interest. Labor's interest is very direct and personal because working conditions, wages, and prices affect the very life and happiness of the worker and his family.

Management has a no less direct interest because on management rests the responsibility for conducting a growing and prosperous business.

But management and labor have identical interests in the long run. Good wages mean good markets. Good business means more jobs and better wages. In this age of cooperation and in our highly organized economy the problems of one very soon become the problems of all.

Better human relationships are an urgent need to which organized labor and management should address themselves. No government policy can make men understand each other, agree, and get along unless they conduct themselves in a way to foster mutual respect and good will.

The Government can, however, help to develop machinery which, with the backing of public opinion, will assist labor and management to resolve their disagreements in a peaceful manner and reduce the number and duration of strikes.

All of us realize that productivity—increased output per man—is in the long run the basis of our standard of living. Management especially must realize that if labor is to work wholeheartedly for an increase in production, workers must be given a just share of increased output in higher wages.

Most industries and most companies have adequate leeway within which to grant substantial wage increases. These increases will have a direct effect in increasing consumer demand to the high levels needed. Substantial wage increases are good business for business because they assure a large market for their products; substantial wage increases are good business for labor because they increase labor's standard of living; substantial wage increases are good business for the country as a whole because capacity production means an active, healthy, friendly citizenry enjoying the benefits of democracy under our free-enterprise system.

Labor and management in many industries have been operating successfully under the Government's wage-price policy. Upward revisions of wage scales have been made in thousands of establishments throughout the Nation since VJ-day. It is estimated that about 6 million workers, or more than 20 percent of all employees in nonagricultural and nongovernmental establishments, have received wage increases since August 18, 1945. The amounts of increase given by individual employers concentrate between 10 and 15 percent, but range from less than 5 percent to over 30 percent.

The United States Conciliation Service since VJ-day has settled over 3,000 disputes affecting over 1,300,000 workers without a strike threat and has assisted in settling about 1,300 disputes where strikes were threatened which involved about 500,000 workers. Only workers directly involved, and not those in related industries who might have been indirectly affected, are included in these estimates.

Many of these adjustments have occurred in key industries and would have seemed to us major crises if they had not been settled peaceably.

Within the framework of the wage-price policy there has been definite success, and it is to be expected that this success will continue in a vast majority of the cases arising in the months ahead.

However, everyone who realizes the extreme need for a swift and orderly reconversion must feel a deep concern about the number of major strikes now in progress. If long continued, these strikes could put a heavy brake on our program.

I have already made recommendations to the Congress as to the procedure best adapted to meeting the threat of work stoppages in Nation-wide industries without sacrificing the fundamental rights of labor to bargain collectively and ultimately to strike in support of their position.

If we manage our economy properly, the future will see us on a level of production half again as high as anything we have ever accomplished in peacetime. Business can in the future pay higher wages and sell for lower prices than ever before. This is not true now for all companies, nor will it ever be true for all, but for business generally it is true.

We are relying on all concerned to develop, through collective bargaining, wage structures that are fair to labor, allow for necessary business incentives, and conform with a policy designed to hold the line on prices.

Production and more production was the byword during the war and still is during the transition from war to peace. However, when deferred demand slackens we shall once again face the deflationary dangers which beset this and other countries during the 1930's. Prosperity can be assured only by a high level of demand supported by high current income; it cannot be sustained by deferred needs and use of accumulated savings.

If we take the right steps in time we can certainly avoid the disastrous excesses of runaway booms and headlong depressions. We must not let a year or two of prosperity lull us into a false feeling of security and a repetition of the mistakes of the 1920's that culminated in the crash of 1929.

During the year ahead the Government will be called upon to act in many important fields of economic policy, from taxation and foreign trade to social security and housing. In every case there will be alternatives. We must choose the alternatives which will best measure up to our need for maintaining production and employment in the future. We must never lose sight of our long-term objectives—the broadening of markets, the maintenance of steadily rising demand. This demand can come from only three sources—consumers, businesses, or government.

In this country the job of production and distribution is in the hands of businessmen, farmers, workers, and professional people—in the hands of our citizens. We want to keep it that way. However, it is the Government's responsibility to help business, labor, and farmers do their jobs.

There is no question in my mind that the Government, acting on behalf of all the people, must assume the ultimate responsibility for the economic health of the Nation. There is no other agency that can. No other organization has the scope or the authority, nor is any other agency accountable to all the people. This does not mean that the Government has the sole responsibility, nor that it can do the job alone, nor that it can do the job directly.

All the policies of the Federal Government must be geared to the objective of sustained full production and full employment—to raise consumer purchasing power and to encourage business investment. The programs we adopt this year and from now on will determine our ability to achieve our objectives. We must continue to pay particular attention to our fiscal, monetary, and tax policy, programs to aid business—especially small business—and transportation, labor-management relations and wage-price policy, social security and health, education, the farm program, public works, housing and resource development, and economic foreign policy.

For example, the kinds of tax measures we have at different times—whether we raise our revenue in a way to encourage consumer spending and business investment or to discourage it—have a vital bearing on this question. It is affected also by regulations on consumer credit and by the money market, which is strongly influenced by the rate of interest on Government securities. It is affected by almost every step we take.

In short, the way we handle the proper functions of government, the way we time the exercise of our traditional and legitimate governmental functions, has a vital bearing on the economic health of the Nation.

These policies are discussed in greater detail in the accompanying Fifth Quarterly Report of the Director of War Mobilization and Reconversion.

3. Legislation heretofore recommended and still pending

To attain some of these objectives and to meet the other needs of the United States in the reconversion and postwar period, I have from time to time made various recommendations to the Congress.

In making these recommendations I have indicated the reasons why I deemed them essential for progress at home and abroad. A few—a very few—of these recommendations have been enacted into law by the Congress. Most of them have not. I here reiterate some of them, and discuss others later in this message. I urge upon the Congress early consideration of them. Some are more urgent than others, but all are necessary.

(1) Legislation to authorize the President to create fact-finding boards for the prevention of stoppages of work in Nation-wide industries after collective bargaining and conciliation and voluntary arbitration have failed—as recommended by me on December 3, 1945.

(2) Enactment of a satisfactory full employment bill such as the Senate bill now in conference between the Senate and the House—as recommended by me on September 6, 1945.

(3) Legislation to supplement the unemployment insurance benefits for unemployed workers now provided by the different States—as recommended by me on May 28, 1945.

(4) Adoption of a permanent Fair Employment Practice Act—as recommended by me on September 6, 1945.

(5) Legislation substantially raising the amount of minimum wages now provided by law—as recommended by me on September 6, 1945.

(6) Legislation providing for a comprehensive program for scientific research—as recommended by me on September 6, 1945.

(7) Legislation enacting a health and medical care program—as recommended by me on November 19, 1945.

(8) Legislation adopting the program of universal training—as recommended by me on October 23, 1945.

(9) Legislation providing an adequate salary scale for all Government employees in all branches of the Government—as recommended by me on September 6, 1945.

(10) Legislation making provision for succession to the Presidency in the event of the death or incapacity or disqualification of the President and Vice President—as recommended by me on June 19, 1945.

(11) Legislation for the unification of the armed services—as recommended by me on December 19, 1945.

(12) Legislation for the domestic use and control of atomic energy—as recommended by me on October 3, 1945.

(13) Retention of the United States Employment Service in the Federal Government for a period at least up to June 30, 1947—as recommended by me on September 6, 1945.

(14) Legislation to increase unemployment allowances for veterans in line with increases for civilians—as recommended by me on September 6, 1945.

(15) Social-security coverage for veterans for their period of military service—as recommended by me on September 6, 1945.

(16) Extension of crop insurance—as recommended by me on September 6, 1945.

(17) Legislation permitting the sale of ships by the Maritime Commission at home and abroad—as recommended by me on September 6, 1945. I further recommend that this legislation include adequate authority for chartering vessels both here and abroad.

(18) Legislation to take care of the stock piling of materials in which the United States is naturally deficient—as recommended by me on September 6, 1945.

(19) Enactment of Federal airport legislation—as recommended by me on September 6, 1945.

(20) Legislation repealing the Johnson Act on foreign loans—as recommended by me on September 6, 1945.

(21) Legislation for the development of the Great Lakes-St. Lawrence River Basin—as recommended by me on October 3, 1945.

4. Policies in specific fields

(a) Extension of Price Control Act

Today inflation is our greatest immediate domestic problem. So far the fight against inflation has been waged successfully. Since May 1943, following President Roosevelt's "hold the line" order and in the face of the greatest pressures which this country has ever seen, the cost of living index has risen 3 percent. Wholesale prices in this same period have been held to an increase of 2½ percent.

This record has been made possible by the vigorous efforts of the agencies responsible for this program. But their efforts would have been fruitless if they had not had the solid support of the great masses of our people. The Congress is to be congratulated for its role in providing the legislation under which this work has been carried out.

On VJ-day it was clear to all thinking people that the danger of inflation was by no means over. Many of us can remember vividly our disastrous experience following World War I. Then the very restricted wartime controls were lifted too quickly, and as a result prices and rents moved more rapidly upward. In the year and a half following the armistice, rents, food, and clothing shot to higher and still higher levels.

When the inevitable crash occurred less than 2 years after the end of the war, business bankruptcies were widespread. Profits were wiped out. Inventory losses amounted to billions of dollars. Farm income dropped by one-half. Factory pay rolls dropped 40 percent and nearly one-fifth of all our industrial workers were walking the streets in search of jobs. This was a grim greeting, indeed, to offer our veterans who had just returned from overseas.

When I addressed the Congress in September, I emphasized that we must continue to hold the price line until the production of goods caught up with the tremendous demands. Since then we have seen demonstrated the strength of the inflationary pressures which we have to face.

Retail sales in the closing months of 1945 ran 12 percent above the previous peak for that season, which came in 1944. Prices throughout the entire economy have been pressing hard against the price ceilings. The prices of real estate, which cannot now be controlled under the law, are rising rapidly. Commercial rents are not included in the present price-control law and, where they are not controlled by State law, have been increasing, causing difficulties to many businessmen.

It will be impossible to maintain a high purchasing power or an expanding production unless we can keep prices at levels which can be met by the vast majority of our people. Full production is the greatest weapon against inflation, but until we can produce enough goods to meet the threat of inflation the Government will have to exercise its wartime control over prices.

I am sure that the people of the United States are disturbed by the demands made by several business groups with regard to price and rent control.

I am particularly disturbed at the effect such thinking may have on production and employment. If manufacturers continue to hold back goods and decline to submit bids when invited—as I am informed some are doing—in anticipation of higher prices which would follow the end of price controls, we shall inevitably slow down production and create needless unemployment. On the other hand, there are the vast majority of American businessmen who are not holding back goods, but who need certainty about the Government pricing policy in order to fix their own long-range pricing policies.

Businessmen are entitled therefore to a clear statement of the policy of the Government on the subject. Tenants and housewives, farmers and workers—consumers in general—have an equal right.

We are all anxious to eliminate unnecessary controls just as rapidly as we can do so. The steps that we have already taken in many directions toward that end are a clear indication of our policy.

The present Price Control Act expires on June 30, 1946. If we expect to maintain a steady economy we shall have to maintain price and rent control for many months to come. The inflationary pressures on prices and rents, with relatively few exceptions, are now at an all-time peak. Unless the Price Control Act is renewed there will be no limit to which our price levels would soar. Our country would face a national disaster.

We cannot wait to renew the act until immediately before it expires. Inflation results from psychological as well as economic conditions. The country has a clear right to know where the Congress stands on this all-important problem. Any uncertainty now as to whether the act will be extended gives rise to price speculation, to withholding of goods from the market in anticipation of rising prices, and to delays in achieving maximum production.

I do not doubt that the Congress will be beset by many groups who will urge that the legislation that I have proposed should either be eliminated or modified to the point where it is nearly useless. The Congress has a clear responsibility to meet this challenge with courage and determination. I have every confidence that it will do so.

I strongly urge that the Congress now resolve all doubts and as soon as possible adopt legislation continuing rent and price control in effect for a full year from June 30, 1946.

(b) Food subsidies

If the price line is to be held, if our people are to be protected against the inflationary dangers which confront us, we must do more than extend the Price Control Act. In September we were hopeful that the inflationary pressures would by this time have begun to diminish. We were particularly hopeful on food. Indeed, it was estimated that food prices at retail would drop from 3 to 5 percent in the first 6 months following the end of the war.

In anticipation of this decline in food prices, it was our belief that food subsidies could be removed gradually during the winter and spring months, and eliminated almost completely by June 30 of this year. It was our feeling that the food subsidies could be dropped without an increase to the consumer in the present level of food prices or in the overall cost of living.

As matters stand today, however, food prices are pressing hard against the ceilings. The expected decline in food prices has not occurred, nor is it likely to occur for many months to come. This brings me to the reluctant conclusion that food subsidies must be continued beyond June 30, 1946.

If we fail to take this necessary step, meat prices on July 1 will be from 3 to 5 cents higher than their average present levels; butter will be at least 12 cents a pound higher, in addition to the 5-cents-a-pound increase of last fall; milk will increase from 1 to 2 cents a quart; bread will increase about 1 cent a loaf; sugar will increase over 1 cent a pound; cheese, in addition to the increase of 4 cents now planned for the latter part of this month, will go up an additional 8 cents. In terms of percentages we may find the cost-of-living index for food increased by more than 8 percent, which in turn would result in more than a 3-percent increase in the cost of living.

If prices of food were allowed to increase by these amounts, I must make it clear to the Congress that, in my opinion, it would become extremely difficult for us to control the forces of inflation.

None of us likes subsidies. Our farmers, in particular, have always been opposed to them.

But I believe our farmers are as deeply conscious as any group in the land of the havoc which inflation can create. Certainly, in the past 18 months there has been no group which has fought any harder in support of the Government's price-control program. I am confident that, if the facts are placed before them and if they see clearly the evils between which we are forced to choose, they will understand the reasons why subsidies must be continued.

The legislation continuing the use of food subsidies into the new fiscal year should be tied down specifically to certain standards. A very proper requirement, in my opinion, would be that subsidies be removed as soon as it is indicated that the cost of living will decline below the present levels.

(c) Extension of War Powers Act

The Second War Powers Act has recently been extended by the Congress for 6 months instead of for a year. It will now expire, unless further extended, on June 30, 1946. This act is the basis for priority and inventory controls governing the use of scarce materials, as well as for other powers essential to orderly reconversion.

I think that this administration has given adequate proof of the fact that it desires to eliminate wartime controls as quickly and as expeditiously as possible. However, we know that there will continue to be shortages of certain materials caused by the war even after June 30, 1946. It is important that businessmen know now that materials in short supply are going to be controlled and distributed fairly as long as these war-born shortages continue.

I, therefore, urge the Congress soon to extend the Second War Powers Act. We cannot afford to wait until just before the act expires next June. To wait would cause the controls to break down in a short time and would hamper our production and employment program.

(d) Small business and competition

A rising birth rate for small business, and a favorable environment for its growth, are not only economic necessities but also important practical demonstrations of opportunity in a democratic free society. A great many veterans and workers with new skills and experience will want to start in for themselves. The opportunity must be afforded them to do so. They are the small-business men of the future.

Actually, when we talk about small business we are talking about almost all of the Nation's individual businesses. Nine out of every ten concerns fall into this category, and 45 percent of all workers are employed by them. Between 30 and 40 percent of the total value of all business transactions are handled by small business.

It is obvious national policy to foster the sound development of small business. It helps to maintain high levels of employment and national income and consumption of the goods and services that the Nation can produce. It encourages the competition that keeps our free-enterprise economy vigorous and expanding. Small business, because of its flexibility, assists in the rapid exploitation of scientific and technological discoveries. Investment in small business can absorb a large volume of savings that might otherwise not be tapped.

The Government should encourage and is encouraging small-business initiative and originality to stimulate progress through competition.

During the war, the Smaller War Plants Corporation assisted small concerns to make a maximum contribution to victory. The work of the Smaller War Plants Corporation is being carried on in peacetime by the Federal Loan Agency and the Department of Commerce. The fundamental approach to the job of encouraging small concerns must be based on:

1. Arrangements for making private and public financial resources available on reasonable terms.

2. Provision of technical advice and assistance to business as a whole on production, research, and management problems. This will help equalize competitive relationships between large and small companies, for many of the small companies cannot afford expensive technical research, accounting, and tax advice.

3. Elimination of trade practices and agreements which reduce competition and discriminate against new or small enterprises.

We speak a great deal about the free-enterprise economy of our country. It is competition that keeps it free. It is competition that keeps it growing and developing. The truth is that we need far more competition in the future than we have had in the immediate past.

By strangling competition, monopolistic activity prevents or deters investment in new or expanded production facilities. This lessens the opportunity for employment and chokes off new outlets for idle savings. Monopoly maintains prices at artificially high levels and reduces consumption which, with lower prices, would rise and support larger production and higher employment. Monopoly, not being subject to competitive pressure, is slow to take advantage of technical advances which would lower prices or improve quality. All three of these monopolistic activities very directly

lower the standard of living—through higher prices and lower quality of product—which free competition would improve.

The Federal Government must protect legitimate business and consumers from predatory and monopolistic practices by the vigilant enforcement of regulatory legislation. The program will be designed to have a maximum impact upon monopolistic bottlenecks and unfair competitive practices hindering expansion in employment.

During the war, enforcement of antimonopoly laws was suspended in a number of fields. The Government must now take major steps not only to maintain enforcement of antitrust laws but to encourage new and competing enterprises in every way. The deferred demand of the war years and the large accumulations of liquid assets provide ample incentive for expansion. Equalizing of business opportunity, under full and free competition, must be a prime responsibility in the reconversion period and in the years that follow. Many leading businessmen have recognized the importance of such action both to themselves and to the economy as a whole.

But we must do more than break up trusts and monopolies after they have begun to strangle competition. We must take positive action to foster new, expanding enterprises. By legislation and by administration we must take specific steps to discourage the formation or the strengthening of competition-restricting business. We must have an over-all antimonopoly policy which can be applied by all agencies of the Government in exercising the functions assigned to them—a policy designed to encourage the formation and growth of new and freely competitive enterprises.

Among the many departments and agencies which have parts in the program affecting business and competition, the Department of Commerce has a particularly important role. That is why I have recommended a substantial increase in appropriations for the next fiscal year for this Department.

In its assistance to industry, the Department of Commerce will concentrate its efforts on these primary objectives: Promotion of a large and well-balanced foreign trade; provision of improved technical assistance and management aids, especially for small enterprises; and strengthening of basic statistics on business operations, both by industries and by regions. To make new inventions and discoveries available more promptly to all businesses, small and large, the Department proposes to expand its own research activities, promote research by universities, improve Patent Office procedures, and develop a greatly expanded system of field offices readily accessible to the businesses they serve.

Many gaps exist in the private financial mechanism, especially in the provision of long-term funds for small- and medium-sized enterprises. In the peacetime economy the Reconstruction Finance Corporation will take the leadership in assuring adequate financing for small enterprises which cannot secure funds from other sources. Most of the funds should and will be provided by private lenders; but the Reconstruction Finance Corporation will share any unusual risks through guaranties of private loans, with direct loans only when private capital is unwilling to participate on a reasonable basis.

(e) Minimum wage

Full employment and full production may be achieved only by maintaining a level of consumer income far higher than that of the prewar period. A high level of consumer income will maintain the market for the output of our mills, farms, and factories, which we have demonstrated during the war years that we can produce. One of the basic steps which the Congress can take to establish a high level of consumer income is to amend the Fair Labor Standards Act to raise substandard wages to a decent minimum and to extend similar protection to additional workers who are not covered by the present act.

Substandard wages are bad for business and for the farmer. Substandard wages provide only a substandard market for the goods and services produced by American industry and agriculture.

At the present time the Fair Labor Standards Act prescribes a minimum wage of 40 cents an hour for those workers who are covered by the act. The present minimum wage represents an annual income of about $800 to those continuously employed for 50 weeks—clearly a wholly inadequate budget for an American family. I am in full accord with the proposal now pending in the Congress that the statutory minimum be raised immediately to 65 cents an hour, with further increases to 70 cents after 1 year and to 75 cents after 2 years. I also favor the proposal that the industry committee procedure be used to set rates higher than 65 cents per hour during the 2-year interval before the 75-cent basic wage would otherwise become applicable.

The proposed minimum wage of 65 cents an hour would assure the worker an annual income of about $1,300 a year in steady employment. This amount is clearly a modest goal. After considering cost-of-living increases in recent years, it is little more than a 10-cent increase over the present legal minimum. In fact, if any large number of workers earn less than this amount, we will find it impossible to maintain the levels of purchasing power needed to sustain the stable prosperity which we desire. Raising the minimum to 75 cents an hour will provide the wage earner with an annual income of $1,500 if he is fully employed.

The proposed higher minimum wage levels are feasible without involving serious price adjustments or serious geographic dislocations.

Today about 20 percent of our manufacturing wage earners—or about 2 million—earn less than 65 cents an hour. Because wages in most industries have risen during the war, this is about the same as the proportion—17 percent—who were earning less than 40 cents an hour in 1941.

I also recommend that minimum wage protection be extended to several groups of workers not now covered. The need for a decent standard of living is by no means limited to those workers who happen to be covered by the act as it now stands. It is particularly vital at this period of readjustment in the national economy and readjustment in employment of labor to extend minimum wage protection as far as possible.

Lifting the basic minimum wage is necessary, it is justified as a matter of simple equity to workers, and it will prove not only feasible but also directly beneficial to the Nation's employers.

(f) Agricultural programs

The farmers of America generally are entering the crop year of 1946 in better financial condition than ever before. Farm mortgage debt is the lowest in 30 years. Farmers' savings are the largest in history. Our agricultural plant is in much better condition than after World War I. Farm machinery and supplies are expected to be available in larger volume, and farm labor problems will be less acute.

The demand for farm products will continue strong during the next year or two because domestic purchases will be supplemented by a high level of exports and foreign relief shipments. It is currently estimated that from 7 to 10 percent of the total United States food supply may be exported in the calendar year 1946.

Farm prices are expected to remain at least at their present levels in the immediate future, and for at least the next 12 months they are expected to yield a net farm income double the 1935–39 average and higher than in any year prior to 1943.

We can look to the future of agriculture with greater confidence than in many a year in the past. Agriculture itself is moving confidently ahead, planning for another year of big production, taking definite and positive steps to lead the way toward an economy of abundance.

Agricultural production goals for 1946 call for somewhat greater acreage than actually was planted in 1945. Agriculture is prepared to demonstrate that it can make a peacetime contribution as great as its contribution toward the winning of the war.

In spite of supplying our armed forces and our allies during the war with a fifth to a fourth of our total food output, farmers were still able to provide our civilians with 8 percent more food per capita than the average for the 5 years preceding the war. Since the surrender of Japan, civilian food consumption has risen still further. By the end of 1945 the amount of the increase in food consumption was estimated to be as high as 15 percent over the prewar average. The record shows that the people of this country want and need more food and that they will buy more food if only they have the jobs and the purchasing power. The first essential therefore in providing fully for the welfare of agriculture is to maintain full employment and a high level of purchasing power throughout the Nation.

For the period immediately ahead we shall still have the problem of supplying enough food. If we are to do our part in aiding the war-stricken and starving countries some of the food desires of our own people will not be completely satisfied, at least until these nations have had an opportunity to harvest another crop. During the next few months the need for food in the world will be more serious than at any time during the war. And, despite the large shipments we have already made, and despite what we shall send, there remain great needs abroad.

Beyond the relief feeding period, there will still be substantial foreign outlets for our farm commodities. The chief dependence of the farmer, however, as always, must be upon the buying power of our own people.

The first obligation of the Government to agriculture for the reconversion period is to make good on its price-support commitments. This we intend to do, with realistic consideration for the sound patterns of production that will contribute most to the long-time welfare of agriculture and the whole Nation. The period during which prices are supported will provide an opportunity for farmers individually to strengthen their position in changing over from a wartime to a peacetime basis of production. It will provide an opportunity for the Congress to review the needs of agriculture and make changes in national legislation where experience has shown changes to be needed. In this connection, the Congress will wish to consider legislation to take the place of the 1937 Sugar Act which expires at the end of this year. During this period we must do a thorough job of basic planning to the end that agriculture shall be able to contribute its full share toward a healthy national economy.

Our long-range agricultural policies should have two main objectives: First, to assure the people on the farms a fair share of the national income; and, second, to encourage an agricultural-production pattern that is best fitted to the Nation's needs. To accomplish this second objective we shall have to take into consideration changes that have taken place and will continue to take place in the production of farm commodities—changes that affect costs and efficiency and volume.

What we seek ultimately is a high level of food production and consumption that will provide good nutrition for everyone. This cannot be accomplished by agriculture alone. We can be certain of our capacity to produce food, but we have often failed to distribute it as well as we should and to see that our people can afford to buy it. The way to get good nutrition for the whole Nation is to provide employment opportunities and purchasing power for all groups that will enable them to buy full diets at market prices.

Wherever purchasing power fails to reach this level we should see that they have some means of getting adequate food at prices in line with their ability to buy. Therefore, we should have available supplementary programs that will enable all our people to have enough of the right kind of food.

For example, one of the best possible contributions toward building a stronger, healthier Nation would be a permanent school-lunch program on a scale adequate to assure every school child a good lunch at noon. The Congress, of course, has recognized this need for a continuing school-lunch program and legislation to that effect has been introduced and hearings held. The plan contemplates the attainment of this objective with a minimum of Federal expenditures. I hope that the legislation will be enacted in time for a permanent program to start with the beginning of the school year next fall.

We have the technical knowledge and the productive capacity to provide plenty of good food for every man, woman, and child in the United States. It is time we made that possibility a reality.

(g) Resource development

The strength of our Nation and the welfare of the people rest upon the natural resources of the country. We have learned that proper conservation of our lands, including our forests and minerals, and wise management of our waters will add immensely to our national wealth.

The first step in the Government's conservation program must be to find out just what are our basic resources, and how they should be used. We need to take, as soon as possible, an inventory of the lands, the minerals, and the forests of the Nation.

During the war it was necessary to curtail some of our long-range plans for development of our natural resources, and to emphasize programs vital to the prosecution of the war. Work was suspended on a number of flood-control and reclamation projects and on the development of our national forests and parks. This work must now be resumed, and new projects must be undertaken to provide essential services and to assist in the process of economic development.

The rivers of America offer a great opportunity to our generation in the management of the national wealth. By a wise use of Federal funds, most of which will be repaid into the Treasury, the scourge of floods and drought can be curbed, water can be brought to arid lands, navigation can be extended, and cheap power can be brought alike to the farms and to the industries of our land.

Through the use of the waters of the Columbia River, for example, we are creating a rich agricultural area as large as the State of Delaware. At the same time, we are producing power at Grand Coulee and at Bonneville which played a mighty part in winning the war and which will found a great peacetime industry in the Northwest. The Tennessee Valley Authority will resume its peacetime program of promoting full use of the resources of the Valley. We shall continue our plans for the development of the Missouri Valley, the Arkansas Valley, and the Central Valley of California.

The Congress has shown itself alive to the practical requirements for a beneficial use of our water resources by providing that preference in the sale of power be given to farmers' cooperatives and public agencies. The public power program thus authorized must continue to be made effective by building the necessary generating and transmission facilities to furnish the maximum of firm power needed at the wholesale markets, which are often distant from the dam sites.

These great developmental projects will open the frontiers of agriculture, industry, and commerce. The employment opportunities thus offered will also go far to ease the transition from war to peace.

(h) Public works

During the war even urgently needed Federal, State, and local construction projects were deferred in order to release resources for war production. In resuming public-works construction, it is desirable to proceed only at a moderate rate, since demand for private construction will be abnormally high for some time. Our public-works program should be timed to reach its peak after demand for private construction has begun to taper off. Meanwhile however, plans should be prepared if we are to act promptly when the present extraordinary private demand begins to run out.

The Congress made money available to Federal agencies for their public-works planning in the fiscal year 1946. I strongly recommend that this policy be continued and extended in the fiscal year 1947.

State and local governments also have an essential role to play in a national public-works program. In my message of September 6, 1945, I recommended that the Congress vote such grants to State and local governments as will insure that each level of government makes its proper contribution to a balanced public-construction program. Specifically, the Federal Government should aid State and local governments in planning their own public-works programs, in undertaking projects related to Federal programs of regional development, and in constructing such public works as are necessary to carry out the various policies of the Federal Government.

Early in 1945 the Congress made available advances to State and local governments for planning public-works projects, and recently made additional provision to continue these advances through the fiscal year 1946. I believe that further appropriations will be needed for the same purpose for the fiscal year 1947.

The Congress has already made provision for highway programs. It is now considering legislation which would expand Federal grants and loans in several other fields, including construction of airports, hospital and health centers, housing, water pollution control facilities, and educational plant facilities. I hope that early action will be taken to authorize these Federal programs.

With respect to public works of strictly local importance, State and local governments should proceed without Federal assistance except in planning. This

rule should be subject to review when and if the prospect of highly adverse general economic developments warrants it.

All loans and grants for public works should be planned and administered in such a way that they are brought into accord with the other elements of the Federal program.

Our long-run objective is to achieve a program of direct Federal and federally assisted public works which is planned in advance and synchronized with business conditions. In this way it can make its greatest contribution to general economic stability.

(i) National housing program

Last September I stated in my message to the Congress that housing was high on the list of matters calling for decisive action.

Since then the housing shortage in countless communities, affecting millions of families, has magnified this call to action.

Today we face both an immediate emergency and a major postwar problem.

Since VJ-day the wartime housing shortage has been growing steadily worse and pressure on real-estate values has increased. Returning veterans often cannot find a satisfactory place for their families to live, and many who buy have to pay exorbitant prices. Rapid demobilization inevitably means further overcrowding.

A realistic and practical attack on the emergency will require aggressive action by local governments, with Federal aid, to exploit all opportunities and to give the veterans as far as possible first chance at vacancies. It will require continuation of rent control in shortage areas as well as legislation to permit control of sales prices. It will require maximum conversion of temporary war units for veterans' housing and their transportation to communities with the most pressing needs. The Congress has already appropriated funds for this purpose.

The inflation in the price of housing is growing daily.

As a result of the housing shortage it is inevitable that the present dangers of inflation in home values will continue unless the Congress takes action in the immediate future.

Legislation is now pending in the Congress which would provide for ceiling prices for old and new houses. The authority to fix such ceilings is essential. With such authority, our veterans and other prospective home owners would be protected against a skyrocketing of home prices. The country would be protected from the extension of the present inflation in home values which, if allowed to continue, will threaten not only the stabilization program but our opportunities for attaining a sustained high level of home construction.

Such measures are necessary stopgaps—but only stopgaps. This emergency action, taken alone, is good—but not enough. The housing shortage did not start with the war or with demobilization; it began years before that, and has steadily accumulated. The speed with which the Congress establishes the foundation for a permanent, long-range housing program will determine how effectively we grasp the immense opportunity to achieve our goal of decent housing and to make housing a major instrument of continuing prosperity and full employment in the years ahead. It will determine whether we move forward to a stable and healthy housing enterprise and toward providing a decent home for every American family.

Production is the only fully effective answer. To get the wheels turning, I have appointed an emergency housing expediter. I have approved establishment of priorities designed to assure an ample share of scarce materials to builders of houses for which veterans will have preference. Additional price and wage adjustments will be made where necessary, and other steps will be taken to stimulate greater production of bottleneck items. I recommend consideration of every sound method for expansion in facilities for insurance of privately financed housing by the Federal Housing Administration and resumption of previously authorized low-rent public-housing projects suspended during the war.

In order to meet as many demands of the emergency situation as possible, a program of emergency measures is now being formulated for action. These will include steps in addition to those already taken. As quickly as this program can be formulated announcement will be made.

Last September I also outlined to the Congress the basic principles for the kind of decisive, permanent legislation necessary for a long-range housing program.

These principles place paramount the fact that housing construction and financing for the overwhelming majority of our citizens should be done by private enterprise. They contemplate also that we afford governmental encouragement to privately financed house construction for families of moderate income, through extension of the successful system of insurance of housing investment; that research be undertaken to develop better and cheaper methods of building homes; that communities be assisted in appraising their housing needs; that we commence a program of Federal aid, with fair local participation, to stimulate and promote the rebuilding and redevelopment of slums and blighted areas—with maximum use of private capital. It is equally essential that we use public funds to assist families of low income who could not otherwise enjoy adequate housing, and that we quicken our rate of progress in rural housing.

Legislation now under consideration by the Congress provides for a comprehensive attack jointly by private enterprise, State and local authorities, and the Federal Government. This legislation would make permanent the National Housing Agency and give it authority and funds for much-needed technical and economic research. It would provide additional stimulus for privately financed housing construction. This stimulus consists of establishing a new system of yield insurance to encourage large-scale investment in rental housing and broadening the insuring powers of the Federal Housing Administration and the lending powers of the Federal savings and loan associations.

Where private industry cannot build, the Government must step in to do the job. The bill would encourage expansion in housing available for the lowest-income groups by continuing to provide direct subsidies for low-rent housing and rural housing. It would facilitate land assembly for urban redevelopment by loans and contributions to local public agencies where the localities do their share.

Prompt enactment of permanent housing legislation along these lines will not interfere with the emergency action already under way. On the contrary, it would lift us out of a potentially perpetual state of housing emergency. It would offer the best hope and prospect to millions of veterans and other American families that the American system can offer more to them than temporary makeshifts.

I have said before that the people of the United States can be the best-housed people in the world. I repeat that assertion, and I welcome the cooperation of the Congress in achieving that goal.

(j) Social security and health

Our Social Security System has just celebrated its tenth anniversary. During the past decade this program has supported the welfare and morale of a large part of our people by removing some of the hazards and hardships of the aged, the unemployed, and widows and dependent children.

But, looking back over 10 years' experience and ahead to the future, we cannot fail to see defects and serious inadequacies in our system as it now exists. Benefits are in many cases inadequate; a great many persons are excluded from coverage; and provision has not been made for social insurance to cover the cost of medical care and the earnings lost by the sick and the disabled.

In the field of old-age security there seems to be no adequate reason for excluding such groups as the self-employed, agricultural and domestic workers, and employees of nonprofit organizations. Since many of these groups earn wages too low to permit significant savings for old age, they are in special need of the assured income that can be provided by old-age insurance.

We must take urgent measures for the readjustment period ahead. The Congress for some time has been considering legislation designed to supplement at Federal expense, during the immediate reconversion period, compensation payments to the unemployed. Again I urge the Congress to enact legislation liberalizing unemployment compensation benefits and extending the coverage. Providing for the sustained consumption by the unemployed persons and their families is more than a welfare policy; it is sound economic policy. A sustained high level of consumer purchases is a basic ingredient of a prosperous economy.

During the war nearly 5 million men were rejected for military service because of physical or mental defects which in many cases might have been prevented or corrected. This is shocking evidence that large sections of the population are at substandard levels of health. The need for a program that will give everyone opportunity for medical care is obvious. Nor can there be any serious doubt of the Government's responsibility for helping in this human and social problem.

The comprehensive health program which I recommended on November 19, 1945, will require substantial additions to the Social Security System and, in conjunction with other changes that need to be made, will require further consideration of the financial basis for social security. The system of prepaid medical care which I have recommended is expected eventually to require amounts equivalent to 4 percent of earnings up to $3,600 a year, which is about the average of present expenditures by individuals for medical care. The pooling of medical costs, under a plan which permits each individual to make a free choice of doctor and hospital, would assure that individuals receive adequate treatment and hospitalization when they are faced with emergencies for which they cannot budget individually. In addition, I recommend insurance benefits to replace part of the earnings lost through temporary sickness and permanent disability.

Even without these proposed major additions, it would now be time to undertake a thorough reconsideration of our social-security laws. The structure should be expanded and liberalized. Provision should be made for extending coverage credit to veterans for the period of their service in the armed forces. In the financial provisions we must reconcile the actuarial needs of social security, including health insurance, with the requirements of a revenue system that is designed to promote a high level of consumption and full employment.

(k) Education

Although the major responsibility for financing education rests with the States, some assistance has long been given by the Federal Government. Further assistance is desirable and essential. There are many areas and some whole States where good schools cannot be provided without imposing an undue local tax burden on the citizens. It is essential to provide adequate elementary and secondary schools everywhere and additional educational opportunities for large numbers of people beyond the secondary level. Accordingly, I repeat the proposal of last year's Budget message that the Federal Government provide financial aid to assist the States in assuring more nearly equal opportunities for a good education. The proposed Federal grants for current educational expenditures should be made for the purpose of improving the educational system where improvement is most needed. They should not be used to replace existing non-Federal expenditures, or even to restore merely the situation which existed before the war.

In the future we expect incomes considerably higher than before the war. Higher incomes should make it possible for State and local governments and for individuals to support higher and more nearly adequate expenditures for education. But inequality among the States will still remain, and Federal help will still be needed.

As a part of our total public-works program, consideration should be given to the need for providing adequate buildings for schools and other educational institutions. In view of current arrears in the construction of educational facilities, I believe that legislation to authorize grants for educational facilities, to be matched by similar expenditures by State and local authorities, should receive the favorable consideration of the Congress.

The Federal Government has not sought, and will not seek, to dominate education in the States. It should continue its historic role of leadership and advice, and, for the purpose of equalizing educational opportunity, it should extend further financial support to the cause of education in areas where this is desirable.

(l) Federal Government personnel

The rapid reconversion of the Federal Government from war to peace is reflected in the demobilization of its civilian personnel. The number of these employees in continental United States has been reduced by more than 500,000 from the total of approximately 2,900,000 employed in the final months of the war. I expect that by next June we shall have made a further reduction of equal magnitude and that there will be continuing reductions during the next fiscal year. Of the special wartime agencies now remaining, only a few are expected to continue actively into the next fiscal year.

At the same time that we have curtailed the number of employees, we have shortened the workweek by one-sixth or more throughout the Government and have restored holidays. The process of readjustment has been complicated and costs have been increased by a heavy turn-over in the remaining personnel—particularly by the loss of some of our best administrators. Thousands of war veterans have been reinstated or newly employed in the civil service. Many civilians have been transferred from war agencies to their former peacetime agencies. Recruitment standards, which had to be relaxed during the war, are now being tightened.

The elimination last autumn of overtime work for nearly all Federal employees meant a sharp cut in their incomes. For salaried workers, the blow was softened but by no means offset by the increased rates of pay which had become effective July 1. Further adjustments to compensate for increased living costs are required. Moreover, we have long needed a general upward revision of Federal Government salary scales at all levels in all branches—legislative, judicial, and executive. Too many in Government have had to sacrifice too much in economic advantage to serve the Nation.

Adequate salaries will result in economies and improved efficiency in the conduct of Government business—gains that will far outweigh the immediate costs. I hope the Congress will expedite action on salary legislation for all Federal employees in all branches of the Government. The only exception I would make is in the case of workers whose pay rates are established by wage boards; a blanket adjustment would destroy the system by which their wages are kept alined with prevailing rates in particular localities. The wage boards should be sensitive now, as they were during the war, to changes in local prevailing wage rates and should make adjustments accordingly.

I hope also that the Congress may see fit to enact legislation for the adequate protection of the health and safety of Federal employees, for their coverage under a system of unemployment compensation, and for their return at Government expense to their homes after separation from wartime service.

(m) Territories, insular possessions, and the District of Columbia

The major governments of the world face few problems as important and as perplexing as those relating to dependent peoples. This Government is committed to the democratic principle that it is for the dependent peoples themselves to decide what their status shall be. To this end I asked the Congress last October to provide a means by which the people of Puerto Rico might choose their form of government and ultimate status with respect to the United States. I urge, too, that the Congress promptly accede to the wishes of the people of Hawaii that the Territory be admitted to statehood in our Union, and that similar action be taken with respect to Alaska as soon as it is certain that this is the desire of the people of that great Territory. The people of the Virgin Islands should be given an increasing measure of self-government.

We have already determined that the Philippine Islands are to be independent on July 4, 1946. The ravages of war and enemy occupation, however, have placed a heavy responsibility upon the United States. I urge that the Congress complete, as promptly and as generously as may be possible, legislation which will aid economic rehabilitation for the Philippines. This will be not only a just acknowledgment of the loyalty of the people of the Philippines, but it will help to avoid the economic chaos which otherwise will be their heritage from our common war. Perhaps no event in the long centuries of colonialism gives more hope for the pattern of the future than the independence of the Philippines.

The District of Columbia, because of its special relation to the Federal Government, has been treated since 1800 as a dependent area. We should move toward a greater measure of local self-government consistent with the constitutional status of the District. We should take adequate steps to assure that citizens of the United States are not denied their franchise merely because they reside at the Nation's Capital.

III. THE BUDGET FOR THE FEDERAL PROGRAM FOR THE FISCAL YEAR 1947

SUMMARY OF THE BUDGET

For the first time since the fiscal year 1930 the Budget for the next fiscal year will require no increase in the national debt.

Expenditures of all kinds, authorized and recommended, in the next year are estimated at just about 35.8 billion dollars. Net receipts are estimated at 31.5 billion dollars. The estimated difference of 4.3 billion dollars will be met by a reduction in the very substantial balance which will be in the Treasury during the next fiscal year.

A large part of the activities outside defense and war liquidation, aftermath of war, and international finance, classified as "other activities" in a following table, is still due to repercussions of the war. These "other activities" include more than 2 billion dollars for aids to agriculture and net outlays for the Commodity Credit Corporation—almost double the expenditures for the same purposes in prewar years. This increase is due mainly to expenditures for purposes of price stabilization and price support resulting from the war food-production program. Other increases in this category are due to the fact that certain wartime agencies now in the process of liquidation are included in this group of activities. If all expenditures for those activities which are directly or indirectly related to the war are excluded, the residual expenditures are below those for corresponding activities in prewar years. In making this comparison account should be taken of the fact that, while prewar expenditures were affected by direct relief and work relief for the unemployed, the postwar budgets are affected by the considerable increase in pay rates and other increases in costs and prices.

To elaborate, the Budget, as I have remarked above, reflects on both sides of the ledger the Government's program as recommended by the Executive. It includes estimates not only of expenditures and receipts for which legislative authority already exists, but also of expenditures and receipts for which authorization is recommended.

The Budget total for the next fiscal year, the year that ends on June 30, 1947, is estimated at just above 35.8 billion dollars—about a third of the budgets for global war, although nearly four times the prewar budgets. This estimate is based on the assumption that a rapid liquidation of the war program will be associated with rapid reconversion and expansion of peacetime production. The total includes net outlays of Government corporations.

The estimated expenditures in the next and current fiscal year compare as follows with those of a year of global war and a prewar year.

Fiscal year:	*Total Budget expenditures (in millions)*
1947	$35,860
1946	67,229
1945	100,031
1940	9,252

Although allowances for occupation, demobilization, and defense are drastically reduced in the fiscal year 1947, they will still amount to 42 percent of the total Budget. The so-called aftermath of war expenditures account for a further 30 percent of the total. The total of all other programs, which was drastically cut during the war, is increasing again as liquidation of the war program proceeds and renewed emphasis is placed on the peacetime objectives of the Government.

On the other side of the ledger, net receipts are estimated at 31.5 billion dollars. This estimate assumes that all existing taxes will continue all through the fiscal year 1947. Included are the extraordinary receipts from the disposal of surplus property.

As a result, estimated expenditures will exceed estimated receipts by 4.3 billion dollars. This amount can be provided by a reduction in the cash balance in the Treasury. Thus, after a long period of increasing public debt resulting from depression budgets and war budgets, it is anticipated that no increase in the Federal debt will be required next year.

Federal budget expenditures and Budget receipts—including net outlays of Government corporations and credit agencies (based on existing and proposed legislation)

[In millions]

	Fiscal year	
	1946	1947
Expenditures:		
Defense, war, and war liquidation	$49,000	$15,000
Aftermath of war: Veterans, interest, refunds	10,813	10,793
International finance (including proposed legislation)	2,614	2,754
Other activities	4,552	5,813
Activities based on proposed legislation (excluding international finance)	250	1,500
Total expenditures	67,229	35,860
Receipts (net)	38,609	31,513
Excess of expenditures	28,620	4,347

The current fiscal year, 1946, is a year of transition. When the year opened, in July 1945, we were still fighting a major war, and Federal expenditures were running at an annual rate of about 100 billion dollars. By June 1946 that rate will be more than cut in half. The Budget total for the current fiscal year is now estimated at 67.2 billion dollars, of which more than two-thirds provides for war and war liquidation. Since net receipts are estimated at 38.6 billion dollars, there will be an excess of expenditures of 28.6 billion dollars for the current fiscal year.

For all programs discussed in this message I estimate the total of Budget appropriations and authorizations (including reappropriations and permanent appropriations) at 30,982 million dollars for the fiscal year 1947. Of this amount, present permanent appropriations are expected to provide 5,755 million dollars, principally for interest. This leaves 24,224 million dollars to be made available through new appropriations, exclusive of appropriations to liquidate contract authorizations; 900 million dollars in new contract authorizations; and 103 million dollars through the reappropriation of unliquidated balances of previous appropriations. The appropriations needed to liquidate contract authorizations are estimated at 1,113 million dollars.

In the Budget for the year ahead only over-all estimates are included at this time for the major war agencies and for net outlays of Government corporations. Detailed recommendations will be transmitted in the spring for the war agencies, and the business-type budgets of Government corporations will likewise be transmitted in accordance with the recently adopted Government Corporation Control Act.

Similarly, only over-all estimates are provided for new programs recommended in this message; detailed recommendations will be transmitted after authorizing legislation has been enacted. It should be recognized that many of the estimates for new programs recommended in this message are initial year figures. These figures will be affected by the date the legislation is enacted and by the time needed for getting a program under way. New programs, such as that for a national research agency, will require larger amounts in later years. The estimates exclude major elements of the proposed national-health program since the greater part of these will be covered by expenditures from trust funds.

The Budget total includes expenditures for capital outlay as well as for current operations. An estimated 1,740 million dollars will be expended in the fiscal year 1947 for direct Federal public works and for loans and grants for public works.

THE ECONOMIC IMPACT OF THE LIQUIDATION OF THE WAR PROGRAM

Government programs are of such importance in the development of production and employment opportunities—domestic and international—that it has become essential to formulate and consider the Federal Budget in the light of the Nation's budget as a whole. The relationship between the receipts, expenditures, and savings of consumers, business, and government is shown in the accompanying table.

Considering the whole Nation, total expenditures must equal the total receipts, because what any individual or group spends becomes receipts of other individuals or groups. Such equality can be achieved on either a high level of incomes or on a low or depression level of incomes.

Tremendous orders for munitions during the war shifted production and employment into high gear. Total goods produced and services rendered for private as well as for Government purposes—the Nation's budget—reached about 200 billion dollars in the calendar year 1944. Federal, State, and local government expenditures represented half of this total.

Corresponding estimates for the past 3 months depict the national economy in the process of demobilization and reconversion.

The Government's Budget and the Nation's budget—calendar year 1944 and October–December 1945

[In billions]

Economic group	Calendar year 1944 (global war)			October–December 1945 (start of reconversion) (in seasonally adjusted annual rates)		
	Receipts	Expenditures	Excess (+), deficit (−)	Receipts	Expenditures	Excess (+), deficit (−)
CONSUMERS						
Income after taxes	$134			$132		
Expenditures		$98			$107	
Excess of receipts, savings (+)			+$35			+$25
BUSINESS						
Undistributing profits and reserves	$13			$9		
Gross capital formation:						
Domestic		$4			$15	
Net exports [1]		−2			1	
Total, gross capital formation		2			16	
Excess of receipts (+) or capital formation (−)			+$11			−$7
STATE AND LOCAL GOVERNMENT						
Receipts from the public, other than borrowing	$10			$11		
Payments to the public		$8			$9	
Excess of receipts (+)			+$2			+$2
FEDERAL GOVERNMENT						
Receipts from the public, other than borrowing	$48			$44		
Payments to the public		$96			$64	
Excess of payments (−)			−$48			−$20
Less: Adjustments [2]	$7	$7		$14	$14	
TOTAL: GROSS NATIONAL PRODUCT						
Receipts	$198			$182		
Expenditures		$198			$182	
Balance			0			0

[1] Excludes exports for lend-lease and relief which are included in Federal Government expenditures.

[2] Mainly Government expenditures for other than goods and services, such as mustering-out pay and unemployment compensation.

NOTE.—See corresponding table in part III, page 728, for detailed estimates and explanations.

The wartime annual rate of Federal expenditures has been reduced by 32 billion dollars, while the Nation's budget total has dropped only half as much. The drop in total value of production and services has been less drastic because increasing private activities have absorbed in large measure the manpower and materials released from war production and war services.

The largest increase in private activities has occurred in business investments, which include residential and other construction, producers' durable equipment, accumulation of inventories, and net exports. Under conditions of global war, expenditures for private construction and equipment were held to a minimum and inventories were depleted. With the beginning of reconversion these developments have been reversed. Residential construction and outlays for plant and equipment are on the increase; inventories, too, are being replenished. International transactions (excluding lend-lease and international relief which are included under war expenditures) showed an import surplus under conditions of global war. In the past 3 months private exports have been slightly in excess of imports, for the first time since 1941.

Consumers' budgets show a significant change. On the income side, their total has declined but little because the reduction in take-home pay of war workers is, to a large extent, offset for the time being by the mustering-out payments received by war veterans and by unemployment compensation received by the unemployed. On the expenditure side, however, consumers' budgets, restricted during the war, have increased substantially as a result of the fact that scarce goods are beginning to appear on the market and wartime restraints are disappearing. Thus, consumers' current savings are declining substantially from the extraordinarily high wartime rate and some wartime savings are beginning to be used for long-delayed purchases.

Unemployment has increased less than was expected during this first period of demobilization and reconversion. It is true that 6 million men and women have been discharged from the armed forces since May 1945 and more than 5 million have been laid off from war work. On the other hand, more than a million civilians have been enlisted in the armed forces, a considerable number of war veterans have not immediately sought jobs, and many war workers, especially women, have withdrawn from the labor force. In addition, many industries, and especially service trades which were undermanned during the war, are beginning now, for the first time in years, to recruit an adequate labor force. The reduced workweek has also contributed to the absorption of those released from war service and war work.

In general, the drastic cut in war programs has thrown the economy into lower gear; it has not thrown it out of gear. Our economic machine demonstrates remarkable resiliency, although there are many difficulties that must still be overcome. The rapid termination of war contracts, prompt clearance of unneeded Government-owned equipment from private plants, and other reconversion policies have greatly speeded up the beginning of peacetime work in reconverted plants.

Although the first great shock of demobilization and war-work termination has thus been met better than many observers expected, specific industries and specific regions show much unevenness in the progress of reconversion.

The Quarterly Report of the Director of War Mobilization and Reconversion analyzes the difficulties in recruiting personnel and obtaining materials that hamper reconversion in certain industries and proposes policies to deal with these situations. The lack of adequate housing is one of the main factors checking the flow of workers into areas where job opportunities exist.

FEDERAL REVENUE, BORROWING, AND THE PUBLIC DEBT

1. Financial requirements and tax policy

Recommendations for tax legislation should be considered not only in the light of the financial requirements of the ensuing year, but also in the light of future years' financial requirements and a full consideration of economic conditions.

Expenditures are estimated at nearly 36 billion dollars in the fiscal year 1947; they can hardly be expected to be reduced to less than 25 billion dollars in subsequent years. Net receipts in the fiscal year 1947 are estimated at 31.5 billion dollars.

Included in this estimate are 2 billion dollars of receipts from disposal and rental of surplus property and 190 million dollars of receipts from renegotiation of wartime contracts. These sources of receipts will disappear in future years. Tax collections for the fiscal year 1947 also will not yet fully reflect the reduction in corporate tax liabilities provided in the Revenue Act of 1945. If the extraordinary receipts from the disposal of surplus property and renegotiation of contracts be disregarded, and if the tax reductions adopted in the Revenue Act of 1945 were fully effective, present tax rates would yield about 27 billion dollars.

These estimates for the fiscal year 1947 are based on the assumption of generally favorable business conditions but not on an income reflecting full employment and the high productivity that we hope to achieve. In future years the present tax system, in conjunction with a full employment level of national income, could be expected to yield more than 30 billion dollars, which is substantially above the anticipated peacetime level of expenditures.

In view of the still extraordinarily large expenditures in the coming year and continuing inflationary pressures, I am making no recommendation for tax reduction at this time.

We have already had a substantial reduction in taxes from wartime peaks. The Revenue Act of 1945 was a major tax-reduction measure. It decreased the total tax load by more than one-sixth, an amount substantially in excess of the reductions proposed by the Secretary of the Treasury to congressional tax committees in October 1945. These proposed reductions were designed to encourage reconversion and peacetime business expansion.

The possibility of further tax reductions must depend on the budgetary situation and the economic situation. The

level of anticipated expenditures for the fiscal year 1947 and the volume of outstanding public debt require the maintenance of large revenues. Moreover, inflationary pressures still appear dangerously powerful, and ill-advised tax reduction would operate to strengthen them still further.

My decision not to recommend additional tax reductions at this time is made in the light of existing economic conditions and prospects.

2. Borrowing and the public debt

The successful conclusion of the Victory loan marked the end of war borrowing and the beginning of the transition to postwar debt management.

Because of the success of the Victory loan, I am happy to report that the Treasury will not need to borrow any new money from the public during the remainder of the present fiscal year except through regular sales of savings bonds and savings notes. Furthermore, a part of the large cash balance now in the Treasury will be used for debt redemption so that the public debt which now amounts to about 278 billion dollars will decrease by several billion dollars during the next 18 months. The present statutory debt limit of 300 billion dollars will provide an ample margin for all of the public-debt transactions through the fiscal year 1947. The net effect of the excess of expenditures and debt redemption on the Treasury cash balance, as compared with selected previous years, is shown in the following table:

Excess of Budget expenditures, the public debt, and the Treasury cash balance in selected years

[In billions]

Fiscal year	Excess of Budget expenditures over receipts	Public debt	Cash balance
		At end of period	
1940	$3.9	$43.0	$1.9
1945	53.6	258.7	24.7
1946:			
July–Dec. 1945	18.1	278.1	26.0
Jan.–June 1946	10.5	275.0	11.9
1947	4.3	271.0	3.2

Although the public debt is expected to decline, a substantial volume of refinancing will be required, because of the large volume of maturing obligations. Redemptions of savings bonds also have been running high in recent months and are expected to remain large for some time. The issuance of savings bonds will be continued. These bonds represent a convenient method of investment for small savers, and also an anti-inflationary method of refinancing. Government agencies and trust funds are expected to buy about 2.5 billion dollars of Government securities during the next 6 months, and 2.8 billion dollars more during the fiscal year 1947. Through these and other debt operations, the distribution of the Federal debt among the various types of public and private owners will change, even though the total is expected to decline.

The interest policies followed in the refinancing operations will have a major impact not only on the provision for interest payments in future budgets, but also on the level of interest rates prevailing in private financing. The average rate of interest on the debt is now a little under 2 percent. Low interest rates will be an important force in promoting the full production and full employment in the postwar period for which we are all striving. Close wartime cooperation between the Treasury Department and the Federal Reserve System has made it possible to finance the most expensive war in history at low and stable rates of interest. This cooperation will continue.

No less important than the level of interest rates paid on the debt is the distribution of its ownership. Of the total debt, more than half represents direct savings of individuals or investments of funds received from individual savings by life-insurance companies, mutual-savings banks, savings and loan associations, private or Government trust funds, and other agencies.

Most of the remaining debt—more than $100,000,000,000—is held by the commercial banks and the Federal Reserve banks. Heavy purchases by the banks were necessary to provide adequate funds to finance war expenditures. A considerable portion of these obligations are short-term in character and hence will require refinancing in the coming months and years. Since they have been purchased out of newly created bank funds, continuance of the present low rates of interest is entirely appropriate. To do otherwise would merely increase bank profits at the expense of the taxpayer.

The 275-billion-dollar debt poses a problem that requires careful consideration in the determination of financial and economic policies. We have learned that the problem, serious as it is, can be managed. Its management will require determined action to keep our Federal Budget in order and to relate our fiscal policies to the requirements of an expanding economy. The more successful we are in achieving full production and full employment the easier it will be to manage the debt and pay for the debt service. Large though the debt is, it is within our economic capacity. The interest charges on it amount to but a small proportion of our national income. The Government is determined, by a resolute policy of economic stabilization, to protect the interests of the millions of American citizens who have invested in its securities.

During the past 6 months the net revenue receipts of the Federal Government have been about 20 billion dollars, almost as much as during the closing 6 months of 1944 when the country was still engaged in all-out warfare. The high level of these receipts reflects the smoothness of the reconversion and particularly the strength of consumer demand. But the receipts so far collected, it must be remembered, do not reflect any of the tax reductions made by the Revenue Act of 1945. These reductions will not have their full effect on the revenue collected until the fiscal year 1948.

It is good to move toward a balanced Budget and a start on the retirement of the debt at a time when demand for goods is strong and the business outlook is good. These conditions prevail today. Business is good and there are still powerful forces working in the direction of inflation. This is not the time for tax reduction.

RECOMMENDATIONS FOR SPECIFIC FEDERAL ACTIVITIES

1. War liquidation and national defense

(a) War expenditures

The fiscal year 1947 will see a continuance of war liquidation and occupation. During this period we shall also lay the foundation for our peacetime system of national defense.

In the fiscal year that ended on June 30, 1945, almost wholly a period of global warfare, war expenditures amounted to 90.5 billion dollars. For the fiscal year 1946 war expenditures were originally estimated at 70 billion dollars. That estimate was made a year ago while we were still engaged in global warfare. After victory over Japan this estimate was revised to 50.5 billion dollars. Further cut-backs and accelerated demobilization have made possible an additional reduction in the rate of war spending. During the first 6 months 32.9 billion dollars were spent. It is now estimated that 16.1 billion dollars will be spent during the second 6 months, or a total of 49 billion dollars during the whole fiscal year.

For the fiscal year 1947 it is estimated, tentatively, that expenditures for war liquidation, for occupation, and for national defense will be reduced to 15 billion dollars. The War and Navy Departments are expected to spend 13 billion dollars; expenditures of other agencies, such as the United States Maritime Commission, the War Shipping Administration, and the Office of Price Administration, and payments to the United Nations Relief and Rehabilitation Administration are estimated at 3 billion dollars. Allowing for estimated net receipts of 1 billion dollars arising from war activities of the Reconstruction Finance Corporation, the estimated total of war expenditures is 15 billion dollars. At this time only a tentative break-down of the total estimate for war and defense activities can be indicated.

An expenditure of 15 billion dollars for war liquidation, occupation, and national defense is a large sum for a year which begins 10 months after fighting has ended. It is 10 times our expenditures for defense before the war; it amounts to about 10 percent of our expected national income. This estimate reflects the immense job that is involved in winding up a global war effort and stresses the great responsibility that victory has placed upon this country. The large expenditures needed for our national defense emphasize the great scope for effective organization in furthering economy and efficiency. To this end I have recently recommended to the Congress adoption of legislation combining the War and Navy Departments into a single Department of National Defense.

A large part of these expenditures is still to be attributed to the costs of the war. Assuming, somewhat arbitrarily, that about one-half of the 15-billion-dollar outlay for the fiscal year 1947 is for war liquidation, aggregate expenditures by this Government for the Second

World War are now estimated at 347 billion dollars through June 30, 1947. (See table A, part III, page 751.) Of this, about 9 billion dollars will have been recovered through renegotiation and sale of surplus property by June 30, 1947; this has been reflected in the estimates of receipts.

Demobilization and strength of armed forces.—Demobilization of our armed forces is proceeding rapidly. At the time of victory in Europe, about 12.3 million men and women were in the armed forces; 7.6 million were overseas. By the end of December 1945 our armed forces had been reduced to below 7 million. By June 30, 1946, they will number about 2.9 million, of whom 1.8 million will be individuals enlisted and inducted after VE-day. Mustering-out pay is a large item of our war-liquidation expense; it will total 2.5 billion dollars in the fiscal year 1946, and about 500 million dollars in the fiscal year 1947.

In the fiscal year 1947 the strength of our armed forces will still be above the ultimate peacetime level. As I have said, War and Navy Department requirements indicate a strength of about 2 million in the armed forces a year from now. This is necessary to enable us to do our share in the occupation of enemy territories and in the preservation of peace in a troubled world. Expenditures for pay, subsistence, travel, and miscellaneous expenses of the armed forces, excluding mustering-out pay, are estimated at 5 billion dollars.

Contract settlement and surplus property disposal.—The winding up of war procurement is the second most important liquidation job. By the end of November a total of 301,000 prime contracts involving commitments of 64 billion dollars had been terminated. Of this total, 67,000 contracts with commitments of 35 billion dollars remained to be settled. Termination payments on these contracts are estimated at about 3.5 billion dollars. It is expected that more than half of these terminated contracts will be settled during the current fiscal year, leaving payments of about 1.5 billion dollars for the fiscal year 1947.

Another important aspect of war supply liquidation is the disposal of surplus property. Munitions, ships, plants, installations, and supplies, originally costing 50 billion dollars or more, will ultimately be declared surplus. The sale value of this property will be far less than original cost and disposal expenses are estimated at 10 to 15 cents on each dollar realized. Disposal units within existing agencies have been organized to liquidate surplus property under the direction of the Surplus Property Administration. Overseas disposal activities have been centralized in the State Department to permit this program to be carried on in line with over-all foreign policy. Thus far only about 13 billion dollars of the ultimate surplus, including 5 billion dollars of unsalable aircraft, has been declared. Of this amount, 2.3 billion dollars have been disposed of, in sales yielding 600 million dollars. The tremendous job of handling surplus stocks will continue to affect Federal expenditures and receipts for several years. The speed and effectiveness of surplus-disposal operations will be of great importance for the domestic economy as well as for foreign economic policies.

War supplies, maintenance, and relief.—Adequate provision for the national defense requires that we keep abreast of scientific and technical advances. The tentative estimates for the fiscal year 1947 make allowance for military research, limited procurement of weapons in the developmental state, and some regular procurement of munitions which were developed but not mass-produced when the war ended. Expenditures for procurement and construction will constitute one-third or less of total defense outlays, compared to a ratio of two-thirds during the war years.

The estimates also provide for the maintenance of our war-expanded naval and merchant fleets, military installations, and stocks of military equipment and supplies. Our naval combatant fleet is three times its pre-Pearl Harbor tonnage. Our merchant marine is five times its prewar size. The War Department has billions of dollars worth of equipment and supplies. Considerable maintenance and repair expense is necessary for the equipment which we desire to retain in active status or in war reserve. Expenses will be incurred for winnowing the stocks of surpluses, for preparing lay-up facilities for the reserve fleets, and for storage of reserve equipment and supplies.

Military expenditures in the current fiscal year include 650 million dollars for civilian supplies for the prevention of starvation and disease in occupied areas. Expenditures on this account will continue in the fiscal year 1947. The war expenditures also cover the expenses of civilian administration in occupied areas.

During the war 15 cents of each dollar of our war expenditures was for lend-lease aid. With lend-lease terminated, I expect the direct operations under this program to be substantially completed in the current fiscal year. The expenditures estimated for the fiscal year 1947 under this program are mainly interagency reimbursements for past transactions.

Relief and rehabilitation expenditures are increasing. It is imperative that we give all necessary aid within our means to the people who have borne the ravages of war. I estimate that in the fiscal year 1946 expenditures for the United Nations Relief and Rehabilitation Administration will total 1.3 billion dollars and in the following year 1.2 billion dollars. Insofar as possible, procurement for this purpose will be from war surpluses.

(b) Authorizations for war and national defense

During the war authorizations and appropriations had to be enacted well in advance of obligation and spending to afford ample time for planning of production by the procurement services and by industry. Thus our cumulative war program authorized in the period between July 1, 1940, and July 1, 1945, was 431 billion dollars, including net war commitments of Government corporations. Expenditures against those authorizations totaled 290 billion dollars. This left 141 billion dollars in unobligated authorizations and unliquidated obligations.

With the end of fighting it became necessary to adjust war authorizations to the requirements of war liquidation and continuing national defense. Intensive review of the war authorizations by both the executive and the legislative branches has been continued since VJ-day. As a result, the authorized war program is being brought more nearly into line with expenditures.

Rescissions and authorizations through the fiscal year 1946.—Readjusting the war program, as the Congress well knows, is not an easy task. Authorizations must not be too tight, lest we hamper necessary operations; they must not be too ample, lest we lose control of spending. Last September, I transmitted to the Congress recommendations on the basis of which the Congress voted H. R. 4407 to repeal 50.3 billion dollars of appropriations and authorizations. I found it necessary to veto this bill because it was used as a vehicle for legislation that would impair the reemployment program. However, in order to preserve the fine work of the Congress on the rescissions, I asked the Director of the Bureau of the Budget to place the exact amounts indicated for repeal in a nonexpendable reserve, and to advise the departments and agencies accordingly. This has been done.

In accord with Public Law 132 of the Seventy-ninth Congress, I have transmitted recommendations for additional rescissions for the current fiscal year of appropriations amounting to 5.8 billion dollars and of contract authorizations totaling 420 million dollars. The net reduction in authority to obligate will be 5 billion dollars, because, of the appropriations, 1.2 billion dollars will have to be restored in subsequent years to liquidate contract authorizations still on the books.

The appropriations recommended for repeal include 2,827 million dollars for the Navy Department, 1,421 million dollars for the War Department, 850 million dollars for lend-lease, 384 million dollars for the War Shipping Administration, and 260 million dollars for the United States Maritime Commission. The contract authorizations proposed for repeal are for the Maritime Commission.

In addition, there are unused tonnage authorizations for construction of naval vessels now valued at 5.4 billion dollars. In September 1945, I suggested that this authority be reviewed by the appropriate committees of the Congress, and the Congress has moved to bar construction under these authorizations during the remainder of the fiscal year 1946. I propose to continue this prohibition in the Navy budget estimates for the fiscal year 1947 and now renew my recommendation that legislation be enacted at the earliest time to clear the statute books of these authorizations.

The amounts indicated for repeal in H. R. 4407 and the further rescissions which I have recommended, excluding duplications and deferred cash payments on existing authorizations, represent a cut in the authorized war program

of 60.8 billion dollars. The war authorizations will also be reduced 3.7 billion dollars by carrying receipts of revolving accounts to surplus, by lapses, and by cancellation and repayment of commitments of the Government war corporations.

On the other hand, supplemental appropriations of 600 million dollars will be required for the United Nations Relief and Rehabilitation Administration.

In the net, it is estimated that the cumulative authorized war and national defense program will amount to 368 billion dollars on June 30, 1946. Expenditures of 49 billion dollars during the fiscal year 1946 will have pushed cumulative expenditures to 339 billion dollars. The unexpended balances will be down to 28 billion dollars on June 30, 1946.

New authorizations for national defense and war liquidation in the fiscal year 1947.—The expenditures of 15 billion dollars for national defense and war liquidation in the fiscal year 1947 will be partly for payment of contractual obligations incurred in the past, and partly for the payment of new obligations. The unexpended balances on June 30, 1946, will be scattered among hundreds of separate appropriations. Thus, while some appropriation accounts will have unused balances, others will require additional appropriations.

It is estimated that authorizations to incur new obligations of 11,772 million dollars will be needed during the fiscal year 1947, mainly for the War and Navy Departments. Of the required authorizations, 11,365 million dollars will be in new appropriations, 400 million dollars in new contract authority, and 7 million dollars in reappropriations of unobligated balances. In addition, appropriations of 825 million dollars will be needed to liquidate obligations under existing contract authorizations.

Taking into account the tentative authorizations and expenditures estimated for the fiscal year 1947, and offsets of 3 billion dollars in war commitments of Government corporations, the cumulative authorized war and national defense program on June 30, 1947, will be 376 billion dollars; total expenditures, 354 billion dollars; and unexpended balances, 22 billion dollars.

The 22 billion dollars of unexpended balances tentatively indicated as of June 30, 1947, comprise both unobligated authorizations and unliquidated obligations. Most of the unliquidated obligations result from transactions booked during the war years. A large part of the 22 billion dollars would never be spent even if not repealed, for the appropriations will lapse in due course. For example, several billion dollars of these unliquidated obligations represent unsettled inter- and intra-departmental agency accounts for war procurement. Legislation is being requested to facilitate the adjustment of some of these interagency accounts. Another 6 billion dollars is set aside for contract termination payments. If contract settlement costs continue in line with recent experience, it is likely that part of the 6 billion dollars will remain unspent.

On the other hand, some of the 22 billion dollars would be available for obligation and expenditure unless impounded. In certain appropriations, such as those for long-cycle procurement, considerable carry-over of unliquidated obligations into future years is to be expected and is necessary. However, substantial further rescissions can and should be made when the war liquidation program tapers off and budgetary requirements for national defense are clarified. As I have said, I shall continue to review the war authorizations and from time to time recommend excess balances for repeal.

As in recent years, detailed recommendations concerning most appropriations for the national defense program are postponed until the spring. In connection with the war activities of the United States Maritime Commission and certain other agencies, however, I now make specific recommendations for the fiscal year 1947. No additional authorizations or appropriations will be necessary for the Maritime Commission since sufficient balances will be left after the abovementioned rescissions to carry out the program now contemplated for the fiscal year 1947.

2. Aftermath of war

Nearly one-third—11 billion dollars—of estimated Federal expenditures in the fiscal year 1947 will be for purposes that are largely inherited from the war—payments to veterans, interest on the Federal debt, and refunds of taxes.

(a) For veterans

"Veterans' pensions and benefits" has become one of the largest single categories in the Federal Budget. I am recommending for this purpose total appropriations of 4,787 million dollars for the fiscal year 1947. Expenditures in the fiscal year are estimated, under present legislation, at 4,208 million dollars. These expenditures will help our veterans through their readjustment period and provide lasting care for those who were disabled.

The Congress has provided unemployment allowances for veterans during their readjustment period. Expenditure of 850 million dollars for this purpose is anticipated for the fiscal year 1947. In addition, readjustment allowances for self-employed veterans are expected to cost 340 million dollars in the fiscal year 1947.

On May 28, 1945, in asking the Congress to raise the ceiling on benefits for civilian unemployed to not less than 25 dollars a week during the immediate reconversion period, I suggested that the Congress also consider liberalizing veterans' allowances. Elsewhere in this message I reiterate my recommendation with respect to emergency unemployment compensation. I also recommend increasing veterans' unemployment allowances from 20 dollars to 25 dollars a week. This would involve additional expenditures estimated at approximately 220 million dollars for the fiscal year.

Included in the 1947 Budget is an expenditure of 535 million dollars for veterans' education under provisions of the Servicemen's Readjustment Act. This amount includes both tuition expenses and maintenance allowances. It is expected that half a million veterans will be enrolled in our schools and colleges during the year.

The ultimate benefit which veterans receive from the loan guaranty provisions of the Servicemen's Readjustment Act depends largely on the success of our stabilization program in restraining building costs and real-estate values. Under the revised procedure contained in recent amendments, the administrative work load will be minimized by the almost complete transfer of authority for approving the guaranties to private lending agencies and private appraisers designated by the Veterans' Administration. This authority carries with it the responsibility for restricting the guaranties to loans on reasonably valued properties. Costs of the program, other than for administration, are estimated at 21 million dollars in the fiscal year 1947.

Pensions for veterans will require expenditures estimated at 1,748 million dollars for the fiscal year 1947. Two-thirds of this amount will be received by veterans of the war which we have just won. This figure includes 55 million dollars of increased pensions for student-veterans in our vocational rehabilitation program. In addition, 170 million dollars will be expended in transfers to the national service life insurance fund from general and special accounts.

Expenditures under the appropriation for salaries and expenses of the Veterans' Administration are estimated at 528 million dollars in the fiscal year 1947. This includes 260 million dollars for medical care and the operation of some 103,000 hospital and domiciliary beds.

A separate appropriation for hospital and domiciliary facilities, additional to the total for veterans' pensions and benefits, covers construction that will provide some 13,000 hospital beds as part of the 500-million-dollar hospital construction program already authorized by the Congress. The estimated expenditures of 130 million dollars for this purpose are classified in the Budget as part of the general public works program for the next fiscal year.

(b) For interest

Interest payments on the public debt are estimated at 5 billion dollars in the fiscal year 1947, an increase of 250 million dollars from the revised estimate for the current fiscal year. This increase reflects chiefly payment of interest on additions to the debt this year. Assuming continuance of present interest rates, the Government's interest bill is now reaching the probable postwar level.

(c) For refunds

An estimated total of 1,585 million dollars of refunds will be paid to individuals and corporations during the fiscal year 1947. Slightly over half of this amount, or 800 million dollars, will be accessory to the simplified pay-as-you-go method of tax collection, and will be the result of overwithholding and overdeclaration of expected income. Most of the remainder will arise from loss and excess-profits credit carry-backs, recomputed amortization on war plants, and special relief from the excess-profits tax.

This category of expenditures is thus losing gradually its "aftermath of war" character, and by the succeeding year will reflect almost entirely the normal operation of loss carry-backs and current tax collection.

3. Agricultural programs

The agricultural programs contemplated for the fiscal year 1947 are those which are essential for the provision of an adequate supply of food and other agricultural commodities with a fair return to American farmers. To support these objectives, expenditures by the Department of Agriculture estimated at 784 million dollars from general and special accounts will be required in the fiscal year 1947. This compares with estimated expenditures of 676 million dollars in 1946. These figures exclude expenditures by the Department of Agriculture on account of lend-lease, the United Nations Relief and Rehabilitation Administration, and other war expenditures. The expenditure for the fiscal year 1947 is composed of 553 million dollars for "aids to agriculture," 35 million dollars for general public works, and 196 million dollars for other services of the Department.

Net outlays for the price stabilization, price support, and other programs of the Commodity Credit Corporation are expected to increase from about 750 million dollars in the fiscal year 1946 to about 1,500 million dollars in 1947. Cash advances made on loans by the Farm Security Administration and the Rural Electrification Administration are expected to amount to 266 million dollars in the fiscal year 1946 and 351 million dollars in 1947; and after receipts from principal and interest are taken into account, net loan expenditures of these two agencies will amount to 120 and 209 million dollars in the two fiscal years.

To provide for the expenditures from general and special accounts, I recommend for the fiscal year 1947 appropriations of 721 million dollars (including the existing permanent appropriation of an amount equal to 30 percent of estimated annual customs receipts) and a reappropriation of 88 million dollars of prior-year balances from customs receipts. In addition there is a recommended authorization of 367.5 million dollars for borrowing from the Reconstruction Finance Corporation for the loan programs of the Farm Security Administration and the Rural Electrification Administration. It is expected that the operations of the Commodity Credit Corporation will be financed during the coming year through the 500 million dollars of lend-lease funds which the Congress has earmarked for price support purposes, a supplemental appropriation to restore impaired capital of the Corporation, and the borrowing authority of the Corporation.

Some detailed recommendations follow for major agricultural programs.

Conservation and use of land.—I am recommending that 270 million dollars be appropriated for "conservation and use of agricultural land resources"—the so-called AAA program—for the fiscal year 1947, compared with 356 million dollars in the current year. This reduction of 86 million dollars is in large part accounted for by elimination of the wartime flax production incentive project and other nonrecurring items; the proposed reduction in normal activities is less than 33 million dollars.

For the past several years this program has consisted largely of payments to farmers for application of fertilizer and other approved soil-management practices. I am convinced that farmers generally are now fully alert to the benefits, both immediate and long-term, which they derive from the practices encouraged by this program. I believe, therefore, that this subsidization should continue to be reduced.

Rural electrification.—It is proposed that the loan authorization for the Rural Electrification Administration for the fiscal year 1947 be increased from 200 million dollars to 250 million dollars. During the war period, REA was limited by the scarcity of materials and manpower. But that situation is rapidly changing, and the REA program, which was materially stepped up for the fiscal year 1946, can be increased still more. It is my belief that a feasible and practical rural-electrification program should be carried forward as rapidly as possible. This will involve total loans of approximately 1,800 million dollars over the next 10 years, much of which will be repaid during that period.

Other programs.—It is recommended that the continuing forest land acquisition program be resumed at the rate of 3 million dollars annually, which is about the minimum rate at which this program can be economically carried on. The lands involved in this program can contribute fully to the national welfare only when brought into the national forest system for protection and development.

Such programs as those of the Farm Security Administration and the Farm Credit Administration are estimated to be continued during the fiscal year 1947 at about the same level as in the fiscal year 1946. Recent action by the Congress has permitted some expansion of the school-lunch program. I hope it will be continued and expanded. The budgets of the Federal Crop Insurance Corporation and the Federal Farm Mortgage Corporation will be transmitted in the spring under the terms of the Government Corporation Control Act.

4. Transportation

Transportation is one of the major fields for both public and private investment. Our facilities for transportation and communication must be constantly improved to serve better the convenience of the public and to facilitate the sound growth and development of the whole economy.

Federal capital outlays for transportation facilities are expected to approximate 519 million dollars in the fiscal year 1947. State and local governments may spend 400 million dollars. Private investment, over half of it by railways, may approach 1,150 million dollars.

The Congress has already taken steps for the resumption of work on improvement of rivers and harbors and on the construction of new Federal-aid highways. Much-needed work on airports can begin when the Congress enacts legislation now in conference between the two Houses.

The Federal expenditure estimates for the fiscal year 1947 include 53 million dollars for new construction in rivers, harbors, and the Panama Canal and 291 million dollars for highways and grade-crossing elimination, assuming that the States expend some 275 million dollars on the Federal-aid system. Additional expenditures for highways totaling 36 million dollars are anticipated by the Forest Service, National Park Service, and the Territory of Alaska. Civil airways and airports will involve expenditures of 35 million dollars under existing authority. Additional Federal expenditures exceeding 20 million dollars (to be matched by States and municipalities) may be made during the fiscal year 1947 under the airport legislation now in conference between the two Houses of the Congress.

The United States now controls almost two-thirds of the world's merchant shipping, most of it Government-owned, compared with little more than one-seventh of the world's tonnage in 1939. This places a heavy responsibility upon the Nation to provide for speedy and efficient world commerce as a contribution to general economic recovery.

The estimates for the United States Maritime Commission and War Shipping Administration provide for the transition of shipping operation from a war to a peace basis; the sale, chartering, or lay-up of much of the war-built fleet; and for a program of ship construction of some 84 million dollars in the fiscal year 1947 to round out the merchant fleet for peacetime use.

Federal aids, subsidies, and regulatory controls for transportation should follow the general principle of benefiting the national economy as a whole. They should seek to improve the transportation system and increase its efficiency with resulting lower rates and superior service. Differential treatment which benefits one type of transportation to the detriment of another should be avoided save when it is demonstrated clearly to be in the public interest.

5. Resource development

Total capital outlays for resource development are estimated at 653 million dollars in the fiscal year 1947 as compared with 452 million dollars in 1946. These include capital expenditures by the Rural Electrification Administration and expenditures for resource development by other organizational units in the Department of Agriculture which are also mentioned above under "agricultural programs."

The reclamation and flood-control projects which I am recommending for the fiscal year 1947 will involve capital outlays of approximately 319 million dollars as compared with 245 million dollars in the fiscal year 1946. These expenditures cover programs of the Corps of Engineers, the Bureau of Reclamation, the Bureau of Indian Affairs, the Department of Agriculture, and the International Boundary and Water Commission, United States and Mexico. A number of these projects are multiple-purpose projects, providing not only for reclamation

and irrigation of barren land and flood control, but also for the production of power needed for industrial development of the areas.

Expenditures for power transmission and distribution facilities by the Bonneville Power Administration are expected to increase from 12 million dollars in the fiscal year 1946 to 15 million dollars in the next fiscal year. In addition, the Southwestern Power Administration will undertake a new program involving expenditures of about 16 million dollars in the fiscal year 1947. The Rural Electrification Administration will require expenditures during the current fiscal year estimated at 156 million dollars; in the fiscal year 1947, at 241 million dollars.

The TVA program includes completion of major multiple-purpose projects—navigation, flood control, and power facilities—and additions to chemical plants and related facilities. Expenditures for these capital improvement programs are estimated at 30 million dollars in the fiscal year 1946 and 39 million dollars in the fiscal year 1947.

Expenditures for construction of roads and other developmental works in the national forests, parks, and other public lands, and for capital outlays for fish and wildlife development will increase from below 9 million dollars in the fiscal year 1946 to 24 million dollars in the fiscal year 1947.

6. Social security and health

Benefit payments out of the Old-Age and Survivors Insurance Trust Fund during 1947 are estimated at 407 million dollars, while withdrawals by the States from the Unemployment Trust Fund for compensation payments are expected to total 1 billion dollars. These disbursements are financed out of social-security contributions.

The appropriations from general and special accounts for the social-security program, which cover Federal administrative expenses and grants to States for assistance programs, are estimated at 593 million dollars for the fiscal year 1947, an increase of 57 million dollars over the current year. The increase anticipates greater administrative workload and higher grants to match increasing State payments. The social-security program does not include all the Federal health services under existing legislation. For the other health services classified under general government and national defense, appropriations are estimated at 102 million dollars for the fiscal year 1947.

Some expansion in peacetime medical research and other programs of the Public Health Service is provided for in the appropriation estimates for these purposes totaling approximately 87 million dollars for the fiscal year 1947 which are submitted under provisions of existing law. Part of this will be provided through the social-security appropriations, the remainder through other appropriations. About 28 million dollars is recommended for maternity care and health services for children under existing law, mainly under the emergency provision for the wives and infants of servicemen. While we should avoid duplication of maternity and child-health services which will be provided through the proposed general system of prepaid medical care, legislation is needed to supplement such services. For medical education, I have recommended legislation authorizing grants-in-aid to public and nonprofit institutions. The existing sources of support for medical schools require supplementation to sustain the expansion that is needed.

Hospitals, sanitation works, and additional facilities at medical schools will be required for an adequate national health program. Legislation is now pending in the Congress to authorize grants for the construction of hospitals and health centers and grants and loans for water-pollution control. I hope the Congress will act favorably on generous authorizing legislation.

7. Research and education

The Budget provides for continuation and desirable expansion of the research activities that are carried on throughout the Federal establishment and through previously authorized grants to the States. Additional appropriations will be required for the proposed central Federal research agency which I recommended last September 6. That agency will coordinate existing research activities and administer funds for new research activities wherever they are needed; it will not itself conduct research. The plan contemplates expenditures through the new research agency of approximately 40 million dollars for the first year.

These amounts are small in relation to the important contribution they can make to the national income, the welfare of our people, and the common defense. Expenditures must be limited for the time being by the capacity of research agencies to make wise use of funds. The maintenance of our position as a Nation, however, will require more emphasis on research expenditures in the future than in the past.

Educational expenditures will require a significant share of the national income in the fiscal year 1947. State, local, and private expenditures for the current support of elementary, secondary, and higher education are expected to be substantially above 3 billion dollars in that year. These non-Federal expenditures will be supplemented by Federal expenditures estimated at 625 million dollars in the present Budget. Of this amount, the estimate for veterans' education, as previously mentioned, is 535 million dollars. Other amounts include 21 million dollars for the support of vocational education in public schools, 5 million dollars for the land-grant colleges, 50 million dollars for the present school-lunch and milk program, 1 million dollars for the Office of Education, and approximately 13 million dollars for various other items. In view of the major policy issues which are still under study by the Congress and the administration, no specific amount has been determined for the Federal grants, previously recommended in this message, which would assist the States generally in assuring more nearly equal opportunities for a good education.

Notwithstanding the urgent need for additional school and college buildings, careful planning will be required for the expenditures to be made under the proposed legislation to aid the States in providing educational facilities. A major share of the grants for the first year would be for surveys and plans.

8. International financial programs

I have already outlined the broad objectives of our foreign economic policy. In the present section I shall indicate the Federal outlays which the execution of these programs may require in the fiscal years 1946 and 1947.

(a) On the termination of lend-lease, the lend-lease countries were required to pay for goods in the lend-lease pipe line either in cash or by borrowing from the United States or by supplying goods and services to the United States. Credits for this purpose have already been extended to the Soviet Union, France, the Netherlands, and Belgium amounting to 675 million dollars. The settlement credit of 650 million dollars to the United Kingdom includes an amount preliminarily fixed at 118 million dollars which represents the excess of purchases by the United Kingdom from the pipe line over goods and services supplied by the United Kingdom to the United States since VJ-day and the balance of various claims by one government against the other.

Credits are also being negotiated with lend-lease countries to finance the disposition of lend-lease inventories and installations and property declared to be surplus. For instance, 532 million dollars of the settlement credit to the United Kingdom is for this purpose. These credits will involve no new expenditures by this Government, since they merely provide for deferred repayment by other governments for goods and services which have been financed from war appropriations.

(b) Expenditures from the appropriations to United Nations Relief and Rehabilitation Administration, which were discussed under war expenditures above, are estimated to be 1.3 billion dollars in the fiscal year 1946 and 1.2 billion dollars in the fiscal year 1947.

(c) To assist other countries in the restoration of their economies the Export-Import Bank has already negotiated loans in the fiscal year 1946 amounting in total to about 1,010 million dollars and an additional 195 million dollars will probably be committed shortly. The bank is also granting loans to carry out its original purpose of directly expanding the foreign trade of the United States. In this connection the bank has established a fund of 100 million dollars to finance the export of cotton from the United States. The Export-Import Bank has thus loaned or committed approximately 1,300 million dollars during the current fiscal year and it is expected that demands on its resources will increase in the last 6 months of the fiscal year 1946. Requests for loans are constantly being received by the bank from countries desiring to secure goods and services in this country for the reconstruction or development of their economies. On July 31, 1945, the lending authority of the Export-Import Bank was increased to a total of 3,500

million dollars. I anticipate that during the period covered by this Budget the bank will reach this limit. The bulk of the expenditures from the loans already granted will fall in the fiscal year 1946 while the bulk of the expenditures from loans yet to be negotiated will fall in the fiscal year 1947. In view of the urgent need for the bank's credit, I may find it necessary to request a further increase in its lending authority at a later date.

(d) The proposed line of credit of 3,750 million dollars to the United Kingdom will be available up to the end of 1951 and will be used to assist the United Kingdom in financing the deficit in its balance of payments during the transition period. The rate at which the United Kingdom will draw on the credit will depend on the rapidity with which it can reconvert its economy and adapt its trade to the postwar world. The anticipated rate of expenditure is likely to be heaviest during the next 2 years.

(e) Since the Bretton Woods Agreements have now been approved by the required number of countries, both the International Monetary Fund and the International Bank for Reconstruction and Development will commence operations during 1946. The organization of these institutions will undoubtedly take some time, and it is unlikely that their operations will reach any appreciable scale before the beginning of the fiscal year 1947.

Of the 2,750 million dollars required for the fund, 1,800 million dollars will be provided in cash or notes from the exchange stabilization fund established under the Gold Reserve Act of 1934. The remaining 950 million dollars will be paid initially in the form of non-interest-bearing notes issued by the Secretary of the Treasury. It is not anticipated that the fund will require in cash any of the 950 million dollars during the fiscal years 1946 and 1947. Consequently, no cash withdrawals from the Treasury will be required in connection with the fund in these years.

The subscription to the bank amounts to 3,175 million dollars. Of this total, 2 percent must be paid immediately and the bank is required to call a further 8 percent of the subscription during its first year of operations. The balance of the subscription is payable when required by the bank either for direct lending or to make good its guaranties. It is likely that the United States will be required to pay little if any more than the initial 10 percent before the end of the fiscal year 1947.

I anticipate that net expenditures of the Export-Import Bank and expenditures arising from the British credit and the Bretton Woods Agreements will amount to 2,614 million dollars, including the noncash item of 950 million dollars for the fund, in the fiscal year 1946, and 2,754 million dollars in the fiscal year 1947.

9. General government

The responsibilities of the Government, in both domestic and international affairs, have increased greatly in the past decade. Consequently, the Government is larger than it was before the war, and its general operating costs are higher. We cannot shrink the Government to prewar dimensions unless we slough off these new responsibilities—and we cannot do that without paying an excessive price in terms of our national welfare. We can, however, enhance its operating efficiency through improved organization. I expect to make such improvements under the authority of the Reorganization Act of 1945.

The appropriations which I am recommending for general government for the fiscal year 1947 are $1,604,000,000 under existing legislation. This is an increase of $458,000,000 over the total of enacted appropriations for the current fiscal year, but a substantial part of this increase is due to the fact that the appropriations for the fiscal year 1946 were made prior to the general increase of employees' salaries last July 1, for which allowance is made in the anticipated supplemental appropriations for 1946. The recommended total for 1947 for general government, like the estimates for national defense and other specific programs, does not allow for the further salary increases for Government employees, which, I hope, will be authorized by pending legislation, but the tentative lump-sum estimates under proposed legislation contemplate that such salary increases will be effective almost at once.

Expenditures for general government in the fiscal year 1947 are expected to continue the slowly rising trend which began in 1943. This category includes a great variety of items—not merely the overhead costs of the Government. It includes all the expenditures of the Cabinet departments, other than for national defense, aids to agriculture, general public works, and the social-security program. It includes also expenditures of the legislative branch, the judiciary, and many of the independent agencies of the executive branch. Consequently, the estimated increase in 1947 in the total of general government expenditures reflects a variety of influences.

Now included in general government are certain activities formerly classified under national defense. Some of these, such as certain functions of the former Foreign Economic Administration and the War Manpower Commission, are still needed during the period of reconversion; others are in the process of liquidation. A few wartime activities—for example, the international information and foreign intelligence services and some of the wartime programs for controlling disease and crime—have become part of our regular Government establishment. Expenditures for these former wartime functions explain about 40 percent of the increase in expenditures for general government.

Other increases are for civil aeronautics promotion, the business and manufacturing censuses, and other expanded business services of the Department of Commerce which have been referred to above; the Forest and Soil Conservation Services and other activities of the Department of Agriculture; certain conservation activities of the Department of the Interior; and the collection of internal revenue in the Treasury Department.

The necessity for reestablishing postal services curtailed during the war and advances in the rates of pay for postal employees have increased substantially the estimated expenditures for postal service for both the current and the next fiscal year. It is not expected that this increase will cause expenditures to exceed postal revenues in either year, although an excess of expenditures may occur in the fiscal year 1947 if salaries are increased further.

Expenditures for our share of the administrative budgets of the United Nations and other permanent international bodies will increase sharply in the fiscal year 1947, yet will remain a small part of our total Budget. The budget for the United Nations has not yet been determined; an estimate for our contribution will be submitted later. Our contributions to the Food and Agriculture Organization, the International Labor Office, the Pan American Union, and other similar international agencies will aggregate about 3 million dollars for the fiscal year 1947. The administrative expenses of the International Monetary Fund and the International Bank will be met from their general funds.

We have won a great war—we, the nations of plain people who hate war. In the test of that war we found a strength of unity that brought us through—a strength that crushed the power of those who sought by force to deny our faith in the dignity of man.

During this trial the voices of disunity among us were silent or were subdued to an occasional whine that warned us that they were still among us. Those voices are beginning to cry aloud again. We must learn constantly to turn deaf ears to them. They are voices which foster fear and suspicion and intolerance and hate. They seek to destroy our harmony, our understanding of each other, our American tradition of "live and let live." They have become busy again, trying to set race against race, creed against creed, farmer against city dweller, worker against employer, people against their own governments. They seek only to do us mischief. They must not prevail.

It should be impossible for any man to contemplate without a sense of personal humility the tremendous events of the 12 months since the last annual message, the great tasks that confront us, the new and huge problems of the coming months and years. Yet these very things justify the deepest confidence in the future of this Nation of free men and women.

The plain people of this country found the courage and the strength, the self-discipline, and the mutual respect to fight and to win, with the help of our allies, under God. I doubt if the tasks of the future are more difficult. But if they are, then I say that our strength and our knowledge and our understanding will be equal to those tasks.

HARRY S. TRUMAN.

JANUARY 14, 1946.

The PRESIDING OFFICER (Mr. HOEY in the chair). The message with the accompanying document, will lie on the table.

JOURNAL OF THURSDAY, JANUARY 17, 1946

Mr. RUSSELL. Mr. President——

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana [Mr. OVERTON] to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ball	Hawkes	Millikin
Chavez	Hayden	Morse
Cordon	Hickenlooper	Myers
Ellender	Hoey	Radcliffe
Ferguson	La Follette	Stewart
Guffey	McKellar	Taft
Hatch	Mead	Thomas, Okla.

The PRESIDING OFFICER. Twenty-one Senators have answered to their names. A quorum is not present. The clerk will call the names of the absent Senators.

The Chief Clerk called the names of the absent Senators; and Mr. DONNELL, Mr. GOSSETT, Mr. GREEN, Mr. LANGER, Mr. MCCLELLAN, Mr. MCFARLAND, Mr. MCMAHON, Mr. MURRAY, Mr. RUSSELL, Mr. STANFILL, Mr. WHITE, Mr. WILEY, and Mr. YOUNG entered the Chamber and answered to their names.

The PRESIDING OFFICER. Thirty-four Senators have answered to their names. A quorum is not present.

Mr. BALL. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ANDREWS, Mr. AUSTIN, Mr. BAILEY, Mr. BILBO, Mr. BRIGGS, Mr. BUSHFIELD, Mr. BUTLER, Mr. CAPPER, Mr. HILL, Mr. HUFFMAN, Mr. JOHNSTON of South Carolina, Mr. MAYBANK, Mr. SALTONSTALL, Mr. SHIPSTEAD, and Mr. WHERRY entered the Chamber and answered to their names.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent because of illness.

The Senator from Kentucky [Mr. BARKLEY], the Senator from Nevada [Mr. CARVILLE], the Senator from West Virginia [Mr. KILGORE], the Senators from Washington [Mr. MAGNUSON and Mr. MITCHELL], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Louisiana [Mr. OVERTON], the Senator from Idaho [Mr. TAYLOR], the Senator from New York [Mr. WAGNER], the Senator from Massachusetts [Mr. WALSH], and the Senator from Montana [Mr. WHEELER], are necessarily absent.

The Senator from Texas [Mr. CONNALLY] is absent on official business, as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business, as a member of the Mead committee.

The Senator from California [Mr. DOWNEY], the Senator from Rhode Island [Mr. GERRY], the Senator from Colorado [Mr. JOHNSON], the Senator from Nevada [Mr. MCCARRAN], the Senator from Utah [Mr. THOMAS], and the Senator from Maryland [Mr. TYDINGS] are detained on official business at the White House.

The Senator from Georgia [Mr. GEORGE] and the Senator from Illinois [Mr. LUCAS] are detained at a meeting of the Joint Committee on the Investigation of the Pearl Harbor Attack.

The Senator from Arkansas [Mr. FULBRIGHT], the Senator from Utah [Mr. MURDOCK], the Senator from Texas [Mr. O'DANIEL], and the Senator from Florida [Mr. PEPPER] are detained on official business at Government departments.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations now being held in London.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee.

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business.

The Senator from Oklahoma [Mr. MOORE] is unavoidably absent.

The Senator from Vermont [Mr. AIKEN], the Senator from Maine [Mr. BREWSTER], the Senator from Indiana [Mr. CAPEHART], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from South Dakota [Mr. GURNEY], the Senator from Delaware [Mr. BUCK], the Senator from Illinois [Mr. BROOKS], and the Senator from Kansas [Mr. REED] are detained on official business.

The Senator from Connecticut [Mr. HART], the Senator from West Virginia [Mr. REVERCOMB], the Senator from New Hampshire [Mr. TOBEY], the Senator from Indiana [Mr. WILLIS], and the Senator from Iowa [Mr. WILSON] are detained on official business at the White House.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present.

Mr. BAILEY. Mr. President, it is my purpose to speak on the subject of Senate bill 101.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. MAYBANK. I ask unanimous consent to introduce a bill which has received much study and much support in a subcommittee of the Committee on Military Affairs. I desire to introduce the bill on behalf of myself and the distinguished Senator from Wyoming [Mr. O'MAHONEY], who has given much time and thought to the subject of veterans' legislation, but who is not now present in the Chamber.

The PRESIDING OFFICER. Is there objection?

Mr. BALL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MAYBANK. Mr. President, may I suggest by way of a question to the Senator from North Carolina that this bill concerns surplus property of the Government of the United States? The bill concerns the rights of veterans, the rights of the boys who won the war and made it possible for us to be here today. It would enable them to get a better deal, a squarer deal, at the hands of the Government of the United States insofar as surplus property is concerned. I regret very much, Mr. President, that an objection has been made, and it will be my purpose at the first opportunity to introduce the bill as having been suggested by the subcommittee of the Military Affairs Committee.

The PRESIDING OFFICER. The Senator from North Carolina has the floor.

Mr. BAILEY. Mr. President, it is my purpose to speak briefly on the subject of the bill which is now before us, or at least is before us after a manner of speaking. It was once before us, and it is proposed that it again be brought before us. I refer to Senate bill 101 entitled "A Bill To Prohibit Discrimination in Employment Because of Race, Creed, Color, National Origin, or Ancestry."

I have read the bill with some care. I believe that I am prepared to lay before the Senate eight propositions which are presented by the bill.

The bill proposes, first, to apply and enforce the doctrine of privileges and immunities of United States citizens to the relation of employer and employee. It is an entirely new proposition.

Second, it seeks to do this by denying the right of trial by jury to employers, and also to officials of labor unions. It represents quite a reversal in the history of the English-speaking people in respect to the traditions and standards of American liberty.

Third, by a corruption of the Constitution and a fraud upon the commerce clause of the Constitution, it proposes to bring about that to which I have referred. I weigh my words. It proposes to invent, apply, and enforce a new doctrine of privileges and immunities of citizens of this country to the relation of employer and employee, and to do this by corruption of the Constitution by committing a fraud upon the commerce clause.

Fourth, it fails to make the distinction which our late President Roosevelt made in his Chicago speech last year, and the failure to make such distinction appears on the face of the committee's report. I shall, of course, come to that later.

Fifth, it presents the race and religious questions in our country in their most vexatious and irritating forms. It invites a revival of all that we abhor, and all that we should avoid as American citizens, and as American Senators, with respect to the regrettable race relations—race antipathies, if you please—race prejudices, religious antipathies and religious prejudices. It seeks to revive them in an hour such as the present one. It seeks to revive all the worst features of regrettable conditions which existed in the past, and that at a time when, as the senior Senator from Georgia [Mr. GEORGE] said only a day or two ago, the fate of our country appears to be hanging in the balance.

Sixth. It is a manifest and undisguised coercion of the American people and the American States by usurping the powers of the States and of the rights of the people. I said "manifest and undisguised."

Seventh. It would destroy essential rights. It strikes far deeper than any question of race or religion, and, if enacted, would destroy a hundredfold more privileges and immunities, more muniments of the liberty which was our heritage, and which we hope will be the heritage of those who come after us; it would destroy a hundredfold more than it could possibly preserve or than it professes to preserve.

Eighth. It reaches like an epidemic or plague into the relations of all men in our land. It spares no home; it spares no feature of business. It involves every individual—the farmer, the worker, the labor unions, the employment agencies, the mills, the mines, the stores, the merchants, the contractors.

These are the propositions which anyone can read in the plain language of the bill. I shall make no strained argument; I shall make no appeal to prejudice. I intend to read the bill itself because I wish what I am saying about the contents of the bill to be made very plain to the American people who read the RECORD, and very plain to Senators who I think in a mistaken zeal are inclined to give their support to a measure which has all the pretenses of fairness, but which, in reality, is shot through with deceit and fraud, with imposition and coercion, and which—and I say it with all respect—is really hateful to the American mind, and, if ever it becomes a law it will be condemned without measure by every class and every group, even the classes and the groups in the name of which it is now put forward.

Now, let us look at the bill, Mr. President. I said as my first proposition that the bill proposes to apply and enforce our American doctrine of privileges and immunities of citizens of this country to the relation of employer and employee. I think all of us have a certain understanding of our doctrine of privileges and immunities. We have always clothed the American citizen with certain rights and a certain status. He will find those rights written in the Bill of Rights, and he will find others derived from his very character as a sovereign citizen.

I suppose no matter has been more closely argued in this country—more thoroughly considered—than the subject of privileges and immunities. It was brought forward by the fourteenth amendment. It went to the Supreme Court, and it was resolved by the Supreme Court in the line of cases which are known in history as the Slaughter House cases, and which we have discussed heretofore on this floor.

Never before has it been proposed that the Congress of the United States should pass an act invading the precincts between the employer and employee, undertaking to say that what the employer does, or what the labor union does, on the other hand, by way of selectivity, by way of its own choice and its own protection, shall be included as being amongst the privileges and immunities which we enjoy under our triumphant flag. But here it is.

Mr. President, I make bold to say that if we can do a thing like that to the Constitution under any pretext, then, by the same power and under the same reasoning, and with the same logic, the same right and the same wrong, we can invade all the relations of American life; we can go into the home, where there are husband and wife, father and child, if you please. When we open this door, we open Pandora's box. I sometimes think that is precisely what has happened to our blessed country, to all of us, under the auspices of my party, while I have been here in the Senate—that we have opened Pandora's box; that all the evils which men sought to avoid through all the ages are now flying forth, and this is the latest emanation, the latest child of that train of events which the Congress of the United States set in motion when it broke down the restraints of the Federal Government, destroyed the powers of the States, invaded the rights of the people, and, with kindly words and delightful promises, seduced ourselves and all our constituents to embrace this endless chain of evils.

Now, let us consider the bill.

> The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production, endangers the national security and the general welfare, and adversely affects commerce.

Mr. President, that is just the trap. We have a right to dwell upon privileges and immunities of American citizens, we have to defend them and protect them, but when before was a bill proposed in the Congress using the commerce clause as a way and means of doing what the Constitution undertook to empower us to do in the Fourteenth Amendment, which has been followed ever since it was adopted. I should say, Mr. President, that the proposition here is to give the Federal Government, under the commerce clause, the same vast, far-reaching power which we all recognize it must have under the defense clause.

I continue to read from the bill. This is section 2:

> The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity.

Whoever wrote that did not know what "immunity" means. An immunity is by way of escaping from something that is wrong. But by this bill we are asked to find and to declare this to be an immunity. I rather suspect some of the more recent opinions of the Supreme Court—I read one the other day—recognize that the Congress has a right to declare immunities. But I think when the Supreme Court said that, it did not expect us, nor did it predicate that we should use that power which the court declares we have as a means of inventing immunities to suit our ulterior purposes, political or otherwise. It did not mean that we have the arbitrary power, if we want to do something, to invoke the commerce clause and say, "The commerce clause gives us the power to create a new immunity in America."

The immunities relate to the transactions between the citizen and his country. The Constitution throws around you, Mr. President, and me, muniments, if it be desired to call them such, which all the power of the Federal Government cannot attack, and which the States themselves cannot strike down. But we are using the idea of immunity as between employer and employee, and knowing that we cannot do it as a matter of right or a matter of duty, we are trying to derive from the commerce clause some semblance or color of power in order to accomplish a purpose and bring about a situation that happens to be agreeable to one group or another and to one senatorial mind or another. If Senators will notice the language, it says that we declare to be an immunity—

> The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry * * * which shall not be abridged by any State.

I am glad they did that. The declaration in the fourteenth amendment always has been confined to State action. Read the fourteenth amendment. I have read it on the floor of the Senate over and over again. "No State shall do this." It did not undertake to say what I shall do. And it deals with one political power as against another. Here we come with an invention and a fraud, knowing that the fourteenth amendment has to do with only those immunities of which a citizen may be deprived by State action, and we invoke the commerce clause intended to regulate commerce among the States and with foreign nations and undertake to use it to regulate transactions between the employer and the employee between a man and his neighbor. It is a manifest fraud, it is a manifest error to give a meaning to the Constitution which none of us thinks was ever intended; and to use the commerce clause by way of an amendment to the fourteenth amendment to the Constitution. By this bill the fourteenth amendment would even be broadened.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. TOBEY. I appreciate that the question I am about to ask is an unusual one. The question is this: Would the Senator from North Carolina agree with the Senator from New Hampshire that it is thoroughly regrettable, because of an official visit at the White House, that the Senator from New Hampshire was unable to be present in the Senate Chamber to respond to the recent roll call? Does the Senator agree that the necessary absence on the part of the Senator from New Hampshire was thoroughly regrettable?

By that question, Mr. President, I establish the reason for my absence during the roll call.

Mr. BAILEY. Mr. President, I would not say the absence of the Senator from New Hampshire was ruinous.

Mr. TOBEY. The welfare of the Nation was not placed in jeopardy by my temporary absence.

Mr. BAILEY. I would say to the Senator from New Hampshire that those who were present at the time listened most eagerly to hear the Senator's response of "present." His name was called a number of times and we listened eagerly for him to respond, we hoped he would appear and answer; we prayed that he might come into the Senate Chamber and answer to his name.

Mr. TOBEY. I will say to the Senator that I was here in spirit though not in body.

Mr. BAILEY. I wish we had known the Senator was here in spirit. The spirit, though present, seems to have been weak. [Laughter.] But the Senator walked into the Chamber a little while after the roll call.

Now we proceed from this feature of my remarks to the next. I wish to read again from the bill, section 3:

It shall be an unfair employment practice for any employer within the scope of this act—

And it shall be a violation of the privileges and immunities of American citizens—that is the implication. It is not written in the bill. It would have been absurd if it had been written in it. I continue to read:

(1) To refuse to hire any person because of such person's race, creed, color, national origin, or ancestry.

There is where you walk right into the situation. If I were going to talk about privileges and immunities in these terms I would say that one of the great privileges and immunities of an American citizen has been to select his own help; the immemorial right to hire and fire, a right which is indispensable to his business. How could I conduct a business—fortunately I am not operating one—if my right of selectivity were taken from me? I may like a man who is red-headed, or I may not like a man who is redheaded. I may not like a man who is baldheaded. I may want a young man in my business. I may want an old man. I may want a Baptist, and I may want a Catholic. I may want a Jew. I may want a Czech. I once employed a Czech, and I believe I will say a word about that.

I ran for Governor once and was defeated. That was all right. It was one of the best things that ever happened to me, and was not bad for the State. A good man defeated me and he made a great Governor. He is dead and gone. While I was running for Governor I attacked the Ku Klux for their intolerance and for their narrow mindedness; I denounced them right and left way back yonder in 1924. Our present Presiding Officer [Mr. HOEY in the chair] knows about it. In that campaign a group of men arrested my car in which were my chauffeur and myself, on the highway between the town of Kinston and the town of LaGrange. The group of men got in front of my car and stopped us. The car rolled up to them, and I said, "Well, now, what is it?" They said, "We understand you have a Catholic in your employ. He is on your staff while you are running for Governor." "Well," I said, "I do not know." I never ask about the religious attachment of anybody. But I did not care. They described my stenographer, a young fellow. I said, "Now, I do not know, but God forbid that I should deny it. You assume he is a Catholic, and do your dirtiest, and do your worst."

I did not say a word to that young fellow until after I was defeated. I called him in one day and said, "Mr. Howard, I have a little reason for asking you what sort of religion you have." He said, "Mr. BAILEY, I am a Lutheran." He had come from Czechoslovakia. He was a stranger in a strange land. And here was that miserable, snooping, intolerance undertaking to put me in a bad light unless I should discharge him on the ground that he embraced the Catholic religion. There is an example of interference between man and man, employer and employee; there is an example of intolerance. When was it ever held that the United States Government should appoint a board which could appoint examiners to do precisely the same thing in America—to interrogate me about why I employed a given person, or what that person believed or did not believe, or what his color was? Freedom from such inquisition is a right for which the flag stands. It is a right for which every American stands.

There cannot be any commercial fabric with the Government or its agent by raising such questions interfering in the worker relationship in the store, in the hotel, in the railroad, in the bank, in the mine, or on the farm. Protection against such interference is a part of the liberty left with the people. There is not a word in the Constitution about it, and the power is not given to the Congress or reserved to the States or the people. The States have been too decent to raise such questions, and have left them to the American people. That is one reason why I feel so deeply about this matter. I do not believe that the question of race in America is so serious. I do not believe that the question of religion in America is so serious. I think it is a strange sort of commentary on things when such questions are raised.

One Senator from North Carolina now presides over the Senate, and the other stands here. During the 1928 campaign both of us canvassed that State for no other reason than to try to teach our people that they should not raise the religious question. The people said we were cutting our throats. I received the second largest majority any man ever received in our State, and the Senator in the chair received the largest. That is the timber of the American people.

Mr. CHAVEZ. Mr. President, will the Senator yield to me for a moment?

Mr. BAILEY. I yield.

Mr. CHAVEZ. I can state to the Senate that what the Senator from North Carolina has said is correct. I followed his career in North Carolina in 1928. When intolerance was growing no one showed a greater degree of tolerance than did the good Senator from North Carolina.

Mr. BAILEY. I am thankful to my good friend. Since we are speaking somewhat personally, let me say that within 2 years of that dread campaign, the night the returns came in and I learned that I had won in the primary by 73,000 votes, he sent me a telegram which I think must have cost him $25. He was of the same view as I was.

Mr. President, I know a little about things. I am a small-town man. Take the steel mills, which have more than 700,000 employees. No question is raised as to where they came from, or what their religion is. General Motors employs 160,000 persons, and the same is true of that organization. But how about the little stores? How do they operate? A drygoods store may have 30 clerks—so many Baptists, so many Catholics, so many Presbyterians, so many Methodists, and so many Jews. That is a matter of accommodating themselves to the situation, a matter of meeting the trade demands, and developing friends and contacts. There is nothing wrong about it.

What will the situation be if this bill is enacted into law? Every time an employee is discharged for cause, or every time an applicant is rejected on the basis of judgment, the religious question will be raised. There will be irritation, disintegration, and disgrace. Yet we propose to do that in the name of freedom of religion. What about the freedom of the man?

Mr. President, I could multiply instances——

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. RUSSELL. I do not like to interrupt the train of thought of the Senator from North Carolina, but I am sure he realizes that the bill in the first instance would not only nationalize all employment in industry, business, agriculture, and all other lines of work, but would also attempt to vest in the board the power to determine whether or not a man had been discriminated against for the reasons assigned, in the most intimate relations of employer and employee. That situation would apply equally to promotion within a plant as to employment in the first instance. The result would be the absolute nationalization of all business, industry, and agriculture in this country.

Mr. BAILEY. I thank the Senator for making very clear what I was trying to make clear. With that observation I shall move on.

I come to the second subdivision of section 3, which denounces as an unfair employment practice, and therefore an interference with privileges and immunities, and therefore a violation of the commerce clause, the discharge of any person from employment because of such person's race, creed, color, national origin, or ancestry. I might have an alien enemy, a Japanese, in my employ; but if I wanted to get rid of him I would run the risk, not of a lawsuit, not of an honest criminal prosecution, not of an adverse jury verdict, but of an inquisition which might result in a fine and imprisonment in jail.

Mr. President, for the benefit of the labor unions I should like to read that portion of the bill on page 3 in which, un-

der the fiction of privileges and immunities, under the fraudulent application of the commerce clause, the power of the Congress to regulate labor unions would be absolutely established. I realize that that may be water on the wheel of the advocates of the bill, but that is exactly what the labor unions have been fighting against all these years. We passed the Wage and Hour Act in the name of the commerce clause. I felt sure, when we passed the Wagner Act in the name of the commerce clause—and I was one of four Democrats who voted against it, and I am just as much against it today, when the wreck and ruin it involved is upon us, as I was then, before all its bitter consequences had ensued—that the Wagner Act threw the labor union absolutely within the power of the Congress to regulate it. If there is any doubt about it, here is a plain assertion of that power. I make that statement as notice to the labor unions. If we pass this bill and the act is declared constitutional, righteous, and properly founded, there will never be any question in America as to the regulation of the dues, the membership, the power to admit and the power to expel, of labor unions. If the labor unions want that sort of a law, let them support this measure.

Subsection (c) of section 3, on page 3 of the bill, reads as follows:

(c) It shall be an unfair employment practice for any employer or labor union within the scope of this act to discharge, expel, or otherwise discriminate against any person because he has opposed any practices forbidden by this act or because he has filed a charge, testified, or assisted in any proceeding under this act.

Suppose we were to add the words "or because he has not paid his union dues." Such a provision would be just as good as the other provisions. If the language of the bill as it is now written is constitutional and good, the language which I have suggested would be just as well-founded.

Mr. President, I now come to that portion of the bill which would result in a denial of trial by jury. It is a wonderful production. I do not need to talk to the Senate at length about trial by jury, the great foundation of liberty and human progress, the soul of English and American freedom. Yet under the terms of this bill, if a farmer in North Carolina or a mill operator in North Carolina, or a hotel keeper in North Carolina is complained against by someone for having dismissed an employee, or for not having hired him, what happens? Read the bill. The complaint is made to a board—not to judges, but to a board. If I understand anything about it, a board means a gang of politicians. The board sends an examiner to the State. The board does not have to go. The board consists of only five members, and they cannot attend to all the business in America. The board sends an agent or examiner, and the agent or examiner finds the facts and reports them to the board. What chance has the individual? He cannot hire lawyers to come here and represent him. There never was a lawyer who could handle an examiner. Old Blackstone himself would have given it up, and Edward Coke would have longed for death rather than undertake it.. Edward Coke was the smartest lawyer who ever walked the earth—too smart, I think. The examiner reports, and the board finds that I am guilty because I have taken away a privilege and an immunity of someone—an invented privilege and immunity, at that; but that does not help me. The board finds that I have invaded the precincts of liberty.

What happens to me? The chairman of the board issues a citation against me to cease and desist. He restores the man who complains, with or without back pay; and I must travel all the way to the circuit court of the United States in order to obtain a hearing. There has been no jury, no finding of fact, no chance for me. I go to the circuit court. It sits at Richmond in the winter and at Asheville in the summer. In either event I have to travel 175 or 200 miles, and a great many North Carolinians would have to travel much farther. In order to be heard I have to go that far. Having heard me, they say "You are guilty of this wrong which the board has found you guilty of. We affirm the decision of the board and the examiner, and you go to jail. You have not committed any crime; you have not taken anyone's money; you have not interfered with anyone's rights. You have been a plain, straightforward American, but you are going to jail and you will stay in jail so long as the court wants you to stay there." That is the proceeding in contempt-of-court cases. I will tell you, Mr. President, what the consequence of that will be. Such proceedings in the nature of those in contempt of court, if proceded with, will bring the Congress, the flag, the country, and the courts into general contempt and disrepute. That will be a consequence of that sort of contempt-of-court action.

Mr. RUSSELL. Mr. President, if the Senator from North Carolina will pardon me again, let me say that I am sure I asked him if he also noted that in such a case he would have absolutely no chance if he went to the court, because under the very terms of the measure if there were any evidence at all, even from the complainant, that the Senator from North Carolina had discriminated against an alien, for example, because he did not choose him to fill the position, for instance, of manager of his business, the circuit court of appeals could afford the Senator from North Carolina no relief, regardless of how lop-sided the record might be in his favor. If there were any evidence whatsoever in support of the complaint, the Senator from North Carolina would be sent to jail.

Mr. BAILEY. Yes; and not only would I be sent to jail, but I would be sent to jail until I rotted. Sentences in contempt-of-court cases are in the discretion of the court. In such cases the sentences are not determined in accordance with statute, but the court can say, "You stay in jail until we say that you may leave, for otherwise you bring the court into disrepute."

Mr. President, I never thought I would ever see such a proposition advanced. When I came to the Senate it never occurred to me that I would have to make a speech in protest against such a proposal. When I was running for office down yonder in North Carolina it never occurred to me that anything like this would be one of my functions. But here I am; and it is a reality, it is a tragedy, it is a shame, and it is a disgrace—the very idea that the Senate has been brought to this point, the idea that this country has been brought to this point, the idea that those of us who oppose this measure are being held up in the American newspapers for criticism and scorn and denunciation, when we are standing here to defend the most precious rights of our fellow citizens.

Mr. President, it does not mean anything to me personally. I do not employ anyone and I am not going to employ anyone. But I am thinking about the great host of people in my State. I am not appealing for their votes, either. I am not saying anything to tickle their ears. Nor am I running away from the threats of those who say that I will lose certain votes. It does not make a bit of difference. I am sworn to support the Constitution; I am sworn to support the same Constitution for which 13,000,000 Americans fought in the recent war, for which 300,000 or 400,000 of them died, and for which 300,000 more are walking with armless sleeves and wooden legs. Why should not I stand up for the Constitution for them in order to pay in some small way the debt I owe them? Those who run from such an obligation are unworthy of the sacrifices made by the men who died and the men who wore the uniform of our country and the men who now are returning from the war.

Mr. President, it is a strange day; the proposition before us is a strange one. Here, after six centuries, it is proposed to deny to American citizens the right of trial by jury; it is proposed to assert the power to put an American in jail without a judgment from his peers, without the ancient finding of facts which through the centuries has been developed as the best means of which men know for finding the truth. If that can be done in the name of the commerce clause of the Constitution, if that can be done in the name of fictitious privileges and immunities, the time will come when some of us will be put in the electric chair or in the gas chamber or under the noose without the benefit of a trial by jury, but simply by order of a judge.

So, Mr. President, we stand here in a grave situation. There are persons who regret that this measure has come up at a time when so many important matters are in the minds and hearts of the American people and when distress and confusion confront the Nation. I am here to say that resistance to this proposal is as important a matter as any which has been presented to this country since the day when, with broken hearts, we called our boys to arms.

Mr. President, I could say considerably more, but I think I shall conclude with just one further word. I have been here 15 years now, the coming March. I have seen the process of nationalization going, going, going, like the vortex of a hurricane. We have nationalized agriculture, we have nationalized labor, we have

nationalized industry, we have nationalized here, we have nationalized there. The power is here; but there seems to be no help here, no capacity to stem these trends. I heard President Hoover protest against the tendencies toward nationalization. I heard him say to the newspapermen of America that it was wrong, that it was a mistake; and then he said to them, "Gentlemen of the press, if you know how to stop it, kindly let me know."

Then came on that horrible whirlwind, to change utterly the character of the country, striking down the rights of the States, uprooting the powers and privileges of the people.

Still we go on, and now we come to this, one further step. I have resisted most of the process, Mr. President, and I am glad I have. I have no apologies to make, and I shall continue to resist. I do not believe a government which goes that way can go much farther. I do not believe a people who go that way can go much farther. We are now in a period very much like the one which followed the French Revolution and the Napoleonic Wars: Confusion everywhere, a want of a sense of direction, a want of order. In Europe at that time there appeared Metternich, the statesman, the Prime Minister of Austria, and the political conqueror of Napoleon. He became the coachman of Europe. All the nations rode in his coach. Mr. President, what do you think was his motto? What was the guiding principle of his life? Read his life. Metternich was guided by one principle. He said in effect: "Nationalism means Jacobinism and Jacobinism means chaos." Nationalism means extremism. The greatest extremist is oftentimes the most popular candidate. Let him beware. Let him follow the Jacobin school of the extremists and he will be led into hopeless chaos.

Even Metternich resisted until 1749 and then fled for his safety to the British Isles. All Europe flared up. The German Empire rose. Von Moltke and Bismarck rose. France flared up. Later she fell in ashes, just as she has fallen since. Those nations never got anywhere, and we shall not get anywhere now until there shall be reestablished the great principles of individual human rights, local self-government, and the powers of the American States to attend to the needs of their people. We are now in the Jacobin period, and unless we take great heed we will be in the chaos period tomorrow.

Mr. RUSSELL. Mr. President, I wonder if I may inquire as to the plans of those in charge with respect to a recess or an adjournment. I should like to know whether it is proposed that we continue into the night. We have heard many conflicting statements, including extreme threats and maledictions. I did not know just what the program was, and I wanted to be given some idea as to how long it is expected that we shall continue, whether we are to hold a session tonight and whether cots have been rolled in as one Senator has suggested. If it is proposed that we carry on, I wish to suggest the absence of a quorum. I do not wish to discommode my brethren who are in their offices, or performing work elsewhere, but if we are to continue until a late hour I shall suggest the absence of a quorum. I have received no information except what I have heard from the Senator from Maine in an informal conference.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. I wish to say to the Senator from Georgia that this afternoon has been the first time that we have heard a discussion of the merits of the bill. I wish to congratulate the Senator from North Carolina [Mr. BAILEY], if the Senator from Georgia will allow me to do so, for explaining his views with regard to the merits of the bill. It is my understanding that the Senator from Georgia would like to discuss the merits of the bill, and inasmuch as the merits should be discussed I think it is only proper that we should proceed and hear the Senator from Georgia.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

Mr. WHITE. Mr. President, will the Senator withhold his suggestion?

Mr. RUSSELL. I withhold my suggestion of the absence of a quorum.

Mr. WHITE. I am not one of those who have the immediate or direct responsibility of handling this legislation during the course of the day. However, I believe that I am justified in saying that the members of the minority in the Senate are strongly of the hope that the debate may continue at greater length than it has gone so far. I hope that today, or at least tomorrow, the debate may be continued until 6 o'clock in the afternoon. That should give us an opportunity, through the clarification which may be made, and the discussion which will be had of the bill, to better determine what the procedure shall be and what the length of the discussion should appropriately be. During that time we should hear a somewhat detailed exposition or explanation of the various provisions of the bill. There are questions with respect to the bill which I should like to ask and, if the Senator from Georgia or some other Senator on the majority side proceeds with the discussion I might desire to ask him some of those questions. I feel that we should not close the Senate sessions at 5 o'clock in the afternoon when there is so much public interest being shown, and so much interest in the Senate itself in regard to the proposed legislation. From 12 noon to 6 o'clock in the afternoon is not a day of undue hardship.

Mr. RUSSELL. Mr. President, I am always glad to do whatever I can to cooperate with the distinguished Senator from Maine in carrying on the business of this body. It is customary at a time such as this that some announcement be made on the floor of the Senate with respect to the length of time that the Senate will be expected to remain in session. It is now approximately 5 o'clock in the afternoon, which is a time when the Senate ordinarily and customarily adjourns. We have heard a great deal of talk about a filibuster being in progress with regard to a bill which has been before the Senate for only 3 days.

I was very much intrigued by the technique which was employed to depreciate the efforts which are being made by those of us who are resisting the bill. An attempt has been made to inflame the minds of the American people to the extent that they will close their ears to the very substantial objections which we think lie against this bill. On Thursday last the Senator from New Mexico [Mr. CHAVEZ] made a motion to take up the bill. I shall not complain of the manner in which the motion was made. The majority leader and the minority leader both suggested that it was in keeping with custom and tradition, as well as a proper respect to be shown to the President of the United States, to defer consideration of any pending measure until after his message was received and read. The Senator from New Mexico was within his rights in making the motion which he made, although many of us who oppose the bill had an understanding that the motion would not be made. I may say frankly that the motion caught us flat-footed. For the first time in 13 years that I have been a Member of the Senate, I was downtown at a luncheon on a day when the Senate was in session. I certainly would not have been there had I had the slightest idea that any bill would be taken up.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. There is no particular reason for any Senator to complain of being taken flat-footed, because nothing of the kind was intended.

Mr. RUSSELL. Very well. Whatever was intended, or whatever happened, under the rules we are back in the same position which we were in before the Senator made his motion, so we have not lost in any way.

Mr. CHAVEZ. The Senator is correct. No one is complaining to him. I was glad that the Senator from North Carolina this afternoon discussed the bill on its merits. He might be correct. The proponents of the bill do not contend that they are infallible. We have our views. The Senator from North Carolina may be correct in his views. So long as the bill shall be debated there will be no intention of deterring any Senator from expressing his views. Before the Senate reconvened I personally told the Senator from Mississippi of my intentions. He asked, "Senator, do you intend to bring up the bill?" I said, "Yes."

Mr. RUSSELL. Mr. President, we all knew the bill would be brought up, but we did not think it would be brought up until after the President's message was read. I am not complaining about that. I was discussing the technique which was employed to prejudice the people of this country against those who are opposed to what they believe is a vicious proposal eventually to nationalize all the business, industry, and agriculture of this Nation. The Senator from New Mexico held the floor for most of one afternoon. He talked in support of his bill much longer than anyone else, and then he went on the radio in the evening and said that a terrible filibuster was being conducted against the bill, and that it was neces-

sary to see that the rights of the majority were not obstructed by the minority. He referred to "these Southern Democrats," I do not know that he used that exact expression, but he used it in his conference with commentators, and the airways were full of it.

My good friend from Oregon [Mr. MORSE], with fine timing dusted off the ancient idea of a continuous session when the bill had not been before the Senate for two regular sessions, and rushed in with a statement which went out through all the airways and through all the press, suggesting that we wheel a great many cots into the rooms around the Senate, and hold the Senate in continuous session for 24 hours a day in order to stop all this terrible obstructionism which was being displayed against the bill. The bill had not been before the Senate for as long a time as the Senator from Oregon talked about the "soft lambs," or whatever it was, last fall.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BANKHEAD. Did any of those who proclaimed so loudly and so quickly get the headlines in the newspapers?

Mr. RUSSELL. The Senator can well draw that conclusion.

Mr. McCLELLAN. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. McCLELLAN. If we are to discuss this measure, if that is the purpose, and that is what its sponsors desire, we are not going to discuss it very long in the absence of a quorum, so long as I am on this floor. I am not going to remain here and listen to a discussion and let others stay away, and if we are to have these long sessions, there are going to be about 49 of us present, so long as I am in a position to make a point of order that there is not a quorum present.

Mr. RUSSELL. Mr. President, as I was saying, I think the position of the Senator from Oregon was particularly unkind toward us, because if someone had asked me—and I stay around the Senate pretty regularly—to say what Senators had made more speeches and had talked more words into the CONGRESSIONAL RECORD than any other Senator during the first session of this Congress, I would have said that the distinction should be awarded to the Senator from Oregon. Perhaps the Senator from North Dakota [Mr. LANGER] was a little ahead of him, but certainly one of the two would have earned that distinction. I heard the Senator from Oregon proclaim most eloquently about the right of free speech. One day a Senator became a little irritated because the "soft-lamb" discussion was taking up time which he thought should have been devoted to considering legislation, and I was much impressed with the histrionic ability and the fervid eloquence with which the Senator from Oregon insisted upon his right of full discussion.

Now, with one speech made on the bill, and the bill before the Senate for 2 days under this unusual technique, there is an effort to prevent a full exposition or explanation to the American people of the defects in the proposal. The proponents of the measure filled the newspapers with the statement and got all the left-wing radio commentators saying that a filibuster had developed.

Mr. President, it is nothing unusual in the Senate to discuss important legislation for as much as 1 week. This is the first time to my knowledge since I have been a Member of this body that a filibuster has been proclaimed before a bill was not on the floor of the Senate. This is the first time there was a suggestion that we start having more lengthy sessions that ordinary when a bill has not even been explained in any detail by those who are supporting it.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. RUSSELL. In just a moment.

Mr. CHAVEZ. For just one question.

Mr. RUSSELL. I yield.

Mr. CHAVEZ. If the Senator from Georgia wants the Senate to recess at any particular time this afternoon, let that be known.

Mr. RUSSELL. I was suggesting that the idea of holding the Senate here until 6 o'clock, when the bill has just come before the Senate, is merely a part of the purpose to try to influence the American people into thinking that all the opposition is by just "a lot of those infernal southern Democrats," when no one has even undertaken to explain the bill in detail, in all its provisions, even the supporters of it.

I resent this insidious campaign. I can take my part of the abuse and my colleagues who are associated with me in this fight can take theirs, but I say it is a bit unfair to start a shadow filibuster when the only time taken on the bill has been used by the proponents of the proposed legislation.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. I believe that my good friend on my right has been quoted in the papers as saying that he would take 30 days "at one crack," and that he was going to have two cracks at it.

Mr. RUSSELL. That came out after the Senator had proclaimed the filibuster over the airways, after he had finished speaking on the bill and went to a radio studio and said there was a filibuster on his bill.

Mr. CHAVEZ. I repeat, even though I do not agree with him, I compliment the Senator from North Carolina, because he discussed the bill itself. I am sure the Senator from Georgia never acts here with the idea of interfering with the Senate, but tries to give his opinion as to what he thinks about proposed legislation. I am sure that the Senator from Georgia should have all the time necessary, ample time, and reasonable hours, and he will have, so far as I am concerned. But I do have a little respect for propriety. I was hoping I would get our leader on the floor today so that I could discuss with him what we should do. But it happens that on account of unavoidable reasons the leader is not present, so we are asking and I think it would be proper, as suggested by the Senator from Maine—that we proceed. If the Senator now desires, so far as I am concerned I should not interpose an objection to recessing.

Mr. RUSSELL. Mr. President, I wish to make it clear that those who are opposing the bill are not in the least impressed or intimidated by the threat of permanent sessions. We will be here.

I wish to say further, Mr. President, that those who are saying that we should take up the bill at this critical time because there is nothing else that can be brought before the Senate, that there is no other proposed legislation, might tell that to the uninformed, but they do not fool Senators with that kind of talk.

Mr. BALL and Mr. MAYBANK addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Georgia yield, and, if so, to whom?

Mr. RUSSELL. I shall yield in a moment. There is not a Member of this body who does not know in his own heart that the very pendency of this measure here has already gravely impaired the functioning of the committees of this body, where all legislation must first see the light. There is not a Member of the Senate who does not know that if we start meeting at 11 o'clock—and we who are opposing the bill will be here, if the majority says so—it will absolutely paralyze the functioning of the committees. If Senators carry out the threat of holding continuous sessions, we will be here, but there is not a Member of this body who does not know that if the Senate is kept in session for 60 hours, it will be incapacitated for intelligent legislation for weeks, if not for months.

Those who brought this bill up knew it was going to provoke a fight when it was brought up. There is not a man in the Senate, or among the members of the press, or among the radio commentators, who did not know the bill was going to provoke a long and bitter fight. We did not think this was the time for this bill to come up. We deplore it coming up now. But we are ready to meet it. Senators can wheel in their cots. There are some of us who know our rights on the floor of the Senate, and when they wheel in their cots, we will wheel in ours. Ours may not be accompanied by a string of newspaper reporters, there may not be as many flashlight bulbs that will pop when we wheel in ours as when they wheel in theirs, but we know our rights, and we are prepared to assert them and we will sleep with clear consciences.

I say the effort to put those who are opposing the bill, even before the bill had been explained to the Senate, in the position of conducting a filibuster was merely to prejudice our cause in the minds of the American people, and it could not have been designed for any other purpose.

I now yield to the Senator from Minnesota.

Mr. BALL. Mr. President, so far as I am concerned, if Senate bill 101, which is now the unfinished business, had really been discussed on Friday as it is being discussed today there would have been no implication on my part that a filibuster was developing. Certainly I think a week of discussion, perhaps 2

weeks, on a bill of this kind is not too long, but I remind the Senator from Georgia that on Friday the unusual procedure of insistence on the reading of the Journal of the preceding day was resorted to, and that is now the pending business before the Senate; Senate bill 101 is not. Of course, the Senator is aware of the fact that the cloture rule of the Senate is defective in that it does not apply to the present unfinished business, but I think it perfectly obvious what the purpose is.

Mr. RUSSELL. The Senator can draw any conclusion he wishes to draw, but we had a perfect right to protect ourselves, the bill having been made the unfinished business, whether it was through a misunderstanding or through dereliction on our part, and we were denied our right to debate the motion to proceed with the bill by having the motion made during the morning hour, when it was not debatable. We could have protected ourselves in that matter if we had known the bill was going to be taken up, but inasmuch as we did not we sought to recapture the parliamentary advantage we had lost. There is nothing new in having the Journal read to recapture a parliamentary advantage. I did the same thing on another occasion, when there was another bill pending before the Senate.

So far as I am concerned, I propose to discuss the bill as long as I choose and make any statements which I think are relevant to the present situation, such as the pressure campaign that is being waged to try to secure the enactment of the bill, featured by the multitude of threats and maledictions which have been hurled even before the bill has been explained to the American people. But certainly we would have been foolish when we had an opportunity to recapture our parliamentary advantage if we had not done so. As I stated a few minutes ago, some of us know our rights on this floor, and we propose to assert them. O, Mr. President, there is not a rule of the Senate that is drawn in view of helping the majority cram legislation down the throat of the minority—there is not one.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MAYBANK. I wanted to ask the distinguished Senator from Georgia if he did not also believe that we, perhaps in the minority temporarily, realize and appreciate the status of the minorities in this country, and in view of the fact that perhaps we might be the minority in connection with this bill, that if we should succeed in recapturing anything which the minorities should recapture, we would have done so in the interest of the minorities of this country?

Mr. RUSSELL. Mr. President, of course, the Senator from South Carolina knows that if there is anyone in this body who is in a position to sympathize with any poor, maligned, and abused minority anywhere, it is one of those who bears the label of a southern Democrat. We are charged with responsibility for everything that anyone dislikes because we represent a pattern of the country that does not appeal altogether to some of those from other sections. Mr. President, anyone who reads newspaper articles which are in any wise critical of the Senate will note that usually the writer winds up by placing the blame on the southern Democrats. We are accustomed to that and we are perfectly willing to bear it. Writers may use it as a calumny, but I accept it as a badge of honor, so far as I am concerned.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. RUSSELL. Yes; I am glad to yield to the Senator from Maine.

Mr. WHITE. I should like to say a word in response to what the Senator from Georgia has just said about southern Democrats. I want it to be known, so far as I am concerned, that I have only respect for Members of the Senate from what we call the Southern States. They are gentlemen; they are men of ability; they are men of character; and I am proud to be associated with them in this body.

Mr. RUSSELL. Mr. President, that is indeed balm to our wounded feelings in this most recent campaign which has gone out over the air and through the press. Coming from the distinguished Senator from Maine it will probably be a complete panacea for our hurts, and it will probably determine our course of action tomorrow.

Mr. WHITE. Mr. President, there has been some restlessness because of a suggestion that there was a filibuster under way and a somewhat sharp denial of the fact. Mr. President, there can be no denial of the fact that a filibuster is impending and that a filibuster has been threatened over and over again. We have the record with respect to the Journal, called attention to by the Senator from Minnesota [Mr. BALL]. That was a part of a filibuster. And when Senators try to say it was not, they are undertaking to fool the country, and worse still, they are undertaking to fool themselves.

Another Senator, on the other side of the aisle, at whom I am now looking, but whom I do not now call by name, has spoken of the speeches he is to make, and he has indicated that his first speech is to be for 30 days' time. Other Senators have indicated that they propose to talk against this proposed legislation as long as they are able to stand on their feet and give utterance to words, if not to thoughts. In the face of that situation, I do not think anybody can deny that a filibuster is in process, that a filibuster is in purpose.

Now may I offer a little gratuitous and unsought advice. I happen to be one of those, Mr. President, who, as I am now advised, shall vote against this bill if it comes before the Senate for passage. After all, the key to this whole situation is whether there are sufficient votes in this body to order a cloture or whether there are not sufficient votes to do that. I think the sooner that question is determined, the sooner we arrive at a conclusion as to whether the Senate of the United States is to invoke a cloture against itself, the better it is for all concerned. I think we will stand better before the country when we have determined that question. And if it appears that there is not a sufficient number to invoke cloture, then I assume that this proposed legislation will disappear from the calendar and be removed from our consideration. If, on the other hand, there are votes in sufficient number to invoke cloture, then the only recourse is the passage of the legislation or continued and indefinite talk.

If I had my own way about this situation, and I say this in good spirit and in good faith to those who feel strongly against the pending bill—if I had the responsibility of decision which is theirs, I would welcome an early vote, because I say that if they have the votes to prevent cloture, they can stop this legislation, and if they do not have the votes to prevent cloture, then the legislation is ultimately going to pass, and it is better for all concerned, in my opinion, that a decision is reached and the matter disposed of. The country will approve of it, and I think the Senate of the United States will think more of itself.

Mr. RUSSELL. Mr. President, I appreciate the advice of the Senator from Maine. Of course, I am not at all surprised that the Senator states that he will vote against this proposed legislation. I have known and followed the Senator and have been one of his admirers since the first day I became a Member of this body. There is not a sounder legislator here. The Senator from Maine would not fall in the category of some of those supporting the bill who work both sides of the street, who seem to think that thereby they will get the Republicans into power.

I have here, and I intend to use it before I conclude, a little statement issued by one of the extreme left-wing aggregations. They are sending out instructions to their people. They say, "Here are the instructions to be given to the voter." They say, "Go to your Congressman." They say, "If he is a Republican tell him that he is bound by his party platform to vote for the FEPC bill. If he is a Democrat tell him that the Democrats will lose the next Congress if they lose the Negro vote, and therefore that he will have to support the measure."

Of course, I think those people do not evidence a very exalted idea of the intelligence of the Republican Party to say that simply because they came out in their platform for a Fair Employment Practice Committee, the Republicans have got to accept this misnamed fair employment bill. Certainly if the Republicans vote for this bill in its present form they will sell their birthright for a mess of state socialism and perhaps a few votes. The Republican Party should have the wisdom and courage to assert the right to say the kind of fair employment practice committee they are willing to support.

Some call this bill a fair employment bill. That is the worst misnomer in all history. If a bottle of strychnine were to be labeled as a "cure for any ailment" it would be just as sensible as to call this a fair employment practice bill. Republican Senators will do well to consider it and to see how it jibes with the other planks in their platform.

Mr. President, I am intending to speak on this bill. I have done some little work on this bill, not by way of having written a speech about it, but in attempting to study and analyze it. I have never found as many defects in one bill and have never seen so much avaricious grasping, and seeking for power in any one commission as is sought in this bill. I think I can convince almost any Member of the Senate of that fact. But I do not want to undertake to make that speech this afternoon. We have had a long and hard day. I wonder now if Senators are going to charge the President of the United States with being a southern Democrat for sending in such a lengthy message at this time. I am sure he would have been accused if he had not specifically and in terms stated that he was for some kind of fair employment practice commission.

Mr. President, the bill has been discussed by the Senator from North Carolina [Mr. BAILEY]. I do not believe that we should be required to continue in session this evening. I do not believe that I should be forced to begin a speech tonight, and take it up again tomorrow. I do not like to do that, and no other Member of the Senate likes to do it. We can protect ourselves by parliamentary devices; but what is the need for calling for a quorum of the Senate at this time? It would be 6 o'clock before we could assemble 49 Senators in the Chamber. I appeal, even to those who wish to cram this measure down our throats in a legislative lynching, without any hearing, and without an opportunity to point out to the country the infirmities of the bill. I appeal to them to show enough fairness to let us suspend at this time until tomorrow. I do not wish to be compelled to resort to all the parliamentary devices which I could use to bring Senators into the Chamber. It may be much later than 7 o'clock before any speech is made. I do not wish to resort to such parliamentary tactics. I appeal to the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Maine [Mr. WHITE] to let us take a recess at this time. We were not put on notice that the Senate was expected to remain in session until 6 o'clock.

The bill will be discussed. I may say to my friend from Maine that I have not denied that there will be a filibuster against the bill. So far as I am concerned, if my colleagues will stand with me there will never be a vote on cloture unless we know beyond peradventure that the motion for cloture will be defeated. We shall require every assurance of it. I believe that the bill is so iniquitous that we are thoroughly justified.

As I stated a few minutes ago, before I was interrupted, the rules of the Senate were not designed to help the majority of Senators. They were designed to protect the rights of the minority. Those giants of yesteryear who wrote the rules knew that there would be times when pressure groups would exert their influence upon Senators. They knew that there would be times when the unwary would fall into commitments, when the timorous would be intimidated by pressure groups. They wrote the rules so that a minority, which was so convinced of the righteousness of its cause that it was willing to take any form of abuse, might block a bill. I defy any Member of the Senate to go back through the pages of the history of this body and point to one piece of legislation ever defeated by a filibuster which was really material to the welfare, happiness, and prosperity of the people of the United States. When the majority is absolutely right, the rules suffice. When the majority is wrong, the rules protect the minority in demonstrating that fact.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. Prior to the time when the Senator from Georgia made his last statement, to the effect that so far as he was concerned we would never have an opportunity to vote on cloture——

Mr. RUSSELL. I said until we knew something about what the vote would be.

Mr. CHAVEZ. Prior to the time when the Senator made that statement, it was my intention to plead with the Senator from Maine; but so long as that is the position of the Senator from Georgia and other Senators, we might as well proceed.

Mr. RUSSELL. Very well.

Mr. President, I move that the Senate take a recess until 12 o'clock noon tomorrow.

Mr. WHITE. Mr. President——

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	Gossett	McKellar
Ball	Guffey	Maybank
Bankhead	Hart	Millikin
Bilbo	Hawkes	Morse
Briggs	Hayden	Murdock
Byrd	Hickenlooper	Radcliffe
Chavez	Hill	Russell
Cordon	Hoey	Taft
Ferguson	Huffman	Wiley
Gerry	La Follette	McClellan

The PRESIDENT pro tempore. Thirty Senators having answered to their names, a quorum is not present. The clerk will call the names of the absent Senators.

The Chief Clerk called the names of the absent Senators; and Mr. CAPPER, Mr. DONNELL, Mr. GURNEY, Mr. HATCH, Mr. LANGER, Mr. MCCARRAN, Mr. MCFARLAND, Mr. MCMAHON, Mr. MEAD, Mr. SALTONSTALL, Mr. STANFILL, Mr. TOBEY, Mr. TYDINGS, and Mr. WHITE answered to their names when called.

The PRESIDENT pro tempore. Forty-four Senators having answered to their names, a quorum is not present.

Mr. BALL. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDENT pro tempore. Without objection——

Mr. RUSSELL. Mr. President, may the motion of the Senator from Minnesota be stated again?

Mr. BALL. I have moved that the Sergeant at Arms be directed to request the attendance of absent Senators.

Mr. RUSSELL. Mr. President——

The PRESIDENT pro tempore. The motion is not debatable.

Mr. RUSSELL. Therefore the Senate can send out at this hour of the evening and can inconvenience Members of the Senate without even considering the matter? If that is the case, very well.

The PRESIDENT pro tempore. A majority of the Senators present can enter such an order.

Mr. RUSSELL. On that motion I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. BARKLEY], the Senator from Nevada [Mr. CARVILLE], the Senator from California [Mr. DOWNEY], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Georgia [Mr. GEORGE], the Senators from Rhode Island [Mr. GERRY and Mr. GREEN], the Senator from West Virginia [Mr. KILGORE], the Senators from Washington [Mr. MAGNUSON and Mr. MITCHELL], the Senator from Texas [Mr. O'DANIEL], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Louisiana [Mr. OVERTON], the Senator from Idaho [Mr. TAYLOR], the Senator from Oklahoma [Mr. THOMAS], the Senator from Utah [Mr. THOMAS], the Senator from New York [Mr. WAGNER], the Senator from Massachusetts [Mr. WALSH], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business as a member of the Mead committee.

Mr. WHITE. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations now being held in London.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee.

The Senator from Wyoming [Mr. ROBERTSON] is absent on business.

The Senator from Oklahoma [Mr. MOORE] is unavoidably absent.

The Senator from Vermont [Mr. AIKEN], the Senator from Maine [Mr. BREWSTER], the Senator from Indiana [Mr. CAPEHART], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Delaware [Mr. BUCK], the Senator from South Dakota [Mr. BUSHFIELD], and the Senator from Kansas [Mr. REED] are detained on official business.

The Senator from Connecticut [Mr. HART], the Senator from Nebraska [Mr. WHERRY], the Senator from Minnesota [Mr. SHIPSTEAD], and the Senator from Iowa [Mr. WILSON] are detained on official business.

The Senator from New Hampshire [Mr. BRIDGES] has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from Kansas [Mr. REED] has a general pair with the Senator from New York [Mr. WAGNER].

The result was announced—yeas 35, nays 22, as follows:

YEAS—35

Austin	Gurney	Murray
Ball	Hawkes	Myers
Briggs	Hickenlooper	Pepper
Brooks	Huffman	Radcliffe
Butler	Johnson, Colo.	Saltonstall
Capper	La Follette	Stanfill
Chavez	Langer	Taft
Cordon	Lucas	Tobey
Donnell	McMahon	White
Ferguson	Mead	Willis
Gossett	Morse	Young
Guffey	Murdock	

NAYS—22

Bailey	Hill	Millikin
Bankhead	Hoey	Revercomb
Bilbo	Johnston, S. C.	Russell
Byrd	McCarran	Stewart
Eastland	McClellan	Tydings
Ellender	McFarland	Wiley
Hatch	McKellar	
Hayden	Maybank	

NOT VOTING—39

Aiken	Gerry	Robertson
Andrews	Glass	Shipstead
Barkley	Green	Smith
Brewster	Hart	Taylor
Bridges	Kilgore	Thomas, Okla.
Buck	Knowland	Thomas, Utah
Bushfield	Magnuson	Tunnell
Capehart	Mitchell	Vandenberg
Carville	Moore	Wagner
Connally	O'Daniel	Walsh
Downey	O'Mahoney	Wheeler
Fulbright	Overton	Wherry
George	Reed	Wilson

So Mr. BALL's motion was agreed to.

The PRESIDENT pro tempore. The motion of the Senator from Minnesota is agreed to; but the presence of a quorum having been developed on the yea-and-nay vote, the question recurs on the motion of the Senator from Georgia that the Senate take a recess until 12 o'clock noon tomorrow.

Mr. RUSSELL. Mr. President, I do not wish to suggest that we have the yeas and nays on the question. I ask the Senator from New Mexico [Mr. CHAVEZ] to make a motion for a recess.

Mr. CHAVEZ. Mr. President, I wish to do so, but I want to be agreeable with what the majority has now decided. I inquire of the minority leader the distinguished Senator from Maine [Mr. WHITE] if it will be agreeable to him for the Senate now to take a recess. It is almost a quarter to 6 o'clock.

Mr. WHITE. Mr. President, so far as I am concerned—it is now within 15 minutes of 6 o'clock—I shall interpose no objection.

Mr. CHAVEZ. Mr. President, I move that the Senate take a recess until 12 o'clock noon tomorrow.

Mr. WHITE. I should like to say that tomorrow I shall renew my efforts to continue the Senate in session until 6 o'clock in the afternoon.

Mr. RUSSELL. Mr. President, I can assure the Senator from Maine that on tomorrow I shall not resort to any device such as that of roll calls, other than the normal quorum call at the conclusion of my speech.

RECESS

Mr. CHAVEZ. Mr. President. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 46 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, January 22, 1946, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 21, 1946

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Most Holy Father of all mankind whose footprints are in all creation and whose spirit is in the hearts of Thy children, speak to us today in the sacred silences of our thoughts. In this hour, when our deeds should sound aloud the note of progress, O clear our judgments, reveal unto us our whole duty, and charge us fearlessly to follow the truth.

As our fellow citizens have trusted us and ventured the destiny of our land in our hands, may we not fail them. Therefore, seeing we are compassed about with so great a cloud of witnesses, let us lay aside every weight and the sin that doth so easily beset us, and prove to the world that we are, indeed, a land of the free and the home of the brave. So manifest Thyself in all our decisions that we may never be drawn aside from the path of loyalty to our people. In the fear of the Lord, may our conscience and devotion to our Republic transform every purpose. Forgive what we have been, help us to amend what we are, and in Thy spirit direct what we shall be, that Thou mayest come into the full glory of Thy creation, in us and all men, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Friday, January 18, 1946, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had adopted the following resolution (S. Res. 217):

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JOSEPH W. ERVIN, late a Representative from the State of North Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now take a recess until 12 o'clock noon on Monday next.

THE STEEL STRIKE

Mr. KELLY of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

[Mr. KELLY of Illinois addressed the House. His remarks appear in the Appendix.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES ON THE STATE OF THE UNION AND TRANSMITTING THE BUDGET

The SPEAKER pro tempore laid before the House the message of the President on the state of the Union and transmitting the Budget.

(For message, see p. 136 of the proceedings of the Senate of this date.)

Mr. RICH (interrupting the reading of the message). Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The Clerk read a message from the President of the United States, and the Chair feels that an inquiry at this time should not be entertained.

Mr. RICH. Mr. Speaker, I think it is wise that the membership of the House hear the President's message, and I make a point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. GORE. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 3]

Allen, La.	Fisher	Monroney
Angell	Fogarty	Morrison
Baldwin, Md.	Fulton	Murray, Tenn.
Barrett, Pa.	Gallagher	Norton
Barrett, Wyo.	Gamble	O'Konski
Bates, Mass.	Gerlach	O'Toole
Beall	Gibson	Outland
Beckworth	Gorski	Pfeifer
Bender	Graham	Philbin
Bennet, N. Y.	Granahan	Plumley
Bloom	Grant, Ala.	Poage
Bolton	Gross	Powell
Bradley, Pa.	Hall,	Quinn, N. Y.
Brehm	Leonard W.	Rabin
Brumbaugh	Hand	Rayfiel
Buckley	Hart	Reed, Ill.
Bunker	Healy	Reed, N. Y.
Byrne, N. Y.	Hébert	Rivers
Byrnes, Wis.	Herter	Rizley
Campbell	Izac	Roe, N. Y.
Canfield	Jensen	Rooney
Cannon, Fla.	Johnson, Ill.	Russell
Cannon, Mo.	Johnson,	Scrivner
Celler	Lyndon B.	Simpson, Pa.
Chapman	Judd	Snyder
Clippinger	Keogh	Somers, N. Y.
Coffee	King	Stigler
Colmer	Kinzer	Sumner, Ill.
Cooley	Kunkel	Sundstrom
Corbett	Lane	Taylor
Curley	Larcade	Thomas, N. J.
Dawson	Latham	Tibbott
Delaney,	Lemke	Torrens
James J.	Luce	Traynor
Delaney,	Lynch	Wasielewski
John J.	McGehee	Weichel
Dingell	McGlinchey	Welch
Douglas, Calif.	Maloney	West
Douglas, Ill.	Marcantonio	White
Durham	Martin, Iowa	Whittington
Elsaesser	Mathews	Wickersham
Fellows	Miller, Calif.	Winter

The SPEAKER pro tempore. On this roll call 303 Members have answered to their names; a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

The Clerk resumed the reading of the President's message.

Mr. RICH (interrupting the reading of the President's message). Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. SABATH. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 4]

Allen, La.	Fogarty	O'Konski
Anderson, Calif.	Fulton	O'Neal
Andrews, N. Y.	Gallagher	O'Toole
Angell	Gamble	Outland
Baldwin, Md.	Gardner	Peterson, Ga.
Barrett, Pa.	Gearhart	Pfeifer
Barrett, Wyo.	Gerlach	Philbin
Bates, Mass.	Gibson	Ploeser
Beall	Gorski	Plumley
Beckworth	Graham	Poage
Bender	Granahan	Powell
Bennet, N. Y.	Grant, Ind.	Price, Ill.
Biemiller	Gross	Quinn, N. Y.
Bishop	Hand	Rabin
Blackney	Hare	Reed, Ill.
Bland	Hart	Reed, N. Y.
Bloom	Hartley	Resa
Bolton	Healy	Rivers
Boykin	Hébert	Rizley
Bradley, Pa.	Heffernan	Robinson, Utah
Brehm	Herter	Roe, N. Y.
Brumbaugh	Hess	Rogers, N. Y.
Buckley	Holifield	Rooney
Bulwinkle	Jensen	Rowan
Bunker	Johnson, Calif.	Russell
Burgin	Johnson, Ill.	Sasscer
Byrnes, Wis.	Johnson,	Scrivner
Canfield	Lyndon B.	Shafer
Cannon, Fla.	Kee	Sheridan
Case, S. Dak.	Keefe	Short
Chapman	Keogh	Simpson, Pa.
Clark	Kerr	Snyder
Clason	Kilday	Somers, N. Y.
Clippinger	King	Sparkman
Coffee	Kinzer	Stewart
Colmer	Kunkel	Stockman
Cooley	LaFollette	Sumners, Tex.
Corbett	Lane	Sundstrom
Crawford	Larcade	Taylor
Crosser	Latham	Thomas, N. J.
Curley	Lea	Thomas, Tex.
Curtis	Luce	Thomason
Davis	Lynch	Tibbott
Dawson	McGehee	Torrens
De Lacy	McGlinchey	Towe
Delaney,	McMillan, S. C.	Traynor
James J.	Maloney	Voorhis, Calif.
Dingell	Marcantonio	Weichel
Douglas, Calif.	Martin, Iowa	Welch
Douglas, Ill.	Mathews	West
Drewry	May	White
Durham	Miller, Calif.	Whitten
Elsaesser	Mills	Wickersham
Elston	Monroney	Wigglesworth
Engle, Calif.	Morrison	Winstead
Fellows	Murphy	Winter
Fenton	Murray, Tenn.	Worley
Fisher	Norton	

The SPEAKER pro tempore (Mr. McCORMACK). Two hundred and fifty-four Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The Clerk concluded the reading of the President's message.

Mr. PRIEST. Mr. Speaker, I move that the President's message and the accompanying report from the Director of War Mobilization and Reconversion be referred to the Committee of the Whole House on the State of the Union and ordered to be printed, and so much of the President's message as relates to the Budget be referred to the Committee on Appropriations and ordered to be printed.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee.

The motion was agreed to.

CONSENT CALENDAR.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the call of the Consent Calendar for today be dispensed with and that it may be in order to call the Consent Calendar tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

EXTENSION OF REMARKS

Mr. MANSFIELD of Texas (at the request of Mr. PRIEST) was given permission to extend his remarks in the RECORD and include a resolution.

PARLIAMENTARY INQUIRY

Mr. CASE of South Dakota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CASE of South Dakota. Is the Chair willing to recognize Members at this time to extend their remarks in the RECORD?

The SPEAKER pro tempore. The Chair will now recognize Members to submit requests to extend their remarks in the RECORD and also to address the House for 1 minute. The Chair is glad the gentleman has made this inquiry.

WAGES IN THE STEEL INDUSTRY

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, the older Members of this Congress can vividly recall the words uttered by Judge Elbert Gary during the steel wage dispute immediately after World War I. Judge Gary, then president of the board of the United States Steel, stated in a speech at Gary, Ind., that steel could not be profitably produced unless labor worked 12 hours per day and 7 days per week.

On last Friday, Benjamin Fairless, today's president of the United States Steel, was quoted in the press as saying "great financial harm will result to the industry if they are compelled to comply with President Truman's compromise recommendation of an 18½-cent-per-hour raise instead of a 15-cent increase."

Judge Gary was 100 percent wrong in his statement 25 years ago, and President Fairless and his associates are 100 percent wrong today.

The Judge Gary economic philosophy was the general trend of thought held by big business toward labor at that time, and it was the policy that created the artificial bubble prosperity in the 1920's and brought about our economic collapse in 1929.

The Fairless statement should convince the American public that the barons of big steel have not learned or forgotten anything in 25 years.

Ignoring the fact that the take-home pay of the average steel worker has been reduced from 25 to 35 percent and the cost of living increased over 40 percent, steel management has, for several months, refused to bargain with the workers until called in by the President a week ago. In refusing the Government's compromise, capital displayed an arrogant and unreasonable attitude toward the only authority which it can call upon for protection in the future.

President Truman has displayed outstanding statesmanship in his efforts to bring about an agreement and secure a living wage for the steel worker.

Philip Murray has already earned the gratitude of all Americans for his untiring efforts through concessions and compromises to prevent a walkout.

Henry Kaiser, in accepting President Truman's 18½-cent compromise, placed the stamp of ridicule on the Fairless statement of last Friday.

The responsibility for the present steel tie-up and all the involved sacrifice, misery, and idleness it will bring to millions in and out of the steel industry, must be attributed to the indifference and unreasonable attitude of the officers and directors of steel management.

If Edward Stettinius, former president of the board of the United States Steel, were at the corporation's helm today, this wage question would have been adjusted weeks ago. I am today suggesting to President Truman that Mr. Stettinius, a progressive statesman and business executive, be temporarily recalled from his duties in London to urge his former business associates to cooperate with our Government in this great emergency.

FEDERAL BUREAU OF INVESTIGATION

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I was amazed to read a statement in the Washington Evening Star last Friday written by Constantine Brown to the effect that the Bureau of the Budget is now after the scalp of J. Edgar Hoover and seeks to replace him with a man by the name of George F. Schwarzwalder, who, according to Brown, is now engaged in reorganizing and streamlining the intelligence services of the State, War, and Navy Departments. This man, I understand, is at present an analyst of the Budget Bureau, and it seems to me has about as few qualifications to assume such an important position as that held by Mr. Hoover as anyone I know.

I am not so sure that the Ethiopian in the wood pile in this case is not the present Assistant Director of the Budget Bureau, one Paul Appleby, former Assistant Secretary of Agriculture under Henry Wallace, and just as pink as Wallace. Appleby is the man who some years ago was quoted as having written that any employee of the Government has just as much right to belong to the Communist Party as he has to be a member of either the Democratic or Republican Party.

If President Truman is the kind of American I firmly believe him to be, he will immediately put an end to these repeated efforts on the part of the Communists, radicals, and left-wing politicians in this country to dispose of Mr. Hoover or to otherwise tamper with the undeniable efficiency of Mr. J. Edgar Hoover and the FBI under him.

I hope every Member of this House will carefully read Constantine Brown's article, which I include herewith with my remarks.

I shall ask unanimous consent that on Wednesday next, at the conclusion of the regular business and of previous special orders, I be permitted to address the House for 30 minutes on this subject.

[From the Washington Evening Star of January 18, 1946]

THIS CHANGING WORLD

(By Constantine Brown)

Reports that J. Edgar Hoover, Director of the FBI, may be replaced some time this year by George F. Schwarzwalder, an official of the Budget Bureau, are being circulated in such responsible quarters that they can no longer be described as Washington rumors.

In the official circles where the matter is being discussed, it is said that while Mr. Hoover has done an excellent job before and during the war, the time has come to bring a new man with "streamlined ideas" as head of the FBI.

When Mr. Hoover took over this important agency 21 years ago he found an antiquated outfit which he has succeeded in building up until it now enjoys a world-wide reputation.

Mr. Schwarzwalder, who is said to be the favorite candidate for the job if Mr. Hoover is replaced, was appointed an analyst in the Budget Bureau in 1941. His present duties consist of streamlining the intelligence services of the State, War, and Navy Departments in an attempt to cut down expenses.

Before entering Government service here he was engaged for 9 years as a social worker with the county board of public assistance in Philadelphia. His duties consisted of administering public aid for the aged and of administering Federal participation under the Federal security program for the blind.

Like many others who have reached high positions in this country, Mr. Schwarzwalder had a variety of occupations before he joined the county board at Philadelphia. He worked for a short time for Warner Bros., was manager of a book store belonging to the United Cigar Stores in New York, was a land surveyor in New Jersey—his native State—was a checker in the summer of 1925 for the Pennsylvania Railroad, and worked for the Prudential Insurance Co. in 1923.

His promotions in the Budget Bureau—where he rose from a $3,200 yearly salary in 1941 to $7,000 in 1945—were due to his ability to handle the problems entrusted to him by the director, Harold Smith.

Although he had never handled such highly delicate matters as naval, military, and foreign intelligence, which in the past has been in the hands of long-trained professionals, Mr. Schwarzwalder plunged into the work of streamlining with enthusiasm and is believed by his superiors and the many friends he has acquired to be doing a good job.

Mr. Schwarzwalder was astounded at enormous files gathered by the Army and Navy concerning what is described as subversive activities and discovered that money could be saved if these files had a more lean and hungry look. He is chiefly responsible for the streamlining and reorganization of the State Department by which entirely new organizations were set up and old bureaus abolished.

Although this streamlining substantially increased, rather than reduced, the personnel of the State Department, his work has been praised by the Secretary and Under Secretary of State, because they believed it would make the Department more efficient. He has contributed largely to the injection of "new blood" in the Department by suggesting the appointment of many outsiders; that is to say, men who, while not conversant with actual diplomatic work, are fully familiar with and sympathetic to the new trends in the world.

But while Mr. Schwarzwalder has earned for himself a good reputation as a streamliner in the War, State, and Navy Departments, his knowledge of the work of the FBI is still very scanty. In the 2 years he has been engaged in looking into the organization and work of the military and nava' intelligence he is said to have been able to obtain only a superficial acquaintance with what a variety of problems fall under the jurisdiction of Mr. Hoover's organization.

These problems extend from catching kidnapers, counterfeiters, and other criminals to special intelligence work in foreign countries and at home. It was the job of the FBI to locate and catch enemy saboteurs, and prevent those in the pay of foreign countries from doing the jobs assigned to them. The duties of the FBI have become so diversified since 1940 that only men with a wide knowledge of this complex work can successfully cope with the agency's many assignments.

Although from the past activities of Mr. Schwarzwalder it would appear that he might not be the ideal man to replace the incumbent director of the FBI, he has very powerful support from friends he has acquired recently and is believed to be the foremost candidate for the job.

EXTENSION OF REMARKS

Mr. CURTIS (at the request of Mr. MARTIN of Massachusetts) was given permission to extend his remarks in the RECORD and include excerpts from certain correspondence.

Mrs. LUCE (at the request of Mr. MARTIN of Massachusetts) was given permission to extend her remarks in the RECORD and include some excerpts.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Massachusetts [Mr. GIFFORD] be permitted to extend his remarks in the RECORD and include an article entitled "Reflections on the Progress of Science." The gentleman from Massachusetts has submitted this to the Public Printer and has been informed that it will take up two and two-thirds pages of the RECORD, and that the cost will be $138.50, but I ask that it be printed notwithstanding that fact.

The SPEAKER pro tempore. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD and include certain newspaper articles.

Mr. BRADLEY of Michigan asked and was given permission to extend his remarks in the RECORD and include a petition.

PERMISSION TO ADDRESS THE HOUSE

Mr. BIEMILLER. Mr. Speaker, I ask unanimous consent that tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

THE STEEL STRIKE

Mr. BIEMILLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BIEMILLER. Mr. Speaker, last Friday the economic Bourbons of Wall Street proved again they have learned nothing and forgotten everything since 1929. They again defy the President of the United States; they are willing again to undermine the economic stability of our country and throw us into a state of economic anarchy. It is they who endanger our reconversion.

President Truman is to be commended for his forthright efforts to solve the difficulties which had developed in the wage discussions in the steel industry. He used his high office in a genuine effort to solve the problem in the interest of the public.

Philip Murray is to be congratulated for his statesmanship. The CIO president showed true concern for his country and was willing to accept the President's compromise.

So, I am inclined to think, was Mr. Fairless. But lurking behind Mr. Fairless are the Wall Street Bourbons. They would not permit him to accept the President's compromise. They do not like the progress working people have made in this country; they do not like the liberal reforms of the Roosevelt administration, now carried on by President Truman. They hope to smash labor and all liberal legislation. To achieve this end they are willing to gamble with the very future of our country. They are willing to shut down industry and paralyze our economy.

There is one thing they had best remember before it is too late—the fate of the Bourbons of old. Those who learn nothing and forget everything lose the right to leadership in any society.

Fortunately, there is a progressive and patriotic section of American business, typified in the present crisis by Henry Kaiser. Other industrialists would do well to follow his example and work out reasonable agreements with the workers of this country.

America can be thankful it has true patriots like Harry Truman, Phil Murray, and Henry Kaiser. Leadership like theirs offers the best hope for a dynamic future for the country.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

EXTENSION OF REMARKS

Mr. PATMAN asked and was given permission to extend his remarks in the RECORD and include therein a statement by Governor Dewey of the State of New York to the members of the legislature of that State.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that on Tuesday and Thursday of this week, after the disposition of business on the Speaker's desk and the conclusion of special orders

heretofore entered, I may address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent that on Wednesday, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 30 minutes, on the same subject that I have just addressed the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Thursday, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

RIOTING OR LAW ENFORCEMENT?

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a resolution which I introduced today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, permit me to suggest to the gentleman from Wisconsin [Mr. BIEMILLER], that after the economic Bourbons and the industrialist royalists whom he criticizes so bitterly and so frequently have been liquidated in the manner some suggest—can no longer give employment, will he tell us just who will provide the jobs and pay the wages which they now give and pay? Will it be Phil Murray or R. J. Thomas—the Reuthers, or Frankensteen? I call his attention and that of the Members of the House to this news item.

From the morning press I quote:

Local leaders of striking packing-house employees announced that "close picketing" will begin here today.

Albert Gray, chief of local 393, Amalgamated Meat Cutters and Butcher Workmen's Union, declared that all movement of meat from the struck packing firms will be halted when the pickets go on their jobs at 6 a. m. today.

* * * * *

The striking butchers' union also plans to picket retail stores that handle meat brought from now on, Gray said. "We have given the packers enough time to get delivered all the meat that was en route when the strike began," he said. "From now on we are going to stop deliveries."

Having fought a war to establish the "four freedoms" throughout the world, are the returning veterans to be forced to fight another one so that their wives, mothers, and sisters can buy meat for the family?

Albert Gray and other top union officials who propose by force, through the use of a massed picket line, to deprive American citizens of their right to purchase meat, may well stop and consider just what they are doing.

They should be aware that violence begets violence; that, if they start a pushing and headcracking campaign and if those charged with upholding the law in the District fail in their duty and if President Truman, sitting in the White House, by his inaction sanctions assault and battery and rioting on the picket lines, the patience of the people may be exhausted.

The present administration may have its eyes fixed on 1946, but, unless it enforces the law, protects the public, all the votes that it may garner by supporting a program of violence, of denying to American citizens their fundamental rights, will not be sufficient to offset the support it will lose.

I am asking the police force of the District and I am asking the President of the United States whether they intend to permit picket lines, by obstructing the entrance to retail stores and to packing houses, to deprive the citizens of the District of meat which is available.

The following is a copy of a resolution introduced today and which should receive consideration:

Resolution calling for law-enforcement and protection of civil rights within the District of Columbia

Whereas the morning press contains the announcement that Albert Gray, chief of Local 393, Amalgamated Meat Cutters and Butcher Workmen's Union, has stated that "all movement of meat from the struck packing firms will be halted when the pickets go on their jobs at 6 a. m. today"; and

Whereas the interference by picket lines or others with employees on their way to work and with the free ingress and egress of customers of retail stores desiring to purchase and take away meat is a violation of their civil rights: Now, Therefore, be it

Resolved, That the House District of Columbia Committee be, and it hereby is, instructed to forthwith hold a hearing to determine the facts as to the truthfulness of the foregoing statement and as to whether pickets are preventing the delivery of meat to or from packing houses in the District; as to whether pickets are interfering with customers in their attempts to purchase meat or to take meat from the retail stores in the District; and be it further

Resolved, That, if the committee, after a hearing, finds that pickets are interfering, either with the operation of packing houses or retail stores in the District in connection with the purchase, sale or delivery of meat, that it call upon the police force of the District and upon the National Administration to end such practice; be it further

Resolved, That, if there is no Federal legislation preventing interference with the civil rights above referred to, said committee forthwith report such legislation for immediate action by the House.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

EXTENSION OF REMARKS

Mr. COCHRAN asked and was given permission to extend his remarks and include a letter which he received from a Government agency.

DISPOSITION OF SURPLUS WORK CLOTHES

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Speaker, last Friday I called to the attention of the House a pamphlet that came to my desk announcing the sale, f. o. b., Brooklyn, N. Y., of $32,000,000 worth of new work clothes that had been declared surplus by the Army and Navy. I later contacted Lt. Gen. Edmund B. Gregory, who has now been named the Chairman of the Board of the War Assets Corporation, a Reconstruction Finance Corporation subsidiary that is handling the disposal of surplus property. General Gregory agreed with me that such a tremendous amount of new work clothes should not be sold to distributors in one locality in the United States but should be distributed throughout the United States.

I am pleased to say he sent representatives of his office to see me this morning and arrangements have been made so that when the clothing is allocated, part of it is going to find its way into every State in the country. I congratulate General Gregory and hope that this same policy will be followed in connection with the disposal of other surplus property.

EXTENSION OF REMARKS

Mr. BOREN (at the request of Mr. HARRIS) was granted permission to extend his remarks in the RECORD and include a speech made by Mr. Smith.

Mr. BONNER asked and was given permission to extend his remarks in the RECORD and include an editorial from the Raleigh News and Observer calling attention to the anniversary of General Lee's birthday.

Mr. BONNER asked and was given permission to extend his remarks in the RECORD and include an address made by Hon. Lindsay C. Warren, Comptroller General, to the Chamber of Commerce of Asheville, N. C., and include an editorial from the Washington Star published yesterday.

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD and include a statement issued by the Veterans' Administration.

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD and include two GI letters from overseas and some remarks thereon.

Mr. JONKMAN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. BELL asked and was given permission to extend his remarks in the RECORD and include an editorial from the Independence (Mo.) Examiner).

THE PRESIDENT'S MESSAGE ON THE STATE OF THE UNION

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, the President's message on the state of the Union, which required 3 hours for the Clerk to

read, sounds to me more like the proposals of the Socialist platform than anything I have yet heard. It is the proposed perpetual motion of the New Deal. Carry out all of the President's recommendations and you will take the United States of America for its greatest joy ride. It is up to the Members of Congress now to stop, look, listen, and carefully consider.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

THE STEEL INDUSTRY

Mr. HOOK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOOK. Mr. Speaker, I was very happy that the gentleman from Pennsylvania [Mr. RICH] said that if the provisions of the President's message were carried out the American people would go on a joy ride. I certainly feel that way, too. I feel that the people of the United States are entitled to joy, happiness, and a better standard of living.

Mr. Speaker, we have in the last fortnight witnessed two instances of arrogance unexampled in modern industrial history. Two Goliaths of American industry, their girths swollen with war profits, have set themselves above the American people, have flouted the power and prestige of the Government of that people, have declared themselves indifferent; yes, contemptuous of the public interest.

These industrial giants—the General Motors Corp. and the United States Steel Corp.—are not so crude in the expression of their self-sufficiency as were the old robber barons of early American industry. They have made the acquaintance of that modern spellbinder, the public-relations man.

Benjamin Fairless did not thumb his nose at the President of the United States. Oh, no. In a piously worded statement—reproduced as a full-page ad in every important paper in the country—Mr. Fairless wept for the fate of the country if U. S. Steel was so callously selfish as to grant its workers 3½ cents more than it wanted to. Mr. Fairless was very sorry, so sorry, please—where have I heard this before?—that the considered judgment of the President of the United States of America was unacceptable to the President of the United States Steel Corp. And today, 750,000 steel workers are out on the picket lines.

Mr. Speaker, Benjamin Fairless may speak through a public-relations man, he may know the commercial value of public opinion and woo it in honeyed words, but he uses the same bludgeon of financial power that Elbert Gary used when he told a Senate committee investigating the 1919 steel strike that steel wages were—and would continue to be—"arbitrarily set by the United States Steel Corp." and by nobody else.

Does Fairless and Wilson of GM want to go back to the days of 1919, of 1892? Is this what their refusal to accede one inch to public welfare means. These two corporations are the Peter Pans of modern industry, wandering in a never-never land of economic unreality. They have grown in size—but they refuse to accept the responsibility which comes with industrial maturity. They are Peter Pan playing, not with matches, but with high explosives.

It is not their own workers, their own stockholders, who will be burned. It is the whole American people—workers, farmers, veterans, housewives, shopkeepers.

We here in Congress can thank ourselves, in part, for the contempt in which these irresponsible giants of industry hold the American Government. In our tender solicitude for their profits—earned in large part on Government subsides and financing—we guaranteed them more profits. We set up juicy tax rebates, we repealed the excess-profits tax. We put them in a position where they could thumb their nose at the American people, at the American Government, and make money while they were doing it.

The philosophy of this group is supported and propagated by the leaders of the Republican Party. Therefore, if the Republican leaders could get in the saddle of government again economic royalism will reign supreme and the average citizen would again be under the heel of robber-baron dictatorship.

EXTENSION OF REMARKS

Mr. ELLIS asked and was given permission to extend his remarks in the Appendix of the RECORD and to include an editorial.

Mr. CHURCH asked and was given permission to extend his remarks in three instances: In one to include a sermon entitled "The Unknown Soldier of World War II Has His Say," delivered on Armistice Day, November 11, 1945, at the First Presbyterian Church, Washington, D. C., by its then pastor, Albert Joseph McCartney, D. D., now director of the Chicago Sunday Evening Club; in the second to include an editorial entitled "Adventure Through Failure" appearing in the Chicago Tribune on Saturday, January 19, 1946; and in the third to include an editorial from the Sunday Chicago Tribune of January 20, 1946, entitled "First in War."

Mr. RAMEY asked and was given permission to extend his remarks in the RECORD and include an editorial from the Bryan (Ohio) Press entitled "Those Who Voted No."

Mr. McKENZIE asked and was given permission to extend his remarks in the RECORD on the proposed cotton ceiling.

TIME FOR THOUGHT

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RAMEY. Mr. Speaker, a rich industrialist from Manchester, N. H., born a poor boy, had a son who was graduated from high school. He did not know what to do with him. He thought he might be a failure if he went on with education and he did not know whether to put him to work in his factory or send him West. One day he motored to Boston to talk to a friend, then Federal judge in that district. He asked the judge: "What shall I do with my boy?" The answer of the jurist was: "Teach him to think; he will not have any competition."

I hope those on both sides of the industrial dispute and other questions may soberly think. No one who is selfish can think. No one who sees only one side of any question can think. To "think without confusion clearly" requires us to be "go givers," never "go getters."

In the present controversy Henry Kaiser has proven to be an unselfish thinker, truly devoted to his country and a solution.

COLLECTIVE BARGAINING AND COMPROMISE

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. KOPPLEMANN. Mr. Speaker, for weeks we have been hearing demands that the President do something about the strikes. The demand has been heard on the floor of the House and the other body and also from newspapers and journals and from individual citizens. That challenge has been met. In a free country no law can be upheld that would prohibit a worker from striking. Compromise of demands, through arbitration, based on fact finding or collective bargaining is the only method acceptable to a free people.

In the steel strike the workers demanded an increase of 25 cents an hour. The industry offered 15 cents. A sporting compromise would have been 20 cents. The fact-finding board recommended 19½ cents, slightly in favor of the industry. The President recommended 18½ cents, thereby deciding even more in favor of the industry. The union agreed to accept the President's recommendation. But the industry has refused, stubbornly insisting on its original offer.

Surely now the steel workers cannot be blamed for holding up production. They have met the challenge to iron out the dispute and get on with the manufacture of the things the country is waiting to buy. The President has accepted the challenge that he do something by appointing a fact-finding board, and then scaling down its recommendation and suggesting a solution which has been agreed to by the union leaders. The blame for holding up production and prolonging the dispute rests squarely with the steel industry. If the industry would accept the President's recommendation as the workers have, the steel strike could be stopped and the impetus given to other disputants to resolve their differences and get on with the job.

Can we draw any other inference but that the steel industry is proving the contentions of labor leaders that there is

a conspiracy to break labor and throw the country into an economic chaos which will ultimately affect the welfare of more than 139,000,000 people?

VETERANS' INSURANCE

Mr. McKENZIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. McKENZIE. Mr. Speaker, all over the Nation men and women of our armed forces have been trying to get their Government life insurance straightened out. Supposed experts have been sent to the demobilization centers urging these men to keep their insurance in force. Yet when they write to the Veterans' Administration, in an effort to find out the status of their immediate policies or to make some change in their policies, they are unable to get a reply. Can you imagine American citizens, veterans who have paid to the fullest that this country might survive, not even being shown the courtesy of a reply to their inquiries? It is unthinkable, Mr. Speaker, and I here and now demand that the Veterans' Administration take whatever steps are necessary to see that every person writing in concerning his insurance at least receive an acknowledgment so he will know the matter is receiving attention. I serve notice on the Veterans' Administration that this statement today is the first warning. My files are full of specific cases and I am sure yours are too. These insurance policies are important to these men, they are important to the Government, they are important to our economic set-up, and I do not propose to stand idly by while some bureaucrat ignores the man who is paying his salary. I ask your cooperation.

REPEAL OF CARRY-BACK PROVISION IN REVENUE ACT OF 1945

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Speaker, these are indeed troublous times. There is no thought on my part that our Government should in anyway seek to evade its responsibility in the industrial crisis that now engulfs us. I do object, and object strenuously to the Government being made a silent partner in what appears to have all the earmarks of a conspiracy on the part of a few to destroy our economy in their frantic efforts to crush organized labor.

I have just introduced legislation that would strike from the Revenue Act of 1945 the "carry-back" provision affecting refunds from the excess-profits tax paid into the Treasury for the taxable year 1944–45, which refund can be claimed by corporations should their 1946 tax return show they had operated at a loss.

This "Alice in Wonderland" provision should never have been left in the tax laws. Since it is in the law, I want to know why Congress should permit this further drain on an already depleted Treasury by designing groups whose idea of free enterprise is a license to do as they d——— please.

We could well take a leaf from the book of Henry Kaiser who said:

It is not only time to sing America—but it's time to live and love it.

It is hopeful that the hymns of hate sung from the well of the House this past week at least may be "pitched" on a different key.

I shall press for action on this matter at the earliest possible time.

PERMISSION TO ADDRESS THE HOUSE

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that on tomorrow, after disposition of matters on the Speaker's table and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 25 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent that on Thursday next after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. SMITH of Ohio asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. MERROW asked and was given permission to extend his remarks in the RECORD and include an editorial from the Carroll County Independent, Center Ossipee, N. H.

Mr. HALE asked and was given permission to extend his remarks in the RECORD and include an editorial from the Bavarian, published in Augsburg, Germany.

GOVERNMENT EFFICIENCY

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, just a little while ago a gentleman on the other side of the aisle took the floor and stated that citizens were not receiving answers from the Veterans' Administration. I agree wholeheartedly with him when he says it is a disgrace to the Government of our country that citizens cannot get results when they write to departments.

May I go a step further and say that there is correspondence on my desk appealing to the Veterans' Administration, to the War Department, and some of the other departments of government on matters which concern life and death questions of individual constituents back home, yet I cannot seem to get quick action for those people out of the departments in question.

Mr. Speaker, these departments ought to check up on their correspondence, not only with Congressmen but with the individual people back home so that we may get maximum service from them. I hope steps will be taken so that this will be done by the various department heads. It is to the interest of Members of this House, as it is to the benefit of the people back home, that the executive branch of our Government keep on its toes.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

CONGRESSIONAL INVESTIGATION OF RAPIDO RIVER (ITALY) ENGAGEMENT

Mr. JACKSON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. JACKSON. Mr. Speaker, yesterday I read with considerable regret of the resolution adopted by members of the Thirty-sixth Division calling for a congressional investigation of that division's Rapido River engagement just 2 years ago today. While no one will question the right of these men who fought so bravely to request a review of the judgment of Gen. Mark Clark in ordering this attack, I feel that since the charges have been made and have received widespread publicity it is only simple justice that I briefly bring before the House a résumé of the situation in order that the Members, as well as the public, may not unfairly condemn a man whose conduct and achievements have proved him to be one of the greatest of our modern military leaders.

On hearing of this criticism of General Clark's judgment, I made a personal investigation of this question and have received information concerning it from the War Department. This information not only wholly exonerates General Clark of any blame in ordering this attack, but, moreover, points out that while it was a local failure, costing many lives, its effect on the over-all situation in the Battle of Italy was most important and most successful.

Shortly before the Rapido River engagement, the combined high commands had determined to effect a landing at Anzio. To prevent German reinforcements from reaching the Anzio beachhead during the period of the initial landings, it was necessary that pressure be kept on them at other points. The situations facing the British and French corps on General Clark's flanks made it impossible for them to attack, so that it became necessary for the American corps in the center, spearheaded by the excellent Thirty-sixth Division, to assault the strong German positions facing them. Orders to make this attack did not originate with General Clark but came from British General Alexander, his superior in this sector.

While the crossing of the Rapido River was unsuccessful, the objective of the attack was accomplished, as it resulted not only in holding substantial German forces on the Rapido River line but also required the Germans to bring in four additional divisions which otherwise would have been available to repel the Anzio beachhead landings. And while our losses in the river attack were heavy, it should be noted that the initial landings at Anzio were practically unopposed and the loss of life in the original waves of landing troops was slight. Moreover, the furious counterattacks which the Germans launched at Anzio after the original landings indicate quite clearly that if they had been able to bring up these reinforcements at an earlier date, our landings in this vital sector would probably have been thrown back into the sea, with severe losses. Fortunately, we are not now required to estimate the incalculably greater loss of manpower than our casualties at the Rapido River which would have resulted.

General Clark proved himself during the Italian campaign to be one of our greatest strategists and field leaders. Fighting over the most difficult terrain in Europe and handicapped by the diversion of sorely needed reinforcements and equipment to other fronts, he nevertheless wrote a gallant page in the history of American arms. It seems to me to be so regrettable that he should now be faced with an attack of this kind. I have faith, however, that the American public, as well as the Members of this House, will not condemn the actions of the general now that the true facts involved can be made public. I feel that a board appointed by the Secretary of War and consisting of trained military men would be better fitted than a congressional committee to investigate this situation, particularly as it would avoid the establishment of what I think would be an unfortunate further precedent of Congress reviewing military actions. The difficulties faced by the Pearl Harbor probers show the problems with which such a congressional investigation would be faced. But whatever investigation of the Rapido River engagement may be made, I know that it will provide an opportunity to clear the general's name of any imputations of misjudgment, for I know that the facts which will be brought out before such an investigation will show conclusively not only that the orders for this attack came from sources superior to Gen. Mark Clark but also that the effect of the attack was highly beneficial to the over-all Italian campaign.

EXTENSION OF REMARKS

Mr. BRYSON asked and was given permission to extend his remarks in the RECORD and include copies of two addresses he delivered over the week end.

Mr. DOYLE asked and was given permission to extend his remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent that on today, following any special orders heretofore entered, I may be permitted to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

INVISIBLE GOVERNMENT

Mr. STARKEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. STARKEY. Mr. Speaker, who has displayed greater statesmanship in this controversy over wages in the basic industry of our whole economic order—certainly not management.

Who sits on the throne of this invisible empire that wields infinitely greater power over the lives and well-being of our people than the legally constituted Government of our country?

How stilled are the voices that cried out against labor and accused them of arrogance and selfishness and a desire to wreck our economic system, when it is now demonstrated conclusively that it is those who sit on the throne of the economic royalists who are arrogant, unyielding and willing to bring chaos to our whole economy, merely to satisfy their desire to be able to say I am the master; they will accept my rule or I shall bring their house down upon their heads.

Philip Murray has shown that he is possessed of great wisdom, and has displayed true statesmanship when he yielded time and again—yes, from the original request for an increase of 25 cents an hour to 21; to 19½, and when our courageous President, in his desire to protect the welfare of our whole country put his own political welfare in the background and was willing to accept the criticism of both sides by personally attempting to be the peacemaker, Mr. Murray, too, put the welfare of the country before the demands of his constituents and readily accepted the proposal of our President, although I am sure he still feels that his people were justified in asking and expecting more than the compromise settlement.

I also feel that Mr. Benjamin Fairless acted in good faith and had he the power to personally effect a settlement, we would have no strike in the steel industry.

But again I say the responsibility lies with that invisible government that controls the decisions of Mr. Fairless. The responsibility further lies with the men in and out of public office, who gave aid and comfort to this invisible government by practically urging them not to make any settlement or compromise, but to slug it out with labor now, in the hope that labor unions would be destroyed or made ineffective. They might succeed temporarily, but it is my prediction that our intelligent workers who startled the world with their ability to produce during this war, and our veterans who fought on foreign soils to preserve political freedom for ourselves, and to restore it to many other peoples from whom it had been taken, will not long endure industrial slavery.

Can it be that this is the beginning of the next political campaign wherein they want to bring confusion and chaos in the hope that the people will clamor for a change, and in the confusion this invisible government will again come into control of our regularly constituted government.

Let me say it is a terrible chance to take, a great price to pay, for a temporary advantage, and it might come to pass that in the attempt to control and destroy other people they themselves may ultimately reap the same fate.

INDUSTRIAL SHUT-DOWN POLICY

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, what is the truth as to whether or not any large segment of American industry has been on a shut-down strike, as far as production is concerned, since this Congress repealed the excess-profits tax, effective January 1, 1946?

What is the truth about it?

What is the truth about whether or not there is an understanding or agreement by large segments of American industry that now is the time to either smash or weaken the effectiveness of collective bargaining as between labor and management?

What is the truth?

Is it true that General Electric and Westinghouse refused to put into effect the National War Labor Board ruling for a wage increase of from 4 to 6 cents an hour for their women workers?

What is the truth about what industry has recently been doing on the labor front?

Recently, I read that President Fitzgerald, of the United Electrical Workers, publicly charged General Electric, Westinghouse, and General Motors, electric division, with substantially the points I now ask about.

Nor have I seen where industry denies these charges. What is the truth?

I respectfully ask the Labor Committee of this House to ascertain the full picture, for I am not fearful of voting when in possession of all the material facts. The absence of all material facts on this labor-management controversy is a tragedy of errors.

If industry is on a nonproduction strike, or a noncooperative strike, in order to bust collective bargaining I want to know to what extent it is true or false.

Only by knowing full facts, unvarnished, can real progress be made. Let us have the Labor Committee dig out the truth, for the truth never destroys or harms anybody. Honest industry and honest labor alike welcome the truth in every situation.

If both labor and industry are on a strike—even though for different purposes—we should know about it before we legislate in this delicate field of human relationships.

What is the truth?

EXTENSION OF REMARKS

Mr. NEELY asked and was given permission to extend his remarks in the RECORD and include an article appearing in today's issue of PM.

Mr. WOODRUFF (at the request of Mr. MICHENER) was given permission to extend his remarks in the RECORD in three instances, and in one to include a letter by E. M. Biggers, in the second an editorial from the Detroit Times, and in the third a letter from a constituent.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a very good speech made recently by the minority leader over a national hook-up.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a very good speech I made about 2 weeks ago.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mrs. DOUGLAS of California asked and was given permission to extend her remarks in the RECORD in two instances and include in one an address given at Columbia University on January 4, and in the other a letter by the UAW-CIO to President Truman, and an article appearing in the Nation.

DEMOBILIZATION

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Mr. Speaker, when General Eisenhower appeared before the Congress recently and outlined the reasons and necessity for keeping large numbers of men in the military service at this time, he gave three general reasons:

First. That it was necessary to have adequate soldiers at all strategic points in occupied territory to function much as the policeman on the corner—not busy except in case of emergency. He likened this service to the fireman in the fire department, who spends much of his time playing checkers because he has no work. However, he is always alert and ready to cope with all kinds of fires. The General pointed out that no one would think of discontinuing the policeman or the fire department, solely because they did some apparent loafing as a part of their official duties.

Second. He told of the vast amount of surplus property in foreign lands, owned by the United States and in the care and under the protection of the Army.

Third. He stressed the quantity and the value and the amount of property confiscated or taken from the enemy, which is now under Army protection and which requires men to guard.

In short, Mr. Speaker, Congress was advised that many men could be released from the service, returned to their families and their civilian pursuits, if the Army was not charged with the custody and care of this surplus and captured property. Now, there is no assurance as to what the financial return will be to our Government for this surplus property, and it does not seem practical to keep a large army of watchmen, when eventually this property is to be sold, destroyed, or returned home. The American people will not stand for long vigil by voluntary and drafted soldiers over this type of property. Of course, a question of economy is involved and there must not be waste or destruction of usable commodities so sorely needed by our people at the moment. Decision, however, must be made and made soon. Procrastination has no place here.

I am led to call this matter to the attention of the Congress because of a pertinent editorial appearing in the Monroe (Mich.) Evening News of January 17, 1946, which I think expresses pretty well the general feeling of the majority of the people whom I represent in Congress. The editorial reads as follows:

ARMY PROPERTY

Following up General Eisenhower's and Admiral Nimitz's exposition of Army and Navy policies on demobilization, the Senate military subcommittee, seeking more specific information, called in Kenneth C. Royall, who is acting Secretary of War while Secretary Patterson is on a tour of inspection in the Pacific.

And inadvertently or not, the acting Secretary let a big black cat out of the bag. The Army's strength abroad, he as much as said, is being maintained to stand guard over Army supplies overseas.

Now just what in the world is the point in keeping men in service in foreign countries to protect Army equipment and supplies that can have no possible value other than salvage? Surely we don't need to keep soldiers guarding bombs that are already obsolete. Nor do we need to post guards over warehouses crammed with food or clothing that no United States soldier will ever eat or wear in countries where people are starving. And whatever this stuff is worth it isn't worth the life of a single American enlisted man or his retention overseas if he isn't needed for actual occupation duty.

If the Army forces are cut to a million and a half men by July 1, as General Eisenhower told Congress they would be, Acting Secretary Royall says "billions of dollars' worth of overseas supplies may have to be abandoned." While he was talking another Senate subcommitee was taking testimony from Army officers in India denying that any Army property had been wantonly destroyed. The Senators had letters from enlisted men describing such destruction.

Many a returning soldier has reported deliberate waste of equipment and supplies useful to them or to the native population of the area. British and French newspapers have repeatedly reported the burning of American Army installations with material which Frenchmen and Englishmen desperately need.

Now, the Army can't be doing two things at once. It can't be keeping thousands of men overseas just to guard billions of dollars' worth of property, and it can't be wantonly burning and running trucks over equipment it doesn't want and doesn't want anyone else to have, or if it is something is radically wrong.

It is time Congress found out just what is happening. The reluctance of the Army to declare surplus its hoarded supplies in this country is already under investigation by the Mead committee. Plainly, this stuff is not reaching the retail market. Two Senators are busy in the Pacific checking enlisted men's reports of destruction, and the military subcommittee has asked Royall to submit a list of all the property our troops abroad are supposed to be guarding.

The tendency of the Army to over-order during the war, with resultant inroads into civilian supplies, was accepted by the public as necessary to victory. Any tendency on the part of the Army now to hang on to stuff it can't possibly use, both abroad and at home, is not going to sit well with a people starved for consumer goods.

One main consideration should guide Army policy in respect to property overseas: All weapons and munitions that can't be shipped home should be destroyed; all usable equipment from trucks to shoes should be disposed of as promptly as possible to relieve shortages in the countries where they are stored. If this policy is followed, there doesn't seem to be any plausible excuse for keeping men overseas to guard these billions of dollars of United States property.

SPECIAL ORDER

Mr. MICHENER. Mr. Speaker, I have been requested to advise the Speaker that the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] will not be able to use the time allowed to him today. He was to discuss the subject of butter. However, he has been appointed to a subcommittee to investigate butter, so he is going to investigate before he advises. I ask unanimous consent that the special order heretofore granted him be vacated.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

GOVERNMENT FINANCES

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, the country should be greatly heartened by the message just read. It is the longest message ever transmitted by a President of the United States to the Congress, and its length and coverage require some time for study and analysis. But the financial program it projects, conditional though it must be, should reassure the most pessimistic and merits the confidence and support of the Congress and the country.

Faced with a public debt of proportions beyond the comprehension of the average layman, a vast majority of our citizens have been looking forward to a discontinuance of deficit spending. There has been a growing anxiety to see the Government operate within its income and begin a systematic reduction of the national debt. To these the President's program is most opportune.

The aggregate amount of the President's request for new funds for the fiscal year beginning next July 1st, comes as a surprise, I am certain, to the most sanguine, and his visualization of a $25,000,000,000-expenditure Budget for succeeding fiscal years augurs well for a sound peacetime economy.

I wish to stress the fact that these are merely programs of which the President

speaks. Their realization cannot be taken as a matter of course. There must be cooperation—determined, sympathetic help and cooperation on every side. To see that these objectives are achieved or bettered depends largely upon what we do here in the House.

The President's message points in the right direction. It points to a balanced budget. We should make that our immediate objective. It points to a sound national economy. It points to a happy and prosperous America. The way is not easy. It is strewn with obstacles. It involves the rejection of attractive estimates and the denial of innumerable importunities to spend.

It does not point to further tax reduction in the near future. Tax reduction depends upon the amount of national income, which in turn depends upon many contingencies, but especially upon the extent to which we here in the Congress are able to contain Federal expenses. The latter is our direct responsibility and should be constantly kept in mind when there comes an urge—buttressed by voracious pressure groups—to authorize new expenses or add to expenses having prior authorization. We cannot stand still. We must weigh carefully all added demands and consider them in the light of existing expenses and income. We must cut the coat from the cloth we have.

There is little latitude in the figures which the President presents. For 1947 he estimates expenditures at $35,800,000,000, to be financed out of receipts of $31,500,000,000, and charging $4,300,000,000 to a Treasury balance, which it should be borne in mind is borrowed money.

The appropriation budget for 1947 is $29,292,000,000, which would be increased by $1,800,000,000 if legislation which the President has recommended should be enacted into law.

From a cursory examination of budget details, I believe, if we may have your cooperation, the Appropriations Committee can make a substantial reduction in the appropriation budget, and, to such extent, lessen the charge against the Treasury balance, which should be guardedly reserved for debt retirement and financing any extraordinary demands incident to reconversion.

Looking beyond 1947, the President indicates that we can hardly expect expenditures to be reduced to less than $25,000,000,000 annually. He also states that if the tax reductions adopted in the Revenue Act of 1945 were fully effective present tax rates would yield about $27,000,000,000, and that a higher yield would depend upon a full-employment level of national income. There is no reason to believe the President is far off the mark on his $25,000,000,000 future budget figure.

In his 1947 appropriation requests he includes $4,934,000,000 for the Veterans' Administration and $5,000,000,000 for interest on the public debt. Each of those items may be expected to expand. They now amount to 40 percent of a $25,000,000,000 appropriation budget. I have seen no forecast of the cost of the armed services or any estimate of their approximate cost when leveled off.

The 1947 appropriation budget allocates $11,600,000,000 to the Army and Navy. None of us, I am certain, expects more than half that amount will be needed when the way has been cleared for determining the magnitude and composition of the establishments the public interest will ultimately require. Such an amount would leave less than $10,000,000,000 for all other expenses of Government and debt retirement.

It is evident that there is little room for maneuvering; little room for new ventures, new programs, or for expanding existing programs.

If we are determined to put an end to deficit spending, our job is cut out for us. Here is the blue print. The Appropriations Committee must take the initiative, but no committee, no group, no one party can hope to successfully handle it alone. It will require the united support of every Member of the House. We earnestly invite your cooperation.

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER pro tempore. Subject to the approval of other Members having special orders, without objection it is so ordered.

There was no objection.

Mr. TABER. Mr. Speaker, the President has submitted a budget totaling $35,800,000,000. He estimates receipts of $31,000,000,000, but included in those receipts are $2,500,000,000 of nonrevenue receipts. He proposes to get along without further borrowing by reducing the Treasury balance by $4,300,000,000. In my own opinion, raising the number of civilian employees in every department and agency and raising the amount that all those agencies are to get and failing to cut down the war activities to a point where the Budget is balanced calls for aggressive action on the part of the Congress, which I hope will result in an effort to balance the Budget in 1947. From my standpoint, balancing the budget in 1947 is a crucial item.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Under previous order of the House, the gentleman from Maine [Mr. HALE] is recognized for 20 minutes.

SHIP SALES BILL

Mr. HALE. Mr. Speaker, I have asked for this time in order to comment on certain current practices of the War Shipping Administration and the Maritime Commission, particularly as they bear upon questions of policy embodied in the ship sales bill which passed the House in October and which passed the Senate just before the Christmas recess.

While this bill is now in conference and its final form has not been determined, it is certainly the announced policy of the Congress that our war-built ships shall be at the earliest possible date and in the largest possible numbers transferred to private ownership and operation and also that the older and less efficient ships be withdrawn from operation. Any practice of the Maritime Commission or of the War Shipping Administration which tends to have a contrary effect should occasion concern in the Congress.

Last November the attention of some members of the Committee on the Merchant Marine and Fisheries was drawn to the fact that the Maritime Commission was selling brand new war-built ships and taking as turn-ins not old ships but war-built ships only 2 or 3 years old. Accordingly, the chairman of our committee addressed a letter of inquiry to Admiral Land. I ask unanimous consent to include in the record this letter and accompanying schedules.

The SPEAKER pro tempore (Mr. GORE). Is there objection to the request of the gentleman from Maine?

There was no objection.

The matter referred to follows:

NOVEMBER 28, 1945.

Vice Adm. EMORY S. LAND,
War Shipping Administration,
Commerce Department Building,
Washington, D. C.

DEAR ADMIRAL LAND: At a recent meeting of the Merchant Marine Committee a member pointed out that in the bulletins of the American Bureau of Shipping there were listed a number of ships which had recently been sold to American shipping lines and that at the same time the Maritime Commission had secured a number of ships built during the war period from the same lines. I am enclosing herewith a list of the ships so listed.

Several questions were written with respect to both the purchases and the sales indicated in this list:

1. Were all the ships sold to subsidized lines on the basis of a construction differential of 50 percent, and were all of these ships standard type ships?

2. Under what authority of law did the Maritime Commission procure title to the 13 ships which it has apparently acquired? Were the ships acquired from the United States Lines requisitioned for title or did they represent a trade-in on the new ships purchased? What prices did the Maritime Commission pay for the ships which it has acquired?

3. Did all contracts for the ships sold by the Maritime Commission contain a "fall" clause which would involve refunds in the event of the passage of the ship sales bill?

I should be grateful if you could give me the answers to the above questions.

Very sincerely yours.

Ships purchased by private companies from Maritime Commission

Sold to—	Vessel's name	Dead-weight tons	Built	Reported supplement dated—
United States Lines	*American Ranger*	10,660	April 1945	May 1, 1945
Waterman	*Andrew Jackson*	10,660	March 1945	Do.
Lykes Bros	*Ruth Lykes*	10,660	do	Do.
United States Lines	*American Banker*	10,660	April 1945	May 15, 1945
Do	*American Farmer*	10,660	do	Do.

Ships purchased by private companies from Maritime Commission—Continued

Sold to—	Vessel's name	Dead-weight tons	Built	Reported supplement dated—
Lykes Bros.	*Kenneth McKay*	10,565	April 1945	June 1, 1945
Do.	*Louise Lykes*	10,560	May 1945	Do.
Do.	*Velma Lykes*	10,560	do	Do.
Do.	*Elizabeth Lykes*	10,660	do	June 15, 1945
United States Mail	Steamship *Limon*	6,148	do	Do.
Lykes Bros.	*Reuben Tipton*	10,560	do	Do.
Do.	*Harry Culbreath*	10,660	do	July 2, 1945
Do.	*Red Gauntlet*	10,660	June 1945	Do.
Do.	*Simoan*	10,660	do	July 16, 1945
Do.	*Canvas Back*	10,660	do	Aug. 1, 1945
American Export	*Exchester*	9,394	July 1945	Do.
Lykes Bros.	*Tyson Lykes*	10,660	June 1945	Do.
American President	*President Taft*	11,138	July 1945	Aug. 15, 1945
Lykes Bros.	*Sue Lykes*	10,614	do	Sept. 15, 1945
Do.	*Eugene Lykes*	10,660	do	Sept. 1, 1945
United States Lines	*Stag Hound*	10,535	August 1945	Sept. 15, 1945
Do.	*Rattler*	10,535	July 1945	Do.
Pan Atlantic	*Topas Topas*	10,474	do	Do.
United States Mail	Steamship *San Jose*	6,148	do	Oct. 1, 1945
Lykes Bros.	*Tillie Lykes*	12,738	August 1945	Do.
United States Lines	*Resolute*	10,535	do	Oct. 15, 1945
Do.	*Courser*	10,535	do	Do.
American President	*President Grant ex Sea Beaver*	10,990	do	Do.
Lykes Bros.	*Almeria Lykes*	12,905	September 1945	Nov. 1, 1945
Do.	*Charles Lykes*	10,660	do	Do.
United Mail	Steamship *Esparlas*	6,708	do	Do.
American Export	*Executor*		do	Do.
Pan Atlantic	Steamship *Iberville*	10,470	August 1945	Do.
United States Lines	*Onward*	10,535	September 1945	Do.

Bought by Maritime Commission from private companies

Sold to—	Vessel's name	Dead-weight tons	Built	Reported supplement dated—
Grace Lines	*Santa Barbara*	8,884	January 1943	May 1, 1945
Do.	*Santa Cecilia*	8,871	August 1942	Do.
Do.	*Santa Margueriia*		September 1942	Do.
United States Lines	*Lightning*	8,595	May 1942	May 15, 1945
Do.	*Surprise*	8,595	June 1942	Do.
Do.	*Sea Serpent*	8,595	October 1942	June 1, 1945
Grace Lines	*Falcon*, July 1919		July 1919	June 15, 1945
Do.	*Lara*		May 1919	July 2, 1945
United States Lines	*American Packer*	9,140	October 1941	Aug. 1, 1945
American-South African	*Charles H. Cramp*		October 1920	Do.
Do.	*Henry S. Grove*		January 1921	Do.
United States Lines	*Shooting Star*	8,595	August 1942	Aug. 15, 1945
Do.	*American Manufacturer*	9,140	April 1941	Aug. 1, 1945

Mr. HALE. Mr. Speaker, I will read here only the inquiries therein set forth. No answer to this letter had been made up to the time that Congress reconvened. On Thursday last, January 17, I obtained time for this speech, and caused the Maritime Commission to be so advised. That very afternoon came the answer to the chairman's letter of November 28, just 50 days to answer a letter of inquiry from the chairman of our committee.

I ask unanimous consent to insert in the RECORD the letter of January 17 signed by Acting Chairman Macauley and the accompanying schedules.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

(The matter referred to follows:)

UNITED STATES MARITIME COMMISSION,
Washington, January 17, 1946.

Hon. S. O. BLAND,
Chairman, Committee on Merchant Marine and Fisheries,
House of Representatives.

DEAR JUDGE BLAND: This is in respect to your inquiry of November 28, 1945, in which you raise several questions with respect to certain vessels mentioned in a recent bulletin of the American Bureau of Shipping.

1. There is attached hereto a schedule (exhibit A) setting forth the various vessels listed in the said bulletin as being purchased from the United States Maritime Commission. This list gives the type of vessel and a reference can be noted that all of the vessels are not of the standard type, but may vary. The rate of construction differential subsidy on these vessels, except the *Andrew Jackson*, *Topas Topas*, and *Iberville*, was 50 percent.

2. There is also attached hereto a list (exhibit B) setting forth the 13 ships which the bulletin of the American Bureau of Shipping states were bought by the Maritime Commission. This list shows the authority of law under which the Commission acquired title to these vessels and the prices at which the vessels were acquired. All of the vessels acquired from the United States Lines were requisitioned.

3. The contracts for the sale of the vessels described in the attached list contain a "fall" clause which would give the benefit of any refund granted by legislation, such as the pending Merchant Ship Sales Act, to purchasers of vessels from the Maritime Commission during the war.

Sincerely yours,

EDWARD MACAULEY,
Acting Chairman.

EXHIBIT A

Ships purchased by private companies from Maritime Commission

Sold to—	Vessel's name	Type	Dead-weight tons	Built	Reported supplement dated—
United States Lines	*American Ranger*	C2SAJ1	10,660	April 1945	May 1, 1945
Waterman	*Andrew Jackson*	C2SK1	10,660	March 1945	Do.
Lykes Bros.	*Ruth Lykes*	C2SAJ1	10,660	do	Do.
United States Lines	*American Banker*	C2SAJ1	10,660	April 1945	May 15, 1945
Do.	*American Farmer*	C2SAJ1	10,660	do	Do.
Lykes Bros.	*Kenneth McKay*	C2SAJ1	10,565	do	June 1, 1945
Do.	*Louise Lykes*	C2SAJ1	10,560	May 1945	Do.
Do.	*Velma Lykes*	C2SAJ1	10,560	do	Do.
Do.	*Elizabeth Lykes*	C2SAJ1	10,660	do	June 15, 1945
United States Mail	Steamship *Limon*	R2STAU1	6,143	do	Do.
Lykes Bros.	*Reuland Tipton*	C2SAJ1	10,560	do	Do.
Do.	*Harry Culbreath*	C2SAJ1	10,660	do	July 2, 1945
Do.	*Red Gauntlet*	C2SAJ1	10,660	June 1945	Do.
Do.	*Simoon*	C2SAJ1	10,660	do	July 16, 1945
Do.	*Canvas Back*	C2SAJ1	10,660	do	Aug. 1, 1945
American Export	*Exchester*	C3SA3	9,394	July 1945	Do.
Lykes Bros.	*Tyson Lykes*	C2SAJ1	10,660	June 1945	Do.

Ships purchased by private companies from Maritime Commission—Continued

Sold to—	Vessel's name	Type	Dead-weight tons	Built	Reported supplement dated—
American President	*President Taft*, ex *Sea Thrush*		11,138	July 1945	Aug. 15, 1945
Lykes Bros	*Sue Lykes*	C2SAJ1	10,614	do	Sept. 15, 1945
Do	*Eugene Lykes*	C2SAJ1	10,660	do	Sept. 1, 1945
United States Lines	*Stag Hound*	C2SAJ1	10,535	August 1945	Sept. 15, 1945
Do	*Rattler*	C2SAJ1	10,535	July 1945	Do.
Pan Atlantic	*Topas Topas*	C2SE1	10,474	do	Do.
United States Mail	Steamship *San Jose*	R2STAU1	6,148	do	Oct. 1, 1945
Lykes Bros	*Tillie Lykes*	C3SBh1	12,738	August 1945	Do.
United States Lines	*Resolute*	C2SAJ1	10,535	do	Oct. 15, 1945
Do	*Courser*	C2SAJ1	10,635	do	Do.
American President	*President Grant*, ex *Sea Bearer*		10,990	do	Do.
Lykes Bros	*Almeria Lykes*	C3SSh1	12,906	September 1945	Nov. 1, 1945
Do	*Charles Lykes*	C2SAJ1	10,660	do	Do.
United Mail	Steamship *Napartas*	R3STAU1	6,700	do	Do.
American Export	*Executor*	C3SA3		do	Do.
Pan Atlantic	Steamship *Iberville*		10,470	August 1945	Do.
United States Lines	*Onward*	C2SAJ1	10,535	September 1945	Do.

EXHIBIT B

Vessels taken for title, and type of requisition

Owner and vessel	Built	Dead-weight tons	Title requested	How acquired	Price paid
Grace Line, Inc.:					
Falcon	1919	4,225	May 18, 1945	Trade in U. S. Maritime Commission	$211,250.00
Lara	1919	4,225	May 26, 1945	do	211,250.00
Santa Barbara	Jan. 14, 1943	9,433	May 23, 1945	Sec. 802, M. M. 1938, as amended	1,308,936.13
Santa Cecilia	Aug. 29, 1942	9,376	Apr. 13, 1945	do	1,319,948.07
Santa Margarita	Sept. 26, 1942	9,351	Apr. 11, 1945	do	1,339,897.13
United States Lines, Co.:					
American Manufacturer	Apr. 11, 1941	9,028	Aug. 25, 1945	do	890,218.44
American Packer	Oct. 14, 1941	9,039	July 8, 1945	do	984,807.92
Lightning	May 29, 1942	9,613	May 1, 1945	do	1,110,810.90
Sea Serpent	Oct. 19, 1942	9,613	May 5, 1945	do	1,161,271.00
Shooting Star	Aug. 14, 1942	9,613	July 19, 1945	do	1,111,650.01
Surprise	June 27, 1942	9,613	Apr. 28, 1945	do	1,118,116.69
American South African Line:					
Charles H. Cramp	1920	9,395	July 3, 1945	Trade-in U. S. Maritime Commission	450,960.00
Henry S. Grove	1921	9,412	July 5, 1945	do	451,776.00

Mr. HALE. Mr. Speaker, Schedule A shows ships purchased by private companies from the Maritime Commission in the period from March to September 1945. Schedule B shows vessels taken for title by the Commission. These schedules show that the United States Lines—subsidized—brought from the Commission eight ships in all: The *American Ranger, American Banker, American Farmer* in April; the *Rattler* in July, the *Staghound, Resolute* and *Courser* in August and the *Onward* in September. In exchange for these ships the Maritime Commission requisitioned for title from the United States Lines two war-built ships built in 1941, the *American Manufacturer* and the *American Packer;* and four ships built in 1942, the *Lightning, Sea Serpent, Shooting Star,* and *Surprise.* The price paid on these earlier war-built ships varied from $98 per ton to $117 per ton.

Lykes Brothers—subsidized—bought from the Commission 16 ships, one in March, 1 in April, 5 in May, 3 in June, 3 in July, 1 in August, 2 in September.

The Waterman Line—unsubsidized—bought the *Andrew Jackson* in March.

The United States Mail bought three ships: the *Limon* in May, the *San Jose* in July, and the *Espartas* in September.

The Pan Atlantic—unsubsidized—bought two ships, the *Topas Topas* in July and the *Iberville* in August.

The American Export—subsidized—bought two ships, the *Exchester* in July and *Executor* in September.

The American President Line which is 98 percent Government-owned, bought two ships: the *President Taft* in July and the *President Grant* in August.

With the exception of the three ships bought by the United States Mail, these ships were all of the C–2 or C–3 type and so represent the cream of the war-built ships, brand new.

In the first 5 months of 1945 the Maritime Commission also took from the Grace Line, apparently as turn-ins for six C–2's then under construction for the Grace Line, but not included in Schedule A of the Macauley letter, two small, old ships, the *Falcon* and *Lara* of 4,225 tons each, built in 1919, for which the Commission paid at the rate of $50 per ton, the two 9,300-ton ships *Santa Cecilia* and *Santa Margarita* built in 1942 and the 9,400-ton *Santa Barbara* built in 1943. For these the Commission paid around $140 per ton. Two steamers of like size built in 1920 and 1921 were requisitioned from American-South African Line at $50 per ton.

After the Maritime Commission acquired the *Lightning* from the United States Lines, the United States Lines continued to operate her as agent. The three Santa ships were operated by the Grace Line as agent for the War Shipping Administration after their acquisition from the Grace Line.

It is extremely difficult to understand why the Maritime Commission requisitioned any of these ships for title since the companies that sold the ships to the Commission continued to operate as agents for the Commission. Furthermore, it is hard to see why the Martime Commission had any need for these older ships when it could, or at least did, deliver to the owners of these old ships brand new ships built in 1945.

The C–2's which the Commission has sold to certain favored subsidized lines cost about $2,600,000 to build.

What has happened is that the Commission has used its power of requisition as a subterfuge to grant discriminatory trade-in arrangements to the United States Lines and the Grace Line.

One of the important questions to be determined by the conferees in settling the final form of the ship-sales bill is whether we shall countenance the exchange of older war-built ships for newer. I think we should not. If we do, we make much more difficult the task of transferring our war-built fleet to private ownership. If the conferees adopt the House version of section 8 of the bill relating to turn-ins the United States and Grace Lines have secured most important advantages over any purchaser under the bill. They have been allowed to beat the gun in the competition of the shipping lines for the best of the war-built fleet. Because, under section 8 of the House bill, the amount of credit allowable for the older ships is limited to 10 percent of the construction cost of the newer, which would come to around $260,000 as against three to four times that which the Grace Line and the United States Lines have actually obtained. I include herein a tabulation of trade-in prices on a per ton basis under House and Senate bills.

Estimated trade-in allowances (per dead-weight ton) for vessels eligible for trade-in under H. R. 3603, sec. 8

	House bill	Senate bill
Type being purchased:		
C1-A	$35.61	$44.90
C1-B	28.17	35.53
C2	26.80	36.08
C3	25.40	32.80
Liberty	14.79	19.72
Victory:		
15-knot	22.42	29.90
17-knot	25.77	32.71
N3	41.30	55.07
C1-MAV-1	33.26	41.74

This means that the Commission has played favorites in quite a shocking way and flouted the very policies which it has urged upon the Congress and which are embodied in both House and Senate bills.

Some of us feel that these facts should be further studied and explained. The Congress should not tolerate unwarranted discrimination by the Maritime Commission or by the War Shipping Administration in favor of the subsidized lines.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Nebraska [Mr. MILLER] is recognized for 15 minutes.

REPORT TO THE NATION

Mr. MILLER of Nebraska. Mr. Speaker, the United States is now experiencing so much turmoil and cross currents of propaganda and criticisms from all sections of the country because of strikes and other domestic problems that I am moved to speak briefly upon what I consider the state of our Union. We have listened today to the President's message on the state of the Union. I think it might be well for the various Members of Congress to express their views on this subject.

Mr. Speaker, in my opinion, the present wave of strikes and unrest is merely an expression and a reaction of a long period of pent-up nerves that now is breaking out of the corral. America is fundamentally sound. The strikes are now the dark cloud on the horizon of our continued recovery. I am optimistic enough to feel that within the next 30 days most of these strikes will have been settled or on the way to settlement. I am concerned about some groups in labor, Government, and the country who seem anxious for the Government to take control and operate all essential business. This is not the answer to recovery in America. I believe that some change is inevitable. No nation, people, or even an individual can stand still. To stand still will eventually mean regression. It means atrophy of the nation, community, or individual.

Mr. Speaker, with the strikes settled, with full production, increased pay roll and the citizen with a pocketful of money, we can expect several years of high prosperity in this country. The answer is production, production, and more production. The American people have more than $150,000,000,000, either in money or liquid assets and they want to buy. They want to buy everything from shoestrings to automobiles. Things cannot be produced when strikes are in continuous operation.

Mr. Speaker, in this picture of great prosperity, there is another "if," and that one is the Government must balance its budget and stop deficit spending. We must stop deficit spending if we are to keep on a sound economic basis. We cannot keep on a sound economic basis if we continue to wantonly waste our resources without a promise of a fair return.

Mr. Speaker, in listening to the President's Budget message, I am not convinced that there is any hope at all of balancing the Budget if we are to adopt his suggested legislative program.

On the matter of labor legislation, I am firmly of the opinion that the National Labor Relations Act and the other acts regulating labor must undergo some changes. These acts, when first considered, seemed necessary in order to protect labor and give it some of the well-deserved and well-earned rights. Since these acts became law, labor has grown stronger—I believe stronger than Government. Some labor unions defy Government. Some labor leaders, drunk with power and seeking self-imposed authority, go far beyond the original intent of the law. It seems to me that we need labor legislation which will make labor unions responsible for their contracts. We should adopt legislation to stop jurisdictional strikes between unions. We need legislation to strengthen collective bargaining and where a conciliator and collective bargaining fails to bring about an understanding between labor and industry, the dispute should be referred to a judicial court and these men should make a finding. The finding should be binding and provide penalties for noncompliance. Such legislation is necessary as it relates to transportation, communications, and other problems which will directly affect the public. I believe that a man should have the right to work and I believe he has the right to strike.

I do not feel that labor leaders should have so much power that they can, with a wave of the hand, call men out on strike and subject them to penalties for going back to work. In my humble opinion, we need legislation to define picketing. The papers carry daily, scenes of violence, mass picketing, and other acts which are inspired by labor leaders, and which, if performed by industry, would be subject to severe penalties.

I am sure, Mr. Speaker, that the people of the country are insisting that something be done about these strikes which so paralyze the vital industries of our Nation. I find the people in my district quite angry at Congress. They fail, sometimes, to distinguish between party lines, but feel that the entire Congress is to blame for not looking after the interests of the country. You and I know, Mr. Speaker, that your party, now in power, has the controlling vote. You control all legislation, all committees, and are in a position to adopt or stop legislation. I am convinced, however, that unless Congress does take some action that a wave of resentment may spread over the country which will cause some vacant seats in this House come next election.

Along with full production, naturally comes full employment. We must keep full employment with a national income of one hundred and forty or more billion dollars. Taxes will, of necessity, be high. But with high prosperity, which means full employment and full production, our huge national debt can be amortized and paid off in the next 25 or 30 years. It seems to me that the first step that this Congress should take is to stop doing things for people that they can do for themselves. We must stop deficit spending.

In looking over the President's message, it seems to me that he is trying to indorse many items which are approved by some people and disapproved by others. It is like putting molasses out to attract flies. Should we adopt all the suggestions made by this administration, there will be no possibility of balancing our budget. It will mean continued huge deficits. It means increased bureaucracy, increased Federal pay rolls, increased regimentation of the American people.

In the contacts with the people of my district, I am certain that they do not want me to support the British loan or gift. Neither do they want me to support those loans to other countries, until we have our own house in order. They feel that the Congress passed the Bretton Woods agreement and provided additional money for the Export-Import Bank, which should be sufficient to meet all of our international obligations. The people of my district do not want me to support the unemployment compensation of $25 a week for those who do not have jobs. They would be disappointed if I support the full employment bill, in which Government guarantees everyone a job. The majority of them do not want me to support the socialized political medical bill presented by the President. The majority of them do not want me to support compulsory military training or the continuance of the draft. They do not want me to vote for the continuance of subsidies. They want me to continue to support the rapid demobilization of the Army and demilitarization of this country. They want me to support international agreements which will work toward a just and lasting peace.

The farmers want to be assured of a reasonable price for the products they raise. This price must be in balance with the things they buy. The folks in my district feel that Congress should do something about declaring hostilities at an end. There are so many regulations tied up to the ending of the war. The people in my district, Mr. Speaker, want to get away from regulations and controls by a Federal Government in Washington. They feel, honestly, that the best government is that which is close to the people. They want just as little Federal regulation as is necessary. The people in my district feel that I should give support, as I always have, to the further extension of the REA. These REA loans are repaid by the farmer—repaid with interest—yes; more interest than is proposed in our loans to foreign countries. They want me to support the use of water for irrigation and power. They

want flood-control and soil-conservation practices supported.

I believe, Mr. Speaker, that in the past our country has been plagued with too many directives and perhaps too many laws passed by Congress. I am reminded, sir, that the country is seldom hurt by laws we do not pass. I believe that our Government should be merely an umpire guaranteeing fair play. They should not be in competition with the private individual. I believe the race and competition should be between individuals, and the reward, if any, should come to that individual. I do not believe that it is possible for our Government to shepherd the individual from the cradle to the grave and expect to have strong, reliant individuals in this country.

I am hopeful, Mr. Speaker, that these few remarks, showing my views upon the state of the Nation, may cause some Members of Congress and the country to stop, look, and listen to the voice from the grass roots, where people are thinking things through. I can hopefully see years of prosperity for our Nation when these strikes are settled, when the Budget is balanced, when the deficit spending ends and we have full production and full employment. Many of our apparently difficult problems of today would melt away as snow melts in the summer sun, if this administration and Congress were to merely adopt a little ordinary horse sense in the affairs of government. There is not a great many things that need to be done, but what needs to be done is fundamental. It strikes at the heart of America. Let us do the really necessary fundamental things and the illness and the disease which now is inflicting itself upon America will soon be cured.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Arizona [Mr. MURDOCK] is recognized for 5 minutes.

THE PRESIDENT'S MESSAGE

Mr. MURDOCK. Mr. Speaker, on September 6 last year we heard in this House a lengthy message from the President of the United States, Mr. Truman, about as we have today. At that time I took the floor and commented on, and commended parts of, that remarkable message.

The President has repeated some of the very things contained in the message of last September. At that time I pointed out that this distinguished son of Old Missouri, and I am proud of that great commonwealth because that is my native State, had rivaled that vision which many earlier Missourians, men of a former generation, had in looking to the West and helping to develop it.

I recall pointing out the great work of Senator Thomas Hart Benton, the Pathfinder of the Rockies, John C. Fremont, and many others. Soon after that another distinguished citizen from Missouri, Mr. CANNON, chairman of the Appropriations Committee, brought in a unique bill in which we recaptured for the Federal Treasury about $4,000,000,000. That was the first time in the history of the Congress that such a bill had been introduced, and it was ultimately passed, that took back money to the Treasury which had been appropriated as this had been for war purposes. I complimented my colleague and good friend, the chairman of the Appropriations Committee, Mr. CANNON, on bringing that bill in. Later other rescission bills were brought in. They have not all become law as yet but in effect they are being carried out and will soon become law, so that due to the fact we over-appropriated for war purposes we are now able to take back about $50,000,000,000 which, thank God, we did not have to spend in this war for survival.

Some days ago a man wrote me saying, "I do not like this proposal to lend Britain $4,400,000,000 at 2 percent interest." Well, without committing myself with regard to that proposition I wrote to him and said: "I would feel a lot better about it if Uncle Sam would invest about $4,400,000,000 in reclamation projects and not charge more than 2 percent interest on the principal, along with repayment of that principal." Having taken back several billion dollars not needed to fight one war, I wish Congress would reappropriate it to fight a war on the desert.

I sat in charge of the House Committee on Irrigation and Reclamation some weeks ago and heard that that grand old engineer, Dr. John L. Savage, who has been with the Bureau of Reclamation for so many years, was about to resign. We had lent him to China; this famous engineer had returned from China and he was proposing the building of great dams, far greater than Boulder or Grand Coulee, on the rivers of China. Even with us he had come to be known as "the billion-dollar engineer." He was planning to do bigger things in China than he had done here.

In the Washington Post of Friday I saw this item, Big Irrigation Job Planned by Russians. Also I learn that the Japanese have surpassed us in rural electrification. I told my committee I would be glad enough to lend Dr. Savage to the Chinese for a short time although I hope he will continue to live long with us and plan bigger dams than Grand Coulee in this country. I am pleased to hear that they are planning big reclamation projects in greater Russia, if only we can keep ahead of those Asiatics.

The SPEAKER pro tempore. The time of the gentleman from Arizona has expired.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to proceed for two additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MURDOCK. According to this item in the Post for January 18 they propose to reclaim an area in Asiatic Russia twice as large as the combined area of Denmark and Holland. They propose to build a canal 370 miles in length across the desert. That is what the Russians are planning to do. Quite likely they will want to borrow the money from us, too, in order to do it. You see why I am so glad to have the President of the United States reiterate today what he said on last September 6.

Lastly I come to the building up of our great resources. I see my colleague the gentleman from Washington [Mr. SAVAGE] here, and I know he joins with me in the hope that when we take back the billions of dollars that we have appropriated for fighting a war for survival in various rescission bills that we will at once reappropriate billions of dollars to fight another war for survival, a war that is just as necessary to win, an economic war, to preserve the American way of life, as it was necessary to fight the forces of Hitler and Tojo who would have crushed us in a military sense.

Mr. SAVAGE. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK. I yield to the gentleman from Washington.

Mr. SAVAGE. I can assure the gentleman that I go along with him, and I think it is vital to the country that he is bringing out the importance of developing our resources. There is a vast area of arid land out West at the present time, but as soon as it is developed there is almost no risk in planning a crop, for almost 100 percent matures, and it is much cheaper in the long run to produce on that land when it is developed than most of the land that we get our agricultural products from now.

Mr. MURDOCK. Exactly so, but all parts of the country benefit thereby. The furnaces are cool now in Pittsburgh and along the Ohio River. There may be several causes why some of their chimneys are smokeless. They would be heated up to produce the machinery and equipment which we need for our western development. Let us invest where it is safe and will return.

APPOINTMENT OF MEMBERS OF COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The SPEAKER pro tempore laid before the House the following communication:

JANUARY 17, 1946.

The SPEAKER,
The House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: Pursuant to act of April 16, 1937, as amended (Public, No. 78, 75th Cong., 1st sess.), I have appointed the following members of the Committee on the Merchant Marine and Fisheries to serve as members of the Board of Visitors to the United States Coast Guard Academy for the year 1946: Hon. FRANK BOYKIN, Hon. JAMES DOMENGEAUX, Hon. CHRISTIAN A. HERTER.

As chairman of the Committee on the Merchant Marine and Fisheries, I am authorized to serve as an ex officio member of the Board.

With kindest personal regards, I am

Yours very sincerely,

S. O. BLAND, *Chairman.*

BOARD OF VISITORS TO THE UNITED STATES MERCHANT MARINE ACADEMY

The SPEAKER laid before the House the following communication:

JANUARY 17, 1946.

The SPEAKER,
The House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: Pursuant to Public Law 301 of the Seventy-eighth Congress, I have appointed the following members of the Committee on the Merchant Marine and Fisheries to serve as members of the Board of Visitors to the United States Merchant Marine Academy for the year 1946: Hon. ED-

WARD J. HART, Hon. HERBERT C. BONNER, Hon. FRED BRADLEY.

As chairman of the Committee on the Merchant Marine and Fisheries, I am authorized to serve as an ex officio member of the Board.

With kindest personal regards, I am

Yours very sincerely,

S. O. BLAND, *Chairman.*

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted, as follows:

To Mr. SUNDSTROM (at the request of Mr. EATON), for 2 weeks, on account of official business.

To Mr. MATHEWS (at the request of Mr. EATON), for 2 weeks, on account of official business.

To Mr. GRAHAM (at the request of Mr. RODGERS of Pennsylvania), for 1 week, on account of death in the family.

To Mr. LYNDON B. JOHNSON (at the request of Mr. PACE), indefinitely, on account of illness.

To Mr. AUGUST H. ANDRESEN (at the request of Mr. PACE), indefinitely, on account of official business for the Special House Food Investigation Committee.

To Mr. TRAYNOR (at the request of Mr. WALTER), indefinitely, on account of illness.

ADJOURNMENT

Mr. SAVAGE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 50 minutes p. m.) the House adjourned until tomorrow, Tuesday, January 22, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will meet on Wednesday, January 23, 1945, at 10:30 a. m., in executive session. The Attorney General, Mr. Clark, will attend.

COMMITTEE ON THE CENSUS

The Committee on the Census will hold hearings on H. R. 4781 on Thursday and Friday mornings, January 24 and 25, 1946, at 10 o'clock a.m.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 2 p. m. on Thursday, January 24, 1945, for resumption of hearings in study of operations pursuant to the Public Utility Holding Company Act of 1935.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

963. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 7, 1945, submitting a report, together with accompanying papers and an illustration, on a review of reports on and a preliminary examination and survey of Napa River, Calif., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on December 2, 1944, and authorized by the River and Harbor Act approved on March 2, 1945 (H. Doc. No. 397); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

964. A letter from the Secretary of Commerce, transmitting a report of services rendered and funds received to defray cost of special statistical studies, compilations, etc., and the manner in which the moneys received were deposited or used. Authorized by the act of May 27, 1935; to the Committee on Expenditures in the Executive Departments.

965. A letter from the Acting Secretary of the Navy, transmitting a proposed draft of a bill to amend Public Law 277, Seventy-ninth Congress, so as to provide the Coast Guard, at such time as it is transferred back to the Treasury Department, with a system of laws for the settlement of claims, and for other purposes; to the Committee on Claims.

966. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to provide reimbursement for personal property lost, damaged, or destroyed as the result of explosions at the Naval Ammunition Depot, Hastings, Nebr., on April 6 and September 15, 1944; to the Committee on Claims.

967. A letter from the Administrator, Surplus Property Administration, transmitting a report on aircraft plants and facilities; to the Committee on Expenditures in the Executive Departments.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. H. R. 4810. A bill to amend an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (38 Stat. 730), as amended; without amendment (Rept. No. 1480). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 1519. A bill relating to marine insurance in the case of certain employees of the Army Transport Service who suffered death, injury, or other casualty prior to April 23, 1943, as a result of marine risks; with amendment (Rept. No. 1481). Referred to the Committee of the Whole House on the State of the Union.

Mrs. SMITH of Maine: Committee on Naval Affairs. S. 50. An act to permit settlement of accounts of deceased officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and of deceased commissioned officers of the Public Health Service, without administration of estates; with amendment (Rept. No. 1482). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY:

H. R. 5180. A bill to repeal the unused excess-profits credit carry-back from taxable years beginning after December 31, 1945; to the Committee on Ways and Means.

By Mr. SUMNERS of Texas:

H. R. 5181. A bill to authorize the use of the employees' compensation fund for furnishing medical and hospital services to certain enrollees of the Civilian Conservation Corps, and for other purposes; to the Committee on the Judiciary.

H. R. 5182. A bill to authorize certain administrative expenses for the Department of Justice, and for other purposes; to the Committee on the Judiciary.

H. R. 5183. A bill to incorporate into the Judicial Code the provisions of the Urgent Deficiencies Act of October 22, 1913, relating to the enforcing, suspending, and setting aside of orders of the Interstate Commerce Commission by three-judge and other district courts and to amend the provisions thereof and of section 266 of the Judicial Code relating to three-judge district courts convened upon application to restrain the enforcement of State statutes so as to make those provisions uniform so far as may be with the provisions for three-judge district courts now contained in section 1, as amended, of the Expediting Act of February 11, 1903, and section 3 of the act of August 24, 1937, relating to three-judge district courts convened upon application to restrain the enforcement of acts of Congress; to the Committee on the Judiciary.

By Mr. BEALL:

H. R. 5184. A bill to create a veterans' housing authority, and for other purposes; to the Committee on Banking and Currency.

By Mr. BELL:

H. R. 5185. A bill to provide for future trade relations between the United States and the Philippine Islands, and for other purposes; to the Committee on Ways and Means.

By Mr. BURCH:

H. R. 5186. A bill to authorize certain administrative expenses in the Post Office Department, and for other purposes; to the Committee on the Post Office and Post Roads.

H. R. 5187. A bill granting the consent of Congress to the Norfolk & Western Railway Co. to construct, maintain, and operate a bridge across New River near Radford, Montgomery County, Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. KEFAUVER:

H. R. 5188. A bill to provide for the appointment of public defenders in the district courts of the United States; to the Committee on the Judiciary.

By Mr. LYLE:

H. R. 5189. A bill to provide for the discharge of, or release from active duty of, certain personnel in the armed forces of the United States; to the Committee on Military Affairs.

By Mr. MILLS:

H. R. 5190. A bill to increase the pay of retired enlisted personnel of the Army, Navy, Marine Corps, and United States Coast Guard; to the Committee on Military Affairs.

By Mr. LEMKE:

H. R. 5191. A bill to create and establish an international university for the purpose of promoting universal understanding, justice, and permanent peace, to provide for the course of study, management, and operation of the university, and for other purposes; to the Committee on Foreign Affairs.

H. R. 5192. A bill to provide a method of proving derivative citizenship in the case of children of naturalized citizens; to the Committee on Immigration and Naturalization.

H. R. 5193. A bill to prescribe minimum qualifications for pharmacists employed by the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. MAY (by request):

H. R. 5194. A bill to amend the Mustering-Out Payment Act of 1944; to the Committee on Military Affairs.

By Mr. MAY:

H. R. 5195. A bill to govern the distribution of war trophies; to the Committee on Military Affairs.

By Mr. CHURCH:

H. R. 5196. A bill to provide for the establishment of a Coast Guard station on the shore of Lake Michigan at or near Waukegan Harbor, Waukegan, Lake County, Ill.; to the Committee on the Merchant Marine and Fisheries.

By Mr. MILLS:

H. J. Res. 302. Joint resolution providing additional allowance for military and naval personnel; to the Committee on Ways and Means.

By Mr. HENDRICKS:

H. J. Res. 303. Joint resolution to provide for appropriate military records for persons who, pursuant to orders, reported for military duty, but whose induction into the service was not, through no fault of their own, formally completed on or prior to November 30, 1918; to the Committee on Military Affairs.

By Mr. LYLE:

H. Con. Res. 120. Concurrent resolution to promote full recovery at the earliest opportunity; to the Committee on Military Affairs.

By Mr. HOFFMAN:

H. Res. 489. Resolution calling for law enforcement and protection of civil rights within the District of Columbia; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of Puerto Rico, with reference to the political and economic status of Puerto Rico; to the Committee on Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUGUST H. ANDRESEN:

H. R. 5197. A bill for the relief of the Olson Manufacturing Co.; to the Committee on Claims.

By Mr. BLAND:

H. R. 5198. A bill for the relief of Marjorie B. Marable; to the Committee on Claims.

By Mr. CELLER:

H. R. 5199. A bill for the relief of Moszes and Anna Helman; to the Committee on Immigration and Naturalization.

By Mr. McCORMACK:

H. R. 5200. A bill for the relief of Anthony (Tony) Di Ina; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1473. By Mr. ANDREWS of New York: Petition signed by surgeons from 15 States or more, strongly urging the adoption of universal military training; to the Committee on Military Affairs.

1474. By Mr. ROCKWELL: Memorial from William C. Blair, secretary of the senate, State of Colorado, concerning the administration of the United States Forest Service; to the Committee on Agriculture.

1475. Also, memorial from William C. Blair, secretary of the senate, State of Colorado, memorializing the Congress of the United States to amend the Social Security Act, etc.; to the Committee on Ways and Means.

1476. Also, memorial from William C. Blair, secretary of the senate, State of Colorado memorializing the Congress of the United States to adequately support the United Nations Relief and Rehabilitation Administration; to the Committee on Appropriations.

1477. By the SPEAKER. Petition of the Council of the American Academy of Arts and Sciences, petitioning consideration of their resolution with reference to support of the United Nations Educational, Scientific, and Cultural Organization; to the Committee on Foreign Affairs.

1478. Also, petition of the Federation of Architects, Engineers, Chemists, and Technicians, Chapter No. 14, CIO, petitioning consideration of their resolution with reference to endorsement of S. 1592; to the Committee on Banking and Currency.

1479. Also, petition of the Retired Railway Mail Service Employees Association, petitioning consideration of their resolution with reference to endorsement of S. 896; to the Committee on the Civil Service.

1480. Also, petition of the Veterans of the Abraham Lincoln Brigade, Robert Merriman Post, petitioning consideration of their resolution with reference to the investigation of the Joint Anti-Fascist Refugee Committee by the Woods-Rankin committee; to the Committee on Rules.

SENATE

TUESDAY, JANUARY 22, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou kindly light, lead Thou us on. We grope forward with uncertain step in a tense time dark and filled with fears, as men in mad fury contend for the prizes they fain would grasp and the goals they blindly seek. The encircling gloom is about us. Help us to trust the faithful stars above us and the glow on the far horizon where the gates of dawn await the day of brotherhood. May the day star from on high arise within us, dispelling our inner darkness and so making us children of the light.

Grant us honesty in dealing with our besetting sins, humility in confessing them, and resolution in overcoming them. At this high altar in the temple of public service maintain in us the fidelity of those to whom much has been given and from whom much will be required. In the dear Redeemer's name. Amen.

ATTENDANCE OF SENATORS

CLYDE M. REED, a Senator from the State of Kansas; EDWARD V. ROBERTSON, a Senator from the State of Wyoming; and GLEN H. TAYLOR, a Senator from the State of Idaho, appeared in their seats today.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

CALL OF THE ROLL

Mr. ELLENDER. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	Ellender	Kilgore
Bailey	Ferguson	La Follette
Ball	Fulbright	Langer
Bankhead	George	Lucas
Barkley	Gerry	McCarran
Bilbo	Gossett	McClellan
Brewster	Green	McFarland
Bridges	Guffey	McKellar
Briggs	Gurney	McMahon
Buck	Hart	Maybank
Bushfield	Hatch	Mead
Butler	Hawkes	Millikin
Byrd	Hayden	Morse
Capper	Hickenlooper	Murdock
Chavez	Hill	O'Daniel
Cordon	Hoey	Pepper
Donnell	Huffman	Radcliffe
Downey	Johnson, Colo.	Reed
Eastland	Johnston, S. C.	Revercomb
Robertson	Taft	Wherry
Russell	Taylor	White
Saltonstall	Thomas, Okla.	Wiley
Shipstead	Thomas, Utah	Willis
Smith	Tobey	Wilson
Stanfill	Tydings	Young
Stewart	Walsh	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. CARVILLE], the Senators from Washington [Mr. MAGNUSON and Mr. MITCHELL], the Senators from Montana [Mr. MURRAY and Mr. WHEELER], the Senator from Pennsylvania [Mr. MYERS], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Louisiana [Mr. OVERTON], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business as a member of the Mead committee.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations now being held in London.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee.

The Senator from Vermont [Mr. AIKEN] is absent because of illness.

The Senator from Illinois [Mr. BROOKS], the Senator from Indiana [Mr. CAPEHART], and the Senator from Oklahoma [Mr. MOORE] are necessarily absent.

The PRESIDENT pro tempore. Seventy-seven Senators having answered to their names, a quorum is present.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana [Mr. OVERTON] to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. RUSSELL obtained the floor.

Mr. WILEY. Mr. President, will the Senator from Georgia yield to me to place something in the RECORD? I ask unanimous consent that I be permitted to do so, but that the Senator shall not be taken off the floor.

The PRESIDENT pro tempore. Without objection——

Mr. BALL and Mr. TAFT objected.

The PRESIDENT pro tempore. The Senator from Minnesota objects.

Mr. RUSSELL. Mr. President, today the Senate of the United States finds itself in a most unenviable position in the minds of the American people. We may talk about the responsibility for that condition, but all will admit that for the Senate to be found in its present condition in this time of chaos certainly is not calculated to increase its stature in the minds of our people.

We have just emerged from the greatest war of all history, and we emerged

victorious. During the time of national peril we experienced national unity. With the coming of victory that unity vanished. We are now in a period which is so critical for our future economy that what happens now will affect the happiness and prosperity of our people. We are facing a crisis second only to that fateful day in December when the Japanese attacked at Pearl Harbor. Our entire economy is threatened, the production which is essential to carry us through the reconversion period, which started with such bright prospects, is being shut down by industrial strife.

We are walking a tightrope in our fiscal affairs, with a debt which approaches $300,000,000,000. We are threatened with the necessity of resorting to the printing press to pay the debt, or will be driven into a period of deflation which will make it necessary for us to repudiate it.

I have in my hand a copy of today's New York Times. The headlines proclaim "Truman calls for continued price control, higher wages, labor peace, reduced budget." Another headline says "Steel mills close." Another says "Snyder asks action to bar an 'economic Pearl Harbor'." And in that situation we find that the Senate of the United States is impotent to legislate.

Mr. President, I shall not discuss the responsibility for this situation other than to say that I want the RECORD to show, for the benefit of the future historian, that the opponents of the proposed legislation are in no wise responsible for precipitating this unfortunate condition. I want the RECORD to show, Mr. President, that the opponents of the proposed legislation are not responsible for the stalemate which exists in all the business of the Senate, and which makes certain that this bitter fight will be drawn out to a conclusion, to the death or detriment of any other legislation.

With approximately 2,000,000 people out on strike, we cannot consider, nor can a committee report, any legislation to deal with that crisis. We have the remarkable situation of the press reporting the Senator from New Mexico [Mr. CHAVEZ] as being willing to have any legislation of importance considered, when his right bower on the other side of the aisle will not even permit a bill to be introduced, will not permit a committee to report, in his determination that all business shall die, even though the condition of the Nation becomes worse, unless he can force us to accept his will in the matter of the pending so-called, but misnamed, fair-employment-practice legislation.

Mr. BALL. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield for a question. I shall be more generous than the Senator.

Mr. BALL. It is not a question, exactly. I merely wish to say to the Senator from Georgia that the moment this filibuster on the reading of the Journal is concluded, and we are back on Senate bill 101, so far as I am concerned I shall be glad to have the Senate transact any business, have bills introduced, and all other routine matters disposed of. So long as the opponents persist in preventing the Senate from actually getting to Senate bill 101, by the tactic of amending the Journal, we will see that the Senate is tied up completely.

Mr. RUSSELL. Mr. President, I reiterate my statement, confirmed by the Senator from Minnesota himself, that the Senator takes the position that unless he can impose his will upon this body there shall be no legislation of any character, that no committee will be permitted even to report to the Senate a bill which would deal with any one of the serious problems confronting the Nation which are a thousand times more important than this vote-bait measure which has been forced upon the Senate at this critical hour. He will not even permit a bill to be introduced in the Senate to carry out any of the purposes of the President's message or to deal with problems which gravely affect the welfare of our people and the very stability of our form of government.

Mr. President, I ask that the RECORD show that in the midst of this storm of vituperation and abuse which is being hurled at the heads of those of us who oppose this proposed legislation we have not yet gone to the length of being willing to kill any opportunity to legislate on any other matter which might be vital to the welfare of this country.

Mr. President, those who think as does the Senator from Minnesota that this bill is of paramount importance, that it eclipses any other measure the Senate might consider, that it is of such vital consequence that we should proceed to vote on it without delay—those who think the bill is of such magnitude, of course, are justified in their positions of stalling all the machinery of government, in rendering the Congress helpless in a great national emergency. They are entitled to their views, much as we may deplore them. Those, Mr. President, who wish to prevent the Congress of the United States from dealing with any legislation on labor relations, those who might be willing even to say that no bill on the subject shall be introduced or reported by a committee, of course can rejoice and be exceeding glad, because so long as this measure is before the Senate and some Members take the attitude that they do toward those of us who are opposing it, they know that no legislation dealing with this critical condition of industrial strife and unrest can even be reported to the Senate or even introduced for the consideration of a committee.

I wish to have the RECORD show that those who are opposing this bill are not responsible for that situation in this time, when attempt is being made to dragoon us over the radio and in the press by charging that we are a group of filibusterers because of the fact that we have strong convictions on this proposed legislation.

Mr. President, there is another group which can take much comfort from this situation. Those in this country who wish to generate and increase racial and class consciousness, those who wish to array section against section in this time, when unity is so important, those who wish to array one group of Americans against another group at a time when all these feelings are already rife, may well rejoice at the situation in which the Senate of the United States now finds itself. I state again for the RECORD that those who are opposing this bill are in no wise responsible for bringing on that situation.

Mr. President, there are those of us who think, in the first place, that this bill does not address itself to any condition which exists today in the United States of America. There are those of us opposing this measure who think we see beyond this label of a fair bill a dangerous and revolutionary measure, the most far-reaching in its scope ever submitted to or considered by the American Congress. We see in this bill the power delegated to a new board or commission, which in the past has not established itself as being too responsible, to strike a death blow at the fundamental rights of private property of citizens of the United States. We see in this bill the immediate nationalization of all jobs, of all lines of business, whether it be in industry or agriculture or in commerce, of any business, whether it be conducted by a small concern or a large one; we see taken away from the employer the fundamental right to say whom he shall hire, whom he shall promote, whom he shall discharge. We see a board established which can go into the most intimate details of business of every kind, from a beauty shop to a huge commercial bank, and tell the employer whom he shall employ in positions of trust and responsibility, without regard to the opinion of the employer as to the loyalty or as to the competence of the employee.

Mr. President, we see in this bill more. We see that it will create much more unrest and strife than it can possibly remedy. We see in this period when the whole Nation is looking to the Congress to do something about the labor unrest, that this bill, instead of reaching into that situation, would create class and racial consciousness and bring about even greater labor unrest.

We see this bill as the entering wedge to complete state socialism and communism. There can be no doubt about the fact that the bill creates a vast employment agency for aliens, either those here or those who might wish to come to our shores. We know that that can be but to the detriment of native-born American citizens, who, after all, are supposed to have some remaining rights in this country.

We know, and I do not even believe that an advocate of the bill will deny, that this bill will submit American business to more badgering, to more harassment, to more annoyance than any other four pieces of legislation of which any person can possibly conceive, and that at a time when business is almost ready to give up the ghost because of being harassed and badgered by other Government agencies, by the very nature of the unrest which prevails in the country today. It is proposed to create a new agency to go into all the business houses of this Nation of every kind, shape, and character, with the right to examine books without a warrant, with the right to haul people around indiscriminately and to try them on any complaint, real

or imaginary, that discrimination has been practiced.

Furthermore we are opposed to this bill because it undertakes to regulate the tastes, the customs, the habits and the manner of life of all the American people. It is a long step forward toward that regimentation which so many people would like to see imposed in order to end the American way of life as we have known it.

That is what we see in this bill, Mr. President. Those who see these dangers inherent in the measure are not all southern Democrats. There has never been such a campaign of propaganda under false colors undertaken throughout the United States in behalf of any bill as that which has been put on in an effort to compel the Congress of the United States to take this bill without a thorough examination.

When we strip off the window dressing, it is little wonder that this campaign broke down, when it was confronted with the sound common sense of the masses of the American people. Everyone wants to be fair. The bill was labeled "fair." Proponents of the measure could say to a man, "Do you not want to be fair, and do you not want everyone else to be fair?" The first reaction of a person, of course, is to say, "Of course, I wish to be fair, and I wish everyone else to be fair." The American people are inherently and fundamentally a fair people.

The proponents of the bill use the technique of going to liberals, pseudo-liberals, and political liberals, and asking them if they do not want to be fair and support the bill. They dragooned a few of our friends into committing themselves to support it before they had looked beyond the title of the bill. In support of the bill, they could point to the fact that it was opposed by some southern Democrats. That carries a strong appeal in many sections of the country. It is said that southern Democrats are opposing it because they wish to grind down and hold in subjection the Negroes. That idea prevails in some circles, despite the fact that there is not a southern Democrat who does not know that the welfare of his people and the progress of his State are inseparably intertwined with the welfare and progress of the Negro population.

But the argument that it was a fair bill and was opposed by southern Democrats caught some of the unwary, or those who were inspired by prejudice. There was a great build-up for the bill over the radio and through the columns of the press. Every left-wing group in this country had each of its cells carefully instructed as to how to spread propaganda in support of the measure. Yesterday I referred to the message which happened to fall into my hands, instructing certain persons how to work both sides of the street, and thereby try to array Republicans against Democrats in an effort to obtain enactment of this great, "fair" bill, and commit Senators and Representatives to its support without knowing what was in it.

Despite all this, Mr. President, a Gallup poll which was taken on the seven proposals which the President most strongly emphasized in his first lengthy message to the Congress revealed that of the seven issues submitted by the President, the so-called fair employment practice bill was the only one which did not have the support of the majority of the American people. I hold in my hand a report on that poll. It shows that the general public, in a ratio of 8 out of 10, wanted strike legislation. It shows that on the question of universal military training, that proposal, in some form, has the support of 7 out of every 10 people. It shows that by a small percentage the American people supported the President in his demand that the Congress increase the jobless benefits to $25 a week. It shows that the majority of the American people approved a suggestion for raising the minimum wage levels. It shows that the general public was sympathetic to an increase in pay for Federal employees. The survey demonstrated that 72 percent of the people wished to see the price-control program continued. But when it comes to the FEPC, which is a misnomer, despite the campaign which has been put on all over the country, the poll shows that, notwithstanding the great pressure, by a small percentage the American people were 44 percent opposed and 43 percent in favor. So, Mr. President, in making this fight we are supporting the will of the majority of the people of the United States.

Why did the campaign for the bill fail? Why did the effort break down? The bill was mislabeled, and designed to appeal to every kind of prejudice in every section of the country outside the South. Why did it fail and break down? It failed because the supporters of the legislation made one tragic mistake. They must have had assisting them in directing their movements a lawyer who had a suspicion that the Constitution of the United States—a document which it was once considered good form to mention—was not yet quite dead. It was known that no power was given to the Federal Government to sustain such a legislative monstrosity as this. The lawyer evidently concluded that the police power of the States should be used. Conceivably it might be stretched to justify such a measure. It was decided to have the States enact laws creating fair employment practice commissions.

That was the mistake of the proponents of the bill. If that had not been done, we might have had a most difficult time obtaining hearings on the bill. If the proponents of the bill had not gone out to the grass roots where the State legislatures could look this gift horse of fairness in the mouth and see what it really was, it might have been possible to have perpetrated the legislative lynching which the Senator from Minneapolis [Mr. BALL] and others are so enthusiastically espousing. It might have been possible to have brought the bill to a vote, and to have imposed cloture in the Senate before Senators had an opportunity to explain the measure so that those of the American people who were not familiar with the bill could have an opportunity to know something about the kind of bill which was suggested.

Mr. President, I have no objection to any State legislature considering such a bill. As I have stated, there is no justification in the Constitution of the United States for such a measure. There is no police power of the Federal Government which can be properly applied to such a concoction as this. There may be some police power residing in the States, where the founding fathers intended to put the police power, which would justify the enactment of such a law. But when the supporters of the bill went before the hard-headed men who represent their people in the State legislatures, those men saw the true nature of the bill, and in practically every instance the proponents met with overwhelming defeat.

Bear in mind, Mr. President, that none of the State bills was nearly so drastic in its penalties and so far-reaching in its scope as is the bill which is now before the Senate. They were much milder in their terms. But the State legislators who, as I have found from 10 years of experience in serving in the legislative body of my own State, are rather careful in looking at bills, saw the vices which were inherent in even those mild measures, and they refused to start the majority of their people on the way to bondage merely because some trickster of draftsmanship had labeled the bill a fair-employment bill.

Mr. President, they went to 20 States with this bill, and of course they selected those where they thought the opportunities for its passage would be best. They got it through in New York, although the bill which was passed in New York is not nearly so strict in its terms as is the pending bill, and it does not carry such drastic penalties as the proponents of this bill would have the Federal Government impose. But in New York they did get through a bill which was called a fair-employment-practice bill.

In the State of New Jersey they secured the passage of a bill which was labeled a fair-employment-practice bill. It did not undertake to fine and jail the citizens of New Jersey in the same measure that this bill undertakes to fine and jail all the people of the United States; but they did secure the passage of such a bill in the State of New Jersey.

The other 18 States utterly rejected any idea of compulsion. The State of Indiana directed the secretary of its department of labor to make a study of the subject in connection with the question whether there was any discrimination. We might have profited from that example. The fact that we did not do so shows how half-baked we are in dealing with these vital measures. We made no real study to determine the extent of discrimination.

In Utah a legislative investigating committee was appointed to look into the situation and see whether a constitutional bill could be drawn, whether the legislature had the power, and whether there was, in fact, discrimination in the State.

The other 16 States refused even to deal with the subject by passing any form of legislation relating to it, regardless of whether it was educational or

whether it was to provide for an investigation, and they rejected the idea of imposing a criminal penalty on their citizens on the basis of a charge so nebulous and hard to defend against as that one citizen had discriminated against another in respect to conditions of employment or in employing or in discharging.

I shall name the 16 States in which such legislation was not passed. It was not passed in the State of California; on the contrary, it was rejected by the California Legislature. However, one of the Senators from that State is the coauthor of this bill and is urging its passage by the Senate of the United States. The last time I heard anything from California they even had rules there about the right of aliens to own land, yet one of the Senators from that State is espousing a bill to create a gigantic employment agency to insure that every alien shall have a job; and I am not at all sure but that under the terms of this bill, which I shall presently discuss in detail, the Fair Employment Practice Commission would not even be given a right to go into the whole question of restrictive covenants and to say absolutely what a man might do with his land and limit the power of any person to impose a restrictive covenant in connection with the transfer of title to real estate in this Nation.

Mr. WILLIS. Mr. President, will the Senator yield to me for a parliamentary question?

Mr. RUSSELL. I yield.

Mr. WILLIS. I wonder whether the Senator is going to devote his attention to a discussion of the bill or to the question of the Journal.

Mr. RUSSELL. I have discussed only the bill, and I have no other purpose.

Mr. WILLIS. I thank the Senator.

Mr. RUSSELL. Mr. President, in the Legislature of the State of Colorado legislation of this nature was introduced. The members of its legislative body did not think the whole fate of the world in this hour depended upon the creation of a new commission. They undoubtedly thought there were more important matters to which the Colorado Legislature could address itself. They showed better judgment than did the Senate of the United States, for in their legislature the bill was not acted upon, and it died.

The Legislature of the State of Connecticut had an opportunity to rush into this very situation which is asserted to be so critical by the sponsors of the bill. Certainly, Connecticut is a liberal State in its thought. No one can deny that fact if he has followed the results of elections there and the general trend of public life in Connecticut. But the Connecticut Legislature was not impressed with the necessity for this bill, and defeated it.

The State of Illinois, a great industrial State, had an opportunity to protect its people from all of the great unfairness and discrimination which it is said is rampant. The State of Illinois is divided very strictly on party lines, but the legislators in that State did not fall for this working-both-sides-of-the-street idea that is sought to be applied in the Senate of the United States, and they showed their good judgment by defeating the measure.

The State of Kansas had an opportunity to enact legislation on this subject.

The States of Maryland, Massachusetts, and Michigan refused to enact legislation on this subject. They are all great industrial States, and if there was any great epidemic of discrimination against any persons entitled to protection under the law, certainly the legislators of those States, who had some faint excuse under the police power which is vested in the States under our Constitution, would have taken action to protect those who live within their confines.

The State of Minnesota had an opportunity to enact legislation on this subject. I regret that the junior Senator from Minnesota [Mr. BALL], who has been most zealous in attempting to cram this bill down our throats, who has insisted that we discuss the bill, is not now present on the floor of the Senate, because I am undertaking at least to lay the groundwork of my discussion by showing why the majority of the people of this Nation are opposed to having the Senate deal with a measure of this kind in this very critical hour. The State of Minnesota, where the Senator's candidate for President of the United States is supposed to exert great power and influence, and where the Senator from Minnesota himself is recognized as a great liberal, found that its State legislature had too good judgment to undertake to invade every little business enterprise in Minnesota and tell the proprietor of that enterprise how he should operate his business and whom he should hire and whom he should promote. Ah! The Senator from Minnesota would do well to be in the legislative body of his State objecting to anything which any person in his State might think important to the welfare of the people of Minnesota, rather than sitting here and tying the hands of the Senate of the United States, rendering all the machinery of government absolutely impotent in this hour of great crisis.

Mr. President, to my surprise I have found that the great State of New Mexico has had an opportunity to pass legislation such as this, and I find that the legislature of that State had too much good common sense to invade the rights of their people.

Mr. CHAVEZ. Mr. President——

Mr. RUSSELL. I yield for a question.

Mr. CHAVEZ. I know New Mexico and I know the legislature did that. But it was not because of the common sense of the legislature; but as in many other States, they neglected to pass laws which would deal with human beings.

Mr. RUSSELL. Very well. I know something about the influence within his State of the Senator from New Mexico. I had the pleasure of visiting New Mexico, as I recall, in September 1944. It was my high privilege to go about that State with the Senator from New Mexico. I had the pleasure of meeting many fine people. I went back into the remote vastness of the mountains where live some of those whom the Senator from New Mexico represents. I have never seen men and women walk up to a public official and shake his hand with more adoration in their eyes than I saw in the eyes of the constituents of the Senator from New Mexico. They considered it almost a great honor to touch the hem of his garment. The Senator from New Mexico, instead of using the great influence which he has in that State—it is a State which has a larger percentage of Mexican and Hispanic peoples than any other State in the Union—for the purpose of affording them protection under the police powers of the State of New Mexico, says, "No, I will impose my will from Washington. I will design a broom that has a handle of sufficient length for me to stand in the Capitol of Washington and sweep out a bad situation in the backyard of New Mexico."

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. It is possible that the failure of the Legislature of New Mexico to pass a law similar to the one which is provided for in the bill now before us, is my fault. I did not interfere with a single member of the Legislature of the State of New Mexico.

Mr. RUSSELL. I may say that the Senator from New Mexico is trying to interfere with a great many Members of the Senate.

Mr. CHAVEZ. I belong to the Senate of the United States as much as does the Senator from Georgia.

Mr. RUSSELL. I would fight for the protection of the Senator from New Mexico and for his rights as earnestly as I am fighting for my own.

Mr. CHAVEZ. However, I may say that I did not believe it was proper for a United States Senator to tell any individual member of the Legislature of the State of New Mexico what he should do with regard to any legislative proposal.

Mr. RUSSELL. Mr. President, let the Senator take care of New Mexico. That is what I am asking him to do. I am asking him to take care of New Mexico and keep his hands off of other States and other people who do not want such legislation as that which is being proposed here.

Mr. CHAVEZ. Mr. President, I represent the State of New Mexico, but I am also a Senator of the United States. In my humble opinion I think it is time to quit legislating for sections. I think it is time for the United States Senate to legislate for all the people of the United States without exceptions, and differentiations with regard to any State legislation.

Mr. RUSSELL. Of course, there are many persons who take the position that the States have no rights in this new day. I can recall the time when if an idea had been advanced on the floor of the Senate that such a bill as the one now pending could stand the test of constitutionality, the Senator advancing the idea would have been laughed out of the Senate. I think that the States still have some rights. I know that the Constitution provides that all rights not delegated to the Federal Government are reserved to the people. It is the people of the United States for whom I am fighting today. I am fighting for their right to live, their right to conduct their humble businesses as they see fit to conduct

them, without the blighting hand of Federal bureaucracy coming down to harass and annoy them and eventually to destroy private business.

I repeat, Mr. President, that if conditions in New Mexico are terrible, the New Mexico Legislature can deal with them. I do not know a single member of that body, but I refuse to believe that they are purblind to any condition of discrimination which may exist as bearing down thousands of citizens in the State of New Mexico. I believe they are loyal American citizens. I believe that if they thought, as does the Senator from New Mexico, that the entire good-neighbor policy of this country depended on such legislation as is now being proposed, they would enact legislation of that nature. I believe that if they had thought it was necessary to create an employment bureau, as this bill proposes to do, in order that aliens may secure employment, the Legislature of New Mexico would have provided for that end. The Senator from New Mexico has been swept away by his feelings, and has greatly magnified the seriousness of a condition which does not exist to any considerable extent within his State.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. FULBRIGHT. I did not quite understand. Did the Legislature of New Mexico have before it last year a similar proposal?

Mr. RUSSELL. Oh, yes; in 1945 the legislature had before it a similar bill which it did not pass.

Mr. HILL. Did either house of the legislature pass it?

Mr. RUSSELL. I do not know as to that. The Senator from New Mexico could answer that question better than I.

Mr. CHAVEZ. The senate voted on the bill and defeated it.

Mr. RUSSELL. It is my understanding that after it was defeated in the senate it was not considered by the other house.

Mr. President, I hope that we may have a facsimile of such action in this body.

The State of Ohio defeated legislation of this nature. The great industrial States of Pennsylvania and Rhode Island had an opportunity to protect their citizens against what some Senators would have us believe is the great wave of discrimination which is breaking down all commerce, affecting the national security, endangering the general welfare, and crippling production—dangers which are set forth in the preamble of the bill which is now before the Senate. The legislators of those States were too smart to get caught by any such trick title as that which is used in connection with a fair employment bill which is so far-reaching in its powers and in the invasion of the rights of the individual as that which is being proposed today in the Senate.

Mr. CHAVEZ. Mr. President, so long as the Senator from Georgia feels that the State of Rhode Island and the other States to which he has referred rejected the bill in their respective State legislatures, does he not believe that it would be proper to allow the men in the United States Senate who represent State constituencies to say whether they favor such legislation?

Mr. RUSSELL. Mr. President, I am perfectly willing to allow any Senator to state whether he favors such a bill, and why he favors it. I merely wish to say that there can be no such condition in this country as that which is set forth in the preamble to the bill. I refuse to impeach all members of State legislatures of this Nation as being derelict in their duty in considering the rights of their constituents. For 4 years I was speaker of the house of representatives of the legislature of my State. I may say that the members of the State legislative body in which I was honored to serve were and are just as zealous in their desire to serve the public welfare as is any Senator of the United States. They were interested in the rights of their constituents even though many times they were few in number. Mr. President, I often found that they were not so easily swayed by political considerations as I have feared some other persons were swayed.

I continue reading from the list of States to which I referred. Let us consider the State of Washington. I ask all who label themselves liberals to ponder the fact that the State of Washington, which is certainly not a reactionary State, had this matter up in its general assembly, and the legislators of that State were not convinced that there was any immediate danger that all business and industry in the State of Washington would collapse if they did not rush in and create a new commission to invade and destroy the rights of private property.

The State of West Virginia and the State of Wisconsin are also States which are considered to be liberal in their outlook. There were times when at least the State of Wisconsin called itself progressive. The legislatures of those States had before them legislation creating a so-called fair employment practices commission, and in the better judgment of the men composing the legislatures of those States—and I reiterate that they are as interested in the welfare of their constituents as are United States Senators—they refused to pass a bill which was as revolutionary and as identical in its purport as is the proposed legislation now being considered by this body.

Bear in mind also, Mr. President, that none of those bills was so sweeping in its terms and so drastic in its penalties as the bill which we are asked to pass without even a full discussion.

So, Mr. President, we may not be in the majority in the Senate of the United States at the present time, but we can look at the record of what has transpired in the legislatures from California to Connecticut and assure ourselves that we are at least standing shoulder to shoulder with the best thought of the members of the State legislatures, who have time to consider legislation carefully, who are not burdened down with other duties, and who are not so susceptible in some cases to various pressure groups. They are close to conditions.

I endeavor as diligently as I know how to stay close to my people back home, but in the last 5 or 6 years it has been well-nigh impossible. Our duties require our constant attendance here in the confused and chaotic and pressure-ridden atmosphere of the city of Washington. We sometimes cannot see the forest for the trees here in Washington, nor see the facts for the fumblers and for the lobbyists who are here.

Mr. President, the members of the State legislatures, wherever they may be, are infinitely closer to their people and are far more intimate with the public pulse and with what is transpiring in their States than the Members of the Senate can be. So when we hear this cry of "wolf, wolf," of great discrimination, when there are so many domestic strikes, depriving the United States of its capacity for production, endangering the national security and the general welfare, and affecting adversely commerce, let us go back to the "grass roots" of the States where the people really live and see how much truth there is in such high-flown phrases and words as we constantly hear.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield for a question.

Mr. FULBRIGHT. Before the Senator leaves the question of the action taken by various States, let me inquire if any of the States in the South refused to pass such legislation?

Mr. RUSSELL. No, not a single Southern State refused to pass legislation of this character. Of course, I must say that I do not undertake to claim for them any credit on that account. Our people had the good judgment not even to consider invading the rights of individuals and taking away the property rights of business.

Mr. FULBRIGHT. If the Southern States had declined to act, would they have constituted a majority of the States which refused to pass such legislation?

Mr. RUSSELL. The States that refused to act constituted a majority of all. Of course, if the 11 Southern States had acted there would have been a great majority of States acting against it. However, of all the 48 States the legislation was introduced in only 20 and it was defeated in 18, so that the Senator can figure out the percentage of the number of State legislatures that thought it worth while to enact even a much milder bill than the one we now have before us or even to consider or introduce such a bill.

Mr. President, I say that this bill is here just as the result of the activities of pressure groups. I do not say that every man who is supporting this bill is a Communist, because I know that some of my good friends have been misguided and misled and have fallen into the trap. But I do say, Mr. President, without the slightest fear of contradiction, that every Communist and every Socialist in this land, wherever he may live, is ardently supporting this bill. There are reasons for that. If the desire is to nationalize industry here is the chance. It is not strange that the Daily Worker should take up the cudgels day after day in behalf of this bill. If I were one of those who operate that periodical, so would I, because I know what will hap-

pen if we ever let the Federal Government invade the little business enterprises and little farms of this country with such a scheme as this. In the very nature of things it will have to result in the nationalization of all industry and business.

Mr. President, as I say, the Gallup poll showed a majority of the people were against it, because, realizing that this bill perhaps was unconstitutional, in going out to the States with this proposition they went out to the "grass roots." Of course there are thousands of others in the country who do not understand the bill; and that is the purpose of this discussion.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield for a question.

Mr. MAYBANK. I desire to ask the distinguished Senator from Georgia if later in his remarks he intends to discuss the manner in which the Fair Employment Practice Committee carried on its work in 1944 and 1945, and further if he intends to go into the hearings which the Committee on Appropriations held in 1945? I ask the distinguished Senator from Georgia further, since he has referred to the socialization of industry, if he intends to bring out the statement which Mr. Ross, who is, or was, the chairman of the Fair Employment Practice Committee made to the Appropriations Committee in answer to a question by the Senator from Minnesota [Mr. BALL], who inquired:

There have been more correspondingly—

Referring to cases of discrimination—

in the North than there have been in the South.

Mr. Ross answered "Yes."

There were very few complaints against the hiring of Negro labor in the South because the southern people understood Negro labor.

I am wondering if the Senator intends to refer to the statement of the chairman of the committee himself.

Mr. RUSSELL. I recall the testimony to which the Senator from South Carolina adverts. I shall discuss this bill with the utmost frankness, for I always try to be frank. As a part of the technique to force this bill through the Senate, I know that those who are going to Senators and insisting that this bill is necessary in order to protect the rights of Jews and Negroes are saying that if a Senator on this floor in discussing the bill which has been brought forward by this pressure group mentions either one of them he must be labeled as being anti-Semitic or as being anti-Negro. That is a part of the technique, working both sides of the street, playing Republicans against Democrats and trying to muzzle full discussion of it. While the proponents themselves, in discussing it, say it is designed for certain purposes, if we mention any of those purposes which they have brought forward we are immediately attacked as being anti-Semitic and anti-Negro. I shall discuss it frankly, but I shall not go into any detail about the Negro question today, I may say to the Senator from South Carolina, because I have another day's speech, in which I hope to discuss that situation. So I hope the Senator will forgive me for not going into it today. I do not intend to mention the Negro situation other than to say that I think a Negro druggist in Harlem is just as much entitled to refuse to hire a Japanese-American as a pharmacist as a white man in Atlanta, Ga., operating a drug store, is entitled to select another white man instead of a Negro as a pharmacist. That is equality all over the United States. Much is said about minorities. Under our Constitution all minorities are supposed to be afforded equal rights and not special privileges, and the latter, as I say, is what this bill proposes to confer.

I shall not discuss the claim that the bill is necessary for the Jews. Some of my constituents who are Jews have talked to me about it, and they say they see no need for it. I think it would be very manifest from an economic survey that the Jews, in proportion to their numbers in the United States, control as many employment opportunities as any other group, if not more. Certainly there is no necessity for passing the bill to protect them in any of their economic rights, or what are asserted to be immunities, in this legislation.

I shall not go into that problem at this time. I propose to discuss the bill as it applies to the entire Nation. At a later date I may discuss some of the aspects of the question which the Senator from South Carolina raised. In fact, I intend to do so.

Mr. MAYBANK. Mr. President, I wish to ask the Senator a question, inasmuch as he has said the bill affects the entire Nation, and it will, indeed, affect everyone. The thought I had in mind at the time I interrupted the Senator was that it would affect the entire Nation. The distinguished Senator from Georgia must be well acquainted with the fact that a railroad case was brought against the southern railroads, but not all the railroads.

Mr. RUSSELL. The Senator is correct, and in my other speech I shall discuss that matter in some detail. I wish to say, however, that in my discussion today I am not dealing with this question as a sectional question. I realize the studied effort that has been made to treat the bill as a sectional measure, but the issue is not sectional, and the opposition to the bill is not confined to southerners.

I hold in my hand a letter from the National Association of Retail Grocers, whose general offices are on North Michigan Avenue in Chicago, Ill., who are asserting their right to conduct their little grocery stores as they see fit, without having the long arm of the Federal Government reach down and tell them whom they may hire, whom they may fire, and whom they may put in charge of the cash register.

I have here a resolution which was adopted by this association of grocers on this subject. This is what they have to say about it:

Whereas the so-called—

Even they know it is just a "so-called"—

Whereas the so-called fair employment practice bill, S. 101, would, if enacted—

1. Virtually eliminate managerial discretion in hiring, promoting, laying off, and discharging employees;

2. Establish a permanent Federal bureaucracy which, through its agents, would act as prosecutor, judge, and jury, such agents being authorized by the bill to enter private places of business and conduct searches and examine and copy records without a search warrant or any showing of public cause;

3. Deprive employers of most of their rights on appeal to the courts from any conviction of discrimination;

4. Expose employers to endless harassment and litigation by disgruntled job seekers and to future liabilities, the existence of which they did not suspect and for which they made no provision; and

Whereas the announced objectives of this legislation can be advanced most effectively through education and the voluntary promotion of mutual understanding and good will between all groups of Americans:

Resolved, That the National Association of Retail Grocers vigorously and actively oppose the enactment of this or any similar legislation; further

Resolved, That copies of this resolution be sent to all Members of Congress and, together with additional information on the subject, to all State and local secretaries of affiliated associations.

Mr. President, if I had not stated that this was a resolution passed by the National Association of Retail Grocers, who have their little stores on the street corners in the East and in the West, a person hearing me read that would have said it was merely the objection of some southern Democrat.

When we expose this bill, when we bring its iniquities out into the full light of the day, we find that 90 percent of the American people, whatever may be their business, are likewise opposed to it. In opposing the proposed legislation we are protecting the rights of all Americans everywhere. I could read at great length the list of other bodies, which are in no wise southern in their character, which are opposed to the bill.

As an example, let us hear what was said by the Chamber of Commerce of Cleveland, Ohio, in opposition to the so-called fair employment bill. It discusses and analyzes the bill sufficiently to refute the idea that there is any necessity for it, or that there is any precedent for it, pointing out how oppressive it would be, what unusual powers it would vest in an irresponsible commission, the members of which the President could not even remove when he had appointed them, even though they had the power to issue a mandatory order to the President of the United States. The bill proposes to establish a commission which can issue orders to the President of the United States, and he would have no right to question them, but would have to carry them out. I shall show that in a few moments.

Mr. LUCAS. Mr. President, will the Senator yield in order that I may report two short resolutions?

Mr. RUSSELL. I shall yield for any purpose that will not prejudice my right to the floor, but I shall refuse to yield to anything that will take me off the floor.

Mr. LA FOLLETTE. Mr. President, I shall feel constrained to object.

Mr. RUSSELL. I wish to emphasize again, for the benefit of the RECORD, that

the opponents of the proposed legislation are not those taking the position that no bill can even be introduced, that no report of a committee can even be received, unless we are willing to swallow whole the will of those who would impose this monstrosity on the American people.

Now, Mr. President, I shall proceed to the reading of this quotation from the resolutions of the Chamber of Commerce of Cleveland, Ohio. They talk about the objectives.

> The method proposed for accomplishing the objective is to coerce the employer, labor union, or agency of the Federal Government to recognize certain principles of conduct and to establish certain social relations which are necessarily incident to the employment of persons. We recognize that the proponents of the bill say that there is no attempt therein to bring up the question of social equality. However, the employment of persons necessarily involves social distinctions both from the standpoint of the employees and the employer, and such distinctions, often unfortunate and odious, are nevertheless not capable of elimination by legislation and coersive methods.
>
> This legislation involves the creating of a new Federal bureau and the appointment of five commissioners who will constitute the administrative, executive, and judicial board under the Fair Employment Practice Act.
>
> The bureau will be organized throughout the entire country for the purpose of policing industry and enforcing the act.

Mr. President, that is not the statement of a southern Democrat. It is the Cleveland Chamber of Commerce analyzing this bill.

> The Commission will be empowered to designate one of its members or designate any number of agents, any one of whom could be empowered to conduct trials against employers anywhere in the land. There is no limit to the number of such agents who could be appointed.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield for a question.

Mr. BUSHFIELD. Does that mean, may I ask the Senator, that the culprit could be dragged as far as Washington for trial?

Mr. RUSSELL. Mr. President, this bill creates perambulatory kangaroo courts which can drag an employer to any place in the United States they wish. That is one of the threats held over the head of American business, of the American employer, of the American farmer who employs more than six individuals, to make sure that he takes care of all aliens in his employ to the detriment of American citizens who might be seeking work.

Mr. BUSHFIELD. I thank the Senator.

Mr. RUSSELL. Mr. President, agents of the Commission can conduct trials against an employer anywhere in the land.

Mr. WILEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. RUSSELL. I yield for a question.

Mr. WILEY. I was interested in what the distinguished Senator from Georgia just said. There is one thing I should like to have him explain. Suppose a businessman employed more than six persons, and he decided to employ A instead of B, and that then the kangaroo court of which the Senator speaks went into action and found that B was discriminated against and should have the job. Is there any provision in the bill to protect A?

Mr. RUSSELL. Not the slightest on earth. I shall go into that subject in some detail when I undertake to show that instead of preventing discrimination, this bill in itself provides a violent discrimination in favor of the groups it mentions, and that it creates a situation which makes it certain that in the matter of employment and in the matter of layoff the employer will not discharge one of the minority groups or he will not employ one of the majority groups because he knows that the Commission would immediately call him before this court, in which he has no chance, where he cannot have trial by a jury of his peers, where there are no rules of evidence, where hearsay evidence or anything may be introduced against him. That prospect, of course, means that the employer will retain the alien to the detriment of the returning veteran who may be looking for employment.

Mr. WILEY. Mr. President, will the Senator yield further?

Mr. RUSSELL. I yield.

Mr. WILEY. As I understand, the courts have held that once a man is an employee, if he strikes, that does not ipso facto dissociate him from the employment. Am I correct about that?

Mr. RUSSELL. I do not know that the courts have gone quite that far. I might say that I would not be at all surprised if they have. I hope the Senator will not ask me about the position of the Supreme Court because the Senator knows that one of the distinguished members of the Supreme Court said just a few days ago that decisions rendered by the Supreme Court were like a one-way ticket on a railroad that was good for 1 day only. There once was a time when men entered law offices in order that they might study and acquaint themselves with great legal principles, but now the man who has the latest edition of the newspaper or who has a portable radio is much better prepared for the practice of law than his brother who is only armed with a good law library. The Supreme Court cannot keep up with its decisions, and I must confess I have lost my zest for reading Supreme Court decisions of recent date.

Mr. WILEY. I am leading up to a question, if the Senator will yield further. I assume the Senator will agree with me that there is no law to the effect, nor has there ever been a decision which held, that until employment takes place there is any restriction upon the employer to determine whom he shall hire.

Mr. RUSSELL. If property rights in this Nation mean anything there cannot be such restriction under the Constitution of the United States, because that is certainly an essential part of property rights. That is my own view. As I stated before, I do not know what the Supreme Court would hold on this question. The bill undertakes to give to those mentioned in it, whether the individual be an alien or whether he be a Communist, a vested right of employment. That is what the bill does. It establishes a board to enforce that vested right in the individual to have a job.

Mr. WILEY. Mr. President, will the Senator again yield?

Mr. RUSSELL. I yield.

Mr. WILEY. Now we are coming to the point I was trying to make. There is no question of a contract of employment until an agreement to hire is entered into between the employer and the employee.

Mr. RUSSELL. There never has been in the America we have known. There might be in the new America which the sponsors of this bill would bring upon us. Under it, if the individual can associate himself with the four definitions in the bill, with the four categories in the bill, he has a vested right in employment.

Mr. WILEY. Then, one of the issues is whether or not we are going to attempt to make effective legislation which is going to say to the employer, whether he be a farmer, merchant, businessman, professional man, or what not, "This individual you cannot hire, but this individual you must hire."

Mr. RUSSELL. That is the practical effect of the bill; that is unquestionably the effect of the bill, and that is the reason I am asserting that it is absolutely destructive of all private property, and will result in the absolute nationalization of all industry and of all jobs. There is no way to avoid that conclusion. Lincoln said the Nation could not exist half free and half slave, and certainly private business in this country could not exist if it were three-fourths slave and one-fourth free.

Mr. President, we were talking about perambulatory courts. There is no limit to the number of agents who may be appointed. The statement I shall now read from the analysis of the bill made by the Cleveland Chamber of Commerce, I may say to my distinguished friend the Senator from South Dakota [Mr. BUSHFIELD], applies to the question he raised, and answers it:

> Witnesses could be subpenaed and forced to attend from any place in America. The qualifications of such one-man courts would be determined, not by Congress—

No, Mr. President, the qualifications would not be determined by the Congress. We would send them forth clothed with all the power of the Congress, and tell them, "You do not even have to be lawyers. You do not have to know a rule of evidence, or observe a rule of evidence." We would have no power to determine their qualifications. They would be determined by the commission, in accordance with its rule-making power.

> The Commission or any of its agents—

The unlimited army which the bill would create—

> could, according to section 9 of the bill, have the power to enter private business places and there conduct searches, examine and copy any evidence of any person being investigated or proceeded against by such agency.

In the old days our misguided fathers thought that the power of search and seizure should be very carefully restrained. They undertook to do so in the Constitution of the United States,

before that document was discarded in the Halls of the Senate. If we pass this bill, we shall delegate unlimited power of search without the slightest scintilla of process of law.

I now recur to the statement of the Cleveland Chamber of Commerce:

> The bill makes no requirement as to probable cause for such search or the need for a search warrant. If the victim should "willfully resist, prevent, impede, or interfere" with such a search he would thereby become subject to fine and imprisonment.

That is a pretty accurate description of the bill. I should like to conclude with the closing statement of the Cleveland Chamber of Commerce. Bear in mind that this is an organization in Cleveland, Ohio. The statement from which I am reading is not the opinion of a despised southern Democrat.

> The bill is a departure from the traditional American system of free enterprise with respect to the right that has always been enjoyed by employers to use their own sound judgment and discretion in selecting loyal and capable employees. Under the American system of competitive free enterprise, a man has been able to excel and make progress because of his ability to judge men and surround himself with employees whom he could trust, and who could produce more and better services. It is through that system of competition and improvement that private enterprise has succeeded in America when it has failed in other countries.

That is a statement from a representative business group in the great State of Ohio. They realize, as well as do certain southern Democrats, that this bill aims at the heart of our system of free enterprise a blow which will absolutely destroy the American system which we have known, and regiment our people in a totalitarian state.

Mr. BUSHFIELD. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. I yield for a question.

Mr. BUSHFIELD. If this bill should become law, may I ask the Senator if the natural implication of the law would not be an ever-increasing flood of inspectors and examiners over the country?

Mr. RUSSELL. There is absolutely no limit to the number of persons who might be selected by the Commission to go forth and harass, annoy, badger, and drive out of business all those who have made this country great through the operation of a free system of agriculture, industry, and enterprise generally. There is no limit.

Mr. BUSHFIELD. Mr. President, will the Senator yield for a further question?

Mr. RUSSELL. I am glad to yield for a question.

Mr. BUSHFIELD. Would these examiners, inspectors, or whatever they may be called, be given the authority and power to decide when to arrest the culprits?

Mr. RUSSELL. The bill uses the oblique technique of the totalitarian advocates. The examiner himself would not have the power to arrest. He would not need any warrant. He would go into a man's place of business and say, "I am going through your books to find out why you did not employ John Jones instead of Bill Smith to help you in the shop or to help you gather your wheat crop last week." A farmer might say, "I do not keep any books. The few memoranda which I have are my private affair, and you cannot see them." If the examiner showed his credentials as an examiner for this irresponsible Commission and the farmer still refused to show the examiner his books, or to furnish him with copies, the farmer could then be hailed before the court and sent to jail for 1 year or fined $5,000, or both. That is the provision of the bill.

Mr. BUSHFIELD. I thank the Senator.

Mr. WILEY. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. I yield for a question.

Mr. WILEY. Suppose a farmer had a family of seven, and regarded them as employees, paying them wages. Nowadays that is about the only type of farmer who is really getting ahead, because farmers cannot hire labor.

Mr. RUSSELL. That is correct.

Mr. WILEY. Suppose the farmer pays the members of his family wages, thus creating the relationship of employer and employee. Is it the Senator's opinion that such a farmer would be subject to the act?

Mr. RUSSELL. Any time he had more than six persons in his employ he would be bound by the act, just as much as the United States Steel Corp. would be. If he had more than six persons working for him on his farm, he would be just as much subject to the provisions of the act as would any other enterprise in the country.

Mr. WILEY. Suppose a hospital employed more than six nurses. Would it be subject to the act?

Mr. RUSSELL. Of course it would. I think there is no question about it.

Mr. WILEY. How about a clinic?

Mr. RUSSELL. I believe it would be subject to the act. There is absolutely no exception. The bill undertakes to apply to any type of business.

Mr. WILEY. Suppose a legal firm employed six or more lawyers.

Mr. RUSSELL. In that case I do not know whether any attempt would be made to enforce the act. However, if the legal firm had a case outside the confines of the State it would undoubtedly be subject to the provisions of the act, or if its activities affected the sum total of the flow of commerce, it would be subject to the act. In a farm case the Supreme Court held that even though the goods never left the farm, they affected commerce and brought a farm under the commerce clause. But the example which the Senator cites is a rather close case. Perhaps the lawyer would be the only man who might escape. Perhaps a church might escape. I have considered that question, and I do not know that a church would be held to be in interstate commerce, even though it had more than six employees. Of course, the pastor would be prevented from speaking over the radio. If he spoke over the radio he would be brought under the provisions of the bill. But so long as the pastor stayed off the radio I think perhaps a church would be exempt from the operations of the law, even though it might employ more than six persons.

Mr. WILEY. Mr. President, will the Senator further yield for a question?

Mr. RUSSELL. I yield for a question.

Mr. WILEY. Take the case of an ordinary retail store which employs more than six persons, and necessarily buys its merchandise from outside the State. Would it come within the purview of the bill if it should become law?

Mr. RUSSELL. I do not know that that question has been directly determined by the courts. I know that the courts have specifically held that a wholesale merchant who dealt in goods which might have been shipped to him from without the State was engaged in interstate commerce. That has been clearly established; and by implication, with the present tendency of the Supreme Court to play on the Constitution as on an accordion, stretching it out and drawing it in in order to pipe a tune which happens to meet the mood of the day, I think there is no question that the Supreme Court would hold that the business of a retail grocer affected interstate commerce.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BANKHEAD. I am quite sure the question has been specifically decided.

Mr. RUSSELL. I am not surprised.

Mr. BANKHEAD. Yes; it has been decided by the Supreme Court.

Mr. RUSSELL. In the Senator's absence I stated that I have stopped following the decisions of the Supreme Court. One member of that body said the other day that its decisions were like a one-way ticket, good only for a certain day, and that the doctrine of caveat emptor applied. I also stated that a man used to think he needed a good law library in order to practice law, but now he needs to subscribe to a daily newspaper and to have a good radio, in order to keep up with the latest construction of the law by the Supreme Court.

Mr. President, I repeat that the report from which I have been reading, which points out the iniquities and shortcomings of the bill, did not initiate with me; it comes from the Chamber of Commerce of Cleveland, Ohio, a business group in Cleveland.

Now I wish to refer briefly to the situation of the unions in respect to this measure. I wish to refer to a labor union which was not operating in the South, but, as I understand, was operating in California. In that union there was a system of having an auxiliary union for the benefit of one of the minority groups which this bill seeks to undertake to protect. There was no discrimination in the auxiliary unions. It was provided that there should be no discrimination against the members of the union in regard to hire, tenure, or conditions of employment. However, the FEPC which has been in existence, even with its modified powers held that that was discriminatory. They could not prove that one individual worker had been discriminated against in the union, but they decided that discrimination was possible—not that discrimination had occurred, but that discrimination was possible—and they ordered the union to change its form.

Representatives of the union came to Washington and told the Congress that it was impossible for the union to comply with the order of the committee and continue to maintain the organization, that the friction which would result would be calamitous to the welfare of the Negroes, the industry involved, and the public. The union has offered to the Negroes the same facilities as those which are possessed by the white public; but the union was told, "Oh, no; that is discrimination," and it was ordered to desist.

Mr. WHITE. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. I am glad to yield.

Mr. WHITE. I interrupt only because I am obliged to leave the floor for a brief time.

Mr. RUSSELL. I wish to thank the Senator for his faithful attendance.

Mr. WHITE. I should like to obtain the Senator's interpretation of some of the language appearing on page 7, under subparagraph (b). The language to which I refer is—

> Whenever it is alleged that any person has engaged in—

The offense at which the act is aimed.

How does the Senator interpret the words "whenever it is alleged"? In other words, by whom must it be alleged? Must it be the person who is affected by the act which is complained of, or may anyone and everyone, with or without an interest in the matter, file such an allegation?

Mr. RUSSELL. Mr. President, I am of the opinion, and I intended to state it before I concluded my discussion, that this misnamed Commission which some persons propose to vest with all the power of the Federal Government, and even the power to discharge the President of the United States, could initiate any movement of its own. If it wished to drive any man out of business, for any purpose on earth, it would have a right to arrest him and badger him and drag him all over the country to kangaroo courts, where the Commission would sit as judge, jury, and prosecutor—all in one.

Mr. WHITE. Let me ask another question. How must the allegation be made? Must it be made in writing? Must it be sworn to? Would a letter be sufficient, or would a telephone call suffice? Ordinarily one would say that when a process might land a man in jail, some of the formalities incident to the initiation of a criminal proceeding would have to be observed. But in the pending measure I do not see any provision regarding the form in which the allegation must be put—whether it must be in writing, whether it must be sworn to, whether it must be sworn to by the party who is suffering because of the alleged offense, or whether it is wide open to anyone.

Mr. RUSSELL. Of course, Mr. President, the point raised by the Senator from Maine, a careful legislator, shows just the trouble we get into here every time the pressure groups rush in with a bill and say it must be passed immediately, and Senators unwittingly commit themselves to all kinds of vicious legislation. Under this bill, as I understand it, the Commission, under the powers which it is supposed we would delegate to them, could say that an anonymous telephone call that Wallace White, a businessman in Maine, was discriminating against a minority group, would be sufficient to require him to submit to investigation by them, and they could send to his place of business one of their horde of examiners, who would be allowed to go through the books of the concern—all on the basis of an anonymous telephone call—to determine whether Wallace White had been guilty of such discrimination. There cannot be any question about that, because the bill is silent as to procedure. We would delegate to the Commission, in addition to granting it such powers, even the right to discharge the President of the United States, as I shall show before I conclude. In express terms we would give the Commission the power to write their own ticket as to procedures, as to method, as to the length to which they might go, without any legislative standard, without any protection whatever of the rights of individuals. Mr. President, this bill marks the day when the Congress of the United States is asked to say that all individual rights in America are perished, are gone—as they will be if we pass such a bill as this.

Mr. WHITE. Mr. President, I should like to ask the Senator another question in respect to the subparagraph to which I have referred.

Mr. RUSSELL. I am glad to yield again.

Mr. WHITE. It provides that any agent or agency, without giving any definition as to who or what the agent or agency shall be—

> Shall have power to issue and cause to be served upon such person—

In other words, the person complained of—

> a complaint stating the charges in that respect and containing a notice of hearing before the Commission or a member thereof, or before a designated referee, agent, or agency at a place therein fixed—

And so forth. There is no provision in the proposed statute, as I take it, regarding where this initial hearing upon the complaint against an employer shall be held. There is no requirement that it shall be in the place where the alleged offense was committed. There is no provision that it shall be in the jurisdiction or locality in which the complainant lives, or in which the person complained of lives; but, as I see it, again it is wide open, and a man or a business concern in New Jersey against whom a complaint was filed might be called to California for the hearing upon the initial charges. Is that the Senator's interpretation?

Mr. RUSSELL. There can be no question whatever about it. No, Mr. President; when we decided that we would take up this bill—at least, some Members of the Senate hoped they had decided it, and they tried to take it up—we said that not only would we abolish the old Anglo-Saxon idea, which we thought was sound and salutary, of giving a man a jury trial on any charge, even a nebulous charge, which might exist only in the mind of some person, but the person complained of would also be denied the old right of trial in the vicinage. That old, long-established right would be taken away from him. I invite the attention of the Senator from Maine to the bottom of page 6, section 9. The Senator will find that a person complained of could be taken to one hearing at Salem, Oreg., and subsequently he could be moved for a second hearing to Washington, D. C., and then he could be tried at a third hearing in New Orleans, La., according to this monstrosity, which undertakes to set up Soviet methods, rather than our old Anglo-Saxon, constitutional methods of dealing with those who are charged with being guilty of an offense.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. WHITE. Page 7, paragraph (d), provides for a hearing before the Commission, or before an agent or agency of the Commission, and then it provides as follows:

> The Commission shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist—

And so forth. That is a common order and is well-recognized. I think we would all understand what was meant by an order to cease and desist. But the language continues near the top of page 8 as follows:

> And to take such affirmative action, including reinstatement or hiring of employees with or without back pay.

Are there any limits provided for anywhere in the bill as to this affirmative action which the Commission may take? Two things are enumerated. The language states, "including reinstatement or hiring of employees," but that language is preceded by the general language "to take such affirmative action * * * as will effectuate the policies of this act." Is it not difficult to think of anything that under this general language would be beyond the power of the Commission?

Does the Senator accord with that view?

Mr. RUSSELL. Mr. President, this bill undertakes to write a blank check to do anything to American business the Commission may see fit. There is no power of which a man could conceive that could be vested in any plenary board which is not vested in this so-called Commission under the terms of this bill. It holds in its hands the matter of life and death of free enterprise in this Nation.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BANKHEAD. In paragraph (c) it is provided that any person named in the complaint shall appear for trial. Then in lines 3 and 4——

Mr. RUSSELL. To what page is the Senator referring?

Mr. BANKHEAD. Page 7, the same page to which the Senator from Maine has referred.

Mr. RUSSELL. Yes.

Mr. BANKHEAD. On page 8, in line 4, the language authorizes the taking of such affirmative action as will effectuate

the policies of this act. There is no limitation placed upon the action which may be taken. Whatever the Commission decides to be necessary to effectuate the policies of this act it may do. The Commission has wide-open authority, even going to the extent of capital punishment.

Mr. RUSSELL. I am quite sure that the sponsors of this bill would be willing to give the Commission power of life and death over every citizen of the United States. The bill is replete with methods of sovietism and communism, and I do not think that any protection is afforded under the bill to our form of government.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. EASTLAND. I invite the Senator's attention to page 2 of the bill, section 3, reading as follows:

SEC. 3. (a) It shall be an unfair employment practice for any employer within the scope of this act—

(1) To refuse to hire any person because of such person's race, creed, color, national origin, or ancestry.

Is it the Senator's belief that because of that provision people who are not citizens of the United States are protected by this bill, and that an employer could be prosecuted under the act for refusing to hire one who was not an American citizen?

Mr. RUSSELL. The Senator was called off the floor and was not present when I stated that one of the purposes back of this entire scheme is to create a gigantic employment bureau for the purpose of inviting aliens to our shores and giving them preference of employment over American citizens, including returned veterans.

Mr. President, I wish to proceed with my discussion of the bill, and speak in some detail with respect to the terms of the bill.

I point out first that the bill undertakes to create an entirely new and independent commission. I doubt, Mr. President, whether there is a Member of the Congress, be he Democrat, Republican, or Progressive, who, when returning to his home State and talking to his people, did not complain about the number of bureaus and commissions which had been and were being established in our Government. I know that most of us have conversed with constituents who were irritated by this expanding bureaucracy. Cases were called to our attention, whether we were Republicans, Democrats, or Progressives, which caused us to tell our constituents that we wanted to be able to do something in order to circumscribe the unbridled power of the great bureaucracy which has grown up in Washington.

The platforms of the party of our Republican brethren have inveighed against this great bureaucracy and the creation of new agencies of Government. Yet we find some Republicans supporting this bill, which is designed to create a new superbureaucracy to harass, annoy, and disorganize the American people in an effort to regulate and control their habits and manners of life.

So, Mr. President, in the first place the bill would create a new bureau. Persons who are interested in the passage of this bill are not willing to allow any of the old established agencies of government to take over this monumental police force. They are not willing that any of the old agencies of government which have had experience in dealing with governmental matters and which might exercise some restraint, should undertake to handle the vast powers which the Congress is asked to delegate under this bill. The Labor Department would not be satisfactory; the National Labor Relations Board would not be satisfactory, and the FBI, because it is known to exercise some degree of fairness, would not be satisfactory. The sponsors of the bill would not risk the Department of Justice, which has long been a model agency in looking after the rights of the people of the United States. None of the agencies or departments to which I have referred would be satisfactory to the sponsors of the bill. Why? Because, as I shall show, those agencies or departments might feel constrained to exercise some restraint in using some of the vast powers which would be delegated under the bill, and not aid in communizing and socializing our system of government.

Mr. President, note how carefully the rights of the individual are diverted away from even a speaking acquaintance with the courts. Senators may say what they please, but the American people have some respect for their judicial system. Whether the judge happens to be a Republican or happens to be a Democrat, the people generally respect the United States district courts, and have confidence in their fairness. So, when this monstrosity was devised, to make sure that it should not fail in its nefarious purpose, it was designed deliberately to keep the citizen of the United States out of that forum which we have been wont to consider the refuge of those seeking justice. No justice is wanted, so far as this bill is concerned. Trial by jury is denied. There is no way on earth for any man to get into court. He is tried by a body which observes no rules of evidence. And, if, forsooth, after being harassed and badgered and intimidated by the agents of the Commission, he is found guilty by this perambulatory kangaroo court, which served as his prosecutor and sat upon his case as a juror, then he cannot find any surcease from his difficulties or any respite from his injustices in the United States district court before a jury of his peers.

Mr. President, everyone wants to protect the rights of the minority in this country, but we should be able to do it without striking down and invading all the rights which are inherent in every American citizen, whether he be of the majority or the minority, to resort to the courts, and to have a trial by a jury of his peers in the vicinage where the crime is alleged to have been committed.

So another reason why there is provided an independent agency is to detour deliberately the citizen, who might be clamoring to get into court and to have a trial by jury, from his right to do so. The sponsors of the bill therefore proceed to issue an invitation to all Members of the Congress who have said they were opposed to increasing the bureaucracy in Washington to vote to create a superbureau, instead of delegating any necessary duties in respect to this question to one of the old and established agencies of the Government.

Mr. President, we come to the title of the bill, to which I have already adverted. So many bills are introduced in Congress that about all that ever gets before the people is the title, and it is a great trick to write a title which will appeal to one who has not studied the bill, or appeal to the people, and the title to the bill before us is a work of art in this respect. This is described as a bill "to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry."

I think almost every person could agree on that—if the title was all there was to it. Of course, it dragoons all liberals into supporting the bill, whether it contains any element of fairness in itself or not, because, as I have said, everyone is in favor of fairness.

I wish to show, however, Mr. President, that in the compaign of misrepresentation which has been waged about the bill, I have seen articles which stated that the purpose of the proposed legislation was merely to carry on the present Fair Employment Practice Commission, which was created by Executive order. There never was a more misleading and untruthful statement than that, yet I have seen it in the press reports of some of the great press associations. There is no comparison between the powers which are granted by the bill before us and the powers which are exercised by the present so-called Fair Employment Practice Commission. The present Commission deals only with agencies of the Federal Government, the Federal departments, and those who do business with the Federal Government, enter into contracts with the Federal Government.

Oh, they did, in their grasp for power—as there will be a grasping for further power if we ever enact such a foolish measure as the one now pending—reach out and try to assume powers they did not have. They told newspaper owners they were going to cite them to the President if the newspapers printed an advertisement stating that an employer wanted a white man or a colored man to work for him. They threatened some labor unions which did not conform exactly to what the FEPC crowd, created by Executive order, thought should be done. But they had no real power except to deny contracts to people who did not agree to subject themselves to their jurisdiction. There was no way by which a man could be put in jail for not carrying out what they said. But under the bill we are now considering, the Commission proposed to be set up could put in jail every man who employs more than six persons if he did not make his employment practices subject absolutely to the Commission. They could put a man in jail and fine him $5,000 if he resisted or impeded or interfered with an examination of his books and records without any warrant or authority of law on the part of the FEPC examiner. The bill is the greatest delegation of power the Congress has ever been asked to make.

I have studied the bill, I have read it a number of times, and I have prepared an amendment which I intend to offer to the caption of the bill if the time should ever come in the future when it would be proper to consider amendments to the bill. I should be willing to leave it to any fair-minded group of men, not swayed or biased, to determine which one of these captions better described the bill, whether it is a bill "to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry," as the proponents say in their catch-phrase title, or whether it should be—and I shall read my proposed title—a bill "to regulate and control the tastes, customs, habits, and manners of life of the American people; to establish an independent agency to dominate the executive branch of the Government, and to influence all policies of the Government, whether foreign or domestic; to invite alien immigrants and assure them of employment to the detriment of the right of native-born Americans to work; to nationalize all employment in industry, business, agriculture, and commerce; and to promote a Communistic form of government for the United States."

Mr. President, I am willing to leave it to the discriminating—of course, a man should not utter the word "discriminating," I suppose, any longer. When I was a boy one of my old-fashioned aunts, who had helped raise a large family on a Georgia farm, used to say that it was a very fine thing to be discriminating in one's tastes; but some Senators are undertaking to repeal that by operation of law. When I said I was willing to leave it to the discriminating, I meant one who was willing to study and analyze the bill. I would be willing to leave it to the discriminating to say whether or not the title I have devised would not eventually be more descriptive of what would happen in this country if the bill were to be enacted, than the misleading label that is now attached to it.

Mr. President, let us now consider the bill. It has become a custom not only to write an attractive title in order to generate public support and to catch the unwary in Congress, but to precede a bill by a high-sounding finding or declaration of policy. This bill, to be in tune with the modern day, undertakes to set forth a finding, a declaration of policy. I shall read it. This is what we are finding as a fact when we vote for the bill, what we are finding to be a fact:

> The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foments domestic strife and unrest.

O, Mr. President, we are living in a time when there is more unfortunate domestic strife and unrest than we have ever before known. Yet the Congress of the United States is chained to this bill by the demand that it find that that domestic unrest is fomented because of discrimination in employment. Every sane man in the Nation knows that today with practically 2,000,000 persons out on strike, with the picket lines spreading around industrial plants, there is not a single bit of domestic unrest and strife which can be attributed to such a cause. Yet the supporters of this bill say, "We are not even going to let you introduce a bill which deals with the real causes of domestic strife and unrest." If a committee of this body wants to report such a bill to the floor there is objection made, the bill cannot be considered, "because we have declared in our findings and declaration of policy that all the strikes and all the troubles everywhere, all the ills that beset the body politic, will be cured if we simply pass this bill to prevent discrimination in employment."

Mr. President, there has never been more arrant poppycock. The Senate of the United States has never found itself in a more ridiculous or a more unenviable position than it does by undertaking to write into law such findings or declaration of policy as that, at a time when the whole structure of our country seems to be tumbling down from other causes. Yet we are rendered powerless to approach and deal with them. We cannot even introduce a bill with respect to them. We cannot even have reported to the Senate committee findings with respect to the causes.

I say, Mr. President, that the fiction in this declaration of policy is symbolic of all the provisions of this bill and of its title. They are all just as fictitious, they are all just as false, they are all just as ill-founded as the contention that this bill is aimed at the domestic strife and unrest that is all but destroying the economy of the Nation in this critical reconversion period.

Mr. President, the sponsors of this proposed legislation find—and they would have Senators vote for it to the exclusion of every other matter, even to the point of preventing discussion by those of us who wish to point out its fallacies—"that the practice of denying employment opportunities * * * deprives the United States of the fullest utilization of its capacities for production."

That is an amazing finding to make at this period. To the exclusion of any other legislation that the Congress might enact, they find, Mr. President, that it "endangers the national security." Although 18 of 20 legislatures which have considered a similar bill have defeated such a bill, including the States of the principal sponsors, the Senators from Minnesota and New Mexico, the sponsors of the bill find that the national security is endangered unless we make this bill paramount to any other legislation that the Congress can possibly consider and stall all the wheels and machinery of government to enforce such a declaration of policy.

They find that discrimination "endangers the general welfare, and adversely affects commerce." Of course, Mr. President, as the Senator from North Carolina [Mr. BAILEY] pointed out yesterday—he did not say it in these words, but this was the intent of it—it was a distortion of the commerce clause of the Constitution to attempt to get some little scintilla of constitutionality into this measure, and until we came to this day of boards that can deny people the right of a jury trial, boards that can haul a man anywhere in the land to try him, no person would have ever insisted that the commerce clause could be attached to such a far-fetched thing as that.

Mr. President, are these findings and declaration of policy true? Are all the evils which beset the Nation today due to discrimination in employment on account of race, creed, or national ancestry? I am perfectly willing to leave that to the conscience of any Member of the Senate whose conscience has not been deadened or immunized by surrender in the past.

Mr. President, of course that statement is not true. We talk about the general welfare and increase in production. What made us the greatest industrial Nation the world has ever seen? Was it the fact that there existed authority for a board to intrude itself and operate a man's business?

Mr. President, the great enterprises of this Nation today were not always great enterprises. We look today at United States Steel, employing hundreds of thousands of individuals, but United States Steel does not represent all of American business, and all of American enterprise. Real American enterprise and business is found in the hundreds of small plants and small places of business. The statement is made that we cannot exist without United States Steel, and perhaps that is true. But certainly United States Steel cannot exist unless these thousands of little outlets are available to them.

What is it, Mr. President, that stimulates production in this country? We are asked here now to vote for a declaration of policy which says that there cannot be full production unless this bill to regiment industry is passed. That is what we have to vote for under this declaration of policy. That is solemnly asserted, and every Senator who votes for the bill will assert on his responsibility that he thinks the thing which is threatening increased production in this country is the failure to have an FEPC such as is provided in the pending bill.

Mr. President, what built up this country? There were two things that built it up and gave us this great industrial empire. One of them was the profit motive, the desire of a man to earn money, the desire of a man to go into business, to succeed, and to improve his condition and lot in life. He went into business under the old idea that if he was able to build his business from a small enterprise to a large one he would have the property right in his property to select those who were to manage his business. This bill strikes that down, as I shall show before I conclude. Under this bill he would not have an unfettered right of selecting the man in whose loyalty he could repose trust. Previously he went into business with the idea that if he was a better judge of a man's capacity than was his competitor, he could get ahead of his competitor by selecting abler men to do his work and to conduct his business for him. This bill strikes down that part of the profit motive. Under it an employer cannot employ a man whom he thinks is the best man if, forsooth, there is another man whom the

FEPC thinks is as good, who happens to belong to one of the minority groups which are pressuring this bill. Of course, that cannot help but result in nationalizing all jobs in every line of business, on the farm, in the beauty shop, in the steam-boiler plant, in the shipyard, in the corner grocery store. It nationalizes all employment in every business that hires more than six individuals. A man cannot have a profit if he cannot conduct his business and say who is to do his work and who is to operate his business for him.

There is another thing, Mr. President, that has helped to develop the great industrial establishments of this Nation. Down through the years it has caused our people to enjoy a higher standard of living and greater opportunity for all, majority, and minority, individuals of different races and creeds, than any other people under the heavens enjoy. Mr. President, we can talk about opportunities and discriminations where minorities are concerned, but it is an amazing thing that all those minorities want to get into this country and be discriminated against. I should like to see anyone talk one of them into indignation over his discrimination to the extent that he would be willing to leave this country now. That is simply a fiction; it is simply a figment of the imagination; it is simply a vote trap.

Mr. President, as I have said, there is another thing that has made this a great country industrially and from a business standpoint, and that is the desire of a man to found a business for his son, to be able to give employment to his relatives, to be able to give employment to his neighbors, to be able to give employment to, forsooth—I merely mention it in a whisper—to be able to give employment even to the members of his church. Yet, if this bill should pass, the man with the aim in mind of establishing a business for his son, a business where his relatives and his neighbors could find employment, who would start a small plant, a small store, or other small business enterprise would do so in the mistaken belief that he had a right as an American citizen to show favoritism to those in his family or those in his neighborhood or those with whom he was intimately associated in the everyday aspects of life. Many of the industrial giants of this Nation grew from just such humble beginnings. A man would start a business to take care of his own and those around him. Through their ability and capacity, and the fact that they were congenial and could work together and understand one another in the management and enterprise of the business, the business would succeed, grow, and prosper.

Those who are most earnestly advocating the bill would say, "Of course, that is a mistake. A man ought not to be able to own an enterprise. It ought all to be owned and controlled by the Government of the United States."

As I stated a few moments ago, I do not say that everyone supporting the bill is a Communist or Socialist, but I do assert that every Communist and every Socialist is supporting the bill with every power at his command. It is said that it is a mistake for a man to start a business for his son or to employ his relatives. If we pass this bill he will not have that incentive. We will cripple the profit motive, because the Government will tell him who is to operate his enterprise. Certainly he will start no business for the employment of the members of his community, the members of his church, or even the members of his family, if a board created by the Federal Government can come into his business and say to him, "You cannot promote this boy because he is your nephew. You do not have that right under the law." If a man has in his employ an alien, or a member of one of the described minority groups who thinks he should have the promotion, such a person can file a complaint and hale him before the board. The employer has his hands tied. He will be told, "You cannot promote that man because he is your nephew, and you are discriminating against an alien, or a member of some minority group."

How long will we be able to keep America the great industrial empire that it is? If we pass such a fool bill as this, which puts an employer in such a hole, how long will we be able to keep alive the ambition of our people to start enterprises of their own which they can handle as they see fit, for the benefit of their own families, their own neighbors, or the members of their own church?

There can be no doubt that the bill is designed to say to the employer, "If you do not hire or keep this member of a minority group you will be haled before the Commission, where you will have no chance on earth." What is he going to do? Suppose a man is operating a small plant with 40 employees, and 10 of the 40 are members of a minority group. If he should decide to lay off 10 employees, or was compelled to do so because of the vicissitudes of business, what would he do? Does anyone believe that he would lay off a single member of a minority group? Oh, no. Why? He would immediately have both hands tied behind him and a seal put over his mouth. He would be hauled as far as any of the little inspectors of the Commission might desire, to be tried in a kangaroo court, where there were no rules of evidence. He would be put to great expense. He might be bankrupted defending the case; and if he lost it, as he probably would before so prejudiced a body, with the court serving as prosecutor and having an interest in winning the case, he would have to pay out perhaps a year's or 2 year's back pay and restore the employee to his job. If the employer escaped being put in jail, he would certainly be harassed, embarrassed, and annoyed by an investigation, to say the least, if he did not retain all those who proposed to have protection under such a law.

Mr. President, section 2 of the bill is a declaration of this policy which undertakes in a backhanded manner which I have never understood to create an immunity relating to the right to work. The Senator from North Carolina [Mr. BAILEY] discussed that question yesterday. However, I wish to read the section, because I shall refer to it in showing its narrowness, and how the bill, which is claimed to be an antidiscrimination bill, is in reality most discriminatory in all its terms. I read section 2:

> SEC. 2. The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity, of all citizens of the United States, which shall not be abridged by any State or by an instrumentality or creature of the United States or of any State.

I am sure that the Senator from Mississippi [Mr. EASTLAND], judging by the question which he asked me a few minutes ago, caught the fact that in the entire bill the only place where the rights of a citizen are mentioned are in this statement. The bill, of course, is primarily intended to take care of the alien. But when it comes to the right to freedom from discrimination, when it undertakes to establish an immunity, it refers to citizens of the United States. I have studied the bill with some intensity and effort to try to find out just why that was true. I have been unable to reach any definite conclusion, except that this clause undertakes to apply to the States. It provides that the States shall not discriminate, and no subdivisions of the States shall discriminate. Some of the States, notably California, have laws which prevent aliens from working for the State. When I saw that the Senator from California [Mr. DOWNEY] was one of the authors of the bill, I assumed that he brought the citizen in at this place in order to protect the State law in California. This provision also would probably protect the State laws in several other States, which are similar to certain Federal laws which the bill proposes to repeal. There are Federal laws to the effect that aliens may not be employed on certain work. The bill, by its express terms, would repeal such laws; but I assume that it was decided at least to protect the State laws against employment of aliens by the States. However it may give a right to one to sue the States if he is a citizen.

In this day of world citizenship some of the States are still so narrow as to try to give a little consideration in employment to their own citizens ahead of the outsider. I do not disagree with that theory, because I am not an advocate of world citizenship. I believe that I have about as much compassion for suffering humanity all over the world as has anyone else. I never shall forget how I felt when I went into Germany last summer. I did not believe that there could be any conceivable circumstances under which I would feel the slightest pity for any German or person of German blood who was a part of wartime Germany. I thought that my heart and mind were steeled against it. But, Mr. President, when I went through the wreckage which had been the cities of Germany and saw the old, the lame, the halt, and the little children—because they were all that were left—I could feel only compassion for them. I feel sorry for them to this hour. If it were within my power to help them as human beings, I would do so, despite the feeling which I have against the forces in Germany which set out to destroy civilization.

So, Mr. President, I have compassion for the peoples of the world; but I cannot go along as fast as do some of my

colleagues. I have not yet adopted the philosophy which is being taught everywhere, that a man is proud of his country when he has nothing else to be proud of. That is becoming a common statement in this day of new thought: "A man is proud of his country when he has nothing else to be proud of." I must be in that position, Mr. President, because I am proud of my country. I am for my people first. I am not primarily a citizen of the world. I do not like to go as far as this bill goes, and I shall not go that far by my vote. I will not say, "Bring in all the suffering, teeming millions of the earth, wherever they be. We have established an agency to see that they get jobs in this country, even if it is to the detriment of the plain, everyday, garden-variety American citizen who cannot associate himself with a minority." I cannot go that far; so I must plead guilty to the charge of narrowness being hurled at those of us who are opposing this bill because we believe that the native-born American citizen is still entitled to some little consideration ahead of the alien immigrant.

Mr. President, I wish to refer to one other matter. We are told that discrimination in employment will destroy the country, and we are asked to vote for the bill so the country may not be destroyed. We are told, furthermore, that the national security will be endangered unless we pass this bill and make these findings, and according to the sponsors of the bill, prevent discrimination in employment.

Of course, Mr. President, to say that this bill deals with all discrimination in employment is merely another fraud on its face; there cannct be any question about that. Where is the discrimination in employment in this country? For every one person in the classes which the bill seeks to protect, there are at least 4 persons who are being discriminated against in employment because of the fact that they are not members of a certain labor union and do not choose to join a certain labor union. Oh, the bill is silent as to that. But an ordinary, everyday, garden variety of gentile American who does not wish to join a labor union is afforded not the slightest protection whatever by the terms of this bill. He can be discriminated against as long and as much as anyone may desire; indeed he cannot secure any employment without being a member of a labor union. But this bill does not do one thing in his behalf.

Mr. President, sometimes, when I consider this bill, a major abortion, as I believe it will be, if enacted, when I consider that it has been brought forward at a time when it can have no other effect than to tie up the machinery of the Congress of the United States at this critical hour in our national life, and when it is claimed that there is discrimination in employment, when there is not the courage in some quarters to face the facts and recognize the place where the real discrimination exists, I wonder if this is still America. That is the truth about the situation. No votes are obtained by talking about not discriminating against a man because he is not a member of a labor union. A few of the minority votes may be garnered, but they cost all the majority votes. But under this bill all the minority votes would be obtained, and the majority are not supposed to know what is happening to them in the case of a bill such as this.

At any rate, Mr. President, the bill fails to deal with the case of labor unions and closed shops, where discrimination in employment exists. I say it is almost a fraud on its face to give us a bill which seeks to regulate discrimination in employment and to call it a fair employment practice bill, when it does not even deal with a question as far-reaching and as sweeping as the discrimination which has been practiced against hundreds of thousands of American citizens because they have not been members of a certain labor union. If this bill ever reaches the amendment stage—although I do not think it will—certainly there will be offered an amendment, and there will be a record vote on it, as to whether Senators wish to deal with only the minor part of the discrimination in employment.

Mr. President, there is another place where there is discrimination, and grave discrimination, in employment; but this bill does not face that question at all or deal with it, because the discrimination is confined to only the ordinary, everyday, garden variety of American citizens who are not fortunate enough to be able to associate themselves with some minority groups. I refer, Mr. President, to the discrimination in employment which everyone recognizes is had on account of sex—discrimination against women in employment. Just an ordinary, everyday, garden variety of American woman can be discharged at will, and she will be if this bill is passed, and she will have no rights on earth. She cannot go to any commission. She has no recourse anywhere. She can see her job taken by a member of one of these minority groups, even if she has five minor children who are dependent upon her. She has utterly no rights. What will happen under this bill when we get down to the necessity of laying off a few people and when we are confronted with the cases of some employed women who have no rights under these kangaroo courts and when the employers are faced with the applications of some persons who would be able to cost the employers a great deal of money under the powers proposed to be granted by the bill? What would an employer do? He would do just what you would do if you were in his place, Mr. President. He would lay off the persons who have no minority rights. That is what would happen under this bill. So, Mr. President, when we are asked to deal with this situation in which it is said there is such great discrimination in employment, we find this second category of persons which the authors of the bill have not been able to see, because they cannot see the forest for the trees.

Mr. President, do not think that the women will not be able to find out about it. As evidence of that, I hold in my hand a letter coming from the National Advisory Council of the National Woman's Party. I wish to state that, so far as I know, the letter was not written by a southern Democrat. I do not know the lady who wrote the letter, but she is chairman of the National Advisory Council of the National Woman's Party, with headquarters here in Washington. I do not know a great deal about the organization. I know some of the members of its council by reputation. One of them is Emily Dunning Barringer, M. D., who is past president of the American Medical Women's Association. Another member of the council is Katherine Devereux Blake. Other members are: Elizabeth Pickett Chevalier, author; Mary Merrit Crawford, M. D.; Lavinia L. Dock, nurse emeritus, Henry Street Settlement; Anna W. Goodrich, dean emeritus, Yale School of Nursing; Katherine Houghton Hepburn, social reformer—who has also attained no little distinction in the field of the theater and on the stage; Malvina Hoffman, sculptor; Fannie Hurst, author; Inez Haynes Irwin, author; and also on the council are a number of other well-known women, including Gladys Swarthout, of the Metropolitan Opera Co., and Margaret Sanger. A number of distinguished women are members of this council. I do not care to take time to read all the names. The junior Senator from Minnesota [Mr. BALL] is off the floor at this time, and so I shall ask unanimous consent to have the entire list of names of the members of the National Advisory Council of the National Woman's Party printed at this point in the RECORD as a part of my remarks.

There being no objection, the list of members of the National Advisory Council of the National Woman's Party was ordered to be printed in the RECORD, as follows:

MEMBERS

Emily Dunning Barringer, M. D., past president of American Medical Women's Association.
Katherine Devereux Blake.
Elizabeth Pickett Chevalier, author.
Mary Merrit Crawford, M. D.,
Lavinia L. Dock, nurse emeritus, Henry Street Settlement.
Anna W. Goodrich, dean emeritus, Yale School of Nursing.
Katherine Houghton Hepburn, social reformer.
Malvina Hoffman, sculptor.
Fannie Hurst, author.
Inez Haynes Irwin, author.
Lee Allison Johnston, M. D., president of American Medical Women's Association.
Elizabeth Thacher Kent.
Ethel Traphagan Leigh, head of Traphagan School of Fashion.
Catharine Macfarlane, M. D., vice president, Medical Women's International Association.
Georgia O'Keeffe, artist.
Mary Philbrook, lawyer.
Lena Madesin Phillips, LL. D., president of International Federation of Business and Professional Women.
Mary Pickford, actress and producer.
Helena T. Ratterman, M. D., past president of American Medical Women's Association.
Mrs. Ogden Reid, vice president of the New York Herald Tribune.
Elizabeth Selden Rogers.
Marion Margery Scranton, Pennsylvania member, Republican National Committee.
Margaret Sanger, social reformer.
Gladys Swarthout, of Metropolitan Opera Co.
Mary Church Terrell, president emeritus, National Association of Colored Women.

Josepha Newcomb Whitney, past president of Connecticut Housewives League.

Dr. Mary E. Wooley, president emeritus, Mount Holyoke College.

Nora Stanton Barney, architect and civil engineer, chairman.

Mr. RUSSELL. Mr. President, the women whose names I have read are some of the members of the group of women whose chairman has sent me the letter to which I am referring. I shall read what is contained in the letter, a form letter which I assume was sent to all Senators. Perhaps it was sent only to me; but if it was, I am highly flattered, because certainly it struck a responsive chord. Here is what they say about this bill, the authors of which say is so important in order to abolish discrimination in employment.

MY DEAR SENATOR RUSSELL: We wish to call your attention to the so-called Wagner-Scanlon antidiscrimination bill—

Mr. President, I shall have to interpolate at this point that the authorship of the bill has changed from time to time. Members of the two bodies of Congress have vied with each other in their desire to have their names added as authors of the bill, and therefore the authorship of the bill has been changed, and so we shall have to correct that part of the letter by saying that they are writing in respect to the Chavez-Downey-Wagner-Murray-Capper-Langer-Aiken bill.

Mr. President, as I was saying, the writer of the letter states that they wish to call our attention to the—

antidiscrimination bill which outlaws discrimination—

Mr. President, I hope Senators will hear this. If they do not hear it now, they will hear about it soon after they vote for any such bill as this measure which undertakes to outlaw discrimination against some persons, without undertaking to outlaw discrimination against the white women of America.

As I have said, the bill calls our attention to the so-called—

antidiscrimination bill which outlaws discrimination on account of race, color, creed, or religion, but invites, by implication, discrimination on account of sex, as it will continue to be legal to so discriminate. We believe in equal opportunity for all, but not in presenting the colored race and the Jewish race and every other race a right that is denied to white women.

Mr. President, if I were making that statement on my own, I know some Senators would say, "There is a southern Democrat bringing up the racial question." However, I am now reading what the distinguished women of the medical world, literary world, stage, and screen state when they analyze this bill which is presented to us as a great panacea in respect to discrimination in employment. I continue to read from their letter:

If this bill becomes law, white women will be the only citizens in the country to whom redress in the courts is denied on grounds of discrimination.

I do not dignify them by calling these star-chamber tribunals a court.

The letter continues, as follows:

Under the New York antidiscrimination bill, backed by the CIO and colored and Jewish organizations, the court can fine an employer $500 or commit him to jail for 1 year if he dares, for instance, to lay off a young colored or Jewish bachelor and retain a white woman with five children, or to lay off a colored or Jewish woman and retain a white woman.

There is no question about that; that is exactly what would happen under the bill. A white woman with five children would be laid off because she would have no rights before such a kangaroo court. An employer would not involve himself in a great deal of trouble with a Jewish or Negro bachelor, even though he had no family responsibilities, by firing him and then being confronted with a charge of discrimination.

Mr. President, these ladies give us this advice:

The so-called antidiscrimination bill should be either amended to include the word "sex"—

If we ever get to amendments I will offer such an amendment—

or its passage should be postponed.

I shall also endeavor to postpone the passage of this bill. So, Mr. President, this is one time when ladies have written to Senators that they are in accord with their views. I do not know the signer of the letter, who appears to be a very distinguished woman. Her name is Nora Stanton Barney, who is evidently a very noted architect and civil engineer.

Mr. President, the country is bogged down in industrial strife, and confusion is running rampant. Apparently the best bill which could be brought into the Senate is the so-called antidiscrimination bill now before us, which covers but a small fraction of the real genuine discriminations which exist in connection with employment, discriminations which bring about heartaches and sufferings to many persons. Not only, Mr. President, does the bill not bring them relief, but in the very nature of things, when considering the question of lay-offs, it discriminates against women who do not belong to minority groups. Yes, Mr. President; of course, we will always have some lay-offs. It is all right to tie up the business of the Senate in order to defeat consideration of legislation dealing with strikes. The business of the Senate can be tied up, and by objecting to the consideration of reports and the introduction of bills, assurance may be had that no legislation will be considered. But we all know that such tactics will result in continually defeating legislation which should be considered in connection with the present industrial situation now existing throughout the country.

Mr. President, I have stated the position which we find ourselves in every time any of these pressure groups get a whiphand and go running around, working both sides of the street, and getting Senators to bid against each other for votes. Many newspapers and radio commentators in the United States have charged over the radio and through the columns of the press that something is blocking this bill which is designed to bring about fairness in employment. Mr. President, so far as I am concerned, I shall not relent in my efforts to continue to point out that this monstrosity in the form of the bill which is now before the Senate is most unfair to those who are least able to defend themselves against it.

The discriminations which have been pointed out are not the only discriminations which are practiced. There are other discriminations which are much more widespread than anything which this bill undertakes to correct. Up until the time of the manpower shortage there was very great discrimination exercised in employment against those who were more than 40 years of age. Everyone knows it. It is common knowledge.

Last week I read an article in a newspaper. I wish I had saved it, but I recall it distinctly. The article stated that the discrimination to which I refer was creeping into employment during the reconversion period. The article stated that those who were past 35 years of age were being discriminated against. I had understood that the discrimination was practiced chiefly against those who were 40 years of age. There is not a word in this bill concerning such discrimination. A man may be past 40 years of age. He may be a man who is just an ordinary, everyday garden variety of gentile American. He may go to some industry, store, or plant, which employs more than six persons, and say that he wants a job. He may say, "I see you have a vacancy." The employer can tell him, "I will not hire you because you are past 40 years of age. I will not take anyone into this business who is more than 40 years of age." The man who is looking for employment may reply, "Well, I can do the work." The employer may say, "Oh, I know you can do the work. There is no question about that. You are well qualified in every respect, but I will not hire you because I do not want to go to the trouble of training a man of your age for the work here which you would have to perform. I employ only men who are under 30 years of age." Mr. President, that man who is seeking employment has no rights whatever under this bill unless he happens to be a member of one of these minority groups. The situation is an example of so-called nondiscrimination.

Let us take another example. An American citizen, ordinary Bill Jones, who is past 40 years of age, walks into a place of employment with either a Negro or a Jew, both of whom are 40 years of age. If the ordinary American is told that he will not be hired because he is 40 years of age, he has no recourse on earth, However, if the other person is told the same he may say, "Well, you know I can do the work, don't you?" The employer says, "Yes; just as this other man can do the work." The reply may be, "Well, I will take you before the Fair Employment Practice Commission because you are discriminating against me on account of my creed or my color."

Mr. President, the first of those men could be a soldier who had returned from the front after having fought in the muck or mire of Normandy or Okinawa. If he were past 40 years of age and were refused employment on that account, he would have no recourse. He could go into a plant with a Communist who is 40 years of age. The Communist could get before this Commission and demand that he be hired because of being a

member of the minority group. That man might believe in overthrowing this Government by force and violence, or he might be an alien, but nevertheless he would have rights under this bill which would be denied the ordinary everyday average American citizen who could not get into the courts, and who would have nothing against him except his age.

So, Mr. President this is a bill which attempts to deal with discrimination in employment without affording to all people the same right which the bill affords to aliens, Communists, and members of minority groups to go to this kangaroo court. When the time comes I shall offer an amendment that a man may not be discriminated against in employment because of his age.

Mr. President, what I have stated shows what happens when we deal with a subject such as this. As I have said, we are all minorities in this country. When, by virtue of a statute, we try to give one minority preference over another, we run into trouble every time in a democracy such as ours.

Mr. President, here is section 3 of the bill. Here is where we get to the heart of the bill:

SEC. 3. (a) It shall be an unfair employment practice for any employer within the scope of this act—

(1) to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry;

(2) to discharge any person from employment because of such person's race, creed, color, national origin, or ancestry.

Of course, Mr. President, that language speaks for itself. First, it says that it applies to a person, and therefore it is made to apply to aliens. The word "person," by any number of judicial decisions, applies to all human beings. This bill would repeal any law which may be in effect at the present time limiting employment of aliens by the Government. As I stated a few moments ago, I do not think I have any greater prejudice against the alien than has the average American. I do not view him in the light of the present-day liberals who say that the alien is entitled to every right and benefit of an American citizen and, as this bill provides, is entitled to rights and benefits which are denied to American citizens. I do not go that far, but I do not think we are going to solve the alien question, or all the questions in the world, by bringing the aliens into this country. I must plead guilty to having one of those old-fashioned minds which many people would call narrow, very much opposed to any increase of immigration to this country.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield for a question.

Mr. HICKENLOOPER. In connection with the paragraph just read by the Senator I should like to have him give his interpretation, if he will, of this question as the bill is written. Suppose a man of an announced communistic belief, communistic faith, applied for a job. Suppose that a year or so passes and a Nazi, of avowed Nazi philosophy, applies for a job. What is the Senator's interpretation as to whether or not the provisions of the bill could be enforced upon failure of an employer to employ such persons based upon those reasons?

Mr. RUSSELL. I will say to the Senator from Iowa that I appreciate the question, and I think this is a perfectly fair statement, under the terms of the bill. If Adolf Hitler could in some way secure immunity for his war crimes and be brought into this country tomorrow, the fact that he was a Nazi could not be held against him, under the bill. He would have a right to hale an employer before the board, if the employer held against him the fact that he was a Nazi, and he would get a job as a paperhanger, and keep some returning American soldier who wanted to be a paperhanger from getting the job, and the returning American soldier would not have the slightest right on earth to go before this perambulatory kangaroo court and seek relief that would be afforded Adolf Hitler if he got into this country.

Mr. HICKENLOOPER. Will the Senator yield for a further question?

Mr. RUSSELL. I yield.

Mr. HICKENLOOPER. Then is it the Senator's interpretation that if a factory employment agency had employment opportunities, and 50 or a hundred avowed and known Communists applied for employment in the factory, the factory employment agency would be bound, under the bill as it is now written, to hire them, or suffer the penalties provided under the bill?

Mr. RUSSELL. If the fact that they were Communists, or members of a Nazi bund, or were Hitler or members of his immediate staff coming into this country from Germany, were the only reason they had for not employing them, they would have rights under the bill, they could go to this board, if they were excluded from employment solely for that reason, a right which the ordinary, everyday, garden variety of American does not possess.

Mr. BALL. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield for a question.

Mr. BALL. I am wondering under what kind of a definition the Senator would cover political affiliations under the words "race, creed, color, national origin, or ancestry."

Mr. RUSSELL. The Senator from Minnesota is a scholar. The word "creed" comes from the Latin word "credo," which means "I believe." It is not confined to any religious faith; it applies to any minority political party, or to a Democrat or to a Republican. I am surprised the Senator does not know that the word was put in here to protect Communists and to secure them employment. There cannot be any question about it. The word "creed" does not refer to religion. It is commonly applied to religion, because the ritual of church started out "credo," meaning "I believe," and some use it as referring to religion. But the word "creed" refers to any belief a man might have. There is no question about it.

Mr. BANKHEAD. Mr. President, has the Senator any information about who drew this bill?

Mr. RUSSELL. I should like to know who did actually draft the bill in all its details, because it is the most skillfully drawn bill, to accomplish more and look as if it does less, than has ever been before the American Congress.

Mr. CHAVEZ. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Mexico?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. I, in part, take a little credit for writing the bill, and certainly the Senater would not accuse me, a Roman Catholic, possibly not very well liked in certain quarters, of being for Hitler or being for anything communistic. I might tolerate the Communists, but I do not like communism.

Mr. RUSSELL. Mr. President, I certainly do not wish to say anything that would offend the Senator from New Mexico, but I know as a practical matter that the Senator did not draft this bill, because this bill, in substantially the same form, had been in this body under different sponsorship before the Senator from New Mexico put his name to the bill and introduced it here. It has been here in substantially the same form. Let us be frank about this.

Mr. CHAVEZ. Let us be frank about it.

Mr. RUSSELL. I want to be.

Mr. CHAVEZ. It was sponsored by Republicans and Democrats, by the Senator from Kansas [Mr. CAPPER], who cannot be accused of being a Communist; it was sponsored partly by the Senator from California [Mr. DOWNEY], a Democrat, who, I believe, is not a Communist.

Mr. RUSSELL. Mr. President, I was not talking about the Senate sponsor of the bill; I was talking about the effect of the bill, and its authorship.

Mr. CHAVEZ. When we say "creed" we mean religion.

Mr. RUSSELL. Then the word should be so defined.

Mr. CHAVEZ. When we say "persons" we mean Americans.

Mr. RUSSELL. O, Mr. President, there are a hundred decisions of the Supreme Court of the United States which say that "person" means an alien, and aliens are entitled to every benefit under the bill. I am amazed that the Senator from New Mexico, an able lawyer, does not know that. I could read decisions here for hours to that effect.

Mr. CHAVEZ. The Senator may be against that, and if that is the only thing he has against the bill, let us qualify it. We are trying to pass an American bill.

Mr. RUSSELL. The Senator is trying to pass this bill, and I am pointing out wherein it is not an American bill. I am referring to all the bunkum that has been practiced over this bill, in bringing in such a monumental monstrosity, subversive of all American life, when it is not an American bill, but it is designed to help all those who are un-American. I am not complaining at the Senator, or criticizing him, but the Senator knows the bill has been written and introduced under different names before he got hold of it. It has been in the House and in the Senate.

Mr. CHAVEZ. Of course it has.

Mr. RUSSELL. I aquit the Senator of any desire to overthrow the Government, or to encourage Communists;

nevertheless, the bill has that effect—this bill we are being pilloried for resisting.

Mr. CHAVEZ. I presume there have been fair employment practice bills here before.

Mr. RUSSELL. Practically like this. There is no difference between them.

Mr. CHAVEZ. Like any class of legislation which comes before this body, tax legislation, military legislation. Every bill is different. The wording might be different.

Mr. RUSSELL. It is identical, but it is different. That is what the Senator says. Very well. There never has been any such bill here, because it applies to aliens, and I assert that whoever wrote this bill deliberately intended to use the word "citizen" when it did not make any difference, but when it got down to the man people had to employ, they used the word "persons." It is abundantly established under decisions of our courts, that the word "person" applies to aliens within our jurisdiction. I think it would apply whether a man was here legally or not. I am sure it would. He would be a person. The word "person" means every human being, and that is what I am objecting to.

Oh, yes, pillory people for wanting to oppose the bill, for insisting that it stay before the Senate until the country understands it. Get on the radio all the left-wing commentators talking about "those infernal southern Democrats" tying up the Senate, when we are not at all responsible. When a bill like this is brought in, which proposes to create a monumental employment agency and invite all the aliens to our shores to take over jobs which I, for one, think should be held by Americans, that at least they should have priority, I will fight it. Men may talk about that fight on the radio and inveigh against it in the press, but I will not be deterred in the slightest in my opposition.

Mr. FULBRIGHT. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield for a question.

Mr. FULBRIGHT. How does the Senator think it would be possible for the Board or Commission to determine the motive behind the employment of a particular person or the discharge of a person? Is that susceptible of proof?

Mr. RUSSELL. Of course it is not. The bill is not intended to settle anything by proof. When there are no rules of evidence, when they can convict a man on hearsay evidence, when they can deny him a jury trial, when they can remove him from his vicinage, in violation of a right he had under our old Anglo-Saxon jurisprudence, it is not intended to give him a chance in court. It is not intended to be susceptible of proof. The bill was not written with that purpose in mind. It was the purpose to intimidate everybody in this country into giving priorities in employment, in layoffs, and in promotions, to the minority groups, including Communists and aliens.

Mr. EASTLAND. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. EASTLAND. Does the Senator think that at a hearing the accused would even have to be confronted with the witnesses against him?

Mr. RUSSELL. I do not think so. They would have no rules of procedure at all.

A few minutes ago the Senator from New Mexico said something about the fact that he was a Roman Catholic. I wish to say that I know of no reason why the Senator should have brought that into this discussion. Certainly, I have said nothing on earth that would have justified the Senator from New Mexico bringing that statement in. I do not know what his purpose was. I am getting to the point in considering this bill, when I think about purpose when I hear things, and I should like to know what the Senator's purpose was.

Mr. CHAVEZ. My reason for the statement was that the Senator was making the point that Communists were interested in the proposed legislation, and there is nothing further from communism than the Roman Catholic Church.

Mr. RUSSELL. I hope the Roman Catholic Church will maintain that position. The Roman Catholic Church has been a great agency for discipline in this country. I certainly must be absolved of any attempt to bring anybody's kind of church into this discussion. I have not mentioned church.

Mr. CHAVEZ. The Senator certainly is absolved.

Mr. RUSSELL. I wish to say, furthermore, that I have no religious prejudice whatever. I have been charged with it. I remember when I was a candidate for the Senate of the United States the first time. I was the Governor of my State, and I had reorganized the departments of the government, I thought very effectively and efficiently. It must have been a pretty good job, because what was set up has lasted down to the present, in the main. We consolidated about 115 bureaus and agencies into some 14. We did away with all the commissions which were operating the various educational institutions, and created one board of regents.

When I was a candidate for the Senate I went to a county where my opposition thought that the Ku Klux Klan was pretty strong, and I had a friend there who was almost afraid to speak to me out in the open, who came to my car and presented me with a handbill which was distributed in that county. I shall never forget the headline of the handbill. It was a great big handbill. The headline was:

> Governor RUSSELL sees to it that a certain percentage of your tax money goes to the Pope in Rome.

That great headline appeared on the handbill. I proceeded to read the handbill. It contained an insidious and violent attack on me because it happened that I had appointed as chairman of the board to control and handle all the university and school system of Georgia a very good friend of mine and a very able man who was a Roman Catholic. I also had appointed a Roman Catholic as an examiner of banks. We do not have as many Catholics in my State as there are in the State of the Senator from New Mexico, but there are some who are among our outstanding and ablest citizens. I suppose that perhaps the charge was technically correct, for these men were very loyal Catholics. The father of Mr. Hughes Spaulding had been specially decorated by the Pope, and I am sure they all contributed generously to the church. They drew some salary from the State, and it may be that 1 penny of their State salary was commingled with some funds which eventually got to the Pope. But, Mr. President, my people are not swept off their feet by attempts to inject religious prejudice either on the floor of the Senate or in the State in a political campaign. I went before my people and I told them in that campaign "Yes; I appointed these two men. I have never yet seen any human being who had enough religion of any kind to hurt him, and I have no apologies to make." My people justified that position and elected me over very strong opposition.

My State voted for Alfred E. Smith in 1928 when other States which were supposed to be Democratic were falling by the wayside. So the Senator from New Mexico cannot bring any religious prejudice to reflect on my position in this matter.

Mr. CHAVEZ. No, Mr. President; and it was not the purpose of the Senator from New Mexico to do that.

Mr. RUSSELL. I do not know why the Senator mentioned what he did, then.

Mr. CHAVEZ. I am sorry to have the matter brought into the discussion in this way. The point I was trying to make was that those whom I said were in favor of the bill were not Communists. I do not know whether there are any Communists for the bill.

Mr. RUSSELL. I know there are Communists for the bill. There are Communists in the Fair Employment Practice Committee who will be legislated into permanent positions by the adoption of this measure; at least the Department of Justice, after investigation, said they were Communists.

Mr. CHAVEZ. I want to make my position clear to the Senator from Georgia. Far be it from me to accuse him of any intolerance. I have worked with him too long in committees and elsewhere in connection with liberal legislation, and so forth, and I would not want the impression to be created in the mind of the Senator that my purpose in speaking was to try to raise some kind of religious strife or condemn the Senator for something else. My purpose was to say that, as everyone knows, that if there is one church which is against communism, it is the church I spoke of, and to say that if there were Communists in favor of the legislation, they were not the only ones who are behind legislation of this type.

Mr. RUSSELL. Mr. President, I am perfectly willing to support the Senator's church in its opposition to communism. I am trying to fight communism right here and now on the floor in connection with the pending bill.

Mr. FULBRIGHT. Mr. President, will the Senator yield to me for a question?

Mr. RUSSELL. I yield.

Mr. FULBRIGHT. Assuming this bill should be seriously considered, does not the Senator think it ought to provide that all employers whom we assume

might be guilty of discrimination ought to be obliged to go to church every Sunday and to learn to be kind and to love their brothers, and gradually cease to have any ideas of discrimination? Is not that an essential if this legislation is ever to be of any benefit to the country?

Mr. RUSSELL. Mr. President, of course you can lead a horse to water, but you cannot make him drink, and that is the reason I am resisting so bitterly this idea of legislating respecting tastes. There is no accounting for taste. What is the expression—"De gustibus non est disputandum"? I ask my distinguished friend, the Senator from Arkansas, who has been a college president, to check on the accuracy of my quotation. There is a little jingle that goes something like this:

I do not love thee, Dr. Fell,
The reason why I cannot tell;
But this alone I know full well,
I do not love thee, Dr. Fell.

There is no way to account for taste in individuals or in the matter of selection, and it cannot be dealt with by legislation. You cannot legislate anything into the hearts and minds of the people. You can gradually eliminate prejudice and ill feeling between groups. Oh, Mr. President, we have made the most phenomenal progress in that direction that any civilization has ever seen. We have come nearer to living together with diverse groups in this Nation in relative harmony than any people has been able to accomplish. We have gone further along the line of inspiring men to tolerance of other men's views and beliefs than any other people have ever done. We propose by this bill to do away with it all now. Oh, yes, to wreck and destroy all that has been done to eliminate intolerance and prejudice and ill feeling in the minds and hearts of the diverse groups of the United States. We are going to do that because we are going to put the pliers to them and wrench and twist them and make them do what we think is right.

Mr. WILEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. GEORGE. Yes; I yield for a question.

Mr. WILEY. I believe the Senator from Georgia agrees with me that the great and imperative need in America today is to get production. In order to get production we have to get men back to work. I ask the Senator this question: Assuming that the pending bill were to become law, is there anything in it that would get men back to work or that would result in production?

Mr. RUSSELL. Not one thing on earth. It would not make a job for one single American citizen. It would result that the minority groups who are sought to be benefited by the bill would have an advantage over the average American. But it would not make a job for one American citizen. It would result in striking down jobs. If this measure were enacted it would result finally in indignities being heaped upon many employers, who would be hauled around before kangaroo courts and they will go out of business.

Mr. President, in studying this bill—and I say it is the most skillfully prepared bill I have ever undertaken to read and study—I notice in subsection 3 of section 3 that within the prohibited acts that are herein prescribed and punished appears the following:

(3) To discriminate against any person in compensation or in other terms or conditions of employment.

Mr. President, that language ought to be defined. That language should be defined clearly. If I understand the general purpose of the bill there is a strong probability that this Commission will go into the question of restrictive covenants on the theory that that is a condition of employment. Of course if the bill is passed and it is not applied to restrictive covenants we can depend upon it that in a short time it will result in eliminating all restrictive covenants in any conveyances anywhere, because certainly if we can in the bill which is now pending declare that discrimination will wreck the country we can declare that a restrictive covenant which limits a race of people who might live in a certain community would be absolutely invalid and should be set aside. I would not be at all sure but that the effort would be made to do it under the language I have just read, but certainly we would be confronted with that possibility.

Mr. WILEY. Mr. President, will the Senator again yield?

Mr. RUSSELL. I yield.

Mr. WILEY. I wish to ask the distinguished Senator a question. Has he read the editorial which appeared in the Washington Sunday Star, which is based on a statement made by Comptroller General Lindsay Warren?

The second question is: If the Senator has read it or has not read it, Mr. Warren suggests that the situation in America today is extremely critical. The editorial says:

Mr. Warren, though justifiably depressed over the outlook, is not without hope. But he believes that only a widespread awakening by the American people to the dangers of national bankruptcy that may lie ahead can affect a change for the better. The remedies are clear, he says, but there is little chance of applying them unless the taxpayers insist that their Government apply them. First of all, the Comptroller General pleads for a drastic reorganization of governmental agencies to eliminate waste and inefficiency. Incidentally, the President was given authority to streamline the Government under the Reorganization Act passed last month. Mr. Warren places second on the list of remedial measures a strenuous effort to balance the National Budget through a sharp reduction of Federal expenditures. This will require wholehearted support by the people of congressional economy moves. Third, Mr. Warren calls for a more conscientious type of public service by those entrusted with the responsibility of spending other people's money. Fourth, he urges a reexamination by Congress of its blank-check grants of spending money to certain executive agencies. And, finally, he advocates that the States assume a proper share of their responsibilities toward the Union instead of looking to the Federal Government for more and more assistance.

My question is, Does this bill in any way provide the relief suggested by any of the points the Comptroller General has suggested?

Mr. RUSSELL. It does not even remotely touch them. It does not deal with any real problem which exists today. It is the most insignificant matter that has been mentioned by the President. And yet it is proposed to create a gigantic structure to deal with an imaginary situation which does not exist, and to establish an agency which will have power to do harm far beyond that which might exist under present conditions.

Mr. President, subsection 4 of section 3 undertakes to deal with employment agencies and placement services, or other places where it is said there might be discrimination because of race, color, creed, or national origin.

We come next to the labor-union section of the bill. Of course we know that the PAC, the Political Action Committee, and the CIO have been the principal champions of this legislation. They have supported it in and out of season, and with every means and method at their command. Some of the other labor organizations are opposed to this provision. The American Federation of Labor in its pronouncements on the subject has stated that it was bitterly opposed to having the proposed Fair Employment Practice Commission coming into its unions and telling them whom they might elect as officers and whom they might have as members of the unions. The American Federation of Labor stated that it was in favor of the fair employment practice bill, but opposed to the provision with respect to labor unions, and it has asked that it be stricken out.

At any rate, it is proposed to bring labor unions within the purview of the Fair Employment Practice Act. With respect to a labor union, the bill declares that it is held to be an unfair employment practice "to deny full membership rights and privileges to any person because of such person's race, creed, color, national origin, or ancestry."

Mr. President, I happened to notice a certain article in the New York Times of last Sunday. I was sitting in my room reading the newspaper before going to the office to read the bill, and I happened to run across an article which is headed "Red charges fly in Flint strikes. Union leader, a Trotskyite, is ousted—school closing chief on Government lists." The article is dated Flint, Mich., January 18, and reads as follows:

FLINT, MICH., January 18.—Factional divisions in the UAW-CIO General Motors locals here brought charges today that the international, regional, and local, union officials were afraid to join in a movement to purge the union of communistic infiltration into positions of leadership.

Of course the CIO leadership was afraid to join. CIO leaders were in Washington demanding that this bill be jammed through without benefit of explanation. If the bill were enacted into law it would put such leaders in jail if they undertook to regulate the membership of the union by dismissing a person

because he was a Communist or a Trotskyite who advocated the overthrow of the Government of the United States by force and violence.

Continuing with the article:

Other union leaders asserted that the charges, which have resulted in the removal of one local union official, were part of "a Red scarce," the purpose of which was to split the union.

The ousting of Robert A. Carter as chairman of the bargaining committee of AC Spark Plug division local because of his alleged membership in the Trotskyite party was upheld by Archie Myers, president of the local, which claims a membership of 7,300.

I understand that Mr. Myers was the man who was trying to have the Trotskyites and the Communists discharged from the union.

Mr. Myers also condemned the stand taken by three other local presidents and criticized regional and international officers for failing to join in the purge movement. The accused local presidents had charged anti-Trotskyite committeemen with an attempt to break up the union during its wage strike against General Motors. The committeemen are W. E. Rodgers, William Kontyko, John Jordan, and Charles Keene.

IN UNPOPULAR POSITION

"I must disagree with the presidents of Fisher Body, Buick, and Chevrolet locals," Mr. Myers said. "People in prominent positions both in the regional office and international unions know what is taking place in the union but because at this time it is an unpopular position to take they will stand back and continue to take only pot shots in the dark."

He urged rank and file members to attend their local meetings and prevent their union from being dominated by "party controlled individuals who are pledged to put the party first and union second."

The creed is the party or, rather, the party is the creed.

Mr. Myers said the ousted committeeman admitted to him in October that he was the second charter member of the Trotskyite party in Flint.

The bargaining committeemen who ousted Mr. Carter charged that communistic infiltration into positions of authority was endangering the union, that Trotskyites were inciting pickets to violence and that members would be put in key positions in the party, union, and government. The committeemen named Sol Dollinger, a Trotskyite party organizer who came here from New York, as chief troublemaker for the union.

LINKED TO SCHOOL STRIKE

Local AC committeemen charged that the Trotskyites had gained sufficient influence in the CIO Greater Flint union industrial council, claiming to represent 50,000 workers here, to cause passage of a resolution supporting the maintenance workers' strike that has closed all of Flint's public schools. They will attempt at a meeting tonight to dissolve the council. The school strike was in opposition to union policy, the committeemen said.

Casper P. Kenny, a member of the CIO council, a representative in the State legislature and field representative of the State, County and Municipal Workers (CIO) and leader of the school strike, was revealed as a Communist Party member and an ex-bootlegger in FBI, Army Intelligence, and State police records. He was under surveillance here by agents of these organizations during the war.

Here is a man who was a Communist by creed. He occupied an office in the union. He was a bootlegger in secret documents during the war. He was under surveillance by the agents of various Government organizations.

Government records show Kenny was a member of the Communist Party's educational committee, the program of which included promotion of understanding of Communist theories in Flint and Pontiac schools. Communist data uncovered by the Government agents mentioned Kenny as "the best worker" here. He made this reply:

"Communism is not the issue in the strike of the school-maintenance workers. It is a question of obtaining 10 cents per hour increase and other demands."

Some of us who believe in the rights of labor organizations have been concerned about the apparently irresponsible and radical leadership which was developing in some of the CIO unions. Here is a case in which one of the unions is trying to purge itself of a Communist official, a man who has bootlegged the secret documents of Army intelligence and of his State police. Mr. President, if Senators vote for this bill they are voting to tell that labor union that if it purges itself of this man because he is a Communist, every one of its members can be put in jail. That is what it amounts to.

I read the following very significant language on page 3 of the bill, in section 3:

(c) It shall be an unfair employment practice for any employer or labor union within the scope of this act to discharge, expel, or otherwise discriminate against any person because he has opposed any practices forbidden by this act or because he has filed a charge, testified, or assisted in any proceeding under this act.

Mr. President, why was it necessary to put that special language in the bill if it was not intended to say to a Communist attempting to promote the Communist philosophy, "You can go as far as you like in resisting any effort to remove a Communist from a labor union, and in punishing those who wish to purge the union of communism. You will be protected, and any person who attempts to do anything about it will be haled before the kangaroo court, where he has no rights, and we will make him regret the day of his birth."

Section 4 of the bill merely relates to its scope. It provides that the act shall apply to "any employer." I wish Senators to notice how wide the term is. It applies to any employer. It does not say what kind of business he may be engaged in The Senator from Wisconsin, who always is so diligent in staying on the floor and scrutinizing legislation, had already raised the question that there would be absolutely no limit, no standard. The bill would apply to any employer. It would not make any difference who he was or what kind of business he was in or what he was about. The bill provides that—

This act shall apply to any employer having in his employ six or more persons, who is (1) engaged in interstate or foreign commerce or in operations affecting such commerce.

Mr. President, I have already stated that the Supreme Court held that using some stuff on a farm and consuming it on the farm affects interstate commerce, on the far-fetched theory that it affects the sum total of that material in the United States—in other words, that if a man did not raise a chicken he would have to get it from someone else if he was to eat it, and therefore that would affect interstate commerce.

So this measure affects any organization engaged in any activity, with the possible exception of a church which is not broadcasting the sermon. It brings all other persons under the terms of the proposed act.

I read further from the bill:

(2) under contract with the United States or any agency thereof or performing work, under subcontract or otherwise, called for by a contract to which the United States or any agency thereof is a party, awarded, negotiated, or renegotiated as hereinafter provided in section 13 of this act.

Mr. President, it may seem strange to have such language included in so comprehensive a bill as this one. I wonder why it was included. The language to which I have just referred would make the bill apply to all those who might have contracts with the United States, because it would be very unlikely for a person to have a contract with the United States if he had fewer than six persons employed by him. But this provision of the bill certainly shows the thoroughness with which those who engaged in this matter went about their task. They even provided that a person with fewer than six employees would have to abide by the provisions of this measure if he entered into a contract with the United States. Really, Mr. President, the only persons in the category not covered by that portion of the bill would be householders employing a servant or maid, and the bill would require even a person employing less than six persons to subject himself to its vicious provisions, if he had a contract with the United States.

Of course, another reason why that provision was included in the bill was to tie in with the provision, which appears in the latter part of the bill, that any man who has violated an order of this Commission and who has a contract with the United States will not be turned loose by the Commission after he has been put in jail. Oh, no, Mr. President; after he has had his regular punishment for his horrible crime of not obeying all the rules of the Commission, he will find that in accordance with the provisions of subsection (b) of section 13 of this measure the Commission still will have authority over him, even after he has served a jail sentence, after he has paid up all his back wages, after he has been punished for this thing of the mind which no one can establish with any degree of certainty—this so-called discrimination. Senators will find that for a period of 3 years such a firm can be prevented by the Commission from obtaining another contract with the Government. If that is not heaping injury on top of injury—after the man has already been punished by the courts and already has paid the penalty and already has paid up the back wage payments and already has suffered all the humiliation which has been heaped upon him—I do not know what it is. Just think of it, Mr. President, for the next 3 years he would have to live at the whim and will of the Commission,

and no Government contract would be awarded to him unless the Commission said it might be.

Mr. President, we have had discussed here, perhaps not in as much detail as we should have, but in some generality, the effect of the word "person" as contained in the bill, which I insist would make this Commission a gigantic employment agency for aliens. When I was interrupted by the Senator from New Mexico, I was stating that I did not think I had any more prejudice against aliens than does the average American citizen; that I do not subscribe to the theory of the present-day liberal saints who say that we must accord to aliens and to any person, anywhere in all the world, all the rights which we accord to the American people, or all the benefits or immunities or privileges which are inherent in one who is so blessed of Providence as to be a citizen of the United States. I cannot believe in that. I do not. I would be hypocritical if I were to say that I thought we should legislate here for the benefit of aliens, and to the detriment of the citizens of the United States.

Mr. President, I think we are not going to solve our problems by bringing aliens into this country. I deplore the fact that the President of the United States announced that he intended to bring in quite a large army of refugees just as soon as he could obtain transportation for them, and I am opposed to any relaxation of our immigration laws. That may be one of the inherent characteristics which stigmatize a southern Democrat; but they are my views, and I hold to them. I accord to any other Senator the right to advocate the bringing in of aliens and giving them jobs, to the detriment of American citizens; but I do not think that way, and I shall be compelled to oppose any such movement. The fact that that significance attaches to the word "person", as contained in the bill, the fact that the bill at no place differentiates between an alien and a citizen, is notice to any Senator who votes for it that he is voting to create a great employment agency to deal with finding employment for aliens.

Mr. President, I wish to point out—and I would that Senators would study the bill—the very remarkable powers which would be delegated to the Commission by the bill.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield for a question.

Mr. MAYBANK. I should like to ask the Senator to speak to the question of immigration, with which he, as chairman of the Committee on Immigration, is so familiar. I do not wish to interfere with the development of the Senator's speech; but I wonder whether at this point I may ask him a few questions regarding immigration, in view of the fact that he is chairman of the Immigration Committee on which committee I have the pleasure of serving with him. I hope that by so doing I shall not interfere with the orderly presentation of the Senator's thoughts. If my question would do that, I would ask it at another time.

Mr. RUSSELL. Mr. President, I am happy to yield to the Senator. I do not think such questions will interfere with the orderly development of the presentation of this question and the analysis of the bill.

Mr. MAYBANK. The Senator from Georgia spoke of the question of immigration, and he made the point that he would be opposed to any further letting down of the bars in regard to immigration.

Mr. RUSSELL. Yes; in fact, I would be willing still further to restrict immigration, so far as I am concerned.

Mr. MAYBANK. Mr. President, as I understand the situation now existing in the Senate, no bills can be introduced at this time. However, I should like to refer to a bill which I intend to introduce, and I should like to ask the Senator from Georgia what he thinks of it. The proposed bill to which I refer reads as follows:

Be it enacted, etc.—

SECTION 1. That until the expiration of 5 years after the date of enactment of this act no immigration visa shall be issued to any quota immigrant.

SEC. 2. Terms defined in the Immigration Act of 1924 shall, when used in this act, have the meaning assigned to such terms in that act.

Mr. President, it is my purpose to introduce that bill at the first opportunity I am able to obtain. I desire at this time to ask the Senator from Georgia, who is chairman of the Immigration Committee, to give us the benefit of his views regarding it. Perhaps I should not ask him to prejudge the bill.

Mr. RUSSELL. Mr. President, I should prefer not to take snap judgment on a bill of such importance. As I have said, I would be willing still further to restrict immigration. I do not think I would be willing to go so far as absolutely to bar the entry of all hardship cases for a period of 5 years. We have been living in a very chaotic world; many families have been divided; many American citizens have been overseas and have not been able to return home. In order to prevent hardships I would not commit myself to a support of so comprehensive a bill. But I believe that we do not have sufficient room or wealth in this country to eradicate all the poverty, and cure all the sufferings of distressed mankind everywhere by admitting them into the United States.

Mr. MAYBANK. Mr. President, will the Senator further yield?

Mr. RUSSELL. I yield.

Mr. MAYBANK. Is it not a fact that today there are few jobs available to returning veterans?

Mr. RUSSELL. Yes.

Mr. MAYBANK. Is it not also a fact that today there are few homes which returning veterans may rent at reasonable rates?

Mr. RUSSELL. There is undoubtedly a housing shortage.

Mr. MAYBANK. Is it not also a fact that the returning veterans are meeting with a shortage of farm equipment, machinery, automobiles, and other articles?

Mr. RUSSELL. There is no doubt about it.

Mr. MAYBANK. Does not the Senator believe that some restriction should be placed upon immigration so that our own people may be supplied with the articles which it is necessary for them to have?

Mr. RUSSELL. I do not say that there should be no further restrictions upon immigration. I have made the statement that I thought there should be. But the Senator has read a bill which seems to bar all immigration, and I would not want to support the bill without considering the matter further. I know there are hardship cases in many families. There are cases of members being separated, and they should be reunited. But I think that the opening of the door to a general swing of immigration would be detrimental to the rights of returning soldiers and other persons as well.

Mr. MAYBANK. Does not the Senator believe that hearings should be authorized on the bill so that we may ascertain the facts?

Mr. RUSSELL. I shall be happy to see that the Senator's bill is considered by a subcommittee, and that it be considered fairly. I mean that it shall be considered fairly not in the sense that the pending bill is fair which is called a fair employment bill.

Mr. MAYBANK. I thank the Senator.

Mr. RUSSELL. Mr. President, the pending bill also applies not only to any employer having more than six employees, wherever he may be and whatever may be the pursuits or activities in which he may be engaged, but it applies to any labor union having more than six members.

Mr. President, we now get down to the real remarkable fact in connection with this bill. We get down to the part of the bill which seeks to create a power enabling the Commission to override the President of the United States, to influence all the policies of Government, foreign or domestic, and to assure that aliens will be employed in any position, regardless of how delicately it may be related to the public welfare. I have before me subsection 4 (c) of the act. I hope Senators will read it carefully because, to me, it is the most outrageous legislative proposal I have encountered in 13 years as a Member of this body. The language to which I refer reads as follows:

(c) This act shall apply to the employment practices of the United States and of every Territory, insular possession, agency, or instrumentality thereof, except that paragraphs (e) and (f) of section 10, providing for petitions for enforcement and review, shall not apply in any case in which an order has been issued against any department or independent agency of the United States.

That language means that the act with respect to employment, or any claim of discrimination because of race, creed, color, origin, or ancestry, shall apply to employment practices of the United States and every agency or instrumentality thereof. That section should be considered because it repeals certain provisions for which Senators have voted during the last several years with regard to employment in the Federal Government. In the independent offices appropriation bill for 1946, now in

operation, is to be found the following provision:

Unless otherwise specified and until July 1, 1946, no part of any appropriation contained in this or any other act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in continental United States unless such person (1) is a citizen of the United States.

Mr. President, I shall not tire the Senate by reading all this act. Senators should be familiar with it because it was approved by the Senate as a matter of legislation, and is now a part of the law of the land, having been approved by the President of the United States.

It may be said, Mr. President, that such has been the policy for a number of years, with the exception of a few specified instances, the exceptions being made during the course of the war in order to obtain some interpreters, translators, and persons of that nature. The language states:

No person shall receive any funds that have been appropriated for the payment of salaries who is not a citizen of the United States.

That was in the law for some time. It was put into relief bills. A provision was put in one relief bill, Public Resolution No. 88, Seventy-sixth Congress, as follows:

No alien, no Communist, and no member of any Nazi bund organization shall be given employment or continued in employment on any work project prosecuted under the appropriations contained in this joint resolution."

And so forth. I ask unanimous consent, Mr. President, that the entire paragraph be printed in the RECORD at this point as a part of my remarks.

There being no objection, the paragraph was ordered to be printed in the RECORD, as follows:

(f) No alien, no Communist, and no member of any Nazi bund organization shall be given employment or continued in employment on any work project prosecuted under the appropriations contained in this joint resolution and no part of the money appropriated in this joint resolution shall be available to pay any person who has not made or who does not make affidavit as to United States citizenship and to the effect that he is not a Communist and not a member of any Nazi bund organization, such affidavit to be considered prima facie evidence of such citizenship, and that he is not a Communist, and not a member of any Nazi bund organization.

Mr. RUSSELL. The language to which I have referred establishes, Mr. President, that such has been the policy of the Government of the United States as well as of the Congress of the United States. It was approved by the Senate of the United States. The Senate said that sums apportioned for the payment of salaries of persons working for the Government of the United States shall be paid only to citizens, and that aliens may not receive any part thereof.

There is a provision contained in the Department of Agriculture appropriation bill with which I used to have some little familiarity. The provision reads:

No part of any appropriation contained in this act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence.

There are a half a dozen other provisions, every one of which would be repealed by this bill. The Congress should certainly give some consideration to the matter before it repeals provisions which limit employment by the Government of the United States and its agencies to citizens of the United States.

Mr. President, it is possible to get some subversive influence in the personnel of this Commission. I cannot look with very much hope to the prospect of the appointments when I view the qualifications and activities of some who have served on the present committee in its present status. But if certain persons ever receive an appointment to the Commission, and a majority of the Commission wants to take over the operations of the executive branch of the Government, Congress is asked in this bill to give them authority to do so. They can tell the President to jump into the lake at any time they wish to do so, and the President will have no option about it. If they send their representatives into a private enterprise and find that it is engaged in unfair employment practices according to the bill, they could by-pass the Federal district court and take an employer into the circuit court of appeals. He would have his hands tied behind him, because the law provides that if there is any evidence whatever against the employer, the court may do nothing in his behalf. Of course, that means that if he is convicted in the first instance he would stay out of court because he would save the expense of unnecessarily appearing. But with regard to the heads of Federal agencies, there is provided no court review. In a case where the commission has ordered the Federal Government to employ some person, the Fair Employment Practices Commission may petition the President for enforcement of such an order. Listen to this language. I assert without fear of successful contradiction that it or similar language has never been in any legislative subject matter before this body on any prior occasion. Listen to this language, beginning in line 22 on page 4:

And it shall thereafter be the duty of the President to take such measures as may secure obedience to any such order.

It does not say that the President of the United States may in his discretion enforce the order of this Commission. The Congress of the United States undertakes to make this Commission paramount and superior to the President, and make the President subservient to its will, which it does in specific terms.

Mr. McCLELLAN. Mr. President, I inquire what limitations are placed upon the power of the President after it is made mandatory that he act, and that he take such action to enforce decisions? What limitation is there on that power?

Mr. RUSSELL. There is no limitation. The course ordered must be followed, whatever this Commission thinks should be done in a Federal agency. If they think a certain man should have been promoted to a policy-making position, and say he was discriminated against because he happened to be a member of a minority, they report it to the President. If the President pays any attention to the Congress of the United States, we will have told him that "It is your mandatory duty," and we use the word "duty," that he "shall" do it, he "shall" enforce it.

Now, look at the next language:

Every officer, agent, or employee who willfully violates any such order—

That is, when the order has been given. Get the continuity between these two provisions. Whenever an order has been given to an officer and he violates it, he shall be summarily discharged from the Government employ. The way those things are tied together, this Commission can fire any man in the Federal Government, and the President, if he follows the clear wording of an act of Congress, would have no authority whatever to do anything about it. That is the English language, and it is clear. He who runs may read.

Mr. President, I have said this is the most skillfully drafted and designed piece of legislation ever presented to the Congress. I direct attention to section 5, which purports to provide for the establishment of the Commission. It says there shall be five Commissioners, to be appointed by the President. Listen to this. The President is to appoint them. I direct attention to line 13:

Any member of the Commission may be removed by the President, upon notice and hearing—

For what?—

for neglect of duty or malfeasance in office, but for no other cause.

Mr. President, I wonder how common that language is in the appointing power of the President. It is said he can appoint them and he can remove them, but only for malfeasance in office or for neglect of duty. If a man were made so incompetent that he could not even write his name, the President could not remove him. Why is this restriction thrown around the power of the President to remove members of the Commission, in connection with the mandatory language of the proposed act which says that the President "shall" bend the pregnant knee to carry out, as a mere lackey, any order which is forwarded to him by this supercommission Senators are seeking to establish here under the name of a Fair Practice Commission?

I say without any fear of successful contradiction that the President should be given the right of appeal, before this Commission discharges him, as it says he shall be discharged under the law—and Senators would be duly bound to impeach him if they could not get him out of office in any other way; but he should have some right of appeal. Notice how carefully in the employment policies of the Federal Government it is arranged so that this Commission shall be the sole and only arbiter of who shall work for the Federal Government. The President has no powers in the matter. Of course, back in the days when we thought that the Constitution as written

was the supreme law of the land, someone would have said that the Constitution makes the President the head of the executive branch. Of course, the Constitution has no effect in this day, and the Congress says in specific terms, in the proposed bill, in words which do not permit of any quibble or equivocation, that the President shall carry out any order this outrageous organization might issue, and he will have no discretion whatever in the matter. Congress declares, along with all the other declarations here, that it is the President's duty immediately to carry out such an order, whether he wants to or not. Senators cannot say that is a strained construction of the provision. I challenge anyone to put any other interpretation on it without distorting the English language.

Mr. McCLELLAN. Mr. President, under the terms of the bill, the President shall take such measures as may secure obedience to such an order. What are the limitations on the measures which may be taken?

Mr. RUSSELL. There is no limitation; but I am assuming that the worst thing that will happen to one will be that he will be summarily discharged from the Government employ.

Mr. McCLELLAN. The next sentence provides for that, but suppose the order is made against an individual rather than an officer?

Mr. RUSSELL. It was undoubtedly the purpose of this language to make the President subservient to the Commission, insofar as handling employment policies of the Federal Government was concerned. I assume, then, that the Commission would tell the President what measures he should take.

Mr. McCLELLAN. In other words, there is no discretion reposed in the President, after the Commission once makes a finding and issues an order thereon.

Mr. RUSSELL. There is just as much discretion in the President as will be found in the word "shall." If there is any discretion in the word "shall," there will be discretion in the President, but the word "shall" has been recognized in this body since time immemorial as the word to use to create a mandatory duty; so the bill proposes to make this Commission superior to the President.

Mr. McCLELLAN. I ask the Senator whether the President would have opportunity for discretion, or review of the order made, to determine whether it was fair and equitable, based on facts established which showed discrimination or violation of the policies announced by the act.

Mr. RUSSELL. Not in the slightest degree. Not only that, but in section 5 Congress tells the President he cannot remove these people for telling him to do something he does not want to do. Of course, if he undertook to remove them, even for neglect of duty or malfeasance in office, they would have a right to assemble themselves, and if Senators will look at the complexion of the boards which have existed in the past, with one or two exceptions, they will agree they could assemble and say, "The President says he is removing us because we stole a lot of money that belonged to the Federal Government, but that is not the case. He is really trying to remove us and discriminate against us because we are members of a certain minority group." The Board would get together and determine that the President was discriminating against them, and it would be impossible ever to get them out, and there would be established an agency in the Federal Government which no one could handle, unless Congress should get up the courage to make the attempt, and, judging by the past, I have no hope of that.

Mr. McCLELLAN. Under the Senator's interpretation, with which I agree, all the Board would have to do would be to issue another order to the President to desist.

Mr. RUSSELL. Of course, they would determine about discrimination. The Senator has seen the personnel of these boards, like the so-called Fair Employment Committee we have had.

Mr. President, there is another provision of the bill which is worthy of brief comment, anyway. I think Senators should consider it, because it is a rather important piece of legislation within itself. I refer to section 8 of the bill, which reads:

> Upon the appointment of the members of the Commission, the Committee on Fair Employment Practice, established by Executive Order No. 9346 of May 27, 1943, shall cease to exist.

If that were all there were in the bill, if the words "shall cease to exist" were the only language in the bill, with what enthusiasm I could support it! But it continues:

> All employees of the said Committee shall be transferred to and become employees of the Commission. All records, papers, and property of the Committee shall pass into the possession of the Commission, and all unexpended funds and appropriations for the use and maintenance of the Committee shall be available to the Commission.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield for a question.

Mr. WHITE. On page 4, in subparagraph (c), it is provided that—

> The Fair Employment Practice Commission established by section 5 of this act may petition the President for the enforcement of any such lawful order, and it shall thereupon be the duty of the President to take such measures as may secure obedience to any such order.

Of course, in late years we have grown somewhat familiar with directives moving from the President, but this is the first instance within my knowledge of a suggestion that a subordinate of the Executive would have the right to issue directives to the President.

Mr. RUSSELL. The Senator just stepped off the floor when I began to discuss that point. I challenged anyone to show any legislative precedent for the Congress subordinating the President to the Board and making him a lackey and compelling him to carry out their orders as to employment in the Federal Government, whether he thinks it proper or not.

Mr. WHITE. The Senator has already commented on what I have read. But the following language intrigues me somewhat:

> It shall thereupon be the duty of the President to take such measures as may secure obedience to any such order.

Now what are those orders on which the President may take action? May he do anything or everything that he would like to do?

Mr. RUSSELL. The mildest punishment that could be inflicted under that language would be to discharge the man. I do not know whether he could be deprived of any other rights, or of his liberty. I hardly think the President could exile him, but if the Commission ordered the President to exile him he would have to try to do so, and the man would have no recourse to the courts.

Mr. WHITE. But there is nothing in this proposed legislation which undertakes to define the powers which the President may exercise.

Mr. RUSSELL. Not the slightest. Nor is there any definition. I am complaining here about bringing in a bill of this revolutionary character and that the sponsors do not try to define it, or to provide protection to the individual who has to deal with these kangaroo courts. No standards are set up. No definition is provided. No rights on earth are left to the average everyday citizen except to go to jail, without the benefit of a jury trial, and without a hearing in the sense that is commonly accepted under our law in a court of justice. That is what the bill does.

Mr. President, as I stated, section 8 on its face may appear to be a very harmless and insignificant section. It provides that when and if this bill is passed, the committee which President Roosevelt appointed shall cease to exist, and then it transfers all the employees of the committee to become the employees of the commission. That is a significant provision. Why does it have to be in this bill? The employees are entitled to the same consideration, and to no more and to no less consideration, than other civil-service employees are entitled to. In my opinion, the language is in the bill because of the fact that it has been stated, and never been denied, that a goodly number of the employees of this agency have been members of organizations which have been branded by the Attorney General of the United States—and I refer to Attorney General Biddle, a great liberal, and not some hide-bound attorney general—as subversive in their nature, some of them even undertaking to change our form of government by force and violence.

Therefore, as I say, there is not a line of this bill that is not without a purpose to take care of that group and slide them into office at the very inception. Government employees are being laid off in all other agencies, but these employees are being given preference and priorities, every one of them taken care of and slid over into other agencies, perhaps because they are already trained and know their way around in their subversive and destructive efforts.

Now, Mr. President, we have come to section 9 which has to to with the location of the offices of this transitory, nebulous, fleeting, here-today and gone-tomorrow, star-chamber method of imposing upon the people of the United States.

Mr. MAYBANK. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HOEY in the chair). Does the Senator from Georgia yield to the Senator from South Carolina?

Mr. RUSSELL. I yield for a question.

Mr. MAYBANK. The Senator has been discussing section 8, regarding the employees. Does the Senator construe the section to provide, in addition to the radicals who have been spoken of, that the Commission shall take over the employees in the same proportion in which the Fair Employment Practice Committee now hires employees, which proportion was such as the Senator so ably mentioned and discussed last summer when appropriations for the FEPC was under consideration?

Mr. RUSSELL. Yes. Of course we have pointed out that the FEPC is supposed to provide against discrimination, but out of 169 employees, about three-quarters, or 120-odd, were members of the Negro race, and thus it is developed that it was not against the law to discriminate in favor of, but only against the law to discriminate against. You can discriminate in favor of all you please.

The only thing that is tied down at all respecting this organization, the only thing that is definite about it in the slightest degree is the fact that the Commission must meet some times in the District of Columbia. That is the only thing definite about it. The Commission must meet here. But the Commission may meet at such other places as its members may designate. They can pull a poor fellow to Washington today and try him in St. Louis tomorrow before the Commission.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. McCLELLAN. Under the terms of this bill, as I read it, there is no reason why they could not hold a session in Alaska, and take a Georgia citizen to Alaska and examine him there.

Mr. RUSSELL. It does not require the Commission to operate within the United States.

Mr. McCLELLAN. Or it can operate in any other Territory.

Mr. RUSSELL. Yes; it can operate anywhere it wants to. It would be a rather nice Commission to be a member of if one wanted to take junkets. But I can warn any Senator who thinks he may be likely to be placed on the Commission if the Commission is created he will be disappointed. There will be on this Commission representatives only of the colored race, of labor organizations, and of minority groups. So a Senator would not have much opportunity of becoming a member of it.

Mr. President, here is a very wide sweep of power:

> The Commission may, by one or more of its members or by such referees, agents, or agencies as it may designate, prosecute any inquiry or conduct any hearing necessary to its functions in any part of the United States or any Territory or insular possession thereof.

I do not exactly understand this use of the word "agencies" in this section. I have endeavored to study the bill, and I have tried to probe the mind of the man who drafted the bill, whoever he may be, because as I saw the tortuous course of this language and the unusual powers it sought to confer in this Commission, the unusual powers it took from the other agencies of government, and the great restrictions placed upon the individual citizens of this country, I knew that there was some motive back of the bill, and I could pretty soon pick up what the motive was, and that was very helpful in analyzing the bill. But I have not understood the use of the word "agencies" to prosecute these inquiries. I do not know whether that means a private agency or public agency. I do not know whether it means an individual operating as an agency or whether it means that this Commission could employ some political organization, such as the Communist Party, or some Union for Democratic Action, or some such agency as that to prosecute these inquiries. I do not think that it is necessary to delegate this to this Commission. Where they have their representatives to sit as a judge and as a prosecuting attorney and the jury all at one time, it would seem that it would not be necessary to bring in outside agencies to help conduct the prosecution. Certainly, Mr. President, where a man sits as judge and jury and as prosecutor he does not need any additional power. He is bound by no rules. He is under no law, save his own conscience. He does not need to be able to secure any agency, and I wish I knew just what the draftsman meant when he put the word "agency" in the bill.

Mr. President, we have already discussed, through the questions that have been asked here on the floor of the Senate, the unusual powers which are granted to the Commission and the number of essential rights which are denied those who are charged with offenses, the rights of the individuals. I want to reiterate that there has never been such a court as this ever conceived of in Anglo-Saxon jurisprudence. Under the bill practically the only right a man has is to employ counsel and to appear personally. There is no assurance that he will be confronted with the witnesses against him. The old-fashioned idea was that before a man was found guilty of a crime he should be confronted by the witnesses against him. That right is done away with in this bill. He does not have to be confronted with the witnesses. He has no fundamental right of cross-examination of the witnesses. The only right that is assured him by the bill is the right to testify. He may appear and testify. He has no protection of a rule of evidence. He has no right of cross-examination conferred by law. He has no benefit of the rules of evidence which have been accepted in this Nation through all these many years. As I have stated, if he is found guilty he has no method of review.

Broad investigatory powers are proposed to be conferred on the Commission. Senators may treat this subject lightly if they choose, but let them wait until the harassed, annoyed, badgered, beaten, and confused businessmen of this country, those who employ more than six persons, come in to complain about the administration of the act. Senators need not say that they did not have any idea that such a thing could occur. They have been put on notice that it can and will happen if this bill ever becomes a law.

As I have stated, the agents of the Commission would have the right of access to all the books of the individual or concern under investigation, without any warrant or authority in law whatever. Any resistance to an examination of those books is specifically made a crime, punishable by imprisonment of 1 year and a fine of $5,000. The right which we thought we had under the fourth amendment, under the old concept of construing the Constitution as it is written and accepted as the supreme law of the land, would disappear, because the agent could go through the books of an individual or a corporation as he saw fit, without any warrant or authority. If an individual should refuse to obey a subpena from this organization, or refuse to adhere to its determinations, he could be brought before the court and sentenced to jail for as long as the judge saw fit. He would have no right to protect himself.

Under the terms of the proposed law, if there were any evidence against him it would be the duty of the circuit court of appeals to find him guilty. The circuit court of appeals might say, "This is the most outrageous perversion of justice that we have ever seen in our lives. The defendant was convicted on the testimony of one witness who was shown by the record to be prejudiced against him for other reasons. The defendant produced more than 100 witnesses, prominent men of high character, who testified in his behalf, but the examiner of the FEPC found him guilty, and because that one prejudiced witness appeared against the defendant the circuit court of appeals has no power on earth to afford him any redress."

Mr. President, there are other provisions creeping into our law in this day when Senators talk against bureaucracy and vote to create new bureaus with greater powers. I point out subsection (c) of section 11, on page 11——

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. I yield for a question.

Mr. WHERRY. Would the proposed permanent organization be given more power than was conferred upon the temporary Committee established by Executive order?

Mr. RUSSELL. I discussed that question earlier in the course of my remarks. There is no comparison. Under the present system, all that the present Committee on Fair Employment Practices can do is to say that a man shall be denied a contract with the Federal Government if he does not follow such employment

practices. The Committee does not even have that power. It must invoke the aid of the War Department or the President. It has no right to bring a man into court. It has no right to examine his books. The present law applies only to the agencies of the Federal Government, and to those who have contracts with the United States. The bill before us would apply to every person, natural, or artificial, who employs more than six persons in any line of work. The bill not only provides for the cancellation of a Government contract if the employer does not do as the Commission directs. It provides that the accused may be put in jail. He is denied the right to trial by jury. He cannot get before a jury.

Mr. WHERRY. Mr. President, will the Senator yield for a further question?

Mr. RUSSELL. I yield.

Mr. WHERRY. I was absent from the Chamber when the Senator no doubt explained the provisions of subsection (d), beginning near the bottom of page 7. If the Senator can do so without being diverted too far from the discussion of the provision on page 12, I should like to have him state his views with respect to subsection (d) of section 10, beginning near the bottom of page 7 and continuing on page 8, requiring the accused person "to take such affirmative action, including reinstatement or hiring of employees with or without back pay, as will effectuate the policies of this act."

How far does the Senator think the Commission might go? How much authority would it have under this subsection?

Mr. RUSSELL. As I understand, the Senator is referring to subsection (d) of section 10, beginning on page 7.

Mr. WHERRY. Yes; and particularly to lines 1 and 2 on page 8, with respect to the affirmative action which must be taken.

Mr. RUSSELL. I do not see any limit to the authority. I do not think there is any limit to how far the Commission might go. That illustrates the negligence of the Congress in attempting to legislate in such a haphazard fashion. Of course, the provision with respect to back pay is intended to serve as a club over the employer to make him discriminate against those who are not protected by the terms of the bill.

Of course, the Senator has noticed subsection (b) on page 7, which begins with the language—

> Whenever it is alleged that any person has engaged in any such unfair employment practice—

It does not say that the person offended against must allege it. On the basis of an anonymous telephone call to the effect that any individual has engaged in an unfair employment practice, the Commission might send its representative to examine his books, and he might be cited before the Commission. It is the widest grant of power that has ever been considered by the Congress of the United States. I state that without any fear of contradiction.

Mr. WHERRY. Have any hearings been held on that particular subject?

Mr. RUSSELL. I ran through the hearings. I wanted to see how much consideration had been given to the rather remarkable statement of findings and declaration of policy on page 1 of the bill.

A great number of witnesses appeared before the Committee on Education and Labor. In his report the Senator from New Mexico estimates that the witnesses who appeared before the committee spoke for 120,000,000 people. He stated that there appeared a representative of the Federal Council of the Churches of Christ in America, and that he represented a great many people. An eminent Catholic divine appeared, who it is said represented approximately 22,000,000 people. A Jewish rabbi represented four or five million more. A member of a Negro organization was also present. The Senator from New Mexico compiled the list of witnesses, and he states that his report speaks the voice of between 125,000,000 and 130,000,000 people. I believe that that statement is in line with other statements in the report, and the provisions of the bill. It is just about as exaggerated. I have no idea that those witnesses spoke for any such number of people. Undoubtedly they told the committee that they were for fair-employment practices. Every fair-minded man in the United States is for fair-employment practices, and no doubt the witnesses vigorously defended fair-employment practices before the committee. But no one had then pointed out how the kangaroo courts proposed to be created by the bill would destroy the rights of individual Americans in and to their business.

Mr. WHERRY. Mr. President, will the Senator further yield?

Mr. RUSSELL. I yield.

Mr. WHERRY. I do not wish to have my position misunderstood. I am one of those who believe in fair-employment practices. I have been a strong advocate of constructive legislation to that end; but I am very apprehensive. I should like to have an explanation from the proponents of this measure, if we can get it as we go along, with respect to certain sections of the bill which certainly go beyond the powers of the present Committee on Fair Employment Practice, which was established by Executive order. Regardless of the fact that the Senator from Georgia and I are not in full agreement on the philosophy of a fair employment practice act—

Mr. RUSSELL. I refuse to admit that the Senator from Nebraska is a stronger advocate of real fair-employment practices than I am. We may differ on the question of approach.

Mr. WHERRY. Let me put it this way: Even though we may be in disagreement as to this particular measure—and I do not know that we are—I should like to find out how far the bill goes. I have a high regard for the judgment and sincerity of the Senator from Georgia, as I believe the Senator knows. I have held him in high esteem ever since I first became a Member of the Senate. I have been with him on a number of questions.

Mr. RUSSELL. I thank the Senator.

Mr. WHERRY. I am not saying that to flatter the Senator. I may not agree with his interpretation, but I should like to obtain from him an expression on this section. I suggest to the Senator from New Mexico, who is sponsoring the bill, that as we go along we should have a definite interpretation as to how far the proposed authority goes, and what right of appeal would exist. I want to see the rights of every American protected when it comes to the legal aspects of the bill.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. I have been most happy all afternoon because the Senator from Georgia has discussed the bill from the standpoint of merit, from the legal standpoint as he understands it. He has made some very fine statements this afternoon. I am a strong proponent of the proposed legislation. I may say that it is the purpose of those who may disagree with the legal conclusions of the Senator from Georgia to present their views on the legal questions involved as soon as we are through approving the prayer and the Journal. I wish to thank the Senator from Georgia for the effort which he has made this afternoon to discuss the bill in the way it should be discussed, from the legal standpoint, and from the standpoint of its implications, as the Senator understands them, as well as from the standpoint of the effect upon the American people.

I thank the Senator from Georgia for doing that, even if I do not reach the same conclusion.

Mr. RUSSELL. Mr. President, I appreciate the kind comment of the Senator from New Mexico.

Now I shall sum up some of my objections to this bill, and then I shall conclude.

I am opposed to this bill. I am opposed to the philosophy of attempting to legislate and create a new penal offense which cannot be determined to a reasonable certainty and with reasonable fairness before a reasonably fair court in this country, a bill which affects the rights of every individual American citizen.

I am opposed to the nationalization of jobs in this country by permitting the Government of the United States or any of its creatures to determine whom any employer shall fire, whom he shall hire, or whom he shall promote, merely because the person concerned happens to be a member of a minority group.

I am opposed to this proposed legislation, Mr. President, because it would give to some American citizens and to some aliens in minority groups rights, privileges, and benefits which would be denied other American citizens, including those who have fought in our behalf in the recent great war.

I am opposed to the bill because I know that any effort to regulate and control the tastes and habits and manners of a great people such as ours is doomed to failure from the cutset. It has been tried but it has never worked, and it cannot work now.

Mr. President, I hold in my hand a small advertisement which the wife of a distinguished Member of this body, who is not from the South, happened to see in a Washington newspaper, and she cut it out and it came into my hands. It shows the futility of trying to legislate in connection with a matter of this kind. This

good lady was looking through the want ads, trying to find a maid; her maid had left her. She happened to notice this advertisement in the Washington Evening Star of September 28, 1945:

Girl, colored, wants general housework, plain cook, 5-day week, Monday through Friday, adults; gentiles; $20 and car fare a week.

How are we going to reach by legislation a matter of that kind, when a colored maid prefers to work for gentiles rather than for Jews? Can you create a commission to handle that? You can do it if you have the right to say that under the commerce clause of the Constitution, a person cannot employ or promote according to his judgment. You can do it if you are willing to strike down and destroy rights guaranteed all our people by the Constitution of the United States.

Of course, if the Congress has the power under the commerce clause to take away a fundamental right of one person to his property and business by saying whom he must employ, it would have the right to wipe out another constitutional provision on the question of involuntary servitude and say by statute that a person must work at a certain job lest the commerce of the Nation be obstructed. Neither can be done unless we are ready to wipe out the constitutional rights guaranteed all of the people of the United States, whether majority or minority. Such action can but result in a form of government where all of the rights and privileges which should be vested in a free people are taken over by that government. God forbid that the day should be here when Senators are willing to set in motion a force which will nationalize industry today and will tomorrow sovietize this country and permit us to attach the employee to the factory as a part thereof.

The individual in this country is still supposed to have some rights. The crimes which this outrageous measure attempts to place upon the statutes are all matters of the mind. Exact proof can never be had to establish a question of taste. It can only result in injustices and the destruction of individual rights. Any such method is wholly and completely un-American and subversive to our form of government, our vaunted rights of citizenship, and the way of life which has made us the greatest nation of the earth.

We may belong to various races, various churches; we may have different patterns of behavior; we may even have different standards or types of life in different sections of our country. That is America. When we undertake to say what is in the mind of a person who says he would prefer to have John Jones work for him, rather than Jim Smith, or that he prefers to promote John Doe rather than Bill Roe, and when we undertake to say that when he does that he does it because he discriminates against a particular political faith or religious faith or creed or race, Mr. President, I say that the Senate of the United States should have better sense than to attempt to do it, and we should have the courage to say so, rather than to continue to mess around with such a measure as this one.

Mr. MAYBANK rose.

Mr. RUSSELL. I yield to the Senator from South Carolina; in fact, I am prepared to yield the floor.

Mr. MAYBANK. In view of the advertisement to which the Senator has referred, I was merely going to ask him if he recalls the answer which was given by Mr. Maslow when he was asked how the complaints originated. During the hearings Mr. Maslow said:

Our staff has been specifically instructed not to proceed except on the basis of a complaint made by a complainant, or referred by a Government agency. The only exception, sir, is in the case of discriminatory advertisements.

I also wish to ask the Senator if he likewise recalls the following answer given by Mr. Maslow, when he referred to the Dallas News case:

The regional director, scanning the newspapers, believed he saw an example of a violation of the order.

Mr. RUSSELL. Of course, Mr. President, under the rules which would be adopted by the Commission, any such advertisement as that one, which was inserted in the newspaper by a colored maid, would be illegal. I do not know that the Commission would provide for punishment of the maid, but they would put the newspaper publisher in jail if he published in his newspaper an advertisement mentioning a minority race, even if the person paying for the advertisement wished to have it printed in the newspaper. The Commission would put the newspaper publisher in jail if he published an advertisement which even by implication indicated a preference not to work for a Semitic family.

So, Mr. President, let us do away with the desire to play up to this or to that minority group. Let us lay this dangerous bill aside; and, in accord with the desire to serve the worthy and the better traditions of the Senate in the days gone by, let us dedicate ourselves to legislation which will steer us safely through the perilous storms which beat about us at this time. In so doing, we will protect the rights and promote the happiness of all our people.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to Senate Concurrent Resolution 43, as follows:

Resolved by the Senate (the House of Representatives concurring), That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Joint Congressional Committee on the Investigation of the Pearl Harbor Attack be, and is hereby, authorized and empowered to have printed for its use 5,000 additional copies of each part of the hearings held before said joint committee during the Seventy-ninth Congress, pursuant to Senate Concurrent Resolution 27, a concurrent resolution to investigate the attack on Pearl Harbor on December 7, 1941, and events and circumstances relating thereto.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of the motion of Mr. OVERTON to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Bailey	Hart	Morse
Ball	Hayden	Revercomb
Briggs	Hoey	Russell
Capper	Johnston, S. C.	Saltonstall
Chavez	La Follette	Stanfill
Cordon	McClellan	Stewart
Donnell	McKellar	Taft
Eastland	McMahon	Wherry
Ellender	Mead	White
Gerry	Millikin	Wiley

The PRESIDENT pro tempore. Thirty Senators having answered to their names, a quorum is not present. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. BANKHEAD, Mr. BUTLER, Mr. HATCH, Mr. HICKENLOOPER, Mr. HUFFMAN, Mr. JOHNSON of Colorado, Mr. MAYBANK, Mr. PEPPER, Mr. RADCLIFFE, Mr. SHIPSTEAD, Mr. TAYLOR, Mr. TYDINGS, Mr. WALSH, and Mr. YOUNG answered to their names when called.

The PRESIDENT pro tempore. Forty-four Senators having answered to their names, a quorum is not present.

Mr. MORSE. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

Mr. STEWART. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. STEWART. Am I correct in understanding that the motion of the Senator from Oregon is that the Sergeant at Arms be directed to request the attendance of absent Senators?

The PRESIDENT pro tempore. The Senator is correct.

Mr. STEWART. Is the Senator's remark in the nature of a motion?

The PRESIDENT pro tempore. It must be in the nature of a motion.

Mr. STEWART. Mr. President, a further parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. STEWART. This is more in the nature of a point of order. I understand that the rules of the Senate provide that in the absence of a quorum no motion may be made except a motion to adjourn.

The PRESIDENT pro tempore. No; the Chair is advised by the Parliamentarian, who is a good one, that the motion which has just been made by the Senator from Oregon is in order.

Mr. WHITE. Mr. President, the motion of the Senator from Oregon is clearly in order.

The PRESIDENT pro tempore. The question is on agreeing to the motion of

the Senator from Oregon that the Sergeant at Arms be directed to request the attendance of absent Senators.

Mr. STEWART. Mr. President, on this question I ask for the yeas and nays.

The PRESIDENT pro tempore. Is the request sufficiently seconded?

The yeas and nays were not ordered.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Oregon. [Putting the question.] The Chair is in doubt.

On a division the motion was agreed to.

The PRESIDENT pro tempore. At this point rule V, paragraph 3, which is the rule controlling in this situation, will be read.

The legislative clerk read as follows:

Whenever upon such roll call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant at Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. MCCARRAN, Mr. GURNEY, Mr. BUCK, and Mr. ROBERTSON entered the Chamber and answered to their names.

Mr. TYDINGS. Mr. President, is a motion to recess in order?

The PRESIDENT pro tempore. It would not be in order in the absence of a quorum.

Mr. TYDINGS. Is a motion to adjourn in order?

The PRESIDENT pro tempore. It is.

Mr. TYDINGS. Mr. President, I know the order of business will be changed, but I am within my rights, and as it is perfectly apparent to me that an hour will be wasted in an absolutely futile way, I make a motion that the Senate now adjourn until tomorrow at 12 o'clock noon.

Mr. WHITE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. THOMAS of Utah. I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the Senator from California Mr. [DOWNEY] and will vote. I vote "nay." I am not advised how the Senator from New Hampshire would vote if present.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. CARVILLE], the Senator from California [Mr. DOWNEY], the Senator from Rhode Island [Mr. GERRY], the Senator from Idaho [Mr. GOSSETT], the Senators from Washington [Mr. MAGNUSON and Mr. MITCHELL], the Senators from Montana [Mr. MURRAY and Mr. WHEELER], the Senator from Pennsylvania [Mr. MYERS], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Louisiana [Mr. OVERTON], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Rhode Island [Mr. GREEN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Arizona [Mr. MCFARLAND], the Senator from Utah [Mr. MURDOCK], the Senator from Texas [Mr. O'DANIEL], and the Senator from Oklahoma [Mr. THOMAS] are detained on public business.

The Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Illinois [Mr. LUCAS] are detained at a meeting of the Joint Committee on the Investigation of the Pearl Harbor Attack.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business as a member of the Mead committee.

I wish to announce further that the Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED].

Mr. WHITE. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee.

The Senator from Vermont [Mr. AIKEN] is absent because of illness.

The Senator from Indiana [Mr. CAPEHART], the Senator from Oklahoma [Mr. MOORE], and the Senator from Illinois [Mr. BROOKS] are necessarily absent.

The Senator from Iowa [Mr. WILSON] is detained on official departmental business.

The Senator from New Jersey [Mr. HAWKES], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Kansas [Mr. REED], the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Maine [Mr. BREWSTER] are detained on official business.

The Senator from Kansas [Mr. REED] has a general pair with the Senator from New York [Mr. WAGNER].

The Senator from Nebraska [Mr. WHERRY] is necessarily detained on official business trying to get a settlement on the truck strike with the Secretary of Labor, Mr. Schwellenbach.

The result was announced—yeas 24, nays 33, as follows:

YEAS—24

Bailey	Hayden	Millikin
Bankhead	Hill	Radcliffe
Bilbo	Hoey	Revercomb
Buck	Johnston, S. C.	Robertson
Eastland	McCarran	Russell
Ellender	McClellan	Stewart
Fulbright	McKellar	Tydings
Hatch	Maybank	Wiley

NAYS—33

Austin	Hickenlooper	Shipstead
Ball	Huffman	Smith
Briggs	Johnson, Colo.	Stanfill
Butler	Kilgore	Taft
Capper	La Follette	Taylor
Chavez	Langer	Thomas, Utah
Cordon	McMahon	Tobey
Donnell	Mead	Walsh
Ferguson	Morse	White
Gurney	Pepper	Willis
Hart	Saltonstall	Young

NOT VOTING—39

Aiken	Gerry	Murray
Andrews	Glass	Myers
Barkley	Gossett	O'Daniel
Brewster	Green	O'Mahoney
Bridges	Guffey	Overton
Brooks	Hawkes	Reed
Bushfield	Knowland	Thomas, Okla.
Byrd	Lucas	Tunnell
Capehart	McFarland	Vandenberg
Carville	Magnuson	Wagner
Connally	Mitchell	Wheeler
Downey	Moore	Wherry
George	Murdock	Wilson

So the Senate refused to adjourn.

Mr. TYDINGS. Mr. President, a quorum is now present, as disclosed?

The PRESIDENT pro tempore. A quorum is now present.

Mr. TYDINGS. Mr. President, I understand the authors of the bill under consideration are Senators CHAVEZ, DOWNEY, WAGNER, MURRAY, CAPPER, LANGER, and AIKEN.

I have been asked by some of my constituents if the authors of the bill will consider and approve an amendment to section 3, paragraph 1, after the word "ancestry," to add the words "or because of his membership in or lack of membership in a union." I should love to have a public answer to that question so that I could notify my constituents accordingly.

Mr. CHAVEZ. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from New Mexico?

Mr. TYDINGS. I yield.

Mr. CHAVEZ. I would love to give the Senator from Maryland an answer to his question, which I think is a fair question, but I am not in a position to do it until we at least approve the Journal of Thursday, January 17.

Mr. TYDINGS. Mr. President, I do not wish to get into this debate, and I can understand, in a great democracy such as ours, where every man has equality, that there can be those who think that there should be some measure of law to safeguard a person's right to work because of his race, creed, color, national origin, or ancestry, and, in order to make it all-inclusive, bring all citizens into its purview and make them all equal. I would assume that those who favor this proposal would have no objection to the inclusion of the word "or because of his membership in or lack of membership in a union."

If there is to be no discrimination, if there is to be that measure of sheer, honest-thinking and forthrightness which all the proponents of the measure seem to advocate, I will ask any Senator on the other side of the aisle or on this side, who favors the bill as it stands, if he would support such an amendment to the bill? I do not want to call individual names, but it is pretty clear to me where the majority here stand; that they do not want any discrimination at all in the right to work, and I am assuming, unless I am contradicted, that all those who are supporting this bill, as is evidenced by the roll call, will support the amendment I have proposed. I take it that the Senator from Michigan [Mr. FERGUSON] who is standing will do it; that the Senator from North Dakota [Mr. LANGER] will do it; that the Senator from Minnesota [Mr. SHIPSTEAD] will do

it; that the Senator from Kansas [Mr. CAPPER] will do it; that the Senator from Maine [Mr. WHITE] will do it; that the Senator from South Dakota [Mr. GURNEY] will do it; that the Senator from Nebraska [Mr. BUTLER] will do it; and practically all the other Senators on that side of the aisle, and I am certain that there will not be a discordant vote from the Democratic Party, which stands for liberty and equality in the true Jeffersonian sense.

Is not this a sheer case of hypocrisy, for in spite of what I said, I doubt if there is sufficient moral courage in this body to make good on the professed policy of the pending bill?

Mr. BALL. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. BALL. I will support the Senator's proposal.

Mr. TYDINGS. I thank the Senator. I like to see a courageous man rise in this body.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. MILLIKIN. I will not support it, and I will not support any of the rest of it.

Mr. TYDINGS. There is another courageous man. Both those positions are understandable. How many more volunteers do we have? Have we any more volunteers? Yet nobody in America, according to the philosophy of this bill, is to be denied the God-given right to earn a living in the sweat of his own brow.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. TAYLOR. I will make plain my position. I will not support the Senator's proposition, simply because I am for the working man. I know that he will be paid a dollar a day for 14 hours if he does not have unions. The union is worthless without a closed shop. So I will not support the proposal. But I do not want to see anybody discriminated against because of race, creed, or color, or religious belief.

Mr. TYDINGS. Now there is another position we can understand. The Senator from Idaho says unless a man belongs to a union he has no right to work. That is clear, that no one shall work in this country who does not belong to a union. We have three brave men so far. I can understand each one of those three positions. They are not any of them in agreement with the other, but at least they are candid. We are making headway.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from South Dakota.

Mr. GURNEY. There is still one more position. I will not support the Senator's proposed amendment, which, by the way, the Senator has not offered.

Mr. TYDINGS. I am not proposing it. I am merely asking those who support this bill if they really mean what they say.

Mr. GURNEY. I say I would not support the Senator's amendment to this bill.

Mr. TYDINGS. It is not my amendment. It is a suggested proposal. I am not offering any amendment.

Mr. GURNEY. I will support the Senator's proposal as a separate piece of legislation.

Mr. TYDINGS. That is candid and understandable. We have four men here who can stand up and be counted. I am sorry that the authors of the bill, who certainly by every inference have thought more about it than all the others of us put together, are not equally candid.

Mr. CHAVEZ. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. CHAVEZ. All the moral courage does not belong to the State of Maryland.

Mr. TYDINGS. I do not have any more than my share, but at least I know hyprocrisy from the truth when I see it.

Mr. CHAVEZ. That is right, and I can understand it once in a while in someone else.

Mr. President, since the Senator has the moral courage to stand here and make the suggestion he has made, will he vote for cloture so he can offer his amendment and the Senate can vote "yea" or "nay" on it?

Mr. TYDINGS. No, I will not vote for cloture, and I will tell the Senator why. Cloture is predicated upon the theory that the majority can do no wrong; cloture is predicated on the assumption that might makes right; cloture is predicated on the idea that the voice of the individual, for which this country was founded, for which the Constitution was written, for which the Bill of Rights was brought into being, is to be set at naught. It was cloture that crucified Christ on the Cross; it was cloture that put to work the hangman on a thousand gallows through all the Dark Ages. No, the right of protest is one of the strongest guaranties of human rights and liberty left in this or any other republic. It was those who fought cloture who went to the dungeons and prison camps in Germany. Niemoeller was one of them.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. TYDINGS. Yes, I will yield; but I do not want to become diverted to a discussion of the question of cloture. I have answered that question. I want to get on with the main bout; not with the side show. I want to know how many volunteers there are who will make this great right for humanity cover the whole field. Now let us be frank about it.

Mr. TAYLOR. Mr. President, will the Senator now yield?

Mr. TYDINGS. Yes, I yield.

Mr. TAYLOR. May I ask, Is not democracy predicated upon rule of the majority?

Mr. TYDINGS. The rule of the majority! The rule of votes! Majority to hades! The rule of petty political preference! The rule of the majority! The rule that has brought more bloodshed and turmoil and cruelty on this earth than any other thing I know of! Of course it is necessary to have it as a yardstick in order to do business, but let us not fool ourselves with the silly thought that majorities are always right. It was the majority in this body that struck down the League of Nations, and it was the majority in this body that raised the UNO to eminence.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. TYDINGS. Yes, I will yield in a moment. It was the majority in this body that put over the Washington Naval Disarmament Conference, and left this country relatively unprepared for World War II.

Mr. TAYLOR. It is not a question of whether it is right or wrong; it is a question of what the majority wants.

Mr. TYDINGS. My conscience, bad though it may be, is not controlled by the majority. Thank God, that at least is still in my individual keeping, and no power of government can ever take it away from me. This is simply a political shenanigan, and with few exceptions the Republican Party is determined to make capital with the colored vote. Let us have some truth in this body; that is all. All this talk about night sessions and what not—what for? Are Senators on the other side of the aisle burning with any sense of great wrong, because some segment of our population is being mistreated, and are tears of sorrow flowing down their political cheeks? Not at all. Sheer politics!

Mr. SMITH. Mr. President, will the Senator yield?

Mr. TYDINGS. Yes, I yield.

Mr. SMITH. So far as I am concerned, I take issue with the statement made by the Senator that this is simply a political shenanigan. I am deeply concerned at this moment in our history with the question of discrimination between individuals in the matter of equality of opportunity in education and in work by reason of race, creed, or color. That is the only issue raised by this bill. That is why I stand for the bill.

Mr. TYDINGS. I exculpate the Senator from New Jersey, because I think that among the Members of this body he is preeminent in having a mind that is detached from any political considerations, and I tender him my most respectful and humble apologies. But the Senator knows that my arrow has not missed all the marks either on that side of the aisle or on this side. I think we have come to a pretty pass when we take one section of our people and utilize them purely for political purposes. There are Senators voting for this bill who would move out of a hotel if a colored man came into the dining room and sat down at the table with him.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. TYDINGS. Yes, I yield.

Mr. TAYLOR. I may say that I live one block from the colored section, and I did not object to buying a house because it was there. My only regret is that it is not in the colored section. If I had it to do again I would deliberately buy one there.

Mr. TYDINGS. I admire the Senator's candor, which I must say is the exception rather than the rule.

How many Senators would continue to live in the apartment house in which they may now live, if it were inhabited

equally by other citizens of our country whose color is different from theirs? Stand up! Stand up! Let us have some exhibitions of the equality about which we are all boasting here. I do not see any Senator standing. I take it for granted then——

Mr. SMITH. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. SMITH. The Senator is confusing some very important issues.

Mr. TYDINGS. What are they?

Mr. SMITH. The Senator is confusing the question of social equality with the question of equality of opportunity in education and in work. I think it is unfortunate that the social question should be brought up when we are discussing something much more fundamental and much more important. I hope the Senate will make its position known upon the question now before us in the very near future.

Mr. TYDINGS. What we are discussing in the very last analysis is the sovereign equality of men of every race, color, or creed in this Republic, to have no prohibition applied to them to prevent their having what all the rest of us have. Am I wrong? If so, I will be glad to have someone point out wherein I am wrong.

Mr. SMITH. I do not understand the Senator's point.

Mr. TYDINGS. I say that what we are discussing is the right of every man to have work no matter what his race, creed, color, national origin, or ancestry may be. Am I right?

Mr. SMITH. I am not sure of the exact wording——

Mr. TYDINGS. It is from the bill.

Mr. SMITH. It provides for equality of opportunity for work, irrespective of color, race, or creed.

Mr. TYDINGS. I do not wish to become personal, but I ask the Senator whether he would favor opening hotels in the District to colored people by law?

Mr. SMITH. I certainly would not open a hotel anywhere by law.

Mr. TYDINGS. What good is the right to work if one cannot realize equality in respect to the rewards of his work?

Mr. SMITH. I do not agree with the Senator that the question of social equality is involved in the question of equality of opportunity in education and work.

Mr. TYDINGS. The Senator is at least candid; but the sole implication of the bill is that there is to be no discrimination against citizens under this flag, no matter what their race may be.

Mr. SMITH. Some of the Senator's distinguished colleagues raised the point that this involves intermarriage of the races. It has nothing to do with it. It would be most unfortunate to raise that issue. That is not the issue involved in the bill.

Mr. TYDINGS. I am not going to raise that issue.

Mr. SMITH. The implication is——

Mr. TYDINGS. But I should like to present the issue of whether or not a man has the right to acquire with the fruits of his labor equal objects, personal, real, or indefinite.

Mr. SMITH. I shall be glad to say this much to the distinguished Senator: I have been abroad a good deal. I have been in England, and I have seen people of dark color, whom we are discussing, received in the finest places in England. They happened to come from India. They were looked upon as citizens, as much as anyone else. We cannot accomplish that result in this country overnight. We can progress toward an understanding of these people, for whom we have a very deep responsibility. I feel that the American people have been to blame for the condition in which they find themselves, and for keeping them submerged because of a prejudice based upon color. To my mind that is unthinkable in free America.

Mr. BALL. Mr. President, will the Senator yield?

Mr. TYDINGS. Just a moment. I return to my original statement, that it is not consistent to give a man, because he may be of a different color than a white man, the right to work by law, and deprive him of the right to utilize the fruits of his labor in direct equality with any other citizen. If one proposition is consistent, the other follows as night follows the day.

Mr. SMITH. It might follow in the course of time; but it does not seem to me proper to raise that issue now, as though social equality were required at this moment. What we want to do is to give these people an education and an opportunity to work. To my mind that is a totally different issue. I hope to see the whole thing accomplished in time. It will take time. However, I believe that we are entitled to take steps slowly toward a condition of equality, irrespective of race, creed, and color.

One of the greatest issues, in addition to the color question, is the question of creed. Let us not mince words. We know perfectly well that people of certain religious faiths are discriminated against, and I feel that we must fight until such discriminations are removed in this postwar period, in building up a new America. If we are to have unity throughout our entire country, which will be the only thing that will bring about production and make us again a united people, we must remove such discriminations. Unity in America today is the most important single issue.

Mr. TYDINGS. I am in complete agreement with the Senator's philosophy. I do not take issue with what he has said. I am only trying to apply the philosophy to the realities of life. Theories do not put bread in the mouths of the people, strike down iron bars, make them intelligent, or give them privileges. Only acts which flow from theories make such things realities.

Mr. SMITH. Mr. President, I should like to add this thought: I agree with the Senator as to realities. It is for that reason that I feel that it is unfortunate at this time to try to make it appear that this is a social issue, and not an issue of equality of opportunity in education and occupation.

Mr. TYDINGS. Some men view the question as one of material equality, and not social equality. The Senator has been candid. He has stated, in effect, that he believes that every man should have the right to work, regardless of his race, color, or creed, but that he ought not to have social equality.

Mr. SMITH. I would not say that he ought not to have it. I should say that we cannot force social equality under the present unfortunate conditions in our country. I should like to see the time come when that hope may be realized; but I believe that it is most unfortunate and regrettable to force that issue now, in order to prejudice the people against equality of opportunity.

Mr. BALL. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. BALL. The Senator from Maryland spoke of colored persons going to a hotel in Washington. Let me remind him that if a colored person, no matter how dark his skin might be, happened to come from India or Arabia, he could go to any hotel in Washington and obtain a room, and no good American white people would move out.

Mr. TYDINGS. That is correct.

Mr. BALL. The only colored people against whom we discriminate are our own citizens.

Mr. TYDINGS. That is correct.

Mr. BALL. The only people against whom we discriminate are those whom our forefathers brought over here against their will.

Mr. TYDINGS. That is correct.

Mr. BALL. I think it is an issue.

Mr. TYDINGS. That is correct.

Mr. BALL. If we have been fighting a war for freedom and equality of opportunity, I think it is about time for us to begin to apply that theory in the United States. That is why I think the bill is important.

Mr. TYDINGS. I do not quarrel with the Senator. He has been candid. He will carry his idea through to a logical conclusion.

Mr. BALL. I will.

Mr. TYDINGS. I admire the Senator for having thought out the question. He knows where he stands. It is not essential that I agree with him or disagree with him. The point is that he has thought out the question, and is consistent to the end.

The point I wish to make is that the authors of the bill would deny to a large section of our population what the Senator from Minnesota is ready to give to all people, regardless of race, color, creed, or what not.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. CHAVEZ. Why does the Senator say that the authors of the bill would deny it?

Mr. TYDINGS. The Senator knows that in many cases a man has not the right to work if he does not belong to a union.

Mr. CHAVEZ. If the Senator is so brave and courageous, I hope he will let us have the Journal approved so that he may offer an amendment. He is talking about a hypothetical question which might arise, but he does not say that he intends to offer such an amendment.

Mr. TYDINGS. The Senator from Maryland does not have to say it, because when the Wagner Act was before us for consideration the Senator from Maryland offered such an amendment to the Wagner Act, and spoke in behalf of the amendment. When it was not included in that measure, the Senator from Maryland voted against the Wagner Act. The Senator from Maryland did not trim then, and he is not trimming now. I did not vote for the Wagner Act because I had tried on the floor of the Senate, when that measure was under consideration, to have an amendment adopted providing that labor should not be coerced or intimidated from any source whatsoever; and the Senate of the United States struck down that amendment. Why? Not because it did not believe in it, but because those who controlled large blocs of citizens sent word here that they did not want that amendment. Here we indulge in the farce of saying in a formal statement that no man shall be denied a job because of his race, creed, color, or ancestry; but he shall not have the right to a job if he does or does not belong to a union.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. CHAVEZ. Where is there anything in the bill which says that a nonunion man may be discriminated against?

Mr. TYDINGS. Absence speaks louder than words.

Mr. CHAVEZ. Where is it? The bill provides that no person shall be discriminated against. It does not say that no union person shall be discriminated against, or that no nonunion person shall be discriminated against. It says, "No person."

Mr. TYDINGS. Let the Senator support an amendment which will make that point clear by adding such a provision to the bill.

Mr. CHAVEZ. When the Senate is ready to vote on the bill the Senator from New Mexico will answer the Senator's question, and he will answer it with just as much courage as is displayed by the Senator from Maryland.

Mr. TYDINGS. Mr. President, such discussion is unbecoming, and I am sorry that an impulse led me into the personal field in this matter. I apologize for an impulsiveness which is one of my great faults, and which I cannot always check. But I cannot help feeling that there is such transparent hypocrisy behind this whole proposal that it is not worthy of the thought or debate of the United States Senate, in the light of the circumstances which every man knows. There are Senators who will not vote for the right of a man to work irrespective of whether he belongs to a union, who are asking that he have the right to work no matter what his race, color, creed, or ancestry may be. Who is going to be fooled by such a position? I am sure that there would be some who would not agree with me; but if I were to talk to the colored people in any city in the United States and lay before them the facts as they have been presented on the floor of the Senate, I am sure that their sense of humor—far greater than that of their compatriots of the white race—would be so tickled that they would see more quickly than a white audience the transparent sham of the whole proposal.

Mr. CHAVEZ. Mr. President, notwithstanding all that has happened, I believe that this little controversy has brought about progress in the consideration of the bill.

Let me ask the Senator from Maryland if he has read the language on page 2 of the bill, defining unfair employment practices?

Mr. TYDINGS. What part of the bill?

Mr. CHAVEZ. On page 2, line 13, where unfair employment practices are defined.

Mr. TYDINGS. That is the very thing about which I am speaking.

Mr. CHAVEZ. Section 3 provides, first, that—

> It shall be an unfair employment practice for any employer within the scope of this act—
>
> (1) to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry.

It does not say a union person, an organized-labor person, or any other kind of a person.

Proceeding further, we try to take care of unions, so that they will not discriminate. If the Senator will turn to page 3 of the bill, he will find the following language:

> It shall be an unfair employment practice for any labor union within the scope of this act—
>
> (1) to deny full membership rights and privileges to any person because of such person's race, creed, color, national origin, or ancestry.

Mr. TYDINGS. But the bill does not go further and provide that it shall likewise be unfair for any employer to refuse to employ one who may or may not belong to a union.

Mr. CHAVEZ. What I am trying to impress upon my good friend the Senator from Maryland is this——

Mr. TYDINGS. Up to this moment, the Senator is not having very much success in impressing me. [Laughter.]

Mr. CHAVEZ. I know. But some people are so fallible that they simply will not be impressed.

At any rate, I will make a poor, humble attempt. This bill may not be the best bill in the world. It may be such as suggested by the Senator from Maryland. What I am complaining about is the denial by this body of the right to propose such an amendment as the one suggested by the Senator from Maryland or amendments such as the ones suggested by other Senators.

Mr. TYDINGS. Mr. President, I voted to have the Senate take up the bill. The Senator has no quarrel with me. I am not filibustering; I am arguing the bill.

Mr. CHAVEZ. I understand that. What I am complaining about is that both the Senator and I are taking up the time of the Senate on the bill, when we should be devoting that time in endeavoring to have the Senate act on the motion of the Senator from Louisiana to incorporate in the Journal the prayer which was delivered on Thursday last, by the Chaplain and then we should try to get to the business of the Senate and possibly consider and approve the suggestion made by the Senator from Maryland.

Mr. TYDINGS. Mr. President, I did not approach this argument as if I were trying a case in a court of law, with all the fine sidelights and nuances which might be employed to make one side of a case which is weak stand up, and another side of a case which is strong go down. I only tried, as I saw the matter, to bring out into the open what I consider to be a tremendous lack and, if I may say so without any intention of reflection, a tremendous and apparent lot of hypocrisy behind this whole thing, which causes me to believe that there are more political Ethiopians in this bill than there are working Ethiopians in it. [Laughter.]

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. MAYBANK. The Senator has said that the bill goes beyond the hiring and firing of individuals. I know the Senator is well aware of the Western Electric strike and the troubles following it, which have nothing to do with the hiring and firing of workers.

Mr. TYDINGS. Mr. President, I do not wish to sing a personal eulogy, but the debate has taken such range that I must digress for a moment. I hope that anyone who looks over my record here when I am gone will find that there has never been a vote by me, so far as I know, which has supported, directly or indirectly, any intolerance of any kind whatsoever. I was one of the first men in this body and in America openly to take a stand against prohibition. I fought it as a Member of the House of Representatives in 1922, when it was popular; I ran in a dry district on a wet platform. No one has ever questioned where I stood on that measure because I do not believe morals can be legislated by force into the people of America.

I fought the Ku Klux Klan in 1926, when I was a candidate for the Senate of the United States.

I fought the Wagner Labor Act because upon its face it condemns certain free-born, conscientious Americans to no opportunity to work unless they reregulate their beliefs and economic religion to fit the concepts of their overseers.

I suppose there is no Member of this body who has more geniune regard for the colored man than I have. I was born and I have lived all my life in a community where they are quite numerous. I have represented many of them in court. They are a likable people. They have had a bad deal. In many respects they have not received the consideration to which they are entitled. My own immediate ancestors fought and died—and I mean died—in the Civil War, shot down in battle wearing the uniform of the Blue. My own great-great grandfather freed slaves in his will, in 1820. He did not have many; he had only three. But he provided that each one of them would be set free upon

his death, and he provided as best he could for their maintenance. I do not need to dwell on that.

I am just as anxious as is any other Member of this body to help the colored man in his long struggle to be accorded greater justice in the factory, in the office—anywhere. But as one who has some little regard for the lessons of history, I realize that Government cannot force such progress. It evolves. It has evolved. Almost within my lifetime—in fact, certainly within my lifetime—men in this country fought to set them free, to right a great wrong, to give them citizenship. They have made enormous strides since then. Some of them have turned out to be very eminent in the fields of endeavor they have selected. They are entitled to all the cooperation we can give them.

But I seriously doubt whether in the long run the whole idea of force, again, as was exhibited in connection with the Volstead Act, as was exhibited in connection with the Ku Klux Klan, as was exhibited in connection with the Wagner Act, and as is now exhibited here, is going to achieve the freedom and justice to which they are rightfully entitled.

There is only one way to guarantee to the colored man, if we are going to do it by law, the equal opportunity which the white man has in employment, and that is to wipe from his path every restriction which now keeps him back. It cannot be done by saying, "You can get a job in plant A only if you belong to a union." What good is it to take away discriminations because of race, color, religion, or ancestry, if, after that has been done, when a man goes to the door of a plant and knocks on it and says, "I want to work here"; the employer replies, "You cannot work here."

The man asks, "Why can't I work here? Do you mean that I can't work here because I am black?"

The employer says, "No; it is not that."

The man asks, "Do you mean that I can't work here because I am a Methodist—or a Catholic?"

The employer says, "No; it is not that."

The man asks, "Do you mean that I can't work here because my ancestors came from Africa?"

The employer says, "No; it is not that."

Then the man asks, "Then why can't I work here?"

The employer says, "You can't get a job here—I don't care what you believe—until you belong to XY Union. Unless you belong to XY Union, you get out of here, because there is no job here for you."

The man says, "But I am an American. Congress has said that you can't refuse to hire me because I am black."

The employer says, "That's right."

The man says, "You can't refuse to hire me because my ancestors lived some place else."

The employer says, "That's right."

The man says, "You can't refuse to hire me because I put on my questionnaire that I am a Methodist."

The employer says, "That's right."

Then the man says, "Well, if I am a free American and have done no wrong, why can't I get this job?"

The employer says, "Because the Congress of the United States in the Wagner Act says you can't work here unless you belong to the union."

Now where is this vaunted freedom? Where is all the freedom we were going to give the colored man? Despite all that we are now urged to do, he would be told by the employer, "No matter what your conscience or your ideals tell you, you have got to rearrange your ideals and your philosophy to suit those of the union; and, more than that, you have got to pay $30 to a man who does not work here, who has nothing to do with my plant, for the opportunity to work here."

Now where is your equality?

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. TAYLOR. The silence here following the questions the Senator from Maryland has propounded in his speech is, I think, because the other Members of the Senate scarcely believe it is worth while to answer such arguments.

Mr. TYDINGS. Well, Mr. President, I realize the limitations of the Senator from Idaho. [Laughter.]

Mr. TAYLOR. I appreciate that; I know that I am new and must suffer the consequences.

Mr. TYDINGS. The Senator is not only new politically; he is new mentally.

Mr. TAYLOR. I hope I am new mentally; the world is in need of some new mental processes. However, I think that all this is just a left-handed attack against labor unions.

Mr. TYDINGS. I care not whether it is a left-handed, a right-handed, a front-handed, or a back-handed attack. The Senator, if he has any conscience—and I know he has—knows it is the truth; and the truth is the only thing that really matters.

Mr. TAYLOR. It is the truth that a man cannot work in some plants unless he is a member of the union.

Mr. TYDINGS. Yes.

Mr. TAYLOR. But that is a majority rule.

Mr. TYDINGS. Oh, pshaw!

Mr. TAYLOR. It is a rule by a majority of the union.

Mr. TYDINGS. Then, if the majority of the people were to rule that the colored man should have no vote, no right to work, no chance to go to school, the Senator would say, "That is all right; the majority have ruled that the colored men shall have no vote, shall not have a right to work, shall not have a chance to go to school."

Mr. TAYLOR. I would vote against the proposition, but would still say that the majority decision rules in a democracy.

Mr. TYDINGS. Perhaps the Senator from Idaho would accept it, but I would go out and join the Army. When that day comes, I say it is time for all of us to join the Army.

Mr. TAYLOR. That day will not come.

Mr. TYDINGS. Mr. President, here is a government which was founded on the principle that there should not be taxation without representation. Here is a government which denies to a man the fundamental right to make a living unless he is an economic Methodist, an economic Catholic, or an economic Jew. Religion is not alone of God. Religion is of this earth. Religion is not something abstract. It is not a concept that is up in the stars. Religion is nothing more than civilization, the invisible God by which men govern themselves without government, and conscience is the charter of religion. Conscience being the charter of religion, a man may in good conscience say, "I do not believe that labor unions are a good thing for America." But we say, "You must be a Methodist economist, or a Catholic economist, or a Jewish economist," while the Bill of Rights, in its first amendment, says that none of that shall be required in this country. Let me read it. We have heard much talk about the Bill of Rights, as if people would follow it as soon as its philosophy were put to the test. What does the Bill of Rights say? Amendment I begins as follows:

> Congress shall make no law respecting an establishment of religion.

The majority may not declare this country to be Methodist. But if the majority so declared, the Senator from Idaho [Mr. TAYLOR]—I do not know what his religion is—would immediately say, "That is all right. I have no mind on it. I have no ideals. I have no convictions. The majority has spoken. Henceforth we shall all be Methodists."

Or, if the Congress were to declare that our State religion shall be Catholic, or Jewish, and that no other religion shall be permitted, then the Senator from Idaho would say that the majority had spoken. He would say, "I really believe in Methodism, but the majority having spoken, I will immediately and conveniently believe in Catholicism if the majority believes in it, or in Judaism if the majority believes in it," and then the Senator would immediately become in favor of it.

Some persons have the idea that the philosophy of this amendment deals only with church affiliations. There are many atheists in this country. I do not agree with them, but they do not believe in God. There are many persons who do not go to church, but the Constitution gives them that freedom. Throughout the entire spirit and the very letter of the Bill of Rights the whole philosophy is that no man shall be denied work in America. But the Senator from Idaho would deny him work.

Mr. President, I am not attacking the unions. Perhaps if I were working in a place where a union existed I would join it. Persons have a right to belong to a union. I will defend that right here in the Senate with every ounce of strength I possess. Any man who wants to belong to a union has a right to belong to it, and every man who does not want to belong to a union should be protected by all the weight and power of this great Government. That is the only meaning of freedom that is worth anything at all. That is what the Bill of Rights provides. Let me again read from it:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

What was meant by religion was the whole field of human thought; the freedom to think and to believe, including the freedom to believe in a union or not to believe in it. Congress has said, in effect, "You must believe in a union or you may not work." That has stricken down the whole philosophy of the first amendment of the Bill of Rights.

Let us consider the subject of majorities. Who would follow a majority that would say that all men over 21 years of age shall be put to death? Who would follow a majority that would say that only those over 60 years of age shall be taxed? Who would follow a majority that would say that only those who belong to a labor union shall have the right to toil, earn, and rear a healthy and well-cared-for family? Yet, Mr. President, that is what the Congress of this country has said, and merely because there are 10,000,000 labor unionists who may have been misled in some way or another, we cannot get up the steam to undo the wrong which has been done.

I come from an industrial State. Baltimore has half the population of Maryland, and is a great industrial city. But I would rather leave this floor and stay off it from now until eternity than to be a party to prohibiting a man from obtaining a job merely because he did not belong to some union. I certainly would not be such a hypocrite as to think that by taking such a position I had aided the cause of freedom in the United States. There is no freedom in it. I am in favor of labor, but I do not want to play the game of the demagog by saying that labor is always right, because it is not always right any more than is capital always right. Our job is not to further the cause of labor or capital. Our job is to represent the entire public by seeing to it that no laws are passed here which are discriminatory against groups, be they religious groups, or otherwise.

Mr. President, I am not averse to the philosophy of the pending bill. I like its purpose. So far as it goes, I think it springs, in the main, from a conception of justice. My question is, Will it do the job? Can we enforce the results which are hoped for by the passage of such legislation?

I know that representatives of the colored people are in the gallery. My remarks will be referred to. I will be called an enemy of the colored race, a Fascist, and not fit to represent the great and free people of Maryland. I know that others will say, "There are Senators who are representing great interests, such as the steel interests, and so forth; they are the mouthpiece of big business." But I do not care what they may say. If I know, as I do know, that my position is straightforward and honest, and can be defended on the stump, I will meet them there if they want to draw the issue. I have felt that the people of Maryland, and of this country generally, whether they be black or white, will respond to truth and not succumb to misrepresentation.

Yes, Mr. President, we speak of liberals. Are you a liberal? If you are a liberal, knock the shackles off the working people of America and give them the right to earn bread without compelling them to join any movement, religious or otherwise, as a prerequisite to obtaining work. That is the only real freedom that men may have. This proposal is but a convenient sham. It is not an ultimate approach to the situation, and in his inner heart and conscience every man knows that it will not afford complete freedom, as my friend, the Senator from Minnesota, was candid enough to admit by stating his own position.

I sympathize with the position of the Senator from Colorado. I think he is just as good a friend of the colored man as are the authors of the pending bill. Indeed, if the colored man were in any jeopardy or faced with any trouble, I believe the Senator from Colorado would stand here with all the force at his command in order to see that the colored man received a square deal. I am not interpreting his thoughts, but it is experiences which a Senator undergoes that perhaps chart his course here in considering the harm which may come to this race which has developed in this country, and which has already made great strides.

Mr. President, the hour of 6 o'clock having arrived, and all of us in this land now knowing of the intolerances of the Wagner Act which perhaps chained thousands of men, and now knowing that the pending bill does not stand for complete freedom but only for the political kind which will be handy in the next election, so far as I am concerned some one of those who are in charge of the bill may make a motion to recess, and we will retire for the night to more pleasant dreams.

RECESS

Mr. CHAVEZ. Mr. President, in order that we may meditate over the sermon and chastisement of the Senator from Maryland, I move that the Senate now take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock p. m.) the Senate took a recess until tomorrow, Wednesday, January 23, 1946, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 22, 1946

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr, MCCORMACK.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, the ruler of the world's destiny, we pray Thee to lead us out of our misunderstandings into the light of Thy searching truth. As the devout spirit counts the beads of the rosary, so may we consider that our souls may bring forth from the living fields of faith works worthy of repentance. O Thou who art the Holy Spirit, open the secret of our hearts and may the divinity of our breasts seek Thee, in whom we live and move and have our being.

As we put the reins of our judgment in Thy hands, do Thou help the Congress to greet this day as a rich opportunity. We pray that social consciousness may be tempered with the individual value of every man and woman, and that their personal worth may influence every mass movement in our country. O God, it is neither the reign of tyranny nor the rule of the mob that is Christian. Thy kingdom is neither meat nor drink, but righteousness, joy, and peace in Jesus our Elder Brother, after whom the whole family is named. O give us a mighty uprush of courage as we challenge any foe of free and democratic government, or any who fail to call Thee Lord and Master. In Thy holy name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

ADDITIONAL COPIES OF HEARINGS HELD BEFORE JOINT CONGRESSIONAL COMMITTEE ON THE INVESTIGATION OF THE PEARL HARBOR ATTACK

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report (Rept. No. 1483) back favorably a privileged resolution (S. Con. Res. 43), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Joint Congressional Committee on the Investigation of the Pearl Harbor Attack be, and is hereby, authorized and empowered to have printed for its use 5,000 additional copies of each part of the hearings held before said joint committee during the Seventy-ninth Congress, pursuant to Senate Concurrent Resolution 27, a concurrent resolution to investigate the attack on Pearl Harbor on December 7, 1941, and events and circumstances relating thereto.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HENRY J. KAISER

Mr. HAVENNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HAVENNER. Mr. Speaker, I think that history will support me in an expression of pride that a great American businessman, who has his headquarters in the district which I have the honor to represent, has taken a stand which I believe will lead our Nation out of the industrial crisis in which it is now involved. I refer to Henry J. Kaiser, of California, who led the whole world in production achievement during the recent war. It was his genius and the genius of other Americans like him which made victory for our armed forces possible.

This great western producer has set his face toward the future, while the eastern steelmasters are stubbornly looking backward. He recognizes that if the American Nation is to progress toward its ultimate destiny of full production

and full employment the average wage of American men and women who toil in industry must be established on a higher level than in the past.

Mr. Kaiser has pioneered the establishment of a steel industry on the Pacific coast. When the President of the United States declared that a higher wage for steel workers was essential for the economic welfare of this Nation, Henry Kaiser went promptly to the White House and announced his willingness to pay this wage to his employees. He put patriotism above profit, but I am convinced that this kind of patriotism will produce abundant profits in the future.

We of the West acclaim his action as a great patriotic contribution to the future welfare of the American people. We intend to back him to the limit.

PERMISSION TO ADDRESS THE HOUSE

Mr. STOCKMAN. Mr. Speaker, I ask unanimous consent that on Friday, after the legislative business of the day and any other special orders, I may address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

THE MESSAGE OF THE PRESIDENT

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, after the message of the President on the state of the Union and transmitting the Budget for 1947 the American people need no longer have any doubts, if they had any, that the Truman administration is determined to put an end to free enterprise, competition, and liberty and complete the establishment of a totalitarian regime like that of Hitler and Stalin. Nor need the producing group, from manager to floorsweeper, longer have any doubts that the forces in control of our Government are irretrievably bent upon destroying everything that makes for their economic security and for their well-being.

This coming Thursday I shall, under special orders, discuss a few of the high points of the President's message. I intend to show that New Dealism, instead of being the great friend of the poor and the lower-income groups it so loudly proclaims to be, is indeed their worst conceivable enemy.

EXTENSION OF REMARKS

Mr. RABIN asked and was given permission to extend his remarks in the Appendix of the RECORD and include a radio address made by Franklin D. Roosevelt, Jr., on the subject of housing.

Mr. LANE asked and was given permission to extend his remarks in the RECORD in three different instances—in the first to include a radio address delivered by him; in the second to include an interesting item appearing in a Lynn, Mass., newspaper; and a third, a letter from a constituent.

Mr. GAVIN asked and was given permission to extend his remarks in the RECORD and include a letter from Mr. William A. Sykes, adjutant, twenty-seventh district, Brookville, Pa., and a resolution adopted on January 26 by the John Jacob Fisher Post, No. 62, American Legion.

REV. HEWLETT JOHNSON

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[Mr. GAVIN addressed the House. His remarks appear in the Appendix.]

A FEDERAL SYSTEM OF ARBITRATION NEEDED

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ELLIOTT. Mr. Speaker, returning from my congressional district in California, I find the great cry from the people is for something in the form of legislation to stop strikes. I feel that the strike situation has become so critical that this Congress should stay on the job night and day until labor and business are brought together and our people can go back to work.

Industrial enterprises employing thousands of workers and producing materials and providing services indispensable to the health and well-being of our Nation have been shut down by strikes. Yet, many other enterprises, equally important to our Nation, are threatened with shut-downs by additional strikes. No good can come from or make up for time lost in wages or loss in goods and services unproduced during strikes. The meat strike is depriving every individual in all walks of life of much needed meats and fats necessary for a balanced diet. Hogs are not being slaughtered; cattle are not being killed. Sheep, cattle, and hogs are backing up on the farms. Finished animals must continue to be fed at a loss to the farmer. Bakeries must close for the lack of sufficient fats in order to make bread and pastries.

Why could it not be for the benefit of all our people that our many enterprises continue to operate and its employees continue to produce during a period of controversy? We need a Federal system of arbitration which would provide peaceful settlement of all controversies between labor and management and business, assuring all facts relating to strikes and controversies.

PERMISSION TO ADDRESS THE HOUSE

Mr. REES of Kansas. Mr. Speaker, I have a special order for today. I ask unanimous consent that this order may be transferred to tomorrow, and that tomorrow I may address the House for 10 minutes following the special orders heretofore entered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

EXTENSION OF REMARKS

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Morning World-Herald of Omaha, Nebr.

CALENDAR WEDNESDAY

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that tomorrow Calendar Wednesday business may be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

Mr. CHURCH. Mr. Speaker, reserving the right to object, I remind the gentleman from Alabama that last week I called attention to the President's message chiding Congress for not having bills ready for consideration or not considering the dozens of bills that are already on the calendar and have been there for a long time. What is the gentleman doing about that?

Mr. SPARKMAN. Mr. Speaker, I suppose the gentleman knows that one reason for asking that Calendar Wednesday business be dispensed with tomorrow is to enable us to take up a very important piece of legislation, the independent offices appropriation bill. Furthermore, bills are coming to the calendar and are being scheduled regularly; and we have a full day's work for tomorrow.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, may I ask the gentleman if, in view of the fact that this morning seven Republicans voted with three Democratic members of the Labor Committee to bring out the President's fact-finding bill, there is any prospect of the Rules Committee giving us a rule so there may be a vote on this labor legislation for which the House has been clamoring so long.

Mr. SPARKMAN. The gentleman knows, of course, that I am not a member of the Rules Committee.

Mr. HOFFMAN. I thought maybe the gentleman knew something about what that committee may do.

Mr. SPARKMAN. I did not know that the committee had taken that action.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

EXTENSION OF REMARKS

Mr. ELLIS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. SULLIVAN asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper editorial.

Mr. STIGLER asked and was given permission to extend his remarks in the RECORD and include an editorial from the Stars and Stripes.

Mr. KEOGH asked and was given permission to extend his remarks in the RECORD in three instances and include three editorials which appeared in certain New York newspapers.

Mr. STEVENSON asked and was given permission to extend his remarks in the Appendix of the RECORD and include a comparison of figures taken from the home-town newspapers indicating the increasing rise in the cost of living.

LABOR LEGISLATION

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the Labor Committee this morning, seven Republicans voting with three Democrats, decided to report out the bill requested by the President, H. R. 4908, with amendments striking out the clause giving the power of subpena and striking out section 4, which provided for a cooling-off period. If the Rules Committee will give us a rule making proposed legislation in order, the House will have an opportunity to consider the whole question of legislation designed to lessen labor disputes and strikes. I voted to report out the legislation solely for the purpose of affording the House an opportunity to act.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

SALE OF SURPLUS PROPERTY TO VETERANS

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I desire to call the attention of Congress to the manner in which the present authorities are handling surplus property. The veterans of my State of Florida do not get a chance to purchase this property.

At the last session of the Legislature of Florida there was created a State veterans' commission, which has recognized the fact that the veterans are given absolutely no chance to purchase property. The commission passed a resolution asking that the Congress take a hand in seeing that the veterans enjoy the privilege of purchasing this surplus property. For instance, in the city of Miami and the surrounding area they are taking surplus property and, instead of storing it in warehouses in the Miami area, are shipping the property to Atlanta, whereas provision could easily be made for the disposal of it down there, so the veterans could inspect and buy it.

The State veterans' commission has passed a resolution asking for an immediate investigation and for drastic action by the Congress. This is urgently demanded in order that the veterans may not be denied the right and privilege which the Congress intended the veterans to enjoy and which in countless cases is essential to the speedy reestablishment of such veterans in civil life. I call upon the Congress for action.

The SPEAKER pro tempore. The time of the gentleman from Florida has expired.

ENLISTMENTS IN MILITARY FORCES OF THE UNITED STATES

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, probably the hottest question before the country today is the demobilization issue. Close to it, is the subject of compulsory military training.

At no time that I can remember has the morale of our armed forces been more uncertain than it is at the present. The clamor from our boys who are in the Pacific and in Europe to come home is something to hear. I believe they have every right to be indignant over recent developments in the administration of the point system for discharges.

Fully as loud are the protests against universal conscription. These protests are being raised by a large part of our population and they will be heard even more loudly as the weeks go by. Yet all of us are agreed that some strong step must be taken to insure the preparedness to this great Nation even though we are now apparently at peace with the world.

As it now stands, one thing is certain; and that is, few seem to want to go into the armed services, and fewer seem to want to stay in.

That is because the average man in uniform feels he can better himself economically by getting back to civilian life. He looks forward to a well-paying job at home.

I believe that a strong Army and Navy are necessary to the defense of the United States. But I also believe that if the country retains this strength, it will have to pay for it. Today millions of our best manhood are leaving the service, obtaining civilian jobs at better pay, shorter hours and greater opportunity.

I say it is time to make the services more attractive in order to keep our best manhood in them. It is just as necessary to have highly efficient, ambitious, intelligent personnel in our fighting force as it is in other Government departments and in private employment. In wartime this is easy to attain, but impossible in peace under the set-up as it now exists.

The solution, then, is to make possible a career in the Army or Navy for every man who wants to stay there. How can this be done? By paying more money to enlisted men, assuring them of advancement through merit, of retirement and reasonable working hours.

Because I am concerned with the present low state of morale in our armed forces, because I believe that a great deal of this is due to the fact that so many men are being kept there at low pay and in remote places while many folks back home are gainfully employed, because I believe the very future of America depends upon the peacetime maintenance of strength of our Army and Navy, I am today introducing a bill to raise the base pay of all enlisted members of our armed services from $50 to $100 a month and am recommending that all seven grades of enlisted personnel be raised relatively.

PERMISSION TO ADDRESS THE HOUSE

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I be permitted to address the House for 1 hour.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

EXTENSION OF REMARKS

Mr. HEALY (at the request of Mr. DOYLE) was given permission to extend his remarks in the RECORD.

Mr. RICH asked and was given permission to extend his remarks in the RECORD in two instances; to include in one a letter written to President Truman by Mr. Dezauche, publisher and editor of the Sweet Sheet, Opelousas, La., and in the other an open letter to the Members of Congress from the people of Flint, Mich.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. LEFEVRE asked and was given permission to extend his remarks in the RECORD and include an article by the president of the Lumbermen's Retail Association.

Mrs. LUCE (at the request of Mr. MARTIN of Massachusetts) was given permission to extend her remarks in the RECORD.

Mr. JUDD asked and was given permission to extend his remarks in the RECORD in two instances, and include in each an editorial.

RESCIND CARRY-BACKS

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include a newspaper article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

[Mr. SAVAGE addressed the House. His remarks appear in the Appendix.]

LABOR LEGISLATION

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute .

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I am glad my colleague from Michigan [Mr. HOFFMAN] has brought to the attention of the House the fact that the Committee on Labor has reported out this morning a bill which not only do I consider meaningless but it also takes out section 11 of the National Labor Relations Act. So I am telling the Members of the House that

a bill will come in here in the next few days and you will have nothing but a meaningless bill.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield to the gentleman from Georgia.

Mr. COX. I wonder, if the Committee on Rules should see fit to grant a liberal rule, if the bill that has been reported might be used as a vehicle for getting real legislation, and is the gentleman in favor of that?

Mr. LESINSKI. That all depends on the amendments and the type of amendments.

PERMISSION TO ADDRESS THE HOUSE

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent that on Friday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. GATHINGS asked and was given permission to extend his remarks in the RECORD and include an editorial by Leo Wolman appearing in the Washington Post of December 20.

Mr. VOORHIS of California asked and was given permission to extend his remarks in the RECORD.

FORMULA FOR SETTLING LABOR DISPUTES

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I have a letter from one of my constituents, a part of which I should like to read. He said:

> My union also presented the Southern California Gas Co. with a request for a 30-percent wage increase, and after meeting and discussing the proposition with them they offered a 15-percent increase and the rest to be carried on by negotiations or by the Department of Labor Conciliation Service, or board of arbitration, or a panel, which would go into the thing quite thoroughly, and whatever decision was made would be binding on both parties.

In my judgment, Mr. Speaker, every one of these controversies could have been settled by the application of some such simple formula as that had there been a real will to do so.

LABOR LEGISLATION

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Speaker, the distinguished gentleman from Georgia [Mr. COX], my personal friend, asked the question of the gentleman from Michigan that if the Committee on Rules took it upon themselves to use as a medium the bill reported by the Committee on Labor and reported a liberal rule, making certain amendments in order, how would the gentleman from Michigan feel about it? I am going to tell how I feel about it. I think that the Rules Committee should not bring in a rule other than to make amendments that are germane in order.

I know the Rules Committee has the power to report a rule for the consideration of the bill that was agreed upon by the Labor Committee this morning, and I have no objection to that, but if the Rules Committee is going to provide in that rule that an amendment containing language embodied in a bill pending before some other committee of the House shall be considered to be in order, then not the legislation but the rule is going to be the issue when that rule is before the House.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Michigan.

Mr. MICHENER. As I understand, the gentleman wants an open rule, a rule which makes in order all germane amendments, and he does not want any special rule from the Rules Committee.

Mr. COCHRAN. My viewpoint is, if you bring in a rule making the bill in order and permitting germane amendments to be considered, I am satisfied, but if your committee provides in that rule that the language in a certain bill pending before the Military Affairs Committee or some other committee shall be not subject to a point of order, then I am against such a rule.

THE FACT-FINDING BILL

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to address my colleagues for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, in my capacity as acting chairman of the Committee on Labor, I addressed you on Thursday of last week and said that on Monday or Tuesday of this week your committee would take definite action in reference to H. R. 4908, the so-called fact-finding bill, embodying the requests of the President of the United States.

Your committee this morning, and by a vote of 10 to 8, has reported the bill amended in essence to delete both the subpena provision and the 30-day cooling period. It was my personal feeling that H. R. 4908 should have been reported as requested by the President of the United States. I was one of the five members of our group who voted to report such a measure. The committee saw fit to do otherwise and has reported, as I have stated, this amended measure.

It was my feeling then, and is my feeling now, that the principle of fact finding should be considered as proper subject matter and the responsibility of Congress. I believe that the committee, in reporting legislation, now presents the opportunity and the responsibility to the House of Representatives to work its will, individually and collectively, on a highly important subject to the well-being of our people and the welfare of the Nation.

The SPEAKER pro tempore. The time of the gentleman from West Virginia has expired.

A FEDERAL COMMISSION FOR THE PHYSICALLY HANDICAPPED

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to adressd the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I am today introducing a bill to establish a Federal commission for the physically handicapped. This bill has been drawn up after long study by a special committee of this House headed by the gentleman from Pennsylvania [Mr. KELLEY] and has been prepared by the American Federation of the Physically Handicapped. The bill may not be perfect, I do not say it is, but I do think it is something to enable us to start work on this very serious problem and I am introducing the bill for the consideration of the proper committee of the House.

Mr. VOORHIS of California. Mr. Speaker, if the gentleman will yield, may I compliment him on his action. I think he has done a splendid thing in introducing this bill.

Mr. SPARKMAN. I thank the gentleman. I think one fact that the American people overlook is that there are 25,000,000 physically handicapped persons among us.

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

EXTENSION OF REMARKS

Mr. SPARKMAN asked and was given permission to extend his remarks in the Appendix of the RECORD and to include a brief statement on the bill providing a Federal commission for the physically handicapped and to include the provisions of the bill.

Mr. SHORT asked and was given permission to extend his remarks in the Appendix of the RECORD and in two instances and include first, a letter from a constituent, and, secondly, a statement by a former colleague.

Mr. MADDEN asked and was given permission to extend his own remarks in the RECORD and include excerpts and an editorial.

THE PRESIDENT'S MESSAGE AND LABOR LEGISLATION

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, the gentleman from Ohio [Mr. SMITH] charged that the President's message recommends the destruction of free en-

terprise. I fear the gentleman did not hear the message read, nor has he read the message himself. Had he done so, he never would have dared make such a charge. The President's message is one of the cost courageous, enlightened, and constructive messages that has ever been sent to this House.

What do the gentlemen mean by free enterprise?

Do they mean freedom to refuse to bargain collectively as required by the National Labor Relations Act, as has been done by General Electric and Westinghouse?

Do they mean freedom to cancel union contracts, as General Electric and Westinghouse did their contracts with United Electrical, Radio, and Machine Workers, CIO, to precipitate the strike which began last Tuesday?

Do they mean freedom to refuse to sit down at the conference table and discuss labor contracts? I have just spoken of the strike against General Electric and Westinghouse. Do the gentlemen know that Westinghouse has never made a counterproposal to the union's demands, but has simply refused to discuss wages? The only counterproposal made by General Electric involved small wage increases conditioned on increased production per worker, which means our old demon, the speed-up, and reduction of incentive wages.

Again, what do the gentlemen mean by "free enterprise"? Do they mean the freedom of United States Steel to refuse imperiously the request of the President of the United States? Whose freedom are they talking about?

Mr. Speaker, I have heard much of free enterprise in this Chamber. I have sat here a long time. When I was still a young man, but older in the service of this my adopted country than some of my colleagues who have been moaning here today the destruction of free enterprise, this Congress passed the Clayton Act, to strengthen and reinforce the Sherman Antitrust Act. Those laws were to insure the existence of free enterprise by restraining monopoly. Those laws were designed to save free enterprise by keeping the industrial and financial giants from swallowing their little competitors without giving small business even a chance to struggle. Would the gentleman repeal these laws?

The fight never ends. Apologists for big business rush daily to the well of this House; yet there is scarcely a big business today against which there is not some complaint of unfair business practice. A whole division of the Department of Justice exists, by will of Congress, to save free enterprise by restraining monopoly.

Does free enterprise mean the unrestricted right of big business to ride roughshod over the people? No. We hear much of General Motors and General Electric. What about the general public? While the gentlemen weep for U. S. Steel, let us think a little of U. S., us. It is not free enterprise when the General Electric Co. and Westinghouse Electric & Manufacturing Corp. enter into patent agreements, into marketing agreements, into production quota agreements, and control absolutely and without recourse the amount of electrical appliances that can be made and sold in the United States. Those are the practices that destroy free enterprise. Our antitrust laws were made to keep free enterprise alive, and President Truman's message was a clarion call to this Congress to continue to keep free enterprise alive.

A RULE FOR THE FACT-FINDING BILL

As to the so-called fact-finding bill, and the rule under which we shall debate it, I agree with the gentleman from Missouri that it should be an open rule, and not waiving any points of order, so as to preclude any foreign matters.

The gentleman from Michigan [Mr. HOFFMAN] stated that six Republicans and three Democrats voted to report this bill, which made me suspicious in what form the bill was reported. The gentleman from Michigan [Mr. LESINSKI] explained to the House that the bill has been so emasculated that really it will be of no value to the President to bring about legislation that will eliminate the discord between industry and the labor unions that industry is trying to destroy.

Mr. Speaker, I am hopeful that when the bill will be considered on the floor progressives and the well-intended Democrats will amend it in such a way that the existing forced labor strikes, now going on, may be eliminated by removing the causes of friction, and so that these huge Wall Street-controlled industries will not feel they are greater and more powerful than government itself.

THE STRIKES AND THE AMERICAN FARMER

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, in my opinion, the American people are not deceived by this wave of strikes and other attacks on free enterprise that have for their object forcing the Government to take over the manufacturing industries of America. I think it not inappropriate to rise at this time and say a few words in behalf of the forgotten man—the American farmer.

It has been agreed by all who understand it that the cotton farmer gets 1 cent an hour for his work for every cent a pound he receives for his lint cotton.

The 15-cent raise offered to workers in the steel plants would give them $1.29 an hour, on the average. The average steel worker is not any more intelligent than the average cotton farmer, or any more industrious. He works in the shade, sometimes sitting down, while the cotton farmer is plowing, hoeing, or picking cotton in the hot sun. If the cotton farmer received the same pay for his work—$1.29 an hour—cotton would be selling at $1.29 a pound.

If the wheat grower got the same amount for his work, in proportion, wheat would be between $5 and $7 a bushel.

If the corn farmer received the same amount in proportion for his work, the same price in proportion for his corn, corn would be $4 or $5 a bushel; hogs would be 50 to 60 cents a pound; and beef cattle would be bringing the same price.

Do not forget that this is an agricultural country, and it can never be controlled by a communistic set-up. Our form of government and our way of life are here to stay. This is America.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

A FIERCE AND AWFUL TIME

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, it may surprise some of my colleagues, but I do attend church quite regularly. However, it is not my purpose to advertise it, but to call attention to a hymn we sang from the Presbyterian hymnal last Sunday. This hymn was written in 1865. As I recall, the words of the first verse are as follows:

> We are living, we are dwelling
> In a fierce and awful time
> In an age on ages telling
> To be living is sublime.

I wonder what the author of this great hymn would say if he were living today. No doubt back in 1865 he felt that his day of warfare and trouble was quite awful. If he were living today it would be interesting to see what kind of a hymn he would write.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

LABOR LEGISLATION

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, there has been some discussion this morning as to what the Rules Committee will do in the way of a rule for the consideration of labor matters. We are grateful for the advice of Members at any time about any subject. As a member of the Rules Committee, I can speak only for myself as to what type of rule the Rules Committee will grant. I think the American people are tired of seeing Congress shadow-box with the labor situation. I, for one, do not propose to advocate any rule or any bill that has no other purpose than to deceive the American people into thinking we are doing something about the labor situation when we know we are not.

The bill which has been reported, as I understand it, has removed all semblance of teeth from it, and remains but a title, plus a few kind words. Personally, I shall not be in favor of a rule on any such measure and shall use my best efforts to get a rule that will permit this House, or the Members of the House who wish to do something about the situation, to vote on any strike legislation that they

desire. I favor legislation that will definitely put an end to labor-union dictatorship.

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, the gentleman from Virginia [Mr. SMITH] has advocated what he believes to be an open rule respecting the anti-labor bill reported out by the Committee on Labor this morning. The gentleman from Virginia has not always advocated open rules. We can always judge the character of the rule the gentleman advocates by the type of labor bill on which a rule is being granted. Our memory is not so short that we have forgotten the kind of rule which was granted on the so-called Smith-Arends bill, a rule making in order what was out of order. Further, let this House beware of a similar rule for this bill which may be reported out by the Rules Committee under the guise of a so-called open rule. In other words, the gentleman from Virginia adjusts the rules to suit the purpose—one purpose, and one purpose alone, to carry out his antilabor schemes in the Congress of the United States.

The gentleman from Virginia made a very revealing remark last Thursday in reply to a question that I asked him. He referred to labor as a commodity. He said:

> The decision of the fact-finding board is that General Motors should pay so much money. I guess I am a little bit old-fashioned, but I was raised up in this country and my ancestors were, and we always went out and we bargained for what we wished to purchase. If the price suited us, we dealt; if not, we did not. If we thought a thing was worth so much, we were willing to pay so much for it. If we thought it was not worth so much we were not willing to pay for it.

How revealing of utter contempt and disdain for the men and women who toil.

It just so happens that the days have gone far past in the United States when labor was considered a commodity. Workers are human beings contributing to the wealth and welfare of America and are entitled as a matter of right to a decent living. They have earned the right to organize and to strike to obtain it. They are not mere commodities to be purchased at a sale and at a price that General Motors, United States Steel, or the gentleman from Virginia are willing to pay.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—TRANSMITTING A REPORT FROM THE ACTING SECRETARY OF STATE REGARDING CERTAIN PHASES OF THE FOREIGN SERVICE

The SPEAKER pro tempore laid before the House the following message from the President of the United States which was read and together with the accompanying papers referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report by the Acting Secretary of State, showing all receipts and disbursements on account of refunds, allowances, and annuities for the fiscal year ended June 30, 1945, in connection with the foreign service retirement and disability system as required by section 26 (a) of an act for the grading and classification of clerks in the foreign service of the United States of America, and providing compensation therefor, approved February 23, 1931, as amended.

HARRY S. TRUMAN.

THE WHITE HOUSE,
January 22, 1946.

[Enclosure: Report concerning retirement and disability fund, foreign service.]

JANUARY 21, 1946.

The PRESIDENT,
The White House.

The PRESIDENT: The undersigned, the Acting Secretary of State, has the honor to lay before the President a report, showing all receipts and disbursements on account of refunds, allowances, and annuities for the fiscal year ended June 30, 1945, in connection with the foreign service retirement and disability system, as required by section 26 (a) of an act for the grading and classification of clerks in the foreign service of the United States of America, and providing compensation therefor, approved February 23, 1931, as amended.

Respectfully submitted.

DEAN ACHESON,
Acting Secretary of State.

[Enclosure: Report concerning retirement and disability fund, foreign service.]

Foreign service retirement and disability fund—Statement of receipts and disbursements, fiscal year 1945

RECEIPTS

Federal contributions	$910,500.00
Contributions	210,827.26
Voluntary contributions	27,115.46
Interest on investments	308,706.30
Interest on investments, voluntary contributions	16.27
Total receipts	1,457,165.29

DISBURSEMENTS

Annuities (number of persons, 188)	524,655.15
Refunds	12,453.67
Cost of additional investments less value of investments redeemed	824,000.00
Total disbursements	1,361,108.82
Balance in fund exclusive of investments, June 30, 1945	114,213.59
Face value of investments, June 30, 1945	114,213.59

RECAPITULATION, FISCAL YEARS 1925 TO 1945, INCLUSIVE

Receipts:	
Federal contributions	$6,288,100.00
Contributions	4,264,317.26
Voluntary contributions	124,979.26
Interest on investments	2,408,502.87
Interest on investments, voluntary contributions	16.27
Miscellaneous	931.85
Total receipts	13,086,847.51
Disbursements:	
Annuities	$4,616,498.20
Refunds	518,736.20
Miscellaneous	1,399.52
Cost of additional investments less value of investments redeemed	7,836,000.00
Total disbursements	12,972,633.92
Balance in fund exclusive of investments, June 30, 1945	114,213.59
Face value of investments, June 30, 1945	7,836,000.00

INDEPENDENT OFFICES APPROPRIATION BILL, 1947

Mr. HENDRICKS, from the Committee on Appropriations, reported the bill (H. R. 5201) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1947, and for other purposes (Rept. No. 1484), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. WIGGLESWORTH reserved all points of order on the bill.

THE CONSENT CALENDAR

The SPEAKER pro tempore. The Clerk will call the Consent Calendar.

UNITED STATES MILITARY ACADEMY

The Clerk called the bill (H. R. 320) to amend the act entitled "An act to authorize an increase of the number of cadets at the United States Military Academy and to provide for maintaining the corps of cadets at authorized strength," approved June 3, 1942 (57 Stat. 306).

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLE of New York, Mr. KEAN, and Mr. CUNNINGHAM objected.

RETIREMENT PRIVILEGE EXTENDED TO CERTAIN DISTRICT COURT JUDGES

The Clerk called the bill (S. 565) to extend the privilege of retirement to the judges of the District Court for the District of Alaska, the District Court of the United States for Puerto Rico, the District Court of the Virgin Islands, and the United States District Court for the District of the Canal Zone.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLE of New York, Mr. KEAN, and Mr. CUNNINGHAM objected.

ADJUSTMENT OF CERTAIN TORT CLAIMS AGAINST THE UNITED STATES

The Clerk called the bill (H. R. 181) to provide for the adjustment of certain tort claims against the United States and to confer jurisdiction in respect thereto on the district courts of the United States, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLE of New York, Mr. KEAN, and Mr. CUNNINGHAM objected.

TO PRESERVE THE NATIONALITY OF NATURALIZED VETERANS

The Clerk called the bill (H. R. 4605) to amend the Nationality Act of 1940, to preserve the nationality of naturalized veterans, their wives, minor children, and dependent parents.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RANKIN. Mr. Speaker, this bill ought not to become law. Under the circumstances, with the author of the bill, Mr. Dickstein, having retired from the Congress, and the bill carrying some very far-reaching implications affecting our immigration laws.

I am not in favor of helping break down our immigration laws. Therefore, I object to its consideration, with the hope that the next time the bill is called up two other gentlemen will join with me and strike it from the calendar.

Mr. LESINSKI. Mr. Speaker, will the gentleman withhold his objection?

Mr. RANKIN. I think we had better go ahead with the calendar.

PLACING CHINESE WIVES OF AMERICAN CITIZENS ON A NONQUOTA BASIS

The Clerk called the bill (H. R. 4844) to provide for the admission to the United States of the alien Chinese wives of American citizens who are admissible under the provisions of the immigration laws other than those authorizing exclusion on grounds of race or birth in a defined geographical area.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

RIVER AND HARBOR PROJECTS

The Clerk called the joint resolution (H. J. Res. 265) to provide for proceeding with certain river and harbor projects heretofore authorized to be prosecuted after the termination of the war.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution.

Mr. KEAN. Mr. Speaker, I object.

DOMESTIC RAISING OF FUR-BEARING ANIMALS

The Clerk called the bill (H. R. 2115) relating to the domestic raising of fur-bearing animals.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, at the request of the President the Congress passed one of his "must" bills, the so-called reorganization bill. For the past 18 years I have been a member of every committee that has considered a reorganization bill and I contend that the President now has the best law that any President ever had to reorganize the executive branch of the Government.

There are about eight different agencies of Government engaged in fish and wildlife activities, everyone of which should be placed under the jurisdiction of the Fish and Wildlife Service. Here is a bill which if passed by the Congress takes away certain activities from the Wildlife Service and places jurisdiction in the Department of Agriculture; the Wildlife Service is in the Department of the Interior, therefore, I think we should wait and see what the President does in his reorganization plan. The Congress should not pass bills of this character now, because, if we did it would be practically saying to the President "Leave this activity where we put it."

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Mississippi.

Mr. RANKIN. Does not the gentleman think that raising animals is an agricultural pursuit?

Mr. COCHRAN. I think that the Fish and Wildlife Service has been handling the matter satisfactorily.

Mr. RANKIN. This does not pertain to wildlife. Let me say to the gentleman from Missouri that I have seen some of these fur farms in Alaska. The average fox farm is not any larger than this room. The animals are merely kept there because of the cold climate. Their hereditary instincts cause them to grow thick, very heavy fur, which cannot be produced in other sections of the country. So these small fox farms are being run in connection with small homes, where they are trying to carry on agricultural and other pursuits. So far as I am concerned I think it is the business of the Department of Agriculture and not the business of the Department of the Interior.

Mr. COCHRAN. I may say to the gentleman from Mississippi that at one time we took a lot of these activities away from the Department of Agriculture, including wildlife, and I do not want them to go back there now unless the President puts the Fish and Wildlife Service under Agriculture. I do not care where the Fish and Wildlife Service is put but certainly all such activities should be under one head.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from California.

Mr. VOORHIS of California. The purpose of this bill is simply to draw a line between wildlife, on the one hand, and domestic agriculture on the other. It does not take from the Fish and Wildlife Service anything pertaining to wildlife at all.

Mr. COCHRAN. I have read the bill, I have read the report, and I read the gentleman's remarks when the bill was up for consideration a few days ago.

Mr. RANKIN. It leaves wildlife just as it is now.

Mr. COCHRAN. Mr. Speaker, I withdraw my reservation of objection to the request of the gentleman from New York.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. COLE]?

There was no objection.

OFFICERS AND EMPLOYEES FOR CIRCUIT COURTS OF APPEALS AND DISTRICT COURTS

The Clerk called the bill (H. R. 4230) to provide necessary officers and employees for circuit courts of appeals and district courts.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

EXTENDING THE CLASSIFIED EXECUTIVE CIVIL SERVICE OF THE UNITED STATES

The Clerk called the bill (S. 102) to amend section 2 (b) of the act entitled "An act extending the classified executive civil service of the United States," approved November 26, 1940, so as to provide for counting military service of certain employees of the legislative branch in determining the eligibility of such employees for civil-service status under such act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, request was sought and granted the last time the Consent Calendar was called that the bill be passed over without prejudice for the reason that the report did not comply with the rules of the House. Apparently a corrected report has not yet been filed. I therefore make the same request and ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDING THE HATCH ACT

The Clerk called the bill (H. R. 1118) to amend the Hatch Act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MARCANTONIO. Mr. Speaker, reserving the right to object, may I ask the author of the bill to give us an explanation?

Mr. HOBBS. The author of the Hatch Act is in favor of this legislation, as is every one else who knows the facts, I think, and I am delighted to respond to the gentleman's reservation of objection. The whole situation grows out of a condition that obtains, for instance, in Philadelphia, where a postal employee, who had served 30 years, at the request of a fellow employee who wanted to run for office, circulated a petition and got the requisite number of signatures for him to announce his candidacy. That is the only offense that he has been guilty of. But under the law the Civil Service Commission says that they have no discretion, so they had to fire this man. He lost his seniority rights. He lost his retirement rights, and so on. It was that and four similar cases that

caused our committee to hold full hearings on this matter. The bill has the approval of the Civil Service Commission that administers the act, of the author of the act, and every one else who is in sympathy with the act. The only objection that has been made is from those who say that it does not go far enough; that we ought to repeal the act. But we know that this bill should be passed as a modicum of simple justice. All we are trying to do is to give the Civil Service Commission in the administration of the act the option where the penalty is entirely too severe; to give them the right to reduce that horrible penalty to a fine of some 90 days' pay.

Mr. BARDEN. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from North Carolina.

Mr. BARDEN. May I say to the gentleman that the justice and equity of this bill appeals to everyone who is familiar with it. However, there is one clause in the bill as contained in the committee amendment which I do not approve, and that is, it provides for a fine of 3 months' compensation. After discussing this matter with the Chairman of the Civil Service Commission I propose to offer this amendment which I think should carry, and insert in lieu of that language "90 days suspension from duties without compensation." That gives the Civil Service Commission a right to issue anything from a reprimand up to a 90-day suspension, whereas heretofore, even for the slightest violation of the Hatch Act, it does not make any difference how good the man's standing might be or how long he had worked, they would just kick him out, and usually by a vote of 2 to 1 of the Commissioners.

It just gives to the Commission the right to issue anything from a reprimand up to a 90-day suspension. I think that discretion certainly should be in there in the interest of justice and fair play.

Mr. HOBBS. I was just going on to say that an amendment is to be offered by the committee which I understand has the approval of both sides. We have no objection to that, that is, those members of the committee with whom I have consulted.

Mr. MARCANTONIO. Under my reservation I simply wanted to obtain information, I was not opposed to the bill. In view of the information received, I am personally in favor of the bill.

Mr. HOBBS. I appreciate the gentleman's statement.

Mr. GRANGER. Mr. Speaker, will the gentleman yield,

Mr. MARCANTONIO. I yield to the gentleman from Utah.

Mr. GRANGER. Did I correctly understand the gentleman to say that the Civil Service Commission fired a postal employee?

Mr. HOBBS. The Civil Service Commission is administering the Hatch Act. Under that it conceives it to be its duty—and I think all authorities agree with it, and I am sure the gentleman would—that is has no discretion but to fire them.

Mr. GRANGER. Then the act should be repealed, in my opinion; the whole business should be repealed.

Mr. HOBBS. We wish to do justice before we can wait for that.

Mr. BARDEN. This removes part of the brutality.

Mr. HOBBS. That is right.

Mr. RANKIN. Reserving the right to object, Mr. Speaker, I am rather in sympathy with the suggestion made by the gentleman from Utah [Mr. GRANGER] that the bill should be taken up under the regular rules of the House, under a rule that would give us the right to strike out all after the enacting clause and insert a provision just repealing the Hatch Act. The PAC, that illegal communistic outfit, has its ramifications in every department of this Government, and its agents go around and try to dictate to the American people how they shall vote and spread every kind of smear and lie about Members of Congress and other candidates.

Mr. MARCANTONIO. Mr. Speaker, in view of this "smear" of labor I demand the regular order.

Mr. RANKIN. I have no objection to the bill. My remarks were no "smear" of labor, but I was pointing out the latitude taken by the PAC racketeers.

The SPEAKER pro tempore. The regular order is demanded.

Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM, Mr. CASE of South Dakota, and Mr. KEAN objected.

NATIONAL ARCHIVES OF THE UNITED STATES GOVERNMENT

The Clerk called the bill (H. R. 3243) to amend the act entitled "An act to establish a National Archives of the United States Government, and for other purposes."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to establish a National Archives of the United States Government, and for other purposes," approved June 19, 1934 (48 Stat. 1122–1124), is hereby amended as follows:

(A) By changing the colon preceding the proviso in section 3 to a period, by striking out the proviso in section 3, and by inserting in lieu thereof the following language:

"The Archivist shall impose such restrictions on the use or examination of records in his custody as appear to him to be necessary or desirable in the public interest: *Provided*, That whenever the head of any agency shall specify in writing restrictions on the use or examination of records being considered for transfer from his custody to that of the Archivist that appear to him to be necessary or desirable in the public interest, the Archivist shall impose such restrictions on such of the records as are transferred to his custody; and restrictions so imposed shall not be removed or relaxed by the Archivist without the concurrence in writing of the head of the agency from which the material shall have been transferred unless the existence of that agency shall have been terminated: *And provided further*, That restrictions on the use or examination of records in the custody of the Archivist heretofore imposed and now in force and effect under the terms of section 3 of the National Archives Act, approved June 19, 1934, shall continue in force and effect regardless of the expiration of the tenure of office of the official who imposed them but may be removed or relaxed by the Archivist with the concurrence in writing of the head of the agency from which the material has been transferred or by the Archivist alone if the existence of that agency shall have been terminated."

(B) By inserting after section 6 a new section as follows:

"SEC. 6a. Whenever any records the use of which is subject to statutory limitations and restrictions are transferred to the custody of the Archivist of the United States, permissive and restrictive statutory provisions with respect to the examination and use of such records applicable to the head of the agency having custody of them or to employees of that agency shall thereafter likewise be applicable to the Archivist of the United States and to the employees of the National Archives Establishment respectively."

(C) By inserting after section 8 a new section as follows:

"SEC. 8a. Any official of the United States Government who is authorized to make certifications or determinations on the basis of records in his custody is hereby authorized to make certifications or determinations on the basis of records that have been transferred by him or his predecessors to the custody of the Archivist of the United States"

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAY AND ALLOWANCES OF CERTAIN OFFICERS OF THE RETIRED LIST OF THE REGULAR NAVY AND COAST GUARD

The Clerk called the bill (S. 473) relating to pay and allowances of officers of the retired list of the Regular Navy and Coast Guard performing active duty in the rank of rear admiral.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That each officer of the retired list of the Regular Navy or Regular Coast Guard recalled to active duty in the rank of rear admiral, now or hereafter performing active duty in such rank, shall be paired with an officer of the active list in the manner hereinafter prescribed, when such duty is, or any other prior active duty in such rank performed after recall to active duty, shall have been performed outside the United States in time of war or national emergency. If the officer with whom such retired officer is so paired is, or shall become, entitled to the pay and allowances of a rear admiral of the upper half other than solely by virtue of the duty to which assigned, such retired officer shall likewise be entitled to the pay and allowances of a rear admiral of the upper half whenever performing active duty after (a) the date of this act or (b) the date he became eligible for pairing or (c) the date the officer with whom he is paired becomes entitled to such pay and allowances, whichever date is latest. Any retired officer after becoming entitled to such pay and allowances shall thereafter be entitled to retired pay when not in an active duty status, equal to 75 percent of such active-duty pay.

SEC. 2. The officer with whom the retired officer is paired under section 1 hereof shall be a line officer of the Regular Navy or Regular Coast Guard, as the case may be, of the rank of rear admiral, other than an officer who holds such rank solely by virtue of the duty to which assigned, and shall be the officer whose date of rank is nearest to the date such retired officer would have commenced active service in such rank if all his active service therein, including any such service prior to retirement, had been performed continuously in the period immediately preceding the date of such pairing.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That any officer of the retired list of the Navy or Coast Guard of the permanent grade or rank of rear admiral who is entitled to the pay of the lower half of that grade and who is, has been, or may be recalled to active duty and who in time of war or other national emergency served, serves, or may serve satisfactorily on active duty for a period of 2 years or more in the grade or rank of rear admiral or in a higher grade, shall be entitled when on active duty to the pay and allowances of a rear admiral of the upper half unless he is entitled under other provisions of law to higher pay and allowances, and he shall be entitled when on inactive duty to retired pay equal to 75 percent of the pay of a rear admiral of the upper half unless he is entitled under other provisions of law to higher retired pay or allowances: *Provided*, That no back pay or allowances shall be held to have accrued under this act prior to the date of its approval."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL RURAL REHABILITATION PROJECTS

The Clerk called the bill (H. R. 2501) to authorize the Secretary of Agriculture to continue administration of and ultimately liquidate Federal rural rehabilitation projects, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. KEAN. I object, Mr. Speaker.

ALASKA REVENUE BONDS FOR PUBLIC WORKS PURPOSES

The Clerk called the bill (H. R. 3580) to authorize municipalities and public-utility districts in the Territory of Alaska to issue revenue bonds for public-works purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That municipal corporations and public utility districts in the Territory of Alaska, acting by and through their governing bodies, are hereby authorized without other authority than is herein contained to construct, reconstruct, improve, extend, better, repair, equip, or acquire public works of permanent character which may be operated upon a revenue-producing basis, and, upon majority vote of the qualified voters in such municipal corporation or public utility district, to issue bonds for such purposes payable solely from unpledged revenue of the public works for which such bonds are issued, including future additions and improvements. Such public works shall include but not be limited to water facilities, sewers and sewage-disposal facilities, heating plants and distribution facilities, gas plants and distribution facilities, electric power and light plants, and distribution facilities.

SEC. 2. Bonds issued under this act shall bear such date or dates, may be in such denominations, may mature in such amounts and at such time or times, may be payable at such place or places, may be sold at either public or private sale, may be redeemable (either with or without premium) or nonredeemable, may carry such registration privileges, and may be executed by such officers and in such manner as shall be prescribed by the governing body. In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before delivery of such bonds, such signatures, whether manual or facsimile shall, nevertheless, be valid and sufficient for all purposes, the same as if such officers had remained in office until such delivery. The bonds so issued shall bear interest at a rate to be fixed by the governing body, not to exceed, however, 6 percent per annum, payable annually or semiannually, and shall be sold for not less than the principal amount thereof plus accrued interest.

SEC. 3. Bonds issued hereunder or the proceedings of the governing body authorizing their issuance may contain such covenants as the governing body deems advisable concerning the rates or fees to be charged for services rendered by the public works, the revenue of which is pledged to the payment of such bonds; the deposit and use of the revenue of such public works; the issuance of additional bonds payable from revenue of such public works; and the rights of the bondholders in case of default in the payment of the principal of or interest on the bonds, including the appointment of a receiver to operate such public works.

SEC. 4. All acts and parts of acts in conflict herewith are repealed to the extent of such conflict. The powers conferred herein shall be in addition and supplemental to and the limitations imposed hereby shall not affect the powers conferred by any other law.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REVENUE BONDS, HAWAII

The Clerk called the bill (H. R. 3614) to ratify and confirm Act 33 of the Session Laws of Hawaii, 1945, extending the time within which revenue bonds may be issued and delivered under chapter 118, revised laws of Hawaii, 1945.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That Act 33 of the Session Laws of Hawaii, 1945, amending chapter 118, Revised Laws of Hawaii, 1945, so as to extend the time within which revenue bonds may be issued and delivered under said chapter 118, is hereby ratified and confirmed and revenue bonds may be issued under and pursuant to the provisions of said chapter 118 of the Revised Laws of Hawaii, 1945, as amended by said Act 33, without the approval of the President of the United States and without the incurring of an indebtedness within the meaning of the Hawaiian Organic Act, and said chapter 118, as amended, shall constitute full authority for the issuance of said bonds without reference to and independent of the Hawaiian Organic Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RATIFYING AND CONFIRMING ACT 32 OF THE SESSION LAWS OF HAWAII, 1945

The Clerk called the bill (H. R. 3657) to ratify and confirm Act 32 of the Session Laws of Hawaii, 1945.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Act 32 of the Session Laws of Hawaii, 1945, amending Act 101 of the Session Laws of Hawaii, 1921, relating to the manufacture, maintenance, distribution, and supply of electric current for light and power within the districts of North and South Hilo and Puna, in the county of Hawaii, by extending the franchise to the districts of Kau and South Kohala, in that county, is hereby ratified and confirmed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING BOULDER CANYON PROJECT ACT

The Clerk called the bill (H. R. 4932) to amend section 9 of the Boulder Canyon Project Act, approved December 21, 1928.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, I wonder if the author of the bill would consider an amendment to the Boulder Canyon Project Act to restore the original name of the project in honor of Herbert Hoover?

Mr. MURDOCK. Mr. Speaker, in answer to the gentleman, I feel that the proposal is not germane to this particular bill, and I would have to oppose it. However, I am not opposed to the idea in general of naming certain public works after appropriate individuals, as I have a feeling that the great dams and works of that sort in the West ought to be named after prominent public officials who have had most to do with their construction. But this is simply a bill which extends the benefits of the act to the veterans of the Second World War exactly as the original act extended those benefits to the veterans of the First World War, and applies those benefits to lands in Arizona as well as to lands in California. I am quite anxious that the bill be passed, and I believe that the proposed amendment might interfere with or at least delay passage of the legislation. This bill is needed to couple with H. R. 2742 which passed the House by unanimous consent some months ago.

Mr. CASE of South Dakota. Mr. Speaker, in order that we may go into that a little bit further and that I may have an opportunity to confer with the gentleman from Arizona, I ask unanimous consent that the bill go over without prejudice.

Mr. MURDOCK. I hope the gentleman will not delay the passage of the bill, as it would delay important benefits to qualified veterans.

Mr. CASE of South Dakota. The bill would not be delayed very long, but merely until the next time the Consent Calendar is called and we have had an opportunity to discuss it.

Mr. MURDOCK. If the gentleman wants to take up the general matter of legislation such as he proposed, I am quite willing to take that up at any time aside from this.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

Mr. PETERSON of Florida. Mr. Speaker, reserving the right to object, I hope the gentleman will not object because this particular matter involves only an amendment to section 9. The House has already passed the bill giving veterans of this war the same privileges

as veterans of other wars with reference to preference under the Boulder Canyon Act. However, in exploring that situation, it was discovered that the original act only gave preference to those lands on the Nevada and California side and not on the Arizona side. This particular bill is to extend the benefits to those lands on the Arizona side. The other bill is before the Senate. When this bill goes to the other body it can all be worked in and the Arizona lands can be granted the same privileges that have been granted to the Nevada and California lands.

Mr. CASE of South Dakota. Mr. Speaker, I appreciate the gentleman's argument. I certainly have no objections to the purposes of the bill. I should be in favor of its passage, but I see no particular harm in giving us an opportunity to go into the other matter. The bill will only be postponed until the first Monday in February at which time I would have no objection to the consideration of passage of the bill if we can in the meantime come to some agreement on the other matter.

Mr. MURDOCK. Mr. Speaker, may I say in addition to what the gentleman from Florida has said that the other bill is pending in the Senate and we would like very much to pass this legislation so as to dovetail it into the other legislation. The proposal would certainly not be appropriate to this measure.

Mr. CASE of South Dakota. The gentleman from Arizona is chairman of the Committee on Irrigation and Reclamation. Would the gentleman assure me of early consideration of a bill if I offer a separate bill on the subject of renaming the project according to its original name in recognition of Mr. Hoover's efforts in its original construction?

Mr. MURDOCK. Mr. Speaker, I will undertake as chairman of the committee to make that promise to my friend for I am always glad to consider any legislation offered by my friend from South Dakota.

Mr. CASE of South Dakota. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 9 of the Boulder Canyon Project Act (45 Stat. 1057, 1063, 43 U. S. C., sec. 617h) is amended to read as follows:

"All lands of the United States found by the Secretary of the Interior to be practicable of irrigation and reclamation by the irrigation works authorized herein shall be withdrawn from public entry. Thereafter, at the direction of the Secretary of the Interior, such lands shall be opened for entry, in tracts varying in size but not exceeding 160 acres, as may be determined by the Secretary of the Interior, in accordance with the provisions of the reclamation law, and any such entryman shall pay an equitable share in accordance with the benefits received, as determined by the said Secretary, of the construction cost of said canal and appurtenant structures; said payments to be made in such installments and at such times as may be specified by the Secretary of the Interior, in accordance with the provisions of the said reclamation law, and shall constitute revenue from said project and be covered into the fund herein provided for: *Provided*, That all persons who served in the United States Army, Navy, Marine Corps, or Coast Guard during World War II, the War with Germany, the War with Spain, or in the suppression of the insurrection in the Philippines, and who have been honorably separated or discharged therefrom or placed in the Regular Army or Naval Reserve, shall have the exclusive preference right for a period of 3 months to enter said lands, subject, however, to the provisions of subsection (c) of section 4 of the act of December 5, 1924 (43 Stat. 672, 702, 43 U. S. C., sec. 433); and also, so far as practicable, preference shall be given to said persons in all construction work authorized by this chapter: *Provided further*, That the above exclusive preference rights shall apply to veteran settlers on lands watered from the Gila canal in Arizona the same as to veteran settlers on lands watered from the All-American canal in California: *Provided further*, That in the event such an entry shall be relinquished at any time prior to actual residence upon the land by the entryman for not less than 1 year, lands so relinquished shall not be subject to entry for a period of 60 days after the filing and notation of the relinquishment in the local land office, and after the expiration of said 60-day period such lands shall be open to entry, subject to the preference in this section provided."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE AGRICULTURAL ADJUSTMENT ACT OF 1938

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5135) to amend the Agricultural Adjustment Act of 1938, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That Public Law No. 118, Seventy-eighth Congress, as amended by Public Law No. 276, Seventy-eighth Congress, is amended by striking out all of the first sentence therein following the words "marketing years 1944–45, 1945–46" and inserting in lieu thereof the following: "1946–47 and 1947–48 shall be proclaimed and the national marketing quota proclaimed by the Secretary and the State and farm acreage allotments established pursuant to the proclaimed national quota for burley tobacco for the 1946–47 marketing year shall be reduced uniformly so as to make available a supply of burley tobacco for such marketing year not less than the reserve supply level: *Provided*, That no allotment of 1 acre or less shall be reduced by more than 10 percent."

The amendment made by this section shall not apply to flue-cured tobacco for the 1946–47 marketing year.

SEC. 2. The first sentence of section 314 (a) of the Agricultural Adjustment Act of 1938, as amended, is hereby amended to read as follows: "The marketing of any kind of tobacco in excess of the marketing quota for the farm on which the tobacco is produced shall be subject to a penalty of 50 percent of the average market price (calculated to the nearest whole cent) for such kind of tobacco for the immediately preceding marketing year."

The amendment made by this section shall become effective July 1, 1946.

Mr. FLANNAGAN. Mr. Speaker, I offer an amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. FLANNAGAN: On page 2, lines 9 to 18, inclusive, after line 8, strike out:

"SEC. 2. The first sentence of section 314 (a) of the Agricultural Adjustment Act of 1938, as amended, is hereby amended to read as follows: 'The marketing of any kind of tobacco in excess of the marketing quota for the farm on which the tobacco is produced shall be subject to a penalty of 50 percent of the average market price (calculated to the nearest whole cent) for such kind of tobacco for the immediately preceding marketing year.'

"The amendment made by this section shall become effective July 1, 1946."

And insert:

"SEC. 2. The first sentence of section 314 (a) of the Agricultural Adjustment Act of 1938, as amended, is hereby amended to read as follows: 'The marke[illegible]ng of any kind of tobacco in excess of the marketing quota for the farm on which the tobacco is produced shall be subject to a penalty of 40 percent of the average market price (calculated to the nearest whole cent) for such kind of tobacco for the immediately preceding marketing year.'

"The amendment made by this section shall become effective July 1, 1946, except that in the case of flue-cured tobacco such amendment shall become effective May 1, 1947."

Mr. FLANNAGAN. Mr. Speaker, I may state that this legislation amends the tobacco law by giving the Secretary of Agriculture the right to decrease burley tobacco allotments for this year, and by increasing the penalty on tobacco grown on acreage in excess of allotments from 10 cents per pound to 40 percent of the selling price. The penalty increase would not apply to flue-cured tobocco until 1947. The bill also requires the Secretary to proclaim marketing quotas for burley and flue-cured for 1947, which in turn would require the holding of a referendum for each kind of tobacco in order to determine if the growers favored marketing quotas.

We have an overproduction of burley tobacco this year, which has hammered down the price on some floors $20 per 100 pounds. It is a tragic situation. Our burley growers are losing millions of dollars.

A few days ago at a meeting between the burley tobacco growers, the officials of the Department of Agriculture and the OPA, and the House Members from the burley tobacco districts, these amendments were unanimously agreed upon. As a result of the meeting this legislation was introduced. The House Committee on Agriculture the day after the legislation was introduced made a favorable report. It is of the utmost importance that we pass the legislation immediately if the growers are to receive any relief as to the present burley tobacco crop. It is thought that if the tobacco companies are given some assurance that we will not have a surplus crop next year, the price as to the balance of this year's burley crop will go back to around the production cost level at least. The only way we can be assured that there will not be an increase in burley production next year is by the

passage of this legislation which gives the Secretary of Agriculture the right to decrease burley tobacco allotments for 1946 and raises the penalty on excess allotment tobacco.

Unless we get the price up in some way we are going to lose further millions of dollars. We have already lost millions of dollars by reason of the ruinous prices that are now being paid. Most of that money will be lost by smaller farmers, like the gentleman from Tennessee [Mr. JENNINGS], whom I see standing, represents. This tobacco money means everything to them.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. FLANNAGAN. I yield to the distinguished gentleman from Tennessee.

Mr. JENNINGS. May I say to the Members of the House, this is a matter of most vital concern to the small farmers throughout the States that raise burley tobacco. It is their only cash crop. It is a crop which is expensive to grow. It is a crop which requires a year to produce. The seed is sown in February. The final marketing of the tobacco is consummated in January. I recall the time when men who produced it did not even get the cost of its production. Unless we hold it within due bounds the industry will be destroyed and a great many small people will suffer for the necessities of life. It brings in money at Christmas time, when the tax gatherers are at the door, and but for this money Santa Claus would not come.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. FLANNAGAN. I yield.

Mr. HOLIFIELD. I wanted to ask the gentleman from Tennessee [Mr. JENNINGS] if this is not an interference on the part of the New Deal with the law of supply and demand in regard to the price of tobacco.

Mr. JENNINGS. I do not want to split hairs here with the gentleman. I am talking about tobacco.

Mr. GRANGER. Mr. Speaker, will the gentleman yield?

Mr. FLANNAGAN. I yield.

Mr. GRANGER. As I understand it, this amendment simply puts back into effect the quota system on tobacco.

Mr. FLANNAGAN. It gives the Secretary of Agriculture the right to lower burley tobacco allotments for this year. It also increases the penalty on overallotment tobacco.

Mr. GRANGER. What was the amendment offered by the gentleman? Did that change the penalty?

Mr. FLANNAGAN. Yes; from 50 to 40 percent of the selling price, and the increase in the penalty to 40 percent is not to apply to flue-cured tobacco until 1947.

Mr. GRANGER. It did not change the penalty on tobacco?

Mr. RABAUT. Does it change it from 50 to 40 percent?

Mr. FLANNAGAN. Yes.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. COFFEE asked and was given permission to extend his remarks in the RECORD on five different topics, and in connection therewith to include excerpts and newspaper articles.

Mr. PHILBIN asked and was given permission to revise and extend his remarks and include excerpts.

SPECIAL ORDER

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Illinois [Mr. VURSELL] is recognized for 20 minutes.

Mr. VURSELL. Mr. Speaker, the mail I am receiving from my district indicates that the people I represent are intensely interested in two major problems before the Congress.

One of them is the strikes which are slowing down reconversion, slowing down the production of goods, namely, the great steel strike, the strike against General Motors which is affecting practically all of the big automobile manufacturing plants and parts manufacturers, the strike against the big concerns manufacturing electrical appliances and the strikes against the big meat packing concerns which in a few days will stop probably 80 percent of the meat supply of the Nation, refusing the farmers a market for their livestock which is ready to be shipped and prohibiting the people from securing sufficient meat supply throughout the Nation.

Secondly, the people of my district are deeply concerned and many of them are writing me expressing their opposition to the loan or grant to England of the $4,400,000,000 recently recommended by the President.

These are two questions in which the people Nation-wide are interested. They are questions that will largely have to be solved by the representatives of the people in this Congress, and I take the time of the House today in an effort to make my position clear in the interest of the people of my district and for whatever influence my views may be worth to the Members of the House and in the interest of our country.

Mr. Speaker, in discussing our present unrest growing out of these Nation-wide strikes I think the people should know who is responsible and that the responsibility for this condition should be placed where it properly belongs. The Nation is reaping now the whirlwind of the seeds which have been sown for the past 12 years. The administration now in power has had a big majority in both branches of the Congress for the past 14 years and it is a known fact that the big CIO labor leaders now directing these strikes, for 12 years have been in a political partnership with the administration; that Philip Murray and Sidney Hillman played a dominant role in the reelection of the administration every 4 years, in fact, in the last and most recent national election during the national convention Sidney Hillman at the head of the Political Action Committee of the CIO was called upon and his endorsement was obtained for Vice President Truman as a running mate for the late President Roosevelt. Sidney Hillman and the Political Action Committee, the political front for the CIO, were most active in the election of the present administration and properly claimed their efforts brought the balance of power to the ticket to make it successful.

Mr. Speaker, for the past 12 years the administration has traded patronage and favors to the CIO leaders for political support.

I am stating a fact when I say that during the past 12 years there has not been made a serious effort by the administration in an attempt to pass legislation that would have definitely defined the rights of capital, labor, and the public, to pass legislation fair and just to labor, fair and just to capital, and that would protect the public interest. The President now does not ask for such legislation.

To the contrary, the House of Representatives in 1941 and in 1942 passed legislation, some of it supported by the American Federation of Labor, which would have prevented much of the industrial unrest that is gripping the Nation today. These bills were not supported by the administration, and for that reason they were allowed to die in the Senate after they had been passed by an overwhelming majority in the House.

Mr. Speaker, now the storm is upon us all over the Nation. Months ago many of us suggested that the laws affecting capital and labor should be revamped in an effort to prevent the condition we find ourselves in today. No effort was made by the administration to give leadership in this direction. The President has recently suggested a 30-day cooling-off period and legislation to make legal a fact-finding board. Neither of these suggestions are sufficient and are only stopgap and emergency makeshifts of doubtful value. Industrial peace cannot be had by quick makeshifts and appeasement moves in this serious situation. They will settle nothing definitely.

The President apparently does not want broad, comprehensive legislation now. His Secretary of Labor, Mr. Schwellenbach, testified recently that all we needed is emergency legislation and that the 30-day cooling-off period and the President's fact-finding board would be sufficient. We have had too much government by men rather than government by law already in dealing with industrial disputes between capital and labor. Power placed in the hands of any President to make practically his own rules and regulations in handling labor disputes is a dangerous move to free enterprise and labor. There is no reason why fair and sound legislation should not be passed clearly defining the rights of capital, labor, and the public. The President can have this if he will insist on it.

Most businessmen and labor leaders who have had time to think the fact-finding proposal through do not believe it is the right approach. In fact, Walter Reuther, who now heads the big United

Automobile Workers' strike against General Motors, is the author of the fact-finding theory. Most businessmen and some of the ablest labor leaders believe it is a dangerous step toward state socialism. It is a known fact that independent auditors for every big corporation audit the books of such corporations every year determining the gross profits and the net profits. All stockholders receive a balance sheet by mail of practically every corporation giving the gross, the expense, and net earnings of the company, also enclosing dividend check where dividends are possible. The SEC and the United States Treasury have these figures because corporations and businessmen must swear to the correctness of these figures in filing their income-tax report to the United States Treasury.

Mr. Speaker, obviously, the United States Steel or General Motors, or any corporation, cannot definitely know for the coming year what their profits will be so that at the beginning of the year they can tell how much, if any, raise in wages they can afford to pay the employees working for them. Those who oppose the theory of attempting to make such commitments in advance claim that it would put the bureaucrats in Washington largely in charge of the management of their business for the coming years. It must be apparent that the businessmen at the head of any organization who have devoted years of thought and study to big or small business can operate that business more successfully themselves than if they take into operation partnership the labor leaders and the Government bureaucrats in a three-way management.

There are enough men on both sides of the House in Congress who are courageous enough to put the welfare of the country first and pass well-thought-out, sound legislation, which will protect every legitimate right of labor, yes, the welfare of labor, and protect the rights of those investing their capital and protect the rights of the millions of people who make up the public if the President will use his great power and leadership in that direction.

Obviously, we, in the minority, cannot pass such legislation unless the Chief Executive who heads the majority will bring his pressure to bear on the members of his party most of whom would welcome such a move upon his part. I repeat it cannot be done by makeshift, stopgap, appeasement moves.

Recently the President suggested an 18½-cent-an-hour raise for the steel workers with an increase of possibly $4 or more per ton in the price of steel. It is not so important to the steel manufacturer what wages he pays if he can pass it on to the public to pay, but such a move does not protect the public's interest. Probably 700,000 steel workers will receive a temporary benefit at the expense of over a hundred million people who make up the general public.

The same sort of a deal is being contemplated in an effort to stop the meat-packers' strike. Is it sound business to buy off these strikes and receive a little temporary relief on the industrial front? If it is maybe that is the right thing to do to keep the people from going hungry if later on the President will give the proper leadership and the majority party will help enact legislation that will fairly define the rights of all and prevent such Nation-wide unrest from happening again.

I am not judging whether or not the employees should have more money. That I do not know. That should be determined.

But may I point out here that there is grave danger to the Nation in following such a policy. Some prices, particularly in textiles, should be higher in order to get increased production, but there is danger in breaking the line on a wide front.

President Truman in October, I think it was, said, "Failure to hold the price line would be disastrous to the country." If that were true in October, what has happened since then to change his views? If the price of steel is raised and if the price of meat and its byproducts are raised, such action may touch off an inflationary spiral by breaking the price line wide open and start a race between higher wages and higher prices that will be detrimental to a hundred million people and to the very men who are demanding these higher wages today. Such an inflation would penalize millions of other highly organized laboring men, white-collared workers, farmers, housewives, and everyone. It might result in the price of living soaring to such heights that it will more than wipe out the 18½ cents an hour raise for those who seek the benefit of a price raise at this time. The great majority of conservative thinking people, including the majority of the conservative laboring men, are fearful of the results of Nation-wide inflation and they well may be.

If the price of steel is raised $4 a ton, it will raise much more in the finished product and will add to the increase in price of farm machinery, automobiles and trucks, electrical appliances of every kind, hardware, food, clothing, and shelter.

Mr. Speaker, what the people need and want is a reduction of the high cost of living. To get this we need greater production. To get greater production we need peace on the industrial front that will permit everyone to work. If we can get greater production, we can prevent inflation, and will reduce the cost of living, which will help everyone. That should be our aim and many of the conservative laboring men with whom I talked during the recent recess are more interested in the reduction in the cost of living than they are in securing higher wages at this particular time.

If we can get a greater production of goods, the people will buy more of them, and that will keep labor steadily employed. If we can settle this unrest and establish a confidence through fair legislation between the employer and the employee, the employee will give to the employer more loyal support and a greater production.

Out of that greater production per man-hour the price of goods to the public can be reduced, and because of the greater production the employer will be in a better position to increase the salary of those who help make the product and therein lies, in my judgment, the best chance for increased wages for the laboring man and steady employment. Most of the thinking Members of Congress, and I believe most of the employers of today, want labor well paid for the service it renders. Years ago that was not the case in probably most instances, but today the average employer realizes among his best customers who buy the merchandise he turns out is the employee as well as the general public. Most Members of Congress know full well that with the national debt approaching $275,000,000,000 and a greater expense necessary to carry on the current post-war obligation and debt load, that labor must be kept as steadily employed as possible at satisfactory wages. The farmer also must have his fair share in return for his efforts because you cannot have a prosperous country if you neglect the farmer. His rights must be protected.

Most of us realize, however, that the interest of capital which permits employment, the interest of labor which furnishes the manpower, and the interest of the general public which is the greatest purchaser of the combined production of capital and labor all must be protected if we are to carry the debt load ahead of us, prevent inflation for the next 2 or 3 years, and prevent the danger of a depression in the years to follow.

THE BRITISH LOAN

Mr. Speaker, because of the lack of time I shall have to deal very briefly with the important subject of the British loan.

I think all of us wish that our financial situation was such that we could grant such loan to England as would help her with her postwar problems.

The people of this country have always been most benevolent in pouring out their funds to well intentioned nations in distress. The question arises, Can we afford to do it in view of our own financial condition?

I have given serious thought to this question and have determined that I cannot support the British loan recommended by the President.

In the beginning of the war, Premier Churchill said, "Give us the tools and we will do the job." We gave Britain about $25,000,000,000 in lend-lease and this loan wipes out and forgives the payment for our lend-lease extended to that country, in the settlement.

Mr. Speaker, in addition to our money we threw in millions of men and expended billions of dollars to defeat the Axis Powers. Thousands of our men lost their lives on the continent of Europe and many more thousands were wounded. Our national debt today is said to be greater than all of the national debts combined of all the nations of the world. Our influence is needed in an effort to perpetuate world peace and is being fully given.

If we bankrupt this Nation financially it would be of the greatest detriment not only to our own people but to the future of the world. We cannot exert world strength and world leadership unless we remain strong at home.

If we loan England $4,400,000,000 we shall have to loan Russia possibly $6,000,000,000, France, China, Greece, Italy, and ther countries large amounts possibly totaling $20,000,000,000. If we loan England this money and refuse to loan substantial amounts to other nations we will be charged with playing favorites and probably place our Nation in a most embarrassing position. Obviously, we cannot go all the way through and loan this vast amount of money. That is one reason why I shall have to oppose the British loan.

This loan will have to come out of the pockets of the taxpayers. The amount of this loan would pay all the pensions and benefits of every kind for our veterans for the coming year. To get a better idea of how much money this is it would build 1,000,000 homes for our returning soldiers at a cost of $4,400 per home and today there are over a million returning soldiers who would like to buy or build a home if they had the money.

It establishes an interest rate which begins after the first 5 years when no interest will be paid on the loan, of about 1.68 percent. Our cheapest interest rate for returning soldiers is 4 percent. Obviously, the rate even if it cannot be paid is too low and the contract in this loan requires that interest be paid only when Britain has a favorable trade balance or is able to pay it.

I am against the loan because we cannot afford to give $4,400,000,000 of the people's money to England at this time. It would be a gift, because if they could not pay a $4,000,000,000 loan at the end of World War I, they cannot pay this loan we are now contemplating. As you know, the last loan was never paid and never will be, for World War I.

I am against the loan because the British Empire has vast resources all over the world in gold, diamonds, rubber, tin, lumber, and copper, all of which the United States could use and the British Empire could spare to pay on this loan.

I am against the loan because I do not believe I have the right or should take the responsibility of giving away billions of dollars of the people's money and commit them to pay such billions of dollars through taxes because I, as their Representative, decided to place this burden upon them.

Mr. WOODRUFF. Mr. Speaker, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from Michigan.

Mr. WOODRUFF. The gentleman knows, of course, that we have others besides the GI's that we must take care of with homes at the present time. We are told by the authorities, who ought to know, that there is desperate need for 5,000,000 homes in the United States today. How we are going to meet this need is beyond me. I do not see how we are going to do it, because no encouragement whatsoever is being given to private industry to furnish any part of these homes. As far as home construction by the Government itself is concerned, I do not believe it can even partially take care of this situation.

Mr. VURSELL. I think the gentleman's remarks are timely. In reply, I would say that obviously we cannot carry on a program anywhere near meeting the needs without tremendous expense. Certainly we could better use our money, this $4,400,000,000, to help build homes for the veterans, in my judgment, than to grant this loan.

Mr. WOODRUFF. I agree entirely with the gentleman.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield ?

Mr. VURSELL. I am glad to yield to the gentleman.

Mr. HOFFMAN. You may have the figures right as to how many homes that $4,400,000,000 would build, but this OPA and the administration policies have us in a condition now that I would like to ask the gentleman, Where are you going to get the lumber and where are you going to get the material to build those houses? You cannot buy them on the market today. Not only that, if you build these homes for the veterans and things keep on the way they are, if Members who have been returning from the Midwest and the West have the situation accurately in mind, and they say there is no feed for the cattle out there, where are you going to get the meat, where are you going to get the butter, and where are you going to get the cheese, and where are you going to get the clothing? The OPA has driven all the low-price clothing off the market. What have we got left now?

Mr. VURSELL. We have not got a very sound foundation and it will take a lot of work and a lot of planning and a lot of efficient government.

The SPEAKER pro tempore (Mr. DOYLE). The time of the gentleman from Illinois has expired.

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to proceed for three additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PITTENGER. Mr. Speaker, will the gentleman yield?

Mr. VURSELL. I yield.

Mr. PITTENGER. Does the gentleman have any idea that they ever intend to pay any of this loan or any other loan that is ever made to them? Are they not just figuring this as a hand-out by Santa Claus?

Mr. VURSELL. I believe, in answer to the gentleman's question, that there is justification for that thought because at the very beginning of negotiations they did not want the loan but wanted a grant.

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. VURSELL. I am glad to yield to the gentleman.

Mr. JOHNSON of California. Why would it not be possible for us to make a trade with England and give them this money for bases in the Western Hemisphere? There are numerous islands all over the Caribbean which belong to England that we could well use. Then we would not have any doubt as to the repayment of this money and they would be getting something and we would be getting something.

Mr. VURSELL. Frankly, I think the gentleman has raised an interesting point. I think we have been too quick and too magnanimous in trading with England in reference to this loan.

EXTENSION OF REMARKS

Mr. CLASON asked and was given permission to extend his remarks in the RECORD and to include therein a letter which he received from an American Legion post.

PERMISSION TO ADDRESS THE HOUSE

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent that on the 31st day of January after the disposition on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 30 minutes.

The SPEAKER pro tempore (Mr. DOYLE). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Hampshire [Mr. MERROW] is recognized for 45 minutes.

FOREIGN POLICY OF THE UNITED STATES

Mr. MERROW. Mr. Speaker, during the time at my disposal, I shall speak about certain impressions in connection with the foreign policy of the United States that were gleaned by me in traveling in Europe during the past summer; also, impressions that were gained when I served as a delegate to the United Nations Educational and Cultural Conference in London from the 1st to the 16th of November.

During last summer it was my privilege to travel with several of my colleagues throughout the countries in western Europe, in the Balkans, and in the Middle East. We went as far east as India. We were gone from the 20th of July until about the 22d of September, covering a total distance of about 35,000 miles and visiting over 30 countries.

During that period we flew with the Air Transport Command. The planes were piloted, of course, by members of the United States Army.

The second time we went to London I was a delegate to the Educational and Cultural Conference. On that occasion I flew the Atlantic again, making a total of four crossings during the summer and fall.

Flying the Atlantic Ocean is no longer a novelty. It would have been a few years ago. I think it is important to realize that it was only 42 years ago last December that the first flight was made by a heavier-than-air machine. Since that time aviation has developed tremendously. It takes only a few hours to fly from the United States to London or from the United States to Cairo or from the United States to anywhere else on the surface of this globe.

In connection with aviation I wish to emphasize one thing which seems to me to be very important. I make this point at the very beginning: Those of you who have traveled in Europe and in the other theaters of warfare know that the air routes of the world have been blazed by American fliers. You know that through the genius of our industry we have built the great planes which are today flying

the seas and are covering all the continents on the surface of the earth. Our group had an opportunity to visit Moscow. We flew from Berlin to Moscow and then again from Moscow to Berlin in a plane manned by the Russians, but it was a C-47 manufactured, I presume, in the United States and probably given to Russia through lend-lease. Perhaps it reached the Soviet Union across Iran where many of our supplies went in.

I recall one day landing in Abadan at the head of the Persian Gulf. As members of the party stepped out of the plane it seemed rather hot and I asked one of the GI's just how warm it was. He said it was 115 in the shade. "But," he continued, "you gentlemen should have been here when it was really hot."

And I asked, "Well, how hot does it get here?"

And he said, "We have experienced heat as high as 187 degrees."

And, mind you, our materials went up across Iran during this war to the Soviet Union in this intense heat. I thought as I visited that theater of operations—and as I visited the various theaters of warfare, the Mediterranean theater, the European theater, the Africa-Middle East theater, the Persian Gulf Command, and the India-Burma theater—I thought as I visited those theaters and saw how great had been the American investment in dollars, and more important than that, how great had been the American sacrifice of lives and under what conditions this war had been fought, I thought to myself we have a tremendous stake in this world, and that we should be proud of the job our boys have done on every front. I thought of the tremendous sacrifice that they made and I wished that every American could see under what conditions our men fought all over the world.

We flew with the Air Transport Command. The landing fields were built by Americans, the planes were developed by our industry, and our young pilots flew them all over the world. When we were flying in the Middle East I asked the young man who was piloting us over a range of mountains similar to the Rocky Mountains how long he had been flying; and he said for 3 years and that he had over 2,000 hours. I said, "It looks as though we are pretty close to the mountain peaks."

He said, "Well, we are flying about 200 feet above them, but there is no turbulence so there is no danger. Would you feel better if we were to go higher?"

And I replied, "No, sir; you are the boss of this plane." But I said to myself as I looked out and saw another great ridge of mountains approaching, "I hope we get over that ridge."

I asked, "How old are you?"

He replied, "22 years of age."

The point I wish to emphasize at this moment is that we have air supremacy everywhere in this world and I think this air supremacy should be maintained at all costs. In other words, by maintaining air supremacy and by insisting upon it we can make the greatest contribution to the protection of American interests and the greatest contribution to the building of an organization which will preserve the peace of the future. I am fearful at times that perhaps our interests are not being protected with the insight with which they should be protected and that perhaps this air supremacy will be lost.

As we went from capital to capital and from country to country I was very much interested in the political and economic conditions. I wish to speak very briefly about some of these conditions.

I introduced a resolution when I returned, for instance, for a full investigation of UNRRA. I felt that before voting funds for this organization a thorough study ought to be made. I will tell you why I introduced the resolution. I introduced it because I became convinced as I traveled in the Balkans and other sections that UNRRA was being used to assist certain regimes that might some day even plague the United States of America and I, therefore, felt that a thorough investigation should be made.

I was convinced that we were supplying through UNRRA, and we pay about 72 percent of the bill for this organization, funds and property that were being employed in many instances to send materials into certain countries, materials that had been taken out by other powers and perhaps by the armies of other nations. We have been asked in the message that was delivered here yesterday to make another appropriation for this organization. If we continue appropriating money without a full investigation of the whole situation, I am afraid that some day we are going to realize that perhaps we have given away too much of the United States of America.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman mentioned the President's message of yesterday. The President stated that we should give more to UNRRA. The gentleman should state the amount, which was $1,200,000,000. I would like to ask the gentleman, Mr. Truman, or somebody else, Where are you going to get that money?

Mr. MERROW. Well, that is what I do not know. I thank the gentleman for stating the specific amount. I intended to do so later.

Mr. Speaker, this leads me to say that in my travels I followed the practice of asking various leaders whenever the opportunity arose, what they expected from the United States. That is rather an important question because I assure you that all expect something in one way or another. As a matter of fact, when I was at the London Conference and we were setting up the constitution for the United Nations Educational, Scientific, and Cultural Organization the greatest and the most important question to come before the United States delegation was, How much are you going to give to help rebuild the educational facilities in the devastated countries? It took considerable arguing to convince them that we were not there for the purpose of writing a constitution to set up a fund-raising and a fund-disbursing agency.

Mr. RICH. Does not the gentleman believe we have given the impression, through the State Department and the heads of our Government, during the past 10 years that all they need to do is to ask us for it and we will give it to them, all without regard to who is going to pay it and what load they will saddle on the taxpayers of this country when they promise all these things to the nations of the world? It seems to me it is about time for America to look after America if we are going to have any America left.

Mr. MERROW. I appreciate that statement more than I can tell the gentleman, and during the course of my remarks I shall speak about a resolution which I have introduced which will provide a thorough and complete investigation of the State Department. I believe that the State Department and the foreign service of this country should be investigated thoroughly so that we will know in what way American interests are being cared for in every section of the world. While I am speaking of this, let me say that I have talked with members of our armed services, and every one of them with whom I spoke agreed with the conclusions I have reached, and again and again they asked me, "Why in the world does not the Congress of the United States do something about the American foreign policy?"

Mr. RICH. I hope that the gentleman gets the resolution passed because if he can do so he will be doing one of the greatest things for America that anyone has done for this country in a long time. I congratulate the gentleman on what he is trying to do.

Mr. MERROW. I appreciate those remarks. I shall discuss shortly the resolution which I introduced on the 29th of November.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Masachusetts. Has the gentleman been promised a hearing?

Mr. MERROW. I have not asked for a hearing, I have not been promised a hearing; I have mentioned the matter on the floor of the House several times. The resolution is pending before the Rules Committee and I hope that a hearing will be granted very soon.

Mrs. ROGERS of Massachusetts. Is it a matter that will come from the Rules Committee or from the Committee on Foreign Affairs?

Mr. MERROW. It will have to come from the Rules Committee because the resolution requires an investigation and appoints a select committee of the House consisting of 23 Members to study and investigate the foreign policy of this country. An accompanying resolution calls for an appropriation of $50,000 to start the work of the committee. The resolutions are House Resolution 433 and House Resolution 434.

Mrs. ROGERS of Massachusetts. They are vitally interesting.

Mr. MERROW. I thank the gentlewoman.

Mr. SMITH of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Wisconsin.

Mr. SMITH of Wisconsin. May I ask the gentleman if this resolution has been

prompted as a result of his experiences in other countries this past year?

Mr. MERROW. Yes. May I say to the gentleman that if I have gained anything in traveling in over 30 countries, if I have gained anything from being in London as a delegate to the Educational Conference, it is this: We must move immediately to see if we can develop a firm, realistic objective foreign policy for the United States.

Mr. SMITH of Wisconsin. Has the gentleman had occasion to discuss this sort of thing with the men in the military service and, if he has, has there been a particular reaction by them?

Mr. MERROW. There has been a very definite reaction. I am glad the gentleman asked the question. I have spoken on this resolution before audience after audience up and down my own State. Invariably, whenever servicemen were in the audience they would come to me and say, "We are with you. We saw it. We realize that something ought to be done. Why is it that there is any hesitancy on the part of our Government in being firm and realistic? Why is there any hesitancy on finding out what we want as far as our foreign policy is concerned? Why is there any hesitancy on the part of investigating the State Department and the foreign service?" They have come to me and said, "If you could see what is taking place in the various capitals as we have seen it, you would argue for such a move even more strenuously than you do."

Mr. SMITH of Wisconsin. I want to compliment the gentleman. As a Member of his committee, I want to assure him of my full support in his efforts to get this resolution reported out.

Mr. MERROW. I certainly thank the gentleman, and I am grateful for his efforts in helping to get this resolution out.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Michigan.

Mr. DONDERO. The gentleman is making a very constructive suggestion as to what might be done. As one who traveled in Europe with the gentleman who has the floor, I can appreciate the force of his remarks. I think what the gentleman is trying to tell the Congress and the people of America is this: It remains to be seen whether or not we can be as wise in Europe as we have been generous.

Mr. MERROW. That is right. I appreciate the statement from the gentleman who traveled with us during many hours flying over the continent of Europe. I am glad that he agrees with the conclusions that I have drawn.

Mr. RAMEY. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Ohio.

Mr. RAMEY. Supplementing the words of the gentleman from Michigan, are they not almost the words that a group of GI's from our country, as well as two men from the Government of Norway, stated to the gentleman in Oslo when they said that the American Government has been the most generous, it is the most powerful, but it is about time it is getting the most smart. I believe the gentleman heard that statement not only in Oslo but in a great many capitals of Europe.

Mr. MERROW. I heard that statement, and I would like to make this comment in connection with it: I returned from Europe last summer depressed for the simple reason I had seen the might of the United States of America, I had seen the generosity of the United States of America, but I had failed to see the statesmanship of the United States of America in foreign affairs. I think it is a statement that cannot be too often repeated. We have shown how powerful we are, how generous we are, but we have not shown how wise we are.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield further?

Mr. MERROW. I am glad to yield to the gentlewoman.

Mrs. ROGERS of Massachusetts. The gentleman and I both are members of the Committee on Foreign Affairs. Does not the gentleman feel that full and complete information as to what our foreign policy really is should be given to the Committee on Foreign Affairs? I think that the soldier, the so-called GI, should be informed as to what our foreign policy is. No soldier would want to return to the United States before the time that he felt there was any need for him in the foreign countries, because that is the kind of soldier our American soldier makes.

Mr. MERROW. That is well said, and it is our duty to see if we can develop a policy so that we know where we are going. The reason I have asked for a select committee of 23 members to study and investigate is because I realize that it is a huge task. It will require great fearlessness. The committee will have much work to do, and it is necessary that this study be made, not only here in Washington but elsewhere. The committee must go to other countries in order to secure the facts and only then can recommendations be made to the Congress.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Is it not the gentleman's understanding that it is the policy of the administration to keep at least a million or two Americans abroad to police and rebuild or rehabilitate, as they call it, the rest of the world?

Mr. MERROW. Apparently it is.

Mr. HOFFMAN. Does the gentleman believe in that?

Mr. MERROW. No; I do not necessarily believe in that, but I think we ought to find out just how many we need abroad to protect our interests.

Mr. HOFFMAN. Will the gentleman go along with me so far as to say that if that is going to be our policy, to keep our men over there, we should leave it entirely to volunteers, and not keep conscripting Americans to police other parts of the world?

Mr. MERROW. Leave it to volunteers if we can get enough, but, mind you, we have to determine what our interests are and how much these interests must be protected. I agree with what the gentleman is trying to say.

Mr. HOFFMAN. For the last 3 or 4 years there has been a fight here in the Congress between the internationalists and those who favor the United States of the World, which has simmered down to the UNO. I have noticed that the internationalists and those who favor this international organization, if they are too old to go, have not shown any great enthusiasm toward contributing their money. They want us to vote the taxpayers' money and conscript young Americans. I do not believe in that.

Mr. MERROW. As long as the word "internationalist" has been mentioned, may I say that we cannot avoid being internationalists. The world is too small. When you can go from the United States to Europe in a period of 21 hours, that is a short time.

Mr. HOFFMAN. That is all right, but that is no reason why we should take over the job of policing them, educating them, telling them what religion they should believe in, or doing all of their housework.

Mr. MERROW. We will have to do our part to prevent aggression in the future. Certainly we cannot remain isolated. I am not arguing for that point of view, but I think we should examine our own interests in every section.

I want to speak very frankly about the political situation as I saw it. In the first place, I would make this observation: That no matter where you go, whether in the Scandinavian countries, in western Europe, in the Balkans, or in the Middle East, you find great fear of the Soviet Union. I hope nothing I say will be interpreted as anti-Russian or antianyone else. No matter where one goes in any of the countries over there, one finds a fairly active Communist Party and one finds communism functioning very well in many countries.

I am not surprised at the controversy in connection with Iran. We were in Teheran. Members of the Chamber of Deputies came to us and said, "Do you thoroughly appreciate, do you understand what the political situation in this country is?" When you would ask, "What is it?" they would reply, "The Russian question. We want to be left alone."

I talked with several of them at some length, and I said, "It appears to me from what you have stated that you would like the United States of America to tell the Soviet Union to move out of this country." They agreed that that was what they would like to have done. One draws the conclusion that possibly there is an attempt on the part of the Russian Government to control politically and economically every country that she can control that is on her borders, and perhaps even farther than her borders.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield further?

Mr. MERROW. I yield.

Mr. HOFFMAN. You do not need to cross the sea to find that. All you need to do is read the publications of the PAC and the CIO. Their ambition is to take over political and economic domination in this country.

Mr. MERROW. As far as the policy of the Soviet Union is concerned it seems to be realistic. The Russians seem to know what they want. They seem to know where they are going.

Mr. HOFFMAN. Will you answer me this? You have no doubt about where they are going, or where they want to go, rather, in this country. You know they want to divide all profits, they want to divert profits from repairs and replacements and extensions and research, profits that industry may make, into wages. That is all right for an ambition, but if you do it then we are through here.

Mr. MERROW. I am sorry, I do not want to yield further at this time to discuss the situation in this country. I am talking about the foreign policy. I just want to make clear that as far as the Soviet Union is concerned—and this is nothing against it—they apparently know what they want in connection with foreign policy.

Now, to go elsewhere. As one travels through the Middle East, northern Africa, about the Mediterranean, and in other sections he finds that Britain knows what she wants as far as foreign policy is concerned, knows exactly what she wants—preservation of Empire.

I have no objection to that, only I would like to know just how far we are going in assisting her to preserve the Empire and what interests we have involved. That is only one of the many things I would like to find out by a special committee of the House.

To summarize very briefly, the question that is most discussed is the foreign policy of the United States. The question most frequently asked whether at home or abroad is, "What is the foreign policy of the United States?" And the comment you hear most frequently is, "The United States has no foreign policy."

Mr. SMITH of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. SMITH of Wisconsin. The gentleman is a very active member of the House Committee on Foreign Affairs. I wonder if he can tell me what our foreign policy is as related to Estonia, Latvia, and Lithuania?

Mr. MERROW. I cannot, and I would like to have an investigation so that we might know what it is. If I knew what our foreign policy is in reference to these various sections, I would not be standing here demanding a study of our foreign policy and an investigation of the State Department and the foreign service in every section of the world.

Mr. SMITH of Wisconsin. Might I say to the gentleman that I believe there is as much confusion in the State Department and the White House as there is in our own committee.

Mr. MERROW. You are indeed right.

Mr. SMITH of Wisconsin. May I make an observation? On January 8, President Truman said we had recognized the dictator government in Yugoslavia only conditionally. The State Department immediately countered and said we had recognized Yugoslavia unconditionally. There seems to be a conflict as between the White House and the State Department. In other words, it justifies the position the gentleman has taken in this matter.

Mr. MERROW. I thank the gentleman for that observation. May I say in reference to the Balkans, everything apparently is controlled by the Soviet Union with the exception of tiny Greece. I was told again and again when we were in Greece that the only place the Anglo-Saxon has any opportunity of exerting influence for democracy, so far as the Balkans are concerned, is in Greece. Now when you see the confusion you have just mentioned, it is about time for the representatives of the people to try to do something in response to a desire that is spreading from one end of this country to the other that we formulate if we can a foreign policy to guide us in the troublous times ahead.

I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I have a communication from numerous Lithuanians who naturally are very greatly disturbed about the whole situation. It is a very difficult situation because I, and apparently nobody else, can promise them any security or any real help. It is a most deplorable, unfortunate, and tragic situation.

I feel that both committees, the Committee on Foreign Affairs of the House and the Committee on Foreign Relations of the Senate, should be given the most complete information as to what is going on abroad, which is information that our State Department has, and tell us first of all the foreign policy. We are the first committee to carry out and legislate for any foreign policy that we may have. As it is, we do not know, and nobody seems to know, what our foreign policy is. Today it is a merry-go-round, and a most unfortunate and tragic merry-go-round.

Mr. MERROW. It certainly is. I wish to summarize, if I may, very briefly the resolution I have introduced. I think if it is worth anything to the Government of the United States to send a Member of Congress abroad, then he ought to be willing frankly and freely to state his impressions and state them without fear or favor. The resolution I have introduced is the result of the contacts I made, and what I learned and observed while I was traveling last summer. And one message I have tried to convey ever since I have returned is that it is extremely tragic for this great power to move to the future without definite aims and without definite objectives. The thing that we need most, the thing we need more than anything else, is a firm, realistic, and definite foreign policy.

We may not like it, but we are involved in a game of international power politics, playing with governments who are extremely realistic, sometimes ruthlessly realistic. It is about time we understand the world political situation.

Mr. RAMEY. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. RAMEY. In a great many countries last summer you heard the leaders in those countries, with whom you consulted, say, "Yes; Russia knows what she wants."

Mr. MERROW. That is right.

Mr. RAMEY. And "Britain knows what she wants."

Mr. MERROW. That is right.

Mr. RAMEY. "And advertises it. But the trouble with your country is, she does not know what she wants when she sits down at the table." I remember you asked Ambassador Kirk in your discussion, "What have you got to say about communism?" That is our Ambassador in Italy.

Mr. MERROW. Yes.

Mr. RAMEY. And he said, "Far more than that, it seems as though about one-third of the people are drifting into anarchy. They pretend to repeat the philosophy of Lenin, but they go beyond that, and they say, 'Let us do away with all government. All government has let us down.'" He said, "It is getting that wild." Does the gentleman remember that?

Mr. MERROW. Yes; I remember that.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mrs. ROGERS of Massachusetts. The United States is the richest and most powerful Nation in the world today. We won a magnificent victory in war. We ought to do it in peace. Today I have the feeling that almost the only reason we are respected, because we are so vastly weak in our policy, is because we have the strength to back it up.

Mr. MERROW. That is right. I talked with members of the British Parliament during the short time I was in London. They look upon us as a young Nation. I seemed to get the impression that the feeling was that we did not know what we wanted. We are extremely wealthy. They hope they can get something from us, but as far as our policy is concerned, they think we are vacillating.

After I returned I decided something ought to be done, or at least there should be some movement to try to correct the situation. So I finally introduced a resolution on the 29th of November. I am going to talk about it briefly.

My resolution, first, calls for a select committee of this House of 23 members, to be appointed by the Speaker, whose duty it will be to review the foreign policy in every country and in every section. By "section" I mean western Europe, the Balkans, the Middle East, India, the Far East, and so on. Why do I say "different sections"? Because each part of the world presents different problems. When we were between Beirut and Damascus I spent probably 2 hours walking up and down in front of the hotel between 11 o'clock and 1 o'clock in the morning talking to our Ambassador out there in the Middle East. He was pleading for a definite policy as far as the Middle East is concerned. He said, "The people out here are friendly to us." He continued, "It seems to me that somehow we should develop a policy as far as the different sections of the world are concerned, and with reference to every country."

I have asked that the committee have full power to investigate the Department of State and the foreign service of

the United States. I am convinced there is much to be desired as far as the foreign service is concerned. I make no charges against anyone, but I wish to point out I have heard many criticisms again and again. For instance, it is stated, many people in the foreign service have been away from the United States for so long they have lost the American point of view. I believe that they should be returned to this country frequently so that they will not forget the American point of view. They are not paid enough money. We should increase their salaries, so that we will get the best people, to represent our country.

I have asked for an investigation of the foreign service and the State Department so as to ascertain the truth concerning these matters.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mrs. ROGERS of Massachusetts. I have felt strongly that the foreign-service officers are not paid enough money. I also know it is very embarrassing for them, because they do not know what our foreign policy is. They are sent to foreign lands and frequently they have no instructions. They do not know what our policy is. How can they? Because we have none.

Mr. MERROW. I thank the gentlewoman for that contribution. Apparently we do not have any. That is why it is necessary to make the proposed study. They should know. The Department of State is the arm that represents us, that carries out whatever foreign policy we have. Certainly we should be definite as to what we wish in the foreign capitals.

We have heard the British loan discussed here on the floor today. Do we know what we want as far as the British loan is concerned? I suppose we shall have a full and frank discussion of that situation here in the House. Certainly it will require much study and much thought to determine whether or not our interests are properly cared for before we extend the money.

If we are going to lend the money to the British Empire, or any other country for that matter, I think we ought to be very careful and know that our interests are safeguarded. It is necessary that we know what we wish; and when I say "know what we wish" I mean that we should know what we wish for instance in respect to aviation. We ought to study our interests before we extend a loan to any country. Such matters should be thoroughly investigated by a committee of this Congress.

Mr. MUNDT. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. MUNDT. The gentleman spoke of the British loan and loans to other foreign governments. The gentleman is making a very interesting and informative address. I wonder if the gentleman would agree with me that before we extend these loans to Britain or any other country we should receive from the President a list of the loans he proposes to recommend to foreign countries this year.

Mr. MERROW. Yes, by all means; I agree. I think a committee of this House should be set up for that purpose, to go into those matters, and that we should have a report to the representatives of the people as to the exact situation with suggestions as to what ought to be done.

I have asked that this committee be set up to investigate the Department of State. I make no charges. I allude to repeated criticisms I have heard. I have heard, for instance, that there is a pro-British group in the Department of State, that there is a pro-Communist group in the Department of State, that the Department does not know what it is going to do or in what direction it is going to move; that there is evidence of too much clearical mindedness, and that there is evidence of internal strife. You have heard and I have heard these criticisms. They are serious statements, and it is about time that we attempt to find out whether or not there is any foundation for them. If there is a foundation for them, then something should be done about it; if there is no foundation for such statements, then it should be made perfectly clear. I think it is only fair that an investigation be made of the whole department, that it be made fearlessly, that the investigation not be whitewashed, because, after all, this is the arm of our Government which is conducting foreign policy, and, believe me—and I think you will agree with me—foreign policy is going to affect us more in the future than it ever has in the past. It has affected us greatly during the past 4 or 5 years with the money we have spent and the lives we have lost, and it will affect us more in the future. We should have such a committee as I suggest to try to find the truth, to probe the situation and give us the information.

I have asked, furthermore, that this committee report every 90 days to the House of Representatives and make its final report at the end of this session of the Congress. I have asked that this committee be empowered to make recommendations as to the development of an over-all foreign policy which will best protect the interests of the United States of America. I think it is high time that we should be extremely concerned in protecting the interests of this great country. I have asked that this committee be empowered to make recommendations as to how the State Department and the arm of our foreign service can be improved.

I have asked also that this committee make recommendations as it deems advisable with respect to methods for securing adequate and up-to-date information concerning world conditions. I feel that the other nations—and I know that some of you who traveled with me feel likewise—seem to be getting the true facts through their intelligence service which shows that our intelligence service is inferior. It is about time that we had an intelligence service that can get accurate information concerning world conditions. Only recently I have read statements by various columnists in reference to the gathering of information concerning foreign affairs.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. When one of our foreign officers does gather and send to Washington correct information about foreign governments, if it does not seem to be popular here that foreign officer has his head cut off, whereas in the case of a foreign officer of another country, when he brings in information that officer is backed up and supported instead of having his head cut off.

Mr. MERROW. Yes. Unfortunately this situation does exist. I appreciate the contribution the gentlewoman has made because she has lived with foreign questions for many years, she has traveled widely and she has been close to various phases of foreign policy. Every statement she has made is evidence that a fearless probe of the entire foreign policy and of the Department of State is imperative. The gentlewoman has probably had closer connection with the State Department than anyone else. She has seen it and worked with it over a long period of time.

I have asked that the committee make recommendations with respect to the communication of information to the people of the United States. Two things are all important, namely, the gathering of information and the transmission of information to the people. I am convinced that if the people have the correct information they will be in a better position to make up their minds on the important matters of foreign policy.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Michigan.

Mr. DONDERO. Bearing in mind the question of the purpose of the gentleman's resolution, let me remind him that certain top secret files have been stolen out of the State Department within the last year and were found in a Communist office 250 miles away from Washington.

Mr. MERROW. I thank the gentleman. That is another reason why we should have a probe of the State Department and a probe of the foreign service. I am grateful for the contribution that has been made by my colleagues who traveled with me last summer. I think from what the gentleman from Michigan has said he agrees with me that my resolution ought to be adopted by the House. In fact, I believe the people are looking to the Congress to do something about foreign policy. It is our duty to take the initiative.

As I previously emphasized, the one thing that stood out as I talked with different people in various capitals, is that we do not have the realism which is necessary, that this country is probably too sentimental. We have not been in international power politics as long as some of the others and perhaps this is the reason. The fact remains, we are a great nation. Someone said on the floor this afternoon, we are the greatest nation on the face of the earth. I do

not say that in any attempt to brag because with great power comes heavy responsibility. We have leadership. As has also been said on the floor, we have proved that we are exceedingly generous. There is nothing wrong with possessing tremendous power. It is the way in which that power is used which is all important. If we are to employ our power effectively for the purpose of building a peaceful world, which we hope to do because we know if we cannot build a peaceful world then we may have another war, we must be as wise as we know how and we have to exert every ounce of our energy to develop the type of policy which will best serve our interests.

We are attempting at the moment to set up an international organization. I have long felt that we must have such an international organization to preserve peace. I feel that it is one of the bright spots in this whole dark picture that the United Nations is now getting under way in the city of London. It is probably the first step. It will be a long, hard road to develop world unity so that the nations will not fight again. We must play a leading role in laying the foundations for the peace of tomorrow. We will exert great influence in the United Nations Organization as in every other specialized international agency. Only in this way can we avert future aggression.

I was pleased during the Educational Conference in London to see how splendidly the United States delegation exercised leadership in writing the constitution for the United Nations Educational Scientific and Cultural Organization which we propose to set up after 20 nations have ratified the constitution.

Mr. RICHARDS. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from South Carolina.

Mr. RICHARDS. I have great respect for the gentleman because of the work that he has done and the research he has made in this field. But does not the gentleman feel that we, as the greatest Nation on the face of the earth at the present time, have exercised our powers of leadership in this world during the last year as it has never been exercised before?

Mr. MERROW. I think we have exercised our powers of leadership, but I am very fearful of the future. We exercised outstanding leadership in winning the war. I am afraid we are not exercising such leadership in winning the peace.

Mr. RICHARDS. The gentleman will admit that we were the moving power in the creation and development of UNO.

Mr. MERROW. Yes; and very happily so.

Mr. RICHARDS. And so far progress has been made.

Mr. MERROW. Up to date.

Mr. RICHARDS. The gentleman has criticized the foreign policy of the United States as it is today. Is it not a fact that the foreign policy of the United States as outlined by the present President of the United States and the present Secretary of State is the clearest and most forceful foreign policy that has been enunciated by the United States since the days of the Monroe Doctrine?

Mr. MERROW. I certainly do not agree to that.

Mr. RICHARDS. The gentleman has unjustly criticized the administration in this connection.

Mr. MERROW. I have criticized it, yes. I stand on my criticism. I have not criticized as much as it should be. But go ahead.

Mr. RICHARDS. All right. I assert that we have had the most virile and effective foreign policy during the last few years that we have had during the last 100 years.

Mr. MERROW. You certainly have made a broad assertion. No; I cannot agree with you. Our policy is neither virile nor positive. For instance, you know the situation in the Balkans, where they are completely controlled by the Soviet Union. We have stated again and again that we want free governments in these various countries. There is no such thing as freedom there today. What are we going to do about it?

Mr. RICHARDS. The gentleman will admit that it is very difficult to enunciate a formula of foreign policy for every nation on the face of the earth in the light of existing and rapidly changing world conditions.

Mr. MERROW. We should try to formulate a policy for every country. We must stand firm and not yield to other powers on every point.

Mr. RICHARDS. My reason for interrupting the gentlemen is because he made the broad statement that the United States had no foreign policy at the present time.

Mr. MERROW. It does not have, insofar as I have been able to ascertain.

Mr. RICHARDS. I want to reiterate that if we have ever had a strong and effective foreign policy it is today, and the backbone of that policy is international cooperation. President Truman and Secretary Byrnes are manfully trying to convince the nations of the world that they must hang together or hang separately.

Mr. MERROW. That is a most general statement. What are you going to do about a situation, such as in Iran, for instance, where the members of the Government come to you and say: "The agreements that were made in respect to this country are not being lived up to"? It is about time that we decide what we wish in the various sections of the world and then stand firmly. Cooperation is a two-way road. I am for world cooperation, but I want the other powers to do their part in cooperating. We cannot do it all.

The SPEAKER pro tempore. The time of the gentleman from New Hampshire has expired.

EXTENSION OF REMARKS

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD.

Mr. BRADLEY of Michigan asked and was given permission to extend his remarks in the RECORD and include a radio broadcast he delivered over the weekend.

PERMISSION TO ADDRESS THE HOUSE

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent that on Friday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. BIEMILLER] is recognized for 20 minutes.

THE STEEL STRIKE

Mr. BIEMILLER. Mr. Speaker, yesterday several Members of the House, including myself, spoke on the steel strike. In the course of our remarks several of us made the charge that in our opinion there was a conspiracy on the part of Wall Street Bourbons to provoke a national economic crisis which they hoped would result in the smashing of labor organizations and in the weakening of liberal legislation passed by the Roosevelt administration. Several Members have come to me and asked if I could produce any kind of factual evidence that led to my conclusions. This afternoon I want to lay certain facts concerning the strike and the events that led up to it before the House. I think there is only one logical conclusion that anyone can draw from those facts.

May I remind you that when the United Steel Workers of America raised its demand in September for a $2 a day increase, the United States Steel Co. replied that it was impossible for the company to consider any wage increases under the present ceilings on steel, maintaining that it was very doubtful if under present ceilings the steel company could make a profit. Therefore, said United States Steel and the smaller companies, it would be impossible to raise wages.

That situation continued. The steel companies remained adamant. They said, "We cannot pay any increase if ceilings stay where they are." The union insisted that they had to have the $2 increase in wages if they were to maintain the purchasing power of their employees on a wartime level, and hence do their part in establishing a standard of living in this country 50 percent higher than we had previously known during peacetime as War Mobilization Director Vinson maintained in his July 1, 1944, report was necessary to maintain a stable economy.

We come past the first of the year. The strike had been set for the 14th of January, after a strike vote duly taken under the Smith-Connally Act. You will recall that 2 days before the strike was to take place the President of the United States requested Philip Murray, the president of the United Steel Workers of America, to postpone the strike for 1 week and to bargain further with Mr. Fairless, representing United States Steel and all the other steel companies of America. Mr. Murray, in the interest of the public, acceded to that request and the strike was postponed for 1 week.

Further conferences were held. During the course of the conferences the steel union dropped its demand for 25

cents an hour to 19.5 cents an hour, and the company, speaking through Mr. Fairless, came up to 15 cents an hour. There they were deadlocked. They told the President that there was nothing more they could do.

The President then announced his solution. He said that in his opinion an 18.5 cents an hour increase would be a fair settlement of the controversy. The union accepted the proposal of the President of the United States. Mr. Fairless turned it down.

Now I want to repeat here, as I said yesterday, that I am convinced on the basis of information which has reached me that Mr. Fairless would probably have been willing to accept the 18.5 cents an hour, but certain Wall Street interests and certain other steel companies, those represented by gentlemen like Tom Girdler and Eugene Grace, refused to go along with the President of the United States. They have defied the top representative of the people of this country.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. BIEMILLER. I yield to the gentleman from New York.

Mr. MARCANTONIO. Can we not imagine what would have been said on the floor of this House and what tirades would have been inveighed against labor if it had been labor that had refused the recommendation of the President?

Mr. BIEMILLER. I think the gentleman from New York has made a very pertinent observation. I, too, have been conjecturing in my own mind the outburst we would have heard on this floor had labor refused to go along with the President.

But I have noticed with great interest that those who are so quick to rise to their feet and assail labor when they feel that labor allegedly is defying the Government have been singularly silent in any remarks about the steel barons and the Wall Street economic Bourbons of this country who are openly defying the President.

Now, I want to give you the figures upon which the President was basing his offer and his belief that he had made an eminently fair offer. You will recall that the President announced—and here is the crux of the whole thing—in the terms of that offer the President had announced that the administration was willing to grant $4 a ton increase in steel prices. That $4 a ton increase would have meant an additional income to the steel companies of this country of $200,000,000—based upon the lowest estimate of probable steel production in 1946—50,000,000 tons. The 18½ cents an hour increase which the President proposed would have meant an expense to the steel companies of $180,000,000—based upon the highest employment of the past year—460,000 men in the basic steel plants of the country. Please note those figures—$200,000,000 additional income and $180,000,000 additional outgo. In addition, it is probable that overtime would have almost entirely disappeared in the steel plants during this coming year. There is ample evidence for that in the fact that by October 1945 the average weekly hours in steel plants in this country were already down to 41.8. If overtime had vanished completely, as most of us assume it would during the year 1946, that would have meant another additional saving to the steel companies of this country of $90,000,000 in comparison with the wage bills that they have been meeting during the war period.

So you have definite figures here showing that the steel companies under the President's proposal would have had a much greater income than their additional expenses would have been. For that reason I maintain that we can come to no other possible conclusion but that the refusal on the part of the steel companies and the Wall Street Bourbons who control them to accept the President's offer was that they want to provoke an economic crisis. They want to see a situation develop in which they hope our economy will become so disorganized that they may lead some unsuspecting Members of the Congress into repealing some very important and basic social and economic legislation and that they may by simply shutting their doors starve out the workers of this country and force them to come to terms.

I think people who are willing to toy in that fashion with our economic stability—I think that those who are willing for their own selfish ends to threaten the very industry which is the lifeblood of this country, and hence threaten every industry in the United States with stagnation, such people are definitely assailing the Government of the United States. They care naught for the welfare of the people.

It is for that reason that many Members, including myself, made the speeches we did yesterday and that I again take the floor today to make these few brief remarks so that I might lay these facts before you. I remind you once more that the President's plan would have given the steel companies a greater additional income than his wage proposal would have added expenses to their balance sheets. Furthermore, the figures I have given you are conservative. There is every reason to believe production would be greater than 50,000,000 tons, possibly reaching 60,000,000, and that employment might be lower, possibly as low as 425,000. In that event, the gains of the steel companies would be even larger than under the conservative figures I used earlier. All the more reason, I repeat, that the only possible conclusion one can draw is that a conspiracy is under way.

Mr. RAMEY. Mr. Speaker, will the gentleman yield?

Mr. BIEMILLER. I am glad to yield to the gentleman from Ohio.

Mr. RAMEY. If we are sure of these figures which you have, and I am not saying that I doubt them, but am saying that I believe them, I think these figures should by some means be gotten out to the American people at once. We have heard of a word "smearbund." We used to hear the words that "labor has been 'smearbunding' the people." In the last 30 days, it has been labor that has been the recipient of an unjust "smearbund" which is caused by a letter. Someone is getting out the word to the country that labor is doing all this. In all fairness, labor is not doing all this and there is an unjust attack going on against labor trying to cause the American people to believe it is all their fault. Now, we know this is not the case. I want to compliment the gentlemen, because he has given the exact figures showing what the steel companies may have as profit. I think that should be given to the American people, because labor has been unjustly criticized, in view of these figures, by saying they are the whole cause of the uprising. I would like to see those figures transmitted throughout this land, because John Q. Public wants to be fair and he wants to know the facts. I think the gentleman has made an excellent contribution in giving us those figures.

Mr. BIEMILLER. I thank the gentleman for his kind remarks. I agree with him, and am also perturbed about the false accusations that have been made in many parts of this country against labor organizations. My major purpose in taking the floor today was simply to lay these basic facts before the Congress for the perusal of the Members and for their judgment, as they formulate their views on the current steel strike.

Mr. Speaker, I yield back the remainder of my time.

EXTENSION OF REMARKS

Mr. RANDOLPH (at the request of Mr. MARCANTONIO) was granted permission to extend his remarks in the RECORD and include correspondence between the Assistant Secretary of the Navy, Mr. Hensel, and himself.

PERMISSION TO ADDRESS THE HOUSE

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent that on January 28, following any other special orders that may have been entered, I may address the House for 30 minutes.

The SPEAKER pro tempore (Mr. DOYLE). Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 20 minutes.

INFLATION

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain statements and excerpts from the President's message of yesterday, from the report of the Director of War Mobilization and Reconversion, Mr. John W. Snyder, and certain other statements and excerpts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

COUNTRY CAN BE ON VERGE OF ECONOMIC COLLAPSE

Mr. PATMAN. Mr. Speaker, we can be on the verge of economic collapse not by reason of many of the things that we see in the headlines of the papers every day but by reason of our most dreaded enemy, which is our No. 1 problem—inflation.

While the young men of our country saved us on the 55 battle fronts of the world during the war, they can come back here and see our country engulfed

in inflation and be disillusioned by reason of the fact that the money they have saved can possibly become worthless. We do not want those conditions to happen. Today we are facing a real challenge, the greatest challenge that any Congress or the people of any nation has ever faced in time of peace. If we were to have runaway or ruinous inflation, the economic cost of that inflation would be as much as the economic loss if Hitler and Mussolini and Hirohito had won this war. In other words, we have as much to lose from an economic standpoint in ruinous inflation as we had to lose from an economic standpoint by the loss of the war. So it is a real challenge to us.

PRICES FAIRLY WELL HELD

I desire to invite your attention to the fact that a fairly good job has been done by holding up the value of the dollar during this, the greatest of all wars. It was the first time during this war that any major power on earth ever attempted to control prices effectively and prevent ruinous inflation. It is the only time in history that a great power like our own has succeeded substantially in doing just that. However, we can study the past and discover that after every major war in history there has invariably been—not most of the time but every time—invariably there has always been a big boom and then a bust; a boom and a collapse.

It is our duty as Members of Congress to be watchmen for the people. As watchmen for the people we should be working daily in the direction of doing something that would prevent happening what has always happened after every major war in the past.

When this war commenced we enacted a price-control law, a stabilization act. Possibly mistakes were made; possibly we could have had different provisions in it or it could have been attempted in a different way; maybe the way we started was clumsy, maybe it was difficult to do, and maybe other ways would have been better, but I want to picture out to you today how successful that law has been. Let us consider the value of the dollar before the war in Europe commenced in 1939 as worth 100 cents. When war broke out in Europe we commenced to have a little inflation and the value of the dollar over here went down to 98 cents. Then it went down to 97 cents; but in December 1941 war was declared, at least war commenced here with our own country, and the value of the dollar slipped to 89 cents on the 100-cent dollar. Then we went ahead in September of 1942 and passed the Stabilization Act, but at that time the dollar had slipped to 84 cents. When the Stabilization Act was passed the dollar slipped to 82 cents. In March 1943 it slipped to 80 cents. Then the President issued his hold-the-line order and since that time, for almost 3 years, lacking less than 2 months, the value of the dollar has slipped down only to 76 cents, 4 cents since the hold-the-line order and 8 cents since the Stabilization Act was passed in September 1942. Losing only 8 cents value on the dollar, I think, is rather successful. But the real challenge is thrown at us now. Will we continue to hold this dollar at 76 cents or will we permit it to go down to 60 cents, or 50 cents, or 25 cents? That is the greatest battle confronting us today.

Mr. Speaker, I am herewith inserting a table disclosing the purchasing power of the consumer's dollar from August 1939, just prior to the start of the war in Europe, down to the month of November 1945. The dollar's value today is about the same as it was in November 1945. It should be remembered that immediately after World War I the value of the dollar went down to 40 cents; during the War Between the States it went down to 44 cents, and during the Revolutionary War the value of the dollar went down to 33 cents. The table is as follows:

Purchasing power of the consumer's dollar as of August 1939

	Value
1939:	
August	$1.00
September	.98
December	.99
1940:	
March	.99
June	.98
September	.98
December	.98
1941:	
March	.97
June	.94
September	.91
December	.89
1942:	
March	.86
June	.85
September	.84
December	.82
1943:	
March	.80
June	.79
September	.80
December	.79
1944:	
March	.80
June	.79
September	.78
December	.78
1945:	
March	.78
June	.76
September	.77
October	.77
November	.76

Not so long ago we were generous and passed a law to increase the amount a veteran and his wife would receive when going to school or college from $75 a month to $90. That seemed very generous; but, remember, in fixing it at $90 a month, a 76-cent dollar was and is used.

The people who will suffer the most by reason of inflation will be the people who work on salaries, who are wage earners, who are living on fixed incomes—people who are getting a certain amount each month—when they go to the market place and find that their dollar will buy less, and less, and less each time; they are the people first to suffer. We have a lot of folks in this country who believe they can outrun inflation. They are rather optimistic, because no one can outrun inflation. Inflation spares no one, but there are a lot of greedy people in this country who want to get rich right quick regardless of the welfare of the public, believing that they can get their money bags full and run off and get away from inflation and not be hurt; but they are just as mistaken as they can be. They will be hit just like all the rest of us. We can be now on the verge of economic collapse in this country by reason of the danger of ruinous, run-away inflation. I repeat that all other issues, all other problems, are minor in comparison with that one problem.

THE PRESIDENT

I want to commend President Truman for the fine statement he made on that question yesterday in his message to the Congress, and I am going to insert it in the CONGRESSIONAL RECORD. I hope the people of the country will read that statement.

MR. SNYDER

In addition, I want to compliment Mr. John W. Snyder, Director of War Mobilization and Reconversion, for the statement he made along the same lines. I am also inserting that in the CONGRESSIONAL RECORD, and I hope people will read it. It is something to which we must give consideration.

Mr. DOUGHTON of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from North Carolina.

Mr. DOUGHTON of North Carolina. I am very much interested in the observations of my distinguished friend. I am always interested in what he says about anything. Inflation is our greatest problem. Now, is not inflation caused by lack of production and is not lack of production our greatest problem?

Mr. PATMAN. That is one of the causes, I may say to the gentleman. Lack of production causes a scarcity of goods. A scarcity of goods and lots of money in the pockets of the people to bid on the scarce supply of goods causes the prices of the goods to go up high which in turn causes inflation.

Mr. DOUGHTON of North Carolina. If we had full production would we be threatened with inflation?

Mr. PATMAN. We would not be, but the problem today is that we have so much money in circulation and so few goods. We need production. That will come nearer getting us away from inflation than any other one thing.

Mr. DOUGHTON of North Carolina. I just rose for information.

Mr. PATMAN. I thoroughly agree with the gentleman. After the other war we had $53 per capita in the pockets of the people. That was the highest amount up until then that the people had ever had among them. That caused inflation. Everything went up high. There was a boom like we have after every war. Then there came the collapse which we have always had after every war and like we are trying to prevent now. We have more pressures than we had then. We have over $200 per capita actual money in the pockets of the people of America today, approximately four times as much as we had after the last war and four times as much as caused the inflation after the last war; bank deposits are in proportion. We do not have the production that we had then. That is the reason I say that we could be on the verge of economic collapse by reason of the great danger of run-away inflation.

RACE BETWEEN WAGES AND PRICES

I hope that we will never see the day when we have a race between wages and prices. That is the first start of inflation in every country. You can study it for yourselves. Someone will feel like they ought to have higher wages, and doubtless they can make a good case for it. They will get higher wages; then, of course, that brings higher prices, and they must have higher prices. Then they need higher wages again and get higher wages, then higher prices. That race between wages and prices causes prices generally to go out through the roof and leads to ruinous inflation. So I hope all sides will take into consideration that it is better to have not so much money and have money that is worth something than to have several times that much and have money that is not worth anything. That matter should be given consideration by all factions, by all sides in all these disputes we are having today.

I like to see people make good wages and get good prices. I know that the salvation of this Nation depends on good wages and good prices. We have a national debt which is higher than the national debt of any country on earth, 10 times as high as it has ever been before this war, with one exception. We have a national debt of $278,000,000,000. Now, can we pay that debt with a $40,000,000,000 income like we had in 1932? Of course, we cannot. It would be impossible. We would pay it; yes, but with worthless paper money. That is the way it would be paid. So the only way we can pay our national debt, the only way we can have economic stability in this great country of ours, is to have good prices and good wages, a high national income so that we can pay this high national debt conveniently and without suffering discomforts, and with ease. If we permit that high national income to be reduced we will suffer increasing hardships in our efforts and attempts to pay this high national debt. So I insist that our problem today, our No. 1 problem as outlined in such an effective way by the President of the United States, is preventing ruinous, run-away inflation here at home.

The following statement on the President's policies in specific fields was contained in his message to the Congress of yesterday. It is as follows:

(A) EXTENSION OF PRICE CONTROL ACT

Today inflation is our greatest immediate domestic problem. So far the fight against inflation has been waged successfully. Since May 1943, following President Roosevelt's hold-the-line order and in the face of the greatest pressures which this country has ever seen, the cost of living index has risen only 3 percent. Wholesale prices in this same period have been held to an increase of 2½ percent.

This record has been made possible by the vigorous efforts of the agencies responsible for this program. But their efforts would have been fruitless if they had not had the solid support of the great masses of our people. The Congress is to be congratulated for its role in providing the legislation under which this work has been carried out.

On VJ-day it was clear to all thinking people that the danger of inflation was by no means over. Many of us can remember vividly our disastrous experience following World War I. Then the very restricted wartime controls were lifted too quickly, and as a result prices and rents moved more rapidly upward. In the year and a half following the armistice, rents, food, and clothing shot to higher and still higher levels.

When the inevitable crash occurred less than 2 years years after the end of the war, business bankruptcies were widespread. Profits were wiped out. Inventory losses amounted to billions of dollars. Farm income dropped by one-half. Factory pay rolls dropped 40 percent, and nearly one-fifth of all our industrial workers were walking the streets in search of jobs. This was a grim greeting, indeed, to offer our veterans who had just returned from overseas.

When I addressed the Congress in September, I emphasized that we must continue to hold the price line until the production of goods caught up with the tremendous demands. Since then we have seen demonstrated the strength of the inflationary pressures which we have to face.

Retail sales in the closing months of 1945 ran 12 percent above the previous peak for that season, which came in 1944. Prices throughout the entire economy have been pressing hard against the price ceilings. The prices of real estate, which cannot now be controlled under the law, are rising rapidly. Commercial rents are not included in the present price-control law and, where they are not controlled by State law, have been increasing, causing difficulties to many businessmen.

It will be impossible to maintain a high purchasing power or an expanding production unless we can keep prices at levels which can be met by the vast majority of our people. Full production is the greatest weapon against inflation, but until we can produce enough goods to meet the threat of inflation the Government will have to exercise its wartime control over prices.

I am sure that the people of the United States are disturbed by the demands made by several business groups with regard to price and rent control.

I am particularly disturbed at the effect such thinking may have on production and employment. If manufacturers continue to hold back goods and decline to submit bids when invited—as I am informed some are doing—in anticipation of higher prices which would follow the end of price controls, we shall inevitably slow down production and create needless unemployment. On the other hand, there are the vast majority of American businessmen who are not holding back goods, but who need certainty about the Government pricing policy in order to fix their own long-range pricing policies.

Businessmen are entitled therefore to a clear statement of the policy of the Government on the subject. Tenants and housewives, farmers and workers—consumers in general—have an equal right.

We are all anxious to eliminate unnecessary controls just as rapidly as we can do so. The steps that we have already taken in many directions toward that end are a clear indication of our policy.

The present Price Control Act expires on June 30, 1946. If we expect to maintain a steady economy we shall have to maintain price and rent control for many months to come. The inflationary pressures on prices and rents, with relatively few exceptions, are now at an all-time peak. Unless the Price Control Act is renewed there will be no limit to which our price levels would soar. Our country would face a national disaster. We cannot wait to renew the act until immediately before it expires. Inflation results from psychological as well as economic conditions. The country has a clear right to know where the Congress stands on this all-important problem. Any uncertainty now as to whether the act will be extended gives rise to price speculation, to withholding of goods from the market in anticipation of rising prices, and to delays in achieving maximum production.

I do not doubt that the Congress will be beset by many groups who will urge that the legislation that I have proposed should either be eliminated or modified to the point where it is nearly useless. The Congress has a clear responsibility to meet this challenge with courage and determination. I have every confidence that it will do so.

I strongly urge that the Congress now resolve all doubts and as soon as possible adopt legislation continuing rent and price control in effect for a full year from June 30, 1946.

It is my hope that early consideration will be given to the continuation of the Price Control Act. It will be one of the most important proposals to come before this Congress.

The following statement appears in the fifth report of the Honorable John W. Snyder, Director of War Mobilization and Reconversion:

II. THE RACE AGAINST INFLATION

When Japan fell this Nation faced two seemingly contradictory dangers—on the one hand, deflation due to heavy demobilization, mass lay-offs, and the disappearance of Government markets; and, on the other hand, inflation due to more demand and spending power than there were goods and services to satisfy. Both dangers were present and operating in different parts of our economy. It was uncertain at the outset which would be on the whole the more serious influence on our entire economy.

Developments in the intervening months, as outlined in the preceding section, have demonstrated that the threat of inflation is much the more serious at this time.

The small decline in consumer incomes and the sharp increase in consumer and business expenditures make it certain that for some time lack of demand will not limit the expansion of civilian production. Shortages of properly trained labor in the right places, of raw materials, and of components, along with the other technical and organizational difficulties of conversion will be for some time, as they are at present, the limiting factors.

THE CAUSES OF INFLATION

These technical and organization factors will limit the rate at which output can be increased in response to heavy civilian demand. At the same time they will limit the rate at which additional manpower coming onto the civilian labor market can be absorbed. Thus, the same situation will cause both increasing unemployment during the next several months and continuing heavy inflationary pressures; unemployment and inflationary pressure may be at their height at the same time.

We cannot now predict when output will be sufficient to end the serious threat of inflation.

We do not doubt our ability to prevent inflation; but to do so, it is imperative that we have in the near future an extension of price control authority beyond June 30. It is vital for the prevention of inflation that businessmen and consumers anticipate that prices will remain stable. To provide them this assurance, it is essential that the Congress act well before the expiration date.

Consider the inflationary situation in more detail:

1. Heavy inflationary pressure exists at present: In spite of the moderate war-end drop in income, almost all types of goods are in heavy demand. Retail sales are the highest in our history. Retail prices have maintained their wartime level since VJ-day, contrary to common expectations. Wholesale prices have been creeping upward. Their rise since September has been more rapid than in any similar period since 1943.

2. Acute shortages of many important types of goods cannot possibly be made up in the near future:

Demand for housing, industrial and commercial construction, and the resulting demand for building materials and services, will be far in excess of the maximum output that the construction industry can possibly supply, not only through 1946, but for some time thereafter.

The demand for consumer durable goods will certainly exceed supply through 1946. There are about 4,000,000 fewer cars on American streets and roads today than there were in 1941. Many of those still in use need to be replaced. Also the number of prospective automobile owners has undoubtedly increased in the past 5 years. No matter how successful the automobile industry is in fully mobilizing its resources for production, it cannot possibly satisfy all demands in the coming year.

Demand for certain types of producers' equipment will exceed supply throughout the year. During the war the production of trucks for industry and commercial use was severely curtailed and there is a large backlog of demand. Many kinds of industrial machinery and equipment for textile and printing and food processing industries are in great demand.

Demand for textile products is likewise expected to exceed supply throughout a good part of the year. For some foods such as sugar, high-grade beef, fats and oils, inflationary pressure will persist for many months.

Almost all other important goods and services are now available in quantities too small to meet present demand. During coming months, output for the civilian market will increase, because more manpower will be available. But technical and organizational difficulties will limit the rate of increase.

3. Buying power will be augmented by the extremely large amount of accumulated liquid assets held by business and consumers: The supply of money has expended from $8,000,000,000 in 1940 to $28,000,000,000 at the present time. Total cash, plus bank deposits, plus war bonds held by individuals have increased to $150,000,000,000. Those held by business push the total up to $220,000,000,000.

These holdings are spotty. Some consumers, especially in low-income groups, have been able to accumulate little or none; nevertheless, the total is large.

These liquid assets can help sustain high levels of production for some time. Or—improperly handled—they can become a charge of dynamite exploding under our price structure. We simply do not know how many consumers will spend these savings. Presumably most will not do so quickly—but if only a small proportion should do so, the result could be disastrous. If only 10 percent of the total were spent during 1946—if say $15,000,000,000 were added to normal consumer demand out of current income—the result would be an increase in the present level of demand sufficient to increase inflationary pressures greatly.

Under these circumstances, it would be foolhardy not to recognize that the excess of demand over supply throughout the economic system may continue far beyond June 30.

4. A further crucial factor at the present time is the growing business expectation that effective price control will end and prices will rise: Prices on the stock market have risen about 15 percent in the past 10 weeks. Builders report that they are frequently unable to get bids for construction except at a level which includes a generous cushion for anticipated increases in costs. Public and private purchasing agents have, in many cases, been unable to get contracts for future delivery except with escape clauses providing for higher prices.

Such an atmosphere is contagious. The expectation of inflation immediately becomes one of its direct contributing causes. The belief that prices will rise gives businessmen a powerful incentive to buy, hoard inventories, and refuse to sell; it gives consumers a similar incentive to buy more than their current needs. With the volume of liquid savings what it is, a disastrous boom could occur if an inflationary buying rush were to start.

The most dangerous part of the inflation of World War I happened after the war. It was then that we had the disastrous postwar boom and collapse in which everyone suffered. (See chart, Prices, Then and Now.)

The Nation cannot afford to allow history to repeat itself in terms of such a national catastrophe.

Basic conditions the same

All the underlying causes that brought about inflation 25 years ago are with us again now, in accentuated form. People are anxious to buy, the inflationary psychology is conspicuous again.

The events that would follow the premature ending of effective price control can be predicted with considerable certainty.

1. Shortages of both producer and consumer goods would for a time be intensified by the strenuous efforts of businessmen to build up inventories and accelerate purchases of equipment, and in some cases, to hold goods for subsequent sale at higher prices; and by the equally strenuous efforts of consumers to beat the rise in the cost of living. In the scramble for goods, small business concerns would almost inevitably lose out relative to larger concerns.

2. As prices rose, great hardship would be caused to persons who live on pensions or annuities, upon low-income groups, and upon white-collar workers and other workers whose wages or salaries are slower to rise than the cost of living. A substantial part of the wartime saving would be destroyed since war bonds and other forms of accumulated savings of consumers and of business concerns would lose part of their purchasing power.

3. Some businessmen would find their profit margins widened during the boom, but only temporarily. The more effectively they had hoarded goods in speculative anticipation of a price rise, the more profit they would make. But these wider margins would last only as long as the inflationary rise in prices was in progress—and in the end would come collapse.

4. The sharp rise in prices would include a rise in construction costs. This would soon curtail the construction market. Consumers too would after a time curtail buying for lack of purchasing power or in protest at high prices. The incentive to build up inventories would end.

The choking off of these sources of demand would end the boom and almost inevitably cause a collapse, with its fall in income and profits, its severe unemployment, its heavy decline in spending and in production, and its individual and business bankruptcies. (See chart, Boom and Collapse.)

The net effect of these developments, coming on top of the strains of 4 years of war, would be to make enormously more difficult the attainment, of our stated long-run objectives of stability, prosperity, and security.

At the present moment farmers, businessmen, and consumers are less heavily in debt than ever before, and the volume of accumulated savings is greater. There has never been a moment in the history of this country when so few individuals or groups stood to gain from inflation and when so many would be permanently injured.

Taxes cannot do the job alone

There are those who say that the proper preventive for a boom at this time is fiscal policy alone—that price controls should be lifted and taxes levied heavily enough to drain off excessive demand.

Certainly heavy taxes should be retained during 1946. But reducing the general level of demand is singularly inappropriate as an anti-inflation policy during the transition period, for three reasons:

1. Even if the consequences of vigorous deflationary fiscal policy were desirable, it would be extremely difficult to judge what measures to apply, in view of the enormous volume of savings in the hands of individuals and corporations, and in view of the rapid changes in conditions during the transition. Annual changes in tax rates would be far too slow to meet the changing situation.

2. We need to maintain the pressure of demand in order to stimulate an expansion in production and employment. This is important not only in helping us reach full production and full employment quickly, but also in maintaining it later on.

3. Most important, in the spotty situation facing us, any general reduction of demand would create serious unemployment and human misery before it reduced inflationary pressure sufficiently to make price controls unnecessary. The excess of demand over supply will vary enormously between industries. Under conditions in which demand for food would equal supply, demand for housing or automobiles would be far above the supply. To eliminate inflationary pressure in these latter fields, it would be necessary to reduce general demand to depression levels and create mass unemployment.

Price control extension a necessity

Conditions during the remainder of the transition will be so spotty that only direct price controls, which can be retained where needed and lifted where not needed, will meet the situation. Price controls remain our only bulwark against inflation until production can increase sufficiently to balance demand, since other restrictions that formerly limited demand have been largely removed—consumer rationing and allocation controls over the whole structure of production. Present price-control authority expires on June 30. But if people thought that price control would end at June 30, compliance and enforcement would deteriorate sometime before that date.

Enforcement staffs are far too small to police all prices and all establishments. Price control depends on full public cooperation. With price control expected to end, that cooperation and the effectiveness of control can be expected to end well in advance of the legal date.

Furthermore, in anticipation of the removal of price-control authority while inflationary pressures still existed, goods would inevitably be withheld from the market on a large scale, thus intensifying the pressures. We have had some indication within recent weeks of inventory accumulation in anticipation of the removal of the excess-profits tax. How extensive this has been is unknown, but we must face the fact that withholding of goods from the market would be far greater if the abrupt ending of price control were in immediate prospect.

For these reasons, we cannot safely anticipate that price stability will be maintained, unless the authority to control prices beyond June 30 is granted at an early date. I urge, the Congress to act promptly to forestall any possibility of a breakdown in price control. The very knowledge that price ceilings will not end will be a powerful stabilizing force.

I can promise that as soon as the pressure on prices in any field eases—as soon as supply can meet demand—controls in that field will be lifted. Part II of this report summarizes the speed with which we have removed controls of many kinds—including some over prices—between VJ-day and the present. We will apply in the future the same principle of removing regulations as soon as possible.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. DONDERO], is recognized for 25 minutes.

COMMUNISTS WERE COMMISSIONED IN THE ARMED FORCES

Mr. DONDERO. Mr. Speaker, if there are any on this floor who find themselves in doubt about anything that I shall say in the time allotted to me by the House, they will have no quarrel with me. Their quarrel will be with the records of our Government.

We are in a serious crisis in our country. It is an hour when plain words must be spoken. Truly we are confronted with a time when—

Treason, like a deadly blight, comes o'er the councils of the brave, and blasts them in their hour of might.

A few short months ago we were hailing the triumph of our armed forces over the might of Nazi Germany. Today we find the splendid Army we built up, at the cost of much blood, sweat, and tears, threatening to fall apart as the result of a lack of foresight on the one hand, and neglect, almost amounting to treachery, on the other.

I am in sympathy with the legitimate grievances of the men remaining in the armed forces, who are, in many cases, the victims of official stupidity and incompetence. We all know that the demobilization plan is not perfect. I do not want the Communist press to warp or twist my remarks as a smear or criticism of our gallant fighting men, it is not so intended. I believe that a shrewd and well-organized Communist conspiracy has seized upon these grievances to exploit them at the precise moment of the London Conference in order to disintegrate our armed forces, to paralyze our foreign policy and further the interests of Soviet aggression throughout the world. My conviction is based upon the following provable facts:

First. The records show that the ringleaders of the GI demonstrations in Honolulu were, in a number of instances, men with Communist records such as Herbert Freeman and David Livingston of New York.

Second. The statements presented by alleged GI representatives were in some cases not bona fide GI grievances but attacks upon so-called American imperialism reminiscent of the period of the Stalin-Hitler Pact and recent Communist demonstrations before the State Department.

Third. The five demands presented by a so-called GI committee of liberation in Paris on January 13, 1946, calling for the abolition of officers' privileges in mess halls, clubs, recreation centers, and living quarters, and the reform of courts-martial boards, is fully in line with the program drawn up for Communists in all countries by the Communist International at its Sixth World Congress, July-August 1928. Similar demands, presented by soldiers' committees or councils were utilized to cause the disintegration of the imperial Russian armies during the First World War. They are demands which would be met by a firing squad in the Red Army today.

Fourth. Communist-dominated unions, like the National Maritime Union, which sounded the Communist keynote at every turn of the party line, announcing that "the Yanks are not coming" during Stalin's partnership with Hitler, calling for the opening of a second front after Russia was attacked by Hitler, are now demanding the we "bring the GI's home." The union pulled a 1-day strike in support of its demand.

Fifth. The labor canteen in Honolulu, which has been a hotbed of Communist propaganda among the soldiers stationed in the vicinity, is today the headquarters of the so-called Oahu servicemen's committee for speedier demobilization. The head of this canteen is Ewart G. Guinier, a well-known New York Communist fired by the New York Civil Service Commission in June 1942.

Sixth. A study made by Mr. Charles T. Lucey for the Scripps-Howard papers on January 17, 1946, shows that the Communist press has been giving enthusiastic support to the disaffection of American troops in all theaters. The following are sample excerpts from these papers:

GI's suspicious of foreign policy—American troops don't want to be used to stifle Korean independence—Stop intervention in China.

Reports thus far indicate that the War Department has been caught completely unprepared for the present emergency despite the fact that the press, patriotic groups and Members of Congress on both sides of the aisle raised their voices in warning more than a year ago, only to be brushed aside by topflight officials of the War Department with an arrogance which equalled their reckless stupidity. I wonder if these trusting gentlemen knew that as far back as 1920, V. I. Lenin, the outstanding teacher and guide of the Communist movement, counseled his followers throughout the world "to resort to all sorts of devices, maneuvers, and illegal methods, to evasion and subterfuge" in order to accomplish their goal of world revolution. I wonder if they are aware of the fact that Communist "contacts in Government research offices, military as well as civil" are instructed "to submit reports" and that "they are being sent to the Soviet Government"—State of New York, Legislative Document No. 49, 1942, pages 131, 132. For the sake of the record I wish to recall these warnings and the statements made in reply.

First. In October 1943 the New York World-Telegram carried a series of articles by Frederick Woltman revealing that Army trainees were being indoctrinated with Communist teachings, despite the War Department directive that each Army trainee "should be thoroughly impressed throughout the course with a sense of personal responsibility which rests upon him to preserve and strengthen the American way of life." Assurances were given by the Cornell authorities that the situation "will be corrected" but no fundamental change was made. "Military authorities fooled," read the World-Telegram editorial of December 29, 1943, forewarning the present disaster.

Second. On May 23, 1944, the attention of the Senate Military Affairs Committee was called to instructions issued by Lt. Gen. Joseph T. McNarney, Deputy Chief of Staff, to forward all espionage, sabotage, and subversive files to Washington for their destruction. General McNarney characterized such material as useless files. Senators denounced this proposal as treason. Today we find this self-same officer booed and defied by the very elements whom he wittingly or unwittingly sought to protect. Were it not that all of us are today the victims of such inexcusable stupidity or worse, we might call this poetic justice indeed.

It should be noted in this connection that Mr. George F. Schwarzwalder, an analyst for the Budget Bureau, has been largely instrumental in exerting official pressure upon the Army, the Navy and other intelligence services for the dismantling of subversive files. In a number of cases he was successful. His peculiar interest in subversive files has never been satisfactorily explained. Nevertheless this individual is now mentioned as a possible successor for that peerless guardian of our national security, J. Edgar Hoover.

Third. On February 19, 1945, Walter Trohan of the Chicago Tribune made public the fact that the War Department had issued—

A directive to all commanding officers at home, behind the lines and at battle fronts, stating that there shall no longer be any distinction between Communists and Americans in the United States Army. The directive was issued under date of December 30, 1944. * * * It was signed at the direction of the Secretary of War by Brigadier General Dunlop, acting adjutant general of the Army. * * * From October 30 to the date of the issuance of the directive the department had approved 200 Communist commission applications without rejecting one. * * * This directive stands in sharp contrast to the Hatch Act.

The article called attention to the fact that Communists were thus free to enter highly confidential and sensitive services in the armed forces.

On February 22, 1945, the Adjutant General, Maj. Gen. James A. Ulio, wrote to me explaining the procedure which has now borne such tragic fruit. He pleaded the virtual impossibility of developing actual, legal proof of membership in the Communist Party on the part of persons desiring to conceal such membership, thereby publicly acknowledging the utter inability of the Army Intelligence Services to protect the armed forces against subversion, which is their sacred responsibility under the laws of the land. Labor unions and other organizations without the tremendous resources at the disposal of the War Department have little trouble in locating Communists and their agents, in their midst.

He protested that the Communist Party has given members leaves of absence to prevent the application of the Hatch Act. Apparently the general was completely hoodwinked by the party's policy of evasion and subterfuge. In 1940 the party resorted to similar tactics of severing its connections with the Communist International in order to evade the provisions of the Voorhis Act. But its subservience to Moscow direction did not diminish one iota thereafter.

It is more than curious that the tactics of the Communists in the armed forces in various parts of the globe have followed the party line everywhere with perfect regularity and synchronization. The evidence points to the conclusion that Communists "on leave of absence" in the armed forces were in constant touch with their directive centers through their own channels operating under the noses of the Army Intelligence, in accordance with the principles once laid down by Earl Browder in his authoritative pamphlet, A Talk About the Communist Party, as follows:

> When you go about your work, no matter what it may be * * * you should always go about it with that understanding, that you are acting as a representative of the Communist Party.

Again the Army was fooled.

Ingenuously the directive of December 30, 1944, made public by Adjutant General Ulio, declared in defending the soundness of the War Department policy that "persons in the Army suspected of, but not proven to be Communists, had not proved to be any source of difficulty." Evidently General Ulio and the War Department were not aware of the fact that the Communists were willing to cooperate with the American Government only as long as we were an ally of Russia, and that once the party line changed again, as it has officially on July 26–28, 1944, because Russia feels that we are no longer at war as allies, they would use every vantage point to obstruct and destroy our democracy. We may confidently expect that Communists now occupying sensitive posts to which they were admitted in accordance with the War Department directive of December 30, 1944, will do everything in their power to utilize their positions for subversive purposes. That is the present party line. The recent Communist-led GI demonstrations prove that the Department has sown the wind and is now reaping the whirlwind.

Not only did the Army admit Communists to sensitive posts, as will be later shown, but it lavished innumerable decorations upon them, which they are now exploiting to give prominence to the propaganda of the Communist Party. The following examples are illustrative:

> Staff Sgt. Joseph Clark, alias for Joseph Cohen, awarded a silver star by Lt. Gen. Wade H. Maislip, commanding general of the United States Seventh Army, announced as joining the staff of the Daily Worker as editor of veterans' affairs. He was formerly organizer of the Young Communist League in Detroit and editor of the Review, Young Communist League publication. (Daily Worker, January 18, 1946, p. 8.)
>
> Capt. Irving Goff, formerly with the Office of Strategic Services, awarded * * * is now director of the New York State Veterans' Commission of the Communist Party. (Daily Worker, January 15, 1946, p. 3.)
>
> Staff Sgt. Robert Thompson awarded the Distinguished Service Cross, now vice president of the Communist Party. (Worker, June 11, 1944, p. 3.)

Many additional examples could be cited.

The statement made by the gentleman from Michigan, Representative SHAFER, minority member of the House Military Affairs Committee, on February 21, 1945, is almost prophetic. He asked:

> Does anyone believe that if, tomorrow, the line of the Soviet Union should change against the American Government that the Communists in this country would not change overnight as they did on several previous occasions?

But the War Department would give no heed to this warning.

Fourth. On February 27, 1945, Maj. Gen. Clayton Bissell, head of the Army Intelligence, told a House Committee on Military Affairs:

> I know of no case of any man who was ever a member [of the Communist Party] who has ever been commissioned.

On the same day Assistant Secretary John J. McCloy declared before this body that—

> The Army has not knowingly appointed as officers any individuals who seek overthrow of the Government, or whose disloyalty has been otherwise established, and it does not propose to do so.

On July 19, 1945, the subcommittee of the House Committee on Military Affairs released a list of 16 commissioned and noncommissioned Army officers as having backgrounds which reflect communism. This list included Maj. Edward Newhouse, Capt. Herbert Aptheker, Capt. Horace Warner Truesdell, Lt. Richard C. Criley, Lt. Irving Fajans, Lt. Edward W. Finkelstein, Lt. Irving Goff, Lt. Vincent Lossowski, Lt. Jerry Trauber, Lt. Milton Wolff, Lt. Gerald Cook, and others. Prior to this on March 4, 1945, Earl Browder had substantiated the conclusions of the subcommittee by declaring through the Daily Worker:

> Of course there are Communists holding commissions in the United States Army.

Six days before Bissell said they were not. Evidently he had been in contact with his comrades despite their "leave of absence," and despite the Army intelligence. I believe these officers are now exploiting their Army titles to further activities of the Communist Party at meetings and in the Communist press.

These developments show that Major General Bissell and Assistant Secretary of War McCloy either did not know what they were talking about or they were unknowingly deceiving the American people. The fact remains that the harm they have done is incalculable.

Fifth. Every conceivable device was employed to defend and cover up those in the War Department responsible for the directive of December 30, 1944, whose impeachment Congressman RANKIN suggested to this House on February 19, 1945, referring to their conduct as treason or very close to it. In a letter addressed to Representative THOMASON, chairman of the House Military Affairs subcommittee, Secretary of War Stimson arbitrarily refused to disclose the files on individuals charged with having subversive records—Times-Herald, March 14, 1945, page 2.

General Bissell stoutly insisted that—

> Each [Communist] has sworn loyalty to the United States, and this record indicates that they have kept that oath. Instead of advocating the overthrow of the Government by force and violence, they are engaged in upholding it by force and violence.

The naive General Bissell evidently was not aware of the fact that Communists take such oaths with tongue in cheek. Let the general dare to appear before this House and stand by his statement now in the light of the events of recent weeks. Intelligence officers are expected to have foresight—and intelligence.

Maj. Gen. William J. Donovan, Director of the Office of Strategic Services, the special spy system which has been so profusely publicized in recent months, presented before the House subcommittee as his considered judgment the theory that "overthrow of the Government by violence is not advocated by Communists today." Army records will show that recent Communist-inspired demonstrations have resorted to force and violence in accord with fundamental Communist doctrine. Violence characterizes Communist-led strikes now raging from coast to coast. The Communists are openly agitating for a national general strike at the present moment. Abroad Communists have taken over country after country by unashamed resort to force and violence. In the light of recent events throughout the world it is difficult to conceive how anyone, let alone a top-flight intelligence officer, could be guilty of such lack of foresight and judgment.

When the names of David Zablodowsky, Alexander Vuchinich, and other Communists occupying key posts in the Office of Strategic Services were cited, General Donovan said he was personally satisfied that they were loyal. Men like these, it should be remembered, have since been blanketed into the War and State Departments by Executive order to continue their nefarious activity.

Sixth. Material presented before the subcommittee of the House Committee on Military Affairs on March 4, 1945, showed that "Soviet propaganda in subtle form is being fed to American troops by Communists who have secured editorial staff positions on Army newspapers"—Times-Herald, March 4, 1945, pages 1, 2. Among those engaged in this activity were the following individuals with provable Communist records: Dashiell Hammett, Lyle Dowling, Walter Bernstein, DeWitt Gilpin, and others. In charge of this work was that worldly liberal, Maj. Gen. Frederick H. Osborn, who boasted that his division produced "1,500,000 daily sales of Stars and Stripes—2,600,000 weekly sales of Yank—the 179 radio stations in the armed forces radio service—a million men taking correspondence courses, and another 4,000,000 attending command schools." The poison produced on this mass scale for our troops was characterized recently by Westbrook Pegler as follows:

> When this war came along, however, the Communists and pinks first promoted a great expansion of such journalism and then contrived to plant themselves in the publications, as data in Army Intelligence has positively noted.

Articles in these papers eulogized the Soviet Union and its institutions and

disparaged those of the United States in comparison. High tribute was paid to Communist-led unions like the National Maritime Union and the United Electrical, Radio and Machine Workers Union which are paving the way for a revolutionary general strike in the United States at this moment.

In fact, a Communist gossip sheet, in its issue of August 27, 1945, described with considerable satisfaction some of the 74 pamphlets prepared by the Information and Education Division, Army Service Forces, under Maj. Gen. F. H. Osborn, and issued to 175,000 education and information officers of the United States Army to be used in every training camp and in every unit abroad, and all passed by official censors. In fact quoted the following notable excerpts from these Army fact sheets:

No. 8: Certainly be cautious—certainly keep in mind the fact that ours is not a perfect democracy. * * *

No. 53: Soviet: We commonly use this word to designate what was formerly called Russia. It actually means "council" in Russian. * * * Socialist: They are "Socialist" Republics because they are organized along the lines of a system in which the means for the production (such as factories, mines, and utilities) and distribution of wealth are the collective property of the workers. * * * He (the Russian) was proud and reassured because the Russian state owned all the productive wealth and he no longer felt exploited by a ruling class.

No. 53: On its record, the Soviet policy has had a clear and realistic aim. * * * After Munich in September, 1938, pursuing its realistic policies, the Soviet looked to its own protection. Among its actions was moving into Finland, Estonia, Latvia, Lithuania, and into Poland.

Seventh. The policy of the War Department drew the following well-merited criticism from Edward N. Scheiberling, national commander of the American Legion:

Fifty-one percent loyalty is not enough when the security of our country is at stake. * * * The lives of our sons, the vital military secrets of our armed forces, must not be entrusted to men of divided loyalty. * * * The Attorney General of the United States has held that the purpose of the Communist Party is the overthrow of the Government of the United States. * * * Every Communist, as a condition of membership in the party, swears supreme loyalty to the party and to the revolution. (New York Times, March 2, 1945, p. 5.)

But Earl Browder, at that time leader of the Communist movement, indicated not only his full cognizance of what was being cooked up but his enthusiastic approval, as demonstrated by his statement in the Daily Worker of March 4, 1945, from which I quote:

The United States Army kills the Red bogey. * * * This is, indeed, a great victory for American democracy. It has been the studied policy of American Communists to refrain from public discussion of this issue. * * * We soon became convinced that the Army leadership was soundly democratic and that, from its own experience, it would move to modify * * * anti-Communist rules. * * * Our judgment has been confirmed * * * and we are today happy, indeed, that the progress being recorded did not require any organized pressure upon the armed forces from outside their own ranks. * * * It is time to bring Attorney General Biddle and the Department of Justice into line with the War Department and the State Department—as well as with the President, who has learned the value of rubbing elbows with Communists.

I, for one, would like to know who gave Mr. Browder assurance of the abolition of anti-Communist rules.

In recalling these facts it is not my purpose to enter into partisan bickering or recrimination. It is, rather, my intention to bring out in their full proportion the disastrous mistakes which have been made in the past, the consequences of which we all face in common today, and to indicate what must be done if we are to save our Republic from destruction. Let every true American, regardless of party, take heed. I therefore propose the following immediate steps:

First. Effective measures to correct the legitimate grievances of our armed forces with all possible speed.

Second. The complete scrapping of the previous Army information machinery which has borne such evil results and its replacement by a sound program placed in the hands of loyal Americans. Our soldiers are loyal and true Americans. They are willing to serve their country loyally if they know exactly what is wanted of them. The men should be told the real facts in the present international situation and all previous fictions should be discarded. We should work out a clear foreign policy with an effective military program to implement it and inform the men in the ranks, and the country as a whole.

Third. All Communists, including outright members and those accepting Communist Party discipline and instruction, should be weeded out and placed where they can no longer carry out their subversive activities. Army discipline should be enforced. The men in the ranks should be informed of the nature of the insidious forces seeking to operate among them.

Fourth. The Army intelligence services should be revamped to meet the present situation.

Fifth. It should be recognized that the disruptive activities of the Communists in the Army and in our industries, in accordance with the new revolutionary line of the Communist Party, will be supplemented by Communists and their agents within the Government itself. Cognizance should be taken of the present proceedings before the United States Supreme Court seeking to invalidate the Hatch Act. The limitations of this act should be examined. The proper committees of this House should take up at once the enactment of effective legislation barring from Government employment all subversive elements.

The time to act is now. It is later than we think.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ENGLE of California, for 6 days, on account of official business.

LABOR COMMITTEE

Mr. SPARKMAN. Mr. Speaker, on behalf of the Labor Committee of the House, I ask unanimous consent that that committee may have until midnight tonight to file a report on the bill (H. R. 4437).

The SPEAKER pro tempore (Mr. DOYLE). Is there objection to the request of the gentleman from Alabama?

There was no objection.

EXTENSION OF REMARKS

Mr. ROWAN asked and was given permission to extend his remarks in the RECORD on the steel strike and include two items from a Washington newspaper.

ADJOURNMENT

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 17 minutes p. m.) the House adjourned until tomorrow, Wednesday, January 23, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will meet on Wednesday, January 23, 1945, at 10:30 a. m., in executive session. The Attorney General, Mr. Clark, will attend.

COMMITTEE ON THE CENSUS

The Committee on the Census will hold hearings on H. R. 4781 on Thursday and Friday mornings, January 24 and 25, 1946, at 10 o'clock.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 2 p. m. on Thursday, January 24, 1946, for resumption of hearings in study of operations pursuant to the Public Utility Holding Company Act of 1935.

COMMITTEE ON THE JUDICIARY

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, January 30, 1946, on the bill (H. R. 2710) to provide for the detention, care, and treatment of persons of unsound mind in certain Federal reservations in Virginia and Maryland. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee Room, 346 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

968. A letter from the Acting Secretary, Department of State, transmitting a draft of a proposed bill to permit the appointment of additional foreign-service officers in the classified grades; to the Committee on Foreign Affairs.

969. A letter from the Attorney General, transmitting a report reciting the facts and pertinent provisions of law in the cases of 86 individuals whose deportation has been suspended for more than 6 months by the Commissioner of the Immigration and Naturalization Service under the authority vested in the Attorney General, together with a statement of the reason for such suspension;

to the Committee on Immigration and Naturalization.

970. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1947, in the amount of $1,500,000, for the Panama Canal, in the form of an amendment to the Budget for said fiscal year (H. Doc. No. 417); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. JARMAN: Committee on Printing. Senate Concurrent Resolution 43. Concurrent resolution providing for the printing of additional copies of the hearings held before the Joint Congressional Committee on the Investigation of the Pearl Harbor Attack; without amendment (Rept. No. 1483). Referred to the House Calendar.

Mr. HENDRICKS: Committee on Appropriations. H. R. 5201. A bill making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1947, and for other purposes; without amendment (Rept. No. 1484). Referred to the Committee of the Whole House on the State of the Union.

Mr. FLANNAGAN: Committee on Agriculture. S. 765. An act concerning the establishment of meteorological observation stations in the Arctic region of the Western Hemisphere for the purpose of improving the weather-forecasting service within the United States and on the civil international air transport routes from the United States; without amendment (Rept. No. 1485). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Banking and Currency. House Joint Resolution 301. Joint resolution to amend Public Law 30 of the Seventy-ninth Congress, and for other purposes; with amendment (Rept. No. 1486). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANDOLPH: Committee on Labor. H. R. 4437. A bill to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes; without amendment (Rept. No. 1487). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HOFFMAN:

H. R. 5202. A bill to protect employees and employers engaged in interstate and foreign commerce; to the Committee on Labor.

H. R. 5203. A bill to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce; to diminish unemployment; to establish a national policy for assuring continuing employment in a free competitive economy and to protect the right to work; to the Committee on Labor.

By Mr. BROOKS:

H. R. 5204. A bill to provide for a proposed system for retirement of members of the Reserve forces of the Army of the United States; to the Committee on Military Affairs.

By Mr. EDWIN ARTHUR HALL:

H. R. 5205. A bill relating to the base pay of enlisted men of the Army, Navy, Marine Corps, and Coast Guard; to the Committee on Military Affairs.

By Mr. SPARKMAN:

H. R. 5206. A bill to establish a Federal Commission for the Physically Handicapped, to define its duties, and for other purposes; to the Committee on Labor.

By Mr. BLAND:

H. Res. 490. Resolution providing additional compensation for certain employees in the Office of the Doorkeeper; to the Committee on Accounts.

By Mr. GOODWIN:

H. Res. 491. Resolution creating a select committee to investigate the policy of the War Department retarding demobilization; to the Committee on Rules.

By Mr. RANDOLPH:

H. Res. 492. Resolution for the consideration of H. R. 4437, a bill to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN of New York:

H. R. 5207. A bill for the relief of the Gluckin Corp.; to the Committee on Claims.

By Mr. BYRNE of New York:

H. R. 5208. A bill for the relief of Michael J. Keaveney and Mary C. Keaveney; to the Committee on Claims.

By Mr. COFFEE:

H. R. 5209. A bill for the relief of Archie A. Plante and Earl T. Creech; to the Committee on Claims.

By Mrs. LUCE:

H. R. 5210. A bill for the relief of Mrs. Yvonne Nguyen-Thi-Tung Rogoff; to the Committee on Immigration and Naturalization.

By Mr. McDONOUGH:

H. R. 5211. A bill for the relief of Lorrayne E. Graus; to the Committee on Claims.

By Mr. McMILLAN of South Carolina:

H. R. 5212. A bill for the relief of the dependents of Cecil M. Foxworth, deceased; to the Committee on Claims.

H. R. 5213. A bill for the relief of G. B. Gardner; to the Committee on Claims.

By Mr. RYTER:

H. R. 5214. A bill for the relief of John Petrizzo; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1481. By Mr. CANNON of Missouri: Petition of Mr. Herbert R. Wallenbrock and numerous representative citizens of St. Charles, Mo., relative to redeployment and demobilization; to the Committee on Military Affairs.

1482. Also, petition of Mrs. Elmer Koch and numerous representative citizens of St. Charles, Mo., relative to redeployment and demobilization; to the Committee on Military Affairs.

1483. By Mr. EATON: Resolution of the New Jersey Bar Association, protesting against curtailing of jurisdiction of the several district courts of the United States; to the Committee on the Judiciary.

1484. Also, resolution of the Association of the Sons of Poland, approving adoption of House Concurrent Resolution 109; to the Committee on Foreign Affairs.

1485. By Mr. HAVENNER: Petition of 283 citizens of San Francisco and other parts of California, urging the adoption of House Concurrent Resolution 89, which reads as follows:

"Resolved by the House of Representatives (the Senate concurring), That the Congress hereby express itself that anti-Semitism and other forms of hate propaganda directed against racial or religious groups, which arrays creed against creed, and race against race, is a potent weapon in the hands of the enemies of this country and of its institutions; that the spreading of this Hitlerite ideology destroys the unity of this Nation, creates discord among our people, and is a threat to our future peace and security. Whosoever conducts or participates in such propaganda is un-American and is undermining the foundations upon which our Nation was founded, therefore, there can be no place in the lives or thoughts of true Americans for such ideology."

To the Committee on the Judiciary.

SENATE

WEDNESDAY, JANUARY 23, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty God, who sustainest man's spirit by an undying hope, our faint and feeble petitions mock any poor attempts to voice the desperate cry of our lives for Thee. We acknowledge the supreme need that our character and our caliber be greatened to match the demands of this time for spacious thinking. Help us to know that all gracious service in life's brief span is based on the gentleness which makes for greatness; on patience which endureth to the end; on truth which alone makes us free; and on toil which takes all, yet gives all. We pray not to be saved from the earthly ills to which flesh is heir, but we ask that above all there may be given us the enabling grace that we may never betray for expediency's sake the high solemnities of duty which are the very breath of our integrity. In the name of the Redeemer who endured the cross, despising the shame. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 473) relating to pay and allowances of officers of the retired list of the Regular Navy and Coast Guard performing active duty in the rank of rear admiral, with an amendment in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 3243. An act to amend the act entitled "An act to establish a National Archives of the United States Government, and for other purposes";

H. R. 3580. An act to authorize municipalities and public-utility districts in the Territory of Alaska to issue revenue bonds for public-works purposes;

H. R. 3614. An act to ratify and confirm Act 33 of the Session Laws of Hawaii, 1945, extending the time within which revenue bonds may be issued and delivered under chapter 118, Revised Laws of Hawaii, 1945;

H. R. 3657. An act to ratify and confirm Act 32 of the Session Laws of Hawaii, 1945;

H. R. 4932. An act to amend section 9 of the Boulder Canyon Project Act, approved December 21, 1928; and

H. R. 5135. An act to amend the Agricultural Adjustment Act of 1938, as amended.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of the motion of Mr. OVERTON to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. TAFT. Mr. President, I move to lay on the table the motion of the Senator from Louisiana [Mr. OVERTON] to amend the Journal.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	Green	Myers
Bailey	Guffey	O'Daniel
Bankhead	Gurney	Pepper
Barkley	Hart	Reed
Bilbo	Hatch	Robertson
Brewster	Hayden	Russell
Bridges	Hickenlooper	Saltonstall
Briggs	Hill	Shipstead
Buck	Hoey	Smith
Bushfield	Huffman	Stanfill
Butler	Johnson, Colo.	Stewart
Byrd	Johnston, S. C.	Taft
Capehart	La Follette	Taylor
Capper	McClellan	Thomas, Okla.
Chavez	McFarland	Thomas, Utah
Cordon	McKellar	Tydings
Donnell	McMahon	Wherry
Downey	Magnuson	White
Eastland	Maybank	Wiley
Ferguson	Mead	Willis
Fulbright	Millikin	Wilson
George	Morse	Young
Gossett	Murdock	

The PRESIDENT pro tempore. Sixty-eight Senators having answered to their names, a quorum is present.

The question is on agreeing to the motion of the Senator from Ohio [Mr. TAFT] to lay on the table the motion of the Senator from Louisiana [Mr. OVERTON] to amend the Journal of Thursday, January 17, 1946.

Mr. TAFT. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the senior Senator from New York [Mr. WAGNER]. On this vote I understand he would vote, if present, as I am about to vote. I vote "yea."

Mr. RUSSELL (when his name was called). Inasmuch as the Senator from Louisiana [Mr. OVERTON] did not respond when his name was called on the vote which is being taken on the motion to lay on the table the motion of the Senator from Louisiana, I announce that he is, unfortunately, ill, being in the hospital at this time, and for that reason could not be present to vote when his name was called. If the Senator from Louisiana were present, of course, he would vote against the motion made by the Senator from Ohio.

Mr. MAGNUSON. I wish to announce that my colleague the junior Senator from Washington [Mr. MITCHELL] is absent on official business, and that if he were present he would vote "yea."

Mr. SMITH. Mr. President, I desire to offer an amendment to the pending bill.

The PRESIDENT pro tempore. That is not in order at this time.

Mr. MEAD. I desire to announce the unavoidable absence because of illness of my colleague the senior Senator from New York [Mr. WAGNER]. I also announce that, if he were present, he would vote "yea" on this question.

The roll call was concluded.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. CARVILLE], the Senators from Montana [Mr. MURRAY and Mr. WHEELER], and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Louisiana [Mr. ELLENDER], the Senator from Rhode Island [Mr. GERRY], and the Senator from West Virginia [Mr. KILGORE] are detained on official business at various Government departments.

The Senator from Illinois [Mr. LUCAS], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Maryland [Mr. RADCLIFFE] are detained on public business.

The Senator from Massachusetts [Mr. WALSH] is detained on official business at the White House.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business, as a member of the Mead committee.

I wish to announce further that if present and voting the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from Montana [Mr. MURRAY], the Senator from Delaware [Mr. TUNNELL], and the Senator from Massachusetts [Mr. WALSH] would vote "yea."

I also announce that if present and voting the Senator from Florida [Mr. ANDREWS], and the Senator from Louisiana [Mr. ELLENDER] would vote "nay."

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations now being held in London.

The Senator from Vermont [Mr. AIKEN] and the Senator from Minnesota [Mr. BALL] are absent because of illness. Both of these Senators would vote "yea" if present.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee. If present he would vote "yea."

The Senator from Illinois [Mr. BROOKS], the Senator from North Dakota [Mr. LANGER], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent. All of these Senators would vote "yea" if present.

The Senator from West Virginia [Mr. REVERCOMB] is detained on official business.

The Senator from New Jersey [Mr. HAWKES] is necessarily absent.

The result was announced—yeas 48, nays 20, as follows:

YEAS—48

Austin	Guffey	Reed
Barkley	Gurney	Saltonstall
Brewster	Hart	Shipstead
Bridges	Hayden	Smith
Briggs	Hickenlooper	Stanfill
Buck	Huffman	Taft
Butler	Johnson, Colo.	Taylor
Capehart	La Follette	Thomas, Okla.
Capper	McFarland	Thomas, Utah
Chavez	McMahon	Tydings
Cordon	Magnuson	Wherry
Donnell	Mead	White
Downey	Morse	Wiley
Ferguson	Murdock	Willis
Gossett	Myers	Wilson
Green	Pepper	Young

NAYS—20

Bailey	George	Maybank
Bankhead	Hatch	Millikin
Bilbo	Hill	O'Daniel
Bushfield	Hoey	Robertson
Byrd	Johnston, S. C.	Russell
Eastland	McClellan	Stewart
Fulbright	McKellar	

NOT VOTING—28

Aiken	Kilgore	Radcliffe
Andrews	Knowland	Revercomb
Ball	Langer	Tobey
Brooks	Lucas	Tunnell
Carville	McCarran	Vandenberg
Connally	Mitchell	Wagner
Ellender	Moore	Walsh
Gerry	Murray	Wheeler
Glass	O'Mahoney	
Hawkes	Overton	

So Mr. TAFT's motion to lay on the table the motion of Mr. OVERTON to amend the Journal was agreed to.

Mr. HOEY, Mr. WHERRY, Mr. SMITH, and Mr. MORSE addressed the Chair.

The PRESIDENT pro tempore. The Senator from North Carolina [Mr. HOEY] is recognized.

Mr. TYDINGS. Mr. President, before the Senator from North Carolina begins his address, will he yield to me?

Mr. HOEY. I yield for a question.

Mr. TYDINGS. I should like to ask the Senator from North Carolina if he will yield to me long enough for me to request that I be excused from attendance on sessions of the Senate for the remainder of the day and tomorrow. Because of illness in my family I find that it is essential that I leave the Capitol.

Mr. HOEY. I am glad to yield provided I do not lose the floor.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Maryland that he be excused from attendance on sessions of the Senate for the remainder of today and tomorrow? The Chair hears none, and leave is granted.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. HOEY. I yield for a question.

Mr. BUTLER. I should like to ask the Senator to yield for exactly the same purpose as the Senator from Maryland requested the Senator to yield, with the understanding that the Senator shall not lose the floor.

The PRESIDENT pro tempore. Does the Senator from North Carolina yield for that purpose?

Mr. HOEY. I yield.

Mr. BUTLER. I find it necessary to be absent from the Senate, leaving Thursday night and returning Tuesday next. I ask permission to be absent.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and leave is granted.

Mr. HOEY. Mr. President, I send to the desk an amendment, which I desire to offer to the Journal.

The PRESIDENT pro tempore. The amendment will be stated.

The Chief Clerk read as follows:

I move to amend the Journal of Thursday, January 17, 1946, so as to show the names of all Senators who did not answer to the first quorum call on page 35.

Mr. HOEY. Mr. President, I wish to discuss some phases of this bill, described as a so-called Fair Employment Practice Act——

Mr. PEPPER. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. PEPPER. The motion, as I heard it read, referred to the correction of the Journal, and the Senator has announced that he proposes to discuss a piece of legislation not related to or germane to the motion. I make the point of order that the Senator is not addressing himself to the motion.

The PRESIDENT pro tempore. Under the rules of the Senate it is not required that any Senator speak to the question before the Senate. He may speak on whatever subject he chooses. That is both the written and unwritten law.

Mr. PEPPER. Mr. President, I appeal from the decision of the Chair.

Mr. RUSSELL. Mr. President——

Mr. HOEY. Mr. President, I reserve the right to speak on that question.

Mr. PEPPER. Mr. President, a point of order.

Mr. RUSSELL. Mr. President, I believe I have the floor.

The PRESIDENT pro tempore. The Senator from North Carolina has the floor. Does he yield?

Mr. HOEY. No. I have not yielded.

Mr. PEPPER. Mr. President, I make the point of order, and I ask the further question, Is the point of order debatable?

The PRESIDENT pro tempore. In the opinion of the Chair, a Senator who has the floor cannot be taken from the floor in order to submit a question of that kind.

Mr. PEPPER. Mr. President, a point of order. Is it not possible to make a point of order at any time?

Mr. RUSSELL. Mr. President, a Senator cannot be taken from the floor when he has been recognized, by a point of order or any other device.

The PRESIDENT pro tempore. Unless the Senator from North Carolina violates some rule, another Senator cannot take him off the floor by making a point of order of that kind.

Mr. PEPPER. In other words, while one Senator has the floor, it is not possible for any other Senator to raise a point of order?

The PRESIDENT pro tempore. Oh, yes; it is possible.

Mr. PEPPER. Is not that the question?

The PRESIDENT pro tempore. The Chair is sure that the question raised by the Senator would not be regarded as a point of order.

Mr. PEPPER. Mr. President, I do make the point of order——

Mr. RUSSELL. Mr. President, I make the point of order that the Senator from Florida is out of order in trying to take the Senator from North Carolina from the floor.

The PRESIDENT pro tempore. The Senator from North Carolina has the floor.

Mr. PEPPER. Did the Chair rule on the appeal?

Mr. HOEY. Mr. President, the Senator did not wait until I had finished my statement.

The PRESIDENT pro tempore. Does the Senator from North Carolina yield further?

Mr. HOEY. No; I do not yield.

The PRESIDENT pro tempore. The Senator from North Carolina has the floor.

Mr. PEPPER. Mr. President, did the Chair rule on the point of order?

The PRESIDENT pro tempore. The Senator from North Carolina has the floor.

Mr. PEPPER. Did the Chair rule on the point of order made?

The PRESIDENT pro tempore. The Chair does not consider the question raised by the Senator from Florida a point of order.

Mr. PEPPER. Does the Chair decline to allow an appeal?

The PRESIDENT pro tempore. The Chair is acting under the advice of the Parliamentarian, as should always be done in such cases. The Parliamentarian informs the Chair that the Senator from Florida is not in order, and that a vote cannot be had upon the so-called appeal of the Senator from Florida.

Mr. HOEY. Mr. President, I had not finished my preliminary statement when the Senator from Florida raised his point of order. I had stated that I wished to speak upon some phases of the bill. The Senator from Florida then interrupted. I had intended to add that I wish to discuss incidentally the amendment which I have offered.

Reverting to the question which I wish to discuss first, I desire to talk about this bill not from the standpoint of a southerner, although I am an intense southerner, but rather from the standpoint of an American citizen, because I am a more intense American. I do not believe that the bill would accomplish the results for which its sponsors hope.

Mr. TAFT. Mr. President——

The PRESIDENT pro tempore. For what purpose does the Senator rise?

Mr. TAFT. I rise to a point of order. The motion made by the Senator from North Carolina is a frivolous motion, a motion to correct the Journal.

The PRESIDENT pro tempore. Does the Senator from North Carolina yield for that purpose?

Mr. HOEY. No. I have not yielded.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. TAFT. Mr. President, cannot a point of order be made at any time?

The PRESIDENT pro tempore. The Senator would have to obtain the floor before making a point of order. A Senator cannot be taken from the floor in that way. It is not fair; it is not just; and it is not going to be done.

Mr. PEPPER. Mr. President, a point of order——

Mr. HOEY. Mr. President, may I proceed?

The PRESIDENT pro tempore. Does the Senator from North Carolina yield?

Mr. HOEY. I decline to yield.

The PRESIDENT pro tempore. The Senator from North Carolina declines to yield. He has the floor.

Mr. PEPPER. Mr. President, will the Presiding Officer hear rule XX, with reference to a point of order being made at any time?

The PRESIDENT pro tempore. At the proper time the Chair will hear any Senator.

Mr. PEPPER. Will the Chair——

The PRESIDENT pro tempore. But the Chair will not hear a Senator when the Senator who has the floor declines to yield. The Senator from North Carolina has the floor.

Mr. PEPPER. I invite the attention of the Chair to rule XX.

Mr. HOEY. Mr. President, I should like to proceed with my speech, if I may have an opportunity.

Mr. TYDINGS. Mr. President, will the Senator yield to me for a question?

Mr. HOEY. I yield for a question.

Mr. TYDINGS. I should like to ask the Senator from North Carolina, and through him the Chair, if all these points of order on the motion are not out of order for the reason that if the point of order were valid it would have to be made at the time the proposal was offered by the Senator from North Carolina, and not after he obtained the floor in his own right to address the Senate.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

Mr. HOEY. No; I decline to yield. I wish to proceed with my speech.

Mr. PEPPER. Will the Senator yield for a question?

Mr. HOEY. No; I decline to yield.

Mr. President, I was about to say that I think I can say without any question that I have no prejudice because of race, color, creed, or national origin. I believe that my whole past life justifies that statement. I certainly have no prejudice against Negroes. I have known them all my life. I have lived in the same locality with them. Thirty percent or more of the population of my State consists of Negroes. They have been my friends, and I have been their friend. I think I know the Negro character. I know his strength, and I know his weakness. I am familiar with his abilities, and I also know his limitations. I like him. During the 4 years that I served as governor of my State I exerted to the fullest extent the powers of my office to see that there was no discrimination against Negroes anywhere, at any time, or under any circumstances, and

that they had the full protection and benefit of the law.

I believe that the situation in North Carolina is illustrative of the condition obtaining throughout the South. The general public has an idea that in the South Negroes are very grossly discriminated against. I should like to discuss that phase of the matter for a little while, and I should like to discuss the treatment of Negroes in North Carolina as illustrative of the treatment of Negroes in the South. I think the public is entitled to know something about what happens with reference to our racial issue.

I may say that in North Carolina we have practically no race problem. I have heard more about race and about color and about creed and about national origin in Washington during the brief period I have been here than I have heard for 20 years in North Carolina. Our people largely are satisfied. They are making progress—both whites and colored and Indian. They are going forward. They are developing the State. They believe in their State. They believe in themselves. They believe in fairness and justice to everyone.

What is the condition in North Carolina? I think the country at large misconstrues segregation for discrimination. I do not believe in race prejudice. I believe in race pride. I do not believe in race amalgamation, but I believe in race integrity. I do not believe in social equality, but I believe in equality before the law.

We talk about discrimination, but, like a great many other things, discrimination cannot be regulated by law. Sin cannot be controlled by law. You cannot pass a law to make everybody love his enemy. We cannot regulate the whole economy of man and the thought of man by passing a law.

I said there have been discriminations all along. There always have been, there are now, and there always will be discriminations in our whole economy. Discriminations occur not only between races and between people of different creeds or different national origins, but between people of the same race and of the same creed and of the same national origin. Discrimination runs all through nature. There was discrimination in creation. Some men have five talents; some men have two; some men have one. We have discrimination in ability all along the line; and when we undertake to pass a law to eliminate and abolish discrimination, then we are going far afield, because it is a thing which cannot be remedied or abolished by passing a law.

Coming back to North Carolina, a moment ago I said that in our State we believe in segregation. We practice it, and it is satisfactory to both the whites, the colored, and the Indians in North Carolina. Why is it satisfactory? Because it gives everyone a chance. It is not discrimination. I would always challenge the right of any man to discriminate against some other man because of his color or because of his race or because of his creed. I do not need to argue that question, I think. My distinguished colleague, the senior Senator from North Carolina [Mr. BAILEY], in his magnificent speech the other afternoon referred to the fact that when the question of intolerance as to creed was presented squarely in the 1928 Presidential election, both of us—both the distinguished senior Senator and myself—canvassed our State advocating the election of a Catholic, while both of us are Protestants. I made 66 speeches in North Carolina in that campaign, and in every county of the State I upheld the right of any man to be elected President without regard to his religious affiliation, and I challenged the thought that anyone should be discriminated against because he happened to be a Catholic, and different in faith from most of the people in North Carolina. If Alfred Smith had been a Jew, I would have made the same speeches and I would have challenged the same intolerance. I believe in fairness to everyone. I have no prejudice against the Catholic Church. I recall its works of mercy, its ministries of love, its victories of faith, and I certainly would not undertake to discriminate against the church which has served to light the fires of faith in Jesus Christ during difficult times, even during the Dark Ages, and which, even though at times imperfectly and falteringly, has kept the faith.

I have no prejudice against Jews. Some of the finest citizens of North Carolina are Jews, and they are prominent in the material development of the State and in furthering its civic welfare and in the good leadership of the people of the State. Certainly we have no prejudice against the race which has preserved the thought of one God during the centuries and has given us the mighty prophets and seers and the lawgivers of the church and Nation for all time, by which the progress of all men and of their economy is and shall be determined. So Mr. President, with reference to the Jews and the Catholics I have no prejudice. I want them to have fairness and justice, and I may say they get it everywhere in North Carolina.

Then coming back to the Negroes, because I think most of the people who are supporting this bill have in mind the idea that they are going to change the situation in the South with reference to the treatment of the Negro, let me say that the situation in the South is not perfect; I would not maintain that it is. I may also say that in other sections of the country it is not found to be perfect, either. But in the South we have made great progress. We are doing in my own State, as typical of other Southern States, the thing which I think counts for more in the life of the Negroes of this Nation than anything else which is being done anywhere throughout the North or the West, with all due respect and deference to those great sections of the country. What is happening in North Carolina? A few moments ago I mentioned that we have segregation. We do. The white people and the Negroes do not associate together in social functions; they do not go to school together; they do not go to church together; they do not work together, except in limited employments. That is satisfactory to both races. It does not deny to any Negro in North Carolina the right to all the benefits of his whole life and character, and it gives him the purpose and the privilege and the opportunity of serving along with his own people, where he is happier, and where everyone else concerned is more content.

Let us consider education. Do you know, Mr. President, that in North Carolina we treat the Negroes better than they are treated in Pennsylvania, better than they are treated in New York, better than they are treated in Ohio or in Michigan or in any of the other States where provision is made for all children to attend the same schools? Let me illustrate that point for a moment. In North Carolina we have, in round figures, approximately 267,000 Negro children in the public schools. The State operates 9-month-term schools for the Negro children, which is exactly the same number of days and hours that the schools for white children are conducted. In every Negro school in North Carolina the State employs a Negro teacher, and it pays those teachers the same salaries, if they have the same certificates and the same number of years of experience, that are paid to the white teachers. The colored teachers receive the same salaries which the white teachers receive. When I was Governor of North Carolina there was considerable difference or gap between them. We have gradually moved along until we have closed up that gap entirely, and we pay the Negro teacher exactly the same salary that we pay the white teacher. So every Negro child in North Carolina has the privilege and the opportunity to be taught by a Negro teacher.

In addition to that, we in North Carolina have five Negro colleges which the State supports. In every one of those institutions—and they are splendid, outstanding institutions—every professor is a Negro, and the president of each of the colleges is a Negro, so that the Negro students who go to those institutions are taught by teachers of their own race, imbued with the spirit and high traditions of that race, and there is sought to be inculcated in the students the thought of pride in their race and the advancement of Negroes in this country.

What happens in other States? Let us consider New York, for instance. New York has a little more than half as many Negro children as North Carolina has. How many Negroes teach in the public schools in New York? The nearest figure I can obtain is 610. Six hundred and ten Negro teachers teach more than half as many Negro children as there are in North Carolina. What does that mean? It means that if New York had exactly the same number of Negro children in school which North Carolina has, on that basis New York would have 1,112 Negro teachers. How many do we have in North Carolina, for the same number of Negro children? We have 7,433 Negro teachers. In other words, in North Carolina we employ 7,433 Negro teachers, but on a comparable basis New York would employ only 1,112. Who is discriminating against them and where?

Let us take Ohio. Ohio does a little bit better than New York in respect to

the number of Negro teachers employed in proportion to the Negro population. Let me give the exact figures. I have been citing these figures from memory, but I went to the trouble of securing the exact figures. Ohio has 74,809 Negro children in its schools, and they have 557 Negro teachers. That is the largest percentage of Negro teachers in proportion to the number of Negro pupils in school that any Northern or Western State has; it is the largest number which any State outside of the South has. In other words, in the States where Negro and white children go to the same schools, they let the Negroes go to the white schools, but the white teachers do the teaching. The Negro is barred from teaching. He does not get a chance to teach his own people. Ohio does better than any of the other Northern or Western States, in proportion to its Negro population; yet on a comparable basis Ohio, with its 74,809 Negro children and 557 teachers, would have, if it had as many as North Carolina, 1,949 Negro teachers. In other words, if there were as many Negro students in Ohio as there are in North Carolina, on the same basis as that maintained in North Carolina, Ohio would have 1,949 Negro teachers, as against North Carolina's 7,433 Negro teachers.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. HOEY. I yield for a question.

Mr. MURDOCK. Would it be permissible for a white person to teach in the Negro schools of North Carolina?

Mr. HOEY. No, sir.

Mr. MURDOCK. Is the white teacher barred from teaching in the Negro schools in North Carolina?

Mr. HOEY. The white person is barred both from sending his children to the Negro schools and from teaching there. Similarly, we have several hundred thousand Indians in North Carolina, and in the same way we maintain separate schools for them and we provide Indian teachers. We also maintain two colleges for them, and we maintain Indian teachers in those colleges.

Mr. MAYBANK. Is it not a fact that there was a time when there were white teachers in the Negro schools, and by mutual agreement a solution was worked out? That was the case in South Carolina, as I remember.

Mr. HOEY. That situation occurred during reconstruction times but has not occurred since then.

Mr. MAYBANK. But the agreement was a mutual one. It was satisfactory.

Mr. HOEY. Yes.

Mr. President, the Negroes of my State do not want to have mixed schools. The fact that they are segregated is no discrimination against them. In the schools they are given the same opportunities accorded to white children.

Let us take the State of Pennsylvania. Pennsylvania has an enrollment of 115,699 Negro school children. It has 400 Negro teachers. It has a little less than half as many Negro children as North Carolina. In Pennsylvania, according to the same proportion of Negro children to white children, Pennsylvani would have 900 Negro teachers. The State of Pennsylvania allows Negro children to attend white schools, but it requires them to be under the control of white teachers. In Pennsylvania the Negro is not allowed to rise, nor is he given an opportunity. The Negro is held down. He is crushed and not given an opportunity to advance. We in the South believe in giving the Negro an opportunity to advance.

The figures which I have given with respect to Pennsylvania are not absolutely accurate, but they are the best estimates which I could obtain. The officials of Pennsylvania will not indicate whether a man is white or a Negro. They claim that the only way in which to get the information is to go to the Bureau of the Census. I have never seen such race sensitivity in my life. There should be no reflection in the world on a man because he happens to belong to some particular race. We in the South strive to cultivate spirit in the colored race and enable him and his children to have something to live for.

Mr. President, let me show what segregation means. In the county in which I happen to live about 6,000 young men were called into the service under the Selective Draft Act. Nearly 30 percent of them were Negroes. Eventually the casualty lists were compiled and the officials of Cleveland County decided to erect a great board upon which would appear the name of every man who had been called into the service. In order to determine how they should be listed on the board, whether mixed altogether, or the whites and Negroes separated, it was decided to consult the Negro soldiers who are in service. A letter was written to each one of them asking for advice. As I have said, we were about to erect a board containing the name of every soldier in Cleveland County. The question arose as to how the names should be shown on the board, whether they should be placed on the board without regard to the color of each person whose name was shown, or whether they should be listed in two groups with regard to black and white. Every single one of the 25 Negro soldiers to whom the letter was directed said, "We would prefer to have our names written together so that we can show how many of us are shouldering a gun for our country in its defense and in its honor."

That is the spirit, Mr. President. Why talk about the subject of segregation? The Negroes prefer to attend their own churches and to worship together, and they prefer to have their children study together in their own school rooms. They want to have their own places where they can associate and work together. Mr. President, you never will see a finer and happier group of people than Negroes working together, having a good time, singing and rejoicing as they go about their daily tasks.

Negroes are not held down in North Carolina or anywhere else in the South. In North Carolina there are a number of Negro doctors and Negro lawyers. In North Carolina there is located the largest Negro insurance company in the world. The next largest Negro insurance company is located in Georgia. The insurance company there has a much greater amount of insurance in force than does the insurance company in North Carolina, but its assets are not so great. Moreover, we have Negro banks in our State. We all work along together. This bill would do nothing more than to encourage agitation on the part of a few malcontents. We have some of them in North Carolina, but very few. They would be anxious to stir up the idea of discrimination, and talk about it.

Let us see what the Negroes do in connection with farm work. In our State Negro farm demonstrators go around and work with Negro farmers. They do a magnificent job. If there is not a sufficient number of Negroes in the county to warrant a Negro farm demonstration agent, of course, the white agent serves the Negro farmers. But, on the other hand, where there is a sufficient number of Negro farmers a Negro farm demonstration agent is provided. The demonstrator and the farmers meet on Saturday evenings, discuss their affairs, make plans, and the result is definite progress.

The cotton-oil mills, which are scattered all over my State and elsewhere in the South, employ almost exclusively Negro help. In the cotton-oil mills the Negro is given almost preferential employment. Negroes are not employed in the textile plants to any great extent, such factories employ almost entirely white employees.

Let us take the tobacco factories. We have a factory in which practically all the employees are Negroes, and another factory in which practically all the employees are white. So in that way we solve our problem in peace and in harmony. The only trouble we experience is when some agitator from the outside comes into the community to stir up race consciousness and race prejudice.

Mr. President, I am discussing the matter only to show the interest that the people of my State are taking in the question of race improvement.

While I happened to be Governor of my State five new buildings were constructed at one time at the North Carolina College for Negroes which is located at Durham. The president of that institution, Dr. James E. Sheppard, is one of the greatest Negroes in America. He made a speech which was echoed and approved by all the thousands of Negroes who were present for the dedication. He said:

> I love to think of one fact. Notwithstanding all the help which has come to my race from people of other sections, the thing that warms my heart and the heart of my people is that here in North Carolina, my own State, the State will dip down into its treasury in order to provide money for the purpose of erecting buildings for this great institution and of giving to the Negroes of North Carolina the kind of opportunity that is being afforded to every white child in the State.

Mr. President, that is the proper spirit. Why disturb it by bringing forth a measure such as the one now before this Senate which will stir up strife, discord, and hate?

Furthermore, the Negro has a fine economic sense. One Negro in my county who previously had probably not made more than $15 or $20 a week, a very capable sort of man, went to a nearby camp and obtained a job as a mechanic for $90 a week. A bond drive was being

made. This Negro went into a bank. The banker said, "John, you ought to buy some war bonds." The Negro replied, "No; I do not believe I want any." The banker said, "Why? You are making good wages. How much are you receiving?" The Negro replied, "I am making $90 a week." The banker said, "Well, you ought to save your money." "Oh, yes," said the Negro, "I am saving it. I am putting it in the bank." The banker said, "Why don't you buy bonds? They are good." The Negro replied, "Oh, yes; they are good; but any government that pays a man like me $90 a week will bust, and I don't want to buy any of its bonds." [Laughter.]

As I have said, the Negro has a fine economic sense. He understands the philosophy of living, and knows what will work and what will not work.

To hear some persons talk, one would think that in the South we were not giving the Negro an opportunity of any kind. I have been a lawyer during all of my productive life. I began practicing law when I was 21 years of age. I have from time to time represented Negroes both in civil and criminal cases. I have represented them many times when they had money and when they did not have money. There is not a member of the bar of my State, or a lawyer of whom I know anywhere in North Carolina, who would not defend a Negro if he needed being defended.

I wish to say for the jurors in North Carolina that I have never yet seen any case involving a Negro in court when he was not treated fairly if it was apparent a white man was trying to impose upon him. I have never seen any case in which someone, such as a landlord, for example, was trying to take advantage of a Negro, when the jury did not decide in favor of the Negro.

During my 4 years as Governor of my State 89 men were sentenced to be put to death in the gas chamber. A great many of those men were Negroes. I commuted to life imprisonment the sentences of 54 of them. I commuted the sentences of Negroes who had been charged with having committed the most revolting of crimes. Upon looking into their cases, whenever there was any suggestion that the defendant did not have full mental capacity or did not have every possible opportunity to present before the jury everything that was in his favor, I unhesitatingly commuted his sentence to life imprisonment.

Senators, when race relations are moving along in the direction of improvement for the races throughout the whole country, why should those relationships be interrupted by the kind of measure which has been injected into the business of the Senate?

I wish to suggest that there are three different groups who are supporting the bill we are considering, and I desire to discuss some of them.

First, I would say there are a large number of good people who sincerely deplore discriminations, and who believe that the bill would aid in removing them. That is the first class who are supporting the bill.

The second class—and it includes quite a number—support it on the basis of political expediency.

The third class are the professional uplifters and downsitters, who wish to regulate all business and to regulate citizens. Various other groups thrive on stirring up strife and fomenting discontent. Then add to these every Socialist in America and every Communist in America, and we have the crowd who are supporting the bill.

Of course, those men are the ones we cannot hope to do much about. The last I have mentioned might be termed the "hell raisers" in this country, and they would not want anything that made for amity and peace and good order.

Of the great first class, the people who are sincere, I should like to discuss with them the bill and some of its provisions, and what I think are some of its defects.

Before I do that, I think it might not be amiss for me to say that the view which I have presented about this matter so far as segregation is concerned is not my view alone, it is not the southern view alone, but I shall cite the views of Dr. Lyman Abbott, one of the great theologians of all time, who certainly was steeped in the traditions of Harvard and New England, who grew up in the atmosphere of abolition, and who could not be said to be especially favorable to the South or its policies or principles.

A lady of the North who was conducting a private school wrote Dr. Abbott a letter and asked him this question:

> A Negro wants to be admitted to my school. Some of my students object. What would you advise?

What did Dr. Lyman Abbott say to that? Let me read what he said in answering the letter of this lady. After telling this New England lady that no Negro had the right to invite into his home a white guest if that guest happened to be objectionable to the family; that no white man had the right to invite a Negro under similar circumstances; that no Protestant should ask a Roman Catholic into the Protestant's household if the visitor's presence caused strife, and so on throughout the list, the Doctor said:

> The first duty of the parent is to safeguard the peace and harmony of his home; and he has no right to disturb that peace and destroy that harmony by an act which provokes into activity a prejudice which is dormant.

He said again:

> This is not the way to promote the spirit of human brotherhood. It is not recorded that the Good Samaritan took the wounded traveler into his own home. He took him to an inn.

Then Dr. Abbott continued:

> A parent has no right to sacrifice the welfare of the home for the quixotic attempt to provide a home for the homeless. Similarly, a teacher has no right to sacrifice his school and its pupils in a quixotic attempt to vanquish race prejudice or religious prejudice by treating it as though it did not exist. To open the door of admission to one pupil is neither wise nor right, if it means opening the door of exit to the pupils who are already there.
>
> For this reason the Southern States are wise in providing separate schools for the white and colored pupils. The attempt to compel them to attend the same school would in most cases be a failure, and would end in leaving the white children to grow up in ignorance. And where it succeeded it could only end in intensifying the race prejudice where it already exists and creating it where it does not exist. * * * The way to conquer prejudice is not by giving it battle, but by giving time and opportunity for moral development. Mutual understanding is not improved by enforced companionship. Pacification, not exasperation, is the remedy for race and religious prejudice. And the more unreasonable the prejudice, the greater the need of time and patience to overcome it.

I admonish the Senate to hear the words of this great departed theologian and leader of thought in this Nation, Dr. Lyman Abbott, as he speaks to us today as to the proper method of dealing with so precarious a situation as would be projected if this bill should become law.

To show that this feeling is not confined to the South, and that the idea of separate schools would be better for other sections of our country, I read from a newspaper clipping from Gary, Ind. This relates to something which occurred last September.

> About 500 white students of Froebel High School voted at a mass meeting today to stay away from classes until the school ceased to be a biracial institution.
>
> A short time later, the city board of education instructed R. A. Nuzum, school principal, to take legal steps to get the pupils back to school.
>
> The white students demand transfer of some 800 Negro students from the school.

In Chicago on the following day this occurred:

> About 200 white students of the Englewood High School left their classes today in what the school principal said he believed was a movement which spread from two Gary, Ind., high schools where white students are protesting increased Negro enrollment.

Those things happened in Indiana and in Illinois.

Now let us come down to a discussion of some of the matters involved in the bill. I wish to mention, incidentally, 12 things the bill does, and I think each of them is worthy of consideration:

First. It denies to any person who employs as many as six people the right to select his own employees.

Second. It prevents him from discharging an employee if he is not satisfactory.

Third. It sets up a Commission of five in Washington to have charge of the employers of the Nation, individuals and corporations.

Fourth. It provides this Commission with an army of investigators to send over the Nation to work up charges against employers upon any complaints.

Fifth. It gives these investigators the right to enter a person's place of business and examine his books and papers without process from any court, in an effort to get evidence upon which to bring charges against him.

Sixth. It forces a man to give evidence against himself depriving him of his constitutional rights.

Seventh. It provides for an examiner to hear evidence and send the record off to Washington where a decision can be rendered against him in absentia.

Eighth. It denies him any right of appeal from findings of fact against him.

Ninth. It denies him a trial of his case by a jury or before a judge of any court.

Tenth. The Commission can order the employer to hire anybody that it names and make him pay back wages for refusing to hire them in the first place, and it can assess fines and penalties against the employer and have him placed in jail if he refuses to obey the orders.

Eleventh. It can have the employer brought into the United States circuit court, hundreds of miles from his home or place of business, to have its orders put into effect, and when he gets there, under this bill, the court cannot overrule the Commission's findings if there is any evidence to support them, however flimsy the court may find the evidence to be.

Twelfth. It provides a fine of $5,000 and 1 year in prison for any person who hinders or interferes with the Commission or any of its agencies in any of its works.

The bill comes here under a misnomer. It is called a fair-employment practice act. There is no fairness in it, and there is no employment in it. No proponent of the bill can show how the bill or any of its provisions would tend to give employment to a single citizen of this country. There is no provision of the bill which would tend to establish good relationship between laborers, workers and employers. There is no provision in this measure anywhere which would enable us to solve any of the problems of labor or of management. There is nothing in the bill anywhere which would contribute to the well-being and the good order of society.

Mr. President, I take this broad position as an American citizen: I would vote against any bill which would require any man or woman of any race, color, or creed to work for another against his will. By the same token I am unwilling to place the shackles of slavery and the bonds of serfdom upon any man or woman because he or she happens to employ six people, and say that he shall hire to work for him some man whom he does not wish to have in his employ.

What is there in our life that would justify having a commission of men such as is proposed to enter into the operation and control of our own affairs? Do we want an extension of bureaucracy in this country? Do we want to pursue the policy of having the Government take charge of everybody and of everything? Can the American citizen not be depended upon to follow the course he has long pursued, of attending to his own business, of regulating his own affairs, and of doing as he pleases so long as he remains within the provisions of the law, and does not trespass or invade the rights of others? We should get back to Americanism, we should get away from the stirring up of race strife, we should get away from the idea of stirring up labor trouble, we should nourish the idea that, after all, when a man establishes a business and tries to make a living for himself and give employment to people, the Government should keep its hands off.

I long for the hour when America will return to some of these fundamental ideas of government and of right, and of the privilege and immunities which the citizen was permitted to enjoy during the long period when this Nation was making such strides along the lines of material development, civic growth, religious advancement, and national progress.

Mr. CHAVEZ. Mr. President, will the Senator from North Carolina yield?

Mr. HOEY. I yield for a question.

Mr. CHAVEZ. I wish to make a very brief statement. I have enjoyed the remarks of the Senator from North Carolina, and I wish to congratulate him and compliment him on the fair way in which he has presented his views with reference both to the philosophy and the implications of the law we have in mind.

Mr. HOEY. I thank the Senator from New Mexico very much. I want to say to him that I include him in the group of good people I was talking about in connection with this bill. I think the Senator's motives are high; I think they are worthy; and I believe he is pursuing the course which he thinks would be for the best interests of the country. I appreciate his words. But my own view is deep-seated, and I speak from the experience and observation of a lifetime; and I believe there is no measure which has been presented to this Congress which contains so much dynamite, and so much danger, and which would cause so much strife and chaos and disorder in this country, if it were adopted, as this measure would cause.

Mr. President, I shall not take the time of the Senate to review all the provisions of the bill. Some persons talk now as if they think there are no guarantees against discrimination on the statute books, and that this bill ought to be passed in order to give some people a chance to have their rights preserved, and to see that they are properly asserted. We already have laws preventing discrimination. We already have statutes which fully cover this matter. If the object is merely to protect people in their rights, we have the law already, and we have more than one statute covering the subject. Let me read to the Senate section 41 of title 8 of the United States Code Annotated. It contains this provision:

SEC. 41. Equal rights under the law: All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.

There is one other section which goes even further into the matter of preventing discrimination. Section 43, title 8, United States Code Annotated, uses this language:

Civil action for deprivation of rights: Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

That is now the law. If anyone is discriminated against, if any injustice is being done, and if as a consequence there is involved a violation of the law, here is a statute which gives the individual his full civil remedy.

Then in addition to that the statute provides as follows:

Whoever, under color of any law, statute, ordinance, regulation, or custom, wilfully subjects, or causes to be subjected, any inhabitant of any State, Territory, or District, to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution and laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined not more than $1,000, or imprisoned not more than 1 year, or both.

These laws preserve the individual's civil rights. They preserve likewise his right not to be prosecuted unjustly for crimes, and all of the rights which would accrue to him under the criminal law.

Another point I desire to discuss briefly in relation to these matters is the idea which seems to spread over the country sometimes that Congress must do something about questions which are vitally problems of the South. Mr. President, it is rather amazing to me that people from other sections of the country seem to believe it to be their duty to introduce measures directed against specific things that occur in the South. For a great number of years there has been pending a so-called antilynching bill. It has been sought to pass such a bill at practically every session of Congress, and that, notwithstanding the fact that every State of the Union has a law against lynching, and notwithstanding the further fact that the law against lynching is better enforced than any other criminal statute on the books.

This Nation contains 140,000,000 people. There was only one violation of the law against lynching in the entire United States last year. There were hundreds and thousands of murders. There were all sorts of other violations of the criminal statutes, but just one violation of the statute against lynching in the United States.

I might say for my State of North Carolina that there has not been a lynching in that State for 25 years. On July 8, 1920, occurred the last lynching in North Carolina. What would have been the necessity of passing a law to outlaw lynching when lynching already had been abolished and eliminated, and when the moral thought of the Southern States had manifested itself in the legislation of those States and in the complete and full enforcement of that legislation?

Another movement proverbially directed against the South is the anti-poll-tax fight. I shall not discuss that except to show the tendency of always and everlastingly bringing up something to regulate the South. The South does not proceed on that basis with reference to the remainder of the country. We from the South are not introducing bills in Congress to try to regulate the North, the West, or New England. We are willing that the people of those sections should settle their own problems, and that in the way they think best.

Now let me say a word with reference to the anti-poll-tax measure. Some persons become all "het up" about it, saying that the poll tax is a denial of the rights of people. My State is not a poll-tax State. We repealed more than 20 years ago the provisions for the payment of poll tax as a requirement for voting, and therefore the anti-poll-tax agitation does not apply to my State. But I want to say that it is an inconsequential thing, and involves a matter which, of course, the States themselves are entitled to settle under the law and the Constitution.

Another thing, Mr. President, that I want to say in that respect is this: We often hear the statement made that in the election of Senators from the South there is a large constituency who are denied the right to participate in government. That is not true as stated. In addition to that it is said that it is due to the fact that we have the poll-tax provision. That is not true. As a basis for their statement persons undertake to cite the small number of votes cast in the general election in those States. Everyone understands why that is. In a State where there is only one party naturally there is no opposition. Only a few people vote in the general election. The controversies are settled in the primaries, and therefore the issue is determined then, and naturally in the general election only a small vote is cast.

Mr. RUSSELL. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Does the Senator from North Carolina yield to the Senator from Georgia?

Mr. HOEY. I yield for a question.

Mr. RUSSELL. I wish to ask the Senator from North Carolina if he does not think it would be wise to elaborate a little on that statement, and go further and explain to the Senate that the State which he represents so ably in the Senate has not had any poll-tax law for a number of years; that the State of Louisiana has had no poll tax for a number of years; that the State of Georgia has no poll tax at the present time. Yet in the general elections there is no greater vote polled in the States where there is no poll tax than there is in the States where there remains some form of poll tax. So the size of the vote can be attributed to what the Senator from North Carolina has just mentioned, which is that the issues are settled in the primaries, and there is no issue to be settled in the general election.

Mr. HOEY. Yes, Mr. President, that is true.

In North Carolina there is a very large and respectable Republican Party. The Republican Party in North Carolina casts about 230,000 votes in a normal election, and therefore in our State we have a larger vote in the general election by virtue of the existence there of that many Republican voters. But in the State of Georgia, in the State of Mississippi, in the State of South Carolina the Republican vote is negligible, and so when the question is settled in the primary the contest is all over, and there is no reason for a great number of voters to participate in the general election.

Mr. President, I stated a moment ago that it is not the purpose of the South to try to regulate other sections of the country. We can very well say to New York and Pennsylvania, "You do not give the people in your States the right to participate in the nomination of candidates for governor." In other States the voters cast their vote in the primaries and decide whom they want to vote for, and in the general election they vote for the candidate they chose in the primary. In the States I have mentioned there are no primaries and the people have no chance to participate in choosing the candidate. Meetings are held and at the meeting decision is made with respect to who is to be nominated. The average citizen has no right to say whom he wants nominated. In New York meetings are held the night before, at which someone is nominated, and the announcement is made the next day. In Pennsylvania the same situation exists. The public does not know anything about who is to be the candidate. They have not heard who he is to be, and the public does not have any say in making the selection.

Mr. President, in that situation, in which State is the public given the better representation, the better chance to decide who shall be a candidate? In a State where a small group gets together and decides who the candidate shall be, or in a State where the people take part in a primary, as is done throughout the South, and can vote for the candidate of their own choice?

I do not object to what is done in New York or in Pennsylvania or in any other State; I think that is their business; but I am everlastingly tired of those who are continually trying to dictate to the South as to what the South shall do. It seems to me they should be sufficiently occupied in looking after their own affairs, in cleaning their own doorsteps, rather than looking around in our backyards to see if they can find something that displeases them there.

I mention that, not because of the poll tax, but continuously, from the time when the force bill was undertaken to be passed, but was defeated by a filibuster, down to the time when an attempt was made to reduce southern representation because the handling of affairs there did not suit some people, from that time to this there has been hatched one measure after another trying to dictate the course of conduct of affairs in my section of the country. As a southerner, I think we are good Americans. I believe in everything that is embodied in our great Constitution. I would to God that we might take the Constitution to heart in dealing with this measure, and in all our legislation. I should like to see it made the mainstay to guide and direct us in framing legislation for all the people of this land.

I should like also to remind the Senate that the Constitution is violated in at least a dozen different ways by this bill. In my sense of justice I cannot appreciate how a man who is a lawyer or who believes in the rights of the individual could have obtained the consent of his own mind to vote for a measure that takes away from the individual the right of a trial of his case in court, and which denies to him the opportunity of having a fair hearing upon the facts and the law. That seems to me to be the very foundation of our whole society. If we strike down the right of an individual, and if a man comes to know that he cannot rely upon having his case heard in court, then what good is the Constitution? What good is the Bill of Rights? Why should we not just as well have Hitler's gestapo come here to take charge, if an army of snoopers and investigators can go out from a Fair Employment Practice Commission in Washington and invade, wherever they will, the rights of the people, taking away from them their own secret business records, and examining them for the purpose of obtaining evidence against them, and trying to convict them, without the order of any court, without any previous authority, but solely upon their own initiative under the proposed act, which would give them the right to enter into a man's place of business and make him exhibit everything he has, to convict him if they can, bring charges against him if they may, and subject him to penalties if it is in their judgment to do so. That is what the bill provides. It is so iniquitous in its provisions that it is abhorrent to the man who believes in fairness.

I would not subject the lowliest Negro in the land or the lowliest foreigner in the land to the iniquity and injustice of this bill. I do not believe that a man, because he employs six persons, ought to be accounted a criminal. I do not believe that any man who conducts his own business ought to be carried hundreds of miles away from his home to have his cause heard in court. I do not believe that any man who undertakes to transact his business affairs ought to have snipers butting into his business and interrupting the process of his daily occupation. I believe that this measure is the most flagrant violation of the rights of men under the Constitution that I have ever seen presented to any legislative body.

Mr. President, I do not feel that I should trespass further on the time of the Senate. I wish to say, however, that there are some things which are fundamental, and which cannot be brushed away. Frequently we hear men who pride themselves upon being great liberals. I have a great admiration for a man who is a liberal, if that means that he is tolerant, and if it means that he has a proper conception of his obligations as a citizen, and has respect for those who differ with him. But as for the professional liberal—and I have seen many of them—I characterize him as the most intolerant man I know, because he always attributes ulterior motives to those who differ with him and he takes the position that they are actuated by sinister purposes if they have ideas different from his.

The other day I noticed a definition of a professional liberal which I think is very good. A professional liberal was defined as a man who was doing what he thought the Lord Almighty would do if the Lord had the facts as he had them. It seems to me that that definition includes those who undertake to prescribe for everyone else, in the belief that they

themselves are infallible, and that anyone who differs with them is actuated by some ulterior purpose or improper motive.

Mr. President, in my very feeble way I have said about this measure what I think represents the thought of the average American citizen. I believe that the average citizen of North Carolina, whether white, colored, or Indian, if he knew just what this bill provides, would feel as I feel about it. I believe that he would know, as I know, that it does not represent, and cannot represent, peace, amity, concord, and justice.

A short time before the close of the war I read a very splendid poem by a great Englishman. It consists of only two or three stanzas. It epitomizes the thought of that great stricken nation just before the sun came up and before the war ended. The poet was writing about conditions at that time, and expressed his sentiment in the following language:

You that have faith to look with fearless eyes
Beyond the tragedy of a world at strife,
And trust that out of night and death shall rise
The dawn of ampler life.

Rejoice, whatever anguish rend your heart,
That God has given you, for a priceless dower,
To live in these great times and have your part
In freedom's crowning hour.

That you may tell your sons who see the light
High in the heavens, their heritage to take:
"I saw the powers of darkness put to flight!
I saw the morning break!"

—*Sir Owen Seaman.*

Mr. President, countless millions of Americans served in this war, and many of them gave their all. I covet for those who return the privilege of coming back to America and finding the sort of America which they left—not one which has adopted the methods of our enemies; not one which has surrendered to a commission the rights and liberties of our citizens. Today I plead for the maintenance of our heritage of liberty and freedom, for us and for all the people of this land, that we may look forward to the dawning of that light which shall give a fuller, larger opportunity for all the men, all the women, and all the children of all the races, all the colors, and all the creeds in this land. Let us not crucify America upon a cross of bureaucracy.

THE BATTLE OF RAPIDO RIVER, ITALY

Mr. MAYBANK obtained the floor.

Mr. O'DANIEL. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield for a question.

Mr. O'DANIEL. I wish to send to the desk a resolution, and ask that it be appropriately referred. I ask unanimous consent to submit it.

Mr. CHAVEZ. I object.

Mr. LA FOLLETTE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. O'DANIEL. Mr. President, will the Senator yield for a question?

Mr. MAYBANK. I yield for a question.

Mr. O'DANIEL. The Senator from North Carolina [Mr. HOEY] has just finished speaking about the returning soldiers who fought and saved this Nation by winning the war. He thinks they should be shown every consideration by the Government of this Nation. I heartily agree with him. A little remnant of those soldiers, the survivors of the Thirty-sixth Division, which suffered 2,900 casualties in the Battle of Rapido River, held a convention at Brownwood, Tex., last Saturday, and adopted a resolution which I should like to read.

Mr. MAYBANK. Mr. President, I have no objection to yielding for a question——

Mr. O'DANIEL. I wish to ask the Senator a question, and this is a part of the question.

The following resolution was adopted by the Thirty-sixth Division Association in session Saturday, January 19, 1946, at Brownwood, Tex.:

This is the eve of the second anniversary of the crossing of the Rapido River, a military undertaking that will go down in history as one of the colossal blunders of the Second World War.

The One Hundred and Forty-first and One Hundred and Forty-third Infantry regimental combat teams caught the brunt of this holocaust. Every man connected with this undertaking knew it was doomed to failure because it was an impossible situation. The Rapido River was the main line of resistance. The German elements opposing the division had every foot of ground covered with fire. The high ground was all held by Germans, and observation was perfect for them in directing the artillery fire. Patrols had reported that these enemy positions were strongly held, that the area was heavily mined on both sides of the river and the German positions were wired and strongly fortified, and that the crossing was not tenable.

Notwithstanding this information (which was in the possession of the Fifth Army commander), contrary to the repeated recommendations of the subordinate commanders, Gen. Mark W. Clark ordered the crossings of the Rapido at several points.

The results of this blunder are well known. The crossings were made under the most adverse conditions and required 2 nights to get elements of the two combat teams across. At daylight the Germans shot the bridges out behind the Thirty-sixth Division troops and began a methodical destruction of our troops. The division suffered heavy casualties, amounting to 2,900 men.

It was such a colossal failure that one of the regimental commanders commented as follows: "The river was strongly defended by a German force superior in numbers to our attacking force. The first attack was made at night and was not successful. On the night before, the British attack to the south had failed. The last attack by my regiment was made in daylight and was more decisively unsuccessful than the first. Losses from attacks of this sort are tremendous in manpower and matériel, and have a devastating, demoralizing effect upon those few troops who survive them. Officers and men lost in the Rapido River crossing cannot be replaced and the combat efficiency of a regiment is destroyed."

Now, therefore, be it

Resolved, That the men of the Thirty-sixth Division Association in convention assembled at Brownwood, Tex., petition the Congress of the United States to investigate the Rapido River fiasco and take the necessary steps to correct a military system that will permit an inefficient and inexperienced officer, such as Gen. Mark W. Clark, in a high command to destroy the young manhood of this country and to prevent future soldiers being sacrificed wastefully and uselessly.

That concludes the resolution which was adopted by the Thirty-sixth Division Association. The resolution which I had hoped to submit at this time, but which I was prevented from submitting, reads as follows:

Resolved, That the Senate Committee on Military Affairs, or any duly authorized subcommittee thereof, is authorized and directed to conduct a full and complete investigation with respect to the handling of the troops of the Thirty-sixth Division in connection with the battle of Rapido River, Italy, to determine the cause of the heavy casualties suffered by such division, and whether the action was brought about through military necessity or on account of pressure from a foreign government or governments. The committee shall report to the Senate at the earliest practicable date the results of its investigation, together with such recommendations as it may deem desirable.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee under this resolution, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Under the existing conditions, Mr. President, I ask the Senator from South Carolina whether he does not believe that it is the right and duty of the Senator from Texas at this time to use his best efforts in an attempt to submit the resolution to the Senate, as has been requested by those brave men who fought, and many of whose comrades died, to help save this Nation?

Mr. MAYBANK. Mr. President, I should like to see the resolution submitted; but at this time I do not wish to take the responsibility of saying whether or not it is a good resolution. I do not mean to be a judge of the resolution. As the Senator knows, I am a member of the Committee on Military Affairs, and, of course, I desire to have an open mind on the resolution.

Mr. O'DANIEL. I thank the Senator. I intend to submit the resolution as soon as I am permitted to.

INCORPORATION AND REGISTRATION OF LABOR ORGANIZATIONS

Mr. MAYBANK. Mr. President——

Mr. BYRD. Mr. President, will the Senator from South Carolina yield for a unanimous consent request?

Mr. MAYBANK. I yield for a question.

Mr. BYRD. I ask unanimous consent to introduce for appropriate reference a joint resolution to provide for the incorporation and registration of labor organizations and to impose certain responsibilities upon such organizations,

and for other purposes, and also to have it printed in the body of the RECORD, together with a statement in explanation thereof.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Is there objection to the request of the Senator from Virginia? The Chair hears none.

The joint resolution (S. J. Res. 133) to provide for the incorporation and registration of labor organizations and to impose certain responsibilities upon such organizations, and for other purposes, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Joint resolution to provide for the incorporation and registration of labor organizations and to impose certain responsibilities upon such organizations, and for other purposes

Whereas the Congress has by law provided certain rights and privileges for employees and labor organizations; and

Whereas such rights and privileges should not be permitted to be exercised in a manner that interferes with the free flow of interstate and foreign commerce or is destructive of the rights and property of others; and

Whereas each such labor organization should be held to be responsible for breach of its contracts and for its unlawful acts to the same extent as corporations and all business agencies and individuals: Therefore be it

Resolved, etc.,

REGISTRATION

SECTION 1. (a) Within 6 months after the date of enactment of this joint resolution and annually thereafter every labor organization having as members one or more employees of persons engaged in commerce shall register its identity with the Securities and Exchange Commission and shall state under oath the following information and such other information as the Commission may by regulations require: The name of the labor organization; the address at which it has its principal office; the names and titles of the officers and their annual compensation; the company or companies with which the labor organization deals, if a local organization; the industry or industries in which the labor organization operates, if a national organization; initiation fees; annual dues charged to each member; assessments levied during the past 12 months' period; limitations on membership; number of paid-up members; date of the last election of officers; the method of election; the vote for and against each candidate for office; and the date of the last detailed financial statement furnished all members and the method of publication or circulation of such statement. With such information shall be filed under oath, in accordance with such rules and regulations as the Commission may prescribe, detailed and intelligible financial statements and a copy of the articles of incorporation and bylaws of the labor organization.

(b) Every labor organization incorporated after the date of enactment of this joint resolution having as members one or more employees of persons engaged in commerce shall, when incorporated and annually thereafter, register with the Commission and furnish the information required of existing labor organizations under the provisions of this section.

INCORPORATION

SEC. 2. Every labor organization having as members one or more employees of persons engaged in commerce shall, prior to its initial registration with the Securities and Exchange Commission as provided in this joint resolution, take out articles of incorporation under the laws of the District of Columbia, except that, if permitted by the laws of the State in which a labor organization has its principal place of business, such articles of incorporation may be taken out under the laws of such State. Each such labor organization when incorporated shall have the capacity to act possessed by a natural person, shall be liable for the acts of its officers, members, or agents, to the same extent and in the same manner as ordinary business corporations, and shall have the power—

(a) to continue as a corporation for the time specified in its articles;

(b) to have a corporate seal and the power to alter it;

(c) to sue and be sued in its corporate name;

(d) to make bylaws for the government and regulation of its affairs;

(e) to acquire, own, hold, sell, lease, pledge, mortgage, or otherwise dispose of any property incident to its purposes and activities;

(f) to conduct its affairs within or without the District of Columbia;

(g) to exercise any power granted to ordinary business corporations consistent with its purposes and activities;

(h) to exercise all powers not inconsistent with this joint resolution which may be necessary, convenient, or expedient for the accomplishment of its lawful purposes and, to that end, the foregoing enumeration of powers shall not be deemed exclusive.

PENALTIES

SEC. 3. (a) No labor organization having as members one or more employees of persons engaged in commerce and no member thereof shall be entitled to any rights, privileges, or benefits under the National Labor Relations Act unless and until such organization complies with the provisions of this joint resolution.

(b) In the event any such labor organization is held by the final decision of a court of competent jurisdiction to have breached its employment contract with any employer or to have unlawfully damaged or destroyed the property of any employer, such organization shall not be recognized as a labor organization, or a representative of employees, under the National Labor Relations Act insofar as any matter relating to employees of such employer is concerned.

DEFINITIONS

SEC. 4. When used in this joint resolution the terms "persons," "employer," "employee," "representative," "labor organization," and "commerce" shall have the same meaning as is given to those terms by section 2 of the National Labor Relations Act. In addition, the term "labor organization" shall include national and international organizations having as members labor organizations as defined in said section 2.

The explanatory statement presented by Mr. BYRD, is as follows:

STATEMENT IN EXPLANATION OF THE JOINT RESOLUTION (S. J. RES. 133) TO PROVIDE FOR INCORPORATION AND REGISTRATION OF LABOR ORGANIZATIONS

There can be no hope for prosperity and industrial peace for America until the equality of rights of all citizens, corporations, and organizations is written into law on a basis of justice to all.

I want to emphasize that many labor unions are faithful to their contracts and obligations, but some of outstanding importance have violated contractual obligations, for which such unions should be held to the same accountability as would be done in the case of an industrial corporation. Strikes in basic industries which supply vital materials can shut down thousands of others. Unless contracts between labor and industry are observed and have the same legal status as other contracts, we can only look forward to a long period of industrial strife and business chaos.

A manufacturer who makes a contract with a labor union must have confidence in the performance of that agreement in order to plan his operations. Yet the union may breach its contract and management has no redress in law, although the union is free to resort to all legal processes as well as illegal pressures to enforce the same contract.

With a debt approaching $300,000,000,000 we can only service this debt and perform our essential function of government by means of a high national income. This will be most difficult under the most favorable conditions, and it is possible only by an uninterrupted industrial production.

In the years gone by industrial corporations undoubtedly abused their power. The result was that the Congress created the Securities and Exchange Commission for the purpose of protecting the welfare of the public. This act has served well and has eliminated most of the abuses that theretofore existed in corporate management. Now the shoe is on the other foot. The labor unions have great power—virtually the power of life and death over the economic progress of America. Hand in hand with power goes an equivalent responsibility. For years we have seen repeated instances of broken union contracts—of sympathy strikes to encourage and support strikers working for some other corporation, the sympathy strikers having no grievance against their own employer. We have seen, time and again, jurisdictional strikes—strikes arising from disputes between two unions when the employer is in no manner involved, yet must suffer the consequences and losses resulting from shutting down his plant. This lack of union responsibility has reached an intolerable stage.

I am strongly for collective bargaining, but bargaining must mean what it says—namely, that a bargain made is equally binding on both parties to the agreement. I believe in the inherent right of labor to organize. Labor unions have a proper place in the economic life of America. Unions are here to stay, but, if we are to have orderly business conditions, labor unions as such must have the same legal responsibility to perform their contracts as the owners of industry. If one can be sued for violation of a contract, the other should be in the same status. When two parties make a contract, if that contract is to mean anything, there must be a mutuality of responsibility. This does not now exist between labor and industry. Why should a labor union as such be exempt from liability for the damages resulting from broken contracts when all citizens and business corporations can be sued when a contract is violated? We may as well try to build a house without a foundation as to enact legislation to prevent industrial and labor strife without first providing for mutual responsibility.

I realize the problem is difficult, but the time is overdue to make a start. What is done must be done with full justice to the members of the unions. All of their legitimate rights must be preserved. The plan I now propose will ask no more of unions than existing laws require of industrial corporations. The Securities and Exchange Commission was established to see that neither the public nor the corporation stockholders were defrauded by industrial management. One of the powers of the Commission is to require of all corporations full reports and information as to their operations.

As a first step to union responsibility, and this responsibility I believe to be essential before any real progress can be made to end industrial strife, I am offering legislation to provide:

1. That within a reasonable time, and annually thereafter, all unions shall register with the Securities and Exchange Commission; that each union shall annually report to the Commission, among other information: Initiation fees; annual dues charged to each member; assessments levied during the past 12-month period; limitation on membership; number of paid-up members; salaries of the officers; date of the last election of officers; the method of election; the vote for and against each candidate for office; reserves in the treasury; the date of the last detailed financial statement furnished to all members, and the method of publication or circulation of such statement.

2. That every labor organization having as members one or more employees or persons engaged in commerce shall take out articles of incorporation under the laws of the District of Columbia, or any State authorizing such incorporation.

3. That labor unions can be sued for civil damages, either for the breach of its employment contract or for the unlawful damage or destruction of property.

4. That no labor organization shall be entitled to any rights, privileges, or benefits under the National Labor Relations Act unless and until such organization complies with the provisions of this law.

Labor unions today have great financial resources. At the direction of Congress, the Joint Committee on Internal Revenue Taxation has made a preliminary report stating that of approximately one-half of the labor unions reporting, those unions had an income for the year 1944 of $389,700,000. Included in the annual expenses of these unions were wages, salaries, and commissions of $50,000,000; compensation of officers $38,000,000; other operating expenses $88,000,000, with a total expenditure for the year 1944 of $323,000,000, leaving $66,000,000 to be added to the already very large financial reserves.

Why shouldn't union members know what salaries their officers receive? Why shouldn't the union members and the general public know how much was expended for political purposes? A business corporation is prohibited by law from making a political contribution. An individual making a political contribution over a certain amount must pay a gift tax and report the same to the Government.

Labor unions in America have "grown up." They are now "big business" in their power and financial assets. They must assume their proper responsibility for their acts affecting the economic welfare of America. This legislation will do no more than place upon unions a legal responsibility commensurate with their power. As I have said, many have large financial resources adequate to pay damages for violation of contracts (I am informed that 12 unions have financial reserves of $160,762,000). At least the employer, under this plan, will know in advance the financial responsibility of the union with which he deals.

I will press for this legislation as strongly as I can. It is democratic and just. I am convinced its enactment will be a substantial deterrent to strikes. It is the first and vital step towards the recognition that labor unions have tremendous power for good or bad in our economic life and, as such, should have a responsibility under the law as has been imposed on other powerful groups. I do not offer this as a panacea to solve all labor difficulties, but, in the long range objective for industrial peace, I think we must put first things first and give to labor unions a legal status and responsibility.

This is the foundation. Until this responsibility to organized government is established there can be no lasting industrial peace upon which our future prosperity so vitally depends.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of the motion of Mr. HOEY to amend the Journal of the proceedings of Thursday, January 17, 1946.

Mr. MAYBANK. Mr. President, I desire to discuss what I understand can happen when a Government board or bureau protected by the Federal Government is practically placed in charge of law enforcement, because, to a certain extent, I consider the Fair Employment Practice Commission bill to be along that line. But before doing so, Mr. President, I wish to state that it is my intention to discuss the bill upon its merits and to discuss the situation in South Carolina as I see it.

The people of my State well know that I have never been and never will be prejudiced against any religion, creed, or color. Mr. President, my home is in Charleston, S. C., one of the oldest cities and one of the first-founded cities in these United States. There, in the seventeenth century, immigrants came from all sections of the world. There we have representatives of all races, of all creeds, of all religions. There we have, Mr. President, as you so well know, the descendants of pioneers who came from every land. It has always been a privilege and a pleasure to me to have been able to be associated with so many persons of so many different creeds. We are proud to have in Charleston the first Jewish synagogue in America. Not long ago I had the pleasure of attending its anniversary celebration. We hold dear to our hearts the record of many of the Catholic faith there, not only in the development of our city and State, but in the efforts they have made in the Indian wars, the Revolutionary War, the War of 1812, the Mexican War, the War Between the States, and the First and Second World Wars. Mr. President, no one born in my section of the country and living there all his life could be prejudiced. One sees too much of the good which exists in so many persons who in other lands and nations are persecuted.

So I wish it clearly understood, Mr. President, that in rising to make these remarks I approach the question from that point of view. Let me say that when I casually, and correctly, refer to the Reconstruction period in South Carolina—and my remarks relative to it will not be long at this time, for I shall wait until later in the debate to discuss it—that period of turmoil and strife which was created by carpetbaggers and scalawags from the North, and, Mr. President, by some of our own turncoats who went out for their own personal aggrandizement—I always remember that it was the good Negro citizens of South Carolina, the ancestors of those who are there today, who joined with Wade Hampton to overthrow the scalawags, the carpetbaggers, and the other undesirable people of that group.

Well does the present Presiding Officer know, as a former Governor of South Carolina—as I also have the honor of having been—that among the races in South Carolina there is no confusion and there is no trouble, but great progress has been made in every line, including the education of the Negro, and the improvement of the conditions affecting his health, welfare, and housing. It was during his term as Governor of the State, and again during my own, that the salaries of Negro teachers were raised, the Negro schools were improved, the Negro college was enlarged, and every type of modern equipment provided to train skilled labor so that Negroes could work. Housing developments were built in all the cities. Their health department, through Federal aid, was almost able to wipe out typhoid fever, and was able to curb malarial fever and many of the other dreaded diseases which affect both blacks and whites.

Mr. President, I may say that I think the greatest progress ever made in any State since 1932 has been made in South Carolina. It is among the leading States in rural electrification. The majority of our Negroes are farmers. A large number of the rural electrification lines now go to the Negroes' homes.

So, Mr. President, from one end of our State to the other, progress has been made, and it has been made by mutual understanding; it has been made by means of an understanding which has continued and has been passed down from generation to generation, and it is one which is perfectly acceptable, and we shall continue this progress.

Mr. President, well do most of us remember, from history and from the experience of our parents, what happened under the circumstances existing during the days of Reconstruction, when the carpetbaggers and the scalawags, protected by Federal law, disrupted our civilization and economy by inciting the colored people and by controlling our Government through a minority of self-appointed white northerners and southern white turncoats.

Mr. EASTLAND, Mr. President, will the Senator yield?

Mr. MAYBANK. I yield for a question.

Mr. EASTLAND. I wish to ask a question. Does not the Senator think that the CIO, through its present leadership and policies, is a carpetbag organization which has come into the South and is attempting to destroy southern institutions and southern civilization?

Mr. MAYBANK. Mr. President, in answer to the Senator's question I would say that some of the members of the CIO have caused trouble and confusion in my State. As to whether the CIO ordered that trouble, I cannot answer; but there have been members of that organization who have caused trouble.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. MAYBANK. I yield for a question.

Mr. EASTLAND. Of course, I know there are thousands of good men in the CIO; but does not the Senator think that the policies of its present leaders, as evidenced, for instance, by the bill which the Senator is now opposing, are aimed at southern institutions, and that

the organization is a carpetbag organization because of the policies of its leaders?

Mr. MAYBANK. With the statement the Senator from Mississippi has made I agree—namely, that there are certain troublemakers in the CIO who have stirred up this trouble, and who stir up trouble in Washington and confusion throughout the Nation, with the hope that, in turn, confusion will be stirred up at home, and we will suffer. I think the leaders of the CIO mainly are against the things for which the southern people stand. That was well evidenced at the Chicago convention.

Mr. EASTLAND. Does not the Senator think that today those leaders are going into the South and are attempting to destroy its institutions?

Mr. MAYBANK. I think that some persons in their organization are attempting to do that.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. MAYBANK. I yield for a question.

Mr. EASTLAND. Is it not a fact that the present consideration of Senate bill 101, which under another bill number was formerly before this body, is holding up the consideration of legislation to bring the boys back from Europe and Asia; and does not the Senator think that the Senate could have considered legislation to promote demobilization during that time? Furthermore, in order to comply with the rules, let me ask whether the Senator knows that a club of the kind indicated by the card I hold in my hand has been organized? I refer to a card which is being mailed to the Members of the Senate. I hold one of them in my hand, and I shall read it:

Bring Back Daddy Club (servicemen's wives organization), Mobile Chapter, 256 Clark Street, Prichard, Ala.

I quote from the card:

The family is the essence of American life. We want fathers discharged from the service.

BRING BACK DADDY CLUB, MOBILE CHAPTER.
MRS. JAMES K. BURROUGHS.

Mrs. James K. Burroughs is a lady in my State of Mississippi.

Does not the Senate realize that by bringing forward the FEPC bill at this time its sponsors cause the boys who must remain in Europe and Asia to be further discontented, and lock the legislative wheels so that the American Congress cannot take action? Does not the Senator realize that the delay in considering necessary legislative matters is being caused by those who press for consideration of the pending FEPC measure?

Mr. MAYBANK. I appreciate the remarks of the distinguished Senator from Mississippi. Nearly all of my time, since my return to Washington, has been devoted to discussing the matter and working for the defeat of the FEPC bill. It was my thought, in addition to considering important demobilization plans, as well as many pending bills on the calendar, perhaps we should have gone further into the discussion of the cotton situation. The Senator well recalls that on the day when we discussed to some extent the question of cotton, I was forced to give up the floor because the discussion was taking place during the morning hour, and before I could address myself to the question of the effect which would result on the southern people we were faced with the filibuster which is now taking place.

Mr. EASTLAND. I agree with what the Senator has said with reference to the subject of cotton. If he will yield for that purpose, I expect later to ask the Senator a question about cotton.

The Senator spoke of the CIO. Will the Senator yield in order that I may propound a question concerning certain policies of the CIO?

Mr. MAYBANK. I yield for a question.

Mr. EASTLAND. I have received a letter from the wife of a CIO member in Berkeley, Calif. In order to comply with the rule I will ask the Senator a question. Did he know that I had received a letter from the wife of a CIO member?

Mr. MAYBANK. No; I did not know anything about it.

Mr. EASTLAND. I wish to read from the letter. It is dated Berkeley, Calif., January 16, 1946, and is directed to Senator EASTLAND of Mississippi.

As I read the Post Inquirer as of the 15th (last night), how right you are in assuming that the present wave of strikes is coming from Moscow. I am the wife of a CIO member, and I know what I am talking about. Also the CIO unions are striving to get control of our Government. Not that they care what happens to the common laborer at all, for they are not interested in anything but the big money that they would get. Then the working people will do just as they say. To show you this is true, I want to tell you of a few things that are going on in the CIO union here in the East Bay and in San Francisco.

My husband works for the Colgate-Palmolive-Peet Soap Co. Has been there 10 years. So the things that go wrong from time to time would be straightened out by the business agent. So they got to where they would not come out to settle the grievance. They would say they did not have time. So the workers at the plant decided that they would go into the A. F. of L. union. So they got a man out to talk it over with them. And, to make a long story short, the CIO had the company to fire 49 men and women.

As the Senator must realize, that was done by discharging men from the CIO union, and, under the closed-shop rule, they were not permitted longer to work for the company. I continue reading:

Some men had been there 20 and 22 years. So you see the members don't dare defy the CIO. They did not fire all of them for going into the other union. And the company had nothing against the people they fired. They told them they did not have anything against them, and hated to let them go. The union told them that they would blackball their goods. Also, the CIO warehouse dues was $2 per month, so they jumped it up to $3 about 3 years ago, supposed to be for only a month or two, but it is still $3. They have a dance once a year at the city auditorium. They force the members to buy a ticket at 50 cents each. Thousands of people don't go to dances. If they don't buy the ticket they refuse their dues, so are automatically out of a job.

Does not the Senator realize that the CIO is one of the strong backers of Senate bill 101, ostensibly designed to prevent discrimination in employment, and at the same time this agency of the CIO is holding people in peonage, and is selling the rights of men to work on the Pacific coast? Men who refuse to buy dance tickets, or whose dues are increased and are not paid for some reason or other, are considered as being no longer members of the union and lose their jobs. Does not the Senator believe that Senate bill 101 should be amended so as to cover situations of the kind to which I refer? Men should not be deprived of the right to work in this country.

Mr. MAYBANK. Did the Senator say that a charge was made for dance tickets, and that if the charge was not paid the man lost his job?

Mr. EASTLAND. That is what the writer of the letter from which I am reading has stated. I continue reading from the letter:

Now, they claim they have a sick couple that needs help. A man and wife. Every man is asked to donate $5 each. If they don't donate within 4 months they will refuse their dues and be out of a job. Now, may I ask you Senators, not one but all of you, what does that look like? There would be more complaints but people are afraid to say anything. They would be out of a job.

Mr. President, there would be a reign of terror. Today men are being held in bondage and peonage, as the Senator must realize, and are afraid to complain to the Congress of the United States. Here is an organization which is holding Americans in slavery, and it comes here sponsoring Senate bill 101. I continue reading:

My husband was not fired yet but he knows that if he says anymore after the 49 was fired that he will get it too. There are thousands of members, too, to the CIO right here in the Bay region. You see what they want with that money they are stealing from the people is to try to get in power. They even say that this Government is on its way out.

Does the Senator realize from that statement what kind of an organization is pushing this measure?

Mr. MAYBANK. It is my belief that if such legislation as that which is now before the Senate ever passes, the American Government will certainly be on its way out, and neither employer or employee will have any rights left.

Mr. EASTLAND. Does not the Senator realize that if this bill is ever enacted into law the American Government will already have passed out?

Mr. MAYBANK. Certainly.

Mr. EASTLAND. I continue reading from the letter.

You see what has happened in other countries.

Now, please, Senators, do something and very soon. Let's not let these crooks get our country.

I am keeping all your names that is in the papers, and I am going to do some house to house canvassing to try to get your ideas over. Won't you tell this story to others? Won't you help to do something about it?

I will omit a part of the letter because it contains a personal reference to certain

Members of this body, and I do not believe that the reference belongs in this discussion.

But, brother, they would be surprised to know how many would like to say good-by to the CIO. But you see they don't dare say anything. They would lose their jobs. Please take this serious, for it really is serious. Please get in touch with——

Here she gives the name of a CIO member on the Pacific coast who would like to give the American Congress information about the intention of this organization to take over our Government. I will not read the name into the RECORD but I will state to the Senator from South Carolina that I will be glad to give the name to a congressional committee.

He will give you more low-down on the CIO. Also he will have others write you if you want to do anything about it.

I know this is not written as it should be, but it is enough that you can understand that we really are in danger. So please do something about it.

The lady signed her name. I shall not put her name into the RECORD. The letter bears a postscript as follows:

P. S.—Several thousand members at 50 cents each, $1 each, and $5 each, besides the regular $3 each, and the other grafts they have, you see what it means.

Does not the Senator believe that it is the very rankest hypocrisy for an organization which is selling the right to work, and which, in reality, is holding American citizens in peonage, to come here with a proposition like Senate bill 101 and ask the American people to accept it?

Mr. MAYBANK. Mr. President, I appreciate the suggestions and statements of the Senator from Mississippi. It is my opinion that anyone who would support this FEPC legislation is making a dreadful mistake, and I am certain that time will show that if by any chance it ever should be passed it could not be enforced and that only chaos, riot, racial disturbance, and trouble would be the result.

Mr. President, when interrupted by the Senator from Mississippi, I had referred to conditions in the South in reconstruction days when a carpetbag government was imposed on the people of that great section. The issue then, of course, was Government control. The issue now in S. 101 is also Government control. It is my purpose to discuss features of the bill and how, in my opinion, its enforcement would be ruinous. I say its "enforcement" for the reason that we now have a pattern of what is to be expected by the record of the FEPC during the past 2 years. The bill, of course, declares that there shall be no discrimination in employment against properly qualified persons by reason of their race, creed, color, national origin, or ancestry. The declaration, of course, on its face appears to represent a desire on the part of some to provide a fair and impartial employment service for both Government and private industry.

When one considers the bill it does not take long to find out the real reason for the attempt to set up an agency of the Federal Government, not confirmed by the Senate, which will have power over all other agencies to socialize industry and to destroy the freedom of action on the part of employee and employer.

I say without Senate confirmation for the reason that, while one section calls for Senate confirmation of the members of the commission, section 8 provides that all employees now working for the present Fair Employment Practice Committee under Executive Order No. 9346 shall be transferred to and become employees of the new commission. Both Mr. Ross and Mr. Masslow testified that the present Committee meets about once in every 2 weeks and that the actual work, that is the investigation and the determination of the law, is carried on by the employees under the 11 field offices. In other words, if we are to judge what is to happen in the future by what has been done in the past, the decisions and rules will be promulgated by employees now employed by the FEPC over which, of course, the Congress has no authority except through appropriations.

Section 3, subsection 1, deals first with the employment of individuals.

Section 2 deals with the discharge of individuals.

Section 3 deals with compensation of other terms of employment.

Section 4 confines the limit of employment.

All of these sections apply to employer.

Subsection B goes into the employment practices by labor unions.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Mississippi?

Mr. MAYBANK. I yield for a question.

Mr. EASTLAND. The Senator spoke of the employment of individuals. Does he not know that under the present temporary FEPC, the employees of which under this bill will be transferred to the new permanent FEPC organization, if such an organization should be created, 59 percent of the jobs under that organization are held by Negroes; that 54 percent of its appropriations are spent on Negro employees, and that the Negro race constitutes but 9 percent of the American population? Does the Senator know that those are the figures?

Mr. MAYBANK. Yes.

Mr. EASTLAND. And does not the Senator think that the FEPC itself is guilty of discrimination?

Mr. CHAVEZ. Mr. President, will the Senator from South Carolina yield for a question?

Mr. MAYBANK. Let me first answer the question of the Senator from Mississippi, and then I shall be glad to yield.

The Senator from Mississippi is aware of the employment situation under the FEPC which was brought out last year before the Appropriations Committee, at which time tables were furnished showing the figures. I may say that at the meeting of the Appropriations Committee I expressed concern and was rather disillusioned because the Fair Employment Practice Committee did not more justly, I may say, apportion the positions under its control.

I now yield to the Senator from New Mexico.

Mr. CHAVEZ. Mr. President, did not the Senator from South Carolina state that in order to remedy the situation of which the Senator from Mississippi speaks we should pass this bill and stop that foolishness?

Mr. EASTLAND. Mr. President, will the Senator from South Carolina yield?

Mr. MAYBANK. I shall be glad to yield in a moment. I cannot agree with my good friend, the Senator from New Mexico, because, if this bill should pass, the only way we could stop the foolishness of the FEPC would be through the Appropriations Committee. That we tried to do last year, but in the committee my effort to reduce the appropriations was unsuccessful.

Mr. EASTLAND. Mr. President——

Mr. MAYBANK. I yield to the Senator from Mississippi for a question.

Mr. EASTLAND. In fact, the Senator from South Carolina had to meet the opposition of the Senator from New Mexico, did he not?

Mr. MAYBANK. The Senator from New Mexico can answer that question for himself. As I remember, he voted for the appropriation, and not against it. That is my memory

Mr. EASTLAND. The Senator from New Mexico said we would have to correct it by passing a permanent FEPC. How could we correct it by passing a permanent FEPC, when under the bill the personnel of the old organization is transferred to the new organization? Does not the Senator from South Carolina realize that the Senator from New Mexico is proposing to extend the discrimination which is now practiced by the organization?

Mr. MAYBANK. I shall read to the Senator from Mississippi section 8 of the bill, which is as follows:

SEC. 8. Upon the appointment of the members of the Commission, the Committee on Fair Employment Practice, established by Executive Order No. 9346 of May 27, 1943, shall cease to exist. All employees of the said Committee shall be transferred to and become employees of the Commission. All records, papers, and property of the Committee shall pass into the possession of the Commission, and all unexpended funds and appropriations for the use and maintenance of the Committee shall be available to the Commission.

In other words, the bill provides that all the money, all the employees, all the records, all the books, and everything else shall be transferred from the present committee to the new commission for the use of the commission, and the commission must accept them.

Mr. EASTLAND and Mr. CHAVEZ addressed the Chair.

The PRESIDING OFFICER. Does the Senator from South Carolina yield; and if so, to whom?

Mr. MAYBANK. I yield first to the Senator from Mississippi.

Mr. EASTLAND. In other words, by the pending bill the Senator from New Mexico is attempting to make permanent a temporary discrimination. Is not that true?

Mr. MAYBANK. Under the pending bill, there would be permanent discrimination in the employment of workers in proportion to their numbers, as the Senator from Mississippi has brought out.

I now yield to the Senator from New Mexico.

Mr. CHAVEZ. I am most anxious to help the Senator from Mississippi to remedy that terrible condition. While this bill does provide for the transfer of the old agency to the new commission, it also provides that not even a Government agency may practice discrimination. Hence, if the Senator from Mississippi is so desirous of doing away with discrimination in Government agencies, all he has to do is to vote for this bill, and then I shall fight with him to make sure that there shall be no discrimination in the case of Government employees. The bill has that in mind; in fact, it provides for that.

Mr. EASTLAND. Mr. President, will the Senator from South Carolina yield for a question?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Mississippi?

Mr. MAYBANK. I yield.

Mr. EASTLAND. I will tell my good friend from New Mexico that we are going to undertake to stop discrimination by not letting this bill pass. That will be the greatest contribution the American Congress can make to end discrimination in Government employment.

Mr. CHAVEZ. Mr. President, then the Senator from Mississippi is extremely inconsistent. I do not blame him for complaining about discrimination; but in one breath he says, "I do not like the way the present Fair Employment Practice Committee is proceeding, because it is discriminating against the whites," and in the next breath he says, "We are not going to remedy it at all because we will not let pass the bill which would remedy that situation."

Mr. EASTLAND. Of course we are going to remedy the situation so far as the temporary agency which has been practicing discrimination is concerned, for I do not think the Congress will renew it, and then when this bill fails of enactment the discrimination is bound to stop, because the FEPC as now constituted is the greatest agency of discrimination in the Government.

Mr. CHAVEZ. The Senator from Mississippi should know something about discrimination.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. CHAVEZ. Yes.

Mr. MAYBANK. I have the floor.

Mr. EASTLAND. Will the Senator from North Carolina yield for a question?

Mr. MAYBANK. Very well.

Mr. EASTLAND. I will ask the Senator from New Mexico if he does not realize there is less discrimination in employment in my State than in any other State of the Union?

Mr. CHAVEZ. I will go further than that; I admit it.

Mr. EASTLAND. The Senator said I knew something about discrimination. I do not know as much about discrimination as the Senator from New Mexico, judging from the picture the distinguished Senator drew of discrimination against the Mexicans in his State.

Mr. CHAVEZ. That is right.

Mr. EASTLAND. My State is half white and half black, and we have no discrimination.

(Manifestations of laughter in the gallery.)

Mr. CHAVEZ. Of course.

The PRESIDING OFFICER. Let there be order in the galleries.

Mr. EASTLAND. I call as the first witness Mr. Malcolm Ross, the chairman of this agency, who says that less than 10 percent of the complaints originate in the South.

Mr. CHAVEZ. I am inclined to agree with the Senator.

Mr. EASTLAND. But the Senator said I knew something about discrimination.

Mr. CHAVEZ. When the Senator stated there was discrimination by this agency of the Federal Government I took it that the Senator meant that he knew what he was talking about.

Mr. EASTLAND. I did mean that. Here is an agency which gives 59 percent of its jobs to a race which constitutes 9 percent of the American population; and that is not a discrimination?

Mr. MAYBANK. Mr. President, I might say to the Senator from Mississippi that later in the remarks I intend to make, I expect to read Mr. Ross' letter into the RECORD, showing that there is less discrimination in the South than anywhere else.

I also wish to say that I do not consider the bill we are discussing a bill to stop discrimination in employment. It goes far beyond that. It goes into promotions, it goes into dismissals, it goes into labor unions, it goes into every nook and corner of American life. So while there is reference to employment, that is not what I intend to discuss, because that is not the bill. The bill is supposed to do away with discrimination in the future. That is the substance of the bill. When I reach that point, I intend to quote those who are in authority. This is not a fair-employment practice bill. We believe in fair-employment practice. It is practiced in the South. It is practiced in the navy yards, it is practiced everywhere. Mr. Ross' own testimony will show that. The bill attempts to abolish discrimination. That is what it is for.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. EASTLAND. Is it not a fact that the fight being made on the bill by the southern delegation in the United States Senate is not a fight to preserve discrimination anywhere, but is a fight to maintain the most sacred rights possessed by the American people, including the right of trial by jury——

Mr. MAYBANK. The Senator is correct.

Mr. EASTLAND. The right of an accused to be faced by the witnesses against him, the right to be tried in a court by a jury of his peers, with competent evidence introduced against him?

Mr. MAYBANK. To my way of thinking, the Senator is correct.

Mr. CHAVEZ. Mr. President, will the Senator from South Carolina yield?

Mr. MAYBANK. I yield.

Mr. CHAVEZ. I thank the Senator from South Carolina for indulging me one brief moment.

Mr. MAYBANK. Certainly.

Mr. CHAVEZ. I should like to ask the Senator from Mississippi, If we were to agree to an amendment which would let this bill pass, and which would provide for trial by jury, would the Senator from Mississippi be for it?

Mr. EASTLAND. I will answer that question by saying that denial of trial by jury is not all that is wrong with this bill.

Mr. CHAVEZ. Then that is not the reason why the Senator is against it.

Mr. EASTLAND. The Senator did not let me conclude. An accused person can be tried by a jury, but under the bill he can still be convicted on hearsay testimony; he still does not have to be faced by his accusers.

Mr. CHAVEZ. In the great right of trial by jury I believe.

Mr. EASTLAND. If the Senator believes in the right of trial by jury, why did he not put it in his bill?

Mr. CHAVEZ. Suppose it was an oversight; suppose it was neglect?

Mr. EASTLAND. It could not have been oversight; it could not have been neglect.

Mr. CHAVEZ. Suppose I put it in; would the Senator vote for the bill?

Mr. EASTLAND. I would not vote for this bill under any conditions, because it is a communistic attempt to destroy this country. [Manifestations of laughter in the galleries.]

I know the Senator from New Mexico is acting in entire good faith; I know he is not a Communist; I know he is a great American.

Mr. RUSSELL. A point of order, Mr. President. Under the rules of the Senate, the occupants of the galleries are guests of the Senate, and should maintain order. I make the point of order that that rule is not being observed.

The PRESIDING OFFICER. The Chair reminds the occupants of the galleries that there must be order. Any one in the galleries making any demonstration will be removed.

Mr. MAYBANK. Mr. President, since these interruptions have suggested one or two important matters about employment, I wish to digress from the particular subject I was discussing and read at this time to the Senate a statement by Mr. Ross, who is the Chairman of the present FEPC under the Executive order, and who appeared at a hearing on the appropriation bill for the national war agencies in 1945. I want all Senators to remember that Mr. Ross has been, was then, is now, the chief supporter of the proposed legislation, but in justice to Senators from the South and in justice to the people of the South who have tried to be fair, and have been fair, I wish to read Mr. Ross' testimony. There might still be a few discrepancies here and there, but our record is so far above that of other sections of the country that I intend to read this statement, so that it may be shown that there is no basis for pointing the finger of scorn at southern Democrats.

The senior Senator from Tennessee [Mr. MCKELLAR] was presiding, and Mr. Ross made the following statement:

The experience of my Committee indicates a heavy concentration of discrimination in the great war-production centers of the Northeast, Middle West, and the west coast. Nearly 90 percent of the 2,286 cases closed by the Committee during the past 10 months of this fiscal year originated in those areas.

I pause in the reading to suggest that if the Members of the Senate from the areas mentioned are interested in the FEPC, they should have the legislatures of their States pass proper laws, or the cities to adopt proper ordinances, to prohibit such discrimination.

Mr. CHAVEZ. Mr. President, will the Senator from South Carolina yield?

Mr. MAYBANK. I yield.

Mr. CHAVEZ. I agree with everything the Senator from South Carolina has said, and if he will turn to page 3 of the committee report, he will find the following language——

Mr. MAYBANK. I thank the Senator from New Mexico; I know he has visited my State, he has been in my home city, and I know he has always felt that we are not discriminating there, as those in other sections have been. Am I wrong in that?

Mr. CHAVEZ. No; the Senator is correct. If he will bear with me the language of the report on page 13 is as follows:

Contrary to the general impression, unfair discrimination in employment is not the exclusive problem of certain sections of the country. The experience of governmental agencies——

Mr. MAYBANK. Mr. President, I should like to say that I never charged the Senator from New Mexico with such a thought as that we discriminate, because I know he is too big a man and too broadminded to point the finger of scorn at southern Democrats and say we are discriminating. I know he does not feel that way.

Mr. CHAVEZ. I want to show the Senator what the committee said about it. I read:

The experience of governmental agencies charged with the responsibility of facilitating all-out war production has demonstrated that there is scarcely any important industrial area of the United States where there is not some form of discrimination sufficient to prevent the full utilization of manpower and the free flow of goods important to the national economy. The President's Committee on Fair Employment Practice has found that only one-fourth of the cases referred to it concerning discrimination against Negroes originate in the 17 States of the South.

That is only one-fourth of the entire number.

Mr. MAYBANK. I thank the Senator from New Mexico. I shall continue to read from the testimony of Mr. Ross. I want it understood that I do not know the correctness of the statement, though I believe it to be correct. I know that Mr. Ross was a witness before the committee for several days, and if these conditions exist, then it is the duty of the States and the cities in which they exist to do something about them, but it is not the duty of the Congress of the United States to deal with them. Why trouble us in South Carolina if something is wrong in Pittsburgh?

I continue to read:

The deep South, which I will discuss later, originated 10 percent of the cases. There are obvious reasons why minority group employment encounters difficulties in great war-production centers such as Pittsburgh, Detroit, Chicago, and Philadelphia. They spring very largely from the discomforts and tensions inevitably created by long working days, crowded boarding houses, crowded busses, and lack of recreation. Tempers are short, and any latent prejudice against Mexicans, Jews, Negroes, or workers of obvious foreign origin can quickly find expression in attempts to deny these groups the right to work or be placed in skilled higher-paid jobs.

These tensions exist as a byproduct of our necessity to work miracles of speed and volume in war production.

I pause in my reading to say that the FEPC emphatically states that the condition was due to the speed in connection with war production. The war is now over. There was no Fair Employment Practice Committee bill debated on the Senate floor during the war. The Appropriations Committee provided certain funds to the Executive to be used during the war, but the war is now over. The conditions which Mr. Ross referred to were war conditions.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield for a question.

Mr. EASTLAND. Does the Senator know that southern railroads employ more Negroes in proportion to the number of their employees than railroads in any other section of the United States?

Mr. MAYBANK. Of course, that is true. The Senator's statement is correct.

Mr. EASTLAND. And in the face of that situation this man Ross attempted to charge the Southern Railroad System and other railroads with discrimination.

Mr. MAYBANK. The Senator is correct. The famous case in which the Southern Railroad was brought before the committee appears further on in these hearings.

Mr. EASTLAND. Mr. President, will the Senator again yield?

Mr. MAYBANK. I yield.

Mr. EASTLAND. Does the Senator know anything about Mr. Ross' background?

Mr. MAYBANK. I know nothing about Mr. Ross' background. I have heard different statements about it, but I have seen Mr. Ross only when he was before the Appropriations Committee on several occasions.

Mr. EASTLAND. If this bill should be enacted into law and the President should have the chance to appoint members of the Commission, would the Senator vote to confirm Mr. Ross to be a member of the Commission?

Mr. MAYBANK. If the bill became a law I would be willing to filibuster against the confirmation of anyone to be a member of such a commission. I would not vote for anyone to be a member.

Mr. EASTLAND. If the Senator will further yield?

Mr. MAYBANK. I yield.

Mr. EASTLAND. The Senator is speaking the language of pure democracy, with which I entirely concur.

Mr. MAYBANK. Mr. Ross continues:

San Francisco's Negro population has increased nearly 300 percent in the past 3 years, Los Angeles has a present Negro population of 91,000, Chicago has 350,000, Detroit 185,000, and Philadelphia a quarter of a million. Every one of these cities is marked on the WMC chart for this current month as a group I area, meaning the top level of acute manpower shortage. The training, employment, and use at top skills of the Negro men and women in these centers is not an academic issue. The more their labor is accepted, the more guns and ships we shall have and the sooner this tragedy of war will be over.

The total manpower need cannot be considered apart from any one group, indeed, not even apart from any one American citizen. A man farms or makes bullets or goes into the Army. In any case he is vitally needed. The only man or woman lost to the war effort is he or she denied a place in it for reasons other than ability, loyalty, and willingness. Our national work pool has been drained to the point where we are using German war prisoners and importing tens of thousands of Mexicans, West Indian Negroes, and even a couple of thousand Newfoundlanders. All these latter groups come under one or more of the classifications: "race, creed, color, or national origin." Surely it is poor national economy to invite minority groups to cross our borders while not using our own native stock.

Mr. EASTLAND. Mr. President, will the Senator yield there?

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from South Carolina yield to the Senator from Mississippi for a question?

Mr. MAYBANK. Yes; I yield for a question.

Mr. EASTLAND. Under the bill as it is written would not an alien who is in this country and who belongs to a minority group be entitled to a job in preference to a veteran who returns from the war?

Mr. MAYBANK. That is the way I construe the bill. I will say to the Senator that in looking over the hearings held before the Appropriations Committee I find that the FEPC had objected to requiring everyone to show a birth certificate or filing a birth certificate before obtaining employment. I am aware of the fact that unfortunately in some places birth records are not carefully kept, but I think that in view of the large number of aliens who were found to be here at the beginning of the war, when registration took place, records would be available. Certainly so far as the several hundred thousand who still remain, who should have been sent away from this country a long time ago, in their case either a birth certificate should be provided or a citizenship certificate should be shown.

Mr. EASTLAND. Mr. President, will the Senator yield further for a question?

Mr. MAYBANK. Yes.

Mr. EASTLAND. In other words, this bill gives a preference in employment to members of minority groups, does it not?

Mr. MAYBANK. In my opinion it is designed to do so.

Mr. EASTLAND. And it gives such preference over a veteran belonging to the Anglo-Saxon race.

Mr. MAYBANK. That would be my opinion of the bill, and I may say further that the bill goes much further than simply dealing with employment. It deals also with the matter of promotion. It deals with the matter of discharges from employment. It goes into every phase of the employment activities of State governments, the employment activities of political subdivisions of a State, into the activities of the individually privately employed, of labor unions, of railroad trainmen, and so forth, and so on. As I have said, it goes further than simply dealing with the matter of employing individuals. It goes into the question of the discharge and promotion of employees.

Mr. EASTLAND. Mr. President, will the Senator yield again for a question?

Mr. MAYBANK. I yield.

Mr. EASTLAND. Does not the Senator believe that this bill is an attempt to give the agency which it would set up, which will probably be dominated by the radical groups, as is the present FEPC, control of the employment policies of the States, of the counties, of the municipalities, and of other political subdivisions?

Mr. MAYBANK. That is the way I construe the section of the bill dealing with the subject, which I had intended to discuss later, in connection with the duty of the State not to encroach on any of the rights of the United States, under the provisions of this bill.

Mr. EASTLAND. In fact, is it not an attempt to control the employment policy of the public-school system of the Nation?

Mr. MAYBANK. I concur that it is an attempt to control the employment policy in the public-school system, through dictating how teachers may be promoted, how they may be dismissed, and so forth.

Mr. EASTLAND. And does not the Senator think that that is a reasonable construction to be placed on this bill, and and is not a strained construction to be placed on it?

Mr. MAYBANK. The Senator from Mississippi is an eminent lawyer. Section 2 provides as follows:

SEC. 2. The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity, of all citizens of the United States, which shall not be abridged by any State or by an instrumentality or creature of the United States or of any State.

Mr. EASTLAND. Would not that include the eleemosynary institutions of a State?

Mr. MAYBANK. I take it it would include everything.

Mr. EASTLAND. Would it not include the employment policies of State institutions for the deaf, State institutions for the blind, and hospitals for the insane, as well as all other hospitals?

Mr. MAYBANK. I take it it would include everything. I should like to have the Senator comment on that point.

Mr. EASTLAND. It is my judgment, Mr. President, if I may comment without prejudicing the right of the Senator to the floor, that it would clearly control the employment policies of all business in the United States, both public and private. It would reach down to the municipality. It would reach into our public-school system. The bill would do more to destroy the American system of Government than every step that has been taken since the beginning of this country until the present day to get away from the principles on which it was founded. It would be a longer step than all the others combined.

Mr. MAYBANK. I construe that section to permit control of employment in the police department and the fire department of a municipality.

Mr. EASTLAND. Would it include the highway departments of the States?

Mr. MAYBANK. Certainly. There can be no question of that, because of Federal aid for road construction.

Mr. EASTLAND. The Federal Government contributes money for the operation of the highway departments and for road systems.

Mr. President, will the Senator further yield?

Mr. MAYBANK. I yield.

Mr. EASTLAND. If what the Senator has described is correct, what authority would a State have left?

Mr. MAYBANK. None.

Mr. EASTLAND. What authority would a municipality or county have left?

Mr. MAYBANK. I regret to say that the States have very little authority left today; but if this bill were enacted into law, there would be none left.

Mr. EASTLAND. If the bill is constitutional, does not the Senator believe that the next step, in the interest of efficiency, is to abolish the counties, the cities, and the States, and consolidate all authority in Washington?

Mr. MAYBANK. Not in Washington, but in the FEPC.

Mr. EASTLAND. That is in Washington.

Mr. MAYBANK. It would be not only in Washington, but all over the country, because the Commission could hold meetings and carry on its committee work anywhere it chose to do so, as the Senator well knows, because he has read the bill. It is not confined to Washington.

Mr. EASTLAND. Mr. President, will the Senator further yield for a question?

Mr. MAYBANK. I yield.

Mr. EASTLAND. Under the terms of the bill could an employer in South Carolina be cited to appear in New York City or on the Pacific coast to answer a complaint against him?

Mr. MAYBANK. As I understand the bill, he could be cited to appear as far away as Alaska or Puerto Rico. It says any of the Territories.

Mr. EASTLAND. Does the Senator believe that it is Anglo-Saxon Americanism to drag a man across the country——

Mr. MAYBANK. Not only is it not Anglo-Saxon Americanism, but it is no kind of Americanism.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. MAYBANK. I yield.

Mr. EASTLAND. When he gets there he is confronted by an agent or examiner of the Commission.

Mr. MAYBANK. Who is both judge and jury.

Mr. EASTLAND. Who is the prosecutor?

Mr. MAYBANK. The FEPC.

Mr. EASTLAND. Who is the judge?

Mr. MAYBANK. The FEPC.

Mr. EASTLAND. Who is the grand jury?

Mr. MAYBANK. The FEPC.

Mr. EASTLAND. Does the Senator think that that is Americanism?

Mr. MAYBANK. I certainly do not.

Mr. EASTLAND. It is much more akin to the system used in Soviet Russia today than the system of government in the United States.

Mr. MAYBANK. I agree with the Senator that the bill has not a line of Americanism in it.

Mr. EASTLAND. Does the Senator think that the accused would even be entitled to an open hearing, after traveling from Charleston to San Francisco, or could the agent, if he so desired, have a closed hearing or a closed trial, as is the vogue in Russia today? I ask the question in all seriousness.

Mr. MAYBANK. Mr. President, let me answer the question by referring for a moment to Mr. Ross' testimony with respect to action on complaints:

We have some 15 regional offices around the country. We only act on complaints. During the last year there were some 1,400 complaints made to us, which, on their face, we did not feel had any validity. We did not carry them through. We did not go out aggressively seeking trouble. Trouble is in the situation, and comes to us.

I wish to have the Senator from Mississippi listen very carefully to the next statement:

Of those 1,400 complaints there were some 800 employers who never knew the complaints were filed—

In other words, 800 of the 1,400 employers did not even know that complaints were filed against them—

because the Committee in screening the complaints saw that there was no merit in them and dismissed them. That is our purpose in having the Government agency on hand to screen complaints and to prevent needless controversy.

I may say in that connection that in screening the complaints and throwing out 800 of them they probably did a good thing, but I do not believe that any Government agency should have the right to screen secretly complaints against anyone. If a person makes a complaint to a Government agency against a corporation, or if a business firm makes a complaint against an individual under the terms of the bill, it seems to me that both parties should have knowledge of the facts. In other words, the Committee should not decide the merits of a complaint in secrecy. In my judgment, that is secret government, and I certainly do not desire to see any more secret government. Unfortunately, we had a taste of it in the South.

Mr. EASTLAND. Mr. President, will the Senator yield to me for a comment, provided that it does not prejudice his right to the floor? Will the Senator from New Mexico agree?

Mr. CHAVEZ. Mr. President, I am enjoying the remarks of the Senator from South Carolina, and I think it is only fair that he should not be interfered with. I think it is only proper that we should allow the Senator from South Carolina to proceed. I object.

Mr. EASTLAND. Mr. President, will the Senator from South Carolina yield for a question?

Mr. MAYBANK. I yield for a question.

Mr. EASTLAND. The Senator has stated that the accused could be taken across the country for trial.

Mr. MAYBANK. That is my interpretation of the bill.

Mr. EASTLAND. The Senator knows, does he not, that that is a violation of right No. 1 as an American? When he gets to the place which has been set for the hearing he is confronted with an agency which is the grand jury, prosecutor, judge, and jury. As the Senator knows, that is a violation of the fundamental rights of an American. Does not the Senator know that at that hearing he would not be entitled to the right of cross-examination; he would not be entitled to be confronted by the witnesses against him; and he would not be entitled as a matter of law to an open hearing? He would be stripped of the right of demanding, before being convicted, that he be proved guilty beyond every reasonable doubt and to a moral certainty, which under our system of government is absolutely fundamental before a man can be lodged in jail. He is denied that right.

Does not the Senator know that he is further denied the benefit of the rule which prevails in civil suits in this country that the plaintiff must prove his case by a preponderance of the evidence? That right is also taken away. If he is convicted, he does not have the right to go into the Federal court and obtain a decision on the evidence and on the facts. Does not the Senator know that the bill provides that, if there is any evidence against the defendant to support the charge, no matter whether it is hearsay, no matter whether it is competent or not, the sentence must be confirmed? The proponents of the bill would tie the hands of the Federal courts and make them confirm the sentence.

I ask the Senator from South Carolina in all sincerity—and I am very sincere in this question—whether it is not a fact that the system proposed to be set up by the bill is identical with the system in vogue today in Russia and identical with the system used in Nazi Germany and identical with the system used in other totalitarian countries, where all the rights of the individual have been swept away?

Mr. MAYBANK. Mr. President, I will answer that question by saying that I am not as familiar as perhaps I should be with the situation in Russia and in Germany. I know that the system proposed by the bill is a totalitarian system, and I know that it does not conform with the present system in America in connection with the trial of cases in the courts. It goes even further than the OPA investigators went during the days when, in the Banking and Currency Committee, for several years we tried to make some changes in regard to giving rights to those whom the OPA investigators were investigating and prosecuting.

It has often been said that the power to tax is the power to destroy. If this bill passes, that saying will be changed, because then it will be said that the power to investigate is the power to destroy, because the Commission's investigators will be able to investigate businesses and people for months at a time, until their businesses are ruined.

Mr. EASTLAND. I agree with the Senator. Will the Senator yield for another question?

Mr. MAYBANK. I yield.

Mr. EASTLAND. I should like to have the Senator tell me what right, what safeguard, an American citizen will have left, when an issue of discrimination arises, if this bill is enacted into law? I should like to have the distinguished Senator point to just one safeguard of human liberty that would be left.

Mr. MAYBANK. I am not able to do so.

Mr. EASTLAND. Does the Senator know of any that would be left?

Mr. MAYBANK. I do not. Of course, people could eventually go to the courts.

Mr. EASTLAND. But they could not go to the courts on a question of fact.

Mr. MAYBANK. No, they could not go to the courts on a question of fact.

Mr. EASTLAND. The Senator knows that even the hands of the Federal courts would be tied, and that if there was any evidence whatsoever—whether hearsay, or no matter how poor it was, no matter how incompetent to be received in a court of justice—the hands of the courts would be tied. Without prejudicing the rights of the distinguished senior Senator from South Carolina, I say in all sincerity——

Mr. MAYBANK. Mr. President, I yielded for a question.

Mr. EASTLAND. I said that, without prejudicing the rights of the Senator from South Carolina——

The PRESIDING OFFICER. The Senator from South Carolina yielded for a question.

Mr. CHAVEZ. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield for a question?

Mr. MAYBANK. I yield for a question.

Mr. CHAVEZ. I should like to ask the Senator a question. Does not the Senator think that inasmuch as the Senator from Mississippi has proven his case so well and has convinced a majority of the Senate, we over here should get ready to kill this bill by a vote—if the things the Senator from Mississippi has mentioned are to happen? He was very convincing; and if he convinced the Senators in this body that what he has said is correct, this bill should not pass.

Mr. MAYBANK. I thoroughly agree with the Senator from New Mexico that this bill should not pass.

Mr. CHAVEZ. Does not the Senator think that inasmuch as the Senator from Mississippi has so well placed the matter before this body, all Senators should be convinced that we should be allowed to have a chance to kill the bill by having a vote on it?

Mr. EASTLAND. Mr. President, will the Senator yield to me for a question?

Mr. MAYBANK. I yield for a question.

Mr. EASTLAND. The statements I have made were made in all sincerity, and I should like to ask the Senator from South Carolina this question: If what we have stated is not true, does not the Senator from South Carolina wish to have the Senator from New Mexico take the floor in his own time and deny what we have stated, and does not the Senator from South Carolina wish to have the Senator from New Mexico tell of just one right, one safeguard of liberty which would be left to an American citizen when an issue of discrimination arose, if this bill were enacted into law, because, frankly, after studying it, I cannot find a single safeguard or a single right which would be left to an American citizen.

Mr. MAYBANK. I thank the Senator.

Mr. RUSSELL. Mr. President, will the Senator from South Carolina yield for a question?

Mr. MAYBANK. I yield to the Senator from Georgia for a question.

Mr. RUSSELL. I ask the Senator from South Carolina if one sound reason why we might not be able to accede to the wishes of the Senator from New Mexico in this matter is that those who say they are supporting this bill cannot stay here and learn the truth about it? Here there is under discussion a bill in which the Senator from New Mexico would have us believe there is a tremendous amount of interest; he would have us believe that the whole Government will fall and be destroyed if we do not pass this bill, because of the great discrimination which is abroad in the land, and so the Senator from New Mexico would have us pass the bill. However, when we discuss the bill here, in the middle of the afternoon, we find that the Senator from New Mexico, who, of course, is watching the bill; the Senator from South Carolina [Mr. MAYBANK], who is discussing it; the Senator from Mississippi [Mr. EASTLAND], the distinguished Senator from Pennsylvania [Mr. GUFFEY], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New Jersey [Mr. SMITH], and the Senator from Indiana [Mr. WILLIS]—a total of approximately 7 or 8 Senators, I think—and just now the Senator from Colorado [Mr. JOHNSON] has entered the Chamber, so here we have present approximately 8 or 10 Senators——

Mr. SMITH. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. I do not have the floor.

Mr. SMITH. I simply wish to understand correctly what the Senator's inquiry is.

Mr. RUSSELL. I addressed my inquiry to the Senator from South Carolina, I may say to the Senator from New Jersey.

Mr. SMITH. I thank the Senator.

Mr. RUSSELL. I ask the Senator from South Carolina this question: If the bill is so important and if the whole country is about to fall because the bill cannot be enacted, does he not believe that it is strange that so many Senators who are so fervent in their support of the bill and are so anxious to discuss it do not stay here for the discussion, and I ask the Senator further if he does not believe that the fact is that many Senators who unwittingly have become committed to this iniquitous measure have become so disgusted with it that they do not care to remain in the Chamber to hear it discussed?

Mr. MAYBANK. I agree with the Senator that it is apparent that many Senators do not desire to remain in the Chamber to hear the bill discussed. After reading in the newspapers that we would be in session morning, noon, and night, I am disappointed that so many Senators are now absent from the Chamber. But in view of the fact that we remained in session yesterday until 6:15, was it not?

Mr. RUSSELL. It was about that time.

Mr. MAYBANK. In view of that fact, I assume that the absent Senators are now outside the Senate Chamber reading the proceedings of yesterday's session, and I assume that a similar situation will exist tomorrow.

Mr. President, I shall now read from page 150 of the hearings held by a subcommittee of the Senate Appropriations Committee when it was considering the national war agencies appropriation bill for 1945. The hearing from which I shall read was held on June 5, 1944, at which time the subject under consideration by the subcommittee was the Committee on Fair Employment Practice. Mr. Malcolm Ross, Chairman of the Committee on Fair Employment Practice, was testifying, and, among other things, he had this to say:

> North, East, and West, then, we find discrimination because of employer inertia to change in their employment practices who because of locally grown or imported worker prejudice, and because all workers fear postwar unemployment and would rather not share jobs, even now, with new or outside groups.

Mr. President, I should like to repeat that testimony by Mr. Ross.

> North, east, and west—

There is no reference to the South. Evidently he did not believe there was any inertia on the part of the southern people. According to Mr. Ross, the inertia was in the North, in the East, and in the West. That would be in keeping with the previous statement here, Mr. President, that 90 percent of all the cases closed by the Committee during the preceding 10 months of the fiscal year originated in the Northeast, in the Middle West, and on the west coast.

Mr. President, following the statement I have referred to, there appears this:

> In the Southwest, ranging as far north as Colorado and as far west as California, there is a specialized problem of employment discrimination against Mexican Americans, more than 3,000,000 of them. Despite the fact that three-fourths of a million are third-generation American citizens, their national origin subjects them to discriminatory wage rates and bars them from job preferment.

As one of the Senators from South Carolina, I should like to say that I sincerely regret that such a situation exists in the Southwest, and I am certain it would never exist in the South. In the South such conditions as that could not be.

I read further from the testimony of Mr. Ross:

> I do not assert, Mr. Chairman, that discrimination is the general rule, here or with other minority groups. But we do have evidence that discrimination cuts deep enough to hamper war production and to lessen that patriotic fervor which is the spiritual meat with which a fighting nation must nourish itself. If I may be permitted a personal comment, 20 years ago I worked as a mucker in a southwestern copper mine, and in both wage rates and working conditions I with other so-called Anglos was the beneficiary of discrimination against Mexican-American miners. Present evidence from the area indicates that the problem still exists.

Mr. President, I must concur with the statement of Mr. Ross that some problem exists in the Northeast, the North, and in the Southwest, but I again suggest that the problem can be cured by local legislation. The distinguished Senator from Georgia [Mr. RUSSELL] stated that many States had considered, through their respective legislatures, fair employment practice bills. I cannot understand why a drive was not made to enact such legislation in those States, and why the organizations which are supporting the pending bill did not use their influence in having similar legislation enacted in many States in which such legislation was defeated. I understand that some time ago legislation of that character was enacted in New York, in New Jersey, and in Utah.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. EASTLAND. The Senator referred to the FEPC law in the State of New York. Is it not the Senator's information that the enactment of that law has doomed Mr. Dewey's political future in New York State?

Mr. MAYBANK. I do not know anything about Mr. Dewey's political future, but I have been made to understand that the law is not at all a popular law within the State of New York. I have been told so by many persons. I have heard representatives of various races so state. The Senator from Mississippi could not expect a Senator from South Carolina to know anything about politics in the State of New York.

As the Senator from North Carolina [Mr. HOEY] stated earlier in the day, there is no Republican Party of any appreciable size in the South. That is why the members of that party in the South do not cast many votes. I have never heard Mr. Dewey discussed in the region from which I come.

Mr. EASTLAND. Mr. President, the Senator from South Carolina and the Senator from Mississippi are doing their best to defeat the pending bill because we know of the effect which the New York law has had, and we wish to protect our good friend from New Mexico from himself.

Mr. CHAVEZ. Mr. President, I certainly appreciate the kindness and solicitude of the Senator from Mississippi, and I wish to thank him.

Mr. MAYBANK. Mr. President, we now come to a very important statement. We have heard, and it has been proven, that 90 percent of the violations to which reference has been made occurred in New England, in the North, and in a few large cities of the West. We have heard it stated that less than 10 percent of the complaints have come from the South. Here is what Mr. Ross said:

> The problem in the deep South almost exclusively concerns the Negro worker. These form perhaps the largest pool of southern manpower.

Mr. President, that statement is correct.

> The South is well used to Negro labor and there is seldom, as in northern cities of great Negro in-migration, any downright refusal to employ Negroes.

Although I do not agree with the theory of the FEPC bill, and although I disagree with most everything which Mr. Ross has ever said before the committee, I do believe, as a representative in this body of a Southern State, that he has made an absolutely factual statement. I will repeat it:

> The South is well used to Negro labor and there is seldom, as in northern cities of great Negro in-migration, any downright refusal to employ Negroes.

Mr. Ross used the word "seldom." In my experience during many years in public life, I never heard of any refusal to employ Negroes, but there may now and then have been a refusal on the part of some bigoted or prejudiced individual.

Mr. Ross continued:

> As far as war industry is concerned—and it is the only one we are considering here—FEPC cases arising in the South are apt to concern a reluctance to train Negro workers and the retention at menial work of Negroes who have fitted themselves for skilled jobs.

Mr. Ross stated before the committee that it is very seldom in the South that employment is refused to a Negro, but that there is a reluctance to train workers. I may say, and no one knows better than the present occupant of the chair, that there certainly was never any reluctance on the part of the schools and colleges in South Carolina to train Negroes. In the Negro colleges every effort was made to place in them every piece of equipment which could be obtained in order that Negroes might be properly trained. Moreover, I may say that the Negroes who were trained did a good job.

So there was never any effort on our part to deny them the right to be trained. Bond issues were sold. I might say that the NYA helped us as much as it could, and we used the funds as best we could in South Carolina to train the white and the Negro workers, as well. I was a supporter of appropriations for the NYA. At times I was criticized for that, and when I ran for office I always knew the people believed in the just, liberal government we have. They believed in the

Federal Government, through NYA, assisting where we did not have sufficient funds to train people to work, and we trained them regardless of race, creed, or color.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. EASTLAND. The distinguished Senator is making a very able argument, and I should like to ask him a question. Does the Senator know of a single Member of the United States Senate who, in the employment of the personnel in his office, follows the principles laid down in the bill we are considering, which we are asked to force on the American people?

Mr. MAYBANK. No.

Mr. EASTLAND. I will say quite frankly that I know of none. Does the Senator know of a single committee of the United States Senate where the principles laid down in this bill are followed in the employment of committee personnel?

Mr. MAYBANK. I do not.

Mr. EASTLAND. With the exception of Mr. MARCANTONIO, of New York, does the distinguished Senator know of a single Member of the House of Representatives who follows the principles laid down in the bill in the employment of his office personnel?

Mr. MAYBANK. I do not.

Mr. EASTLAND. Does the Senator know of a single committee of the House of Representatives which uses those principles in the employment of committee personnel?

Mr. MAYBANK. I do not.

Mr. EASTLAND. I should like to ask the Senator a further question. Does the Supreme Court of the United States follow the principles laid down in the bill in the employment of personnel?

Mr. MAYBANK. I am not familiar with the practice of the Supreme Court in that regard. I would say to the Senator that I never heard of them doing so.

Mr. EASTLAND. I tell the Senator frankly that they do not. I should like to ask a further question. Does the White House follow the same principles laid down in the bill in the employment of personnel at the White House?

Mr. MAYBANK. I have never heard that they did. Very frankly, I am not familiar with that.

Mr. EASTLAND. Then, here are men who do not practice this system attempting to force it on the American people.

Mr. MAYBANK. Mr. President, very frankly, I do not know about what may be done in the Supreme Court or what may be done in the White House, or what the Governor of New York, who sponsors the legislation, does in his office in New York. That field is a little foreign to me. But I will say that I think it would be an outrage for any Senator to vote to make any man who hires more than six people in private industry, or in other business, live up to this proposed law and he himself not live up to it. If I voted for it, I would follow the law.

Mr. EASTLAND. Will the Senator yield for another question?

Mr. MAYBANK. I yield.

Mr. EASTLAND. I agree entirely with the Senator from Maryland [Mr. TYDINGS] in the brave speech he made yesterday, when he said that this bill is a great piece of hypocrisy; which is exactly what it is.

Mr. MAYBANK. Mr. President, I, for one, believe in free enterprise, and believing in the principles of the Constitution of the United States and the Bill of Rights, I would never vote for any law being applied to anyone else which I would not want applied to me. I would not vote for anyone else having to do something which I myself would not do.

Mr. President, I have diverted from the remarks I had intended to deliver because a discussion arose as to the manner in which the southern people treated the colored citizens of the South. I diverted so that I might read a statement of Mr. Malcolm Ross. The statement appeared in the hearings on the national war agencies appropriation bill for 1945. It can be found beginning on page 149, and going through page 151.

I might say to the distinguished junior Senator from New York [Mr. MEAD], who has just entered the Chamber, that I am sure he would like to have me repeat that Mr. Ross stated that 90 percent of the 2,286 cases closed by the committee during the past 10 months arose in the Northeast, the Middle West, and on the west coast. The deep South originated less than 10 percent of the cases.

Mr. Ross proceeded to say:

> The South is well used to Negro labor and there is seldom, as in northern cities of great Negro in-migration, any downright refusal to employ Negroes.

Again, while I differ with Mr. Ross, I wish to commend him for his honest statement concerning the situation in the South.

Mr. President, I heard the distinguished Senator from North Carolina [Mr. HOEY] refer today to the liberalism and lack of prejudice in the South, and I remind the distinguished junior Senator from New York that when that great and distinguished wearer of the brown derby, our beloved Alfred Smith, ran for office in 1928, we in South Carolina stood by him 30 to 1, and when Governor Lehman was drafted for a third term as Governor of New York, when President Roosevelt referred to him as "that right hand of mine," as a member of the South Carolina delegation to the Philadelphia convention it was my pleasure to poll the delegation, and we unanimously joined with the other States in urging Governor Lehman to offer for reelection, when at one time the distinguished Governor of New York thought perhaps he might not be a candidate for reelection.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. MAYBANK. I yield.

Mr. EASTLAND. The distinguished Senator spoke of the vote South Carolina gave Governor Smith in 1928.

Mr. MAYBANK. That is correct.

Mr. EASTLAND. Does not the Senator know that the State of Mississippi polled more votes and a larger percentage of its vote for the Democratic candidate that year than did the State of South Carolina?

Mr. MAYBANK. That is correct, although the percentage was small. But Mississippi was so happy because her vote exceeded that of South Carolina that in the campaign following, in 1932, the lieutenant governor of South Carolina and the lieutenant governor of Mississippi made a bet of a good old Democratic mule as to which State would poll the most votes, and when the next Governor of New York, that great citizen of New York, whom we all respected and admired, was the candidate for President in 1932. South Carolina in that election polled more votes than did Mississippi by, I think, about one-half of 1 percent, and we got the mule. Then the question was how to keep and feed the mule in view of the condition in which the country found itself in 1932. But after the great leader, Roosevelt, took office, and after 1933 came, we were well able to provide for and keep the mule. I thank the Senator from Mississippi for reminding me of that.

Mr. EASTLAND. Will the Senator yield further?

Mr. MAYBANK. I yield.

Mr. EASTLAND. Because of those majorities and because of our preponderant strength in the Democratic Party, does not the Senator from South Carolina think that the Senator from South Carolina and the Senator from Mississippi are the real spokesmen for democracy in America in opposing measures such as that now before us, and that our sentiments are the sentiments of the great rank and file of the Democratic Party in this country?

Mr. MAYBANK. I certainly think that the sentiments of the Democrats of South Carolina and Mississippi are those of the rank and file of the Democratic Party, that we have always known and always looked for in and out of season—and we have been out of season most of the time, as the Senator from Mississippi knows.

Mr. MEAD. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Does the Senator from South Carolina yield to the Senator from New York?

Mr. MAYBANK. I yield for a question.

Mr. MEAD. First of all I wish to commend the record of the Chairman of the FEPC which the Senator has read, and I am quite sure that the figures are correct. I wish to commend the South, too, for the very low number of infractions which have been listed.

It occurs to me from reading the record, however, and from the statement that there are so many more infractions in New York and in the other Northern States, that I should have the support of the southern Senators for the approval of the proposed legislation, so as to eliminate those infractions, and bring about the very ideal condition which the Senator says exists in his State.

Mr. MAYBANK. Mr. President, I yielded for a question, but I appreciate the statement made by the Senator from New York. I may say only this to the distinguished Senator from New York, that I will help him with respect to the enforcement of the FEPC law in this way: I will do everything I can to help elect the Democratic candidate for Gov-

ernor in New York, and let him see what he can do about the matter. At the present time there is an FEPC law in New York. Governor Dewey is now Governor of New York. It is up to him to enforce the law. Since the law is on the statute books of the State of New York I shall join my Democratic friend, and I promise him that if there is anything I can do—I can speak for no one else in the South, but speaking for myself I will say that if there is anything I can do to help enforce the law I shall do it, and the way to do it is to help elect a good Democrat as Governor of New York. There has not been a Democratic Governor of New York for some time.

Mr. MEAD. Mr. President, will the Senator again yield?

Mr. MAYBANK. I yield.

Mr. MEAD. I cannot say that I object to the optimistic prophesy to which the Senator has just given voice——

Mr. MAYBANK. I hope I am right.

Mr. MEAD. But it occurs to me that there are some interstate infractions and that the situation would be better buttressed if we had a Federal statute covering the whole country. For instance, there is a Federal statute dealing with national labor relations, and we have the national wage-and-hour law. I believe we could secure better enforcement if we have both State laws and Federal laws covering both intra and interstate situations.

Mr. MAYBANK. The Senator has asked me a question. The Senator knows, of course, that I do not believe we would thereby have better enforcement of the law, after what I have heard respecting the lack of enforcement in the State of New York.

Mr. MEAD. Will the Senator again yield?

Mr. MAYBANK. I yield.

Mr. MEAD. From the reading of the record which the Senator has before him, I do not believe it is charged that there are more infractions in the State of New York than in any other State.

Mr. MAYBANK. I did not say New York. I spoke of the North. I read from the statement read by Mr. Ross. I will read it again.

Mr. MEAD. I understood the Senator to make the statement.

Mr. MAYBANK. No; the statement was made by Mr. Ross, head of the FEPC. He said:

> The experience of my committee indicates a heavy concentration of discrimination in the great war-production centers of the Northeast, Middle West, and the west coast.

I may say to the Senator from New York that Mr. Ross said that most of the trouble existed in Chicago, Los Angeles, Pittsburgh, Detroit, and Philadelphia.

Mr. MEAD. I think New York is doing a fairly good job, and I believe that as the Senator has read the record which shows the condition existing from coast to coast it would lead anyone to believe that a Federal statute would be very helpful.

Mr. MAYBANK. No; I cannot agree with the Senator in that statement. A Federal statute would not be very helpful because in the first place it could not be enforced. As a matter of fact, Mr. President, there would be no possible chance to pass such legislation, so there is no use to discuss what might happen if it were passed.

Mr. MEAD. Mr. President, will the Senator yield for another question?

Mr. MAYBANK. Yes.

Mr. MEAD. The Senator's commendation of the distinguished former Governors of New York is, of course, very pleasing to me.

Mr. MAYBANK. Yes. They were good Democrats.

Mr. MEAD. Yes; and does not the Senator believe he ought to follow their example? They were in favor of legislation of this kind. And if they were the great statesmen the Senator believes they were, and my distinguished colleague, the Senator from Mississippi [Mr. EASTLAND] admits they were, does not the Senator think we should follow their example and favor this legislation?

Mr. MAYBANK. I do not know that any of them testified before the Senate committees.

Mr. MEAD. No; they did not, but the Senator knows that President Roosevelt was in favor of such legislation.

Mr. MAYBANK. President Roosevelt created the committee by an Executive order. He did that, acting under his war powers. We remember with deep regret that our former great Commander in Chief and leader went to the Great Beyond before the war ended. I do not think anyone would suggest for a moment what President Roosevelt would have done, had he lived, after the war was over. But President Roosevelt, as the Senator from New York has stated, requested Congress to enact legislation dealing with the FEPC as a war measure, and also requested legislation to deal with the pools of unemployed individuals. I do not believe anyone can say what President Roosevelt might or might not have done, had he lived, after the war ended.

Mr. MEAD. I think we can assume that President Roosevelt favored this legislation, when we know that he ran on a platform which recommended it, and when we know that in the first instance he created the FEPC and while President insisted upon the functioning of the Committee. Therefore we might logically assume that he would favor this legislation.

Mr. MAYBANK. Had President Roosevelt lived he might have favored this legislation and he might not have. I do not know. I feel certain that the distinguished Senator from New York has at times not gone along with the late President on legislation which he favored, and I certainly have not gone along with him on legislation to which I objected.

Mr. MEAD. The Senator, however, cited him as a witness in this case.

Mr. MAYBANK. I never cited him as a witness in respect to the FEPC.

Mr. MEAD. But the Senator alluded to him as a great leader.

Mr. MAYBANK. Not in respect to the FEPC.

Mr. CHAVEZ. Mr. President, will the Senator yield to me for half a minute?

Mr. MAYBANK. Yes.

Mr. CHAVEZ. Did not the late President of the United States, President Roosevelt, on the 29th of October 1944, in a speech at Chicago make the following statement:

> Three years ago, back in 1941, I appointed a Fair Employment Practice Committee to prevent discrimination in war industry and Government employment. The work of that Committee and the results obtained more than justify its creation.
>
> I believe the Congress of the United States should by law make the Committee permanent.

Mr. MAYBANK. President Roosevelt said he believed it should be made permanent during the war. I stated that during the war the President sent messages to the Appropriations Committee. In the speech in Chicago he said he believed in the FEPC. The Senator from New York asked about the Democratic platform. I do not have the Democratic platform before me, but to the best of my knowledge it contained no mention of the Fair Employment Practice Committee which would in any sense compare with what is provided in this bill.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. RUSSELL. I suggest that the question raised is not at all pertinent as to whether a man is in favor of extending the Fair Employment Practice Committee, such as we have at the present time, created by Executive order, with authority to deal with contracts entered into with the Government and with Government agencies, as compared with a bill of this kind, which undertakes to reach down into every little business, into every little farm, every little plant, every little facility that is owned or operated by an individual in this country. There is certainly a tremendous difference between a committee such as exists at the present time, which handles employment in the Federal Government and polices those who have contracts with the Federal Government, a condition that is entered into willingly by the contracting parties, and a vast catch-all bill of this kind which invades the rights of private property of every individual in this country, whether he would have it done or not. May I ask the Senator if he does not see that there is a great difference between the proposal which dealt with the employment of American citizens, and the pending proposal, which seeks to create a gigantic employment bureau to find positions for aliens who are in this country to the detriment of American citizens who may be seeking work?

Mr. MAYBANK. I will answer the Senator that I do. Not only that, but the bill would create a vast investigation bureau. I may say to the Senator, and if he does not agree with me I trust he will say so, that as I construe the bill it applies to the farmers of the country as well.

Mr. RUSSELL. Of course it applies to the farmers, and, as I stated, there is no more comparison between the powers which were sought to be vested in the FEPC created by Executive order and the agency which is sought to be created by the pending legislation than there is between a rat and an elephant, the existing committee being the rat, and the body proposed to be set up being the elephant which would trample down the

last private rights of business in this country.

Mr. MAYBANK. The Senator is quite correct. The Senator said the bill applies to any farmer who employs six or more individuals. Does not the Senator agree further that it not only applies to the farmer who employs six or more, but it also applies to what we term in the South a one-horse farm, which produces cotton which must be ginned, or to a man who raises peaches which he must send to the cannery, since both canneries and cotton gins would be affected? Therefore in my judgment it would apply to everything produced on the farm, whether produced on a one-horse farm or on a plantation employing 200 persons.

Mr. RUSSELL. A farmer could not put more than five individuals in his field to pick cotton at any one time without subjecting himself to the provisions of the bill. The advocates of the measure ought to be fair enough to make that situation perfectly clear and plain. There is no comparison to be made between the existing FEPC and the agency sought to be established under this bill. I alluded to that subject somewhat in detail yesterday and shall, before I conclude my further discussion, say more on the subject. There has been a deliberate effort in this country to create in the public mind the idea that this bill, if enacted, would merely be a statute to continue the Committee appointed under Executive order. There never was a more misleading or distasteful campaign carried on.

Mr. MAYBANK. I thank the distinguished Senator from Georgia for his statement. I wonder what he thinks would happen under this bill to a church choir which was composed of more than five members.

Mr. RUSSELL. Certainly, if the choir sang over the radio it would be affected by the provisions of this measure. That would put the church choir into interstate commerce.

Mr. EASTLAND. Mr. President, will the distinguished Senator from South Carolina yield for a question?

Mr. MAYBANK. I yield to the Senator from Mississippi.

Mr. EASTLAND. I invite the Senator's attention to the Magna Carta. As the Senator knows, the Magna Carta is the fundamental law from which our system of jurisprudence springs; and it and the Constitution of the United States are the great safeguards to human liberty in the Anglo-Saxon world. I read to the Senator section 38 of the Magna Carta:

38. No bailiff, for the future, shall put any man to his law, upon his own simple affirmation, without credible witnesses produced for that purpose.

I ask the Senator, Does not this bill violate that provision, that safeguard of liberty, when it authorizes the agents of the proposed commission to cite and try a defendant without confronting him with credible witnesses? Furthermore, under the provisions of the bill the testimony of credible witnesses is not required before a man can be cited as a violator of the act.

Mr. MAYBANK. I thoroughly agree with the Senator. The Senator is correct.

Mr. EASTLAND. It violates the very elemental safeguards of liberty.

Mr. MAYBANK. The Senator is correct.

Mr. EASTLAND. I invite the Senator's attention to section 39 of the Magna Carta:

39. No freeman shall be seized, or imprisoned, or dispossessed, or outlawed, or in any way destroyed; nor will we condemn him, nor will we commit him to prison, excepting by the legal judgment of his peers.

I ask the Senator, Does not the bill violate that provision of the Magna Carta when it condemns an American citizen to prison without a judgment of his peers?

Mr. MAYBANK. It does.

Mr. EASTLAND. Furthermore, it denies him the right of trial by jury.

Mr. MAYBANK. It not only subjects him to a prison sentence without a judgment of his peers, but he may be forced to go to a distant territory to be tried by the FEPC, acting as judge, jury, and prosecuting attorney.

Mr. EASTLAND. In cases in which the Commission has jurisdiction, what safeguard is left to the American citizen?

Mr. MAYBANK. I know of none.

Mr. EASTLAND. What protection is thrown around his right as a freeman?

Mr. MAYBANK. Only under certain conditions may the courts intervene. As the Senator previously brought out, the courts may not interfere on a question of fact.

Mr. EASTLAND. The courts cannot render judgment on the facts. The United States courts are shackled in order further to deprive the defendant of his liberties as a free American citizen.

Mr. MAYBANK. Mr. President, a moment ago I stated that this was not employment legislation, promotion legislation, or dismissal legislation. I should like to invite the attention of the Senator from Georgia for a moment to a statement by Mr. Ross. The bill requires that the present employees of the Committee on Fair Employment Practice be transferred to the new Commission, and that the new Commission, with the employees of the present Committee, shall enforce the law. Therefore what we are to expect from the FEPC in 1947, if there is to be an FEPC, must be judged by what it did in 1945 and 1946.

On page 162 of the hearings is to be found a statement by Mr. Ross. There was a strike in Maryland, which I mentioned last night. Under the present Executive order, and under the provisions of the bill, the investigatory powers of of the FEPC are unlimited. The FEPC became involved in the strike, as it would become involved in everybody's business if the bill were enacted. Mr. Ross made a very frank statement. That is one reason why I say that this is a pure and simple segregation bill, a bill by which it is intended by some of those who are supporting it to do away with segregation. Mr. Ross made the following statement:

Where segregation may result in discriminatory terms and conditions, we feel that we have a duty to examine to see whether that actually is the case.

So, Mr. President, should this bill become law the FEPC would investigate every complaint brought to it regarding segregation. As to what finding or ruling it might make, no one knows, but from that clear statement on the part of Mr. Ross before the Committee on Appropriations I can see his future trend of thought. That was what first attracted my attention to the unfairness and injustice of the bill, and caused me to be so bitterly opposed to any type of FEPC law.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. EASTLAND. I invite the distinguished Senator's attention to section 45 of the Magna Carta:

45. We will not make justiciaries, constables, sheriffs, or bailiffs, excepting of such as know the laws of the land, and are well disposed to observe them.

I ask the distinguished Seantor if that provision of the Magna Carta, which, as the Senator knows, is nothing but an essential guarantee of liberty, is not violated by this bill, and that the requirement to know the law and observe it is not made of the employees of the agency which is proposed to be established.

Mr. MAYBANK. That is my interpretation of the bill.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. RUSSELL. I am sorry that the Senator from Mississippi has so abused the idea embodied in this bill as to mention the Magna Carta on this floor. It is a very significant thing that I read in the newspaper, the day the bill was brought up, that the Magna Carta was being returned to England. I can well understand why the Magna Carta was on its way out of this country on the day when there was taken up by the Senate a bill abolishing the right of trial by jury for those charged with offenses, abolishing the right to be confronted by witnesses against them, and instituting a perambulatory star-chamber session which can move anywhere in the country and try the defendant a thousand miles from the vicinage, as we have always understood it under Anglo-Saxon law. Undoubtedly the British thought that the Magna Carta would be burned by those who would vote for such a bill, and they got it out of the country before the bill could be passed.

Mr. EASTLAND. I agree with the distinguished Senator. Furthermore, the accused does not have to be proven guilty beyond a reasonable doubt before he is imprisoned.

Mr. RUSSELL. Not even by a preponderance of the evidence. There is no rule of evidence and no rule of law. It is a star-chamber inquisition.

Mr. EASTLAND. The accused may be convicted by incompetent testimony.

Mr. RUSSELL. It is a star-chamber inquisition to place employers in jail. So it is well that the Magna Carta was moved out of the United States on the day when the Senate was asked to adopt a measure which would strike down every

fundamental right which our forebears have undertaken to preserve, defend, and enrich since those elementary and fundamental rights of the individual were wrung from King John on the Plains of Runnymede.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. EASTLAND. Mr. President, a school of thought has grown up in this country which expresses the ideals of the people of southern and eastern Europe. For 50 years that school of thought has grown as immigrants have come to this country, and from it there has been a concerted attempt to destroy our Anglo-Saxon system of jurisprudence, of justice, and of liberty, a school of thought which reaches the high point in this bill, which is part of a campaign to destroy the America which we have loved, and which thousands of men have laid down their lives to create and preserve.

Mr. MAYBANK. I thoroughly agree with the Senator that the purpose of the bill is to destroy not only the law but everything else that is worth while.

Mr. EASTLAND. The bill would rape the Magna Carta itself.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. CHAVEZ. Does not the Senator from South Carolina also know that there is another school of thought which would destroy the spirit of 1776, for which the fathers of the country fought? We talk about sending the Magna Carta back to England. There is a school of thought which would like to send the country back to England.

Mr. MAYBANK. I should not be surprised; but I believe that advocates of such a course are few and far between.

Mr. EASTLAND. That school of thought is not expressed by those who are here defending the Constitution of the United States and opposing passage of the bill.

Mr. MAYBANK. It is certainly not expressed by me.

Mr. President, I regret to decline to yield further until I have finished the remainder of my statement. After I shall have concluded I shall have nothing further to say at this time.

Mr. President, it has been rather difficult for me to present my statement in an orderly way because much of what I had prepared has been stated in answer to questions which have been propounded during the course of my remarks, and much of what I had prepared has also been stated by other Senators in connection with the questions they have asked me. However, I shall read the remainder of my prepared remarks, and then shall conclude with some further remarks.

Before the questions were asked me I was speaking of section 3, subsection (b), which relates to the employment practices of labor unions. Paragraph (1) denies the right of labor unions to determine their membership. Paragraph (2) deals with expulsion. Paragraph (3) deals with discrimination against any employer or employee by labor unions.

In considering the employment of individuals referred to in section 3, we find that section 2 states that it shall apply to the United States and shall not be abridged by any State or by any instrumentality or creature of the United States or any State. Under these provisions the school districts, for instance, could be called upon to employ white teachers in a colored school or colored teachers in white schools. No one by any stretch of the imagination could believe that either the white people or the colored people would desire such an interpretation in the South. However, it could be forced upon them by a commission composed of Government employees from other sections of the country. Then, of course, any time that anyone was discharged, it could be claimed that it was done because of race, creed, or color; likewise, any time anyone was promoted or demoted the same contention could be made, and in my judgment it would be made. That would mean pandemonium and destruction to business throughout the country. It would seriously impair employment, and in the end the owners and operators would be harassed through many procedures.

The labor unions, of course, under subsection (b) would be placed under Government agencies in control of all labor union membership, and the end result would be absolute control of the unions. When a Government agency, Mr. President, has the right to tell a labor union, provided it has more than six members, whom it may admit, whom it may not admit, what it must do, and what it may not do in connection with the admission of members and the expulsion of members, the result will be that the labor unions will be turned over to Government control. Some labor unions have in their constitutions provisions which prohibit members of certain races from joining them. I do not know what would happen to such unions. It is my opinion that in most cases where membership was denied for just reason or where expulsion was made for some just cause, in the end the individual would claim discrimination, under this measure.

Certainly those provisions as to labor unions are most discriminatory in themselves, because subsection (c) goes so far as to state that neither an employee nor a labor union may discriminate against any person because he has opposed practices forbidden by this measure. Mr. President, the bill goes further than that. It would apply, of course, to those who have six or more persons in their employ, if they are engaged in interstate or foreign commerce or in operations affecting such commerce. That naturally would include everyone who employed six or more persons—for instance, the operator of a cotton gin ginning cotton to be shipped from one State to another, or a farmer operating a small peach orchard from which peaches might be shipped from one State to another. In my judgment it would include every industry and practically every farmer and every religious organization in the United States. It would affect the cotton gins; it would affect the operations of small steamship lines. Practically all businesses would be subject to whatever orders the Commission might issue.

There would be an exception, however, in the case of orders issued against any department or independent agency of the United States, but that would be corrected in a most unusual manner: That is, the President of the United States would be petitioned and it would be his duty, by order of the Commission, to take such measures as might secure obedience to any such order that the Commission itself might issue. Following that process to its logical conclusion, it appears that the Commission intends to make the President one of its employees.

Mr. President, in that connection I may say that it would be most unusual to provide that the Commission should have the right to petition the President of the United States, on an order issued against any department or independent agency of the United States Government, to force such agency or department of Government to hire whom the Commission might suggest, on the theory that the agency had violated the FEPC law. With all that the President of the United States has to do, with his manifold duties, and with all the important matters which are before this country and all the important matters which are before the world in this hour of, I may say, world crisis insofar as future peace and atomic power is concerned, I think that to put the President into such a position as that would be uncalled for, unheard of, and that the very proposal is simply an example of the unnecessary and preposterous lengths to which the bill goes.

Mr. President, the prohibitions and procedures to be followed by those charged with alleged unfair practices have been ably discussed on the floor of the Senate for the past 2 days. Section 11, on page 9, referring to the investigatory powers of the Commission, should be read to the Senate, I believe, in order that there may be no misunderstanding of it. At one time I thought that, for the sake of the record it would be best to read the entire bill to the Senate. However, I believe that at this time it will be sufficient to read section 11. I shall read section 11 because it goes into the matter of the powers of investigation which would be granted the Commission.

Mr. President, during the past several years there have been numerous investigations. Each year we seem to have more investigations than we had the year before. In fact, sometimes I think perhaps we have too much investigating and not enough legislating. But the investigating which has been done by this body has naturally led to investigations by governmental bureaus and agencies. The greatest example of an investigating organization has been the OPA. It has investigated everyone's books, it has investigated everyone's place of abode; it has investigated everything it could possibly investigate. It has harassed many businesses and industries. It has harassed many American workers. It has gained but little by its investigations. Mr. President, the OPA will not be here forever. The President of the United States has already issued orders limiting

its power over certain commodities and certain things. As time goes on and conditions become more normal, I presume the OPA will pass out of the picture. But if enacted, this bill will become permanent legislation. So, with such enormous powers as are given under section 11 of the bill, I can see no hope for the American businessman, for American industry, for labor unions, and for the citizens of this country.

Mr. President, I will read section 11 of the bill.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. EASTLAND. Before the Senator continues further, I wish to propound to him a question. The pending amendment is to amend the Journal of the proceedings of the Senate of January 17, 1946, so as to show the names of all Senators who did not answer "present" to the first quorum call. I ask the distinguished Senator what are his ideas with reference to the necessity of incorporating in the Journal the names of absent Senators, whether he favors such an amendment? I do not mind stating frankly that I believe that by all means the Journal should show a full and complete statement with reference to the Members of the Senate who are present and those who are absent. I think we should go further. If an absent Senator is out of the city, the Journal should so state. If an absent Senator is somewhere on the west coast, the Journal should so state. If the absent Senator is somewhere abroad, the Journal should so state. If he is somewhere in the East, or at some other place, the Journal should show it, and on what business he is absent from the Senate.

I ask the distinguished Senator if he realizes that, after all, we are merely servants of the American people, and that the people whom we serve, the people for whom we work, and the people for whom we legislate, should know by all means where we are and what we are doing. As the distinguished Senator knows, Senators all live in a glass bowl. Information with reference to our actions is public property. By adopting the amendment to the Journal proposed by the Senator from North Carolina [Mr. HOEY] we will merely keep faith with the American people and with our constituents who sent us here.

Mr. MAYBANK. Mr. President, I thoroughly agree with the Senator from Mississippi that the Journal should be amended in the form which he has suggested. As I have often said, when persons have asked me about the Journal, I have replied that I thought it, together with the CONGRESSIONAL RECORD, was the greatest organ of free speech in all the world. I have stated that I thought everything that takes place in the Senate should be set forth in the RECORD and in the Journal. I am well aware of the fact that there are many great newspapers in this country which editorially may be on one side of a question or on the other. That is their right. Under our Constitution and our concept of freedom of speech, newspapers have a right to express themselves on one side or the other of any question. But in this Chamber we have both sides—Republican and Democrat.

Mr. EASTLAND. We have the right side.

Mr. MAYBANK. Yes; we have the right side and the left side.

Mr. EASTLAND. And the top side and the bottom side.

Mr. MAYBANK. That is correct.

Moreover, Mr. President, in the Appendix of the RECORD there are set forth many able editorials which have been written by distinguished American writers throughout the land, as well as many radio addresses which have been delivered by various persons.

Mr. President, I feel so strongly on the subject which we are discussing that I have prepared an amendment which I know will affect the Senator from Mississippi. I will submit the amendment at the proper time. The amendment provides that the Journal Clerk be directed to amend the Journal of Thursday, January 17, 1946, so as to show who signed the annual report of the Tennessee Valley Authority which was submitted to the Senate. I think that inasmuch as the report which was submitted contained a great mass of information, the names of the persons who signed it should be printed in the RECORD and in the Journal.

Mr. EASTLAND. Does not the distinguished Senator believe that under the pending amendment the names of absent Senators should by all means be included in the Journal, so that the Journal will set forth completely all the proceedings which took place in the Senate on the day referred to?

Mr. MAYBANK. Yes.

Mr. EASTLAND. Every person in the country should be in position to know what Senators were absent, and the reason for their absence.

Mr. MAYBANK. In the years to come it will be very important to know what Senators were present and who were absent, and why they were absent on the day this un-American and unjustifiable pending bill was brought up.

Mr. EASTLAND. Last summer the distinguished Senator and I made a trip to Europe. Does not the Senator want his grandchildren to know that he was selected by a committee of the United States Senate to go to the European Continent and, at first hand, observe conditions there so that he could better legislate in the people's interest?

Mr. MAYBANK. Mr. President, I appreciate the thoughts of the Senator from Mississippi. The Journal should be full and complete, and the absence of Senators should be noted. A notation should be made of the names of the Senators who are absent, as well as the reason for their absence.

Mr. EASTLAND. Mr. President, I should like to read some amendments to the Journal which I shall offer at a later date, and I should like to know the attitude which the distinguished Senator from South Carolina will take with regard to the amendments when they are made the subject of debate.

Mr. MAYBANK. Mr. President, I do not wish to yield further, but I will allow the Senator from Mississippi to ask a question.

Mr. EASTLAND. I wish to ascertain the Senator's position. I wish to know whether he is in favor of or opposed to the amendments. His position in that regard might largely determine whether I will offer them at a later date.

Mr. MAYBANK. I thank the Senator for his confidence in me, but before the Senator proceeds——

Mr. EASTLAND. I should like to know what the Senator's position will be.

The first amendment is to amend the last line of the item "Judgments rendered by Court of Claims" as it appears on page 4 of the Journal, by striking out "Committee on Appropriations" and inserting in lieu thereof, "Committee on Claims."

Does not the distinguished Senator believe that the Committee on Claims of the United States Senate should by all means have the Journal appear in that form so that it will be able to consider and act on this very important subject?

Mr. MAYBANK. Mr. President, I agree with the Senator from Mississippi. I believe that the Committee on Claims should have that record, and the Journal should be so amended, because such legislation must, of course, originate with the Committee on Claims. Appropriations must originate with the Appropriations Committee, but the Appropriations Committee cannot recommend an appropriation of money to pay a claim until the Committee on Claims has approved the claim.

Mr. EASTLAND. What is the position of the distinguished Senator from South Carolina with regard to the Finance Committee? I should like to know what his position will be on the following amendment. I will move to amend the last line of the item "Judgments rendered by Court of Claims" on page 4 of the Journal, by striking out "Committee on Appropriations" and inserting in lieu thereof "Committee on Finance."

Does not the Senator believe that the Finance Committee of the Senate should, so far as this body is concerned, chart the entire financial program of the American Government, and that it should be informed with reference to the judgments of the Court of Claims, and how much Government money is to be spent in that connection? Should not the committee have a right to such information in order to devise an adequate revenue program for the financing of this great Government?

Mr. MAYBANK. I thoroughly agree with the Senator that the Finance Committee should be in possession of all information concerning finances or money, particularly when the Court of Claims renders what are in some cases small verdicts and what are in other cases large verdicts. After all, it is necessary that tax legislation be enacted before money can be raised through taxation to pay the expenses of government.

Mr. EASTLAND. Does not the distinguished Senator believe that the Judiciary Committee should also have that information, and that the Journal should be so prepared that any person may see

if the Court of Claims acted in its proper capacity, and if its judgments were made according to law?

Mr. MAYBANK. The Senator is correct.

Mr. EASTLAND. I have before me another amendment with reference to which I should like to have the distinguished Senator from South Carolina express his judgment. I may state that, inasmuch as the Senator has agreed with regard to the other amendments, which I have stated, I shall offer them at the proper time. On page 7, item 2, under the title "Reductions in naval shipbuilding construction," the Journal item should be amended by referring correspondence referred to in the item to the Committee on Appropriations instead of to the Committee on Naval Affairs. Does not the Senator think that the Committee on Appropriations, of which the distinguished Senator is a very diligent member, should have that information?

Mr. MAYBANK. On this particular point, the Senator has brought up a question which is very dear to my heart. There have been certain cut-backs by the Navy in the construction of ships, cut-backs occasioned by the Office of War Mobilization and Reconversion, presided over by Mr. Snyder. They were cut-backs in some instances where construction has been ordered stopped, I am advised, on some 37 vessels, from battleships to submarines. In that list, I am advised, in some instances ships are included which are from 66 to 88 percent completed. I wrote and talked to Mr. Snyder, who, as we know, is doing a very good job, urging him that in any instance where a ship had been more than 50 percent completed its completion should be permitted.

I might say that Representative VINSON, chairman of the House Committee on Naval Affairs, has held hearings on the proposed discontinuance of the completion of the ships. The result of those hearings I have not heard yet, because I have been busy today, as the Senator well knows; but I think that where a ship has been more than 50 percent completed its construction should not be abandoned, and I think the Committee on Appropriations, which passes on appropriations, should look into that question.

Mr. EASTLAND. Will the distinguished Senator join me in speaking at length on the adoption of that amendment?

Mr. MAYBANK. I certainly shall, and I think the Senator will find aid from everyone interested in the Navy, interested in the defense of this country, and interested in steps which are worth while in preserving peace on earth in the years to come, and in strengthening the hand of the State Department, which is now in the process of negotiating agreements for control of atomic energy, and on many other important questions which are before the Secretary of State and other officials of the UNO.

Mr. EASTLAND. These are very urgent and important matters. I should like to know the position of the Senator on the following amendment: On page 7, item 2, under the title "Flight pay of certain officers of the Navy," to refer the information and accompanying papers to the Committee on Naval Affairs, instead of the Committee on Appropriations. The Senator and I might have a controversy about that amendment, as he is a member of the Committee on Appropriations.

Mr. MAYBANK. No; we would have no controversy on that. I think that while it is necessary, of course, to appropriate the additional money for the pay of flight officers, proper jurisdiction of that matter is in the Committee on Naval Affairs. Naval officers' confirmation, naval officers' promotions, are all handled by the Committee on Naval Affairs, and confirmed by the Senate, and I should be in thorough agreement with the Senator from Mississippi that the Journal should be so amended.

Mr. EASTLAND. I thank the distinguished Senator from South Carolina for his magnificent gesture of friendship, and I shall offer the amendment in due time.

I should like to have the distinguished Senator, if I am not bothering him, state his position on the following amendment: On page 7, item 3, to strike out the words "Committee on Naval Affairs" in the last line of the item and substitute the words "Committee on Public Lands and Surveys."

Mr. CHAVEZ. Mr. President, will the Senator from South Carolina yield?

Mr. MAYBANK. I yield.

Mr. CHAVEZ. I say to the Senator that I shall accept the amendment when he offers it.

Mr. EASTLAND. I could not conceive how the distinguished Senator from New Mexico could accept an amendment to the Journal. That is a matter which only the American Senate can accept. The Senator is one of 96 Senators——

Mr. MAYBANK. As one Member of this body, I certainly should desire to be heard, particularly on the naval affairs amendment. I might say to the Senator from Mississippi that I have this amendment which I expect to offer and to speak on for a long time. On page 6, item 3, under the title "Enlistments and reenlistments in the Regular Army," amend by referring it to the Committee on Appropriations, instead of the Committee on Military Affairs.

We have to raise the money for our Army after July 1, and it is perfectly appropriate, in my belief, that the Committee on Appropriations look fully into the situation regarding enlistments in the Army, so that we can arrange, either through voluntary enlistments or by increase in pay to men desiring to volunteer, to permit those who have been in the Army 2 years to be returned home, and to permit those who are married, with children and other dependents, also to be returned home, and to be honorably discharged if they so desire.

It is the duty of the Congress to appropriate a sufficient amount of money to care for an army sufficiently large to insure peace, to uphold the hands of the President and the Secretary of State, and at the same time, if humanly possible, allow it to be purely voluntary. I expect to speak for some time on this amendment.

Mr. EASTLAND. Mr. President, I shall stand by the distinguished Senator at Thermopylae in the adoption of this amendment.

I should like to ask the distinguished Senator another question. Do not these amendments, which are very few of the literally hundreds which must be adopted, show that the Journal of this body is in terrible shape, and that by all means it must be straightened out, that we must adopt a system which will show an adequate picture of what has happened in the Senate, and that the matter is so important that it must be determined before any major legislation can be considered?

Mr. MAYBANK. I think the amendment which was offered by the distinguished Senator from Louisiana [Mr. OVERTON] has brought to light what should be done with the Journal. I might say it has opened my eyes, and has given me a view into a situation which I think we could improve. To that I agree.

Mr. EASTLAND. The holy prayer was not even included in the Journal.

Mr. MAYBANK. I did not know that before the Senator from Louisiana [Mr. OVERTON] revealed it.

Mr. CHAVEZ. The Senate certainly needs prayer.

Mr. EASTLAND. When I look at Senate bill 101, Mr. President, I agree entirely and concur fully with the distinguished Senator from New Mexico.

Mr. MAYBANK. Mr. President, it was my desire to read section 11 (a) of the bill, found on page 9. It is as follows:

> For the purpose of all hearings and investigations which in the opinion of the Commission are necessary and proper for the exercise of the powers vested in it by this act, the Commission, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question.

In other words, Mr. President, they can investigate any evidence of any person which relates to any matter under investigation. Section 11 (a) proceeds, on page 10:

> Any member of the Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question, before the Commission, its member, agent, or agency conducting the hearing or investigation.

Mr. President, that means any one of the members of the Commission. It does not say the Commission must have a meeting and by a majority determine who is to be sent for. It says:

> Any member of the Commission shall have the power to issue subpenas and require the attendance and testimony of witnesses and the production of evidence that relates to any matter under investigation or in question—

Regardless of what the matter is—

> before the Commission, its member, agent, or agency conducting the hearing or investigation. Any member of the Commission,

or any agent or agency designated by the Commission for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

In other words, as stated before, it may be required from any place in the United States, or any Territory, or any possession, whether it be Alaska, Puerto Rico, or any other.

Paragraph (b) reads:

In case of contumacy or refusal to obey a subpena issued to any person, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(c) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Mr. President, it appears to me that the prohibitions, as well as the procedures in the case of those allegedly charged with unfair practices, have been ably discussed, as I stated some time ago. I have read section 11, which deals with investigatory powers. Let me state that the vast powers which would be given the Commission would permit them to be both the prosecutor, the judge, and the jury. Second, it would give them the right to make their own laws and rules and would give them vast powers over all business, labor unions, and individuals, by the power of investigation. I mention here that following the section I have just read in section 12, headed "Rules and regulations." I shall take the time of the Senate to read only the first few lines, as follows:

The Commission shall have authority from time to time to make, amend, and rescind such regulations as may be necessary to carry out the provisions of this act.

Further on the bill provides for the performance of certain duties when Congress is in recess or adjournment.

The vast powers which will be given the Commission will permit it to make its own laws and rules, and give it vast powers over all business, labor unions, and individuals by way of investigation. The bill provides heavy fines and imprisonment for violation of its provisions.

As I stated earlier today, the power to tax is the power to destroy, and if the Congress should pass S. 101, and if we should continue the laws respecting investigation, then in my humble judgment, as one Member of the Senate, the power thus given to investigate will be the power to destroy. Certainly the power contained in this bill to investigate will tend to destroy all free enterprise and individual rights in America.

I am opposed to the bill because it is not a fair employment practices bill. Furthermore, I cannot see wherein it can do any good. It is my judgment that it would bring about race disturbances and unrest and would create unemployment. As a matter of fact, the bill is not a fair employment practice bill, but, as I stated earlier, is a segregation bill. Testifying before the Appropriations Committee in 1945, Mr. Ross stated, as appears on page 162 of the hearings, as follows—and I read that language again:

Mr. Ross. Where segregation may result in discriminatory terms and conditions, we feel that we have a duty to examine to see whether that actually is the case.

Let there be no mistake about this, Mr. President. I trust every Senator will read it in the CONGRESSIONAL RECORD tomorrow morning. Mr. Ross says "We feel," that is that the Commission feels that it has a duty to examine and to determine whether segregation exists by reason of laws of cities, of States, of political subdivisions. From the statement made by Mr. Ross it can be clearly stated that the bill goes much further than employment. It goes much further than promotion. It goes much further than demotion, and goes much further than discharges. It goes to the question of whether there is segregation; it is a bill to determine whether segregation exists, not an employment measure.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. MAYBANK. I yield.

Mr. EASTLAND. I should like to go back to the pending business before the Senate, the important amendment now pending. The Journal for January 17 shows that 66 Senators were present and that 30 Senators were absent. It shows that the Senator from North Carolina [Mr. BAILEY] and the Senator from Alabama [Mr. BANKHEAD] were absent. Does not the distinguished Senator think that by all means the Journal should show the reason for the absence of the distinguished Senator from North Carolina, which absence I understand was due to illness?

Mr. MAYBANK. I agree with the Senator.

Mr. EASTLAND. And does not the distinguished Senator think that the Journal should by all means show the absence, by naming him, of the distinguished senior Senator from Alabama [Mr. BANKHEAD], and also show that at the time the roll was called he had been called to attend an agricultural meeting in the city of Washington, there ably to represent the farmers of this country in promulgating the 1946 agricultural program? Does not the Senator think that the people of Alabama have a right to know, from the official records of this body, that the distinguished senior Senator from Alabama, although not in the Senate at that particular time, was ably protecting their interests and their economic welfare?

Mr. MAYBANK. I certainly agree with the Senator. I think the Journal should be so amended.

Mr. EASTLAND. The distinguished junior Senator from Nevada [Mr. CARVILLE] was absent. Does not the distinguished Senator think that the Journal should show the absence of the distinguished Senator from Nevada, who was absent in the State of Nevada on important public business, and although not in the city of Washington, and although not in the Senate Chamber at the time of the roll call, was ably representing his constituents and was protecting their interests in the State of Nevada?

Mr. MAYBANK. Mr. President, I thoroughly agree with the Senator from Mississippi, and I believe that most Senators will agree that the Journal should be thus amended.

Mr. EASTLAND. Does not the distinguished Senator think that by all means the Journal should show that the distinguished senior Senator from Texas [Mr. CONNALLY] was in the city of London as a representative of the United States at the United Nations Conference now being held there, and was ably representing the entire American people in setting up this great world organization to promote permanent peace and prosperity upon which rest the hopes and desires of the people of this country?

Mr. MAYBANK. The Senator is eminently correct. It should also be made to appear in the Journal that there was in progress a meeting of the committee dealing with the atomic bomb, and that there were various committee meetings and subcommittee meetings being held at the time, according to the New York Times.

Mr. EASTLAND. Does not the distinguished Senator realize that civilization itself, and that our very lives depend upon the proper solution of the problems dealing with the atomic bomb?

Mr. MAYBANK. Yes.

Mr. EASTLAND. And the distinguished senior Senator from Texas was ably endeavoring to solve that most important question at the meeting he was attending in London.

Will the Senator yield for another question?

Mr. MAYBANK. I yield to the distinguished Senator from Mississippi for a question.

Mr. EASTLAND. Does not the distinguished Senator think that the Journal should show that the distinguished and able and revered senior Senator from Virginia [Mr. GLASS] was not able to be present in the Senate on the day in question, because of illness?

Mr. MAYBANK. I thoroughly agree with the Senator, Mr. President. The distinguished senior Senator from Virginia has for many years been a leader of the Democratic Party in his State.

Mr. EASTLAND. Does not the Senator believe that the constituency of this

great American and great statesman, who was ill, should know the reason for his absence on that day?

Mr. MAYBANK. I agree with the Senator.

RETIREMENT OF CERTAIN CIVIL-SERVICE EMPLOYEES—RESOLUTION OF RHODE ISLAND GENERAL ASSEMBLY

Mr. GREEN. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield to the Senator from Rhode Island.

Mr. GREEN. I desire to present for the RECORD a resolution adopted by the General Assembly of the State of Rhode Island.

Mr. MAYBANK. If it may be understood that I yield without losing the floor, I am glad to yield.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

The resolution presented by Mr. GREEN was referred to the Committee on Civil Service, and under the rule, ordered to be printed in the RECORD, as follows:

Joint resolution urging the Senators and Representatives from Rhode Island in the Congress of the United States to use every effort to have enacted into law United States Senator THEODORE FRANCIS GREEN'S bill providing for retirement, at full pension, of civil-service employees with 25 years' service records

Whereas United States Senator THEODORE FRANCIS GREEN has introduced a bill into the Congress of the United States providing for retirement, at full pension, of civil-service employees with 25 years' service records: Now, therefore, be it

Resolved, That the Senators and Representatives from Rhode Island in the Congress of the United States are seriously urged to use every effort to have enacted into law Senator GREEN'S bill providing for such retirement, at full pension, of civil-service employees with 25 years' service records; and be it further

Resolved, That the Secretary of State be, and he hereby is, authorized and directed to transmit to the Senators and Representatives from Rhode Island in the Congress of the United States duly certified copies of this resolution.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The PRESIDING OFFICER. The question is on the motion of the Senator from North Carolina [Mr. HOEY] to amend the Journal of the proceedings of Thursday, January 17, 1946.

Mr. EASTLAND. Mr. President, will the Senator from South Carolina yield?

Mr. MAYBANK. I yield to the Senator from Mississippi for a question.

Mr. EASTLAND. I ask the distinguished Senator if he does not believe that the Journal should show that although the able and distinguished Senator from Connecticut [Mr. HART], former commander of the Asiatic Fleet, a great naval commander, was not present in the Chamber at that time, the interests of his people were being ably represented and protected? Does not the Senator believe that it is a very grave matter that these reasons are not incorporated in the official record of this body?

Mr. MAYBANK. I agree with the distinguished Senator, and it is my purpose to vote that that be done.

Mr. EASTLAND. Does not the distinguished Senator believe that the Journal should show that the able, lovable, and distinguished Senator from New Mexico [Mr. HATCH], although not present at that time, was on his way back to Washington, and that in his absence the welfare of his people was being ably protected and represented by our friend the distinguished junior Senator from New Mexico [Mr. CHAVEZ]?

Mr. MAYBANK. In answer to the question of the Senator from Mississippi let me say that I thoroughly agree with his statement, and I know that my colleague from New Mexico feels the same way.

Mr. EASTLAND. The distinguished junior Senator from New Mexico is the one who is causing so much controversy in this body today.

Does not the Senator believe that the Journal should show the reasons why the very able and distinguished Senator from New Jersey [Mr. HAWKES] was absent, and does he not believe that the Journal should affirmatively show that there was no dereliction of duty on his part, and that the welfare of the State of which he is one of the ambassadors in the United States Senate was being protected?

Mr. MAYBANK. The Senator is correct. I thoroughly agree, and believe that the Journal should be so amended.

Mr. EASTLAND. Does not the distinguished Senator believe that by all means the Journal should show that the distinguished junior Senator from California [Mr. KNOWLAND] was absent on official business as a member of an investigating committee in the Philippine Islands, holding hearings there on matters of great urgency and importance both to this Government and to the welfare of our people?

Mr. MAYBANK. I thoroughly agree with the Senator from Mississippi.

Mr. EASTLAND. Does not the Senator believe that it is absolutely outrageous that the Journal does not contain these facts, which are so important for future history?

Mr. MAYBANK. I thoroughly agree with the Senator from Mississippi. I may add that I have enjoyed very much reading in the newspapers about the work being done by the Senator from Delaware [Mr. TUNNELL] and the junior Senator from California [Mr. KNOWLAND]; and in view of the magnificent work which they are doing I believe that the Journal should contain the record of where they are, and why.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. CHAVEZ. Do not the Senator from South Carolina and the Senator from Mississippi believe that, inasmuch as the Journal was so badly neglected, the good Senator from Louisiana [Mr. OVERTON] must have been mistaken when he spoke so highly of the efficiency of the help of the Senate?

Mr. EASTLAND. The fault is not in the Senate personnel, but in the very system which the Senate itself has established. We are all to blame.

Mr. MAYBANK. Mr. President, there is no fault in the personnel. There is no fault in the printing. The fault is in our being too speedy in having the Journal approved by unanimous consent.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield for a question, or for a statement, provided I do not lose the floor.

Mr. CHAVEZ. I should like to ask the Senator a question. Does not the Senator believe that inasmuch as the personnel was not at fault, the real fault lay in the fact that the Senate was considering Senate bill 101? Is not that the real trouble?

Mr. MAYBANK. No. I could not go along with my friend from New Mexico in that statement. I believe that at times we have been rather loose in approving the Journal in a hurry, and that we have sometimes been in a state of inertia.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. EASTLAND. The distinguished Senator from New Mexico has charged that a filibuster is in progress. Does not the distinguished Senator from South Carolina believe that the Journal should show that if a filibuster was in progress, our distinguished friend from New Mexico was participating therein?

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield to the Senator from New Mexico for a question.

Mr. CHAVEZ. If it is not a filibuster, what would the wise Senator from Mississippi call it?

Mr. EASTLAND. If it is a filibuster, why is my good friend participating? Have we reached the point where, when the bill is explained, our distinguished friend is filibustering against speedy passage or full consideration of his bill?

Mr. CHAVEZ. I am pleading with the good Senator that, with all due respect to the prayer, we should approve it and get down to the business of the Senate.

Mr. EASTLAND. We are through with the prayer. We have approved the prayer.

Mr. MAYBANK. We approved the prayer earlier in the day.

Mr. CHAVEZ. We have passed beyond the prayer?

Mr. MAYBANK. Yes.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield for a question.

Mr. EASTLAND. I am amazed that the distinguished Senator from New Mexico did not realize what was the pending business in the Senate. At this grave hour in our history, in these terrible times, when grave and weighty matters are before the Senate, our friend did not realize what was pending, or that we had disposed of the question on which he voted today.

Mr. MAYBANK. Mr. President, I yielded to the Senator for a question.

Mr. EASTLAND. I believe that our friend is engaging in a filibuster against the passage of his bill. Tomorrow we shall be charged in the press with filibustering, but the distinguished Senator

from New Mexico, who has talked nearly as much as any other Senator today, will not be so accused, and I protest the unfair treatment which we are receiving.

I should like to ask the distinguished Senator from South Carolina a further question. The Journal shows that the distinguished senior Senator from Washington [Mr. MAGNUSON], a very able Member of this body, was absent. Does not the Senator believe that the people of Washington are entitled to know why the Senator from Washington was absent?

Mr. MAYBANK. I thoroughly agree with the Senator.

Mr. EASTLAND. Should not the people of Washington have the information that, although not in the Senate Chamber at that time, he was ably representing them and seeing that their interests were fully protected?

Mr. MAYBANK. To that I thoroughly subscribe.

Mr. EASTLAND. The distinguished junior Senator from Washington [Mr. MITCHELL] was absent on that day. By the way, Mr. President, the distinguished Senator from South Carolina knows that we are discussing the pending business in the Senate, and matters germane to the business of the Senate at this time. But the RECORD shows that the distinguished Senator from Washington is absent.

Mr. MAYBANK. We are discussing an amendment offered earlier in the day by the distinguished Senator from North Carolina [Mr. HOEY] to have the names of absent Senators set forth in the Journal, together with the reasons for their absence.

Mr. EASTLAND. Does not the Senator believe that the Journal should show that the Senator from Washington [Mr. MITCHELL] is absent on official business of the Senate, and that his constituency is entitled to that information?

Mr. MAYBANK. The Senator is correct.

Mr. EASTLAND. Mr. President, there are many more names of absent Senators, but I shall not trespass further on the time of the Senator from South Carolina. He has made a great speech and a great contribution to the argument.

Mr. MAYBANK. I appreciate having the distinguished Senator from Mississippi ask me these questions, which are so pertinent to the legislation under consideration. I must say that I am in thorough accord with him. I hope that the names of absent Senators will be placed in the Journal, together with the reasons for their absence.

Mr. President, I have been interrupted on several occasions, and shall now conclude the speech which I was making. Because of interruptions, it will perhaps appear rather disconnected in the RECORD.

Mr. President, colored citizens in the South have made great progress, and I am certain that the law-abiding Negroes of South Carolina would not wish to have any laws enacted which would in any way interfere with the segregation of their race under present conditions.

We have our Negro playgrounds, our Negro schools, and Negro colleges. Certainly no complaint on their part has ever come to my attention; nor am I aware of any desire on their part to have such institutions combined with others.

However, if the FEPC bill should become a law, let me state what the Commission would attempt to do. As an indication of how the Negro has been treated in the South, I read today statements by Mr. Ross showing that only 10 percent of the complaints involving unfair-employment practices came from the South, and that 90 percent came from the North, Northeast, and West. However, if this bill should become law certain agitators and would-be uplifters, people from other sections of the country who do not know or understand the colored man, would use their efforts to stir up strife and prejudice among our people, which in the end would result only in unemployment, and not fair employment. It would result in turmoil and confusion, and would set back the progress of the Negro in the South, rather than further it.

Mr. President, in conclusion, let me say that, to me, as a southern Democrat, it seems odd that the finger of scorn should always be pointed at me and at some of the others of us—not by Members of this body but by those who know nothing about our problems, and who endeavor to stir up race strife so that perhaps they may have a job or collect some money or obtain some other material benefit from their work.

That is all I have to say on this subject, Mr. President. I shall remain here during the debates on this bill; and, as a representative of the sovereign State of South Carolina, I shall use every power at my command to defeat the measure, to bring about a better feeling between the races, and to assist in the continuation of the forward march and the progress which South Carolina and the southern people generally have been making during the last generation.

Mr. CHAVEZ. Mr. President——

Mr. MAYBANK. I yield for a question.

Mr. CHAVEZ. Let me ask the Senator whether he intends to continue to speak today or whether he would prefer to continue tomorrow?

Mr. MAYBANK. Mr. President, insofar as the FEPC bill is concerned, I wish to take this opportunity to thank Senators for their generosity in listening to my remarks and for the questions they have asked me. Although the speech I had originally prepared has been rather broken up by the questions which have been asked, nevertheless, so far as I am concerned, I think I have made my position clear on the RECORD.

I intend to speak for an hour or so about the cotton situation. Several days ago I had begun to speak about the cotton situation and the OPA's ceiling prices at the time when there was an interruption, and then later the Senator from New Mexico obtained the floor, and subsequently the FEPC bill came up, with the result that at that time I was unable to complete my remarks.

Mr. CHAVEZ. Mr. President, would the Senator prefer to continue his remarks on cotton at this time, or would he prefer to begin again tomorrow?

Mr. MAYBANK. I should be glad to begin again tomorrow.

Mr. CHAVEZ. Let me ask the Senator from Maine whether he would be agreeable to having the Senate take a recess at this time?

Mr. WHITE. Mr. President, if I had a completely free choice, of course I should prefer to have the debate continue. However, under the circumstances, inasmuch as the Senator from South Carolina has been speaking for a considerable length of time and inasmuch as I see very few Senators upon the floor of the Senate, I have no desire to offer objection to having the Senate take a recess at this time, if the Senator in charge of the measure desires to make such a motion.

Mr. MAYBANK. I thank the Senator.

Mr. CHAVEZ. I now move——

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore. Will the Senator from New Mexico withhold the motion until the Chair can lay before the Senate certain Executive messages?

Mr. CHAVEZ. I withhold the motion.

The PRESIDENT pro tempore. As in executive session, the Chair lays before the Senate Executive messages heretofore and this day received from the President of the United States, which will be referred to the appropriate committees.

(For nominations heretofore and this day received, see the end of Senate proceedings.)

RECESS

Mr. CHAVEZ. Under the circumstances, Mr. President, I now move that the Senate take a recess until 12 o'clock tomorrow.

The motion was agreed to; and (at 4 o'clock and 40 minutes p. m.) the Senate took a recess until tomorrow, Thursday, January 24, 1946, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate on the dates hereinafter indicated:

Nominations received January 18, 1946

WAR DEPARTMENT

W. Stuart Symington, of Missouri, to be Assistant Secretary of War, as provided for in the act approved July 2, 1926.

NAVY DEPARTMENT

Edwin Wendell Pauley, of California, to be Under Secretary of the Navy.

RECONSTRUCTION FINANCE CORPORATION

The following-named persons to be members of the Board of Directors of the Reconstruction Finance Corporation for terms of 2 years from January 22, 1946:

George E. Allen, of the District of Columbia, to be a member of the Board of Directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1946.

Harvey Jones Gunderson, of South Dakota, to be a member of the Board of Directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1946. (Reappointment.)

Henry T. Bodman, of Michigan, to be a member of the Board of Directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1946.

Charles B. Henderson, of Nevada, to be a member of the Board of Directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1946. (Reappointment.)

Henry A. Mulligan, of New York, to be a member of the Board of Directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1946. (Reappointment.)

COLLECTOR OF INTERNAL REVENUE

Elmer F. Kelm, of Chanhassen, Minn., to be collector of internal revenue for the district of Minnesota, in place of Arthur D. Reynolds.

Nominations received January 21 (legislative day of January 18), 1946

DIPLOMATIC AND FOREIGN SERVICE

Vice Adm. Alan G. Kirk, United States Navy, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belgium and to serve concurrently and without additional compensation as Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Luxembourg.

Sydney B. Redecker, of New York, now a foreign-service officer of class 2 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

Merritt N. Cootes, of Virginia, now a foreign-service officer of class 5 and a secretary in the diplomatic service, to be also a consul of the United States of America.

Edward P. Maffitt, of Missouri, now a foreign-service officer of class 5 and a secretary in the diplomatic service, to be also a consul of the United States of America.

S. Roger Tyler, Jr., of West Virginia, now a foreign-service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America.

William Witman 2d, of Pennsylvania, now a foreign-service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America.

The following-named persons for promotion in the foreign service of the United States of America, to be effective as of December 17, 1945:

FROM FOREIGN-SERVICE OFFICER OF CLASS 2 TO FOREIGN-SERVICE OFFICER OF CLASS 1

Merwin L. Bohan, of Texas.
George H. Butler, of Illinois.
J. Rives Childs, of Virginia.
Walter A. Foote, of Texas.
Julian F. Harrington, of Massachusetts.
Harry C. Hawkins, of Virginia.
George D. Hopper, of Kentucky.
Charles A. Livengood, of Washington.
George R. Merrell, of Missouri.
John J. Muccio, of Rhode Island.
Alfred T. Nester, of New York.
Albert F. Nufer, of New York.
Christian M. Ravndal, of Iowa.
Harold Shantz, of New York.
Edwin F. Stanton, of California.
Clifford C. Taylor, of Colorado.
John Carter Vincent, of Georgia.

FROM FOREIGN-SERVICE OFFICER OF CLASS 3 TO FOREIGN-SERVICE OFFICER OF CLASS 2

Donald F. Bigelow, of Minnesota.
Harry E. Carlson, of Illinois.
Cecil Wayne Gray, of Tennessee.
David McK. Key, of Tennessee.
Marcel E. Malige, of Idaho.
Thomas McEnelly, of New York.
Warwick Perkins, of Maryland.
Austin R. Preston, of New York.
Joseph C. Satterthwaite, of Michigan.

FROM FOREIGN-SERVICE OFFICER OF CLASS 4 TO FOREIGN-SERVICE OFFICER OF CLASS 3

Gilson G. Blake, of Maryland.
Leonard G. Dawson, of Virginia.

FROM FOREIGN-SERVICE OFFICER OF CLASS 5 TO FOREIGN-SERVICE OFFICER OF CLASS 4

George M. Abbott, of Ohio.
George D. Andrews, of Tennessee.
Robert D. Coe, of Wyoming.
Charles H. Ducoté, of Massachusetts.
Archibald E. Gray, of Pennsylvania.
Benjamin M. Hulley, of Florida.
Charles A. Hutchinson, of Minnesota.
John B. Ketcham, of New York.
George D. LaMont, of New York.
Rufus H. Lane, Jr., of Virginia.
James E. Parks, of North Carolina.
Eric C. Wendelin, of Massachusetts.

FROM FOREIGN-SERVICE OFFICER OF CLASS 6 TO FOREIGN-SERVICE OFFICER OF CLASS 5

Earl T. Crain, of Illinois.
Frederic C. Fornes, Jr., of New York.
John Peabody Palmer, of Washington.
Elim O'Shaughnessy, of New York.

FROM FOREIGN-SERVICE OFFICER OF CLASS 7 TO FOREIGN-SERVICE OFFICER OF CLASS 6

Hiram Bingham, Jr., of Connecticut.
Walter J. Linthicum, of Maryland.
Odin G. Loren, of Washington.
Reginald P. Mitchell, of Florida.
Paul H. Pearson, of Iowa.

FROM FOREIGN-SERVICE OFFICER, UNCLASSIFIED, TO FOREIGN-SERVICE OFFICER OF CLASS 8

V. Harwood Blocker, of Texas.
William H. Christensen, of South Dakota.
Clifton P. English, of Tennessee.
Thomas S. Estes, of Massachusetts.
Keeler Faus, of Georgia.
Sidney K. Lafoon, of Virginia.
Harry Clinton Reed, of Ohio.
Terry B. Sanders, Jr., of Texas.
Merlin E. Smith, of Ohio.

FEDERAL RESERVE SYSTEM

James Kimble Vardaman, Jr., of Missouri, to be a member of the Board of Governors of the Federal Reserve System for a term of 14 years from February 1, 1946, vice John McKee.

UNITED STATES COAST GUARD

The following-named officers for temporary service in the United States Coast Guard:

TO BE COMMODORES, TO RANK AS SUCH FROM JANUARY 1, 1946

Capt. John H. Cornell
Capt. John S. Baylis

Nominations received January 22 (legislative day of January 18), 1946

UNITED STATES MARITIME COMMISSION

Richard Parkhurst, of Massachusetts, to be a member of the United States Maritime Commission for the unexpired term of 6 years from April 16, 1942, vice Vice Adm. Howard L. Vickery.

CIVIL AERONAUTICS BOARD

Clarence M. Young, of California, to be a member of the Civil Aeronautics Board for the term expiring December 31, 1946, vice Edward P. Warner.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

To be major generals

Lt. Gen. Robert Charlwood Richardson, Jr. (brigadier general, United States Army), Army of the United States.

Gen. Courtney Hicks Hodges (brigadier general, United States Army), Army of the United States.

Gen. Jacob Loucks Devers (brigadier general, United States Army), Army of the United States.

Gen. George Churchill Kenney (brigadier general, United States Army), Army of the United States.

Gen. Carl Spaatz (brigadier general, United States Army), Army of the United States.

Lt. Gen. Ira Clarence Eaker (brigadier general, United States Army), Army of the United States.

Lt. Gen. Robert Lawrence Eichelberger (brigadier general, United States Army), Army of the United States.

Gen. Thomas Troy Handy (brigadier general, United States Army), Army of the United States.

Lt. Gen. Walter Bedell Smith (brigadier general, United States Army), Army of the United States.

Gen. Mark Wayne Clark (brigadier general, United States Army), Army of the United States.

To be brigadier generals

Lt. Gen. Wilhelm Delp Styer (colonel, Corps of Engineers), Army of the United States.

Lt. Gen. Harold Lee George (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Lt. Gen. William Hood Simpson (colonel, Infantry), Army of the United States.

Lt. Gen. James Harold Doolittle (major, Air Corps Reserve), Army of the United States.

Lt. Gen. Lucian King Truscott, Jr. (lieutenant colonel, Cavalry), Army of the United States.

Lt. Gen. Richard Kerens Sutherland (colonel, Infantry), Army of the United States.

Lt. Gen. John Clifford Hodges Lee (colonel, Corps of Engineers), Army of the United States.

Lt. Gen. Leonard Townsend Gerow (colonel, Infantry), Army of the United States.

Lt. Gen. Albert Coady Wedemeyer (lieutenant colonel, Infantry), Army of the United States.

Lt. Gen. John Kenneth Cannon (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Lt. Gen. Hoyt Sanford Vandenberg (major, Air Corps; temporary lieutenant colonel, Air Corps), Army of the United States.

Lt. Gen. Oscar Wolverton Griswold (colonel, Infantry), Army of the United States.

Lt. Gen. Walton Harris Walker (colonel, Infantry), Army of the United States.

Lt. Gen. Wade Hampton Haislip (colonel, Infantry), Army of the United States.

Lt. Gen. Joseph Lawton Collins (lieutenant colonel, Infantry), Army of the United States.

Lt. Gen. Lucius DuBignon Clay (lieutenant colonel, Corps of Engineers), Army of the United States.

Lt. Gen. Alvan Cullom Gillem, Junior (colonel, Infantry), Army of the United States.

Lt. Gen. Barton Kyle Yount (colonel, Air Corps), Army of the United States.

Lt. Gen. Matthew Bunker Ridgway (lieutenant colonel, Infantry), Army of the United States.

Lt. Gen. LeRoy Lutes (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Lt. Gen. John Reed Hodge (lieutenant colonel, Infantry), Army of the United States.

Lt. Gen. John Edwin Hull (lieutenant colonel, Infantry), Army of the United States.

Lt. Gen. Raymond Stallings McLain (brigadier general, National Guard of the United States), Army of the United States.

Maj. Gen. Manton Sprague Eddy (colonel, Infantry), Army of the United States.

Maj. Gen. Curtis Emerson LeMay (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Maj. Gen. Lauris Norstad (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES

To be major generals

Maj. Gen. Edward Postell King, Jr. (brigadier general, United States Army), Army of the United States.

Maj. Gen. William Fletcher Sharp (colonel, Field Artillery), Army of the United States.

Maj. Gen. George Fleming Moore (colonel, Coast Artillery Corps), Army of the United States.

Maj. Gen. George Marshall Parker, Jr. (colonel, Infantry), Army of the United States.

Maj. Gen. Albert Monmouth Jones (colonel, Infantry), Army of the United States.

Maj. Gen. Thomas Bernard Larkin (colonel, Corps of Engineers), Army of the United States, for appointment in the Regular Army of the United States as The Quartermaster General, with the rank of major general, for a period of 4 years from date of acceptance, vice Lt. Gen. Edmund Bristol Gregory.

Brig. Gen. Thomas Jefferson Davis (lieutenant colonel, Adjutant General's Department), Army of the United States, for appointment in the Regular Army of the United States as Assistant The Adjutant General, with the rank of brigadier general, for a period of 4 years from date of acceptance.

To be assistants to the Quartermaster General, with the rank of brigadier general, for a period of 4 years from date of acceptance

Brig. Gen. George Anthony Horkan (lieutenant colonel, Quartermaster Corps), Army of the United States, vice Maj. Gen. Clifford Lee Corbin.

Brig. Gen. John Brandon Franks (lieutenant colonel, Quartermaster Corps), Army of the United States, vice Brig. Gen. Joseph Edward Barzynski, United States Army, retired.

Brig. Gen. Herman Feldman (lieutenant colonel, Quartermaster Corps), Army of the United States, vice Brig. Gen. Charles Dudley Hartman, United States Army, retired.

To be brigadier generals

Brig. Gen. Clifford Bluemel (colonel, Infantry), Army of the United States.

Brig. Gen. James Roy Newman Weaver (colonel, Infantry), Army of the United States.

Brig. Gen. Maxon Spafford Lough (colonel), Infantry), Army of the United States.

Brig. Gen. William Edward Brougher (colonel, Infantry), Army of the United States.

Brig. Gen. Joseph Peter Vachon (colonel, Infantry), Army of the United States.

Brig. Gen. Carl Herndon Seals (colonel, United States Army, retired), Army of the United States.

Brig. Gen. Charles Chisholm Drake (colonel' Quartermaster Corps), Army of the United States.

Brig. Gen. Bradford Grthen Chynoweth (colonel, Infantry), Army of the United States.

Brig. Gen. Clinton Albert Pierce (lieutenant colonel, Cavalry), Army of the United States.

Brig. Gen. Arnold John Funk (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. Lewis Charles Beebe (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. Luther Rea Stevens (colonel, Infantry, Philippine Army), Philippine Army.

To be assistants to the Surgeon General, with the rank of brigadier general, for a period of 4 years from date of acceptance

Brig. Gen. Raymond Whitcomb Bliss (colonel, Medical Corps), Army of the United States, vice Maj. Gen. Shelley Uriah Marietta, United States Army, retired.

Brig. Gen. George Corwin Beach, Jr., (colonel, Medical Corps), Army of the United States, vice Brig. Gen. Addison Dimmitt Davis, whose term of office expired May 30, 1945.

Brig. Gen. Edward Allen Noyes (colonel, Medical Corps), Army of the United States, vice Brig. Gen. Larry Benjamin McAfee, whose term of office expired May 30, 1945.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

To be major general

Brig. Gen. Milton Baldridge Halsey (lieutenant colonel, Infantry), Army of the United States.

To be brigadier generals

Col. Kearie Lee Berry (lieutenant colonel, Infantry), Army of the United States.

Col. Wyburn Dwight Brown (lieutenant colonel, Field Artillery), Army of the United States.

Col. Kenneth David Nichols (captain, Corps of Engineers), Army of the United States.

Col. Rodney Hamilton Smith, Coast Artillery Corps.

Col. Carlton Spencer Dargusch (lieutenant colonel, Judge Advocate General's Department, National Guard of the United States), Army of the United States.

Col. Charles Gurdon Sage, Coast Artillery Corps, National Guard of the United States.

Col. Francis Rusher Kerr, Infantry Reserve.

Col. Gerson Kirkland Heiss (lieutenant colonel, Ordnance Department), Army of the United States.

POSTMASTERS

The following-named persons to be postmasters:

COLORADO

Myrtle L. Huffaker, Hot Sulphur Springs, Colo., in place of N. C. Huffaker, deceased.

CONNECTICUT

G. Franklin Cowles, Canton, Conn. Office became Presidential July 1, 1945.

Clara B. Snow, Wapping, Conn. Office became Presidential July 1, 1945.

Orrin R. Bugbee, West Suffield, Conn. Office became Presidential July 1, 1945.

FLORIDA

Josephine Blondheim, Atlantic Beach, Fla., in place of K. S. Grey, deceased.

Ethel Godbold, Gifford, Fla. Office became Presidential July 1, 1945.

Thornton B. Mills, Summerfield, Fla., in place of J. L. Wall, retired.

GEORGIA

Dora L. Raulerson, Hortense, Ga. Office became Presidential July 1, 1945.

ILLINOIS

Dwight C. Beatty, Galesburg, Ill., in place of Ralph Hawthorne, resigned.

INDIANA

John Leonard, Birdseye, Ind., in place of A. W. Jackson, transferred.

James Perona, Blanford, Ind. Office became Presidential July 1, 1945.

Dorothy Fohl, Cedar Grove, Ind. Office became Presidential July 1, 1945.

William O. Burgess, Gas City, Ind., in place of F. A. Crandall, resigned.

James E. Cox, Newburg, Ind., in place of H. H. Powell, resigned.

Elsie B. Johnson, Westpoint, Ind., in place of M. C. Bennett, retired.

IOWA

Mary T. Harper, College Springs, Iowa. Office became Presidential July 1, 1945.

Mary L. Smith, Holland, Iowa. Office became Presidential July 1, 1945.

KANSAS

Marjorie A. Cain, Delphos, Kans., in place of R. R. Bourne, transferred.

George M. Thomas, Morrowville, Kans., in place of P. S. Kozel, transferred.

LOUISIANA

Joseph M. Wilbanks, Deville, La. Office became Presidential July 1, 1945.

Fred F. Duho, Jr., Garyville, La. Office became Presidential July 1, 1943.

John H. Henry, Melrose, La. Office became Presidential July 1, 1945.

Moise E. Chenevert, Plaucheville, La. Office became Presidential July 1, 1944.

MICHIGAN

Eva B. Quivey, Fulton, Mich. Office became Presidential July 1, 1945.

MISSOURI

Frank A. Johnson, Gainesville, Mo., in place of C. W. Boone, transferred.

MONTANA

Albert Leo Nix, Wibaux, Mont., in place of L. B. Cullen, retired.

NEBRASKA

Julius E. Arnold, Big Springs, Nebr., in place of P. C. Redfern, resigned.

Edward Borzych, Farwell, Nebr. Office became Presidential July 1, 1945.

Martha E. Castor, Stockville, Nebr., in place of I. G. Lidgard, resigned.

NEW YORK

Ruth E. Miller, Baldwin Place, N. Y. Office became Presidential July 1, 1945.

Charles E. Moston, Buskirk, N. Y. Office become Presidential July 1, 1945.

Roger John Ryan, Fabius, N. Y. Office became Presidential July 1, 1943.

Louis Nelson, Towners, N. Y. Office became Presidential July 1, 1945.

NORTH CAROLINA

Bessie L. Adams, Blounts Creek, N. C. Office became Presidential July 1, 1945.

Willie T. Smith, Dudley, N. C. Office became Presidential July 1, 1945.

Mildred C. Thompson, Hallsboro, N. C., in place of A. D. Wessell, deceased.

Helen J. Dellinger, Iron Station, N. C., in place of S. M. Hamrick, retired.

William R. Miller, Laurel Springs, N. C. Office became Presidential July 1, 1945.

OHIO

Mabel Stone, Empire, Ohio. Office became Presidential July 1, 1945.

Mark Emerson Allen, Highland, Ohio, in place of K. M. O'Briant, resigned.

LaMar L. Hahn, Malinta, Ohio, in place of D. D. Franz, retired.

Pauline D. Tussing, Pataskala, Ohio, in place of J. B. McFadden, removed.

Augusta A. McPherson, Rockland, Ohio. Office became Presidential July 1, 1945.

Earl C. Davis, Trimble, Ohio, in place of Z. B. Herrold, retired.

Ruth W. Scott, Vienna, Ohio, in place of Angela Polta, removed.

Watson S. Rice, West Farmington, Ohio, in place of F. A. Hawkins, deceased.

Glenn D. Heuberger, Wharton, Ohio, in place of J. H. Gibson, removed.

OKLAHOMA

Leroy K. Hawkins, Boynton, Okla., in place of H. B. Lyne, transferred.

Evah Kirksey, Porter, Okla., in place of J. S. Cole, transferred.

OREGON

Carl Burk, Hammond, Oreg., in place of F. O. Parsons, retired.

SOUTH DAKOTA

Lloyd E. Jackson, Fairfax, S. Dak., in place of G. W. Stanek, transferred.

TENNESSEE

Clyde C. Buck, Armathwaite, Tenn. Office became Presidential July 1, 1945.

Martha S. Bass, Gordonsville, Tenn. Office became Presidential July 1, 1944.

Raymond E. Scott, Scotts Hill, Tenn., in place of Roxie Pratt, removed.

TEXAS

Henry C. Martin, Easterly, Tex. Office became Presidential July 1, 1945.

Blanche Schimmelpfening, Helotes, Tex. Office became Presidential July 1, 1945.

Livy Atwell, Hutchins, Tex., in place of U. S. Atwell, deceased.

Clarence B. Keeney, Whitharral, Tex. Office became Presidential July 1, 1945.

WASHINGTON

Lola C. Fisher, Richmond Beach, Wash., in place of Frank Williams, removed.

Arloene Marchant, Seaview, Wash., in place of Archie Constable, removed.

WEST VIRGINIA

Cordia H. Covert, Yawkey, W. Va., in place of B. H. Oxley, deceased.

WISCONSIN

Helen A. Feye, Eastman, Wis. Office became Presidential July 1, 1945.

Rachel P. Porter, Fontana, Wis., in place of L. J. Porter, retired.

Stella J. McCollow, River Falls, Wis., in place of S. A. McCollow, deceased.

Nominations received January 23 (legislative day of January 18), 1946

INTERNATIONAL MONETARY FUND AND INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Fred M. Vinson, of Kentucky, to be United States Governor of the International Monetary Fund, and United States Governor of the International Bank for Reconstruction and Development for a term of 5 years.

William L. Clayton, of Texas, to be United States Alternate Governor of the International Monetary Fund, and United States Alternate Governor of the International Bank for Reconstruction and Development for a term of 5 years.

Harry D. White, of Maryland, to be United States Executive Director of the International Monetary Fund for a term of 2 years and until his successor has been appointed.

Emilio G. Collado, of New York, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of 2 years and until his successor has been appointed.

DIRECTOR OF CONTRACT SETTLEMENT

Horace Chapman Rose, of Ohio, to be Director of Contract Settlement, vice Robert H. Hinckley, resigned.

SELECTIVE SERVICE SYSTEM

Troy W. Lewis for appointment as Chief, Legal Division, Arkansas State Headquarters, Selective Service System, under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940, as amended.

Compensation for the position of Chief, Legal Division, Arkansas State Headquarters, Selective Service System, will be at the rate of $5,180 per annum.

Colgate Hoyt for appointment as Assistant Chief, Veterans' Personnel Division, National Headquarters, Selective Service System, under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940, as amended.

Compensation for the position of Assistant Chief, Veterans' Personnel Division, National Headquarters, Selective Service System, will be at the rate of $6,230 per annum.

Louis Carl Pedlar for appointment as Information Analyst, National Headquarters, Selective Service System, under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940, as amended.

Compensation for the position of Information Analyst, National Headquarters, Selective Service System, will be at the rate of $5,180 per annum.

Candler Cobb for appointment as Director of Selective Service for New York City, under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940, as amended.

Compensation for the position of Director of Selective Service for New York City, will be at the rate of $7,175 per annum.

Edmund A. Flagg for appointment as executive, Communications and Records Division, National Headquarters, Selective Service System, under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940, as amended.

Compensation for the position of executive, Communications and Records Division, National Headquarters, Selective Service System, will be at the rate of $5,180 per annum.

COLLECTOR OF CUSTOMS

Craig Pottinger, of Nogales, Ariz., to be collector of customs for customs collection district No. 26, with headquarters at Nogales, Ariz., in place of Wirt G. Bowman, who is resigning effective February 1, 1946.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

To be brigadier general

Col. Robert Joshua Gill, Army of the United States.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 23, 1946

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou holy One, from Thy throne Thou hast said, "Behold, I make all things new." We bless Thee that out of the night comes the dawn; out of discord, peace. We would catch the light of Thy vision which strengthens and heals, and go on to the service of another day. As we are confronted with hard duties, we ask for grace sufficient to live each day aright, neither overpowered by temptation nor overwhelmed by burdens. We pray for that strength which triumphs over weakness, puts hope over fear, faith over doubt, and good cheer over discouragement.

Grant that there may be a rededication of all our people, with love for Thee and one another, scorning all lesser aims and purposes. O harken unto the cry of our Nation's needs and shed Thy light upon all perplexed problems and restore tranquillity to all groups; lead them and purge them from personal pride and ambition. O redeem our land from idle luxury and let simplicity prevail at every fireside. In Thy holy name we ask mercy and forgiveness for our sins. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. LANE asked and was given permission to extend his remarks in the RECORD in three instances, and include in one an address he delivered; in the second an article which appeared in the Pilot, Boston, Mass., on January 12, 1946; and in the third an editorial which appeared in the Evening Tribune, Lawrence, Mass., on December 2, 1945.

Mr. ROMULO asked and was given permission to extend his remarks in the RECORD in two instances, and to include in one the broadcast of Frazier Hunt and his interview with F. Theo Rogers, and in the second editorials from the New York Times and the Washington Post.

REHABILITATION OF THE PHILIPPINES

Mr. ROMULO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the Resident Commissioner from the Philippines?

There was no objection.

Mr. ROMULO. Mr. Speaker, on behalf of my 18,000,000 countrymen in the Philippines, I rise to express our enthusiastic gratitude to the President of the United States for his sympathetic references to our Nation in his report to Congress.

President Truman declares that "perhaps no event in the long centuries of colonialism gives more hope for the pattern of the future than the independence of the Philippines." And he urges the Congress to "complete, as promptly and as generously as possible, legislation which will aid economic rehabilitation for the Philippines."

It is truly heartening for us to know that, in the midst of the pressing and troublesome problems which face America today, the President considers it essential that immediate action be taken on legislation for the rehabilitation of the Philippines. I am confident that the Members of this House are no less anxious to expedite the passage of this legislation.

Mr. Speaker, the independence of the Philippines will be an accomplished fact in 6 months. We advance toward this historic event in an atmosphere of postwar devastation. The fate of 18,000,000 human beings in the Philippines—18,000,000 people who are America's best friends in the Orient—depends upon the assistance we receive in the immediate future.

We cannot recover, we cannot rebuild, we cannot rehabilitate ourselves without help from the United States. We need this help now. The President, the members of the House Committee on Insular Affairs, and, indeed, all Americans everywhere, recognize America's responsibility in this urgent matter. All that is needed now is the final action.

I plead with the Congress to take this final action as speedily as possible.

REDUCTION OF NATIONAL DEBT LIMIT

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

[Mr. CARLSON addressed the House. His remarks appear in the Appendix.]

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks on the subject, Was It a Dream or Did He Have the Nightmare?

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I quite agree with the gentleman from Kansas [Mr. CARLSON], the next Governor of the State of Kansas. The great question is, When you do get the money, then hold down that debt limit. Stop the spenders. I have been trying to analyze the President's address of Monday. When I see that on January 18 we had a national debt of $278,607,426,754.76, then I begin to wonder whether the President's message was a real dream to him or whether it was a nightmare. If you will analyze that message and see what he has proposed, when he says he is going to have a balanced budget, I say that if he carries out the things he said in that budget he was going to do, he will never have a balanced budget as long as he is President, and he can be President for 14

years or more and he will not have it, because it just does not work out that way. It is a good dream, but it will be a nightmare to the American taxpayers before he is through proposing those things. His receipts for 1946–47, because of sale of surplus property, might cause the income to equal the outgo, but that will not be balancing the budget, as I would construe it. What does the President, in his nightmare, propose? Loaning $4,400,000,000 to John Bull. It will help us very little but will harm us a lot when we ask our taxpayers to pay the bill. It is not the function of Government. Let Great Britain borrow from our bankers—they will take care of them in the regular way.

The President asks for free trade; and how will he eventually maintain our high standard of living? He will sell us down the river. The President wants more subsidies. The President wants $25 a week rocking-chair money. The President wants a full employment bill, when we have millions more jobs than workers. The President ask for FEPC. Just listen to the United States Senate today. That is the answer. The President wants socialized medicine. The President wants increased salaries for all but the taxpayers at home and the farmers. The President wants all to have a hand-out, yet he expects to balance the budget. Mr. President, is it a dream or a nightmare?

EXTENSION OF REMARKS

Mr. CELLER asked and was given permission to extend his own remarks in the RECORD in two instances.

PERMISSION TO ADDRESS THE HOUSE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that on Tuesday next, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I expect to make today on the independent offices appropriation bill and include two documents from the General Accounting Office on which I have obtained estimates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his own remarks in the RECORD and include therein a letter from the Midwest Truck Operators Association.

Mr. MILLER of Nebraska asked and was given permission to extend his own remarks in the Appendix of the RECORD and include a resolution from the American Legion Post of Alliance, Nebr.; second, to extend his remarks in the Appendix of the RECORD and to include an editorial from the St. Louis Globe-Democrat on the subject of sugar-coated socialized medicine; and, third, to extend his remarks in the Appendix of the RECORD and to include a statement from veterans in the Pacific on demobilization.

Mr. WOOD. Mr. Speaker, as an indication of the source whence comes support for the passage of FEPC legislation, I ask unanimous consent to extend my remarks by inserting in the RECORD a release from the Communist Party of Florida.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mrs. LUCE (at the request of Mr. MARTIN of Massachusetts) was given permission to extend her remarks and include certain excerpts.

Mr. MERROW asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein an article by Sumner Welles.

Mr. ANGELL. Mr. Speaker, heretofore I was given permission to extend my remarks in the RECORD, including certain discussions about the Columbia Valley Authority. I now ask unanimous consent to include rebuttals in that argument on that subject.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. BIEMILLER asked and was given permission to extend his remarks in the appendix of the RECORD and include therein an editorial.

Mr. JENKINS asked and was given permission to extend his own remarks in the RECORD and to include therewith an editorial.

THE MEAT-PACKING INDUSTRY

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Speaker, the Communists and state socialists of the Nation will no doubt rejoice when they see the headlines in the morning papers announcing that the President is going to take over the packing plants of the Nation. This will put into the hands of the President the control of the meat supply of the Nation. While this step may be advisable under the circumstances, a few more steps in this direction and the Executive will have the right to say what we may eat and how much. That would be the end of the Republic.

This deplorable situation could have been averted. Neither the meat-packing industry nor the employees were anxious for this dispute. I understand that some of those in high authority in the administration were in favor of a plan that would have prevented this very unpleasant situation. But the OPA would not listen to reason and with characteristic wilfullness, it persisted in its ruthless course. This is additional proof, if any is needed, why Congress should take all food control out of the hands of Chester Bowles and his crowd.

THE MEAT-PACKING STRIKE

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

[Mr. SMITH of Virginia addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. WHITTINGTON asked and was given permission to extend his remarks in the RECORD and insert therein a press release issued yesterday by Chester Bowles with respect to the ceilings on raw cotton.

INDUSTRIAL STRIKES

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, when I first came to this Congress I issued a protest against using this forum as a wailing wall, instead of expressing faith in America and America's way of doing business.

A few minutes ago a gentleman, worried about communism and socialism, things I do not believe in, in any way, shape, or manner, objected to the position of the President on the meat strike. All these strikes, according to these people, are the fault of organized labor. I say to you, and each Member of this House, there would be no strikes if it were not for one thing, big business, which has been trying to dictate to little business and to the country and is determined to crucify the OPA. Talk about not getting meat. If that would occur the common people, the people of small income, of this country would have no meat to eat. So I say let us support President Truman as a united force. Capital is well organized, too. Protect the rights of the workers and the returning servicemen and provide for full employment and maintain a real standard for all producers. Labor must enjoy the same right.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

OWEN RYE

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore (Mr. MILLS). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, in the Granite Falls (Minn.) Tribune there appears this week a news item which I feel exemplifies waste of our servicemen's time, and expresses complete disregard of their personal feelings. This article illustrates well the lack of consideration by the War and Navy Departments as to the cost to our taxpayers of this chasing all over America without cause of many thousands of servicemen. It is also a good example of the monumental red tape from which the

Army and Navy could well learn a lesson, and should attempt to correct their failings in this regard.

The article from the Granite Falls Tribune reads as follows:

For the past 2 months or more Owen Rye, former Granite boy and a son of Mr. and Mrs. Knute Rye, has been in Fort Benning, Ga., awaiting his discharge from the Army.

Last week he learned that, because of the fact he entered the Army in Alaska, it would be necessary for him to return to that territory before he could obtain the awaited discharge. He tried every way he knew to change this bit of Army red tape, but to no avail, so Owen boarded the train at Fort Benning for Miles City, Mont., and from there intended to take a plane for Fairbanks, Alaska.

He wired his aunt, Miss Celia Nomeland, and his brother, Glenn Rye, that he would be on the noon train going through Granite on Saturday and so the Trib cameraman went over to get a picture of Owen on his way to Alaska for a discharge but while Glenn and his aunt, Celia, stood on the platform waiting to greet Owen, the train whizzed on by. As a last resort the Trib's cameraman snapped a picture of the rear end of the train in the belief Owen might be waving from the vestibule, but the picture revealed nothing but Celia and Glenn waiting as the train roared by.

Mr. Speaker, it would seem that the Army and the Navy should make an especial effort to determine whether or not considerable valuable traveling accommodations are wasted in proceedings of this nature. Furthermore, it seems to me that the utter disregard given to this serviceman's wish to go home directly from Fort Benning, Ga., will explain to a good many reasonable-minded people why thousands of these servicemen leave the service disgusted at much of what is going on. To force this boy to travel an additional four or five thousand miles to secure his discharge shows lack of good judgment on the part of those in authority. This is only a small example of millions of incidents for which the servicemen suffer inconvenience and for which the taxpayers pay for years to come.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

EXTENSION OF REMARKS

Mr. HOFFMAN asked and was given permission to extend his remarks in the RECORD on three subjects, and to include therewith newspaper articles and letters.

ARMY TRUCKS STOPPED BY PICKET LINES

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the Members of the House seemed to be somewhat amazed, perhaps startled, by the statement of the gentleman from Virginia [Mr. SMITH] to the effect that the commander in the Third Area had ordered Army trucks not to cross a picket line. If Walter Reed, with a thousand disabled veterans needing food, sent an Army truck for meat, it would turn back when it reached a picket line at the packinghouse. There is nothing new about that humiliating attitude on the part of Army and Navy when in conflict with a union. Away back in 1939, when the Navy had contracts for the manufacture of defense materials with the Bohn Aluminum and Brass Corp. in Detroit, and when Navy patterns and material were held up by a strike, the CIO union stopped Navy trucks from going in and getting its own patterns and finished products. Proof of that is found in an official letter that came from the then Acting Secretary of the Navy, Edison. There is nothing new, I repeat, about the surrender of the administration, of the armed forces, to the demands of the CIO politicians; it has been going on for 6 years or more.

Let me quote from the official report dated October 20, 1939, made in answer to a privileged resolution offered by me:

A strike was called at the corporation's plant No. 1, Detroit, Mich., on August 29, 1939. At the time the strike was called, plant No. 1 was engaged in the manufacture of special bearings for aircraft engines for manufacturers with whom the Navy has contracts. On September 15, 1939, a second strike was called at all of the seven plants of the corporation in the Detroit district in sympathy with the strike at plant No. 1—bearings. At the time of calling the second strike, plant No. 2 was engaged in the manufacture of castings for airplane engines in process of manufacture at the naval aircraft factory, Navy Yard, Philadelphia, Pa.; also castings for a manufacturer with whom the Navy has a contract for a special type of marine engine.

The duration of the strike in plant No. 1—bearings—was from the 29th of August to October 8, inclusive, 41 calendar days. The duration of the strike in plant No. 2—castings—was from September 15 to October 8, 1939, inclusive, 24 calendar days.

* * * * *

The delivery of completed castings, bearings, and parts, also those in the process of manufacture, was delayed for the duration of the strike.

The Navy Department was unable to obtain the return of the Government-owned patterns, plans, and equipment for the duration of the strike.

* * * * *

On September 28, 1939, the United States Navy resident inspector of naval material at Detroit, Mich., informed the regional director of the United Automobile Workers, Congress of Industrial Organizations, Detroit, Mich., of the seriousness of the delay in the delivery of the material due on contracts, also the urgent need of the shipment of patterns, and requested that he instruct his representative in charge of the picket line at the corporation's plant No. 2 to allow a representative of the inspector of naval material and a truck to pass through the picket line to pick up Government-owned patterns and ship them on a Government bill of lading.

The regional director of the United Automobile Workers, Congress of Industrial Organizations, sent three representatives of union local No. 208 to discuss the removal of the patterns with the inspector of naval material. The representatives of union local No. 208 were given full access to the files on the Navy contracts and they were informed that the delay in releasing patterns for delivery was seriously jeopardizing the manufacture of airplane engines at the naval aircraft factory. At the end of the discussion, the union representatives stated that as the strike situation stood at the present time, their answer was emphatically "No" and that they would not let patterns or inspected castings be removed. No further action was taken by the Navy Department to remove the patterns and castings. The Navy Department kept in touch with the strike situation at the Bohn plants through its field representatives, and through the United States Department of Labor, but took no steps looking toward the settlement of the strike.

Sincerely yours,

CHARLES EDISON,
The Acting Secretary of the Navy.

THE RIGHT OF VETERANS TO WORK WITHOUT PAYING TRIBUTE TO UNIONS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, what is taking place today is another evidence that we should bring our men home and look after American affairs. The President has now taken over the meat industry.

I call upon the President of the United States now to tell every ex-serviceman in America that he is going to have a right to work in the meat-packing industry without having to pay tribute to anyone.

We did not draft these boys into the CIO. We did not draft these boys to submit to the domination of any racketeer. This is America, and it is time for the Congress and the President of the United States to wake up and let the men who fought the Nation's battle in time of war understand that we are not going to let it be destroyed now that the war is over.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

UNION BENEFITS

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SAVAGE. Mr. Speaker, I wish to congratulate the gentleman from Mississippi [Mr. RANKIN]. In his remarks yesterday he made what I considered to be one of the best arguments in favor of union organization that I have ever heard.

He described how the cotton farmer was working hard every day out in the weather, growing and picking his cotton, and then receiving only about 1 cent an hour for his work, whereas the industrial worker enjoys good working conditions and receives $1.29 an hour.

I think it is only fair to point out to the gentleman from Mississippi that the reason the industrial worker receives this higher pay is because he is organized in a union. Only the organization has made it possible for these workers to get the higher pay. I believe that I am just as good a friend of the farmer as anyone in this House. I would like to see the farmers do a little organizing and get rid of some of the middlemen and brokers who are eating up all their profit. Then you will see the farmer begin to get a fair price for his products.

Another thing that I would like to point out to the gentleman from Mississippi is that only through high wages for workers can the farmer hope to get good prices for his crops. The economic future of the farmer depends on the money that the workingman has to spend. Business depends on everybody having money to spend for food, manufactured goods, and services.

By having a large national income we will be able to keep up our heavy tax load and begin to liquidate our national debt.

I am glad that the gentleman from Mississippi made that statement yesterday because it clearly pointed out that the farmer is going to have to organize to get for himself the benefits that industrial labor enjoys.

Some Members have continually harped on what they call "the paying of tribute by members of labor unions." Let me point out that members of labor unions get back manyfold in increased wages and better working conditions the small sums they pay in for union dues. The money spent in union dues is the best investment a worker ever made. If there is any tribute in paying union dues it is tribute to the worker himself.

The SPEAKER pro tempore. The time of the gentleman from Washington has expired.

ARMY TRUCKS CROSSING PICKET LINES

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, when this Congress is to be gulled by arguments known to be counterfeit it is time for this House to close. Tennyson once said that too much wit makes the world rotten. I have a very strong stomach, Mr. Speaker, but there is a limit to the amount of bunkum and hogwash that it will take.

I was not present and did not hear the statement of the gentleman from Virginia, but certainly the disclosure made by him here on the floor this morning should mean that the Military Affairs Committee looks into this matter at once, for this sort of thing gives to the whole Army a foul odor.

WIVES OF UNITED STATES MILITARY PERSONNEL

Mr. MURPHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MURPHY. Mr. Speaker, I just received a letter from home which I want to call to the attention of all Members. It reads as follows:

Hon. JOHN MURPHY,
House of Representatives,
Washington, D. C.

Re wives of United States military personnel.

DEAR CONGRESSMAN MURPHY: Thousands of wives of members of the United States armed forces are arriving in the United States or are being processed for travel to the United States to join their citizen husbands.

Under the existing laws such wife could not be naturalized until she had resided in the United States at least 2 years and further providing that she must reside in continuous state of matrimony for at least 1 year prior to the filing of the petition for naturalization, with her citizen spouse. Section 311 of the Nationality Act of 1940.

It is suggested that you introduce an act providing for the naturalization of wives of members of the armed forces of the United States, provided that they have been legally admitted to the United States and have been residents thereof for at least 1 year. This act could be called section 310C of the Nationality Act of 1940 and could be handled as an amendment or a new act.

There is not a day when I do not receive at least two inquiries by husbands of girls in this category and these soldiers, sailors, and marines seem a bit disappointed that their wives cannot become citizens in less than 2 years. I am sure that if you were to introduce such a law and give it wide publicity you would make many friends among the servicemen. Sooner or later someone else will think of this proposition and for obvious reason I suggest you start it.

I'd like to have your views in the premises.

Sincerely yours.

Mr. Speaker, I will send this letter to the Committee on Naturalization for appropriate action.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. KILBURN asked and was given permission to extend his remarks and include two resolutions.

Mr. HENDRICKS asked and was given permission to revise and extend his remarks on the Independent Offices Appropriation bill and to include in those remarks excerpts from hearings, reports, and certain charts.

GENERAL LEAVE TO EXTEND ON THE INDEPENDENT OFFICES APPROPRIATION BILL

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days within which to extend their own remarks on the independent offices appropriation bill to be taken up today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1947

Mr. HENDRICKS. Mr. Speaker,, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5201), making appropriations for the Executive office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1947, and for other purposes. Pending that motion I ask unanimous consent that general debate on the bill be equally divided between the gentleman from Massachusetts and myself, that debate continue throughout the day and not to exceed 1 hour tomorrow.

I may state in this connection that it is the hope of the committee that we may complete general debate today and read the first paragraph of the bill.

The SPEAKER pro tempore (Mr. GORE). Is there objection to the request of the gentleman from Florida?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for consideration of the bill H. R. 5201, the independent offices appropriation bill, 1947, with Mr. WHITTINGTON in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. HENDRICKS. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, the bill now under consideration is the first of the major appropriation bills which will be presented to this House for consideration and passage during the present session. Before I take up for discussion the various activities provided for in the bill I would like to express my appreciation of the splendid cooperation which I have received from the members of the subcommittee handling this measure. In order to complete the hearings on the bill before adjournment last month and so we could bring this bill in at the beginning of the new session, it was necessary for us to meet early and continuously over the better part of a 3-week period. The Members of the majority and minority cooperated 100 percent and we have presented here a bill on which there has been general agreement. I do not mean that no amendment may be offered to the bill, but I am sure I am correct in saying that we are in general agreement on the main items in it.

Mr. Chairman, I also want to offer my gratitude to the clerk of this committee for the excellent work and time he spent on the bill. I am mindful of the fact that the House of Representatives has a perfect right to rewrite any bill which a committee brings in here for consideration but before offering amendments, either to reduce or increase any appropriation in this bill, I hope the House will take into consideration the fact that the subcommittee and the whole committee gave very careful consideration to the bill and that there are no percentage-wise cuts or arbitrary cuts in the bill. As evidence of that fact, I may say that we have added to some appropriations and deducted from others; therefore I think the House will find that we have written a good bill and I hope that the Members will go along with us as far as possible to keep it down.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. I would like to ask the gentleman if he can tell us how it is that every single bureau, as far as I can find out, is asking for a very substantial increase in administrative costs over the previous year? How does that tie in with the President's desire to balance the Budget some time in the future?

Mr. HENDRICKS. In reply to the first question of the gentleman from Massachusetts, I am sure he realizes that many of these agencies for which we have written appropriations have curtailed their peacetime activities during the war to carry on war work.

Mr. MARTIN of Massachusetts. I am talking about the salaries and administrative expenses that have increased in every instance.

Mr. HENDRICKS. Will the gentleman wait until I answer his question?

Mr. MARTIN of Massachusetts. Yes.

Mr. HENDRICKS. As a result of that they have a backlog. Therefore, whatever work may be required there may be additional requirements for administrative purposes. Then I might also say to the gentleman in reply to his second remark about the President's Budget, that we have reduced appropriations $46,000,000 below the President's estimate.

Mr. MARTIN of Massachusetts. Does the gentleman think that is enough?

Mr. HENDRICKS. I think it is as far as we can go at this time. I might say to the gentleman that we have commitments for many of these agencies, and that some of them, in the next appropriation, will ask for a decrease of 25 percent. We warned those who said that they could not take a decrease, that they would have to take one in the next appropriation. In other words, we are trying to take care of a backlog now, and later we are going to cut them down in a great degree.

Mr. MARTIN of Massachusetts. Why not start now? That is what the American people are demanding.

Mr. HENDRICKS. We did, by cutting them down $46,000,000 below the estimate of the Bureau of the Budget.

Mr. Chairman, may I ask that the Committee not request me to yield all the way through? I will not try to complete my entire statement without yielding, but I would like to complete the statement on certain agencies, and then at the end of the remarks on that agency I will be glad to yield for questions, and then they will come at the appropriate place in the RECORD.

COMPARISON OF APPROPRIATIONS AND ESTIMATES

The Budget estimates for 1947 considered by our committee total $5,640,876,502, and the committee has recommended in the bill a total of $5,594,146,286, or a reduction in the estimates of $46,730,216. The bill as reported to the House is $1,329,380,306 in excess of the 1946 appropriation for similar activities. The major portion of this increase over the 1946 appropriation is due to the increase in funds required to finance the activities of the Veterans' Administration during the next fiscal year. Another substantial increase over current year appropriations is for postwar road construction as authorized under the various highway acts, including the Federal-Aid Highway Act of 1944. The increase in these two items alone, amounting to $1,236,343,165 for the Veterans' Administration and $159,838,792 for the Public Roads Administration, a total of $1,396,181,957, is an amount in excess of the net increase in the bill over the 1946 appropriation. This total increase is offset to some extent, however, by reductions under 1946 appropriations of $50,372,415 in the amounts provided for public works and public works advance planning, $24,900,000 in the amount required for financing the Government's share in the civil-service retirement and disability fund, and $9,248,300 provided several agencies during the fiscal year 1946 for national defense purposes, a total of $84,520,715. The increase in this bill over 1946 appropriations will be further reduced when funds amounting to $71,485,000, which must be provided for Pay Act increases for the current year, are appropriated.

In addition to the major increases which I have just mentioned I would like to point out that we have found it essential to approve moderate increases in some instances for agencies engaged in peacetime activities which suffered drastic reductions in appropriations and personnel during the war. During the war a very considerable portion of the work of these agencies, had, of necessity, to be curtailed or postponed. Many of the agencies lost hundreds of employees to the armed forces. A large percentage of that personnel is now returning, and, under the law, these veterans are entitled to reinstatement. We found, during the hearings, that many of the activities provided for in the bill have a backlog of work and that in addition, the postwar era, which is at hand, calls for the resumption of many activities at a rate in excess of prewar days. Under these circumstances, the committee feels that the amounts recommended in the bill for the various agencies are the minimum on which they can operate with efficiency during the next fiscal year.

The bill as reported by the committee reflects a reduction of $46,730,216 in the Budget estimates, and if you will examine the tabulation at the end of the report you will see that we have made reductions in substantially every agency. In one or two instances we have made increases, where we believed they were absolutely essential, and I shall refer to those instances later on in my remarks. While it may be asserted that we have not recommended substantial decreases in a sufficient number of items or that the total reduction we have made in the Budget estimates is not large, I would like to point out that 87½ percent of the estimates considered by the committee were for the Veterans' Administration and are for the care and rehabilitation of veterans of various wars. I think this House has already expressed its views as to requests for funds for veterans. But, as I have pointed out, with 87½ percent of the funds in the estimates being provided for veterans, we have little leeway in making a greater reduction in the total amount submitted in the Budget estimates. Later on in my remarks I propose to discuss at some length the tremendous sums which we are committed to provide for the care and rehabilitation of veterans and give some totals as to the number of veterans affected and funds required during the next fiscal year.

GENERAL PROVISIONS

The bill contains a number of general legislative provisions which are customarily carried in this bill each year. They are set forth in title II of the bill. These general provisions control and regulate the expenditure of funds in all the general appropriation bills. This procedure is desirable in order to secure uniformity and to prevent the necessity of repeating each provision in connection with every appropriation bill. No substantial changes have been recommended in the general provisions proposed for enactment in connection with the fiscal year 1947 and the existing provisions recommended for continuation have been changed to a minor degree in only two or three instances. I would now like to refer to some of the agencies for which we have recommended funds in the bill.

BUREAU OF THE BUDGET

The first item which I would like to discuss briefly at this time is the request considered by the committee for funds for the Bureau of the Budget. We have included in the bill for salaries and expenses a total of $3,044,880, which is an increase of $825,823 over the current appropriation and $882,620 less than the estimate submitted. The reduction we have recommended is a cut of 50 percent in the proposed increase for this Bureau. The increase of $825,823 which we have allowed will be available for new functions assigned to the Bureau, including work dealing with corporation budgets, the Government Information Service, clearance of Government publications, and the Federal Board of Hospitalization, as well as for the extension of existing functions and the establishment of one or two field offices. The work of this Bureau is of vital importance if we are to have adequate supervision and control over the initiation of requests for funds on the part of the executive branch, and the amount of $3,100,000 recommended is not excessive when we consider the fact that the branch of the Government which audits Government expenditures will require $40,000,000 during the next fiscal year.

AMERICAN BATTLE MONUMENTS COMMISSION

I should like to say a word as to the American Battle Monuments Commission. We have recommended a reduction of $40,360 in the Budget Bureau estimate of $273,800 for the American Battle Monuments Commission, by requiring the use of surplus material and equipment for use in the rehabilitation and repair of World War I cemeteries. We felt that they had certain material and equipment there that they could use, and, therefore, we were justified in making this reduction in the American Battle Monuments Commission budget. We have also eliminated one position at $1,440.

CIVIL SERVICE COMMISSION

The next item which I shall discuss is the Civil Service Commission. The total Federal employment as of September 1, 1945, was 2,900,000. On June 30, 1946, it is estimated the total will be 2,000,000, and on June 30, 1947, the estimated number on the pay roll will be 1,600,000. The

Civil Service Commission estimates that there will be 540,000 placements during the next fiscal year, in addition to the placement of some 200,000 veterans in positions now held by war-service appointees, and that approximately 50,000 of these positions will be filled by veterans returning with re-employment rights. The amount recommended in the bill is $12,080,500, an increase of $830,606 over the 1946 appropriation and $115,500 in excess of the Budget estimate. This increase in the Budget estimate is one to which I referred earlier in my remarks, and is occasioned by the desire of the committee to speed up the placement of veterans in civil-service positions. The committee was advised by Commissioner Flemming, during hearings on the bill, that the estimates provided for the placement of 200,000 veterans in positions now held by war-service employees and that a considerably larger number could be appointed without disrupting the work of the Commission if sufficient funds were provided. So we have made some reductions in other items and added $115,500 to the Budget estimates and applied the total thus provided, amounting to $644,000, to use in connection with the placement of 300,000 veterans instead of 200,000 as provided in the Budget estimates. I do not believe anyone is going to complain about our doing this to help the veterans to go back to work.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield to the gentleman from California.

Mr. VOORHIS of California. I am not familiar with other States, but I know that in California the Civil Service Commission have closed a number of their offices in some of the smaller and medium-sized communities because, they said, they did not have the money to maintain them. It seems to me that right at the present moment and for the next 18 months there is probably greater need for those funds than there has ever been in the country's history, and for the very reason the gentleman mentions, namely, to facilitate the movement of the veterans back into jobs as easily as possible.

Mr. HENDRICKS. The gentleman from California of course realizes that this $115,500 is an increase above the Budget estimate, but they still have an increase over last year's appropriation which will permit them to carry on some of those activities. The increase is $830,000 over current year requirements. Then, as I have said, we have given them $644 000 for the sole purpose of replacing 100,000 additional veterans. They can now replace 300,000 instead of 200,000.

Mr. VOORHIS of California. By replacing them, I presume the gentleman means getting them into jobs?

Mr. HENDRICKS. Reemployment is what I mean; yes.

FEDERAL COMMUNICATIONS COMMISSION

For the Federal Communications Commission we have included in the bill a total of $5,560,000 of salaries and expenses, which is approximately $500,000 in excess of all 1946 requirements. While the amount recommended is a substantial increase over prewar appropriations we are of the opinion that there has been at least a corresponding increase in the development of communication activities and particularly is this true in the broadcast field where 1,000 applicants for new stations will have to mark time unless the Commission has sufficient funds to process applications. This is an outstanding example, to which I referred earlier in my remarks, as being an activity which will require additional funds to keep pace with scientific developments in the postwar era. During the war there were very rapid developments in the field of radio, and, as a result, outstanding advancements are occurring in the communications industry. Within a few years there will be in existence several times as many broadcast stations—standard, FM, television, and others—as now exist.

The safety and special service transmitters will increase from a few thousand to a few hundred thousand. There will be striking advancements from the commercial applications of radar and other electronic developments of the war. In view of these rapid developments we feel there is no question that a much larger appropriation is absolutely essential if this agency is to function with any degree of efficiency and we believe that the amount recommended is the minimum on which this Commission can operate during the next fiscal year. We feel, however, that there should be a downward trend in appropriations for this agency in the fiscal year 1948.

FEDERAL POWER COMMISSION

The work of the Federal Power Commission is another example of an agency which has deferred work and retrenched expenditures during the war period. In recognition of the increased work load following the cessation of hostilities a substantial increase amounting to $500,000 on a full year basis was allowed this Commission in the recently enacted deficiency bill. We are now recommending a total of $2,860,000 for the salaries and expenses of the Commission for the fiscal year 1947, which will permit continuation of this work on substantially the same basis as will be possible for the last half of the current year including the deficiency bill appropriation.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I will be glad to yield to the gentleman.

Mr. JOHNSON of California. I notice in the report there is an item of $200,000 for flood control.

Mr. HENDRICKS. Of course, the Federal Power Commission has work to do in connection with these flood-control projects where they are putting in power projects, you understand.

Mr. JOHNSON of California. The question I want to ask the gentleman is whether this is enough to take care of the drafting of plans and specifications for those projects for which money has been appropriated.

Mr. HENDRICKS. It provides for them on the same basis that they received in the deficiency appropriation bill for the last half of 1946. We feel that the amount provided in this bill is sufficient. Of course, if they do run into difficulties they would come back to the deficiency committee and get additional funds. We think this amply takes care of them.

Mr. JOHNSON of California. In the last appropriation bill, you remember we included a lot of flood-control projects. Will this money go to take care of those projects in particular?

Mr. HENDRICKS. They are getting an increase on a basis which, we feel, will take care of that purpose. We felt after discussing it with the Federal Power Commission that this allowance will be sufficient for them to handle their problems in connection with flood control.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I am glad to yield to the gentleman.

Mr. BAILEY. In your explanation of the Federal Works Agency, I note that you have effected a saving by the elimination of funds for postwar planning. Am I to understand in the itemization here you have eliminated that item completely?

Mr. HENDRICKS. Will the gentleman kindly reserve that question until we get to the item of the Federal Works Agency? I will be glad to discuss it then as I would like to cover these items in order.

FEDERAL TRADE COMMISSION

The bill provides for the Federal Trade Commission on exactly the same basis that they are operating on during the present year. By denying increases we have made a cut of $480,280 under the Budget estimate. We have also pointed out in our report instances where we believe there would be a duplication in the collection of industrial corporation statistics if we had allowed the funds that they have requested. Therefore, we did not allow the funds that the agency requested for that purpose.

FEDERAL WORKS AGENCY

Now we come to the Federal Works Agency. After I have completed my remarks I shall be glad to yield to the gentleman from West Virginia.

We have provided funds for the office of the Administrator at substantially the same rate as for the current year, the amount included in the bill, $300,000, being a slight reduction under current-year requirements. It was our feeling that funds provided for the office of the Administrator should not be increased in view of the fact that its primary function is to coordinate the activities of two highly efficient agencies, the Public Buildings and the Public Roads Administrations, which do not require increased supervision from a superagency.

The Public Buildings Administration is continuing its function of providing for the maintenance, operation, and repair of public buildings in and outside the District of Columbia. They have estimated a reduction of approximately 2,000,000 net square feet of leased space in the District of Columbia during the next fiscal year. We have recommended a further reduction of $500,000 under this heading in the belief that a further reduction in leased space should be pos-

sible following the termination of many war activities. We have also effected a cut of $500,000 in the estimate of $1,000,000 for air conditioning, remodeling, and other repair work to buildings in the District of Columbia.

The bill contains $10,000,000, including an unexpended balance of $1,700,000, for the repair and preservation of public buildings outside the District of Columbia. Much of this work has been postponed during the war. We were advised that these properties requiring repair run into value amounting to $800,000,000 and that at the rate of $10,000,000 per year it will take 3 or 4 years to complete the backlog of deferred projects. We were also advised that there were 8,719 buildings involved, mostly postoffice buildings, located in every State and county in the country.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield.

Mr. BAILEY. I note on page 23 of the report accompanying the bill that you have completely eliminated the item "Public works advance planning."

Mr. HENDRICKS. I may say to the gentleman that the Federal Works Agency did not ask for any funds for public works advance planning in this budget. They received $17,500,000, as you will recall, in the 1946 independent offices bill, and they also received $12,500,000 in the recently enacted deficiency bill which is now available for public works planning, and which will continue available into the next fiscal year.

Mr. BAILEY. That amount will still be available for carrying out the program?

Mr. HENDRICKS. Yes, sir. We did not cut it out.

Mr. ALLEN of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield to the gentleman from Louisiana.

EMERGENCY FUND FOR THE PRESIDENT

Mr. ALLEN of Louisiana. I notice on page 4 of the bill there is an emergency fund for the President of $5,000,000. The committee does not mean for any of that to be spent for the FEPC, does it?

Mr. HENDRICKS. Not at all. The truth of the matter is that in a recent appropriation bill there was a proviso carried to the effect that unless legislative provision was made for the FEPC there could not be any further expenditure under any appropriation. This is not for the purpose. This is for wartime emergencies.

PUBLIC ROADS ADMINISTRATION

For the construction of public roads under the Federal-Aid Highway Act of 1944, and other authorization acts the bill contains $267,838,792, which is an increase of $159,838,792 in the 1946 appropriation, and $38,000,000 less than the Budget estimates. The committee has recommended a reduction of $25,000,000 in the estimate of $175,000,000 for Federal-aid postwar highways because of lack of definite information at this time as to just what progress can be made in launching this very sizable road-construction program. We have also made smaller reductions in three other items totaling $13,000,000.

During hearings on the bill the committee was advised that a much larger sum had been requested of the Bureau of the Budget for postwar highways but that after further discussion it was determined that because of the many uncertainties it would be wiser to defer asking for a larger amount until a closer estimate of the actual needs can be made. It was admitted by the Commissioner of Public Roads that the problem of recruiting sufficient labor to carry on these projects presented a most serious difficulty. At this point, however, I wish to state most emphatically that it is not the purpose of the committee to delay the construction of public roads which are in urgent demand. However, it is believed that the sum recommended, $150,000,000, will be sufficient to start the program and that additional funds can be secured if and when the need therefor is demonstrated.

GENERAL ACCOUNTING OFFICE

The committee has included a total of $40,300,000 for all expenses of the General Accounting Office during the next fiscal year. This is a reduction of $625,000 under the Budget estimates. We made a careful inquiry into the needs of this agency and explored the possibility of further reductions in view of the fact that the war is over and wartime expenditures are being sharply reduced. While admitting that Federal expenditures during the fiscal year 1947 will be substantially reduced, representatives of the General Accounting Office insisted that their expansion in the early days of the war had not kept pace with the tremendous sums expended by the Army and Navy, and that, therefore, there was a backlog of work which would run into the fiscal year 1947. Also, operation of the Corporation Audits Division on a full-year basis will require $1,567,000 during the next fiscal year. Members will recall that the audit of Government corporations was required by Public Law 4 of the present Congress. We were assured, however, and it is a matter of record, that substantial reductions in this agency can be expected for the fiscal year 1948. The committee believes that this Office has performed a good job under war conditions. During the fiscal year 1945 the amount of disallowances was $435,123,521 and collections totaled $86,680,316.

INTERSTATE COMMERCE COMMISSION

The Interstate Commerce Commission is another agency which was required to take severe reductions in manpower and appropriations during the war period. Additional funds provided in the recently enacted deficiency bill have restored a portion of these war-enforced reductions and the committee has provided for operation on a slightly increased basis during the next fiscal year. I wish to emphasize, however, that the slight increase to which I have referred by no means restores this agency to the level of appropriations and personnel which it received on a comparable basis in prewar days.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

There is included in the bill a total of $26,500,000 for salaries and expenses of the National Advisory Committee for Aeronautics, which is $2,925,000 in excess of the Budget estimate. We have recommended this increase after much consideration and in the earnest belief that the additional amount is an important and essential investment which will pay dividends from the standpoint of providing for the protection and safety of this country in future years.

The additional funds recommended by the committee, $2,925,000, are by no means the total amount indicated by the National Advisory Committee for Aeronautics as necessary to carry forward research and scientific development work at a rate which they regard as essential. The increase will, however, permit the employment of some 300 scientists and other necessary supporting personnel, supplies, and so forth. While I do not have time to elaborate on the necessity for this increase, you will find additional justification in the committee report and in the testimony by Dr. Hunsaker, chairman of the National Advisory Committee, as to what other countries are doing in the field of aeronautical research and development.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

For the National Capital Park and Planning Commission we have provided $867,750 for the purchase of park and playground sites. Of course, the Federal Government will be reimbursed by the District of Columbia. The amount recommended will be used for 13 different projects and the land acquired will complete the acquisitions necessary in connection with 12 of such projects. Seventy percent of the funds recommended will be used to purchase seven areas which will provide space for recreation projects. The acquisition of land for these seven projects will enable the District of Columbia Recreation Board to begin construction of needed recreation facilities.

SECURITIES AND EXCHANGE COMMISSION

For the Securities and Exchange Commission the bill contains a total of $4,791,000 for salaries and expenses, which is a reduction of $394,300 in the Budget estimate. We have specifically denied an estimate of $100,624 for the compilation of corporate statistics by this commission and have also eliminated proposed legislation which would permit the preparation, issuance, and sale of compilations of statistics because we believe such legislative authority should be considered and acted upon by the appropriate legislative committee of the House.

TARIFF COMMISSION

We have included in the bill for salaries and expenses of the Tariff Commission $975,000, which is $180,000 less than the Budget estimate and $31,371 in excess of 1946 requirements. Representatives of the Commission, in appearing before the committee, asserted that their present staff of 290 man-years should be continued during the next fiscal year although the Commisson will not be called upon to perform work for other agencies as has been the case during the present year. We have been unable to agree with the Commission in its contention and have recommended a reduction of $180,000 in the estimate. If this

agency is called upon to perform additional work for other agencies, as has been the case in previous years, funds can be transferred to reimburse it as has been the practice in the last several years.

SMITHSONIAN INSTITUTION AND NATIONAL GALLERY OF ART

We have made a reduction of $38,576 in the estimate for the Smithsonian Institution and $26,510 in the estimate for the National Gallery of Art. An increase over 1946 of $52,687 has been allowed to the Smithsonian Institution for the reemployment of returning veterans. When I say it is for the reemployment of returning veterans, that does not mean that we are giving them money for the reemployment of returned veterans to add to the present personnel, but it means that each returned veteran employed will take the place he is entitled to and someone else will have to go out; in other words, we are not providing for new positions not in existence prior to the war. Other increases made to these agencies are primarily for the placing of custodial employees on a 40-hour-week basis, and that is our responsibility by act of Congress.

VETERANS' ADMINISTRATION

Now, Mr. Chairman, I am sure you are going to be interested in some figures on the Veterans' Administration, because, as I said before, its appropriations represent 87.5 percent of the entire amount of the bill. We made but a slight cut in the Veterans' Administration activities, for, with its increasing work load, there is not room to cut very much.

The committee held a somewhat lengthy and very complete hearing with General Bradley and his staff. As I recall, we did not complete the hearings until 6:30 in the evening after an all-day session starting at 10 o'clock. Full and convincing answers were given to all questions, and I call your attention to General Bradley's opening statement, beginning on page 784 of the printed hearings, which gives a complete description of the program for the fiscal year 1947. An examination of his statement will give the answer to most questions in which Members may be interested. As a result of its investigation, the committee is of the opinion that the veterans and the American people are fortunate in having the services of this organization, headed by one of the country's most distinguished generals, to direct and provide for the future needs of its veterans.

GENERAL ADMINISTRATION

The first item under the Veterans' Administration, to which I will refer briefly is that for Administration, medical, hospital, and domiciliary services. The committee has recommended $553,805,915 for this purpose, which is $326,130,915 more than the 1946 appropriation and $3,481,085 less than the Budget estimate. In connection with the very substantial increase over the current appropriation, it should be stated that $54,000,000 remains to be appropriated for the current year for Pay Act increases, and, also, that during the hearings, the committee was advised that due to the sudden ending of the war it will be necessary to submit a supplemental estimate for the fiscal year 1946 to care for the increasing work load. However, as 1947 will be the first full postwar year, the activities of the Veterans' Administration necessarily shows a tremendous increase over 1946 requirements. In this connection I would like to point out that the number of living veterans of all wars will increase from approximately 4,000,000 prior to World War II to nearly 20,000,000.

I would also like to take a moment to refer briefly to two relatively small reductions which we have made in the Budget estimate for this item. The first is a reduction of $192,660 in the estimate of $1,207,495 for the Office of Director of Public Relations. This reduction is due to the denial of some 57 man-years in the department and field and will leave a total of 300 man-years for this work as compared with 98 man-years for the present fiscal year. The purpose of this activity is to keep the public informed as to veterans' affairs. The committee is in accord with this desire on the part of the Veterans' Administration but is of the opinion that a staff consisting of 300 man-years is sufficient to perform the task. The remaining reduction of $3,288,425 is made in the estimate of $13,153,700 for 2,000 contact offices. While the committee has no desire to hamper the services necessary to bring the facilities of the Administration closer to the veteran it believes that the establishment of 1,500 additional offices by the end of the next fiscal year in lieu of the 2,000 proposed in the estimate will not result in undue hardship or inconvenience. In this connection it should be pointed out that 13 branch offices, 53 regional offices and approximately 150 subregional offices will be in operation during the next fiscal year.

At this point I will insert in the RECORD a chart giving data in connection with this item.

ADMINISTRATION, MEDICAL, HOSPITAL, AND DOMICILIARY SERVICES, $553,805,915

This appropriation provides for operation of Veterans' Administration consisting of: Central office, Washington, D. C., and branch office, New York City; 13 new branch offices; 37 regional, area, and insular offices and supply depots; 97 hospitals now in operation, of which 31 have regional offices and 11 have home activities; 25 additional hospitals to be in operation by the end of fiscal year 1947; and approximately 1,500 contact and subregional offices.

Personnel (man-years) required:	
Departmental service	30,296
Field service	112,762
Total	143,058
Average beds in operation, Veterans' Administration hospitals and homes	103,025
Average daily patient load	94,439
Average daily patient load, other Government, civil, and State hospitals and State homes	30,767
Cost of rations at 46.3 cents	$19,305,402
Vocational rehabilitation:	
Estimated average in training	68,410
Estimated in training end of fiscal year 1947	82,476
Cost of tuition	$20,523,000
Loans:	
Estimated loans in 1947	500,000
Cost of processing loans by other Government agencies	$4,950,000
Readjustment allowance:	
Estimated average number to receive benefits	1,136,977
Reimbursing States for administrative expense	$42,307,000

ARMY AND NAVY PENSIONS

The next item under the Veterans' Administration to which I shall refer briefly is the one for Army and Navy pensions. The bill includes the Budget estimate of $1,905,000,000, which is an increase of $824,850,000 over the amount provided for the current year. The increase is due almost entirely to the additional number of veterans of World War II and their dependents who are expected to be added to the pension rolls. It is estimated that the number on the pension roll from World War II will increase from approximately 631,000 at the end of the fiscal year 1945 to over 1,940,000 by the end of the fiscal year 1947.

I have a chart giving statistics in connection with this item, which I shall insert at this point:

Veterans' Administration estimate appropriation, Army and Navy pensions, fiscal year 1947

Wars and Regular Establishment	Estimated number on roll June 30, 1947	Appropriations, fiscal year 1947
1. Yellow-fever roll of honor	6	$9,000
2. War of 1812	1	240
3. Mexican War	39	21,844
4. Indian wars	3,177	1,942,944
5. Civil War	20,317	9,643,811
6. Spanish-American War	200,490	147,968,209
7. Regular Establishment	57,468	24,962,020
8. World War I:		
Living veterans:		
Service connected	321,804	175,176,000
Non-service-connected	109,534	67,961,592
Emergency officers	2,388	3,933,120
Deceased veterans:		
Service connected	78,503	45,973,680
Non-service connected	216,623	144,982,560
Total, World War I	728,852	438,006,952
9. World War II:		
Living veterans:		
Service connected	1,711,348	771,401,526
Non-service-connected	19,899	6,610,648
Increased pension payments (Public Law 15)		55,002,042
Deceased veterans:		
Service connected	209,645	214,324,560
Non-service-connected	1,477	841,696
Total, World War II	1,942,369	1,048,180,472
10. Retired officers, Army of United States (other than Regulars)	37,328	78,228,212
Grand total	2,990,047	1,748,963,704
1947 funds to be used in fiscal year 1948		156,036,296
Total estimate		1,905,000,000

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. HENDRICKS. Mr. Chairman, I yield myself 15 additional minutes.

READJUSTMENT BENEFITS

The largest item in the bill is the sum of $2,148,337,000 for readjustment benefits for veterans, as authorized by titles II, III, and V of the Servicemen's Readjustment Act of 1944. As Members know,

this appropriation provides subsistence allowance and tuition for veterans receiving education and training, interest and guaranty losses on loans, and readjustment allowances to unemployed veterans. It is estimated that the number of veterans in training under the Readjustment Act will increase from 22,335 at the end of the fiscal year 1945 to approximately 628,000 by the end of the fiscal year 1947; that the number of loans guaranteed will increase from 12,228 in the fiscal year 1945 to 500,000 in the fiscal year 1947, and that readjustment allowances, which were paid to an average of 28,000 veterans during the last half of the fiscal year 1945 will increase to an average of 1,136,977 during 1947.

I have a more detailed break-down of this item in the form of a chart which I shall insert in the RECORD at this point.

Veterans' Administration estimate appropriation readjustment benefits (Servicemen's Readjustment Act of 1944) fiscal year 1947

Benefits:	Appropriation
1. Education:	
Subsistence allowance	$305,230,192
Tuition, fees, and supplies	265,307,700
Total, education	[1] 570,537,892
2. Loans:	
Interest	7,500,000
Guaranty losses	13,125,000
Total, loans	[2] 20,625,000
3. Readjustment allowances	[3] $1,190,724,686
Grand total	1,781,887,578
1947 funds to be used in fiscal year 1946	366,499,422
Total estimate	2,148,387,000

[1] Based upon an estimated average of 505,348 in training. It is estimated that 628,739 veterans will be receiving this benefit on June 30, 1947.

[2] Based upon the payment of the first year's interest for an estimated 500,000 loans to veterans and estimated losses on loans during fiscal year 1947.

[3] Based upon an estimated average of 1,136,977 veterans on the rolls.

NATIONAL SERVICE LIFE INSURANCE

The estimate of $169,535,000 for national service life insurance, which we have included in the bill, represents a very substantial reduction under the current year appropriation of $1,828,000,000 for that purpose, the reduction, of course, being due to the termination of the war, which has greatly reduced payments to meet obligations sustained by the fund incident to the extra hazards of military or naval service. It is interesting to note that over 18,000,000 applications for national service life insurance had been approved as of November 30, 1945, for approximately $141,000,000,000 of insurance. It is estimated that 30 percent of the discharged veterans having such policies will continue all or a portion of their insurance after return to private life.

I have just received the most recent figures from the Veterans' Administration with reference to this matter. The data is as follows:

National service life insurance	$169,535,000
As of November 30, 1945:	
Approved applications	18,136,347
Amount of insurance	$141,101,577,000
Average value per policy	$7,780
Average amount of insurance by lives	$9,267
Claims allowed	317,161

HOSPITAL AND DOMICILIARY FACILITIES

The last item under the Veterans' Administration to which I shall refer is the one for hospital and domiciliary facilities. The bill includes the Budget estimate of $147,442,500 for this purpose. Of this amount, $127,668,000 is to cover construction projects providing 13,422 additional beds, including the construction of 30 new hospitals. The sum of $19,774,500 is provided for major alterations. A break-down of these two items is set forth on page 822 of the hearings on the bill. A total of $242,820,000 was appropriated for hospital facilities during the fiscal year 1946. Upon completion of this construction work and including that provided for in this bill, the Veterans' Administration will have in excess of 142,000 permanent beds.

It is estimated that the peak load of hospitalization will not be reached until approximately 1970, at which time between 250,000 and 300,000 beds will be required. The beds provided for in this bill plus those for which funds are now available but not yet constructed, are considered the maximum that can be accomplished at this time or that can be staffed upon completion. The hospital-bed deficit that will exist prior to the completion of the present program will be made up by the use of beds in Army and Navy hospitals and by beds contracted for in private hospitals.

I also have a chart giving some statistics in connection with veterans' hospitals which I will insert in the RECORD at this point:

Veterans' Administration hospital and home beds to be available upon completion of projects for which funds are available or included in 1947 Budget estimates, Nov. 1, 1945 [1]

Item	Hospital				Home	Grand total
	Tuberculosis	Neuropsychiatric	General	Total		
Veterans' Administration hospitals and homes:						
1. Beds in operation [2]	7,546	43,247	21,347	72,140	13,641	85,781
2. Beds under construction	312	8,303	1,530	10,145	1,940	12,085
3. Beds not under construction but funds are available	2,709	9,711	18,224	30,644	353	30,997
4. Beds provided in 1947 Budget	300	5,492	7,330	13,122	300	13,422
Total	10,867	66,753	48,431	126,051	16,234	142,285
Other Government hospitals:						
5. Allocated to Veterans' Administration		70	23,407	23,477		23,477
Grand total	10,867	66,823	71,838	149,528	16,234	165,762

[1] Exclusive of Army and Navy hospitals which may be transferred to the Veterans' Administration.
[2] Exclusive of 11,633 emergency hospital and home beds.

That completes my explanation of the bill. I will be glad to answer any questions that I may be able to answer at this time.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield to the gentleman from Ohio.

Mr. BENDER. In the President's message to the Congress the other day he indicated that an over-all cut in civil functions and Government expenditures should be made; in fact, he indicated that the cut would be somewhere in the neighborhood of $7,000,000,000. I understand the Veterans' Administration appropriation involves some 87 percent of this Budget.

Mr. HENDRICKS. Eighty-seven and one-half.

Mr. BENDER. Of the other 12½ percent, what percentage of the cut is registered or indicated to conform with the President's message to Congress?

Mr. HENDRICKS. Aside from the Veterans' Administration the other 22 agencies were given a cut under the President's Budget estimate of about $43,000,000; in other words, we helped the President out a little further than he recommended by cutting it $43,000,000 less than the Budget recommended.

Mr. BENDER. What was the total recommendation as compared to that?

Mr. HENDRICKS. Outside of the Veterans' Administration it was about $663,000,000.

Mr. BENDER. Taking the gentleman's figures of $663,000,000, $43,000,000 was cut from $663,000,000.

Mr. HENDRICKS. That is the amount after the cut was made.

Mr. BENDER. What percentage is that of $663,000,000? Does that percentage conform to the over-all cut registered in the President's message?

Mr. HENDRICKS. I see what the gentleman means. We will have to take time to figure that out. I do not have it at the moment. If the gentleman cares to insert that percentage in the RECORD, he may do so.

Mr. BENDER. I thank the gentleman. I would like to. I am sure the gentleman will find that that does not anywhere near reach the percentage of cut as indicated or registered by the President's message. So if we are going to have cuts all along the line in civil functions, certainly it should be reflected in all of them, except possibly the Veterans' Administration.

Mr. HENDRICKS. Now the gentleman is on the subject. If we had allowed everything that the Budget requested in this bill, we still would have been within the President's estimate and within the cut that he suggested.

I am trying to point out to the gentleman that the total cut of $46,000,000 is below the President's Budget estimate, plus the cut that he suggested.

Mr. BENDER. What I am trying to find out is this: As to the estimate suggested by the Bureau of the Budget, the President's servant, how does that conform with the President's message that there will be an over-all cut of $7,000,000,000 for the coming year in civil functions?

Mr. HENDRICKS. I will answer that in this way. There are many appropriation bills that come in. Our committee is bringing in only one. However, my committee made exactly the cut which the President recommended plus $46,000,000; in other words, we cut the over-all reduction proposed in the President's Budget by $46,000,000. Does the gentleman understand that now?

Mr. BENDER. If that is correct, I commend the gentleman.

Mr. HENDRICKS. That is correct.

Mr. McGREGOR. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield to the gentleman from Ohio.

Mr. McGREGOR. I am sure we all appreciate the splendid work and the hard work the gentleman's committee has done on this bill. I should like to have a little information with regard to the Veterans' Administration. On page 43 we find the allocation for hospitals is $147,442,500. I wonder if the gentleman's committee has any information on the number of hospitals that are expected to be constructed by the Veteran's Administration.

Mr. HENDRICKS. That will be found in the hearings. I do not recall the number at this time. However, they are listed. This appropriation is required for the construction of those hospitals. The gentleman will find it on page 854 of the hearings.

Mr. McGREGOR. I note in conversation with General Hawley and some of his staff that the Army has turned back to the Government in the surplus department a large number of hospitals. The Veterans' Administration was given the first opportunity to obtain these hospitals. On checking with General Hawley, we find that he is not taking over certain hospitals. The first reason he gives is that they were of only temporary construction. Then when the basic construction of those hospitals was called to his attention, the reason was given that they could not find personnel to operate them. I am wondering what logic we can derive from that kind of an argument, when they are turning back to the surplus division hospitals that are now constructed and that have been occupied for some months or years, and at the same time ask us for money to be appropriated for new hospitals. If they cannot find personnel to operate adequately the hospitals that are now available, that are now being used by the Army, when can they find the personnel to operate the hospitals that they expect to construct?

Mr. HENDRICKS. I do not suppose they have any hope of completing this construction program before, probably, 1947. By that time, under the Hospital Corps bill which we have passed, they will have the necessary personnel to operate them. But going back to the gentleman's question, on page 898 the gentleman will find a list of the Army and Navy hospitals which are available, and also the list of those which they will use and those which they have rejected. I may say that we had many questions brought up about this problem. The Hospitalization Board say that they have gone over these hospitals. Some of them are of proper construction and some of them should be used. They are all right. But some of them cannot be used. A question arises between certain localities and the hospitalization board as to whether they are correct in their conclusions. That was brought up and discussed thoroughly in the full committee yesterday, and the full committee passed a resolution that we would investigate these hospitals to see which ones are available.

There are nearly $1,000,000,000 worth of Army and Navy hospitals. As I recall, some time ago the Hospitalization Board said they would confer with the Army and Navy—in fact, they have representatives on the Board—to see if these hospitals are of such construction that they can be used for veterans' facilities. I know some of them are not. I have many in my State. Of course, every community wants the Veterans' Administration to take over those hospitals. I am not satisfied to have the veterans go into some of those hospitals. They must be of permanent construction. On the other hand, we have some evidence that they have passed over hospitals which would be suitable for the veterans' facilities. However, we are not going to pass judgment at this moment, or until we have made a thorough investigation, and the committee has passed a resolution regarding that.

Mr. McGREGOR. I take this opportunity to thank the gentleman and his committee for going into that matter and determining for themselves what should be done before this money is finally appropriated, because I cannot help but feel that a large number of the hospitals are available. One in particular, the Fletcher General Hospital, in Cambridge, Ohio, which I may say is not in my district, is of permanent construction, the beds are there, and it is in operation. Still the Veterans' Administration seems to be willing to turn it over to the surplus group, and it is going to be available for use by somebody else.

I thank the gentleman very much for his statement.

Mr. HENDRICKS. That will be thoroughly investigated.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield to the gentleman from New York.

Mr. EDWIN ARTHUR HALL. I commend the gentleman for his work on the committee and also the committee for the work they have done. May I ask if there is any truth in the report I heard yesterday that two or three prominent hospitals which have been devoted entirely to veterans' work in up-State New York are going to be closed?

Mr. HENDRICKS. We have no information on that whatever, but we will get that information through our investigation.

Mr. EDWIN ARTHUR HALL. According to the information that I had, it was planned to cut off one of the largest veterans' hospitals in my section of the country from all funds from the Veterans' Administration and to close it entirely.

Mr. HENDRICKS. Would the gentleman mind naming that particular hospital? We may have something on that.

Mr. EDWIN ARTHUR HALL. According to the information, it was the Rhodes General Hospital at Utica, N. Y.

Mr. HENDRICKS. No, we have no information on that, but we did discuss Halloran Hospital.

Mr. EDWIN ARTHUR HALL. I know the gentleman will agree with me when I say that this ought to be very carefully considered before a single hospital devoted to veterans is closed anywhere in the country. I know the gentleman will agree with me on that.

Mr. HENDRICKS. I do. On page 899 of the hearings you will find that Rhodes Hospital at Utica, N. Y., is regarded as not suitable. The investigation will go into that.

Mr. EDWIN ARTHUR HALL. May I say to the gentleman that I am going to protest loudly over that because it is one of the most tragic things that has ever happened to upstate New York. If I may be permitted to amplify this matter by a sentence or two, may I say that in the first place that hospital takes care of all of the central part of New York State. There is no other hospital that veterans can possibly go to in the entire section. In my own triple cities area in my district, the boys who come from there depend entirely upon the Rhodes General Hospital for the attention that they have had. I cannot understand it and I am going to protest loudly about it.

Mr. HENDRICKS. May I repeat to the gentleman that the special investigation will go into that?

Mr. EDWIN ARTHUR HALL. I appreciate that very much.

Mr. HENDRICKS. I yield to the gentleman from Ohio.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. HENDRICKS. Mr. Chairman, I yield myself 10 additional minutes.

Mr. WEICHEL. With reference to a cut in the Veterans' Administration funds, there is one particular matter that I do not quite understand. Back in 1941, when the war began, there was a Board of Hospitalization. Now, it is 1946—5 years have gone by, and there are no hospitals built. In northern Ohio where an investigation was made, it was revealed that there were more than 15,000 psychopathic cases walking the streets in that section of the country and no new hospitals have been built for the physical care of veterans in Ohio which has sent a great number of its men into the services. It seems to me that any cut in the Veterans' Administration funds should be protested in view of the situation which is so deplorable in Ohio and which I am afraid exists in every State in the Midwest.

Mr. HENDRICKS. May I explain to the gentleman that the cuts in the Veterans' Administration do not affect any hospitalization program whatever. The Veterans' Administration is going ahead with their construction program in hospitals. During the war they did not construct hospitals because then the veterans were taken care of by their present facilities and those who returned as casualties were taken care of in the Army and Navy hospitals.

Mr. WEICHEL. I do not quite understand what the cut is.

Mr. HENDRICKS. The cuts do not affect hospitals at all.

Mr. WEICHEL. How many millions of dollars are involved?

Mr. HENDRICKS. Three million dollars.

Mr. WEICHEL. In general, what would that money be for?

Mr. HENDRICKS. In regard to public relations, and 500 field contact offices.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield.

Mr. DONDERO. Up in Butler, Pa., there is a veterans' hospital known as the Deshon Hospital. I understand that it cost $6,000,000 and has been used exclusively for the care of veterans. I have been to that hospital. I understand now that it is proposed, at least according to the information I obtained a week ago Saturday, while I was at Butler, Pa., to abandon that hospital and build another hospital 10 or 15 miles north of Butler, Pa. I wonder if the gentleman has any information with reference to that hospital.

Mr. HENDRICKS. The record shows that that hospital is not going to be used, sir, and we will be glad to look into that.

Mr. DONDERO. The Deshon Hospital at Butler, Pa., is a magnificent hospital and I cannot understand why it would be abandoned. The hospital is not in my State and, of course, is not in my district, but I do happen to know about the hospital.

Mr. HENDRICKS. We will be glad to look into it.

Mr. KELLY of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield.

Mr. KELLY of Illinois. The gentleman has stated the peak of veterans' hospitalization will be around 1970.

Mr. HENDRICKS. Yes, sir.

Mr. KELLY of Illinois. I presume that is predicted upon a survey that has been made by the Veterans' Bureau, or some authority, based upon what happened after the last World War, when they said the peak of hospitalization would be around 1945. I think for the next 4 or 5 years there will be greater need for hospitalization of veterans than in 1970.

Mr. HENDRICKS. I doubt that, according to the statistics following the other war. But in any event, it is merely an estimate. We cannot pin them down.

Mr. Chairman, I want to discuss for a moment some matters regarding veterans. I think it is proper because we are discussing the Veterans' Administration.

BENEFITS TO VETERANS AND SURPLUS PROPERTY DISPOSAL

Now, Mr. Chairman, I wish that I had a great deal of time to discuss the benefits which will accrue to veterans under the GI bill of rights and more time still to discuss the deplorable situation in regard to surplus property. However, I will say only a few words here, and I feel they are proper since we are discussing veterans' affairs, and lay the precedent for what I shall have to say at a later date, at which time I hope to give the House further information. When we passed the GI bill of rights we thought we had a good bill. We discovered later that we had to amend it and we may have to amend it still further. However, the recent amendments did strengthen the measure somewhat. They extend from 2 to 4 years the period in which a course can be initiated and the time limit of training from 7 to 9 years. They strike out the 25-year age limit on a presumption of interruption of education. They also increase subsistence allowances from $50 to $65 for a single veteran in school and from $75 to $90 for a married veteran. In addition we increased benefits for disabled veterans taking vocational training from $105 graduated upward according to the number of dependents. We also corrected many errors in the loan provision and the housing provisions of the bill. We increased the guarantee on loans for real estate from $2,000 to $4,000 and provided that the interest may not exceed 4 percent. We also omitted the word "normal" from the phrase "reasonable normal value" in connection with appraisals and broadened the terms of the act so that loans can be made for every ordinary farming purpose. I think that these amendments do help the veteran although we may have to make further amendments to the bill.

Insofar as the Surplus Property Act is concerned, I can make no favorable comment in its application to a veteran. I may say that I have had an assistant helping me to look into the matter. The reason I secured his services was because of the many protests coming to me, not only through the mails but also from individual veterans and groups of veterans when I have been in my district. I may also say that I find that their complaints are justified in every respect. This Surplus Property Act and its administration, so far as applicable to the veteran, is the most cruel and disheartening thing that a veteran has to face at this time. Just one or two instances here, and, as I said, I will discuss these later. The process that a veteran has to go through to purchase any item of surplus property is astounding within itself. Without discussing the matter thoroughly, he has to go through seven different steps in the course of which he may have to travel hundreds of miles and spend many of his hard-earned dollars. At the end of this maze, if he is able to get through it, he then is faced with another problem. I recently received a bulletin from the Smaller War Plants Corporation, in which they set forth the procedure on certain surplus vehicles, and in this bulletin they first set the date of January 14 as an inspection period when a veteran could go and inspect the vehicles. They next set the date of January 21 when Federal agencies may exercise their priority and purchase, third they set the date of January 22 and 23 when State and political subdivisions thereof can exercise a second priority and purchase, and they set the date of January 24 and 25 at which time the veterans may purchase if there is anything left. This within itself is cruel.

The veteran goes through this maze first to be certified. Then he expends his money to report at some place of sale, hundreds of miles away on January 14 for inspection purposes. He sees the vehicles there and in all probability makes his choice. Then without much question in my mind, when he returns on January 24 and 25, the date set for him to purchase, the vehicles are all sold and he has no choice. Why even let the veterans see these vehicles until some are available for him to purchase? Why not have the Federal agencies and the State agencies and subdivisions thereof first make their purchases and then if there is anything available to the veteran let him go and see what he can get and take it. Do not perpetrate this cruel hoax upon him of having him go there, look at the property, and then not be able to get it.

Why not have the Federal agencies and States and subdivisions thereof make their purchases before a veteran ever sees the property? In fact, I would say, Why not give the veterans priority second only to the Federal Government. This is an example which actually happened in my State and it is happening everywhere.

I had a call recently from a veteran and he told me that he and his brother had decided to go into the trucking business and they set out to purchase a 2½-ton truck. They went through this process of being certified and then they went to at least three places, hundreds of miles apart, without being successful in purchasing a single vehicle. They then were given notice of a sale of vehicles at another place miles away and this veteran went and talked with officials in charge of sales and asked them what day the vehicles would be for sale. He was given a date and an hour. Upon that date and before the hour arrived he was at the place of sale and was one of the first to enter upon the lot where the vehicles were stationed. He reported to me that he made choice after choice and came down to the last vehicle and invariably he was told, "That one is sold." He then asked the official in charge how they could be sold when he was informed they were only open for sale that morning. The official never answered.

I have another case in my own State where a veteran wanted to purchase surplus tires for sale. He was told that only a certain amount were allotted to that particular district, and when he returned to his home town he discovered that many thousands more than that particular allotment stated to him had been sold to private dealers in that same district. I have many other cases I can bring to your attention but time will not permit.

I would like to make three concrete proposals:

First. That the President of the United States by Executive order freeze all surplus property aside from that taken on a No. 1 priority by the Federal Government and a No. 2 priority by States and subdivisions thereof, and keep it frozen until proper regulations have been worked out whereby a veteran will have a chance to get surplus property;

Second. That the Congress of the United States immediately pass legislation giving to the veterans a No. 2 priority on all surplus properties except that which clearly could not be used by a veteran; and

Third. I would like to urge that the Rules Committee of the House of Representatives report House Resolution 305 as introduced by Mr. SLAUGHTER, for a complete and thorough investigation of the entire surplus property disposal program.

I think if such an investigation as recommended by this resolution is carried out that there is not any doubt but that the Congress will find that this program smells to high heaven. I sincerely feel, from the information that I have been able to obtain, that some people in this country are making huge profits on property which by all means should be sold to the veteran. I hope at a later date to discuss these problems in detail.

Mr. HENDRICKS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back 2 minutes.

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 20 minutes.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 20 minutes.

Mr. WIGGLESWORTH. Mr. Chairman, the record of these hearings show that, as the result of the war, crackpot theories, gross waste, and extravagance during the past 13 years, we are confronted today with a public debt unparalleled in our history.

THE NATIONAL DEBT

Figures furnished at my request by the Bureau of the Budget show, as of November 30, 1945:

A gross public debt over	$265,000,000,000.00
Unliquidated obligations over	43,000,000,000.00
Contingent liabilities (guaranteed obligations and insurance) over	342,000,000,000.00
Or a gross public debt and contingent liabilities of	650,981,012,214.95

If we correct the gross public debt figure to December 29, 1945, in accordance with the Treasury daily statement, we arrive at a total gross public debt and contingent liabilities of $663,753,721,386.75, or almost two-thirds of a trillion dollars, and greatly in excess of our estimated national wealth.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. Briefly.

Mr. ROBSION of Kentucky. I would like for the gentleman to give briefly the major items that make up this total sum of more than $340,000,000,000 of contingent liabilities.

Mr. WIGGLESWORTH. Mr. Chairman, in reply to the gentleman I will say that under leave to extend my remarks I intend to insert at this point in the RECORD a table prepared for me in this connection, giving detailed figures for today as compared with figures furnished me by the Budget Bureau a year ago. I am confident this table will completely answer the gentleman's question.

THE PUBLIC DEBT AND CONTINGENT LIABILITIES, 1944–45

According to data furnished the House Appropriations Committee by the Budget Bureau in connection with, and as part of, the hearings on the independent offices bill, 1946, the gross public debt and contingent liabilities of the United States at or near the end of the calendar year 1944 were as follows:

Direct public debt (at Dec. 31, 1944)	$230,630,233,709.36
Contingent liabilities of the United States (at Dec. 31, 1944)	24,548,752,812.62
Unliquidated obligations incurred against appropriations and contract authorizations, Nov. 30, 1944	67,057,064,000.00
Total guaranteed loans	6,545,526,493.00
Insurance in force	308,116,643,131.00
Total gross debt and contingent liabilities	636,898,220,145.98

(See hearings, independent offices bill, 1946, p. 1298, and Appendix of the RECORD, vol. 91, pt. 13, p. A7504.)

According to data furnished by the Budget Bureau to the House Committee on Appropriations in hearings on the independent offices bill, 1947, the gross public debt and contingent liabilities at or near the end of the calendar year 1945 were as follows:

(1) Direct public debt at Nov. 30, 1945:	
Interest-bearing debt	[1] $263,041,363,408.48
Matured debt on which interest has ceased	208,664,920.26
Debt bearing no interest	2,091,794,599.98
Total gross public debt	265,341,822,928.72
(2) Contingent liabilities at Nov. 30, 1945:	
Obligations guaranteed by United States	552,650,573.77
Obligations issued on credit of United States:	
Tennessee Valley Authority	3,300,000.00
Funds due postal-savings depositors	2,794,957,642.00
Federal Reserve notes (face amount)	[2] 23,454,159,988.46
(3) Unliquidated obligations incurred against appropriations and contract authorizations	[3] 43,257,946,000.00
(4) (a) Description of guaranteed loans by U. S. Government agencies at Sept. 30, 1945:	
Guaranteed loans outstanding:	
Insured housing loans:	
Primarily for repair, alteration, or improvement of property—title I insurance	81,623,544.00
Secured by mortgages on structures designed primarily for residential use:	
Loans to improve housing standards and conditions—title II, insurance: Small home mortgage insurance	2,749,437,137.00
Multifamily structures, for rental occupancy	87,803,076.00
War housing insurance—title VI, insurance	1,507,012,821.00
Guaranteed war production and termination loans—V-loans:	
War Department	675,721,495.00
Navy Department	237,048,092.00
Maritime Commission and War Shipping Administration	4,105,337.00
(4) (a) Description of guaranteed loans by U. S. Government agencies at Sept. 30, 1945—Continued	
Guaranteed loans secured by agricultural commodities	$480,782,676.00
Agreements to participate in loans by commercial banks to business enterprises:	
Reconstruction Finance Corporation	63,620,197.00
Smaller War Plants Corporation	44,868,302.00
Acceptances and loans by private banks under "take-out" agreements with Export-Import Bank	88,362,617.00
Guaranteed loans to veterans of World War II under Servicemen's Readjustment Act, 1944:	
Home loans	36,604,738.00
Business loans	1,824,732.00
Farm loans	585,001.00
Guaranteed premiums on life-insurance policies and guaranteed interest on loans to military personnel under Soldiers' and Sailors' Relief Act, 1940	14,000,000.00
(Total guaranteed loans outstanding, $6,073,399,165.)	
(4) (b) Description of insurance by United States agencies at Sept. 30, 1945:	
Insurance in force:	
Life insurance:	
U. S. Government life insurance	2,440,995,416.00
National life insurance	125,489,287,661.00
Property insurance—War Damage Corporation	119,333,000,000.00
Marine and war-risk insurance—War Shipping Administration	2,294,709,840.00
Insurance of bank deposits and savings and loan association accounts and creditor obligations:	
Deposits in commercial banks insured by Federal Deposit Insurance Corporation	[4] 55,000,000,000.00
Savings and loan association share accounts and creditor obligations insured by Federal Savings and Loan Insurance Corporation	4,044,792,000.00
(Total insurance in force, $309,502,784,917.)	
Total gross debt and contingent liabilities	650,981,021,214.95

[1] Includes prepayments of public issues certificates of indebtedness, series K-1946, issued as of Dec. 3, 1945, $191,971,000.
[2] As of Oct. 31, 1945; not available for Nov. 30, 1945.
[3] As of Sept. 30, 1945; not available for Nov. 30, 1945.
[4] As of June 30, 1945; not available for Sept. 30, 1945.

(See House Appropriation Committee hearings independent offices bill, 1947, pp. 50-52.)

As appears from the Daily Treasury Statement for December 29, 1945, the gross public debt at that date was $278,114,523,100.52. So, moving the Budget Bureau data up to that date, the picture is:

Gross public debt at Dec. 29, 1945	$278,114,523,100.52
Contingent liabilities at Nov. 30, 1945, including obligations guaranteed by United States and obligations issued on credit of United States, as reported by Budget Bureau, supra	26,805,068,204.23
Unliquidated obligations incurred against appropriations and contract authorizations, reported by Budget Bureau, supra	43,257,946,000.00
Loans of Government agencies guaranteed by United States at Sept. 30, 1945, as reported by Budget Bureau, supra	6,073,399,165.00
Insurance in force by U. S. Government agencies at Sept. 20, 1945, as reported by the Budget Bureau, supra	309,502,784,917.00
Total gross public debt and partial contingent liabilities at or near the end of the calendar year 1945	663,753,721,386.75

This is not all, Mr. Chairman. We are confronted with a further deficit for the fiscal year 1946, during 10½ months of which we have been at peace, estimated at almost $30,000,000,000, and by a Budget for the fiscal year 1947 of almost $36,000,000,000, or 40 percent in excess of the postwar figure suggested by the Director of the Bureau of the Budget and

over four times our prewar Budgets as reported by President Truman.

Mr. Chairman, the Director of the Bureau of the Budget, by his own admission, is the "right arm of the President" in budgetary matters. He speaks for the President in respect of every appropriation. Almost no appropriation is acted upon without his recommendation.

Attention is invited to the testimony of the Director of the Bureau of the Budget, appearing in the hearings of the committee on this bill, particularly on pages 50–58. There you will find a picture which, to me, is highly discouraging; for, unless the President both speaks and fights for economy, there will, in my opinion, be no real economy.

You will note that the Director of the Budget Bureau exhibits both individual and official concern over the enormous public debt and contingent liabilities. Nevertheless he admits that a majority, if not essentially all agencies except strictly national defense and war agencies, will, with his approval, representing President Truman, request increased appropriations for 1947 over 1946. To my mind that admission is shocking.

I have had no opportunity for detailed study of the 1947 Budget. Figures furnished the gentleman from South Dakota [Mr. CASE] by the Budget Bureau, however, indicate the following comparisons among others:

Department or agency	1939 appropriations	1946 appropriations	Truman's 1947 Budget
Legislative department	[1] $22,044,288	[1] $51,876,084	[1] $53,464,289
Judiciary department	9,456,444	14,410,400	16,584,330
Independent offices	889,049,725	4,659,485,137	6,018,161,050
State Department	19,714,635	90,139,314	146,705,100
Department of Agriculture	[2] 1,165,320,588	749,893,856	721,460,282
Department of Commerce	42,653,538	93,044,725	165,336,000
Department of Interior	212,285,599	234,077,635	353,601,560
Department of Justice	49,324,575	94,989,010	96,771,050
Department of Labor	14,245,879	69,772,969	128,661,500
Treasury Department	1,247,513,541	8,350,408,854	7,517,610,697

[1] Includes Government Printing Office: 1939, $4,270,000; 1946, $24,200,000; 1947, $24,200,000.
[2] Excluding Bureau of Public Roads, $125,030,000.

It will further be noted, Mr. Chairman, that, under present plans and unless Congress acts, those on the Federal pay roll as of June 30, 1946, will number 2,000,000, twice the prewar figure; and that those on the Federal pay roll at June 30, 1947, will number 1,600,000—and that is in addition to some 763,000 civilian employees on the pay roll outside the continental United States.

It will be also noted how little has apparently been done with a view to eliminating overlapping and duplication of functions in numerous agencies. The Comptroller General has stated that there are no less than 29 Government agencies lending Government funds; 3 insuring deposits; 34 in the acquisition of land; 16 in wildlife preservation; 10 in Government construction; 9 in credit and finance; 12 in home and community planning; 10 in materials and construction; 28 in welfare matters; 14 in forestry matters; 4 in bank examinations; and 65 in gathering statistics. Under the Reorganization Act recently passed by the Congress, the responsibility for eliminating this condition is placed squarely on the shoulders of the President.

Several years ago the Budget Bureau furnished me with a detailed statement, by department and agency, of those engaged in publicity or propaganda work. That statement showed some 35,000 persons engaged full or part time in this work. A summary statement, hastily prepared by the Bureau of the Budget since the close of the hearings on this bill, shows a total of at least 45,778 persons now employed full or part time on publicity or propaganda work of every kind or description.

Under leave to extend my remarks, I include at this point a copy of the summary mentioned:

STATEMENT ON COSTS OF EDUCATIONAL, INFORMATIONAL, PROMOTIONAL, AND PUBLICITY ACTIVITIES

The information requested is as follows:

Employment in educational, informational, promotional, and publicity activities of the executive branch of the Federal Government for the fiscal year 1946 is estimated as follows: Full-time employees 23,000; employees devoting more than 1 week but less than their full year to these activities 22,769; total man-years of both full-time and other employee service in these activities 14,756.6; total estimated expenditures for personal service and other obligations $74,829,467.

Early in 1941, at the committee's request, the Bureau of the Budget undertook a comprehensive survey of expenditures for these purposes throughout the executive branch. That survey required several months and its results were reported to the chairman of the House Committee on Appropriations under date of June 25, 1941.

It has not been possible, within the time available, to make a similarly thorough study in response to the immediate request, and the figures above given are merely the totals of estimates hurriedly furnished the Bureau of the Budget by the various operating agencies.

Following is a definitive list of the activities included within the scope of the estimates:

Publications: All published material, exclusive of administrative forms, stationery, and official circular letters or other correspondence. The amounts of expenditures include all costs following the initiation of the preparation of the manuscript or layout.

In addition to the above instructions the reporting units were orally advised to exclude: (1) printed confidential reports; (2) printed material not for public distribution but filed in the agency; (3) printed material made available to parties in litigation, where not for public distribution. The Tariff Commission and the Interstate Commerce Commission were permitted to account for expenditures for their reports in such manner that costs would begin with editorial handling rather than with the initiation of the preparation of the manuscript or layout. Costs for research work, incident to the writing of a report, have been eliminated.

Press service: Preparation of material, including illustrations and matrices, for newspapers, periodicals, or other non-Federal publications, and distributing same either through the mail, personal interview or other means; interviews with representatives of the press, or other non-Government publications, etc.

Radio broadcasting: Preparation of material for broadcasting purposes; correspondence and personal contacts with broadcasting company representatives; payments for radio time; and the salaries and expenses of Government employees when engaged in broadcasting.

Group contacts: Salaries and expenses of employees incident to attendance at meetings of nongovernmental groups or organizations, whether or not addresses are made. If addresses are made, includes the time and cost of such time spent in the preparation thereof.

Paid advertisements: Salaries and expenses of employees engaged in the preparation of the ad and cost of the ad space. Does not include costs chargeable to posters, or costs for advertising the sale or disposal of Government property.

Exhibits: All costs incident to the preparation, installation, dismantling, transportation and circulation of exhibits, also the time, salaries, and expenses of employees attending exhibits when on display.

Motion pictures: All costs involved in the production, maintenance, and circulation of motion pictures, excluding reels prepared for internal use in personnel training or research programs.

Lantern slides and lecture material: All costs incident to the preparation, maintenance, and circulation of lantern slides, film strips, and prepared lectures.

Photography: All costs involved in the preparation, maintenance, and distribution of still photographs to non-Federal agencies. Excludes still photographs for scientific or administrative purposes.

Correspondence: All correspondence with non-Federal agencies, organizations, institutions or individuals relating to educational, informational, promotional, or publicity activities.

Individual contacts: Contacting individuals regarding the activities concerned; i. e., individual officers of organizations, institutions, citizens, and public officials. Does not include costs reportable under "Group contacts" and "educational cooperation with schools, and civic or special-interest organizations."

Educational cooperation with schools, and civic or special interest organizations: All costs incident to the introduction of special subjects into school curricula, lecture courses given by Government employees on official time and expenses, etc.

Posters: All costs incident to the production and distribution of posters which do not involve paid advertisement space.

Miscellaneous and other: All costs not correctly chargeable to any of the above items.

It should be emphasized that the foregoing activities have never, except in isolated instances, been distinctively treated in the accounting, budgeting, or appropriating systems and procedures of the Federal Government. As pointed out in the 1941 report on this subject, there are found in almost every public service activity public relations aspects which require the use of publicity, education, information and promotion as ordinary working tools, inseparable from other means and methods. One of the major purposes for which the Department of Agriculture was created is to diffuse among the people of the United States useful information on subjects connected with agriculture,

in the most general and comprehensive sense of that word. The administration of regulatory statutes, the postal service, the financing of the Treasury, the advancement of public health, the protection of natural resources, all would be seriously handicapped without the full use of publicity.

The fact remains that the publicity set-up of this Government cannot be successfully or accurately segregated or isolated from the other elements of countless governmental functions of which publicity is an essential integral part. The Bureau of the Budget's objective in this matter is to eliminate abuse of publicity media as tools of executive management. The only sound approach lies in constant particularized examinations of each operation of Government with a view to correction of abuses if or whenever or wherever they are found.

Estimated expenditures for educational, informational, promotional, and publicity activities, executive branch of the Federal Government, fiscal year 1946, by departments and agencies

Department or agency:	*Total expenditures*
Total, executive branch	$74,829,467
Executive Office of the President	8,154,021
White House	6,103
Bureau of the Budget	165,700
Office for Emergency Management:	
Civilian Production Administration	172,000
Committee on Fair Employment Practice	3,370
Foreign Economic Administration	[2] 15,175
Alien Property Custodian	121,000
Office of Defense Transportation	207,000
Office of Inter-American Affairs	[2] 886,178
Office of Scientific Research and Development	6,800
Office of War Information	[1] 3,772,095
War Shipping Administration	157,000
Office of Price Administration	2,572,000
Petroleum Administration for War	69,600
Independent establishments	2,627,808
American Battle Monuments Commission	0
Civil Service Commission	204,000
Employees' Compensation Commission	9,000
Export-Import Bank of Washington	6,700
Federal Communications Commission	24,363
Federal Deposit Insurance Corporation	4,650
Federal Power Commission	75,266
Federal Trade Commission	27,417
Interstate Commerce Commission	43,000
National Advisory Committee for Aeronautics	171,000
National Archives	19,400
National Capital Housing Authority	500
National Capital Park and Planning Commission	0
National Labor Relations Board	21,400
National Mediation Board	3,063
Office of War Mobilization and Reconversion	$292,000
Office of the Director	180,000
Office of Contract Settlement	22,000
Surplus Property Administration	90,000
Railroad Retirement Board	17,300
Securities and Exchange Commission	91,000
Selective Service System	19,500
Smaller War Plants Corporation	279,100
Smithsonian Institution	134,000
National Gallery of Art	24,850
Tariff Commission	25,000
Tennessee Valley Authority	245,000
The Tax Court of the United States	30,728
U. S. Maritime Commission	199,000
Veterans' Administration	660,571
Federal Loan Agency	331,167
Federal Security Agency	2,043,988
Federal Works Agency	89,295
National Housing Agency	343,616
Department of Agriculture	9,295,700
Department of Commerce	2,003,212
Department of Interior	387,569
Department of Justice	199,000
Department of Labor	1,440,641
Navy Department	704,000
Post Office Department	11,960
Department of State	30,377,000
Treasury Department	11,104,800
War Department	[3] 5,715,690

[1] To date of liquidation.
[2] Liquidated in part during 1946 fiscal year.
[3] Exclusive of pay and allowances of military personnel.

I may add in this connection that, among other things, the summary does not include advertising by private concerns said to run into hundreds of millions of dollars, the cost of which is allowed such concerns as deductions in their income-tax returns, on the theory that the advertising is a necessary business expense. Much of this advertising would appear to constitute further Government publicity or propaganda.

In my opinion, Mr. Chairman, the enormous governmental propaganda set-up is not only a gross waste of the people's money, but, over and beyond that, makes for the destruction of the proper exercise of the legislative functions of the Government. The law—title 5, section 54, United States Code—specifically provides that—

> No money appropriated by any act shall be used for the compensation of any publicity expert unless specifically appropriated for that purpose.

Departure from the philosophy underlying that law, coupled with the surrender, in large measure, of control of the pursestrings by the Congress, leads inevitably to the domination of Congress and the people by the executive branch of the Government. Government work, efficiently performed, needs no paid propaganda campaigns.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from New York.

Mr. TABER. If there are 45,000 of these people and the pay-roll cost would average at least $4,000 apiece, and the other costs would run 50 percent more than that, you would have a total cost of $250,000,000 for this particular operation.

Mr. WIGGLESWORTH. The cost is certainly enormous and is largely unjustified, in my opinion. Moreover, I question very much if the maximum over-all picture is shown in the statement I have just included in the RECORD in this connection.

Mr. Chairman, the war is over. It is time to call a halt to bureaucratic waste, extravagance, and deficit spending. The most important domestic problem confronting us at this time is the problem of putting our financial house in order. Unless this is done, a solution of other major problems is impossible; price control becomes impracticable; increased wages become meaningless; substantial reduction in taxation will not be considered; national bankruptcy will follow. If we, as a Nation, are to escape financial disaster, the Congress must resume control over expenditures; the propaganda army of 45,778, recognized by the Bureau of the Budget as a tool of executive management, must be disbanded; expenses must be slashed; we must live within our income; we must adopt an over-all program to that end and adhere to it.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from New York.

Mr. EDWIN ARTHUR HALL. While I concur wholeheartedly with the position the gentleman and the committee have taken regarding cutting a lot of Government expenditures, I wonder if the gentleman would enlighten me, if he can, as to why the policy was inaugurated to abandon several important veterans' hospitals in upstate New York and other places.

Mr. WIGGLESWORTH. May I say to the gentleman I would rather deal with the Veterans' Administration when I get to it, but, briefly speaking, as I understand General Bradley's viewpoint, it is that the location of hospitals for our returning veterans should be determined largely in the light of the possibility of staffing those hospitals. With that end in view, it is his over-all plan to concentrate hospitals, insofar as possible, near medical centers, so that the best medical talent in America can be readily available for the hospitals which are to be used.

Mr. EDWIN ARTHUR HALL. Can the gentleman tell me whether there is going to be any attempt on the part of the committee to investigate individual cases of hospitals abandoned, such as the one I have in mind, which embraces an area of almost a million people and the homes of several hundred thousand veterans, who will be sadly affected if such a hospital is discontinued?

Mr. WIGGLESWORTH. There is in contemplation an investigation of hospitals which might possibly be utilized in addition to those now in contempla-

tion. I might suggest that the gentleman from New York bring the specific instance which he has in mind to the attention of the chairman of the committee.

Mr. EDWIN ARTHUR HALL. I will do that. I thank the gentleman.

Mr. WIGGLESWORTH. The total direct appropriations in this bill, recommended by the Bureau of the Budget on behalf of the President, amount to over $5,640,000,000, or $1,376,000,000 more than for the current fiscal year, and over $2,136,000,000 more than for the fiscal year 1939, just prior to the war. If the appropriation for Federal Works Administration in the fiscal year 1939 had been the same as that recommended for that agency in fiscal 1947 the over-all total for the fiscal year 1947 would exceed the total for fiscal year 1939 by $4,600,000,000.

While an increase of $1,240,000,000 is in respect to the Veterans' Administration, there is also an increase of about $136,000,000 in respect to other agencies, the great majority of the agencies showing an increase over appropriations for the current fiscal year, many of them reflecting the highest appropriations ever recommended.

The committee has reduced the total by about $46,730,000, but the bill still carries, after allowance for pay increase under Public Law 106, an increase of about $1,258,000,000 as compared with the current fiscal year, and about $2,090,000,000 as compared with the fiscal year 1939.

I regret that this bill should show any such increase, outside of the Veterans' Administration. In my opinion, as a matter of policy, we should not only strive to eliminate increases as compared with the current fiscal year, but to cutback wherever possible at least to prewar figures.

In the limited time remaining, I shall comment briefly on several of the agencies provided for in this bill.

THE BUREAU OF THE BUDGET

In his combined budget and state of the Union message, the President correctly said that "a quarter century ago," Congress decided it "could no longer consider the financial programs of the various departments on a piecemeal basis." He also very properly observed that:

> The bigger and more complex the Federal program, the more necessary it is for the Chief Executive to submit a single budget for action by the Congress.

The Budget and Accounting Act requires that all estimates for a given fiscal year be submitted at the same time, except that deficiency estimates may be submitted when necessary on account of laws enacted after the submission of the budget, or otherwise in the public interest, with required explanations for their being omitted from the regular budget. This law has not been complied with for a number of years, and the budget estimates have been submitted piecemeal, without the required explanation or justification. The same practice continues to some extent for the fiscal year 1947.

The Budget and Accounting Act also provides that personnel requirements shall be shown in parallel columns stating, first, the number of persons expected to be employed in the fiscal year for which funds are requested, with the salaries to be paid them; second, the number of persons estimated to be employed in the current fiscal year, with their salaries; and, third, the number of persons actually employed, and the salaries paid them, during the next preceding closed fiscal year. That law has not been complied with for a number of years. It is not complied with in the Budget for the fiscal year 1947.

The Bureau of the Budget desires $411,530 for the operation of the Office of Government Information Service, recently transferred from the Office of War Information, and originally known as Mellett's madhouse. Regardless of the merits or demerits of this Service, it has absolutely no place, in my opinion, in the Bureau of the Budget. It should be climinated.

CIVIL SERVICE COMMISSION

The committee has allowed the Civil Service Commission an increase of $115,500 over the Budget recommendation. This results in an over-all decrease of about $3,300,000 as compared with the current fiscal year, if the so-called national defense item for this year be included in the appropriation for the fiscal year 1947. The committee has reduced every project except project 1, to a total of $528,500, transferring this saving, with the increase of $115,500 to project 1, to permit of the examination and placement of 300,000 veterans, 100,000 more than proposed by the Budget.

The total for the agency shows, however, an enormous increase of about 400 percent as compared with prewar figures. The over-all must be reduced in the future.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Illinois.

Mr. VURSELL. I believe the gentleman from Massachusetts, a member of the Committee on Appropriations, must hold the thought, from long experience, that we cannot reduce the now level of 3,000,000 people on the Federal pay roll in any other way except by withholding appropriations. I am wondering if the gentleman feels when the bill comes to the floor of the House there may be a chance for reduction yet, in some of these departments, because we are obligating something like $6,000,000,000 a year to pay for something over 3,000,000 people on the Federal pay roll. The administration is not going to reduce it. The question is whether or not the Congress will help deflate this bureaucracy.

Mr. WIGGLESWORTH. I may say to the gentleman that in the light of the statement of the Director of the Bureau of the Budget to which I referred, to the effect that a majority, if not essentially all, departments and agencies of the Government except national defense or war agencies will request increased appropriations for 1947 as compared with 1946, I see no other hope of reducing the Federal pay roll to reasonable bounds except by action of the Congress. I hope when we reach that point in the consideration of this bill there will be some amendments adopted which will lead in that direction.

Attention is called to the table appearing on page 1154 of the hearings, from which it appears that of requests for classification, numbering 558,585, the Commission has approved in the last 2 years a total of 503,492. It would appear that approval of agency requests has become largely automatic insofar as the Commission is concerned.

Attention is also called to the data referring to loyalty examinations, at page 1147 of the hearings. One thousand two hundred and fifty-four individuals have been rated ineligible between July 1, 1940, and November 30, 1945; 93 in the final 11 months of the period. There were 100,985 names in the Commission's "Bar and flag files" as of February 28, 1945. The testimony is not clear as to how much of the work of this character in respect of the Office of War Information employees has been completed. Commissioner Flemming stated, however, that it is conceivable that some of this personnel has been transferred to the State Department without essential clearance as to loyalty.

This possibility is definitely confirmed by figures subsequently received from Mr. Flemming under date of January 21, 1946. These figures present the following picture:

Incomplete investigation for the OWI—Jan. 1, 1945	2,981
Additional OWI cases received during the year	1,112
Total	4,093

Of these cases:

Cleared by Commission	2,687
Found ineligible	31
Discontinued before completion	1,113
Pending	262
Total	4,093

I can only hope that the State Department appreciates the vital importance of completing the work which the Civil Service Commission has failed to complete.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. CASE of South Dakota. Mr. Chairman, I yield the gentleman 15 additional minutes.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 15 additional minutes.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. CASE of South Dakota. I should like to ask the gentleman from Massachusetts if he agrees that this field of transfer without proper examination would be a proper field of investigation for the investigatory staff of the Appropriations Committee?

Mr. WIGGLESWORTH. I think it is highly important, and I see no reason

why the staff of the committee should not be put to work on it.

Mr. CASE of South Dakota. While they are doing that it may be a good thing also for them to investigate the extent to which personnel paid for by one department is assigned to the White House or some executive bureau under one pretext or another for duty in offices quite foreign to the agency which pays their salaries.

FEDERAL COMMUNICATIONS COMMISSION

Mr. WIGGLESWORTH. The request by this agency, in the amount of $6,060,000 compares with the appropriation for regular activities for the fiscal year 1940 of $1,800,000, and with the appropriation for regular activities in 1946 of $2,554,440. In addition to the regular item in the current fiscal year, there was provided the sum of $2,434,000, largely for the Foreign Broadcast Intelligence Service and the Radio Intelligence Division, heretofore classified as national defense activities. The request was equivalent to a request for the total appropriation for the current fiscal year, both regular and national defense, despite the fact that the FBIS, with $1,166,000, is to be eliminated, plus an over-all increase of approximately $1,000,000.

The Budget Bureau recommendation contemplated an enormous increase all along the line, reflected in almost every function, and division of the agency. It contemplated an increase in personnel from 1,245 to 1,613 and an increase in other obligations of 400 percent as compared with the normal budget and 100 percent as compared with the combined normal and national defense budget.

The committee has reduced the request by $500,000, but, after this reduction, and after making allowances for pay increases, and a recent deficiency appropriation, there remains, with the elimination of the FBIS, an increase over and above appropriations for the current fiscal year, of about $500,000. Despite some increase in the agency's work load, this increase in my opinion, is not justified.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Illinois.

Mr. VURSELL. The gentleman has quoted the recommendation of the Bureau of the Budget. When the Budget Bureau was set up may I ask the gentleman if it was not then an instrument of Congress rather than an instrument of the administrative department?

Mr. WIGGLESWORTH. It has always been my understanding that the Bureau of the Budget when set up was to aid the President and the Congress in securing economy all along the line. I regret to say that in recent years it seems to me the agency has become in very large measure merely the mouthpiece of the executive departments of the Government.

Mr. VURSELL. I should like to make an observation. My experience with the Bureau of the Budget in committees on which I have served leads me to believe that it results in the building up of greater bureaucracy in the Government today than anything else. It is a bureau of spendthrifts rather than a bureau of economy. Maybe an investigation of the Bureau of the Budget might be helpful in order to try to get them back on the main line again.

Mr. WIGGLESWORTH. The gentleman will find in the hearings that as a result of statements made to me on at least three occasions by persons associated with different agencies of the Government, I asked the Director of the Bureau of the Budget expressly whether the philosophy of the Bureau of the Budget was to economize and employ the minimum number of dollars or whether the philosophy of the Bureau was to assist the various departments and agencies to so present their cases to the Congress as to obtain the funds which they desire.

The committee, Mr. Chairman, has experienced some of the usual difficulties with the Commission. In no less than six instances the Commission has failed to supply information requested, some of it highly important to a proper understanding of the enormous expansion in contemplation.

A request for the number of applications, by classes of service, received and anticipated in the fiscal years 1945, 1946, and 1947—the foundation for the increase requested—has been refused on the ground that tentative estimates prepared last summer have already changed, and that revised estimates are not yet available.

A request for an administrative break-down of several of the major divisions of the agency has been refused on the ground that, as there are 1,613 positions in the 1947 estimates, it would require several days to compile the data on that basis.

The attitude of the Commission, and the character of the excuses offered, would be sufficient in themselves to justify withholding any increase over the current year's appropriation until the requested information has been supplied.

Further evidence of trafficking in licenses, and the transfer of stations and the control of stations, with approval of the Commission, for values far in excess of the physical assets transferred, is furnished by the data included in tables at page 1064 of the hearings.

Among other transactions of this character may be noted the transfer of station WBT with a claimed value of physical and intangible assets of $115,000 for $1,505,000, the seller retaining cash and cash receivables the value of which are not stated; and the transfer of control of station WLW, having physical broadcasting facilities valued at $660,000 for the purchase price of from $4,000,000 to $6,000,000, depending on the formula used. These are but examples.

The latter transaction gave rise to the following article appearing in the magazine Variety, which, under leave to extend my remarks, I include at this point:

OKAY TO AVCO CUES QUERIES—RADIO'S THREE-WAY EYEBROW LIFT

The radio industry last week took stock of the situation created by the FCC's okaying of the $22,000,000 Crossley-AVCO deal and wondered what gives.

Noting that the Commission put through approval of the deal within 7 weeks from the date it was announced—while many other, less important transfers have hung fire for many months—many in the industry tried to figure out:

1. Just who is really behind the deal, in view of the financial tie-ups of Victor Emanuel, chairman of the board of AVCO (Aviation Corp.)?

2. Just why was the approval rushed through?

3. Just what does this approval—although by a narrow 4-to-3 margin—predict for American radio's future as a business and as a public service?

The deal for AVCO's purchase of a package of industrial and manufacturing firms owned by the Crosley Corp., of Cincinnati, including WLW and 23 other broadcasting stations and licenses in a. m., f. m., television, and international short-wave fields, was announced June 19. The Commission approved it last Thursday (2).

The Commission en banc, including the four who voted for approval, agreed unanimously that the issues involved are so grave that only Congress could clarify them through new legislation. Among these issues are the principles of radio control by absentee owners, as well as control of radio by interests devoted primarily to manufacture and investment.

CITE AUGUST 16 DEADLINE

One of the three commissioners who voted against the deal told Variety that the group did not vote on whether to speed the decision, agreeing to do so after the AVCO people pleaded that their contractual obligations to buy Crosley stock would expire August 16 and that the deal might consequently fall through if the FCC did not rule immediately.

The same Commissioner said also, in answer to a query that had been voiced in the radio trade, that the Commission had not delved too far beneath the surface of AVCO's financial structure and affiliations.

Raised eyebrows greeted that assertion, when it was reported to the trade, since AVCO's structure and affiliations, through board chairman, Emanuel, are matters of record.

Emanuel set up Aviation Corp. in 1937 by buying out the industrial interests of E. L. Cord, after 13 banks had floated 500,000 shares for that deal. Of the half-million shares, a total of 300,000 were bought by the banking firms of J. Henry Schroeder & Co., of London, and the American branch of that house, J. Henry Schroeder Banking Corp. of New York.

Head of both London and New York branches of the Schroeder organization, at the time Emanuel put through the AVCO deal was Baron Bruno Von Schroeder, who died in 1940. The baron had been born and educated in Germany where he had been a member of the banking firm of Schroeder Gebruder (Schroeder Bros.), of Hamburg. In 1914, after World War I had broken out, the baron became a British citizen.

Schroeder Gebruder, of Hamburg, continued in a dominant financial position in Germany, under the Kaiser, after the latter's downfall in 1918, right through the years of the German Republic, and throughout the years when Hitler was in power.

Another of the German Schroeders, Kurt Von Schroeder, is a distant cousin of the Hamburg family, and has been head of the Stein Bank, of Cologne. Fritz Thyssen, who broke with Hitler in 1940, wrote in his confessions, "I undertook to finance the NSDAP (Nazi Party), together with Von Papen, Von Schroeder (etc.) * * * We are, so to

speak, the guarantors to Germany and the world for Hitler's good conduct." The meeting at which this guarantee was underwritten took place in Kurt Von Schroeder's home in Cologne.

But Helmut W. B. Schroeder, son of Baron Bruno, who inherited the presidency of the New York and London Schroeder interests which backed Emanuel, is British born, while Emanuel is American born. No one has accused these men of direct connection with the German and Nazi Schroeders. However, in 1940, after Great Britain was already at war with Nazi Germany, the city of Berlin appointed a fiscal agent in New York for a gold bond issue paying 6½ percent interest. That agent was the New York branch of the London Schroeder house.

SEC'S 1943 OPINION

The tie-up between the Anglo-American Schroeders and Emanuel extended far beyond the origin of AVCO. According to the United States Security Exchange Commission—SEC: "The Schroeder interests in London and New York have worked with Emanuel in maintaining a dominant position in Standard affairs." That opinion was voiced by the SEC in January 1943. Emanuel is now the head of these Standard affairs, which is the Standard Power & Light Co., of which he is president and a director.

Viewing all of these financial ramifications, and many more so complex that they are difficult to trace even through financial directories, the radio industry wondered what the FCC had in mind when it acted as if it had to approve the AVCO deal in a hurry.

The only part of the AVCO-Crosley deal not finally decided is Crosley's bid for WINS in New York. The rest has the FCC's seal. The fact that only one vote separated AVCO from defeat was noted as of only some interest. The freshman of the Commission, former Gov. William H. Willis, of Vermont, who was sworn in only on July 12, cast the deciding vote. With him for the deal were Chairman Porter and Commissioners Denny and Jett. Opposing were Commissioners Walker, Wakefield, and Durr.

But exactly why some were for and some against the deal is not known yet. The Commissioners voted first, and are to follow with their justifications in due time.

Meanwhile, radio looks at the AVCO setup, eyes old ideas about radio being a public service, and wonders. One radio-station manager, of an influential indie, said:

"All I'd like to know is: Where were the Civil Liberties people and others who should have interested themselves in the case. Not a single opponent appeared before the Commission to object to the deal. I happen to know that the American Civil Liberties Union was aware of the facts and implications in this case. But apparently the summer doldrums hit everybody."

A recent decision of the court of appeals setting aside a ruling denying a commission renewal of a broadcast license to a licensee who had apparently ignored the law as well as the regulations of the Commission, warrants the question of the competency of the legal staff of the Commission.

The Chairman of the Commission admits, at page 200 of the hearings, that profits of the broadcasting chains have been in excess of 200 percent on depreciated plant cost on an annual basis. Once again the question arises of whether such enormous returns should be permitted from Government frequencies obtained and used without charge or cost. Members of the Senate and House have advocated from time to time a franchise tax in this connection.

The Commission has failed to furnish certain information requested in this connection. A statement made to the effect that figures requested on original cash investment are not available, and that it would require some time to obtain them, is not believed to be in accordance with the facts. It is understood the Commission has previously published data of this character in official documents.

FEDERAL WORKS ADMINISTRATION

This organization is composed of the Public Buildings Administration, the Public Roads Administration, and the Bureau of Community Facilities, all capable of individual and independent operation, and an over-all office of the Federal Works Administrator.

Attempts made both last year and this year to ascertain the justification for the continuance of the Office of the Administrator have yielded little or no information. The chief basis emphasized by the Administrator is the representation of the three constituent set-ups at a so-called Cabinet level. For these purposes, the Bureau of the Budget recommended a personnel of 81, and an appropriation of $360,000.

In my judgment, the Office of the Administrator could well be eliminated. There is no necessary relationship between the three activities. Each could operate independently of the others, thereby eliminating considerable overhead. The committee cut of $60,000 is clearly not sufficient.

Attention is called to the table on page 309 of the hearings, in which the Public Buildings Administration indicates since June 30, 1945, the requisition of 2,619,000 square feet of additional space, against the prospective release of 2,437,000 square feet. This is certainly not indicative of retrenchment.

Attention is also called to the testimony indicating a wide variation in rental costs per square foot in different buildings in the same community, as well as costs of operation, in many instances in excess of rentals paid, suggesting that costs of operation are very much out of line.

For the Public Roads Administration the Bureau of the Budget recommended $305,838,792, as compared with $108,000,000 for the current fiscal year. The committee has reduced the over-all recommendation by $38,000,000, leaving an appropriation of $267,838,792, or approximately $160,000,000 in excess of the appropriation for the current fiscal year.

The appropriation raises two fundamental questions: First, the question of the policy of spending any such sum under present conditions, when available manpower and materials are both far less than they probably will be subsequently; and second, the question of possible action under laws which, in effect, make the Public Roads Administration the appropriating body, the Congress being called upon to supply funds after binding commitments have been entered into.

According to the record, it appears that only $53,000,000 of the $305,000,000 recommended by the Budget Bureau is required to cover obligations actually entered into. Eacl. project must be approved by the Public Roads Administrator before there is a binding obligation, and it would appear that any part, or all, of the appropriation recommended over $53,000,000 could be temporarily frozen, if the Congress so desires, just as funds were temporarily frozen by the President during the war. In my judgment, the proposed expenditure of $268,000,000 under existing conditions is not justified.

Data furnished by Public Roads Administration shows tremendous variations in per mile road-construction costs in different States. In recent hearings before the Deficiency Subcommittee, a total of over $4,000,000,000 was indicated as having been spent by Public Roads Administration since 1919 for the construction and improvement of 190,000 miles of road. This represents an average expenditure of over $20,000 a mile of Federal funds, which, if matched by the States, would mean a cost per mile of $40,000. The matter of road construction costs would appear to warrant careful investigation.

The following costs, among others, are indicated in the table entitled "Status of Federal Highway Construction Programs" as of November 1, 1945, appearing at pages 338 and 339 of the hearings:

	Work under way (average per mile, over-all, $68,800)		Work approved, but not under way (average per mile, over-all, $38,800)	
	Per mile	Percent of Federal funds used	Per mile	Percent of Federal funds used
Alabama	$102,000	72	$381,000	53
Florida	62,400	74	0	
Maryland	110,500	64	0	
Massachusetts	409,600	53	204,800	70
Missouri	150,600	70	26,700	44
Michigan	57,800	56	0	
New York	486,000	78	91,500	50
Ohio	206,500	70	255,800	23
Oklahoma	73,000	61	35,000	63
Pennsylvania	174,600	70	509,000	96
Texas	38,500	66	38,000	45

THE GENERAL ACCOUNTING OFFICE

The recommendation for the General Accounting Office reflects a reduction of about $3,000,000 as compared with the current fiscal year. Representatives of the Office indicated the possibility of a further reduction of 25 percent in the fiscal year 1948.

A table of disallowances and collections for the fiscal year 1945, at page 437 of the hearings, shows disallowances in the amount of $435,000,000 and collections amounting to $86,000,000. These disallowances and collections are not available by agency. It is believed that it would be helpful to the Congress, if, hereafter, the figures were segregated by department and agency.

The Committee will be interested in the testimony in reference to the proposed audit of Government corporations, 101 in number, which will appear before the Congress for the first time before the end of the fiscal year. Attention is called to the proposal and the doubtful wisdom of employing outside auditing firms in this connection. The Budget and Accounting Act has heretofore forbidden this practice. Express exception was made in the recent legislation providing budgetary and accounting control of Government corporations.

The record indicates that the Comptroller General, during the fiscal year 1945, has submitted to committees of Congress 162 legislative reports, 35 voluntary reports, 142 cases of waste and extravagance, and 152 cases of erroneous payments. Steps should be taken to insure proper action on the Comptroller's reports to committees and to the Congress.

Heretofore, on several occasions, I have called attention to questions raised by the Comptroller General in reference to the financial operations of the United States Maritime Commission and the War Shipping Administration.

The record indicates that during the fiscal year just past, 38 questions were raised in respect to 38 vessels totaling $23,554,000.

In this connection and under leave to extend my remarks, I include at this point a document in reference to the Maritime Commission furnished me at my request by the Comptroller General:

AUDIT REPORT, UNITED STATES MARITIME COMMISSION, JUNE 30, 1943

Pursuant to section 207 of the act of June 29, 1936 (49 Stat. 1988), as amended, an audit has been made of the financial transactions of United States Maritime Commission for the fiscal year ended June 30, 1943.

The results of the audit are herein submitted, including the following financial statements:

Exhibit I. Statement of assets, liabilities, and capital.

Exhibit II. Statement of income, expenses, and charges.

Exhibit III. Statement of excess of assets over liabilities.

Exhibit IV. Statement of impairment of capital.

Its scope included such review and checking of the Commission's accounting methods, records, and system of internal control as approved commercial auditing standards require.

This audit was in addition to the regular audit of receipts and expenditures which was made pursuant to the Budget and Accounting Act, 1921, for the purpose of settling the accounts of the Commission's disbursing officer.

FINDINGS

The audit disclosed that the accounting methods and procedures employed were not of the kind or type to result in the accurate recording of the financial transactions to the extent necessary to properly and completely disclose the results of its operations or financial condition.

It can be definitely stated that at no time during the fiscal year 1943 could the management of the Commission have been furnished current financial information of the character necessary for sound financial administration.

The audit also disclosed that the absence of care and efficiency on the part of the Commission's staff resulted in substantially inaccurate financial statements for 1943 being released as late as March 29, 1944.

The audit further disclosed that the internal audit is incomplete.

The following adjustments have been made to the published statements of the United States Maritime Commission in preparing the audited financial statements attached.

Accounts receivable: The accounts receivable as shown in the published statements have been reduced $57,095,591.27 out of an amount of $135,979,746.76, equals 42 percent.

The details of the adjustment are as follows:

Balance, accounts receivable June 30, 1943		$135,979,746.76
Add:		
Advance to Kaiser Co., Richmond, Calif.	2,000,000.00	
Excess of recorded costs over Navy working funds available	7,213,693.44	
Renegotiation of Maritime Commission contracts	8,099,340.09	
Total		153,292,780.29
Less:		
Erroneous year-end adjustments by the Commission:		
Working funds:		
Navy Department	64,345,025.00	
War Department	2,467,855.50	
Interest receivable	644,871.95	
Total		67,457,752.45
SS *Tracker:*		
Erroneous billing	2,475,000.00	
Excess construction costs over working funds provided	711,342.00	
		3,186,342.00
Concrete Barge #1 (not controlled by Navy Department at June 30, 1943)	1,480,000.00	
American Hoist & Derrick Co. (collected prior to June 30)	2,246,726.78	
Birchfield Boilers, Inc. (duplication of invoice collected in fiscal year 1943)	37,803.57	
Total		74,408,624.80
Adjusted balance, accounts receivable, June 30, 1943		78,884,155.49

This adjusted amount was substantially collected subsequent to June 30, 1943.

Vessels and floating equipment at book values: The vessels and floating equipment at book values has been increased in the amount of $5,482,020, representing completed small craft.

Stores, supplies, and equipment: Stores, supplies, and equipment have been increased $2,663,421.21.

Terminals: Terminals have been increased in the amount of $7,098,202.

Deferred charges and prepaid expenses: The deferred charges and prepaid expenses have been reduced $4,321,664.51. The details of the adjustment are as follows:

Balance deferred charges and prepaid expenses, June 30, 1943		$726,779,678.37
Add: Estimated liability on procurement services and small craft under construction		$36,691.06
Total		726,816,369.43
Less: Small craft completed		4,358,355.57
Balance, per audited statement		722,458,013.86

Accounts payable: Accounts payable has been reduced $35,977,822.13. The details of the adjustment are as follows:

Erroneous year-end adjustments		$66,812,880.50
S. S. *Tracker*		711,342.00
Birchfield Boilers, Inc.		37,803.57
Total		67,562,026.07
Less:		
Advance of funds incorrectly shown as facilities costs		2,000,000.00
Amounts erroneously shown as deferred items:		
American Mail Line, Ltd		1,019,483.04
Inventories aboard newly constructed vessels at time of delivery to operator		278,624.35
Vessels traded in on vessels under construction—title V		3,877,186.22
Total		5,175,293.61
Working fund reserve:		
Excess recorded costs	7,213,693.44	
Emeryville inventory	2,663,421.21	
Total		9,877,114.65
Renegotiation of contracts		8,099,340.09
Judgment payable		5,272,100.10
Estimated liabilities:		
Small craft completed	1,123,664.43	
Procurement and servicing: expenses and small craft under construction	36,691.06	
Total		31,584,203.94
		35,977,822.13

Deferred credits: Deferred credits have been reduced by $5,175,293.61 as follows:

Amounts that are properly accounts payable:		
American Mail Line, Ltd.		$1,019,483.04
Inventories aboard newly constructed vessels at time of delivery to Commission		278,624.35
Vessels traded in on vessels under construction—title V		3,877,186.22
Total		5,175,293.61

Excess of assets over liabilities:

The excess of assets over liabilities has been reduced in the net amount of $5,020,496.83. The details of the adjustment are as follows:

Prior-year charges:	
Judgment, Bethlehem Shipbuilding Corp., Ltd	$5,272,100.10
American Hoist & Derrick Co	2,246,726.78
Total, prior-year charges	7,518,826 88
Current-year charges:	
Interest receivable set up in error	644,871.95
Correction of transfer to War Shipping Administration without reimbursement	3,955,000.00
Total	12,118,698.83
Less: Correction write-down of real estate	7,098,202.00
Total	55,020,496.83

COMMENTS

The following comments have been divided into three general classes:

A. Those involving incompleteness or inadequacies of the accounting procedures and practices.

B. Major errors of omission or commission.

C. Operational practices that do not protect the Government interests.

The recommendations will in a large part be directed toward curing these conditions.

A. Accounting procedures and practices

1. The Commission's method of preparing its financial statements as at June 30, 1943, was in three steps:

a. Balances taken from books totaling $3,053,391,378.09.

b. Changes and corrections of the foregoing figures in the amount of $1,857,877,238.14.

c. Further changes and corrections totaling $2,100,059,819.93 to close the gap between recorded fact and actual fact.

These three steps disclose the incompleteness of the recorded accounting facts for current operational management purposes.

2. Incomplete control over adjustments for closing the gap between recorded fact and actual fact resulting in accounts being indirectly affected that would not ordinarily be involved in a less complicated procedure.

3. The internal audit is incomplete as evidenced by payments from the wrong appropriations in the amount of approximately $30,000,000 and the voluntary repayment by contractors and vendors of over $200,000 erroneous payments during 1943.

B. Major errors of omission or commission

1. An advance of $2,000,000 to the Kaiser Co., Richmond, Calif., was charged to shipways and facilities. This was incorrect. The item should have been set up as an account receivable. It was actually collected July 27, 1943.

2. The recorded cost of ship construction for the Navy Department exceeded the funds advanced by the Navy Department for such construction by $7,213,693.44. No account receivable was set up to cover these costs.

3. Twenty-three accounts receivable involving renegotiated contracts amounting to $8,099,340.09 were not set up.

4. Duplication of adjusting entries involving working funds totaling $66,812,880.50.

5. Erroneous billing to the Navy Department in the amount of $3,186,342 for a vessel transferred to War Shipping Administration.

6. Billing to the Navy Department in the amount of $1,480,000 properly includible in 1944 transactions.

7. Erroneous change and correction entry of a collection of $2,246,726.78 from the American Hoist & Derrick Co., resulting in an overstatement of accounts receivable and an overstatement of prior year earnings in a like amount.

8. Failure to reclassify "completed small craft" resulting in an understatement of completed construction and an overstatement of "deferred charges and prepaid expenses."

9. Classification of $1,019,483.04 as "deferred credit" when it actually represented a potential account payable to the American Mail Line, Ltd., for prepaid construction of new ships.

10. Failure to credit "ship construction" with $278,624.53 shown as "deferred credits" but identified as inventories turned over to operators of newly constructed vessels.

11. Classification of $3,877,186.22 as "deferred credit" when it actually represented a potential account payable for prepaid construction of new ships.

12. Failure to record $2,663,186.22 of inventory actually on hand in Commission's own warehouse at Emeryville, Calif.

13. Failure to record liabilities of $1,123,664.43 relating to the small-craft program resulting in an understatement of both assets and liabilities.

14. Failure to record liabilities of $5,272,100.10 representing a judgment by the Supreme Court in favor of the Bethlehem Shipbuilding Corp. Ltd., resulting in an understatement of accounts payable and overstatement of the capital account of a like amount.

15. Reduction of book value of Hoboken Terminal to nominal amount of $1 without official Commission action when records reflect adjusted cost of acquisition to be $7,098,203.

16. Duplication of change and correction entries resulting in an overstatement of interest receivable in the amount of $644,871.95.

17. Failure to include $3,955,000 of vessels transferred to other agencies in the adjustment of capital for such transfers.

18. Improper charging to ship construction costs of advance payments totaling $1,150,483.41 to the Worthington Pump & Machinery Corp. instead of accounts receivable.

19. The over-all control of payments to shipbuilding contractors is not maintained in the accounts and the effectiveness of the internal audit can only be determined by test and sampling methods or a complete duplication of the audit processes.

C. Operational practices

1. The Maritime Commission is operating without current financial information from the accounting records.

2. The actual accounting and auditing work is not sufficiently coordinated with operations.

3. The property accountability of the Commission is unsatisfactory.

4. Receiving reports and property removal and transfer notices do not receive sufficient attention to protect the interest of the United States.

RECOMMENDATIONS

The following specific recommendations are presented for your consideration:

(1) That the accrual method of accounting by fully utilized.

(2) That advances should be recorded as receivables.

(3) That those Commission employees handling collections and the receipt of cash be bonded.

(4) That in the use of estimates for vessels under construction, future financial statements should reflect in all cases the cost differentials between shipyards instead of over-all average estimates.

(5) That proper application of cost of machinery and equipment to the vessels in which the machinery and equipment was actually installed be made.

(6) That applicable portions of the Commission's overhead be distributed to the costs of vessels sold to private owners or transferred to other Government agencies.

(7) That depreciation be computed on facilities providing for the proper inclusion of the amount of the periodic depreciation in the costs of ships.

(8) The current practice of disregarding partial shipments until the final shipment is made should be discontinued. Partial shipments should be recorded currently.

(9) That all property removals and transfers be reflected in the accounts currently.

(10) That the cost accounts be subdivided to reflect contract payments to prime contractors for ship and facilities construction separately from other costs.

(11) That receiving reports be fully utilized. This refers to past as well as future transactions.

(12) That the preaudit functions be increased to guard against erroneous payments.

(13) That a permanent file of all Commission-owned machinery, equipment, shipways, and other property, including office equipment, be established, centralized in one office, and maintained under control of the accounting system.

(14) That the balances in the working fund reserve account reflected as amounts on deposit to the credit of the Navy Department and War Department be fully reconciled with the corresponding balances of available working funds on deposit with the Treasurer of the United States.

Subject to the foregoing comments and qualifications, the attached statements fairly present the financial position as at June 30, 1943, and the operating results for the fiscal year ended that date.

If any elaboration of the information reflected in the report is required, representatives of this office will be available to discuss the matters in detail at your convenience.

EXHIBIT I.—*U. S. Maritime Commission, assets and liabilities as of June 30, 1943*

	Long-range program	Emergency-ship program	Defense-aid program	Total
ASSETS				
General funds with Treasurer of the United States:				
General funds	$4,386,495,207.48			
Emergency ship-construction fund		$15,191,121.36		
Allocations from defense-aid appropriations			$279,622,100.23	
Total funds				$4,680,308,429.07
Securities deposited with Treasurer of the United States	8,680,000.00	72,000.00		8,752,000.00
Accounts receivable, less reserve for collection losses	76,371,350.03	1,610,662.27	902,143.19	78,884,155.49

EXHIBIT I.—*U. S. Maritime Commission, assets and liabilities as of June 30, 1943*—Continued

		Long-range program	Emergency-ship program	Defense-aid program	Total
ASSETS—continued					
Notes receivable, less reserves:					
Secured by mortgages on vessels:					
Construction loans, U. S. Shipping Board Merchant Fleet Corporation	$18,415,614.01				
Ship sales, U. S. Maritime Commission	103,631,149.91				
Total	122,046,763.92				
U. S. Maritime Commission loans	3,424,267.44				
Miscellaneous	167,106.00				
		$125,638,137.36			$125,638,137.36
Miscellaneous securities		2.00			2.00
Contracts for sale of vessels (accrued balances due on estimated accrued costs at June 30, 1943, on vessels under construction, title V)		27,224,991.18			27,224,991.18
Vessels under construction (title VII) (estimated accrued costs at June 30, 1943)		1,030,854,286.57			1,030,854,286.57
Vessels and floating equipment at book values (new construction built by U. S. Maritime Commission):					
Emergency cargo vessels (EC 2)				$198,335,602.84	
Other vessels				77,232,030.19	
Small craft				5,482,020.00	
					281,049,653.03
Stores, supplies, and equipment		8,053,272.30			8,053,272.30
Terminals		7,098,205.00			7,098,205.00
Housing, shipyards, and other real estate properties, at appraised values (including assets acquired from former U. S. Shipping Board Merchant Fleet Corporation.)		44,350,480.00	$11,049,435.00	16,556,788.00	71,956,703.00
Ground rent estate, Hog Island		2,550,000.00			2,550,000.00
Deferred charges and prepaid expenses		346,606,794.68	87,365,589.30	288,485,629.88	722,458,013.86
Total assets		6,063,922,726.60	115,288,807.93	865,616,314.33	7,044,827,848.86
LIABILITIES					
Accounts payable		826,757,235.67	38,203,578.95	80,741,195.55	945,702,010.17
Deposits on sales and other contracts		12,809,065.02	72,000.00		12,881,065.02
Reserve for payment of claims:					
Claims under protection and indemnity insurance policies issued by former U. S. Shipping Board	$120,534.66				
Claims under protection and indemnity insurance policies on vessels engaged in repatriation of American citizens from the war zone	52,161.52				
Unclaimed wages, salvage awards, and unused passenger tickets	120,402.04				
		293,098.22			293,098.22
Deferred credits		672,447.01	13,228.98		685,675.99
Excess of assets over liabilities		5,223,390,880.68	77,000,000.00	784,875,118.78	6,085,265,999.46
Total liabilities		6,063,922,726.60	115,288,807.93	865,616,314.33	7,044,827,848.86
Commitments for ship and facilities construction (estimated liability for ships, plant, and other facilities construction beyond June 30, 1943, based upon contracts and awards as at June 30, 1943):					
Gross liability		7,176,484,890.68	1,752,386.00	113,076,196.00	7,291,313,472.68
Estimated amounts to be recovered from purchasers through sale of vessels		275,959,131.81			275,959,131.81
Net estimated liability		6,900,525,758.87	1,752,386.00	113,076,196.00	7,015,354,340.87
Contingent liabilities (claims pending, in litigation, or asserted against the U. S. Maritime Commission):					
Pending in the Court of Claims		544,256.26			
Admiralty claims		5,259.00			
Total		549,515.26			
Federal ship-mortgage insurance funds: Contracts (insured balances outstanding)		4,443,062.21			
Guaranteed loans under Executive Order 9112: Contracts (balance outstanding)		44,820,122.66			

EXHIBIT II.—*U. S. Maritime Commission long-range program—Summary of income and expenses and charges fiscal year ended June 30, 1943*

Construction fund (69X0200):		Construction fund (69X0200)—Continued	
Income:		Expenses and charges—Continued	
Real estate operations and rental income	$157,067.74	General administrative expenses:	
Facilities operations	83,439.86	Salaries and wages	$13,409,325.91
Interest earned	4,237,115.43	Fees and expenses for outside services	247,480.23
Miscellaneous	348,087.78	Travel and transportation	359,764.11
Total income	4,825,710.81	Rent, heat, light, and power	208,437.75
Expenses and charges:		Communications	356,126.18
Insurance premiums on vessels sold under construction differential subsidy agreements	429,570.52	Office supplies, stationery, and printing	418,446.31
Laid-up fleet expense	15,167.99	Miscellaneous	356,566.12
Real estate operations and rental expense	233,357.38	Maintenance of office equipment	5,890.31
Facilities operations	46,852.82	Equipment	908,594.08
Construction differential subsidies	50,406,273.58		16,270,631.00
Operating differential subsidies	111,061.07		
Miscellaneous charges	2,561,872.96	Total expenses and charges	76,213,715.21
Defense features costs on vessels	6,138,927.89	Excess of expenses and charges over income	71,388,004.40

EXHIBIT III.—*United States Maritime Commission statement of excess of assets over liabilities—period Oct. 26, 1936, to June 30, 1943—long-range program*

	Oct. 26, 1936, to June 30, 1937	Fiscal year				
		1938	1939	1940	1941	1942
Capital:						
Original transfer of net assets from U. S. Shipping Board and U. S. Shipping Board Merchant Fleet Corporation as at Oct. 26, 1936	$126,276,437.57					
Adjustments:						
Excess (after establishing a reserve of $125,000) of amounts recorded on books, covering unclaimed wages, salvage awards, refunds on unused passenger transportation, and other unclaimed sums	1,411,392.93					
Excess of reserve for payment of protection and indemnity claims and losses	2,145,557.75			$113,816.21		
Excess of reserve for payment of marine insurance claims and losses	1,135,955.85					

EXHIBIT III.—*United States Maritime Commission statement of excess of assets over liabilities—period Oct. 26, 1936, to June 30, 1943—long-range program*—Continued

	Oct. 26, 1936, to June 30, 1937	Fiscal year 1938	1939	1940	1941	1942
Capital—Continued						
Adjustments—Continued						
Provision for contingencies u nder marine-insurance policies	[1] $1,000,000.00					
Amount of ocean mail contract settlement of Lykes Bros., Ripley Steamship Co., Inc. (this amount was written off to profit and loss in period prior to Oct. 27, 1936, by the U. S. Shipping Board Merchant Fleet Corporation)	759,585.42					
Amount written off representing the difference between the book value and nominal value of $1 of the Hoboken Terminal	[1] 7,098,202.00					
Profit and loss items for period prior to Oct. 26, 1937:						
Revaluation of fleet			[1] $2,585,701.00			
Adjustment of reserve for uncollectible receivables (Baltimore Mail Steamship Co.)			[1] 2,169,701.33	$2,333,106.26		
Miscellaneous	[1] 518,914.29	[1] $48,846.62	[1] 102,677.39	27,720.95	[1] $12,073.12	$8,132.29
Adjusted original capital	123,111,813.23	[1] 48,846.62	[1] 4,858,079.72	2,474,643.42	[1] 12,073.12	8,132.29
Added: Appropriations:						
Ocean mail contracts	16,963,864.94					
Other (net)	88,133,786.83	1,945.57	497,552.85	100,008,190.21	190,717,646.71	2,026,985,010.08
Net appropriations	105,097,651.77	1,945.57	497,552.85	100,008,190.21	190,717,646.71	2,026,985,010.05
Total adjusted capital	228,209,465.00	46,901.05	[1] 4,360,526.87	102,482,833.63	190,705,573.59	2,026,993,142.37
Deduct:						
Excess of expenses and charges over income:						
Oct. 26, 1936, to June 30, 1937	2,985,705.53	431,372.30	25,054.47	15,980.77	14,218.17	59,430.03
Fiscal year 1938		12,222,700.46	[1] 2,060,651.85	289,015.27	[1] 539,605.31	112,055.01
Fiscal year 1939			33,375,602.50	[1] 55,503.29	[1] 7,587,185.10	[1] 61,283.28
Fiscal year 1940				67,695,487.83	[1] 39,242,813.63	[1] 1,808,635.31
Fiscal year 1941					86,751,391.24	[1] 30,718,784.64
Fiscal year 1942						101,025,433.80
Fiscal year 1943						
Total excess of expenses and charges over income	2,985,705.53	12,654,072.76	31,340,005.12	67,944,980.58	39,396,005.37	68,608,215.61
Settlement of ocean mail contracts	17,652,256.93	3,850,664.52				
Transfer to U. S. Coast Guard						
Transfers to War Shipping Administration, exclusive of appropriations						270,793,852.83
Total deductions	20,637,962.46	16,504,737.28	31,340,005.12	67,944,980.58	39,396,005.37	339,402,068.44
Adjusted excess of assets over liabilities	207,571,502.54	16,551,638.33	35,700,531.99	34,537,853.05	151,309,568.22	1,687,591,073.93

	Balance, June 30, 1942	Fiscal year 1943	Balance, June 30, 1943	Audit adjustments—increase or decrease [1]	Adjusted balance, June 30, 1943	Emergency ship-construction program, June 30, 1943	Defense-aid program, June 30, 1943
Capital:							
Original transfer of net assets from U. S. Shipping Board and U. S. Shipping Board Merchant Fleet Corporation as at Oct. 26, 1936	$126,276,437.57		$126,276,437.57		$126,276,437.57		
Adjustments:							
Excess (after establishing a reserve of $125,000) of amounts recorded on books, covering unclaimed wages, salvage awards, refunds on unused passenger transportation, and other unclaimed sums	1,411,392.93		1,411,392.93		1,411,392.93		
Excess of reserve for payment of protection and indemnity claims and losses	2,259,373.96		2,259,373.96		2,259,373.96		
Excess of reserve for payment of marine insurance claims and losses	1,135,955.85		1,135,955.85		1,135,955.85		
Provision for contingencies under marine insurance policies	[1] 1,000,000.00		1,000,000.00		[1] 1,000,000.00		
Amount of ocean mail contract settlement of Lykes Bros., Ripley Steamship Co., Inc. (this amount was written off to profit and loss in period prior to Oct. 26, 1936, by the U. S. Shipping Board Merchant Fleet Corporation)	759,585.42		759,585.42		759,585.42		
Amount written off representing the difference between the book value and nominal value of $1 of the Hoboken Terminal	[1] 7,098,202.00		[1] 7,098,202.00	$7,098,202.00			
Judgment payable to Bethlehem Shipbuilding Corp., Ltd				5,272,100.10	[1] 5,272,100.10		
Profit and loss items for period prior to Oct. 26, 1937:							
Revaluation of fleet	[1] 2,585,701.00		[1] 2,585,701.00		[1] 2,585,701.00		
Adjustment of reserve for uncollectible receivables (Baltimore Mail Steamship Co.)	163,404.93		163,404.93		163,404.93		
Miscellaneous	[1] 646,658.18	[1] 5,823.74	[1] 652,481.92		652,481.92		
Adjusted original capital	120,675,589.48	[1] 5,823.74	120,669,765.74	1,826,101.90	122,495,867.64		
Added: Appropriations:							
Ocean mail contracts	16,963,864.94		16,963,864.94		16,963,864.94		
Other (net)	2,406,344,132.25	4,930,353,241.75	7,336,697,374.00	5,014,373.35	7,341,711,747.35	$475,000,000.00	$814,355,117.26
Net appropriations	2,423,307,997.19	4,930,353,241.75	7,353,661,238.94	5,014,373.35	7,358,675,612.29	475,000,000.00	814,355,117.26
Total adjusted capital	2,543,983,586.67	4,930,347,418.01	7,474,331,004.68	6,840,475.25	7,481,171,479.93	475,000,000.00	814,355,117.26

[1] Red figures.

EXHIBIT III.—*United States Maritime Commission statement of excess of assets over liabilities—period Oct. 26, 1936, to June 30, 1943—long-range program*—Continued

	Balance, June 30, 1942	Fiscal year 1943	Balance, June 30, 1943	Audit adjustments—increase or decrease [1]	Adjusted balance, June 30, 1943	Emergency ship-construction program, June 30, 1943	Defense-aid program, June 30, 1943
Deduct:							
Excess of expenses and charges over income:							
Oct. 26, 1936, to June 30, 1937	$3,531,761.27	[1]$23,616.27	$3,508,145.00		$3,508,145.00		
Fiscal year 1938	10,023,513.58	[1]117,684.20	9,905,829.38		9,905,829.38		
Fiscal year 1939	25,671,630.83	80,155.65	25,751,786.48		25,751,786.48		
Fiscal year 1940	26,644,038.89	1,203,360.53	27,847,399.42		27,847,399.42		
Fiscal year 1941	56,032,606.60	[1]3,288,762.95	52,743,843.65		52,743,843.65		
Fiscal year 1942	101,025,433.80	[1]43,200,470.75	57,824,963.05	$2,246,726.78	60,071,689.83		
Fiscal year 1943		70,743,132.45	70,743,132.45	644,871.95	71,388,004.40		
Total excess of expenses and charges over income	222,928,984.97	25,396,114.46	248,325,099.43	2,891,598.73	251,216,698.16		
Settlement of ocean mail contracts	21,502,921.45		21,502,921.45		21,502,921.45		
Transfer to U. S. Coast Guard				5,014,373.35	5,014,373.35		
Transfers to War Shipping Administration, exclusive of appropriations	270,793,852.83	1,705,297,753.46	1,976,091,606.29	3,955,000.00	1,980,046,606.29	$398,000,000.00	$29,479,998.48
Total deductions	515,225,759.25	1,730,693,867.92	2,245,919,627.17	11,860,972.08	2,257,780,599.25	398,000,000.00	29,479,998.48
Adjusted excess of assets over liabilities	2,028,757,827.42	3,199,653,350.09	5,228,411,377.51	[1]5,020,496.83	5,223,390,880.68	77,000,000.00	784,875,118.78

[1] Red figures.

EXHIBIT IV.—*U. S. Maritime Commission—Statement of impairment of capital June 30, 1943*

		Long-range program	Emergency ship-construction program	Defense-aid program	Total
Transfer of adjusted net assets from U. S. Shipping Board and U. S. Shipping Board Merchant Fleet Corporation, exclusive of unexpended appropriations		$122,495,867.64			$122,495,867.64
Appropriations add allotments:					
Long-range program:					
Appropriations by the Congress including $87,926,146.29 unexpended transferred from the U. S. Shipping Board and U. S. Shipping Board Merchant Fleet Corporation; and $16,963,864.94 transferred from the Post Office Department	$7,742,557,384.42				
Less:					
Refunds on post office mail contracts	6,412.08				
Amount returned to U. S. Treasury	25,844.78				
Amount transferred to War Shipping Administration	230,708,142.57				
Amount transferred to Navy Department—U. S. Coast Guard	28,141,372.70				
Amount transferred to emergency ship construction program	125,000,000.00				
	383,881,772.13	7,358,675,612.29			
Emergency ship-construction program:					
Appropriations by the Congress including $125,000,000 transferred from U. S. Maritime Commission—long-range program			$475,000,000		
Defense-aid program:					
Defense aid allocations from Lend-Lease Administration	$1,237,089,500.00				
Less:					
Amount returned to U. S. Treasury	8,436.38				
Amount transferred to War Shipping Administration	419,525,946.36				
Unrequisitioned allocation	3,200,000.00				
	422,734,382.74			$814,355,117.26	
Total net appropriations and allotments					8,648,030,729.55
Total capital		7,481,171,479.93	475,000,000.00	814,355,117.26	8,770,526,597.19
Less impairment of capital:					
Settlement of ocean mail contracts		21,502,921.45			21,502,921.45
Excess of expenses and charges over income:					
For the period Oct. 26, 1936, to June 30, 1942	$222,928,984.97				
Less: Adjustments ascertained in fiscal year 1943	43,100,291.21				
		179,828,693.76			179,828,693.76
Fiscal year 1943		71,388,004.40			71,388,004.40
Transfers to Navy Department—U. S. Coast Guard		5,014,373.35			5,014,373.35
Transfers to War Shipping Administration		1,980,046,606.29	398,000,000.00	29,479,998.48	2,407,526,604.77
Total impairment of capital		2,257,780,599.25	398,000,000.00	29,479,998.48	2,685,260,597.73
Excess of assets over liabilities (exhibit I)		5,223,390,880.68	77,000,000.00	784,875,118.78	6,085,265,999.46

I also include under leave to extend my remarks, a further document referring to the War Shipping Administration, also furnished to me at my request by the Comptroller General:

AUDIT REPORT, WAR SHIPPING ADMINISTRATION, FOR THE FISCAL YEAR ENDED JUNE 30, 1943, BY THE COMPTROLLER GENERAL OF THE UNITED STATES

Pursuant to section 20 of the act of June 29, 1936 (49 Stat. 1988), as amended, an audit has been made of the financial transactions of the War Shipping Administration for the fiscal year ended June 30, 1943.

The results of the audit are herein submitted including the following financial statements:

Exhibit I. Balance sheet.

Exhibit II. Statement of income and expenses.

Exhibit III. Statement of capital and deficit.

Exhibit IV. Statement of impairment of capital.

Its scope included such review and checking of the Administration's accounting methods, records, and system of internal control as approved commercial auditing standards require.

This audit was in addition to the regular audit of receipts and expenditures which was made pursuant to the Budget and Accounting Act, 1921, for the purpose of settling the accounts of the Administration's disbursing officer.

FINDINGS

The audit disclosed that the accounting methods and procedures employed were not of the kind or type to result in the accurate recording of the financial transactions to the extent necessary to properly and completely disclose the results of its operations or financial condition.

It can be definitely stated that at no time during the fiscal year 1943 could the management of the Administration have been furnished current financial information of the character necessary for sound financial administration.

The audit also disclosed that the absence of care and efficiency on the part of the Administration's staff resulted in substantially inaccurate statements for the fiscal year 1943 being released as late as April 15, 1944.

The audit further disclosed that the internal audit is incomplete.

The following adjustments have been made to the published statements of the

War Shipping Administration in preparing the audited financial statements attached.

Cash: The cash as shown in the published statements has been increased $4,410,370.05. The details of the adjustment are as follows:

Balance, cash, June 30, 1943, per published statement	$1,662,051,011.83
Add:	
Collections of accounts receivable not recorded as collected	3,084,728.89
Collateral deposits not recorded as collected	68,650.00
Cash on hand or in transit at June 30, 1943, not recorded as collected	300,862.96
Incomplete transfer of cash from Navy working fund	956,128.20
Total	4,410,370.05
Adjusted balance, cash, June 30, 1943, per audited statement	1,666,461,381.88

Accounts receivable: The accounts receivable as shown in the published statements have been increased $194,971,574.13. The details of the adjustment are as follows:

Balance, accounts receivable June 30, 1943, per published statement	$334,260,218.62
Add:	
Collection of an advance for ship purchase applied as reduction of accounts receivable, properly includible as an account payable	1,200,000.00
Correction of erroneous charge to reserve for war risk insurance on account of S. S. *Wakefield* (ex *Manhattan*)	4,983,394.00
Correction of erroneous increase in deficit (vessels lost) on account of S. S. *Wakefield* (ex *Manhattan*)	1,284,706.00
Erroneous payment of charter hire:	
Tidewater Associated Oil Co., Inc.: S. S. *Axtell J. Byles*	266,055.59
American-Hawaiian S. S. Co.: S. S. *Colorado*	399.81
Agwilines, Inc.: S. S. *Colorado*	537.08
Balboa Transport Corp.: S. S. *El Segunda*	5,215.77
Ford Motor Co.: S. S. *East Indian*	5,216.17
Gulf Oil Corp.: S. S. *Gulfbelle*	244,771.36
Grace Lines, Inc.:	
S. S. *Santa Rita*	203.89
S. S. *Tachria*	112.72
Hoosier Marine Corp.: S. S. *Hoosier*	1,044.76
Keystone Shipping Co.: S. S. *Thermo*	572.98
Lykes Bros. Steamship Co.:	
S. S. *Crawford*	1,701.11
S. S. *Cripple Creek*	1,223.12
S. S. *Hybert*	151.20
S. S. *Reuben Tipton*	388.86
S. S. *Tillie Lykes*	91,410.62
S. S. *Stella Lykes*	5,446.97
Panama Transport Co.: M. S. *J. H. Senior*	10,491.37
Petroleos Mexicanos: M. S. *Tampico*	109,009.53
Add:	
Erroneous payment of charter hire—Con.	
Standard Oil Co. of New Jersey: S. S. *Esso Williamsburg*	$18,135.00
Socony Vacuum Oil Co.:	
S. S. *Caddo*	34,193.35
S. S. *Stanvac*	16,609.95
Tankers Co.: S. S. *Itorro*	13,329.39
The Texas Co.: S. S. *Kentucky*	14,773.67
Waterman S. S. Co.:	
S. S. *Andrew Jackson*	79.48
S. S. *Fairport*	375.56
S. S. *Topa Topa*	2,625.70
Weyerhaeuser S. S. Co.: S. S. *Heffron*	124.96
Total	844,199.97
Balance, excess profits on repair and conversion contracts:	
Bethlehem Steel Co.	1,110,749.98
Error in compilation of total of war risk insurance accounts receivable at June 30, 1943	1,000.00
Additional warship-open-cargo premiums collected in fiscal year 1944, properly applicable to fiscal year 1943	617,502.38
War risk insurance claim payments by general agents, collectible from hull underwriters, protection and indemnity underwriters, and other sources	3,953,533.30
Estimated amount receivable from Lend-Lease Administration for transportation of lend-lease cargoes (amount receivable was not accrued by WSA vessel operating agents at June 30, 1943)	350,000,000.00
Total	698,255,304.25
Less:	
Erroneous year-end adjustments by the Administration which resulted in an overstatement of working fund reserves and accounts receivable:	
Navy Department	12,770,576.03
War Department	530,271.92
Erroneous year-end adjustment which resulted in an overstatement of accounts payable and accounts receivable (S. S. *America*)	10,731,335.74
Repairs at time of acquisition of vessel properly includible in vessels and floating equipment (Tug *Patapsco*)	70,498.87
Erroneous year-end adjustment—S. S. *George Washington*	11,487,701.35
Duplication, by year-end adjustment, of amounts already included in accounts receivable (War Department)	1,202,000.00
Vessel operating expenses properly chargeable to the Administration rather than to the War Department (S. S. *Lawrence Philips* and S. S. *Yarmouth*)	17,951.17
Less:	
Erroneous year-end adjustment resulting in an overstatement of accounts receivable and unearned premiums	$139,316.63
Repairs paid under insurance claims improperly recorded as an accounts receivable	223,453.64
Collection of accounts receivable prior to June 30, 1943, recorded as outstanding in year-end adjustments	100,000.00
Cash collections on hand and not recorded covering insurance premiums reflected in accounts receivable	234,842.65
Cash deposited in Federal Reserve banks and not recorded covering insurance premiums reflected as accounts receivable	93,914.32
Cash deposited with U. S. Treasury through Federal Reserve banks and not recorded covering insurance premiums reflected as accounts receivable	2,990,814.57
Credit memos processed in 1944 covering insurance premium reductions	598,492.65
To transfer from accounts receivable to voyages in progress the amount of insurance premiums credited to reserve for war-risk insurance	127,454,148.00
Erroneous year-end adjusting entry resulting in an overstatement of accounts receivable:	
Repairs to foreign-flag vessels	217,378.62
Rental and charter of vessels for foreign governments	160,687.14
Machinery, materials, equipment, and conversion of vessels for foreign governments	128.20
Total	169,023,511.50
Adjusted balance, accounts receivable, June 30, 1943, per audited statement	529,231,792.75

Voyages in progress: The voyages in progress, which were not shown separately in the published statements, have been adjusted to show an amount of $177,463,480.81.

The details are as follows:

Balance, voyages in progress, June 30, 1943, per published statement	----------
Add:	
Transfer from deferred charges of expenses of unterminated voyages as at June 30, 1943	$76,653,412.01
Unrecorded self-insurance expense as at June 30, 1943:	
As determined by the Administration	127,454,148.00
Additional amount through audit determination	17,717,223.00
Transfer from Stores, Equipment and Autos of the following expenses: Food, fuel, stores and equipment charged to vessels	1,333,318.02
Total	223,158,101.03

Less:		
Transfer from deferred credits of revenues of unterminated voyages as at June 30, 1943		$45,694,620.22
Adjusted balance, voyages in progress, June 30, 1943, per audited statement		177,463,480.81

Vessels and floating equipment: The vessels and floating equipment have been increased in the amount of $58,949,239.73.

The details of the adjustment are as follows:

Balance, vessels and floating equipment, June 30, 1943, per published statement		$2,432,985,429.19
Add:		
To record the ownership of the S. S. *Tracker* chartered to the British Jan. 31, 1943		2,475,000.00
Restoration of original value for depreciation credited directly to vessel's cost instead of reserve		4,695,481.18
To record the cost of concrete barge No. 1 delivered to WSA on April 13, 1943		1,480,000.00
To adjust values for reappraisal of foreign vessels not sunk as at June 30, 1943		13,870,601.44
To record purchase of 2 tankers from Colombian Government		1,500,000.00
To record purchase of S. S. *Dundas*		168,182.00
To record purchase of 6 ships from the Ford Motor Co		362,000.00
To record acquisition of 27 small craft pending final determination of cost		1,672,932.55
To record acquisition of S. S. *Mobilube* pending final determination of cost		2,036,231.00
To record additional amount necessary to indicate cost of acquisition of S. S. *William C. McTarnahan*		1,227,389.34
To record additional cost of acquisition of vessels by reason of repairs and betterments prior to use		32,267,145.45
Transfer from deferred charges and prepaid expenses of acquisition cost of 33 vessels improperly classified		16,789,686.55
Total		2,511,530,078.70
Less:		
To record sinking of S. S. *William K. Vanderbilt* May 16, 1943		2,000,000.00
To record loss of:		
S. S. *Avenger* (ex *Rio Hudson*)		8,857,058.94
S. S. *Dasher* (ex *Rio de Janeiro*)		3,350,109.26
S. S. *Ballot* (ex *Alberta*)		1.00
S. S. *Coldbrook*		36,600.00
S. S. *Boston*		1,350,000.00
S. S. *New York*		1,350,000.00
S. S. *Fort Le Reine*		1,687,725.58
Less:		
To record vessels unfit for further service:		
S. S. *Gaspar de Portola*	$1,950,000.00	
S. S. *James K. Polk*	1,950,000.00	
S. S. *Thomas Ruffin*	1,950,000.00	
S. S. *John Cadwalader*	113,915.00	
Total		19,595,409.78
Adjusted balance, vessels and floating equipment June 30, 1943, per audited statement		2,491,934,668.92

Reserves for depreciation: The reserves for depreciation have been increased $5,863,626.64. The details are as follows:

Balance, reserves for depreciation, June 30, 1943, per published statement		$66,184,821.80
Add:		
Accrued depreciation not recorded: S. S. *Tracker*	140,820.41	
Foreign vessels	1,675,402.96	
S. S. *Bostonian*	126,296.52	
S. S. *Polonaise*	127,181.53	
S. S. *Dundas*	14,044.84	
S. S. *Mobilube*	40,475.71	
Various vessels purchased or requisitioned by War Shipping Administration	1,460,055.95	
Depreciation originally credited direct to asset now transferred to reserve:		
Other vessels, large craft	460,643.39	
Vessels purchased by U. S. Maritime Commission	3,911,285.49	
Vessels purchased or requisitioned by War Shipping Administration	323,552.30	
Total		8,279,770.10
		74,464,591.90
Less:		
Depreciation charged on vessels subsequent to their loss or elimination from service:		
S. S. *James K. Polk*	30,452.37	
S. S. *Thomas Ruffin*	24,375.00	
S. S. *William K. Vanderbilt*	12,020.53	
S. S. *Avenger* (ex *Rio Hudson*)	112,896.88	
S. S. *Dasher* (ex *Rio de Janeiro*)	41,376.56	
S. S. *Boston*	196,887.37	
S. S. *Fort Le Reine*	66,722.96	
S. S. *New York*	196,887.37	
S. S. *Cadwalader*	23,953.36	
Total		705,572.40
Change in depreciation rate:		
S. S. *Yemassee*	119,875.40	
S. S. *Boston*	420,745.63	
S. S. *New York*	420,745.63	
Accrued depreciation to date of loss or unfit for service to date, not eliminated from reserve:		
S. S. *William K. Vanderbilt*	57,164.40	
S. S. *Gaspar de Portola*	51,020.55	
S. S. *James K. Polk*	53,424.34	
S. S. *Thomas Ruffin*	78,733.59	
S. S. *Avenger* (ex *Rio Hudson*)	145,329.87	
Less:		
Accrued depreciation, etc.—Continued		
S. S. *Dasher* (ex *Rio de Janeiro*)		$179,449.59
S. S. *Boston*		83,609.71
S. S. *Fort Le Reine*		13,975.75
S. S. *New York*		83,609.71
S. S. *Cadwalader*		2,886.89
Total		2,416,143.46
Adjusted balance, reserves for depreciation, June 30, 1943, per audited statement		72,048,448.44

Stores, equipment, and automobiles: The stores, equipment, and automobiles have been reduced $1,333,318.02. The detail is as follows:

Balance, stores, equipment, and automobiles, June 30, 1943, per published statement		$14,712,131.58
Less:		
Transfer of expenses from asset classification to voyages in progress: Food, fuel, stores, and equipment charged to vessels		1,333,318.02
Adjusted balance, stores, equipment, and automobiles, June 30, 1943, per audited statement		13,378,813.56

Deferred charges and prepaid expenses: The deferred charges and prepaid expenses have been reduced in the amount of $1,131,832,935.50.

The details of the adjustment are as follows:

Balance, deferred charges, and prepaid expenses, June 30, 1943, per published statement		$1,173,656,954.67
Add:		
Erroneous year-end adjustment resulting in an understatement of repairs to foreign-flag vessels and overstatement of accounts receivable		217,378.62
Erroneous year-end adjustment resulting in an understatement of rental and charter of vessels for foreign governments and machinery, materials, equipment, and conversion of vessels for foreign governments, and an overstatement of accounts receivable		160,815.34
Total		1,174,035,148.63
Less:		
Reclassification of voyage expenses to disclose major activity operation		76,653,412.01
Reduction of appraised value of small craft as of the date of acquisition by requisition		395,067.45
Improper classification of small craft		1,672,932.55
Improper classification of increased value of certain foreign vessels by reappraisal		29,217,352.94
Erroneous entry involving Navy working funds		1,422,949.19

Less:	
Improper classification of acquisition value of certain vessels acquired for foreign governments	$16,789,686.55
Elimination of expenditures for other Government agencies out of said agencies' funds	1,006,059,728.77
Total	1,132,211,129.46
Adjusted balance, deferred charges, and prepaid expenses, June 30, per audited statement	41,824,019.17

Accounts payable: The accounts payable have been increased $23,722,637.92.

The details of the adjustment are as follows:

Balance, accounts payable, June 30, 1943, per published statement	$1,181,752,077.79
Add:	
Purchase price due Colombian Government for purchase of 2 tankers:	
S. S. *Bostonian* (ex *Anteo*)	750,000.00
S. S. *Polonaise* (ex *Rapello*)	750,000.00
Purchase price due Canadian Shipping Board for S. S. *Dundas*	168,182.00
Purchase price due Ford Motor Co. for 6 vessels	362,000.00
Purchase price due Socony Vacuum Oil for S. S. *Mobilube*	2,036,231.00
Accrued liability for vessel repairs not recorded as at June 30, 1943, based on subsequent payments	53,798,781.75
Transfer of credit balance in accounts receivable to accounts payable	1,200,000.00
Deferred credits reclassified as accounts payable	378.00
Erroneous year-end adjustments involving Navy working funds	956,128.20
Adjustment of Navy working-fund accounts to reflect correct liability	163,275.69
Adjustment of charter-hire charges for the year 1942	8,903,824.22
Collateral deposits by insurers warship-open-cargo policies received prior to June 30, 1943, but not recorded	68,650.00
Total	1,250,909,528.65
Less:	
Erroneous year-end adjustments involving:	
S. S. *DeWitt Clinton*	300,000.00
S. S. *State of Maryland*	452,000.00
S. S. *State of Virginia*	450,000.00
Navy working funds	10,731,335.74
Do	3,883,666.00
Do	1,422,949.19
Adjustment of liability for purchase price of 27 small craft originally estimated at $2,068,000, which was later fixed at $1,672,932	$395,067.45
To reverse duplicate entry involving Navy working fund	8,069,540.00
To adjust charge to the War Department on the purchase of the S. S. *President Garfield*	530,271.92
Erroneous charge against accounts receivable instead of Navy working fund	817,370.03
Reduction of liability for charter hire as at June 30, 1943, based on audit of subsequent payments	12,674,614.66
Elimination of amount to cover cost of acquiring vessels not actually owned	4,799,783.00
Erroneous year-end adjustment	908,214.95
Total	45,434,812.94
Adjusted balance, accounts payable, June 30, 1943, per audited statement	1,205,474,715.71

Claims payable, war risk insurance: The claims payable, war risk insurance have been increased $250,011,711.99.

The details of the adjustment are as follows:

Balance, claims payable, war risk insurance, June 30, 1943, per published statement	
Add:	
Claims in process June 30, 1943, but not approved	$237,057,148.08
Claims in process June 30, 1943, approved but not paid	4,394,946.67
Claims filed subsequent to June 30, 1943, relating to 1943 fiscal year	8,559,617.24
Total	250,011,711.99
Adjusted balance, claims payable, war risk insurance, June 30, 1943, per audited statement	250,011,711.99

Deferred credits, unearned insurance premiums: The deferred credits have been reduced $46,055,772.87 and retitled deferred credits, unearned insurance premiums.

The details of the adjustment are as follows:

Balance, deferred credits, unearned insurance premiums, June 30, 1943, per published statement	$47,744,425.12
Add: Transfer of unearned insurance premiums as at June 30, 1943, from war-risk insurance reserve	1,255,800.00
Total	49,000,225.12
Less:	
Reduction of unearned insurance premiums, marine insurance as at June 30, 1943:	
Moore Dry Dock Co	1,527.50
Western Pipe & Steel Co	$2,282.29
Norwegian Shipping and Trading Mission	135,506.84
Elimination of excess profits actually collected prior to June 30, 1943:	
Bethlehem Steel Co	1,477,258.02
Deferred credits reclassified as accounts payable	378.00
Transfer to voyages in progress income items relating to unterminated voyages	45,694,620.22
Total	47,311,572.87
Adjusted balance, deferred credits, unearned insurance premiums, June 30, 1943, per audited statement	1,688,652.25

Reserve for marine insurance: The reserve for marine insurance has been increased $726,268.48.

Balance, reserve for marine insurance, June 30, 1943, per published statement	$5,773,731.52
Add:	
Amount necessary to establish reserve at administratively determined amount to provide for anticipated losses not recorded although determined	726,268.48
Adjusted balance, reserve for marine insurance, June 30, 1943, per audited statement	6,500,000.00

Reserve for war-risk insurance: The reserve for war-risk insurance has been decreased $325,913,156.65. The details of the adjustment are as follows:

Balance, reserve for war-risk insurance, June 30, 1943, per published statement	$355,984,767.34
Add:	
Error in compilation of total war-risk insurance premiums as at June 30, 1943	1,000.00
Erroneous entry covering partial cost of S. S. *Wm. C. McTarnahan*	1,227,389.34
Reimbursable claims charged against reserve properly collectible from others	3,953,533.30
Erroneous charge against reserve S. S. *Wakefield* (ex *Manhattan*)	4,983,394.00
Excessive charge against reserve for estimated repairs accrued as at June 30, 1943	11,501,437.76
Unrecorded earned premium collections on hand at June 30, 1943	6,346.34
Unrecorded unearned premium collections on hand at June 30, 1943	36,298.97
Unrecorded refund of insurance claim paid in error	23,375.00
Insurance premiums (self insurance) covering voyages in progress not previously recorded	17,717,223.00
Unrecorded earned warship-open-cargo insurance premiums at June 30, 1943	617,502.38
Total	396,052,267.43

Less:	
Erroneous charge against deficit	$6,069,324.10
Credit memos processed in 1944 covering insurance premium reductions	598,492.65
Transfer of unearned premium to deferred credits	1,255,800.00
Transfer of amount to cover outstanding recorded claims payable to that account	237,057,148.08
Transfer of amount to cover unrecorded outstanding claims payable to that account	8,559,617.24
Transfer of amount to cover approved claims in transit for payment but not paid	4,394,946.67
Transfer of war-risk insurance premiums (under the War Shipping Administration self-insurance program) determined by the Administrator to be excessive:	
Prior period	50,267,020.00
Fiscal year 1943	57,778,308.00
Total	365,980,656.74
Adjusted balance, reserve for war-risk insurance, June 30, 1943, per audited statement	30,071,610.69

Capital and deficit: The capital and deficit have been reduced $605,726,904.31.

The details of the adjustment are as follows:

Balance, capital and deficit, June 30, 1943, per published statement	$3,997,057,979.48
Add:	
Vessels transferred from United States Maritime Commission but not recorded:	
Concrete Barge No. 1	1,480,000.00
S. S. *Tracker*	2,475,000.00
Excess vessel repair estimate for 1942	2,749,681.36
Erroneous adjustment involving war-risk insurance	6,069,324.10
Capitalization of reconditioning and reconversion costs:	
S. S. *City of St. Louis*	104,124.62
S. S. *City of Savannah*	58,330.80
S. S. *Herman Winter*	61,167.75
Excess depreciation due to change of base from 2 years to 5 years:	
S. S. *Boston*	26,970.88
S. S. *New York*	26,970.88
S. S. *Yemassee*	97,177.83
Unrecorded excess profits from Bethlehem Steel Co	2,588,008.00
Erroneous charter hire payments (1942)	108,226.00
Unrecorded estimated additional terminated voyage revenue based on audit determination	350,000,000.00
Erroneous charter hire payments (1943)	735,973.97
Erroneous charter hire accrual (1943)	23,015,145.87
Depreciation charged subsequent to loss of vessels	705,572.40
Add:	
Transfer of war-risk insurance premiums (under the War Shipping Administration self-insurance program) determined by the Administrator to be excessive:	
Prior period	$50,267,020.00
Fiscal year 1943	57,778,308.00
Excess depreciation charged due to use of incorrect base	810,247.07
Erroneous charge-off:	
S. S. *Wakefield* (ex *Manhattan*)	1,284,706.00
Erroneous year-end adjustment:	
Todd-Galveston Dry Dock Co	908,214.95
Capitalization of repairs and betterments, at time of acquisition originally charged to expense	31,973,023.41
Total	4,530,381,173.37
Less:	
Transfer from deferred charges of vessels lost at sea during 1942 fiscal year: S. S. *Scheherazade*	2,779,499.00
Additional loss based on reappraisal of foreign requisitioned vessels lost at sea during fiscal year 1942:	
Finish	101,479.13
Danish	2,245,040.25
Additional depreciation prior years based on revaluation of vessels	536,894.66
Depreciation on S. S. *Tracker* for prior year	20,164.16
Additional charter hire expense relating to prior years	19,244,355.43
Duplicate entry involving excess profits	100,000.00
Transfer of terminated voyage expense incorrectly set up as accounts receivable	17,951.17
Depreciation for 1943 on vessels not recorded:	
S. S. *Tracker*	120,656.25
S. S. *Bostonian*	126,296.52
S. S. *Mobilube*	40,475.71
S. S. *Polonaise*	127,181.53
S. S. *Dundas*	14,055.84
Additional depreciation for 1943 on foreign vessels due to reappraisal:	
French	$252,250.00
Finnish	169,141.06
Estonian	59,440.00
Danish	987,046.50
Depreciation for 1943 on small craft not previously recorded	192,153.30
Depreciation for 1943 on capitalized repairs and betterments	1,267,902.65
Additional amount necessary to increase reserve for marine insurance to total administratively determined to be adequate	726,268.48
Unrecorded loss of additional vessels lost at sea during 1943:	
S. S. *Avenger* (ex *Rio Hudson*)	8,711,729.07
Less:	
Unrecorded loss, etc.—Continued	
S. S. *Dasher* (ex *Rio de Janeiro*)	$3,170,659.67
S. S. *Boston*	1,266,390.29
S. S. *Ballot*	1.00
S. S. *Coldbrook*	36,600.00
S. S. *Fort Le Reine*	1,673,749.83
S. S. *Gaspar de Portola*	1,898,979.45
S. S. *John Cadwalader*	111,028.11
S. S. *James K. Polk*	1,896,575.66
S. S. *New York*	1,266,390.29
S. S. *Thomas Ruffin*	1,871,266.41
S. S. *William K. Vanderbilt*	1,942,835.60
Increase in loss due to reappraisal of foreign vessels lost at sea:	
Finnish	478,459.16
Danish	4,613,121.70
Defense aid expenditures originally incorrectly classified as deferred charges	1,006,059,728.77
Unrecorded accrued repair expense for 1943	53,798,781.75
Additional repair expense incorrectly charged to war-risk insurance reserve	14,251,119.12
Duplicate capitalization of betterments to S. S. *George Washington*	11,487,701.35
Repairs set up as accounts receivable in error S. S. *Axtell J. Byles*	223,453.64
Repairs charged to Navy Department in error	163,275.69
Total	$1,139,050,098.20
Adjusted balance, capital, and deficit, June 30, 1943, per audited statement	3,391,331,075.17

COMMENTS

The following comments have been divided into three general classes:

A. Those involving incompleteness or inadequacies of the accounting procedures and practices.

B. Major errors of omission or commission.

C. Operational practices that do not protect the Government interests.

The recommendations will in a large part be directed toward curing these conditions.

A. Accounting procedures and practices

1. The Administration's method of preparing its financial statements as at June 30, 1943, was in three steps:

(a) Balances taken from the books totaling $2,175,117,686.26, including $705,668,909.62 cash on deposit with the Treasury which was not adjusted.

(b) Changes and corrections of the foregoing figures in the amount of $326,413,253.96.

(c) Further changes and corrections totaling $3,722,813,678.57 to close the gap between recorded fact and actual fact.

These three steps disclose the incompleteness of the recorded accounting facts for current operational management purposes.

2. Incomplete control over adjustments for closing the gap between recorded fact and actual fact.

3. The internal audit is incomplete. Specific examples are:

(a) Failure to reconcile War and Navy working fund reserves with related cash balances.

(b) Credit memoranda affecting accounts receivable in most cases do not bear the approval of a responsible official.

(c) Delinquent submission by agents of voyage accounts resulting in further advances being made without proper accounting for prior advances.

(d) Lack of current control over income involving millions of dollars.

(e) Lack of accounting technique necessary to accomplish elimination of interagent accounts.

(f) Inadequate verification of the actual receipts of all insurance premiums properly receivable. (Certain policy numbers were not accounted for.)

(g) Amounts paid by insurers to Federal Reserve banks not taken up currently in accounts.

(h) Checks for insurance premiums, unrecorded in the accounts, held for considerable periods and returned to debtors for substitution.

(i) Payment of over $800,000 for charter hire that was not due.

(j) No time and material checkers on repair jobs.

(k) Repairs properly reimbursable from ship owners, insurance companies, or others not charged or billed on current basis.

(l) Insufficient accounting control over lend-lease deliveries.

(m) No control maintained over issued, unissued, and voided policies and binders.

4. In preparing its balance sheet as at June 30, 1943, the Administration failed to give effect to a return of $108,045,328 from the war-risk insurance fund to the revolving fund representing 40 percent of the self-insurance premiums applicable to the period prior to October 1, 1942.

5. The item of "Supplies and equipment, Training Division," $10,071,152.51, included in the Administration's balance sheet under the general caption of "Stores, equipment, and automobiles" was not reflected in the books of the Administration at June 30, 1943, but was brought into the balance sheet by year-end adjusting entry. Of the total valuation in the balance sheet an amount of $2,000,000 was reflected in the accounts as having been received from the United States Coast Guard without transfer of funds, and the remainder, $8,071,152.51 was estimated as having been expended by the Administration in the fiscal year 1943 (first recorded in the accounts as expenses). No inventory records were made available for examination during the course of the audit nor was information furnished as to the whereabouts of the records, if any. The available information indicates that the inventories were classified as follows:

Equipment, nonexpendable	$4,722,887.39
Supplies, expendable	684,767.46
Clothing	4,229,278.00
Provisions	434,219.66
Total	10,071,152.51

Under date of July 27, 1945, a letter, to which no reply had been received as at December 20, 1945, was addressed to the comptroller of the Administration, making the following inquiries:

1. Explain in detail how the figure of $10,071,152.51 was determined?

(a) Was it taken from the books? If so, where are the books located?

(b) Was a physical count made?

(c) Other methods used?

2. What written instructions, if any, were issued in advance as to methods of listing and valuing equipment, supplies, and provisions included in the figures of $10,071,152.51 in Administration's balance sheet of June 30, 1943?

3. If inventory lists were prepared, are copies available for our examination?

4. Under whose instructions were the inventories prepared?

5. Who supervised the preparation of the inventories?

6. Who actually prepared the inventories?

7. Explain fully the basis (cost, market, appraisal, etc.) for the pricing of this inventory.

8. Was any allowance made for material that had been used or that was in imperfect condition?

9. As of this date, has an inventory been prepared covering supplies and equipment taken over from the United States Coast Guard in July and August 1942? If so, where may we find the inventory sheets?

10. As of this date, has any analysis been made of the general account known as "Outfits" referred to in Commander Gilman's memorandum to Mr. Kirsch? If so, where may we find the work sheets or a report derived therefrom?

11. To whom may we address a request for certificate regarding the pricing and physical existence of the inventory?

6. The War Shipping Administration for balance-sheet purposes at June 30, 1943, on information furnished by its office of training operations, set up property values of $37,609,213 purporting to be land and buildings used in cadet and seaman training. These properties are listed in the statement of assets and liabilities as being at appraised value. It could not be ascertained from the records in Washington by whom or on what basis the appraisal was made.

Moreover, this item was not carried in the books of the Administration at June 30, 1943. It is reflected in the balance sheet by means of a War Shipping Administration year-end adjusting entry.

Of the total shown in the balance sheet, an amount of $16,939,199.99 was treated as being the value of assets transferred from the United States Coast Guard without transfer of funds, and for this reason a corresponding increase was made in capital. The remaining $20,670,013.01 represents a proration of expenditures made in the fiscal year 1943, and originally classified as "Cadet and seaman training expense."

Copies of appraisals and inventories were not available in Washington for examination. Informal information obtained indicated that any supporting documents are retained at the various stations, and only summaries are transmitted to Washington. The Office of Training Operations admitted that the aggregate value of $37,609,213 is not complete, that it is subject to correction and change.

As of August 3, 1945, formal inquiry, to which no reply had been received as of December 20, 1945, was addressed to the comptroller of the Administration requesting answers to the following:

1. As of what date was the appraisal of the properties made?

2. Was an appraisal made as at June 30, 1943?

3. If so, was this apraisal used as the basis for the figures appearing in the balance sheet?

4. By whom was the appraisal made?

5. Where may we find a copy of the appraisal report (or reports) for purposes of our examination? Also working papers, if any, showing how balance sheet figures were derived from the appraisal report?

6. Was the appraisal prepared in such a manner as to disclose separate values for various items of land, buildings, machinery, and other improvements?

7. Were any of the buildings situated on land not owned by the United States of America at June 30, 1943?

8. If so, give complete details and particulars regarding each such item.

9. Were any agreements in effect at June 30, 1943, requiring the restoration of properties to previous condition? Details are requested regarding any such requirements.

10. What was the basis of the valuation?

(a) Cost?

(b) Cost, less depreciation?

(c) Replacement cost?

(d) Other (complete details)?

(e) In cases of properties situated on land not owned by the United States Government, if any, was due allowance made in valuing the properties for the limited period of occupancy permitted by the leases or other agreements under which the properties were occupied at June 30, 1943?

11. Are adequate property accountability controls maintained?

12. If so, by whom?

13. Give brief description of property accountability control system in use.

B. Major errors of omission or commission

1. Collections of insurance premiums prior to June 30, 1943, in the amount of $3,084,728.69, were not recorded. Cash was consequently understated and accounts receivable overstated in this amount.

2. Collateral deposits, $63,650, pertaining to Warshipopencargo insurance policies were received prior to June 30, 1943, but were not recorded. Cash and accounts payable were thereby understated.

3. Unrecorded checks on hand or in transit at June 30, 1943, in the amount of $300,862.96, resulted in an overstatement of accounts receivable, $234,842.65, and understatement of the reserve for war-risk insurance, $66,020.31.

4. An incomplete transfer of cash, $956,128.20, from Navy working funds to the War Shipping Administration revolving fund resulted in an understatement of cash and accounts payable.

5. Included as a reduction of accounts receivable, Navy Department, at June 30, 1943, was the amount of $1,200,000 representing a collection from the Navy Department to cover the purchase of the S. S. *President Madison*. An official of the accounting department stated that the vessel will not be purchased for the Navy Department, and the collection is to be refunded. The credit balance of $1,200,000 was therefore transferred as an increase to accounts payable.

6. Erroneous charges to the reserve for war-risk insurance, $4,983,394, and vessels lost in operation, $1,284,706, which pertain to the S. S. *Wakefield* (ex *Manhattan*). These amounts are recoverable from the Navy Department under agreements in effect at June 30, 1943.

7. Erroneous payments for charter hire aggregated more than $844,000.

8. Failure to record completely the recapture of excess profits on repair and conversion contracts resulting in an understatement of accounts receivable $1,110,749.98, and overstatement of deferred credits, $1,477,258.02, and deficit, $2,588,008.

9. Warship-open-cargo insurance premiums aggregating $617,502.38 were unrecorded at June 30, 1943.

10. Insurance claim payments by agents, $3,953,533.30, were applied incorrectly as a reduction of the reserve for war-risk insurance rather than as contingent receivables.

11. Failure to record more than $350,000,000 revenues receivable at June 30, 1943, for the transportation of lend-lease cargoes.

12. Erroneous year-end adjusting entries aggregating $12,770,576.03, resulted in an overstatement of accounts receivable and Navy working-fund reserves.

13. Erroneous year-end adjusting entries aggregating $530,271.92, resulted in an overstatement of accounts receivable and the working-fund reserves of the War Department.

14. Erroneous year-end adjusting entries aggregating $10,731,335.72, resulted in an overstatement of accounts receivable and accounts payable.

15. Erroneous year-end adjusting entry of $11,487,701.35 involving repairs to the steamship *George Washington* included in accounts receivable.

16. Erroneous year-end adjustment resulting in an overstatement of accounts receivable by $1,202,000.

17. Erroneous year-end adjustment of $139,316.63 resulting in an overstatement of accounts receivable and unearned premiums.

18. Repairs under insurance claims improperly recorded as accounts receivable totaling $223,453.64.

19. Erroneous year-end adjustment indicating an account receivable of $100,000, which was actually collected prior to June 30, 1943.

20. Credit memorandums totaling $598,492.65, processed in 1944 covering insurance premium reductions applicable to insurance accounts receivable shown as outstanding at June 30, 1943.

21. Erroneous inclusion of $127,454,148 in accounts receivable which was actually expenses of voyages in progress.

22. Erroneous year-end adjustment of $378,193.96 resulting in an overstatement of accounts receivable.

23. Repairs and betterments to vessels prior to use of approximately $32,000,000 incorrectly charged to expense.

24. Acquisition cost of vessels aggregating more than $16,000,000 charged to deferred charges and prepaid expense.

25. Vessels lost at sea aggregating more than $13,000,000 still carried as an asset at June 30, 1943.

26. Failure to record depreciation on vessels in excess of $3,500,000.

27. Inclusion of over a billion dollars in assets of the Administration covering expenses paid for other Government agencies out of funds provided by them.

28. Failure to record over $50,000,000 of accounts payable for repairs prior to June 30, 1943.

29. Failure to disclose actual liability for war-risk insurance claims as at June 30, 1943, of over $250,000,000

C. Operational practices

1. The War Shipping Administration operated without current financial information from the accounting records.

2. The actual accounting and auditing work is not sufficiently coordinated with operations.

3. The property accountability, including inventories, of the Administration is unsatisfactory.

RECOMMENDATIONS

The following specific recommendations are presented for consideration.

1. That the accrual method of accounting be fully utilized.

2. That all cash balances be reconciled completely with Treasury balances.

3. That those employees handling collections and the receipt of cash be bonded.

4. That vessel operating agents expedite the submission of terminated voyage accounts.

5. That interagent receivables and payables be eliminated from the receivables and payables shown in the balance sheet so that only those amounts receivable from, and payable to, outsiders may be reflected in the published financial statements.

6. That interagent revenues and expenses reflected in the agents' account "Berth sub agents" be eliminated so that only those revenues and expenses resulting from transactions with outsiders may be reflected in the published financial statements.

7. That all receivable items set up by year-end adjustments be first approved by a responsible official before inclusion in financial statements.

8. That amounts set up as receivable, even though in error, be not written off or eliminated without prior approval by the War Shipping Administration's comptroller in each case.

9. That inventory accounts be maintained currently so that control can be exercised over physical inventories.

10. That a permanent file of all administration-owned vessels be established, centralized in one office, and maintained as a part of the accounting system.

11. That in the use of estimates for vessels constructed by the United States Maritime Commission, future financial statements should reflect in all cases the cost differentials between shipyards.

12. That an inventory be taken and appraisal made of all training vessels and floating equipment.

13. That an inventory be taken of all administration-owned office furniture, fixtures, and equipment, and permanent file maintained as part of the accounting system.

14. That the claims payable as reflected in the insurance-claims records be shown as a liability in the general accounting records and future financial statements.

15. That supplementary statements reflecting the assets, liabilities, income, and expenditures resulting from insurance activities and operations be incorporated in future financial statements so as to clearly reflect the financial condition of the insurance fund at a given date and the results of insurance operations over a given period.

16. That all insurance policies and binders be prenumbered and strict control maintained over issued, unissued, and voided policies and binders.

17. That the basic insurance policy records be placed in order so as to reflect properly and clearly the issuance or disposition of each policy.

18. That periodic lists be made of unissued policy numbers; and such lists retained in a permanent file.

19. That the internal audit functions be increased to provide a continuous audit of the entire field of the Administration's insurance activities.

20. That unearned premiums for war-risk insurance be computed on a basis of substantial accuracy (and the computations retained for audit reference) for presentation in the annual financial statements.

21. That war-risk-insurance-premium receipts and war-risk claims paid be recorded in the general books by the Division of Finance under the classification used by the Division of Wartime Insurance in maintaining its records and preparing statistical reports.

22. That the reserve for war-risk insurance reflect separately the amounts pertaining to self-insurance and commercial insurance activities.

23. That the underwriting statements furnished to the Congress and to the Comptroller General by the Division of Wartime Insurance be reconciled to the accounting records and the annual financial statements of the Administration.

24. That greater care be exercised to guard against erroneous charter-hire payments for vessels actually in an off-hire status or undergoing repairs for owner's account.

25. That pay roll and material checkers be employed for use on all repair jobs under the "time and material" form of contract.

26. That repair costs involving amounts receivable from third parties (owners, insurance) be kept in accounts separate from those not involving third parties.

27. That repairs and betterments made at the time of acquisition of the vessel be added to the cost or acquisition value of the vessel rather than to repairs expense.

28. That the published financial statements show the liability to repair contractors for repairs completed and unpaid at the end of the fiscal year.

29. That in order to protect the interests of the United States, definite determination be made at the earliest possible date of amounts recoverable from shipowners, insurance companies, or others for vessel repairs made in fiscal years 1942 and 1943.

30. That there be established a central file of receipts or other formal documents evidencing delivery of articles and services charged as lend-lease aid to foreign governments.

31. That a contingent liability be established to provide for the accumulated pay of captured seamen while in a prisoner-of-war status.

32. That the balances in the working fund reserve account reflected as amounts on deposit to the credit of the Navy Department and War Department be fully reconciled with the corresponding balances of available working funds on deposit with the Treasurer of the United States.

33. That in connection with the training organization, the Comptroller of the Administration establish current and continuous accounting control over the financial transactions, funds, inventories, vessels, and other property of the training organization.

Subject to the foregoing comments and qualifications, the attached statements fairly present the financial position as at June 30, 1943, and the operating results for the fiscal year ended that date.

If any elaboration of the information reflected in the report is required, representatives of this office will be available to discuss the matters in detail at your convenience.

EXHIBIT I.—*War Shipping Administration balance sheet, June 30, 1943*

Assets	Regular program		Number of vessels (including small craft)	Defense aid program	Total
General funds:					
On hand and in transit	$300,862.96				
On deposit with U. S. Treasury	709,777,425.76				
In custody of vessel operating agents	67,927,013.68				
		778,005,300.40			
Allocations from defense-aid appropriations				$888,456,081.48	
Total general funds					$1,666,461,381.88
Accounts receivable, less reserve for collection losses		527,472,216.35		1,759,576.40	529,231,792.75

Assets	Number of vessels (including small craft)	Acquisition value	Reserves for depreciation	Net	Regular program	Number of vessels (including small craft)	Defense-aid program	Total
Voyages in progress:								
Unterminated voyage expense				$223,158,101.03				
Less unterminated voyage revenue				45,694,620.22				
					177,463,480.81			$177,463,480.81
Vessels and floating equipment:								
Newly constructed by U. S. Maritime Commission, at values as estimated by the Commission:								
Liberty vessels (EC2)	977	$1,948,150,000.00	$47,640,636.92	$1,900,509,363.08				
Other vessels (large craft)	75	232,145,606.17	3,424,746.60	228,720,859.57				
Tugs and barges	17	21,310,000.00	129,347.75	21,180,652.25				
Requisitioned—foreign, including 7 cargo vessels and 2 tankers at $1 each; other vessels at War Shipping Administration-appraised values	64	25,485,171.00	3,451,141.32	22,034,029.68				
Former vessels of U. S. Shipping Board Merchant Fleet Corporation, at scrap value, except S. S. *George Washington* valued at $11,559,001.35, less reserve of $472,097.32	34	13,084,102.35	472,097.32	12,612,005.03				
Purchased or requisitioned by:								
U. S. Maritime Commission, including 10 small craft and 1 training vessel valued at $1 each	30	21,194,865.20	6,205,386.40	14,989,478.80				
War Shipping Administration, including cost of repairs and betterments, $32,267,145.45, at time of acquisition and 27 small craft valued at $1 each	249	201,239,577.60	10,458,938.06	190,780,639.54				
Transferred from U. S. Coast Guard, including the S. S. *American Mariner* at estimated value of approximately $2,900,000; 2 passenger vessels, and 20 small craft valued at $1 each	27	3,056,545.83	118,791.02	2,937,754.81				
Vessels traded in to Maritime Commission, at cost to the Commission	23	9,479,114.22	147,363.05	9,331,751.17				
Total vessels and floating equipment	1,496	2,475,144,982.37	72,048,448.44	2,403,096,533.93	[1] 2,403,096,533.93	33	[2] $16,789,686.55	2,419,886,220.48
Stores, equipment, and automobiles					13,378,813.56			13,378,813.56
Training properties and other real estate					37,609,213.00			37,609,213.00
Securities deposited with Treasurer of the United States by agents					1,640,000.00			1,640,000.00
Deferred charges and prepaid expenses					25,504,398.81		16,319,620.36	41,824,019.17
Total assets					3,964,169,956.86		923,324,964.79	4,887,494,921.65

The attached notes (1) and (2) pertaining to vessels and floating equipment are an integral part of this statement.

Liabilities	Regular program		Defense-aid program		Total
Accounts payable		$446,118,723.02		$759,355,992.69	$1,205,474,715.71
Claims payable, war-risk insurance		250,011,711.99			250,011,711.99
Deposits on sales and other contracts, including securities of a par value of $1,640,000 deposited with Treasurer of the United States by agents		2,351,176.23			2,351,176.23
Deferred credits unearned insurance premiums		1,688,652.25			1,688,652.25
Reserve for payment of claims:					
Claims under protection and indemnity insurance policies	$19,926.02				
Salvage award for collision damages	46,053.59				
		65,979.61			65,979.61
Reserve for marine insurance		6,500,000.00			6,500,000.00
Reserve for war-risk insurance		30,071,610.69			30,071,610.69
Capital and deficit:					
Capital:					
Contributed capital	$2,422,639,187.25		$3,826,631.51		
Appropriations and allotments (net)	1,611,987,763.87		1,166,202,069.36		
Total capital	4,034,626,951.12		1,170,028,700.87		
Deficit:					
Period, Feb. 7, 1942, to June 30, 1942	114,592,786.66				
Fiscal year ended June 30, 1943 (exhibit II)	692,672,061.39				
Total deficit	807,264,848.05				
Expenditures and unliquidated obligations, aid to foreign governments			1,006,059,728.77		
Total capital and deficit (exhibit III)		3,227,362,103.07		163,968,972.10	3,391,331,075.17
Total liabilities		3,964,169,956.86		923,324,964.79	4,887,494,921.65
Contingent liabilities (claims pending, in litigation, or asserted against the War Shipping Administration):					
Admiralty claims	20,526,786.23				
Common Law claims	855,980.20				
Total	21,382,766.43				

(1) Regular program:

Notes pertaining to vessels and floating equipment

DISPOSITION OF THE VESSELS AND FLOATING EQUIPMENT AT JUNE 30, 1943

	Number of vessels	Acquisition value	Reserve for depreciation	Net
General agency agreements	1,202	$2,190,083,848.20	$61,561,231.77	$2,128,522,616.43
Bareboat chartered to War and Navy Departments	58	83,775,352.38	2,673,893.59	81,101,458.79
Bareboat chartered to private operators	29	23,149,114.22	276,568.58	22,872,545.64
Lend-lease to foreign governments	104	160,936,709.40	6,549,085.50	154,387,623.90
Operating agreements (ferries)	7	696,363.56	91,645.82	604,717.74
Training division	71	6,074,022.86	595,936.25	5,478,086.61
Inactive	25	10,429,571.75	200,086.93	10,129,484.82
Total vessels and floating equipment—regular program	1,496	2,475,144,982.37	72,048,448.44	2,403,096,533.93

DISPOSITION BY TYPES OF VESSELS

General agency agreements:				
New construction Liberty vessels	936	$1,872,000,000.00	$46,324,253.36	$1,825,675,746.64
Other vessels—Large craft:				
Cargo	38	116,191,461.89	1,615,843.09	114,575,618.80
Tankers	31	99,000,000.00	1,009,659.25	97,990,340.75
Tugs and barges	17	21,310,000.00	129,347.75	21,180,652.25
Total new construction	1,022	2,108,501,461.89	49,079,103.45	2,059,422,358.44
Vessels requisitioned, foreign:				
Cargo	46	21,533,459.00	2,900,378.76	18,633,080.24
Tankers	5	1,018,504.00	245,419.34	773,084.66
Total requisitioned, foreign	51	22,551,963.00	3,145,798.10	19,406,164.90
Former vessels of U. S. Shipping Board Merchant Fleet Corporation:				
Cargo	24	1,130,300.00		1,130,300.00
Passenger	1	48,300.00		48,300.00
Small craft	1	48,600.00		48,600.00
Total former vessels U. S. Shipping Board Merchant Fleet Corporation	26	1,227,200.00		1,227,200.00
Vessels purchased by U. S. Maritime Commission:				
Cargo	14	7,955,680.20	2,162,494.68	5,793,185.52
Passenger	4	12,566,375.00	3,842,067.57	8,724,307.43
Total vessels purchased by U. S. Maritime Commission	18	20,522,055.20	6,004,562.25	14,517,492.95
Vessels requisitioned by War Shipping Administration:				
Cargo	42	15,461,270.69	1,796,877.02	13,664,393.67
Tankers	13	15,847,460.37	1,080,765.46	14,766,694.91
Passenger	2	3,152,558.76	149,750.38	3,002,808.38
Small craft	28	2,819,878.29	304,375.11	2,515,503.18
Total vessels requisitioned by War Shipping Administration	85	37,281,168.11	3,331,767.97	33,949,400.14
Total general agency agreements	1,202	2,190,083,848.20	61,561,231.77	2,128,522,616.43
Bare boat chartered to War and Navy Departments:				
New construction, Liberty vessels	28	56,000,000.00	1,018,541.09	54,981,458.91
Requisitioned, foreign, cargo	12	2,933,207.00	305,343.22	2,627,863.78
Former vessels of U. S. Shipping Board Merchant Fleet Corporation, passenger	2	11,618,601.35	472,097.32	11,146,504.03
Purchased by U. S. Maritime Commission, small craft	3	3.00		3.00
Requisitioned by War Shipping Administration:				
Cargo	11	11,157,541.03	723,983.86	10,433,557.17
Passenger	2	2,066,000.00	153,928.10	1,912,071.90
Total requisitioned by War Shipping Administration	13	13,223,541.03	877,911.96	12,345,629.07
Total bare boat chartered to War and Navy Departments	58	83,775,352.38	2,673,893.59	81,101,458.79
Bare boat chartered to private operators:				
New construction:				
Liberty vessels	4	8,000,000.00	79,602.74	7,920,397.26
Other vessels, large craft cargo	2	5,670,000.00	49,602.79	5,620,397.21
Total new construction	6	13,670,000.00	129,205.53	13,540,794.47
Vessels traded-in to Maritime Commission, cargo	23	9,479,114.22	147,363.05	9,331,751.17
Total bare boat chartered to private operators	29	23,149,114.22	276,568.58	22,872,545.64
Lend-lease to foreign governments:				
New construction:				
Liberty vessels	6	12,000,000.00	218,239.73	11,781,760.27
Other vessels, large craft, cargo	4	11,284,144.28	749,641.47	10,534,502.81
Total new construction	10	23,284,144.28	967,881.20	22,316,263.08
Vessels requisitioned, foreign cargo	1	1.00		1.00
Former vessels of U. S. Shipping Board Merchant Fleet Corporation: Cargo	5	238,300.00		238,300.00
Vessels purchased by U. S. Maritime Commission: Cargo	1	667,800.00	200,824.15	466,975.85
Vessels requisitioned by War Shipping Administration:				
Cargo	82	134,108,964.12	4,926,504.06	129,182,460.06
Passenger	5	2,637,500.00	453,876.09	2,183,623.91
Total vessels requisitioned by War Shipping Administration	87	136,746,464.12	5,380,380.15	131,366,083.97
Total lend-lease to foreign governments	104	160,936,709.40	6,549,085.50	154,387,623.90
Operating agreements: Vessels requisitioned by War Shipping Administration, small craft (ferries)	7	696,363.56	91,645.82	604,717.74
Training Division:				
Vessels purchased by U. S. Maritime Commission, small craft	8	5,007.00		5,007.00
Vessels requisitioned by War Shipping Administration: small craft	36	3,012,470.03	477,145.23	2,535,324.80
Vessels transferred from U. S. Coast Guard:				
Cargo	4	3,046,523.83	117,130.91	2,929,392.92
Passenger	2	2.00		2.00
Small craft	21	10,020.00	1,660.11	8,359.89
Total vessels transferred from U. S. Coast Guard	27	3,056,545.83	118,791.02	2,937,754.81
Total training division	71	6,074,022.86	595,936.25	5,478,086.61

Notes pertaining to vessels and floating equipment—Continued

	Number of vessels	Acquisition value	Reserve for depreciation	Net
Inactive vessels:				
New construction: Liberty vessels	3	$150,000.00		$150,000.00
Former vessels of U. S. Shipping Board Merchant Fleet Corporation: Small craft	1	1.00		1.00
Vessels requisitioned by War Shipping Administration:				
Cargo	4	2,522,765.62	$133,190.42	2,389,575.20
Tankers	2	3,655,750.07	40,475.71	3,615,274.36
Passenger	3	2,170,328.33	21,688.49	2,148,639.84
Small craft	12	1,930,726.73	104,732.31	1,825,994.42
Total vessels requisitioned by War Shipping Administration	21	10,279,570.75	300,086.93	9,979,483.82
Total inactive vessels	25	10,429,571.75	300,086.93	10,129,484.82
Grand total, regular program	1,496	2,475,144,982.37	72,048,448.44	2,403,096,533.93

(2) Defense-aid program: The 33 vessels under the defense-aid program, aggregating $16,789,686.55, are shown at acquisition value. The disposition of these vessels at June 30, 1943, was as follows:

LEND-LEASE TO FOREIGN GOVERNMENTS

	Number of vessels	Acquisition value
Russian Government:		
Cargo	21	$10,888,410.00
Tankers	7	5,554,525.00
Total, Russian Government	28	16,442,935.00
British Government: Small craft	5	346,751.55
Total lend-lease to foreign governments	33	16,789,686.55

Depreciation is not computed on these vessels.

EXHIBIT II.—*War Shipping Administration statement of income and expenses, fiscal year ended June 30, 1943*

Operating income:		
Charter hire	$3,463,517.51	
Operations under service agreements, terminated voyages (including estimate of $350,000,000 for transportation of lend-lease cargoes)	835,670,311.68	
Real-estate and terminal operations	522,483.81	
Recoveries of excess profits, repair contracts	331,861.00	
Miscellaneous	59,088.19	
Total operating income		$840,047,262.19
Operating expenses:		
Charter hire	$439,239,594.78	
Operations under service agreements, terminated voyages	670,321,776.88	
Inactive vessels expense	4,889,433.24	
Vessel repairs	109,425,035.87	
Vessel-conversion costs	283,946.75	
Recruiting and manning expense	309,483.92	
Agents' compensation	35,811,566.81	
Advertising	58,559.61	
Real-estate and terminal operations	231,405.84	
Rehabilitation program	230,875.25	
Salvage-service expense	60,000.00	
Census Bureau tabulations	55,000.00	
Uncollectible receivables	44,322.58	
Miscellaneous	343,605.64	
	1,261,304,607.17	
General and administrative expenses:		
Salaries and wages	2,446,219.86	
Fees and expenses for outside services	1,141,485.14	
Rent, heat, light, and power	186,695.18	
Communication expense	266,100.68	
Office supplies, stationery, and printing	108,223.60	
Travel expenses and transportation	39,043.75	
Miscellaneous	59,064.13	
	4,246,832.34	
Total operating expenses		1,265,551,439.51
Gross loss before depreciation		425,504,177.32
Provision for depreciation:		
Floating equipment, vessels	$73,313,274.54	
Other property and equipment	433,584.91	
		$73,746,859.45
Gross loss		499,251,036.77
Other income: Excess marine insurance earned premiums over claims		1,043,937.77
Total		498,207,099.00
Other deductions:		
Interest on deferred payments of purchase price of vessels acquired	$12,456.64	
Loss from sale of assets	3,537.34	
Expenses of U. S. Maritime Service and cadet training	20,909,420.03	
		20,925,414.01
Total		519,132,513.01
Extraordinary and nonrecurring losses:		
Vessels lost:		
Operated by War Shipping Administration	149,490,296.65	
Operated by foreign governments (depreciated value at date of loss)	[1] 24,049,251.73	
Total vessels lost		173,539,548.38
Net loss (exhibit I)		692,672,061.39

[1] This amount may eventually be recovered from the foreign governments, Great Britain and Russia, but the amount recovered most likely will not be added to the available funds or appropriations of the War Shipping Administration.

EXHIBIT III.—*War Shipping Administration statement of capital and deficit period Feb. 7, 1942, to June 30, 1943*

	Regular program					Defense aid		
	Feb. 7, 1942, to June 30, 1942	Fiscal year 1943	Balance June 30, 1943	Audit adjustments—increase or decrease [1]	Adjusted balance June 30, 1943	Balance June 30, 1943	Audit adjustments—increase or decrease [1]	Adjusted balance June 30, 1943
Capital:								
Contributed capital:								
Transfer of the net value of vessels and other miscellaneous items from the long-range program of the U. S. Maritime Commission, under authority of Executive Order No. 9054, issued Feb. 7, 1942, and General Order No. 7, dated Apr. 21, 1942	$270,793,851.83	$1,705,298,305.06	$1,976,092,156.89	$3,954,449.40	$1,980,046,606.29			
Transfer of the value of vessels from emergency ship construction program of the U. S. Maritime Commission, under authority of Executive Order No. 9054, issued Feb. 7, 1942, and General Order No. 7, dated Apr. 21, 1942	99,958,328.76	298,041,671.24	398,000,000.00		398,000,000.00			
Transfer of depreciation on emergency cargo vessels, from the Defense Aid Program of the U. S. Maritime Commission	10,150.68	5,088,021.92	5,098,172.60		5,098,172.60			
Transfer of miscellaneous items from the defense-aid program of the U. S. Maritime Commission (expenditures made on the S. S. *Catalin*, ex *George Washington*)						$3,826,631.51		$3,826,631.51
Transfer of the net book value of vessels lost or sunk to June 30, 1943, from the defense-aid program of the U. S. Maritime Commission		20,555,194.37	20,555,194.37		20,555,194.37			
Transfer of land, buildings, and inventories of the cadet and seamen training organization from the U. S. Coast Guard		18,939,213.99	18,939,213.99		18,939,213.99			
Total contributed capital	370,762,331.27	2,047,922,406.58	2,418,684,737.85	3,954,449.40	2,422,639,187.25	3,826,631.51		3,826,631.51
Add: Net appropriations and allotments	390,708,142.57	1,221,279,621.30	1,611,987,763.87		1,611,987,763.87	1,166,202,069.36		1,166,202,069.36
Total capital	761,470,473.84	3,269,202,027.88	4,030,672,501.72	3,954,449.40	4,034,626,951.12	1,170,028,700.87		1,170,028,700.87
Deduct:								
Excess of expenses and charges over income:								
Feb. 7, 1942, to June 30, 1942	68,221,990.28	71,873,021.12	140,095,011.40	[1] 25,502,224.74	114,592,786.66			
Fiscal year 1943		1,063,548,211.71	1,063,548,211.71	[1] 370,876,150.32	692,672,061.39			
Expenditures and unliquidated obligations—aid to foreign governments							$1,006,059,728.77	1,006,059,728.77
Total deductions	68,221,990.28	1,135,421,232.83	1,203,643,223.11	396,378,375.06	807,264,848.05		1,006,059,728.77	1,006,059,728.77
Capital and deficit (exhibit I)	693,248,483.56	2,133,780,795.05	2,827,029,278.61	400,332,824.46	3,227,362,103.07	1,170,028,700.87	[1] 1,006,059,728.77	163,968,972.10

[1] Red figures.

EXHIBIT IV.—*War Shipping Administration statement of impairment of capital, June 30, 1943*

		Regular program	Defense-aid program	Total
Transfer of the net value of vessels and other miscellaneous items from the long-range program, emergency ship-construction program, and defense-aid program of the U. S. Maritime Commission, exclusive of unexpended appropriations	$2,403,699,973.26		$3,826,631.51	$3,826,631.51
Transfer of land, buildings, and inventories of the Cadet and Seamen Training Organization from the U. S. Coast Guard	18,939,213.99			
		$2,422,639,187.25		2,422,639,187.25
Appropriations and allotments:				
Regular program:				
Appropriations by the Congress	1,310,000,000.00			
Unexpended appropriations transferred from the U. S. Maritime Commission	230,708,142.57			
Unexpended appropriations transferred from the U. S. Coast Guard	71,279,621.30			
		1,611,987,763.87		
Defense-aid program:				
Defense-aid allocations transferred from the defense-aid program of the U. S. Maritime Commission	$419,525,946.36			
Defense-aid allocations from Lend-Lease Administration	752,617,100.00			
	1,172,143,046.36			
Less: Amount returned to U. S. Treasury	5,940,977.00			
			1,166,202,069.36	
Net appropriations and allotments				2,778,189,833.23
Total capital		4,034,626,951.12	1,170,028,700.87	5,204,655,651.99
Less impairment of capital:				
Excess of expenses and charges over income:				
For the period Feb. 7 to June 30, 1942	$68,221,990.28			
Add: Adjustments ascertained in fiscal year 1943 by War Shipping Administration	71,873,021.12			
	140,095,011.40			
Less: Audit adjustments	25,502,224.74			
		114,592,786.66		114,592,786.66
Fiscal year 1943		692,672,061.39		692,672,061.39
Expenditures and unliquidated obligations, aid to foreign governments			1,006,059,728.77	1,006,059,728.77
Total impairment of capital		807,264,848.05	1,006,059,728.77	1,813,324,576.82
Capital and deficit (exhibit I)		3,227,362,103.07	163,968,972.10	3,391,331,075.17

UNITED STATES TARIFF COMMISSION

The recommendation for the Tariff Commission shows an increase of $151,590, despite discontinuation of work for other agencies in the fiscal year 1947, aggregating $233,000. It would appear that the recommendation was based on a desire to preserve the staff of the Commission regardless of other considerations.

In an effort to justify the preservation of the staff, the Chairman of the Commission dwelt, among other things, on the function of the Commission in observing imports and of reporting facts in the event of excessive importation of foreign competitive goods.

In this connection, attention is called to the table at page 757 of the hearings from which it appears that importations of jeweled watch and watch movements have increased from about 2,700,000 units just prior to the war to almost 7,000,000 units in 1944. I am further advised that importations for the month of October 1945 alone amounted to something like 2,100,000 units, and that the importations for the fiscal year 1945 will amount to over 10,000,000 units.

During this period the production of American watch factories, which amounted prior to the war to about 2,000,000 units, has been largely hog-tied.

The increase in importations does not seem to have concerned the Tariff Commission until recently, since it appears that it only called attention to the matter a month or two ago and that its final report on the matter has not yet been completed.

THE VETERANS' ADMINISTRATION

The largest item recommended in this bill is, of course, the item for the Veterans' Administration. It is a huge item of almost $5,000,000,000—to be exact, $4,934,000,000—as compared with $3,694,000,000 in the current fiscal year, an increase of $1,240,000,000. The committee action with allowances for pay increases, results in an increase of $1,182,000,000 as compared with the current fiscal year.

The increase is, of course, due to the tremendous increase in the number of our veterans from about 4,000,000 to about 20,000,000, to the obligations resulting under the GI bill of rights, and to the decentralization plans which General Bradley feels are imperative to proper supervision.

The organization contemplated will include, in addition to the main office in Washington, 13 branch offices, 53 regional offices, 150 subregional offices, 97 hospitals, and 1,500 contact offices of which 375 are now in operation. Administrative expenditure will be about double that heretofore.

Of course much of the estimate for this agency is without experience as a basis, particularly, for example, that in regard to readjustment benefits, including education, loans, and unemployment compensation. The basis for every item of appropriation, however, is set forth in great detail by General Bradley in the justifications presented to the committee, which are included in full in the hearings. The estimates have been allowed in full, except in two minor respects, in view of the unanimous desire to assure every possible consideration for our returning heroes.

Attention is called to the testimony in regard to available hospital facilities. On November 1 there were 85,781 beds in operation, exclusive of 11,633 emergency beds. With the completion of beds now in process of construction, beds authorized in the 1946 regular and deficiency appropriation bills, and beds provided for in this appropriation bill, there will be available a total of 142,285 beds, of which 126,051 will be in hospitals and 16,234 will be in homes.

For a period of at least 18 months available beds will not meet anticipated demands. It is believed by the Veterans' Administration, however, that any excess demand can be taken care of elsewhere and that the program requested represents the maximum program which can be constructed and staffed under present conditions.

General Bradley plans to utilize 11 out of 52 Army hospitals with 116,000 beds to be declared surplus before the end of the fiscal year. It is possible that additional units may be subsequently utilized. Under present conditions, however, it is his belief, and that of General Hawley, that the balance of the Army hospitals are not capable of utilization because of location or type of construction.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to my colleague from Massachusetts.

Mrs. ROGERS of Massachusetts. Is the gentleman satisfied that the Administration is taking on personnel fast enough in order to give the men real service? A veteran went out of the Army on a medical discharge, filed a claim at the time, in August, and he did not get a rating until the other day when I went into the regional office to urge that it be rated.

The widows are up against a difficult time securing the widow's allowance, I am told due to shortage of personnel.

Mr. WIGGLESWORTH. I am sure my colleague will agree that every Member on this floor, including every member of the committee handling this bill, wants to see a 100-percent job done for the returning veterans.

Mrs. ROGERS of Massachusetts. I think General Bradley is very anxious to see it also.

Mr. WIGGLESWORTH. To answer the question more specifically, I may point out that as compared with about 72,000 people on the rolls of the agency during the current fiscal year, the recommended appropriation, if approved, will provide for about 144,000, or practically double the existing personnel.

Mrs. ROGERS of Massachusetts. It is not a question of money. It is a question of taking on personnel.

Mr. WIGGLESWORTH. I think the increase is very liberal and should assure the objective that we all have in mind. It is in substantial accordance with the request of the Veterans' Administration.

Mrs. ROGERS of Massachusetts. I would like to ask the gentleman a question about the employment service for veterans. I am told that much time must be spent in securing unemployment benefits for the men, and that there is not enough personnel to handle the securing of the jobs; to actually find employment for the veterans.

Mr. WIGGLESWORTH. I am sure there have been complaints, and justifiable complaints, but it is fair to state that General Bradley has only recently taken charge of the Administration. He has been confronted by an enormous increase of work.

Mrs. ROGERS of Massachusetts. This is not General Bradley. It is the employment agency in the Labor Department.

Mr. WIGGLESWORTH. My colleague is asking for something outside of this bill, and I am not in a position to answer her question.

Mrs. ROGERS of Massachusetts. There is nothing in this bill for the employment of veterans.

Mr. WIGGLESWORTH. There has always been work going on through the Veterans' Administration to bring about the employment of veterans, insofar as possible. That is what I thought the lady directed her remarks to.

Mrs. ROGERS of Massachusetts. I was referring for the moment to the Labor Department.

Mr. WIGGLESWORTH. This bill does not deal with the Labor Department and I am not in a position to answer questions with respect to that.

Mrs. ROGERS of Massachusetts. No testimony was given regarding that?

Mr. WIGGLESWORTH. No; the Labor Department was not before this committee.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself one additional minute in order that I may yield to the gentleman from Mississippi.

Mr. RANKIN. I was just going to say it would be rather difficult for the Labor Department to put a veteran to work now when even an Army truck cannot pass picket lines to get food for the soldiers.

Mr. WIGGLESWORTH. Mr. Chairman, I yield back the balance of my time.

Mr. CASE of South Dakota. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. KILBURN].

Mr. KILBURN. Mr. Chairman, I listened with interest to our President's speech broadcast to the Nation on January 3, and also to his message which was read to the Congress January 21. He stated some very worth-while objectives for our Government to try to attain. Every thinking American agrees that we should seek full employment. Everyone is against inflation, and, of course, all of us want a higher standard of living for everyone. I think all of us share his anxiety about the terrible strike situation which is so badly crippling the reconversion program in this country.

While we all agree on these objectives, the President's method of attaining the objectives needs, in my opinion, careful consideration. I will only attempt to

cover a few of the proposals that the President mentioned.

This country simply must not have any more inflation. It would, of course, ruin everyone. The best guard against it in the long run is full production under our competitive American system of private enterprise. With plenty of goods competing in the market, prices are bound to go down instead of up. We probably should keep some price controls on until production is plentiful.

I think the President's proposal of $25 a week unemployment payments would increase unemployment. In many areas, a lot of people would simply quit working and take the $25 a week for doing nothing, just sitting down, when we need full production of everything in the country. It's an unsound proposal.

Now, regarding his proposal on labor legislation. I do not think it would help the situation at all. I certainly think labor legislation is badly needed. To date, many of us, especially the minority, have not been given an opportunity by the party in power to vote on any adequate legislation directed toward solving our labor difficulties.

I am a firm believer in the right of labor to strike. I am a firm believer in the right of labor to picket lawfully. By lawfully, I mean peaceful picketing with scrupulous regard for the rights of access to anyone wanting access to a plant or a business. That is the law, and labor's cause, in my opinion, would be greatly helped by observing it. In this connection the Republican membership of the House and Senate agreed last fall on a statement of principles, one of which was "Demands by either side must be kept within the bounds of reason and fairness and both sides must recognize the rights of the general public."

I do not pretend to know the solution for the labor problem, but it does seem to me that unions should publish their statements exactly the same as a corporation does. I also feel that unions should live up to their contracts and, if they do not, they should be held responsible under the law the same as a corporation. I cannot understand any argument why they should not. If these two matters were corrected, I believe labor would be strengthened, and certainly the country as a whole would be able to function and produce far better than we are now.

I agree with the President's complaint that the Congress has not taken any action on the labor problem. Of course, he knows, as well as anyone else familiar with our system of Government, that the party in power, namely, the Democrats at the present time, has absolute control in Congress, not only of the House itself, but of every single committee. The program of the House is made up by the Democratic leadership, including presumably the President and his administration. Every committee chairman is a Democrat. Every committee has a majority of Democrats on it. The minority has absolutely no power by itself to bring any legislation out. Therefore, this portion of his remarks should have been directed right to his own party.

For example, the Labor Committee, whose chairman is very prominent in the Democratic Party, is controlled by the Democrats. It has not presented any legislation of any kind to the House for 3 years. Recently the Military Affairs Committee reported an antistrike bill and obtained a rule on it. Our distinguished Democratic majority leader stated on the floor of the House that he was reluctant to have this legislation brought before the House. The chairman of the committee, a leading Democrat, stated to the House that even if the rule was passed, he would not bring his bill up at that time. I am sure that the action of these two Democrat leaders was concurred in by the President. Because of these statements the rule was beaten.

I would respectfully suggest to the President that he direct his remarks to his own Democratic Party and get them to report legislation. Then we Republicans will at least get a chance to vote. He and his party are in power, and they have the votes to bring anything out of any committee that they want, and they have the votes to pass it on the floor, so why do not they do it and not just talk about it?

In the part of the President's message dealing with the Budget, I was greatly disappointed that he did not recommend far more drastic cuts in the appropriations and in the huge number of bureaus and departments which are still functioning here in Washington. A real saving to the taxpayers could and should be made along these lines.

I hope that whatever program the Democrats do decide to present to the House will be thoroughly debated and amended where necessary so that our Congress will pass sound legislation and attain the objectives we all want.

Mr. THOMAS of Texas. Mr. Chairman, I yield to the chairman of the Appropriations Committee, the gentleman from Missouri [Mr. CANNON] 20 minutes.

Mr. CANNON of Missouri. Mr. Chairman, as I came through Statuary Hall on the way over to the House, I noticed that the statue of General Lee had been recently decorated in commemoration of the anniversary of his birth. As I stood there in the presence of the bronze effigy of the great commander, there came to mind reminiscences by men who had known the general personally, and who had given me their recollections of him at first hand. Because these men have long since passed over the great divide and because there is no printed record of the events of which they spoke, I recount them here this afternoon—three-quarters of a century after the close of his illustrious career.

One of my uncles served for 4 years under Lee in the Army of Northern Virginia. Shortly after the close of the war, his mother took the local packet on the James River at Holcomb's Rock, a river landing near Pebbleton, her home, en route to Richmond to attend the annual State convention of the Episcopal Church to which she was a delegate.

General Lee, also a delegate to the convention, was on the boat, and as they neared Richmond, left his cabin preparatory to disembarking. As he walked down the deck every woman present broke into tears. But the mother approaching him said, "General, I have many pictures of you in my home, as every southern home has. But I would like to have one from you. I feel free to ask it because I had four sons in the Confederate Army who served the entire 4 years of the war. I hope you will find it in your heart to grant me this favor."

The General did not promise. He asked her name and address, patted the hand she gave him, smiled gravely, and passed on.

But a few days after she returned home she received through the mail a parcel from a Richmond photographer and opening it found to her surprise not the one photograph she had asked but four—one for each son—all bearing General Lee's autograph.

It is an unusual photograph in that it is the only known photograph of the general which has not been retouched and which has never been published, and, as you may like to see it, I think I will place a copy in the lobby tomorrow for those who would like to see a frank portrait of the general as he appeared in his later years.

When I first came to the House my office adjoined that of Maj. Charles M. Stedman, of North Carolina, who had served as lieutenant governor, had come within a few votes of election as Governor of his State, and who served for many years in Congress. He entered the Confederate Army as a private and surrendered at Appomattox as a major. In response to my question as to his recollection of General Lee, he said he saw him frequently, but had never had the opportunity to speak to him until the night before the Battle of the Wilderness. At that time a captain, with a company of cavalry on the extreme outpost, he was sitting on a log in the dusk when General Lee rode up with an orderly. He leaped to his feet and saluted. General Lee dismounted and without preliminaries said, "Captain, the enemy will attack early in the morning. Be under way at dawn and advance to meet them. You will contact them about a mile ahead," Captain Stedman asked, "What shall I do when I meet them?" "Go through them," said the general. "And if I cannot go through them?" General Lee paused and looked the young captain sternly in the eyes. "You must," he said. Captain Stedman saluted, the general mounted his horse and was gone. Captain Stedman said he always looked back on that moment as one of the great moments of his life.

Before dawn Captain Stedman's troop was in motion. Instead of meeting the enemy a mile out they met them half a mile out. It was in a dense forest, in full foliage, but when the captain again saw, it, at the close of the battle, every twig had been stripped bare by gunfire and branches 3 inches in diameter had been cut through by the leaden hail of bullets. Out of Captain Stedman's company of more than a hundred men hardly a dozen survived. As they advanced his orderly said, "You are wounded, Captain." He said, "No; I have not been touched." The orderly pointed to his boot running over with blood from a leg wound he had not felt. A moment later he was shot from his horse, and

then a wave of Confederate infantry swept over him driving the enemy back with terrible slaughter.

I said, "Major Stedman, when did you realize the war was lost—that the Confederate cause was hopeless." He pounded his desk fiercely and shouted, "I never did realize it." Then, leaning back and closing his eyes, he explained that his squadron was on an advanced outpost at Appomattox. He realized they were in close quarters. Grant was advancing relentlessly. "We would stop him and hold him. But he had too many troops. With his superior forces he would outflank us and we would fall back. Outflanked and fall back—outflanked and fall back—outflanked and fall back." But the major was not particularly uneasy. That was the way Marse Robert had always operated. Time and again the North had equipped huge armies and sent them crashing against Richmond. Each time Lee had retreated — retreated — retreated and then fallen upon them and crushed them as a lion crushes its prey. Major Stedman was certain it would happen again.

Falling back the last time, he had not slept for 2 days and had not eaten for 24 hours. Then like a bolt from the blue the order came by a messenger riding a foam-flecked horse:

The Army of Northern Virginia has surrendered. Cease firing. Stack arms. Await the orders of the Union commanders.

Dazed and exhausted he dropped where he stood and was instantly asleep. When he awoke the sun was shining in his eyes and a Union soldier was laying on his breast a slice of raw bacon and two hardtack biscuits. Without moving from where he lay he wolfed them down—the best food he had ever tasted in his life. Then the realization of what it meant dawned suddenly upon him. It was all over. Lee had surrendered. And lying there in the dust, he wept as he had not wept since childhood.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi.

Mr. RANKIN. Major Stedman, of North Carolina, was the last Confederate soldier who ever served in this House, and when he went out he was the oldest man who had ever served in this body.

I heard Major Stedman say that in all his career Robert E. Lee was the one man he had ever come in contact with who grew bigger the closer you got to him.

Mr. CANNON of Missouri. I am glad to have the gentleman refer to Major Stedman who was a great favorite during his service in the House. His estimate of his old commander was shared by all who knew him.

On an overland trip to Washington some 30 years ago, coming in on what is now Highway No. 50, our car was stopped by a very old man, who asked to be taken to the next town a few miles away. On the way in we passed a monument beside the road, and I asked him what it was. "There is where we 'fit' the Yankees," he said. I asked him if he was in the battle. "Oh, yes," he said, "I went clear through. I was with Lee when he surrendered." And then he gave an unusual account of the surrender, which was later authenticated by the service-station people in the village where we left him.

General Grant had come through the Confederate lines with his staff under a flag of truce and had been met by General Lee at the courthouse. Word of the unusual circumstance traveled rapidly, and when General Lee, having signed the terms, stepped out on the porch in front of the courthouse, the yard and streets as far as he could see were filled with his men, packed solidly and standing in absolute silence. He advanced to the head of the steps leading to the street, and looking down at the sea of upturned faces, said, "Men, we were not defeated. We were starved out." And then, for the last time, the Confederate yell rolled like thunder across the valley of the Appomattox.

My favorite reminiscence of General Lee I heard at Lexington, Va., where the General spent his last years as president of Washington and Lee University at a comparatively modest salary when he could have had any salary he might have named from any one of half a dozen business organizations.

On a state occasion he addressed an audience of more than 10,000 people. At the close of the program a young woman with a small child pushed through the crowd until she reached the platform. Lifting the child, she said, "I want to tell him when he grows up that General Lee held him." The General took the boy in his arms and looked at him for a minute, and then handing him back to the mother, said, "Teach him he must deny himself."

I wish that quotation could be included in the books on infant care distributed by the Children's Bureau so that every mother in America might read—and heed—that admonition so needed in America today, "Teach him he must deny himself."

A little while ago I stood upon the fateful field of Gettysburg, and from the crest of Seminary Ridge looked down the long slope across which Lee launched the last terrific charge of the Confederacy. Standing there beside the High Tide Monument, which marks the spot where fell the gallant Captain Armistead, of North Carolina, as leading his men with his cap upon the point of his sword, he came across the stone wall to die there with the shattered remnants of the brigade that followed him, I said to my aunt, still living today in her ninety-fourth year and still cherishing the photograph which I shall put in the lobby tomorrow—I said to her, "I am a southerner, and had I lived in that far day and had my way, I would have marched with Lee. And, had it been possible, I would have come across that field with Pickett. But, today, I thank Almighty God that Pickett failed, and the mighty Government of the United States still lives to bless mankind."

She has not fully forgiven me to this day. Although she is the gentlest of women, she is still an unreconstructed rebel. And she will die—like Lee's legions—in spirit, unconquered and unconquerable.

But I join with her today in admiration of, and in devotion to the memory of, a great captain, a great American—and a great gentleman.

Mr. RANKIN. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi.

Mr. RANKIN. From my viewpoint, Robert E. Lee was the greatest commander of men the world ever saw. He did not have to demand respect; he commanded it. I have never been able to find a flaw in his character. Theodore Roosevelt in writing about him said he was the greatest captain of the English-speaking race. While he said his latest and great antagonist was the equal of Marlborough and Wellington, Lee was the greatest captain of the English-speaking race.

Since the World War I closed, General Maurice, a major general in the British Army, has written a life of Robert E. Lee and compared him with all the great generals of the English-speaking race. I was particularly interested, as eliminating them one by one, winding up with Marlborough and Wellington, he said that Wellington was as great a military leader on the battlefield, as great a general as Lee, but that Wellington's men did not love him. He recited a paragraph of history with which we are all familiar, of Lee's men trying to touch his horse as he rode away from Appomattox. He says, "I, therefore, place Lee above Wellington as the greatest commander of the English-speaking race."

Mr. CANNON of Missouri. Mr. Chairman, his life and character are among the richest traditions of the American people. There is no trait of mind or heart which the youth of today may not well emulate.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. CASE of South Dakota. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I listened with a great deal of interest to the eloquent address by the chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON], but I felt a little let down when he took his seat without connecting his anecdotes to the bill before us. For I had been struck by the message which General Lee gave for the instruction of the boy, and I thought that was going to be the particular point on which we would get an application of the story for the consideration of this appropriation bill. If I recall correctly, General Lee gave this message for the boy, "Teach him he must deny himself."

"Teach him he must deny himself." If there is any single text or any single theme that might be handed to the United States today as a worth-while admonition when we are considering appropriations, it should be: "Teach the people of the United States that they must deny themselves."

This is the first of the appropriation bills to be considered in this session of the Congress.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Do you not think it is a pretty good time to teach the rest of the world that we are going to deny them some of the

things they are demanding at the expense of the American people?

Mr. CASE of South Dakota. Well, I will go along with the gentleman on that, too. I will say that if we do not deny both ourselves and the rest of the world some of the things for which requests are being made we will not be able to provide the things which are absolutely essential for our own welfare and possibly for theirs.

To resume—this is the first of the general appropriations bills to be considered. During the consideration of the bill in the committee I asked that a table be prepared giving us the actual expenditures in the last prewar fiscal year of 1939—I mean the last year before we had expanded appropriations because of the national defense program—and had those figures compared with the actual appropriations for 1946 and the President's estimates for 1947.

For this independent offices appropriation bill, excluding the Federal Works Agency, which did not then come in this bill, the actual expenditures in 1939 were $889,000,000. That is less than $1,000,000,000 by $111,000,000. The request from the Bureau of the Budget for this particular appropriation bill calls for $6,018,000,000, again leaving out the Federal Works Agency. The actual appropriations for the independent offices in 1946, the current fiscal year, were $4,659,000,000.

So this bill is almost seven times what it was in 1939 and almost one and a half billion more than last year. Of course, it is recognized by anyone who knows the content of the independent offices bill, that this bill carries funds for the Veterans' Administration, and a large portion of the increase is for the additional funds to carry on the program of the Veterans' Administration in this first postwar year. The amount is almost $5,000,000,000, being $4,931,142,415 to be exact, of which $2,148,387,000 is for readjustment benefits, largely GI items, $1,905,000,000 for pensions and compensation, $147,442,500 for hospital and domiciliary facilities, $169,535,000 for life insurance, and $557,287,000 for administration and personal services, medical, hospital, and otherwise.

There is one other large item in the bill which accounts for a portion of the increase, and that is the amount for resuming the public-roads program, a total of $267,838,792 under several heads.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mrs. ROGERS of Massachusetts. I know the gentleman's great interest in veterans' affairs. Is the gentleman satisfied with the Veterans' Administration appropriation and authorization?

Mr. CASE of South Dakota. I am satisfied in most respects. On the other hand, in one or two respects I think we did not do what we should have done. For example, I would have pared down still more the request for a large personnel to establish a greatly increased public-relations department. I am afraid it will either become an aggressive propaganda machine or a soft berth for retired Army officers, some of whom will be drawing retirement pay along with their employment salary.

Mrs. ROGERS of Massachusetts. But you wanted to make sure they had enough?

Mr. CASE of South Dakota. I think we made sure they had enough. If we made any mistake in that direction, it was in not going above the Budget to provide more money for alterations and improvements at existing institutions. The Budget cut them quite sharply there, although an examination of the projects, hospital by hospital, will show that priority was given to occupational therapy facilities and things of that sort while landscaping and work of that type received the deferment.

Mrs. ROGERS of Massachusetts. I know the gentleman's great interest also in the foreign service. Is he satisfied with that appropriation?

Mr. CASE of South Dakota. In this particular bill, as the gentlewoman knows, we do not go into the foreign service very much, because it does not deal with the Department of State. But to the extent that we do touch foreign affairs, I will say I think we dealt adequately with the Tariff Commission and the Federal Trade Commission which are studying questions related to the resumption of foreign trade.

Now, returning to the character of the bill as a whole, if members wish to understand this bill and other appropriation bills, they should bear in mind that they are all started with estimates prepared by the agencies themselves. What the President's Budget Bureau approves comes to the Congress where it is the business of the Appropriations Committee to examine the requests. I feel safe in saying that few agency budget officers ever learned the admonition given by General Lee—that we must learn to deny ourselves. Now, then to understand the problem of the Subcommittee on Independent Offices in preparing this bill, you should keep in mind four things:

First, that every agency, which had wartime funds or wartime activities, came before us and for "reconversion" wanted to maintain the same personnel or even increase the number of persons with which they were carrying on their wartime activities.

Second, that those agencies which were reduced during the war because of lack of personnel to carry on their activities, came before the committee and claimed that they now had a great backlog of work, and consequently needed an increase in personnel to catch up.

Third, it must be understood that the Congress itself, on the recommendation of the President, has increased Federal salaries in all branches of the Government, with the possible exception of the legislative branch.

The fourth thing that must be remembered if you want to understand this appropriation bill, and I presume other proposals that may follow, is that when funds are requested in the name of veterans' welfare there is a tendency to close one's eyes and abandon all thought of caution and say, "That is O. K. We want to do the right thing."

Mr. PITTENGER. One of the points the gentleman made was to the effect that there was a tendency on the part of the wartime agencies to keep their personnel going full blast under one pretext or another, and I was just going to ask the gentleman if it is not a fact that this idea of abolishing any wartime agencies has been more or less a fiction, for they just transfer them under some new name to another department and they keep on going anyhow. Is not that true? As a matter of fact we have not reduced any of these wartime expenses.

Mr. CASE of South Dakota. We have achieved some reduction in this bill, but the gentleman's observation is so nearly correct in all instances that I would not want to quarrel with him about it. Probably the most glaring example is that of the Federal Communications Commission which did a great deal of special work during the war.

Mr. PITTENGER. Right in that connection, if the gentleman will yield further, does not the gentleman believe that with the present rapid development of radio and electronics there may be some reason for an agency like this needing these funds?

Mr. CASE of South Dakota. Now the gentleman talks exactly like the agencies that come before us.

Mr. PITTENGER. How much did we give that agency in peacetime?

Mr. CASE of South Dakota. Every person who comes before us says: "Oh, yes; we know that the Federal debt is at an all-time high; we know that appropriations must be reduced, taxes must be reduced, but this is not the place to start; do not begin with us."

The Federal Communications Commission in 1939 received $1,276,669 with which to operate the last fiscal year before we got into the national defense program. For the current year their appropriations were $5,392,900, that is for the fiscal year 1946, which carried a part of the last war year. But for fiscal 1947, for the new year beginning next July 1, the Budget Bureau approved a request by the Federal Communications Commission for $6,086,000. That was more than was asked even for the fiscal year which included the war. The committee, of course, did make some cut in the bill as we reported it, a cut of $501,000 from the Budget estimate, to leave $5,585,000, which is $187,100 more than they have had in this year with a large war load.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. CASE of South Dakota. Mr. Chairman, I yield myself 10 additional minutes.

In many of the other agencies, the regular established agencies, we made some cuts. I think for the record it will be a good thing if I call attention to some of them and perhaps briefly explain the reason therefor.

The Bureau of the Budget itself, which represents the President, in making recommendations for appropriations, asked for 1947, $4,052,500. Last year their appropriations were only $2,729,350. The committee made a sizable reduction on this request, lopping off $919,-

620, almost a million-dollar reduction. The committee made that reduction because we felt that some of the additional offices and personnel they wanted were not warranted in the situation which the country confronts.

The Federal Power Commission received for the current year $2,644,500. They requested for next year $3,707,000. That was an increase of about 33⅓ percent.

Mr. PITTENGER. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. Yes; I yield to the gentleman from Minnesota.

Mr. PITTENGER. Just as a matter of information and not in any way to criticize the work of the committee, why was that increase of 33⅓ percent in their expenses needed?

Mr. CASE of South Dakota. We did not grant all of that; in fact, we cut off $591,000 of the requested increase, I may say to the gentleman. The balance of the increased budget is largely accounted for by the increase in salaries which the gentleman and other Members of Congress voted. In other words, when Congress passes a law increasing Federal salaries, saying there must be so many automatic promotions after a man has been in the service a certain length of time, why, then, you thereafter have a mandatory obligation to pay that person when you employ him according to that pay scale.

Mr. PITTENGER. I thank the gentleman for his compliment.

Mr. CASE of South Dakota. Mr. Chairman, I want to say, too, that one of the smaller items of increase in money for the Federal Power Commission was to permit them to carry on their statutory responsibility in the making of power surveys for flood control and rivers and harbors projects. As the gentleman knows, certainly with his great interest in the St. Lawrence seaway and the power possibilities thereof, when the statutes of the country place upon the Federal Power Commission the responsibility for making power surveys in connection with rivers and harbors and flood-control studies the Power Commission says we will have to have so much money to do it. The committee did not give them all that they requested in that respect. For the current year they had $160,000 for that purpose. They requested $270,000 for their part in flood-control surveys for the coming year. The committee reduced that request by $70,000.

Mr. PITTENGER. Mr. Chairman, will the gentleman yield for one more comment?

Mr. CASE of South Dakota. I yield to the gentleman.

Mr. PITTENGER. I hope that there is not any hand-out for Great Britain or Russia or any of those other countries that want to bankrupt our country, those countries that want us to keep on footing their obligations.

Mr. CASE of South Dakota. The Federal Power Commission has no authority or responsibility for making power studies abroad or regulating the rates abroad of any utilities.

Mr. PITTENGER. I am talking about the whole independent offices appropriation bill. I am not thinking of the Federal Power Commission. For clarity of the RECORD, may I say I do not think they have anything to do with the St. Lawrence seaway and power project either.

Mr. CASE of South Dakota. That, of course, is true; but the gentleman appreciates when these studies and surveys of water projects are made that power is an important phase of those studies, and to the extent the Federal Power Commission has those to make, the statement is true.

With respect to the gentleman's observation as to whether there is any money for spending abroad, I know there is no money for lend-lease, there is no money for loans in here or anything of that sort. The only money that might be spent outside continental United States that I know of is money which would be spent for the Inter-American Highway by the Public Roads Administration, work in the Virgin Islands, and the activities of the American Battle Monuments Commission.

Having mentioned public roads, I might as well review what we did in that instance. As the Members of the House know, the Congress authorized a post-war highway building program, contemplating $500,000,000 for 3 years. Because of the material situation and the labor situation it was the judgment of the committee that there was no occasion for proceeding with the program at that rate and in fact the Bureau of the Budget did not propose spending at that rate, but estimated $175,000,000 for that Federal postwar highway program. The committee, after discussing the matter with Commissioner McDonald of the Public Roads Administration, has reported $150,000,000 for that program. The bill also carries 20 millions for secondary or farm-to-market roads, 25 millions for grade-crossing elimination, 10 million on the strategic network, and 50 million to care for maturing obligations on the old prewar highway authorizations.

These represent reductions in the minor public-roads programs corresponding to the cut in the primary system funds and for the same reason. The break-downs appear at page 22 of the committee report.

In all, the reductions of the committee under the estimates of the Bureau of the Budget for agencies in this bill total $46,730,216. So that Members of the Congress who want to know what the House is proposing to do can tell their constituents that the House is proposing to cut the recommendations of the Bureau of the Budget by $46,700,000 below the Budget suggestions. When the headlines of the papers the other day said it was proposed to cut the Federal debt by $3,000,000,000 by taking that much out of the balance in the Public Treasury under the President's recommendation, you can add this $46,730,216 to that. And this will be real saving, not a dip into the till of borrowed money.

But when all is said and done, it must be said that the total appropriations here for independent offices is very substantially increased over last year and over the last postwar year.

With the reductions that the committee made, the actual appropriations carried in this bill as it comes to the floor are $5,640,876,502; over five and one-half billion dollars compared with $889,000,000 in 1939.

There are few appropriation bills that come before the House that have as much actual interest and meaning for the average Member of Congress as this bill, if the Members of Congress would only read the hearings. The printed hearings on this bill cover 1,198 pages, and dealing with the large number of agencies that this bill does, they are more or less an encyclopedia on activities of the Federal Government. Here is testimony not only from the Public Roads Commission but also from the Federal Housing Administrator, the Tariff Commission, the Interstate Commerce Commission, the Bureau of the Budget, the General Accounting Office on Government corporations, the Veterans' Administration, the National Archives, the National Advisory Committee for Aeronautics, the American Battle Monuments Commission, and other activities of that sort.

Probably because this is the first postwar year the tables and testimony of most interest are those dealing with the Veterans' Administration. The committee had before it General Bradley and General Hawley, the new surgeon for the Veterans' Administration, and members of their staff, for a long day, going over their estimates and questioning them in regard to the estimates for GI allowances, for hospital construction, for construction of the nonbed producing items, alterations and changes in existing hospitals. Their testimony runs from page 783 to 941 in the printed hearings and every page has information of interest to Members working on veterans' problems.

Mr. PITTENGER. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Minnesota.

Mr. PITTENGER. I find the gentleman's remarks very interesting and enlightening, but I just want to say that the Members who are afraid to spend too much money in giving jobs to people to build roads need not have to worry. If some of the Government agencies in this country today have their own way about it by heading off production, we will have the biggest depression we ever saw, and you will have to appropriate more money to give the people work.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. CASE of South Dakota. Mr. Chairman, I yield myself five additional minutes.

I hope the gentleman is not suggesting that he is going to encourage strikes and lay-offs in the hope that the Government will set up a program to finance the operation of strikes.

Mr. PITTENGER. I am talking about the OPA.

Mr. CASE of South Dakota. Personally, I do not think that strikes ought

to be financed out of the Federal Treasury, either by providing them with other jobs or by paying unemployment compensation to the strikers, thereby drawing from the reserve created by all workers, whether organized or not. By the same token, I do not believe that industrial warfare should be financed at the expense of the Federal Treasury by permitting the corporations who are on the other side of the contest using the losses incurred to demand rebates from the Federal Treasury through carrying back their losses this year against profits made in prior years. In short, I do not think that industrial warfare ought to be financed by the Federal Treasury.

Members especially interested in the Veterans' Administration will want to read the testimony that deals with the allowances for the GI's under the educational benefits, unemployment compensation, and compensation for disability.

You will also be interested in the table on page 822 of the hearings which lists the hospitals that are provided for with funds carried in this bill. On pages 898 and following you will find some tables placed in the RECORD at my request to help answer questions that have been asked on this floor.

First, you will find a list of the Army hospitals which the Veterans' Administration is taking over to convert into veterans' facilities. Below that, you will find a table which lists the hospitals which the Army and Navy have and which have been proposed for veterans' facilities, but which the Veterans' Administration is refusing to consider. Then you will find a third table which lists the locations where the Veterans' Administration proposes to build hospitals where there is an Army or a Navy hospital in the nearby vicinity, and the reason which the Veterans' Administration gives for not using that Army or Navy hospital. Personally, I regard those reasons in many instances as worthy of examination. Many members of the Appropriation Committee have brought to our attention Army and Navy hospitals which seem to merit consideration for veterans' use, and the House, I am sure, will be interested in knowing that the Committee on Appropriations is asking its investigatory staff to look into these Army and Navy hospitals which are constructed at the present time and are being used for disabled soldiers, to see whether or not they are suitable for immediate use or can be satisfactorily converted to help meet the load for the care of disabled veterans.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Pennsylvania.

Mr. RICH. The bill calls for expenditures for the executive bureaus, boards and commissions. Has the gentleman been in touch with the President of the United States since he requested the power to change many of these bureaus and boards or to eliminate them, to ask him if he did not expect to eliminate a lot of these boards, appropriations for which are carried in this bill? If he did not request you then to cut this bill, I wonder why he did not do it.

Mr. CASE of South Dakota. The distinguished gentleman from Pennsylvania is just as able to get that information from the President as anyone. Let me say that we had before us the President's budget recommendations. As I have already explained, the committee went below the President's recommendations and cut another $46,000,000 out of the President's request.

Mr. RICH. The President specifically requested last year when we passed that bill the power to eliminate bureaus. Which of the various bureaus does the gentleman believe he is going to eliminate?

Mr. CASE of South Dakota. I am not a mind reader, but I recall that the gentleman from Pennsylvania and many of us on this side of the aisle supported a motion that was made by the minority leader, the gentleman from Massachusetts [Mr. MARTIN] declaring that it was our intent that that power should be used to effect a 25-percent reduction in the cost of government. I notice that the President, in commenting on that feature when he signed the bill, said that, while he hoped that some economies would result, he was afraid the 25 percent was an optimistic figure.

In conclusion, may I say again that the very best theme Members of the House can carry back to their constituents and to the country in these days is that admonition which General Lee left for the boy, "Teach them that they must learn to deny themselves."

Mr. RICH. May I make this observation: If the President wanted that power and if he does not use that power now, he is not doing what the American people expect him to do. It is up to him. The power has been granted to him by the Congress. If he does not cut down these bureaus and eliminate them, and cut the number of Federal employees to the core, he is never in the world going to balance the Budget.

Mr. CASE of South Dakota. The gentleman will find that the Committee on Appropriations will go further than the President in that regard.

Mr. Chairman, by consent given in the House, I place in the RECORD the following comparison of 1939 expenditures, 1946 appropriations, and 1947 estimates. These figures were supplied by the Fiscal Division of the Budgetary Control Section under date of January 18, 1946. The 1947 grand total does not correspond with the $31,000,000,000 Budget figure given in the President's budget message but the tables do give informative comparative data that will be of interest to the membership.

Comparison of estimates of appropriations for 1947 with actual appropriations for 1946 and actual expenditures for 1939 by department and establishment (general and special accounts)

Department or establishment	Estimates of appropriations, 1947	Actual appropriations, 1946	Actual expenditures, 1939
Legislative branch	$53,464,289	$51,876,084	$22,044,288.91
The judiciary	16,584,350	14,410,400	9,456,444.68
Executive Office of the President:			
Executive Office	[1] 171,295,160	[1] 913,616,118	2,359,173.07
Emergency funds appropriated to the President (Lend-Lease and UNRRA)		3,950,000,000	
Independent offices:			
American Battle Monuments Commission	273,800	42,000	133,393.05
American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas		40,000	
Bituminous Coal Consumers Counsel			204,795.88
California Pacific International Exposition			[2] 232.19
Census of partial employment, unemployment, and occupation			103,091.48
Chicago World's Fair Centennial Celebration Commission			234.98
Civil Service Commission	235,273,000	264,322,882	78,100,087.79
Commission for the Commemoration of the Battles of Chickamauga, Lookout Mountain, Chattanooga, and Missionary Ridge			35,000.00
Federal Civil Works Administration			222,267.81
Federal Communications Commission	6,086,000	5,367,100	1,776,669.30
Federal Coordinator of Transportation			35.20
Federal Deposit Insurance Corporation			33,634.54
Federal Emergency Relief Administration			1,659,785.82
Federal Power Commission	3,733,000	2,669,250	1,906,876.00
Federal Trade Commission	2,619,400	1,941,833	2,184,109.59
Filipino Rehabilitation Commission		50,000	
Foreign Service Pay Adjustment		950,000	
General Accounting Office	40,925,000	37,150,780	9,607,202.70
George Washington Bicentennial Commission			18,705.88
Great Lakes Exposition			[2] 1,133.49
Greater Texas and Pan-American Exposition			8.47
Interstate Commerce Commission	9,760,000	8,119,238	8,418,854.46
Maritime Labor Board			81,624.02

Comparison of estimates of appropriations for 1947 with actual appropriations for 1946 and actual expenditures for 1939 by department and establishment (general and special accounts)—Continued

Department or establishment	Estimates of appropriations, 1947	Actual appropriations, 1946	Actual expenditures, 1939
Independent offices—Continued			
Mineral Act of Oct. 5, 1918			$146,187.55
Interstate Commerce Commission on the Potomac River Basin	$10,000		
National Advisory Committee for Aeronautics	26,808,000	$26,014,393	2,262,957.59
National Archives	1,226,000	920,934	806,687.49
National Capital Housing Authority	17,500	17,400	65,133.97
National Capital Park and Planning Commission	867,750	393,994	639,759.49
National Labor Relations Board	4,746,900	3,901,930	2,872,622.36
National Mediation Board	744,800	640,300	405,565.02
National Recovery Administration			[2] 183.34
Northwest Territory Celebration Commission			27,041.67
Office of War Mobilization and Reconversion	380,000,000	213,955,400	
Prison Industries Reorganization Administration			5,701.76
Protecting interests of United States in oil leases and oil lands			25,412.90
Railroad Retirement Board	310,998,800	306,135,000	110,442,242.15
Securities and Exchange Commission	5,241,000	4,309,200	4,773,947.12
Selective Service System		52,000,000	
Smithsonian Institution	2,540,800	1,944,268	1,274,850.99
Tariff Commission	1,165,000	833,410	927,947.25
Temporary National Economic Committee			504,653.88
Texas Centennial Exposition			[2] 62.54
Tennessee Valley Authority	36,572,000	9,648,000	40,806,800.57
The Tax Court of the United States	583,800	525,675	535,281.22
Thomas Jefferson Bicentennial Commission			
Thomas Jefferson Memorial Commission			372,165.83
United States Constitution Sesquicentennial Commission			88,047.81
U. S. Golden Gate International Exposition Commission			1,020,325.13
U. S. Employees' Commission	13,315,000	22,762,000	13,215,165.00
U. S. Maritime Commission			43,813,854.50
U. S. Supreme Court Building Commission			9,608.79
U. S. New York World's Fair Commission			2,338,966.47
Veterans' Administration	4,934,623,500	3,694,799,250	57,070,722.10
Unclassified items			112,911.33
Total, independent offices	6,018,161,050	4,659,485,137	889,049,725.45
Federal Loan Agency			8,000,000.00
Federal Security Agency	724,029,700	702,064,884	758,536,061.31
Federal Works Agency	364,183,792	209,610,338	2,831,679,292.45
National Housing Agency	12,600,000	199,500,000	18,886,896.74
Department of Agriculture	721,460,282	749,893,856	1,190,320,588.04
Department of Commerce	165,336,000	93,044,725	42,653,538.04
Department of the Interior	353,601,560	234,077,635	212,285,599.67
Department of Justice	96,771,050	94,989,010	49,324,575.53
Department of Labor	128,661,500	69,772,969	14,245,879.29
Navy Department	4,500,000,000	23,477,816,064	713,582,981.16
Post Office Department (paid from general fund)			39,568,641.36
Department of State	146,705,100	90,139,314	19,714,635.74
Treasury Department:			
Administration and operation	1,924,895,543	3,007,537,903	248,727,327.80
Interest	5,000,000,000	4,750,000,000	940,539,763.50
Statutory public debt retirement	592,715,154	592,870,951	58,246,450.00
Total, Treasury Department	7,517,610,697	8,350,408,854	1,247,513,541.30
War Department:			
Military	7,100,000,000	21,496,902,030	496,074,928.94
Civil	301,998,500	252,409,140	200,298,471.23
Panama Canal	18,676,500	8,504,408	10,202,266.18
Total, War Department	7,420,675,000	21,757,815,578	706,575,666.35
District of Columbia (Federal contribution)	6,000,000	6,000,000	5,000,000.00
Anticipated supplemental appropriations	875,000,000	1,950,000,000	
Grand total	29,292,139,510	67,574,529,966	8,780,797,529.09

[1] Includes emergency war agencies.
[2] Excess of repayments over expenditures, deduct.

NOTE.—The 1947 estimates of appropriations for the War and Navy Departments and the emergency war agencies are tentative estimates from the 1947 Budget (table 5). Detailed estimates will be submitted to the Congress in the spring.

Mr. WIGGLESWORTH. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I have carefully examined the pending bill, H. R. 5201, and I have scanned through the very extensive hearings had thereon, and I am somewhat surprised, I must confess, at the implications contained in this measure when it is compared with the recent message of the President. I recall the glowing headlines in the newspapers, after that message had been read by the reading clerks to the Members of the House, which stated "Cut United States Costs" proposed by the President. In reading the President's message, while he made a general statement that the cost of government should be cut, and expenses reduced, yet if the things the President proposed be done, and if the policies presented by him be accomplished, the Budget of this Nation would have to be materially extended—and there could be no reduction in Government spending. I have stated that I was greatly surprised when the pending bill came before the House, today, because after considering the same many of the agencies of Government have an increased appropriation over that of last year, and there is no earthly reason for it. I make the sole and lone exception to the appropriation for the Veterans' Administration, and that item is increased, and rightfully so, because we have the problem of meeting the demand of caring for our disabled soldiers and sailors, and that must be met by the people of this Nation. May I call to the attention of the committee that the salaries and expenses for the White House office have been increased, by this measure, from $312,558 during the present fiscal year, to the sum of $883,660 for the coming fiscal year.

I surmise the people will want to know why this very large increase in the appropriation for the coming fiscal year. Under the Civil Service Commission, it is reported that the salaries and expenses for that agency for the present fiscal year were $9,943,882, and this appropriation bill provides for the very large increase to $12,080,500 for the coming fiscal year for those salaries and expenses. Can it be that there is proposed by this administration an increase of the personnel in that agency? If so, what is the reason for it? Also, under the heading of Federal Communications Commission, it will be observed

that the appropriation for the present fiscal year was $2,946,900, and this measure now proposes that such appropriation be increased to $5,560,000 for the coming fiscal year. The people want to know, I am confident, the reason for such increase in the appropriation for that agency. The war is over. The matter of communications will certainly be much less, and of much less importance, than during the war. The people want to know the reason for increasing that amount of the appropriation for salaries and expenses. It is my hope that those who know the reason will disclose it. The general expenses of the Interstate Commerce Commission have been likewise increased, under the provisions of this bill, from $3,035,400 to $8,000,000; the National Advisory Committee for Aeronautics, under the total appropriation for that agency, we find that for the present fiscal year the appropriation was $26,014,393, while the amount is increased in this pending bill to the sum of $29,673,000; the Naval Archives appropriation is increased from $920,934 to $1,062,935, and the appropriations have been increased for the next fiscal year, over the present, in the National Capital Park and Planning Commission, the Securities and Exchange Commission, Smithsonian Institution, the Tariff Commission, the Tax Court of the United States and other agencies.

Mr. Chairman, I am greatly surprised at this measure and the several and various amounts it carries in the face of the President's message and of his statement that the cost and expense of our Federal Government must be reduced—if, in fact, the President meant just what he said in that message. We are facing some critical days in this Nation. We have just completed one of the most serious of all wars; and while victory is ours, yet the people of this Nation have been compelled to yield so much in money, in their boys, in property, in their rights as American citizens, and in their heritage—and we have the debt of that war to pay. The taxes which must be imposed to meet the dire needs of the day will be very heavy. We will have the normal cost of our Government, which must be raised; we have the interest on the public debt, which must be met; we have the care of more than 1,000,000 disabled veterans of this war, which must be met, and that we will meet without one single murmur; we have the debt itself, which must be paid; we have the cost of the upkeep of our Army and Navy, and this is a charge which must be met. And with that great burden before us, I find that measure seeks to increase the wages, salaries, and expenses of almost every department of our Government—which does not meet with my approval, and I am confident it will not meet with public approval. As I stated hereinbefore, the sole and only exception I make is to the needed and necessary increase contained in this appropriation for the Veterans' Administration, and that is essential, because we must, we will, care for the veterans of this war, and of all wars; they have fought the good fight, and they will never be forgotten.

Mr. Chairman, instead of increasing the amounts appropriated for the several and various departments of our Government, as has been done by this measure, each and all of those agencies, with the sole exception of the Veterans' Administration, should be reduced at least 25 percent. I am confident a careful check-up of each agency would disclose, accepting the needs and necessities of such departments in order to carry on the normal and essential work therein, that a reduction of much more than 25 percent below that appropriated for the present fiscal year could be made without in any way decreasing the efficiency of each such agency. These agencies of our Government must be aware of our extreme danger caused by our terrific debt—and they should accept the realistic as it appears to all—because the people of our Nation can stand just so much of a burden, then the breaking point is reached. They cannot continue to pour out the resources of our Nation for useless and needless things, and these increases contained in this measure—with the sole exception to which I have referred—are needless, unless it is the program of this administration to increase the personnel in every department in which an increase of appropriation is requested. If that is the program of the President, why didn't he so state in his message? If he wants to completely destroy the common men and women of this Nation—who are the very backbone of it—that can very easily be done by increasing appropriations, making heavier taxes, and impoverishing our people. And to attempt to increase the burdens of our people, when they are already faced with the largest debt, and the heaviest tax load, they have ever faced or carried is a policy which is far beyond my own comprehension. At least, my understanding of economics does not lead me along that same channel now charted by the proponents of this measure. Ordinarily when people are in debt they begin to tighten up their belts, reduce their spending, and make a start back up the ladder by paying off their obligations—rather than to increase their spending, and give no heed to their obligations.

Mr. Chairman, this is the first measure to come before this body calling for a rather large appropriation following the close of the war. This is the very first measure to be called up, in the House, following the receipt of the President's message. This measure should be materially reduced in every plan and part, except the needed increase for the Veterans' Administration. I am surprised that these very large increases have been asked by this administration. The people of the country will be shocked when they know what has been asked by this measure. If this is a sample of that which we may expect in future appropriation bills, then there is no chance for our country—we cannot survive if this policy is to be continued. The people cannot withstand this greatly increased burden in the face of the staggering burden which is now before us. I hope those in power will about-face—that they will take an inventory of our country and of our situation—and do something constructive to aid in saving our Nation, rather than to continue the march toward its utter destruction.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, on January 18 I inserted in the CONGRESSIONAL RECORD with suitable comment a document that came to my attention, used by OPA interviewers, called the Techniques of Interviewing. To say the least it was a historic document, and it has stirred up a lot of controversy all over the country.

Today Mr. Bowles sent a personal messenger, and with him he sent a letter which he asked to have included in the CONGRESSIONAL RECORD. At the appropriate time I shall ask permission to insert the letter, but perhaps I ought to read it now and then submit it later.

The letter is as follows:

OFFICE OF PRICE ADMINISTRATION,
Washington, D. C., January 23, 1946.

The Honorable EVERETT M. DIRKSEN,
House of Representatives,
Washington, D. C.

DEAR MR. DIRKSEN: I, too, was very surprised regarding the instruction sheet entitled "Techniques of Interviewing" upon which you commented in the CONGRESSIONAL RECORD of January 18. I want you to know that the document is not and was not an official OPA instruction sheet to investigators. It was rather an unofficial statement from a training specialist in the San Francisco OPA regional office which he had circulated to other regional offices for comments and suggestions.

I certainly deplore the techniques described in the document as much as you do. In order to make the official OPA position crystal clear the following telegram was sent to all regional offices on January 21, over the signature of Mr. George Moncharsh, Deputy Administrator for Enforcement.

"Refer to document entitled 'Techniques of Investigating,' attached to November 19, 1945, report of Fred Lewe, assistant training specialist, San Francisco Regional Office, sent by him to all regional training specialists for comment only. Contents this document are not in accord with national office policy and shall not be used for any purpose whatsoever. Advise by return wire any circulation of contents in your region and steps taken to cancel same."

I would appreciate it very much if you would insert this letter or any statement you may choose in the CONGRESSIONAL RECORD to correct any impression that may have been given that the OPA is fostering or encouraging such practices as described in "Techniques of Interviewing."

Sincerely,

CHESTER BOWLES,
Administrator.

In the interest of fairness I believe attention should be called to the following facts:

Paragraph 1 of the letter on proper examination admits that—

First. That there was such a document as the Techniques of Interviewing.

Second. That it came from a specialist in OPA, namely a training specialist in the San Francisco office.

Third. That it was circulated among all regional offices of OPA and was, therefore, readily available for republication and circulation.

Fourth. That there was no denial that it could have been widely used.

Fifth. That it contains no hint that the regional directors and district directors and their staffs did not use it.

I should comment that several copies were available in Illinois in places far removed from the regional office.

Sixth. That lack of knowledge by Mr. Bowles or the Washington office of OPA indicates that they are not familiar with at least some of the things that are going on in regional and district offices.

Seventh. That it first came to his attention from the CONGRESSIONAL RECORD where I inserted it.

I believe that paragraph 2 of the letter indicates—

First. That it was not disavowed until January 21, 1946—about 3 days after it appeared in the CONGRESSIONAL RECORD.

Second. If OPA had knowledge before of this document, it was evidently permitted to circulate either with or without Washington knowledge until the matter was called to their attention by the item in the CONGRESSIONAL RECORD.

Third. That if it was done without knowledge on the part of Washington authorities of OPA, it raises an interesting question concerning the authority exercised by field personnel in imposing such tactics upon the American people.

The telegram in Mr. Bowles' letter did appear to admit that—

First. The circular had been sent to all regional offices from San Francisco.

Second. The request made for information concerning the circulation of this document indicates that the Washington office does not know how widely used or how widely applied this technique was.

It is, indeed, an interesting situation and should commend itself to the attention of Congress when the resolution for the extension of OPA comes on for action.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, the President on Monday submitted his annual message to the Congress and the first Budget estimate. I am addressing myself particularly to the Budget part of the message. I wish to call attention to just a few things.

On pages A–4 and A–5 of the President's Budget there appear items that total $39,168,728,267 of expenditures.

The estimate of receipts, on page A–2 is $31,512,000,000. On that particular page, the Budget estimate for appropriation expenditures is given as $35,124,000,000, with the excess of expenditures of $3,612,000,000.

With estimates for expenditures of $39,000,000,000 and over, including $4,000,000,000 of trust funds, which do not come out of the estimated income of $31,000,000,000, we are showing a deficiency in Government operations of over $3,500,000,000 which represents more deficit spending next year.

The fact that the Treasury balance is expected to be reduced instead of increasing the debt is a good sign; but continuation of deficit spending in 1947, when we need a balanced Budget, indicates a lack of grasp of the needs of the United States. It is not a satisfactory situation.

Nineteen Hundred and Forty-seven is the crucial year. If we do not balance the Budget then, it is going to be difficult ever to do it. Revenues for future years are going to be less because the income of the people is going to be less; and taxes are going to be less.

The Budget estimates for the different Departments for 1947 are invariably higher for personnel for almost every single activity. It is absolutely impossible for us to balance the Budget and increase the number of personnel in the Departments all the way through. Some of the Departments that show tremendous increases are: Interior, an increase from $234,000,000 to $353,000,000 or 50 percent; Justice, $96,000,000 as compared with $94,000,000 in 1946; Labor, $128,000,000 as compared with $69,000,000—nearly 100 percent; State Department, $146,000,000 as compared with $90,000,000.

The Treasury Department, with the exception of War Finance Division, and tax refund estimates, shows an enormous increase. The Commerce Department shows an increase from $93,000,000 to $165,000,000; and the Department of Agriculture shows an increase of 2,400 additional employees.

The Budget recommends enormous sums for food subsidies and for foreign gratuities, but nothing is included in estimates of appropriations. Those figures will increase the public debt by $6,000,000,000 to $10,000,000,000 if President Truman has his way.

How are we going to balance the Budget with that sort of thing? It is up to the Congress to see that this Budget is thoroughly reviewed and cuts made to bring it within reason. All of the cuts that have been made in the bill before the committee are desirable; but they are very seldom deep enough to cut down to the point of balancing the Budget and getting our expenditures within reason. This all appears from statements of members of the subcommittee.

It is manifest that the Congress has a big job to do. It is up to us to see that it is done. That is the only way the Government of the United States can be made solvent.

Are we going to let down the soldier boys who are coming home, or are we going to give them a chance by cutting down governmental estimates, expenditures, and appropriations so that the budget of the United States can be balanced, and we can live in a solvent country? That is the only way for us to meet our responsibility that the Government of the United States be made solvent.

Mr. RICH. Mr. Chairman, will the gentleman yield.

Mr. TABER. I yield.

Mr. RICH. In the gentleman's analysis of the President's speech of Monday in reference to the balancing of the Budget with the promises that he made to the American people of carrying out the program of the New Deal and with the suggested changes that he wants the Congress to pass in the laws that he suggested—21 of them—what is the gentleman's opinion of the chances for Mr. Truman, if he stays in here for three more years, of having a balanced Budget?

Mr. TABER. There will be no balanced Budget, but if that program is adopted democracy is at an end in America, freedom is at an end.

Mr. RICH. Absolutely. I think the gentleman is right in that; but the only possible hope he had in making such a statement was that through the sale of surplus property he hoped to get enough in during 1947 that there might be a possibility that income would equal outgo. That comes about only because of the fact that we have accumulated millions and billions of dollars worth of surplus war property.

Mr. TABER. And it will be sold at a tremendous discount. It is estimated today by governmental authorities that there is $10,000,000,000 of surplus property in the hands of the disposal agencies. The estimate of recovery out of that is less than $2,000,000,000, indicating an intent to sacrifice all of that property; and there is no possible recovery in that way of running things, under that kind of management, that can do anything toward balancing the Budget. Those things are not revenue receipts. Revenue receipts are the things that should be used when one considers whether or not the Budget is balanced, not recoveries from capital which has already been spent. That is not proper bookkeeping at all as I understand it.

Mr. RICH. I agree with the gentleman. I am very glad the gentleman made that statement because even at that I do not believe he is going to have a balanced Budget.

Mr. TABER. Certainly not.

Mr. RICH. I think his suggestion will only result in fooling the American people. Like the appointment he made here the other day of Edwin Pauley to be Under Secretary of the Navy. Did the gentleman ever hear of Edwin Pauley?

Mr. TABER. He will probably be the fellow who will take care of the naval oil reserves.

Mr. RICH. That is just what is going to happen. We will find out that we will have something that will be worse than Teapot Dome. Did the gentleman ever hear of Teapot Dome, where they tried to blame one of the first war's worst scandals on the Republicans? If this administration goes on for another 3 or 4 years, we shall be lucky if we have any America left at all. And it is just like this man Allen. Did the gentleman ever hear of this man Allen who is going to be one of the Directors of the RFC?

Mr. TABER. But did he not have all of the qualifications for a New Deal appointment? When he was Commissioner of the District of Columbia he would appear before the Appropriations Committee asking for funds, but he never knew anything about what it was all about—total incompetence.

Mr. RICH. If he did not know anything about appropriations when he was one of the heads of the District of Columbia government, what does the gentleman believe he will know about a $15,000,000,000 corporation such as the RFC?

Mr. TABER. Just as much as he did about the other.

Mr. RICH. What a fine state of affairs for the Federal Government—to have a man appointed at the head of RFC who does not know any more about it than he did about District of Columbia affairs when he was running the District. If they keep on at this rate, the first thing you know there will not be any Government for anybody to run.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 15 minutes to the gentleman from Idaho [Mr. DWORSHAK].

NATION DEMANDS ECONOMY

Mr. DWORSHAK. Mr. Chairman, about everything included in this independent offices appropriation bill has been covered by preceding speakers, and I assure you I shall not take much of your time to discuss details. However, I am impressed, as has been the distinguished ranking Republican member of the Appropriations Committee, the gentleman from New York [Mr. TABER], by the President's comments in his recent Budget message concerning the possibility of attaining a balanced budget within a couple of years. I have been on the Appropriations Committee only 3 years, but I believe my record will show I have consistently, even in wartime, recognized the need for and favored economy and efficiency in the Federal Government. So it is only natural that I share the apprehension of the gentleman from New York and other members of the Appropriations Committee. I was somewhat disappointed a few minutes ago that Chairman CANNON did not address himself to some of the particular items contained in this bill.

I have been somewhat apprehensive because we mostly talk about economy. The President talks about economy, the Bureau of the Budget makes recommendations; and then the press and the radio commentators state that the Appropriations Committee does not do its duty efficiently and that it does not endeavor to make necessary reductions and to provide for retrenchment, which is so essential in this reconversion period from war- to peace-time economy. I cannot speak for the majority members of our committee; but I know that on many occasions, not only on this subcommittee but on the full committee, minority members—who are usually outvoted—have endeavored to get economy and have demanded additional cuts, because we realize that public sentiment today is crystallizing rapidly into a demand for economy and the approach at least to a balanced budget.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. DWORSHAK. Briefly.

Mr. RICH. Did anything come to the committee during the hearings on this bill from the White House suggesting the elimination of any bureaus? I am interested in finding that out. If the President has not recognized the fact that he is supposed to consolidate bureaus and eliminate some functions of Government, and did not come to your committee with such recommendations, then it is about time that somebody send a committee down to the President to find out what he is doing.

Mr. DWORSHAK. I must advise the gentleman from Pennsylvania, who always stands for economy, and who has an outstanding record as a former member of this important committee, that we held hearings during the month of December prior to the delivery of the President's Budget message. I do not recall that the President or the Bureau of the Budget offered any radical innovations. I may add also that I was one of the Members who did not vote for the reorganization bill, because I recalled what happened in 1939; and I had every reason to believe that—notwithstanding the fact the President still has full wartime powers and can reorganize and can demand economy in the operation of the scores of various agencies—we cannot except any worth-while, decisive action until the Congress stands up and demands that kind of economy.

Mr. RICH. Well, now, that is just the point. The gentleman has hit the nail on the head. I voted to give the President that power, I thought he was going to do it, but if he does not, then he is not what I thought he was going to be. That is the thing that burns me up, to think I put my confidence in him and now it is being betrayed.

Mr. DWORSHAK. I hope the gentleman's confidence has not been misplaced and that he will not be disillusioned.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. DWORSHAK. Briefly.

Mr. CASE of South Dakota. I am just a little afraid the impression might be gained from the RECORD, when the gentleman referred to our holding hearings in December on the President's ideas about the Budget that we did not have his ideas. The RECORD should show that the Budget estimates insofar as they applied to these offices which were before us in December were the President's estimates and they were incorporated in and made a part of the Budget message reported the other day.

Mr. DWORSHAK. Yes. I thank the gentleman for his contribution.

Mr. CLEVENGER. Mr. Chairman, will the gentleman yield?

Mr. DWORSHAK. I yield to the gentleman from Ohio.

Mr. CLEVENGER. We talk about a tremendous sum of money here. Even though this year the Budget is half of what it was last year, has the gentleman ever figured out what it represents for each of the 50,000,000 gainfully employed in the country? It amounts to about $60 a month for the 50,000,000 men gainfully employed in our country today. It is easy to understand this pressure on the take-home pay when you realize the situation.

Mr. DWORSHAK. I thank the gentleman for his contribution, and I fully realize he is profoundly impressed by these gigantic amounts which are contained in these appropriation bills. But, unfortunately, many Members of the House and many American taxpayers are indifferent in their attitude toward our national economy and the expense of our Federal Government.

Mr. CLEVENGER. I think the gentleman will agree with me that this talk of billions of dollars leaves us numb, but that $60 cut of the take-home pay of 50,000,000 people gainfully employed is something that every American workman can understand.

Mr. DWORSHAK. That is true.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. DWORSHAK. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman talks about take-home pay. One reason why the people do not have the take-home pay is because this administration has compelled the people who do business in this country to take from the take-home pay of the wage earner the money to pay the taxes, and that is one reason that they do not have the take-home pay now that they had before.

Mr. DWORSHAK. Of course, that is true; but there was a recent bill enacted by Congress reducing the taxes of individuals. We wonder sometimes if it is not likewise the duty of Congress to see that commensurate reductions and savings in the costs of the Federal Government are made to justify the amount of the reductions which have already been made in Federal taxes.

Mr. RICH. I agree with the gentleman 100 percent.

LARGE DEFICITS SHOWN

Mr. DWORSHAK. I will proceed briefly now with one or two general observations on this bill. First, I just want to point to these Presidential figures. In the fiscal year 1946 the expenditures are estimated to be $67,500,000,000 and the receipts will be $38,500,000,000, or a deficit of $29,000,000,000. That is in this current fiscal year. Of course, this is considerably less than the $54,000,000,000 deficit we had in the past fiscal year.

Let us look at the fiscal year 1947. The President estimates expenditures will probably be $35,000,000,000, and the receipts will be $31,500,000,000, leaving a deficit of about $3,500,000,000. Again I must say that we do a lot of talking about economy and about retrenchment in Federal Government; but I believe the time has come when not only this particular bill but every bill—every appropriation bill coming before the House—must reflect even greater economy if we are to attain the objectives outlined by the President in his recent Budget message.

LARGE PEACETIME CIVILIAN PAY ROLL

May I address myself briefly to the hearings in regard to the appropriation for the Civil Service Commission? On page 1131 you will find tables of the hearings which will show you by months, successively, from January 1940 through to November 1945, the total civilian-paid employment inside the United States and outside the United States, with the monthly Federal pay roll listed throughout that entire period. The President's message tells us that the Government is to drop about 856,000 civilian employees by June 1947, and that on that date,

June 30, 1947, it is anticipated that the permanent peacetime basis of paid civilian employment will be reached, and then we will be at the figure of 1,600,000.

"Let's look at the record"—as a noted politician used to say—and we will find that in July 1940 we had approximately 1,000,000 civilian employees. I mention that date because that was the time when we began preparations for a war. In the period from July 1940 until Pearl Harbor, embracing about a year and a half, there was an increase up to 1,545,000.

So, in other words, according to the estimates submitted in the President's Budget message, it is anticipated that in July of 1947 the normal peacetime Federal civilian employment will be set at 1,600,000, or approximately the same number of employees we had on the civilian pay roll at the time of Pearl Harbor. Then we had been in process of preparation for war for a year and a half and the New Deal had been in power for 8 or 9 years. Still we are anticipating that we shall only attain a permanent peacetime basis of 1,600,000.

FEDERAL PAY ROLL QUADRUPLED

Let us look, for just a minute or so, at the pay roll of the civilian employees. In the fiscal year 1940 we find that the pay roll was approximately one and three-quarters billion dollars. The revenue in that year was about seven and a half billion. The record will show that in the fiscal year 1946 the estimated pay roll was seven and one-half billion dollars, compared with one and three-quarters billion in 1940. In other words, during that period from 1940 to 1946 we find the pay roll of the civilian employees of the Federal Government had quadrupled. I cannot tell you how much it is going to be, as the President has indicated, in 1947. But I do want to point out that, while newspaper and radio commentators say that currently we have about 2,450,000 employees, the facts are that figure refers solely to the civilian employees within the boundaries of the United States. Outside of the continental limits of our country, the last report available indicates that there were 763,190 employees. Therefore, the total of all paid employees within the country and outside the United States was approximately 3,213,000 as of November 30, 1945.

I direct your attention to page 1133 of the hearings, where you will find what I believe to be the first break-down of the three-quarters of a million paid employees serving outside of the United States. You will find that the War Department, for instance, when this report was made available on September 30, employed a total of 646,457 civilian employees. If you add the 844,000 civilian employees in this country, you will find that on November 30, 1945, which is the last time for which the figures are available, the War Department alone was employing a million and a half civilian employees. We hear a lot about redevelopment and demobilization, and we all want to see the boys come home; but we must recognize that, when demands for retrenchment are being made, the War Department alone still has one and a half million civilian employees on the pay roll.

Mr. PITTENGER. Mr. Chairman, will the gentleman yield?

Mr. DWORSHAK. I yield to the gentleman from Minnesota.

Mr. PITTENGER. That simply means that the War Department has not demobilized back to anything like a peacetime basis.

Mr. DWORSHAK. I think the gentleman's conclusion is correct.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. DWORSHAK. Mr. Chairman, I yield myself five additional minutes.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. DWORSHAK. I yield.

Mr. CURTIS. It seems to me that the problem of balancing the budget or maintaining a stable economy for the Federal Government is twofold. One is carrying out the proper functions of the Government economically and efficiently. In that regard, a heavy responsibility has been placed upon the Committee on Appropriations, and many individuals, such as the gentleman from Idaho, have done a splendid job in that regard. The other one is to quit expanding the jurisdiction and the responsibilities of the Federal Government and taking on new programs in fields where we heretofore have not gone. The cities, counties, and States must come to the rescue of their impoverished "uncle."

Mr. DWORSHAK. Of course, that is entirely true, because throughout the past decade there has arisen one demand after another on the part of the taxpayers and others for more gratuities and more paternalism stemming from their National Capital. But, in reply to the gentleman from Nebraska, may I also add the observation that we find, as we hold these hearings before our appropriations subcommittees, that each agency and department—in presenting its justifications and attempting to demonstrate its need of a particular fund being requested for its functioning—points out that that particular function is indispensable, and that the agency is doing something so vital to the welfare and security of the American people that the Committee on Appropriations is not justified in making any reductions. We talk about economy, but you have heard of the old saying in Washington, "Everybody—and that includes a lot of the departments downtown—is for 'economee' without the 'me'."

May I refer to the hearings involving the Veterans' Administration. Members will find therein all the data and information needed concerning hospital construction, pensions, compensation, readjustment payments, and so on.

FUNDS TO AID VETERANS

Of the total amount contained in this appropriation bill, about 87½ percent, or $4,931,142,415 is allocated to the Veterans' Administration for the fiscal year beginning July 1, 1946. Full recommendations of the Bureau of the Budget are covered in the bill for pensions and compensation, which total $1,905,000,000; and for readjustment benefits in the amount of $2,148,387,000. The latter item involves considerable speculation as to the state of employment throughout the Nation which will have telling effect in the determination of whether returning war veterans are able to procure jobs in industry or whether many of those who do not decide to attend school will be forced to accept weekly payments until such time as they become permanently located.

Under the Preference Act pertaining to civil-service regulations, veterans have a 5-point preference; service-connected disabled veterans, 10 points; widows of servicemen, 10 points; and wives of disabled veterans unable to work, 10 points. Veterans who are desirous of qualifying for Federal positions should consult service officers of their veterans' organizations or inquire of local civil-service boards, which usually maintain offices in local post offices.

HOSPITAL PROGRAM OUTLINED

I will refer briefly to the hospital-construction program. I presume you are all acquainted with the fact that General Bradley—in whom we all have unlimited confidence as he assumes these tremendous duties as Administrator of the Veterans' Administration—and his Surgeon General plan to concentrate the hospital-building program in the larger cities throughout the country because they contend they must have accessibility to the large medical centers which will permit them to get the ablest medical men to serve in these hospitals. As you know, I come from a sparsely populated State in the intermountain country, and there are many such States in our Union where we do not have large cities and where we do not have any of the large medical centers where these so-called specialists are. The veterans in my State and similar States do not object to leaving their homes to be sent to diagnostic centers and in order to receive some special treatment; but we must recognize that these men and these boys were drafted or enlisted from these villages and these hamlets and small communities throughout the United States. I endeavored to point out, in a colloquy with General Bradley during the hearings, that I believed the 60,000 veterans in my State felt they should not be compelled to go to the large cities or to adjoining States to receive hospitalization. Regardless of their disabilities, in almost every case there is a psychological disability involved and so the veteran usually prefers to be hospitalized as near his home as possible. The hearings, particularly the comments made by the Surgeon General and by the Administrator, indicate that, while preference and priority will be given to the large medical centers in the large cities, they do intend to go out into the smaller areas and build these 200-bed hospitals, so that the veterans will not be forced to travel many hundreds of miles in order to receive hospitalization. It may be of some interest to read the following testimony developed by the questions which I asked of the Administrator:

Mr. DWORSHAK. It appears to me in the consideration of the hospital program that you are applying the reverse principle to that, because you say it is necessary to construct hospitals in the more populous centers so that they will have access to part-time medical personnel and so that you can employ

doctors who are willing to live in the cities wherein are located the hospitals. Is that right?

General BRADLEY. Yes, sir.

Mr. DWORSHAK. And you do not give any consideration to State lines in this hospital program?

General BRADLEY. That is right.

Mr. DWORSHAK. How far is it feasible for veterans to travel to receive treatment in those veterans' hospitals; how many miles—150, 200, 250, or 300?

General BRADLEY. Of course, we would like to have them as close as possible. It so happens these medical centers are also centers of veteran population; so that in putting the hospitals in town you are actually carrying the medical service to the veteran much more than you are if you stick it at some little place out in the country.

Mr. DWORSHAK. But there are a lot of States which do not have what you consider large cities.

General BRADLEY. And we are putting small hospitals in those States.

Mr. DWORSHAK. You are not going to force these veterans in the lightly populated States to travel to the large centers?

General BRADLEY. No, sir. We have stuck hospitals all over the United States, but they are smaller hospitals and, as I say, we do not expect to be able to staff those hospitals with a full staff of specialists. For example, if you have some particular thing the matter with you where you cannot get treatment in your own town, you go to Mayo's.

Mr. DWORSHAK. I realize that as to NP and TB, and any special service, it also has been the policy of the Administration to send patients to particular hospitals where they can get specialist service.

General BRADLEY. Yes.

Mr. DWORSHAK. I think that has been done, in fact, on a limited scale since the First World War.

General BRADLEY. Yes.

Mr. DWORSHAK. But do you not recognize from the psychological angle that with regard to veterans who were inducted or volunteered without regard to whether they came from the villages, hamlets, or big cities, there is some advantage in getting hospitalization not necessarily in their own home towns, but at least within their own State borders?

General BRADLEY. Yes, sir; and that is provided for in this program.

Mr. DWORSHAK. I happen to come from Idaho and I was greatly disappointed in that Idaho has been chopped into various sections, so that from one part of the State veterans are sent to northern Washington; from another part of the State they are sent into southern Washington; and from another section of the State they are sent into Utah.

For instance, it is proposed to locate a 500-bed NP hospital at Salt Lake, because that is in close proximity to the University of Utah. That may be all right; possibly nobody can criticize that; but I also note you have, in the supplemental bill, provision for 50 additional general medical and surgical beds in the existing general medical and surgical facilities at Salt Lake. Does that mean you are going to have in that city a general medical and surgical hospital and an NP hospital?

General BRADLEY. I believe that is out. That is merely taking the regional offices out. There is no new construction.

Mr. DWORSHAK. They have a general medical and surgical hospital there now, and there is provision in the supplemental bill for 50 additional beds.

General BRADLEY. That is a conversion of space used by the regional offices.

Mr. DWORSHAK. In other words, you are going to maintain a general medical and surgical facility in addition to the 500-bed NP hospital you are proposing in this 1947 appropriation?

General BRADLEY. Yes, sir; that is a fact. We try not to have two hospitals, even though of different types, in the same place; because any kind of hospital will take care of emergency cases; but this is one case where we do have two hospitals in close proximity.

Mr. DWORSHAK. Of course, Salt Lake City is a fairly large community; yet I wonder why it is necessary to force Idaho veterans to travel 250 or 300 miles to go to a general medical and surgical facility there when they might go to one in their own State? Is there any justification for that?

General BRADLEY. There is one in Boise now.

Mr. DWORSHAK. That is right—serving only a very small number of counties in the State.

General BRADLEY. It is true they [Salt Lake] have two to three different hospitals.

This map I have here [exhibiting] shows all of the hospitals of the various types, of the three different types of hospitals, and by bisecting the distance between the hospitals of various types we have put in here, in red or blue, underages or overages for 1950, taking into consideration the hospital buildings which we have there. General Hawley says this map is going to be a source of our study. It looks like in a year or two we might justify another small hospital in eastern Idaho. As it shows now, the Fort Harrison area up in Montana, by 1950, will have an overage, and Salt Lake will have an underage.

Mr. DWORSHAK. You mean a deficiency of beds at Salt Lake?

General BRADLEY. Yes.

Mr. DWORSHAK. That is the point I am trying to develop. If there will be in a general zone or area a deficiency and lack of beds for general medical and surgical patients by 1950, then I cannot see much justification for developing two large hospitals, for instance, in Salt Lake City, a 500 general medical and surgical hospital and 200-bed——

General HAWLEY. There are not 200 beds now.

Mr. DWORSHAK. How many beds are there?

General HAWLEY. One hundred and fifty, or something like that.

Mr. DWORSHAK. And 50 additional will make 200.

General HAWLEY. Two hundred beds with that space and that, unquestionably, for a long time should supply the needs.

Mr. DWORSHAK. But by 1950, you will have a deficiency of general medical and surgical beds in that area.

General BRADLEY. Yes; but that area takes in about nine counties in southeastern Idaho by these bisecting lines; takes in three big counties in Wyoming; takes in practically three counties in Nevada, and so that deficit in beds is for that complete area. That deficit can be made up, depending upon where the center of veteran population is around 1950, by another hospital, which might show Salt Lake itself to have enough beds.

Mr. DWORSHAK. I am in accord with your general program, but when I look at the hospitals proposed in your 1947 budget I find you have several in towns of 8,000, 10,000, 12,000, or 15,000.

General HAWLEY. That is right, but they will be 200-bed hospitals.

Mr. DWORSHAK. Still they are hospitals.

General HAWLEY. Yes.

Mr. DWORSHAK. General medical and surgical hospitals.

General HAWLEY. Exactly, sir. This map will change with every construction program. The idea is this: We started to draw this map with a radius of a circle including the veteran population that the hospital could take care of, which would leave us large gaps in there; but it was very difficult mathematically to do that, cutting off parts of counties; so it was drawn the other way, bisecting the distance.

Now, where we show a great shortage of beds on this map—and they are all over—that shortage will not be made up as a policy by expanding the existing hospitals in there.

Mr. DWORSHAK. In the big cities?

General HAWLEY. Yes; but we will put another hospital to bring it closer to the veteran, which will take the load off of that hospital. I realize the distances are terribly great.

Mr. DWORSHAK. And the population very scattered out in the intermountain country.

General HAWLEY. Yes. But by 1950, if you will look at the State of Pennsylvania with all of the construction there, they have three hospitals and still there is a shortage of almost 2,000 beds in the State of Pennsylvania.

Mr. DWORSHAK. I am agreeable to giving preference to those congested areas; I do not quarrel with you on that.

General HAWLEY. I understand. I want you to thoroughly understand we do realize this problem. There are no chosen people or chosen spots except for specialist hospitals, and the other hospitals are to be distributed to get them closer and closer to the veteran.

Mr. DWORSHAK. You know, General, these veterans' organizations, composed of those men who volunteered or were inducted from the sparsely populated States, cannot be convinced it is necessary for them to travel a long way in order to get hospitalization in some city of 100,000 population. It is true you may have accessibility there to more experienced medical personnel; but primarily you have to think of that veteran who has partially, at least, a psychological disability.

General HAWLEY. Right.

Mr. DWORSHAK. And you cannot always apply to him the same inflexible rule.

General HAWLEY. That is right.

Mr. DWORSHAK. I am glad to note in the proposed hospitals placed in the 1947 budget you are going into some of the smaller communities.

General BRADLEY. We are. And if you will look at the number of 200-bed hospitals which are regional bed hospitals, I think we would be at fault if we did not exploit to the fullest the medical centers; but, after exploiting them, more and more it will make the regional hospitals come closer together.

RELEASE OF ARMY AND NAVY DOCTORS

Mr. DWORSHAK. When you referred awhile ago to the difficulty of staffing hospitals, I cannot understand why there should be too much difficulty when thousands of those doctors will be discharged from the Army and Navy. Of course, some of them are older and more experienced and will resume private practice, but certainly there will be a lot of the younger doctors who, facing the difficult necessity of starting out in practice in some town, will do just as they did after the First World War—they are going to apply to the Veterans' Administration for positions in the hospitals under your direction, because they know, if they can qualify, that will become a career during their lifetimes.

I think as there are more and more of these doctors discharged from the Army and Navy, you will find much less of a problem, except in extreme cases where you want specialist personnel. I won't quarrel with you in any way with your contention that you will have to go to the large cities to get them. That has not been the case, though, in the past 25 years since the end of the First World War; is not that true—that they have not followed that policy?

General HAWLEY. That is true, they have not followed that policy.

Mr. DWORSHAK. Of seeking part-time medical men.

General HAWLEY. Of highly specialized men, yes.

Mr. DWORSHAK. That is what I thought. I am glad to have those reassurances that the more sparsely populated States are not going to become mere appendages; because I think the veterans who came from those States are deserving of the same attention, and I have the utmost confidence that you are going to give just as equitable consideration—you and your staff, General—to those cases, as to the cases in the more congested areas.

General BRADLEY. I think we are faced with the fact that they will always have to travel farther.

Mr. DWORSHAK. They do not object to that. They are used to that.

General BRADLEY. But by keeping the hospitals to the size of 200, we can distribute them so as to cut down the travel distance as much as possible. That is why we prefer putting in the number of 200-bed hospitals that we have, rather than half as many 400-bed hospitals.

Mr. DWORSHAK. They may be more expensive to operate, but when you consider the elimination of the transportation expense and the time saved in the various cases, they will probably be an offset to that additional expense of operation. Of course, you can probably operate a 500-bed hospital more economically than one of two or three hundred beds; there is no question about that. But I am glad to have those reassurances, because I know there are many Representatives from districts which have no large cities, who have been quite disturbed by the possibility that they would be ignored, or disregarded, to a large extent in this construction program.

In closing, may I just make this comment: It has been pointed out by many Members preceding me this afternoon and by those who have asked questions, that the Congress has some responsibility insofar as appropriations are concerned. We are criticized because it is contended that we control the purse strings of the Nation and there cannot be any economy until we take a stand for retrenchment; that likewise there will be waste and inefficiency in these executive departments, agencies, and bureaus just so long as the Congress makes available funds for the various activities of the executive departments. I believe most of us realize we do have some responsibilities along that line. I strongly appeal to the Appropriations Committee particularly, and to the Members of this body to follow through and to reflect the rising tide of public sentiment for retrenchment. We cannot continue, as we have throughout these wartime years, to spend and spend, with these recurring annual deficits. It has been pointed out that the time is now here when we must not only talk about economy, but we must actually do something about it.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. HENDRICKS. Mr. Chairman, I yield to the gentleman from Arkansas [Mr. HAYS] such time as he may desire.

Mr. HAYS. Mr. Chairman, in connection with the Civil Service appropriation I desire to discuss a situation which I encountered in my district during the recess. I call your attention to this problem, because unfortunately it is one that is not confined to one locality or State but is prevalent throughout the country. More seriously, it is a condition which unless corrected will work to the serious disadvantage of thousands of veterans who are now returning to civilian life and are looking forward to employment with the Federal Government.

I refer to the inability of the Civil Service Commission to cope with the tremendous load of applications from servicemen who are seeking jobs with various Federal agencies through regular civil-service channels. While at home, I heard complaints from every side—from the veterans themselves, their friends, and Federal administrators, of seemingly unnecessary delays in the certifying of applicants for employment.

These criticisms were so general I was convinced upon my return to Washington that a solution should be sought if we are to carry out many legislative promises which the Congress has made to the veterans. The veterans are naturally impatient with these delays. They are beginning to wonder if veterans' preference is just a promise, too vague to be implemented and translated into jobs. They are entitled to know why this delay and confusion have prevented many of them from becoming eligible for the jobs which the Congress earmarked for them. They are entitled to the answers and I shall try to give some of them today.

First, it would not be fair to load the blame upon the Civil Service Commission. The Commission is caught in the pinch of insufficient funds to carry out this ever-expanding program. It is in the position of being forced to make a reduction in its staff at a time when the need is for more help and additional offices to bring this service to the veteran.

Last year the Civil Service Commission requested $1,600,000 in deficiency funds to carry out its program for the current fiscal year. Unfortunately, the Congress, motivated by an admirable desire to cut expenditures in every way, struck $1,000,000 from this request and voted the Commission only $600,000.

What has been the result? For the answer I wrote to Mrs. B. M. Snoddy, director of the ninth civil service region, in which my district is located. I explained to her that I had encountered these numerous complaints and criticisms and I asked for her comment. Mrs. Snoddy's reply is illuminating. It reveals that in this period when the demands of the veterans for advice and assistance are reaching their peak, the regional office, in order not to exceed its allocation of funds, must drastically reduce its personnel both in the St. Louis office and its branches.

I shall ask the House for permission to include Mrs. Snoddy's reply because the situation in her region is fairly typical of conditions throughout the United States.

The letter follows:

DEAR MR. HAYS: It is with a great deal of regret that I must admit that delays have occurred in handling veterans' applications and certifying them to positions in the Federal service, and that perhaps many of the complaints may be justifiable complaints insofar as veterans and Federal agencies are concerned. I feel that I should tell you that for the most part these delays are unavoidable, and that the main reason for them is the lack of sufficient personnel to take care of our present work load. Since September we have lost approximately 53 percent of our personnel due to the Commission's lack of sufficient funds for the remainder of this fiscal year. This drastic cut was not confined to the ninth region, but extended to the Commission's 13 regional offices and its own central office staff in Washington. Unfortunately a number of our experienced personnel not affected by the reduction became alarmed over the possibility of a future cut in our funds and secured transfers to other Federal agencies. This necessitated the reorganization of our office in order to make the most effective use of our reduced force, and required the reassignment and training of employees on new duties.

When it was necessary to effect our first reduction in force in September this cut was confined largely to the regional office in St. Louis, and our field stations were left practically intact because of the fact that we realized that service should be provided for the veterans in their home communities if at all possible, and that they should not be required to write into the regional office in St. Louis for information concerning Federal job opportunities, their reemployment rights in the Federal service, etc. At that time, even though our staff in the Little Rock area was not adequate to handle the increasing work load, that office had complete authority to recruit, examine, rate, and certify for practically all types of positions with the exception of high-grade specialized positions, requiring rating by persons qualified to rate in specialized fields. When our latest reduction in force became necessary because of the fact that the regional office had been previously reduced to a point where we encountered serious difficulty in handling the work load, we had no recourse other than to reduce the personnel in our field stations, so that after February 1, 1946, there will be only two employees stationed at Little Rock. This will mean that our services to veterans and the Federal agencies in that vicinity will necessarily be curtailed to even a greater extent.

Our Little Rock office has been averaging approximately 200 callers a day requesting general information concerning Federal job opportunities, claiming veteran preference, and filing applications for Federal employment. Approximately 85 percent of these visitors to the area office have been veterans. With only two people in Little Rock it will no longer be possible to have the office open to the general public or to permit them to file applications with that office. All applications will have to be filed with the regional office in St. Louis and applications and information concerning Federal employment will have to be obtained from the local secretary in the post office at Little Rock.

At the same time we are being faced with an influx of applications from veterans being released from the armed forces and Federal employees separated because of reduction in force in other Government agencies. Even though the Commission, upon the cessation of hostilities, closed all examinations to the general public and established the policy of accepting applications only from veterans entitled to reopen examinations and Government employees separated for reduction in force as long as these sources provided sufficient eligibles to meet the needs of the service, we are receiving thousands of applications each month from veterans, and the number of visitors calling at the regional office and our field stations for information, advice, and granting of veteran preference is steadily increasing. Our correspondence from Members of Congress and individuals has increased to such an extent that a backlog is rapidly being created which appalls us and is upsetting the morale of our entire force. This means endless searching of papers because the number of inquiries being received daily, which in turn slows down our actual operations. We are trying to handle the mail according to date of receipt and we are constantly studying our operations with a view to streamlining them to the greatest possible extent.

The following statistics may be of interest to you and will, I am sure, give you a better picture of the increase in our work load.

Applications received in the regional office

September	7,200
October	11,556
November	12,459
December	12,911

(Approximately 90 percent of these applications are from veterans.)

I am sure that you and the other Members of Congress from our region know that we want to render the maximum of service, not only to you, but to the veterans and Federal agencies which we serve, and frankly, it upsets me no end to think that we are unable to give the prompt service which should be given. We find ourselves, however, really "pressed to the wall" because of lack of sufficient personnel. Everything possible is being done in an attempt to work out some solution to eliminate the backlogs, but when one problem is settled it seems that at least five more are presented somewhere else.

I sincerely appreciate the interest you have shown in presenting these matters to me and giving me this opportunity to explain the situation with which we are confronted. I know you appreciate our problems and sincerely hope that you will bear with us until we get some relief. You may be sure of our continued cooperation.

Very sincerely yours,

B. M. SNODDY,
Regional Director.

Mr. Chairman, the situation which Mrs. Snoddy explains so thoroughly is not confined to the ninth region. Throughout the country services are restricted because of the lack of funds. Civil-service personnel has declined from a wartime peak of 7,552 employees in April 1945 to the present 3,990. A decline from the wartime staff was to be expected with the cessation of war activities, but I fear that the reduction was too drastic and that this was false economy.

In January 1940 the Commission had 1,591 employees to service 939,296 Federal employees. Today, personnel stands at 3,990 but we have now approximately 2,400,000 persons in the Federal service. Applications are now running at the rate of 500,000 a month, and 90 percent of them are from veterans.

The reduction in the annual appropriation has forced the abolition of 262 of the Commission's 284 field stations and branch offices. The branch offices were established to give the veterans prompt and direct service and their abandonment deprives the veterans of much needed assistance with applications.

Conceding, as we must, the urgent necessity for reduction in expenditures, it nevertheless appears that unless we maintain an adequate staff for the Civil Service Commission we will deprive the veterans of needed help and assistance in applying for and obtaining Federal positions, and I, therefore, urge the committee to oppose any reduction in the amount currently recommended and to provide in the next deficiency bill sufficient funds for servicing the veterans' applications.

Mr. HENDRICKS. Mr. Chairman, I yield such time as he may desire to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, even though the hour is late, I would like to add a word in keeping with one idea expressed a few minutes ago by the gentleman from Idaho [Mr. DWORSHAK]. He has made a plea, not only for some facilities for veterans in the smaller communities, but he also favors careful consideration of certain localities where climate and other natural features are especially conducive to health and the restoration of health. To my mind, this latter argument applies particularly to the great West and I am in accord with what our colleague from Idaho has had to say in this respect.

It has been pointed out to us that the restoration of health is partly a psychological matter. I certainly believe this. Even if the greatest scientist in the world states that one can recover, say from tuberculosis, as well in the humid climate of the East, as well as in the sunshine climate of the West, I would have trouble believing it and I am sure the veteran will not believe it. Not only have doctors for years been telling our people that many illnesses are helped and often cured by the mountain air and desert dryness, or sunshine with its greater healing power in the West, but figures show it and it has come to be generally established as a fact. For that reason we may expect great numbers of veterans in ill health to do their utmost to get out West. Any hospital program for veterans which does not take into consideration these psychological and scientific facts is bound to be inadequate or one-sided.

More than one State in the Southwest delights to be called the Sunshine State. I think I could bring recorded statistics and scientific truth to prove that Arizona is better entitled to be known as the Sunshine State than can any of its neighbors. Of course, I am talking about factual statistics and not estimates. The story is told that an easterner asked the secretary of the chamber of commerce of a California city whether it is true, as he had heard, that in that community the sun shone 365 days in a year, and the secretary replied, "I would say that that is a conservative estimate." Often when I relate a sober truth about my part of the country there are some who think it is a gross exaggeration. It is no exaggeration to say that the Southwest corner of our country constitutes Uncle Sam's sun parlor, and the great tide of migration, which was moving into that southwestern section for many years prior to World War II, may be properly characterized as the Sunshine Rush, greater, but somewhat like the Gold Rush about a century ago.

In view of the fact that so many veterans of this war have been trained at points in the Southwest and have gotten a first-hand knowledge of the States composing the Southwest, we know a great proportion of our veterans, whether well or sick, will turn their faces toward that region. Undoubtedly those who are not well will attempt to make their homes in the land of sunshine, regardless of from what native State they come. Any hospital program which does not take into consideration this absolute certainty of a "westward ho" attitude of veterans will be inadequate in its planning for our veterans. And the same things applies to other plans and benefits for these veterans.

Mr. HENDRICKS. Mr. Chairman, I yield such time as he may desire to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Chairman, my purpose in rising at this time is twofold. First I desire to take this occasion to join other Members in commending the chairman of the committee handling this important bill as well as members of his subcommittee. They have done an admirable job. As Members know this is the first bill handled by the distinguished gentleman from Florida [Mr. HENDRICKS] in his capacity as chairman of the independent offices subcommittee on appropriations. He has certainly given a good account of himself and has made a mighty fine statement on the bill, which, as reported, involves a tremendous sum of money. I believe he stated that some 84 percent of all of the funds provided in the entire bill goes to veterans, veterans' administration, and dependents of veterans.

If I remember the figures clearly $129,000,000, as provided in the pending bill is for additional veterans' hospital facilities which brings me to the second matter I wish to discuss very briefly. I want to make it plain that I approve of every dollar of that amount for veterans' hospitals, including additions to present hospitals, as well as new hospital facilities. In saying this, however, I want to make it clear that I have not backed up one inch from my stand, well known among members of my committee, that the Veterans' Administration should utilize all the Army and Navy hospitals that are safe and suitable for veterans' hospitals. By that I do not mean to intimate that any of the Army or Navy hospitals are unsafe or unsuitable for veterans. There might be some isolated cases but I do not know of any. I do know that I have a statement from the War Department that not a single life was lost in any of the Army's 135 hospitals during the war because of fires and calling my attention to their modern facilities and equipment.

I know also that General Hines, who served for many years with distinction as Administrator of Veterans' Affairs, and the Federal Hospitalization Board were consulted when those Army and Navy hospitals were located. In fact they were not only consulted, but the locations of such hospitals received their approval. The record will disclose General Hines and members of the Federal Hospitalization Board repeatedly told the Appropriations Committee that the Army and Navy hospitals were located in areas, after very careful investigation and consideration, where it was felt they would be specially needed for veterans' hospitals after the war.

Now let me call the attention of members of the committee to the following statement made by Chairman HENDRICKS to General Bradley recently when he appeared before his committee in support of the pending legislation.

Mr. HENDRICKS. General, there is one item in regard to hospitals that I would like to bring to your attention. Up to this time there have been constructed by the Army 355 temporary hospitals, most of which are one-story buildings. The cost to the Government for the construction of these Army hospitals exceeded $500,000,000 aside from the sites donated by local communities. Although these Army hospitals are not actually fireproof and are rated temporary and semipermanent, they are equipped with automatic fire extinguishers, fire alarms, and the Army reports that there has been no loss of life. At the time these Army hospitals were constructed, General Hines, in

appearing before this committee, I believe advised that his policy and the policy of the Federal Board of Hospitalization was that the hospitals should be utilized as veterans' hospitals. The location for the hospitals was selected with meticulous care and with the definite view that they should be used for veterans' hospitals or for the domiciliary care of veterans upon the cessation of war.

So, Mr. Chairman and members, there is no question as to the original intent of the use of these hospitals.

A few weeks ago when the Veterans' Administration appeared before the Deficiency Subcommittee on Appropriations, of which I have the honor of being a member, the Administrator of Veterans' Affairs seemed then determined to locate all new hospitals in what he called medical centers and to ignore completely the fact that the taxpayers have over a billion dollars invested in these Army and Navy hospitals that have the finest and most modern equipment obtainable. At that time both General Bradley and General Hawley seemed to be under the impression that they were forbidden by law to use these semipermanent hospitals. Therefore, believing that many of these hospitals could and should be utilized, the following proviso was carried in the deficiency bill passed shortly before Congress recessed for the holidays.

To keep the record straight Public Law 269, Seventy-ninth Congress, chapter 589, first session, carried the following provision, which is now a law:

Hospital and domiciliary facilities: The Administrator of Veterans' Affairs, subject to the approval of the Federal Board of Hospitalization, is authorized to utilize such Army and Navy hospitals, temporary or otherwise, not required by the Army or Navy, as such Administrator and the Federal Board of Hospitalization may deem safe and suitable for the hospitalization or domiciliary care of veterans.

Now, in order to be fair with the Veterans' Administration, let me say that today I have conferred at some length with General Hawley, the chief surgeon of the Veterans' Administration, and am pleased to say that he has actually read the report of the Appropriations Committee and agreed that there is need for the utilization of other Army and Navy hospitals for the use of veterans not mentioned in the hearings. He also assured me that a thorough investigation will be made before a final decision is reached. Certainly no Member of this Congress wants a hospital used for veterans that is not safe and suitable, but neither do Members want to abandon good hospitals with new modern equipment if some can be utilized to the advantage of the disabled veterans whose welfare must be paramount above all other considerations.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the distinguished majority leader.

Mr. McCORMACK. I join with the gentleman from Oklahoma in his commendation of the gentleman from Florida because of the very excellent way in which he, as chairman of the subcommittee, has handled this bill, the first one under his chairmanship, and an appropriation bill of extreme importance. I may also say that there is no more sincere, able, or harder working Member of the House than our distinguished friend from Florida. I say this as a compliment to him and as an expression of the opinion in which he is held by the leadership and membership of the House.

Mr. JOHNSON of Oklahoma. I thank the gentleman for his very kindly comment. May I say that I feel reasonably sure that the distinguished floor leader, as well as practically every other Member of this body, will join in approving my position on the subject of hospitalization for our honored disabled war veterans.

Mr. HENDRICKS. Mr. Chairman, I ask that the Clerk read the first paragraph.

The CHAIRMAN. There being no further general debate, the Clerk will read.

The Clerk read down to and including line 3, on page 2.

Mr. HENDRICKS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. McCORMACK] having resumed the chair, Mr. WHITTINGTON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 5201, the Independent Offices appropriation bill, 1947, had come to no resolution thereon.

COMMITTEE ON LABOR

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent on behalf of the gentleman from West Virginia [Mr. RANDOLPH] that members of the Committee on Labor may have until midnight tonight to file minority views on the bill H. R. 4437.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

EXTENSION OF REMARKS

Mr. WEICHEL (at the request of Mr. CASE of South Dakota) was given permission to extend his remarks in the Appendix of the RECORD and include a short newspaper article.

Mr. CASE of South Dakota asked and was given permission to extend the remarks he made in the Committee of the Whole today and to include a table to which he referred.

Mr. DWORSHAK asked and was given permission to revise and extend the remarks he made in the Committee of the Whole this afternoon and to include therein a short excerpt from the hearings before the Committee.

Mr. HAYS asked and was given permission to include in the remarks he made in the Committee of the Whole this afternoon a letter from the Civil Service Commission.

Mr. RANDOLPH (at the request of Mr. SPARKMAN) was given permission to extend his remarks in the RECORD.

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Michigan [Mr. BRADLEY] is recognized for 30 minutes.

THE FEDERAL BUREAU OF INVESTIGATION

Mr. BRADLEY of Michigan. Mr. Speaker, every so often the Communists and radicals and fellow travelers—supported by left-wing politicians in this country—seek by one means or another to get rid of Mr. J. Edgar Hoover as director of the Federal Bureau of Investigation and to break up that organization because it is the one basic Government agency that can and has kept them in check in their design to bring about open revolution in this country. Their latest maneuver was brought out in the open in an article which appeared in the Washington Evening Star, Friday, January 18. It was written by Columnist Constantine Brown—one of the older and most respected of Washington columnists because of his fearlessness and his reputation for being strictly factual. I was so alarmed by that article that I made a speech on the floor of the House Monday, January 21, about it and inserted it in the CONGRESSIONAL RECORD as part of my remarks. I want to read that article to you now:

Reports that J. Edgar Hoover, director of the FBI, may be replaced sometime this year by George F. Schwarzwalder, an official of the Budget Bureau, are being circulated in such responsible quarters that they can no longer be described as "Washington rumors." In the official circles where the matter is being discussed, it is said that while Mr. Hoover has done an excellent job before and during the war, the time has come to bring a new man with "streamlined ideas" as head of the FBI. When Mr. Hoover took over this important agency 21 years ago he found an antiquated outfit which he has succeeded in building up until it now enjoys a world-wide reputation.

Now, I want to break into the reading of this article right at this point. Let me remind you that during the First World War—which you will recall lasted less than 2 years—we had innumerable acts of enemy sabotage committed in this country. Perhaps the greatest disaster that I can recall offhand was the famous Black Tom explosion, the frightful intensity of which is illustrated by over a million dollars' worth of broken glass in New York City alone, 12 miles away. Then, there was the Kingsland, N. J., explosion, and numerous factories, railroad bridges, and other things were sabotaged and blown up. During the Second World War, which lasted almost 4 years, not one single act of enemy sabotage was committed in this country and enemy espionage—or spying activities—was kept definitely under control all under the thumb of our great FBI headed by J. Edgar Hoover. Yet we recall that early in 1940 the Commies sought to oust Mr. Hoover at a time when Russia was lined up with Germany and Hoover's FBI had thousands of potential enemy agents under surveillance.

Mr. CLEVENGER. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield to the gentleman from Ohio.

Mr. CLEVENGER. Was that not about the time of the wire-tapping bill that we had up here in Congress?

Mr. BRADLEY of Michigan. That is correct. Agitation was started in the

other body to outlaw the use of wire-tapping by the FBI. I want to say to the gentleman from Ohio that the FBI has only used wire-tapping in four types of cases: first, kidnaping; second, sabotage; third, espionage; and, fourth, in the case of treason. They have always made the most judicious use of it. They have no desire to exceed the reasonable use of it. But at that time when the bill was introduced and was before us for consideration on the floor, the fact that that agitation was here caused the FBI and Mr. Hoover to stop the use of wire-tapping, and, as a result, I have been told personally by Mr. Hoover, they lost immediate control of some four or five thousand enemy agents that they had been keeping their thumb on by means of wire-tapping and other methods. They lost control of them. I thank the gentleman for asking me to bring that out.

Now, to go on with this article:

Mr. Schwarzwalder, who is said to be the favorite candidate for the job if Mr. Hoover is replaced, was appointed as an analyst in the Budget Bureau in 1941. His present duties consist of streamlining the intelligence services of the State, War, and Navy Departments in an attempt to cut down expenses.

Now, just what are his qualifications to be America's No. 1 super detective in charge of the FBI that now has some 3,000 wonderfully trained operators working in the Continental United States, in all of its possessions and all over the world? Here is what Mr. Brown says about Mr. George F. Schwarzwalder:

Before entering Government service here he was engaged for 9 years as a social worker with the county board of public assistance in Philadelphia. His duties consisted of administering public aid for the aged and of administering Federal participation under the Federal security program for the blind. Like many others who have reached high positions in this country, Mr. Schwarzwalder had a variety of occupations before he joined the county board at Philadelphia. He worked for a short time for Warner Brothers (that is a moving picture company out on the west coast), was manager of a book store belonging to the United Cigar Stores in New York, was a land surveyor in New Jersey—his native State—was a checker in the summer of 1925 for the Pennsylvania Railroad and worked for the Prudential Insurance Co. in 1923.

At this point I want to make this observation: you will all note his remarkable training and qualifications to head the FBI. Now to go on with the article:

His promotions in the Budget Bureau—where he rose from a $3,200 yearly salary in 1941 to $7,000 in 1945—were due to his ability to handle the problems entrusted to him by the Director, Harold Smith.

I have rather a high regard for Mr. Harold Smith but I suspect he personally did not have much choice in the selection of his top assistant, Mr. Paul H. Appleby—with whom I came in contact some years back when he was the Assistant Secretary of Agriculture under Mr. Henry Wallace. To give you an insight into Mr. Appleby's thinking, let me say that when a certain problem of personnel was put up to him back in 1934, he wrote to a certain party in effect that any Federal employee had just as much right to be a member of the Communist Party of the United States of America as to belong to the Democratic or Republican Parties. Mr. Appleby, I repeat, is at present the Assistant Budget Director of this country, and it is my conjecture that Mr. Schwarzwalder reports directly to him. But now to get on with the article:

Although he—

Meaning Mr. Schwarzwalder—

had never handled such highly delicate matters as naval, military, and foreign intelligence, which in the past has been in the hands of long-trained professionals, Mr. Schwarzwalder plunged into the work of streamlining with enthusiasm and is believed by his superiors and the many friends he has acquired to be doing a good job.

That probably refers to his boss, Mr. Appleby, and some of the other left-wingers. Quoting again, and get this next paragraph very carefully in your minds because it is the kernel of the nut in question—and I quote:

Mr. Schwarzwalder was astounded at enormous files gathered by the Army and Navy concerning what is described as subversive activities and discovered that money could be saved if these files had a more "lean and hungry look."

I presume if Mr. Schwarzwalder did succeed in getting Mr. Hoover's job he would go further than giving the FBI files a "lean and hungry look"—he would starve them completely—in which event the rogues' gallery of the enemies we have in this country and who have heretofore been kept under surveillance and check by the FBI would be thrown in the ashcan. I would like to interject a few facts at this point. In this country of 140,000,000 people there are today at least 100,000 known and acknowledged members of the Communist Party USA. Those figures have been often published in Communist publications. There are probably several times that number of apprentice party members who—for obvious reasons—do not openly acknowledge membership. If we are to include in the list of left-wingers the fellow travelers who at times openly—but more frequently, privately—believe in the principles of the Communist Party USA—one fundamental program of which is the fomenting of strikes and industrial unrest in this country, and another program is to cause trouble, discontent, and a break-down of morale in our armed forces—and then, if we add to that number those idealistic silly dupes who are ever ready to call themselves liberal thinkers and lend their inherited great names and financial and political support to the Communist Party—the number of left-wingers in this country runs into the millions. Earl Browder once said that for every party member there are 10 others ready to do the party's work.

In the foregoing, I have been referring to the American Communist program and its members and supporters. Let me for a minute contrast that with the actual situation in Soviet Russia today. My good friend, the gentleman from South Dakota [Mr. MUNDT], who recently visited Russia, tells me, there, in a nation of 190,000,000, the Communist Party which controls that 190,000,000 is actually made up of only 5,000,000 party members. The guiding genius, in turn, of that 5,000,000 which controls and rules the 190,000,000 is composed of an inner Comintern called the Polit-Buro, of 14 members, of which Mr. Josef Stalin is but one member and has but one vote—therefore, his policies might be out-voted at any time by the other 13. But, of course, Uncle Joe is the oldest sitting member of this Polit-Buro, therefore the most powerful, and his decisions are seldom, if ever, overridden. The fact of the matter is this is the most closely knit government operation by caste and aristocracy that this world has ever known. In Russia one cannot merely apply for and simply secure membership in the Communist Party. He has to serve—if you please—a long apprenticeship over a number of years and prove his mettle and his loyalty to Communist ideas and ideals and to its leadership before he is voted into the membership. But, having once become a member of the party, then he obtains many, many concessions. He buys his clothing and his food in greater quantities and at a greater discount from the regular store prices than the rest of the 185 governed millions; and then, if he should eventually become one of the leaders and get into the inner sanctum of the Comintern, he gets a progressively greater discount and greater quantities of the good things of life. And all this, my friends, is apparently what the American Communists and their sympathizers and dupes want to foist on this, the freedom-loving American people. Don't you see how serious this thing has become? Well, if you do not, you had better wake up and wake up pretty quickly before our streets are flowing with red American blood.

Mr. MUNDT. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield to the gentleman from South Dakota.

Mr. MUNDT. I am very much interested in the statement the gentleman is making. I noticed while Congress was taking its holiday recess that the press quoted J. Edgar Hoover in a speech or two calling the attention of America to the danger of the Communist element in this country. I wonder if there is not some connection, perhaps, between the fact that he has made those Paul Revere speeches and the fact that there are now a few of our inner-circle left-wingers trying to get his scalp and get him put out of the FBI.

Mr. BRADLEY of Michigan. There is no question about that. I will say to the gentleman as I said earlier in my speech, that it has been the FBI and the FBI alone that has been able to keep its finger on these known Communist agitators and put the spotlight of publicity on them whenever they stuck their heads up out of the grass.

Mr. MUNDT. It seems to me the gentleman's speech is particularly pertinent at this time due to the terrific labor disorders from which this country is suffering. It remains to be proved how much these labor disorders are actually a result of honest differences of opinion about the wage scale and living costs.

Mr. BRADLEY of Michigan. Communism thrives on hunger and if they can keep these men out on strike until they have exhausted all their stored up war bonds and all their cash in banks and everything else and go hungry, then the Communists will really thrive and go to town. Is that not correct?

Mr. MUNDT. Yes; I might say to the gentleman in an effort to determine what part the Communists are taking in agitating the present labor turmoil, the House Committee on Un-American Activities at its last regular meeting voted to call before it for the purpose of interrogation Prof. Louis Budenz, former leading Communist in this country and formerly editor of the Daily Worker, who last October renounced communism and joined the Catholic Church and is presently teaching at Notre Dame University in South Bend. It seems to us that Professor Budenz, out of his experience in working with Communists for many years, should be able to give our committee some highly valuable tips as to the methods and manner by which Communists habitually try to create disorder in a capitalistic country.

Mr. BRADLEY of Michigan. May I ask the gentleman this question, since he brought up the labor angle? Just how do the labor unions operate in Russia under the Communist regime?

Mr. MUNDT. I could answer that question very briefly, I am sure, because last fall when I went to Russia with Subcommittee No. 2 of the House Committee on Foreign Affairs, spending about a month in that country and its dominated area, we discovered that there are no labor unions in Russia whatsoever as we recognize labor unions in this country, because the only organization permitted to function as such over there is the Communist Party.

Mr. BRADLEY of Michigan. If the American Communists eventually succeed in bringing about revolution in this country, and we know they are pretty well infiltrated into the larger labor organizations in this country, and one in particular, does the gentleman think that the Communist Party of the United States of America would continue to promote labor unions in this country?

Mr. MUNDT. No; I think that the Communist Party in the United States will do the same thing that the Communist Party has done in Russia and that the Fascists did in Italy and that the Nazis did in Germany, that is, to completely dominate labor the way they dominate capital because there is one thing which all of these isms in Europe have in common, and that is complete opposition to freedom and complete opposition to organizations other than their own. They prefer to rule without having anybody in an organization around to criticize or threaten their supremacy.

Mr. BRADLEY of Michigan. In other words, they believe in a one-body government backed by a darned good Gestapo. Is that correct?

Mr. MUNDT. That is correct. Since the gentleman mentioned labor, I would like to just say this about the labor situation in Russia. We found to our surprise that labor in Russia is operating under a piecework and speed-up program which is so severe and so drastic that no labor leader in America would dare to put it before the members of his union and suggest it as a model in this country.

The difficulty with the American Communists, as I see it, is that they refuse to present to the American people the achievements and activities of communism as it actually functions in the country where it is being tried. Instead, they hold it up as a figment of the imagination and they describe it as something which it is not. No matter how radical he may be in this country, if an American labor leader would take a look and make a study of labor conditions in Russia, he would say, "If that is the pay-off on communism I will have nothing to do with it."

I want to make myself clear. I have been asked a lot of times since I returned from Russia, people ask me, "Karl, what do you think of communism in Russia?" My answer is, "I think that communism in Russia is O. K. for the Russians in Russia if that is what they want. I have no purpose in mind to change it or modify it. I am perfectly willing to let them experiment with that particular political and economic theory so long as they keep it there." They should not, and the Communists in this country should not, attempt to overthrow our system of government and impose upon it a system which is failing completely to provide any hopeful opportunities for the laboring classes of Russia.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield.

Mr. McCORMACK. I do believe that the gentleman ought to clarify that statement so that there will be no misunderstanding as to his state of mind. I am aware that the gentleman is not talking about atheistic communism. Is that not correct?

Mr. MUNDT. I am talking about the communism which they have in Russia, which is largely atheistic.

Mr. McCORMACK. But the gentleman does not mean to say that in Russia atheistic communism is a good thing?

Mr. MUNDT. No. It is all right for them if they want it, as far as I am concerned. I am trying to say it is not any of our business to go to Russia and tell them what kind of a government they should have or to try to force them to change it.

Mr. McCORMACK. Of course, I know the gentleman did not mean to say that he agreed with it. He is bitterly opposed to it.

Mr. MUNDT. That is true.

Mr. McCORMACK. The gentleman knows I have given this quite a lot of study, because I was chairman of the special committee that investigated all the "isms" in the country in 1935, communism, fascism, nazism, and all the others, and bigotry; and how they used to love to gang up on me. I could not get legislation passed in this body for from 3 to 5 years. I had a great deal of difficulty with many good Members of this House in getting the Alien Propaganda Registration Act, the McCormack Act, passed and also the bill making it a crime for anyone to willfully and recklessly advocate the overthrow of Government by force and violence. Also a bill giving the Army and Navy power to control the distribution of subversive literature in Army camps and on the vessels of the Navy. It took me from 3 to 5 years, after the legislation was recommended, to get these passed through this House and the other branch. But, fortunately, we did get them passed. I have given it a lot of study and I think I know a little bit about it. I agree with the gentleman that it is none of our business what kind of government another country may have. That is the business of the people of that country. We may not agree with it, but as long as they do not interfere with our Government or other governments, it is none of our business.

Mr. MUNDT. That is correct.

Mr. McCORMACK. But I must depart from my friend's observation, and I am sure upon consideration the gentleman will agree with me, when he says that Russia can have an atheistic communism. I do not think any country should have that, because that is where the vicious persecution and liquidation comes in, because it is based on anti-Godliness, and it does not give to the individual the freedom of the right of religious conscience nor free exercise thereof. As far as that is concerned, it is reprehensible and repugnant to what I might say is my international sense of decency.

Mr. MUNDT. Let me say I share with the gentleman completely his recognition that atheistic communism is reprehensible and repugnant. It is equally reprehensible and repugnant to me. I regret that it exists any place in the world, but I still doubt whether it is our job to go into a country where it does exist and tell them what kind of a government they should have.

Mr. BRADLEY of Michigan. If the gentleman will pardon me, I think this colloquy has proven very beneficial, but I would like to get back to this article by Mr. Constantine Brown.

And, now, to get back to this article and Mr. Schwarzwalder's demonstrations of efficiency in streamlining the State, War, and Navy Intelligence Services. Here is what Mr. Constantine Brown has to say:

> He is chiefly responsible for the streamlining and reorganization of the State Department by which entirely new organizations were set up and old bureaus abolished. Although the streamlining substantially increased, rather than reduced, the personnel of the State Department, his work has been praised by the Secretary and Under Secretary of State because they believed it would make the Department more efficient. He has contributed largely to the injection of new blood in the Department by suggesting the appointment of many outsiders; that is to say, men, who, while not conversant with actual diplomatic work, are fully familiar with and sympathetic to the new trends in the world.

Friends, take that last clause carefully to heart. I repeat, these men, "while not conversant with actual diplomatic work, are fully familiar with and sympathetic to the new trends in the world."

Now let us look at the tangible results of the excellent work Mr. Schwarzwalder and others have accomplished in streamlining the State Department for instance. In 1939 there were approximately 3,600 employees in the State Department operating on an $18,000,000 budget, approximately $16,000,000 of which was chargeable to passports and visas.

In the fiscal year 1946 the personnel has been streamlined up to approximately 10,000, or treble that of 1939, and undoubtedly much of this increased personnel is composed of these bright young men who, "while not conversant with actual diplomatic work, are fully familiar with and sympathetic to the new trends in the world." The budget for this fiscal year has quadrupled over 1939, and they are apparently finding it pretty difficult to get along with a slight appropriation of some $76,000,000.

Indeed this streamlining to gain greater efficiency in our State Department has now reached the point where they find that next year they are barely going to be able to get along with 25,000 employees on a requested budget of approximately $150,000,000.

I suggest that the Appropriations Committee look into this streamlining program very, very carefully.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield.

Mr. TABER. Is it not a fact that extravagant operation is what creates a deficit in the Treasury and that the only way we can maintain solvency is to get away from that sort of performance?

Mr. BRADLEY of Michigan. One thing is certain that in the matter of 6 years we cannot boost one executive branch of the Government from 3,600 employees to 25,000 and boost its appropriations from $18,000,000 to $150,000,000 and still stay solvent in this country.

I appreciate the gentleman's observation.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield to the gentleman from Nebraska.

Mr. CURTIS. I think we all are aware of those who belittle the number of Communists in the United States, saying there are only a few hundred thousand of them. But we all know that it makes a difference if Communists hold high positions in the Government.

Mr. BRADLEY of Michigan. There is no question.

Mr. CURTIS. And if we have a football team of 11 men——

Mr. BRADLEY of Michigan. And the quarterbacks are Communists——

Mr. CURTIS. If 1 player is for the other side he can confound the other 10 and make them look silly and throw every game to the enemy.

Mr. BRADLEY of Michigan. That is absolutely correct. I thank the gentleman for his observation.

I want to repeat the last clause I read: These men while not conversant with actual diplomatic work are fully familiar with and sympathetic to the new trends in the world. Now to continue the article——

The SPEAKER pro tempore (Mr. HENDRICKS). The time of the gentleman from Michigan has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent with the permission of anyone else who has a special order that the gentleman's time may be extended for 10 additional minutes.

The SPEAKER pro tempore. The gentleman from Kansas [Mr. REES] has a special order.

Mr. REES of Kansas. I have no objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 10 additional minutes.

Mr. BRADLEY of Michigan. Now to continue with the article:

But while Mr. Schwarzwalder has earned for himself a good reputation as a streamliner in the War, State, and Navy Departments, his knowledge of the work of the FBI is still very scanty. In the 2 years he has been engaged in looking into the organization and work of the military and naval intelligence, he is said to have been able to obtain only a superficial acquaintance with what a variety of problems fall under the jurisdiction of Mr. Hoover's organization. These problems extend from catching kidnapers, counterfeiters, and other criminals to "special" intelligence work in foreign countries and at home. It was the job of the FBI to locate and catch enemy saboteurs and prevent those in the pay of foreign countries from doing the jobs assigned to them. The duties of the FBI have become so diversified since 1940 that only men with a wide knowledge of this complex work can successfully cope with the agency's many assignments.

One of the outstanding achievements of Mr. Hoover personally—and without which the efficiency of the FBI could not have achieved such a high plane—is due to the program he instituted to cooperate with every other law-enforcing agency in this country. There was a time when the local police authorities, county sheriffs, and their deputies felt that the FBI was trying to steal the show, but that was long ago. Today with its excellent police academy—which not only gives excellent training to local law-enforcement officers but also impresses them with the desire of the FBI to ever cooperate with the local agencies and to acquaint them with the facilities that the FBI has to augment their own talents and to provide them with a centralized research organization—Mr. Hoover has welded all of the law-enforcing agencies of this Nation into one gigantic team that has proven the truth of the statement that "crime does not pay."

Mr. MUNDT. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield to the gentleman from South Dakota.

Mr. MUNDT. I would like to say that Mr. Hoover has cooperated with the House Committee on Un-American Activities. We have found him to be 100 percent. Mr. Hoover has maintained a liaison representative in the committee room at all times checking with our records and files and whenever we hire an investigator, clerk, or staff member, first of all we insist that that individual be cleared by the FBI. Nobody could ask for a more hearty cooperation than we have had from the FBI.

Mr. BRADLEY of Michigan. I am happy to know that Mr. Hoover has now extended his liaison and his cooperation to the committee of which the gentleman is a very valuable member.

At this point and as illustrative of the excellent work done by the FBI in this last war, may I suggest to you that if you have an opportunity to see the motion picture The House on Ninety-second Street you should do so. This motion picture is very accurate and factual in its portrayal of the excellent work done by the FBI in breaking up a big German spy ring in this country and outwitting the famed Gestapo at every turn. It is worth seeing by every stanch American and your admiration for the work of the FBI will be greatly enhanced thereby.

Now, the closing paragraph of this article reads as follows:

Although from the past activities of Mr. Schwarzwalder it would appear that he might not be the ideal man to replace the incumbent Director of the FBI, he has very powerful support from friends he has acquired recently and is believed to be the foremost candidate for the job.

Mr. Speaker, it seems to me that this attempt to remove Mr. Hoover or to otherwise disorganize the FBI is a very serious matter for everyone in this country. I know that one of the stanchest supporters that Mr. Hoover has in this body is you, Mr. Speaker, the gentleman from Massachusetts [Mr. McCORMACK]. I know that you upset efforts to tamper with Mr. Hoover's work back in the twenties and again in the thirties and in the early forties. You have been a real champion of Mr. Hoover and a great admirer of his work and the efficiency of his Department.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. It is very kind of the gentleman to refer to me because I feel very proud to be connected in any way with J. Edgar Hoover. I am a great admirer of the man. I consider him a great American. He has performed the great duties and responsibilities of his office and position with outstanding ability and courage. I first met Mr. Hoover shortly after I came to this body some years ago. I then met one of the finest men I will ever meet in my journey through life. He is broad-minded in every respect, a man deeply imbued with the American way of life, American traditions, and he has the respect of his fellow man.

Mr. BRADLEY of Michigan. He also has a keen sense of duty.

Mr. McCORMACK. Yes. On several occasions in the past when efforts were made to discredit him I have taken the floor and I have spoken of the high regard I have for him. I do not know of any effort to discredit Mr. Hoover, but the gentleman from Michigan apparently feels there is such an effort now.

Mr. BRADLEY of Michigan. I know that to be a fact.

Mr. McCORMACK. All I can say is that I will join as strongly as I can with the gentleman from Michigan or with anyone else in resisting such effort and preventing it from being successful.

Mr. BRADLEY of Michigan. I appreciate the gentleman's remarks.

Mr. McCORMACK. When I came here in 1928 I met him, or shortly thereafter, and I was deeply impressed with him. In 1933 when the question of his reappointment came up with the new administration, a former Member of this House, a very distinguished Member, Mr. Oliver, of Alabama, a member of the Appropriations Committee—the older Members will recall him—a valuable and outstanding Member who voluntarily retired, a man who was chairman of a Subcommittee on Appropriations having charge of the appropriation bill in which the Federal Bureau of Investigation appropriations were included, and I went to see the late President Roosevelt on two or three occasions urging his continuance in that position.

Mr. BRADLEY of Michigan. I know Mr. Roosevelt had a very high regard for Mr. Hoover.

Mr. McCORMACK. The late President had a very high regard for him, and that is the point I wanted to emphasize. If there are any efforts made to undermine or smear or weaken Mr. Hoover in his position, I shall be pleased, with what little influence I might have, to join with the gentleman from Michigan and others in rising to the defense of a man who richly deserves the commendation and the respect and the support of all Americans.

Mr. BRADLEY of Michigan. I thank the gentleman very much for his support and for his observation.

We all know, Mr. Speaker, that undoubtedly Mr. Hoover has received a great many firm offers to go into private life and undoubtedly he could do so at a greatly enhanced income over that which the Government feels it can afford to pay. It is to his everlasting credit and to the benefit of this great Nation that he has always shown such a tremendous sense of patriotism and call to duty that he has stuck on this job through thick and thin. We need more Americans like J. Edgar Hoover.

Of course, I do not mean to say that Mr. Hoover is the only man in this great Nation capable of running the FBI; nor do I wish to infer that he is solely responsible for its present high state of attainment. I do say, however, that if this Nation is ever unfortunate enough to lose the services of Mr. Hoover as head of the FBI, then certainly it would seem sound common sense to succeed him by one of his numerous most capable assistants who have served with him and under him so long and to whom a great deal of credit for the achievements of the FBI must be given. Surely such an organization as this should not suddenly find at its head a politician who has so far achieved the present position in life no greater than that of an analyst in a Government bureau.

It has been said that Attorney General Tom Clark, who is his superior, has denied that he would even consider any move to replace Mr. Hoover. This, of course, is encouraging and commendable in Mr. Clark; but in this instance it is well to remember that Mr. Clark is merely the Attorney General, subject to orders from the President of the United States and in the final analysis would undoubtedly have no say in the matter.

Well, Mr. Speaker, if Mr. Truman—personally such a splendid man as he is and such a loyal American, as his work on the famous Truman committee in the Senate proved him to be—has permitted himself to be so misguided by his political advisers as to seriously consider a reorganization of the FBI, then I confess that I am not only alarmed but I am amazed that any man sitting in the great office of the Presidency of the United States should ever let himself be so ill advised.

The SPEAKER pro tempore. Under previous order of the House the gentleman from Kansas [Mr. REES] is recognized for 10 minutes.

LEGISLATION AND THE STRIKE SITUATION

Mr. REES of Kansas. Mr. Speaker, America has attained a place of leadership among the nations for world peace. We are actively working at it. Having attained leadership, in bringing the war to a successful conclusion, we are putting forth every effort to bring about a just and lasting peace among nations of the world, and yet here at home we have difficulty in bringing about readjustments and reconversion on a peacetime basis. We have too little peace and harmony on the home front.

Mr. Speaker, it is a shame and a disgrace that the situation existing in our country today, with regard to labor and industry, should be permitted to exist. It does not set a good example to other countries with respect to the operation of free enterprise, as well as the principle that every man willing to work is entitled to do it at a fair wage.

Mr. Speaker, we have the peculiar situation that there are millions of people, both here and abroad, seeking to buy scarce American-made commodities, and willing to pay the prices. Credit is cheap. Never before in our history has there been more money invested in stocks, bonds, savings accounts, and the like. Yet, the only thing that prevents our greatest era of prosperity is the failure on the part of management and labor to settle disagreements involving wage increases in strike-bound industries, which in some cases involves less than a few cents per hour.

In the steel industry, for example, the difference now is only 3½ cents per hour. Assuming an 8-hour day in a 300-day work year, in the steel industry this would amount to a total of $50,400,000 per year, which the steel industry does not see fit to pay its 700,000 employees. I mention this only to indicate that the controversy in the steel industry is essentially similar to disagreements in other industries where labor is on a strike for higher wages.

Now, Mr. Speaker, with what I have said as a background, and the risk of oversimplifying a problem, which to my mind has been grossly overcomplicated, I should like to submit a common sense solution.

The administration leaders have been too prone to keep the lid on prices and at the same time, nod approvingly at wage increases. This is inconsistent. I advocate the following policy and procedure. Through collective bargaining and voluntary arbitration, that portion of the labor controversy involving wage increases in industry should be resolved, as far as possible, by management and labor, without Government participation. If no agreement can be reached, then let management and labor submit their best wage offers or proposals to the Department of Labor. Whereupon, after the Secretary of Labor is satisfied that both management and labor have bargained in good faith and have not reached an agreement, he should then certify the same to the President, stating the difference between management and labor offers. Using his price control powers, the President should then allow the particular industry in question to increase prices, only to the extent required to pay the difference certified by the Secretary of Labor, as the bona fide wage difference between the management and labor offers.

Applying this policy to the present steel controversy, it would necessitate a price increase of less than 70 cents per ton to settle the wage question.

Immediately it will be said that my proposal will result in inflation. My contention is we have inflation already. Of course, inflation must be controlled. The best means to control inflation is to achieve full production and reconversion just as soon as can be done and remove the possibility of Government seizure of private industry, thus preventing widespread labor disturbances which may even involve bloodshed. I believe the end justifies the means.

Full, free, and competitive production, unrestricted and unrestrained by so-called "economic laws," is the way we are going to solve these problems which continually beset our path toward reconversion.

It is said there would be inflation, if price ceilings are slightly raised. We have inflation now and the only way to stop its further advance is to restore a free economy to America, an economy founded upon the basic laws of supply and demand. As long as demand is great and the supply small, inflation will always lurk in the shadows.

I propose the administration change its philosophy of pessimism and apply constructive, dynamic leadership. The timid attitude with which the Administration is approaching the labor situation is retarding reconversion. Lack of leadership has influenced certain groups to ask Congress to enact labor legislation, which, if passed in the hysteria of these moments, will not be satisfactory to either management or labor.

Contrary to certain views, I believe the Federal Government has ample authority to deal with the present labor situation. The Government controls prices and thereby controls wages. This was

strikingly illustrated during talks in connection with the steel strike.

Mr. Speaker, permit me to suggest that I believe the average housewife would be willing to pay a small increase for a vacuum cleaner, electric ice box, or electric iron, and get it within the next few months. The same plan applies to other commodities. It will be a whole lot easier to control prices when we have full production and after the pent-up demand for consumers goods has been satisfied.

It is true, the consumer always pays, and I am certainly opposed to run-away prices, but under my proposal the premium he pays is for, first, earlier reconversion; second, quicker return to a free healthy economy; third, consumer goods in a few months, rather than in a few years; fourth, earlier return to reduced prices, resulting from full production and competition; and fifth, the absence of management-labor friction in the United States.

In addition to the President's request for the establishment of a fact-finding board and a compulsory 30-day cooling-off period before strikes, there are other proposals before Congress, which, if enacted, would substantially change our present labor laws. I shall expect to support some. I believe, however, with respect to the question of fact-finding, that such facts should relate only to the question of determining whether increases or decreases in wages should be granted.

It is my opinion that none of the bills which have been submitted will really solve the present labor problem. In fact, I fail to see how the President's proposal, if enacted into law, would have prevented the strikes that will have 2,000,000 workers idle by the end of the week.

The solution of these problems should be found through a closer and better understanding between management and labor. We cannot expect legislation to solve all of our problems, and this includes labor-management problems. As I stated earlier, the President has ample power now. He and Mr. Snyder were in excellent bargaining position to prevent the steel strike before they fumbled their opportunity to do it. It must be observed, too, that no legislation will remedy bad judgment.

Mr. Speaker, it has come to our attention quite definitely, that labor, on the one hand, and management, on the other, have claimed that the opposition has more rights under the law. It is my contention that both labor and management must share and assume equal responsibilities, as well as equal rights, under the law of this country.

Mr. Speaker, there is one very important factor in this situation that has not received the attention to which it is entitled. It is the factor of public interest. In normal times the public interest is not unduly affected by the temporary failure of management and labor to reach agreements, but these are not normal times. Our country stands upon the threshold of reconversion. Relations between management and labor assume a tremendous importance. The public interest demands that management and labor become more deeply concerned with their responsibility to the general public. The functioning of a democracy, such as ours, is dependent upon the balancing of the rights and interests of management and labor, guided by the superior and all-embracing rights of the public as a whole.

Mr. Speaker, it seems to me the leadership involved in these strikes and disputes give little or no consideration to the millions of people who have no voice in the matter, but are required to suffer although they have nothing to do with the controversy involved. To permit the paralyzing of our communication systems and our production in this country just cannot be right.

One of the reasons, and I shall discuss it later, for the present strife between labor and management, is the absence of arbitration. We arbitrate foreign affairs, but not so much domestic affairs.

On a long-range basis, I favor the enactment of legislation, following similar lines as that of the Railway Labor Act, that will set up mediation boards or panels to settle labor grievances and provide for a reasonable period before strikes are called. I believe immediate consideration should be given to legislation which will require management and labor to accept their public responsibilities and live up to and abide by their agreements. Such legislation should provide equal protection to all parties concerned. I am convinced that our labor laws need revision and modernization. That job should be done during this session of Congress. But, I repeat, the present labor crisis should not result in the hurried passage of ill-conceived legislation which another Congress may be required to repeal.

I would like to suggest further, Mr. Speaker, that when further national management-labor conferences are held to discuss general problems of labor and management, that the President include in such group not only a few big leaders in industry and labor, but also managers of small industries and small labor unions from all parts of the country. Also permit large and small business to attend such meetings, also include farmers and others who have a real direct public interest in these problems, and who are directly affected thereby. Strikes that are being conducted today are affecting every household in this country.

Mr. Speaker, these are serious times. America is at a turning point in her history. There are many tough problems to be solved. American people can solve these problems if they have the will to do so. America has the will. She must and will find the way.

EXTENSION OF REMARKS

Mr. PETERSON of Florida asked and was given permission to extend his own remarks and include therein a report of the Congressional Board of Visitors to the United States Merchant Marine Academy at King's Point.

Mr. ALLEN of Louisiana asked and was given permission to extend his remarks in the RECORD and include an editorial from the Shreveport Times under date of January 20, 1946, on the subject of tidewater oil.

ADJOURNMENT

Mr. FOLGER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 43 minutes p. m.), the House adjourned until tomorrow, Thursday, January 24, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE CENSUS

The Committee on the Census will hold hearings on H. R. 4781 on Thursday and Friday mornings, January 24 and 25, 1946, at 10 o'clock.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 2 p. m. on Thursday, January 24, 1945, for resumption of hearings in study of operations pursuant to the Public Utility Holding Company Act of 1935.

There will be a meeting of the Federal Trade Subcommittee of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m., Tuesday, January 29, 1946.

Business to be considered: Commerce hearings on the bill (H. R. 2390) to amend the act creating the Federal Trade Commission, to define its powers and duties, and for other purposes.

COMMITTEE ON PATENTS

The Committee on Patents will hold hearings on H. R. 4143 in the committee room, 416 Old House Office Building, January 29, 1946, beginning at 10:30 a. m.

COMMITTEE ON THE JUDICIARY

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, January 30, 1946, on the bill (H. R. 2710) to provide for the detention, care, and treatment of persons of unsound mind in certain Federal reservations in Virginia and Maryland. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee Room, 346 House Office Building.

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, February 6, 1946, on the bill (H. R. 5089) to amend the First War Powers Act, 1941. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee Room, 346 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

971. Under clause 2 of rule XXIV, a letter from the Chairman, Reconstruction Finance Corporation, transmitting a report covering its operations for the period from the organization of the Corporation on February 2, 1932, to June 30, 1945, inclusive (H. Doc. No. 399), was taken from the Speaker's table, referred to the Committee on Banking and Currency, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. HARTLEY: Committee on Labor submits minority views on H. R. 4437, a bill to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes (Rept. No. 1487, pt. II). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FALLON:

H. R. 5215. A bill to make imported merchandise subject to the same internal-revenue taxes as similar merchandise of domestic origin; to the Committee on Ways and Means.

By Mr. HOFFMAN:

H. R. 5216. A bill to prevent discrimination in employment because of race, creed, sex, color, lack of color, national origin, ancestry, membership or nonmembership in any labor or fraternal organization; to the Committee on Labor.

By Mr. ANDERSON of California:

H. R. 5217. A bill to provide that upon discharge temporary members of the United States Coast Guard Reserve be issued certificates of discharge, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. ELLIOTT:

H. R. 5218. A bill to amend the National Housing Act, as amended; to the Committee on Banking and Currency.

By Mr. HART:

H. R. 5219. A bill to provide for the appointment of an additional district judge for the district of New Jersey; to the Committee on the Judiciary.

By Mr. LAFOLLETTE:

H. R. 5220. A bill to prevent employers guilty of unfair labor practices which cause strikes from charging the United States with the cost of such strikes through tax deductions; to the Committee on Ways and Means.

By Mrs. WOODHOUSE:

H. R. 5221. A bill providing equal pay for equal work for women, and for other purposes; to the Committee on Labor.

By Mr. BARTLETT:

H. R. 5222. A bill to authorize the Secretary of Agriculture to sell certain lands in Alaska to the city of Sitka, Alaska; to the Committee on Agriculture.

By Mr. BOYKIN:

H. R. 5223. A bill to extend temporarily the time for filing applications for patents, for taking action in the United States Patent Office with respect thereto, for preventing proof of acts abroad with respect to the making of an invention, and for other purposes; to the Committee on Patents.

By Mr. DOUGHTON of North Carolina:

H. Con. Res. 121. Concurrent resolution authorizing the House Committee on Ways and Means to have printed for its use additional copies of the report to the committee of its technical staff relative to the issues in social security; to the Committee on Printing.

By Mr. HENDRICKS:

H. Res. 493. Resolution requesting the Board of Engineers for Rivers and Harbors to review the reports on Sebastian Inlet, Fla.; to the Committee on Rivers and Harbors.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Kentucky, memorializing the President and the Congress of the United States to use the Army Post at Fort Thomas, Ky., as a veterans' hospital; to the Committee on World War Veterans' Legislation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 5224. A bill for the relief of Verne Eutuk and Earl Scott; to the Committee on Claims.

By Mr. COFFEE:

H. R. 5225. A bill for the relief of Lee Woodard; to the Committee on Claims.

By Mr. HENDRICKS:

H. R. 5226. A bill granting a pension to Nell H. Shacklette; to the Committee on Pensions.

By Mr. SIKES:

H. R. 5227. A bill for the relief of the estate of Alfred Lewis Cosson, deceased, and others; to the Committee on Claims.

By Mrs. WOODHOUSE:

H. R. 5228. A bill for the relief of Stephen Lisay; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1486. By Mr. GOODWIN: Resolution of St. Ann's Holy Name Society of St. Ann's Church, Boston, Mass., opposing compulsory military training; to the Committee on Military Affairs.

1487. By the SPEAKER: Petition of the Board of Supervisors of the City and County of Honolulu, T. H., petitioning consideration of their resolution with reference to immediate statehood for Hawaii; to the Committee on the Territories.

1488. Also, petition of the St. Paul Trades and Labor Assembly, petitioning consideration of their resolution with reference to their desire for enactment of laws proposed by President Truman to meet the labor situation; to the Committee on Expenditures in the Executive Departments.

1489. Also, petition of Dominic Ingrassia and others, petitioning consideration of their resolution with reference to the demobilization program; to the Committee on Military Affairs.

1490. Also, petition of the crew of the steamship *William H. Aspinwall*, petitioning consideration of their resolution with reference to endorsement of H. R. 2346; to the Committee on the Merchant Marine and Fisheries.

SENATE

THURSDAY, JANUARY 24, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God whose will is peace, to the searching light of Thy effulgence we would open the shuttered rooms of our darkened minds. We come confessing the evils that shut Thee out, the narrow circles of self-sufficiency and self-centeredness which are the imprisoning bars of our spirits keeping us from the glorious liberty of more abundant life whose bounds are as broad as the mystic oneness of humanity which, under all skies, stretches lame hands of prayer to the one God high over all. Having delivered us from fierce foes who plotted to put out the very light of our liberty, save us now from quenching that same precious flame by the angry breath of our own divisive contentions. In the overwhelming sense of Thy goodness, in humble gratitude to the God who has made and preserved us a nation, may we enter into unity with Thy purpose and become in some measure the instruments of Thy healing peace. In the Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., January 24, 1946.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. BURNET R. MAYBANK, a Senator from the State of South Carolina, to perform the duties of the Chair during my absence.

KENNETH MCKELLAR,
President pro tempore.

Mr. MAYBANK thereupon took the chair as Acting President pro tempore.

ATTENDANCE OF A SENATOR

BURTON K. WHEELER, a Senator from the State of Montana, appeared in his seat today.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of the motion of Mr. HOEY to amend the Journal of proceedings of the Senate of Thursday, January 17, 1946.

Mr. BANKHEAD obtained the floor.

Mr. BARKLEY. Mr. President——

Mr. BANKHEAD. I yield to the majority leader, if I may do so without losing the floor.

Mr. BARKLEY. I desire to make a point of no quorum, and I now make that point, if I am entitled to be recognized for that purpose.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	George	Magnuson
Bailey	Gerry	Maybank
Bankhead	Gossett	Mead
Barkley	Green	Millikin
Bilbo	Guffey	Morse
Brewster	Gurney	Murdock
Bridges	Hart	Murray
Briggs	Hatch	Myers
Buck	Hayden	O'Daniel
Bushfield	Hickenlooper	Pepper
Butler	Hill	Radcliffe
Byrd	Hoey	Reed
Capehart	Huffman	Revercomb
Capper	Johnson, Colo.	Robertson
Chavez	Johnston, S. C.	Russell
Cordon	Kilgore	Saltonstall
Donnell	La Follette	Shipstead
Downey	Lucas	Smith
Eastland	McClellan	Stanfill
Ellender	McFarland	Stewart
Ferguson	McKellar	Taft
Fulbright	McMahon	Taylor

Thomas, Okla.	Wheeler	Willis
Thomas, Utah	Wherry	Wilson
Tobey	White	Young
Walsh	Wiley	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from Louisiana [Mr. OVERTON], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Maryland [Mr. TYDINGS] is absent because of illness in his family.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. CARVILLE], and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Nevada [Mr. MCCARRAN] is absent on public business.

The Senator from Washington [Mr. MITCHELL] is detained on official business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business as a member of the Mead committee.

Mr. WHERRY. The Senator from Vermont [Mr. AIKEN] and the Senator from Minnesota [Mr. BALL] are absent because of illness.

The Senator from Illinois [Mr. BROOKS], the Senator from New Jersey [Mr. HAWKES], the Senator from North Dakota [Mr. LANGER], and the Senator from Oklahoma [Mr. MOORE] are necessarily absent.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee.

The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations now being held in London.

The ACTING PRESIDENT pro tempore. Seventy-seven Senators having answered to their names, a quorum is present.

Mr. BARKLEY. Mr. President, will the Senator from Alabama yield, without losing the floor or any of his rights, in order that I may make a brief statement about the measure before the Senate and the parliamentary situation regarding it?

Mr. BANKHEAD. If there may be unanimous consent that I shall not lose my status.

Mr. BARKLEY. I ask that the Senator may yield to me briefly without losing the floor.

The ACTING PRESIDENT pro tempore. Without objection, the Senator from Kentucky may proceed.

Mr. BARKLEY. Mr. President, my only reason for making the request is that, because of other duties, I can be on the floor of the Senate only between the hours of 12 and 2, and I wish to make a brief statement about the measure under discussion, about my attitude toward it, and about the parliamentary situation, and in order that I may make the statement brief, so as not to take too much time, to which the Senator from Alabama is otherwise entitled, I ask that I may make the statement without interruption.

Mr. President, in my capacity as a Member of the Senate, and in my capacity as majority leader of the Senate, I have always assumed the attitude that any committee of the Senate, after giving careful consideration to any measure, and after reporting the measure to the Senat and placing it upon the calendar, is entitled to have the measure considered by the Senate and voted upon. That has been my universal, longstanding attitude, and to that end I have sought to cooperate, to the best of my ability, with the chairmen of all committees, and the members of the committees, in bringing about the fair and just consideration of every measure reported by a committee.

The bill now under consideration was reported several months ago by the committee to which it had been referred, and it was placed on the calendar.

Prior to the adjournment of the Congress before the Christmas holidays, the Senator from New Mexico [Mr. CHAVEZ] announced publicly here in the Senate that at the first opportunity he might have following the adjournment and the convening of the second session of this Congress, he would move to consider Senate bill 101. All Senators had notice that the Senator from New Mexico intended to do that. He had the same right to do it that any other Senator or the chairman of any other committee or any member of a committee has to bring up any other measure. I recognize no difference between this measure and any other measure, insofar as the right to have it considered by the Senate is concerned.

The President of the United States has been mildly criticized on the assumption that he had some part in having this measure brought up at this time. I wish to say that, so far as I know, the President of the United States did not know that the Senator from New Mexico would move, on the day he did move, to bring this bill forward, and, so far as I know, he did not know when the Senator from New Mexico or any other Senator intended to move to bring the bill up for consideration in the Senate. At no time have I discussed with the President, nor has he discussed with me, or asked any information from me, as to when the bill would be brought forward for consideration.

We all know that the President is interested in the proposed legislation. He has endorsed it a number of times. He has recommended it to the Congress in more than one message and in public statements. He extended the life of the Fair Employment Practice Committee by Executive order. His predecessor, Mr. Roosevelt, created the Fair Employment Practice Committee by Executive order. He had a right to do that. He thought he was acting in the interest of the country when he did it, and in that conclusion I agree and concur completely.

I think President Roosevelt not only thought he was acting in the interest of unity and solidarity in the conduct of the war in creating this committee to see that fair employment practices were adopted and pursued; I think he was so acting. I think President Truman was sincere and is sincere in advocating the enactment of the proposed legislation, without in any way undertaking to control the procedure in the Senate. I do not think he has attempted in any way to inject himself into the procedure so far as the timing of the consideration of the bill has been concerned. I feel like saying that, in justice to the President.

Mr. President, I assume some responsibility, and I do so unhesitatingly, for the fact that the bill is now under consideration. While I exonerate the President from attempting to inject himself into the matter of procedure, I accept my full responsibility for the part I played in it. Practically always it has been customary for chairmen of committees in charge of legislation to consult me as the majority leader as to the program and the propriety of attempting to bring forward any bill at any particular time, or at some time when it is convenient to do so.

The Senator from New Mexico [Mr. CHAVEZ] during the first week of this session sought me out to inquire when it would be desirable and feasible to bring this bill to the floor of the Senate for consideration. We discussed the matter. There was no urgent legislation awaiting the attention of the Senate. There was no bill on the calendar which was of sufficient urgency that we could not recess for 3 weeks during the Christmas holidays rather than to consider it. And since we have returned here only two bills have been reported by committees of the Senate to be added to the calendar. It occurred to me, and I so stated frankly to the Senator from New Mexico, that in that situation it seemed to me that the sooner this matter was brought to the Senate and disposed of one way or another, while there was a lag in legislative urgency in other matters, while we had time to consider it before other important measures might be reported from committees, the better.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BARKLEY. I asked not to be interrupted, but I yield to the Senator from Georgia.

Mr. RUSSELL. I am interested in the statement the Senator is making. I sat here and heard the distinguished majority leader ask the Senate not to take up any matter until after the message of the President of the United States had been received. I had assumed that that course would be followed and, therefore, was not even present at the later date when the bill was taken up by the Senate. I was absent because of my understanding that nothing was to be brought up until after the message of the President of the United States had been received.

Mr. BARKLEY. Mr. President, the Senator's understanding of that situation is not quite correct. I did on the first day of the session ask Senators not to bring forward bills, resolutions, or other matters until the President's mes-

sage was received, provided that it was received by the following Thursday, but that if it was not received by that time I would not ask Senators to forego their ordinary privilege of bringing before the Senate matters of that kind. I want to say now to the Senator from Georgia that I did not know that the Senator from New Mexico was going to bring up this bill on the day on which it was brought up or the motion was made, because I had gotten from him the impression that he did not intend to move to bring it up until the following week. That was last week. That may have been an erroneous impression on my part, but, at any rate, I was so ill-advised about his intention to bring it up on that day that I was at the time he made the motion in the barber shop having my hair trimmed. A page rushed down to tell me that a motion had been made to bring a bill up for consideration on the floor, and I rushed up to the Senate Chamber with one side of my head trimmed and the other side shaggy, in order that I might vote. I say that, Mr. President, in order to emphasize the fact that I did not know that the Senator from New Mexico was to bring the matter up on that day. But I do not regard that as material.

Mr. RUSSELL. It is my recollection that the able majority leader and the able minority leader asked Senators on both sides of the aisle not to ask to have any matter taken up, or even to go so far as to introduce any bills, until after the President's message had been received.

Mr. BARKLEY. If the Senator from Georgia was here when I made that statement he will recall that I asked that nothing be done until after the President's message had been received, but that if it was not sent here by the following Thursday I would not insist on Senators following that course.

Mr. CHAVEZ. Mr. President, will the Senator yield to me for one question?

Mr. BARKLEY. I do not want to take the time of the Senator from Alabama, and I want to complete my statement, but I yield to the Senator from New Mexico.

Mr. CHAVEZ. The fact still remains that I did consult the Senator from Kentucky, and I asked him if my motion would in any way interfere with any program the Senator might have in mind.

Mr. BARKLEY. The Senator is correct about that, and, for the reasons I have already indicated, I assured the Senator that so far as I was concerned, and so far as any program that was immediately available or urgent was concerned, I had no objection to his making his motion to bring up the bill for consideration by the Senate.

The motion being made at the time when it was on that particular day may have taken some Senators by surprise. It did me, to be frank about it. But I do not think that in any way subjects the Senator from New Mexico to criticism, because he had served notice before the recess that he would take advantage of the first opportunity to bring this bill forward and have it considered after the Senate reconvened. So much for that, Mr. President.

I wish to state that I have supported this proposed legislation. I supported it during the administration of Mr. Roosevelt, who inaugurated the Fair Employment Practice Committee. I supported it in the appropriations which were brought forward here for its maintenance. I supported it in the last session of Congress when the matter of appropriation was involved, and there was a delay due to the debate which took place. I was somewhat instrumental, I think, in bringing about the agreement that enabled the Fair Employment Practice Committee to go forward for the fiscal year ending next June 30.

I favor this legislation. I voted, Mr. President, to extend the arm of the Federal Government into every home and into every city and into every town in the United States and take from the homes and communities every able-bodied man available for military service without regard to race, color, creed, religion, ancestry, or origin. When we passed the draft law subjecting every able-bodied man in this country between certain ages to compulsory service in behalf of his country, in behalf of our institutions, in behalf of our way of life and our form of democracy, we made no exceptions, we made no exemptions on account of race or color or ancestry.

Mr. President, so far as I am concerned—and I do not assume to speak for anyone but myself—so far as I am concerned as a Senator from my State I do not see how I, having voted to subject men to compulsory military service in behalf of our institutions in wartime, can refuse to vote for the same kind of democracy in peace when the war has been won. The world is now in a chaotic condition. The people of the world are wondering what, after all, is to come out of this great struggle in behalf of all the people of the world. And especially are we in the United States of America wondering what will happen to our people.

I have never taken a poll or a census of the people of my State as to how they stand upon this proposed Fair Employment Practice Commission legislation. I am now receiving from my State telegrams threatening me with defeat if and when I again become a candidate, if I vote for this legislation.

Mr. President, I have always recognized the right of every citizen of my State to vote as he or she may see fit when I have been a candidate, and when any other man or woman has been a candidate for public office. I have not only recognized the right of all citizens to vote as they please when I am involved, but I know that they themselves recognize that right upon their part, and not only do they recognize it, but in my case they have exercised it. Hundreds of thousands of my fellow citizens in Kentucky always vote against me, and they have a right to vote against me. But I want to say, for the benefit of the United States Senate and for the benefit of the people of Kentucky, that whether it is 5 years hence when I might become a candidate for the United States Senate or for any other office, or whether it is in the midst of a current campaign in which I am involved as a candidate for reelection, my vote has never been influenced and will never be influenced by any threat to defeat me, or by any effort to intimidate me with respect to the exercise of my own judgment here in regard to legislation which comes before the Senate of the United States. So far as those who are seeking to intimidate me now by threatening my defeat, if and when I should ever again become a candidate, are concerned, they might save their expenses for telegrams by withholding any such threats or intimidations, because they will not in the slightest degree influence me in my vote upon the pending legislation. I feel that all Senators worthy of occupying that office—and that includes all Senators present—feel the same way about efforts to intimidate Members of this body in matters of legislation upon which they have deep convictions.

I should like to say one further word. Not only have I always believed that any bill reported by a committee is entitled to the consideration of the Senate, but I have always believed that it was entitled to be brought to a vote in order that the Senate might express its will upon it. Believing that—as I have always believed ever since I have been in the Senate—I have never hesitated to vote for what we call cloture. It is a term not well understand by the people of the country. The other day I was asked by an outstanding businessman, who has been marvelously successful, to such an extent that he has retired from business at a reasonably young age and is enjoying life, what we meant by cloture. He had read about it in the newspapers. It is not a term which is familiar to the general public. I had to explain to him what we meant by cloture; that we called it cloture, but that it was really a motion to close debate, or go through the effort to close debate.

Believing that every measure brought to the Calendar of the Senate is entitled to consideration, and believing that the Senate is entitled to vote upon every such measure, I have heretofore voted to close debate. I have voted for cloture, and I have voted for it on the theory that if I voted for it in one case I was not automatically bound by any future implication of the rule of cloture which might embarrass me in the method in which I might consider future legislation coming before the Senate. In other words, every measure stands on its own bottom and its own merits; and the effort to restrain, restrict, or limit debate, and the vote upon the motion for cloture upon any measure do not in any way bind any Senator as to how he should vote in the future on some other cloture motion pertaining to some other legislation.

Therefore, Mr. President, I have always felt that when debate had run for a reasonable length of time and the Senate desired, by a two-thirds vote, to close debate—which really does not close debate, because every Senator has an hour, and if all Senators exercise that right, it means 96 hours before a vote can be had upon the matter—the Senate is entitled, as a right, to vote.

I have always felt, and I now feel—and I say this without offense to anyone, because I have the highest respect and

deepest affection for every Member of the Senate—that the filibuster as a legislative institution is unjustifiable and indefensible. This is the only body among all the legislative bodies in the world about which I know anything, where it is recognized as a legislative institution and is practiced. The legislature of my State met 2 weeks ago, and one of the first things it did was to adopt rules which would prevent anyone from delaying a vote on a measure in the Kentucky Legislature, on the theory that it has the right to vote on legislation which is brought forward. That is the way I feel about the United States Senate.

Therefore, Mr. President, if and when a motion is made to close debate upon the measure which is the unfinished business of the Senate, I not only intend to vote for that motion and for the closing of debate upon the pending measure, but I am ready, as I have heretofore been ready, to sign a petition to close debate so that the Senate of the United States may have an opportunity to express its will upon this legislation.

There is nothing new in my attitude on that subject. I have heretofore voted for cloture, and I have heretofore signed petitions for cloture. I am prepared now, and will be prepared in the future, when I think the time has come when the Senate is entitled to vote upon any measure, whether I favor the particular measure or do not favor it, to vote to bring it to a vote in the Senate by the kind of limitation of debate which the Senate has provided for in its rules.

Mr. President, I have taken more time than I intended, and I apologize to the Senator from Alabama, and thank him for giving me this opportunity to express my views upon the matter, because in all likelihood it would have been the only opportunity I would have had to express my feelings.

Mr. TAFT. Mr. President, will the Senator from Alabama yield to me for the purpose of asking the majority leader a question?

Mr. BANKHEAD. I have no objection. I should like to address a few remarks to this body.

Mr. TAFT. There will be but one question.

Mr. BARKLEY. Does the Senator from Alabama wish to yield to the Senator from Ohio?

Mr. BANKHEAD. I do not wish to yield for a debate.

Mr. BARKLEY. I will guarantee that there will be no debate. I may not even answer the question.

Mr. BANKHEAD. I yield for a question.

Mr. TAFT. I wonder if the Senator can suggest a parliamentary method—I have one or two in mind—by which a cloture petition could be filed?

Mr. BARKLEY. That question might involve a long discussion of the parliamentary situation, which I think would be unfair to the Senator from Alabama. Therefore I prefer not to go into the question at this time.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

EXTENSION OF INTERAMERICAN COFFEE AGREEMENT—REMOVAL OF INJUNCTION OF SECRECY FROM PROTOCOL

Mr. GEORGE. Mr. President, will the Senator from Alabama yield to me for the purpose of asking that the injunction of secrecy be removed from a treaty involving the extension of the inter-American coffee agreement of November 28, 1940?

Mr. BANKHEAD. I cannot do so without unanimous consent.

Mr. GEORGE. Mr. President, I ask unanimous consent that I may propound this request without interference with the right of the Senator from Alabama to the floor.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. GEORGE. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive A, Seventy-ninth Congress, second session, a protocol to extend for 1 year from October 1, 1945, with certain modifications, the inter-American coffee agreement signed in Washington on November 28, 1940.

The PRESIDENT pro tempore. Without objection, the injunction of secrecy will be removed from the protocol, and it will be published in the RECORD.

The protocol, with accompanying papers, is as follows:

THE WHITE HOUSE,
January 22, 1946.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a protocol to extend for 1 year from October 1, 1945, with certain modifications, the inter-American coffee agreement, signed in Washington on November 28, 1940. The protocol was open for signature at the Pan American Union in Washington from September 1, 1945, until November 1, 1945, and during that period was signed for the United States of America, "subject to ratification," and for the 14 other American Republics which became parties to the inter-American coffee agreement.

With the protocol of extension, I transmit for the information of the Senate a report on the protocol made to me by the Acting Secretary of State.

I consider it important that the Senate give early consideration to the protocol.

HARRY S. TRUMAN.

[Enclosures: (1) Report of the Acting Secretary of State; (2) protocol extending the inter-American coffee agreement—certified copies in the English, Spanish, Portuguese, and French languages.]

DEPARTMENT OF STATE,
Washington, January 16, 1946.

The PRESIDENT,
The White House:

The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a protocol to extend for 1 year from October 1, 1945, with certain modifications, the inter-American coffee agreement, signed in Washington on November 28, 1940. The protocol, in accordance with the provisions of article 4 thereof, was open for signature at the Pan American Union in Washington from September 1, 1945, until November 1, 1945, and during that period was signed for the United States of America, "subject to ratification," and for the 14 other American Republics which became parties to the inter-American coffee agreement.

The protocol retains the framework of the inter-American coffee agreement for a 1-year period but suspends the provisions of articles I to VIII, inclusive, of that agreement, which relate to coffee quotas, with the exception that, under emergency conditions, such articles of the agreement shall again become effective upon a motion approved by at least 95 percent of the total vote of the Inter-Amerian Coffee Board.

Article 3 of the protocol provides that during the 1-year period for which that protocol extends the agreement the Inter-American Coffee Board shall undertake to prepare a thorough analysis of the world coffee situation and shall formulate recommendations, for the consideration of the governments now participating in the agreement and of other governments which might be interested in participating in a revised agreement, regarding the type of international cooperation that appears most likely to contribute to the development of sound, prosperous conditions in international trade in coffee equitable for both producers and consumers.

The 1-year extension provided for by the protocol has been recommended by an interdepartmental committee consisting of representatives of the interested agencies of the United States Government, and that recommendation approved by the Executive Committee on Economic Foreign Policy. The domestic coffee trade has indicated that it is agreeable to the extension of the agreement for 1 year under the terms set forth in the protocol.

Information on the background and purposes of the coffee agreement is set forth in the report of January 8, 1941, by the Secretary of State to the President (S. Exec. A, 77th Cong., 1st sess.).

Advice and consent to ratification of the coffee agreement was given by the Senate on February 3, 1941. The agreement was ratified by the President on February 12, 1941, and the instrument of ratification by the United States deposited with the Pan American Union on April 14, 1941. On April 15, 1941, a protocol was signed at Washington, bringing the agreement into force on April 16, 1941, among the governments which had at that time deposited ratifications or approvals of the agreement. The Congress of the United States, by joint resolution approved April 11, 1941, provided for the carrying out of the obligations of the United States under the agreement on and after the entry into force of the agreement and during the continuation in force of the obligations of the United States thereunder (55 Stat. 133).

The agreement, which was to expire on October 1, 1943, was twice extended without modification for 1-year periods by unanimous approval of the signatory countries. That action was taken pursuant to the provisions of article XXIV of the agreement, which authorize the continuation of the agreement upon acceptance by all participating governments of a recommendation by the Inter-American Coffee Board that the duration of the agreement be extended. Those extensions also were approved by the domestic coffee trade.

Inasmuch as the protocol is to remain in effect for only 1 year from October 1, 1945, the Department of State recommends its

early approval by the Government of the United States of America.

Respectfully submitted,

DEAN ACHESON,
Acting Secretary.

[Enclosure: Protocol extending the inter-American coffee agreement—certified copies in the English, Spanish, Portuguese, and French languages.]

PROTOCOL FOR THE EXTENSION OF THE INTER-AMERICAN COFFEE AGREEMENT FOR 1 YEAR FROM OCTOBER 1, 1945

Whereas an Inter-American Coffee Agreement (hereinafter referred to as "the Agreement") was signed in Washington November 28, 1940;

And whereas by a protocol signed in Washington on April 15, 1941, the Agreement was regarded as having come into force immediately in respect of the Governments signatory to that protocol;

And whereas it was provided in the said Agreement that it should continue in force until October 1, 1943;

And whereas by unanimous consent the Governments signatory to the Agreement have twice extended the said Agreement unchanged for one-year periods, these extensions being duly attested by two certified and signed Declarations passed by the Inter-American Coffee Board on May 12, 1943, and July 25, 1944, respectively, which were duly deposited in the Pan American Union on June 11, 1943, and September 11, 1944, respectively, in accordance with the procedure established in Article XXIV of the Agreement.

Now, therefore, in support of a recommendation made by the Inter-American Coffee Board on June 13, 1945, the Governments signatory to the present protocol, considering that it is expedient that the Agreement should be prolonged for a further term, subject to the conditions stated below, have agreed as follows:

ARTICLE 1

Subject to the provisions of Article 2 hereof, the Agreement shall continue in force between the Government signatory to the present protocol for a period of one year from October 1, 1945.

ARTICLE 2

During the period specified in Article 1 above, the Governments signatory to the present protocol agree that the provisions of Articles I through and including VIII of the Agreement shall be inoperative, except that, under emergency conditions, such articles of the Agreement shall again become effective upon a motion approved by at least a 95% of the total vote of the Inter-American Coffee Board.

ARTICLE 3

a. The Governments signatory to the present protocol agree that, during the period specified in Article 1 above, the Inter-American Coffee Board shall undertake to prepare a thorough analysis of the world coffee situation and shall formulate recommendations, for the consideration of the governments now participating in the Agreement and of other governments that might be interested in participating in a revised agreement, regarding the type of international cooperation that appears most likely to contribute to the development of sound, prosperous conditions in international trade in coffee equitable for both producers and consumers.

b. Such recommendations shall take due account of any general principles of commodity policy embodied in any agreement which may be concluded under the auspices of the United Nations prior to the submission of such recommendations.

ARTICLE 4

The present protocol shall be open for signature at the Pan American Union from September 1, 1945, until November 1, 1945: *Provided, however,* That all signatures shall be deemed to have effect as of October 1, 1945.

In witness whereof the undersigned, being duly authorized thereto by their respective Governments, have signed the present protocol.

Done at the city of Washington in English, Spanish, Portuguese, and French. The original instrument in each language shall be deposited in the Pan American Union and certified copies shall be furnished to the Governments signatory to this protocol.

Brazil:
(Sgd.) E. PENTEADO
Colombia (ad referendum):
(Sgd.) EMILIO TORO
Costa Rica:
(Sgd.) J. RAFAEL OREAMUNO
Cuba (sujeto a ratificación por el Senado):
(Sgd.) GUILLERMO BELT
Dominican Republic:
(Sgd.) EMILIO GARCÍA GODOY
Ecuador (ad referendum):
(Sgd.) JORGE REYES
El Salvador:
(Sgd.) HÉCTOR DAVID CASTRO
Guatemala (ad referendum):
(Sgd.) ENRIQUE LÓPEZ HERRARTE
Haiti:
(Sgd.) ELIE GARCIA
Honduras:
(Sgd.) JULIÁN R. CÁCERES
Mexico:
(Sgd.) RAFAEL DE LA COLINA
Nicaragua (ad referendum):
(Sgd.) ALBERTO SEVILLÁ SACASA
Peru (ad referendum):
(Sgd.) H. FERNÁNDEZ DÁVILA
United States (subject to ratification):
(Sgd.) DEAN ACHESON
Venezuela (ad referendum):
(Sgd.) M. A. FALCÓN BRICEÑO

I hereby certify that the foregoing document is a true and faithful copy of the original of the protocol for the extension of the Inter-American Coffee Agreement from October 1, 1945, deposited in the Pan American Union on November 1, 1945.

WASHINGTON, D. C., *December 5, 1945.*
[SEAL] L. S. ROWE,
Director General of the Pan American Union.

REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES — CIVILIAN EMPLOYMENT IN THE EXECUTIVE BRANCH OF THE GOVERNMENT

Mr. BYRD. Mr. President, will the Senator yield to me for the purpose of submitting a report from the Joint Committee on Reduction of Nonessential Federal Expenditures?

Mr. BANKHEAD. I yield, with the understanding that my right to the floor shall not be prejudiced.

Mr. BYRD. I ask unanimous consent to submit a report from the Joint Committee on Reduction of Nonessential Federal Expenditures.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. BYRD. Mr. President, personnel figures for November 1945, as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures, show a total of 3,215,423 employees for the executive branch of the Federal Government. This is a decrease of 162,250 from the October figure of 3,377,673.

This reduction would prove heartening to those wishing to place the Government on an economic and efficient prewar basis were it not that, except for reduction in employment in War and Navy, Federal personnel actually increased 4,168 during the month of November. Civilian reductions for the War and Navy Departments, both continental and abroad, show a net reduction of 166,418 from the previous figure.

The increases are accounted for largely by additions of 10,350 in Reconstruction Finance Corporation, of 6,468 in Veterans' Administration, and of 1,032 in the Post Office Department. Nineteen other agencies increased their employees, bringing the total to 18,580 new employees; while 30 agencies (excluding War and Navy) decreased employment only 14,412.

I have constantly brought to the attention of the President, the Congress, and the people of the Nation the necessity for reducing personnel. If we are to reduce taxes, this is one way to do it. No one knows this better than the Congress, which must face this issue immediately.

Yet the fact remains that the agencies are not reducing their personnel, despite the cessation of wartime demands. It is true that in certain instances agencies have been terminated. A few are even now in the process of liquidation. But what has become of their personnel? To a very great extent they have been transferred to other agencies.

Much of such reduction as has taken place has been in industrial employees, not in white-collared personnel.

In August, when the war ended, the Labor Department had 6,346 employees. Today it has 34,596. Most of these employees came from the War Manpower Commission, the National War Labor Board, and the Office of War Mobilization and Reconversion. In August the State Department had 11,188 employees. Today it has 13,943 because of transfers from the Office of War Information, Office of Inter-American Affairs, and Office of Strategic Services. Reconstruction Finance Corporation has doubled its employment since VJ-day.

As Congress makes its plans for the coming fiscal year not only serious thought but action is needed if run-away expenditures are to be curtailed. If 2,000,000 employees were dropped from the Federal rolls, there would still be several hundred thousand more than there were in 1939. Surely these would suffice to carry on necessary added functions occasioned by the war aftermath. The pay-roll savings from this reduction would undoubtedly not only tend to bring the Budget into balance for the first time in 17 years, but it would also bring about a solely needed reduction in the Federal debt.

The agencies will not voluntarily do this. It is up to the President and to the Congress.

From the Joint Committee on Reduction of Nonessential Federal Expenditures, I ask unanimous consent to submit for printing in the RECORD a report relating to civilian employment of the executive branch of the Federal Government by departments and agencies for the months of October and November 1945 showing the increases and decreases in the number of paid employees.

There being no objection, the report was received and ordered to be printed in the RECORD, as follows:

Civilian employment of the executive branch of the Federal Government, by departments and agencies, for the months of October and November 1945, showing the increases and decreases in number of paid employees

Departments or agencies	1945		Increase (+) or decrease (−)
	October	November	
EXECUTIVE OFFICE OF THE PRESIDENT			
Bureau of the Budget	743	741	−2
EXECUTIVE DEPARTMENTS			
Agriculture Department	89,019	87,664	−1,355
Commerce Department	36,227	36,024	−203
Interior Department	44,085	43,397	−688
Justice Department	25,709	25,213	−496
Labor Department	35,360	34,596	−764
Navy Department	604,898	591,538	−13,360
Post Office Department	443,942	444,974	+1,032
State Department	21,078	18,943	−2,135
Treasury Department	94,556	94,762	+206
War Department [1]	909,771	844,048	−65,723
NATIONAL WAR AGENCIES			
Civilian Production Administration [2]	5,367	3,934	−1,433
Committee on Fair Employment Practices	53	55	+2
Office of Alien Property Custodian	613	600	−13
Office of Censorship [3]	134	0	−134
Office of Defense Transportation	663	374	−289
Office of Inter-American Affairs	615	602	−13
Office of Price Administration	42,301	40,034	−2,267
Office of Scientific Research and Development	1,084	934	−150
Office of Strategic Services [4]	1,066	0	−1,066
Office of War Information	23	6	−17
Office of War Mobilization and Reconversion	581	608	+27
Petroleum Administration for War	529	281	−248
Selective Service System	17,390	17,043	−347
Smaller War Plants Corporation	1,588	1,684	+96
War Shipping Administration	5,191	5,045	−146
INDEPENDENT AGENCIES			
American Battle Monuments Commission	1	1	
Civil Aeronautics Board	380	407	+27
Civil Service Commission	6,006	5,220	−786
Employees' Compensation Commission	526	546	+20
Export-Import Bank of Washington	70	70	
Federal Communications Commission	1,522	1,477	−45
Federal Deposit Insurance Corporation	1,174	1,175	+1
Federal Power Commission	665	678	+13
Federal Security Agency	31,975	31,763	−212
Federal Trade Commission	449	450	+1
Federal Works Agency	20,474	20,503	+29
General Accounting Office	13,786	13,943	+157
Government Printing Office	6,995	7,031	+36
Interstate Commerce Commission	2,021	2,025	+4
Maritime Commission	9,149	8,619	−530
National Advisory Committee for Aeronautics	6,168	5,947	−221
National Archives	336	343	+7
National Capital Housing Authority	235	246	+11
National Capital Park and Planning Commission	17	17	
National Gallery of Art	271	275	+4
National Housing Agency	14,488	14,380	−108
National Labor Relations Board	792	860	+68
National Mediation Board	97	100	+3

Footnotes at end of table.

Civilian employment of the executive branch of the Federal Government, by departments and agencies, for the months of October and November 1945, showing the increases and decreases in number of paid employees—Continued

Departments or agencies	1945		Increase (+) or decrease (−)
	October	November	
INDEPENDENT AGENCIES—continued			
Panama Canal	32,029	31,580	−449
Railroad Retirement Board	1,797	1,690	−107
Reconstruction Finance Corporation	15,878	26,228	+10,350
Securities and Exchange Commission	1,149	1,164	+15
Smithsonian Institution	420	419	−1
Tariff Commission	285	267	−18
Tax Court of the United States	119	122	+3
Tennessee Valley Authority	12,026	11,857	−169
Veterans' Administration	79,995	86,463	+6,468
Total [1]	2,643,881	2,568,966	−93,495 +18,580
Net decrease			−74,915
War Department [5]	733,792	646,457	−87,335
Grand total	3,377,673	3,215,423	−180,830 +18,580

[1] Does not include employees stationed outside the continental United States.
[2] Includes employees transferred from the War Production Board which terminated as of Nov. 1, 1945.
[3] Terminated as of Nov. 15, 1945.
[4] Terminated. Employees transferred are now included in State Department and War Department totals.
[5] Includes employees stationed outside the continental United States, except those of the War Department. Total for October, 113,063; and November, 106,924.
[6] Employees stationed outside the continental United States, reported quarterly as of Sept. 30, 1945.

NOTE.—Employment figures now reported to the committee include dollar-per-annum and without-compensation employees of the consultant-expert type who are authorized to receive per diem in lieu of subsistence.

ADDRESS BY SENATOR LA FOLLETTE AT TESTIMONIAL DINNER TO HON. LEO T. CROWLEY

(At this point, by unanimous consent, Mr. BANKHEAD yielded to Mr. MEAD, who, on behalf of Mr. WAGNER, asked and obtained leave to have printed in the RECORD an address delivered by Senator LA FOLLETTE at a testimonial dinner to Hon. Leo T. Crowley at Madison, Wis., on January 10, 1946, which appears in the Appendix.)

PRESIDENTIAL SUCCESSION—REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS

Mr. GREEN. Mr. President, will the Senator from Alabama yield to me for the purpose of submitting a report from the Committee on Privileges and Elections, and also to present a joint resolution passed by the General Assembly of Rhode Island

Mr. BANKHEAD. I yield, provided I do not lose my right to the floor.

Mr. GREEN. Mr. President, from the Committee on Privileges and Elections, I ask unanimous consent to report without amendment the concurrent resolution (S. Con. Res. 50) relating to the succession to the Presidency of the United States, and I submit a report (No. 892) thereon.

The PRESIDENT pro tempore. Without objection, the report will be received and, under the rule, the concurrent resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

THE CLOTHING SITUATION IN RHODE ISLAND—RESOLUTION OF RHODE ISLAND GENERAL ASSEMBLY

Mr. GREEN. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution adopted by the General Assembly of Rhode Island requesting the Congress to take up with the Office of Price Administration the matter of the clothing situation in Rhode Island.

There being no objection, the resolution was received, referred to the Committee on Banking and Currency, and, under the rule, ordered to be printed in the RECORD, as follows:

Joint resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to take up the matter of the clothing situation in Rhode Island with the Office of Price Administration in Washington, D. C., to see if there cannot be a greater increase in the amount of men's clothing sent to Rhode Island

Whereas the supply of men's clothing for Rhode Island seems to be insufficient for the demand which at the present time, when so many veterans are being separated from the armed forces, and are trying to outfit themselves with civilian apparel creates a real hardship: Now, therefore, be it

Resolved, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they are earnestly urged to take up with the Office of Price Administration in Washington, D. C., the matter of the clothing shortage in Rhode Island to see if there cannot be a greater increase in the amount of men's clothing sent to Rhode Island; and be it further

Resolved, That the secretary of state be and he hereby is directed to transmit duly certified copies of this resolution to the Senators and Representatives from Rhode Island in the Congress of the United States and to the Administrator of the Office of Price Administration in Washington, D. C.

JOURNAL OF JANUARY 17, 1946

The Senate resumed the consideration of the motion of Mr. HOEY to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. BANKHEAD. Mr. President, I hope there will be no further requests for me to yield. Senators will have all day to submit routine matters.

Mr. SMITH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. SMITH. When will it be possible for us to submit matters for insertion in the RECORD? We are shut off when we try to submit them.

The PRESIDENT pro tempore. It can be done at this time only by unanimous consent.

Mr. BANKHEAD. Mr. President, I have yielded considerable time. I hope there will be no further requests. I do not wish to be discourteous, but I desire to proceed. If I were engaged in an absolute filibuster, I should invite all these delays, but I should like to proceed with what I conceive to be an argument on the bill. I hope Senators will allow me to do so.

The PRESIDENT pro tempore. Does the Senator from Alabama decline to yield?

Mr. BANKHEAD. Yes; I shall decline to yield further, because I do not see any end to it.

Mr. President, during the last 3 or 4 days we have had a very high-class discussion of the merits of the pending measure. Some of the ablest Members of the Senate have addressed it on the real merits of this controversy. They have had very few Senators in attendance to hear their really meritorious arguments. Unfortunately, Senators on both sides of the Chamber—and I am making no charges; I am simply deploring the situation—have manifested very little interest in this discussion. Of course, that comment does not apply to every Senator; there have been some Senators who have been here and have listened to what has been said. But as a rule there have been very few Senators in attendance.

How are we going to have decided on its merits and on the basis of the mature judgment of Senators a measure of such magnitude and complications and ultimate results if they will not stay here and hear at least some of the arguments? Unfortunately, Mr. President, the news columns have carried very few of the arguments which have been made here against this measure. So far as I have been able to ascertain from the newspapers I have had an opportunity to read, practically none of the really meritorious arguments have been carried to the people of this country by the newspapers. As we know, for months there has been, apparently, an organized group arranging with radio commentators to discuss or convince some of them that they should discuss from time to time this measure which some persons seek to content themselves by calling a fair employment practice bill. There has been no organized group in opposition to the bill. I do not know of a single speech which has been made over the radio in opposition to it, although scarcely a week passes that a representative of some group, possibly, does not speak on the radio denouncing the opponents of the measure.

Mr. President, we know that many Members of the Senate, on both sides of the aisle, are already committed to vote for or against this bill. But those who are favorable to it at least owe to those of us who are on the other side of the question the duty of hearing the arguments in opposition. Most of them decline to do so. I submit that one of the evils of our legislative system is that individual promises to vote for or against a measure often are made by Members of Congress to groups or to individuals who approach them, and then those Members of Congress come to the sessions of Congress with their hands tied, so that they cannot consider the subject from a conscientious standpoint, for they are already obligated to vote a certain way. Under those circumstances, of course, they will not stay in attendance at the sessions of Congress and listen to the arguments made on the merits of a controversy. Members of the Senate who are in that position—Senators on either or on both sides of the aisle—in the main will not remain here to learn of the real arguments which bear on a controversy, if they have committed themselves in advance to vote a certain way on it before coming to the sessions of the Senate and before a word has been said in the Senate for or against the measure.

Mr. SMITH. Mr. President, will the Senator yield for a question?

Mr. BANKHEAD. I yield.

Mr. SMITH. I should like to point out to the Senator that I have been present during the entire debate, trying to understand the views of those who are endeavoring to hold up this proposed legislation. I have tried to obtain the floor in order to express views in favor of the measure, but thus far I have been unable to obtain the floor. I wonder what the procedure is for having those on our side of the question state our position, as well as to have those on the other side state theirs.

Mr. BANKHEAD. Mr. President, I appreciate the Senator's purpose; I have seen him here. But all Senators know that we on this side of the question are required, by the threat of action by a powerful majority, to hold the floor, at least if we can, until we can present to the Senate and the country, and make a record of it for the future consideration of the people of this country, the reasons why this bill should not be passed.

I welcome the statement of the Senator from New Jersey. I am glad he has been present. I did not know he had been trying to obtain the floor. I have not heard him make any expression on the subject, or heard him make an effort to obtain the floor. Has the Senator asked for the floor? I assume that the asking of this question by me will not be objected to; otherwise I shall not ask it.

Mr. SMITH. I did request recognition yesterday, several times, in order to present an amendment. I requested recognition three or four times, but I could not obtain it.

I realize that those who oppose this measure control the Chair. As a Member of the Senate, I think the Senate should at least permit us to have a chance to state our side of the case, as well as to let those on the other side of the question state their views on it. I think that is the true American way to proceed. When the Senator concludes, I shall endeavor to make an address on this subject.

Mr. BANKHEAD. Mr. President, I do not desire to misrepresent the position of the Senator from New Jersey on this subject. Did he say he was for or against the bill?

Mr. SMITH. I am in favor of the bill and I should like to be heard on it, so that at least some of us who are in favor of the measure may express our views, rather than to have all the views which are expressed be those of Senators who are opposed to the bill.

Mr. BANKHEAD. Mr. President, the Senator from New Jersey will have ample time to do so. He will not have to be recognized during the first day or two of the debate. As the debate proceeds, I assume he will be recognized. Certainly I hope he will be if he will help defeat cloture in connection with this measure.

Mr. President, there need be no evasion about this matter. The Senator from New Jersey certainly knows that an effort is being made to cut off debate on the measure, so that neither those of us on this side of the question or the Senator from New Jersey himself will have an opportunity to discuss freely the merits of the bill. So long as a majority remains here with that expressed determination, with that threat stated to the press every day, then, of course, the Senator from New Jersey must understand that it will be necessary for those of us who are opposed to this iniquitous measure to stand up here and present our views as best we can.

Mr. SMITH. If the Senator will yield further, I may say that I believe he is entitled to present his views, but I object to having injected into the presentation of his views a debate concerning the Journal, which has nothing to do with the subject now before the Senate.

Mr. BANKHEAD. I do not mind whether the Senator objects. I expect him to object to everything that I may say or do on this occasion. He is a partisan and I am standing on my rights. The Senator may object as much as he pleases. He may sit in the Chamber, or he may leave, just as nearly all his colleagues have done. So I will not pay much attention to the attitude of the Senator from New Jersey.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. BANKHEAD. I yield without prejudice to my rights.

Mr. WHERRY. I believe that some of us are deeply interested in the remarks of the distinguished Senator from Alabama. I am always interested in whatever he has to say. I have served with him in connection with matters pertaining to agriculture, as well as in connection with OPA legislation. I wish the Senator to note that many Senators on this side of the Chamber are present and are taking an interest in this debate. Moreover, we have been taking an interest in it from its beginning.

Mr. BANKHEAD. Mr. President, I recognize the truth of what the Senator has said. I endeavored to make it clear that there were exceptions to the statement which I made. I did not intend to have the statement applied solely to the Republican side of the Chamber, as the Senator well knows.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield for a question only.

Mr. TAFT. I wish to invite the attention of the Senator from Alabama to the fact that there are now present in the Chamber 10 Democrats and 9 Republicans. Therefore the relative percentage of representation is about equal.

Mr. BANKHEAD. My good friend the Senator from Ohio knows that there was no implication in what I said which would indicate in any way that the absent Senators and the display of indifference to the arguments which are being made in opposition to the bill are confined to the Republican Members of the Senate.

Mr. President, I have not attempted to make this a political discussion. That

is not my purpose. As the Senator from Nebraska [Mr. WHERRY] well knows, I appreciate his friendship. I regard him as one of the ablest Members of this body. He is attentive to his duties. I have worked closely with him. So, Mr. President, if other Senators have not found it out up to this time, I wish it to be known that I am trying to present this matter to Democratic and Republican Members who are favoring the pending measure. I do not think that the measure is a party one. I think it is a sectional measure. I believe that to a large extent the opponents and supporters of this measure, including those on both sides of this Chamber, are divided by the old Mason and Dixon's line. Does any Senator take issue with that statement? I am glad to note there are exceptions, but, in the main, nearly all Democrats on this side of the Chamber, except southern Democrats who really know the situation, are supporting the pending bill. Some of them call themselves progressives or liberals. I shall not impugn their motives. There are, of course, other reasons for many of them taking a position for or against the bill, other than the division which may exist between the North and the South. Such division has been the origin and cause of many racial measures which have come before this body being met with the same line-up that now confronts the pending bill. No one may tell me that liberal Republicans, liberal Democrats, conservative Republicans, and conservative Democrats would line up along the Mason and Dixon's line, figuratively speaking, in connection with legislation such as this. There are some worthy and noble exceptions. But I am thinking of the mass of votes which would be lined up in connection with all questions of this nature unless there were involved something more than the merits of the measure.

Mr. President, since the debate started, during which time several Senators have expounded their reasons and philosophy in opposition to the bill, I have been impressed by the small attendance on both sides of the Chamber. I have been reminded of the statement which was made by an old primitive Baptist preacher in my home county. He represented the sect which is sometimes known as Hard Shells. Those people are just as good as any in the world. They will not allow a man to remain in their church unless he has paid his debts. Therefore, Mr. President, you may know that they are good citizens. However, in the main, they are country people. When the preacher takes the platform he preaches an hour and a half or 2 hours. Nearly always there are two preachers present at each service. Shortly after the Civil War ended one of those worthy men was invited by relatives in Baltimore to visit them there. He accepted the invitation. While in Baltimore he was invited to preach in one of the churches there. He accepted the invitation. After he had returned home his friends and relatives were anxious to receive a report from him with reference to his visit in Baltimore. After describing many things, the old preacher got down to the subject of his church experiences in Baltimore. He said that when the services started there was as fine looking a congregation of men and women as he had ever seen. He said that the people of the church were well dressed and intelligent in appearance. He said he welcomed the opportunity to preach to them, but that after he had preached about an hour he observed a great restlessness in the congregation. The members of the congregation were not so attentive as had been his home folks. They did not seem to be patient. After he had preached an hour and a half he looked around and observed that many members of the congregation had left the church, and the congregation was getting rather thin. When he had preached 2 hours he noted that there were none in the congregation except the relatives who had gone to church with him. He said, "I made up my mind that those city people could not stand sound doctrine." [Laughter.]

Mr. President, I think that has been the difficulty in the Senate. Many Senators who are committed to the groups who are supporting the pending measure are afraid that something might disturb their consciences. They are afraid that some little spark of reason in their mentality might be stirred by what they hear, and bring about a reconsideration of this measure. Therefore, they are afraid to listen to sound doctrine. They are entirely unwilling to do so.

Some persons complain about a filibuster. The only way to get Senators to hear our side of the argument is to take plenty of time about it. Occasionally some Member of the Senate on the other side of the Chamber may drift in. Some Member may remain for the purpose of obtaining recognition—as I have already observed. That gives us an opportunity to reason with him, although he may be too thoroughly committed to be affected by the reasoning. But it is our right and duty, as I conceive it, to take advantage of every opportunity which may be made available to us to be heard on this question concerning which there has been such great disinclination to listen to argument.

It is now just 1 o'clock and there are six Senators on the other side and eight Senators on this side. I do not mention that to show that there are more Senators on one side than on the other; I mention it to show how few of the total of 96 Senators are in attendance at 1 o'clock. Surely they are not drawn out of the Chamber because of hunger at this time of the day. Many of them, I suspect, do not partake of breakfast until 10 o'clock in the morning or at least long after we farmers have our breakfast. But they become hungry again very quickly and so they have gone out to eat. I will say for the benefit of the Senator from Ohio that I apply that to both sides of the Chamber. I am not making a particle of discrimination. I am making an appeal more to the people who live north of the Mason and Dixon's line and who have not studied this question, as few, indeed, have. That is the group I am appealing to.

Mr. President, I should like to have some way of finding out how many Members of this body who have made up their minds about this bill have actually examined with care its provisions. I should like, if I could, to find out what sort of a civil-service examination or a bar examination the lawyer members of the Senate could stand if put to the test upon the provisions of this bill and its construction on the various points which have been developed here by previous speakers in opposition to it. That is one of the troubles, as I said, with its commitments in advance. That is one of the difficulties that the minority must suffer. Senators come here and say "We are trying to protect minorities"—the colored people in the main—but they want to accord no protection to the minority in the Senate of the United States that does not agree with them. They will not even listen to their arguments. I do not mean the few Senators who are here now. I am talking about the great mass of 96 Senators who will not even listen to this debate, who will not read anything about it, and who will not get a chance to hear anything about it on the radio, because the radio commentators do not say anything on our side of the subject. They are with the majority. So we hear nothing on the minority side. The proponents of the bill care nothing about protecting the rights of Senators who are in the minority on this question. They want to invoke cloture although this is a measure which ought to stand the test of debate on its merits day after day as any other measure of its importance and complications would do and as the pending bill would do but for the pressure of minority groups and for the publicity accorded to their viewpoint by the newspapers and the radio commentators. We are trying to present the merits of one of the most fundamental measures ever presented to the Congress, a bill that affects property rights, that affects personal freedom, that affects free enterprise, that involves the right to trial by jury, that involves other great fundamental questions, but those who favor the bill are unwilling to see anything in it but the protection of the Negroes.

I shall not charge Senators with being motivated by a desire to get votes. That is a matter for the public to pass on; but the supporters of this measure are not confined to States with very large Republican votes. I shall discuss that a little more fully later on.

This measure has been here for a long time. It has been in the public mind; it has been under public agitation. I will not say it has been under discussion, because there is no organized group to fight it and to present their side to the public; but there have been groups, from Communists down or up, whichever way it may be desired to consider them, Communist groups, national Socialist groups, left-wingers, reformers, colored people, and all that class, agitating for the passage of a bill, and all some Senators have done is to decide the question on the basis of the title of the bill and by the enticing and intriguing statement of principles involved—fair employment practices. That is all many people know

about this bill. It sounds good, oh, yes; it sounds good. Nobody resists that beautiful formula of human conduct and of citizenship.

But that is as far as many people have really gone in the consideration of the merits of this measure and of the fundamental constitutional questions it involves. As a result of the long pendency of the proposal and the agitation in its behalf, of course, in the very nature of events, many men in public life have been committed to this measure.

We are all prone, Mr. President, if I may speak with perfect frankness, to agree with our constituents who send us here and who have the power to keep us here or to retire us from public life, and when it is made to appear that everyone who has an opinion on this subject is in favor of it we are prone to agree with them and to commit ourselves to that side of the question, and, unhappily and unfortunately, men are not thereafter open to a decision based upon logic and upon knowledge of the principles involved in the bill.

It has been said that the Republican Party in its platform endorsed this bill. I deny that. The Republican Party endorsed a fair employment practice bill. I am sure no responsible member of the Republican Party will assert that the merits, the details, of this bill, the principles involved in it which we are now discussing, were under consideration by the convention or even by the platform committee, but there was this formula, this enticing slogan, "fair employment practice bill."

I do not believe that many Republicans would have agreed to just anything written under that slogan, as has been done here. I do not know who wrote this bill, but it was written by some draftsman of the New Deal administration, under the direction, it has been testified, of President Roosevelt. Back in the early days he had one of the most capable legal draftsmen who ever appeared in Washington. He could put more meat and more poison in a measure and use prettier language in making it sound attractive than anyone else. All Senators know about that. I do not know whether he wrote this bill or not, but I know there was an attempt to conceal in it important fundamental principles to which the Republicans never have consented, and to which the old-line fundamental Democrats never consented.

Of course, I have no right to speak for the Republican Party and have never tried to do so. I respect them. I have some very good friends who are members of that party, and I have no purpose in the world to say anything that is offensive to them. But I do not believe that if the details of the bill were written out and submitted to thoughtful Republican leaders they would consider giving their blanket endorsement to all the principles involved in the bill. It is inconsistent with the general policy and doctrine of the leaders of the Republican Party, and, of course, we all know it is inconsistent with the philosophy of the old-line fundamental Democrats in the Southern States, who have done so much to sustain and retain the American way of life, who have resisted encroachments upon State rights, who have fought by all sorts of means the centering of so much power in the Federal Government, to be administered from Washington.

Now those who are back of such measures as this are joining the left-wingers. That is what they are doing. They are turning their backs upon men who have believed in sound principles, and are joining the Bolshevik crowd, the Communist crowd, and the advocates of national socialism. I believe any impartial student of the provisions of this bill will concede that it is full of national socialism.

Mr. President, this bill should be termed "the star chamber court bill." Why do I say that? What was the Star Chamber? Of course, most of those within the sound of my voice know what it was, but some people who read the record will not get much light in the newspapers or over the radio on our side of this case. They may not know what the Star Chamber was. It was a court set up in England, which assumed powers of life and death. It had a fixed place of meeting, in London, a place relatively close to any part of England.

What would the commission proposed to be set up do? It is to be a moving court, a perambulating court, a roving court. It can meet in Portland, Maine, or Portland, Oreg., and it can bring to the place of its hearings parties and witnesses from any part of the United States. And it does that, as has been pointed out, under regulations. Regulations written by Congress? Oh, no. Congress will be out of the picture after this bill has been enacted. The regulations are to be written by the commission. The bill expressly delegates to the proposed commission the power to amend the repeal regulations. It gives them all the power the Constitution of the United States vests in the Congress. It takes no account of the right of Congress to delegate its law-making power to this commission.

Mr. President, when we began in the New Deal to pass Federal measures to delegate power to various commissions, I heard long discussions by able men, about the right of Congress to delegate the power granted to it in the Constitution to make rules and regulations, especially when any punishment was involved in the procedure. We now find the old-line conservatives north of the Mason and Dixon's line, or most of them—I am always making exceptions—abandoning, ignoring, and voting against the protection of those old constitutional rights and privileges which have doubtless been used through the years successfully to preserve our American way of life, our independence, and our free enterprise.

Are Senators more interested in securing the passage of a bill which they think will protect a minority group than they are in protecting their Constitution, in protecting the fundamental rights of the people of this country as a whole? That is what the issue is narrowed down to. I do not charge that men take a position on this bill because of their desire for votes, although that charge is made by some. I still want to separate the sheep from the goats. There are many men on both sides of this Chamber who would not be controlled by any consideration of that kind, when the real future form of government of their country was involved. There are men on both sides of this Chamber who would walk out of the doors of this body never to return before they would intentionally and consciously vote for a bill which would strike down the rights and the privileges of American citizens, and in effect destroy the free enterprise system of this country.

Mr. President, this is too fundamental a matter for anyone to proceed upon the theory that there is some little human equation involved, that a promise is involved, that a commitment is involved. The subject matter is too fundamental for that.

I wonder, Mr. President, if the supporters of this bill, or if the people of the country who are indifferent to its passage, who have had no interest in it and taken no part in it, realize that the bill abandons the right of trial by jury.

Mr. RUSSELL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Georgia?

Mr. BANKHEAD. I yield.

Mr. RUSSELL. The Senator referred to the campaign, the great build-up, that has come over the radio and through the press. I have heard a great deal of discussion of the bill over the radio, but I have yet to hear the first commentator explain that part of the bill, or to state anything about the drastic provisions contained in it. A great many of our so-called liberal and pseudo-liberal columnists have been writing articles about it being a fair bill, but not one of them has stated in his column the very essential fact that it was proposed to deny any American citizen the right of trial by jury. In espousing what they call a fair bill not one of them was fair enough to tell the people anything about the implications in the bill which are so dangerous to the rights of the individual American citizens, whether they are members of the minority or the majority.

Mr. SMITH. Mr. President, will the Senator yield to me for a question?

Mr. BANKHEAD. I yield so long as I do not lose the floor thereby.

Mr. SMITH. Certainly not. I feel as the Senator feels with regard to the matter of trial by jury, and for my part I shall be glad to work with Senators on the other side of this question for an amendment which will adequately take care of the question of trial by jury.

Mr. BANKHEAD. I am glad to hear the Senator from New Jersey say that. If a sufficient number of Members of the Senate understood that that question was involved in this bill, that by the passage of this bill the right of trial by jury would be waived, that that right would be lost to some individuals, there would no longer be enthusiasm for the bill, and certainly there would be no determined drive to bring about cloture so that this measure could not thereafter be fully debated.

Mr. SMITH. I may say to the distinguished Senator from Alabama that I

hope amendments will be offered to take care of those fundamentals which I agree with the Senator from Alabama should be taken care of.

Mr. BANKHEAD. I fear that some of those who are supporting the bill do not have the liberality of view the Senator from New Jersey has, but would oppose the dotting of an "i" or the crossing of a "t" unless the Senator from New Mexico approves it, and he doubtless will not approve it unless the groups which have been sponsoring the measure would agree to approving the amendment.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. CHAVEZ. Any time the Senator from Alabama offers that kind of amendment the Senator from New Mexico will approve it, because he believes in the contention being made by the Senator from Alabama.

Mr. BANKHEAD. There are so many amendments of that kind necessary that if we went into a program of amending the bill and eliminating dangerous provisions from it, there would not be much left except the simple slogan "fair employment practice."

Mr. CHAVEZ. Mr. President, will the Senator yield for a question?

Mr. BANKHEAD. Yes; I yield.

Mr. CHAVEZ. Is it not a fact that after a standing committee of the Senate presents a bill to the Senate, any Senator has the right and the duty, if he deems it proper, to offer any clarifying amendment, or an amendment that will make the bill a better one? Any time the Senator from Alabama will offef an amendment which will make this a better bill—and I take it that what the Senator from Alabama is suggesting now, if presented in the form of amendment, would make it a better bill—the Senator from New Mexico will support it.

Mr. BANKHEAD. What confidence can the Senator from Alabama or any other member of the minority have in what the majority supporting this measure would do respecting amendments to the bill? None, Mr. President.

Mr. MORSE. Mr. President, will the Senator from Alabama yield to me with the understanding that he will not lose the floor, while the Senator from Oregon makes a very brief comment upon the amendment problem facing the Senate?

Mr. BANKHEAD. I have no objection to the Senator making a statement, with the understanding that I shall not lose the floor, and I yield to him.

Mr. MORSE. I want to say to the Senator from Alabama that I think the time has come for the RECORD to show that this bill was voted out of the committee without amendment because amendments to the bill could not be adopted in the committee. There was a group in the committee that took the position that they would not consider any amendments to the bill because they were unalterably opposed to the principle of the bill. With that block of votes against those of us who wanted to see the bill amended in the committee, we were confronted with the situation of voting the bill out in this form so that the Senate of the United States could be turned into a Committee of the Whole and the bill could be amended on the floor of the Senate in accordance with the views of some of us who are proponents of the principle of FEPC, but who feel that the bill is sadly in need of amendment.

I want to say—because the Senator from New Mexico [Mr. CHAVEZ] and the Senator from New Jersey [Mr. SMITH], who are now on the floor, are members of the committee, and know that that was my position in the committee—I want to say to the Senator from Alabama that I stand ready and have always stood ready to proceed on the floor of the Senate in accordance with the merits, to propose various amendments which will guarantee certain judicial processes to American citizens whose cases would be heard under a Fair Employment Practice Commission.

I find myself in agreement with many of the legal points made by the distinguished Senator from Georgia [Mr. RUSSELL] the other day, but I think it is perfectly obvious that we cannot proceed on the merits of this bill and offer the amendments which we desire to offer and debate in good faith on their merits so long as the debate in the Senate is going to be conducted at the sufferance of a group of men who say that we shall proceed in accordance with their dictates.

Mr. BANKHEAD. What was it the Senator said? Did the Senator say it was at the sufferance of a certain group of men? At the sufferance of what sort of men?

Mr. MORSE. At the sufferance of a minority group of men.

Mr. BANKHEAD. The Senator did not say that.

Mr. MORSE. Well, I will let the reporter's record speak for itself.

Mr. BANKHEAD. We did not hear the statement clearly over here.

Mr. MORSE. Well, we will rely upon the way it is reported. And may I say to the official reporter that I want my language, as stated, to be submitted to the Senator from Alabama just as soon as the transcript is ready, and submit it to him first, because I think the record will make perfectly clear what I said.

Mr. BANKHEAD. I thought the Senator used some opprobrious word.

Mr. MORSE. I can assure the Senator that I did not, and that if he so understood he misunderstood.

Mr. BANKHEAD. That is all right. I accept the Senator's statement.

Mr. MORSE. But the point I want to make to the distinguished Senator from Alabama is that just as soon as we can proceed on the merits of this bill I shall be ready at any time to proceed to discuss the merits of a long series of amendments that I am ready to submit to this bill. We cannot proceed to do that so long as the debate under the rules is really confined to the Journal, because if we proceed to discuss the merits of the bill, let us be perfectly frank about it, we are aiding the filibuster, and I, for one, am not going to aid in this filibuster.

Mr. BANKHEAD. Mr. President, I shall not undertake to give the Senator any advice as to how Senators should act in committee with respect to any important bills. I suppose the Senator should be an adviser in his committee. But if the committee was closely divided on a measure sponsored by groups such as those that sponsored this measure, and was pressed so hard as the supporters of this measure pressed the committee which reported it, and in the face of that, with no organized opposition, the Senator and his group were afraid that if they proposed by amendments to correct constitutional defects they would not be able to get the bill out of the committee, then Mr. President, I can have no very great confidence in the fact that the committee made a favorable report on the bill. Afraid. That is the substance of it. The Senator did not use that word, probably, but that is the impression he made.

Mr. BAILEY. Mr. President, if the Senator yields, I rather believe——

Mr. BANKHEAD. I cannot yield unless I am assured that I do not lose my rights.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Does the Senator from Alabama yield to the Senator from North Carolina?

Mr. BAILEY. I will ask for an agreement to that effect, but I will not insist upon it.

Mr. BANKHEAD. I am willing to yield, but I want to protect my rights.

Mr. BAILEY. Mr. President, may I have unanimous consent to make a statement in connection with this matter?

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from North Carolina may proceed.

Mr. BAILEY. I was greatly interested in the statement made by a Senator on the other side and by one of the Senators on this side respecting the matter of so amending the proposed legislation as to provide for trial by jury. If we reach that stage it will be very simple to prepare an amendment of the following nature—and I wish Senators who are interested would be thinking about it. On page 8, line 10, we can provide that the commission shall have power to petition any district court of the United States, and thereafter correct the language of the bill, beginning in line 23, so as to read:

> Upon such filing, the court to which petition is made shall conduct proceedings de novo in conformity with the procedures and limitations established by law governing trials in the district courts of the United States.

That would provide for trial by jury in the district court. In that respect the bill would be relieved of a most obnoxious provision. I say that with the reservation in mind that in its conception the bill is wholly wrong, and contrary to everything which I think is sound in our life and our Government. I simply wish to point out that such an amendment could be put forward without any difficulty.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BANKHEAD. With the usual understanding.

Mr. CHAVEZ. Certainly.

I fully appreciate the statement made by the Senator from North Carolina. I wish by this bill to do nothing except what is American. I wish to do nothing but act with propriety, and in conformity with our customs, our laws, and our Constitution. Any suggestion made by the Senator from North Carolina or the Senator from Alabama which would carry out that purpose would meet with my approval.

Mr. BANKHEAD. Mr. President, on the subject of the right of trial by jury, I wish to call attention to amendment VI to the Constitution of the United States, which reads as follows:

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

JANICE McKELLAR

Mr. LUCAS. Mr. President, will the Senator yield to me so that I may report a resolution from the Committee to Audit and Control the Contingent Expenses of the Senate, and ask for its present consideration?

Mr. BANKHEAD. If it is done by unanimous consent, and my right to the floor is not prejudiced, I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois?

Mr. MORSE. Mr. President, reserving the right to object, I should like to know the nature of the resolution.

Mr. LUCAS. May I explain the resolution briefly?

Mr. BANKHEAD. If it can be done without prejudice to the Senator from Alabama.

Mr. MORSE. Without prejudice to the Senator from Alabama, of course.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I ask unanimous consent to report favorably, without amendment, Senate Resolution 214. The resolution merely directs the Secretary of the Senate to pay from the contingent fund of the Senate 6 months' compensation to the widow of a Senate employee.

Mr. MORSE. I have no objection.

Mr. LUCAS. I ask unanimous consent for the immediate consideration of the resolution.

There being no objection, the resolution (S. Res. 214), submitted by Mr. STEWART on January 17, 1946, was considered, and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Janice McKellar, widow of D. W. McKellar, late an employee of the Senate, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

Mr. LUCAS. I thank the Senator from Alabama for his consideration.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. BANKHEAD. Mr. President, it is perfectly apparent that the draftsmen of this bill directly evaded the subject of the right of trial by jury. There can be no real discussion or argument on that score. It was the intention of the sponsors of the bill, whoever prepared it—and I am told that those who introduced it were not in the main the authors of the bill—to evade the subject of the right of trial by jury. Any lawyer or any experienced legislator, in preparing a measure of this kind and of this severity, could not have overlooked the great fundamental right of American citizens, a right which has existed since the days of the Magna Carta, with which we are all familiar, a right which was engrafted in the common law, and adopted in this country even without an amendment on the subject of the right to trial by jury. Any draftsman who had the purpose of preparing a bill to protect the great fundamental American system, the right to be confronted by witnesses and to be tried by one's peers to ascertain his guilt or innocence. could not have failed to have included such a provision in this bill if he had acted in the right spirit and with the right objective.

The authors of the bill did not even fix a place for such trials, because they did not intend to have any trials. Any lawyer who studies the bill will promptly agree that that was the intendment. The bill does not provide that the Commission shall conduct a trial, or that a court shall meet and hear the allegations. It does not provide that when one is charged with an offense it must be on probable cause, supported by an affidavit, as the jurisprudence in every State in the American Union requires. No. The purpose was to proceed with a hearing. The word "hearing" is substituted for "trial."

By whom is the hearing to be conducted? By the Commission? No. Perhaps the Commission could do it; but the hearing is to be conducted by an agent of the Commission. No qualifications are established for the agent. There is no requirement that he shall be learned in the law. There is no requirement that he shall be an honorable man, of good character, as is necessary in order to secure confirmation by this body. The bill merely provides that he shall be an agent—perhaps unworthy; perhaps, so far as the limitations in the bill are concerned, an ex-convict. He may be an agitator. He may be a Communist. Personally I think there is no doubt that the Communists are interested in the passage of the bill.

Is cloture to be invoked, so as to foreclose amendments and real consideration of the bill? The bill is in flagrant disregard of the rights of the people of the country, and a violation of our constitutional provisions. Shall we take chances in that sort of a situation? In the case of a bill which has attracted so much attention should we not reestablish the rights of American citizens to full protection under the law, which they have always enjoyed under our Constitution, our jurisprudence, and the practice of the courts all over the country? Is there any better time than now to say, "No; we will not, in order to appease any group, abandon the fundamental rights of citizens of this country; we will not turn over to an irresponsible group, with agents to be appointed by the thousands, if desired, without any limitation, and without any qualification, the power to go into every business place in America and demand to see the records."

Mr. MORSE. Mr. President, will the Senator yield, with the understanding that by so doing he does not lose the floor?

Mr. BANKHEAD. Yes.

Mr. MORSE. I wish to say to the Senator from Alabama that his comments on the procedures provided for by the bill in its present form impress me just as thoroughly as did some of the comments made the other day by the Senator from Georgia [Mr. RUSSELL]; and—speaking only for myself—I think something should be said at this time by those on this side of the aisle.

Mr. BANKHEAD. Mr. President, I cannot yield now, when I am in the middle of my argument. I am sure that we on this side will raise no objection to having the Senator have the floor whenever he seeks it with the understanding that he will not take any advantage by thus being recognized.

Mr. MORSE. I simply wish to make a comment on cloture, if the Senator will permit me to do so.

Mr. BANKHEAD. Well, if I may permit the Senator to do so without prejudice to my right to hold the floor, let the Senator proceed.

Mr. MORSE. Yes; I shall proceed with that understanding.

Mr. BANKHEAD. Very well.

Mr. MORSE. In regard to the Senator's comment on cloture, let me say I agree with the Senator; in fact, I would vote against cloture if we were free to discuss the merits of various amendments which I believe should be adopted before the bill itself is passed. But I do not see how the Senator from Alabama could expect us to proceed to discuss the merits, as I have said before, so long as any discussion in which we would participate would aid the group on the other side of the aisle which is filibustering against the bill. If the Senator's group will remove the Journal obstacle which now is preventing full and free debate on the merits of this bill, I can assure the Senator that I, for one—and I am sure a great majority of the Senate would join me—will not favor any cloture petition until there has been ample opportunity to debate at length the merits of a series of amendments which ought to be made to the bill.

But I repeat to the Senator from Alabama that I think the fundamental issue now facing the Senate is whether a majority of the Senate are to be allowed, under our democratic legislative processes, to vote on the merits of legislation or whether they are to be permitted to vote only at the sufferance of a minority of Senators who say, in effect, "You shall vote on legislation only in accordance

with our choice." I cannot reconcile that procedure with democratic processes or even with the principles of the Democratic Party.

Mr. BANKHEAD. Mr. President, that statement is just about as unfair, in view of what has occurred here, as the bill itself is. I would not trust a majority led by the Senator who wishes to bring in cots and have Senators stay here all night sleeping, like semicorpses, so as to practice coercion upon the attempts of a minority to exercise their rights. I would not yield to any such endeavor to punish a minority that he does not like.

Mr. MORSE. Will the Senator yield for a moment, with the understanding that by so doing he will not lose the floor?

Mr. BANKHEAD. Yes; I yield with that understanding—if it is understood that I may do so without prejudice to my right to hold the floor.

Mr. MORSE. Speaking only for myself, I certainly hope that at least 48 Members of the Senate will join with me in fighting this filibuster 24 hours a day, for as many weeks as it may take to demonstrate once and for all that rule by minority will not prevail in the Senate of the United States.

Mr. BANKHEAD. A few days ago I read in one of the Washington newspapers that the Senator from Oregon had said that he was going to have 49 Senators in continuous session in the Senate. I did not know he had been elected whip of the Republican Party; I did not know he had been made its leader, to corral the other members of his party and bring them in vi et armis. If the Senator from Oregon was correctly quoted, he said he was going to have at least 49 of them here.

Mr. MORSE. Mr. President, on that point will the Senator hear me?

Mr. BANKHEAD. Yes.

Mr. MORSE. I did not read any such statement as that; and if the Senator from Alabama read it, I was misquoted. What I have said, and I repeat it now, is that 49 Senators should fight the filibuster in the Senate of the United States, by staying here 24 hours a day, so long as necessary.

Mr. BANKHEAD. I understand, as I am sure everyone else does, the zealous desire of the Senator from Oregon to have his way, so as to control, dominate, and dictate to the Senate, and especially to the 49 Senators on his side of this issue, as to how they shall proceed, notwithstanding their view that fair and reasonable discussion of this bill should be had before there is any attempt or any threat to compel foreclosure of further debate.

Mr. President, to the few Senators who now are in the Chamber—I know most of those who are absent are not interested in what I have to say or in what any other Senator has to say on this subject—I submit that no filibustering has been engaged in. I think any fair, honest man will admit that. I am not claiming that I will not filibuster. I will—do not misunderstand me—if it becomes necessary, especially against a leader who is so determined and so zealous in his efforts to bind down a minority for which he is now speaking and not working in this body. That is what he does. He is not consistent at all.

However, we have not yet filibustered. Every speech which has been made here—and I am sure that the few Senators who have heard all of them will verify my statement—has been directed to the merits of this measure—as much so as any series of speeches occupying 2 or 3 days on any subject could be. We are always obliged to have some digressions that happens in connection with all bona fide conversations in regard to matters affecting our lives. But up to this time this debate has been a legitimate, open argument based upon the facts and the reasons and the principles of government involved. Of course, all that does not suit the Senator from Oregon.

Now to refer once more to the proposed star-chamber court, let me say that the so-called court proposed by the bill would not be a court at all. It would be something like the old star-chamber court, but it would not even afford the protections or have the dignity or respect which the old star-chamber court had, because while the old star-chamber court fixed many of its own rules and did not have any rules to protect the persons who were called before it, it did at least give notice to those who were charged, and they were advised where the court would be held, and they were given an opportunity to be heard.

The monstrosity which is proposed by this bill, the more or less star-chamber court which it proposes—which really should be called a star-chamber hearing proceeding—would not afford any of the protections or rights which the old star-chamber court afforded. The proposed court would not provide for trial or hearing in the vicinage. It could meet, as I have said, anywhere from Portland, Maine, to Portland, Oreg. It could haul the witnesses and the parties all over the country, at the expense of the taxpayers. Of course, there would be a multiplicity of lawsuits growing out of such procedure, and the hearing group would provide good attorneys to represent the complainants, and would do so at the expense of the taxpayers of this country. There would be no limitations upon the power and authority of the proposed hearing body. Who would select its agents? How many agents is it intended that the Commission or body shall have? No limit is provided in the bill. My friend, the Senator from Virginia [Mr. BYRD], is worrying himself with his anxious concern about reducing the cost of this Government. I am in sympathy with his efforts. I think that the time has come when we must pay more attention to Government expenditures. We must cut expenses to the bone unless we want inflation, or a repudiation of the tremendous debt which we now have.

Mr. President, what is the program which we are asked to adopt? Who will limit the expenditures connected with it? The bill provides for no limitation whatever. The language of the bill is left wide open. The agents of the Commission may go forth at will and search, search, search. They may go into the records and take copies wherever they may be found, and without a search warrant, and they may retain them. I ask my good friends on both sides of this Chamber, Do we want to pass this bill?

Mr. President, I have received more courtesy from the Republican side of the Chamber in regard to attendance in the Senate during my discussion of the bill than I have received from Members on the Democratic side. I am glad that that is true, because I have hope that some of the Members on the other side of the Chamber will see the light. I have no hope that some of my colleagues on this side of the Chamber will ever see the light. They are not present with an open mind. They are present as members of a minority group, and are in favor of anything so long as it is sponsored by their group.

Mr. President, I do not believe that the bench, the bar, and the public generally of this country would sympathize for a moment with this bill if they were familiar with its provisions. I was not surprised when the majority leader said today that he had received telegrams threatening him with defeat in any future attempt to be elected to office. I do not know whether those threats came from Democrats or Republicans. The majority leader did not state. But, Senators, the situation is indicative of what is taking place in the public mind of this country. Neither newspapers nor radio commentators will print or state our reasons for opposing this vicious bill. Many persons are being threatened, including our great majority leader. On the floor today he defied those who had threatened him. I liked his defiance.

But, Mr. President, the situation indicates that something is taking place down in the grass roots. Senators know that the Negroes in Kentucky would not be sending in threats to anyone if they were not deeply concerned. I predict, whether this bill shall be defeated or not, that the time will come in this country when there will be an uprising of public opinion, mass resentment and reaction against legislation striking down all the constitutional rights which the people have enjoyed for many years, legislation destructive of business, which would be the result of the passage of this bill.

Mr. President, I do not consider that a vote for this bill would enhance the popularity of any Senator. Some Senators, of course, believe differently. I do not impugn their motives. We all like popularity. However, I may say in connection with the subject of popularity that there are and will be two sides to this issue. The American people will not quietly acquiesce in a program which is destructive of their ancient doctrines and rights. They will not quietly acquiesce when the delegated agents, whether white, black, Japanese, or German, who may be appointed by this commission, go around this country and put their hands into everybody's business in order to see whether the necessary number of Negroes have been employed. Other races than the colored race are involved in this proposal. I assume that it will be the duty of those who enforce the act to look after the interests of the Chinese,

the Japanese, and the Germans. Many of them are now being discriminated against, and I assume that for some time discrimination against them will continue. As I have said, I think the present Fair Employment Practice Committee is influenced by Communist doctrines. I believe that Communist doctrines are involved in the activities in behalf of the present measure. Pickets are already active in some places against persons who oppose the bill.

Mr. President, let us see who is supporting this bill. Let us see who they are. It is said that some politicians are in opposition to the bill, and that other politicians are in favor of the bill. I am a politician, and I have been considering this bill for a long time. Some persons can sense the reaction, though unexpressed, of the people on issues when they have been accustomed to and trained in the knowledge of their rights. I do not claim such power. I have seen men who possessed such power. I assert to you, Mr. President, that by passing this bill we shall be stirring up something that we cannot stop.

Mr. WHITE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. EASTLAND in the Chair). Does the Senator from Alabama yield to the Senator from Maine?

Mr. BANKHEAD. Certainly, I yield to the Senator from Maine.

Mr. WHITE. A moment ago the Senator referred to various races. I am somewhat confused with regard to the meaning of the proposed legislation in this respect: On page 2, section 2, the language begins with the words:

> The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity, of all citizens of the United States.

And so forth. That language would suggest that the bill applies only to citizens of the United States. But on the same page, in section 3, we find the following language:

> (a) It shall be an unfair employment practice for any employer within the scope of this act—
>
> (1) to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry.

It does not refer to citizens. I wonder if the language in section 3 (a) is intended to be broad enough to cover citizens, or whether citizens are excluded from that provision of the bill. Can the Senator enlighten me with respect to that?

Mr. BANKHEAD. It is my understanding that whether one is a citizen of the United States or not, under our Constitution, he is entitled to the benefits of constitutional guaranties.

Mr. WHITE. Will the Senator yield further?

Mr. BANKHEAD. I yield.

Mr. WHITE. But section 2 says the right to work is an immunity of all citizens of the United States. It does not say of all "persons," but of "citizens." I simply do not know what is the key word, whether it is "citizen," or whether the word "person" is the key word.

Mr. BANKHEAD. The word "persons" is used at other places in the bill. I take it the authors intended to cover aliens and everybody else, and that is one of my grounds of objection, that they are saying the right of employment is the right of everyone, to displace good American citizens, if the race percentage is not satisfactory.

I have here a decision of the United States Supreme Court, which reads:

> Aliens while in the United States are entitled to the benefits of constitutional guaranties, which are not confined to citizens, as affecting liberties and property. Opening envelopes of Chinese persons and taking letters from them, for use in deportation proceedings, is a seizure of papers that is unreasonable, and contrary to the spirit of this amendment (*U. S.* v. *Wong Quong Wong* (D. C. Vt., 1899), 94 F. 832).

So that the equality of every alien in this country is already protected by law.

Mr. President, I am sorry the Senator from California [Mr. DOWNEY] is not present. He is one of the sponsors of the bill, and I wanted to present a state of facts to him. I cannot wait for him. I know he is not coming, because I doubt if he wants to hear anything on this side of the question. He has not manifested any desire to do so. But there is a situation which is going to confront him in the not very distant future, I imagine the first time the people of California get a chance at him, as soon as they find out the facts.

Mr. President, the bill covers Japanese. The decision of the Supreme Court I have just read covers Chinese, and, of course, it would cover Japanese. I wanted to point out to the Senator from California that in California there are 93,717 Japanese. In the United States there are 126,947 Japanese. Under the bill it will be necessary to provide employment, without discrimination, to every one of those Japanese. That is the letter and the spirit of the law—protect the minority.

What is going to happen in California, where the people do not think too much of the Japanese anyway, if the bill shall be enacted? Of course, the Japanese are going to demand employment, and then what will happen? The agents of the Commission will go into a store in San Francisco, for example, and look around and say, "We have applications for employment from a group of Japanese. You have not any in this store. Your employees are all American citizens. You must remove from your employment a sufficient number in order to give these Japanese employment, because otherwise there is a discrimination against them on account of their race." When such action as that starts, when white people are dismissed, perhaps many of them veterans, many of them ladies of the communities who have been working in the stores for years, there will be a great deal of disturbance.

Of course, I am presuming the law is to be carried out. The sponsors of the bill are begging for the protection of minorities. They do not say the minorities are confined only to Negroes. If they said that, all the sentiment for their program would disappear. If the great principle of protecting minorities were taken out, and the desire were to look after one group only, the sentiment for the bill would disappear.

There are in this country 333,969 Indians, a pretty large group, not many of them scattered over the Middle West and central part of the country and the South and East, but they are all over the West. Those Indians have never been very eager about wanting to work, but if the Government should some day cut off their bounties and they were forced to make a living, then they would apply to this star-chamber group, because everyone knows that the businessman does not want to have an Indian working for him. The Indian might go to school, he might have book learning, but he has not the other necessary qualifications for efficient service, and businessmen do not want him, and do not object to saying so. If this bill should be enacted, those businessmen might have to hide their reasons. The law might force the businessmen, wherever Indians were located, to practice deception, to oppose them on some other ground; but their statement would not be the truth, as we all know.

There is something peculiar about an Indian which causes the white American not to want to be too closely associated with him. He would not appeal as a customer man to the ladies who patronize stores. Businessmen would not employ him, and then they would be guilty, as we all know.

Let us consider the Germans. Relatively speaking, this country is full of Germans. There are in the United States, of foreign born, 1,237,772 Germans. I got these figures from the Census yesterday. There are of Germans born in the United States, one or both parents German, 3,998,850, nearly 4,000,000, mixed-breed Germans.

I do not know what the situation will be. There are not many Germans in my section, but I have always understood that German farmers, and the common rank and file of the Germans in this country, were good citizens, and they have children coming on, daughters and sons. I do not know whether they are now excluded because they are Germans. I do not think they were before the war, but the Hitler situation has developed intense feeling on the part of a great many people against the employment of a real German in a business, especially a mercantile business, where he is known to be a German, or has a German accent, or otherwise his race is apparent. It would drive many people away, and it would be disturbing to the owner of a business to be required by law, by Federal law—not State law, but Federal law—to employ in his service a certain percentage—God knows what percentage—of people of different races, to avoid the charge that they were being discriminated against.

What is the test? The bill does not fix any. Would the law be enforced on a percentage basis, a percentage of each race available for employment? Would that percentage apply to the village, to the city, to the State, or to the Nation? There is nothing in the bill to indicate. It would simply be necessary to employ them. They could not be discriminated against.

What constitutes discrimination? How would it be judged whether they were discriminated against or not? Of course, if this bill were the law, no businessman would come out and say, "I will not employ one of these people, an Indian, or a Japanese, or a German, because of his race." He would have to conceal his reasons. But the case might be put in charge of one of these ardent fellows who want to get the minority in everywhere, including the Negroes, of course. Here in Washington, for instance, they would go to Woodward & Lothrop's, and they would say, "You have not any of these people in this store. You are discriminating against them. What are you going to do about it?"

That would scare Woodward & Lothrop to death to start with. They would not want to get into trouble with the Government. But businessmen would begin to figure, "What must we do?" I assume, carrying out the purpose and spirit of this miserable bill, the authorities would say, "You must dismiss a number of your clerks and employees, and avoid this discrimination." The storekeeper would say, "Who is going to pick the ones we must discharge? If we have too many Americans and have to eliminate some of them, too many gentiles and have to eliminate a number of them, and put in colored people, or Germans, or Japanese, who is going to select the ones we have to discharge?" There is the problem.

Perhaps an industrial company is involved rather than a merchant. The same rules apply. There is no distinction between them. The employer might say, "I will pick some men who are strong for the union and let them out." What is the union going to say about that? Is the union going to submit to the employer discriminating against its men? Will the union say, "Let us pick those who are to be discharged?" If we let the union absolutely select the individuals, we would be completely changing the business system of the country. Of course, restrictions now exist with respect to the employment of labor and the discharge of labor. But if someone should be given the power—and all that power must be given to someone—to select who shall be let out of a store and who shall be taken on, it will be going a long step further than has ever been contemplated before.

Suppose there are a thousand Japanese in Washington and many of them want employment. Let us say that 25 men and women will be selected to work for Woodward & Lothrop. Who is going to pick them? Are we going to leave that to the Japanese authorities? Are we going to leave it to the Commission to pick so many Japanese to go into that store and displace other employees? Is that a fair employment program? I submit, Mr. President that it is not. I submit there is nothing fair about it. It is unfair to everyone who would suffer by such a program—who would be displaced by it. Of course, it would be a grand thing for those who, under the proposed law, are picked to get the jobs of others.

Mr. President, the bill contains a provision which applies its terms to labor. Labor unions do not employ its members. Why do the sponsors of the bill want to put labor unions into the bill? I do not know whether by doing so they made a move to obtain the approval and support of labor, and therefore they placed language in the bill which has no real application. It has no real application, because a union deals with its membership but not with employment under the commerce clause of our Constitution. A union does not employ its members. Others employ its members. The union may apply the closed-shop rule or some other limitation, but the union is not an emloyer of its members. Still the language would proscribe something as an unfair employment practice on the part of labor. Of course that language does not mean a thing in the world.

Mr. President, I have not heard of much labor support for this measure. The committee report discloses, as I recall, that only the CIO is in favor of the bill. The American Federation of Labor has not endorsed the bill. The A. F. of L. is in favor of some portions of it, as the Senator from Georgia [Mr. RUSSELL] said, but there are parts of the bill to which they are opposed.

What about the United Mine Workers, a group of more than half a million workers? Has anyone heard anything from that organization requesting the passage of this bill? That organization does not do business that way. Some persons may not like John L. Lewis, but he knows how to manage the business of the United Mine Workers so as to take good care of his miners, and, so far as I am concerned, I am glad he does. I live in a mining county. The miners are mighty good people. Senators have not heard a word from John L. Lewis or from any United Mine Workers organization asking them to support this bill or give their approval to it. If my friend the Senator from New Mexico [Mr. CHAVEZ], one of the chief sponsors of the bill, has any evidence of such support, and many United Mine Workers live in his State, he would present it. The United Mine Workers have not endorsed the bill. The report does not show that any labor organization, except the CIO, has endorsed it.

Mr. President, we all know that in a bill of this type, dealing with what some call the under dog, if the other labor organizations were willing to see this monstrous bill passed they would have sent to us their endorsement of it.

Let us see now about the farmers. It is said that the Farmers Union is in favor of it. I do not dispute that statement. Mr. Patton, the head of the Farmers Union, is a good man. I know him well. His organization has a membership of about 100,000. It is the smallest of the farm organizations. That organization is pretty well alined with the New Deal people.

What about the Grange, a great national farm organization headed by Mr. Goss, an able man? What about the Milk Cooperative Association, another very wonderful organization with a very large and effective membership? What about the National Farm Cooperatives Association, an organization representing practically all the farm cooperatives of this country, probably the largest of all farm organizations? Senators have not heard anything from that organization in support of a bill which abandons the old fundamental rights of the American citizens.

Let us see about the American Farm Bureau. There are now present but three Senators on my side of the aisle, but I shall speak on. Very few persons are in the galleries. So few Senators are present that we could not muster a quorum. Would anyone say that is not oppression of the minority? I think it is. Yet, Mr. President, someone may read the CONGRESSIONAL RECORD, and, anyway, someone has to speak. So I might as well speak, and I am willing to do so. I have two or three good listeners. The leader of the minority, of the Republican Party in the Senate, is listening. The President pro tempore is listening. So is the Senator from Wyoming [Mr. ROBERTSON], and so is the Senator from Iowa [Mr. HICKENLOOPER], and so is the Senator from Indiana [Mr. CAPEHART]. One of the sponsors of this measure, the Senator from New Mexico [Mr. CHAVEZ], is listening. So is the junior Senator from Arizona [Mr. MCFARLAND]. I have named the group of Senators present and willing to hear the measure debated. Yet some would say, "Pop cloture on those who are debating the measure. Do not let them stay here any longer and debate the measure."

Mr. President, I was talking about the farmers. What is the position of the American Farm Bureau Federation, an organization with practically 1,000,000 members, represented in all the States of the American Union? What is its position? Its position is certainly entitled to receive the thoughtful consideration of Members of the Senate on a subject of this kind. If Senators want to find a group which is solid in its support of American principles——

Mr. WHITE. Mr. President, may we have order on the floor, and a little better order in the galleries? There is a constant murmuring coming down from the galleries to the floor which makes it difficult to hear the speaker.

The PRESIDING OFFICER. The Chair calls the attention of the occupants of the galleries to the fact that under the rules of the Senate there must be order and quiet in the galleries. Let there also be order in the Senate.

Mr. BANKHEAD. I thank the Senator from Maine.

I was saying that if Senators want to find a group which is loyal to the fundamental principles of our Government, which does not run after every fad and fallacy and which is not moved by every wind and storm of opinion, they should consult the farmers of America. I do not care to which farm organization they may belong. The farmers are solid men who have time to think of the great problems of the country. They are not rushed like the town people are. They think for themselves as they plow in their fields. If Senators really want to get good, cool, calm, judgment respecting the issues which are now being agitated by agitators and extreme leftists

in this country, let them get the judgment of the farmers of America. I am not saying we should always follow their opinion. I say we should consult their opinion, give it consideration, and know that it comes from unbiased men, men usually of cool judgment, men who are generally right in their attitude respecting public affairs.

Let me read the Senate Mr. O'Neal's letter which he sent last June to all Members of the Senate:

AMERICAN FARM BUREAU FEDERATION,
Washington, D. C., June 9, 1945.

TO MEMBERS OF THE UNITED STATES SENATE,
Senate Office Building,
Washington, D. C.

DEAR SENATORS: The Board of Directors of the American Farm Bureau Federation, at its meeting in Chicago on June 1, 1945, adopted a resolution against the proposed "Fair Employment Practices Act" (S. 101).

Racial and religious prejudices should not be a part of the American system of enterprise, but the proposed legislation is the wrong way to correct such evils. This measure, in our opinion, would have the opposite effect from what its proponents claim. It would stir up—instead of allay—racial and religious prejudices, and would result in unhappy disturbances everywhere, which would interfere with—instead of promote—unity and maximum production.

The bill itself delegates to a Federal agency dangerous powers of regimentation over millions of citizens, and the decisions and orders of this Federal agency would be supreme. It strikes right at the fundamentals of free enterprise.

We therefore respectfully urge that you oppose the enactment of S. 101.

Sincerely yours,

EDW. A. O'NEAL,
President.

That was not a resolution sent here by Mr. O'Neal personally, but was the action of the national board of directors of the American Farm Bureau Federation. Let me read a list of the States in which members of the board of directors of that great farm organization live: New York, New Hampshire, Vermont, New Jersey, West Virginia, Ohio, Missouri, Minnesota, Iowa, Indiana, California, Tennessee, Georgia, Arkansas, Mississippi, Texas, Maryland, and Wyoming. There are 18 members, from 18 widely scattered States, including some of the small States as well as States with the largest population and the largest membership in the American Farm Bureau Federation. They were not swept off their feet by the slogan, "Let us treat the minority fair." They know that the bill is not fair to the minority. It is not fair to others. It is not fair to business. It is not fair to the individual who is haled into this court—if one chooses to call it a court—which has no judicial processes and no system of judicial protection.

I hold in my hand a clipping from the Mobile Press of Saturday, June 30, 1945, containing a letter from a colored minister in Mobile, Rev. B. B. Williams. It is brief, and I shall read it:

The city commissioner and white citizens of Mobile are to be commended for their endorsement and support of the recreational centers established here for colored citizens. Industrial war workers look forward each week for entertainment at the USO on the corner of Dearborn and St. Michael. Seamen now have a well-furnished hotel for lodging and relaxation on Dearborn Street, and the opening of the commodious recreational center on Davis Avenue this week by the city proper are evidences that colored folk are being considered to be entitled to all that others enjoy for comfort, recreation, and health.

In addition to the recreational centers mentioned above, a YWCA for the elevation of colored womanhood is under construction and around $74,000 has been pledged and raised on a $165,000 YMCA building to be erected on Dearborn Street.

With all this being done in Mobile for colored folk it means that as white Mobile rises it is trying to lift colored Mobile as well. This is as it should be. As long as the South and other sections, in a general way, lift the colored man along with other citizens there will be no need for a FEPC because there will be fair employment practices as well as fair everything else. Our city is making an effort to be fair to its colored citizens in keeping with God's will.

I wish to read from an editorial published in the magazine Alabama of April 6, 1945, regarding a poll on this question:

The poll was taken by the Opinion Research Corporation, of New York City and Princeton, N. J. In this language it describes its findings:

"The Negro endorses coercive legislation. He resents job discrimination more than any other kind and he looks hopefully to the law for help. Seventy-nine percent of employed Negroes favor legal compulsion rather than leaving the question of hiring Negroes to individual companies.

"In sharp contrast to Negroes, whites are against compulsion by law. Eighty-five percent of urban white employees believe hiring should be left to the individual company, and oppose a law to require hiring without regard to color."

With dispassionate restraint the poll takers conclude: "Thus antidiscrimination bills are not introduced in response to a demand from the whole electorate."

Even in companies which employ both whites and Negroes, the poll shows that "the feeling of rank-and-file workers stand in the path of overnight equalization of opportunity."

Sixty-five percent of white workers vote for all-Negro departments rather than to mix the two races. Seventy-four percent object to Negro supervision.

Seventy-four percent of the white workers want separate lunch rooms and wash rooms, although 95 percent of the Negroes want to use the same lunch rooms and wash rooms.

Opinion Research continues:

"It is obvious that attempts to force rapid and drastic changes in employment practice may be strongly resisted by large groups of employees. Quite possibly such action will increase racial animosity rather than allay it, particularly in a period of lay-offs.

"It seems unlikely that employees will undergo a change of heart merely because another law has been passed. Thus, if solid and permanent progress is to be achieved, both employers and regulatory authorities must proceed with great deliberation, using a maximum of persuasion and a minimum of coercion."

That is the report of the polling organization at Princeton, N. J.

Mr. President, for the benefit of the RECORD and of the few patient Members of the Senate who are present, let us consider further the argument and the state of facts presented by the junior Senator from Georgia [Mr. RUSSELL] with respect to the action on this subject by various States. To my mind that is one of the most significant occurrences in the development of this whole agitation about the passage of this bill. After long agitation in Washington it became apparent that certain Members of both Houses would resist it to the bitter end. The sponsors of the program went to the States, where they should have gone in the first instance. It is a police matter, and does not come under the Federal Constitution. They went to the States to secure the passage of State laws dealing with fair employment practices—probably a replica of this bill. Such a measure was introduced in approximately 20 States.

What happened? The only agitation for or against the bill was by the sponsors of this program. No one was in the field opposing it from an organized standpoint. So far as I know, there were no visitors to any of the States in opposition to it, but the groups which wanted to secure its passage arranged for its introduction, and doubtless did a great deal of pressure work to bring about its passage. The Senator from Georgia [Mr. RUSSELL] has already presented the facts for the RECORD, but some might hear this statement who did not hear him.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield if I may do so without prejudice.

Mr. RUSSELL. I should like to ask the Senator if he is not a little optimistic in believing that many Senators who unwittingly committed themselves to the bill will hear much of the discussion. They committed themselves to this monstrosity before knowing all that was in it; and now, when we proceed to undress it and let it stand in all its stark nakedness, they cannot stand the revelation.

Mr. BANKHEAD. They cannot stand sound doctrine.

Mr. RUSSELL. In the middle of the afternoon, while the Senator is engaging in a very able discussion, only a handful of Senators are present. The Senator from New Mexico [Mr. CHAVEZ], the Senator from Idaho [Mr. GOSSETT], the Senator from Arkansas [Mr. MCCLELLAN] the Senator from Wyoming [Mr. ROBERTSON], the Senator from Kentucky [Mr. STANFILL], the Senator from Kansas [Mr. REED], and the minority leader [Mr. WHITE] are the only Senators present, which shows the lack of interest in this measure.

Mr. BANKHEAD. I hope the gentlemen in the press gallery will take notice of the statement of the Senator from Georgia.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield if I may do so without prejudicing my rights.

Mr. CHAVEZ. I hope the gentlemen of the press will also note that possibly the reason why more Senators are not present is that they are working in committee to bring out a minimum wage bill which will be just as obnoxious to some Members as the bill now being considered.

Mr. BANKHEAD. The Senator ought to be there helping to draft a good bill.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield, if I may do so without prejudicing my rights.

Mr. RUSSELL. Unless there is some change in the position of those who are

insisting on cramming this bill down our throats, there will not be any reports from committees, because most of the time the sponsors of a bill have been objecting to the transaction of business in the Senate—even the introduction of bills, much less reports from committees.

Mr. BANKHEAD. Mr. President, there have been numerous suggestions that many Members of the Congress do not wish to have it pass any antistrike legislation. I do not know whether that feeling has actuated those who have insisted that the Senate take up this measure, but everyone knows that that statement has been made. It is no secret. There has been considerable discussion that many Members of the Congress do not wish to have Congress pass any measures dealing with the labor question. Members of Congress who take that position are to be found on both sides of the labor question, and they do not wish to have the Congress vote on such measures. There are a number of Members of Congress who, to use the colloquial expression, wish to "put the screws" on the strikers and to do whatever they can do, by force of law, to require them to go back to work. But many persons are not in favor of that, and they do not care whether we filibuster, and they do not care whether the Senate holds up the bill until doomsday, because they are in no hurry to have the Congress enact legislation which would bring about the cessation of strikes and would result in the renewal of industrial operations in this country.

Of course, Mr. President, the labor question is now paramount. It may be said that we are wasting time here because the sponsors of the pending measure who insisted on having it brought before the Senate did so with full knowledge that the result I have mentioned would ensue. I do not know whether they are doing so in an attempt to satisfy certain groups that may have been dealing with them. It may be so; it may be that they are committed to certain groups to suppress such legislation, so that they are not free, independent agents in the true sense. I do not charge that; I simply do not know. I know that there has been much discussion and there have been many rumors regarding the reasons for bringing up the bill which is now before the Senate. Some persons are said to welcome the consideration of this bill by the Congress in order to prevent the Congress from considering antistrike legislation at this time, when the whole Nation craves congressional action which will bring industrial peace to our disturbed people and will give them assurance that the recovery program will not entirely break down, but that Congress will do whatever it can to advance the recovery program and to bring about continued industrial operations. Frankly, Mr. President, I do not know how to do it. Many Members of Congress think they do know how. But I am satisfied that there are many who do not wish to have the Congress attack the problem or go on record regarding it.

So here we are. The Senator from New Mexico, who has cooperated with them, made his motion for consideration of the bill without notice to us, without notification of any sort. He slipped up on me and slipped up on the Senator from Georgia [Mr. RUSSELL] and other Senators, and made the motion for consideration of this bill at a time when debate on the motion was not in order. I think they thought they had us. But they did not know as much about parliamentary rules as some of us know. They thought that if they could get the bill before the Senate then, they would promptly file a cloture petition and would have cloture invoked, and thus would put the bill to a vote as quickly as possible, amendments or no amendments. However, they have not accomplished that result; and so long as we have not finished our arguments in opposition to the passage of the bill, so long as some of us are physically able to point out to the people of the country the dangers inherent in the bill, the absolute dangers inherent in it to our republican form of government, to our free-enterprise system, to our system of trial by jury, through abolition of the protections and safeguards which we wish to have preserved, we shall continue to discuss its shortcomings.

Some people think we are doing this because we are unfriendly to the Negroes. Mr. President, the Negro has no better friend than I, and I have proved it. My friendship for him is not limited to mere lip service. Other Senators on this side of the question have likewise proven their friendship for the Negroes. In 1925 and 1926, when bigotry was rampant in this country, when persecution of Catholics and Jews and Negroes was rife, when the Ku Klux Klan, the night riders wearing robes, were traveling all over this country and in some States absolutely controlled the elections, so that unless a man was a member of the Ku Klux Klan he had absolutely no chance to win. I was not in politics. I was not then a candidate for any political office. But from my office and my home I went out into the State; I made a great many speeches during the Presidential election in which Al Smith was the Democratic candidate. I made many speeches against religious bigotry, against racial prejudice, and in favor of liberality, in favor of the right of every man to follow the dictates of his own good conscience in respect to his relations with people of all religions and all races. I went all over Alabama preaching that doctrine and mentioning not only the Jews and the Catholics but the Negroes as being entitled to their full rights under the Constitution. I did so because we did not want to injure them.

But this bill will injure them. Let not Senators fool themselves about that. Those who are urging passage of the bill say we are unfriendly to the Negro. Mr. President, we have more friendship for the Negroes than all the sponsors of the bill have. They know very little about Negroes. A man who has lived among them all his life understands the Negro problem better than does a man who is merely playing politics with this question and is playing up to certain social groups—left-wingers.

In that connection let us consider the situation of the sponsors of the bill. The Senator from New Mexico [Mr. CHAVEZ] has in his State only 4,672 Negroes, or nine-tenths of 1 percent of the population of his State. Nevertheless he seems to think—and in good faith, I am sure—that he understands the problem better than do those of us who have been reared with them, who have met large numbers of Negroes, and who have had to deal with the problem and live with it. As I said, Negroes constitute only nine-tenths of 1 percent of the population of the State of New Mexico; yet the Senator from New Mexico is making all this disturbance and all this noise about getting fair treatment for the Negroes. Of course, Negroes are not the only minority group in his State. There are many Mexicans or persons of Mexican descent in his State, and this bill applies to them, too, of course. So I cannot say that the Senator from New Mexico is in favor of the bill solely because of his interest in the Negroes, although I think many people believe that is the reason why he favors the bill.

Mr. EASTLAND. Mr. President, will the Senator yield at this point, for a question?

Mr. BANKHEAD. I yield.

Mr. EASTLAND. Is it not a fact that the people of New Mexico have repudiated this whole proposal, by rejecting a bill which is similar to the one now before the Senate?

Mr. BANKHEAD. Yes; and I shall reach that point in a moment.

Mr. President, the Senator from California [Mr. DOWNEY] is in favor of the bill. I do not know whether he claims to be an ultra-conservative, but there are only 124,306 Negroes in the whole State of California, with its total population of millions of people.

The Senator from Montana [Mr. MURRAY], who is one of the cosponsors of the bill, has 1,120 Negroes in his State. In Montana there are also considerable numbers of Indians who are liable to bump off the Negroes when they get jobs. The Indians will demand the jobs, and out the Negroes will go—because there are many Indians in that locality.

Mr. ROBERTSON. Mr. President, will the Senator yield to me for a moment, without prejudice?

Mr. BANKHEAD. Yes.

Mr. ROBERTSON. With reference to Indians, let me say that just now, as well as earlier in his speech, the Senator from Alabama has referred to the Indians at about the same time that he has referred to the Japanese, the Germans, and others. I know the distinguished Senator from Alabama is kindly and generous and would not wish to leave the impression that he was in any way attempting to indulge in remarks derogatory of the Indians.

Mr. BANKHEAD. The Senator is absolutely correct about that.

Mr. ROBERTSON. The Indians in Wyoming and Montana are handicapped as a result of Federal regulations which govern their lives. They are kept on reservations. Various laws prohibit them from doing various things which we "pale faces" do. It was we "pale faces" who put them on those reservations. No one in Wyoming and Montana—and I think I may also include Colorado—ever objects to having an Indian work for

him or eat at his table; no one there ever objects to going to work with Indians or eating at their tables or in every other way treating them as social equals. They were the first citizens of this country, and to them we are the "pale faces." They wish to be friendly to us. They are friendly to us, and we in the West are friendly to them.

Mr. BANKHEAD. I appreciate the truth of the Senator's statement. I have voted for many millions of dollars to be used in behalf of the Indians. I did not speak of them in any derogatory sense. I merely listed them as among the minority groups.

Mr. ROBERTSON. I am sure the Senator did not mean anything derogatory in what he said, but I thought that the impression which might be left from his remarks would be an inacccurate one.

Mr. BANKHEAD. I am glad the Senator made the correction. Of course, there are minority groups as, for example, the Jews, and certainly the Roman Catholics represent a minority group. For all such minority groups this bill seeks to secure privileges because they are minority groups. I do not know that some of them need protection in business matters, because they are able to take care of themselves. However, from the standpoint of employment, the bill treats them as special classes of citizens.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. CHAVEZ. It is not the intention of the sponsors of the bill to create any special privileges for any classes or minorities of people. The intention is merely to protect their rights.

Mr. BANKHEAD. The Senator knows that no man has a right to obtain a job from any employer who does not wish to give him a job.

Mr. CHAVEZ. That is correct.

Mr. BANKHEAD. Persons who have legal rights do not need any protection of them, such as is attempted to be given by this bill. But if the bill does not put them into a privileged class or into a minority group, I do not know what it does.

Mr. CHAVEZ. Very well. If the Senator will read the bill——

Mr. BANKHEAD. Oh, I have read it as much as the Senator has read it.

Mr. CHAVEZ. Possibly the Senator from Alabama has read it more than I have read it.

Mr. BANKHEAD. Yes.

Mr. CHAVEZ. But there is nothing in the bill which would compel the Senator from Alabama, the owner of any factory or industry, or any other person, to furnish employment or a job to any member of a minority group. While no one can be compelled to give the Jew, the Irishman, the Baptist, the Catholic, or anyone else a job, the bill provides that no one may prevent him from obtaining a job merely because of his race, creed, color, national origin, and so forth.

Mr. RUSSELL. Mr. President, the argument which is now being made by the Senator from New Mexico is as specious as is the argument which has been made that this is a fair employment practice bill. The bill provides that if an employer does not give a job to a man belonging to a minority group, the employer is thereby discriminating against him, and he may be put into jail. It may be argued that the seeker of employment would not be discriminated against, but nevertheless the employer could be put into jail if he refused to afford employment. It would be very much like a lawyer who told his client, "They cannot put you into jail," to which the client replied, "Well, I have been here for 2 years."

Mr. CHAVEZ. Nevertheless, we have taken the life blood of this country and sent it to die on foreign fields.

Mr. RUSSELL. Oh, yes; I have heard the Senator make that statement before, and I expect to hear him make it again before this discussion has been concluded. But the argument is just as specious as has been other arguments which the Senator has made concerning this issue. The men who were sent abroad to die were not sent there for the purpose of making it possible to establish a kangaroo court and put a man in jail without affording him a trial before a jury. They were not sent abroad for the purpose of giving someone the right to tear down the business and industry of this country, and giving someone the privilege of invading a man's private business and examining his books. The bill has been labeled something which it is not. I recall that the Senator from New Mexico said the other day that he denied that the bill would assist aliens in obtaining employment.

Mr. CHAVEZ. Mr. President, there is no disagreement as between the argument of the Senator from Georgia and the argument of the Senator from New Mexico. What we are trying to protect is rights. I may say to the Senator from Georgia that it is only rights that I want to protect. If we are not doing it correctly through this bill, I would join the Senator from Georgia in drawing a bill that would give such protection.

The Senator refers to the Constitution and says that we are all supposed to be equal. It has been said that all of us should have equal opportunities. Yet, when someone denies employment to a Jew, for example, because he is a Jew, even though he or some relative of his has fought on a foreign field of battle, the Jew is being denied equality.

Mr. RUSSELL. Mr. President, it is said by some that equality means equality of everything in the United States, and some persons would be willing to move in and divide all the property in the United States and deal out its benefits to all citizens. The American Constitution, thank God, has never stood for that kind of equality. My idea of individual rights is that our Constitution and laws draw a circle around each individual and gives him freedom to act within that circle. At the same time, no other man may infringe upon his rights. As I see it, this bill represents an idea which is entirely contrary to that which I have stated. It says, "We will invade the circle that has been thrown around the man who employs six or more persons, and we will tell him whom he may employ and how many he may employ." An employer may be told that he must employ a certain number of persons, and may be told who they shall be. If he does not employ them he may be put into jail.

The bill invades the right of property. I realize that in this day it has become very unpopular for anybody to mention property rights, but without property rights, this great country of ours would not be what it now is. We have property rights, and our Constitution drew a circle around those property rights even as it drew a circle around the rights of individuals. This bill would strike down the right of a man to say with whom he shall be associated in conducting his business, and there is no way by which that fact can be argued away.

Mr. CHAVEZ. Mr. President, will the Senator from Alabama further yield to me?

Mr. BANKHEAD. I yield.

Mr. CHAVEZ. I still insist that there is very little difference between the philosophy of the Senator from Georgia and my own philosophy with respect to this bill.

Mr. RUSSELL. I still have hope, then, that the Senator will vote against this bill. [Laughter.]

Mr. CHAVEZ. The question is only one of conclusion. I know that when the Constitution speaks of equality it does not mean, for example, that because the Senator from Georgia has been diligent and has accumulated some property, he must divide it with me. I agree that the Senator from Georgia has individual rights, and I further agree that individual enterprise should have the protection of the law.

Mr. RUSSELL. There is a great difference between the understanding of the Senator and my understanding as to the effect which this bill will have on individual rights.

Mr. CHAVEZ. I want the Senator from Georgia to help me make the bill a good one.

Mr. RUSSELL. Mr. President, I have done my best. I have attempted to point out some of the weaknesses of the bill. I have already pointed out some weaknesses which the Senator had not recognized in his own bill.

Mr CHAVEZ. I have completely recognized them, but during my early association with the bill I did not have the wisdom and advice of my good friend. Now that the bill is before the Senate for consideration I hope the Senator from Georgia will join me in making it a perfect bill.

Mr. RUSSELL. Mr. President, I do not think that it is possible to make a perfect bill out of a measure which proposes to take away the rights of individuals. We have been told that the bill is merely one to continue into effect the present Fair Employment Practices Committee which was established under an Executive order. A greater misrepresentation has never been made. The present committee deals only with employment in the Federal Government. Of course, the Federal Government has the right to regulate employment within its various departments. The committee's power

extends also to those who willingly and voluntarily enter into contracts with the Federal Government. A man is given an option. He either may or may not enter into a contract with the Government. If he does enter into a contract with the Government he submits himself to the power of the committee. However, Mr. President, the pending bill does not provide anything of that nature. It reaches out to the individual. Its powers are not limited to dealing with situations involving employees of the Government, or those who willingly enter into contracts with the Government, but it reaches out into every business and industry in this Nation which employs six or more persons. It would undertake to take away certain rights which have always been fundamental.

Mr. BANKHEAD. Mr. President, I believe there are seven sponsors of the bill, and the States of six of them have a Negro population, combined, of 195,821. New York has many more than the others. The Negro population in 11 States, which have 22 votes here, most of them for the bill, is only 12,029.

Mr. President, I submit that cannot represent any real, true situation of discrimination on any broad scale on account of race, color, or creed. All the sponsors of the bill are from sections and States which have just enough Negroes to get on the blackboard. They do not have a sufficient Negro population to enable them to know anything about the treatment of Negroes. I doubt that the Senate should pay any very great attention to a program sponsored by Senators from States having a Negro population of only 12,000. Of course, as I have said, one of the sponsors of the bill, the Senator from New York [Mr. WAGNER], is from a State where the Negro population runs up the total. I ask to have the list printed in the RECORD.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Is there objection?

There being no objection, the list was ordered to be printed in the RECORD, as follows:

State:	*Negro population*	*Percentage of whole population*
Idaho	595	0.1
Maine	1,304	.2
Nevada	664	.6
Montana	1,120	.2
North Dakota	201	---
New Hampshire	414	.1
New Mexico	4,672	.9
South Dakota	474	.1
Utah	1,235	.2
Vermont	384	.1
Wyoming	956	1.3
	12,029	3.7

Mr. BANKHEAD. Mr. President, we are just getting started to argue the merits of the bill, and there are many other arguments I should like to make, but I have spoken for 3 hours without any rest or relaxation, and I think perhaps that is about as long as I should occupy the floor, although I could proceed, if anyone desires that I do so. I wish to let some fresh speaker participate in the debate, and I thought perhaps a quorum call, when I yield the floor might bring in a few Senators who would remain a short time, and they might get a little glimpse of light on some phase of the bill as they pass through. I hope some rays of sunshine will penetrate the intelligence and judgment of Senators, if they will only exercise their intelligence.

Before I close I wish to discuss the point to which I referred a few moments ago, brought out by the able junior Senator from Georgia [Mr. RUSSELL] a few days ago, about the action of the various States on the subject being discussed here. To my mind that is a most important phase of the situation, because we get false rumors and reports and imaginary statements of the large number begging and pleading for the passage of the bill.

As I stated a few moments ago, advocates of the bill went to various States in this country seeking to have the State legislatures pass a similar measure, and in the main the States to which they went were those they thought would be favorable to their plea, because of the large Negro populations. What success did they have? There was no opposition, except of men who were officials of the States, members of the legislatures, who had a duty to perform. No southerner was there, although some seem to desire to charge that southerners are leading the opposition. There was present no person interested in any way in dealing with the subject except from principle. What luck attended these groups pleading for the passage of a similar bill, a fair employment practice measure, after presenting their arguments to the legislatures of 18 States?

Mr. RUSSELL. No; it was 20 States, and 18 refused to pass the bill.

Mr. BANKHEAD. What success did they have, all of them north of the Mason and Dixon's line? If there was any sympathy displayed or any prejudice involved, those matters would have been in favor of the passage of the bill. The legislature of one State after another, with two exceptions in the East, New York and New Jersey, the legislatures in 18 States, declined to pass this so-called fair employment bill setting up a star-chamber court to try individual citizens.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. EASTLAND. Did the Senator know that after those figures were compiled the State of California defeated a fair employment practice bill?

Mr. RUSSELL. California defeated it twice. It appears in this list, and it defeated it again last fall.

Mr. EASTLAND. Will the Senator yield for another question?

Mr. BANKHEAD. I yield.

Mr. EASTLAND. Does not the Senator think that from the actions of the 18 States in defeating measures setting up fair employment practice commissions, if this bill were passed it would largely be nullified by the people of the country, as prohibition was?

Mr. BANKHEAD. Yes, it would be like the prohibition law. They do not want it, and they are not going to enforce it.

I shall now read the list of the States. It was read a few days ago, but not consecutively.

California. One of the sponsors of the bill is from California. I understand California rejected it twice.

Mr. EASTLAND. Mr. President, the colleague of the senior Senator from California [Mr. DOWNEY], the junior Senator from California [Mr. KNOWLAND], gave out a statement before the bill was even brought up, calling for immediate cloture to assure consideration of the bill, and then the junior Senator from California was repudiated by his own legislature, which refused to pass the bill.

Mr. BANKHEAD. Colorado. I see one of the able Senators from Colorado present [Mr. MILLIKIN], a man for whom I have the utmost respect. His good State repudiated the program.

Connecticut. That State adjoins the hot bed New York, where the Communists and the Socialists and all that un-American group are agitating for the passage of the bill. Connecticut refused to pass it. One might think that if any State in the Union passed the bill, it would be Connecticut. There is a very large Negro population there.

Illinois. With all the adverse and conflicting interests in that State, and with its two Senators here, one a Democrat and one a Republican, trying to have it pass, Illinois rejected the bill.

Kansas. One of the sponsors of this bill lives in the great old State of Kansas. The junior Senator from that State [Mr. REED], one of my very best friends, has just entered the Chamber. I am sorry he has not been here long enough to hear his friend making an argument. It might have converted him. Sometimes he is open to conviction. At any rate, he knows I think the world of him. Kansas rejected the bill. But here stand the two Senators from that State, in the face of the fixed policy of their State as shown by the action of their legislature, trying to have this bill passed, with all its defects, infirmities, and faults.

Maryland. Both the Maryland Senators are in line with the action of their State, which rejected the bill.

Massachusetts rejected the bill. The two Senators from Massachusetts, one of whom is a Democrat and the other a Republican, are anxious to have a vote on this bill, in the face of the action of the legislature of their State. Minority groups sometimes are stronger than State legislatures.

Michigan, with a tremendous population, liberal in many things, declined to pass a noxious bill of this sort, and I congratulate Michigan. The legislature did not yield to the clamor of the racial groups.

Minnesota. One of the sponsors of the bill, the junior Senator from Minnesota [Mr. BALL], wants cloture applied.

Mr. President, I think he and many other Senators had better appeal to the people of their States, because if they had in effect in their States fair-practice laws like the one we are discussing, they would obtain for their constituents all the benefits which might accrue under this bill.

But they could not get such legislation adopted in their States. The people of those States, as represented by their legislatures, would not pass such legislation. So here they are now appealing from their own local authority to the Congress.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. BANKHEAD. Yes.

Mr. EASTLAND. How many of the sponsors of this bill does the Senator think practice its provisions when it comes to employing people in their own offices?

Mr. BANKHEAD. I do not think there is any ground for argument about such a question. I do not see anything like that happening, not even in the case of the Senator from New Mexico.

We now come to the State of New Mexico. We saw the Senator hang his head with a sort of mortification or grief over the fact that his State had repudiated him, but he said that those who had done so were not humane-minded people. He does not excuse or justify them. In a way he joins in the denunciation of them. His people would not pass legislation of this sort. So he comes here and says, "Give us cloture quick so that we can pass this bill which my State does not want."

Then we come to the State of Ohio, the State represented in part by my good friend the senior Senator [Mr. TAFT]. He stands against the position taken by his own State legislature, and his Democratic colleague [Mr. HUFFMAN] does the same thing.

Very well, we come now to Pennsylvania. My gracious alive, where is JOE GUFFEY? He has been fighting here for antipoll-tax bills and antilynching bills, and now he comes and fights for the worst bill of them all, a bill which would break down all the constitutional safeguards and protections which surround our people, a bill which would invade the businesses of this country, which would break down the free-enterprise system, a bill which would set up a bureau of irresponsible agents to snoop on business and to search their records, and yet he, a businessman as well as a politician—and I like him personally and am sorry he is not now present—could not control his own State. The Pennsylvania Legislature—I think it is a Republican legislature, and he may be excused, but, anyway, he has lost his grip on his own legislature—says, "No, no; we will not have such an unholy bill." So the Senator from Pennsylvania comes here and says, "We take our appeal to Congress."

Then we come to Rhode Island. There are two Democratic Senators from Rhode Island. Rhode Island has rejected this program. I understand one of the Senators from Rhode Island is in favor of standing by his home people and the other Senator is not. I do not know about that, but that is my inference.

Washington State has declined to approve such legislation. If there is any State in the West that I thought might adopt a program of this sort it is the State of Washington. Former Senator Schwellenbach, of that State, has recently returned to the city of Washington and is now a member of the President's Cabinet. He appeared before a committee yesterday. I do not know who induced him to go before the committee, but he spoke, either before the committee or to perhaps newspapermen, advocating the passage of this bill. If he is really strongly in favor of this bill he should have had more influence at home than he did, for the State of Washington declined to have anything to do with it.

West Virginia also refused to approve such legislation.

Then we come to Wisconsin. What has become of the Senators from Wisconsin who were present a little while ago? Wisconsin is represented by two active and able Senators. I do not know how they are going to vote on this measure. I have an idea about it, but if they vote in line with the fixed policy of their State, as declared by their State legislature, they will vote against this bill. I have an idea how the junior Senator from Wisconsin [Mr. WILEY], who has just taken his seat, will vote. He has never said how he would vote, but he is too broad between the eyes to vote for this bill. I do not know how he will vote.

Mr. President, that makes a list of 26 Senators representing States which have declared against the passage of this bill, or at least have refused to pass a bill when it was put up to the State legislatures for action. That is a remarkable record with respect to legislation such as is now before the Senate, and yet some people pretend they cannot understand why some of us are fighting it. If they will talk to the people of their States who have no axes to grind, who have no political interest, who are interested in the preservation of our institutions, in the principle of free enterprise, and who are opposed to enlarging and extending the bureaus of the Federal Government, they will soon find out the will and best judgment of the thinking people of this country.

Mr. President, we have all declared against the extension of this bureaucratic form of government. I think the leading thinkers on both sides of the aisle are in accord with that principle, and want to get back as fast as possible to local self-government and to responsible agencies of government. They want to economize in government. They have denounced the great, extended, widespread bureaus spreading out over the country. Yet there is brought before us now the proposal to build up the largest one that has been established in this country since the New Deal began, and which is sponsored by the New Deal's chief advocates. I was a New Deal man so long as I thought it was right. I never was a rubber stamp since I have been here, as every Member of the Senate knows, but in the main I had great sympathy and great fellow-feeling with the humane attitude of Mr. Roosevelt and with what was generally called the New Deal. But I did not shut my eyes and take anything that any group handed to me or sponsored in the Senate. I tried to use my best judgment, and I acted as I thought I ought to act, whether I was voting with the majority or the minority, for the administration or against it. I have had a good many fights here with the President on matters relating particularly to agriculture.

But, now, if Senators will take into consideration the real attitude of business in this country, they will not find many businessmen who favor this bill. They do not want this bureau established. They do not want to have all the agencies that irresponsible members of this Commission may want to appoint to go into stores, into shops, into offices, and into union-labor offices and take their papers, search their records, give orders, and say to them, "If you do not do thus and so, we are authorized to take such effective action as will enforce the policies laid down by this bill." The bill would give the Commission unlimited and uncontrolled power to set up all the agencies they think might aid them—agencies scattered all over the country—and to fill them with irresponsible agents if they should see fit.

Why should anyone criticize those of us who stand here in the hope that we can convince some people of the danger of this program? In my particular section of the country we do not have any trouble with the Negroes. In my judgment, the high-class colored people down there do not want this thing. They know it will stir up strife. They are getting along fine. We have given the Negroes just as good schools as we have given the white people. And, as the Senator from North Carolina [Mr. HOEY] said yesterday, they receive absolute justice in the courts. There is no complaint about that. They receive employment of the class which they themselves know they are qualified to accept. Their children are going to school. I have an idea that the attendance of their children in school is at a higher rate than that of the whites. At any rate, they are very ardently pursuing the opportunity to educate their children.

Now what real friend of the Negro wants to disturb that situation? Who would disturb it unless he did so for a selfish political purpose? The Negroes in the South are not bound down. They are not in peonage. Any of them who do not like the situation there can get on a train, go to some other part of the Union, and say "Help me up; do something for me." They are not seeking that. They are getting along as good citizens and they say, "Let us alone." They are really making progress, and every high-class white man in the South knows it. It is disturbing to all of us that the group favoring this legislation should undertake to bring about strained relations. We would rather let the situation alone. We are not opposing this bill because of any unkind feeling toward the Negro. One does not find many people in the South who have that sort of feeling. Of course, there are some. But the great mass of our people want the situation to go along. They are putting up their money in the form of taxes to help educate colored people, give them good school facilities, and ample teachers. We have had no complaint. Those who are clamoring for the quick passage of the bill have not had a complaint from those

States. We know in our hearts, and we wish we could make others understand it, that the passage and administration of this bill would create strife, animosity, and unkind feelings which do not now prevail, and would do the colored people harm rather than good. Ask any man from the South about it. Politics does not enter into the question.

Mr. President, we believe in a fundamental form of government. We believe in preventing the creation of unnecessary bureaus. We believe in protecting the right of trial by jury. We believe that searches and seizures should be supported by the action required by our Constitution. For all these reasons, while we have been able to get only a few Senators to listen, we hope that this bill will not be permitted to stir the race question from center to circumference of this country.

Mr. McCLELLAN obtained the floor.

Mr. EASTLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Chair recognized the Senator from Arkansas. Does the Senator from Arkansas yield to the Senator from Mississippi for that purpose?

Mr. McCLELLAN. In just a moment I shall be glad to yield. Before yielding, I wish to say that personally I have no desire to disturb Senators who are occupied with other duties. I shall yield for a quorum call if it will not prejudice my rights.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield for a question.

Mr. CHAVEZ. The question is this: Will the Senator yield to the Senator from Mississippi for the purpose which he has indicated, so that the Senators about whom the Senator from Alabama [Mr. BANKHEAD] has been complaining may be present?

Mr. McCLELLAN. I am glad to yield, but I wish to have the RECORD show that it is not because of any desire on my part to disturb Senators who are occupied with other duties. I do not know how many Senators are in committee, but out of deference to the request of the able Senator from Mississippi and the able Senator from New Mexico, I yield for the purpose of a quorum call if it does not prejudice my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. EASTLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	Eastland	Johnston, S. C.
Bailey	Ellender	Kilgore
Bankhead	Ferguson	La Follette
Barkley	Fulbright	Lucas
Bilbo	George	McClellan
Brewster	Gerry	McFarland
Bridges	Gossett	McKellar
Briggs	Green	McMahon
Buck	Guffey	Magnuson
Bushfield	Gurney	Maybank
Butler	Hart	Mead
Byrd	Hatch	Millikin
Capehart	Hayden	Morse
Capper	Hickenlooper	Murdock
Chavez	Hill	Murray
Cordon	Hoey	Myers
Donnell	Huffman	O'Daniel
Downey	Johnson, Colo.	Pepper
Radcliffe	Stanfill	Wheeler
Reed	Stewart	Wherry
Revercomb	Taft	White
Robertson	Taylor	Wiley
Russell	Thomas, Okla.	Willis
Saltonstall	Thomas, Utah	Wilson
Shipstead	Tobey	Young
Smith	Walsh	

The PRESIDING OFFICER (Mr. EASTLAND in the chair). Seventy-seven Senators have answered to their names. A quorum is present.

Mr. McCLELLAN. Mr. President——

Mr. McFARLAND. Mr. President, will the Senator yield to me, for the purpose of permitting me to introduce a bill and to make a few remarks, on the condition that he does not lose the floor?

Mr. McCLELLAN. I am glad to do so, with the understanding that my rights are not prejudiced.

The PRESIDENT pro tempore. Is there objection?

Mr. WHITE. Mr. President, reserving the right to object, I wish the Senator would postpone that request for a time, until later in the day. For the moment I shall have to object.

Mr. McFARLAND. Mr. President, I have been holding up the introduction of this bill for a week. We cannot properly transact business here when we are not permitted to introduce bills.

The PRESIDENT pro tempore. Objection is heard.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield to me?

Mr. McCLELLAN. For what purpose does the Senator request that I yield to him?

Mr. JOHNSON of Colorado. I wish the Senator to yield to me so that I may request unanimous consent to introduce a bill to govern the effective dates of ratings and awards under the Veterans' Administration, to revise schedules for rating disabilities in 1945, and for other purposes. I assure the Senator that I shall not attempt to deprive him of the floor, but I have tried to obtain——

The PRESIDENT pro tempore. Is there objection?

Mr. WHITE. Mr. President, I am constrained to object. I may as well say that I shall object to all similar requests at this time.

The PRESIDENT pro tempore. Objection is heard.

Mr. JOHNSON of Colorado. Mr. President, will the Senator permit me to say, in reply to the objection which has been made——

Mr. McCLELLAN. Mr. President, I do not wish to yield to any Senator under any circumstances or conditions which will prejudice my right to the floor.

Mr. JOHNSON of Colorado. I should like to ask the Senator from Arkansas a question.

Mr. McCLELLAN. I yield for that purpose, without prejudicing my right to the floor.

Mr. JOHNSON of Colorado. I should like to ask the Senator from Arkansas if he thinks that the situation justifies a refusal to permit Senators to introduce bills on the subject of the welfare of veterans?

Mr. McCLELLAN. Mr. President, let me say to the distinguished Senator from Colorado and to all other Senators who are present that I am ready to yield for any purpose to expedite the business of the Senate, except for the purpose of having the Senate proceed to vote on or do anything which would prejudice the right to have further discussion of the principal issue which is before the Senate at this time. I have not refused to yield to any other Senator. I am perfectly willing to yield so that my colleagues may introduce bills, so that committee reports may be filed, so that all other things within the rules of the Senate may be done, so long as that will not interfere with or prejudice the right to continue the discussion of this, the most vicious bill which the Senate of the United States has ever been called upon to consider in the entire history of our Nation. I wish to have the RECORD show, Mr. President, that it was not the Senator who now has the floor who has blocked other proceedings in the Senate. I am perfectly willing to yield; I am perfectly willing to have the Senate proceed with anything which is necessary or indispensable to the making of progress, except to lay aside this measure and prevent further discussion of it.

A moment ago I made a rather strong statement. Before I proceed with further discussion of this measure, I wish to say to my colleagues who now are present and who responded to the quorum call, who were not in the chamber at the time when the suggestion of the absence of a quorum was made, that I yielded in order to permit the suggestion of the absence of a quorum only after the able junior Senator from Mississippi and the able Senator from New Mexico [Mr. CHAVEZ], one of the sponsors of the bill, urged me to yield for that purpose. I have no desire to have Senators present merely to listen to my remarks. I have no desire to have a quorum call, and thus interfere with the attendance of Senators at committee sessions, or otherwise prevent them from attending to duties in connection with their offices.

Mr. President, I regret the necessity of having to discuss this measure, not because I do not wish to have my position on it known, for the principal reason that I have taken the floor is to state my position on it. Mr. President, I do not wish to have the RECORD silent; I do not wish to have the RECORD of this body fail to reflect the views which I hold on this question, because I think the time will come, regardless of whether this measure is passed, when there will be sufficient interest on the part of the people of the Nation to cause them to look inquiringly into this record so that they may determine what was the judgment and wisdom of the men who represented them at this time.

Mr. President, we are now making a record, setting a precedent, because if the proposed legislation is enacted, there will be a most radical departure from constitutional government. We are asked to enact a measure which would commit the most vicious and destructive assault on human liberty that ever has been made in America. That is what would be done by enactment of the bill. It would be done in the name or upon the claim of undertaking to protect the alleged rights of certain individuals. However, Mr. President, the truth about

the bill is that it would protect no rights. The individuals concerned already have their rights under the Constitution. This bill would destroy their rights and would penalize American citizens and put them in the category of criminals, after they undertook to exercise their rights.

Let me say at the beginning of my remarks, Mr. President, that the idea of a filibuster, if this be one, is most distasteful to me; it is most displeasing. It is indeed regrettable that there should arise in the Senate of the United States a situation which would require the minority to resort to every parliamentary procedure permitted by the rules of the Senate in order to try to prevent the passage of a measure which is obnoxious to every person who has a fair understanding of the meaning of freedom and liberty. Mr. President, I am willing to join my colleagues who believe, as I do, in undertaking to debate this measure at some length and for some time in the hope that by so doing the American people—not the people in my State, for I am not worried about their views; I know what they are—but all the people of America, all the good citizens of this country, all those who love liberty, all those who have been willing to fight and to die in order that America may be preserved, will take the time and interest to look beyond the title of this bill and to learn what the bill really would do.

The title of the bill is quite attractive, and it has a strong appeal. The bill is labeled a fair employment practice bill. That title is deceptive, Mr. President. The bill would not promote fair-employment practices. I do not hesitate to say that every Member of the Senate favors fair-employment practices. I assert that no good citizen would say that he did not favor fair-employment practices, and no good citizen would necessarily engage in what might justly be termed unfair-employment practices.

Mr. President, I feel that any Senator who has taken his oath to defend the Constitution of the United States is fully justified in resorting to every legitimate means, and every parliamentary advantage which the rules permit if, by engaging in that kind of procedure, he is able to save the Constitution and protect human liberty. Therefore, I now participate in the proceedings, and shall continue to discuss the pending measure without apology, because I am convinced that in so doing I am rendering a service to my country and protecting the liberty which is guaranteed under the Constitution to the citizenship of this Nation.

Mr. President, why do I make that statement? This bill proposes to regulate the employment of individuals. The bill undertakes to state that it is predicated on the right of a man to seek a job, and to have a job, irrespective of his race, creed, color, national origin, or ancestry. Mr. President, jobs stem from only three sources. The first source is the government, which may employ private service. By "government" I refer to all public agencies, whether they be Federal, State, municipal, county, or otherwise. The next source is man's own ingenuity and creation. Every man has the right to create a job for himself and to engage in any enterprise which he may choose. He has a right to be a lawyer, a doctor, a merchant, or a farmer. He has also the right to work in a factory. He is not necessarily compelled to choose to be an employee. In America he has the right to create his own job and to pursue whatever enterprise he may choose. Does any Senator contend that that right is denied to people in America of every race, every creed, and every color? There is no discrimination in that regard. A man has such a right, whether he be a Catholic, a Jew, a gentile, black, white, striped, or yellow. He may enter into business for himself. He may become a lawyer, a doctor, a farmer, or he may engage in the mercantile business. He has every opportunity to create a job or a business for himself if he posssesses sufficient ingenuity and talent and is willing to expend the necessary energy.

The only other source from which jobs come is the ingenuity, the creative will, and labor of some person, or the capital which some person is enabled to invest in an enterprise, and the risk which that person may be willing to assume in establishing a business and providing jobs for others. It is there, Mr. President, that the discrimination in this bill lies. Instead of protecting the rights which people already have, this bill steps over the line and says to the man who has exercised his talents, his energy, his creative will, and has invested his capital in an enterprise which will provide jobs, "You may create this business, you may take the risks in connection with it, you may build this institution, but you may not control it. We will take away from you the liberty which you have heretofore known in free America. We say that you may create jobs, but we now tell you that you will not be permitted to select persons of your own race to work with you. You will not be permitted to select persons of your own faith to work with you. You will not be permitted to exercise the right of choice, the right of judgment, the right of decision, or the right in any way to choose any person in whom you wish to place confidence and trust."

Mr. President, this bill provides that it shall apply to any employer having in his employ six or more persons. That means nothing at all because once the bill has been enacted into law the next step will be a request to lower the minimum number of employees. I see no reason whatever for placing such a limitation in the bill. If there are practices of discrimination which justify the passage of the bill, the man who works in a place of employment where there are employed only five persons is just as much entitled to protection as is the man who is employed in a factory where there are five thousand people employed. There is no justification for limiting the application of the bill to an employer having in his employ six or more persons. However, Mr. President, we are asked to take away the right of such employer to select the person with whom he wishes to work, or the person in whom he wishes to place special confidence and trust. We are proposing to take such liberty away from him. For example, Mr. President, if I am the owner of a business and I decide that I wish to employ a confidential clerk, secretary, an expert accountant, or some other person in whom I wish to place my trust and confidence, and a Negro should apply to me for that job, regardless of whether he happened to be a citizen of my State, or as I interpret the bill, a citizen of the United States, and I did not give him the job, I would be violating the terms of this bill. That person could even come from Africa and apply for the job. For example, I say to that person, "No; I do not want you." He says, "I am competent. Here is my degree from college. Here is the record of experience that I have had for many years in other enterprises, and I submit to you, sir, that I am competent." If I tell him the truth—that I do not want to employ him because I prefer to employ some one of my own race in whom I have confidence, under this bill, and after having lived under a liberty which has always been mine under the Constitution of America, I become a potential criminal in the sight of the law.

The only way I could escape punishment, the only way I could keep out of jail, if I told the honest truth, if I simply told what I have related, would be by letting the Commission which is proposed to be set up issue its order, telling me the other man applied first, or that the other man had equal qualifications, and they would say, "You were truthful enough or honest enough to tell the truth." Whether I admitted it or not, they probably would know it on suspicion, and in my case the suspicion would be well justified. The only way I could escape would be, when the order or directive was issued, to discharge the man I employed and let a board in Washington, D. C., who know nothing about local conditions, who have no right under free and constitutional government to tell me that I must surrender my liberty, tell me who I must employ. But I would have to obey the order. If I did not obey it, I would go to jail.

Mr. President, that is a new type of liberty, that is a different brand of freedom from any ever referred to in the Constitution of the United States. Under the guise of fairness, under the guise of trying to prevent discrimination, as is said, under the very guise of upholding human liberty, liberty would be destroyed.

Mr. President, there are many who want to make this country over. America is not any longer good enough for them. Everything is wrong with it. They look across the sea and find some countries over there to which they point with such pride that we never hear them criticize them. They want now to discard and abandon and repudiate and make criminal the freedom which built America. They want to look to ideologies from across the seas.

Let me say this to them, "My friends, America today is what she is, America has been the mighty power which redeemed the world, which liberated countries much older than ours, because their systems do not produce." It is not possible to shackle man, to put him in the chains of a Federal bureau, to regulate

his life by totalitarianism, and get progress and get production. Human progress never came that way, and it never will.

Let me state what may follow in America as a result of such foolish proposals as that before us, with people disregarding the Constitution, disregarding the very basis of liberty which made this country what it is. Let me tell what may happen. We may soon lose the character which has sustained America and which built it.

Mr. President, I had the opportunity and the privilege last spring, shortly after VE-day, along with some of my colleagues, to visit the war-torn areas of Europe. I went into a number of countries in Europe, and I shall never forget what I saw there. I had not been on European soil 24 hours before there came to me a sparkling revelation. I had always heard of the great character of the people of a certain nation. I had never been across the ocean before. I had looked forward to going over there and seeing, as I thought I would, a strong people who had ideals, who believed in something worth fighting for. Instead, Mr. President, less than 24 hours after I had been there I said, "The people have no longer any national character, the spirit of the people is dead." It was pathetic, it was pitiful. They probably would prefer liberty, but the impression I got—and I do not think I am wrong, because I think the record of the war gives some indication, at least, some scintilla of evidence, that possibly my judgment is correct about it—was that they would be willing to have liberty and democracy, but they did not have the spirit America had. In my judgment, they did not have the spirit our other allies had, to make the sacrifice, to fight for liberty. They would not fight very hard for it now.

Mr. President, that is what will happen to this country if men's individual rights are taken away from them, if we destroy the incentive which has always existed in the United States. If I go out and produce goods and services, whatever they may be, having market value, I have the incentive or the possibility of some reward, some profit. The profit motive enters in, and when we take that out, our country will suffer.

I have said there are only three kinds of jobs, jobs men create for themselves, jobs other men create and make available to their fellowmen, and jobs which government provides. Whenever we pass laws striking down the incentive of the individual citizen to enter into enterprise and industry that is calculated to make jobs, whenever we strike that down to a point where a man will no longer have his freedom, where he can no longer exercise his judgment and individual will as to what is best for him to do—whenever we strike that down, we are retarding progress, we are destroying jobs, we are doing this Nation great harm.

There is only one other alternative. Whenever men will not venture to start new enterprises and expand and operate old ones because the risk is too great, because they cannot make the choice, because the Congress of the United States has taken away from them the liberty and right which are inherent in them under the Constitution, has taken it away from them and placed it in a board in Washington, I do not care what the virtue and character of the men may be, how honorable they may be, how sincere their purpose, how high their motives, when we strike that incentive down in an individual and place the authority in a board here in Washington, then we are destroying free enterprise, and when we destroy free enterprise, as I said a moment ago, there is only one other alternative for jobs, and that is for everyone to work for the state, and everyone then will become an employee of the state.

Does anyone think there could be a strike against the state? How long would one last? Any time the state is furnishing the jobs for all the people, as they are in other countries, there is no strike, not even one, not even the slightest threat of a strike. I think they have machines in those countries by which they could detect the threat of a strike. They would give a man only one strike. He would not get three strikes. Is that what is wanted in America? We had better stop this tomfoolishness. We had better not toy with it. It is fire, and we are going to get burned if we fool with it.

Mr. President, let me say something further in this connection. Make certain of this: The laws of retribution man cannot repeal. America has been great because it provided to the individual the greatest majesty and liberty ever known to mankind. Is there any desire to strike that down? That liberty cannot be retained by the constant passing of laws and more laws and more laws, for more regulation and more control, and more elimination of the individual will. That cannot succeed. Retribution will come. It can be postponed for a little while, but it will strike, and it will strike certainly, and then it will be too late. Liberty will be gone.

How long would it take to regain liberty? I do not know. Perhaps it could never be regained. America must keep her character strong, and her character will be no stronger than her will and purpose and desire to retain human liberty. It will never exceed it. The two go hand in hand. If we are not willing to fight to retain it, if we are not willing to face the threats, if there are any, we cannot succeed. There are not any threats in my State. There will not be a handful from there, in my opinion. I sympathize with other Senators. I heard our majority leader say that he is getting letters from his State threatening him. I compliment him for his courage. He said he would not yield to them, said he was going to do what his convictions told him was right.

Mr. President, that is the kind of courage required to retain liberty. The price of liberty is eternal vigilance. I do not have any problem like that. If I did have, I would do just what the Senator from Kentucky is doing. I am glad to know my people are with me on this issue. But let me say, Mr. President, that I would not be surprised if many Senators are not receiving protests. I do not say threats, but I say protests.

Mr. President, I should not be surprised if many Senators were receiving protests—I do not say "threats," but I say "protests." The Senator from Kentucky [Mr. BARKLEY] used the word "threats." But even if a letter threatens political reprisals, it is a protest as well. I shall not be surprised, Mr. President, if, as this debate continues, and as we take up this measure section by section and point out to the American people the inherent viciousness of it, the people back home, who are listening in, who are reading the RECORD and the newspapers, and who are studying the question begin to write to their Senators protesting this character of legislation.

Certainly the bill up to now has had an advantage because of the label on it, but one might as well label strychnine "honey" and prescribe it as such, and as being as wholesale, as to label this bill a "fair employment practice bill." The results which will come from its enactment into law will, in my judgment, be just as harmful.

Mr. President, I expect to discuss the bill section by section. I want the RECORD to show for all time that I have tried in my feeble way, as a humble servant of the people of my State, to warn my colleagues and the people of the country of the great risk, of the great danger, to our Constitution and to human liberty that now exist and the great tragedy that would result from enactment in law of this bill.

Mr. President, in connection with my discussion of this measure I want to make this statement. Of course the race issue is involved in it because of the very terms of the bill. The race issue is inescapable. But, Mr. President, aside from the race issue or the race problem which the bill raises, if there were not a black man in America, if they were all still in Africa, this bill is fundamentally wrong because it establishes by law, in violation of the Constitution, the right in the Congress of the United States to delegate power to a board to regulate the most intimate of a man's relations next to those between him and his church and his family. The Constitution guarantees to the individual the right to life, liberty, and the pursuit of happiness, and in the pursuit of happiness or in the exercise of his liberty he can engage in any enterprise he desires so long as that enterprise or so long as the pleasure which he seeks for himself and acquires for himself doe not interfere with his neighbor exercising identically the same right that he takes unto himself.

Mr. President, as I discuss the bill and express my views on it, I accord to the sponsors of the bill and to anyone who may vote for it every measure of sincerity and purpose to serve their country in seeking its enactment, that I claim for myself in doing everything in my power to prevent its enactment.

Mr. President, I do not believe that the idea of this bill was ever conceived originally by a United States Senator. I think its conception came from other sources. I do not think a United States Senator ever conceived it. As I recall, no such bill as this was introduced until after the President had created the first committee knows as the President's Fair Employment Practice Committee. After that many people got ideas, including

Senators and Representatives, and possibly this measure might be a great gesture. Some of those who conceived it may have been sincere. I ascribe sincerity to all of them. I do not say that anyone connected with it was insincere. The bill has an appeal which might deceive the most elect. Unless a man is on his guard, labels and trade names and catch-phrases can be used in such a way as to deceive him, so he would be willing to accept and sponsor something which he would not tolerate if he knew in advance what its consequences would be.

Mr. President, one of the newspapers of my State asked me to make a brief statement regarding this legislation for release in next Sunday's press, so I have prepared a brief statement which I now wish to place in the RECORD. It is as follows:

The pending so-called and misnamed fair employment practice bill is a vicious legislative monstrosity, conceived in the iniquity of political hypocrisy. Its enactment would constitute a devastating assault against human liberty. While it professes to safeguard and enforce alleged rights of some minority groups and individuals, it undertakes to achieve this by denying to employers the right of choice, decision, and judgment as to whom they may employ, whom they may discharge, whom they may promote, and whom they may select to serve them in positions of trust and responsibility.

Mr. President, before I conclude I shall discuss what passage of this measure actually would result in, the great power that it gives, exceeding any power ever delegated before in the history of this country to any board, to any agency. We have condemned bureaus and bureaucracy, but this bill, Mr. President, would set up a supergovernment with powers exceeding any powers vested in the President of the United States under the Constitution, with powers exceeding any powers that the States and the people have ever delegated to the legislative body, the Congress of the United States, with powers that supersede the powers of the courts of the land.

I continue to read the statement:

The measure sets up and establishes a board, a superbureaucratic agency, and vests it with powers of totalitarian rule over the business and economic life of the Nation—powers that would even permit this board to issue mandatory orders to the President of the United States; orders which the President would be compelled to obey and enforce. If the President failed or refused, such malfeasance in office would possibly, under the terms of the bill, justify his impeachment and removal from office.

O Mr. President, we are going far.

The American people need to be informed on this legislation and its inevitable consequences if it should become a law. The destruction of liberty that would follow in the wake of its enactment and enforcement fully justifies those of us in the Senate who recognize this danger in doing everything in our power, in making use and taking advantage of every parliamentary situation that may become available to us to prevent the passage of this bill. For that reason, I shall, along with a number of other Senators, continue to oppose and talk against it.

Yes, Mr. President, the American people need to be informed, and it is most gratifying to me that as this debate has progressed it has become evident that the people have become informed regarding the dangers of this legislation. That is gratifying to me, even though we must labor under the burden and under the stigma of conducting a filibuster.

Mr. President, when the present occupant of the Chair, the distinguished junior Senator from Georgia [Mr. RUSSELL] today engaged in a colloquy with the very able Senator from New Mexico [Mr. CHAVEZ], one of the chief sponsors of this bill, the Senator from New Mexico admitted, that there had been disclosed to him by reason of the argument made here in the debate that has been conduucted for these four or five days, that the bill contains defects, that it needs amendment, that it ought to be revised, I was most gratified. The same thing occurred again on the floor of the Senate this afternoon. The Senator from Oregon [Mr. MORSE], who is so enthusiastically in favor of the measure that he wants to have cots placed in the lobby so 49 Senators may stay here all night, and who perhaps wants to feed them sweet milk with a spoon, who wants to keep them here so he will hold a quorum present to compel continuous debate by those of us who oppose this legislation, in an effort to try to save human liberty—I heard the Senator from Oregon say, "Oh, yes; we have to amend the bill." How much more, Mr. President, will Senators be enlightened if they only remain in the Senate and listen to the debate. This measure needs exposition from now until the time when Senators who sponsor it become fully enlightened. I hope it will not take long; but whatever time it takes, Mr. President, I feel that it is a part of my duty and responsibility to my country—and I know that many other Senators share the feeling—to try to enlighten by colleagues. If I fail, I have but one other recourse, and that is to try to prevent them, in their inability and lack of foresight as to what they are about to do, from crucifying the liberty and freedom which make men majestic in America. I shall continue with that thought in mind.

Mr. MAYBANK. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. RUSSEL in the Chair). Does the Senator from Arkansas yield to the Senator from South Carolina?

Mr. McCLELLAN. I yield to my able colleague for a question, Mr. President. I am not yielding the floor.

Mr. MAYBANK. My purpose is to ask the Senator a question. He is making a great legal argument. Is it not a fact that a large number of cotton farmers in the South and a large number of laborers in the South are of the colored race?

Mr. McCLELLAN. The Senator is correct.

Mr. MAYBANK. Is it not a fact that in figuring the parity price of cotton from time to time the cost of labor has been denied the southern farmer?

Mr. McCLELLAN. There is no question about it.

Mr. MAYBANK. I do not know what the situation is in the Senator's State, but in most Southern States the majority of laborers are of the colored race.

Mr. McCLELLAN. That is correct.

Mr. MAYBANK. Is it not a fact that the majority of the colored people who own property own farms, and work their own farms? Certainly that is true in South Carolina.

Mr. McCLELLAN. That is true.

Mr. MAYBANK. Is it not a fact that recently the OPA desired to place a ceiling price on cotton of 24 cents as of next year?

Mr. McCLELLAN. The Senator is correct. Let me say to my friend that many of those in Government bureaus and agencies are clamoring for the passage of this bill. As the Senator has pointed out, through the OPA and by many other means they are absolutely undertaking to hold the South in a position of discrimination. When I say the South, I mean both black and white alike.

Mr. MAYBANK. I thank the Senator.

Mr. McCLELLAN. I point out to the Senator, as the Senator well knows, that for many years the South has been oppressed because of unfair, unjust, and discriminatory freight rates, which make it impossible for us to ship what we produce across the country on a basis comparable to that enjoyed by other sections of the country.

Mr. MAYBANK. Does not the Senator agree that in the South, as well as in the Southwest, discrimination in freight rates, discrimination in the price of cotton, and discrimination in considering the cost of labor in producing farm commodities affects not only the minority groups, as they are called, but all the people of that region?

Mr. McCLELLAN. Absolutely. When the proponents of the bill offer a little measure such as this—little in the fact that it hunts out little things to try to correct, insignificant things as compared with other conditions which ought to be corrected—they are simply straining at a gnat and swallowing a camel. They seek to correct little things, but the power which it is proposed to use is tremendous.

Mr. MAYBANK. Mr. President, will the Senator further yield?

Mr. McCLELLAN. I yield to the Senator for a question, without prejudice to my right to the floor.

Mr. MAYBANK. Is not the preponderance of the population of the South engaged either directly or indirectly in agriculture?

Mr. McCLELLAN. The Senator is correct. There is no question that if the shackles of discriminatory freight rates were removed from the South, the South could become the greatest section in this Nation or in the whole world. We have been made the victims of prejudice, abuse, and slander, and of measures which undertake to retard our people and deny us the opportunity for equality in our economic system. If the Congress wishes to do something for the colored people in the South, let it remove the discriminatory freight rates and give us our economic freedom. We will take care of our problems. We have no race problem in the South.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McCLELLAN. Just a moment, and then I will yield.

There is no race problem in my State. The only race problem down there is in the minds of people in other sections of the country who do not know a thing about it. It is imaginary. We get along fine. The bill refers to "domestic strife and unrest." Such strife and unrest do not exist, but the way to create them is by the left-handed means of ignoring the Constitution and imagining that the South is a stepchild which needs to be reformed. The South does not need to be reformed. Take the economic chains off us and turn us loose, and we will be there at the finish of the race.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield to the Senator from New Mexico for a question.

Mr. CHAVEZ. If the Senator will indulge me very briefly, I agree with the many things which the Senator has stated. I agree with his statement as to discrimination in freight rates; and I will join the Senator from Arkansas, any time he is ready, in an effort to relieve that situation. I know that economic discrimination exists against the South and the Southwest. But, Mr. President, there is another discrimination against the South. I refer to political discrimination by our own party, the party of the Senator from Arkansas, and the Senator from New Mexico. One needs only to attend a national Democratic convention and dare to present the name of a good man from the South for President, to see how far he will get if he comes from below the Mason and Dixon's line. I know that the South has many men who could be fine Presidents of the United States if they were nominated by the Democratic Party. The Senator from Arkansas knows that that condition exists.

Mr. McCLELLAN. I thank the Senator from New Mexico. Let me say to him that I know that the condition to which he refers exists. As soon as those who are dominating the politics of this country and who entertain that sort of prejudice against the South learn that many people in New Mexico came originally from Arkansas and other places in the South, I doubt if a man from New Mexico will have a chance, unless this prejudice can be removed.

Mr. CHAVEZ. I know he will not.

Mr. McCLELLAN. It ought to be removed. While we are on the subject, I wish to make some comment on it.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield to the able Senator from South Carolina for a question.

Mr. MAYBANK. I ask the Senator from Arkansas if it is not a fact that the records show that the lowest per capita income of American citizens today is that of the American farmer as a group.

Mr. McCLELLAN. Yes; we all know that.

Mr. MAYBANK. Is it not a fact that most of the colored people in the South who own their own businesses, or are working for themselves, are farmers?

Mr. McCLELLAN. The Senator is correct.

Mr. MAYBANK. Would it not be better for the Congress of the United States to appropriate sufficient funds, or to discuss a method for the relief of the farmer, rather than to discuss the merits or demerits of this bill, if the bill should come before us for discussion other than through amendments to the Journal?

Mr. McCLELLAN. I have already stated that I believe this is the most vicious and pernicious legislation that has ever been presented in this body. I should like to use stronger terms. Certainly there is not a bill on the calendar, not a bill in committee, and not a bill which has been introduced which I would not rather see enacted than this measure.

On the question of prejudice, inasmuch as the racial issue is inevitably involved in the discussion of this measure, I wish to disclaim any prejudice against the Negro race. I have lived in the South all my life. My people never owned slaves, so far as I know. Back through the history of my family my people were tenant farmers until my father became a country school teacher. He went to school after he became 17 years of age, until he was able, by working during the day and studying at night, going to school 2 or 3 months out of the year when he could afford to do so, to obtain what is known as a second-grade school-teacher's license. Later he obtained a first-grade license, because he continued to apply himself.

When I was 12 years old he became a country lawyer. We did not own any land until after he became a country lawyer. So far as I know, no one in the family owned any land.

So, Mr. President, I do not feel any prejudice against the Negro race. I have known their problems, and I have known the relationship which has existed during all these years between the Negroes and the whites in my State. I have never had any personal difficulty or quarrel with members of the Negro race. I have never had litigation with them. After I became a lawyer I defended many of them, under circumstances in which I incurred the ill will and risked the threats of white men of means. But I defended them without charge. I recall so well many cases of that sort.

Mr. President, I do not wish to see the Negroes oppressed. What I do want is segregation of the races. We in the South do not wish to have social equality between all races, so that we would be compelled to surrender our right under the Constitution to associate with those of our own race if we choose to do so. We do not wish to have that barrier stricken down. We do not wish ever to see the amalgamation of the black and white races occur. We shall guard against that, Mr. President; we shall protect the integrity of our race all we can. There is no prejudice against the Negroes. We want them to prosper. We want them to have jobs. So far as I know, in the South the Negroes have every opportunity which anyone else has. Some persons say, "Well, you in the South do not make one of them your confidential secretary." No, Mr. President; we do not. We are not going to make them our confidential secretaries up here, either, if we can help it. Let me say to the Senators who are sponsoring this bill, let me say to those who say they have committed themselves to favor it, that they are rather late about beginning to practice what they preach. If I believed in it as they say they do, I would employ a Negro in my office, even if it was the last thing I did. I would get one there before I came to the Senate Chamber; I would not even answer a roll call here until I employed a Negro to work in my office, if I believed in doing what the sponsors of the bill advocate. But I am not going to practice that.

Mr. President, the religious issue also is mentioned in connection with the bill, for it refers to race, creed, color, or religion. Mr. President, I am a Baptist. I am one of the real Baptists; I am the sort of Baptist who believes that once you hook your caboose onto the Lord's heavenly train it stays there. Do you know what I mean? I believe that the Lord saves you only once, and that if He saves you He does a complete job of it. That is the sort of Baptist I am. That sort of doctrine is adhered to by a religious group or sect of people among whom some persons who are prejudiced against other religious denominations are sometimes to be found. Therefore, Mr. President, some persons might assume that I would be prejudiced against Catholics. But that is not true; I am not prejudiced against Catholics. In 1939 I was invited to join one of the oldest, longest-established law firms in the southern part of Arkansas. I joined that firm. I joined it knowing that every member of it was a devout Catholic. I found my relationship with them fine. I enjoyed it. I never had a finer relationship with any of my fellow men. Mr. President, I am just as tolerant as anyone. I joined that firm in spite of the fact that it might have been said that by so doing I would be jeopardizing my chances for election if I ever ran for office again. I am not afraid of that. As long as we do right, Mr. President, we had better accept defeat rather than sacrifice our convictions. Mr. President, during the war, when our boys were overseas fighting and dying for this country, I thought that any Senator who would stop following the dictates of his conscience or would let the threat of political defeat influence his vote or deter him from doing his duty would not be worthy of his office. What of it if I lose in a political campaign, Mr. President? Ah! If I have stood for the right, I need have no fear, for then I shall have performed the service I owe to my fellow man, to my God, and to my country. When we do that, what can others do to us? Our boys died to preserve that right, and no threat of defeat in a campaign will deter me from it.

No, Mr. President, I have no prejudice against anyone's religion. I accord to everyone the right to believe whatever he chooses. I accord to everyone the right to disbelieve anything in which I believe. I can be tolerant. I condemn no one for any religious view he may have. I do not even condemn the people of whom we have read who believe that

they ought to play with snakes. I do not want to play with snakes; you will not catch me touching one. If they can play with a snake and get to heaven by twisting one around the neck, God bless them; let them go. They will not have any interference from me.

No, Mr. President; I am not prejudiced. Many people are prejudiced against Jews. I cannot say that I am. I have never had a quarrel or any difficulty with a Jew or with anyone of the Jewish race. I do know and I do recall with great satisfaction and much gratification two Jews who befriended me, who did for me as much as my own father could have done, and I will ever be grateful and indebted to them and I will revere their memory as long as I live. One of them has passed on to his reward. I shall never forget them. My association with both of them occurred in the period when I returned from the First World War, after I was discharged from the Army. At that time I was broke. I had been in the hospital for 4 months. I came out of the Army walking with a cane. It took me some time to become readjusted. I had no assets. I was only 23 years old, and all on earth I had that was worth anything to me at that time was a license to practice law. I had many debts and many liabilities; I was in that embarrassing situation. My friends, it was a Jew, and the only Jew in my little home town, who was the first person who, knowing my position, came to me and offered me his confidence and his faith. He said to me, "Come into my store and select from my stock the best I have. I believe in you and I know your situation is temporary." Ah, Mr. President! There is no prejudice in my heart against a Jew.

Six months later I went to the county seat of an adjoining county and started to practice law. I had to buy a law library on credit. Ah, Mr. President! Again it was a Jew who offered me the most assistance, the most counsel, who almost took me into his arms and helped me, a young man, to get a start. So, Mr. President, there is no prejudice in my heart against any man.

But I do have pride in my own race and I do have a choice in my soul as to those with whom I associate, and when and where and under what circumstances and in what relationships. I do not wish to have it destroyed by the Congress of the United States, and I do not wish to have it destroyed by the arbitrary rulings of some bureaucratic group the Congress might create. That is why I am standing here today. I do not believe the American people want it destroyed. I am not talking for myself personally, although I am willing to do so. No, Mr. President; I have no prejudice against the Negro race, against the Jews, against the Catholics, against anyone else. I accord to them every right which I take for myself. If they have a church or a society or an industry in which they wish to have only persons of their own race or faith, I would not interfere by asking for employment there, and I would not expect it. Every American wishes to be free to have that right. If we destroy that right we destroy the liberty which has made America great.

Mr. President, I wish to say something else for the RECORD. I do not like to refer to this, but I would not want by my silence to permit the RECORD to stand in such a way that there could be any possibility that in the future, whether in the immediate future or in the years to come, someone who read the RECORD made here by one of my colleagues the other day could gain the impression that there were other Members of the Senate, or at least the Senator from Arkansas, who subscribed to any idea similar to the one which then was expressed; in other words, Mr. President, I do not wish to live surrounded by neighbors who are Negroes. I do not want to be required to live in the same apartment house with Negroes. I do not wish to buy a home in a Negro district and take my wife and children to live there. If that is prejudice, I am prejudiced. I want to be free to exercise my choice as an American. If I wished to live in a Negro district, I maintain that the Congress would have no right to prevent me from doing so. If I do not wish to live in a Negro district, I maintain that the Congress has no right to require me to live in one. The Congress has no power under the Constitution to compel me to live where I do not wish to live. That is true with reference to my work. I have created it. If I can furnish employment to a person I have created something. He has no inherent right or interest in what I have created. I have the control of it as long as I am a freeman. I have a right to discriminate. Mr. President, when I use the word "discriminate" I mean to use it in the sense that it is used by most men, namely, a discriminative mind, a creative mind. Men who do not discriminate, men who are indiscriminate, men who do not have ambition and are indifferent, make no contribution to the world. They never create jobs. If I create a job by my work, industry, ingenuity, investment of my savings or capital, and assumption of the risk of making a profit or a loss, I have the right to say who shall stand in an employee relationship to me and help me in the pursuit of my liberty, help me in expanding the business, and help me in creating other jobs which will be a blessing to humanity.

Mr. President, I am not prejudiced, but I want my freedom. I want to retain it. We shall not be retaining freedom in America by establishing such an agency as is provided for by the pending bill. If such a bill is ever passed we will rue the day on which such a vicious bill was given our approval.

Mr. President, before I conclude my remarks I wish to discuss the bill section by section. I have covered many of the general aspects of it, but I wish to read it. I wish to point out what the bill will permit being done. Then I shall show that no man can correctly deny that the bill is destructive of liberty.

Before finishing I intend to advert to the remarks which I made in connection with the consideration of one of the appropriation bills which was before the Senate in June 1944. At that time we were considering appropriations for war agencies. As I now recall, in the bill which was then under consideration there was contained a $500,000 appropriation item for the operation of the present Committee on Fair Employment Practice. Before I conclude, I expect to read excerpts from my remarks because I then gave the warning that if we approved the requested appropriation the time would come when we would be in the same situation which the Congress today faces, namely, that we would have to fight with all our strength and might in preserving the Constitution and the liberty of the people. After a bill of the character of the one now pending is passed and enacted into law it is only a step before all our liberties will be stricken down.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. WHERRY. Mr. President, I ask unanimous consent to be excused from attending the session of the Senate next Friday afternoon.

The PRESIDENT pro tempore. Without objection, leave is granted.

Mr. McCLELLAN. Mr. President, I do not wish to longer keep my colleagues here in the Senate. I can continue indefinitely if the Senate desires me to do so.

Mr. WHERRY. Mr. President, no Senator has a higher regard for the Senator from Arkansas than have I. I am glad to listen to him. I wish the Members of the Senate to know that I have taken a vital interest in the discussion which has taken place in the Senate. I have appreciated not only the speech of the Senator from Nebraska, but the speeches of other Senators, as well, who spoke on that side of the aisle. What I have said comes from my heart, and I want the Senator from Arkansas to know it.

Mr. McCLELLAN. Mr. President, I thank the Senator most kindly.

As I have already said, I wish to read from the bill. I will read the first section of it because it lays the premise for the so-called need of legislation of this character. By passing the bill the Congress will be saying that it makes and determines a finding of fact which justifies the enactment of the legislation. Let us see what the bill says.

Section 1 of the bill begins as follows:

The Congress finds—

Mr. President, that is a determination. It is assumed that we have made an investigation and have informed ourselves. We are making a finding—

that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foments domestic strife and unrest.

Mr. President, I deny that any such practice as is referred to in the language which I have read exists to the extent or to the degree that by reason of it there is any strife or unrest in America which may be attributed to that cause. I invite attention to all the strikes which are now threatening the very lifeblood and economic blood of this country, threatening to close down all industries of the country, and are threatening to result in hungry people because of their inability to obtain meat, and services of transportation. Why do those strikes exist today,

Mr. President? Is it because of race differences or race discriminations? What is the reason for them? I can tell you one of the reasons for them. One of the reasons is that the Congress delegated powers which are now being used in the form of force in order to bring about settlement of labor disputes. I am not attempting to place any blame on anyone, but I do assert that there must be found some legitimate and fair means of making it impossible for any minority group in this Nation to cause all the American people to suffer merely because some among them may not be able temporarily to have their way.

What I have said, Mr. President, applies just as much to management as it does to labor unions and labor leaders. I am speaking of all of them. I am talking about a tragic situation which now exists in America. The Senate of the United States should be endeavoring to find the answer to that very vexing problem and unhappy condition which is threatening the economic life of this country. That, Mr. President, is what we members of the Senate should be doing today. There is talk of peace. Mr. President, there is no peace in America today. There is turmoil, strife, and unrest. But those conditions do not exist because of the things which are stated in this bill. No such condition as is referred to in this bill has caused strife or conditions which threaten America today. I deny the premise upon which this bill is predicated. I deny that there is strife now existing because of race, creed, or color. I know of no strife between Baptists and Catholics. I know of no unrest with regard to either of them. They have lived together in this country ever since our Constitution was adopted, ever since the country was settled. Each has his own views, and pursues his own course in the search for liberty.

If Congress has the power to pass such a measure under the guise of removing a burden hampering or interfering with commerce, if we can pass a law like that, Mr. President, I say that we can make a Catholic priest employ a Negro Baptist preacher as his assistant. If we have the power to do one, we have the power to go a little further, and it is like a snowball rolling down hill, the further we go the bigger the power gets, the further it reaches out, the more it drags in, the more it embraces, the more liberties will be lost.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. RUSSELL. I should like to ask the Senator, while he is discussing this preamble or statement of facts, if the Senator does not know that the Supreme Court has held that it cannot go beyond the declaration of facts Congress has approved and supported, that it cannot inquire into the truthfulness of it, and that this is just an effort to have us declare a statement of facts that is not based on facts or truth in any regard, in an effort to give this monstrosity some standing in a court of law as being constitutional.

Mr. McCLELLAN. Of course, that is the purpose of it, and that is why I am discussing it. I am denying that such a condition exists. I should like to hear the authors of the bill point out where that strife is today, where the unrest is. Everyone knows where the turmoil is, the fight over increasing wages, a fight between management and labor. Creed and color and religion have nothing in the world to do with it. The turmoil in America today is over the almighty dollar. We can say that the laborer wants an increase in wages, and management wants to keep more profit. That is the controversy in America today. Congress has not set up adequate machinery to prevent that turmoil from developing, and find a way to restore orderly relationship between industry and management and labor. That is the great need of this hour.

Mr. President, I make that statement without pointing a finger of accusation in either direction. I merely look upon the helpless American people, who will have to suffer if this condition continues; and it will continue, in my judgment. The threat is that it will continue until and unless Congress finds an answer, and passes some legislation which will enable government to function and bring about a settlement of these disputes.

Mr. President, the Congress or the Senate would not contribute anything by this character of legislation. I am not criticizing anyone for bringing it up. I am not criticizing the manner or the time of bringing it up, insofar as it was brought up under some misapprehension that it would not be brought up at that time. I am criticizing no one for that. Misunderstandings arise, and sometimes there are other influences. My understanding is—it is a rumor, and I have not verified it—that the sponsor of the bill, who brought it up, although he possibly had not intended to at that time—and I am not trying to make a statement in his absence—had not intended to bring it up that day, but I think possibly he recognized that if he did not, someone else would grab the ball and run with it, and he brought it up in self-defense. If he acted on those considerations, I should not object. What I am saying is that, with the Nation in the throes and grip of strikes, which are about to paralyze our industry, to throw millions of people out of jobs, and cause millions to go hungry, unless the strikes are stopped quickly, we find ourselves in this situation, and I would never be a party to delaying action on most any bill, except one I regard as vicious as the one we are discussing. I shall do my duty as I conceive it to be, in keeping with the fact that I have taken an oath to defend the Constitution of the United States, and that oath binds me to use every legitimate means available, as I started in the beginning of my remarks. I wish we could lay the bill aside, but we cannot.

Mr. President, the preamble, in an effort to lay some premise or justification for the enactment of such legislation, after saying that the practice of denying employment because of race, creed, color, national origin, or ancestry, foments domestic strife and unrest, says that it "deprives the United States of the fullest utilization of its capacities for production."

Mr. President, I believe every man in a minority group in America today who wants a job can get it if he seeks it. Perhaps he cannot get just as big a job as he had last year, or with quite as much "take home" pay, as it is called. That may be true. I do not get as much "take home" pay, if we are talking about that. Our salaries have not been increased. The cost of what we buy, the cost of every manufactured article, has been increased, and we do not have the same "take home" pay. In addition, our taxes have been increased.

I know it is true in my State that there are some thousands who are drawing unemployment compensation, and I appreciate why they do that. They worked in the war plants, and when the war was over and they were laid off, they figured, as we might in the same situation, "These other fellows who were working were laid off and are drawing their unemployment compensation, and why should we not do so?" They are doing it, and are not going back to work until they are through drawing it. Is that making the fullest possible utilization of our capacities for production?

Is that due to the alleged discrimination? No; it is under policies of Government and under laws Congress has enacted. Strikes might have something to do with the situation; they might increase unemployment, but that is by choice. If we did not have the strikes, and industry were permitted to run and operate today, there would not be any lack of utilization of the fullest power of production. The demand is here. The wheels of industry are ready to go to turning again to supply those demands. The trouble is not in racial differences. The trouble is not in religious differences. The trouble is not in the policy of employing any individual. It goes far deeper than that. Some are taking a mole hill and trying to make a mountain out of it in order to find some little measure of justification for pushing this measure, for incorporating some provision in the law which would permit the Supreme Court to sustain it as being constitutional. Therefore, we are asked to make that finding.

Mr. President, this has no more influence on the full utilization of America's productive capacity than does the fact that we pension our war veterans who are disabled. It has no influence whatsoever. The title of the bill is a misnomer.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. RUSSELL. Does not the Senator also apprehend that perhaps this question is being presented as it is in the bill before us, raising this issue that discrimination has been practiced and is responsible for the difficulties in which we find ourselves today, from a desire on the part of groups in this country which are seeking to array one group of Americans against another, one section of this Nation against another, to promote a feeling of class consciousness in this country, hoping that by accentuating

racial differences, class differences, and differences between sections of the country, they will be able to seize upon the unrest and the strife brought about from other causes and thereby accomplish their purpose in destroying our form of government?

Mr. McCLELLAN. Yes, Mr. President; and let me say, in answer to the Senator's inquiry and conclusion, as I have said, I make no charge of insincerity on the part of those who are sponsoring the proposed legislation, or who may vote for it, but the best answer to the question, and the conclusive proof, in my judgment, is that every man in the United States of America today who desires to change our system of government is for the legislation. That is the answer. A majority of the people in the United States of America today who wish to preserve liberty, in my humble judgment, are very much opposed to it, and more of them will be when they become informed. That is a real service, Mr. President, which I hope we are rendering to the country by the continuous discussion of the bill. The more radio commentators and newspaper columnists criticize and condemn us the better it will be. I wish the radio commentators would stay on the air all the time and direct the attention of the Nation to what is attempted to be done here. I should like to have all the people of the country as an audience as I discuss the bill, and confine my remarks directly to its provisions, and what the consequences of its enactment into law would be. I should like an opportunity to present the true situation to the American people, not that I believe or am under the illusion that I am the proper one to do so, or the one in this body best fitted to do so, and who could most effectively present the case, but I should like the privilege of pointing out to the American people what the bill will really do. I hope this discussion will continue, and that the radio commentators and the newspaper columnists continue their remarks, even though they do so by way of vilification or abuse of those of us who are opposing the legislation. I wish they would continue, and use any language they wish to use in describing us, and impute to us any motives they wish to impute. I want them to continue so that the American people may be aroused and will look into the merits of the legislation and will learn what will happen to them if it is enacted into law. They can render a great service to the country by continuing their criticism.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. RUSSELL. I should like to ask the Senator if, after all, there is not more of hope on the Senator's part that such a thing will occur than there is faith that it will occur? The Senator has not observed that those who have denounced us for opposing this so-called fair bill have in any instance had the innate sense of fairness which would prompt them to point out the defects of the bill which the sponsors of the bill have admitted on the floor of the Senate. Not once, to my knowledge, have these radio commentators, in denouncing those of us who are attempting to educate the country as to the dangers of this measure, pointed out the invasion of the Anglo-Saxon jurisprudence that the bill would perpetrate. Not once has one of them pointed that out. They talk about it as a bill for the welfare of the American people, but not once have they pointed out that this measure would charge this agency with the responsibility for finding employment for aliens whom they might charge were discriminated against, and therefore, there being only so many jobs, that would result in discrimination against American citizens. Not once have the sponsors pointed out any of the other frailties of the bill, many of which have been admitted here on the floor of the Senate. On the contrary, they have merely said that there was a group of men attempting to filibuster against a bill to assure fair employment, a policy which every person favors in general terms, even though we might not be willing to strike down the rights of the individuals of this country by enactment of what some might denominate a fair employment practice bill.

Mr. McCLELLAN. Mr. President, that is just what I am trying to emphasize. I am not critical of any particular radio commentator, announcer, or newspaper columnist. I can well understand that their views, just like the views of others, will often conflict with mine, and I accord to them every right of freedom of speech and freedom of thought and freedom of conscience that I take unto myself. I am not critical of them. I do not mean to criticize them. What I am saying is that I hope they will continue their blasts on the radio, even though they impugn my motives, even though they may want to call names. I want them to continue and to say anything to arouse the American people, to get the interest of the people concentrated on this matter, get the people to listen to what they have to say about it, to read about it, and to take counsel as to what this vicious thing would do to them. If they only do that, they will be performing a service to their country. The fact that in doing so they may indulge in criticism of some of us makes no difference to me. I am never worried about what people say or write about me. I have always thought somewhat along the line of the philosophy of old Hambone that "Half the lies they told on me wasn't so nohow," so I let them do their worst.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield for a question.

Mr. MAYBANK. The Senator recalls the case of the Dallas News. The testimony given before the Appropriations Committee was to the effect that no complaint was brought against the Dallas News by any individual, but that certain employees of the FEPC believed it to be their duty to scan the newspaper advertisements and determine whether, in their opinion, any of them violated FEPC regulations.

Mr. McCLELLAN. I understand the Senator to refer to the case of the Dallas News in which an advertisement was placed in the newspaper for colored help, and the FEPC undertook to prosecute that newspaper under authority of the Executive order.

Mr. MAYBANK. Without any complaint being issued; yes.

Mr. McCLELLAN. Yes; without any complaint being made.

Mr. MAYBANK. The employees of the FEPC scanned the newspapers, and they construed a certain newspaper advertisement to be, in their opinion, unfair. There was no complaint made, however, as I remember.

Mr. McCLELLAN. No complaint was filed. These employees of FEPC simply took it upon themselves to prosecute. While such action may or may not have been legal under the Executive order, I say that such action would be legal under the provisions of this bill. No one could advertise in a newspaper for a colored porter, or for a white bookkeeper or stenographer or secretary without violating the provisions of this bill.

Does America want anything like that? I challenge any Senator sponsoring the bill or supporting it to deny, or to make a presentation which would convince any reasonable-minded man, that I could advertise for help and in that advertisement make any reference to color, religion, race, or ancestry. Under the bill I could not advertise and say I wanted a white man, or that I wanted a black man. I could not say I wanted a Baptist to join me and help me in my business. I could not say I wanted a Jew so he could help me become acquainted with all the Jews in the neighborhood, the community, the trade area. I may not have a Jew in my employ, and might want one, but I could not advertise for one. If I advertised for a Jew and the next day a man applied for the job who was not a Jew and I turned him down, or if I advertised for a white man, or if I advertised for a black man, or if I advertised for a Protestant, or advertised for whomever I wanted to employ, and then turned down an applicant whom I did not want, I would be guilty, under the terms of this bill, of the rankest discrimination. I would also be subject to the penalties which it provides if I did not obey the order and the mandate of the Commission proposed to be set up. I would be cited to show cause why it should not issue against me an order compelling me to desist from doing what I was doing. That is not all it would do. If I did not obey that order I would be sent to jail. Is that what we want in America?

Mr. MAYBANK. Mr. President, will the Senator yield further?

Mr. McCLELLAN. I will yield for a question.

Mr. MAYBANK. Does not the Senator believe that the interpretation placed on its powers by the FEPC in connection with the Dallas News case also would apply to the radio, and to any advertisement that might be made for persons to sing over the radio or for employees in radio studios?

Mr. McCLELLAN. There is no doubt about that. The Senator from South Carolina pointed out that no complaint was made in the Dallas News case, that no charge was filed, that it was simply a case of busybody snoopers, official pests

who were authorized to run around over the country and pry into other people's business. That is what will result from this bill. There is no limit to the number of persons who might be employed in doing things of this kind. There are no qualifications provided with respect to those who may be employed, examiners and investigators who would go into the field. These investigators who will be sent out to harass and intimidate the American citizen, the American business man, the American employer, the American farmer, and members of school boards throughout the Nation, county officials throughout the Nation, municipal officials throughout the Nation—these investigators will be the judges, the juries and the convicters. Make no mistake about that, Mr. President. This Commission will sit here and its members will each draw a salary of $10,000 a year, as much as is paid a Senator or Representative. They will not review the cases.

The Commission could even appoint the Ladies Auxiliary of the Negro Methodist Church down in Pumpkin Valley, in the hills of Arkansas, to serve as an investigating agency and make a report to it. Read the bill. Any agency can be named. What is an agency? The bill says "The Commission, or its duly authorized agents or agencies." The bill would give such agents or agencies the power to harass and intimidate anyone they desired to harass and intimidate. The Commission would be given the power to name any sort of an agency to try a defendant. The Commission would not try him. The men whose names would be submitted to the Senate for confirmation, and who would finally receive Senatorial approval, would not try a defendant. There would be literally thousands of cases. The members of the Commission would never see the record, except long enough to sign their names approving what the investigator had reported.

Mr. President, make no mistake about it. If this measure is enacted into law the liberties, rights, and freedom of American citizens will hang by a slender thread. No qualifications are required in the case of agents of the Commission. No Senatorial confirmation is required. It would be the agents who would say whether an offender should desist, or make restitution of back pay. They would be the ones to say whether an employer should keep this employee, or discharge that one.

Mr. President, I wish the American people could see the implications of this bill, and that what will happen if it becomes a law could be revealed to them. If Senators could see a few months ahead, or 3 years ahead, in my judgment not a single Senator would be willing to support the bill.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield for a question.

Mr. MAYBANK. I should like to ask the distinguished Senator from Arkansas whether or not he believes that the OPA, through its investigators, violated, in essence, the Constitution as we know it, in subpenaing books and snooping around from place to place.

Mr. McCLELLAN. Mr. President, I am not familiar with all that the OPA has done. I do not wish unduly to criticize that agency. I believe I am familiar with a few cases in which the OPA, or its agents and investigators, have gone far beyond the bounds of propriety and beyond the requirements of the full discharge of their duty.

Mr. MAYBANK. If the Senator will further yield, I might make this explanation: I thoroughly agree with the Senator that in many instances the OPA acted properly, but in some instances it did not. I ask the Senator if those who were in charge of the cases in the OPA were under the Department of Justice, or whether their appointments had the approval of the United States Senate.

Mr. McCLELLAN. Of course not. The same thing would be true of the agents of the proposed organization. People are thinking in terms of a board, confirmed by the Senate. The Commission is expected to be the jury. It is said that they will be good men, whose integrity will be beyond question, because the Senate will confirm their nominations. But, Mr. President, the Commission will not try an alleged offender. It is the little investigator who will try him. The bill does not provide that all the investigators must be paid. I suppose volunteer investigators could go out and harass people, as has been done in the past.

Mr. MAYBANK. In view of the fact that the Senator has answered my question in connection with the Commission, whose members are to be confirmed by the Senate, let me ask the Senator two further questions: Is it not a fact that the bill directs the transfer to the Commission of the present employees of the FEPC? And is it not further a fact that, regardless of what our personal opinions might be about the OPA, which has done a great job in some lines, as we will admit——

Mr. McCLELLAN. I agree with the Senator. I was speaking purely of the investigation powers under the law.

Mr. MAYBANK. I ask the Senator if he does not agree that, in the first place, under the terms of the bill the present employees of the FEPC would be transferred to the new organization, without regard to civil service and without regard to any laws enacted by the Congress; and further, that the investigation powers of the FEPC are "super-duper" investigation powers, which the OPA tried to invoke?

Mr. McCLELLAN. That is true.

As I have stated, before this debate concludes I expect to discuss every section of the bill. I cannot do less, Mr. President, unless I know that the bill will be defeated. I feel so deeply that I believe I am in duty bound, under my conscience and my oath, to do everything legitimate within my power to prevent the passage of this vicious measure. That I intend to do, insofar as I have the strength and am able to do it, under the rules governing the procedure in this body.

I have not referred to many provisions in the bill in answer to the Senator's questions, because, as I say, it is my intention before the debate is concluded to discuss every provision of the bill. I say that because I do not want this record closed without my having done my best to call to the attention of my colleagues—both those who are willing to listen and those who cannot be present, but who are willing to read—every opinion which I entertain and can express in my earnest effort to interpret the measure in terms of its practical effect on the American people. If I were to do less, in my judgment I should fail to meet my full responsibility.

Mr. President, in connection with the first section I had proceeded as far as line 9, ending with the word "production". Section 1, under the heading "Findings and declaration of policy," declares that the alleged discrimination exists—and the Congress must make such a finding—to the extent that it endangers the national security and the general welfare.

Mr. President, is this country in any danger? It is not in any danger because I choose to have a white man or a white lady as my secretary. I am not interested in the question of religion. I am indifferent to it. A Catholic is all right. A Jew is all right. They would not be obnoxious to me. It would be a pleasure to have a good Jew citizen in my office. But I do not want a Negro secretary. That is my business. I have my own reasons for it. I could give 10,000 reasons. That is a right which I possess as an American citizen, and under the Constitution that right cannot be taken away from me.

There are reciprocal rights under the Constitution. A person has a right to seek work; and if I create the job I have a right to say, "No; I choose the other man." If I want a Baptist, a white person, or even a colored person in the job which I have created and for which I am responsible, I have a right to say so.

Mr. EASTLAND rose.

Mr. McCLELLAN. I yield to the very able Senator from Mississippi.

Mr. EASTLAND. The Senator has answered my question.

Mr. McCLELLAN. Mr. President, the national security is not threatened by reason of what has been alleged. A while ago I spoke about what was threatening it. The Congress had better get busy. Members of Congress cannot escape their responsibility. We cannot absolve ourselves from blame which will rightly attach to the Congress if we sit here and spend our time on the most highly controversial measure that has ever been introduced in the Congress, in my judgment, to the neglect of more important things—first things. I cannot escape my responsibility. Neither can any other Member of Congress; nor can we collectively escape our responsibility. We shall be compelled to accept some of the blame.

Irrespective of the divergent views among us, I believe that every Member of this body realizes that some legislation is needed to settle the real strife and turmoil which exists in America and which is endangering the national welfare and security. At least, the President of the United States says that he needs legislation, and has recommended legislation. Senators may not agree with him. That is not the question.

But every Senator recognizes the compelling necessity of this hour. Yet, Mr. President, we are willing to spend our time on this measure, when everyone, from the President of the United States on down, knows that it is most controversial.

The President was formerly a Member of this body at a time when this question was previously fought out. He has heard us speak individually. He knows the sentiments of many Members of this body. Everyone knew that the very situation which now exists would be provoked if the bill were brought forth. There might be a proper time to settle it. There might be a proper time to bring in the cots. There might be a proper occasion to make an endurance test of it and let the best men win. But, Mr. President, this is not the time to do it. We are neglecting important things, first things, things which are actually threatening the security of the American people, threatening to drive them to hunger, threatening to shut down the jobs and still the wheels of industry.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am very glad to yield to the able Senator for a question.

Mr. CHAVEZ. The Senator from Arkansas has stated that the President, a former Member of this body, knew what the situation was in the Senate with reference to the particular matter we are now discussing. That is correct, is it not?

Mr. McCLELLAN. Yes; that is what I said.

Mr. CHAVEZ. And does not the Senator from Arkansas also know that, notwithstanding that the President had that knowledge as a Senator, he still is in favor of the passage of the bill?

Mr. McCLELLAN. Mr President, I am still a freeman. The fact that the President favors the passage of the bill has no compelling influence with me. It may have with some persons, but I do not jump through the hoop, brother. [Laughter.] I have not yet reached the point where I have to do that. I have not done that for any other bill and I will not do it for this one. I love my party. I love the things which I was taught the Democratic Party stands for. I love the traditions of my country. I love the liberty and freedom which the Constitution of this country gives me. That is what I am fighting for.

I wish to impress upon the Senate that notwithstanding that everyone, from the President on down, who has any responsibility in connection with legislation and with the policies of our Government knew that this fight would be provoked, when the Congress reconvened there was no message before it urging it to give first consideration to and to take up for first action certain matters of vital importance. I am not criticising the President in that connection, for I say that we ourselves must take the blame because we can control the situation. The fact that no labor legislation was ready is no excuse. The President had recommended the passage of a bill with two main features. Any Member of Congress could have drafted such a bill and could have made sure that it was introduced. Such a bill is now in the committee, but it has not been reported from the committee. It is said that the committee has not had time to consider it. Well, Mr. President, the Congress had better begin to consider it. I am not saying that the bill is perfect, but I will state we could take up that bill or the measure introduced yesterday by the Senator from Virginia [Mr. BYRD] or the measure which my friend the Senator from New Mexico introduced sometime ago. If any one of those bills is brought up on the floor of the Senate, I am sure that if we talk as vigorously about them and work as earnestly on them and seek as diligently to find the real answer to the problems with which they deal as we have done in this fight, we shall arrive at an answer which will tend to eliminate, if not entirely remove, the turmoil, strife, and unrest which are threatening the very life of free enterprise in the United States and depriving American citizens of their inherent right to work and to live and to enjoy the richness and abundance of the bountiful resources with which God has endowed our great Nation. That is what we should be doing.

I accept my part of the blame for not doing it. I will tell my people the truth, Mr. President. I know it will be said, "Oh, well, you were told that the bill would be brought up as soon as the Congress reconvened." Yes, Mr. President, I knew that. However, I still regard myself as a junior member of this body. I have been here only 3 years. In view of the fact that it was known that the President favored specific legislation on the subject, I felt that those who were close to the President and the leadership of Congress probably would see to it that such a measure, or that one with at least some modifications, was reported, so that we could start to work on the real job which confronts us. I accept my part of the blame. I did not introduce such a measure. If I had, I could not have had it reported, but the leadership can and could have had some bill before us and we could have offered amendments and taken steps to enact a measure which would help solve the real problem now confronting the country.

Today, Mr. President, instead of being able to do that, I find myself compelled, as are many others of my colleagues, to do just what I am doing now, namely, to expend my energies and my strength in trying to preserve, protect, and prevent the destruction of that which I cherish more than I do a seat in the Senate of the United States. I am happy to be here representing my people, but I will not sacrifice my convictions in order to retain a seat here. A former Member of this body, now present in the Chamber, knows that after I had been here a few months and after I had voted on some highly controversial measures I heard references to threats of political defeat. I found that threats about political defeat were not coming to me from my home State, even though the majority leader told us they are coming from his home State on the pending bill. However, there were threats in the air. It is commonplace for Senators to receive from certain organizations threats of what they will do if the Senators to whom they are writing do not vote in a certain way. When that situation arose, I immediately returned to my State and said to my people, "I am willing to be a one-term Senator if I cannot vote my convictions to protect this country and keep people at work and try to prevent anyone from causing a lockout or shut-down during this war, at a time when our boys need the things which we at home should be making for them." I said, "If I have to pay the price of political defeat, my sacrifice will be nothing in comparison with the sacrifices made by your son and by mine."

Mr. President, if I did not have the courage and willingness to run that risk, I would not belong in the Senate of the United States. Arkansas would be entitled to better representation. The Nation would be entitled to better representation. They would be entitled to be represented by a man of more courage and greater vision.

Mr. President, I regret that we have to make this fight; but I repeat with all the force at my command that the threat at this hour to our national security and our national welfare is not the subject with which the pending measure deals. Even assuming there was justification for the pending measure—although there is not—nevertheless, we find that it does not seek to remedy the great problem which today confronts our Nation. The matters which are sought to be dealt with by the pending measure are not the ones which now endanger our country. Yet we find that this measure is preventing the consideration of legislation which is vital to the welfare of America.

It is said that this is a filibuster. Suppose it is. Call it a filibuster if you will; make the most of the term. Under the rules of the Senate of the United States a Senator can filibuster if he is convinced that a filibuster is justified. For years the rules have permitted filibusters. There have been filibusters before now. I do not know the history of all of them, but I do know that in many instances in the past filibusters have prevented the enactment of legislation which would have been a national disgrace. I hope we can achieve similar results in the present fight.

Mr. President, I have not even finished discussing the first section of the bill. The next clause upon which the necessity for enactment of the bill is predicated is stated in the bill as follows:

> The practice of denying employment opportunities * * * by reason of * * * race, creed, color, national orgin, or ancestry * * * adversely affects commerce.

Mr. President, what is it that adversely affects commerce? The bill tells us that it is "discriminating in employment against properly qualified persons by reason of their race, creed, color, national origin, or ancestry."

Mr. President, I do not know of anything of that sort that is hurting commerce in this country today. We are employing all the facilities at our command, and they are taxed to the limit. Is commerce in this country burdened or hampered? Is there anything in connection with commerce in this country today——

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield for a question.

Mr. MAYBANK. Is it not a fact that the freight rates interfere with certain commerce, and is it not also a fact that the tariff interferes with certain commerce?

Mr. McCLELLAN. Of course, that is so, Mr. President.

Mr. MAYBANK. Is it not also a fact that many of the discriminations against the South and the Southwest interfere with commerce—but not the FEPC?

Mr. McCLELLAN. That is correct.

Mr. President, no one is really concerned about the main problem affecting the South. They are not exercised about it. The solution of it can wait. It has existed for years. The people there will live over it and live under it. They will continue to suffer. But it is said, "Let us get at the race issue. We must reform the South." Mr. President, there can be no reform in the way which is being suggested in this bill. I have no objection to anyone associating in close confidential relationship with any member of the Negro race so long as he wishes to do so. That is his business. But I do not want to be told I must do it, and I do not want to tell anyone else they must do it.

Commerce has not been affected. We have able men in this body. We have men here who possess great wisdom. I use the word "wisdom" in the sense of statesmanship and ability to handle affairs of State. There are Members of the Senate who possess wisdom which is unexcelled anywhere else in this Nation. In spite of that fact I do not believe any Member of the Senate can take the first section of this bill and point to facts which would support its passage. If there are such men, let them cite the condition and let us see where they exist. We do not have any strife between the races. Commerce is not adversely affected by any strife between the races. If factories are closed by strikes, their capacity to produce will be lowered. No, Mr. President, let us not engage in any controversy of that kind. Let the Congress not lower its dignity, its integrity, its quality, and its stature by writing into a bill a finding of facts, or a statement of facts or conditions which do not exist. In justice to the American people whom the proponents of this measure represent, I challenge them to furnish the evidence of the state of facts or conditions which they ask the Congress to find to exist.

The second paragraph of the first section of the bill reads as follows:

> It is hereby declared to be the policy of the United States to eliminate such discrimination in all employment relations which fall within the jurisdiction or control of the Federal Government as hereinafter set forth.

Mr. President, unless the conditions can be established as a precedent and as a need for legislation of this kind, we are not justified in legislating in the way we have been asked to legislate. After the existence of this Nation for approximately 160 years, we find it necessary to legislate in order to put an end to practices, customs, and social relationships which have existed in this Nation from its inception. Our forefathers spilled their blood during the days of the Revolution in order that we might have a right to engage in the very practices which it is now proposed to eliminate by the enactment into law of the pending bill.

Mr. President, we have recently fought the greatest war in the world's history. Previously we went through what we thought was a tremendous economic depression. We have gone through all the struggles of a new nation, during which we built the greatest country in the world. Now we find we must start regulating and establishing policies with reference to a man's freedom in choosing those with whom he would associate in his business, and in the pursuit of liberty and happiness in this land of the free of which we so proudly boast.

Mr. President, if we start legislating a policy every time someone does not like the customs and practices which have grown up, or which have existed throughout the years of this Nation, then I repeat that it will be only the beginning of other legislation of a similar character. The next time the Congress meets there will be another bill to amend, to expand, and to grasp more power even than this bill will grant. Bureaucrats can never obtain enough power to satisfy them. They always want more. They are like the tiger that prowls in the jungle. Give it one taste of blood and it wants more. The same is also true with reference to those who want totalitarian rule. I shall not vote for such a policy as is embodied in the pending bill, because there is no need for it. In the matters covered by the bill the American people are getting along very well, indeed they are getting along exceptionally well. In the city in which I live, and in other cities throughout my State, there may be a Methodist Church on one corner and on the opposite corner there may be a Baptist Church. On a nearby corner there may be a Presbyterian Church. I mention those denominations because they have the largest following in my State. There is no friction between them. There is no friction between the races in my State. They are getting along very well. More trouble is being experienced with the Negroes in the North than down in the South. Look at the crimes which are being committed and have been committed. It is in the sections in which people who want to reform us of the South live that the greatest number of crimes are being committed by Negroes.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. CHAVEZ. The Senator from Arkansas is correct. I believe that the South is unduly worried about the affect which it believes this bill will have on the South. Trouble of the character mentioned is at a minimum in the South. But discriminations are being practised throughout the country, and they will eventually affect sections of the South.

Mr. McCLELLAN. I ask, If the discriminations of which the Senator is speaking do not exist in the South, where do they exist? Let us identify the locality in which they exist.

Mr. CHAVEZ. According to the reports of the Government agencies which have been studying the question, 80 percent of the so-called discriminations happened in other places than in the South.

Mr. McCLELLAN. Mr. President, I assume that the Senator got this information from reports, or that his figures are based on reports made by the existing Fair Employment Practice Committee. Is that correct?

Mr. CHAVEZ. That is correct.

Mr. McCLELLAN. I do not know what they have found, but there has not been so much the discrimination in the South, yet that is where the greatest Negro population is. Discrimination has not been found in the South because the whites and the Negroes there get along well when they are left alone. Take the Negro out of the South and put him in other sections of the country, where he is cuddled and made to feel that he is not only equal to but is superior to the white race, that he should have his rights, and that he has been abused and mistreated in the South, and he cannot be handled. That is when there is trouble, and notwithstanding the fact that the Senator says that 80 percent of the complaints were in other sections than the South, yet 80 percent of them, I think the Senator will find, were complaints with respect to colored people. We are getting along very well with them in the South, and we will continue to do so, and it is not because of intimidation.

I spoke earlier in my remarks about having defended them when I believed them innocent. The real white man in the South is the best and truest friend the American Negro has. We understand the Negroes; we have lived with them; we understand their habits; we realize their limitations; and we know their affections. Southern white people have appreciated the Negro race. I do not say that no abuses have occurred. Of course, there have been abuses, but they have been in isolated cases. Human beings are not perfect. Every man who lives in my State is not a law-abiding citizen. There are people who take advantage of a Negro, yes, because he is a Negro, and such a man would take advantage of his white friend across the street if he could. There are that sort of people, more or less, in every section of the Nation. But the truth is that today the best friend of the Negro race resides in the South.

Mr. President, there is no need for such a policy as is proposed. A legislative policy of this character is a departure from the traditions of this Nation, and it should not now be established.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. CHAVEZ. I should like to ask the Senator from Arkansas whether he cares to continue his discussion this afternoon or would he rather continue tomorrow?

Mr. McCLELLAN. Mr. President, I will ask, if I may, if the Senate takes a recess now, that I retain the floor tomorrow. It is not my purpose necessarily, however, to continue tomorrow at undue length, if others may be ready to speak, but before we reach a vote on the bill I hope that I may have the opportunity of actually taking it section by

section and telling the people of my State what its consequences and effects will be.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. SMITH. I should like very much to be able to speak on the bill. I have tried a number of times to speak on the pro side of it. I wonder what the Senator's view is with regard to holding the floor tomorrow, or giving some of the others of us a chance to speak. I merely ask for the privilege of enjoying my right, as a Member of the Senate, to speak at some time on the bill, from the affirmative side.

Mr. McCLELLAN. I do not control the time, except so long as I have the floor. I have just said that it would not necessarily be my purpose to try to occupy the whole day tomorrow, by any means. It may be that if other Senators desire to speak I shall be very glad, in the morning, when the session is resumed, to yield the floor. Of course, I have no control over who has the floor.

Mr. SMITH. I make the statement now that I expect, after the Senator completes his remarks tomorrow, to ask for the floor. I shall be on my feet, I guarantee, and if whoever is in the chair will look in this direction, he will see me standing here. The Presiding Officer has seemed to be unable to do so heretofore.

THE STEEL STRIKE—EDITORIAL FROM THE NEW YORK WORLD TELEGRAM

Mr McMAHON. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield for a question.

Mr. McMAHON. I ask unanimous consent that I may introduce something into the RECORD, and I ask unanimous consent that the Senator from Arkansas shall not lose the floor.

Mr. McCLELLAN. With that understanding, I am glad to yield.

Mr. McMAHON. Mr. President, last Saturday night an editorial was printed in the New York World Telegram bearing the title "The Steel Strike," referring to the strike which is now under way, and which was then in prospect. In my opinion the edtiorial states the case. Because of the importance of the subject; and because it is a succinct statement of the case, I ask permission to have the editorial printed in the body of the RECORD following my remarks.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE STEEL STRIKE

More than 700,000 steel workers are set to strike at 12:01 o'clock Monday morning.

Apparently nothing can now avert that strike except a change by the United States Steel Corp. of its decision yesterday to reject President Truman's proposal for settlement of the steel-wage controversy.

The CIO demanded a general wage increase of 25 cents an hour, then reduced the demand to 19½ cents. The corporation offered, first, 12½ cents an hour, then 15. Mr. Truman proposed a compromise, 18½ cents. The union agreed to that. The corporation refused.

We believe that in the few short hours before the deadline United States Steel's officials should consider earnestly Mr. Truman's strongly urged suggestion that they alter their stand and accept his terms for settlement.

It is true that he is asking them to accept a grave responsibility.

The difference between the President's proposal and the corporation's best offer is 3½ cents an hour. That sounds small. But the union's demand is industry-wide. What Big Steel grants, some 800 other steel and iron companies, big and little, will be expected to grant. And 3½ cents an hour added to the pay rolls of the whole steel industry would mean a huge increase in labor costs.

Nor would that be all. Mr. Truman says his proposal is not intended to set a pattern for all industry. But it would set a pattern if accepted by United States Steel, for unions would regard it as precedent for settlement of wage demands on many other industries. We have no means of judging whether the inflationary effect on costs and prices would be as serious as President Fairless of United States Steel says, but unquestionably it would be great.

However, the effects of a steel strike could be worse.

Steel is our key industry. If the manufacture of steel stops, while management and labor fight a finish test of economic strength, manufacture of everything made of steel or iron—from locomotives, automobiles and refrigerators to bobby pins, paper clips, and thumb tacks—soon will stop. Hundreds of thousands of people, not directly interested in the strike, will lose their jobs.

This country can't achieve prosperity and full employment by closing down plants. It can't pay the war debt or defeat inflation by freezing industry. The only formula for high real wages and sound business profits is volume production. And a long steel strike could destroy all hope of getting production into high volume for many months, and perhaps forever. We've got the best chance now we're likely to have.

If the CIO union had turned down President Truman's proposal for avoiding a steel strike and its consequences, the union would be in the national doghouse. If United States Steel insists on turning down that proposal, we believe the corporation will put itself in bad with what Mr. Truman has termed the greatest pressure bloc of all—the American people.

Steel strike or no, we think the tidal wave of strikes, now bringing this worst threat, absolutely proves one thing. That is, that government by men—even though the men are presidents of great unions, great corporations, and a great nation—has not solved and cannot solve the problem of labor-management relations.

For that we need government by law. We need a rule book, instead of the maneuvering and improvising and temporizing that takes us all to the edge of a cliff, and maybe sends us over. And it's the job of Congress to write the rules.

THE BATTLE OF RAPIDO RIVER, ITALY

Mr. O'DANIEL. Mr. President, I ask unanimous consent that I may submit a resolution without the Senator from Arkansas losing the floor.

Mr. McCLELLAN. With that understanding, I gladly yield.

Mr. O'DANIEL. Mr. President, yesterday I related to the Members of the Senate that a few brave men, remnants of the Thirty-sixth Division, in their meeting at Brownwood, Tex., petitioned Congress to conduct an investigation of the Rapido River "fiasco," as they call it. I made an attempt to submit the resolution yesterday, but there was objection heard to the unanimous-consent request I made. So at this time I ask unanimous consent to offer a resolution which would provide that the Military Affairs Committee of the Senate conduct an investigation which has been asked by the remnants of the Thirty-sixth Division.

The PRESIDENT pro tempore. Without objection, the resolution will be received and referred to the Committee on Military Affairs.

The resolution (S. Res. 218), submitted by Mr. O'DANIEL, was referred to the Committee on Military Affairs, as follows:

Resolved, That the Senate Committee on Military Affairs, or any duly authorized subcommittee thereof, is authorized and directed to conduct a full and complete investigation with respect to the handling of the troops of the Twenty-sixth Division in connection with the battle of Rapido River, Italy, to determine the cause of the heavy casualties suffered by such division, and whether the action was brought about through military necessity or on account of pressure from a foreign government or governments. The committee shall report to the Senate at the earliest practicable date the results of its investigation, together with such recommendations as it may deem desirable.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee under this resolution, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

NATIONAL AGRICULTURAL LEGISLATION—ADDRESS BY SENATOR SMITH

(At this point Mr. McCLELLAN, by unanimous consent, yielded to Mr. SMITH who asked and obtained leave to have printed in the RECORD an address entitled "National Agricultural Legislation," delivered by him in Trenton, N. J., January 21, 1946, at the twenty-seventh annual convention of the New Jersey Farm Bureau, which appears in the Appendix.)

EFFECTIVE DATES OF RATINGS AND AWARDS UNDER VETERANS' ADMINISTRATION—BILL INTRODUCED

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield if I may do so without prejudice to my position.

Mr. JOHNSON of Colorado. I ask unanimous consent, without prejudice to the Senator, to introduce a bill to govern the effective dates of ratings in awards under the Veterans' Administration revised Schedule for Rating Disabilities, 1945, and for other purposes.

There being no objection, the bill (S. 1756) to govern the effective dates of ratings and awards under the Veterans' Administration revised Schedule for Rating Disabilities, 1945, and for other purposes, introduced by Mr. JOHNSON of

Colorado, was received, read twice by its title, and referred to the Committee on Finance.

VETERANS' PREFERENCE UNDER SURPLUS PROPERTY ACT—BILL INTRODUCED

Mr. MAYBANK. Mr. President, on behalf of the Senator from Wyoming [Mr. O'MAHONEY], the Senator from New Mexico [Mr. CHAVEZ], and myself, I ask unanimous consent to introduce a bill to be referred to the Committee on Military Affairs.

I also ask unanimous consent that a statement by the Senator from Wyoming [Mr. O'MAHONEY], and his correspondence with Mr. John W. Snyder, Director of the Office of War Mobilization and Reconversion, be printed in the RECORD.

I ask that the bill be referred to the Committee on Military Affairs.

The PRESIDENT pro tempore. Without objection, the bill will be received and referred to the Committee on Military Affairs, and, without objection, the statement and correspondence referred to will be printed in the RECORD.

The bill (S. 1757) to broaden the scope and raise the rank of the veterans' preference provided for in the Surplus Property Act of 1944, introduced by Mr. MAYBANK (for himself, Mr. O'MAHONEY, and Mr. CHAVEZ) was received, read twice by its title, and referred to the Committee on Military Affairs.

The statement and correspondence presented by Mr. MAYBANK were ordered to be printed in the RECORD, as follows:

BILL TO BROADEN VETERANS' PREFERENCE—STATEMENT BY SENATOR JOSEPH C. O'MAHONEY

An amendment to the Surplus Property Act designed to give veterans a preference second only to the Federal Government and to authorize the purchase of surplus for their own personal use will be introduced in the Senate on Monday, January 21, by Senator MAYBANK and myself. Speedy action may be expected upon this measure.

The problem of insufficient outlets which has been another source of dissatisfaction probably does not require legislation but can be handled through an energetic program for the sale of surplus materials on the spot where they have become surplus, provided the facilities and personnel of the owning agencies are employed to conduct sales to veterans and to other priority claimants.

I have today addressed a letter to War Mobilization Director John W. Snyder in which I have pointed out that, even though these three reforms were made effective immediately, the fact that insufficient quantities of suitable materials have been declared surplus to date will remain a serious source of dissatisfaction. In order to remedy this situation, I have called upon the Office of War Mobilization and Reconversion to submit to the Surplus Property Subcommittee a program to assure that the largest possible quantities of those classes of civilian-type surplus which are most in demand by veterans, according to the Smaller War Plant Corporation's records, are immediately declared surplus and promptly put on sale to veterans.

It is my belief that the veterans' preference under the Surplus Property Act, even after its rank has been raised and its scope has been broadened, can be made effective only if an inventory is established and publicized of those types of surplus goods most in demand by veterans, including motor vehicles, household goods, farm, recreational and sports equipment, and if such surpluses are made available immediately to veterans.

A conference will be called by the Surplus Property Subcommittee to afford the Office of War Mobilization and Reconversion and all other administrative agencies concerned an opportunity to lay before the subcommittee a program for the effective carrying out of a broadened veterans' preference under the Surplus Property Act.

JANUARY 19, 1946.

Mr. JOHN W. SNYDER,
Director, Office of War Mobilization and Reconversion, Washington, D. C.

MY DEAR MR. SNYDER: It appears to me to be of great importance to achieve the closest possible cooperation between the Congress and the executive branch for the purpose of making effective immediately the promise of preference to veterans contained in the Surplus Property Act. Testimony received by the Surplus Property Subcommittee indicates that there are at least four factors which cause dissatisfaction with the way in which surplus disposal to veterans is presently being handled:

1. The present veterans' preference ranks below the priorities granted to Federal Government agencies, State and local governments;

2. The present veterans' preference does not extend to surplus commodities desired by veterans for their own personal use;

3. Civilian-type surplus property generally desired by veterans is not available in sufficient quantities to satisfy existing demand; and

4. Sufficient outlets are not available to handle expeditiously the distribution of such surplus commodities to veterans.

Of these barriers the first and second can be easily changed by law, and they were included in a bill drafted by the Counsel to the Surplus Property Subcommittee. This draft bill, as you know, during the past several weeks has been the subject of conferences with various Government agencies concerned, including your office. The fourth hurdle—insufficient outlets—probably does not require legislation but can be handled through an energetic program for the sale of surplus materials on the spot where they have become surplus, provided the facilities and personnel of the owning agencies are employed to conduct sales to veterans and to other priority claimants.

Senator MAYBANK and I will on Monday introduce a bill to remove the first two obstacles above listed, namely, the inferior priority for veterans now provided by law, and the limitation by which that preference is restricted to purchases for business, professional, or agricultural use. Speedy action may be expected upon this measure.

Even though these three reforms were made effective immediately, there would still be a serious source of dissatisfaction if the third barrier is not removed, namely, the lack of sufficient quantities of suitable surplus materials at given locations to satisfy existing demand. Several weeks ago in conference with Secretary Patterson and Under Secretary Royall of the War Department I suggested the desirability of the immediate establishment of an inventory of specific classes of civilian-type surplus property including motor vehicles, household goods, farm, recreational and sports equipment, the existence of which could be publicized throughout the country and which could be made immediately available for disposal to the veterans. This inventory should also include small boats now owned by the Maritime Commission and the Navy Department, which would be available for use by veterans, particularly as fishing and charter boats.

I understand that the Smaller War Plants Corporation is preparing a list of the classes of surplus in demand by veterans and that on the basis of this list your office will undertake to work out in conjunction with all agencies concerned a program to secure immediate surplus declarations and promote sales of the property so listed. I have today consulted Under Secretary Royall who, I understand, is entirely willing that an immediate survey shall be made of the specific quantities of civilian-type property which could be included in such an inventory. Such survey should be made by all owning agencies.

Whether it is desirable to require such an inventory to be established by executive action or by an additional amendment to the Surplus Property Act is to be the subject of further discussions by the Surplus Property Subcommittee with all of the Government agencies concerned. It is my hope that at that conference you will be able to present on behalf of the executive branch of the Government a program to make a broadened veterans' preference effective.

Sincerely yours,

JOSEPH C. O'MAHONEY,
Chairman, Surplus Property Subcommittee.

SUSPENSION OF IMMIGRATION FOR 5 YEARS—BILL INTRODUCED

Mr. MAYBANK. Mr. President, I also ask unanimous consent to introduce for appropriate reference a bill to suspend immigration for a period of 5 years.

There being no objection, the bill (S. 1758) to suspend immigration for a period of 5 years, was received, read twice by its title, and referred to the Committee on Immigration.

EXECUTIVE MESSAGES REFERRED

As in executive session, and by unanimous consent,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

RECESS

Mr. CHAVEZ. Mr. President, without interfering with the rights of the Senator from Arkansas, I wish at this time to move for a recess until 12 o'clock tomorrow.

Mr. MORSE. Mr. President, will the Senator yield before he makes his motion?

Mr. McCLELLAN. I believe I still have the floor. I yield if it will not prejudice my position.

Mr. MORSE. Mr. President, I simply desire to say to the Senator from New Mexico before he makes the motion to recess, that I think it should be understood clearly that there is, may I say a general understanding apparently among a majority of the Members of the Senate, with respect to this filibuster, that when 6 o'clock comes the Senate will recess. I want to register my protest against that procedure, Mr. President, because I feel that the Senate should make up its mind to do everything that can be done to break the filibuster. We cannot break it by keeping in session just during banking hours. We should either try to break it, in my judgment, by a sincere and good faith attempt on the part of those of us who believe that this filibuster is a great mistake because it denies the majority in the Senate of the United States the right to proceed to vote on the FEPC

bill including the many amendments which I think, as I said earlier today, should be made to the bill, or we ought to stop the type of farce which in my judgment we are now proceeding with when we seek to give the impression that we really are trying to stop the filibuster although we recess every afternoon at 6 o'clock or earlier. I simply want the RECORD to show that I will never vote for a recess so long as this filibuster is going on, and I desire to say to those who vote for a recess that I think it ought to be perfectly clear to everyone that they will never be able to have the merits of the bill voted on by adopting a practice of recessing each day at 6 o'clock. A filibuster is many things. For one thing, it is an endurance contest. Continuous sessions may not break this one, but they would make the issue perfectly clear to the public, namely, that Senators will fight to establish majority rule in the Senate of the United States.

Mr. CHAVEZ. Mr. President, will the Senator from Arkansas yield to me?

Mr. McCLELLAN. I yield.

Mr. CHAVEZ. I fully appreciate the remarks of the Senator from Oregon and agree with him. But I have great faith in human nature. I think those who are against the bill or who are now discussing many matters, some entirely outside the bill, should be given an opportunity to get a little rest now and then. Their minds might be changed by treating them with kindness. I agree with the Senator from Oregon that the filibuster should be broken, but I hope the Senator will not press his protest at this particular time.

I renew my motion that the Senate now recess until 12 o'clock noon tomorrow.

Mr. MORSE. Mr. President, will the Senator from Arkansas yield to me to make a brief reply to the Senator from New Mexico?

Mr. McCLELLAN. I yield for that purpose.

Mr. MORSE. The Senator from New Mexico has expressed the hope that I not press my protest at this time. The only protest I could make, resulting in floor action, would be to suggest the absence of a quorum. However, I want the RECORD to show that that would be, in my judgment, a useless procedure, because I know what would happen if there were a call for a quorum. I would be outvoted on the recess issue. I say that because it is my understanding that it is the intention of the majority of the Members of the Senate to take recesses at this time of day. I simply want the RECORD to show my protest at that method of attempting to break a filibuster. I shall never be a party to it.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from New Mexico [Mr. CHAVEZ] that the Senate take a recess.

The motion was agreed to; and (at 6 o'clock and 13 minutes p. m.) the Senate took a recess until tomorrow, Friday, January 25, 1946, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 24 (legislative day of January 18), 1946:

DIPLOMATIC AND FOREIGN SERVICE

Leon L. Cowles, of Utah, now a foreign-service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America.

THE JUDICIARY

UNITED STATES DISTRICT JUDGES

Hon. Jacob Weinberger, of California, to be United States district judge for the southern district of California, vice Hon. Harry A. Hollzer, deceased.

Frank M. Scarlett, of Georgia, to be United States district judge for the southern district of Georgia, vice Hon. Archibald B. Lovett, deceased.

UNITED STATES MARSHAL

Al W. Hosinski, of Indiana, to be United States marshal for the northern district of Indiana. (Mr. Hosinski is now serving in this office under an appointment which expired July 3, 1945.)

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 24, 1946

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. McCORMACK.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou in whose presence we wait, we thank Thee for the history of our Republic. It is a goodly vine we have inherited. Its clusters of blessings hang richly, and its roots run out in many ways for the welfare of our people; its greatness is not dependent upon wealth or title, but upon character founded on personal integrity between man and man, between nation and nation. Teach us that this virtue alone never loses its enchantment, and this task will ever yield soul-deep satisfaction.

We praise Thee for Him who commands our supreme love, the light not only of one land or of one age, but the light of the world, and the greatest personal revelation of a merciful God, whose commandments are the ultimate law of our moral universe. Dear Lord, in Thy wondrous tenderness and wisdom, draw our country near, that tyranny and sin may no longer attain ancient power, but that our minds may be centered on justice and good will, putting aside all bitterness, anger, clamor, and evil speaking, and Thine shall be the glory and ours the blessing. Amen.

The Journal of the proceedings of yesterday was read and approved.

RETURN OF PUBLIC EMPLOYMENT OFFICES TO STATE OPERATION

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 494), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4437) to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 3 hours, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Labor, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

SCHOOL-LUNCH PROGRAM

Mr. BATES of Kentucky, from the Committee on Rules, submitted the following privileged resolution (H. Res. 495), which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

ADDITIONAL COPIES OF REPORT TO COMMITTEE ON WAYS AND MEANS BY ITS TECHNICAL STAFF RELATIVE TO THE ISSUES IN SOCIAL SECURITY

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report (Rept. No. 1490) a privileged concurrent resolution (H. Con. Res. 121), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the House Committee on Ways and Means be, and is hereby, authorized and empowered to have printed for its use 4,000 additional copies of the report to the committee of its technical staff relative to the issues in social security.

The resolution was agreed to.

A motion to reconsider was laid on the table.

A DEMOBILIZATION PROBLEM

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

[Mr. PHILBIN addressed the House. His remarks appear in the Appendix.]

STRIKES AGAINST THE PUBLIC

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extent my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CURTIS. Mr. Speaker, the time is long overdue when this Government must take action to stop the strikes that are paralyzing the entire Nation. These Nation-wide strikes are occurring at the very time when every loyal American citizen should be doing his best for full production and reconversion.

Those of us who have repeatedly advocated and supported some corrective labor legislation have been erroneously labeled "antilabor." The time has come that those who are promoting these strikes and who are blocking legislation pertaining thereto should accurately be described as "antipublic."

These current strikes are not strikes against employers, they are strikes against the public, they are strikes against the United States and all it stands for. I ask you, are these strikes fair to the returning veteran who cannot buy the things he needs because there is no production? Are these strikes hastening the discharge of worthy members of our armed forces; are these strikes strengthening the hand of the United States at the peace table? Are these strikes fair to the taxpayers and bond owners of the United States?

Mr. Speaker, are these strikes fair to the farmers who receive such a small portion of the national income and who can never themselves strike?

Again, I say, those people responsible for our strikes and those who are blocking corrective action are most decidedly antipublic.

UNION DISCRIMINATION AGAINST RETURNED VETERANS

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include a letter from a returned serviceman.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. ANDERSON of California addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD.

Mr. STEWART asked and was given permission to extend his remarks in the Appendix of the RECORD on two subjects, in one to include a letter from the Veterans' Associated GI Home Builders, and in the second to include a pamphlet on job training for veterans.

Mr. STEFAN asked and was given permission to extend his own remarks in the RECORD and include therein a letter.

Mr. ANDERSON of California asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter from the California State Federation of Labor.

Mr. ELLIS asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances, in one to include a resolution from the Veterans of Foreign Wars in regard to immigration and in the other to include a letter from a soldier.

Mr. TALLE asked and was given permission to extend his remarks in the RECORD and include an exchange of correspondence between the Postmaster General and himself with reference to the centennial of Iowa statehood.

Mr. SUMNERS of Texas asked and was given permission to extend his remarks in the RECORD and include a statement with regard to the activities of the Civil Air Patrol.

Mr. BUFFETT asked and was given permission to extend his remarks in the Appendix of the RECORD and include a radio address featuring Frank Scriven, national official of Amvets.

ARGUMENTS FOR FEDERALIZATION OF THE EMPLOYMENT SERVICE

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, we will soon be again considering the matter of whether or not the United States Employment Service should be returned to the States almost immediately.

I have here a list of 12 reasons for the continued handling by Federal service for your consideration. I believe they cannot be answered successfully. They are:

First. State employment services in many States were in such a confused condition that it was necessary for the Federal Government to take the whole service over during wartime. Should they be returned to the States they would go back to the state of confusion existing before the war.

Second. Standards of operation should be uniform throughout the country, especially the relationships between the Employment Service and labor organizations.

Third. The United States Employment Service has gained the respect of the community as a whole. The service was considered a relief agency before it was taken over by the Federal Government. If returned to the States it would go back to the former primary function of handling unemployment insurance claimants.

Fourth. The Employment Service has taken on many added responsibilities toward the community, such as the preparation of surveys, occupational analysis, personnel assistance to employers, special recruitment programs and many others. None of these items were considered during State operation, yet they are essential.

Fifth. Clearance of labor between States has been greatly facilitated. Transfer of workers during State operation was in a state of confusion. Many States prohibited any kind of transfer of workers across the lines.

Sixth. Under State operation the Employment Service is dependent upon the whims and fancies of 48 different State legislatures for their budgets and their standards of operation. Some States may have a satisfactory system of local Employment Service and others have practically no system.

Seventh. The various State officials would use the Employment Service as a means of dispensing patronage especially for employment or public works.

Eighth. A Federal system with uniform wages throughout the country attracts a much higher type of professional employee.

Ninth. Employment Service personnel may transfer from one State to another under the Federal operation. This has been a great benefit to employees because of health reasons.

Tenth. Unless very specific standards for return to the States were set up, an entirely new personnel set-up will, therefore, be necessary.

Eleventh. By returning the Employment Service to the State control, 48 different systems of employment for veterans will become necessary. It would be just as reasonable to assume that there could be 48 different GI bills operating successfully.

Twelfth. An intensive training program for personnel has become mandatory under Federal operation. Very few States had any kind of satisfactory training program.

ARMY TRUCKS HELD UP BY PICKET LINES

Mr. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MAY. Mr. Speaker, I was amazed at the statement of the gentleman from California [Mr. ANDERSON] a moment ago. If the Army of the United States cannot get its meat trucks in and out of warehouses and through picket lines, I am wondering how the gentleman expects a humble American soldier to beat through that picket line and get back to work when there is no work for him? I doubt very much whether the Congress itself could get him through.

Mr. Speaker, when the gentleman from Virginia yesterday morning demanded an investigation by the House Military Affairs Committee as the arm of the House of Representatives, into the question of why it is that orders have been issued barring Army meat trucks from passing through picket lines—meat trucks, if you please, with food for the common population and for the soldiers as well—I immediately ordered the counsel for the Military Affairs Committee to set a hearing for 10 o'clock tomorrow morning in the House Military Affairs Committee room, at which time we will find out why such a policy has been adopted by the War Department. This will be an open hearing and the press will be permitted to attend.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to the gentleman.

Mr. RANKIN. The gentleman said he doubted that Congress could get the ex-

servicemen through the picket lines to their work. If Congress does its duty, it can get them through.

The SPEAKER pro tempore. The time of the gentleman from Kentucky has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent that today, at the conclusion of any special orders heretofore entered, I be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SEIZING OF PACKING INDUSTRY BY UNITED STATES

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. WASIELEWSKI. Mr. Speaker, I believe we are all very happy to note that the President intends to take over the packing plants shortly; however, I regret that the President did not seize the plants immediately and thereby prevent them from closing down. By permitting the plants to close we have cut off the supply of one of our chief food items, meat. Closing the packing plants threatens the hold on living costs and opens up black-market operations.

I do not wish at this time to enter into the merits of the disputes, but I am confident they can be expeditiously settled without a work stoppage. One of the largest packing-house plants in my district had virtually completed its negotiations and its employees had no intention of walking out until ordered to do so by the national officers.

The greatest sufferers as a result of this strike is the general public. Public health is endangered as is likewise the cost of living. Even though the Government takes over the plants next Saturday, it will take at least a week or two to get back to normal production. It is the fervent hope of all Americans that the CIO will follow the fine example set by the A. F. of L. and return to work pending the settlement of the issues in dispute. Any further delay can cause but dire results which can mean only suffering to the general public and huge profits to the black marketeers.

POLITICAL STRATEGY

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Speaker, I have before me a very interesting document in the form of a news release from the Republican National Committee with offices at 1337 Connecticut Avenue, Washington, D. C.

This release, going to the press of my district, is an attack on my voting record. If I thought I were being singled out for special attention I would feel honored. I am sure it is just a part of their over-all strategy to win control of the House in the Eightieth Congress.

I am advised the committee has already collected a huge slush fund for this purpose. Maybe I was right after all in asking for the repeal of the carry-back provision in the tax laws. At the rate they are going, they and their "big" business friends will no doubt be drawing on this tax refund before the "Ides of November" roll around.

It was nice of them to tell my constituents I have been absent on only two roll calls. They give their campaign strategy away by attacking my vote on domestic issues. They are silent on international matters.

My 1944 campaign was a fight against utility domination. I welcome their attack. Come on in boys, the water is fine.

EXTENSION OF REMARKS

Mr. BAILEY asked and was given permission to extend his remarks in the RECORD and include excerpts from an editorial appearing in PM.

Mr. SPENCE asked and was given permission to extend his remarks in the RECORD and include a letter from Mr. Charles S. Ryan, executive director of the National Institute of Municipal Law Officers, and a resolution adopted by that organization.

VACATING SPECIAL ORDER

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent that the special order allotted to me this afternoon be vacated.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

LABOR AND MANAGEMENT

Mr. LINK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

[Mr. LINK addressed the House. His remarks appear in the Appendix.]

NEW JERSEY FARM PRODUCTION

Mr. EATON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a brief newspaper article from the Courier-News, of Plainfield, N. J.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

[Mr. EATON addressed the House. His remarks appear in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. DE LACY. Mr. Speaker, I ask unanimous consent that tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

DEMOBILIZATION OF THE ARMED FORCES

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to adress the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, for many weeks I have been trying to get Members to sign petition No. 9 to bring out my bill to discharge from the service men who have been in the armed forces for 18 months, or who have dependents at home to look after, or who desire to return to school.

Today, Secretary of State Byrnes comes out and argues for quick withdrawal of occupation armies from all countries except Germany and Japan. General MacArthur says that 200,000 are as many as he will need in Japan. Surely we will not need over 200,000 in Germany. I agree with Mr. Byrnes. Why in the name of common sense should we have an army of occupation in Egypt?

Why should we have an army of occupation in the Philippines?

Why should we have an army of occupation in England? Why should we have an army of occupation in France? I agree with Mr. Byrnes. We should pass a law now to bring these men home and keep abroad only such men as are absolutely needed under the circumstances.

EXTENSION OF REMARKS

Mr. DE LACY asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. BYRNES of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an article that appeared in last Sunday's Milwaukee Journal.

CALL OF THE HOUSE

Mr. WIGGLESWORTH. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. WHITTINGTON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 5]

Adams	Byrne, N. Y.	Fellows
Andresen, August H.	Canfield	Fernandez
Baldwin, Md.	Cannon, Fla.	Fisher
Baldwin, N. Y.	Carlson	Flannagan
Bates, Mass.	Chapman	Fogarty
Beckworth	Clippinger	Gardner
Bender	Coffee	Gearhart
Bloom	Cole, N. Y.	Gibson
Boren	Cooley	Graham
Boykin	Curley	Gross
Bradley, Pa.	Dawson	Hancock
Brehm	Delaney, James J.	Hart
Brumbaugh	D'Ewart	Hartley
Buckley	Dingell	Healy
Bulwinkle	Douglas, Ill.	Hébert
Bunker	Engle, Calif.	Heffernan
		Herter

Hobbs	McGlinchey	Rivers
Holmes, Mass.	Maloney	Rizley
Hope	Mathews	Roe, N. Y.
Hook	Miller, Calif.	Rogers, Mass.
Johnson, Ill.	Monroney	Russell
Johnson, Lyndon B.	Morrison	Sadowski
	Murphy	Scrivner
Judd	Norton	Short
Keefe	OBrien, Mich.	Somers, N. Y.
Kefauver	O'Toole	Sundstrom
Kelley, Pa.	Peterson, Ga.	Traynor
King	Plumley	White
Kirwan	Poage	Wickersham
Knutson	Rayfiel	Winter
Luce	Reed, N. Y.	Wolcott

The SPEAKER. On this roll call 332 Members have answered to their names. A quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION TO ADDRESS THE HOUSE

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, on yesterday I was granted unanimous consent to extend my remarks in the RECORD and include an article discussing the Columbia Valley Authority. I am informed by the Public Printer that this will exceed 2 pages of the RECORD and will cost $130, but I ask that it be printed notwithstanding that fact.

The SPEAKER pro tempore. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD.

Mr. HINSHAW asked and was given permission to extend his remarks in the RECORD and include a letter from the President of the United States Junior Chamber of Commerce and an address by its president.

Mr. D'ALESANDRO asked and was given permission to extend his remarks in the RECORD and include a newspaper article containing an address made by Sumner Welles, former Under Secretary of State.

Mr. GEELAN asked and was given permission to extend his remarks in the RECORD and include a newspaper article from the Washington Times-Herald and statements by Mr. J. H. Leib, national legislative secretary of the American Veterans of World War II.

INDEPENDENT OFFICES APPROPRIATION BILL, 1947

Mr. HENDRICKS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 5201) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1947, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 5201, with Mr. WHITTINGTON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had concluded the reading of the first paragraph of the bill, which included that part of the bill down to and including line 3 on page 2.

Mr. BRADLEY of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on yesterday, after the Committee arose, I made a speech on this floor in which I referred to the effort on the part of the Communists and left-wingers to get rid of Mr. J. Edgar Hoover. I appreciate very much the observations and the support given me by the majority leader, the gentleman from Massachusetts [Mr. MCCORMACK]. I want to give him proof, definite proof, of what I charged yesterday afternoon.

I hold before you the January 22, 1946, copy of the New Masses, perhaps one of the most radical of the Communist publications in this country. I quote an article appearing on page 20 of that issue, which is entitled "Too Long." I want you to listen to this very carefully, because it is very important:

> Democratic Americans have suffered the presence of J. Edgar Hoover as Director of the Federal Bureau of Investigation far too long. By one of the most expensive and high-powered publicity jobs on record, paid for by the Government, this man first imposed himself on the American public as the glorified boy scout of the gang-buster days and at a later period as the self-appointed preserver of American ideals. In actual fact, J. Edgar Hoover is one of the most notorious political desperadoes in the Government—a Red-baiting, labor-hating, narrow-minded enemy of democracy. It is high time the American people demanded his ouster and the complete reform of his agency.
>
> Hoover's latest outburst took place on the occasion of his accepting from the hands of Cardinal-to-be, Francis J. Spellman, the annual award of the Catholic Youth Organization of the New York diocese. Delivering himself of a tirade against Communists and communism, he referred to "the evils and corruption of American communism," and he singled out for special attack the American Youth for Democracy.
>
> It was no coincidence that this outburst occurred when millions of workers were striking or preparing to strike on behalf of decent wages and against the big trusts. In vilifying the Communists and the AYD, Hoover was employing an age-old tactic against the labor movement and all other progressive forces. Characteristically, the report of his remarks never mentions the word "fascism."

And that ends the article.

I say to you that real Americans, and more especially American labor, owe allegiance to and appreciation for the work of J. Edgar Hoover and his FBI. They are the one agency in this Government that has been especially able to cope with the Communist menace in this country today, and it is about time that we stamp these American Communists under heel once and for all.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield.

Mr. STEFAN. Is it not a fact that throughout all of World War II there was not one case of organized sabotage in the United States, which was the result of the efficient work of the FBI?

Mr. BRADLEY of Michigan. I will go further and say to the gentleman that there was not a single act of enemy sabotage committed in this country in all the 4 years of our participation in World War II and there was not one single act of espionage that they got away with. I suggest to the gentleman, as I said yesterday, that everyone see the motion picture The House on Ninety-second Street.

Mr. STEFAN. I have seen it.

Mr. BRADLEY of Michigan. That is a very factual story in its portrayal of the excellent work done by the FBI in rounding up a gang of 31 enemy agents in one single night.

Mr. STEFAN. I saw the preview of The House on Ninety-second Street. I would like to state that many of the things you saw in that picture were the results of the work done by the Subcommittee on Appropriations for the Department of Justice and the appropriations made for the FBI. Every one of the appropriations we made were justified.

Mr. BRADLEY of Michigan. May I say to the gentleman who is a member of that Subcommittee on Appropriations for the Department of Justice that one of the greatest favors you can do for this country is to maintain adequate appropriations for the Federal Bureau of Investigation. I repeat, they are a real organization, an American organization, and we need their help.

Mr. STEFAN. I agree with the gentleman.

Mr. BRADLEY of Michigan. Mr. Chairman, may I say this to the gentleman member of the Subcommittee on Appropriations handling the FBI request that it is a well-established fact that in the past—for some years—through their activities the fines, the penalties imposed by the courts on offenders uncovered by the FBI and their recovery of stolen property has often been six or seven times the amount of the appropriation granted by the Congress. In fact, I believe in the year just passed when the FBI had its largest appropriation in history—the facts will reveal that the Treasury of the United States collected at least $2 for every dollar it cost us to maintain the FBI.

There is one other observation I want to make in reference to this particular issue of the New Masses. Yesterday I inferred that Mr. Paul H. Appleby, present Assistant Director of the Budget, was a left winger in his line of thought and that he had once written to a certain party stating that a Government employee had just as much right to be a Communist as a Democrat or a Republican. It is of interest, therefore, to note that on page 27 of this January 22, 1946, issue of the New Masses there appears a brief review of a new book written by Mr. Paul H. Appleby entitled "Big Democracy." I have not yet had an opportunity to secure a copy of this book but shall do so and read it at my earliest opportunity and may, perhaps, have oc-

casion to refer to it later on the floor of this House.

The American people owe a prayer of thanks for the FBI and the American Government and the American taxpayer has never suffered financially from its activities.

The Clerk read as follows:

THE WHITE HOUSE OFFICE

Salaries and expenses: For all expenses necessary for the White House Office, including compensation of the Secretary to the President, the two additional secretaries to the President and the six administrative assistants to the President at $10,000 each, and other personal services in the District of Columbia; not to exceed $3,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the act of June 28, 1944 (Public Law 364); automobiles; printing and binding; and travel and official entertainment expenses of the President, to be accounted for on his certificate solely; $883,660: *Provided*, That employees of the departments and independent offices of the executive branch of the Government may be detailed from time to time to the White House Office for temporary assistance.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 2, line 21, after the figures "$883,660," insert "which sum is hereby reappropriated out of the unexpended balances in the fund of $1,650,000 appropriated in the First Deficiency Appropriation Act 1946 (Public 269, 79th Cong., ch. 539, 1st sess.) under the head "Executive Office of the President" and the subhead "Executive Mansion and Grounds" for an addition to the Executive Mansion, alternations, improvements and furnishings and improvement of grounds, and any remaining unexpended balance of said appropriation of $1,650,000 shall be returned to the Treasury."

Mr. HENDRICKS. Mr. Chairman, I reserve a point of order against the amendment until the gentleman from South Dakota has proceeded.

The CHAIRMAN. The gentleman from South Dakota is recognized in support of his amendment.

Mr. CASE of South Dakota. Mr. Chairman, the purpose of this amendment is to give us a chance to stop and take a look at the plans for the addition to the White House.

When the deficiency bill was under consideration in the Senate, late in December, a report was made for this $1,650,000 for working the White House over, with a simple little statement that it was for some improvements or some additional facilities down there. The item was agreed to by a majority of the conferees, apparently, in the pre-Christmas wind-up with little discussion. It was just one of those things "wanted by the President." But the House never was told and the public never knew just what was contemplated until quite recently, when considerable interest has developed, and it now appears that the program is to take this $1,650,000 and change the face of the White House and alter the picture at 1600 Pennsylvania Avenue quite considerably.

The matter has attracted a great deal of attention in the District, as those of you who have been reading the papers realize. The Interfederation Conference representing the various community citizens' associations of the District and surrounding suburbs have adopted resolutions of protest. I read these opening paragraphs from a story in the Washington Evening Star, of a night or two ago:

The Interfederation Conference last night voted to oppose plans for extensions of the White House as prepared by the White House architect. "As citizens of the United States we are interested in the White House as the home of the President," declared Mrs. Franklin Antwell of the District Federation of Citizens Associations, who introduced the motion. "To add to it and make it a futuristic monstrosity is out of helping with the feeling we all have for the President's home."

The Washington Post this morning reports that the White House secretary has invited congressional opponents of President Truman's plan to spend $1,650,000 altering the Executive Mansion to inspect the plans and then says:

Representative HOWARD W. SMITH (Democrat, Virginia), one of the foremost objectors to the remodeling program, said that he would go right ahead with his plans for a joint resolution to Congress to delay construction, but that he would look at the sketches anyway.

Representative John L. MCMILLAN (Democrat, South Carolina), new chairman of the House District Committee, and Representative RALPH H. DAUGHTON (Democrat, Virginia) reaffirmed their original stand on the new building project, despite the invitation, and said they were sure "the whole thing will collapse when Mr. Truman realizes how Congress feels."

Meanwhile, the Post continues, White House Architect Lorenzo S. Winslow announced that his staff "was forging right ahead with their work. He amplified the invitation to the Members of Congress to take a look at the plans, the Post reports, but excluded from the invitation "representatives of architectural associations and representatives of historical associations and the District of Columbia Federation of Citizens' Associations."

With all that opposition it would certainly be unfair to the people of the community and the people of the country if we would permit this appropriation of $1,650,000 to remain available for expenditure.

So it occurred to me that a quick method of avoiding that is to provide the sum in this bill for the regular salaries and expenses of the White House office by reappropriation out of the unexpended balance in that $1,650,000 building fund, and to require that the remainder shall go back to the Treasury. That is exactly what the amendment does. It provides that the money already appropriated for the White House addition be used to take care of this $883,000 item for salaries and expenses in the White House, and put the balance back into the Treasury until the Congress can have a chance to look at these plans and know something about it, so that the architect will not, in his own words, "go forging ahead."

I ask you to support the amendment for reappropriation which I have offered. It is the way in which Congress can act in this matter and do it now.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is my desire to address my remarks to the statement made by the gentleman from Michigan [Mr. BRADLEY] a few moments ago with reference to the FBI.

I agree with him thoroughly that the FBI should not be changed to any other department. It is one of the most valuable agencies of this Government. But it should be made an independent agency. I have a bill pending for that purpose.

We have reached the time when we are going to have to have an intelligence service that will keep us informed as to what is going on throughout the world. We cannot afford to have another Pearl Harbor disaster. In this atomic age it is going to be necessary for us to know just what other nations have in mind and what other people are getting ready to do. In order to do that, our intelligence service should be independent of any bureaucrat, or any subordinate official, but it should be responsible directly to the Congress of the United States.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Michigan.

Mr. BRADLEY of Michigan. I thoroughly agree with what the gentleman says and I believe he will agree with me when I say that the agency must be composed of personnel experienced in the work and not be directed by a lot of political amateurs like this man Schwarzwalter I mentioned yesterday.

Mr. RANKIN. Of course not. We must have the very best trained investigators on earth. We need them now. Every alien ideology, or every agency of an alien ideology, that attempts to plant dynamite under this Government of ours or to lay the foundation for revolution or upheaval should be investigated by an independent agency that would not be responsible to any bureaucrats or other subordinate officials.

Mr. BRADLEY of Michigan. I agree with the gentleman.

Mr. RANKIN. I say that advisedly. This is very important. We need an independent FBI now.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Michigan.

Mr. RABAUT. I am very glad to hear the gentleman express his views. The FBI has always been backed by this House. When the war started the FBI appropriation was about $7,000,000. During the war it rose to a sum in excess of $50,000,000, and it was very willingly and liberally given by this House for the FBI activities. Since the war has ended, and during the last year the appropriation has been substantially reduced—this year, at their own request—and we

are now making a study of the very matter about which the gentleman is talking at the present time.

Mr. RANKIN. Let me say to the gentleman from Michigan that I am an ardent supporter of the FBI. There is no telling what would have happened in this country if it had not been for the FBI, and there is no telling what would have happened in this country if it had not been for the Dies committee, the Committee on un-American Activities, that has worked along with the FBI in investigating subversive activities that were designed to destroy this Republic. But I want the FBI made an independent agency, I want it given all the power necessary to make investigations anywhere in the United States or to keep us informed on conditions throughout the entire world, in order that America may never again suffer another Pearl Harbor disaster.

If more attention had been paid to the FBI, in my opinion there would have been no Pearl Harbor disaster.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. BRADLEY of Michigan. Let me suggest to the gentleman that as long as the FBI remains under a Government department as it is at the present time they are not permitted to make one move unless it is ordered by the Attorney General, and it is conceivable that occasionally politics might enter into his selection of the direction of it.

Mr. RANKIN. Yes; and the Attorney General's department needs some more housecleaning, I will say to the gentleman from Michigan.

Mr. BRADLEY of Michigan. It is true right now.

Mr. RANKIN. There are some men there that I do not want dominating the FBI.

Mr. BRADLEY of Michigan. Not long ago Attorney General Tom Clark said he would not consider replacing Mr. Hoover, but he is not always going to be the final boss. I am not criticizing Tom Clark. He is doing a good job, but he needs to clean house some more.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HENDRICKS. Mr. Chairman, I withdraw my reservation of a point of order and rise in opposition to the amendment.

Mr. Chairman, I do not believe this amendment requires much discussion. I am sure the gentleman from South Dakota offered it in all good faith. I may say that this item of $1,625,000 came to the Deficiency Subcommittee in December. The committee had an opportunity to study it or, rather, I believe it was added by the Senate and approved by the conferees. The House agreed to that amount.

There has been a lot of propaganda going around as to whether that would destroy the present beauty of the White House. That is a question I am not able to go into and discuss thoroughly now and I am sure other Members are not until further investigation is made. However, the President feels he needs those offices and I think there is some weight in what he has to say.

Since the House of Representatives and the Senate have passed on this item I think it only fair that we leave it there until we can make an investigation as to what effect it will have on the White House and if we feel that we should not allow this appropriation there will be other rescission bills coming before the House. This is not the place for a rescission bill, therefore the amendment offered by the gentleman from South Dakota should be defeated.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. How does the gentleman think we can step in and stop this when the architect says he is forging ahead with his plans?

Mr. HENDRICKS. We can do it by a rescission bill. There will be rescission bills before the Congress.

Mr. CASE of South Dakota. The gentleman knows that consideration of rescission bills is being delayed. There is no certainty when they are going to be considered or when they will come up. This is our opportunity to do something about it now and we can be put on record at this time.

Mr. HENDRICKS. There is no certainty either as to when they will start constructing these quarters. Nobody has announced the definite plan and, even though the architect says he is drawing the plans, I am sure the President would be willing to give it further consideration if we make that request. If the gentleman wants to handle this in a proper way he should submit a separate resolution, and I shall be glad to join him in reconsidering this problem because, as I say, I do not know whether we should proceed with this work or not. If the gentleman wants to do it in a proper way he will submit a proper resolution.

Mr. CASE of South Dakota. What does the gentleman mean by a proper resolution?

Mr. HENDRICKS. And I shall be glad to join in the consideration of that resolution. I shall be glad to join him in making representations to the President of the United States about the matter and ask that it be held up until we can consider it further.

Mr. CASE of South Dakota. What does the gentleman mean by saying "in a proper way"? The gentleman has had a chance to make a point of order against the amendment. Apparently he consulted the Parliamentarian and found it was in order.

Mr. HENDRICKS. All right, I stand corrected. I say that we should not do it here, that we are doing it hastily. We have listened to a lot of propaganda, we have seen cartoons in the paper and we have listened to people who complain about anything. Some time back when we were contemplating building the Jefferson Memorial there was a lot of agitation on account of the Japanese cherry trees. People were opposed to that because it would do away with one or two Japanese cherry trees. One woman even went down and chained herself to one of the trees so that they could not saw it down. Now somebody is chaining himself to the White House so that we cannot change it in any way whatsoever. There may be some changes necessary. Therefore I feel that proper consideration has not been given and that the amendment should be defeated.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield to the gentleman from Iowa.

Mr. JENSEN. Does not the gentleman believe it would be more important to take the material which would be used in this improvement to the White House and use it in building homes for possibly a hundred returning veterans?

Mr. HENDRICKS. Oh, I do not know that the material used in the construction of this addition to the White House would be used in building homes for returning veterans. I do not know what material will be required. We do not know that it will be allocated for that purpose. I am for building homes for returning veterans, but I do not think that has anything to do with this. I just do not think this has had proper consideration, and I do not think we ought to take this money back until we have given it proper consideration.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Did I understand the gentleman to say that some suggestion would be made to the President?

Mr. HENDRICKS. I said I would be glad to join the gentleman from South Dakota in making representations to the President of the United States to withhold any plans until this is given further consideration.

Mr. HOFFMAN. He is just a temporary occupant of the White House. He does not own the building.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. REES of Kansas. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, right now is the time to deal with this item to spend $1,400,000 to build additions to the White House for office purposes. It is rather interesting about this legislation, I notice, that you cannot strike out $1,400,000 from this bill. It is not designated in the bill. A motion to do that will not prevail for the reason that this is a reappropriation of unexpended funds.

Mr. Chairman, unexpended funds in the hands of any agency or in the hands of the administration ought to be returned to the Treasury and not diverted, as in this case, for a purpose not designated by Congress. It is not the right way to do. There has been a great deal of discussion about spending a million and a half dollars for additions to the White House. I just do not believe that this Congress, this House, or the general public, after careful study, really want to use the Executive Mansion, the White House, for Government offices. I know some offices need to be convenient to the office of the President. We have some there now. It is only recently, just dur-

ing the past 3 or 4 weeks, that this thing first came to the attention of the Congress. Very few of us realized that such plans were under way. After all, this Congress certainly has a responsibility, and now is the time to assume that responsibility, and the only chance we have at this moment to assume it is to support the amendment offered by the gentleman from South Dakota. Let us support that amendment. That will hold the thing in abeyance until we have a chance to study it.

I thoroughly believe that we do not want to use the Executive Mansion for Government offices. There is the big Government building across the street from the White House from which the War Department moved to the great Pentagon Building. Why not use part of that building?

There is a lot of history attached to the White House. It is the President's residence. It is the Executive Mansion. We can find plenty of places in the city of Washington to provide offices if really needed. We have them already, as far as that is concerned, and we hope and pray that some time we will cut down some of the hundreds of offices in the city that came into use in the past few years. We will have plenty of available space, I am sure. So the least thing we can do is to support this amendment and hold the thing in abeyance. If we really need additional office space for the executive department, let us provide a separate building, and not attach it to the President's residence, the Executive Mansion. It is not the right way to do. Furthermore, it does not set a real good example for this Congress to approve the spending of $1,500,000 for materials to erect offices and reception rooms that are not immediately needed, when the money could better be used for building 300 or 400 inexpensive homes for veterans who have no place to stay.

I have all the respect in the world for the view of the proponents of this project, but there are plenty of reasons why you should not proceed further on this very expensive project.

Mr. SMITH of Virginia. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I expect to support this amendment, and I do so with some embarrassment and some regret at having to do so. But I do not think the matter has been given the consideration that a matter of such importance ought to be given. I was a little surprised to hear the chairman of the committee say that he did not know whether we ought to do this to the White House or not. If we do not know whether we ought to do this thing, it does seem to me, therefore, obvious that we ought to stop, look, and listen before we do it. It is mighty hard to get a resolution to the floor here. Here is your opportunity to simply ask that this matter be delayed. Remember this, if you look at the history of this proposal, it did not come to the House when the bill was first presented here. The bill had passed the House, and over in the Senate a little three-line message came up from the Bureau of the Budget asking $1,650,000 for the purpose of some additions or some repairs to the White House. It passed the Senate and came back to the House, and obviously never had any consideration whatsoever by either committee in the House or in the Senate.

This is one of the most valuable, historic spots that we have in the whole country. Do not let us destroy it without knowing what we are doing. I do not say that we should not do it when we do know, but let us know before we do anything, and if we do not do this now, I am afraid that the work is going to proceed, because I am informed that they are ready to go ahead and that certain of the rooms down there have been cleared out, preparatory to the actual construction work.

Mr. HENDRICKS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Florida.

Mr. HENDRICKS: The gentleman from Virginia just stated it was surprising to find that the chairman said he did not know whether this ought to be done or not, yet the gentleman himself turns around and says it has not had sufficient study and he does not know.

Mr. SMITH of Virginia. That is right.

Mr. HENDRICKS. Therefore, I am asking that we not do it here, but that we take time a little later to take it up with the President and see whether it should be done or not. That is the only point I was making. The gentleman is in the same position I am.

Mr. SMITH of Virginia. No; I am in exactly the opposite position from my good friend from Florida. He and I both think we do not know whether this thing ought to be done. I therefore think that if we do not know we ought to wait until we do know. The gentleman from Florida thinks that we do not know what we ought to do and, therefore, we ought to do something that we do not know anything about.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. HENDRICKS. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close in 12 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Chairman, I rise to support the amendment offered by the gentleman from South Dakota [Mr. CASE], for this reason: This may be only one of the steps toward destroying valuable historic architecture in Washington. It may well be the start of an overall program. You are very soon going to see some of this activity. One plan is the elimination of valuable architecture here in this Chamber. Your State seals will go with the plan to change this ceiling. Next will come the destruction of certain valuable architecture in the Senate Chamber. A general streamlined program is planned. For a number of years I have been opposing the attempt to change the front of the Capitol Building of the United States. If that is allowed it would destroy considerable valuable American architecture which should be preserved for the future. I am very jealous of American history and American architecture. Therefore, I support the amendment offered by the gentleman from South Dakota [Mr. CASE].

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. EATON].

Mr. EATON. Mr. Chairman, two subjects have been presented here, today both of which involve much more than appears on the surface. The attempt to supersede Mr. Hoover as head of the FBI has its origin in sinister and dangerous forces that are determined to destroy our American form of government and our American way of life. It is the duty of every American-minded citizen to see to it that Hoover is kept in that job and that the FBI remains safe, separate, and distinct from the plottings of these assassins of our American way of life.

As to the White House, I am going to vote for the amendment offered by the gentleman from South Dakota. It is not simply a question of enlarging the White House. We have in recent years witnessed an enormous expansion of Executive power and organization. It is growing like a cancer every day. If it has become necessary for the Executive being pushed irresistibly towards an Executive dictatorship in this country, to have a greater and greater force to do his will, then let us give him a building separate and distinct to be known as the Executive Dictatorship Building, and let us leave the White House as a lovely but mournful monument of the America that used to be free.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, perhaps no one on this floor is more eager to preserve the historic landmarks of our Nation than myself who now stands in the well of the House. Some of the finest traditions of our country cluster within the walls of that majestic structure—the White House. Within it some of the richest history of our land is associated with every room. There the Nation's great leaders—our Presidents—labored and wrought for the American people. But in justice to the plan that has been drawn up to build an addition to the White House in order to provide space for the executive offices, I must say that I have looked at that plan and I cannot see that it in any way touches the White House itself. It is to be constructed on the street opposite the State Department. That it might obstruct the view or otherwise impair the aesthetic beauty of the White House may be true. Be that as it may, I can see no harm being done by delaying this matter. I hope the chairman of this committee might accept the amendment or at least the House now sitting as Committee of the Whole might accept the amendment offered by the gentleman from South Dakota [Mr. CASE] and at least defer this item until some reasonable time when it

can be further considered. If the President needs additional space and it can be justified, I think the House and the Congress should grant it and provide the space. But for the time being, it seems to me that nothing will be lost by deferring the matter at least a reasonable length of time.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, there has always existed in all administrations a certain comity and agreement between the legislative branch and the executive branch of the Government as to matters that more directly affect each branch. The President of the United States has asked for certain additional accommodations at the White House. The Congress has taken action and approved that request. The request is not now being brought before you for the first time. It is a settled issue.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I cannot yield to the gentleman as I only have 3 minutes.

Any man who has ever been in the White House to see the President realizes the inadequacy of the facilities there for the transaction of business. Everybody in America knows that the Presidency is a man-killing job. I, for one, am willing to vote for appropriations which will make it possible for him to serve more efficiently the American people. I, for one, will support his request that a large reception room be built there in connection with this improvement so that when delegations come there in large numbers to see the President they may have an opportunity to see their President. I mean that if a large delegation of veterans who may have an organizational meeting here, or others, want to come to see the President, it should be possible for them to go to the White House and see him. But, as it is, they cannot crowd themselves into the small inadequate office accommodations that are there now. I believe in a President who is accessible to the American people to as great a degree as may be possible. The foreign potentate may isolate himself from the people of his country, but I want Harry Truman or any other President of any party to have adequate accommodations at the White House in order to carry out the responsibilities of the Presidency, and in order to see these groups of citizens who may go to the White House from time to time. The White House has been remodeled from time to time during both Democratic and Republican administrations. This is an addition to make more serviceable to the American people the wholly inadequate facilities of the Presidential office.

The CHAIRMAN. The time of the gentleman from Texas has expired. All time has expired on the amendment.

The question is on the amendment offered by the gentleman from South Dakota [Mr. CASE].

The question was taken; and on a division (demanded by Mr. HENDRICKS) there were—ayes 110, noes 41.

So the amendment was agreed to.

Mr. FULTON. Mr. Chairman, I offer an amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. FULTON: On page 2, line 15, after the semicolon, insert "to the wife of the President a salary of $10,000 per year as services for maintaining the White House establishment, not to be expended as the President may determine"; and in line 21 strike out "$883,660" and insert "$893,660."

Mr. HENDRICKS. Mr. Chairman, I reserve a point of order against the amendment.

Mr. FULTON. Mr. Chairman, I have added an extra item of salary to someone who has long been neglected. That is the wife of the President of the United States, who runs not a house, not just the White House, but an institution. This particular person in this particular instance has previously received a salary of $4,500 per year as the wife of a Senator. She had been the secretary of the President when he was in the Senate. She has now been promoted to the wife of the President of the United States, and has been demoted by $4,500 per year.

As the wife of the President she has greatly added responsibilities. She is known as the First Lady of the land. She has that status, whether she has been elected to it or not. She is the only case of involuntary servitude in the United States of America. She serves completely without pay, completely without expenses, could not resign from the position if she wanted to.

In this case we should give this First Lady of ours her due recognition. She has to travel to conventions of many lodges. She has to receive women from all parts of the country. She has to hold press conferences either directly or through her assistants. Those are duties that must be recognized. In addition to that, she has the duty of supervising the expending of all the money for the maintenance of the household in the White House. She supervises the servants. She supervises the purchases. She has secretaries who work for her and who are paid, but she herself is paid not one red cent by the people of the United States.

I myself think it is about time we recognize those services and gave her some just compensation. The Congress has previously done things for the wives of Presidents who have died, but we surely should recognize the wives of Presidents who are living, who are in there working on their job every day. Of every brickbat that is thrown at the White House, you may be sure Mrs. Truman, or any succeeding President's wife, will receive her full share. The wife of the President has to stand the criticism because she is a public figure. She has to remain in the White House whether she wants to or not. She has to serve 4 years and she is now serving without any pay whatever. May I add also that she even has the burden of entertaining Congress from time to time, because we Members are invited up there both from the upper House and the lower House; and, believe me, that is some burden, too.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HENDRICKS. Mr. Chairman, while I may concede there is some merit to the proposal of the gentleman from Pennsylvania, I make the point of order against the amendment that it is an appropriation not authorized by law.

The CHAIRMAN (Mr. WHITTINGTON). The gentleman from Pennsylvania [Mr. FULTON] offers an amendment in the following language:

On page 2, line 15, after the semicolon, insert "to the wife of the President a salary of $10,000 per year as services for maintaining the White House establishment, not to be expended as the President may determine"; and in line 21 strike out "$883,660" and insert "$893,660."

The gentleman from Florida makes the point of order that it is an appropriation not authorized by law. Clearly it is an appropriation not authorized by law.

The Chair sustains the point of order.

By unanimous consent the pro forma amendments were withdrawn.

The Clerk read as follows:

BUREAU OF THE BUDGET

Salaries and expenses: For all expenses necessary for the work of the Bureau of the Budget, including personal services in the District of Columbia and elsewhere, contract stenographic reporting services, traveling expenses, purchase and exchange of lawbooks, books of reference, newspapers and periodicals (not exceeding $12,500), teletype news service (not exceeding $1,350), maintenance, repair, and operation of three passenger-carrying automobiles for official use, not to exceed $1,570 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the act of June 28, 1944 (Public Law 364), and not to exceed $38,750 for temporary employment of persons or organizations by contract or otherwise without regard to section 3709 of the Revised Statutes, or the Classification Act of 1923, as amended, $3,044,880.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 3, line 23, after "$3,044,880" strike out the period and insert a colon and the following: "*Provided*, That none of the funds herein in this paragraph appropriated to the Bureau of the Budget shall be used for any salary or expense connected with the operation of a Government information service."

Mr. TABER. Mr. Chairman, for many years this Office of War Information has been conducted under Executive orders, allotments, and that sort of thing. At the present time with the wind up of the OWI this was transferred by the President to the Budget. The worst thing about that is that this is not a budgetary function, it is an administrative function and if we are going to permit the Bureau of the Budget to be loaded up with administrative functions we will ruin the Bureau of the Budget.

This item calls for $416,000. The appropriation has been cut a moderate amount, not an excessive amount, by the committee, but more important than cutting an appropriation is to keep the Bureau of the Budget in a position where it does its work properly. If you give the Bureau of the Budget functions that are purely administrative in character we are going to ruin any effectiveness on the part of the Bureau of the Budget as provided for in the general budget law of 1920.

If the Bureau of the Budget is going to do all sorts of administrative work, it will spread and spread, and instead of doing the work which it was set up to do, keeping appropriations and estimates from the President and requests for appropriations under control, it will prove to be a menace to the Government of the United States. Rather than contributing to economy and orderly practice, as well as orderly government, it will result in extravagance.

I hope that the amendment I have offered will be adopted and that we can stop this monstrous way of loading up the functions of a Bureau that was set up by Congress to do a real service. We will really wreck that institution, the Bureau of the Budget, by giving it these additional administrative functions. I hope that the House will unanimously accept this amendment and that we may have no further action of that character.

Mr. HENDRICKS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York [Mr. TABER].

Mr. Chairman, there might be a little more merit in the amendment offered by the gentleman from New York [Mr. TABER] if it effected any savings in the Budget; however, I noticed that his amendment does not strike out any of the money appropriated.

I may say that this Bureau of Information does serve the President, because it gives daily reports of opinions throughout the country to the President of the United States. As busy as the President is, it is impossible for him to glean from the newspapers and radio comments what the people are thinking and I think it is extremely important that he know what they are thinking.

Mr. Chairman, the Budget estimates contained $411,530 for this particular service. In committee we made a very substantial reduction in the estimates for the Bureau of the Budget, reducing their proposed increase by one-half. On that basis there remains in the bill at this time for the Government Information Service only $205,765. This will permit the employment of only 75 persons instead of 150 as proposed in the estimates. Prior to the war this service was rendered by the Office of Government Reports. Title 3, paragraph 54 of the United States Code establishes this agency in the Executive Office of the President and authorizes an annual appropriation of $1,500,000. So we have included in the bill only one-seventh of the total amount of the authorization. In 1940 the appropriation was $830,000 and the personnel employed totaled 304. The service has two well-defined missions, aiding the public and other agencies in securing information, and serving Members of Congress, the President, and practically all executive departments with news and other information. By special arrangement with the Post Office Department all letters addressed to the Government—Uncle Sam—the Information Service, and so forth, are sent to this office. There was 42,594 such letters handled in 1945.

Last year 186,904 telephone calls were received. More than 3,000 calls were from Members of Congress.

This service also publishes the Government Manual, with which you are all familiar. It is a very useful document. Two editions, totaling 64,005 copies, were printed during the last fiscal year and 4,010 copies were distributed to Members of Congress, the Supreme Court, and so forth.

A further service is the distribution of Government publications to approximately 3,300 public and school libraries.

During the 12 months beginning November 1, 1944, 3,526,466 clippings were sent out, 190,880 to Members of Congress and special committees requesting the service, 134,197 to the White House, and 3,201,369 to departments and agencies. The clipping service has made possible reduction in the number of newspapers subscribed to by departments and agencies, as well as reduced to a minimum the need for personnel in the departments and agencies being assigned to reading and clipping daily papers.

So it is apparent, Mr. Chairman, that there is a real need for a centralized information service of this kind, and I hope the Committee will retain the small amount remaining in the bill for this activity. As I have said, the item has already been cut in two by our committee in reporting the bill to the House.

So it is apparent, Mr. Chairman, that there is a real service connected with it if we are willing to go into it. We have made a substantial reduction by cutting it in half, leaving only $205,000. I hope the Committee will defeat this amendment.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I rise to support this amendment which has been presented by the gentleman from New York. I cannot see in the arguments thus far presented against it that the funds have any place in the budgetary set-up in the bill we are now considering. I want to go on record here and now that I am for any attempt to economize in this bill, with the exception of one section.

I received information yesterday that there are plans afoot to disband and close some of the veterans' hospitals in the country. I say to you that the GI bill of rights outlined definitely the promise that this Congress and the country were to establish adequate medical and hospital facilities for veterans, and you cannot get away from that function.

Mr. PRIEST. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield to the gentleman from Tennessee.

Mr. PRIEST. The gentleman stated that he understood that some of the veterans' hospitals are to be closed. Does the gentleman refer to Army hospitals or veterans' hospitals that have already been established?

Mr. EDWIN ARTHUR HALL. I refer to the Rhoads General Hospital, in Utica. That has been used throughout the war. It was my understanding, until some information I just recently received, that it was the intention of the Veterans' Administration to use this for a veterans' hospital. Now they are going to close it. I tell you that this will create chaos throughout the central part of New York. I want to go on record as protesting any such policy. I am not necessarily condemning the committee, but I do say that the Veterans' Administration is making a great mistake to close hospitals at the present time when additional facilities to take care of the dearth of medical attention are not yet authorized.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield to the gentleman from Texas.

Mr. MAHON. Is it not true that the Veterans' Administration insists upon closing some of these hospitals on the ground that they are not adequate to give the veteran the treatment he really should have, and that new hospitals should be constructed in order to meet the need?

Mr. EDWIN ARTHUR HALL. My answer to the gentleman is, why do they not wait until they have some adequate facilities? They are taking away a hospital in central New York, and this will deprive several hundred thousand veterans of the medical attention we guaranteed them in the GI bill of rights. For the life of me, I cannot understand a policy of that kind. I have repeatedly said that instead of closing hospitals the policy of the Veterans' Administration should be to expand them and to build more, if it has to go into every nook and cranny and corner of the country. I do not care where these hospitals are just so long as they have them. The Veterans' Administration must have an increasing number of them. We cannot let the veterans down, we cannot give those boys that have gone away to fight an opportunity to say that they are being neglected, and particularly those who need hospital and medical attention.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. They cannot build a sufficient number of new facilities because they cannot get the material, thanks to the OPA, that has tied up brick and lumber and other materials.

Mr. EDWIN ARTHUR HALL. That is all the more reason for my protesting the closing of Rhoads Hospital and the other veterans' or Army hospitals in the country. It is a disastrous situation. It will deprive the young men in my section—in the triple-cities area of Binghamton, Johnson City, and Endicott, close to Utica—of the medical and hospital attention they must and should have. It is a disastrous policy. I hope the committee will investigate the situation and not allow these hospitals to be closed.

Mr. MAHON. The committee allowed every dollar that was requested for veterans' hospitals because this committee is most anxious to provide every possible facility for the veterans.

Mr. EDWIN ARTHUR HALL. Does the gentleman mean by that that they are increasing the number of dollars to be used for hospitals in the Veterans' Administration?

Mr. MAHON. Certainly; there is a large item in here for new construction of hospitals.

Mr. EDWIN ARTHUR HALL. That may be true, but it still indicates that somebody is not on the job when they come along and close a great hospital like Rhoads General Hospital at Utica, in central New York, where so many hundreds of thousands of veterans need attention.

May I make one more point? I hope the policy will be continued to locate these veterans' hospitals in home communities wherever it may be possible. I do not relish the idea—and I know that hundreds of thousands of relatives of servicemen do not relish the idea—of having to travel thousands of miles to visit their loved ones who are veterans in hospitals. As the matter now stands, it will be necessary for our veterans to go thousands of miles to get any attention they need.

I hope the Committee will reconsider this proposition.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HENDRICKS. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. REES.]

Mr. REES of Kansas. Mr. Chairman, I think this Committee ought to be impressed with the statement of the gentleman from New York that the function of this activity is not a budgetary function. I think we ought to also be impressed with this thought: When an agency once gets started in this Government, it proceeds immediately to spread itself out all over the place. That is what this agency did. You see, this agency was created out of emergency funds. The Congress refused funds for this agency in the beginning, but the thing has just gone on and on. During the war it designated itself as a war agency to furnish war news and war service. Now it wants to be perpetuated as a peacetime service for Congress and for the people of this country. It is alleged the President needs it. Needs it for what? How does it help him? It is not claimed it serves to assist the President in securing information for the Bureau of the Budget. Much has been said about information and publications furnished Members of Congress by this agency. I would like to see any Member of this House rise to his feet and tell me that any publications that he received from this agency ever did him or his office a bit of good. It is claimed Members of Congress received thousands of publications from this agency. Let him tell me that he received any of these publications that were of any value to him. If you will investigate the thing, you will find that they are nothing more nor less than duplications of other publications, or, at least, the information received was not of any particular value to your office. Certainly not worth what it cost. Now here is a chance to save a few hundred thousand dollars without injury to anybody, and at the same time you will save the employment of 145 employees whom you do not need on the Federal pay roll.

You talk about cutting Federal expenditures. Here is just one little chance to make just a gesture to show that you are going to do that very thing, I say to you the agency is not worth the money. It is not a budgetary matter anyway. You ought to support the amendment offered by the distinguished gentleman from New York.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I am glad to yield to the distinguished gentleman from Massachusetts.

Mr. WIGGLESWORTH. Is it not a fact that this organization was set up out of the President's emergency funds some years ago after the Congress had expressly refused to appropriate funds for the purpose?

Mr. REES of Kansas. That is correct. Congress turned the thing down. They said, "No; we will not appropriate the funds. We do not want it." And after that, in spite of that action, the administration spent the taxpayers' money to support this thing which, if it ever had any value at all, has no value now, and I do not believe it is worth the money. Here is a chance to save just a little bit of money if you will, perhaps just a couple hundred thousand dollars. At the same time, let the Budget function in its own place and not go out in a field where it has no business. I trust this Committee will see fit to support the amendment offered by the gentleman from New York.

The CHAIRMAN The Chair recognizes the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS of Texas. Mr. Chairman, I hope that this amendment will be defeated. It is very seldom that I disagree with my distinguished friend, the gentleman from New York [Mr. TABER], but I find in this instance I am in disagreement with him. We of this subcommittee considered at some length the striking out of all the funds for this function in the White House. But after much consideration, I might say, we came to the conclusion that we would not destroy this particular function but we did reduce the amount 50 percent in terms of dollars and cents. That is a sizable cut. I think every Member of the House will agree with me on that point.

It has been stated that this function was created with emergency funds. If I am in error I would like to be corrected. On June 9, 1941, the President approved an act of Congress authorizing an annual appropriation of $1,500,000 to the Office of Government Reports in the Executive Office of the President. If we adopt the amendment offered by the gentleman from New York [Mr. TABER] we will absolutely wipe out that function, as far as this particular bill is concerned, because it has no money with which to operate.

Another point: I think it puts the House in a very bad light. Here is a coordinate branch of government coming to the appropriating agency of this Government and saying to us, as our coequal, the President, if you please, "I need this money to run my part of my responsibilities in this Government." Should we deny it on that basis?

Whenever this House or the other body needs funds for its own function, does the President of the United States question that?

The funds for this purpose are divided into three parts: For the Government manual; for the clipping service, which is for his own use and the use of his agencies; and for letter writing.

Last year they answered over 42,000 letters. They answered more than 185,000 telephone calls. Is there a Member of this House whose mail has not increased from 50 to 100 percent since last August? We all know what has happened with reference to our own mail. Certainly, by the same token; we must realize that the volume of mail going to the White House, that this organization answers, must have increased likewise from 50 to 100 percent. All in all, I think we have done very, very little for the White House in this regard.

Mr. TABER. Mr. Chairman, will the gentleman yield at that point?

Mr. THOMAS of Texas. I yield to the gentleman from New York.

Mr. TABER. The gentleman would in nowise contend that this was a proper budgetary function, would he?

Mr. THOMAS of Texas. Yes. I disagree with my friend.

Mr. TABER. All of these things are administrative functions and not proper budgetary functions.

Mr. THOMAS of Texas. But my friend would expect the President of the United States to attend to this himself?

Mr. TABER. Then he should put it in some agency, where they have regular administrative activities, instead of in the Budget.

Mr. THOMAS of Texas. Well, after all, this is for the use and benefit of the President of the United States. Why not let him say where he wants this function to rest? Is it our duty to tell him how to run his shop?

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. THOMAS of Texas. I yield.

Mr. MAHON. Is it not true that the President does rely and is compelled to rely heavily upon the Bureau of the Budget for information, for factual data and assistance, and is it not true that Mr. Harold Smith is a very able arm upon which the President can rely in these matters?

Mr. THOMAS of Texas. I thank the gentleman for that observation.

Let me point out that the legislation creating this agency expressly says it must be in the executive office of the President of the United States.

I hope the amendment will be rejected.

The CHAIRMAN. The time of the gentleman from Texas has expired.

All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 67, noes 51.

Mr. HENDRICKS. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chair appointed as tellers Mr. TABER and Mr. HENDRICKS.

The Committee again divided; and the tellers reported that there were—ayes 86, noes 81.

So the amendment was agreed to.

The Clerk read as follows:

EMERGENCY FUND FOR THE PRESIDENT

Emergency fund for the President: Not to exceed $5,000,000 of the appropriation "Emergency fund for the President," contained in the First Supplemental National Defense Appropriation Act, 1943, as supplemented and amended, is hereby continued available until June 30, 1947.

Mr. DWORSHAK. Mr. Chairman, I make a point of order against the paragraph just read on the ground there is no legislative authority for the appropriation proposed.

The CHAIRMAN. Does the gentleman from Florida desire to be heard on the point of order made by the gentleman from Idaho?

Mr. HENDRICKS. Mr. Chairman, I will leave that to the discretion of the Chair.

The CHAIRMAN. The gentleman from Idaho [Mr. DWORSHAK] makes a point of order against the paragraph on the ground that the appropriation is not authorized by law. The Chair has stated to the gentleman in charge of the bill, the gentleman from Florida [Mr. HENDRICKS], that he would be glad to hear him. In the absence of any statement to the contrary, the Chair is bound by the statement of the gentleman from Idaho and, therefore, sustains the point of order.

The Clerk read as follows:

FEDERAL COMMUNICATIONS COMMISSION

Salaries and expenses: For salaries and expenses of the Federal Communications Commission in performing the duties imposed by the Communications Act of 1934, approved June 19, 1934 (48 Stat. 1064), the Ship Act of 1910, approved June 24, 1910, as amended (46 U. S. C., 484–487), the International Radiotelegraphic Convention (45 Stat., pt. 2, p. 2760), Executive Order 3513, dated July 9, 1921, as amended under date of June 30, 1934, relating to applications for submarine cable licenses, and the radiotelegraphy provisions of the Convention for Promoting Safety of Life at Sea, ratified by the President July 7, 1936, including personal services, contract stenographic reporting services, rental of quarters, newspapers, periodicals, reference books, lawbooks, special counsel fees, supplies and equipment, improvement and care of grounds and repairs to buildings (not to exceed $17,500), purchase (not to exceed six used or surplus), maintenance, operation, and repair of passenger automobiles for official use in the field, travel expenses (not to exceed $130,000), purchase of land and the construction of buildings and antennas (not to exceed $130,000), not to exceed $14,400 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364), reimbursements to ships of the United States for charges incurred by such ships in transmitting information in compliance with section 357 of the Communications Act of 1934, as amended, $5,560,000, of which amount not to exceed $2,984,000 may be expended for personal services in the District of Columbia.

Mr. WIGGLESWORTH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WIGGLESWORTH: On page 10, line 21, after the words "as amended" strike out the figures "$5,560,000" and insert the figures "$5,310,000."

Mr. WIGGLESWORTH. Mr. Chairman, I expressed at some length in my remarks on the floor yesterday my views with respect to the appropriation for this agency.

When the Bureau recommendation in the amount of $6,060,000 was received, that recommendation compared with an appropriation of $1,800,000 for the fiscal year 1940 just prior to the war, and with $2,255,000 for the current fiscal year for regular activities.

In addition, in the current fiscal year there was made available $2,434,000, largely for the Foreign Broadcast Intelligence Service and the Radio Intelligence Division, both of them classified heretofore as national defense activities.

The Budget recommendation was equivalent to the full appropriation for fiscal 1946 for both regular activities and national defense activities, plus an overall increase of about $1,000,000. It contemplated an enormous increase all along the line; an increase reflected in almost every function and division of the agency, an increase in personnel from 1,245 to 1,613; an increase in other obligations of the agency of 400 percent compared to regular activities or 100 percent compared to combined activities.

If my memory serves me right, the increases in respect to various functions of this agency were as high as 80 percent.

Now the committee has reduced the Budget recommendation by $500,000. But after that reduction has been made, after making allowance for pay increase as the result of Public Law 106, after making allowance for an increase carried in a recent deficiency bill, we find that the agency still has about $500,000 over and above the appropriation which it had during the current fiscal year.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from New York.

Mr. TABER. The gentleman is quite familiar with the operation of this Commission, having been on the investigating committee, and is acquainted with many people dealing with it. In the gentleman's opinion, is it not a fact that if that Commission went to work and did its job, that it could be up to date with the work very shortly with the force that it now has?

Mr. WIGGLESWORTH. I will say to the gentleman that I do not know that I am expert enough to answer the question, but that I consider I have very expert opinion, which is exactly to that effect.

Mr. Chairman, I concede that there is an increase in work load. I concede that there are certain new developments in the Commission's field of activity. In my judgment, however, the proposed increase of $500,000 recommended is altogether too great. In these times we have got to cut down and omit some of the things that we would like to do.

The purpose of my amendment is to reduce the committee recommendation by $250,000. It cuts the increase recommended by your committee in half. It leaves the agency with $250,000 more than the total appropriation which it has had during the current fiscal year. I think it is a moderate proposal; I hope it will meet with the approval of the House.

Mr. HENDRICKS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the desire to save money is laudable on the part of anyone. Certainly I know that my friend from Massachusetts is sincere. He is the ranking member of this committee. We have worked together and discussed these matters, and I know his only desire is to save money. I know he would not want to deprive the Federal Communications Commission of the necessary personnel and help to serve the public. I know also that the gentleman fully realizes, even though he did not discuss it thoroughly, the new developments, scientific developments, which have put an additional work load on the Federal Communications Commission.

I think we did a pretty good job when we cut this bill $46,000,000 below what the President estimated for the year. A part of that cut was $500,000 for the Federal Communications Commission.

Mr. Chairman, just to give the Committee an idea of what the Federal Communications Commission has to do, let me give you just an idea of how many applications they have before them at this time as compared with 1937 and 1938. In 1937 they had to handle 914 applications. In 1938 they had to handle 939. During the war they had to do a lot of war work, and no one can deny that.

At the present time they have two new developments, FM, that is, frequency modulation, and television. In FM alone they have 747 applications this year, almost as many as they had altogether in 1937. In television they have 156. In standard and other applications they have 1,484. This makes a total of 2,387 applications, as compared with those they had in 1937 and 1938, prewar years. They also have a backlog that they have to take care of, because of the fact they had to do war work.

There are many other kinds of work they have to handle. They have applications in aviation, emergency, experimental, miscellaneous services, fixed public, ships, public, and coastal telephone and telegraph—3,289 applications, making about 6,000 applications they have before them at this time that they have to process.

The gentleman may be an expert on the Federal Communications Commission. I am no expert, but it does not take an expert to see that the Federal Communications Commission has a lot of work to do and that they are serving the public. I do not think any other cut is justified in this item. I feel that the

House should give them all the committee has recommended.

Let me read this brief statement to you from the report.

During the war there were very rapid developments in the field of radio, and, as a result, outstanding advancements are occurring in the communications industry. Within a few years there will be in existence several times as many broadcast stations—standard, FM, television, and others—as now exist. The safety and special service transmitters will increase from a few thousand to a few hundred housand. There will be striking advancements from the commercial applications of radar and other electronic developments of the war. Developments in connection with the telegraph and telephone systems will have far-reaching effects upon every phase of the common-carrier actiivty. The committee is of the opinion that the funds recommended are the minimum with which the Commission can do its part in meeting the rapid developments set forth above.

Mr. Chairman, I challenge any Member of Congress to go down to the Federal Communications Commission and see if anyone is sitting around holding his thumbs. If you will inquire of your own constituents, you will find that there are applications before the Federal Communications Commission that they have not acted upon because they have not had the time during the war. They do not now have the personnel to keep up with the advancement in science, and they are not going to have it unless we give them the money we have recommended in this bill. I say that a cut of $500,000 is enough, and I hope the Committee will defeat this amendment.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield to the gentleman from Texas.

Mr. MAHON. Is it not true that we are on the threshold of a tremendous development in frequency modulation and television broadcasting and that a tremendous backlog of about 1,500 application has piled up? Is it not also true that if the people are to have the radio service which they deserve and desire we must provide for the personnel to handle these applications so that the applications may be acted upon, not only acted upon, but acted upon wisely? And is that not the reason why this cut should not be made?

Mr. HENDRICKS. Of course, the gentleman is right. If anybody will read the testimony adduced in the hearings, I am sure this cut could not be justified.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, it will be difficult for the Members to believe what is involved here. There is not a Member of Congress who does not, when he goes back to his district, talk about the growth of Federal employment. There is not a Member of the Congress who at some time or other has not told the people of his district that when the war is over he will insist that the Government cut down the army of Federal employees.

Now, of all the agencies that were presented to this committee, the Federal Communications Commission asked for the most astounding appropriation. They admitted that in 1939, the last year before the war, the total amount of their budget was less than $2,000,000, far less than $2,000,000. It was less than $1,800,000. Actually, it was only $1,776,000. That is $124,000 less than $2,000,000. Yet, here for the first postwar year, they ask for $6,086,000.

In the current year, this present fiscal year of 1946, they received a total of $5,397,000. Not content with even asking for all they had in this current war year, they asked for an increase over that, going up to $6,000,000. Out of this $5,397,000 which they had this year, almost half of it was for national-defense activities.

You will find that in the committee report on page 20, where they separate their normal salaries and expenses from the salaries and expenses for national-defense activities. You will find that for their regular activities they had not only $2,946,000 but in additional $2,430,000 for national-defense activities. The situation is even worse than that because out of this $2,430,000, $1,166,000 was for the Foreign Broadcast Intelligence Service, which has been discontinued as a function of the Federal Communications Commission. So that actually in the amount that they requested of $6,086,000 they were asking not only for an increase of peacetime funds in peacetime but also for an increase of more than the $2,500,000 that they had in the last war year for national-defense activities. On top of that, they had one of those major items in their program taken away from them.

The committee recognized the situation and we did what we could, that is, what a majority of the committee could agree upon during the hearings, and we reduced the funds requested by $500,000. But it still leaves the Federal Communications Commission with $5,585,000, which is approximately $200,000 more than they had for this last war year, when half of their activities was war work. The gentleman from Massachusetts in the pending amendment has merely proposed that we take off another $250,000. That will still leave the Federal Communications Commission with $5,310,000, which will be almost three times what they had during the last year before the war.

It may be, as has been said, that there is an increased interest in frequency modulation and television and other developments in communications, but if you vote to give an agency in its first postwar year three times what they had in 1939, how are you going to justify the statement you have made to your constituents that you are going to cut down on growing Federal bureaucracy?

Mr. HENDRICKS. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

Mr. TABER. Mr. Chairman, I object at this time.

Mr. JONES. Mr. Chairman, I move to strike out the last word.

Mr. JONES. Mr. Chairman, I want to address myself against the amendment. I am not out of character for cutting Federal expenditures. I want to describe a condition that exists in the American broadcasting industry because of this backlog of Federal Communications Commission work.

The Federal Communications Commission is unlike most other agencies in the Federal Government. When other agencies get behind, business concerns can continue to operate for profit. When the Federal Communications Commission gets behind in processing applications for a new station, the existing broadcasting station would have a monopoly in that town or city until the FCC becomes current. Let me say there are many cities in this country that have a monopoly on the broadcasting industry in cities of 50,000 or 100,000 population. For dollar value invested in existing broadcasting stations there is more profit return than in any other industry in the commercial field, even the diamond industry.

When the Commission gets behind in processing applications for a broadcasting station in a town of, say, 100,000 population, and a proposed competitor makes application for a license to broadcast in that city and the financial set-up of the competitor applicant for a broadcasting license is perfect, his engineering supports a satisfactory channel, what happens? The Commission's backlog can delay the competitor applicant for a year and gives a decided benefit to the existing broadcaster a continuation of his monopoly for a year. The FCC backlog gives the existing station a diamond mine monopoly for a year. I do not condone the fact that the Federal Communications Commission may be as slow as any other Government agency. That may be true. But I want to see competition in the field of broadcasting. Where there is one station in a community, I want opportunity given to others to get into the broadcasting business in short order if he is financially responsible and has a satisfactory channel available for assignment. There are many communities that have no broadcasting stations. What an injustice it is to those communities to have no broadcasting stations for a year or more because of FCC backlog. My brief is not for the Federal Communications Commission, but my brief is for the point that we give them the funds that they claim are necessary to process applications with dispatch. Once we give them funds that are adequate—and I believe in this case they are adequate—then cut them back to a peacetime basis.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. MAHON. The committee was most anxious to reduce appropriations as much as possible. We cut this item $500,000. But we agree with the gentleman from Ohio that there should be competition in this field, and these people who are clamoring for permits should be given a hearing, at any rate. Of course, decisions should be made on the basis of equity and justice.

Mr. JONES. I thank the gentleman for his contribution. I say this backlog

of work in the Federal Communications Commission, which gives a definite advantage to existing broadcasters, is threatening to become a scandal in this country and should not be allowed to continue. Once they are given the money the Congress shoud see to it that they do the job. They should either fish or cut bait. I hope the members of this committee will see that they do a good job or see that there be some heads cracked next year. I am counting on you members of this committee to do that much.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. CRAWFORD. I wish to ask the gentleman in all seriousness, with his knowledge of this matter, would he make the firm statement that there is not in operation in that agency an influence or an element that goes entirely outside of the personnel with respect to giving these permits?

Mr. JONES. Does the gentleman mean irregularities in the granting of the permits?

Mr. CRAWFORD. That is just exactly what I mean.

Mr. JONES. I do not know, but I know that there are 1,400 permits down there that have not been acted upon. If we give them the funds, then they have no further excuse to deny a man who wants to invest in private industry in America an opportunity to do so. I am describing a condition that I am trying to correct for the benefit of private industry. I know that this money will give them an increase from 1,245 employees up to 1,600.

I know that but I am still trying to bring about action for American private enterprise in the communications field; and I want to get out of this rut. Regardless of which party is in power and I think it has been abused in the past, I want to see a broadcasting license given to at least one station in a community. But as it has been in the past if you had any ideas against the policy of the Administration you did not get a station. I want to see that everybody who applies gets action on his application and prompt action so he can get into business. At the present time if you lle an application before the Federal Communications Commission you do not even get a file number for a month.

The CHAIRMAN. The time of the gentleman from OLio has expired.

Mr. PATRICK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, this is an interesting attack the gentlemen on the left side of the aisle are making and I wonder if they have fully considered the result that may flow from an attack of this fashion? This is an attack against business, little busines as well as big, but practically all can be classified as small businessmen who are trying to get into this clear field of needed development. The number of applications not yet acted upon is not 1,400 but I believe it is a few more than 1,500. A thousand of them, speaking in round numbers, are new petitions filed by men who are trying to get an opportunity to do business serving the Nation with radio broadcasting.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. MAHON. And are not many in this business small businessmen? And are not many of them returned servicemen? No applications were filed during the war, to speak of, but now there is a flood of them.

Mr. PATRICK. Exactly; and how on earth are you going to clear them if the Commission's funds are cut as proposed? This is not the place to cut, for every time you cut a dime off here you are costing thousands of dollars to good Americans who are trying to get going in this Nation. That is what is happening. This is the biggest exaggerated case of penny wisdom and pound foolishness I think I ever heard of in this Congress. It may be that the Federal Communications group down there is justly subject to criticisms that have been made; but I will even go so far as to say that the very able gentleman from Ohio [Mr. JONES] indulged in understatements, which is certainly good statesmanship; and I hope you will go to the Federal Communications workhouse and see for yourself what they are trying to do there. Then you cannot help but realize the need for further funds to carry out their program. Do you realize how far it has already reached, and that it promises to reach out farther? This activity needs greater national expansion. What has become of your recent solicitude for free enterprise? It is erroneous to hold the idea that this group needed more money during its wartime activities than it needs now. The situation is quite the reverse. Here is a clear field in civilian life that is growing by leaps and bounds. Little places in Ohio, Pennsylvania, and in the West, Wyoming, and all our other States that never had an opportunity for local radio service before want it now and need the excellent community service it gives.

Mr. WASIELEWSKI. Mr. Chairman, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. WASIELEWSKI. Is it not true that today we are making an effort to find new fields of employment, trying to do everything to get people to work, and is not this one of the biggest new fields in which they can be employed? The expansion of the radio field will give jobs to manufacturing plants, technicians, and performers. It will open a new sphere of work for returning servicemen.

Mr. PATRICK. The gentleman from Wisconsin is right, and on that basis alone, each new station that is opened furnishes employment for anywhere from 50 up to 1,500 people. This shows the importance of getting these applications acted on and these stations started. Businessmen want these facilities. The smaller cities and communities want them. Returning veterans who want to go to work and establish businesses for themselves are interested in entering these fields, and many hundreds of them have filed applications. If you are interested in helping these groups, let me see you go to it. And if you are willing to face the smaller business men and their friends by opposing this appropriation, let me see you go to that.

You just have not thought it over, that is all.

Mr. MAHON. Is it not true, further, that if these permits can be granted the wheels of industry will start to turn in connection with the manufacture of required equipment that is needed for putting into operation these different radio stations? Also for the expansion of existing facilities.

Mr. PATRICK. They are waiting. The orders are tentatively in. They are waiting for the wheels to turn. It will start the work going, it will start shipments going all through the Nation and instead of obstructing this agency we ought to be opening the channels here. I am convinced that some of you gentlemen who are opposing this have done so without thinking it over.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. THOMAS of Texas. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 20 minutes, the last 5 minutes to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Chairman, we are starting the new year 1946 now. If there ever was a time when the American people were crying out to the Congress for economy and for the demobilization of bureaucracy on the home front it is now. With the beginning of this session I had hoped that the line of demarcation, the middle aisle here, would be obliterated and that you of the majority party would join with us in a tremendous resurgence and effort of the representatives of the people here to bring about real economy in Government.

Mr. Chairman, this is an eventful day. This is the day we are considering the first appropriation bill of 1946 which will lay heavily, taxes on the people of this country. This is the time for action and economy by Members of Congress and the time for serious thought and consideration. We of the minority have lead the fight to save over a million on amendments just passed.

We have an opportunity by this amendment to save only $250,000, it is true, but when we do, the agency concerned, the Federal Communications Commission will still have left almost four times the amount of money it had during peacetime. There is no question but that this agency has asked for more money than it needs. All other agencies are asking for tremendous sums of money, but that is the policy of bureaucracy in this country, a policy that is adding to the torment and distress of the people of the United States.

And, speaking of this agency, Mr. Chairman, it was so arrogant and powerful it was able to defy the Congress itself, recently blocking a real investigation of its acts. It could not stand an honest, courageous investigation. The agency had much to cover up a year ago, and it stopped the Congress from any investigation of its actions and conduct.

Most of these permits referred to could be adjudicated quickly if the agency would go to work. Unless this amendment carries, we will allow this agency to add 400 more people to its pay roll. When you think of the fact that there is over 3,300,000 people on the Federal pay roll today in this country and outside of the country, and when you think of the fact that we have an opportunity here at this time to begin to cut down on the pay roll and to cut down on the expenses of Government, I am amazed that Members of this House will not listen to those of us who advocate economy at this time.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. What would be wrong with cutting this appropriation down to about a million dollars? I ask this question because bankruptcy now seriously threatens the Nation.

Mr. VURSELL. I would not be willing to go as far as the gentleman who has just spoken. I understand why he is deeply depressed and worried about the financial solvency of this country. There are millions of people in this country who are anxious about our financial future for the very reason that their Representatives in Congress do not practice economy and safeguard the savings of the people, to keep them from being continuously raided by the Federal Government to pay for the salaries of the useless bureaucrats by the hundreds of thousands, yes, by the millions, who are on the Federal pay roll.

Recently I talked with a man who is drawing a salary of some $7,500 a year from the Federal Communications Commission. Not more than a few months ago he told me how there was no work for him to do; how he had been sent from one place to the other, and he suggested that the investigation that was proposed in Congress should not fail.

I repeat, Members of the House, here is your opportunity to do the things that you are telling your constituents back home you intend to do, and that is to cut down the Federal expenses of this Government.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, I realize that it is extremely difficult for this Committee, or any other committee, to resist the demands of our agencies for funds. But I want to reiterate a thing that has been suggested by the gentleman from Illinois that somewhere along the line we are going to have to begin to cut expenses. I am not here to represent or in any way defend any of these applicants for licenses before this agency. I find that, generally speaking, they do a pretty good job of taking care of themselves. There may be some backlog down there, but really most of the work is paper work. Let them quit blaming the war for their failure to give service and turn that energy to looking after peacetime business. There is nothing particularly complicated about the job of issuing licenses under this agency. If they would be just a little more efficient about the thing, they could get the job done without this additional money. But how in the world is this Committee or this House or this Congress going to defend a thing that has just been suggested a little while ago where before the war you spent about $1,800,000 on this agency and now they want $6,000,000? You cut it back a little bit, but mighty little, and you know it.

Let me call your attention to the fact that in this item you have included salaries and expenses for national defense amounting to $2,430,000. That item remains in the bill. Where is the demand for more than $2,000,000 for the Federal Communications Commission for national expense? That has not been explained, and I do not think it will be explained. During the war some amount for monitoring, or whatever it was, but certainly that must be out of the picture now. Why do you include more than $2,000,000 for national defense? What defense do you have in mind. It will take more money than before the war, but certainly not three or four times, as it did prior to 1941. We can save a part of the $2,430,000, which is more than we spent before the war period for this agency.

What we ought to do is to cut out the national-defense item. Then if some additional funds are required, take care of it. Then demand along with that a little more efficiency in this agency. But for goodness sake, at this time we should not increase the amount of the demands of this agency. I just do not believe that a case has been shown on the floor of this House on behalf of the additional appropriation. Have the agency cut out a lot of its so-called defense activities, but do not give them more money because it will not do a bit of good. All in the world the gentleman from Massachusetts asks for is a reduction of $250,000 out of the $5,500,000 that you are going to spend for this agency. It is only 5 percent. Let us stop, look, and listen. Let us not go on record this afternoon as increasing the number of employees. Let us at least hold it where it is. It is the least you can do. You ought to cut it down. I think this House in its sober moments will be willing to support the distinguished gentleman from Massachusetts, who has given this matter a lot of time and a lot of study. I believe he knows more about this matter than any Member. Let us sustain him for once, and cut off only a small percent, and save $250,000 for the taxpayers of this country. We should not go on record as increasing employment in an agency in peacetime when it is unnecessary to do so. It will be a healthy thing for the House to say that it at least tried to cut the expenses of the Federal Government a little and save money for the taxpayers of the country.

Mr. HENDRICKS. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Florida.

Mr. HENDRICKS. The gentleman referred to the monitoring service.

Mr. REES of Kansas. Whatever they were doing in wartime, whatever time and energy and expense was used during wartime certainly is not necessary in peacetime. In my judgment, the time has come, now that the war is over, to get rid of the expenses that have been charged up to the war.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, this is an attempt to cut $250,000 from the appropriation of the Federal Communications Commission. It would leave the appropriation $5,310,000. These people want to increase the number of employees they have from 1,200 to 1,600. The basis that some people have suggested here is that they have a large backlog of applications. What are those? Seven hundred and forty-seven applications are for frequency-modulation stations. What are they? They are stations that have a radius of operation of only 15 miles. They are not stations that broadcast long distances. They are entirely local propositions, where the wavelengths will not interfere with stations 25 miles away.

How is it possible that it would take a a year for 1,200 people in that organizaion to pass on 747 applications? If they organized and went to work they could do it in 2 months and have it all cleaned up and do it thoroughly. It is perfectly ridiculous to tell us that if you give them more money and more employees you will have a leverage on them to ask them why they are not doing their job. We have that leverage now. They are just lying down on the job. That is what the best experts in the communications field tell us right now. That is the picture you have presented. These people just want to build up a tremendous bureaucracy. They will not do any better job if you give them more money.

The only chance we have to keep the United States of America solvent is to stop appropriating money for more and more employees when they have plenty to do all the work they have to do right now. It is about time for this Congress to stand up and assert itself and meet its responsibilities. I hope this amendment offered by the gentleman from Massachusetts will be adopted just as it stands. As the gentleman from South Dakota told you, it allows almost three times as much money as they had before the war. Let them go to work and do their job and stop spending their time agitating for more money when they do not need it.

Mr. PLOESER. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. PLOESER. How much did the committee cut their original appropriation?

Mr. TABER. Just $500,000. But the way the recommendation comes here,

it is nearly $200,000 above the total they had with all their war activities last year. It is perfectly ridiculous when activities which heretofore cost them $2,500,000 are eliminated that we should not reduce the amount of the appropriation.

Mr. PLOESER. This amendment just calls for a further reduction of $250,000?

Mr. TABER. That is all.

Mr. PLOESER. That is 5 percent, approximately, is it not?

Mr. TABER. That is all.

Mr. PLOESER. If I had any criticism of the amendment at all, I would say it is far too small an amount.

Mr. TABER. It is a very, very conservative attempt to cut. It is not an extreme request to cut the appropriation by this amount. I hope the committee will adopt the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS of Texas. Mr. Chairman, again I find myself in disagreement with my distinguished friend, the gentleman from New York. I think the Committee must bear in mind two or three salient facts in regard to the amendment offered by my friend, the gentleman from Massachusetts. In the first place, the Congress created the Federal Communications Commission and imposed upon that Commission three duties: First, to regulate the field of radio; second, the field of telephone communication; and third, the field of telegraph communication. We all know what has been going on recently in regard to strikes in the field of telephone services and in the field of the telegraph. Now, after the Commission has been practically dormant by virtue of an Executive order, we find that there is an accumulation and backlog of some 2,300 applications for new radio stations and modification of old licenses for radio stations. Is that all? No; that is in addition to their duties to handle the telephone and telegraph systems in this country. In the brand-new field of frequency modulation radio broadcasting we have 1,488 applications now pending. Does the House of Representatives want to perpetuate the monopoly in the radio field? If that is the desire of the House, then vote for the amendment of my good friend from Massachusetts, and you will certainly perpetuate it to the tune of $250,000 worth. That is what it amounts to, because we are told by the scientists that a good many of these frequency modulation stations can be set up in the same localities scientifically without interference one from the other. But, after all, this is no slipshod work. It is purely scientific work and has to be done carefully and scientifically. We find some talk here about the Federal Communications Commission being a bunch of loafers. Well, I am ashamed of my colleagues who intimate that. Do you know that is one of the hardest working Commissions in this Government? I telephoned there yesterday, if I may give my personal experience, at 6 o'clock in the evening, and the Commission was still sitting, holding hearings. There are no finer men in the Government service, in my humble judgment, than Paul Porter and his colleagues on that Commission. There are no harder working men to be found in the Government. If you telephone over there this afternoon at 6 o'clock I will venture the assertion that you will find them still on the bench conducting their hearings.

Let us not cripple their activities by $250,000. Give them this money and let them get their trained personnel and go to work and clean up this backlog. Then, when we come back here next year, I am hopeful we can reduce their personnel load at least 10 or 15 percent. I think that is a fair possibility. But let us not tear it up now. Just think of these applications. People waiting 12 or 18 months for a hearing. Do you know what happened about 2 months ago? The Supreme Court of the United States held that where A has filed for a radio application of a certain frequency and B comes in and files for that same frequency, it is unlawful for that Commission not to grant those parties a hearing. They must grant them a hearing and then base their judgment upon that hearing. In other words, if they grant a license without a hearing, that license is illegal.

Now, do you want to tie their hands for 2 or 3 years? That is just what it will do.

I hope this amendment is defeated. It has very little, if any, merit.

The CHAIRMAN. The time of the gentleman from Texas has expired.

All time has expired.

The question recurs on the amendment offered by the gentleman from Massachusetts [Mr. WIGGLESWORTH].

The question was taken; and on a division (demanded by Mr. WIGGLESWORTH) there were—ayes 65, noes 89.

So the amendment was rejected.

The Clerk read as follows:

FEDERAL WORKS AGENCY

OFFICE OF THE ADMINISTRATOR

Salaries and expenses: For salaries and expenses in the Office of the Administrator in the District of Columbia, including the salaries of an Assistant Administrator and a general counsel at $10,000 each per annum; printing and binding (not to exceed $4,000); purchase (including exchange) of lawbooks and other books of reference, purchase of newspapers and periodicals (not to exceed $150); preparation, shipment, and installation of photographic displays, exhibits, and other descriptive materials; travel expenses; not to exceed $4,000 for the temporary employment of persons or organizations by contract or otherwise, for special services determined by the Administrator to be necessary, without regard to section 3709 of the Revised Statutes, and civil-service and classification laws, $300,000: *Provided*, That the Federal Works Administrator may, under such rules and regulations as he shall prescribe, authorize the Commissioner of Public Roads and the Commissioner of Public Buildings to make appointments of personnel for such administrations.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: On page 13, line 21, strike out "$300,000" and insert "$25,000."

Mr. CASE of South Dakota. Mr. Chairman, by this amendment we are seeking to place in the lap of the House a concrete problem in achieving economy. The appropriation proposed by the paragraph in the bill is $300,000 for salaries and expenses in the Office of the Administrator of the Federal Works Agency. My amendment would reduce this $300,000 to $25,000. It does not seek to abolish the Office of the Administrator, but it seeks to accomplish economy by a method which did not have its origin with this committee, but which had its origin with Mr. Jesse Jones when he was head of the Federal Loan Agency.

When the office of the Federal Works Agency was created it put together such agencies of the Government as the old Bureau of Public Roads under the name of the Public Roads Administration, the Public Buildings Administration, the tag ends of the old PWA and WPA, some housing activities, and, more recently, the Bureau of Community Facilities. The idea in bringing them together, we were told, was economy. The President said the same thing, when he set up the Federal Loan Agency and asked Mr. Jesse Jones to become head of it and bring together there the various loaning functions of the Government. In fact, if I remember correctly, the Federal Works Agency and the Federal Loan Agency were created at about the same time.

What was the result? I recall distinctly that when Mr. Jones came before us the first time to ask for the funds to operate the office of the Federal Loan Administrator, when we asked him what he wanted for his own office he replied substantially as follows:

I am not asking for anything. These constituent agencies will all supply members for the central Administrator's Agency and out of their funds they will supply their representatives in the Office of the Administrator; so I am not asking for any additional personnel or funds for the Administrator's office. We will absorb the cost in the agencies.

What I am seeking to do by this amendment is to apply the same idea of administrative economy to the Federal Works Agency. It continues the office of central Administrator and proposes that he get his staff from or place them among the different constituent agencies, the Bureau of Community Facilities; the Public Roads Administration; the Public Buildings Administration. These representatives would sit as a coordinating committee of those agencies and be the staff of the Administrator's office, with their salaries paid by the constitutent agencies, the $25,000 would be ample for the Administrator's salary and office. As a matter of fact the head of the Federal Works Agency is Major General Fleming, a very estimable and genial gentleman who draws most of his salary as an officer of the Army. In the break-down of estimates which everyone received only $2,049 of this appropriation is for his own salary. He gets the balance of it as a general in the Army. So, there would be $23,000 for his own personal secretary and office requirements.

What are the Administrator's functions? According to his own testimony he is the representative of these constituent agencies "at the Cabinet level."

The gentleman from Massachusetts [Mr. WIGGLESWORTH] questioned General Fleming during the hearings on this point.

I quote from page 235 of the printed hearings:

Mr. WIGGLESWORTH. What do you do for the Public Roads Administration that Mr. MacDonald has not done or cannot do?

General FLEMING. I represent Mr. MacDonald in anything, for instance, that may come up before the Cabinet or before the President.

Mr. WIGGLESWORTH. Can you tell us anything that you do for the roads set-up that Mr. MacDonald is not competent to do in respect to roads?

General FLEMING. Mr. MacDonald is the most competent man in the United States on roads, and certainly there is no help I can give him in the design or construction of roads. But I do represent him at a Cabinet level in his program.

Mr. WIGGLESWORTH. Well, what do you do for Mr. Reynolds?

Mr. Reynolds, I may say, is head of the Public Buildings Administration.

General FLEMING. The same thing, sir.

Mr. WIGGLESWORTH. You represent him at a Cabinet level?

General FLEMING. Yes, sir.

Mr. WIGGLESWORTH. What do you do for Mr. Field?

Mr. Field, I may remark, is head of the Bureau of Community Facilities.

General FLEMING. I do the same thing for him. I coordinate those three programs and see that the pay scales are the same for similar types of work; that the policy as to returning veterans is the same; that the overall policies of these various units are all on exactly the same scale.

I submit that if it is a matter of coordination of the policy of employing returning veterans, which is laid down by law, and things of that sort, then those can be better accomplished by having representatives out of these three branches and agencies meet as a committee under the leadership of General Fleming as the Administrator, thereby saving $275,000, as my amendment proposes.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Pennsylvania.

Mr. WALTER. The gentleman does not contend that General Fleming has no other duty that the one the gentleman has just mentioned?

Mr. CASE of South Dakota. I am saying that is his primary duty as indicated by his own testimony. That must be the major part of his work. That is what he said himself, that is, he was to coordinate policies in these matters and give representation to his constituent agencies at the Cabinet level, whatever that may mean. I submit to you if it was sound business for Jesse Jones to say, "I need no money, I will get my staff from the constituent agencies," then it is a sound principle of economy to put that same proposition into the Federal Works Agency.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. HENDRICKS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from South Dakota [Mr. CASE].

Mr. Chairman, I do not wish to ridicule my friend from South Dakota, but this is a ridiculous amendment. If he is going to save $275,000 in the Administrator's office I do not see why he did not offer an amendment striking out the entire amount. There is no use leaving that office with only $25,000.

Mr. Chairman, we keep saying here that we ought to cut the various agencies below last year's Budget. That has been the claim on the floor of the House all afternoon. This is one agency that we cut even below last year's Budget, including the Pay Act increase, by $4,000 plus. There is no use to say that General Fleming does not have work to do. He does have some work to do. The truth of the matter is that the Federal Works Agency this year asked for $364,183,792. We gave them $322,000,000, making a cut of about $40,000,000 plus in the Public Works Agency.

If we are going to have an Administrator of Federal Works Agency to help in coordinating the work between the three agencies and to represent Mr. MacDonald and Mr. Reynolds, who I know are two of the best Administrators we have, to the President or at the Cabinet level, as they said, then, certainly, he must have more than $25,000. If that is all we are to give him, then we might as well take the $25,000 out.

Mr. Chairman, I believe this Agency will serve a purpose. It has work to do in the future. The amendment should be defeated because of the ridiculousness of the whole proposition of cutting out $275,000 and leaving only $25,000. If we are going to cut that much out we might as well cut the whole amount out. I would see no reason for the $25,000 even.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Of course, if handled in this way it does not destroy the position. It lets Mr. Fleming continue as Administrator. Most of his work is as an Army officer. The balance of his staff he could get from his constituent agencies, perhaps making for better satisfaction and things of that sort. It preserves the principle of coordination but does result in economy and, as I said, the precedent for it is the proposition suggested by Mr. Jesse Jones in an exactly parallel situation.

Mr. HENDRICKS. I am not at all concerned about General Fleming's position. I would not care whether it was General Fleming or Sergeant Brown who had the position. That is not what I am interested in at all. I am not responsible for paying the salary of a stenographer or for stationery for General Fleming. I am not holding any brief for General Fleming. The point is, if we are to have the office of Administrator for the Federal Works Agency then he must need more than $25,000 or we do not need the Agency. It is perfectly ridiculous, and I trust that the amendment will be defeated.

Mr. WIGGLESWORTH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am in favor of this amendment, and if the distinguished chairman of the subcommittee will accept an amendment to the amendment I think we might well adopt the course that he suggests and strike out the entire item, instead of the $275,000 which the gentleman from South Dakota recommends.

I have attempted at the committee hearings for 2 years now to ascertain the justification for the continuation of this over-all set-up.

We have the Public Buildings Administration. We have a Public Roads Administration. We have a Bureau of Community Facilities. Each one of them is capable of individual and independent action. Try as I have to find justification for the over-all office of the Administrator, the most that apparently can be said for it is what has already been said by the gentleman from South Dakota [Mr. CASE], namely, that the Administrator represents the three constituent divisions of the set-up at the so-called Cabinet level.

There is no necessary relationship between the three divisions of this set-up. Any one of them could operate independently with efficiency with a saving in respect to overhead.

For my part I would support a motion to strike the whole pending item from the bill. I think the reduction proposed by the subcommittee of $60,000 is altogether too small. I intend to vote for the amendment which has been proposed by the gentleman from South Dakota [Mr. CASE]. I hope it will be adopted by the House.

Mr. HENDRICKS. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, I shall not consume the entire 5 minutes.

Mr. Chairman, the gentleman from South Dakota has proposed that we reduce from $300,000 to $25,000 the money required for the office of Administrator of the Federal Works Agency. It is one of the most important offices of the Government. The President has regarded the office of sufficient importance that he usually has the head of the Federal Works Agency at Cabinet meetings. He has a tremendous responsibility. If we should go into an expanded Federal works program, which we hope will not be necessary as we hope that there will not be large-scale unemployment, this office would be all the more important. It is a singular thing, as I recall, in the mark-up of the bill, if it is proper to say so, that this question of a cut was considered by the committee, and I believe that the reduction was made upon the recommendation of the gentleman from Massachusetts [Mr. WIGGLESWORTH]. Let it be made clear that a reduction of funds for the Federal Works Agency has already been made by the committee. So I respectfully submit that this pro-

posed cut is not a cut, it is not a reduction, it is an abolition by an appropriations committee of one of the agencies of the Government created and established by the Congress. It is not a matter of reducing the amount of money, it is a matter of reducing the amount to such an extent there would be no such thing as an effective, realistic office of the Administrator of the Federal Works Agency. I respectfully request that this amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. CASE].

The question was taken; and on a division (demanded by Mr. CASE of South Dakota) there were—ayes 53, noes 61.

Mr. CASE of South Dakota. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. HENDRICKS and Mr. CASE of South Dakota.

The Committee again divided; and the tellers reported that there were—ayes 78, noes 84.

So the amendment was rejected.

The Clerk read, as follows:

PUBLIC ROADS ADMINISTRATION

General administrative expenses: For the employment of persons and means, including rent, advertising (including advertising in the city of Washington for work to be performed in areas adjacent thereto), printing and binding (not to exceed $40,000), purchase (including exchange) of lawbooks, books of reference and periodicals, purchase of 100 used or surplus passenger automobiles, and the preparation, distribution, and display of exhibits, in the city of Washington and elsewhere for the purpose of conducting research and investigational studies, either independently or in cooperation with State highway departments, or other agencies, including studies of highway administration, legislation, finance, economics, transport, construction, operation, maintenance, utilization, and safety, and of street and highway traffic control; investigations and experiments in the best methods of road making, especially by the use of local materials; and studies of types of mechanical plants and appliances used for road building and maintenance, and of methods of road repair and maintenance suited to the needs of different localities; for maintenance and repairs of experimental highways; for furnishing expert advice on these subjects; for collating, reporting, and illustrating the results of same; and for preparing, publishing, and distributing bulletins and reports; to be paid from any moneys available from the administrative funds provided under the act of July 11, 1916, as amended (23 U. S. C. 21), or as otherwise provided.

Mr. PLOESER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, my purpose is to discuss this bill and also to make some general references to the Budget as a whole.

I have prepared a little chart which deals with regular annual appropriations as they occurred in the last prewar year of 1940, which is the year beginning July 1, 1939, and extending to July 1, 1940, in comparison with the Budget which is now sent to the Congress, and a part of which is before this House today in the Independent Offices Appropriation bill.

This chart clearly shows that the Administration has made little sincere attempts to get back to prewar expenditures in the normal functions of the Government; that, on the contrary, they have attempted to make most of their comparisons against last year's appropriation, which was wartime; that their method of balancing the Budget, which seemed to be such welcome news to us a few days ago, not one of economy. The Budget will be balanced from the use of cash balances which came to the Treasury from borrowings, and the use of very high revenue which will occur in the coming fiscal year of 1947, instead of through that which the people want, heavy cuts in Federal, bureaucratic expenditures.

If the Members of the House will read this chart in the RECORD, you will find that in this bill before you the increases over the prewar year of 1940 are about $240,000,000. That is excluding entirely all appropriations for the Veterans' Administration.

You will find, as the year goes on, and you are called upon to act upon other appropriation bills, that the Interior Department is asking for twice the amount they enjoyed in the last prewar year; that the Labor Department, which got along then for a little over $30,000,000, will ask for $46,000,000 this year; that new agencies that were not then in existence, such as the Federal Security Agency, will ask for $714,000,000; that another agency that was not in existence in a prewar year, the Federal Works Agency, will ask for $364,000,000; that our own expenditures in the legislative branch have been upped to $53,000,000; that in these expenditures which may be termed "regular, annual" in the War Department, they have been upped from $773,000,000 to $4,500,000,000; that the State Department goes from $18,500,000 to over $91,500,000; that the Justice Department goes from $38,500,000 to over $96,700,000; that the Department of Commerce goes up from $52,751,000 to $163,336,000; that the Judiciary goes from $12,000,000 to $16,500,000. Treasury and Post Office will remain about the same, although in the combined figures you will find that the Treasury Department is upped considerably.

It leads me to this opinion that the administration has been extremely artful in their statements to the public. It is very difficult, if not impossible, for the public to analyze the comparative Budget of 1947 with any other year, particularly a prewar year. There has been so much shuffling and the creation of new agencies that it was one of the most difficult tasks ever attempted to try to make an accurate comparison of what took place in our last prewar year of Budget as compared with what is going to take place in our next Budget in 1947. But this much can be learned.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. PLOESER. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. PLOESER. This much can be learned, that obviously depending on the huge revenue the Federal Government expects in the year 1947, the administration is going on in its own profligate way not intending to keep that implied pledge to the people of the United States that the minute this war was over we would go back to prewar expenditures, if not reduce them. Before the year is out it will be revealed that the Budget has not revealed about six billion in public spending which the administration has not announced.

By making this comparison with 1940 I do not mean to imply for one minute that I think there was anything economical about our expenditures in 1940. I think that Administration was wasteful and extravagant, and I think the Budget offered to this Congress within the last few days is excessive and extravagant beyond anything prewar. Surely even with this extravagance the Treasury will probably show a surplus in actual cash operations for the fiscal year 1947. They should; they should show a much greater surplus than they anticipate. Every dollar of surplus that can be cut out of the 1947 Budget will go to add stability to the already precarious fiscal position of the Federal Government of the United States; that much to reduce the debt.

No one has come along to tell us how we are going to carry this debt in the years ahead which fail to bring the revenue which 1947 will undoubtedly yield. For this reason every dollar we can possibly save to contribute to the reduction of that debt is a dollar saved for the ultimate solvency and salvation of America.

I observed here this afternoon—and this was very disappointing to me, that we allow the aisle to divide us on economy. You Democrats in the majority have voted almost constantly against these economies we recommended. It is nothing to be proud of, I can assure you. The day will come, and it is not far off, when you will have to account to the people for what you have done. There may be some criticism for some of the cuts that have been offered by the minority side but I tell you those cuts are offered in sincerity. If they have any fault, from what I have observed here this afternoon, the fault lies in the fact that they were not large enough.

In the table which I will offer as a part of my remarks, I have attempted to draw a comparison between the regular annual appropriation bills for the fiscal year 1940 as they became law and the amounts recommended for appropriation in such bills for the fiscal year 1947. I use 1940 because war appropriations have been dated from the beginning of the fiscal year 1941, which commenced July 1, 1940.

It is not a simple matter to make such a comparison, because new activities have come into being and many old activities are provided for in different measures and under different classifications now than they were provided for in the fiscal year 1940. While I have not indicated in the table all of the differences, I feel that I set out the principal ones.

To be perfectly fair about it, I should point out that the 1947 figures include the cost of the Federal Pay Act of 1945—Public Law 106—which, of course, established a higher pay scale than obtained in 1940.

Regular annual appropriation bills

	Appropriated, 1940	Budget estimate, 1947
Agriculture and Farm Credit Administration	$1,194,498,633	$585,230,572
Agriculture	1,175,848,633	579,646,572
Farm Credit Administration	18,650,000	5,584,000
District of Columbia	48,002,347	81,505,000
Independent Offices	1,668,218,340	5,640,876,502
Veterans' Administration	561,093,000	4,934,623,500
Other activities	[1] 1,107,125,340	[2] 706,253,002
Interior	[3] 172,679,765	[4] 342,119,260
Labor	[5] 30,356,170	46,626,500
Federal Security Agency		714,479,700
Itemization follows (Agency not in existence in 1940):		
American Printing House for Blind	115,000	115,000
Columbia Institution for the Deaf	150,950	229,300
Food and Drug Administration	2,741,138	4,096,500
Freedmen's Hospital	484,840	921,000
Howard University	745,000	4,399,500
Office of Education	19,087,980	18,335,200
Office of Vocational Rehabilitation		12,392,100
Public Health Service	27,542,320	103,890,000
St. Elizabeths Hospital	1,227,280	2,592,000
Social Security Board	350,000,000	561,731,800
Office of the Administrator		5,776,400
Total	402,094,508	714,479,700
Federal Works Agency		364,183,792
Itemization follows (Agency not in existence in 1940):		
Office of the Administrator:		
Salaries and expenses		360,000
Penalty mail costs		29,000
Public Buildings Administration	51,700,000	55,956,000
Public Roads Administration	191,000,000	305,838,792
Bureau of Community Facilities		2,000,000
Total	242,700,000	364,183,792
Legislative	21,851,779	53,410,086
Government Printing Office	4,622,430	26,300,000
Other objects	17,229,349	27,110,086
Military:		
Regular annual	508,789,824	7,100,000,000
Supplemental	223,398,047	
Navy	773,049,151	4,500,000,000
State, Justice, Commerce, and Judiciary	122,177,220	368,396,480
State	18,518,700	91,705,100
Justice	38,601,920	[6] 96,771,050

[1] Includes following items carried in other bills for 1947:

Civil Aeronautics Authority	$21,218,000
National Labor Relations Board	3,189,600
National Mediation Board	379,930
Railroad Retirement Board	123,404,000
Rural Electrification Administration	42,790,000
Social Security Board	350,000,000
U. S. Maritime Commission	100,000,000
Total	640,980,530

[2] Includes $364,183,792 under Federal Works Agency for projects not in 1940 bill; also $4,052,500 for Bureau of the Budget, otherwise carried in 1940.

[3] Includes following items carried in other bills for 1947:

Office of Education	$19,087,980
St. Elizabeths Hospital	1,227,280
Columbia Institution for the Deaf	150,950
Howard University	745,000
Freedmen's Hospital	484,840
Total	21,696,050

[4] Includes $43,024,000 for power administrations not in 1940 bill.

[5] Includes following items carried in other bills for 1947:

Immigration and Naturalization Service	$9,868,900
U. S. Employment Service	4,776,480
Total	14,645,380

[6] Includes $25,035,000 for Immigration and Naturalization Service, otherwise carried in 1940.

Regular annual appropriation bills—Con.

	Appropriated, 1940	Budget estimate, 1947
State, Justice, Commerce, and Judiciary—Con.		
Commerce	$52,751,000	[7] $163,336,000
Judiciary	12,305,600	16,584,330
Treasury-Post Office	1,700,615,054	1,634,217,190
Treasury	[8] 909,627,810	335,978,000
Post Office	790,987,244	1,298,239,190
War Civil	305,188,514	320,046,500

[7] Includes $71,940,000 for Civil Aeronautics and $17,845,000 for Weather Bureau, otherwise carried in 1940.

[8] Includes the following items carried in other bills for 1947:

Old-age reserve account, Social Security Act	$580,000,000
Coast Guard	26,190,550
Public Health Service	27,542,320
Procurement Division, Public Works Branch	51,700,000
Bureau of the Budget	519,280
Total	684,952,150

The Clerk read as follows:

For all printing and binding for the General Accounting Office, including monthly and annual editions of selected decisions of the Comptroller General of the United States, $300,000.

Mr. DWORSHAK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is incumbent upon me to take a few minutes to call attention to a speech delivered recently by a former Member of the House, our esteemed and highly respected colleague, Lindsay Warren, who is now Comptroller General. As has already been said, this aisle too often divides us, but I believe there is no executive serving in any of the departments downtown who commands the wholehearted support and respect of this body to a greater extent than does Lindsay Warren.

I hold in my hand a clipping from the Washigton Star referring to an Associated Press dispatch dated January 18, reading as follows:

WARREN OFFERS PLAN TO GET GOVERNMENT OUT OF FINANCIAL MORASS

ASHEVILLE, N. C., January 18.—Comptroller General Lindsay C. Warren last night presented a five-point program for getting the Government out of what he termed a "financial morass."

In an address before the Asheville Chamber of Commerce, Mr. Warren expressed concern over the fantastic fiscal effect of the war.

He proposed this program:

1. The Government's sails must be trimmed.

2. The Government must take every step possible to bring national expenditures below national income in order to end deficit spending.

3. There should be more conscientious attention to the Nation's business on the part of officials who spend the people's money. Mr. Warren said, "There is no reason why the public dollar should not be of the same value and purchasing power as the private dollar."

4. Congress should revitalize its power over the purse—a fundamental legislative prerogative under our form of government. Mr. Warren said Congress should reexamine the large grants of "unusual administrative authority" over expenditures.

5. There should be a quick return to a proper peacetime balance between the Federal Government and the States.

Mr. Chairman, no public official is better qualified to give advice on fiscal matters than the Comptroller General. I simply refer to this speech made by Mr. Warren because it confirms the arguments and the contentions which consistently have been made by members of the Appropriations Committee and Members of this House, who sense that the greatest issue before our country today in this reconversion era is to adopt sound fiscal policies in order to avoid national bankruptcy.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

The Clerk read as follows:

No part of this appropriation shall be expended for the purchase of any site for or toward the construction of any new hospital or home, or for the purchase of any hospital or home; and not more than $4,816,500 of this appropriation may be used to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration either by contract or by the hire of temporary employees and the purchase of materials.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there is a strike on in my home community of Auburn, N. Y. I have received several telegrams. I shall read only one of them since they are all alike:

World War II veterans employed at plants closed by strikes not able to draw veterans' allowance under present interpretation Readjustment Act. This unfair, as many recently employed, making them victims of circumstances beyond their control. In addition, nonveterans will draw unemployment insurance. Use your influence to correct this situation as veterans are entitled to square deal.

How we can justify a legal situation where veterans who are not members of a union but are kept out of work because a union has called a strike are not allowed $20 a week which is set up for them under sections 700, 800, and 900 of the GI bill, while at the same time we permit those who are nonveterans and who are out on strike and who voted for a strike to be paid unemployment insurance, is beyond me. I cannot understand that philosophy, and I do not believe that is the American way of doing business, nor do I believe that is what this Congress wanted to do.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Illinois.

Mr. MASON. No striker in the State of Illinois may draw unemployment compensation. I do not know what the rule is in the State of New York.

Mr. TABER. I know it is the other way. It seems to me that this discrimination against the veterans ought to be stopped.

Mr. BIEMILLER. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Wisconsin.

Mr. BIEMILLER. I have taken up that question of strikers receiving unemployment-insurance benefits with the Social Security Board and have been assured that with one or two very minor exceptions there is no State unemployment-insurance law in the United States

that permits strikers to draw unemployment-insurance benefits. The gentleman from Illinois is correct.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Nebraska.

Mr. CURTIS. There are five such States. I will supply their names: Louisiana, New York, Pennsylvania, Rhode Island, and Tennessee.

Mr. TABER. That is five too many. I hope this situation will be corrected. Frankly, I do not see why those men who are thrown out of work, who are veterans, who are not members of the union, and who are not anxious to strike, but are kept away by picket lines, should be deprived of the benefits of the GI bill of rights. It does not seem to be a right-side-up way of handling the situation.

The Clerk read as follows:

Hospital and domiciliary facilities: For hospital and domiciliary facilities, $147,442,500, to be immediately available and to remain available until expended: *Provided*, That this amount shall be available for us by the Administrator of Veterans' Affairs, with the approval of the President, for extending any of the facilities under the jurisdiction of the Veterans' Administration or for any of the purposes set forth in sections 1 and 2 of the act approved March 4, 1931 (38 U. S. C. 438j-k) or in section 101 of the Servicemen's Readjustment Act of 1944: *Provided further*, That not to exceed 3 percent of this amount shall be available for the employment in the District of Columbia and in the field of necessary technical and clerical assistants to aid in the preparation of plans and specifications for the projects as approved hereunder and in the supervision of the execution thereof, and for traveling expenses, field-office equipment, and supplies in connection therewith.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, of the item on page 43 of $147,442,500 for hospital and domiciliary facilities, $19,000,000, approximately, is the amount for non-bed-producing items, meaning alterations and improvements at existing facilities, and $127,000,000 is the amount for bed-producing facilities or new hospitals. The testimony before the committee showed that the Veterans' Administration had requested $109,000,000 from the Bureau of the Budget for improvements in existing facilities. That was to cover such things as occupational therapy shops, recreation rooms, connecting corridors, chapels, nurses' quarters, mess halls, elevators, libraries, wells and water lines, and things of that sort—a rather large alteration and improvement program. I am sure that every Member realizes that the modernization of some existing facilities is as essential to the care and welfare of the veterans as the providing of these features at the new hospitals.

The Bureau of the Budget, however, proposed that only $19,774,560 of this $147,000,000 for hospital and domiciliary purposes be used for these alterations or improvements at existing facilities. That to me seemed a little small in view of the Veterans' Administration request for $109,000,000. So, I asked for a breakdown of the two programs, that proposed and that allowed, and we have the tables in the hearings at pages 882 and following to show what was proposed originally and what can be done with the modified amount.

It is apparent here that the Veterans' Administration will give priority to occupational therapy units, dining halls, and things of that sort in applying the $19,000,000. Their selection, on the whole, seems good; but I had hoped that we might make at least $25,000,000 available for these improvements at existing facilities.

Everyone realizes that the figures for the new hospitals will not come out in the round figures of the estimates. There will be some odd amount balances here and there, and possibly an elimination or a substantial saving if an Army or Navy hospital be taken over.

So, I am wondering if it can be understood as part of the legislative history of the bill that we have no objection to the Veterans' Administration using a larger amount than the $19,000,000 figure for repairs and improvements if in the handling of the hospital and domiciliary fund they find they can give more services to the veterans that way. This proposal does not increase the over-all total of the amount appropriated. It simply makes it clear that we have no objection to the Veterans' Administration using their judgment in applying this money to new construction and to improvements on existing facilities.

Mr. HENDRICKS. The gentleman from South Dakota is not proposing an amendment at all, but is asking for an understanding to be stated in the RECORD that they will be free to use this money?

Mr. CASE of South Dakota. Just so that it will be clear that they will not be tied rigidly to that $19,000,000 figure on the alterations but may spend up to $25,000,000 or so for that purpose if it seems wise to do so and they can find the funds within the over-all figure of $147,442,500 allowed for hospital and domiciliary purposes.

Mr. HENDRICKS. I am sure that all the members of the subcommittee and the Members of the House would probably agree to that, so that the Veterans' Administration would understand that they were not tied to the exact division suggested in the break-down submitted.

Mr. CASE of South Dakota. I thank the gentleman who is chairman of the committee handling the bill. His word is sufficient. I think it is a wise understanding to have.

The pro forma amendments were withdrawn.

The Clerk read as follows:

Total, Veterans' Administration, $4,931,142,415: *Provided*, That no part of this appropriation shall be available for hospitalization or examination of any persons except beneficiaries entitled under the laws bestowing such benefits to veterans, unless reimbursement of cost is made to the appropriation at such rates as may be fixed by the Administrator of Veterans' Affairs.

Mr. MAHON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I took no time in general debate on this bill yesterday. I want to express a few thoughts with regard to the appropriation for the Veterans' Administration. We had very full and ample hearings. I think that every Member of the House will want to avail himself of a copy of the hearings in order that he may have accessible the detailed information which was afforded to the committee. I think it is only fair to say that we did make some cuts in the Veterans' Administration where we thought we could safely do so. For example, the Veterans' Administration asked us for 2,000 contact offices. We doubted that sufficient personnel could be secured for this number of offices, and we doubted the necessity for so many contact offices. We reduced that appropriation by several million dollars and suggested that 1,500 contact offices would be adequate. As most of you know, in many of the States of the Nation there are already county service officers who, to some extent, are doing the job that would be done by the contact offices.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from South Carolina.

Mr. HARE. I believe it would be well if the gentleman would explain for the RECORD the functions and duties of those in charge of these contact offices.

Mr. MAHON. As I understand, in the contact office there is a contact representative and perhaps one clerk. The contact representative undertakes to answer questions and provide information and different forms that may be required by the returning veteran. It is a general service to the veteran. As Members of the House know, General Bradley is decentralizing the Veterans' Administration. He is setting up about 13 branch offices and 53 regional offices and a larger number of subregional offices.

The committee went along on the request for funds, because the fiscal year 1947 is one of the crucial years in the history of the Veterans' Administration. Demands will be very heavy. We would not think of crippling the Veterans' Administration in its efforts to serve well the veterans of all wars. There will be about 20,000,000 veterans of all wars by August 1946.

I think it only fair to say, however, that the Veterans' Administration has had difficulty in getting personnel, and, in my judgment, will not entirely expend the liberal sums of money that have been appropriated in this bill.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Illinois.

Mr. VURSELL. Can the gentleman tell me how many millions will be required for these 1,500 contact offices and officers?

Mr. MAHON. The appropriation for the 1,500 contact officers would require, as I recall, something like $9,900,000.

Mr. VURSELL. Does the Veterans' Administration urge that these contact offices be set up? Who makes the request?

Mr. MAHON. The Veterans' Administration undertakes to set up these contact offices where they will serve the largest number of veterans. They are setting them up in all States of the Union.

Mr. VURSELL. In the State of Illinois, under the direction of the Governor, there is a contact office and a paid employee, under the Governor, in every county in the State. I imagine the gentleman will find that in many other States.

Mr. MAHON. The gentleman is correct, that in many of the States the State or county government is providing these county service officers, who are performing a great service. It is for that reason we reduced the appropriation for this division by $3,223,425, making a total of something less than $10,000,000 for the contact offices.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HENDRICKS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I rise to find out if the gentleman from Massachusetts [Mr. WIGGLESWORTH] would object to considering the remainder of the bill as having been read, with reservation of points of order? The remainder of the bill is general provisions.

Mr. TABER. I think it had better be read. There are amendments to be offered.

Mr. HENDRICKS. I yield back the remainder of my time, Mr. Chairman.

Mr. HARE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, those of us who had the privilege and honor of serving a few years following World War I remember the difficulties that confronted each Member in an effort to secure satisfactory adjustment of the many claims filed by veterans for compensation arising out of service-connected disabilities. Those who were here will remember that one of the greatest difficulties encountered in having these claims satisfactorily adjusted was that many of the applications were prepared by someone not familiar with the law or the evidence necessary to justify a claim, and, consequently, the application was frequently loosely drawn. Then the application would be denied for lack of evidence. Subsequently additional evidence would sometimes be furnished, and quite frequently there would be some conflict in the evidence, as to dates, and so forth, and the claim would again be denied.

As a result, there were many disabled veterans of World War I who were deprived of compensation simply because they were not able to present their claims in a way to meet the legal requirements. I felt then and I feel now that it would have been cheaper for the Government to have placed an experienced and well-advised man in each county to assist these veterans in filing their claims, so that when they were once filed they would be properly filed.

I am glad to learn, therefore, that this difficulty is going to be partially overcome at least by providing contact officers in the various counties to aid, assist, and advise these veterans.

It is true some of the States have already made provision for one or more contact officers in each county, and I assume in such cases the Veterans' Administration will not attempt to duplicate the services to be rendered and insist on locating other contact officers in a county where a State contact officer has already been provided, unless the work should be too heavy to be taken care of by the State officer and then only in cases where the two will be able to work together. It may be, therefore, the number of contact officers provided for in this bill will not be necessary. Of course, the work will be a great deal heavier and more voluminous than that which followed the First World War for the reason that the number in the armed forces in World War II was so much greater than the number in World War I. Furthermore, there is probably a larger percentage of those in World War II who saw actual combat service and, logically, the number of service-connected-disability claims will be much greater than those following World War I.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

By unanimous consent the pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 102. During the fiscal year ending June 30, 1947, the salaries of the Commissioners of the United States Tariff Commission shall be at the rate of $10,000 each per annum.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I shall take but a moment.

Amendments have been offered to this bill as it has been read, designed to reduce the appropriations. Another amendment will be offered which will try to keep the various bureaus and agencies of the Government in line. I propose to offer a motion to recommit which will cut the appropriations for funds for personnel in every item except those for the Veterans' Administration by 10 percent. Amendments will be offered to every bill, unless cuts are made which will total enough, to bring the bills that are passed by Congress down to a point where the Budget for 1947 is balanced. The members of the Appropriations Committee are going to see to it that the House has an opportunity to vote on items that will cut sufficiently to keep this thing in hand. Nineteen hundred and forty-seven is a crucial year. Unless we balance the Budget in 1947 it is going to be difficult ever to balance it. I hope this motion and these amendments will have the support of the House.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. H. CARL ANDERSEN. I sincerely hope the House will give consideration to this motion to recommit. It simply means that we are endeavoring to take off 10 percent of the personnel of this huge bureaucratic Government. I wish to compliment the gentleman from New York for doing what he is about to do.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. ELSTON. I take it the gentleman's motion will not take any funds from the Veterans' Administration?

Mr. TABER. It will not.

Mr. HENDRICKS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, when we presented this bill to the House I told the House that we had no percentagewise cut because you cannot do that and do it wisely. We did not make any arbitrary cuts. The cuts that we made were discussed. We even added somewhat to some of the appropriations over the estimate of the Budget. Therefore, I want to say to the House that we have considered every item in the Budget, and I hope that the House will not vote to recommit this bill and make any straight 10-percent cut. No one can make a 10-percent cut in 22 agencies in this bill and do it wisely. There is no question about that.

I have great respect for the gentleman from New York, but I do believe that you cannot make any such cut as that and make it wisely. One agency may be able to take a 10-percent cut but another agency may not be able to do it. We have considered these items. We did not bring them in haphazardly. We considered them all on their own merits and separately, and we did not apply any 10- or 20-percent cut to any of them. We took each item up and cut it when we thought it ought to be. I therefore ask the House to be very careful about applying a 10-percent cut to 22 agencies of the Government because a 10-percent cut will not apply to all of them alike.

I hope when the motion to recommit is offered it will be defeated.

The Clerk read as follows:

SEC. 201. (a) Appropriations for the fiscal year 1947 available for expenses of travel of civilian officers and employees of the executive departments and independent establishments shall be available also for expenses of travel performed by them including expenses of transportation of their immediate families in accordance with regulations prescribed by the President, on transfer from one official station to another for permanent duty when authorized by the head of the department or establishment concerned in the order directing such transfer: *Provided*, That such expenses shall not be allowed for any transfer effected for the convenience of any officer or employee.

(b) Appropriations of the executive departments and independent establishments for the fiscal year 1947 available for the transportation of things shall be available, in accordance with the act of October 10, 1940 (5 U. S. C. 73c–1), for expenses incurred in the transfer of household goods and effects of civilian officers and employees of such official station to another for permanent duty.

(c) Appropriations contained in this act, available for expenses of travel shall be available, when specifically authorized by the head of the activity or establishment concerned, for expenses of attendance at meetings of organizations concerned with the function or activity for which the appropriation concerned is made.

(d) Appropriations of the executive departments and independent establishments for the fiscal year 1947 available for expenses of travel shall be available for the payment of travel expenses while away from their homes or regular place of business, including per diem in lieu of subsistence at place of employment, in accordance with the Standardized Government Travel Regulations, the Subsistence Expense Act of 1926, as amended (5 U. S. C., ch. 16), and the act of February 14, 1931, as amended (5 U. S. C. 73a), of (1)

persons employed intermittently as consultants or experts and receiving compensation on a per diem when-actually-employed basis, and (2) persons serving in an advisory capacity or employed without compensation or at $1 per annum; except that in case of (2) above there may be allowed not to exceed $10 per diem in lieu of subsistence en route and at place of service or employment, unless a higher rate is specifically provided by law.

Mr. JOHNSON of Indiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Indiana: On page 48, add a new subsection as follows:

"(e) Appropriations of the executive departments and independent establishments for the fiscal year 1947 available for the payment of salaries of personnel under the Classification Act, as amended, shall not become available at a rate greater than 25 percent thereof during the first quarter of said fiscal year; an additional 25 percent thereof during the second quarter of said fiscal year; an additional 25 percent thereof during the third quarter of said fiscal year; and an additional 25 percent thereof during the fourth quarter of said fiscal year."

Mr. JOHNSON of Indiana. Mr. Chairman, for quite some time we have noticed growing up action, by the various Government agencies, that pays little attention to the amount of money that is allotted them by Congress and upon which they should operate during a fiscal year, with the result that toward the latter part of each fiscal year we have tremendous deficiencies coming before us to take care of the amount which the various agencies have overexpended or expect to overexpend during the year.

The committee has gone through this bill carefully, has had extended hearings, and has come to a conclusion as to how much they think these various agencies should have during the fiscal year 1947, on which to operate. This amendment applies only to the payment of salaries of personnel and not to any other activity of the various agencies. The effect of the amendment, if adopted, is this, that during the first quarter of the fiscal year 1947 an agency could not spend for personnel more than 25 percent of the amount appropriated. During the second quarter of the fiscal year they could not expend a total of more than 50 percent of the total amount appropriated. So there can be no misunderstanding, the amendment does not limit the expense during any quarter to a limit of 25 percent except in the first quarter. If during the first quarter an agency should expend only 10 percent of the amount which becomes available during that first quarter, then during the second quarter it could expend the 25 percent which becomes available in the second quarter plus the 15 percent which it failed to expend in the first quarter. Therefore, it would have 40 percent to expend in the second quarter. If during the second quarter, when that quarter is concluded, it did not expend the full 50 percent available, that would carry over, plus the 25 percent which becomes available in the third quarter. If during the third quarter the 75 percent was not expended, whatever was unexpended would carry over along with the additional 25 percent which became available for the fourth quarter.

The purpose of this amendment is to try to compel these agencies to live within the amount of money which they have justified before the committee. In case some emergency comes up, something unusual, and they do need more money, then they can come before the Deficiency Committee and get an honest-to-God deficiency. But let us put them in the position where they must be limited to the amount that the Congress has granted them to operate with during the year.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Indiana. I yield to the gentleman from Michigan.

Mr. RABAUT. I do not see where the gentleman's amendment differs at all from what we are doing today, except to say that in the first quarter you cannot expend more than 25 percent. If you check the record, you will find it is in the first quarter that they spend the least money.

Mr. JOHNSON of Indiana. If they spend the least money in the first quarter, then during the second quarter they will have the unexpended part of the first quarter plus the part becoming available for the second quarter, but it will prevent the agency, which I think you will find some of them have done, during the first 6 months of the year from expending the whole amount for personnel and then coming to Congress and saying, "You must give us this deficiency because if you do not we must close this agency. We have no money to operate on."

Let us put this on a business basis. We budget for a year to run the agencies on. Now let us keep them within that amount. Are you going to say that the agencies need more than they have justified to the committee or that the committee has not done a good job? I am giving the committee credit for doing a good job.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Indiana. I yield to the gentleman from Ohio.

Mr. JONES. In the State of Ohio we have a statute where the county auditor in each county is required to divide the appropriation by 12, and no agency can spend more than one-twelfth of the entire annual appropriation in one month, and it works satisfactorily for the benefit of the taxpayers and for the State.

Mr. JOHNSON of Indiana. I think it is a very wise provision, and our Government would have been better off if we had adopted something like this years ago and stopped this deficit spending.

Mr. HENDRICKS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am not going to take much time because I do not think it is necessary. I hope that the House will not be taken in by a first glance at this amendment, because it might look good in that case. I simply want to say to the House that this amendment was offered in the full committee and was defeated 21 to 10, and we crossed party lines. It was not a partisan vote, Republicans voting to defeat the amendment.

This simply would hamstring these organizations. There is no question but that certain organizations have a bigger load to carry at certain times of the year. There is no question but that certain emergencies cause them to have to do more work in certain periods. Aside from their general work, their personnel load would increase.

This is a complete departure from the manner in which we have pursued these things in the past. I can give you an example of one agency in particular, the Public Roads Administration. They cannot carry on their work in certain periods of the year because of the weather. Therefore, it is necessary even in their personnel to be able to have flexibility so that at the time of the year they can work they will have the money available.

I think that if everybody will stop and look at this amendment for a moment you will see that if you limit them to 25 percent for 3 months, and the same for the next 3 months, and so on, you are putting every agency in a strait-jacket. What do we have the Deficiency Appropriations Committee for? We have it for the purpose of permitting these bureaus to come up here when they are short of funds and ask for additional funds. If they ask for too much the Deficiency Appropriations Committee can deny them the money. I have confidence in the Deficiency Committee. Therefore, I believe this amendment should be defeated here just as it was in the full committee.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield to the gentleman from North Carolina.

Mr. BONNER. Will the gentleman from Florida explain why a good, sound, intelligent financial-basis amendment of this nature would hamstring any agency after they have come in and said that this is what they need for the year? If the quarter is too much, then put them on a monthly basis.

Mr. HENDRICKS. In the first place, I am not going to agree with the gentleman's assumption that this is a good, sound, business-basis amendment, because it is not. In the second place, I have just explained why the amendment will not work, and why it would hamstring certain agencies. I have told you that an agency will make up their estimate as far as possible based on the work load they will have during the year, but they have not based that on any quarter. If we give them a chance to say, "We need so much in this quarter and so much in this quarter," I will be willing to limit them to the amount needed in each quarter, but they have not had an opportunity to tell us what they need in a quarter. They are basing it on the year's period.

Mr. BONNER. May I say to the gentleman further that if you defeat this amendment you invite every department to go ahead and spend their money and then come in for a deficiency appropriation.

Mr. HENDRICKS. If that is true, then we have been inviting them ever since I have been here, and before I have been here. If we were to give the agency a chance to come in and tell us what

they would need in each quarter so that they could take less in one quarter and more in another when their work load increased, that would be sensible, but this amendment is not a sensible one.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield to the gentleman from Illinois.

Mr. VURSELL. I think this amendment is just about what the Congress often adopts, and it will help the President balance the budget. In other words, we will balance the budget on the number of employees and the amount of expense if we adopt this amendment. We will have that much of it sewed up and tied down. I think it is a splendid amendment.

Mr. HENDRICKS. I wonder how the gentleman thinks this would affect the Post Office Department during the holiday period, when they have more work and have to put on extra employees all over. The gentleman knows good and well that they could not do that. If we give them a chance to come in and tell us how much they will need in that quarter, then all right, but they cannot do it on this appropriation.

Mr. VURSELL. The answer is that the Post Office Department is not in this bill.

Mr. HENDRICKS. I know that, but there are other departments in this bill on all fours with the Post Office Department. I was just using that as an analogy.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. ANDREWS of New York. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment. The gentleman from Florida in opposing the amendment spoke, for example, of the budget of the Public Roads Administration in its program. Is that correct?

Mr. HENDRICKS. Yes, I did.

Mr. ANDREWS of New York. What is the complete budget for public roads?

Mr. HENDRICKS. I hope the gentleman will not ask me to go over the whole budget. Of course, the figures are here and I can give them to you.

Mr. ANDREWS of New York. What is the increase?

Mr. HENDRICKS. About $200,000,000.

Mr. ANDREWS of New York. What is the period in which they have to make a heavy appropriation, or, rather, when they have to spend the most money?

Mr. HENDRICKS. In the period in which they can build roads.

Mr. ANDREWS of New York. You said it would hamstring them. They would have 3 months for the first quarter. What would be their situation in the first quarter?

Mr. HENDRICKS. I would take it for granted that in the first quarter they could not work on the roads because of the weather. May I say that they probably could work during the first quarter, but the second quarter might be worse, and probably the third quarter might be worse.

Mr. ANDREWS of New York. If you tie them down to a quarterly basis, they could anticipate their expenditures the same as any businessman in the country does who knows how much he is allowed for the full year.

Mr. HENDRICKS. May I say to the gentleman that if we had told these agencies to come in and estimate their requirements on a quarterly basis, and, of course, they are the ones who would know what their expenditures would be and what their load is going to be, I would go along with this proposal in holding them to that estimate on a quarterly basis. But we have not asked them to do that. We did not do that and here by this amendment it is proposed to limit them to 25 percent per quarter when they have made their estimates on the basis of their peak load and their minimum load. I say it will not work.

Mr. ANDREWS of New York. The gentleman spoke of the Post Office Department, which is not in this bill, but the gentleman cannot tell me that the Post Office Department in the first quarter could not estimate how much more they are going to need in the second quarter, which includes Christmas, and still not come within the particular monthly allotment as the amendment which has been offered would provide.

Mr. HENDRICKS. This amendment only allows 25 percent of the appropriation to be used for each quarter.

Mr. ANDREWS of New York. The amendment would do one thing and that is to cut down the work of the Deficiency Appropriations Committee. I think that would be a perfectly splendid thing and once and for all it would bring the budgets of these bureaus which are mentioned in this bill in line with fair, orderly, good common American business sense and practice.

Mr. PLOESER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think this is probably one of the most sensible amendments which has ever been offered to any appropriation bill, contrary to the opinion of my friend from Florida. If it be true, as the gentleman from Florida said, that the Deficiency Appropriations Committee is here for the purpose of bringing up these differences in budget estimates, then it is equally true that any department which does not have sufficient funds because of having used its full quarter's appropriation can come into the Deficiency Committee at any time during the year that they care to and ask for an adjustment of that in a subsequent quarter of the year. So the very argument the gentleman from Florida uses to defeat this worth-while amendment is the strongest argument in favor of the amendment. I think that the practice of deficiency appropriations has been one of the weakest parts of our entire fiscal policy in the Government. These departments deliberately use the Deficiency Committee as a means of building up a budget far beyond the original estimates that are given in the regular appropriation bill. They do it by bunching their expenditures. There are two methods now which the departments use. They do it by bunching their expenditures either in the early part of the year so that their coffers run dry and they are in a desperate condition and have to appeal to be saved or else they do it by allowing their employment to be low in the early part of the year and bunching it in the final quarters so that when they come in for a new appropriation and use the heavy pay-roll figures as justification. If there is any purpose whatever in budgeting, then it follows naturally the more carefully you budget the more successful you will be in living up to your budget. I would vote for an amendment to budget it by the month. I think this amendment is more liberal because it gives a 3-month period. But if budgeting be sound, then budgeting to the extent of dividing the year into four sections is ultra sound. I hope the Members of the House on both sides of the aisle can vote for this amendment. It is one of the finest amendments ever offered to any appropriation bill. I hope the Members of the House back it up and show their sincere interest if not in cutting this exorbitant budget, then at least in holding to it so that we do not exceed it before the year is over.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield.

Mr. ELSTON. It is a fact, is it not, that some departments are habitual offenders, and every year come before the Deficiency Subcommittee asking for additional funds?

Mr. PLOESER. That is right. Many departments practice the policy of trying to build up the personnel for the simple reason of giving more power to their operation. It is not a matter of efficiency in Government. It is who can get the most in power and in influence in the Federal Government.

The gentleman from Florida quotes the votes in the Appropriations Committee. He said he would not vote for this amendment or any other amendment which would seek to divide the Budget up into sections of the year, even if you allowed a small percentage of variation.

Mr. HENDRICKS. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield.

Mr. HENDRICKS. The gentleman did not put his question to me in that way.

Mr. PLOESER. No; I put it to you in three questions.

Mr. HENDRICKS. The gentleman said, "Would you support this amendment under any circumstances?" and I said "No."

Mr. PLOESER. Then, I asked the gentleman if he would support this amendment if we allowed as much as a 2-percent variation for seasonal changes, and he said, "No." Then, I asked the gentleman, if he will remember—and he can remember, because he has an excellent memory—I asked the gentleman then if he would support any amendment to divide the Budget throughout the year, and he said, "None whatever."

Mr. HENDRICKS. I do not recall the gentleman adding that question.

Mr. PLOESER. Which is a perfect demonstration of no intention whatsoever to support this worth-while and sound amendment.

Mr. HENDRICKS. I do not recall the gentleman asking that question.

Mr. PLOESER. I regret the gentleman does not recall it.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield.

Mr. VORYS of Ohio. There has been some talk about seasonal bulges in the Budget, mentioning the Christmastime in the Post Office Department. I understood that the bulges in pay rolls ordinarily came around election time.

Mr. PLOESER. Well, that is another bulge period. That is the big bulge.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. MAHON. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I would like to have the attention of the House as I read the following from the present budget and accounting law:

SEC. 169. No executive department or other Government establishment of the United States shall expend in any one fiscal year any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriations made, unless such contract or obligation is authorized by law.

If Congress provides that certain sums shall be paid under certain circumstances, and to pay them it might become necessary to create a deficit, that can be permitted by law. So the idea of defeating deficiencies by this proposed amendment is certainly taken care of by the present law.

Certainly anyone would realize that if you have such an amendment to the law it should be fixed before the bill is written and before the hearings are had, so that the department would know the situation and could advise Congress during the hearings on the bill how much they would want to spend in the first quarter, the second quarter, the third and the fourth quarters. If that should be done on future appropriations, it might be worthy of consideration. But to come in at this late hour is wholly ill-advised and certainly not necessary from the standpoint of not creating deficits, because that is taken care of by the law at present.

Mr. PLOESER. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield.

Mr. PLOESER. The law which the gentleman just read restricts them to exceeding their authorized budget in the year, but they can exceed it within 30 days. They would go out of business if you did not give them a deficiency appropriation. It does not spread that throughout the year. It is that abuse that we are trying to correct. The gentleman will do a disservice to economy if he does not try to eliminate that abuse. The gentleman says we should warn these departments in advance. If you had warned them, these estimates would have been much greater than they are today for the entire year.

Mr. MAHON. Then, the gentleman's amendment would do a great disservice in the future, because they would have notice, and we would have much larger appropriations. So the gentleman defeats his own argument.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield.

Mr. RABAUT. I think the amendment would do a positive disservice to the Government, for this reason: You would force the departments to take on their personnel in a hurry in the first quarter whereas in the usual course of things in the first quarter there is deliberation in the selection of personnel and equipment and accordingly the greater part of the money is spent as the year goes on. If you want to embarrass the departments, pass this amendment.

Mr. MAHON. And if you want to increase the chance of having unexpended balances left at the end of the year do not pass this amendment, because if you pass it the agency will be tempted to see to it that there are no unused funds to return to the Treasury.

Mr. RABAUT. If you are anxious to add to the cost of the Government pass this amendment. You will save not a dime, you will increase the expenses of the Federal Government.

Mr. MAHON. Mr. Chairman, I yield back the balance of my time.

Mr. JONES. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, touching upon the colloquy that just took place between the distinguished gentleman from Texas [Mr. MAHON] and the gentleman from Michigan [Mr. RABAUT] I recall in the hearings before our Subcommittee on State Department Appropriations that the chairman of the committee, the gentleman from Michigan [Mr. RABAUT], called attention many times to the steady practice of the State Department, during the year after we had gone over their requests in the annual supply bill, to blanket in during the year additional personnel—more than had been promised them and more than had been requested by them for their annual needs. They would come up here and get a deficiency, and instead of employing 5,000 people we had given them, they would have 7,500 people. Then they would use that 7,500 employees as the basis of their requests for the following year.

Perhaps you might divide the appropriation into 12 parts, one for each month, or into four quarters, one-fourth of the annual appropriation for each 3 months. But the chairman of the subcommittee on the State Department bill complains of that practice which the Department and practically every agency has been following of coming up in the middle of the year and submitting additional requests notwithstanding the limitation that had been placed upon them in the annual supply bill.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. RABAUT. I differ with the gentleman in his statement as to the policy of the State Department—he used the term "steady practice", because it has not been the steady practice. It was the practice during the war for them to go to the deficiency subcommittee from time to time and ask for additional personnel and get it on a partial-year basis and then come before the subcommittee on the next regular bill and use that as a basis for the full following year; but I recall that the committee and each and every member of it felt it was not the right thing to do; but it was not a regular practice, it was a practice that grew up under the emergency of war. I hope the gentleman will concede that.

Mr. JONES. I concede that it happened during the war years, but I do not know what the practice was before that for I did not come on the committee until 1941.

Mr. RABAUT. If the gentleman will yield further, we have followed a practice in our committee which I would suggest to the House: We encourage the departments to report to us at the end of the year how much of their funds they return each year to the Treasury. We inaugurated this practice some years ago. We did it with the idea that they would not then join in this general spending spree in the last month of the fiscal year for the purpose of saying that they had spent all their funds. That is a habit that has grown up in the departments because of the practice in the House of taking away from them any money they saved in the previous year. This, in my opinion, is a mistake. If the committee does not penalize the departments for the amount they have saved the previous year by deducting the amount, you will find they spend less.

Mr. JONES. I do not agree with the gentleman that that practice follows automatically, because in Ohio for a great number of years all of the county and State offices are required to divide their appropriations by 12.

Let us take the Public Roads Administration. The fiscal year starts in July. They will spend a normal amount for the summer months but wintertime generally brings a lessening of activities. During those months a backlog of appropriated money piles up. The amendment states that they may not spend more than one-quarter of the appropriation for the year in any one quarter. So the effect is not to hamstring even the Bureau of Public Roads.

We on the Appropriations Committee know precious little about how funds are spent in the executive departments. I need only quote Lindsay Warren, Comptroller General, who says that he does not know and Congress does not know how the Federal bureaucrats spend their funds. We cannot possibly know by spending three months of the year going over the requests for funds how much each agency needs. So that this will be a curb upon the bureaucrats to keep their appropriations down to the limit of manpower and expenditures that were intended when we pass the annual appropriation for them.

Mr. Chairman, the Deficiency Committee will still meet after this amendment is agreed to, that committee will still be in session, and if there is any great emergency it certainly can meet after the amendment is adopted just as well as now.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I have read the amendment over very carefully

and I think this is a fair and honest interpretation of it: The amendment applies to appropriations the rationing principle applied to food during the war. It merely says that 25 per cent of the amount of salary money that you get during the year will be available during the first quarter. In other words, you will get stamps validating 25 percent for the first quarter and then 25 percent at the commencement of the second quarter. If you have not used up all of your stamps in the first quarter they are good in the second quarter. At the beginning of the third quarter you validate another 25 percent of your salary stamps. If you have not spent all of your stamps in the first and second quarter you may spend those in the third quarter. Then 25 percent of your stamps will be validated at the opening of the fourth quarter. If you have not spent all of your other stamps you can spend them in the final quarter. It says, however, that you may not anticipate and use up your salary stamps in the first part of the year. You have got to spread them along. In that sense it is a true antideficiency amendment.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. JONES. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield to the gentleman from Michigan.

Mr. RABAUT. What would the gentleman do, for instance, with the Bureau of Fisheries if you put through this amendment, teach the fish to hatch at a certain time?

Mr. JONES. We have a Bureau of Fisheries in Ohio. This does not repeal the Deficiency Committee.

Mr. RABAUT. I am asking what the gentleman would do under this general rule.

Mr. JONES. The Deficiency Committee has not been dispensed with. These departments may still come to the Congress.

The gentleman pointed out further in his argument that we would put ourselves in the position where every agency would want to spend as much as they had of their appropriations during any quarter, but this would cut down the chances by one-fourth because they would be limited by the terms of the amendment to quarters if the amendment is adopted. If they are going to have a great amount left over, they would have much more to play with on a yearly basis than they would on the quarterly basis. It is said that if you put a limitation on it by quarters, then each bureau or agency will try to spend as much as they can and not return any money back to the Treasury. If that be true, then it is a confession that we do not know how the public money is being spent.

Mr. ANDREWS of New York. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield to the gentleman from New York.

Mr. ANDREWS of New York. I would like to ask the gentleman from Michigan, who I assume is a member of the Deficiency Committee, if he would not like to have less work on the Deficiency Committee rather than more?

Mr. RABAUT. It is not a question of work. It is a question of bringing out the ridiculousness of this amendment.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

The question is on the amendment offered by the gentleman from Indiana [Mr. JOHNSON].

The question was taken; and on a division (demanded by Mr. JOHNSON of Indiana) there were—ayes 88, noes 79.

Mr. HENDRICKS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. HENDRICKS and Mr. JOHNSON of Indiana.

The Committee again divided; and the tellers reported that there were—ayes 96, noes 86.

So the amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. SMITH of Ohio. Mr. Chairman, in voting for H. R. 5201 I want it distinctly understood that I am in no manner countenancing the nonveteran appropriations. I am supporting this bill solely on the ground that I consider the appropriation for the Veterans' Administration absolutely necessary.

Mr. HENDRICKS. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. MCCORMACK] having resumed the chair, Mr. WHITTINGTON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 5201) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1947, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. HENDRICKS. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

Mr. HENDRICKS. Mr. Speaker, I demand a separate vote on the Taber amendment, on page 3, line 23, with reference to the Government Information Service, and I also demand a separate vote on the Johnson of Indiana amendment on page 48.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the first amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 3, line 23, after "$3,044,880" strike out the period, and insert a colon and the following: "*Provided*, That none of the funds herein in this paragraph appropriated to the Bureau of the Budget shall be used for any salary or expense connected with the operation of a Government Information Service."

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Chair being in doubt, the House divided, and there were—ayes 91, noes 97.

Mr. TABER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make a point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently no quorum is present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 152, nays 177, not voting 98, as follows:

[Roll No. 6]

YEAS—152

Allen, Ill.	Gillespie	Martin, Iowa
Andersen, H. Carl	Gillie	Martin, Mass.
Anderson, Calif.	Goodwin	Mason
Andrews, N. Y.	Grant, Ind.	Merrow
Angell	Griffiths	Michener
Arends	Gwinn, N. Y.	Miller, Nebr.
Arnold	Gwynne, Iowa.	Mundt
Barrett, Wyo.	Hagen	Murray, Wis.
Beall	Hale	O'Hara
Bennet, N. Y.	Hall, Edwin Arthur	O'Konski
Bennett, Mo.	Hall, Leonard W.	Phillips
Bishop	Halleck	Pittenger
Blackney	Hancock	Ploeser
Bolton	Hand	Ramey
Bradley, Mich.	Harness, Ind.	Reece, Tenn.
Brown, Ohio	Henry	Reed, Ill.
Buck	Heselton	Rees, Kans.
Butler	Hess	Robertson, N. Dak.
Byrnes, Wis.	Hill	Robsion, Ky.
Campbell	Hinshaw	Rockwell
Case, N. J.	Hoeven	Rodgers, Pa.
Case, S. Dak.	Hoffman	Rogers, Mass.
Chenoweth	Holmes, Wash.	Schwabe, Mo.
Chiperfield	Horan	Schwabe, Okla.
Church	Howell	Shafer
Clason	Hull	Sharp
Clevenger	Jenkins	Short
Cole, Mo.	Jennings	Simpson, Ill.
Corbett	Jensen	Simpson, Pa.
Crawford	Johnson, Calif.	Smith, Maine
Cunningham	Johnson, Ind.	Smith, Ohio
Curtis	Jones	Smith, Wis.
D'Ewart	Jonkman	Springer
Dirksen	Kean	Stefan
Dolliver	Kearney	Stevenson
Dondero	Keefe	Stockman
Dworshak	Kilburn	Sumner, Ill.
Ellis	Kinzer	Taber
Ellsworth	Kunkel	Talbot
Elsaesser	Landis	Talle
Elston	Latham	Taylor
Engel, Mich.	LeCompte	Thomas, N. J.
Fellows	LeFevre	Tibbott
Fenton	Lemke	Vorys, Ohio
Fuller	Lewis	Vursell
Fulton	McConnell	Weichel
Gamble	McCowen	Wigglesworth
Gavin	McDonough	Wilson
Gearhart	McGregor	Wolcott
Gerlach	McMillen, Ill.	Wolverton, N. J.
Gifford		Woodruff

NAYS—177

Abernethy	Bland	Chelf
Allen, La.	Bonner	Clark
Andrews, Ala.	Boren	Clements
Bailey	Brooks	Cochran
Baldwin, Md.	Brown, Ga.	Colmer
Barden	Bryson	Combs
Barrett, Pa.	Burch	Cooper
Barry	Burgin	Courtney
Bates, Ky.	Cannon, Mo.	Cravens
Biemiller	Carnahan	Crosser

D'Alesandro	Kelley, Pa.	Rabaut
De Lacy	Kelly, Ill.	Rabin
Delaney, John J.	Kerr	Rains
	Kilday	Rankin
Domengeaux	Kopplemann	Resa
Doughton, N. C.	Lane	Richards
Douglas, Calif.	Lanham	Riley
Doyle	Larcade	Robertson, Va.
Drewry	Lea	Robinson, Utah
Durham	Lesinski	Roe, Md.
Earthman	Link	Rogers, Fla.
Eberharter	Ludlow	Rogers, N. Y.
Elliott	Lyle	Rooney
Fallon	Lynch	Rowan
Feighan	McCormack	Ryter
Fernandez	McGehee	Sabath
Flood	McKenzie	Sadowski
Folger	McMillan, S. C.	Sasscer
Forand	Madden	Savage
Gallagher	Mahon	Sikes
Gardner	Manasco	Slaughter
Gary	Mansfield, Mont.	Smith, Va.
Gathings		Snyder
Geelan	Marcantonio	Somers, N. Y.
Gordon	Mills	Sparkman
Gore	Morgan	Spence
Gorski	Murdock	Starkey
Gossett	Murphy	Stewart
Granahan	Murray, Tenn.	Stigler
Granger	Neely	Sullivan
Green	Norrell	Sumners, Tex.
Gregory	O'Brien, Ill.	Tarver
Hare	O'Brien, Mich.	Thom
Harris	O'Neal	Thomas, Tex.
Hart	O'Toole	Thomason
Havenner	Outland	Tolan
Hays	Pace	Torrens
Hedrick	Patman	Trimble
Hendricks	Patrick	Vinson
Hobbs	Patterson	Voorhis, Calif.
Hoch	Peterson, Fla	Walter
Holifield	Peterson, Ga.	Wasielewski
Huber	Pfeifer	Weaver
Izac	Philbin	Whitten
Jackson	Pickett	Whittington
Jarman	Powell	Winstead
Johnson, Luther A.	Price, Fla.	Wood
	Price, Ill.	Woodhouse
Johnson, Okla.	Priest	Worley
Kee	Quinn, N. Y.	Zimmerman

NOT VOTING—98

Adams	Dawson	Luce
Andresen, August H.	Delaney, James J.	McGlinchey
		Maloney
Auchincloss	Dingell	Mansfield, Tex.
Baldwin, N. Y.	Douglas, Ill.	Mathews
Bates, Mass.	Eaton	May
Beckworth	Engle, Calif.	Miller, Calif.
Bell	Fisher	Monroney
Bender	Flannagan	Morrison
Bloom	Fogarty	Norton
Boykin	Gibson	Plumley
Bradley, Pa.	Gillette	Poage
Brehm	Graham	Randolph
Brumbaugh	Grant, Ala.	Rayfiel
Buckley	Gross	Reed, N. Y.
Buffett	Harless, Ariz.	Rich
Bulwinkle	Hartley	Rivers
Bunker	Healy	Rizley
Byrne, N. Y.	Hébert	Roe, N. Y.
Camp	Heffernan	Russell
Canfield	Herter	Scrivner
Cannon, Fla.	Holmes, Mass.	Sheppard
Carlson	Hook	Sheridan
Celler	Hope	Sundstrom
Chapman	Johnson, Ill.	Towe
Clippinger	Johnson, Lyndon B.	Traynor
Coffee		Wadsworth
Cole, Kans.	Judd	Welch
Cole, N. Y.	Kefauver	West
Cooley	Keogh	White
Cox	King	Wickersham
Curley	Kirwan	Winter
Daughton, Va.	Knutson	Wolfenden, Pa.
Davis	LaFollette	

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Adams for, with Mr. Randolph against.

Mr. Brehm for, with Mr. Keogh against.

Mr. Graham for, with Mr. Healy against.

Mr. Brumbaugh for, with Mr. Davis against.

Mr. Carlson for, with Mrs. Norton against.

Mr. Buffett for, with Mr. Miller of California against.

Mr. Hartley for, with Mr. Wickersham against.

Mr. Cole of New York for, with Mr. Bradley of Pennsylvania against.

Mr. Judd for, with Mr. Sheridan against.

Mr. Holmes of Massachusetts for, with Mr. Morrison against.

Mr. Knutson for, with Mr. King against.

Mr. Hope for, with Mr. McGlinchey against.

Mr. Reed of New York for, with Mr. Engle of California against.

Mr. Gillette for, with Mr. Dingell against.

Mr. Gross for, with Mr. Traynor against.

General pairs until further notice:

Mr. Mansfield of Texas with Mr. H. Carl Andersen.

Mr. Coffee with Mr. Baldwin of New York.

Mr. Fogarty with Mr. Johnson of Illinois.

Mrs. Douglas of Illinois with Mr. Bender.

Mr. Roe of New York with Mr. Herter.

Mr. Bulwinkle with Mr. Eaton.

Mr. Byrne of New York with Mr. Cole of Kansas.

Mr. Hook with Mrs. Luce.

Mr. Flannagan with Mr. Canfield.

Mr. Bloom with Mr. Plumley.

Mr. Monroney with Mr. Rizley.

Mr. Maloney with Mr. Wolfenden of Pennsylvania.

Mr. Kefauver with Mr. Rich.

Mr. May with Mr. Wadsworth.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. The Clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Indiana: On page 48, add a new subsection as follows:

"(e) Appropriations of the executive departments and independent establishments for the fiscal year 1947 available for the payment of salaries of personenl under the Classification Act, as amended, shall not become available at a rate greater than 25 percent thereof during the first quarter of said fiscal year; an additional 25 percent thereof during the second quarter of said fiscal year; an additional 25 percent thereof during the third quarter of said fiscal year, and an additional 25 percent thereof during the fourth quarter of said fiscal year."

The SPEAKER pro tempore. The question is on the amendment.

The question was taken and the Speaker pro tempore announced that the noes appeared to have it.

Mr. JOHNSON of Indiana. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—years 158, nays 170, not voting 99, as follows:

[Roll No. 7]

YEAS—158

Allen, Ill.	Case, S. Dak.	Gearhart
Andersen, H. Carl	Chenoweth	Gerlach
	Chiperfield	Gifford
Anderson, Calif.	Church	Gillespie
Andrews, N. Y.	Clason	Gillie
Angell	Clevenger	Goodwin
Arends	Cole, Mo.	Grant, Ind.
Arnold	Corbett	Griffiths
Barden	Crawford	Gwinn, N. Y.
Barrett, Wyo.	Cunningham	Gwynne, Iowa
Beall	Curtis	Hagen
Bennet, N. Y.	D'Ewart	Hale
Bennett, Mo.	Dolliver	Hall, Edwin Arthur
Bishop	Dondero	
Blackney	Durham	Hall, Leonard W.
Bolton	Dworshak	
Bonner	Ellis	Halleck
Boren	Ellsworth	Hancock
Bradley, Mich.	Elsaesser	Hand
Brown, Ohio	Elston	Harness, Ind.
Brumbaugh	Engel, Mich.	Henry
Buck	Fellows	Heselton
Burgin	Fenton	Hess
Butler	Fuller	Hill
Byrnes, Wis.	Fulton	Hinshaw
Campbell	Gamble	Hoeven
Case, N. J.	Gavin	Hoffman
Holmes, Wash.	McGregor	Shafer
Horan	McMillen, Ill.	Sharp
Howell	Martin, Iowa	Short
Hull	Martin, Mass.	Simpson, Ill.
Jenkins	Mason	Simpson, Pa.
Jennings	Merrow	Smith, Maine
Jensen	Michener	Smith, Ohio
Johnson, Calif.	Miller, Nebr.	Smith, Va.
Johnson, Ind.	Mundt	Smith, Wis.
Jones	Murray, Wis.	Springer
Jonkman	O'Hara	Stefan
Kean	O'Konski	Stevenson
Kearney	Phillips	Stockman
Keefe	Pittenger	Sumner, Ill.
Kilburn	Ploeser	Taber
Kinzer	Ramey	Talle
Kunkel	Reece, Tenn.	Taylor
LaFollette	Reed, Ill.	Thomas, N. J.
Landis	Rees, Kans.	Tibbott
Latham	Robertson, N. Dak.	Vorys, Ohio
LeCompte		Vursell
LeFevre	Robsion, Ky.	Weichel
Lemke	Rockwell	Wigglesworth
Lewis	Rodgers, Pa.	Wilson
McConnell	Rogers, Mass.	Wolcott
McCowen	Schwabe, Mo.	Wolverton, N. J.
McDonough	Schwabe, Okla.	Woodruff

NAYS—170

Abernethy	Hare	Peterson, Fla.
Allen, La.	Harris	Peterson, Ga.
Andrews, Ala.	Hart	Pfeifer
Bailey	Havenner	Philbin
Baldwin, Md.	Hays	Pickett
Barrett, Pa.	Hedrick	Powell
Barry	Hendricks	Price, Fla.
Bates, Ky.	Hobbs	Price, Ill.
Biemiller	Hoch	Priest
Bland	Holifield	Quinn, N. Y.
Brooks	Huber	Rabaut
Brown, Ga.	Izac	Rabin
Bryson	Jackson	Rains
Burch	Jarman	Rankin
Camp	Johnson, Luther A.	Resa
Cannon, Mo.		Richards
Carnahan	Johnson, Okla.	Riley
Chelf	Kee	Robinson, Utah
Clark	Kelley, Pa.	Roe, Md.
Clements	Kelly, Ill.	Rogers, Fla.
Cochran	Kerr	Rooney
Colmer	Kilday	Rowan
Combs	Kopplemann	Ryter
Cooper	Lane	Sabath
Courtney	Lanham	Sadowski
Cravens	Larcade	Sasscer
Crosser	Lea	Savage
D'Alesandro	Lesinski	Sikes
De Lacy	Link	Slaughter
Delaney, John J.	Ludlow	Snyder
	Lyle	Somers, N. Y.
Dirksen	Lynch	Sparkman
Domengeaux	McCormack	Spence
Doughton, N. C.	McGehee	Starkey
Douglas, Calif.	McKenzie	Stewart
Doyle	McMillan, S. C.	Stigler
Drewry	Madden	Sullivan
Earthman	Mahon	Sumners, Tex.
Eberharter	Manasco	Tarver
Elliott	Mansfield, Mont.	Thom
Fallon		Thomas, Tex.
Feighan	Marcantonio	Thomason
Fernandez	Mills	Tolan
Flood	Morgan	Torrens
Folger	Murdock	Trimble
Forand	Murphy	Vinson
Gallagher	Murray, Tenn.	Voorhis, Calif.
Gary	Neely	Walter
Gathings	Norrell	Wasielewski
Geelan	O'Brien, Ill.	Weaver
Gordon	O'Brien, Mich.	Whitten
Gore	O'Neal	Whittington
Gorski	O'Toole	Winstead
Gossett	Outland	Wood
Granahan	Pace	Woodhouse
Granger	Patman	Worley
Green	Patrick	Zimmerman
Gregory	Patterson	

NOT VOTING—99

Adams	Canfield	Douglas, Ill.
Andresen, August H.	Cannon, Fla.	Eaton
	Carlson	Engle, Calif.
Auchincloss	Celler	Fisher
Baldwin, N. Y.	Chapman	Flannagan
Bates Mass.	Clippinger	Fogarty
Beckworth	Coffee	Gardner
Bell	Cole, Kans.	Gibson
Bender	Cole, N. Y.	Gillette
Bloom	Cooley	Graham
Boykin	Cox	Grant, Ala.
Bradley, Pa.	Curley	Gross
Brehm	Daughton, Va.	Harless, Ariz.
Buckley	Davis	Hartley
Buffett	Dawson	Healy
Bulwinkle	Delaney, James J.	Hébert
Bunker		Heffernan
Byrne, N. Y.	Dingell	Herter

Holmes, Mass.	Mathews	Rogers N. Y.
Hook	May	Russell
Hope	Miller, Calif.	Scrivner
Johnson, Ill.	Monroney	Sheppard
Johnson, Lyndon B.	Morrison	Sheridan
	Norton	Sundstrom
Judd	Plumley	Talbot
Kefauver	Poage	Towe
Keogh	Randolph	Traynor
King	Rayfiel	Wadsworth
Kirwan	Reed, N. Y.	Welch
Knutson	Rich	West
Luce	Rivers	White
McGlinchey	Rizley	Wickersham
Maloney	Robertson, Va.	Winter
Mansfield, Tex.	Roe, N. Y.	Wolfenden, Pa.

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Adams for, with Mr. Randolph against.
Mr. Brehm for, with Mr. Keogh against.
Mr. Graham for, with Mr. Healy against.
Mr. Gross for, with Mr. Davis against.
Mr. Carlson for, with Mrs. Norton against.
Mr. Buffet for, with Mr. Miller of California against.
Mr. Hartley for, with Mr. Wickersham against.
Mr. Cole of New York for, with Mr. Bradley of Pennsylvania against.
Mr. Judd for, with Mr. Sheridan against.
Mr. Holmes of Massachusetts for, with Mr. Morrison against.
Mr. Knutson for, with Mr. King against.
Mr. Hope for, with Mr. McGlinchey against.
Mr. Reed of New York for, with Mr. Engle of California against.
Mr. Gillette for, with Mr. Dingell against.

Additional general pairs:

Mr. Traynor with Mr. Chiperfield.
Mr. Cannon of Florida with Mr. Sundstrom.
Mr. James J. Delaney with Mr. Talbot.
Mr. Lyndon B. Johnson with Mr. Weichel.
Mr. Rivers with Mr. Towe.
Mr. Fisher with Mr. Winter.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. TABER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TABER. I am not, Mr. Speaker.

Mr. HENDRICKS. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HENDRICKS. Did the gentleman from New York say he was against the bill?

Mr. TABER. I did not. That relates only to the privilege of offering it. A Member who is opposed to the bill would be entitled to prior recognition.

Mr. HENDRICKS. Mr. Speaker, I make the point of order that unless the gentleman is opposed to the bill he cannot offer a motion to recommit.

The SPEAKER pro tempore. Is there any Member of the minority party who is opposed to the bill who desires to offer a motion to recommit? [After a pause.] The Chair hears none.

The Clerk will report the motion to recommit offered by the gentleman from New York.

The Clerk read as follows:

Mr. TABER moves to recommit the bill to the Committee on Appropriations with instructions to report the same back forthwith with amendments reducing the appropriation for personnel in every item except those for the Veterans' Administration by 10 percent.

Mr. HENDRICKS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

Mr. TABER. On that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 145, nays 175, not voting 107, as follows:

[Roll No. 8]

YEAS—145

Allen, Ill.	Gillie	Martin, Iowa
Andersen, H. Carl	Goodwin	Martin, Mass.
	Grant, Ind.	Mason
Anderson, Calif.	Griffiths	Merrow
Angell	Gwinn, N. Y.	Michener
Arends	Gwynne, Iowa	Miller, Nebr.
Arnold	Hagen	Mundt
Barrett, Wyo.	Hale	Murray, Wis.
Beall	Hall, Edwin Arthur	O'Hara
Bennet, N. Y.		O'Konski
Bennett, Mo.	Hall, Leonard W.	Phillips
Bishop		Pittenger
Blackney	Halleck	Ploeser
Bolton	Hancock	Ramey
Bradley, Mich.	Hand	Reece, Tenn.
Brown, Ohio	Harness, Ind.	Reed, Ill.
Brumbaugh	Henry	Rees, Kans.
Buck	Heselton	Robertson, N. Dak.
Butler	Hess	
Byrnes, Wis.	Hill	Robsion, Ky.
Campbell	Hinshaw	Rockwell
Case, N. J.	Hoeven	Rodgers, Pa.
Case, S. Dak.	Hoffman	Rogers, Mass.
Chenoweth	Holmes, Wash.	Schwabe, Mo.
Chiperfield	Horan	Schwabe, Okla.
Church	Howell	Shafer
Clason	Jenkins	Sharp
Clevenger	Jennings	Short
Cole, Mo.	Jensen	Simpson, Pa.
Corbett	Johnson, Calif.	Smith, Maine
Crawford	Johnson, Ind.	Smith, Ohio
Cunningham	Jones	Smith, Wis.
Curtis	Jonkman	Springer
D'Ewart	Kean	Stefan
Dolliver	Kearney	Stevenson
Dondero	Keefe	Stockman
Dworshak	Kilburn	Sumner, Ill.
Ellis	Kinzer	Taber
Ellsworth	Kunkel	Talle
Elsaesser	LaFollette	Taylor
Elston	Landis	Thomas, N. J.
Engel, Mich.	Latham	Tibbott
Fellows	LeCompte	Vorys, Ohio
Fenton	LeFevre	Vursell
Fuller	Lewis	Weichel
Fulton	McConnell	Wigglesworth
Gamble	McCowen	Wilson
Gerlach	McDonough	Wolcott
Gifford	McGregor	Wolverton, N. J.
Gillespie	McMillen, Ill.	

NAYS—175

Abernethy	Crosser	Green
Allen, La.	D'Alesandro	Gregory
Andrews, Ala.	De Lacy	Hare
Andrews, N. Y.	Delaney, John J.	Harris
Bailey		Hart
Baldwin, Md.	Dirksen	Havenner
Barden	Domengeaux	Hays
Barrett, Pa.	Doughton, N. C.	Hedrick
Barry	Douglas, Calif.	Hendricks
Bates, Ky.	Doyle	Hobbs
Biemiller	Drewry	Hoch
Bonner	Durham	Holifield
Boren	Earthman	Huber
Brooks	Eberharter	Hull
Brown, Ga.	Elliott	Izac
Bryson	Fallon	Jackson
Burch	Feighan	Jarman
Camp	Flood	Johnson, Luther A.
Cannon, Mo.	Folger	
Carnahan	Forand	Johnson, Okla.
Chelf	Gallagher	Kee
Clark	Gary	Kelley, Pa.
Clements	Gathings	Kelly, Ill.
Cochran	Geelan	Kerr
Colmer	Gordon	Kilday
Combs	Gore	Kopplemann
Cooper	Gorski	Lane
Courtney	Granahan	Lanham
Cravens	Granger	Larcade
Lea	Patterson	Smith, Va.
Lesinski	Peterson, Fla.	Snyder
Link	Peterson, Ga.	Somers, N. Y.
Ludlow	Pfeifer	Sparkman
Lyle	Philbin	Spence
Lynch	Pickett	Starkey
McCormack	Powell	Stewart
McGehee	Price, Fla.	Stigler
McKenzie	Price, Ill.	Sullivan
McMillan, S. C.	Priest	Sumners, Tex.
Madden	Quinn, N. Y.	Tarver
Mahon	Rabaut	Thom
Manasco	Rabin	Thomas, Tex.
Mansfield, Mont.	Rains	Thomason
	Rankin	Tolan
Marcantonio	Resa	Torrens
Mills	Richards	Trimble
Morgan	Riley	Vinson
Murdock	Robertson, Va.	Voorhis, Calif.
Murphy	Roe, Md.	Walter
Murray, Tenn.	Rogers, Fla.	Wasielewski
Neely	Rooney	Weaver
Norrell	Rowan	Whitten
O'Brien, Ill.	Ryter	Whittington
O'Brien, Mich.	Sabath	Winstead
O'Neal	Sadowski	Wood
O'Toole	Sasscer	Woodhouse
Outland	Savage	Worley
Pace	Sikes	Zimmerman
Patman	Simpson, Ill.	
Patrick	Slaughter	

NOT VOTING—107

Adams	Dingell	McGlinchey
Andresen, August H.	Douglas, Ill.	Maloney
	Eaton	Mansfield, Tex.
Auchincloss	Engle, Calif.	Mathews
Baldwin, N. Y.	Fernandez	May
Bates, Mass.	Fisher	Miller, Calif.
Beckworth	Flannagan	Monroney
Bell	Fogarty	Morrison
Bender	Gardner	Norton
Bland	Gavin	Plumley
Bloom	Gearhart	Poage
Boykin	Gibson	Randolph
Bradley, Pa.	Gillette	Rayfiel
Brehm	Gossett	Reed, N. Y.
Buckley	Graham	Rich
Buffett	Grant, Ala.	Rivers
Bulwinkle	Gross	Rizley
Bunker	Harless, Ariz.	Robinson, Utah
Burgin	Hartley	Roe, N. Y.
Byrne, N. Y.	Healy	Rogers, N. Y.
Canfield	Hébert	Russell
Cannon, Fla.	Heffernan	Scrivner
Carlson	Herter	Sheppard
Celler	Holmes, Mass.	Sheridan
Chapman	Hook	Sundstrom
Clippinger	Hope	Talbot
Coffee	Johnson, Ill.	Towe
Cole, Kans.	Johnson, Lyndon B.	Traynor
Cole, N. Y.		Wadsworth
Cooley	Judd	Welch
Cox	Kefauver	West
Curley	Keogh	White
Daughton, Va.	King	Wickersham
Davis	Kirwan	Winter
Dawson	Knutson	Wolfenden, Pa.
Delaney, James J.	Lemke	Woodruff
	Luce	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Adams for, with Mr. Randolph against.
Mr. Brehm for, with Mr. Keogh against.
Mr. Graham for, with Mr. Healy against.
Mr. Gross for, with Mr. Davis against.
Mr. Carlson for, with Mrs. Norton against.
Mr. Buffett for, with Mr. Miller of California against.
Mr. Cole of New York for, with Mr. Bradley of Pennsylvania against.
Mr. Judd for, with Mr. Sheridan against.
Mr. Holmes of Massachusetts for, with Mr. Morrison against.
Mr. Knutson for, with Mr. King against.
Mr. Gillette for, with Mr. Dingell against.
Mr. Reed of New York for, with Mr. Engle of California against.
Mr. Hope for, with Mr. McGlinchey against.
Mr. Rizley for, with Mr. Robinson of Utah against.

Additional general pairs:

Mr. Wickersham with Mr. Gearhart.
Mr. Bland with Mr. Lemke.
Mr. Chapman with Mr. Woodruff.
Mr. Cox with Mr. Gavin.

Mr. BRADLEY of Michigan. Mr. ALLEN of Illinois and Mr. WOLCOTT changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. HENDRICKS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 301, nays 5, not voting 121, as follows:

[Roll No. 9]

YEAS—301

Abernethy	Gallagher	Link
Allen, Ill.	Gamble	Ludlow
Allen, La.	Gary	Lyle
Andersen, H. Carl	Geelan	Lynch
	Gerlach	McConnell
Anderson, Calif.	Gifford	McCormack
Andrews, Ala.	Gillespie	McCowen
Angell	Gillie	McDonough
Arends	Goodwin	McGehee
Bailey	Gordon	McGregor
Baldwin, Md.	Gore	McKenzie
Barden	Gorski	McMillan, S. C.
Barrett, Pa.	Granahan	McMillen, Ill.
Barry	Granger	Madden
Bates, Ky.	Grant, Ind.	Mahon
Bennet, N. Y.	Green	Manasco
Bennett, Mo.	Gregory	Mansfield, Mont.
Biemiller	Griffiths	
Bishop	Gwinn, N. Y.	Marcantonio
Blackney	Hagen	Martin, Mass.
Bolton	Hale	Mason
Bonner	Hall, Edwin Arthur	Merrow
Boren		Michener
Bradley, Mich.	Hall, Leonard W.	Miller, Nebr.
Brooks		Mills
Brown, Ga.	Halleck	Morgan
Brown, Ohio	Hancock	Mundt
Brumbaugh	Hand	Murdock
Bryson	Hare	Murphy
Buck	Harness, Ind.	Murray, Tenn.
Burch	Harris	Murray, Wis.
Burgin	Hart	Neely
Butler	Havenner	Norrell
Camp	Hays	O'Brien, Ill.
Campbell	Hedrick	O'Brien, Mich.
Cannon, Mo.	Hendricks	O'Hara
Carnahan	Henry	O'Neal
Case, N. J.	Heselton	O'Toole
Case, S. Dak.	Hess	Outland
Chelf	Hill	Pace
Chenoweth	Hinshaw	Patman
Church	Hobbs	Patrick
Clason	Hoch	Patterson
Clements	Hoeven	Peterson, Fla.
Clevenger	Hoffman	Peterson, Ga.
Cochran	Holifield	Pfeifer
Cole, Mo.	Holmes, Wash.	Philbin
Colmer	Horan	Phillips
Combs	Howell	Pickett
Cooper	Huber	Pittenger
Corbett	Hull	Ploeser
Courtney	Izac	Powell
Cravens	Jackson	Price, Fla.
Crawford	Jarman	Price, Ill.
Crosser	Jenkins	Priest
Cunningham	Jennings	Quinn, N. Y.
Curtis	Jensen	Rabaut
D'Alesandro	Johnson, Calif.	Rabin
De Lacy	Johnson, Ind.	Rains
Delaney, John J.	Johnson, Luther A.	Ramey
		Rankin
D'Ewart	Johnson, Okla.	Reece, Tenn.
Dirksen	Jones	Reed, Ill.
Dolliver	Jonkman	Rees, Kans.
Domengeaux	Kean	Resa
Dondero	Kearney	Richards
Douglas, Calif.	Kee	Riley
Doyle	Keefe	Robertson, N. Dak.
Drewry	Kelley, Pa.	
Durham	Kelly, Ill.	Robertson, Va.
Dworshak	Kerr	Rockwell
Earthman	Kilday	Rodgers, Pa.
Eberharter	Kinzer	Roe, Md.
Elliott	Kopplemann	Rogers, Fla.
Ellis	Kunkel	Rogers, Mass.
Elsaesser	LaFollette	Rooney
Elston	Landis	Rowan
Fallon	Lane	Ryter
Feighan	Lanham	Sadowski
Fellows	Larcade	Sasscer
Fenton	Latham	Savage
Flood	Lea	Schwabe, Mo.
Folger	LeCompte	Schwabe, Okla.
Forand	LeFevre	Shafer
Fuller	Lesinski	Sharp
Fulton	Lewis	Sikes
Simpson, Ill.	Sumner, Ill.	Vursell
Slaughter	Sumners, Tex.	Walter
Smith, Maine	Taber	Wasielewski
Smith, Ohio	Talle	Weichel
Smith, Va.	Tarver	Whitten
Snyder	Taylor	Whittington
Somers, N. Y.	Thom	Wigglesworth
Sparkman	Thomas, N. J.	Wilson
Spence	Thomas, Tex.	Winstead
Springer	Thomason	Wolcott
Starkey	Tibbott	Wolverton, N. J.
Stefan	Tolan	Wood
Stevenson	Torrens	Woodhouse
Stewart	Trimble	Woodruff
Stigler	Vinson	Worley
Stockman	Voorhis, Calif.	Zimmerman
Sullivan	Vorys, Ohio	

NAYS—5

Byrnes, Wis.	O'Konski	Smith, Wis.
Kilburn	Short	

NOT VOTING—121

Adams	Dingell	McGlinchey
Andresen, August H.	Doughton, N. C.	Maloney
	Douglas, Ill.	Mansfield, Tex.
Andrews, N. Y.	Eaton	Martin, Iowa
Arnold	Ellsworth	Mathews
Auchincloss	Engel, Mich.	May
Baldwin, N. Y.	Engle, Calif.	Miller, Calif.
Barrett, Wyo.	Fernandez	Monroney
Bates, Mass.	Fisher	Morrison
Beall	Flannagan	Norton
Beckworth	Fogarty	Plumley
Bell	Gardner	Poage
Bender	Gathings	Randolph
Bland	Gavin	Rayfiel
Bloom	Gearhart	Reed, N. Y.
Boykin	Gibson	Rich
Bradley, Pa.	Gillette	Rivers
Brehm	Gossett	Rizley
Buckley	Graham	Robinson, Utah
Buffett	Grant, Ala.	Robsion, Ky.
Bulwinkle	Gross	Roe, N. Y.
Bunker	Gwynne, Iowa.	Rogers, N. Y.
Byrne, N. Y.	Harless, Ariz.	Russell
Canfield	Hartley	Sabath
Cannon, Fla.	Healy	Scrivner
Carlson	Hébert	Sheppard
Celler	Heffernan	Sheridan
Chapman	Herter	Simpson, Pa.
Chiperfield	Holmes, Mass.	Sundstrom
Clark	Hook	Talbot
Clippinger	Hope	Towe
Coffee	Johnson, Ill.	Traynor
Cole, Kans.	Johnson, Lyndon B.	Wadsworth
Cole, N. Y.		Weaver
Cooley	Judd	Welch
Cox	Kefauver	West
Curley	Keogh	White
Daughton, Va.	King	Wickersham
Davis	Kirwan	Winter
Dawson	Knutson	Wolfenden, Pa.
Delaney, James J.	Lemke	
	Luce	

So the bill was passed.

The Clerk announced the following pairs:

Additional general pairs:

Mr. Rogers of New York with Mr. Robsion of Kentucky.

Mr. Sabath with Mr. Arnold.

Mr. Rivers with Mr. Eaton.

Mr. Randolph with Mr. Adams.

Mr. Keogh with Mr. Brehm.

Mr. Healy with Mr. Graham.

Mr. Davis with Mr. Gross.

Mrs. Norton with Mr. Carlson.

Mr. Miller of California with Mr. Buffett.

Mr. Bradley of Pennsylvania with Mr. Cole of New York.

Mr. Sheridan with Mr. Judd.

Mr. Morrison with Mr. Holmes of Massachusetts.

Mr. King with Mr. Knutson.

Mr. Dingell with Mr. Gillette.

Mr. Engle of California with Mr. Reed of New York.

Mr. McGlinchey with Mr. Hope.

Mr. Robinson of Utah with Mr. Rizley.

Mr. Fernandez with Mr. Beall.

Mr. Maloney with Mr. Ellsworth.

Mr. Bulwinkle with Mr. Gwynne of Iowa.

Mr. Gossett with Mr. Johnson of Illinois.

Mr. Clark with Mr. Simpson of Pennsylvania.

Mr. Kirwan with Mr. Martin of Iowa.

Mr. Weaver with Mr. Barrett of Wyoming.

The result of the vote was announced, as above recorded.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent that my colleague the Delegate from Hawaii [Mr. FARRINGTON] may extend in the RECORD a report of the subcommittee of the Committee on Territories. The gentleman from Hawaii [Mr. FARRINGTON] has received a letter from the printer that this exceeds the limit established by the Joint Committee on Printing and that it will cost $173.40. Notwithstanding the cost, I ask unanimous consent that the extension may be made.

The SPEAKER pro tempore. Notwithstanding the cost, without objection, the extension may be made.

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, at the close of the debate on H. R. 5201 in the Committee of the Whole, as part of the debate in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HOFFMAN] may address the House for 15 minutes on tomorrow, Friday, immediately after disposition of business on the Speaker's desk and at the conclusion of any special orders heretofore entered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. PLOESER (at the request of Mr. WIGGLESWORTH) was given permission to extend the remarks he made in the Committee today and include a table referring to the Budget.

Mr. BARRETT of Pennsylvania asked and was given permission to extend his remarks in the RECORD and include a speech made on National Freedom Day in Washington.

Mr. CARNAHAN asked and was given permission to extend his remarks in the RECORD and include an editorial from the Honolulu Star Bulletin of January 17, 1946.

Mrs. DOUGLAS of California asked and was given permission to extend her own remarks in the Appendix of the RECORD in five separate instances; in four instances to include the history of the Negro soldier as taken from reports of the War Department, the Navy, and the merchant marine; and in the other instance to include the facts of the steel strike as presented by Mr. Philip Murray, president of the CIO.

Mr. DOYLE asked and was given permission to extend his remarks in the RECORD on two subjects and include an editorial from a Los Angeles newspaper.

Mr. MARCANTONIO asked and was given permission to extend his remarks

in the RECORD and include a newspaper clipping.

SPECIAL ORDER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. JONKMAN] is recognized for 10 minutes.

THE STRIKE SITUATION

Mr. JONKMAN. Mr. Speaker, a great Washington newspaper, which has for a decade or more never been considered antiadministration, last Tuesday diagnosed the situation of the automotive, meat, electrical, and steel strikes in a front-page editorial, and said, "It is a criminal set-back, and it seems like a conspiracy." A little further on the editorial said, "What has happened is simply a break-down in common sense."

Now, I know it is of little moment to a man whose house is afire whether the fire was caused by firebugs or a breakdown in common sense. He wants the fire put out. But if he knew it was the work of firebugs, he certainly would not turn to them to put it out.

The editorial makes the positive assertion that a crime has been committed or is being committed. "But," it says, "no good will come out of name calling." So it does not name the crime. Neither does it name the probable conspirators.

Nevertheless, if a crime is being committed, it is not the result of merely a break-down in common sense. It presumes criminal intent, deliberation, and motive, and if engaged in by two or more persons, is the result of a conspiracy. So, having set the premise that the strike situation is a criminal set-back, we can come to only one conclusion, namely, that it results from a conspiracy. Our problem then is to identify those conspirators or some of them.

The evidence, it seems to me, points to the administration. Things were smelly in the administration for several months before the General Motors strike. A dangerous, deliberate, destructive, well-schemed conspiracy was in the making.

About mid-September, 1945, William H. Davis was let out as the head of the Office of Economic Stabilization ostensibly because of his speech a few weeks previous about raising wages 50 percent without increasing prices. He was dismissed with praise and honor and the President said, "About that aim there has never been any conflict of views." The Davis episode was undoubtedly a trial balloon.

Notwithstanding this fiasco, on October 12, a full month before the General Motors Strike, Henry Wallace, the Secretary of Commerce, volunteered a speech in which he advocated that the Government should help labor to obtain 15 to 20 percent—and some news articles say 25 percent—of its 30 percent wage increase demand, and allow compensating price increases where necessary to cover the higher labor costs.

A few days later newspaper headlines read, "Snyder says wages can be raised by industry without price increases," and some news articles alleged that he advocated a wage increase of 24 percent on this basis. John W. Snyder is the new head of the Board of Demobilization and Reconversion, and took over the job vacated by Davis when the Office of Economic Stabilization was conveniently abolished.

To top this all off, President Truman, in his wage-price policy speech of October 30, 1945, more than 3 weeks before the General Motors strike, backed them up with the following statement: "There are several reasons why I believe that industry as a whole can afford substantial wage increases without increasing prices." True, President Truman tries to straddle the issue by saying, "We must not kill the goose which lays the golden egg," and that after 6 months of losses under this policy, industry can apply for price increases.

Now, after the President and his administration leaders threw about these sparks and started the conflagration of strikes in which we find ourselves, how could we expect conservative labor leaders to stop the conflagration? What chance had collective bargaining? Why bother about the obligation of contracts? No conspiracy could have been more adroitly planned to bring about the crisis in which we find ourselves. And what is the motive? All real Americans are stricken with fear that the purpose is to destroy constitutional government and free enterprise, and have it taken over under a collectivist ideology, with the bureaucrats operating our industries. Is this treason? What else can it be?

Under the above-named conspiracy, there is little use in the American people looking to the administration for relief. They are looking to Congress, and Congress must act and immediately and remedially.

The simplest approach for Congress is to pass legislation requiring the incorporation of unions, which I think constructive union leaders and members will welcome.

Congress should also pass amendments to the Wagner Act, the National Labor Relations Act, and such other amendments as will require both management and labor to respect human rights and property rights, as well as responsibility for their respective obligations.

The public is looking to Congress to do this speedily and fearlessly, and while the relief will not be immediate, it will insure a legal concept that we must come to, sooner or later.

The SPEAKER pro tempore. Under previous order of the House the gentleman from Pennsylvania [Mr. EBERHARTER] is recognized for 10 minutes.

THE STEEL STRIKE

Mr. EBERHARTER. Mr. Speaker, today I introduced a bill to permit carry-back and carry-over of unused excess-profits credit only for costs of reconversion and loss of income attributable to reconversion.

On Friday, January 18, the giant United States Steel Corp. led the rest of the steel industry in thumbing its nose at the President of the United States and throwing this country into a shutdown of steel operations which will cripple our reconversion program. I know that the American people will be shocked to learn, in addition, that it is they, the American taxpayers, will be called upon to guarantee the profits of the steel industry out of the public Treasury. Under our present tax laws, if the arrogant rule-or-ruin attitude of the steel trust results in the production in 1946 of not a single ounce of steel, the Treasury of the United States may be called upon to deliver to the steel companies in the form of tax refunds amounts estimated to run as high as $145,000,000.

This horrible anomaly is the result of a little-understood provision of our wartime excess-profits tax law. In that law we advised American industry that during the war years they would be permitted to earn a normal level of profits measured either by their prewar earnings or a reasonable percentage on their invested capital without payment of taxes other than the normal corporate tax. Where their earnings rose above those normal earnings we declared that these would constitute excess profits subject to a special excess-profits tax.

But we said something more—and there is the rub. We said that if after paying the taxes during the war years, any corporation in any one of the 2 years thereafter failed to earn that normal expected profit which we credited to them, they could take the amount by which they fell below that level, apply it as additional credit by a carry-back device into the preceding years in which they did pay excess-profits taxes and then demand a refund on their taxes.

For the year 1946 we went even further. We repealed the excess-profits tax law, but we kept on the books this provision for a carry-back. In other words, if a corporation earns its normal profits and more, it pays no excess-profits tax; but if that corporation earns less than the normal profit level which we allowed it, it can still demand those tax refunds out of the excess-profits taxes which it paid on its high earnings for the years before 1946. From here on out we said to these corporations, "It's heads you win; tails we lose."

The excuse was given that this was necessary in order to help these corporations out during the reconversion period. But today these corporations are shutting down their plants, not because of the necessity for retooling or preparing for peacetime production; they are shutting down their plants because the corporations themselves are going on strike against their own employees, against the President of the United States, against the people of the United States. And the people, ironically enough, will be asked to finance this corporation sit-down strike by refunds out of the Treasury of the United States.

I say that this is an infamous imposition on the American people. To continue this law on our books in its present form is inexcusable. I have no objection to allowing these tax refunds for the legitimate purpose of aiding in reconversion to full peacetime production, but I shall do everything in my power to see to it that the law is changed so as to withdraw the benefits of these payments from the giant corporations such as those in the steel industry and the General Motors Corp., which have brought about strikes among their own employees by virtue of the arrogant refusal of these

corporations to cooperate with the Government of the United States.

I must say frankly that the Ways and Means Committee and the Congress, at the time consideration was being given to refunds and credits on excess-profits taxes were completely unaware that these moneys thus saved would or could be used as a cushion by some corporation so inclined to finance a bitter struggle against organized labor, against strikes, and even against the principle of collective bargaining. I am sure that if any thought that the present situation would arise had entered the minds of some Members, there would have been greater opposition to these provisions. Thus a provision intended solely to help reconversion is being used to thwart reconversion.

Mr. Speaker, I wish also at this time to call attention to the bill (H. R. 5180) introduced 3 days ago by my colleague the gentleman from West Virginia [Mr. BAILEY]. I commend him for for so promptly bringing the subject to the attention of Congress. My bill is considerably more moderate in its terms, inasmuch as it would pertain to, in a proportionate degree, only where corporations' refunds and credits were related to a work stoppage by reason of a labor dispute. Mr. BAILEY'S bill would remove the benefit of unused excess profits and credit carry-back from all corporations.

EXTENSION OF REMARKS

Mr. ANDREWS of Alabama (at the request of Mr. SPARKMAN) was given permission to extend his remarks in the RECORD and include an editorial.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CHAPMAN (at the request of Mr. GREGORY), for today, on account of illness.

To Mr. AUCHINCLOSS (at the request of Mr. EATON), for 2 days, on account of official business.

ADJOURNMENT

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 49 minutes p. m.) the House adjourned until tomorrow, Friday, January 25, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTE ON THE CENSUS

The Committee on the Census will hold hearings on H. R. 4781 on Friday morning, January 25, 1946, at 10 o'clock.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 2 p. m. on Friday, January 25, 1946, to continue hearings in its study of operations pursuant to the Public Utility Holding Company Act of 1935.

There will be a meeting of the Federal Trade Subcommittee of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Tuesday, January 29, 1946.

Business to be considered: Commerce hearings on the bill (H. R. 2390) to amend the act creating the Federal Trade Commission, to define its powers and duties, and for other purposes.

COMMITTEE ON PATENTS

The Committee on Patents will hold hearings on H. R. 4143 in the committee room, 416 Old House Office Building, January 29, 1946, beginning at 10:30 a. m.

COMMITTEE ON THE JUDICIARY

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, January 30, 1946, on the bill (H. R. 2710) to provide for the detention, care, and treatment of persons of unsound mind in certain Federal reservations in Virginia and Maryland. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

The Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary will hold a hearing on Monday, February 4, 1946, on the bill (H. R. 5023) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, February 6, 1946, on the bill (H. R. 5089) to amend the First War Powers Act, 1941. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

972. A letter from the Acting Secretary of the Interior, transmitting the information that no exchanges of land were consummated during the calendar year of 1945, pursuant to the act of June 14, 1926 (44 Stat. 741; 43 U. S. C., sec. 869); to the Committee on the Public Lands.

973. A letter from the President, United States Civil Service Commission, transmitting a draft of a proposed bill to amend the act entitled "An act to provide for the payment to certain Government employees for accumulated or accrued annual leave due upon their separation from Government service," approved December 21, 1944; to the Committee on the Civil Service.

974. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $18,000, for the Panama Canal, to remain available until expended (H. Doc. No. 418); to the Committee on Appropriations and ordered to be printed.

975. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1946 for the Railroad Retirement Board, amounting to $242,000 (H. Doc. No. 419); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules. House Resolution 494. Resolution providing for the consideration of H. R. 4437, a bill to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes; without amendment (Rept. No. 1488). Referred to the House Calendar.

Mr. BATES of Kentucky: Committee on Rules. House Resolution 495. Resolution providing for the consideration of H. R. 3370, a bill to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes; without amendment (Rept. No. 1489). Referred to the House Calendar.

Mr. JARMAN: Committee on Printing. House Concurrent Resolution 121. Concurrent resolution authorizing the House Committee on Ways and Means to have printed for its use additional copies of the report to the committee of its technical staff relative to the issues in social security; without amendment (Rept. No. 1490). Referred to the House Calendar.

Mr. DREWRY: Committee on Naval Affairs. S. 1618. An act to exempt the Navy Department from statutory prohibitions against the employment of noncitizens, and for other purposes; without amendment (Rept. No. 1491). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAY: Committee on Military Affairs. S. 1560. An act to amend the Service Extension Act of 1941, as amended, to extend reemployment benefits to former members of the Women's Army Auxiliary Corps who entered the Women's Army Corps; without amendment (Rept. No. 1492). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. McMILLAN of South Carolina:

H. R. 5229. A bill to effectuate the purpose of providing employment for returning veterans, and for other purposes, by providing for the establishment of a three-platoon system in the Fire Department of the District of Columbia; to the Committee on the District of Columbia.

By Mr. CELLER:

H. R. 5230. A bill to develop, conserve, and regulate the use of atomic energy, to promote and encourage such uses as may serve the economic welfare of the Nation, to prohibit its private exploitation, and to outlaw the military use of such energy through international compact; to the Committee on Military Affairs.

By Mr. HENRY:

H. R. 5231. A bill to amend Revised Statutes 4921 (U. S. C. A., title 35, Patents, sec. 70), providing that damages be ascertained on the basis of compensation for infringement, as in actions for infringement in the United States Court of Claims; to the Committee on Patents.

By Mr. EBERHARTER:

H. R. 5232. A bill to permit carry-back and carry-over of unused excess-profits credit only for costs of reconversion and loss of income attributable to reconversion; to the Committee on Ways and Means.

By Mr. LANE:

H. R. 5233. A bill to permit civilian officers and employees of the United States and of the government of the District of Columbia to elect to receive United States savings bonds in lieu of leave; to the Committee on the Civil Service.

By Mrs. BOLTON:

H. R. 5234. A bill to authorize the Federal Security Administrator to assist the States in matters relating to social protection, and for other purposes; to the Committee on the Judiciary.

By Mr. LEMKE:

H. Con. Res. 122. Concurrent resolution to speed up demobilization of the unnecessary men in the armed forces; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States, to declare as surplus property all building materials held but not needed by the armed forces in California, and to effect the immediate release of such materials for housing construction, providing for preference to veterans in the purchase thereof; to the Committee on Expenditures in the Executive Departments.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States, to enact legislation reducing the age limit relating to old-age and survivors insurance, and to provide disability benefits to commence with disability; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT of Pennsylvania:

H. R. 5235. A bill for the relief of Gustavo Ferretti; to the Committee on Immigration and Naturalization.

By Mr. MANSFIELD of Montana:

H. R. 5236. A bill to provide for the payment in a lump sum to Montana State College of national service life insurance granted the late Ralph Coldwater; to the Committee on Claims.

By Mr. OUTLAND:

H. R. 5237. A bill for the relief of Miriam Barkle; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1491. By Mr. RICH: Petition of Sgt. Edward J. Claudius and other men in the armed forces, urging the introduction and passage of a GI emancipation bill guaranteeing that any soldier fulfilling certain requirements will be eligible for immediate discharge; to the Committee on Military Affairs.

1492. By the SPEAKER: Petition of Pfc Edward H. Forrest and other enlisted men overseas, petitioning consideration of their resolution with reference to their protest of any delay in the demobilization of the armed forces; to the Committee on Military Affairs.

SENATE

FRIDAY, JANUARY 25, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou Creator of the ends of the earth, with whom is no distinction of race or habitation, but all are one in Thee, break down, we beseech Thee, the barriers which divide us, bridge the unhappy divisions of Thy contending children, that we may work together with one accord with each other and with Thee, that all the kingdoms of the world may become the one and radiant kingdom of Thy redeeming love.

As we spend our years like a tale that is told, may it be, to the last page, a tale of service well done, of duty faced without flinching, of honor unsullied, and of horizons stretched out, as daily we fare forth toward journey's end; then of Thy great mercy grant us a safe lodging and a holy rest, and peace at the last. Through Jesus Christ our Lord. Amen.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed a bill (H. R. 5201) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1947, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 121) authorizing the House Committee on Ways and Means to have printed for its use additional copies of the report to the committee of its technical staff relative to the issues in social security, in which it requested the concurrence of the Senate.

AMENDMENT OF COMMODITY CREDIT CORPORATION AND EMERGENCY PRICE CONTROL ACTS—JOINT RESOLUTION INTRODUCED

Mr. McCLELLAN obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator, without in any way losing his rights or the parliamentary status in any way being involved, permit me, on behalf of the Senator from New York [Mr. WAGNER], to introduce a technical routine joint resolution amending Public Law No. 30 which affects the agricultural program and which must be referred to the committee in order that it may be considered?

Mr. McCLELLAN. I shall be happy to yield under the conditions stated by the able majority leader.

Mr. BARKLEY. I thank the Senator from Arkansas, and I now introduce the joint resolution.

The PRESIDENT pro tempore. Without objection, the joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 134) to amend Public Law 30 of the Seventy-ninth Congress, and for other purposes, introduced by Mr. BARKLEY (for Mr. WAGNER), was read twice by its title and referred to the Committee on Banking and Currency.

PRICE FIXING ON COTTON AND COTTON PRODUCTS—RESOLUTIONS OF SOUTH CAROLINA SENATE

Mr. MAYBANK. Mr. President, will the Senator from Arkansas yield to me for the purpose of enabling me to ask unanimous consent to present two resolutions adopted by the Senate of the State of South Carolina so that they may be placed in the RECORD?

The PRESIDENT pro tempore. Without objection, the resolutions will be received and referred to the Committee on Banking and Currency, and, under the rule, printed in the RECORD.

The resolutions presented by Mr. MAYBANK are as follows:

Resolution protesting against the system of price fixing by the Office of Price Administration on cottonseed and cottonseed products whereby the farmer receives considerably less for his cottonseed and pays much more for cottonseed meal and hulls he buys

Whereas before the present system of price fixing of cottonseed by the Office of Price Administration cotton farmers were able, on the average, to trade cottonseed for meal on a basis of pound for pound or sometimes even better; and

Whereas under the present system cottonseed bought from the farmers brought him prices as low as $25 to $28 per ton during the past week, and yet the price of cottonseed meal made from the same cottonseed and sold by the mills brought prices of from $46 to $48 per ton during the past week; and

Whereas mills claim farmers' seed are inferior this season, however, they charge prime prices for their cottonseed meal and hulls: And, therefore, be it

Resolved, That the Office of Price Administration be requested to review their present system of price fixing of cottonseed and cottonseed products; and be it

Resolved, That immediate steps be taken to right the grave injustice so that the farmer be given his just dues in higher prices for seed or in lower prices for meal and hulls or both; be it further

Resolved, That a copy of this resolution be furnished to Hon. Chester Bowles, Administrator, OPA, to each Member of the South Carolina delegation in Congress; and to the Secretary of Agriculture of the United States, Hon. Clinton P. Anderson; and to the South Carolina commissioner of agriculture, Hon. J. Roy Jones.

Senate resolution protesting against the proposed action of the Office of Price Administration in regulating the price of raw cotton in an alleged effort to prevent a rise in the cost of cotton clothing

Whereas newspaper reports state that Hon. Chester Bowles, Administrator of the Office of Price Administration, is planning to put a ceiling price on raw cotton and gives as the reason that this proposed action is necessary to prevent a rise in price of cotton clothing; and

Whereas the price of cotton is even now too low in relation to the cost of production and in price relationship to the things cotton farmers must buy; and

Whereas less than 10 percent of the cost of average cotton finished goods goes to the farmer for the raw product; and

Whereas more than 90 percent of the cost to consumers is included in labor, manufacturing, overhead, transportation, and sales profits; and

Whereas we, the members of the General Assembly of the State of South Carolina, think this an unjust action and that the farmers should not be made to suffer in order to raise wages and profits; and

Whereas Gov. Ransome J. Williams, Senator Burnet R. Maybank, Senator Olin D. Johnston, and Agriculture Commissioner J. Roy Jones have already properly made vigorous protests: Now, therefore, be it

Resolved by the members of the Senate of South Carolina now in session convened, That Hon. Chester Bowles, Administrator of the Office of Price Administration,

be requested to take no action that will lower the price of cotton and that if it should become necessary to take steps to prevent cotton clothing from increasing in price, that the said Mr. Bowles do investigate the wide spread between the cost of raw cotton and the finished product and that an effort be made to narrow this spread. This to our minds is the only and equitable way to approach the problem; and be it further

Resolved, That a copy of this resolution be furnished Members of Congress from South Carolina and to the Secretary of Agriculture of the United States, with the request that they do all in their power to prevent any action to put the cotton farmer in a less favorable position in relation to the others involved in cotton production and the manufacturing and sales of the finished goods.

REQUEST TO SUBMIT A REPORT

Mr. BILBO. Mr. President, will the Senator yield

Mr. McCLELLAN. I yield so long as my position is not jeopardized or the parliamentary situation changed. With that understanding, I yield.

Mr. BILBO. Mr. President, I ask permission to submit a report from the Committee on Commerce on a very important bill.

Mr. WHITE. Mr. President, I must object at this time to the Senator from Arkansas yielding for any purpose other than the propounding of a question.

Mr. McCLELLAN. I did not understand the statement of the Senator from Maine.

Mr. WHITE. I say, I must object to the Senator from Arkansas yielding for any purpose other than the propounding of a question.

Mr. BILBO. This is the report about which I spoke to the Senator from Maine yesterday.

Mr. WHITE. I think I still must object.

The PRESIDENT pro tempore. The Senator from Maine objects. The Senator from Arkansas will proceed.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of the motion of Mr. HOEY to amend the Journal of the proceedings of January 17, 1946.

Mr. McCLELLAN. Mr. President, it is not my purpose by retaining the floor this morning and continuing the discussion of this measure to try to usurp unto myself all of the time nor to deprive other Senators who want to speak on the measure from having an opportunity to do so. Particularly, Mr. President, would I like to hear Senators who favor the measure discuss its merits. If that could be done without violence to the rights under the rules of the Senate of those who are determined to discuss this measure until all its vicious aspects shall have been exposed and the light of the noonday sun of American intelligence has been thrown upon the measure and people who are not now acquainted with it other than and except as to what the title implies, have been informed as to the hidden contents within it.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. McCLELLAN. For what purpose?

Mr. CHAVEZ. Not for the purpose of taking the Senator off the floor. Will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. CHAVEZ. I am in complete agreement with what the Senator has stated that the bill should be discussed adequately both by its proponents and those in opposition. The Senator from New Jersey [Mr. SMITH] yesterday indicated that he would like to discuss the bill from the standpoint of the proponents, and it is my hope that at some time during the day he may have that opportunity. I am sure that in discussing the bill he will not resort to the type of violence of which the Senator speaks.

Mr. McCLELLAN. Of course, the Senator understands what I meant by that expression. I should like to hear from the proponents of the bill. I should like to be convinced, because, like the Senator from New Mexico, I want to try to find the truth, and let my vote speak the truth.

Mr. CHAVEZ. I am sure the Senator from Arkansas is contributing something toward that end and I am not complaining about him.

Mr. McCLELLAN. I shall be most happy to hear the proponents of the bill discuss it. Mr. President, I stated yesterday my position in unequivocal terms.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McCLELLAN. For what purpose?

Mr. MAYBANK. For a question.

Mr. McCLELLAN. Yes, I yield for a question.

Mr. MAYBANK. The Senator said that he was desirous, perhaps, of hearing from some of the proponents of the measure. I am wondering if there would be objection if, without the Senator losing his place, a quorum call could be had, because some very important statements have been made by the Senator and it appears to me that there are so few Senators present that it would be desirable to have a quorum call. So I should like to suggest the absence of a quorum if it would be agreeable to the Senator, without interfering with his right to the floor.

Mr. McCLELLAN. If I may yield for that purpose without yielding the floor I shall be glad to do so. So I ask unanimous consent to yield for that purpose.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. MAYBANK. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	Gerry	Maybank
Bailey	Gossett	Mead
Bankhead	Green	Millikin
Barkley	Guffey	Morse
Bilbo	Gurney	Murdock
Brewster	Hart	Murray
Bridges	Hatch	Myers
Briggs	Hayden	O'Daniel
Buck	Hickenlooper	Pepper
Bushfield	Hill	Radcliffe
Byrd	Hoey	Reed
Capehart	Huffman	Revercomb
Capper	Johnson, Colo.	Robertson
Chavez	Johnston, S. C.	Russell
Cordon	Kilgore	Saltonstall
Donnell	La Follette	Shipstead
Downey	Lucas	Smith
Eastland	McClellan	Stanfill
Ellender	McFarland	Stewart
Ferguson	McKellar	Taft
Fulbright	McMahon	Taylor
George	Magnuson	Thomas, Okla.
Thomas, Utah	Wheeler	Wilson
Tobey	White	Young
Tydings	Wiley	
Walsh	Willis	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from Louisiana [Mr. OVERTON], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. CARVILLE], and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Nevada [Mr. McCARRAN] is absent on public business.

The Senator from Washington [Mr. MITCHELL] is detained on official business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business as a member of the Mead committee.

Mr. WHITE. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Vermont [Mr. AIKEN] and the Senator from Minnesota [Mr. BALL] are absent because of illness.

The Senator from Illinois [Mr. BROOKS], the Senator from New Jersey [Mr. HAWKES], the Senator from North Dakota [Mr. LANGER], and the Senator from Oklahoma [Mr. MOORE] are necessarily absent.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee.

The Senators from Nebraska [Mr. BUTLER and Mr. WHERRY] are absent by leave of the Senate.

The PRESIDENT pro tempore. Seventy-six Senators having answered to their names, a quorum is present.

Mr. McCLELLAN. Mr. President——

Mr. REED. Will the Senator yield so that I may make a unanimous-consent request, including one that he shall not be disturbed in his occupation of the floor?

Mr. WHITE. Mr. President, I dislike to object, but I think that if I am at all consistent I must do so. I hope the Senator from Kansas will make his request in the latter part of the day.

Mr. McCLELLAN. Let me say to the Senator from Kansas that I regret very much that I am not permitted to yield to him for the purpose for which he desires that I yield. I should be very happy to yield to the Senator, as he knows.

Mr. REED. As I do know.

Mr. McCLELLAN. The opposition comes from his side of the aisle, so I hope no blame will attach to this side.

Mr. President, yesterday I discussed some aspects of this measure, largely in general terms, and had only begun to discuss the specific provisions of the bill at the time the Senate recessed. I said

yesterday that I would be perfectly willing to join my colleagues in conducting what is known as a filibuster if as a last resort that became necessary to bring about the defeat of the bill or to prevent its passage. I make no apology for that statement, Mr. President. That is still my purpose. But I wish to say to my colleagues that none of my remarks of yesterday nor any of my remarks today will be in any sense in the nature of a filibuster or for the purpose of delaying action on the measure, but in the hope that I may make some contribution to a further exposition of what this bill will do and the harm that will result from it, if it should be enacted into law.

When the Senate recessed yesterday I had discussed only the first section of the bill. I propose, Mr. President, as I stated yesterday, before the debate shall have been concluded to discuss each section of the bill and explain its provisions, because I want the RECORD to show, I want history to record, that in my humble service here I undertook with what degree of intellect and wisdom I possess, with all the seriousness and conviction at my command, to call the attention of my colleagues and of the people of this Nation to what will be the consequences if this bill should become law.

Mr. President, as I have already stated, I would be perfectly willing to engage in a filibuster if that should become necessary, because I think that any Senator, after having taken his oath of office, is fully justified in making use of and employing to the fullest extent every parliamentary advantage that might be given to him under the rules of the Senate in his efforts, if he is following his convictions, to try to prevent the passage of an unconstitutional measure, to try to prevent the enactment into law of a bill which would destroy the liberties of our people.

Mr. SMITH. Mr. President, will the Senator yield to me?

Mr. McCLELLAN. For what purpose?

Mr. SMITH. To ask the Senator a question.

Mr. McCLELLAN. I yield for a question.

Mr. SMITH. I understood the Senator from Arkansas was kind enough, at the opening of the session, to say that he would be glad to suspend his remarks temporarily and give me an opportunity to speak. I have been in attendance at the hearings of the Committee on Education and Labor which is engaged in investigating the problems relating to industry and labor. That is why I was delayed in coming to the Senate. I would appreciate the privilege of speaking at any time that suits the Senator's convenience, and I will say that I merely ask the floor for that purpose, but I shall not ask the Senator to let me have the floor if he fears that he may thereby lose it, or if he wishes to continue.

Mr. McCLELLAN. With that understanding, Mr. President, I would be most happy to accommodate the Senator; that is, if I may yield to him for the purpose of discussing the merits of the bill, if that will not prejudice my right to resume. I realize the Senator from New Jersey is busy in committee. In what I said I was not speaking particularly of the Senator from New Jersey, but I know the situation that exists in the Senate. I know there are those who want to speak on the merits of the bill. I want those who favor the bill to speak on its merits. I want to hear their side of the case. I shall be most happy to yield to the Senator and give him the opportunity to speak as long as he wishes, and I shall be most happy to stay and listen to the Senator's address, for I know it will be a very able one.

Mr. President, if I am permitted to do that, if I may receive unanimous consent to do that, I shall be most happy to yield now to the distinguished Senator from New Jersey.

The PRESIDENT pro tempore. Is there objection to the request made by the Senator from New Jersey, and approved by the Senator from Arkansas? The Chair hears none, and under those conditions the Senator from New Jersey is recognized.

Mr. SMITH. Mr. President, I thank the Senator from Arkansas, and before I begin I want to say that I have been very much impressed with that part of the debate in which he has participated. I hope I will hear his discussion of the details of the bill, because they are very important, and I hope that I myself can at a later date discuss some of its details more fully.

Mr. President, today I wish to discuss the over-all implications of the so-called Fair Employment Practices Act.

It is my judgment, Mr. President, that the bill as it has been presented to the Senate needs substantial amendment in order that some of the limitations of the bill which I and others of my colleagues see in it may be corrected before we present it for final passage. And I am hopeful, Mr. President, that with the submission of the amendments we have in mind it may be recognized that many of the objections that have been made to the bill will be removed, to the end that the fundamental position of the United States on this basic issue of nondiscrimination among our people and equality of opportunity may be demonstrated to the world.

I am fully aware, Mr. President, of the difficulties that are involved in the intimate relationships between employer and employee, and yet in our modern industrial age, with the problems that are presented by mass employment, we must readily recognize that if segments of our people are prevented, because of mere prejudice, from being employed, an injustice is done and an intolerable situation is created which it will be hard for us as a free people to defend. It is for this reason primarily that I am offering what I feel to be a most fundamental amendment to the bill and which I shall send to the desk after I complete my remarks in order that the amendment may be read and be before the Senate when the time comes to discuss amendments.

This amendment distinctly recognizes the fact that the question of individual personalities becomes most important in employments where relatively few people are employed, and where it may be as much to the interest of other employees as to the employer himself as to the kind of people who are thrown together in intimate employee relationships. The bill as originally introduced provided it would apply to employers of six or more. My amendment changes the figure of "6" to "25", and I am frank to say in presenting it that I prefer to start with employers of 50 or more in order to ascertain whether we can first work out this nondiscriminatory principle where there is employment of large numbers of people.

It is the large industries, as I see it, Mr. President, that are important in the first instance, and I realize the great difficulty, where questions of personality are involved, in trying to impose by law on a small employer, individuals who may be objectionable for any reason whatsoever, and where the employer has to use discretion in order to keep his employees happy. I recognize those objections that have been made to the bill, and I am trying to meet them by offering my amendment. I can readily see that in a small office or in a small industry the esprit de corps may well depend on an atmosphere of personal congeniality which obviously it would not be possible to create under the pressure of mandatory legislation. On the other hand, in large industries, where the work is less intimate, I can see no personal reasons why objections should be made to giving equality of opportunity in employment to all of our people without regard to race, creed, or color. I have made inquiry of the FEPC authority, established by President Roosevelt, and which has been working under directives of the Executive. The indications are that 80 percent of the cases affect Negroes, 10 percent affected Jewish applicants for employment, and the remaining 10 percent is scattered. This points definitely to the fact that the question of the Negroes in America is the serious one, and one which in my judgment we should face with fairness and without prejudice. All of us together, no matter what our feelings are, should try to approach the problem in the friendliest possible fashion, for the future good of America. Today, Negroes are 10 percent of our entire population, and as the Negro question is the one that has been most stressed in our debates during the past few days, I want to face this problem courageously.

I am aware, Mr. President, that this is a very dangerous and inflammatory subject, but because of that very danger it is my conviction that we here in the Senate, as fellow Americans, should consider it seriously and dispassionately and see where we are heading in the coming postwar period. I wish to speak especially to my highly esteemed colleagues from our Southern States, because I think I can feel instinctively what the problem means to them, largely because of long-time and deep-seated conditions which it has been difficult to correct.

I do not wish to appear for a moment as trying to criticize others for the views which they hold, but I desire to try to present the case as I see it, from the standpoint of those who feel that the principle of nondiscrimination in our American life outweighs the other arguments which are being made.

Mr. President, we of the North and of other geographical areas of the Nation

are too prone to condemn our southern citizens as being the cause of this serious racial problem that confronts us as a people. Yesterday reference was made to the Mason-Dixon's line. Let us begin to think that we can cross that line together, and discuss these problems without passion, feeling, or heat. We forget that all sections of our country as it was originally constituted were equally parties to the hideous crime of human slavery. We are all governed by economic considerations, and any of us probably would have defended the institution of slavery, as the South did prior to the Civil War, had our pocketbooks been as immediately affected. I despise hypocrisy, and I have to search my heart before I condemn others for their actions, lest under identical circumstances I would have done the same. And we of the North must realize that our performance when we dominated the reconstruction period after the Civil War was one of the darkest pages in our national history. Let us be honest in this debate.

And so, Mr. President, I can see that we left our southern friends with the responsibility of moving the Negro people from slavery to freedom without a really sympathetic understanding on our part of what that problem would be. Certainly, the solution could not be found in the shift of political control from the white people to the black people, and yet that has been one of the very dangers that has prompted the denial of the franchise by various devices, from the "grandfather" clause to the poll tax. I can see what prompted those things; yet we must face the situation realistically, and realize the difficult dilemma which confronts us. On the one hand, the denial of suffrage means the continuance of a form of serfdom; but, on the other hand, the granting of universal suffrage might well mean domination by underprivileged elements in our population not yet qualified to assume government responsibility.

At a later date it will be my purpose to discuss this question and to suggest to my colleagues the possibility of devising some sort of test—I shall not call it an educational test, but a test of qualification for the proper exercise of the franchise—so that those who vote will know what they are voting for, and will not be like some people in my own State, who vote because one party pays them a little more than another. That is unthinkable. We must be statesmen enough to solve this problem.

But let me return to the consideration of the Negro people as a race. I have been deeply shocked at the implications of some of the speakers, both during this filibuster and the one last summer, that the Negro people, as a people, are a hopelessly inferior and depraved race. It has seemed to me to be a thoughtless injustice to visit on all our Negro people the stigma of barbarous behavior that was attributed to certain African regiments during the war. We all regret and vigorously condemn such incidents, but to declare them to be racial, rather than depraved human, characteristics is to my mind indefensible. Throughout our history the Negro citizen has been underprivileged, and that has been definitely our fault.

I wish to pay tribute to those of our Negro citizens who, like countless numbers of other citizens, answered the call and rendered magnificent service in helping to defend us from the threat of Hitlerism and from the threat of destruction and violation of our fundamental institutions in the recent war. As the distinguished Senator from Kentucky [Mr. BARKLEY] said yesterday, we did not hesitate to include them in our selective-service draft. We asked them to give their lives, if necessary, for the cause of America. I am speaking on that point because it seems to me that it is relevant to the whole argument. Now that they have rendered their service, they should be given equality of opportunity, both in the matter of education and in the matter of economic opportunities.

Our Negro citizens need our sympathetic understanding to help them rise—not our scorn and continued submergence below their fellows. I deny their inevitable inferiority as a race. I ask only that they be given equality of opportunity, both in the field of education and in the field of employment to prove their capabilities. Those who may fail, like any of the rest of us, to take advantage of the American chance do not deserve any greater rewards than any of our citizens who do not improve their God-given talents. But they are definitely entitled to that American chance to emerge and to free their race from being the American problem.

Mr. President, so many of them have emerged that I am sure I am right in this conclusion. I need name only a few. The name of Booker T. Washington is known to us all, through his great work at Tuskegee. The name of George Washington Carver is likewise a beacon light for the Negro people, and we could name countless others. I count it a great privilege to know as personal friends many members of the Negro race in my own State of New Jersey and in other States. I was associated with three eminent Negroes on the Republican Program Committee, of which the late Dr. Glenn Frank was chairman; namely, Bishop David Sims, of the African Methodist Episcopal Church, which has its headquarters in Philadelphia; Mrs. Sara Pelham Speaks, the New York social worker and recently Republican primary candidate for Congress; and, especially because I know him best, Hon. Francis E. Rivers, judge of the City Court of New York, originally appointed to his present office by Governor Dewey, but subsequently elected by a substantial majority.

All these and many of my New Jersey Negro friends, who are too numerous to mention individually, have left me with a confidence in the race and its future possibilities if only their people can be given equality of opportunity.

Let me digress to recall the exchange which I had with the distinguished Senator from Maryland [Mr. TYDINGS] the other day, when it seemed to me that he was bringing into the discussion the question of social equality, which was entirely irrelevant. Some others have suggested that the passage of an FEPC bill would mean intermarriage of Negroes and whites. That has nothing to do with the bill. I am simply asking that the race which has had difficulty in emerging from the situation in which the white race placed it be given equality of opportunity, both in the field of education and in the field of economic opportunity. In my humble judgment no limitation should be placed by any of us fallible human beings on what any man made in the image of God may become.

Mr. President, as I make this statement I wonder whether I have not unconsciously indicated one of the fundamental reasons why we have all suffered in this devastating war. Is it not because of the fanatical delusion of some individuals and groups that they belong to a master race, and that they were destined to overcome other and what they considered inferior peoples in order to further their own selfish domination? I am referring to Hitler. Shall we find that while we have conquered this false ideology by the force of arms, we have been overcome ourselves by this same false thinking? Or do we really begin to see, because of the very suffering we have been through, that in the words of our Declaration of Independence:

> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

Here, Mr. President, is the outstanding question that the world is waiting for us to answer. The issue of submerged people has been very definitely raised in this devasting war. The people of different colors than our own who are crying out for their place in the new postwar world are asking us, "What are you going to do in the United States of America, the land of the free, with this very issue?"

Is not this the foundation stone of our American institutions? Is not equality of opportunity the eternal truth that America, the New World, has given to the Old World? Is not this the core and substance, the very soul, of what we are today attempting to accomplish through the United Nations Organization now meeting in London, where our own distinguished American delegates are taking our American message?

If our sons and daughters have fought and died for these principles throughout our entire history, and especially throughout World Wars I and II, what is our responsibility today to the other nations of the world when we are looked to for this postwar leadership? Can we do less than face our own problems with courage and vision and blaze new trails for all peoples, irrespective of their color, creed, or national origin? In seeking to answer this question, we must bear in mind that two-thirds of the people of this world of ours are composed of races of a color different than our own, and that the great nations of which they are citizens are watching us, as I said before, both hopefully and critically, to see how we shall solve our racial problems.

Mr. President, this is a problem of human relationships. We instinctively like some people more than others. I admit frankly that I do. We instinctively trust and like some nations more than others. I admit frankly that I do. If we are realistic we know that we cannot reach our objective of universal human brotherhood by the mere passage of laws or by the road of compulsion. But we have come to a new page of human history where tolerance and the goal of human understanding must be our objective if the human race is to survive. So we must make a new start, and we freedom-loving Americans must start here at home. We must insist that all our people, of whatever origin, Jew or Gentile, bond or free, white or black, must be given an assured equality of opportunity.

Now let me speak of equality of opportunity as I see it. Here is the key to all our freedoms. Here is a vastly more precious possession than freedom from fear or want, because it includes both those freedoms. If men and women have an equal chance in a free society, it is all that any government can possibly give them, but it is the very minimum that any government must give them.

So, Mr. President, it seems that this objective—real equality of opportunity, educational and economic—must be the foundation of our postwar national policy, and our faces must be turned toward a new world where this will be the beacon light of any lasting real security.

This brings me to the pending bill, the Fair Employment Practice Act. As I have said before, I am not satisfied with this bill. I feel that it needs substantial amendment, but I wish to have my colleagues join wholeheartedly in amending the bill, and not preventing its merits or the merits of the principles it embodies from being debated on the floor of the Senate.

Let me say, with regards to the pending bill which was reported months ago to the Committee on Education and Labor, that some of us voted to report it to the Senate in order that it might be debated on the floor of the Senate, because obviously in view of the composition of the committee there was a difference of opinion about the amendments which we felt we wished to offer. We had in mind amendments which we considered would make the bill more practical and would protect everyone from any possibility of being endangered because of it. We had in mind the matter of trial by jury for offenses, and so forth, and we had in mind giving more leeway to the Commission which would investigate such cases, to enable it to dispose of them without bringing the arm of law into the picture. However, it seemed difficult, if not impossible, to obtain agreement on those points. Therefore we voted to report the bill, in order that it might be debated on its merits on the floor of the Senate.

Mr. McCLELLAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HOEY in the Chair). Does the Senator from New Jersey yield to the Senator from Arkansas?

Mr. SMITH. I yield for a question.

Mr. McCLELLAN. In view of what the Senator from New Jersey has just said, namely, that the bill was not carefully or, at least, thoroughly studied, as the Senator has admitted, and in view of the discussion which has already taken place and the many admissions which have been made by the supporters or proponents of the bill that it does need considerable amendment, would it not be better procedure to recommit the bill to the committee, in order to let the committee undertake to give it further study and to work out those amendments? The Senator knows the difficulty of trying to legislate on the floor of the Senate with a bill in respect to which there are so many divergent views, as in this case. So, in view of what has already been said and acknowledged here by the proponents of the bill, it occurs to me that perhaps the Senator from New Jersey, as a member of the committee, will agree that the proper procedure and the wise procedure for the Senate to adopt under the circumstances would be to recommit the bill and let the committee finish its work and undertake to report to the Senate amendments which the committee could support, and thus give the Senate a bill which possibly there could be some hope of having passed by the Senate.

Mr. SMITH. Mr. President, in reply to the question of the distinguished Senator, I wish to advise him that I explored that possibility. I asked the committee to postpone reporting the bill for at least a week or 2 weeks, until we might inquire of our friends from the South who felt aggrieved by the bill whether there was any formula on which they would join with us in setting forth the issue of equality of opportunity. We waited for 2 weeks, at my request, as the Senator from Florida [Mr. PEPPER] will testify. The Senator from Florida thanked me for giving the opportunity to canvass his colleagues. He came back to me with the answer, "I regret to say there is no basis on which those who wish to filibuster against this bill will compromise or even discuss amendments."

That is my answer to the Senator's question.

Mr. HATCH and Mr. RUSSELL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Jersey yield, and if so, to whom?

Mr. SMITH. I yield first to the Senator from New Mexico, who first addressed the Chair.

Mr. HATCH. Mr. President, in view of what the Senator from New Jersey has said—and I assume it to be the attitude of the committee—I merely wish to ask if it is correct that the essential amendments which were suggested were not considered by the committee because the southern Senators would not agree to any type of bill?

Mr. SMITH. I will not say the southern Senators would not agree. All I say is that the amendments which the Senator from Oregon [Mr. MORSE] and I offered seemed to be contentious ones, and we seemed unable to make progress on them—especially in light of the fact that we asked our southern colleagues if they would not get together and give us suggestions, but they said, "Nothing doing; the bill is all wrong. There is no basis on which we can assure the colored people equality of opportunity."

So we felt there was nothing we could do except to have the bill reported and then have amendments considered on the floor of the Senate, and then see whether we could adopt the proper amendments.

I will say—I cannot speak for my colleagues—that if those who are filibustering against the bill will agree that there shall be no further filibuster, but that they will consider the bill on its merits, I will agree to go at any time into a conference which will undertake to amend the bill in such a way as would be fair and still undertake to afford equality of economic opportunity.

Mr. HATCH. Let me ask whether any action of that sort was taken by the Senator from New Jersey or the Senator from Oregon.

Mr. SMITH. No; we merely canvassed the situation, and we felt it was hopeless to attempt to get together and agree on amendments, and that the only thing we could do was to report the bill to the floor of the Senate.

Mr. RUSSELL. Mr. President, I should like to ask the Senator a question.

Mr. SMITH. I am glad to yield for a question.

Mr. RUSSELL. I should like to know to what southern Senators the Senator talked about this matter.

Mr. SMITH I talked to the Senators on the committee and I asked them if they would canvass their colleagues. I do not wish to get them into trouble; but if they are willing to have me state who they were, I shall do so.

Mr. RUSSELL. Do I correctly understand that the Senator from Florida reported that he had conferred with his colleagues and that it was hopeless to proceed?

Mr. SMITH. He said it was hopeless. He said there was no way by which we could report the bill with amendments.

Mr. RUSSELL. Mr. President, I merely wish to say for myself that the Senator from Florida never mentioned the matter to me. He did not discuss it with me in any way, shape, or form, and I happen to be a southern Senator. I ask the senior Senator from Arkansas [Mr. MCCLELLAN], the senior Senator from South Carolina [Mr. MAYBANK], the senior Senator from Alabama [Mr. BANKHEAD], the senior Senator from Mississippi [Mr. BILBO], and the junior Senator from South Carolina [Mr. JOHNSTON], the southern Senators now on the floor, if any of them were approached by the Senator from Florida and asked about this matter. If they were, I ask them to rise. Mr. President, none of them rise, and they all assert that the Senator from Florida never mentioned any amendment to them.

Mr. SMITH. I regret that I mentioned the name of the Senator from Florida, because by so doing I may have done him an injustice.

Mr. RUSSELL. I am merely endeavoring to see that Senators from the South are not placed in a false light.

Mr. SMITH. I ask the Senator from Georgia whether he and his colleagues would be willing to consider with some of the others of us a bill which would give the colored people equality in opportunity of education, and in obtaining employment. Would they be willing to work out a bill which would be directed toward those objectives? I am in sympathy with many of the points which have been raised by those who are in opposition to the pending bill. I should like to see those Senators write a bill of their own. I have previously said that I would be glad to support a bill of that kind if it should come from the Senators representing the South.

Mr. RUSSELL. The Senator from New Jersey talks about educational opportunities and economic opportunities. The Senator from New Jersey is no more in favor of those two objectives than is the Senator from Georgia. I doubt very much whether he has labored half as long and half as earnestly as has the Senator from Georgia during his service in public life within his State, as a member of the State assembly and as Governor of the State of Georgia, to improve the opportunities of the colored race. I have fought here in this Chamber for measures to improve the educational facilities and economic opportunities of my people, white and black. I know, Mr. President, that the progress, welfare, and prosperity of my State, having as it does the largest Negro population of any State in the Union, is inextricably interwoven with the progress of the Negro race. But that is not the question being discussed here. The record shows that southern Senators have supported strongly bills which would provide equality of education, not only as between white and black races, but as between various sections of this Nation. The Senator from New Jersey may reproach southern Senators if he wants to, but the opportunities of our people, whether white or black, in the very nature of things could not equal the opportunities of the people who live in the State of New Jersey. However, the record will also show that in proportion to our taxable wealth we tax ourselves for educational purposes much more heavily than is done in some of the Northern States, including New Jersey.

I shall not state that we will accept an amendment to this bill, because I know that in its present form it is a bill which is not only not a fair-employment bill, but it is one which would destroy the fundamental rights of Americans.

I have observed the operations of the present Committee on Fair Employment Practice, and I should like to ask the Senator from New Jersey a question. I preface it by saying that I discussed this bill at some length. I did not raise the race question because I know how distasteful it is to certain Members of the Senate. It is most distasteful to me to be compelled to discuss any question which may raise racial feeling. I could have pointed out that some of those who administer the present Committee on Fair Employment Practice have not shown the interest in economic equality that they have shown in social equality.

Mr. SMITH. The Senator from Georgia knows my position on that point.

Mr. RUSSELL. The Senator may take any position that he wishes to take. He may, if he chooses, take a position similar to that which was stated by the Senator from Idaho [Mr. TAYLOR] when he announced that he wished he could live in a community of Negro people. I do not quarrel with the Senator about that. He has a right to his own individual position with regard to the matter much as I disagree with him and deplore his views. However, I assert that the Committee on Fair Employment Practice has not shown, by some of its rulings, that it is interested in economic opportunities. I might cite an occurrence which took place in connection with the telephone manufacturing plant at Point Breeze, Md. In that controversy no question whatever was raised as to whether the workers were receiving fair treatment. The question arose as to whether it was a fair employment practice to maintain separate rest rooms for the white and colored people. One rest room was labeled "White women's rest room." It was to be used by the female employees of the white race. Another rest room was labeled "Colored women's rest room," and it was to be used by women employees of the colored race. Another rest room was labeled "White men's rest room," and another rest room was labeled "Colored men's rest room." No one had complained about the arrangement. But finally the arrangement came to the attention of the Committee on Fair Employment Practice. The Committee ordered the company to tear down the partitions between the rest rooms occupied by the white women and colored women employees, and also between the rest rooms occupied by the white male and colored male employees. The facilities of the rest rooms were identical in character. There were no differences between them whatever. However, the company was ordered by the Committee on Fair Employment Practice to tear down the partitions on the ground that segregation was an unfair employment practice. The employers removed the partitions so that the white women and the colored women would use the same rest room, and so that the white men and the colored men would use the rest room which was provided for them.

A big strike took place then. The white employees walked out. Would the Senator hold that the company was guilty of unfair labor practices merely because it provided separate rest rooms for the colored employees and the white employees? It certainly would not appear so to me. I do not think that the practice of the company in furnishing separate rest rooms had anything to do with economic opportunities.

Mr. SMITH. I realize that there are problems existing in the South which do no exist in the North.

Mr. RUSSELL. We have no problem in my section of the country except when these questions are raised in the Senate by those from other sections. I do not mean to say that there has been no imposition on any Negro in my section of the country, because I know there has been. There have also been semicivilized Negroes who outraged the sense of decency of all white and colored peoples of their community by committing outrageous crimes. We have been struggling with the situation during all our history. We had to start our work in a land which was burned out and destroyed by war. However, those who have been interested in working out a solution have gone along hand in hand, and have made greater progress in that respect than have any other people in the same period of time. I admit that we have not made progress toward absolute social equality, and we will resist it because we want our colored people to have that pride in their own race which will enable them to say to the white man, "So long as I can obtain my legal rights I shall be perfectly willing not to intrude myself into any proposition of social equality."

My views on that subject are similar to those of a Republican leader which he expressed when he was a candidate for President. He went into Oklahoma to make a speech. A great commotion was being made over the question of equal rights for the whites and the blacks. This Republican said that he favored equal rights, but not together. That is my view of the matter. I am in favor of giving both the whites and the blacks equal rights, but not together. I do not think that the Congress should create an irresponsible commission which will insist on forcing social equality on anyone under the false guise of economic equality.

I may also cite a case in St. Louis, Mo., where a large manufacturing concern was producing articles for the Federal Government. That concern operated eight plants. It made a survey of the population of St. Louis and ascertained that 10 percent of the people there were colored. Ten percent of the total number of employees of its plants were colored people. No one had made the charge that the company was not paying to colored employees rates of compensation equal to those which were being paid to the white employees. In the one plant which employed colored help a colored foreman received exactly the same rate of pay that was being paid to the foreman in a plant employing white help. Representatives of the Committee on Fair Employment Practice went to St. Louis, held a hearing, and announced that the segregation of those colored employees, even though it did not affect their take-home pay, or their rank and title in the corporation was unfair discrimination in employment.

Mr. President, it is such actions on the part of the committee that we are opposing in our fight on this misnamed bill. That is the kind of thing we are confronted with here. The Senator may say that the Negro has not always had his rights and I will agree with him, but by and large, he has not been deprived of any economic rights in the South, merely because our people are poor. For every poor colored man the Senator can point out I can show him a poor white man who does not earn any more than the

Negro. We have all been a poor people because in the economy of this Nation we have not had the opportunity the Senator's people have had. We have been discriminated against as a section more than there has been discrimination in employment.

I do not want him to leave the impression that those who are opposing this bill are opposed to an equality of education for the Negro or that we are opposed to the Negro having equality of economic opportunity, because when the Negro has that in my State it helps to add to the sum total of wealth of the State and brings to it revenue which is needed. But when it comes to an organization such as this, which, under the guise of economic opportunity would attempt to force social equality on the South, and impose that kind of government upon us, I must resist it with every power at my command. I do not like to discuss it on the floor because some people think that every white man in the South wants to grind down and destroy the Negro. If they would get the facts, that delusion would be dispelled. But many people do not want the facts. They want to create and spread prejudice against the Southern people. When under such a bill as this an institution is created that will operate in the South and try to enforce social equality there, we will resist and fight it.

The Senator talks about amendments. There must be written into the bill, if it should be passed, an amendment which will insure that the powers of the Federal Government will not be used to bring about an intermingling and amalgamation of the races. I know that there are those—and they are increasing in number—who say that amalgamation is the only solution of the race problem of this Nation. There are many of them. Within the past 3 weeks I read such a statement in a magazine which is published under the auspices of a distinguished Member of this body. It was a long article and the author said the only solution of the race problem in America is for the whites to intermarry with the blacks. That, Mr. President, would mean a mongrel race, and I say again would result in destroying America, because there has never been a mongrel race that has been able to stand. If the Senator wants to increase the pride of the Negro in his race, I am with him. The white man has pride in his race; I am proud of mine. Any white man who wants to take the position that he is no better than the Negro is entitled to his own opinion of himself. I do not think much of him, but he can think it. I and my people want the Negro to have a pride in his race, just as we have a pride in our own, but we will resist to the bitter end, whatever the consequences, any measure or any movement which would have a tendency to bring about social equality and intermingling and amalgamation of the races in our States.

Mr. SMITH. As I pointed out the other day in my discussion with the Senator from Maryland [Mr. TYDINGS], I am not in sympathy with any effort to mix up or confuse this issue with that of social equality. What I am driving at is the quality of opportunity. I thank the Senator from Georgia for his statement, but I request that I be permitted to complete my address. There will be time afforded Senators to express their views, and I understand the Senator from New Mexico [Mr. CHAVEZ] wishes to ask some questions in connection with my address.

Mr. CHAVEZ. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from New Mexico?

Mr. SMITH. I yield for a question.

Mr. CHAVEZ. I ask the Senator to yield for only a moment. I know that what the Senator from Georgia has said as to the fight he and other Senators from the South have made for the economic welfare of the Negroes is correct. I have seen them in action; I have seen them in committees of this body. I want to assure the Senator from Georgia, so far as I am concerned, that the only thing the sponsors of this bill had in mind was economic equality. I agree completely with the statement the Senator from Georgia made with reference to social equality, and, if the Senator from Georgia and other Senators are willing to work with us, what I want them to realize is that in good faith on our part, we do not want in the bill anything which will interfere with the social order of the South or of any other section, for that matter, so far as social equality is concerned. Why should I have in my store a white man I do not want; or why should anyone else have to do so. In keeping with the philosophy of the Senator from Georgia, I want every man who has a desire to bring about equality of opportunity to join us in trying to work out a proper bill.

Mr. SMITH. I thank the Senator from New Mexico.

Mr. BILBO. Mr. President, will the Senator yield?

Mr. SMITH. I prefer not to yield for a discussion in my time, because I have an engagement with the President a little later, and I must finish my remarks in a few moments' time.

Mr. BILBO. Will the Senator yield for one question?

Mr. SMITH. Very well; I yield.

Mr. BILBO. I want to ask the Senator from New Mexico if in the conduct of the hearings on this bill there were any witnesses who presented the opposite view of the philosophy of the proponents of the bill?

Mr. CHAVEZ. We asked to have the Senator from Mississippi appear, but for some reason or other he did not do so.

Mr. BILBO. Did the Senator have any other witnesses?

Mr. CHAVEZ. Yes; we had some other witnesses.

Mr. BILBO. I mean witnesses opposing the bill.

Mr. CHAVEZ. I assure the Senator from Mississippi that one of the finest white women in the South and representatives of some of the finest families in the South, such as Clark Foreman, of Atlanta, appeared on behalf of the bill and another southerner, Dr. Alexander, also appeared.

Mr. BILBO. With all due deference to the Senator from New Mexico, I suggest that he not mention Foreman and Alexander because they are both social equality advocates.

Mr. CHAVEZ. But I think that even the Senator from Mississippi knows there is no better white family than that of Clark Foreman, of Altanta.

Mr. BILBO. He is a believer in social equality, and when he came to Washington the first thing he did was to get a Negro stenographer.

Mr. SMITH. Mr. President, I shall continue with my discussion, if I may, but I should like to make one remark in answer to the distinguished Senator from Georgia, and that is this: He spoke about the difference in standards of living in New Jersey and in his State. I recognize that, but I want to say to the Senator from Georgia that I am a member of the Committee on Education and Labor, and I am in favor of the educational bill which will benefit the Southern States that are not able from their own resources to handle their educational problems. With every ounce of my strength I shall fight for it, although it will not help my State of New Jersey one cent's worth. I propose to continue that effort.

Mr. RUSSELL. I appreciate the attidue of the Senator from New Jersey in that respect, and I will tell him that the bill to which he has referred will do more to help the people of the South than 50 bills of this kind.

Mr. BANKHEAD. I presume the Senator means without the Langer amendment.

Mr. RUSSELL. Of course, we will starve to death before we will strike down the bars and let whites and blacks go to school together. I am glad that the Senator from New Jersey will support an educational bill, which will see to it that the Negroes get every dollar they are entitled to of the funds appropriated, and the white schools will get all they are entitled to, without disturbing the educational practices between the races within the States.

Mr. SMITH. I thank the Senator. In the committee that bill, which is a part of this whole problem, is coming up shortly.

Mr. President, before even reading the bill which is now before the Senate and which sometime ago was reported out by the Education and Labor Committee, I took the pains to study the so-called Ives law, recently passed in New York State, and the corresponding law passed in my own State of New Jersey.

I realize full well that any legislation that contemplates creating human relationships by law is in real danger of unenforcement. It is my sincere wish that it might not even be necessary for us to consider legislation of this kind. It seems to me to be a shocking thing that in free America it would be necessary to pass laws to give any of our citizens an equality of educational or economic opportunity. It is perfectly clear to me, however, Mr. President, that the most fundamental right which any member of our society is entitled to have protected is the right to have a fair chance—the right not to be discriminated against for any reason such as race, creed, or color, which is beyond the power of the individual himself to control.

In that connection I am happy to pay a tribute to the Senator from Georgia [Mr. RUSSELL], and to the Senator from North Carolina [Mr. HOEY] who spoke day before yesterday about what had been done in his State. I have studied what has been done in North Carolina, and I hope to study further what has been done in Georgia, because I think the people there are on the right trail, and I think the States should work this matter out themselves. If they had worked it out themselves, it never would have become a Federal question.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. SMITH. If it is not too long, because, as I have stated, I have a very important appointment with the President this afternoon.

Mr. MAYBANK. I wonder if the Senator is going to discuss the work of the FEPC in the State of New Jersey. I understand it has not worked so well there.

Mr. SMITH. I intend to file a report on that subject, and it is going to be a part of my remarks.

I am fully aware, Mr. President, that the passing of this legislation will not and cannot create happy personal relationships. That is why it is so difficult to think through the kind of legislation that will bring about the end of unfair discriminations in our economic set-up. The philosophy of the laws of the State of New York and the State of New Jersey and of the pending legislation is that the arm of the law will not be invoked to prevent discriminations until every possible safeguard has been placed around any given situation, and a thorough and impartial investigation has been made to find out whether there has been an abuse of the fundamental principle involved.

Mr. SALTONSTALL. Mr. President, will the Senator point out this factor? Do not both the New Jersey and New York laws contain a clause which accelerates working this situation out without publicity, and without bringing it to action, which is a good clause, and is not included in the pending bill?

Mr. SMITH. That is true, as the Senator has stated. In my own State of New Jersey—and I know the law of that State better than that of New York—exactly the situation as the Senator from Massachusetts has stated it is the existing status. I am advised by the department of education, which has jurisdiction of the matter, that the educational processes, rather than anything else, are being brought to bear to bring the parties together, when a question arises. Therefore it may never be necessary, and it has not been in any case, to bring the matter to court, and there is no provision for suits being started. It is only the commission which may ask, after full hearing, to have a cease and desist order from the court, and no individual aggrieved can do more than bring his case before the commission to make that decision.

The success of this type of legislation will depend entirely on how the law is administered. It will depend on whether the commission charged with the responsibility of adjusting the case can understand the greater importance of sound persuasion rather than any form of coercion. I feel so strongly on this matter of coercion that I originally favored the kind of measure introduced by the distinguished senior Senator from Ohio [Mr. TAFT], which completely omitted any legal sanctions. On reflection, however, I can see that without the power of the law behind the commission, if in the last analysis the power of the law is necessary in aggravated cases where the authority of the commission otherwise would be ignored, the whole movement would be futile.

I regret exceedingly to have to come to that conclusion, and I still believe that with the proper personalities on the commission, the greatest possible service to the United States can be rendered in bringing together those who do not quite understand what we mean in America when we speak of equality of opportunity.

I have assumed the responsibility of writing to my good friends, the respective Governors of New Jersey and New York, Governor Edge and Governor Dewey, to ask them to give me a preliminary report as to how the law has worked in those respective jurisdictions. I have received cordial and favorable responses from both these Governors, and in the case of New Jersey, I have received a letter and a report from the assistant commissioner of education, to whom was given the responsibility of administering the New Jersey law. I have received also a letter from Dr. Robert C. Clothier, president of Rutgers University, who is chairman of the advisory commission in New Jersey which has assisted the regular commission in determining policy.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. SMITH. I am glad to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I merely wish to make sure that the Senator from New Jersey said what he intended to say. I understood the Senator to say that only the commission could carry a matter to court in New Jersey. As I read the law, a person aggrieved by a ruling of the commission could also carry a case to court in New Jersey. Is that incorrect?

Mr. SMITH. I think the Senator is incorrect; but I shall be glad to check that up, and produce the laws of both States for the RECORD. I do not wish to mislead anyone, but my impression was that the law would not permit suits being started which would bring about a multiplicity of actions, or lead to blackmail. It is a matter for the commission, and if the commission decides that relief should be given, it asks a court to issue a desist order.

Mr. SALTONSTALL. But a person aggrieved by the commission's ruling can bring a case to court.

Mr. SMITH. The Senator means, for example, that if there were a decision against an employer which the employer felt was not right, he could take it to court? Certainly. It has been decided that if there is an evasion of the law, either party aggrieved by it may bring the matter to court. If that is what the Senator means, that is correct, absolutely. I thought the Senator meant that a person aggrieved by a charge of discrimination could start a proceeding. A suit cannot be started on such a ground. Governor Edge has assured me on that point.

As yet I have not received from the New York commission a report on the activities there, but I am able to state at this time that this morning my office advised me that the report had come in.

At this stage of my remarks, Mr. President, I ask unanimous consent to insert as a part of my remarks the replies which I have received from Governor Edge and Governor Dewey; the letter which I have received from Dr. Clothier and the letter which I have received from Mr. Joseph L. Bustard, assistant commissioner of education in New Jersey together with his report to Governor Edge covering the first 5 months' operations of the New Jersey Division of the Department of Education which has to do with discrimination cases. And as I stated a moment ago, my office advises me that I received this morning the report from the New York Commission, I would like to add that also. I ask that these exhibits be inserted at the end of my remarks, if there is no objection.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibits 1, 2, 3, 4, 5, and 6.)

Mr. SMITH. Mr. President, in closing these remarks, I should like to add a brief further statement, and in making this statement I want to point out, as I said earlier in my remarks, that I favor substantial amendments to the pending bill before we finally pass it. I was particularly impressed by the remarks of the distinguished Senator from Georgia when he made a special objection to bringing this matter up at this time because of the other matters of primary importance which were emphasized by the President in his Nation-wide broadcast, and later by his message. I might say that I feel that the distinguished Senator from Kentucky [Mr. BARKLEY] yesterday answered that objection. I have felt it proper, however, to support the measure being brought up at this time because the other important matters on the President's program are still in committee. I am attending hearings, both on the minimum-wage bill, and on the fact-finding bill, in our Committee on Education and Labor, and there are other matters pending—and we would have had free time, if the opportunity had been allowed us, to debate this bill without interfering with giving prompt attention to these other pending matters. I was also impressed, Mr. President, with the able argument of the senior Senator from North Carolina [Mr. BAILEY], in which he stressed particularly that the pending bill does not protect, by jury trial, persons charged with crime. I will be more than happy to cooperate with an amendment to the pending bill to protect our citizens from persecution without jury trial. I was impressed, too, by the splendid presentation by the distinguished junior Senator from North Carolina [Mr. HOEY] of what has been done in his State for the betterment of the Negro people in

that State. I wish to add that I was impressed also by the remarks of the distinguished Senator from Georgia [Mr. RUSSELL], as to what has been done for the Negroes in Georgia. I know from my own information the great contribution the Senator from North Carolina [Mr. HOEY], formerly Governor of his State, made to the betterment of all the people of North Carolina during his outstanding career as Governor of that State, and I am happy to make this public tribute to his accomplishments.

In leaving out reference to other debaters, it is largely because it has not been possible for me to hear all the prolonged discussion, nor could I find any way to relate the debate, which I did not understand with regard to the amendment of the Journal, to the pending matter. What relevancy that had to the pending matter was not plain. It did get into the debate, but I shall not criticize it, as that is the way things are done in the Senate.

Since I prepared these notes, the distinguished Senator from Arkansas [Mr. MCCLELLAN] made what I considered a very thoughtful speech. He pointed out very effectively some of the dangers in the proposed legislation, and I think it is that kind of debate we should have, when we are seeking to ascertain the proper way to protect equality of opportunity in our great country.

Mr. President, I have discussed this matter at this length because I feel that we are discussing one of the most vitally important issues that faces our country in the postwar period, and while, as I said in my opening remarks, the subject is an inflammatory one, I feel we must face it courageously, and I sincerely deplore that a matter of this kind should be delayed by what is known in legislative parlance as a filibuster. Certainly, I would be the last one to curtail legitimate debate on any measure of such vital importance before the American people, but I must add, Mr. President, that if the delaying tactics are continued, and if the people of this country are to be denied the right to pass on this vitally important question by appropriate legislative action, I am willing to be one of those to participate in asking for cloture in order that further debate may be limited, and that we may have a fair expression on the merits of what I hope will be a finally amended bill which will be a protection to all parties. By this action we will say to the world that we in America are not afraid to deal with this racial and religious problem, and deal with it on the basis of the fundamental principle of American equality of opportunity for all our people.

There is another phase of the matter which disturbs me and which I wish to touch on briefly; namely, the difficulty of creating a congenial atmosphere in small industries where the intimate personal relationship means so much and where, if the attempt is made to compel uncongenial people to work together, the trouble may only be aggravated. It is because of this feeling that I have offered an amendment, as I said in my opening remarks, to the proposed law for myself and the Senator from Minnesota [Mr. BALL] and the Senator from Oregon [Mr. MORSE], and which I will ask to have read by the clerk when I conclude. This amendment would limit application of the law to industries employing 25 or more. The pending bill is applicable to industries employing six or more.

NATURALIZATION OF GEORGE ZAKOOR—BILL INTRODUCED

Mr. FERGUSON. Mr. President, will the Senator yield to me so I may ask unanimous consent to introduce for appropriate reference a bill?

Mr. SMITH. Yes, I yield so the Senator may ask unanimous consent.

Mr. CHAVEZ. Without jeopardizing the position of the Senator from Arkansas.

Mr. SMITH. Yes, Mr. President. I do not want to do anything which would jeopardize the position of the Senator from Arkansas, who has so courteously yielded to me.

Mr. FERGUSON. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill authorizing the naturalization of George Zakoor.

There being no objection, the bill (S. 1759) authorizing the naturalization of George Zakoor, was received, read twice by its title, and referred to the Committee on Immigration.

JOURNAL OF JANUARY 17, 1946

The Senate resumed the consideration of the motion of Mr. HOEY to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. SMITH. There is another phase of the matter which disturbs me, and which I wish to discuss briefly. I have already touched on some of these points in my general discussion, but I want to reemphasize the difficulty of creating a congenial atmosphere in all industries, and therefore, I shall presently offer my amendment to the bill. I think that this change, as we are trying to evolve this whole program of human relationships, would be desirable and I was very hopeful that our associates representing the Southern States would initiate such a proposal. In any event, I hope they will support it.

There are other matters I could refer to, but my talk is becoming overlong. As the debate continues the other matters may be debated, but I shall not bring them up at the moment.

It is because I have reluctantly come to the conclusion that there is no road to the solution of this problem by compromise or reasonable adjustment that I have been forced to the position of going the whole way with the legislation now proposed. That, of course, is subject to the statement I have already made that I am ready at any time to go into conference with my friends on the other side of the aisle, especially the southern Senators, respecting any amendment which will assure a bill establishing this principle. The fundamental principle of equality of opportunity, educational and economic, for all our people is paramount and we are compelled to raise this issue above considerations of home rule, States' rights or any other subterfuge that may directly or indirectly deny to our people this fundamental protection. I think frankly, Mr. President, it is a constitutional position.

And in this connection I want to add an additional word, because of the international picture that faces us. All over the world this issue is paramount. As I said before in this address, it is probably the central issue over which the war has been fought. Unless we in America, the land of the free, the cradle of human liberties, can face and solve this problem, it is not to be expected that the problem can or will be solved in any other corner of the globe. We must pay the price, however costly it may be, to make it clear to the world that the United States of America from one end to the other proposes to secure to all its people equality of opportunity.

I want to close my remarks with a word of kind counsel to the Negro people themselves who have been the subject of this address. I hope that they will be patient and not expect a progress more rapid than is possible under existing social, political, and economic conditions. I hope that they will realize they have a very important part to play themselves in demonstrating that they are fully capable of receiving and profiting by the educational and economic opportunity that will be offered to them and to their children, and that they will be capable of filling the jobs which they are asking to be allowed to participate in. The many years of submergence of the Negro people have made it impossible for us to cure the existing situation in one generation. Both time and tolerance are needed. And we must be willing to progress step by step on the road toward a fuller understanding between people here in our own America and between the people of America with the other people throughout the world.

But America must light the way.

EXHIBIT 1

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
December 28, 1945.

Hon. H. ALEXANDER SMITH,
Senate Office Building,
Washington, D. C.

DEAR ALEX: Replying to yours of the 27th, it is difficult to give you any worth-while information as to the operation of the Fair Practice Act. You will recall it did not go into effect until April 16, following which considerable time has necessarily been taken to effect a complete organization.

As a rule, when a State department gets in trouble the Governor is quickly apprised. Up to date I have had no SOS from the fair-practice organizations, so I assume there have been no race riots or other untoward incidents that require executive consideration.

You might write a letter direct to Joseph L. Bustard, assistant commissioner of education in charge of the division against discrimination, 1060 Broad Street, Newark, as he has been on the job now for 8 months and might be able to give you a more interesting report.

With the compliments of the season to you and yours, and hoping to see you during the holidays,

Sincerely yours,

WALTER E. EDGE,
Governor.

EXHIBIT 2

STATE OF NEW YORK,
EXECUTIVE CHAMBER,
Albany, December 21, 1945.

Hon. H. ALEXANDER SMITH,
Senate Office Building,
Washington, D. C.

DEAR ALEX: Our commission on discrimination under the new law is working out very well indeed. The crux of this matter is the type of individuals who would be appointed to administer the law. If it were left to a collection of reformers and social dreamers, it would crash with a mighty bang and perhaps take down a good segment of our economy with it.

In New York I have appointed a group of very sound, high-minded people who made it a living reality and procured widespread acceptance of the principles involved.

If you want detailed information, I am sure that Mr. Henry C. Turner, chairman of the commission would be happy to sit down with you at your convenience and answer any questions you have in mind.

With warm regards,
Sincerely yours,

THOMAS E. DEWEY.

EXHIBIT 3

RUTGERS UNIVERSITY,
New Brunswick, N. J., December 21, 1945.

Senator H. ALEXANDER SMITH,
Senate Office Building,
Washington, D. C.

DEAR ALEC: Upon returning from Washington last week, I consulted with Mr. Joseph L. Bustard, assistant commissioner on education, who is in direct charge of our division against discrimination here in New Jersey. We have been gratified at the way in which it has been possible to use methods of prevention rather than methods of adjudication in advancing the cause of fair play throughout the State.

A total of 66 complaints have been filed with the division up to December 14. These complaints fall in two major classifications, employment and miscellaneous. A total of 41 employment complaints have been registered, 23 of these employment complaints were dismissed in the office of the division by means of careful screening. The screening process used made it possible to dismiss these complaints, in some cases through wise counseling and in others because of insufficient evidence or lack of jurisdiction. The remaining 18 employment complaints have been or are being processed—14 of these were refusals to hire, 2 were charges of discriminatory discharge, and 2 were complaints against employees who refused to work with Negroes. Seventeen of these complaints were because of color and 1 because of religion.

Parties charged by these complaints were: Industry 13, government 2, small business 1, and employees 2. Twelve of these cases have been satisfactorily settled while six are in process of settlement. To date, it has not been necessary to carry any case to the hearing stage. Instead, methods of conciliation, conference, and persuasion, as stated in the law, have been successful. Two important factors are probably responsible for keeping the number of complaints to a minimum. First, the employment situation in general; second, the fact that the law calls for complaints to be verified and made by an aggrieved individual.

Twenty-five miscellaneous complaints have been made dealing with all types and charges of discrimination other than employment. While the law does not give the division any specific power to deal with all types of complaints, the division as a public agency has attempted through various methods to handle complaints of this type satisfactorily. In some cases, other agencies of the State were consulted and in still others representatives of the division dealt directly with the problems involved.

Many of these miscellaneous complaints have had to do with civil-rights laws, some involved methods and materials used in public schools, and other fringed on employment situations.

The question as to how effective New Jersey has been in preventing discrimination is hard to answer in exact terms. As a result of speeches and conferences, as well as newspaper articles and other publicity, people in all walks of life have been made conscious of the problem. In most instances the fundamental justice behind the New Jersey law has been recognized and because of this cooperation has been freely given. Since the division against discrimination does not have definite authority to make investigations except after formal complaints have been filed, it is impossible to tell exactly how many plants have changed or modified personnel policies. There is no doubt that many plants continue practices of discrimination and will probably do so unless we devise a method of supervision which will bring discriminatory practices to the attention of the division without waiting for a formal complaint to be filed.

The question of legal compulsion when properly employed is most interesting. Here on the staff we feel that it does give great impetus to the process of educating people in matters relating to the protection of themselves and of society generally. The question in regard to this law might be considered in the light of several other laws that most people admit to be good but which if it were not for some legal compulsion would be of little value in accomplishing their purpose.

If there is any further information you wish, do not hesitate to call on me.

Sincerely,

BOB.
Robert C. Clothier.

EXHIBIT 4

STATE OF NEW JERSEY,
DEPARTMENT OF EDUCATION,
January 7, 1946.

Hon. H. ALEXANDER SMITH,
United States Senate,
Washington, D. C.

MY DEAR MR. SMITH: I am very happy to be able to give you some information about the workings of the New Jersey antidiscrimination law.

Recently I submitted a preliminary report to Governor Edge and am enclosing a copy for your benefit.

I can say frankly that, to date, the law seems to be working very well in the State of New Jersey. Groups and individuals who have been contacted in connection with the law accept the fundamental justice involved. Complaints have been settled at the conciliation and conference level. It has not been necessary, as yet, to conduct a formal hearing or issue a cease-and-desist order. This also means that the penalty provided in the law has not been invoked upon anyone.

We have spent a great deal of time in conferences with representatives of all types of labor, industry, religious, educational, and minority groups. Members of the staff have also made almost one hundred public appearances in an attempt to explain and sell the fundamental idea behind the law. In both conferences and public meetings the opposition has been at a minimum.

The New Jersey law does not give us the direct power to ferret out or discover cases of discrimination on our own initiative. We do not enter a case unless we get a verified complaint from an aggrieved individual. This has not only kept the number of cases to a minimum but has placed us in a stronger position when a case of discrimination has been called to our attention. No doubt many cases of discrimination continue to exist in New Jersey, but this law in time should prove to be a very fine educational method of reducing this discrimination and the prejudices which cause the discrimination as time goes on.

As far as the ability of people of all races, creeds, religions, and so on, to work together harmoniously is concerned, there is no doubt in my mind that it can work. We have any number of places here in the State of New Jersey where all types of people are working side by side harmoniously. If an employer really wants to do a job and wise personnel policies are used, discrimination can be eliminated. Naturally, in the beginning, deep-seated prejudices have to be broken down on the part of some employees. Most of the fears expressed by people do not seem to develop when an actual condition arises.

I trust that this information will be of some value and I will certainly be very glad to furnish any additional information if you think it necessary.

Sincerely yours,

JOSEPH L. BUSTARD,
Assistant Commissioner of Education.

EXHIBIT 5

COPY OF LETTER TO GOVERNOR EDGE CONTAINING PRELIMINARY REPORT OF THE FIRST 5 MONTHS' WORK OF THE DIVISION AGAINST DISCRIMINATION

STATE OF NEW JERSEY,
DEPARTMENT OF EDUCATION,
DIVISION AGAINST DISCRIMINATION,
Newark, December 20, 1945.

Hon WALTER E. EDGE,
Governor of New Jersey,
Statehouse, Trenton, N. J.

MY DEAR GOVERNOR EDGE: Herewith is submitted a preliminary report on the work and activities of the Division Against Discrimination of the Department of Education from July 1, 1945, up to and including December 14, 1945. The headquarters of the division is located at 1060 Broad Street, Newark, and at the present time has seven full-time employees. During the first 2 weeks in July the division had 4 employees and most of the time was spent in securing equipment and organizing the office set-up. This report, therefore, covers approximately 5 months of actual operation.

COMPLAINTS

A total of 66 complaints have been filed with the division up to December 14. These complaints fall in two major classifications, employment and miscellaneous. A total of 41 employment complaints have been registered. Twenty-three of these employment complaints were dismissed in the office of the division by means of careful screening. The screening process used was able to dismiss these complaints in some cases through wise counseling and in others because of insufficient evidence or lack of jurisdiction. The remaining 18 employment complaints have been or are being processed. Fourteen of these were refusals to hire, 2 were charges of discriminatory discharge and 2 were complaints against employees who refused to work with Negroes. Seventeen of these complaints were because of color and one because of religion.

Parties charged by these complaints were industry 13, government 2, small business 1, and employees 2. Twelve of these case have been satisfactorily settled while 6 are in process of settlement. To date it has not been necessary to carry any case to the hearing stage. Instead, methods of conciliation, conference, and persuasion, as stated in the law, have been successful. Two important factors are probably responsible for keeping the number of complaints to a minimum. First is the employment situation in general;

second, the fact that the law calls for complaints to be verified and made by an aggrieved individual.

Twenty-five miscellaneous complaints have been made dealing with all types and charges of discrimination other than employment. While the law does not give the division any specific power to deal with all types of complaints, the division as a public agency has attempted through various methods to handle complaints of this type satisfactorily. In some cases other agencies of the State were consulted, and in still others representatives of the division dealt directly with the problems involved.

Many of these miscellaneous complaints dealt with civil rights laws, some involved methods and materials used in public schools, and others fringed on employment situations. The advice of Mr. Dominic A. Cavicchia relative to many of both the miscellaneous and employment complaints has been invaluable.

EDUCATIONAL ACTIVITIES

The advice of the State council in policy making has been very sound in the setting up of advisory agencies and regional councils as called for in the law. The State council has decided to organize these regional councils on a county basis composed of representative citizens from each county consisting of not less than 7 nor more than 25 The actual number of members in each county is to be determined by local conditions. These councils are being organized at present, and in some counties should begin to function after the first of the year. It is also planned as a matter of policy to have a member of the staff of the division help these regional councils organize and attend all subsequent meetings in the role of a technical advisor.

Numerous meetings have been attended as well as conferences held with school officials in regard to school programs designed to break down prejudices and increase human understanding and good will toward all groups in America. Many New Jersey schools have been conducting outstanding programs in this area of learning for some time. Efforts of the division are being made to spread this type of work throughout the State.

A series of meetings have also been held with leaders in the field of adult education. Sample courses have been drafted for use in these schools and many promises of cooperation received that they will be used when new schedules become effective. One of the large Newark schools is planning to launch the first course in February.

So many other phases of the work of the division are also educational, it is necessary to list other activities under a separate heading.

MEETINGS AND CONFERENCES

Members of the staff have addressed some 93 meetings mostly between September 1 and December 14. These meetings were attended by over 14,000 people composed of the following: Personnel managers, industrial executives, owners, labor union delegates, teachers, college students, club women, and religious groups. Efforts have been made to explain the workings and interpret the spirit of the law.

A series of 25 conferences have also been held with representatives of industry, labor, education, government officials, the press, the clergy, and minority groups. These conferences have been held in a friendly vein, and for the most part have resulted in greater understanding of the purpose of the law. A list of meetings attended and conferences held is appended to this report.

CONTACTS WITH OTHER STATES

Efforts have been made to keep in close touch with the New York State Commission. Early in August, three staff members met for several hours with four members of the New York commission. The assistant commissioner met with the New York chairman, and members of the Commerce and Industry Association of New York City in October. In addition, an all-day conference was held in November with Mr. Cavicchia, the assistant commissioner, counsel for the New York commission, and its chairman, Mr. Henry C. Turner. Regardless of some press stories, a feeling of mutual understanding exists and pertinent information is constantly being exchanged through correspondence as well as by means of the conferences mentioned above.

The Governor of California has called upon New Jersey for help and information in that he had two personal representatives spend several hours in the division office gathering facts and material. Likewise, the Governor of Massachusetts sent a special representative to New Jersey who also spent several hours going over the workings of the law in particular, and the division in general.

General inquiries have come in by mail from all parts of the United States and specific requests for definite information have been received from Wisconsin, the city of Chicago, and the executive secretary of the council of State governments.

PUBLIC REACTION

Fears that were expressed by many people regarding the wisdom of an anti-discrimination law have failed to materialize. In practically all groups and conferences attended by staff members, a large majority of the people present hve indicated a recognition of the principle of fundamental justice on which the law is based. The public press has been most cooperative in its efforts to help people understand the work of the division. A number of industrial concerns have on their own initiative modified personnel policies in keeping with the spirit of the law.

While progress has been made in breaking down and eliminating practices of discrimination in employment, there is no doubt, much discrimination continues to exist. The division, now that it is organized and under way, should attempt through study and research to discover these areas as a first step toward their elimination in the State of New Jersey.

Prejudices against some minority groups have existed for centuries and it should not be expected that they can be eliminated except by means of a long continuous common-sense program of effort.

Respectfully submitted.

JOHN H. BOSSHART,
Commissioner of Education.
JOSEPH L. BUSTARD,
Assistant Commissioner of Education.

LIST OF CONFERENCES HELD TO DECEMBER 14, 1945, WITH ONE OR MORE REPRESENTATIVES OF THE FOLLOWING

National Conference of Christians and Jews; Fair Employment Practice Commission, new office; United States Employment Service, regional director; New York State Commission Against Discrimination, organization problems; AFL trade union; Commissioner of Labor Harry C. Harper; Attorney General Walter D. VanRiper; New Jersey Urban Commission; State chamber of commerce; State labor mediation board; CIO State Committee Against Discrimination; Inter-Faith Committee of the New Jersey Clergy; assistant commissioners of education; American Jewish Congress; New Jersey Press Associtaion; Minority Press of New Jersey; Commerce and Industry Association of New York City; New York State Commission Against Discrimination, legal problems; Council Against Intolerance in America; Bureau for Intercultural Education; Anti-Defamation League; American Jewish Committee; National Association for the Advancement of Colored People; National Urban League; American Council on Race Relations.

MEETINGS ADDRESSED BY MEMBERS OF THE STAFF TO DECEMBER 14, 1945

Adult Education, Trenton (four meetings); Alpha Kappa Alpha, Cranford; Altrusa Club of Essex County; Belleville Recreation House, ODB group; Bergen Junior High School Teachers, Teaneck; Bergen Teachers Institute, Senior High School, Teaneck; B'nai B'rith, Maplewood; Board of East Orange Women's Republican Club, East Orange; Boards of Education, Camden County; Burlington City Committee, Burlington; Business and Professional Women's Clubs of the Oranges, East Orange; Camden Teachers Institute, Collingswood; Citizens Committee, Newark; CIO Council, Trenton; College Women's Club, Montclair; Community Organizations Council, Camden; Downtown Club, Industrial Meeting, Newark; Englewood Ministers, Englewood; Episcopal Clerics, Bordentown; Essex County Colored League, Belleville; Essex County Women's Republican Club, Newark; Essex Republican Council, Newark; Exchange Club, Newark; Exchange Club, New Brunswick; First Baptist Church, Roselle; Good-Will Committee, Vineland; Hillside Parent-Teacher Association, Hillside; Hudson County School Boards, Jersey City; Industrial Executives Club, Irvington; Industrial Executives Club, Newark; Jersey City Parent-Teacher Association, Jersey City; Jewish League, Caldwell Synagogue; Jewish War Veterans, Herbert Elin Post 273, Newark; Junior Fortnightly Club, Summit; Kiwanis Club, Caldwell; Kiwanis Club, Hammonton; Kiwanis Club, Hoboken; Kiwanis Club, Paterson; Kiwanis Club, Plainfield; Kiwanis Club, Rahway; Lafayette Presbyterian Church, Jersey City; League of Women Voters, Newark; League of Women Voters, Trenton, Station WTTM; Business and Professional Women's Club, Plainfield; Lions Club, Trenton; Lions Club, Pennington; Mercer County Teachers, Princeton; Metropolitan Industrial Brokers, New York City; Ministers Group, Trenton; Minority Press, Newark; New Jersey Education Association, Atlantic City; Newark College of Engineering, Newark; Newark University, Newark; New Jersey Foundry Owners, Newark; New Jersey High School Principals, Trenton; New Jersey Welfare Council, Essex House, Newark; New York University, School of Social Work, Newark; Ocean County Board of Education Council, Lakewood; Orange Women's Republican Club, West Orange; Passaic County Republican Club, Paterson; Personnel and Guidance Association, Atlantic City; Personnel Managers, Morris County, Denville; Personnel Managers, Passaic and Bergen Counties, Passaic; Personnel Associates, Union County, Elizabeth; Panzer College Chapel, East Orange; Postal Alliance, Montclair; Radio Program, Trenton (three staff members); Rotary Club, East Orange; Rotary Club, Millburn; Rotary Club, Plainfield; Rotary Club, Roselle; Rotary Club, South Orange; Rotary Club, Summit; Rutgers College Graduating Class, New Brunswick; School Administrators, Middlesex County; School Conference, Trenton; Service Council Urban League; State Chamber of Commerce, Newark; State Teachers College, Newark; State Teachers College, Trenton; Temple Shere Tefelco Sisterhood, East Orange; Dr. Ward Testimonial, Newark; Station WAAT, Newark; West Side High School, Richard Wright meeting; Women's Republican Club, East Orange; Women's Club, Vineland; Young Peoples Society Congregational Church, Orange; YWCA, Orange.

EXHIBIT 6

STATE OF NEW YORK,
STATE COMMISSION AGAINST DISCRIMINATION,
New York, N. Y., January 24, 1946.

Hon. H. ALEXANDER SMITH,
United States Senate,
Committee on Education and Labor,
Washington, D. C.

MY DEAR SENATOR SMITH: In response to your letter of December 27, making inquiry

with respect to our experience with the New York law against discrimination (the Ives-Quinn law) and how, in my judgment, this matter of discrimination can best be dealt with from a Federal viewpoint, I submit the following:

The New York statute differs materially from any of the bills with which I am familiar as having been introduced into the Congress. It imposes upon the commission created by the statute a threefold duty:

(1) Of research, study and recommendation with respect to the problems of discrimination in all or specific fields of human relationship;

(2) By education, community spirit or otherwise to foster good will, cooperation and conciliation among the groups and elements of the population, and

(3) To enforce the law with reference to defined unlawful employment practices.

Our experience leads me to the conclusion that these duties are wisely united, and that their combination in one commission has materially aided in the administration of the law.

Opposition to the enactment of the Ives-Quinn law was strongest from organized industry who professed to find in the proposal another instrument of Government regulation which would subject business to blackmail and harassing governmental investigations following unwarranted complaints. The fact that the function of the commission is educational as well as regulatory has, in some considerable degree, abated these fears. It has enabled us to invite management to consult with us respecting their practices and procedures and thus avoid offense under the statute.

In illustration of the point, we have reviewed upon request approximately 500 employment application forms containing objectionable matter and with no exception to the present time, we have had full compliance with our suggestions. We have had approximately 400 inquiries, either by mail or orally, with respect to the operation of the law to which we have made answer. In addition, the members of the commission have addressed more than 60 meetings explaining the operations of the law and most of them have been before industrial management groups and at their invitation. As against these figures only some 200 complaints of discrimination have been filed with the commission in the 6½ months of our operation.

Many of our interviews and talks have been with trade associations, chambers of commerce, and similar groups as the result of which their cooperation has been obtained to the extent of the circularization among their members of fair abstracts of our interpretations of the statute.

These opportunities, together with the very fact of the enactment of the law, have caused many employers to change their practices. In the nature of things the number of those so conforming may not even be estimated at this early date, but the evidence available indicates that it is considerable, not only in small establishments but by large employers, notably of white-collar workers, including banks, insurance companies, and department stores. There can be no legitimate doubt that the enactment of the Inves-Quinn law has brought about in New York State a definite trend of improvement in the employment practices toward which it was directed.

Another objection raised by management to the enactment of the law was that the employment of numbers of minority groups would be resented by employees and disrupt present employee personnel. Our experience demonstrates that this bogey is without substance. As far as we have been able to gather information, in only one case has an employee left his job because of the advent of members of a minority group and in that case it was only a single employee who went out. On the other hand, we have had many evidences of employee cooperation.

It was urged that enactment of the law would cause industry to leave the State. This argument is not valid, of course, in the case of a Federal statute. Nevertheless, it is interesting to note that we have not found a single instance where there has been such withdrawal, while on the other hand, and notwithstanding the statute, new industries have moved into the State.

The expanding employment of members of minority groups in itself is dissipating the phantoms of fear by which many were haunted.

Another respect in which the Ives-Quinn law differs from the bills now before the Congress is in the procedure of the enforcement provisions. Each complaint when filed is referred to a member of the commission who is charged with the direct responsibility of its investigation. This presents opportunity for a screening process by which unjustified or unworthy complaints are screened out. Furthermore, if evidence of discrimination is shown, the commissioner is charged with the duty to attempt by "conference, conciliation, and persuasion to eliminate the unlawful employment practice." The results of this (a) screening process and (b) the conciliation procedures is evident from the following figures. Out of 200 complaints filed, 51 were dismissed because of lack of jurisdiction (not involving employment); 11 were withdrawn or abandoned by the complainant; 28 were dismissed on the merits (as a result of the screening process; 63 were settled as the result of conference and conciliation and it has not yet been necessary to bring any complaint to a formal hearing.

In addition to the formal complaints, the Commission has instituted 59 investigations of alleged discriminatory practices as the result of information filed with us, of which 36 have been disposed of—10 developing no discrimination and 26 resulting in a discontinuance of the unlawful practice—and no investigation has resulted as yet in the institution of procedures leading to a formal hearing.

The statute calls for the cooperation of the State department of education in the educational program and procedures are now being set up to effect this result.

Our commission is also engaged in setting up local voluntary councils, as a part of our agency, the better to deal with conditions on local levels whereby close association with local conditions will aid cooperative efforts and interpret local situations and problems to our commission. We are also forming State-wide councils to study specific problems and make reports.

From all of the foregoing we are definitely of the opinion that our law is practicable, and indeed that it is working well, notwithstanding that our program is not yet fully developed. As time passes and experience accumulates, we are more firmly established in our belief that a fair employment practices law is a definitely workable and useful agency in ameliorating and ultimately removing, to all practical purposes, those discriminations which breed resentment and lack of faith in our professions of democracy and thus tend to weaken our national structure.

Moreover, my own opinion is that such a law is applicable to our Federal structure. Having great confidence in the wisdom of the Ives-Quinn law, I should have liked to see its pattern adapted to the Federal system, which would perhaps require several commissions located in areas analogous to the jurisdictions of the circuit courts and linked together through a central commission in Washington. This would make available the direct contact of the commission members with the investigating, screening, and conciliation processes.

However, it was the operation of the Fair Employment Practice Committee which gave genesis to antidiscrimination laws of New Jersey and New York and the proposed legislation in other States. Its transition into a permanent commission acting under act of Congress, rather than Presidential directive, and with a carefully chosen commission with authority to adopt its own regulations subject to review by the Congress and with adequate budgetary allowance, should enable it to function more effectively than heretofore, and, in addition, to develop and execute much of that educational function which is so important and without which the fight against discrimination is so handicapped.

Enforcement provisions standing alone may rectify cases of injustice, but will not necessarily eradicate bias and prejudice. Combined with an education program, they are the truant officer which makes prejudice give attention to reason, good morals, and practices essential to a sound democratic state.

Respectfully yours,

HENRY C. TURNER,
Chairman.

FAIR EMPLOYMENT PRACTICE ACT—AMENDMENTS

Mr. McCLELLAN obtained the floor.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield for a question.

Mr. SALTONSTALL. I ask unanimous consent to submit two amendments intended to be proposed by me to the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, on ancestry, and request that they be printed and lie on the table, so I can offer them at a future date.

Mr. McCLELLAN. If that will not change the parliamentary situation, Mr. President, I have no objection.

The PRESIDING OFFICER. Without objection, the amendments will be received, lie on the table, and printed, as requested by the Senator from Massachusetts.

Mr. SALTONSTALL. I thank the Senator.

REDUCTION OF DEBT LIMITATION—BILL INTRODUCED

Mr. BYRD. Mr. President, will the Senator yield to me to ask unanimous consent that I may introduce for appropriate reference a bill to reduce the debt limit and also present an explanatory statement of the bill?

Mr. McCLELLAN. I yield.

Mr. BYRD. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to decrease the debt limit of the United States from $300,000,000,000 to $275,000,000,000, and ask that the bill, together with an explanatory statement of the bill, may be printed in the body of the RECORD.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred, and, without objection, the bill will be printed in the body of the RECORD, together with the explanatory statement.

The bill (S. 1760) to decrease the debt limit of the United States from $300,000,000,000 to $275,000,000,000, was read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 21 of the Second Liberty Bond Act, as amended, is amended by striking out "$300,000,000,000"

and inserting in lieu thereof "$275,000,000,000."

The explanatory statement presented by Mr. BYRD was ordered to be printed in the RECORD, as follows:

I have introduced a bill to reduce the statutory debt limit to $275,000,000,000.

In his message of January 21, President Truman said:

"It is good to move toward a balanced Budget and a start on the retirement of the debt at a time when demand for goods is strong and the business outlook is good."

Unless the Budget is balanced during the period of this existing prosperity it may never be balanced until America goes over the precipice of financial catastrophe.

The Budget presented by the President, if strictly adhered to, presents an approach to a balanced Budget for the fiscal year beginning July 1, 1947. It is imperative that the Budget be balanced in that year, putting an end to continuous deficits which have existed for 18 years.

Congress must carefully scrutinize all expenditures and save every possible dollar toward balancing the Budget and beginning an annual retirement on the public debt.

The President estimates on July 1, 1947, that the debt will be $271,000,000,000 after applying cash reserves. The debt should and must be held to a maximum of $275,000,000,000. In order to focus attention on this vital question and at the same time to enable Congress to lead the way to ending the long era of deficit financing, I will introduce a bill reducing the present legal over-all debt limit from $300,000,000,000 to $275,000,000,000. This figure will be adequate, in accordance with the President's message, until July 1, 1947, with a margin of $4,000,000,000 for emergencies.

The debt limit of $300,000,000,000 was established by Congress in anticipation of a longer war than occurred and now should be reduced.

I know of nothing more vitally important at this time than for Congress to make an emphatic declaration of policy fixing the maximum debt limit at $275,000,000,000. Such a declaration will have a strong influence toward fiscal sanity.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of the motion of Mr. HOEY to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. McCLELLAN. Mr. President, I was very happy to yield to the Senator from New Jersey [Mr. SMITH]. Except for brief periods when my attention was required on other matters, I have listened very carefully to his address, and I want to say that what he has proposed is what I should like to see occur here.

Mr. SMITH. Mr. President, I want to ask the indulgence of the Senator for just a moment. I said I was going to offer an amendment. It is very brief. I offer the amendment now. I offer the amendment in order that it may appear in the RECORD and be before the Senate.

The PRESIDING OFFICER. Without objection, the amendment will be received and will be printed for the information of the Senate.

The amendment is as follows:

On page 3, line 25, strike out the word "six" and insert in lieu thereof the word "twenty-five."

On page 4, line 9, strike out the word "six" and insert in lieu thereof the word "twenty-five."

Mr. McCLELLAN. Mr. President, I should like to see if we can continue to conduct the debate without the sacrifice of any rights that those of us who oppose the bill may have. I should like to see an alternate discussion, with one Senator speaking for and one Senator speaking against the measure, making it in fact a debate on the merits of the bill. Then we may all gain information and knowledge which would enable us to correct our opinions and judgments if they are wrong.

Mr. President, since the very able Senator from New Jersey [Mr. SMITH] made reference to his position respecting the proposed cloture petition, which it is said will be presented if the debate continues, I want to read in the RECORD at this time a letter written by the predecessor to the present Senator from New Jersey who has just spoken on the bill, a letter which the former Senator wrote to many of his constituents while he was a Member of the Senate, who had written him protesting against and criticizing his vote against cloture at the time the anti-poll-tax bill was before the Senate.

Mr. President, this letter states reasons which in my judgment——

Mr. SMITH. Mr. President, may I interrupt? Is it a letter which I wrote, or which my predecessor wrote?

Mr. McCLELLAN. I said the Senator's predecessor.

Mr. SMITH. I thank the Senator.

Mr. McCLELLAN. The letter was written by the able Senator's predecessor, Hon. Arthur Walsh, of New Jersey, whom we all know and whom we all esteemed during his service in the Senate. This letter, Mr. President, so ably states the position I take and which is taken by other Senators some of whom are in favor of this legislation, that I am glad to read it. I should like to read it into the RECORD in the hope that other Senators may, before that issue is presented to the Senate or before the Senate is called on to vote on a cloture petition, have the benefit of the views of our former distinguished colleague. The letter is as follows:

MAY 29, 1944.

DEAR ———: While I am sorry we do not find ourselves in agreement on the cloture issue, I am glad to give you in detail my reasons for my vote. I hope you will at least give me credit for being sincere in my reasoning.

In the first place, may I point out that to me there was a distinct difference between the cloture and the poll-tax issues, although I realize that most opponents of poll taxes do not make such a distinction.

I am unalterably opposed to poll taxes as a condition of voting and would have supported H. R. 7 had it come to a vote. My opposition to cloture did not, therefore, have any connection with my views on poll taxes. I made my decision to vote against cloture for entirely different reasons.

Faced with sharp conflicts of opinion on public policy, a Senator, I believe, must use his own judgment in reaching a decision. In the last analysis, I must be responsible to my own conscience. Those who do not think Senators should use their own judgment would probably like it better if, instead of having flesh-and-blood Senators, we should develop some kind of pari-mutuel system, whereby letters and telegrams (most of which are inspired by pressure groups) could be automatically tabulated without the intervention of honest judgment.

Many persons outside the Senate seem to look upon cloture as nothing more than a simple and desirable short-cut to having their own way. But to many Senators, of whom I am one, cloture involves many serious considerations. Not the least of these is that an attempt might be made to invoke cloture to prevent me from fighting against some measure to which I was unalterably opposed. For example, if it seemed likely that a bill would pass doing violence to the rights of Jews, or Catholics, or members of unions, or any group, I would be ready to filibuster against it—and I'm certain you would be against cloture, in that case, too.

Like all advocates of cloture, you lay great emphasis upon the desirability of always having the wishes of the majority prevail. You ignore, however, the second great principle of our Government—minority rights. If the majority always had its way unchecked, there would be no such thing as a guarantee of basic rights, which is the unique feature of our political system. The worst of tyrannies is the tyranny of an unchecked majority.

In seeking to give justice to one minority—the commendable objective of the anti-poll-tax bill—we cannot lose sight of the fact that within our Nation there are many minorities. In some sections, members of labor unions are a minority; in others, the farmers, or the manufacturers, or those who own their homes. Jews, Catholics, Protestants; Poles, Irish and Czechs; Republicans and Democrats, liberals and conservatives are minorities in one community or another. Every one of us is a member of a minority in some relationship. Once we yield the right of minorities to be protected from majorities, we endanger the liberties of all. The eternal conflict between the rights of the majority and the rights of the minority gives us trouble, but it also gives us freedom.

This principle of minority rights is exemplified in many features of our governmental system. For example, a minority can prevent the adoption of a constitutional amendment, both in each House of Congress and among the States. A minority can sustain a Presidential veto. If the wishes of the majority always governed, the Supreme Court could not overrule acts of Congress which infringed the rights of individuals or minority groups.

I believe this principle of minority rights should prevail also in the United States Senate. The right of unlimited discussion is a precious one, particularly when it prevents a majority from riding roughshod over a minority. To my mind, even the abuse of this right by a filibuster does not justify curtailment of the opportunity of a minority to "talk a bill to death" if such action to them seems justified.

In our desire to achieve quick results for something in which we believe very thoroughly, we sometimes grow impatient with the Senate's insistence on lengthy discussion and deliberation. But to me this is one of the Senate's chief virtues, even though, as an individual, I sometimes grow impatient myself. Our constitutional fathers meant the Senate to be a deliberative body, to be a brake on hasty action, to be a body in which minority interests would have a disproportionate voice. The Senate is performing its intended constitutional role when it refuses to be stampeded. Before accusing the Senate of being undemocratic, it would be well for its critics to make sure they themselves really accept all the principles of true democracy.

The United States Senate is the only governing body left on earth which has been able to preserve free and unlimited discussion for its Members, and I have no intention of being a party to changing this. If, in

your mind, that makes me a reactionary, I can only say I am sorry. For myself, I yield to no one in my devotion to the basic principles of our political system, in my faith in the essential soundness of the judgment of the American people, or in my keen desire to see my country continue to make sound and lasting progress toward greater social and economic justice.

Sincerely,

ARTHUR WALSH,
United States Senator, New Jersey.

Mr. President, I hope that those of my colleagues who are not present will find occasion to read this letter in the RECORD tomorrow. I subscribe to the sentiments and the principles expressed by our former distinguished colleague. For that reason, on an issue so important as this, on an issue on which I have a deep conviction about the destructive effects which the bill would have upon the liberties of my people, if need be, I shall exercise the right under the rules of the Senate to talk until I am unable to defend my position further. However, Mr. President, I have not begun, and up until this moment have not in any sense participated in or made any contribution to what I regard as a filibuster. I shall begin filibustering after I have concluded discussing the merits of the bill.

Mr. WHITE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. EASTLAND in the chair). Does the Senator from Arkansas yield to the Senator from Maine?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. WHITE. The Senator referred to the fact that it required two-thirds, rather than a majority, to submit a constitutional amendment. He has also in mind, has he not, that it requires three-fourths of the States of the Union, or conventions in three-fourths of the States of the Union, to ratify a constitutional amendment which is submitted by two-thirds of the House and Senate?

Mr. McCLELLAN. That is true. I was quoting from the letter of a former Senator. He did not mention the two-thirds requirement, but he did refer to the fact that a minority of the States, even after the Senate and House submitted an amendment, could reject it; and therefore it is obvious that majority rule was never intended to apply in all circumstances, but that minorities have always been protected and are still entitled to protection.

Mr. President, at this time I wish to read a resolution in opposition to the pending bill. After reading it, in view of the fact that today it will be impossible for me to conclude my analysis of the bill and a full exposition of my views regarding it, and out of deference to other Senators who have planned to speak today and are anxious to do so, I shall yield the floor, in order that they may have an opportunity to speak.

First, as I have said, I desire to refer to a resolution which was adopted 2 days ago by a national organization meeting in Washington. The resolution reads as follows:

FEPC LEGISLATION

Whereas the so-called fair-employment practice bills (H. R. 2232 in the House and S. 101 in the Senate) would, if enacted—

1. Virtually eliminate managerial discretion in hiring, promoting, laying off, and discharging employees;

2. Establish a permanent Federal bureaucracy which, through its agents, would act as prosecutor, judge, and jury, such agents being authorized by the pending bills to enter private places of business and conduct searches and examine and copy records without a search warrant or any showing of probable cause;

3. Deprive employers of most of their rights on appeal to the courts from any conviction of discrimination;

4. Expose employers to endless harassment and litigation by disgruntled job seekers and to future liabilities, the existence of which they did not suspect and for which they made no provision; and

Whereas the announced objectives of this legislation can be advanced most effectively through education and the voluntary promotion of mutual understanding and good will between all groups of Americans:

Resolved, That the National Association of Retail Grocers vigorously and actively oppose the enactment of this or any similar legislation.

Further resolved, That copies of this resolution be sent to all Members of Congress and, together with additional information on the subject, to all State and local secretaries of affiliated associations.

Adopted January 23, 1946, national convention, Washington, D. C.

Mr. President, that is a fair sample of the opposition which will be manifested to this measure as it is further debated and as its viciousness is further exposed.

Inasmuch as I do not wish to monopolize the time today, and in view of the fact that, until it becomes absolutely necessary to do so, I do not wish to do anything which could legitimately be regarded as filibustering, and in view of the further fact that other Senators have planned to speak today, I now yield the floor; but I expect and intend, before this measure comes to a vote, to discuss other provisions of it.

Mr. JOHNSTON of South Carolina. Mr. President——

The PRESIDING OFFICER (Mr. MAYBANK in the chair). The Senator from South Carolina is recognized.

Mr. JOHNSTON of South Carolina. Mr. President, the United States Senate has before it today what is commonly called the Fair Employment Practice Commission Act. At the beginning of my remarks let me say that this United States of ours is made up of a great population, but at the same time we must be mindful of the fact that it is a cosmopolitan Nation insofar as races are concerned. Oh, Mr. President, how proud I am that we have a United States. When I look upon the other nations of the world, and especially when I consider the situation existing at the present time in southern Europe, with little countries dotted about here and there, many of them with different beliefs, many of them almost fighting among themselves, as they have in the past, it seems to me that today it is practically impossible to get them to have common beliefs and to work together.

On the other hand, when we think of this Nation of ours, the United States of America, made up of 48 States and the Territories, how proud we are. But, Mr. President, we have in the United States something which the other nations of the world do not have. We in America have something which we have always reverenced and always will reverence. I refer to what we call State rights, something which gives to any of the States, when they find that their view of a certain problem is different from that of the rest of the United States, when they are unable to view it exactly as other States do, the right to act and care for a situation which might be a piece of dynamite if thrown into the Nation as a whole.

The matter before us today is, in my humble opinion, one which can be handled by the States. Mr. President, do the States even wish to handle it? The record shows that, of the 20 States which have discussed this matter and whose legislatures have considered it, only 2 have acted favorably upon it; and no Southern State at any time has had the matter before its legislative body. So we find that other sections of the United States are the ones which have been talking about and working on this subject.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield only for a question.

Mr. EASTLAND. The distinguished Senator is making a very fine argument, and I do not desire to interrupt his train of thought; but in view of the fact that the Senator has spoken of the action of other States, I wish to ask him a question. Did the Senator know that on Friday, January 18, the Los Angeles Times published the following editorial on the FEPC, an editorial which applies to the pending bill as well as it does to the bill which at that time had just been rejected by the legislature of the State of California—and if the Senator will bear with me, as a part of the question I shall read the editorial——

Mr. CHAVEZ. Mr. President, if the Senator requests unanimous consent to have the editorial inserted in the RECORD, even as a part of the remarks of the Senator now speaking, I shall not object. But the Senator from South Carolina is making a very fine statement, and I am anxious to hear it.

Mr. EASTLAND. Mr. President, I simply am asking whether the Senator from South Carolina knows that such an editorial has been published——

Mr. CHAVEZ. That is proper as a question. But reading the editorial is something else again.

Mr. EASTLAND. Mr. President, I was about to read the editorial as a part of my question.

Mr. CHAVEZ. Mr. President, I make the point of order that the editorial cannot be read at this time, except by unanimous consent.

Mr. JOHNSTON of South Carolina. Mr. President, I do not wish to have the Senator read the editorial if the result will be to take me off the floor. But if the Chair rules that the editorial can be

read without taking me off the floor, that will be satisfactory to me.

Mr. EASTLAND. Mr. President, when have we reached such a situation that a Senator cannot ask a question and have included in it a matter which he desires to have considered as part of the question? The Senate is not a totalitarian dictatorship.

Mr. CHAVEZ. It certainly is not.

Mr. EASTLAND. That is what the Senator from New Mexico is trying to make it.

Mr. CHAVEZ. Mr. President, I do not object to having the Senator ask a million questions. But in view of the fact that the Senator from South Carolina has been making a speech in his own behalf, I think the Senator from Mississippi should not interrupt, but should wait until later when he will be able to speak in his own time.

The PRESIDING OFFICER. The Chair rules that the Senator from Mississippi [Mr. EASTLAND] may frame a question which is not unduly long, but a Senator may not make a statement in the guise of a question.

Mr. EASTLAND. As a part of the question, I wish to read from an editorial of the Los Angeles Times:

Action of the assembly governmental efficiency committee—

That is of the State of California—

in tabling the so-called fair employment practice bill of Assemblyman Hawkins is an occasion for congratulation, since it seems certain such legislation, however well meant, would do more harm than good.

It is unfortunate that persons are discriminated against in obtaining employment because of their race, color, or creed. Such discrimination is the result of unreasoning prejudice; it is illogical and wrong.

But prejudice cannot be removed either by force or by attempts to legislate it out of existence. "A man convinced against his will is of the same opinion still" is a very old and a very true saying. When you say to a man that he ought not to have prejudices, you may get somewhere with him by argument or persuasion. But if you try to say to him that he must not have prejudices, that he will be penalized if he does, you are very apt to rouse his obstinacy.

Prejudice lies in the realm of emotion, not of reason.

I ask the distinguished Senator to pay close attention to this part of the question:

There is also the practical consideration that no fair-employment practice committee can possibly tell, in most cases, whether a man is refused employment because of unfair discrimination or because he is not considered adapted to the job. Rulings would have to be based on guess, with grave danger of injustice.

I invite the attention of the distinguished Senator to that part of the question, because the Commission which is provided for under the pending bill would do grave injustice to employers in this country.

I continue reading:

And the door would be opened to racketeering; an employer, threatened with being summoned before a fair-employment practice committee, could be "shaken down" easily in many cases.

Does not the distinguished Senator know that if the personnel of the present Committee on Fair Employment Practice should be transferred—as is provided for under the pending bill—to the new agency, employers would certainly be shaken down, because of their inability to secure a square deal before the radical elements who are now employed by the present committee?

I continue reading from the editorial which I am making a part of my question:

In some cases, it is not the prejudice of the employer that causes discrimination but that of his employees; it would be unfair to punish a man because all his workers are not broad-minded.

I invite in particular the attention of the distinguished Senator to what I have just read. Let us consider a business which employs a personnel man. If that personnel man should be prejudiced, and should violate the law, the employer could be penalized and put into jail. Under such a system one man could be punished criminally for wrongs committed by another man. Is that the distinguished Senator's idea of justice? I read further:

All in all, this is not a subject for legislation, but for education; not for agitation, but for persuasion; not for impatience, but for forbearance and time. Efforts to provide a quick cure may make the disease much worse.

Does not the distinguished Senator agree with the reasoning in the editorial which I have read, which was printed in the Los Angeles Times of January 18, 1946, the Los Angeles Times being one of the great California newspapers?

Mr. JOHNSTON of South Carolina. Mr. President, before I complete my speech I believe that I shall have covered practically every point contained in the editorial which has just been read by the Senator from Mississippi.

I wish to return to the place where I was interrupted. I was endeavoring to show Senators my way of looking at this bill. I was endeavoring to bring to their attention the fact that we have ways of correcting any discriminatory practices within our States if there is a desire to do so. A few moments ago I referred to some of the States of the Union. I mentioned New York. By the way, I do not believe that by approving the New York FEPC law, the nominee of the Republican Party gained any votes during the last election held in New York City. At least, the record would not indicate that he had gained any votes. A few weeks ago, when New York City held an election, a candidate who had figuratively been patted on the head by the leader of the party, marched out. I may state to Senators who are supporting the pending bill that if they will read closely the New York State FEPC law they will find that it does not provide for any force to be exercised upon the people of the State of New York to the extent which would be exercised under the penalties provided by the pending bill. It is to be remembered, also, that defendants under the New York State law may be tried by a commission composed of citizens of that State. However, under the pending bill defendants may not be tried by a commission composed of citizens of his State. An employer might be heard before a referee who was a Japanese. The present Committee on Fair Employment Practice employs some Japanese.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. The Senator from South Carolina also knews that General Eisenhower and General Marshall have stated that there were Japanese fighters in our Army and in our Navy.

Mr. JOHNSTON of South Carolina. Oh, yes; we had Japanese in the Army and in the Navy. Some of them served well. I am not criticizing them. But, when 59 percent of the present employees of the Committee on Fair Employment Practice are colored and Japanese, although those two races constitute only 9 percent of the total population of this country, does it not represent a form of discrimination? What I have stated is the fact. It is the record. Do you believe, Mr. President, that you could receive justice before a committee of that kind? The situation is different in New York. The Commission there is a lukewarm kind of an agency. It investigates under cover and does nothing. It keeps secret practically everything that it does. Did you know that, Mr. President? That is the way they handle it, and it is done in order to keep from stirring up opposition. Certainly they would stir up opposition if they proceeded to act as it would be necessary to act under the bill which is now before the Senate.

Speaking of Japanese, let me picture something which could be done under the bill. Let us say, for instance, that a Japanese walks into my place of business, and suppose I employ six or more people, which would bring me under the act. A Japanese comes in, we will say, well qualified to fill a position which is open and which I wish to fill. Then, let us say, a man walks in whom I have known all my life, but who may not be quite so well qualified. Under the act I would have to employ the Japanese even though the other man I knew would fit in with my organization, would cause no strikes and no discontent, and would bring harmony to the situation. I would not know whether or not the Japanese would stir up strife and discontent because of his nationality for I did not even know him, and could not find out anything about him. Yet I would have to employ him.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. For a question.

Mr. CHAVEZ. Will the Senator state in what part of the bill there is direction or authority that one has to employ anyone?

Mr. JOHNSTON of South Carolina. The Senator knows quite well that if the bill would not force one to employ persons, it is not worth the paper on which it is written.

Mr. CHAVEZ. I still ask the Senator to point out to this body wherein the bill provides that an employer has to hire a Negro, or a white man, or anyone else.

Mr. JOHNSTON of South Carolina. It does not say that, but it says if an employer refuses to hire a man——

Mr. CHAVEZ. On account of his race.

Mr. JOHNSTON of South Carolina. Because of his race it is discrimination and an unfair practice. I would employ not a stranger if I knew the other man, and knew he would fit into my organization, would bring about greater production, and would not cause strife and discontent. Does the Senator believe I would employ him if I did not know him?

Mr. CHAVEZ. Mr. President, will the Senator yield for another question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. Did the United States of America, when it was in an emergency, when it needed men to defend it and perhaps die for it, reject anyone on account of his race, or creed, or nationality?

Mr. JOHNSTON of South Carolina. The Government took them into the organization and used them where it knew there would not be any strife and discontent. Certainly it did, because it knew it could handle them in such assignments.

Mr. CHAVEZ. Will the Senator yield to me?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. It took them into the organization where there would be no strife except death on the beaches of Anzio, in Bougainville, in Okinawa. The Senator knows that to be so.

Mr. JOHNSTON of South Carolina. Yes; and it took the man who was doing the employing, and the Senator is proposing to set up a commission to tell him whom he shall employ and whom he shall not employ. The Senator is also proposing that a man be made to do something about which he should have a right to say yes or no.

Mr. President, when this bill was brought before the Senate its sponsors, or some of them, at least, knew that when the bill was taken up on this floor it would bring about extended debate. I point a finger at those who brought it up, and I want the public throughout the Nation to know that I did not bring it up, that the Senator from Georgia [Mr. RUSSELL] did not bring it up, and that those who are talking in opposition to it did not bring it up, because we believe that such legislation is unnecessary, because we believe that if full employment is desired, this kind of legislation is not needed.

Let anyone who is listening to me now walk out of this Chamber and go into any store or business establishment, and ask those in charge what their greatest difficulty is. The reply would be that it is too much regulation, too much control; and no one need tell me that this bill would not add much to that difficulty.

Mr. RUSSELL. Will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. RUSSELL. Does it not strike the Senator as rather strange for a Senator to inveigh about Government bureaucracy, and the hobbles which are placed on business, and, as is true in some cases, support the pending bill, which is designed to create a superbureaucracy which will not only invade the rights of individuals, but will supplement other agencies which are invading the rights of individuals?

Mr. JOHNSTON of South Carolina. The Senator from Georgia is entirely correct. So far as I am concerned, I think it is time to start removing some of the burdens.

If the present Fair Employment Practice Committee has employed 59 percent of the colored race on its rolls, and the new Commission will take them over and employ others, will anyone tell me that there is a desire to bring about justice under the bill?

Mr. CHAVEZ. Mr. President——

The PRESIDING OFFICER (Mr. EASTLAND in the chair). Does the Senator from South Carolina yield to the Senator from New Mexico?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. CHAVEZ. As I understand the position of the Senator from South Carolina, it is to the effect that under the agency as it is now constituted, under the directive of the President—for that is how it was established—there has been discrimination as against the whites, we will say, because the agency has employed so many more Negroes in proportion to their numbers in the United States than it has whites, and that that is discrimination?

Mr. JOHNSTON of South Carolina. I should like to ask the Senator a question, in reply. Does he think it is discrimination to employ 59 percent from the colored race when it was supposed we were setting up a fair-employment committee?

Mr. CHAVEZ. I will answer the question. It is for that very reason that I want the bill passed, so that no Government agency will not discriminate in such a way.

Mr. JOHNSTON of South Carolina. I should like to know why it was that, if that many were put on, the colored person is not being directly pointed at? Why were that many put on—59 percent?

Mr. CHAVEZ. Mr. President, it is for that reason that I complain, just as much as does the Senator from South Carolina, and I want the bill passed so that such a thing cannot happen. If the Senator will jo'n me in passing the bill——

Mr. JOHNSTON of South Carolina. I will not vote for any bill that takes away from any individual the right to be heard by his peers. I will not vote for any bill which tells me that I probably have to come to Washington, and bring all my witnesses to Washington, in order to present my case. That is what this bill does.

Mr. CHAVEZ. Is it not true that the Senator from South Carolina is a member of the committee which reported the bill?

Mr. JOHNSTON of South Carolina. Yes; but I did not vote for it.

Mr. CHAVEZ. But the Senator will admit that while he did not vote for it, it is still a fact that a majority of the members of the committee did vote for it?

Mr. JOHNSTON of South Carolina. Yes; and I would say a majority of that committee has made many mistakes, to my way of thinking.

Mr. CHAVEZ. Very well; the majority of the committee has made mistakes. Will the Senator from South Carolina join me in getting into this bill now, if we can get ready for it, the things the Senator from South Carolina is discussing?

Mr. JOHNSTON of South Carolina. Why did not the Senator put them in the bill in the committee? He had the majority with him.

Mr. CHAVEZ. The Senate can overrule any committee. Bills are reported to this body so that they may be discussed.

Mr. JOHNSTON of South Carolina. I will not vote for any FEPC.

Mr. CHAVEZ. Is it not true that the Senator would not vote for an FEPC if it were endorsed by everybody?

Mr. JOHNSTON of South Carolina. Simply because I do not think we need such regulations. We have too many regulations now. The poor businessman does not know what is going to happen to him. Pass this bill, and a man may go into a place of business 6 months later and say, "You gentlemen employed B when you should have employed me, and I want 6 months' back pay" and if he is employed he will have to be paid. Does not the bill call for that? In other words, one will never know, when he employs a man, whether he is doing right or wrong, for another man may turn up 6 months later and claim that because of race, color, creed, or nationality there was discrimination.

Do Senators know what "creed" means? It means belief. A man may believe some things which do not exactly agree with the beliefs of the man who is employing him. Should not a man have a right, when he is employing a person, to consider what the beliefs of that person are?

Oh, this bill as written is full of mistakes. A bill always starts off by telling something sweet, just as one gives a little child a piece of candy. We have to give people something to start them off. So this bill starts off by stating:

> The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production, endangers the national security and the general welfare, and adversely affects commerce.

I say that that is untrue simply because people who do not have too diverse opinions and beliefs work together in industry. But think of what would happen if a Socialist were brought down into South Carolina and put to work in one of the cotton mills, where he would begin agitatin concerning his beliefs.

Mr. CHAVEZ. What would happen?

Mr. JOHNSTON of South Carolina. Think of what would happen if he began to preach and try to dictate? It certainly

would not be a good thing for that organization.

Mr. CHAVEZ. I still ask the question, Mr. President, What would happen in South Carolina?

Mr. JOHNSTON of South Carolina. I am telling the Senator that it would not bring about the condition which it is claimed would be brought about by the enactment of this bill. I worked in the cotton mills of my State for 10 long years, and I can say that if attempt were made to force white girls and colored girls to work together and white men and colored men to work together in the cotton mills, it would not result in bringing about any of the tranquillity which Senators contend would result from the enactment of this bill, nor would it bring about any of the good feeling which it is implied in the first part of the bill would be brought about. The conditions that exist, Mr. President, cannot be changed by legislation. They have been changed somewhat as the years have gone by, and we must change them in the future gradually by education, and only in that way. We cannot change a people's way of thinking overnight.

Mr. CHAVEZ. Mr. President, will the Senator again yield to me?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. I dislike to interrupt the Senator so frequently, but I think it is only fair to ask him a question.

Mr. JOHNSTON of South Carolina. Yes.

Mr. CHAVEZ. The Senator states that the way change should be brought about is through education. The Senator knows——

Mr. JOHNSTON of South Carolina. I hope the Senator is not going to say anything which might provoke racial feeling.

Mr. CHAVEZ. No. This is a question. We have had the Mosaic laws for thousands of years.

Mr. JOHNSTON of South Carolina. Yes; that is true.

Mr. CHAVEZ. Nevertheless every State in the Union has a law which says that one cannot commit murder without being punished therefor.

Mr. JOHNSTON of South Carolina. That is true; yes. Every State has such a law. But the Federal Government does not step in; it leaves such matters, which concern the State, to the State.

Mr. CHAVEZ. Under certain conditions the Federal Government steps in.

Mr. JOHNSTON of South Carolina. Only when a Federal agent is directly involved. The Federal Government does not otherwise interfere, but leaves the matter to the State.

As was brought out yesterday respecting North Carolina, it will be found that South Carolina has a certification act dealing with teachers. But do Senators know who the individuals are who are complaining more than any other respecting the Certification Act which provides for examinations to be held at Columbia University? The colored people say the Certification Act is unfair to them. They say it is unfair that they must be classified under an educational certification act which provides that the teachers shall be paid according to their classification. Under that act every teacher in my State must certify what he or she can do, what the teacher has done in the past, what education the teacher has had, and the teacher is paid in accordance with his or her classification. All teachers are embraced within that act, white and colored. There is no difference between them. The act was passed during my administration, and South Carolina appropriated a large sum of money in order to put its provisions into effect.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. The question I am about to ask will be propounded in the best of faith, not with the idea of embarrassing the Senator, but simply for information. I believe the Senator when he states that his people are trying to do the right thing in matters of education and in other matters in the State of South Carolina, but would the Senator be justified in answering the following question? When the State authority certifies its school teachers and classifies them in a certain grade, one set of the teachers teaching the whites and the other set of the teachers teaching Negro children, at what rate are the teachers paid?

Mr. JOHNSTON of South Carolina. The pay is the same.

Mr. CHAVEZ. I want to compliment the Senator and his State on that.

Mr. JOHNSTON of South Carolina. I put that law into effect in my State. An investigation was started by the senior Senator from South Carolina [Mr. MAYBANK] when he was governor, and during my second term as governor I pushed the legislation and the law was passed, and it is now in effect in the State of South Carolina. There is no distinction whatsoever made between white and colored teachers in the matter of certification. Equal qualifications are established, and all take the same examination. The examination is conducted and the grading is made by Columbia University.

Mr. CHAVEZ. I think that is very proper, and I want to commend the State of South Carolina for that.

Mr. JOHNSTON of South Carolina. I am glad to get that into the RECORD.

Mr. President, it is true that after the War Between the States we in South Carolina, and the same is true of other Southern States, found that the majority of the population was colored. At the present time South Carolina does not have a preponderance of colored population. The percentage is white, 58 percent, and colored 42 percent.

To show the Senate that we did not discriminating against the colored people when it came to sending them into the armed services, the figures show that only 29 percent, according to the last records I have, were colored, and 71 percent were white. No distinction was made in the matter of inducting men into the service. We tried to give fair and equal treatment to all.

Mr. CHAVEZ. Was that situation the result of lack of education on the part of the colored people or lack of physical fitness.

Mr. JOHNSTON of South Carolina. I think it will be found, according to the RECORD, that many elements entered into that situation. Education in a few instances did enter into it. Physical fitness also entered into it. But we did not try to keep the drafting of white and colored at an even figure. We did not say to the colored, "You have not reached your quota, so we will induct more of you in order to equalize the situation."

We treated all alike whom we found qualified to enter the service.

Mr. President, coming now to the bill, I find the heading "Unfair employment practices defined."

It shall be an unfair employment practice for any employer within the scope of this act—

(1) To refuse to hire any person—

Do Senators notice the words "any person"? The bill does not say "Americans." It does not say "a citizen of the United States." It says "any person." The Supreme Court of the United States has ruled that "person" means any living human being, whether he be naturalized, alien, or not—

because of such person's race, creed, color, national origin, or ancestry.

It does not stop with the provision with respect to hiring them. It goes on to define unfair employment practices, as follows:

(2) To discharge any person from employment because of such person's race, creed, color, national origin, or ancestry.

It does not stop there. It goes on:

(3) To discriminate against any person in compensation or in other terms or conditions of employment because of such person's race, creed, color, national origin, or ancestry.

Mr. President, it will be noticed that the bill takes in everything. Can Senators not see how broad is the language which could be availed of if anyone wanted to pester someone else? We will have to acknowledge that some sections of the United States have been trying to pester other sections of the United States ever since the War Between the States. I hate to bring that subject up, but it is true. If it is not true, I want to know why it is that it is proposed to pass this bill? I shall go into that question fully a little later in respect to freight rates. That is one question I have studied. Senators from the West had better wake up in regard to the matter of freight rates.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. This Senator from the West has for a long, long time tried to get other Senators from the South and the Southwest to join him in dealing with that subject. The Senator will have me on his side on that question.

Mr. JOHNSTON of South Carolina. I am glad to hear that. We need help. I never have understood why it costs about 40 cents more to ship a finished product north into official territory than it costs to ship it from official territory to the South. It will be noted how the South is discriminated against with respect to

finished products. In the case of a finished product there is a difference in the rate.

The people of the South—and I believe a majority of the people of the entire country—know that under the terms of the so-called fair employment practice bill tremendous legislative and judicial powers would be delegated to a Government commission, whose decisions and orders would be absolutely supreme. Its power of control and regimentation would vitally affect and eat the heart out of the private-property rights of the people of America, against whom such powers would be exercised. Moreover, the victims of such arbitrary action would have no recourse whatever, and no control over those who would be in the position of judges. They would govern themselves. What control would there be over officials in the FEPC? Such a scheme is contrary to my convictions as to the meaning of a democratic representative government in our great Nation.

We have just experienced one of the worst wars the world has ever known. Hundreds of thousands of lives were lost, and hundreds of thousands of men were wounded and maimed for life.

That is not all. We find ourselves with a debt at the present time of approximately $275,000,000,000. The interest on that debt will be as much as the annual appropriations were a few short years ago. That being so, this is not the time for us to pass a bill such as this, which would not bring about better relations between capital and labor but would greatly add to the expenditures of Government. The labor unions had better watch this bill.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. Does the Senator from South Carolina feel that the labor unions should have any special law, or should be exempt from the general law of the land?

Mr. JOHNSTON of South Carolina. I notice that they are included under the terms of the bill, by a carefully worded provision.

Mr. CHAVEZ. Does not the Senator believe that if a law is worth while it should apply to every citizen of the country?

Mr. JOHNSTON of South Carolina. I will answer the Senator's question by asking him a question. Does the Senator believe that if the CIO, for example, or the American Federation of Labor, should find persons in its organization who are doing damage to it, it should be compelled to keep them, even though their radical opinions might make them undesirable members?

Mr. CHAVEZ. I do not believe that the CIO, the American Federation of Labor, the National Association of Manufacturers, the United States Chamber of Commerce, or any other organization, should be above the law. The law should apply to all equally.

Mr. JOHNSTON of South Carolina. Does the Senator believe that a church or any such other organization should not be allowed to keep someone out if his beliefs are not in keeping with the policies of the organization?

Mr. CHAVEZ. Believing in the philosophy of the bill as we have introduced it——

Mr. JOHNSTON of South Carolina. What does "creed" cover?

Mr. CHAVEZ. Let me finish my answer to the Senator's question. I believe that any organization, public or semipublic, which affects society as a whole should be subject to law. I do not believe in legislation which would interfere with the private affairs of a church or a private association or organization such as the Elks or the Knights of Columbus. I do not believe that Federal laws ought to interfere with the private affairs of such an organization; but I do believe that labor unions should be subject to the law, just as everyone else is.

Mr. JOHNSTON of South Carolina. Does the Senator believe that a labor organization should be compelled to keep a Communist in its membership?

Mr. CHAVEZ. The bill does not contain any provision concerning whom they should keep or not keep. All the bill does is to say, "While you are not compelled to employ Tom Gallagher, and you are not compelled to employ a man from Mississippi because he is a Negro, at the same time, under the laws and under the Constitution everyone shall have equality of opportunity. You shall not refuse to employ anyone because of his race, color, or national origin."

Mr. JOHNSTON of South Carolina. Or creed. The Senator left out "creed."

Mr. CHAVEZ. Or creed.

Mr. JOHNSTON of South Carolina. What does "creed" cover?

Mr. CHAVEZ. My interpretation of the word in this instance is that the intention of the committee was that it should apply to religion, and only religion. I do not know what the Senator's religion is. That is his business. But does the Senator believe that a person should be refused employment because he happens to belong to this faith, that faith, or the other faith?

Mr. JOHNSTON of South Carolina. During the war there were some faiths whose adherents I would not wish to employ in my organization. They were working against the Government. They went under the name of some kind of religion. I do not recall what it was. Would the Senator wish to employ them in an organization of which he was the head?

Mr. CHAVEZ. I know that I would not refuse to employ a Baptist merely because he was a Baptist, although he might not fit into my organization.

Mr. JOHNSTON of South Carolina. I am not talking about Baptists. I am talking about those who want to tear down the Government. Would the Senator want them in his employ?

Mr. CHAVEZ. No; and I believe that the Army made a mistake by taking them in.

Mr. JOHNSTON of South Carolina. If it was the intention to confine the word "creed" to religion, that intention was not made clear in the bill. The word "creed" was used. It may mean a great many other things besides religion.

Mr. CHAVEZ. I am willing to adopt the suggestion of the Senator. He is making a fine talk from his point of view, and in general. I admire his courage. In many instances his arguments are sound. Let us assume that it was because of the neglect of the committee that the word "creed" was used instead of "religion." Any time the Senator will give us an opportunity to do so, I am agreeable to substituting the word "religion."

Mr. JOHNSTON of South Carolina. I am glad to hear the Senator say so, but he is only one of 96 Senators. He does not write all the laws. He has no authority to speak for other Senators.

Mr. CHAVEZ. At least, the Senator and I could join. We would be two.

Mr. JOHNSTON of South Carolina. If that were the only mistake in the bill, I should say correct it. But there are many others.

Mr. CHAVEZ. Mr. President, will the Senator further yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. The Senator from New Mexico has never contended that he was infallible. I will gladly receive any suggestion made by the Senator from South Carolina, or any other Senator, to make the bill in keeping with the Constitution of the United States.

Mr. JOHNSTON of South Carolina. What I am doing now is making suggestions. I have been making suggestions all along. If all the defects which I find in the bill are removed, I will vote for it. When I have finished, if the bill is rewritten in accordance with my suggestions, I will vote for it. There will not be any FEPC.

Mr. CHAVEZ. That is correct, because the Senator is opposed to any measure which would give fair employment practices a chance.

Mr. JOHNSTON of South Carolina. Personally I am opposed to a bureaucracy coming into my State and telling my people whom they can hire, whom they can fire, how much their employees must be paid, when to increase their wages, and when not to increase their wages. Does the Senator mean to tell me that such a law would not stir up strife and discontent?

Mr. CHAVEZ. In the Senator's State and in my own State there are possibly hundreds of Federal agencies. Which ones would the Senator from South Carolina have taken away from South Carolina?

Mr. JOHNSTON of South Carolina. So far as I am concerned——

Mr. CHAVEZ. The OPA?

Mr. JOHNSTON of South Carolina. If the OPA sees fit to put a ceiling on cotton which has no fundamental grounds to support it, I should say, Do away with OPA tomorrow. I have been fighting for OPA. If it had not been for my vote, I do not know whether it would have been continued. As I recall, at one time it was continued by only one vote.

Mr. CHAVEZ. That position would be maintained by the Senator even though a price of 14 cents for cotton in South Carolina would compel a woman

to pay $7 for a cotton dress for a child in New York.

Mr. JOHNSTON of South Carolina. At the present time my good wife is paying $5 or $6 for little cotton dresses which cost from $1.29 to $1.69, just a short time before the war. Go to the department stores and see if that is not true. The price of cotton has not increased to any such extent. Where has the OPA been?

Mr. WILEY. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. WILEY. The price which the Senator mentioned goes back to the good old Republican days, does it not?

Mr. JOHNSTON of South Carolina. The Senator brings up the question of Republicans. Speaking of Republican days, does the Senator know what the Republicans did with cotton after the last war? They fixed the price for years. Does the Senator wish to have me tell him about those years?

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. The Senator no doubt also recalls some good old Republican days between 1928 and 1932.

Mr. JOHNSTON of South Carolina. I remember the Hoover days, when prosperity was just around the corner.

Mr. MAGNUSON. Mr. President, will the Senator yield for a unanimous consent request?

Mr. JOHNSTON of South Carolina. If it does not take me from the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

G. R. BELOW—BILL INTRODUCED

Mr. MAGNUSON. Mr. President, I ask unanimous consent to introduce a bill.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred.

The bill (S. 1761) conferring jurisdiction upon the United States District Court for the Western District of Washington to hear, determine, and render judgment upon the claim of G. R. Below, was read twice by its title and referred to the Committee on Claims.

(At this point Mr. JOHNSTON of South Carolina, by unanimous consent, yielded to Mr. MAGNUSON for the purpose of having several matters printed in the Appendix of the RECORD, which appear under the appropriate headings.)

ASSEMBLY OF THE UNITED NATIONS ORGANIZATION—ARTICLE FROM THE NEW YORKER

[Mr. MAGNUSON asked and obtained leave to have printed in the RECORD an article on the subject of the first assembly of the United Nations Organization, published in The New Yorker of January 12, 1946, which appears in the Appendix.]

FOUNDERS OF THE AMERICAN NAVY—ARTICLE BY DUDLEY W. KNOX, CAPTAIN, U. S. NAVY

[Mr. MAGNUSON asked and obtained leave to have printed in the RECORD an article entitled "The Founders of the American Navy," written by Dudley W. Knox,. captain, U. S. Navy, which appears in the Appendix.]

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946

Mr. JOHNSTON of South Carolina. Mr. President, continuing with the various provisions of the bill, it is declared to be an unfair employment practice for any employer within the scope of this act—

(4) to confine or limit recruitment or hiring of persons for employment to any employment agency, placement service, training school or center, labor union or organization, or any other source that discriminates against persons because of their race, color, creed, national origin, or ancestry.

Furthermore—

(b) It shall be an unfair employment practice for any labor union within the scope of this act—

(1) to deny full membership rights and privileges to any person because of such person's race, creed, color, national origin, or ancestry.

A few moments ago I stated that rows have occurred in some labor organizations because their members wished to expel someone who went a little too far, who was a Communist, for instance; and under those circumstances, the other members of the union wished to expel him because of his belief or creed—again we find those words. But, Mr. President, if this bill should become law, would it make any difference what anyone believed? No matter what a man's belief might be, he could not be expelled from a labor union or from any similar organization. Members of an organization who might wish to expel one of its members because of his communistic beliefs would have to let him remain in the organization. Those who might wish to be able to get rid of such a member would have to look out, because under this bill if they tried to get rid of him they would be "kangarooed"; under this bill they would almost be lynched and all their property rights would be taken away, without having the right of trial by jury, and they would be sent to prison. The members of a union could not expel a member who believed in and subscribed to a Communist form of government.

So, Mr. President, we find that subparagraph (3) of section 3 (b) of the bill provides that—

It shall be an unfair employment practice for any labor union within the scope of this act

* * * * *

(3) to discriminate against any member, employer, or employee because of such person's race, creed, color, national origin, or ancestry.

(c) It shall be an unfair employment practice for any employer or labor union within the scope of this act to discharge, expel, or otherwise discriminate against any person because he has opposed any practices forbidden by this act.

I call especial attention to the next provision—

or because he has filed a charge, testified—

No one could object if he testified. Everyone would have to look out, because such a person could testify in the proceedings and no one could object if he—

assisted in any proceeding under this act.

My goodness!

Now let us see about the scope of the act and to whom it would apply:

SCOPE OF ACT

SEC. 4. (a) This act shall apply to any employer having in his employ six or more persons, who is (1) engaged in interstate or foreign commerce or in operations affecting such commerce.

The bill says in the very beginning, "Because you have discriminated against this man, you have interfered with interstate commerce, and you also have affected commerce, because of your discrimination in respect to employment." That is said in the bill itself. So the bill would cover anyone at all. Mr. President, do you notice how neatly that was put in? The authors of the bill start by saying how they are going to free people from discrimination. Then they provide all these rights, and then say, "It must be in interstate commerce." But there is a joker there, for if an employer is haled before an agent of the commissioners, the agent will get enough into the record to be able to hold the case in the Commission, for the Supreme Court has decided that when a board or commission holds a hearing, if there is anything in the hearing upon which the Commission can base a decision or can base findings, the courts must leave it alone. Every lawyer here knows that to be so. So the Commission would get into the record just enough to make out some kind of a case.

NATURALIZATION OF FRANK SCHINDLER—BILL INTRODUCED

Mr. CAPEHART. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. EASTLAND in the chair). Does the Senator from South Carolina yield to the Senator from Indiana?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. CAPEHART. Will the Senator yield to permit me to introduce a bill?

Mr. JOHNSTON of South Carolina. I will not do so without unanimous consent; otherwise I will be taken off the floor.

Mr. CAPEHART. I should like to obtain unanimous consent, without prejudicing the right of the Senator from South Carolina to have the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The Senator from Indiana may proceed.

Mr. CAPEHART. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill authorizing the naturalization of Frank Schindler.

There being no objection, the bill (S. 1762) authorizing the naturalization of Frank Schindler, was received, read twice by its title, and referred to the Committee on Immigration.

FAIR EMPLOYMENT PRACTICE ACT—AMENDMENTS

Mr. CAPEHART. Mr. President, will the Senator from South Carolina further yield to permit me to send to the desk amendments intended to be submitted by

me to the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, and to have them lie on the desk and be printed?

Mr. JOHNSTON of South Carolina. I yield, if I may have unanimous consent to do so, for that purpose.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CAPEHART. I thank the Senator. I now send the amendments to the desk.

The PRESIDING OFFICER. Does the Senator desire to have the amendments read?

Mr. CAPEHART. No; it is not necessary that they be read.

The PRESIDING OFFICER. Then the amendments will be received, lie on the table, and be printed.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to show how carefully the bill has been drawn. Under it even the States would forfeit their rights in connection with employment. Even the various subdivisions of the States would have to look to the Commission to see whether they employed the right persons. Listen to what the bill provides:

SEC. 4. (a) This act shall apply to any employer having in his employ six or more persons, who is—

* * * * *

(2) under contract with the United States or any agency thereof or performing work, under subcontract or otherwise, called for by a contract to which the United States or any agency thereof is a party, awarded, negotiated, or renegotiated as hereinafter provided in section 13 of this act.

Oh, yes, Mr. President, the coverage of the bill constantly grows.

The next provision reads as follows:

(b) This act shall apply to any labor union which has six or more members who are engaged in interstate or foreign commerce or in operations affecting such commerce or employed by the United States or any Territory, insular possession, or instrumentality thereof.

The authors of the bill reach out and say, "We might have forgotten something, so we will just say, 'instrumentalities thereof,' and then we will get them all, anyway."

Then the bill provides:

(c) This act shall apply to the employment practices of the United States and of every Territory, insular possession, agency, or instrumentality thereof, except that paragraphs (e) and (f) of section 10, providing for petitions for enforcement and review, shall not apply in any case in which an order has been issued against any department or independent agency of the United States but in any such case the Fair Employment Practice Commission established by section 5 of this act may petition the President for the enforcement of any such lawful order, and it shall thereupon be the duty of the President to take such measures as may secure obedience to any such order.

Mr. President, I never before heard of any agency which would have such extraordinary powers. They can say, "We will just take the President across our lap and spank him a little now"—for the bill proceeds to tell the President what his duty shall be. I wonder what they would do to the President if he did not do what the bill provides. According to the bill, the President would have to obey the Commission's orders. That is the sort of provision we find in this bill. I did not write it, thank the Lord. No, Mr. President, I am not going to tell my President of the United States that he has got to obey any order which any commission might issue in its attempts to carry out some provisions of a bill such as this. I do not believe we can find a similar provision written into any bill ever enacted by the Congress of the United States. I do not believe any law on our statute books gives a commission the right to require the President of the United States to carry out its orders.

Mr. CHAVEZ. Mr. President, the Senator also knows that for more than 100 years we did not have on our statute book any laws relative to what would be minimum wages for human beings, and the Senator also knows that for many years we did not have on the statute books any laws with regard to the hours of labor, and for many years we did not have on the statute books anything pertaining to the health of human beings or to the care of poor mothers, whether in South Carolina or in New Mexico, nor were there on the statute books, for many years, many other measures which recently, because of a conscientious realization of social obligations and the duty of the Government to its citizens, have been enacted into law. Furthermore, does not the Senator know that this is the atomic age and that we have to use atomic methods once in a while in order to make some persons realize that humans are entitled to some rights?

Mr. JOHNSTON of South Carolina. No, Mr. President; I do not know that, because we have tried to help suffering humanity and have tried to help labor by increasing the salaries of workers, therefore we have to take something that would blow us all to pieces.

I continue reading:

Every officer, agent, or employee who willfully violates any such order shall be summarily discharged from the Government employ.

Mr. President, who is to pass upon the question of willful violation? Who is to say whether or not a person is to be discharged from the Government employ? Who is to say, Mr. President, that because you, for example, do not employ someone merely because he belongs to a nationality other than yours, or has a different colored skin, you should be summarily discharged from the Government employ? Do Senators know what "summarily" means? It means practically "forthwith." The defendant is given a kangaroo court martial. That is what is meant.

I continue reading:

FAIR EMPLOYMENT PRACTICE COMMISSION

SEC. 5. For the purpose of securing enforcement of the foregoing rights and preventing unfair employment practices on the part of employers and labor unions, there is hereby established a commission to be known as the Fair Employment Practice Commission, which shall consist of a chairman and four additional members to be appointed by the President, by and with the advice and consent of the Senate, who shall serve for a term of 5 years except that the terms of the members originally appointed shall expire seriatim at intervals of 1 year.

Any member of the Commission may be removed by the President upon notice and hearing. Even the President must serve notice and afford a hearing.

Any member of the Commission may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Three members of the Commission shall at all times constitute a quorum.

I can imagine that Commission.

REPORTS

SEC. 6. The Commission shall at the close of each fiscal year make a report in writing to the Congress and to the President concerning the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Commission, and an account of all moneys it has disbursed—

The language should have included a reference to the money which will be asked for in supplemental appropriation bills—

and shall make such further reports on the cause of, and means of alleviating, discrimination, and such recommendations for further legislation as may appear desirable.

Let us see what the salaries are to be:

SALARIES

SEC. 7. Each member of the Commission shall receive a salary of $10,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment.

What is to be done with the Committee which now exists? The bill also takes care of that situation. It was not forgotten. Let us see what is provided for with respect to the present Committee on Fair Employment Practice:

Termination of Committee on Fair Employment Practice——

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. I wish to make a point, although it is somewhat in the form of a question. Of course, any temporary agency of the Federal Government which is made permanent under the enactment of new legislation is taken over by the Federal Government. But there is nothing in the pending bill which provides that the present Committee members, who were appointed temporarily under an Executive order, shall be continued in their employment, because they were not appointed by the President with the advice and consent of the Senate, which would be necessary so far as the Commission is concerned which is to be established under the bill.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. RUSSELL. I am sure the Senator knows that the Federal Government is now laying off thousands of employees who have exactly the same status in the

eyes of the law as do the employees of the Committee on Fair Employment Practice. The President said in his recent message that it was planned to lay off many additional thousands of employees.

Mr. JOHNSTON of South Carolina. I am making the point that members and employees of the present Committee are to be taken care of under the pending bill.

Mr. RUSSELL. Before the Senator gets away from the question pertaining to the Commission, I ask him if he has given any consideration to the fact that the Commission may range all over the country and hold hearings anywhere it may wish to do so? In the summertime it might wish to go to Alaska. I understand that the summers in Alaska are very delightful. The Commission might wish to go there and require a defendant living in a distant part of the country to come to it for a hearing. As I have said, the Commission might wish to go to Alaska to try a charge of infraction or discrimination—those terms are purely a state of the mind—and in the wintertime it might wish to require a defendant to go from Salem, Oreg., to Florida. I understand that the weather in Florida during the wintertime is very delightful. The Commission would have a wonderful time traveling wherever it wished to go, and under whatever conditions it wished to choose.

Mr. JOHNSTON of South Carolina. I shall come to that matter later in my speech. I believe that I will bring it out thoroughly. I am glad, however, the Senator mentioned it.

Mr. CHAVEZ. With reference to what the Senator from Georgia has stated, and knowing governmental agencies, bureaus, departments, and so forth, as I do, I may say that there is no doubt in my mind that the Commission would like to travel a great deal. However, it is up to us to try in some way to curtail their activities in making unnecessary trips. The Senator from Georgia and I will be waiting and watching very carefully in the Appropriations Committee, and will not approve of any funds for the use of the Commission for unnecessary travel.

Mr. RUSSELL. Mr. President, the Senator from New Mexico and I have worked together very closely on various items of legislation, particularly appropriations to support the Farm Security Administration, school-luncheon programs, and so forth. He supported me in my fight for these proposals. But when it came to appropriations for the Committee on Fair Employment Practice I was not able to get the Senator to agree in the committee to a reduction in the appropriations by one dime.

Mr. CHAVEZ. Mr. President, I felt so kindly toward the Senator from Georgia that I agreed to reduce the appropriations to which he has referred by more than 50 percent.

Mr. RUSSELL. I am glad that the Senator was at least half convinced, and I hope that before this discussion is concluded I shall be able to convince him 100 percent.

Mr. JOHNSTON of South Carolina. I continue reading from the bill:

SEC. 8. Upon the appointment of the members of the Commission, the Committee on Fair Employment Practice, established by Executive Order No. 9346 of May 27, 1943, shall cease to exist.

Oh, yes.

All employees of the said Committee shall be transferred to and become employees of the Commission. All records, papers, and property of the Committee shall pass into the possession of the Commission, and all unexpended funds—

They are being looked after also—

and appropriations for the use and maintenance of the Committee shall be available to the Commission.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. I hope the Senator will not worry too much about that. The Committee is "broke" right now.

Mr. JOHNSTON of South Carolina. I am not worried about it. A while ago I wanted to know how the Committee had been maintaining so many employees and paying them salaries. The appropriation for its use was reduced last year by approximately one half. I assume that before long it will be asking for funds through a deficiency appropriation bill.

Mr. CHAVEZ. I assure the Senator that many of the good men who are in the employ of the Committee are working without any remuneration whatever, because they are enthusiastic and desire to try to do what is fair and right in the way of employment practices, and are willing to contribute their time, and have done so during the war.

Mr. JOHNSTON of South Carolina. But they will come back later and ask for pay. Is not that so? Are they not coming back to ask for it?

Mr. CHAVEZ. If the Senator will let us pass the bill——

Mr. JOHNSTON of South Carolina. Does not the Senator think they are coming back and ask for pay?

Mr. CHAVEZ. I do not think they will, and I know that if they come back for it, no matter how meritorious, the Senator will be against it.

Mr. JOHNSTON of South Carolina. Certainly I will. Will the Senator vote for it?

Mr. CHAVEZ. I will vote for it.

Mr. JOHNSTON of South Carolina. So the Senator, then, does not think they are working for nothing. They want pay.

Mr. CHAVEZ. They have not gotten it yet.

Mr. JOHNSTON of South Carolina. But the Senator is promising he will give it to them.

Mr. CHAVEZ. When the proper time comes I shall vote for pay for work that has been done during the war in many instances, including service by the soldiers.

Mr. JOHNSTON of South Carolina. The Senator may vote for what he cares to, and I shall vote for what I want to vote for, but when this matter comes up, so far as I am concerned, I serve notice now, I am not going to vote for it. I do not believe any agent of the Government should obligate the Government and then come and ask pay. If we followed that policy, I do not know where we would land, and I do not think anyone else does.

The next provision of the bill is under the headline, "Location of offices."

Let us see where they are to be located. I imagine they will have to start off in Washington.

The Commission shall hold its sessions in the District of Columbia and at such other places as it may designate.

It does not say, even, in the United States. If one were on that Commission he might desire to make a little trip. The bill covers some of the Territories, and a member might like to go down and hold a Commission meeting in one of those Territories, might he not? He might like to go down there and look the situation over, might he not? He would not care what it cost. He would say, "The Congress of the United States gave me that right."

It reads, "and at such other places as it may designate."

That is the provision. If I can read English, that means anywhere.

Mr. CHAVEZ. That is correct. Of course, this is a bill by the provisions of which a commission is created. Naturally the Commission will have to have personnel, and there is no doubt in the world that the Senator is correct. I know commissions, and Government agencies. They will want to take trips. I know they will, whether it is this Commission or any other commission of the Federal Government. But we do not have to give them the money, and there is nothing in the bill which says we have to give them the money. If we wish to stop that kind of thing, the only way we will stop trips of this agency or any other agency of the Federal Government is by not giving them the wherewithal.

Mr. JOHNSTON of South Carolina. When they come before the Committee on Appropriations they ask for lump-sum appropriations for travel, and when they travel out of that fund, the Senator knows, as well as I know, that we do not know where they are going, what they are going to do, how long they are going to stay, and whom they are going to take with them. Is that not so?

Mr. CHAVEZ. That is correct, but at the same time the Committee on Appropriations, of which the colleague of the Senator, the senior Senator from South Carolina [Mr. MAYBANK], is a member, the Senator from Georgia [Mr. RUSSELL] is a member, and the Senator from Alabama [Mr. BANKHEAD] is a member, can insert a clause saying that not a penny of the appropriation can be used for travel. We can do it, and have done it before.

Mr. JOHNSTON of South Carolina. But the Senator has not put anything in this FEPC bill about that. I can only

judge the future by the past, and in the past they have not been tied down. But the Senator knows there is in the appropriation bill a lump sum provided, and toward the end of the year I imagine the members of the Commission would sit down and say, "We have $10,000 left for travel. We can go to Cuba. We know that if we do not spend that appropriation by the 1st of July it will go back into the general funds of the Government. We had better use it, make this trip, and enjoy ourselves."

Under the bill, they can go anywhere. If the Commission were told they would have to stay in Washington, they could send out referees, and every accused person would have a right to be tried in his State, and it would be different. Under the bill, in the summertime, it might be that the members of the Commission would like to go to a cool place, perhaps to Alaska. They could say to an employer, "You are guilty of so and so. You come to Alaska and be tried." The bill does not say that an accused person shall be tried in his State, or his county, or his district. District courts try most of the cases against people in the districts where they live. The district court in my State travels around, and I suppose it does in others, and a man is tried at the nearest place to his home where the court can sit. There is nothing in this bill about a Federal court. It makes the Commission the final arbiter. After the Commission has tried a case, I would like to see a defendant try to have the judgment set aside. Considering the rulings of the Supreme Court in the past, it would be almost impossible to do it, unless the Commission or its agent went to sleep, and failed to get into the record testimony that it was intended to have in it.

The bill reads further:

The Commission may, by one or more of its members or by such referees, agents, or agencies as it may designate, prosecute—

I almost said "persecute," and probably that would be a much better word in this bill—

prosecute any inquiry or conduct any hearing necessary to its functions in any part of the United States or any Territory, or insular possession.

The Commission could conduct a hearing at any place where the flag of the good old United States of America might wave. This bill is not going to be passed. I am not afraid of that, but if the bill as now framed were enacted, under it if the members, when they were inquiring about someone living in Chicago took a notion to have a hearing in Florida, they might say, "It is wintertime, it is cool here in Chicago, and we will have the hearing in Florida." There is nothing in the bill to prevent that being done. It is not provided that the hearing shall be according to the convenience of all people interested in the proceedings. Courts are tied down in that respect; almost all laws contain provisions that a hearing shall be at the place most convenient to all parties concerned. Nothing like that is found in this bill. The Commission is going to "kangaroo" people. If it finds that people of a community might not agree with it, it will hold the hearing in a distant place; it will go off on a wild-goose chase so to speak, thus taking away from an accused person the right to trial, the right to have his convenience considered insofar as the place where he is tried is concerned. The bill is so worded. It is fixed. If the members of the Commission thought that in South Carolina they might have too hard a case, and there were too many witnesses for the accused, they might say, "We will try it in Chicago." If the party would not come, what would happen? I will state in a moment. They would fix it so he would have to be there.

The next heading is:

PROHIBITIONS OF UNFAIR EMPLOYMENT PRACTICES

The Commission is empowered as herein provided to prohibit any person from engaging in any unfair employment practices within the scope of this act.

(b) Whenever it is alleged—

Senators will notice the word "alleged." When newspapers start to say something about me down home which they might not be able to prove, they just start by saying, "It is alleged that OLIN JOHNSTON did so and so." Did Senators ever hear that? Did they ever read such a thing in the newspapers? It is easy to allege something.

If the parties do not show up, let us see what is to be done.

Whenever it is alleged that any person has engaged in any such unfair employment practice, the Commission, or any referee, agent, or agency designated by the Commission for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect and containing a notice of hearing before the Commission or a member thereof, or before a designated referee, agent, or agency at a place therein fixed not less than 10 days after the serving of said complaint.

That leaves it open again to call an accused person any place, anywhere the Commission wants to.

(c) The person so complained of shall have the right to file an answer—

He is given the right to file an answer, Mr. President—

to such complaint and to appear—

He can appear wherever they tell him to appear—

in person or otherwise, with or without counsel, and give testimony at the place and time fixed in the complaint.

Why does not the bill at least give a man the right to be tried in his county? Why is not a provision placed in the bill to the effect that the trial shall be held at the county seat where the man against whom the charge is brought lives? The Commission has agents traveling around and working up cases. Remember this, Mr. President, the employer has a court, a jury, a prosecutor working against him. If the court, if it may be called such, or the judge, did not think a case could be proved against a man the case should not be brought. But it is said that when discrimination is alleged the case must be brought. The defendant comes before the referee, the one who is trying to enforce the act. The referee is against him. The prosecutor is against him. Then the question is asked why I would not vote for this measure if a little word were cut out of it here and there. I have never seen in all the days of my life a bill which was so carefully drawn to give a commission power over every citizen, from the President down, and the right to go anywhere and to decide what testimony shall be adduced, and as to what is relevant and what is not.

Mr. President, there is nothing in the bill that provides that the testimony must be taken down for the poor defendant. He comes into the courtroom before one of these referees or commissioners or agents. If he wants a transcript of the record he must provide for it and pay for it himself. Nine times out of ten he will not even think about that until he appears before the referee and the proceedings are started. They will say, "We have no one here to take down the testimony." Then what happens? The referee or the agent will make up a statement of what he says happened there and of what testimony was taken. But if there is one scintilla of evidence that sustains the order and the verdict of the agent, it stands. Our Supreme Court has said so time and time again.

(d) If upon the record—

And the record will be what I have just stated it will be. I have been before boards and commissions, and I know what happens. Nine times out of ten the testimony is not taken down. If a defendant wants a copy of the testimony he provides for it and pays for it. It will be said that no provision is made in the bill for taking down the testimony and, therefore, if the defendant wants it taken down he should provide a stenographer. If the defendant provides a stenographer to take down the testimony, then if a dispute arises between his lawyer and the agent with respect to what was testified, what is it that controls in such an instance? The Commission does not have the evidence taken down because they do not want all the evidence made of record. I continue to read:

(d) If upon the record, including all the testimony taken, the Commission shall find that any person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on such person an order—

It will be noticed that the language is "state its findings of fact." I have had a little experience in court with language of that sort.

When the Commission once states "the findings of fact" that is the statement of the fact, that is what the facts are. The Commission says, "so and so are the facts brought out in the case" and the Commission would certainly have a sufficiently good lawyer to draw up the findings of fact in such a way as to make out a case. The truth of the matter is that the Commission would have a sort of form sent to the referees in these cases—that is what is done in many similar cases—and the referees would make

up their statements of the facts on the form.

RELEASE OF CONSCIENTIOUS OBJECTORS FROM THE ARMED FORCES—PETITION

Mr. REED. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. REED. I ask the Senator to yield so I may ask unanimous consent to present a petition and a memorial without prejudice to the rights of the Senator who has the floor.

Mr. JOHNSTON of South Carolina. I yield if my rights are not prejudiced.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. REED. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD, without the signatures attached, as a part of my remarks, a petition signed by 39 citizens of Eudora, Kans., in which they express their desire for legislation to provide release of conscientious objectors comparable to that used for the men in the armed forces.

There being no objection, the petition was received, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

DECEMBER 23, 1945.

We, the undersigned members of St. Paul's Evangelical and Reformed Church, of Eudora, Douglas County, Kans., respectfully petition and urge the Congress of the United States of America to provide legislation for the immediate release of the conscientious objectors comparable to that used for the men in the armed forces.

Conscientious objectors exercise a privilege granted them under selective service and the Constitution of the United States. They are law-abiding citizens and are, therefore, entitled to comparable treatment to that of the men in our armed forces.

(Signatures omitted.)

COMPULSORY MILITARY CONSCRIPTION—MEMORIAL

Mr. REED. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD, without the signatures attached, as a part of my remarks, a memorial signed by 42 citizens of Eudora, Kans., in which they express opposition to compulsory military conscription.

There being no objection, the memorial was received, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD without the signatures attached, as follows:

EUDORA, KANS., *December 16, 1945.*

We, the undersigned members and friends of St. Pauls Evangelical and Reformed Church of Eudora, Douglas County, Kans., are opposed to military conscription in any form, during times of peace.

From the beginning the United States of America has resorted to conscription in defense only, in time of war. Through this policy our country has grown in world power and influence and is now considered one of the great powers of the world.

Now a military-minded group is clamoring for universal military conscription in violation to our historic policy and will lead us to the same pitfalls that has overtaken the countries who believed in military conscription as a policy in peacetimes.

We respectfully petition you to oppose this un-American way.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. JOHNSTON of South Carolina. I continue to read from the bill:

The Commission shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair-employment practice and to take such affirmative action, including reinstatement or hiring of employees, with or without back pay, as will effectuate the policies of this act.

In other words, the Commission would have the right to say, "You must employ this fellow. If you have dismissed him you must put him back to work. If you have not heretofore employed him you must now employ him. If you do not employ him we will take such other affirmative action as we may see fit to take. We will give you a term in jail if you do not obey the order."

I continue to read:

If upon the record, including all the testimony taken, the Commission shall find that no person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact—

Mr. President, I imagine they would bring in about one such finding in a thousand so as to keep from having a batting average of a thousand percent. They would have to do that occasionally. They would have some case made up and would fix it all right. There would be an exception made in order to make a case for themselves, if given the authority provided by this measure. Remember, Senators, this is not a commission such as the body which acted under the Executive order of the President, and which is now in existence. This will be an act with teeth in it.

(e) The Commission shall have power to petition any circuit court of appeals of the United States—

Did Senators notice the word "any"? The Commission would have power to petition any circuit court of appeals of the United States. I wonder why both sides are not given the same right?

PRINTING OF ADDITIONAL COPIES OF REPORT OF TECHNICAL STAFF OF HOUSE WAYS AND MEANS COMMITTEE

Mr. HAYDEN. Mr. President, will the Senator yield to me for the purpose of asking unanimous consent that a House concurrent resolution be laid before the Senate, providing for the printing of additional copies of certain reports to the House Ways and Means Committee, as a courtesy to the House?

Mr. JOHNSTON of South Carolina. I yield provided I do not lose the floor.

The PRESIDING OFFICER. Is there objection?

Mr. WHITE. Mr. President, is this a House concurrent resolution providing for the printing of additional copies of a certain report?

Mr. HAYDEN. Yes. I am asking that it be agreed to as a courtesy to the House.

Mr. WHITE. Mr. President, I think the House is entitled to that courtesy.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona?

There being no objection, the Presiding Officer laid before the Senate the concurrent resolution (H. Con. Res. 121), which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the House Committee on Ways and Means be, and is hereby, authorized and empowered to have printed for its use 4,000 additional copies of the report to the committee of its technical staff relative to the issues in social security.

Mr. HAYDEN. I move that the Senate concur in the House concurrent resolution.

The motion was agreed to.

DIXIE MARGARINE CO., MEMPHIS, TENN.—BILL INTRODUCED

Mr. MCKELLAR. Mr. President, will the Senator from South Carolina yield to me for the purpose of introducing a bill?

Mr. JOHNSTON of South Carolina. I yield provided my right to the floor is not prejudiced.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and the bill will be received and appropriately referred.

The bill (S. 1763) for the relief of the Dixie Margarine Co., a Tennessee corporation, of Memphis, Tenn., was read twice by its title and referred to the Committee on Claims.

THE WORD THAT BLOCKS LASTING PEACE—ARTICLE BY SENATOR FULBRIGHT

(At this point Mr. JOHNSTON of South Carolina, by unanimous consent, yielded to Mr. HILL, who asked and obtained leave to have printed in the RECORD an article entitled "The Word That Blocks Lasting Peace," written by Senator FULBRIGHT and published in the New York Times magazine of January 6, 1946, which appears in the Appendix.)

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. JOHNSTON of South Carolina. I now read subsection (e) of section 10 of the bill:

(e) The Commission shall have power to petition any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) or, if all the circuit court of appeals to which application might be made are in vacation, any district court of the United States, within any circuit or district, respectively, wherein the unfair employment practice in question occurred or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court to which petition is made a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and the order of the Commission. Upon

such filing, the court to which petition is made shall conduct further proceedings in conformity with the procedures and limitations established by law governing petitions for enforcement of the orders of the National Labor Relations Board.

Let us see where the person aggrieved by an order of the Commission may go:

(f) Any person aggrieved by a final order of the Commission granting or denying in whole or in part the relief sought may obtain a review of such order in any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) within any circuit wherein the unfair employment practice in question was alleged to have occurred or wherein such person resides or transacts business by filing in such court a written petition praying that the order of the Commission be modified or set aside. Upon such filing, the reviewing court shall conduct further proceedings in conformity with the procedures and limitations established by law governing petitions for review of the orders of the National Labor Relations Board.

It was found that the rules, regulations, procedures, and limitations in connection with the National Labor Relations Board worked pretty well, so it was decided to try them out.

Let us see about the process of investigation:

INVESTIGATORY POWERS

SEC. 11. (a) For the purpose of all hearings and investigations which in the opinion of the Commission are necessary and proper for the exercise of the powers vested in it by this act, the Commission, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question.

Let that sink in. The Commission could certainly investigate. It could investigate "any matter under investigation or in question." An agent of the Commission might say to a poor little fellow making socks, who employs perhaps a dozen people, "I understand that you had a vacancy in your employ a year ago, and that you employed Mr. So and So, rather than a certain other individual." The agent would be authorized to go through all the records, checking up to see when it was, and snooping to try to find something else. When he was through he would make a note of all those who had been employed or discharged, all those whose salaries had been reduced, and everything else. Do not Senators know that that is what would be done? A poor little fellow who was trying to carry on a legitimate business would be harassed and embarrassed. The process would not help full employment, but would probably work against full employment. If an employer had a vacancy on his staff, and did not need a replacement too badly, he would get along without employing anyone to fill the position. If that were to happen all over the United States, the cumulative effect would be very great. We might have five, six, seven, eight, or even ten million persons in the United States out of employment.

I know people in my State who have closed their businesses because they had been pestered too much. A man can manage to make a living out of his business, keep up with the OPA and all its regulations, and keep up with the labor laws; but if we add another Government agency to investigate him and his business, we know what he will do. He will close his business. So the situation is more serious from that standpoint than many of us realize.

Continuing with the provision relating to investigatory powers of the Commission, I read further from section 11 (a):

Any member of the Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question, before the Commission—

In my State I cannot send over to North Carolina and compel the attendance of a witness who lives across the State line. The bill would wipe out all State rights. A defendant would not even be tried in his own State. Witnesses could be summoned from anywhere, and compelled to attend. If they did not come, it would be too bad.

So the Commission could regulate the attendance and testimony of witnesses, and the production of any evidence relating to any matter under investigation or in question, before the Commission, its members, agents, or agency conducting the hearing or investigation.

Any member of the Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question, before the Commission, its member, agent, or agency conducting the hearing or investigation. Any member of the Commission, or any agent or agency designated by the Commission for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

I am asked why I am opposed to the bill. I cannot see why all this language is necessary, relating in some instances to the employer, and in other instances to labor unions or others, governing the employment or discharge of individuals.

Let us see what would be done if someone should refuse to obey a subpena.

(b) In case of contumacy or refusal to obey a subpena issued to any person, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

The individual does not go before the court, but before the Commission or its agent. The court must issue the order, but the individual appears before the Commission, its member, agent, or agency.

The only thing the court would do if a person did not appear would be to hold him in contempt. That is what the bill provides the court may do. This will be the law.

(c) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture.

This is how it is proposed to reach the books of labor unions. This is the way the Commission will get hold of the books of corporations and individuals.

Then the bill provides that—

(c) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him—

What?—

or subject him to a penalty or forfeiture; but no individual shall be prosecuted—

The Commission would not excuse a man because he produced the evidence it wanted; but first the Commission would get the evidence, and then this is what it would do—

No individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Mr. President, do you know what that provision would authorize the Commission to do? The Commission would be able to say, "We can search your records and get all your records, and if you do not testify according to the evidence we thus obtain we can charge you with perjury." The Commission would say, in effect, "It would not be right to try you for anything we find in your records, but we can turn around and get you on the perjury charge."

Yet, Mr. President, the advocates of this bill talk about protecting the liberties of the people. My goodness! This bill would take away everything that men have fought for during the history of the world; it would take away everything that our English forebears wrested from old King John back at Runnymede. At that time they forced King John to give them the right of trial by jury, and we have had it ever since. But this bill would take away that right. Personally, I do not think the bill would stand up in the Supreme Court if someone raised the point that the bill takes away these rights of the people. Under the circumstances, Mr. President, I cannot understand why the committee did not refer the bill to the Judiciary Committee before reporting it. I do not say that for the reason that I am a member of the Judiciary Committee, because I am not. But, for the life of me, I cannot see how the bill could stand up if someone raised the constitutional question

that the bill takes away the constitutional rights and privileges of the people whom the Commission appointed under the bill would be trying to persecute—not prosecute.

Mr. President, I read further from the bill:

Such attendance of witnesses and the production of such evidence may be required from any place in the United States, or any Territory or possession thereof, at any designated place of hearing.

A person could be required to go to any place in the United States or to any Territory or possession of the United States which the Commission designated as the place for hearing. Mr. President, the Commission would be able to go forth and get a man anywhere, everywhere, and bring him in.

Here is another joker in the bill—I thought there were enough already in it without throwing out a kind of dragnet and saying, "If we have forgotten anything, let it be put in." But when we come to section 12, we find that it provides that—

RULES AND REGULATIONS

SEC. 12. The Commission shall have authority from time to time to make, amend, and rescind such regulations as may be necessary to carry out the provisions of this act. Such regulations shall be effective 60 days after transmission to the Congress unless the Congress has in the interim amended or nullified such regulations by appropriate legislation.

So, the Commission would say, "We will make the law; and if the Congress does not repeal it, it will be the law." That is what the bill provides, in effect. Mr. President, did you ever think we would come to this in the United States? Did you ever think this time would come? Let me read that again:

The Commission shall have authority from time to time to make, amend—

The Commission, not the Congress—

and rescind such regulations as may be necessary to carry out the provisions of this act. Such regulations shall be effective 60 days after transmission to the Congress unless the Congress has in the interim amended or nullified such regulations by appropriate legislation or has adjourned within 30 days after the submission of such regulations.

So, Mr. President, if the Congress adjourned within 31 days, I do not know what would happen. If the Congress adjourned within 31 days, I suppose the Commission's regulations would become the law.

Then section 12 provides:

Such regulations shall include the procedure for service and amendment of complaints, for intervention in proceedings before the Commission, for the taking of testimony—

The bill does not state what testimony could be taken and what could not be taken—

and its reduction to writing, for the modification of the findings or orders prior to the filing of records in court, for the service and return of process and fees of witnesses, and with respect to the seal of the Commission, which shall be judicially noticed, the payment of expenses of members and employees of the Commission, the qualification and disqualification of members and employees and any other matters appropriate in the execution of the provisions of this act.

Mr. President, it would seem that the authors of the bill were afraid they might have forgotten something. They were trying to include everything possible in connection with the proceedings and in connection with the trial and the taking of testimony; but because they were afraid they might have forgotten something, they included the following provision:

And any other matters appropriate in the execution of the provisions of this act.

That provision would give the commission the right to pass laws which would have the same effect as if Congress had passed them. The bill provides that if the Congress was in session only 30 days after such a regulation was issued, the Commission would wait for the Congress to return. But if the Congress was in session and did not do something within 60 days, the regulations would have the effect of law. Mr. President, we all know how long it takes the House and the Senate to enact legislation. All of us know that if someone wished to prevent the passage in the House or in the Senate of a bill amending or nullifying any of the Commission's regulations, it would be easy enough to have the reporting of such a measure by one of the committees blocked. How long does it generally take the House and the Senate to pass a bill? What is the normal time that is required to have a bill passed by the Congress? Is it not more than 60 days? I think everyone who has watched the handling of legislation by the Congress knows how slowly bills and other measures are enacted. This provision of the pending bill would simply give the Commission the absolute right to issue regulations and have them become the law.

The next provision of the bill deals with Government contracts; but before referring to it I think I should say something more about the proposal to give the Commission such extensive rights, because with a commission of the kind that is proposed by this bill, it would be found that the Commission would assume many rights and would issue many regulations—which, of course, would have to be sent to the Congress. Among the regulations there might be a few about which some Members of Congress would say, "Oh, they are all right." But many regulations would be submitted to the Congress at one time, and it would be extremely difficult to determine which ones should be accepted and which ones should be objected to. Who would introduce the necessary bills in that connection? Who would see to it that they were referred to committees, reported from committees, and considered by the House and the Senate? The Senate and the House would be busy with other matrs. I am sorry to say that the reports on such measures, like most other reports, would not be carefully read, though there might be one or two Senators who would read them. If the bill becomes law I shall watch to see how many Senators read them. I am speaking of the regulations, but I presume that I do not have to worry about them. I do not believe that any Senator within the sound of my voice, who has read carefully the bill, will try to have such a proposal enacted into law. If he does, and later returns to his State, after the people there have been pestered under the law, many of them will tell him "good-by" when he becomes a candidate for reelection.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. RUSSELL. I should like to ask the Senator if he has read any of the regulations which have been issued by the Committee on Fair Employment Practice? Those regulations are, of course, somewhat limited in scope when compared to the unlimited powers which would be granted under the pending bill. If the Senator has read some of the regulations of the present Committee, he has observed, no doubt, that the Committee may hold an employer responsible even for the attitude of one employee toward another in the same plant. It is apparent that if the employer does not make the employees of the plant love each other, he is to be punished.

Mr. JOHNSTON of South Carolina. I have read some of the regulations to which the Senator has referred, and if they go as far afield, from the standpoint of power, as some of the provisions of this bill would go in granting power, God pity America. That is my way of looking at the situation.

Mr. President, let us consider the subject of Government contracts. I read from the bill:

SEC. 13. (a) All contracting agencies of the Government of the United States shall include—

I thought that the people of this country had a right to make contracts anywhere in the United States so long as they did not violate the law. However, under the pending bill people would be required to do what? Let us see what is provided for by the language of the bill:

GOVERNMENT CONTRACTS

SEC. 13. (a) All contracting agencies of the Government of the United States shall include in all contracts hereafter awarded, negotiated, or renegotiated by them, except such classes of contracts as may be exempted from the scope of this provision by regulation adopted pursuant to section 12 of this act, a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, national origin, or ancestry, and requiring him to include a similar provision in all subcontracts.

As the Senator from Georgia [Mr. RUSSELL] has said, the employer may be punished for violations committed by employees.

I continue reading:

(b) No contract shall be awarded or executed by the United States or any agency thereof to any person found by the Commission to have violated any of the provisions of this act or to any firm, corporation, partnership, or association in which such person has a controlling interest, for a period to be fixed by the Commission not to exceed 3 years from the date when the Commission determines such violation to have occurred.

An employer could be put out of business for 3 years. How would that help employment? He would not be allowed to make any further contracts with the

United States Government during the 3-year period. I will repeat the language:

(b) No contract shall be awarded or executed by the United States or any agency thereof to any person found by the Commission to have violated any of the provisions of this act or to any firm, corporation, partnership, or association in which such person has a controlling interest, for a period to be fixed by the Commission not to exceed 3 years from the date when the Commission determines such violation to have occurred.

Mr. President, allow me to show how far reaching is that language. Let us assume, for example, a man who has the controlling interest in several operations. Under the terms of this bill, should the bill be enacted into law, he would be unable to obtain a contract from the Government if he had been found guilty of violating the act.

Mr. RUSSELL. Mr. President, I should like to ask the Senator if the language to which he has referred would not practically repeal the laws which now require that when the Government enters into a contract the contract shall be awarded to the lowest bidder. It would deprive many persons of the right to bid, and might cost the Government additional sums of money by being forced to award a contract to some person who had not been put out of business. It would proscribe for a term of 3 years many persons from obtaining a contract with the Government.

Mr. JOHNSTON of South Carolina. Mr. President, in my mind there can be no question about it. It might result in thousands of persons being thrown out of employment, and at the same time cost the Government more money because the prospective contractor who had submitted the lowest bid was prevented for a period of 3 years from securing a contract from the Government.

Mr. RUSSELL. Mr. President, I ask the Senator from South Carolina if he does not believe it to be almost cruel and inhuman punishment to inflict such a penalty on a man who has already been convicted by a kangaroo court under no rule of law and without trial by jury. I ask the Senator if he does not believe it to be cruel and unusual punishment when, in addition to the indignities to which an accused person has already been subjected, he is to be penalized further by being prevented for a term of 3 years from obtaining a contract to do any governmental work.

Mr. JOHNSTON of South Carolina. I entirely agree with the statement of the Senator from Georgia.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. Whom does the Senator from South Carolina believe is more important, the contractor, the rich man, the man who possibly can afford to be penalized for his offense, or the American citizen who, irrespective of his color, creed, or nationality, finds it necessary to obtain work and support his family?

Mr. JOHNSTON of South Carolina. In the way in which the Senator from New Mexico is looking at the situation, I can see how a man could be discriminated against.

Mr. CHAVEZ. I want the Senator's way of looking at it.

Mr. JOHNSTON of South Carolina. It may be to the best interests of the employer's business that he employ a white man instead of a black man, or that he employ a black man instead of a white man.

Mr. CHAVEZ. Does the Senator believe that merely because a man happens to be of a certain color, but is an American citizen and has done his duty in paying taxes and, perhaps, in fighting for his country, he should be prevented from holding a job?

Mr. JOHNSTON of South Carolina. I have not contended for any situation of that kind. I have contended that there are certain types of work which people of some particular race may be better qualified to perform than are the people of some other race. If a white man in my State were required to be associated in employment with a colored man, it would not work. If an attempt should be made to put a colored man to work with a white man, that would not work either. I am telling the Senator what would not work in certain sections under certain types of employment, and this bill covers all kinds of employment.

Mr. CHAVEZ. I do not believe in sectionalism, but in the country as a whole. Is there anything in the bill which would compel any employer anywhere in any section of the United States to hire any person who is not qualified to perform the duties which would be required of him?

Mr. JOHNSTON of South Carolina. No; but it is necessary to find a man who is qualified and can fit into the picture. Under this bill, however, the Commission would not be required to take into consideration whether a prospective employee would fit into the picture.

Mr. CHAVEZ. There is nothing in the bill, I again assert to the Senator from South Carolina, that would compel any employer to give one of any given race, white or black, or any other kind of a citizen, a job, if he did not fit into the picture.

Mr. RUSSELL. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. RUSSELL. Is it not true that the bill would let the Commission say in the first instance whether or not a man was qualified. They are to pass on that. They are given the power to pass upon the qualifications of a man who might complain of discrimination. The employer might say, "I do not think he is qualified," but the Commission could say, "He is qualified, and you are not telling the truth when you say he is not qualified, and are discriminating for some of the reasons which are inhibited by the law." It gives the Commission the power to pass upon the qualifications of an applicant for a job, or the man who is to be laid off, or, worse than that, the man who is to be promoted within the business. That is one of the things to which I am objecting.

Mr. CHAVEZ. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. CHAVEZ. I do not believe the bill provides—it was not so intended—that because a boy is a Negro but is not a carpenter he can get a job as a carpenter because he is a Negro. It states in simple language that there is no compulsion on an employer to give work to a man who is not qualified, or because he is of a particular race or creed, in the way of religion, or of any national ancestry or race. No employer is compelled to do that. All it says is that if Tom Gallagher, an Irishman, who possibly is not liked in certain places, happens to be a carpenter, he must not be discriminated against because he also happens to be an Irishman.

Mr. JOHNSTON of South Carolina. The Senator brought up the question of religion, but I would not under any circumstances raise that question. The Senator will find that, so far as the Jewish people in my State are concerned, I am as close to them as anyone. I have spoken in their synagogues. When it comes to the Catholics, the Senator will find that I am close to them. I myself am a Baptist.

Mr. CHAVEZ. I understand that.

Mr. JOHNSTON of South Carolina. I may say that, as is true of all religious sects, occasionally we have fanatics in the Baptist faith, who sometimes go to extremes, and if they have to work alongside other people, I am just as willing to work them——

Mr. CHAVEZ. As individuals.

Mr. JOHNSTON of South Carolina. According to the bill, if one does not work them, he would be penalized.

Mr. CHAVEZ. He would be penalized if he turned them down because they happened to be Baptists.

Mr. JOHNSTON of South Carolina. It does not say that.

Mr. CHAVEZ. It says that.

Mr. JOHNSTON of South Carolina. If they are to be turned down because of creed, it is because of belief, Christian belief, faith. That is what the word means.

Mr. CHAVEZ. I like all the religions. Does the Senator feel that a member of any religious faith, because he believes in one particular religion should be turned down for a job if he is qualified and fits into the picture?

Mr. JOHNSTON of South Carolina. I do not think that; but this is what will happen if we enact this bill: If a man not of the Jewish belief, goes to a Jew's store seeking employment and is turned down, if he is qualified, and the Jewish proprietor hires someone who is a Jew, then the man may say, "I have been discriminated against," he may allege it. Then he may go into court and prove that a job was open and that the Jewish proprietor did not hire him, but hired a Jew in place of a gentile. Then what would happen?

Mr. CHAVEZ. I will answer that for the Senator now.

Mr. JOHNSTON of South Carolina. The man whose application was rejected will say, "It was because of my faith."

Mr. CHAVEZ. That is exactly what we are trying to reach. If a Jewish shoe merchant comes within the scope of the bill, and is in interstate commerce, and a man of different faith, fully qualified

to be a shoe salesman, applies for employment, I say that under the bill he should not be turned down because he happens to be of another faith, if he is qualified otherwise. Is there anything wrong with that?

Mr. JOHNSTON of South Carolina. Yes. Let me tell the Senator what I stand for. This unfair employment practice bill, if enacted into law, would be a serious departure, right along that line, from the old and traditional American system of free enterprise, the right to choose and the right to act, not to be hampered in any way. That is our American way of life, and that is what I think our boys fought for.

Mr. CHAVEZ. Will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. CHAVEZ. I fully believe in the system of free enterprise, but I still think that the boys fought for and society demands that everyone in a place where free enterprise prevails should stand equal under the law, so far as opportunities are concerned. [Manifestations of applause in the galleries.]

Mr. MAYBANK. Mr. President, a point of order.

The PRESIDING OFFICER. The Chair will admonish the occupants of the galleries that manifestations of any kind are a clear violation of the rules of the Senate, and if anything of the nature occurs again, the galleries will be cleared.

Mr. EASTLAND. Mr. President, will the Senator from South Carolina yield for a question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. EASTLAND. The Senator from New Mexico spoke of a shoe salesman, and said that a Jewish merchant could not discriminate against a gentile if he were otherwise qualified. If this bill shall be enacted, then the Commission will be the judge of that man's qualifications. Is that correct?

Mr. JOHNSTON of South Carolina. That is my interpretation of the bill.

Mr. EASTLAND. Then we take away from an employer the right to judge of the qualification of a worker, and lodge it in a board in Washington. Is not that the effect of the bill?

Mr. JOHNSTON of South Carolina. That is what it does.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. Of course, every time we are working for people as a whole someone has to give up some rights. The Senator knows that, because we believe in law, we can not do many things we would like to do individually. There are many laws on the statute books in which I do not believe, laws against which I voted, but they happen to be the law, and, of course, as a good citizen I have to submit to the law.

Mr. JOHNSTON of South Carolina. The Senator has read the Gallup poll, has he not, which indicates the sentiments of the people is against this bill?

Mr. CHAVEZ. The Gallup poll is not the law of the land.

Mr. EASTLAND. Will the Senator from South Carolina yield to me?

Mr. JOHNSTON of South Carolina. We have passed such a bill as the law of the land. The law of the land today is that this bill shall not be law until it shall be passed and signed.

Mr. EASTLAND. If the Senator will yield for a question, what the distinguished Senator from New Mexico admits, then, is that under the bill an employer relinquishes the right to pass on the qualifications of a worker. Is that it?

Mr. CHAVEZ. No; the Senator is trying to place words in my mouth which I have not uttered.

Mr. EASTLAND. What did the Senator from New Mexico say?

Mr. CHAVEZ. I will tell the Senator what the Senator from New Mexico has in mind. An employer passes on the qualifications, under the bill.

Mr. EASTLAND. What right does it give him? The Senator said he has to give up certain rights. What rights are those?

Mr. CHAVEZ. I did not say anything of the kind. I said that under any law the individual has to submit himself to giving up something.

Mr. EASTLAND. What rights does he give up under the bill?

Mr. CHAVEZ. He does not give up any rights. He gives rights to other parties, submits to law, and agrees that he will behave himself and provide equality of opportunity to every citizen.

Mr. EASTLAND. What rights does he relinquish under the bill? The Senator has said he relinquishes rights. What are those rights?

Mr. CHAVEZ. I did not say anything of the kind. The Senator cannot put words in my mouth. I think I know what I mean. I have been trying to be fair, and I want to be fair under the law we are proposing. If this bill shall pass, the employer, whether he be from the State of Mississippi——

Mr. EASTLAND. What rights does the employer in Mississippi relinquish? That is what I want the Senator to answer. Does he relinquish any rights?

Mr. CHAVEZ. The bill would compel the employer in Mississippi to treat one man just as he treats everybody else.

Mr. EASTLAND. What rights does he relinquish?

Mr. CHAVEZ. Of course, every time a law is passed, one relinquishes some rights.

Mr. EASTLAND. What rights?

Mr. CHAVEZ. The Senator can answer that as well as I can.

Mr. EASTLAND. Does not the Senator know what rights a man relinquishes under his own bill?

Mr. CHAVEZ. It will compel the employer in Mississippi to do what is right in employing workers.

Mr. EASTLAND. The people of Mississippi today do what is fair, and the distinguished Senator from New Mexico has admitted there is no racial discrimination in my State.

Mr. CHAVEZ. That is correct.

Mr. EASTLAND. And there is less in the South than in any other section. I will tell the distinguished Senator that, whether he realizes it or not, he has admitted that under the bill an employer relinquishes the right to pass on the qualifications of an employee, and that right is lodged in a board in Washington, thus absolutely taking away from management the power to control business, and lodging it in a Commission here the personnel of which are communistic.

Mr. CHAVEZ. Mr. President, in answering the Senator from Mississippi, let me say that, while he may not agree with me, yet so long as I am in the Senate I prefer to pay a little more attention to blood and humanity than to management or employers.

Mr. EASTLAND. Mr. President, what the Senator says certainly could not apply to my State, because he has admitted there is no discrimination there. We treat everyone fairly, and it certainly could not be applied to the Senator's State, because his own State legislature has repudiated a bill of this character.

Mr. CHAVEZ. Oh, yes——

Mr. EASTLAND. It certainly could not apply to most of the other great States of this Union, because the people of those States, speaking through their legislatures, have also repudiated this measure.

Mr. CHAVEZ. They have repudiated wage-and-hour legislation; they have repudiated health legislation; they have repudiated many other measures.

Mr. EASTLAND. I do not agree with the Senator.

Mr. CHAVEZ. They repudiated the fourteenth and fifteenth amendments, until the war made that impossible.

Mr. EASTLAND. There is no State in the Union which does not have a health department, and which does not spend large sums of money for promoting public health. If there be such a State I wish the distinguished Senator would name it. I challenge him to do so.

Mr. CHAVEZ. I will name two of them: Mississippi and New Mexico. Both the Senator from Mississippi and the Senator from New Mexico are fighting their hearts out to provide some kind of hospitalization for the mothers, to provide medicine and nursing for the mothers. The Senator knows I am correct in that statement.

Mr. EASTLAND. But my State spends vast sums of money on public health. My State is not as wealthy as is the State of New York, and we cannot, of course, have hospitals such as are found in the State of New York. That is the reason I favor a contribution from the Federal Government. But the statement I made was that there is not a State in the Union which does not have a health department and which does not spend vast sums of money on public health. I challenge the Senator from New Mexico to name one State that does not.

Mr. CHAVEZ. I accepted the Senator's challenge and named two.

Mr. EASTLAND. The Senator named New Mexico.

Mr. CHAVEZ. Yes; and Mississippi.

Mr. EASTLAND. Mississippi, my State, spends more of its per capita income on education than does the Senator's State or the State of New York.

Mr. CHAVEZ. Very well, let us get to that point, so long as the Senator has

brought it up. Will the Senator state to this body the average pay of a white school teacher and the average pay of a Negro school teacher in Mississippi?

Mr. EASTLAND. I do not know about that. I do not have that information.

Mr. CHAVEZ. Very well. I do; and I will give it.

Mr. EASTLAND. My State spends a higher percentage of its per capita income on education than does the Senator's State or the State of New York.

Mr. CHAVEZ. The average pay for school teachers in New Mexico is $110 a month.

Mr. EASTLAND. But the Senator would penalize Southern States for being poor, which is a very unfair position to take.

Mr. CHAVEZ. It is fair possibly in this way. If Mississippi paid more attention to taxing industry properly it could possibly pay more to its school teachers.

Mr. EASTLAND. Industry and business in my State certainly pay a great percentage of their income in taxes.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. MAYBANK. Mr. President, I have in my hand a resolution unanimously adopted by the house of representatives commending those who are attempting to defeat the pending legislation. Since the resolution comes from the State of my colleague and myself, I ask unanimous consent that it be printed in the RECORD.

Mr. CHAVEZ. Mr. President, may I ask a question? Was the resolution adopted by members of the house of representatives?

Mr. MAYBANK. Is it a House resolution?

Mr. CHAVEZ. Adopted by Members of the House of Representatives of the United States Congress.

Mr. MAYBANK. No; by the House of Representatives of the State of South Carolina.

Mr. CHAVEZ. Oh, it is from the Senator's State.

Mr. MAYBANK. Yes. I may further add, that it comes from the house of representatives of the general assembly, which is now in session in the State of South Carolina.

Mr. CHAVEZ. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina?

There being no objection, the resolution was ordered to lie on the table, and, under the rule, to be printed in the RECORD, as follows:

Resolution expressing our thanks for those Members in the United States Senate who are carrying on the fight against the bill for a permanent Fair Employment Practice Commission and to urge them to continue the fight

Whereas there is now pending in the United States Senate a bill, commonly referred to as the Fair Employment Practice Commission, which if enacted in law would be most detrimental to the general welfare of our Nation; and

Whereas a number of Senators are exerting every possible influence to prevent the passage of such legislation; and

Whereas the house of representatives of South Carolina appreciates the efforts being made by these fearless Senators: Now, therefore, be it

Resolved by the house of representatives, That we do hereby express our appreciation to those Members of the Senate who are waging a fight against the pending bill known as the Fair Employment Practice Commission. We urge the Members of the United States Senate and especially those from South Carolina, to continue this fight until the bill is killed; be it further

Resolved, That a certified copy of this resolution be forwarded to each of the United States Senators from South Carolina with the request that the contents of this resolution be recorded in the CONGRESSIONAL RECORD.

Mr. EASTLAND. Mr. President, will the Senator from South Carolina yield for a question?

Mr. JOHNSTON of South Carolina. I yield for a question if it will not take me off the floor.

Mr. EASTLAND. I turn, Mr. President, to a great document of human liberty, the Declaration of Independence, and I invite the Senator's attention to the sections of it in which the American colonists laid a terrible indictment against the King of England and announced that because of his acts the Colonies had set up a free and independent government. What I should like to know is, If the reasons why we rebelled against England would not apply to the pending bill? I read them as they are set forth in the Declaration of Independence, as follows:

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

Does not the distinguished Senator well know that the pending measure, with respect to complaints over which the Commission will have jurisdiction, takes those complaints out of the courts, out of judiciary power, and puts them into hands of a board created in the city of Washington? Am I correct about that?

Mr. JOHNSTON of South Carolina. In my opinion the Senator is correct.

Mr. EASTLAND. I will read another indictment:

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

Does this bill do that when it leaves to the discretion of the Commission and the employees it sends out in great hordes whether they shall summon people before them? Does the Senator think that in that respect this bill comes within the acts which caused our forefathers to rebel against Great Britain?

Mr. JOHNSTON of South Carolina. I think the Senator may judge from what I have said that I think it does.

Mr. EASTLAND. I read further:

For depriving us in many cases, of the benefits of trial by jury.

Does not this bill do the same?

Mr. JOHNSTON of South Carolina. There can be no question about that.

Mr. EASTLAND. I will ask the Senator this question: The newspapers of this country have been full of statements that the opponents of this bill are reactionaries; that southern reactionaries are attempting to defeat a bill to create a permanent FEPC, and that the liberal forces of this country support the measure. I ask the Senator, Who is reactionary—the men who are attempting to maintain the right of trial by jury, the men who are attempting to retain for their fellow men the right to go into court and have a legal adjudication of a complaint, or the men who would sweep away those rights?

I say, Mr. President, the reactionaries are the proponents of this bill because this bill is totalitarian in its nature. Does not the distinguished Senator think that it will radically change our form and system of government and sweep away all the rights and all the safeguards which our forefathers handed down to us when they wrote the Constitution of the United States? What are the Senator's views?

Mr. JOHNSTON of South Carolina. My views are that this bill, if enacted into law, will violate every fundamental principle laid down in that great document. If the bill should be passed and become law it would stir up more strife and discontent. Let me throw out this warning: There are things not covered by this bill. We have in the South approximately 13,000,000 colored people, and the reaction against this kind of law, on the part of people who do not even fall under its provisions, will be such that it will cause hundreds of thousands and even perhaps millions of poor, innocent colored people to suffer. They will suffer because of the reaction against trying to make people do something they feel is wrong. That feeling is almost unanimous in my State and throughout the South. I should hate to see the colored people in my State suffer because of this kind of legislation. Anyone who cares to go back to reconstruction days will see what happened in South Carolina and in the South as a whole, when it was attempted to enforce laws in which the people of that section did not believe. I hate to see suffering brought about by the kind of legislation it is here proposed to enact, which would result in stirring up strife and discontent.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MAYBANK. I ask the Senator if it is not a fact that a law is only as good as is its enforcement? That it is only as good as the jury determines the law to be and the judge rules the law to be?

Mr. JOHNSTON of South Carolina. That is true. I was in favor of prohibition. But when national prohibition could not be enforced, and enforcement began to fall down, Senators will remember the reaction that resulted in the United States. A law cannot be enforced unless public sentiment is back of it.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. EASTLAND. What the Senator is saying is that if this bill is enacted into law it will largely be nullified by the people?

Mr. JOHNSTON of South Carolina. In my opinion it will be.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. Yes.

Mr. EASTLAND. I invite the Senator's attention further to the Declaration of Independence. I say, Mr. President, that here is a document and here are rights which the aliens from eastern and southern Europe are attempting to destroy in America. I read further:

For transporting us beyond seas to be tried for pretended offenses.

In those days the colonists were taken across the seas to England and tried. Under the proposed act a citizen of South Carolina can be taken to New York or to the west coast and tried for pretended offenses. Does not the distinguished Senator think that that indictment by our forefathers would also lie against Senate bill 101?

Mr. JOHNSTON of South Carolina. It looks as if history is repeating itself.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. The Senator from Mississippi stated, or some other Senator stated—I may not be correct in suggesting that it was the Senator from Mississippi—during the debate in the last few moments that if this bill became law it would be nullified. I should like to ask the Senator from Mississippi, or whoever made that statement——

Mr. EASTLAND. I made that statement.

Mr. CHAVEZ. Would he nullify it?

Mr. EASTLAND. Would I nullify it?

Mr. CHAVEZ. Yes.

Mr. EASTLAND. Yes; I would take great pleasure in doing everything within my power to nullify its provisions. I made the statement to which the Senator has referred. What I might do personally, of course, would not determine the viewpoint of the people of this country. However, I made the statement with respect to nullification, in view of the fact that 18 great American State legislatures have refused to pass such a measure.

Mr. CHAVEZ. Oh, no——

Mr. EASTLAND. Please let me finish. That shows that the people of those States do not favor this bill. If the bill were enacted the result would be a situation similar to that which existed in the prohibition era, when, for all practical purposes, New York, Illinois, and other States nullified the prohibition law.

Mr. CHAVEZ. I am glad that the Senator has made the statement he has made, because we now know exactly his position. He means to tell the Senate and the country as a whole that if the Congress, in its wisdom or lack of wisdom, enacts a law under the Declaration of Independence and the Constitution of the United States——

Mr. EASTLAND. Not under the Declaration of Independence, Mr. President; not under the Constitution of the United States. This measure would rape the American Constitution.

Mr. CHAVEZ. Mr. President, the Senator from South Carolina has yielded to me. He has been most kind.

Mr. EASTLAND. I beg the pardon of the distinguished Senator.

Mr. CHAVEZ. The Senator from Mississippi has stated that if Congress should enact a law which he did not like, so far as he is concerned he would be willing to nullify it. No one is more devoted to the Constitution than I am. I am one of the few who dared to disagree with Winston Churchill. I am one of the few who admire him for saying that he did not want to sit at the peace table in order to liquidate the British Empire. I am still enough of an American that I do not wish to sit in this body and liquidate the Declaration of Independence or the spirit of '76.

Mr. EASTLAND. That is what the distinguished Senator is doing. If he will read the Declaration of Independence, he will see that what I am saying is true.

Mr. CHAVEZ. Mr. President, will the Senator from South Carolina yield to me?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. CHAVEZ. Is it not true that so far as the opponents of the bill, as well as the proponents, are concerned, they are trying to argue the bill from the standpoint of the Constitution and the Declaration of Independence?

Mr. EASTLAND. I think that is true.

Mr. CHAVEZ. At any rate, we can assume that every Senator is trying to do his duty under the Constitution and his oath. That being correct, is it not true that the preamble to the Constitution of the United States speaks as follows:

We, the people of the United States—

It does not say, "We, the Irish," or "We, the English," or "We, the Scotch," but "We, the people of the United States."

In order to do what?—

in order to form a more perfect union, establish justice—

Is there anything unjust about fair employment practices?—

insure domestic tranquillity—

Can that be done by according fair play to all?—

provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

That is the preamble to the Constitution of the United States.

Mr. JOHNSTON of South Carolina. The right to trial by jury is also a part of the Constitution, is it not?

Mr. CHAVEZ. Yes; and I am for it.

Mr. JOHNSTON of South Carolina. The bill does not guarantee it.

Mr. CHAVEZ. I am willing to accept the amendment suggested by the Senator.

Mr. JOHNSTON of South Carolina. The bill will have to be amended all the way through.

Mr. CHAVEZ. I am willing to accept the amendment which the Senator from South Carolina has suggested.

Mr. JOHNSTON of South Carolina. The Constitution also provides, does it not, that a man must be tried in the vicinage near where he lives?

Mr. CHAVEZ. That is correct. I am for it.

Mr. JOHNSTON of South Carolina. Under the terms of the bill he could be brought to trial anywhere in the country.

Mr. EASTLAND. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield, provided I do not lose the floor.

Mr. EASTLAND. Our able friend from New Mexico read the preamble to the Constitution, and stated that he loved that document. Yet with his own right hand he is attempting to strike down the rights guaranteed therein to citizens of this country. If the bill should be enacted—and I do not think it will be—its provisions would be nullified by an outraged American people who love the American system of government.

Mr. CHAVEZ. It depends upon whether or not the Senator wishes to see a return to wages of $1.50 a day. If that is the test of Americanism—and I do not believe it is——

Mr. EASTLAND. I should like to know what $1.50 a day has to do with this bill.

Mr. CHAVEZ. It has a great deal to do with this bill. Let me ask the Senator from Mississippi a question.

Mr. EASTLAND. Mr. President, will the Senator from South Carolina yield so that the Senator from New Mexico may ask a question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. The Committee on Education and Labor, for the benefit of American human beings, is about to recommend a minimum wage of 65 cents an hour. Will the Senator from Mississippi vote for it?

Mr. EASTLAND. The Senator from Mississippi will cross that bridge when he comes to it. That is not the bill before us. The statement I made was that the bill had nothing to do with a wage of $1.50 a day. The Senator from New Mexico challenged my statement, and to prove his point he referred to a bill which is still before the committee, and which he hopes will be reported. If the Senator from South Carolina will permit me to do so, I should like to make a statement to which, I feel sure, the Senator from Maine [Mr. WHITE] will agree.

Mr. WHITE. Mr. President, I do not wish to be committed in advance.

Mr. EASTLAND. The Senator told me that he would agree to it. If the Senator from South Carolina will yield to me, I should like to make a statement, provided it does not prejudice his rights.

Mr. JOHNSTON of South Carolina. If unanimous consent may be given that my right to the floor shall not be prejudiced, I shall be glad to yield. I do not wish to lose the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi? The Chair hears none.

Mr. EASTLAND. The distinguished Senator from New Mexico mentioned the minimum wage bill. The statement which I have to make is this:

It has been charged that this is a filibuster. Whether or not it is a filibuster I do not know, but if it is a filibuster it is a filibuster within a filibuster, because the principal filibuster is for the purpose of preventing the enactment of legislation which would settle the disputes between capital and labor, or prevent such measures from even reaching

the floor of the Senate. We came here on the 14th of January with the wheels of American industry locked. We came here with the American people up in arms and outraged at conditions, and demanding that adequate legislation be quickly enacted. It was well known that Senate bill 101 would provoke a long controversy. So this bill is brought to the floor of the Senate for two purposes. First, it would take the minds of the people of the country off the present disputes between management and labor. Secondly, it would prevent action on adequate measures to settle the curent wave of strikes in this country.

The Committee on Education and Labor did not speedily report adequate legislation. I do not believe that the President's program goes far enough. I believe that there must be some amendments to strengthen it. I am prepared to offer such amendments.

Mr. CHAVEZ. Mr. President, will the Senator from South Carolina yield so that I may ask the Senator from Mississippi a question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. Does not the Senator believe that the President's program goes far enough so far as minimum wages are concerned? He recommends 65 cents an hour. Would the Senator wish to make it 75 cents?

Mr. EASTLAND. If the Senator will allow me to conclude my statement, I will appreciate it. The Senator's question is foreign to what I am talking about.

The Committee on Education and Labor, instead of reporting a bill dealing with the current situation, proposes to report a minimum-wage bill, which will provoke long discussion and a great fight. I submit that it is the strategy of the CIO to prevent the Congress of the United States from enacting legislation; and I serve notice here and now that when the minimum-wage bill reaches the floor of the Senate—and I understand that will be in a few days—I shall move to substitute for it adequate legislation to settle the differences between management and labor.

I thank the Senator from South Carolina.

Mr. CHAVEZ. Mr. President, will the Senator from South Carolina yield to me for a brief statement? He has been so kind and indulgent that I really feel embarrassed.

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. I join with the Senator from Mississippi in his desire to obtain action on all legislation which needs attention, including labor legislation. As soon as we are through with this bill we will get together with the Senator from Mississippi and try to consider the legislation which he so much desires.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield, provided I do not lose the floor.

Mr. EASTLAND. The country should know that the southern delegation in Congress is not conducting a filibuster to prevent legislation which would promote adequate production and start the wheels of industry turning.

Mr. CHAVEZ. Mr. President, will the Senator from South Carolina yield to me so that I may ask the Senator from Mississippi a question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. That being the case, will the Senator from Mississippi tell me, as a practical matter, what other legislation besides the bill under discussion could the Senate vote on this afternoon?

Mr. EASTLAND. There are a number of bills on the calendar. As the Senator well knows, amendments could be offered to any one of those bills looking toward the settlement of labor controversies.

Mr. CHAVEZ. Is not Senate bill 101 now being considered?

Mr. EASTLAND. We are currently considering the Journal of Thursday, January 17, 1946.

Mr. CHAVEZ. Senate bill 101 is now being discussed by the Senator from Mississippi. Could not the amendments which he desires be added to that bill?

Mr. EASTLAND. Mr. President——

Mr. CHAVEZ. There is nothing which would prevent the Senator from Mississippi from amending this bill, if his desire is sufficiently great to have it include some labor legislation.

Mr. EASTLAND. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. EASTLAND. Let us be perfectly frank about this thing. Of course it was well known that this bill would provoke much discussion and create a great fight which would arouse the people of the country and divide them into opposing camps. I submit that that is the reason why it was brought here. It was to prevent the consideration of adequate legislation to bring about the reconversion of industry and hasten the production of peacetime commodities.

Mr. CHAVEZ. Mr. President, will the Senator yield so that I may ask the Senator from Mississippi a question.

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. The Senator knows, does he not, that he could offer any amendment he might desire to offer, even if it related to the new scientific discoveries?

Mr. EASTLAND. Of course it could be done; but as a practical matter the Senator knows that that method would not be effective, because there would be a great fight on this bill.

Mr. CHAVEZ. Or on any other bill if such amendments were offered.

Mr. EASTLAND. Oh, no.

Mr. CHAVEZ. The Senator loves a fight.

Mr. EASTLAND. I do not know about that. I do not love a fight. I want to see legislation which will meet the present crisis. With all due deference to my friend from New Mexico, his action in calling this bill up and in provoking this controversy is preventing the enactment of such legislation. I serve notice now that I will not be a party to any CIO scheme—and I am sure my friend will not, either to prevent the enactment of adequate legislation. When the minimum wage bill comes before us I will move to substitute some measures for it which would settle the strike situation and give us production and employment in this country.

Mr. CHAVEZ. Could not it be done faster if the Senator attached it to this bill? We would gain time that way; would we not?

Mr. EASTLAND. The Senator knows very well that that could not be done. Let us not try to fool ourselves or to fool anyone else in the country. There is a filibuster within a filibuster, if this is a filibuster; and I am not going to be a party to depriving the American people of the legislation which they need and which they want.

Mr. CHAVEZ. I shall ask the Senator, with the permission of the Senator from South Carolina, another question: If the Senator's amendments to the minimum wage law——

Mr. EASTLAND. I did not say "amendments"; I said "substitutions."

Mr. CHAVEZ. Very well; if the Senator's substitutions are defeated, will the Senator from Mississippi let that measure come to a vote?

Mr. EASTLAND. To what measure does the Senator refer?

Mr. CHAVEZ. If after the Senator from Mississippi submits his amendments and tries to obtain a substitute, which he has a right to do——

Mr. EASTLAND. Yes; and I shall avail myself of that right.

Mr. CHAVEZ. Yes; and that is proper. In case that substitute should be defeated, would the Senator from Mississippi be ready, then, to have the Senate take action on the measure?

Mr. EASTLAND. On which bill?

Mr. CHAVEZ. On that bill, when it comes up.

Mr. EASTLAND. Does the Senator mean the minimum-wage bill?

Mr. CHAVEZ. Yes.

Mr. EASTLAND. Mr. President, I have utterly no idea of engaging in a filibuster against the minimum-wage bill. That is a matter which the Senate itself can determine. I cannot tell the Senate what bills shall come up and what bills shall be voted on. But so far as I personally am concerned, I have no idea of conducting a filibuster against that bill. I shall offer some amendments to it.

Mr. CHAVEZ. Mr. President, the Senator from Mississippi has stated that the Senate can take up the bills which it should take up, except this particular one.

Mr. EASTLAND. I said this bill is part of a plan to prevent congressional action on adequate legislation to settle the disputes between management and labor.

Mr. CHAVEZ. And the Senator is not willing to let the Members of the Senate be counted on the question whether they feel that way.

Mr. EASTLAND. O Mr. President, I have a long time to talk on this bill, and that was known when it was brought up. I admit that it was a very smart move.

Mr. JOHNSTON of South Carolina. Mr. President, question has arisen about the Bill of Rights. This unfair employment practice act, if enacted into law,

would be a great departure from the old and traditional American system of free enterprise, the right to choose to do and the right not to do certain things, and it would hamper the people of America with respect to the right, that has always been enjoyed by employers, to utilize their own sound judgment in the selection of loyal and capable employees, and the same effect would also be had upon the persons being employed.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I will yield for a question.

Mr. MAYBANK. I should like to ask the distinguished Senator from South Carolina if it is not a fact that if this bill should be passed, those who would be apprehended by the Commission would be denied the right of jury trial.

Mr. JOHNSTON of South Carolina. That is true.

Mr. MAYBANK. Insofar as law enforcement is concerned, I should like to ask the Senator whether there were any lynchings in South Carolina during his two administrations as governor of that State.

Mr. JOHNSTON of South Carolina. There were no lynchings during my two administrations as governor—and none during the Senator's administration as governor—and there have not been any since then.

Mr. MAYBANK. I thank the Senator for that remark.

I also ask the Senator whether there have been any disorders or riots in South Carolina in the last generation.

Mr. JOHNSTON of South Carolina. To the best of my recollection, we have not had any riots or lynchings in South Carolina during all that time.

Mr. MAYBANK. During the war our people worked hand in hand in the war effort, without strikes, riots, or confusion because of outsiders, did they not?

Mr. JOHNSTON of South Carolina. That is true.

Mr. MAYBANK. But if this bill passes, will we not have interference?

Mr. JOHNSTON of South Carolina. I believe this bill will bring about trouble.

Mr. MAYBANK. I thank the Senator.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield to the Senator from Mississippi for a question.

Mr. EASTLAND. Did the Senator attend the committee hearings when Senate bill 101 was under consideration in the committee?

Mr. JOHNSTON of South Carolina. I was present for probably 1 day.

Mr. EASTLAND. Has the Senator read the hearings and does he know what they contain?

Mr. JOHNSTON of South Carolina. I have and I do.

Mr. EASTLAND. Was there any proof before the committee of widespread discrimination in the United States because or race, religion, creed, or national origin? Is there in the record any proof of that sort which would justify the passage of so drastic a measure as the one which is now pending before the Senate?

Mr. JOHNSTON of South Carolina. I do not think there is anything in the record which would justify the enactment of drastic legislation of this kind.

Mr. President, it cannot be disputed by any man of common wisdom and judgment that under the American system of competitive free enterprise, which system has built America since the days of Plymouth Rock, a man has been able to excel and make progress because of his ability to judge men and women and to surround himself with employees whom he can trust and who can produce more and better goods and services. It further cannot be disputed that it is through the system of competition and improvement that the said system of free enterprise has succeeded in America when it has failed in other countries. Therefore, it follows that any proposal to deprive the businessman and farmer of the basic privilege of passing judgment on the choice of his employees, as well as the opportunity of the employees to pass judgment upon the endeavors of the employer, and to transfer the final determination of those matters to a bureau or commission in the Capital of the United States smacks strongly of totalitarianism and all the other isms foreign to the American people.

This proposal, if it were enacted into law, would definitely and most certainly set the stage for a new era of racketeering and blackmailing in America—something such as we have never known. It would result in the filing of thousands upon thousands of court actions and lawsuits by trouble makers and professional agitators who owe their existence and their increases in salary to the fact that they are capable of using their energies to stir up the prejudices of the American people and cause all the trouble possible under any given circumstances. The businessmen and farmers of this country in the postwar period, with the billions of dollars of war debt to be paid, will have a big enough problem trying to make a living for themselves and to furnish jobs and employment to millions of American citizens, to pay their taxes and to help maintain a strong economy, without having added to their burdens this additional program of harassment and bureaucratic interference.

As a practical matter, any disgruntled or disappointed job seeker would be enabled to file a complaint with the so-called FEPC agent, and, with our own Government furnishing him a champion and a trained lawyer, be enabled to force an employer to suspend his own work and be haled into court for a hearing before the all-powerful FEPC agent. I do not know where they would have him report, but it could be anywhere in the United States or in some of the possessions or Territories of this great Nation of ours. For instance, if an employer in South Carolina were haled into court for doing something which he believed to be right, thus causing him untold agony and expense, what encouragement would that be to him to further continue his practice of free enterprise in his business? The so-called FEPC would certainly invite thousands upon thousands of trumped-up lawsuits and court actions by the shysters who would have as their only hope a settlement with the employer for a price and an extortion. Do you think, Mr. President, that prejudice should be a commodity bootlegged all over this country, causing and stirring up strife and trouble? There is no question in my mind but that this measure would legalize and attempt to dignify the activities of those who would practice shysterism and blackmail all over this land of ours.

How shall we ever balance the budget if we continue to set up boards and commissions similar to the one the FEPC bill proposes? As I read a few minutes ago, it would be composed of five members with 5-year overlapping terms, with each member drawing an annual salary of $10,000. That would mean salaries for the five members at a total of $50,000 per year, besides the enormous expenses always attached to bureaus and commissions in Washington, and especially in the case of an agency which would be granted all the privileges which would be provided for this particular board. It would be impossible to foresee the large outlay of expenditures which would be appurtenant to this abominable FEPC.

The FEPC could and would, according to Senate bill 101, designate one of its members, and any number of agents and employees. It could empower such member to conduct trials, or mock trials, against honest employers anywhere in America. There would be placed no limit on the number of such agents to be appointed, or of such agents to be delegated in reference to any one case. The citizens of America could be subpenaed and forced to attend any of the mock trials at any place in this country. Have Senators ever thought of this in reading the bill? The qualifications of such a one-man court would be determined not by the Congress of the United States, but by the FEPC in accordance with its granted rule-making power and authority.

This Commission known as the FEPC, or any of its agents, would, according to section 9 of the bill, have the power to enter places of private business, conduct searches, and examine and copy any evidence of any person being investigated or proceeded against by any such agent. The contemptible part of the bill is that it makes no requirement as to probable cause for such search, or the need of a search warrant.

It should be remembered that even the OPA, with all the powers which it possessed during wartime, did not have such right of search as would be given under this bill. While I was Governor of South Carolina I recall that several OPA agents came to one of our law-enforcing officers and asked him if he would obtain a search warrant under the pretense that whisky was located at a certain place, and while making a search, endeavor to find some illegally held ration stamps. When such schemes were used by the OPA, do not Senators believe that they would be used also by the FEPC? Would not such a search be a violation of both the spirit and intention of the provision of the Constitution of the United States, prohibiting unlawful searches and seizures? Under section 14 of the bill, if a victim should willfully resist, attempt to prevent, impede, or interfere with such an unlawful search,

he would thereby become a criminal and be subject to a fine of not more than $5,000 or imprisonment for not more than 1 year, or both. I ask Senators to listen to and ponder section 14 of the bill. I read it:

WILLFUL INTERFERENCE WITH COMMISSION AGENTS

SEC. 14. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Commission or any of its referees, agents, or agencies, in the performance of duties pursuant to this act, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both.

Even the proponents of this bill will concede that section 14 goes too far. Do Senators believe that we want to give up our rights in this country? Personally, I do not believe the Congress of the United States can give to any agent the powers which are provided for in this language. I believe that to do so would be contrary to the Constitution of the United States. Any person would know it after studying law for only 2 days.

I wish further to bring to the attention of Senators that section 6 (f) of the measure provides that all employees of the present Committee on Fair Employment Practice, as now set up by Executive order, shall be transferred to and become employees of the permanent FEPC. What does this mean? It means that by the passage of this bill the Congress of the United States would, in effect and of its own initiative, endorse, approve, and rehire each and every present employee of the Committee on Fair Employment Practice.

I wisn now to read the separability clause.

SEPARABILITY CLAUSE

SEC. 15. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the remainder of such act or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

In other words, Mr. President, it is said, in effect, "We will try this." If it does not work we will probably get something out of it. "We will have at least that much."

We now come to definitions. Senators know what the Federal courts have held about the word "person." Whether a person lives in this country, or has lived here in the past, whether he has lived in Japan, Germany, or in some other country, and whether he has taken out his papers to become a citizen of the United States or has said, "No; I will never become a citizen of the United States; I will hold my citizenship under Hitler if he is still alive, or I will hold my citizenship in Japan," a person is a person; he is a human being. Let me read from section 16.

DEFINITIONS

SEC. 16 (1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

Mr. President, allow me to explain how far-reaching that language is. It includes the words "partnerships, associations, corporations," and so forth. Let us assume, for example, that I am a director of a corporation and something takes place within that corporation which the FEPC considers to be a violation of the terms of the act. In that event I can be brought before it and tried. The representatives of the Commission may say, "It happened in your corporation and you are guilty. So we will try you."

Mr. President, I never thought that I would see such a bill in the United States Congress.

Let us see what the word "employer" means. I read further from the bill.

(2) The term "employer" includes any person acting in the interest of any employer, directly or indirectly, and includes the United States and every Territory, insular possession, and agency or instrumentality thereof—

The language includes the words "acting in the interest of any employer, directly or indirectly." The authors of the bill are leaving out nothing—

and includes the United States and every Territory, insular possession, and agency or instrumentality thereof.

(3) The term "labor union" includes any organization in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning the terms or conditions of employment.

Proceeding, the bill provides—

Unless otherwise specified, the term "Commission" means the Fair Employment Practice Commission created by section 5 of this act.

It takes in everything not specified. The bill reads further:

The term "Committee" means the Committee on Fair Employment Practice established by Executive Order No. 9346 of May 27, 1943.

Notice the bill uses the word "commerce." It gives a definition of that.

The term "commerce" means trade, traffic—

Any kind of traffic between the States—

commerce—

Any kind of buying and selling between the States—

transportation—

Anything that crosses the line, if the two words are put together—

or communication—

Look out, radio—

among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or Territory or the District of Columbia or any foreign country.

Listen to this, and note how closely the next term is defined:

The term "affecting commerce" means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

I do not know what else could have been added there.

Mr. President, I have here a list of the employees of the FEPC. It is such a long list, there are so many employees, that it is difficult to read all the names, but for the information of the Senate permit me to say that the FEPC has employed 59 percent from the colored race, and 41 percent from all other races. That is the ratio.

Mr. President, I hold in my hand some remarks made on this bill by Clark Fisher, of Texas, which I should like to read into the RECORD. First he says:

The bill would delegate tremendous legislative and judicial powers to a Government bureau whose decisions and orders would be supreme. Those powers of control and regimentation would vitally affect the private property rights of the people against whom they should be exercised. Moreover, the victims of such arbitrary actions would have no recourse of control over the men who would thus judge them and govern them. Such a scheme is contrary to my concept of the meaning of democratic representative government.

I agree with him thoroughly.

II

The measure would set up a colossal peacetime bureaucracy. It would authorize the indiscriminate employment of employees and agents without limitation as to number. It is a move to perpetuate and make permanent a temporary, wartime agency and to prolong its existence long after the emergency ends. It delegates to that agency increased and dangerous powers of control and regimentation far beyond anything ever before proposed in this country. The bill should appeal to those who believe in Government by bureaucracy and others who do not have faith in government by representatives of the sovereign people who are responsible to the will of the people being governed.

III

The bill is a departure from the traditional American system of free enterprise with respect to the right that has always been enjoyed by employers to use their own sound judgment and discretion in selecting loyal and capable employees. Under the American system of competitive free enterprise, a man has been able to excel and make progress because of his ability to judge men and surround himself with employees whom he could trust and who would produce more and better goods and services. It is through that system of competition and improvement that private enterprise has succeeded in America when it has failed in other countries. It therefore follows that the proposal to deprive the businessman and farmer affected by this bill of the basic privilege of passing judgment on the choice of his employees, and of transferring that final determination to a bureau in Washington, smacks strongly of totalitarianism.

IV

The bill, if enacted, is extremely unfair to the Negro race in America, for whose alleged benefits it is designed. The measure would be unenforceable. Its attempted enforcement would have the natural effect of resulting in strikes, riots, and violence and bringing about racial prejudices and discrimination. It is manifestly unfair to the American Negro because it would retard his progress and would be calculated to foment racial feeling and bitterness against him.

V

The proposal, if enacted, would set the stage for a new era of racketeering and blackmailing in America. It would result in thousands of lawsuits being filed by troublemakers and professional agitators. Businessmen and farmers will have a big enough problem of trying to succeed in their business enterprises, pay their tax bill, provide jobs, and help maintain a strong economy in the postwar years without having added to their burdens this additional program of harassment and bureaucratic interference.

Any disappointed job seeker would be enabled to file a complaint with a Fair Employment Practice Commission agent, and thereby, with the Government furnishing him a champion and a trained attorney, be enabled to force the employer to suspend his own work and be hailed into court for a hearing before the all-powerful Fair Employment Practice Commission agent. This set-up would invite thousands of trumped-up lawsuits by the shysters who would hope to settle with the employer for a price. Prejudice would thus become a commodity to be bootlegged. The measure would therefore legalize and dignify the activities of those who would practice shysterism and blackmail in this country.

Instead of providing jobs for people, the bill would bring about a great deal of unemployment, because employers would be afraid to employ many persons whom they would otherwise employ. Under the bill they would be afraid some question might be raised if two persons asked for the same job, one of whom might be white and the other colored, or one might be Japanese, one a German, and one an American.

Let us put ourselves in such a position. If there were three or four persons seeking the same job and they were of different races, of different nationalities, what would we do? Would we not turn it over in our minds. Would we rush in and employ any one of them, or would we hesitate and wait and ponder and look over the situation, and say, "Can I make out such a case that I can convince the Commission that I have not discriminated?" If an employer had had one experience of being called before one of the agents or commissioners, or a "kangaroo" court, or whether it may be called, and had experienced what must be gone through, I believe that if jobs open, and applying for them were two or three who might be of different races, colors, or nationalities, the employer would certainly hesitate a long time before he would fill the position, unless it were absolutely necessary to do so. What would that cause, Mr. President? I believe Senators will agree that it would cause unemployment in America.

At a time when great numbers of people, running into the millions, are on strike, and many vitally important matters should be before us for consideration and action, such legislation as this is brought before a body which is supposed to be the most august and deliberative body in the world. Is it right to bring a matter of this kind before the Senate of the United States, and keep Members of the Senate away from the meetings of the Committee on Education and Labor, before which so many important bills are pending at the present time? No Senator can be in two places at one time. No Senator can be in committee and on the floor of the Senate at the same time.

Mr. President, until recently a rule of the Senate has been made use of in order to keep any bills from being introduced or any reports of committee from being submitted to the Senate. I have not done such a thing. I do not think any Senator debating against this bill has at any time objected to any committee report being submitted or any bill being introduced. It will be found, however, that those who oppose and object to the introduction of bills—and one Senator can object and prevent any bill from being introduced, or any report from a committee being received—are those in favor of the bill. Let us place the blame where it belongs. Let us place the burden on the shoulders of those on whom it should rest.

Mr. President, we cannot consider proposed legislation in the Senate until it is on the calendar. Bills cannot be placed on the calendar unless they are introduced, and even after they have been introduced they cannot be placed on the calendar until they have been sent to a committee and reported from the the committee. So when one Senator objects to another Senator introducing a bill, he is thereby choking off legislation and choking off committee consideration. He does not even permit a committee to take up legislation which might be of vital interest to the Nation.

Mr. President, should a complaint be filed by a Nazi, Jap, or other alien who might be a disgruntled or disappointed seeker of a particular job, then the businessman or the farmer against whom the complaint is filed would not be allowed or permitted to have a jury trial by jurors who are his fellow countrymen and his own peers. Not only that, but he could not seek redress in his own local courts. The defendant might say "I want to be tried in the United States court. I want my case tried in the Federal court." But he would have to have his case tried before agents of the Commission. He would be at the complete mercy of the FEPC in Washington and the agent who happened to be in charge of prosecuting him. If this victim should be found guilty he would be forced to hire, rehire, or promote the complaining party, possibly with back wages from the time the alleged act of discrimination occurred.

The proponents of this bill seem to take pride in section 8 of the bill and say it is not so bad as we would claim, because the victim is entitled to have his conviction reviewed by the court on appeal. They would imply that such right would protect a defendant against injustices that might be imposed upon him by the denial of the right of a jury trial. That contention, however, is misleading and is one of the many hidden aspects or jokers in the bill. Section 8 is really hollow and meaningless as everyone knows who has studied it.

Now I ask, What does section 8 provide and what protection does it give to the employer? It provides that FEPC enforcement orders are subject to judicial review in the same manner, to the same extent, and subject to the same provisions of law as in the case of the National Labor Relations Board. What does the National Labor Relations Act provide in cases of judicial review? The act provides that the defendant may petition any circuit court of appeals of the United States, or if all the cricuit courts of appeal to whom application may be made are in vacation, any district court of the United States.

Then, what would the circuit court pass upon, where a judiical review is followed in the case such as whether a complaint was properly filed, and so forth? But remember that section 10 (e) of the act provides that the findings of the board as to facts, if supported by evidence shall be conclusive. In other words, the reviewing court would not have the power to pass on the credibility or the truthfulness of the witnesses who testify in the hearings before the FEPC agent. It would never have the opportunity of passing upon the truth or falsity of the testimony. It would never be able to pass upon the issue of whether or not it is a manufactured or trumped-up law suit by a blackmailer. It would not pass on the fallacy of the findings made by the FEPC agent, and the Commission in Washington. Then another thing: It would not be permitted to pass any judgment on the effect of the FEPC order which might be cast upon the defendant's business or upon the morale of his employees. No; the court is allowed only to examine the record in such a case to ascertain if the order objected to is supported by any evidence, if the technical proceedings were technically complied with. Therefore, for all practical purposes, the right of judicial review means exactly nothing, insofar as the protection of the rights of an employer is concerned. Thus, I submit, that the wisdom of employment practices and property rights would by the terms of this bill be at the mercy, whims, and prejudices of the FEPC and its agents. Their findings on the facts sustained by any evidence at all, even a scintilla of evidence, would be subject to no review whatever in the courts of our land.

Better look out, Senators! Better look out, Representatives in Congress! At the moment I do not see the Senator from New Mexico on the floor of the Senate, but I should like to know how many colored people he has working for him in his office. Is there any other Senator who would like to speak up and tell us how many colored persons are employed in his office? Does any Senator employ colored girl stenographers? Will any Senator present speak up if he knows of a Representative, among the 435, who employs colored girls as stenographers? I wonder if we should not begin at home to clean up a little bit first, before venturing out into other fields. That reminds me of the Biblical quotation with respect to the beam and the mote. Mr. President, it seems to me we have something mighty big in our own eyes.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MAYBANK. In view of some of the statements which were made on the floor of the Senate today I ask my colleague if it is not a fact that we have a very good Negro college in South Carolina located at Orangeburg?

Mr. JOHNSTON of South Carolina. We have one of the best that I know of.

Mr. MAYBANK. I ask my colleague if it is not a fact that both he and I, on every occasion, have tried to assist the colored people to better themselves?

Mr. JOHNSTON of South Carolina. That is true. I think most of us have done so.

Mr. MAYBANK. I should like to state for the benefit of the Senate that today, through our efforts, there has been allotted to that college in South Carolina

a large new housing unit to be used by the colored veterans of South Carolina who desire to return to college. I ask my colleague if he does not fully agree that that is what we should have done to better the condition of the colored people in trade, in business, and generally in an economic way? A place in Orangeburg, S. C., has been provided where returning colored veterans of our State may go to school. They applied for it. The president of the college applied for it, and asked the assistance of the Federal Government.

Mr. JOHNSTON of South Carolina. That is true. The Senator has mentioned our State. I think the records will bear me out in the statement that so far as education is concerned, the salaries of colored teachers in South Carolina are more than twice as much as they were when I went into office in 1935. I was governor for 6 years since then, and the Senator was governor prior to coming to the United States Senate. I tried as best I could to solve the problem without unbalancing the budget of South Carolina.

Those who study the economy of the United States know that South Carolina and other Southern States do not have the wealth possessed by other States of the Union. For that reason, sometimes it is difficult for us to do everything we would like to do for the various agencies of our State. Both in committees and on the floor of the United States Senate I have tried to obtain help from the Federal Treasury to equalize the opportunities of all peoples, and to see that the people in all sections are given the same privileges, and, as nearly as possible, the same salaries for the same kind of work, throughout the United States.

Mr. MAYBANK. Mr. President, will Senator further yield?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. MAYBANK. The Senator speaks of education. Is it not his opinion that the solution of any economic problem—leaving out of consideration discrimination against the South and the West in the matter of freight rates—lies in an educated people, and the ability to educate our people?

Mr. JOHNSTON of South Carolina. That is my philosophy, and I believe it will be proved to be true. In my opinion, we cannot successfully legislate against the wishes of the people.

Mr. MAYBANK. I should like to ask the Senator a further question. Is it not a fact that the largest interest that the colored people have in South Carolina is in the land which they till?

Mr. JOHNSTON of South Carolina. That is true. They have been closer to the land than any other race.

Mr. MAYBANK. Is it not true that discriminations against the South, including discriminatory freight rates and many other discriminations, have prevented our industrial development over a period of many years? Is it not a fact that during the Senator's administration as Governor—and the same was true during my administration as Governor—the Senator was instrumental, as the chief executive of the State of South Carolina, in having certain property taxes removed? Is it not a fact that today we have no State property tax on anyone in South Carolina, whether he be black or white?

Mr. JOHNSTON of South Carolina. That is true.

Mr. MAYBANK. Has not that accrued to the benefit of the colored people?

Mr. JOHNSTON of South Carolina. That is true. I think it has helped all the people of South Carolina. There are no taxes on real estate, household goods, mules, or anything of that character. Such taxes were removed by my veto of certain items in an appropriation bill; and they have never been restored.

Mr. MAYBANK. I thoroughly agree with the Senator. The Senator well realizes that other taxes were removed. Does not the Senator believe that many a poor person's home—whether he be black or white—and many a poor person's household belongings are his today because there is no property tax in the State of South Carolina?

Mr. JOHNSTON of South Carolina. There is no question that that fact has helped a great deal.

Mr. MAYBANK. Despite our lack of income as compared with New York or Pennsylvania.

Mr. JOHNSTON of South Carolina. A great deal has been said about the $1 poll tax in my State. That has been in existence ever since it was instituted in reconstruction days. It was placed in the constitution and the legislature cannot remove it except by a two-thirds vote of the house and senate. The State senate passed a bill abolishing the poll tax, and sent it to the House, but in the House it failed of the necessary two-thirds vote. That is what we have been up against. We did not place the poll tax in operation.

Mr. MAYBANK. Was it not the carpetbagger government, the scalawag government, which approved the poll tax?

Mr. JOHNSTON of South Carolina. It was instituted during their administration. That is true.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. I am sure that neither the senior Senator from South Carolina nor the junior Senator from South Carolina is any more opposed to carpetbagging than I am. I despise it. In New Mexico we lived under a carpetbag government for many years, until we became a State.

There are different schools of thought with reference to the elimination of the property tax. Some think it is good and some think it is bad. The question which I wish to propound to the Senator from South Carolina is this: Were the whites or the blacks more greatly benefited by the removal of the property tax? Who owns the property in South Carolina?

Mr. JOHNSTON of South Carolina. It will be found that the whites own most of the property. Who own most of the property in the Senator's State—Mexicans or United States citizens?

Mr. CHAVEZ. United States citizens.

Mr. JOHNSTON of South Carolina. Do any Mexicans own property in the Senator's State?

Mr. MAYBANK. Mr. President——

Mr. CHAVEZ. Just a moment. I wish to answer the question. The Senator calls them Mexicans only because of their national origin; but they are Americans. I am an American, and I am not begging the permission of anyone to be an American, notwithstanding my national origin. In the State of New Mexico people with Spanish names or Mexican names own property, as do people with English names, and people with many other kinds of names.

Mr. JOHNSTON of South Carolina. Does the Senator mean that persons other than American citizens own property?

Mr. CHAVEZ. If a man is willing to die for this country—and many of those from New Mexico died for this country——

Mr. JOHNSTON of South Carolina. I am asking whether a Mexican who is not naturalized may own property in New Mexico.

Mr. CHAVEZ. I do not recall——

Mr. JOHNSTON of South Carolina. He cannot do it. That is the law.

Mr. CHAVEZ. Just a moment. I wish to set the Senator from South Carolina aright. People of Spanish ancestry were born in what is now the State of New Mexico long before people of English stock got to Savannah. They are Americans by the grace of God, and nothing else. They are referred to otherwise possibly because of their names. In New Mexico those people are not Mexican citizens. They are American citizens. At Bataan, in the Philippine Islands, when we were up against great odds, with the Japs overwhelming MacArthur, the entire National Guard of New Mexico was engaged in the fighting. Seventy percent of the troops of that regiment would probably be what the Senator from South Carolina refers to as Mexicans.

Mr. JOHNSTON of South Carolina. I am referring to Mexicans in the State of New Mexico who are not naturalized citizens of the United States.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. CHAVEZ. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield; and if so, to whom?

Mr. MAYBANK. Will my colleague yield to me?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. MAYBANK. In connection with the question which the distinguished Senator from New Mexico asked my distinguished colleague, with respect to who owned the property, that was not the question which actuated us in removing the property tax. The question was, Who was foreclosed at the courthouse on Monday morning? It was not the out-of-State ownership which was foreclosed. It could pay. It was the poor white or the poor black who was foreclosed on Monday morning through tax sales. Such foreclosures cannot longer take place under the State law.

I should like to ask the Senator another question. The Senator from New

Mexico well knows, as does my distinguished colleague, that among the brave soldiers on Bataan were many men from South Carolina, as well as distinguished descendants of Spanish ancestry from New Mexico.

Mr. CHAVEZ. That is correct.

Mr. MAYBANK. And the Senator well knows that they stood together until the end. At meetings held in Washington in 1942 and 1943 the distinguished Senator from New Mexico took the lead in the matter of the relief of prisoners; so we can have no quarrel about these things.

Mr. CHAVEZ. We are not having a quarrel.

Mr. MAYBANK. I ask the distinguished Senator from New Mexico if he has not made the statement to which I am about to advert? If he does not care to answer my question, that will be quite all right; but both he and I are members of the Subcommittee on Agriculture of the Appropriations Committee. Has not the Senator often said—and I agree with him—that the most liberal legislation at times passed by the Congress of the United States has been legislation in the interest of the farmers—legislation considered and reported to the Senate by the Appropriations Committee, on which serve so many distinguished southern Senators, including the Senator from Georgia [Mr. RUSSELL]? I am sure the Senator from New Mexico will agree that he has told me that, and let me say it has been a pleasure for me to serve on that committee with him.

Mr. CHAVEZ. Mr. President, the Senator from South Carolina is correct. The Committee on Appropriations has provided appropriations which would help the poor people of the country who need help, be they black or white. The Senator from Georgia [Mr. RUSSELL] and, under his leadership on the committee, the Senator from South Carolina [Mr. MAYBANK], the Senator from Alabama [Mr. BANKHEAD], the Senator from Louisiana [Mr. OVERTON]—at the moment I do not recall the names of all the Senators who have been associated in that work, but every Senator from the Southern States whose name I now recall has, in that committee, voted for appropriations in order to establish farm security, in order to carry out the provisions of the Jones-Bankhead Act, and so forth. So that is why the present situation is so puzzling to me. After they have done all that, bless their souls, I am at a loss to understand why they would question the sincerity of purpose of the sponsors of the pending bill who are trying to do what is fair in the matter of employment.

Mr. JOHNSTON of South Carolina. No, Mr. President; we do not question their sincerity—not at all.

Mr. RUSSELL. Mr. President, will the Senator yield to me in that connection?

Mr. JOHNSTON of South Carolina. I yield.

Mr. RUSSELL. I do not know that anyone has questioned the sincerity of the intentions of the Senator from New Mexico. Certainly I have not, and I have not heard any of my colleagues do so. We have deplored his judgment in supporting a measure of this kind. We think he is badly advised and deceived.

The Senator from New Mexico says he is social minded. I have been charged with being somewhat social minded; I thought I was rather a liberal. As a matter of fact, down in my State some persons have called me a radical.

Mr. CHAVEZ. Mr. President, I do think the Senator from Georgia is a liberal.

Mr. RUSSELL. As I just said, Mr. President, some persons in my State have called me a radical because I supported, in and out of season, the appropriations for the Farm Security Administration, the school-lunch program, and kindred matters.

I may say to the Senator from New Mexico that the appropriations which he has helped us obtain in our bitter battles here on the floor of the Senate, sometimes against the opposition of some supporters of this bill, have done the colored people of Georgia a thousand times more good than any number of bills of the nature of the pending bill possibly could do. They have helped the colored people to own their own little homes and farms, and I am very happy every time I see such a measure before us. They have helped the colored people to own their farms and be able to operate their farms and be able to look around them and know that no one could take their property away from them, that they were secure——

Mr. CHAVEZ. Mr. President. I know that the Senator from Georgia means every word he has said. I can testify and vouch for that.

Mr. RUSSELL. I have spoken more for the Farm Security Administration appropriations in the last 6 years than I have spoken on the pending bill.

Mr. CHAVEZ. That is correct.

Mr. RUSSELL. I am a liberal, Mr. President; I am a liberal and I am in favor of doing everything I can do to assist the underprivileged in their fight to attain a higher level of life. I have always stood for that. When it comes to bills dealing with appropriations and the levying of taxes equally upon all the people of this country and the gathering of taxes into the Treasury and the expending of the taxes by means of appropriations to help the underprivileged have some of the opportunities of life which others more fortunate than they have enjoyed, I have always favored the enactment of such measures. That is a proper function of government.

But, Mr. President, my liberalism stops when I am asked to support misnamed liberal legislation which invades the rights of the individual and makes the Government his absolute master and makes him the slave of his Government, as the pending measure would do. I will not try to help one individual by pulling down or denying the fundamental rights of another individual who has violated no law. That is not democracy, it is communism. The bill before us will not benefit those whom the proponents of the bill say they seek to benefit. The bill is not designed to help them, and many of its supporters have no care whether it helps our colored people from an economic standpoint. They are hoping it will help them bring about social equality and the intermingling of the races in the South as they are doing in other sections.

Oh, Mr. President, during the fights which have been carried on in the Senate in behalf of legislation for the Farm Security Administration—and there, again, such measures have helped the Negroes and the South more than a thousand bills of this kind could do—I did not see pressure groups of colored people here, calling Senators off the floor and demanding that they support those measures. I know I never saw before the Appropriations Committee urging bills that would thus help the Negro in the South the heads of these colored groups which feast and fatten on their efforts to spread prejudice among the members of their race in this country and are here supporting this FEPC thing. They did not come to Washington and fight for a measure like the Farm Security Administration bill which really will do the Negro good and will help him. They were not interested in such measures, because there were no politics in them, because they could not spread prejudice and poison by means of advocating such measures, because they could not, forsooth, draw fat salaries as the heads of some organization designed to promote strife in this country or to force upon the people of the South what they regard as social equality.

This Capitol Building has been teeming with Negro lobbyists and with the heads of left-wing groups whose activities threaten our way of life. The CIO and the PAC are issuing their blasts against those who oppose the measure and their threats to defeat all who do not support it, even with all of its present vicious provisions. A Senator cannot turn around without having his elbow pulled by some representative of minority pressure groups demanding that he come to the floor immediately and silence the opponents of the bill. They are ordering Senators to take any step, even in violation of the rules, to prevent the exposure of the iniquities of this bill. They are demanding that the law of the jungle be substituted for the rules of the Senate. In their efforts to intimidate the Senate of the United States they are patrolling the Capitol Grounds, bearing banners, reviling Members of the Senate for doing their sworn duty of defending the Constitution. They are doing the same thing around hotels where Senators reside who refuse to do their bidding.

Let them do their worst. Some of us here will not be intimidated. We shall fight the tactics which enable a minority to take advantage of the lethargy of the majority of the American people and through a campaign of misrepresentations such as has been waged in behalf of this measure to take over the powers of this Government and regiment our people completely, as was done by a small group of Bolshevists in Russia in that great revolution.

Mr. President, I do not doubt the sincerity of the Senator from New Mexico, but I do doubt the sincerity of the heads of these pressure groups who call Senators off the floor of the Senate and urge them to support measures or to take steps

to enforce the passage of measures which would result in establishing in this country institutions similar to the institutions of bolshevism in Russia, regardless of whether these steps would be in accordance with the rules of the Senate or the law of the land.

No, Mr. President; they want the psychology of the mob to be used to strike down the rules of the Senate and to force Senators who have been here for many years to cram this bill down our throats. They are not here when we have before us bills which will help the Negroes in an economic way. They are not interested in such bills. But they come here when the Senate is considering bills which they hope to have us pass in order to help bring about the amalgamation and social equality of the races. The heads of the pressure groups which are urging the enactment of the pending bill do not care what they do to secure their ends. They do not care if the rights of the individual citizen of the United States are ignored or destroyed and they do not care whether all of the rules of the Senate are violated, just so long as they are able to further the movement they have in mind by having this bill passed, and thus strike down law here, all in the name of fairness.

Mr. MAYBANK. Mr. President, will the Senator from South Carolina yield for another question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MAYBANK. The Senator from Georgia has made a very eloquent statement regarding one of the points the Senator from South Carolina has discussed. I should like to take this opportunity to ask the Senator from South Carolina—and I also address my remarks to the Presiding Officer [Mr. HOEY in the chair], a former distinguished Governor of the State of North Carolina—if it is not a fact that by means of the National Youth Administration much good was done in North Carolina and much good was done in South Carolina and much good was done in Georgia. Let me also ask my friend the Senator from New Mexico if it is not a fact that, with his help on the Appropriations Committee, when good could be done for the poor people, be they black or white, the southern Senators who have been members of the Appropriations Committee have stood by and have helped to secure the enactment of such measures?

Mr. CHAVEZ. That is correct.

Mr. MAYBANK. And we voted, too, for the confirmation of the nomination of Aubrey Williams.

Mr. CHAVEZ. Mr. President, will the Senator from South Carolina permit me to make an observation at this point?

Mr. JOHNSTON of South Carolina. I will, provided that by so doing my right to the floor is not prejudiced.

Mr. CHAVEZ. Of course.

Mr. President, I wish to say that the Senator from South Carolina [Mr. MAYBANK] has been correct in the statement he has just made regarding the good which has been done, but when Mr. Williams' name came up he was turned down.

Mr. MAYBANK. But the Senator from New Mexico would not charge any of the Senators from South Carolina with responsibility for that; would he?

Mr. CHAVEZ. No; but the fact is that Mr. Williams' nomination was rejected; it was not approved by this body. Is not that correct?

Mr. MAYBANK. Of course, what the Senator from New Mexico has stated is correct, but at the same time I am sure the Senator from New Mexico does not believe that the South was responsible for that.

Mr. CHAVEZ. I do not believe so, except that it did contribute its mite—but not in all cases.

Mr. MAYBANK. No, no, Mr. President.

Mr. CHAVEZ. Mr. President, if the Senator will look at the record and will study the vote, he will find out for himself exactly who voted for confirmation of the nomination of Mr. Williams.

Mr. MAYBANK. That I well remember.

Mr. JOHNSTON of South Carolina. Mr. President, I was in favor of the confirmation of the nomination of Mr. Williams, and I made a speech on the floor of the Senate in favor of the confirmation of his nomination.

Mr. CHAVEZ. Mr. President, I know that. I said that not all the southern Senators opposed the confirmation of Mr. Williams' nomination.

Mr. MAYBANK. Mr. President, I desire to ask the Senator a further question, and then I shall ask no more questions at this time. Is it not a fact that Senate bill 101 would deprive the people of rights which they have stood for and fought for in an effort to help raise the standard of living and help people, whether black or white, who perhaps in one way or another, whether in business, industry or labor, have been discriminated against through the continual enactment of Federal laws which always point the finger of scorn at the South?

Mr. JOHNSTON of South Carolina. That is one of the reasons why I am against the pending bill. I think it would take away rights which rightfully belong to the people of the United States.

Mr. President, as I said a few moments ago, this FEPC bill would apply to all employees of the District of Columbia and it would even apply to the school teachers, the firemen, and the policemen. Do not forget that it would also apply to the Members of the United States Senate, the Members of the United States House of Representatives, and to the judiciary. Under this bill any person who practiced discrimination could be haled before the Commission.

I believe we should clean up around our own doorsteps. Those who believe in all these things should employ some of the persons who would be included under this bill. Why do they not employ some of them in their offices? Let us get down to the reason. They fear that to employ them would cause friction among the employees of their offices. Is that not true? Do not Senators believe that some of the persons in question are competent? If so, why not employ them and work them along with other female employees? Why tell some other employer what to do and not do it ourselves? The answer indicates that something is preventing it being done. I believe I can tell what it is.

In my State we have many cotton mills. Mr. President, do you know who established the first cotton mill there? It was not a southerner. Some southerners have established cotton mills, but at the beginning the mills were established mostly by persons who came from the New England States. Did they employ colored people in the spinning rooms and in other departments? They started to employ them in some divsions of the mills, but they segregated them. They found that was the best system to follow. Today that same system is being used. But today they are complaining about what is taking place there, although it was started by them years ago. The system has become entrenched down through the years, and to correct it overnight would not be practicable. The FEPC may come in and say, "What has been going on all these years is wrong." The Senate may try to change the situation overnight, but I fear the results. If the system is to be changed it must be done slowly. The change cannot be brought about by the passage of this bill. It is true that most of the employees to whom I have referred are trained in the particular activity in which they are engaged.

Something has been said about colored people owning their homes. Few of the mill workers own their homes. The mill operators who came from the New England States established a system whereby employees were allowed to rent homes owned by the owners of the mills. I am not condemning the mill owners. Perhaps it was the best system to install. Some of the mill owners later sold their houses to the employees. One of them in my town did so, and immediately thereafter he sold his mill and decided to manufacture machinery instead of operating a cotton mill. All those former employees own their homes today, but they do not know how to do the work required to be done in the new establishment, and they are therefore refused employment.

We allow certain systems to grow up year after year, and then we try to undo overnight everything which has been done and impressed upon the minds of the people for the past two or three generations.

Those who came down from the North and built mills in the South also built houses in different sections for the colored people. They built a section of homes for the colored, and a section of homes for the whites. It was found that if that were not done trouble would arise between the races, and trouble was to be avoided. We do not want trouble today. If the Detroit trouble were traced to its source it would be found that it was caused by the lack of segregation. In South Carolina we have no race riots because we have found that in order to prevent trouble of that kind we must allow one race to go its peaceful way and the other race to go its peaceful way. We have found that to be the best manner in which to handle the situation, and we believe we can better handle it than someone who has never dealt with similar difficulties.

Mr. MAYBANK. Mr. President, the Senator has stated that we do not want to have trouble. Of course, we do not want trouble and we do not expect to have any.

The Senator further stated that perhaps some other people wanted trouble. I ask the Senator if he does not believe that some of the supporters of this proposed legislation—not necessarily those in this body—are merely seeking trouble in some sections of the country in which, as the Senator has said, there has been no trouble.

Mr. JOHNSTON of South Carolina. I think the Senator's statement is true. I do not say that the sponsors of this bill are supporting it with any unfair purpose in their minds, but I know that if the bill were passed it would not be the South which would experience trouble. The trouble would take place in large cities throughout the United States.

Mr. President, even in Washington there is a certain degree of segregation. Whites go their way and the blacks go theirs. That is the way God intended them to go. If we try to force the provisions of this bill on some persons in some localities, it will cause trouble. I am stating what I believe to be true, and if other Senators will consider the matter at length they will agree that from an educational standpoint the situation has been handled very well in the South. In the South the colored people have the right to buy property. At least, they do in my State, and I am quite sure the same is true with respect to other sections of the South. I do not know of any race which has improved in the same length of time to the extent that the colored race has improved. But there is a way of stopping such progress. I am fearful that it may take place. I believe that the enactment of this bill would be bad for the people of my State, both white and colored. I may be wrong. The proponents of the bill may be right. But as I see the situation—and I have dealt with it for a long time—some of those who are supporting this bill would not do so if they could see the results which I believe will flow from it. I would not try to tell my good friend the Senator from New Mexico how to handle the Mexicans in his State. I would not tell the Senator from California how to handle the Japanese who live in California. I would not tell the people in some of the other States how to handle problems which appear to be localized in particular sections. I only beg and plead with the Senate to give me the same respect and to give my section of the United States the same respect other sections would ask.

As I stated a few moments ago, this bill would apply to the Members of the House and the Senate. The Senator from Florida just came into the Chamber. Does he know of any Member of the House or Senate who has employed a colored girl in his private office as secretary?

Mr. PEPPER. Will the Senator allow me to answer his question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. PEPPER. I do not know of any case where there has been such employment, and I have no disposition to wish to force such employment practice upon any Senator. But I will say, also, in answer to the able Senator's question, that I am equally firm in my belief that it is a violation of the democratic process, that it is an offense to the institution of parliamentary government, under the pretense of amending the Journal of several days past by the United States Senate, to give the country the spectacle——

Mr. JOHNSTON of South Carolina. Mr. President, I yielded for a question.

Mr. PEPPER. I am answering the Senator's question.

Mr. JOHNSTON of South Carolina. I yielded only for a question.

Mr. PEPPER. I have not finished my answer to the question. The able Senator from South Carolina, for whom I have the highest regard, honored me by asking me a question, and I was answering his question, and I am sure the Chair would not cause me to be interrupted in the middle of an answer to the distinguished Senator's question, because I have no desire, of course, and could not if I wished, to take him off his feet, and I had practically finished my answer. I am sure the Chair would not want to deny the Senator from Florida the right to finish his answer to the question.

The PRESIDING OFFICER. The Senator is not answering the question asked, but is making a speech about another matter.

Mr. PEPPER. It would certainly be an extraordinary ruling by the Chair to permit the Senator from South Carolina to speak on the FEPC bill while he is supposed to be addressing himself to the motion with respect to the amendment of the Journal, and then deny the Senator from Florida the privilege of spending one and a half minutes answering the Senator's question.

The PRESIDING OFFICER. The Chair is following the rules of the Senate. The Senator from South Carolina has the floor, and if he wishes to yield further, he may do so.

Mr. PEPPER. The able Senator from South Carolina asked the Senator from Florida a question, and I was trying to answer his question.

The PRESIDING OFFICER. The Senator said he yielded to the Senator to answer his question.

Mr. PEPPER. I thank the Senator very much, and, in answer to his question, I wish to say that he is correct in his assumption that I do not know of any case in which any Senator has employed a colored person in his office. I would not be for a bill which would require a Senator to employ anyone he did not desire to employ in his office, a colored person or any other person. At the same time I would say to the able Senator that I do not think that is the question involved at the present time. The Senator is addressing himself to a motion with respect to the Journal of the Senate, and I do not think the Senator should address himself to the FEPC. I do not favor the filibuster, and would join in a petition that would request the application of the rule of cloture, and when that petition comes up I shall vote for it. But if the FEPC bill, this particular bill, comes up on its merits, I voted against it in the committee, and I expect to vote against it on the floor. But I am against a filibuster on any bill at any time.

Mr. JOHNSTON of South Carolina. I am glad to have the Senator's position on the question of filibuster.

Mr. CHAVEZ. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CHAVEZ. It is the purpose of those who are handling the bill to try to get a recess this evening until noon on Monday. I was about to ask the Senator from South Carolina whether, if he is not through with his discussion, he would be willing to have the Senate take a recess, provided he did not lose the floor and could proceed at 12 o'clock Monday.

Mr. JOHNSTON of South Carolina. Yes.

HOUSE BILLS REFERRED

By unanimous consent, the following bills were severally read twice by their titles and referred as indicated:

H. R. 3243. An act to amend the act entitled "An act to establish a National Archives of the United States Government, and for other purposes"; to the Committee on the Library.

H. R. 3500. An act to authorize municipalities and public utility districts in the Territory of Alaska to issue revenue bonds for public-works purposes;

H. R. 3614. An act to ratify and confirm Act 33 of the Session Laws of Hawaii, 1945, extending the time within which revenue bonds may be issued and delivered under chapter 118, Revised Laws of Hawaii, 1945; and

H. R. 3657. An act to ratify and confirm Act 32 of the Session Laws of Hawaii, 1945; to the Committee on Territories and Insular Affairs.

H. R. 4932. An act to amend section 9 of the Boulder Canyon Project Act, approved December 21, 1928; to the Committee on Irrigation and Reclamation.

H. R. 5135. An act to amend the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture and Forestry.

H. R. 5201. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1947, and for other purposes; to the Committee on Appropriations.

EXECUTIVE MESSAGE REFERRED

As in executive session, and by unanimous consent,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was referred to the appropriate committee.

THE TOPS IN STUPIDITY—EDITORIAL FROM FOREIGN SERVICE

Mr. JOHNSON of Colorado. Mr. President, will the Senator from South Carolina yield to enable me to have a matter printed in the RECORD.

Mr. JOHNSTON of South Carolina. I yield if I do not thereby lose the floor.

The PRESIDING OFFICER. Is there objection to the Senator from South Carolina yielding to the Senator from Colorado for the purpose stated. The Chair hears none.

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "The Tops in Stupidity," by Barney Yanofsky, editor of Foreign Service, official publication of the Veterans of Foreign Wars, from the January 1946 issue.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE TOPS IN STUPIDITY

As this issue goes to press, labor and industry are locked in a struggle that is paralyzing production and closing doors to employment for millions of returning veterans. If management and labor stubbornly refuse to end the current crisis, the outlook for veterans in 1946 is dismal indeed.

After 4 years of fighting, the average veteran views the present spectacle of a dog fight between labor and industry with bewilderment and disgust.

In his eyes, both industry and labor must equally share responsibility for the present slow-down in reconversion production. Baffled in his search for the kind of job or opportunity that he wants, he is shaking his fist at both labor and management and muttering to himself, "A plague on both your houses!"

Viewed from a neutral corner, the conflict between labor and industry should never have been allowed to reach the strike and lock-out stage. The failure of those responsible to prevent stoppage of the Nation's production machinery is unforgivable.

Although both sides may be able to defend their positions with weighty arguments, neither the bosses of labor nor industry will ever be able to justify their to-hell-with-the-veteran tactics. In bringing reconversion to a virtual standstill they have struck a foul blow to the Nation's welfare—and to the hopes of millions of discharged veterans anxiously seeking to reestablish themselves as independent, self-respecting citizens.

The current civil war between employers and workers is undoubtedly giving the enemies of democracy a hearty laugh. * * * Doubtless few Fascist leaders are fumbling the chance to cite the present internal disunity in the United States as a perfect example of the evils of self-government.

During the long weary months of war, between the attack on Pearl Harbor in 1941 and the surrender of Japan in 1945, the leaders of labor and industry were happy to join their voices in praise of the men required to do the fighting. Frightened half out of their wits by the mere thought of enemy bombs descending upon their comfortable homes and busy factories, they banished all mention of profits. They spoke only of the need of protecting America against enemy attacks—and the glorious sacrifices of our fighting forces. In exchange for the security for which they prayed so earnestly, they fervently promised the men in uniform a postwar world that would fairly ooze with sweetness, generosity, and unlimited opportunities.

Comes the dawn of 1946. The war-weary veteran—victorious in battle—returns home only to discover that he has been tricked; that his hopes for the future were kept alive on a diet of lies and deceit. He comes back only to learn that many of his so-called patriotic fellow citizens don't really give a damn about anything but their own postwar profit-grabbing ambitions.

Both industry and labor have obstinately refused to compromise their differences. Accordingly, both must accept full blame for the penalties which are being imposed upon the Nation's returning veterans. At this particular stage of the scrap between labor and industry, the leaders of both factions are kidding themselves with the idea they are clever fellows—smart, shrewd, and daring. But they are doomed to discover their real stupidity if they continue to challenge the resentment of millions of unemployed veterans. In their arrogance, they are inviting the wrath of an outraged veteran population—men who will not be satisfied until Congress acts to outlaw all similar work stoppages which threaten their welfare in the future.

The men who have served this country in time of war will always be the first to defend the individual, human rights of the American people—and the first to fight against regimentation by Government edict. They are loyal to the basic principle of free enterprise and the rights of labor to bargin collectively.

But if we force the Nation's veterans to roam the streets of their home communities hungry, jobless, and homeless simply because labor and industry are unable to settle their fights without widespread unemployment, we can be sure of one thing. Even if they must wait until every seat in Congress is occupied by men from their own ranks, the veterans of this country will find democratic methods to protect the national welfare with laws that will write the final chapter in the history of labor strikes and look-outs in America.

ADDITIONAL ASSISTANT SECRETARIES OF COMMERCE

Mr. BILBO. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield, with the understanding that I do not lose the floor.

Mr. BILBO. I have no desire to take the Senator from the floor. I wish to renew the request I made this morning on behalf of the chairman of the Committee on Commerce [Mr. BAILEY]. I ask unanimous consent that I may be permitted to file a report on the bill (S. 1367) to provide for the appointment of three additional Assistant Secretaries of Commerce, and for other purposes, and I submit a report (No. 893) thereon. I understood that the Senator from Maine would not object at this time.

Mr. CHAVEZ. Can the Senator tell us now what the bill is?

Mr. BILBO. The bill, which has been before the Committee on Commerce for some time, provides for three additional Assistant Secretaries of Commerce, under Mr. Wallace.

The PRESIDENT pro tempore. Without objection, the report will be received, and the bill will be placed on the calendar.

RECESS TO MONDAY

Mr. CHAVEZ. Mr. President, I wish to move that the Senate take a recess until 12 o'clock noon on Monday next.

Mr. MORSE. Mr. President, I wish to say for the RECORD that I think it is most unfortunate that the Senator is proposing that the Senate take a recess until noon on Monday. I am perfectly aware of the fact that I am in a decided minority in regard to this matter, and therefore I shall abide by the will of the majority, which I think should be the practice in the United States Senate, but I wish to repeat in essence what I said last night. In my judgment the Senate should meet tomorrow; it should meet Sunday; it should meet 24 hours a day until majority rule is reestablished in the Senate of the United States.

Mr. CHAVEZ. Mr. President, I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 6 o'clock and 8 minutes p. m.) the Senate took a recess until Monday, January 28, 1946, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 25, 1946

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, we praise Thee for a Redeemer who touched the crimson depths of the cross that we might be lifted above principalities and powers. In the depths of the human heart which only Thine eye can see, O give us a self-revelation with a confession of our failures and a pledge of obedience. We pray Thee to cross the border lines of our thoughts, heal the broken tissues of our wills and ambitions, and lead us to a greater strength and faith.

Great God, do not allow us to shirk our duties here; in our blindness give us Thy light and open wide the gates of knowledge. In these hours of our country's pulsing pain, may we know ourselves worthy to carry on our work; keep us from the tragedy of a love that never has a pure object, from ability that never finds a true sphere, and from a life with never a blessed mission. This day may we make a holy covenant with Thee that will keep alive the grand tenets of our forefathers who dreamed of a perfect union with the blessings of liberty for ourselves and our posterity. In Christ's name, we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. STEWART. Mr. Speaker, on yesterday I was given permission to extend my remarks in the RECORD and include a booklet on job training for veterans. I am informed by the United States Government Printing Office that this will take approximately five pages of the RECORD, at a cost of $260, but I ask that it be printed notwithstanding that fact.

The SPEAKER pro tempore. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

PURCHASE OF SURPLUS PROPERTY BY VETERANS

Mr. STEWART. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter from Mr. W. Leo Lampton, a veteran, with regard to surplus property.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STEWART. Mr. Speaker, I have received letters from many veterans which indicate that the GI bill of rights,

in many instances, is not fulfilling the intention of Congress in the passage of this act. No doubt it was our intention in passing this bill to make the purchase of surplus property as easy as possible for veterans and to distribute it as equitably as possible among them. I have another letter this morning from an exserviceman whose veteran's preference certificate brought him nothing but wasted time, effort, and money. Mr. W. Leo Lampton, a reliable businessman of my district, made a long and fruitless hunt from Oklahoma to Camp Hood, Tex., to Fort Sam Houston, Tex., arriving in time to see all the equipment suitable for any small business, bought by an individual who lived only a few blocks from where the sale was held. When Mr. Lampton procured his preference certificate, he was also advised that veterans would only be permitted to purchase a limited quantity of equipment, depending upon their business. However, when he arrived at San Antonio, this individual who lived near the sale, was allowed to purchase 40 trucks which was all the equipment offered for sale except large, heavy equipment unsuited for any small business and of no use to the average veteran.

In view of the dissatisfaction expressed by many veterans, I think a congressional investigation should be made of the present system of giving them preference on surplus material and I want to join in the passage of a proper resolution to that end. I am told one is now pending before the Rules Committee. The letter from Mr. Lampton is as follows:

McALESTER, OKLA., *January 22, 1946.*
The Honorable PAUL STEWART,
Member of Congress, Washington, D. C.

DEAR SIR: I am a returned veteran and own and operate the 75 Cleaners in McAlester, Okla., and in addition thereto am operating a small stock farm located just outside the city limits. I was interested in securing for my stock farm an Army truck through the RFC sale of surplus war trucks and accordingly made a trip to Camp Hood, Killeen, Tex., for that purpose. There were several other veterans with me at that time who were also interested in purchasing like equipment for their businesses.

On arriving at Camp Hood we inspected the trucks and found that there were only a few remaining for sale and these strangely enough were mixed with good equipment, not for sale. The cream of the crop had been bought previously by Federal and State agencies. Of this I am not complaining.

The circular or bulletin advertising this equipment for sale is, in the first place, misleading in that it would seem to indicate that the equipment would be sold where the vehicles were located. We were, however, advised that the equipment was not to be sold where located but at Fort Sam Houston, San Antonio, Tex., which was some 300 miles farther distant. We accordingly went to San Antonio and on arriving there found a number of other veterans who were likewise seeking to purchase equipment for their businesses. We had already secured a veteran's preference certificate, Form No. 63, issued at Tulsa, Okla., by the Smaller War Plants Corporation. At the time of procuring this certificate we were also advised that we would only be permitted to purchase a limited quantity of equipment, depending upon our business. On arriving at San Antonio, however, a party by the name of Alvard Nolen, from San Antonio, who lives only a few blocks from the sale, was near the front of the sale line and purchased 40 trucks, totaling $30,000, which was all of the remaining equipment offered for sale except large, heavy equipment unsuited for any small business and which the average veteran could not use. Consequently the several boys who were with me at the time and virtually all of the fellows from Oklahoma and Kansas and some few from Missouri were disappointed and returned home empty handed after having spent considerable money.

It is my understanding that you have been quite active in checking up on such unfair practices and activities and I think that these matters certainly should be investigated so that the returned veterans who are operating small individual businesses may be protected.

I saw a number of other things which would indicate that outside purchasers are purchasing large quantities of equipment through veterans who are not personally interested and from their demeanor indicated that they had no knowledge of what they were purchasing. These practices certainly should be thoroughly and promptly investigated in order that a more even distribution might be made to the veterans who need this type of equipment in their business and I am sure that you will give this and like matters your usual vigorous attention.

With all best wishes and kindest regards, I am,

Respectfully yours,

W. LEO LAMPTON.

SOCIAL PROTECTION PROGRAM

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, yesterday I introduced a bill to authorize the Federal Security Administrator to assist the States in problems relating to social protection.

During the last 5 years the Federal Security Agency has conducted a social-protection program that has resulted in houses of prostitution being closed in over 700 communities, and in improved measures for the control of clandestine prostitution and promiscuity. It has proven itself an important factor in reducing venereal disease infections.

Now these gains are in jeopardy.

Federal social protection as a wartime activity has been sharply curtailed. Former vice interests, counting on a cessation of Federal effort, and local communities following suit, have already reopened their houses or indicate they expect to do so soon. Most of them never gave up the titles or leases on their former brothels.

Field studies recently made by the American Social Hygiene Association in 181 of the 700 cities closed during the war showed that by last December commercialized prostitution was again easily accessible in 50 of them.

We cannot go backward. We must not give ground to promoters, shady real-estate operators and their front men who breed juvenile delinquency, crime, corruption, and disease.

Effective national and local effort will be required to check increasing prostitution, sex delinquency, and venereal disease. The Federal Security Agency should be enabled to provide communities, as it did during the war, with the impetus, the technical knowledge and guidance in combating these conditions. Their correction is necessary to our national welfare. That is the purpose of my bill.

The next few years will determine whether wartime advances are to be retained and extended or whether these gains resulting from the expenditure of time, effort, and money of Federal, State, and local governments, and private individuals and organizations are to be lost. I trust the Committee on the Judiciary will study the problem thoroughly and that we may act wisely and promptly in continuing and extending the social-protection program. It is in this spirit that I have introduced H. R. 5234.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

EXTENSION OF REMARKS

Mr. BONNER. Mr. Speaker, on Monday and again on Wednesday I was granted permission to extend my remarks in the RECORD and include therein an address made by Hon. Lindsay C. Warren before the chamber of commerce at Asheville, N. C., and an editorial from the Evening Star printed here in Washington.

I am informed this morning by the Government Printing Office that the entire amount will be $121.40. Notwithstanding the cost, Mr. Speaker, I ask unanimous consent that it be included in my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

ADJOURNMENT OVER

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

EXTENSION OF REMARKS

Mrs. LUCE (at the request of Mr. MARTIN of Massachusetts) was given permission to extend her remarks in the RECORD and include certain excerpts.

PROGRAM FOR NEXT WEEK

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I take this time to inquire of the acting majority leader whether he can tell us the program for next week.

Mr. SPARKMAN. Monday is District Day.

Mr. MARTIN of Massachusetts. Does the gentleman know what is coming up on District Day?

The SPEAKER pro tempore. The Chair understands that there is no District business ready for next Monday, according to the information that the Chair has received.

Mr. SPARKMAN. Then it is planned to take up the bill (H. R. 4437) relating to the return of the United States Em-

ployment Service to the States and to continue that bill on Tuesday.

Mr. MARTIN of Massachusetts. Monday will be devoted to general debate?

Mr. SPARKMAN. Monday will be devoted to general debate. On Tuesday the bill will be read for amendment.

On Wednesday it is proposed to take up the rescission appropriation bill.

On Thursday, if the Rules Committee grants a rule on the bill from the Committee on Labor with reference to fact finding, it is proposed to take up that bill and to continue it until finished through Friday, or even Saturday, if necessary.

Mr. MARTIN of Massachusetts. Does the gentleman know how much time there will be on that bill?

Mr. SPARKMAN. Of course, that will be set by the Rules Committee. The rule has not yet been granted.

Mr. MARTIN of Massachusetts. Could the distinguished gentleman from Illinois [Mr. SABATH] tell us anything about that?

Mr. SABATH. For the information of the gentleman from Massachusetts and the membership, I desire to state that on Monday the Rules Committee will begin hearings on that bill. There are a great many requests on the part of Members to be heard on the application for the rule. From what I have learned so far, I cannot state how many hours will be granted for general debate under the rule which the Rules Committee will report as soon as the hearings are completed.

Mr. MARTIN of Massachusetts. Could the gentleman tell us what kind of a rule it will be? Will the House consider only the legislation from the Labor Committee, or will it be expanded?

Mr. SABATH. I, myself, cannot speak for the membership. I am in favor, as usual, of an open rule.

Mr. MARTIN of Massachusetts. Of course, there are open rules and open rules. That does not really answer the question. Would it go beyond the subject matter of the legislation reported by the Labor Committee?

Mr. SABATH. I am opposed to bringing in anything that would not be in line with the proposed legislation that is in the bill. I do not believe in bringing in any other foreign matters.

Mr. SPARKMAN. I should like to add one other thing. In the event a rule is not granted in time to take up the fact-finding bill on Thursday, Friday, and Saturday, as proposed, it is proposed to take up H. R. 4199, upon which a rule has already been reported. That is a bill from the Civil Service Committee relating to retirement benefits.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Will we vote on the fact-finding bill along about Saturday of next week, then?

Mr. SPARKMAN. If the Rules Committee grants a rule, a vote would be expected to come either Friday or Saturday.

Mr. HOFFMAN. It would not go over until Monday?

Mr. SPARKMAN. Of course, that is always within the control of the House, and it depends upon how much time is used in debate.

Mr. MARTIN of Massachusetts. And it also depends on how many amendments are offered and how much time is consumed on those amendments.

Mr. SPARKMAN. Yes. The only proposal is that we will take it up on Thursday if a rule is granted, and continue work on it until it is disposed of.

Mr. MARTIN of Massachusetts. I understand that under one of these open rules with reference to labor legislation, several years ago it went for 8 days.

Mr. HOFFMAN. In view of the statement of the gentlema from Illinois [Mr. SABATH], as I understood him, he said he was in favor of confining the legislation to the fact-finding bill and matters that would be germane to that.

Mr. SABATH. That is correct.

Mr. HOFFMAN. Does not the gentleman realize the only thing in the fact-finding bill as it was reported out is three jobs at a hundred dollars a day?

Mr. SABATH. I understand the bill has been emasculated and it is not the bill that the President has asked for. I am hopeful that some of the provisions which the President has recommended will be embodied in the bill, and, of course, that will be in order.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. MILLER of Nebraska. I am sure the chairman of the Rules Committee is aware that the country is aroused about strikes, and they are blaming Congress for not taking some action. As I understand it, this legislation was reported out early this week. I am wondering why the delay until the middle of next week to bring legislation to the floor of the House, which is being demanded by the country.

Mr. SABATH. Unfortunately, from what I understand, the bill as reported would not do a great deal to bring about the elimination of strikes. I know the President is doing everything humanly possible to bring about the elimination of strikes, and to bring peace and harmony and thorough agreement between industry and labor in the interest of the Nation. I know he will continue in his efforts along that line.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts [Mr. MARTIN], has expired.

THE BUTTER SITUATION

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Speaker, I am sure I announce nothing new when I say the butter situation in this country is very bad in spite of the fact that last year we produced as much milk as we ever produced. It is still bad, and it promises to continue bad. The Butter Institute has prepared a very interesting little pamphlet. If I had time I would ask the indulgence of the House to read it, but lacking time I ask permission to revise and extend my remarks by adding the pamphlet.

The SPEAKER pro tempore. In the Appendix?

Mr. JENKINS. In the Appendix.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. WASIELEWSKI asked and was given permission to extend his remarks and include an editorial from the New York Times of January 24 entitled "The FEPC Problem."

Mr. VOORHIS of California asked and was given permission to extend his remarks in the RECORD and include a column by Walter Lippmann.

Mr. D'ALESANDRO asked and was given permission to extend his remarks in the RECORD and include a letter he sent Senator RUSSELL, chairman of the Committee on Immigration and Naturalization of the Senate, and a copy of his reply.

Mrs. SMITH of Maine asked and was given permission to extend her remarks in the RECORD regarding the presentation of the Legion of Merit to Capt. Dorothy T. Stratton, Director of the SPARS, on January 15, 1946, and to include therein the citation signed by the Secretary of the Navy.

LEAVE OF ABSENCE

Mr. DOYLE. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from California [Mr. HEALY], who has been absent in the hospital for a week because of illness, may be granted leave of absence. He is still there.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that I may address the House today for 15 minutes at the conclusion of the special orders heretofore entered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that I may be permitted to address the House for 15 minutes on Monday next and for 15 minutes on Tuesday next at the conclusion of the special orders heretofore entered for those days.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

UNION ATTITUDE TOWARD GOVERNMENT OPERATION OF STRUCK INDUSTRIES

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, the interest of the United

States has got to be paramount over the special interests of any particular group. If the United States Government temporarily takes over the meat packing plants as has been announced, the attitude of the CIO union involved ought to be precisely the same as the attitude of the A. F. of L. union, namely, that their men will go back to work at once under those circumstances.

It is against every principle of our country to compel one man to work for private profit for another, but it is equally against those principles for a strike to take place against the Government of the United States. The statement issued by the A. F. of L. Amalgamated Meat Workers Union calling for a return to work when the plants are opened by the Government is not only a patriotic one but its logic is unanswerable. There ought to be no hesitation by the CIO in doing likewise. For by refusing to return they will not only hurt the Nation but place themselves in a position impossible to defend.

Now on the other side of the picture, Mr. Speaker, we heard a speech the other day by Mr. Fairless speaking for the steel corporations in which he said the strike in steel was a strike against the national interest, and so on. If that be true then I want to point out that the union agreed to the President's proposal and had the companies agreed also there would have been no strike; but it was the corporations which refused to agree; and that same situation applies in the case of the General Motors strike. We ought to be very clear and fair in all these matters to see where and by whom the interest of the Nation has not been put first, and wherein there is refusal to cooperate to end this industrial conflict and get production going.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

UNION RESPONSIBILITY

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[Mr. HOFFMAN addressed the House. His remarks appear in the Appendix.]

ONLY DECENT INCOME ASSURES DECENT LEVEL OF LIVING

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, I want to state that I am primarily interested in every man, woman, and child in our Nation regardless of race, creed, color, having a chance to honestly earn a decent standard of daily living. Here are some facts that show labor's demands are essential for decent levels of living:

The United States Department of Labor reports that even in 1944, with wartime incomes, "half the families and single persons in cities throughout the United States had net incomes after taxes of less than $2,700." According to the Heller Budget of the University of California, $2,700 was needed as a minimum health and decency budget for a family of four.

With the ending of overtime and with fewer members of the family employed, incomes now are even less adequate.

The Department of Labor study also states:

> In 1944, with high wartime costs, it took $1,950 income after taxes for the typical city family of two or more persons to break even. Such families, averaging three persons in size, lived very modestly, spending an average of barely 22 cents per meal per person and $30 per month for housing, fuel, light, and refrigeration. They paid $119 during the year in taxes.

The Department further states:

> At present, when living costs are somewhat above the 1944 average, it would require steady work, 40 hours a week for 50 weeks, at $1.03½ per hour, for one person to provide $1,950 after taxes, or a total of $2,070. This income typically allowed no net savings in 1944 for a family of three.

I see no permanent economic security or social advancement for our Nation if vast masses of humankind are existing beneath a decent level of daily living. Mass poverty; mass hunger; mass illiteracy; mass fear—these beget human delinquencies and liabilities. These also beget insecurity for the democratic way of life. These also result in a form of human bondage, the shackles of which must be cut loose.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

EXTENSION OF REMARKS

Mr. JONKMAN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. BYRNES of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and in each to include newspaper articles.

MOVING OF FAMILIES OF SERVICEMEN OVERSEAS

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ELLIS. Mr. Speaker, many of us were impressed yesterday by a news item in a local paper stating that several District families were being sent overseas to join their soldier husbands and fathers. Their furniture was being crated and sent over 5,000 miles to set up housekeeping.

The union of soldier families is highly desirable, and on December 4, 1945, I introduced House Joint Resolution 281 calling for the immediate discharge of fathers. However, I cannot see the wisdom in sending a family of two, three, or four with household goods over 5,000 miles in preference to bringing one man home.

This action I presume is going on throughout the land and will possibly run into the thousands. It is significant that at a time when there is apparently a planned exodus of good American families to lands beyond the continental limits of the United States, the President has seen fit to send a commission to Europe to expedite immigration into this country and very soon we will be witnessing the sordid picture of good American families, whom we need and want badly, boarding ships to go abroad and the returning ships unloading immigrants whom we do not need and in a vast majority of cases do not want.

It is high time that the Congress be giving some attention to the question of bringing soldiers home and wake up to the immigration situation.

VOTING PROCEDURE IN THE HOUSE

Mr. BUCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BUCK. Mr. Speaker, I have no time to waste and in that particular I am no different from any of my 434 colleagues in this body.

Last night's four roll calls wasted an hour and forty-five minutes of our time. That time was wasted because the 2 hours and 20 minutes required for those roll calls under the House's present archaic procedure could have been reduced to 35 minutes if we could have voted mechanically.

Mechanism could be installed whereby every person's vote would be recorded visually and mechanically and accurately with the same protection which each Member and the House itself now enjoys. By this means the time required for an initial roll-call vote could be reduced from 35 or 40 minutes to 20 minutes, and succeeding roll calls, such as we had last night, could be accomplished in 5 minutes each.

There has been much talk of streamlining and modernizing congressional procedure. Let us start with our voting process.

PERMISSION TO ADDRESS THE HOUSE

Mr. GOODWIN. Mr. Speaker, I ask unanimous consent that on Monday next, after disposition of the legislative business in order for the day and after any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Omaha Daily-Journal-Stockman entitled "Disgusted With Strikes."

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the RECORD and include an

editorial appearing in the Endicott Bulletin.

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the RECORD in two instances; to include in one a resolution adopted by the Oklahoma Philatelic Society, and in the other a resolution adopted by the Veterans of Foreign Wars of the United States.

Mr. THOM asked and was given permission to extend his remarks in the RECORD and include an address by Henry Ford II, president of the Ford Motor Co.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial that appeared in the Washington Post by Eugene Meyer in appreciation of the Wacs. He shares the Army feelings and those of others that they have done a very great job.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent that the special order alloted to my colleague, the gentleman from Washington [Mr. DE LACY] be vacated, and that he be given that privilege on Monday next, following any special orders heretofore entered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent that the special order allotted to me for today be vacated, and that I be permitted to address the House for 20 minutes on Tuesday next, following any special orders heretofore entered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. BIEMILLER. Mr. Speaker, I ask unanimous consent that on Monday, February 4, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 1 hour.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

VETERANS UNABLE TO BUY AUTOMOBILES

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, in common with thousands of other persons, I am completely discouraged with the failure of the Government to allow the veterans to buy Army automobiles. I am completely confused with the way I am personally sent from one department to another in an effort to help the veterans secure automobiles. It looks as if the Army was holding them up, while others blame the Reconstruction Finance Corporation. I think many of the personnel in the Government agencies handling surplus automobiles are completely discouraged themselves. I am introducing a bill, Mr. Speaker, which would actually give the veterans first priority after the Federal Government. That is only just and fair, and the only way, unless there is a better administration of the whole matter, that the veterans will receive a single automobile and in order for many veterans to be able to secure automobiles. The law must be changed.

THE MEAT STRIKE

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Speaker, this morning's newspaper carries the good news that William Green, speaking for the American Federation of Labor, has ordered 70,000 of the members of the A F. of L. now out in the meat packers' strike to return to their jobs in the various meat-packing plants throughout the Nation so that the farmers will have a market for their livestock, so that a sufficient meat supply can be going forward for the soldiers in the military service, and to give the people of this country a steady supply of meat.

President Green has very wisely taken this position in the interest of the general public, and in an effort to comply with the request of the President. I want to pay a compliment to President Green and the American Federation of Labor for such action. Public sentiment and the people of the Nation will commend him. There is no longer any question that the labor movement in this country must be saved from being destroyed through the conservative leadership of the old-established American Federation of Labor. The CIO, shot through with communism at the very top, will destroy the labor movement in the Nation unless every effort is made by the American Federation of Labor to give wise and conservative leadership to the labor movement in America.

Public sentiment is the court of last resort that passes judgment on every national move. The efforts of the CIO to call strikes throughout the Nation with no regard whatsoever for the public interest during the past few months has done more to hurt the cause of labor and to arouse public sentiment against labor than in any other time in the history of the Nation.

Labor in cooperation with the Members of Congress can bring industrial peace to the Nation with justice to all of our people through the leadership of the Members of Congress and the American Federation of Labor if they will speedily get together and attempt to work out a sound and just solution of our problem. I am sure the majority of the ablest men in Congress will welcome such effort.

PERMISSION TO ADDRESS THE HOUSE

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that on Wednesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes on the subject of tax rebates versus sound governmental fiscal policy.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

DEMOBILIZATION OF THE ARMED FORCES—CONTACT WITH THE MOON

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, again I want to urge Members of the House to sign petition No. 9, to help get our men back home who have been in the service for 18 months or more, or who have dependents to look after, or who want to return to school.

This morning I saw in the paper that our Army had established radar contact with the moon. I want to get these boys home before some of these international fanatics mistake one of those radar echoes for an S O S and demand that we send an army of occupation, or that we extend them a loan, or send some of the subversive element in this country to teach democracy to the "lunartics" at the expense of the American taxpayers.

Before we get that far afield in our efforts to reform human nature let us bring our boys home who have fought and won this war and who are no longer needed in the service of their country.

SALE OF UNIFORMS, ACCOUTERMENTS, AND EQUIPMENT TO ENLISTED MEN

Mr. BRUMBAUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include a bill I have introduced today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no bojection.

Mr. BRUMBAUGH. Mr. Speaker, I am calling attention to a bill introduced by me this date to give the enlisted military personnel the same right to purchase clothing, accouterments, and equipment as is now enjoyed by commissioned officers. Under the provisions of section 9, act of August 31, 1918—Fortieth Statutes, page 957—which is Army Regulation 45–75, the sale of uniforms, accouterments, and equipment is limited to commissioned officers and the privilege is also extended to cadets of the United States Military Academy. According to present regulations an enlisted man is not permitted to purchase ordnance property and my bill is designed to eliminate such rank discrimination as I feel it is only fair and just that enlisted men should have the same privileges as officers.

I am of the firm opinion that the discrimination between officers and enlisted personnel is responsible for the reluctance of veterans to reenlist in the United States Army. I have received many letters of complaint from servicemen and have discussed this matter with many soldiers and they protest bitterly over the advantages accorded officers in comparison to those in the ranks. It seems almost unbelievable that a law would be passed to permit officers, who receive an attractive salary, to purchase equipment and supplies and not permit those in the ranks who receive a small income to enjoy the same privilege of purchasing such material.

The bill that I have introduced eliminates this unfair practice. I am including in my remarks a copy of Sales Memorandum No. 1 relating to the sale of firearms from the Rock Island Ordnance Depot, Rock Island, Ill., which reveals the present policy in regard to the purchase of equipment and material by commissioned personnel.

Many returning veterans complain that while officers are required to certify that the equipment is for their own use this regulation has been disregarded and the material is resold at a profit to the commissioned officer. It is such a practice as this that has engendered ill-feeling between commissioned officers and enlisted personnel and my bill will wipe out the objectionable policy now in effect and which is detrimental in lowering the morale of our armed forces.

ARMY SERVICE FORCES,
ROCK ISLAND ORDNANCE DEPOT,
Rock Island, Ill., October 18, 1945.

SALES MEMORANDUM NO. 1

Subject: Sale of firearms.

1. Authority to sell certain firearms, including numerous types of shotguns, has been received from the Office, Chief of Ordnance in OO File 400.321/123 (RIA 400.-321/655), dated October 9, 1945.

2. These sales are to be made to commissioned officers only. This does not include officers of the United States Naval Reserve, regardless of whether or not they are on active duty, as sales to officers of the USNR are forbidden in paragraph 6–b (1) AR 45–75.

3. A display of the available types of shotguns will be arranged at the south end (third floor) of the office in W–1. Officers wishing to purchase shotguns may view the samples at that place, and select the models and types which they desire.

4. After the selection of the desired shotgun, application for purchase should be made to Miss Huldah Bargholz, Sales Group, Outgoing Property Section, at Post 52 (south room, third floor W–1).

5. Payment for the firearms must be made at the time of purchase.

6. Following is a copy of the authority for these sales (it will be noted that prices for the various types of shotguns, etc., are given):

File OO 400.321/123 (RIA 400.321/655), dated October 9, 1945.

Subject: Prices for matériel authorized for sale to members of the uniformed services, list No. 1.

1. The Chief of Ordnance authorizes the sale of the following items, at the prices indicated, to members of the uniformed services in accordance with the provisions of Army Regulations 45–75 as reinstated by War Department Circular No. 294, 1945:

ITEM	Price
(a) Pistol, automatic, caliber .32, Colt	$28.75
(b) Revolver, Colt, caliber .38, special (Commando)	34.00
(c) Revolver, Colt, caliber .38, special (Junior Commando)	33.00
(d) Revolver, Colt, caliber .38, special, official police	26.50
(e) Revolver, S. & W., military and police, caliber .38, special	31.00
(f) Shotgun, Ithaca, model 37, 12-gage (Sporter)	31.50
(g) Shotgun, Remington, 12-gage, model 11A	38.50
(h) Shotgun, Remington, 12-gage (Sportsman)	38.50
(i) Shotgun, Remington, model 31 or 31A, 12-gage (Sporting)	31.50
(j) Shotgun, Savage, model 720, 12-gage	31.00
(k) Shotgun, Stevens, model 520, 12-gage (Sporter)	31.50
(l) Shotgun, Stevens, model 620, 12-gage (Sporter)	29.50
(m) Shotgun, Winchester, model 1897, 12-gage (Sporter)	28.00
(n) Shotgun, Winchester, model 1912, 12-gage (Sporter)	34.50
(o) Nonstandard shotguns, automatic	28.00
(p) Nonstandard shotguns, pump	25.00
(q) Nonstandard shotguns, single barrel	5.25
(r) Nonstandard shotguns, double barrel	15.60

2. The following items will not be sold under the above authorization:

(1) Shotguns, Remington, model 31 or 31A, 12-gage, with 26-inch barrel or Cutts compensator installed.

(2) Shotguns, Winchester, model 1912, 12-gage, with 26-inch barrel or Cutts compensator installed.

3. Prices listed for items (a) through (n), inclusive, in paragraph 1 above, are for new articles only. A discount of 25 percent is allowable for used, serviceable items. Prices for unserviceable items will be furnished upon request.

4. Items (o) through (r), inclusive, in paragraph 1 above, will be sold at listed prices regardless of condition of serviceability.

7. At present there is no authority for the sale of unserviceable weapons.

O. G. FEGAN,
Colonel, Ordnance Department,
Commanding.

A bill relating to clothing, accouterments, and equipment for enlisted personnel of the Army

Be it enacted, etc., That in addition to the clothing, accouterments, and equipment furnished by the United States without charge to each enlisted member of the Army, there shall be furnished by the United States at cost such additional clothing, accouterments, and equipment as any such member may request.

SEC. 2. The Secretary of War shall prescribe such regulations as may be necessary to carry out the provisions of this act.

SAVE MEMBERS' TIME—ELIMINATE ROLL CALLS

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I fully agree with the gentleman from New York [Mr. BUCK] as to the waste of time involved in voting by roll calls. Many other Members have talked to me in connection with the votes taken yesterday. I think it was unfortunate that we should have been kept here for an hour and a half or 2 hours unnecessarily. That is due mainly to the fact that many Members were not present when the votes were taken in the Committee of the Whole and because a lot of these amendments that were purely political were adopted because few Members were on the floor.

Twenty years ago I advocated the installation of a mechanical voting machine in the House Chamber, but unfortunately the then offered mechanical voting or registering device did not prove as efficient or timesaving as was claimed by Mr. John Bobroff, the inventor. Since that time several of the State legislatures utilizing voting machines have discontinued their use. Until a proven and effective timesaving voting machine can be installed, we must, perforce, use the cumbersome personal roll call. I appreciate the fact that Members, and particularly those who belong to the party now in power, are overwhelmed by requests from constituents, and in their desire to give every proper service they must spend much time in their offices and at the departments. I hope, though, that to save time and expedite the proper business of the House Members, and members of the majority especially, will make every effort to be on the floor when amendments to bills are being voted on during consideration under the 5-minute rule. I feel it would inure to their benefit to attend to their constituents' matters before the House meets and after the House adjourns. I am sure that if they will do this it will save them valuable time and prevent the actual waste of time occasioned by a roll-call vote on separate amendments after the House arises from the Committee of the Whole House. It will preclude the necessity of remaining in session after 6 o'clock and not reaching their homes until 7 o'clock for a late dinner with their families, and will enable those Members who have appointments or conferences with constituents early in the evening or at 8 o'clock to keep them.

PERMISSION TO ADDRESS THE HOUSE

Mr. LATHAM. Mr. Speaker, I ask unanimous consent that on Monday after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include therein a speech by Vice Adm. Ben Moreell, Director the Navy Seabees, delivered before the Executive Club of Chicago recently.

Mr. Speaker, I have obtained an estimate from the Public Printer and am in-

formed that the cost is $173.40. Notwithstanding the cost, I ask unanimous consent that the extension be made.

The SPEAKER pro tempore. Notwithstanding the cost and without objection, the extension may be made.

There was no objection.

Mr. BUTLER asked and was given permission to extend his own remarks in the RECORD and include certain excerpts.

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD and include certain excerpts.

PERMISSION TO ADDRESS THE HOUSE

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent that on Wednesday after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

BRING THE SERVICEMEN HOME

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STEVENSON. Mr. Speaker, we have heard two of the gentlemen this morning complaining about the 2 hours' time which was taken yesterday afternoon for roll-call votes. If the Congress is so disappointed about taking 2 hours of their valuable time yesterday afternoon between 4 o'clock and 6 o'clock, what do you think must be the feeling of the boys who are in the Pacific, in Japan, and over in Germany, who have been waiting months, yea years, to come back to their homes? Let us think about that and let us get them home. Let us devote more of our time devising ways and means to get our servicemen home, instead of complaining about a mere 2 hours consumed by roll-call votes in Congress.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

We should have carried those roll-call votes over to today when we have plenty of time and have nothing to do.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

EXTENSION OF REMARKS

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include therein an address and an article by Merrill C. Meigs on the subject Billions in United States Supplies Scattered About the Globe.

Mr. Speaker, I have obtained an estimate from the Public Printer and am informed that the cost is $156. Notwithstanding the cost, I ask unanimous consent that the extension may be made.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. RANKIN. Mr. Speaker, reserving the right to object, and I shall not object, I think a word or two ought to be said at this time in answer to this propaganda to establish a voting machine in the House of Representatives. They have tried that plan in various State legislatures and it has been a failure. The Members who come into the Chamber and who have not heard the debate need a little time to consult with other Members to find out what it is all about before they vote.

If the Members who are advocating this proposition will talk to the Members who have been here a long time, they will find that the time it takes to call the roll is not expensive to the American people. On the other hand, it sometimes prevents the passage of bad legislation or the adoption of amendments that would be detrimental, if not dangerous, to the welfare of the country. We could have carried those roll calls on yesterday over until today when we could have called the roll while there is practically nothing before the House.

I, for one, want to say now that I am opposed to trying to put the Congress into a mechanical strait-jacket when it comes to voting. The next thing you would have a button installed in each Member's office so that the Member could press the button and then find out the next day what he voted on. During a roll call when the Members come into the Chamber they have an opportunity to consult with the Members who have been here during the debate and know just what it is that is before the House, and they are much better informed than they would be if they had to come here and look at a robot which probably would not even show how each individual had voted.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Oregon [Mr. STOCKMAN] is recognized for 40 minutes.

THE LOAN TO BRITAIN

Mr. STOCKMAN. Mr. Speaker, I am opposed to the contemplated loan to Great Britain for many reasons but principally because I do not want to see the American people left holding the sack. We played Santa Claus to the world once before—after the First World War. We ought to have learned a little from that experience. I contend that we will have enough to do to pay off our own debts without also advancing some four and one-half billion dollars to finance British socialism at home and British imperialism abroad.

This proposed loan to Britain would be only the beginning. Let the British get their foot inside the door of the United States Treasury and we will have plenty of other customers right behind them, all expecting hand-outs. Russia hopes to get $6,000,000,000, France, Italy, Belgium, Poland, and other countries are once again looking to good old Uncle Sam to bail them out of their economic difficulties at the expense of the American taxpayers.

Now it is perfectly obvious that we just cannot make all these loans without going bankrupt ourselves. And if we grant the loan to Great Britain, can we deny loans to these other countries without creating hard feelings and sacrificing international friendships? Where are we going to draw the line?

I have studied the terms under which it is proposed to make this loan to the Government of Great Britain. Those terms are utterly fantastic—and I say that with all due regard to the "funny money" schemes, the deficit spending, the pump priming and all the other hocus-pocus that has characterized the fiscal policies of the New Deal for the past 12 years. Here is how these financial magicians—aided and abetted by "experts" sent over from England—here is how they propose to go about trimming Uncle Sam this time.

First of all, there are two separate agreements. Under the terms of one, we make an outright loan of $3,750,000,000 to the British Government. Under the terms of the other, we agree to cancel $25,000,000,000 worth of lend-lease aid extended to the British at 2½ cents on the dollar—to accept $650,000,000 in full payment of the lend-lease account, including vast stores of materials left in England and the great airports and other installations which we built there.

That, reduced to simplest terms, is what we are supposed to do in the deal that has been worked out for this loan and what the Members of this Congress will be asked to approve.

Now let us take a look at what the British are supposed to do in return for all this money in new credits and cancellation of lend-lease debts. Here is where we really see the fine handiwork of the experts in international finance. Taking rabbits out of a hat is child's play compared to what they can do in depriving Uncle Sam of his shirt and pants without the old gent even knowing what happened.

Under terms of the agreement making the $3,750,000,000 loan, Great Britain is supposed to pay us back in annual installments extending over a 50-year period, plus a 5-year period of grace during which no interest will be paid. That will make the final payment due in or about the year 2000. Maybe there will "always be an England" as we have been assured in song and story, but who can say that in the year 2000 the British Empire will be constituted as it is today or that the regime then in power will recognize the obligations solemnly entered into 55 years previously?

And before we start counting as money in the pocket those annual installment payments averaging about $100,000,000 a year, let us see what else this agreement provides. On its face, it calls for an interest rate of 2 percent. In reality, the interest rate will be 1.62 percent since no interest is charged the first 5 years. I know lots of people who would like to borrow money on terms like that. There are, for example, any number of veterans out in Oregon who would jump at the chance of buying a farm if they could get a loan at 1.62 percent interest instead of 3 or 4 percent, and 5 years in which

to get on their feet before a payment became due.

Mr. BUFFETT. Mr. Speaker, will the gentleman yield?

Mr. STOCKMAN. Gladly.

Mr. BUFFETT. The gentleman is making a very informative report on this subject. I wonder if he has heard any reasons advanced why the Government of the United States should extend better terms to England in the lending of money than it extends to its own GI's?

Mr. STOCKMAN. That is one of the curious matters that prompted me to make this address today.

Mr. BUFFETT. The gentleman also knows that the GI's have made a contribution to this country's freedom at least equal to that of the Government of England. Is not that true?

Mr. STOCKMAN. I believe that would be a mild statement.

I thank the gentleman for his valuable contribution.

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. STOCKMAN. I yield.

Mr. JOHNSON of California. I, too, have been studying this matter. In thinking about the past experience of our loans to England over the last 25 years, is there any criterion to make us expect we would receive any different treatment in the matter of repaying this loan, should we make it to England, than we had with the last? We have received practically nothing from them, and, as far as I know, it is practically all canceled and we are not even trying to collect anything.

Mr. STOCKMAN. That is right.

Mr. JOHNSON of California. Is there any more probability, considering the financial condition of England today and what it may be 20, 30, 40, or 50 years from now, that they will pay back this money?

Mr. STOCKMAN. That is a point I expect to comment on later in my address, that I do not believe England has any intention of ever even attempting to pay it back.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, will the gentleman yield?

Mr. STOCKMAN. I yield.

Mr. EDWIN ARTHUR HALL. I wish to compliment the gentleman for his fine address and also want to add my sentiment. I feel that if we are going to make any loan to Britain, whether it is one dollar or four billions, that they ought to be made to pay as much interest as our GI's are made to pay. When they want to get a short-term loan to buy a home, to establish themselves in business, or for any other purpose, they are charged 4 percent.

Mr. STOCKMAN. I know how the gentleman feels, and I support that viewpoint.

Mr. BUFFETT. Mr. Speaker, will the gentleman yield for one further observation?

Mr. STOCKMAN. I yield.

Mr. BUFFETT. I read in the papers of the great number of foreign agents in this country seeking to buy large amounts of automobiles, trucks, building materials, steel, and lumber. The report is that they are going to buy all these materials with loans granted them by America. The particular newspaper item I read this morning contained the statement that if the proposed British loan went through these demands from export sources would be very much larger. This means that the date on which the domestic buyer of automobiles and building materials will see the prospect of having his needs fulfilled is pushed further into the future than ever by this proposed loan.

Mr. GORE. Mr. Speaker, will the gentleman yield?

Mr. STOCKMAN. I yield.

Mr. GORE. I think at this point in view of the remarks of the gentleman from Nebraska that it should be noted that the category of anticipated purchases in the order of their volume is, first, food products; second, textile products, both raw and finished, mostly raw; and third, the category the gentleman has just mentioned, heavy machinery of the long-productive-cycle type. With respect to food commodities they want principally edible things. They want tobacco, they want cotton; in fact those purchases anticipated under the program contemplate those things which we will be increasingly glad to sell.

Mr. STOCKMAN. To a certain extent the gentleman is right.

Mr. BUFFETT. Mr. Speaker, will the gentleman yield further?

Mr. STOCKMAN. I yield.

Mr. BUFFETT. I think it should be added at this point in the RECORD that huge commitments have been made by the Export-Import Bank and by UNRRA and other agencies that are lending American funds abroad, or giving them away, for tremendous quantities of cotton and food products.

Mr. STOCKMAN. That is right; but would the gentleman from Nebraska subscribe to the reference of the gentleman from Tennessee on edible products when he mentioned tobacco? I presume he had reference to chewing tobacco.

Mr. GORE. If the gentleman will yield, a few gentlemen of the enormous stature of the distinguished Member who now addresses us might eat tobacco, but most people chew it and smoke it.

Mr. BARRETT of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. STOCKMAN. I yield.

Mr. BARRETT of Wyoming. As I understand the gentleman, even if the British perform the agreement we will still lose about $625,000,000 by making this loan.

Mr. STOCKMAN. At least.

Mr. BARRETT of Wyoming. But I quite agree with the gentleman that there is no likelihood whatsoever that they will perform the agreement, and consequently, instead of this being a loan to Great Britain, it is going to be a gift.

Mr. STOCKMAN. That is my contention.

Mr. BARRETT of Wyoming. Will it not follow also that the goods they will buy, as suggested by the gentleman from Tennessee, will not be sold but will, in fact, be given to them?

Mr. STOCKMAN. In my opinion from past records, that will be the result.

As a matter of fact, I think we could do a lot more good, and have a better chance of getting this money back, if we used it to make loans to veterans or to further develop the resources here at home that will provide a higher standard of living for our own people.

The loan agreement as now drawn is studded with so many "if's" and "but's" that it will be fairly simple for England to escape payment whenever it suits her purpose. One of the jokers in the document provides that Great Britain will not have to pay the interest installment in any year in which her international exchange position is unfavorable. In other words, this so-called loan is partly based on the gamble that England will be able to assume her prewar dominance in world trade. If she is unable to do that, we get no interest payments on the loan during the years when her trade position is unfavorable.

In return for this huge loan, we also get a promise from Great Britain that she will try to work out certain multilateral agreements for the relaxation of world-trade barriers, and that she will try to loosen up a bit on the stranglehold she has upon the commerce of her colonial possessions through operation of the system of empire preferences. It is, in short, a promise to modify or eliminate discriminating tariff barriers and throw open empire markets to the competition of American business.

As I say, the proposal to work out these trade concessions is just a promise. I, for one, have very serious doubts either that the promise will be kept or that any major concessions will be made. England is not in the habit of working against her own best interests, nor is she very apt to do anything that will jeopardize her own economic position. Such concessions would weaken her trade position and make it just that much more difficult for her to repay this loan.

Thus far I have confined my remarks to the terms of the agreement covering what is euphemistically called a loan, but which, in the light of what happened after the First World War, will probably turn out to be an outright gift. Certainly Britain was in a much stronger economic position after World War I than she is now, and if she could not or would not repay her obligations then, what right have we to expect that she will repay the loan we are asked to grant her now? Before going any further into that I want to discuss for a moment the second of the two agreements in connection with the present negotiations for an extension of credit.

This second agreement, you will recall, provides that the United States write off $25,000,000,000 worth of lend-lease aid extended to Great Britain at 2½ cents on the dollar; that this Government will just cancel out that debt upon payment of $650,000,000, and throw in for good measure the hundreds of millions of dollars' worth of American materials and equipment remaining in England, plus the investments we have in the tremendous aviation and military installations we built on British soil during the war. Much of this material and many of these installations will be converted to peacetime use, but not for the benefit of the people who paid, and are still paying, for them.

And thus, the curtain comes down on lend-lease—except as I say, for the

American taxpayer who will still be footing the bills and getting what comfort he can from the thought that there will always be an England as long as Uncle Sam can stand the expense. Who of you cannot remember how the walls of this Chamber resounded back a few months ago with the pious promises of administration spokesmen pleading that lend-lease was to be just that; that we would be repaid after the war for the tanks and planes, the food and ships and other materials and equipment we made available to our allies; and how the American people were sold by propaganda and catch phrases on the idea of reverse lend-lease, and told that once hostilities ceased, we would start getting back goods and merchandise in repayment? Well, we are getting repaid—or rather, we are getting a promise of repayment under this agreement—if you can call a 2½-percent return a repayment when it is not even enough to take care of the service charge on the debt.

Mr. BARRETT of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. STOCKMAN. I yield to the gentleman from Wyoming.

Mr. BARRETT of Wyoming. I wish to compliment the gentleman on his splendid presentation of this matter. In addition to the point that the gentleman has just raised, I wonder if he will not agree with me that the administration, at the time that Bretton Woods agreement was under consideration in the House, assured us that if we passed that legislation, that then we would not be faced with the problem of making separate loans to Great Britain and to Russia and every other nation on earth.

Mr. STOCKMAN. If my memory serves me right, that was one of the major premises made at that time.

I recall this bit of history to your minds and take occasion to compare past promises with present performance, because I think it points a very significant moral. I merely want to raise the question as to whether the promises that are being made to repay this new loan are worth any more than the promises that were made to repay lend-lease. Or to go back still further, if they are worth any more than the promises that were made to repay the loans extended after the First World War. One government loaning money to another government is fundamentally no different than a loan made by one individual to another. If you loan money to a neighbor you expect him to repay you. If he does not repay, you certainly are not going to take a chance of getting stung two, three, and four times by making additional loans to him. Why then should we violate both the rules of good business and common sense by permitting our Government to do what we as individuals would not think of doing?

I mentioned earlier some of the jokers written into this proposed loan agreement with Great Britain and several of the ways by which she could get around the obligation for repayment.

Mr. GILLESPIE. Mr. Speaker, will the gentleman yield?

Mr. STOCKMAN. I yield to the gentleman from Colorado.

Mr. GILLESPIE. If this loan is so good, and if it is a loan, why could it not be floated in the United States and let the people who think it is good buy the bonds?

Mr. STOCKMAN. I think that would be an excellent idea and that would also determine just how good the loan is.

One of the loopholes is big enough to drive a truck through, and is found in the agreement under which we are supposed to forgive and forget the billions advanced in lend-lease. Ostensibly, Britain is to pay us $650,000,000 in canceling out the $25,000,000,000 worth of lend-lease aid extended to her by this country. The payments, however, are not to be in American dollars. Nor will they be for deposit in the United States Treasury to help out the people of this country who will still be paying on both the interest and principal of the debt which we forgave. Nothing as simple and straightforward as that. The agreement provides that the payments will be in pounds sterling; and then comes the amazing provision wherein the British tell us how and when this repayment money is to be spent, if and when we get it. We will not be permitted to use it as we see fit, nor will the bulk of it be spent in this country. The $650,000,000 payment can only be used for two purposes as the agreement is now written: First, to finance the construction of buildings in the United Kingdom for the use of the United States Government; or, second, for carrying out educational programs in accordance with agreements to be concluded between the two countries. Just who is to be educated and why is not disclosed, nor is it revealed just what buildings the United States Government will need in the British Empire that we do not already have. I say we will really have reached a new peak in freak finance if we establish the principle that from now on the borrower shall have the right to dictate how the money he repays shall be spent.

Great Britain still owes us $6,500,000,000 in principal and interest on her loans from the United States during and after the First World War. The total World War I debt owed this country by foreign governments amounts to approximately $16,000,000,000. We might as well write that indebtedness off the books. It will never be repaid. The best we can do is to chalk it up to experience and hope that we profit from that $16,000,000,000 lesson at least to the extent that we do not make the same mistake twice.

Mr. ELLIS. Mr. Speaker, will the gentleman yield?

Mr. STOCKMAN. I yield to the gentleman from West Virginia.

Mr. ELLIS. Does not the gentleman think that it would be an unhappy situation and a dangerous situation for us to loan money to any foreign governments and then have them come into our markets and compete with American citizens for goods that are scarce? Would that not be an unhealthy situation?

Mr. STOCKMAN. I think it would be a catastrophe. I thank the gentleman for his observation.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. STOCKMAN. I yield to the gentleman from Iowa.

Mr. CUNNINGHAM. May I first congratulate the gentleman on the presentation he is making. If I understand correctly, the basic argument for this loan is that it will enhance our trade relations with Britain, and that if we do not make it we will not have such favorable trade relations. In other words, as I see that argument, we will be using $4,200,000,000 of the taxpayers' money to buy good trade relations.

Mr. STOCKMAN. That is right, and I question our value received.

Mr. CUNNINGHAM. Has the gentleman ever known of a man who was able to buy a good job?

Mr. STOCKMAN. I never have.

It is contended by those who would like to make this same mistake twice that Great Britain needs this loan to get back on her feet economically, to set in motion again the wheels of world commerce disrupted by the war.

Mr. ELLSWORTH. Mr. Speaker, will the gentleman yield?

Mr. STOCKMAN. I yield to the gentleman from Oregon.

Mr. ELLSWORTH. I have listened attentively to the gentleman's discussion of this loan proposal, and have learned a great deal from it. I judge from what the gentleman has just said that this proposal can be classified as another pump-priming plan. I recall very distinctly that we tried that domestically in the years 1936 and 1940, and I think it might be admitted by everyone that it did not really work. I wonder if the pump-priming plan as applied overseas would have any better luck.

Mr. STOCKMAN. This proposal is a new and streamlined 1946 version.

I agree that to a certain extent this is true and I, for one, would not be opposed to granting her a certain amount of credit. Not, however, to the tune of more than $4,000,000,000 as a starter. And not under an agreement so full of escape clauses and so devoid of anything but promises as this one is.

Why cannot such a loan arrangement be put on a business basis? Why should we not protect the interests of the American taxpayers by seeing to it that we get something more tangible than mere promises as security for such credits? For one thing we should insist that Britain turn over to us, or at least pledge as security that she will repay her loans, certain foreign bases and islands which she controls and which are essential to our national defense.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. STOCKMAN. I yield to the gentleman from Pennsylvania.

Mr. GROSS. I have studied this matter for a long time. I too am against this loan, and I am not going to vote for any foreign loans. In view of the fact that Britain has established a sterling bloc and built such a wall against our selling to many of the nations of the world, I am terribly concerned that they are going to buy this material from us very cheap, or not pay for it at all, and resell it.

This is an example of what it going on right now. I have in my possession

copies of letters from businessmen in India and other places canceling heavy contracts involving many, many dollars. The reason for their canceling these contracts is that the British Government will not give them licenses to lift these goods if we ship them, on the ground that the goods are purchasable in the United Kingdom. I am sure they are going to get these goods from us for nothing and resell them throughout the world and pocket the money. That is in line with Britain's foreign-trade policy.

Mr. STOCKMAN. I think the gentleman has stated a logical conclusion. I thank the gentleman.

Mr. BUFFETT. Mr. Speaker, will the gentleman yield?

Mr. STOCKMAN. I yield to the gentleman from Nebraska.

Mr. BUFFETT. For 15 years the United States Government has been going into the red. Does not the gentleman think that an administration with any sense of responsibility and fidelity to duty would at least show the American people how this country is going to remain solvent, before it goes over into the realm of foreign loans?

Mr. STOCKMAN. If one can say that we are solvent as of the present day.

Mr. BUFFETT. No one has offered any testimony on that subject in a long time around here, has he?

Mr. STOCKMAN. Not with the answer in the affirmative.

Mr. STEVENSON. Mr. Speaker, will the gentleman yield?

Mr. STOCKMAN. I yield to the gentleman from Wisconsin.

Mr. STEVENSON I do not want to impose upon the wonderful presentation the gentleman is making, but may I observe that Prime Minister Winston Churchill in a speech in Parliament—and he was substantiated by the speeches of other members—said it would bankrupt the British Empire if they had to pay us any interest. I want to take them at their word. We will not charge them any interest, but we will not give them any principal.

Mr. STOCKMAN. I think that would be an excellent solution. England has more than $3,500,000,000 in gold, bank balances, negotiable securities, and investments in this country. Is there any sound reason why part of those assets should not be put up as security for any credits we may extend?

I said a moment ago that a loan of some $4,500,000,000 under the agreements as presently drawn would in all likelihood turn out to be an outright gift. It seems to me that it could not be otherwise and that the theory of repayment is based on a false premise. The notion that we can indefinitely expand foreign trade by international agreement and international loans is completely unrealistic. Yet that is the notion on which these agreements and the promise for repayment are based.

In order to meet her repayment obligations on the loan and maintain a favorable position in world trade, Great Britain must sell, and we must buy, millions of dollars worth of her raw materials and manufactured goods annually. We will be required to lower our trade barriers and permit these foreign goods to flood our domestic markets in competition with the things we produce ourselves, thus lowering wages, stifling industry, throwing American workers out of jobs, and decreasing the demand for products raised on our own farms.

I can well imagine the reaction of our wool growers in Oregon, for example, upon being told that we must increase our imports of wool from Australia to make sure that Britain does not default on her loan.

Mr. BARRETT of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. STOCKMAN. I am glad to yield to the gentleman whom I consider an authority on wool and I would like very much to have his reaction.

Mr. BARRETT of Wyoming. I compliment the gentleman on the splendid manner in which he has discussed this situation. Wyoming, too, is interested in this matter of wool production because we are second in the Nation among the States in the matter of wool production. The gentleman knows that during the war we reduced our herds of sheep about 30 percent. That was occasioned by the fact that Great Britain, and particularly Australia, were able to bring into this country about 700,000,000 pounds of wool each year and sell it for less than we can produce it. The situation at the present time is that the United Kingdom has a stock pile of between three and four billion pounds of wool. They have entered into an agreement whereby they are going to buy the wool produced in all of the United Kingdom for a period of 3 years and put a floor under that wool and sell it at auction. The situation is that they are going to sell that wool for less than we can produce it in this country because our production costs are much higher than theirs. The thing that disturbs me, however, is that it is generally accepted that along with the British loan the State Department is going to enter into an agreement with Great Britain to reduce the tariffs on all of these raw products and consequently it seems to me that not only the taxpayers and the general public are going to be forced to foot the loan to Great Britain, but at the same time the American producers are going to be called upon to give away part of their market.

Mr. STOCKMAN. I think your point is very well taken, and it is exactly in line with the reasoning I have on the same subject. I thank the gentleman.

And what our trade-unions and manufacturers will say when they find British-made goods flooding American markets! Does anyone think for a moment that we will permit that to happen? Of course not. Therefore, the assumption that Great Britain will be able to greatly increase her exports to this country in helping her to meet the installments on her debt to us is just plain nonsense.

The time has come to call a halt to these raids on the Federal Treasury. We cannot afford to make these huge loans, either to Britain or to other foreign governments. The people of America have sacrificed enough without saddling upon them additional billions of dollars of debt that would result from embarking on another lending spree. There is a limit to our resources. There is a limit to what we can pay. If credit must be extended to these foreign governments, let us see to it that the interests of the American taxpayers are safeguarded and that the credit is extended only in amounts which the borrowers can reasonably be expected to repay. Let us not try to finance the world—and bankrupt America in the process.

Mr. Speaker, I yield back the remainder of my time.

ADJOURNMENT

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 12 minutes p. m.), under its previous order, the House adjourned until Monday, January 28, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. on Monday, January 28, 1946, to continue hearings in its study of operations pursuant to the Public Utility Holding Company Act of 1935.

There will be a meeting of the Federal Trade Subcommittee of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Tuesday, January 29, 1946.

Business to be considered: Commerce hearings on the bill (H. R. 2390) to amend the act creating the Federal Trade Commission, to define its powers and duties, and for other purposes.

COMMITTEE ON PATENTS

The Committee on Patents will hold hearings on H. R. 4143 in the committee room, 416 Old House Office Building, January 29, 1946, beginning at 10:30 a. m.

COMMITTEE ON THE JUDICIARY

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, January 30, 1946, on the bill (H. R. 2710) to provide for the detention, care, and treatment of persons of unsound mind in certain Federal reservations in Virginia and Maryland. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

The Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary will hold a hearing on Monday, February 4, 1946, on the bill (H. R. 5023) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, February 6, 1946. on the bill (H. R. 5089) to amend the First War Powers Act, 1941. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

976. A communication from the President of the United States, transmitting a proposed provision affecting an estimate of appropriation for the Post Office Department in the form of an amendment to the Budget for the fiscal year ending June 30, 1947 (H. Doc. No. 420); to the Committee on Appropriations and ordered to be printed.

977. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the fiscal year 1946 in the amount of $3,390,000 for the Department of Labor (H. Doc. No. 421); to the Committee on Appropriations and ordered to be printed.

978. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1947, in the amount of $2,100,000, for the Department of Agriculture, in the form of an amendment to the Budget for said fiscal year (H. Doc. No. 422); to the Committee on Appropriations and ordered to be printed.

979. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 for the United States Soldiers' Home amounting to $54,768 (H. Doc. No. 423); to the Committee on Appropriations and ordered to be printed.

980. A communication from the President of the United States, transmitting a supplemental estimate of appropriation in the amount of $45,111 in the form of an amendment to the Budget for the fiscal year 1947 for the United States Soldiers' Home (H. Doc. No. 424); to the Committee on Appropriations and ordered to be printed.

981. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1947 in the amount of $14,350,000 for the War Department for flood control, in the form of an amendment to the Budget for said fiscal year (H. Doc. No. 425); to the Committee on Appropriations and ordered to be printed.

982. A letter from the Archivist of the United States, transmitting report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RANKIN:

H. R. 5238. A bill to amend the Communications Act of 1934, as amended, so as to prohibit the radio advertising of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

By Mr. McGEHEE:

H. R. 5239. A bill to amend Public Law 277, Seventy-ninth Congress, so as to provide the Coast Guard, at such time as it is transferred back to the Treasury Department, with a system of laws for the settlement of claims, and for other purposes; to the Committee on Claims.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DWORSHAK:

H. R. 5240. A bill for the relief of Mr. and Mrs. David H. Perkins; to the Committee on Claims.

By Mr. JOHNSON of Indiana:

H. R. 5241. A bill for the relief of Raymond Nelson Hickman; to the Committee on Naval Affairs.

By Mr. McGEHEE:

H. R. 5242. A bill to provide reimbursement for personal property lost, damaged, or destroyed as the result of explosions at the naval ammunition depot, Hastings, Nebr., on April 6, 1944, and September 15, 1944; to the Committee on Claims.

By Mrs. SMITH of Maine:

H. R. 5243. A bill for the relief of Stone & Cooper Coal Co., Inc.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1493. By Mr. GOODWIN: Resolutions of the Somerville-Medford (Mass.) Chapter of the American Youth for Democracy, protesting the present demobilization policy of the War and Navy Departments and protesting compulsory military training during peacetime; to the Committee on Military Affairs.

SENATE

MONDAY, JANUARY 28, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God of all mercies, in a world swept by violent forces with which unaided we cannot cope, Thou only art our help and our hope. Through all the mystery of life Thy strong arm alone can lead us to its mastery. Thou hast made of our very restlessness a sign that without Thee we cannot be satisfied.

Fronting the claimant duties of this new week, steady our spirits with a realization of untapped power available to servants of Thy will, if only they go quietly and confidently about their appointed tasks. Forgive us the distrust of ourselves, of life, and of Thee, and for the doubts which besiege us when the heights above are full of the chariots of God. Amen.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

SOVIET EFFORTS TO DISCREDIT GENERAL MACARTHUR

Mr. JOHNSTON of South Carolina obtained the floor.

Mr. WHERRY. Mr. President, will the Senator from South Carolina yield for an insertion in the RECORD?

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Nebraska?

Mr. JOHNSTON of South Carolina. I yield for a question, if it does not take me off the floor.

Mr. WHERRY. I thank the Senator, and I shall not, of course, attempt to take the Senator off the floor.

I should like very much to get in the RECORD of today a very timely editorial and call it to the attention of the Members of the Senate. The editorial was published last Friday in the Washington Times-Herald and has to do with the charge made by the newspaper Tass, the official organ of the Soviet Union Republic, that the United States military command in southern Korea is inciting reactionary Korean protests against the recent Moscow agreement, which limited General MacArthur's role in the Pacific. This particular charge labels these alleged reactionary protests as directly inspired by General MacArthur's subordinates.

I was one who opposed the confirmation of the nomination of Mr. Acheson because I objected to his statement prior to his confirmation that he believes in a policy that would go beyond the Potsdam agreement. Now, these new commitments made by Secretary Byrnes at Moscow circumscribe the authority we intended to give General MacArthur and the military in the Southwest Pacific. I, for one, shall continue to register my protests against this left-wing element in the State Department of the United States Government by public utterances on the floor of the Senate and the platform and among the American people. I shall continue to fight for an American policy that will create democratic governments in the different countries of the world instead of creating a background of chaos upon which communism now is thriving.

I ask unanimous consent that this editorial, which, as I have said, was published in the Washington Times-Herald of last Friday, be printed in the RECORD at this point in my remarks.

I want to thank the distinguished Senator from South Carolina for the opportunity of inserting this particular editorial in the RECORD.

The PRESIDENT pro tempore. Without objection, the editorial will be printed in the RECORD.

The editorial is as follows:

NOW IT'S UP TO MR. TRUMAN

Mr. Truman now at last has to face the issue of what he is going to do about Communist undermining of the United States Army and Navy around the world. The Communists have challenged him publicly.

You can learn how by reading the news report from General MacArthur's headquarters in Tokyo yesterday charging up to the Government of Russia "a definite program to discredit General MacArthur and force further changes in the present occupation policies and command."

For some time Communists in the United States and their paid agents have been spreading dirty stories about MacArthur on the air, in print, and by whispered word of mouth.

They have taken the line that he is a false alarm, that he has long been up to dirty work in the Philippines, that in Japan he is not really doing his job as advertised, and that in general he is no friend of the United States. That about a man who was born on an Army post in Arkansas and has spent his life from boyhood in the service of the Republic.

But MacArthur is such a figure and the American public has stayed so loyal to him that the local Communist agents haven't been able to shake him. So the Soviets have had to come out in the open officially.

MOSCOW COMES OUT IN THE OPEN

First, they took Secretary of State Jimmy Byrnes to the cleaners at Moscow and formally cut down MacArthur's authority to

handle the problems of Japan, though he has done the one outstanding job in the world of administering a defeated power. Compare the shape of things in Germany with that in Japan for evidence.

And because of that evidence, again the American people showed their loyalty to MacArthur. Jimmy Byrnes was never more criticized than for having sold MacArthur out at Moscow.

So now the Soviets have swung again. Only this time, instead of merely directing that dirty stories be spread over here by their agents, or attempting to horse trade Jimmy out of his pants as well as his shirt, they have laid on the direct lie.

Tass, the official Soviet news agency speaking for Stalin and by his order, charges that the United States military command in southern Korea is inspiring "reactionary" Korean protests against the above-mentioned Moscow deal that sold MacArthur out.

All that is designed to get MacArthur in trouble with Washington, to weaken his authority in Japan, and to destroy the respect of United States soldiers and sailors for their officers in general.

A spokesman for MacArthur, according to Associated Press, had this to say in Tokyo yesterday about the latest Red performance:

"It is known that orders have gone out to all opposition forces, including the so-called Communist Party members in Japan, to do their utmost to discredit MacArthur * * *.

"It can be expected that continuing critical attacks will flow from the left-wing press of the United States"—all this is by MacArthur's spokesman, remember—"as well as from others outside the United States.

"Failure to secure popular support in their program following their assault after the Moscow Conference will merely spur these elements to more studied plan of attack."

These above-quoted remarks place the story where everybody in the United States can read and hea. it. Including the President of the United States.

The President is now clearly and publicly put on notice that it is the Communists who are stirring up world-wide disrespect for our generals and admirals.

THE PRESIDENT IS ON NOTICE

Now maybe he can see why he should have gone to Washington Cathedral on Sunday last for the memorial services to Gen. George Smith Patton, Jr., to speak up in the name of the people of the United States in tribute to that great patriot and soldier.

The Communists are out to destroy every government in the world except that of Soviet Russia. They don't conceal their aim. They brag about it. They have set out to divide us so they can destroy us.

They are trying to corrupt our Army and Navy so these will fail to defend us against internal Communist attack.

Mr. Truman is President of the United States. He, therefore, now finds himself in the position that he must either stand up for the MacArthurs and Pattons publicly or back down publicly.

The Communists are not leaving him any choice.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. JOHNSTON of South Carolina. Mr. President, when the Senate adjourned Friday I had the floor and was discussing what is commonly known as the FEPC bill. In my speech at that time I had reached the point where I demonstrated that the bill covers a great deal of jurisdiction. Section 4 of the bill attempts to give the Commission jurisdiction over the States and over every instrumentality which is a creature of the United States or of the States. That is, of course, as may be seen, specifically directed to various counties, cities, school boards, State highway departments, and other agencies too numerous to mention, all of which are creatures of various and sundry States of this Union.

Mr. President, I was trying to show wherein this bill was vicious in its scope and nature, doing entirely away, as I see it, with State rights. It is, indeed, a far-reaching bill. Everyone who has studied it will come to the conclusion that it wipes out, so far as the individual employer is concerned, his right to hire and fire, to raise salaries, or to carry on his business as he has done in the past.

I do not wish now to take up the time of the Senate, although I note that I have finished only 10 pages of my notes. I have 34 pages of notes, going into all the details and phases of this proposed legislation, and showing as best I can that if we continue with legislation along this line, it is likely to stir up majorities of the Nation against the minorities. I once heard a story to this effect: An eagle had been sick and its owner had taken care of the bird and had petted him. Finally the eagle got better, and the owner thought he would put him out in the back yard in one of the little pens he kept for his chickens. An old rooster in an adjoining pen saw the eagle and decided he would hop over and take charge of the eagle. So over he flew, and he began to peck at the eagle. The eagle at first did not understand what it was all about, but finally he woke up to the fact that the rooster was attacking him. Then the eagle reached over and with one talon caught the rooster by the head and with the other pushed him to the earth and pulled his head off. That is an illustration of minorities stirring up the majority. That is what I am fearful of. Let it be remembered, too, that, while this bill as it is drawn may not cover some sections of the South so far as farming is concerned, yet its reaction will be felt on the farms of the United States, and thus it might do a great deal of damage to the people for whom the authors of the bill are trying to benefit or claim they are trying to benefit. That is what I am fearing.

As I said a few moments ago, I understand that other Senators desire to speak, and it is not for me to try to keep the floor. I understand the senior Senator from Maryland [Mr. TYDINGS] would like to address the Senate at this time, and, that being true, I would be delighted to have him speak at this time. At the proper time I shall finish my speech.

A PLEA FOR WORLD DISARMAMENT

Mr. TYDINGS. Mr. President——

The PRESIDENT pro tempore. The Chair recognizes the Senator from Maryland.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

Mr. TYDINGS. I yield for a question.

Mr. RUSSELL. Will the Senator yield so I may suggest the absence of a quorum, with the understanding that it will not affect his right to the floor?

Mr. TYDINGS. I yield for that purpose and with that understanding.

Mr. RUSSELL. With the understanding that it does not affect the right of the Senator from Maryland to have the floor, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Guffey	O'Daniel
Austin	Gurney	Pepper
Bailey	Hart	Radcliffe
Bankhead	Hatch	Reed
Barkley	Hayden	Revercomb
Bilbo	Hickenlooper	Robertson
Brewster	Hill	Russell
Bridges	Hoey	Shipstead
Briggs	Huffman	Smith
Buck	Johnson, Colo.	Stanfill
Bushfield	Johnston, S. C.	Stewart
Byrd	Kilgore	Taft
Capehart	La Follette	Taylor
Capper	Lucas	Thomas, Okla.
Chavez	McClellan	Thomas, Utah
Cordon	McFarland	Tobey
Donnell	McKeller	Tydings
Downey	McMahon	Wheeler
Eastland	Magnuson	Wherry
Ellender	Maybank	White
Ferguson	Mead	Wiley
Fulbright	Millikin	Willis
George	Morse	Wilson
Gerry	Murdock	Young
Gossett	Murray	
Green	Myers	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from Louisiana [Mr. OVERTON], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. CARVILLE], and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Nevada [Mr. MCCARRAN] and the Senator from Massachusetts [Mr. WALSH] are absent on public business.

The Senator from Washington [Mr. MITCHELL] is detained on official business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business as a member of the Mead committee.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations now being held in London.

The Senator from Minnesota [Mr. BALL] is absent because of illness.

The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. BUTLER], the Senator from North Dakota [Mr. LANGER], the Senator from Oklahoma [Mr. MOORE], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee.

The Senator from New Jersey [Mr. HAWKES] is necessarily detained.

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Seventy-six Senators having answered to their names, a quorum is present.

Mr. TYDINGS. Mr. President, at the beginning of my remarks today I ask unanimous consent to have printed in the RECORD immediately following my general remarks some extracts from a speech entitled "American Loans Are Maintaining the Armies and Navies of the World," delivered on the floor of the Senate on Thursday, January 17, 1929.

The PRESIDING OFFICER. Without objection, the matter referred to by the Senator may be printed in the RECORD.

(See exhibit A.)

Mr. TYDINGS. Mr. President, the subject matter to which I shall address my remarks today I consider the most important that has ever come before this or any other Government.

It begins to appear as if the nations of the earth are headed directly into World War III.

There is a dangerous and ominous parallel between the present policies of the United States and of other nations, and the policies pursued during the past three decades. The world seems determined to repeat the same grave mistakes and follow the same straddling policies which recently brought all peoples to the brink of disaster.

It is true that after World War I the United States refused to join the League of Nations. It is true that after World War II we corrected this mistake by leading in the formation of a new world organization called the United Nations Organization, of which we subsequently became a member.

However, with this single exception, we seem to have learned nothing. In all other respects, the course of our own and of other nations remains unchanged. If this course continues, World War III is inevitable.

Some striking illustrations will support this point of view. Following the Washington Naval Disarmament Conference of 1922, this country gave to the world the spectacle of disarmament by example. We were the only example. Our Navy was then the most powerful in the world, and constituted our first and strongest line of defense. Our Army had always been one of the smallest on earth. But as a result of the Washington Naval Disarmament Conference, battleships, cruisers, and destroyers flying the Stars and Stripes were towed out to sea and sent to a watery grave. Other countries sank only a few small ships. They simply tore up the blueprints of the larger ships they said they had intended to build.

At this Washington conference, no account was taken of the relative armed strength of the great powers. The fact that other leading nations maintained large armies far superior to our own was overlooked. They continued to maintain those superior forces, so the net result of the Washington Naval Disarmament Conference was to weaken our own and increase the relative armed might of the remainder of the world. At that time, we pledged ourselves not to maintain a Navy greater than that of any other country. Other countries were permitted to maintain, and did maintain, on the land and in the air, armaments far superior to our own.

Now we learn from the press and radio that our Government, acting through its representatives at the first UNO meeting, is asking the other great powers to join with us in the control of the atomic bomb.

The United States has mastered the manufacture of the atomic bomb. We have used the atomic bomb in warfare. We have a goodly supply of atomic bombs in storage. This bomb is the greatest element in our present national defense arrangements. So far as they go, they outweigh the armed strength of other nations which are in all other respects armed to the very teeth.

No other country has as yet mastered the manufacture of the atomic bomb. The present proposal of the United States is that future manufacture, use, and storage of the atomic bomb shall be controlled. Mark you, Mr. President, it is not proposed that it be prohibited by all nations. The great powers are engaged only in the control of the atomic bomb.

There are few words in the English language more elusive than the word "control." What does control of the atomic bomb mean? Webster's Dictionary gives the following synonyms for control: to restrain, rule, govern, guide, regulate, hinder, direct, check, curb, counteract, subdue. It is significant that the word "prohibit," does not appear. The word "prohibit" is not synonymous with control.

Thus, if the English language means what its greatest authority says it means, our country is not desirous of reaching an agreement to prohibit the manufacture and use of the atomic bomb. It seems satisfied to effect an agreement merely to control it.

I remember, all too regretfully, that at the Washington Naval Disarmament Conference our country entered into an agreement for the control of naval armaments. I am wondering if we are about to enter upon a similar experience with regard to the atomic bomb. Ostensibly, the objective of our country is to reduce our atomic bomb strength to one of equality with that of other countries. If successful in this enterprise, we will again embrace disarmament by example. And again we will be the only example.

Perhaps in time the quest for means to control the atomic bomb will merge into a search for measures to prohibit its manufacture, use, or possession. If the latter should occur, it would necessitate our dismantling our gigantic atomic bomb plants, which cost $2,500,000,000, scrapping the machinery and destroying all our bombs.

But whether successful control, or outright prohibition of the bomb is the outcome, we will in either case be no stronger in the atomic bomb field than the other great nations of the earth. In either case, our relative ability to defend our country will be drastically reduced. By the same token, the armed strength of the other great nations will be correspondingly increased.

Neither the United States nor the UNO seems interested at this time in the strength of navies, of air forces, or of armies of the world. In many instances, the air forces and armies of other nations are superior to our own. Shortly this superiority will be greatly increased. This country is outstanding in the speed with which it turns away from war and preparedness and turns toward peace and prosperity.

In the one department of national defense in which we are the acknowledged superior, we seek to eliminate our strength completely. In the other departments we are content to remain inferior, in a world where the armed might of other nations is far greater than our own.

When the disastrous lessons of the Washington Naval Disarmament Conference were brought home to us by the cruel force of subsequent events, our leaders pointed out that such a mistake should never be repeated. Nevermore must there be the spectacle of disarmament in any branch without regard to its effect on our total defensive ability, yet that seems to be what our country and our delegates to the UNO are advocating. Our recollections of events following World War I are still verdant enough for us to perceive we are duplicating these mistakes once more.

It will be recalled that following World War I, mostly between the years 1920 and 1930, the people of America bought $14,000,000,000 worth of foreign bonds. With this borrowed money, foreign governments were able to maintain great armaments, as it released funds that would not otherwise have been available for such purposes.

To illustrate, in 1927 Japan borrowed $300,000,000 from our people and in the same year spent $200,000,000 on her total national-defense program. Thus, we furnished Japan with $100,000,000 more than the cost of her entire national defense program in that year. Other examples are readily available in many cases.

There is now pending before this body a loan to the British of $4,400,000,000. This loan is likely to be followed by requests for similar treatment from Russia, France, China, and other nations. There is no restriction, direct or implied, in these proposals that such borrowed money shall not be used for armaments. Such a proposal would be difficult to carry out, for even if such money were not used directly for armaments it could be used indirectly for that purpose.

Thus it seems apparent that if these loans are granted, the borrowed money will assist foreign nations in maintaining their gigantic armaments with the hard-won dollars of the American people. Thus, it will relatively weaken the ability of our Government and people to defend themselves should war strike us again.

These circumstances, Mr. President, are in the main the cause of my remarks today.

With the background I have outlined, it is imperative that we now seriously consider what the UNO is proposing to do with the atomic bomb. Ever since the atomic bomb was first used against

Japan it has provoked world-wide discussion. Its potentialities for death and destruction stagger our imaginations. In their early crude form two of these bombs in a fraction of a second wiped out two of Japan's largest cities. This event struck terror throughout the world. We all know now that if World War III comes with the atomic bomb it will transcend a thousandfold the dreadfulness of World Wars I and II combined.

We are told that in the next war the battlefield will constitute but a small part of the area through which wanton death and indescribable destruction will rage. In the next war, they say, men, women, and children in the great cities will be recklessly slaughtered by the tens of millions. The work of 20 centuries of building and progress will be undone in a single day. We are told that when that war is over, such security as will then exist will be in the keeping of armed bands, fighting only for survival. Such a war would wreck the earth itself, and would be the end of everything we value.

Strangely enough, in spite of these warnings, the UNO seems content to have nations agree only for the control of the atomic bomb. It does not seem bent upon prohibiting its future use.

The threatened terror of an atomic bomb war has arrested our thinking in other directions. We seem oblivious to the merciless slaughter and wide devastation of the last war even without the atomic bomb. We seem to have forgotten the possible use of bacteriological warfare which if employed can start scourges and plagues which will slay millions from pole to pole.

Likewise we fail to remember the death-dealing possibilities of the new poison gases which silently strike both on the battlefield and on the nonmilitary town and city. We seem to have forgotten the possibilities of the rocket, the V-1 and V-2, and other flying bombs which can wing their way near the stars on flights of hundreds of miles on their evil missions of destruction.

The tens of millions who lie dead, the tens of millions of maimed and broken, the widespread destruction of cities, the barbarism, the infinite cruelty and tortures of the concentration camp, the hundreds of thousands of homeless and displaced persons, the empty treasuries of once financially strong governments, have all been temporarily forgotten before the majestic devastation wrought by the atom bomb.

The reasoning of the moment is "only control the atomic bomb and war without it is still bearable." So it seems that prevention of World War III is not now topmost in the minds of men. The control of the atomic bomb now occupies this place.

Let us explore for a moment what will happen if the UNO succeeds in controlling or even outlawing the manufacture and use of the atomic bomb.

Let us assume that in the near future all the nations of the world will agree not to manufacture, not to store, not to possess, and never again to use the atomic bomb. Let us assume that an international inspection force is set up to see that these pledges are relentlessly carried out. Let us assume that the pledges in reality are carried out and that not a single atomic bomb is being made or is in the possession of any country on earth.

Then let us assume that because of some future disagreement between nations, World War III really comes to pass anyhow. Every realist knows that immediately upon the outbreak of World War III the treaties governing the prohibition of the manufacture, possession, and use of the atomic bomb will be set at nought. Every nation that can do so will at once begin its manufacture. Nations will feel compelled to do so, for fear that their enemies will do it first. When these bombs are made, they will be used by one or the other of the nations who are parties to the conflict.

Then where do we stand? All the work of the UNO to outlaw the use of the atomic bomb will then be undone in a fraction of a second. By every rule of logic and necessity, atomic bombs are certain to be used if another war comes. In spite of any treaties or agreements against its manufacture and use, in spite of all honest efforts by nations to prohibit its use, it seems as certain as anything on this earth can be that at some time during the next war, the atomic bomb is sure to be used.

If this be true, nothing is accomplished by outlawing the atomic bomb between wars. It would not be used between wars anyhow. If another war comes, no treaty prohibiting the bomb will prevent its use.

The simple logic of this thinking brings us to a startling conclusion. It is not, as we supposed, the atomic bomb in itself that we fear at all. What haunts our days and crowds our nights with terror in the coming of World War III. We know for certain, if World War III does come, the atomic bomb will come with it, and all will then be gone.

So at long last we have come to know that the atomic bomb is but a part of our fear. At long last we have come to know that it is World War II that we fear. If we can prevent the coming of that war, the atomic bomb, bacteriological warfare poison gases, the rocket, the flying bomb, and all other weapons will take care of themselves. But is the UNO and are all of us centering our efforts on the prevention of World War III? Frankly, I do not believe we are.

This opinion is abundantly fortified by what we learn through press and radio of the organizational meeting of the UNO. We read that our representatives are taking the lead in setting up a committee "for the control of the atomic bomb."

Merciful heaven, deal kindly with us poor humans in our weak, halting, and puerile attempt to face the gravest responsibility with which men have ever been confronted.

Since all nations must look to the UNO and its successful working for our hope of survival on this planet, it now becomes absolutely indispensable that we reexamine the UNO, and particularly its Charter, with most thorough particularity.

From a careful reading of it, we learn that the great mission of the UNO is world security. Indeed, the most potent and decisive branch of the UNO is actually called the Security Council. The idea of world security dominates and permeates the whole philosophy of the 19 chapters and the 111 articles which together compose the entire United Nations Charter.

Tragically enough, there does not appear in it a single word or phrase devoted to the only sure method of making the work of the UNO an ultimate success.

Mr. President, there is in the Charter no declaration of purpose or principle, no stated objective for eventual world disarmament. Yet it seems clear that if the world's peace is to be unbroken, such accomplishment is impossible without full and proved trust and faith between nations. The UNO is doomed to failure unless the member nations use its services, rather than the battlefield, for the settlement of their disputes.

If the nations intend to use only the UNO for such purposes, then all well and good. If they do not intend to use the UNO but to rely instead on their own armed forces, then all should know that. It is imperative for the security of our own country that we have the answer to this question. Only then can each member nation of the UNO plan at home and abroad the course which is wise and appropriate in the circumstances.

It does not appear, as the UNO begins its work, and with the limited time at the world's disposal, that it is endeavoring to secure a united decision from its members as to which of the two courses are hereafter to be followed. And when one reads through the Charter and finds that world disarmament, under proper safeguards, has been omitted both from the purposes and principles of that document, our fears for the future are greatly heightened.

Why, I ask, is the Charter silent on eventual world disarmament—on the indispensable requisite for the use of the UNO rather than the battlefield for the settlement of international disputes?

If all the nations of the world mean what they profess, then why do the United States, Great Britain, Russia, France, China, and so on through the long roll call, continue to mass at home military power greater than the world has ever heretofore seen? All the while their delegates to the UNO talk only of the control of the atomic bomb. Is war without the atomic bomb a bearable institution? Does it become unbearable only when the atomic bomb is added to the other weapons of destruction? If World War III comes, and this bomb is to be used anyway, why not try to avoid that war by the process of total world disarmament, save for small and appropriately armed forces in each nation sufficient to keep the peace; and save for such forces as are pledged exclusively for the use of the UNO, together with an international inspection force capable of maintaining this state, once it is reached.

Is the faith of our own country in the UNO and our trust in the pledged word of the other member nations so weak

that we must maintain the greatest Navy, the greatest air force, and perhaps the most efficient Army that the world has ever seen?

Is the faith and trust of the British in this indispensable enterprise — the UNO—so shallow and fleeting that it, too, relies on one of the greatest armadas, one of the most powerful air forces, and one of the greatest armies in the world?

Is the faith and trust of mighty Russia in the workings of this last hope of mankind so flimsy and unsubstantial that, while nominally adhering to the lofty purposes and principles of this international organization, it still desires to keep millions of men, armed with every conceivable weapon, always readily available?

Indeed, Mr. President, is the faith of all countries now staggering under the wasteful expense and harsh deprivation caused by all-out preparedness so feeble that they must continue to maintain, to broaden and to extend their present great military establishments?

Truly, if the future accomplishments of the UNO are to be measured by the yardstick of its present actions and objectives, then we are indeed leaning on a very fragile and insufficient reed.

In this state of a world armed to the teeth, we cannot further rely on the UNO for our own protection. If this condition continues, it is obvious that we must rely only on ourselves.

What becomes of the principles and purposes of the UNO as it attempts to enforce its decrees, when the position of the United States, or Britain, or Russia on any international question is backed up in each country by an invincible military establishment?

What becomes of the pledge made by each nation that it will "discharge in good faith the obligations assumed" if huge armed establishments are to be maintained by all of them, just in case?

The Charter specifies: "All parties shall refrain from the threat or the use of armed force." If this clause is to be observed, do not the existing world-wide armaments make of it but a mockery? Is not their very maintenance a threat to all other nations, great and small?

Mr. President, sadly enough, you will not find the words "world disarmament" anywhere stated in the purposes and principles of this world organization.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield for a question.

Mr. McMAHON. Does the Senator believe that provision for world disarmament would have been urged for the Charter which was drawn at San Francisco if the framers of that document had then known about the atomic bomb?

Mr. TYDINGS. I should not like to give the Senator a hasty answer to his question, except to say that whether the framers of the Charter knew about the atomic bomb or did not know about it, the indispensable requisite to good faith in the UNO is that each nation prove such faith by disarming, excluding only the forces which are necessary to maintain law and order at home. Those forces should be put at the exclusive disposal of the UNO. If armies are maintained in the face of at least the implied pledge to disarm, the UNO is not worth the paper upon which it is written.

Mr. President, when we contrast words with action, the UNO's purposes and principles with its initial objectives of "controlling the atomic bomb," we are led into a field of unrivaled contradiction. On the one hand, we have the picture of all nations solemnly pledging their faith and support in the United Nations Organization as the instrument for settling international disputes without bloodshed, and at the same time retaining and even enlarging their wartime armaments.

Thus it looks to me, as the UNO begins its labors, as if we are repeating once more the same vital error which laid the League of Nations low. Most nations pledged their faith in the League, but at the same time they made a mockery of this pledge by openly demonstrating that their real faith was in their own great armaments, and in nothing else. Had they been relying on the League for the settlement of disputes, such armaments would have been unnecessary.

I make the challenge that, except for such forces as are needed to maintain order in the defeated countries and keep the peace at home, the maintenance of large military forces shows such a lack of trust and faith in the UNO as to render it a futile agency for preventing World War III.

Unless this program of world disarmament, as I have qualified it, is immediately undertaken by the UNO, there is grave promise that the UNO will be but a snare and a delusion, and that it is ultimately doomed as the most collossal and sad failure of all the institutions created by mankind throughout history. We are embracing again the same hypocrisy which bedeviled the League of Nations and in time wrecked it on the rocks of world rearmament.

What a travesty! Here we have the spectacle of 51 of the greatest nations on earth renouncing war forever as an instrument of national policy, and proclaiming their allegiance to the UNO in its operations to keep the peace, at the same time parading their armed might on land, on sea, and in the air, on a scale never before witnessed on the face of this earth.

Mr. RADCLIFFE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield for a question.

Mr. RADCLIFFE. I ask the senior Senator from Maryland if he thinks that had we been a member of the League of Nations the results of the Disarmament Conference would have been so disastrous?

Mr. TYDINGS. If we had been a member of the League of Nations and the member nations had supported larger armaments the League would have been a patent fraud. The only way the League could have been the success Woodrow Wilson intended it to be was for nations to make good their pledged word by action, which would have been disarmament under proper terms.

Mr. SMITH. Mr. President, will the Senator yield for a question?

Mr. TYDINGS. I yield for a question.

Mr. SMITH. My question is whether the burden of the Senator's argument is that at this time we should form a world state and grant it all military power.

Mr. TYDINGS. I should like to say, if the Senator will bear with me, that I think I will approach that point by gradual stages.

Mr. SMITH. I apologize.

Mr. TYDINGS. The Senator need not do so. The question is very pertinent.

Mr. HATCH. Mr. President, while the Senator from Maryland is being interrupted I should like to say that I find his discussion most interesting, and I wish every Senator were present to hear it. The Senator has mentioned the efforts of the United Nations Organization being directed simply to the control of the atomic bomb. As a matter of fact that weapon was not known when the United Nations Organization was formed.

Mr. TYDINGS. That is correct.

Mr. HATCH. Those who formed the Organization could not have had that subject in mind when they created the other machinery.

Mr. TYDINGS. That is correct.

Mr. HATCH. Then are they abandoning the things they had in mind at that time?

Mr. TYDINGS. What I intended to bring out, I will say to the Senator from New Mexico, is that it is a mistake to take up disarmament only so far as the atomic bomb is concerned. If we are to have disarmament it ought to go through the whole category of armaments, and if the Senator will bear with me a little further, I shall discuss that very point in a few moments, and then his question will be more pertinent.

Mr. HATCH. I shall, of course, defer any further questions, but I want to say now that I certainly agree that the atomic bomb cannot be considered alone.

Mr. TYDINGS. That is correct. That is the burden of my remarks up to the present time.

What is the matter with the UNO and with the giant intellects of which it was to be composed? Is the vision of its present membership fixed on the ground but some 20 feet distant? Can they not perceive that the present approach of the UNO to its basis problem is a feeble, fumbling and ineffectual one?

What the man in the street and the man in the bush wants is larger and sterner stuff. The hour demands it. He does not want to set up a debating society on mere details for world security while all the world marches burdened by heavy armaments. He wants action on a broad scale which will strip this world of the threat of another war. He wants real, not professed, world security. He wants complete and absolute disarmament on land, sea, and in the air by every country on the face of the earth and he wants an inspection force set up to see that that state, when reached, is maintained. He wants a well-organized international police force put at the exclusive disposal of the UNO, able and ready to halt all violators of this concept. He is only remotely interested in atomic-bomb control.

There is only one way, Mr. President, that the good faith of the members of the UNO can be proved. There is only

one way that the UNO and its member nations can show to the world that this time they really mean business.

What we must control, Mr. President, is not the atomic bomb, not the scientist who make it, but the ability to make war. In short, we must control ourselves, and the people of all other nations must do likewise.

There is no other method. There is only one road to peace and unless we take that road our institutions, our species, this planet itself, will not survive.

Mr President, we no longer have a choice in the matter. Either we outlaw war and make that mandate work, or there is no survival for anyone. Yes, Mr. President, I feel our problem is just that simple. This has been apparent since the first small atomic bomb demonstrated its abilities of destruction. It is even truer now when we know that in spite of everything we may do to control the atomic bomb, in the meantime, if World War III comes, an improved atomic bomb will come with it.

As an American, I believe we ought to do one thing or the other. The United States must either keep fully prepared in all categories, including the atomic bomb, or we must have total disarmament, including the atomic bomb, for all nations of the globe, ourselves included. We will not contribute to the peace of the world by further disarmament by example as is now proposed. What will conduce to the world's peace is for us either to be so strong that all nations will respect that force, or for us to join with all other nations in world disarmament, for in such a world we would have no need for armed forces to gain our rightful ends.

What we and all other nations want and are entitled to have is a clear answer as to which of these policies we must all hereafter pursue for our own protection. If we are going to support the UNO, then all nations should be willing to disarm. If we are not going to put our faith in the UNO, then it is imperative for our own national security that we never again be caught unprepared.

Because I think we are entitled to an immediate answer to this question, I am submitting to this body and through it to the governments of all the world the proposition embodied in this resolution which I now offer and read, as follows:

That the President is authorized and requested to invite the governments of all nations to send representatives to a conference, which shall be charged with the single duty of entering into an understanding and agreement to achieve world disarmament on land, on sea, and in the air by January 1, 1950, except only for such actual occupying forces, with appropriate weapons, and for such agreed period of time as will be necessary to police the defeated and occupied nations as a result of the recent war, and except only for such armed forces and for such weapons as are to be placed exclusively under the jurisdiction of the Security Council of the United Nations Organization, and except only for such limited forces and small arms as are needed to keep law and order within each country, and directly prohibiting the manufacture, storage, and possession of all other weapons, ammunition, and munitions of war, and providing further for an international inspection force authorized and instructed to see that the terms of such world disarmament are rigidly adhered to and carried out, and thereafter maintained by all the countries of the earth.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. TYDINGS. I shall yield in a moment.

I ask unanimous consent, Mr. President, to submit this resolution, and I ask that it may lie on the table.

There being no objection, the resolution (S. Res. 219) was received and ordered to lie on the table.

Mr. TYDINGS. I now yield to the Senator from Vermont.

Mr. AUSTIN. I should like to ask the opinion of the distinguished Senator from Maryland on a point which is raised by the presentation of this resolution. Does the Senator believe that his ideal could be better promoted in such conference if before that conference is held the United States should reduce its military strength?

Mr. TYDINGS. I do not.

Mr. AUSTIN. Is the converse true, in the Senator's opinion, that the voice of America, in the cause of security and peace to be negotiated, depends upon her military strength?

Mr. TYDINGS. I do believe that to be true.

Mr. AUSTIN. I thank the Senator.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. FULBRIGHT. Does the Senator contemplate that the agreement for disarmament should take the form simply of treaties as among nations as they now exist?

Mr. TYDINGS. I think I shall pretty well cover that point in what I am approaching now—how the conference should be called, why it should be called, and why this particular form of resolution should be considered and acted upon.

Mr. FULBRIGHT. I am sorry I interrupted the Senator.

Mr. TYDINGS. Mr. President, this matter is so important to all nations—to all mankind—that the United States of America should and must take the lead in promoting and consummating it.

It should be a single and separate undertaking. The issue as to whether we are to rely on the UNO or upon our own defenses should be settled. This country is at present the most powerful in all the world on land, sea, and in the air. Its wealth is greater than that of any other nation. It is in the prime position of leadership. The world knows it has no hidden plans for conquest. The world knows it has but lately voluntarily given to the Philippines and its 18,000,000 citizens complete and absolute independence. The President of the United States thus at this time occupies the enviable position of primary world leadership. The prestige of his great office and the prestige of our great country should stand behind the purposes for which such an international meeting is called.

I do not believe that the UNO is equipped to initiate successfully a task of this magnitude.

It is likely that for some time to come the UNO will be asked to consider a tremendous multitude of problems. In its Assembly, the voice of India undoubtedly will be frequently raised, asking for independence. So will it be with the people of the East Indies, with French Indochina, and with the peoples of other countries who may consider themselves subjugated peoples.

There will be debate about Lithuania, Latvia, and Estonia, about the Polish territories and the Polish people, about the Dardanelles, Iran, and parts of China. Questions will arise about the annexation of the defeated countries, about the rights of minorities; questions of the distribution of certain of the earth's areas deemed of great economic or military value; questions of trusteeship; questions of international trade, tariffs, and embargoes; questions of immigration, of currency stabilization and depreciation; Palestine and the Jewish question; questions affecting air and sea commerce, bases, and travel; questions of international labor, health, education, and standards of living, and the like. Important as these are, they are all secondary to the business of establishing and keeping the peace of the earth; to preventing the outbreak of World War III.

Undoubtedly the settlement of many of these controversies by the UNO is important. Their proper settlement will conduce to the world peace we long for, but such matters require time, time, time.

The body that takes up the question of world disarmament should not be hindered, sidetracked, or delayed by any other problem. World disarmament is in itself such a gigantic undertaking as to require a singleness of thought, action, and purpose on the part of those who seek to bring it about. Hence a conference of all nations should be called to be devoted exclusively to the accomplishment of this work. Such a conference will be faced with many, many difficult decisions—what disarmament is to consist of, what forces shall be made available exclusively to the UNO, the number of men to be contributed by each nation, the weapons that such a force may employ; where these forces and weapons are to be stationed; how to effect the destruction of the remaining weapons not placed under the control of the UNO or retained in each nation for law and order purposes; the composition of the international inspection force with world-wide authority to see that the program is carried out and the state of disarmament thereafter maintained, and so on, and so on.

Obviously such a gigantic task should not be confused by what is taking place in Iran, or Poland, or China, or Palestine, or with trusteeships or with tariffs and embargoes, with currency stabilization, and the hundred and one other problems which sooner or later will confront the UNO.

Moreover this quest for world-wide peace is so transcendental in its importance to all of us that the representatives who meet in such a conference should have the assurance in advance that no other issue or problem is to receive their attention, save world disarmament and questions related thereto. Only in such an atmosphere can such a project be brought to fruition, and the

world given a prospect of real and lasting peace.

For all these reasons, plus the fact that the United States occupies a position of primary world leadership, our President and our country should take the lead in this indispensable work. No other nation can do so with equal hope of success. The UNO is not constituted to do it as well or as quickly because of the reasons outlined, because of the time factor, and because it is not primarily concerned with this problem alone.

Yet, all the while, even as I am standing here, even as the UNO is being organized, great armaments remain. All the while the arms race is on. We may be sure that other nations are now working on the creation and manufacture of the atomic bomb and on improvements thereto. We may be sure that the development of the rocket and the buzz bomb—the V–1 and V–2—is progressing everywhere. We are certain that research into and manufacture of gas and disease germs is continuing. No one doubts that work on inventing and perfecting other new weapons is being carried on by the great powers of the earth.

The present situation of the UNO is likened to a promising and beautiful but frail flower blooming in a garden of weeds. The weeds must be cut down if the UNO is to flourish and its good works be multiplied. This cannot be done unless all nations put real faith, real trust, and real action into and behind the work which the UNO is charged with doing.

In the present world situation all nations continue to straddle. They rely half on the UNO to settle international disputes, and half on their own mighty armaments to settle these disputes, just in case. If the world continues to straddle, all is lost.

Mr. President, let us face the obvious truth. How can the UNO enforce its decrees against a nation which is as strong on its own soil as is the remainder of the world combined?

Can the UNO enforce its decision on the United States so long as we keep the most powerful Navy and Air Force, supplemented by a large and efficient Army and supported by universal military training? Can the UNO enforce its decrees on Russia so long as the Russians keep 10,000,000 men under arms and a great air force ever at her disposal? Can the UNO enforce its decrees on France if the French create another standing army of a million men, with four or five million more, trained and equipped, in reserve?

And, finally, Mr. President, since Germany and Japan are not to be permitted to rearm, why do the five great Allies maintain a combined navy 1,000 times greater than the remainder of the world, a combined air force a thousand times greater than all others added together, and a combined army 10,000 times greater than all such existing forces in the remainder of the world?

It is as plain as the nose on one's face that the great armed forces of our own country are being maintained principally for possible use against Russia, Britain, France, or China, since Germany and Japan are to be kept disarmed.

Is it not plain, too, that Russia is maintaining her armed forces for possible use against Britain or the United States or France or China?

Is it not as certain as anything can be that armaments and personnel are today being maintained by each of the five great friendly powers, not against the defeated countries which have already been occupied, but against each other? We and all our recent allies are now maintaining our armed might against each other. Yet all the Allies have sworn to settle all disputes by peaceful means, and never, never, never again to use war or the threat of war as an instrument of national policy.

Mr. President, if you live in a peaceful community with only four neighbors, how long will you remain friends if each one knows that the other keeps a machine gun behind his door? So long as that continues, each of the five neighbors will want to have a better machine gun than the other and more ammunition to use if need should come. Thus suspicion will continue to grow.

So it is with the world. After the great lessons of World Wars I and II, must all nations continue to move in an atmosphere of distrust, suspicion, and fear—largely of each other—while all mankind is burdened down with ever-increasing armaments? As long as these armaments remain, every realist knows that it is upon such armaments and not upon the operations of the UNO that the nations really look for their own protection.

Mr. President, the time has come to confront the naked truth. The time has come to face the facts. The time has come for us to make the great decision which will mean the survival or the end of all civilization. The time has come to make the UNO the living, potent, decisive factor in the affairs of men and nations which 51 nations of the globe have pledged their sacred word that it shall be. The time has come for world disarmament.

Unless it comes, we, too, must always be fully prepared. We must have the biggest army and navy and air force in the world, more atomic bombs, and the men and weapons which will insure their quick use in our hour of need. We must pay the crushing taxes. We must have universal military training. We must reduce our scale of living in order to do this. We must submit to unbelievable regimentation. We must be prepared in a world that is armed to the teeth.

Without world disarmament, we must be prepared, UNO or no UNO, to spring instantly to our country's defense. The next war will leave us no time to get ready. If we are not ready at its outbreak, we will be too late. There will be no "next time" in which to amend our tardiness.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. McMAHON. Even if we were armed to the teeth, and even if we were completely ready, it might still be too late.

Mr. TYDINGS. That is true, because, as the Senator and I, who both serve on the Atomic Bomb Committee, know, we might not even know who was attacking us. An atomic bomb might be dropped from a base in South America, and we would not know where the enemy was. Furthermore, if there were 40 or 50 of those bombs, in their improved form, in 40 or 50 localities, we would have a hard time getting our war machine functioning. The Senator has brought that out many times in the committee, and I am glad he is pointing it out on the floor of the Senate at this time.

Mr. McMAHON. In other words, if forty or fifty million of our people should be wiped out in the flick of an eye, the country would find it absolutely impossible to continue in any war.

Mr. TYDINGS. The Senator is correct. Those who have represented the War Department before our committee say it is perfectly possible on the day war opens, following the pattern of the Japanese attack, for several hundred planes to make 30 or 40 American cities their targets, and in a single day to wipe them all out before any of our planes could get there. It is my own opinion that 1 bomb—not 10 but 1—as it will be developed as the years unroll, and with Nagasaki as a background on which to predicate an opinion—that one bomb dropped anywhere in New York City would kill every man, woman, and child within the confines of that city in the fraction of a second. And here we are talking about control of the atomic bomb. God save the mark! Here is all humanity marching to armament and the next war, with an institution set up to settle disputes by peaceable means being made a mockery, when destruction far beyond the imagination of anyone is just in the offing. Control of the atomic bomb! What this world wants is world disarmament, to take the means of war away, save from the international body we have set up, as we have set up our courts at home, for the settlement of international disputes.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. HATCH. The Senator used the expression "following the pattern of the Japanese," which meant an attack without a declaration of war?

Mr. TYDINGS. That is correct.

Mr. HATCH. Under present conditions could any nation, when war was imminent, follow any other pattern? Could it wait until an attack had been made on it?

Mr. TYDINGS. With the atomic bomb and the other flying bombs in existence, as the Senator and I know them to be, the nation which sees a war coming and does not hit first, without a declaration of war, is giving hostages to fortune. Even the strongest nation in the category faces almost certain defeat if the enemy is well prepared for the attack. I thank the Senator for his contribution.

Mr. RADCLIFFE. Mr. President, will my colleague yield?

Mr. TYDINGS. I yield.

Mr. RADCLIFFE. Does the Senator believe that far-reaching disarmament such as he advocates, could prevent effectively the use of the atomic bomb for

destructive purposes, whether by governments or by politically irresponsible groups of people?

Mr. TYDINGS. I do. Furthermore, I say that even if we fail, there is no other alternative. We have the bombs now without world disarmament. We at least have the rosy hope of not having them with world disarmament, plus an inspection force that will be international to see that the bomb is not made.

Mr. RADCLIFFE. At any rate, the Senator thinks such a disarmament program would be an additional safeguard against tragic use?

Mr. TYDINGS. Yes; just like all risks which must be calculated. There is no such thing as eliminating all risks between nations or between individuals, but I believe it would reduce the risk to the irreducible minimum.

Mr. FULBRIGHT. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. FULBRIGHT. Is it the Senator's conception that if a conference is held it will agree to disarmament? The Senator mentioned an inspection force, and I assume he anticipates some continuing organization to carry on the inspection. Does the Senator think that duty would be given to the UNO?

Mr. TYDINGS. I would not wish to prejudge what the conference would do, but in my opinion the dsarmament agreement would provide for an inspection force, and it would be more than likely that that inspection force would be put under the jurisdiction of the Security Council of the UNO.

There would have to be gradations in disarmament. For instance, although all the nations agreed to it, no nation would say, "We have their pledge, and we will go out and sink all our battleships." There will have to be certain days, certain stated times, when this will take place and when that will take place, so that the disarmament may proceed gradually as water goes down in a dam. Mutual trust and confidence of each nation in the others will be demonstrated over and over again, and thus we will have created, by those gradations of action, the conduct which is essential to world disarmament on a broad scale.

Mr. FULBRIGHT. One further point. It seems we always run into this difficulty: If there is an inspection force, in order for it to be effective it must have the authority to go into each country and to operate directly upon the individual citizens of that country rather than operate through the usual diplomatic national channels.

Mr. TYDINGS. That is correct.

Mr. FULBRIGHT. It will be necessary, through this inspection force, to go into a nation and operate on the individuals in that nation.

Mr. TYDINGS. That is correct.

Mr. FULBRIGHT. That is a breach of what we ordinarily call our traditional sovereignty. Is not that correct?

Mr. TYDINGS. I do not consider it so. I have sovereignty over my own grounds and my own home. They are mine, but I have no objection to a police officer coming in to see whether I am violating the law.

Mr. FULBRIGHT. That brings up exactly the point which I am making.

Mr. TYDINGS. I do not consider that I have given up the title, or that the police officer can make a nuisance of himself; that he can come into the grounds and hold a picnic or engage in disorderly conduct. However, he ought to have the right to come on my property, under reasonable rules and regulations, for my protection.

Mr. FULBRIGHT. I am in agreement with the Senator. This is the point which I wished to make clear. I was not speaking of giving up anything. I was speaking of a breach. It is actually a breach in the traditional concept, not in the Senator's concept.

Mr. TYDINGS. I agree with the Senator to this extent: Theoretically I think it is a breach in any kind of well-ordered practice. Practically it would not be a breach.

Mr. FULBRIGHT. Do not misunderstand me——

Mr. TYDINGS. But even if it is a breach, we cannot get along without it.

Mr. FULBRIGHT. I am delighted at the Senator's position. I think he is entirely correct in saying that it is necessary, and that so long as we take the position that the international organization, UNO, cannot go into a nation and inspect freely it can never operate effectively.

Mr. TYDINGS. Of course, in an international police force we would have some of our representatives in other countries. The force which would inspect the United States would probably be composed in part of Americans, as well as representatives of other nations. I should suppose that the Americans in our force would see that foreigners on the international force would behave themselves. If there were any breaches, they would be called to the attention of the Security Council. I should likewise suppose that if we were to inspect Russia, there would be a great many Russians on the international police force.

Mr. FULBRIGHT. Especially scientists.

Mr. TYDINGS. We would have reciprocal rights. But I am not so much worried about the theories of the matter, or academic discussions about sovereignty. I want my country and the American people to survive.

Mr. FULBRIGHT. I agree with the Senator.

Mr. TYDINGS. There will be no sovereignty unless we survive.

Mr. FULBRIGHT. I believe that the Senator's analogy with respect to his own relationship, on his farm, to the public law is a particularly happy one. If the UNO is to be effective, that is the relationship which must be established between the UNO and the nations.

Mr. TYDINGS. That is correct. I am in agreement with the Senator in the main. I do not think we have any quarrel.

Mr. FULBRIGHT. Not at all.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. HILL. It seems to me that the late Chief Justice William Howard Taft expressed it correctly when he said that when we enter into a contract or agreement such as the Senator suggests, rather than looking upon it as a surrender of sovereignty we should look upon it as an exercise of sovereignty.

Mr. TYDINGS. And a protection of sovereignty.

Mr. HILL. We exercised our sovereignty to obtain for ourselves and our people the protection which we should have. We do so as individuals every day. We make all kinds of contracts. As we know, the basis of every contract must be a consideration, whereby each party gets something from the other. So rather than hesitate, throw up our hands, and say, "This is going to be a surrender of sovereignty," we should approach it from the standpoint that what we are doing is simply exercising our sovereignty to obtain what we must have.

Mr. TYDINGS. Otherwise, there will be no sovereignty left to argue about.

Mr. WILLIS. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. WILLIS. I believe the Senator from Maryland is making a very able contribution.

Mr. TYDINGS. I thank the Senator. I am flattered that he is listening to me.

Mr. WILLIS. In view of the fact that provision is made in the United Nations Organization for international disarmament——

Mr. TYDINGS. No; it is not made. I have the Charter on my desk. I have spent some time looking for such a provision. The word "disarmament" is mentioned only four times. In one paragraph, near the end, it says that the UNO may take up the question of disarmament. There is nothing mandatory about it. In the purposes and principles of the Charter the word "disarmament" is entirely omitted.

Mr. WILLIS. Then, the Senator believes, does he not, that because of this very feeble reference to international disarmament, the emergency is so imminent that the question should be taken up at once by a special commission?

Mr. TYDINGS. That is correct. As the Senator knows, the UNO is faced with a multitude of problems. I do not believe that any one of its problems is one-tenth so involved and difficult of solution as is the problem of world disarmament. Therefore, why give the UNO one more problem? Why not establish a body to which the military, naval, and air experts may go, a body devoted solely to that one question, without the jealousies, animosities, and other things which enter into the operations of a body such as the UNO, which is considering Iran, the Dardanelles, China, Palestine, and many other problems?

Mr. WILLIS. I think the Senator will agree that the UNO was established on the basis of principles on which we could agree, in the hope that we could move out from points of agreement into an area where we could iron out the difficulties between nations.

Mr. TYDINGS. That is correct.

Mr. WILLIS. The objective of total disarmament of the nations under the UNO plan is so far in the future that we must take up the question.

Mr. TYDINGS. We must take it up. The atomic bomb is being worked upon by other countries.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. TAFT. I agree with practically everything the Senator has said. To prove it I wish to read the amendment which I offered on December 4 to the UNO measure:

> The representative of the United States on the Security Council shall urge upon the Security Council immediate action under article 26 looking to a limitation of armaments and the prohibition of the use of weapons such as the atomic bomb, rockets, and poison gas.

So I fully agree with the Senator's position.

Mr. TYDINGS. That is correct.

Mr. TAFT. Unfortunately, the Senate rejected the amendment at that time.

Mr. TYDINGS. I believe that many Senators voted against the amendment for the reason that they did not wish to complicate the Charter by individual amendments by governments of the 51 nations which had entered into it, rather than because they disagreed with the fine purpose which the Senator from Ohio was trying to implant in the Charter.

I have given this question considerable thought. With its other problems, I do not believe that UNO has the equipment to handle a matter of such magnitude and importance to all civilization as this question.

Therefore, let us frankly put this question to all nations and to all people. Let us get the answer as to whether this world straddle is to end—whether the world is to be an armed camp henceforth, relying on might for the achievement of its desires, or whether it is to prove its faith and trust in the UNO by world-wide disarmament on land, sea, and in the air, save for the forces necessary in Germany and Japan, and for maintaining order internally and for an international inspection force to see that that world disarmament, once achieved, is never again overthrown.

It is not necessary to detail the colossal advantages which will flow to our own and all other countries with the accomplishment of world disarmament. We know that the burdens of taxation which heavy armaments entail will be lifted instantly from the toiling masses all over the world; that in one fell swoop the shackles of regimentation which war and the threat of war impose on every man will be struck off.

Instead, the wealth and resources of our own Nation and all others will then be available for hospitals, roads, schools, libraries, and all manner of other things which make for progress and civilization.

For the cost of a single new battleship, the physical properties of Yale and Harvard Universities can be duplicated; or a wide highway can be built from the Atlantic to the Pacific Ocean; or a new Congressional Library can be erected. As these things can come in the United States, so can they come to all other countries in like measure. Moreover, these benefits to all mankind can be used and enjoyed in a world free from the fear and threat of war, with all of its horrible implications.

In conclusion, Mr. President, this matter in my judgment, is more important than the mere control of the atomic bomb for the reasons I have stated. If world disarmament succeeds the atomic bomb is not merely controlled. It is prohibited, and all other devastating weapons with it. This great work is more important than any strike legislation, than any balancing of the Budget, any efforts to provide new housing, and legislation supporting full employment, or any other matter now before our own country or before any other nation on this earth.

We remember that the League of Nations failed, not alone because the United States did not aline itself with it, but largely because while it was set up to settle international disputes without bloodshed, all of the member nations continued to maintain, increase, and parade tremendous armaments. This made of the League a foredoomed failure.

Now that we, through our representatives in the UNO, are about to embrace disarmament by example again—through the control of the atomic bomb—now that we are considering foreign loans again, with which nations will, at least in part, add to their own strength while relatively weakening ours; we must know, too, what the policies of the great powers on armaments are to be hereafter. Now that we have once again set up an international organization for the peaceful settlement of international disputes, we must know that this time it really is to have the power and scope so that it will not fail.

The voices of all mankind, if they could be registered, would, I believe, support the proposition of world disarmament. The millions of brave dead who lie in the scattered graves of World Wars I and II died for this ideal of real peace on earth. The mothers and fathers, the widows and orphans of those who are no more want this enduring monument as partial compensation for their great and irretrievable loss. The tens of millions who still carry the yoke of misery, fear, and want imposed by war want this new day of permanent peace to dawn quickly.

The continuance of civilization itself is in the balance. The sands in the hourglass grow less and less and less with each passing second.

Let the United States, the impregnable fortress of freedom, the lover of peace, the hope of oppressed people the world over, take the lead in summoning all the nations of the earth to a world disarmament conference, and bring into reality the fervent hope, the earnest prayers and the longing of men through all the centuries for the untroubled security of a just, unbroken, and enduring peace.

Mr. AUSTIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. EASTLAND in the chair). Does the Senator from Maryland yield to the Senator from Vermont?

Mr. TYDINGS. I yield.

Mr. AUSTIN. I observe that the distinguished Senator from Maryland has made some reference in his thesis to the timetable for the accomplishment of this great achievement. I ask him now if he contemplates having placed in the control of the United Nations Organization such power with such military effectiveness that if we have not pacified Germany or Japan by the time we begin disarmament and if those aggressors attempt to repeat what twice they have done, there will be in the United Nations Organization sufficient power to suppress them?

Mr. TYDINGS. I think the Senator's question is a pertinent one. It has been some time since the resolution which I have introduced was read. Let me point out to the Senator that that is provided for; but I should like to bring out that point again, because I should like to show that that contingency has been foreseen and provided for.

The resolution calls upon the President to call a conference on disarmament "which shall be charged with the single duty of entering into an understanding and agreement to achieve world disarmament on land, on sea, and in the air by January 1, 1950, except only for such actual occupying forces, with appropriate weapons, and for such agreed period of time, as will be necessary to police the defeated and occupied nations as a result of the recent war."

Mr. AUSTIN. I thank the Senator. I had not observed that particular feature of the resolution.

Mr. TYDINGS. Three exceptions would be made. For a moment I shall go beyond the text of my prepared remarks and shall develop one or two of those ideas. For example, the first exception would be to do the job we are now doing. We would agree on the force and on weapons, and we would set that force aside. We would contribute so much, Russia would contribute so much, and so on. That force would have a certain task which eventually, we hope, and we are rather sure, will terminate. It would be the occupying force, agreed to by those nations.

Then there would be the force provided for the exclusive use of the Security Council of the UNO. That would have so many of this, that, and the other, and as many men as would be agreed upon.

Then a small force would be left in each country for the purposes of keeping law and order. Offhand, what I should like to see—without having made a profound probe into the matter—is a maximum of 200,000 men and 10,000 officers, the officers to be equipped only with pistols and the enlisted men to be equipped only with rifles. That would be the maximum. It is rather hard to start a war with 10,000 officers and 200,000 men equipped only with pistols and with rifles, but such a force conceivably might be needed for internal purposes; and under proper safeguards in respect to not permitting the manufacture of other weapons, I do not see how it could get out of hand. But I do not think we could completely do away with some sort of national force to maintain law and order. But it would not be equipped with atomic bombs or with 3-inch guns or with 6-inch guns or with explosive bombs or poison gases or any of the other materials of war. It would be just what it purported to be, namely, a force to keep law and order, and many countries would feel

that they would have to have such a force.

Mr. SMITH. Mr. President, will the Senator yield to me, to permit me to ask a question by way of clarification?

Mr. TYDINGS. I yield.

Mr. SMITH. I have gathered from the Senator's very able address——

Mr. TYDINGS. I thank the Senator very much.

Mr. SMITH. And I wish to compliment him on his excellent contribution to this subject, which of course has given all of us great anxiety. As I was saying, I gather that the Senator is not suggesting in any way that the UNO is obsolete or has no functions to perform or is incapable of performing the functions which have been assigned to it; but I understand that the Senator from Maryland is simply suggesting that, in addition to the functions which have been assigned to the United Nations Organization, the special need to which he has referred has been brought about by the development of the atomic bomb; and, as the Senator said a moment ago, the need is for immediate action on the disarmament front.

Mr. TYDINGS. It is even more widespread than that because, as I have said, I have read over the Charter very carefully, and I find that no objective of world disarmament is provided for in it. Then I find that the nations of the world are all maintaining huge armaments, and I find that here in our own country our President—and very wisely, in the face of the present state of affairs—suggests universal military training. When we realize the existence of those conditions the intelligence comes immediately that no one is relying on the UNO, except someone who has not thought much about it, because the proof of the pudding is not in what is being said in the debates in the UNO Council or in the Assembly, but the proof of the pudding is in the 10,000,000 men in Russia's Army and in the great Navy of the United States and in the possession of the atomic bomb. Obviously, if we are going to rely on the UNO, these other things are useless; and if we are not going to rely on the UNO, they are not enough. What I want to get out of the proposed disarmament conference is a "Yes" or "No" as to what the world really wants to do. If they say there is not to be any disarmament, then I know the UNO is not worth the paper it is written on, except perhaps in some cases like the Island of Corfu dispute, in which the League of Nations did some good, and several other instances in which it was helpful. However, I do not say that occurred merely because the League of Nations was in existence, because probably the nations would have worked out those problems anyway.

What impressed itself upon me was the fact that no nation put any dependence on it. They relied on their own armies and their own navies and air forces; and that is what they are doing today. Mr. President, the UNO could not enforce its decrees in the United States in the state we were in on VJ-day. No navy or air force of another nation could come across the sea in the face of our own, with our atomic bombs. What is the use talking about, "Yes, we outlaw war forever as an instrument of national policy; we will never use it or the threat of it again"—and then maintain tremendous armies which are in themselves a constant threat of war on every possible sector?

Mr. SMITH. I agree with the logic of the Senator's position, and I share with him the feeling that we all have the responsibility to move toward disarmament, and I will go with him to move as fast as we can. I think his resolution is a good one, but I did not want the impression to be left here, if it was not intended to be left, that the Senator is saying that the UNO is obsolete today because of the atomic bomb, or that what we are doing in London is not worth while.

Mr. TYDINGS. The UNO has so many barriers placed in the road of its possible work that only so long as the countries who have membership in it agree with the decisions of the UNO can it make progress. When any of the great nations do not agree with the UNO it cannot do a thing. It has no police force. It has no assurance at all that every member nation will go to war on a nation which is in disagreement with it.

Mr. SMITH. I assume that those matters are being discussed at the present conference in London, both in the Security Council and in the Assembly, but I understand the Senator's position. I think it is logical. I believe we owe a debt of gratitude to him for having brought out this matter so clearly today.

Mr. TYDINGS. I should like to see the UNO a success. I am sincere in presenting the resolution. I am sincerely back of it with every ounce of my being. I should like to see the proposed conference called. I believe we can secure disarmament. I remember years ago when a disarmament conference was had in the League of Nations and a celebrated Russian, from whom I have not heard much lately, but a man of tremendous imagination and brain, in my judgment, went before the League Conference and said: "This is a conference called for the purpose of disarmament. Fine. I propose that we have it. I propose that we disarm." The Conference members said, "God, that is not what we came here for."

Mr. SMITH. But we must recall that we had a naval disarmament conference in 1922, and there are not many of us who would want to follow in the footsteps of that conference.

Mr. TYDINGS. But we are following. We are talking atomic bomb disarmament now when we have the atomic bomb. We are lending money to the British, or are about to lend it to the British and to the Russians and to the French with which they will again build up their armaments. And what are we doing? We are bringing our boys home. There are insistent demands that they come home faster than ships and trains can bring them. In other words, we are beginning to disarm ourselves, and proposing to lend to other nations of the world money which will provide them the means for rearming. That is what happened after World War I. If in the light of those circumstances we permit history to repeat itself in this sad regard we are dooming our own country to possible oblivion, and the world with it.

Mr. SMITH. I agree with the Senator.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. McMAHON. I have an engagement and must leave the Senate Chamber.

Mr. TYDINGS. I am sorry to hear it.

Mr. McMAHON. But before I go I wish to compliment the Senator on one of the ablest speeches to which it has been my privilege as a Member of this body to listen. It struck me as I listened to the speech that we hear a great deal about the necessity of the United States exerting moral leadership in this world if we are to have any permanent peace. I believe that the Senator in the masterful address which he has just delivered has given us a definition of what moral leadership means.

Mr. TYDINGS. Real moral leadership.

Mr. McMAHON. Yes, real moral leadership. This is the kind of thing that little people can understand. This is the kind of thing they will know in their hearts is right. I want indeed to congratulate the Senator on his fine and logical address.

Mr. TYDINGS. I am very grateful to my colleague, the Senator from Connecticut for his kindly remarks, because he is chairman of the Atomic Bomb Committee, and from what he has said both in private and in public hearings I know he is greatly concerned with the evidence that has been adduced there. I am sure that all the other members of that committee also feel that these are not normal circumstances, and that we must rise to the abnormal factors which are present in this era in which we find ourselves living.

Mr. McMAHON. Yes; and I will say to the Senator, as I have said to him privately, that it is most regrettable that every Member of this body could not have heard, as our committee has heard, all the implications which must be drawn from this new and great power that has been developed in the world, and if all the Members of the Senate could have done so, they would feel the perturbation and the fear which I am sure oppress the Senator's heart as well as they do mine.

Mr. TYDINGS. I thank the Senator, and share his thought. Let me say that I am not advocating disarmament for the United States alone.

Mr. McMAHON. Neither am I.

Mr. TYDINGS. That is correct. I am not saying that the Senator is. But I want to make clear that I am advocating world disarmament, and if we are not to have world disarmament I want the United States to be the best prepared Nation under the sun.

Mr. McMAHON. Even knowing that that might not do any good.

Mr. TYDINGS. That might not do it. But that is the next alternative. The first alternative is to say to the nations who have given us their pledged word that they will not resort to war or the threat of war again as an instrument of national policy, but will rely on the decision of the UNO to keep the peace be-

tween nations, "if you are going to do that, then we say you must prove your good faith by putting yourself in a position where you must abide by the decisions of the UNO."

What is the use of two men, after having met on the outside of a courtroom and having agreed to abide by the decisions of the court, then entering the courtroom, taking their places at the opposing ends of the trial table, and each of them drawing a revolver and laying it down on the trial table, and when the evidence is heard and the judge decides in favor of one man or the other, one of the contestants, not liking the decision says to the other, "If you try to do what the court says you have a right to do, I want you to remember that I am holding that gun." What is the use of doing that? We might as well have settled our dispute in the courtyard in the beginning by shooting it out, if all we have had is a postponement of the shooting, not an avoidance of it.

That is exactly where the UNO is today. The contestants who are trying their issue before that body all have their guns lying on the trial table, and whenever they are displeased with the decisions of the UNO they either shoot or threaten to shoot at any opposition, although they signed an agreement before coming into the UNO courthouse that they would abide by the decision of the court.

It is such transparent hypocrisy in its present state that if in this armed world we rely on the UNO for the settlement of disputes we are relying on one of the weakest institutions, as presently constituted, that human beings have ever created.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. FULBRIGHT. First I should like to join in complimenting the Senator from Maryland. I think his speech is one of the most constructive and the best presentations I have heard. I only wish more such discussions could take place on the floor of the Senate.

Mr. TYDINGS. I thank the Senator.

Mr. FULBRIGHT. If nothing else good comes out of the Atomic Bomb Committee this speech, I think, is worth while. But I wondered, as a clarification, how we are going to approach this and what its significance is.

First, I should like to say that while I voted for the UNO at the time it was discussed and considered, I agreed that there was some room for improvement. I wonder if the Senator's proposal could not be considered in the nature of an offer to amend the Charter of UNO in one or two respects. First the Senator from Maryland wants the particular function he has in mind to be exercised by a separate body for reasons which he has ably set forth. I do not think the Senator conceives that one meeting is going to solve this matter, and what I am interested in is the continuing nature of this agency which I assume the Senator thinks will still be UNO.

Mr. TYDINGS. That is correct.

Mr. FULBRIGHT. That means giving some further power to the UNO itself, does it not, in the nature of an amendment to the Charter? Is that correct?

Mr. TYDINGS. Yes.

Mr. FULBRIGHT. And the real purpose of the amendment is to give the power to create rules of conduct which are enforceable. Is that correct?

Mr. TYDINGS. That is correct.

Mr. FULBRIGHT. I am in complete agreement with the Senator, and am willing to do anything which I can do in order to help.

Mr. TYDINGS. Sometimes we do not think about some of these matters until we start devoting close attention to one subject. But I am sure that as the Senator thinks about the problem of world disarmament he will realize that the delegates who were sent by various nations to the UNO were sent because of general fitness with regard to a multitude of problems, and not because of specific fitness with regard to the most difficult of all problems, namely, the problem of disarmament. Therefore it is essential that the conference on disarmament should be composed of men who know about the Army, men who know about the Navy, men who know about the air forces, and men who know about offensive and defensive warfare, as well as everything else that is involved in the ramifications of the subject. So, if the UNO tackles the problem, another fear which I have, and have not heretofore been able to express, is that there will be less likelihood of success than if the conference were devoted to a single purpose. If the UNO makes an attempt to solve the problem and does not succeed, the UNO will be brought into disrepute. Therefore, if the President of the United States of America, backed by the great prestige of this country, were to call a conference devoted to this single subject, and an agreement were reached, there is no doubt in my mind that the agreement would have in its structure a provision for the UNO to take it over. The UNO would then be given the tool and authority with which to enforce the obligation placed upon it. However, I doubt very much, if prior to that time, the UNO can make very much of a success in an undertaking of this magnitude while being divided on questions concerning Iran, the Dardanelles, China, Palestine, Greece, and other questions which enter into its discussions.

Mr. FULBRIGHT. I am sure the Senator from Maryland knows that I agree with his observations with reference to the qualifications of the members who might participate in such a conference as the one he has suggested. I think it is a very ingenuous way, however, of approaching the problem of amending the Charter. If there be an agreement among those who control the UNO, obviously there will then be an authority for an amendment. It may be more likely that an agreement will be reached under those circumstances than under the circumstances existing in the present meeting at London where the delegates are being confronted with a multiplicity of questions.

Mr. TYDINGS. All countries, such as Holland, Denmark, Belgium, Norway—fine, independent countries but not strong from the standpoint of population—would certainly want such an amendment. What must their feelings be when they go into court, knowing that when the court decides in their favor, their opponent is armed so that he can set at naught the court's decision? I believe there are some large countries which are under attack which would welcome such an amendment. Why? Because it would remove the fear which is the cause of much of the present international disagreement, and always lies back of a question concerning, for example, Greece, the Dardanelles, Iran, China, trusteeships, and what not. The question always present is: Is the other nation becoming stronger than I am? Is its preparedness by this maneuver going to be so great that by it I can be crushed? Thus, the right or wrong of the element involved is lost sight of because of necessity; each nation is asked to make a decision not on the ground of right or wrong but on the ground of survival. That is the reason why it is important that a disarmament program be prepared, be made a success, and be placed on the shelf as unfinished business if that degree of equity is to enter into international discussions which should enter into them.

It may be that there are nations in this world which will not accept world disarmanent. It may be that the entire project will fail. If so, we will then know where we stand, will we not?

Mr. FULBRIGHT. Yes.

Mr. TYDINGS. At the present time we do not know where we stand. We have all said that we will not have any more wars. We have said we will leave all questions of an international character up to the UNO. Why do we not vote now to strike down all defenses of the United States of America? I ask the question of the Senator from Arkansas?

Mr. FULBRIGHT. For obvious reasons.

Mr. TYDINGS. It is obvious that so long as other nations maintain armies we will also maintain one. Thus, we are all maintaining our armies against each other. The very countries who have brought the UNO into being have pledged their word that they will not maintain armies against each other. If they are not now maintaining armies against each other, I do not know what they are doing.

Mr. FULBRIGHT. I believe that it was in 1935 or 1936 when Litvinov was representing the Russians at a meeting in Geneva, that he made the very proposal the Senator from Maryland has today advanced.

Mr. TYDINGS. Yes.

Mr. FULBRIGHT. What was the reaction to his proposal?

Mr. TYDINGS. As I recall the situation, the League of Nations had sent a request to all governments to send delegates to take part in a conference on disarmament. Our delegates were present, flanked by our experts. The British delegates were present, flanked by their experts. The French delegates were present, flanked by their experts, and so forth. Some wonderful words were said about peace and good will to all mankind. It was said in effect, "this great institution has now been set up. Here we have a court where international disputes can be settled without bloodshed. There will

never be another war. Armaments are not now so useful as they used to be." After that situation had continued for 3 or 4 days a delegate from Russia got up and said, "I was invited to come here to attend a disarmament conference. I am delighted. I propose that we proceed to draw up agreements which will mean that we will all disarm." All the delegates then reached for their hats and asked when the next train was leaving Geneva. That was the end of the conference.

One of the tragedies of that movement was that the League killed the Disarmament Conference. It was already divided on other questions. There were little groups and cliques who wished to play a game. The reason the Washington Naval Disarmament Conference was able at least to agree on something was that it was called for the single purpose of considering the question of naval disarmament.

Mr. HILL. Mr. President, we called it a naval disarmament conference, but really it was not such.

Mr. TYDINGS. No; it was not.

Mr. HILL. The best which could be said of it is that it was a conference on the limitation of armament, but certainly not disarmament.

Mr. TYDINGS. The conference was called for the purpose of arriving at measures to control naval armament, just as there has been an attempt to reach an agreement to control the use of the atomic bomb.

I shall be perfectly frank. During the present state of the world I do not want to share any of our secrets pertaining to the atomic bomb with Britain, France, Holland, Belgium, Russia, China, or any other country. I do not believe those countries have yet proved satisfactorily that they will rely on the UNO for the settlement of international disputes to the extent that they say they will. I want a show-down. The only way for those countries to prove their good faith is by a demonstration on their part that they will disarm. If they will give such demonstration, more power to them. We will then know that they mean business. If they will not disarm, we will know where we stand. I believe it is doubtful today whether a bill could be passed by Congress providing for universal military conscription. It will not be long before naval ships will be tied up in various ports, and not be able to go to sea without 6 months' notice. Our Army will, perhaps, consist of no more than 60,000 or 100,000 men. Yet the UNO will be continually represented as an organization where nations are going to settle their disputes without bloodshed. But every country in Europe will maintain as large a military establishment as its revenues and borrowings from other countries will permit it to shoulder. I do not think it fair to our country to make to any nation loans which are to be used either directly or indirectly for the maintenance and building up of armaments while we ourselves are scaling down our own very rapidly.

So far as I am concerned, I shall not vote for any of these loans—I might as well serve notice now for whatever it is worth—until it is proved to me that the money we lend nations for rehabilitation will be used for that purpose and not for armaments directly or indirectly. We tried maintaining the armaments of the world from 1920 to 1929, and we suffered a severe penalty.

Mr. FULBRIGHT. One other question before I conclude interrupting the Senator relative to our participation. The Senator is proposing that this country participate, but there has been current an idea that the other nations of the world can trust this country and make us sacred trustee of armaments and instruments of power. Does not the Senator think that a wholly false approach? We must be in it just as Russia is and do exactly the same.

Mr. TYDINGS. I do not think there is a nation in the world which would subject its people to that hazard, and if any Member of this body proposed that we subject our people to the hazard of some other nation taking care of us, I would wonder whether I was in the kind of an institution we know the Senate to be or one with bars on the windows.

Mr. LUCAS. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. LUCAS. A moment ago the Senator spoke about the present condition of our fleet. I was wondering whether he had read the account of an address Admiral Nimitz delivered before the National Geographic Society last Friday night, in which he said that the Navy today was practically impotent as a result of not having the manpower and the training the men deserve. In other words, from his statement I derived the idea that if trouble occurred tomorrow, for instance, another surprise attack of some kind, there would be no ships and no men to meet the attack, even though 6 months ago we had the most formidable navy in the world.

Mr. TYDINGS. The Senator is correct about that. I happened to hear a military man in our own Government, very high up—I will not use his name, perhaps he was not measuring his words carefully—make a statement which was challenging. I was commenting on the rapid rate at which we could become unprepared for war after we had won the war. He said, "That is true, and what I am worried about is that if I had orders today to put a dozen bombing planes in the air, I do not think I could do it." Here we are, 6 months after victory in the greatest war of all time, and in some areas there are not a dozen planes ready to take to the air for defense.

Mr. LUCAS. Does the Senator agree with me that under the plan of the United Nations Charter this Nation will be compelled to have manpower in order to carry out the commitments and obligations we have entered into?

Mr. TYDINGS. I agree with the Senator.

Mr. LUCAS. That is the very question which is now being considered in connection with all the demobilization plans of the Army and Navy. As I understand from the mail I receive, every one wants a strong air force, a strong army and a strong navy, but, for one reason or another, wants the other fellow to make it possible.

Mr. TYDINGS. The Senator is correct about that. Everyone is in favor of a big army, navy, and air force, provided he does not have to serve in it.

Mr. LUCAS. That is correct, and if we do no more than what the Senate agreed to sometime ago by a vote, I think, of 87 to 2 in favor of the United Nations Charter, the United States of America will be compelled in some way, somehow, to furnish the manpower to carry out the mandates of the treaty to which we agreed.

Mr. TYDINGS. The Senator is correct about that.

Mr. President, with one concluding remark, I should like to yield the floor, thanking my colleagues for listening so long.

Mr. HILL. Mr. President, before the Senator concludes, I wish to express to him my appreciation of his very fine and challenging address.

Mr. TYDINGS. I hope it is constructive, and will conduce to the kind of a world I know both the Senator and I want to bring about.

Mr. MILLIKIN. Mr. President, I should like to add my congratulations to the Senator from Maryland for the very challenging, able, and constructive remarks which have been made by him. I think I find myself in some disagreement with the timing of his proposal, but that is neither here nor there. In my opinion, what he has said today is one of the greatest contributions which have been made in the Senate in a long time.

Mr. TYDINGS. I thank the Senator from Colorado, my colleague on the Atomic Bomb Committee. I have learned there, from listening to his questions, which disclose this thought, that he is a very profound and cautious thinker, and ever since he came to this body he has had my deep admiration and respect.

Mr. President, I should like to conclude with no more discussion than a single sentence. I cannot see how the security of the United States could be better promoted than by the adoption of the resolution I have offered, and the ultimate success of the program I have proposed.

EXHIBIT A

AMERICAN LOANS ARE MAINTAINING THE ARMIES AND NAVIES OF THE WORLD

(Speech of Hon. MILLARD E. TYDINGS, of Maryland, in the Senate of the United States, Thursday, January 17, 1929)

(The Senate had under consideration the bill (H. R. 11526) to authorize the construction of certain naval vessels, and for other purposes)

Mr. TYDINGS. Mr. President, there is now pending before the Senate for consideration and action an act which authorizes the President of the United States to undertake the construction of 15 light cruisers, 5 to be built in each of the fiscal years 1929, 1930, and 1931, and 1 aircraft carrier to be constructed prior to June 30, 1930. It is obvious that an intelligent answer to the question before us demands that we survey the state of the world at this time: the relative naval strength of all nations; the relative military strength of all nations; the possessions of other nations, and the possessions of the United States beyond its continental area; the stability, character, and trend of the governments of the world and their relations to the United States; the condition and protection of our foreign trade; our economic and geographical situation with respect to other nations; the amount of money owing by foreign governments to the Government of the peo-

ple of the United States, and similar factors which must or should enter into a correct position on the cruiser bill.

The chairman of the Committee on Naval Affairs of the Senate, in his speech of January 3 upon the cruiser bill, had placed in the CONGRESSIONAL RECORD a chart showing the naval bases, stations, and so forth, of the three leading naval powers of the world—the United States, the British Empire, and Japan; also a table showing the relative tonnage of the navies of the three countries mentioned. I shall not re-cover the ground already so ably traversed by the chairman of the Naval Affairs Committee, except to refer briefly to the relative cruiser strength of the United States, the British Empire, and Japan. The United States has now either constructed or in the process of construction 18 first-line cruisers totaling 155,000 tons. England has either built or in the process of building 62 first-line cruisers of 380,540 tons. Japan has either built or building 32 first-line cruisers totaling 203,965 tons, while France has 15 first-line cruisers either built or building totaling 132,883 tons; and Italy has 18 first-line cruisers either built or building totaling 107,370 tons.

Thus it will be seen that in the number of cruisers either built or building the British Empire, Japan, and Italy excel the United States. In numbers of first-line cruisers the British Empire has more than three times the number possessed by our country. Japan has nearly twice the number we have. France has approximately the same number as we, and Italy has two more than has the United States of this class of fighting ship. In tonnage the British Empire exceeds that of the United States by more than 2 to 1 for first-line cruisers, while Japan, in tonnage for first-line cruisers, exceeds the United States in this respect by 50 percent. The navies of France and Italy, in first-line cruisers, are almost equal in tonnage to that of the United States.

As at present constituted, the British Empire and Japan both excel the United States in first-line cruisers. Shall we be content to rank behind the British Empire and Japan in tonnage and behind the British Empire, Japan, and Italy in the numbers of first-line cruisers? Dealing with only this aspect of the situation, those who will vote for the cruiser bill will desire that the United States shall not take second rank to the navies of the British Empire, Japan, and Italy either in the number of ships or in the number of tons those countries now have in first-line cruisers.

Those who vote against the cruiser bill must say in effect that they are content to have the United States outranked by the British Empire, Japan, and Italy either in the number of first-line cruisers these countries have or in the tonnage represented by said cruisers. Are Senators or the American people satisfied to have our Navy comparably defective to the navies of either the British Empire, Japan, or Italy in first-line cruisers? If the American people realized this fact, I believe they would desire the construction of the cruisers outlined in the pending bill.

If these cruisers of ours are actually constructed, taking into account those cruisers built, in the process of building, or appropriated for, by the British Empire, Japan, France, and Italy, and assuming that the other countries do not authorize any further increase in their first-line cruiser strength, the position of the United States in this regard will be as follows: We will then rank nearly with the British Empire and outrank Japan, France, and Italy, and we will not exceed the spirit of the 5–5–3 naval disarmament agreement effected here in Washington, limiting the navies of the British Empire, Japan, and the United States. Therefore, from the standpoint of comparative preparedness in first-line cruiser strength, if we would maintain the ratio of 5–5–3 naval disarmament pact, these cruisers should be built. If we do not build them, we surrender the position of the United States from its deservedly equal strength with that of any other nation to a position of about 40 percent of the tonnage of the British Empire and approximately 75 percent to that of the tonnage of Japan. There is no escape from these figures, and for my part I would consider it as danger to our security to permit this decrease in first-line cruiser strength of the American Navy.

ARMIES OF THE WORLD

Let us turn to the military strength—that is, the land strength—of the countries of the world, in order that our rank there may be noted as well. How do we rank with the nations of the world in standing armies? The Navy and the Army are interdependent upon each other; and looking at the whole picture of national defense, we must look at the navies and the armies of all nations in the world.

France has a standing army of 727,413 men—that is, five times the size of our own standing army. Russia has a standing army of 658,000 men, also about five times the size of our own standing army. Italy has a standing army of 380,448 men, nearly three times the size of the standing Army of the United States; while Spain, with 272,787 men; Rumania, with 266,500 men; Poland, with 242,373 men, each have standing armies nearly twice the size of that of the United States. Also Japan, with 210,000 men in her standing army, is only a little short of having a standing army twice the size of ours. These observations are worthy of careful thought; for it is notable that in our country of 118,628,000 people we have a standing army of only 137,698 men, or less than 1 active soldier for every 800 men, women, and children in America; while in France there is 1 soldier in the standing army to approximately every 55 men, women, and children in that country.

In Rumania there is 1 soldier in the standing army to each 66 men, women, and children. In Spain there is 1 soldier in the standing army to each 80 men, women, and children. In Yugoslavia there is 1 soldier in the standing army to each 80 men, women, and children. In Czechoslovakia there is 1 to each 95 men, women, and children. In Belgium there is 1 to each 110 men, women, and children. In Japan there is 1 to each 400 men, women, and children. In Russia there is 1 to each 215 men, women, and children; while, to repeat again, in the United States there is only 1 active soldier to each 800 men, women, and children.

* * * * *

Put in another way, the standing Army of the United States is excelled in sheer numbers by the standing armies of each of the following countries: France, Russia, Italy, Spain, British Empire, Rumania, Poland, Japan, Czechoslovakia, and Yugoslavia.

The British Empire, with a combined population of 391,627,887 people, has a combined standing army of 403,915 soldiers; that is one for every thousand men, women, and children in its dominion.

I ask permission to insert in the RECORD a table showing the population of all the nations in the world, the size of the standing armies of those nations, the percentage of those standing armies to the total population, the size of the trained, organized, and equipped reserve of each nation, its unorganized reserve, the different percentages, and the military manpower of each one of the governments.

The PRESIDING OFFICER. Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Country	Population	Active Army		Reserves			Active Army plus reserves actually enrolled, in percent of population	Military manpower	
		Number	Percent	Actually enrolled		Unorganized		Number	Percent
				Number	Percent				
Argentina	10,087,118								
Armenia	921,400								
Austria	6,535,365	32,704	0.05	(1)	(1)	500,000		532,704	8.1
Belgium	7,874,600	71,790	.90	689,683	8.80	314,417	9.70	1,075,890	13.6
Bolivia	2,155,000								
Brazil	20,635,605								
Bavaria	7,379,594								
Bulgaria	5,484,143	33,000	.60	(1)	(1)	667,000	.60	700,000	12.7
Chile	3,937,678								
China	400,000,000	1,450,000	.34						
Colombia	6,617,833								
Costa Rica	507,193								
Cuba	3,418,033								
Czechoslovakia	13,613,172	140,700	1.03	1,489,000	10.94	475,000	12.00	2,104,700	15.5
Denmark	3,419,056								
Dominican Republic	897,405								
Estonia	1,110,538								
Finland	3,495,000	29,700	.85	250,300	7.16	270,300	8.00	550,300	15.7
France	40,922,300	727,413	1.80	4,610,000	11.30	700,000	13.00	6,037,413	14.6
Germany	62,348,782	100,000	.16	(1)	(1)	8,600,000	.16	8,700,000	13.9

[1] Limitation by treaty.

Country	Population	Active Army		Reserves			Active Army plus reserves actually enrolled, in percent of population	Military manpower	
		Number	Percent	Actually enrolled		Unorganized		Number	Percent
				Number	Percent				
Australia	6,103,924	1,697	0.03	49,646	0.81	548,657	0.84	600,000	9.8
Canada	9,504,700	3,499	.04	61,288	.65	785,213	.70	850,000	8.9
Great Britain	45,226,300	214,190	.47	309,251	.68	5,612,899	1.20	6,136,340	13.6
India	318,942,480	161,000	.05	76,481	.02	2,700,946	.07	2,938,427	.9
Irish Free State	2,972,802	13,564	.46	4,500	.15	342,290	.60	360,354	12.1
New Zealand	1,395,815	515	.04	22,039	1.59	110,048	1.63	132,602	9.5
South Africa	7,481,866	2,450	.13	15,000	.20	690,550	.33	715,000	9.5
British Empire	391,627,887	403,915	.10	538,205	.14	10,880,603	.24	11,822,723	3.0
Greece	6,200,000	55,000	.90	266,489	4.30	278,511	5.20	600,000	9.7
Guatemala	2,119,165								
Honduras	733,408								
Haiti	2,045,000								
Hungary	7,980,143	47,000	.60	(1)	(1)	723,000	.60	770,000	9.6
Italy	42,115,606	380,448	.90	2,990,454	7.10	2,000,000	8.00	5,370,902	12.6
Japan	86,000,000	210,000	.24	2,038,000	2.37	5,092,000	2.60	7,340,000	8.5
Latvia	1,844,805								
Lithuania	2,011,173								
Luxemburg	260,767								
Mexico	14,234,799								
Netherlands	7,358,365								
Dutch East Indies	49,534,618								
Nicaragua	638,119								
Norway	2,649,775	30,000	1.20	315,000	11.90	60,000	13.00	405,000	15.7
Palestine	757,182								
Panama	442,522								
Paraguay	853,321								
Peru	5,500,000								
Poland	29,249,000	242,373	.83	500,000	1.71	2,000,000	2.54	2,742,372	9.4
Portugal	6,033,000	26,200	.43	430,000	7.13	500,000	7.60	956,200	15.8
Rumania	17,393,000	266,500	1.53	750,000	4.31	583,500	5.84	1,600,000	9.2
Russia	146,300,000	658,000	.45	5,425,000	3.71	6,072,000	4.16	12,155,000	8.0
Saar	750,000								
Salvador	1,610,000								
Spain	21,347,000	272,787	1.28	1,330,226	6.23	758,034	7.51	2,361,047	11.2
Sweden	6,005,759								
Switzerland	3,917,800								
Turkey	14,000,000	125,000	.89	200,000	1.43	340,000	2.32	665,000	4.7
Uruguay	1,662,116								
Venezuela	3,000,000								
Yugoslavia	12,017,323	142,000	1.20	2,050,000	17.00		18.20	2,192,000	18.2
United States	118,628,000	137,698	.12	296,709	.25		.37		

[1] Limited by treaty.

Mr. TYDINGS. The reserve strength of these nations is also as astounding as is the number of soldiers in the active or standing Army. Let me quote just a few of the figures to give the Senate an idea of the trained, organized, and equipped reserves which some of the nations of Europe maintain.

To begin with, France has an actually enrolled reserve, trained, equipped, and ready, of 4,610,000 soldiers, compared with the United States reserve force, of National Guard and reserve officers, of 296,000.

Russia, which has just joined with the United States in signing the peace pact to outlaw all war, and which is going to settle all international disputes, no matter how they arise, by amicable means, besides her standing army of 658,000 men, has a trained, equipped, and organized reserve of 5,425,000 soldiers, besides an unorganized reserve in similar proportions.

I will not quote further from the table I have before me, but Senators who care to look at it can see printed in the RECORD the figures for each country.

I just want to leave this thought before passing from this phase of the situation. In France, either in the standing army or in the organized, trained, and equipped reserve, 1 out of every 8 men, women, and children is in one or the other of those two bodies.

This shows that every great power on the face of the earth, and a great many of the smaller powers, far excel in size the standing Army of the United States. Besides, many of the nations mentioned, having standing armies greater than our own, have no possessions and a very much smaller territory to protect. We have possessions in the Atlantic and the Pacific, and are recognized in a commercial and economic way as the world's leading power, while only one nation has a greater national population than have we.

With only 137,698 soldiers in the standing Army, an army by comparison in numbers very small indeed, can we afford to let our first line of defense, the Navy, take second rank and still have that measure of national security, of self-defense, which the chairman of the Senate Committee on Foreign Affairs says is every nation's inalienable right?

Country	Foreign securities publicly offered in the United States, 1914 to 1927, inclusive			War debt, Nov. 15, 1927	Total indebtedness	Indebtedness per capita
	Government	Corporate	Total			
Argentina	$520,386,000	$112,723,000	$633,109,000		$633,109,000	$63.00
Armenia				$16,627,154	16,627,154	18.00
Austria	71,611,000	16,676,000	88,287,000	34,159,107	122,446,107	1.70
Belgium	295,770,000	54,243,000	350,013,000	413,580,000	763,593,000	97.00
Bolivia	48,780,000	5,700,000	54,480,000		54,480,000	25.00
Brazil	301,634,000	23,500,000	325,134,000		325,134,000	10.00
Bavaria	20,000,000		20,000,000		20,000,000	2.70
Bulgaria	4,500,000		4,500,000		4,500,000	.90
Chile	180,563,000	172,500,000	353,063,000		353,063,000	70.00
China	10,752,000		10,752,000		10,752,000	.02½
Colombia	100,020,000	43,345,000	143,365,000		143,365,000	21.60
Costa Rica	10,820,000		10,820,000		10,820,000	21.00
Cuba	79,000,000	465,632,000	544,632,000		544,632,000	130.00
Czechoslovakia	53,750,000	5,500,000	59,250,000	179,071,023	238,321,023	17.50
Denmark	152,002,000	9,134,000	161,136,000		161,136,000	47.10
Dominican Republic	25,000,000		25,000,000		25,000,000	28.00
Estonia				15,478,642	15,478,642	14.00
Finland	41,000,000		41,000,000	8,814,000	49,814,000	14.00
France	1,050,873,000	112,300,000	1,163,173,000	4,025,000,000	5,188,173,000	126.75
Germany	382,050,000	502,616,000	884,666,000		884,666,000	14.20

Country	Foreign securities publicly offered in the United States, 1914 to 1927, inclusive			War debt, Nov. 15, 1927	Total indebtedness	Indebtedness per capita
	Government	Corporate	Total			
Australia	$97,758,000	$3,750,000	$101,508,000		$101,508,000	$16.60
Canada	1,768,249,000	945,964,000	2,714,213,000		2,714,213,000	285.50
Great Britain	1,456,287,000	65,416,000	1,521,703,000	$4,505,000,000	6,026,703,000	133.25
Irish Free State	15,000,000		15,000,000		15,000,000	5.00
South Africa		6,160,000	6,160,000		6,160,000	.82½
British Empire	3,337,294,000	1,021,290,000	4,358,584,000	4,505,000,000	8,863,584,000	22.63
Greece	16,000,000	600,000	16,600,000	19,500,000	36,100,000	6.00
Guatemala		11,175,000	11,175,000		11,175,000	5.27
Honduras	500,000	11,443,000	11,943,000		11,943,000	16.25
Haiti	16,000,000	9,000,000	25,000,000		25,000,000	12.25
Hungary	36,750,000	24,372,000	61,122,000	1,952,635	63,074,635	8.00
Italy	262,487,000	140,053,000	402,540,000	2,032,000,000	2,434,540,000	61.80
Japan	198,857,000	109,790,000	308,647,000		308,647,000	3.55
Latvia				6,900,564	6,900,564	3.75
Lithuania				6,162,590	6,162,590	3.05
Luxemburg		7,500,000	7,500,000		7,500,000	29.99
Mexico	1,100,000	32,365,000	33,465,000		33,465,000	2.35
Netherlands	101,125,000	38,936,000	140,061,000		140,061,000	19.00
Dutch East Indies	153,290,000	3,175,000	156,465,000		156,465,000	3.18
Nicaragua				299,128	299,128	.47
Norway	172,727,000	24,716,000	197,443,000		197,443,000	70.70
Palestine	350,000		350,000		350,000	.46
Panama	15,250,000		15,250,000		15,250,000	34.50
Paraguay		2,272,000	2,272,000		2,272,000	2.66
Peru	93,250,000	8,000,000	101,250,000		101,250,000	18.40
Poland	122,076,000	20,250,000	142,326,000	198,595,528	340,921,528	11.65
Rumania	3,750,000		3,750,000	66,060,000	69,810,560	4.00
Russia	3,500,000		3,500,000	280,197,302	283,697,302	1.93
Saar	6,500,000	1,000,000	7,500,000		7,500,000	10.00
Salvador	10,520,000	1,900,000	12,420,000		12,420,000	7.70
Sweden	74,105,000	45,750,000	119,855,000		119,855,000	19.90
Switzerland	132,000,000	3,000,000	135,000,000		135,000,000	34.45
Uruguay	45,171,000		45,171,000		45,171,000	27.10
Venezuela		51,539,000	51,539,000		51,539,000	17.18
Yugoslavia	61,285,000		61,285,000	62,450,000	123,735,000	1.03
Total	8,212,398,000	3,091,995,000	11,304,393,000	11,871,848,233	[1] 23,176,241,233	
					3,195,607,000	
Official figures, not including foreign issues privately taken					[2] 26,371,848,233	
Unofficial figures, including foreign issues privately taken			14,500,000,000			
			3,195,607,000			

[1] Official sources. [2] Unofficial sources.

LOANS OF FOREIGN NATIONS FLOATED IN THE UNITED STATES

Now let us turn to still another aspect of the case, the financial relations of the nations of the world with the Government and people of the United States. France owes us $4,025,000,000 of war debt; the British Empire, $4,505,000,000 war debt; Italy, $2,032,000,000 war debt; Belgium $413,000,000 war debt; Russia, $280,000,000 of war debt; Poland, $198,000,000 of war debt; Czechoslovakia, $179,000,000 of war debt; which Armenia, Austria, Estonia, Finland, Greece, Hungary, Latvia, Lithuania, Nicaragua, Rumania, and Yugoslavia also owe us considerable in war debts. Eighteen European countries owe us a combined war debt of nearly $12,000,000,000. In addition to the above, the nations of 45 countries owe to the people of the United States for loans made to said governments $8,212,000,000.

Again, in addition to the war debts and the loans made to governments of foreign countries, in 36 of these countries loans aggregating over $3,000,000,000 have been made to corporate concerns. The total amount of money in war debts, loans to foreign governments, outside of war debts, and loans to corporate enterprises in foreign countries which are owed either to the United States Government or to the people of America total $26,000,000,000. We are today financing to a large extent the business of the whole world. Our interests, through these loans, reach into the seven seas and into every corner of every nation on the globe. Thus America has either a direct or an indirect interest in the stability of every government on earth, and to some extent in the commercial enterprises in practically every country on the earth.

Let us examine this debt owing to the people of America in more detail.

Every man, woman, and child in Canada owes America $285. Every man, woman, and child in Great Britain owes America $133. Every man, woman, and child in Cuba owes America $130; in France, $126; in Belgium, $97; in Chile $90; Norway, $70; in Argentina, $63; and in Italy, $61 while the following countries have a debt to the people of the United States of $25 per person: Bolivia, Dominican Republic, Luxemburg, Panama, Switzerland, Uruguay; and others owe us still lesser amounts.

It is conceded that many of the foreign countries to whom loans have been made cannot pay in full these loans; yet, in addition to the loans which admittedly cannot be paid, we have made loans to all of these countries outside of the war debts. The query naturally arises, If they cannot pay the war debts, is not there some probability that we will not have refunded in full the debts made outside of war loans?

USES MADE OF FUNDS BORROWED FROM THE PEOPLE OF THE UNITED STATES

Before leaving the subject of war debts, let me call to the attention of the Senate the amount of defense expenditures for the year 1927 on the part of these countries which owe us considerable sums of money and which countries are annually borrowing still more. Here are the figures, by country, for the defense expenditures of 1927:

Total for—

Great Britain	$567,000,000
British Empire	995,000,000
Russia	347,000,000
China	297,000,000
France	269,000,000
Italy	218,000,000
Japan	208,000,000

In addition to those I have named, I ask permission to insert in the RECORD a statement of the defense expenditures of the countries owing the United States money in the form of loans made to them by our people.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement is as follows:

	Defense expenditures, 1927	Foreign securities publicly offered in the United States, 1927	
		Amount	Percent of defense expenditures
Argentina	$44,771,000	$99,561,000	222
Austria	11,220,000	33,887,000	302
Belgium	22,729,000	14,130,000	62
Bolivia	3,411,000	12,585,000	369
Brazil	53,386,000	56,780,000	106
Ecuador	1,933,000		
Bulgaria	8,404,000		
Chile	13,706,000	22,883,000	167
China	297,703,000	10,752,000	3
Colombia	7,125,000	68,670,000	964
Costa Rica	655,000	1,800,000	280
Cuba	11,515,000	61,750,000	537
Czechoslovakia	56,973,000	1,500,000	3
Denmark	15,738,000	28,046,000	178
Dominican Republic	1,473,000	5,000,000	341
Estonia	4,994,000		
Finland	14,467,000		
France	269,463,000	50,000,000	18
Germany	127,581,000	222,692,000	175
British Empire:			
(a) Australia	177,752,000	101,508,000	57
(b) Canada	13,086,000	319,765,000	2,444
(c) Great Britain	567,427,000	5,747,000	1
(d) India	215,999,000		
(e) Irish Free State	11,669,000		
(f) New Zealand	4,656,000		
(g) South Africa	4,490,000		
	995,079,000		
Greece	25,646,000	2,000,000	7
Guatemala	1,358,000	3,150,000	232
Honduras	928,000		
Haiti	1,299,000		
Hungary	19,835,000	26,122,000	132
Italy	218,816,000	120,400,000	55
Japan	208,245,000	308,647,000	150
Latvia	8,927,000		

	Defense expenditures, 1927	Foreign securities publicly offered in the United States, 1927	
		Amount	Percent of defense expenditures
Lithuania	$3,989,000		
Luxemburg	195,000		
Mexico	38,476,000		
Netherlands	23,651,000	$20,716,000	87
Dutch East Indies	44,595,000	156,465,000	351
Nicaragua	219,000		
Norway	11,129,000	29,466,000	265
Palestine	1,625,000		
Panama		1,500,000	
Paraguay	1,068,000		
Peru	7,222,000	60,000,000	831
Poland	74,857,000	47,000,000	63
Portugal	25,916,000		
Rumania	44,199,000		
Russia	347,580,000		
Saar			
Salvador	1,656,000	3,150,000	190
Spain	85,194,000		
Sweden	37,017,000		
Switzerland	16,374,000		
Turkey	29,910,000		
Uruguay	7,134,000		
Venezuela	3,043,000	10,275,000	337
Yugoslavia	41,346,000	34,035,000	85
United States	679,709,000		
Total	3,973,484,000	1,939,982,000	
United States		679,709,000	
		2,619,691,000	

Mr. BRUCE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to his colleague?

Mr. TYDINGS. I yield.

Mr. BRUCE. May I ask the Senator whether he has any figures there for Germany?

Mr. TYDINGS. Yes; I have. The Senator means defense expenditures?

Mr. BRUCE. Yes. Of course, I know they are comparatively small, but I am curious to know the amount.

Mr. TYDINGS. Does the Senator mean for 1927?

Mr. BRUCE. Yes.

Mr. TYDINGS. Germany expended $127,000,000 in 1927 for defense expenditures.

Now, here is a significant fact. Those who are against the cruiser bill lend ear to this remark: In the year 1927 the nations shown in my table expended approximately $4,000,000,000 for so-called national defense. How amusing and paradoxical the whole thing is when we witness the governments of the entire world joining in a peace pact to outlaw war, with the standing armies of the sizes I have stated, and the defense expenditures in these countries totaling in a single year $4,000,000,000. Of course, it may be argued, we do not need a Navy now that the peace treaty has been signed. The countries maintaining these expensive defense expenditures are peaceful nations. Russia, with its 150,000,000 population and standing army of 658,000; France, with its standing army of 727,000 men in a population of 40,000,000; Italy, with its standing army of 380,000 men in a population of 42,000,000; Spain, with its standing army of 272,000 men in a population of 21,000,000; Japan, with its standing army of 210,000 men in a population of 86,000,000; Great Britain, with a British army in Great Britain of 214,000 men in a population of 45,000,000; Czechoslovakia, with a standing army of 140,000 men in a population of 13,000,000; Turkey, with a standing army of 125,000 in a population of 14,000,000; and others I might name, all maintain these military establishments, so that there would be no misunderstanding about war being outlawed as an instrument of national policy, and so that they might insist, as the chairman of the Foreign Affairs Committee has pointed out, that all disputes, no matter what their nature or how they may arise, shall be settled by pacific means. What a lovely peacetime picture to behold. Nations with standing armies on a peacetime scale never before witnesses by the eye of man, and with annual expenditures for defense running into figures of billions of dollars, have all agreed that all future disputes shall be settled by amicable means.

It is said that we must make a start to remedy this condition. That is sound argument. But if the United States really wants to make a start to end these conditions of unrest and fear, we have it within our means to achieve far more success, I believe, than that which will result from the adoption of the Kellogg Peace Pact. Why are we spending these huge sums in our own country for national defense? Is it not because we feel that the world, being virtually an armed camp, that we cannot sit supinely by and rely upon the good, the pure, and the beautiful entirely as a correct way to settle international differences? If that be true, and we really want to force fear from the breasts of mankind, let us help to get rid of these damnable and tremendous military establishments by saying to the world that the United States, being the creditor nation of the globe, declares, as a matter of national policy, that we are opposed to all loans to any nation which, in time of peace, maintains a standing army in excess of peace requirements. If we do that, you will see, I predict, a real change in the psychology of mankind. You will see a scaling down of the large armaments now encamped on the face of the earth. You will see a lessening of the amounts expended all over the globe for national defense. You will, to some extent, minimize the feeling of fear and insecurity now existent among the peoples of many lands. You will take from the backs of many good people the tremendous burden of taxation, and you will make doubly secure the security of our own land and the repayment of the $26,000,000,000 which the world now owes to the people of the United States. Wars are fought for money and with money. Without money no nation can wage war in this day and time, and if this action is taken it will not be necessary for us to appropriate the millions of dollars to maintain our own Naval and Military Establishments beyond peacetime requirements. But until it is done—that is, until the nations of the world decrease their huge military establishments—we cannot afford to have our name occupy the third or fourth position in cruiser or any other essential strength.

Mr. President, I send to the desk two resolutions, which I ask the clerk to read, in the hope that they may be adopted in essence at this session of Congress. I ask that when he has read them the resolutions may lie on the table, to be taken up at some other date. I shall then proceed with my remarks.

The PRESIDING OFFICER. Without objection, the clerk will read.

The legislative clerk read the first resolution (S. Res. 299), as follows:

"*Resolved*, That it is the sense of the American people, expressed through their representatives in the Senate of the United States, that the United States of America is opposed to all loans of every character to any nation which in time of peace maintains an army in excess of reasonable peacetime requirements. That a maximum peacetime army is hereby defined to be as follows:

"One active soldier out of every 100 inhabitants for the first 2,000,000 of population;

"One active soldier out of every 125 inhabitants for the next 2,500,000 of population;

"One active soldier out of every 150 inhabitants for the next 3,000,000 population;

"One active soldier out of every 175 inhabitants for the next 4,000,000 of population;

"One active soldier out of every 200 inhabitants for the next 5,000,000 of population;

"One active soldier out of every 250 inhabitants for the next 10,000,000 of population;

"One active soldier out of every 300 inhabitants for the next 10,000,000 of population; and

"One active soldier out of every 400 inhabitants for all population remaining, with a reserve force not exceeding in any one year the equivalent of the active standing army.

"*Provided, however*, That in the event any nation now maintains a standing army in excess of that defined herein this resolution shall not apply if after 4 years from the passage thereof the standing army of said nation does not exceed the number of soldiers outlined above: *And provided further*, That such nation having an army in excess of that defined above shall reduce said army one-quarter of the entire excess now existing each year until said army comes within the definition stated; and be it further

"*Resolved*, That it is the sense of the Senate of the United States that the Secretary of State of the United States shall not, directly or indirectly, impliedly or tacitly, or in any manner whatsoever place the imprimatur of the Government of the United States upon any such loan contravening in conditions expressed herein."

Mr. TYDINGS. Mr. President, I ask that the other resolution be not read but be printed in the RECORD. It deals with navies while the one just read deals with armies.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The resolution (S. Res. 300) was ordered to be printed in the RECORD and to lie on the table, as follows:

"*Resolved*, That it is the sense of the American people, expressed through their representatives in the Senate of the United States, that the United States of America is opposed to all loans of every character to any nation which, in time of peace, maintains a navy in any respect superior to that maintained by the United States of America; and be it further

"*Resolved*, That it is the sense of the Senate of the United States that the Secretary of State of the United States shall not, directly or indirectly, impliedly or tacitly, or in any manner whatsoever place the imprimatur of the Government of the United States upon any such loan contravening the conditions expressed herein."

Mr. TYDINGS. Mr. President, in order to be fair, I think it is important that I offer a brief word of explanation of this proposed resolution. America owes its greatness today to the fact that in its formative period it was able to borrow from the richer nations of the Old World; in fact, our railroads and great industrial enterprises were largely built up from the loans which we secured abroad; so that America, having become great, having reached a superb state of industrial development, now having turned its face, and from being a debtor having become a creditor Nation, would occupy a very small and mean position if it refused to accord to the Old World the same treatment which it asked when it was not so fortunately situated as now.

However, I want to impress upon the minds of Senators the fact that while we were borrowing that money from the Old World we were asking that it be placed in productive enterprise—in railroads, mines, and industrial undertakings—in something to create wealth, something that would make it easier for us to repay the loans.

On the other hand, the governments of Europe today are floating loans in our country and the money derived from those loans is not going into productive industry, but it is going into battleships and armies, the size of which I outlined only a few moments ago. If those nations want to maintain huge standing armies and navies, that is their business; it is not our business to tell them the size of their standing armies and navies; but it is our business to say to them, "You cannot maintain these standing armies and navies with our money, because it makes us

take money which we would use for internal improvements and spend it on our own Army and Navy in order to bring them up to a parity with yours."

So the proposition outlined in the resolution is that it is declared to be the sense of the American people that we are opposed to loans to all foreign governments which in time of peace maintain more than peacetime standing armies; and the allowance made in the resolution is very liberal. France today would be entitled to a standing army of 220,000 men, if she would scale own immediately, because that would be the maximum number for a country of 45,000,000. The United States would use but 40 percent of the number authorized by the resolution. The peace pact, signed by practically every nation on the globe, states that war is to be outlawed, that disputes of every kind, of every nature, no matter how they may arise, shall be settled by pacific means. If we mean what we say, we ought to put some teeth into our alleged policy and adopt the resolution in some form or other to maintain the spirit of the peace pact.

* * * * *

Understand, Senators, people in this country could still lend their money to foreign governments notwithstanding this resolution—the resolution is only an admonition—if they wanted to do so, but if they did lend it to foreign governments they would lend it at their own risk.

Does the resolution, which has just been read, conform with the spirit of the hour? A few days ago the Senate adopted the Kellogg Peace Pact That pact, bearing the signatures of the representatives of all the civilized nations of the world, stated that all nations signatory thereto had outlawed war; that they condemned war as an instrument of national policy; and that they would settle all disputes—whatever they involved; whatever their origin, no matter how arising or under what conditions—by pacific means. If the spirit rather than the letter of that resolution is to prevail—a condition devoutly to be desired—it would be an anomaly for Russia to keep 658,000 soldiers in its active army; for France to continue its army of 727,000; or for Italy to continue its large force of 380,000 men. And so I might mention other nations and the size of their standing armies. Certainly, if the dove of peace, after being driven out of creation during the World War and being buffeted by the boisterous winds following that great holocaust, is at last to settle its pure-white, kindly wings upon the earth, and the principles which it represents are to be emulated by all nations, then these nations should at once show the bona fides of their expressed intentions by performing acts to subsantiate their words.

Certainly no nation can object to the resolution. If these huge armies and navys are being maintained with our money, we are thereby forced to incur a huge expenditure at home. If conditions were different in Europe, our expenditures would not need to be so great. Every speech for the cruiser bill uttered on this floor has been based upon the comparative size of the Japanese and English Navies; and yet in 1927 we made a loan to Japan of $100,000,000, more than the total defense expenditures of that nation for that year. Without such loans the other nations of the earth could not support the standing armies and navies on the scale they are now maintaining them.

If we want a feeling of good will to settle on Poland or Austria or Germany or France, we have got to take the bayonets away from their breasts, and the guns pointed at their hearts, because so long as huge military camps are all over those nations, the people will live in a state of fear and international amity cannot be maintained.

What nation can object to the expressed feeling of the American people that they oppose loans to foreign governments which violate the spirit and the letter of the treaty which they have just signed? If they do object, then we should label the treaty a series of New Year's resolutions agreed to by all the nations of the world, to be broken sometime in the latter part of January. Are we not primarily contemplating the passage of the cruiser bill becausee other nations have surpassed us in cruiser strength? Are we not justified in saying to these nations that we will not continue a situation which causes us to spend more money in the uselessness of unneeded war preparation? How many of these governments, with which we are competing in naval strength, could support navies and armies on a scale superior to those maintained by the United States, if it were not for the loans which we have made to them, with which they have bolstered up their tottering wartime engines? If such loans were denied to nations which maintain armies, thereby frightened their neighbors, and in some measures causing our own people concern, and which build navies in excess of that maintained by our own country, forcing us thereby to divert money needed for internal improvements to the uselessness of competitive war preparation, it would put a stop to this practice and give to our people the improvements which the cause of competitive armaments and armies deny to them.

Let me make an analysis of our existing debt situation. I will not read it, but will ask permission to have it inserted in the RECORD for the benefit of Senators who may care to look at it more closely. I will, however, answer a question or two that may come up in the minds of some Senators as to the purposes to which prearmistice loans were devoted. I refer to the following:

"Munitions, 28.3 percent.

"Foodstuffs, cotton, and other supplies, 62.7 percent.

"Transportation and shipping, 2.4 percent.

"Spent in neutral countries, 1 percent."

In other words, nearly a third of all of our prearmistice loans went to munitions.

What happened to our postarmistice loans? The figures are as follows:

"Munitions, 12.6 percent.

"Foodstuffs, cotton, and other supplies, much of which went to the maintenance of regular armies, 72.2 percent.

"Transportation and shipping, 4.1 percent.

"Incidentals, 10 percent."

So that since the war, 12 percent directly and a proportion of 70 percent more went for munitions, armaments, and armies in countries borrowing the money from us.

Now, let me call attention to the situation in two countries. Take, for example, the United Kingdom. The figures are as follows:

Total debt	$41,354,169,000
Total external debt	5,367,750,000
Public loans in the United States	159,728,000
Due to the United States Government	4,505,000,000
Total internal debt	35,986,419,000

Now let us consider the case of Italy. The figures as to Italy are as follows:

Total debt	$9,425,322,000
Total external debt	4,965,895,000
Public loans in United States	96,895,000
Due to United States Government	2,032,000,000
Total internal debt	4,459,427,000

I have had inserted in the RECORD the defense expenses of various countries of the world for 1927, and the amount of money each of them borrowed from the United States in that year. I will merely, in passing, call attention at this point to the first nation on the list to show how that table works out:

Argentina spent $44,771,000 for national defense in 1927, and borrowed from the United States $99,561,000;

Austria spent $11,220,000 for national defense, and borrowed $33,887,000 from the United States.

So it is with practically every other country. If any Senator should like now to ask about the figures concerning any particular nation I will be glad to answer, but I have had the entire table printed in the RECORD.

* * * * *

Here is a summary which I hope those interested in this discussion will drink in, because it is the meat of the whole loan and preparedness situation:

The total war expenditures of the world in 1927 were almost $4,000,000,000. The United States advanced sufficient to pay two-thirds of that amount, or $2,619,000,000, in that year. This includes all foreign flotations in this country. So that of all the money spent in the entire world for national defense in 1927, $4,000,000,000, two-thirds of it was borrowed right here in our own country by the governments of the world.

Here is another striking fact:

The United States—meaning the people of the United States—loaned 20 foreign nations more than enough to meet their national-defense expenditures during 1927. That happens almost every year, Mr. President. These loans have been going on in this procession ever since the World War.

Here is another striking fact:

Europe's war budget for 1927 was a little over $2,000,000,000. That is just about the total of foreign securities floated in the United States in that year, thereby releasing sufficient in the world's financial markets to finance the defense expenditures of all of Europe. So what they spent for armaments in Europe in 1927 was the exact equivalent of the money borrowed by all those countries in the United States in that year.

Excluding France, Russia—now under the State Department ban—and England, the war budget for the rest of Europe amounted to almost $1,000,000,000—$935,000,000, to be exact. We advanced these countries amounts totaling 62 percent of that figure, $580,000,000. Loans were made to five European countries in amounts more than sufficient to finance their entire defense budgets.

The United States loaned in Japan $100,000,000 more than enough to meet her 1927 national-defense expenditures. Every man in this Chamber concedes that the navy of Japan today is superior to that of the United States in its cruiser strength; yet during 1 year Japan borrowed from this country $100,000,000 more than was necessary to finance her whole military establishment.

Are you going to keep lending these nations money to keep up their armies and their navies all over the world?

* * * * *

Put 644,000 trained and equipped soldiers on the Canadian border or in Mexico and see how much you think of your national security in the United States. The United States is 15 times as large as France, and 15 times as large as Germany; yet to the north of Germany there are 644,000 Russian-trained soldiers, and the finest military airplane corps in all the world. To the east is Poland, with two-hundred-and-eighty-some-thousand soldiers. Then there is a French Army on the south of Germany with 727,000 trained soldiers and 4,500,000 reserves; and yet we talk about the Kellogg peace pact to outlaw war where 1 out of every 55 men, women, and children is in the standing army, and we say that there is a great psychology for peace with those conditions prevailing.

I say that if the United States were Germany, and Germany were the United States, and we were transported into that country, our great idea about straightening out the difficulties of the world would certainly be

other than it is here, 3,000 miles from the scene of those huge armies.

Why have they these military establishments? Because we have not the courage to deny them the funds with which to maintain them. We may affect a few men who perhaps engage in the business of financing these countries, and I do not blame them for that, because it is perfectly honorable and legitimate; but I say that the time has come when the United States being the creditor nation of the world should insist that the money borrowed from its people shall go into useful and productive enterprises, just as a banker would insist that any money borrowed from his bank should go into a useful and productive enterprise, and that the security should be the best.

The combined defense expenditures for 1927 of seven South American countries—Argentina, Bolivia, Brazil, Chile, Colombia, Peru, and Venezuela—were $132,000,000 for that year. Loans floated by those governments in this country were $200,000,000 for the same year.

Three Central American countries and two of the West Indies—Costa Rica, Guatemala, Salvador, Cuba, and the Dominican Republic—needed $16,000,000 for defense purposes last year. Our loans to these countries were over four times that amount.

I do not mean to say that these little nations are flagrant violators, but I think I have shown by a statement of fact that cannot be refuted that without these loans from the people of the United States there would not today be 720,000 active, trained French soldiers in the standing army, nor 380,000 trained soldiers in Italy, nor 300,000 trained soldiers in Rumania, nor 280,000 trained soldiers in Poland, because those of you who do me the honor to read the table will see that year after year we lend to these countries practically the same amount that they expend for their entire national defense.

When they build these huge armies and huge navies on a wartime plane they cause us to feel unsafe, to improve our airplane corps, to enlarge and expand our Navy, to take money which we would otherwise use to reduce taxation or to make internal improvements.

I will not read, but shall ask permission to insert in the RECORD, the amount of all the war debts owing by all the countries of the world, the amount that we scaled down these debts before settlement, the amount of settlement agreed upon, the amount paid in cash, the amount guaranteed by 62-year bonds, the cash value of these bonds today—which will be an astounding figure—and the concessions made by the United States to each country in the settlement of these debts.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

All settlements summarized

Country	Total net debt at time of settlement with interest at rates of original notes	Amount thrown off before settlement by reduction of interest and for other reasons	Net debt to be settled	How settled		Cash or "present value" of bonds given in settlement (5 percent basis)[1]	Concessions made by United States	
				Paid in cash	By 62-year bonds		Difference between face and "present values"	Total money concessions made by United States
Great Britain	$4,715,310,000	$111,181,914.26	$4,604,128,085.74	$4,128,085.74	$4,600,000,000	$3,296,948,000	$1,303,052,000	$1,414,233,915.00
France	4,230,777,000	205,390,313.11	4,025,386,686.89	[2] 386,686.89	[2] 4,025,000,000	1,681,369,000	2,343,631,000	2,549,021,313.11
Italy	2,150,150,000	107,950,533.66	2,042,199,466.34	199,466.34	2,042,000,000	426,287,000	1,615,713,000	1,723,663,533.66
Belgium	483,426,000	65,628,765.34	417,797,234.66	17,234.66	417,780,000	191,766,000	226,014,000	291,642,765.34
Czechoslovakia	123,854,000	8,854,000.00	115,000,000.00	None.	115,000,000	77,985,000	37,015,000	45,869,000.00
Estonia	14,143,000	311,558.12	13,831,441.88	1,441.88	13,830,000	9,915,000	3,915,000	4,226,558.12
Finland	9,190,000	180,684.73	9,009,315.27	9,315.27	9,000,000	6,452,000	2,548,000	2,728,684.73
Hungary	1,984,000	44,246.96	1,939,753.04	753.04	1,939,000	1,388,000	551,000	594,246.96
Latvia	5,893,000	113,437.24	5,779,562.76	4,562.76	5,775,000	4,137,000	1,638,000	1,751,437.24
Lithuania	6,216,000	184,453.03	6,031,546.97	1,546.97	6,030,000	5,322,000	1,708,000	1,892,453.03
Poland	182,324,000	3,758,974.01	178,565,025.99	5,025.99	178,560,000	127,643,000	50,857,000	54,615,974.01
Rumania	46,945,000	2,350,548.46	44,594,451.54	4,451.54	44,590,000	29,507,000	15,083,000	17,433,548.46
Yugoslavia	66,164,000	3,306,887.61	62,857,112.39	7,112.39	62,850,000	15,919,000	46,931,000	50,237,887.61
Total	12,036,376,000	509,256,316.53	11,527,119,683.47	4,765,683.47	11,522,354,000	5,873,638,000	5,648,656,000	6,157,912,317.27

[1] Since the war, various European governments have borrowed money through American bankers at interest rates running from 7 to 8 percent, therefore, 5 percent is a conservative rate.

[2] Although France made the cash payment specified in the settlement, she has not yet ratified the agreement made by her representatives.

Mr. TYDINGS. President Coolidge, on Armistice Day, I think anticipated some of the things I have mentioned here this afternoon, because here is what he had to say. This was on Armistice Day, 1928:

* * * * *

"I have several times stated that such ought to be our policy. But there is little reason for sending capital abroad while rates for money in London and Paris are at 4 or 5 percent, while ours are much higher. England is placing very considerable loans abroad; France has had large credits abroad, some of which have been called home. Both are making very large outlays for military purposes. Europe, on the whole, has arrived at a state of financial stability and prosperity where it cannot be said we are called on to help or act much beyond a strict business basis. The needs of our own people require that any further advances by us must have most careful consideration."

* * * * *

In this connection it is well to note that Russia, with a population of 146,000,000, has not been recognized by some of the countries of the earth, among them our own, and this because it is claimed the Government of Russia is a virtual dictatorship. Does not this condition also prevail in another form in Italy? And may it not also apply, in a milder way, in some of the other countries which owe us tremendous sums?

It should be borne in mind that Russia has refused, it is stated, to pay us its war debt because it was contracted, it is said, by a so-called minority of the Russian people; that this borrowing did not represent Russia. Whether this be true or not, I should like to read from the December 1928 issue of Current History, from an article entitled "Danger of American Loans to Europe," written by Francesco Nitti, former Minister of the Treasury and former Premier of Italy, in which he makes the following observation:

"Gradually as Europe reduces her sources of disorder * * * she will recover self-confidence, and the present state of things must sooner or later come to an end.

"But the present situation should make America prudent and guarded in according loans to Europe. These loans are a danger and an error when they are made in countries which present political instability or a disordered regime. A loan to a great German, French, or Belgian industry is almost without danger. But a loan to Russia, Poland, or Italy is not without danger as long as the present dictatorships endure. It may be assumed that the dollars lent will not, for the most part, be destined to the uses of production, but to luxury and military expenditure, and to the upkeep of a ridiculous monetary system. * * *

"There is also a political danger. If an obligation is to be valid, it must be freely contracted. When Parliament, the right of association and meeting, and the freedom of the press have all been suppressed, it is impossible for the obligation to be of a stable nature. The irregular regimes of a dictatorship are not binding upon their successors."

In spite of the Kellogg Peace Pact it must be admitted that the Government of Russia, with its 146,000,000 people, is not looked upon with favor by some of the powerful nations of the world; that Hungary and Italy have, in some form or other, a dictatorship; that in China, with its 400,000,000 of people and a standing army of 1,500,000 men, a great civil and military conflict has just taken place; that parts of northern Africa have shown themselves restive under French rule; that France has had difficulties in Arabia, while the British Empire has had serious difficulties with which to deal in Egypt and India; that Germany is bound by a treaty to pay a tremendous burden in the form of war reparations, the amount of which has not as yet been fixed; that the budgets of some of these foreign countries do not balance; that there is trouble in that part of Italy which was ceded to it by Austria; that Austria, having lost a large part of its territory and having no seaport, is bound to import and export the necessities of life and all its commerce through countries which surround it with a tariff wall; that the people of Hungary are similarly placed as are those of Austria; that war between Italy and Greece was narrowly averted; and that other serious conflicts in the Balkans seem from time to time about to break out; even in South America a few days ago, there was some difficulty between two countries in which hostilities were barely avoided; that our own marines are in Nicaragua; that Haiti is under the domination of our armed forces to some extent; that the Panama Canal must always be the only bond between our Atlantic and our Pacific Fleets; that we own Hawaii and the Philippines, long distances from continental United States; and that today, besides being the creditor nation af the world, we are embarking upon an era of foreign trade never before attempted.

There is no dispute that, despite all these conditions, England and Japan excel the

United States in cruiser strength. They both excel us in the size of their standing armies. If this were not so, I would vote against any increase in the cruiser strength of our Navy. But, as it is so, I feel that America, with its small Army, with all its diverse problems, and the condition of the world being as it is, should keep its Navy on a parity with that of any other single nation in the world.

* * * * *

Mr. President, I would like to say that as long as a vast majority of the nations of Europe, which do not begin to approach us in population, insist on maintaining armies from twice to five times the size of that maintained in the United States; as long as England, Japan, France, and Italy excel us in cruiser strength; as long as the nations of the world owe us the combined sum of $26,000,000,000; as long as we have thousands of miles of seacoast, and ships carrying our commerce to every part of the world; as long as we have possessions in the Caribbean Sea and the Pacific Ocean, the Philippines, Hawaii, and Guam; with the hatreds existing all over this world, hundreds of years old, and virtually armed camps all over Europe; with debts piled on debts which many nations would gladly fight to throw off—as long as these conditions exist, the United States cannot afford to take a position in the matter of her first line of defense—the Navy—with a small standing Army as we possess, which is inferior to that of any other nation on the globe.

Our interests today are greater than those of England. While our territory may not be so widely scattered, our population is greatly in excess of that of Great Britain, and 40 percent of that of the entire British Empire. I have no desire to cause any hostility between England and our own country. I feel that if the navies of these two great nations are kept on a parity it will be conducive to good feeling. But there will be constant agitation if the navy of one or the other becomes predominant in any one line of equipment.

For these reasons, I shall support the cruiser bill because we have a small Army, and with a small Army we must have a good strong first line of defense behind which we can recruit such forces as we may need should danger become imminent.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

Mr. MURRAY. Mr. President, I wish to join with other Senators in congratulating the distinguished Senator from Maryland upon the able address he has just delivered, in which he has portrayed the tremendous destructive forces which hang over the heads of the people of the world.

Mr. President, I have a joint resolution which I ask unanimous consent to introduce at this time which deals directly with the subject matter discussed by the able Senator from Maryland. I ask that the joint resolution be read.

The PRESIDING OFFICER. Without objection, the clerk will read.

The joint resolution (S. J. Res. 135) providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing an appropriation therefor, was read the first time by its title, and the second time at length, as follows:

Resolved, etc., That the President is hereby authorized to accept membership for the United States in the United Nations Educational, Scientific, and Cultural Organization (hereinafter referred to as the Organization), the constitution of which was approved in London on November 16, 1945, by the United Nations Conference for the establishment of an Educational, Scientific, and Cultural Organization, and deposited in the Archives of the Government of the United Kingdom.

SEC. 2. The President shall designate from time to time to attend a specified session or specified sessions of the General Conference of the Organization not to exceed five representatives of the United States and such number of alternates as he may determine consistent with the rules of procedure of the General Conference. One of the representatives shall be designated as the senior representative. Such representatives and alternates shall each be entitled to receive compensation at such rates, not to exceed $12,000 per annum, as the President may determine, for such periods as the President may specify, except that no Member of the Senate or House of Representatives or officer of the United States who is designated under this section as a representative of the United States or as an alternate to attend any specified session or specified sessions of the General Conference shall be entitled to receive such compensation. Whenever a representative of the United States is elected by the General Conference to serve on the Executive Board, or is elected president of the General Conference and thus become an ex officio adviser to the Executive Board, under provision of article V of the constitution of the Organization, the President may extend the above provisions for compensation to such representative during periods of service in connection with the Executive Board.

SEC. 3. The Secretary of State is authorized to establish, in fulfillment of article VII of the constitution of the Organization, a National Commission on Education, Scientific, and Cultural Cooperation and to designate for such periods of service as he may determine, not to exceed 30 persons broadly representative of the educational, scientific, and cultural interests of the United States, to serve on the National Commission. No member of the National Commission shall be allowed any salary or other compensation for service: *Provided, however*, That he may be paid his actual transportation expenses, and not to exceed $10 per diem in lieu of subsistence and other expenses, while away from his home in attendance upon meetings or in consultation with the Department of State under instructions. The Department of State is authorized to provide the necessary secretariat for the Commission.

SEC. 4. There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the payment by the United States of its share of the expenses of the Organization as apportioned by the General Conference of the Organization in accordance with article IX of the Constitution of the Organization, and such additional sums as may be necessary to pay the expenses of participation by the United States in the activities of the Organization, including: (a) salaries of the representatives provided for in section 2 hereof, of their appropriate staffs, and of members of the secretariat of the National Commission provided for in section 3 hereof, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and the Classification Act of 1923, as amended; (b) travel expenses without regard to the Standardized Government Travel Regulations, as amended, the Subsistence Expense Act of 1926, as amended, and section 10 of the act of March 3, 1933 (U. S. Code, title 5, sec. 73b), and, under such rules and regulations as the Secretary of State may prescribe, travel expenses of families and transportation of effects of United States representatives and other personnel in going to and returning from their post of duty; (c) allowances for living quarters, including heat, fuel, and light, as authorized by the act approved June 26, 1930 (U. S. Code, title 5, sec. 118a); (d) cost of living allowances under such rules and regulations as the Secretary of State may prescribe, including allowances to persons temporarily stationed abroad; (e) communication services; (f) stenographic reporting, translating, and other services, by contract, if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. Code, title 41, sec. 5); (g) local transportation; (h) equipment; (i) transportation of things; (j) rent of offices; (k) printing and binding without regard to section 11 of the act of March 1, 1919 (U. S. Code, title 44, sec. 111) and section 3709 of the Revised Statutes (U. S. Code, title 41, sec. 5); (l) official entertainment; (m) stationery; (n) purchase of newspapers, periodicals, books, and documents; and (o) such other expenses as may be authorized by the Secretary of State.

SEC. 5. Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States approve any amendment under article XIII of the Constitution of the Organization involving any new obligation for the United States.

SEC. 6. In adopting this joint resolution, it is the understanding of the Congress that the Constitution of the Organization does not require, nor does this resolution authorize, the disclosure of any information or knowledge in any case in which such disclosure is prohibited by any law of the United States.

Mr. WHITE. Mr. President, may I inquire if I am correct in my present understanding, that the Senator from Montana asked unanimous consent for the introduction of a joint resolution, for its reading, and for its appropriate reference?

Mr. MURRAY. That is correct.

Mr. WHITE. The Senator asked nothing further?

Mr. MURRAY. That is correct.

Mr. WHITE. I have no objection.

The PRESIDING OFFICER. Without objection, the joint resolution will be received and referred to the Committee on Foreign Relations.

Mr. RUSSELL. Mr. President, judging from the reading of the joint resolution, it seems to me that it is of tremendous importance. Without prejudicing the right of the Senator from Montana to the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Kilgore
Austin	Ferguson	La Follette
Bailey	Fulbright	Lucas
Bankhead	George	McClellan
Barkley	Gerry	McFarland
Bilbo	Gossett	McKellar
Brewster	Green	McMahon
Bridges	Guffey	Magnuson
Briggs	Gurney	Maybank
Buck	Hart	Mead
Bushfield	Hatch	Millikin
Byrd	Hawkes	Morse
Capehart	Hayden	Murdock
Capper	Hickenlooper	Murray
Chavez	Hill	Myers
Cordon	Hoey	O'Daniel
Donnell	Huffman	Pepper
Downey	Johnson, Colo.	Radcliffe
Eastland	Johnston, S. C.	Reed

Revercomb	Taft	Wherry
Robertson	Taylor	White
Russell	Thomas, Okla.	Wiley
Shipstead	Thomas, Utah	Willis
Smith	Tobey	Wilson
Stanfill	Tydings	Young
Stewart	Wheeler	

The PRESIDING OFFICER (Mr. HOEY in the chair). Seventy-seven Senators having answered to their names a quorum is present.

Mr. MURRAY. Mr. President, I have the honor at this time to report to the Senate on the work of the United Nations Educational and Cultural Conference held in London November 1 to 16, 1945, which relates directly to the problem just discussed on the floor.

The purpose of the Conference was to write a constitution for the United Nations Educational, Scientific, and Cultural Organization. This purpose has been achieved. The constitution has been written and approved by the representatives of 44 nations. The constitution will come into effect when it has been accepted by 20 of its signatories.

It was my privilege to serve as a delegate of the United States to this Conference. It was an inspiring and memorable experience. It was a gathering of serious-minded men and women, many of whom had witnessed first-hand the terrible ravages of the war. I am confident that history will prove that this gathering made a signal contribution to the cause of peace and security.

Mr. President, I propose here to outline the cardinal features of this new Organization. But first let me explain briefly the underlying thought and purpose which drew together the delegates who assembled in London.

The peoples of the United Nations today are haunted by fear. This is the paradox of our time. They have engaged the might of the Axis Powers in battle, and have been victorious. And yet in the hour of victory, we ask ourselves, Have we won the war?

We have defeated our enemies on land; we have sunk their fleets; we have swept their aircraft from the skies; we have destroyed their political and economic power. But let me ask, Have we defeated their ideas?

We are pressing vigorously to insure that these defeated enemies will never again start another war, and that no other nation will start on a career of aggression. We have established the United Nations Organizations for peace and security. Yet we lack assurance that we can in fact prevent another war.

Why is this so? Whence springs this uncertainty and anxiety and doubt?

Political and economic problems disturb us, but these alone do not portend war. Such problems can be resolved. We contemplate with dread the fearful potentialities of atomic power. Yet we know that this awesome power might be the source of untold beneficence to mankind.

What is it then that hinders our progress toward security and peace? Surely it is the fact that within human nature still lie the seeds of war. We seek to control or abolish the new weapons of destruction which we have devised. But the ancient weapons of destruction are still within ourselves—the weapons of ignorance and prejudice and suspicion and hate. These are the most dangerous of the forces which must be abolished among men. Peace is never accomplished by force and arms—by the dictation of the conqueror. If we are to have peace in the world we must turn from physical to moral force. Reason and tolerance and fair play must be recognized as the true road to peace.

This was the thought and purpose which animated the work of the London Conference. The delegates to this Conference represented nations which had fought together as allies and had achieved victory in war. Some of these men had gone into battle and others had risked their lives in organizing underground resistance. They knew that victory was not enough, that it was not enough even to create an organization for peaceful settlement of disputes and for cooperation in political and economic affairs. They shared the belief—and expressed it in the preamble to the constitution—that:

> A peace based exclusively upon the political and economic arrangements of governments would not be a peace which could secure the unanimous, lasting, and sincere support of the peoples of the world, and that the peace must therefore be founded, if it is not to fail, upon the intellectual and moral solidarity of mankind.

This thought was the dominant note in the utterances of the delegates. They were men of diverse upbringing, reared in different educational and cultural traditions, but they knew that with all our diversity we must establish mutual understanding and must live by common ideals. Education must lay the foundation stones of peace.

To promote mutual understanding through our schools and colleges and through the free flow of knowledge and ideas across national boundaries is henceforward a supreme duty of the members of the United Nations. It will be recalled that the Charter of the United Nations Organization explicitly recognizes the contribution which education and cultural cooperation may make to the building of peace.

Education for peace is primarily a task to be undertaken by the people and the Government of each nation within its own boundaries. But good things are done better when we do them together. The United Nations can help each other. It is for this reason that a United Nations organization for cooperation in the fields of education and science and culture is created.

Both the House of Representatives and the Senate of the United States have already expressed unanimous agreement that an international organization of this character should be established. The following resolution, submitted by the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Ohio [Mr. TAFT], was unanimously adopted by the Senate on May 24, 1945:

> *Resolved*, That the Senate of the United States urges the participation by the Government of the United States in the organization by the nations of the world of a permanent international organization for educational and cultural affairs, for the purpose of advising together and considering problems of international education and cultural relations throughout the world, and more particularly for the purpose of organizing a permanent international agency to promote educational and cultural relations and the encouragement within each country of friendly relations among nations, peoples, and cultural groups: *Provided*, That such agency shall not interfere with educational systems or programs within the several nations, or their administration.

The wishes of the Senate will be carried out by the formation of the United Nations Educational, Scientific, and Cultural Organization. I am confident, therefore, that the constitution of UNESCO merits wholehearted approval from the Congress of the United States.

Of course, it will not be sufficient to establish an organization. It must be staffed by capable men and women dedicated to its purposes. It must be supported by men and women throughout the world. Finaly, the Organization must be accorded the financial support it needs if it is to function successfully.

The Organization to be established under the constitution drawn up at London is simple and flexible. It will consist of three main organs—a General Conference, an Executive Board, and a Secretariat. The General Conference will consist of representatives of the states members of the Organization. It will determine the policies and the main line of work of the Organization. It may submit recommendations and international conventions to the member states. It will advise the United Nations Organization on the educational, scientific, and cultural aspects of matters of concern to the latter. It will receive and consider reports submitted periodically by member states. It will meet annually in ordinary session and may meet in extraordinary sessions on the call of the Executive Board.

There will be an Executive Board of 18 members elected by the General Conference from among the delegates. The Executive Board will be responsible for the accomplishment of the program adopted by the Conference.

There will be a Secretariat consisting of a Director General and such staff as may be required.

Mr. HILL. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. STEWART in the chair). Does the Senator from Montana yield to the Senator from Alabama?

Mr. MURRAY. I yield.

Mr. HILL. Did not the Senator attend the meeting which brought the Organization into being?

Mr. MURRAY. That is true.

Mr. HILL. In other words, at this time the Senator is speaking from first-hand and intimate knowledge of the Organization; is he not?

Mr. MURRAY. Yes. I am making a report on the proceedings of the London Conference.

Mr. HILL. While the Senator is permitting me to interrupt him, let me say that I am delighted that he is bringing this message to the Senate. When we think in terms of world peace we are so prone at this time to think in terms of the use of armed force and the atomic bomb. Of course, we recognize the tre-

mendous importance of giving our best thought to the question of disarmament, the question of the prohibition of the manufacture and use of the atomic bomb, and the question of what should be done to avoid the use of armed force. But, after all, as the Senator so well knows, education is as necessary and as useful and as needed as is the police force or the sheriff's department of a city or county. It is not the police force or the sheriff's department which makes a city or a county. The things which make a city what it is and which constitute the great heart and soul and spirit of a city or a county are the churches, the schoolhouses, the fraternal lodges, the chambers of commerce, the labor unions—all the groups which deal, not merely with questions of guns and armaments or the use of force, but with the things of the spirit. Is not that true?

Mr. MURRAY. That is true; the Senator is absolutely correct in his statement. This Organization is designed to go direct to the peoples of the world, through an educational program in the various nations, to inculcate in their minds a desire for peace in the world.

Mr. President, I wish to comment briefly on some features of this Organization.

First, it is an agency through which the member states will cooperate with each other. It will not in any sense be an agency of control. It will not interfere with the domestic educational system of any of its members. I would call your attention to article I, paragraph 3, which reads as follows:

> With a view to preserving the independence, integrity, and fruitful diversity of the cultures and educational systems of the states members of this Organization, the Organization is prohibited from intervening in matters which are essentially within their domestic jurisdiction.

Secondly, the Organization is designed to rest on a broad foundation of popular support and interest. Member states undertake to consult with a national commission, or with educational, scientific, and cultural bodies, prior to the appointment of the delegates to the conference. They undertake to associate the principal bodies within their countries interested in educational, scientific, and cultural matters with the work of the Organization. It is recommended in the constitution that in each country a national commission broadly representative of the governments and of such bodies act in an advisory capacity to the government in matters relating to the Organization. A national commission of this character will afford the widest oportunity for civic groups to bring their ideas to the attention of the Organization and to play a part in fulfilling the purpose of the organization.

Mr. HILL. Mr. President, will the Senator further yield?

Mr. MURRAY. I yield.

Mr. HILL. Will the Senator tell us how the members are to be selected?

Mr. MURRAY. The joint resolution I have just introduced provides the method for their selection. It is my intention also to file with the Senate a copy of the constitution and the final act of the conference, as a part of my report.

Mr. HILL. How many representatives will there be from the United States?

Mr. MURRAY. Under the joint resolution the President is authorized to name five representatives or delegates. I believe provision is made for a limited number of delegates.

Mr. HILL. Will all the members of the United Nations Organization have representation in the body to which the Senator has been referring?

Mr. MURRAY. Yes; all those that are signatories to the agreement.

Mr. HILL. Are all the nations which now are members of the United Nations Organization signatories to the agreement?

Mr. MURRAY. Not all of them are signatories as yet, but it is expected that all of them will sign. I think 40-odd nations already have signed.

Mr. HILL. Can the Senator tell us how the organization will tie in with the United Nations Organization and the organizations created under it?

Mr. MURRAY. The organization is provided for in and is set up pursuant to the provisions of the United Nations Charter. Upon adoption of the constitution, it is provided that an agreement under which it will operate shall be entered into between this organization and the United Nations Organization.

Mr. HILL. Then, as I understand, this organization will do in the field of culture and education what the Security Council is supposed to do in the field of the exercise of sanctions. Is that correct?

Mr. MURRAY. That is correct.

Mr. HILL. And it will do in its field what the Economic Council is supposed to do in the field of economics, commerce, and trade. Is that correct?

Mr. MURRAY. Yes; that is exactly correct. It is designed to bring about in the minds of the people of the world an overpowering desire and demand for the abolition of war as an instrument for settling disputes among nations. It undertakes to carry on an educational program in each country so as to eliminate from the minds of its people a feeling that other nations are anxious to cooperate and are not hostile to them. We should all work together in a world movement backed by the people to bring about genuine world peace.

Mr. HILL. We all recall how effectively Hitler's Nazis used propaganda and education. They conquered more countries by psychological warfare, by their propaganda and education, than by the use of military force. The Senator's proposal is, of course, the very antithesis of military force. What the Senator is suggesting is, as I understand, an army of the great over-all United Nations Organization. It will carry the message of good will, of neighborliness, and good feeling, as well as a message of the necessity for peace which it will inculcate into the minds and hearts of all people of the world. Am I correct?

Mr. MURRAY. The Senator has made a very clear explanation of the purpose of the Organization. It undertakes to put back of the United Nations and its program the force and power of the peoples of the world.

Mr. President, it is provided that members of the executive board shall be selected on the basis of their personal qualifications, and not merely as representatives of their respective governments. The delegates to the London Conference were acutely aware that the success of this Organization would depend in large part upon participation in and support of organizations and individuals in all countries, and they inserted such safeguards in order to insure its truly popular character.

Thirdly, the Organization is democratic in the sense that its recognizes the full equality of the member states. All member states are represented in the general conference. Representatives from all member states are equally eligible for election as members of the Executive Board.

Fourthly, this Organization will work in the closest harmony with the United Nations Organization. It is designed to be one of the specialized agencies provided for in articles 57 and 63 of the Charter of the United Nations. UNESCO will be an autonomous agency, but it will be brought into relation with the United Nations Organization through an agreement to be concluded between the two organizations.

But this formal relationship is merely the structural expression of an organic unity. This Organization exists because the United Nations Organization exists. Its purpose is to contribute to that peace and security which is the aim of the United Nations Organization. The basic principles of the two organizations are the same. That is why the first paragraph of the first article of the constitution of UNESCO states:

> The purpose of the organization is to contribute to peace and security by promoting collaboration among the nations through education, science, and culture in order to further universal respect for justice, for the rule of law, and for the human rights and fundamental freedoms which are affirmed for the peoples of the world without distinction of race, sex, language, or religion by the Charter of the United Nations.

Mr. HILL. In other words, Mr. President, what the Senator is dealing with is the positive side, the affirmative side of peace.

Mr. MURRAY. The Senator is correct.

Mr. HILL. The Senator is stating that, as a part of the absolute necessity of outlawing the use of atomic bombs and other weapons or instrumentalities of destruction, we must proceed with the affirmative side of peace. We expect to maintain the peace. It seems to me that the Senator is now speaking aptly to the question of building peace. If we are to have peace in this world we must struggle and sacrifice for it. I ask the Senator if peace is not like everything else in this world that is worth while? We cannot have it unless we pay for it. What the Senator is now seeking to do is to bring the message of building the peace through affirmative and positive means. If we build correctly, peace will follow.

Mr. MURRAY. The ideas and sentiments with respect to peace must be firmly grounded in the minds of the peoples of the world. Unless they are back of the United Nations program, it will fail. The only possibility of success in connection with the efforts to banish war from the world lies in having the people of the various countries join in a world effort through educational activities and cultural relations in creating the sentiment which is necessary to bring about disarmament and peace.

Mr. President, I shall not discuss in detail the operations which UNESCO will undertake. Many admirable suggestions have been made by interested groups and individuals both in this and other countries. These suggestions, and others which will be forthcoming, will be examined by the preparatory commission, and a tentative program will be prepared for consideration by the first session of the General Conference. The London Conference drew up a constitution, not a program of operations. We were content to state in general and comprehensive terms the functions of the Organization. As will be seen in article I, the Organization will collaborate in advancing mutual knowledge and understanding of peoples, through all means of mass communication; it will make suggestions and institute collaboration with respect to educational programs; it will encourage the international exchange of persons, of publications and of other materials of information; it will recommend international agreements on matters of common interest.

Senators may be wondering whether the educators, the scientists, and the cultural leaders who will be brought together in this Organization will be realistic enough to keep their feet on the ground, and to work out and execute programs which will really reach down to the common man. My experience at this conference suggests that we need have no fears on this score. Many of the delegates were men and women from academic life, who had won distinction in realms of thought and culture, but there were also soldiers, engineers, administrators, men who had engaged in business or political affairs. I may say that I have never taken part in an assembly which moved with more efficiency and speed in the execution of its business. Moreover, I can attest to the strong convictions of these men and women that this Organization must concern itself with the education of the ordinary citizen and with fostering mutual understanding among peoples in all walks of life.

The conference accomplished its objectives in the short space of 16 days. This could not have been done had there not been a strong conviction, among the delegates from all nations, of the importance and urgency of their labors. The rapid dispatch of its business was made possible also by the careful preparation which had preceded the conference, and by the efficient organization of the work throughout the conference.

I should like to pay tribute here to the contribution made by the Conference of Allied Ministers of Education, which prepared a draft constitution; to the French Government, which submitted detailed and most helpful proposals; and to the Government of the United Kingdom, which issued the invitations to the conference and handled the necessary administrative arrangements. I think, too, that some credit should be given to our own United States delegation which, under the admirable leadership of our chairman, Mr. Archibald MacLeish, met every morning and evening to review the progress of the conference, and which prepared many amendments for consideration by the commissions of the conference. Many of our suggestions were adopted, and I am convinced that they helped substantially to bring about speedy agreement on questions in dispute.

Before I conclude, I want to refer briefly to one question which does not lie within the scope of this organization, but which should be on the minds of all who have its purposes at heart. I was deeply moved at the conference—and I know that I speak here for my fellow delegates—as I learned how the educational and cultural life of our allies in Europe and in Asia had been systematically destroyed by the Axis invaders. Some of these countries now lack the simplest tools of education: paper, pencils, erasers, books, scientific apparatus. They need, they are entitled to, and they must receive help in restoring the foundations on which intellectual life depend. It is not within the province of UNESCO to serve as an agent in furnishing these necessities. We have, however, established a special subcommittee of the preparatory commission which will assemble information about these needs. The commission may transmit this information not only to governments, but also to organizations and individuals. It is for the American people to decide what response they wish to make to this need. I personally hope that the response will be generous and prompt.

Mr. RUSSELL. Mr. President, will the Senator from Montana yield?

Mr. MURRAY. I yield.

Mr. RUSSELL. I was unable to hear all the remarks of the distinguished Senator on this very interesting and important subject. I regret that I was called off the floor.

I ask the Senator what program has been suggested by which the wonderful idea of disseminating a love for peace throughout the world may be implemented. Is it the thought that educational institutions will be erected for that purpose?

Mr. MURRAY. No, but the constitution provides for the manner in which this Organization shall operate. It provides for use of all media of information to spread knowledge and understanding among the nations of the earth, so as to furnish a true understanding about the attitude of the people of the respective nations, to inculcate in their minds a desire for peace, and to enlist the peoples in all countries in backing up the United Nations Organization in its effort to bring about peace in the world.

Mr. RUSSELL. Would the releases over the radio and through the press come from this central organization in the United Nations Organization?

Mr. MURRAY. The program is provided for in the constitution. It would encourage educational institutions and other organizations to engage in the kind of activity provided for so as to bring about better understandings among the peoples of the world. It would undertake to remove from this country any program designed to arouse fear or ill will in other nations against us. It is provided very carefully in the constitution how this is to be carried out, and it is my intention to file, following my remarks, the constitution and the final agreement of the conference.

Mr. RUSSELL. I shall be happy to read it in the RECORD tomorrow. It occurs to me that we should give consideration to fixing the curricula or courses of study in our colleges so as to include courses in this subject.

Mr. MURRAY. That is correct.

Mr. RUSSELL. After all, one of the causes of controversy is the failure to understand the problems of other men. Therefore, through the exchange of students between countries we might build up a much better understanding of the problems of others and thereby get down to the very grass roots, whereby those who are trained in these courses could return to their native lands and instruct in their elementary schools, and thereby broaden the vision and the desire of those of the coming generation. We probably will not have another war in this generation, and we must start our work early upon those who will be guiding the destinies of the nations in the next generation.

Mr. MURRAY. We provide for exchange of students, and exchange of professors and teachers as well, and for traveling in the various countries so as to get the peoples better acquainted with each other, so that they may correctly understand the attitudes of each other.

Mr. HILL. Mr. President, does not the Senator think that with the modern mode of travel, due in such great measure to the airplane, we really have a marvelous vehicle for bringing about understanding among the peoples of the earth? We know how laborious and slow and tedious travel was in the old days. I remember that not long after the terrible War Between the States a great Senator from Mississippi, Senator Lamar, made the significant statement, "Know one another, my countrymen, and you will love one another."

There is nothing which so breeds suspicion, and brings about so much ill-feeling and ill-will as ignorance. Ignorance is the breeding place of suspicion and ill-will, and all the things which lead to conflict and strife and war.

Mr. RUSSELL. Mr. President, I am sure the Senator from Alabama would want to complete the RECORD.

Mr. HILL. The distinguished Senator to whom I referred was born in Georgia.

Mr. RUSSELL. The incident related to Lucius Quintus Cincinnatus Lamar, who was a Senator from Mississippi. The remarks quoted were made while tears coursed down his cheeks as he spoke at the bier of Charles Sumner, a man

whom he had met often in bitter debate on the floor of this body.

Mr. HILL. Senator Lamar was born in the State so ably represented by the junior Senator from Georgia [Mr. RUSSELL].

Mr. MURRAY. Mr. President, Senators have expressed sentiments which pervaded the conference during its sessions. Speeches were delivered by the representatives of various nations of the earth, and they spoke along the lines Senators have been following this afternoon, about the need for understanding among peoples, who very frequently have complete misconceptions. The people in some parts of the earth regard the United States as an aggressor nation. They are afraid. The United States is so powerful, has such a tremendous army, such great war-making potentialities, that some people are afraid. Such fears must be removed from the minds of people through an educational program.

Mr. HILL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Alabama?

Mr. MURRAY. I yield.

Mr. HILL. I think we did absolutely right in using the atomic bomb. I would have favored using the atomic bomb if it had meant the saving the life of just one American boy. But naturally the very fact that we did use this horrible new weapon has tended to do what the Senator has suggested, namely, create in the minds of some people certain suspicions.

Mr. MURRAY. The Senator is correct.

Mr. President, as I review the achievements of the London Conference, I am indeed proud to have been associated with its work. I believe that we have gone far toward the creation of an organization which will contribute immeasurably to the establishment of peace. If this organization fulfills its promise, the words "educational," "scientific," and "cultural" will acquire a new meaning.

Educational systems, with all the good they have contributed to the world, have too often emphasized the differences among people. Too often they have been instruments for fostering national pride and arrogance and ambition. The most thoroughgoing perversion of education that the world has yet seen was accomplished by Hitler, who used it for the inculcation of evil and destructive ideas. We now have given a solemn undertaking that education will be directed to the attainment of tolerance, of mutual understanding, and of fundamental freedoms and of human rights.

Men of science have a long and honorable record of international cooperation. Scientific advance has always been the fruit of the combined labors of men of many lands. But too often their most spectacular achievements have been instruments of destruction. Their services to governments have too often been directed toward warlike ends.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. FULBRIGHT. In connection with the discussion a moment ago about inspection in the field of armament, the real reliance for an effective organization of the kind proposed will be upon the scientists the Senator has mentioned.

Mr. MURRAY. Yes.

Mr. FULBRIGHT. They have demonstrated, during the course of many years, that they are internationally minded, in the sense in which the Senator uses that term. Is that not true?

Mr. MURRAY. That is true.

Mr. FULBRIGHT. I regret I was not present at the beginning of the Senator's remarks. Has he said much about the exchange of scholarships under a bill which is pending?

Mr. MURRAY. It is understood that one of the objectives of the proposed organization is to bring about widespread exchange of students and of professors, and to carry on a general educational program to bring the peoples of each country to an understanding of the ideals and programs of all other countries.

Mr. FULBRIGHT. If I may be permitted, I should like to remind the Senator that there is pending before the Committee on Military Affairs a bill providing for the allocation of some of the proceeds from surplus property abroad for the very purpose of financing the exchange of scholarships among the various nations.

Mr. MURRAY. I appreciate the fact that the distinguished Senator from Arkansas has been long interested in this problem, and it was his resolution approving the creation of the proposed organization which was agreed to some time ago.

Mr. FULBRIGHT. I think it is absolutely essential, if there is to be any hope at all for the future of the United Nations Organization, that such an organization as is proposed by the Senator from Montana be an integral part of it. I do not see how anything could contribute more to the effectiveness of the United Nations Organization than the educational organizations proposed.

Mr. MURRAY. Mr. President, now the opportunity is given to scientists of working together to devise ways in which scientific knowledge may be advanced in the common interest of mankind.

Culture has too often been narrowly defined as a luxury belonging to a few who have leisure and money. The only definition that fits our purposes is that it is something which leads to the improvement of life in all its aspects. As we cultivate our land and make it richer and more productive, so we must cultivate better conditions of human life. The individual's opportunity to enrich his life—that is the cultural goal of the United Nations Education, Scientific, and Cultural Organization.

UNESCO is an idealistic organization. But it is also realistic. It is founded on the fundamental reality of our time: "Since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed." Thus opens the preamble to the constitution which was written at the London Conference. This note, first struck by the Prime Minister of the United Kingdom, pervaded the thought and action of all those who labored at London.

They forged what, in my opinion, is an essential tool for the building of a peaceful world. The accumulated experience of centuries is proof that there can be no lasting peace among the nations until they learn to understand each other and to work together in common creative endeavor.

Dire need taught the free nations of the world to join in common defense against the onslaught of the barbarian forces of fascism. But common defense is not enough. There will be other, even more terrible wars unless the leaders of thought and culture, as well as the people of all nations, find a way to each other, and discover that fundamentally they all have the same hopes, the same desire to live in a world at peace, the same urge to create a better and freer life for themselves and their children.

It is to help ordinary people to create such a world that the London Conference convened. The tool has been forged. It is now up to the individual nations, it is up to our own people, to use it.

Mr. President, I ask unanimous consent that following my remarks there may be printed in the RECORD the following documents: The Final Act of the United Nations Conference for the Establishment of an Educational, Scientific, and Cultural Organization, the Constitution of UNESCO, and the Instrument Establishing a Preparatory Commission.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

FINAL ACT OF THE UNITED NATIONS CONFERENCE FOR THE ESTABLISHMENT OF AN EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION—LONDON CONFERENCE DOCUMENT NO. 25

The Conference for the Establishment of an Educational, Scientific, and Cultural Organization of the United Nations was convened by the Government of the United Kingdom in association with the Government of France. The invitations were sent out in accordance with the recommendation of the Conference of San Francisco and upon the request of the Conference of the Allied Ministers of Education in order to promote the aims set out in article I, paragraph 3, of the Charter of the United Nations. The Conference met in London from the 1st to the 16th November 1945.

The Governments of the following countries were represented at the Conference by delegates and advisers: Argentine Republic, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, El Salvador, Egypt, France, Greece, Guatemala, Haiti, India, Iran, Iraq, Lebanon, Liberia, Luxembourg, Mexico, The Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, The Philippines, Poland, Saudi Arabia, Syria, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (represented by an observer), Yugoslavia.

The following international organizations were also represented by observers:

International Labor Organization, League of Nations Secretariat, League of Nations Committee on Intellectual Cooperation, International Institute of Intellectual Cooperation, Pan-American Union, United Nations Relief and Rehabilitation Administration (UNRRA), International Bureau of Education.

The Conference had before it, and adopted as its basis of discussion, a draft constitution prepared by the Conference of Allied Ministers of Education. It likewise had before it a draft constitution prepared by the

French Government. A number of proposals put forward by other governments and by various bodies and organizations were also before the Conference.

After consideration of these drafts and proposals the Conference drew up a constitution establishing an Educational, Scientific, and Cultural Organization and an instrument establishing a Preparatory Educational, Scientific, and Cultural Commission. The Conference also adopted the following resolution:

"The seat of the United Nations Educational, Scientific, and Cultural Organization shall be in Paris.

"This resolution shall not in any way affect the right of the General Conference to take decisions in regard to this matter by a two-thirds majority."

In faith whereof the undersigned have signed this final act.

Done in London the 16th day of November 1945 in a single copy in the English and French languages, both texts being equally authentic. This copy shall be deposited in the archives of the Government of the United Kingdom, by whom certified copies will be sent to all the United Nations.

CONSTITUTION OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION—LONDON CONFERENCE DOCUMENT No. 26

The governments of the states parties to this constitution on behalf of their peoples declare—

That since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed;

That ignorance of each other's ways and lives has been a common cause, throughout the history of mankind, of that suspicion and mistrust between the peoples of the world through which their differences have all too often broken into war;

That the great and terrible war which has now ended was a war made possible by the denial of the democratic principles of the dignity, equality, and mutual respect of men, and by the propagation, in their place, through ignorance and prejudice, of the doctrine of the inequality of men and races;

That the wide diffusion of culture, and the education of humanity for justice and liberty and peace are indispensable to the dignity of man and constitute a sacred duty which all the nations must fulfill in a spirit of mutual assistance and concern;

That a peace based exclusively upon the political and economic arrangements of governments would not be a peace which could secure the unanimous, lasting, and sincere support of the peoples of the world, and that the peace must therefore be founded, if it is not to fail, upon the intellectual and moral solidarity of mankind.

For these reasons, the states parties to this constitution, believing in full and equal opportunities for education for all, in the unrestricted pursuit of objective truth, and in the free exchange of ideas and knowledge, are agreed and determined to develop and to increase the means of communication between their peoples and to employ these means for the purposes of mutual understanding and a truer and more perfect knowledge of each other's lives;

In consequence whereof they do hereby create the United Nations Educational, Scientific, and Cultural Organization for the purpose of advancing, through the educational and scientific and cultural relations of the peoples of the world, the objectives of international peace and of the common welfare of mankind for which the United Nations Organization was established and which its charter proclaims.

ARTICLE I. PURPOSES AND FUNCTIONS

1. The purpose of the Organization is to contribute to peace and security by promoting collaboration among the nations through education, science, and culture in order to further universal respect for justice, for the rule of law, and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language, or religion, by the Charter of the United Nations.

2. To realize this purpose the Organization will:

(a) Collaborate in the work of advancing the mutual knowledge and understanding of peoples, through all means of mass communication and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image.

(b) Give fresh impulse to popular education and to the spread of culture—

By collaborating with members, at their request, in the development of educational activities.

By instituting collaboration among the nations to advance the ideal of equality of educational opportunity without regard to race, sex, or any distinctions, economic or social.

By suggesting educational methods best suited to prepare the children of the world for the responsibilities of freedom.

(c) Maintain, increase, and diffuse knowledge—

By assuring the conservation and protection of the world's inheritance of books, works of art, and monuments of history and science, and recommending to the nations concerned the necessary international conventions.

By encouraging cooperation among the nations in all branches of intellectual activity, including the international exchange of persons active in the fields of education, science, and culture and the exchange of publications, objects of artistic and scientific interest, and other materials of information.

By initiating methods of international cooperation calculated to give the people of all countries acces to the printed and published materials produced by any of them.

3. With a view to preserving the independence, integrity, and fruitful diversity of the cultures and educational systems of the states members of this Organization, the Organization is prohibited from intervening in matters which are essentially within their domestic jurisdiction.

ARTICLE II. MEMBERSHIP

1. Membership of the United Nations Organization shall carry with it the right to membership of the United Nations Educational, Scientific, and Cultural Organization.

2. Subject to the conditions of the agreement between this Organization and the United Nations Organization, approved pursuant to article X of this constitution, states not members of the United Nations Organization may be admitted to membership of the Organization, upon recommendation of the Executive Board, by a two-thirds majority vote of the General Conference.

3. Members of the Organization which are suspended from the exercise of the rights and privileges of membership of the United Nations Organization shall, upon the request of the latter, be suspended from the rights and privileges of this Organization.

4. Members of the Organization which are expelled from the United Nations Organization shall automatically cease to be members of this Organization.

ARTICLE III. ORGANS

The Organization shall include a General Conference, an Executive Board, and a Secretariat.

ARTICLE IV. THE GENERAL CONFERENCE

A. Composition

1. The General Conference shall consist of the representatives of the states' members of the Organization. The government of each member state shall appoint not more than five delegates, who shall be selected after consultation with the National Commission, if established, or with educational, scientific, and cultural bodies.

B. Functions

2. The General Conference shall determine the policies and the main lines of work of the Organization. It shall take decisions on programs drawn up by the Executive Board.

3. The General Conference shall, when it deems it desirable, summon international conferences on education, the sciences, and humanities and the dissemination of knowledge.

4. The General Conference shall, in adopting proposals for submission to the member states, distinguished between recommendations and international conventions submitted for their approval. In the former case a majority vote shall suffice, in the latter case a two-thirds majority shall be required. Each of the member states shall submit recommendations or conventions to its competent authorities within a period of 1 year from the close of the session of the General Conference at which they were adopted.

5. The General Conference shall advise the United Nations Organization on the educational, scientific, and cultural aspects of matters of concern to the latter, in accordance with the terms and procedure agreed upon between the appropriate authorities of the two organizations.

6. The General Conference shall receive and consider the reports submitted periodically by member states as provided by article VIII.

7. The General Conference shall elect the members of the Executive Board and, on the recommendation of the Board, shall appoint the Director-General.

C. Voting

8. Each member state shall have one vote in the General Conference. Divisions shall be made by a simple majority except in cases in which a two-thirds majority is required by the provisions of this constitution. A majority shall be a majority of the members present and voting.

D. Procedure

9. The General Conference shall meet annually in ordinary session; it may meet in extraordinary session on the call of the Executive Board. At each session the location of its next session shall be designated by the General Conference and shall vary from year to year.

10. The General Conference shall, at each session, elect a president and other officers and adopt rules of procedure.

11. The General Conference shall set up special and technical committees and such other subordinate bodies as may be necessary for its purposes.

12. The General Conference shall cause arrangements to be made for public access to meetings, subject to such regulations as it shall prescribe.

E. Observers

13. The General Conference, on the recommendation of the Executive Board and by a two-thirds majority may, subject to its rules of procedure, invite as observers at specified sessions of the Conference or of its Commissions, representatives of international organizations, such as those referred to in article XI, paragraph 4.

ARTICLE V. EXECUTIVE BOARD

A. Composition

1. The Executive Board shall consist of 18 members elected by the General Conference from among the delegates appointed by the member states, together with the President of the Conference who shall sit ex officio in an advisory capacity.

2. In electing the members of the Executive Board the General Conference shall endeavor to include persons competent in the arts, the humanities, the sciences, education, and the diffusion of ideas, and qualified by

their experience and capacity to fulfill the administrative and executive duties of the Board. It shall also have regard to the diversity of cultures and a balanced geographical distribution. Not more than one national of any member state shall serve on the Board at any one time, the President of the Conference excepted.

3. The elected members of the Executive Board shall serve for a term of 3 years, and shall be immediately eligible for a second term, but shall not serve consecutively for more than two terms. At the first election 18 members shall be elected, of whom one-third shall retire at the end of the first year and one-third at the end of the second year, the order of retirement being determined immediately after the election by the drawing of lots. Thereafter six members shall be elected each year.

4. In the event of the death or resignation of one of its members, the Executive Board shall appoint from among the delegates of the member state concerned a substitute, who shall serve until the next session of the General Conference, which shall elect a member for the remainder of the term.

B. Functions

5. The Executive Board, acting under the authority of the General Conference, shall be responsible for the execution of the program adopted by the Conference and shall prepare its agenda and program of work.

6. The Executive Board shall recommend to the General Conference the admission of new members to the Organization.

7. Subject to decisions of the General Conference, the Executive Board shall adopt its own rules of procedure. It shall elect its officers from among its members.

8. The Executive Board shall meet in regular session at least twice a year and may meet in special session if convoked by the chairman on his own initiative or upon the request of six members of the Board.

9. The chairman of the Executive Board shall present to the General Conference, with or without comment, the annual report of the Director-General on the activities of the Organization, which shall have been previously submitted to the Board.

10. The Executive Board shall make all necessary arrangements to consult the representatives of international organizations or qualified persons concerned with questions within is competence.

11. The members of the Executive Board shall exercise the powers delegated to them by the General Conference on behalf of the Conference as a whole and not as representatives of their respective governments.

ARTICLE VI. SECRETARIAT

1. The Secretariat shall consist of a Director General and such staff as may be required.

2. The Director-General shall be nominated by the Executive Board and appointed by the General Conference for a period of 6 years, under such conditions as the Conference may approve, and shall be eligible for reappointment. He shall be the chief administrative officer of the Organization.

3. The Director-General, or a deputy designated by him, shall participate, without the right to vote, in all meetings of the General Conference, of the Executive Board, and of the committees of the Organization. He shall formulate proposals for appropriate action by the Conference and the Board.

4. The Director-General shall appoint the staff of the Secretariat in accordance with staff regulations to be approved by the General Conference. Subject to the paramount consideration of securing the highest standards of integrity, efficiency, and technical competence, appointment to the staff shall be on as wide a geographical basis as possible.

5. The responsibilities of the Director-General and of the staff shall be exclusively international in character. In the discharge of their duties they shall not seek to receive instructions from any government or from any authority external to the Organization. They shall refrain from any action which might prejudice their position as international officials. Each state member of the Organization undertakes to respect the international character of the responsibilities of the Director-General and the staff, and not to seek to influence them in the discharge of their duties.

6. Nothing in this article shall preclude the Organization from entering into special arrangements within the United Nations Organization for common services and staff and for the interchange of personnel.

ARTICLE VII. NATIONAL COOPERATING BODIES

1. Each member state shall make such arrangements as suit its particular conditions for the purpose of associating its principal bodies interested in educational, scientific, and cultural matters with the work of the Organization, preferably by the formation of a National Commission broadly representative of the government and such bodies.

2. National Commissions or national cooperating bodies, where they exist, shall act in an advisory capacity to their respective delegations to the General Conference and to their Governments in matters relating to the Organization and shall function as agencies of liaison in all matters of interest to it.

3. The Organization may, on the request of a member state, delegate, either temporarily or permanently, a member of its Secretariat to serve on the National Commission of that state, in order to assist in the development of its work.

ARTICLE VIII. REPORTS BY MEMBER STATES

Each member state shall report periodically to the Organization, in a manner to be determined by the General Conference, on its laws, regulations and statistics relating to educational, scientific and cultural life and institutions, and on the action taken upon the recommendations and conventions referred to in article IV, paragraph 4.

ARTICLE IX. BUDGET

1. The budget shall be administered by the Organization.

2. The General Conference shall approve and give final effect to the budget and to the apportionment of financial responsibility among the states members of the Organization subject to such arrangement with the United Nations as may be provided in the agreement to be entered into pursuant to article X.

3. The Director-General, with the approval of the Executive Board, may receive gifts, bequests, and subventions directly from governments, public and private institutions, associations, and private persons.

ARTICLE X. RELATIONS WITH THE UNITED NATIONS ORGANIZATION

This Organization shall be brought into relation with the United Nations Organization, as soon as practicable, as one of the specialized agencies referred to in article 57 of the Charter of the United Nations. This relationship shall be effected through an agreement with the United Nations Organization under article 63 of the Charter, which agreement shall be subject to the approval of the General Conference of this Organization. The agreement shall provide for effective cooperation between the two Organizations in the pursuit of their common purposes, and at the same time shall recognize the autonomy of this Organization, within the fields of its competence as defined in this constitution. Such agreement may, among other matters, provide for the approval and financing of the budget of the Organization by the General Assembly of the United Nations.

ARTICLE XI. RELATIONS WITH OTHER SPECIALIZED INTERNATIONAL ORGANIZATIONS AND AGENCIES

1. This Organization may cooperate with other specialized intergovernmental organizations and agencies whose interests and activities are related to its purposes. To this end the Director-General, acting under the general authority of the Executive Board, may establish effective working relationships with such organizations and agencies and establish such joint committees as may be necessary to assure effective cooperation. Any formal arrangements entered into with such organizations or agencies shall be subject to the approval of the Executive Board.

2. Whenever the General Conference of this Organization and the competent authorities of any other specialized intergovernmental organizations or agencies whose purposes and functions lie within the competence of this Organization, deem it desirable to effect a transfer of their resources and activities to this Organization, the Director-General, subject to the approval of the Conference, may enter into mutually acceptable arrangements for this purpose.

3. This Organization may make appropriate arrangements with other intergovernmental organizations for reciprocal representation at meetings.

4. The United Nations Educational, Scientific, and Cultural Organization may make suitable arrangements for consultation and cooperation with nongovernmental international organizations concerned with matters within its competence, and may invite them to undertake specific tasks. Such cooperation may also include appropriate participation by representatives of such organizations on advisory committees set up by the General Conference.

ARTICLE XII. LEGAL STATUS OF THE ORGANIZATION

The provisions of articles 104 and 105 of the Charter of the United Nations Organization concerning the legal status of that Organization, its privileges and immunities shall apply in the same way to this Organization.

ARTICLE XIII. AMENDMENTS

1. Proposals for amendments to this constitution shall become effective upon receiving the approval of the General Conference by a two-thirds majority: *Provided, however,* That those amendments which involve fundamental alterations in the aims of the Organization or new obligations for the member states shall require subsequent acceptance on the part of two-thirds of the member states before they come into force. The draft texts of proposed amendments shall be communicated by the Director General to the member states at least 6 months in advance of their consideration by the General Conference.

2. The General Conference shall have power to adopt by a two-thirds majority rules of procedure for carrying out the provisions of this article.

ARTICLE XIV. INTERPRETATION

1. The English and French texts of this constitution shall be regarded as equally authoritative.

2. Any question or dispute concerning the interpretation of this constitution shall be referred for determination to the International Court of Justice or to an arbitral tribunal, as the General Conference may determine under its rules of procedure.

ARTICLE XV. ENTRY INTO FORCE

1. This constitution shall be subject to acceptance. The instruments of acceptance shall be deposited with the Government of the United Kingdom.

2. This constitution shall remain open for signature in the archives of the Government of the United Kingdom. Signature may take place either before or after the deposit of the

instrument of acceptance. No acceptance shall be valid unless preceded or followed by a signature.

3. This constitution shall come into force when it has been accepted by 20 of its signatories. Subsequent acceptances shall take effect immediately.

4. The Government of the United Kingdom will inform all members of the United Nations of the receipt of all instruments of acceptance and of the date on which the constitution comes into force in accordance with the preceding paragraph.

In faith whereof, the undersigned, duly authorized to that effect, have signed this constitution in the English and French languages, both texts being equally authentic.

Done in London the 16th day of November 1945 in a single copy, in the English and French languages, of which certified copies will be communicated by the Government of the United Kingdom to the governments of all members of the United Nations.

INSTRUMENTS ESTABLISHING A PREPARATORY EDUCATIONAL, SCIENTIFIC, AND CULTURAL COMMISSION—LONDON CONFERENCE DOCUMENT NO. 27

The governments represented at the United Nations Educational and Cultural Conference in London,

Having determined that an international organization to be known as the United Nations Educational Scientific, and Cultural Organization shall be established, and

Having formulated the constitution of the United Nations Educational, Scientific, and Cultural Organization,

Agree as follows:

1. Pending the coming into force of the constitution and the establishment of the Organization provided for therein, there shall be established a Preparatory Commission to make arrangements for the first session of the General Conference of the Organization, and to take such other steps as are indicated below.

2. For this purpose the Commission shall:

(a) Convoke the first session of the General Conference.

(b) Prepare the provisional agenda for the first session of the general conference and prepare documents and recommendations relating to all matters on the agenda including such matters as the possible transfer of functions, activities and assets of existing international agencies, the specific arrangements between this organization and the United Nations Organization, and arrangements for the secretariat of the organization and the appointment of its Director-General.

(c) Make studies and prepare recommendations concerning the program and the budget of the organization for presentation to the general conference at its first session.

(d) Provide without delay for immediate action on urgent needs of educational, scientific, and cultural reconstruction in devastated countries as indicated in paragraphs 6 and 7.

3. The Commission shall consist of one representative of each of the governments signatory to this instrument.

4. The Commission shall appoint an executive committee composed of 15 members, to be selected at the first meeting of the Commission. The executive committee shall exercise any or all powers of the Commission as the Commission may determine.

5. The Commission shall establish its own rules of procedure and shall appoint such other committees and consult with such specialists as may be desirable to facilitate its work.

6. The Commission shall appoint a special technical subcommittee to examine the problems relating to the educational, scientific and cultural needs of the countries devastated by the war, having regard to the information already collected and the work being done by other international organizations, and to prepare as complete a conspectus as possible of the extent and nature of the problems for the information of the Organization at the first session of the Conference.

7. When the technical subcommittee is satisfied that any ameliorative measures are immediately practicable to meet any educational, scientific, or cultural needs it shall report to the Commission accordingly and the Commission shall, if it approves, take steps to bring such needs to the attention of governments, organizations, and persons wishing to assist by contributing money, supplies, or services in order that coordinated relief may be given either directly by the donors to the countries requiring aid or indirectly through existing international relief organizations.

8. The Commission shall appoint an executive secretary who shall exercise such powers and perform such duties as the Commission may determine, with such international staff as may be required. The staff shall be composed as far as possible of officials and specialists made available for this purpose by the participating governments on the invitation of the Executive Secretary.

9. The provisions of articles 104 and 105 of the Charter of the United Nations Organization concerning the legal status of that Organization, its privileges and immunities shall apply in the same way to this Commission.

10. The Commission shall hold its first meeting in London immediately after the conclusion of the present Conference and shall continue to sit in London until such time as the constitution of the Organization has come into force. The Commission shall then transfer to Paris where the permanent Organization is to be located.

11. During such period as the Commission is in London, the expenses of its maintenance shall be met by the Government of the United Kingdom on the understanding:

(1) that the amount of the expenses so incurred will be deducted from the contributions of that Government to the new Organization until they have been recovered; and

(2) that it will be open to the Commission, if circumstances so warrant, to seek contributions from other governments.

When the Commission is transferred to Paris, the financial responsibility will pass to the French Government on the same terms.

12. The Commission shall cease to exist upon the assumption of office of the Director-General of the Organization, at which time its property and records shall be transferred to the Organization.

13. The Government of the United Kingdom shall be the temporary depositary and shall have custody of the original document embodying these interim arrangements in the English and French languages. The Government of the United Kingdom shall transfer the original to the Director-General on his assumption of office.

14. This instrument shall be effective as from this date, and shall remain open for signature on behalf of the states entitled to be the original members of the United Nations Educational, Scientific, and Cultural Organization, until the Commission is dissolved in accordance with paragraph 12.

In faith whereof, the undersigned representatives having been duly authorized for that purpose, have signed this instrument in the English and French languages, both texts being equally authentic.

Done in London the 16th day of November 1945, in a single copy, in the English and French languages, of which certified copies will be communicated by the Government of the United Kingdom to the governments of all the states members of the United Nations.

CITATION AND INVESTITURE OF LEO T. CROWLEY AS KNIGHT COMMANDER WITH STAR OF THE ORDER OF PIUS IX—ADDRESS BY CARDINAL STRITCH

During the delivery of Mr. MURRAY'S speech,

Mr. LA FOLLETTE asked and obtained leave to have printed in the Appendix of the RECORD the citation of Pope Pius XII to Hon. Leo T. Crowley as knight commander with star of the Order of Pius IX, together with an address by Cardinal Stritch at a testimonial dinner for Mr. Crowley at Madison, Wis., on January 10, 1946, and a copy of the program, which appear in the Appendix.

OFFICIAL PHOTOGRAPHER OF THE SENATE

Mr. CHAVEZ. Mr. President, will the Senator from Montana yield to me for a moment while I submit a resolution, without jeopardizing his right to the floor?

Mr. MURRAY. I yield.

Mr. CHAVEZ. I submit a resolution which I send to the desk and ask to have appropriately referred.

There being no objection, the resolution (S. Res. 220) was received and referred to the Committee on Rules, as follows:

Resolved, That the President pro tempore of the Senate is authorized to appoint an official photographer of the Senate who shall perform such duties as may be assigned by the President pro tempore and who shall be paid compensation at a rate not to exceed $4,800 per annum, until otherwise provided by law. Said compensation and all expenses incurred in the purchase of such protographic equipment, including cameras, film, and developing supplies necessary to enable said photographer to perform his duties, shall be paid out of the contingent fund of the Senate.

NATIONAL HOUSING PROGRAM

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. ELLENDER. Mr. President, I have stated frequently that emergency measures in the current housing situation should be coupled with prompt passage of the Wagner-Ellender-Taft general housing bill (S. 1592). I have said that only by embarking upon a well thought out comprehensive housing program can we really put an end to the housing emergency, which has been creeping up upon us through almost 20 years of cumulative housing shortages.

I should like to call to the special attention of the Senate that these views are fully shared by the President of the United States. In his message to the Congress on January 14, 1946, he very specifically endorsed the main provisions of the Wagner-Ellender-Taft bill, and called for "prompt enactment of permanent housing legislation along these lines."

What the President said on this subject is very brief; it is so much to the point that I should like to have it inserted in the RECORD following my remarks:

There being no objection, the portion of the President's message referred to was ordered to be printed in the RECORD as follows:

(1) NATIONAL HOUSING PROGRAM

Last September I stated in my message to the Congress that housing was high on the list of matters calling for decisive action.

Since then the housing shortage in countless communities, affecting millions of families, has magnified this call to action.

Today we face both an immediate emergency and a major postwar problem.

Since VJ-day the wartime housing shortage has been growing steadily worse and pressure on real-estate values has increased. Returning veterans often cannot find a satisfactory place for their families to live, and many who buy have to pay exorbitant prices. Rapid demobilization inevitably means further overcrowding.

A realistic and practical attack on the emergency will require aggressive action by local governments, with Federal aid, to exploit all opportunities and to give the veterans, as far as possible, first chance at vacancies. It will require continuation of rent control in shortage areas, as well as legislation to permit control of sales prices. It will require maximum conversion of temporary war units for veterans' housing and their transportation to communities with the most pressing needs; the Congress has already appropriated funds for this purpose.

The inflation in the price of housing is growing daily.

As a result of the housing shortage, it is inevitable that the present dangers of inflation in home values will continue unless the Congress takes action in the immediate future.

Legislation is now pending in the Congress which would provide for ceiling prices for old and new houses. The authority to fix such ceilings is essential. With such authority, our veterans and other prospective home owners would be protected against a skyrocketing of home prices. The country would be protected from the extension of the present inflation in home values which, if allowed to continue, will threaten not only the stabilization program but our opportunities for attaining a sustained high level of home construction.

Such measures are necessary stopgaps—but only stopgaps. This emergency action, taken alone, is good—but not enough. The housing shortage did not start with the war or with demobilization; it began years before that and has steadily accumulated. The speed with which the Congress establishes the foundation for a permanent, long-range housing program will determine how effectively we grasp the immense opportunity to achieve our goal of decent housing and to make housing a major instrument of continuing prosperity and full employment in the years ahead. It will determine whether we move forward to a stable and healthy housing enterprise and toward providing a decent home for every American family.

Production is the only fully effective answer. To get the wheels turning, I have appointed an emergency housing expediter. I have approved establishment of priorities designed to assure an ample share of scarce materials to builders of houses for which veterans will have preference. Additional price and wage adjustments will be made where necessary, and other steps will be taken to stimulate greater production of bottleneck items. I recommend consideration of every sound method for expansion in facilities for insurance of privately financed housing by the Federal Housing Administration and resumption of previously authorized low-rent public-housing projects suspended during the war.

In order to meet as many demands of the emergency situation as possible, a program of emergency measures is now being formulated for action. These will include steps in addition to those already taken. As quickly as this program can be formulated, announcement will be made.

Last September I also outlined to the Congress the basic principles for the kind of decisive, permanent legislation necessary for a long-range housing program.

These principles place paramount the fact that housing construction and financing for the overwhelming majority of our citizens should be done by private enterprise. They contemplate also that we afford governmental encouragement to privately financed house construction for families of moderate income, through extension of the successful system of insurance of housing investment; that research be undertaker to develop better and cheaper methods of building homes; that communities be assisted in appraising their housing needs; that we commence a program of Federal aid, with fair local participation, to stimulate and promote the rebuilding and redevelopment of slums and blighted areas—with maximum use of private capital. It is equally essential that we use public funds to assist families of low income who could not otherwise enjoy adequate housing, and that we quicken our rate of progress in rural housing.

Legislation now under consideration by the Congress provides for a comprehensive attack jointly by private enterprise, State and local authorities, and the Federal Government. This legislation would make permanent the National Housing Agency and give it authority and funds for much needed technical and economic research. It would provide additional stimulus for privately financed housing construction. This stimulus consists of establishing a new system of yield insurance to encourage large-scale investment in rental housing and broadening the insuring powers of the Federal Housing Administration and the lending powers of the Federal savings and loan associations.

Where private industry cannot build, the Government must step in to do the job. The bill would encourage expansion in housing available for the lowest income groups by continuing to provide direct subsidies for low-rent housing and rural housing. It would facilitate land assembly for urban redevelopment by loans and contributions to local public agencies where the localities do their share.

Prompt enactment of permanent housing legislation along these lines will not interfere with the emergency action already under way. On the contrary, it would lift us out of a potentially perpetual state of housing emergency. It would offer the best hope and prospect to millions of veterans and other American families that the American system can offer more to them than temporary makeshifts.

I have said before that the people of the United States can be the best housed people in the world. I repeat that assertion, and I welcome the cooperation of the Congress in achieving that goal.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. Yes.

Mr. HILL. We are all extremely interested in the housing bill, S. 1592, and very anxious that it be brought before the Senate for consideration and for enactment into law. Let me ask the Senator, What is the status of the bill now?

Mr. ELLENDER. The bill is now before the Senate Banking and Currency Committee, but because of the illness of the chairman, the Senator from New York [Mr. WAGNER], we have not been able to complete hearings on it. It is thought, however, that within the next few weeks the hearings will be completed, and the bill whipped into shape and presented to the Senate for consideration.

Mr. HILL. Can the Senator tell us whether any action is being taken with an identical or similar bill in the House of Representatives?

Mr. ELLENDER. Several housing bills are pending in the House, but not identical with the Senate bill.

Mr. HILL. But it is the hope of the Senator from Louisiana that this bill may be reported by the committee to the Senate in the near future.

Mr. ELLENDER. Yes; within the next 2 weeks.

ADDRESS BY CHESTER BOWLES TO THE NEW COUNCIL FOR AMERICAN BUSINESS

[Mr. MEAD, for Mr. WAGNER, asked and obtained leave to have printed in the RECORD, an address delivered by Chester Bowles before the New Council for American Business on December 5, 1945, which appears in the Appendix.]

SUMMARY OF SOCIAL SECURITY CONFERENCE HELD IN WASHINGTON, D. C.

[Mr. MEAD, for Mr. WAGNER, asked and obtained leave to have printed in the RECORD, a summary of the proceedings of the Social Security Conference held in Washington, D. C., by the International Workers' Order, November 25 and 26, 1945, which appears in the Appendix.]

THE RUSSO-IRANIAN CRISIS—ARTICLE BY JOSEPH AND STEWART ALSOP

[Mr. WHEELER asked and obtained leave to have printed in the Record an article entitled "We Are on the Brink," relating to the Russo-Iranian crisis, written by Joseph and Stewart Alsop and published in the Washington Post of January 25, 1946, which appears in the Appendix.]

JOURNAL OF THURSDAY, JANUARY 17, 1946

After the conclusion of Mr. MURRAY's speech, the Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. HILL obtained the floor.

Mr. RUSSELL. Mr. President, will the Senator yield to me?

Mr. HILL. I yield.

Mr. RUSSELL. I ask unanimous consent, without prejudice to the rights of the Senator, that I may be permitted to suggest the absence of a quorum. There are very few Senators on the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Georgia? The Chair hears none.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	George	McMahon
Austin	Gerry	Magnuson
Bailey	Gossett	Maybank
Bankhead	Green	Mead
Barkley	Guffey	Millikin
Bilbo	Gurney	Morse
Brewster	Hart	Murdock
Bridges	Hatch	Murray
Briggs	Hawkes	Myers
Buck	Hayden	O'Daniel
Bushfield	Hickenlooper	Pepper
Byrd	Hill	Radcliffe
Capehart	Hoey	Reed
Capper	Huffman	Revercomb
Chavez	Johnson, Colo.	Robertson
Cordon	Johnston, S. C.	Russell
Donnell	Kilgore	Shipstead
Downey	La Follette	Smith
Eastland	Lucas	Stanfill
Ellender	McClellan	Stewart
Ferguson	McFarland	Taft
Fulbright	McKellar	Taylor

Thomas, Okla.	Wheeler	Willis
Thomas, Utah	Wherry	Wilson
Tobey	White	Young
Tydings	Wiley	

The PRESIDENT pro tempore. Seventy-seven Senators have answered to their names. A quorum is present.

TITLE TO SUBMERGED OIL LANDS—RESOLUTION

Mr. CAPEHART. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I yield with the understanding that it will not interfere with my right to the floor.

Mr. CAPEHART. I send to the desk a resolution and ask that it be read and lie over under the rule.

The PRESIDENT pro tempore. Without objection, the resolution will be read.

The resolution (S. Res. 222) was read, as follows:

Whereas the petroleum reserves in the United States are constantly decreasing; and

Whereas the oil reserves now owned by the United States are in serious danger of depletion or loss from various causes; and

Whereas large petroleum deposits underlie various submerged lands along the coast of the United States and below low-water mark and within a distance of 3 miles under the ocean below said low-water mark; and

Whereas all such submerged lands below said low-water mark and within such 3-mile limit lying along the coast of the United States are asserted to be the property of the United States; and

Whereas various persons have heretofore entered, or in the immediate future intend and propose to enter, upon such submerged lands and remove the petroleum deposits underlying the same, without the consent or permission of the United States, and to the irreparable damage and injury of the United States; and

Whereas it is the established policy of the United States Government to conserve and reserve its natural and mineral resources; and

Whereas the Senate passed Senate Joint Resolution 208 on the 16th day of August 1937, which asserted title to the submerged lands and "all petroleum deposits underlying the same" and authorized the Attorney General "to bring such actions or suits in the name of the United States, and to incur such expenses and disbursements in connection therewith as he may deem properly necessary to effectuate and accomplish the directions and purpose of this joint resolution"; and

Whereas the Attorney General has now filed in the Supreme Court of the United States a suit asserting title to the submerged lands and the petroleum deposits lying thereunder in the State of California: Now, therefore, be it

Resolved, That all hearings on Senate Joint Resolution No. 48 and House Joint Resolution No. 225, scheduled to be held by the Senate Committee on the Judiciary, shall be postponed and no action shall be taken by the Senate upon the said resolutions until after the Supreme Court has handed down its decision determining the title of the submerged lands referred to in said resolutions and the ownership of the oil thereunder.

The PRESIDENT pro tempore. The resolution will lie over under the rule.

Mr. CAPEHART. Mr. President, I send to the desk and ask to have read Senate Joint Resolution 48.

The PRESIDENT pro tempore. Is there objection?

Mr. HATCH. Mr. President, will the Senator from Alabama yield to me so that I may ask the Senator from Indiana a question?

Mr. HILL. I yield.

Mr. HATCH. To what committee did the Senator from Indiana ask that the resolution which was just read be referred?

Mr. CAPEHART. I asked that it lie over under the rule.

The PRESIDENT pro tempore. Without objection, the clerk will read Senate Joint Resolution 48.

The Chief Clerk read the joint resolution, as follows:

Resolved, etc., That the United States of America hereby releases, remises, and quitclaims all right, title, interest, claim, or demand of the United States of America in and to all lands beneath tidewaters and all lands beneath navigable waters within the boundaries of each of the respective States, unto each of such States and unto the respective grantees or successors, in interest thereof, and unto the respective present owners of such lands of which title has been confirmed by official action of the United States of America; excepting therefrom such lands beneath tidewaters and such lands beneath navigable waters as have been acquired by the United States of America from any State, its grantees or successors in interest, by cession, grant, quitclaim, or condemnation, or from any other owner or owners thereof by conveyance or by condemnation; retaining, however, to the United States of America its powers of regulation and control for the purposes of commerce, navigation, and the national defense.

As used in this joint resolution the phrase "land beneath tidewater" shall include all lands permanently or periodically covered by tidal waters up to but not above the line of mean high tide and oceanward from the coast line a distance of three geographical miles and to the boundary line of each respective State where in any case such boundary line extends oceanward beyond three geographical miles; the phrase "lands beneath navigable waters" shall include all other lands covered by waters which are navigable under the laws of the United States.

Mr. CAPEHART. Mr. President, House Joint Resolution 225 is about the same as the Senate joint resolution which the clerk has just read. Briefly, both resolutions request the Congress of the United States to yield to the respective States certain valuable oil lands and valuable property owned by the Federal Government. I am opposed to that. However, the resolution I have just submitted does not cover either the merits or the demerits of the case. It in no way affects the question whether the Congress should give to the respective States property belonging to the United States, but it simply relates to the following situation: In 1937 the Senate of the United States, by a resolution, requested the Attorney General to file suit in the Supreme Court, so as to settle once and for all the question whether submerged lands—that is, lands from the low water mark to 3 miles out into the ocean—belong to the respective States or whether they belong to the Federal Government. The Senate of the United States directed the Attorney General to do that; the Congress gave such direction by means of a resolution. The Attorney General has proceeded to do it. While the Supreme Court is considering the merits of the question as to who owns these lands, we find introduced in both the Senate and the House resolutions requesting the Congress of the United States to give the lands away, without waiting for a decision by the Supreme Court regarding who owns them.

Briefly, Mr. President, all I am requesting in the resolution I have submitted is that the Judiciary Committee, which now is considering House Joint Resolution 225, temporarily lay aside that resolution until such time as the Supreme Court of the United States can pass upon this subject. I believe that to be the only fair thing to do. I think it is the equitable thing to do. I sincerely trust that every Member of the Senate will support the resolution, in justice to our people.

INCREASED OLD-AGE ASSISTANCE AND AID TO DEPENDENT CHILDREN AND THE BLIND—BILL INTRODUCED

Mr. McFARLAND. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. With the understanding that I do not lose my rights to the floor, I yield to the Senator from Arizona.

Mr. McFARLAND. Mr. President, I ask unanimous consent, out of order, to introduce a bill and to make a few brief remarks in regard to it.

The PRESIDENT pro tempore. Is there objection? The Chair hears none. Without objection, the bill may be introduced, and the Senator from Arizona may proceed.

Mr. McFARLAND. Mr. President, the bill I now introduce provides for an increase by 35 percent of the existing Federal contribution to the States for old-age assistance, aid to dependent children, and aid to the blind. Because I regard it as an important measure and one which I shall do all in my power to push through, I wish to make the briefest of explanations about it.

First, I believe there is no disagreement over the fact that the general cost of living in the United States has increased by slightly more than an average of 35 percent during the last 5 years. Yet, ever since the enactment by Congress of the Federal Social Security Act and the enactment of companion bills by the respective States, the maximum payment which may be made to an aged person or a blind person is $40 a month. Half of this cost is borne by the Federal Government and the other half is borne by the individual States. Similarly, in the case of aid to dependent children, the maximum payment is $18 a month for the first child, and $12 a month for each additional child—half paid by the Federal Government and half by the respective States.

I believe it should be emphasized, however, that these are the maximum figures. Actually, in many, many States, the payments to aged persons, to blind persons, and to mothers of dependent children is a good deal less than this maximum. Of course, that is a matter for each State to decide, and I am not quarreling with that. I am merely calling attention to it for the purpose of the record.

So what has happened in this country is that several million people—adults and children—are forced to live on an

amount which in these days of higher prices is insufficient to provide the bare necessities of life. Even supposing that every aged person or every blind person who depends upon social-security payments for a living receives the maximum amount of $40 a month, will anyone contend that one can live on $40 a month in these days. Where can one buy 30 days' supply of food for $40, with staples costing what they do now? And where are rent, clothing, and the many other necessities to come from?

Wages have gone up, and requests for even higher wages are before the country in readily apparent shape. I am not questioning the right of working men and women to demand a living wage; I believe the laborer is worthy of his hire.

The Government itself has recognized that it costs more to live. On two occasions we have increased the earnings of Government workers, and soon there will be before the Congress a request for still another raise. These groups make known to the administration and the Congress their demands for an equalization between earnings and costs of living.

But because these old people, these blind people, and these dependent children have no powerful Washington lobby, because they are not represented nationally by a union or a chamber of commerce or a trade association, we in Congress have been blind to their plight.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. RUSSELL. I am very much interested in the remarks the Senator is making, because I have given considerable consideration to the very matter to which he is addressing himself. The subject, however, goes much further than the Senator has indicated. I wonder whether the Senator has given any thought to the plight of those who are living on annuities and who have investments which return to them a certain amount of money a month. There are some very old people, there are some very helpless people, who are not organized and who have no one to speak their voice and to agitate for them on the floor of the Congress, who have had their incomes reduced by one-third, due to the fact that it has been found necessary so to depreciate the value of the dollar that today it takes $3 to buy as much food or clothing or rent as $2 would buy only a few months ago.

I have given considerable thought to that phase of the subject. We all know that we have a gigantic national debt which probably will reach—and will, if we make the proposed loans to foreign governments—approximately $300,000,000,000.. We would increase the return received by those who are beneficiaries under the Social Security Act. We already have adopted a national policy of increasing industrial wages and of increasing the wages of those in the employ of the Federal Government. But when is something to be done for the people who are living on fixed incomes or for those who have annuities? Mr. President, I say it is unfair and unjust to that group, unless the Federal Government also gives consideration to arranging some kind of a subsidy or payment which will enable them to exist. A woman might have had an annuity which was left her by her husband or by someone else, and under it she might receive $90 a month. But due to our deliberate policy of reducing the value of the dollar so that we might be able to carry our huge national debt and service it, that woman has had only $60 of actual buying power. The very life of such persons is being squeezed out of them by this planned inflation which we have been forced to adopt as a national policy; and yet I have heard no one suggest that such persons are entitled to any relief whatever. It seems to me that in giving protection to those who are caught in the deliberate squeeze, in the deliberate program—and it may be absolutely necessary—to increase prices and wages, certainly along with the group to which the Senator from Arizona has referred we should give some consideration to the persons who have had their incomes decreased by one-third in the past few years.

Mr. McFARLAND. Mr. President, I thank the Senator for his remarks. I heartily agree with him that something should be done, and I am quite willing to join with him in the introduction of legislation in behalf of such persons, or to support legislation which the Senator himself may introduce.

Mr. RUSSELL. I thank the Senator.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. MAGNUSON. I wish to commend the Senator from Arizona for bringing this measure to the attention of the Senate. The Senator from Arizona and I have discussed this matter on several occasions; but, because of the fact that our country has been in the throes of a great war, we have thought it inadvisable, on several occasions, to introduce legislation to cover the matter.

The Senator is correct in what he has said, and the matter goes even further than the Senator from Georgia [Mr. RUSSELL] has suggested. After all, if there is an increase in wages throughout the country, as there probably will be and should be, social-security payments will be greater. The real purpose of the Social Security Act is to take care of the very people about whom the Senator from Arizona has been speaking. Certainly they should be the first recipients of any increase in social security payments and also there should be increases in social security contributions when there is an increase in wages.

I am sure the Senator from Arizona will find a great deal of support in this body for the very laudable purposes of his resolution.

Mr. McFARLAND. I thank the Senator.

Mr. RUSSELL. Mr. President, I ask the Senator from Washington if he does not believe that those who have annuities or monthly income obtained through sources other than the Federal Government, and representing the only income they may have, are not entitled to some consideration in the light of the fact that their purchasing power has been greatly reduced?

Mr. MAGNUSON. I agree with the Senator from Georgia. The only thing that would bother me with reference to his suggestion, however laudable it may be, is that probably we would have to work out rather elaborate mechanics, which we do not now have, in order to take care of the situation.

Mr. RUSSELL. I concede the truth of the Senator's statement.

Mr. MAGNUSON. The present suggestion is one which may be adopted and put into force under our present social-security laws.

Mr. RUSSELL. I confess that the mechanics would be rather intricate, and I have not been able to evolve proposed legislation which would cover the situation.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. WHITE. May I say to the Senator from Arizona that if his efforts are going to lead to a general discussion I believe I shall have to call for the regular order?

Mr. McFARLAND. Mr. President, I have only a few short remarks to make, if I may be allowed to finish them at this time.

Mr. MAGNUSON. The Senator from Arizona will please excuse me. We have been so interested in this subject that I could not help participating in the statement that was made with regard to it.

Mr. McFARLAND. I thank the Senator from Washington and the Senator from Georgia for their valuable contributions.

Mr. President, I assert that the old people of this country are its forgotten people. Too many of us are prone to think smugly to ourselves that we passed a social-security act some years ago, and may forget about these people. We have, of course, made sound insurance provision for those of our people who will reach retirement age in the years to come. They are building annuities for themselves. But are not those of our citizens who reached retirement age before they had an opportunity to build up such an annuity also deserving of our consideration? Are they second-class citizens?

We seem to have money to establish international banks, to aid the hungry and the homeless in every nation in the world. We seem to have money to lend billions to foreign nations. I have not opposed any of these programs thus far, but I earnestly and most strongly believe that we have just as great an obligation to our own people—particularly to older citizens and our children who do not have the means to maintain themselves in comfortable circumstances.

The bill which I have today introduced would amend the Social Security Act. All the amendment does is provide for an increase of 35 percent in the Federal contribution. This would amount to $7 a month per person in those States where the maximum is paid. Thus, in States where the present payment is $40 a month, the effect would be to raise the

payment to $47 a month without any increase in the State contribution. If the State amended its law so as to increase also its share by the same 35 percent, the maximum payment would become $54 a month. However, there is no compulsion upon the States to do this. Of course, in many States, the actual payment is far less than $40 a month to these aged persons. The increase in such States would be 35 percent of the half that the Federal Government now pays. For example, if the maximum payment in a State now is $20 a month, the Federal Government pays $10 of that amount and under the proposed amendment the Federal share would become $13.50 a month and the total payment $23.50 a month.

Mr. RUSSELL. Mr. President, am I to understand that the Senator's bill applies to the old-age assistance only, and not to the old-age retirement fund which may have accumulated?

Mr. McFARLAND. It applies only to the old-age assistance, to the blind, and to the dependent children.

Mr. RUSSELL. Does it propose to increase the Federal contribution without requiring an increase in contributions on the part of the States?

Mr. McFARLAND. Yes.

Mr. RUSSELL. I may say to the Senator from Arizona that I shall be very happy to support the bill.

Mr. McFARLAND. I thank the Senator.

Mr. President, if the State legislature deemed it wise, it could amend the State law so as to increase the maximum by the same percentage, and the total payment would then become $27 a month. I cannot help but remark here that $27 a month is pretty slim, indeed, to keep body and soul together for 30 or 31 days, in these days of high cost of living.

Exactly the same schedule would apply to blind persons, whose aid payments under the Society Security Act are identical with that of old-age assistance.

In the case of dependent children, the 35-percent increase in the Federal payment would raise the present $18 a month payment for the first child to $21.15, while the present $12 a month payment for each additional child would become $14.10. Of course, here again I am citing maximum payments. Many States pay smaller amounts for children than the maximum of $18 and $12 permitted under the law.. Again, if the States saw fit to amend their laws to meet the Federal increase, the monthly payment for the first child would be $24.30 and for each additional child $16.20.

I believe that when Congress passed the social-security legislation it meant what it said—social security. Certainly, the present scale of payments—even the maximum payments—do not mean social security to millions of people in this country.

If it was social security 10 years ago, it certainly is not social security today. That much is perfectly obvious to anyone who knows anything at all about the cost of living today.

I feel certain that no Member of Congress or of the administration will offer any basic objection to the proposal contained in the bill which I have introduced. It does not propose to put these beneficiaries in the lap of luxury. It is based on cold factual studies of the cost of living. It meets a problem—a most pressing problem—that exists in this country today.

I, for one, will not sit idly by, silently and unprotesting, while American citizens—honest, decent, worthy Americans who have worked all their lives and have reached old age without the means to live decently—are permitted to starve in a gentile manner. That is what is happening to many of them today.

The one question that can be asked is, How much will this cost? The answer is, I do not know. But it will not cost what it took to wage the war for 1 day; it will not cost what we are spending for relief of people in other countries; it will not cost what we propose to lend to several foreign nations—most of it interest-free.

I hope that the Committee on Finance will do all in its power—and it has great power—to consider this bill as expeditiously as possible.

I ask unanimous consent that the bill be printed at this point in the RECORD as a part of my remarks.

There being no objection, the bill (S. 1769) to amend the Social Security Act, as amended, to provide for increasing old-age assistance, aid to dependent children, and aid to the blind, introduced by Mr. McFARLAND, was received, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc.—

OLD-AGE ASSISTANCE

SECTION 1. (a) In order to provide for an increase of 35 percent in the Federal share of old-age assistance payments made under the Social Security Act, section 3 (a) of such act is amended by striking out "one-half" and inserting in lieu thereof "twenty-seven forty-sevenths" and by striking out "$40" and inserting in lieu thereof "$47": *Provided,* That the amendments made by this subsection shall not be applicable in the case of any State for any month unless the State's share of the average old-age assistance payment under the State plan for such month is at least $20 or is at least as large as the State's share of the average old-age assistance payment under such plan for the month immediately preceding the month in which this subsection is enacted.

(b) Section 3 (b) (1) of such act is amended by striking out "one-half of the total sum" and inserting in lieu thereof "the total sum of the non-Federal share."

AID TO DEPENDENT CHILDREN

SEC. 2. (a) In order to provide for an increase of 35 percent in the Federal share of payments for aid to dependent children made under the Social Security Act, section 403 (a) of such act is amended by striking out "one-half" and inserting in lieu thereof "twenty-seven forty-sevenths", by striking out "$18" wherever it appears and inserting in lieu thereof "$21.15", and by striking out "$12" and inserting in lieu thereof "$14.10": *Provided,* That the amendments made by this subsection shall not be applicable in the case of any State for any month unless the State's share of the average payment for aid to one or more dependent children under the State plan for such month is at least as large as the State's share of the average payment for aid to a corresponding number of dependent children under such plan for the month immediately preceding the month in which this subsection is enacted.

(b) Section 403 (b) (1) of such act is amended by striking out "one-half of the total sum" and inserting in lieu thereof "the total sum of the non-Federal share."

AID TO THE BLIND

SEC. 3. (a) In order to provide for an increase of 35 percent in the Federal share of payments for aid to the blind made under the Social Security Act, section 1003 (a) of such act is amended by striking out "one-half" wherever it appears and inserting in lieu thereof "twenty-seven forty-sevenths" and by striking out "$40" and inserting in lieu thereof "$47": *Provided,* That the amendments made by this subsection shall not be applicable in the case of any State for any month unless the State's share of the average payment for aid to the blind under the State plan for such month is at least $20 or is at least as large as the State's share of the average payment for aid to the blind under such plan for the month immediately preceding the month in which this subsection is enacted.

(b) Section 1003 (b) (1) of such act is amended by striking out "one-half of the total sum" and inserting in lieu thereof "the total sum of the non-Federal share."

Mr. HILL. Mr. President, I understand that the Senator from New York [Mr. MEAD] wishes to introduce a bill and make a very brief statement.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. HILL. With the understanding that I do not lose my rights to the floor, I will yield to the Senator from New York.

Mr. McFARLAND. Does the Senator from Alabama mean to imply that my statement was not a brief one?

Mr. HILL. Mr. President, I wish to assure the Senator from Arizona that I did not mean to imply in any way, shape, or form, that his statement was not brief. His statement spoke for itself.

Mr. McFARLAND. I thank the Senator.

Mr. HILL. As has been suggested by the Senator from Georgia, I may say that the Senator from Arizona made a most interesting statement. To my mind, it was not only interesting, but very timely and important. I think the Senator has rendered not only to the people of Arizona, but to the people of all other States as well, a very great service in bringing the matter to the attention of the Senate in a very forceful and challenging way. I am delighted that the Senator from Arizona brought the matter to the attention of the Senate.

Mr. McFARLAND. I thank the Senator.

HOUSING PROGRAM FOR VETERANS—BILL INTRODUCED

Mr. MEAD. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. MEAD. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to amend the act entitled, "An act to expedite the provision of housing in connection with the national defense, and for other purposes," approved October 14, 1940, as amended, to aid in providing houses for persons attending educational institutions in the pursuit of courses of training or education under title II of the Servicemen's Readjustment Act of 1944.

On December 31, 1945, the President approved legislation under which an appropriation of approximately $190,000,-

000 was authorized to provide housing for servicemen and their families. It was contemplated by this legislation that 100,000 units would be available by panelizing and transporting existing war housing and by the conversion of Army barracks.

Under this program the Federal Public Housing Authority has allocated approximately 30,000 units for use by educational institutions to house student veterans and their families and approximately 60,000 units to municipalities for servicemen and their families. From all available evidence, it is abundantly clear that this program will not adequately provide accommodations to servicemen seeking the educational opportunities under the GI bill of rights as the growing demand for housing accommodations for them far exceeds the existing supply.

The bill I now offer is designed to supplement the Federal emergency program already initiated under the legislation sponsored by me in December.

Unless immediate provision is made to house the returning serviceman who is anxious to take advantage of the educational opportunities under the GI bill of rights, these opportunities will become mere empty promises made by our Government to the servicemen.

There being no objection, the bill (S. 1770) to amend the act entitled "An act to expedite the provision of housing in connection with the national defense, and for other purposes," approved October 14, 1940, as amended, to aid in providing housing for persons attending educational institutions in the pursuit of courses of training or education under title II of the Servicemen's Readjustment Act of 1944, was received, read twice by its title, and referred to the Committee on Education and Labor.

TRANSACTION OF ROUTINE BUSINESS

The PRESIDENT pro tempore. If the Senator from Alabama will yield to the Chair, there are certain perfunctory reports from various departments and petitions lying on the desk which have been held up, and the Chair is quite sure that no Senator on either side would desire to object to them. Therefore, the Chair asks unanimous consent that they may be properly referred. Is there objection? The Chair hears none.

APPROVAL OF A BILL

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States received on January 28, 1946, announcing that on January 19, 1946, the President had approved and signed the act (S. 90) for the relief of the estate of George O'Hara.

FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States which was read, and, with the accompanying report, referred to the Committee on Foreign Relations:

To the Congress of the United States:

I transmit herewith a report by the Acting Secretary of State, showing all receipts and disbursements on account of refunds, allowances, and annuities for the fiscal year ended June 30, 1945, in connection with the Foreign Service retirement and disability system as required by section 26 (a) of an act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor, approved February 23, 1931, as amended.

HARRY S. TRUMAN.

THE WHITE HOUSE, *January 22, 1946.*

[Enclosure: Report concerning Retirement and Disability Fund, Foreign Service.]

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

ADDITIONAL FOREIGN-SERVICE OFFICERS IN THE CLASSIFIED GRADE

A letter from the Acting Secretary of State, transmitting a draft of proposed legislation to permit the appointment of additional foreign-service officers in the classified grade (with an accompanying paper); to the Committee on Foreign Relations.

SUSPENSION OF DEPORTATION OF ALIENS

A letter from the Attorney General, transmitting, pursuant to law, a report stating all the facts and pertinent provisions of law in the cases of 86 individuals whose deportation has been suspended for more than 6 months under authority vested in the Attorney General, together with a statement of the reason for such suspension (with accompanying papers); to the Committee on Immigration.

EXCHANGE OF PUBLIC LANDS

A letter from the Acting Secretary of the Interior, reporting, pursuant to law, that no exchanges were consummated during the calendar year 1945 pursuant to the act of June 14, 1926 (44 Stat. 741; 43 U. S. C., sec. 869); providing for the patenting to States, counties, and municipalities of lands classified chiefly available for recreational purposes in exchange for lands of equal value or equal quantity; to the Committee on Public Lands and Surveys.

SPECIAL STATISTICAL STUDIES BY THE DEPARTMENT OF COMMERCE

A letter from the Secretary of Commerce, transmitting, pursuant to law, statements of special statistical studies showing the names for whom work has been performed, the nature of the services rendered, the price charged for the services, and the manner in which the moneys received were deposited or used (with accompanying statements); to the Committee on Commerce.

DELINQUENT ACCOUNTS OF FEDERAL OFFICERS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report showing officers and administrative offices of the Government delinquent in rendering or transmitting their accounts to the proper offices in Washington during the fiscal year ended June 30, 1945, and whether the delinquency was waived, together with a list of officers whom upon final settlement of their accounts, were found to be indebted to the Government and had failed to pay the same into the Treasury of the United States (with an accompanying report); to the Committee on Claims.

REPORT OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report covering the operations of the Corporation for the period from its organization on February 2, 1932, to June 30, 1945, inclusive (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON AIRCRAFT AND AIRCRAFT PARTS

A letter from the Administrator of the Surplus Property Administration, transmitting, pursuant to law, a report on aircraft and aircraft parts (with an accompanying report); to the Committee on Military Affairs.

REPORT OF DIRECTOR OF WAR MOBILIZATION AND RECONVERSION—BATTLE FOR PRODUCTION

A letter from the Director of War Mobilization and Reconversion, transmitting, pursuant to law, the fifth quarterly report of that office entitled "Battle for Production" (with an accompanying report); to the Committee on Finance.

REPORT ON SPECIAL CONTRACTS WITH RAILROAD COMPANIES FOR TRANSPORTATION OF THE MAIL

A letter from the Acting Postmaster General, reporting, pursuant to law, all cases where special contracts have been made with railroad companies for the transportation of the mails, and the terms and reasons therefor; to the Committee on Post Offices and Post Roads.

ACCUMULATED OR ACCRUED ANNUAL LEAVE FOR CERTAIN GOVERNMENT EMPLOYEES

A letter from the President of the United States Civil Service Commission transmitting a draft of proposed legislation to amend the act entitled "An act to provide for the payment to certain Government employees for accumulated or accrued annual leave due upon their separation from Government service," approved December 21, 1944 (with an accompanying paper); to the Committee on Civil Service.

REPORT OF WAGE AND HOUR AND PUBLIC CONTRACTS DIVISIONS OF DEPARTMENT OF LABOR

A letter from the Administrator of the Wage and Hour and Public Contracts Divisions of the Department of Labor, transmitting, pursuant to law, a report of the Wage and Hour and Public Contracts Divisions for the year ended June 30, 1945 (with an accompanying report); to the Committee on Education and Labor.

TABLES OF BANKRUPTCY STATISTICS ADMINISTERED IN DISTRICT COURTS OF THE UNITED STATES

A letter from the Director of the Administrative Office of the United States Courts, transmitting, pursuant to law, statistical tables and charts containing data in regard to bankruptcy cases administered in the district courts of the United States during the fiscal year ended June 30, 1945 (with accompanying papers); to the Committee on the Judiciary.

TRANSFER OF CIVILIAN WAR BENEFITS PROGRAM FROM FEDERAL SECURITY AGENCY TO UNITED STATES EMPLOYEES' COMPENSATION COMMISSION

A letter from the Administrator of the Federal Security Agency, transmitting a draft of proposed legislation to extend the provisions of the act of December 2, 1942, in respect to certain civilians suffering disability, death, or detention as the result of action of the enemy, and for other purposes (with accompanying papers); to the Committee on Finance.

REPORT OF OFFICE OF VOCATIONAL REHABILITATION

A letter from the Administrator of the Federal Security Agency, transmitting, pursuant to law, the annual report of the Office of Vocational Rehabilitation for the fiscal year 1945 (with an accompanying report); to the Committee on Education and Labor.

DISPOSITION OF CERTAIN GOVERNMENT RECORDS

A letter from the Archivist of the United States, reporting, pursuant to law, that no

records had been authorized for disposal under the provision of section 7 of the act of July 7, 1943, as amended July 6, 1945; to the Committee on the Library.

A letter from the Archivist of the United States, reporting, pursuant to law, on papers disposed of jointly by the Archivist of the United States and the Secretary of the Interior, pursuant to section 7 of the act of July 7, 1943, as amended July 6, 1945; to the Committee on the Library.

A letter from the Archivist of the United States, reporting, pursuant to law, on records disposed of by the American consulate at Kweilin, China, pursuant to section 11 of the act of July 7, 1943, as amended July 6, 1945; to the Committee on the Library.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers) to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate or presented and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the General Assembly of the Commonwealth of Kentucky; to the Committee on Military Affairs.

"House Resolution 8

"Concurrent resolution petitioning the Veterans' Administration and the Congress of the United States to use the Army post at Fort Thomas, Ky., as a veterans' hospital

"Whereas a considerable number of new veterans hospitals are now being established, and

"Whereas the Army post at Fort Thomas is ideal for a veterans' hospital and would be much more valuable as such than its present use: Now, therefore, be it

"Resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky (the senate concurring therein):

"It is respectfully urged that the Veterans' Administration and the Congress of the United States arrange for the use of the Army post at Fort Thomas, Ky., as a veterans hospital.

"The clerk of the house shall mail copies of this resolution to the President of the United States, to the Director of the National Veterans' Administration, to the Clerk of the Senate and House of Representatives of Congress, and to each Member of the Senate and House of Representatives of Congress from Kentucky."

A joint resolution of the Legislature of the State of California; to the Committee on Military Affairs.

"Assembly Joint Resolution 2

"Joint resolution relative to requesting the Federal Government to declare as surplus property all building materials held but not needed by the armed forces in California, and to effect the immediate release of such materials for housing construction, providing for preference to veterans in the purchase thereof

"Whereas the critical housing shortage in California is a matter of grave concern to the people thereof; and

"Whereas construction work has been greatly impeded by the nonavailability of essential building materials; and

"Whereas large stocks of needed supplies are now lying idle in Army and Navy ordnance depots throughout California, the release of which would facilitate housing construction; and

"Whereas the present procedure for declaring such materials to be surplus property is extremely slow and cumbersome, ultimate acquisition being subject to considerable and needless delay: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That Congress and the Federal agencies charged with the disposal of surplus property are respectfully requested to declare as surplus property all building materials held but not needed by the armed forces in California, and to take such steps as may be necessary to effect the immediate release of such materials for housing construction, providing preference to veterans in the purchase thereof; and be it further

"Resolved, That the chief clerk of the assembly is directed to transmit copies of this resolution to the President of the United States, the President pro tempore of the Senate of the United States, the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Secretary of War, the Secretary of the Navy, and the Surplus Property Board."

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on Military Affairs.

"Concurrent resolution memorializing Congress to provide for enlisted men in World War II terminal leave pay on the same basis as commissioned officers

"Be it resolved by the House of Representatives of South Carolina (the senate concurring):

"That the Congress of the United States be and is hereby memorialized to provide for enlisted men in World War II terminal-leave pay on the same basis as commissioned officers, the same to be given to all enlisted men of World War II who have been previously discharged.

"That the clerk of the house of representatives is directed to transmit copies of this resolution to the President of the Senate of the United States and to the Speaker of the House of Representatives, and to the chairman of the Military Affairs of the House of Representatives and the United States Senate, Washington, D. C."

A resolution adopted by Chapter 14 (CIO), Federation of Architects, Engineers, Chemists, and Technicians, Washington, D. C., favoring the enactment of the bill (S. 1592) to establish a national housing policy and provide for its execution; to the Committee on Banking and Currency.

A resolution adopted by the grand conclave of the Omega Psi Phi Fraternity in session in Washington, D. C., favoring the enactment of the bill (S. 1592) to establish a national housing policy and provide for its execution; to the Committee on Banking and Currency.

A letter in the nature of a petition from Lt. Comdr. John G. Miller, USNR, Alexandria, Va., relating to that part of President Truman's recent radio address discussing labor and management, and praying that a separate agency be established in the legislative branch to take a continuing survey of public opinion; to the Committee on Education and Labor.

A letter in the nature of a petition from Alfred M. Kunze, of New Rochelle, N. Y., relating to the enactment of legislation to prevent strikes; to the Committee on Education and Labor.

A resolution adopted by the College of Presidents, representing 30 districts of the Lutheran Missouri Synod, St. Louis, Mo., petitioning the President and Congress to take the necessary steps so that the services of the UNRRA may be extended to include all the needy people in occupied territory; to the Committee on Foreign Relations.

A resolution adopted by the assembly and the house of delegates of the American Bar Association in annual meeting assembled in Cincinnati, Ohio, favoring the enactment of legislation to create one or more nonpolitical, judicial commissions composed of not less than three and not more than five persons skilled in the knowledge and practice of international law, to consider and adjudicate all claims of American nationals against Japan, Germany, Italy, Bulgaria, Hungary, and Rumania, arising out of acts of the governments of those nations or any of them from and after the dates of the beginnings of aggressions or hostilities by them, respectively in the Far East and Europe; to the Committee on Foreign Relations.

A resolution adopted by the assembly and the house of delegates of the American Bar Association in annual meeting assembled in Cincinnati, Ohio, favoring the enactment of legislation recognizing and confirming the ownership by the several States of title to dominion and control over the lands under their navigable waters both inland and offshore upon the coasts; to the Committe on the Judiciary.

A letter in the nature of a petition from Joseph Spouita, and Pvt. Samuel R. Scheirer, Manila, P. I., relating to the demobilization of the members of the armed forces; to the Committee on Military Affairs.

A petition of sundry enlisted men in the Army, relating to the demobilization of the members of the armed forces; to the Committee on Military Affairs.

A letter in the nature of a petition from Pfc James P. Martin, Saipan Island, relating to the demobilization of members of the armed forces; to the Committee on Military Affairs.

A letter in the nature of a petition from Pvt. Harry A. Slate, Adak, Alaska, relating to the demobilization of married men of the armed forces; to the Committee on Military Affairs.

A resolution adopted by 700 members of the armed forces of the United States at Bremen, Germany, requesting Congress to take action to secure the civilian personnel needed to replace soldiers in the United States for overseas duty; to the Committee on Military Affairs.

A letter in the nature of a petition from Mrs. Lucy Barrett, praying that her son be immediately discharged from the Army; to the Committee on Military Affairs.

A resolution adopted by the Water Project Authority of the State of California, Sacramento, Calif., favoring an appropriation of $50,000,000 to be expended with other funds available on all features of the Central Valley project; to the Committee on Irrigation and Reclamation.

A letter, in the nature of a memorial, from the District of Columbia Society of the Sons of the American Revolution, signed by Clifton P. Clark, secretary, remonstrating against the contemplated architectural changes in the White House; to the Committee on Public Buildings and Grounds.

A resolution adopted by the assembly and the house of delegates of the American Bar Association in annual meeting assembled in Cincinnati, Ohio, favoring the erection of a building to house the Law Library of Congress; to the Committee on Public Buildings and Grounds.

A cablegram from Halvor Stridiron, supervisor, Virgin Islands Progressive Guide, praying for the confirmation of the nomination of William H. Hastie, to be governor of the Virgin Islands; to the Committee on Territories and Insular Affairs.

A resolution adopted by the board of supervisors of the city and county of Honolulu, T. H., favoring immediate statehood for Hawaii; to the Committee on Territories and Insular Affairs.

A letter in the nature of a petition from Mr. and Mrs. Floyd Mee, of Bigfort, Mont., praying for the enactment of domestic legislation as proposed by President Truman; ordered to lie on the table.

By Mr. BARKLEY:

A resolution of the Senate of the General Assembly of the Commonwealth of Kentucky; to the Committee on Banking and Currency.

"Senate resolution memorializing Congress to establish a floor price for tobacco

"Whereas a ceiling price has been established, above which tobacco cannot be sold; and

"Whereas tobacco is one of the chief sources of income for the farmers of Kentucky; and

"Whereas the selling price of tobacco is dropping far below the ceiling price, thereby diminishing the farmers' ability to purchase the equipment needed for the operation of the farm, at the present high prices of equipment which will be even higher when labor's demand for higher wages is granted; and

"Whereas the farmers are powerless to demand adequate prices for their tobacco: Now, therefore, be it

"Resolved by the Senate of the General Assembly of the Commonwealth of Kentucky:

"(1) It is respectfully urged that the Congress of the United States establish a floor price not more than 4 cents below the ceiling price.

"(2) It is further urged that the Congress strive through scientific research to find more uses of tobacco, such as fertilizer ingredient, insect control, etc., which may result in such demand for tobacco that the farmers can expect a good price for their product at any time.

"Copies of this resolution shall be sent to the Secretary of Agriculture, the Clerk of United States Senate, the Clerk of United States House of Representatives, and to all Kentucky Members of the House and Senate, Washington, D. C."

REPORTS OF COMMITTEES

By unanimous consent, the following reports of committee were submitted:

By Mr. HATCH, from the Committee on Public Lands and Surveys:

S. 913. A bill to protect scenic values along and tributary to the Catalina Highway within the Coronado National Forest, Arizona; with amendments (Rept. No. 899);

S. 1162. A bill to convey certain lands to the State of Wyoming; without amendment (Rept. No. 894);

S. 1226. A bill to readjust the exterior boundaries of the Kaibab National Forest, the Grand Canyon National Game Preserve, and Arizona Grazing District Numbered 1, State of Arizona, and for other purposes; without amendment (Rept. No. 895);

S. 1273. A bill to provide for the acquisition by exchange of non-Federal property within areas administered by the National Park Service; with amendments (Rept. No. 900);

S. 1336. A bill to transfer certain real and personal property in Ward County, North Dakota, to the State of North Dakota acting by and through the Industrial Commission of North Dakota; with amendments (Rept. No. 901);

S. 1460 A bill to fix the salary of the Solicitor of the Department of the Interior; without amendment (Rept. No. 896);

H. R. 3028. A bill to amend the act of August 17, 1937, as amended, relating to the establishment of the Cape Hatteras National Seashore Recreational Area in the State of North Carolina; without amendment (Rept. No. 897); and

H. R. 3444. A bill to grant the title of public lands to the town of Safford, Ariz., for the use of its municipal water system; without amendment (Rept. No. 898).

By Mr. O'DANIEL, from the Committee on Claims:

S. 1638. A bill for the relief of Salvatore Carbone; without amendment (Rept. No. 902).

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate reports for the month of December 1945, from the chairmen of certain committees, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON BANKING AND CURRENCY,
January 14, 1946.

Hon. KENNETH MCKELLAR,
President pro tempore of the Senate,
Senate Office Building,
Washington, D. C.

DEAR MR. PRESIDENT: Pursuant to Senate Resolution 319, I am transmitting herewith a list of employees of the Senate Banking and Currency Committee who are not full-time employees of the Senate. Included with this is the name and address of each such employee, the name and address of the department paying the salary of such employee, and the annual rate of compensation for each such employee.

Respectfully yours,

ROBERT F. WAGNER,
Chairman, Banking and Currency Committee.

Bertram Gross, 613 S. Quincy, Arlington, Va., Reconstruction Finance Corporation, $8,750.

Doris Phippen,[1] 40 Plattsburgh Court, NW., Washington, D. C., Navy Department, $2,650.

Eve Zidel, 24 C. Crescent Road, Greenbelt, Md., Reconstruction Finance Corporation, $2,650.

COMMITTEE ON FINANCE
JANUARY 18, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of December 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

[1] Temporarily borrowed from Surplus Property Subcommittee (S. Res. 129).

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Fred R. Miller	7535 17th St. NW	Veterans' Administration	$5,810
Bertha M. Heck	1631 Euclid St. NW	do	2,166

Both assigned to work of permanent subcommittee on Veterans' Legislation. Room 310-A, extension 1224.

WALTER F. GEORGE, *Chairman.*

INTERSTATE COMMERCE COMMITTEE

To the Senate:

The above-mentioned committee hereby submits the following report showing the name of a person employed by the committee who is not a full-time employee of the Senate or of the committee for the month of December 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Mrs. Alma B. Kidwell	113 Park Blvd. SE	Federal Communications Commission	$1,800

B. K. WHEELER, *Chairman.*

BILLS AND JOINT RESOLUTIONS INTRODUCED

By unanimous consent, the following bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as indicated:

By Mr. KILGORE:

S. 1764. A bill to amend the Social Security Act, as amended, for the purpose of permitting credit for Federal employment; to the Committee on Finance.

By Mr. RUSSELL (for Mr. ANDREWS):

S. 1765. A bill for the relief of Maj. Ralph M. Rowley and First Lt. Irving E. Sheffel; to the Committee on Claims.

By Mr. BRIDGES:

S. 1766. A bill for the relief of the Estate of Jerome R. Rioux; to the Committee on Claims.

By Mr. WILEY:

S. 1767. A bill to provide for a preliminary examination and survey of the Pecatonica River with a view to the controlling of floods; to the Committee on Commerce.

By Mr. WHERRY (for Mr. BUTLER):

S. 1768. A bill for the relief of Joseph H. Muff and Elmer J. Muff, individually, and Joseph Muff, Jr., and Elmer J. Muff, trustees; to the Committee on Claims.

(Mr. MCFARLAND introduced Senate bill 1769, to amend the Social Security Act, as amended, to provide for increasing old-age assistance, aid to dependent children, and aid to the blind, which was referred to the Committee on Finance, and appears under a separate heading.)

(Mr. MEAD introduced Senate bill 1770, to amend the act entitled "An act to expedite the provision of housing in connection with the national defense, and for other purposes," approved October 14, 1940, as amended, to aid in providing housing for persons attending educational institutions in the pursuit of courses of training or education under title II of the Servicemen's Readjustment Act of 1944, which was referred to the Committee on Education and Labor, and appears under a separate heading.)

By Mr. TYDINGS:

S. 1771. A bill extending certain recognition and rights to members of the Voluntary Port Security Forces, and members of the Coast Guard Auxiliary, and pilots who were enrolled as temporary members of the United States Coast Guard Reserve; to the Committee on Commerce.

(Mr. MURRAY introduced Senate joint resolution 135, providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing an appropriation therefor, which was referred to the Committee on Foreign Relations, and appears under a separate heading.)

By Mr ROBERTSON:

S. J. Res. 136. Joint resolution changing the name of the Shoshone Dam and Reservoir to Buffalo Bill Dam and Reservoir in commemoration of the one hundredth anniversary of the birth of William Frederick Cody, better known as Buffalo Bill; to the Committee on Irrigation and Reclamation.

INVESTIGATION CONCERNING EXPORTATIONS OF COTTON PRODUCTS FROM THE UNITED STATES

By unanimous consent,

Mr. BANKHEAD submitted the following resolution (S. Res. 221), which was referred to the Committee on Agriculture and Forestry:

Whereas statements have been made recently to the effect that unusually large quantities of cotton cloth and other cotton products are being exported from the United States: Therefore be it

Resolved. That the Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation with respect to (1) the volume of recent exports of cotton cloth and other cotton products, (2) the cause or causes of any increase in the volume of such exports, and (3) whether or not any legislative or Executive action should be taken in the light of the facts disclosed with respect to the volume of such exports. The committee shall report to the Senate at the earliest practicable date the results of its investigation, together with such recommendations as to necessary legislative or other action as it may deem desirable.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee under this resolution, which shall not exceed $, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

REGULATION OF PRODUCTION AND MARKETING OF SUGAR—REMOVAL OF INJUNCTION OF SECRECY FROM PROTOCOL

Mr. HILL. Mr. President, on behalf of the acting chairman of the Committee on Foreign Relations, the senior Senator from Georgia [Mr. GEORGE], as in executive session I ask unanimous consent that the injunction of secrecy be removed from Executive B, a protocol prolonging the international agreement regarding the regulation of production and marketing of sugar.

Mr. President, I make this request in behalf of the Senator from Georgia [Mr. GEORGE] because, as Senators know, without consent being given the protocol cannot be printed for the benefit of the Senate. The only object of the request is to have the protocol printed.

Mr. WHITE. Mr. President, as the only effect of the Senator's request is to remove the injunction of secrecy from the treaty and make it publicly available, I have no objection.

The PRESIDENT pro tempore. Without objection, the injunction of secrecy is removed from the protocol and it will be published in the RECORD.

The protocol, with accompanying papers, is as follows:

PROTOCOL PROLONGING THE INTERNATIONAL AGREEMENT REGARDING THE REGULATION OF PRODUCTION AND MARKETING OF SUGAR

THE WHITE HOUSE,
January 25, 1946.

To the Senate of the United States:

To the end that the Senate may give its advice and consent to ratification, if it approve thereof, I transmit herewith a certified copy of a protocol dated in London August 31, 1945, prolonging the international agreement, regarding the regulation of production and marketing of sugar, which was signed in London May 6, 1937.

I also transmit for the information of the Senate the report made to me by the Acting Secretary of State with respect to this matter.

HARRY S. TRUMAN.

[Enclosures: (1) Report of the Acting Secretary of State; (2) protocol of August 31, 1945, certified copy.]

DEPARTMENT OF STATE,
Washington, January 24, 1946.

The PRESIDENT,
The White House:

The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a certified copy of the protocol dated in London, August 31, 1945, prolonging the international agreement regarding the regulation of production and marketing of sugar, signed in London May 6, 1937.

The American Ambassador in London, acting in pursuance of full powers issued to him for that purpose by the President, signed the protocol for the Government of the United States of America with a reservation "signed subject to ratification."

The protocol was signed also by the respective plenipotentiaries of 17 other Governments, as follows: The Union of South Africa, the Commonwealth of Australia, Belgium, Brazil, Cuba, Czechoslovakia, the Dominican Republic, the United Kingdom of Great Britain and Northern Ireland, Haiti, the Netherlands, Peru, Poland, Portugal, the Union of Soviet Socialist Republics, the Commonwealth of the Philippines, Yugoslavia, and the Provisional Government of the French Republic.

The agreement of 1937, with an accompanying protocol concerning transitional measures (S. Ex. T, 75th Cong., 1st sess.), was enforced and prolonged by a protocol dated in London July 22, 1942, and further prolonged by a protocol dated in London August 31, 1944 (S. Ex. J and Ex. Rept. No. 5, 78th Cong., 2d sess.). The agreement, together with the existing protocols relating thereto, was proclaimed by the President on April 20, 1945, and has been published as Treaty Series 990.

The text of the protocol of August 31, 1945, is similar to that of the protocol of August 31, 1944. It is provided in article 1 of the protocol of August 31, 1945, that, subject to the provisions of article 2, the agreement of 1937 shall continue in force between the governments signatory of the protocol for a period of 1 year after August 31, 1945. Article 2 provides that during the period specified in article 1 the provisions of chapters III (obligations of countries not exporting to the free market), IV (export quotas for the free market), and V (stocks) of the agreement shall be inoperative. It is declared in article 3 that the signatory governments recognize that revision of the agreement is necessary and should be undertaken as soon as the time appears opportune, the existing agreement to constitute a basis for discussion of any such revision. Article 3 provides that, for the purpose of such a revision of the agreement, due account shall be taken of any general principles of commodity policy embodied in any agreement concluded under the auspices of the United Nations.

It is provided in article 4 that before the conclusion of the period of 1 year specified in article 1 the contracting governments will discuss the question of a further renewal of the agreement if the steps contemplated in article 3 have not been taken.

In accordance with article 5, the protocol is dated August 31, 1945, and although it remained open for signature until September 30, 1945, signatures appended after August 31 are deemed to have effect as of that date.

Respectfully submitted.

DEAN ACHESON,
Acting Secretary of State.

[Enclosure: Protocol of August 31, 1945, certified copy.]

PROTOCOL

Whereas an International Agreement regarding the Regulation of the Production and Marketing of Sugar (hereinafter referred to as "the Agreement") was signed in London on the 6th May, 1937;

And whereas by a Protocol signed in London on the 22nd July, 1942, the Agreement was regarded as having come into force on the 1st September, 1937, in respect of the Governments signatory of the Protocol;

And whereas it was provided in the said Protocol that the Agreement should continue in force between the said Governments for a period of two years after the 31st August, 1942;

And whereas by a further Protocol signed in London on the 31st August, 1944, it was agreed that, subject to the provisions of Article 2 of the said Protocol, the Agreement should continue in force between the Governments signatory thereof for a period of one year after the 31st August, 1944;

Now, therefore, the Governments signatory of the present Protocol, considering that it is expedient that the Agreement should be prolonged for a further term as between themselves, subject, in view of the present emergency, to the conditions stated below, have agreed as follows:

ARTICLE 1

Subject to the provisions of Article 2 hereof, the Agreement shall continue in force between the Governments signatory of this Protocol for a period of one year after the 31st August, 1945.

ARTICLE 2

During the period specified in Article 1 above the provisions of Chapters III, IV, and V of the Agreement shall be inoperative.

ARTICLE 3

1. The Governments signatory of the present Protocol recognise that revision of the Agreement is necessary and should be undertaken as soon as the time appears opportune. Discussion of any such revision should take the existing Agreement as the starting point.

2. For the purposes of such revision due account shall be taken of any general principles of commodity policy embodied in any agreements which may be concluded under the auspices of the United Nations.

ARTICLE 4

Before the conclusion of the period of one year specified in Article 1, the contracting Governments; if the steps contemplated in Article 3 have not been taken, will discuss the question of a further renewal of the Agreement.

ARTICLE 5

The present Protocol shall bear the date the 31st August, 1945, and shall remain open for signature until the 30th September 1945; provided however that any signatures appended after the 31st August, 1945, shall be deemed to have effect as from that date.

In witness whereof the undersigned being duly authorised thereto by their respective Governments have signed the present Protocol.

Done in London on the 31st day of August, 1945, in a single copy which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, and of which certified copies shall be furnished to the signatory Governments.

For the Government of the Union of South Africa:

G. HEATON NICHOLLS.

For the Government of the Commonwealth of Australia:

S. M. BRUCE.

For the Government of Belgium:

BARON BEYENS.

For the Government of Brazil:

MONIZ DE ARAGAO.

For the Government of Cuba:

G. DE BLANCK.

For the Government of Czechoslovakia:

V. JANSA.

For the Government of the Dominican Republic:

PORFIRIO HERRERA BAEZ.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

ALEXANDER CADOGAN.

For the Government of Haiti:

JOHN G. WINANT.

For the Government of the Netherlands:

E. MICHIELS VAN VERDUYNEN.

For the Government of Peru:

F. BERCKEMEYER.

For the Government of Poland:

HENRYK STRASBURGER.

For the Government of Portugal:

FELIX B. M. DA HORTA.

For the Government of the Union of Soviet Socialist Republics:

D. BORISENKO.

For the Government of the United States of America (signed subject to ratification):

JOHN G. WINANT.

(In respect of the Commonwealth of the Philippines):

JOHN G. WINANT.

For the Government of Yugoslavia:

DR. LJUBO LEONTIC.

For the Provisional Government of the French Republic:

R. MASSIGLI.

Certified a true copy.

[FOLEIGN OFFICE SEAL, LONDON]

D. A. BIGHY

Acting Librarian and Keeper of the Papers for the Secretary of State for Foreign Affairs.

JOURNAL OF JANUARY 17, 1946

The Senate resumed the consideration of the motion of Mr. HOEY to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. HILL. Mr. President, there have been two very able, timely, and challenging speeches on the floor of the Senate today on the subject of world peace. The distinguished senior Senator from Maryland [Mr. TYDINGS] addressed the Senate on world peace and the question of disarmament. The distinguished junior Senator from Montana [Mr. MURRAY] addressed the Senate on the question of world peace and the bringing about of world peace through cultural and educational agencies.

Both Senators, Mr. President, by their able addresses challenged the thoughts and the hearts of the Members of the Senate as to the urgency and the necessity of our country assuming its leadership in the building and the maintenance of peace. If there is any one subject which, above all others, at this hour, is uppermost in the hearts and the minds of the people of the United States, it is that of peace. Their foremost desire is for peace in this world, so that our American boys may be spared again being sent across the seven seas to far-away battlefields in foreign lands, there to struggle, suffer, endure, and fight, and many of them to die, for the peace and the preservation of our country and its institutions.

Mr. President, as was so ably demonstrated by the two able addresses we have heard today, if the United States is to play its part in the maintenance and the building of the peace of the world, then it is absolutely necessary that there be peace and tranquillity here at home in our domestic affairs, in our home affairs. The more peaceful we are here at home, the stronger we will be, the more united will be our people, the greater will be their capacity to play their part in the leadership of the world and the building of the peace of the world. Anything here at home which provokes tension, strife, turmoil, confusion, bitterness, or hate, impairs and seriously hinders our capacity to play our part in giving the leadership to the world in the matter of building the peace.

Mr. President, no bill has been suggested, certainly not in recent times, which would do so much to provoke turmoil and strife, tension and conflict, malice and hate, among the people of the United States as the so-called fair employment practice bill. This bill was well denominated a "new force act" by the New York Times in its issue of last Friday morning. The New York Times was right in designating the bill as a "new force act." It is a new force act, for it has in it all the elements of a force act. It seeks to do by force, by the bludgeoning of a government, that which can only be done by understanding, by tolerance, by good will, and by the spirit of mutual helpfulness.

By force the bill would undermine and do violence to the Constitution of the United States. It would deny to the American citizen sacred and fundamental rights now guaranteed by the Constitution. By force it would do wrong and commit evil, and then stand naked in its futility so far as the accomplishment of its ends is concerned. It would seriously impair if not destroy the very foundations of the strength, the stability, and the freedom of American business and American enterprise. O Mr. President, it would be the first step toward the nationalization of American business and American enterprise.

Mr. President, as we consider this bill with all its evils, I am reminded that when I first entered the Senate 8 years ago, in January 1938, the Senate then had before it for consideration a bill not dissimilar to the so-called fair employment practice bill. The bill then before the Senate was the so-called antilynching bill, which had in it many of the evils we now find in the so-called fair employment practice bill. The so-called antilynching bill has long since been consigned to the limbo of forgotten measures. There was no reason for its passage when it was before the Senate. It violated many of the fundamental rights of American citizens, so it has long since been forgotten.

Mr. President, in the debate on the antilynching bill, Senators from the South stood exactly as they stand today, in solid ranks in opposition to the passage of the bill, and standing side by side with them in their opposition to it stood two of the greatest liberals, not only of their time, but two of the greatest liberals in all the history of the United States. Standing with us in opposition to that bill was the then distinguished senior Senator from Idaho, William E. Borah, since deceased, and the then distinguished senior Senator from Nebraska, George W. Norris, now deceased.

At this time, Mr. President, I should like to call to the attention of the Senate some of the words of Senator Borah spoken in the debate on the antilynching bill, because those words apply with equal force to the bill now pending before the Senate. In January 1938, as shown by the CONGRESSIONAL RECORD, volume 83, part 1, beginning at page 138, Senator Borah, in part, said:

> I shall now read from a little volume to which I called attention a few days ago during the debate on the farm bill, a volume written by Gerald W. Johnson, who, I have been informed, is one of the editors of the Baltimore Evening Sun. He has written a remarkable volume upon the questions which pertain to the southern portion of the country. On page 8 of the volume he says, referring always to the South—

I now quote the words of Mr. Johnson as Senator Borah quoted them:

> The problem of public education, for example, has not been solved. It is further from solution in the South than in any other region. But when one considers that the South has to teach more Negro children than there are children of all kinds in New England, and when one notes that it is spending far more of its total income on schools than is spent by any other region, its effort, even though but half successful, must command respect and admiration.

I now proceed, Mr. President, with some of the words spoken by Senator Borah in that speech. Senator Borah said:

> Everywhere we find a determination to find the right way. The Negro is there. He

is there to stay. The South knows that he is there to stay, that he is a part of the wealth of the South. We in the North may be interested in the Negro politically. We care little about him economically. But he is an indispensable factor in the economic development of the South. They can and will do for him far better without our interference or advice than with it.

Then Senator Borah proceeded:

Mr. President, the Negro has had a hard road to travel ever since he was given his freedom. A hundred-and-odd years of slavery afforded poor training for citizenship in the most advanced of nations. Almost overnight he went from slavery to take up the obligations of a freeman in a free country, but, everything considered, he has done well; his advancement has been marked. Restricted, not by the Constitution of his country or the decisions of its highest courts, but restricted, almost cabined and confined, by the iron laws of society, nevertheless he has made progress. And where has that progress been greatest? In the South. In spite of prejudice and statements to the contrary, facts and figures show it has been greatest in the South. In the acquisition of property and economic advancement generally the Negro has fared better in the South than than elsewhere.

Some years ago—

Said Senator Borah—

a great southerner discussed this question, and I cannot refrain from calling attention to some of his language. It seems to me fair, just, and so in accordance with the sentiments of the true patriot that it is worth while for us to stop and hear the voices of those who are wrestling with the problems at home.

Then Senator Borah proceeded to quote some words spoken by Henry W. Grady in 1886. He quoted from Mr. Grady as follows:

Nothing, sir, but this problem, and the suspicions it breeds, hinders a clear understanding and a perfect union. Nothing else stands between us and such love as bound Georgia and Massachusetts at Valley Forge and Yorktown. * * *

I thank God as heartily as you do that human slavery is gone forever from American soil. But the freeman remains. With him a problem without precedent or parallel. Note its appalling conditions. Two utterly dissimilar races on the same soil—with equal political and civil rights—almost equal in numbers, but terribly unequal in intelligence and responsibility. Under these, adverse at every point, we are required to carry these two races in peace and honor to the end.

Never has such a task been given to mortal stewardship.

Senator Borah there ended the quotation from Mr. Grady, and Senator Borah then said:

Is that not true? Can we find anywhere in history a task such as was assigned to the southern people at the close of the Civil War, with slaves for 100 years released, free as they should have been, but given the power to participate in politics without any training and without any experience? It was beyond their capacity, as it would have been beyond the capacity of any race immediately to assume in full, and properly discharge, the duties of citizenship. But those were the conditions which confronted the South, and with which they have been dealing.

Let us admit—

Said Senator Borah—

that the South is dealing with this question as best it can, admit that the men and women of the South are just as patriotic as we are, just as devoted to the principles of the Constitution as we are, just as willing to sacrifice for the success of their communities as we are. Let us give them credit as American citizens, and cooperate with them, sympathize with them, and help them in the solution of their problem, instead of condemning them. We are one people, one Nation, and they are entitled to be treated upon that basis.

Then Senator Borah continued:

Since this proposition first came before Congress the Senators from the Southern States have borne the brunt of the debate. They have been made to feel the criticism of those who look upon opposition as mere local prejudice. We are all prone to consider the race question as peculiarly a southern problem, and we leave our southern friends to deal with it without very much sympathy or interest. But assuming that we are going to continue this narrow and selfish course, when we come to read this bill it is found that it goes an arrow's flight beyond any race question. The way it is drawn and its legal terms lift the bill out of the region of the race question into the region of governmental principles.

Senator Borah then closed with these words:

And, Mr. President, in conclusion, the progress, the development, and the advancement of the South, including the last 70 arduous years, her history from Washington and Jefferson down, rich with the names of leaders, orators, and statesmen; her soil, her sunshine, her brave and hospitable people, her patient and successful wrestling with the most difficult of all problems, are all a part of the achievements of our common country and constitute no ignobile portion of the strength and glory of the American democracy. I will cast no vote in this Chamber which reflects upon her fidelity to our institutions or upon her ability and purpose to maintain the principles upon which they rest.

Mr. President, those words well and aptly applied to the bill which was before the Senate at the time Senator Borah spoke. They well and aptly applied to the conditions that confronted us at that time, and I submit to the Senate that they apply with equal force and equal power to the so-called fair employment practice bill, and that they apply with equal force and equal power to the situation as it exists in the South and generally in this country today.

Standing with Senator Borah in his opposition to the bill then pending before the Senate, as I said, was that other great liberal, thought by many to have been the greatest liberal who ever stood on the floor of the Senate, the great Senator from Nebraska, George W. Norris. No man could have served in the Senate of the United States with George W. Norris without knowing that never did a heart beat with greater sympathy or with deeper humanity for all men of all races, of all creeds, and of all colors than did the heart of George W. Norris. Yet, Mr. President, Senator Norris and Senator Borah were both profound students of history. They knew the history of the South. They knew the history of our country. They knew world history. And so they recognized the inequity and the evil embodied in legislation of this kind and character. They knew that such legislation would not only not accomplish its ends, but would defeat the efforts of those who were trying to bring about better relations, better understanding, and a better spirit of helpfulness so far as all peoples of all classes in the United States are concerned.

O Mr. President, Senator Borah and Senator Norris knew well the struggle that the people of the South had gone through to achieve the progress they had made. They understood the burdens the people of the South had carried; they knew the handicaps they had to overcome at every turn; they knew their pathway had been hard and difficult, and they knew all the many problems that had faced them.

Sitting here on the Senate floor today is the distinguished senior Senator from Alabama [Mr. BANKHEAD]. His father returned in a ragged and tattered gray uniform after suffering humiliating defeat on the battlefields in the War Between the States. He returned to the South to find its civilization gone, to find the economy that he had known before the war wiped out, to find his money worthless, and credit unavailable. He found southern homes and southern barns in ashes; crops destroyed and fields devastated; and millions of former slaves, a kindly people, but an absolutely dependent people—as Senator Borah said, without education, wholly illiterate, without any training, without any preparation to assume the duties and burdens of citizenship, without any preparation to go forth as free and independent people into the struggle of economic life and into the building of a new civilization and a new economy.

Yet, carrying all those burdens, the people of the South, men such as the father of the distinguished senior Senator from Alabama, rebuilt the civilization and the economy of the South. They asked help from no one. They received help from no one. Not only did they ask help from no one and receive help from no one, but their burdens were greatly increased. The handicaps which surrounded them were greatly augmented by the action of the Government in Washington. Living in an agricultural economy, dependent almost entirely upon cotton for a livelihood for decade after decade, they had to sell a large part of their cotton at low prices in the foreign markets of the world, where there was no protection for the price of cotton, while at the same time, under our high protective tariff laws, they were forced to pay high prices for all the things they needed to make their crops, all the manufactured and processed articles which they had to have to maintain their existence. What little credit they had they could obtain only at very high rates of interest.

At a later date we were to find other discriminations against the South—discriminations in financial legislation, as well as discriminations in the matter of freight rates, shutting the South out, so far as the manufacture or processing of goods and commodities is concerned, from the great consuming area of the United States, the great Eastern and Northeastern section, where 70 percent of the purchasing power of the Nation exists today. So freight rate barriers and internal tariff walls were erected against the people of the South.

Then private industry played its part in adding to the burdens which the people of the South were carrying. Who is there who is not familiar with the Pittsburgh-plus system, which for so long held down the development and advancement of the great steel industry in Birmingham, Ala., in order that the steel industry at Pittsburgh might have a preferred status and derive benefits at the expense of and to the detriment of the Birmingham district?

There were many such discriminations, Mr. President, and yet we have struggled on until, as Mr. Gerald Johnson says, we deserve respect and commendation for all we have done in the matter of the education, not alone of the white children, but of all children.

A few years ago the Federal Government established the Educational Policy Commission. Mr. Owen D. Young, of New York City, one of the Nation's great businessmen, was named as its chairman. Mr. E. H. Harriman, chairman of the board of the New England Power Co., was named as vice chairman. The Commission made a study of educational conditions and problems throughout the country. They found that if there were a uniform tax plan in every State in the United States, and under such a tax plan an attempt were made to establish an adequate school system in every State, nine of the States in this country—and they are all Southern States, including, I regret to say, my own State of Alabama—if they used every dollar from the uniform tax plan for education alone, and did not spend a single dollar for highways, public health, child welfare, police protection, or any of the other functions of government, would still not have sufficient money to provide an adequate and satisfactory educational system. Yet in spite of that situation we have gone on, carrying the burden of both races and endeavoring to give education to all the children of the Southern States.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. CHAVEZ. I am in full agreement with the remarks made by the Senator from Alabama. I think I appreciate and realize the terrible handicaps under which the Southern States found themselves directly after the War Between the States. I know how the economy was beaten down. I know how wealth was disseminated. I for one believe that the South has done remarkably well under all those handicaps.

I also realize the economic handicaps of the South with reference to freight rates and other things which enter into the development of an area or a section. I do not believe in that kind of discrimination. I believe that the South has been discriminated against in the respects which the Senator mentioned. It has not been allowed to create the wealth which it could create. It has not been allowed to develop its natural resources as they should be developed, because of the discriminations to which the Senator refers, in the forms of freight rates and other economic handicaps.

That is one of the reasons why I have always been willing and anxious to see that condition remedied. I will join the Senator at any time in trying to do something to promote the development of every section of the country—not the New England States alone, and not any other section alone. I do not wish to handicap any section of the country, including the West, the South, the East, the Middle West, and the Pacific coast area. As the Senator quoted a little while ago from some document, this is a country for all of us. There should be wealth for all of us, poverty for all of us if necessary, sacrifices for all of us if necessary, and jobs for all of us if possible.

Mr. HILL. I thank the Senator from New Mexico. Let me say to him that if he really wishes to do something for all the people of the United States, the road toward a strong and stable economy, which he has said he is willing to travel, is the road of education, of schools, of public health, of housing, of employment. That road will lead to the advancement and promotion of the welfare of all the people. However, any legislation which would promote and breed strife, conflict, turmoil, tension, bitterness, malice, and hatred, as the so-called fair employment practice bill would do, can have no other effect than that of defeating in large measure—certainly retarding—the very progress which the Senator desires to assure.

Mr. CHAVEZ. Mr. President, if the Senator will indulge me for a moment, let me say that there are some of us who do not agree with his conclusion with respect to the bill under discussion.

The Senator and I are both members of a committee which has been discussing questions of health, maternity care, and greater facilities for education. The Senator complains of the lack of wealth in the South. No matter what his desire may be, no matter how much sympathy he may have in his heart, in order to improve the standard of education in the South there must be decent wages. How are we to have such a condition unless there is equality of opportunity? I understand that the Senator would prefer to see the school teachers in my State and every other State paid decent salaries commensurate with the dignity of their profession, salaries which would at least provide the necessities of life if nothing else. But how are we to have such a condition with an economy which beats down wages and opportunities? How is it to be brought about?

Mr. HILL. Let me say to the distinguished Senator from New Mexico that I am pleading, among other things, for a strong and stable economy, an ever-expanding, growing economy, an ever greater economy, providing more benefits, more blessings, and more comforts for all the people of the United States. But we cannot have that kind of an economy if the people of the country are to be torn by strife and turmoil; if governmental agencies are permitted to paralyze American business enterprises and interfere with their operations in the manner proposed by the so-called fair employment practice bill.

Mr. CHAVEZ. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from New Mexico?

Mr. HILL. I yield.

Mr. CHAVEZ. Let me ask how business would be paralyzed. If a particular industry in, let us say, Birmingham, Ala., had need of 100 men to make hoes or some article of steel, and if it could obtain only 40 men for that purpose because 60 other men were denied an opportunity to work there merely because the company did not choose to employ white men, or perhaps because it did not choose to employ black men——

Mr. HILL. Oh, Mr. President, that is not what is involved in this bill. What is involved in this bill is this: If a man in Birmingham has, let us say, 100 persons working for him, a little agent would go from Washington to Birmingham, Ala., clothed with all the power and authority of the Federal Government, and would inquire into that man's plant, and say to him, "You have 100 men working here. I realize they have been here a long time. I realize they have built up an excellent business. I understand they have a wonderful spirit; I understand that this factory has the finest esprit de corps to be found anywhere in this section, and that you are doing a wonderful job. But you must discharge 60 of your employees and you must let me tell you who will take their places."

Mr. CHAVEZ. Mr. President——

Mr. HILL. I yield to the Senator, but I should like to continue my speech.

Mr. CHAVEZ. Will the Senator read to us what part of the bill provides for what he has just stated?

Mr. HILL. Oh, Mr. President, as I go along with my discussion of the bill I shall show that that is exactly what is proposed to be done. A little bureaucrat, clothed with all the power and majesty of the Federal Government, would come out of Washington and would walk into a man's castle—his business—and there would assume to tell him and to dictate to him whom he could employ and whom he could not employ.

Mr. President, there is just one other step which could in any way be worse than the step which would be taken under the bill, and that would be to have one of those little bureaucrats go into a man's home and try to tell him whom he should have around his fireside.

Mr. CHAVEZ. Mr. President, will the Senator further yield?

Mr. HILL. I should like to continue my speech; but I yield.

Mr. CHAVEZ. I wish the Senator would address himself to the bill.

Mr. HILL. I shall, if I have a chance to do so.

Mr. CHAVEZ. I do not like the situation the Senator from Alabama has suggested any more than he does, and I wish he would tell us where provision for it is made in the bill, so that we can eliminate it.

Mr. MEAD. Mr. President, will the Senator yield to me?

Mr. HILL. I yield.

Mr. MEAD. I should like to discuss the bill in detail, and I have prepared an address on it. But I do not have in

mind using the time of the Senate at this moment, because the Senate is now engaged in debating or in filibustering, or whatever Senators may choose to call it, on the question of approval of the Journal, and I do not wish to be a part of the filibuster.

Mr. HILL. Mr. President, the Senator from New York is beginning to make a speech. If he wishes to ask me a question, I shall be glad to have a question asked of me; but I do not wish to yield to the Senator for the purpose of having him make a speech.

Furthermore, Mr. President, inasmuch as the Senator from New York has used the word "filibuster," I wish to say to him that what we are doing is standing on our rights under the rules of the Senate of the United States and the Constitution of the United States so as to let the people of the country know the evils and the iniquities of this bill. That is exactly what we are doing.

Mr. MEAD. I am coming to my question, but I am afraid that when the Senator from Alabama is standing on his rights he is crushing our rights.

Mr. HILL. No, Mr. President; the Senator from New York has all his rights. He can take the floor whenever he wishes to do so. I will stand up and battle just as strongly for the rights of the Senator from New York as I will for my own rights.

Mr. MEAD. Mr. President, this is my question: Will the Senator from Alabama help the Senator from New York bring the bill before the Senate so that we can debate it intelligently, section by section?

Mr. HILL. Debate it section by section! What is there to prevent the Senator from New York from rising on this floor at any time—the moment I yield the floor—and debating the bill, not only section by section but line by line, word by word, comma by comma, and period by period, if he desires to do so? He has every right to debate it in every way, shape, fashion, or form he chooses to.

Mr. MEAD. But the bill is not before the Senate. I ask my friend the Senator from Alabama to assist me in bringing the bill before the Senate.

Mr. HILL. Mr. President, let me say to my distinguished friend the Senator from New York that he has been in the Senate almost as long as I have and he well knows that when a Senator rises to discuss a bill or to discuss any other subject it is not a question as to whether the particular matter or the particular bill may be the pending question for vote before the Senate. If there is any one Senator who time and time again has stood on this floor and has spoken without any regard to what was before the Senate, I think it has been the distinguished junior Senator from New York. The Senator has again and again exercised his right in that respect. I am not complaining, for that is his right. I wish him to have that right, and I shall defend that right for him.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. HILL. I yield.

Mr. EASTLAND. The question is this: Is not the Senator from Alabama glad to know that the Senator from New York will vote against the cloture petition which will be filed? I say that because the Senator from New York has just said that the bill is not before the Senate, and therefore it is not a fit subject upon which to have cloture invoked.

Mr. HILL. I very much hope that the interpretation of the Senator from Mississippi of the remarks of the Senator from New York is correct, and that the Senator from New York will join us in voting against cloture, so that we may do just what the Senator from New York has said should be done, namely, so that we may demand and may have the right to debate this bill paragraph by paragraph, and line by line. The Senator from Mississippi knows that if cloture is invoked, debate will be stifled, debate will be cut off, and the Senator from New York, and the Senator from Alabama, and the Senator from Mississippi, and every other Senator will be denied the very right which the Senator from New York has proclaimed here this afternoon.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. HILL. I yield.

Mr. EASTLAND. The Senator from New York has agreed with the Senator from Alabama and the Senator from Mississippi that Senate bill 101 is not now before the Senate.

Mr. HILL. He has indeed, and I was very happy to have him so state.

Mr. MEAD. Mr. President, if my colleague from Alabama will yield to me, let me say that I am very anxious to have the bill brought before the Senate. The Senator from Mississippi has been absolutely no help whatever in that regard, and I am asking the Senator from Alabama to help me bring the bill before the Senate.

Mr. HILL. The Senator from New York was pleading that the bill be brought before the Senate so that it might be debated line by line and paragraph by paragraph. The Senator from New York knows that if cloture is invoked, that right will be denied, and Senators will be deprived of the right to debate the bill line by line and paragraph by paragraph. Surely the Senator from New York cannot vote to have cloture invoked, if he believes in that right.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. RUSSELL. I should like to ask the Senator from Alabama if he has read a newspaper article which appeared in this morning's New York Times, which reads as follows:

WANTS SENATORS PICKETED—POWELL ADVOCATES ACTION TO CLOTURE FOES IN FEPC FIGHT

Picketing of the homes of Senators who vote against cloture to end the current filibuster against the fair employment practice bill was proposed yesterday at a meeting of the People's Committee, headed by Representative ADAM CLAYTON POWELL, Jr., in the Golden Gate Ballroom, One Hundred and Forty-second Street and Lenox Avenue.

An audience of 1,500 persons heard Mr. POWELL berate Senator JAMES M. MEAD, of New York, for not attending the meeting and for what Mr. POWELL alleged was a passive attitude toward Senate criticism of Negroes.

"We are going to build a little fire under Senator MEAD," Representative POWELL said. "We cannot in any way condone his absence."

Representative VITO MARCANTONIO told the meeting that if cloture failed of adoption Senators sincerely in favor of the FEPC should insist that the bill be kept before the upper Chamber until the filibustering bloc yields.

I should like to ask the Senator from Alabama if it is not the unkindest cut of all that this Negro Representative in Congress should charge the Senator from New York with any lack of interest in this bill? I understand that though the Senator from New York did not address the meeting in New York where the Negro Representative was the lion of the day, the Senator from New York did address on the same afternoon an audience in a colored church in Washington. I merely point that out, Mr. President, to show how impossible it is to appease these minority pressure groups. The Senator from New York, with all his diligence here in fighting to impose this bill upon us—and any other bill which this group advocates, it matters not what it is—because he could not be in New York addressing Congressman POWELL's congregation——

Mr. HILL. Because he could not be in two places at the same time.

Mr. RUSSELL. Because the Senator from New York was not at the meeting in New York—for the reason that at the same time he was addressing a colored congregation in Washington—they say they are going to build a fire under him.

Mr. President, all this simply shows the attitude of those who favor this iniquitous bill. They threaten Senators by saying that they will picket them if they stand on their constitutional rights in this body; and our good friend, the Senator from New York, who has supported every proposition, reasonable, unreasonable, or fantastic, that this group has ever suggested, now is being pilloried and a fire is being built under him because he could not make two FEPC speeches at different places and at the same time, namely, one in Washington and one in New York. I ask the Senator if he does not believe that conduct to be in absolute accord with the spirit which is being shown by the delegations who are pulling Senators' elbows every time they turn around and asking them to come into the Senate and ravish the Senate rules in the interest of a bill which pretends to be a fair bill for minorities. I ask the Senator if it is not true that if this bill becomes law it will be followed by another bill, and yet another bill, because if the supporters of the measure can apply the lash to the backs of Senators by a bill of the kind now before the Senate, they will do so in connection with later bills.

Mr. HILL. The situation indicates the whole spirit of the bill. It shows exactly with what we are confronted in considering the pending measure.

Mr. MEAD. Mr. President, first of all, I wish to state that I regret that this subject has been brought before the Senate, because I have not had an opportunity to discuss the matter with my colleague, Representative POWELL. It is true that I read the statement in the newspaper. It is also true that I addressed an FEPC meeting. I have before me a program of the meeting. That meeting was held at

the Asbury Methodist Church, at Eleventh and K Streets NW., Washington, D. C., and was presided over by Judge William H. Hastie. It was under the auspices of the District of Columbia branch of the NAACP.

I may also say that a few minutes ago I was called out of the Chamber and was interviewed by a group consisting of both colored folk and white folk. I wish to say that it was a very satisfactory conference. The persons composing the group were very courteous. They were very appreciative. I would not say that they were at all of the so-called pressure type. It was a pleasure to speak to them. I believe that for the most part, the people who are supporting this bill are fine, upstanding citizens.

Regardless of that fact, Mr. President, I am in favor of the principle behind the bill. Regardless of what anyone may say about me, or about my personal interest in the bill, or lack of interest in it, so long as I am able to work in its behalf, I shall continue to work for it until it becomes a permanent part of our laws.

Mr. RUSSELL. Mr. President, I believe that the Senator from New York could more properly present his apologies to the Representative in the Congress from New York, than to this body. The attack came from the Representative from New York.

Mr. HILL. I am sure that when the Senator from New York read the story in the newspapers he threw his Senatorial toga around him, covered his face, and exclaimed, "Et tu, Brute."

Mr. RUSSELL. The Senator means "Et tu, Clayton."

Mr. HILL. Yes. Mr. President, the important point which has been brought out by the Senator from Georgia is that the newspaper article which he has called to the attention of the Senate, shows the entire spirit behind this bill. It shows what is back of the bill. After all, as astounding as the bill may be, when one reads the newspaper article he understands the evil and the inequity of a bill which comes from that kind of a spirit. It is said that the bill is being urged in the name of tolerance and understanding. O Tolerance, what crimes are committed in thy name!

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. HILL. Mr. President, I should like to continue my speech. I do not wish to be discourteous to my friend the Senator from New Mexico.

Mr. CHAVEZ. Very well. We will think about tolerance later.

Mr. HILL. Mr. President, this bill goes an arrow's flight beyond any question of race or minority. It involves the most abject and wilful violation of fundamental rights which are guaranteed to American citizens. There are approximately 12 provisions of the Constitution, the organic law of this land, which were written in order that neither the tyranny of the Executive nor party raids in the legislature could deny such fundamental rights or change them without destroying the very Government itself. Those provisions, those great sheet anchors of protection, are thrown around all American citizens by their Constitution in connection with all matters involving punitive justice.

The first provision is one which provides that no ex post facto law shall be passed. Frankly, Mr. President, I would not say that the passage of this law would violate the ex post facto rule, but I believe that the power which would be given to the Commission under the provisions of the bill to make rules and regulations, would have all the force and effect of a law which would open wide the door. By enacting this bill into law we will be inviting the travesty of an ex post facto law.

The second great safeguard with regard to the rights of a person who has committed a criminal act is that the citizen may not be arrested without a judicial warrant founded on proof or of probable cause. Is there anything in this bill which would comply with such a provision? The Commission under this bill would have a right to issue any kind of an order or subpena which it might see fit to issue, without any regard for probable cause, without any court action in any way, or any judge passing judgment upon the matter. Under this bill a citizen may have taken from him his private records. The Constitution provides that a citizen shall not be compelled to testify against himself. Yet, Mr. President, this bill in the very teeth of the provision to which I have referred in the Constitution, provides that the defendant shall testify. A little FEPC snooper, or one of the little bureaucrats of the Government could command the defendant to testify.

The Constitution provides that citizens shall be entitled to speedy trials. Mr. President, there is a provision in the pending bill to the effect that 10 days after an accusation, or after some paper has been served on a person, he shall be heard. But, his hearing does not conclude the matter. Under the pending bill the Commission could drag the trial of the citizen out without limit, for just as long as the Commission wished to do so. Nothing is provided in the bill to protect the defendant in his right of a speedy trial. He may be suffering under the stigma of the Commission's accusation of a criminal offense, and yet the right to have a speedy trial which is guaranteed to him by the Constitution may be specifically denied.

In all other matters involving a criminal offense the public accuser must put the charge in the form of a legal indictment so that the accused may meet it fully. There is no prescription in the pending bill, no delineation or specification in it as to how the accusation under it may be made. This Commission, or one of its agents, may make the accusation in any form which it sees fit. It may specify only in part. It can couch the language of the accusation in the most general terms, so that the defendant may not know what he is being accused of.

Even with respect to an indictment, under the Constitution a man may not answer even to a grand jury indictment until the members of the grand jury have stated their belief under oath. Under this bill the Commission would be clothed with such complete power that a grand jury would not enter at all into the picture. The citizen charged with criminal offense would be denied the right to have his case considered by a grand jury of his peers before being dragged into any proceeding.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. HILL. I yield.

Mr. EASTLAND. Under the pending bill would the accused have the right to file a demurrer to the charges which had been made against him?

Mr. HILL. If he has a right to file a demurrer, if he has a right to file any of the pleas which the Senator, as a lawyer, knows are so carefully safeguarded and protected for the accused, the bill certainly does not give him such rights.

Mr. EASTLAND. Will the Senator yield for another question?

Mr. HILL. I yield.

Mr. EASTLAND. Does he have a right to challenge the jurisdiction of this agency?

Mr. HILL. I was coming to that. He has no right whatever to challenge the jurisdiction of the agency, he has no right to challenge anyone on the Commission, any referee or agent of the Commission, or anyone representing the Commission.

The next right guaranteed to an accused person is that he must be tried before a regular court of competent jurisdiction, ordained and established for the State and district in which the crime was committed.

Mr. President, under this bill an accused person is not going to be tried under his constitutional right in any ordained and established court within the State and the district in which the alleged crime was committed. He can be hauled all over the United States of America to be tried. The Commission can take a man from Maine and force him to go to California to be tried. They can take evidence against him in Texas or they can take the evidence against him in Michigan, North Dakota, or Washington, or wherever they see fit to take it. He is not to be tried by any ordained and established court, as the Constitution guarantees he shall be. He is not to be tried in the State and the district in which the alleged crime was committed, as the Constitution provides he shall be tried. On the contrary, he is to be tried by a commission, a bureau, in the executive branch of the Government, which does not have to act on any testimony it has heard. All the Commission has to do is to send a minor investigator or a minor agent, allegedly take the testimony, and then, in the absence of the accused, without the accused being present, without the accused having had a right to face the witnesses or the Commission, without the accused having the right to cross-examine any witnesses, without the accused knowing what evidence has been given against him, or who has given the evidence, or what the parties may be or what their motives may be in giving the evidence, he is tried in this star chamber procedure fashion.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. EASTLAND. The bill does not even require him to be confronted by the witnesses against him?

Mr. HILL. It does not even require that he be confronted by the witnesses against him.

Mr. EASTLAND. The trial tribunal could consider hearsay evidence?

Mr. HILL. The next great fundamental principle is that trials shall be public and open, where all the world may come, and where the sunlight of truth and justice may enter. Trials shall be open and public in order that no underhanded advantage may be taken. The party shall be confronted with the witnesses against him, have compulsory process for obtaining his own witnesses, and be entitled to the assistance of counsel in his defense.

There is nothing in the bill about any public and open trial. On the other hand, as the bill is now written, we know there will not be any open and public trials. As I have said, a little investigator may go around and gather up the evidence here and there and yon, without any knowledge on the part of the accused as to where he is getting it, or from whom he is getting it, or what may be the motives of those testifying against him. Then a report and the evidence, gathered in this fashion, will go to this Commission, and the Commission, sitting behind closed doors in the city of Washington, or perhaps in New York, or perhaps in Seattle, Wash., or wherever they may desire to be or happen to be, will proceed to find the accused guilty, if they wish to do so.

There will be no opportunity, as the Senator from Mississippi has suggested, for the accused person to be confronted with the witnesses against him, to have a witness sit at a trial and look the accused in the eye when the witness testifies against him. We know that many a witness has been shamed out of falsehood by having to face the accused.

Mr. STEWART and Mr. EASTLAND addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Alabama yield; and if so, to whom?

Mr. HILL. I yield first to the Senator from Tennessee, then I shall yield to the Senator from Mississippi.

Mr. STEWART. The Senator made a statement a moment ago to the effect that evidence could be taken in Texas, California, Maine, Michigan, or any section of the country, against the accused. Did the Senator mean that evidence could be taken in the absence of the accused?

Mr. HILL. Certainly, it could be taken in the absence of the accused. The accused might not even know that evidence was being taken. It can be taken not only in the absence of the accused but without the accused having any knowledge or any intimation whatever that the evidence is being taken.

Mr. STEWART. Then it certainly follows that the accused could not have his own counsel present.

Mr. HILL. There is absolutely nothing in the bill that gives him the right to have his own counsel, as the Constitution guarantees every citizen under the flag. There is no right for the accused to have counsel, or to cross-examine any witnesses; there is no right provided for any compulsory process. The accused might say to the little agent of the Commission, "That evidence you have taken against me is all wrong. Those who testified had some selfish or ulterior motive, or they are misinformed. They do not know what they are talking about. They have not the facts. John Jones or William Smith should come and testify." The accused person, however, has no right to have John Jones or William Smith come and testify. It is only at the sufferance of the little agent of the Commission that he has any chance to get in the testimony of John Jones or William Smith.

Mr. STEWART. Is any method provided in the bill whereby the accused might make any check of any sort on the testimony that is brought in by the investigator?

Mr. HILL. There absolutely is no way in the world to make any check. I will tell what happens to the poor fellow. He may be one of the most respectable, outstanding, useful, and best citizens of any community or city in the United States. What happens is that the testimony is taken. He may well not know what the testimony is, he has had no right to be present, he has had no opportunity to have counsel present, he has had no way of cross-examining the witnesses, he has had no way to have any compulsory process to bring in witnesses for himself.

On the testimony, taken under these conditions by the Commission or its agent, they find him guilty, and then certify him to a circuit court of appeals, without the circuit court of appeals having any right whatever to go into the facts to ascertain whether they sustain the conviction. The accused is certified to a circuit court of appeals, and the circuit court of appeals may throw him into jail for contempt, and let him stay there to rot.

Mr. STEWART. On what does the circuit court of appeals act?

Mr. HILL. It acts on the certificate of the Commission.

Mr. STEWART. Does it have access to the record?

Mr. HILL. It has access to the record, subject to the condition that it cannot do anything so far as the facts are concerned. Of course, the Senator, as an able lawyer and a distinguished former commonwealth attorney in the State of Tennessee, knows that in criminal cases there is usually a question of fact. The circuit court of appeals cannot pass on the facts at all.

Mr. STEWART. I thank the Senator for his very complimentary remarks about me, but does the Senator mean that there cannot be in any appellate court of any kind at all a trial on the record, except such record, perhaps, as the Senator indicates has been made?

Mr. HILL. Exactly, and the court cannot go back of that record. It is a sealed book. So far as the court is concerned, it is absolutely a deep, dark secret.

Mr. STEWART. Then there is no trial de novo?

Mr. HILL. Not at all. They bounce over the district court, insofar as they can, and go right on up to the United States circuit court of appeals.

Mr. STEWART. Does the accused have any method by which he might resort to the courts?

Mr. HILL. Not so far as the bill is concerned, except that he might go to the circuit court, but he cannot go on the facts in the case.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. HILL. Of course, the bill is not going to pass. I cannot think that we have reached such a stage in this country that the courts of this land, the courts established and ordained under the Constitution, would permit such a travesty as this to be effective as against a citizen of the United States.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. EASTLAND. The Senator is making one of the best arguments which have been made on the bill. I should like to ask him this question: What right is left an accused in the matter of complaints over which this agency has jurisdiction? Is there one safeguard of liberty?

Mr. HILL. The only right that is left the accused is to go to jail and lie there and rot until perhaps some day he can get an ordained and established court to let him out on a writ of hapeas corpus.

Mr. EASTLAND. Every safeguard of liberty is swept away under the bill?

Mr. HILL. I am taking up these 12 great safeguards of liberty under the Constitution, every one of which is wiped out and destroyed under the bill.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. CHAVEZ. I do not agree with the conclusions of the Senator, but, of course, he has the right to his conclusions. Suppose, however, the bill had been drawn differently; suppose it provided every safeguard of which the Senator from Mississippi speaks, including safeguards to the Negroes. Suppose we gave the right of trial by jury, a right in which I believe, and not only for the whites, but also for the Negroes. Would the Senators who have argued against the bill be for it then?

Mr. HILL. No; I will say to the Senatory that I would not be for this bill.

Mr. CHAVEZ. Or any other bill that would give the Negro any kind of a right?

Mr. HILL. No; the Senator is absolutely wrong when he says that. But I would not be for any bill that is a force bill such as this bill is. I would not be for any bill, conceived in such inequity, that might come to the floor of the Senate of the United States and seek to deny to an American citizen every one of the 12 great safeguards guaranteed by the Constitution to the citizen with respect to his personal rights and his personal liberty. I know of no better way to judge this bill, and the spirit and the motive behind this bill, than that it should be here before the Senate, with every right guaranteed under the Constitution stripped from the citizens of this country.

Mr. CHAVEZ. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from New Mexico?

Mr. HILL. I yield.

Mr. CHAVEZ. The Senator speaks of rights guaranteed under the Constitution. I want them to apply to every citizen.

Mr. HILL. Mr. President, I may say to the Senator that I do not know how it is in New Mexico, but in Alabama, the great protecting arm of the Constitution of the United States is thrown around and protects every citizen of that State.

Mr. CHAVEZ. I am glad of that.

Mr. STEWART. Mr. President, will the Senator yield for a question?

Mr. HILL. I yield to the Senator from Tennessee.

Mr. STEWART. The Senator from New Mexico said, and I agree with him, that he wants the Constitution to apply to every citizen of the United States certainly with equal force and with equal justice and with equal right. If this bill is passed will that be true?

Mr. HILL. Of course it will not be true. What this bill would do would be to strip each and every citizen of every race, of every creed, of every color, of every ancestry, of every national origin, of the great fundamental rights which protect him in his freedom and his liberty as an American citizen under the Constitution.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. EASTLAND. And it would strip of their rights Negroes and others, regardless of race, creed, or color, who might be accused by this commission. Their rights are stripped away by this bill, are they not?

Mr. HILL. Every citizen, no matter who he may be—the humblest, the poorest, the most miserable—is stripped of his rights by this bill. Men, women, and children—all citizens are stripped and denied their rights under this bill.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. RUSSELL. The Senator from Alabama is making a constitutional argument and there are very few Senators present on the floor. I think the Senate ought to have the advantage of the powerful argument which the Senator from Alabama is making. I wonder if the Senator from New Mexico, in view of the very sparse attendance here at this time, would not be willing to have the Senate recess until tomorrow in order that there may be a larger attendance of Senators?

Mr. CHAVEZ. Mr. President, the Senator from Georgia is not going to blame the Senator from New Mexico for the lack of attendance of Senators.

Mr. RUSSELL. No; Mr. President. There is nothing in my remarks the Senator from New Mexico could possibly construe as reflecting upon him, simply because other Senators are not in attendance. Certainly the Senator from New Mexico has been most diligent in attendance. I am willing to bear witness that I have not seen him off the floor for 5 minutes. Mr. President, I have wondered at times whether the Senator from New Mexico had given up his noontime meal.

Mr. CHAVEZ. Mr. President, the Senator from New Mexico is not in attendance now and then. But of course the Senator from New Mexico should not be blamed in any way because of the lack of attendance of other Senators to listen to the argument being made by the Senator from Alabama. I do not know why Senators who are absent are not here listening to the Senator from Alabama. I do not know whether it is because his argument proves too well his side of the case, or whether it is due to a lack of interest. I would rather say that Senators are too busy with other matters. But let me ask a question of the Senator from Maine [Mr. WHITE]. Would the Senator from Maine have any objection to the Senate taking a recess now until tomorrow?

Mr. HILL. Mr. President——

Mr. CHAVEZ. That is, of course, without prejudicing the rights of the Senator from Alabama?

Mr. HILL. I should be glad to accommodate Senators who desire that the Senate now take a recess, but I have stated 9 out of 12 propositions, and I do not want to stop until I finish the other 3. It will take me but a moment to do so.

Mr. RUSSELL. Very well.

Mr. HILL. We might agree now that when I get through with the other three points the Senate ma, take a recess.

Mr. CHAVEZ. Mr. President, I would not agree to that now. I move that the Senate now take a recess until tomorrow at 12 o'clock noon, without jeopardizing the rights of the Senator from Alabama to the floor.

Mr. HILL. Mr. President, I have the floor, and if I may say so, the Senator can make his motion to recess only if I yield for that purpose. I want the Senator to be reasonable. I have stated nine of the propositions, and I wish now to state the other three.

Mr. CHAVEZ. Does the Senator think he is the only one who is reasonable? I maintain I am just as reasonable as is the Senator from Alabama.

Mr. HILL. I have no such idea as that. I try always, Mr. President, to address the Senate in all humility, and certainly I address the Senator from New Mexico with all humility and respect. I should be delighted to hear the Senator reply to my speech to what I have said here this afternoon.

Mr. CHAVEZ. I should be glad to reply to any of the arguments of the Senator from Alabama, but I know that I could not convince him because he is not for a fair employment practice bill.

Mr. HILL. No; I will say to the Senator that I am not for a fair employment practice bill. The Senator is exactly correct in that statement. I am very much opposed to a fair employment practice committee.

Mr. STEWART. Mr. President, will the Senator yield for a question?

Mr. HILL. Yes.

Mr. STEWART. I may say to the Senator from New Mexico, who is always fair about everything, that, as I understand, the Senator from Alabama wants to state the other propositions because he does not care to break the continuity of his speech. There might be a desire on his part for all of it to appear in the RECORD of today. Will not the Senator from New Mexico permit him to conclude his comment?

Mr. CHAVEZ. The Senator from Alabama has the floor, and if my motion is not in order, very well.

Mr. MAYBANK. Mr. President——

Mr. HILL. Mr. President, I will yield to the Senator from South Carolina, but let me finish first. It will take me but 2 or 3 minutes. Then I think we might be able to recess. I do not want to be discourteous to the Senator from South Carolina, and if he desires I will yield to him.

Mr. MAYBANK. I simply wanted to say to the Senator from New Mexico, who on many occasions has been very kind, in connection with recesses by the Senate, who has been in constant attendance, and who has made a motion to recess, that I hope we may be able to recess as soon as the Senator from Alabama has concluded, but I certainly do not want to have him cut his speech short, or leave anything out of it that he desires to have in it.

Mr. HILL. Mr. President, since I have nearly concluded these propositions I feel I should complete them this afternoon. That is my desire. I had reached the tenth proposition, Mr. President.

After the evidence is heard and discussed, unless the jury shall, upon their oaths, unanimously agree to surrender the accused into the hands of the court as a guilty man, not a hair of his head can be touched by way of punishment.

Mr. President, so far as this bill is concerned the accused is denied the right of a jury trial; he is denied the right of having 12 men sit in judgment on his case, 12 of his peers chosen from the vicinage in which he lives; he is denied the right which is his that before he can be convicted each and every one of the 12 must agree that he is guilty, and find him guilty. Under this bill, Mr. President, he is denied all those rights, each and every one of them.

Then he is to be tried by a board of five. So far as the bill shows three out of the five, a majority, by vote can find him guilty and declare him to be a criminal. There is no safeguard, there is no protection to such as is guaranteed by the Constitution of the United States for every citizen.

No. 11. After a verdict of guilty he is still protected. No cruel or unusual punishment shall be inflicted nor any punishment at all, except what is annexed by law to his offense.

Mr. President, what do we find here with respect to this bill? The accused may be taken into a court and convicted for contempt of court. There is no limit on the sentence he might have to serve in the penitentiary. Criminal statutes provide almost without exception that a man, if he is convicted, shall pay so much fine and shall be imprisoned for so many years, nor more than 10, ordinarily, but under this bill he might be sent to a jail and remain there until he rotted.

Number 12. Another safeguard is given by the Constitution to an accused person. After all is over the law continues to spread its guardianship around

him, for whether he is acquitted or condemned he can never again be molested for the same offense.

The Constitution provides that no man shall be put twice in jeopardy of life or limb for the same cause. Who knows what the board might do? Who knows what one of the little agents of the board might do? What safeguard is there in the bill for carrying out that provision of the Constitution of the United States? We know what the power of punishment for contempt is. We know that time and again Congress and our State legislatures have had to curb, limit, and control the power to punish for contempt. Under the terms of the bill a man might be put into jail and kept there indefinitely, not only for a new offense, but for the selfsame offense.

Mr. President, I have not concluded, but other Senators may wish to speak. It is now practically half past 5 o'clock. The distinguished majority leader [Mr. BARKLEY] just came to my side and asked me if I was nearly through. I told him that I was, and he suggested that when I had concluded I might make a motion to take a recess. I take it that the wish of the majority leader will not be objected to by any Senator. Therefore, Mr. President, I move——

The PRESIDENT pro tempore. Before the Senator makes his motion to take a recess, the Chair asks unanimous consent to lay before the Senate a nomination from the President of the United States, which will be properly referred.

EXECUTIVE MESSAGE REFERRED

As in executive session, and by unanimous consent,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Brig. Gen. Roscoe Campbell Crawford, Army of the United States (colonel, Corps of Engineers), for appointment in the Regular Army of the United States as Assistant to the Chief of Engineers, with the rank of brigadier general, for a period of 4 years from date of acceptance, vice Brig. Gen. Thomas Matthews Robins, United States Army retired, which was referred to the Committee on Military Affairs.

EXECUTIVE REPORT OF A COMMITTEE

Mr. HATCH. Mr. President, as in executive session, from the Committee on Public Lands and Surveys, I ask unanimous consent to report favorably the nomination of Mrs. Eudochia Bell Smith, of Colorado, to be register of the land office at Denver, Colo.

The PRESIDENT pro tempore. Without objection, the report will be received, and the nomination will be placed on the Executive Calendar.

RECESS

Mr. CHAVEZ. Mr. President——

The PRESIDENT pro tempore. The Chair recognizes the Senator from New Mexico.

Mr. CHAVEZ. Before the Senator from Alabama makes his motion I should like to make an observation.

It is the custom in the Senate for the Senator in charge of a bill under discussion to make the motion for a recess.

The PRESIDENT pro tempore. The Chair will recognize the Senator for that purpose.

Mr. HILL. I shall be delighted to yield to the Senator from New Mexico to make the motion.

Mr. CHAVEZ. Out of deference to the Democratic whip, I shall not object to the Senator from Alabama making the motion.

The PRESIDENT pro tempore. The Chair recognizes the Senator from New Mexico to make the motion.

Mr. HILL. Mr. President, does the Senator from New Mexico desire to make the motion?

Mr. CHAVEZ. No.

Mr. HILL. If the Senator from New Mexico does not desire to make the motion, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 26 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, January 29, 1946, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate January 28 (legislative day of January 18), 1946:

IN THE ARMY

ASSISTANT TO THE CHIEF OF ENGINEERS

Brig. Gen. Roscoe Campbell Crawford (colonel, Corps of Engineers), Army of the United States, for appointment in the Regular Army of the United States as assistant to the Chief of Engineers, with the rank of brigadier general, for a period of 4 years from date of acceptance, vice Brig. Gen. Thomas Matthews Robins, United States Army, retired.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 28, 1946

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Rejoice in the Lord, ye righteous; let us worship and bow down before the Lord our maker; He is our God and we are the people of His pasture. Thou, O Lord, art high above all the earth; Thy throne is established of old; Thou art from everlasting. Humbly and thankfully we would come to Thee now in the greatness of Thy glory, and find a way for our hesitant footsteps. At the altar of prayer, help us to catch the contagion of action and start up the path of duty with before us the majesty of a great cause that breaks down the narrow walls of the soul.

An anxious and expectant country awaits our labors. With a compelling determination, help us to go forward to arrest all groups of our citizens from the thralldom of discontent and suspicion. O let peace and progress come from the great light of God and shed its cheer upon every corner of our land. As dauntless servants standing in the gap of insecurity, there is no place for fear or dismay. When we come to the hill of difficulty, grant us the spirit to climb it fearlessly, with true valor and courage. Give Thy sheltering and fostering care to our President and our Speaker and their family circles. And Thine shall be the praise. Amen.

The Journal of the proceedings of Friday, January 25, 1946, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 121. Concurrent resolution authorizing the House Committee on Ways and Means to have printed for its use additional copies of the report to the committee of its technical staff relative to the issues in social security.

EXTENSION OF REMARKS

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an article by Dan Markel and in the other to include an editorial.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include a sermon delivered by the Most Reverend Bryan J. McEntegart, D. D., LL. D., bishop of Ogdensburg, N. Y. Mr. Speaker, this may exceed the limit, and if it does, I ask unanimous consent that it be printed notwithstanding that fact.

Mr. RANKIN. Mr. Speaker, reserving the right to object, whose sermon is it?

Mr. McCORMACK. It is a sermon delivered by the Most Reverend Bryan J. McEntegart at the red Mass in the National Shrine of the Immaculate Conception at the Catholic University of America, Washington, D. C.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. OUTLAND asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article by the Senator from Montana, Hon. JAMES E. MURRAY.

Mr. LARCADE (at the request of Mr. McKENZIE) was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper article.

Mr. PATTERSON asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. FLANNAGAN asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. HOCH asked and was given permission to extend his remarks in the RECORD and include a sermon.

Mr. RABIN asked and was given permission to extend his remarks in the Appendix of the RECORD and include an address on housing by Franklin D. Roosevelt, Jr., and another on the same subject by himself.

Mr. COCHRAN asked and was given permission to extend his remarks in the RECORD and include an article on rehabilitation.

Mr. LYLE asked and was given permission to extend his remarks in the Appendix of the RECORD and include certain letters and a resolution.

Mrs. DOUGLAS of California asked and was given permission to extend her remarks in the Appendix of the RECORD in two instances; in one to include a letter by Senator MORSE published in the Washington Post.

ELECTION OF MEMBERS TO STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. DOUGHTON of North Carolina. Mr. Speaker, I offer a resolution (H. Res. 496) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the following-named Members be, and they are hereby elected members of the following standing committees of the House of Representatives:

Appropriations: J. VAUGHAN GARY, Virginia.

Labor: ALEXANDER J. RESA, Illinois.

The Merchant Marine and Fisheries; HUGH PETERSON, Georgia.

Immigration and Naturalization: JOHN S. WOOD, Georgia; WILLIAM W. LINK, Illinois.

The Post Office and Post Roads: WILLIAM T. GRANAHAN, Pennsylvania.

Expenditures in the Executive Departments: GRAHAM A. BARDEN, North Carolina.

Public Buildings and Grounds: CLEVELAND M. BAILEY, West Virginia.

The resolution was agreed to.

PERMISSION TO ADDRESS THE HOUSE

Mr. O'TOOLE. Mr. Speaker, I ask unanimous consent that today after disposition of business on the Speaker's desk and after any special orders heretofore entered I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

RUSSIAN ATTACK ON ROMAN CATHOLIC CHURCH

Mr. O'TOOLE. Mr. Speaker, I ask unanimous consent to address the House at this time for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'TOOLE. Mr. Speaker, I have read in several of this morning's papers of an attack made by the official Russian Government newspaper upon the Catholic Church, Pope Pius XII, and Cardinal-Designate Francis J. Spellman, of New York. The chief complaint was that the Catholic Church and its two venerable sons whom I have mentioned were Fascists.

Having read this attack against the oldest and most sacred institution in the world and against two of its most illustrious sons, I would be derelict as an American, a Catholic, and as a human being if I did not answer this titanic falsehood.

When Russia was but a great forest and morass, the teachings of Jesus Christ had crystallized through His sanctity and supernatural being into the Catholic Church. This great institution was teaching for the first time to all of the then known world and to its masters the dignity of man, his possession of a soul, the sanctity of his family, and the recognition of the necessity for the respect of constituted authority. It has provided the basis for a civilization that could and would guarantee the fundamental rights of man which we in America so deeply love and which we wish to be the property of all men of all faiths, colors, creeds, and nations: Liberty, justice, equality, and the right to worship God untrammeled and unrestrained. The very rights that our Declaration of Independence and the Constitution guarantee and, also, the very rights that those who now malign the church do not recognize even in this late day.

Pius XII is not only one of the greatest of pontiffs the world has ever known, but he is also one of the greatest men alive today. He has been recognized and termed the "Prince of Peace," a title that flows naturally from his deep and great love for all of God's children. Before the great conflict that the world has not yet emerged from, he labored everlastingly to spare the earth from the holocaust of blood that is still searing millions of people. During the soul-crushing days of the conflict, he was the shepherd of all the oppressed. Religious affiliations, colors, or country meant nothing to Christ's vicar on earth. Oppression and those who suffered from its scourge were his first concern and he provided haven, refuge, and safety in the Vatican to Jew, Christian, atheist, and agnostic. Before the war started, he was recognized throughout the world as the greatest exponent of social justice, and many of President Roosevelt's social principles were reiterations of parts of the encyclical of the present pope. To call Pope Pius XII who has ever recognized man's stateliness a Fascist, especially when he is called this by his present detractors, is the height of absurdity, for the accusers are the very ones who formed the alliance with the Fascist Mussolini only a few years ago and who pledged their wealth, their honor, and their men to assist and defend fascism and perpetuate its pernicious doctrines so that the Italian people might continue to be enslaved. Even while this foul alliance was being made Pius XII was fighting the stench and endeavoring to save the soul of the Italian Nation from pollution.

Every Member of this House knows that long before the war started, as early as March of 1937, I was fighting the Nazi and Fascist on this floor. In that very year I introduced a resolution to suspend relations with Germany until that nation recognized the right of religious freedom. I introduced a bill to forbid the sale of helium gas to Hitler. I worked and voted for lend-lease and for every appropriation that would strengthen our allies, including Russia. I have begged many of Russia's detractors to have patience in their lack of understanding of her diplomatic moves. Now, I find myself losing patience and faith with the seeming unwillingness of that nation to cooperate for that which Americans have fought and died. We want a perpetual peace that recognizes man as a free creature of God and not a vassal of an all-powerful state. We want a guaranty to all of mankind of freedom of expression and not to limit him to a mere parroting of a despotic government.

No man in our country is so beloved as the splendid archbishop of New York, Francis J. Spellman. He is not only the first citizen of New York City; he is also one of the most beloved of all Americans. We of New York, regardless of our faith, have been deeply impressed with his sanctity, humanity, humility, and kindliness. We have learned to love him as the foe of racial and religious intolerance. He has enshrined himself in the hearts of his countrymen by his intense love of country and his sincere desire to serve it regardless of personal sacrifice. He has won the undying gratitude, not only of millions of our servicemen but of their fathers and mothers for the spiritual and human comfort that he gave to our soldiers by his presence on almost every battlefield of this war. His life has been a guide lamp to the road of true Americanism. His faith is a joint one consisting of two "isms"—Catholicism and Americanism—both pure and unadulterated, neither tinted nor tainted by fascism or communism. Our archbishop has taken his place in the history of our country, side by side with other great Catholic Americans, including Alfred E. Smith, Cardinal Gibbons, and Bishop Ireland. We know that his life has been consecrated and spent in the service of his God and his country. We appreciate, as a Nation, his unselfishness, and we feel that the bestowing of high papal honors upon him is a tribute to our country. If the rulers of European governments had the humanity of Pius XII and Archbishop Spellman, not only would there be peace but mankind would blossom in all of God's intended glory. We American Catholics are extremely proud of our record, not only in this war but in the part that we have played in every phase of our country's history. We are proud of the millions—yes, I say millions—of our men who have ever sprung to defend the Republic in its hour of need. So, we mourn our countless honored dead, but we are proud that they have made it possible for liberty to endure. We are proud of our clergymen, statesmen, professional men, laborers, mothers, churches, and institutions that have all contributed to make this country strong. We are proud of our schools and colleges that teach love of God, love of man, and love of our country. With the strength of our pride and the richness of our tradition, we deeply resent attacks made upon our spiritual leaders who have proven themselves to be both servants of God and country.

If Russia really wishes peace and the respect of all the world, she must cease attacks such as this upon a most ancient, respected, and venerable institution. If Russia will borrow from the learnings and teachings of the church, she will survive. The church has seen the coming and the fading of thousands of governments and political philosophies. In the centuries to come she will see hundreds of both classifications come and go. Only that which is good can survive; that which is bad destroys itself.

Governments can survive only if they follow the teachings of Christ: "Love the Lord thy God"; "Love thy neighbor as thyself"; and "Render unto Caesar the things that are Caesar's and unto God the things that are God's."

PERMISSION TO ADDRESS THE HOUSE

Mr. KELLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent that on Wednesday next, after disposition of the legislative business on the Speaker's desk and following any special orders heretofore entered, I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mrs. DOUGLAS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include excerpts from the Washington Post.

The SPEAKER. Is there objection to the request of the gentlewoman from California?

There was no objection.

[Mrs. DOUGLAS of California addressed the House. Her remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. MERROW asked and was given permission to extend his remarks in the RECORD and include an editorial on the jet plane.

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD and include an article entitled "New Pacific Era Dawns as Hawaii Nears Statehood."

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD and include an editorial.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

Mr. MERROW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend by remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

[Mr. MERROW addressed the House. His remarks appear in the Appendix.]

THE STRIKE SITUATION

Mr. LAFOLLETTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LAFOLLETTE. Mr. Speaker, the reaching of a wage agreement by the UAW-CIO with Ford and with Chrysler at a percentage of increase much less than they demanded and below the fact-finding figure rejected by General Motors in its case, and the return to work of the A. F. of L. and CIO packing industry employees does not bear out the administration's charge against labor that it is too big and the present industrial unrest represents, on the part of labor, a grab for power.

Mr. Phil Murray has charged that there is a conspiracy on behalf of management and big business to injure union labor or certain legitimate aspirations of labor or the leaders who speak for those aspirations.

In the light of this charge, let us look at the facts as they exist today.

The strategy of the UAW-CIO is well known and publicly declared, namely, to obtain a recognition of the basis upon which to build a democratic capitalism from General Motors by striking it and permitting competitors to produce. But competitors cannot produce without steel and steel management has rejected every legitimate attempt of the Government and the President to settle the steel dispute. General Motors management has rejected the whole theory of fact-finding. With Ford and Chrysler now ready to produce, if they can get steel, the action of steel, which is so obviously beneficial to General Motors, lends credence to Mr. Murray's charge.

In the face of these facts I conclude that an administration interested in developing a dynamic, democratic capitalism could much better evidence its vision and its good intend by requesting the appropriate committees of the Congress to investigate the implications inherent in the facts which I have set out, facts which so omniously give credence to Mr. Murray's charge, instead of pushing for labor legislation.

J. KENNETH GALBRAITH

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, thinking Americans are much disturbed by the story that is going around that J. Kenneth Galbraith, former Deputy Administrator of the OPA, is to be appointed Economic Director of Germany, representing the State Department. This is the same man who wrecked the OPA under the administration of Leon Henderson. If we are to administer our foreign obligations in Germany satisfactorily and successfully we cannot do it by putting those in charge who are proven failures.

EXTENSION OF REMARKS

Mr. HOFFMAN asked and was given permission to extend his remarks in the RECORD on two subjects.

Mr. REED of Illinois (at the request of Mr. BISHOP) was given permission to extend his remarks in the RECORD and include certain newspaper articles.

Mr. McGREGOR asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the Department of Ohio Disabled American Veterans.

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the RECORD and include two letters from soldiers in the Pacific.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an editorial.

OPERATION OF PLANTS TAKEN OVER BY GOVERNMENT

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I want to be helpful to the CIO, Phil Murray, and Walter Reuther, and to aid in the settlement of labor disputes. The successful operation of an industrial plant by the CIO would go a long way in demonstrating to the public the way out. I should like to say to the gentlewoman from California [Mrs. HELEN GAHAGAN DOUGLAS], and also to the gentleman from Indiana [Mr. LAFOLLETTE] who just spoke, and who bemoaned the fact that steel officials were not doing the right thing by the CIO, that tomorrow I am going to suggest at some length that the Government, in answer to Murray's suggestion, take over and operate the federally owned steel plants, that the Congress and the President turn those plants over to Murray, Reuther, and the CIO and their advisers here in Congress at a $1-per-year rental and let them operate them on the plan they now suggest steel carry on. Then we will know how much Murray, the CIO, and its congressional advisers know about the business.

PERMISSION TO ADDRESS THE HOUSE

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent that tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

THE STRIKE SITUATION

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include certain quotations.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[Mr. JONKMAN addressed the House. His remarks appear in the Appendix.]

MILK FOR EFFICIENCY

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MURRAY of Wisconsin. Mr. Speaker, I call the attention of my colleagues to an article which appeared in the Friday, January 25, Washington Post, about a Government employee, Mrs. Theresa Rupprech Smith, who has reached the age of 73. She is now retiring from Government service and ex-

pects to return to private industry. The article quotes Mrs. Smith as stating:

I don't feel older than 25 and work never hurt anybody.

And further:

Just a week before last I topped the output of all the other stenographers of the board.

Now here comes the recipe for this efficiency. The article continued:

When asked what kept her going with such vigor, Mrs. Smith said, it was a quart of milk a day, plenty of rest, and no worry.

Here, then, may be the key to the overloaded Federal pay roll. If they would all consume enough milk, no doubt the Federal pay roll could be reduced from the present 3,200,000 down to somewhere near what is necessary to really carry on the governmental affairs efficiently.

I am sure it would be appropriate to mention that Wisconsin produces about one-eighth of the milk of the Nation and that Wisconsin has contributed from one-fourth to one-third of the increased wartime milk production.

I am certain Wisconsin dairymen would continue maximum milk production in order to furnish the magic food, the wonder product, the greatest and best food known to man—milk—in order to reduce the Federal pay roll and to prevent the hiring of additional anticipated thousands to be placed on Federal pay rolls in the Department of Agriculture and other agencies of the Government.

We all wish Mrs. Smith continued happiness and contentment and most of all the quart of milk a day she feels she really needs for a fuller and longer life.

THE PRICE-CONTROL PROBLEM

Mr. SLAUGHTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SLAUGHTER. Mr. Speaker, most Members of the Congress are in favor of price control, have supported it in the past, and probably will support its continuance. But, I submit, it will be an empty gesture to enact an extension of the Price Control Act if the proposed policy of buying industrial peace by raising the price of steel $4 per ton is carried out. In those instances where wage increases are deserved, they should be granted if it can be done without raising the price of the commodities. But if you merely buy a little temporary peace by raising the price of steel and raising the price of meat in order to allow for wage increases which would not be possible otherwise and in order to gain temporary relief in the industrial strife that is going on, then I say that inflation will surely come. Such temporary peace bought with the people's money will only delay the day of reckoning.

The SPEAKER. The time of the gentleman from Missouri has expired.

THE STEEL INDUSTRY

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, we hear a great deal about a desire for a cooling-off period for labor. The gentleman from Michigan [Mr. HOFFMAN], and others who are like minded, need the "cooling off" more than labor. Scores of bills have been offered to tear labor apart and throw the unions to the wolves. Reading these proposals, one would think that all capital is lily white and that all workers are racketeers. Remember it was United States Steel, and not the CIO, who thumbed its nose at the White House and rejected President Truman's mediation offer. Can you imagine the screeching and screaming if the CIO had rejected the President's offer? The rage in some quarters would have been unconfined as well as unrefined.

EXTENSION OF REMARKS

Mr. CELLER asked and was given permission to extend his own remarks in two instances.

LONG BEACH, CALIF., AIRPORT STARTING POINT OF HISTORICAL TRANSCONTINENTAL FLIGHT

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, because it is a matter of international as well as national significance in the field of aeronautics, I call your attention to the fact that three jet-propelled planes crossed the United States January 26, 1946, in 4 hours 13 minutes and 26 seconds, starting their history-making flight from the strategically located municipal airport at my home city of Long Beach, Los Angeles County, Calif. It should be significant to the world that this favorably located airport in my home city is used for this important experiment, as well as having been used about 3 weeks ago when the *Mixmaster* flew across the continent faster than any similar plane had ever flown before.

Not only was this municipal airport at Long Beach a valuable asset during war, but use has already demonstrated that its location is the most available for civilian, freight, governmental purposes. The city has stressed its importance for many years and has extensive and valuable facilities there erected.

That United States Army jet-propelled plane—a Lockheed P-80—flew the 2,407 miles from my home city of Long Beach to LaGuardia Field, New York City, in 4 hours 13 minutes and 26 seconds. This time shaves almost an hour and 15 minutes from the former transcontinental flight of 5 hours and 27 minutes. The speed of the Long Beach plane which did not stop for refueling was 584.82 miles per hour, while two other Long Beach planes of like make, on the same day, flew the same distance and, although they stopped for gas, one of them had only 4 hours 33 minutes and 25 seconds elapsed time and the other 4 hours 23 minutes and 54 seconds elapsed time. These planes also broke the transcontinental record.

It is no wonder, then, that newspaper headlines and picture features on Saturday and Sunday all over the Nation carried feature news stories dated at Long Beach, Calif.

I am sure Members of the House will felicitate me upon having in my congressional district, at my beloved home city, an airport so strategically located as to be chosen as the most desirable.

PRICE FIXING A FAILURE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I regret I cannot agree with my distinguished friend from Missouri on price fixing.

The administration is not any more controlling the situation and preventing inflation by attempting to fix prices, instead of trying to control expansion of the currency, than they could fill an empty barrel by pouring water in at the bunghole with both ends open.

A young soldier wrote the other day that a man paid $50 in American money for a pair of shoes in Paris, France, that would cost $10 in this country.

The prices in this country are fixed on the basis of the volume of currency in circulation in 1930, $4,426,000,000.

In September 1945 we had $27,825,000,000 in circulation, more than six times as much. The prices of our own commodities are rising abroad in response to the volume of our currency, as they would do here if not artificially interfered with.

If you want to get the country back on its feet and do something really constructive, the thing to do is to put a stop to the Federal Reserve issuing additional hundreds of millions of dollars in currency each month thereby further expanding the currency and depreciating the value of the American dollar.

Inflation is already here. As I said we have $27,825,000,000 in circulation, whereas we had only $4,426,000,000 in circulation in 1930.

Prices, when not artificially restricted, are going to rise to a level of the volume of the Nation's currency multiplied by the velocity of its circulation. If prices are artificially held down in this country, our goods, including meat, sugar, and other necessities, will find their way out of the country to those areas where they will bring far higher prices in American money than they would in the United States.

This situation cannot be cured by price fixing at the hands of the OPA.

We need to go to the root of the trouble.

The SPEAKER. The time of the gentleman from Mississippi has expired.

PUBLICATION OF THE STARS AND STRIPES

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, according to the Associated Press reports, the Army is discontinuing publication of the Stars and Stripes in the Pacific theater. It appears to me that the men over there who are sweating it out, about a quarter of a million of them in the Philippines, who are wondering what they are there for, must consider this as severing the last straw, as far as supporting their morale is concerned. The reason given by the Army is a lack of proper personnel. They have frozen a lot of men in the Army, and certainly they could have frozen this little handful of men who were putting out the Stars and Stripes. Discontinuance of this publication is not justifiable and cannot be explained and never will be accepted by the people back home, as to why the Stars and Stripes should be withheld. Maybe it was getting too much information from Washington to the men over there. Maybe the thing was getting out of hand for the men want to come home. I think it is a body blow to the men over there who are sweating it out.

The Stars and Stripes has proven a great help and gave much consolation to the men in foreign service. I frequently received clippings and comments from both theaters of war. One GI from Manila, where there are 20,000 men, writes me saying:

What do we do here? Well, the Quartermaster boys furnish food and clothing for the other fellows. The medics take care of sick call for the Quartermaster and other boys, and the engineers keep up the roads for the trucks. Ordnance furnishes the trucks, and the infantry pulls MP duty to keep the traffic going. The Signal Corps keeps up their communications. That's the way it goes—we take care of our own needs and that's about all. It seems to us that it's a pretty expensive affair, a waste of manpower and the money of American taxpayers.

Surely the Stars and Stripes would serve a good purpose here.

EXTENSION OF REMARKS

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include an editorial dealing with the location of the United Nations Capital.

ENFORCEMENT POLICIES IN THE OPA

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, to revise and extend my remarks and include a telegram I have received from the Retail Grocers Association of Twin Falls, Idaho.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. DWORSHAK. Mr. Speaker, last week representatives of the Nation's food dealers gathered in Washington to discuss the matter of cooperation and enforcement policies in the OPA program. I presume many Members attended those conferences. I am fully acquainted with the fact that while there was cooperation between the American people—whether they were consumers, retailers, or wholesalers—and the OPA during the war, there is now a tendency toward the adoption of enforcement policies by OPA, which border upon gestapo tactics. I receive complaints from my own State that enforcement officials apparently are doing everything they can to undermine public confidence in the OPA program. Typical of the reaction among Idaho food dealers is the sentiment expressed in the following telegram I received from the Retail Grocers Association of Twin Falls:

TWIN FALLS, IDAHO, *January 25, 1946.*
HENRY C. DWORSHAK,
Member of Congress,
Washington, D. C.:

Regulations and enforcement methods of OPA becoming unbearable. Food dealers here organized 100 percent. Six representatives met with OPA enforcement officers in Boise yesterday. Results unfavorable. We believe control some items may be still necessary. Would rather see country abandon price control on foods than policed by gestapo methods now used. Group feels best leave regulations but ask for margin of tolerance for unintentional minor violations. Believe most shortages of merchandise caused by OPA regulations. Surely better plan can be devised.

RETAIL GROCERS OF TWIN FALLS,
MEL CARTER, *Secretary.*

The SPEAKER. The time of the gentleman from Idaho has expired.

COLLECTIVE BARGAINING

Mr. BIEMILLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BIEMILLER. Mr. Speaker, where there is a will there is a way. The agreements reached over the week end between the United Automobile Workers and the Chrysler and Ford Corporations prove that old saying. Here we have two good examples that collective bargaining will work when both sides sit down around the conference table in good faith, where the corporations are willing to listen to the claims made by the unions. As a result, settlements have been reached and peace prevails in those two large segments of the automobile industry.

On the other hand, I think those settlements emphasize once more the arrogance of General Motors in refusing to proceed with sound, honest collective bargaining. I hope the Congress will soon decide to have a thorough investigation of the charges that have been made on this floor that there is a conspiracy on the part of Wall Street interests behind the steel companies and General Motors to break down the union movement in this country. It is high time we ascertained the truth in this intolerable situation.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

RETURN OF PUBLIC EMPLOYMENT OFFICES TO STATE OPERATION

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, I call up House Resolution 494 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4437) to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 3 hours to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Labor, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, I do not believe it is necessary for me to explain the provisions of H. R. 4437, to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, and for other purposes, which is made in order for consideration by this rule. It is an open rule providing for 3 hours of general debate, and amendments may be offered when the bill is read for amendment under the 5-minute rule.

The Members are familiar with the rider which was attached to H. R. 4407, the so-called rescission bill, providing for the return of the Employment Service to the operation of the respective States within 100 days, which was vetoed by the President. In view of the convincing reasons given by the President in his veto message, I cannot understand why the Republicans are bent in having the Service returned to the States unless it is for political reasons, and, perchance, that they feel they may obtain some advantage in obtaining patronage when the Service is turned over to the States. Under the leave granted me, I insert at this point that part of the President's veto message pertaining to his disapproval of the rider attached to the so-called rescission bill. I am satisfied that any fair-minded person reading his message will come to the conclusion that it was absolutely impossible to turn over these important functions to the States in the short period of time as provided in the original bill.

The President's message is as follows:

I am withholding my approval of H. R. 4407, reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes.

* * * * *

In addition to its effect on appropriations, however, the bill contains provisions which require our system of public employment offices—now unified in a single national system—to be broken up within 100 days, and transferred to operation as 51 separate State and territorial systems.

While I believe such a transfer should be made at the proper time, I am convinced that this bill requires that it be made at the wrong time and in the wrong way. Such a dispersion and transfer at this time would immeasurably retard our reemployment program. And as the basis for Federal-State cooperation, in a fundamental program of national importance, the provisions of the bill dealing with the public-employment offices are unsound and unwise from any point of view.

So far as the timing of the transfer is concerned, the period designated by this bill—the next 100 days—is the most disadvantageous that could have been chosen. It will result in a disrupted and inefficient employment service at the very time when efficient operation is most vitally needed by veterans, workers, and employers.

Our local public employment offices are now, and will be during the next several months, in the midst of the peak work load in their history. This is because the offices are now engaged in counseling and placing millions of applicants who require individualized service. These applicants include able-bodied veterans seeking assistance in their readjustment to civilian life, handicapped veterans requiring even more time and guidance in finding the jobs most suitable for them, and unemployed war workers who are confronted by difficult readjustments because of substantial reductions in job opportunities at their wartime skills and wage rates.

At such a time any change in management and direction is necessarily disruptive to the service. A change which would replace our present single and unified management by 51 separate managements would be very harmful. Even with every effort by the States to promote a smooth transition, the transfer of some 23,000 employees to new conditions of employment, and the adjustment of operations to the requirements of 51 different State agencies, will inevitably cause confusion and delay.

In my reconversion message of September 6 to the Congress, I pointed out our national responsibilities and problems in connection with reemployment during the reconversion period. During this period displaced war workers and the veterans who are returning to civilian life at the rate of more than a million per month will need, and have a right to expect, from their National Government, an effective job-counseling and placement service. These problems and responsibilities cannot, in a period when millions of veterans and other workers are moving across State lines, be met adequately through 51 separate and independent public employment service systems, linked only by the necessarily remote and indirect influence of a Federal agency financing the State systems through grants-in-aid.

For these reasons, I now repeat my recommendation that the transfer of our public employment offices to State operation be postponed until June 1947. The administration is committed to returning the Service to State operation, and that commitment will be carried through. But this is not the time.

Apart from the timing of the transfer, the provisions of H. R. 4407 which govern the basis for Federal-State cooperation in the maintenance of public employment offices do not assure that an adequate service will be available in all States.

The bill provides for the operation of public employment offices by the States under rules and regulations prescribed by the Secretary of Labor to carry out the provisions of the Wagner-Peyser Act. Operating costs would be met entirely by the Federal Government. These provisions of the bill would remain in effect for only a few months—the balance of the current fiscal year.

The bill precludes the granting of funds to any State which is unable, or unwilling, to comply with the provisions of the bill or any requirement of the Secretary of Labor pursuant to the provisions of the bill.

A Federal-State cooperative program for a national system of public-employment offices financed entirely by Federal funds must at least provide assurance as to two basic objectives: The Federal Government must be sure that the essential services are being provided through the States' employment offices, and it must know that the offices are being operated with reasonable efficiency. Under such a program, the Federal Government is not interested in prescribing minute or insignificant details concerning the State operation, but it does have a stake in the preservation of reasonable standards.

H. R. 4407 provides no effective protection for this national interest. If any State, for any reason, cannot or does not meet the minimum requirements, Federal grants cannot be made. But at the same time the Federal Government itself is precluded from continuing the operation of public-employment-office facilities in the State.

This means, in effect, that when there is a substantial failure to provide essential services or to meet minimum standards of efficiency, the Federal Government must choose between two alternatives which are both unsatisfactory. It must either acquiesce in the substandard operation—or, by withholding funds, it must deprive all of the State's employers, workers, and veterans of a service they need and to which they are entitled.

At the time of such acute emergency—when employment offices are needed to provide veterans with the services with which the Congress has required they be provided, and needed also to assist other unemployed workers in securing peacetime jobs—I cannot approve legislation which, under some conditions, may offer only a choice between a substantially substandard service or no service at all.

It seems clear to me that a matter of such grave importance as our public-employment system deserves not only permanent legislation, but legislation carefully and separately considered. Issues of such a difficult and vital nature should not be dealt with as riders to appropriation bills.

The fact is that our present legislation governing the operation of our cooperative Federal-State employment service system, enacted in 1933, needs thorough revision in the light of changed conditions. Several bills now pending before both Houses of Congress—H. R. 4437, S. 1456, and S. 1510—are designed to accomplish this. Enactment of such permanent legislation is essential before a transfer back to State operation can be achieved in an efficient and orderly manner.

Adequate and uniform standards of service must be maintained and proper security for the personnel of the organization itself must be provided in a permanent way, if it is to keep and attract the caliber of personnel able and eager to perform its important tasks.

Only in this way can we provide a sound and permanent basis for Federal-State cooperation in the maintenance of a postwar system of public employment offices which will meet the needs of veterans, employers, workers, and the Nation as a whole.

While I object to the specific measure which this bill proposes to carry out with respect to our employment service, I object even more strongly to the legislative method employed for its enactment. To attach a legislative rider to an appropriation bill restricts the President's exercise of his functions and is contrary to good government.

In view of my past legislative experience, I realize the obligations of the President to the Congress as a coordinate branch of the Government. At the same time I must be equally aware of the constitutional responsibility of the President to the people, and of the obligation of the Congress to help him discharge that responsibility.

The Constitution has placed upon the President the duty of considering bills for approval or disapproval. It has always been possible for the Congress to hamper the President's exercise of this duty by combining so many subjects into a single bill that he cannot disapprove an objectionable item without holding up necessary legislation.

Partly in order to prevent this practice, it has long been considered a fundamental principle that legislation on a major issue of policy ought not be combined with an appropriation measure. The present bill directly violates that principle. I am obliged to withhold my approval to some very excellent legislation because of the objectionable practice which has been followed by attaching this rider which I cannot possibly approve.

HARRY S. TRUMAN.

THE WHITE HOUSE, *December 22, 1945.*

Mr. Speaker, the Service, as I have said, has been efficiently administered since the Government assumed control in 1942. I have never heard any complaint from anyone against its operation and handling. On the other hand, I have received a great many communications urging that the Service should remain under Federal control where it has rendered splendid service to hundreds of thousands of unemployed. I am sure all who are familiar with the administration of the Service under the Government must concede that it has functioned in a highly satisfactory manner and has rendered exceptionally valuable service.

I shall not take up the further time of the House in explaining the provisions of the bill, feeling that the membership are thoroughly informed as to its purpose, and I reserve the balance of my time.

Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN. Mr. Speaker, I yield myself such time as I may require.

The SPEAKER. The gentleman from Illinois is recognized.

Mr. ALLEN. Mr. Speaker, some reasons why the employment services should be returned to State control immediately:

First. Efficient handling of unemployment requires that the same agency which dispenses unemployment compensation should also be responsible for assisting the unemployed to obtain jobs.

Second. The State employment services were operated efficiently by the States before the war and were simply "loaned" to the Federal Government for the duration.

Third. The continued operation of the employment services by the Federal Government will make it more and more difficult as time goes on to have these services returned to the States. Continued Federal operation will eventually result in federalization of the entire unemployment compensation system with the loss of experience rating provisions in the State laws and the imposition of a flat rate of tax.

Fourth. The employment services do not provide jobs; they provide the means through which employers who have a job to offer can communicate with the unemployed, and employers will cooperate with a State employment service operated in conjunction with the unemployment compensation system.

Fifth. The continued operation of a wartime agency on a Federal basis has in it the possibilities of its being changed from a service organization in a free labor market to a police organization in a planned economy.

Sixth. Up to September 30, 1945, over $1,056,000,000 was collected by the Federal Government under the 0.3-percent Federal unemployment tax and only a little over $440,000,000 was returned to the States for administration of the unemployment compensation systems, leaving a net income to the Federal Government of well over $615,000,000 which went into general revenue.

Seventh. Job placement and counseling of veterans is primarily the problem of the community to which the veteran returns. Veterans will run into less red tape under State-operated employment services.

Eighth. The States have worked out an efficient system of handling interstate claims for compensation and can cooperate in the same manner in making known job opportunities in other localities.

I trust this bill will be amended returning employment services to State control immediately.

Mr. Speaker, I now yield 5 minutes to the gentlewoman from Illinois [Miss SUMNER] and ask unanimous consent that she may speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Miss SUMNER of Illinois. Mr. Speaker, bearing in mind that chaos is the prelude to communism look at what happened in Illinois this week end.

For many years both Democratic and Republican regimes in Illinois have neglected to redistrict. But certainly the war period was no time to redistrict. It would be wrong to tempt Congressmen to leave their duties to campaign in new districts. Unsettled war conditions made redistricting unfair to multitudes of busy people including displaced war workers and exiled soldiers who could not know as yet where they would reside. Redistricting now meant more machine-controlled Congressmen but apparently that was exactly what New Dealism wanted. New Dealers drummed up a crusade for immediate redistricting, urging that it is against the Federal Constitution to delay redistricting—though we all know from experience that New Dealism seldom misses a chance to scuttle the Constitution.

Only a few days before the last day for filing primary petitions a lawsuit was filed in Chicago with the avowed object of having all Illinois congressional districts declared unconstitutional and forcing all candidates for Congress into State-wide campaigns. The complainants were two University of Chicago professors. They boasted in the press that their rank was a guarantee that their lawsuit was high-minded. It was not pointed out that here as in Russia and other countries professors are the favorite tools of the Communist revolution.

Saturday afternoon came the news that the professors had won their lawsuit in the Chicago court. Sunday being a holiday, candidates had only a few hours in which to file revised statements and assemble petitions, a task usually requiring weeks. As a practical matter, candidates not endorsed by any party machine are bound to lose out. The professors' victory was a tremendous triumph for machine politics in Illinois.

And what if the Supreme Court should reverse the decision as any good court would surely want to do, the suit having been filed so unreasonably late and being so clearly against the public interest? The Supreme Court, one can only hope, will feel forced to uphold the unwarranted decisions of the Chicago court in order to prevent chaos and prevent the people of Illinois being robbed of their right to representation in Congress.

Incidentally the mischief done by these professors serves to raise the question, what can we do to raise the standard of qualifications required of instructors in universities? Here as in Russia and Germany future voters are being indoctrinated with the Communist propaganda which nowadays passes for jurisprudence, economics, and history. The problem is no longer the little red schoolhouse but the big Red university. Why? Obviously because here as in Russia and Germany rewards and political recognition go to those teachers who disseminate the propaganda. Anybody possessing the scanty learning required to become a college instructor has a good chance to become a radio debater, a Member of Congress, a Government agency czar, a member of the favored caste—providing only that he zealously follow the Communistic Party line.

The vigilant citizens of Illinois will resist this atomic move to purge their Representatives in Congress. But patriots everywhere should be on the alert. The attempts to take over the American Republic are growing increasingly bold.

Mr. RANKIN. Mr. Speaker, will the gentlewoman yield?

Miss SUMNER of Illinois. I yield to the gentleman from Mississippi?

Mr. RANKIN. I was going to say that when we had the little red schoolhouse we did not have any little Red school teachers.

Mr. SABATH. Mr. Speaker, I ask unanimous consent that I may proceed out of order for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I am not surprised that my colleague, the gentlewoman from Illinois [Miss SUMNER] should attempt to charge the New Deal with responsibility for a petition of injunction filed in Federal court in Chicago to prevent the secretary of state from certifying candidates for Congress by districts. It is not unusual for my colleague to blame on the New Deal everything she dislikes, and her dislikes are many, or to call that of which she disapproves of Communistic tendency. But the Democratic Party has nothing to do with this injunction. If the injunction should be granted all candidates would have to run at large. In all likelihood that would mean the election of 26 Democrats, it is true, notwithstanding that there are some few Republicans with progressive ideals whom I personally, as a good Democrat, would dislike to see eliminated. Nevertheless, my colleague's charges are unjustified and unwarranted. In the three-judge court which heard the petition, a Democrat sided with the one Republican judge in refusing to dismiss the petition for lack of jurisdiction on motion of the attorney general, who is himself a Republican.

Personally, I agree that the action and application are, to say the least, untimely. It is manifestly unfair at this late hour. I advocated reapportionment and redistricting 20 years ago, when we had a Democratic governor and a Democratic legislature favorably inclined to redistricting. Unfortunately, down-State members of the legislature, together with a few others, opposed redistricting then, mainly on the grounds it would give Chicago two or three additional Members of Congress, and also additional members of the State senate and house. No action was taken then or since. That redistricting should have taken place years ago, I concede; but I agree with the gentlewoman that at this time it is untimely and unfair, and will not be for the best interests of the State of Illinois. To require now that each of the 26 Representatives to which the State is entitled be elected at large may deprive some sections or some industries of their representation entirely.

All that aside, I have hope that before tomorrow the court will grant a continuance on the petition or will postpone action. I do not think that the fears of the gentlewoman from Illinois, and of the other Members from Illinois on the Republican side, are justified, because I do not think any real action will be taken that will force all candidates for Congress from Illinois to run at large.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Illinois.

Mr. CHURCH. The gentleman just spoke of his hope that before tomorrow the court might take action.

Mr. SABATH. I mean by tomorrow, yes; because it has been continued, I understand.

Mr. CHURCH. The last filing day is tomorrow, Tuesday.

Mr. SABATH. That is correct; the last day for filing is tomorrow.

Mr. CHURCH. I wondered what the gentleman's knowledge is as to what the court might be going to do.

Mr. SABATH. I said it would be manifestly unfair for the court at this time to grant the injunction against the secretary of state. Although I have always advocated redistricting, I think that to bring it about at this time, at the last hour, is manifestly unfair, and would deprive some Members and some candidates of the opportunity to file. I do not agree with this course, and it is emphatically not the work of the New Deal.

Miss SUMNER of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. There would be no way for a candidate, down-State or up-State, who did not have the support of the party organization to get his petition for Congressman-at-large out at this late date.

Mr. SABATH. That is right. I am glad that the gentlewoman is correct at times, especially in this instance. However, I do not wish to be misunderstood. I do not desire that my statement be taken as meaning that necessarily no action will be taken. I am of the opinion only that the judges will find that the issuing of an injunction at this late date may cause more harm than good.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I want to talk just a little about the matter before us, but before I do that I cannot resist suggesting to the gentleman from Illinois, the very estimable dean of the House and chairman of the Committee on Rules, that I am equally confident that if all the candidates for Congress in Illinois ran at large there would be a solid Republican delegation form Illinois.

Mr. SABATH. The gentleman does not live in Illinois, so he does not have the information I possess.

Mr. HALLECK. No, I live in the great State of Indiana, but I have looked over the Illinois figures a number of times.

Now let us get back to the matter before us, which is the bill alleged by some to bring about the return of the USES to the States. I should like first of all to refer to a telegram that was addressed on December 19, 1941, by the then President of the United States, Franklin D. Roosevelt, to the then Governor of the State of Indiana, my State, the Honorable Henry F. Schricker. I do not know that it makes any difference, because I do not believe we should approach this matter on any partisan basis, but in order that there may be no question, Mr. Schricker was of the same political faith as the then President.

The telegram read as follows:

DECEMBER 19, 1941.

To Hon. HENRY F. SCHRICKER:

Now that this country is actually at war it is more than ever necessary that we utilize to the fullest possible extent all of the manpower and womanpower of this country to increase our production of war materials. This can only be accomplished by centralizing recruiting work into one agency. At present, as you know, the United States Employment Service consists of 50 separate State and Territorial employment services whose operations are loosely coordinated by the Federal Government. In order that there may be complete responsiveness to the demands of national defense and speedy, uniform, effective action to meet rapidly changing needs, it is essential that all of these separate employment services be given instructions by the proper Federal officials that the necessary steps be taken to accomplish this purpose at once. I ask that you likewise instruct the proper officials of your State to transfer to the United States Employment Service all of the present personnel, records, and facilities required for this operation. Inasmuch as the Federal Government is already paying practically 100 percent of the cost of operation and the State personnel has been recruited on a merit basis, there will be no difficulty in transferring State employees into the Federal service. These employment offices will continue to serve the unemployment compensation agency so that there will be no need to set up duplicate offices. I shall appreciate your advising me, at once, of your full cooperation so that the conversion of the present Employment Service into a truly national service may be accomplished without delay.

FRANKLIN D. ROOSEVELT,
President, United States of America.

I take it that similar telegrams were sent to the governors of other States. The Governor of my State responded to that telegram on December 22 in these words, and I think they are important in any consideration of this matter.

DECEMBER 22, 1941.

FRANKLIN DELANO ROOSEVELT,
Washington, D. C.:

Pursuant to your telegram of December 19, I have discussed the federalization of Employment Service activities now performed by the Indiana Employment Security Division with the board and director of that division and have arranged with them to comply with your request.

Indiana labor and industry have cooperated wholeheartedly with our State organization, which is a completely integrated agency and does not consist of two separate organizations for administration of unemployment compensation, on the one hand, and employment service on the other. I am quite sure that federalization of a part of that organization will not result in any greater efficiency in operation. However, I assure you of our desire and willingness to cooperate with you during the present emergency, and for that reason I am taking the initial steps to comply with your request. In this compliance it is my understanding that the federalization is for the duration of the present war and that upon cessation of the emergency the employment service functions will be returned to the control of the people of Indiana.

HENRY F. SCHRICKER,
Governor of Indiana.

To my mind, in the absence of some specific denial of that request and those conditions, it creates a clear responsibility upon the Federal Government to now return these services to the States. So far as I know, there never was any different understanding about it. If that is true, then, since it was stipulated that the transfer to the Federal Government was for the duration, the time has come for the return of these services to the States.

It seems to me there is another thing implicit in that exchange of telegrams and implicit in the language used by the Governor of my State, that is, the services when returned to the States should be returned in that form and degree that they were held by the States and used by the States before their voluntary transfer to the Federal Government in compliance with the request of the President, to meet the emergency caused by the war.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield three additional minutes to the gentleman from Indiana.

Mr. HALLECK. How about this bill that has come out of the committee? If you will read it, you will see it is a return in fiction and not in fact. First of all, the return is too long delayed. Secondly, there are such restrictions, limitations, impositions of regulations, and controls that if the return is effected by the terms of the proposal which has come from the committee it will not be a return to the States, but rather in truth and in fact the real control, the real operations, the real direction, will be retained in Washington in the Federal Government. It will not be such a return to the States as it was clearly understood and agreed should be the case when the transfer was made to the Federal Government.

Mr. HENRY. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Wisconsin.

Mr. HENRY. I take it the gentleman from Indiana agrees with us in Wisconsin that when those services were turned over to the Federal Government we assumed they were being loaned to the Federal Government and expected them to be returned to us in that original form.

Mr. HALLECK. Why, I think it is just a matter of common understanding that that was the situation which prevailed. That was the understanding that was had generally throughout the country. Obviously, when the time comes for a return, the return should be made of the services as they existed and were operated at the time the Federal Government asked for the transfer of them to the Federal Government.

Now, after the return is effected, if it is the desire of Congress that there be some regulation or limitation or restriction imposed from Washington, then let us take that up and consider it. However, I for one am beginning to be disturbed, not only at the implications contained in this bill, but in other operations which presumably were left to the States but where we have seen the constant encroachment of Federal power on the functions of the several States.

The SPEAKER. The time of the gentleman from Indiana has again expired.

(Mr. HALLECK asked and was given permission to revise and extend his remarks and include therewith a telegram to the Governor of Indiana from the President of the United States.)

Mr. ALLEN of Illinois. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I am supporting House Resolution 494, which makes in order H. R. 4437, the Ramspeck bill, because the adoption of the rule will give me the only opportunity I will have to vote to amend the Ramspeck bill or to vote for some substitute bill to take its place. I want to cast my vote for such amendments, or a substitute, in order that the Federal Government may be required to promptly return to the various States the employment services which were taken out from under their jurisdiction as a war measure, and because I believe the Federal Government should maintain inviolate and keep the definite pledge it made to the States, that when hostilities were over the employment services would be returned to State control. So I shall support the rule in order to bring this bill to the floor, and then I shall support amendments or substitute bills which will provide for the early return of the employment services to the States.

I am hoping that any substitute which will be offered will eliminate many of the sections contained in the Ramspeck bill. If not, then I shall support any amendment for the purpose of striking out those sections of the bill which would fasten Federal bureaucracy upon the States, and provide for Federal control of the employment services after they are returned to the States.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. JENKINS. In line with the gentleman's remarks with reference to the Government having importuned the States to turn over these facilities, I would like to call the gentleman's attention to the fact that our Governor, Mr. Bricker, at the time President Roosevelt made his request, entered into that situation more exhaustively than any other governor. In other words, he held out a long time and had a more definite understanding than probably any of the other governors, because he insisted that the matter be thoroughly understood before that change was made.

Mr. BROWN of Ohio. In Ohio, for many years, we had a very efficient and effective employment service. The department which handled that work did so in a way most pleasing and satisfactory to all our citizens. It was administered more economically than under Federal operation. The people of Ohio, almost unanimously, are exceedingly anxious to have the employment services returned to the States, and to see reinstituted the efficient administration we enjoyed prior to the Federal Government taking over control of that agency.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. EBERHARTER. Was your State employment service in operation in 1933 in the city of Cleveland, Ohio, when thousands and thousands of men were out of employment and could not find any jobs?

Mr. BROWN of Ohio. Yes; and functioned efficiently, too. I noticed the Federal Government, at that time, did not find any jobs for the unemployed except through made "leaf raking" projects. The gentleman should know the Employment Service, under either State or Federal control, does not create jobs, but simply places applicants in jobs which may be available.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 7 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, the matter that is pending before the House now, in my judgment, will be one of the most, if not the most important measure that this Congress will consider. That covers a great deal of latitude, but I speak rather advisedly when I say that.

First of all, the transfer of USES to the States, from the standpoint of time, is important. I would not mind compromising on that date and making it June 30, 1946, but not June 30, 1947, for by that time the whole disruptive force and the damage will be done. So it is important that they are transferred at an early date.

However, it has been made to appear that that time is the most important thing about this bill. Well, it is not. The important thing about this bill is the delegation of authority to the Secretary of Labor to the point that this is, for all intents and purposes, a federalization of the service. There are two ways of federalizing a function. The first is to simply lift it up bodily and transfer it to the Federal Government.

The other is to make it appear that a cooperative State-Federal system is being proposed, but to delegate such broad powers to a Federal bureau that it becomes in truth and in fact a complete federalization of the system so that for all practical purposes the States are controlled at every level of activity if in the Secretary of Labor's wisdom, his discretion, and his naked opinion he has a different idea. Time will only permit at this moment to point out some things, but I should say by way of prelude that tomorrow when we read the bill I shall offer a complete substitute for this bill that will delete all these objectionable provisions and advance the time for transfer.

Let me point out what is in here. If you look, for instance, at page 3, lines 10 and 11, you see some amendatory language of the Wagner-Peyser Act:

> To promote, develop, and assure the maintenance of such other special service programs as may be necessary to carry out the purposes of this act.

Do you remember when an effort was made to put the placement of school teachers under Paul McNutt? Do you remember when an effort was made to virtually place the whole teacher-placement program in Social Security? You remember that. "And other special programs." There it is in very obscure language as to what they intend to do.

Suppose you turn over to page 4, lines 2 and 3. Note the particular language in lines 2 and 3:

> To promote the development of such programs as may affect employment.

What kind of programs, public works? What kind of programs, relief programs? What kind of programs? Anything that affects employment. There is a broad delegation of the authority which it is now proposed to invest in one individual in the Federal Government, namely, the Secretary of Labor.

Look at the language on page 8, in line 12:

> To maintain reasonable referral standards which will, to the maximum feasible and consistent with the purposes and provisions of this act—

And so forth. Every State today has a provision regarding suitable employment. Suppose the Secretary of Labor says to the State of Illinois, "We do not agree with that provision of the State law."

We must conform to other referral standards which are satisfactory to him irrespective of what the people of Illinois may think or what their legislature may have done about it. So once you delegate him that power, you have for practical purposes, in the Ramspeck bill, federalized the employment services notwithstanding the gesture of handing them back at some time. That is the difficulty with the bill that is before us, and I do hope in the interest of rolling back this tendency to completely federalize something that ought to remain at the grass roots, that by an overwhelming majority the Ramspeck bill will be rejected and the substitute adopted. That is why I say this is one of the most important things this Congress will be called upon to consider. If this bill is enacted into law the damage of actual federalization, even though nominal cooperation is maintained, will have been achieved.

Mr. WADSWORTH. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. WADSWORTH. May I call the gentleman's attention to a provision which is found on page 10 relating to the covering into the State service, as it were, of Federal employees. That would be unconstitutional under the constitution of the State of New York and its civil-service regulations.

Mr. DIRKSEN. Exactly; so in the substitute, may I say to the gentleman from New York, I have incorporated the language that we contrived with the Senate Appropriations Committee after a good many hearings that seemed to be agreeable to everybody all the way around and that meets the test of constitutionality; and yet here is an all-inclusive provision that is going to be very difficult, for it carries out the basic design of the framers of the bill to keep the power in the Department of Labor and make all the jurisdictions in the country conform. The argument will be advanced, for instance, that employment is a national problem and that there is no interstate clearance. I will be able to offer some information on that subject tomorrow, but there is not a State in the Union that is not operating on an interstate clearance basis and had been doing so long before these services were ever transferred at the request of the former President of the United States. All those matters have been taken care of.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. BAILEY. Would the gentleman be willing in the amendment he is to offer to strike out the Federal appropriation and let the States support the employment offices?

Mr. DIRKSEN. Let us meet that matter for a moment. That is one of the old canards that has been coming on here for a long time. Let me remind the gentleman from West Virginia that this Congress at the instance of the President made it impossible for the States to carry on by means of a pay-roll tax which simply siphoned the money out of the States into the Federal Treasury, setting aside a portion of it for administrative expenses. That amount today is in the hundreds of millions of dollars more than was required. Therefore, funds from the States have been available to offset all appropriations by Congress.

Where did the money come from? The gentleman refers to Federal funds. The Federal Government has no funds excepting in proportion as it taxes out of the frugality and the sweat of the people in my town and in yours. Yet that is one of those strange canards that has been going on here for a long time. It is not Federal money, it is only Federal money nominally because the Government took it away from the people back at the grass roots who have an interest in this thing.

Mr. BAILEY. Let me ask the gentleman one more question. Would he favor the return of this employment service to the States prior to the official closing of the war either by proclamation of the President or by action of the Congress?

Mr. DIRKSEN. Definitely so. Hostilities have ended. There is a moral obligation that we should recognize. Some of the governors wanted assurance on that point before USES was transferred and they could not get it. The Governor of Wisconsin sent at least five messages to the White House and said, "I am doing what in my judgment and probably in the opinion of the attorney general of the State is an illegal act," an illegal act under his own law; yet in the interest of the war effort they did turn that over, so they are entitled to have that back at the earliest possible date. It is a tremendous issue. Let us be alerted to it today.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the balance of the time on this side to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, the bill which this rule makes in order is before the Congress for review. Just a few weeks ago the same matter was thoroughly discussed, debated, and voted upon by the House and by the Senate. The House and Senate, exercising their own free will and their own good judgment, by overwhelming vote ordered that this activity be returned to the States. That was a part of the rescission appropriation bill.

That bill went to the President, but the President took no action until after the Congress had adjourned, then killed the bill by pocket veto without giving the Congress the right or privilege of attempting to pass on the validity and the virtue of his veto message. That being the case, this action is before the House in order that it may reconsider its judgment of a few weeks ago and again express its will.

That is all there is to this proposal. I voted to return this service to the States, as did a vast majority of the Congress, and I shall continue to so vote until I am persuaded that I am wrong. The governors of the States are opposed to the Federal Government taking over permanently this function, which has been, and can best be, performed by the States. Washington assumed this jurisdiction as a war measure The necessity for its continuation has ceased.

No one is opposed to the rule. We are all in favor of it. We are all for bringing this whole matter before the House again and letting us state whether or not we have changed our mind within the last few weeks. To pass the bill the Congress must abandon its conclusion so carefully arrived at.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. SABATH. Mr. Speaker, in view of the statement of the gentleman from Michigan and the gentleman from Indiana, I ask unanimous consent to insert as a part of my remarks the veto message of the President of the United States on H. R. 4407, the so-called rescission bill, to which a rider had been attached to discontinue the United States Employment Service within 100 days and to transfer its functions to the respective States, which clearly shows that in the interest of efficiency and economy the United States Government should retain control of this important employment service, in the interest of the unemployed and in the interest of the Nation.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. GORE asked and was given permission to extend his remarks in the RECORD and include an address delivered by his colleague, the gentleman from Alabama [Mr. SPARKMAN], at Columbus, Ohio.

Mr. LARCADE (at the request of Mr. ALLEN of Louisiana) was given permission to extend his remarks in the RECORD and include a letter.

UNITED STATES EMPLOYMENT SERVICE

Mr. RANDOLPH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4437) to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 4437, with Mr. WALTER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. RANDOLPH. Mr. Chairman, I yield myself 40 minutes.

Mr. Chairman and my colleagues, I regret that our able chairwoman the gentlewoman from New Jersey [Mrs. NORTON], who has been seriously ill, is unable to present to you the bill, H. R. 4437, which after most careful study and consideration of the entire subject our committee recommends to this House for passage.

This measure provides for the return of our public employment offices to State operation, a subject which has recently received widespread public attention, and has been considered by this House on several prior occasions. We face a subject which, in the interest of all concerned, urgently requires comprehensive and permanent legislation at this time. I know that Members of this House have during the past several months received voluminous mail and heard many arguments, both for and against the immediate return of these offices to the States. Our committee heard and considered those arguments, at length. At those hearings we heard representatives of the Department of Labor. Gen. Omar Bradley spoke on behalf of the veterans, both in his capacity as Administrator of Veterans' Affairs and as Chairman of the Veterans' Placement Service Board, created by the Servicemen's Readjustment Act. We listened to representatives of both the American Federation of Labor and the Congress of Industrial Organizations. Representatives of employers and representatives of the State employment security agencies, and several others, also appeared before us.

Several of the witnesses before our committee urged legislation to provide for the permanent Federal operation of public employment offices. There was sentiment in our committee for such legislation. But H. R. 4437, presented by our former colleague, Mr. Ramspeck, was reported by the committee and recommended to this House, provides for the transfer of those offices to State operation. The President of the United States has stated flatly and unequivocably, that his administration is committed to the return of those offices to State operation. I favor the return. A majority of our committee favors the return. I believe the overwhelming sentiment in this Congress is in favor of such return and that this Congress will pass legislation to so provide.

Our committee therefore proceeded to consider at length all the questions that must be solved in connection with that return. Those questions involve, first, the timing of the transfer—the date for the return; second, provisions for an orderly transfer; and, third, the permanent basis for the operation of those offices by the States after the transfer. Everyone agreed, and I cannot overemphasize to this body, that legislation which only fixes a date for the transfer or does not adequately provide for the second and third point will cause indescribable confusion and uncertainty.

H. R. 4437 recommended by our committee, covers all three points. It includes the soundest possible provisions on all three problems. It represents a reasonable middle course between the wishes of the State officials, at one extreme, and of the representatives of organized labor, at the other extreme. And it protects the interest of those most vitally concerned—the veterans, workers, and employers for whose benefit these offices are operated.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I hesitate not to yield to my friend from Wisconsin because I have a splendid feeling for him, personally, and for his judgment. I should like to develop my subject matter. However, I will yield, of course.

Mr. KEEFE. Let me say to the gentleman that due to a commitment with

which the gentleman is familiar I cannot be here all of the afternoon. However, this is a matter to which I have given great study, with which I am familiar, and in which I have a great interest. I should like to address the Congress some time on this subject.

May I ask the gentleman whether it is not a fact that the proposal embodied in the proposed legislation, H. R. 4437, is an attempt to amend the basic law, the Wagner-Peyser Act, passed in 1933.

Mr. RANDOLPH. This legislation does amend the Wagner-Peyser Act, and I think it should be amended.

Mr. KEEFE. Until you do amend it, the only law there is on the statute books at the present time concerning this subject is the Wagner-Peyser Act, which set up the system of employment offices?

Mr. RANDOLPH. The gentleman is correct, but the financing is involved in the Social Security Act.

Mr. KEEFE. Will the gentleman in his remarks explain why it has been found convenient and necessary, in connection with the return of the employment services under the Wagner-Peyser Act, to amend the Wagner-Peyser Act, instead of merely returning the services to the States in the condition they were at the time they were loaned to the Federal Government at the request of the late President?

Mr. RANDOLPH. That is what I shall do. I see every reason why the Members should debate thoroughly from every viewpoint the subject matter to which the gentleman calls our attention.

Mr. KEEFE. Because I shall have to read the gentleman's remarks, may I also ask that he make clear the method under which the system of employment services under the Wagner-Peyser Act was financed, and where that money came from, so that we may have an answer in this RECORD to the contention that the Federal Government furnishes the funds and therefore should control the operation? I think the gentleman is quite familiar—I know I am—with where those funds come from and how they are allocated through appropriation out of the excess funds of the taxes levied under Social Security, which are paid by the taxpayers as taxes on pay rolls levied under the Social Security Act. I think there should be an explanation in the RECORD so that we may dissipate once and for all the idea that the States are dipping into a specific Federal tax that was levied for some purpose other than a specific pay-roll tax that is levied under Social Security and out of which they have made a $625,000,000 profit up to date, even after paying the expenses of Social Security and unemployment compensation and the employment services.

Mr. RANDOLPH. The gentleman has a right to have that developed in debate. I know the committee at least from our standpoint, will attempt to do so.

First, as to the date for the return. Overwhelming evidence before the committee demonstrated that our Nation is now and during the next year and a half, will be confronted by the greatest reemployment and employment adjustment problem in our history. This grows out of our reconversion from war to peacetime production, tremendous worker migrations during the war period, and the demobilization of an armed force whose veterans will number approximately 15,000,000 persons.

No one disputes that that reemployment and employment adjustment problem must be handled through our public employment offices. The Congress itself has required in the Servicemen's Readjustment Act of 1944, that our public employment offices shall provide, for our veterans, an effective job placement and employment counseling program, to assure for those veterans, maximum job opportunities in the field of gainful employment. And no one denies that during this peak reemployment and employment adjustment period ahead, millions of veterans and displaced war workers will make up a highly mobile labor force, in search of job opportunities and jobs wherever they may be, not jobs within particular political or geographic boundaries.

The spokesman for the Interstate Conference of Employment Security Agencies claimed that, through the State public employment office systems, these displaced war workers and veterans, this highly mobile labor force, can be given a job counseling and placement service of equal or greater efficiency and effectiveness than through offices operated as parts of a single, unified national system. General Bradley, speaking on behalf of the veterans and as chairman of the Veterans' Placement Board, gave as his considered judgment, a directly opposite conclusion, and therefore urged that the division of the presently unified national system be postponed until June 30, 1947. Representatives of organized labor strongly urged that only a unified national system of offices could guide and place a mobile labor force without being restricted by State boundaries, and representatives of the Department of Labor submitted figures showing such tremendous increases in the number of visits to public employment offices that there can be no doubt that those offices are now and will be during the next 18 months, carrying the heaviest work load in their history.

After carefully weighing all this evidence, our committee concluded, and recommends to this House, that the final date for the transfer of our public employment offices to State operation be fixed as June 30, 1947. H. R. 4437, as reported to this House, so provides. Our committee recommends that postponed date because a unified national system of public employment offices can supply a more adequate employment placement and counseling service for the millions of veterans and displaced war workers during their peak reemployment and readjustment period ahead and because the division of a unified national system into 48 separate State systems, in the midst of such a peak period could only mean that time and energies which should be devoted to placing and counseling veterans and unemployed workers will instead be devoted to resolving the adjustment of the offices and their employees to the requirements and operations of 48 different State agencies.

One further word on the date for the return of these offices to State administration is warranted. The State unemployment compensation agencies have urged that their State unemployment compensation laws cannot be efficiently administered unless they also operate the public employment offices through which the State benefits are paid. Our committee found that there has been much misunderstanding on the subject of the relationship between public employment offices and the payment of State unemployment compensation benefits. We found that public employment offices do not make decisions on benefit claims. Such decisions are made by the State unemployment compensation agency and by State officials. We found that the public employment office services the unemployment compensation claimant for the State agency and in doing so, carries out the direction of the State unemployment compensation agencies. We found that in no case had a federally operated public employment office refused to perform or denied any service requested by a State unemployment compensation agency. And finally, what to us seemed most significant, General Bradley, who is responsible for the prompt payment of veterans' readjustment allowances, urged the continued national system of public employment offices until June 30, 1947. Veterans' readjustment allowances are administered through State unemployment compensation agencies. General Bradley would never have recommended the continued Federal operation of public employment offices if in fact the payment of veterans' readjustment allowances could not be or was not being properly and efficiently serviced through the nationally operated offices. In this respect there is and can be no difference between the services performed by a nationally operated public employment office on a claim for readjustment allowance by a veteran and a claim for unemployment compensation by a nonveteran, both of which claims are handled by the same State agency and through the same facilities.

Second, whatever date is fixed for the transfer of our public employment offices to State operation, our committee found general agreement that the transfer must be made without disruption to the service. In each State, the offices must be transferred as going concerns. This problem requires attention principally because the effectiveness of the service is dependent upon its trained and experienced employees. There are now in these offices, approximately 23,000 employees, trained and experienced in the employment problems of their communities, in providing job analysis and counseling assistance to veterans, workers and employers, and in making referrals and placements of workers. A substantial turn-over in that staff would mean the induction and training of new employees, would mean that the service rendered by the offices would be impaired for many months. Our continuing national obligation to maintain an effective job placement and counseling service to veterans alone requires that the service be protected against an unwarranted turn-over as a result of the trans-

fer. Hence, just as in January 1942, the Federal Government undertook the operation of the State offices on an "as is" basis and transferred to and continued in the Federal civil service all State employees in their same job, and at their same salaries, so too, the transfer of the offices to State operation must be effected on the same basis. This means that the Federal employees must be transferred to State pay rolls as a going concern, must be protected against dismissals for political or other unwarranted reasons, and must be given a fair chance to take qualifying examinations for permanent status in their jobs under the State civil-service or merit-system plans. H. R. 4437, the Ramspeck bill, recommended by our committee, contains carefully worked out provisions on this subject. Before reporting out those provisions, our committee studied the provisions on the same subject in H. R. 5142, the Dirksen bill, which were taken from H. R. 4407, the rescission bill disapproved by the President. We found that those provisions in the Dirksen bill were inadequate to assure public employment office personnel of continued security in their jobs after reasonable qualifications under the State civil-service or merit-system plans. We urge upon the House, the passage of the provisions of H. R. 4437.

And finally, when the operation of the offices is resumed by the States, everyone agrees that the offices will be operated under the Federal-State cooperative program established by the Wagner-Peyser Act. That act was passed in June 1933, to provide for Federal-State cooperation in the maintenance of a national system of public employment offices. Since its enactment, there have been many developments affecting the program. Our Federal-State unemployment compensation program was established and is now operating smoothly. The Congress enacted the GI bill of rights, requiring a permanent and continuous job placement and counseling service for veterans. The offices accumulated valuable experience in the operation of systems for clearing workers between the States, in guiding the movements of migratory workers on the basis of up-to-date labor market data, in servicing handicapped workers, and other special groups requiring particularized programs, and in promoting the responsiveness and effectiveness of the local public employment office as a center of employment activities in its own community. These developments and this accumulated experience demonstrate that certain provisions of the 1933 act are now obsolete, cumbersome, or inadequate. These developments and this accumulated experience demonstrate that the 1933 act must be amended if a sound and permanent basis is to be laid for the operation of the public employment offices by the States after the transfer. Since we are now passing legislation pertaining to the United States Employment Service, now is the time to make these amendments.

The amendments recommended by the committee and contained in H. R. 4437 are of three general types: First, those which will promote ease of administration by making uniform the Federal statutes which apply to the State unemployment compensation administration and the Federal statutes which apply to the State employment service system; second, those which authorize the programs and activities which experience has demonstrated are an inherent and necessary part of the services of a public employment office; and, third, the amendment which authorizes the Secretary of Labor to operate public employment offices if a State ceases to operate such offices. The first group of amendments are necessary because, since the enactment of State unemployment compensation laws, in almost every State, a single State department or agency is administering both the State unemployment compensation program and the State employment service program. At the Federal level, the State unemployment compensation programs are provided for in title III of the Social Security Act as amended and in the Federal Unemployment Tax Act and the State employment service programs are provided for in the Wagner-Peyser Act. In order to promote ease and efficiency of administration of these two programs, the amendments substitute for inconsistent provisions in the Wagner-Peyser Act certain provisions virtually identical to those contained in title III of the Social Security Act as amended.

The spokesman for the Interstate Conference of State Employment Security Agencies came before our committee to urge consistency in the Federal requirements applicable to these two programs, because at the State levels the two programs are integrated under a single agency or department. Our committee recognized the need for such consistency. It can be best achieved under substantially identical statutory provisions.

The amendments in this class include those relating to the 100 percent financing of the State employment office systems, those relating to the establishment and maintenance of personnel standards on a merit basis, and those relating to the withdrawal of Federal grants. All these are virtually verbatim incorporations in the Wagner-Peyser Act of the equivalent provisions of sections 302 and 303 of the Social Security Act as amended. Included in this class are also the amendments removing from the Wagner-Peyser Act the requirement that the States submit and operate in accordance with approved plans of operations, because no such requirement is contained in title III of the Social Security Act as amended. And also included in this class is the amendment relating to the referral of workers to jobs at wages and under working conditions which are not less favorable to the individual than those prevailing for similar work in the community. That amendment is identical to a requirement in the Federal Unemployment Tax Act—section 1603 (a) (5) of the Internal Revenue Code as amended.

A word of explanation is appropriate concerning the provisions for 100 percent Federal financing. This change is more apparent than real. Prior to the federalization of the State offices, virtually the total costs of those offices were being financed by the Federal Government, though under two acts of Congress, the Wagner-Peyser Act and title III of the Social Security Act as amended. The basic effect of the financing amendments is therefore to eliminate the duplication in Federal fiscal procedures and activities that had development under those two acts of Congress.

There has been much misunderstanding concerning the effect of the second group of amendments to the Wagner-Peyser Act. These relative to the maintenance of programs for groups of workers, employers, or activities requiring special services, such as handicapped workers, to the referral of workers on the basis of their qualifications for the job, to cooperation, by State agencies, in activities necessary to carry out national obligations under the act and similar matters.

As to the special-service programs, long experience in the operation of public employment offices has demonstrated that particular types of workers, particular types of employers, and certain types of industries, cannot be adequately serviced by regular public employment office techniques. The handicapped worker requires special attention to secure, for him, a satisfactory job. The canning industry requires special planning and attention to secure, for it, the number of workers at the time required to avoid spoilage of crops. The maritime employer requires a special service to secure, for him, an adequate crew between the scheduled arrival and departure of his ship. Numerous other examples might be cited. I submit that a clear authorization for such programs is basic to a reasonably adequate public employment service in a nation whose industrial economy is as large and diverse as ours.

The provision for the referral of workers on the basis of their qualifications for the jobs has been described as a little FEPC as well as contrary to the suitable work tests in State unemployment-compensation laws. Both charges are ludicrous. Public employment offices have always referred workers on the basis of their work qualifications. Every State unemployment-compensation law in the Nation recognizes this principle. Representatives of the State agencies did not point to a single State law containing an inconsistent provision. And any employer is absolutely free to hire or not hire, workers referred to him by a public employment office. Our committee recommends this amendment, not as a devious device for purposes unrelated to a public employment service program, but to make express, a principle basic to a public employment agency whose services are freely available, namely, that all workers and all employers will be serviced, and that workers will be referred on the basis of their job qualifications.

The provision for cooperation by State agencies in activities necessary to carry out national obligations under the act has been grossly misrepresented as an authorization for bureaucratic Federal domination of a State operation. Mr. Chairman, the legislation we are considering provides for Federal-State cooperation in the maintenance of national

public employment service program. Under that program, the States have certain direct obligations and the Federal Government has certain direct obligations. The program contemplates that they will help each other. Is it now urged that the cooperation should all run in one direction? Under this legislation, the National Government has very important direct obligations. The Congress has made amply clear its mandate to the United States Employment Service and the Veterans' Placement Service Board to maintain, through the local public employment offices, a veterans' placement service and an effective job counseling service. When the local offices are operated by the States, how can that congressional mandate be carried out, except by the cooperation of the States in activities necessary for its execution? Similarly, under this legislation, the National Government is required to maintain a system for clearing labor between the States. The States themselves have approved of and pointed to that provision as a basis for the immediate transfer of the offices to the States. How can that system be maintained if, when the offices are operated by the States, a State is not obligated to participate in carrying out that system? If the States approve of the maintenance of such a system, why should they object to a provision which will enable the National Government to secure cooperation from all the States in making it work? Numerous other similar examples might be cited. Our committee believes this provision is vital. I submit that the charges that have been made against it are not warranted.

The third type of amendment to the Wagner-Peyser Act has been described as the so-called recapture clause. It authorizes the Federal operation of public employment offices in States which close their offices. In other words, it guarantees the continued availability of the service for those for whose benefit the program is established, for millions of veterans, workers, and employers.

The recapture clause relates solely to authority, in the Federal Government, to operate an employment service in a State only in two very specific cases. Those cases are: First, if the State itself fails or refuses to maintain any system of public employment office; and second, if, and only for so long as, a State is ineligible for funds under other provisions of the act.

In the first case, I am sure that there is not a gentleman in this House who, under such circumstances, would ignore the Federal Government's obligation under the Servicemen's Readjustment Act of 1944, to provide for veterans an effective employment counseling and placement service, who would ignore the provision of the Social Security Act that unemployment compensation benefits shall be paid only through public employment offices, or who would repudiate the basic purpose of the Wagner-Peyser Act to establish a national system of public employment offices, by insisting that the Government should not be permitted to operate a public employment service in a State which failed or refused to operate one.

Mr. DOUGHTON of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from North Carolina.

Mr. DOUGHTON of North Carolina. The gentleman has intimated that the Federal Government should come in in case the States refuse to cooperate or discharge their duties. Have any States refused to do so; and if so, what are they?

Mr. RANDOLPH. I cannot tell the gentleman what States are going to be faced with those problems. No one can say as of today.

Mr. DOUGHTON of North Carolina. Has there been any evidence as to what States have failed to discharge their duties in that respect, or are likely to?

Mr. RANDOLPH. Yes. In July 1941 there developed a direct conflict between the Arizona law and the Federal regulations. I am informed that the necessary language was added to the Appropriation Act to permit the Federal Government to run the employment service in Arizona.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. Canning factories have been told that they will not be given Mexican labor to do the work that our local people do not want to do in husking sweet corn unless this service is kept in the hands of the Federal Government. Was there any testimony to that effect in the gentleman's committee?

Mr. RANDOLPH. I do not recall such testimony.

Miss SUMNER of Illinois. Is it not true that the Department of Agriculture has complete charge of this Mexican labor situation?

Mr. RANDOLPH. I know the Department of Agriculture has worked in cooperation with the Labor Department on the placement of Mexican workers. I cannot say which has the initial responsibility.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Wisconsin.

Mr. KEEFE. In answer to the question of the gentlewoman from Illinois, I think it may be said that this Congress makes specific appropriations for the very purpose she has in mind, and that that subject is quite clearly disassociated from the general purposes of the maintenance of employment services under the Wagner-Peyser Act.

Mr. RANDOLPH. I did not bring up the subject of the migration of workers other than those within the United States. I did not discuss the bringing in of persons from outside the country.

Miss SUMNER of Illinois. I listened attentively to the gentleman's speech, and it was to clear up that point that I asked the question.

Mr. RANDOLPH. I thank the gentlewoman from Illinois, because this and many other points certainly will have to be resolved by the Members of the House during the reading of the bill for amendment.

In the second type of case, I would like to emphasize that the authority to withhold funds, for substantially the same reasons as provided for in this amendment, is now in section 9 of the Wagner-Peyser Act and has been in that act since 1933. The States have raised no objection to the provision in the Wagner-Peyser Act which requires the withdrawal of Federal funds in case a State fails to comply, in substantial respects, with the requirements of the act. In fact, they approve of that provision. But what happens when the Federal Government withdraws its funds? The State offices are closed, because the offices are financed entirely from Federal funds and the States will not have appropriated moneys for these offices. That means, Mr. Chairman, that veterans, workers, and employers in the State will be penalized for the failures of the State officials or State governments. That means that the Federal Government will not be able to carry out the provision of the GI bill of rights, for providing the maximum of job opportunities for veterans in that State.

Now why should the State officials not object to a requirement for the withdrawal of Federal funds for these offices, but vociferously protest an authorization to use funds so withdrawn to maintain the offices until the State resumes their operation? Because, Mr. Chairman, the State officials know that without the authorization to maintain the offices, the Federal Government must in effect choose between a public employment service which substantially fails to meet Federal standards and no public employment service at all. Because, my colleagues, the State officials know that under such circumstances, the pressures from workers, veterans, unemployment benefit claimants, and other citizens will be so tremendous that the Federal Government will, in fact, not withdraw its funds. I submit that that, and not the vast amount of verbiage we will no doubt hear on the floor of this House and elsewhere, is the real reason for the vigorous opposition to this provision. And I submit that because that is the real reason for the opposition, the opposition must be voted down. Judged on its merits, the provision is absolutely essential to the preservation of the Federal-State cooperative employment service program which the Wagner-Peyser Act was intended to establish. Judged on its merits, the provision is absolutely essential if public employment office services are to be continuously available for veterans, workers, and employers. Judged on its merits, it in no sense authorizes Federal domination of details of State operations. If there is any room for Federal domination, that domination would grow out of the authorization to withdraw Federal funds, an authorization which has been in the act since 1933. But the State officials and the Members of this House know, that under the scrutiny of the public and the Members of this Congress, a Federal agency does not and never has withdrawn Federal funds from similar State programs because of details or insignificant infractions of Federal standards. The charges about Federal domination are winds, tossing sand in our eyes to obscure the real issue.

On behalf of your Committee on Labor, I urge this House to pass H. R. 4437.

Mr. WELCH. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the bill H. R. 4437, now under consideration, has for its principal purpose the fixing of a date for the transfer from Federal to State operation of public employment offices. This service was under the control of the States, although 90 percent of its cost was paid for by the Federal Government prior to December 19, 1941. It was recognized at that time by the governors of the States who consented to the transfer that this important service could be more effectively conducted under a single nationally operated system.

The bill provides that the service remain under the Federal Government until June 30, 1947. Legislation for this purpose was considered by Congress in the form of a rider in a bill reported to this House by the Committee on Appropriations. The effective date was amended to read "100 days" instead of "18 months" and was vetoed by the President.

The Committee on Labor, to whom the bill was referred, held hearings for three full days—January 17, 18, and 19. During the hearings, Gen. Omar N. Bradley appeared before the committee both as Administrator of Veterans' Affairs and as Chairman of the Veterans' Placement Board. Referring to the Veterans' Placement Board, General Bradley testified:

I might interpolate here that as Chairman of this Board, I am primarily concerned in this legislation.

It is under a mandate to establish policies that will result in an effective job placement and counseling service for veterans so as to provide for them the maximum job opportunities in the field of gainful employment.

That is a responsibility which the National Government has assumed toward the men and women who have rendered service in our armed forces during a period of war.

The Chairman of the Board has direct authority and responsibility for carrying out its policies and is authorized to delegate such authority to an executive secretary appointed by him. Such executive secretary serves as Chief of the Veterans' Employment Service of the United States Employment Service. * * *

The Board and the Veterans' Employment Service will have approximately 15,000,000 men and women veterans of World War II alone, to whom it is under obligation to give assistance and guidance in securing gainful employment. While the supervisions of State and local veterans' placement representatives is under the direction of the Board, the actual work must be done by local public employment offices, whether federally or State operated.

The ability of our public employment system to carry out our national responsibilities to veterans, to administer perfectively the policies and programs promulgated to the Veterans' Placement Service Board is directly dependent upon the action of the Congress on the legislation pending before this committee. * * *

We feel that during this time when there are so many veterans involved that it is much easier to carry out the policies of the Board and see that they are carried out by the Employment Service through a national organization rather than through so many separate organizations of the States. * * *

As far as we are concerned, it would be much better off to keep it federally, at least until we are over this great mass of placements. Whether it should be transferred beyond that, I should think would be for someone to determine whether or not it can be transferred when business is less, and still have an efficiently run organization. Certainly right now we feel that it is very vital to the veterans to keep it under the present system and not subject to such a great change.

Mr. William Green, president of the A. F. of L.; Mr. James B. Carey, secretary-treasurer of the CIO; Mr. James B. Burns, national president of the American Federation of Government Employees; and Mr. Abram Flaxer, representing the State, County, and Municipal Workers of America, all appeared in opposition to transferring the United States Employment Service to the States now or at any future time. The Secretary of Labor, through Assistant Secretary of Labor John Gibson, and Mr. Robert C. Goodwin, Director of the USES, appeared for the bill, fixing the transfer date at June 30, 1947.

Mr. Stanley Rector, chief counsel of the Industrial Commission of the State of Wisconsin, and Mr. Claud A. Williams, representing the Texas Trade Association, appeared in opposition to the bill and for immediate return of the service to the States.

After hearing the witnesses referred to and after careful consideration of all the facts, the committee voted 13 to 3 to report the bill to the House without amendment.

Mr. Chairman, millions of veterans will soon need guidance to employment regardless of State lines. Millions of war workers crossed State lines in response to the appeal of the Federal Government. They are ready now, as they were during the war, to again cross State lines to work in gainful employment.

These dislocations are due to the war. The Government took the employment service from the States to meet a national emergency. It is our bounden duty to relocate these willing workers who responded to the country's call and crossed State lines. To me it is a matter of common sense that at least during the reconversion period a simple nationally directed system can sensibly accomplish this mighty job better than can 48 separate State agencies.

Mr. Chairman, it should be remembered that the States that are clamoring the loudest for the immediate return of the Employment Service to State control expect the Federal Government to continue to pay for its operation. In fact, it is expected by these States that the Federal Government will pay the full 100 percent of its cost when it is returned to the States, instead of the 90 percent of the cost it paid before taking it over. It should also be remembered that the Federal Government has a huge financial debt of nearly $300,000,000,000, whereas every State in the Union is in a healthy financial condition, and many of them have large surpluses.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back 4 minutes.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I yield 20 minutes to the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Chairman, the question that presents itself in this legislation is, Will the USES remain an integrated national system of public employment offices under Federal operation until June 30, 1947?

At the outset I want to say I am for federalization of the USES.

The alternative to the question before us is, Will the Congress, in the midst of industrial reconversion, disregard again the President's appeal and proceed immediately to break the national system of public employment offices into 51 separate State and Territorial services, and at the very moment when staff workers in local offices are carrying one of the heaviest and most complicated work loads in the history of the USES?

This bill provides for continued Federal operation of the USES until June 30, 1947. It amends the Wagner-Peyser Act of 1933 by providing that the entire cost of the employment-service system be paid out of the Federal Treasury. It amends the Wagner-Peyser Act by giving the Secretary of Labor the authority to operate local employment offices within a State when that State refuses to comply with standards set up under the act. This provision to assure basic uniformity of procedures necessary for effective State-Federal cooperation, to assure basic adherence to standards of operations and national policy, is the real target of those who have tried to hamstring Federal operations through the war period and who began clamoring even before VE-day for return of the Employment Service to the States.

Considering the aggressive and continuous fight to regain State operation of the Employment Service by the State unemployment compensation commissions through their political action agency, the Inter-State Conference of Employment Security Agencies, and their ally, the National Council of State Governments, it is well for Mr. and Mrs. John Q. Public to take a searching look to see who has been doing what to the USES, and why.

Following Pearl Harbor the 51 separate State employment services were brought under Federal operations by President Roosevelt.

Uniform standards in policy, regulations, and procedures proved impossible under the operations of employment services by 48 States. This was amply demonstrated throughout the years prior to the war. Glib promises now made by governors to the President that they will abide by such minimum standards as may be laid down by the Director of the USES under a Federal-State cooperative relationship impress only the innocent. Experience has demonstrated the reluctance and resistance on the part of the States to accept anything but the most insignificant standards. Anything more requested by an efficient administrator immediately raises the hue and cry of encroachment upon State's rights.

The oft-quoted principle about "adapting State administration to local conditions" is merely a catch phrase designed

to obscure the real motives of the opponents to Federal operation of the Employment Service. Return of the Service to State operations now would produce about as much confusion as exists today among the States in the administration of unemployment compensation. There is astonishing variation in the provisions governing eligibility for unemployment compensation, the amount of unemployment benefits, the disqualification procedures, and all the other matters which have been developed in "adapting a State program to local conditions." None of it is intelligible to the unemployed worker.

Uniformity of policy and procedures does not mean straitjacketing local employment offices of the Employment Service. It does mean, however, that basic policy will be uniformly administered throughout the country by individuals who will not be subject to the varying whims of 48 State administrators of unemployment compensation. This basic foundation, without which no employment service can operate efficiently and effectively, can be promulgated and effectively administered through these industrial reconversion days only under Federal administration.

Opponents of Federal operation of the Employment Service frequently allege that Federal operation means administration through the strong arm of a central and distant authority in Washington. The record shows that under Federal operation of the Employment Service during the war years there was tremendous development of local community participation in the work of the local employment service. Every important labor market area had its labor-management committee advising the USES on wartime policy, procedures, and regulations. Without the participation and the wholehearted cooperation of the labor-management groups, the voluntary manpower program of the war years would have fallen far short of the prodigious success it achieved. As a matter of record, no agency in government can match the achievement of the USES in decentralization of administration. Under previous State administration, on the other hand, this development of local advisory groups was practically nonexistent. Any concern about regimentation or centralization authorized under Federal operations of the USES is without substance.

No impartial investigator of the issues involved in the return of the Employment Service to the States in the midst of reconversion can find a single advantage or benefit which can be derived by this action.

There is no evidence that greater coordination can be achieved among the several States. The objective of having a national network of local employment offices has always been mythical under State systems.

There is no evidence that costs of operation will decrease under State administration. Assertions, unsubstantiated by any documentation, have been made in order to win support. Opponents to federalized operation point to the increased cost of operating the USES during the war years under Federal auspices, totally ignoring the trebling and quadrupling of the work load in the USES offices and the expansion of the various types of services that the USES is now rendering. Increased appropriations are by no means commensurate with increased work load.

Instead of more economical service under State operation, proponents for immediate return to the States really mean less service. And which of the Employment Service activities would State administration pare down at this time when to the millions of war workers seeking job assistance in local offices 7,000,000 additional returning veterans will be added through the months ahead. Would State economy be achieved by curtailing assistance to employers in finding the right worker for the right job? Or curtailing counselling to workers faced with making employment adjustments? Or curtailing assistance to minority groups, to handicapped workers, to young people just entering the labor force, to women with only wartime experience who need additional help as employers change their job specifications and requirements for employment? Or curtailment of labor market information? Or curtailment of participation of local office trained staff in community planning and action programs to achieve maximum employment?

I do not believe there is anyone in this Congress who would want to hamper that service. I do not believe there is anybody in this Congress, at least no one came before our Labor Committee to testify that the veteran would be helped by the return of the Service to the States; not one single solitary witness. Gen. Omar Bradley said that it would hamper taking care of veteran placement for a long time to come. When asked whether or not that was going to be a continuing thing he said it would. I do not believe that we intend in any way to interfere with helping the veterans to be placed in the proper jobs and be given the proper counselling for employment.

There is only contention, no evidence that Federal operation means centralized administration without due regard to local participation in the Employment Service program. But there is ample evidence that State lines are unnatural barriers to the problems arising out of employment and unemployment issues.

What, then, are the motives behind the actions of those who would persuade Congress to break up immediately the national Employment Service system?

The first motive is revealed by an examination of the individuals or groups who are pressuring Congress to return the Employment Service to 51 operations. The most important group is made up of the State Administrators of Unemployment Compensation.

Mr. JENKINS. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield to the gentleman from Ohio.

Mr. JENKINS. The gentleman lays all the responsibility on these State administrators.

Mr. HOOK. Not all responsibility on the State administrators. I have a few more that I want to mention.

Mr. JENKINS. The gentleman admits that 40 out of 48 governors did recommend that this thing be done.

Mr. HOOK. Oh, but you want to remember this, that that would be a capitulation back to political patronage, and every governor wants that political patronage. I am wondering whether or not the gentleman from Ohio wants to be a political puppet for the governor of his State.

Mr. JENKINS. No.

Mr. HOOK. Just because the governor asks him to do it.

Mr. JENKINS. The gentleman knows I would not be a political puppet for anybody.

Mr. HOOK. I know the gentleman would not, and that is why I am surprised at him taking the stand he does.

Mr. JENKINS. If the gentleman is not willing to divide this among 48 governors, because it would give too much power to the 48 governors, how does he justify it by bringing it down here to Washington and turning over the operation of this organization to the bureaucrats down here?

Mr. HOOK. Because of the fact that when they really needed efficient operation, because of the fact that the war faced us, they came to Washington and said, "Take it over," and they did the job.

Mr. JENKINS. No; the gentleman is wrong. The President asked the governors to turn it over and the governors did turn it over. There never was any question but what the work was done admirably in every State of the Union.

Mr. HOOK. In my opinion the governors turned it over because they could not handle it during that time.

Mr. JENKINS. The gentleman is just absolutely wrong about that, because the governors did not do it willingly and freely except from a patriotic motive, and the President was right in requesting it, probably. But the governors were also right. Now the issue is this: The gentleman is not making a correct statement; I mean, I would prefer he would not make the statement castigating anybody, when 48 governors, every governor in this great galaxy of States, came in and advocated exactly contrary to what the gentleman is pleading for.

Mr. HOOK. It is my understanding that the 48 governors did not do that.

Mr. JENKINS. It was that at on time, and one of them was just on the ragged edge.

Mr. HOOK. There was one time that there were two States that were out of step with all the rest of the Nation.

Mr. JENKINS. The gentleman will admit there were as many as two at one time, will he?

Mr. WELCH. Mr. Chairman, will the gentleman from Michigan yield so that I may ask a question of my esteemed friend from Ohio [Mr. JENKINS]?

Mr. HOOK. I yield.

Mr. WELCH. Will the governors of the 48 States assume the financial obligation of conducting this service when it is returned to them?

Mr. JENKINS. They will assume their part of it. They always did.

Mr. WELCH. No; only 10 percent. As I said a few moments ago, it is expected that the Government of the United States will pay 100 percent regardless of the fact that this Government now owes upward of $300,000,000,000, whereas the finances of the 48 States are very sound. Many of them have large surpluses. This imposes an additional financial burden on the poor old Federal Government.

Mr. JENKINS. That only argues that they can carry this burden. They are competent and capable financially of carrying it. If they do not carry their part, they should be made to carry their part. You ought not to want to place the whole load on the Federal Government. The poor old Federal Government has plenty of load to carry. This thing ought to be sent back where the people live, where the governors want it, where it was, and where it was administered efficiently, and where it ought to be now. It ought not to be turned over to the Government to make a football of it, to put every employee in the whole Nation back under some one man in Washington. It is not right, it never was right, and it never will be right.

Mr. WELCH. I hope I am not misunderstood. I am not advocating Government control of this service in perpetuity, but I do sincerely feel that during the reconversion period for at least a year or a year and a half it can be better conducted under one unit—the Federal Government—than by 48 State units.

Mr. JENKINS. The gentleman probably does not know that after the Congress passed the bill a short time ago, 2 or 3 months ago, the State authorities, in collaboration with the Federal authority, had pretty well worked out a plan whereby that could have gone back at the time the President vetoed that bill. It was pretty well organized to go back. I will not fall out with the gentleman; I think that 30 days probably is too short a time, but 1 year and 6 months is too long a time. If we could agree on the 30th of June, probably more people would be satisfied, and it would suit me.

I thank the gentleman from Michigan very much for his kindness in yielding to me.

Mr. HOOK. As I said, the most important group is made up of the State administrators of unemployment compensation. They receive the support of employers who are concerned about the payments on the merit rating of the employers for unemployment tax purposes. State administrators of unemployment compensation, willing to grasp at any support, continually threaten employers that Federal operation means that workers will be encouraged to idle and draw unemployment compensation rather than to accept jobs. This line of propaganda finds good reception among employers who have not given real thought to the basic issues involved.

I am talking about giving real thought to the basic issues involved. There has been much stated that the bill that was passed overwhelmingly in this House and vetoed by the President of the United States was passed without any hearings. That bill was passed before there were any hearings before the Labor Committee. Since that time we have had full and complete hearings. I know many members of the Labor Committee changed their minds after they heard the real facts. When they saw that it could not be done without injury to the Service, they were ready and willing to see that it stayed in Federal operation.

The State unemployment compensation administrators hold forth the promise to employers that under State operation of the employment service workers will be denied or cut off from unemployment benefits if they refuse to take jobs, regardless of wages, working conditions, or other factors of the job offers. Such abuse of the unemployment compensation authority is already developing. There is ample evidence that unemployment compensation administrators think of the suitability of a job in terms of whether or not the applicant is a claimant for State unemployment compensation.

If he is a claimant, then apparently any job should be accepted or he must face the alternative of being denied unemployment benefits. If the applicant is not a claimant for unemployment compensation, then the reasonableness of his not accepting the job is recognized by unemployment compensation administrators.

In other words, the suitability of a job becomes not a matter of matching the skill of the worker with the requirements of the job but rather of deciding that an unemployed worker must be forced into any job opening rather than be allowed benefits for the weeks he is seeking a job suitable to his skill. The right to unemployment benefits is transformed into a social and economic stigma.

The second motive is one of old-fashioned bureaucracy. State governors and State administrators would like to build up their organizations and prestige by having another organization to supervise, regardless of the consequences of such administration to the workers, veterans, and employers for whom the Service is operated. Patronage benefits that can be derived from control of 23,000 jobs in the Employment Service loom large in a campaign year.

If the States have a legitimate reason to claim the return of the Employment Service to their administration, no more inopportune time for such a transfer could have been selected than these months of employment uncertainty. With unemployment increasing steadily, both among civilian workers and veterans, and with the return of millions of more veterans in the near future, the national scene is hardly conducive to a return of the Employment Service to the States. Since VJ-day, of the 42,000,000 visits to local offices by workers, nearly 2,000,000 calls have been made upon the Employment Service by veterans alone.

Both the veterans and the displaced war workers are being asked to make difficult readjustments to civilian life. To change the operation and administration of the program at this time would be completely disruptive. The President of the United States, in vetoing the bill which would have transferred the USES to the States within 100 days, summarized the proposed transfer as resulting "in a disruptive, inefficient employment service at the very time when an efficient employment service is vitally needed by veterans, workers, and employers."

Congress now should review its hasty action that would have cracked up the USES by April, and after careful deliberation of facts presented in hearings should take action in the interest of workers who need a full functioning employment service, rather than taking action demanded by employers who want Social Security tax relief.

People must also act, you and me and all the people, as individuals and as civic and professional organizations. The Congress should speak in behalf of the maintenance through these critical times of the Employment Service national in scope, and therefore under continued Federal operations, certainly until June 30, 1947.

Representatives and Senators in Congress have already heeded the contentions of those promoting immediate return to the States, that "continued Federal operation of the Employment Service will continue the attempt to provide minimum wages far in excess of those now provided by Federal law, will force upon employers so-called fair employment practice regulations which Congress has refused to enact, and will result in the use of unemployment compensation funds to finance strikes." Congress has heeded their contention "that employers ought to have their say about the kind and character of the Employment Service, as employers foot the bill for its administration." Congress has heeded the contention "that the large employer organizations are all in favor of State management."

Unemployment compensation administrators promoting immediate return of the Service wish to control, rather than to cooperate, with the USES. Therefore, if Congress is to review and correct its recent hasty action taken in the light of contentions of those with vested interests, we, the people, must now make known to Congress our desire for the strengthening at this time of the United States Employment Service under Federal operation, not its demobilization.

If this country is to have an employment service which really helps workers to get jobs and employers to get workers, I am convinced that such an employment service must be one that is operated on a national basis by the Federal Government. Congress has long recognized that certain problems and functions which are interstate in character must be handled on a Nation-wide scale and has enacted legislation establishing such functions on a Federal basis.

For example, I am sure that no one questions the wisdom of Congress in establishing a Nation-wide federally operated system of public post offices. It would not make sense to have 48 State post-office systems with elaborate agreements for interchange of mail between States. Correspondence is Nation-wide in scope, and the letter-writing public expects that mail sent to an adjoining

or across-the-continent State will receive as fast and accurate service as a letter which is sent to a town within the same State. Similarly, our labor market is Nation-wide in scope, workers move freely across State lines, and expect and deserve assistance in getting a job in any part of the country where their skills are needed. Employers, too, expect and deserve assistance in obtaining needed workers without regard to State boundaries.

Therefore, I believe that we need a federally operated Nation-wide system of public employment offices. However, if we are not to have a Federal employment service, H. R. 4437 represents a sound basis for a Federal-State system of public employment offices. I understand that there is some opposition to certain provisions of H. R. 4437.

Some people say that the Employment Service should be returned to the States earlier than July 1947. I believe that continued Federal operation through June 1947 is imperative to handle the Nation's employment problems during the difficult reconversion period. It does not take a mass of statistics to convince any Member of Congress of the chaotic condition of the labor market at this time. Letters from home are filled with reports of displaced war workers anxious for new jobs—or returned veterans anxious to get back to work.

The displaced war worker wants to know, "Where do I go for a job?" Since VJ-day hundreds of thousands of war workers have been laid off in "one-industry" towns. Very few of these workers will get other jobs in those towns and they know it. The large majority want to go to the place where there is a job for them. How do they know where these jobs are? Offices of our present federally operated USES have information about job possibilities in every major labor market area in the country. For example, if a turret-lathe operator laid off in Flint wants to know what the chances are of getting a job in St. Louis, the local employment office can tell him what the job opportunities are, which major firms are hiring, hours and wages, as well as information on housing and living conditions. This is possible because we have an employment service operating as a coordinated unit which has up-to-date information on a Nation-wide scale.

Our responsibility to returning veterans in their readjustment to civilian life also requires a Nation-wide employment service. Veterans were called up for service in this war under a national system of selective service and training. They fought for a nation, and that nation guaranteed them certain rights and benefits when they return, including placement service and job counseling. Our Nation must provide these promised services and can insure their provision only through a nationally operated system of employment offices during this difficult period. Veterans coming out of the service now are receiving satisfactory service in the present system of employment offices, according to the testimony of General Bradley before the House Committee on Labor. I am sure that all of us feel strongly that men still in the armed forces, men still overseas, should receive the same good service when they return and are demobilized.

Another reason why I favor enactment of H. R. 4437 is that is provides for continuity of service for personnel now carrying out the employment service program. There are two reasons why this is important, one a question of simple justice to the workers involved, workers who have served well and faithfully during the war years. In the reconversion period they should not be thrown out of their jobs.

Also, we need the continued service of these trained and experienced personnel in local employment offices. In the midst of a football game, no coach would rush in a substitute team of men who have just volunteered for the squad—men with no practice and no training—and who are equipped with nothing more than zeal and promises to win the game. It would be equally foolhardy to remove experienced personnel at this time and replace them with green recruits who must start in from scratch to learn the job. Another important provision of H. R. 4437, and one to which I understand there is some objection, is the section which provides for the establishment of standards of efficiency for the operation of local employment offices. When the Federal Government provides 100 percent of the financing of a State employment service, I find it hard to understand how Congress can fail to insure that the States spend this money to operate their employment offices according to some reasonable degree of efficiency. Certainly, such safeguards are not new insofar as congressional enactments are concerned. In providing Federal money to States for public roads, forestry service, public assistance under the Social Security Act, and public health—to name just a few—Congress has required that as a basis for receiving these Federal funds the States shall operate these programs according to certain standards of efficiency. Surely, it is only good business to insure that you are getting your money's worth for what you invest.

There is one further provision of H. R. 4437 I would like to discuss briefly. If we believe in a strong system of public employment offices, and I, for one, certainly do, it is imperative that we insure that each of the 48 States operate a good employment service. If there is substantial failure, and I repeat substantial, because that is what this bill says, substantial failure, to operate a good employment service which gears into the employment offices of other States, then it seems only reasonable to make provision for the Federal Government to see that this gap in the ranks is closed up. Why should there be objection to this provision, in view of the repeated assertions that the States can operate a better employment service than the Federal Government? We want to assure good performance, and that assurance is obtained through this provision.

As a member of the Committee on Labor of the House of Representatives, I have listened carefully to the testimony presented by witnesses who appeared before that committee. To me the testimony was convincing that H. R. 4437 provides a sound basis for a Federal-State employment service. In fact, the testimony was so convincing that it makes me wonder who is opposing this bill? And why are they opposing it? And what do they hope to gain through its defeat or substantial amendment? Certainly they are not concerned with the interests of the persons served through our public employment offices. Workers are unanimous in their expressed desire for a Federal employment service, or at least the safeguards for a sound service provided in H. R. 4437. And I have received letters from employers urging that the employment service be maintained on a Federal basis during the reconversion period. If not concerned with the interests of the customers of the employment service, then what is the motive behind the opposition?

Obviously, much of the opposition comes from the unemployment compensation administrators of the several States. What is their real concern in opposing H. R. 4437? Could it be that they cannot wait until June 1947 to get control of the 23,000 appointments? Could it be that they are fearful that the federally operated employment offices may aid veterans and workers not eligible for unemployment compensation benefits in securing jobs on an equal basis with recipients of unemployment compensation. Has their main concern become that of protecting the employer's reserve account at the cost of the worker for whose benefit the legislation was originally intended? I see no other answer than a strong "yes," in view of the aggressive, tireless, and sometimes questionable tactics of these men in trying to get the employment service back under their control, no matter what the cost to the workers of this Nation and to the service itself.

Actually, service to unemployment compensation is but one of several functions of the employment office. Placement of workers in jobs, recruitment of workers for employers, employment counseling, selective placement service for the physically handicapped, special service to veterans, collection and distribution of labor market information—all of these plus unemployment compensation make up the total job of the local employment office. In fact, many of the workers served by the public employment service are not even covered by unemployment compensation and hence are not the concern of the unemployment compensation administrators.

In conclusion, I say that we owe to workers, to veterans, to employers of this Nation the kind of an employment service provided under H. R. 4437, and I strongly urge its adoption without amendment.

Mr. WELCH. Mr. Chairman, I yield 10 minutes to the gentleman from New Hampshire [Mr. ADAMS].

Mr. ADAMS. Mr. Chairman, I am one of those who joined with a minority of the committee in opposing certain provisions of the pending bill. The question of the time involved in the return of the employment service function to the States, in my judgment, is not the most important consideration in the problems with which this committee is now deal-

ing. If the pending bill were to return the employment services to the States tomorrow morning, it would be entirely unacceptable to me. For various reasons it is undeniable that the administration should remain in the Federal Government for a longer time than is provided in much of the legislation that has come before us. However, the broad and comprehensive powers which the pending bill retains in the Secretary of Labor are such as to vitiate the transfer of the function which it purports to return. I want to refer to only one phase of this question. Section 212 of the bill provides that in carrying out the provisions of this act the Secretary is authorized to maintain reasonable referral standards which will to the maximum, feasible and consistent with the purposes and provisions of this act, assure equal referral opportunities.

Mr. Chairman, I submit that the relationship which the employment services and the unemployment administrations of the several States ought to bear to each other is one of cooperation; yes, of collaboration. Clearly, this Congress is going to leave with the States the administration of unemployment compensation laws. Now the States have considerable latitude in the legislation which they may adopt in dealing with unemployment compensation. It is true, of course, that the States must conform to the pattern that is laid down by the Social Security Board. On the other hand, within that pattern there is a good deal of leniency and a good deal of latitude in which the States may operate.

The question of suitable work under the unemployment compensation laws in the respective States has been a moot question in the last few months. The States have interpreted the provisions of their laws with respect to suitable work in the manner that they choose. Under the pending bill, however, with the power that is delegated to the Secretary of Labor, he may lay down referral standards which in effect take away the discretion which State administrations now have in interpreting the provisions of their own State laws.

I submit, Mr. Chairman, that that is not the design of Congress at this time.

Mr. JENKINS. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Ohio.

Mr. JENKINS. I think it is a very important fact to remember, when the Members rise and say that the only point in controversy is the date, that that is a very small difference. The important thing is just what the gentleman says. This bill is loaded down with Federal power and will hardly be recognized in its administration.

Mr. ADAMS. On page 3 of the pending bill there is a provision that proper cooperation and coordination be maintained between the public employment service and unemployment compensation programs.

There is a charge to those administering the public employment service to cooperate and collaborate with the Unemployment Compensation Administration of the several States. On the other hand, if there is left to the discretion of the Secretary of Labor the adoption of standards and the exercise of powers that are retained by him under the pending bill, the whole effect of this matter is that the administration of unemployment compensation in the several States will to a very large degree be subject to regulations laid down by the Secretary of Labor. In adopting a bill providing for the return of the Employment Service function to the States, provision should be adopted not only for the effective cooperation of the employment services with the administration of unemployment compensation at State levels but also for the cooperation of the Secretary of Labor with the Social Security Board at the national level.

Mr. Chairman, I submit that the provisions of the pending bill retaining broad and comprehensive powers under State employment services in the Secretary of Labor will result in completely invalidating any real return of the services which this bill purports to transfer.

I yield back the remainder of my time.

Mr. RANDOLPH. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. GEELAN], a member of the committee.

Mr. GEELAN. Mr. Chairman, legislation of this type, it seems to me, should be considered in a matter-of-fact, openminded attitude on the part of the Members of this House so that a clear explanation may be given and a just decision arrived at.

It has been stated today that the moneys which the Federal Government spends for the operation of these offices are State funds and that therefore the States should operate the offices. It is true the funds are collected by a tax levied upon the pay rolls by the Federal Government. However, who actually pays that tax? Is it not the people that these offices are set up to serve? Therefore, should not the best standards that we can prescribe be incorporated in the law, so that that service may be rendered more efficiently to those people?

You will see by reading the provisions of the act regarding the powers of the Secretary of Labor, that he is limited to standards which are reasonable. I contend, therefore, that it is not a blank check to the Secretary of Labor, in that he must conform in his regulations to the basic act as written in the Social Security Act, and that the application of any rule must conform to the provisions set forth in this act.

In addition to postponing the date at which time the offices shall be returned to the States, the act does set up certain standards by amending the Wagner-Peyser Act, which has been unamended since its writing in 1933. From the experience we have gained through 13 or more years of operation it now is evident that revision is necessary, and that revision and those changes are incorporated in this bill. I think possibly the crux of the entire matter is that in view of the merit system ratings in most of the State acts, the real desire on the part of those who want an immediate return to the States is the desire to control the referral standards so that employees will be forced by a change in definition of the term "suitability of employment" to accept the employment which the employers dictate, thereby keeping them off the unemployment compensation rolls and thereby reducing their tax. When it became necessary for the Federal Government by reason of the emergency that we were faced with to take over the offices it was clearly admitted that that was the only sound safe thing to do. That emergency certainly had three component parts: The organization of the service in preparation for war, the operation of that service during the war period, and certainly it should continue until that emergency ceases to exist.

In this period of reconversion, therefore, the same need exists that existed when the Federal Government first took the service over, and until that emergency is no longer present a coordinated service between the Federal Government and the several States should continue.

I am not willing to state at this time that I am in favor of the federalization of the employment services. This, however, would be true if such were the case. We certainly would have uniform standards and not 48 or more separate laws. This it seems to me may very well be desirable. I certainly also feel that the inequality presently existing in the Employment Compensation Acts in which the number of weeks of payment is different in most States, the amounts payable are different in most States, could possibly be very well eliminated by a complete standardization and unification of both the Employment Compensation Service and the Employment Service.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. WELCH. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. McCONNELL].

Mr. McCONNELL. Mr. Chairman, H. R. 4437 is a bill to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933 (Wagner-Peyser Act), and for other purposes.

Short hearings were held by the Labor Committee on this bill and then a vote was taken at an executive meeting at which time I voted against the motion to report the bill to the House.

I am opposed to certain sections of the bill, which I shall discuss. Title I of the bill authorizes the Secretary of Labor to make provision for the return of the public employment offices to State operation on June 30, 1947, or such earlier date as he may deem advisable. I strongly advocate the return of the employment services to the States within a much shorter period of time.

The State employment services were operated by the States prior to the war under the Wagner-Peyser Act, and were turned over, or loaned, to the Federal Government during the war. Now that reconversion has taken place more rapidly than was anticipated, and with practically all of the States, through their governors requesting the immediate return of the employment services to the States, it is my opinion that to delay this action for a year and a half, or until June 30, 1947, is inadvisable. It is the opinion of these same governors, and I concur in their conclusions, that an earlier return will provide a more

orderly replacement of workers and better enable these workers to find attractive employment opportunities near their homes. The general tendency of displaced workers and veterans is to return to their homes or to the vicinity of their homes. The States therefore are in the better position to know of available jobs in their own areas. Aiding returned veterans and displaced war workers is basically a community activity. Locally, there would be less friction and red tape to delay their readjustment to peacetime living conditions.

Title I also, while purporting to return the employment services to the States, actually gives such powers to the Secretary of Labor as to enable him to nullify the effectiveness of State control and operation.

Under section 207, section 5 (b), as amended, the Secretary is given the power to certify to the Secretary of the Treasury for payment to each State which complies with certain provisions, among them being rules, regulations and standards of efficiency as may be prescribed under this act, the amounts that the Secretary determines to be necessary for the proper and efficient administration of a State system of public employment offices.

Under section 210, subsection 8, as amended, the agency designated by any State to cooperate with the United States Employment Service under this act, shall make provision for such methods of administration, relating to the establishment and maintenance of personnel standards on a merit basis, as are found by the Secretary to be necessary to carry out the purposes of this act.

Another section 211, subsection 9 as amended, and each State agency shall comply with such provisions as the Secretary may from time to time find necessary to carry out the obligations under this act. Under these grants of power, local administration would be in theory only, as the Secretary is granted considerable authority in determining the operation of the State system.

I have given this matter, regarding division of authority between Federal and State, considerable study and have come to the conclusion over the week end that in this bill, H. R. 4437, the deletion of subsection (b), section 5, under section 207, and the substitution of the new subsection (b), is not desirable, and is probably the crux of the whole situation. If a proper relationship is to be maintained by the Federal and local, it is imperative that the States assume all or a part of the expenses involved in operating the system. Our Federal Constitution endeavored to set up a healthy relationship between the Federal Government and the State and local authorities. As long as this balance was maintained between them, the well-being of the country was preserved. However, in recent years, there has been an increasing tendency to centralize more and more power in the Federal Government. This trend must be halted, and the balance restored.

In considering this bill, we see a definite tendency toward further centralization of authority in the Federal Government. With the deletion of subsections A and B of section 207, section 5, and substituting therefore the new subsections A and B, we have eliminated the dual contributions by the States and the Federal Government, and left provision for Federal funds alone. Regardless of the words used to safeguard the State interests, it has been my observation that the authority providing the funds really has control of the situation. It is natural in this case, with the Federal Government providing the money they are going to exercise an increased amount of supervision or control. If the States are to retain some measure of local control then the original subsections A and B, or some similar provision, should be placed in the bill that will require State or State and Federal financial contributions.

Although I have stated that I favor the Dirksen bill, H. R. 5142, amended so that the date of return of the Employment Service to the States will be by June 30, 1946, I now believe it should be further amended to provide for State or State and Federal financing of the public employment offices.

Unemployment could be handled more efficiently if the same agency which disburses unemployment compensation would also be responsible for assisting the unemployed to obtain jobs. The increased authority granted to the Secretary of Labor could easily result in friction with the unemployment-compensation administrations in the several States. The Department of Labor—Federal authority—should exercise cooperative and not a dominating position in State administration.

The States have worked out a relatively good system for handling interstate compensation claims, and that same cooperative spirit can be applied to the exchange of information concerning job opportunities in other localities throughout the country.

I am opposed to the bill as written. Amendments will be offered tomorrow which will, in my judgment, correct some of the objections I have mentioned today.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. DOUGHTON].

Mr. DOUGHTON of North Carolina. Mr. Chairman, I regret that I find myself unable to support or go along with the bill, H. R. 4437, as reported by the Committee on Labor. In the brief time allotted to me I desire to read a letter from Col. A. L. Fletcher, chairman of the Unemployment Compensation Commission of North Carolina, whom I regard as one of the ablest authorities on this subject in the entire country. He has been at the head of the employment service in our State for a number of years and has made a very enviable record. In the following letter he discusses the bill fully and advances valid reasons why the bill as written should not pass.

Colonel Fletcher says:

DEAR CONGRESSMAN DOUGHTON: I am reliably informed that the House Labor Committee will report out favorably H. R. 4437. As chairman of this Commission and as a citizen of North Carolina, I desire to register with you my opposition to the passage of this bill.

As your files will show I have laid before you the opinions of Governor Cherry, and my own humble views, relative to the return of the employment service to the States as an integral part of State unemployment compensation systems. I do not wish to repeat them here. The return should be immediate and should not be delayed until June 30, 1947.

But as badly as we need the return of the employment service, I would rather see it remain forever a Federal agency than to have it return under the provisions of H. R. 4437. Even a cursory reading of this measure will show you that it changes every concept of State-Federal relationship as set up in the old Wagner-Peyser Act and is aimed at lodging all powers in the Secretary of Labor.

I oppose it because it gives the Federal Government the power of life and death over States agencies in the power—

To establish any special programs (p. 3, 1.10) the Federal agency may desire:

To require every State agency to live up to any and all promulgations of the Federal agency (p. 7, 1.1 et seq.);

To bypass the State "suitable work" provisions and our administrative interpretations of those provisions (p. 8, 1.7);

To make our servitude absolute by the recapture provision (p. 6, 1.9, and p. 7, 1.24 et seq.) which authorizes the Secretary of Labor to move in and take over if he thinks the State agency is not conforming to his policies, promulgations, and what-not.

For these reasons I hope you will vote against it.

In all seriousness, let me repeat, that as badly as we need the employment service, and as badly as I want it back, I would rather get along without it than to get it back under the provisions of H. R. 4437.

It seems to me from this letter that while the authors of the bill provide for the return of the service to the States in 1947 there is no sound reason why it should not be returned earlier. Under the conditions and provisions of this bill it carries out in my opinion the very purpose that I think the chairman of the Social Security Service in Washington has in mind, that is, indirectly to federalize the whole system. That, in my opinion, is the purpose.

As far as I am concerned, and as much as I earnestly favor the return of the service to the States as early as practicable, and not as late as 1947, I would rather see it remain as it is than see it returned and have the control given to the Federal Government. Therefore, unless this bill is materially amended, which I hope it will be, I shall be compelled to cast my vote against it, much as I regret to do so.

Mr. WELCH. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Chairman, I am opposed to H. R. 4437 and will support the Dirksen amendment. H. R. 4437 is so written that it will not return the employment services to the States, but, to the contrary, will set up a labor czar for unemployment here in Washington, the Secretary of Labor. It is a bill for big government, for centralization of more power in the Federal Government. It is a bill contrary to the wishes of 48 governors representing 48 sovereign States. It is a bill that incorporates that idea of paternalism that has infested the Government here in Washington to the detriment and confusion of the people, "that mother can do it best"; "Uncle

Sam can do it best." Forty-eight governors living close to the people with the State unemployment services who should have, and do have, a greater interest in their people in their State than the Federal Government could possibly have, say that they are equipped and ready to accept the responsibility of seeing that those who are unemployed may make proper contact with those who want their services. But this bill says after 3 days' hearing before a committee of the Congress that 48 governors are wrong; that Uncle Sam can do it best; that we shall set up a labor dictator, a labor czar on employment here in Washington; that we will federalize the entire unemployment services of the Nation. That is exactly what this bill proposed to do when it is boiled down to its real purpose.

The gentleman from West Virginia says that we are in a crisis and that we would have 15,000,000 soldiers whom we would have to look after and who would have to be referred for jobs. Do not let being in a crisis alarm any of the Members of this Congress. It will not alarm the American people because for the past 12 years this administration has gone from crisis to crisis and we will continue to be in a crisis as long as we follow the policies and concept of government that have been brought down upon this country by the present administration. Talk about 15,000,000 soldiers and what General Bradley said should be done. With all honor to General Bradley as a military strategist and a great commander, but since when did he become also within the past 2 or 3 months an expert on the handling of unemployment insurance and the writing of unemployment legislation? The 15,000,000 soldiers who were able to give the best accounting of themselves so far as heroism and military accomplishments of any group of soldiers in the world, will all not need coddling and they will not want it when they come home. Probably a million or perhaps a million and a half or maybe two million will call upon an unemployment organization to seek contact with a job. Most of the soldiers will look after their own jobs. Do not drag the soldiers into this. In every piece of legislation for the last number of years in this Congress there are those who have sought to bring in the American flag or the soldiers. This legislation will do one thing for the soldiers, it will add to his tax bill as all such bureaucratic legislation does.

The Congress has made provision to give the soldier prior opportunities on jobs and the Congress wants to take care of them as best we can. But do not let this bringing of General Bradley into the picture have any more weight than it should have.

A rather large employer in my State told me that the Federal unemployment insurance organization told him, and carried out the threat, that they would not refer anyone to that organization who wanted employment, because that organization paid only 72 to 73 cents an hour, with the result that they could use hundreds of men in that organization, but the Federal employment offices in the State of Illinois will not refer employees to those people who need employees because they pay only 72 or 73 cents an hour for light work, most of it done by women. That is the effect of suitable employment. Suitable employment today has 2,000,000 people drawing unemployment compensation when, in my judgment, there are employers willing to hire 3,000,000 people. In my judgment, there should be a shortage of at least a million workers, whereas, because of the inefficiency and bias of the Federal organization at the present time, they are withholding labor from the market and not referring those people to the jobs.

I talked with the War Manpower Commission when this bill was considered before. After this bill was thoroughly debated in the House, and the House passed it by a tremendous majority, what was their position? They said they wanted the whole set-up federalized; that they did not believe the unemployment services should ever be returned to the States; that they wanted to keep it as a Federal proposition. That is exactly what this bill will do, and that is the purpose.

I am wondering why the President, after we passed this legislation by a tremendous majority, sought to withhold it until the Congress had gone back home, then kill it by a pocket veto, so that the Members would be deprived of an opportunity to pass the bill over his veto. Does he want to hold on to the 26,000 jobs, expand the department and add another 15,000? Does he want to build up and increase Federal bureaucracy? Yes; that is what he must want when he refuses to turn unemployment back to the States.

Now, I come from a rather large State, Illinois. We have a great many million people in Illinois. We have great manufacturing organizations in Illinois. We have a Governor who has so held the confidence of the people that he has been elected by splendid majorities twice. Governor Green of Illinois sent a telegram to me and to other members of the Illinois delegation stating that they are ready to accept the responsibility of handling unemployment insurance and unemployment work in that State and urged that the Congress turn it back to the States; that he believes a better result would be obtained if Illinois, and the States generally, were given back the services that were loaned to the Federal Government.

Mr. Gordon at the head of the Department of Labor in the State of Illinois sends a telegram along the same lines saying that they are fully equipped, anxious, and ready to assume this responsibility.

Mr. Chairman, the Members of the House again have the opportunity to turn back centralization of power from Washington. This bill offers such opportunity and it affords the opportunity to help deflate bureaucracy. The Government is heavily in debt. The States are not. The President has a chance to unload 26,000 Federal pay rollers in this bill. Evidently he does not want to do it. The Congress should do it. Members of the House, here is your chance to do it and relieve the Government of over $75,000,000 in annual expense at the same time. If your people understood this legislation they would want you to do it, because they want to cut down the Federal pay roll in the hope of reducing Federal taxes. Let us turn bureaucracy back, defeat this bill, and enact the Dirksen substitute that will turn the unemployment services back to the States as the late President promised when he asked the States to loan their services to the Government for the duration of hostilities.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. WELCH. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. SMITH].

Mr. SMITH of Wisconsin. Mr. Chairman, I am opposed to this bill in its present form. For the sake of the record I wish to say that the fears many of us expressed when this matter was before the House in 1942 now appear to be fully justified.

On December 19 the then President of the United States addressed a telegram to the Governor of the State of Wisconsin, Hon. Julius P. Heil. He said in part:

> Now that this country is actually at war it is more than ever necessary that we utilize to the fullest possible extent all of the manpower and womanpower of this country to increase our production of war materials. This can only be accomplished by centralizing recruiting work into one agency.

The telegram is much longer but that is all that is necessary to quote in support of my argument. I do want however to give you the response by the Governor of the State of Wisconsin to the President's request. It is dated December 20, 1941. The Governor wired the President, in part, as follows:

> In further reply to your wire asking for the job-placement facilities of this State, and supplementing our immediate answer pledging our full cooperation, we hereby reaffirm that pledge and advise that we are ignoring legal obstacles and are extending to you our job-placement personnel, records, and equipment. It is our understanding that there will be no interference with direct State control of all unemployment compensation functions required under our State law. Our State officials will cooperate fully in working out practical arrangements.
>
> For some months now the fullest cooperation of our employment service has been given Federal agencies in the defense program, resulting in our complete integration in the national effort and in our carrying out implicitly all instructions from Washington. However, on your estimate that closer coordination can be achieved our employment service facilities are yours for the duration.

I want to stress this final paragraph in the Governor's wire to the President. I quote:

> Since the war effort calls for this action, we expect that after victory is ours the citizens of this State will be given back the control over their employment offices which they have so ably exercised for 40 years.

As I said in my opening statement, many of us had great fear that these offices would not be returned to the States and Governor Heil was apparently apprehensive of the possibility of trouble

when the emergency was over. Mr. Chairman, his fears, too, have been amply justified by subsequent events.

On January 7, 1942, I addressed a letter to the then President of the United States. It reads as follows:

MY DEAR MR. PRESIDENT: Your telegram of December 19 asking the Governor of the State of Wisconsin to transfer the State employment service to the Federal Government, and the subsequent action of the Social Security Board to take over all important functions of unemployment-compensation administration, has caused great concern in business, labor, and industrial circles of our State.

Gov. Julius P. Heil very properly acquiesced in your request to transfer the placement facilities of our State to the Federal agency upon your statement that it was in the best interest of national defense. The loyalty and fidelity of the people of Wisconsin in the cause we are now justly engaged in and determined to win cannot be questioned. We are ready and willing to pay the ultimate price for victory. While your request appears to be for a transfer of the employment service only, it is now quite evident that the Social Security Board has overreached itself and now insists upon complete jurisdiction in the administration of the law, as related to the several States. There have been no hearings, and no legislation enacted, which would justify the Board in assuming jurisdiction as it now has. Serious legal questions will arise if an effort is made to maintain permanent control when the war is over.

The State of Wisconsin was the pioneer State in this matter of worker protection against unemployment, and we have established an enviable record in the administration of the law. We honor and respect the men who are charged with this administrative responsibility.

Mr. Chairman, I conclude my letter to the President by asking the following questions:

May we, Mr. President, in the interest of unity and a successful prosecution of the war program be assured:

1. That the Social Security Board will not assume permanent jurisdiction over the unemployment services of our unemployment-compensation law, in the absence of legislation?

2. That when final victory has been won, such functions as may have been transferred to the Federal Government in the interest of national defense be fully restored to the State of Wisconsin in the true spirit of the Bill of Rights?

Mr. Chairman, the President did not answer my letter, and today we are considering a bill which aims to limit and hamstring the States and does the very thing that so many of us feared would happen. It is not fair to the States. It is further evidence that the New Deal favors bigger and bigger bureaus and more and more bureaucrats.

Mr. WASIELEWSKI. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield to the gentleman from Wisconsin.

Mr. WASIELEWSKI. Is it not true that at the time the States turned over these offices to the Federal Government at the President's request they were being loaned to the Federal Government?

Mr. SMITH of Wisconsin. There is no question about that.

Mr. WASIELEWSKI. Does it not seem reasonable then to expect that when these offices are returned to the States they will be returned in the same condition and under the same circumstances under which they were taken?

Mr. SMITH of Wisconsin. The gentleman is absolutely right. These offices should be returned to the States immediately with no strings attached. The bill now before us should be amended so as to provide a speedy return to the States as promised. It is up to the Federal Government to keep faith with the States.

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Chairman, in listening closely to this debate today it appears that there are two irrefutable arguments advanced in favor of this bill to continue USES until June 30, 1947. The first is the argument advanced by my distinguished colleague the gentleman from California [Mr. WELCH] to the effect that while the States and their governors are grasping for control of this unemployment service they are unwilling to pay even a penny for its administration, although most of the State treasuries in this country today are bloated with surplus balances. The second argument is that General Bradley, as Administrator of the Veterans' Administration, says that this bill should be passed and that our unemployment service should be kept in the hands of the Federal Government until June 30, 1947.

The latter argument is good enough for me. I am convinced that General Bradley, whom I first met in early December of 1944 in Luxemburg, has the confidence of our war veterans and has their best interests at heart. I am further convinced that he is doing a fine job and knows what is best for the welfare and protection of his fellow veterans. So that there may be no mistake about it, I am going to quote certain excerpts from the testimony of General Bradley given before the House Labor Committee during the hearings on the pending bill. He said:

The Veterans' Placement Service Board and the Veterans Employment Service will have approximately 15,000,000 men and women veterans of World War II alone to whom it is under obligation to give assistance and guidance in securing gainful employment. They are coming out of service at a rate of somewhat over 1,000,000 a month, and in November this reached about one and one-quarter million.

The Readjustment Act provides for the payment of readjustment allowances for a total of 1 year, within 2 years after they are discharged. The Congress anticipated some trouble the veterans might have in securing employment for at least 2 years after they were discharged.

While the supervision of State and local veterans' placement representatives is under the direction of the Board, the actual work must be done by local public employment offices whether federally or State operated.

The ability of our public employment system to carry out our national responsibilities to veterans, to administer effectively the policies and program promulgated by the Veterans' Placement Service Board is directly dependent upon the action of the Congress on the legislation pending before this committee.

More specifically, it is more dependent upon the matters involved in this legislation: (1) The timing of the division of our presently unified system and federally operated public employment offices into 51 independent State and Territorial systems; and (2) the standards and conditions surrounding the State and Territorial operations of our public employment system after the service is transferred from Federal to State.

With respect to the first, the President stated in his memorandum of disapproval of H. R. 4407, "I now repeat my recommendation that the transfer of our public employment offices to State operation be postponed until June 1947."

This date, June 30, 1947, is the date which would be fixed by enactment of H. R. 4437 (the Ramspeck bill). Veterans need and are entitled to receive a special and competent service from our public employment offices. Our labor force at the present time and for months to come will be extremely mobile. Many veterans will be compelled to change jobs for a large variety of reasons. They will need repeated assistance and counselling from the Employment Service. If at a time when local public employment offices are under peak pressures attempting to render this specialized service to our veterans such offices are subjected to a change of management and direction, the quality of those services will inevitably suffer for a time. It would seem that the difficulties of this transition period should be postponed until the emergency placement of recently demobilized veterans is passed.

As Chairman of the Veterans' Placement Service Board, I am concerned that conditions of the transfer insure high standards of operation. This means that any legislation providing for State operation of our public employment systems must undertake (1) that the service provided by the State will include the type of service prescribed by the Board of Veterans, (2) that these services will be provided with reasonable efficiency, and (3) that if any State for any reason fails to qualify for Federal funds and as a result ceases to operate public employment offices, the continuing needs of the veterans will be protected by a specific requirement that the National Government itself provide and continue public employment office services in the State during any period of a State's failure or inability to do so.

As head of the Placement Board I can state that we would like to see it go on as it is without change, at least until we are over this hump and where there are not so many veterans looking for employment; that it is much easier to carry out the policies of the Board and see that they are carried out by the Employment Service through a national organization rather than through so many separate organizations of the States. Whether it should be transferred beyond that, I should think would be for someone to determine whether or not it can be transferred when business is less and still have an efficiently run program.

Unlike the distinguished gentleman from Illinois who spoke a few minutes ago, I am satisfied that General Bradley thoroughly understands the unemployment problem of the GI.

Most of us present voted to establish the Veterans' Placement Service Board, which the capable general heads, when we enacted the so-called GI bill of rights in the Seventy-eighth Congress. Its responsibility is to advise and assist veterans in connection with their employment. General Bradley accepted that position when he assumed the oath of office as Administrator of Veterans' Affairs.

I doubt that there is a single member of this House who has not a deep and sincere interest in the readjustment of

our returning veterans. This being so, and since the Veterans' Placement Service Board is charged by law with the determination of all policies regarding service to veterans by the Veterans' Employment Service and the United States Employment Service, I cannot for the life of me understand why we are not unanimous in accepting the recommendation of a capable Administrator and GI's general, Gen. Omar N. Bradley, by promptly passing this bill as requested by the President of the United States.

Mr. WELCH. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. LATHAM].

Mr. LATHAM. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LATHAM. Mr. Chairman, on December 7, 1945, I called to the attention of the House reports that enormous quantities of usable surplus Army and Navy equipment at overseas Pacific bases were being wantonly destroyed. I introduced a resolution to investigate the matter.

Since that time, I have received additional confirmation of this astounding situation.

I would like to read to you a few excerpts from letters which I have received.

From New Caledonia:

On Isle Nou, for instance, over 250 boats of all kinds were burned, most of them in fair or good condition; some were unloaded at the Nickel Dock and sent to the S. B. to be burned. There were motor launches, warning boats, Higgins boats, a few landing barges, and, more particularly, one PT boat in very good condition.

Every day for the past month a large crane on a barge sinks material into the sea, especially absolutely new electric equipment, some of which floated to my beach.

Near the receiving station several acres of land contain motors—most of them in good condition—covered over with earth by means of bulldozers.

In Plum Bay about a thousand vehicles, especially GMC trucks, have been dumped into the sea, some as they were unloaded at the Nickel Docks, together with thousands of tires. Trucks carried away full loads of Evinrude motors and various material, all to be thrown into the sea.

Witnesses from Government House have seen Liberty shiploads of lumber transported to N. D. at Magenta (1½ miles) and burned.

At the motor pool at Anse Vata, Chevrolet sedans, in perfect condition, were smashed with the bumpers of jeeps, loaded on trucks, and dumped.

At N. D. hundreds of cars were dumped and covered over with earth from the adjoining hill. The area thus covered is from 8 to 10 acres.

Another from a serviceman recently returned from New Guinea:

I thought I'd write you what I saw: In Hollandia, New Guinea, I saw a Liberty shipload of steel and copper pipe thrown in the bay alongside of the destroyer repair base dock. It was all brand new pipe—never been used. It was estimated at $200,000. There was also $100,000 worth of electric cables for ships thrown in the bay—all new cables; at Manararin Island and Samar Island in the Philippines, 300 brand new PT boats were burned and 500 LCVP's were burned. Hundreds of marine motors were thrown in the bay—all new. Millions of feet of lumber were burned. It is disgusting how men of our country could waste so much material and still have the nerve to tell the people to buy war bonds.

Also from a serviceman on Saipan:

When you consider that they cut good trucks and jeeps up and push brand new planes into the ocean, at $30,000 a push, we are pikers at what we throw away.

And also a letter from Guam:

I could write a biting diatribe about the examples of waste and extravagance I am seeing and hearing about out here, but what good would that do? I shall cite only one instance—a measurable portion of our general cargo was composed of steel drums and sodium carbide, which we transported from San Francisco all these thousands of miles to Guam. Yesterday we discharged these drums—hundreds of them—into an LCI, which took them some distance offshore and dumped them into the ocean. Makes lots of sense, doesn't it?

Further confirmation is furnished by a series of photographs which have been sent to me, showing enormous quantities of galvanized steel, ice boxes, trucks, tires, jeeps, and Quonset huts dumped into the sea. One photograph shows a very large and expensive caterpillar, which one of the natives had tried to buy from the authorities, which had been driven into the bay at low tide and left there to be destroyed by the sea water.

Mr. Chairman, I concede, of course, that there is much material which must be thrown away, and that it is not our wish to glut our home markets and hamper home production, but many of these materials and articles which are being destroyed could relieve very critical shortages right now.

Mr. Chairman, I do not believe that this is a matter of petty waste and of little importance to us. It poses, in my opinion, the following nine very serious questions, in which this body should be interested:

First. Why is the declared policy of Congress being abrogated?

The Surplus Property Act of 1944 states as some of its objectives:

To afford returning veterans an opportunity to establish themselves as proprietors of business and professional enterprises; to establish and develop foreign markets; and to obtain for the Government as nearly as possible the value of the surplus property on its disposition.

That was the declared policy of Congress. In the light of the foregoing disclosures, I leave it to you as to whether this policy has been carried out.

Second. Who gave the orders for the wholesale destruction of this property? The answer to this question would, I am sure, interest all of us.

Third. Should Congress acquiesce in the terrific waste involved? At a time when each person in the United States owes $2,000 as his share of the national debt, and the Internal Revenue Department is chasing little citizens who owe a few dollars on their income tax, should we condone throwing our national wealth into the sea or burning it up?

Fourth. Why could not these trucks and jeeps particularly have been brought back and sold to veterans? Veterans would be happy to buy them. All they get under the present set-up is the runaround.

Fifth. What must the people of these Pacific islands think of us after this performance? We are supposed to be trying to spread amity and good will; yet we deny these people the privilege of purchasing this equipment, and then destroy it in their front yard. From the international view, I think we must concede this is a disgraceful exhibition.

Sixth. Are we not trying to build up our foreign markets? What better salesmanship for American products than to sell, at reduced prices, a few samples of American products in the far corners of the world.

Seventh. What about building materials? Could not the lumber, pipe, and other materials have been profitably returned to this country to ease the critical shortage in building materials and perhaps provide much-needed housing?

Eighth. Would this retard demobilization? Of course it would not. Unfortunately, much of the destruction is apparently already an accomplished fact. I venture to say that it takes less trouble to load a jeep or truck on a Liberty ship than it does to smash it up, load it on a barge or crane, and dump it into the sea.

Ninth. What is the effect of this orgy of waste on our servicemen? I assure you that it is not good. This is indicated by letters I have received. No wonder they are disgusted and critical of the "big brass."

Mr. Chairman, I believe, as I have pointed out, that serious mistakes in policy and judgment have been made, and it is up to the Congress to decide what is to be done about it.

Mr. WELCH. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. JENNINGS.]

Mr. JENNINGS. Mr. Chairman, the open season for name calling is now upon us. The following passage from the Sermon on the Mount is an appropriate heading for what I am about to say:

1. Judge not, that ye be not judged.
2. For with what judgment ye judge, ye shall be judged: and with what measure ye mete, it shall be measured to you again.
3. And why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye?
4. Or how will thou say to thy brother, let me pull out the mote out of thine eye; and, behold a beam is in thine own eye?
5. Thou hypocrite, first cast out the beam out of thine own eye; and thou shalt see clearly to cast the mote out of thy brother's eye. (Matthew vii, 1 to 5, inclusive.)

The return of the 600,000 United Mine Workers to the American Federation of Labor reunited and strengthened two powerful organizations whose more than 6,000,000 members and leaders John L. Lewis and William Green may well play a decisive role in the fight to preserve free enterprise in this Nation.

The issues are joined, the fight is on. Shall collective bargaining between industry and labor be continued, and shall contracts, when entered into, be equally binding on both parties to the agreement? Or shall we continue to travel down the road that leads to forced settlement of disputes with the Federal Government having the last and decisive

voice in the settlement of labor controversies?

The return of the mine workers to the A. F. of L. fold was the signal for a name-calling and libelous attack in the editorial columns of the usually restrained and temperate Washington Post under the caption "Return of the Rebel." Sunday's Post in its leading editorial proceeded to sit in "judgment" on the reunion of the miners and the A. F. of L. and to pour out its wrath on the head of John L. Lewis.

The Post finds fault with Mr. Lewis for not bringing about union between the CIO and A. F. of L. while he was a member of the former. It then charges that his break with the CIO in time of war increased the breach of no-strike pledges on the part of labor.

The editorial then attacks Mr. Lewis on the ground that he, as the leader of the coal miners of the country, did not "abandon the strike as a weapon of coercion" in time of war. The editorial then continues:

> There is not a scintilla of evidence to show that Mr. Lewis has repented of his intransigence that bordered on treason, nor is there reason to suppose that his unexcelled capacity to make trouble will be quenched because he has succeeded in rejoining the A. F. of L. on his own terms, taking with him the United Mine Workers.

The Post's charge that Mr. Lewis as the leader of the United Mine Workers of this country during this war was guilty of "intransigence that bordered on treason" is not sustained or warranted by any fact stated by it—and I know of no conduct on his part or on the part of his organization in this war that "borders on treason."

Let us examine the charges of "intransigence" and "treason" laid at Mr. Lewis' door. Webster's International Dictionary thus defines the word "intransigence": "Quality of being intransigent; irreconcilability"—in other words, an uncompromising person, a person who stands up and fights for what he conceives to be his rights, or the rights of his people, may be said to have the quality of intransigence.

Now let us examine "treason" as defined by the Constitution of the United States. By article III, section 3, of the Constitution, "treason" is thus defined:

> Treason against the United States shall consist only in levying war against them or in adhering to their enemies, giving them aid and comfort.

It is thus seen that it is a far cry from being intransigent—that is, stubborn, uncompromising—to treason. The meaning of "intransigence" and the definition of "treason" refute this unjust and groundless charge.

I hold no brief for Mr. Lewis. He has asked for no defense at my hands. I do know intimately many of the officials of the United Mine Workers. And I know and number among my friends thousands of the coal miners of Tennessee and Kentucky. As a young man, I taught school in the mining towns of my native county; as a lawyer, I have represented many of them in the courts. I know their record in this war and in the first, their record in producing the coal without which victory would not have been possible. Boys from the mining camps of my district and from every other section distinguished themselves in every branch of the service in both World Wars—more than 100,000 members of the United Mine Workers served in the armed forces in this war.

I know from the lips of men who have dealt with John L. Lewis and with his union, and from knowledge that is common to all well-informed persons, that he is an able, forceful, truthful representative of his organization who believes in the sanctity of a contract and keeps his contracts and insists on his union keeping the contracts which it makes.

He has set his face like flint against the infiltration of Communists into the union which he heads. He is an American who believes in this country.

It may well be that the United Mine Workers of America, their leaders and membership, the A. F. of L., its leaders and membership, the great railroad organizations, their leaders and members, will turn the scale in the impending conflict in favor of the preservation of constitutional government and free enterprise in this country.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to my friend the distinguished Member from Missouri.

Mr. SHORT. Does not the gentleman feel that if there was one single group of laboring men in America who needed and deserved the increase they received, it was the coal miners in this Nation?

Mr. JENNINGS. That is absolutely true. Within the last 2 weeks or month, more than 30 men in two terrible explosions in Kentucky and West Virginia gave their lives while performing their duties as soldiers of industry in the most dangerous and hazardous calling in which men in this country engage.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to my good friend from Kentucky who has long been a devoted friend of the coal miners of this Nation.

Mr. ROBSION of Kentucky. The gentleman will recall that Mr. Lewis through the years has been a strong advocate of free enterprise.

Mr. JENNINGS. There is no doubt about that whatever. As I said just a moment ago he is a great American, and he believes in our system of free enterprise, of free men and women in a free country.

Mr. ROBSION of Kentucky. And in the conference called by the President, Mr. Lewis and Mr. Green of the American Federation of Labor agreed with management on two fundamental things connected with strikes and the relationship between management and the workers: Free private enterprise, and collective bargaining. Representatives of management agreed with him. That conference might have accomplished much but for a disturbing influence there that insisted on bringing something into the conference that really was not germane to it.

Mr. JENNINGS. The gentleman is absolutely right, and I thank him for his constructive contribution.

Mr. SHORT. If the gentleman will yield further I wish to say that while I have very few coal miners in my district yet I have visited coal-mining operations in Pennsylvania, West Virginia, southern Ohio, Kentucky, and Illinois. These are fathers of large families; many of their sons fought in this war. They have many little children; they live in poor circumstances. These men go down into the bowels of the earth and never see the light of day for many months of the year. They breathe this coal dust and frequently die at an early age. They certainly deserve every cent they receive.

Mr. JENNINGS. There is not a doubt of that in the world.

Mr. SHORT. And if they had not received this increase which allowed them to continue the production of coal, the wheels of industry would have stopped and we never would have been able to produce the weapons and the sinews of war that made victory possible.

Mr. JENNINGS. The gentleman is absolutely correct.

Mr. ROBSION of Kentucky. I wish to comment on another feature. One thing about it, the United Mine Workers throughout the Nation certainly contributed their part in the buying of bonds and aiding every activity that would help win the war. Furthermore, the United Mine Workers was the one great industrial group in this country that did not ask for preference or to have their sons or brothers exempted from the war because of being engaged in essential war work.

Mr. JENNINGS. That is evident from the fact that men of military age from this small group of workers furnished more than 100,000 men to the armed forces. In one little town in my district, Morley, in my home county of Campbell, every boy of military age went to the Army—volunteered—and when they had exhausted the list, finally another one came within the scope of the draft and he volunteered and joined the Navy, and from then on we were on the road to victory.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina [Mr. HARE].

Mr. WELCH. Mr. Chairman, I yield an additional 5 minutes to the gentleman from South Carolina.

The CHAIRMAN. The gentleman from South Carolina [Mr. HARE] is recognized for 10 minutes.

Mr. HARE. Mr. Chairman, it will not be my purpose in the very limited time of 10 minutes to discuss the merits of the proposal before us or point out whether it has any demerits. I want the RECORD to show what I understand is the historical status of this proposal, and I do it largely in my own defense because of the commitments I have made heretofore in reference to the proposal.

You understand that in December 1941, immediately following the declaration of war, the President of the United States, by Executive order, transferred the United States Employment Service from the States to the Federal Government. The question now is whether this em-

ployment service shall be returned to the States or be retained in the Federal Government.

The question is not new because in the early spring of 1942 those left in charge of the Employment Compensation Service in the States understood that the employment service would be returned at the end of the war, were apprehensive, and they began to write letters to the chairman of the Appropriations Committee. These were so numerous we invited the representatives of the several States to appear before our committee. On April 20, 1942, we accorded them a hearing and invited the representatives of the Federal Security Agency to hear the complaints and to make reply. You will find the testimony on pages 743 to 831 of the hearings before the Subcommittee on Appropriations for the Federal Security Agency, 1943.

I want to quote from the record as found on page 809 of the same hearings where the gentleman from Texas [Mr. THOMAS] propounded this inquiry of Dr. Altmeyer, Chairman of the Social Security Board:

Mr. THOMAS. It appears to me, Mr. Altmeyer, that this argument boils itself down to one very simple and fundamental question. Can you say whether there is any intention on the part of your Bureau or on the part of the Social Security set-up to attempt to maintain these agencies after the emergency is over or is there a policy already cut and dried that they are going to be returned to the States? Can you tell me with definiteness on that?

Mr. ALTMEYER. Yes; of course, we are following out the President's instructions which we understand to be a wartime emergency proposition. The continuance of this particular relationship is entirely dependent upon legislative action. You strike out that language in the appropriation bill before you today and this arrangement will cease on July 1.

Unless additional funds are provided in some other appropriation bill. So it is entirely within the control of the Congress.

Mr. THOMAS. I understand this committee can control it very easily by proper limitations. Now, the question is, I want it answered, Is it the intention of your particular Bureau or Mr. McNutt's office, I might say, that when this emergency is over these two agencies would be returned to the States? Is that your intention?

Mr. ALTMEYER. Why, certainly. We would certainly recommend and I imagine Congress would agree.

Mr. THOMAS. Would you recommend to Congress that they go back to the States?

Mr. ALTMEYER. Yes.

Mr. HARE. Will they go back automatically under the Executive order?

Mr. ALTMEYER. They would automatically go back under that order when funds are no longer provided for Federal operation, sir.

Mr. HARE. But did not the Executive order direct that these agencies be transferred during the emergency?

Mr. ALTMEYER. I have forgotten the exact language.

Mr. HARE. The impression I had was that under the letter of the President to the governors the employment service was to be turned over to the Federal Government during the emergency.

Mr. ALTMEYER. I do not know whether that was specifically stated, but certainly that is the idea. I mean nothing except the wartime emergency would justify the present arrangement.

The language I have read to you is the understanding that your Committee on Appropriations for this agency for a number of years had with the representatives of the Federal Security Board and with the representatives in charge of this agency in the States. That was in 1942. Later on we requested or suggested that the Federal Security Agency, Mr. Altmeyer, that the representatives from the several States get together, one from Wisconsin, one from Minnesota, one from Ohio, one from Texas—there were six or eight of them. It was understood that an agreement would be entered into, and was entered into, by the Social Security Board and the representatives of the several States.

Now, whether that agreement or understanding should be rescinded and whether this Agency should be kept in the Federal Government permanently is a matter for the Congress to determine. I think the Congress has absolute authority and power to say whether it shall be kept in the Federal Government. But I want to submit that, so far as I am personally concerned, I became involved in this question nearly 3 years ago now, when I committed myself to the agreement that was made by the then President of the United States, the Social Security Board, and the representatives of the several States that I would insist that the Agency be transferred back to the States unless the Congress should take affirmative action to the contrary in the meantime, which it has not done.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. To show the historical background from the beginning up to now, it was the positive pledge or understanding between the Federal Government and the States that this Agency should go back to the States.

Mr. HARE. I have read the record, and that is correct.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I yield the gentleman one additional minute.

Mr. ROBSION of Kentucky. Assume that I or your neighbor had been in trouble and we needed a truck and you agreed to loan us your truck on condition that it was to be returned to you; or suppose it was a horse or something else. Then after I had had it for some time and the emergency had passed I would say, "Yes; I will send it back to you, but I want to fix the time when I do give it back to you," so that I would still have some interest and control over your horse or truck. I do not think that that would be right. I do not think it is right to put conditions on. Let it go back to the States as we agreed to do when we took it over.

Mr. HARE. I do not know that I can answer the question.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. WELCH. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield to the gentleman from Missouri.

Mr. SHORT. I want to congratulate the very able and distinguished gentleman from South Carolina, who is a very able Member of this House and who modestly but in a serious manner works hard on the Committee on Appropriations, on the very clear statement he has made. It seems to me that this is just one of the many instances that illustrate how difficult it is, after we surrender power to the Federal Government, ever to get that power back into the States. I am very glad the gentleman has made the statement he has, and I hope he remains here until he is as old as Uncle Joe Cannon, if he cares to.

Mr. HARE. I appreciate the very generous and kind remarks of my very good friend from Missouri, with whom I have served these many years and with whom my associations have been extremely pleasant.

Mr. GEELAN. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield to the gentleman from Connecticut.

Mr. GEELAN. Is there anything wrong with Congress amending the basic law, as is proposed in the bill before us? Is that not the prerogative of the Congress at any time?

Mr. HARE. I hope I made that clear, because Congress can change the law any time it sees fit and feels that it has the necessary or essential justification for its action. I was merely showing what took place 4 years ago and the part I played in that transaction, and that from the fact that I played a part in that transaction I still felt that my obligations were binding, for the reason that sufficient justification had not been given to warrant a change.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I yield myself the balance of the time on this side.

Mr. Chairman, in order to make the record clear, I want to state General Bradley's position in this matter.

Under the Servicemen's Readjustment Act of 1944, as amended, the Veterans Placement Service Board was created and was composed of the Administrator of Veterans' Affairs, as Chairman of the Board. General Bradley, therefore, has a mandate, as he says, to establish policies that will result in an effective job placement and counseling service for veterans, so as to provide for them a maximum of job opportunities in the field of gainful employment. Therefore, General Bradley certainly has an interest in this matter of employment for veterans and for that reason, if for no other reason, I would wish the Employment Service to be retained in the Federal Government. I am convinced that only by doing that can the best interests of the veterans be served. We should leave nothing undone that will be of aid and assistance to the veterans.

Not only that, there is another problem that thrusts itself upon us in connection with this subject, and that is the

matter of employing the physically handicapped. That is a problem that is national in character, and is something that the States cannot handle very effectively. That has been testified to before our committee and that is another reason why I wish the employment services be retained under Federal auspices.

This bill, H. R. 4437, is designed to effect an orderly transfer of the United States Employment Service, now federally operated, to the States. I do not believe that merely because the States once operated the Employment Service for a brief period of years such experience can be offered as justification for return of the United States Employment Service to State operation. Nevertheless, the pressure from State officials on this Congress have been so great that on several occasions both the House and the Senate expressed a willingness to have the United States Employment Service returned to State operation.

I am convinced that if we are to have a fully effective and efficient Employment Service it must be operated on a Federal basis. I reach that conclusion only after a thorough appraisal of the problems which the United States Employment Service is called upon to treat. Whether we have sat in the Halls of Congress or have been in private industry, we cannot fail to appreciate the fact that the problems of employment and unemployment are national in character. The chain of relationships through which modern business is conducted makes this eminently clear. Once we accept that, we must also accept the fact that the treatment of the problems arising from business operations must be on a national basis if they are to receive the best treatment which such problems deserve. Admittedly, other methods of administration can be employed. After all, it was not so many years ago when public employment offices were administered solely by communities, without any coordination among them. If we subscribe to anything other than national administration of the Employment Service, operated under national policies and standards and administered through the States and local offices by employees of a Federal organization, we will be rendering, not the best service possible but a second-rate service. I do not believe that the veterans and civilians are entitled only to a mediocre service.

I believe every Member of the House would agree these individuals are entitled to the best employment service which this country can furnish. We must have the same kind of coordination of all local employment offices as we had during the war years, particularly during this period when millions of veterans are seeking jobs and with more returning who will also be seeking jobs, and with several million displaced war workers who are also trying to make a readjustment to peacetime industry. These individuals are entitled to the best efforts which the United States Employment Service under Federal operation can make in finding new jobs for these individuals and in counseling them and providing job guidance. It is a professional job involving personalized individual service to millions of job seekers. I am informed that more than 10,000,000 visits for job placements, job information, job counseling, and other related services were made at the United States Employment Service offices during December. I am certain that a return of the United States Employment Service to State operation in the near future would completely disrupt these services and create only tremendous confusion which will then require the Federal Government to step in and administer the Employment Service once more, as it has in every emergency during the last 30 years.

Proponents for the return of the United States Employment Service to State operation piously proclaim that employment and unemployment are local problems, and therefore require no Federal administration of operations. I want to emphasize that while the incidence of employment and unemployment is local, the nature and character of the treatment of such problems are national. If these problems are to be resolved, they will require the efforts and energy of a Federal organization and not a system of 48 State compartments. The problems arising from employment and unemployment do not stop at State boundaries. Neither do workers in search of job opportunities stop at State boundaries. Why should we, therefore, sponsor an Employment Service system consisting of 48 units, each looking after its own interests and without much concern over developments beyond their borders? Why should a veteran or a civilian worker be denied information on or referral to job opportunities that are open in other States? Consider the situation in labor market areas which cross State lines, as in Kansas City, Kans., and Kansas City, Mo.; Philadelphia, Pa., and Camden, N. J.; St. Louis, Mo., and East St. Louis, Ill.; Duluth, Minn., and Superior, Wis. Is there any sense to an employment service operation which stops at the State lines in these areas? There are about 47 such urban areas in this country with a total population of about 20,000,000 individuals in which this type of situation prevails.

Nevertheless, I appreciate the fact that despite this situation, the United States Employment Service will likely be transferred to the States. If a majority of this House is still of the opinion that the best type of employment service and the one most needed in the national interest should be operated by the States, then the least they can do is support this legislation. We must have the standards incorporated in this bill and the provision which would authorize the Secretary of Labor to operate a public employment service in a State which is not eligible for funds. These provisions represent a definite improvement and modernization of the basic Wagner-Peyser legislation of 1933. Such provisions are indispensable. It would be foolhardy to leave the Secretary of Labor only the recourse of withdrawing funds of a State employment service which is rendering an inefficient and ineffective service. An action of this type harms only the employers, and civilians who are receiving assistance from the United States Employment Service. The action merely substitutes a complete suspension of such operations for a poor operation.

There can be no justification for any modification of this provision. If the States operate an efficient employment service, they have nothing to be concerned about. If on the other hand, they render poor service, the Federal Government must be very much concerned about it and must take the responsibility for seeing to it that the funds appropriated by the Congress for the operations of a good employment service are expended in accordance with provisions of this legislation. With 100 percent financing of all State costs of operating an employment service, I do not believe this to be an unreasonable provision. State officials have constantly proclaimed that the employment service can be made a more efficient instrument under their administration. Such confidence must be backed up by willingness to concede that if such promises are not fufilled, the Federal Government should have the authority to step in and correct the situation. This prerogative is exercised constantly by Congress in its appropriations to Federal agencies. I cannot see any fundamental difference in principle, merely because Federal funds in this instance are being made available to State agencies.

Only with the assurance that this bill will not be emasculated on these important points do I give this measure my support.

Mr. WELCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I am happy to have these few minutes to speak upon the matters embraced in H. R. 4437, which is a most important piece of legislation. The United States Employment Service was, back a few years ago, purely a function of the State. The several States controlled this agency, and they were fully and completely equipped to handle this agency, and all of the functions emanating therefrom. Many of the Members of the House recall when the Federal Government took over this agency, and the service rendered thereunder, as a war emergency matter, and with the distinct understanding that this service would be returned to the several States for administration by the several States when the war was over. That was the very distinct understanding I had with respect to this agency, and I am confident that was the general understanding of the Members of the House. Therefore, I will give my full support to the measure which will return this agency to the several States, and at the earliest moment such agency can be returned to the control of the several States without disrupting the service in any particular.

Mr. Chairman, this particular service is a State service. It can be handled better, and more expeditiously, by the several States. The several States are in contact with the situations which exist within the State boundaries, and they can handle this service at much less cost and expense than the same is being handled by the Federal Government. The several State agencies are in constant contact with the needs and necessities

within the State—they are in much closer contact with this particular service, within the State, than the Federal Government is, or can be, even with a very large organization to administer it.

While there may be some specific objection to the provisions of the pending bill, with respect to the return date, and to the general Labor Department controls, yet the provisions contained in the so-called Ramspeck bill would give the Secretary of Labor the control and power to issue Federal work referral standards which would, in all probability, bypass and ignore the suitable work provisions set forth in the State unemployment compensation laws of the several States, and, under the provisions of the pending legislation, it is possible to impose upon the several States the obligation to comply with provisions promulgated by the Secretary of Labor. Of course, if the latter provision should be inserted in the measure, that might have some very disturbing implications. For the sake of the argument, suppose certain provisions were promulgated by the Secretary of Labor which could not be carried out, under the State laws, then it would be possible for the Secretary of Labor to move in and take over this service and set up offices, with personnel, to handle the entire matter to his satisfaction. It would become very confusing, I am constrained to say, for the several States to administer their own employment program or their unemployment-compensation program. This plan of a divided jurisdiction would be very confusing, and very disastrous, I am convinced.

Mr. Chairman, prior to World War II, the several States handled interstate clearance of jobs and openings, and the several States can do so again. The largest part of the placements is local, not interstate. The States can and will handle these matters, I am confident, much better, at a less cost and expense, and with greater satisfaction to the people generally than the same could be handled under Federal control.

May I say that I am convinced that it will be a wiser policy to return this service to the several States at the earliest moment the same can be transferred without materially interfering with the service, and I am likewise constrained to believe that the State control, without Federal interference, will meet the needs and the necessities of the people to a much greater degree than if a divided control or responsibilty should be determined. What we want is the very best service for the unemployed in our several States, and we want that service to go forward unhampered by the red tape, and the needless requirements, the same would reflect under Federal control, or under partial Federal control. There is now, and there has been, too much Federal control in this country. Let us get back to the States, and let the States have some control within their boundaries—on matters which are properly within the class of items which should be regulated and controlled by the States themselves.

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, I rise seeking some information. Can any member of the committee tell me what it cost the Federal Government to operate this agency, say, in 1942, the first year it was taken over?

Mr. GEELAN. To the best of my recollection, it was in the neighborhood of $52,000,000.

Mr. ROBSION of Kentucky. That money was paid out for personnel, rent, and so forth. That does not represent money paid out for unemployment insurance, does it?

Mr. GEELAN. Oh, no. It is merely the administrative expenses for operating the offices.

Mr. ROBSION of Kentucky. How much was paid out for unemployment benefits?

Mr. GEELAN. I do not have those figures. There are, of course, 48 or 51 individual funds of the individual States or Territories. They are segregated in separate accounts and are drawn upon by the several States as needed. What the total amount is I do not know.

Mr. ROBSION of Kentucky. Can the gentleman give me any information on that subject as to 1943?

Mr. GEELAN. As to the amounts of unemployment compensation paid by the several States?

Mr. ROBSION of Kentucky. Yes.

Mr. GEELAN. No; I cannot.

Mr. ROBSION of Kentucky. Or for 1944?

Mr. GEELAN. No; I do not have any figures of the total aggregate amount paid for unemployment compensation.

Mr. ROBSION of Kentucky. Can the gentleman from California, the ranking minority member on the committee, give me any information for those years?

Mr. WELCH. 1942, 1943, and 1944?

Mr. ROBSION of Kentucky. Yes.

Mr. WELCH. I will endeavor to get it and have it for the gentleman tomorrow.

Mr. ROBSION of Kentucky. The reason I inquired was because I have understood that the amount of unemployment compensation paid out for 1942 was $100,000,000 more than 1941, and for the year 1944 was something more than $100,000,000 in excess of the 1941 figure. I understand those who discussed the matter before the Committee on Appropriations when funds were asked for this agency pointed out that the agency in the hands of the Federal Government paid out $100,000,000 more for each year there was a national election than in the years when there was no national election. I wanted to find out whether those statements were correct or not.

Mr. GEELAN. I do not see how they could possibly be correct. Incidentally, we are not dealing with unemployment compensation in this bill; we are dealing with employment offices.

Mr. ROBSION of Kentucky. Yes; I know that.

Mr. GEELAN. The funds paid out for unemployment compensation are paid out under the direction of the several State boards. Each State has its own unemployment-compensation board and its own unemployment-compensation director.

Mr. ROBSION of Kentucky. Who is it that certifies the persons to receive unemployment compensation?

Mr. GEELAN. The respective State laws make men eligible or ineligible to receive those benefits.

Mr. ROBSION of Kentucky. Has this agency cost more in operation under the State or the Federal Government?

Mr. GEELAN. It has never been under the Federal Government, I may say to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. The agency has been.

Mr. GEELAN. The unemployment-compensation feature has never been under the Federal Government.

Mr. ROBSION of Kentucky. Not compensation, but unemployment offices.

Mr. GEELAN. The Employment Service has been federally operated since 1942.

Mr. ROBSION of Kentucky. Has it cost more under Federal operation than it did under State operation?

Mr. GEELAN. I do not think it has, but I will get the figures for the gentleman.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. WELCH. Mr. Chairman, I yield one additional minute to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Are there more people on the Federal pay roll than there were on the State pay rolls?

Mr. GEELAN. Prior to Federal operation of the employment offices there were approximately 21,500 people employed.

Mr. ROBSION of Kentucky. The gentleman means by the States.

Mr. GEELAN. That is right. As the work load increased the employees increased to 23,000. So there was an increase of possibly 1,500 people.

Mr. ROBSION of Kentucky. The increase is about 1,500?

Mr. GEELAN. Throughout the entire operation.

Mr. ROBSION of Kentucky. I merely wanted to get some information on this subject.

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. WELCH. Mr. Chairman, I yield such time as he may desire to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Chairman, earlier today during general debate the distinguished gentleman from North Carolina [Mr. DOUGHTON] read the objections of a gentleman from his State, Mr. Fletcher, who has been associated with the unemployment program in which Mr. Fletcher voiced certain reasons for his opposition to the legislation as the committee has reported it.

I should like at this time to extend my remarks setting forth the objections raised by Mr. Fletcher, of North Carolina, together with my reply thereto.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Fletcher said:

> I oppose it because it gives the Federal Government the power of life and death over State agencies in the power—

(1) To establish any special programs (p. 3, 1.10) the Federal agency may desire;

(2) To require every State agency to live up to any and all promulgations of the Federal agency (p. 7, 1.1 et seq.);

(3) To by-pass the State "suitable work" provisions and our administrative interpretations of those provisions (p. 8, 1.7);

(4) To establish at the whim of the Secretary of Labor a modified but nevertheless effective FEPC (sec. 212, p. 8); and

(5) To make our servitude absolute by the recapture provision (p. 6, 1.9, and p. 7, 1.24 et seq.), which authorizes the Secretary of Labor to move in and take over if he thinks the State agency is not conforming to his policies, promulgations, and what-not.

For these reasons I hope you will vote against it.

Mr. RANDOLPH. Mr. Chairman, I herewith set forth the objections raised and my reply thereto.

First. The first objection is that, under section 204 of the bill authorizing the United States Employment Service "to promote, develop, and assure the maintenance of such other special service programs as may be necessary to carry out the purposes of this act," the Federal Government can establish any special programs it may desire.

Answer. The above-quoted provision simply gives specific legislative sanction to special service programs that are already accepted in practice as necessary for good employment-service operation. The outstanding examples are, first, employment counseling for veterans and others, including young people leaving school for their first jobs; and, second, special attention to the employment problems of physically handicapped persons, including disabled veterans.

The language in section 204 cannot be used as a vehicle to require specious programs of a character that the States are not capable of performing.

Second. The second objection is that the addition of the following phrase at the end of the first sentence of section IX of the Wagner-Peyser Act requires State agencies to live up to any and all Federal promulgations—"and shall comply with such provisions as the Secretary may, from time to time, find necessary to carry out his obligations under this act."

This phrase makes the first sentence of section IX of the Wagner-Peyser Act read as follows:

> Each State agency cooperating with the United States Employment Service under this act shall make such reports concerning its obligations and expenditures as shall be prescribed by the Secretary and shall comply with such provisions as the Secretary may, from time to time, find necessary to carry out his obligations under this act.

Answer. The amended provision is no more than a very clear explanation of what should happen when a State agency fails to cooperate. Cooperation is the very lifeblood of any Federal-State program. Much the same provision, though not in such clear or explicit terms, is already in section V (a) of the original Wagner-Peyser Act, which provides that the annual appropriation by Congress to be apportioned among the States is "to be available for the purpose of establishing and maintaining systems of public employment offices in the several States and the political subdivisions thereof in accordance with the provisions of this act." And the Wagner-Peyser Act provides for the issuance of rules, regulations, standards of efficiency, and for the proper expenditure by the States of Federal funds granted to them. Therefore, the present bill proposes no greater authority to revoke or withhold funds than could legally have been invoked in a proper case under the Wagner-Peyser Act.

From the objection to this provision, it sounds as if there would be a revocation of funds for any noncompliance, trivial or otherwise, of the provisions of the act, or the rules, regulations, or standards of efficiency promulgated by the United States Employment Service. The very language of the provision itself belies such an interpretation. The provision, of course, is not uncommon to laws of this kind. Its intent is merely to enable the Secretary of Labor to carry out his obligations under the law and insure that the public funds appropriated for that purpose are actually expended for the objects intended and are not diverted to other uses.

Third. The third objection is that the State "suitable work" provisions and interpretations could be bypassed under the provision in section 212 of the bill. This provision directs the Secretary to assure that State systems cooperating with the United States Employment Service maintain reasonable referral standards which provide for the referral of workers to jobs on the basis of their qualifications and at wages and work conditions that are not less favorable to the individual than those prevailing on similar work in the locality.

Answer. This provision of the bill has no such meaning as is imputed in the objection. No such interpretation can be placed upon the language without lifting out the words "maintain reasonable referral standards," and disregarding the other language of the provision in which this phrase is couched. To construe the language in that way is contrary to all principles of statutory construction.

Far from being in conflict with State laws, the provision is in complete harmony with them. For example, no State unemployment compensation law requires that a work test or that suitable work for a claimant be determined to be at a job or wages and working conditions which are less favorable to the individual than those prevailing for similar work in the locality. The work test is everywhere based upon prevailing wages and working conditions on similar work in the locality according to every one of the State unemployment-compensation laws. The idea that the provision conflicts with interpretations of State unemployment compensation laws is also erroneous. The employment offices report the job offers made to benefit claimants in accordance with procedures established by the State unemployment compensation agency, as a cooperative matter. The interpretation of what is "suitable work" in connection with the right of a claimant to benefits is made solely by the unemployment compensation agency. In other words, the unemployment compensation agency—not the Employment Service—decides when a worker's referral to take a particular job is a cause for denial of benefits.

Fourth. The fourth objection is that a modified but effective FEPC is established by the provision of section 212 of the bill which authorizes and directs the Secretary to assure that State agencies cooperating with the United States Employment Service provide equal referral opportunities of workers to jobs on the basis of their qualifications.

Answer. This language does not establish a modified or any other kind of an FEPC. To interpret the language in that way is to torture from the provision a meaning which the words do not convey. There is a very important distinction between the duties and operation of the Fair Employment Practice Committee and the responsibilities which rest with the public employment service.

The Fair Employment Practice Committee operates against an employer charged with discrimination in the selection for employment of persons because of their race, creed, color, or national origin. This provision in H. R. 4437 does not operate against employers. It simply provides that the public employment service shall not discriminate between individuals by using referral standards which would result in depriving a willing worker who was occupationally qualified of a fair opportunity of referral.

The very name "public employment office" or "free public employment office," as the Service is usually called, implies that the Service is made equally available to all comers, and that every citizen is entitled as a matter of right to the services and facilities of these offices equally with every other citizen.

An employer does not have to hire any particular applicant referred to him. He is not obligated by this or any other provision of the Ramspeck bill to accept any applicant. He is free to use the services and facilities of the public employment offices at his pleasure.

Fifth. The fifth objection is that the States would be put in servitude by the so-called recapture provision in sections 210 and 211 of the bill. These provide: First, that the State agency shall replace any Federal funds received which were lost by any action or contingency, or which were expended by the State for purposes other than, and in amounts in excess of, those found necessary by the Secretary for the necessary and efficient administration of the State system of public employment offices; and, second, in any fiscal year the Secretary is authorized to expend in any State so much of the funds appropriated and made available under section V of this act as he may deem necessary to establish a State-wide system of public employment offices under the control of the Secretary if no State system of public employment offices exists in such State, or if and as long as the State is not eligible for funds in accordance with the provisions of this act.

Answer. With respect to the first, the obligation of the States to replace funds lost or expended for purposes other than, or in amounts in excess of, those au-

thorized is a proper restriction on the use of Federal funds, in that it will undoubtedly more often serve as a deterrent than actually be invoked. It is no different from the many limitations and restrictions, imposed upon Federal agencies, which are common in appropriation laws enacted by Congress. It will insure the proper use of the public money which, when apportioned and transferred to the States, is impressed with a trust to be used solely in accomplishing the objects for which it was appropriated by Congress.

Mr. Chairman, regarding the second, the fact is that without this recapture provision—as it is ineptly called—the employment offices in any State which failed substantially to perform its responsibilities, would have to be closed, thereby depriving veterans, other workers, and employers of the service.

This provision authorizes the Secretary to operate a public employment office system in a State only under two contingencies, as follows:

(2) If no State system of public employment service exists, or (b) if the State is not eligible for funds because of noncompliance with the requirements of the act, or of the rules and regulations and standards of efficiency prescribed by the Secretary. Such statutory rules and regulations as may be issued by the Secretary pursuant to the provisions of the act must be uniformly and generally applied in order to be legally valid. In the second contingency the Secretary would have no authority to operate a State system of public employment offices any longer than the period during which the State agency is ineligible to receive Federal funds.

This provision of the bill, therefore, merely gives the Secretary a much needed power that is to be exercised with extreme caution, and one that is essential to enable him to carry out his duties under the act. Without this provision the whole purpose of the act, that is the promotion of a system of public employment offices that is continually available to the public, could be subverted at the whim and caprice of any State agency which failed to comply substantially with the provisions of the act and with the statutory rules and regulations issued thereunder.

Mr. WELCH. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc.—

TITLE I

SEC. 101. The Secretary of Labor shall provide, in accordance with the purposes and provisions of this act, for the return to State operation on June 30, 1947, or such earlier date as he may deem feasible, of public employment offices in an orderly and expeditious manner.

Mr. RANDOLPH. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that committee having had under consideration the bill (H. R. 4437) to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. STEVENSON asked and was given permission to extend his remarks in the RECORD and include a statement entitled "Billions for Britain."

Mr. HALE asked and was given permission to extend his remarks in the RECORD and include an address by Donald Richberg on January 15, 1946.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HERTER (at the request of Mr. MARTIN of Massachusetts), indefinitely, on account of illness.

ADJOURNMENT

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 9 minutes p. m.); the House adjourned until tomorrow, Tuesday, January 29, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. on Tuesday, January 29, 1946, to continue hearings in its study of operations pursuant to the Public Utility Holding Company Act of 1935.

There will be a meeting of the Federal Trade Subcommittee of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Tuesday, January 29, 1946.

Business to be considered: Commerce hearings on the bill (H. R. 2390) to amend the act creating the Federal Trade Commission, to define its powers and duties, and for other purposes.

COMMITTEE ON PATENTS

The Committee on Patents will hold hearings on H. R. 4143 in the committee room, 416 Old House Office Building, January 29, 1946, beginning at 10:30 a. m.

COMMITTEE ON THE JUDICIARY

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, January 30, 1946, on the bill (H. R. 2710) to provide for the detention, care, and treatment of persons of unsound mind in certain Federal reservations in Virginia and Maryland. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

The Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary will hold a hearing on Monday, February 4, 1946, on the bill (H. R. 5023) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, February 6, 1946, on the bill (H. R. 5089) to amend the First War Powers Act, 1941. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

983. A letter from the Resident Commissioner of the Philippines to the United States, transmitting pursuant to the provisions of section 2, paragraph 11, of the act of Congress of March 24, 1934, Public, No. 127, a copy of Commonwealth Act No. 725, "An act to provide for the next election for President and Vice President of the Philippines, senators, and members of the house of representatives, and appropriating the necessary funds therefor," which was passed by the First Congress of the Philippines during its fourth special session and approved by the President; to the Committee on Insular Affairs.

984. A letter from the Administrator, Wage and Hour and Public Contracts Divisions, United States Department of Labor, transmitting the report of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor for the year ended June 30, 1945; to the Committee on Labor.

985. A letter from the Administrator, Federal Security Agency, transmitting the annual report of the Office of Vocational Rehabilitation for the fiscal year 1945; to the Committee on Education.

986. A letter from the Director, Administrative Office of the United States Courts, transmitting statistical tables and charts containing data in regard to bankruptcy cases administered in the district courts of the United States in the fiscal year ending June 30, 1945; to the Committee on the Judiciary.

987. A letter from the Administrator, Federal Security Agency, transmitting the annual report of the Office of Education for the fiscal year 1945; to the Committee on Education.

988. A letter from the Administrator, Federal Security Agency, transmitting a copy of the tenth annual report of the Social Security Board for the fiscal year ended June 30, 1945; to the Committee on Ways and Means.

989. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes," approved March 3, 1921, as amended; to the Committee on the District of Columbia.

990. A letter from the Administrator, Federal Security Agency, transmitting a draft of a proposed bill to extend the provisions of the act of December 2, 1942, in respect to certain civilians suffering disability, death, or detention as the result of action of the enemy, and for other purposes; to the Committee on the Judiciary.

991. A communication from the President of the United States, transmitting a proposed provision pertaining to existing appropriations for the War Department for rivers and harbors and flood control (H. Doc. No. 426); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RANDOLPH: Committee on Labor. H. R. 4908. A bill to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes; with amendment (Rept. No. 1493). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOYKIN: Committee on Patents. H. R. 5223. A bill to extend temporarily the time for filing applications for patents, for taking action in the United States Patent Office with respect thereto, for preventing proof of acts abroad with respect to the making of an invention, and for other purposes; without amendment (Rept. No. 1498). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COMBS: Committee on Claims. S. 991. An act for the relief of Mr. and Mrs. Marion M. Hill; without amendment (Rept. No. 1494). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 3085. A bill for the relief of William C. Reese; without amendment (Rept. No. 1495). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5010. A bill for the relief of Mrs. May Holland; with amendment (Rept. No. 1496). Referred to the Committee of the Whole House.

Mr. SIKES: Committee on Military Affairs. H. R. 1616. A bill to grant an honorable discharge from the military service of the United States to William Rosenberg; with amendment (Rept. No. 1497). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 5244. A bill to authorize the appointment of additional foreign service officers in the classified grades; to the Committee on Foreign Affairs.

By Mr. HOLIFIELD:

H. R. 5245. A bill to provide for the acquisition by the United States of certain real property in the District of Columbia; to the Committee on Military Affairs.

By Mrs. ROGERS of Massachusetts:

H. R. 5246. A bill to broaden the scope and raise the rank of the veterans' preference provided for in the Surplus Property Act of 1944; to the Committee on Expenditures in the Executive Departments.

By Mr. VINSON:

H. R. 5247. A bill to repeal the act of July 19, 1940 (54 Stat. 780, U. S. C., title 34, sec. 495a), and to amend section 2 of the act of March 27, 1934 (48 Stat. 503, U. S. C., title 34, sec. 495), relating to the construction of vessels and aircraft, known as the Vinson-Trammell Act; to the Committee on Naval Affairs.

H. R. 5248. A bill to include civilian officers and employees of the United States naval government of Guam among those persons who are entitled to the benefits of Public Law 490 of the Seventy-seventh Congress, approved March 7, 1942 (56 Stat. 143), as amended, and for other purposes; to the Committee on Naval Affairs.

By Mr. BRUMBAUGH:

H. R. 5249. A bill relating to clothing, accouterments, and equipment for enlisted personnel of the Army; to the Committee on Military Affairs.

By Mr. GRANT of Alabama:

H. R. 5250. A bill providing that veterans' preferences under the Surplus Property Act be administered through the Veterans' Administration; to the Committee on Expenditures in the Executive Departments.

By Mr. LESINSKI:

H. J. Res. 304. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1946, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. MERROW:

H. J. Res. 305. Joint resolution providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing an appropriation therefor; to the Committee on Foreign Affairs.

By Mr. RYTER:

H. J. Res. 306. Joint resolution authorizing the President of the United States to proclaim October 11, 1946, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. VINSON:

H. J. Res. 307. Joint resolution to authorize the use of naval vessels to determine the effect of atomic weapons upon such vessels; to the Committee on Naval Affairs.

By Mr. McCORMACK:

H. J. Res. 308. Joint resolution authorizing the President to proclaim October 11, 1946, General Casimir Pulaski Day; to the Committee on the Judiciary.

By Mr. BOREN:

H. Res. 497. Resolution providing for an investigation of the administration of the Surplus Property Act of 1944; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to provide for enlisted men in World War II terminal leave pay on the same basis as commissioned officers; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to declare as surplus all unnecessary building materials held by the armed forces and to provide preference rights to veterans in sales of such materials; to the Committee on Expenditures in the Executive Departments.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. D'EWART:

H. R. 5251. A bill authorizing the Secretary of the Interior to convey certain lands in the State of Montana to William Walter; to the Committee on Indian Affairs.

H. R. 5252. A bill authorizing the Secretary of the Interior to convey certain lands in the State of Montana to Myron E. Hagadone; to the Committee on Indian Affairs.

H. R. 5253. A bill authorizing the Secretary of the Interior to convey certain lands in the State of Montana to Wilbur J. Erickson; to the Committee on Indian Affairs.

H. R. 5254. A bill authorizing the Secretary of the Interior to convey certain lands in the State of Montana to Russell D. Nesbit; to the Committee on Indian Affairs.

H. R. 5255. A bill authorizing the Secretary of the Interior to convey certain lands in the State of Montana to Herman W. Druesdow; to the Committee on Indian Affairs.

H. R. 5256. A bill authorizing the Secretary of the Interior to convey certain lands in the State of Montana to Charles A. Druesdow; to the Committee on Indian Affairs.

H. R. 5257. A bill authorizing the Secretary of the Interior to convey certain lands in the State of Montana to John Eberling; to the Committee on Indian Affairs.

By Mr. KEFAUVER:

H. R. 5258. A bill granting a renewal of Patent No. 113,244, dated February 7, 1939, relating to the flag of the Church of God; to the Committee on Patents.

By Mr. McGEHEE:

H. R. 5259. A bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires which occurred at various Navy shore activities; to the Committee on Claims.

By Mr. PETERSON of Florida:

H. R. 5260. A bill granting a pension to Charles E. Carlovitz; to the Committee on Pensions.

By Mr. SHAFER:

H. R. 5261. A bill for the relief of David Weiss; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1494. By Mr. LUTHER A. JOHNSON: Petition of Charles Barker, commander, Lancaster Post, Veterans of Foreign Wars, Mexia, Tex.; Charles E. Williams, Waxahachie, Tex.; and Mrs. W. S. Underwood, commander, Nowlin Post, No. 124, of the American Legion, Department of Texas, Mexia, Tex., favoring terminal leave pay for enlisted men; to the Committee on Military Affairs.

1495. By Mr. PFEIFER: Petition of the American Veterans Committee, Inc., Williamsburg Chapter, Brooklyn, N. Y., favoring a permanent FEPC and other legislation; to the Committee on Labor.

1496. By Mr. RICH: Petition of citizens of Rew, McKean County, Pa., in opposition to S. 1678 and similar legislation requiring registration of firearms; to the Committee on the Judiciary.

1497. By Mr. WOLCOTT: Petition of 45 members of the Elkton Missionary Church, Elkton, Mich., expressing opposition to the proposed compulsory military training program; to the Committee on Military Affairs.

1498. By the SPEAKER: Petition of Texas Hardware & Implement Association, petitioning consideration of their resolution with reference to their opposition to the price squeeze and the OPA and their favoring legislation to amend the tax laws so as to require cooperative corporations to pay taxes on the same basis as other corporations; to the Committee on Ways and Means.

1499. Also, petition of Texas Gulf Coast Press Association petitioning consideration of their resolution with reference to their opposition to such philosophies of government as the principle of ability to pay, also their opposition to such legislation as the FEPC; to the Committee on Labor.

1500. Also, petition of St. Paul Trades and Labor Assembly, petitioning consideration of their resolution with reference to urging Congress to enact laws proposed by President Truman to meet the labor situation; to the Committee on Labor.

1501. Also, petition of Italian-American Labor Council, Inc., petitioning consideration of their resolution with reference to a just and early peace with Italy; to the Committee on Foreign Affairs.

1502. Also, petition of Veterans of Foreign Wars of the United States, petitioning consideration of their resolution with reference to veteran representation on civic committees; to the Committee on Rules.

SENATE

TUESDAY, JANUARY 29, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal God whose glory the heavens and the earth declare and whose garments vast and white we touch in all truth, all beauty, all goodness, we are grateful that Thou dost bend so close to our frail mortality that at the altar of prayer spirit with spirit may meet. Though our faces are shadowed by earth's tragedy, we lift them in faith to the Light that no darkness can put out. Praying for grace to make us worthy of so momentous a time, our intercession rises for our Nation, its President, the Congress, and all who influence its policies, and for the whole body of the people, that the fearful sacrifices of our costly war may not end in disillusionment of mankind's hopes and the despair of our children after us. We ask it in the dear Redeemer's name. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

CALL OF THE ROLL

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Murray
Austin	Hart	Myers
Bailey	Hatch	O'Daniel
Bankhead	Hawkes	Pepper
Barkley	Hayden	Radcliffe
Bilbo	Hickenlooper	Reed
Bridges	Hill	Robertson
Briggs	Hoey	Russell
Buck	Huffman	Saltonstall
Bushfield	Johnson, Colo.	Shipstead
Byrd	Johnston, S. C.	Smith
Capehart	Kilgore	Stanfill
Capper	La Follette	Stewart
Chavez	Langer	Taft
Cordon	Lucas	Thomas, Okla.
Donnell	McCarran	Thomas, Utah
Downey	McClellan	Tobey
Eastland	McFarland	Tydings
Ellender	McKellar	Walsh
Ferguson	McMahon	Wheeler
Fulbright	Magnuson	Wherry
George	Maybank	White
Gerry	Mead	Wiley
Gossett	Millikin	Willis
Green	Morse	Wilson
Guffey	Murdock	Young

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from Louisiana [Mr. OVERTON], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. CARVILLE], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Idaho [Mr. TAYLOR] are necessarily absent.

The Senator from Washington [Mr. MITCHELL] is absent on official business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business as a member of the Mead committee.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Minnesota [Mr. BALL] is absent because of illness.

The Senator from Maine [Mr. BREWSTER], the Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. BUTLER], the Senator from Oklahoma [Mr. MOORE], and the Senator from West Virginia [Mr. REVERCOMB] are necessarily absent.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee.

The PRESIDENT pro tempore. Seventy-eight Senators having answered to their names, a quorum is present.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. GEORGE. Mr. President, I have been constantly at work in the hearings of the Pearl Harbor Committee and have not been able to attend the sessions of the Senate except for a little while between 12 and 2 o'clock. Other duties have contributed to make it impossible for me to give the attention I should like to the bill which was made the unfinished business and to subsequent matters which have been injected in the debate. I regret that I have not been able to hear all that has been said on the important general issue before the Senate and the country, but I wish to speak briefly today on the merits, or what I consider to be the merits, of the bill before the Senate in the form of unfinished business, and also, incidentally, upon the right of free and unlimited debate still existing in the world in no other legislative body than the Senate of the United States.

What I shall say I beg Senators to believe represents my honest judgment and my profound conviction. I am very far from thinking that when the Members of the present Senate and House of Representatives who may have been committed to a particular vote upon this issue shall have passed off the scene or shall have entered upon another term of office, legislation of this kind will finally become fastened upon the American people. I believe directly the contrary. I do not believe the American people, on sober second thought, will endorse the proposals contained in the pending bill, S. 101. That I say without any reflection upon those who have sponsored the bill, because I realize that there are many very honorable, able, and good people in and out of public office in the United States who believe that this bill is right, and they have been in good faith in proposing it and in urging it. Of course, there are others who, I think, have acted for quite different reasons. But that is always true with respect to any legislative proposal of real importance.

The United States Government has the right to employ whom it will in the public service. The employment should be according to ability and fitness and without regard to religious or racial affiliations or connections. To make employment depend on religious or racial discriminations or tests is, of course, wrong. Those classes of people who are not fitted for the more responsible jobs it would seem should be given a chance for jobs for which they are fitted, and a sincere effort should be made to allow all classes a part in the public service. That I understand already to be the law of the land.

When the Government lets contracts for public works to independent contractors, the United States Government has, I think, power to prescribe any reasonable condition which it may see fit with respect to the persons to be employed in doing the work. It is, of course, most unwise to give to persons who are not qualified a job upon public works, but it is especially harmful to our general economy to exclude persons who are qualified in order to make a place for others who are not competent to do the job. It is clear that this course increases the cost of government—a matter which should concern the political party represented on this side of the aisle, which through a long and glorious period of our history boasted of its ability to administer the government economically.

When the Government of the United States, through its Congress, attempts to tell private business, as distinguished from contractors for public works, who shall be employed and who shall not be employed, it steps entirely outside its constitutional power. When the Congress of the United States attempts to dictate to the individual citizen whom he shall employ it is guilty of odious intermeddling, and moreover assumes the role of tyranny. In the last analysis it relies on mere physical and economic power to accomplish its purposes. It therefore becomes tyrannical as against the individual citizen who asserts his right to choose or select the persons with whom he wishes to work and with whom he wishes to associate.

The bill now before the Senate raises a fundamental question or issue of government, not in its narrow or technical or legalistic sense, but in its broad historical sense. This bill, and the philosophy upon which it is grounded, is opposed to the theory of government which found its high purpose and expression in the Bill of Rights and in the fourteenth amendment—the very basis invoked by those who have brought forward this legislation.

In express terms the first 10 amendments sought to impose the prohibition

on the States against interference with religion, life, liberty, or property. Indeed, the Bill of Rights was technically unnecessary as a part of the Constitution. Nevertheless, Jefferson and many others who were influential in building our system of government believed it unwise to leave anything to construction or interpretation, and insisted upon a prohibition against the exercise of any powers by the Federal Government over freedom of speech, religion, or other immunities or rights of the citizen. Subsequent events in aftertimes have demonstrated over and over again the wisdom of Jefferson and all his conferees in that period of our history.

The heart of the Bill of Rights is reaffirmation and reassertion of the rights of freemen superior to the power of any government and of all government, either local or general. In the States where individuals may still reach their representatives and make themselves heard—and freedom depends upon local self-government, government administered by local officials responsive to local public opinion—in the States where the citizen can still assert and maintain his right there is no danger that government will undertake to destroy these immemorial rights of freemen. Those who insisted upon the first 10 amendments to our Constitution were endeavoring to make it plain to all future generations that certain rights of free men were above and beyond the control of the national or general government, as they had always maintained them against the encroachment of the State legislatures.

Therefore if this bill raises a fundamental issue of government, not in its legalistic, but in its historical and broad and philosophical sense, are not Members of the Senate, the remaining legislative body in which debate is still free and unlimited, justified in opposing it? If we are to impose any limitation upon debate, how short shall we cut the debate upon any issue, however fundamental and however basic? Who shall put limits on freedom of debate in this body if freedom of debate is to remain anywhere in America?

So, Mr. President, those who believe that an end favored by them may properly be reached by any means at hand at any time always have opposed and always will oppose free speech and unlimited debate. Those who think the filibuster—that is to say, unlimited debate upon a fundamental issue—should be outlawed are merely expressing their wholehearted approval of the proposal, whatever its nature or character. In other words, they are for cloture when they wish to put over something which ought not to be enacted. They are against cloture if they sincerely believe the proposal to be contrary to the fundamental thesis upon which our whole political life is founded.

Mr. President, there is but one sensible limitation that can be placed upon debate in this body if we wish to hold to freedom of speech and unlimited debate. That is in the rule which we know as our cloture rule. It is perfectly obvious that those who love freedom of speech and unlimited debate will not place a limitation upon themselves if they regard the issue as fundamental and vital. That is precisely the case in connection with the question now presented to the Senate.

Throughout our history prohibitions have been imposed upon governments, State and local. Thomas Jefferson, the founder of our party, asserted over and over again that progress toward true democracy did not consist in granting more power to government, but in vesting more power in the people.

Here the proposal is that compulsion should be and must be used by the state on the individual citizen to compel him to restrict his power to select his own employees and, therefore, his own business associates. Men who have deep and abiding convictions will not hesitate to assert the right of unlimited and even prolonged debate upon an issue of this character. Such men at least know that the philosophy which is embodied in the present proposal is the philosophy of totalitarian government, pure and simple, in its most extreme form and expression. Such men, at least, know that that if it is the propor function of the state to compel its citizens to follow certain principles as to race, creed, color, or national origin in deciding whom they shall employ and with whom they shall associate in their daily affairs, or whom they shall admit to union membership, the state can at any future date compel its citizens to adopt other and directly contrary principles. If the state can compel nondiscrimination in the selection of one's workers, with whom he himself may associate, it can compel outright discrimination. The latest example is Nazi Germany. It is not the only example. If the state has such power over its citizens in controlling human social and religious relationships, then the American system of government is running Nazi Germany a very close second.

Certainly those who founded our Government knew what had happened in the field of religion and science as a result of unwise and futile attempts to compel adherence to what the state considered desirable principles. They resolved that our Government should not assume such powers, no matter how desirable the objective might seem to the reformers of a given era or period.

The bill now under discussion before the Senate proposes a full swing-around from the basic principles upon which the American system of government rests. Moreover, those who founded this Government did not believe in absolutism. They rejected the doctrine wherever it presented itself. Certainly they did not accept the sophistry that if the state, the local government, is lacking in a certain power to obtain a given objective, the power must necessarily have been delegated to the National Government.

Such persons—that is, those who accept this doctrine—have failed to take note that some fundamental powers were retained by the people. They were neither reserved to the States nor granted to the Federal or general Government, or to any government, but they were retained by the people themselves.

The so-called fair employment practice bill is the latest effort to control human and social relationships, not by the influence of religion or education, but by political compulsion. If experience is worth anything, it demonstrates over and over again that every attempt to change customs, attitudes, and even prejudices, by law—particularly harsh criminal law—creates more difficulties and produces more violence than the so-called evil which the reformers seek to cure. If human experience is worth anything, this legislation, if finally approved, will break down in administration, and will thereby weaken the confidence of the citizen in the strength and justice and power of his Government. If written into law, this bill will become one more example of the futility of Government in its effort to control personal attitudes, personal decisions, and even prejudices, by human law. But it will be a costly noble experiment. It will take many millions of the taxpayers' dollars to demonstrate what ought to be obvious to all thoughtful men and women, and moreover it will furnish one more weapon to all the left-wing groups of the country to confuse and destroy the power of the American citizen successfully to manage and control his own private business affairs. The legal enforcement of a moral rule which is not generally acceptable, Mr. President, is a tyrannical abuse of political power, for the reasons already indicated. The enforcement of moral law and of religious precepts is not within the power granted to human government. It may be desirable to prevent discrimination against any person because of race, creed, color, national origin, or ancestry. It is, nevertheless, impossible to draw any legal line between an injustice resulting from human prejudice and the exercise of a fundamental freedom possessed by the citizen under our system of government to choose his own coworkers and associates.

It must not be forgotten that employers of small numbers of workers either work directly with or are very closely associated with their workers. The effort to punish by law what well-meaning persons call discrimination will undoubtedly interfere with the creation of competent, efficient business organizations. This is true, whether the business be that of farming, lumbering, or manufacturing. Undoubtedly it will provide an excuse also for every incompetent and unruly employee to bring a lawsuit if discharged or if not advanced according to his own estimate of his own abilities as rapidly as he desires. Furthermore, all persons who have never been employed or invited to become employed to work in a given job will have the right to claim that they were, in fact, unlawfully denied employment on account of their race, their creed, their color, or their national origin. Under this bill, if an employer wishes to hire anyone, from an office boy to general manager, he will act at his peril in rejecting the application of a man who is willing to claim that he was discriminated against because of race, color, creed, or ancestry. I take it that every lawyer and certainly every businessman of any experience knows that a business may be destroyed, not only as a result of litigation but by virtue of the actual pendency of litigation. Law-

suits oft repeated can be just as effective a means of destroying any business as the actual judgment of a court. If the bill becomes law, an employer also will act at his peril if he wishes to hire anyone, from a water boy on a farm where five other men and women, or both, are employed up to the foreman or superintendent. The water boy belongs to some race. He may not have any creed. But the farmer will act at his peril in not offering him a job or in not advancing him as rapidly as the boy thinks he should be advanced, if he wishes to go into court and claim that the alleged discrimination has been on account of race, color, creed, ancestry, and so forth.

It is passing strange that the promoters of this bill do not outlaw discrimination because of sex or because of age. Certainly a person should not be deprived of a job because of being a woman or of being young or even of being somewhat advanced in age. I regret that the distinguished Senator from New Jersey is not now present because I am rapidly approaching his class, which might properly be described as the modern Osler class.

Mr. SMITH. Mr. President, if the Senator from Georgia will yield, let me say that the Senator from New Jersey is present and is deeply impressed with the argument the Senator from Georgia has made, and hopes to have the privilege of asking one or two questions.

Mr. GEORGE. Did I say "New Jersey"? I meant the Senator from Connecticut because our distinguished friend the Senator from Connecticut [Mr. HART] had something to say about men of advanced age.

Mr. President, if there is to be any limitation upon the right of a free citizen or of a free business to exercise the power of selection and choice when it comes to choosing his or its own workers, certainly women should be brought within the protection of the proposed law. Even if the American citizen who has a job to offer to a willing worker can select his workers without the danger and hardship of a lawsuit, he must discharge every unruly worker at his peril. It is impossible to visualize the difficult of building up and maintaining a good business organization with the constant threat of a lawsuit hanging over management from sunup to sundown—lawsuits if he makes the wrong selection in the first instance or the right selection of his workers but for a wrong reason, and lawsuits if he does not advance the workers in his employ, and still more lawsuits if he should discharge any worker, whatever might be his incapacity, because it would always be possible for the worker to assert that the manager had been controlled by prejudice on account of the race, color, creed, or ancestry of the worker.

It is unthinkable that the Congress would impose this law upon employers of six or more workers. It is now understood that according to the decisions of the Supreme Court, every business is an interstate business or at least its activities affect the flow of interstate commerce. There are, of course, some minor exceptions, but they are very minor. Every large business must engage continuously in the hiring and in the changing of its employees.

There will be a sufficient number of dissatisfied employees, once this bill is passed, to increase the Federal pay roll ad infinitum. We may assume that some of the labor organizations will prosecute vigorously and diligently all complaints made by employees even by those who do not feel that they have been fully considered for employment. The so-called Fair Employment Practice Act will provide the most adverse influence on private enterprise which has yet been devised.

It is not necessary to assert that this legislative proposal originated in the fertile brain of a Communist, and that I do not do. It would be a reflection, however, upon the ability and capacity of the Communist to suggest that he had nothing to do with originating it. It is certain that Communists everywhere are vigorously supporting this bill, although there are many good persons who are being misled by their sympathies for those who have been subjected to what they regard as unfair discrimination.

The supporters of this measure are losing sight of the affirmative right of the freeman to make his own choice with respect to his business associates and his workers, so long as the exercise of that choice does no harm to the general economy of the country.

Mr. RUSSELL. Mr. President, before my distinguished colleague leaves the point to which he is addressing himself, I may say that, while he may have covered the matter in general terms, he has made reference to employment. I am sure that he realizes that this bill does not confine the question strictly to initial employment. It follows the employer and his employees throughout all the relations of employment. It applies to any promotion which may be made within the employment, bringing it down to the most intimate details of a man's business. It would have the effect of denying an employer the right to say anything about the management of his own business.

Mr. GEORGE. My colleague is entirely correct in the statement which he has made. In a general way I believe I have asserted the same viewpoint, and I thought I would refer to it a little later.

Mr. President, I was about to say that the word "creed" covers any form of belief, whether religious, political, or social. A fellow traveler will assuredly be able to find somewhere in his race, in his color, in his creed, or in his national origin, a point upon which he can base a complaint of illegal discrimination in respect to his original employment, his successive promotions or failure to receive promotions, or in his final separation from his employer's business.

As a matter of fact, Mr. President, without regard to race, creed, color, or national origin, does not a free employer have the right to select persons who will do a good job for him? I put the question fairly. Does not a freeman have the right to select those with whom he will work daily in his own business, and with whom he will associate daily, and upon any ground which he may wish to base the selection, so far as the principle which we are now discussing is concerned? Is the right of selection, which few would deny as being an abstract power of a freeman, to be considered as discrimination if it is influenced by any consideration of race, creed, color, national origin, or by any human prejudices? Would it be discrimination to refuse to employ a Communist in a business devoted to the research and production of atomic energy and atomic bombs? The man who would employ such a person would be a sheer fool. Would it be discrimination to refuse to employ a Negro as a writer for a magazine devoted to the maintenance of white supremacy? Do not freedom of the press and freedom of speech now permit one to advocate white supremacy? If my right still exists to advocate what I wish to believe and what I wish to assert, I have the right to hire a man to assist me who is in sympathy with my views. That right necessarily involves the subject of race, creed, ancestry, and what not.

It is practically impossible to draw any legal line of distinction between the doing of an injustice because of an unwarranted prejudice, and the exercise of the fundamental freedom to choose one's fellow workers and business associates. That is why this bill, if eventually enacted into law, could never be enforced. That is why it is impossible to get Americans to punish other Americans for drawing the distinction, though their human and unjustifiable prejudices enter into the decision, between the choice of one's workers and fellow associates and outright discrimination merely because of race, color, creed, or what not.

There could be no enforcement in the American way of this proposed law, Mr. President, and there are those in this country who know the truth of my assertion.

In what I now say I exculpate and protect from any possible insinuation my distinguished and beloved friend from New Mexico [Mr. CHAVEZ]. He has a worthy and high purpose in fostering this proposed legislation. I am sure the same is true of the distinguished Senator from New Jersey [Mr. SMITH] who sits on this floor and honors me with his presence. But nevertheless, I assert that there are those in this country who know that it would be impossible to enforce in the American way this bill if enacted. There are those in this country who have never intended it to be enforced in the American way. There are those in this country who would not want to enforce it in the American way. They would want to enforce it through a tyrannical use of political power to the point where no private business could remain in the hands of its managers and where, as the result of confusion, the Government would be compelled to take over. Only a resort to tyranny, Mr. President, could bring about any semblance of enforcement of such a law, and such tyranny, I believe, when once it were asserted, would lead to the speedy abandonment or repeal of the law, because I have not yet lost my faith in the American people. The bill itself recognizes the truth of the statement and anticipates the necessity that forces free

government to assume the role of the tyrant over its citizens.

Mr. SMITH. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from New Jersey?

Mr. GEORGE. I yield.

Mr. SMITH. I do not rise to debate this matter with the distinguished Senator from Georgia. I rise frankly to say that practically every point he has made has been very heavily on my heart for many months, if not years. I rise frankly to say that I am faced with a dilemma and I desire to ask the Senator a question.

I am finding myself supporting a measure which I hope will be drastically amended before action is taken on it, and I hope to help to prepare amendments. Fundamentally, for many of the reasons the distinguished Senator has stated, I do not approve the measure as it is now drawn. Yet, Mr. President, the presentation of this measure here and the enactment of similar measures in States like my own—New Jersey—and New York, symbolize something very fundamental, and it seems to me that we are called upon, not with heat and certainly not with any sectional differences, but as men, to seek a solution.

The problem is that of minorities, not only in America but in the world. All over the world the same issue is before civilized peoples. It will be before the UNO. We have it here first because the other nations of the world are asking us, "How are you going to solve your minority problem?" And it is because I want America, the home of the free, the home of those who believe in the Bill of Rights, the very Bill of Rights the distinguished Senator has been defending—and I heartily concur with his analysis of it—to solve this baffling problem that I am deeply interested in this bill.

I pleaded in the committee before the bill was reported that we might take time to confer with those who live south of Mason and Dixon's line, who know much more about the problem than we do, to see if we could not find a modus vivendi, not so much to handle the social question, but the fundamental question which is equality of opportunity in education and in occupation for all our people.

Mr. President, I regret to say that it was not possible to hope that such a program could be worked out, and we were forced to the position either of abandoning having the subject considered or else reporting a bill which we hoped to have debated on the floor by the Senate, acting as a committee of the whole, as the Senator from Oregon [Mr. MORSE] has said, whereby we might find some way of getting together, and, as probably the most important legislative body in the world, courageously facing what I think is important in furtherance of the very Bill of Rights to which the Senator from Georgia refers, namely, the right, without regard to race, creed, or color, for the citizens of this country to have equality of opportunity in education and in occupation.

Unfortunately, Mr. President, I have frequently known of cases where employers, even large concerns, would not hire a man merely because of his color. I have known of cases where my Jewish friends have been discriminated against for no other reason than their religion. They had the intelligence, they had the ability, and they had every other qualification, but, because there is a prejudice against certain of our religious groups, they were denied employment.

I ask the distinguished Senator from Georgia can he suggest a road on which we may travel toward assuring to our people, so far as it is humanly possible to assure them, equality of opportunity in education and in occupation and that they will not be discriminated against; but not to force anything on anybody, for I am opposed to that kind of enforcement. Would the Senator accept the bill of the Senator from Ohio [Mr. TAFT] which provides for investigation and regulation, but not enforcement.

Mr. GEORGE. Mr. President, I have not seen the bill of the Senator from Ohio and I do not know what it provides; I have hardly had time to read the pending bill. I may say to the Senator from New Jersey that I share fully his anxiety and his concern about freedom of opportunity and freedom of employment and freedom of economic equality, so far as that goes, including, of course, education and the right of education. I may say also to the Senator, without adverting to the fact there are a great many Negro citizens in my State and in my section, because I did not wish to discuss this bill on that basis, that great progress has been made in that direction individually and as a race.

The Negroes of the South have become home owners, and the owners of business enterprises. They have entered educational institutions, and in all our public schools they have a daily record of attendance which, on the average, is higher than the record of the white population in the same communities.

I may say to the Senator that the Negroes in the South have accumulated property. They are now engaged in the banking business, in insurance, and in almost every other line of business. Some of them, indeed many of them, have gone into the professions. They are lawyers, doctors, and dentists, and if they are the right kind of men and women, they enjoy the confidence of the community, just as the white people enjoy the confidence of the good citizens of the community.

We are making that progress. The one Negro insurance company that has a greater volume of business on its books today than any other in the world is located in Atlanta, Ga. It is a company owned and controlled entirely by Negroes. I dare say that those Negroes would feel that the Government was cruel and tyrannical if it walked up to their place of business and said, "You must not consider the race or the creed or the ancestry of any person who applies to you for employment," because they have learned that the only way to overcome human prejudice, the only way to take out of the hearts of men and women feelings of that kind which ought not to be in the souls of men and women is through the gentle influences of religion and education, through the constant efforts upon the part of men and women who understand the problem to really bring about a better relationship.

I had considerable difficulty some time ago with some ministers of my own denomination, because they were not content with the long processes of religion and of religious practices to convert men from sin. They wanted to invoke the policemen and the county sheriff. I could not go along with them. I knew such an effort would fail. I knew that the policemen could not take sin out of a man. That is my belief. There is no way by compulsion of law to do what the bill seeks to do.

In my opening remarks, as the Senator will recall if he was here, I said specifically that the Government as an employer should eliminate any possibility of discrimination on account of race, creed, or ancestry, and that in making contracts for public works it likewise had the power and the authority to legislate with respect to those who would take the jobs, but when it undertook to intrude itself into the personal business of the citizen himself, then the Government was stepping entirely out of its constitutional bounds and powers. Whether we like it or not we must be patient and await the coming of that time when, through the gentle influences of culture, of education, and of religion, improved relationships will manifest themselves in every section of our country. I have no doubt that time will come.

I do not know that there will ever be a time when a businessman will not consider the matter of race, whether a man be black or white, in the selection of his own intimate employees and fellow workers. That is what I have tried to make plain, and I thank the Senator for his question. I thank the Senator for his very fine attitude on this, as on all other matters of legislation, as I have had an opportunity to observe him since he became a Member of this body.

Mr. SMITH. I appreciate the Senator's kind remarks, and I wish to say that I feel the distinguished Senator from Georgia has brought a great deal of light to the consideration of the subject we are discussing.

I myself have taken an active and prominent part in the debate because I think this is a matter which should not simply be brushed aside. I believe it will be possible for us to sit down and work out a plan whereby our attitude as a people can be represented, and whereby grave injustices can be prevented. When that can be done, I do not know. I share the Senator's feeling that it will be impossible, or next to impossible, to enforce a law of this kind without getting that type of inquisitorial pressure to which we are all opposed, but I do feel that while the Senator is talking about the Bill of Rights I have to put up my hand for what I think is one of the great fundamentals of our country, namely, equality of opportunity in education and in occupation. I thank the Senator.

Mr. GEORGE. I fully agree with the Senator; I am not in disagreement with him at all. I said, and I take the time now to repeat, that I did not wish even

to refer to the fact that in my own State and in the South generally there were many members of the Negro race, and, of course, other races as well, and I shall adhere to my purpose.

I could certainly have no prejudice against the Negro. I was reared with the Negro, and possibly by him. I have really known him all my life. My knowledge of him is not what I have read in books; it is not what political reformers have told me. I know the Negro has his faults; he has his vices, and I know also that he has his virtues. I know I would never do one an injustice, and I and my right-thinking neighbors in the South desire that the Negroes shall have full benefits in the field of education and of employment. Moreover, Mr. President, I have assisted the Negro again and again to obtain and enjoy all those privileges.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. CHAVEZ. I go even further than the Senator from Georgia. I know he desires that everyone in the South should have an education and equality of opportunity, but I wish such a state of mind could be reached that a President could be elected from the South. So far as I am concerned, I should be most happy if, when we go to the next Democratic National Convention, we would not hear, "Well, you cannot elect a man from the South." I know there are many good men in the South who would make fine Presidents.

Mr. GEORGE. I certainly thank the distinguished Senator from New Mexico, for whom I entertain the warmest love and respect, for his very kind words, but I myself have learned that the northern Democrats always discriminate against us from the South when it comes to putting anyone from the South on the national ticket. I can understand that they have that right, and I would not seek to deny it, and I have never sought to deny it.

I wish to remind the Senate, in just a word, that it has been a long, long time since Henry Grady, in Boston, reminded the East and the world that in the dark days of war, when there were no white men or even boys left in the community, the only thing that stood between our southern women and southern womanhood, and debauchery, was a black man's honor. That was true. It was true in countless numbers of cases all through the rural South.

Does anyone think we do not wish to treat the Negro as he should be treated? I do not say that everyone in the South has treated the Negro properly. I recognize that the South has often been at fault in its treatment of the Negro; I understand that; but we have made great progress, continual progress. We are on the way up, we are on the way to a better day, and men do not help us when they bring up bills like the one now pending, although they may do so with the best of purposes, and anti-lynching bills, anti-poll-tax bills, and other similar measures which seem to be aimed at deep social and economic convictions held by the men and women of the South.

It may be prejudice, but, granting that, it is simply human prejudice, and there is no answer to human prejudice, and never has been an answer, except the influences of education, the influences of religion, those influences which make for the general culture and advancement of a people and of a race.

Mankind has known for 2,000 years where to turn for sympathy and succor in the hour of travail and suffering. Man has had that recourse since the Savior of mankind hung bleeding and broken upon the cross. There are no short cuts, there is no easy way. But I stand here today and assert that no people in all history have made the progress the black man and the white man in the South have made since Lee handed his sword to Grant at Appomattox, and Grant returned it to Lee.

No people anywhere have made such progress as the people of the South have made, white and black alike, and they have patiently endeavored to work out their problems, with full recognition that the problems existed, and with full recognition that they would be able ultimately to meet them.

Mr. President, I was about to say, and I say it now, that not the good men who have fostered the proposed legislation and the good women who believe in it, not any of our colleagues here or in the other body, think that this bill, if it shall become a law, will be enforced by tyrannical means; but there are people in this country who think they are above government and who think that they will enforce this bill, if enacted, by resort to means, methods, and practices which would destroy any private-enterprise system on the face of the earth.

We have given into the hands of the left-wingers many instruments of public power; but give them this bill, with the power actually written into it, and it will be practically impossible for private business and private enterprise to continue.

I said, Mr. President, that this bill is violative of the Bill of Rights, the very basis upon which it is insisted the legislation rests, or should rest. What do I mean? I find in the bill, proposed to be written into the letter of the law, that the agents selected or elected or chosen to administer it may go into any private business anywhere, without a search warrant, without probable cause, in the very teeth of one of the original ten amendments to the Constitution which we call the Bill of Rights. That amendment says, "You shall not do it." The amendment says the State or the National Government shall not do it. But the bill says that an agent may do it. What does going into private business mean?

Mr. President, I am a farmer, not a large farmer, but I have at least 6 persons, perhaps 15 persons, who work side by side with the foreman on my farm. The only place of business I have is my private home. Since I came to the Senate, if I have any books or any records of my farm operations, they are in my own private home, which is located outside a little village in southern Georgia. Under this bill, an agent may enter my home, take my books, make copies, produce evidence, without a warrant, without any authority of law, even without probable cause. Read the Bill of Rights, and Senators will see that such acts are expressly condemned.

Then, Mr. President, under the bill, jury trials are to be entirely abolished. In the bill there is nothing that looks toward a jury hearing, to a right to be heard by a jury, if one be accused of discrimination on account of race, creed, color, or ancestry of another, insofar as human employment is concerned. One of the 10 amendments even says that when as little as $20 in money is involved a man has a right to have a jury trial. But that is not so under this bill. The individual does not have any rights under it.

Then the most extraordinary provision of the bill is that anyone accused of having discriminated in employing his workers or in failing to advance them, or in discharging an unruly worker, on account of his race, creed or his ancestry, may be haled before a court if he refuses to give evidence when he is called on to testify, and punished as for contempt. That applies to any citizen anywhere in the United States or in any of its insular possessions. Under this bill, a citizen of Hawaii can be brought into Maine or Georgia and punished for contempt because he has refused to answer to one of these nomadic kangaroo agents who are going around all over the country inquiring into why an employer has not hired someone, or why he has discharged him or why he has not advanced him. Do Senators know what is in the bill? Read it. That is in the face of the whole spirit of the Bill of Rights. The Bill of Rights sought to give every man a trial by a jury of his peers, in the community where the alleged offense was committed, on a charge by men who likewise were acquainted with his circumstances and with his condition.

Mr. HAWKES. Mr. President, will the Senator yield to me for a moment?

The PRESIDING OFFICER (Mr. HOEY in the Chair). Does the Senator from Georgia yield to the Senator from New Jersey?

Mr. GEORGE. Yes.

Mr. HAWKES. Did it ever occur to the Senator that the reason the framers of the bill did not give a man the right of trial by jury in the case the Senator is talking about in the community where the offense is alleged to have been committed is because no offense, in this case, is committed under the Constitution of the United States, and therefore they do not dare give the individual a trial by jury?

Mr. GEORGE. That is correct. The Senator may not have been present at the time, but I said those who really understand the bill know very well that it can never be enforced in the American way, that it can only be enforced by a group in the United States who propose to use extra-legal and extra-constitutional means in its enforcement. The Senator from New Jersey is entirely correct.

Mr. HAWKES. The Senator from Georgia is absolutely correct in that statement. I probably have done as much for the Negro—and I shall continue to do so during the remainder of

my life—as any man who has ever been in business in the United States. I intend to speak on this subject before the Senate gets to a vote on the pending measure. I recently talked with one of the most eminent Negroes in the State of New Jersey, who told me the same thing a very eminent woman who had worked in prohibition told me, that if this bill should become law and an effort should be made to enforce it as it is now written, it would destroy all the work he has done in behalf of the Negro in the last 20 years. He is a man of very high standing among the Negroes in my State.

Will the Senator pardon me for a moment if I say a few more words?

Mr. GEORGE. I shall be glad to yield to the Senator if I may do so without losing the floor, though I am about to conclude.

Mr. HAWKES. This is not a one-sided question, and Senators must understand that pressure groups do not mean the American people. They do not always mean all the people in the group they are presumed to represent. I shall show before I get through that in my opinion this proposed law will do the Negro no good. That statement can be applied to others than the Negro, for there are other people in other groups who will be affected by this bill. Instead of doing good, it will do each one of them untold injury if it is put on the books in anything like its present form. I desire to say that according to my American lights and with my experience in the United States, choice of employment cannot be legislated. It simply cannot be done. It is not compatible with the American system. It is not compatible with the guaranties of the Constitution of the United States.

Mr. President, I thank the distinguished Senator from Georgia for permitting me to say this much at the moment, because I am deeply interested in doing everything that can be done for the Negro, and for all groups, and in the matter of employment I have never discriminated against any group in my life. I thank the Senator from Georgia.

Mr. GEORGE. I thank the Senator from New Jersey very much for his statement.

Mr. RUSSELL. Mr. President, will my colleague yield briefly to me?

Mr. GEORGE. I am about to yield the floor. I yield.

Mr. RUSSELL. The Senator from New Jersey said what my distinguished colleague had said so eloquently but a moment ago, that it is not possible to help a minority by striking down individual rights. No American citizen, whether he be in a minority or a majority, can be helped by doing things which will make him a slave of the state.

Mr. HAWKES. Mr. President, may I say to the distinguished junior Senator from Georgia that in my opinion in connection with legislation of this kind there is nothing more powerful than actual facts, evidencing what goes on in practice. I have had a tremendous amount of experience in matters of this kind in the company which I represented as president before I came to the Senate. I educated our foremen and superintendents not to discriminate. In one plant we have done a magnificent job in the democratic development of right thinking, fair treatment, and fair practice. In another plant we have not done nearly so well. That is the human equation.

I attended a very important meeting on this subject in Trenton, N. J., at which were present the then Governor Edison and former Governor Hoffman. The atmosphere was highly political. Many were looking for the votes of minorities. Sometimes we underestimate the thinking ability of segments of minorities. They do not always vote the way the pressure groups try to make us think they will vote. I told those assembled at that meeting the things which I intend to tell the Senate before I am through. I cited actual facts in operation. I told them that the Negro had nothing more important to do than to try to improve himself, and to make haste slowly; that great movements do not occur merely as the result of waving a magic wand or enacting a law.

A colored gentleman who was present, a very distinguished Phi Beta Kappa man, stated that he took great exception to my statement that the Negro must make haste slowly. He said that the Negro had been the most patient man in the world. Let us freely admit that he has been very patient. This colored gentleman said, "All you businessmen have to do is to order so many colored men put on your pay roll in any plant you control." I was not supposed to talk any further, but I said, "My distinguished friend, who has been awarded the Phi Beta Kappa honor at Harvard, is as wrong as he can be. He does not understand the reactions of the human family at all." I asked him, "Do you know what would happen at a certain plant of our company if we were to order 200 Negroes placed on the pay roll tomorrow morning? Within 2 hours we would have a committee of white employees waiting on us, and they would say, 'If you put those Negroes to work the plant will shut down and 1,680 men will go out of work.'" I said, "That is not a matter of management. It is not a matter of law. No one in the world but ourselves can make you or me give decent, high-grade employment and respect to other people. It must be in the heart of man. It must be a development which comes about through education." It comes about through what the distinguished senior Senator from Georgia has suggested. It comes about from religious convictions properly applied in a practical way. It comes about because one wishes to deal fairly with his fellow men.

No Member of this body who does not wish to treat the Negro fairly is fit to sit in the Senate. No Member of this body who has hatred or bitterness against any group in our American life is a good representative of the people. But, Mr. President, neither you nor I can make things move any faster than the human family can absorb them.

Mr. CHAVEZ. Mr. President, I wonder if the Senator from Georgia will yield to me for a brief observation?

Mr. GEORGE. I yield to the Senator if I may do so without prejudice to my rights. I have no desire to hold the floor very much longer.

Mr. CHAVEZ. Mr. President, I fully agree with what the Senator from New Jersey has said. He has made the statement that someone who had a degree from Harvard suggested that what the company should do was to put 200 Negroes to work. I fully agree that the gentleman was completely wrong. I wish those who, for reasons of their own—honest, legitimate reasons—are opposed to the proposed legislation would get things straight. There is not a single proponent of the bill who would compel the Senator's company or any other company to employ 200 Negroes, 200 Jews, or 200 people of a particular religion. All we are trying to say by this bill is that while we cannot insist that the Senator's company or any other company put them to work, if the Senator's company needs 200 employees, those who are available and qualified should not be discriminated against and prevented from obtaining the jobs merely because they happen to be members of a particular religious group, or because of their color, race, or ancestry. It is not my purpose to try to compel anyone to do anything by this bill except to afford every person the equality of opportunity about which the Senator from New Jersey speaks.

Mr. HAWKES. Mr. President, will the Senator from Georgia yield to me?

Mr. GEORGE. I yield provided I do not lose the floor.

Mr. HAWKES. Let me say to the Senator from New Mexico that in the State of New Jersey there is already too much snooping and interference with the exercise of the right of choice, which is a vital part of our American business life. It makes no difference to me what anyone may say; I know what is going on in New Jersey. A colored man will be sent to a certain plant to find out whether the job is being done in the way he and his group think it should be done. I am not saying this against the colored race. I am merely telling what has happened. The colored man may ask, "Have you a toilet?" In our company the answer is, "Yes; there it is." But he asks that question because he wants to find out whether he will be refused the right to use it.

Mr. CHAVEZ. Mr. President, I do not want the Senator to get the toilet confused with fair-employment practice.

Mr. HAWKES. I do not believe that the American free enterprise system can be operated without the right of free choice in employment. I believe that fair practices must be developed through the hearts of men, rather than by legislation. The Senator referred to my statement about the employment of 200 Negroes. That was simply to illustrate a point.

Mr. CHAVEZ. Like the toilet.

Mr. HAWKES. I do not wish to have the Senator misunderstand.

Mr. CHAVEZ. I do not wish to misunderstand the Senator; but I want the Senator to know that the proponents of the bill do not want the Senator's company in New Jersey to employ a Negro laborer when it needs a carpenter. We do not want him to employ a Negro

merely because he happens to be a Negro, when the Senator needs a machinist.

Mr. HAWKES. There would never be any trouble with the company with which I have been connected in New Jersey because it employs without discrimination all classes of people, including all national origins and Jews and Negroes. In that respect, no other Member of the Senate has any better record than I have. I have a Jewish secretary in my office. I have a Jewish dentist in Montclair, who I think is the best dentist in the world; and I have a Jewish income-tax lawyer, who knows all about my affairs.

Mr. CHAVEZ. That is the best point the Senator has made yet.

Mr. HAWKES. I have had him for years. A short time ago I received a letter from a Jewish gentleman claiming that I was anti-Semitic because I made a speech in New York——

Mr. CHAVEZ. I will deny that, on behalf of the Senator.

Mr. HAWKES. I certainly am not. This gentleman claimed that I was anti-Semitic because I had stated that many Communists were planted in Washington. I did not say anything about Jewish Communists, but he took the statement to himself. I told him that the thing I was worrying about more than anything else was being accused of being anti-gentile, because I had a Jewish secretary, a Jewish dentist, and a Jewish income-tax lawyer.

Mr. CHAVEZ. If this bill becomes a law, we will not permit the Senator to continue that arrangement. We must have fair employment. [Laughter.]

Mr. GEORGE. Mr. President, I thank Senators for their contributions, but I must bring my remarks to a conclusion.

Mr. CHAVEZ. Mr. President, will the Senator yield to me?

Mr. GEORGE. I yield, provided I do not lose the floor.

Mr. CHAVEZ. I wish to thank the Senator for discussing the bill on its merits. I appreciate the Senator's remarks. I may not agree with his conclusions, but I know that he has discussed the bill in the way it should be discussed.

Mr. GEORGE. I thank the Senator.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

NOTICE OF HEARING ON NOMINATION OF FRANK M. SCARLETT TO BE UNITED STATES DISTRICT JUDGE, SOUTHERN DISTRICT OF GEORGIA

Mr. McCARRAN. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing has been scheduled for Tuesday, February 5, 1946, at 10 a. m., in the Senate Judiciary Committee room, upon the nomination of Frank M. Scarlett, of Georgia, to be United States district judge for the southern district of Georgia, vice Hon. Archibald B. Lovett, deceased. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from Nevada [Mr. McCARRAN], chairman; the Senator from Mississippi [Mr. EASTLAND]; and the Senator from Wisconsin [Mr. WILEY].

NOTICE OF HEARING ON NOMINATION OF JACOB WEINBERGER TO BE UNITED STATES DISTRICT JUDGE, SOUTHERN DISTRICT OF CALIFORNIA

Mr. McCARRAN. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing has been scheduled for Tuesday, February 5, 1946, at 10 a. m., in the Senate Judiciary Committee room, upon the nomination of Jacob Weinberger, of California, to be United States district judge for the southern district of California, vice Hon. Harry A. Hollzer, deceased. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from Nevada [Mr. McCARRAN], chairman; the Senator from Mississippi [Mr. EASTLAND]; and the Senator from Wisconsin [Mr. WILEY].

JOINT RESOLUTIONS OF RHODE ISLAND GENERAL ASSEMBLY

Mr. GREEN presented two joint resolutions of the General Assembly of Rhode Island, which were referred as follows:

To the Committee on Finance:

Joint resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to work for an amendment to the GI Bill of Rights Act in order that men in the armed services who are hospitalized may have the same right as honorably discharged veterans to purchase Federal surplus property

Resolved, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they are hereby respectfully requested to work for an amendment to the GI Bill of Rights Act in order that men in the armed services who are hospitalized and have not been separated from the services may have the same right as honorably discharged veterans to purchase Federal surplus property; and be it further

Resolved, That the Secretary of State be and he is hereby authorized to transmit to the Senators and Representatives from Rhode Island in the Congress of the United States duly certified copies of this resolution.

To the Committee on Naval Affairs:

Joint resolution protesting emphatically against the decision of the United States Navy Department to terminate the manufacture of torpedoes at the United States Naval Torpedo Station, at Newport, R. I., and the transferring of such activity to Forest Park, Ill.

Whereas the United States Naval Torpedo Station at Newport, R. I., was established by act of Congress approximately 75 years ago and is one of the oldest naval institutions in the country, a New England institution as well as a Rhode Island one; and

Whereas there is serious question upon the part of the citizens of this State concerning the right of the United States Navy Department to substitute for the main plant at Newport, R. I., established by act of Congress, a temporary war activity for the future manufacture of torpedoes; and

Whereas the termination of the activity at the Naval Torpedo Station at Newport, R. I., has caused extreme hardship to hundreds of civil-service employees who have given the best years of their lives to the Federal Government service only to learn that involuntary separation in a very large number of cases will mean loss of retirement benefits; and

Whereas the said termination of activity presents a serious unemployment problem in a community which has depended over the years upon torpedo manufacture as practically the sole industry in the city of Newport; and

Whereas a large number of former employees at the Naval Torpedo Station have their families and homes to support and maintain and find it a severe sacrifice or impossible to move out of Newport to find new employment: Now, therefore, be it

Resolved, That the members of General Assembly protest earnestly and vigorously the decision of the United States Navy Department to terminate the manufacturing of torpedoes at the United States Naval Torpedo Station at Newport, R. I., and the transfer of such activity to Forest Park, Ill.; directing the Senators and Representatives from Rhode Island in the Congress of the United States to use every effort at their command to halt this said proceeding and to have said decision reconsidered; directing the Secretary of State to transmit duly certified copies of this resolution to the Honorable Harry S. Truman, President of the United States of America, to the Secretary of the Navy, and to the Senators and Representatives from Rhode Island in the Congress of the United States.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BAILEY, from the Committee on Commerce:

S. 1601. A bill to revive and reenact the act entitled "An act granting the consent of Congress to the counties of Valley and McCone, Mont., to construct, maintain, and operate a free highway bridge across the Missouri River at or near Frazer, Mont.," approved August 5, 1939; without amendment (Rept. No. 904);

S. 1660. A bill to revive and reenact the act entitled "An act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill.," approved December 21, 1944; without amendment (Rept. No. 905);

H. R. 3730. A bill granting the consent of Congress to the State of West Virginia to construct, maintain, and operate a free highway bridge across the Monongahela River at or near Star City, W. Va.; without amendment (Rept. No. 906); and

H. R. 3940. A bill to revive and reenact the act entitled "An act granting the consent of Congress to Rensselaer and Saratoga Counties, N. Y., or to either of them, or any agency representing said counties, to construct, maintain, and operate a free highway bridge across the Hudson River between the city of Mechanicville and Hemstreet Park, in the town of Schaghticoke, N. Y.," approved April 2, 1941; without amendment (Rept. No. 907).

By Mr. MEAD, from the Committee on Commerce:

S. 1248. A bill to establish a Bureau of Scientific Research, and for other purposes; with amendments (Rept. No. 908).

By Mr. McCARRAN, from the Committee on the Judiciary:

S. Res. 216. Resolution authorizing an investigation of the administration of martial law in the Territory of Hawaii subsequent to December 7, 1941; without amendment (Rept. No. 903), and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOWNEY:

S. 1772. A bill to amend an act entitled "An act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II"; to the Committee on Public Lands and Surveys.

By Mr. SALTONSTALL:

S. 1773. A bill for the relief of Frederick Uhrman; to the Committee on Claims.

By Mr. HAYDEN:

S. 1774. A bill for the relief of Charles J. Smith; to the Committee on Claims.

By Mr. MORSE:

S. J. Res. 137. Joint resolution to authorize the Secretary of Labor to make certain studies of the health of school children, and for other purposes; to the Committee on Education and Labor.

"ALTERNATIVES TO BRASS HAT MUDDLING"—ARTICLE BY SENATOR LA FOLLETTE

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an article written by him, entitled "Alternatives to Brass Hat Muddling," published in the January 28, 1946, issue of the Progressive, which appears in the Appendix.]

RURAL ELECTRIFICATION BENEFITS FROM ST. LAWRENCE DEVELOPMENT—ARTICLE BY SENATOR AIKEN

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an article entitled "Development of the St. Lawrence: Benefits to Rural Electrification," prepared by him and published in the January 1946 issue of the magazine Rural Electrification, which appears in the Appendix.]

EXTENSION OF PRICE CONTROL

[Mr. WHERRY asked and obtained leave to have printed in the RECORD an article entitled "Truman Asks Price Control For Next Year," which appears in the Appendix.]

FEPC TERMED FARCE BY LOCAL EMPLOYERS—ARTICLE FROM THE ANDERSON (S. C.) DAILY MAIL

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an article entitled "FEPC Termed Farce by Lacol Employers," published in the Anderson (S. C.) Daily Mail, which appears in the Appendix.]

ADDRESS BY HON. HAROLD E. STASSEN AT CONFERENCE OF THE NATIONAL COUNCIL FOR A PERMANENT FAIR EMPLOYMENT PRACTICE COMMITTEE

[Mr. MORSE asked and obtained leave to have printed in the RECORD an address delivered by Hon. Harold E. Stassen, of Minnesota, at the conference of the National Council for a Permanent Fair Employment Practice Committee, at Washington, D. C., on January 23, 1946, which appears in the Appendix.]

A HUMANITY LOAN—ARTICLE BY ALVIN JOHNSON

[Mr. MORSE asked and obtained leave to have printed in the RECORD an article entitled "A Humanity Loan" by Alvin Johnson, which appears in the Appendix.]

THE FILIBUSTER—EDITORIAL FROM THE OREGONIAN

[Mr. MORSE asked and obtained leave to have printed in the RECORD an editorial entitled "The Filibuster," from the Oregonian of January 21, 1946, which appears in the Appendix.]

PRICES AND THE COST OF LIVING—EDITORIAL FROM JOURNEYMEN PLUMBERS AND STEAM FITTERS JOURNAL

[Mr. MORSE asked and obtained leave to have printed in the RECORD an editorial entitled "Housewives, Attention!" from the January issue of the Journeymen Plumbers and Steam Fitters Journal, which appears in the Appendix.]

MIAMI IS A SUBSTANTIAL, FAIRLY TYPICAL AMERICAN CITY—ARTICLE BY JOHN S. KNIGHT

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article entitled "Miami Is a Substantial, Fairly Typical American City," written by John S. Knight, and published in the Chicago Daily News and other newspapers, which appears in the Appendix.]

FEPC BILL—LETTER FROM A. PHILIP RANDOLPH

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD a letter from A. Philip Randolph to the editor of the New York Times, urging passage of the FEPC bill, which appears in the Appendix.]

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. FULBRIGHT obtained the floor.

Mr. RUSSELL. Mr. President, will the Senator from Arkansas permit me, without prejudice to his right to hold the floor, to suggest the absence of a quorum?

Mr. FULBRIGHT. Yes, if I may have unanimous consent for that purpose.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. RUSSELL. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Murray
Austin	Hart	Myers
Bailey	Hatch	O'Daniel
Bankhead	Hawkes	Pepper
Barkley	Hayden	Radcliffe
Bilbo	Hickenlooper	Reed
Bridges	Hill	Robertson
Briggs	Hoey	Russell
Buck	Huffman	Saltonstall
Bushfield	Johnson, Colo.	Shipstead
Byrd	Johnston, S. C.	Smith
Capehart	Kilgore	Stanfill
Capper	La Follette	Stewart
Chavez	Langer	Taft
Cordon	Lucas	Thomas, Okla.
Donnell	McCarran	Thomas, Utah
Downey	McClellan	Tobey
Eastland	McFarland	Tydings
Ellender	McKellar	Walsh
Ferguson	McMahon	Wheeler
Fulbright	Magnuson	Wherry
George	Maybank	White
Gerry	Mead	Wiley
Gossett	Millikin	Willis
Green	Morse	Wilson
Guffey	Murdock	Young

The PRESIDING OFFICER (Mr. MCCLELLAN in the chair). Seventy-eight Senators having answered to their names, a quorum is present.

The Senator from Arkansas has the floor.

Mr. FULBRIGHT. Mr. President, if we try to recall the state of mind of the people of this country after the last war, and if we consider their state of mind after the recent war, as well as the state of mind of people after other wars in the past, I think we shall find that after every war there have always been great confusion, turmoil, and unrest. It is a time when people are very likely to take action without first giving it sufficient consideration.

Mr. President, reference has been made on this floor to the action which was taken following the First World War. Once again I invite the attention of the Senate to our experience in connection with the so-called prohibition law. I believe that the circumstances which grew out of the First World War and which contributed to the attitude of many people in this country, and to the action of Congress in passing the law, were very similar to the circumstances which exist at the present time.

Similar circumstances existing in some of the States following the end of the First World War brought about proposals for antievolution legislation. Such bills concerned a subject matter similar to that we are now discussing. I believe that an experience similar to that which followed the enactment of those laws would follow the enactment of the pending measure. If we were to consider seriously the experiences which followed as a result of those legislative experiments we would not want to see enacted the pending bill.

I may say in an introductory way that I do not feel that I have any prejudice against the Negro or any of the other races or creeds alluded to in this debate. While I come from the State of Arkansas, I once spent several years in Europe, where the people were not so conscious—at least not until the rise of Hitler—of the distinctions between the races as are many people in this country.

In the spring of 1943 I had been a Member of the United States House of Representatives for only a few months, and the famous Pickens case arose. One William Pickens was on the Federal pay roll, and because it had been alleged that he was inclined toward communism, upon the recommendation of the Dies committee an attempt was made to remove him from the Federal pay roll.

I did not know Mr. Pickens, and, moreover, I knew nothing about him. However, I thought it to be improper to pick out an individual and treat him in the way it was being proposed to treat Pickens, and I voted against his removal. A day or two later some of the newspapers revealed the fact that Mr. Pickens was a colored man, and that he was working in the Treasury and promoting the sale of war bonds to members of his race. Upon that discovery a majority—primarily members of the minority party—who had voted for Pickens' removal, reversed their former opposition to him, asked for a reconsideration of the vote, and subsequently voted not to remove Mr. Pickens. In both cases I voted not to remove him on grounds of his beliefs or race. I believe at first there were less than 100 Members of the House who voted not to remove him. Because they discovered to what race he belonged they decided not to remove him from the Federal pay roll. When they first voted upon the question they believed him to be a Communist.

It is very curious what such considerations will do to ordinary, rational people. Of course, it may have been that politics was involved in the case, as I believe politics is involved in the present effort to foist upon us the pending bill.

The antievolution bill is another example of the absurdity to which legislative bodies will go when they attempt to legislate in connection with matters of belief and opinion, such as are involved in the pending measure.

Many years ago, particularly in Spain, the Inquisition was another example of the use of force in opposing a man's beliefs or tastes. I believe that the situation there involved opinions very similar to those which are involved in the present measure.

Mr. President, the point which I should like to make today is in regard to the idea which has been so strongly asserted, both here and in the other House, as well as by some newspapers, namely, that the vast majority of the people of the United States want to have enacted this particular bill, or one similar to it, and that a simple minority of conservative, reactionary, and blind individuals—at least the desire is that we shall so believe—are opposing the measure, and that by opposing it in the manner which has developed on this floor we are thwarting the will of the majority of the people of the United States. I do not believe that the majority of the people of the United States favor this bill. I am positive that if they do not actively oppose the bill, they are not strongly in favor of it.

Mr. HILL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HILL. The Senator is familiar, is he not, with the very recent Gallup poll which was taken in regard to this bill, in which the majority of those who voted expressed their opposition to the bill, thereby confirming exactly what the distinguished Senator from Arkansas has said?

Mr. FULBRIGHT. The Gallup poll is one of the things which I had in mind. However, I think there is evidence which confirms the Gallup poll. In reading the newspapers one gains the impression that only a very small minority opposes the pending bill. I wish to invite the attention of the Senate to a few facts which I think go much further than the Gallup poll in confirming the view that the bill is not receiving the backing of the majority of the people of the United States, but, instead, derives its force in the Senate through a well-organized vocal minority which is able to exert its influences not only on the Members of the Senate but on the press throughout the United States.

During the past year, 1945, 44 State legislatures met in regular session. But in spite of considerable agitation throughout the Nation antidiscrimination bills were introduced in only 20 of those legislatures. In other words, in spite of the fact that the FEPC and several other organizations did all they could to have antidiscrimination bills introduced at the sessions of the State legislatures, only 20 bills were introduced, and of that number only two containing any teeth were enacted into law. Those were in New York, where the legislature approved such a measure on March 12, 1945, and in New Jersey, where approval was given on April 16, 1945. However, neither of those laws carried penalties so drastic as the penalties provided for in Senate bill 101.

In addition to the two laws to which I have referred, antidiscrimination measures were approved in Utah and in Indiana. The measure approved in Utah was in the form of a senate resolution which called for a legislative investigating committee to look into the need for antidiscriminatory legislation. In other words, it was merely a resolution requesting that a study and report be made as to whether or not there was any discrimination, and, if so, what should be done about it. The findings of the committee are to be reported to the legislature, presumably at the next meeting.

In Indiana the law is based on an educational rather than a penal approach to this problem. The Indiana measure merely empowers the State department of labor to make studies of discrimination and of methods of eliminating such discrimination. It is similar to the Utah measure. It carries no penalties. Some of its features are contained in Senate bill 101. The department is to publish reports and information regarding the means of eliminating discrimination, and to furnish technical assistance to employers, to unions, and to other agencies, in formulating and executing programs to eliminate discrimination.

Mr. President, of these four States which really took notice of the matter only two actually passed legislation designed to accomplish the purpose the pending bill has in view.

In the other 16 States where bills were introduced, a majority of the bills died in committee, although a few passed one branch of the legislature. I wish to call particular attention to the States where measures were introduced but did not pass. They are not Southern States, they are not the States which, according to the press and according to the general opinion, are the ones which are opposing the pending legislation. The States which refused to adopt the bills which were introduced are California, Colorado, Connecticut, Illinois, Kansas, Maryland, Massachusetts, Michigan, Minnesota, New Mexico, Ohio, Pennsylvania, Rhode Island, Washington, West Virginia, and Wisconsin.

I call attention especially to the fact that New Mexico, the State of the leading sponsor of the bill, refused to accept the measure which was introduced in the legislature of that State.

It is interesting to note that the population of the four States which approved antidiscrimination measures, including the two which passed the mild bills—that is, Utah and Indiana—totals, according to the 1940 census, 21,617,413. The total population of the 16 States in which antidiscrimination measures were introduced but failed to pass is 58,453,373. I think it is safe to assume that the 11 Southern States oppose this type of legislation. The 1940 population of these States was 31,851,026. If we add that to the population of the States which failed to pass the legislation the total is 90,284,399, which is well in excess of a majority of one-hundred-and-thirty-odd million people in this country.

The total population of all other States in which the legislatures did not even consider measures of this kind is slightly more than 19,000,000. Assuming that all these States favor the FEPC—which, of course, is not true—their combined population, with the population of those States which passed the measure, is only 40,721,885.

It is also interesting to note that in 23 of the 37 States outside the so-called solid South there are Republican State administrations. Furthermore, the majority of the States in which antidiscrimination bills were introduced but failed to pass had Republican governors. In addition to those figures, the Gallup poll result indicated the same state of opinion on the part of the people of the United States.

Mr. President, I wonder how it is that the opinion seems to have become prevalent in this country, and especially in Washington, that the majority of the people of the United States approve Senate bill 101. Members of the Senate are elected every 6 years, and, under conditions prevailing since the war, are forced to remain most of the time in Washington—certainly I have been—and it certainly cannot be true that we, the Members of this body, are closer to the people of our States, that we are more intimately acquainted with the beliefs, the feelings, and the opinions of our constituents, than are the members of the State legislatures. The members of the State legislatures represent more closely the traditional and the original function of legislators than do Senators or Representatives in the Congress of the United States. All will recall that in the early days, in the beginning of the parliamentary system, the Members were not elected, and they did not seek the office. They were merely members of the community who were selected by their fellow citizens and sent to the legislature. Membership in the legislature was not a desirable post in those days, and it was not so very long ago that the senior Senator from Georgia [Mr. GEORGE] in discussing the proposed Assembly of the United Nations, pointed out in a very graphic way that in the early days the Members who were selected to represent their fellow citizens did not desire to do so, and that they even made efforts to avoid doing so by purchasing their release from service. Of course, it is difficult for us to realize at this late date that that ever could have been true. But even today in the States—in my State, and I think in most of the other States—the members of the legislature are still ordinary professional men, businessmen, or farmers in the communities. They go to the legislature for only a short time each year or alternate years and in my State remain there 2 months every other year. They are essentially citizens

of their communities. They are representatives in the truest sense, and they are to the greatest degree like the citizens of their communities, as contrasted with ourselves.

The function of representing a State in Washington today is very different from that. It has become a full-time job. It has become practically a profession, and while we try to interpret as best we can the interests of our States, I am quite sure, I am free to confess, that I have necessarily become rather far removed from the people in the State as compared to the members of the State legislature. In any case, it is wholly unreasonable to believe that the Members of this body reflect the desires of the people in this particular instance more closely than do the members of the State legislatures.

I do not pretend to say that it is necessarily the best practice always to follow what one believes to be the current opinion of the citizens of his State. I think that in many instances it is preferable and wiser that legislators in the Senate and in the House of Representatives should undertake to lead and to mold the opinion of the people of the States, especially with regard to such matters as foreign policy, or matters which are far from the ordinary experience of the people, matters about which they would now know from their everyday experience. However, in the particular matter now pending before the Senate dealing with the most intimate relationships in the businesses of the people—and, after all, most of the businesses we think of are small businesses, which in numbers far outweigh the big businesses, a situation which is particularly true in my own State—in such matters of a very personal nature, I think anyone would agree, the people who actually are engaged in business have every facility for evaluauting whether or not a bill based upon force in this field is a wise bill. I cannot see that there is the slightest reason to believe that the members of the State legislatures which have had these bills before them and rejected them would be less likely to evaluate correctly the significance of the proposed legislation than Members of the Senate and of the House of Representatives.

Mr. HILL. Mr. President, will the Senator yield in that connection?

Mr. FULBRIGHT. I yield.

Mr. HILL. While the Senator is speaking about States which rejected this type of legislation, the Senator named the different States. Among those he named, of course, was the great State of California. I was very much interested in an article in the Los Angeles Times showing that on the 18th day of this month, a little over a week ago, the steering committee, so to speak, of the Assembly of the Legislature of California, again acted on this matter, and laid on the table a bill involving this subject.

Mr. FULBRIGHT. Does it not strike the Senator as a little unusual, he being a practical politican, as all of us must be to get to this body, that the representatives of the same States which so definitely rejected this proposal are urging the pending bill in the Senate?. I cannot understand, either from a political point of view, if we assume that all of us are motivated by a desire to be reelected, as many of us undoubtedly are, or from the point of view of the highest statesmanship, how these Senators arrive at their decision to support this bill. I cannot understand the diversity of viewpoint between the representatives of States in the Senate and the members of the legislatures of the States.

Mr. HILL. I agree thoroughly with the Senator, and I am as much perplexed as he is to find that in a matter of this kind, on which the States have spoken and have refused to enact legislation, Senators from those States try to get the Federal Government to act when their own States have refused to act. It is perplexing, indeed, I will say to the Senator.

Mr. FULBRIGHT. To me it is completely inexplicable. I was hoping that the Senator from New Mexico [Mr. CHAVEZ] would be here. I hoped he might enlighten me on that point. This is not something new with him. In sponsoring a bill of this nature he is taking a position which has long been his, and it is absolutely incomprehensible to me why during all these years he has not been able to induce his own State of New Mexico to enact such a bill. As Senators know, New Mexico rejected it during the past year.

Mr. HILL. The Senator knows that not a single State which acted in this matter was a southern State.

Mr. FULBRIGHT. Not one.

Mr. HILL. Not one was a southern State. They were States such as California, Wisconsin, Michigan, Illinois, Indiana——

Mr. FULBRIGHT. And Pennsylvania.

Mr. HILL. Even the great State of Pennsylvania rejected it.

Mr. FULBRIGHT. Pennsylvania, which I think we can all agree bears as close a resemblance to New York, which did adopt it, as any State, rejected it; and yet, as I understand from various statements in the press, both Senators from Pennsylvania support this bill.

It would seem to me to be a perfectly proper approach to this question, if we assume that it is a difficult question and needs attention, for the States themselves to undertake the enactment of such a bill as this, and then through their experience, and the improvements which we will assume might come from proper administration, they could prove to us and the other States, that this is a practical way to reach this problem. So far certainly they have not proved that. If its sponsors are serious in their purpose, and in their desire to pass this bill, it would seem to me that the wiser course to pursue would be for the Senators from the States which have refused to enact such a bill to use their efforts in their State legislatures and attempt to persuade them by actually putting such a bill into operation, to demonstrate to the other States that it is a practical way to attack the problem of discrimination.

Of course I think the reason they do not do it is that it is perfectly obvious it is an impractical way. And yet I cannot understand why those who are urging this bill here, if they are sincere about it and believe it has merits and that it would perform a great function, do not first get it adopted in their own States, and then prove to us by that experience that it is a feasible way to approach the situation.

Frankly, as I said in the beginning, I do not believe that it is the proper way to approach the problem at all. I do not think that there is any good example in the history of this country or any other country which could induce us to believe that by legislative fiat, backed by stiff penalties, people have been made better and have been given a higher moral sense, or have been made less sinful. An analogy which we might think of, to carry the same idea that is inherent in this bill, would be to pass a bill requiring all American citizens to love their neighbors as they love themselves. All of us agree that that is a proper objective. I think all of us from the South agree, and all of us who oppose this bill agree, that it is a perfectly proper objective that no person should discriminate, either in his business or in any other way, against those who are good law-abiding, Christian people.

The idea of irrational discrimination I think is repugnant to all of us. But the idea that it can be prevented by a measure such as this, with the penalties which it provides, to me seems wholly impracticable, as impracticable as the act passed after the last war under conditions very similar to those of the present, when there was great unrest and turmoil and a feeling that something had to be done, and that so long as the Congress simply took action, that was all that was necessary. That is what we are experiencing now in connection with the labor situation. All of us who went home at Christmas, or who stayed here, have received a large volume of letters, even without the President's urging, that the Congress must do something to stop strikes, when it is perfectly obvious to most of us, I think, that the Congress could do nothing to stop strikes. If anybody could do anything, it was the President himself. The situation had reached such a point that it was certainly an executive function. If any legislation might have affected the situation, it should have been passed long ago, 6 months ago at least, so the procedure could have been set up.

Mr. HILL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HILL. The Senator is a distinguished member of the Senate Committee on Education and Labor. I know he has been attending the hearings which the Committee on Education and Labor has been having on this very subject matter. The Senator knows that very eminent men have come before the committee, such men as Dr. Leiserson, who is now a professor at Johns Hopkins University, one of the most level-headed, soundest-thinking, and most experienced men it has been my pleasure to hear speak before a committee. Some of the great leaders of industry and of labor have appeared before the committee. Other individuals, not on the side of labor or on the side of industry, have appeared before the committee. But not a single one of the witnesses has said, "Yes; Congress can and should take

immediate action and thus end all strikes, put an end to industry-labor disputes, and bring about peace from now on in the field of industry and labor." Has there been a single one who has taken that position? I believe not one has done so.

Mr. FULBRIGHT. The Senator is absolutely correct in that statement. After receiving innumerable letters, and then especially after hearing the speech of the President in which he said that Congress should do something, the first day I returned to Washington and the first day the Senate reconvened we started hearings on that question to see what should be done. It is an amazing thing that the one point on which the president of General Motors, Mr. Wilson, and the president of UAW, Mr. Thomas, and the vice president of UAW, Mr. Reuther, all agree is that that fact-finding bill is not the solution, and that any bill with force and compulsion in it is not the solution.

For the information of the Senate, and to show how unanimous were witnesses from diverse fields, in addition to those mentioned, the committee heard Mr. Will Davis, who, I think all of us will agree, is one of the best-informed men in this field, who was the former Chairman of the Labor Relations Board, who has mediated in many labor cases and is mediating now in the electrical workers' dispute. I think all the witnesses agreed that in the field of trying to make people work by legislation, whether through arbitration or mediation, when the suspension of a strike is involved, as is the case in the fact-finding bill, compulsion will not work, but will simply increase the trouble. That is what I would say is a summary of the conclusions of all the men who have appeared as witnesses before the committee, including those representing labor, management, and the public.

Mr. HILL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HILL. In other words in the field of human relations, which is exactly what we are dealing with in the matter of employer and employee, if we want to solve the problems and solve the conflicts and disagreements which exist we must have mutual confidence and understanding and good will and good feeling. The minute anyone comes in with a big stick, with a bludgeon in his hand, even though it be the Government of the United States, with the threat of knocking someone on the head, immediately the result is to dispel and destroy good understanding, good will, mutual confidence, and good feeling. It then becomes a struggle as it were, from which there arise malice, greed, bitterness, resentment, and all the things that undermine and impair and defeat the very spirit of amity and of good will that must be present if we are going to work out these human relations and obtain agreement. Is that not true?

Mr. FULBRIGHT. That is exactly correct, and that is in a field very similar to that in which attempt is now made to legislate.

Mr. RADCLIFFE. Mr. President, will the Senator yield for a brief comment?

Mr. FULBRIGHT. I yield.

Mr. RADCLIFFE. When a moment ago the Senator referred to the proposition often advanced, "Let Congress do something," it recalled to my mind the succession of fugitive slave laws which were passed prior to the War Between the States. After slaves escaping from servitude had reached the North, attempts were often made to recover them. As existing laws were not deemed sufficient to enforce their return, a fugitive slave law was passed; but it was not sufficient for the purpose desired. Then another such bill was passed which had more teeth in it. That also was inadequate and so law after law was enacted with more and more drastic penalties set forth in them. I do not recall how many of such bills were passed but they were all futile insofar as really accomplishing the objective sought. Such a law could not be enforced in the North.

The people of the North were not going to return to the South men and women who had escaped from servitude, no matter how drastic the law on the subject. I am certainly under the definite impression that the last of those laws had in it almost every kind of teeth that could be put in it in an effort to make it enforce return. But they were nullities as to results sought. They could not be carried out except in rare cases. On the contrary, the very fact that such laws were passed tended more and more to irritate the people in the North who were not in accord with the philosophy of the fugitive slave laws and to intensify their purpose to disregard the statutes passed.

I simply cite the historical incident as an illustration to show that the passage of laws on the same subject, one after another, in increasing intensity of purpose, did not accomplish the purpose for which they were designed.

Mr. FULBRIGHT. Whenever a law is passed which is not in accord with the will of the majority of the people, of course that result is reached. That has proved true in every instance where it has been tried. The most understandable one is the Prohibition Act. It is not only a fact that it was not enforced, but it had, I think we will all agree, very serious effects in other fields, particularly in the break-down of respect for all law. In that period there developed the great gangs and the kidnapings and a great many of the other ills which have afflicted us ever since that law was passed. I think it was a most unfortunate experience.

I firmly believe that this bill, if it were enacted, would not be enforced. If those who are urging its passage are serious about the matter, and want it to grow gradually, like all political institutions must grow if they are to have any stability or validity in the long run, it would be perfectly proper for them to start it in the States under their police power, and educate their people and prove that it can be done and can be enforced effectively.

Coming back to the point which the Senator mentioned a moment ago with regard to labor relations, I was surprised at the testimony given at the hearing. I expected to hear the president of General Motors, which is involved in a strike, and practically everyone else representing management, advocate proposals to outlaw strikes, order the strikers to jail, fine them, or do something to them, and tell them to go back to work. I, of course, expected the labor unions to take the other view. But I was surprised at the unanimity with which they agreed that this is a very delicate relationship. It is not a relationship which can be handled with rough gloves, or in which penalties can be imposed. We went into considerable detail with respect to the breach of the contract which had been entered into, aside from the question of violation of law. But even after management and labor have entered into a contract, additional or different penalties from those involved in the contract should not be imposed. I thought the witnesses were going very far when they advised against the use of force and penalties for the violation even of an agreement in a labor contract itself.

Mr. HILL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HILL. As I understand Mr. Wilson's testimony, not only did he have the definite conviction that the use of force or a bludgeon by the Government would impair and make more strained the relationships which must exist if labor agreements are to be effective in getting people to work and obtaining production to carry forward a great expanding economy in this country, but Mr. Wilson was wise enough to know that once the Government enters the picture with force, perhaps today that force will be used to bludgeon labor, and tomorrow the selfsame force may be used to bludgeon industry and management. When we arrive at the point where labor relations are dependent upon the use of force—the use of force on labor today and on industry tomorrow—we destroy the American free enterprise system. Is not that true?

Mr. FULBRIGHT. It is absolutely true.

Mr. CHAVEZ. And, of course, that is more important than human welfare.

Mr. FULBRIGHT. The whole objective of the labor relation is human welfare. Not only is the welfare of the laborers who are concerned involved, which is obvious, but the whole public is affected by a reasonable, sensible management of the very sensitive human relationships which exist between labor and management.

Mr. HILL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HILL. The economy of the whole Nation is affected. As the Senator says, the welfare and employment of all the people are affected. No better illustration of that statement could be had than the steel strike. If it were to continue, what would it mean? Not only would hundreds of thousands of men in the steel industry and its subsidiaries be out of employment, but men making automobiles, men making farm equipment, men making everything down to the lowly safety razor, would be out of jobs, because there would be no steel with which they could work and produce.

Mr. FULBRIGHT. That is certainly true. The idea of the Senator from New Mexico that we are not interested in human welfare is completely erroneous. We cannot merely legislate against sin, or in behalf of human relationships, if we ignore the relationships which are fundamental to the welfare of the people. The relationships between labor and management, as they have been developed in connection with the legislation considered before the committee, are obviously very delicate. I think the testimony will support the statement that they are very similar to the marital relationships. They are that delicate. In fact, Mr. Will Davis used them as an analogy. He stated that the two relationships were very similar. We cannot legislate to make every husband love his wife. It is much the same way in the field of labor relationships.

Mr. HILL. Not only can we not legislate to make every husband love his wife, but we cannot even legislate to make every wife love her husband.

Mr. FULBRIGHT. That is true. We encounter similar difficulty when we undertake to enact a law with very serious penalties.

There is one point which I wish to make in that connection, with regard to the necessity for a fact-finding bill, and the necessity of stopping a strike during the so-called cooling-off period. By the way, every witness stated that it would be a heating-up period. They all used that description. Everyone agreed that even though the final solution by the Government were to come after collective bargaining, the result would be to short-circuit the usual procedure of collective bargaining. The parties would then say, "We will finally have to go to the Board anyway." So it would destroy the usual collective-bargaining procedure which the Labor Relations Act, under which we have been operating, has sought to promote.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. WHITE. The Senator spoke of the difficulty of obtaining enforcement of the proposed law, as well as the enforcement of all statutory enactments of this general type. I think he put his finger on a very profound truth which has significance in our national life.

I do not remember the figures accurately, but I know that in the past six Congresses bills or resolutions to the number of approximately 80,000 have been introduced. Many of them—I do not know how many, but a great many hundreds—have been enacted into law.

In addition to lawmaking by Congress we have lawmaking through rules, regulations, and directives which come from the Executive and from many of the departments and agencies of government. We have 48 States whose legislatures are constantly enacting laws applicable within their respective jurisdictions. In addition, there are approximately 3,000 counties in the United States which, within their territorial limits, have a lawmaking power, and they enact laws within their areas. We have, also, between 18,000 and 20,000 municipalities in the United States, which make laws. We call them city ordinances or town ordinances, but they are laws, with the full application of law within the territory.

I do not know what the total number of laws enacted by the people of the United States through their representatives has been, but I remember reading some time ago that there were on the statute books of the United States, on the statute books of our States, in the records of our county commissioners, and in the records of our municipalities, probably more than 2,000,000 laws in force in the United States. The writer further stated that that very mass of legislation made it impossible for the average citizen to know and observe the law. There is a saturation point beyond which the citizen cannot go in his understanding and absorption of law. I suppose that fact probably contributes greatly to what I believe to be another truth, namely, that we in this country are more negligent of law, more remiss in our observation of law, more lax in our enforcement of law, than are the people of any other civilized country in all the world.

I believe that in those facts there is a warning. We shall continue to be a lawless people if we continue to pile up laws and subject the individual citizen to acts of Congress, acts of State legislatures, and acts of lesser municipal units. So I think the Senator from Arkansas spoke wisely and rightly when he called attention to the difficulty of securing enforcement of law. I believe that what I have said further illustrates that truth.

Mr. FULBRIGHT. I thank the Senator very much for his contribution.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. RUSSELL. I am sure that the Senator from Arkansas will also agree that with all the laws and all the difficulty in law enforcement, we should not create an independent lawmaking body such as is proposed in the bill, and give that agency the power to enact still further laws which would really be in the nature of laws prescribing criminal penalties.

We know that this bill proposes to give the FEPC the power to adopt any rule or regulation which it might see fit to adopt, and therefore we would have still another organization which would be writing laws to control the rights of American citizens.

Mr. FULBRIGHT. Of course, Mr. President, I will say to the Senator that we have gone very far in delegating the power of regulation to many agencies, such as the Interstate Commerce Commission, and so forth. But they are engaged in fields of activity very different from the one with which the Commission now under discussion would be concerned. The fundamental defect of the pending measure is the character of the relationship which it attempts to control by very severe penalties, which would be most difficult of enforcement.

A moment ago I attempted to show that there is good reason why the relationship referred to by Mr. Davis, as compared with the labor-management relationship or the marital relationship, has not been regulated or legislated upon by the Federal Congress. If there is anything to be done about it, it should be done by the States. There is very good reason why certain matters are very much more appropriate for regulation by local governments than by a government far removed. This sort of relationship is one of the best examples of the type of subject which should be dealt with, if at all, by the local governments, because involved in this relationship are all of our customs or beliefs—or prejudices, if you like. The religious background and all other backgrounds as to beliefs are involved in such relationships of close human association, and that is a further reason why, if we are to have such laws at all, they decidedly should be made by the local governments—if, as I have said, they are to be made at all. But certainly they are inappropriate for a national legislature to make. I cannot see that this problem is a national one in the sense that it requires Federal legislation. Of course, I believe it is so close to the analogy which I mentioned a moment ago that it is very dangerous to legislate on it at all, just as it is dangerous to pass coercive labor legislation. We defeat our own purpose if we attempt to inject force into such legislation. Those were the words of Mr. Davis and Dr. Leiserson. Mr. President, I do not like to prejudge the work of a committee or of the Senate; but if we take the best advice which we have been able to secure, I think we find that is the result which would obtain.

In that connection I wish to refer to a statement which was made by the senior Senator from Ohio [Mr. TAFT] about the time when this bill was being considered in the committee. I think his statement expresses very well the thought we have been discussing in the last few minutes. The Senator from Ohio then said, among other things:

> I feel that the compulsory provisions of the bill heretofore introduced in the Senate will hinder progress toward solving the problem, rather than achieve it. Few realize how explosive these compulsory provisions are. They are modeled on the unfair labor practice provisions of the National Labor Relations Act, and give to anyone who is refused employment or dismissed from a job the right to bring an action against the employer, alleging some motive of discrimination because the applicant or employee is white, black, Protestant, Catholic, Jewish, Czech, Pole, or German. Such motives are always possible to allege, and the question is left for decision to a board which is bound by no rule of evidence and practically not subject to court review. Since actions can be started by millions of individuals, rather than by labor unions, the act goes much further than the National Labor Relations Act in providing an almost complete regimentation of employers.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CHAVEZ. With reference to the particular matter the Senator from Arkansas is now discussing, namely, penalties and the powers of the Commission, let me call the Senator's attention to the Virginia Law Review of December 1945, which quotes Representative NORTON, of New Jersey, with reference to the House

bill which is similar to the one now before the Senate, and refers as follows to the criminal and civil penalties:

FEPC may merely petition a Federal court to compel obedience to its orders. Violation of a court decree is punishable as a contempt of court. FEPC will not be able to enforce its orders without court approval.

Even if the FEPC were to make a decision, Mr. President, it could not compel obedience unless it secured court approval. Willful interference with the Commission's agents is, of course, made a crime, but that is something else.

I have quoted the remarks of Representative MARY T. NORTON, of New Jersey, chairman of the House Committee on Labor, and I believe they are the conclusions which are reached by the proponents of the proposed legislation.

Mr. FULBRIGHT. Mr. President, I do not quite understand the Senator's point, in view of section 14. Of course, one is presumed to know the law, and any interference with, prevention of, or impediment of the work of the Commission could subject a man to a $5,000 fine or 1 year in jail, or both, as we find when we come to the final penal provision. That is a very severe penalty, and it always stands in the background. No matter how small one may think the interference in the beginning, or no matter how preliminary in nature it may be considered, always facing the accused person ultimately is a very severe penalty.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. RUSSELL. The Senator from Arkansas well knows, too, that the other provision of the bill—although it is hidden under the seemingly innocuous words to the effect that the same rules which apply in the case of appeals from decisions of the National Labor Relations Board shall apply in this case—absolutely strips from a defendant any right of defense on the basis of the facts, when he gets into the circuit court of appeals, because if there were any evidence to sustain the finding of the examiner or itinerant worker or agent of the FEPC, the court, if it did its sworn duty of following the laws written by the Congress, would be bound to uphold the decision of the agent or examiner of the FEPC and thereby to cite the defendant for contempt, with the full power, if not with the duty, of placing him in jail if he did not carry out the order of the FEPC.

Of course, Mr. President, this bill is written in such a way as to seem fair on its face, and so we find that it provides that a defendant can appeal to the circuit court of appeals. But by its very terms the bill provides that when the defendant gets before the circuit court of appeals that court will be without any authority to go into the merits of the case under consideration. As a matter of fact, the circuit court of appeals could write an opinion stating that in the hearings before the examiner 100 witnesses appeared, that one of them testified against the defendant and alleged a state of facts which would justify a finding against the defendant, and that 99 witnesses testified for the defendant; and the court could say that to its mind the testimony of the 99 witnesses absolutely destroyed the position of the petitioner or the complainant, according to the opinion of the court after it looked into the record. Even if the court said that, after looking into the record and reading the testimony of the 99 witnesses, there was no doubt in its mind that the defendant absolutely was not guilty of any discriminatory practice, nevertheless, under the law as written by the Congress of the United States, the court would have to say that there was in the record some evidence to sustain the finding of the FEPC examiner or agent. Therefore, the court would be powerless to afford any relief in a case which it regarded as being most unjust. Certainly that situation could occur under the facts in the present case.

Mr. EASTLAND. Mr. President, if the Senator from Arkansas will yield, I should like to ask the Senator from Georgia a question.

Mr. FULBRIGHT. I yield.

Mr. EASTLAND. What the Senator from Georgia has said is true. Suppose the only evidence in the record to sustain the findings was hearsay evidence or evidence or testimony wholly incompetent in a court of justice. Yet would not that incompetent testimony be sufficient to bind the appellate court?

Mr. RUSSELL. Yes; I think that evidence which would be incompetent under the rules of law by which we have been guided, at least in all courts whose judicial systems stem from the common law of England, might be admitted in such a case. Such evidence would not be admitted by any court of law considering a case in which the rights of a defendant were involved, but in the proceedings under the pending bill evidence of that sort would be deemed sufficient to uphold the allegation of an agent or examiner of the FEPC. The representative of the FEPC would not even issue a citation unless he had made up his mind in advance that he would find the person or firm charged guilty, and in such case the representative of the FEPC would act as the prosecutor, judge, and jury.

Mr. EASTLAND. Then a defendant could be convicted without one single fact being found by competent evidence. Is that not true?

Mr. RUSSELL. That is my understanding, because no rule of evidence whatever is provided for in this bill. The bill is lacking in that regard. The absence of such a provision is one of the most glaring omissions, among many, of the bill.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MORSE. I wonder if the Senator from Arkansas will agree with me that the article which was quoted from the Virginia Law Review by the distinguished Senator from New Mexico and the view expressed by Representative NORTON support the conclusion that the proponents of the bill should have no objection to providing that the entire procedure for a hearing and for enforcement of the law be a judicial process instead of an administrative process.

Mr. FULBRIGHT. We were discussing the particular bill now before the Senate. From my own point of view, if it provided for judicial process I would still believe the subject matter of the bill was entirely improper for a national legislative body to undertake to enact into law. Personally I think the bill would be improper even if it provided for a perfect judicial procedure.

Mr. MORSE. I understand that to be the Senator's position. I respectfully disagree with his entire thesis. If we had a bill which protected what I consider to be basic judicial guaranties which would accrue to the benefit of any American citizen when being dealt with in connection with criminal penalties, I believe that much opposition to such a bill would be removed. I am satisfied that such a bill would pass this Senate if the Senator and his colleagues would permit us to vote on it. I appreciate the permission of the Senator to interrupt him and shortly I shall finish what I wish to say.

Adverting to the speech which was made the other day by the Senator from Georgia [Mr. RUSSELL], I may say that I do not find myself in disagreement with the point which the Senator continues to make on the floor of the Senate with regard to the procedural provisions of the bill. I have expressed myself in sympathy with judicial rather than administrative processes in connection with other bills which have been considered by the Senate. I wish the RECORD to show that one reason why I did not become one of the cosponsors of the pending bill was the objection which I raised, when the bill was first discussed with me, with regard to its procedures. I happen to be one who believes that when dealing with criminal penalties judicial functions should not be turned over to administrative tribunals.

Mr. RUSSELL. Mr. President, the Senator from Oregon was trained in the law and he would come naturally to the conclusion which he has stated. But the Senator said that I am continually repeating my conviction with regard to what I conceive to be one of the major defects of the bill.

Mr. MORSE. I am not criticizing the Senator for doing so.

Mr. RUSSELL. When a proponent of the bill, such as the Senator from New Mexico, rises and reads something which controverts what I said the bill denies, namely, a trial by jury, I shall rise and state my position with respect to it. Every time statements are made on this floor that the bill in its present form does not strike down all Anglo-Saxon forms of jurisprudence I shall rise and deny the truth of the statement.

Mr. MORSE. I appreciate the observation of the Senator from Georgia.

Again I thank the Senator from Arkansas for permitting me to make for the RECORD the statement which I have made. I have one more statement to make and then I shall close.

I have been criticized by certain proponents of the bill now pending before the Senate on the ground that I am in favor of some amendments. I have told those persons in letters, and I now serve notice on them through the RECORD, that I intend to work for the passage of the soundest FEPC bill for which I may be given an opportunity to vote, so long as

such proposed legislation contains certain judicial guaranties which protect what I consider to be basic procedural rights to which American people are entitled under government by law.

I believe that the Senator from Arkansas knows the basis of our difference, and I am also sure that the Senator from Georgia knows the basis of our difference. I believe that we have mutual respect for each other's opinions in regard to the merits of the bill.

Mr. RUSSELL. I have respect for the views stated by the Senator from Oregon. I will agree with him wholeheartedly so long as he states that he is in favor of protecting the rights of citizens against the invasion of such rights by administrative bodies.

Mr. MORSE. My record is perfectly clear on that point with regard to a host of legislation which has previously been before the Senate. However, we do have a difference in opinion in regard to one point. I wish that the opponents of the pending measure would permit some of the rest of us to amend it on its merits. On that point I do not suppose that we can ever reach an agreement. I had hoped that we could find some solution to the impasse which has been reached in the Senate, so that we could proceed to vote on the type of amendments which I should like to have the Senate vote up or down.

Mr. RUSSELL. The Senator has stated that he has received criticism from those who are insisting that we accept the bill in its present form. The Senator has declared his independence from that group. He says he cannot go along with them all the way. Having been a professor of law, and having been inculcated with the doctrine that individuals have some rights, the Senator might vote for some amendments to the bill which would cure some of the worst vices of the bill. But what assurance do we have that other Senators will not do the bidding of the pressure groups to which the Senator has referred as having criticized him, and refuse to allow the bill to be amended in such a way that the American citizen may be tried by a jury of his peers? When pressure groups try to prevent one of the most ardent supporters of the bill, such as the Senator from Oregon, from supporting the elemental right of a trial by a jury, what rights will be left by the pressure groups if we submit the amendment to a vote and have it rejected? We know that the efforts which have been made thus far to force the adoption of the pending measure in its present form will be intensified on the Members of the Senate who up to now have not shown themselves so plastic in the hands of the pressure group as are some of the other Members of the Senate. The Senator from Oregon has stated his independence of some of the groups who would be unwilling to have the bill amended so as to afford American citizens some little semblance of the rights for which our forebears fought, and which we enjoy. However, we know there are other Members of the Senate who have been so greatly impressed or intimidated by those groups that they would oppose the Senator from Oregon and doubtless criticize him because he has expressed a willingness to deal even as fairly with the American citizen as to give him his day in court before he is jailed. So merely on the basis of the statement of the Senator from Oregon, we cannot surrender what we deem to be vital in preserving the rights of the individual citizen of this Nation.

Mr. President, we have heard talk about minority groups. They have rights which should be protected. The majority groups also have rights which should be protected. But neither the minority nor the majority in this country can have any rights if the Government invades the rights of the individual and takes them away from him. When the individual citizen is chained to the wheel of the state, it matters not whether that individual be a member of the minority or of the majority, a disservice is being done him and all other individual citizens of this country, and all those rights and privileges which have been made possible under our form of government will be stricken down.

Mr. MAYBANK. Mr. President, will the Senator from Arkansas yield to me in order that I may propound a question to the Senator from Georgia?

Mr. FULBRIGHT. I yield.

Mr. MAYBANK. The Senator from Georgia has discussed ably the rights of the minority and the majority. He has also stated that there are Members of this body who, perhaps, would not agree to such an amendment as that referred to by the Senator from Oregon. I should like to know what the Senator from Georgia believes would happen to this bill, even if amended, after it got over to the other House. The Members of the House of Representatives would be subject to the same pressure groups that Members of this body are being subject to. I wonder if the Senator from Georgia has any idea what might happen in the other Chamber to the bill after we amended it here.

Mr. RUSSELL. I do not know what would happen to it. I assume that the pressure on the Members of the other House has been as great as it has been on the Members of this body in the demand that the bill be enacted into law. However, I know that our parliamentary system was devised so that the rights of minorities would be protected. We know that in the House of Representatives a bill may be passed, regardless of the inequities which it may contain, at any time without the right of free and unlimited debate, whereas in the Senate of the United States, this great citadel of individual rights and liberties, we have the right of unlimited free expression.

So, Mr. President, it would take a great many assurances, which would have to be confirmed, assurances which it would be almost impossible to guarantee, to get me to agree to any plea that I vote on the amendments to the bill with the hope the evil of the bill would be cured by the House of Representatives.

I have no voice in the House of Representatives, I did not take an oath at the bar of the House of Representatives. I have a voice here, I took an oath at the bar of the Senate. I intend to use my voice here in attempting to maintain the oath I took, as I see it, without criticizing any other Member of this body for views on any question on which we happen to be at variance.

Mr. MAYBANK. If the Senator from Arkansas will further yield, I should like to follow through with the Senator from Georgia by saying that after the House had voted upon the amendments, the bill then would go to a free conference. Has the Senator any idea that we could have a long discussion or debate on a free conference report, under the rules of the Senate?

Mr. RUSSELL. Everyone knows that a conference report is a matter of the highest privilege in this body, and everyone knows that a Senator who lets a bill go to conference with the idea that he will be able to defeat the conference report would be running a hazard which he does not have to accept, and it is one which I do not propose to accept at this juncture.

Mr. MAYBANK. Then our only hope is here, in the Senate?

Mr. RUSSELL. I have stated that my voice is here, my presence is here, my responsibility is here, and I propose to undertake to live up to my responsibility here to the best of my ability.

Mr. MAYBANK. I thank the Senator.

Mr. CAPEHART. Mr. President——

The PRESIDING OFFICER (Mr. EASTLAND in the chair). Does the Senator from Arkansas yield to the Senator from Indiana?

Mr. FULBRIGHT. I yield.

Mr. CAPEHART. Unfortunately, or fortunately, depending upon the Senator's point of view, my personal observation—and this is purely my own personal observation, without committing anyone whatsoever—is that possibly a great majority of the proponents of the bill, including the able Senator from Oregon [Mr. MORSE], are opposed to the bill in its present form. Therefore I am wondering why the wise thing might not be to recommit the bill to the committee for reconsideration. I do not offer that in the form of a motion, because the bill is not before us in the parliamentary sense, but I do offer it as a suggestion which might in some way end the debate and end the filibuster on the bill. Let the committee write a bill which would be acceptable to its proponents as the bill in its present form does not seem to be.

Mr. RUSSELL. Mr. President, if the Senator from Arkansas will permit me one more observation, I shall not interrupt him again.

Mr. FULBRIGHT. It is perfectly all right for the Senator to interrupt me.

Mr. RUSSELL. I merely wish to point out that it has been stated here by the Senator from Oregon that some of those on the committee wished to amend the bill, but the situation was such that they could not amend it. Certainly, if they could not amend the bill in the committee, it presents great difficulty to us to perfect it on the floor of the Senate. According to my observation and experience, bills which are written on the floor of the Senate are usually, very poor bills. The legislation is not in the best keeping with legislative practices. My own personal view is that the pending bill should

be referred to the Committee on the Judiciary. That is my own view. I am not in a position at this time to offer any motion to that effect. But if the bill is to be recommitted it should go to the Judiciary Committee.

Mr. FULBRIGHT. Mr. President, I may say to the Senator from Indiana that we had a bill before the committee I think similar to the one his own State accepted, but the proponents gave no consideration whatever to it.

Mr. MORSE. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. MORSE. I should like to make a comment on the statement made by the Senator from Indiana. I appreciate his point of view. I do not think he was here when I expressed my answer to the same point of view a few days ago.

It became a very practical matter in the committee as to whether or not we were going to report any bill, for the obvious reason that we have on the committee a group of Senators—and I think they would agree with me—who are opposed to any fair employment practice bill. That is a group of what I call dead votes. No matter what anyone proposes by way of an FEPC bill this group will vote against it. Then there is another group who have a common belief in the basic principle of a fair employment practice act, but they are not in agreement as to just what amendments should be made to the bill. The result is, to be practical about it, that we could not get a bill out of committee unless we did what we did in reporting this bill out.

We were practical and realistic in the committee discussion. We said, "All right; the majority of us do believe in the principle of an FEPC. We will vote this bill out in order to turn the Senate into a Committee of the Whole, in the hope that we can have amendments adopted on the floor of the Senate, so that we can then have a bill for which a majority of the Senate will vote." That happened to be the practical situation in which we found ourselves in the committee.

I am sure the Senator from Arkansas, a member of the committee, is well aware of the fact that my position in the committee was that I hoped the bill would be amended. However, it was a question of counting noses, I say to the Senator from Indiana, and in the committee we could not get a majority of the Senators in support of any particular amendment.

I do not think we should let a bill, declaring a principle like that involved in the bill we are discussing, die because of such a situation as existed in our committee.

Let me say to the Senator from Georgia that I find him very persuasive. I can understand his position as to why he does not want us to propose and vote upon amendments. My difference with the Senator, my difference with all the Senators who believe we should not come to a vote on this bill and proposed amendments is, frankly, that I think we should take our chances, in a representative government, with majority rule on any particular issue. If the Congress passes legislation which the people of this country thinks is bad legislation, I believe they will make that known at the ballot box, and the legislation will be changed.

I do not think we should make use of the rules of the Senate to prevent the Senate from coming to a vote on the merits of any proposal that is called up for a vote. This is our difference, and I think it is an honest difference. I respect the Senator's views and I am sure he does mine. This is the difference between us. I think that as United States Senators we should be willing at all times to stand up on our hind legs, so to speak, and vote up or down on its merits any legislation that is proposed in the Senate. I do not think we should use parliamentary techniques such as the filibuster, to prevent a manifestation of majority rule in the Senate.

Mr. RUSSELL. Mr. President, it is merely a difference of opinion, which has existed since the foundation of this Government, as to whether or not we should have a pure democracy, where every man's vote would be counted on every issue, or should have representative government. The issue is fundamental between those who do not believe in the right of unlimited discussion in the Senate of the United States, and those who believe in applying limitations and restrictions on the right of discussion in the Senate of the United States. I am one who believes in representative government, and in the right of unlimited discussion. The Senator from Oregon does not believe in unlimited discussion. I doubt whether any amount of debate as to the niceties or the reasons of arguments would ever convince either of us.

Mr. BAILEY. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. BAILEY. I believe I will take occasion to make the remark that if a Senator has two legs he should by all means always stand on them. I will add that the distinction is not drawn here as it should be on a constitutional question. A Senator is sworn to support, uphold, and defend the Constitution against its enemies, foreign and domestic. He therefore has a duty, under his oath, to defend the Constitution, even to the point of a filibuster. That is all I care to say about that issue.

Mr. MAYBANK. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. MAYBANK. I should like to take the opportunity to read an editorial which appeared in a newspaper in July 1945.

The Negro Journal of Industry "encourages employers to continue colored workers in jobs they already have—share with them any new ones created—and give their labor a trial in occupations heretofore untried.

"Urges colored workers to merit every bit of this."

The Negro Journal of Industry is owned and published by Milton S. Hampton, Sr., with Milton S. Hampton, Jr., as his assistant.

Knowing the colored people of the South, and being well acquainted with them, and being a leading paper, this is what this journal has to say:

A look at FEPC. All that glitters is not gold. By Milton Hampton, editor.

This is the way the good colored people of South Carolina, certainly, and of the section from which I come, think about this bill:

Grant the sponsors and campaigners for FEPC have a genuine desire to help Negro citizens, it seems that they have not considered the reaction this piece of labor legislation may bring about. They may be fired with zeal but lack knowledge. It is true that jobs after the war is over is the No. 1 program for everyone interested in the progress of our group. Those who favor this measure continually harp on these two terms: "Discrimination" and "equal opportunity."

Mr. President, in view of what the distinguished Senator from New Jersey [Mr. HAWKES] and the distinguished Senator from Georgia [Mr. GEORGE] said earlier today I read that part of the editorial under the subheading "Discrimination":

DISCRIMINATION

I have it. You have it. We all have it. It is the freedom of choice, we like to use based on qualities that we like or what we think is best for our needs in business, on the job or in the home.

If I ran a dance hall on Beale Street, Memphis, or East Ninth Street, Chattanooga, I wouldn't hire a white bouncer. For in the discharge of his duties he could cause serious trouble. A member of the Baptist Church would hardly vote for a Methodist preacher to pastor his vacant pulpit. The same thing holds true with other members and their church faiths.

Unions themselves strike and raise sand for a closed shop which discriminates against other workers outside of their unions.

The editor has this to say about equal opportunity, Mr. President:

EQUAL OPPORTUNITY

I have an equal opportunity to build me up a newspaper and become its editor. I have an opportunity to found a college and become its president. I have an opportunity to organize a bank or an insurance company, become the chairman of the board and hire Negro vice presidents, cashiers, and stenographers. But when I hanker to enter white people's opportunities I am seeking preferential and not equal opportunity. Build my own place and I can get anywhere in it I want to.

Then the editor proceeds:

FEPC MAY BE JUST WHAT IT "AIN'T"

Men resent force. The "big stick" way is not the right to preserve job security for Negroes or open up new avenues of employment. It can and will cause just the opposite.

The employer dislikes it because it takes from him the right to select his own working force, robs the worth-while worker of a chance for promotion and subjects his business and his workers to the vicious combination of a disgruntled workman and a shyster lawyer.

Middle and working class white people eye it with suspicion wondering whether Negro bosses will be forced over them.

Negro citizens and workers know little and care less about FEPC. They have their own style and method of getting from the "boss" what they want and living in peace with their white neighbors.

DOING PRETTY WELL FOR OURSELVES

Right here in the South we have several all-Negro towns. We manage our own banks

and insurance companies. We operate our own churches, colleges, and business places. We are diagnosing and treating diseases. We are filling prescriptions, pleading law, and serving as peace officers. We are buying our own homes, driving big automobiles, and have sizable accounts in banks.

We are laying brick, nailing houses, plying trades, and even making so much money weekly performing the common jobs of life until many of us will not work as much as we can.

SOUTHERN NEGRO LEADERS SEE TROUBLE AHEAD

The FEPC is not the solution to the race question. But it can contribute an atmosphere out of which may brew racial tension. It is not even a friendly approach to the employment problems of our group. We prefer to put emphasis on our people being the best hand available. Emphasize the job holding and upgrading tactics of being down on time every time. Watch closely how the other fellow above the Negro worker does it, so he will be able to pinch hit for him in an emergency.

A SHORT CUT MAY BE TOO DANGEROUS

Northern brethren: Slow down, watch where you are driving us. The Fair Employment Practice Commission, if passed or enforced with all of its drastic and unfair attitude is filled with inter-racial inflamatory possibilities. You who advocate it are playing with fear and hatred.

You are playing with the loves of thousands of people today and their children tomorrow.

Mr. President, I thought the Senate of the United States might like to know the attitude of many of the colored people, as proclaimed in this able editorial by Milton Hampton, editor of the Negro Journal of Industry.

Mr. BILBO. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from Arkansas yield to the Senator from Mississippi?

Mr. FULBRIGHT. I yield.

Mr. BILBO. At this time I am pleased to read into the RECORD a resolution adopted by the Legislature of the State of Mississippi on the 22d of this month. I do so in order that my friends, and enemies as well, shall know whether the course the Senators from Mississippi are pursuing in this fight meets with the approval of the people of Mississippi. By the way, the resolution was adopted unanimously. It states:

The economic and cultural welfare and development of the South and the Nation as a whole requires and demands the defeat of the FEPC measure. * * *

The fight being waged by Senators BILBO and EASTLAND is in the best interest of the welfare of the country as a whole, and is in harmony and accord with the fundamental principles of democracy and the finest traditions of the South.

We believe that the effort of our Senators should be continued—

They need not worry about that—

and extended until they are crowned with the success they so richly deserve, and that for this purpose they should have the encouragement, endorsement, support, and wholehearted backing of every loyal and thinking Mississippian. We do hereby highly commend, indorse, and encourage their aggressive battle to defeat this legislation, and pledge to them our wholehearted support in the continuation of this fight.

Just yesterday morning I received a letter from a gentleman of my State dated January 25, in which he says:

DEAR SENATOR BILBO: I have never voted for you in my life and did not know that I would, but with your present stand on lots of present issues, such as the FEPC and all racial issues, you may change my mind. Also get enough Senators with guts enough to beat the Communist labor racketeers, and so on.

He ends with "Yours truly," and a postscript:

If you need somebody to help you filibuster, send for my wife. She has been filibustering for 20 years.

[Laughter.]

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MORSE. I want to make a brief statement in reply to the Senator from North Carolina particularly on his constitutional argument. I am sorry he is not here now, but I shall see to it that he learns of my remarks so he can put in any rebuttal he wants to.

The Senator commented on the hind legs of the human race. I am sure he knows the teachings of anthropology and anthropology tells us we have them. I think we should use them in this issue and kick this filibuster out of the Senate and the Senate rules which permit it.

Mr. President, I do want to answer his argument in regard to what he considers to be his obligation under his oath to uphold the Constitution of the United States. I agree we all, as Senators, have the same obligation. However, I think the Senator's argument in its application is highly fallacious. I think the Senator's attention should be called to the fact that the court of last resort in regard to any constitutional question happens to be the judiciary. I do not think we violate our oath of office when we take the position that any legislation coming before the Senate ought to be voted upon in accordance with its merits and not hamstrung by an undemocratic filibuster technique applied under the pretext of supporting the oath of a Senator to uphold the Constitution. If we think any FEPC bill is unconstitutional we should make that argument on the floor of the Senate, but I do not share the view of the Senator from North Carolina [Mr. BAILEY] that because one may think a statute or a proposed statute is unconstitutional that therefore one ought to use the rules of the Senate in a manner which will prevent a majority from voting on the merits of that bill. It is just such thwarting of the majority that the distinguished Senator is aiding and abetting. The Senator from North Carolina well knows that the courts are charged with the final responsibility of sustaining the Constitution. It is their trust and final responsibility to adjudge whether or not the FEPC bill with the amendments we propose violates the Constitution. On the point of the relation of the filibuster to the constitutional oath of office, I am sure the Senator from North Carolina and the Senator from Oregon can no more agree than I can agree with the Senator from Georgia with regard to whether it is proper for us to use the filibuster technique to prevent a vote on the merits of this bill.

All I seek to accomplish by this debate is to point out that the filibuster denies majority rule in keeping with our constitutional form of government. I say, let us find out whether the FEPC bill, as finally amended and passed, if it is passed by Congress, is or is not constitutional by resorting to the judicial branch of the Government. I do not want the Senator from North Carolina to vote for the bill if he thinks the amended bill is unconstitutional but he has no constitutional right to deny me the right to vote on it because I am convinced that the final bill as proposed by us will be constitutional. What the Senator from North Carolina is trying to do is impose his will upon the majority by preventing a vote on the merits of the bill by use of the filibuster technique. To defend his position by saying that his oath of office to uphold the Constitution as he interprets the Constitution justifies his preventing my voting on the merits of the bill is certainly a glaring non sequitur. I prefer to allow the Supreme Court pass final judgment upon the constitutionality of this legislation when and if it is finally passed with the amendments that I am sure will be passed if the Senate is allowed to vote on the merits.

Mr. BILBO. Mr. President, will the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. Yes; but first I should like to observe that the Senator from Oregon is one of my best assistants in this discussion. If there is a filibuster going on, which I was not aware of, the Senator has been of great assistance to us this afternoon.

I now yield to the Senator from Mississippi for a question.

Mr. BILBO. In response to the observation of my good friend, the Senator from Oregon [Mr. MORSE] I want to announce, with the consent of the Chair, that I shall begin speaking tomorrow at noon on the question of filibustering. I want to give the history of it, the benefits of it, and the glory of it, so that perhaps the Senator may not be so strongly against the technique of filibustering in the interest of good government.

Mr. CHAVEZ. Mr. President, will the Senator yield to me for a moment?

Mr. FULBRIGHT. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I did not quite understand the statement of the Senator from Mississippi. Did he say "glory" or "gory"?

Mr. BILBO. What is the Senator's question?

Mr. CHAVEZ. I did not quite catch the word used by the Senator from Mississippi. I do not know whether he said the "glory" of it or the "gory" of it. What did the Senator say? Did he say "glory"?

Mr. BILBO. From the standpoint of the interest of the people it is glory. From the standpoint of the Senator from New Mexico, by the time we get through with it, it will be "gory."

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. RUSSELL. I do not like to take the time of the Senator from Arkansas in the very able discussion he has been making. We are getting rather far

afield on the question of our rights and our responsibilities as Senators, but I want to point out to the Senator from Oregon that some of us here who do not believe in legislating merely by majority rule, under which the majority may work its will on the minority, have some very respectable support and some very respectable precedents.

The founding fathers, when they designed our whole scheme of government, undertook to create a bulwark for the rights of the minorities. They rejected the idea of a pure democracy, in which the majority could lynch the minority at any time it saw fit through the medium of legislative enactment. They accepted a representation in the House of Representatives based upon population; but when it came to the Senate they established what may be called a constitutional filibuster, a bulwark against oppression by a mere popular majority. They provided that every one of the States, whether its population was sparse or great, should have two Senators. Therefore, they set up a bulwark against oppression by a mere majority. I do not concede that a majority of the people of the United States favor this legislation in its present form.

Mr. FULBRIGHT. I do not understand that the Senator from Oregon even pretends that he believes that a majority of the people of the United States are in favor of the bill.

Mr. RUSSELL. I would not concede it even if it were alleged by so distinguished an authority as the Senator from Oregon. If there were any way that the fate of the bill under discussion could be decided on the basis of a pure democracy, by a vote of the majority of all the people of the Nation through a referendum, I would not hesitate for a moment to submit it in its present form, and I would not doubt for one moment that it would be rejected by an overwhelming majority of the people of the United States. All that would be necessary would be to point out two or three of the insidious things which have crept into the bill, in legal verbiage, which would work against the rights of the people of the country, and it would be rejected. But we do not settle legislative matters by popular referendums or polls. When the founding fathers gave to States such as Oregon, which does not have nearly as many people as the State of New York, and to States such as Arizona, Nevada, and New Mexico the same number of Senators as were given to the most populous State of the Union, that was in the nature of a permanent constitutional filibuster against any idea of a pure democracy in this country. To establish the view of the Senator we would be compelled to make population the basis for representation in the Senate.

So I am not impressed with the Senator's idea that any effort of the minority—it may be the minority in this body—to protect their rights is any infringement of the Senator's rights because he happens to be with the majority. The founding fathers, in working out a nice balance in our form of Government, which with all its defects is the greatest the world has ever seen, said that the voice of a State such as Nevada, with less than 150,000 people—

Mr. FULBRIGHT. One hundred and ten thousand people.

Mr. RUSSELL. They said that the voice of such a State should be just as strong on the floor of the Senate as the voice of a State such as New York, with 10,000,000 or 11,000,000 inhabitants.

Mr. FULBRIGHT. Aside from the founding fathers, I think Aristotle had a great deal to say about the iniquities of a pure democracy, the rule of the mob.

Mr. RUSSELL. There has never been a time when it has been attempted when it did not wind up in totalitarianism and tyranny.

Mr. FULBRIGHT. That is correct.

Mr. RUSSELL. We cannot have it without tyranny and totalitarianism.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MORSE. I wish to say to my good friend from Georgia that I marvel at his definitive powers, but I certainly cannot go along with his dual use of the word "filibuster," because I think it is perfectly clear that the constitutional fathers set up the finest form of government in the world for giving effect to majority rule. They provided for no filibuster such as is prevailing in the Senate on this bill.

What has happened is that the Senate of the United States subsequently over the years adopted rules so devised as to permit, through the technique now being adopted in the Senate, keeping from the people the expression, through their legislators, of majority rule. I contend that such a use of the filibuster violates the spirit and intent of representative government under our Constitution.

As to the Senator's point in regard to a referendum, if the Senator will join with me in making it possible for us to have amendments on the merits of the bill adopted, I shall be perfectly willing to let the American people pass on the merits of such a bill, because, contrary to the point of view which the Senator from Arkansas is trying to credit to me, I happen to believe that a fair employment practice bill which is based upon judicial procedure would be favored by an overwhelming majority of the American people.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. RUSSELL. My statement related to the pending bill, the measure which we are discussing.

Mr. MAGNUSON. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. MAGNUSON. Let me say to the Senator from Arkansas that I do not wish to give aid and comfort to the filibuster because, like the Senator from Oregon, I am against it. I did not intend to speak on the bill, but perhaps I should occupy a few minutes. There has been some question as to whether or not the majority of the people of the country favor the bill. That I do not know.

Mr. FULBRIGHT. If the Senator had been present during the early part of my remarks and had listened to the debate he would know by this time, because it was perfectly demonstrated, without any doubt.

Mr. MAGNUSON. I have been listening to so much repetition for the past 10 days that I thought it would be well for me to go outside the Chamber and read the newspapers.

Mr. FULBRIGHT. The Senator does me an injustice.

Mr. MAGNUSON. When I was elected to the United States Senate I conceived it to be my duty to do my best to represent what I believe to be the majority opinion in my own State.

Mr. FULBRIGHT. May I ask the Senator why the State of Washington turned down the FEPC?

Mr. MAGNUSON. My State never turned down the FEPC.

Mr. RUSSELL. I have heard that the bill did not even emerge from committee, that it was introduced in the legislature, and the committee did not even think enough of it to report it.

Mr. MAGNUSON. There was a Republican majority on that committee, and the Republicans in my State are pretty conservative. The will of the majority of the people of the country is not necessarily reflected by what a committee in Congress does, or what a committee in a State legislature does. I conceive it to be my duty to represent the vast majority of the people of the State of Washington. The majority of the people of the State of Washington, as well as the State of Oregon—those are the only two States with respect to which I have any information—are in favor of the bill. The people of my State would like to have me put the State on record. That is all I will say in aid of the filibuster.

Mr. FULBRIGHT. If the vast majority of the people of the Senator's State favor the passage of this bill, it is exceedingly difficult to understand why they do not control the legislature. That is a very unusual circumstance.

Mr. MAGNUSON. It is not unusual. That is what is happening in the Senate. What is happening in the Senate is exactly what happened in my State. A small minority, which did not represent the majority, blocked the bill in the State legislature.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. RUSSELL. The Senator from Washington may impeach his own general assembly on this floor if he desires to do so, but I venture to say that the members of the legislature of the State of Washington are just as patriotic and earnest in their efforts to protect the rights of the people of that State as is the Senator from Washington. I served for 10 years in a State legislative body, and I have served as a Member of this body for approximately 13 years. I say that Senators make a mistake when they seek to arrogate to themselves all the wisdom and all the desire to serve that there is in the United States. Members of the general assemblies of the several States of the Union—and I say that without knowing personally a single member of the Washington Legislature—are more deserving than to be criticized on the floor of the United States Senate as being negligent in doing their duty in the public welfare of the people of their States.

Mr. FULBRIGHT. I believe the Senator from Washington has been in Washington, D. C., almost continuously for 6 or 8 years, except during election periods. I think it is quite reasonable to believe that those who have been in the State legislature of Washington all that time are as well acquainted with the public opinion in that State as is any Senator. That is no reflection on the Senator from Washington individually. That statement applies to anyone who has been away from his State so long as the Senator has.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question.

Mr. MAGNUSON. I merely wish to say to the Senator from Georgia that I have criticized the same committee publicly on many occasions in my own State, and on the floor of the Senate.

Mr. RUSSELL. Cannot the majority of the State legislatures take a bill away from a committee if it wishes to do so?

Mr. MAGNUSON. I think it can.

Mr. RUSSELL. The Senator has certainly been criticizing the majority.

Mr. MAGNUSON. The majority cannot easily do so here.

Mr. RUSSELL. Not without considerable discussion.

Mr. MAGNUSON. In our State the legislature is limited by law to a 60-day session every 2 years; and unless a bill can be taken away from a committee within 60 days, it can never be taken away. The State legislature meets only every 2 years, for 60 days.

However, let me say that I have criticized that same committee both publicly and privately. I am not unduly criticizing it on the floor of the Senate. I believe that it misconstrued the will of the majority of the people of my State. As for myself, I believe that the overwhelming majority of the people of my State favor this bill. Therefore I must follow the will of the majority, even though I may not share their opinion. In this case the opinion of the majority happens to coincide with my own personal opinion. I merely wish to place my own State on record, because unless we can reach a vote on this question I think it is my duty to place my State on record.

Mr. FULBRIGHT. Mr. President, the Senator has raised the question of motives. Does the Senator believe that it would be appropriate to have a committee of the Senate examine each of us and decide whether or not a Senator is voting in accord with the views of the majority of the people of his State? That is the philosophy of the bill. Does the Senator believe that it would be appropriate to conduct an examination to determine whether or not a Senator is voting in accordance with the majority opinion in his State?

Mr. MAGNUSON. I believe that the Senator from Arkansas attributes good motives to all Members of the Senate. During the early part of the debate on this bill I listened to speeches attributing political motives to those supporting the bill. I will say to the Senator from Arkansas that, so far as concerns certain blocs of votes in my State, this measure has no political significance. I do not believe that one-tenth of 1 percent of the population of my State would be affected by the bill. Probably not one-tenth of 1 percent of the population of my State consists of Negroes, Jews, or members of the other minority groups which have been referred to.

Mr. FULBRIGHT. The Senator knows that the reason why we attribute good motives to all Senators is that actually there is no criterion to determine the motives of any Senator.

Mr. MAGNUSON. Of course not.

Mr. FULBRIGHT. That sort of procedure is what is sought to be imposed by the bill. It is sought to impose penalties, fines, and imprisonment based upon the determination of motives by a group operating from Washington. That is actually the essence of the bill.

Mr. MAGNUSON. We are merely trying to minimize those who may have bad motives.

Mr. FULBRIGHT. That is the defect in the bill. While I recognize some constitutional objection, my principal objection to the bill is that it involves determination by a commission of a question which is not subject to proof, and it involves a relationship which, if we meddle with it by a threat to determine the question by force, will be made much worse than it is. I regret that the Senator was not present earlier in the afternoon, when we discussed the analogy with labor relations, in which the Senator is interested. I believe the Senator will agree that the same philosophy will apply later in the discussion of whatever bill comes from the Committee on Education and Labor. Every witness who has appeared has agreed on the fundamental theory that force cannot successfully be used in such a relationship. It will do more harm than good if an attempt is made to use it.

Mr. President, I have now taken more time than I intended to take. I appreciate the assistance I have received in this discussion from the Senator from Washington, the Senator from Oregon, and other Senators. According to the clock, I have been much more successful than I ever dreamed I would be, at least within 10 years! [Laughter.]

There are one or two points which I should like to make in order to sum up my part of the discussion. First, I wish to refer to a statement made in a speech in the House of Representatives. We have had considerable to say about the House of Representatives, and at this time I should like to point out that on April 23, a Representative from my State, Representative HAYS, stated the situation in just a few words, as follows:

> This bill is different. What is prescribed is so bound up with delicate human relations that it may be said if the bill passes we are for the first time in history legislating against a mental attitude.

Mr. President, I think that is quite a good characterization of what is attempted to be done by the pending bill.

Recently the editorial columns of one of the leading newspapers of Washington, if not the leading newspaper of this city—the Washington Post—has taken a very strong stand on the pending bill. However, I find that on March 20, 1945, a writer—Mr. Merlo Pusey—whose articles have appeared in the Washington Post over a long period of time, had the following, among other things, to say about the FEPC bill.

> But sponsors of the bill now most actively before Congress go far beyond education in this field and assurance of bargaining representation for minority groups. They insist that a Fair Employment Practice Commission be assigned the impossible task of uprooting discriminatory practices by force. The proposed FEPC would be authorized to summon employers before it on charges of refusing to hire, of discharging, or otherwise discriminating against a person because of his race, creed, color, national origin, or ancestry. Employers found guilty of such unfair employment practices could be ordered to desist and those orders could be enforced in the courts. Back pay to persons so discharged could be ordered and employers could be forced to hire individuals against whom such discrimination had been practiced.
>
> One difficulty with this procedure is, of course, the impossibility of determining whether racial or religious discrimination exists. If a Catholic applies for a job and a Protestant is hired, the former is likely to feel that he has been discriminated against. On what basis could a Federal agency decide such a dispute? The issue would be more clear-cut if a minority group were wholly excluded by an employer. But after that initial barrier had been broken down, where would the proposed FEPC draw the line? Would the employment of five Negroes and 500 whites in unskilled work in Washington be evidence of racial discrimination? There is no reasonable criterion that can be applied, short of an invidious quota system.

Mr. President, that seems to me to go to an inherent defect in the entire approach to this problem.

In concluding my remarks I should like to sum up the various objections to the pending bill. It seems to me that the objections to the proposed procedures, the objections based on the desirability of having a trial by jury, and the objections as to lack of constitutionality may well be brought into the discussion and are appropriate to it, but the principal point which to my mind is significant is that the type of relationship involved, simply is not subject to rational or reasonable regulation, especially when it is accompanied by force. I think it is akin to regulation in the field of education and religion, and it is somewhat equivalent to saying that we are against sin. All of us agree that we are against discrimination; there is no difference of opinion as to that. The question is, What are we going to do about it? To my mind, that is the basic difficulty in approaching the problem. It seems to me that the proper approach is as difficult to determine as is the proper approach to the problem of management-labor relationships, with which the Senator from Oregon [Mr. MORSE] has had long experience.

I sincerely hope that in spite of the insinuation that a minority is attempting to thwart the will of the majority, the Senate will not pass this bill. I repeat that from the evidence in regard to the action of the State legislatures, I am firmly convinced that a majority of the people of the United States are not in favor of this bill.

INVESTIGATION OF STARVATION CONDITIONS IN EUROPE

Mr. WHERRY. Mr. President, I ask unanimous consent to submit a concurrent resolution sponsored jointly by the Senator from Indiana [Mr. CAPEHART], the Senator from New Jersey [Mr. HAWKES], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Ohio [Mr. TAFT], the Senator from Indiana [Mr. WILLIS], and myself; and I extend to all other Members of the Senate an invitation to add their names as co-sponsors of the resolution.

I now ask unanimous consent that the resolution be read.

There being no objection, the resolution (S. Con. Res. 51) was received, referred to the Committee on Foreign Relations, and read, as follows:

Whereas reports reaching the United States from both Europe and Asia now indicate that the policies of the victor powers are subjecting millions to mass starvation; and

Whereas the United States has been a party to the commitments and agreements reached among the victor powers which have led to these conditions; and

Whereas the Congress has been bypassed and the American people have been ignored in the formulation and implementation of these policies; and

Whereas it is essential that the Congress of the United States should obtain the necessary information to enact legislation and to request the President to take executive action designed to eliminate the starvation conditions resulting from the policies for which this Government is directly responsible: Therefore, be it

Resolved by the Senate (the House of Representatives concurring), That a joint congressional group to be composed of six Members of the Senate (three from the majority party and three from the minority parties) appointed by the President of the Senate and six Members of the House of Representatives (three from the majority party and three from the minority parties) appointed by the Speaker of the House of Representatives is authorized and directed to make an official visit to Germany and such other places in Europe as may be necessary for the purpose of enabling it to make studies and obtain information with respect to existing conditions in Germany and action which may be taken by the President or the Congress to improve such conditions. The joint congressional group shall make a report to the Congress at the earliest practicable date but not later than 1 month after the adoption of this resolution with respect to such conditions and its recommendations for legislative or other action designed to improve such conditions. For the purpose of this resolution, the joint congressional group is authorized to employ and pay the expenses of such experts, and such clerical, stenographic, and other assistants, to sit and act, to hold such hearings, to administer such oaths, to take such testimony, and to make such expenditures, at such times and places within or outside the United States, as it deems advisable. The expenses incurred under this resolution shall not exceed $25,000, and shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers approved by the chairman of the group.

Mr. WHERRY. Mr. President, I think a word of explanation should be made of the resolution which has just been read at the desk. The resolution is really self-explanatory, but I wish to say that I feel that no proposed legislation now pending before any committee of the Senate should receive more prompt or immediate attention than this resolution should receive at the hands of the committee to which it has been referred and from the Members of the Senate of the United States. Because of the business pending before the Senate and particularly because of the part I have played in attempting to bring the pending measure before the Senate, it is with some hesitation that I have arisen this afternoon to take a few minutes to explain the resolution. Yet I feel that the subject of the resolution is important, and that I should at least explain what is attempted to be done by means of the resolution. I hope the Members of the Senate will agree with me that after the resolution has been considered by the Foreign Relations Committee and has been reported to the Senate, it should be promptly approved by the Senate.

I repeat that I should be glad to have any Member of the Senate who cares to do so sign the resolution as co-sponsor. The resolution is at the desk.

Mr. President, much has been said, and little has been done relative to opening the mails to Germany, and providing sufficient food to prevent mass starvation in Germany, Austria, Italy, and other countries of Europe. Terrifying reports are filtering through the British, French and American occupied zones, and even more gruesome reports from the Russian occupied zone, revealing a horrifying picture of deliberate and wholesale starvation.

The administration, and the personal advisors and investigators of the President, concur in the judgment, that a major tragedy is rapidly developing in Europe. But in answer to a rising chorus of pleas for intercession and action, the administration has excused its "do nothing" policy on the following grounds:

A. The President told me that UNRRA was doing the job. But I am assured by Government authorities that UNRRA is feeding only the displaced persons in Germany and Austria. Governor Lehman has recently admitted that, with all the billions of dollars we have appropriated for UNRRA, mass starvation cannot be averted this winter in Europe.

B. Time and again the administration has advanced the excuse that transportation facilities were lacking, but for months scores of ships have been lying idle in both eastern and European ports. So it is not a question of the lack of ships.

Furthermore, hundreds of thousands of GI's in Europe are apparently sentenced to enforced idleness for want of something to do. Millions of dollars' worth of surplus trucks and jeeps are falling apart in their open-air garages in Europe.

Such trucks and jeeps assure adequate transportation if the administration would only give the word.

C. The argument has been advanced that we have reached the capacity of our ability to help, but the truth is that there are thousands upon thousands of tons of military rations in our surplus stock piles that have been spoiling right in the midst of starving populations.

D. The administration has attempted to justify its deliberate starvation policy in Germany by asserting:

First. That Germany's standard of living must be kept this first winter below the standard of living of every other Allied country in Europe.

Second. That the United States has solemnly pledged herself not to move a man, or an ounce of food, or medicine, or clothing without the specific consent of our alleged peace-loving allies.

Mr. President, I submit that these last two excuses serve only to darken the horror of the over-all picture in Europe. If Germany has been deliberately starved, merely to keep her standard of living below that of other European countries, the whole European situation must have by now become a frightful nightmare.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. RUSSELL. The Senator referred to UNRRA. Is the Senator discussing the plight of the displaced people in Germany or of the German nationals?

Mr. WHERRY. I may say to the distinguished Senator from Georgia that I am discussing the plight of the German nationals who live not only in the zone occupied by our military forces, but also in the zones occupied by the military forces of our allies. I did not, however, mention UNRRA because, as I was told by the President of the United States, UNRRA has been feeding the German nationals in the occupied zones.

I may say further that I have been reliably informed—and I thought I knew, because I was in Europe for a while—that if UNRRA is feeding anyone it is not the German nationals in the occupied zones.

Mr. RUSSELL. I happened to be present at a meeting of the Appropriations Committee when Governor Lehman, the head of UNRRA, appeared before the committee and stated that it would be illegal for UNRRA to give as much as one crumb to any one of the German nationals.

Mr. WHERRY. Yes.

Mr. RUSSELL. Governor Lehman said that he would be allowed to feed displaced persons in Germany, but it would be contrary to the constitution of UNRRA and contrary to law to extend any aid at all to German nationals.

Mr. WHERRY. Yes.

Mr. RUSSELL. Inasmuch as the head of UNRRA was advocating large expenditures of the funds of UNRRA in order to provide for Italian nationals, Italy having been one of our enemies, as was Germany, in the recent great war, I asked him why it was that he could take care of the needs of sick persons, babies, and mothers in Italy but was powerless to do so in respect to the people in Germany. He, or at least one of the representatives of UNRRA, stated that it was because the Council of UNRRA had adopted a resolution to the effect that UNRRA would extend aid to Italy, a country which, as I recall, declared war on us on the same day that Germany declared war on us, but that it was utterly powerless to render any aid to the German nationals.

Mr. WHERRY. I thank the distinguished Senator from Georgia for his contribution. I may say that I happen to be a member of the Appropriations Committee. I heard the statement to which the Senator has referred. It was difficult for me to understand why we were feeding through UNRRA people in Italy, Italy having been an enemy of ours during the early period of the war, and at the same time denying aid to the women and children of Germany who were starving by the thousands.

One of the reasons why I wish to bring this matter before the attention of the Senate is that somehow or other the people of this country have the idea that UNRRA is feeding German nationals. Not all of them believe so, but I have received many letters to the effect that the writers of the letters felt that the German nationals were being fed, and urging that Congress vote additional appropriations in order that UNRRA may continue to take care of the situation. However, UNRRA is not feeding German nationals. UNRRA does not reach them. I appeal to the Senate to vote for an increase in the calories to be given the people of Europe. Moreover I may say that there are thousands of Americans who wish to send food and clothing to German nationals in the occupied zone, but have been denied the right of doing so because the mails have not been opened up even though the war terminated many months ago.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. SHIPSTEAD. When Governor Lehman was present before the committee he told us that under the United Nations Organization UNRRA was not permitted to give anything to the German people.

Mr. WHERRY. The Senator is correct.

Mr. SHIPSTEAD. I am informed that to some extent the British are furnishing aid, but I do not know to what extent.

Mr. WHERRY. The British have broadened their policy, and they are now feeding in their own zone—at least I have been so informed—some of the persons about whom we are speaking. But I believe that once and for all the American people should understand distinctly that UNRRA is not feeding German nationals within the American occupied zone, and that it is not being done because of the basis upon which UNRRA was founded.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. CORDON. Mr. President, assuming that the international relief organization known as UNRRA has taken the unusual position which has been indicated through its Council, and is feeding one of our late enemies while denying food to the other who was no greater an enemy, and both of whom had to be conquered—assuming that such an incongruous situation exists, is there still any reason why this Government cannot, through its military occupation forces, take care of those who are actually starving in any area over which our occupation forces have jurisdiction?

Mr. WHERRY. There is no reason of which I know why the American military forces in the occupied zone cannot distribute food, providing that to do so would be in keeping with the policies of the administration. That would be my answer to the Senator from Oregon. But UNRRA, of course, could not do that unless some directive were issued or some action were taken by Congress to permit the legal feeding of German nationals through UNRRA agencies.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. HAWKES. I merely wish to say to the distinguished Senator from Nebraska that it is not the policy of this Government to feed German nationals at the present time. I have just sent to my office, after hearing the Senator's preliminary remarks, for a letter from President Truman to me in response to a very definite appeal I made to him to help keep the women, babies, and children and the old men and women of Germany from starving. I have the President's letter, and I have a letter also, for which I have sent, from Mr. Brunot, who has charge of American relief, and both the President and Mr. Brunot tell me the same thing, that we cannot feed the nationals of Germany or of other countries which were opposed to us in the war, and that it would not be compatible to do so under the conditions and in view of the requirements and the available foodstuffs.

I think I had better let the letters speak for themselves, but the general tenor of them—and that is what the Senator is looking for—is that the policy of the United States today is not to feed German nationals, and certainly if it is the policy of the President of the United States, and those in authority in these important organizations, it must be the policy of the Army.

Mr. TAFT. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I wish to thank the distinguished Senator from New Jersey, and if he would like to have the letters in the RECORD, I should be glad to have them placed in the RECORD.

I yield now to the Senator from Ohio.

Mr. TAFT. I cannot agree with what has just been said, because under international law it is the duty of occupying armies to assume responsibility for the feeding of the nationals in the occupied areas. I happen to know that we have been feeding the Austrians in the occupied area of Austria, because only a month or so ago we had a general before us who had been in charge of it.

In his recent message the President said that $600,000,000 of the money requested for the Army was for the purpose of feeding the populations of occupied areas. So I think there must be some misunderstanding about the duties assumed. I think there must be some action on our part, which is being taken.

Mr. WHERRY. I wish to thank the distinguished Senator from Ohio for his remarks. The desirability of what I am seeking to have brought about by the Senate is proved by the fact that there are so many conflicting reports. What I should like to see is a visit to Europe by a nonpartisan committee of the Senate and the House, to make an investigation on the ground, and ascertain what is going on and what is needed. That is the purpose of the resolution.

Mr. EASTLAND. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I yield.

Mr. EASTLAND. The Senator from Ohio stated that we were feeding German nationals in the zone occupied by the American Army. That is true in a sense, but we attempt to maintain a diet of only 1,550 calories a day, which is a starvation diet, and because of which thousands of people will starve to death.

Mr. WHERRY. I thank the Senator from Mississippi. I shall make a statement later in my remarks as to the feeding and the calories, and I think the facts will be brought out clearly.

Mr. EASTLAND. Will the Senator yield further?

Mr. WHERRY. I yield.

Mr. EASTLAND. I may say further that Mr. Morgenthau, who is a leader in a program which I think is aimed at the destruction of the German people, even takes the position that the women and children of Germany should be fed, and be fed by us. I cannot understand the policy of our Government which would permit widespread starvation and malnutrition in Germany.

Mr. WHERRY. I thank the Senator.

Mr. BUSHFIELD. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I yield to the distinguished Senator from South Dakota.

Mr. BUSHFIELD. I read a news item in the press last week in which the statement was made that we had sent to Germany 600,000 tons of food. Does the Senator know anything about that?

Mr. WHERRY. I am not informed about that statement. A published report came out, which I shall mention in my remarks, which showed that some provision for clothing for aged people, some additional supplies for women, and for children under the age of 10, had been made. To my knowledge I have not seen the article referred to by the Senator from South Dakota.

This situation in Europe, Mr. President, means a terrible burden and responsibility has been placed squarely on our shoulders for the very policies which this Government has pursued since the war ended. England cannot feed Europe. She can barely keep herself alive. France has just been compelled to cut her own bread ration. Italy is starving to death. In Russia, from twenty-five to fifty million people are starving. The Russian Army in central and eastern Europe is compelled to forage off the land for its subsistence, if reports coming to us are true. The worst drought in 50 years has cut Europe's indigenous food supplies in half. All Europe now turns to America for help. Certainly the least we can do is open up the mails and let the people of this country, who would like to extend charity to the peoples of Europe, be permitted to do so. That can be done without expense to the Government at least

for the purchase of the food and the clothing.

Mr. MILLIKIN. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I yield.

Mr. MILLIKIN. I have been looking into a number of phases of this matter, and I am told that at the present time there is a committee representing many charitable organizations in this country which is conducting an investigation in Europe, with the end object, if it can be accomplished, of allowing the religious and philanthropical and other organizations in this country to channel through some kind of organization into Germany and other countries of Europe the relief which may be donated, and to see that it is fairly distributed over there. It strikes me as a shocking thing, if the food is available, and we can take care of those who fought with us, and then pursue the very policy of starvation for which we condemn this conquered enemy. We do not have to ape our enemy to complete his long term defeat.

Mr. WHERRY. I am in total agreement with the distinguished Senator from Colorado. I think he has given the whole message in just one sentence, and I appreciate it very much.

I should like to say, in response to the statement about the organizations which have gone to Europe, and are being sent there, that this has taken place over a period of months. Some are over there and some are going. The fact is that while they are making investigation, conflicting reports are coming back, and I feel that the time has arrived when the Congress of the United States—because it is its responsibility—should have a nonpartisan committee go to Europe and make an investigation on the ground, and report, so that the Senate can determine what is needed and take appropriate action.

Mr. MILLIKIN. Will the Senator yield further?

Mr. WHERRY. I yield again.

Mr. MILLIKIN. I should like to emphasize the very thing the Senator is saying. I have conveyed to interested people of my State the information about the calories that are supposed to be given to the people of the occupied countries. My mail is a series of affirmations and denials. At this moment I cannot make up my mind whether we are maintaining those people over there on a maintenance diet or on a starvation diet, because the evidence is so conflicting.

Mr. WHERRY. What the Senator has said I know to be true of most of the Senators who are receiving mail on this subject.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. EASTLAND. We have tried and condemned to death Germans for committing atrocities, some of which involved starvation. I think we justly did that. Does not the Senator think we are guilty of an atrocity ourselves when we permit mass starvation, or when we permit the starvation of our conquered enemy?

Mr. WHERRY. Certainly; and I thank the Senator for his question.

In presenting this resolution, Mr. President, I have in mind a congressional commission which went to Europe to investigate political prisoner camps in Germany, and other congressional committees which have gone to Europe, one of them including the distinguished Senator from Mississippi [Mr. EASTLAND] who made a thorough investigation of the subject which the congressional commission of which he was a member was charged to investigate.

Mr. President, I have one particular committee in mind. It will be remembered that on April 22, 1945, conflicting stories were coming through of the atrocities which had been and were being committed. Some said they were being practiced against our own men. I think one of the greatest things General Eisenhower did was to send a request to the President to see to it that an impartial congressional committee went to Europe to investigate atrocities which were alleged to have been committed.

With the 11 other members of that committee I inspected the atrocity camps in Europe. We visited Buchenwald, we visited Dachau, we visited Camp Dora. We went on the ground and made a personal investigation and brought back a report. I need not repeat what has been said on so many other occasions, of the horror and revulsion experienced as we viewed the scenes of human degradation and bestiality. The report drawn up by the committee under the chairmanship of the distinguished majority leader, the Senator from Kentucky [Mr. BARKLEY] unanimously recommended the trial and punishment of everyone directly responsible for these crimes.

This report was not only unanimously offered, it was unanimously received by the Congress and the American people.

I think that committee rendered a real service, not only to the Congress but to General Eisenhower, the President, and to the American people, by the information it brought back.

I never dreamed that I would see the day when my own Government—as has been done this afternoon—would be accused of similar crimes against humanity. I never dreamed of such a thing.

For long months now a rising torrent of incriminating evidence and data has been pouring into America which marks this administration as the party responsible for directives and policies which have brought a world catastrophe hard upon us.

The terrifying truth is that if this evidence even approximates the truth, the American people have been made accomplices in the crime of mass starvation. The American conscience, when aroused by the full knowledge of the facts, cannot and will not rest until it compels our elected servants, from the President down, to redeem this country's honor through a complete reinterpretation of American principles, both in policy and in practice. The heart of America, whatever else this administration and its inner circle of advisers may think, is not rotten.

II. THE RECORD

Has not the President been sufficiently warned of the terrible mistakes involved in the policies he was and is pursuing? As far back as 1942 a bitter rivalry between Mr. Morgenthau's henchmen in the Treasury Department and representatives in the War and State Departments ought to have been sufficient warning to the President there was something wrong with Mr. Morgenthau's grossly inaccurate and savage plan for the pastoralization of Germany.

Surely the knowledge that Mr. Morgenthau finally won his battle in March 1945 and forced the incorporation of his plan into the now infamous document C. J. S. 1067, despite the repeated warnings and violent opposition of Mr. Stimson and of many high officials in the State Department, was available to President Truman. This knowledge ought to have prepared him for at least the possibility of the break-down of the Morgenthau plan. At least, such violent opposition ought to have compelled the creation of adequate safeguards should the Morgenthau plan collapse.

Furthermore, President Truman failed at Potsdam to win British and Russian acceptance of the Morgenthau plan as a basis of a unified policy for the whole of Germany. That is most significant. But in the face of this he went ahead even though he was warned time and time again by expert authorities and advisors of the utter impracticability and absurdity of the Morgenthau plan.

A. CRITICISMS OF THE POLICIES

Last September a group of American economists under the direction of Mr. Calvin Hoover made a detailed analysis of the potential effect of Mr. Morgenthau's directives on the German people. This report was delivered to Brig. Gen. Lucius Clay during last September and has not yet been released to the American people. I have read that report, and while I am still prohibited from giving its findings to the American people, it is within the bounds of propriety for me here to assert that these findings would frighten anyone, even the President, into a realization of the consequences that were sure to follow.

On October 28 Prime Minister Ernest Bevin stirred the House of Parliament in one of the most moving debates ever there recorded. In the midst of the savage destruction wrought by V-bombs in the heart of a nation which for 5 years had sacrificed, suffered, and died to repel and finally to conquer a ruthless enemy, Mr. Bevin pleaded in the name of humanity for Russia and America to change their policies and their practices and to minister immediately to the staggering human needs in Germany. Said Mr. Bevin, in speaking of this spectacle of human misery which he had just gazed upon personally:

> As I watched I felt, my God, that is the price of man's stupidity and war. It was the most awful sight you could possibly see.

On November 12 Gen. Bernard L. Montgomery in charge of the British zone repeated his warning of October 2, namely, that:

> I am not prepared to see widespread famine and disease spread through Europe as it will if we permit hundreds of thousands of Germans to die.

General Montgomery warned the whole world:

It is impossible to estimate what will be the effect of the shortage of food and fuel under the rigorous conditions of the central European winter.

On November 12 Felix Morley and Frank Hanighen revealed in Human Events a few of the terrifying facts and figures that had been compiled by American economic experts, who in their report stated that less than 50 percent of Germany is now self-sufficient and imports of food are negligible. The report states:

In short, Germans and other inhabitants of occupied zones will take to banditry in order to obtain food. General Eisenhower's warning on this subject was designed to relieve the Army of responsibility for the results of Potsdam and the Morgenthau plan.

In the same week a report on Germany signed by all 18 members of a House committee, which had visited Europe under the chairmanship of Representative COLMER, Democrat of Mississippi, contained the following ultimatum to the President:

If a hard peace requires the elimination of 8,000,000 to 10,000,000 Germans, it would be much more humane to eliminate them at once. The committee cannot refrain from asking the simple question, "What incentive under this plan exists for Germany to turn to democratic ways?"

Mr. President, I agree with that statement. Some Senators, including myself, who witnessed starvation conditions in Europe, so devastating in their effect that we saw adult human beings who did not weigh even 60 pounds, have some idea of the results of the long days of suffering people go through over there now.

Mr. SHIPSTEAD. Mr. President, will the Senator yield to me?

Mr. WHERRY. I yield.

Mr. SHIPSTEAD. I have in my hand a copy of an article published in the New York Times of November 18. The article was written by Mr. Sulzberger, manager of the New York Times, on the basis of a dispatch from Europe. With the Senator's permission I should like to read a portion of the dispatch.

Mr. WHERRY. I yield.

Mr. SHIPSTEAD. I read:

Europe faces one of its bleakest winters since the chaos of the Thirty Years' War. More than 20,000,000 homeless and desperate persons are now milling east and west, north and south across the Continent.

Germans, Poles, and Czechs pour into the devastated Reich to escape the slavery of the Russians in the occupied section of Germany. Hungarians trudge into the Pannonian Plain. Hundreds and hundreds of thousands of former Nazi slaves crowd into freight cars and trucks and rusty ships on uncertain voyages to their uneasy homes. The Apocalyptic Horsemen are once again trampling Europe whose vital energies alone have saved it time and again from their deadly hoofprints.

I quote further from the same dispatch:

The freedom for which so many nations fought is far from evident. Dictatorships succeed dictatorship. In great areas faith has disappeared but nothing new arises to fill the vacuum.

Mr. WHERRY. I thank the distinguished Senator from Minnesota for his contribution.

I continue with the record of policy. I am going through the record of policy.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. HAWKES. I have sent for the letter from President Truman to me, which is dated December 21, 1945, and I am going to ask unanimous consent to have the letter in its entirety printed in the RECORD as a part of my remarks, because I believe it belongs there. I wish to show Senators that the statement I made a few moments ago is absolutely correct, by reading the last two paragraphs of the letter:

While we have no desire to be unduly cruel to Germany—

The use of the word "unduly" would leave the impression that we might be a little cruel; how cruel it does not say—

I cannot feel any great sympathy for those who caused the death of so many human beings by starvation, disease, and outright murder, in addition to all the regular destruction and death of war.

I should like to interject there on my own behalf that no right-thinking American can feel any great sympathy for those who caused starvation, disease, and outright murder. But there are millions of people in Germany who had no more to do with what Hitler did than I have had to do with what the New Deal has done in the United States of America.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. MILLIKIN. I should like to suggest to the senior Senator from New Jersey that it is not a question of having sympathy with the Germans; it is a question of having sympathy with our own civilized principles.

Mr. HAWKES. And with humanity. I proceed with the reading:

Perhaps eventually a decent government can be established in Germany so that Germany can again take its place in the family of nations. I think that in the meantime no one should be called upon to pay for Germany's misfortunes except Germany itself.

Until the misfortunes of those whom Germany oppressed and tortured are obliviated, it does not seem right to divert our efforts to Germany itself. I admit that there are, of course, many innocent people in Germany who had little to do with Nazi terror. However, the administrative burden of trying to locate those people and treat them differently from the rest is one which is almost insuperable.

I leave it to the Senate whether that substantiates what I said earlier in my remarks.

Mr. President, I ask that the letter from the President may be printed in full at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, December 21, 1945.

Hon. ALBERT W. HAWKES,
The United States Senate,
Washington.

DEAR SENATOR HAWKES: Thank you for your letter of December 14.

I am sure you understand that the postal system and the communication and transportation systems of Germany are in the state of total collapse. It has so far been impossible to set up any general integrated postal system for the whole of Germany.

While the situation in this respect in the American zone is better than in other zones, there is as yet no possibility of making deliveries of individual packages in Germany. No date has been set as to when the controlling Allied authorities will be able to permit the resumption of mail service to Germany.

Our efforts have been directed particularly toward taking care of those who fought with us rather than against us—Norwegians, Belgians, the Dutch, the Greeks, the Poles, the French. Eventually the enemy countries will be given some attention.

While we have no desire to be unduly cruel to Germany, I cannot feel any great sympathy for those who caused the death of so many human beings by starvation, disease, and outright murder, in addition to all the regular destruction and death of war. Perhaps eventually a decent government can be established in Germany so that Germany can again take its place in the family of nations. I think that in the meantime no one should be called upon to pay for Germany's misfortunes except Germany itself.

Until the misfortunes of those whom Germany oppressed and tortured are oblivated, it does not seem right to divert our efforts to Germany itself. I admit that there are, of course, many innocent people in Germany who had little to do with Nazi terror. However, the administrative burden of trying to locate those people and treat them differently from the rest is one which is almost insuperable.

Very sincerely,

HARRY S. TRUMAN.

Mr. HAWKES. Mr. President, I ask unanimous consent to have printed at this place in the RECORD, with the consent of the Senator from Nebraska, a letter dated December 18, 1945, from James Brunot, Executive Director, the President's War Relief Control Board, Washington.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MY DEAR SENATOR HAWKES: I wish to acknowledge and thank you for your letter of December 14.

I should make clear the fact that the question of opening the mails to Central Europe for letters and parcels is one with which this office has no direct concern.

The aspect of the German relief situation which is within our responsibility is that involving the solicitation of contributions for German relief by private relief agencies. On this aspect of the question there are several developments about which you may have been informed.

On December 5 the Department of State forwarded the following statement to us:

"The Department of State has recently reconsidered its policy with respect to private relief activity on behalf of German civilians and is now prepared, in principle, to approve such activities provided United States military authorities in Germany find it possible to make available the facilities necessary to the reception and distribution of relief supplies collected in the United States and shipped to Germany. If United States military authorities in Germany inform us that such arrangements can be made, the President's War Relief Control Board will presumably be able to entertain applications from private relief agencies in this country to engage in this type of relief activity."

At a meeting in the Department of State on December 6 with representatives of the War Department as well as this Board, it was agreed that a delegation representing the American relief agencies interested in Germany would be permitted to go immediately to the American zone to explore and plan re-

lief services in coordination with military government and indigenous agencies in Germany. The relief agencies concerned, which include most of the church-sponsored war relief organizations registered with this Board, have nominated a delegation of three persons to be joined in Germany by four others who already are there working with displaced persons. It is our understanding that the Department of State and the War Department expect this delegation to go forward immediately.

Meanwhile, a legal question has been raised as to the status of relief activities in Germany under the terms of the Trading With the Enemy Act. The President's War Relief Control Board has requested an opinion from the Attorney General as to the propriety of authorizing relief activities for Germany in view of the provisions of that statute.

Sincerely yours,

JAMES BRUNOT,
Executive Director.

Mr. HAWKES. Mr. President, I call attention to the fact that what they are trying to do there is to see to it that opportunity is afforded Americans of German extraction in this country to collect funds and clothing and food and medicine, and then be permitted to send the money and other articles over there to relieve their families, relatives, and friends in Germany.

He goes on to say that the question whether these things can be sent to Germany is being reconsidered. He concludes the letter by saying:

Meanwhile, a legal question has been raised as to the status of relief activities in Germany under the terms of the Trading With the Enemy Act. The President's War Relief Control Board has requested an opinion from the Attorney General as to the propriety of authorizing relief activities for Germany in view of the provisions of that statute.

This question is being discussed all over the United States, while in Germany children, old men, and women are dying of starvation and being buried. What good will it do for the Attorney General to give an opinion next August on whether we can feed these people in the month of January 1946? That is what the distinguished Senator is talking about.

Mr. WHERRY. That is correct.

Mr. HAWKES. I say now, as I said in the Senate 60 days ago when I wrote these letters, that if we do not do the humane, decent thing which lies within our power, there will be a stigma and blemish on our national escutcheon for all time.

Mr. WHERRY. That is correct.

Mr. HAWKES. I thank the distinguished Senator.

Mr. WHERRY. I thank the distinguished Senator from New Jersey for bringing these arguments to the attention of Members of the Senate, and for the contribution which he has made personally relative to his feelings in the matter.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. MILLIKIN. As to the legal inquiry which is being made, I suggest that the distinguished senior Senator from Ohio [Mr. TAFT] announced the controlling doctrine. When we go into occupation in a country we become a trustee for maintaining the human decencies of occupation, and that overrides every technicality.

Mr. HAWKES. Otherwise there would be no objective in decent people going into the territory of another nation.

Mr. MILLIKIN. Under what theory can we set ourselves up as competent to control others if we are not willing to see that they can secure enough food upon which to live?

Mr. HAWKES. I agree with the Senator.

Mr. MILLIKIN. The converse is that we become efficient occupiers in the degree that we become efficient starvationists.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. HAWKES. I agree with the distinguished Senator from Colorado. I should like to make this comment: As the Senator from Nebraska knows, I flew across the ocean and spent approximately 29 days going through war territories in France, Germany, Italy, Greece, and other countries. The best information I could obtain from the generals in command over there was that at that particular time for the feeding of Germans they had reduced the number of calories per person to 750 a day. No one can live on that kind of a diet anywhere in the world. While we were there it was changed to 950 calories a day.

We in the Senate talk as though we were giving the Germans this food. We took the food they had, and we limited them in the use of the food they had. If they had a surplus of a certain food, we took it, and, of course, our Army in turn replaced it with something else. I take it that what the Senator is talking about is what I am thinking about. What are we going to add to the whole picture in trying to save humanity and save our own reputation?

Mr. MILLIKIN. Mr. President, will the Senator indulge me once more?

Mr. WHERRY. I yield.

Mr. MILLIKIN. I realize that a difficult problem is involved. Perhaps there is a limited amount of food which must be spread over many places, including our own Allied countries. I would not for one moment say that we should reduce our own allies to a starvation basis in order to lift a former enemy beyond that basis. I believe that that should be said to keep the matter in proper perspective. It may be that we shall have to get more food. It may be that we shall have to have a special campaign to increase the over-all amount of food available for the whole purpose. But wherever we have our hand we should exercise a just and decent control, and bring our policies into agreement with the humane sentiments which have always characterized this country.

Mr. HAWKES. Mr. President, will the Senator yield to me for a moment, so that I may not be misunderstood?

Mr. WHERRY. I yield.

Mr. HAWKES. I am thoroughly in accord with everything the Senator says. All I have in my mind and heart is that we should do the things we can do without depriving ourselves of too much, and without inflicting any wrong on our allies. We should do what we can well, and do it on time, because time is of the essence of everything.

I wish to make one further observation. I have previously made this statement in the Senate. I could be bitter. My only son is buried at Milne Bay in New Guinea, and I am helping to rear his two little children. I could be bitter. No one can accuse me of not hating the leaders of the German people. No one can accuse me of not wanting them to have the punishment which is justly theirs. I am trying to be human, and I am trying not to carry through to the wrong person any vengeance or bitterness.

Mr. WHERRY. Mr. President, I know how the Senator from New Jersey feels about our relationship to the countries which we have engaged as enemies at war. I wish to say to him that in my fellowship with him here for the last 3 years he has indelibly stamped upon my heart the sincerity of the words which he has just spoken. I know that he wishes to go as far as he possibly can in relieving the situation in Germany. He believes in American decency, which is in keeping with the life which he has lived. I thank him for the statement which he made a few moments ago.

Mr. MILLIKIN. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I yield to the distinguished Senator from Colorado.

Mr. MILLIKIN. I believe that the thing which is at the bottom of our inquiries and our worries is whether we are following a starvation policy. That is the basic thing. I do not believe that we should follow such a policy and I am sure the American people do not intend that we should follow it.

I believe that the second thing of importance is that that which is available shall not result in a starvation policy through incompetent administration.

Thirdly, if there is not enough, under efficient management, to keep us in step with humane policies, perhaps we shall have to consider measures to produce more.

Mr. WHERRY. I thank the distinguished Senator from Colorado once again for his very timely suggestions.

The next thing which I should like to mention in connection with the record of policies which are being maintained by the administration is the matter of the number of calories.

On November 28, Byron Price, upon returning from a trip to Germany after a special study mission for President Truman, issued a grim warning that the United States faced possible failure in its effort to help rebuild a peaceful Germany.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. EASTLAND. Has the entire Byron Price report been printed?

Mr. WHERRY. Not so far as I know. Has the Senator seen it?

Mr. EASTLAND. The reason I ask is that I read in a magazine yesterday that the entire report had not been printed, although excerpts from it had been. I wished to know whether the Senator had any information on the subject.

Mr. WHERRY. I shall read an excerpt from a report which was handed to me. However, I have not seen the entire report of Mr. Price.

Mr. Price urged the immediate raising of the ration level in the American zone from 1,550 to 2,000 calories a day. I know about the 750 calories and the 900 calories. The Senator from Mississippi knows, as does the Senator from New Jersey, that people cannot be properly fed on 1,550 calories, especially with the food available in Germany. They cannot survive. Mr. Price suggested that the ration level in the American zone be raised from 1,550 to 2,000 calories a day. He also warned:

> The next few months will determine whether the American Government in its first large-scale attempt at governing a conquered people is to succeed or fail or to abandon the effort.

On the same day General Eisenhower's final monthly report as the American Military Governor of Germany, warned that the general economic condition of Germany was "unsatisfactory" and that the food situation will be even worse this winter than anticipated.

Mr. President, again I say that the conditions that have resulted from the President's stubborn refusal to alter the cruel absurdities of his policy toward Germany cannot possibly be for lack of warning, or of conclusive proof of the consequences.

Yet in spite of these official warnings and indictments, on December 12, Secretary Byrnes deliberately reaffirmed the same policy toward Germany which President Truman knew had already implicated the American people against their will in the crime of mass starvation. Mr. Byrnes restated as America's policy the imposition of a daily diet of 1,550 calories a day, which he admitted "is not sufficient to sustain in health a population over a long period of time."

Mr. Byrnes did attempt to mitigate the restatement of such a policy by stating that he was going to prevent mass starvation in Germany. But Mr. Byrnes also stated:

> In terms of world supply and of food shipments from the United States, liberated areas must enjoy a higher priority than Germany throughout this first postwar winter.

What about the consequences of these policies? Mr. President, President Truman knows perfectly well that an imposed diet of 1,550 calories subjects any people to mass starvation and the ravages of disease and death.

The truth is there is already such an overwhelming mass of direct information and evidence of the savage consequences of Mr. Truman's policies that an earthquake of public opinion is now necessary to avert the additional tragedies which will follow if this administration is permitted to attempt to get out from under through the feeble application of a few face-saving formulas.

The only concession that this administration has made to the American people on this issue—and it was mentioned a moment ago—was announced in an Associated Press dispatch January 27 in the New York Herald Tribune. According to this dispatch, the administration has given permission to the Amercan council of voluntary agencies to send relief to "special categories" of German civilians. According to the dispatch, Lt. Gen. Lucius D. Clay, commanding the American military government, authorized the American council to ship medical and sanitary supplies, soap, cod liver oil, and infants' food. The shipment of clothing is now permitted for the aged, the young children, pregnant women, nursing mothers, and the ill.

Mr. EASTLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HOEY in the chair). Does the Senator from Nebraska yield to the Senator from Mississippi?

Mr. WHERRY. I yield.

Mr. EASTLAND. Such shipments are now permitted only into the American zone, are they not?

Mr. WHERRY. That is true.

Mr. EASTLAND. Does not the Senator think our Government should negotiate with the Russians, the French, and the British to see whether private relief agencies can go into all four zones of Germany and send food and clothing there?

Mr. WHERRY. Certainly, and I appreciate that suggestion. I shall take it up later in my remarks, but I say to the Senator now that it is one of the most pertinent suggestions which could be made relative to the need for such a Congressional investigating committee as I have proposed.

Mr. EASTLAND. Then does not the Senator think that it is absolutely horrible for us to refuse to permit our own people or our own agencies which desire to send food and clothing to friends and relatives in Germany to do so?

Mr. WHERRY. I certainly think it is. The correspondence we receive demonstrates that conclusively. I wish all Members of the Senate could read some of the letters I have received from people who for more than 4 years have not heard from their relatives in Germany. Why cannot they have the right to send food and clothing to them?

Mr. President, according to General Clay, the military government has reserved the right to supervise distribution of relief—the bare necessities of life—which in the American zone is to be made through existing German welfare agencies. Certainly the details have not been worked out for distribution in the British, French, and Russian zones, as has been brought to the attention of the Senate by the Senator from Mississippi [Mr. EASTLAND].

But, as the following testimony will reveal, this one gesture on the part of this administration is only a drop of relief in an ocean of human misery, and our official policies remain unchanged. This tragic situation in Europe resulting from President Truman's insistence becomes more hideous by the hour. For long months the President's refusal to alleviate these conditions has only intensified the human needs to which we must minister. We must now deal with the ghastly consequences of an enforced starvation diet which has been imposed on helpless millions, the innocent and the guilty alike, since the war ended.

The population of Germany at best could only have maintained the physical condition which was described by the National Research Council in a reply to a question asked of it by our Foreign Economic Administration last June.

The question was:

> Assuming that a man in reasonably good physical condition to start with were placed on a daily diet consisting of 42 grams of fats, 23 grams of animal protein, a reasonable intermediate quantity of vegetables characteristic of Germany, cereals, potatoes, total caloric content 1,200, what would the effect of such food rations distributed in occupied Germany be?

The answer was as follows:

> The best evidence available to the Board would indicate that the effects of semistarvation should receive consideration under three headings, namely: Capacity for work, psychological effects, vulnerability to infectious and other nutritional diseases. The judgment of the Board, based on evidence available, is that adult European males reduced to an intake on the average of 1,400–1,700 calories for a period of 6 months will suffer: (1) Reduction of capacity for work (endurance) to the point where only very light work can be performed effectively, moderate heavy work, and heavy work not at all. (2) Loss of power of mental concentration associated with apathy, depression, and a high level of irritability. (3) Increased susceptibility to infectious and contagious diseases. It is appropriate to point out the broader implications of the foregoing conclusions: In the first place, the ability of a population to maintain or increase its own community production of food, not to speak of other goods, would be diminished. In the second place, there would be less hope of establishing acceptable community and political organization. In the third place, a population subjected to such a low level of food supply might be expected to develop epidemics which might spread to other nations and consequently represent a hazard to the entire world. It is reasonable to suppose that if the average food intake per adult male is less than 1,400–1,700 calories, the effects described above would be exaggerated and also that an increasing number of persons would lose ability to support themselves and thereby greatly add to the burden of the occupying authorities.

Mr. President, again I say that last May, when the war ended, the frightful conditions existing throughout the whole of Europe must have caused everyone in public office to cringe before the prospect of the rehabilitation that was needed. This report of the National Research Council states objectively the best that Mr. Truman and his advisers could possibly have hoped for in regard to the physical condition of the German people at the end of 6 months of an enforced starvation policy.

It is now 9 months since that policy was put into effect, and the story of what has actually resulted proves that even the conditions described by the National Research Council, tragic as they were, have not even been remotely approached.

Mr. Truman must have known all these things. Yet Mr. Truman has defied not only American but world opinion by refusing to yield to the heart-rending pleas for intercession and mercy that have come from all over the globe.

The magazine Politics carries the following story, which has been compiled from three sources: a world-wide press report of October 24; the News Letter No.

48, by Paul Sifton, of the Union for Democratic Action; and a statement from one who was present at the interview with President Truman on September 17, 1945. A delegation representing 48 national organizations, headed by Mrs. Dwight W. Morrow, chairman of the Food for Freedom organization, had secured an appointment with the President to urge more generous overseas relief for Europe. Among the more than 40 organizations included were the CIO, the A. F. of L., the Federal Council of Churches, the General Federation of Women's Clubs, the Farmers Union. According to the magazine Politics—

Mrs. Morrow was the spokesman of the delegation. Truman's attitude was bristling, hostile; he interrupted her twice in her first sentence. When she spoke of "starvation" in Europe this winter, he cut her short in order to express annoyance with the alleged lack of self-respect and initiative of the people of Europe, who "didn't do things for themselves but just sat around and waited like birds to be fed." Later, he agreed that Congress should appropriate more funds for UNRRA, but said, inaccurately, the United States of America was reaching the limit of its capacity to help. At the same time, with the callousness which only well-fed heads of states and such dehumanized characters display, he admitted that, even if all the UNRRA funds and other credits his Administration is now requesting should be granted in full, Europe's food supplies would still "remain below the minimum level of subsistence." When Mrs. Morrow mentioned "our" promises to feed the liberated nations after the war, Truman again interrupted: "We didn't promise them anything." Mrs. Morrow: "But President Roosevelt said——" Truman (interrupting): "Well, I didn't promise."

It is perfectly obvious, Mr. President, that the delegation represented the slow awakening of the American people to the terrible tragedy and crime against humanity to which President Truman had committed them at Potsdam. The record will clearly show that the real news of the tragedies that are taking place broke first through the British press. On August 24, the London News Chronicle carried the following story:

The Allies have made no effort to render relief or even give the Berlin Social Welfare Organization any assistance whatsoever. Here in Berlin we are living under this shadow, not just of hunger and want, but of death, and epidemics on a scale the world has not seen in recorded history.

On September 15, Hans Albrecht, leading German Quaker, reported to the British Friends Ambulance Unit, in Berlin:

No child born in Germany this year will survive the coming winter. Only half the children aged less than 3 years will survive.

These are only samples of what the British press has been reporting for weeks, while the American press remained gagged. Strangely enough, it was PM's foreign correspondent, Edd Johnson,—Mr. President, I am now bringing to the attention of the Senate an article from PM, if you please—who helped to bring home to the American people the horrible story of what was going on, when on October 3, he wrote:

Germans are going to die like flies this winter—so say the United States public health officers here. . . . The infant mortality rate in Berlin is 16 times as high today as it was in 1943. A German Red Cross official predicts an infant mortality rate of 80 to 90 percent during the coming winter.

There is going to be a definite age group elimination of the German population. Most children under 10 and people over 60 cannot survive the coming winter. The inevitable influenza will fill the gutters with German dead—and I am still quoting the public health officers with whom I have had rather close associations during the past few days.

From that time on, these terrifying stories have been shouted from the housetops.

On October 4 a British major is quoted in the London Daily Mirror, as follows:

The greatest horror in modern history is taking place in eastern Germany. Many millions of German people have been ejected onto the roads * * * are dying by the thousand on the roads from starvation, dysentery, and exhaustion. Even a cursory visit to the hospitals in Berlin * * * is an experience which would make the sights in the concentration camps appear normal.

Mr. President, one would think that President Truman would have foreseen that if these conditions prevailed, even through the late summer and early fall, a continuation of his policy could not help but lead to disaster.

On October 12 Probst Gruber, a former inmate of a concentration camp, wrote in the Friend, published in London:

In the forest around Berlin, countless dead are hanging from the trees. One becomes indifferent to death. Mothers see their children die and bury them by the wayside, apparently with none of that pain which usually tears a mother's heart apart. * * * If this misery cannot be checked, it is no exaggeration to reckon on a figure of 20,000,000 dead this winter.

On October 28 the London Observer stated that not only Germany but also "Europe is threatened by a catastrophe which has no precedent since the Black Death of 1348."

On November 13 the New York Times issued a special report on the general European food situation, warned of the terrible threat confronting civilization, and specifically stated concerning Germany:

Here in Berlin the Germans are losing weight and showing signs of malnutrition, but they are not dying of starvation. However, the death rate among the very old and the very young is high and growing because of the lowered resistance to disease.

Since then, Mr. President, one by one the leaders of the American people and of their institutions have become aroused until clear across this country passionate protests have been delivered to President Truman from men and women representing a complete cross section of American life.

On November 14, the Christian Century carried the following plea which had been issued by a joint committee of the World Council of Churches, the International Red Cross, the World Jewish Congress, and the Save the Children International Union and Catholic Charities:

Children by the millions are in imminent danger of starving and freezing as winter comes to Europe unless immediate help comes. Helpless children cannot survive much longer unless there is a united effort to save them.

The Christian Century continued:

It is time for the Christian conscience to cry, Stop, stop this torture of helpless war victims. * * * The policy being followed in central Europe is ghastly. It is unnecessary. It is a repudiation of Christian charity and a defiance of Christian morality.

On November 28, the Christian Century made the further charge:

Silent concurrence by the churches in murder by starvation makes the church an accessory to the crime. As a result of the Potsdam decisions, millions of Germans are starving now.

On December 1, the American Friends Service Committee placed a plea entitled: "If Thine Enemy Hunger, Feed Him" in the New York Times, the Chicago Sun, the Philadelphia Evening Bulletin, the Chicago Tribune, and the Washington Post. This committee received more than 20,000 statements of approval. It received $23,000 in unsolicited contributions, and only 30-some protests, most of which were unsigned. Since then, requests for mats of this statement have been received from more than 70 other American communities.

In the November issue of the Lutheran Outlook the following protest was recorded:

Inhumanity and even brutality are being practiced in a manner that is shocking to the Christian conscience. Millions of human beings are on the verge of starvation, and yet, in America at least, there appears to be no official cognizance of the fact. The American people are being kept strangely in ignorance of the awful catastrophe that has befallen a large part of the world's population. * * * We raise a voice in solemn protest against the inhumanity which today is being practiced by the victor nations against the German people and we do plead for pity and mercy for the millions of innocent children who are now become the chief victims of the judgment which has fallen.

On December 9, even Mr. Morgenthau warned of the danger of chaos in Europe by saying:

Hundreds of thousands of Europeans will die this winter unnecessarily because of our failure to act. The very existence of democratic government on the Continent is threatened because we have not moved fast enough.

Mr. Morgenthau further charged:

The administration has not been thinking hard enough, has not been working consistently on this job.

On December 11, a delegation of the Federal Council of Churches of Christ in America returned from an investigation of conditions in Germany. They warned that expulsion of millions of Germans from their homes had caused unspeakable hardship, and that the persons who were trying to get into the Reich were without food, shelter, clothing, or medical supplies. They voiced an urgent appeal for aid to the German people.

On December 15, the chairman of the Foreign Relations Committee received a communication from the Peace Campaign of Mount Vernon, N. Y., containing a petition for a Christian peace,

fit for men born free and equal in pursuit of happiness, which had been signed by more than 900 Protestant pastors and Catholic prelates and priests. The communication goes on to say:

While we are not authorized to interpret their feelings, they seem deeply perturbed over the things Stalin and Truman are doing in Europe. When millions of humble folks are driven from their ancestral homes, driven from the fields in which their lives were rooted, away from the graves of fathers and mothers and all they loved, when men are carried away into slavery from which there is no return, when Christians are deported for their faith, rape and plunder are within the law, and common decency becomes a crime, then something is radically wrong. And so it is when the American colonel administering Berlin allots to his charges some of their own food "not because we like to feed the Germans but because we don't want their rotten corpses to infect our troops," What kind of talk is this, anyway?

Mr. SMITH. Mr. President, will the Senator yield ?

Mr. WHERRY. I will yield for a question and an observation, but I will not be taken off my feet.

Mr. SMITH. Following the First World War I had the privilege of becoming a member of the American Relief Administration under the skillful chairmanship of former President Hoover. The distinguished Senator from Ohio was also a member of that organization. Our policy was to afford relief to the suffering peoples of the world, including our enemies. I say to the distinguished Senator from Nebraska that I welcome his speech. It is a valuable contribution, and sounds a very important note. The organization to which I have referred developed a system of handling food packages so that people in this country who had relatives abroad were enabled to send to them relief and food.

I thank the Senator for bringing this subject to the attention of the Senate. I have received a great deal of correspondence in regard to the matter, and I hope that we may do something about it.

Mr. WHERRY. Mr. President, I thank the Senator from New Jersey for his very timely remarks.

On December 15, 34 Senators, representing all parties and shades of opinion, sent the following petition to President Truman:

DEAR MR. PRESIDENT: We, the undersigned Members of the United States Senate, hereby appeal to you as the Commander in Chief of our armed forces to take immediate steps toward relieving the appalling famine in Germany and Austria.

The people of these countries are today facing starvation on a scale never before experienced in western civilization. War has destroyed most of their houses and factories. Millions of their men are dead. Many millions more are working as forced labor in foreign lands, thus unable to give aid to their wives and children. Millions of totally destitute deportees are milling aimlessly about the country. These people desperately need food, clothes, fuel, medicine, and shelter. The most appalling situation exists in the Russian zone due to the almost total loss of crops and livestock.

War has utterly destroyed Germany's war-making power. Surveillance and control are sufficient to insure our future safety. We did not fight the war to exterminate the German people, but to destroy forever the criminal Nazi leadership and their war machine.

Now the war is over. The German people must be offered the opportunity to work their way back into the community of nations. The American people do not want to be responsible for having permitted a catastrophe which cannot but drag all Europe into ruin and chaos. We in the United States have granaries overflowing with wheat. If properly used, our surpluses are sufficient to keep alive all needy people in the lands of our allies as well as our former enemies.

We, therefore, appeal to you, Mr. President:

1. To give orders at once to our armed forces in Germany and Austria to raise food rations above the present starvation level in the United States zone of occupation and restore immediately mail and postage service.

2. To start negotiations at once with the head of the Russian state with the object of gaining his permission to send American food supplies into the Russian zone of occupation in order at least to diminish the appalling daily death toll.

3. To give permission now to private relief organizations to start operations in Germany and Austria, in order to support the efforts of our occupation forces.

4. And, Mr. President, because we believe that the conditions in Germany and Austria are so desperate that even the above steps if taken immediately will not suffice, we further appeal to you to authorize and create an independent American Relief Mission to avert this impending disaster of wholesale starvation and pestilence now threatening Europe, even beyond the assistance now being furnished by UNRRA.

The following are the signatures arranged in alphabetical order and with State and political party indicated:

STYLES BRIDGES, Republican, New Hampshire; C. DOUGLASS BUCK, Republican, Delaware; HARLAN J. BUSHFIELD, Republican, South Dakota; HUGH BUTLER, Republican, Nebraska; HOMER E. CAPEHART, Republican, Indiana; ARTHUR CAPPER, Republican, Kansas; E. P. CARVILLE, Democrat, Nevada; SHERIDAN DOWNEY, Democrat, California; JAMES O. EASTLAND, Democrat, Mississippi; ALLEN J. ELLENDER, Democrat, Louisiana; JOSEPH F. GUFFEY, Democrat, Pennsylvania; ALBERT HAWKES, Republican, New Jersey; B. B. HICKENLOOPER, Republican, Iowa; CLYDE R. HOEY, Democrat, North Carolina; EDWIN C. JOHNSON, Democrat, Colorado; ROBERT M. LA FOLLETTE, Jr., Progressive, Wisconsin; WILLIAM LANGER, Republican, North Dakota; E. H. MOORE, Republican, Oklahoma; ABE MURDOCK, Democrat, Utah; JAMES MURRAY, Democrat, Montana; JOSEPH C. O'MAHONEY, Democrat, Wyoming; GEORGE L. RADCLIFFE, Democrat, Maryland; LEVERETT SALTONSTALL, Republican, Massachusetts; HENRIK SHIPSTEAD, Republican, Minnesota; H. ALEXANDER SMITH, Republican, New Jersey; W. A. STANFILL, Republican, Kentucky; GLEN H. TAYLOR, Democrat, Idaho; CHARLES W. TOBEY, Republican, New Hampshire; DAVID I. WALSH, Democrat, Massachusetts; BURTON K. WHEELER, Democrat, Montana; KENNETH S. WHERRY, Republican, Nebraska; ALEXANDER WILEY, Republican, Wisconsin; RAYMOND E. WILLIS, Republican, Indiana; MILTON R. YOUNG, Republican, North Dakota.

I have been reliably informed, because that was the week just prior to the Christmas vacation, that if some of the other Senators who were then absent had been present, they would have been glad to sign the petition.

Mr. MORSE. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I yield.

Mr. MORSE. I wish to say I am very sorry that, although I was present that week, I did not know of the petition, because the Senator has made it necessary for me to answer a great deal of mail from constituents wanting to know why my name did not appear on it. I very kindly suggest that I think that when such a round robin is being circulated, it would be very helpful if all of us who are here might have notice of it, so that we could either agree or disagree to be parties to the petition. Had the petition been presented to me, I would have signed it. I repeat, I think it is only fair that such petitions be circulated to all Members of the Senate, because in this particular instance the impression is created that because my name did not appear upon it, I was not in favor of it.

Mr. WHERRY. Whenever I circulate a petition I certainly do invite each and every Senator to sign it. I did not circulate this one. I happened to be a signer. The Senator will notice that my name is about the thirty-second or the thirty-third on the petition. If I had circulated it, I certainly would have had the Senator from Oregon sign it, and, with the explanation just given by the distinguished Senator, I say now that it is too bad his name was not on the petition. If there is any way to get his name on it, even as late as today, I should like to see it go on, as well as the name of any other Senator.

I say to the Senator from Oregon that if he did not hear my remarks at the beginning of my reference to the resolution I have tendered, the resolution is at the desk, and I have invited each and every Member of the Senate to put his name on it before it is sent to the Committee on Foreign Relations.

Mr. MORSE. I am very sorry that I was not in the Chamber during most of the Senator's remarks, but I have just come from a committee meeting, and I shall read the Senator's resolution, and I shall certainly give him word tomorrow what my position will be.

Mr. WHERRY. I wish to thank the Senator even for his consideration of the matter.

Mr. President, on December 24, a release was given to the American press which I ask to have incorporated at this point in my remarks, since the signers of this petition include a representative cross section of America's leading churchmen and laymen.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

AMERICAN CHRISTIANS FROM ALL CHURCHES ISSUE POWERFUL CHRISTMAS APPEAL

Leading churchmen and laymen, of all the American Christian churches from Unitarians to Catholics, issued on Christmas Eve an appeal, in the name of Jesus Christ on His birthday, to the American people in behalf of the starving children of Europe.

The appeal, based on official reports and on the information received by the various religious relief organizations from their distribution centers abroad, paints a picture of

conditions reminiscent of the Black Death of the Middle Ages, which depopulated Europe.

The appeal is headed by the New Testament quotation: "Whosoever shall offend one of the least of these my little ones, it were better that a millstone were hanged about his neck and he cast into the sea."

It proceeds as follows:

"Tomorrow we celebrate with gifts and tinsel and luxurious meals the birthday of the Child who came into the world to found the earth on peace and love.

"The weak and fallible, the strong and arrogant have scorned His commandments. And the earth has been drenched with blood.

"Hatred and fear, grief and revenge, fury and despair corrode the souls of men, though the war is over.

"And the children, whose innocence is the symbol of Christ, are the victims.

"The children of Europe are condemned to die—to die in masses in this first year of peace.

"Driven from their homes in eastern Europe, millions of children have neither food, clothing, nor shelter. They wander, foraging in already famished countrysides. Their dead bodies starved and frozen lie on the roads.

"All children are innocent of this war. America knows no enemy children.

"Millions of Europe's children live in heatless rooms, often without windows, with leaking roofs, and sometimes open to the winter sky. Their food must also fuel their bodies with heat. The children, except in the best provided areas, are condemned to ever-gnawing hunger, stunted growth, tuberculosis, rickets, and immediate prostration and death before the onslaught of respiratory diseases and other epidemics. In parts of Germany mothers bearing children from famished bodies cannot nourish them, and the infant mortality is at least 50 percent of births.

"In long-underfed Britain, Christian men and women are cutting their own meager rations to save even the children of their late enemies.

"But in America the restaurants are full to overflowing, rations are off, and never in history was the people's expenditure for food so high.

"In the name of Jesus Christ, our Saviour, we appeal on this Christmas eve to the people of America:

"Petition your Senators and Congressman for the opening of all Europe, including Axis countries, to relief.

"Join with us to start a movement for American families to sacrifice the equivalent of one meal per week for the salvation of Europe's children, regardless of race, nationality, or creed.

"Send your name and address to Mr. Josiah Marvel below. Circulate this appeal and obtain other adherents.

"Our future peace can only be built by those who are children today. Upon our merciful love toward them will depend their faith in the social, political, and religious principles we profess to serve.

"This appeal issued by men and women of all the faiths and creeds of American Christendom—in tribute to our Saviour, who taught us to pray: 'Give us this day our daily bread.'

"May the peace and love of God enter our hearts on this Christmas, and direct us to do His will."

Among the 50 signatories of the appeal are persons prominent in the American Friends Service Committee, the Committee for Overseas Relief of the Federal Council of the Churches of Christ in America, the Lutheran World Action, the War Relief Services of the National Catholic Welfare Council, and the Unitarian Service Committee, as well as the presidents of both big trade-union movements. They include:

Dr. Roswell P. Barnes, Dr. P. O. Bersell, Clement Biddle, J. Henry Cadbury, Msgr. Howard G. Carroll, Henry Clifford, Dr. Frederick Mann Eliot, William Emerson, Dr. Paul C. Empie, Dr. Harry Emerson Fosdick, Stephen H. Fritchman, George J. Gillespie, Ellis Gimbel, Mrs. Vincent Greene, William Green, the Rt. Rev. Henry Wise Hobson, Herbert Hoover, Hannah Clothier Hall, Robert M. Hutchins, Rufus M. Jones, the Rev. John Lafarge, Mrs. Henry Goddard Leach, Dr. Henry Smith Leiper, Mrs. James Marshall, Harold McKinnon, Dr. Louis D. Moorehead, Elizabeth Morrow, Dr. Leslie B. Moss, Carl Murphy, Philip Murray, the Rt. Rev. Msgr. P. A. O'Boyle, the Rev. William A. O'Connor, Bishop G. Bromley Oxnam, James G. Patton, C. G. Paulding, Clarence E. Pickett, Gifford Pinchot, A. Philip Randolph, John Rich, Mrs. A. B. Ritchie, Dr. Ralph W. Sockman, Louis J. Taber, Dorothy Thompson, the Rt. Rev. St. George Tucker, Dr. Henry Pitney Van Dusen, Alfred F. Whitman, Matthew Woll, D. R. Yarnall.

Mr. WHERRY. Mr. President, on December 23 the National Planning Association issued a completely objective report on food conditions in Europe, in which it is stated:

In Germany the food problems of urban consumers are already serious. Lack of fuel, shortage of clothing, and inadequate housing further aggravate the situation. * * *

To insure 2,000 calories per day for the nonfarm consumers in the zones occupied by the Western Allies and in the British-American zone of Berlin will require imports of about 4,750,000 tons of wheat.

On January 11 Lewis C. Schenk, a member of the New York staff of the National Lutheran Council charged this Government with the sole responsibility of holding up aid to Germany.

On January 12 Rev. Edward E. Swanstrom, assistant executive director of war relief services of the National Catholic Welfare Council, after returning from a 5 months' trip through Europe, stated:

I have heard it said that American public opinion would not stand for a program of private relief to German civilians, but I do not believe it. If Americans could see, as I have, innocent children and the aged literally dying on the street from starvation in the large German cities, I am sure they would feel as I do—that they, too, come under the mantle of our Christian charity. * * * If we are to win the peace and are anxious to see a stable civilization in Europe, we must continue to strengthen American relief programs abroad.

On January 14 the Progressive carried the story of Dr. Baeck, chief rabbi of Germany, now in this country, who, according to the Progressive, has—

horrified the hate cult in this country by calling on his Jewish colleagues to join with him in demanding relief feeding for Germany just as for the other countries of Europe.

Mr. RUSSELL. Mr. President, I did not understand from what periodical the Senator was reading.

Mr. WHERRY. I was reading from the Progressive. On January 14 the Progressive carried the story of Dr. Baeck, chief rabbi of Germany.

Mr. RUSSELL. Is that the newspaper that is published under the auspices of a distinguished Member of this body?

Mr. WHERRY. Yes. It is published by the senior Senator from Wisconsin [Mr. LA FOLLETTE]. By the way, I read that newspaper. It comes to my home. I want to say that some of the most forceful editorials I have read are contained in that publication. I am quoting from the Progressive the statement of Dr. Baeck, chief rabbi of Germany, who is now in this country, as follows:

Horrified the hate cult in this country by calling on his Jewish colleagues to join with him in demanding relief feeding for Germany just as for the other countries of Europe.

In the January issue of the Commentary, a Jewish review, the American Jewish Committee published a criticism of the Morgenthau plan by Guenter Reimann, who concluded with the following warning against the very spirit that motivated Mr. Morgenthau's plan for Germany by saying:

Let us Jews above all be given pause by this delenda est. Perhaps better than any others we know that an eye for an eye has never solved anything. And from history we have learned that poverty and frustration and denial of human dignity, not inborn evil, make up the soil that nurtures the hatred of man against man.

Mr. President, on January 8, four Senators made a personal appeal to the President to take immediate steps to permit the American people to enter into this terrible problem of relieving human suffering directly. More Senators would have gone, but few Senators were in Washington at the time.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. RUSSELL. I think the Senator should state that the Senate did not reconvene until January 14, and a great many Senators were at their homes.

Mr. WHERRY. That is what I intended to say. Perhaps I did not make myself clear. More Senators would have gone to the White House if they had been here. Those of us who did not go home for the Christmas holidays decided that the situation was so acute that we should make a personal presentation of the matter to the President of the United States, and four Senators made a personal appeal to the President that an effort be made to solve this terrible problem of relieving human suffering, and that steps be taken to permit the people of America to render such assistance as they could. Mr. President, I gave a statement to the press immediately following that meeting, which I ask to have incorporated in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

In company with Senators MCCARRAN, LA FOLLETTE, and EASTLAND, I have just conferred with the President on the recommendations signed by 34 Members of the United States Senate, Democrats, Republicans, and Progressives alike, on December 15, which particularly requested that the United States raise its own starvation diet of 1,500 calories and restore mail and package service within the American zone of occupation in Germany and Austria.

These services have been restored in Austria. But two fundamental reasons why they have not been restored in Germany were presented. First was the lack of transportation. Secondly, I learned for the first time that these services cannot be restored

until unanimous agreement is reached within the Allied Control Commission.

The American people should know once and for all that as a result of this Government's official policy they are being made the unwilling accomplices in the crime of mass starvation.

The refusal of this Government to restore mail and package service to the German people singles out helpless millions of women and children in Germany for this treatment. Such a refusal denies to millions of loyal American citizens of German extraction the chance to send immediate relief in the form of money, food, clothing, and medicine, and without any expense to this Government.

The American people also ought to know what our official starvation policy of 1,500 calories really means. The State Department has ordered an increase in the diet of over one million Berliners to prevent the spread of plague.

General MacArthur has just requested 3,000,000 metric tons of foodstuffs for Japan to prevent mass starvation by raising the minimum diet to 2,000 calories a day.

Governor Lehman has just announced that all the billions that have been furnished UNRRA cannot possibly avert mass starvation in Europe.

Our own American officers in Germany are compelled to violate the directives we have issued just to prevent uncontrollable chaos in the American zone.

All of which means that Germany has been singled out for the following treatment:

Germany is the only nation where UNRRA is not permitted to feed its nationals. Germany is the only nation subjected to a deliberate starvation policy of 1,500 calories a day. And as for mail and package services, they have been restored within the American zone, between the four zones, and they have been extended to certain privileged individuals and groups accredited by UNRRA and the Red Cross within Germany. The German people alone are being denied the chance to correspond with or receive aid from the outside world.

Mr. WHERRY. Mr. President, on January 17, I received a communication from 21 GI's and officers who have served both in the European and Asiatic theaters. I should like to impress this matter upon the minds of Senators. The young man who brought this letter to me comes from Falls City, Nebr., which is 40 miles from my home town. I know his father. I know the boy, and I know something of the family background of this pioneer family and of other pioneer Nebraska families who helped to build that State. He is typical of the philosophy of that pioneer people, of that Christian doctrine in which we in Nebraska as well as the people of other States of the Union believe. This pioneer family and his people are thoroughgoing Christians. Twenty-one GI's signed this letter to me, dated January 17, 1946, which is as follows:

JANUARY 17, 1946.

DEAR SENATOR WHERRY: We have recently returned from the European and Asiatic theaters. It has been a shock to come suddenly into a country where cities are untouched by bombs or shells and where people are comparatively well fed and clothed. For months we have been living in countries of gutted cities and ragged, starving people. We have watched the hungry children of Europe and Asia, knowing that thousands of them would not survive the winter.

Why hasn't America given more aid to these countries? It isn't because the American people don't know of these conditions or aren't able to help. A number of magazines have described these conditions and given statistics such as the following: America's per capita calorie consumption of 3,300 is above the prewar level. England has 2,900 or less. Russia is near the subsistence level with 2,000. France has a starvation diet of 1,500. The American zone in Germany has only 1,400; Italy 1,000; and so on. We don't think the failure to act is due to unwillingness of the American people to give more help. But for some reason enough help has not been provided.

We had hoped that out of this war would come peace and the resurgence of democracy. But we have seen countries where people are driven to crime and lawlessness by cold and hunger; countries where black markets are so widespread that they involve almost everyone. Where, in fact, it is officially admitted that the authorized rations cannot support life unless supplemented by black-market purchases. No adequate official relief organizations have been set up to cope with these conditions. Private relief organizations are willing to help, but such organizations are not permitted to work in the defeated countries. Conditions are appalling even in the Allied countries. There is widespread resentment toward America, increasing distrust of our aims and growing cynicism toward our claims of the benefits of democracy.

We believe that the future of democracy and of world peace alike depend largely upon immediate action to provide adequate relief to the starving in Europe and Asia. The winter has already begun; unless relief is provided before many weeks pass irreparable damage will have been done. We urge Congress to take action and to take it before it is too late.

The first signer of the letter is Staff Sgt. Amos Yoder, the son of Blaine Yoder, whom I have known for many years.

I ask unanimous consent that the remainder of the signatures may be printed at this point in the RECORD.

There being no objection, the remainder of the signatures were ordered to be printed in the RECORD, as follows:

Corp. Emory M. Davis, Capt. Richard S. Hawley, Sgt. E. Allen Robinson, Pfc Harrison A. Price. Sgt. O. W. Perlmutter, Lt. Alan B. Smith, Lt. Philip J. Farley, Lt. (jg) Roger Pineau, Lt. (jg) Charles S. Holmes, Lt. Harold E. Fassbey, Lt. Charles H. Schmidt, Lt. William M. Edwards, Staff Sgt. James A. Wilson, Corp. C. P. McEvoy, Corp. B. W. Flinder, Pfc B. F. Jakpruner, Sgt. Bernard Miller, Corp. Louis C. Smedhup, Lt. Richard I. Perry, Sgt. James E. Theis.

Mr. WHERRY. Mr. President, on January 19 a cablegram from Geneva was addressed to the Commission for World Council Service in New York signed by H. Hutchinson Cockburn, former moderator of the Church of Scotland and now director of the World Council of Churches Reconstruction Department in Geneva; S. C. Michelfelder, American representative and director of the council in Geneva; and Paul Neff Garber, European Bishop of the Methodists, who is associated with the reconstruction program, which stated:

The chief problem in Germany is the displaced, wandering, starving, diseased millions of refugees from east of the Oder, Czechoslovakia, and the Danubian countries.

The cable also cited "especially cruel conditions for children" in Europe and said the 1,550 calories of food supplied in the American-occupied zone were "not sufficient for many hundreds of thousands living in leaking, unheated ruins and cellars."

On January 23 the Christian Century carried one of the most angry and inspired editorials on this whole tragic situation that I have ever read. This editorial is so moving that I feel the last paragraph ought to be read into the RECORD:

There is not a day to be lost. By far too much time has been lost already. February is almost here. When that short month has swiftly passed, then the days will be upon us when the cumulative effects of months of near-starvation, lack of decent shelter and family care will turn loose the terrors of epidemic disease on the children of Europe. With every day the opportunity grows less to make real to the people of Germany the Christian testimony to mercy and brotherhood. With every day that Christian love is thwarted by shortsighted and vengeful government policies, the prospect for a future catastrophe grows. It is time that a united demand went up from all American churches and church organizations for an end to the armed barriers which now keep Christian charity from our late enemies. It is time to let Washington know that American Christians will no longer acquiesce in the Potsdam outrage.

Mr. President, the issue before us is not political; it is not a question of a hard or a soft peace; it is not a question of transportation; it is not a question of fawning before the veto power of Russia or France or Britain; it is a question of America's honor, and the basic humanitarian impulses of the American people, as to whether they intend longer to submit to the browbeating of a man, who no longer speaks for, or represents, the American heart, mind, and conscience, in these matters. I am not speaking now for any one group of people. I am convinced that the pleas for intercession on the part of the American people do not represent any one particular group or set of conditions. America's concern for humanity cuts clear across racial, political, religious, and national lines. I am now pleading for humanity, and I do not want another day to pass before America repudiates these policies which have plunged the whole world into chaos. Humanity cries out for the healing and creative touch of the cultured, civilized, and Christian world.

With this end in view and motivated by these high purposes I ask the compassionate consideration by my colleagues of the resolution I have submitted.

Mr. President, I hope the resolution will receive immediate action and that the President will agree with the Congress that a nonpartisan commission should be sent to Europe, there upon the ground to make an immediate investigation, and bring back recommendations upon which the Congress can act, in order that we may keep faith with the principles of Christianity, and with the teachings and the doctrines of the Divine One.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. MILLIKIN. I should like to suggest that such a committee be accompanied by an outstanding dietitian, by an outstanding public-health man, and by an outstanding medical man; that it go to Europe technically qualified within itself, without having to take from others information which may or may not be correct, and thus be in position to come back here and give us the answers.

Mr. WHERRY. I thank the distinguished Senator from Colorado. I am quite satisfied that the resolution is broad enough and the appropriation called for is sufficient to do that.

Mr. MILLIKIN. I should like to add that the technical staff going with such a committee should include some great religious leader who is acceptable to all denominations and to all faiths, and a representative of the charitable organizations of the country.

Mr. WHERRY. I thank the distinguished Senator.

Mr. President, I yield the floor.

During Mr. WHERRY's address,

Mr. WILEY. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. WILEY. I have listened with interest to what the distinguished Senator from Nebraska has said. Because it relates to the subject about which the Senator has spoken, I ask that there be placed in the RECORD at this point a letter which I wrote to General Eisenhower on October 23, 1945, and the reply which I received from him dated November 4.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

OCTOBER 23, 1945.

Gen. DWIGHT D. EISENHOWER,
Allied Control Commission,
Berlin, Germany.

DEAR GENERAL EISENHOWER: I am writing to you as an American very much concerned over a statement that has been recently published in the paper to the effect that 4,000,000 Germans will die in Germany this year because of the pestilence and famine. We are told that this is due primarily to the fact that there has been precipitated into the American-occupied area millions of Germans from the Russian-occupied zone.

As far as I know, I have no German blood in my veins, but it seems to me, as an American, that we who have been so fortunate, owe an obligation to do what is necessary to prevent this catastrophe from befalling German women, children, and old people in particular.

This is, of course, a matter completely apart from the issue of punishment of war crimes and the forestalling of future aggression. All America respects your handling of the occupation problem and the gathering up of German criminals. We believe that justice requires that they be tried and punished.

But over and above this, is our obligation to the millions of fellow human beings in grave distress. We can't forget the great contribution that Germany has made to our own country. If we let these millions die whom we might save, what will the consequences be to our own country and the world? You and I well know that we have been told to love our enemies. If we translate the word "love" into action, it certainly, in this instance, means that we must, out of our surpluses (our wheat, corn, and other materials), make the effort to save the children of this misguided and stricken land.

May I, therefore, respectfully ask of you the answers to the following questions:

1. What are the facts in this situation; that is, what is the present and estimated future mortality rate of Germans due to the factors cited above?

2. What is being done now to prevent pestilence and famine there?

3. What can be done and must be done by us to prevent this horror of mass starvation from coming to pass?

Looking forward to the receipt of your answers to the above and any related questions at the earliest possible date, and extending to you sincerest assurances of my highest esteem for your brilliant service, I am

Sincerely yours,

ALEXANDER WILEY.

HEADQUARTERS, UNITED STATES FORCES, EUROPEAN THEATER,
OFFICE OF THE COMMANDING GENERAL,
November 4, 1945.

Hon. ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR WILEY: I am indeed happy that you are taking such an active interest, as evidenced by your letter of October 23, in problems that appear to us here to be pressing.

The questions you pose require careful statistical reporting so that I may not give you a picture unbalanced in either direction. These figures are not at my fingertips this instant—today being a Sunday afternoon—but I thought you might be interested in the general picture, which will be supplemented at a later date by a more factual report.

The prospect for the coming winter is not by any means a cheerful one, but long before D-day we had some realization of what would be the general situation in Germany during the first winter of our occupation, and many men have been working assiduously and selflessly to prevent the development of conditions that could be charged as a blot upon the good name of the United States. This subject is one of constant concern to myself and my whole staff, and I believe that we have the problem sufficiently in hand so that in the American zone the winter will be, while hard, at least durable. In Berlin itself it will be difficult indeed to keep down infant mortality rate to levels comparable to those of prewar years, even though we will and are doing our best in this regard.

To answer your one question, specifically, I assure you that within the American zone the mass extinctions that you fear by reason of starvation will not occur. While I and my subordinates believe that stern justice should be meted out to war criminals by proper legal procedure, we would never condone inhuman and un-American practices upon the helpless, which is one of the crimes for which those war criminals must now stand trial.

Statistics will come to you as soon as practicable.

Sincerely,

DWIGHT D. EISENHOWER.

Mr. WILEY. I received a letter from Lt. Gen. Lucius B. Clay, dated November 10. In the meantime General Eisenhower had returned to the States. I ask that General Clay's letter also be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NOVEMBER 10, 1945.

Hon. ALEXANDER WILEY,
United States Senate,
Committee on the Judiciary,
Washington, D. C.

DEAR SENATOR WILEY: Reference is made to your letter of October 23, 1945, to General Eisenhower, and to his reply of November 4, 1945, in which he promised that supplemental information and statistics would be furnished as soon as practicable.

The war resulted in the destruction of the German central statistical machinery. The destruction of communications and decentralization of German administration has prevented the central collection at the present time of the vital statistics that you desire. However, in the near future we hope that sufficient vital statistics will be available so that future trends may be predicted.

To determine mortality rates, definite population census figures must be known. We have been able to estimate populations, but due to the constant migration of refugees and shifting of populations the census estimates can in no way be considered reliable enough to make rates of morbidity and mortality accurate.

To control pestilence in United States occupied zone of Germany, military government has required the German local and regional administrations to reestablish health services necessary for the control of communicable diseases in Germany. This necessitated: The establishing of health organizations in each locality competent to recognize, evaluate, and take adequate measures to eliminate actual and potential communicable disease hazards; a system for rapid collection, analysis, publication and distribution of disease reports; a system for procuring and distributing medical, veterinary, and sanitary supplies; a laboratory service to enhance early diagnosis of communicable disease; and delegation of authority to the local administrations to enforce adequate measures to prevent the spread of dangerous diseases by refugees, displaced persons, and other sources of epidemics.

Control programs have emphasized the prevention and the spread of dangerous diseases. Typhus fever, being constantly introduced by returning refugees, is controlled by destroying lice, by dusting of refugees with DDT insecticide, and the early diagnosis and isolation of cases. Immunization has been carried out throughout the United States zone for diphtheria and typhoid fever. Smallpox vaccinations are being carried out where the vaccine is available. Penicillin is being distributed for the treatment of serious infections. Tuberculosis is serious and more facilities are being made available for diagnosis and hospitalization. The best-known scientific methods are being introduced for the control of all other communicable diseases as they appear.

Nutritional state of the German people is being checked continuously throughout the United States zone by five expert United States nutrition teams. These teams report their findings so that adequate measures can be taken to prevent mass starvation. In localities where the nutritional state is most severe, the local public welfare organizations have organized mass feeding programs.

Disease statistics, morbidity, and mortality incidence, which may be of value, are attached.

Sincerely,

LUCIUS D. CLAY,
Lieutenant General, United States Army,
Deputy Military Governor.

[Enclosure 1, number of cases and deaths of communicable diseases reported weekly, United States zone of Germany; enclosure 2, estimates of population, United States zone, Germany; enclosure 3, estimates of population, city of Berlin; enclosure 4, number of deaths, city of Berlin, July 1945; enclosure 5, comparison of number of deaths in Berlin with previous years.]

Mr. WILEY. On January 9, because of the very things about which the Senator has spoken, such as newspaper comments, and reports of delegations which had been abroad, I wrote to General McNarney, who had taken General Eisenhower's place, the following letter:

JANUARY 10, 1946.

Lt. Gen. JOSEPH T. MCNARNEY,
Commanding General, United States Forces, European Theater,
APO 757, Care of Postmaster,
New York, N. Y.

DEAR GENERAL MCNARNEY: I have received a large number of anxious letters from my constituents having relatives in Germany and Austria.

I would appreciate it if you would present and clarify the answers to some of the questions which they have raised on our German relief policy.

Those questions are:

1. Why are not American citizens who have relatives in Germany allowed to contribute money and supplies to them? The prohibition of such action, as you undoubtedly know, proves very demoralizing to some of our finest citizens of German descent. They have a basic right to aid their kin.

2. Why are not the Lutheran, Catholic, and Quaker Church groups permitted to operate their relief missions in Germany?

3. Why is not the Red Cross permitted to operate there?

Rev. Dr. Edward E. Swanstrom, assistant executive director of War Relief Services of the National Catholic Welfare Conference, has stated after his return from a 5-month tour of Europe:

"I have heard it said that American public opinion would not stand for a program of private relief to German civilians. I don't believe it.

"If Americans could see, as I have, innocent children and the aged literally dying from starvation in the streets of the large German cities, I am sure they would feel as I do, that they, too, come under the mantle of our Christian charity."

Your early comments on this matter would indeed be appreciated. Some time back I wrote to General Eisenhower along this line and he assured me that mass starvation and pestilence would be prevented in our area of Germany. All America demands that this assurance be kept. This should apply to all zones of occupation there. Christian charity, common sense, and justice demand that we prevent inhuman suffering among our former foes as among our former allies. Love, not hate, is still the greatest power in this world.

Sincerely yours,

ALEXANDER WILEY.

That letter was dated January 10. I have received no reply, and I cannot understand it. The letter was written to Lt. Gen. Joseph C. McNarney, commanding general, United States forces, European theater. I feel that a reply should be forthcoming. I wish to compliment the distinguished Senator from Nebraska for raising this issue, which I think is of vast importance not only to the poor children, the aged, and others, but, as has been said, we are living in one world. We have become victors and, as such, we have to play a victor's part according to Christian principles.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of the motion of Mr. HOEY to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. JOHNSTON of South Carolina obtained the floor.

Mr. CHAVEZ. Mr. President, I wonder if the Senator from South Carolina would be willing to resume his discussion of the pending question tomorrow, or whether he wishes to continue today. It is my purpose, without jeopardizing the status of the Senator from South Carolina or his right to the floor, to make a motion at this time for a recess until tomorrow.

Mr. JOHNSTON of South Carolina. I have no objection to such motion if it will not take me off the floor.

Mr. MORSE. Mr. President, will the Senator withhold his motion for a moment?

Mr. CHAVEZ. I am glad to do so.

Mr. WHITE. Mr. President, my attention was diverted for the moment. Will the Senator indicate his purpose?

Mr. CHAVEZ. It is my purpose to make a motion for a recess until tomorrow, but the Senator from Oregon asked me to withhold the motion until he made a statement.

Mr. MORSE. Mr. President, with respect to the proposed motion, I know that it is useless for me to do more than protest, and suggest in these protests at the close of the day that I might call for a quorum. In explanation of why I do not, let me say that I am perfectly aware of the fact that all a quorum would do would be to meet and then agree to a motion to recess or adjourn. I do not believe that parliamentary courtesy would justify me in going through an empty gesture. However, again for the RECORD I wish to protest the fact that the Senate of the United States is not meeting in continuous session until the filibuster is broken.

EXECUTIVE MESSAGES REFERRED

As in executive session, and by unanimous consent,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, and by unanimous consent,

The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

Byron B. Harlan, of Ohio, to be a judge of The Tax Court of the United States for the unexpired term of 12 years from June 2, 1936, vice Arthur J. Mellott;

Louis T. Rocheleau, of Woonsocket, R. I., to be collector of customs for customs collection district No. 5, with headquarters at Providence, R. I. (reappointment); and

Craig Pottinger, of Nogales, Ariz., to be collector of customs for customs collection district No. 26, with headquarters at Nogales, Ariz., in place of Wirt G. Bowman, who is resigning, effective February 1, 1946.

By Mr. McCARRAN, from the Committee on the Judiciary:

John D. Hill, of Alabama, to be United States attorney for the northern district of Alabama, vice Jim C. Smith, term expired;

August Klecka, of Maryland, to be United States marshal for the district of Maryland; and

Patrick J. Gilmore, Jr., of Alaska, to be United States attorney for division No. 1 of Alaska, vice Lynn J. Gemmill, resigned.

By Mr. BAILEY, from the Committee on Commerce:

Richard Parkhurst, of Massachusetts, to be a member of the United States Maritime Commission for the unexpired term of 6 years from April 16, 1942, vice Vice Adm. Howard L. Vickery; and

Capts. John H. Cornell and John S. Baylis to be commodores for temporary service in the United States Coast Guard, to rank as such from January 1, 1946.

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

Howard C. Petersen, of Virginia, to be Assistant Secretary of War, to which position he was appointed during the last recess of the Senate, vice John J. McCloy, resigned;

W. Stuart Symington, of Missouri, to be Assistant Secretary of War, as provided for in the act approved July 2, 1926;

Brig. Gen. Roscoe Campbell Crawford (colonel, Corps of Engineers), Army of the United States, for appointment in the Regular Army of the United States as Assistant to the Chief of Engineers, with the rank of brigadier general, for a period of 4 years from date of acceptance, vice Brig. Gen. Thomas Matthews Robins, United States Army, retired;

Col. Henry Alfred Byroade (first lieutenant, Corps of Engineers), Army of the United States, for temporary appointment as brigadier general in the Army of the United States, under the provisions of law;

Sundry officers for appointment in the Regular Army of the United States;

Sundry officers for appointment, by transfer, in the Regular Army of the United States;

Edmund A. Flagg for appointment as executive, Communications and Records Division, National Headquarters, Selective Service System, under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940, as amended;

Louis Carl Pedlar for appointment as information analyst, national headquarters, Selective Service System, under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940, as amended;

Troy W. Lewis for appointment as Chief, Legal Division, Arkansas State headquarters, Selective Service System, under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940, as amended;

Colgate Hoyt for appointment as Assistant Chief, Veterans' Personnel Division, national headquarters, Selective Service System, under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940, as amended;

Brig. Gen. Butler Buchanan Miltonberger (colonel, Infantry (National Guard of Nebraska), National Guard of the United States), Army of the United States, to be Chief of the National Guard Bureau, with the rank of major general, for a period of 4 years from date of acceptance, and to be major general in the National Guard of the United States, Army of the United States, under the provisions of section 81, National Defense Act, as amended, vice Maj. Gen. John Francis Williams;

Brig. Gen. Thomas Jefferson Davis (lieutenant colonel, Adjutant General's Department), Army of the United States, for appointment in the Regular Army of the United States as Assistant The Adjustant General, with the rank of brigadier general, for a period of 4 years from date of acceptance; and

Maj. Gen. Thomas Bernard Larkin (colonel, Corps of Engineers), Army of the United States, for appointment in the Regular Army of the United States as the Quartermaster General, with the rank of major general, for a period of 4 years from date of acceptance, vice Lt. Gen. Edmund Bristol Gregory.

RECESS

Mr. CHAVEZ. Mr. President, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 27 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, January 30, 1946, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 29 (legislative day of January 18), 1946:

DIPLOMATIC AND FOREIGN SERVICE

Robert Lacy Smyth, of California, now a foreign-service officer of class 2 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

Elbert G. Mathews, of California, now a foreign-service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America.

NATIONAL HOUSING ADMINISTRATION

Wilson W. Wyatt, of Kentucky, to be National Housing Administrator.

IN THE NAVY

Vice Adm. Patrick N. L. Bellinger, United States Navy, to be a vice admiral in the Navy, for temporary service, to rank from the 5th day of October 1943.

IN THE COAST GUARD

Commodore Merlin O'Neill to be Assistant Commandant, with the rank of rear admiral, in the United States Coast Guard, for a period of 4 years, to fill an existing vacancy.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 29, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God of grace and glory, forgive our feverish ways and lead us in the way everlasting. This day, when doubt bewilders, be Thou our guiding assurance that we may know that truth is wisdom and can always be found in personal honor; let this virtue interpret our endowment as the obligation of our very lives. He who bears himself well and faithfully in its pursuit retains a sense of personal respect. Dear Lord, call us to our commanding tasks and refresh us with the well-springs of Thy spirit which is so essential to our worthy conduct. Watch over us, make us courteous in our conversations, thoughtful toward others, and ever conscious of Thy divine presence. Fill us with those aspirations that make character chivalrous, brave, and true. Through Jesus our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the President pro tempore has appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of Commerce.
3. Department of the Navy.
4. Department of War.
5. Federal Works Agency.
6. National Archives.
7. National Housing Agency.
8. Office of Price Administration.
9. Petroleum Administration for War.
10. United States Railroad Retirement Board.

ANNOUNCEMENT

The SPEAKER. The Chair prefers not to recognize Members to proceed for 1 minute today with the exception of those who desire to speak on the death of an ex-Member, and three Members for 1 minute on the life and character of ex-President McKinley.

SWEARING IN OF A MEMBER

The SPEAKER laid before the House the following communication from the Clerk of the House:

JANUARY 29, 1946.

The Honorable The SPEAKER,
House of Representatives.

SIR: From the secretary of state of the State of Oregon, I have received the certificate of election of Hon. WALTER NORBLAD as a Representative-elect to the Seventy-ninth Congress from the First Congressional District to fill the vacancy caused by the death of Hon. James W. Mott.

Very truly yours,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

Mr. NORBLAD appeared before the bar of the House and took the oath of office.

WILLIAM McKINLEY

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Speaker, today is the birthday of William McKinley. As we all know, Mr. McKinley was the Governor of Ohio and also the President of the United States. While his services in these two capacities are conspicuous, the greatest service Mr. McKinley rendered for his country was on the battlefields of the Civil War and as a Member of Congress in this Chamber. His efforts were such that they marked him as one of America's greatest Congressmen. He is recognized as such impartially and without partisanship.

Each recurring year the Ohio Members bring this matter to the attention of the House and the country in a spirit of reverence. Today we again ask you to join with us in honoring ourselves by honoring a great citizen. You will notice the red carnations that have been distributed. This flower was his favorite flower, and it is the State flower of Ohio.

I beg your indulgence to give attention to two of our distinguished Members who will address you, my colleagues the gentlemen from Ohio [Mr. JONES and Mr. RAMEY].

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. RAMEY].

Mr. RAMEY. Mr. Speaker, the last words of William McKinley were, "Not my will but Thine be done." He lived it. He listened to the still, small voice.

A group went to another great President one time and said, "The Lord is on our side." The President answered, "I am not concerned about that. The question is, are we on the Lord's side?"

In these trying days the only clear thinking that we may do, that will cause us to think without confusion, clearly, is to do as William McKinley did, act upon divine guidance at all times. Only do we think as we think with God.

Mr. Speaker, to different persons words have different meanings. The word "great" is an example. To some a certain person is greatest of all, while to others he is a demagog. One visits an inauguration and sees in the man all the regal look of a king—to some he is even God's anointed. Another sees in him self-will in action. All of us are inclined to call the man great whom we like; yet, at the same time, we are unable to see the good qualities in anyone whom we do not like.

Today the test of a true statesman is to have an open mind—to give up his preconceived prejudices. Then, in the words of Henry Van Dyke, and then only do we think without confusion clearly. In every walk of life there is a distressingly large number of individuals who will go to great lengths to avoid mental exercise. Even greater numbers are hindered by their emotions or self-will, and even self-pity, from thinking unselfishly.

I have been seeking to find the acid test for true greatness. For a score of years, scholars have endeavored to define it. Not long since, a group of eminent scholars and philosophers of the world, including Dr. H. G. Wells, sought to name the seven greatest persons in the world. A former Member of this distinguished body, Bruce Barton, discussed it at length in one of his books. It is not of so much interest as to the names of the persons chosen as it is that a definition of greatness can be wrought from the list of names. The real test is this: That life is the greatest which costs the world the least and gives to the world the most in return.

One thousand names of men and women, great and near great, are on a list and all eliminated but seven. Remember, now, they were chosen not because of religious standing or faith, but by using this test given. Here are the names and the reasons:

First on the list was the man Jesus. He was chosen, not because He was the most religious man, but by reason of the fact that He cost the world nothing and gave to the world everything, even what was mortal in His own life, for the redemption of the world.

Second on the list was an old man, who could have been the ruler of his subdivisions had he chosen to be a handshaker or a honey fugler and sought to be popular. But he dared to speak the truth—yes, the truth—in order that men may be free. Yes; he, too, cost the world nothing, but gave his all—his life—that men might know the truth. I refer to Socrates, of course, who was compelled to drink the poisonous hemlock.

Third on the list was the only American in the group. A man born as lowly as the Son of God. His first meal was a little goose grease off the end of a string

which Mrs. Sparrow placed in his mouth, at the same time saying, "It would be better if Nancy's baby could only die, because he ain't got no chance." We know his life. He had nothing but sorrow and suffering. Yes; Abraham Lincoln cost the world very little, but gave his own life to save this greatest of Nations and for the freedom of a race.

Fourth on the list is a lady. Her prayers resulted in visions, then convictions; and with the aid of Divine Providence she conquered mighty enemies and was betrayed by those whom she saved. Joan of Arc cost the world so little, but gave her all; and in the end, like Bruno, went heavenward in the chariot of fire.

The fifth was Asoka. He was placed on this list as the most unselfish man who ever walked the globe and who not only gave himself but completely forgot himself.

Sixth on the list we have a man who did not suffer martyrdom but suffered much worse—banishment. He saved the people of Austria-Hungary and was banished by those whom he saved. I refer to Louis Kossuth. He loved those who in the world's terms said they were his enemies, and in his famous speech at Birmingham, after suffering, he said, "I did not save the people of Austria-Hungary. They saved me." It has been said that the three greatest orations ever delivered were Christ's Sermon on the Mount, Kossuth's speech at Birmingham, and the speech which John Brown made to the judge who sentenced him to death.

The seventh, and last but not least, on the list is Savonarola, priest and prophet, who likewise cost the world practically nothing, but in the end was compelled to forfeit his life because he loved the lowly and the weak.

Why do I mention these names in discussing the life of William McKinley? I think it better illustrated this way:

I must tell you of a little girl. She was compelled to listen to a crank deliver an address on a street corner. The crank was ranting, "I tell you there is no heaven. I tell you there is no heaven. I can prove there is no heaven." The little girl looked to the face of her father and said, "Daddy, then why doesn't he go to h—— and quit making so much fuss about it?"

I think we have one of the greatest in the person of William McKinley, who demonstrated more love for his fellow men than any citizen of this country—without making a fuss about it.

William McKinley, twenty-fourth President of the United States, was born in Niles, Ohio, in 1843. He was educated at Poland Academy and Allegheny College, though he never finished his course in the latter institution. In 1861 he volunteered in the Union Army and entered the Ohio Infantry as a private. He served 4 years, rising by merit to the captaincy of his company and to the rank of major when mustered out in 1865.

Entering politics as a Republican, he was elected to Congress in 1876, and was reelected for six successive terms. In 1882 his election was contested and he was unseated, but he was returned at the next election. In 1890 a Democratic legislature grossly gerrymandered his district, making it easy to defeat him for reelection.

His reputation in Congress rests chiefly on the tariff bill that bears his name. This bill and his able advocacy of it before the House distinguished him as the leader of the Republican Party on the tariff question.

In 1891 McKinley was elected Governor of Ohio by a large plurality and was reelected in 1893. In 1895 a sytematic canvass in McKinley's behalf for the Presidential nomination was instituted by his supporters and was continued until the convention of 1896. He was nominated, and, after an extremely bitter campaign on the issue of the gold standard versus free coinage of silver, was elected as champion of the gold standard.

President McKinley's first term is memorable chiefly for the occurrence of the Spanish-American War. That his policy during 1896–1900 was acceptable was shown by his unanimous renomination and by his reelection in 1900 by an electoral majority of 137. His second term began most auspiciously but ended tragically. On September 5, 1901, he visited the Pan-American Exposition in Buffalo, that day having been set apart in his honor and called "The President's Day." On the afternoon of the following day, while holding a public reception in the Temple of Music, he was shot twice by Leon Czolgosz. The wounded President was removed to the residence of John G. Milburn, president of the exposition, and he died there September 14.

One time while a Member of this Congress of these United States of America, friends from the district which he had the honor to represent reported to Congressman McKinley that enemies back in the district were circulating malicious gossip about him and that he had better make a public reply. He answered, "I have no enemies. My constituents have a right to express what they claim to be their opinions. I need criticism and I love those who criticize me. They help me most."

Conciliatory and gracious, respectful of his opponent's point of view, he never would consent to belittle those who did not see eye to eye with him. He would have been shocked and his great heart would have recoiled in horror at a "smear" campaign. Never pugnacious, never profane or vulgar, never self-assertive, he sought no quarrels, he put on no airs, he cherished no ambition to be the master of anyone, he refused to indulge in personalities.

Members of Congress, might this not be a charter of action for all of us? If we love our enemies we lose them. The man who indulges in personalities or gossip is talking about himself. The man who "smears," either by public utterance or by use of the printed page, exposes his own cheap biography to public view and places his asininity on parade.

Selfish groups did not intimidate Congressman McKinley. He never followed a personality. He stood for principle. His only concern was, "Is it right?" And to those who could not share his convictions he was so affable and genial, so friendly and sincere, so kind and generous, so humble and genuine, that people who differed with his policies did not for an instant distrust him. People believed him, consequently they believed in him.

One day in this great body a Member, who was temporarily under domination of self-righteousness, endeavored to coin a phrase "Midwest isolationist." We do not know how the other Midwestern States reacted to the remarks, but we of Ohio followed the example of William McKinley. We hold no resentment. Never reply to an untruth. Let me direct your attention to his last address setting forth his views on the future of America:

> Geographic and political divisions will continue to exist, but distances have been effaced. Isolation is no longer possible or desirable. God and men have linked the nations together. No nation can longer be indifferent to any other. And as we are brought more and more in touch with each other, the less occasion is there for misunderstandings, and the stronger the disposition, when we have differences, to adjust them in the court of arbitration, which is the noblest forum for the settlement of international disputes. We have a vast and intricate business built up through years of toil and struggle, in which every part of the country has its stake, which will not permit of either neglect or undue selfishness. Our capacity to produce has developed so enormously and our products have so multiplied that the problem of more markets requires our urgent and immediate attention. Only a broad and enlightened policy will keep what we have. No other policy will get more. By sensible trade arrangements which will not interrupt our home production, we shall extend the outlets for our increasing surplus. Reciprocity is the natural outgrowth of our wonderful industrial development under the domestic policy now firmly established. The period of exclusiveness is past. Gentlemen, let us ever remember that our interest is in concord not conflict; and that our real eminence rests in the victories of peace, not those of war.

Post-mortem eulogy is only back pay. For our living great we have only epithets; only for our dead epitaphs.

Long before men who were too lazy to think were calling others whom they wished to discredit such names as "Communists," "isolationists," "Fascists," "visionary daydreamers," "pink professors," our beloved McKinley from the then forward Midwest—as it always has been and it is now—reflected his beloved Ohio as one of the first internationalist Congressmen and later as one of its first internationalist Presidents.

The leader of the majority side of this great deliberative body, the distinguished gentleman from Massachusetts [Mr. MCCORMACK] once said, "To me a philosopher is a man who seeks the truth." A man unselfishly guided seeking the truth soon lives the truth. Many of us will need that this session. May we have that guidance which McKinley had while we are adjudicating this great question we will be debating this session. May we have this courage which will automatically guide the truth-seekers to refrain from any statement unless we are led by that truth in these critical hours. If millions of men have courage over there, surely we can have the moral courage to do what is right in the great issues debated this week as well as the great issues which will follow regardless of consequences to ourselves. Is the is-

sue on which we are asked to vote this week imperative and needed, or is it one which if adopted will place free men in shackles and chains? Rightly guided like the great martyred McKinley and thoroughly garrisoned with this truth which guided him, we will have the courage to do right as He gives us to see it right. The harvest of right action needs no word of explanation.

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. JONES].

Mr. JONES. Mr. Speaker, I join with other Congressmen of this last great deliberative body of the world to pay tribute to a former Governor of the great State of Ohio, a former Congressman, and the twenty-fourth President of the United States. William McKinley was cut down by an assassin's bullet while the flower of eminent public service was in full and magnificent bloom.

His private life was an inspiration to those who knew him. His devotion to his invalid wife through all her years of suffering epitomizes the strength of America, the strength of the Nation emanating from the home and family during his age, generation, and time.

His rise from humble parent of hardy, pioneer stock enshrines a great truth for America which distinguishes it from all the countries of the world, because he, like Lincoln, represented the ability and the power of an humble, poor youth—Lincoln as the son of a ne'er-do-well and McKinley as the son of an iron molder—to rise to the highest position of honor that any nation could ever give to one of its sons—the Presidency of the United States.

As Col. Theodore Roosevelt, Jr., has said: "McKinley realized that the legislative branches were the lifeblood" of our form of government "and at no time did he attempt to overbear them or rob them of their powers."

McKinley was a man of towering presence and wherever he appeared in public, his living contemporaries who saw him, heard him, remember that he inspired confidence by his very appearance. He was a straight thinker, a conclusive reasoner, and his logic and eloquence always carried conviction to his hearers.

As we pause to commemorate the birthday of this illustrious man, let us learn from him the lesson of comprehensive statesmanship, consistent high principles, foresight, and judgment. As each year passes the historian gives him a place where he towers higher and higher as a statesman and President of our Republic.

THE LATE CHARLES L. UNDERHILL

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. GOODWIN].

Mr. GOODWIN. Mr. Speaker, it is my sad duty to inform the House of the death yesterday in New York of a former Member, Hon. Charles L. Underhill. He served in this body from the old Ninth Massachusetts District, which was in part the predecessor of the present Eighth District, which it is my honor to represent.

He was born in Richmond, Va., 78 years ago. When he was 4 years old his parents moved to Somerville, Mass., where he maintained his home until recently. His advancement over the years, particularly the early years, to a successful business and distinguished political career, was not along any primrose path. He left grammar school and was an office boy, later a printer's devil, drove a coal team, worked in a blacksmith shop, and finally started a business of his own manufacturing and selling iron and steel specialties. He later owned and successfully conducted a general hardware business in his home city.

From the city of Somerville he served in the Massachusetts House of Representatives for 10 years and was a member of the State Constitutional Convention in 1917 and 1918. He was elected to the Sixty-seventh Congress and served for 10 years, from 1922 to 1932, and was chairman of the Committee on Accounts. He was a thorough student of public affairs, keen and effective in debate, a consistent foe of unwarranted public expenditures, and uncompromising in his determination to stand for what he believed to be right in principle and sound in government.

He had great satisfaction in his later years in the maintenance of a summer home at Cataumet, where he was privileged to enjoy the beneficial breezes from his beloved Buzzards Bay.

He leaves four children to mourn his loss, Lt. Comdr. Jesse Underhill, of the United States Navy; A. Perry Underhill, of Arlington, Mass.; Mrs. Phoebe Ballard, of Buzzards Bay; and Mrs. Doris Schmidt, of Queens, N. Y. I extend to them my profound sympathy. At a later time I will take occasion to speak more at length of the achievements and attributes of this man of Massachusetts, whose former constituents will rise and say that here was a man who entered the public service as all men must, as a politician, but who retired from the House of Representatives in Washington as a statesman.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. GOODWIN. I yield to the distinguished gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. The entire Nation owes him a great debt of gratitude because he saved millions of dollars for the taxpayers and the people of America. He virtually was the watchdog of the Treasury.

Mr. GOODWIN. I am grateful to my colleague for emphasizing that he was an unflinching exponent of the principle of economy in government.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. GOODWIN. I yield to the distinguished majority leader.

Mr. McCORMACK. My first public office was as a member of the Constitutional Convention of 1917. I served with our late former colleague. Thereafter he served in the Massachusetts Legislature, as the gentleman from Massachusetts knows, and he was one of the most fearless elected officials who ever served in an elective capacity in Massachusetts. I can remember, and my friend can also remember, when Charlie Underhill fearlessly fought against the passage of certain legislation, exercising an independence of mind and spirit for which he was punished. But the significant thing is he was a man of courage, a man of independence, and a loyal party man. We respect men who are loyal to their party, but he was independent and a man who above all impressed everyone with his sincerity and intellectual honesty. During the years he and I developed a very close personal friendship. His loss is a personal one to me. I join with the gentleman from Massachusetts in the sentiments he has expressed and in conveying to the loved ones left behind by our late friend our deep and profound feeling of sympathy.

Mr. GOODWIN. I thank the distinguished majority leader for his very generous expression which I know comes from the heart.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. GOODWIN. I yield to the gentleman from Michigan.

Mr. MICHENER. Mr. Speaker, I want to join with my colleagues, who had the privilege and honor of serving with the late Representative Charles Underhill, in paying my tribute of love and respect to his life and character.

So much has been said that I can add but little. Mr. Underhill was not only a courageous, a painstaking, a capable and effective legislator, but with it all he was gentle, kind, and his list of friends was limited only by his acquaintances.

Since he retired from Congress, he had made annual trips to Washington and renewed old friendships. We always looked forward to seeing him. I join in extending sympathy to his splendid family.

RETIREMENT OF CERTAIN OFFICERS AND ENLISTED MEN OF THE NAVY

Mr. VINSON submitted a conference report and statement on the bill (S. 1405) to authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes.

PERMISSION TO ADDRESS THE HOUSE

Mr. JENKINS. Mr. Speaker, I ask unanimous consent that tomorrow, after the other special orders, I may address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. LUDLOW asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an article by the Indianapolis Chamber of Credit Men, and in the other to include a letter.

Mr. STIGLER asked and was given permission to extend his remarks in the RECORD and include a eulogy delivered by Hon. Kelly Brown, of Muskogee, Okla.

Mr. LANE asked and was given permission to extend his remarks in the RECORD and include a speech delivered by him at a welcome-home banquet.

Mr. CHELF asked and was given permission to extend his remarks in the RECORD and include two resolutions memorializing Congress, which were recently passed by the Kentucky State Senate.

Mr. GRANAHAN asked and was given permission to extend his remarks in the RECORD and include an address made at a memorial plaque dedication at the National American Union in Philadelphia.

Mr. BURCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an inaugural address delivered by Gov. William M. Tuck, of Virginia. I have obtained an estimate of the cost from the Public Printer and am advised that the address will not exceed the limit except by one-third of a page, and will cost $121.

The SPEAKER. Without objection, and notwithstanding the additional cost, the extension may be made.

There was no objection.

Mr. HOOK asked and was given permission to extend his remarks in the RECORD and include a statement by the American Veterans Committee with regard to the return of USES to the States.

Mr. RAINS asked and was given permission to extend his remarks in the RECORD and include certain newspaper articles.

Mr. ABERNETHY asked and was given permission to extend his remarks in the RECORD and include an editorial from the Jackson (Miss.) Daily News.

Mr. SABATH asked and was given permission to extend his remarks in the RECORD.

Mr. LYLE asked and was given permission to extend his remarks in the RECORD and include certain newspaper articles with reference to the Amvets.

Mr. LEFEVRE asked and was given permission to extend his remarks in the RECORD and include two letters from constituents.

Mr. KEARNEY asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. CHURCH asked and was given permission to extend his remarks in the RECORD and include two letters on the subject of private enterprise in the home financing field.

Mr. JENNINGS asked and was given permission to extend his remarks in the RECORD and include an editorial.

UNIVERSAL LANGUAGE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, for many years people have dreamed about a time when it would be possible for the different peoples of the earth to communicate with one another by means of a universal language. It has been said that "knowledge is power." It is quite evident that if it were possible to develop one simplified language which could be understood and employed by practically all nations around the earth knowledge would be tremendously increased and all the powers of man thus greatly enhanced.

Former Senator Owen, of Oklahoma, whose counsel and advice on many subjects has been so highly valued by Members of Congress through the years, has done a monumental job in developing a world alphabet which might form the basis for such language of universal use.

And now out of the discussions at the United Nations Organization we hear proposals advanced by Mrs. Franklin D. Roosevelt and others that one of the constructive and cooperative undertakings of the nations should be the development of such a language.

Admittedly the task is one of difficulty and one which will require vision, foresight and perseverance for its accomplishment. But the gains which would derive from its successful accomplishment are too great for it to be neglected. It is earnestly to be hoped that real progress in this direction can be one of the great forward steps of mankind in the years that lie immediately ahead of us.

EXTENSION OF REMARKS

Mr. BENNET of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include bulletin No. 39 issued by the Library of Congress. I have an estimate from the Public Printer, and I am informed that it will cost $325. I ask unanimous consent, notwithstanding, that the extension may be made.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. RANKIN. Mr. Speaker, reserving the right to object, what is this extension?

Mr. BENNET of New York. It is bulletin No. 39 issued by the Library of Congress.

Mr. RANKIN. On what subject?

Mr. BENNET of New York. On the subject of collective bargaining and the strike limitation issue from 1933 to 1946.

Mr. RANKIN. Who wrote it?

Mr. BENNET of New York. I do not know. It is from the Library of Congress.

Mr. RANKIN. Does not the gentleman think it is going pretty far to be burdening the RECORD with that material at this extraordinary expense? We have had some people in the Library of Congress whose philosophy did not square, in my opinion, with the philosophy of the average American. I am not sure that it is up to Congress to burden the RECORD with all this material without the Members of Congress first having a look at it.

Mr. BENNET of New York. May I say, for the information of the gentleman, I am informed, but I cannot verify this, that it was prepared by a Dr. Peck of the Library of Congress.

Mr. RANKIN. Just who is he?

Mr. BENNET of New York. He is an employee of the Library of Congress. That is all I can tell the gentleman.

Mr. RANKIN. I shall not object this time, but I hope such requests in the future will be few and far between.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARRINGTON asked and was given permission to extend his remarks in the RECORD and include an editorial on the President's message from the Honolulu Register.

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the Appendix of the RECORD and include certain excerpts from correspondence.

Mr. PHILLIPS asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Washington Post.

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter from an OPA official.

Mr. CRAWFORD asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement from the American Federation of Labor.

Mr. COFFEE asked and was given permission to extend his remarks in the Appendix of the RECORD on four topics and in connection therewith to include excerpts from newspaper and magazine articles.

Mr. DE LACY asked and was given permission to extend his remarks in the RECORD and include the results of a poll of business executives by Modern Industry.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday of this week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that on Thursday next I may address the House for 5 minutes following the legislative business of the day and other special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CALL OF THE HOUSE

Mr. McGREGOR. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 10]

Baldwin, Md.	Curley	Hope
Barden	Dawson	Izac
Bates, Mass.	Dingell	Johnson, Ill.
Beckworth	Engel, Mich.	Johnson,
Bland	Fellows	Lyndon B.
Bloom	Fisher	LaFollette
Boykin	Fogarty	Landis
Brooks	Gardner	Larcade
Bunker	Gearhart	Lea
Byrne, N. Y.	Gwinn, N. Y.	Mathews
Canfield	Hand	Morrison
Cannon, Fla.	Harless, Ariz.	Norton
Carlson	Hart	Plumley
Case, N. J.	Healy	Poage
Chapman	Herter	Reed, Ill.
Clark	Hill	Reed, N. Y.
Cooley	Hinshaw	Rees, Kans.
Crosser	Holmes, Mass.	Rich

Rivers	Sasscer	Towe
Rizley	Scrivner	White
Robinson, Utah	Sheridan	Wickersham
	Starkey	Winter
Roe, N. Y.	Sundstrom	Zimmerman

The SPEAKER. On this roll call, 356 Members have answered to their names. A quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

UNITED STATES EMPLOYMENT SERVICE

Mr. RANDOLPH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 4437) to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 4437, with Mr. WALTER in the chair.

The Clerk read the title of the bill.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

PROPOSED LABOR DISPUTES ACT

Mr. CASE of South Dakota. Mr. Chairman, I am introducing a bill today which is proposed to be called the Labor Disputes Act of 1946. It is my intention when the Committee on Rules meets again to consider a rule for consideration of the bill which has been reported out by the Committee on Labor, to ask that the rule permit the consideration of this bill as a substitute bill.

With that thought in mind, and realizing the intense interest in the labor question, I have asked for this time in order to give you the text of the bill and to make a brief statement thereon.

Before reading the bill as it will be phrased I think I should say that this bill proposes to establish facilities and procedures to aid in the voluntary and expeditious settlement of labor disputes affecting the public interest.

It recognizes the established principle and right of collective bargaining. It declares the public interest in the settlement of labor disputes and declares it to be the duty of both employer and employees to seek mediation of their disputes before resorting either to a lockout or a strike.

This is effectuated by creating a Labor-Management Mediation Board, to which either labor or management would be required to submit a 5-day notice of its intent to resort to either strike or lockout. Thereupon the officers of the board, who, incidentally, must be from the public members of the board, would determine whether the public interest was substantially affected, and if so, they would take jurisdiction to the extent of setting in motion the machinery of the act.

That machinery would be an effort on the part of the board to effect a settlement of the issues in dispute. This might employ one of several methods—counsel and conciliation, mediation by a special panel, or, if both parties agreed, submission of the issues to arbitration. During a period of 30 days thereafter, both parties would be required to maintain the status quo and to avoid any practices prejudicial to settlement of the issues.

The bill also carries some miscellaneous provisions designed to bring about mutuality of contract obligations and restrictions of force and violence. The penalties primarily are loss of rights to collective bargaining or individual employment rights established by the National Labor Relations Act.

A distinct advantage of the bill over existing procedures is the requirement that advance notice of intent to lock out or strike must be given, and the establishment of a 30-day period for efforts at mediation.

The bill is positive and constructive in character and neither punitive nor recriminatory.

The bill I propose to introduce reads as follows:

H. R. 5262

A bill to provide additional facilities for the mediation of labor disputes and for other purposes

Be it enacted, etc.—

SHORT TITLE

SEC. 1. That this act may be cited as the "Labor Disputes Act, 1946."

DECLARATION OF POLICY

SEC. 2. It is declared to be the policy of the United States that labor disputes affecting the public interest should be settled fairly and so far as possible without interruption or delay in the production and distribution necessary to the public interest, and to that end it is the duty of both employers and employees to bargain in good faith. The right of labor to organize and bargain collectively with employers is one of the cornerstones of competitive enterprise. The processes of such bargaining must be protected and strengthened. Government is no less the guardian of the general welfare than of individual freedom. In a complex society warfare in one section of industry affects many others.

Government decision should not be substituted for free agreement, but governmental machinery to promote peaceful settlement of disputes should be improved. Demands of either labor or management should be kept within the bounds of reason and fairness, and both sides must recognize the rights of the general public.

The desired end of bargaining between management and labor is a contract. Once that contract is made, it must be equally binding and enforceable on both parties. Free collective bargaining and contracts resulting therefrom must not be nullified or destroyed by resort on either side to wilful violence or unlawful possession, obstruction or destruction of property. Collective bargaining requires that labor be on one side of the table and management on the other. The separate positions, responsibilities, duties, powers, and rights of labor and management must be maintained.

Legislation has heretofore been enacted to guarantee the right of collective bargaining. It is equally important that legislation be enacted to protect the rights of labor, industry and the general public in the processes of collective bargaining. Wrongful and unlawful conduct on either side is destructive of collective bargaining; and, conduct in pursuit of objectives that are not proper and legitimate objectives of collective bargaining and which are detrimental to the interests of the general public are likewise destructive of collective bargaining. The use of force, violence and compulsion are declared to be against public policy as they violate the principles of freedom and self-government upon which our government was formed and the purposes for which it was founded.

To aid in the voluntary and expeditious settlement of labor disputes affecting the public interest, therefore, there are hereby established additional facilities and procedures for the application of collective bargaining, contiliation, mediation and arbitration.

LABOR-MANAGEMENT MEDIATION BOARD

And this is the particular machinery set up under this title:

SEC. 3. (a) Membership: There is hereby created in the executive branch of the Government a board to be known as the Labor-Management Mediation Board (in this act called the Board), which shall be composed of six or more members appointed by the President, as the President from time to time finds that the work of the Board requires. The Board shall consist of a number of members representative of employers, a like number representative of employees, and a number of disinterested members representative of the public (in this act called respectively employer members, employee members, and public members).

Then there follows the clauses with respect to the terms of their office, the terms of salary:

The President shall appoint, by and with the advice and consent of the Senate, a chairman, a vice chairman, and secretary of the Board from among the public members. The terms of the first chairman, vice chairman, and secretary shall begin as soon as they qualify and expire as designated by the President at the time of nomination, one on February 1, 1948, one on February 1, 1949, and one on February 1, 1950. The terms of office of all successors shall expire 3 years after the expiration of the terms for which their predecessors were appointed; but any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired term of his predecessor. The President is also authorized to appoint such number of alternate public members, alternate employer members and alternate employee members as he deems appropriate, subject to salary appropriations approved by the Congress. Upon designation by the chairman, an alternate member may serve upon the panels provided for in section 6, and may serve as a substitute for any absent regular member in the same representative group, with full power to act as a regular member of the Board.

(b) Terms and salaries: The members and alternate members, other than the chairman and vice chairman, shall be appointed for such terms and shall receive such compensation for their services as the President shall, from time to time, determine. The chairman shall receive compensation at the rate of $12,000 per annum; the vice chairman and the secretary shall receive compensation at the rate of $10,000 per annum.

Then follows the paragraph on meetings, then a paragraph on organization:

(c) Meetings: The Board shall meet on call of the Chairman or on the written request of a majority of the Board filed with the secretary. In the absence of the Chairman of the Board, the Vice Chairman shall be authorized to act as Chairman. The

Chairman shall designate some public member or alternate public member of the Board to act as Chairman in the absence of both the Chairman and Vice Chairman. Two members or alternate members from each representative group shall constitute a quorum of the Board. The Board shall have an official seal which shall be judicially noticed.

(d) Organization powers: The Board is authorized to employ and fix the compensation of such officers and employees not otherwise provided for, as may be necessary, within appropriations made therefor by the Congress. The Board may establish or utilize such regional, local, or other agencies and utilize such voluntary and uncompensated services, and, with the approval of the President, the services and facilities of such other departments and agencies of the Government as may from time to time be needed. The Board may delegate to any public member or alternate public member or to an executive secretary such administrative duties relating to the internal management of the Board's affairs as it may deem appropriate.

(e) Office of the Board: The principal office of the Board shall be in the District of Columbia, but it may meet and exercise any or all of its powers in any other place.

(f) The National Mediation Board created by the Railway Labor Act, as amended by the act approved June 21, 1934 (Public, No. 442, 73d Cong.), shall hereafter be known as the National Carrier Mediation Board.

The office of the Board will be in Washington, but it might work anywhere in the country.

Now, then, I come to the section entitled "Duties of labor and management," and I ask you to pay particular attention to this, because it declares the duty of employer and the duty of employee.

DUTIES OF LABOR AND MANAGEMENT

SEC. 4. (a) Employers, employees, and their respective representatives shall have the following duties in the public interest:

(1) Duty of employer: It shall be the duty of an employer to refrain from conducting a lock-out until after the expiration of 5 days from the date on which such employer or his representative has given to the Chairman of the Board the written notice of his intention so to do, containing a statement of his reasons for such intended lock-out; and if the Board within such 5 days assumes jurisdiction of the dispute, it shall be the duty of the employer to refrain from conducting the intended lock-out until after the expiration of 30 days from the date of the notice.

(2) Duty of employees: It shall be the duty of employees of an employer to refrain from striking until after the expiration of 5 days from the date on which they, or their representatives, have given to the Chairman of of the Board written notice of their intention so to do, containing a statement of their reasons for such intended strike; and if within such 5 days the Board assumes jurisdiction of the dispute, it shall be the duty of the employees to refrain from striking until after the expiration of 30 days from the date of the notice.

(3) It shall be the duty both of employers, their employees, and their respective representatives, to withhold giving the notices provided for in this section until after other available conciliation and mediation procedures have been attempted, and the notices shall state what has been tried.

(b) For the purposes of this section "employer" does not include any person who regularly has in his employ less than 50 individuals.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. CASE of South Dakota. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

Mr. HOFFMAN. Mr. Chairman, I object.

Mr. CASE of South Dakota. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Chairman, the next paragraph follows with the subject Jurisdiction of the Board, and reads as follows:

JURISDICTION OF THE BOARD

SEC. 5. The Chairman, Vice Chairman, and Secretary shall determine, in the case of any labor dispute (excluding any matter coming within the purview of the Railway Labor Act), whether such labor dispute is one which substantially affects the public interest and cannot be expeditiously adjusted by collective bargaining. If they so determine, the Board shall have jurisdiction of the dispute.

Then follow paragraphs dealing with procedure for mediation, voluntary arbitration, maintenance of the status quo, procedure for the Board in connection with the enforcement of its rules and regulations, then the regulations they may issue, and, finally, miscellaneous provisions dealing with the binding effect of collective bargaining, contracts, violence, intimidation, supervisory employees, boycotts, definitions, and the usual clauses relating to authorizations for appropriations and the constitutionality of the proposal.

Mr. Chairman, I ask permission at this point to extend my remarks in the RECORD and include the balance of the proposed provisions that I have not read, so that I may urge all Members to read it in full in the RECORD tomorrow. I am earnestly hoping that the Rules Committee this afternoon, or whenever they consider a rule for the consideration of a labor bill, will grant a rule permitting this to be considered as a substitute for the bill which has been reported by the Labor Committee.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The matter referred to follows:

PROCEDURE FOR MEDIATION

SEC. 6. After the Board has taken jurisdiction of a dispute, the Board, under the direction of the Chairman, shall make every reasonable effort to assist the parties to adjust and settle the dispute and make agreements for that purpose. To such end, the Board may utilize, and the Chairman may designate, a mediation panel consisting exclusively of disinterested persons representative of the public, or consisting of one or more persons representative of employers, a like number representative of employees, and a disinterested person or persons representative of the public. The persons designated may be members of the Board, alternate members of the Board, or other persons named by the Board. The Chairman or mediation panel may at any time request the parties to a dispute to negotiate by collective bargaining or to meet with any representatives of the Board.

VOLUNTARY ARBITRATION

SEC. 7. In the event a dispute is not settled by collective bargaining or by mediation under section 6, the Chairman or the mediation panel shall endeavor to induce the parties to the dispute voluntarily to submit their differences to arbitration. If the parties consent to such arbitration, they shall file with the Board a notice of the agreement to arbitrate the dispute. The award of the arbitrator shall be filed with the Board and shall be binding upon all parties consenting to such arbitration.

MAINTENANCE OF STATUS QUO

SEC. 8. (a) After the Board has taken jurisdiction of a dispute as provided in section 6, the Chairman, in order to effectuate the purposes of this act, shall have the power to issue an order (1) requiring any person to refrain or cease and desist from calling, or assisting in any manner, a strike arising out of such dispute; or (2), requiring the employer, who is involved in the dispute, to refrain or cease and desist from practices which change the situation existing at the time the dispute arose, or which by changing an existing situation which led to the dispute and which the Chairman deems shall be prejudicial to the prompt settlement of the dispute. No order of the Chairman or process of any court under this act shall require an individual employee to render labor or services without his consent nor shall any provision of such order or process be construed to make the refusal to work of an individual employee a violation of such order or process or otherwise an illegal act.

(b) Such order shall be effective for such period as the Chairman shall determine, but shall, in no event, be effective for a longer period than 30 days from the date on which the Board took jurisdiction.

(c) The Attorney General, at the request of the Chairman, shall petition any district court of the United States, in any State or in the District of Columbia, or the United States court of any Territory or possession, within the jurisdiction of which any person to whom an order is directed resides, transacts business, or is found, for the enforcement of such order, and for appropriate temporary relief or restraining order. Upon the filing of such petition, the court shall have jurisdiction of the proceedings, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter a decree enforcing the order of the Chairman. Notice or process of the court under this section may be served in any judicial district, either personally or by leaving a copy thereof at the residence or principal office or place of business of the person to be served. Petitions filed under this section shall be heard with all possible expedition. The judgment and decree of the court shall be subject to review by the appropriate circuit court of appeals, or by the United States Court of Appeals for the District of Columbia in the case of a judgment of the District Court of the United States for the District of Columbia, and by the Supreme Court of the United States upon writ of certiorari.

(d) When granting temporary relief or restraining order, or making or entering a decree enforcing an order of the Chairman, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the act entitled "An act to amend the Judicial Code to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932, except that sections 11 and 12 of such act shall apply in cases of contempt.

REGULATION OF THE BOARD

SEC. 9. The Board shall have authority, in conformity with the provisions of this act,

from time to time to make, amend, and rescind regulations providing appropriate procedures for carrying out the powers vested in it.

MISCELLANEOUS PROVISIONS

SEC. 10. Binding effect of collective-bargaining contracts: All collective-bargaining contracts shall be mutually and equally binding and enforceable either at law or in equity against each of the parties thereto, any other law to the contrary notwithstanding. In the event of a breach of any such contract or of any agreement contained in such contract by either party thereto, then, in addition to any other remedy or remedies existing either in law or equity, a suit for damages for such breach or for injunctive relief in equity may be maintained by the other party or parties in any United States District Court having jurisdiction of the parties. If the defendant against whom action is sought to be commenced and maintained is a labor organization, such action may be filed in the United States District Court of any district wherein any officer of such labor organization resides or may be found.

SEC. 11. Violence and intimidation: (a) It shall be unlawful for any person, by the use of force or violence or threats thereof, to prevent or attempt to prevent any individual from quitting or continuing in the employment of, or from accepting or refusing employment by, any employer, or from entering or leaving any place of employment of such employer. The district courts of the United States shall have jurisdiction, notwithstanding the act of March 23, 1932, entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," to enjoin violations and threatened violations of any of the provisions of this section, and by appropriate order or decree to compel compliance with such provisions. Any individual who violates any of the provisions of this section shall on and after such violation cease to have, and cease to be entitled to, the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act, or the status of a representative for the purposes of such act.

(b) An employee whom a preponderance of the testimony taken—in appropriate proceedings before the National Labor Relations Board—shows has willfully engaged in violence, intimidation, or unlawful destruction or seizure of property in connection with a labor dispute involving his employer, or in connection with any organizational activities of a labor organization among employees of his employer, shall not be entitled to reinstatement by, or any back pay from, such employer under section 10 of the National Labor Relations Act.

SEC. 12. Supervisory employees: (a) As used in this section the term "supervisory employee" means an employee whose duties include—

(1) the direction or supervision of the activities of other employees; or

(2) the computation of the pay of other employees; or

(3) the determination of the time worked by other employees, or the supervision or administration of the factors on the basis of which the pay of other employees is computed;

but does not include any employee within the purview of the Railway Labor Act.

(b) Hereafter no supervisory employee shall have the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act.

SEC. 13. Boycotts, etc.: (a) It shall be unlawful (1) by means of a concerted refusal to use, handle, or otherwise deal with articles or materials produced or manufactured by any person, to induce or require or to attempt to induce or require another person to recognize, deal with, comply with the demands of, or employ members of, any labor organization; or (2) by means of a concerted refusal to use, handle or otherwise deal with articles or materials purchased, produced, manufactured, or used by an employer, to induce or require or to attempt to induce or require such employer to recognize, deal with, comply with the demands of, or employ members of, one labor organization instead of another labor organization with which such employer has an applicable collective bargaining agreement.

(b) The District Courts of the United States shall have jurisdiction, notwithstanding the Act of March 23, 1932, entitled "An Act to Amend the Judicial Code and to Define and Limit the Jurisdiction of Courts Sitting in Equity, and for other purposes", to enjoin violations and threatened violations of any of the provisions of this section. Any individual who violates any of the provisions of this section shall on and after such violation cease to have, and cease to be entitled to, the status of an employee for the purposes of sections 7, 8 and 9 of the National Labor Relations Act, or the status of a representative for the purposes of such act.

SEC. 14. Definitions: As used in this act—

(a) "Person" means an individual, partnership, association, corporation, business trust, or any organized group of persons.

(b) The terms "employer", "employee", "representative", "labor organization", and "labor dispute" shall have the same meaning as in section 2 of the National Labor Relations Act.

SEC. 15. If any part of this act shall be held unconstitutional, it shall not affect the validity of the remaining provisions of the act.

SEC. 16. There is hereby authorized to be appropriated out of the Treasury any sums necessary to the purposes of this act, out of any funds not otherwise appropriated.

Mr. KEEFE. Mr. Chairman, I move to strike out the last word.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. KEEFE. I yield to the gentleman.

Mr. EBERHARTER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. EBERHARTER. Mr. Chairman, has any portion of the measure before us been read?

The CHAIRMAN. Just section 1, the first section of the bill.

Mr. KEEFE. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KEEFE. Mr. Chairman, this is the first time that I have been privileged to appear in the well of this House for a long time. I do want to make some comments with respect to the pending legislation, H. R. 4437. I hope that the Members of the House have taken it upon themselves to read the hearings that were held in connection with the consideration of this bill in committee. I am sure that if you have done so you must be impressed by the fact that those who appeared ostensibly in support of this legislation made it very clear in connection with their arguments, almost without exception, that they were definitely opposed to the return of the employment services to the States at this or any other time.

Thus we are faced with this fundamental issue: Is the Congress of the United States going to take a step in the direction of federalization of employment security in the United States? Now we passed the Wagner-Peyser Act in 1933, which was a matching fund proposal, which vested in the States the control over the employment offices. In 1935, effective in 1936, we passed the Social Security Act, and in title III of that act set up provisions for the payment of unemployment compensation. In that act we provided for the levying of a Federal tax of 3 percent on pay rolls to be paid by those employers subject to the act, three-tenths of 1 percent of the tax to be paid into the Federal Treasury for purposes of administering the employment security provisions of the Social Security Act. Therefore, as the employment services grew, and because it was recognized that the employment services were a necessary adjunct of the unemployment compensation provisions of the Social Security Act, we have lost sight, practically, of the financing provisions of the Wagner-Peyser Act, and we have provided for the financing of the employment services throughout the land by using the funds raised by this three-tenths of 1 percent tax levied under the Social Security Act for payment of administration expenses of the employment security provisions of that law.

I want to make it clear in the first instance that those who contend that the Federal Government should control the employment services because the Federal Government pays the bill are laboring under a misapprehension of the facts, because the money that is used is money that is collected in the States, paid into the Treasury, and although not earmarked as a trust fund, the appropriation is made out of funds which have been secured in that manner.

I might say in passing that the three-tenths of 1 percent has accumulated a profit to the Treasury of nearly $625,000,000 since 1936, when the social-security law was passed.

Mr. Chairman, there are in this Government those who are of the opinion that employment or unemployment, either one, is a national problem and that, therefore, the whole scheme of employment security, including job-finding and including the payment of unemployment compensation, is a Federal function. Therefore, they contend that unemployment compensation and the employment services should be Federalized and the control of the States over those functions should be relieved.

I want to impress upon you who continually give vocal utterance to the thought that you believe in State rights and are opposed to the consolidation of functions in the Federal Government that when you vote for this bill today you are taking a step not in the direction of the return of functions to the States but you are in effect, because of the provisions found in this bill amending the Wagner-Peyser Act, taking a step in the direction of complete federalization of the entire program.

Why do I say that? I have been interested in this program for many years.

As a member of the Labor Federal Security subcommitte we have had this problem before us time and time again. For a number of years the Social Security Board members would not publicly admit that they favored federalization of unemployment compensation. Two years ago when Mr. Altmeyer was on the stand I succeeded in getting an admission from him on the record that they favored the complete federalization of unemployment compensation and the establishment of one pool out of which unemployment compensation benefits should be paid.

If you look at the most recent report just published by the Social Security Board you will find that they are now out in the open advocating with all the power of that great organization the complete federalization of unemployment compensation.

Therefore, Mr. Chairman, we must face a fundamental issue in the consideration of this legislation. Either you are for federalization of the entire employment security program or you are in favor of the States' retaining those functions. There cannot be any middle ground. The course is charted by the forces that are determined that the federalization program shall be carried out.

You read the testimony of those who appeared in support of this legislation. You will find every one of them, from John Carson, the former director of USES, right on down, every single labor man that spoke in favor of this legislation, prefaced their remarks or ended them with the thought that they are in favor of complete federalization of this entire program. So I say to you, when you read the provisions that are found in this bill which give added and new power to the Secretary of Labor to administer the employment services and leave the administration of unemployment compensation in the Social Security Board, we will find ourselves faced ultimately with the paradoxical situation by which the proponents of federalization will come before this Congress and say, "We can no longer maintain a system whereby the Social Security Board administers unemployment compensation and the Secretary of Labor administers the employment services; therefore, because of the confusion that has been created, we must federalize the entire program."

I say to you that 10 minutes will not permit me to go into an analysis of the reasons why I am fearful of the federalization of the two great programs, but I want it distinctly understood that as far as the people of my State are concerned and the 47 Governors of 47 States, they have an interest in the public interest as well as any man who happens to occupy the exalted position of the Presidency, and they are unanimous in demanding immediate return of these services to the States.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Chairman, I think we ought to get clearly in our minds just what the situation is today. My friend, the gentleman from Wisconsin [Mr. KEEFE] has made a very able argument against the federalization of unemployment compensation. But that is not the matter before us today. I might say for the benefit of my friend from Wisconsin and my colleagues that when I was a member of the Committee on Ways and Means I opposed the federalization of unemployment compensation. I still stand in that position. That is my position today. But that is not the question before us. The question before us is the orderly return to the States of the United States Employment Service. The bill now before us aims to bring that about.

I agree that the United States Employment Service should be returned to the States. The question is one of time. There is no other question involved in the bill. There are some other things that the gentleman refers to about the merit system, which, however, already applies to all other features of the social-security law. I remember, and my distinguished friend, the gentleman from North Carolina [Mr. DOUGHTON] remembers when in 1938 or 1939 we put into the unemployment-compensation law as a minimum requirement that a State must establish a merit system. We did that at that time. Why? Why did we do it? Because in my Commonwealth of Massachusetts, 29 veterans of the last war, World War I, who were employed, were discharged on the last day of their 6 months of service. They were discharged because they were Democrats. They were men appointed by the previous administration, and on the last day of the 6 months, because most of them happened to be Democrats in politics—disabled veterans, they were discharged, because on the next day they would have been covered by the State's civil-service law. I moved the amendment at that time in the Ways and Means Committee in executive session, my resentment being so great. As a matter of fact, persons were discharged who were getting as low as $15 a week in the Commonwealth during that period, not because they were human beings, but because they happened to be Democrats. A merit system ought to protect people against such a thing, no matter what party they belong to. The provision in the bill in relation to the merit system is simply extending what already exists under the social-security law for unemployment compensation and other features.

Let us return to the bill. Let us see what the facts are. We are faced with demobilization. We are faced with reconversion. Demobilization will not take place for all practical purposes until sometime in the latter part of the fall or by the middle of fall. Our veterans are being demobilized. Many of the Members here served in World War I as I did. You and I remember when we came back from the service we did not go right back to work. I did not go right back to the practice of law. I had to go through a period of readjustment, and I had a profession, my own business. I just did not feel like going back to work at once. Other men had to go back to work in a period of 3 weeks to 3 months. Many men, most of them, did not have a job to go back to. They have to go through a period of readjustment. They have been through exhausting periods of discipline, obedience, wearing the uniform, and in the service. When they get out, they will not want to return to work immediately. We must be practical. They are human beings. There will be a lag between the time of discharge and the time when most of them are going to seek employment. That is a national problem that confronts us at this time. The Federal Government, with its present set-up of USES, with 1,700 offices throughout the country, certainly can meet that problem of the orderly return of our veterans to civilian life, and can obtain employment for them. Under our present system we can render our veterans greater efficiency. Certainly, we should continue it during that period.

Furthermore, there is reconversion. President Truman is deeply concerned with the veterans having the most efficient service possible. So am I. So are all of us. We talk about the fellow who wore the uniform, and we tell him this and we tell him that. I am not arguing for June 30, 1947, necessarily, but certainly an orderly return requires more than 4 months or 6 months or 8 months. An orderly return, having in mind demobilization, should take at least up to the end of the year 1946—December 31.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. KEEFE. In all fairness, does not the gentleman feel that the governors of 48 States, who have requested the return of these employment services, have an interest in the welfare of the veterans in their States?

Mr. McCORMACK. Yes.

Mr. KEEFE. And that they have employment services set up, may I say to the gentleman, that will actually function, and the proof shows that they have functioned under State control?

Mr. McCORMACK. I certainly would not take any position in opposition to the first statement of the gentleman. It would not be fair or right; but with the vessels coming in day after day, with thousands of men, together with the millions of men who have been discharged and who will be discharged, and with reconversion going on, I do not think the disruption of the present system, until demobilization is over, can render to the veterans and the employee who is going through the reconversion period the efficient service that can be rendered under the present system.

We are confronted with a situation that arose as a result of the war, and it is a natural and probable consequence of the war. What we should do is to continue the present system until such period as we think demobilization will be over. In my opinion, it will be certainly until the latter part of this year.

Mr. KELLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. KELLEY of Pennsylvania. General Bradley appeared before the committee and made a very earnest plea for a continuation, for the time being, of the Employment Service under Federal jurisdiction, for the reason that the best interests of the veterans would be served thereby.

Mr. McCORMACK. That is what I understand.

Now, let me give you a few figures relating to veterans on their return.

The number of veterans who applied for positions in USES rose from 142,000 in July to 598,000 in November. During 5 months a total of 1,542,000 veterans who returned registered for employment at USES offices throughout the country.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. McCORMACK] has expired.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. In mid-December there were 450,000 veterans receiving servicemen's compensation as compared with 45,000 in July.

For example, a check in California shows that 50 percent of the veterans who contacted USES offices for employment came from other States originally, and from 25 to 30 percent of them intend to remain in California. Now, it is a practical situation. I am for the return of these offices. I have no argument with the long-range utterances of the gentleman from Wisconsin and the gentleman from Illinois.

I am against federalization of unemployment compensation. I believe in a partnership situation that will work effectively, the Federal Government using the power of taxation having the trust fund, payments being made under the State law meeting the minimum requirements of the Federal law. It is an ideal situation, I believe, in our dual setup of government. I have no quarrel with that, but that is not involved; federalization is not involved. This is another day.

This bill provides for the return of the USES. We must be practical. The President has vetoed the hundred days in the rescission bill, and having done it once, you know what he would do again if we should send such a provision to him later. I am giving only my own opinion, I have not talked to him about it, but if he has vetoed the hundred-day period before in the matter of return, what is he going to do should it be sent to him again?

Some people seem to feel that June 30, 1947, is too far. I will not argue with them on that, but certainly December 31, 1946, is not too far when we have in mind demobilization and our duty and responsibility to those who having worn the uniform return to civilian life and have to undergo the process of readjustment. I urge the Members to look at this rationally. The question of federalization is not involved. It is the question of the orderly return of these services to the States, and we should set a time that at least would approximate December 31, 1946.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN, of Illinois, as a substitute: "Strike out all after the enacting clause and substitute the following:

" 'TITLE I

" 'SEC. 101. The Secretary of Labor shall provide, in accordance with the purposes and provisions of this act, for the return to State operation not later than June 30, 1946, or such earlier date as he may deem feasible, of public employment offices in an orderly and expeditious manner.

" 'TITLE II

" 'The act of Congress approved on June 6, 1933, and entitled "An act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes" (48 Stat. 113–117), as amended, is hereby amended as follows:

" 'SEC. 201. Section 2 is amended by deleting from the first sentence thereof the following clauses: ", without regard to the civil-service laws," and ", without regard to the Classification Act of 1923, as amended,".

" 'SEC. 202. Section 3 (b) is amended by inserting after the word "Hawaii" the following: ", Puerto Rico."

" 'SEC. 203. Section 5 is amended by deleting subsections (a) and (b) thereof and substituting therefor the following: "(a) For the purpose of carrying out the provisions of this act there is hereby authorized to be appropriated such sums annually as the Congress may deem necessary.

" '"(b) The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State which is in compliance with the provisions of section 4 of this act, and such rules, regulations, and standards of efficiency as may be prescribed under this act, such amounts as the Secretary determines to be necessary for the proper and efficient administration of the State system of public employment offices during the fiscal year for which payment is to be made. The Secretary's determination shall be based on (1) the population of the State and an estimate of the number of persons who will be served by the public employment office system in the State; (2) an estimate of the cost of proper and efficient administration of the State system of public employment offices; and (3) such other factors as the Secretary finds relevant."

" 'SEC. 204. Section 6 is amended by deleting the present provisions thereof and substituting therefor the following:

" '"The Secretary shall not certify for payment under this section in any fiscal year a total amount in excess of the amount appropriated for such fiscal year."

" 'SEC. 205. Section 7 is amended by deleting the present provision and substituting therefor the following:

" '"Out of the sums appropriated therefor, the Secretary of the Treasury shall, upon receiving a certification under subsection (b), pay, through the fiscal service of the Treasury Department and prior to audit or settlement by the General Accounting Office, to the State agency designated to cooperate with the Secretary under this act, the amount so certified."

" 'TITLE III

" 'SEC. 301. In order to assure the continuance of efficient public employment office services in all States during the transition from Federal to State operation of such services, the Secretary of Labor shall withhold or deny certifications of funds for payment to a State under the act of June 6, 1933, as amended, unless he finds that such State—

" '(1) has made provision for the transfer to and retention in the State-wide system of public employment offices of employees of the Federal Government who had been employed in State and local employment service functions in such State, in the positions occupied by them under the Federal service or in reasonably comparable positions, except that individuals so transferred may be separated or terminated for good cause as determined in individual cases under the applicable State merit system, or separated or terminated by reason of reductions in force found necessary in the interests of efficient operations, and may be separated after they have been given a reasonable opportunity to acquire eligibility for continued employment in the State-wide system of public employment offices under the State merit system in the positions occupied by them under the Federal service or in reasonably comparable positions; or

" '(2) has requested the detail of such employees to the State agency under the following proviso: *Provided further*, That so much of the funds appropriated pursuant to section 5 of such act of June 6, 1933, as amended, as may be necessary are authorized to be made available to the Secretary of Labor, in lieu of any portion of the grant to the State, for the payment of compensation (under the salary scales applicable to such employees prior to the enactment of this act) to employees of the United States Employment Service in the Department of Labor, who, upon the request of the State, and for the purpose of permitting continuity in their employment pending an opportunity to qualify for State employment in accordance with this paragraph, may be detailed by the Secretary of Labor to the State agency for service in the State-wide system of public employment offices.

" 'SEC. 302. Not later than the date of the first certification by the Secretary of Labor of funds for payment to a State under section 5 of the act of June 6, 1933, as amended, the Secretary of Labor shall provide for the return to such State of the employment-office facilities and properties transferred by such State to the Federal Government in 1942 to promote the national war effort. The Secretary of Labor is hereby authorized, without payment of compensation, to transfer and assign to such State all other employment-office facilities and properties including records, files, and office equipment: *Provided*, That as a condition precedent to such transfer and assignment, the Secretary of Labor may require the recipient State to waive any claim which may then exist or may thereafter arise out of the use made by the Federal Government of, or for the loss of or damage to, the property and facilities transferred to the Federal Government as hereinabove described.

" 'TITLE IV

" 'SEC. 401. For the purpose of determining what officer or agency of the Government is to perform any of the functions of the Secretary of Labor under this act and the act of June 6, 1933, as amended and supplemented after the termination of title I of the First War Powers Act, 1941, the vesting by this act and by the act of June 6, 1933, as amended and supplemented, of functions in the Secretary of Labor shall have the same effect as if constituting a transfer by the President under title I of the First War

Powers Act, 1941, of functions of the Social Security Board to the Secretary of Labor.'"

Mr. DIRKSEN (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the further reading of the substitute be dispensed with, because it was pending before the Committee on Labor and I believe the Members are generally aware of its contents.

Mr. SUMNERS of Texas. Mr. Chairman, I believe this is a very important amendment and that it should be read. I must object.

(The Clerk concluded the reading of the amendment.)

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for an additional 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. RANDOLPH. Mr. Chairman, reserving the right to object, and I shall not object, because I feel that the gentleman from Illinois is presenting, in fact, a new bill, a complete substitute for H. R. 4437; yet I trust that during the afternoon we may proceed with a thorough debate but not any unnecessary requests of Members for additional time.

Mr. CELLER. Mr. Chairman, reserving the right to object, I would like to address a question to the gentleman from West Virginia. Does the gentleman from West Virginia intend to invoke cloture on this amendment offered by the gentleman from Illinois?

Mr. RANDOLPH. Of course, I do not intend to vote for cloture.

Mr. CELLER. I hope to be given an opportunity, as well as everybody who wishes, to speak on this amendment.

Mr. RANDOLPH. It will be the purpose of the gentleman from West Virginia to have a thorough debate on this amendment, as I have just stated. I have no desire to hurry the matter; in fact, I would be very pleased to go into the matter late tonight or tomorrow. I must be perfectly fair to the gentleman from Illinois, and I want to be fair to those who want to speak against it, and I will be vigorous in my opposition, but I do feel in this instance that he will not ask for any additional time after he has consumed 20 minutes. I hope he will not do that, because I would then have to object.

Mr. CELLER. Mr. Chairman, further reserving the right to object, we have had Members on the floor this afternoon speaking for 10 minutes in favor of the bill, and there are others who desire to speak in opposition. I want to be sure that they have an opportunity to express their views on this very important legislation.

Mr. EBERHARTER. Mr. Chairman, further reserving the right to object—and I do not intend to object—I think that the substitute offered by the gentleman from Illinois should be thoroughly debated, but I also want to give notice to the members of the committee here that it is my intention to offer an amendment which would change the date for the transfer back to the States from the date as shown in the original bill of June 30, 1947, and distinct from the gentleman's substitute of June 30, 1946, in that my amendment will call for turning it over not later than December 31, 1946, just 6 months after the gentleman's substitute will provide for. I hope to have time to state my reasons, when the proper time comes, for offering that amendment. It is half way between the substitute bill and the bill reported by the committee.

Mr. HOFFMAN. Mr. Chairman, reserving the right to object, I do so in order to ask unanimous consent to extend my remarks on a special order I wanted to make at the end of debate today.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RANDOLPH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RANDOLPH. The amendment to be offered by the gentleman from Pennsylvania to which he has just referred, as I understand, would be in the form of a perfecting amendment to H. R. 4437, and that the vote would naturally come on that amendment prior to the vote on the Dirksen substitute; am I correct?

The CHAIRMAN. If it is a perfecting amendment, it would be voted on first.

Mr. RANDOLPH. I understand it will be a perfecting amendment, because it goes to the date.

Mr. SHORT. Mr. Chairman, reserving the right to object, the gentleman from Illinois is a close, personal friend of mine, but I want to know whether an individual can come in here with a clean, new bill and override a committee. If we are going to adopt that procedure here, God help us.

Mr. EBERHARTER. Mr. Chairman, further reserving the right to object, the question is whether or not a change in the date would be considered a perfecting amendment.

The CHAIRMAN. The Chair has so ruled.

The Chair recognizes the gentleman from Illinois [Mr. DIRKSEN] for 20 minutes.

Mr. DIRKSEN. Mr. Chairman, first let me consider some of the items that have been debated by the majority leader, for whom I have a deep affection, and whose integrity I certainly respect. First, let me say that in my judgment it does not make any difference what the President does. If the President wants to veto any act of Congress, that is his responsibility. I have a responsibility here and you do also to perfect legislation according to your light and your talents in the interest of the welfare of the country.

Secondly, there is something more here than the time element. The difference between the substitute and the Ramspeck bill is simply this: The Ramspeck bill says June 30, 1947. The substitute which I propose says June 30, 1946. I want to say to the majority leader, and he will recall, of course, that when this matter was on the floor in October as a provision in the so-called rescission appropriation bill, that I offered a proposal to send this back in 30 days. At that time he offered a substitute proposal making it June 30, 1946. He said he had logical reasons for doing so. Subsequently Mr. Ramspeck, the author of the principal bill, then followed on the floor that same date, October 19, 1945, and supported the views expressed by the majority leader when he said, "I think it is a fair compromise." The substitute embodies June 30, 1946, which is the time limit that was placed in the substitute offered by the majority leader on October 19, 1945, when the matter was here in another form. The date which I have placed in the substitute should therefore commend itself to them.

I am not unmindful of the fact that that was October and it was handled in November, but the months between now and June 30, 1946, will certainly allow abundant time in which to carry out the physical transfer of the records and all that is implied here. Let me refresh you on the fact that when the late President of the United States wired the governors they concluded the transfer in 12 days. In 12 days this whole system was transferred to the Federal Government. Is it argued now with any force that it requires a year for a countertransfer from a Federal agency to the State agencies? What an amazing kind of logic that would be.

Let me remind you what is involved with respect to running Federal operation to January 1947, or to June 30, 1947. The effort will be unrelenting to Federalize this system. You can bet all the tea in China on the fact that there is a definite effort to keep this in Federal hands. When the former Executive Director of Social Security went to see Paul McNutt 6 months ago and said, "Mr. McNutt, when are you going to give our employment services back?" the answer on the part of Mr. McNutt, the Federal Security Director, was, "Never." He did not mean to give them back.

Read the testimony of Mr. James Carey, the secretary of the CIO. He is a very able and a very forthright person. I respect the fact that in the hearings he said, in effect, "We do not want the committee to be under a misimpression as to how we feel. We are for federalization." They expect to accomplish it through the Wagner-Murray-Dingell bill.

You read the testimony of so many of the witnesses that appeared and in every case it is always the same, that they are for federalization. The Federal employees who are involved here have been carrying on a great campaign for a long period of time in order to bring it about. I thought I had one of the circulars here that indicates how the organization to which Mr. Flaxer belongs, who took 11 pages of testimony in the hearings on this bill, feels on this matter. Mr. Flaxer represents the State, County, and Municipal Workers of America, affiliated with CIO. They want immediate and permanent federalization of USES. There is no fooling about it. They are sparring for time in order to get it done.

Then there is this very interesting comment in this brochure that has been

scattered broadcast by Mr. Flaxner's organization. It says, "State control means handing over large and important agencies to reactionary State governments."

Let us not fool ourselves as to what is involved here. Of course, this sparring for time is meant to perfect the case for federalization. The majority leader said he is not for federalization.

Let me remind you and remind him that there are two ways to federalize. One is to pick up an agency bodily and incorporate it in the great Federal structure. The other is to write control provisions into a bill that have the same effect. That is precisely what has been done in this particular case.

If you go back and examine the language involved in this bill you will see the control so well expressed that will give to the Secretary of Labor the authority to run these agencies and to keep his hand on them, to nullify in many respects the things that the States are obligated to do, to by-pass and circumvent the suitable employment provisions of the State acts, and to do all those things that are nothing more than the attributes of complete control.

Look, for instance, at the language with respect to referrals, with respect to regulations under which men would be referred to jobs. The language of section 301 says that the Secretary of Labor shall assure this whole matter of the maintenance of referral standards and he can bypass and nullify everything that is on the statute books of the 48 States in compelling them to completely change their referral standards and also to modify the so-called suitable work provision. If that needs to be implemented, then look at Mr. Carey's testimony in the hearings. Certainly that is the thing they want to get around. They want to torpedo all of these State systems. Take for instance the authority in section 211. What does it do? It gives the Secretary, if he is not satisfied, the authority to set up a whole new system in a State. Where is the appeal from such action? The appeal is to the Secretary of Labor, who did it in the first instance. Is there a court appeal? Why, certainly not. So they ram it down the throats of the States. That is what I mean when I say that by writing these controls in this bill they have definitely federalized it, and at the same time make it appear that this is a cooperative State-Federal system. It is an amazing thing that we should take these functions away from the States in wartime and then give them back in this fashion, thinking that we are requiting a moral obligation by federalizing and by changing it, and by giving the Secretary of Labor dominant control. I always thought in the case of an obligation, express or implied, that when one took over something, one usually agreed to restore it in as good a condition as when he got it. We propose to restore it now with so many additions that the States will hardly recognize this child that they developed since 1936. So I want to remind my friend, the majority leader, that this is a strange and yet extremely effective approach to federalization. It makes it appear it is not being federalized. Yet, go all through the various sections of the bill and there you find that these employment services will be placed in the strait-jacket of Federal control.

Now, there is a blanket provision here. It gives to the Secretary of Labor the power to promulgate rules and regulations. The States will not even know what they are, yet they are expected to accept them. This, then, is nothing but a legislative blank check. That is the highly important thing about this bill. The time element, of course, is important, but the controls that will be vested in the Federal Government for all practical purposes will destroy the State systems. That is the important thing about it. Never was it more imperative that the House understand the full implication of these provisions and begin rolling back the tide of centralization.

Now there has been a good deal said about veterans. I yield to nobody in my solicitude for the veterans. I served on the other side for 18 months in the last show. I came back and marched up and down this country as a district commander of the American Legion doing veterans' service work at the grass roots level, going into your old jeans when an itinerant veteran came along to help him and sometimes to send money to help a veteran who was away from home and in distress. So my interest is something more than academic or something more than just appearing before a committee. I have high respect for General Bradley. He entertained me very royally over in Germany. But let us see just what General Bradley said.

A little mimeographed leaflet came to my desk from the placement service, to which was attached a mimeographed copy of excerpts of General Bradley's remarks. The trouble was it did not tell the whole story.

Let us see what General Bradley did say in his prepared statement. It appears on page 37 of the hearing. Let us see what he said. This is part of a well-reasoned, well-deliberated statement that he made before the committee. He said:

> Inasmuch as time has not permitted clearance of the statement with the Bureau of the Budget, I make no specific recommendations on this bill. It would seem clear that a specific date should be agreed upon for the transfer of the Employment Service and orderly conditions provided for that transfer so that those administering the United States Employment Service may make definite plans and procedures, to the end that these offices may continue to function without the uncertainty which has prevailed for several months.

That was in his deliberated statement to the committee.

Now when one examines the questions asked by the gentleman from Michigan [Mr. LESINSKI] and the gentleman from Michigan [Mr. HOOK], and what are they? Every one of them was a leading question that sought to elicit from General Bradley that he was in favor of this transfer. I much prefer to stand upon General Bradley's deliberated statement, when he said: "I make no recommendation with respect to this bill."

Is it not strange that in October the veterans' placement got me off this floor, the day this matter was considered in the rescission bill? I showed them the language that was included in that rescission bill. They said, "That is agreeable." I talked to the gentleman from Mississippi [Mr. RANKIN] about it, and he will remember I talked to him about it, and it was quite agreeable. He said, "Are they satisfied?" I said, "Yes." The bill went to the Senate. Did they ever go over there and protest that the States could not do the job for the veterans? They never appeared before the Senate committee. Did they send a memorandum to the conference? I was a member of the conference committee. No. Nothing whatsoever. How strange, then, that 30 days later, perhaps on the part of some, there should have been a change of heart, although not on the part of that great soldier, General Bradley, because he said: "I make no recommendation on this bill."

So let us not be carried away by hysteria. Let us not be carried away by emotion. I am giving you the record.

It has been said that jobs are a national problem. As an over-all economic problem that is correct. But bringing a job and a man together is a local operation, because it can only be done where the job is located. And under State operation, interstate job placement has been going on for several years. Note this 100-page book. That is a part of the consultive procedure between USES and one of the State industrial commissions, in order to set up their unemployment compensation service. Then you look on page 2190 of this book, and what does it say?

> Interstate clearance of workers and of unfilled orders.

They have been at this interstate clearance since 1940. Here is the whole business set out in great detail, just how these clearances of men across State lines must be accomplished, and nobody has yet contended that the States have not done a splendid job in that respect:

> If a local office is unable to fill an order from its own files, the order is transferred to the clearance department. The clearance department then notifies every local office in the State. If no qualified applicants are available in the State, the order is transmitted to the administrative offices of the other States.

The States have been doing this interstate job for 2 years. There is no argument that has been made for the Ramspeck bill that will hold water. I say to you, here and now, Do we propose to requite our moral obligation? The governors wired the White House long ago when first called upon to surrender these offices, and said, "When do we get them back?" Yesterday I said the Governor of the State of Wisconsin wired the White House many times. He said, "I am doing an illegal act, under the laws of my State, to transfer them to you, even in time of war. I just want some assurance that these offices will be returned to us."

There was no assurance. They could get none. They are not going to be turned back unless the only agency in Government that has the power to speak on it will make them turn them back. That is the Congress of the United States.

In his prepared statement General Bradley made no recommendation on the Ramspeck bill. He just wants the uncertainty and confusion resolved. Here is the interstate business that has been operated by the States for a long time. Here is the time limit, June 30, 1946, in the substitute, which the majority leader and the majority whip on October 19 said was a fair compromise. Then, here is a substitute that deletes dominating control, so that the Secretary of Labor, by his own naked opinion, by his own whim and caprice, within the uncontrovertible language of the Ramspeck Act, cannot go in and set up a substitute organization, set up a whole duplicate employment system in the States; or who can fabricate rules and regulations that, for all practical purposes, constitute once more a dominant control of this job placing function by the head of a Federal bureau.

Now, by way of a summary, is it not only too obvious in view of the fact that the States needed only 12 days to transfer USES to the Federal Government that the time between now and June 30 will be ample for a transfer of these facilities from the Federal to State governments.

Have you heard a single fact to persuade you that under State operation the States cannot do as good if not better job for the veterans than under Federal operation? As a matter of fact the press accounts from Dayton, Ohio, as late as November 1945, indicate that under Federal operation USES has definitely fallen down on the job in providing a clearance place for jobs for veterans.

In view of the fact that since 1940 the various State systems operating under arrangements that had the approval of the Federal Government with respect to interstate clearance of jobless persons, is there any reason to believe that the States cannot do as good if not better job than a federalized USES? Not a single showing has been made other than the expression of unsupported opinions that the States cannot do this job.

With reference to the transfer of personnel the language contained in the substitute which I have offered not only permits personnel a reasonable opportunity to qualify under State merit systems but has in truth and in fact had the approval of interested persons like Senator HAYDEN, of Arizona, Senator MCKELLAR, of Tennessee, and a good many others.

Finally, have you heard a single argument on this floor that rebutts the contention which we have steadfastly made that the Ramspeck bill embodying as it does many complete controls over this system by the Secretary of Labor is for all practical purposes nothing else except a complete federalization of the USES system and thereby makes the various States so many vessels of the Federal Government?

Mr. Chairman, is there ever going to come a time when we are going to start rolling back this continuing effort at centralization? If you cave in on this today, then we had just as well cave in on any proposition that comes here to leech away all the power of the States and siphon all power over 140,000,000 people into this sprawling, rambling, bureaucratic structure that we call the Government of the United States.

Mr. WELCH. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from California.

Mr. WELCH. The gentleman has evidently familiarized himself with the hearings on this bill before the Committee on Labor. The gentleman has endeavored to leave the impression with the Members of the House that the witnesses appearing for the bill were all in favor of the federalization of this Service.

Mr. DIRKSEN. I hope I did not leave that impression.

Mr. WELCH. The gentleman's statement would tend to leave that impression.

Mr. DIRKSEN. Oh, I do not think I did.

Mr. WELCH. The gentleman quoted a number of representatives of labor, but he refrained from mentioning the fact that the Secretary of Labor, and Mr. Goodwin, Director of USES, did not recommend to the committee that the Service be federalized.

Mr. DIRKSEN. What does the gentleman make of the Ramspeck bill, if that is not federalizing the Service?

Mr. WELCH. No; the Ramspeck bill provides that the services continue under the Federal Government for a period of 18 months.

Mr. DIRKSEN. That is right, but with many modifications.

Mr. WELCH. I favor the time provided in the bill, but not longer.

Mr. DIRKSEN. Let me ask the gentleman, did Mr. Flaxer testify in behalf of federalization? Did not Mr. Carey testify in behalf of federalization?

Mr. WELCH. Absolutely so, and Mr. Green, president of the American Federation of Labor, also favored permanent Federal control.

Mr. DIRKSEN. And did not Secretary Schwellenbach ask for a continuation of the USES until June 1947?

Mr. WELCH. But he did not ask for permanent Federal control of the Service.

Mr. DIRKSEN. Why, the Secretary asked for the Ramspeck bill, which is just as Federal in its implications as anything I can think of; and that goes for the Assistant Secretary of Labor also.

Mr. WELCH. But the fact still remains that the Secretary of Labor did not ask that the System be federalized permanently; neither did Mr. Goodwin ask that the System be federalized permanently.

Mr. DIRKSEN. I may say to my good friend from California that obviously they would be pretty circumspect about going on the record. But the bill speaks for itself. They are sparring for time, and that was generally known by the agencies when they came before us; and in the interim period the job of federalization will have become completed.

Mr. WELCH. May I make this further observation: That those who are in favor of permanent federalization will have to come here and do their sparring.

Mr. DIRKSEN. Maybe so.

Mr. WELCH. It will be up to the gentleman from Illinois and the other 434 Members of this House to determine future policy.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. TARVER. Am I correct in understanding that the proposal the gentleman is now submitting as a substitute for the committee bill is substantially the same as the proposal recorded in the rescission bill with the exception of the date of the retransfer?

Mr. DIRKSEN. Yes; that is, it retains certain sections of the Ramspeck Act that clarify the Wagner-Peyser Act such as the sections dealing with Hawaii and Alaska, and the section with respect to funds. The controversial sections have been taken out. The rest of it follows pretty well the language that was in the rescission bill that we passed in October last in the Committee of the Whole by a vote of 160 to 100.

Mr. TARVER. I hope it may have at least as substantial a majority this time.

Mr. DIRKSEN. I thank my good friend from Georgia.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Michigan.

Mr. HOOK. I wish to call the gentleman's attention to the testimony of General Bradley beginning on page 40 of the hearings:

General BRADLEY. We feel that during this time when there are so many veterans involved that it is much easier to carry out the policies of the Board and see that they are carried out by the Employment Service through a national organization rather than through so many separate organizations of the States.

Mr. HOOK. Are you prepared at this time to say about how long you think it would take before this veteran-placement program will be finished?

General BRADLEY. No, sir. We know, as I have just stated, that they will be coming out in great numbers at least until the end of June.

I do not know what the demobilization schedule after that is going to be. We also know that the Readjustment Act provides for the payment of readjustment allowance for a total of 1 year, within 2 years after they are discharged. So we can assume, I believe, that Congress anticipated some trouble the veterans might have in securing employment for at least 2 years after they were discharged.

Mr. DIRKSEN. Now, go back and read the prepared statement of General Bradley on page 37 of the hearings.

Before I conclude my observations let me pay testimony to my good friend JENNINGS RANDOLPH, who handled this very difficult bill.

No man in this House exercises more restraint and no man has consistently exhibited more courtesy toward his colleagues than he. His was, indeed, a very difficult job in endeavoring to secure the enactment of a bill which in my opinion embodied so many provisions with which I found myself in fundamental disagreement. He has exhibited skill, courtesy, ability, and splendid generalship on the floor and I do want to congratulate him.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CELLER. Mr. Chairman, I move to strike out the last word and I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, may I say to the membership of the committee that it is rather anomalous that the gentleman from Illinois is very righteous about State rights but, of course, in this instance if his substitute amendment prevails his State and all the other States will be on the receiving line and when they are on the receiving line and participate in Federal funds they throw to the dogs all argument with respect to State rights.

In this bill there is 100-percent financing by the Federal Government of the State employment agencies—remember that—so that there is federalization to that extent and that is a mighty extent. What is the difference between the Dirksen substitute and the Ramspeck bill which is now before us? I want you to keep this fairly well in mind. The Dirksen substitute omits very significantly, and the Ramspeck bill contains, provisions for maintenance by the States of personnel standards on a merit basis. If the Dirksen substitute prevails the merit basis with reference to hiring of employees goes out the window and politics enters. Political considerations will outweigh all other considerations with reference to appointments in these State employment agencies. Mark ye well that. If you want politics to come into the employment situation, then vote for the Dirksen substitute amendment.

Remember also this is a campaign year, an important congressional election year and the governors of the various States who came down here and inveighed against the Ramspeck bill had that very political situation in mind. They want to control all the officials, all the personnel, of these State employment agencies.

The Dirksen substitute omits making studies by the Department of Labor; it omits investigations by the Department of Labor as to what is happening in State agencies. The State agencies can run amuck and there could be an absolute waste of public funds, yet there would be no investigation by the Federal Government although the Treasury of the United States pays the bill. You could have all kinds of possible graft in the State agencies but under the Ramspeck provisions there would be adequate prevention and control and the Secretary of Labor could crack the knuckles of all the State administrators and all the State personnel if there are derelictions, fumbling, ineptitude, or waste. Beyond that the Dirksen substitute omits the maintenance of special programs, such as programs for the handicapped, programs for the veterans, programs for youth.

If you want to destroy all the good work that has been done by the Federal employment services through the Department of Labor, in the maintenance of these programs for the handicapped, the veterans, and the youth, then you vote for the Dirksen substitute amendment. The Dirksen substitute amendment omits the necessary coordination between States with reference to unemployment compensation and the employment-service programs. The Ramspeck bill specifically provides for such coordination. The Dirksen substitute omits promotion of free employment between States of workers seeking employment and employers seeking workers.

If you vote for the Dirksen amendment you are confronted with the following: If you come to the edge of a State, to a State boundary line, you then meet the sign "Verboten." The worker cannot cross that line. He is limited to the State activities of the State employment director. We know that in a widespread community as is the United States, we must cross State lines, and you cannot have an adequate service if you are going to have 48 different watertight State employment agencies. If the Dirksen amendment is adopted you could not require a State to replace Federal funds improperly expended. The State agency could practically do anything it wished with the Federal funds, and the Secretary of Labor could not do anything by way of even reprimanding the State authorities. The Dirksen substitute would not authorize the Secretary of Labor to continue employment offices in the States where there was a cessation of activities of such offices in accordance with fair Federal standards; in other words, the Secretary of Labor could issue a pronunciamento saying, "You should conduct State offices according to your low kind of a standard," and the State official could thumb his nose at the Secretary of Labor if you adopt the Dirksen substitute amendment.

Now some of those standards in some of the States might be efficient; in other of the States they would be inefficient. Those standards might be very low, and we would be helpless. The Secretary of Labor could do nothing about it. The Ramspeck bill requires that all employees transferred from the Federal pay rolls by the Ramspeck bill would be retained in the State service but on the basis of a qualifying examination. But the Dirksen amendment requires only this, that those employees so transferred be given—consider well these words—be given a reasonable opportunity to acquire eligibility for continued employment in the State service.

Now what the devil kind of mumbo-jumbo is that; what kind of double talk is involved in the words "given a reasonable opportunity to acquire eligibility for continued employment in the State service." It just adds up to the following: More and more politics. They are given a reasonable opportunity. I do not know what the reasonable opportunity would be, if a politician is in control of the State office, to acquire eligibility. That State official could act most arbitrarily, according to the political standards of the party that he adheres to, and continue or discontinue in employment that State official or that State employee.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. DIRKSEN. The language that the gentleman refers to on personnel, oddly enough, was drawn and approved by two well-known Democratic Senators, Senator MCKELLAR, of Tennessee, and Senator HAYDEN, of Arizona.

Mr. CELLER. * * *.

Mr. RANKIN. Mr. Chairman, I demand that those words of the gentleman from New York be taken down. It is a violation of the rules to use offensive language concerning Members of the Senate on the floor.

Mr. CELLER. I withdraw the words.

The CHAIRMAN. The gentleman from Mississippi demands that the words be taken down.

Mr. CELLER. If that gives pleasure to the gentleman from Mississippi, take them down.

Mr. RANKIN. I demand that those words be taken down, Mr. Chairman.

The CHAIRMAN. The gentleman from New York will take his seat.

The Clerk will report the words objected to.

The Clerk reported the words objected to.

Mr. CELLER. Mr. Chairman, I again renew my request of withdrawal of the words objected to.

Mr. RANKIN. A point of order.

The CHAIRMAN. The Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 4437) to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes, certain words used in debate were objected to and on request were taken down and read at the Clerk's desk, and he herewith reported the same to the House.

The SPEAKER. The Clerk will report the words objected to.

The Clerk reported the words objected to.

The SPEAKER. The Chair is ready to rule.

Mr. CELLER. Mr. Speaker, a parliamentary inquiry.

Mr. RANKIN. A point of order, Mr. Speaker. The Member from New York must take his seat.

The SPEAKER. The gentleman will state the point of order.

Mr. RANKIN. The Member from New York must take his seat until this is disposed of.

Mr. CELLER. Mr. Speaker——

Mr. RANKIN. Mr. Speaker, I make a point of order. Now, the rules of the House must be enforced, and under the rules, he must take his seat until this matter is disposed of.

Mr. CELLER. A parliamentary inquiry, Mr. Speaker.

Mr. RANKIN. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state the point of order. The gentleman has a right to make a parliamentary inquiry.

Mr. RANKIN. No; he does not have the right to make a parliamentary inquiry. He has no such right under the rules of the House.

The SPEAKER. The Chair has recognized the gentleman from New York to make a parliamentary inquiry.

Mr. RANKIN. That is in violation of the rules of the House.

The SPEAKER. The Chair passes on that question.

Mr. CELLER. Mr. Speaker, would it be proper for me under a parliamentary inquiry to make a unanimous-consent request to withdraw those remarks?

The SPEAKER. The Chair will recognize the gentleman.

Mr. CELLER. I ask unanimous consent, therefore, to withdraw those remarks which have been objected to.

Mr. RANKIN. Mr. Speaker, I make the point of order that he has no such right, and under the rule he has no right to even be recognized. I object to his request and I will make the proper motion at the proper time.

The SPEAKER. Objection is heard.

The Chair holds that the words uttered by the gentleman from New York are unparliamentary in referring to the action of the membership in another body.

Mr. RANKIN. Mr. Speaker, I move that the words be stricken from the RECORD.

The SPEAKER. The question is on the motion of the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. RANKIN) there were—ayes 96, noes 44.

So the motion was agreed to.

The SPEAKER. The Committee will resume its sitting.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 4437, with Mr. WALTER in the chair.

Mr. BYRNES of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am unalterably opposed to bill H. R. 4437 as it is presently written. I wholeheartedly support the substitute amendment of the gentleman from Illinois [Mr. DIRKSEN].

The least this Congress can do is to be honest. This bill is not just plain dishonest, but, if such a thing is possible, it is doubly dishonest.

Look at the title of the bill. I quote, "To provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes." The most honest part of this title is the phrase "and for other purposes." Let us get one thing straight right from the beginning. This bill does not return the operation of public employment offices to the States. A cursory glance at the provisions of this bill with its amendments to the act of June 6, 1923, makes it apparent that, should this bill become law, the operation of employment offices after June 30, 1947, would still be under the regulation, control, and dictates of the Secretary of Labor.

There is no secret about the fact that there is a large group in this Congress and a large group of bureaucrats whose principle desire is to retain this service permanently and furthermore to tighten Federal control by absorbing the State unemployment-compensation systems as well. These people are entitled to their own beliefs, but the least they can do is to be honest with the American people and state their motives and objectives frankly. The honest thing for them to do, Mr. Chairman, is to present a bill which states as its honest objective the federalization of public employment offices and decide that question openly and on its merits. This bill, H. R. 4437, is a subterfuge. It gives lip service to returning the employment offices to the States while at the same time attaching so many strings and conditions to the return as to have a single effect, namely, retention of practically complete control over the offices by the Federal Government in the name of the Secretary of Labor.

To see the further dishonesty contained in this legislation, I ask you to remember just one thing, and that is that these offices were loaned by the States to the Federal Government at the request of the President of the United States. There was no legislation passed by the Congress, taking over the operation of the State public employment offices. The President requested the loan of these offices, and the governors of the respective States acceded to his request and made the loan. It was a distinct understanding then that these offices were to be returned as soon as possible upon the termination of the war. It certainly was assumed that they would be returned intact. This bill, Mr. Chairman, is a definite breach of faith, and its passage by this House would be an announcement to the people of this country that the word of the Federal Government can not longer be relied upon.

Let us consider this bill on the basis of what it really is, namely, a bill to permanently federalize the public employment offices. If you believe in federalization, then you favor this bill. If you oppose federalization and believe in the rights of the States, then you must oppose the bill as it is now drawn.

May I make my position perfectly clear. On the basis of honesty and principle, I am emphatically opposed to the bill. I hope, Mr. Chairman, that this House will see fit to return these offices to the States on or before June 30, 1946, and return them in the same condition in which they were loaned to the Federal Government. This is the objective of the Dirksen amendment which I trust will be adopted.

It is time that we reverse the process that has been going on for the past several years. It is time that we start giving back to the States prerogatives and functions which have been usurped in one way or another by the Federal Government. It is time that we reverse the trend and start giving the government back to the people.

At this point I would like to call the attention of the House to an editorial which appeared in the Danbury News-Times on June 22, 1945. The editorial is entitled "Let Us Decentralize." It reads:

LET'S DECENTRALIZE

The move by the Texas Legislature asking Congress for a reversion of the Employment Service to State control, while doubtless impossible of success at this time, does serve a healthy purpose in reminding us that the United States Employment Service, now operating under the War Manpower Commission by virtue of an executive order, is actually a State service yielded temporarily in the name of the war emergency. There has been a tendency to disregard this fact. Indeed there is a large group of bureaucrats in the vicinity of the Social Security Board who would be only too willing to forget that, and who would, furthermore, tighten Federal control by absorbing the unemployment compensation system as well.

The argument that federalization of these services is necessary because "unemployment is a national problem" is specious. It wrongfully assumes that such a problem cannot be as well met by the joint collaboration of the State and Federal Governments. It assumes, in typical reformer style, that only when the Federal Government has complete, tyrannical control can these problems be met effectively.

Certainly there is nothing in the Connecticut record to indicate that this is true. When the Connecticut Employment Service functioned as a State agency under the direction of the late Leonard J. Maloney, it was an active, intelligently directed agency that fulfilled its functions in a highly competent manner. Now that the decisions are made in Washington there has been no noticeable improvement.

If any one vicious trend should be curbed, and curbed now, it is this everlasting tendency to believe that our only salvation depends on the Federal Government. At the earliest possible date consideration should be given, not to centralizing power still further by permanently federalizing the employment and unemployment services, but rather to seeking ways and means of lopping off some of the top-heavy bureaucracy that now exists, and to return to the States some of the functions that were seized arbitrarily or ceded by default. The pattern of the Fascist state is laid down in precisely the same manner as that advocated by those who believe in federalization. Could it be that some of these noisier advocates of Federal control are more familiar with the European pattern of central control than they are with the American system of local government—government at the grass roots?

There is just one more point that I want to touch upon. Some of the proponents of this bill justify their position by contending that, since the Federal Government is paying a large share of the bill for the maintenance of these offices, therefore the Federal Government is justified in maintaining its control over them. May I remind those Members of Congress that this is not an appropriation bill. There is only one issue involved, and that is who should have control over the public employment offices. Should it be the individual States or should it be the Federal Government. The question as to who is to pay the bill is a distinct and entirely separate proposition. If they feel that the States are not paying their fair share, this can and should be corrected in the appropriate appropriation bill. It is my feeling, Mr. Chairman, that this argument has been used all too often and that it is by the use of this argument that the Federal Government has in case after case usurped normal functions of the State governments. If the

return of these functions to the States is dependent upon discontinuance of Federal aids and subsidies to the States, then, Mr. Chairman, I say, let us end these aids and subsidies. As far as I am concerned, it is not a question of which unit of government pays the bill because, after all, it is still the people's money. The question involved is, At what level of government are we going to have these matters administered? It is a question of whether they are to be administered by the government closest to the people or the government farthest from the people. I hope and trust that the wisdom of this Congress will determine that the administration of employment offices and other functions which are historically, normally, and constitutionally within the jurisdiction of the State and local governments will be returned to those governments. That unit of government which is closest to the people is, in my opinion, best able to know and administer to the needs of the people.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

For what purpose does the gentleman from West Virginia, chairman of the committee, rise?

Mr. RANDOLPH. Mr. Chairman, I would like to inquire how much time has been consumed on the Dirksen amendment.

The CHAIRMAN. No record has been kept of the time consumed on this particular amendment. The gentleman from Illinois was recognized for 20 minutes and two or three other Members have spoken for at least 10 minutes.

Mr. RANDOLPH. I realize that the subject matter was not entirely confined to the amendment. I just wondered if at this time the committee would like to decide on time for debate. I have no desire to close debate, but I wanted to see if we could agree on some time.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. RANKIN. I think every Member of the House understands the situation and I think it would be in order to move to close debate now.

Mr. RANDOLPH. I would not want to do that, because I want to answer the gentleman from Illinois.

Mr. RANKIN. Well, the gentleman could reserve 5 minutes for himself.

The CHAIRMAN. Is the gentleman from West Virginia proposing a unanimous-consent request to close debate?

Mr. RANDOLPH. I will, Mr. Chairman, so that we may have something before the Committee.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. RANDOLPH. Yes; I yield to the distinguished gentleman from Texas.

Mr. SUMNERS of Texas. May I suggest to our distinguished chairman that this debate is broader in its scope of interest than this bill. As I view it, it covers the whole question of whether or not we shall attempt to decentralize governmental power. That is my view. It may not be the view of other gentlemen. I do not believe there has been before the country in a long time a matter of more importance, or a matter that has deeper interest than the particular thing presented in this amendment. I hope the gentleman from West Virginia will give full opportunity for the judgment of the Members of Congress to be expressed in order that the country may have it.

Mr. RANDOLPH. Of course, I wanted to do that, even in setting a period of time.

Mr. Chairman, in view of the fact that there are approximately 12 Members now on their feet, I will withhold any request, for the time being.

Mr. SABATH. Mr. Chairman, I move to strike out the last four words.

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. SABATH. I ask for time in order to make an announcement which I know will be extremely pleasing to my Republican colleagues from Illinois.

Yesterday my colleague the gentlewoman from Illinois [Miss SUMNER] made a statement that the New Deal has been endeavoring to reduce the number of Republican Members of Congress by urging that all Illinois Members be elected at large. I said at that time I had the utmost confidence in the judges presiding in Chicago and felt that they would not pass upon the application for injunction harshly, but calmly and judiciously, and that justice would prevail. Therefore, in the interest of some of my colleagues on the Republican side, and knowing how perturbed they were, because some of them, not many, really should again represent their districts, I wish to say I have just received word that the injunctional proceeding looking to requiring us to run at large has been dismissed and properly so, because it was filed at the very last minute. Favorable action would have precluded any candidate on either side not endorsed by an organization from filing because of the short time and the fact it would require nearly 9,000 supporting signatures. Consequently I am pleased to announce this Federal court ruling which is favorable to my Republican colleagues, and I hope they will be able to sleep in comfort, concord, peace, and happiness.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. SABATH. I yield.

Mr. MASON. I wish to say as one member of the Republican Party from Illinois that I was sleeping in peace, that the fear and perturbation were not all on one side, because some of us believe it will be 26 or nothing, and that it will be 26 Republicans as Illinois is now constituted.

Mr. SABATH. The gentleman, I know, has a clear conscience and can sleep well. I hope he will continue to enjoy the blessing of sleeping well in the future, but I fear his knowledge of the sentiment of the people of Illinois is so erroneous it has lulled him into a false slumber. The awakening might have been rude.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Michigan.

Mr. MICHENER. The distinguished gentleman from Illinois has expressed faith and confidence in the court to which he referred——

Mr. SABATH. A three-man court.

Mr. MICHENER. Yes; a three-man court. I hope he has the same faith and confidence in the Supreme Court if this case is appealed.

Mr. SABATH. Yes; I have the utmost confidence in the Supreme Court. Let me say that personally I candidly and honestly feel that the State should be redistricted. I feel it is an outrage there has been no redistricting for 46 years; unfortunately, however, down-State gentlemen are fearful that if the State is redistricted Chicago will have two or three more Members in this House and in addition would have at least six to nine new members of the State legislature, at least three in the State senate. Consequently the Republican members from down-State, in conjunction with some Democrats, have prevented congressional as well as senatorial redistricting. I go on record now as urging and pleading that fair redistricting take place without delay so it will not be necessary for the courts to rule on this important question and that various sections of the State should not be deprived of representation.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HOOK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I should like to clear up a few little things that have been stated during the course of the debate on this amendment. The charge has been made that 100-percent financing of the Employment Service by the Federal Government does not constitute a strain upon the Federal Treasury, since the funds used are taken from those received from unemployment compensation taxes which are earmarked for the administration of the State unemployment compensation programs. This charge is untrue.

In addition to the services rendered by the Employment Service, the unemployment compensation agencies, the Employment Service has to perform specific functions in no way related to unemployment compensation, including services to millions of veterans, handicapped workers, and new entrants into the labor market. These functions were financed in part by the Treasury even before unemployment compensation systems were inaugurated. Moreover, funds obtained from taxes levied under the Social Security Act are paid into the Federal funds of the United States Treasury. They are no more earmarked for specific purposes than are the revenues derived from the income or internal-revenue taxes. I wanted that specifically straightened out.

Now, as to the question of General Bradley's statement before the Committee on Labor. You heard the first part of General Bradley's statement that I read to the gentleman from Illinois. I am quoting now from page 40 of the hearings before the committee. General Bradley stated, of course:

So we can assume, I believe, that Congress anticipated some trouble the veterans might

have in securing employment for at least 2 years after they were discharged.

Then I said to the general:

That gives us some idea.

One other thing; I notice that you said that the Veterans' Affairs was interested in the continuing of veterans' placement. That would be after this demobilization period has come to an end; in other words, you will continue to be interested in the placement of the veterans?

General BRADLEY. That is right; even beyond any 2-year period to which they might be entitled to readjustment allowance, because the question of employment affects practically every activity of the Veterans' Administration. We find, for example, that the number applying for admission to the homes, domiciliary care, decreases with full employment. If they have employment, they can take care of themselves. We have less people applying for hospital care because, with employment, they can take care of themselves.

So, in almost every activity we have, we find that the proper employment of the veteran and his reintegration in civilian life directly affects our administration and the cost to the Government of looking after him.

Mr. HOOK. So the Veterans' Affairs could more properly operate under Federal Employment Service than under a State program?

General BRADLEY. I do not believe that I am prepared to answer that beyond what I can see in the immediate future, because I am not qualified to state how efficiently the States could run it. Certainly, now with all this mass, it would be, in my opinion, a mistake to change while we are in such a flood.

Now, that is the mature judgment of Omar Bradley. In other words, he stated he thinks it should be carried on under a Federal program for at least 2 years after the men are discharged or after demobilization. Any of you Members who are so concerned with the veteran and his welfare, and I hope you all are, as I am, should take heed to General Bradley's statement. He is Director of the Veterans' Administration. If you are with General Bradley in his effort to help in veterans' placement, you will be for this bill without amendment. If you are not so concerned then vote to amend the bill by the adoption of the Dirksen amendment.

The question is, Are you going to give just lip service to the veteran and then take advantage of him by substituting patronage grab for real service? The veteran wants to know. I am a veteran of World War I. I know something about this first hand.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BUCK. Mr. Chairman, I rise in support of the substitute.

Mr. Chairman, the Dirksen substitute is straightforward legislation. It proposes the return of the employment service to the States, and that is all. It does not do anything else.

H. R. 4437, on the other hand, is joker legislation. It pretends to return the employment service to the States, but when its provisions are read it does not do that at all. It keeps control right here in Washington. Mr. Chairman, that is not what 48 Governors want, that is not what 48 State administrations want.

I, therefore, urge upon the committee the adoption of the Dirksen substitute.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I rise in opposition to the substitute offered by the gentleman from Illinois [Mr. DIRKSEN].

Mr. Chairman, it seems to me that we are losing sight of the real question and that is, under what plan will the best interests of the unemployed be served? We are talking in the mechanics of that thing right now. Instead of talking about the issue itself we talk about something else. I know that every Member of the House on either side will agree with me that they want to adopt the plan that will best serve the interests of the unemployed, including, of course, the veterans.

Mr. Chairman, these people can be served better under 1 head than under 48. That is a foregone conclusion. Therefore I am opposed to the substitute and am for the adoption of the Ramspeck bill for orderly return to the States. The unemployed will be cared for much better.

It is a problem now that is paramount in the minds of the American people—how many unemployed we are going to have in the future. The load imposed on the unemployed service today is greater and the crisis is even greater now than during the war. I think the American public should be well aware of the fact that what we are talking about today is what plan will serve the best interests of the unemployed and the whole American people.

Mr. JENKINS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I have listened with interest to the debates on this proposed legislation. The issues are clearly drawn although many seem not to understand just what the proposed Ramspeck bill will do if it becomes a law. Some think that the only matter involved is the date of the return of the employment agencies to the States. One who is so credulous as to believe that really should be pitied. Mr. Speaker, the brain trust that prepared that bill consider the date of the return to be a very unimportant matter. They really intend never to return these agencies as they received them. They intend that when they are returned the Federal Government will be in full control of them and also of the unemployment compensation agencies. Nobody ever heard Altmeyer say that he was ever going to return them. They expect to federalize this whole program in truly New Deal Soviet style. I shall only have time to develop one proposition which I feel needs clarification. I hope I can clarify it. I find that there is much confusion with reference to who is going to furnish the money with which to pay the bill in these transactions. There ought not to be any misunderstanding about this matter. This is such an important matter and the expenditures are so large that the financial set-up is well determined. We ought to be able to determine exactly to the penny who pays the bill.

Let me review briefly the situation. This whole matter was initiated with the passage of the Wagner-Peyser Act in 1933. The Wagner-Peyser Act served its purpose but is not very effective in these programs now. The Wagner-Peyser Act antedated the Social Security Act which was passed in 1935. The Social Security Act, as you know, was a very comprehensive piece of legislation which covered old-age pensions, old-age assistance, blind pensions, unemployment compensation, and other subjects. The Wagner-Peyser Act was devoted principally to setting up in each State employment offices. It provided that if the States would set up these organizations in collaboration with the Federal Government and would pay 50 percent of the cost of the same that the Federal Government would pay the other 50 percent.

Several of the States cooperated. But the cooperation was not as productive of good results as it might have been. The Wagner-Peyser Act is still in operation.

It has not been repealed. But it is not effective because some of the States do not have matching appropriations. The Ways and Means Committee has had a special study made of some of these problems by a special committee of experts. The report made by this special committee indicates that the Wagner-Peyser law would not be effective to provide the finances that will be necessary for carrying on these important programs.

If we pass the Ramspeck bill the money will be available. If we pass the Dirksen bill the money will be more readily available. But where does the money come from? That is the question I started out to answer. Now follow me, if you will, and I think you will agree with me that there can be no question about where the money comes from. It comes from the pockets of the employers of labor, my State, and your State. Every employer in the United States has to pay taxes on his pay roll in the amount of 3 percent. This money must be paid to the Federal Government. This was the plan adopted by the New Deal in 1935 to compel the States to adopt unemployment-compensation laws. If a State would refuse, then the employers in that State would be compelled to pay that tax. If the State complied and set up an organization to pay unemployment compensation, the employers of that State could retain 2.7 percent of that 3 percent to be used to make the unemployment compensation payments, and the 0.3 percent would be taken by the Federal Government to be used to pay the expense of administering the unemployment-compensation law. I say the employer would retain 2.7 percent. I mean this amount would be available for them to pay unemployment compensation to their employees should that be necessary.

Now let us see how it works out in practice. The whole 3 percent comes down to Washington. Two and seven-tenths percent is put into a trust fund for the purpose of paying unemployment compensation and three-tenths of 1 percent is taken by the Federal Government to enable it to pay the expenses of administering the program.

This trust fund is now a huge fund of $6,500,000,000. Ohio's part of that tremendous fund is, I think, about $480,000,000. The three-tenths of 1 percent amounts to an enormous amount also. It has been enough to pay all the ex-

penses of administering the program and has permitted the Government to make a saving of $625,000,000.

If I were to stop here with my explanation you would say to me, "Yes; but how do you pay the expense of maintaining an employment agency out of money collected for unemployment compensation?" Here is my answer. The Social Security law provides that when a State sets up an unemployment compensation agency that agency cannot pay out its money until it has set up an employment agency. This is perfectly natural. The Unemployment Compensation Commission does not pay unemployment compensation if it can find another job for the unemployed employee. From this it can be seen that it was the original intention of Congress that the payment of unemployment compensation should not be done too freely. It should not be done until it was ascertained that there was no other job available.

When the law was first set up in Ohio the head of the Unemployment Compensation Commission was also the head of the Employment Compensation Commission. The two offices were together. That is where they should have been and that is where they should be now. Why have an Unemployment Compensation Commission functioning at Columbus, Ohio, and an Employment Compensation Commission functioning here in Washington? Both should be together and both should be at Columbus.

If the Government is dissatisfied with the conditions, why does it not turn back the agencies that it took from the States and promised to give back to the States? No, the Government will not give it up until Congress compels it to do so. Why? Because it is not going to give up that $6,000,000,000 fund and it is not going to give up that little three-tenths of 1 percent upon which it has made a net profit of $625,000,000 since 1935.

You talk about the Government paying 100 percent of the expense of the employment commissions. It takes the employers own money and pays this expense and in effect charges the States $625,000,000 for doing it.

I have no authority to speak for the States but I have talked to the Repreresentatives of practically all of them, and they say that they would be delighted if the Government would turn over to them this three-tenths of 1 percent and they would gladly assume the full responsibility of paying all the expense of administering the employment agencies and the unemployment agencies in full compliance with Government regulations and the law.

Now, Mr. Chairman, let me again say with all sincerity of which I am capable that there is no question in this matter as to who pays all the expenses of maintaining the United States Employment Commission. The Congress, through the passage of the social-security law, compels the employers in every State to pay a tax of 3 percent on all his pay rolls and it is from this tax every cent of all these expenses come. The Government does not pay one single penny. This being true, let us have no more talk about the States matching the Government.

The States have done magnificently. The Ramspeck bill, as was said here this afternoon many times, is nothing more nor less than a preparation for federalizing these two agencies. These agencies belong to the people. The people pay all the expenses, then why not return these agencies to the people?

You talk about the returning servicemen. Where do these men want to be employed? Where does the soldier go when the Government discharges him? He goes home, of course. He goes back to his own people who will do more for him than anyone else. And when he has rested up a few days he will seek employment at home. He will go to his own employment agency. Why should he have to come back to Washington? Why should he have to run back to these Washington bureaucrats? He belongs at home and he should have the aid of a USES in his home town. The serviceman comes home, to my town, and after he has been home a few days and if he cannot find a job he goes down on old Second Street where they have a very fine, efficient group of USES offices and clerks, and tells them his trouble. They should be able to help him much better than someone a thousand miles away. The employers in my town pay thousands of dollars every month to the Government in taxes to maintain an Unemployment Compensation Administration and to assist unemployed persons to get jobs. They want that money spent on their men in their own town and they do not want the Government to take that money and waste it in extravagant spending.

Mr. HENRY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I thoroughly concur in the analysis of H. R. 4437, which shows it to be not a bona fide measure for returning State employment services, but a devious indirect scheme for retaining all policy and management powers in Washington. State agencies, under this bill, have only clerical prerogatives. I am unqualifiedly in support of H. R. 5142, which returns the services to the States under the Federal controls and powers existing at the time they were borrowed. The insidious nature of H. R. 4437 can, in my estimation, be no better demonstrated than by pointing out two paragraphs under which the extended powers of the Federal agencies are pressed down upon the States.

I doubt whether the implications of these provisions are at all understood. I say this because they are a complete innovation; more advisedly, I might say, an intrusion on the whole conception of Federal-State cooperation as it is set out in the large number of Federal grants and aid enactments.

I want to point out to you specifically page 7, beginning line 24. This authorizes the Secretary, in the event he is not pleased with State performance, meaning in the last analysis that there has been a reluctance to abide by his directives, that he may take over completely its employment services. Think of this, gentlemen, we are being asked to authorize a direct expropriation of State personnel, property, and records by a Federal agent. Mind you, that under the provision the State has no recourse to the courts. It is simply sufficient for the Secretary to find that the State agency is not operating in accordance with his directives and, presto, no longer do we have a State agency but a Federal agency.

And now, for the pointing out of the prime penalty provision, the significance of which I very much doubt is appreciated. On page 9, section 14, there is an apparently innocent phrase which amends the Internal Revenue Code so as to provide that the term of "employment offices," as used in the Internal Revenue Code, shall mean "an office run by or actually in cooperation with the Secretary of Labor." Now what does this apparently insignificant change mean? Gentlemen, it means simply this, a State is effectively prohibited from setting up its own unemployment service independent of any relation to the Federal system, in the event that it finds the Federal controls become intolerable.

This is true because the cited provision of the Internal Revenue Code requires that every unemployment compensation agency pay its claims through public employment offices. Section 14 of the proposed measure limits these public employment offices through which benefits can be paid by State agencies, to those complying with or run by the Secretary of Labor. The State must pay its benefits through such office, else it will not receive the administrative grants and aid to administer its law nor, more important, will the employers of the State be granted the tax offset against the 3 percent levied by the Federal Unemployment Tax Act.

I have had occasion to see some 22 letters from State agencies directed to one of their number, who is in Washington at this time, advising that considerable thought is being given in their respective States to secure money from State funds, and set up independent employment services in the event the Congress does not act to remedy the present intolerable situation by returning the services which were loaned.

In my own State of Wisconsin the matter has progressed beyond the thought stage, and the Governor of the State has asked the industrial commission, which in turn has consulted with its advisory committee, as to the possibilities of starting up and establishing a completely financed State system in the very near future. It is proposed that a slight additional pay-roll tax be collected, in order to meet the administrative expenses. This in spite of the fact that the employers of the State are this year paying to the Federal Government $3,000,000 through the three-tenth percent collected under the Unemployment Tax Act to be used by the Federal Government in grants to States for running their own employment security programs. This double taxation, for such it would be, on the employers of the State to secure the necessary administrative funds, is in itself sufficiently unfair.

However, even though the citizens of Wisconsin might be willing to set up employment services, they will be effectively prohibited by section 14 from taking such a course of action, for the cost to them would be not merely a few hundred thousand dollars, which would be necessary

to finance their own independent service, but in addition the employers of the State would be assessed some 30 million additional dollars by reason of their inability to get the tax offset provided for in section 1600 of the Internal Revenue Code as amended by section 14 of the measure before us.

Gentleman, it is one thing to provide a sweeping onerous Federal control over State management. I am opposed to such grant of power in principle. However, the wrong is vastly magnified if we were to do what we are called upon to do here, namely, leave the State no alternative other than to accept such Federal controls.

Mr. HARLESS of Arizona. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in opposition to the Dirksen amendment. Throughout the debate on this bill I have heard reference made to the fact that 48 governors of the Union were opposed to H. R. 4437. Now, in fairness to my governor, I feel that I should read a telegram from him. I believe if a poll of all the governors were taken it would be found that the statements that have been made are far from being accurate. I read a telegram from Phoenix, Ariz., dated January 24:

> I am extremely well satisfied with the manner in which the employment offices have been conducted in Arizona and, therefore, I hope that you will see your way clear to support H. R. 4437.

I want that made clear in fairness to my governor. If you were to poll all the governors you would find similar telegrams from other governors.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. HARLESS of Arizona. I yield to my colleague from Arizona.

Mr. MURDOCK. I can confirm the statement which the gentleman has just made. I received a telegram to the same effect from our governor. I think it is expressive of the attitude of one, and probably others, of the 48 governors. He knows of the competence of local administration in general, but he is not demanding immediate return in this crisis.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. HARLESS of Arizona. I yield.

Mr. COLE of Missouri. Will the gentleman state whether his governor is one of the 48 who did not approve the return of USES to the States?

Mr. HARLESS of Arizona. I am definitely of the opinion that this particular bill prolongs the holding of the employment services in the Federal Government, at least for the length of time that they are needed.

Mr. COLE of Missouri. I do not believe the gentleman understood my question. There were 47 of the 48 governors who urged the return of USES to the States. One of the 48 governors did not urge the return of USES to the States. Was your governor one of the governors who did not urge the return?

Mr. HARLESS of Arizona. I do not know, but the statements I heard here were to the effect that all 48 governors were unanimous.

Mr. WASIELEWSKI. Mr. Chairman, will the gentleman yield?

Mr. HARLESS of Arizona. I yield to my friend, the gentleman from Wisconsin.

Mr. WASIELEWSKI. Is it true that the State of Arizona had turned over its employment offices to the Federal Government long before the President asked the other governors to turn over their respective employment offices?

Mr. HARLESS of Arizona. I am sorry I cannot give the exact date. I think it was some 4 years ago.

Mr. WASIELEWSKI. It was some time before the President asked the other States to turn over their employment offices to the Federal Government.

Mr. HARLESS of Arizona. I might state that we have found it very successful. Of all the times in the history of this country, now is the time that we should have an integrated employment service. I emphasize that. We have gone through this war with an integrated employment service, and now is the time we are going to have more unemployment than at any other time. It was during wartime that we had a shortage of labor, but with the release of some 15,000,000 men from the services it is quite evident that we are going to have an excess of labor. I say that, in fairness to the veterans of this country, we should have an integrated system at least until July 1, 1947, so they would know where there would be a labor market.

It has been strongly urged that the Employment Service should be returned to State administration immediately because the nature of the service which a public employment office renders means that effective operation can be attained only under State administration. In other words that grass-root administration is essential, and that the State and only the State can be sympathetic to and conversant with employment problems peculiar to local communities. I have closely examined the Federal operation of our Nation-wide system of public employment offices. I found that the Federal operation recognized that a successful, effective employment service program must be administered on a local labor market area basis. I found that the United States Employment Service is adhering to this principle of operation to a greater extent and with a clearer understanding of the effectiveness of this method of operation than was ever evidenced under State administration prior to federalization.

Today, the local employment office is no longer, as was true prior to federalization, merely a clearing point for marginal, casual, and domestic labor. Today, under Federal administration, approximately 1,700 local employment offices occupy a key position in every important industrial labor market area of our country. These offices are staffed by local personnel, recruited from the communities which they serve. For the most part these employees, who were in the great majority of cases, selected from State civil-service registers, are trained, experienced, and competent; they possess a clear intelligent understanding of the program which they are administering. For the past 4 years or more, they have worked closely with employers and workers in the community; they have worked hand in hand with local management-labor committees. They are conversant with local employment trends, local employment opportunities, and local employment problems. Their best experience and ideas are brought together whenever national policy is formulated.

Our unified national system of public employment offices is now, under present Federal administration, being administered back home to an extent never equalled by a State-operated system; but administered under a system which assures the free interchange of labor market data and the free movement of workers from area to area and State to State wherever their skills are needed or can best be utilized.

Mr. WASIELEWSKI. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, in the course of the debate this afternoon there has been considerable discussion of the USES, but no concrete statement was made as to the functions of the United States Employment Service.

Generally speaking, the functions of this office may be divided into two parts: First, to register the unemployed; and second, to refer unemployed persons to available jobs. Under the Unemployment Compensation Act, anyone who is unemployed must report to the employment office and make himself available for work. These registrants, at the time they make themselves available, fill out information blanks, setting forth their particular skills and experience.

Then, the second function of the employment offices comes into operation. That is, the USES is supposed to help these people find employment. The proponents of the Ramspeck bill have stressed the importance of the USES to the reemployment of war workers and the returning servicemen. Let us examine the record and see how effective the USES has been as a job finder. Let us examine the record to see how effective is this important function of the USES. How many people does the USES actually place into jobs out of the total employed by various employers?

Because of my interest in this question, I have contacted 20 of the largest employers in the Milwaukee area and have received 18 replies. The question I put to them was: "How many people have you added to your pay roll since the 1st of September 1945 up to date?"

The second question was: "How many of these employees were referred to you by USES."

I was very much astonished when I learned that the 18 employers who answered my wire advised me that they had hired a total of 18,679 persons, and of that number only 900 came through the USES, or less than 5 percent.

Five of the employers gave me a further break-down of their employment figures. They informed me that since September 1, 1945, to date they had employed a total of 3,117 veterans. Of the total of 3,117 returned veterans only 129 came through the USES offices. This would certainly indicate that the USES offices are not very effective in getting

jobs for either civilians or returned veterans.

Much ado has been made of the necessity for USES in the matter of employing persons who are from out of State or interested in out-of-State jobs.

It was pointed out by these 18 employers I have referred to above that only 26 persons were employed from outside of the State out of the total of 18,629 hired. This indicates that the employment of out-of-State persons is not a very important problem so far as the State of Wisconsin is concerned.

I wish to give you the employment experience of the largest employer in my district. This company hired 7,258 people from September 1 up to date. Of that total, 210 were referred by USES, or, roughly, about 3 percent of the total. That employer had 2,629 veterans, but he did not have a break-down to show how many came from USES office.

In view of this sad showing of the USES as an effective employment agency, it is apparent that its real job is connected with the unemployment-compensation agency which is now so effectively being carried out by the individual States through their unemployment-compensation departments. It is, therefore, imperative that the employment offices should be returned to the States, from which they have been borrowed for the duration of the war.

Mr. Chairman, let us discount these claims that either the veterans or the other job seekers will really benefit by the continued Federal operation of the United States Employment Service. Let us get these services back to the States as quickly as possible, and let us return them entirely free from the shackles of increased Federal controls.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I ask for recognition on the amendment.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. RANDOLPH. Mr. Chairman, would the gentleman defer to me for a moment?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from West Virginia?

Mr. SUMNERS of Texas. I yield.

Mr. RANDOLPH. Mr. Chairman, I ask unanimous consent that all debate close within 45 minutes to the amendment and all amendments thereto, and to section 1, the last 10 to be reserved to myself. I see there are eight Members standing.

The CHAIRMAN. The gentleman from West Virginia asks unanimous consent that all debate on the pending amendment and all amendments thereto and to section 1 close in 45 minutes, the last 10 to be reserved to himself. The Chair will read the names of the gentlemen standing seeking recognition: Messrs. CRAWFORD, GATHINGS, STEWART, DOYLE, LUDLOW, ROBSION of Kentucky, JENNINGS, HOFFMAN, and EBERHARTER, exclusive of the chairman of the committee.

Mr. BUFFETT. Mr. Chairman, I wish to be recognized on the amendment and ask that my name be included.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

Mr. STEWART. Reserving the right to object, Mr. Chairman, if the gentleman will make it 55 minutes so that everyone will have 5, I shall not object.

Mr. RANDOLPH. Mr. Chairman, I modify my request and make it 55 minutes if it is understood I may have the last 10 minutes.

Mr. HOFFMAN. Mr. Chairman, reserving the right to object, does that mean the gentleman from West Virginia is to have 10 minutes and the rest of us 3½?

Mr. RANDOLPH. I am trying to see that each Member has 5 minutes.

Mr. HOFFMAN. I shall object to any request that gives the gentleman from West Virginia 10 minutes in which to close.

Mr. RANDOLPH. Mr. Chairman, I move that all debate on this amendment and all amendments thereto and section 1, close in 55 minutes, the last 10 minutes to be reserved to the committee.

The motion was agreed to.

Mr. RANDOLPH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RANDOLPH. So that there may be no misunderstanding, that is exclusive of the time already allotted to the gentleman from Texas [Mr. SUMNERS]?

The CHAIRMAN. That is correct. The gentleman from Texas was recognized before the motion was offered. The gentleman from Texas [Mr. SUMNERS] is recognized.

Mr. SUMNERS of Texas. Mr. Chairman, as I view this proposed legislation under all the circumstances, it is one of the most important items of legislation that has come before this Congress in a long time, and I want to see if I can be helpful to our understanding just what is involved.

In the first place while it is of value the amount of service rendered by these employment agencies, whether State or Federal, is very much exaggerated. Ordinarily a person who has got enough sense to hold a job will go out and find somebody who wants to hire him and he gets a job. These agencies that stay on the pay roll, and whether it be State or Federal, naturally claim great credit, something like many of us do. One would imagine from these statistics being made that almost nobody ever would have got a job unless he had gone to one of these agencies. There is something far more important than that involved in the proposed legislation.

But, Mr. Chairman, let us see what the situation is and just what this bill proposes. There are some very interesting features in the bill and they sound mighty funny for anybody who wants to close out Federal activities. Now, here is one interesting thing. The Secretary of Labor may delegate to the director any authority given him under this act and may authorize the director to further delegate any authorities therein delegated. That has the earmarks of these outfits that are piling up these millions of people on the Federal pay roll. It does not sound like anybody who wants to quit business. You delegate some authority to the Secretary of Labor, he delegates it to somebody, then somebody delegates it to somebody else, and when they do get at the one who has been doing a thing he is away off somewhere and you cannot get at him.

This bill also proposes that these agencies may formulate rules and regulations and if a State does not comply with those rules and regulations as formulated by these bureaus, then they can move in and take charge of the situation over the State after this bill is passed. And you tell me you are in favor of returning this power to the States and are doing it by this bill.

Now, we hear a great deal of talk about the veterans—wanting to do things for the veterans at so much per do. The veterans will pay these bills. The generation of which they are a part will pay these bills.

Yes. What are these veterans entitled to? This brings us to that which is of first importance. They are entitled to return to a democratic system of government. That is what they are entitled to. They gave their blood on a hundred battlefields for the privilege of being free.

You hear a lot of these fellows talk here. You would imagine when they came up to the Congress here that all the wisdom and patriotism left their respective States and that nobody down there is interested in the veteran or in helping anybody get a job. That is a disease which afflicts a lot of people who come up here to Washington. Wait until this overload of Federal power is turned loose, wait until this outfit turns loose its power and you will wait until doomsday. They are not going to be voluntarily surrendered. It is as clear as can be. They know they cannot beat this proposition now, these people who want to perpetuate themselves in office, and those who want governmental powers concentrated here, where it can be controlled and used easier than if distributed among the States; so they want to extend the time those who do not believe in the States until the States by reason of failure to exercise their governmental powers will become weaker, weaker, and weaker; then they will be able to point to the results of that policy and say that the States cannot do the job. I do not say that is true of the author of this bill. I say it is true of a lot of people in this country. But regardless of motive or purpose the result will be the same. That is what makes this important legislation.

Let me tell you that unless we begin to turn these powers back to the States the time is not too far distant when somebody will stand in the well of this House and say, "They cannot do it," and that will be the sad tragic truth because God Almighty does not let power remain where it is not used. The time has come, the time is here, this is the hour, and this is the place to begin to turn these powers back to the States, and give to these boys when they come back here not this great piled-up confusion of governmental powers, which no type of democratic government can operate, but a real opportunity to be free and self-governing through the machinery of

their States and smaller units of government, leaving to the Federal organization the discharge of Federal duties under laws enacted by the Congress. There is not a person on the floor of the House that can look his constituents in the face and tell them he knows what it is all about up here now. You cannot know what it is all about. The total amount of governmental power concentrated in Washington is beyond human imagination. We have got to get these powers away from here and back into the States if the people are to have a chance to proceed as free people. We know it. There is not a person here that does not know it. What ought we to do about it? What are you going to do about it? Turn it back to them. These boys who are coming back here—these veterans—have been ordered around and ordered around until they are tired of being ordered around. Let them walk into some agency manned by the people where they live. Let it not be said that the people of the States who have given us those noble boys to fight the battles for their country do not have as much interest in their own boys, in helping them to get jobs when they return home, as somebody up here in Washington has. Shame on you! If I represented a constituency like that that would not give the veteran an opportunity, I would surrender my commission.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. GATHINGS].

Mr. GATHINGS. Mr. Chairman, we are today faced with the issue of whether the several States would be permitted to continue to handle their employment problems in the same manner as these functions were carried on by the States, prior to the war, or the enactment of the committee bill, which would set up permanent legislation in which the Secretary of Labor and the Federal Government would maintain absolute control and domination over all phases of employment practices. That is the issue which this House is considering—States' rights or Federal supervision over functions which are wholly that of the States.

Nearly every day I receive mail from constituents who plead for the opportunity to carry on their business without Federal interference. They ask the opportunity of operating without the long arm of the Federal Government dictating the policies. Our action on this bill will set the example for other legislation that follows. The vote on this bill is an indication on the way this House thinks on the continuation of wartime policies in peacetime; the building up of an even stronger central Government at the expense of the States and of the people. I mean by expense, not only the great cost in financing these programs, but the loss of individual freedom and initiative. We only ask that we be permitted in the several States to solve our own employment problems. We have not forgotten that our labor has been taken away from the agricultural sections of the country and transplanted in the metropolitan areas, leaving farm houses empty and an inadequate supply of labor to harvest the crops.

Advertisements were run in the local newspapers by the United States Employment Service, and I read one of them:

> Unskilled labor: Work for one of the largest steel companies in Pennsylvania. Transportation paid by employer. Available housing. Forty-eight-hour workweek. Time and one-half after 40 hours. Representative will hire at United States Employment Service. Helena, Ark. September 21, 22, 23.

This was 1944.

There would be no housing shortage in America if the farm labor would return to the homes they left. One-fourth to one-third of the cotton produced in 1945 in Arkansas remains in the field unpicked. What little labor we have in the South available for farm work has stopped working and are drawing allotment checks, unemployment compensation or other Federal benefits. If this Congress ever intends to do something about Government bureaucracy, there is no better time to start then here, now, on this proposal which provides for a director appointed by the Secretary of Labor at a salary of $10,000 per annum, and withholds funds from the States, unless or until certain specific provisions of law and regulations promulgated thereunder are complied with. Why this bill goes so far as giving the Secretary of Labor the power to set all of the standards from Washington and further, "to assure equal referral opportunities for equally qualified applicants and at wages and working conditions which are not less favorable to the individual than those prevailing on similar work in the locality."

If we pass this committee bill, there will be no State employment service operating in the several States since the Secretary of Labor and his director will "call and play the tune."

I trust that the Dirksen substitute will be agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. STEWART].

Mr. STEWART. Mr. Chairman, as I understand H. R. 4437, it is a bill that makes labor laws by labor union directives. The directives will be made by a branch of government that in my opinion employs no one in an administrative or an executive capacity who is not in complete sympathy with organized labor unions and all their demands. It so happens that I am one of the Members of Congress who was elected by the great majority group of the people of America. I belong to that group of over 100,000,000 who are unorganized. My heart and sympathy go out for the minority, but I am getting just a little tired of one minority group, the organized labor, running my majority group. When it reaches the point that organized labor tells us farmers and small town fellows what we must do by a directive of a department where the majority are union members or union sympathizers, then it is time that those of us who really do represent the great majority speak up for the majority. I can appreciate that a few loud-mouthed fellows who shake down the poor rank and file of organized labor gather money and go into my district and your district and try to tell the voters who to elect, but I want to let you in on a little secret. Labor leaders and racketeers are the easiest bunch to whip in a political fight that I have ever known. The way to fight them is not by pussyfooting around, but to jump them up. Go to their stronghold. Do not use a straw man, but use the real "McCoy" there in his own community. They cannot take it. I have been giving it to them for years and I never let them sleep a peaceful night when they show the first sign of opposition. The great majority who pay the bill for strikes and labor disputes are going to assert themselves if we don't do our duty. The adoption of the Dirksen amendment is surely a stroke in the right direction and I am in favor and shall support this amendment.

This is what we run into with the USES: They are a clearance house for the unions. In connection with a Government project, American citizens needing labor would go to the USES. These labor agitators would be around. These citizens would be told, "We cannot use you. You are not a union member." These offices would aid the union agitators and racketeers to organize Government projects and compel honorable American citizens, who have made this country, to pay tribute, putting a veil over the face of the involuntary members of the union against their own conscience and convictions. We have just about reached the time when these people can throw off these false colors they have been forced to wear and be made free if we do our duty and pass a law just to all the people and not just for labor organizations and big business.

I predict this: That the young returning veterans in Oklahoma are going to have a voice in the Government and they are going to demand fair treatment and not a monopoly by the labor unions. They do not like this stuff. There are many other things that I might mention which are not pertinent to this amendment to this bill, which they do not like. The ex-servicemen are not so sold on certain people running this Government and are not going to be run into a hole of seclusion. They are interested in public officers who have the interest of the people at heart, and, more especially, in restoring States' rights and not having to come to Washington for a penny's worth of merchandise or service and putting it up to a bunch of Federal employees who belong to a labor organization to deny or prolong action.

With all the raises in salary which the Congress has given Federal employees, many of them believe that the labor unions did it and joined the unions for that reason only. The entire membership of Congress is being sold down the river by labor tactics and a great many Federal employees give full credit to the labor organizations when, in truth and in fact, you know as well as I know their advocacy would have prevented these gains. I am not too certain but what the greedy labor organizations have slowed down many justified raises due underpaid employees of the Federal Government, and the sooner the lobbyists are taken off the pay roll of the Federal

employees' union the sooner their just salary adjustments will receive favorable consideration.

The CHAIRMAN. The time of the gentleman from Oklahoma [Mr. STEWART] has expired.

The CHAIRMAN. The gentleman from California [Mr. DOYLE] is recognized.

Mr. DOYLE. Mr. Chairman, evidently different parts of the country have different experiences. The other day I inserted with my brief words eight reasons why this service should stay in Federal jurisdiction as requested by President Truman. So I will not here repeat them. Before I refer to the record and call your attention to what the evidence really is in this case, I want to say that about 95 percent of the communications I have received from southern California are to the effect that this service should be continued in accordance with the request of President Truman.

The people of southern California who have advised me have emphatically expressed their belief in our President in his request that it be continued until next year, as requested by the committee bill.

Calling your attention to page 41 of the committee hearings, I want to read what the evidence of General Bradley really is. This testimony by General Bradley has not yet been read; and if any one person is charged with having more responsibility to the veteran than he, who is it? Responding to the question from the gentleman from Connecticut [Mr. GEELAN], a member of the committee, I quote from page 41:

General BRADLEY. I think that would be a safe statement. As far as we are concerned, it would be much better off to keep it federally, at least until we are over this great mass of placements. Whether it should be transferred beyond that, I should think would be for someone to determine whether or not it can be transferred when business is less, and still have an efficiently run organization.

Certainly, right now we feel that it is very vital to the veterans to keep it under the present system and not subject to such a great change.

Then I call your attention to page 158 of the same hearings, to the reports of a survey of 1,125 employers in the States of Missouri and Kentucky, which was recently made. I am frank to say that I was quite surprised that in the field of employers itself, the survey shows in those States, Kentucky and Missouri, these significant facts; 1,125 employers were asked, in writing, this question:

Do you feel that President Truman's program for the Employment Service which includes Federal operation until June 30, 1947, is best for workers, employers, and the Nation in general?

In Kentucky the answers were: 557 yes; 39 no.

In the State of Missouri: 359 yes, 72 no.

Then this question was asked: Do you plan to use the employment service, whether State or federally operated, in your hiring program of the future? From Missouri 437 answered "yes"; 22 answered "no."

Question 4. Are you, at the present time, using the facilities of the USES in your hiring program?

From Kentucky came 475 answering "yes," 81 answering "no"; from the State of Missouri 475 yes, 36 no.

Word I have indicates my district in California feels about the same and would vote "yes" also.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. DOYLE. I shall be pleased to yield to the gentleman.

Mr. SHORT. I know the gentleman from California is in dead earnest, and I appreciate that fact.

Mr. DOYLE. I thank the gentleman.

Mr. SHORT. Since he has quoted from Missouri, all our ne'er-do-wells from Missouri and Oklahoma, all the "Okies" from Missouri, Oklahoma, and Kansas have gone out to California. For God's sake! Do not judge the Nation by what they represent.

Mr. DOYLE. Of course, if the gentleman please, I am reading written testimony from employers still in the States of Kentucky and Missouri who have not gone to California.

Mr. SHORT. Yes; they are the scum who have gone out there—and I know that does not help me politically, but I will say it. I want it in the RECORD. They are out in California to get ham and eggs.

Mr. DOYLE. Now, if the gentleman please, I know we have the best ham and the best eggs in the country in California. I admire their good judgment in going to my native State, but I am calling the gentleman's attention to the fact that the testimony I am reading is the considered opinion of the employing group still in the States of Missouri and Kentucky; those who have not yet moved to California.

Mr. Chairman, it seems to me clearly on the basis of the testimony in the record, if you leave patronage politics out of it, if you just rely on the evidence, the impartial, nonpolitical evidence, in the written record, then it is a fact that we ought to leave it in the hands of the Federal Government in accordance with the President's request. On the basis of what is in the interests of the veterans I am willing to make a move in the direction of favoring the veterans' interests in employment. The record is clear that those who are in best position to know, to wit, the Veterans' Administration, agrees with our President.

Furthermore, our President naturally has a Nation-wide view of the needs in the premises. I will uphold the hands of the President. The period of reconversion is not yet over, and human reconversion is more difficult than is property reconversion. It is full of greater and more costly hazards, too. This bill involves reconversion and readjustment of human kind. I shall vote to support the President.

The CHAIRMAN. The time of the gentleman from California has expired.

The gentleman from Indiana [Mr. LUDLOW] is recognized for 5 minutes.

Mr. LUDLOW. Mr. Chairman, is it permissible for me to yield my time to the chairman of the committee?

The CHAIRMAN. It can be done only by unanimous consent.

Mr. LUDLOW. Mr. Chairman, I ask unanimous consent that the time allotted to me may be used by the gentleman from West Virginia [Mr. RANDOLPH].

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. The gentleman from Kentucky [Mr. ROBSION] is recognized.

Mr. ROBSION of Kentucky. Mr. Chairman, H. R. 4437, up for consideration, provides for the return of public employment offices to State operation June 30, 1947, and to amend the act of Congress approved June 6, 1933, known as the Wagner-Peyser Act.

This bill is one of the so-called must bills of President Truman. There has been submitted for our consideration a substitute bill which would return public employment offices to State operation without limitations, as provided in H. R. 4437.

HIGH MORAL OBLIGATION

The State of Kentucky and the other 47 States of the Union had set up employment offices and unemployment compensation offices. We declared war on December 8, 1941. On December 19, 1941, former President Roosevelt addressed a communication to the governors of the several States in which he requested that the employment offices of the several States be turned over, with records, personnel, etc., to the Federal Government as a war measure, to aid in the winning of the war, with the assurance that at the end of hostilities the employment services, records, etc. would be returned to the respective States.

Many of the governors were advised by their attorney general that they had no authority under the laws of their respective States to turn over these State agencies, with their records, to the Federal Government. But in order to show a cooperative spirit the governors of 47 of the 48 States complied with President Roosevelt's request and within 12 days these State employment agencies, personnel, and records, of 47 out of the 48 States, had been turned over to the Federal Government.

But let us bear in mind that it was distinctly understood that at the end of hostilities these agencies, with their records, should be returned to the States. Hostilities ceased in Europe more than 10 months ago and in the Pacific more than 5 months ago. Yet the Federal Government has resisted the transfer of these agencies to the States and has failed and refused to carry out the pledge of President Roosevelt and the Federal Government to do this very thing.

In December 1945 Congress completed legislative action on the proposal to return these agencies and their records to the States in 100 days. But while Congress was in adjournment the President vetoed this measure. Now the President urges that Congress give him the power to hold on to the employment agencies of the several States until June 30, 1947, and for such power as virtually federalizes these State employment agencies and sets up the Secretary of Labor as a dictator, in effect, over these State agencies.

I have never observed a more wanton and willful disregard of the solemn pledge of the Federal Government than in this particular instance. The Federal Government borrowed these agencies, personnel and records, and the Federal Government is honor-bound to return them with their records in substantially the same form in which they were borrowed by the Federal Government. This great Government of ours should set the example in carrying out its solemn pledges. President Truman's bill would circumvent and really prevent the fulfillment of this pledge.

The State of Kentucky has requested time and again that this agency with its functions be returned to the State. I feel honor-bound to support the bill which will carry out and fulfill the pledge of former President Roosevelt and the Federal Government.

FEDERAL BUREAUCRACY VERSUS STATES' RIGHTS

From day to day we hear Members of Congress—Democrats and Republicans—denouncing the constant growth of the powerful Federal bureaucracy and the centralization of our Government here in Washington. Shortly before we entered World War II we had approximately 580,000 civil officeholders here and abroad. Today we have more than 3,000,000 in the United States of America and between seven and eight hundred thousand in foreign countries, costing the American people approximately eight billions annually. That represents an annual average of more than $50 in taxes on every man, woman, and child in America, and about $225 on the average for each family. That gives us some idea of the tremendous cost of maintaining this powerful centralized bureaucracy.

Through acts passed by the Roosevelt and Truman administrations and through regulations, directives, and rules issued by this powerful bureaucracy, the Federal Government has projected itself into practically every activity of the American people. They must appeal to Washington constantly in every effort they desire to make in carrying on their activities in the home, on the farm, in industry, and commerce. Their constitutional rights and liberties are being invaded every day by one or more of these bureaucracies, their regulations, directives, and rules.

When the representatives of the American people wrote our Constitution, which was later on ratified by the people of the several States, looking to the future they were anxious to protect the rights of the States and the people of the States to carry on their own affairs without hindrance by a powerful Federal Government that might be developed. They limited the Federal Government to such powers as are expressly given to it in the Constitution. They desired a strong Federal Government for certain limited purposes expressly stated in the Constitution. However, they were extremely anxious that the rights of the States and the citizens in the States should be free from the dominant control of the Federal Government.

Employment is a matter for the States. Unemployment compensation is a matter to be determined by the people of the several States for their respective States, and under the Federal Constitution as well as acts of Congress, Kentucky, and other States did set up and have maintained for years an agency serving the people of the respective States in the matter of employment and unemployment compensation. I am unwilling to take away from the people of Kentucky and the other States the right and the power to conduct their own local affairs on these matters, and I am opposed to an increase in the powers and in the personnel of this great centralized bureaucracy here in Washington.

WHO PAYS FOR THESE SERVICES?

It has been ably pointed out in this debate that the Federal Government does not pay one cent to maintain the employment service or the unemployment compensation service. These are paid from pay-roll taxes of 3 percent levied on the pay roll of the employers of labor. Three-tenths of 1 percent of this pay-roll tax is used to take care of overhead charges of these agencies and the other 2.7 percent is reserved to take care of unemployment compensation. These pay-roll taxes have taken care of all the expenses of unemployment and other compensation and the Federal Government has a reserve that it holds for the several States for these purposes amounting to more than seven billion.

It can be seen at once that the Federal Government does not pay out one cent of tax money of the people generally. And from these pay-roll taxes paid by industry it has a large profit balance.

THE STATES CAN DO THE JOB

The States did do the job for several years by the services of the people of the States. President Roosevelt thought so much of their ability to do a good job that he requested that the State agencies with their personnel and records be transferred to the Federal Government lock, stock, and barrel. I assume that many of the persons who were taken over with this transfer are still connected with it and there is no good reason why they should not qualify to continue in the services of their several States. How could those in charge of those services here in Washington know more about employment and unemployment compensation than the people in the States? How could they be more familiar with the needs or more sympathetic in looking after the unemployed and in finding jobs for the people of the respective States than the people of the States?

The President and the backers of his bill assume that the people of the several States are not competent to take care of their own affairs. There is a studied purpose and plan, and there has been for a number of years, to destroy representative government, to take away the rights of the people of the States and to assume that those connected with this powerful bureaucracy here are in some strange manner wiser upon State affairs and more deeply interested in the people of the States than the people of the States are themselves.

Reference has been made to finding employment for veterans. Kentucky and all the other States have a special State set-up to help the veterans. This was set up at the instance of the veterans' organizations themselves, and there are many other State-wide, city, county, and community organizations to look after employment and other matters that are helpful to our defenders. How could some high and mighty bureaucrat here in Washington know more about the needs of our veterans or be more sympathetic toward our veterans than the employment agencies and other organizations set up in each State and in the cities, towns, and counties of the several States? These organizations in the States are carried on perhaps by a majority of the veterans, and by the fathers, mothers, and wives of the veterans. They are bound to have a greater interest and a greater sympathy for these veterans than some bureaucrat here in Washington.

Many of those here in Washington and other parts of the country who have been looking after veterans did not serve in this great war. How could they be so much better qualified to look after the veterans than these organizations in the several States and in the cities and counties and towns of the States?

I have observed that when this powerful bureaucracy wants to increase its power and numbers and further strengthen its stranglehold on the American people and their liberties, they insist that they are doing it all in the name of the veterans.

These veterans have just gone through a great war to bring freedom and liberty to the peoples and to destroy totalitarian and autocratic governments and control. The dictatorships of the totalitarian governments first built up a powerful centralized government. They claimed that the people back in the provinces and communities were not capable of self-government. Shall we follow this same pattern in the United States? The people in the States and in the several communities should be encouraged to carry their own local affairs.

Believing as I do that we should carry out the promise to Kentucky and other States made by former President Roosevelt, that we should preserve the rights of the States and stop the increase of the powerful bureaucracy here and the centralization of government here in Washington, I shall vote against the President's bill and for the substitute bill that proposes that these agencies and personnel shall be returned to the respective States on or before June 30, 1946.

The Government has had these agencies more than 4 years, and if we pass the President's bill giving tremendous powers to the Secretary of Labor over these agencies of the States and continue that control until June 30, 1947, it will mean final federalization of these agencies. Of course this is according to the plan that the New Deal has followed for the last 13 years.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, I offer a perfecting amendment to the bill.

The Clerk read as follows:

Amendment offered by Mr. EBERHARTER as a perfecting amendment: On page 1, line 6,

after the word "on", strike out "June 30, 1947" and insert "December 31, 1946."

Mr. EBERHARTER. Mr. Chairman, as will be observed, this is a compromise amendment. One of the main issues before us this afternoon is when shall the USES be turned back to the States. On the one hand, the bill as reported by the committee fixes the date as June 30, 1947; the substitute measure offered by the gentleman from Illinois [Mr. DIRKSEN] fixes the date as June 30, 1946; whereas my amendment fixes the date as of the end of this year, December 31, 1946, which is just half-way between the two first dates.

Mr. Chairman, I would like to call the attention of the Members present to my thought in connection with this matter. I know there are many members of the committee here this afternoon who are very fearful that it is the ultimate object and the ultimate goal of many groups in this country to have federalization and nationalization of this employment service.

It seems to me that if this committee can agree almost unanimously on a date for turning back the Federal employment services to the States, then we will decide that issue once and for all; in other words, if my amendment is adopted by agreement or overwhelmingly by a vote, it will serve notice directly to those groups and others that Congress overwhelmingly voted to return these services back to the States, and then the issue would be settled.

In my opinion, Mr. Chairman, I think this is a very critical period in the country insofar as employment is concerned. We all know, as the majority leader said, that most soldiers, most veterans, do not immediately seek employment on their discharge. They want to take a little rest. They need a little time for readjustment and during the months of July, August, and September there will be a great many veterans, a great many handicapped persons, a great many wounded veterans, and also a great many who lost war work who will be seeking employment, and just at this important time I do not think it is proper to turn the services back to the States. I think such action would contribute to confusion, and it will cause a good deal of discontent. Why not compromise and make the date December 31, 1946? I do not think the Governors would object to that. I think the Governors fear nationalization. So if this Congress by agreement or by an overwhelming vote fixes the date of December 31, 1946, as between both parties, then any attempt later on at nationalization or federalization would not have a chance, and that issue would be settled altogether.

I hope that both sides of the aisle, the committee members who are advocating the committee bill, and those who are advocating the Dirksen substitute, will agree to this. I hope that the gentleman from Illinois [Mr. DIRKSEN] will not combat this amendment. There are a lot of issues raised between this substitute and the bill as reported by the committee. One of the issues, of course, is the date of return. But if we can resolve that, I think it will be a victory for those who advocate the Dirksen substitute and it will be a victory for the committee both. So, Mr. Chairman, I hope that the acting chairman of the Committee on Labor and Mr. DIRKSEN will indicate before the end of this debate that they will have no objection to the adoption of my amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, the question we are to determine here today is whose government is this. The Members of this Congress by an overwhelming vote, when this measure was before us last fall, voted to turn this Employment Service back to the States. Let us preserve the dual form of our government. In the beginning the Constitution never would have been adopted and this government never would have been set up but for the fact that we set up a dual form of government. To make absolutely certain that it should be such a government after it began to operate we adopted the ninth and tenth amendments reserving to the people and to the States in express terms all powers not granted to the Federal Government. Well, they say that this can only be done by Federal bureaucracy. Where is this service to be performed? In the States. Where are the people who want the jobs? In their own respective States. Where do the veterans go when they return from the armed services? Back to their own homes. Can you think of any Federal bureaucrat in Washington who would be more interested in getting a job for a boy returning from the armed services in my district in Tennessee, than the people of that district?

Here is a matter that I think has been overlooked. The education of these boys was interrupted. They were taken out of high school, they were taken out of college; their studies ceased. Now when they come back the great problem is to put them back in school and to fit them for the duties of life.

One came to me the other day. He was frustrated. He was disappointed. He had been trying to get a job as a clerk but nobody wanted a clerk. He told me that he had been offered a job at the great project down there where the atom bomb was made but he did not know how to operate technical machinery. He had been offered jobs in other establishments where technical knowledge was required. I said to him, "My boy, how old are you?" He said, "22." I said, "Have you had any training in the university?" "Yes, 2 years." "Why don't you go back to the university and equip yourself for a real job where your services will be in demand?" He said, "That is what my father said." I said, "Well, don't you believe your father was right?" He said, "I have about concluded that he was."

Down there today on the campus of the University of Tennessee there is a great electrical school where they have fine men to teach the boys the mechanical arts and all the things that fit them for productive employment and remunerative employment. We have put up trailers, temporary buildings, and we are proposing to build a great dormitory there.

Is there anybody in the world who knows a boy's possibilities better than the people among whom he grows up? Is there anybody in the world who has more sympathy for him and who can do more for him? We cannot leave these boys to the tender mercies of a Federal bureaucracy, the chief purpose of which is to perpetuate itself in office.

I hold here in my hand a letter sent out by the Federal employees who are interested in perpetuating this bureaucracy. They say, "Yours for federalization. We want to keep it." One of the characteristics of this age is to further extend the power of the Government, and another characteristic of it is that when they once get the power they never want to give it up.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield to the gentleman from Illinois.

Mr. DIRKSEN. Is that not the best reason why the Eberharter amendment ought to be voted down?

Mr. JENNINGS. Absolutely. When this was up before they wanted us to carry it to June 30. Now they are like a condemned man, they want an extension of time and a postponement of execution until the 31st of December of this year. Let us show them the way out, and the people all over the country will rejoice to see them go.

The CHAIRMAN. The Chair recognizes the gentleman from Nebraska [Mr. BUFFETT].

Mr. BUFFETT. Mr. Chairman, considerable enthusiastic comment about the job USES has been made, so I think some factual material on that subject might be interesting. First, let me quote from a high administration authority on the employment situation:

> Under prevailing conditions manpower and materials are not generally available to industry in anything like the required quantities. This is particularly true of manpower. It seems that this situation may continue for some time.

Manpower and materials are not available. Who said that? Chester Bowles, Chief of the OPA, in his answer to my request for an orderly plan for the ending of the OPA.

Now, what does that situation mean? If manpower and materials are not available, why not? Is it because there are not enough workers? On January 12 the total number of claims for unemployment compensation were over 2,115,000. From January 1 to January 25 the Government has paid out $129,000,000 for unemployment compensation claims. Yet there are literally hundreds of thousands of jobs in the country going begging.

Last Sunday the Washington Star carried 11½ full columns of help-wanted ads, excluding domestics. Our most critical domestic problem is soon going to be the shortage of housing. This morning the housing expediter, Mr. Wyatt, told our committee that the No. 1 problem is material.

Go into the States of the Union where building materials are produced—like Alabama, Washington, Oregon, and so forth—and what do you find? About 10 percent of the available workers are now

receiving, or are on the list to receive, unemployment compensation.

Does that look like USES is doing a good job under Federal control? I believe not. This service should go back to the States at the earliest possible moment.

Mr. THOM. Mr. Chairman, will the gentleman yield?

Mr. BUFFETT. I yield.

Mr. THOM. I think it would be interesting in connection with the gentleman's statement that 2,000,000 people are drawing compensation money for unemployment to insert in your speech how many of those are women applicants. In my home county I discovered that 75 percent of the unemployment claims are filed by women. Of course, they cannot take all kinds of jobs. They are not fitted to cut lumber and do other things such as are needed in the building construction industry.

Mr. BUFFETT. I do not have the break-down of claims as to sex. However, in last Sunday's Washington Star there were more columns of help-wanted ads for women than for men, so there would seem to be in Washington at least plenty of appropriate jobs available for women.

Mr. VORYS of Ohio. With reference to the Eberharter amendment, the gentleman will remember that a great President said of specie payment, "The way to resume is to resume." Does not the gentleman agree that the way to return this to the States is to return it, and not to wait a year?

Mr. BUFFETT. The gentleman is correct.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia, the chairman of the committee.

Mr. RANDOLPH. Mr. Chairman, even though I might find it necessary to consume the 15 minutes, I want to take the first minute of that allotted time to say that I have been pleased to observe during 2 days of debate on a rather detailed bill of this type, of such importance to the country, sitting in a front seat a gentleman past 80 years of age, the distinguished Member from North Carolina [Mr. DOUGHTON]. Those of us who are younger, in this House, could well follow the example of a man who at that age, still vigorous in mind and body, attends to his congressional duties as he has in connection with this and other bills.

Now, Mr. Chairman, the debate on the proposed amendment offered as a substitute, by the gentleman from Illinois [Mr. DIRKSEN], is as he has said a part of a discussion which is of vital importance. I am in thorough agreement with that statement. No Member is held in more genuine esteem by myself than the gentleman from Illinois. He is able and gifted in debate. The Nation is fortunate that he is in public service. He takes one viewpoint and I take the other. I am sure that we can accord to both sides of this question sincerity of thought and of uttered purpose. First of all, if the Dirksen bill is to be passed by this Committee and this House, we would upset a going concern and we would therefore require the division of a single unified system of 1,700 offices which now blanket the Nation into 48 independent systems at the very time when veterans and displaced war workers most urgently need job placement and employment counseling service, which is not limited by State boundaries.

For that reason, any Member of this House who is genuinely interested in speeding and assisting the readjustment and reemployment of these veterans into civilian life should, in my opinion, vote against the Dirksen amendment.

Let us see clearly the proposition, for just a moment. Four million displaced war workers—one great segment of individuals with which we must deal, and deal honestly. Then, secondly, we must provide, of course, for a large member of the approximately 15,000,000 returning members of the armed forces of the United States.

The gentleman from Illinois [Mr. DIRKSEN] and other Members who have spoken, make much comment about a certain bureaucracy in this country which desires to continue to federalize all government functions. I certainly would not want to do that. There are others also for this bill who would not support H. R. 4437 if we thought such was the case. Do you believe that General Bradley desires to federalize? I do not think any man would charge him, in carrying out the duties of his office, with being other than interested in the orderly return of these veterans to civilian positions. He is Administrator of the Veterans' Administration, and also is head of the Veterans' Placement Board.

An inquiry this afternoon, by telephone, has brought this letter from General Bradley. I trust the Members will not overlook the language which is used in the communication when they recall what the gentleman from Illinois [Mr. DIRKSEN] and others have said. You are asked to vote down the Eberharter amendment, or any other amendment that would attempt to cover a longer period of time than June 30, 1946. Listen soberly to these words by General Bradley:

> It is estimated that demobilization is now about half accomplished. It is anticipated that demobilization will continue at a rapid rate for more than a year. At the present time members of our armed forces are being discharged at the rate of about 1,000,000 per month. Employment offices are needed to provide veterans with the services the Congress has assured will be given to them.

My colleagues, we promised, as a Congress, to see that these men and women were properly demobilized into civilian life and needed jobs.

I read again from General Bradley:

> It would be most unfortunate in my judgment to disrupt the service of the public employment offices by attempting to accomplish the transfer as of June 30, 1946.

That is not the word of some reputed bureaucrat in Washington. That is not the word of any individual who represents any particular governmental viewpoint or philosophy. It is the word of a man, a gallant general of World War II, that you have charged with demobilizing the armed services back into peacetime life.

General Bradley continues:

> Demobilization will be continuing at a high rate at that date—June 30, 1946. Also, it is readily understood that the transfer cannot be accomplished without at least a temporary impairment in the efficiency of the service. Many veterans have never been previously employed.

Mr. Chairman, we must not forget that statement of General Bradley's. He further declares:

> These veterans and others will need repeated assistance and counseling from the Employment Service. To disrupt the Employment Service in the midst of demobilization and in the midst of the adjustment period of veterans would be highly detrimental.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I dislike not to yield. My time is very limited.

Mr. VURSELL. I think I am entitled to ask the gentleman a question.

Mr. RANDOLPH. I want to be courteous. If the gentleman will ask his question quickly, I shall be glad to answer.

Mr. VURSELL. I understood the gentleman to say we are dealing in the replacement of 15,000,000 veterans. Does the gentleman mean that literally? Does the gentleman mean that the entire 15,000,000 will come before these offices? In other places in your remarks you said we would have no interstate service if the Federal employment was not continued. Is it not a fact that the States, long before it was taken over, worked from one State to the other?

Mr. RANDOLPH. I should say to my friend from Illinois that if I indicated we would have to get jobs for 15,000,000 returning veterans, I did not mean to make such a statement. I said we had 15,000,000 veterans who were returning to the United States. I would change the implication if I inadvertently so stated the situation prevailing for millions of veterans.

I also want to say we have had interstate migration of workers, too, during this war. I say we see a service not limited by State boundaries. We have gone beyond interstate migration. We have gone into interarea migration wherein tens of thousands of men were called on by the Federal Government to execute important jobs in the building of vital war materials and of the factories in which they worked. That prevailed all over this country, especially on the west coast.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. MAY. I wish to say to the gentleman on the question of the demobilization of the armed forces that General Eisenhower testified before the House Military Affairs Committee last week that he expected to have them properly demobilized down to the size he wanted the Army by the 30th of June.

Mr. RANDOLPH. The gentleman has heard the letter of General Bradley who is charged with carrying out this veterans' program. Demobilization in the sense that General Eisenhower used the word is certainly not the demobilization that faces General Bradley in connection with these veterans returning to work in civilian life. Would not the gentleman agree?

Mr. MAY. No; I do not agree to that. General Eisenhower, or the Army, is

doing the demobilizing, and General Bradley is placing the veterans in jobs.

Mr. RANDOLPH. But General Bradley said that demobilization will continue at a high rate on June 30, 1946. I just read that this afternoon in a letter to our colleague, the gentleman from Indiana [Mr. LUDLOW].

I yield to the distinguished majority leader.

Mr. McCORMACK. Certainly after a man is discharged from service he does not go right back to work; there is a lag in between.

Mr. RANDOLPH. The gentleman appropriately repeats what he said very effectively earlier this afternoon.

Mr. PRIEST. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the good legislator, the gentleman from Tennessee.

Mr. PRIEST. The gentleman from West Virginia has studied this matter very carefully. I wonder if he would care to express himself with respect to the Eberharter amendment which would set the date December 31, 1946?

Mr. RANDOLPH. Yes; I intend to do that before finishing.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to my friend.

Mr. HOLIFIELD. On the point of demobilization, it is true the Army would be demobilized in June down to a certain point, but discharges will continue every month as new inductees are drawn into the Army and the ones serving long periods of time are released. That will be continuous for months thereafter.

Mr. RANDOLPH. The gentleman is correct.

Mr. Chairman, when I yielded to the gentleman from Kentucky naturally I wanted to yield to all other Members who had requested me to yield, but as time is drawing short I now ask that I be permitted to proceed without interruption in the additional 5 minutes transferred to me by the gentleman from Indiana [Mr. LUDLOW].

There are loopholes to bear in mind in connection with the Dirksen bill. I ask this House to uphold us in not discontinuing this program as of June 30, 1946, in view of the explicit challenge and the warning contained in the letter of Gen. Omar Bradley.

I personally will support the amendment offered by the gentleman from Pennsylvania [Mr. EBERHARTER] fixing the date of December 31, 1946, although that may be too close a working schedule for the problem at hand.

Now to continue with the Dirksen bill. In title III of that measure we find provision for the transfer to State employment of the employees now in those offices. That means that a very substantial number of the needed Federal employees would leave the service. A wholesale turn-over in the personnel means the loss of trained and experienced workers who must be replaced by new, untrained, and inexperienced workers. In the interest of an orderly demobilization a wholesale turn-over would mean that we would be doing away with a going, efficient concern. In fact, the Dirksen bill will not transfer the offices to State operation on the same basis as these offices were operated before the so-called federalization. It has been said that we turn them back exactly as they were. That is not true. In truth, the gentleman from Illinois would transfer the offices to State operation under a much weaker basis for protecting the necessary services and the minimum efficiency.

I say flatly and without qualification that the statements made on this floor about Federal domination under the provisions of H. R. 4437 are gross distortions and misstatements of fact. On what are they based? The so-called recapture clause? Are they based on the provision for maintaining special services? Such programs have always been a part of employment-service operations. They are programs for placing handicapped workers, for assisting veterans, for servicing employers and industries such as canneries and maritime employers, whose worker requirements cannot be met by normal recruitment methods. Such programs are spelled out in H. R. 4437 because developments from the war period, and the special provisions of the Servicemen's Readjustment Act, render them more necessary than ever. Are the charges of Federal domination based on the provision for cooperation by the States in activities necessary to carry out national obligations under the act? As I indicated in my statement yesterday, H. R. 4437 provides for Federal-State cooperation in the maintenance of a national public employment service program. Under that program the States have certain direct obligations and the Federal Government has certain direct obligations. The program contemplates that they will help each other. Is it now urged that the cooperation should all run in one direction? Under this legislation the National Government has very important direct obligations. The Congress has made amply clear its mandate to the United States Employment Service and the Veterans' Placement Service Board to maintain, through the local public employment offices, a veterans' placement service and an effective job counseling service. When the local offices are operated by the States, how can that congressional mandate be carried out, except by the cooperation of the States in activities necessary for its execution? Similarly, under this legislation, the National Government is required to maintain a system for clearing labor between the States. The States themselves have approved of and pointed to that provision as a basis for the immediate transfer of the offices to the States. How can that system be maintained if, when the offices are operated by the States, a State is not obligated to participate in carrying out that system? If the States approve of the maintenance of such a system, why should they object to a provision which will enable the National Government to make it work?

Are the charges of Federal domination based on the provision for reasonable referral standards? Those who make the charge say that it is contrary to the state unemployment compensation laws. They have not pointed to a single provision in a State law, or a single decision by a State agency or State court, that is inconsistent. I challenge them to produce such a State decision or provision in a State law.

Because the Dirksen bill would return the employment offices to State operation, not on the same basis as those offices were operated by the States before their federalization, but in fact, on a much weaker basis, we should not support the amendment.

And fourth. The Dirksen substitute does not guarantee the continued availability of public employment office services. It omits the so-called recapture clause. Without that clause, we cannot and will not have an adequate employment service system. On that subject, I again repeat what I said in my opening statement on the Ramspeck bill, H. R. 4437: The recapture clause relates solely to authority, in the Federal Government, to operate an employment service in a State only in two very specific cases. Those cases are: first, if the State itself fails or refuses to maintain any system of public employment office. If that never happens, the clause will not become operative. And second, if, and only for so long as, a State is ineligible for funds under other provisions of the act.

In the second type of case, the authority to withhold funds, for substantially the same reasons provided in H. R. 4437 is now in section 9 of the Wagner-Peyser act and has been in that act since 1933. The States have raised no objection to provisions for the withdrawal of Federal funds in cast a State fails to comply, in substantial respects, with Federal requirements. In fact, they approve of that provision.

What happens, my colleagues, when the Federal Government withdraws its funds? The State offices are closed, because the offices are financed entirely from Federal funds and the States will not have appropriated moneys for these offices. That means, Mr. Chairman, that veterans, workers, and employers in the State will be penalized for the failures of the State officials or State governments. That also means that the Federal Government will not be able to carry out the provision of the GI bill of rights, for providing the maximum of job opportunities for veterans in that State.

Why should the State officials not object to a requirement for the withdrawal of Federal funds for these offices, but vociferously protest an authorization to use funds so withdrawn, to operate the offices until the State resumes their operation? Because the State officials know that without the authorization to maintain the offices the Federal Government must in effect choose between a public employment service which substantially fails to meet Federal standards and no public employment service at all. Because the State officials know that under such circumstances the pressures from workers, veterans, unemployment-benefit claimants, and other citizens will be so tremendous that the Federal Government will in fact not withdraw its funds. I submit that question, and not the opposition we have heard on the floor of this House and elsewhere, is the real reason

for the vigorous opposition to the recapture clause.

Both bills provide 100 percent financing of the State offices. Remember that fact. Before the so-called federalization the State offices were largely financed by Federal funds under title III of the Social Security Act.

The Dirksen measure copies the provisions of title III of the Social Security Act for the 100 percent Federal financing of these offices, but, get this, the gentleman fails to copy and include the other provisions from title III of the Social Security Act which safeguarded necessary services and minimum efficiency and which applied to the States' operation of the offices before federalization. These other provisions are included in the Ramspeck bill, H. R. 4437. It is against some of these very provisions, copied from existing law, that the absurd charges of Federal domination have been leveled.

I close with this observation: I have a very fond affection for the gentleman from Texas [Mr. SUMNERS]. I listened to him very carefully and I follow him many times. Today, however, in the well of this House he spoke about federalization. He decried the delegation of power, yet he would not deny that as chairman of the Judiciary Committee he supported the War Contract Termination Act of 1944. The delegation of authority language contained in that act is contained in H. R. 4437, the measure now pending before you. Let us read that war termination language as advocated by the gentleman from Texas:

DELEGATION OF AUTHORITY

SEC. 23. (a) The Director may delegate any authority and discretion conferred upon him by this act to any Deputy Director, and may delegate such authority and discretion, upon such terms and conditions as he may prescribe, to the head of any Government agency to the extent necessary to the handling and solution of problems peculiar to that agency.

(b) The head of any Government agency may delegate any authority and discretion conferred upon him or his agency by or pursuant to this act to any officer, agent, or employee of such agency or to any other Government agency, and may authorize successive redelegations of such authority and discretion.

Mr. Chairman, we are not being inconsistent by bringing before you a bill of this kind which calls for necessary cooperation and jurisdiction within the Federal Government and within the States. These agencies can cooperate. There is no need for conflict of opinion or service troubles. However, there is a responsibility on the part of the United States Government, and there is an added responsibility on the part of the State governments. They can both work together. This critical period of demobilization and job placement of the veterans must be taken into account.

We can vote for the Eberharter amendment and set the date of December 31, 1946, which will weaken the measure somewhat, but still retain an important period of time. We should defeat the amendment offered by the gentleman from Illinois. We can defeat it if the Members of this House who are sufficiently interested in the successful and practical placement of the veterans, and the displaced war workers of this Nation, will rise courageously to their obligations at this moment. Remember, my colleagues, that it is even more important to see that no dead-end street exists for returning veterans and displaced war workers than it is to preach about certain rights. I believe we need, in this instance, to think not only of a bill of rights but of a bill of duties.

The CHAIRMAN. The time of the gentleman from West Virginia has expired. All time has expired.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that the Eberharter amendment may be read again.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk again reported the Eberharter amendment.

Mr. DIRKSEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DIRKSEN. Mr. Chairman, would the Eberharter amendment be an amendment to the Ramspeck bill or an amendment to the substitute?

The CHAIRMAN. It is an amendment to the bill H. R. 4437.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. EBERHARTER].

The question was taken; and on a division (demanded by Mr. EBERHARTER) there were—ayes 102, noes 146.

Mr. RANDOLPH. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. EBERHARTER and Mr. DIRKSEN.

The Committee again divided; and the tellers reported that there were—ayes 116, noes 194.

So the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and on a division (demanded by Mr. RANDOLPH) there were—ayes 190, noes 99.

So the amendment was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 4437) to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes, pursuant to House Resolution 494, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

Mr. RANDOLPH. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. RANDOLPH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANDOLPH. In view of the question asked by Members, this vote is on the Dirksen amendment. Is that correct?

The SPEAKER. The so-called Dirksen amendment; the amendment adopted in the Committee of the Whole.

The question was taken; and there were—yeas 254, nays 125, not voting, 49, as follows:

[Roll No. 11]

YEAS—254

Abernethy	Fulton	Martin, Iowa
Adams	Gamble	Martin, Mass.
Allen, Ill.	Gary	Mason
Allen, La.	Gathings	May
Andersen, H. Carl	Gavin	Merrow
	Gearhart	Michener
Anderson, Calif.	Gerlach	Miller, Nebr.
Andresen, August H.	Gibson	Mills
	Gifford	Mundt
Andrews, Ala.	Gillespie	Murray, Tenn.
Andrews, N. Y.	Gillette	Murray, Wis.
Angell	Gillie	Norblad
Arends	Goodwin	Norrell
Arnold	Gossett	O'Hara
Auchincloss	Graham	O'Konski
Barrett, Wyo.	Grant, Ala.	Pace
Beall	Grant, Ind.	Peterson, Fla.
Bell	Griffiths	Peterson, Ga.
Bender	Gross	Philbin
Bennet, N. Y.	Gwinn, N. Y.	Phillips
Bennett, Mo.	Gwynne, Iowa.	Pickett
Bishop	Hagen	Pittenger
Blackney	Hale	Ploeser
Bland	Hall, Edwin Arthur	Price, Fla.
Bolton		Rains
Bonner	Hall, Leonard W.	Ramey
Boren		Rankin
Boykin	Halleck	Reece, Tenn.
Bradley, Mich.	Hancock	Richards
Brehm	Hare	Riley
Brown, Ga.	Harness, Ind.	Roberston, N. Dak.
Brown, Ohio	Harris	
Brumbaugh	Hartley	Robertson, Va.
Bryson	Hébert	Robsion, Ky.
Buck	Hedrick	Rockwell
Buffett	Hendricks	Rodgers, Pa.
Bulwinkle	Henry	Roe, Md.
Burch	Heselton	Rogers, Fla.
Burgin	Hess	Rogers, Mass.
Butler	Hinshaw	Russell
Byrnes, Wis.	Hobbs	Sasscer
Camp	Hoeven	Schwabe, Mo.
Campbell	Hoffman	Schwabe, Okla.
Case, N. J.	Holmes, Mass.	Shafer
Case, S. Dak.	Holmes, Wash.	Sharp
Chenoweth	Horan	Sikes
Chiperfield	Howell	Simpson, Ill.
Church	Huber	Simpson, Pa.
Clark	Hull	Slaughter
Clason	Jarman	Smith, Ohio
Clevenger	Jenkins	Smith, Va.
Clippinger	Jennings	Smith, Wis.
Cole, Mo.	Jensen	Springer
Cole, N. Y.	Johnson, Calif.	Stefan
Colmer	Johnson, Ind.	Stevenson
Cooper	Jones	Stewart
Corbett	Jonkman	Stockman
Courtney	Judd	Sumner, Ill.
Cox	Kean	Sumners, Tex.
Cravens	Kearney	Taber
Crawford	Keefe	Talbot
Cunningham	Kerr	Talle
Curtis	Kilburn	Tarver
D'Alesandro	Kilday	Taylor
Daughton, Va.	Kinzer	Thomas, N. J.
Davis	Kirwan	Tibbott
D'Ewart	Knutson	Vinson
Dirksen	Kunkel	Vorys, Ohio
Dolliver	Landis	Vursell
Domengeaux	Lanham	Wadsworth
Dondero	Latham	Wasielewski
Doughton, N. C.	LeCompte	Weaver
Drewry	LeFevre	Welchel
Durham	Lemke	West
Dworshak	Lewis	Whitten
Earthman	Luce	Whittington
Eaton	Lyle	Wigglesworth
Elliott	McConnell	Wilson
Ellis	McCowen	Winstead
Ellsworth	McDonough	Winter
Elsaesser	McGehee	Wolcott
Elston	McGregor	Wolfenden, Pa.
Fallon	McKenzie	Wolverton, N. J.
Fellows	McMillen, Ill.	Wood
Fenton	Maloney	Woodruff
Fernandez	Manasco	
Fuller	Mansfield, Tex.	

NAYS—125

Bailey	Gregory	Outland
Baldwin, N. Y.	Harless, Ariz.	Patman
Barrett, Pa.	Hart	Patrick
Barry	Havenner	Patterson
Bates, Ky.	Hays	Pfeifer
Biemiller	Heffernan	Powell
Bradley, Pa.	Hoch	Price, Ill.
Buckley	Holifield	Priest
Bunker	Hook	Quinn, N. Y.
Byrne, N. Y.	Jackson	Rabaut
Cannon, Mo.	Johnson,	Rabin
Carnahan	Luther A.	Randolph
Celler	Johnson, Okla.	Rayfiel
Chelf	Kee	Resa
Clements	Kefauver	Rogers, N. Y.
Cochran	Kelley, Pa.	Rooney
Coffee	Kelly, Ill.	Rowan
Combs	Keogh	Ryter
Dawson	King	Sabath
De Lacy	Kopplemann	Sadowski
Delaney,	Lane	Savage
James J.	Lea	Sheppard
Delaney,	Lesinski	Smith, Maine
John J.	Link	Snyder
Douglas, Calif.	Ludlow	Somers, N. Y.
Douglas, Ill.	Lynch	Sparkman
Doyle	McCormack	Spence
Eberharter	McGlinchey	Starkey
Engle, Calif.	McMillan, S. C.	Stigler
Feighan	Madden	Sullivan
Flannagan	Mahon	Thom
Flood	Mansfield,	Thomas, Tex.
Folger	Mont.	Thomason
Forand	Marcantonio	Tolan
Gallagher	Miller, Calif.	Torrens
Gardner	Monroney	Traynor
Geelan	Morgan	Trimble
Gordon	Murdock	Voorhis, Calif.
Gore	Murphy	Walter
Gorski	Neely	Welch
Granahan	O'Brien, Ill.	Woodhouse
Granger	O'Neal	Worley
Green	O'Toole	Zimmerman

NOT VOTING—49

Baldwin, Md.	Fogarty	Poage
Barden	Hand	Reed, Ill.
Bates, Mass.	Healy	Reed, N. Y.
Beckworth	Herter	Rees, Kans.
Bloom	Hill	Rich
Brooks	Hope	Rivers
Canfield	Izac	Rizley
Cannon, Fla.	Johnson, Ill.	Robinson, Utah
Carlson	Johnson,	Roe, N. Y.
Chapman	Lyndon B.	Scrivner
Cole, Kans.	LaFollette	Sheridan
Cooley	Larcade	Short
Crosser	Mathews	Sundstrom
Curley	Morrison	Towe
Dingell	Norton	White
Engel, Mich.	O'Brien, Mich.	Wickersham
Fisher	Plumley	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Rees of Kansas for, with Mr. Izac against.

Mr. Scrivner for, with Mr. Wickersham against.

Mr. Herter for, with Mr. Baldwin of Maryland against.

Mr. Reed of Illinois for, with Mrs. Norton against.

Mr. Towe for, with Mr. Healy against.

Mr. Plumley for, with Mr. Sheridan against.

Mr. Hope for, with Mr. Lyndon B. Johnson against.

Mr. Short for, with Mr. Morrison against.

General pairs until further notice:

Mr. Rivers with Mr. Johnson of Illinois.

Mr. Roe of New York with Mr. Rizley.

Mr. Crosser with Mr. Canfield.

Mr. Robinson of Utah with Mr. Reed of New York.

Mr. Bloom with Mr. Carlson.

Mr. Larcade with Mr. Engel of Michigan.

Mr. Dingell with Mr. Cole of Kansas.

Mr. Cooley with Mr. Sundstrom.

Mr. HUBER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. RANDOLPH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 263, nays 113, not voting 52, as follows:

[Roll No. 12]

YEAS—263

Abernethy	Fenton	Lemke
Adams	Fernandez	Lewis
Allen, Ill.	Fuller	Luce
Allen, La.	Fulton	Lyle
Andersen,	Gamble	McConnell
H. Carl	Gardner	McCowen
Anderson, Calif.	Gary	McDonough
Andresen,	Gathings	McGehee
August H.	Gavin	McGregor
Andrews, Ala.	Gearhart	McKenzie
Andrews, N. Y.	Gerlach	McMillan, S. C.
Angell	Gibson	McMillen, Ill.
Arends	Gifford	Mahon
Arnold	Gillespie	Maloney
Auchincloss	Gillette	Manasco
Barrett, Wyo.	Gillie	Mansfield, Tex.
Bell	Goodwin	Martin, Iowa
Bender	Gossett	Martin, Mass.
Bennet, N. Y.	Graham	Mason
Bennett, Mo.	Granger	May
Bishop	Grant, Ala.	Merrow
Blackney	Grant, Ind.	Michener
Bland	Griffiths	Miller, Nebr.
Bolton	Gross	Mills
Bonner	Gwinn, N. Y.	Mundt
Boren	Gwynne, Iowa	Murray, Tenn.
Boykin	Hagen	Murray, Wis.
Bradley, Mich.	Hale	Norblad
Brehm	Hall,	Norrell
Brown, Ga.	Edwin Arthur	O'Hara
Brown, Ohio	Hall,	O'Konski
Brumbaugh	Leonard W.	Pace
Bryson	Halleck	Peterson, Fla.
Buck	Hancock	Peterson, Ga.
Buffett	Hare	Philbin
Bulwinkle	Harness, Ind.	Phillips
Burch	Harris	Pickett
Burgin	Hartley	Pittenger
Butler	Hays	Ploeser
Byrnes, Wis.	Hébert	Price, Fla.
Camp	Hedrick	Rains
Campbell	Hendricks	Ramey
Case, N. J.	Henry	Rankin
Case, S. Dak.	Heselton	Reece, Tenn.
Chenoweth	Hess	Richards
Chiperfield	Hill	Riley
Church	Hinshaw	Robertson,
Clark	Hobbs	N. Dak.
Clason	Hoeven	Robertson, Va.
Clevenger	Hoffman	Robsion, Ky.
Clippinger	Holmes, Mass.	Rockwell
Cole, Mo.	Holmes, Wash.	Rodgers, Pa.
Cole, N. Y.	Horan	Roe, Md.
Colmer	Howell	Rogers, Fla.
Cooper	Huber	Rogers, Mass.
Corbett	Hull	Russell
Courtney	Jarman	Sasscer
Cox	Jenkins	Schwabe, Mo.
Cravens	Jennings	Schwabe, Okla.
Crawford	Jensen	Shafer
Cunningham	Johnson, Calif.	Sharp
Curtis	Johnson, Ind.	Sikes
D'Alesandro	Johnson,	Simpson, Ill.
Daughton, Va.	Luther A.	Simpson, Pa.
Davis	Johnson, Okla.	Slaughter
D'Ewart	Jones	Smith, Ohio
Dirksen	Jonkman	Smith, Va.
Dolliver	Judd	Smith, Wis.
Domengeaux	Kean	Springer
Dondero	Kearney	Starkey
Doughton, N. C.	Keefe	Stefan
Drewry	Kerr	Stevenson
Durham	Kilburn	Stewart
Dworshak	Kilday	Stockman
Earthman	Kinzer	Sumner, Ill.
Eaton	Kirwan	Sumners, Tex.
Elliott	Knutson	Taber
Ellis	Kunkel	Talbot
Ellsworth	Landis	Talle
Elsaesser	Lanham	Tarver
Elston	Latham	Taylor
Fallon	LeCompte	Thomas, N. J.
Fellows	LeFevre	Tibbott
Vinson	West	Wolcott
Vorys, Ohio	Whitten	Wolfenden, Pa.
Vursell	Whittington	Wolverton, N. J.
Wadsworth	Wigglesworth	Wood
Wasielewski	Wilson	Woodruff
Weaver	Winstead	Worley
Welchel	Winter	

NAYS—113

Bailey	Granahan	Patman
Baldwin, N. Y.	Green	Patrick
Barrett, Pa.	Gregory	Patterson
Barry	Harless, Ariz.	Pfeifer
Bates, Ky.	Hart	Powell
Biemiller	Havenner	Price, Ill.
Bradley, Pa.	Heffernan	Priest
Buckley	Hoch	Quinn, N. Y.
Bunker	Holifield	Rabaut
Byrne, N. Y.	Hook	Rabin
Cannon, Mo.	Jackson	Randolph
Carnahan	Kee	Rayfiel
Celler	Kefauver	Resa
Chelf	Kelley, Pa.	Rooney
Clements	Kelly, Ill.	Rowan
Cochran	Keogh	Ryter
Coffee	Kopplemann	Sabath
Combs	Lane	Sadowski
Dawson	Lea	Savage
De Lacy	Lesinski	Sheppard
Delaney,	Link	Smith, Maine
James J.	Ludlow	Snyder
Delaney,	Lynch	Somers, N. Y.
John J.	McCormack	Sparkman
Douglas, Calif.	McGlinchey	Spence
Douglas, Ill.	Madden	Stigler
Doyle	Mansfield,	Sullivan
Eberharter	Mont.	Thom
Engle, Calif.	Marcantonio	Thomas, Tex.
Feighan	Miller, Calif.	Thomason
Flannagan	Monroney	Tolan
Flood	Morgan	Torrens
Folger	Murdock	Trimble
Forand	Murphy	Voorhis, Calif.
Gallagher	Neely	Walter
Geelan	O'Brien, Ill.	Welch
Gordon	O'Neal	Woodhouse
Gore	O'Toole	Zimmerman
Gorski	Outland	

NOT VOTING—52

Baldwin, Md.	Fogarty	Reed, Ill.
Barden	Hand	Reed, N. Y.
Bates, Mass.	Healy	Rees, Kans.
Beall	Herter	Rich
Beckworth	Hope	Rivers
Bloom	Izac	Rizley
Brooks	Johnson, Ill.	Robinson, Utah
Canfield	Johnson,	Roe, N. Y.
Cannon, Fla.	Lyndon B.	Rogers, N. Y.
Carlson	King	Scrivner
Chapman	LaFollette	Sheridan
Cole, Kans.	Larcade	Short
Cooley	Mathews	Sundstrom
Crosser	Morrison	Towe
Curley	Norton	Traynor
Dingell	O'Brien, Mich.	White
Engel, Mich.	Plumley	Wickersham
Fisher	Poage	

So the bill was passed.

The Clerk announced the following pairs:

General pairs:

Mr. Morrison with Mr. Short.

Mr. Lyndon B. Johnson with Mr. Hope.

Mr. Sheridan with Mr. Plumley.

Mr. Healy with Mr. Towe.

Mrs. Norton with Mr. Reed of Illinois.

Mr. Baldwin of Maryland with Mr. Herter.

Mr. Wickersham with Mr. Scrivner.

Mr. Izac with Mr. Rees of Kansas.

Mr. Brooks with Mr. Canfield.

Mr. Rivers with Mr. Johnson of Illinois.

Mr. Roe of New York with Mr. Rizley.

Mr. Robinson of Utah with Mr. Reed of New York.

Mr. Bloom with Mr. Carlson.

Mr. Larcade with Mr. Engel of Michigan.

Mr. Dingell with Mr. Cole of Kansas.

Mr. Cooley with Mr. Sundstrom.

Mr. King with Mr. Beall.

Mr. Chapman with Mr. Rich.

Mr. Poage with Mr. LaFollette.

Mr. Barden with Mr. Hand.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FILING OF PRIVILEGED RESOLUTION

Mr. SABATH. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight to file a privileged resolution making in order consideration of the bill H. R. 5158.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. NEELY. Mr. Speaker, I ask unanimous consent that on Thursday next after disposition of matters on the Speaker's table and at the conclusion of any special orders heretofore entered, I may have permission to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

FILING OF MINORITY REPORT

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent that I may have until midnight tomorrow night to file a minority report on the bill H. R. 5117.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. BRYSON asked and was given permission to extend his remarks in the RECORD.

Mr. MURDOCK asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. HAYS asked and was given permission to extend his remarks in the Appendix of the RECORD on two subjects, in one to include an editorial.

Mr. RABIN asked and was given permission to extend his remarks in the Appendix of the RECORD and include an address made by Jesse Freidin, on the subject "Industrial Disputes."

Mr. ROBSION of Kentucky asked and was given permission to revise and extend the remarks he made in Committee of the Whole today and to include certain excerpts.

Mrs. BOLTON asked and was given permission to extend her own remarks in the RECORD and include report of a very interesting television broadcast in which she took part today.

Mr. BYRNES of Wisconsin asked and was given permission to revise and extend the remarks he made in the Committee of the Whole today and include an editorial.

The SPEAKER. Under previous order of the House the gentleman from Michigan [Mr. HOFFMAN] is recognized for 15 minutes.

UNION OPERATION OF BIG BUSINESS

Mr. HOFFMAN. Mr. Speaker, I notice some of my colleagues of the House are here, the gentleman from Washington [Mr. DE LACY], the gentleman from New York [Mr. MARCANTONIO], the gentleman from California [Mr. PATTERSON], the gentleman from Michigan [Mr. LESINSKI], and the gentleman from Michigan [Mr. HOOK]. I wish to advise them and others of a suggestion which may aid in settling labor disputes arising in the future. As they may have more time tomorrow, they can read my remarks in the RECORD if they think it worth while. I want to ask the Government to rent to the CIO, for whom you gentlemen speak so eloquently and so frequently and so forcefully and so convincingly, for $1 a year those billion-dollar steel-making plants so you gentlemen, advising with Phil Murray, can aid the CIO steelworkers' union in operating them at a profit while giving the employees a maximum wage.

Mr. LESINSKI. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. LESINSKI. Will the gentleman vote that way?

Mr. HOFFMAN. Vote what way?

Mr. LESINSKI. Just what the gentleman said.

Mr. HOFFMAN. To turn them over?

Mr. LESINSKI. Sure.

Mr. HOFFMAN. I certainly will vote to ask the President and the Congress to make a deal of that nature.

Mr. LESINSKI. I will be with the gentleman.

Mr. HOFFMAN. Wait a minute. The gentleman wants to hear the rest of it. I think a billion dollars will be a small price to pay for the experiment and as a demonstration of how these labor disputes and these strikes can be settled with satisfaction to all.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. HOOK. I think the gentleman is very too much generous with other people's property.

Mr. HOFFMAN. Well, I got a little of that from the New Deal. You fellows have been doing that, giving away other people's money for the last 10 or 12 years. You cannot blame me turning, as I do, the other cheek, to those who have been smiting me for the past 10 years. You cannot criticize me for that.

Mr. HOOK. Can the gentleman assure us——

Mr. HOFFMAN. That you can operate it at a profit and pay the wages asked? No; I do not think you can.

Mr. HOOK. No. Can the gentleman assure us that he is speaking for the United States Steel Corp.?

Mr. HOFFMAN. No. I speak only for myself; the steel companies do not own the plants. The United States Government owns them.

Mr. HOOK. Oh, no; the United States Government does not own it.

Mr. HOFFMAN. Oh, yes, they do. The plant in Utah was built by the United States Steel Corp. for the United States Government, paid for by United States Government money, the taxpayers' money, and the money of those bondholders who gave it to the Government. Now I am proposing to give you a chance to demonstrate the soundness of the claims of Walter Reuther and those who follow his teachings. You and he know so much about what wages should be paid and how long the men should work, and under what conditions, and what the price of the product should be. So I say, hop to it, boys, and you show us how it can be done, and then we will get rid of the Steel Corp. and General Motors and the other corporations that you say are hoarding billions of dollars of profits and laying down on production.

Mr. HOOK. By turning over one plant the gentleman expects to settle the whole problem.

Mr. HOFFMAN. Oh, no; there are two big plants—one in Texas and one in Utah. Is the gentleman not up on Government spending? I am sure he is. There are two big plants, and more than a billion dollars was spent on them. The CIO should be ready to operate them if they have the brains and ability and if their theories are sound, and to make a handsome profit.

Mr. HOOK. Will the gentleman tell me whether the United States Steel Corp. is going to operate them?

Mr. HOFFMAN. Oh, no; United States Steel does not want them. They have plants enough, but the CIO has the plants of United States Steel closed down by the strikes.

Mr. HOOK. In other words, the United States Steel Corp. and the other big corporations are not willing to put into operation the facilities after the war for the purpose of full production, because only through full production will you stop inflation in this country.

Mr. HOFFMAN. And you must have purchasing power.

Mr. HOOK. I say, then, if the gentleman is going along those lines, and if he is serious——

Mr. HOFFMAN. I am.

Mr. HOOK. I never take him to be serious, but I am serious when I say that if the United States Steel Corp. and the rest of the corporations——

Mr. HOFFMAN. Do not do that so fast——

Mr. HOOK. If the rest of the corporations will take advantage of the facilities of this Nation to bring about full production, then, of course, we will not have inflation. But I am not so sure that the corporations in this Nation want full production. Are you?

Mr. HOFFMAN. What? Whether they want full production?

Mr. HOOK. Yes.

Mr. HOFFMAN. Yes; I have become convinced that the people operating the steel plants—despite the gentleman and others who talk along the same line he does—I have almost become convinced that those gentlemen desire to produce and make a profit, and I never could understand how a closed factory could turn in a profit to the stockholders. The gentleman said something about these plants being closed. Now, the plants I am talking about are Government plants, they are owned by the Government. The steel company's plants are closed because the CIO is on strike. There is a strike there because the CIO walked out.

Mr. HOOK. In other words, they are surplus property.

Mr. HOFFMAN. Yes; the plants I am talking about are surplus property.

Mr. LESINSKI. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. LESINSKI. I just want to call the gentleman's attention to this: Is he will-

ing to take the same pay as a Congressman that the steelworker gets today?

Mr. HOFFMAN. I am inclined to think some of them like Reuther and Murray and Thomas get more than I do; at least, they net more in the end. And those milk drivers in Chicago, driving those milk wagons delivering milk, they struck not long ago for as much as $25,000 a year.

Mr. LESINSKI. The gentleman also claims he is entitled to more money. Why is not the steelworker entitled to more money?

Mr. HOFFMAN. What is that? I made no such claim.

Mr. LESINSKI. Is not the steelworker entitled to more money the same as the gentleman?

Mr. HOFFMAN. I have not said anything about being entitled to more money. There is this difference between us: When I go on strike—I told my people I thought I was a good Congressman; I cannot get them all to believe it—but I have not asked them for any more money, and I am positive that there will not be any picket line around my home or office if I refuse to run again. Nobody is going to march around in front of my home trying to force me to get out a petition for nomination. I cannot see how the situations are at all parallel.

Mr. HOOK. One question.

Mr. HOFFMAN. Did the gentleman address the Speaker?

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I will.

Mr. HOOK. Now, is the gentleman really sincere?

Mr. HOFFMAN. Yes; I am.

Mr. HOOK. That he would turn over to the labor organizations——

Mr. HOFFMAN. Will the gentleman let me answer?

Mr. HOOK. I want to understand the gentleman's proposition, that he will turn over——

Mr. HOFFMAN. Not me; I will ask the President and the Congress to authorize the Surplus Property Administrator to rent to the CIO the plants in question.

Mr. HOOK. That he will ask the Surplus Property Division to turn it over for $1——

Mr. HOFFMAN. A year.

Mr. HOOK. One dollar a year—lease it, in other words——

Mr. HOFFMAN. Yes.

Mr. HOOK. To any labor organization?

Mr. HOFFMAN. No; I did not say "any." I would not want to turn it over to a furniture employees' organization. No; I would not do that. I would not turn it over to a union of butter makers.

Mr. HOOK. In other words, the gentleman wants to name the organization that he will turn it over to?

Mr. HOFFMAN. No. Only it should be a union of steelworkers of the CIO.

Mr. HOOK. Does the gentleman's resolution provide for that?

Mr. HOFFMAN. I do not have any resolution. I would not presume to offer a resolution. This is merely a request.

Mr. HOOK. Merely a suggestion?

Mr. HOFFMAN. No; it is a request to the President and to the Congress and to the gentleman from Michigan [Mr. HOOK] to take action to afford an opportunity to the union to show the management of some of these companies how the business should be conducted. I am serious about this thing. This CIO and its advocates tell us that the corporations and their stockholders are just robbing the workingman. I do not know whether they are or not. But I do know that the charge is often made and some of us would believe it if the CIO would prove it.

What are you hiding back there for? The gentleman from Washington [Mr. DE LACY] applauds. I wish you would get up when you applaud.

Let me state my proposition so you will have it.

Mr. HOOK. I hope we get down to cases.

Mr. HOFFMAN. I have been down since the beginning. You just started off on a sidetrack.

Mr. HOOK. I am trying to figure you out, and I just have not been able to.

Mr. HOFFMAN. It is that the Congress and the President, assuming that they must act together and that the President cannot do it alone, authorize the Surplus Commodity Authority to rent to the steelworkers union of the CIO at the rental of $1 per year, the surplus steel-making plants which were constructed by the United States Steel for and at the expense of the United States Government, the purpose being that as their spokesmen have said so often that the corporations are making millions of dollars of profits, and that they are unfair to the workers, that here is a sort of an experiment station where the CIO and its advocates and advisers can demonstrate what they have been charging, that is, that there are excessive profits in the steel industry. Do you not see it? Now, I think that is a fair proposition.

Mr. HOOK. Are you only going to recognize them?

Mr. HOFFMAN. What more can I do?

Mr. HOOK. Well, you can do it in the proper way by the introduction of a resolution to that effect.

Mr. HOFFMAN. What is that? Will you support it? Will you support it?

Mr. HOOK. If you can show me the facts, I may.

Mr. HOFFMAN. Will you support it if I draw it up and bring it in tomorrow morning? May I have the help of the distinguished gentleman, a great CIO leader in my State, a political adviser of the CIO in my State?

Mr. HOOK. You certainly cannot have my help with any nonsensical program.

Mr. HOFFMAN. Oh, you think it is nonsensical to rent the CIO a billion-dollar plant, all ready to operate, do you? I am sorry.

Mr. HOOK. Would you be willing to turn over to the CIO and other organizations the profit that was made by the steel corporations in those plants during the war?

Mr. HOFFMAN. Well, for——

Mr. HOOK. Would you?

Mr. HOFFMAN. Well, "for the love of Mike."

Mr. HOOK. Would you?

Mr. HOFFMAN. Where do you get the idea that any profits that are made in industry by corporations or individuals, unless they be excessive, belong to the United States Government?

Mr. HOOK. Oh, no.

Mr. HOFFMAN. Do you not see—under the renegotiation law?

Mr. HOOK. That is right.

Mr. HOFFMAN. O Mr. Speaker.

Mr. HOOK. You are absolutely right.

Mr. HOFFMAN. Mr. Speaker.

Mr. HOOK. Because——

Mr. HOFFMAN. Mr. Speaker.

Mr. HOOK. We have to return that.

Mr. HOFFMAN. Mr. Speaker, I would like to have order.

The SPEAKER. The Chair will try to protect both gentlemen from Michigan.

Mr. HOOK. Has the gentleman read the 1944 tax bill?

Mr. HOFFMAN. The gentleman is out of order. He has not addressed the Chair.

The SPEAKER. Does the gentleman from Michigan yield to the gentleman from Michigan?

Mr. HOFFMAN. Not at the moment.

The SPEAKER. The gentleman declines to yield for the moment.

Mr. HOFFMAN. The point is this—yes, just for the moment. I cannot understand where the gentleman from Michigan gets the idea that profits earned by private business, whether they be excessive or not, should be turned over to the CIO. The CIO under Reuther makes some absurd demands but I did not know it had gone so far as to claim all profits. Now I did understand that the CIO, some of its officials, claims the right to levy tribute upon American citizens who want to work, before permitting them to work, but the idea that they can reach right into the United States Treasury or reach into the treasury of a corporation and take funds which if they do not belong to the corporation belong to the Government as excess-profit taxes, I do not go for that sort of thing—no, no, I do not. I would not do that.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes, for a question.

Mr. HOOK. Has the gentleman read the 1944 tax bill?

Mr. HOFFMAN. No, I have not.

Mr. HOOK. Well, the gentleman would get a very liberal education if he did.

Mr. HOFFMAN. I have no doubt, if I could understand it all. I have considerable trouble with my tax return.

Mr. HOOK. Because they were guaranteed——

Mr. HOFFMAN. Can you condense it?

Mr. HOOK. They were guaranteed their profits for 2 years after the war.

Mr. HOFFMAN. They were? I do not so understand the law.

Mr. HOOK. Yes.

Mr. HOFFMAN. Did you vote for it?

Mr. HOOK. No; I did not happen to be here or I would have voted against it at that time.

Mr. HOFFMAN. It would be a good thing if you were here some time to vote against that kind of legislation, if it is what you say it is.

Mr. HOOK. The gentleman and others gave a 10-percent return of the excess-profits taxes to them by his vote for the tax amendments.

Mr. HOFFMAN. No; I do not understand that to be the situation. I understand if they make anything——

Mr. HOOK. I thought we were not going to make——

Mr. HOFFMAN. First you ask a question and then before the reporter can get it down you start to answer it yourself. He has got less than half of what you said. I know the country is going to lose a lot if they do not get all your remarks.

Mr. HOOK. I know that, too.

Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Mr. Speaker, I will now say what I arose to say.

LET MURRAY, REUTHER, THE CIO, OPERATE GOVERNMENT-OWNED STEEL MILLS

According to press reports on January 23:

Striking CIO steelworkers asked President Truman to take immediate action for Government operation of $1,000,000,000 worth of federally owned steel plants or turn them over to "individuals such as Henry J. Kaiser, the west-coast steelmaker."

The union's 175-man wage policy committee, representing unions in 42 States, in addition to making the above request, also stated that the Justice Department should investigate a conspiracy among representatives of large corporations who met in New York the first week of January to provide wholesale cancellation of collective-bargaining agreements as their first step to provoke strikes.

Inasmuch as Walter Reuther, leader of the striking employees of General Motors, which is dependent upon steel, has repeatedly publicly stated that General Motors could grant a 30-percent wage increase without raising prices, and as Philip Murray, head of the striking steelworkers, insists that a $2 per day increase in wages can be granted without a material increase in the price of the finished product, I urge that the President, instead of seizing either General Motors or the steel industry affected by the strikes, ask the authority of Congress to turn over the Government-owned steel plants at $1 per year rental to be operated by the CIO, under Murray's direction. Murray and the CIO, then having complete charge of these Federal-owned plants, which were built for the Government by United States Steel during the war, would have a complete, that is, fully equipped and operating steel plant in which it could demonstrate the soundness of its contention that wages can be increased without any increase in the price of the finished product.

I also ask that President Truman have his various Government agencies grant Murray and the CIO permission to raise the wages of the steelworkers in the plants they operate as high as they may wish and that he also direct the OPA to grant the CIO as high a price on the finished product as it may desire.

With this mammoth steel production plant in its hands, the CIO and Murray will have an opportunity to prove just how wrong Benjamin Fairless and his associates are in their contention that wages must be given consideration when the price of a product is to be fixed.

Murray and the CIO would be able to give other industrialists an example of how easy it is to operate an industrial plant, pay a fair wage, and turn out materials for which there is a demand and which can be sold on the market at a price low enough to meet competition. The CIO-operated steel mills should be given the same consideration as to taxation and other Federal regulations as that given corporations engaged in similar business. Pay rolls should be met by the funds of CIO, as pay rolls in private industry are met; the Federal Treasury should not be required to supply the funds to operate the plant, for according to Murray and his associates, the profits of such an industry are enormous, they run into the millions, and if Murray and Reuther are correct in their theories, those profits can be greatly increased by more efficient management.

Turning over these billion-dollar federally owned steel plants to the CIO might seem unfair to the average taxpayer, to private enterprise, which would come in competition with it, but if the ideas of Murray and his advisers are sound and workable and the experiment is successful, the gift of a billion dollars' worth of plants would be a small price for the American public to pay for a demonstration of how to settle our labor disputes.

The charge that there is a conspiracy among industrial leaders to provoke strikes is a serious one, and the Justice Department should immediately do its utmost to determine the truth or the falsity of that charge; and while it is investigating that charge, it might be helpful if it would ascertain whether or not Government agencies have been acting in concert with H. J. Kaiser and Philip Murray to force Steel and General Motors into granting the demands of the CIO strikers.

Here from the daily press are a few leads on which the Justice Department might start: From the White House, after a conference with the President, arm in arm came Henry J. Kaiser and Philip Murray with the announcement that Kaiser had granted the demands of those who were negotiating a collective-bargaining contract having to do with the operation of his Willow Run auto-production plant. Kaiser was said to have granted CIO's wage demands; and what Kaiser could do, it was charged GM could do.

Inasmuch as Kaiser and Fraser were not producing automobiles previously, and hence the OPA in fixing a price on the Fraser-Kaiser cars was not limited to a former price in any base period, just how does the price given the new company compare with those given General Motors, Chrysler, and Ford? Were the proposed wage scales of the new company taken into consideration in fixing the price and were the new wage scales demanded of General Motors given consideration in fixing their price? Is it not a fact that OPA, in fixing the price of General Motors' products, considered the 1941 wage scale, not the one now demanded of it, while in fixing the price on the Fraser-Kaiser cars it gave consideration to the present wage scale demanded of the new company?

What, if any, connection was there between the refusal of General Motors to grant the demands of the CIO for a 30-percent increase in wages and the bringing of unfair labor charges against General Motors by the National Labor Relations Board?

Reuther and to a lesser degree Murray have insisted that industry is out to break the unions. I urge that the Justice Department investigate that charge and while it is doing so, also investigate the charge that Reuther and others who believe that profits, instead of being used for repairs, improvements, expansion, and research, all for the purpose of maintaining and creating more jobs and better products to be sold at a lower price, be paid out in wages, are advocating state socialism, stateism, Government ownership.

Permit me to again suggest that President Truman and the Congress turn over to Philip Murray the Government-owned steel plants to be operated by Murray and his union, not as competitors of General Motors and others now in the auto industry but as a demonstration of how private enterprise can be operated so as to secure for the worker the greatest possible benefits.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER. Under previous order of the House, the gentleman from Washington [Mr. SAVAGE] is recognized for 20 minutes.

AMERICA DEALING WITH SPAIN

Mr. SAVAGE. Mr. Speaker, I am greatly perturbed over our country's dealings with Fascist Spain. First, we hear that Franco is training 40,000 German Fascists for duty in the Spanish Army; then we ship two boatloads of machine guns and ammunition to Spain; and now the State Department confirms a story that we have sold Spain airplanes, bulldozers, power shovels, scrapers, and other heavy machinery.

The excuse given for approving these deals with Franco is that they will benefit American aircraft manufacturers. It seems that if there are a few dollars' profit involved for some corporation, we are expected to ignore the fact that we are arming the forces of fascism.

Frankly, I am surprised. I guess I was naive enough to believe that our Government officials, corporation officials, and every interested individual in America had learned an embarrassing lesson from the boner we pulled when we helped Germany and Japan to arm so they could start a war against democracy.

Our people still have fresh in their minds the fact that we shipped oil and scrap iron and our best timber to Japan during the thirties. Well, we got it back again—and how. What assurance do we have that we, or one of our democratic allies, will not get back these same bullets we are now selling to Francisco Franco?

Franco, with the aid of the Fascist Governments of Germany and Italy, became Fascist dictator of Spain by overthrowing the Spanish Republican Government. A war has just been fought to wipe out fascism, a war that will eventually cost the United States a half trillion dollars to say nothing of the loss of our

finest young manhood. Are we going to set our enemies back up in business?

Franco is the most dangerous Fascist leader remaining alive and if we make him strong he will again spread fascism in Europe. Now that the United States has helped to defeat Germany and Italy, does she intend to take their places as an aid and comfort to Franco? What an insult to our white crosses overseas.

It was a boner to arm Japan, but to arm Spain now in light of our past experience is just plain dumb and next to treason. Those responsible for such aid and comfort to this Fascist traitor to Spain should be discharged immediately whoever they may be.

I call on my colleagues in Congress to aid in bringing this tragic misdoing to an end.

On the 17th of this month, the French National Assembly unanimously voted for a break in diplomatic and commercial relations between the Republic of France and the Nazi-Falange regime of Spain. Mr. Speaker, I call the attention of the House not only to this historic action but also to the declaration of the French Foreign Minister, Georges Bidault, that France by this vote was merely carrying into effect the pledge made by the democracies during the Yalta Conference—the pledge that all of the nations represented at the Yalta Conference would break diplomatic and commercial relations with the Nazi-Falange regime of Spain.

Mr. Speaker, not only has the United States Government failed to carry out this pledge, but, since Yalta, we have gone right on keeping the Franco regime alive by our very delay in implementing the pledge we made at Yalta. Only last week, Mr. Walter Winchell, speaking to a Nation-wide radio audience, revealed that two American ships, with the knowledge and permission of the American authorities, sailed from Italy to a port in Fascist Spain with cargoes of machine guns purchased from the United States by the Nazi-Falange regime for its Fascist army.

Mr. Speaker, just what is the Franco regime with which we not only maintain relations but also to which we sell oil, cotton, machine guns, and the other implements of modern warfare? Is it not the same regime which on June 19, 1945, was unanimously and by acclamation barred from ever being admitted to the United Nations Organization because it was declared by the delegates of UNCIO to be a regime created with the military aid of the Axis Powers?

It is the same Nazi-Falange regime which President Truman, Generalissimo Stalin, and Prime Minister Attlee denounced at Potsdam in the following plain language:

The three Governments feel bound to make it clear that they for their part would not favor any application for membership (in the United Nations Organization) put forward by the present Spanish Government, which, having been founded with the support of the Axis Powers, does not, in view of its origins, its nature, its record, and its close association with the aggressor states, possess the qualifications necessary to justify such membership.

Mr. Speaker, the record of Francisco Franco and his Nazi-Falange regime is only too well known. As my distinguished colleague from Washington, the Hon. JOHN M. COFFEE, has pointed out time and again for the past years on the floor of this House, the Francisco Franco who emerged upon the stage of history as the puppet of Adolf Hitler and the German international cartels today remains the puppet of the selfsame German cartels even though Hitler himself has disappeared and possibly even died. A report presented before this House in an earlier session of Congress by the Hon. JERRY VOORHIS, of California, proved beyond the shadow of a doubt that the present German cartel control of Spanish industry is at least 40 percent, by the most conservative of estimates. This 40 percent includes only those industrial firms in Spain whose German ownership is open and apparent—and does not even begin to touch those firms which, while ostensibly owned by Spaniards, are actually controlled by German Nazis.

In this connection, I would like to quote from the text of an article by Jon Kimche, a Reuter's correspondent, which appeared in the New York Post of October 18, 1945. Mr. Kimche states:

German industry occupies key positions in the Spanish national economy. The Spanish Government, quite apart from its political inclinations, is therefore concerned in maintaining the structure of German industry in Spain intact. The Germans for their part have seen to it that their expulsion from the Spanish economy should be as difficult as possible.

German technicians and business experts were sent to Spain to become naturalized citizens and a great many married into the Spanish aristocracy and commercial elite. German businesses were turned into Spanish concerns with Spanish directors while the German brains occupied apparently minor—but in reality all-powerful—positions.

The board of directors of Unicolor, which is the Spanish branch of the I. G. Farben trust, is typical. Unicolor is now a Spanish firm which according to Spanish law cannot be touched by the Allies, yet the board includes Ernest Asselman, Ernst von Steindorf, Dr. Steinhaeuser, Erich Ochs, Alfonso Ma Gallardo, Walter Fischbach, Juan Santiagosa, Ernst Fischer, Erich Fisher, Gustav Zabel, Josef Mayer-Spiess, Jose Ma Planella, Salvado Mayoles, Juan S. Pitter, Felix Kotegen, Thomas Casanovas and Juan Llorens.

The president is a Spaniard, and so is the vice president. But the brains behind the organization occupies a minor secretarial position. He is Herr Ferdinand Birk-Crecelius.

Mr. Kimche goes on to say:

Allied officials in Spain are convinced that German interests in Spain continue to receive strong protection from the Spanish authorities.

German interests are concentrated over the entire Spanish economy but mainly in insurance, chemicals, fertilizers, engineering, and electrical trades.

It is estimated that there are $40,000,000 worth of traceable German cash assets in Spain and $100,000,000 to $120,000,000 hidden away, while most of the assets of the big companies have been camouflaged and will require months to unearth.

If the Spanish authorities take over these firms and run them with German technical assistance, they might provide future German industry with a powerful nucleus.

Mr. Speaker, we all remember what happened after the last war when the German cartels were permitted to lick their wounds and resume their activities in Germany itself. Today the German cartels control Spain, and through Spain they play a direct role in the economy and political life of Latin America. We have a chance now to smash this incubator of World War III without firing a shot, without losing the life of a single American soldier or sailor. The Franco regime could not live for 30 days once the pledge we made at Yalta is carried out.

The Spanish people, who fought against Franco and his masters, Hitler and Mussolini, are our allies. If we help them get rid of their Fascist oppressors, they in turn will drive the German cartel owners and their Spanish agents into the Mediterranean and end forever the present threat of a useless and tragic third world war.

ACTS TO JOIN HITLER IN WAR

Then, on June 14, Franco ordered his troops to occupy the international port of Tangier, oposite strategic Gibraltar. At the same time, he extended to Hitler an offer to enter the war on the side of the Axis. It was contained in a dispatch sent to the German Foreign Office by Nazi Ambassador Eberhard von Stohrer in Madrid, dated August 10, 1940, and labeled: "Strictly Secret—Operation: Gibraltar—Conditions for Spain's Entry Into the War."

The offer expressed the desires not only of El Caudillo but of his brother-in-law, Ramon Serrano Suñer, who despised France and hated England. Suñer was Spain's political bully boy, the head of the Falangist Party, a Germanophile from birth and a worshipper of fascism from conviction. He conveyed El Caudillo's wishes for Spain's entry into the war to Von Stohrer, who cabled Berlin:

"The Spanish Government has declared itself ready, under certain conditions, to give up its position as a nonbelligerent state and to enter the war on the side of Germany and Italy. * * *

"As conditions for Spain's entry into the war, the Spanish Government mentions the following:

"1. Fulfillment of a certain amount of national territorial demands—Gibraltar, French Morocco, those parts of Algeria mostly colonized and inhabited by Spaniards, aggrandizement of Río de Oro and the colonies in the Gulf of Guinea.

"2. Supply of the necessary military and other assistance required for the war."

This document and many others have come out of the secret files of Axis foreign offices. They were found by the American Army. Somehow the documents survived the bombings and the fires which attended the fall of Germany and Italy. They constitute now an authentication of the long-suspected collaboration between Franco and the Axis and an indictment of El Caudillo and his brother-in-law as enemies of democracy.

Above all they demonstrate the futility of appeasement. Spain needed wheat and gasoline after its long and costly civil war. Knowledge of these needs moved Britain and the United States to try keep Spain happy—and out of the war—with bribes of grain and gas.

But the records show conclusively that Franco and Suñer intended to come into the war anyhow. Spain's neutrality was not a triumph for appeasement but was due to a complexity of other causes. Suñer, at least, deliberately planned to double-cross the Allies once the wheat had been delivered. Here, in a letter written by Suñer to Nazi Foreign Minister Joachim von Ribbentrop on October 10, 1940, is proof:

"We want all the time possible in order to get shipments of wheat from England and America. In this way Germany's position will be made easier, particularly with respect to her needs in Belgium and Holland since she

would have to put less wheat at Spain's disposal. Thus Germany and Spain have a common interest in having wheat imports come in from the democratic countries."

Mr. Speaker, my colleague, the Honorable JOHN M. COFFEE, has twice since 1943 introduced resolutions to the House of Representatives asking that the United States of America break diplomatic and commercial relations with the Axis-created regime of Francisco Franco. This is the time to take the Coffee resolution, House Resolution 312, out of its pigeonhole and place it before the entire House for action now.

Mr. COFFEE. Mr. Speaker, will the gentleman yield?

Mr. SAVAGE. I yield to my distinguished colleague from Washington, who has so capably pointed out for years the danger of fascism in Spain, when we are trying to wipe it out of the world.

Mr. COFFEE. Mr. Speaker, Nazi-Falange Spain is today the atomic-bomb laboratory of fascism for World War III.

Even as the first of the atomic bombs crashed down on Japan, we were faced with the terrible knowledge that Nazi scientists in Germany were within a few months of beating us to the secret of successfully harnessing the terrible destructive powers of uranium ore. On October 5, 1945, the Nazi-Falange regime of Spain placed Spain's great uranium deposits under totalitarian state control. Spanish mineralogists themselves are authority for the statement that Spain has some of the world's greatest uranium deposits.

Mr. Speaker, must we wait until a Fascist atomic bomb, fabricated by German cartel scientists in Germany placed somewhere in Spain, is exploded in an American city before we can recognize the obvious implications of the Nazi-Falange uranium decree of October 5?

I must remind anyone who thinks that my warning is far-fetched that it was precisely within the territorial boundaries of so-called neutral Spain during the years of the Second World War that the Nazis did their original experimental work on the rocket- and radio-controlled bombs which were ultimately to kill British and American soldiers and civilians alike in London and Antwerp. Mr. Speaker, I am prepared to take the word of patriotic American seamen who swear that months before the first of the rocket bombs fell on London, so-called mystery bombs were attacking and sinking American and British shipping in the region of Gibraltar and other waters adjacent to Spain. I am sure that if the State Department would make available to the House of Representatives and to the American people, who have a right to know, the text of the nearly 8,000 documents relating to Spain which our armed forces seized from the Nazi archives in Berlin after the fall of Hitler, we would find in these documents all the proof we need that Spain was Hitler's first rocket-launching site of the Second World War.

How long are we to wait before the State Department makes public the text of these documents? Must we wait until after the agents of the Spanish Falange accomplish in a dozen other Latin-American countries what they have already accomplished in Fascist Argentina—the destruction of democracy and the establishment of an American advance base for Nazi cartel fascism? Are we going to save these documents for some future white book to be published as long after the fact in the case of the Spanish atomic Pearl Harbor as was the State Department's white book on the Japanese Pearl Harbor in 1941? Mr. Speaker, if for no other reason, the development of the atomic bomb makes the continuance of Nazi fascism in Spain the personal problem of every peace-loving American. Once deprived of diplomatic and commercial relations with the United States, Franco's regime will fall. The United States Government is morally and legally committed to such a break with the Franco regime.

Benito Mussolini, during the first battle of World War II—the battle in which the Axis overwhelmed the Republic of Spain—declared:

> The great unity of the Axis includes Nazis, Fascists, and Spanish Falangistas. There is no longer any distinction between fascism, nazism, and falangism.

When Adolf Hitler launched his attack upon the western democracies, Francisco Franco declared in a telegram to Hitler:

> With all my heart I share your aspiration that the great German Empire may reach its immortal destiny, under the glorious sign of the swastika and under your inspired leadership. Heil Hitler!

Does Francisco Franco dare to deny these remarks by his sponsor Mussolini and by himself? Of course not! His entire record during and since the war proves that both Mussolini and Franco, at least on the occasion that they made these statements, meant every word that they said. There is only one answer that this Congress can give to Franco and his German cartel associates, and that answer is to approve by an overwhelming vote my Resolution 312, which I introduced in the Seventy-ninth Congress on July 2, 1945—a resolution which concludes with these words:

> *Resolved*, That we the people of the United States, acting through our elected representatives in the House of Representatives in Washington, urge it upon the President of the United States to preserve our victories over Axis fascism in Europe by immediately breaking all diplomatic and commercial relations with the present Fascist government of Spain and maintaining the democratic policy of nonrecognition until our earliest European allies of this war, the people of Spain, have once again availed themselves of their God-given right to establish in Spain a friendly government of the people.

In again calling this resolution to the attention of Congress, I must point out that it is only because the United States has not broken diplomatic and commercial relations with Franco Spain that the Nazi-Falange regime can survive at all. I do not speak as an enemy of the Spanish people. There is great love in my heart for the heroic people of Spain who made Madrid the symbol of resistance to Axis fascism, and those 3 years of epic struggle against the combined forces of Hitler, Mussolini, and Franco's Moors became the inspiration of the common man of anti-Axis Europe during that part of World War II which was fought in Europe after the Axis had achieved its victory in Spain.

I should like to conclude my brief remarks by quoting what the greatest American of the twentieth century had to say on the subject of Francisco Franco and his Nazi-Falange regime. I refer, of course, to the letter written by Franklin D. Roosevelt to Norman Armour on March 10, 1944, when Mr. Armour went to Spain as our Ambassador.

> In connection with your new assignment as Ambassador to Madrid, I want you to have a frank statement of my views with regard to our relations with Spain.
>
> Having been helped to power by Fascist Italy and Nazi Germany, and having patterned itself along totalitarian lines, the present regime in Spain is naturally the subject of distrust by a great many American citizens, who find it difficult to see the justification for this country to continue to maintain relations with such a regime. Most certainly we do not forget Spain's official position with, and assistance to, our Axis enemies at a time when the fortunes of war were less favorable to us, nor can we disregard the activities, aims, organizations, and public utterances of the Falange, both past and present.
>
> These memories cannot be wiped out by actions more favorable to us now that we are about to achieve our goal of complete victory over those enemies of ours, with whom the present Spanish regime identified itself in the past spiritually and by its public expressions and acts.
>
> The fact that our Government maintains formal diplomatic relations with the present Spanish regime should not be interpreted by anyone to imply approval of that regime and its sole party, the Falange, which has been openly hostile to the United States and which has tried to spread its Fascist Party ideas in the Western Hemisphere. Our victory over Germany will carry with it the extermination of Nazi and similar ideologies.
>
> As you know, it is not our practice in normal circumstances to interfere in the internal affairs of other countries unless there exists a threat to international peace. The form of government in Spain and the policies pursued by that Government are quite properly the concern of the Spanish people. I should be lacking in candor, however, if I did not tell you that I can see no place in the community of nations for governments founded on Fascist principles.
>
> We have the most friendly feeling for the Spanish people and we are anxious to see a development of cordial relations with them. There are many things which we could and normally would be glad to do in economic and other fields to demonstrate that friendship. The initiation of such measures is out of the question at this time, however, when American sentiment is so profoundly opposed to the present regime in power in Spain.
>
> Therefore, we earnestly hope that the time may soon come when Spain may assume the role and the responsibility which we feel it should assume in the field of international cooperation and understanding.

Mr. SAVAGE. I thank my colleague from Washington for his contribution.

Mr. PATTERSON. Mr. Speaker, will the gentleman yield?

Mr. SAVAGE. I yield to the distinguished gentleman from California.

Mr. PATTERSON. Mr. Speaker, I would like to take this opportunity to consider the long-postponed Rio de Janeiro Conference for Hemispheric Defense. I have always felt that the United States has been missing an opportunity,

afforded by this Conference to take the initiative in the Western Hemisphere in the fight for freedom and democracy.

The defense of the Western Hemisphere is incomplete as long as Fascist Spain remains in power. Spain today is world headquarters of Axis fascism. From Falangist Spain come the agents and the directives for Fascist intrigue within the American republics.

We can go a long way toward insuring peace by eliminating the Fascist fifth column in the Americas. The danger is recognized by the American Republics. Mexico, for example, never established relations with the Nazi-Falange regime, and Guatemala, Panama, Bolivia, and Venezuela have all broken diplomatic relations with Franco. In Peru, Uruguay, Cuba, and Costa Rica, the legislative bodies have requested their respective governments to break with the Falange dictatorship.

The United States is the recognized leader of the Western Hemisphere. What we do here in Washington will set the example for the other Republics, even for those countries which have already voted for a break. It is our duty, therefore, to sever all relations before the American delegation leaves for Rio in March, when, I am informed, the Conference is now scheduled to take place.

Action now will leave no doubt as to where we stand, and will enable the Latin-American Republics to clear their decks and follow suit. The American delegation will be able to carry out the policies enunciated at Yalta, San Francisco, and Potsdam—policies which kept Franco irrevocably outside the United Nations Organization. The American delegation will then be in an excellent position to press for a comprete hemispheric break with Franco.

We can strengthen the hand of Assistant Secretary of State Spruille Braden, who will head our delegation, by releasing the documents now in the hands of the State Department on the role of Franco during the recent conflict. These should prove as effective at Rio as did the documents recently given to the press in Buenos Aires on the Axis domination of the Argentine press. I might point out that these documents are a portion of the documents on Spain and Latin America found in Nazi archives in Germany. Release of these documents by the State Department will make these facts about Spain even clearer.

The role of Mr. Braden in Argentina gives hope that he will press the fight for hemispheric action against Franco. In Argentina Mr. Braden had an opportunity to study at first hand the work of the Spanish Falange, which subverts democracy, starts anti-Semitic riots, and in general spreads the disease of fascism. Joint action by the nations of the Western Hemisphere against the Falange and the regime which fosters it is obviously on the order of the day.

But that does not preclude the necessity for the United States to act now. Indeed, passage of the Coffee resolution by this body and parallel action in the Senate would set the tone for the Rio de Janeiro Conference and would afford the maximum guaranty that there would be hemispheric action against El Caudillo. It would be notice to the world at large and to the democracies of Latin and South America that the United States was determined to use its great strength and prestige in the interest of freedom and democracy.

There is no time to be lost. Reports from abroad make it evident that Nazi scientists have found refuge in Falangist Spain, where they are continuing their experiments on the atomic bomb. I submit that these experiments represent a pressing danger to the American people and to the world at large. The failure of the United States to act now while there is still time discourages the democracies and adds fuel to the hope of the Fascist enemies of mankind everywhere.

On the other hand, action at this time would encourage the nations to make the Rio de Janeiro Conference the rallying point for hemispheric action against Franco Spain.

Mr. SAVAGE. I thank the gentleman from California for his remarks.

EXTENSION OF REMARKS

Mr. SHAFER asked and was given permission to revise and extend his remarks.

Mr. SCHWABE of Missouri asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article by George E. Sokolsky appearing on the editorial page of the January 24 issue of the St. Louis Globe-Democrat.

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. JONKMAN] is recognized for 15 minutes.

NEGLIGENCE AND MISFEASANCE OF OFFICIALS OF DEPARTMENT OF AGRICULTURE

Mr. JONKMAN. Mr. Speaker, the gross negligence and misfeasance of officials of the Department of Agriculture administering the sugar program continues unabated. Unless immediate congressional action is taken, these officials will probably try to place the blame on Congress for the most critical sugar shortage of the entire war period, which the American public is about to face.

The sugar shortage which has plagued the American housewives and industrial users in every part of our Nation for many long months is about to become seriously worse. This is not because of reduced sugar production, as was so blandly intimated in a recent press release of the Department of Agriculture. It is because Government officials in the Department of Agriculture failed to ask Congress for authority to make production-incentive payments which they have promised to producers of sugar in Hawaii and Puerto Rico. This dangerous situation has been further accentuated by the inexcusable delay over many months in making arrangements incident to the purchase of the 1946 Cuban sugar crop, upon which we so largely depend.

More than 9 months ago, on April 12, 1945, Congress passed Public Law 30. Section 3 of this law forbids the Commodity Credit Corporation to make subsidy payments on 1946 sugar or to sell 1946 sugar at a loss. Many Members voted to enact this law to require the bureaucrats who have been so free on Government spending of taxpayers' money to come before Congress and explain specifically the uses to which they would put these funds. Officials of the Department of Agriculture have known of this law ever since its enactment last April. Yet, Mr. Speaker, it was not until January 16, 1946, that Acting Secretary of Agriculture Hutson addressed a letter to Speaker RAYBURN, pointing out the urgent need for immediate action to permit purchase of the 1946 Hawaiian and Puerto Rican crops. Nine months have been permitted to roll by without departmental action taking effective steps to obtain the necessary authorization. As a result of this misfeasance, the Republican congressional food study committee has been advised that sugar producers in Hawaii and Puerto Rico are unable to ship new crop sugar to the United States for refining and for consumption by the American public. They are unable to do so because the Commodity Credit Corporation failed to ask congressional authority to make the incentive payments which they previously promised to sugar growers of our insular possessions, and without which these sugar growers cannot afford to market their sugar. Under the force of these promises, they planted the cane in good faith, but, as is too often the case when we permit a bureaucracy to grow up such as we have in this administration, that good faith is only expected to be kept by those who suffer most. Some of the sugar producers opened their books to the House Committee on Insular Affairs to show that previously keeping faith has meant losses running well into six-figure red-ink entries on their books.

Under the policies fostered during the past 13 years of Federal administration, these incentive payments have become a part of the price of sugar consumed in every household in the Nation. In the case of Puerto Rico and Hawaii, these incentives amount to approximately 1 cent for every pound of sugar brought to the mainland for consumption, and they are paid in recognition of increased production costs, which have not been reflected by a readjustment of the ceiling price for sugar.

Producers cannot ship their sugar to market at this time because they have no assurance that such incentive payments as will be ultimately authorized will be retroactive, notwithstanding the promises made to them by Agriculture Department officials. Information coming to the Republican Congressional Food Study Committee from trade sources indicates that shipments will not be made until this authority is granted by Congress.

When this situation was finally brought to the attention of the Congress by Acting Secretary Hutson's letter, both the Speaker and the Committee on Banking and Currency acted with speedy unanimity. The chairman of the committee introduced a bill, House Joint Resolution 301, and within 24 hours the committee favorably reported the bill granting the necessary authority to clear up this administration mess. But not so for the administration-controlled Rules Committee. For a full week now this

bill has been peacefully slumbering in the Rules Committee to the gleeful delight of those who would gladly shift the blame to Congress.

Mr. Speaker, unless prompt action is taken on this bill, the housewives of this country, who have already been limited to a mere 15 pounds of sugar per person per year by the OPA, will be absolutely unable to use the ration stamps issued to them, and which are in effect a guaranty by the Government that they can procure that exceedingly limited amount of sugar. Let us have immediate action. Every day's delay creates a graver danger, which would be as farcical as a Gilbert and Sullivan comedy, were it not so serious.

The same inaction, delay, bickering, lack of foresight, or complete inability to properly administer affairs of government has been shown by the delinquency and delays of administration officials in making the necessary arrangements to buy the 1946 Cuban sugar crop.

In 1943 and 1944 the Commodity Credit Corporation, which technically purchases the bulk of the Cuban sugar crop for American consumption, paid Cuba about $2.65 per hundredweight, f. o. b. Cuba. The transportation charges on this sugar to New York amounted to about 35 cents per hundredweight. This sugar was sold to the American refiners at $3.75 per hundredweight, which allowed a profit to the Commodity Credit Corporation of 75 cents per hundredweight, which is the equivalent of the 75 cents per hundredweight tariff on sugar from Cuba formerly paid into the United States Treasury.

Incidentally, Mr. Speaker, while Congress wisely wrote into the law a prohibition against the Commodity Credit Corporation purchasing commodities in a foreign country and reselling the same in this country at a loss, it is permitted to use the tariff duty on such commodities as a deduction from the price paid in the foreign country. This simply means that it is a hidden form of paying subsidies to foreign nationals on all commodities resold in this country for less than the actual price paid, and it may be up to the amount of the tariff duty.

Because of increased costs of production, drought, and the price of sugar in the world market, it was necessary to increase the price paid to Cuba for the 1945 crop by 45 cents per hundredweight over the 1944 price, or $3.10 per hundredweight f. o. b. Cuba. This reduced the paper profit of the Commodity Credit Corporation from 75 cents per hundredweight to 30 cents per hundredweight. In other words, we were paying a Cuban subsidy of 45 cents per hundredweight on sugar, which many of us believe was contrary to the intent of Congress.

The situation has increasingly worsened. After many months of procrastination and delay, the Commodity Credit Corporation has agreed to pay Cuba $3.67½ per hundredweight for sugar of the 1946 cane crop. When freight of 35 cents per hundredweight to New York is added to this, and allowance is made for the 75-cent tariff-duty deduction, the cost price is 27½ cents per hundredweight more than the selling price, and the Commodity Credit Corporation is forbidden by law from taking this loss.

To overcome this situation, Acting Secretary Hutson stated in his letter of January 16 to the Speaker of the House of Representatives, so we are informed, that administrative officials of our Government have agreed to increase the ceiling price of sugar at the refinery by one-half cent per pound or 50 cents per hundredweight. This statement is a climaxing blunder of the whole sordid story of misadministration. Newspaper reports indicate that this increase will become effective about the 2d or 3d of February. Why was it not made effective immediately upon making the announcement? The most elementary application of arithmetic to this situation indicates that every dealer who will withhold his stocks of sugar from the market will be able to make an additional one-half cent on every pound he keeps. And when one considers the losses retail distributors have been forced to take by the short-sighted regimenting policies of the OPA, they cannot be blamed for their action. Yet, once again, it is the long-suffering American public who is deprived of the right to buy sugar for that period.

If the price of sugar is to be increased on February 2 or February 3, Mr. Speaker, it should have been kept secret until that date.

Meanwhile, Mr. Speaker, all shipments of sugar from Cuba—where sugar growers began their harvest 2 weeks early in order to earlier supplement our diminishing supplies—from Hawaii and Puerto Rico, are all being delayed because of failure of Government officials to act with foresight and expedition in these important matters. Every Member of the House knows how difficult it is for the housewives to feed their families on the limited amount of sugar which is supposed to be available to them under current ration regulations. I have received many complaints from residential neighborhood bakers of bread and rolls in my district who will soon have to close their shops for want of sugar. Yet the blundering of the administration has created the further artificial situation where little or no sugar will be available during the next few weeks. They have failed to discharge their responsibilities to the American public.

The chairman of the Rules Committee, as the agent of the House, should immediately hold hearings and grant a rule on this legislation, not only to relieve the sugar shortage, but also to avoid the stigma of the aforementioned maladministration being transferred to the Congress.

EXTENSION OF REMARKS

Mr. SAVAGE asked and was given permission to include in his remarks a statement from the book entitled "The Case Against Franco."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. LYNDON JOHNSON (at the request of Mr. THOMASON), on account of illness.

To Mr. CHAPMAN (at the request of Mr. GREGORY), for 1 day, on account of illness.

PERMISSION TO ADDRESS THE HOUSE

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SAMPLE OF MANAGEMENT'S PROPAGANDA

Mr. LANE. Mr. Speaker, labor resents the sly propaganda employed by management to divert attention from the fundamental issue which is the need for upward revision of wages to compensate for the increase in the cost of living, to maintain purchasing power and insure a sound and wholesome economy. Management, in failing to meet this issue squarely, is attempting to deceive the public into the belief that those on strike are keeping much-needed domestic appliances from them.

In Lynn, Mass., the General Electric Co. has been engaged in active propaganda through the medium of its newspaper ads. These ads show tempting pictures of electrical appliances and falsely charge that the United Electrical, Radio, and Machine Workers are responsible for the continued shortage in these consumer goods.

As a matter of fact it is the General Electric Co., which must shoulder the blame. Since VJ-day, no refrigerators, radios, electric clocks, or washing machines have reached the market for sale, even though the plant was humming with production. Why? These goods were certainly manufactured in quantity but they were stored in warehouses or used only for display purposes. The company had more handsome profits during the war. Now it was deliberately withholding its new production of civilian goods from the market until 1946, when the repeal of the excess-profits tax would bring it a maximum profit. With a strike on, the company is still withholding these items from the public in a subtle maneuver to prejudice the workers in the eyes of all Americans.

This will fail.

The strike of the Lynn workers is based on demands which are just and reasonable. In common with other strikes throughout the Nation, it is part of the struggle to bring our economy into balance and to raise the standard of living in the United States. It is no longer an academic question. The people have seen our economy produce—amazingly—for war. They are determined that it shall produce and distribute, in fairness to all, for the greater objectives of peace.

ADJOURNMENT

Mr. LANE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 32 minutes p. m.) the House adjourned until tomorrow, Wednesday, January 30, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. on Wednesday, January 30, 1946, to continue hearings in its study of operations pursuant to the Public Utility Holding Company Act of 1935, in room 1304, House Office Building.

There will be a meeting of the Federal Trade Subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. on Wednesday, January 30, 1946, on H. R. 2390.

COMMITTEE ON BANKING AND CURRENCY

There will be a meeting of the Committee on Banking and Currency at 10:30 a. m. on Wednesday, January 30, 1946, to continue housing.

COMMITTEE ON THE JUDICIARY

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, January 30, 1946, on the bill (H. R. 2710) to provide for the detention, care, and treatment of persons of unsound mind in certain Federal reservations in Virginia and Maryland. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

The Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary will hold a hearing on Monday, February 4, 1946, on the bill (H. R. 5023) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, February 6, 1946, on the bill (H. R. 5089) to amend the First War Powers Act, 1941. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON THE POST OFFICE AND POST ROADS

There will be a meeting of the Committee on the Post Office and Post Roads on Thursday, January 31, 1946, at 10:30 a. m., to consider H. R. 5186, authorizing certain administrative expenses in the Post Office Department, and for other purposes.

COMMITTEE ON THE CENSUS

The Committee on the Census will hold hearings on H. R. 4781, on Friday morning, February 1, at 10 a. m. in room 1012.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

992. A letter from the Acting Secretary of War, transmitting a draft of a proposed bill to authorize the exchange of certain land at the Benicia Arsenal, Calif.; to the Committee on Military Affairs.

993. A communication from the President of the United States, transmitting supplemental estimates of appropriation in the amount of $6,544,400 for the Post Office Department, to be paid out of the postal revenues for the fiscal year 1946, and an estimate of $4,000 for the fiscal year 1946, to be paid out of the general fund of the Treasury, to provide funds with which to make full settlement of a private relief act (H. Doc. No. 427); to the Committee on Appropriations and ordered to be printed.

994. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $31,600 for the Department of Labor (H. Doc. No. 428); to the Committee on Appropriations and ordered to be printed.

995. A letter from the Postmaster General, transmitting a tabulation showing the number of envelopes, labels, and other penalty inscribed material on hand and on order June 30, 1945; the number of pieces procured; the estimated mailings, and the estimated cost, by departments and agencies, for the quarter ended September 30, 1945; to the Committee on the Post Office and Post Roads.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CANNON of Missouri: Committee on Appropriations. H. R. 5158. A bill reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes; without amendment (Rept. No. 1500). Referred to the Committee of the Whole House on the State of the Union.

Mr. JACKSON: Committee on Indian Affairs. H. R. 2947. A bill to authorize the consolidation of lands on the Sisseton Indian Reservation, S. Dak., and for other purposes; with amendment (Rept. No. 1505). Referred to the Committee of the Whole House on the State of the Union.

Mr. LEA: Committee on Interstate and Foreign Commerce. H. R. 5117. A bill to amend title V of the Communications Act of 1934 so as to prohibit certain coercive practices affecting radio broadcasting; with amendment (Rept. No. 1508). Referred to the Committee of the Whole House on the State of the Union.

Mr. SABATH: Committee on Rules. House Resolution 499. Resolution providing for the consideration of H. R. 5158, a bill reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes; without amendment (Rept. No. 1509). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JACKSON: Committee on Indian Affairs. S. 480. An act to authorize the sale of the allotment of Henry Keiser on the Crow Indian Reservation, Mont.; without amendment (Rept. No. 1501). Referred to the Committee of the Whole House.

Mr. JACKSON: Committee on Indian Affairs. H. R. 4027. A bill authorizing sale of the allotment of LeRoy Milliken on the Crow Indian Reservation, Mont.; without amendment (Rept. No. 1502). Referred to the Committee of the Whole House.

Mr. JACKSON: Committee on Indian Affairs. H. R. 4034. A bill authorizing the issuance of a patent in fee to Alice Yarlott; with amendment (Rept. No. 1503). Referred to the Committee of the Whole House.

Mr. JACKSON: Committee on Indian Affairs. H. R. 4035. A bill authorizing the issuance of a patent in fee to Wilbur Keiser; with amendment (Rept. No. 1504). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on Claims. H. R. 4957. A bill for the relief of Herman Gelb; without amendment (Rept. No. 1506). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 5167. A bill for the relief of the estate of Mrs. Minerva C. Davis; with amendment (Rept. No. 1507). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 5097) for the relief of Hanson, Orth, & Stevenson, Inc.; Committee on War Claims discharged and referred to the Committee on Claims.

A bill (H. R. 5226) granting a pension to Nell H. Shacklette; Committee on Pensions discharged and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII public bills and resolutions were introduced and severally referred as follows:

By Mr. CASE of South Dakota:

H. R. 5262. A bill to provide additional facilities for the mediation of labor disputes, and for other purposes; to the Committee on Labor.

By Mr. BUCK:

H. R. 5263. A bill to provide for the procurement and installation of mechanism for recording and counting votes in the House of Representatives; to the Committtee on Accounts.

By Mr. WALTER:

H. R. 5264. A bill to permit the payment of readjustment allowances after a 3-week waiting period to former members of the armed forces whose unemployment is due to a stoppage of work resulting from a labor dispute; to the Committee on World War Veterans' Legislation.

My Mr. HAGEN:

H. R. 5265. A bill to dispense with the requirement of registration under the Selective Training and Service Act of 1940, as amended, of men 45 years of age and over; to the Committee on Military Affairs.

By Mr. HUBER (by request):

H. R. 5266. A bill to redefine the status of members of the United States occupational forces in Europe between November 12, 1918, and July 2, 1921, for the purposes of certain acts and regulations administered by the Veterans' Administration; to the Committee on World War Veterans' Legislation.

By Mr. McGEHEE:

H. R. 5267. A bill to amend the Civil Service Retirement Act of May 29, 1939, as amended; to the Committee on the Civil Service.

By Mr. McGLINCHEY:

H. R. 5268. A bill to provide that preference in appointments to civilian positions in the Government be given to parents of individuals who died in the armed forces; to the Committee on the Civil Service.

By Mr. RILEY:

H. R. 5269. A bill to amend section 5 of the Home Owners' Loan Act of 1933, and for other purposes; to the Committee on Banking and Currency.

By Mr. SPENCE:

H. R. 5270. A bill to amend the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended,

and for other purposes; to the Committee on Banking and Currency.

By Mr. ENGLE of California:

H. R. 5271. A bill to amend an act entitled "An act to allow credit in connection with certain homestead entries for military or naval service rendered during World War II"; to the Committee on the Public Lands.

By Mr. HAGEN:

H. R. 5272. A bill providing for a national referendum on the proposed loan to the Government of the United Kingdom of Great Britain and Northern Ireland; to the Committee on the Judiciary.

By Mr. HUBER (by request):

H. R. 5273. A bill to permit the payment of readjustment allowances after a 3-week waiting period to former members of the armed forces whose unemployment is due to a stoppage of work resulting from a labor dispute; to the Committee on World War Veterans' Legislation.

By Mr. McGEHEE (by request):

H. R. 5274. A bill to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes", approved March 3, 1921, as amended; to the Committee on the District of Columbia.

By Mr. McMILLAN of South Carolina:

H. R. 5275. A bill to revive and reenact the act granting the consent of Congress to the State Highway Department of South Carolina to construct, maintain, and operate a free highway bridge across the Pee Dee River, at or near Cashua Ferry, S. C., approved April 30, 1940; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDOLPH:

H. R. 5276. A bill to amend the act entitled "An act to provide for the payment to certain Government employees for accumulated or accrued annual leave due upon their separation from Government service," approved December 21, 1944; to the Committee on the Civil Service.

H. R. 5277. A bill to grant certain additional basic authority to the Civil Service Commission; to the Committee on the Civil Service.

By Mr. GORDON:

H. J. Res. 309. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1946, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. GRANT of Indiana:

H. J. Res. 310. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1946, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. WALTER:

H. Con. Res. 123 Concurrent resolution redeclaring the policy of the Congress with respect to reports required to be submitted to it which relate to the disposition of certain surplus property; to the Committee on Expenditures in the Executive Departments.

By Mr. CANNON of Missouri:

H. Res. 498. Resolution providing an allocation from the contingent fund of the House to the Committee on Appropriations for expenses of studies and examinations under House Resolution 50; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON of Missouri:

H. R. 5278. A bill to legalize the admission to the United States of Virginia Harris Casardi; to the Committee on Immigration and Naturalization.

By Mr. DAVIS:

H. R. 5279. A bill for the relief of Dixie Margarine Co., a Tennessee corporation, of Memphis, Tenn.; to the Committee on Claims.

By Mr. D'EWART:

H. R. 5280. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Lindly Nelson; to the Committee on Indian Affairs.

H. R. 5281. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Robert Nelson; to the Committee on Indian Affairs.

H. R. 5282. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Clarence Huso; to the Committee on Indian Affairs.

H. R. 5283. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Everett H. Hanson; to the Committee on Indian Affairs.

By Mr. EARTHMAN:

H. R. 5284. A bill for the relief of Mrs. Lucy T. Harris; to the Committee on Claims.

H. R. 5285. A bill for the relief of Ben Thomas Haynes, a minor; to the Committee on Claims.

By Mr. LEA:

H. R. 5286. A bill for the relief of Claude R. Hall and Florence V. Hall; to the Committee on Claims.

By Mr. JENNINGS:

H. R. 5287. A bill for the relief of Mrs. Cecile W. McAfee, Sarah McAfee, and Haven H. McAfee; to the Committee on Claims.

By Mr. McGLINCHEY:

H. R. 5288. A bill for the relief of Warren N. Miller; to the Committee on the Merchant Marine and Fisheries.

By Mr. REECE of Tennessee:

H. R. 5289. A bill for the relief of Alfred Arrowood; to the Committee on Military Affairs.

H. R. 5290. A bill for the relief of Solon P. Haun; to the Committee on Military Affairs.

By Mr. RAYFIEL:

H. R. 5291. A bill for the relief of Morris Zucker; to the Committee on Claims.

By Mr. WALTER:

H. R. 5292. A bill for the relief of Second Lt. Ephraim D. Yates; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1503. By Mr. SMITH of Wisconsin: Letter from American Legion Post, No. 21, Kenosha, Wis., in opposition to the Veterans' Administration establishing a contact officer within the various counties or districts; to the Committee on World War Veterans' Legislation.

1504. Also, petition of Junker Ball Post, No. 1865, Veterans of Foreign Wars, Kenosha, Wis., in opposition to the Veterans' Administration establishing a contact officer in Kenosha County; to the Committee on World War Veterans' Legislation.

1505. By the SPEAKER: Petition of the Colorado State Association of County Commissioners, petitioning consideration of their resolution with reference to amendment of the Social Security Act to permit recipients of old-age assistance to reside in public institutions; to the Committee on Ways and Means.

1506. Also, petition of Sgt. Thomas R. Clark and others, petitioning consideration of their resolution with reference to demobilization of men overseas; to the Committee on Military Affairs.

SENATE

WEDNESDAY, JANUARY 30, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, who art the Love that never forgets and the Light that never fails, Thou hast taught us that when we lend a hand to Thy earthly children in their striving for life and light we hallow Thy name. Grant us, we beseech Thee, courage, patience, wisdom, and vision for the living of these days on ages telling. Enrich us with the durable satisfactions of life, so that the multiplying years may not find us bankrupt in those things that matter most, the golden currency of faith and hope and love. We ask it in the Redeemer's name. Amen.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 4437) to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	O'Daniel
Austin	Hart	Pepper
Bailey	Hatch	Radcliffe
Bankhead	Hawkes	Reed
Barkley	Hayden	Robertson
Bilbo	Hickenlooper	Russell
Bridges	Hill	Saltonstall
Briggs	Hoey	Shipstead
Buck	Huffman	Smith
Bushfield	Johnson, Colo.	Stanfill
Butler	Johnston, S. C.	Stewart
Byrd	Kilgore	Taft
Capehart	La Follette	Taylor
Capper	Langer	Thomas, Okla.
Chavez	Lucas	Thomas, Utah
Cordon	McCarran	Tobey
Donnell	McClellan	Tydings
Downey	McFarland	Walsh
Eastland	McKellar	Wheeler
Ellender	McMahon	Wherry
Ferguson	Magnuson	White
Fulbright	Maybank	Wiley
George	Mead	Willis
Gerry	Millikin	Wilson
Gossett	Murdock	Young
Green	Murray	
Guffey	Myers	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from Louisiana [Mr. OVERTON], and

the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. CARVILLE], and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Washington [Mr. MITCHELL] is absent on official business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business as a member of the Mead committee.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Minnesota [Mr. BALL] is absent because of illness.

The Senator from Illinois [Mr. BROOKS], the Senator from Maine [Mr. BREWSTER], and the Senator from Oklahoma [Mr. MOORE] are necessarily absent.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee.

The PRESIDENT pro tempore. Seventy-nine Senators having answered to their names, a quorum is present.

LOAN TO GREAT BRITAIN—MESSAGE FROM THE PRESIDENT

Mr. BARKLEY. Mr. President, I ask unanimous consent that a message received from the President of the United States a few minutes ago be laid before the Senate.

The PRESIDENT pro tempore. Without objection, the Chair lays before the Senate the message from the President of the United States which the clerk will read.

(For text of message this day received, see proceedings of House of Representatives, on p. 586.)

The PRESIDENT pro tempore. Without objection, the message, with the accompanying agreement, will be referred to the Committee on Banking and Currency and printed.

Mr. BARKLEY. Mr. President, I ask unanimous consent to introduce a joint resolution carrying out and implementing the recommendations made by the President in his message.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Kentucky?

Mr. LANGER. I object.

Mr. BARKLEY. Mr. President, will the Senator withdraw his objection? All I seek to do is to introduce a joint resolution and have it referred to the committee. It is important that the matter be considered promptly. We expect to have open hearings on the subject. I hope the Senator will not prevent the introduction of the joint resolution.

Mr. LANGER. I am sorry, but I cannot withdraw my objection.

The PRESIDENT pro tempore. The Senator from North Dakota objects.

Mr. JOHNSTON of South Carolina obtained the floor.

Mr. BARKLEY. Mr. President, may I propound a parliamentary inquiry?

The PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. Under the present legislative status in the Senate, is it possible to introduce this joint resolution without unanimous consent?

The PRESIDENT pro tempore. In the opinion of the Chair, it would not be at this time.

The Senator from South Carolina [Mr. JOHNSTON] has the floor.

INVESTIGATION OF STARVATION CONDITIONS IN EUROPE

Mr. CAPEHART. Mr. President, will the Senator from South Carolina yield to me so that I may ask unanimous consent to read a brief telegram?

Mr. JOHNSTON of South Carolina. I yield provided I do not lose the floor.

Mr. CAPEHART. Mr. President, I ask unanimous consent to read a brief telegram.

The PRESIDENT pro tempore. Without objection, the Senator may proceed.

Mr. CAPEHART. The telegram is addressed to me and reads as follows:

NOTRE DAME, IND.

Senator HOMER CAPEHART,
Senate Office Building,
Washington, D. C.:

The administration and faculty of the University of Notre Dame, assembled in meeting, commend you for your recent action together with 33 of your colleagues in regard to the starvation prices in Europe, and bring to your attention the following resolution which we have sent to the President and to Secretaries Byrnes, Patterson, and Vinson. We urge your continuing support.

The administration and faculty of the University of Notre Dame, assembled in meeting, urge upon you the necessity of positive and immediate action on the following measures:

1. Government mobilization with all speed of food and transport sufficient to raise the minimum diet in all countries, including Italy, Germany, Austria, Hungary, and the Far East, including Japan, to 2,000 calories a day, and in the liberated countries to 2,600 a day.

2. Complete freedom of private relief agencies such as the Red Cross, American Friends Service Committee, Catholic War Relief Committee, and other religious groups to operate in every country, in addition to full support for UNRRA, operations of which should be extended.

3. Immediate opening of the mails to Austria and Germany so that private persons may send food, medicine, and clothing. Future harmonious international relations and preservation of the peace require action on these measures in conformity with the dictates of the Christian science and American tradition of charity.

PRESIDENT O'DONNELL, THE ADMINISTRATION, AND FACULTY.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

BOARD OF VISITORS TO THE MERCHANT MARINE ACADEMY AND THE COAST GUARD ACADEMY

The PRESIDENT pro tempore. Under authority of law the Chair appoints the Senator from Arkansas [Mr. MCCLELLAN] a member of the Board of Visitors to the Coast Guard Academy and the Senator from Maryland [Mr. RADCLIFFE] a member of the Board of Visitors to the Merchant Marine Academy.

PETITION

Mr. WILEY presented a resolution adopted by the Board of Supervisors of Milwaukee County, Wis., requesting the War Department, Reconstruction Finance Corporation, Federal Housing Authority, and the National Housing Expediter to take the necessary steps to develop the so-called Eline plant site needed for housing purposes for veterans, which was referred to the Committee on Banking and Currency.

PROTEST AGAINST PEACETIME COMPULSORY MILITARY TRAINING

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a letter from A. L. Ryan, district superintendent of the Methodist Church of Kansas City, Kans., together with an attached statement adopted by the Council of Bishops of the Methodist Church at Buck Hill Falls Inn, Pennsylvania, on December 5, 1945, protesting against peacetime compulsory military training.

There being no objection, the letter with the accompanying statement, was received, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

THE METHODIST CHURCH,
KANSAS CITY DISTRICT,
Kansas City, Kans., January 19, 1946.

The Honorable ARTHUR CAPPER,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR CAPPER: I am enclosing herewith a statement on peacetime compulsory military training, as adopted by our Methodist Board of Bishops at a recent meeting.

I find myself in complete agreement with the stand which is here set forth. I am therefore, writing you to urge you to do everything possible in harmony with the ideals set forth in this statement.

There is certainly a better way for the achievement of the preservation of peace than that which is contemplated by compulsory military training.

Very truly yours,

A. L. RYAN.

THE STATEMENT ON PEACETIME COMPULSORY MILITARY TRAINING ADOPTED BY THE COUNCIL OF BISHOPS OF THE METHODIST CHURCH AT BUCK HILL FALLS INN, PENNSYLVANIA, DECEMBER 5, 1945

With a solemn sense of responsibility to our Nation and to our church, the bishops of the Methodist Church desire formally to express their conviction that the passage of a law requiring universal peacetime military conscription or compulsory training is unwise. We believe that the protection of this Nation and all other nations must be achieved through international agreement and cooperation and not by the unilateral action of any one people. We express our confidence in those principles and processes initiated at San Francisco. We call upon our Government to take the lead in implementing them into a united world structure. It should not rely for its defense upon independent standing armies but upon the broader base of an international security guaranteed by all nations for the benefit of each nation.

We believe that universal military conscription in time of peace is:

(1) A denial of the spirit of the Atlantic Charter.

(2) A betrayal of our historic democratic tradition.

(3) A possible step toward bureaucratic fascism by setting up a powerful military caste in this country.

(4) A threat to the moral life of our youth subjected in a crucial year to an extended period of unwelcome futility and character disintegration.

The proposal is untimely in an age whose patterns of life and national defense are as yet unfixed because (1) new and revolutionary scientific discoveries are making obsolete traditional methods of defense; (2) such an unprecedented step may lead to a false sense of national security; and (3) the present tension in our international relationships will be heightened by any move which leads to suspicion of our national aims and will result in protective rearmament upon the part of other nations. This is the path to war and destruction and not to peace and national safety.

We call upon the Congress of the United States to give to the world a decisive demonstration of faith in the possibility of achieving a world unity resting upon good will and mutual respect rather than upon force and material power. The practice of the principles of the Christian religion still remains our ultimate and most practical security.

We reaffirm with deepening conviction the words adopted by the general conference of 1944: "The time is at hand when the church must rise in its might and demand an international organization which will make another war impossible."

THE COUNCIL OF BISHOPS,
CHARLES C. SELECMAN,
Dallas, Tex.,
Chairman of Council.
WILLIAM C. MARTIN,
Topeka, Kans.,
Acting Secretary of Council.
PAUL B. KERN,
Nashville, Tenn.,
Chairman of Committee
Which Drafted the Statement.

This statement was sent to the President of the United States, the Secretary of the Navy, the Secretary of War, the chairman of the Military Affairs Committee, and the chairman of the Naval Affairs Committee of both the Senate and the House.

TAXATION OF GOVERNMENT PROPERTY—PICK-SLOAN PLAN FOR DEVELOPMENT OF MISSOURI RIVER VALLEY

Mr. BUTLER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by the York County (Nebr.) Board of Supervisors at its regular meeting on January 3, 1946, relating to the taxation of Government property and the Pick-Sloan plan for the development of the Missouri River Valley.

There being no objection, the resolution was received, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

COPY OF COUNTY BOARD ACTION, YORK COUNTY BOARD OF SUPERVISORS, REGULAR MEETING JANUARY 3, 1946

The following parts of the action by the Nebraska Association of County Officials was adopted, by resolution, by the York County, Nebr., Board of Supervisors:

"II. PICK-SLOAN PLAN

"We favor the early start and completion of the Pick-Sloan plan of development of the Missouri River Basin and urge speedy appropriations by the Congress for this purpose. We are inalterably opposed to the creation of a Missouri Valley Authority, as proposed in the Murray bill, S. 555, or as proposed in any other bill.

"VI. NONTAXABLE REAL ESTATE

"Because of the great amount of nontaxable real estate now owned by the United States Government, which may be retained by the Government, Senate file S-1518 provides that such property shall not be exempt from taxation; therefore be it

"*Resolved,* That the Nebraska State Association of County Commissioners and Supervisors, at this time, communicate their endorsement of the bill to the Senate Committee on Finance and to respective Congressmen and Senators. It is also urged that the respective chairmen of county boards in Nebraska communicate their endorsement similarly and at once.

"Moved by Haggard, seconded by Rogers, that we adopt the parts of the foregoing resolution referring to the taxation of Government property and the Pick-Sloan plan for the development of the Missouri River Valley, and that copies of the referred portions be sent to the Congressmen and Senators from Nebraska. Motion carried."

FISH HATCHERY IN COMANCHE COUNTY, OKLA.—REPORT OF A COMMITTEE

Mr. GOSSETT. Mr. President, from the Committee on Commerce, I ask unanimous consent to report favorably without amendment the bill (S. 396) providing for the transfer of a certain fish hatchery in Comanche County, Okla., to the city of Lawton, Okla., and I submit a report (No. 909) thereon. The bill has the approval of the Secretary of the Interior, as will appear from a letter from him which is made a part of the report.

The PRESIDENT pro tempore. Without objection, the report will be received, and the bill will be placed on the calendar.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following reports of a committee were submitted:

By Mr. GEORGE, from the Committee on Foreign Relations:

Executive A, Seventy-ninth Congress, second session, a protocol to extend for 1 year from October 1, 1945, with certain modifications, the Inter-American Coffee Agreement signed in Washington on November 28, 1940 (Exec. Rept. No. 1);

Executive B, Seventy-ninth Congress, second session, a protocol dated in London August 31, 1945, prolonging the international agreement, regarding the regulation of production and marketing of sugar, which was signed in London May 6, 1937 (Exec. Rept. No. 2);

Vice Adm. Alan G. Kirk, United States Navy, to be Ambassador Extraordinary and Plenipotentiary of the United States to Belgium and to serve concurrently and without additional compensation as Envoy Extraordinary and Minister Plenipotentiary to Luxemburg;

Leon L. Cowles, of Utah, now a foreign-service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America;

Robert Lacy Smyth, of California, now a foreign-service officer of class 2 and a secretary in the diplomatic service, to be also a consul general of the United States of America;

Elbert G. Mathews, of California, now a foreign-service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America;

Sydney B. Redecker, of New York, now a foreign-service officer of class 2 and a secretary in the diplomatic service, to be also a consul general of the United States of America:

Merritt N. Cootes, of Virginia, now a foreign-service officer of class 5 and a secretary in the diplomatic service, to be also a consul of the United States of America;

Edward P. Maffit, of Missouri, now a foreign-service officer of class 5 and a secretary in the diplomatic service, to be also a consul of the United States of America;

S. Roger Tyler, Jr., of West Virginia, now a foreign-service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America;

William Witman 2d, of Pennsylvania, now a foreign-service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America;

Sundry persons for promotion in the foreign service of the United States.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ELLENDER:

S. 1775. A bill for the relief of Walter J. Barnes Electric Co. and Maritime Electric Co., Inc., and for other purposes; to the Committee on Claims.

By Mr. THOMAS of Utah:

S. 1776. A bill to authorize the exchange of certain land at the Benicia Arsenal, California; to the Committee on Military Affairs.

(Mr. WILLIS (for himself, Mr. HART, Mr. HAWKES, Mr. HICKENLOOPER, Mr. SMITH, Mr. STANFILL, Mr. WILEY, and Mr. YOUNG) introduced Senate bill 1777, to assist the agencies of scientific and technological education and the development of the Nation and to establish a National Science Foundation, which was referred to the Committee on Commerce, and appears under a separate heading.)

By Mr. HATCH:

S. 1778. A bill to establish and maintain in the General Land Office a record of title to all lands held by the Federal Government; to the Committee on Public Lands and Surveys.

By Mr. PEPPER (for himself, Mr. GEORGE, Mr. LA FOLLETTE, and Mr. TAFT):

S. 1779. A bill to authorize the Federal Security Administrator to assist the States in matters relating to social protection, and for other purposes; to the Committee on Education and Labor.

PROPOSED NATIONAL SCIENCE FOUNDATION

Mr. WILLIS. Mr. President, I should like to introduce a bill and make a few remarks in relation thereto, without taking the Senator from South Carolina from the floor.

The PRESIDING OFFICER (Mr. HOEY in the chair). Does the Senator from South Carolina yield for that purpose?

Mr. JOHNSTON of South Carolina. I yield only if I may hold the floor.

Mr. WILLIS. I ask the Senator to yield with the understanding that he will not be taken from the floor.

The PRESIDING OFFICER. The Senator from Indiana asks the Senator from South Carolina to yield, provided the Senator from South Carolina is not taken from the floor.

Mr. JOHNSTON of South Carolina. That is the only condition under which I will yield.

The PRESIDING OFFICER. Is there objection to the Senator from Indiana introducing a bill and making a statement with relation thereto? The Chair hears none.

Mr. WILLIS. Mr. President, on behalf of myself, the Senator from Con-

necticut [Mr. HART], the Senator from New Jersey [Mr. HAWKES], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New Jersey [Mr. SMITH], the Senator from Kentucky [Mr. STANFILL], the Senator from Wisconsin [Mr. WILEY], and the Senator from North Dakota [Mr. YOUNG], I am introducing this bill dealing with the formation of a National Science Foundation.

There is a special reason at this time for the introduction of this bill. For more than a year bills providing for Federal aid to science in some form have been in Senate committees. On October 8, 1945, three subcommittees of the Committee on Military Affairs and the Committee on Commerce joined in holding hearings on proposed legislation to create a National Science Foundation. Chief among the bills so considered are S. 1297 and S. 1285, referred to because of their sponsorship as the Kilgore and Magnuson bills.

In the hearings on these bills, the joint subcommittees called 100 witnesses and printed about 1,000 pages of testimony, but no substantial agreement on a proper bill came from these labors. In the end—toward the close of the last session before the Christmas recess—a new bill, S. 1720, was introduced in an effort to reach an agreement to report a bill.

The reason for these difficulties is plain to anyone who will read the pending bills and the hearings upon them. Fundamental division of opinion exists upon the far-reaching character of these bills as they relate to political controls over science, over the form of administrative structure as between a directing board or a single head, over patent and national defense features of the bills, over the way in which Federal money would be distributed, and over the effect of such a distribution on science itself. I could continue with these reasons, but it is not my purpose at this time to go into the merits of this legislation. I merely wish to point out the situation as we now find it in these committees.

The chief reason for controversy is that the pending bills offer no real difference in approach to this very important problem. Both of the major bills, S. 1297 and S. 1285, together with the entirely new bill, S. 1720, coming from the sponsor of S. 1297, Mr. KILGORE, involve a large Government agency, politically responsible and politically controlled. No alternative to the philosophy of state-controlled science has been before the joint committee.

Scientists who spoke at the hearings had no alternative approach to consider. Except for the one problem of whether there should be a board or a single head in charge of this vast science program, almost no testimony was produced on the vital question of the administrative structure and methods of operation of a National Science Foundation. The chief question before the witnesses was whether the Federal Government should aid science; and of course most of the witnesses approved the proposal for Federal aid. Few of the witnesses considered how this was to be done. Few spoke of the specific provisions of the bills. I doubt if the scientists who appeared—many of them eminent men—would be for any bill which means Government control, political interference, or restrictions on the freedom of scientific thought and action. The pending bills do involve those questions very materially, but few witnesses turned their opinions in that direction largely because there was no other bill to raise the question of a different approach to Federal aid of science.

We are now in this position: The pending bills have been rewritten and revised many times and no agreement has been reached on any one of them. In these circumstances, an entirely new bill, S. 1720, was introduced a few weeks ago. This new bill makes the same approach to the problem as did the previous bills; and it contains many new and controversial features.

In these circumstances the committees in charge of the hearings must undoubtedly reopen the hearings for further testimony. Certainly the committees could hardly report out a new bill claiming the support of testimony taken on previous and different bills—especially when the new bill raises questions on which controversy exists and on which there is an absence of testimony on the crucial point of administration.

Since a renewal of hearings will and certainly should be undertaken, another means of accomplishing this aid to science should be put before the committee so as to provide an alternative approach to this problem.

That is the purpose of the bill I am now introducing. The whole subject of Federal aid to science is far too important to be settled without exploring all proper methods. The bill I now offer is based on proved American experience which has developed American science from its infancy to the pinnacle of leadership. It safeguards the independence of science at the same time that it provides for Federal financial support of science. It eliminates political control far more than does any of the pending bills. It leaves the scientist free to determine the needs of science, and yet arranges to correlate science with the development of the Nation. It fosters world-wide scientific cooperation.

The bill itself is a simple one. It provides for the formation of an independent corporation by 50 of the most distinguished leaders in the Nation, scientists and laymen. With full powers, properly safeguarded, this corporate body of distinguished men and women would be entrusted with the responsibility of evaluating the changing needs of scientists, reporting to Congress, and allocating the funds Congress appropriates for the purpose.

For 80 years the National Academy of Sciences has functioned quietly and efficiently on the same principle. Since 1917 the National Research Council, associated with the Academy, has done likewise. The war record of these two distinguished scientific bodies is worth any Senator's study in connection with the question of Federal aid to science. Without the Academy and the National Research Council, the work and achievements of the OSRD, the WPB, and other agencies dependent on science would have been severely handicapped. The Red Cross, which, as we all know, has distinguished itself at home and abroad, in peace and in war, is organized on the same principle as the one embodied in this bill. Such institutions as the Academy and the Red Cross are eloquent proof that the principle of an independent body, free of Government interference and free of political control, is a sound and desirable one.

Mr. President, that is the principle incorporated into the bill for Federal aid to science which I now offer. I ask that it be referred to the Committee on Commerce, which has other science-aid bills before it. There I hope it will receive proper consideration because of the splendid alternative it offers to the present controversies over Federal aid to science.

Mr. President, I send the bill to the desk and ask that it be printed in full at the close of my remarks.

There being no objection, the bill (S. 1777) to assist the agencies of scientific and technological education and the development of the Nation, and to establish a National Science Foundation, introduced by Mr. WILLIS (for himself, Mr. HART, Mr. HAWKES, Mr. HICKENLOOPER, Mr. SMITH, Mr. STANFILL, Mr. WILEY, and Mr. YOUNG), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc.—

DECLARATION OF POLICY

SECTION 1. Congress hereby recognizes that the energetic development and application of the Nation's scientific and technological resources are essential to progress and prosperity. The purpose of this act accordingly is to aid other agencies in advancing the Nation's scientific and technological education and development, and in particular to supplement moneys now and hereafter forthcoming from private sources, by such appropriations as Congress, acting upon the advice of the National Science Foundation, herein created, may make available.

ESTABLISHMENT OF INDEPENDENT OFFICE

SEC. 2. There is hereby created, as an independent agency of the Federal Government, the National Science Foundation, a corporation, the initial members of which shall be 50 distinguished men and women representative of all sections of the Nation, recognized leaders in the fields of fundamental science, social sciences, medicine, engineering, and education, and lay persons of recognized standing in public affairs, selected solely on the basis of established records of distinguished service without reference to any political, social, or religious factors. The President of the United States shall select and appoint these initial members of the Foundation from among nominations requested by him from the National Academy of Sciences for those fields within the province of the academy and from recognized national organizations in those fields outside the province of the academy.

SEC. 3. The National Science Foundation shall consist of not more than 50 members, and the said corporation hereby constituted shall have power to make its own organization, including its constitution, bylaws, and rules and regulations; to fill all vacancies created by death, resignation, or otherwise;

to provide for the division into classes; to appoint a chief executive officer and a staff and to pay their salaries from moneys that may be available for that purpose; and in general to do all other matters needful or usual in such institution, and to report the same to Congress annually.

SEC. 4. (a) The National Science Foundation shall hold meetings at such times and places in the United States as it may designate, and the Foundation shall examine into and report to Congress annually upon the monetary needs of American institutions devoted to higher education and the pursuit of knowledge in regard to research and training in all departments of science as well as aid by means of scholarships and fellowships in these departments, and disburse such funds as Congress may provide.

(b) In matters relating to the departments of science represented in the National Academy of Sciences (the physical and biological sciences and mathematics), including basic medicine and engineering, the Foundation shall in discharging its functions request advice from the Academy (an agency incorporated by Congress, March 3, 1863, to advise Government in matters of science and art). With regard to matters outside those fields within the province of the Academy, it shall request the advice of recognized national organizations in the appropriate field. The Foundation, however, shall not be obligated to follow advice so requested if it is contrary to its own judgment.

SEC. 5. The Foundation shall foster the maximum publication and disssemination of scientific discoveries and technical information of scientific value and may publish or arrange for publication of such discoveries and information.

SEC. 6. The Foundation is hereby authorized with the approval of and through the Secretary of State to cooperate in any international research activities consistent with the purposes of this act and to conclude agreements with foreign governments or agencies thereof facilitating the acquisition, dissemination and exchange of scientific and technical information. The Foundaton shall, from time to time, in cooperation with the State Department and other interested governmental agencies appoint from nominees of scientific and professional associations official representatives to accredited international scientific congresses and meetings and defray the expenses of such representatives.

SEC. 7. The National Science Foundation is authorized and empowered to receive by devise, bequest, donation, or otherwise, either real or personal property, and to hold the same absolutely or in trust, and to invest and manage the same in accordance with the provisions of its constitution, and to apply said property and the income arising therefrom to the objects of its creation and according to the instructions of the donors: *Provided, however,* That Congress may at any time limit the amount of real estate which may be acquired and the length of time the same may be held by said National Science Foundation.

SEC. 8. Neither the Foundation nor any of its members shall receive any compensation whatever from Congress for any of the services which it performs, but the actual expenses incurred in the discharge of its duties, including travel and subsistence of members in discharge of their duties, may be paid from appropriations which may be made for the purpose.

SEC. 9. Congress shall have the right to repeal, alter, or amend this act at any time.

SEC. 10. In order to provide for the organization of the Foundation and the making of an initial report and recommendation to Congress there is hereby appropriated the sum of $100,000.

Mr. WILLIS. I express to the Senator from South Carolina, my appreciation for his courtesy to me.

HOUSE BILL REFERRED

The bill (H. R. 4437) to provide for the return of public employment offices to State operation, to amend the Act of Congress approved June 6, 1933, and for other purposes, was read twice by its title and referred to the Committee on Education and Labor.

ATOMIC BOMBS IN INTERNATIONAL SOCIETY—ARTICLE BY SENATOR THOMAS OF UTAH

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an article prepared by him on the subject Atomic Bombs in International Society, published in the October 1945 issue of the American Journal of International Law, which appears in the Appendix.]

AMERICA'S PRODUCTION PROBLEM—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD a radio address on the subject of America's production problem, delivered by him on January 29, 1946, which appears in the Appendix.]

THE AGRICULTURAL SITUATION IN NEBRASKA—ADDRESS BY SENATOR BUTLER

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an address delivered by him at Columbus, Neb., January 25, 1946, to the Nebraska State Convention of the NRECA, which appears in the Appendix.]

RECLAMATION—ADDRESS BY SENATOR BUTLER

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an address delivered by him in Lincoln, Nebr., January 28, 1946, at the annual meeting of the Nebraska Reclamation Association, which appears in the Appendix.]

OUR INTERNATIONAL POLICIES—ADDRESS BY HON. ALF M. LANDON

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address entitled "Our International Policies," delivered by Hon. Alf M. Landon, of Kansas, before the Kansas Women's Republican Club annual meeting at Topeka, Kans., on January 28, 1946, which appears in the Appendix.]

UNITED STATES EMPLOYMENT SERVICE—DISCUSSION ON THE AMERICAN FORUM OF THE AIR

[Mr. MURRAY asked and obtained leave to have printed in the RECORD a discussion of the subject "Should the USES be turned over to the States immediately?" held on the American Forum of the Air, January 8, 1946, which appears in the Appendix.]

THE PRESIDENT'S NATIONAL HEALTH INSURANCE PLAN—POLL OF WASHINGTON RESIDENTS

[Mr. MURRAY asked and obtained leave to have printed in the RECORD a poll of residents of Washington, D. C., in relation to President Truman's national health insurance plan, which appears in the Appendix.]

THE AMERICAN INDIAN AND GOVERNMENT—ARTICLE BY BYRON BROPHY

[Mr. BUSHFIELD asked and obtained leave to have printed in the RECORD an article entitled "The American Indian and Government," by Byron Brophy, which appears in the Appendix.]

PARITY PRICES FOR AGRICULTURAL COMMODITIES

[Mr. BUSHFIELD asked and obtained leave to have printed in the RECORD a statement on parity prices for agricultural commodities, prepared by C. C. Hanson, secretary of the Association of the Southern Commissioners of Agriculture, which appears in the Appendix.]

NO DEFENSE PLAN—ARTICLE BY JOSEPH AND STEWART ALSOP

[Mr. HILL asked and obtained leave to have printed in the RECORD an article entitled "No Defense Plan," written by Joseph and Stewart Alsop, and published in the Washington Post of January 30, 1946, which appears in the Appendix.]

OPERATION OF PACKING PLANTS BY GAYLE ARMSTRONG—EDITORIAL FROM ROSWELL (N. MEX.) DAILY RECORD

[Mr. HATCH asked and obtained leave to have printed in the RECORD an editorial dealing with the appointment of Gayle Armstrong to operate for the Government meatpacking plants, published in the Roswell (N. Mex.) Daily Record of January 25, 1946, which appears in the Appendix.]

IMPROVEMENT OF THE UNITED STATES ARMY—EDITORIAL FROM YANK

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD an editorial regarding suggestions for the improvement of the United States Army, from Yank for December 21, 1945, which appears in the Appendix.]

THE CASTE SYSTEM IN THE ARMY—EDITORIAL FROM THE SATURDAY EVENING POST

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD an editorial entitled "Barrack Room View of the Brass," from the Saturday Evening Post of January 5, 1946, which appears in the Appendix.]

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. JOHNSTON of South Carolina. Mr. President, inasmuch as we have been debating Senate bill 101, which ofttimes has been spoken of as the Fair Employment Practice Act, let me say, as I have said on previous occasions, that the name is a misnomer insofar as the bill is concerned. It should be called a bill to take away the human rights of all the people of the United States. I say that for the reason that the bill would be far-reaching in its effects, and would actually take away from every employer the right to hire, fire, and increase salaries of employees. The bill may be intended to care for some discriminations, but at the same time it would take away all those rights.

I have been amused in the Senate to listen to the debates on this bill and to see arise on this floor and speak time and time again Senators who have sponsored the bill but who acknowledge defects in almost every paragraph of it. Anyone who has listened to the discussions knows that to be true. Some Senators have actually stood on the floor of the Senate and suggested that the bill be recommitted—not sent back to the com-

mittee from whence it came, namely, the Committee on Education and Labor, but sent to the Judiciary Committee. I can imagine why some Senators wish to have the bill go to the Judiciary Committee. They would like to have some of the defects of the bill ironed out, since there are so many defects in it. Such Senators want the lawyers of the Senate—the legal committee, so to speak, of the Senate—to see whether they can cure the defects which have been called to their attention time and time again. The public wonders why so many Senators are trying to explain this proposed legislation, not only to the Senate, but to the people of the United States. We are explaining it because we fear that the people of this Nation have been misinformed greatly in regard to what the bill would do if it were enacted into law.

Let us look for a few moments at the bill as it is now drawn. It undertakes overnight, by the enactment of a law, to say to the people of our country, "No; you shall not have any feeling about any beliefs, any religions, or any nationalities. No. Overnight you must do away with every bit of that." If Senators will only discuss that mattetr with a psychologist they will find that such a result would be impossible to accomplish, because the environment in which one is reared goes with him throughout his life, even to the grave. That is true in every section of the United States. Certain peculiarities may exist in one section of a State. In my State persons living in different sections often differ with each other in regard to various matters, because of their early environment and the doctrines which were inculcated in them while they were young. It is impossible to get away from that situation by passing a bill designed to interfere with the views entertained by citizens of the Nation, and if such a bill were enacted into law I am fearful that it would not be possible to enforce it.

Mr. President, in my hand I hold a statement which was prepared and sent to me from Anderson, S. C. The statement was prepared on behalf of the Anderson Daily Mail and the Anderson Independent Tribune.

Mr. RUSSELL. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from South Carolina yield to the Senator from Georgia?

Mr. JOHNSTON of South Carolina. I yield.

Mr. RUSSELL. Are the papers to which the Senator referred published by a former distinguished Member of this body, Mr. Wilton E. Hall?

Mr. JOHNSTON of South Carolina. He is the editor and coowner of both newspapers. He has also recently completed a term as the head of the newspapermen's association in South Carolina.

Mr. RUSSELL. The position which he occupied was that of president of the South Carolina Press Association.

Mr. JOHNSTON of South Carolina. Yes. An investigation was made in Anderson, S. C. Representatives of the newspapers to which I have referred were sent to interview all businessmen in the locality. I now read from the statement which was prepared as a result of such interviews:

The Fair Employment Practice Commission legislation, if enacted into law, would be a farce, as far as small-business men in Anderson, questioned by a Daily Mail reporter yesterday, are concerned. Included in the survey were Negro workers and white employers alike, who admitted that they did not know what the proponents of the FEPC were seeking.

They believe Anderson represents an average southern town, and those businessmen questioned yesterday represent average small-business men throughout the South. They were of the opinion that the FEPC seemed to have a "hidden" meaning in "fair employment," and that it was a bad bill and could never be enforced if it were passed by Congress.

"I believe it would be a bad law, and could never be enforced," one employer said. His opinion was that such a law would only cause confusion and do nothing toward solving interracial relations in the South, "if that is a purpose of the bill," he said.

One Negro included in the survey was a veteran of 21 months in the South Pacific. He told the reporter that he had discussed racial relations with white soldiers in the Philippines many times. There was some argument about racial segregation, he said, but he pointed out that neither the Negro soldiers nor the white soldiers could determine just what was meant by discrimination, when applied to white and Negro races.

The Negro pointed out that neither he nor many of his race had been able to determine just what the proponents of FEPC were seeking "If they want to improve racial relations between the white people and the colored people, then the FEPC will do nothing but cause confusion. The question of personal feeling is too big," he said.

Those Negroes questioned yesterday admitted that they had not heard of any clear definition of fair employment practices, and told the reporter that they did not see how any such law would improve racial relations in the South. None would charge that they had been discriminated against, and again asked "What does the Congress mean when they say 'discrimination'?"

Most of the employers pointed out that they had built their businesses up over a period of years, and held to the belief that they had the right to hire anyone whom they saw fit and would conduct their businesses accordingly. They said that any such legislation as the FEPC had too many loopholes to be successfully enforced upon the people.

Anderson has no large labor unions, and the closed shop is virtually unknown. Those included in the survey yesterday were convinced that the closed shop was discrimination, and they said that until such a measure was included in any law to enforce any form of compulsory employment, the fair-employment enactment of Congress could not even hold any hope of enforcement.

The survey showed that the average southerner believes that proponents of FEPC are trying to reach too many intangible things that exist in the problem of racial relations in the South. They believe that those favoring fair employment practices are attempting to use the power of numbers to pass the measure, instead of digging into the facts involved where the law would affect the majority of the people. They believe that the FEPC is aimed directly at the South, and that it would be no fair enforcement in any part of the Nation.

Negroes and white persons alike pointed to the racial troubles of northern cities, and refused to believe that legislation designed to curb these troubles would serve the same purpose in the South. They again pointed to the intangible problems facing the two races in the South, and said that the most prominent problem confronting the average southerner is a friction between personalities which no law on earth can prevent.

In answering questions put forth by the reporter, those included in the survey brought up the matter of States' rights, and held to a strong belief that the FEPC is trespassing these rights. They could not understand how representatives of other parts of the Nation could successfully campaign for the welfare and well-being of the South.

It was conceded by all questioned that if any other State adopted a fair-employment practice commission of its own, it possibly would solve some of the labor problems of that State, but never, they said, would such a law serve any purpose other than to confuse and bring about more problems than already exist for the people of South Carolina.

Mr. President, I have read a statement which was prepared in Anderson County, S. C. Anderson County is the county of my birth. I believe I know the feelings of the people of that county. I know that their feelings are not unlike the feelings of persons living in other counties of the State.

I now come to Spartanburg County. That county has a large industrial center.

Mr. President, taking up where I left off, let me say that I live in what is known as the industrial section of South Carolina, that is the Piedmont section. For the information of the Senate I may say that during November and December 1945, 26 percent of all the cotton spindles running in the entire United States were in South Carolina. That shows that my State is rapidly becoming an industrial State. But I should like to call the attention of the Senate to a condition that cannot be changed. For some unknown reason it will be found that the industries in my State are located in the Piedmont. It will be found that in my State the colored people are not so numerous in the Piedmont section. In some counties in the lower part of South Carolina, not the section from which I come, there are three or four colored persons to one white person. The reverse will be found in the Piedmont section, from which I come. There it will be found that there are three or four white people to every colored person.

Why do I go into that? I mention it to show that the colored people of my State are principally located in the part of the State which is engaged in the business of agriculture. In the Piedmont section, the industrial section, a majority of the white population live. The people in the southern part of my State have been trained to raise cotton, corn, wheat, oats, potatoes, cabbage, tobacco, and products of that kind. When the Congress wants to do something, then, to benefit the colored race, let it help agriculture. When the Congress subsidizes any commodity grown on the farm and holds prices up, guaranteeing that producers will receive a certain high price for the commodity, then it helps the colored race of my State. The representatives of my State in both the House and the Senate have at all times advocated help for agriculture.

As I read a few moments ago from reports in the Anderson Daily Mail, it is not believed that this bill can be enforced in my State, and practically it will not be enforced. It does not cover the farms where the colored people in my State are principally found; but if this bill is passed it will affect them. In what way? Not in the way suggested in the first paragraph of the bill but in the reverse of the suggestion in the first paragraph, because, Mr. President, when the races are stirred up in any State—and this bill would stir them up—the trouble would not be confined to those whom the bill covers but would spread to the 85 percent of the colored race in my State whom this bill does not cover. If prejudice were stirred up against the races, the white against the colored and the colored against the white, then what would happen to that 85 or 90 percent in the farming area of my State? So, it should be apparent that those who are proposing to pass this bill are playing with dynamite so far as my State is concerned and so far as many other Southern States are concerned.

When a man living in the country reads the newspaper stories about the fair employment practice bill and then reads the bill, under which an accused person may be tried by a commission perhaps in Puerto Rico, perhaps in Chicago, or perhaps in Harlem, N. Y., or some other place, it is easy to imagine what that man will begin to think even though he may not be covered by the bill.

We had such legislation as this on another issue that could have been settled without having a bloody war; but we have begun again to fan the fire between the South and the other sections. Surely, Mr. President, we must all be aware that the South, the colored people along with the white people, have been penalized enough in the past.

Mr. President, some time ago the Congress pased a bill giving to what are known as the land-grant railroads the right to charge the Government standard rates although the railroads had agreed and contracted when they were built through the West and the Northwest to give the Government a substantial reduction of the normal rates. Under the rates provided under the Land-Grant Act the Government saved $20,000,000 a month, month after month, because of the reduced rates for which the railroads carried Government freight. I wonder how much they have taken from the South by the discriminatory freight rates during the many years such rates have been in effect. If it is desired to do something for all the people of the South, white and colored, then let us equalize the freight rates. After the War Between the States and on down through the years there grew up rules and regulations prescribing freight rates from one section of the United States to another. My State at first could not build any cotton mills. It was necessary first to obtain an adjustment of freight rates. Then when the South got an adjustment of rates, what happened? Anyone who will go through the New England States will see what happened. Cotton mills were moved from New England to the place where they belong. Why haul a large bale of cotton all the way up to Massachusetts in order to have it made into cloth? The railroads gave a cheap rate on the raw cotton carried to the North, but for hauling from South Carolina to the North cloth made from cotton about 40 percent—not 40 cents, but 40 percent—more was charged than for hauling the cloth over the same railroad from the North to South Carolina. Yet it is said there is no discrimination.

Then when the Interstate Commerce Commission a few weeks ago decided that they had to readjust those freight rates, they changed them more or less according to Mason and Dixon's line—I call it and I have always called it the Smith and Wesson line, above which is the area known as official territory—and said there was charged too high a rate below that line, and the rates must have been too low above it, for they said they would switch them a little, and take 10 percent off the Southern rates and put 10 percent more on the rates in official territory, showing that they believed the rates in the South were 20 percent too high. That was done by the Interstate Commerce Commission—not by South Carolinians, not by southerners, but by a Commission representing all the people of the United States.

The pending bill is certainly a far-reaching measure. It does not meet with the approval of anyone who looks to the future of our great country. I do not believe that anyone can study the bill and vote for it in toto. Every one of the authors of the bill to whom I have talked says, "We will change it so as to provide for trial by jury." I dare say they would. They would have to do so later, even if they did not put it in the bill. "We will cut down the penalty. We think that is too severe." The penalty provided is $5,000 and a year in jail. Furthermore, if an employer were found guilty of not hiring someone today and probably hiring him day after tomorrow, there could be taken away from him the right to contract or to do business. He would be put on the blacklist. That is what is said, that his name would be made known all over the United States. That is in the bill. I did not put it there, the authors of the bill did that.

Mr. President, I am proud I come from the South. Always the South will be found coming to the fore when any attempt is made to lynch, so to speak, the Constitution of the United States. That is what this bill does; it lynches the Consitution. Talk about antilynching laws! There should be one against lynching the Constitution. That is what is being attempted in this particular bill.

Mr. President, let me show how a trial would be conducted under the bill. As a lawyer I have participated in trials, and I know exactly how the proposed Commission will undertake to try a man. They will meet, for instance, this morning, and say, "Mr. B, you are alleged to have discriminated against Mr. C because you hired Mr. D instead of Mr. C. We want to hear what you have to say about it." So they start taking testimony. When one goes into court he puts his witnesses on the stand and they testify, "This happened in such and such a place." The trial before the Commission may be in Chicago, although the act may have happened in South Carolina. We know whose witnesses will be in the first place. A little businessman would not have money enough to run all over the United States, yet he could be taken to Chicago.

When testimony is taken in a court, rules of evidence govern the procedure. But what do we find in this bill? Under it a man may say, "I have an affidavit from Mr. So-and-So that I brought along. Mr. Brown could not come, and I brought this affidavit, and I ask that the hearing agent let this be admitted in evidence." Any lawyer within the hearing of my voice knows exactly what would take place in a court trial, but in this hearing, the hearing agent will say, "Yes, we will receive that for what it is worth."

The affidavit is read, and, oh, it is strong. The respondent has no chance to cross-examine the witnesses, he has no chance to look any witness in the face to see how he looks, to see whether or not he is lying or is telling the truth. He will not even have a chance to look at him to see whether he looks like the brother of the man who made the allegation in the first place.

In the affidavit, everything is alleged. An entire case is made out. The witness says, "Yes, I was present that day when So-and-So appeared before the employer and asked for the job, and I could tell, from the way the employer acted and the way he looked at the other persons in the office, that he was turning the applicant down because he was either of some other nationality or some other race."

Mr. President, the affidavit is put in evidence. After it is placed in the evidence the Supreme Court of the United States could not reverse a decision based on it, because it is something the Commission can hang its hat on. There may be just a little bit of truth in the affidavit, or there may be no truth in it; it may be a lie; but it constitutes something in the evidence that points probably at discrimination in the case.

Mr. President, that is what we are facing. That illustrates why every man has the right to have his witnesses in court. That is why every man has the right also to be tried by a jury before he is convicted and sent to jail. That is why the people of England hundreds of years ago rose against their King and said, "We must have some rights," and one of the rights they demanded and received was the one that is here being taken away from the people—the right of trial by jury.

Another thing, Mr. President. Let us say a good old break-down for the colored people is going on in my State. Let us say they have a colored orchestra there which is doing a fine piece of playing, and they decide to hook it on to the radio and let people elsewhere enjoy it. If there are more than six people employed, a white person could come forward and say, "I want to be a member of that orchestra." That is how far reaching the bill is.

A church may employ more than six people in its headquarters, let us say, in Nashville, Tenn. I will take my own de-

nomination, for instance, the Baptist denomination, which employs more than six in its office in Nashville. They do business all over the Southern States, not in one State only. Their business is interstate commerce. Under the bill it can be said to the Baptist Seminary in Nashville, Tenn., "You have to employ colored people in the office here, too. You have to employ some to teach here in the school." That is how far reaching this bill is. Knowing the sentiments of both white and colored, can anyone believe that is for the best interest of the people? Can anyone think the people want that?

In South Carolina the colored people have organized some mighty good baseball teams. I do not think they would like to have white boys on their teams, from what I have heard from them. They want to play their own game; they want to be left alone.

I notice, when I go to New York, that the colored people have congregated in Harlem. That is due to an inborn instinct. It will be found that the members of races congregate together; they want to be together. They do not want other races to interfere with them. That is nothing but human nature. It has always been true in the past. By this bill there is an attempt to change something that God made. We did not make it. God made my face white and made some other face yellow and some other face black. I did not do it. Congress cannot change that state of affairs.

A person who goes into the backwoods in South Carolina will find that some colored people there paint only the fronts of their houses white. On inquiring why that is done the reply is made that it is to keep out the "hants." They are afraid the "hants" will come into the house at night and kill them, so the front of the house is painted white to keep them out. That is one of the peculiarities of some colored people. That peculiarity cannot be changed overnight.

As I said a few moments ago, it will also be found that the colored people have seen fit to keep mostly to the southern area of my State. The whites have gone to the upper part of the State. The upper part of my State is closer to the mountains and the climate is a little colder. After the colored people in the South were set free, for some reason they stayed in the South. They did not go up North and get for themselves "a mule and 40 acres." They stayed down South because the weather there suited them better, the climate suited them better, the conditions of life there suited them better. They wanted to stay with their own crowd. That is human instinct, and it cannot be changed by legislation.

Mr. President, there are so many things which enter into the question which is now before the Senate that we had better go slow, we had better watch what we are doing, lest we take action that might result in great chaos in the United States. It might result in stirring up discontent rather than helping the Negro. I want to help the Negro. I warned the newspapers in my State to try to keep quiet respecting the racial question, because the more it is talked about, the more it is agitated, the worse the situation becomes. Like a fire, it feeds on itself.

Mr. President, could we enact a law which would succeed in making one love a Jew or hate a Jew? Could we enact a law which would succeed in making one love a colored man or hate a colored man? No. I am speaking for the South, and I say that it will be found that in the South the colored man has advanced during the last 20 or 25 years as rapidly, if not more rapidly, than any other race has advanced in all the history of the world. Learn the facts and see if that is not so.

Mr. President, this bill in effect says to a man, "You are discriminated against." Such a bill stirs up race antagonism. Senators will notice that the bill is not sponsored by those who are particularly interested in the people of the South. I am interested in the people of my South, both white and black. I know that if the income of the people of my State is increased it will result in raising the standard of living in my State. But if something is done which will make the members of either the white race or the colored race think that the members of one race are doing an injustice to the other, it will be found that friction will immediately develop. If two sticks are rubbed against each other long enough fire will result. Sufficient friction can result from the passage of the pending proposed legislation to cause serious trouble.

Mr. President, I am here today to tell the world that the South did not start this movement. I have heard Senators say on this floor, "You who are from the South know more about how to handle the colored race than I do," and then they turn around and say, "But we will tell you how to run things down in your part of the country."

Mr. President, I am not going to tell a Senator from a State whose main industry is mining how to carry on the mining industry. While I am Senator from South Carolina I shall not do such a thing. I do not know anything about mining, and I am not going to tell Senators from mining States how to run their business. I am not going to tell a Senator from a great cosmopolitan center such as New York, Chicago, or Detroit how to handle the affairs of a great city. But I can tell the Senate how we handle our affairs in South Carolina; and that without having any trouble. In South Carolina we follow the instinct which is inborn in the colored race as well as the white race, and let the two races segregate themselves. They do it themselves. In most place we do not have to segregate the races. In towns where there is no segregation it will be found that the colored people live on a certain street. No one makes them stay there, but it will be found that they go there automatically. Leave that up to them.

Mr. President, I venture to say that if six colored people were to go to New York, without anyone interfering with them or telling them where to go when they reached New York, if they were simply turned loose, in less than 10 days after they got to New York, even if they had to walk all over the town, they would be found in Harlem, with the other colored people there. I think everyone realizes that to be true. Then why are we trying to build up a dam, so to speak, to push back the water against something that we know is fundamentally wrong? If we do that we will have more outbreaks such as there were in Detroit. I warn Senators that if we pass this bill trouble will result when members of the two races get together.

We might as well call a spade a spade. In my State, when some white boys go into a colored settlement we occasionally hear that one of the white boys has been cut up. If he had stayed in the white settlement he probably would not have been cut up. The opposite is also true. Let white boys go to what is called a Negro "hot spot," and trouble is likely to result.

Mr. President, I am trying to bring to the attention of the people of the United States what I believe to be for the best interest of all the people, not simply for 13,000,000 people, but for 140,000,000 people. What I now urge is for the benefit, as I believe, of all the people of the country. I am not speaking simply for the interest of 13,000,000 people, or for a group of 5,000,000 or 6,000,000 people.

Mr. President, referring to the Jewish people, I will say that I do not know of any Jews who voted against me in South Carolina. Their vote shows how I feel toward them and how they feel toward me. When I was going to college I worked in a store conducted by a Jew. However, there are some people—and I hate to say this—who do not like Jews. And some Jews probably like the people of their own race a little better than they like the people of other races. That is human nature, and the bill cannot change human nature and legislation never will. I fear the enactment of this bill, however, will do harm to our great country.

I have before me an article from the Manufacturers' Record of January 1946, written by George H. Fisher, chairman, labor committee, American Society of Industrial Engineers. I read one or two paragraphs:

> Race is the only basis upon which nature herself segregates the peoples of the earth.

The yellow people have stayed together. The white people have congregated, and the colored people have congregated in the past.

> For the sake of compatibility society segregates according to age in our schools, according to sex in rest rooms, according to religion in churches, according to occupation in union halls, according to political beliefs in parties, according to height, weight, experience, skill, and so forth, in industry. No one has seen fit to object to such subdividing for the sake of convenience or for other practical reason. Yet, taking their cue from the leftist race agitators, our intellectuals in the labor movement somehow find it immoral to segregate, as nature herself has done since the dawn of history, on the basis of race.

This is not my statement. This is the statement of the writer of the article.

> In thousands of test cases it has been found that 95 percent of all Negro haters can be cured through the natural-assimilation method if the element of force is absent. In the large northern cities racial problems are being solved in this fashion on a practical scale. Not only in industry but

in the fields of housing, religion, politics, and so forth, whites and Negroes are associating together in perfect harmony when common sense and imagination are applied instead of crack-pot social dogmatisms, which seek to compel by legislation that which is best accomplished by free-will action.

Racial intolerance is an emotional malady, and it cannot be curbed through legislation any more than drunkenness was curbed by the Volstead Act. When world peace is restored and we can consistently preach against hatred of all races and peoples then we will again make headway with our brothers-under-the-skin thesis. But at a time when all the world and its races are entangled in a hopeless criss-cross of deliberately-spawned hatreds we are foolish indeed to saddle ourselves with legislation that can only insure the continuation of the same kind of hatreds.

During the past several years there have been promulgated in this country certain theories of government—and this is one of them—and philosophies of life directly contrary to those under which this Government was founded and on which this Nation was builded. When this country started there were two schools of thought. One of them wanted a strong national government, to control everything. I am glad to say that those of that school of thought were not in the majority. Our great leader, Thomas Jefferson believed in the masses. He believed in freedom of thought, freedom of speech, and the other great freedoms about which we talk. We have heard a great deal in late years about the "four freedoms." They are nothing new.

If Jefferson's philosophy had not been followed, and we had tried in the United States to make all the people and all the States act alike all the time, even the War Between the States would not have been lost. There would have been enough to have fought against that theory, and to have won.

So far as the South is concerned, I am one of those who believe that the South would have been far better off if the War Between the States had been won by the Southern Confederacy, because ever since the War Between the States something has been popping up from time to time as a result of efforts to try to penalize the South. Anyone who reads history knows that what I am saying is true. We have been discriminated against to the extent of billions of dollars in freight rates alone. For a long while the South was kept from having industries; but, thank the Lord, we are getting them now. Water cannot be prevented from running downhill. Industries belong in the South, and they cannot be kept from going there.

The West had better wake up, too. It is in the same situation so far as freight rates are concerned. It is asleep, and does not know that anything has happened. I am reminded of the story which I heard about a colored boy in the First World War. The colored boy and a German were engaged in a fight. Both of them had been disarmed and were going at it with only their fists. Suddenly the colored boy happened to think about the straight razor which he carried in his pocket. He reached into his pocket and got it, and made one swipe at the throat of the German. The German jumped back and said, "You didn't touch me." The colored boy said, "Just wait until you turn your head, and you will see." [Laughter.]

The same thing is true of the West. As soon as the West wakes up and wants some industries, particularly in the Northwest, it will find that its head is completely cut off so far as freight rates are concerned, and it cannot do a thing until there is an adjustment of freight rates.

It was inevitable that sooner or later this question would come to a head, and that there would be a fight to the finish between the two divergent views about which I was speaking a few moments ago. This has happened in the introduction of Senate bill 101, the so-called fair employment practice bill. The sponsors of the bill brought it before Congress when they knew, and everyone else who had a grain of sense knew, that they would have a fight on their hands. They have not seen anything yet. The fight has just begun, so far as I am concerned.

The bill proposes to make permanent the FEPC, a bureaucratic control originally set up by Executive order as an emergency war measure. It is proposed, through a permanent act, to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry. When I read all those words and realize all that they cover, I am forced to laugh. I know that such a law would be a farce, just as the newspapers back home said it would be.

Mr. President, what is the veiled intent and ultimate purpose of this measure? We people of the South take the position that certain provisions of the bill relate to proposals in connection with the conduct of our Government in which we do not believe and upon which we think we should not agree to compromises. Is there any cause to do so? Would the bill bring about any good result? I think we should consider that point.

I hope no Senator joined in introducing the bill because he hoped that thereby he would obtain a few more votes in the next election. I hope no Senators have done so. I certainly did not stir it up. I do not run for office again until 1950; I shall be here until 1951, I hope, God sparing me. I am not speaking in an effort to gain any votes in any election; but I believe that if the attempt to pass the bill continues, probably at some future date someone will lose some votes, one way or another. It seems to me that those who continue to stir up strife and discontent will be likely to lose some votes. I would hate to see anyone lose votes on account of this bill, but such might become the case. As I stated when I spoke on this bill the other day—and I spoke then for approximately four hours and half—Mr. Dewey, in New York, probably did not gain many votes or much influence because of his support of the bill which was adopted in his State. From the looks of things, it seems to me that conclusion is justified. He had the legislature of his State pass a luke-warm kind of bill which is virtually nothing as compared with the bill which now is before the Senate of the United States. The New York bill does not provide for putting men in jail or fining them $5,000. Under the law in New York the procedures will be more or less subrosa. Of course, in our college days we found that sometimes some of the things done in the fraternities were more or less subrosa or under cover; and similarly we find that in the State of New York, under the provisions of the New York FEPC law, everything is being kept rather quiet. But, Mr. President, they have a tiger in the cage, and they do not dare to turn him loose. That is what the situation in New York amounts to.

All lawyers know that many persons find it very easy to believe that they have been willfully discriminated against or willfully injured. When I was engaged in the practice of law I represented thousands of laboring people in my State, and I know something about the matter of discrimination. Many times people are discriminated against, but many other times they simply imagine they are being discriminated against. All too often such injuries exist only in the minds of the persons who complain. So we see how easy it would be under the provisions of the pending bill for a Chinaman or a colored man or a Jap or someone else to claim that his failure to obtain a certain job was because discrimination was practiced against him. Mr. President, the pending bill would stir up, not one, but thousands and thousands of lawsuits throughout the United States. It would cause much bad feeling between the races, instead of developing good feeling. That is what I believe the bill would do. I challenge anyone to ask any person who has studied the peculiarities of the various races to summarize his findings. Any person who has made such studies will admit that every race, it matters not what race it may be, has certain peculiarities, and that often the members of a race which has been more or less subdued and which finally has emerged will feel they are still being penalized, even though such is not the case. Of course, sometimes they are justified in such beliefs.

Mr. President, we might just as well try to pass a law declaring that all God-fearing men shall go to heaven. It would be just about as sensible to try to pass such a law as to try to pass the bill which now is before the Senate, and it would be just about as sensible to believe that by passing such a bill the desired results would be obtained. That is the way I feel about the pending bill, Mr. President, and I believe that all other Members of the Senate will feel the same way if they will look into the facts and will consider the peculiarities of the various races.

So, Mr. President, this bill is, in fact, exceedingly dangerous to the whole Nation, though it be aimed, as I see it, directly at the South. This infamous measure is but the culmination of a series of discriminatory acts against the South which extend as far back as the reconstruction days immediately following the War Between the States. I have previously mentioned that point.

In considering this iniquitous bill, Mr. President, let me say there can be no

question about its main intent or purpose. It would control the relationships between the races. I ask all Senators to read the bill and see if they do not find that that would be the case. The bill seeks to set up certain restrictions and regulations which the people of the South would never accept, unless at the point of a bayonet or because they were required to do so by sheer force. That is a strong statement, Mr. President, but it is justified by the very nature of the pending bill. Public opinion against its provisions is so strong that even force could not quell the assertion of the people's rights under the Constitution.

Mr. President, the South has no race problem. In the South we do not have any race riots. Although many persons have cried out about antilynching laws, we do not hear of any lynchings in my State. Just trust us to handle the situation down there, and we will take care of it. We have had no lynchings in more than 20 years. That cannot be said for Harlem or for other parts of New York, I believe. In that locality they may not call it lynching; they may merely say that some of the gangsters have been teaming up and shooting people down.

Long ago the people of the South settled the race question in the only sensible way in which it could be settled, namely, by segregation. Segregation is not discrimination but, instead, it operates for the benefit of both the black and white races. It will be found that in the South the members of the two races live in segregated communities. There is an old saying that "birds of a feather flock together." Races do the same. There was no law which made them segregate, but they automatically adopted that system because they wanted to associate together. That is the way in which the situation has been handled in the South, and it has been handled very satisfactorily.

Mr. President, the South will not accept any measure which has the undoubted intent of destroying segregation, and at the same time permit social equality between the races. We believe that the colored people should have their colleges, their elementary schools, and their churches. If they desire communities, they may have them also. Let them remain in them. Let the rest of us leave them alone.

The people of the South believe that they are the best friends of the colored race. Why should we not be their best friends, Mr. President? We know that we have them with us. They will remain with us, and if they are not allowed to help build up our State they will pull it down. That being true, why should certain persons in other States come to South Carolina and tell us how to conduct our affairs? While I was Governor of the State, on certain occasions, I told some persons who tried to interfere with our race problem to get out. If they come around pestering us too much again, I may repeat what I then said. Sometimes such persons will back away when the governor comes forward and tells them where to step and where not to step. We do not want to be obliged to follow such a course. But that is what we are confronted with when there is forced upon us legislation of the kind which is now before the Senate.

Mr. President, a great deal has been said about the laboring man. Let me say that I have been favorably inclined toward labor, and have made many speeches on the stump in behalf of labor. But I assert now that labor is being done a disservice by forcing upon us in the State of South Carolina, and in other States of the South, a bill of the type which is now under consideration. I do not have to tell a sensible man whether legislation of this type would be beneficial to the laboring man. God knows I want him to be organized. I think that it is necessary for him to organize in order that he may secure his rights. I am stating facts, and nothing else. When a representative of the FEPC comes to my State and asks, "Did you do this or did you do that," I am fearful of what the results will be. I am speaking in behalf of the interests of the laboring people of not only my State but of the entire Nation. I believe that every good South Carolinian would do the same. I know the feelings of the people who are required to work. I toiled in the cotton mills for 10 long years. I wove in the cotton mill. I worked as a section man in the cotton mill. I was employed in many cotton mills, and played baseball as a member of the teams of those mills against the teams of practically every other mill that was in existence in South Carolina at the time. I repeat that I know the feelings of the people who work in those mills. I am now telling the laboring man what will result from any movement having as its object the passage of a bill such as the one now pending before the Senate. I ask labor to turn the situation over in its mind and see if the pending bill would result in any benefit to labor in my State.

I am talking straight from the shoulder and trying to give the laboring man some facts which I believe could be used in behalf of all the people of my great State. We do not wish to see enacted legislation which will stir up strife, and do a great deal of injustice not only to the colored man but to all the laboring people of my State, as well as those of other Southern States.

Mr. President, I believe that it is only those outside the southern region of the United States who have not settled the race problem, and do not seem to know how to settle it, who are interested only in promulgating the enactment of measures which affect race relations. The people of the South believe that the handling of the race problem is a matter for local self-government. The people who desire to have enacted such a bill as the FEPC bill have the privilege of supporting it, but the people of any State not desiring such a bill should not have it forced upon them. The people of my State believe in local self-government. In my State we have more than 1,500 school districts which are operated by the trustees of the respective districts.

So far as possible, the State refers administrative matters affecting the school districts to the counties and in turn, the counties refer them to the school districts. Do Senators know why that is true? It is true because the people in South Carolina believe in local self-government.

Mr. President, the circuit court judges of my State, 14 in number, are elected from their judicial circuits. The reason for that is that there is a desire to give the people more local self-government. It will be found throughout the South, more so than in some other sections of the United States, I imagine, that the people like to run their own affairs. They do not want an outsider coming there and telling them what to do. If someone from outside the State should come down there and try even to tell the people for whom to vote, they would resent it. I have gone to other States and made political speeches, but no one has ever come to South Carolina and spoken and told the people for whom to vote. The reason is that my State believes in State rights, and in being left alone. They say, "You run your affairs, and we will run run ours."

The South sees no reason why a bill which has almost the unanimous opposition of its people should have crammed down its throat this FEPC measure.

Mr. LUCAS rose.

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Illinois?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. LUCAS. I have no question, but have I not, under the rules, the right to stand, or do I have to sit down?

The PRESIDING OFFICER. The Chair rules that the Senator from Illinois has a right either to stand or remain seated. [Laughter.]

Mr. JOHNSTON of South Carolina. I thank the Senator from Illinois for standing up. That is all right, so far as I am concerned.

Mr. LUCAS. I thought I could hear the Senator from South Carolina better if I were standing than if I were sitting.

Mr. JOHNSTON of South Carolina. I thank the Lord for my voice. I have never heard any complaint about people not being able to hear me when I speak. [Laughter.]

Mr. LUCAS. I hope the Senator does not take any offense.

Mr. JOHNSTON of South Carolina. Not at all. As I understand, 20 States of this Union have had in their legislatures proposals similar to the bill which is now before the Senate. They must not have thought well of the idea. A good many of them did not even let the measure get out of committee. Only two of them passed such a measure. I hope Senators will read the laws which were passed. If I ever saw a makeshift law, the FEPC laws of New York and New Jersey are makeshifts. They promise people everything and give them nothing. That is what they do. "We want your vote, so we will pass a bill for you. We do not want to stir it up yet awhile until the ones who had it passed get back in office and things get settled down so that we will know at whose door to lay it." It occurs to me that that is the way the matter is being handled at this time.

The legislatures of 18 States considering such legislation have rejected it.

I am sorry the Senator from New Mexico, one of the authors of the bill, is not present. The Legislature of New Mexico considered an FEPC bill, but, as I recall, it did not even get out of committee. That is the information I received from the Senator on the floor of the Senate a few days ago.

As I stated, New York and New Jersey have seen fit to put some kind of an FEPC measure on their statute books. Has much been accomplished in New York? If either Senator from New York is present, I should like to know what the law has accomplished, how much good it has done. I should like to know what this cure-all has accomplished in that State. They may say, "We have not had time yet to know just what is going to happen." Well, if they have not had time, let us wait just a little while and let us see what is going to happen there. Let us see what the reaction will be.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. TAYLOR. The Senator asked what the reaction has been in New York. A few days ago I was talking to a man from New York State who runs a coal yard. I do not know how large or how small or how black the coal is he sells, but he said that the FEPC bill passed by the New York Legislature was working very well. I did not go into the details, but that is what he said, and he was a businessman there.

Mr. JOHNSTON of South Carolina. The Senator talked with him?

Mr. TAYLOR. I talked with him personally.

Mr. JOHNSTON of South Carolina. I, too, have received some messages from New York. Only this morning I received a letter from New York, which reads about as follows:

> For God's sake don't let that FEPC bill pass. It does not amount to a thing.

That is about the way the writer of the letter, who lives in New York, expressed himself.

> It certainly has not done any good in this State.

That was the word I received in a letter from New York this morning.

We heard the Senator from New Jersey [Mr. SMITH] speak on the bill. I yielded the floor to him a few days ago, and he said that, of course, they had not had time as yet to feel out the situation in New Jersey, but they were hoping to be able to analyze it in the near future. That was his statement on this floor, or something along that line. He also opposed bitterly some of the features of the pending bill. He concluded by stating that a workable bill should be submitted to the Senate.

The people of the South believe that the title of the bill is a misnomer. Everyone who has read the title of the bill, "Fair employment"——

Mr. BARKLEY. Is the Senator in the title business? [Laughter.]

Mr. JOHNSTON of South Carolina. Yes; I am in the title business. When a title is wrong, I always advise my clients that there is a defect in the title, and it is my business now to show the defect in the title of the bill as best I can. There are so many defects in the title that I cannot accept it, and I shall tell my clients about it, and let others vote according to their convictions.

I would say that the title should have been "Unfair Employment Practice Act." That really would have been a little better, to my way of thinking—"Unfair Employment Practice Act." In South Carolina the people believe that such a bill would be unfair to the employer, because it would take away from him the right to select his own employees.

Probably some of the Senators listening to me have employed persons. A great many things enter into the employment of a man. A few days ago I was talking to a man who said he never employed a fellow who parted his hair in the middle. I do not know why he took that attitude, but that was his peculiarity, and it would not be possible to knock that idea out of his head. We could not make him think differently by passing a law. When one came to him for a job, whatever might be his nationality, he would be turned down if he parted his hair in the middle.

Mr. President, a great many establishments have what they call an employment division. If one walks into such an establishment to get a job, they say, "Have a seat," and all the time the applicant is sitting there they are observing him, looking at him, giving him the "once over." He may not know it, but they are studying him from the top of his head to the soles of his feet. They might look at his hands and see how they looked. I have known people to be turned down because their hands looked too delicate to do the work. Sometimes I have known people to be turned down because their hands looked too rough. So much enters into the employment of an individual that we cannot say that an employer is discriminating when he turns a man down. If a man happened to be of a minority race, and somebody else got a job for which he was applying, we could never tell him that he lost the job because he parted his hair in the middle, or because he had rough hands, or because his hands looked too tender. He would think he was not employed because he belonged to some particular race. That is what we are facing, and we might just as well understand it.

I see sitting before me the Senator from North Dakota [Mr. LANGER]. He knows that in North Dakota that is what happens. If a man in North Dakota employs someone, does he not look him all over before he employs him? Does he not study him? Certainly he does. He is really going to try to get someone who can do the job for him. That is what he wants, whatever the job happens to be. He is probably not going to turn an applicant down because of his color or his creed.

If one belonging to a minority race did not succeed in getting a job he might turn the matter over in his mind, and when he met someone on the street he might say to him, "I have been discriminated against." He might continue walking down the street telling those he met how he had been discriminated against. Finally he might meet someone who agreed with him and said, "Yes, I believe you were discriminated against", and they would begin to stir up trouble. Later he might meet another man who agreed with him, but who was more aggressive, and so the trouble and the agitation would grow.

It has happened that a man in walking down the street has met someone who said, "John, you look very bad today." Farther down the street he met another man who said, "John, you look very bad today." When he met a third man who told him the same thing he really began to feel that he was sick and went home. He may not have been sick in fact, any more than the man who failed to secure employment was in fact discriminated against, when the employer chose to employ one whom he thought was better fitted to fill the position he wanted to have filled.

This proposed legislation is unfair to the majority of the employees because it would force the employer, against his will, to place all his employees on an equal social basis, something which both the employer and the employees do not want, something over which they have no control.

Mr. President, do majorities have no rights in this country? Let us say an establishment employs 49 individuals who object to one who applies for a job because of the fact that he is a so-called conscientious objector, who did not want to fight for Uncle Sam. There are organizations and sects in this country here and there whose members say they will not fight for their country. If the 49 persons employed in the establishment did not want such a person to work with them should not their wishes be respected? Yet this bill would make it necessary to employ such a person against the will of the majority.

Mr. President, I think majorities do have rights. The Gallup poll shows that the majority of people of the United States do not want this bill. I can go a step further and say that each individual State has a right to say, by a majority vote of the State, what its people want in regard to matters of this kind. If it is intended to run roughshod over the majority, then I think it is time for me and for other Senators to do anything within our power to preserve the rights of the majority. One may call our action a filibuster, or a "buster" of one kind or another, but I think we are entitled to cry out against this legislation and call it to the attention of the majority of the people of the Nation. I especially do so now for the majority of the people of my State. My people have spoken, and they have made it known that they do not want such legislation as this.

The fourteenth amendment to the Constitution contains a provision which may be availed of in argument on the subject, but it does not have reference to such a thing as employment, or anything of that kind, for the Constitution gives citizens the right to contract with each other without being interfered with in such a matter as is attempted by the establishment of a Fair Employment Practice Commission.

Mr. President, if this bill were to become law could any of us contract freely with an individual to work for us? No. We would be obliged to hire the individual whom the members of the proposed Commission told us we could hire. We would run the risk of hiring someone whom it might afterward be contended we should not have hired, because it would be alleged we had discriminated against another, and 6 months or a year later a decision might be made against us and we would be compelled to pay back pay which it was alleged was due the one who was not hired.

Then the question is asked why some Senators are against the bill. Read the bill. I wish every newspaper would print the bill on its front page. If newspapers want to do something good for the United States, let them print the bill on their front pages. Then they will find out what will happen to it. The people as a whole have not had an opportunity to read and to study the far-reaching effect of a bill of this kind, a bill which reaches down into many little establishments which employ six or more individuals, and tells the employer what he may do and what he may not do.

Mr. President, I cannot see how the proponents of this bill can advocate such legislation. But what amuses me more than anything else is that, as we refer the bill section by section, one Senator says, respecting one section, "Oh, yes; we want to change that section. We do not want it to be in that form. We will cut out a word here and a word there. We will cut out the word 'creed' and insert the word 'religion'." "Oh yes," it may be said, "creed" covers too much.

Another Senator says, "Oh yes, I will offer an amendment. I will offer an amendment to the bill which will provide that a person who is not a naturalized citizen may not object if he is not employed. I do not think he ought to have rights over the majority. I do not think he ought to have the right to come in under the bill. So I will offer an amendment to cover that point."

Another Senator says, "Oh yes, I think the man accused ought to be tried in his own State. I am willing to amend the bill to cover that point."

Another Senator says, "Oh yes, I think too many of the colored race are employed by the FEPC now. Fifty-seven percent of those employed by the present committee are Negroes, although the Negroes compose only 9 percent of the population. The bill provides for the creation of a Commission to take over the duties of the present committee, but the matter of employment in the Commission in the future should be cared for."

Another Senator says, "Yes, I think the penalty provided is too severe." The extreme penalty provided in it is what killed the Volstead Act. It called for imprisonment for 5 years, and when a few influential individuals had hanging over their heads jail sentences of 5 years, the Volstead Act was killed. I am not talking against prohibition, because I favored it, but I say that if the terms of the Volstead Act had been reasonable, the Volstead Act as well as the Prohibition Act would probably now still be in effect. If the terms had not been so harsh and far-reaching, the prohibition amendment would probably not have been repealed.

This bill, Mr. President, takes in so much territory that the Commission could really run the whole United States.

Some Senators employ more than six individuals. Such Senators would be covered by the terms of the bill. Some Representatives may not have as many as six employees on their staffs and they would not be affected by the bill. But those employing more than six would be affected by it. When a stenographer leaves and it is necessary to employ another the one doing the employing must be very careful lest he be accused of discrimination by employing the wrong person. If the bill becomes law and it is found that many employees have been, as may be charged, discriminated against, it may result in a supplemental appropriation being made to take care of those who were not employed.

Mr. President, should this bill be passed it would set back immeasurably the colored race's chance for self-improvement and advancement of its position in the life of the Nation. The colored people are progressing. They are going forward. When my little girls know that I am trying to compel them to do something they do not want to do, if I am not watching them all the time they may do what I tell them not to do. Psychology teaches us it is not well to tell people not to do this and not to do that. A certain reaction occurs in an individual when he is told he must not do this and he must not do that.

The only conclusion that can be reached, therefore, is that the proponents of the bill are mainly interested in securing bureaucratic control over the business and industrial life of the Nation by throwing the control of employment into the hands of a central government bureau rather than leaving it to the decisions of the individual employer; and that they are interested in doing it in such a way that it must be forced upon the people of the South. The South will resist such an attempt, Mr. President, and many other people will resist this proposed legislation when attempts are made to enforce it. The Senator from North Dakota will find that business in his State will resist it. They will not like it when a Government agent goes there and tells them that they are discriminating. The proponents of the bill are interested in accomplishing their object in such a way as to force the bill upon the people of the South, who, in accordance with their beliefs and principles, would never accept such restrictions and regulations. The FEPC is bad enough in itself, and in the various regulations and restrictions which it provides, but in the light of its intentions and purposes, and in view of the administration it would receive at the hands of a Government bureau, it is immeasurably worse.

It is bad enough to go into a courtroom with a paid solicitor against one, but one is in a terrible situation when the judge, the solicitor, and the jury are "fixed." The FEPC goes forth and searches for the information. Then a representative of the FEPC sits in judgment and listens to the evidence. He has probably already gone over the evidence and has already given his opinion that the evidence is sufficient to convict, before there is ever a hearing in the case. Anyone within the sound of my voice who has had anything to do with the sort of trials which are held before boards and commissions knows that to be true. That is what we are coming to in the United States.

We are asked to enact such a law at this time, when the country is in turmoil, when we are being called upon in the United States Senate to pass legislation to care for suffering humanity, not only in the United States, but the world over. Think of the millions who will probably die this month because they lack the necessary food and clothes to sustain life. Under those circumstances we take up our time in the Senate on a question which, in my opinion, can only result in a great deal of bad feeling throughout the Nation. So it does not seem, after all, that we are what we claim to be, the greatest deliberative body in the world. I did not bring up this question. If it had been left to me, the bill would never have been introduced, much less reported from the committee.

Visits to many sections of the country and correspondence throughout the whole region convincingly demonstrate that the people of the South are determined to do everything in their power to prevent the passage of the bill. I think that is well illustrated by the action of practically all Senators from the South who speak for their States on this question.

Many things have impeded or tended to impede the progress of that great part of the country known as the South. I cannot help but mention time and again—and I shall continue to mention—the discrimination practiced against the South in the matter of freight rates. Now we are about to be confronted with the possibility of having a ceiling price placed upon the most substantial produce of the South, raw cotton. If a ceiling is to be placed on cotton in order to protect the purchaser, a ceiling should be placed on everything that enters into the finished product, and upon retail prices in the stores, in order to protect the people who buy cotton dresses.

Last night I was talking with my good wife. I asked her, "What did you pay for that little cotton dress that Sally has on?" She said, "$5.95." There was not a pound of cotton in it. I doubt whether there was half a pound of cotton in it. I asked her, "What did you pay for a similar dress a few short years ago?" She said, "About $1.39 or $1.59, at the same kind of store where I bought this one—a store which adds odd cents to the price." If a ceiling is to be placed on the price of cotton, it should be placed on everything which enters into the finished product.

I am throwing out a warning to the OPA. I will have to know something about the ceiling price on cotton before I will even vote to continue the OPA. That is the most vital thing to my people in South Carolina. At one time 1 vote meant something on the question

whether or not the OPA should be continued. I believe that my vote will probably be worth something; and other Senators who are interested in cotton will probably also have some voice in the matter. I have told the OPA the same thing I am now telling the Senate.

The OPA said, "We will put a ceiling price on cotton grown in the South, and dresses which formerly sold for $1.39 may be sold for $5.95." Everyone listening to me knows that to be true, and that the ratio of the prices is as I have indicated.

Mr. McFARLAND. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield if I am not taken from the floor.

Mr. McFARLAND. I hope this question will not take the Senator from the floor.

The Senator is speaking about the OPA, and the ceiling price on cotton. Does the Senator believe that the OPA ought to continue a ceiling price for a commodity when more of the commodity is produced than is consumed?

Mr. JOHNSTON of South Carolina. Let them put a ceiling price on wheat, or oats. More is produced than is consumed.

Mr. McFARLAND. I do not believe the Senator understands my question. Does the Senator believe that eventually OPA should be eliminated entirely?

Mr. JOHNSTON of South Carolina. Absolutely.

Mr. McFARLAND. How does the Senator think its elimination ought to be brought about?

Mr. JOHNSTON of South Carolina. We must gradually get away from OPA and price fixing. We must have an independent people in the United States. We must stop telling them what to do and what not to do. I am becoming tired of all boards, bureaus, and commissions. This one is about to put me down. That is my feeling. The more they try to put on me, the more I will try to kick out from under the others.

Mr. McFARLAND. Does not the Senator believe that the law of supply and demand should govern prices?

Mr. JOHNSTON of South Carolina. The law of supply and demand will handle price fixing. If there is too much of a certain commodity produced, the price will be held down.

Mr. McFARLAND. What the Senator from Arizona wished to ask the Senator from South Carolina was this: With respect to commodities as to which the supply is greater than the demand, should not price ceilings be taken off immediately?

Mr. JOHSTON of South Carolina. I think so.

Mr. McFARLAND. Is not that true with respect to cotton?

Mr. JOHNSTON of South Carolina. It is true with respect to cotton. We have more cotton than we know what to do with. Every year we carry over into the next year almost an entire year's crop. Now the OPA wishes to put a ceiling on it. I do not see why it is necessary, in the first place. The Senator is absolutely correct.

Could anything be more insulting or discouraging to the great number of our citizens who earn their living by raising cotton than a ceiling price upon their largest money crop at this time, when we are confronted with strikes in our vast steel industry? We have also been facing the meat-packing industry strike, the automobile industry strike, the textile industry strike, and the electrical industry strike. Workers in those industries, with Government support and Presidential sanction, are demanding substantial increases in their weekly pay. Yet the cotton farmer of the South, including South Carolina, who forms the backbone of the industry of the South, faces the likelihood of disaster by having the OPA place a ceiling price upon his largest money crop.

Further to show the unfairness of the OPA ceiling on the price of cotton, let me say that no ceiling is placed upon the prices of things which the farmer must purchase in order to produce cotton. The OPA places a ceiling on some of the first processing. In most instances a ceiling is placed on the manufacturer, and then the goods are turned loose. After the ceiling price is placed on the cotton it goes into the market and is made into a dress. The OPA says, "We cannot tell exactly the character or quality of this dress. If it were an Arrow shirt we would know what price to put on it." If the product were named Dixie or Columbia or some other name, a better price could be obtained for it than for some of the standard goods. That is the way those things work. If children's dresses are made under a different name, the price goes up, and the public at large pays the increased price.

Mr. President, I believe that Senators are beginning to see that no good can come from the passage of the pending bill. Watch my prediction. What started as a minority will prove to be a majority, because I predict that the bill will never be passed.

Mr. President, I understand that other Senators wish to speak on the bill and bring out some facts concerning filibusters. We have talked about filibusters. I do not wish to keep other Senators from speaking on the bill, especially if they wish to speak against it.

I ask any of the proponents of the bill to take the bill up section by section. Before they are through they will have to acknowledge that it is a bad bill. That being so, the only thing to do is to kill it. Down home we believe that snakes are bad, so we kill them. I believe that this bill is a bad thing, so I think we ought to kill it. It can be compared to a snake, in this respect: if one starts at the front of it, it looks pretty good. When one looks at the front of a snake, and looks into his eyes, the eyes of the snake do not look bad. The same is true of the bill. At the front is a picture of what the proponents say it will do. But by the time one gets into the first section the snake sticks out his tongue. Then, when one gets into the second section of the bill, it becomes a snake. When we go further and read later sections of the bill, we see it begin to wind itself around everything with which it comes in contact. It curls itself around everything. So I think this bill is a snake. Down home we kill snakes, and if it was down home we would kill it. Therefore, I am in favor of killing this snake.

Mr. President, I believe the Senator from Mississippi said he wished to make some remarks.

Mr. BILBO. I desire to speak, but I do not wish to interfere with the splendid address the Senator from South Carolina is making.

Mr. JOHNSTON of South Carolina. I understand that the Senator from Mississippi wishes to speak. If he does, I shall yield the floor to him at this time.

Mr. BILBO. The Senator from South Carolina has been doing good work. As long as he is doing so well, I am glad to have him continue.

Mr. JOHNSTON of South Carolina. Mr. President, at this time I am glad to yield to my colleague from Mississippi.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1405) to authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. BILBO. Mr. President, in the first place I wish to read two paragraphs from the Republican Party's platform, adopted at its Chicago convention in 1944:

> We pledge an immediate congressional inquiry to ascertain the extent to which mistreatment, segregation, and discrimination against Negroes who are in our armed forces are impairing morale and efficiency, and the adoption of corrective legislation.
>
> We pledge the establishment by Federal legislation of a permanent Fair Employment Practice Commission.

Mr. President, I take it that there are some Republicans who feel inclined to support this unconstitutional, Communist-inspired monstrosity known as the FEPC because the Republican Party in its platform declared itself in favor of it at the insistence of groups who gathered in Chicago when the party platforms were being written. But I should like to observe that, contrary to the prevalent belief, when the Democratic Party met in 1944 and wrote the platform upon which it was to go before the people and request to be retained in power, it said not a word about the FEPC. In the Democratic Party platform there is not a line which commits our party to support this unfair and disastrous piece of legislation. The Republican Party, at the insistence of the groups which were crying aloud for this un-American crackpot scheme, provided for it in their platform and offered it to the people of the country. But the Republican Party was hopelessly

defeated. So it strikes me that that should be sufficient to convince my Republican friends that they are under no obligation to continue to attempt to secure the passage of such legislation, because the people have, in effect, condemned it, or at least it was evidently a contributing cause to the defeat of the Republican Party's nominee in the last Presidential election. So no Republican should feel under obligation to carry out a pledge which was in a platform which he offered to the people of the country, but which resulted in the ignominious defeat of the Republican Party. If I were a Republican, I would feel that I was free to ignore such proposed legislation.

Mr. President, in my opposition to the bill I can be a regular Democrat and I can stand by the Democratic Party's platform and I can fight this bill to a finish. Of course, it is true that the President of the United States who at that time was a candidate for reelection was in favor of it, and he so announced. In fact, he is the one who initiated the FEPC and brought it to life in the United States.

I think it would be well for us to consider the genesis of the FEPC. Let us consider how it came about. The United States of America has been doing business as a government for 150 years. Our people have been hiring and firing employees for 150 years. Through all the years our Nation has continued to grow and expand, until it has become wealthy, powerful, and influential, more so than all the other nations of the earth. Today no one will question that the United States is at the top. We are the strongest, most powerful, wealthiest, and most prosperous nation on earth, and we did it all without an FEPC. In all the years of our history there was no demand for an FEPC. No United States Senator or Representative or citizen ever made such a proposal.

So, Mr. President, something must have happened, some influence must have been injected into the body politic, some idea must have been planted on American soil to bring about the very suggestion of an FEPC.

As a Senator, I was very close to the late President Roosevelt during his lifetime. I have talked to him by the hour. I knew something of his political philosophy, his feelings, his sentiments, his convictions, his ideas, his dreams, his plans, his schemes. In fact, he never seemed to hesitate to speak frankly to me. Some time ago I remarked that I knew him a year before he projected his proposition to enlarge the Supreme Court. He went into detail and told me why it was necessary that something of that kind be done. During all my contacts with him no mention was made of anything resembling the FEPC.

So, Mr. President, how did it come about, and why? As I have said before on this floor, I dug up the genesis of the FEPC and found it in a book entitled "What the Negro Wants." Dr. Logan, of Howard University, selected 14 outstanding Negro leaders to write chapters in the book. Their names are Mary McLeod Bethune, Sterling A. Brown, W. E. Burghardt DuBois, Gordon B. Hancock, Leslie Pickney Hill, Langston Hughes, Rayford W. Logan, Frederick D. Patterson, A. Philip Randolph, George S. Schuyler, Willard S. Townsend, Charles H. Wesley, Doxey A. Wilkerson, and Roy Wilkins. Those 14 Negroes are what we call the intelligentsia of the Negro race in the United States. Dr. Logan had a bright idea. He called in these Negroes and said to them, "I want you to write a chapter for a book which will be entitled 'What the Negro Wants'." Each one of these 14 leaders of the Negro race proceeded in his own way to write a chapter. Included in the book is a chapter which was written by Dr. Logan. On page 16 of the book he tells us how the FEPC became a living monstrosity in American life. Listen to this:

> In recent years some Negroes have adapted an old American technique for the solution of the problem, namely, the mark on Washington. Since I sat with Mr. A. Philip Randolph and Mr. Eugene Davidson in the all-day conference with Mayor LaGuardia and Mr. Aubrey Williams that culminated in the President's Executive Order No. 8802 of June 25, 1941, I can bespeak the power of a threatened march.

I do not see how anyone of this intelligentsia of the Negro race, or anyone associated with them, can talk about the southern bloc of Senators being a group of terrorists who are resorting to intimidation and force, when we read the following:

> I can bespeak the power of a threatened march. There are, however, definite limitations on its power. Restrictions on travel have nullified it for the duration of the war and will probably curtail it in the crucial period when the European Peace Conference is held. Housing conditions in Washington and in many other boom cities during these same periods further restrict the number who would march. Even under the best conditions, the march can be used only occasionally unless such a small number participated as to make the march appear to be a bluff.

They believe in numbers.

I continue reading:

> Constant vigilance would have to be exercised against agents, provocateurs, or outside hoodlums determined to create disorder or a riot. I definitely favor the march on Washington or on other cities only as a rare, dramatic, powerful weapon that should be used only when all other methods have failed.

In the early days of the war preparations, when Mr. Roosevelt was notified through A. Philip Randolph, Eugene Davidson, and Walter White, of the NAACP, that 100,000 Negroes had been organized to march on the city of Washington and demand that Congress pass FEPC legislation, the President knew that it would mean trouble. He knew it would mean a great deal of disturbance in the Nation's Capital while we were preparing for fighting the war. Logan said:

> All day we wrestled with the President and finally we persuaded him—

No; they did not persuade him, they intimidated him; and he signed Executive Order 8802, which created the first FEPC, and of which the editor of the Louisville Courier, of Louisville, Ky., was made chairman. He tried to operate it. It got too hot for him. He resigned, and then the President was persuaded to issue another Executive order making the FEPC a little stronger than it was under the original order. Under the second order the present FEPC continued to operate, and is operating at the present time.

I have shown the beginning of the FEPC in the United States. The appropriation for a continuation of the FEPC came up for consideration after the end of the war last year. Some of us felt that it had served its purpose if it ever had had any purpose to serve. The only claim asserted in its behalf was that it had been established as a war measure for the sake of unity. No; not for the sake of unity, but it was said that the FEPC had been established in order to utilize all the manpower of the Nation in connection with the war effort. That was its purpose. It was also claimed that discriminations were being practiced against certain nationalities and certain races in this country, and that we were not receiving their full cooperation. Therefore, through the long, strong arm of the President, and under the war powers which had been given to the President, he issued Executive Order 8802, which violates the Constitution of the United States and violates the decisions of all the courts, as I shall later show by reading the authorities.

But, Mr. President, the FEPC was a fine thing for a favored few. When, last year, we were asked to make additional appropriations for the FEPC, it had in its employ approximately 115 persons. Strange to say, 65 of those employees were Negroes.

Mr. President, I wish to say that I have no prejudice against the Negro. I was born and reared in a State in which there were more Negroes than in any other State in the Union. I was born and reared in a State in which Negroes were in the majority. Mississippi is not like the State of Idaho, I may say to the Senator from Idaho [Mr. TAYLOR], where there are less than 600 Negroes in the entire State. The Senator does not know anything about the Negro problem except what he has read.

Mr. TAYLOR. Mr. President, will the Senator yield for a question?

Mr. BILBO. I yield.

Mr. TAYLOR. The Senator from Mississippi at least knows that any interest which I have in this bill is not inspired by a desire to gain the votes of 600 persons.

Mr. BILBO. The Senator's statement is true. His interest is not in gaining votes, at least not for himself. I do not know about the Democratic Party.

Mr. President, a remarkable fact may be considered in connection with the Negro vote. There are approximately only 13,000,000 Negroes in the United States. I must confess that the Negro vote controls the election of the President of the United States. The Negro vote is so distributed among 12 of the Northern and Eastern States that there are sufficient Negro votes in those States to control the balance of power between white Democrats and white Republicans,

and whichever way the Negro vote goes in those States, so go the votes in the electoral college. There are some persons who are wise enough to know that if they wanted to be President they must not do anything which would offend the Negro vote in this country. Otherwise, they could never be President of the United States.

Things have happened in this country which never happened before. It is said that we must not offend the Negro. I do not blame the Negro. He is smart enough to know that he holds the balance of power in connection with the election of the President of the United States. He is audacious enough to use that power, to take advantage of the fact, and make demands which are unthinkable in the minds of men who pretend to know something about our constitutional form and scheme of government. That is where all the crackpot ideas come from. That is the group behind this proposed legislation, that is where there is the greatest interest in it.

It does not affect the South. In the South two-thirds of the Negroes of the United States live. It does not affect us, as is shown by the fact that Mr. Roosevelt was elected in 1944, and would have been elected if he had not received one single vote south of Mason and Dixon's line. The wise politicians behind the bill know that, and that is why some people are willing to violate the rights and impose upon the rights, the constitutional rights, the inherent rights, of American citizens, by cramming all sorts of legislation down the throats of the 12 Southern States, which did not have anything to do with the election of the last President of the United States. That is why we are a minority.

I wish the Senator from Idaho, who sits before me, would take that home to himself. If the United States Senate were fixing to pass a law which would affect the welfare and peace and harmony and unity and the economic conditions of his State, would he not stand here and fight until hell froze over before he would see his people imposed upon? That is why we are standing here.

Mr. TAYLOR. Will the Senator yield?

Mr. BILBO. I yield.

Mr. TAYLOR. I wish to make just a brief statement, inasmuch as the Senator has asked me a question.

I would fight to protect my State, but I do not believe I would do it by preventing my fellow Senators from ever voting on the question, if I could. I should be glad to let them vote, and to abide by the majority decision. I certainly would use whatever eloquence was at my command and whatever facts I could muster and marshal, to try to show them the error of the proposed legislation. Frankly, I am not too familiar with the FEPC bill. I might be against it. I will admit frankly I am favorably inclined toward it, but my interest is that I want to see our democratic processes prevail, and those who are sent here to represent the people given the opportunity of voting upon this measure.

Mr. BILBO. Whether they vote right or not?

Mr. TAYLOR. Whether they vote right or not. What they are here for is to vote, and doubtless we all make mistakes at times.

Mr. BILBO. With the Senator's understanding of his obligation, under his oath as a United States Senator, if I were a citizen of his State and he were not willing to exhaust every means, every effort, every technique, and resort to every honorable means to protect his people when their rights and happiness and prosperity and peace and unity and welfare were at stake, I would not vote for him next time.

Mr. TAYLOR. Will the Senator yield?

Mr. BILBO. I yield.

Mr. TAYLOR. I would exhaust every resource I felt was honorable, but I would not feel that it was honorable to disrupt the democratic process and prevent the other Senators from voting on the question.

Mr. BILBO. Then I will follow with the statement that the Senator has a very strange conception about what is honorable. I think that I can show him that filibustering, which has been in practice in this Nation for 150 years——

Mr. TAYLOR. Is an old and honorable profession?——

Mr. BILBO. Is an old and honorable institution. In fact, I propose to devote the greater part of my speech this afternoon to the history of filibustering, and the benefits and glory, the protection and the safety, which have been placed in the hands of United States Senators, who represent sovereign States as ambassadors.

Mr. TAYLOR. If the Senator can do a good enough job, I might join his filibuster.

Mr. BILBO. It will depend altogether upon the mental processes of my subject, to whom I am addressing my remarks. If the Senator declares to me he is open to conviction, I shall undertake the job.

I am not going to take up the time of the Senate. [Laughter.] What is the laughter about, Mr. President? Sixty days is not very long. I shall not take up time this afternoon in discussing too much of the legal effect of the proposed bill, but it might be interesting—and I am sorry the Senator from New Mexico [Mr. CHAVEZ] is not present—to reflect that when the bill was introduced and was sent to the Committee on Education and Labor, not a single witness appeared before that committee in opposition to the bill. The member of the committee who was leading the fight against the bill in the committee was forced to be absent from the city, and the bill was reported to the Senate without his knowledge or his consent, or any opportunity to present his ideas. That is why the committee has brought forth such a monstrosity, and if Senators will read the legal analysis of the provisions of the bill, as adduced on the floor of the Senate by the good lawyers on this side of the Chamber, I am sure they will not vote for it. In fact, the strongest supporters of the FEPC on the other side do not hesitate to declare openly they will not vote for the bill unless it is modified and changed. Yet it was brought into the Senate in the arms of my good friend, whom I love so much, the Senator from New Mexico, and offered as a piece of legislation to be approved by this body. I really think we have convinced him that it needs an operation.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. TAYLOR. Was not the bill presented as a piece of legislation, not necessarily to be passed by this body, but to be considered by this body, and if necessary amended, and if a majority so felt, to be rejected?

Mr. BILBO. No. The Senator has the wrong idea about committees. When a bill is introduced and sent to a committee, the function and duty of the committee is to have a hearing, and to weigh every word in the bill, even the punctuation of the bill, to analyze the bill and analyze its ramifications and implications, and report it to the Senate as a perfected document. Then, if any Senator on the floor of the Senate perchance should find some idea in the bill or some phraseology in the bill which should be changed, it is his duty to object.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BILBO. I yield to the Senator from New Mexico.

Mr. CHAVEZ. If the Senator wants to know whether or not I have changed my mind, or how I feel about it, if he will only give us an opportunity, a majority of this body will vote for the bill as it is now being considered.

Mr. BILBO. As now written?

Mr. CHAVEZ. Right now. Will the Senator give us a chance to try that?

Mr. BILBO. Not if the Senator is in that condition of mind. It will not do to trust him.

For the sake of emphasis, I wish to repeat in my speech the 12 points enumerated by the Senaor from North Carolina [Mr. HOEY], who has made a good job of analyzing the bill. His ideas are put in such shape that if one desires to ascertain what is the matter with the bill all he has to do is hurriedly to read these 12 points, and he will find the guts of the proposition.

First. It denies to any person who employs as many as six people the right to select his own employees.

That is enough to make one vote against the bill.

Second. It prevents him from discharging an employee if he is not satisfactory.

Who would want to have a man working for him who was not satisfactory? Some of those who are for the bill should take this home to themselves and see if they would like to be conducting a business and be required to employ someone who was entirely unsatisfactory.

Mr. TAYLOR. Mr. President, will the Senator yield.

Mr. BILBO. I yield.

Mr. TAYLOR. What is the use taking the bill home and studying it if we are not to be permitted to vote upon it?

Mr. BILBO. It would be a fine education for a man like the Senator from Idaho.

Third. It sets up a commission of five in Washington to have charge of the employers of the Nation, individuals and corporations.

Think of a commission having control even over the President of the United

States—this commission which my friend from New Mexico wants to create.

Fourth. It provides this Commission with an army of investigators to send over the Nation to work up charges against employers upon any complaints.

In other words, the bill provides that this Commission can appoint any number of employees or agents. It can appoint a thousand if it desires. I was reading in one of the Negro newspapers, the Afro-American, that a Negro, referring to what he wanted, said, "I pray to the Lord that we can get $10,000,000 appropriated for the support of the FEPC." There is no limit to the job.

Fifth. It gives these investigators the right to enter a person's place of business and examine his books and papers without process from any court, in an effort to get evidence upon which to bring charges against him.

Are we to let a little peckerwood come around, without any showing of any affidavit or any profert of a writ, and go into one's private office and his private books, and examine those books? It will lead to a riot if that is undertaken.

Sixth. It forces a man to give evidence against himself depriving him of his constitutional rights.

That is true.

Seventh. It provides for an examiner to hear evidence and send the record off to Washington where a decision can be rendered against him in absentia.

No chance to be heard is to be given; no chance to answer, no chance to plead. They are going to convict on the cold record gotten up by some little peckerwood representing the FEPC, he being judge, jury, and witness most of the time.

Eighth. It denies him any right of appeal from findings of fact against him.

Ninth. It denies him a trial of his case by a jury or before a judge of any court.

I am sure my good friend the Senator from Idaho is not in favor of any law passed by Congress, or by his State legislature, which would deny a citizen of this great, free Republic the right of trial by jury, where the penalty can be $5,000 fine or a year in jail. Of course the Senator is not in favor of such a law. He would not swallow anything like that.

Tenth. The Commission can order the employer to hire anybody that it names and make him pay back wages for refusing to hire them in the first place, and it can assess fines and penalties against the employer and have him placed in jail if he refuses to obey the orders.

Eleventh. It can have the employer brought into the United States circuit court, hundreds of miles from his home or place of business, to have its orders put into effect, and when he gets there, under this bill, the court cannot overrule the Commission's findings if there is any evidence to support them, however flimsy the court may find the evidence to be.

Twelfth. It provides a fine of $5,000 and 1 year in prison for any person who hinders or interferes with the Commission or any of its agencies in any of its works.

In other words, the Commission could appoint a thousand employees who would not have to take any civil-service examination, who would not have to submit to any kind of examination. The Commission could make up a list of a thousand persons, who could be Negroes, whites, brown, or yellow, or any other color. The Commission can send agents all over the country, and if anyone makes a complaint anywhere, whether it be right or righteous, provided the one who makes the complaint belongs to one of the minority groups, the employer will be charged with an offense. There is no protection whatever in this bill for the white people. I mean the white gentile people of the South. Even the report written by the chairman of the Senate committee does not mention that at all. This bill is only for the benefit of the minority groups.

Senators have heard of the case in New York of a manufacturer whose orders for the products of his factory were cut. He had a hundred women working for him, and was obliged to let some of them go. He could not carry them all. He employed so many Negro women, so many Jewish women, and so many white gentile women. What did he do? He fired the white gentile women and kept the Negro women and the Jewish women. Why? When he was questioned as to why he did it he said, "I did it because I did not want to be dragged into the FEPC court. I did not want to be subjected to a charge by the FEPC. I did not want to go to jail." So the gentile whites lost their jobs.

If this bill shall ever reach the point where it would be subject to amendment, I shall propose one amendment. If there is to be an FEPC, if the attempt is made to pass a law to legislate religion and Christianity and sentiments and fair dealings into individuals, I shall propose an amendment which will provide that in any business where six or more individuals are employed the pro rata number of employees shall be on a fair and just and equitable basis, and that the proportion of a minority employed shall be representative of the number of such minority compared with the entire population of the United States. In other words, if there are 13,800,000 Negroes in this country that would mean that of every nine persons employed there would be one Negro. If there were 18 persons employed there could not be more than two Negroes employed in such place of business. That would be fair. That would be just to the white people of this country. That would be equitable. No Negro could complain about that. If there were 900 persons employed in an establishment the proportion of Negroes to whites would be as 100 to 800. That is 100 Negroes to 800 whites. Would not that be fair? Would not that be just?

Since mention has been made of another minority, let us consider the Jewish race—Jewish Americans. The Jews object to me speaking of the Jewish nationality. They say I am wrong in doing so. If I am, I withdraw it, and simply say the Jewish people. To 28 Americans who belong to some other race or nationality there would be employed one Jew. So an establishment that employs more than six individuals would not employ more than 1 Jew to 28 others employed by it. How do Senators think my friends, the Jews of New York, where there are so many wholesale houses and department stores, would like to have such a law passed, under which they would not be permitted more than one Jewish employee to 28 others employed in a place of business? That would be fair, that would be just, that would be righteous, if we are to attempt to legislate righteous dealings and rules into the economic life of the country. So I shall insist upon that amendment if the question ever comes to that point.

Mr. TAYLOR. Does the Senator think it ever will?

Mr. BILBO. Frankly I do not. But I was thinking that in about 45 or 50 days we will be willing to send the bill back to the committee in order to perfect it. Senators would make no mistake if they were to send the bill back to the committee, because I know the personnel of the committee. Senators could have it reported back to the Senate any day they wanted it reported. A bill which contains so many mistakes as this bill contains cannot very well be amended on the floor. So send it back to the committee and let us have a further hearing. Let us hear the other side before the committee this time. Let us hear both sides. Then perfect the bill and it can be brought back to the Senate any day Senators want to bring it back, because I know the personnel of the committee, as I stated, and I know the committee will send it back anytime Senators want it sent back.

We might understand the bill better if we would look at some of its legal aspects. I do not believe the bill is constitutional. I do not believe the bill will stand up in any fair court in the world, and I will tell the Senate why. I have been looking up some decisions of the courts on this proposition. I wish to call the attention of the Senate to one of them. There is a noted case which will be found in all the lawbooks, known as the Atchison, Topeka & Santa Fe Railway Co. against Brown. I read from that case:

The Kansas statute of 1897, chapter 144, requiring an employer of labor, upon the request of a discharged employee, to furnish in writing the true cause or reason for discharge, is repugnant to section 11 of the bill of rights of the State guaranteeing freedom of speech, and is invalid. The duty imposed upon employers by such statute is not a police regulation, and is an interference with the personal liberty guaranteed to every citizen by both the State and Federal Constitutions.

What does that mean? I will read the opinion of the court in that case. Here was a man by the name of Brown who was dismissed by the Atchison, Topeka & Santa Fe Railway. He went to the railroad superintendent and demanded that the railroad give him a letter or statement saying why he was discharged. The superintendent refused to do so. The man went into court, and this is what the Supreme Court of Kansas said. This opinion has been approved by practically all the courts of the country.

It may be said that if the law is valid—

Speaking of the Kansas law—

the company need have no concern as to the effect of its compliance with the letter of the

law. This leads us to the principal contention of the company—that the law is unconstitutional: that it is repugnant to section II of the bill of rights of the State of Kansas, which provides:

"All persons may freely speak, write, or publish their sentiments on all subjects, being responsible for the abuse of such right."

It is also contended that the law is repugnant to the fourteenth amendment to the Constitution of the United States, which provides:

Listen to this, Senators:

"No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law."

It has been conceded in argument that in the absence of a contract of employment for a definite term the master may discharge the servant for any reason or for no reason, and that the servant may quit his employment for any reason or for no reason. Such action on the part of the employer or the employee, where no obligation is violated, is an essential element of liberty in action. Can one, then, be compelled to give a reason or cause for an action for which he may have no specific reason or cause, except, perhaps, a mere whim or prejudice?

Get this, Senators:

Again, is not the freedom to remain silent—neither to write nor publish anything on a certain subject—involved as an element in the guaranty that "all persons may freely speak, write, or publish their sentiments on all subjects, being responsible for the abuse of such right?" It would seem that the liberty to remain silent is correlative with the freedom to speak. If one must speak, he cannot be said freely to speak.

Listen to this, Senators:

When the relation of employer and employees has ceased by discharge or by quitting the employment, if the employee has been efficient and trustworthy the employer may be under a moral obligation to benefit the employee by giving him a statement to that effect. On the other hand, if the employee has been inefficient or untrustworthy, it may be the employer's moral duty to furnish a prospective employer, upon request or perhaps without request, a statement of these facts. But the former employer is under no legal obligation so to do, either to his employee or to the prospective employer. The public has no interest in the matter, and in neither case can such a duty be imposed as a police regulation, and the attempt by statute to impose the furnishing of such a statement is an interference with personal liberty.

The mere matter of time requisite to comply with the requirement of the statute is perhaps a matter of trifling consideration, yet if the State may compel the sacrifice of a few minutes of the time of one person for another, may it not compel the sacrifice of a few days of time? Where and upon what principle shall the limit be placed? Again, if the employer can be compelled to state the true cause of discharge, it implies that he should state the facts as he understands them, and the facts may be in dispute and may be regarded by the employee as libelous. Litigation may result therefrom which might be a great burden to the employer, although successfully defended. We think the State can impose no such possible burden. As in many other relations in life, the employer may be silent and be safe, or, at his option, he may be courteous and fulfill his moral obligations. It is a personal privilege.

The sum and substance of that holding, which has been approved by many other courts, is that one working for a corporation, an individual, a firm, or partnership can quit his job any time he wishes. That is his right. He can break off the contractual relation of employer and employee, and the employer has no recourse whatsoever. On the other hand, the courts have held that the employer may discharge an employee at any time, for any reason or any cause, and the employee has no recourse against him. The employer does not have to tell the employee why he is being discharged. The employee violates the constitutional rights of the employer when he asks him to give him a statement as to why he was discharged. If that be true, when we start with a fool piece of legislation such as the FEPC bill, we cannot travel at all.

Mr. STEWART. Mr. President, will the Senator yield for a question?

Mr. BILBO. I yield for a question.

Mr. STEWART. Does the Senator construe the bill to apply to his own office force, as a Senator from Mississippi?

Mr. BILBO. Certainly.

Mr. STEWART. Does it apply to all parties and people?

Mr. BILBO. It applies to people in all walks of life.

Mr. STEWART. It applies to anyone employing more than six persons?

Mr. BILBO. Yes.

Mr. STEWART. Does it apply to a farmer?

Mr. BILBO. It does if he employs more than six persons.

The Constitution of the United States, which is the fundamental law upon which this great Nation has been built, and upon which we have thrived and become the greatest Nation on earth, protects a man's rights and liberties as a free American in a free country. When I hire someone, there is established a contractual relationship. The employee may break it off at any time he wishes, and no harm is done. I can break it off, and no harm is done. The employee may not say anything further, and I may not say anything further. That is the end of it. Yet under the FEPC both the employer and the employee are robbed of their constitutional rights, guaranteed by the fourteenth amendment to the Constitution.

Mr. STEWART. Mr. President, will the Senator yield for a further question?

Mr. BILBO. I yield.

Mr. STEWART. Who determines the question of who is an employer, and who is an employee, in this sort of case? Suppose that question should arise.

Mr. BILBO. One of these little peckerwoods.

Mr. STEWART. One of the members of the Commission?

Mr. BILBO. No; one of the little peckerwoods going about the country. Most of them will be colored boys.

Mr. STEWART. Is there any right of appeal from such a decision to any tribunal?

Mr. BILBO. It is said that the case may be taken to court; but what would be taken to court? Nothing but the record which some little peckerwood has written. He has been the judge, jury, witness, examiner, and everything else. He has the case fixed just as he wants it. The court cannot reach any other decision than that which he has written.

Mr. STEWART. The case in court, then, would be tried on the record which the little peckerwood would present?

Mr. BILBO. Yes; a kangaroo court.

Mr. President, I have referred to a decision by the Supreme Court of the State of Kansas, laying down the doctrine which I have described. In Massachusetts there is a peculiar rule under which the legislature, before enacting a law, has the right to appeal to the supreme court for an opinion. So the legislature asked the Supreme Court of Massachusetts for an opinion on a proposal of this kind. The Supreme Court of Massachusetts said:

In the absence of a contract, conspiracy, or other unlawful act, the right of the individual employee to leave the service of a railroad without cause, or for any cause, is absolute. The railroad has the correlative right under like circumstances to discharge an employee for any cause or without cause. It is an unreasonable interference with this liberty of contract to require a statement by the employer of the motive for his action in desiring to discharge an employee, as this statute in substance does, and to require him also as a prerequisite to the exercise of his right, to enable the employee to make a statement in the presence of someone else—a thing which may be beyond the power of the employer. His freedom of contract would be impaired to an unwarrantable degree by the enactment of the proposed statute. The power of the legislature to require a hearing in connection with the discharge of one employed under the civil-service law rests on the authority of the commonwealth to direct the conduct of its government and that of its political subdivisions.

So the legislature had no right to enact such a law, and the court proceeded so to state.

I have before me another case, the case of St. Louis Southwestern Railway Co. of Texas versus Thomas A. Griffin. In that case the Texas Supreme Court said:

The citizen has the liberty of contract as a natural right which is beyond the power of the Government to take from him.

Is not that a wonderful right? One may go anywhere in this great free country of ours and make a contract with a corporation, partnership, or firm, get a job, and go to work to support his family—unless, of course, he were to seek a job in a closed shop. He could not get in.

The liberty to make contracts includes the corresponding right to refuse to accept a contract. An employee entering the service of a railway company for an indefinite time has the right to quit the service at any time without cause or notice to his employer. The latter has the corresponding right to discharge him at any time without cause or notice. The rights of the parties are mutual.

It works both ways.

Liberty of speech:

The liberty of speech secured by article I, section 8, of the Constitution, includes the corresponding right to be silent.

Mr. President, this is a free country. A citizen of this country can have freedom of speech so long as he does not invade the rights of his fellows or do them harm or injustice. But a citizen of the United States also has the right to be

silent. In this case I propose to exercise my liberty of speech.

I read further:

A statute which compels a corporation, under penalty of a heavy forfeiture, to engage in correspondence with its employees as to the reasons for their discharge, is in violation of its constitutional liberty to decline to write on that subject. *Atchison, T. & S. F. Ry. Co.* v. *Brown* (80 Kan. 312), and *Wallace* v. *Georgia C. & N. Ry. Co.* (94 Ga., 732), followed.

Mr. President, I have just read from the Texas reports of cases adjudicated in the supreme court.

Nowhere have I been able to find where this doctrine of freedom has been disturbed, abrogated, or done away with. If Senators will read carefully—and I wish they would take the time to do so—the speeches of the Senator from North Carolina [Mr. BAILEY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Georgia [Mr. RUSSELL], the Senator from North Carolina [Mr. HOEY], the Senator from Alabama [Mr. HILL], the senior Senator from Georgia [Mr. GEORGE], and some of the other Members of the Senate, they will find that the Senators I have just named have been fair with the Senate and with the public. They have not tried to resort to any chicanery or any sophistry, to mislead the public; but they have dealt with this bill as a lawyer or as a judge would deal with it. They have tried to show the Senate and the American people that this bill is a monstrosity and that it violates every conception of constitutional rights and all the rules which have been established under our system of government. Just think of the idea of giving the little commission which would be created by this bill the power to go to the White House and tell the President, "You have to do so and so and so and so and so and so." Yet the bill contains such a provision. Apparently, my good friend the Senator from New Mexico [Mr. CHAVEZ] wishes to have someone take hold of President Truman and handle him rather roughly. I can scarcely conceive that the Senator would wish to authorize anyone to do that, but evidently that is what the Senator favors.

Mr. President, before I take up the question of the history of filibusters, I wish to pay my respects to some of the people on the outside and some of the organizations on the outside which are sponsoring this bill. By doing so, I believe I can show that the bill is an unholy thing and that its ultimate purpose is unrighteous and not good for the country.

First let me say, Mr. President, that the Senate press gallery has been flooded with telegrams and press releases. I wish to read one of them to the Senate. The release I shall now read embodies a petition which was addressed to the Senate of the United States by the Southern Conference for Human Welfare. In the petition they state the following:

Majority rule is fundamental to democracy and the constitutional process.

They are talking about the will of the majority of the people, as expressed in elections out in the field, not in a body such as this; because under the rules of the Senate and under the guaranties of the Constitution, the rights of the Members of this body are such as to enable them to be in a position to protect the people of the individual States—the governmental entities which we represent, and which have sovereign power—from the infliction of abuses by any majority which may be gathered together on the floor of the Senate as a result of hysteria which may sweep over the country. Mr. President, in 10 or 15 years or even less time, people who look back at the record for the year 1946 will find that a lot of Communists—I mean that, and I repeat it—a lot of Communists and a lot of ignorant persons were misled and brought to Washington in great delegations of 100, 200, 400, 500, 800, and they held mass meetings and picketed all over the Capital City. Some of them held meetings in the Asbury Methodist Church. Mr. President, do you know that church is the political headquarters? If you happen to read the story a few years from now, it will make your blood run cold to think just how far such groups went and how near the Senate was to going astray and awry—so much so that it almost departed from following the long-established concepts of constitutional government in the United States, which has been doing business for 150 years.

Mr. President, today many of our people are under a spell; they are being influenced by hysteria, and are being misled by the groups which come to Washington to intimidate and bulldoze and bluff Senators and attempt to make them vote this way or that way on such legislation.

I read further from the petition:

A filibuster obstructs majority rule and gives supreme power to a small minority.

Mr. President, that is not true. If this cause is righteous, if this bill is right, time will prove it and the right cause will finally and eventually be vindicated and will come forward in all its beauty and glory. But in 5 or 10 years you will be ashamed that such a thing was even proposed to the United States Senate, for it is a horrible proposal.

I read further from the petition:

It is a disgraceful and intolerable situation when the highest legislative body of the land is placed at the mercy of the vocal chords of one man.

Mr. TAYLOR. Mr. President, let me ask the Senator whom they were talking about then.

Mr. BILBO. I do not know. It must have been the Senator from Idaho, for he has been rather loud when he has taken the floor. [Laughter.]

It is a disgraceful and intolerable situation—

Mr. President, I am reading this petition at this time because in a moment I propose to show that this idea of extended discussion or, if you please to call it such, filibustering is an institution which has been in existence in the Senate of the United States for 150 years, and time has proved that the cause of every successful filibuster was right and that those who led the filibuster were right. Those who led the filibusters in the past were not any peewees or small fry, for the filibusters were led by men like Senator Borah of Idaho, the elder Senator La Follette of Wisconsin, Senator Fletcher of Florida, Senator McKellar, and other great men. The filibusters which have occurred in the past have been led by such great men.

Mr. TAYLOR. In my estimation, time has proved that Senator Borah was wrong when he opposed the League of Nations.

Mr. BILBO. Well, there is a difference of opinion among people, largely because of differences in their mental processes. [Laughter.]

So, Mr. President, here is this petition which calls this situation disgraceful and intolerable. Mr. President, there is nothing disgraceful about it.

A small group of women at Lake Junaluska, N. C., who had formed some kind of society, adopted a resolution saying that BILBO was un-Christian because of his views. Because I spoke 2 or 3 days last summer against this monstrosity, I have been denounced, smeared, misrepresented, lied about, criticized, and abused from one end of the country to the other, and various and sundry small organizations which have held mass meetings have adopted resolutions asking that I be impeached by the Senate of the United States. They did not have sense enough to know that a Senator cannot be impeached. They did not know what they were asking to have done. They were so damnably ignorant that they did not know what they were requesting. They did not even know what it was all about. A Senator cannot be impeached. He can be expelled, but he cannot be impeached. But they did not know that, and they did not know what they were asking for.

As a matter of fact, Mr. President, since the 14th of October, my home in Washington has been picketed by some of the members of this outfit from New York, Detroit, and Washington. There is a very strong Communist Party in the District of Columbia and it is clamoring for the right to vote. That is the reason why they are not going to get it—because of the kind of folks they have here in Washington. There are enough of them here to cause trouble. It is all a Member of the Congress can do to stay here now; but if this city is turned over to this bunch who are in Washington, I'll be damned if a Member of the Congress will be able to stay in Washington. [Laughter.]

I read further from the petition telegram:

The time to permit filibusters in America has past.

Mr. President, have you any idea who is talking? I shall read that part of the petition again:

The time to permit filibusters in America is past. Give one-tenth of the body the power to muzzle nine-tenths, and democracy as a functioning institution in the Senate has been destroyed.

Mr. President, can you imagine who said that? Can you imagine where that came from?

Mr. TAYLOR. No; I do not know who said it, but if Joe Stalin said it, I would still agree with him.

Mr. BILBO. Well, it is worse than that. CLAUDE PEPPER of Florida said it. [Laughter.]

I read further:

We southern citizens, proud of the part played by southerners in establishing these United States of America—

Mr. President, none of the gang that is behind this movement had anything to do with establishing the United States, and neither did any one of their type. It took better men than they to establish this Government and to lay its foundations.

I read further—

and in drafting its Constitution, declare that Senators engaging in filibuster flout not only the will of the Senate, but the best traditions of the South.

Mr. President, a bigger lie than that has never been published in all the world.

I read further:

We respectfully urge the Senate of the United States, after giving adequate opportunity for full discussion, to halt any filibuster by invoking cloture, to maintain majority rule, and preserve democracy.

They are opposed to any filibuster; they do not make any exceptions at all. Even when the Senator from Kentucky [Mr. BARKLEY] was making a little speech here the other day, trying to invoke cloture on us, he edged around. While he said that filibustering was indefensible, he edged around a little and left a gap by which he could get out, a little later on, if something really bad came up—something on which he really wished to defeat cloture.

This petition was sent to the newspaper gallery, and it has a list of names of people from Georgia, Florida, Arkansas, Louisiana, Mississippi, Kentucky, South Carolina, Texas, Oklahoma, Virginia, and Alabama. I have been checking the list. I do not know much about the citizens of other States, but I know something about the people in my State and I know something about the Mississippi people who signed the petition.

Mr. President, in the petition the first signature of a person from Mississippi, you will be surprised to know, is that of the Reverend Joseph Smith, of the Centenary Methodist Church, McComb, Miss. Do you know who he is?

Mr. TAYLOR. No; I would not know.

Mr. BILBO. Well, we cannot expect anything better from him, because he is a brother of Lillian Smith, the woman who wrote "Strange Fruit." That is enough said. [Laughter.] I do not have to say any more about him, other than to say that he is a brother of Lillian.

The petition is also signed by Rev. C. C. Clark, of Natchez, Miss., another good Methodist gone wrong. [Laughter.]

It also is signed by the Reverend Stewart Smith. He is a son of Joseph Smith; in other words, he is a nephew of Lillian Smith. That is enough for him.

It also is signed by John Long, president of the Southern Christian Institute, Edwards, Miss. That is one of the Negro schools established by northern capital. They generally have a white man as president, and he is entirely supported by northern contributions. He lives unto himself, and no one down there has anything to do with him, even socially. He is ostracized.

Another signature is that of Arenia C. Mallory, of Saints Industrial School, Lexington, Miss. That is another one of them.

The next signature is that of Rev. G. A. Riley, of Jackson, Miss. He is a Baptist.

Mr. TAYLOR. The name sounds like that of an Irishman, to me.

Mr. BILBO. No; he is out of a job. [Laughter.]

Another signature is that of Mrs. R. P. Neblett, counselor, Negro school, Holly Springs, North Mississippi Conference on Women's Work, Shelby, Miss. I am sorry I do not know anything about the lady.

Another signature is that of T. D. Davis, of Jackson, Miss. I have nothing to say about this boy. He is more to be pitied than to be blamed.

Another name is that of Mrs. W. H. Ratliff. She claims to be a member of the Southeastern Jurisdictional Council, Methodist Church, Sherard, Miss. H. G. Williamson, Frank Argelander, and Walter L. Russell, are members of the faculty of the Wood Junior College, Mathiston, Miss. That institution is another one of the schools which were founded and supported exclusively by northern contributions.

Mr. President, after approximately 4 months of scouring Mississippi, the only persons who could be induced to sign the petition were those whose names I have read.

I have been keeping abreast of this matter. Several months ago James A. Dombrowski mailed a letter to everyone whom he thought he could induce to sign the fool petition which he was trying to have signed for the purpose of sending it here at this crucial moment. I will read the letter which he sent at the time he asked the people to sign the petition. The letter said:

The threat of filibuster is once more being sounded by certain southern Senators in their efforts to obstruct majority rule on the poll-tax question. Regardless of the merit of that issue, we believe you will agree with us that the tactic of filibuster is indefensible in a democracy.

That statement is funny. I thought we had had a democratic form of government in this country for the past 150 years. I thought we had a democracy. However, it would seem that there are some people in this country who have just found out that filibustering is not, as they think, a part of the democratic process.

I continue reading from the letter:

The enclosed statement condemning the filibuster will be useful in combating this threat, and in encouraging other Senators in their efforts to prevent gag rule in the Senate. A determined majority of Senators can stop a filibuster; it is our responsibility to insist that the majority exercise its power.

The poll-tax question may come up any day in the Senate; Senators BILBO and EASTLAND are ready to lead the assault on the democratic process.

The writer of the letter got one statement correct.

Are you ready to send us your name immediately to add to the statement, and circulate the enclosed petition among your friends and in your organization? We will be very happy to send you additional petitions.

Sincerely yours,

JAMES A. DOMBROWSKI,
Executive Secretary of the Southern Conference for Human Welfare, Nashville, Tenn.

The headquarters of this organization is in the Presbyterian Building in Nashville.

Mr. President, the letter which I have read indicates the way in which that organization obtained signatures to the telegrams which flooded the offices of Senators a few nights ago.

As soon as I received a copy of the telegram I proceeded to write Brother Dombrowski. I have a copy of the letter before me, and I shall read it into the RECORD:

UNITED STATES SENATE,
November 5, 1945.

JAMES A. DOMBROWSKI,
Executive Secretary, Southern Conference for Human Welfare, 506–507 Presbyterian Building, Nashville 3, Tenn.

DEAR DOMBROWSKI:

[Laughter.]

I have just received through a friend of mine in Jackson, Miss., two sheets that your un-American, Negro social equality, communistic, mongrel outfit is sending out throughout the country in your mad desire to build up a factual case against the right and prerogative of a United States Senator or Senators to filibuster any objectionable legislation that is proposed in this great body.

Of course, your immediate aim is to secure the passage of the undemocratic, un-American anti-poll-tax bill, which is now pending on the calendar of the United States Senate by defeating the right and power of Senators who object by filibuster. In other words, you are trying to bulldoze and intimidate Members of the Senate who are conscientiously opposed to this un-American piece of legislation.

Filibustering in the Senate has been a right and prerogative since the adoption of the Constitution of the United States, and it has been resorted to by Senators of great renown in the past to defeat vicious legislation, and it can be truthfully said that there has never been a successful filibuster throughout the 150 years of the life of the Republic but what time has shown that it was wise and best for the people and the Nation.

That statement is true.

Mr. TAYLOR. I do not believe that the same statement can be made about the League of Nations filibuster.

Mr. BILBO. Mr. President, the Senator is wrong.

My letter continues:

Beginning last December I personally stopped the passage of the so-called land-grant railroad bill by a threatened filibuster.

I had threatened a 30-day filibuster. It will be recalled that last year, when an attempt was made to pass the land-grant railroad bill, I threatened to filibuster.

I continue reading from the letter:

By continuing this fight this session I was able to secure an amendment to this piece of legislation fixing the date of its effectiveness on October 1, 1946, and through this period of 22 months that I kept this bill from becoming a law I was able to place in the Treasury of the United States for the benefit of the taxpayers of this Republic about one-half billion dollars, and then you tell me that filibustering is not a wise thing and a righteous thing and besides since I have been in the Senate I have personally assisted

in filibustering to death on different occasions the so-called antilynching bill as well as the anti-poll-tax bill.

I threatened to filibuster for 30 days in order to prevent the passage of the land-grant railroad bill. I filibustered for 2 days and saved the taxpayers of the Nation approximately $500,000,000. In the face of that fact can any Senator tell me that filibustering is not good stuff? [Laughter.]

I continue reading from my letter to Brother Dombrowski:

I wish there was some filibuster that I could inaugurate that would immediately and finally and forever dissolve and destroy the socalled Southern Conference for Human Welfare, a mongrel organization that is only a communistic front—

That is pretty serious—

that has no other purpose on earth except to bring about social equality between the white and the black races, which would lead to miscegenation, mongrelization, and intermarriage of the races and thereby destroy the white race and the black race and our Caucasian civilization which the white man of this country has made possible for the glory, happiness, success and prosperity of the American people as a whole.

You may be able for a little time to fool a few decent white people with your insidious scheme that is behind the Southern Conference for Human Welfare but not for long. If I were called upon to name the No. 1 enemy of the South today it would be the Southern Conference for Human Welfare.

This same Dombrowski took the letter which I have read in full, extracted the best parts of the letter, and published the remaining portions in his publication entitled "The Southern Patriot." It reads as follows:

This is the BILBO who praised German and Italian fascism before the war.

He was a liar.

This is the BILBO who preaches hatred against minority groups in America.

In that statement he was another liar. I had not done such a thing, and never have.

This is the BILBO who missed impeachment by one vote in the Mississippi State Senate on charges of taking a bribe.

In that statement he was a liar again. I was tried before the State senate because I had exposed a crooked deal in the Mississippi caucus of 1910 which lasted 57 days and nights. I exposed that crooked deal and the majority—there is your majority again, Mr. President—the majority of the State senate belonged to the crowd which had been exposed, and they wanted to expel me. They lacked one vote of being able to do so. It would not have made any difference even though they had been able to expel me. I would have been back within 30 days. A little thing like that would not disturb me because I was in the right.

Dombrowski continues as follows:

This is the BILBO who filibusters against a bill to let the people vote in his own State.

Of course, in that statement, he was referring to the poll tax.

Now, Mr. President, let us see what is this Southern Conference for Human Welfare. The Southern Conference for Human Welfare has its headquarters in room 506–507 Presbyterian Building, Nashville, Tenn. Its official medium is The Southern Patriot, published at the same address: Its other local headquarters' addresses are: 525 Guilford Bank Building, Greensboro, N. C.—Miss Mary Price; 921 Massey Building, Birmingham, Ala.—Mrs. Pauline Dobbs; Apopka, Fla.—Mr. Virgil Connor; and 525 Chamber of Commerce Building, Atlanta, Ga.—Miss Margaret Fisher.

That is the organization. The latest official letterhead, of June of this year, of the S. C. H. W.—Southern Conference for Human Welfare—shows the following as officers—listen to the list:

Honorary presidents:

Judge Louise Charlton, Birmingham, Ala.

Frank P. Graham, president of the University of North Carolina. I shall get to him directly.

President Clark Foreman, the black sheep of the Clark-Howell family. They are ashamed of him.

Alva W. Taylor, secretary-treasurer.

Executive secretary, James A. Dombrowski.

Vice presidents:

Paul R. Christopher.

Roscoe Dunjee. He is the Negro editor of the Black Dispatch, of Oklahoma City.

Virginia Foster Durr, sister of Judge Hugo Black.

George Googe.

Paul B. Kern.

William Mitch.

Hollis V. Reed.

Executive board:

W. W. Alexander. He is the leader of the Negro social equality campaign of the South, and has been for years. He believes in social equality of the Negro, he believes in miscegenation, he believes in intermarriage. He is preaching it.

Mary McLeod Bethune. She is that good old Negro girl from Florida whom Aubrey Williams brought to Washington and wrecked politically, when Mrs. Roosevelt took charge of her.

Charlotte Hawkins Brown.

Louis Burnham.

Rufus E. Clement.

William E. Cole.

Tarleton Collier.

John P. Davis.

Helen Fuller.

F. Clyde Helms.

Joseph B. Hunter.

Charles S. Johnson.

Roy R. Lawrence.

Lucy R. Mason.

Mortimer May.

A. T. Mollegen.

George S. Mitchell.

M. C. Plunk.

Arthur F. Raper.

Ira De A. Reid.

Lillian E. Smith, the author of "Strange Fruit."

Harry S. Strozier.

John B. Thompson.

Jimmie Woodward.

A letterhead dated February 28, 1945, compared with the June letterhead shows that four individuals, for unannounced reasons, dropped from the executive board, these being Gerald Harris, James J. Morrison, F. D. Patterson, and Edward Yoemans, Jr. Added to the June letterhead as executive board members are the names of George S. Mitchell and Harry S. Strozier.

This organization has been so skillfully organized and managed that some nice, decent, right-thinking, patriotic American men and women have been dragged into the net, and what I am fixing to do is to go to the bottom of it and show what it is.

Among the members of the National Citizens Political Action Committee, of which Elmer Benson, ex-Governor of Minnesota, is now the chairman, succeeding Sidney Hillman, the following have been affiliated with the Southern Conference for Human Welfare: Will W. Alexander, Mary McLeod Bethune, James Dombrowski, Roscoe Dunjee, Mrs. Clifford Durr, Clark Foreman, William H. Hastie, Jennings Perry, Lucy Randolph Mason, Ira De A. Reid, Paul Robeson, Lillian Smith, and Aubrey Williams.

Hastie is the one who has been appointed Governor of the Virgin Islands, whose nomination the Senate is to be called upon to confirm.

Mr. TAYLOR. That sounds like a pretty good list to me.

Mr. BILBO. I suspect it does sound that way to the Senator.

Behind a facade of loosely organized southern liberals the Communist Party has initiated and manipulated the Southern Conference for Human Welfare in accordance with its special partisan purposes. This Communist front is what I am talking about. That is what it is, that is all it is.

In reporting to its constituents, the Southern Conference for Human Welfare has been extraordinarily vague as to the exact origin of the organization.

It was born in the hearts and minds of a large group of devoted southerners known as the Southern Policy Committee, declared a conference report.

Nobody south of Mason and Dixon's line dreamed up the Southern Conference for Human Welfare. It is not a southern idea or southern product at all.

No names were given. This nondescript group met several times early in 1938 in Birmingham, Ala. Several other persons were asked to attend a meeting on July 21, and the idea of a southern conference was presented to them. The report did not say who presented the idea or who was present. The persons present voted themselves in as sponsors and members of the arrangements committee and, subsequently, a permanent organization meeting was called at Birmingham on September 6, 1938—report of the proceedings of the Southern Conference for Human Welfare, November 22, 23, 1938, pages 3 and 4. Its claim to represent any significant proportion of southern opinion was therefore entirely self-assumed.

While the conference has succeeded in confusing certain elements by its pretensions, representative southerners harbor no illusions as to its real character. The Democratic Women's Club of Alabama, an organization of long standing in the South, publicly demanded the disclosure of the names of the initiators of the conference, of those who provided the necessary finances, and of those who appointed the delegates. The Democratic Women's Club charged

that the conference was of questionable origin and purpose—Birmingham News, November 25, 1938.

Question marks have been all over this outfit ever since it started, because it had a peculiar beginning. I shall get to that.

In their own inner circles, the Communists have not been nearly so reticent in claiming responsibility for the Southern Conference for Human Welfare. These folks who have been on the front in Nashville and Atlanta, of course, deny that they are of Communist origin; that the Communists organized them and are leading them, directing them; but in the inner circles of the Communist Party the Communists brag about it. I repeat, in their own inner circles, the Communists have not been nearly so reticent in claiming responsibility for the Southern Conference for Human Welfare. In his article in the Communist of January 1939—official monthly organ of the Communist Party—Robert Fowler Hall, secretary of the Communist Party of Alabama, and speaker at the April 1940 session of the Southern Conference for Human Welfare, revealed some of the moves behind the scenes. Referring to an earlier speech of Earl Browder, general secretary at that time of the Communist Party, Hall wrote:

Comrade Browder's remark thus anticipated the Southern Conference for Human Welfare, held in Birmingham, November 20–23. Let us estimate the Southern Conference in the light of Comrade Browder's remarks at the tenth convention of the Communist Party. In this sense, we can say that the Southern Conference was a brilliant confirmation of the line of the democratic front advanced by Comrade Browder at the tenth convention. Our comrades naturally watched the conference preparations closely, and helped wherever possible. Southern State organizations of the Communist Party were represented at the conference by five southern Communist delegates. In strengthening this movement, our party has before it a great task. On this basis, our party can and must proceed to recruit from the progressive ranks many hundreds of members (pp. 57, 60, 61, and 65).

That is the way the Conference for Human Welfare—a Communist outfit—has the audacity to send telegrams to Democratic Senators from the South and tell them what to do at the same time denouncing other Senators from the South.

When I fought the FEPC last summer I was denounced from one end of the country to the other, and this organized smear of the Communist newspapers started all over the country. That is one reason why I have been quiet for the last 2 weeks. We have been discussing the FEPC bill for 2 weeks, and this is the first time I have said anything about it. I wanted the Negro and the Communist newspapers and other folks in the country to know that there are 22 other Senators from the South who believe as I do about this proposal and who have the same desire. I have taken the cussing, and that is all right; I can take it. But I want them to know that I am not by myself. Now they have to get up 22 picketing brigades, and picket 22 other Senators because of their opposition and their sentiments and their convictions about FEPC and kindred subjects.

The Communists were using the conference as a specific application of the so-called popular front policy in the South. This line had been adopted by the Communist International at its Seventh Congress in Moscow in 1935, and was being applied by the Communist parties throughout the world prior to the signing of the Stalin-Hitler pact. The liberals drawn into the conference were merely the most convenient guinea pigs. It is surprising how some people get over into the Communist movement.

While the Communist Party, as such, boasted of few delegates, it must be remembered that the bulk of the Communists came from front organizations under their control. This was ultimately proven by test votes on various controversial issues.

Communist Party writers made every effort to emphasize the significance of the Conference for Human Welfare. Robert F. Hall called it the representative of the new forces in the South working for the development of a powerful movement of the southern masses for peace, democratic rights, and security (Communist, August 1940, pp. 690–702). Thus the conference supplemented the activity of the American League for Peace and Democracy, the chief Communist front during this period.

Mr. President, it must be understood that during this period there were many organizations in the United States which were nothing in the world but Communist fronts. Here is the greatest one in the South.

James W. Ford, Communist candidate for Vice President, speaking of the Southern Conference for Human Welfare and the Southern Negro Youth Conference, declared with considerable pride that:

The Communists, through their pioneering work in the South, may justly claim to have laid the foundation for these great social movements (Communist, September 1938, p. 828).

In a radio address delivered on November 27, 1938, over Station WOL, Earl Browder, Communist Party general secretary, expressed the opinion that the Southern Conference for Human Welfare was one of the signs of the awakening of the American people. In a public hearing before the Special Committee on Un-American Activities he identified it as one of his party's "transmission belts."

This is the head of the Communist Party describing and stating what the conference is and what its purposes are. One might know it is a Communist outfit. It is a mongrel outfit. About one-third of its officers and leaders are Negroes who do not hesitate to say where they stand. A. Philip Randolph and all his group do not mind telling where they stand on this question.

Just the other day, Mr. President, a meeting was held in the caucus room of the House Office Building of those who came here to persuade the Congress to vote for the FEPC. I read from an article dated Washington, January 18:

Reconstruction days in the South drew high praise Thursday night at a Negro rally held here in support of the Chavez bill setting up a permanent Fair Employment Practice Commission.

The praise came from Benjamin J. Davis—

Senators know who he is—

Negro Communist member of the New York City Council, and from Representative DE LACY, Democrat, of Washington.

Mr. TAYLOR. He is a good man.

Mr. BILBO. Yes; just like Davis, a wild radical.

Davis led the march on Washington Thursday of New York supporters of FEPC. The delegation of some 500, most of whom were in the gallery when Senator CHAVEZ made his surprise move Thursday calling up his FEPC bill, represented some 50 Communist front organizations.

See how they operate.

Both Davis and Representative DE LACY told the rally that when Negroes sat in the southern legislatures during reconstruction days better legislation had been passed than at any other time in American history.

The idea of a Communist Negro from New York and a Representative from the far West, DE LACY, insulting every white man and woman south of the Mason and Dixon line with the statement that the Negroes and carpetbaggers of reconstruction days, in charge of the South after the Civil War, passed better laws and made a better job of it than the white people have since or before.

Mr. TAYLOR. May I ask what newspaper that article appeared in?

Mr. BILBO. It appeared in the Memphis Commercial Appeal. The reporter was there. Do not worry about the facts.

Davis was especially violent in his criticism of President Truman, Senators EASTLAND and BILBO, and Representative RANKIN. He countered this with fulsome praise of the Soviet Union and three Members of Congress, Representatives DE LACY, MARCANTONIO, and ADAM POWELL, Harlem Negro preacher.

He has gone haywire now. He has gone Republican.

"President Truman is nothing but the tail of the Roosevelt dog," Davis told the crowd that filled the Asbury Methodist Church. "All we get out of Truman is talk, double talk and triple talk, but no action." He accused President Truman of stabbing FEPC in the back by pretending to favor it but failing to coerce the Capital Transit Co., of Washington, to hire Negro streetcar conductors.

That is the gang the proponents of the bill are running with.

Evidence before the Special Committee on Un-American Activities indicates that the central committee of the Communist Party was intimately concerned with the affairs of the conference from its very inception. William Weiner, treasurer of the Communist Party, testified that a subsidy of $2,000 had been paid to the Communist Party of Alabama in 1938, when the Southern Conference for Human Welfare was founded; that this Southern Conference had been discussed with Robert F. Hall when he was in New York; and that it had also been discussed by the central committee of the Communist Party at the time the $2,000 subsidy was authorized. Browder publicly admitted that the Communist Party had "suffered great hardships to maintain the growing southern movement."

He is going to have more trouble with that.

Not only do the Communists claim the conference as their own product, but they even disclose how they pulled the strings. Hall, apparently the chief moving spirit, pointed out that the main work of the conference was carried on through the sections or panels and that resolutions adopted in the panels were usually adopted by the conference as a whole (Communist, January 1939, p. 58).

Here is how this plan actually operated: A resolution on education was presented by Paul Crouch for the Communist Party of Alabama and unanimously adopted (Daily Worker, November 22, 1938, p. 6). Crouch was a member of the editorial staff of the Southern Worker, official organ of the Communist Party in the South. Associated with him on this board were Robert F. Hall and Ted Wellman. Crouch was convicted for treasonable activities within the armed forces of the United States in Hawaii on June 8, 1925. He subsequently made a pilgrimage to Moscow where he paraded in a Red army uniform (Daily Worker, May 1, 1928, p. 5).

All this is backed up by the record, Mr. President.

Joseph Gelders was active in the conference's committee on plans for a permanent organization. Representing the Southern Conference for Human Welfare, Gelders was also the secretary of the strategy committee in the campaign for the Geyer anti-poll-tax bill. He was formerly secretary of the National Committee for Defense of Political Prisoners, which was cited as subversive by Attorney General Biddle. Gelders personally accompanied Earl Browder on a visit to the Scottsboro boys (Daily Worker, September 15, 1936, p. 3). He raised his voice in protest against the arrest of Communists in Chattanooga (Daily Worker, April 6, 1938, p. 3). He was also leader of a lobby for the American Peace Mobilization which conducted a picket line about the White House and denounced President Roosevelt as a "warmonger" (Sunday Worker, September 8, 1940, p. 3).

John P. Davis, identified as a leading member of the Communist Party by testimony before the Special Committee on Un-American Activities and former secretary of the National Negro Congress, cited as a subversive organization by the then Attorney General, was a leading speaker in the panel on constitutional rights of the first conference in 1938 and the 500 delegates applauded his report. He was also vice president of the conference (Daily Worker, November 22, 1938, p. 6; April 17, 1940, p. 4).

Edward E. Strong has been described by James W. Ford, Communist vice presidential candidate, as "a coming leader of the Negro people." Strong is the secretary of the National Negro Congress. He has been a contributor to the Communist youth magazine, the Champion, and signer of a statement in March 1941, defending the Communist Party. Strong was a prominent speaker in the panel on youth problems in the 1938 session of the Southern Conference on Human Welfare, together with Howard Lee, attorney for Oscar Wheeler, Communist candidate for Governor of West Virginia. Strong was elected a member of the executive committee of the Council of Young Southerners, described on its letterhead as having "its origin at the Youth Commission of the Southern Conference for Human Welfare." Edward E. Strong was one of the sponsors of the American Peace Mobilization.

It might be mentioned here that the Communist Daily Worker for September 3, 1940, page 4, has Herbert Long and Howard Lee as the leaders for the Southern Conference for Human Welfare, in the American Peace Mobilization. Lee, former executive secretary of the SCHW, signed the "call" for the April 5–6, 1941, American People's Meeting. This APM meeting was opposed to war because Stalin and Hitler at that time were allies. Lee served as a panel member at a preliminary session—April 19–20, 1940, Washington, D. C.—which finally, in June, evolved as the National Federation for Constitutional Liberties. Lee was a sponsor of the Committee To Defend America by Keeping Out of War, which organization was the immediate predecessor of the Communist-contrived American Peace Mobilization. The Reverend John B. Thompson, then—1940—the chairman of the SCHW, became chairman of the Committee To Defend America by Keeping Out of War.

Herman C. Nixon was elected executive secretary of the Southern Conference for Human Welfare in 1938. He had been forced out of Tulane University for his radical views. He had been cochairman of the Citizens Committee To Investigate Vigilantism in Gadsden, Ala., an offshoot of the International Labor Defense, and a member of the National Committee for People's Rights and of the provisional committee of the National Conference on Constitutional Liberties. The International Labor Defense, as well as the last two committees named, have been cited as subversive by the Attorney General. Nixon's book, Forty Acres and Steel Mules, was highly praised by Robert F. Hall, Communist Party secretary for Alabama, in the New South of February 1939, page 10.

The Communists are showing their hand everywhere today. Their activities are a real threat to the safety of this country.

Mr. President, I have received a telegram from the Communist outfit here in Washington. They are ruthless. They believe in doing things by force. They resort to force. They propose to destroy and take charge by force. Listen to this:

We, 400 Washingtonians assembled at a Lenin memorial meeting called by the Communist Party, repudiate the shameful position you have taken in aiding the filibuster of Senate bill 101.

I received this telegram before I had opened my mouth. I suppose they knew what was coming.

Any man who denies the right of employment regardless of race, creed, color, or national origin brings contempt upon our Nation.

Why did they not also say sex and age? If anyone ought to be protected in employment, it is the poor widow with children to support, or the girl who is working for a widowed mother. They ought to be given a chance to work.

You have proven yourself incapable of representing us as chairman of the Senate District Committee. We demand your immediate resignation.

ELIZABETH SEARLE,
Chairman, Communist Party.
WASHINGTON, D. C.

If the telegram were not so downright silly I would have something to say about it.

At the April 1942 sessions of the Southern Conference for Human Welfare, James Dombrowski was elected executive secretary. We are now getting to the meat of the coconut. He was the signer of a statement defending the Communist Party in March 1941 and a speaker for the National Conference for Constitutional Liberties in 1940. The latter organization was cited as subversive by the then Attorney General. At the June 1940 Washington, D. C., Conference on Constitutional Liberties, the National Federation for Constitutional Liberties was launched, which, in turn, is controlled by the CIO-PAC, and also follows the Communist Party line. At this same meeting, Elizabeth Gurley Flynn, a member of the national committee of the Communist Party, also spoke. The Birmingham, Ala., honorary president of the SCHW, namely, the Honorable Louise O. Charlton signed a petition to the House in June 1943, not to continue the life of the so-called Dies committee. She showed her status when she signed that petition. James A. Dombrowski also signed, as did likewise Prof. Alva W. Taylor, secretary-treasurer of the SCHW.

They wanted no Dies Committee on Un-American Activities. They did not want any investigation, because they knew that when the light was turned on, their little scheme would blow up. I propose to turn it on and keep it on.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. TAYLOR. I think the Dies committee was a miserable inquisition. I have no use for it either, and I would sign any document to do away with it at any time. If it had investigated impartially, and had investigated Fascists as well, it might have had some merit.

Mr. BILBO. While the Senator is on his feet, let me ask him what he thinks of the present House Committee on Un-American Activities?

Mr. TAYLOR. I have not paid very much attention to it. It has not been in the headlines enough for me to form an opinion of it.

Mr. BILBO. But the Senator was opposed to the Dies committee.

Mr. TAYLOR. I was opposed to its tactics.

Mr. BILBO. I will not call the Senator a Communist because he makes that statement, but I will say that all the Communists were against it.

Mr. TAYLOR. The Senator can call me a Communist if he wishes. It would

not be the first time I have been called one.

Mr. BILBO. I shall not do so because I have a very high regard for my colleagues. In fact, I love them all. I may not agree with them at all times.

Mr. TAYLOR. Let me return the compliment. I can in all truth say that on many occasions when I have been asked about "this man BILBO" I have truthfully replied, "He is a very likable cuss." [Laughter.]

Mr. BILBO. I can say the same for my colleague from Idaho. After he has sat here for about 5 years perhaps he will begin to take form as a Senator.

Communist-front organizations and unions under the Communist aegis followed the lead of the Communist Party in building the Southern Conference for Human Welfare. Among these groups were the following: University of Virginia Chapter of the American Student Union—Student Almanac, page 44; International Labor Defense—Yearbook, 1939-41, page 25—official "legal-aid society" of the Communist Party, of which Congressman VITO MARCANTONIO is chairman; New South—October 1938, page 15; Workers Alliance—Daily Worker, November 21, 1938, page 1; Labor Research Association—pamphlet, Southern Labor in Wartime, page 22; and the American Federation of Teachers, which was at that time under Communist control—American Teacher, December 1938, page 7.

All the Communist fronts of every kind and description that the Communists have been able to organize in this country, and especially in the South, are a part of the Conference for Human Welfare about which I am now speaking. They all head up in this organization. As I stated a while ago, they have fooled some pretty decent people. They have misled many. The average man does not have the opportunity to investigate the origin, purposes, and objectives of such an organization.

At a meeting of the same Conference for Human Welfare in New York Mrs. Roosevelt was awarded the Jefferson award. The conference came to Washington and gave the same award to this McLeod woman from Florida, who is a Negro woman. Not long ago the conference held a big dinner in Washington and induced some very respectable people to attend. It gave one of these awards to Hugo Black, one of the Justices of the Supreme Court.

Mr. TAYLOR. I was there.

Mr. BILBO. The Senator had a right to be there. I myself sent a man there, but they kicked him out. I sent a man there to make a record of the speeches which were made, because I knew that someone would let the cat out of the bag. I knew all the time what was behind this organization. I knew it was a Communist front. Finally, I obtained copies of the speeches, and, lo and behold, what I expected happened. I learned that some Negroes were present. I think approximately 75 Negroes were present, some of them sitting at the head tables. The Negro Houston made a speech and spilled the beans. He let the world know why Hugo Black was there and was being given the Jefferson award. Judge Black delivered the opinion in the Texas primary case. This Negro did not have any better sense than to spill the beans at the party. I knew that someone would leak, if I could only obtain copies of the speeches. The Senator caught the point when he was there, did he not?

Mr. TAYLOR. Yes; I was there.

Mr. BILBO. I wanted to know whether or not the Senator had caught the point.

The most conclusive proof of the Communist domination of the Southern Conference for Human Welfare is to be found in the organization's strict and unvarying adherence to the line of the Communist Party in the field of foreign policy. It is also a clear indication of the fact that the real purpose of the organization was not human welfare in the South, but rather to serve as a convenient instrument for support of the current Communist Party line.

That is why they are sending so many telegrams to Washington with regard to the FEPC.

In 1938, when the Communist Party was advocating "collective security of the democracies against the Fascist aggressors," a letter of greeting from President Roosevelt brought 2,000 Southern Conference delegates to their feet cheering—Daily Worker, November 22, 1938, page 1. The Southern Conference voted to endorse "An American peace policy, such as proposed by President Roosevelt and Secretary of State Hull, to promote the national security of our country, to curb aggression and assist the democratic peoples of the world to preserve peace, liberty, and freedom."

The change of the Communist line resulting from the signing of the Stalin-Hitler pact was reflected in the Southern Conference for Human Welfare, at its meeting in April 1940. Robert F. Hall, secretary of the Communist Party of Alabama, acting as the Communist whip, presented an eight-point program which demanded "an uncompromising peace policy." A few liberals in the conference supported the policy of the Roosevelt administration against Hall's program. At one stage there was a threat of fisticuffs. But the liberals were no match for the Communists, who castigated them with the high crime of being anti-Soviet. The thousand delegates denounced war and pro-allied propaganda, as threatening America with war. They declared themselves unalterably opposed to loans to the Allies and other belligerents, and denounced war appropriations at the expense of the welfare of the American people at home.

The rift between the Communists and the few liberals was quickly healed as soon as Hitler invaded the Soviet Fatherland and the Communists suddenly relinquished their unalterable opposition to the war. Wholehearted agreement marked the sessions of the conference held on April 19, 20, and 21, 1942, devoted to "the South's part in winning the war for democracy." The convention demanded that all join in a great offensive now, to work, to produce, to sacrifice, to win—Daily Worker, April 23, 1942, page 3.

After Hitler invaded Russia they changed their whole front overnight. They were then ready to go to bat.

The stand of the Southern Conference for Human Welfare on various other issues in which the Communist Party was primarily concerned has served to confirm the conclusion that the organization is merely a pliable instrument in the hands of Communist wirepullers.

The youth section of the SCHW affiliated itself with the Communist-begotten Coordinating Committee to Lift the Embargo—Spain. The CCLE consisted of several score "transmission belt" groups and movements. The youth section is known as the Council of Young Southerners. Malcolm Cotton Dobbs is its executive secretary and James F. Anderson is its administrative secretary. Its offices are located in 201 Presbyterian Building, Nashville, Tenn. One of its sponsors is Mary McLeod Bethune, the colored social worker, friend of Mrs. Eleanor Roosevelt.

Mr. CHAVEZ. Mr. President, will the Senator yield for a question?

Mr. BILBO. Does the Senator propose to inject something at this point?

Mr. CHAVEZ. Oh, no; only a question.

Mr. BILBO. I should like to have this statement continuous in the RECORD.

Mr. CHAVEZ. Does the good Senator from Mississippi consider Bishop G. Bromley Oxnam, of the Federal Council of Churches of Christ in America, a Communist?

Mr. BILBO. He is not only communistically inclined, but he is a social-equality Negro lover of the deepest dye.

Mr. CHAVEZ. Nevertheless, he is the bishop——

Mr. BILBO. I do not care what he is the bishop of. The Senator asked me about Oxnam's views. I will bring the Senator the proof tomorrow if he wishes it.

Mr. CHAVEZ. If the Senator has any proof, I am willing to be convinced.

Mr. BILBO. Certainly.

Mr. CHAVEZ. Would the good Senator from Mississippi, who dislikes Communists as much as I do—communism, I should say; I do not dislike Communists, but I hate communism. I could not dislike any person.

Mr. BILBO. The Senator loves Communists but hates communism; is that it?

Mr. CHAVEZ. I just try to follow Christ. I could not dislike anyone.

At any rate, would the good Senator from Mississippi consider Monsignor Ryan, of the Catholic Church, to be a Communist because of his views in regard to this bill?

Mr. BILBO. When God has put his hand on a man, I take mine off. Monsignor Ryan is dead.

Mr. CHAVEZ. Yes; God, in his wisdom, works in a peculiar fashion.

I do not know whether the Senator knows Bishop Sheily; but would the good Senator from Mississippi, who is so broadminded, say that Bishop Sheily, of the Catholic Church of Cleveland, or Archbishop Byrne, of the oldest Catholic diocese in the country, at Santa Fe, N. Mex., or Bishop Lucey, of the Catholic Church at San Antonio, are Communists? Would the Senator consider such persons to be Communists?

Mr. BILBO. Mr. President, if I did not think the Senator was high-minded and honorable, and did not possess any low traits of chicanery, I would think that his question indicated that he was trying to make a statement which the press could use in an attempt to show that BILBO was against the Catholics. I am not against the Catholics. Some Catholic priests in Mississippi are making the same fight that I am making.

Mr. CHAVEZ. I assure the Senator that that was not the purpose.

Mr. BILBO. Well, the Senator from New Mexico is a Catholic and he should know about the priests of the Catholic Church. So when the Senator from New Mexico gets the floor in his own right he can tell the Senate all about the Catholics and what they believe and what they stand for. I will take care of the Baptists and Methodists. [Laughter.]

Mr. CHAVEZ. Very well. Mr. President, I wish to find out whether the Senator from Mississippi thinks that only Communists are in favor of this bill.

Mr. BILBO. I did not say that. I just got through telling the Senator from Idaho that all the Communists are for the bill but that everyone who is for the bill is not a Communist. Does the Senator from New Mexico understand that?

Mr. CHAVEZ. I certainly do.

Mr. BILBO. Very well. I wish to see the color of the hair of some Communist who is not in favor of this bill. Trot one out, if you please. The idea of the bill was conceived and planted in the head of A. Philip Randolph and Walter White, who are in close touch with the Communist set-up, and they are the ones who threatened President Roosevelt with a march of 100,000 Negroes on Washington; and in order to stave it off and keep from having such a riot in Washington at the beginning of the preparations for the war, President Roosevelt issued Executive Order 8802. That is where the baby was born, and now the Senator from New Mexico is trying to keep it alive.

Mr. CHAVEZ. Mr. President, does the Senator think that is what makes the present President favor this proposed legislation?

Mr. BILBO. I am sorry the Senator from New Mexico was not here when I discussed that point.

Mr. CHAVEZ. I am sorry.

Mr. BILBO. If Senators do not understand the situation, let them read the newspapers and what they say about the FEPC.

Mr. CHAVEZ. I am glad the Senator from Mississippi reads some newspapers.

Mr. BILBO. Yes; but not all of them come from New Mexico.

Mr. CHAVEZ. They do not.

Mr. BILBO. I say that every Negro newspaper of the country makes front-page news and devotes its editorials and articles to matters in the interest of the FEPC. The report of the committee indicates that it is largely acting in the interest of this particular minority and that it is for it.

Mr. CHAVEZ. Mr. President, will the Senator yield for a question?

Mr. BILBO. I yield.

Mr. CHAVEZ. The Senator from Mississippi does not consider the Washington Post a Negro newspaper, does he?

Mr. BILBO. No, sir; it is Jewish. [Laughter.]

Mr. PEPPER. Mr. President, will the Senator yield to me?

Mr. BILBO. I will yield to the Senator from Florida, to permit him to introduce a bill, if it is not a bill for the FEPC, and if by yielding to him I will not lose the floor.

Mr. PEPPER. I ask unanimous consent that the Senator may yield to me under those conditions. Out of order, I ask unanimous consent to introduce a bill for appropriate reference.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred.

(The bill S. 1779 introduced by Mr. PEPPER (for himself, Mr. GEORGE, Mr. LA FOLLETTE, and Mr. TAFT) appears under the heading "Bills introduced" earlier in today's RECORD.)

Mr. MYERS. Mr. President, will the Senator yield to me, to permit me to introduce some matter to be printed in the RECORD?

Mr. BILBO. I yield for that purpose, if by doing so I do not lose the floor.

Mr. MYERS. I ask unanimous consent to have printed in the RECORD a letter including a resolution which has been addressed to me.

Mr. BILBO. None of that material is from the Philadelphia Record; is it?

Mr. MYERS. No. The Senator did not wish me to request unanimous consent to submit articles from the Philadelphia Record; did he?

Mr. BILBO. No; because I wish to have the pleasure of doing that myself; and I shall attend to that later.

The PRESIDENT pro tempore. Without objection, the resolution presented by the Senator from Pennsylvania will be received and appropriately referred.

(The resolution presented by Mr. MYERS appears under the appropriate heading later in today's RECORD.)

Mr. BILBO. Mr. President, the Southern Conference for Human Welfare received financial assistance from the Red-aiding Robert Marshall Foundation. When Robert Marshall, Chief Forester of the United States of America, passed on to his reward, his will left bequests for aiding Communist-front groups. He was a radical millionaire, and his brother George had been chairman of the National Federation for Constitutional Liberties. On January 7, 1941, the foundation sent the Southern Conference for Human Welfare a check for $500, and on May 4, 1942, a check for $1,000.

Mr. President, I wish everyone to understand that this Communist outfit not only is behind the FEPC but also is behind the anti-poll-tax proposal. I have in my files a photostatic copy of a check which this Communist outfit received directly from across the sea. The check was a donation to the National Committee for Repeal of the Poll Tax.

The other day I received from Los Angeles, Calif., a letter stating that the National Committee for Repeal of the Poll Tax had flooded Los Angeles with appeals for money to help it prosecute the campaign for the repeal of the poll tax. That shows that these organizations are rackets. That is all they are. If anyone who has sense enough to understand will sit down for 5 minutes and study this matter, I can convince him that the poll tax has nothing on earth to do with the question of having Negroes in the South vote or not vote. It has nothing on earth to do with that question. Under the constitution of my State, persons who reach the age of 60 years do not have to pay a poll tax. After they reach the age of 60 they are no longer subject to paying the poll tax. The best estimate I can obtain is that there are between 75,000 and 100,000 Negroes in Mississippi who are over 60 years of age, and who do not have to pay a poll tax—but they do not vote.

Mr. CHAVEZ. What keeps them from voting?

Mr. BILBO. I am glad the Senator from New Mexico asked that question. They are not qualified to vote; that is all. The poll tax has nothing to do with their failure to vote.

But this racket about repeal of the poll tax is nothing but a racket, and some people are making good money out of it. A number of unsuspecting "easy" people over the country who have plenty of money think they are rendering a service by contributing to that program.

William L. Patterson, Communist candidate for mayor of New York—1940—in an article in the April 26, 1940, Daily Worker, linked the Communist National Negro Congress, the Southern Negro Youth Congress, and the Southern Conference for Human Welfare together. He knew about the combination. He knew how they were linked up. The Communist-front Social Work Today magazine, in its June 1940 and May 1942 issues, praised the work of the Southern Conference for Human Welfare.

Mr. President, the report from which I have been reading further states:

An examination of the files of the Southern Patriot, the official organ of the Southern Conference for Human Welfare, discloses a very definite following of the Communist Party line and Communist Party ideology, plus support for the carrying out of the legislative program of the CIO.

The Southern Patriot is published at Nashville.

James A. Dombrowski has been its editor from the very beginning. The first issue appeared in January 1943, and the editorial board has consisted of Dr. Will A. Alexander—

I shall refer to him shortly—

Dr. Clark H. Foreman—

I shall refer to him, too—

Helen Fuller, and Dr. Ira De A. Reid. The Southern Patriot has been issued without intermission from volume 1, No. 1, January 1943, to volume 3, No. 10, October 1945, up to the time of the issuance of this report.

Mr. President, I wish to yield the floor to my distinguished leader, the Senator from Kentucky [Mr. BARKLEY], with the understanding that if a recess is taken I shall be able to resume my remarks when the Senate meets at 12 o'clock tomorrow.

Mr. CHAVEZ. Of course, Mr. President, I do not wish to have it understood that the Senate will take a recess after the Senator from Kentucky has concluded his remarks.

Mr. BARKLEY. No; at the moment I was not contemplating the making of a motion to take a recess.

Mr. BILBO. I thought perhaps the Senator from Kentucky would speak up until the time of the taking of a recess.

Mr. BARKLEY. I wish to request the Senator to yield to me so as to enable me to make remarks which are particularly appropriate today.

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Kentucky?

Mr. BILBO. Yes; I yield for that purpose, with the understanding that I do not yield the floor.

Mr. BARKLEY. I have no purpose to take the Senator off the floor, although I would not be averse to taking him off the floor if I could keep him off. However, I realize I cannot do so, and I have no purpose to take him off the floor.

Mr. BILBO. The Senator is quite correct.

TRIBUTES TO FRANKLIN D. ROOSEVELT AND HARRY L. HOPKINS

Mr. BARKLEY. Mr. President, I have asked the Senator from Mississippi to yield to me in order that I may occupy the floor of the Senate for only a few minutes.

I invite attention to the fact that today is the anniversary of the birth of the late Franklin D. Roosevelt. If he had lived until today he would have been 64 years of age. He died on the 12th of April 1945.

I do not intend to enter into any panegyric or eulogy on the late President Roosevelt as a man or as the late Chief Executive of this Nation. On the occasion of his death I expressed a few sentiments in regard to him and his great work. I now wish merely to invite the attention of the Senate and of the country—if my voice reaches beyond these walls—to the fact that today marks the anniversary of his birth. I think we might well pause and contemplate for a moment the place which he occupies in our minds, and will occupy in the history of this country and of the world.

Mr. President, we are too close to Franklin Delano Roosevelt to be impartial judges of the place which he will occupy ultimately in history. As I stated on a former occasion, all great men are endowed with great virtues and great faults. Franklin Roosevelt was no exception to that rule. But just as it might be said of Washington, Lincoln, Jefferson, Theodore Roosevelt, and Woodrow Wilson, his great virtues so outnumbered his faults that ir the verdict of history it is my opinion that his virtues and his positive contribution, not only to the welfare of this country but to the welfare of mankind, will be depicted in a manner which will be eminently satisfactory to all his admirers, and not disagreeable to those who disagreed with him, or those who did not admire him while he was alive and while he was the head of this great Nation.

As I have already said, Mr. President, I merely wish to invite attention to this day, and to reiterate my conviction that the verdict of history will accord Franklin Delano Roosevelt a place as high as that which has been accorded to any man who has influenced the destiny of the United States or the destiny of the world. As between his influence on the affairs of the United States of America and the people of the United States, and his influence upon world affairs, I am not sure that the proportion will not be greater with respect to his influence on world events than upon events which transpired within the United States of America. I am sure that most, if not all, of us here will live to see the day when he will be accorded such place in the history of this country and of the world.

Mr. President, while I am on my feet I may also invite attention to the unfortunate occurrence on yesterday of the death of one of Mr. Roosevelt's most intimate friends in office and out of office. It is altogther fitting to link those two men in what little I have to say. I refer, of course, to Mr. Harry L. Hopkins. I do not recall that prior to the inauguration as President of the United States of Mr. Roosevelt on the 4th of March 1933, I had ever heard of Harry Hopkins. I am not sure that at that time any other Member of the Senate knew him or had known of him. He became intimately associated, officially and personally, with the late President Roosevelt. I would say that he became perhaps Mr. Roosevelt's most intimate friend and adviser. We all know that every President of the United States, no matter what his political affiliations may be, must have and always does have some unselfish friend, some unselfish adviser, upon whom he leans for guidance and counsel in the intimate hours when the world is not looking on. That statement is also true of men holding lesser offices than that of President of the United States.

Those of us who are old enough recall, and those who cannot recall have read, that Theodore Roosevelt had one or more such intimate friends. He had a kitchen cabinet which was not composed of the higher echelons of political preferment, but consisted of certain persons upon whom he relied steadfastly, and with whom he counseled intimately. The same was true of Woodrow Wilson, William McKinley, and Abraham Lincoln. So, Mr. President, it is not strange that a man who is occupying the great office of President of the United States should have one or several persons upon whom he may rely for unselfish counsel and advice. It would be strange if that were not true.

In Mr. Harry Hopkins, regardless of what anyone may have thought of his theories in connection with social and political matters, and regardless of what anyone may have thought of his ability as an administrator, the President of the United States had an intimate friend and counselor with whom he could sit down in the quiet hours of the evening or the night and discuss matters both from the standpoint of policy, and from the standpoint of the welfare of the country.

I believe it is true, Mr. President, that in all Mr. Hopkins' public relations not only with Mr. Roosevelt, but with others who were associated with him in executive and legislative departments of the Government, he never used his influence, or his advice, or his power for his own selfish interests or his own selfish advancement.

I feel that he is entitled to have that brief comment made upon his contribution to the administration of Mr. Roosevelt with which he was associated from its beginning. Now that he has passed from among us at the age of 55, which is but the prime of life, we are entitled to look upon his activities and his conduct while he was associated with the Government of the United States. I take it for granted that during his mature life he sought, according to his own lights and his own beliefs, to advance the welfare of humanity and make a contribution to its advancement without regard to any personal ambitions, or any personal selfish wishes which he might accomplish by reason of them.

Personally, I was on intimate terms with Mr. Hopkins during those years. Sometimes I agreed with him and sometimes I did not. That was the privilege of all of us. I always found him sincere, forthright, and honest in the expression of his views. On no occasion did I ever find that he sought by any duplicity to deceive either me or others with whom he had dealings.

I personally mourn as a friend the loss of Harry Hopkins. I mourn him as a public servant and as an American. I wish to express my sympathy to all his family and friends in his untimely death.

Mr. WHITE. Mr. President, if I may do so I should like to say a brief word.

I hesitate to trust to extemporaneous words, but I should feel remiss if I remained silent to what has been called to our attention by the Senator from Kentucky.

Mr. Roosevelt lived through tremendous days in the life of our Nation. He took part in events which shook this world to its very foundations. What history will say of him, I do not know. But he had an indomitable spirit which bound to him millions of Americans with an affection which is rarely felt toward public men. I feel that Mr. Roosevelt will be accorded a high place among those who have served this country during its entire life. I join with the Senator from Kentucky in expressing regret that this great spirit was called from us by the untimely hand of death.

Mr. President, I knew Mr. Hopkins only casually. I suppose that I never talked with him more than half a dozen times in all my life. But I have a definite recollection of my contacts with him at a time of great political stress in my campaign of 1936 when the hosts of democracy came very near committing a mistake in the State of Maine. I remember talking at that time with Mr. Hopkins about some of our State-of-Maine problems. I cannot forget the graciousness with which he received me, and the frankness with which he talked. I had a high opinion of his ability.

I join in expressions of deep regret to Mr. Hopkins' family for the loss which has come to them, and for the loss which has come to the public service through his death.

Mr. BARKLEY. Mr. President, I thank the Senator from Mississippi for yielding.

Mr. BILBO. It was a pleasure to yield.

Mr. CHAVEZ. Mr. President, I wonder if the Senator from Mississippi will, without losing the floor, yield to me for a brief observation?

Mr. BILBO. I yield.

Mr. CHAVEZ. I wish to join with the Senator from Kentucky and the Senator from Maine in paying tribute to the great services rendered the country by the late President Roosevelt. The Senator from Kentucky has spoken of his virtues and his faults. Of course, we all know he had both faults and virtues, but to my mind the greatest and most outstanding virtue he had was that of loving humanity. Certainly he brought it to the point of impressing it upon the American people when he recommended legislation such as the bill we are now discussing.

I thank the Senator from Mississippi for yielding.

OBSERVANCE OF BIRTHDAY OF FRANKLIN D. ROOSEVELT—RESOLUTION OF JEWISH YOUTH SENIORS

Mr. MYERS. Mr. President, I ask unanimous consent to present for printing in the body of the RECORD a letter from Morris A. Barowsky, national president, American Jewish Youth Seniors, Philadelphia, Pa., embodying a resolution adopted by that organization at its convention at the St. Charles Hotel in Atlantic City, N. J., on December 9, 1945. The resolution requests Congress to adopt a resolution designating the 30th day of January, which is the birthday of Franklin D. Roosevelt, to be observed each year on the same plane as the birth dates of George Washington and Abraham Lincoln.

There being no objection, the letter embodying the resolution was ordered to be printed in the body of the RECORD, as follows:

PHILADELPHIA HEADQUARTERS,
AMERICAN JEWISH YOUTH SENIORS,
Philadelphia, Pa., December 26, 1945.

Hon. FRANCIS MYERS,
Philadelphia, Pa.

DEAR SIR: On December 9, 1945, at the St. Charles Hotel in Atlantic City, N. J., we, the American Jewish Youth Seniors, held our seventh annual convention.

Part of our procedure is to draw up a set of resolutions which are carried out to the fullest extent by our units in an effort to uphold democracy and combat bigotry and all activities contrary to the American way of living. Among the resolutions unanimously passed by our delegates was:

"Whereas between the years 1932 to 1945 the Executive seat of the United States of America was occupied by a man who was a great believer in democracy and the freedom from tyranny of all races, creeds, and colors; and

Whereas he being a true benefactor of mankind, caused to be given to the world ideals which shall exist forever in the hearts of man. Franklin D. Roosevelt gave his life to our country in carrying out the ideals of a true democracy: Now, therefore, be it

Resolved That the Congress of the United States shall pass a resolution designating the 30th day of January of each year be observed on the same plane as are the birth of George Washington and Abraham Lincoln."

The above resolution was brought to the attention of the American public by the Philadelphia Evening Bulletin, Philadelphia Enquirer, Atlantic City Press, and other prominent New Jersey and New York papers. We have also brought the above to the attention of the New York Post and PM.

We are bringing this to your attention in the hopes that you will do your utmost in helping a grateful American Nation commemorate the birth of a great American, Franklin Delano Roosevelt.

Thank you for your cooperation in this matter.

Respectfully yours,
MORRIS A. BAROWSKY,
National President.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. CHAVEZ. Mr. President, if it is in accordance with the wishes of the Senator from Maine [Mr. WHITE], the minority leader, I think we have gone far enough today, and perhaps the Senator from Mississippi may get some new ideas if we recess until tomorrow. In keeping with that, I move that the Senate take a recess until 12 o'clock tomorrow.

Mr. MEAD. Mr. President, will the Senator withhold the motion for a moment?

Mr. CHAVEZ. I do.

Mr. MEAD. I am very anxious to get the floor in my own time, without getting it in a roundabout way, and without making certain agreements and arrangements with some other Member of the Senate. I wish to talk about the bill which is pending before the Senate, and I should like to have the floor in my own time. I tried to obtain recognition on one occasion, but a Senator who rose after I rose was given recognition over me.

The PRESIDENT pro tempore. If that happened, it happened without the knowledge of the present occupant of the chair.

Mr. MEAD. The present occupant of the chair was not in the chair at the time.

The PRESIDENT pro tempore. I thank the Senator.

Mr. MEAD. I am going to agree to the Senate recessing at this time, but I am not going to agree to an early recess tomorrow. I am going to see to it, if I can, that the Senate remains in session for quite some time, until those of us who have been criticized for our support of the bill and who would like to speak about the bill, may have an opportunity to present the other side.

The PRESIDENT pro tempore. If the Senator will rise to his feet within the sight of the Chair and address the Chair, he will be recognized if he rises first.

Mr. MEAD. I appreciate that. That gives me great encouragement. But I am somewhat doubtful about my opportunity of competing with my colleagues who are opposing this issue, because of the fact that it seems to me that when the present occupant of the chair leaves the chair, someone takes the chair who is not very friendly to my side of this controversy.

Mr. RUSSELL. Mr. President, I wish to say just a word, because I am becoming a bit tired of the innuendos and the implications and the charges which are being made by some of those who are advocating the pending measure. I have observed that one or two of them sit around the Senate pretty regularly, but a great many merely come in at intervals to enter a protest because the Senate does not stop the transaction of all its business to await their pleasure and let them speak just when they wish to speak.

Since I have been a Member of this body, for 13 years, there have been a number of times when Senators have desired to address themselves to issues which perhaps were not so controversial, from a political standpoint, as Senate bill 101, who addressed the Chair a number of times and were not recognized because other Members of the Senate happened to be seen by the Presiding Officer first. I have waited around the floor for several days on other bills to get a chance to offer an amendment. The Chair can only recognize one Senator at a time. That is evident. But on this particular measure, in the effort that is being made to spread this campaign of poison against those of us who are opposing it, there have been these innuendos and these false charges and these intimations that there has been unfair treatment of Senators who wish to speak on the bill.

For my part, as one who is opposing this infamous legislative proposal, I resent that attitude. It is in keeping with what has happened here when Senators who were for the bill objected day after day to the introduction of any measure, or to the reception of even a committee report, and who then rushed out to the newspapers and charged that those who were opposing the bill were stalling all progress in the Senate because we would not let them pass this bill until it was fully discussed. They objected even to the introduction of important legislation because they could not impose their will upon us, and sought to make us responsible for their actions in delaying normal procedure here.

Mr. President, I say that is merely a part of this whole concerted scheme. Let Senators remain here on the floor and address the Chair, and they will be recognized. I have seen Senators seek recognition time after time before being recognized, but this is the first time I have seen these crybaby tactics of getting up and complaining that the Chair has been unkind to them because he does not recognize them at once when other Senators are seeking recognition. It is like the inferences made about the present distinguished occupant of the Chair because, forsooth, he happens to come from a Southern State, that he has not dealt fairly or would not deal fairly. I say that is a subterfuge, and I resent it. I say it is contemptible, because there is not a man who knows the Senator from Tennessee but knows that whatever might be his views as one of the stoutest fighters of the Senate, he is fair, and as a Presiding Officer he will take his rulings from the Parliamentarian who has been selected by the Senate. It is merely a part of the campaign here to build up feeling in this body and encourage Senators to strike down our rights to discuss the pending bill, and attempt to get the Senate to override the rules of the Senate by a

mere majority vote, and to strangle us on a false pretense of unfair treatment.

Mr. President, I think everyone here should be fair. For my part, I have no objection to those advocating the bill speaking at any time they desire to speak if they first address the chair. Let them remain on the floor and take their chances like any other Senator. Certainly I see no occasion for these imputations and these attacks in the press against the distinguished present occupant of the Chair. I know he is fair, I know his rulings will come from the Parliamentarian, and this campaign does not require that kind of tactics.

The sponsors of the bill talk about our being in a minority. They say they have this great majority favoring the bill. Certainly until the Senator from Tennessee has shown some manifestation of unfairness that has not yet appeared, I think he should be spared this subtle newspaper campaign against him, to the effect that he is ready to violate the rules of the Senate because his personal views happen to accord with those of this body who are resisting this measure.

Mr. MEAD. Mr. President, if I had given serious thought and study to a speech I would believe to be appropriate on this occasion, I would make the same speech for our side that has just been made by my distinguished colleague, the Senator from Georgia. I think that the insinuations and the intimidation and the charges, or nearly all of them, at least, have been hurled at those who are on our side of this controversy.

I for one have said nothing about the present occupant of the Chair, but if the present occupant of the Chair, and if my distinguished colleague who preceded me, will carry out their very encouraging suggestions and give some of us the floor in our own right beginning tomorrow or the day after, so far as I am concerned I shall be entirely satisfied. I shall rise tomorrow, if opportunity presents itself, and the next day, in an endeavor to get the floor in my own right, without any strings attached, and discuss the merits of the bill. I am encouraged by the hope that has been held out here this evening.

RECESS

Mr. CHAVEZ. Mr. President, it will be my purpose, commencing tomorrow, to attempt to have the Senate sit a little later. I think recessing at 5:10 o'clock is a little too early, under the present circumstances.

Mr. RUSSELL. Would the Senator mind indicating, for the benefit of Senators who may have engagements and appointments, about how long he intends to have the Senate sit tomorrow?

Mr. CHAVEZ. I would say to the Senator from Georgia that I do not think it would be unreasonable or unfair that we should remain in session until 6 o'clock.

Mr. RUSSELL. I do not think that will be unreasonable. I think all Senators would like to have some idea as to how long they are to be kept here.

Mr. CHAVEZ. That is what I have in mind. I now move that the Senate take a recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until tomorrow, January 31, 1946, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 30, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou compassionate Father whose goodness never faileth, bestow upon us that vision which enlarges the whole scope and sphere of our outlook, that in the joy of serving we may find ourselves. Hold us closely to the things we know to be right and let these work mightily against the things we know to be wrong. We pray that in all situations we may be tolerant and forbearing, with the realization that it takes men and women of strength to face criticism and to serve with sacrifice. Do Thou bless all influences which inspire greater unity and cooperation, through the diligent and honest industry of all our citizens. We pray that our laws may be so justly and so wisely administered that our Government shall be a living example to all lands. Keep before us, not success, not greatness, not victory, but fidelity to the public good. O Eternal Goodness, lead our spirits from all discordant notes, and give them true respite from wearying toil. In Christ's name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

CERTIFICATES OF ELECTION

The SPEAKER laid before the House the following communications, which were read by the Clerk:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 30, 1946.

The Honorable the SPEAKER,
House of Representatives.

SIR: From the secretary of state of the State of North Carolina, I have received the certificate of election of Hon. SAM J. ERVIN, Jr., as a Representative-elect to the Seventy-ninth Congress from the Tenth Congressional District to fill the vacancy caused by the death of Hon. Joe W. Ervin.

Very truly yours,
SOUTH TRIMBLE,
Clerk of the House of Representatives.

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 30, 1946.

The Honorable the SPEAKER,
House of Representatives.

SIR: From the secretary of the Commonwealth of the State of Virginia, I have received the certificate of election of Hon. J. LINDSAY ALMOND, Jr., as a Representative-elect to the Seventy-ninth Congress from the Sixth Congressional District to fill the vacancy caused by the resignation of Hon. Clifton A. Woodrum.

Very truly yours,
SOUTH TRIMBLE,
Clerk of the House of Representatives.

INVESTIGATION OF RAPIDO RIVER DISASTER

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LANHAM. Mr. Speaker, I am sure it must be gratifying to us all that the Committee on Military Affairs has decided to ask for a full report concerning the Rapido River disaster. No braver boys and no more loyal Americans ever lived than those who were called upon to make the supreme sacrifice in this lamentable episode of the recent war. In this case, as in the one recited in the poem about the "charge of the light brigade," it seems evident that someone had blundered. In justice to the memory of these heroic dead, the responsibility should be determined. Our country needs all of its stalwart sons to carry on the principles for which the early patriots fought in the establishment of our American system of government. Let us see to it that the responsibility be determined and the proper action taken.

THE ATOMIC BOMB

Mr. BURGIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BURGIN. Mr. Speaker, I notice in the press and hear over the radio that we continue to manufacture the atomic bomb. The President of the United States and the Prime Ministers of England and Canada have tentatively agreed on a program or an arrangement in an effort to work out some international solution of this question; and, since the Security Council of the United Nations has it under consideration, I suppose a resolution that our Government cease to manufacture the atomic bomb until some international agreement or arrangement is worked out. I see no necessity for continuing the expense of manufacturing atomic bombs if we are going to enter into some agreement for international control. I hope the membership will give this matter consideration.

EXTENSION OF REMARKS

Mr. LANE asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein an address he delivered last Sunday evening on the late Franklin D. Roosevelt.

FORCE CIVILIANS TO STAND AT ATTENTION

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the war is over, though some brass hats do not want to admit it. Far from the scenes

of combat, they reveled in the forms rather than the substance of military life. Authority, priority, distinctive uniforms, salutes, all the trappings of military caste were theirs. They hate to give up these special privileges and return to the American job of earning—and not dictating—respect. They want to go on playing soldiers forever.

Take a look at this special order issued by the commanding general at Fort Banks in the harbor defense area of Boston, under which a formal inspection was made on January 18, 1946:

At all formal inspections by the harbor defense commander or his representative of installation, including offices, shops, etc., all personnel, including civilian employees, will cease work and stand at attention during the inspection.

At the very moment when any need for such ritual has disappeared, the brass hats are trying to extend and perpetuate it. Instead of concerning themselves with demobilization and the task of preparing soldiers who are about to be discharged for their adjustment to civilian life, the "Hollywood generals" are trying to inspire further deference to caste. They have not time to protect veterans employed in the civilian branches of the Army and Navy who are being discriminated against in violation of the Veterans' Preference Act of 1944. Oh, no; they are too busy forgetting this and Pearl Harbor as they try to impose new forms of slavish obeisance to the chain of command.

Is this the first step toward fascism, or is it not?

In the name of the individual dignity of American citizens, I call upon the brass hats to eliminate this civilian-stand-at-attention nonsense at once. The military hierarchy must not be permitted to forget that they are the servants and not the masters of the American people.

EXTENSION OF REMARKS

Mr. HEDRICK asked and was given permission to extend his remarks in the RECORD and include an editorial from the Charleston Gazette, of Charleston, W. Va., concerning White Sulphur Springs.

THE LATE ROBERT G. HOUSTON

Mr. TRAYNOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. TRAYNOR. Mr. Speaker, Robert G. Houston, a former Member of the House of Representatives, passed away at his former home in Georgetown, Del., on Monday, January 28, 1946. He served with honor and distinction, as a Member of the House of Representatives, in the Sixty-ninth, Seventieth, Seventy-first, and Seventy-second Congresses. His service won for him the unprecedented record of having been chosen for four full terms in succession as Representative from the State of Delaware.

Bob Houston, as he was affectionately known, was an able lawyer, editor, and a brilliant speaker. With his passing, the State of Delaware has lost a friend and a distinguished citizen.

FACT-FINDING BOARD

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, it is not the lack of facts that has led to strikes. General Motors is in defiance of the report of the fact-finding board which has been endorsed by President Truman. The steel industry has refused to accept President Truman's finding that an 18½-cent increase is justified. It is not more information on these matters but the pressure of public opinion and such measures as repeal of the carry-back provisions of the tax laws that can bring about industrial peace.

True, there are many subjects on which we do need more facts. We should have more accurate information about unemployment, about the characteristics of job seekers, about income levels, about family expenditures and budget needs, about the output and productivity of industry. President Roosevelt and President Truman have both asked Congress to provide funds for basic economic statistics on these subjects along lines recommended by the Bureau of the Budget. Yet repeatedly this House has refused the necessary funds.

Without facts on these problems we cannot hope to achieve continuing full employment. Within the near future additional bills on these matters will be coming before us. Here is our opportunity to help remove the causes of industrial unrest by relatively small proportion which will permit the finding of a more adequate solution.

The SPEAKER. The time of the gentleman from Illinois has expired.

EXTENSION OF REMARKS

Mr. VURSELL asked and was given permission to extend his own remarks in the RECORD.

PRICE CEILINGS ON WATERMELONS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks and include a telegram from the Watermelon Growers Association.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, the OPA is at it again. It is once more attempting to give the tillers of the soil a swift kick in the pants. Last week it was the cotton growers who were threatened with a ceiling price on cotton. This week it is the watermelon growers. The latest effort to crack down on the farmers is an OPA order proposing to reduce the price of watermelons from $35 to $25 a ton.

It will be recalled that last year after the melons had begun to ripen in Oklahoma OPA arbitrarily attempted to reduce the price of melons from $35 to $25. So determined was OPA to carry out that attempt it became necessary for this House to adopt an amendment to a bill then pending before this body to prevent such gross injustice being done to the melon growers of the country. So this is the second attempt to crack down on the watermelon growers.

Of course, OPA has not confined its activities to cracking down on melon growers. Two years ago the same OPA, without conferring with a single broomcorn grower, and after the bulk of the crop had been gathered and sold in other States ordered the price of broomcorn reduced to the tune of $79 a ton. Oklahoma growers had barely begun to harvest. Except for the vigorous protest of broomcorn growers all over the country at a meeting called in Oklahoma City, and the support given by Members of Congress, there is no doubt but what that unfortunate blunder would have remained in force.

Last week it was cotton. Then, when its hand was called by Members of Congress from the cotton-producing States, we were told there was much misapprehension on the part of the farmers about what was really intended. Today, I have been assured of the same thing about the proposal to reduce the price ceiling on watermelons.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

WEST VIRGINIA AGRICULTURE

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ELLIS. Mr. Speaker, this morning I was pleased to note in the press that Mr. and Mrs. Clair Allen, a 20-year-old couple of Reedy, Roane County, W. Va., were chosen the best farmers for 1945 in the central Ohio Valley region. Mr. and Mrs. Allen operate a farm of 198 acres and specialize in stock. Roane County is a part of the Fourth Congressional District which I have the honor of representing.

The Middle West Prairie States are usually referred to as the breadbasket of America. When the average person thinks of West Virginia they think of coal. While we produce 27 percent of the bituminous coal mined in the country, we also make a valuable contribution to the food supply of the country. The livestock exchange at Spencer, the county seat of Roane County, set a new record in 1945 with gross sales of $1,370,485.83; 23,005 head of stock were marketed through weekly sales during the year. There are five or six other stock exchanges in the district conducting weekly sales.

While West Virginia produces enormous quantities of coal, natural gas, oil, and lumber, I want to impress upon my colleagues that we also have a great farming section that adds materially to the national production of food.

THE ATTORNEY FOR THE AUTO UNION

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House

for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, to aid in settling the dispute between General Motors and the UAW-CIO, the National Labor Relations Board is prosecuting General Motors for alleged unfair labor practices. From the Detroit Free Press of Tuesday I read:

The high light of the trial Monday was the demand by Maurice Sugar, attorney for the union, that NLRB award back pay for aid to strikers for time lost in the 10 weeks of the strike.

Maurice Sugar is the gentleman who in 1917 was convicted of failure to register for the draft and on a charge of a conspiracy to induce others to fail to comply with the draft.

The record of his conviction, if you want to know the kind of man who is representing the UAW-CIO there, will be found in Two Hundred and Fifty-two Federal, pages 78 and 79, yet he claims to tell NLRB that GM should pay men while on strike.

IMPORTATION OF SWISS WATCHES

Mr. HOLMES of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HOLMES of Massachusetts. Mr. Speaker, some 10 weeks ago the State Department, represented by Dean Acheson as Acting Secretary of State, agreed that there would be a limitation imposed on imports of Swiss watches and watch movements, whereby not more than 3,000,000 would be imported prior to January 1, 1947.

Mr. Speaker, the American watch workers and the American watch industry, an industry rated as essential to national defense by the Army and the Navy, have been "sold down the river" by the New Deal.

Mr. Speaker, the Secretary of Commerce, who seeks from this Congress an appropriation of some $165,000,000, an increase of more than 400 percent over the last prewar year, supposedly to help small business but, in reality, to use as a campaign fund to head the drive of the liberals to take over our Government, presumably acting for his brother-in-law, who is the Swiss Minister, and aided by a group of sinister and greedy New York importers, has apparently forced the State Department to halt its effort to help this American industry to retain profitable jobs for these 8,000 American watch workers and to aid our national defense.

It is my belief, Mr. Speaker, that the imports of Swiss-made watches and Swiss-made watch movements for the year 1946 will exceed 6,000,000, and there is little, if any, market in America or elsewhere for the products of these American watch workers.

Mr. Speaker, I have presented legislation, now pending before the House Ways and Means Committee, which I trust will be presented to this House for consideration. I trust that the Members of this House, realizing the equity of this case, will support this legislation and protect not only the job opportunities of America's watch workers, but even of more essentiality, in these troubled times, preserve for the necessary support of our Army and Navy this wholly essential national defense industry.

Mr. Speaker, Acting Secretary of State Dean Acheson, about the 1st of last December, so I understand, told one of my constitutents, who represents some 8,000 American watch workers, 3,000 of whom live in my district—and all of these watch workers are dependent for their employment on the production of American-made watches and watch movements—that there would be a limitation on the imports of Swiss watches and Swiss watch movements of not more than 3,000,000 from December 1, 1945, to December 31, 1946.

In support of the statement accredited to the Acting Secretary of State the State Department issued a press release, under date of December 3, 1945, which reads as follows:

The Department of State announced today that following earlier discussions with the Swiss Government and after consultation with affected domestic interests, a note has been presented to the Swiss Minister regarding the increasing volume of imports of Swiss watches and watch movements, concessions on which were granted in the trade agreement with Switzerland and concluded in 1936.

Since 1942 the United States watch manufacturing industry, with its distinctive skills essential to the naional defense, has been engaged almost exclusively in the production of watches and precision instruments for military purposes. During this period civilian demand for watches in the United States has been met almost entirely by imports in substantial volume from Switzerland. During recent months these imports have been at an average annual rate considerably above the prewar volume of domestic sales of both imported and comparable domestically produced watches and movements.

It has been the established policy of the interdepartmental trade agreements organization in administering the Trade Agreements Act to take action where necessary to prevent serious injury to essential United States industry as the result of concessions granted in trade agreements. The note presented to the Swiss Minister therefore expressed the concern of this Government regarding the increased imports and proposed action looking toward the limitation of imports of watches and watch movements during the period of reconversion of the domestic watch manufacturing industry. In view of the urgency of achieving a solution of the problem during the current year, the note asked for a prompt reply.

Mr. Speaker, you will note the concern the State Department expressed about the excessive imports of Swiss watches and watch movements, and note especially the following, I quote:

It has been the established policy of the interdepartmental trade agreements organization in administering the Trade Agreements Act to take action where necessary to prevent serious injury to essential United States industry as a result of concessions granted in trade agreements. The note presented to the Swiss Minister therefore expressed the concern of this Government regarding the increased imports and proposed action looking toward the limitation of imports of watches and watch movements during the period of reconversion of the domestic watch manufacturing industry.

The note asked for a prompt reply.

It is well known that the State Department told the Swiss Minister that there must be a limitation not to exceed 3,000,000 for the 13-month period ending December 31, 1946.

It should be borne in mind that the Swiss Minister is not without powerful allies within the upper strata of the New Deal government. All this talk we hear of helping the small-business man on the part of the Secretary of Commerce proves to be "blah" when we find that his brother-in-law, the Swiss Minister, aided by a group of avaricious and greedy New York importers—and no doubt ably assisted by the Secretary of Commerce himself and his influence as the leader of the liberal political branch of the New Deal—sat idly by and virtually laughed at the alleged efforts of the State Department officials to make it possible for the American watch industry to get reconversion going and find a market in America for the products of America's industrial workers.

The Tariff Commission, as shown on page 751 of the Independent Office Appropriation hearings, 1947, reported that they had called the attention of the State Department to the excessively large imports of Swiss watches and watch movements. The Tariff Commission reported:

The information which we have in our files—

About the imports of Swiss watches and watch movements—

has been furnished to the State Department and was used by them—

The State Department—

as a basis for their request to the Swiss Government that they—

The Swiss—

either agree to our imposition of a quota or they—

The Swiss—

would impose one themselves on the export end.

The imports of these Swiss products for the one month of last October alone exceeded the normal yearly production of all American watch factories. For the year 1945, I understand, the imports were 9,300,000, or more than five times the normal prewar yearly imports of these Swiss-made watches and watch movements.

It is barely possible that some officials of the State Department tried to correct this abuse of the confidence which the Congress reposed in it when it was un-American enough to abdicate its constitutional responsibilities and transfer part of its revenue-raising power to the internationalists in control of our State Department.

It is my understanding that the Swiss watch importing interests who, I am told, have been able to yearly defraud our Government of millions of dollars in revenue through the connivance of, and unusual inactivity of, certain high customs officials—which I will deal with more in detail at a later date—are now

satisfied that the heavy financial contributions which they allegedly made to keep the New Deal in power have paid off handsomely.

REPUBLIC STEEL'S POSITION IN THE LABOR-MANAGEMENT DISPUTE

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include therein a letter from Mr. C. M. White, president of the Republic Steel Corp.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

[Mr. KNUTSON addressed the House. His remarks appear in the Appendix.]

THE SITUATION IN TEXTILES AND DRY GOODS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, C. J. Farley & Co., dry goods and footwear wholesale dealers of Grand Rapids, Mich., states in its letter to the trade:

The situation as to merchandise is getting worse, if anything. For the first quarter of 1946, CPA (Civilian Production Administration, which replaced War Production Board) has directed that 308,000,000 yards of cotton fabrics shall be sold by our mills for export, of which amount 53,000,000 yards is to be sent to Canada, which is a country of 14,000,000 population. Under the same directives, CPA has allocated 60,000,000 yards for the consumers in the United States, which has over 140,000,000 people.

Most manufacturers of staple textiles and dry goods claim they cannot break even on most items in their lines under present OPA ceiling prices. Between the above two and other Government agencies, including Army, Navy, and Air Forces, etc., there is very little relief in sight for civilians in the United States, and these conditions will not improve until something is done at Washington to change the present controls of production of staple, scarce textiles, and dry goods.

Some day, Mr. Speaker, perhaps our Government bureaus may come to the realization it is necessary for this people of ours to have goods for our needs and on which to do business.

EXTENSION OF REMARKS

Mr. SPENCE asked and was given permission to extend his remarks in the RECORD and include therein an address by the Secretary of the Treasury.

Mrs. DOUGLAS of California asked and was given permission to revise and extend her remarks in the Appendix on five different topics and to include excerpts.

INVESTIGATION REQUESTED OF THE BATTLE OF THE RAPIDO RIVER

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I have received a resolution adopted by the Thirty-sixth Division requesting an investigation of the Battle of the Rapido River. Many of these men come from my district. Many of them I know personally. I know they are actuated by the very highest motives. I hope the Military Affairs Committee will see that the matter is given the fullest investigation. I join the Committee on Military Affairs in demanding that the truth be ascertained.

Mr. THOMASON. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. THOMASON. In answer to the gentleman's inquiry I may say that only yesterday the Committee on Military Affairs—and the chairman of that committee, the gentleman from Kentucky [Mr. MAY], is seated beside me at the moment—by unanimous vote asked the War Department for an official report on the Rapido River battle; and I believe I can assure the gentleman that the Committee on Military Affairs is going to ascertain the real facts about it. I have a great personal interest in the matter, and my colleagues and I are determined that the truth be known and justice done.

Mr. LUTHER A. JOHNSON. I agree with my colleague the gentleman from Texas [Mr. THOMASON]. The demand for a full and fair investigation comes from a great fighting organization. They are entitled to the facts.

INFLATION

Mrs. DOUGLAS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. DOUGLAS of California. Mr. Speaker, from all parts of the Nation there is evidence of growing recognition among businessmen of the rising danger of inflation.

In food distribution the movement for continuation of price control is strong. I have before me a telegram to Chester Bowles from J. Frank Grimes, president of the Independent Grocers Alliance, which I want to read for the RECORD:

JANUARY 4, 1946.

CHESTER BOWLES,
Administrator, Office of Price Administration:

I urge you not to weaken in your fight to continue price control so long as it is necessary to prevent disastrous inflation. You remember a meeting of the advisory committee some months ago in which it was generally agreed that price control would be lifted, item by item, only when such item was in supply and conditions justified withdrawal of price control. It would be a disaster to this country to throw price control overboard at one fell swoop. I am sure you are going to have the support of most of the thinking men in business, and certainly the consuming public should be behind you to a man, and woman.

J. FRANK GRIMES,
President, Independent Grocers Alliance, Chicago, Ill.

The United States Wholesale Grocers Association and the National Wholesale Grocers Association also have gone on record as favoring the continuation of price control. In my own State, the California Retail Grocers and Merchants Association recently, by a vote of 834 to 378, favored continuation of price control.

EXTENSION OF REMARKS

Mr. KEOGH asked and was given permission to extend his remarks in the RECORD and include a speech delivered by Victor L. Anfuso, of Brooklyn, N. Y., on the occasion of the awarding to him of the Distinguished Service Medal by the Regular Veterans' Association.

Mr. WHITE asked and was given permission to extend his remarks in the RECORD and include excerpts.

THE GALLUP POLL

Mr. BIEMILLER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

[Mr. BIEMILLER addressed the House. His remarks appear in the Appendix.]

TAX EXEMPTION FOR DOCTORS

Mrs. LUCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

[Mrs. LUCE addressed the House. Her remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. WASIELEWSKI asked and was given permission to extend his remarks in the RECORD and include an editorial which appeared in the Milwaukee Journal.

Mr. BUFFETT asked and was given permission to extend his remarks in the RECORD and include a table.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include a magazine article.

Mr. CELLER asked and was given permission to extend his remarks in the RECORD.

COMMITTEE TO INVESTIGATE NONESSENTIAL FEDERAL EXPENDITURES

The SPEAKER. Pursuant to the provisions of section 601, title VI, Public Law 250, Seventy-seventh Congress, the Chair appoints as a member of the Committee to Investigate Nonessential Federal Expenditures to fill the existing vacancy thereon the gentleman from Indiana [Mr. LUDLOW].

BOARD OF VISITORS TO THE UNITED STATES NAVAL ACADEMY

The SPEAKER. Pursuant to the provisions of title 34, section 1081, United States Code, the Chair appoints as members of the Board of Visitors to the United States Naval Academy the following Members of the House: Mr. SASSCER, Mr. FOGARTY, Mr. WORLEY, Mr. ANDERSON of California, and Mr. LATHAM.

BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY

The SPEAKER. Pursuant to the provisions of title 14, section 15h, United States Code, the Chair appoints as members of the Board of Visitors to the United States Coast Guard Academy the following Members of the House of Representatives: Mrs. WOODHOUSE and Mr. GWINN of New York.

BOARD OF VISITORS TO THE UNITED STATES MERCHANT MARINE ACADEMY

The SPEAKER. Pursuant to the provisions of Public Law 301, Seventy-eighth Congress, the Chair appoints as members of the Board of Visitors to the United States Merchant Marine Academy the following Members of the House: Mr. KEOGH and Mr. HALE.

THE LATE WILLIAM PERRY HOLLADAY

Miss SUMNER of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Miss SUMNER of Illinois. Mr. Speaker, it is my sorrowful duty to announce to the House the death of William Perry Holladay, a former Member. Mr. Holladay represented the Eighteenth District of Illinois for some 10 years, having succeeded Uncle Joe Cannon. He had been in ill health for some time before his death. For many years before coming to Congress he was a member of the Illinois Legislature. While in Congress he was a member of the Committee on Appropriations. He was an energetic and highly respected public servant. All who knew him will hear of his passing with deep regret, and I am sure they will join with me in sending condolences to the members of his bereaved family.

FINANCIAL RELATIONS WITH THE UNITED KINGDOM — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Banking and Currency and ordered to be printed:

To the Congress of the United States:

The establishment of a permanent state of peace and prosperity is not a simple matter. The creation and maintenance of conditions under which nations can be prosperous and remain peaceful involves a series of highly complex and difficult problems. If we are to reach this greatly desired goal, we must be prepared at all times to face the issues that will constantly present themselves and we must be determined to solve them. If peace is to be permanent, we must never relax our efforts to make it so.

In his message to the Congress recommending the approval of the Bretton Woods agreements, President Roosevelt called these proposals "the cornerstone for international economic cooperation." By enacting the Bretton Woods Agreements Act, the Seventy-ninth Congress laid this cornerstone for the construction of an orderly economic peace. The Congress took many other steps during the same session which enlarged the structure, and its achievements in this field are just cause for pride. Among the most important of these other steps were the ratification and implementation of the treaty establishing the United Nations Organization, the enactment of legislation to support the United Nations Food and Agriculture Organization, and to carry on the operations of the United Nations Relief and Rehabilitation Administration, the extension in a broader form of the Reciprocal Trade Agreements Act, and the expansion of the Export-Import Bank. These steps will take us a long way on the road to world-wide security and prosperity. They should not make us blind, however, to the job that has not been done—to the work that lies ahead.

In approving the establishment of the International Monetary Fund and the International Bank for Reconstruction and Development, the Congress specifically expressed its belief that additional measures for international economic cooperation would be necessary to render most effective the operations of the Fund and Bank. In the Bretton Woods Agreements Act the Congress declared it to be the policy of the United States to seek to bring about further international agreement and cooperation along these lines.

The International Monetary Fund agreement was drafted and the Bretton Woods Agreements Act was enacted during the war. Both recognized that the financial condition of some countries resulting from the war might make it impossible for them to apply at once the fundamental rule of non-discrimination in their monetary and financial transactions. Therefore, provisions was made for a transition period which might postpone as long as 5 years the complete application of this fundamental rule.

Now in time of peace as we rapidly proceed with the organization of the International Monetary Fund we find that the fears which were responsible for this period of grace are verified by the facts. The most important of these facts is that the United Kingdom as a result of the war must continue for a long period many of its emergency wartime financial controls unless it obtain additional working capital. It is apparent that, in the case of a principal member of the International Monetary Fund, we can ill afford to wait for the period permitted by the Bretton Woods Agreements for the removal of these hindrances to the financial and commercial relationships between nations. Now is the time to establish postwar monetary and financial policies of the United Nations. Now is the time to take action to enable the United Kingdom to move with us toward the prompt abolition of these restrictions.

For these reasons, the next order of international business before the Congress should be our financial relations with the United Kingdom. The problems involved, which are severe but not insoluble, are direct consequences of the war. They are matters of great urgency and I believe that the financial agreement which I am transmitting herewith furnishes a real basis for their solution. It is my earnest hope that the Congress will implement the financial agreement as speedily as is consistent with careful legislative consideration.

It is not too much to say that the agreement now transmitted will set the course of American and British economic relations for many years to come. In so doing it will have a decisive influence on the international trade of the whole world. Those who represented the United States in these discussions and those who represented the United Kingdom were fully aware of the fundamental nature of the problems before them. After long and careful consideration they agreed upon the arrangements which in my opinion will provide a solid fundation for the successful conduct of our economic relations with each other and with the world.

The financial agreement will by its terms come into operation only after the Congress has made available the funds necessary to extend to the United Kingdom the line of credit of $3,750,000,000 in accordance with the terms set forth in the agreement. Britain needs this credit and she needs it now. It will assist her to meet the expected deficit in her balance of payments during the next 6 years. It will enable her to buy from the world the supplies of food and raw materials which are essential to the life and work of the British people. At the same time it will keep open a market for those surpluses of the United States which are customarily exported to the United Kingdom. These are the important short-term purposes of the credit.

But the financial agreement is much more than a credit. Let me repeat, its most important purpose from our point of view is to cause the removal of emergency controls exercised by the United Kingdom over its international transactions far more speedily than is required by the Bretton Woods agreements. The financial agreement will enable the United Kingdom, through the prompt relaxation of exchange restrictions and discriminations, to move side by side with the United States toward the common goal of expanded world trade, which means expanded production, consumption, and employment, and rising standards of living everywhere.

The line of credit which will be extended to the United Kingdom under the agreement may be drawn upon until the end of 1951. At that time the United Kingdom will be obligated to begin repayment of the principal with interest and those payments will continue over a period of 50 years. These terms are neither unusual nor difficult to understand. There is one new concept, however, embodied in the terms of the credit. We have recognized that conditions may exist temporarily during such a long period of time which would make the payment of interest on such a large amount difficult, if not impossible. Accordingly, provision has been made for the waiver of interest by the United States Government after a certification by the International Monetary Fund as to the facts regarding the balance of payments position of the United Kingdom. It is not to our advantage to press for payment of interest when payment is impossible, and thus force default and a crumbling of international economic relations.

The financial assistance which the United Kingdom would receive under the agreement has made it possible for the two Governments to agree on a specific course of action which in a short period of time will result in the removal of emergency controls over foreign exchange and discriminatory import restrictions and the reestablishment of peacetime practices designed to promote the recovery of world trade. Britain has agreed to abolish the so-called sterling area dollar pool. She has agreed to give up most of her rights during the transition period provided for in the International Monetary Fund agreement and thus to abandon controls over foreign exchange which she would otherwise be permitted by the terms of that agreement to continue for a considerable period of time. In addition to the direct benefits which will flow from this stimulus to Anglo-American trade, there will be the added benefits derived from the ability of other nations to relax their restrictions once the United Kingdom has led the way.

Another troublesome financial problem which has been fully and frankly discussed by the two nations is that of the sterling liabilities of Great Britain which have resulted from her large expenditures abroad during the war. In the financial agreement the British Government has undertaken to adjust and settle these obligations out of resources other than the American credit and has outlined its intentions with respect to their settlement. Our concern in this connection is twofold. In the first place we want other countries which are in a posi-

tion to do so to grant assistance to the United Kingdom within their means. Those which hold large sterling balances can do so by scaling them down. In the second place we want to be certain that the liquidation of these balances will not discriminate against American trade. The financial agreement contains a specific undertaking by the Government of the United Kingdom that no such discrimination shall result from these settlements.

The financial agreement also makes it possible for the United Kingdom to give wholehearted support to the proposals for expansion of world trade and employment which the United States has recently put forward as a basis for international discussions by the United Nations. In the joint statement on commercial policy published at the same time as the financial agreement, the United Kingdom has undertaken to support these proposals and to use its best endeavors in cooperation with the United States to bring to a successful conclusion international discussions based upon them.

The implementation of the financial agreement will be a great contribution to the establishment of a permanent state of peace and prosperity. We are all aware of the dangers inherent in unchecked economic rivalry and economic warfare. These dangers can be eliminated by the firm resolution of this Nation and the United Kingdom to carry forward the work which has been so well begun.

The financial agreement transmitted herewith means that instead of economic controversy between the two countries, the wise rules of the Bretton Woods agreements will be fully effective much sooner than we believed possible when the Congress enacted the Bretton Woods Agreements Act. I urge that Congress act on the financial agreement promptly.

HARRY S. TRUMAN.

JANUARY 30, 1946.

FINANCIAL AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES AND THE UNITED KINGDOM

It is hereby agreed between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland as follows:

1. Effective date of the agreement: The effective date of this Agreement shall be the date on which the Government of the United States notifies the Government of the United Kingdom that the Congress of the United States has made available the funds necessary to extend to the Government of the United Kingdom the line of credit in accordance with the provisions of this Agreement.

2. Line of credit: The Government of the United States will extend to the Government of the United Kingdom a line of credit of $3,750,000,000 which may be drawn upon at any time between the effective date of this Agreement and December 31, 1951, inclusive.

3. Purpose of the line of credit: The purpose of the line of credit is to facilitate purchases by the United Kingdom of goods and services in the United States, to assist the United Kingdom to meet transitional postwar deficits in its current balance of payments, to help the United Kingdom to maintain adequate reserves of gold and dollars, and to assist the Government of the United Kingdom to assume the obligations of multilateral trade, as defined in this and other agreements.

4. Amortization and interest:

(i) The amount of the line of credit drawn by December 31, 1951, shall be repaid in 50 annual installments beginning on December 31, 1951, with interest at the rate of 2 percent per annum. Interest for the year 1951 shall be computed on the amount outstanding on December 31, 1951, and for each year thereafter, interest shall be computed on the amount outstanding on January 1 of each such year.

Forty-nine annual installments of principal repayments and interest shall be equal, calculated at the rate of $31,823,000 for each $1,000,000,000 of the line of credit drawn by December 31, 1951, and the fiftieth installment shall be at the rate of $31,840,736.65 for each such $1,000,000,000. Each installment shall consist of the full amount of the interest due and the remainder of the installment shall be the principal to be repaid in that year. Payments required by this section are subject to the provisions of section 5.

(ii) The Government of the United Kingdom may accelerate repayment of the amount drawn under this line of credit.

5. Waiver of interest payments: In any year in which the Government of the United Kingdom requests the Government of the United States to waive the amount of the interest due in the installment of that year, the Government of the United States will grant the waiver if:

(a) the Government of the United Kingdom finds that a waiver is necessary in view of the present and prospective conditions of international exchange and the level of its gold and foreign exchange reserves and

(b) the International Monetary Fund certifies that the income of the United Kingdom from home-produced exports plus its net income from invisible current transactions in its balance of payments was on the average over the five preceding calendar years less than the average annual amount of United Kingdom imports during 1936–8, fixed at £866 million, as such figure may be adjusted for changes in the price level of these imports. Any amount in excess of £43,750,000 released or paid in any year on account of sterling balances accumulated to the credit of overseas governments, monetary authorities and banks before the effective date of this Agreement shall be regarded as a capital transaction and therefore shall not be included in the above calculation of the net income from invisible current transactions for that year. If waiver is requested for an interest payment prior to that due in 1955, the average income shall be computed for the calendar years from 1950 through the year preceding that in which the request is made.

6. Relation of this line of credit to other obligations:

(i) It is understood that any amounts required to discharge obligations of the United Kingdom to third countries outstanding on the effective date of this Agreement will be found from resources other than this line of credit.

(ii) The Government of the United Kingdom will not arrange any long-term loans from governments within the British Commonwealth after December 6, 1945, and before the end of 1951 on terms more favorable to the lender than the terms of this line of credit.

(iii) Waiver of interest will not be requested or allowed under section 5 in any year unless the aggregate of the releases or payments in that year of sterling balances accumulated to the credit of overseas governments, monetary authorities and banks (except in the case of colonial dependencies) before the effective date of this Agreement is reduced proportionately, and unless interest payments due in that year on loans referred to in (ii) above are waived. The proportionate reduction of the releases or payments of sterling balances shall be calculated in relation to the aggregate released and paid in the most recent year in which waiver of interest was not requested.

(iv) The application of the principles set forth in this section shall be the subject of full consultation between the two governments as occasion may arise.

7. Sterling area exchange arrangements: The Government of the United Kingdom will complete arrangements as early as practicable and in any case not later than one year after the effective date of this Agreement, unless in exceptional cases a later date is agreed upon after consultation, under which immediately after the completion of such arrangements the sterling receipts from current transactions of all sterling area countries (apart from any receipts arising out of military expenditure by the Government of the United Kingdom prior to December 31, 1948, to the extent to which they are treated by agreement with the countries concerned on the same basis as the balances accumulated during the war) will be freely available for current transactions in any currency area without discrimination; with the result that any discrimination arising from the so-called sterling area dollar pool will be entirely removed and that each member of the sterling area will have its current sterling and dollar receipts at its free disposition for current transactions anywhere.

8. Other exchange arrangements:

(i) Government of the United Kingdom agrees that after the effective date of this Agreement it will not apply exchange controls in such a manner as to restrict (a) payments or transfers in respect of products of the United States permitted to be imported into the United Kingdom or other current transactions between the two countries or (b) the use of sterling balances to the credit of residents of the United States arising out of current transactions. Nothing in this paragraph (i) shall affect the provisions of Article VII of the Articles of Agreement of the International Monetary Fund when those Articles have come into force.

(ii) The Governments of the United States and the United Kingdom agree that not later than one year after the effective date of this Agreement, unless in exceptional cases a later date is agreed upon after consultation, they will impose no restrictions on payments and transfers for current transactions. The obligations of this paragraph (ii) shall not apply:

(a) to balances of third countries and their nationals accumulated before this paragraph (ii) becomes effective; or

(b) to restrictions imposed in conformity with the Articles of Agreement of the International Monetary Fund, provided that the Governments of the United Kingdom and the United States will not continue to invoke the provisions of Article XIV, Section 2 of those Articles after this paragraph (ii) becomes effective, unless in exceptional cases after consultation they agree otherwise; or

(c) to restrictions imposed in connection with measures designed to uncover and dispose of assets of Germany and Japan.

(iii) This section and section 9, which are in anticipation of more comprehensive arrangements by multilateral agreement, shall operate until December 31, 1951.

9. Import arrangements: If either the Government of the United States or the Government of the United Kingdom imposes or maintains quantitative import restrictions, such restrictions shall be administered on a basis which does not discriminate against imports from the other country in respect of any product; provided that this undertaking shall not apply in cases in which (a) its application would have the effect of preventing the country imposing such restrictions from utilizing, for the purchase of needed imports, inconvertible currencies accumulated up to December 31, 1946, or (b) there may be special necessity for the country imposing such restrictions to assist, by measures not involving a substantial departure from the general rule of nondiscrimination, a country whose economy has been disrupted by war, or (c) either government imposes quantitative restrictions having equivalent effect to any exchange restrictions which that government is authorized to impose in conformity with Article VII of the Articles of Agreement of the International Monetary Fund. The provisions of this section shall

become effective as soon as practicable but not later than December 31, 1946.

10. Accumulated sterling balances:

(i) The Government of the United Kingdom intends to make agreements with the countries concerned, varying according to the circumstances of each case, for an early settlement covering the sterling balances accumulated by sterling area and other countries prior to such settlement (together with any future receipts arising out of military expenditure by the Government of the United Kingdom to the extent to which they are treated on the same basis by agreement with the countries concerned). The settlements with the sterling area countries will be on the basis of dividing these accumulated balances into three categories (a) balances to be released at once and convertible into any currency for current transactions, (b) balances to be similarly released by installments over a period of years beginning in 1951, and (c) balances to be adjusted as a contribution to the settlement of war and postwar indebtedness and in recognition of the benefits which the countries concerned might be expected to gain from such a settlement. The Government of the United Kingdom will make every endeavor to secure the early completion of these arrangements.

(ii) In consideration of the fact that an important purpose of the present line of credit is to promote the development of multilateral trade and facilitate its early resumption of a nondiscriminatory basis, the Government of the United Kingdom agrees that any sterling balances released or otherwise available for current payments will, not later than one year after the effective date of this Agreement unless in special cases a later date is agreed upon after consultation, be freely available for current transactions in any currency area without discrimination.

11. Definitions:

For the purposes of this Agreement:

(i) The term "current transactions" shall have the meaning prescribed in Article XIX (i) of the Articles of Agreement of the International Monetary Fund.

(ii) The term "sterling area" means the United Kingdom and the other territories declared by the Defence (Finance) Definition of the Sterling Area (No. 2) Order, 1944, to be included in the sterling area, namely "the following territories excluding Canada and Newfoundland, that is to say—

(a) any Dominion,

(b) any other part of His Majesty's dominions,

(c) any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and is being exercised by His Majesty's Government in the United Kingdom or in any Dominion,

(d) any British protectorate or protected State,

(e) Egypt, the Anglo-Egyptian Sudan and Iraq,

(f) Iceland and the Faroe Islands."

12. Consultation on Agreement: Either government shall be entitled to approach the other for a reconsideration of any of the provisions of this Agreement, if in its opinion the prevailing conditions of international exchange justify such reconsideration, with a view to agreeing upon modifications for presentation to their respective legislatures.

Signed in duplicate at Washington, District of Columbia, this 6th day of December, 1945.

For the Government of the United States of America:

FRED M. VINSON,
Secretary of the Treasury
of the United States of America.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

HALIFAX,
His Majesty's Ambassador Extraordinary and Plenipotentiary at Washington.

FIRST SUPPLEMENTAL SURPLUS APPROPRIATION RESCISSION BILL, 1946

Mr. SABATH. Mr. Speaker, I call up the resolution, House Resolution 499, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5158) reducing certain appropriations and contract authorizations for the fiscal year 1946, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Appropriations, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Appropriations, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Appropriations may be offered to any section of the bill at the conclusion of the general debate, but such amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. SABATH. Mr. Speaker, upon request, I shall yield the first 10 minutes to the majority leader the gentleman from Massachusetts [Mr. MCCORMACK].

At the same time, I wish to say that I have been directed and authorized by the committee to offer an amendment to the rule at the appropriate time.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. MICHENER. As I understand, the gentleman will offer an amendment, beginning on line 11, page 1 of the bill, after the word "appropriation," to strike out the rest of that page and down through line 7 on page 2.

Mr. SABATH. Including line 7; yes.

I yield 10 minutes to the gentleman from Massachusetts [Mr. MCCORMACK].

CALL OF THE HOUSE

Mr. GORE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Evidently no quorum is present.

Mr. MCCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 13]

Andresen, August H.	Boykin	Cole, Kans.
Bailey	Bradley, Mich.	Cooley
Baldwin, N. Y.	Bulwinkle	Crosser
Barden	Byrne, N. Y.	Curley
Bates, Mass.	Canfield	Dawson
Beckworth	Cannon, Fla.	Dingell
Bland	Carlson	Dolliver
Bloom	Case, S. Dak.	Dondero
	Chapman	Dworshak
Ellsworth	Johnson, Lydon B.	Quinn, N. Y.
Engel, Mich.	Keefe	Reed, Ill.
Fernandez	King	Reed, N. Y.
Fisher	LaFollette	Rees, Kans.
Flannagan	Landis	Rivers
Fogarty	LeFevre	Rizley
Fulton	Lemke	Robinson, Utah
Gardner	McGlinchey	Roe, N. Y.
Hancock	McMillan, S. C.	Scrivner
Hand	Mathews	Sheridan
Harness, Ind.	Morrison	Short
Healy	Mundt	Starkey
Herter	Norton	Sundstrom
Hinshaw	Pfeifer	Wickersham
Hope	Plumley	Winter
Izac	Poage	Zimmerman
Johnson, Ill.		

The SPEAKER. On this roll call 352 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FIRST SUPPLEMENTAL SURPLUS APPROPRIATION RESCISSION BILL, 1946

The SPEAKER. The gentleman from Massachusetts [Mr. MCCORMACK] is recognized for 10 minutes.

Mr. MCCORMACK. Mr. Speaker, on this the sixty-fourth anniversary of the birth of Franklin Delano Roosevelt, one of the great men of all time, it is fitting that we pause to honor and respect his memory.

Franklin Delano Roosevelt was a great man. He was a great President of the United States. He was a great American. He gave his life in the defense and preservation of our country, and in quest of his ideal that America was destined to lead the world into the Utopia of permanent peace.

Franklin D. Roosevelt in life foresaw an America where men and women could live in freedom among men and women of good will without fear of poverty or totalitarian regimentation. He envisioned a nation where the laborer would enjoy social security, the farmer would be protected in the heritage of his land, small business would have the opportunity to flourish, and youth would have the privilege of cultural and educational advantage. He apprehended an America where the wheels of industry, turned by American hands, would fill the marts of the world with goods fashioned by American toilers, where no interests large or small would be stifled by monopoly, and where the enjoyment of the fruits of legitimate effort would be the just recompense of all those working in the vineyard.

He saw peace abroad and at home. He saw nation dealing with nation with justice in friendship. He saw peace in the ranks of labor. He saw in America the new council table of reconversion and reconstruction where labor and management each in its proper place, without fear or favor, would achieve that prosperity which is the aim and desire of American democracy.

All the strength of his brilliant mind, all the force of his character was directed to the realization of our national security and greatness. His ambition was impersonal. He loved America. He faithfully and unselfishly planned the course of her ship of state. As Chief Executive he guided us as a Nation through great storms of industrial depression and inter-

national wars into the harbor of national safety. He never despaired in our hours of darkness. He never faltered before the attacks of the enemy. He never lost heart when roar of political abuse sounded above the echo of bombs and cannon. Franklin D. Roosevelt was a man—of integrity unassailable, of courage unbreakable, of intellectuality undeniable, of sympathetic friendliness unmatched in the life of the America of his day, and seldom matched in the history of all time.

The Atlantic Charter symbolized to him no distant millenium. It was the heralding document of the world that is to be—attainable in our time—wherein international action to outlaw war and world-wide reduction in armaments will make international aggression impossible and atomic power will be the means of universal peace. Roosevelt planned it that way.

History alone will evaluate the greatness of our late beloved President. But history will enshrine him in the hearts of America—today and tomorrow—with the same love and admiration and respect now tendered Washington and Jefferson and Lincoln. His grasp of the dangers which threatened national financial disaster in 1933 brought order out of chaos and effaced the bread lines from the cities of America. The panic and concommitant misery of that year was replaced by a foundation of national morale which has since stood the test of time. The terrible condition of the American farmer under his leadership—from a plight of 3-cent hogs, 5-cent cotton, 10-cent corn, 20-cent wheat to prosperity through parity is known to every citizen of every rural community. The extension of civil service and its benefits has aided every Government employee. Social unrest was stilled through humanitarian legislation conceived by him and written on the statute books through his counsel, and his persevering love of his fellow man. Under Franklin D. Roosevelt industry recovered from the depths of depression and freemen commenced once again to live, love, and laugh.

And then came war. Too little is his vision of the dire events which lay ahead appreciated by those who knew the oncoming tragedy and who know the countless wearying hours when others slept, spent by him to avert its consequences and spare our shores its desolation. He wanted no war with any nation. He used the prestige of the office of the President of the United States to prevent war. He believed in strong defense, for strong defense to the end of preserving the peace of the United States.

He developed, as Commander in Chief of our armed forces, an Army, Navy, Marine Corps, Coast Guard, and merchant marine second to none among the nations of the world. And this in face of opposition in 1940 that a super navy was unnecessary and the tremendous increase of Army and Navy appropriations foolish waste. He sent destroyers to England amid the castigations of the bewildered. He fathered the selective service, but with approbation of the representatives of every church despite the rabid cries of those who were blinded to reality. He ordered full speed ahead, and carried us safely to victory.

Franklin Delano Roosevelt never lived to set foot after victory upon the shores of the land he had fought so hard to save from the ideologies of the despot and the tyrant. His ship of state sailed into the haven of future world peace with the Stars and Stripes flying gloriously in the sunlight of the armistice. Before the dream of his life had been won—he was called to Him whose Omnipotence he always evidenced by word and deed, and whom he had served with great fidelity throughout life. He is gone. His spirit, the spirit of tolerant America triumphant, remains to remind us of the tribute owed to him by the free men and women of the world.

Franklin Delano Roosevelt is the contribution of his generation of Americans to the great constructive figures of all time.

The body of Franklin Delano Roosevelt lies in rest at Hyde Park, but the spirit and influence of Franklin Delano Roosevelt will live forever.

Mr. SABATH. Mr. Speaker, I yield to the gentleman from West Virginia.

PERMISSION TO FILE SUPPLEMENTAL REPORT ON S. 102

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to file a supplemental report to accompany S. 102, a bill to amend section 2 (b) of the act entitled "An act extending the classified executive civil service of the United States," approved November 26, 1940, so as to provide for counting military service of certain employees of the legislative branch in determining the eligibility of such employees for civil-service status under such act, so that the report filed on December 10, 1945, by this supplemental report will comply with the Ramseyer rule.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

FIRST SUPPLEMENTAL SURPLUS RESCISSION BILL, 1946

Mr. SABATH. Mr. Speaker, I yield myself 10 minutes.

The SPEAKER. The gentleman from Illinois is recognized.

PRESIDENT ROOSEVELT

Mr. SABATH. Mr. Speaker, before I endeavor to explain the rule and the bill it makes in order, I cannot resist congratulating the majority leader, the gentleman from Massachusetts [Mr. McCORMACK], on the splendid, deserved, and inspiring tribute he has paid to one of America's truly great, perhaps greatest President. I hope we may be strong enough, wise enough, and brave enough to follow the lessons and the admonitions bequeathed to us by him who labored all his too short life to make this a better place for the common man.

It has been my pleasure and privilege many times to pay tribute to this great man, whom I knew so well and whose character and genius I, like many others, valued so highly. True, it would seem that the simple pronouncement of this great man's name, and then silence, would be our greatest tribute. It is hard, though, to refrain from making a few remarks, however inadequate, on this first memorial birthday of Franklin Delano Roosevelt.

Let me repeat what I said on this floor several months ago about the late President; namely, that when impartial history is written in calm reflection, Franklin Delano Roosevelt will range alongside Washington, founder of the Republic; Jefferson, fountain of its idealism; and Lincoln, exemplar of its magnanimity and preserver of its internal unity.

HARRY L. HOPKINS

It is fitting at this point, Mr. Speaker, to note the passing of another of the devoted aides to the late President, whom I knew with affection and respect, another of the truly great Americans with whom Franklin Roosevelt surrounded himself, an apostle of that new America so many of us have longed for and worked for in our lifetime.

I refer to the late Harry L. Hopkins, who, as much as any man in our recent history, brought about an era of social responsibility, and helped us, every one of us, to assume our proper places as mature citizens of a mature nation. Harry Hopkins was only one of the loyal and selfless assistants to Franklin Roosevelt who gave his life to his country as truly as if he had been in battle. Before him there was Col. Louis Howe, and Marvin McIntire, and General Watson, and Miss Marguerite Le Hand. And now, Mr. Speaker, Harry Hopkins, too, has gone.

During the lifetime of Harry Hopkins, Mr. Speaker, he was reviled and libeled as have been few Americans, save, perhaps, the Chief to whom he was so devoted, Abraham Lincoln, and George Washington, and with as little reason. Even within his own party there were those who saw the gentle Harry Hopkins as a sort of Rasputin.

If he was a Rasputin, he was of the most guileless and honest sort, to whom loyalty to his Chief and his country were of more importance than personal wealth or grandeur. That he had power is certain; that he never abused that power is equally certain. In a world beset with villainy and treachery, our great wartime President knew that in Harry Hopkins he had a friend and a supporter whose loyalty never wavered, whose faith never grew dim.

The life of Harry Hopkins is proof all over of the great American dream enunciated in the Declaration of Independence: "We hold these truths to be self-evident: that all men are created equal." Born obscurely in Iowa as the son of a harnessmaker, he rose to world influence through sheer ability, because in this America of ours no caste lines exist to keep a good man down. Perhaps there was some good fortune in his rise, but it was the good fortune that comes to a man who has ability and who has faith in himself and in his fellow men. That faith in humanity, fused by his admiration for Franklin D. Roosevelt, gave to Harry Hopkins during the years of impending war, and the war, the drive which enabled him to contribute vastly to eventual victory.

I shall leave to others the recital of the dry facts of Harry Hopkins' birth and life,

the dates, the public acts. What I desire to do, Mr. Speaker, is to pay tribute to a man who gave his whole life to the people—to the people of this Nation and to the people of the world, unstintingly, unhesitatingly, and with all the force of the great intellect which was imprisoned in that frail and sickly body.

Mr. Speaker, I ask unanimous consent that I may extend and revise my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

RULE ON H. R. 5158, THE SO-CALLED RESCISSION BILL

Mr. SABATH. Mr. Speaker, the bill before us makes in order the bill H. R. 5158. When we considered the rules yesterday I was under the impression and had reason to believe that every member of our committee was in favor of a bill waiving points of order and restricting the bill to committee amendments; in other words, that it could be considered as a closed rule. But this morning a majority of the membership of the Rules Committee felt that the provision making the rule a closed one should be eliminated.

From information I have received I understand the bill before us is identical with the bill passed by the House a few weeks ago except that it does not carry the rider relating to the United States Employment Service. I hope therefore it will not be necessary for us to waste a great deal of time offering amendments to a bill that has been so carefully considered by this House. There may be some Members who desire—and they have the privilege, of course, under the rule, as it will be amended—to offer some amendments not for the purpose of improving or saving money but for the purpose, as I view it, of a little political advantage they hope they may derive through the offering of such amendments.

I know that the chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON] will explain the bill more thoroughly than I possibly can, because within the last few days I have been very, very busy. Yesterday we held an all-day meeting of our committee in reference to the labor fact-finding bill, which was continued throughout this morning. Naturally, I was obliged to devote all of my time to the hearings that were going on.

THE FACT-FINDING BILL, SO-CALLED

This morning our committee reported a rule making in order a bill that had not been introduced until yesterday afternoon. Think of that. No one had copies of it when we heard the gentleman from South Dakota [Mr. CASE] expound it. It had not even been printed when we considered it yesterday. The bill, therefore, evidently had not been submitted to the legislative Committee on Labor. Very few gentlemen, except those who have, I think, been cooperating in the bill's preparation, covertly and in secrecy, knew about the provisions of the bill. Fortunately for us who were not on the inside, we have today a printed bill for consideration, and you gentlemen will have a chance to familiarize yourselves with this other bill that contains about 15 pages, a bill which will be made in order under the rule granted. Most anything and everything can be and will be considered. It will contain provisions that the House has voted on many times. I think it is ill-conceived proposed legislation at this time.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Indiana.

Mr. HALLECK. The number of that bill to which the gentleman refers is 5262, is it not?

Mr. SABATH. Yes. It was introduced yesterday.

Mr. HALLECK. It is printed in the CONGRESSIONAL RECORD of this morning?

Mr. SABATH. Yes.

Mr. HALLECK. And copies of that bill are available at the document room?

Mr. SABATH. Yes, for the first time.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Michigan.

Mr. HOOK. As I understand it, that bill was introduced yesterday afternoon and was referred to the House Labor Committee. The House Labor Committee has had no opportunity to hold hearings upon the bill and that committee has been completely circumvented by the Rules Committee. It is about time that committees of this House be recognized instead of their work being sabotaged by the Rules Committee.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from New York.

Mr. MARCANTONIO. As a matter of fact, the Case bill was never read section by section in the Rules Committee, except by the author of the bill when he appeared before that committee yesterday. The bill was not introduced until yesterday. The author read the bill from a typewritten copy. The bill, in print form, was not available until today. In the deliberations of the Rules Committee this bill was never considered section by section; nevertheless it has been reported by the Rules Committee in the form not of an open rule but of a rule which makes this particular bill in order. This is a most extraordinary and unprecedented procedure. Is that not correct?

Mr. SABATH. Both of you gentlemen are correct.

Mr. KELLEY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Pennsylvania.

Mr. KELLEY of Pennsylvania. How is it possible to enact proper legislation without hearings and on an emotional basis only? It is impossible to do that, therefore legislation that comes to the floor of the House without having hearings before a legislative committee cannot be good legislation.

Mr. SABATH. The gentleman from Pennsylvania is also right. I think it is a most unfortunate thing that the Rules Committee acted as it did, especially at a time when every effort is being made by the President and by all those interested in peace and order, with every promise of gratifying success, to effect an adjustment of the difficulties which now confront our Nation. All of us are hopeful that an adjustment will take place. I think the legislation is untimely, and instead of doing any good may delay the peaceful adjustment of the differences between industry and labor.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. I just want to say to the gentleman that I think any time that this House spends in the consideration of labor legislation this week will be entirely wasted. It will be of no benefit to the country and of no benefit to those engaged in this wage dispute, and it will probably be ill-considered legislation. I also want to ask the gentleman this question, whether any copies of this measure were available to the members of the Committee on Rules yesterday afternoon, because I understand the bill was not printed until today, that is, this so-called Case bill? Were copies available to the members of the committee?

Mr. SABATH. No; they were not. The gentleman from South Dakota [Mr. CASE] read from a typewritten copy of what he averred was the bill that he introduced only a little while before and I, as the chairman, had no chance or opportunity to familiarize myself, even superficially, with that copy. I never saw a print of H. R. 5262 until this morning about 10 o'clock. I think our committee has made a grave mistake. I think it is setting a dangerous precedent to bypass the legislative committee and make in order the consideration of bills that no one knows anything about. No one had been able to read it or familiarize himself with the print of H. R. 5262, which is the Case bill.

Mr. EBERHARTER. Mr. Speaker, if the gentleman will yield further, the question occurs in my mind as to whether the Committee on Rules did not actually violate the rules of the House; whether the Committee on Rules can report out a rule without the bill having first been considered by the legislative committee. I think everything the gentleman has said so far confirms my statement that any time that the House gives to labor legislation this week will be only a waste of time.

Mr. BIEMILLER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Wisconsin.

Mr. BIEMILLER. It seems to me the next rule we might get from the Committee on Rules would be one to abolish all committees, if this circumvention is going to continue.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Pennsylvania.

Mr. BRADLEY of Pennsylvania. I just wanted to ask the chairman of the Committee on Rules, in view of the many instances of high-handed action by the Committee on Rules, if he or any other

Member of the House should be surprised any longer at anything they might do.

Mr. SABATH. Unfortunately there seems to be an agreement on the part of my Republican colleagues and some of the Democratic members to take upon themselves jurisdiction and power which I feel that neither the rules nor the precedents contemplate giving to the Committe on Rules.

I take the opportunity of calling attention to the action of the Committee on Rules because a large number of Members have, since the committee meeting adjourned, inquired of me and have telephoned the committee clerks continuously asking for information relative to what has taken place and the form of the rule that was adopted. The rule provides for 2 days' general debate. After reading the first section of H. R. 4908 it will be in order to move to substitute the text of H. R. 5262 for H. R. 4908.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from New York.

Mr. MARCANTONIO. I repeat here on the floor of the House what I said before the Committee on Rules this morning: This Case bill, despite its sanctimonious declaration of policy, was baked in the oven of the Republican National Committee, with ingredients supplied by the National Association of Manufacturers, and salted and peppered by some members of the Committee on Rules. It is a bill to protect scabs and to pillory men and women who toil and who have organized to defend their right to a decent standard of living.

Mr. SABATH. I do not agree that the manufacturers are in favor of it. I think they are against it.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. I want to familiarize myself at the earliest opportunity with the situation in connection with the rule which has been reported, but at this time may I ask the gentleman this question: Is the bill as reported from the Committee on Labor in order as well as the substitute, or is only the so-called Case measure in order?

Mr. SABATH. Under the rule it will be permissible to move to substitute the Case bill for the committee bill, and the Case bill will be read then for amendment instead of the committee bill.

Mr. RANDOLPH. As I understand, but one bill may be considered as a substitute for the committee bill.

Mr. SABATH. Yes; just one.

Mr. RANDOLPH. When does the Committee on Rules expect to report the rule to the House?

Mr. SABATH. The rule will be reported this afternoon.

Mr. RANDOLPH. When will the debate on this subject matter be programed for the House?

Mr. SABATH. I cannot speak for the House nor for the Speaker nor for the majority leader, but I believe it is intended that the rule shall be taken up tomorrow and, as I stated, 2 days will be given to general debate. Consequently, I do not see how a vote on the bill itself can be had before Monday. I am making this statement because many Members want information.

Mr. RANDOLPH. The chairman of the Committee on Rules is always cooperative, I am sure, in informing the Members of the House to the best of his knowledge. I do think that sometime during the day from the proper voice we should hear the exact situation in connection with the program for debate, the period this week or next that this so-called legislation is to be heard in the House.

Mr. SABATH. As I understand, tomorrow and the day after will be given to general debate.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Pennsylvania.

Mr. BRADLEY of Pennsylvania. I wonder if the distinguished chairman of the Committee on Rules can inform the House if, when the Committee on Rules considered this so-called Case bill, the gentleman from South Dakota gave that committee any detailed information as to what great industries he has in his district that suddenly qualify him as an expert on labor matters.

Mr. SABATH. No; he did not. I did not hear him make any such statement, and I believe the gentleman has practically no industries in his district, nor is he a member of the Committee on Labor.

Mr. MANSFIELD of Montana. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Montana.

Mr. MANSFIELD of Montana. Am I to understand that this bill which was introduced yesterday is going to be reported out without any kind of hearings?

Mr. SABATH. Yes.

Mr. MANSFIELD of Montana. I have introduced a bill to give terminal-leave pay to enlisted men. Can I get that bill before the gentleman's committee on the same basis as this bill?

Mr. SABATH. I doubt it very much. Such action as was taken to make in order the Case bill as a substitute is taken only on legislation which aims to crucify and destroy organized labor. In the fewest words, I cannot believe that this House, nor the country, will stand for the methods employed nor for the inep and provocative legislation embodied in the Case bill. I have scanned the bill but hurriedly, but its provisions were familiar. They are extracts from bills fathered by the gentleman from Virginia [Mr. SMITH], by the gentleman from Illinois [Mr. ARENDS], and by several other Members who are known to be, and to my mind are, prejudiced against organized labor, and perhaps against all who work usefully.

As I have stated, and as other Members have stated who spoke before me, even the great industrial czars agree with labor leaders and students of labor relations that this is an inopportune time to consider such legislation as is embodied in this Case bill; yet we are asked to discuss seriously proposals familiar to only a few Members, and proposals which I believe were concocted in the precincts of the Republican National Committee and urged by that citadel of vested power and advocate of special privilege.

Mr. Speaker, instead of giving the President the fact-finding bill he recommended in the interest of harmony and of adjustment of the conflict between industry and labor, we are going to consider this National Republican Committee abomination. While I am a Democrat, I have endeavored from time to time to advise my Republican colleagues not to permit themselves to be led to the slaughter. When they have failed to take my advice they have regretted it. Should they force through this diabolical instrument of the labor haters and the labor baiters, by some Machiavellian machinations, they will again deplore it. However, I am hopeful that there are a sufficient number of fair-minded and progressive Republicans who will refuse to be whipped into line, and out of office, and who will have the courage to resist; who will not admit to being the pawns and stooges of the du Ponts, the Morgans, yes, the Wall Street interests who control, and absolutely control, the labor policies of General Motors, General Electric, United States Steel, the meat packing companies, and the other companies and corporations who have refused to listen to the voice of reason and adjust their differences by mutual concessions and common sense.

If this bill is the best that the 20 or 30 vaunted experts and specialists can bring forth for the Republican National Committee in exchange for their reputed salaries of $25,000 a year, only God can help the Republicans; but on their record He cannot and will not.

Mr. Speaker, I reserve the balance of my time and yield 30 minutes to the gentleman from Michigan.

Mr. MICHENER. Mr. Speaker, I shall not take the full 30 minutes. I think we have all enjoyed this prelude to the debate which will be in order tomorrow. It is not only a prediction of, but is evidence of, things to come The Committee on Rules has been soundly spanked for reporting out the rule on the President's fact-finding bill. The paddle was applied by the chairman of the Rules Committee, aided and abetted by other members, who usually support the President. In the first place, all these gentlemen who have made inquiry of the chairman are opposed to the President's fact-finding and cooling-off period bill, except the chairman of the Committee on Labor, the gentleman from West Virginia [Mr. RANDOLPH]. Most of them appeared before the Committee on Rules against the President's labor bill. They do not want any legislation at all at this time affecting labor, the President to the contrary notwithstanding. Remember the President is asking for the Norton bill, H. R. 4980, which these gentlemen are opposing. In substance he says: "This is my program. This is my proposal to cure the strike situation, and if the Congress will not accept my program, then I ask the Congress to submit an alternative program."

The Labor Committee, having jurisdiction, has before it a number of labor bills. Most of their provisions are included in the Case bill, as I have been advised. I did not write the Case bill. Therefore, if

you will compare the bills now lying in cold storage in the Committee on Labor and the Case bill, you will find this to be the fact.

I, for one, am perfectly willing that all phases of labor legislation should come before the Congress, the Case bill and all the rest. The Committee on Rules, it has been indicated, is arbitrarily preventing the House from considering proper labor legislation. Nothing of the kind. The Committee on Rules is not a legislative committee. It proposes procedure whereby the majority of the House may make its own decisions.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I do not yield now.

Mr. HOOK. That is not so.

Mr. MICHENER. Possibly the gentleman from Michigan does not understand the function of the Committee on Rules——

Mr. HOOK. I certainly do.

Mr. MICHENER. In view of the remarks he made just a minute ago——

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I do not yield now.

Mr. Speaker, the Committee on Rules is only attempting to bring the President's labor program before the House, giving to the House an opportunity to pass upon the proposals and to consider the whole strike problem and enact legislation incident thereto without taking innumerable bites at the same cherry. This bill, the President's bill, the committee amendment to the President's bill, and the Case bill, will all be before the House so that the House may work its will. If the House does not want to consider this matter as proposed in the resolution from the Committee on Rules, all it needs to do is to vote down the rule and then there will be nothing before the House. So in the final analysis all that the Committee on Rules does is to permit the matter to come before the House. You gentlemen who insist that the Rules Committee is so culpable——

Mr. HOOK Mr. Speaker——

Mr. MICHENER. Who insist it should not be here——

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I do not yield.

CALL OF THE HOUSE

Mr. HOOK. Then I make the point of order, Mr. Speaker, that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] A quorum is not present.

Mr. PRIEST. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 14]

Baldwin, N. Y.	Bunker	Cole, Kans.
Barden	Canfield	Combs
Barry	Cannon, Fla.	Cooley
Bates, Mass.	Carlson	Crosser
Beckworth	Case, N. J.	Curley
Bell	Case, S. Dak.	Daughton, Va.
Bloom	Chapman	Dawson
Bulwinkle	Clark	Dingell
Dolliver	Hope	Poage
Dondero	Izac	Reed, Ill.
Douglas, Calif.	Johnson, Ill.	Reed, N. Y.
Eaton	Johnson, Luther A.	Rees, Kans.
Ellis	Johnson, Lyndon B.	Rivers
Ellsworth	LaFollette	Rizley
Elsaesser	LeFevre	Robinson, Utah
Engel, Mich.	Lynch	Roe, N. Y.
Fisher	McMillen, Ill.	Scrivner
Fogarty	Mathews	Sheridan
Fulton	May	Short
Hancock	Morrison	Simpson, Pa.
Harless, Ariz.	Mundt	Starkey
Harness, Ind.	Norton	Sumners, Tex.
Healy	Pfeifer	Sundstrom
Heffernan	Plumley	West
Herter	Poage	Wickersham
Hinshaw	Reed, Ill.	Winter

The SPEAKER. On this roll call 349 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FIRST SUPPLEMENTAL SURPLUS APPROPRIATION RESCISSION BILL, 1946

Mr. MICHENER. Mr. Speaker, I have just been asked if I was going to take up where I left off when interrupted by the point of no quorum made by the gentleman from Michigan [Mr. HOOK]. My extemporaneous remarks preceding the roll call were inspired by the remarks of the Chairman and the observations of his interrogators. I was only trying to clarify the matter so that there would be no question about the facts, because to me facts are just as vital as they are to my good friend, the gentleman from New York [Mr. MARCANTONIO]. The gentleman from New York and I may often disagree, but I think we both try to state the facts as we see them. As I said, the Committee on Rules was chastised because, forsooth, we took it upon ourselves to give the House the right to vote upon and discuss a subject in which the country is interested. Now that is all there is to it. If the House does not like the rule, it need not support the proposal. It is a very easy matter to do what the majority wants to do by voting down the previous question. Then the Member making the motion or the Member recognized by the Speaker will have 1 hour in which he can offer any amendment he desires to the rule. Our distinguished Chairman will lose jurisdiction, and the House will have taken control and can operate on the rule as suits its fancy.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I do not yield.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

The SPEAKER. The gentleman has declined to yield.

Mr. HOOK. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. SPEAKER. The gentleman from Michigan [Mr. HOOK] makes a point of order that a quorum is not present.

Mr. MICHENER. Mr. Speaker, I will yield.

The SPEAKER. Unless the gentleman from Michigan [Mr. HOOK] withdraws the point of order of no quorum, no business can be transacted in the House.

Mr. HOOK. Mr. Speaker, I withdraw the point of order.

Mr. MICHENER. Yes; under the threat of wasting another 40 minutes in a roll call, I will yield.

Mr. HOOK. The gentleman said that the Committee on Rules was not a legislative committee. Will the gentleman tell me whether or not in his opinion he thinks it is proper for the Committee on Rules to report a bill which has never been before any legislative committee of this House?

Mr. MICHENER. The perfect answer to that is that this rule follows precedent and that similar rules have been granted on numerous occasions since I have been in the Congress. There are times when committees do not want any legislation of a particular character brought before the House. The President of the United States condemned the Committee on Rules because it would not report out the FEPC bill. I was ready to report it out, but, because the majority of the Committee on Rules did not feel likewise, the President reprimanded the entire committee. Then the President spanked the Committee on Labor, of which the gentleman from Michigan [Mr. HOOK] is a member, because it would not report out his bill. However, the committee remains adamant. The gentleman from Michigan [Mr. HOOK] is against the President's bill. He does not want it considered. The Committee on Rules was so advised. He wanted the Committee on Rules to stifle the Committee on Labor and not permit a bill which had been reported out by a majority of the Labor Committee to come to the House. Now, I do not agree with that philosophy. I believe we should have a free and open forum here, and that the House should have a right to determine whether or not it desired to consider legislation dealing with the strike situation which is of so much interest to our constituents at this time. My colleague from Michigan does not want the House to have this opportunity. He is trying to stop it. He is trying to scuttle it. He is opposed to the President's demand that his program, or a congressional alternative, be brought before the Congress.

Now, Mr. Speaker, I yield to the always courteous gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. I know the gentleman wants to be fair.

Mr. MICHENER. I do.

Mr. MARCANTONIO. I know the gentleman would never misinform the House. The gentleman has made the statement that this procedure which the Committee on Rules adopted this morning is not unusual and there is plenty of precedent for it. May I point out to the gentleman that in my 9 years here I cannot remember an instance when the Committee on Rules has made in order the consideration of a bill which was introduced the day before the Rules Committee reported out the rule, a bill which, in all fairness to the gentleman, even he has not read; a bill which the majority of the members of that committee has not read. Does not the gentleman agree with me that that is the most extraor-

dinary procedure that the Rules Committee has ever adopted?

Mr. MICHENER. I will not say I stand corrected, because I do not know, but I assume the gentleman is correct. When I said there were precedents, I had in mind that the Rules Committee has made in order other bills under similar circumstances. I do not know whether those other bills had had committee consideration, but I do know that they had not been reported out by the legislative committee, and that the committee had refused to report them out. The Rules Committee on those occasions, respecting the desire of the majority of the House, reported them out. If it is not the desire of the House that this bill should be considered, then the House has the right, under this rule, and will be given the opportunity, to vote down the proposal that all these matters be brought up at once.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. Yes, I will yield briefly, although my time is getting short.

Mr. EBERHARTER. I just want the gentleman's personal opinion. Does he think the House will have enough information and will have given sufficient consideration and study to the provisions of the Case bill so that the House will be in a position to legislate constructively on the far-reaching provisions of that bill? Does the gentleman think the House, without any study having been made of the effect of those provisions, by any experts, by management, or by labor, or anybody else, can legislate constructively. Does the gentleman think the House could legislate with ordinary wisdom in such a case?

Mr. MICHENER. I would prefer that the legislative committee had reported the Case bill, but the gentleman from Pennsylvania knows that could not happen. I have made his argument at times when the gentleman's Ways and Means Committee has brought in bills on which we could not do anything except vote "yes" or "no."

Mr. EBERHARTER. But the Committee on Ways and Means had had time to consider and study and have expert reports on the measure which they had adopted. That is not true of the Case bill.

Mr. MICHENER. My attention has just been called to one precedent, namely, the Worley bill, the soldiers' vote bill, which we all remember.

Mr. WORLEY. The gentleman from Michigan is correct. In the interest of fairness to the Rules Committee, this precedent was followed by the Rules Committee when it made the so-called Worley soldier vote bill in order in connection with soldiers' vote legislation.

Mr. MARCANTONIO. But how long was the Worley bill in existence before it was made in order by the Rules Committee?

Mr. WORLEY. As I recall, it had not received action from my committee.

Mr. MARCANTONIO. I said, how long had it been in existence? How long had it been pending?

Mr. WORLEY. I do not recall the exact dates but I think it had been introduced several days before the Rules Committee acted.

Mr. MARCANTONIO. Well, it had been introduced for some time. This Case bill was introduced only yesterday.

Mr. MICHENER. Mr. Speaker, I do not yield further, my time is running.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield to me?

Mr. MICHENER. Yes; I yield to my colleague from Michigan.

Mr. HOFFMAN. Some of us in the House have been working on labor legislation for about 10 years. Finally, out of the Labor Committee you get a vehicle on which you could hang legislation; but if I understand the proposed rule correctly, you are denying to some of us who have been making this fight for 10 years any opportunity to offer our measures. You are forcing us to consider a bill which was never seen, which never was printed, which never was before the Labor Committee. I say it is not fair.

Mr. MICHENER. No; the rule does not deny the gentleman anything.

Mr. HOFFMAN. Maybe I do not know.

Mr. MICHENER. The gentleman usually does know, but I think he does not in this case.

Mr. HOFFMAN. I think I do.

Mr. MICHENER. We are extending a privilege to the Case bill. We are denying nothing. All germane bills or amendments will be in order. The gentleman from Michigan did not appear before the committee and ask that his particular bills be made in order, as the gentleman from South Dakota [Mr. CASE] did.

Mr. HOFFMAN. Let me correct you, if I may. The minutes will show that I did that very thing.

Mr. MICHENER. If I were to say anything off the record, I will say that I spoke to the gentleman from Michigan yesterday and told him that the gentleman from South Dakota [Mr. CASE] was coming before the committee to ask that his bill be made in order, and I suggested to the gentleman that if he wanted his bill made in order, he should come before the committee also.

Mr. HOFFMAN. I had already done that. The minutes will so show.

Mr. MICHENER. Yes; the gentleman appeared in behalf of a rule. I do not recall that he asked the committee to make any particular bill in order.

Mr. ANDREWS of New York. Mr. Speaker, will the gentleman yield to me?

Mr. MICHENER. I yield.

Mr. ANDREWS of New York. As I understand it, the rule, if adopted, will make in order the bill as reported from the Labor Committee or the provisions of the so-called Case bill. Is that correct?

Mr. MICHENER. Yes.

Mr. ANDREWS of New York. Assuming that the Case bill is made in order would the provisions of that bill be subject to amendment on the floor?

Mr. MICHENER. I can best explain that——

Mr. ANDREWS of New York. No. May I ask if the provisions of the Case bill are to be subject to amendment on the floor?

Mr. MICHENER. If the gentleman will listen to what I am about to say right now, he will understand just exactly what will be in order.

If this rule is adopted as reported, the President's bill, whatever the number is, will be before the House for consideration. There is no committee bill before the House. There are committee amendments to the President's bill.

The first section of the President's bill will be read and I assume at the conclusion of the reading of that section the gentleman from South Dakota [Mr. CASE] will offer his bill as an amendment, or substitute, to the first section of the President's bill.

Then the Case bill, answering the question of the gentleman from New York, will be read under the 5-minute rule just the same as if it were an original bill and will be open to all germane amendments to add to or strike out. After the Case bill has been perfected, if it suits the committee by a majority vote, then the vote will be to substitute the Case bill as amended in place of the President's bill. As I understand, that is all there is to it.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. COCHRAN. The same situation will exist if that rule is adopted that existed in the House yesterday. When the substitute was adopted the committee immediately rose and we went into the House and voted on the bill. Only just this minute was I able to get a copy of this bill from the Document Room. The Rules Committee has taken it upon itself to make the provisions of the Case bill in order before the Committee on Labor has ever had a chance to look at it.

Mr. MICHENER. No, no; the Rules Committee has not made anything in order. The Rules Committee has made it possible for the House to determine whether the House wants to make the Case bill in order. The Rules Committee does not speak with finality in any way at all; it can only propose suggestions to the House and then the House works its own will and does that which a majority of the House decides to do.

Mr. COCHRAN. If the Rules Committee is going to continue this policy we may just as well abolish the legislative committees of this House.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. Yes; I yield to the gentleman from California. I would like to yield to all the gentlemen standing, but I must continue with my own remarks, and this will be the last time I shall yield.

Mr. VOORHIS of California. The rule, as I understand, when it comes up for consideration, can be altered by the House; the House can work its will with regard to what the rule provides in respect to the Case bill.

Mr. MICHENER. That is correct; the House has it within its power to amend

the rule and fix up any kind of rule it wants. If the House does not like this rule, the House should vote it down.

Mr. Speaker, I regret I cannot yield any more.

All this debate concerning the labor legislation that is coming up tomorrow has nothing to do with the rule now before the House. It should not have been interjected here. I am advised that on tomorrow and Friday the House will debate the labor bill and amendments will not be in order until Monday. Therefore, adequate opportunity will be given to all Members to familiarize themselves with the Case bill and the Norton bill, and to prepare any amendments they desire to offer. This is more time than is given for the study of appropriation bills carrying billions of dollars. Study and time will not have much effect on those who are fundamentally opposed to any labor legislation.

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from Washington [Mr. SAVAGE].

Mr. SAVAGE. Mr. Speaker, I should like to call the attention of the members of the Ways and Means Committee to a bill I have just introduced, amending the Internal Revenue Code, which I think the committee should seriously consider as a step designed to help smooth the economic path for veterans of this war.

In brief, the provisions of this bill would allow every honorably discharged veteran of this war the same gross income tax exemption he enjoyed while in the service, for a period of time equal to his length of service.

A great many of our veterans are going to find the going pretty tough when they get back to civilian life. Along with the problem of getting a job, most of them will be faced with added burdens. Many will have to reestablish their homes; will have to buy furniture, clothes, an automobile, and other necessities. In short they will have to start from scratch. This means that they will have quite a capital outlay and will have to spend most of what they make on such items for several years to come.

Congress has been pretty kind to the big corporations in my opinion in revoking the excess profits tax and putting the carry-back provision in our tax laws. We did this with the hope that it would help reconversion and thus provide jobs for our veterans.

If we can do these things for corporations involving millions of dollars of lost taxes, why cannot we do something for our veterans? The veteran's exemption I propose will not cost the Government anything like the vast sums lost through the benefits given to corporations, and it will help put our veterans back on their feet. The whole program would not last for more than 5 years at the most, by which time the vast bulk of our veterans would have used up their service credit and would have had time to get themselves well adjusted and able to carry their tax burden like the rest of us.

Allowing the veteran a $1,500 exemption will help the low income group most and will give all veterans a breathing spell in which to readjust themselves.

I feel that most Members of Congress sincerely want to help the veteran. Therefore I urge the Ways and Means Committee to consider this problem carefully.

Mr. SABATH. Mr. Speaker, I now offer the following amendment to the rule.

The Clerk read as follows:

Amendment offered by Mr. SABATH:

Page 1, line 12, after the period insert "and amendment to the bill shall be in order."

Page 1, line 12, strike out the remainder of line 12.

Page 2, strike out lines 1 to 7, inclusive.

The SPEAKER. The question is on the amendment offered by the gentleman from Illinois [Mr. SABATH].

The amendment was agreed to.

Mr. SABATH. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5158) reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 5158, with Mr. LANHAM in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CANNON of Missouri. Mr. Chairman, this bill is identical in every respect with the bill H. R. 4407 passed by both Houses recently—with the exception it does not include the one provision in H. R. 4407 to which the President in his veto message objected. The bill as submitted has been debated, amended, and read three times in both Houses and has been tacitly approved by the President. For that reason I shall not discuss it in detail. Suffice to say that it provides for the rescission in cash, in contractual authority, and in corporate funds of an amount aggregating $51,786,811,925.

We have previously recalled in two former bills of similar nature an amount totaling $9,457,119,000 and since the passage of the original bill, the House is in receipt of a further message from the President recommending an additional rescission in the amount of $5,748,563,373. In other words, upon the President's recommendation we propose after passing the bill now under consideration to report a bill carrying further rescissions of approximately $5,745,563,373, providing a total minimum rescission of $66,989,494,294.

The committee would have offered at this time and under this rule amendments increasing the amount of rescission to that figure but for the fact that we feel we can develop in the hearings during the next 2 weeks, on the further recommendation of the President, an additional amount for rescission.

Unquestionably with the end of the fiscal year even greater economies will be possible and we have reason to confidently expect a total rescission eventually of somewhere between seventy and seventy-five billion dollars. This bill, in precisely its present form with the exception of the one item, went to the President and was vetoed by the President solely on the ground that it included a rider which he thought did not belong in an appropriation bill. Riders on appropriation bills are objectionable from many points of view. There has been no legislative practice which has been subjected to more general criticism or to criticism over a longer period of years than the practice of legislating by appending riders to appropriation bills, and this rider is no exception.

The provisions embodied in the objectionable rider have been incorporated in a bill which has been reported to the House by the Committee on Labor in regular and orderly procedure under the rules of the House and has now been passed and sent to the Senate. So the House has in that way conceded the justice of the President's criticism and justified his action in vetoing the bill because of this objectionable rider.

We have now reported the bill as originally submitted to the President without the rider and we will within a few days submit to the House a further bill making additional rescissions. At the end of the fiscal year we shall report to the House a final bill recalling any funds and authorizations available for rescission after June 30, with the expectation of ultimately effecting a final saving for the Seventy-ninth Congress aggregating seventy to seventy-five billion dollars.

The amount of salvage effected by the prompt action of the President and the committee, approved by the Congress, vastly exceeds expectations. Hearings by the committee and investigations by its research staff are continuing and all departments and agencies will be stripped of every dollar that can be reclaimed and every authorization subject to cancellation.

I yield at this time to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, this bill, as the gentleman from Missouri has said, is a duplicate of the bill, H. R. 4407, which was passed by the Congress along toward the end of the last session and was vetoed by the President. It is in no way different from that, except that it has nothing in it in the nature of a rider restoring the employment services to the States. In my opinion, that rider was very salutary. If it had stayed in, and if the President had approved the bill, it would have expedited the reconversion program beyond expectations and permitted our people to go to work instead of having the employment services blocking them. I hope that the legislation which the House passed yesterday will become a law. If it does, it will help in putting the people to work.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. I cannot see that that was exactly a rider. It seems to me that was the only way to

rescind the money appropriated for that particular agency.

Mr. TABER. It was not exactly a rescission; it was a little more, because it constituted an appropriation of funds to carry on the activity in the States.

With reference to the bill itself, I do not propose to offer amendments increasing these rescissions, that is, these cuts in existing appropriations, at this time. The President has submitted in House Document 394 a recommendation for the rescission of approximately $5,000,000,000 additional. Hearings have begun upon that document. As a result of these hearings, I believe we are going to be able to recover a very considerable sum of money beyond what the President has estimated. I hope that when the committee brings in a bill to carry into law the recommendations of the President along that line the committee will add such sums as the evidence may seem to justify in the hearings that we shall hold and are holding. If the committee does not bring in that kind of a bill, when that bill comes up on the floor I shall offer amendments to increase the rescissions so that they will comport with the evidence the committee receives.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Indiana.

Mr. SPRINGER. I note by the report that this bill seeks to recover $51,000,000,000 plus.

Mr. TABER. Yes.

Mr. SPRINGER. Is that amount the same as was embraced in the bill which was previously considered by the House?

Mr. TABER. It is the same amount as was embraced in the bill H. R. 4407, which was passed by the Congress and was sent to the President.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. EDWIN ARTHUR HALL. I do not pretend to be any great authority on diction, but it seems to me the title "Rescission" should be modified, since we are saving so much money or recapturing money, or whatever we want to call it, to something like an "economy bill," so that the people of the United States may understand what we are trying to do and what we are effecting here.

Mr. TABER. If we are not able to tell the people back home what is being accomplished and what is being saved it is just too bad for us. As far as I am concerned, I shall undertake to tell the folks back home what the Congress has done, and I shall have no compunctions about telling them, nor shall I be ashamed to tell them.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Illinois.

Mr. CHURCH. I commend the gentleman on his stated intention of cutting down future appropriations. The gentleman should be congratulated by every Member of this House for doing that. It seems to me if that purpose is identified, it should be called prevention of inflation. Would the gentleman agree with me that cutting down these appropriations is one of the best ways of stopping the inflation that is now growing?

Mr. TABER. I do not know of any way that we can contribute as much to cutting down inflation as by reducing the activities of the Federal Government and saving money for the Treasury.

Every time we spend more money and incur more debt, that operation is inflationary and it is inflationary in a very high degree. I would hope that the Congress would be very careful to carry forward a program of economy which will keep the country right side up. While we are on the subject of appropriations and expenditures, I think I could perform no better public service in illustrating to this country what a program of expenditures means than to quote the words of the gentleman from Ohio [Mr. CLEVENGER] the other day when he said that a proposal to spend next year $35,000,000,000 meant practically $3,000,000,000 a month and that was $60 per month for every wage earner or income producer in this country. In other words, every workingman and every workingwoman is subject in one way or another to a $60 a month tax to carry a $36,000,000,000 a year expenditure. That is an intolerable burden and we must stop it.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that general debate be concluded and that the bill be considered as having been read for amendment.

Mr. TABER. Mr. Chairman, before that is done, I reserve the balance of my time. I have so many requests I must take care of. I now yield 5 minutes to the gentleman from Idaho [Mr. DWORSHAK].

FEDERAL CIVILIAN PERSONNEL REMAINS AT HIGH FIGURE AT YEAR END

Mr. DWORSHAK. Mr. Chairman, recently this body received the budget message of the President in which were outlined some recommendations, not only for the rescission and recapture of funds which already have been appropriated, but the legislative branch of the Government was advised that at the end of the 1947 fiscal year we would probably reach the figure of 1,600,000 for paid civilian employees in the executive department of government. Last week during the debate on the independent offices appropriation bill, I endeavored to point out that, while the President accepted that figure as an all-time permanent peacetime level, it was comparable to the number of paid civilian employees on the Federal pay roll in December 1941, at the time of Pearl Harbor. At that time we had been in preparation for national defense and war for almost 2 years. Consequently, instead of reducing Federal employment to a so-called prewar level, this administration now proposes to maintain levels almost double the average civilian employment during the year 1939. We hear a lot about estimates and recommendations and proposals for reduction in the expense of operating our Federal Government and for retrenchment of paid civilian personnel, but actually the record shows little indication that we are making any worth-while progress in that direction.

The United States Civil Service Commission has just released its official report for December 1945. On the last day of the year there was estimated to be a total of 2,405,000 paid civilians in the executive branch of the Government within the United States. Outside of the continental limits of our country, the total number of paid personnel was placed by the United States Civil Service Commission at 747,300. During the month of December—5 months after the termination of hostilities—the Civil Service Commission reports there were still 3,152,305 civilian employees on the Federal pay roll, and that during December there was a reduction, within the boundaries of the United States, of only 51,000, while there was a shrinkage of approximately 16,000 in the paid civilian employees outside the continental borders of our country.

If you will study this official report, you will find that at the end of December the War Department had almost 1,500,000 civilian employees; the Navy Department had approximately 600,000 civilian employees. Of course, we are all primarily interested in redeployment and demobilization, which will bring our American soldiers and sailors back from the various theaters of war; but when we talk about economy in the Federal Government, is it not time for this body, which appropriates funds, to demand even greater retrenchment and reduction, if we are going to meet that figure estimated by the President, of 1,600,000 at the end of 1947 fiscal year? We have to retrench at a much more rapid rate than is indicated in December, if that goal is attained. Why should we continue more than 3,000,000 civilians on the pay roll of the executive departments of the Government as we expedite reconversion so that we can attain a balanced National Budget? The President has held out that hope for us in the next fiscal year.

I have confidence in my Appropriations Committee—in the chairman and the ranking Republican member, the gentleman from New York [Mr. TABER]—because there has been some very concrete evidence that, notwithstanding these reports and recommendations coming from downtown, we really intend to do something about economy. We have these appropriation bills coming in almost every week. We disposed of the independent offices bill last week, and included a few reductions, after the Republican leadership made a valiant attempt to make even deeper cuts. I am mentioning this particular fact now because, if we are to reduce the civilian pay rolls, which must be done if we are to cut the cost of Federal Government, then we must do a great deal more than merely talk about it or be satisfied to have the Chief Executive send messages and reports to Congress outlining proposed reductions. The time has come for real action.

Mr. PITTENGER. Mr. Chairman, will the gentleman yield?

Mr. DWORSHAK. I yield.

Mr. PITTENGER. This bill is a lot of shadow-boxing, anyway, is it not? These departments have not spent this money. They do not have to spend it. They could make a hit by reporting back to us that they did not need the money.

Mr. DWORSHAK. I think the President is making a conscientious effort to cooperate in this rescission bill; but the fact is that the various departments would have difficulty in spending the amounts which are being recaptured in this particular bill, because these appropriations were made by Congress specifically for wartime activities. There is no longer any justification for those policies and those programs.

So, I merely make mention of this fact, that if there is to be retrenchment and economy, then actually this House will have to assert greater leadership so that the President will be able to keep faith with the promises and pledges he has made to the American taxpayers.

Mr. Chairman, in order to provide accurate information, I am inserting at this point some statistics furnished by the United States Civil Service Commission on civilian personnel and pay rolls during the 6-year period ended December 31, 1945:

Federal civilian employment and pay rolls in the executive branch, December 1939–45

Date	Total employment including outside United States	Washington, D. C., metropolitan area [1]	Outside continental United States	Pay roll
1939: December	988,099	127,502	45,065	$152,398,777
1940:				
January	939,296	127,520	(2)	144,158,903
February	939,396	127,783	(2)	141,947,398
March	949,418	128,642	(2)	144,106,408
April	959,972	129,677	(2)	145,014,926
May	980,801	130,938	(2)	149,405,095
June	1,014,117	133,856	(2)	149,240,255
July	1,026,572	138,471	(2)	155,226,773
August	1,039,996	142,899	(2)	159,350,059
September	1,059,984	145,620	(2)	159,798,624
October	1,091,931	149,389	(2)	167,220,383
November	1,114,068	152,538	(2)	168,618,728
December	1,184,344	155,914	(2)	183,707,026
1941:				
January	1,153,431	158,610	(2)	178,413,671
February	1,173,152	161,862	(2)	175,623,559
March	1,202,348	167,081	(2)	184,244,306
April	1,251,283	172,876	(2)	189,213,464
May	1,306,333	177,328	(2)	198,382,389
June	1,370,110	184,236	89,297	205,581,047
July	1,391,689	185,182	(2)	205,977,306
August	1,444,985	186,931	(2)	217,772,054
September	1,487,925	191,588	(2)	224,140,668
October	1,511,682	194,265	(2)	235,778,998
November	1,545,131	199,283	(2)	237,398,486
December	1,620,922	207,214	(2)	247,379,409
1942:				
January	1,703,099	223,483	(2)	[3] 259,404,945
February	1,805,186	233,403	(2)	262,106,949
March	1,926,074	238,801	(2)	309,764,679
April	1,970,969	248,100	(2)	317,207,094
May	2,066,873	256,457	(2)	336,568,306
June	2,206,970	268,283	(2)	353,364,409
July	2,327,932	274,001	(2)	382,373,859
August	2,450,759	275,362	(2)	391,502,171
September	2,549,474	281,423	(2)	414,594,644
October	2,687,093	283,692	(2)	445,135,852
November	2,739,815	283,872	(2)	453,580,367
December	2,810,871	284,068	(2)	470,334,353
1943:				
January	2,864,021	284,643	(2)	519,224,846
February	2,944,922	287,244	(2)	531,185,489
March	2,978,824	285,454	(2)	638,926,265
April	3,005,812	282,809	(2)	634,324,484
May	3,030,656	280,027	(2)	617,645,274
June	3,157,113	[4] 280,813	[5] 154,660	611,419,957
July	3,126,376	[4] 279,261	(2)	615,743,724
August	2,992,307	[4] 274,250	(2)	610,003,154
September	2,971,739	[4] 269,887	[5] 166,220	614,861,992
October	2,963,733	[4] 268,449	(2)	624,701,592
November	2,988,947	265,246	(2)	603,485,040
December	3,227,578	263,448	415,766	620,779,679
1944:				
January	3,235,800	263,317	(2)	612,003,108
February	3,243,600	263,701	(2)	644,559,082
March	3,217,041	263,992	379,489	631,857,530
April	3,232,960	264,023	(2)	580,048,589
May	3,245,890	264,001	(2)	575,959,276
June	3,312,256	270,019	393,969	480,526,772
July	3,335,178	270,501	(2)	586,319,338
August	3,302,526	264,535	(2)	614,792,316
September	3,334,841	259,060	453,612	608,920,297
October	3,331,882	258,107	(2)	612,475,435

Footnotes at end of table.

Federal civilian employment and pay rolls in the executive branch, December 1939–45—Continued

Date	Total employment including outside United States	Washington, D. C., metropolitan area [1]	Outside continental United States	Pay roll
1944—Con.				
November	3,329,616	257,122	(2)	$593,900,524
December	3,412,355	255,185	552,618	629,538,382
1945:				
January	3,441,518	256,043	(2)	616,535,389
February	3,471,545	256,497	(2)	584,866,625
March	3,577,409	256,262	656,999	632,095,080
April	3,571,690	253,690	(2)	605,006,052
May	3,554,658	252,768	(2)	615,610,163
June	3,769,646	257,808	854,170	626,054,424
July	3,753,791	255,573	(2)	637,752,347
August	3,705,622	251,090	(2)	648,235,085
September	3,376,558	239,992	[6] 763,190	555,284,367
October	3,275,953	232,577	(2)	(2)
November	[7] 3,213,301	[7] 228,373	(2)	(2)
December	3,152,305	228,732	747,300	(2)

[1] Figures prior to December 1941 apply to District of Columbia only.
[2] Not available.
[3] Excludes $1,259,612 Ramspeck promotional pay roll.
[4] Includes about 3,000 without-compensation and $1-per-year employees.
[5] Partially estimated.
[6] Revised. Excludes 105,100 persons rendering service on a reciprocal aid basis at Army installations overseas who are not actually on the United States pay roll. Such persons have been included in totals previously reported by the War Department for civilian employment outside the continental limits of the United States.
[7] Preliminary.

NOTE.—Employment before June 1943 represents number of employees on last regular pay roll in a given month; since June 1943, employment represents number of employees working on the last day of each month. Pay roll before June 1943 includes payments to civilian employees serving outside continental United States; since June 1943, pay roll excludes such payments to civilian employees outside continental United States. Pay roll represents expenditures for personal services during a given month (2 biweekly pay periods per month for July to September 1945) including overtime compensation, premium payments, night differentials, payments for accrued leave, payments to part-time workers, and fractional payments to individuals entering or leaving the Federal service during a month. Since December 1944 lump-sum payments for accrued annual leave have been included.

Civilian employment outside the continental United States, Sept. 30, 1945

Agency:	
Alien Property Custodian	22
Office of Inter-American Affairs	1,926
Foreign Economic Administration	762
Office of Defense Transportation	29
Office of Scientific Research and Development	9
War Production Board	21
War Shipping Administration	935
Office of Censorship	15
Office of Price Administration	549
Office of Strategic Services	448
Selective Service System	422
State	11,637
Treasury	519
War	[1] 646,457
Justice	296
Post Office	1,439
Navy	55,813
Interior	4,812
Agriculture	1,663
Commerce	2,006
Labor	200
Civil Service Commission	17
Employees' Compensation Commission	29
Federal Communications Commission	145
Federal Deposit Insurance Corporation	2
Federal Security Agency	656
Federal Works Agency	281
Maritime Commission	18
National Housing Agency	36
National Labor Relations Board	4

Footnotes at end of table.

Civilian employment outside the continental United States, Sept. 30, 1945—Continued

Agency—Continued	
Panama Canal	23,725
Panama Railroad Company	7,945
Reconstruction Finance Corporation	194
Smithsonian Institution	5
Veterans' Administration	153
Total	[1] 763,190

[1] Revised. Excludes 105,100 persons rendering service on a reciprocal-aid basis at Army installations overseas who are not actually on the United States pay roll. Such persons have been included in totals previously reported by the War Department for civilian employment outside the continental limits of the United States.

Of the 763,190 civilians of the Federal Government serving outside the continental limits of the United States, approximately 692,000, or 91 percent, are employed by the War and Navy Departments. About 19,000 of these civilians in military and naval installations are in classified positions, i. e. "graded," whereas about 673,000 are laborers, helpers, mechanics, etc., in ungraded positions performing such work as road building, construction of facilities and related activities, maintenance and repair service, etc. A large proportion of the 71,000 employees of other agencies who are located outside the 48 States and District of Columbia are also engaged in these industrial types of work, while a substantial number are in the foreign-service activities, informational services, and other governmental functions.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. CANNON of Missouri. Mr. Chairman, a parliamentary inquiry. Under the rule debate is to be confined to the bill?

Mr. EBERHARTER. Mr. Chairman, a point of order. I do not yield for a parliamentary inquiry.

Mr. CANNON of Missouri. I shall have to object to any further debate not confined to the bill. I had requests on this side from Members who wanted to speak on matters outside the bill but explained to them that under the rule debate is confined to the bill.

Mr. EBERHARTER. Mr. Chairman, I have not yielded to the gentleman.

The CHAIRMAN. The gentleman from Pennsylvania not having yet made a statement, it is impossible for the Chair to tell whether or not he is going to speak on the bill.

The gentleman from Pennsylvania will proceed in order.

Mr. EBERHARTER. Most members of the Committee on Appropriations are happy to report a bill here in which it is proposed to recapture some of the funds which had been heretofore appropriated. I remember that as a member of the Committee on Ways and Means I got a good deal of pleasure out of being able to concur with a majority of the members of that committee in recommending a new tax bill which reduced the taxes upon industry and upon the people of the country generally, the workingman and the businessman both.

Mr. Chairman, speaking of taxes, which I think is inevitably bound up with the matter of appropriations, I wish to say

that throughout our country today there are many people who firmly believe that the current labor unrest must be attributed in part to the present hodgepodge program of income taxation.

It is very likely that labor would not be making such strong demands for wage increases—if the men and women of labor were not struggling under a terrific income-tax burden.

Some persons are now saying, "This is no time to reduce income taxes." I say: This is the time to give men and women in all walks of life more spendable income—whether or not today's income is 70, 80, 90, or 100 percent of wartime levels.

An improved spendable income can only be a reality when Federal income taxes are at an equitable and just level—appropriate for our peacetime economy.

Therefore, in order to assure an increase in the spendable income in the hands of all people, I am now introducing a bill embodying the new approach to Federal income taxes which was suggested almost a year ago by Frank Wilbur Main, of Pittsburgh.

The incentive income-tax plan, authored by Mr. Main, has as one of its objectives the creation of more spendable income. The bill incorporates the incentive income-tax plan as conceived by Mr. Main. To be known as the Incentive Income Tax Act, 1946, the bill is designed to secure adequate revenues for our country to operate on a balanced budget. It will relieve some 18,000,000 present income taxpayers of the necessity of shouldering the burden of an income tax on top of their respective costs of living.

We all hope to be able to have new radios, new refrigerators, new cars—soon, might I say, very soon. We have been struggling along—thinking about such new things that make life more enjoyable and a little more comfortable.

When these consumer goods do come into our neighborhood stores, will you, will your neighbors, have enough money left, after paying present Federal income taxes, sheltering, feeding, and clothing your families, to afford these prewar necessities. Or must we lower our standard of living, and class these former essentials as outright luxuries?

To assure the utmost in spendable income, the taxation program outlined by Main places the Government's revenue-securing system on a basis of peacetime economy. It gets back to basic fundamentals. It is a fresh concept of income taxation, entirely free of all the patchwork of our present tax laws, and aimed to replace the confused and unbalanced tax structure.

We all agree that in order to have a balanced Federal Budget, and to raise sufficient revenues for the proper conduct of all Government operations, an income tax is a necessity. If there is this unity of thought, then I welcome the utmost in consideration, and judgment, and discussion of this bill which specifies a tax on income.

Note that if you will, a tax on income, whether that income is earned by an individual, a partnership, or a corporation.

The bill provides that individuals and corporations be taxed alike on a graduated scale, starting at 25 percent of the first $5,000 of net taxable income and extending upward with 5-percent increases until there is taxation of 50 percent on all net taxable income in excess of the initial $25,000.

Under the provisions of the incentive income-tax plan which has been incorporated in this bill, it matters not if Brown-Jones, Inc., or Brown & Jones, as partners, or just Tom Brown, as an individual, has a net taxable income of, let us say, $40,000 per year. Since income is the item taxed, and not individuals or corporations, the tax to be paid in all three instances would be relatively the same. There would be some differences, depending on personal and corporate exemptions.

To relieve the present drudging burden of taxation from the farmer, the returned veteran, the men and women of labor, the teacher, and the Army and Navy doctor starting out to build a practice, personal exemptions are substantially raised so that some 18,000,000 persons are removed from the Federal income tax rolls.

Why should the exemptions be raised? Take the case of the young, unmarried man—drafted from high school and now at work on his first civilian job. He earns $25 a week. He pays approximately 5 weeks' wages as his Federal income tax. Can he afford to think of getting married, or of buying a car, or buying a good suit of clothes with the spendable income he now possesses? Neither he nor millions like him can hope to really get started in life, can become part of a mass market for goods of all descriptions, until spendable income improves.

Mr. Main has suggested the raising of the personal exemption from $500 for a single man to $1,250. The bill incorporates this suggestion as well as the increase to $2,500 exemption for married couples and for a $500 exemption for each dependent.

The bill is designed to provide incentive to buy the goods of our farms and factories. It is aimed to give incentive for investments. The main proposal should encourage millions in the lower income brackets to forge ahead, to buy what they need to maintain a reasonable standard of living.

It is Mr. Main's belief that with startling rapidity a host of these taxpayers will be back on the tax rolls in a short time, having improved their economic status and their earning power to the extent that they can again directly contribute to income taxation in a higher bracket and at an equitable rate.

In the meantime, the proponent of the incentive income tax plan counts on these millions continuing the support and operation of our Government through the wide variety of taxes now in force, such as we all pay on cigarettes, alcohol, leather goods, amusements and gasoline.

The incentive income tax plan, incorporated in this bill, asks that the income of a corporation be taxed at identical rates as the income of an individual. It would have every corporation, regardless of its size, provided with a $2,500 annual exemption.

The Incentive Income Tax Act, 1946, if adopted into law, would totally eliminate double taxation of dividends. Dividends paid to stockholders would be free from taxation.

This step, also proposed in the incentive income tax plan, has been hailed by many as providing great encouragement to a free flow of investment funds into old and established businesses, and into new and risk-taking ones as well.

There does not seem to be much question that stimulated investment will aid in providing facilities for increased production of goods.

In order to have volume production, the factories must have volume buying, which in turn helps to create a national income sufficiently high to provide the revenues our Government must have to operate on a balanced budget.

The corporate form of doing business has many advantages—and some disadvantages. Mr. Main has seized upon one of the disadvantages—the taxation aimed specifically at corporations. It is his feeling that such taxation has prevented many business enterprises from enjoying the inherent benefits of corporate organization. In his plan, embodied in this bill, the taxation disadvantages have been wiped out and a pathway opened for many activities to become corporations. The bill specifies that each corporation would have only a single Federal income tax to pay each year.

According to the incentive income tax plan, sufficient revenues can be produced for a balanced Federal peacetime budget of $25,000,000,000. Mr. Main has stated that this proposal includes the vital consideration of meeting obligations to our veterans, plus making possible a systematic retirement of our national deft.

I earnestly hope that this bill will be given the widest possible discussion. To my mind, the proposals made by Mr. Main have many most worthwhile possibilities. Of course, there are many who will seriously disagree with his suggestions.

Let the practical be balanced against the impractical. Let the separate features be most widely discussed. Let there be a deliberate weighing of all the factors. It is only through deliberation and consideration that we can achieve the very best for our country and for its citizens in all walks of life.

Mr. Chairman, the bill I now introduce, has been hailed by many persons throughout our country as a sound and equitable answer to our income-tax problems of many years' standing. They have said that Mr. Main's proposal is a sure roadway to the creation of a national income of approximately $160,000,000,000. Many economists have predicted that such a national income must be achieved if the United States is to have a vigorous and dynamic national economy. Their claim is that any smaller figure would put an unbearable strain on our economic life.

I agree with these economists when they also say that any detraction from healthy economic life leads toward deficit financing—which is always good to avoid.

I am very glad, Mr. Chairman, to present to the people of the country who

have pleaded for relief from the emergency wartime taxation, these suggestions made by Frank Wilbur Main, of Pittsburgh.

He is a constituent of mine, a certified public accountant, and the senior partner of Main & Co., a Nation-wide organization. The abilities and the constructive thinking of Frank Wilbur Main have been recognized beyond the borders of Pittsburgh. His profession has honored him with many State and National duties, including the presidency of the American Society of Certified Public Accountants.

Here is constructive thinking on the part of Mr. Main for incentive and encouragement to men and women in all walks of life. Here is his proposal to create more spendable income and to encourage investment of capital. Through these suggestions, the incentive income-tax plan has been declared to be a stimulant to a high level of national income and a means of assuring the highest possible level of postwar employment. I now introduce the Incentive Income Tax Act, 1946.

Here is a brief summary of the important features of the incentive income-tax proposal:

INCENTIVE INCOME-TAX BILL, 1946

1. Incentive income-tax bill, 1946, introduced into the House on Wednesday, January 30, by Hon. HERMAN P. EBERHARTER, Pennsylvania; Democrat; Member of Ways and Means Committee.

2. Incorporates the incentive income-tax plan conceived by Frank Wilbur Main, of Pittsburgh, Pa.

3. Purpose:

1. A Federal income-tax structure offering incentive to all groups of citizens.

2. Correction of inequities and the elimination of many complications of existing tax laws.

3. Achievement of a balanced peacetime Federal Budget, with reduction of the national debt.

4. Stimulation of employment, encouragement of investments, maintenance of high national income and the creation of more spendable income in the hands of all people.

4. Principal provisions:

1. The taxing of income rather than of individuals or corporations as such.

2. Raises exemptions for single persons from $500 to $1,250—for married couples from $1,000 to $2,500—each dependent, $500.

3. Reduces the number of Federal income taxpayers from 36,000,000 to 18,000,000.

4. Corporations pay a single Federal income tax at identical rate as paid by an individual.

5. After exemptions, these rates of tax on net taxable income apply:

Twenty-five percent on first $5,000.
Thirty percent on next $5,000.
Thirty-five percent on next $5,000.
Forty percent on next $5,000.
Forty-five percent on next $5,000.
Fifty percent on all net taxable income above $25,000.

6. Elimination of stockholders paying taxes on their dividends.

7. Assuming a national income of one hundred and sixty billions, it is estimated that the income taxes produced under this act will, in combination with other Federal taxes, result in a total annual revenue of twenty-five and one-half billions.

8. All deductions for charitable contributions, interest payments, as well as all other allowable deductions—unchanged.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks, and I want to thank the gentleman from Missouri for carrying on in his usual manner when I first attempted to speak to the House.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, in response to the gentleman's suggestion he applied to me, and I was very anxious to give him time. I was anxious that he be heard. I think all Members of the House will agree with me that we listen to him always with pleasure and profit. But under the express provisions of the rule no extraneous debate is allowed. Debate is confined to the bill. Therefore much to my regret I was constrained to deny him time.

Mr. Chairman, these rules are always complied with. We should not incorporate in rules provisions we expect to violate. My only reason for declining to yield was because of the express provisions in the rule that debate should be confined to the bill, he having told me he wanted to discuss a matter not connected with the bill.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. The gentleman is, of course, aware of the practice which occurs here every day during debate on a bill. When the rule provides that debate shall be confined to the bill, time after time Members get up and ask unanimous consent to speak out of order, and it is very seldom, in the hundreds of times I have heard that request made, that objection has been raised.

Mr. CANNON of Missouri. But the gentleman made no such request.

Mr. EBERHARTER. I certainly intended to make that request.

Mr. CANNON of Missouri. Regardless of his intentions, the gentleman did not make the request. I would not have objected under those circumstances. I greatly enjoyed the gentleman's speech. It is a matter of regret that under the rule I have no authority to recognize him. I was constrained to comply with the provisions of the rule.

Mr. EBERHARTER. I will say that the gentleman, even before I began to make my remarks, attempted to interrupt without requesting that I yield to him, which he knows is a clear violation of the rules. I got the impression that he wanted to stop me absolutely from making any remarks on the floor of the House, he having in mind, of course, what I had told him at the time I made the request.

Mr. CANNON of Missouri. Mr. Chairman, I think the gentleman is a little ungracious. My only purpose in making the statement was to pay the gentleman a compliment. At any time during his speech, I could have made a point of order and have taken him from the floor. I did not do so. I granted him full time. I regret that the gentleman takes this position.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield further?

Mr. CANNON of Missouri. I yield.

Mr. EBERHARTER. Mr. Chairman, I just want to say for the record that I disagree with the gentleman that he could have taken me from the floor, because I think I was speaking in order. My statement at the beginning, when I had the floor, showed clearly the connection between the remarks I was making and the subject matter before the House. Taxation is inevitably and irretrievably connected with appropriations. If one is in order, certainly the other is also in order.

Mr. CANNON of Missouri. Mr. Chairman, the House knows the gentleman was not speaking on the bill. He told me when he asked for time that he wanted to discuss an extraneous subject. I could have stopped him at any time. I did not do so. I was glad to hear him and I enjoyed his remarks.

Mr. Chairman, I ask unanimous consent that general debate on the bill be now concluded.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendment.

The bill is as follows:

Be it enacted, etc., That the appropriations and contractual authorizations of the departments and agencies available in the fiscal year 1946, and prior year unreverted appropriations, are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this act:

TITLE I—EXECUTIVE OFFICE OF THE PRESIDENT, INDEPENDENT OFFICES, AND EXECUTIVE DEPARTMENTS

EXECUTIVE OFFICE OF THE PRESIDENT

Office for Emergency Management

Foreign Economic Administration: Salaries and expenses, $3,884,400, and limitations under this head are hereby decreased as follows: (1) Travel within continental United States from "$234,000" to "$180,000", (2) reimbursement to employees for emergency or extraordinary expenses from "$75,000" to "$47,500", and (3) expenses of a confidential character from "$1,200,000 to "$100,000."

Penalty mail costs, $12,440.

National War Labor Board: Salaries and expenses, $1,566,500.

Office of Defense Transportation: Salaries and expenses, $3,075,000, and limitations under this head are hereby decreased as follows: (1) Traveling expenses from "$452,500" to "$150,000", (2) printing and binding from "$47,500" to "$14,000" (of which the amount available outside continental United States is decreased from $1,800" to "$500"), and (3) penalty mail costs from "$118,900" to "$53,000."

Office of Economic Stabilization: Salaries and expenses, $53,780, and limitations under this head are hereby decreased as follows: (1) Penalty mail costs from "$2,250" to "$1,500", (2) traveling expenses from "$4,500" to "$4,000", and (3) printing and binding from "$2,000" to "$1,600."

Office of Inter-American Affairs: Salaries and expenses, $1,500,000.

Office of Scientific Research and Development: Salaries and expenses, $56,101,792.

Office of War Information: Salaries and expenses, $6,912,558, and limitations under this head are hereby decreased as follows: (1) Temporary employment in the United States by contract or otherwise without regard to the civil-service and classification laws from "$45,800" to "$28,750", (2) travel within continental United States from "$267,500" to

"$237,500", (3) printing and binding within continental United States from "$1,000,000" to "$587,500", and (4) to meet emergencies of a confidential character from "$250,000" to "$47,500."

War Manpower Commission:

General administration, $71,194.

Apprentice training service (national defense), $131,500, and the balance to remain available until December 31, 1945.

Training Within Industry Service (national defense), $125,000, and the balance to remain available until December 31, 1945.

Migration of workers, $479,000.

War Production Board: Salaries and expenses, $10,000,000, and limitations under this head are hereby decreased as follows: (1) Travel expenses from "$1,944,000" to "$954,000", (2) penalty mail costs from "$210,000" to "$105,000", (3) printing and binding from "$648,000" to "$346,000", and (4) salary of the head of the agency from "$15,000" to "$12,000", except that so long as the position is held by the present incumbent the salary shall remain at $15,000.

War Shipping Administration:

Revolving fund, $195,452,000.

Maritime training fund, $25,000,000.

Marine and war risk insurance fund, revolving fund, $91,000,000.

Office of Censorship: Salaries and expenses, $8,200,000.

Office of Price Administration: Salaries and expenses, $25,929,000, and limitations under this head are hereby decreased as follows: (1) Printing and binding from "$1,470,000" to "$961,064," (2) traveling expenses from "$7,949,700" to "$6,780,000", and (3) penalty mail costs from "$5,210,550" to "$3,085,000."

Office of Strategic Services: Salaries and expenses, $9,500,000, and limitations under this head are hereby decreased as follows: (1) Expenditures without regard to provisions of law and regulations from "$10,500,000" to "$3,000,000", and (2) expenditures for objects of a confidential nature from "$10,000,000" to "$2,750,000."

Petroleum Administration for War: Salaries and expenses, $1,800,000, and limitations under this head are hereby decreased as follows: (1) Personal services without regard to civil-service and classification laws from "$250,000" to "$125,000", and (2) travel expenses from "$263,700" to "$100,000."

In all, Office for Emergency Management, $440,794,164.

EMERGENCY FUNDS APPROPRIATED TO THE PRESIDENT

Emergency fund for the President, national defense, $45,000,000.

Defense aid—lend-lease:

(1) Ordnance and ordnance stores, supplies, spare parts, and materials, $57,990,000.

(2) Aircraft and aeronautical material, $85,705,000.

(3) Tanks, armored cars, automobiles, trucks, and other automotive vehicles, spare parts, and accessories, $24,461,000.

(4) Vessels, ships, boats, and other watercraft, $76,080,000.

(5) Miscellaneous military equipment, supplies and materials, $8,963,000.

(6) Facilities and equipment for the manufacture or production of defense articles, by construction or acquisition, $17,937,000.

(7) Agricultural, industrial, and other commodities and articles, $1,351,216,000, and the $500,000,000 made available by title II of the Second Deficiency Appropriation Act, 1945, as a reserve for expenditure for postwar price support of agriculture shall be paid to the Commodity Credit Corporation and continued as a reserve fund for expenditure, as and when necessary, for the postwar price support of agriculture.

(7b) For testing, inspecting, proving, repairing, outfitting, reconditioning, or otherwise placing in good working order any defense articles for the government of any country whose defense the President deems vital to the defense of the United States, $73,266,000.

(7d) For necessary services and expenses for carrying out the purposes of such act not specified or included in the foregoing, $43,943,000.

In all, emergency funds appropriated to the President, $1,784,561,000.

INDEPENDENT OFFICES

Civil Service Commission: Salaries and expenses, Civil Service Commission (national defense), $2,032,000.

Employees' Compensation Commission: Employees' compensation fund, $1,761,644.

Federal Communications Commission: Salaries and expenses, Federal Communications Commission (national defense), $465,000.

Federal Power Commission: National defense activities, $17,628.

National Advisory Committee for Aeronautics: Advisory Committee for Aeronautics, $2,000,000.

Selective Service System: Salaries and expenses, $2,957,500.

United States Maritime Commission: Construction fund, act June 29, 1936, revolving fund, $496,500,000.

Federal Security Agency

Public Health Service:

Health and sanitation activities, war and defense areas (national defense), $392,568.

Malaria and diseases of tropical origin (national defense), $1,862,501.

Training for nurses (national defense), $15,557,000, and the limitation on the amount which may be expended for administrative expenses is hereby decreased from "$788,255" to "$611,322."

Federal Works Agency

Office of the Administrator: War public works (community facilities), $13,700,000.

Public Buildings Administration:

Emergency safeguarding of public buildings and property, $750,000.

Construction of temporary office buildings, Washington, D. C., unobligated balance.

Public Roads Administration: Flight strips (national defense), $318,008.

National Housing Agency

Office of the Administrator:

War housing, $74,355,000.

War housing in and near the District of Columbia, $3,372,000.

Reserves: From the reserve account established by the National Housing Administrator in the Treasury pursuant to section 303 of Public Law 849, Seventy-sixth Congress, approved October 14, 1940, as amended, $50,000,000.

Section 303 of the act of October 14, 1940, as amended (42 U. S. C. 1521), is hereby amended by inserting "(a)" after the figures "303", and adding the following new subsections:

"(b) Moneys derived by the National Housing Administrator from the disposition of property, or from the removal of temporary housing, acquired or constructed under the provisions of this act, of Public Laws Nos. 9, 73, and 353, Seventy-seventh Congress, and of section 201 of the Second Supplemental National Defense Appropriation Act, 1941, as amended, shall be available for expenses of disposition and removal, including the establishment of necessary reserves therefor and administrative expenses in connection therewith: *Provided,* That moneys derived by said Administrator from the disposition of any such property or the removal of any such temporary housing may be deposited in a common fund account or accounts in the Treasury: *And provided further,* That except for necessary reserves authorized by this act or by section 201 of the Second Supplemental National Defense Appropriation Act, 1941, as amended, the unobligated balances of the moneys deposited into the Treasury from the disposition of any such property or the removal of any such temporary housing shall be covered at the end of each fiscal year into miscellaneous receipts.

"(c) Moneys in the reserve account established by the National Housing Administrator pursuant to subsections (a) and (b) of this section 303 shall not exceed $25,000,000 at any time: *Provided,* That all moneys in said account shall be covered into miscellaneous receipts not later than 2 years after the President shall have declared that the emergency declared by him on September 8, 1939, has ceased to exist."

In all, independent offices, $66,040, 849.

EXECUTIVE DEPARTMENTS

[Non-War]

Department of Agriculture

Emergency rubber project, $1,649,790, and the balance remaining shall be used to liquidate such project, including the elimination of the remaining plantations, the rehabilitation and return of leased lands to the owners and the disposal of other property according to law, and for the continuation of the production, breeding, and disease phases of guayule research on indicator plots and experimental areas until June 30, 1946: *Provided,* That any balances remaining shall be available until December 31, 1946, for completing the liquidation of the emergency rubber project.

War Food Administration: Salaries and expenses, $3,116,894.

Emergency supplies for Territories and possessions, $25,000,000.

The following appropriations shall be so administered as to avoid the incurrence of deficiencies therein except for such added expense occasioned by the Federal Employees Pay Act of 1945 as it may not be practicable to absorb, namely:

Bureau of Agricultural Economics, salaries and expenses (crop and livestock estimates).

Office of Foreign Agricultural Relations, salaries and expenses.

Agricultural Research Administration:

Bureau of Animal Industry, salaries and expenses (meat inspection);

Bureau of Plant Industry, Soils, and Agricultural Engineering, salaries and expenses (fruit, vegetable, and specialty crops);

Bureau of Entomology and Plant Quarantine, salaries and expenses (foreign plant quarantine).

Forest Service:

Salaries and expenses (national forest protection and management);

Forest-fire cooperation.

Department of Commerce

Office of the Secretary: Salaries and expenses, National Inventors Council Service Staff, $11,000.

Office of Administrator of Civil Aeronautics: Development of landing areas, $5,000,000.

The following appropriations shall be so administered as to avoid the incurrence of deficiencies therein except for such added expense occasioned by the Federal Employees Pay Act of 1945 as it may not be practicable to absorb, namely:

Coast and Geodetic Survey, salaries and expenses, departmental;

Patent Office, salaries;

Weather Bureau, salaries and expenses.

Department of the Interior

Office of the Secretary: Salaries and expenses, Division of Geography, $13,000.

War Relocation Authority: Salaries and expenses, War Relocation Authority, Department of the Interior, $2,500,000.

Office of Fishery Coordination: Salaries and expenses, $57,000.

Solid Fuels Administration for War: Salaries and expenses, $275,000, and on April 1, 1946, the sum of $150,000 of said appropriation shall be transferred to the appropriation "Economics of mineral industries", Bureau of Mines, and the limitation in said latter appropriation for personal services in the District of Columbia shall be increased from "$397,500" to "$529,000."

Bureau of Mines

Enforcement of Federal Explosives Act, $27,900.

Investigation of raw-material resources for steel production (national defense), $180,000.

Construction and equipment of helium plants, $260,000.

Manganese beneficiation pilot plants and research (national defense), $50,000.

Production of alumina from low-grade bauxite, aluminum clays and alunite (national defense), $200,000.

Investigation of bauxite and alunite ores and aluminum clay deposits (national defense), $350,000.

Magnesium pilot plants and research (national defense), $150,000.

Investigation of deposits of critical and essential minerals in the United States and its possessions (national defense), $420,000.

Government in the Territories

Emergency fund, Territories and island possessions (national defense), $332,000.

Department of Justice

Legal activities and general administration: Salaries and expenses, War Division, $100,000.

Federal Bureau of Investigation: Salaries and expenses, detection and prosecution of crimes (emergency), $1,240,000.

Department of Labor

Office of the Secretary:

Salaries and expenses (national defense), $1,388.

Salaries and expenses, safety and health program (national defense), $60,000.

Children's Bureau:

Grants to States for emergency maternity and infant care (national defense), $8,113,600: *Provided,* That such reduced amount shall not affect the amount to be allotted to the States for administrative expenses as authorized in the Department of Labor Appropriation Act, 1946.

War Department

The Panama Canal: Maintenance and operation of the Panama Canal, $5,000,000.

In all, executive departments, $54,107,572.

In all, title I, $2,945,503,585.

Miscellaneous Provisions, Title I

Reductions in contract authorizations

Contract authorizations of the departments and agencies available in the fiscal year 1946 are hereby reduced in the sums hereinafter set forth:

Executive Office of the President

Emergency funds appropriated to the President: Defense aid—lend-lease, $600,000,000.

Independent offices

United States Maritime Commission: Construction fund, Act June 29, 1936, revolving fund, $325,900,000.

Federal Works Agency

Public Roads Administration:

Strategic highway network, $1,484,363.

Access roads, $2,576,845.

Reductions in limitations on administrative expenses

Limitations on amounts from funds of corporations and other agencies for administrative expenses are hereby reduced in the following sums:

Executive Office of the President

Office for Emergency Management: Foreign Economic Administration, Rubber Development Corporation, $249,500.

War Shipping Administration:

Revolving fund, $4,312,000.

Maritime training fund, $519,357.

Independent offices

Smaller War Plants Corporation: Administrative expenses, $1,550,000, and the limitation under this head on the amount of penalty-mail costs is hereby decreased from "$50,000" to "$40,000".

United States Maritime Commission: Construction fund, Act June 29, 1936, revolving fund, $2,687,450.

EXTENDING AVAILABILITY OF APPROPRIATIONS

The following appropriations for the fiscal year 1946 are hereby continued available until June 30, 1946, except as modified in this title.

Executive Office of the President: Bureau of the Budget, national defense activities.

Independent Offices:

Civil Service Commission, salaries and expenses (national defense).

Federal Communications Commission, salaries and expenses (national defense).

Federal Power Commission: National defense activities.

Federal Security Agency—Office of the Administrator:

Salaries and expenses, Office of Community War Services;

Expenses, temporary aid to enemy aliens and other restricted persons.

Department of the Interior—Office of the Secretary: Salaries and expenses, Division of Geography, Department of the Interior.

CORPORATE FUNDS TO BE TRANSFERRED TO THE TREASURY

Executive Office of the President

Office for Emergency Management: Office of Inter-American Affairs: The Director of the Office of Inter-American Affairs is hereby directed to deposit in the Treasury of the United States as miscellaneous receipts the following sums representing excess funds of corporations created by the Coordinator of Inter-American Affairs under authority of law:

Institute of Inter-American Transportation, $315,500.

Prencinradio, Inc., $875,000.

General provisions

In order to accomplish the liquidation of any temporary agency of the Government created to perform functions in connection with the national security and defense, there may be transferred to such liquidating agency as the President may designate such amount from the funds of the agency to be liquidated as the Bureau of the Budget shall determine is necessary therefor.

TITLE II—MILITARY ESTABLISHMENT

Office of Secretary of War:

Contingencies of the Army, 1942–46, $12,829,151.

Expediting production of equipment and supplies for national defense, 1940–46, $282,892,000.

General Staff Corps:

Contingent fund, Chief of Staff, 1942–46, $124,335,489.

Special field exercises, Army, 1942–46, $51,246,874.

Finance Department: Finance Service, Army, 1942–46, $207,000, and subappropriations under this head are hereby decreased as follows: (1) Expenses of courts martial, $36,000; and (2) apprehension of deserters, $171,000.

Quartermaster Corps: Quartermaster Service, Army, 1942–46, $3,919,838,479, and subappropriations under this head are hereby decreased as follows: (1) Welfare of enlisted men, $5,000,000; (2) subsistence of the Army, $1,762,081,479; (3) regular supplies of the Army, $541,018,000; (4) clothing and equipage, $1,563,225,000; (5) horses, draft and pack animals, $1,514,000; and (6) Army transportation, $47,000,000.

Transportation Corps: Transportation Service, Army, 1945–46, $704,268,000.

Signal Corps: Signal Service of the Army, 1942–46, $1,675,684,000.

Air Corps: Air Corps, Army, 1942–46, $11,799,313,000: *Provided,* That before any permanent fields are determined upon or permanent buildings erected thereon the Air Corps shall submit to Congress a list of such fields and the justification therefor.

Medical Department: Medical and Hospital Department, Army, 1942–46, $267,539,000.

Corps of Engineers: Engineer Service, Army, 1942–46, $2,306,763,000, and subappropriations under this head are hereby decreased as follows: (1) Engineer Service, $2,011,648,000; (2) Military posts, $143,255,000; and (3) Barracks and quarters, Army, $146,860,000.

Ordnance Department: Ordnance Service and Supplies, Army, 1942–46, $8,100,000,000.

Chemical Warfare Service: Chemical Warfare Service, Army, 1942–46, $997,870,000.

Special Service Schools: Special Service Schools, Army, 1942–46, $178,000, and subappropriations under this head are hereby decreased as follows: (1) Infantry School, $81,000; (2) Cavalry activities, $22,700; and (3) Field Artillery activities, $74,300.

Seacoast defenses: Seacoast defenses, general, 1942–46, $1,664,000.

United States Military Academy: Pay of Military Academy, 1942–46, $21,000.

Inter-American Relations, War Department: Inter-American Relations, War Department, 1943–46, $75,000.

Office of the Secretary:

Contingent expenses, War Department, 1942–46, $1,200,000.

Printing and binding, War Department, 1942–46, $18,000,000.

Transfer of appropriations

In addition to the transfers authorized by section 3 of the Military Appropriation Act, 1946, transfers of not to exceed the amounts hereinafter set forth may be made, with the approval of the Bureau of the Budget, from the appropriation "Ordnance Service and Supplies, Army", to the following appropriations:

Army War College, $23,819;

Command and General Staff School, Fort Leavenworth, Kans., $30,189;

Quartermaster Service, Army, $7,881,967;

Rock Island Bridge, Rock Island, Ill., $5,719;

Instruction in armored force activities, $389,756;

Maintenance and operation, United States Military Academy, $1,323,884;

Army of the Philippines, $200,000,000: *Provided,* That service in the organized military forces of the Government of the Commonwealth of the Philippines, while such forces were in the service of the armed forces of the United States pursuant to the military order of the President of the United States dated July 26, 1941, shall not be deemed to be or to have been service in the military or naval forces of the United States or any component thereof for the purposes of any law of the United States conferring rights, privileges, or benefits upon any person by reason of the service of such person or the service of any other person in the military or naval forces of the United States or any component thereof, except benefits under (1) the National Service Life Insurance Act of 1940, as amended, under contracts heretofore entered into, and (2) laws administered by the Veterans' Administration providing for the payment of pensions on account of service-connected disability or death: *Provided further,* That such pensions shall be paid at the rate of one Philippine peso for each dollar authorized to be paid under the laws providing for such pensions: *Provided further,* That any payments heretofore made under any such law to or with respect to any member of the military forces of the Government of the Commonwealth of the Philippines who served in the service of the armed forces of the United States shall not be deemed to be invalid by reason of the circumstances that his service was not service in the military or naval forces of the United States or any component thereof within the meaning of such law.

General provision

Appropriations for the Military Establishment for the fiscal year 1946 available for expenses of travel may be used under regulations prescribed by the Secretary of War, for the payment, in lieu of transportation in kind or movement at Government expense authorized by law for dependents, of 4 cents per mile for dependents 12 years of age or over and of 2 cents per mile for dependents between 5 and 12 years of age, in advance or otherwise, in accordance with distances established for payment and settlement of mileage accounts of officers pursuant to the provisions of the act of June 12, 1906, as amended (34 Stat. 246; 10 U. S. C. 870).

In all, title II, $30,263,923,993.

TITLE III—NAVAL ESTABLISHMENT

Office of the Secretary:
Miscellaneous expenses, Navy:
Fiscal year 1944, $2,323,605.
Fiscal year 1945 $671,805.
Fiscal year 1946, $11,900,000.
Contingent, Navy:
Fiscal year 1944, $74,000.
Fiscal year 1945, $49,000.
Fiscal year 1946, $20,000.
Naval emergency fund:
Fiscal year 1945 $25,477.
Fiscal year 1946, $3,000,000.
Naval Research Laboratory:
Fiscal year 1944, $5,185.
Fiscal year 1945 $3,002.
Fiscal year 1946, $90,000.
Operation and conservation of naval petroleum reserves:
Fiscal year 1944, $6,986.
Fiscal year 1945 $6,353.
Fiscal year 1946, $18,000.
Ocean and lake surveys, Navy:
Fiscal year 1944, $6,677.
Fiscal year 1945, $21,298.
Bureau of Naval Personnel:
Naval War College.
Fiscal year 1944, $4,521.
Fiscal year 1945 $2,886.
Naval Training Station, San Diego, Calif.:
Fiscal year 1944, $232,338.
Fiscal year 1945, $327,515.
Naval Training Station, Newport, R. I.:
Fiscal year 1944 $823.
Fiscal year 1945, $256.
Naval Training Station, Great Lakes, Ill.:
Fiscal year 1944, $459,244.
Fiscal year 1945, $29,510.
Fiscal year 1946, $700,000.
Naval Training Station, Norfolk, Va.:
Fiscal year 1944, $4,488.
Fiscal year 1945, $14,879.
Naval Training Station, Lake Pend Oreille, Idaho:
Fiscal year 1944, $54,790.
Fiscal year 1945, $604,708.
Naval Training Station, Lake Seneca, N. Y.:
Fiscal year 1944 $38,894.
Fiscal year 1945 $3,209.
Naval Training Station, Port Deposit, Md.:
Fiscal year 1945, $2,794.
Fiscal year 1946, $500,000.
Fleet training, Navy:
Fiscal year 1944, $11,108.
Fiscal year 1945, $164,695.
Fiscal year 1946, $78,000.
Instruction, Navy:
Fiscal year 1944, $2,151,364.
Fiscal year 1945, $120,000.
Fiscal year 1946, $6,000,000.
Libraries, Navy:
Fiscal year 1944, $145,920.
Fiscal year 1945, $1,693.
Fiscal year 1946, $1,252,935.
Welfare and recreation, Navy:
Fiscal year 1944, $903,681.
Fiscal year 1946, $4,124,000.
Naval Reserve Officers' Training Corps:
Fiscal year 1944, $237,300.
Fiscal year 1945, $88,337.
Miscellaneous expenses, Bureau of Naval Personnel:
Fiscal year 1944, $3,009.
Fiscal year 1945, $124.
Fiscal year 1946, $20,000.
Naval Reserve:
Fiscal year 1944, $54,961,800.
Fiscal year 1945, $24,511,154.
Fiscal year 1946, $38,262,000.
Pay, Naval Academy:
Fiscal year 1944, $88,394.
Fiscal year 1945, $93,796.
Maintenance, Naval Academy:
Fiscal year 1944, $6,877.
Fiscal year 1945, $2,529.
Naval Home, Philadelphia, Pa.:
Fiscal year 1944, $610.
Fiscal year 1945, $1,250.
Naval prison farms and prison personnel:
Fiscal year 1944, $10.
Fiscal year 1945, $5,100.
Bureau of Ships:
Maintenance, Bureau of Ships:
Fiscal year 1942, $43,907,135.
Fiscal year 1942–43, $51,956,375.
Fiscal year 1943, $64,050,351.
Fiscal year 1944, $52,247,000.
Fiscal year 1945, $118,474,000.
Fiscal year 1946, $1,468,000,000.
Defense installations on merchant vessels, Navy, $13,658,123.
Bureau of Ordnance:
Ordnance and ordnance stores, Navy:
Fiscal year 1944, $551,226,542.
Fiscal year 1945, $1,208,752,767.
Fiscal year 1946, $2,575,225,500.
Bureau of Supplies and Accounts:
Pay, subsistence, and transportation, Navy, 1944, $69,247,269.
Pay an subsistence of naval personnel, 1946, $1,317,369,200
Maintenance, Bureau of Supplies and Accounts, 1946, $81,314,000.
Transportation of things, Navy, 1946, $140,036,282.
Fuel, Navy, 1946, $100,000,000.
Bureau of Medicine and Surgery:
Medical Department, Navy:
Fiscal year 1944, $11,017,195.
Fiscal year 1945, $12,238,592.
Fiscal year 1946, $30,000,000.
Bureau of Yards and Docks:
Maintenance, Bureau of Yards and Docks:
Fiscal year 1944, $2,431,496.
Fiscal year 1945, $3,139,211.
Fiscal year 1946, $5,000,000.
Public Works, Bureau of Yards and Docks, $400,000,000, and the contract authorization for "Public Works, Bureau of Yards and Docks" available in the fiscal year 1946 is hereby reduced in the sum of $1,248,510,540: *Provided*, That the rescission of $400,000,000 of the appropriation shall not act to reduce further the contract authority: *Provided further*, That of this amount $946,000,000 shall apply against advance base construction, material, and equipment: *Provided further*, That of the funds remaining available for advance base construction, material, and equipment, not to exceed $6,000,000 shall be available toward reconstruction of the civilian economy of Guam.
Bureau of Aeronautics:
Aviation, Navy:
Fiscal year 1943, $256,482,489.
Fiscal year 1943–44, $193,929,557.
Fiscal year 1944, $811,987,405.
Fiscal year 1945, $1,468,753,102.
Fiscal year 1946, $1,359,367,650, and subappropriations under this head are hereby decreased as follows: (1) New construction and procurement of aircraft and equipment, spare parts, and so forth, from "$799,128,500" to "$128,116,900", (2) replacement of navigational and radio equipment for aircraft in service, and so forth, from "$168,808,200" to "$44,934,000", and (3) maintenance, repair, and operation of aircraft factory, air stations, and so forth, from "$1,431,840,800" to "$800,374,950"; the subappropriation "continuing experiments and development work, and so forth," is hereby increased from "$81,272,500" to "$148,256,500"; and the unobligated portion of the contract authorization provided under this head is hereby repealed.
Marine Corps:
Pay, Marine Corps:
Fiscal year 1944, $40,521,480.
Fiscal year 1945, $10,000,000.
Fiscal year 1946, $69,913,260.
Pay of civil force, Offices of Commandant of Marine Corps and Director of Personnel:
Fiscal year 1944, $358.
Fiscal year 1945, $174.
Pay of civil force, Office of Paymaster General, Marine Corps:
Fiscal year 1944, $330.
Fiscal year 1945, $118.
Pay of civil force, Office of Quartermaster General, Marine Corps:
Fiscal year 1944, $844.
Fiscal year 1945, $1,059.
General expenses, Marine Corps:
Fiscal year 1944, $79,787,482.
Fiscal year 1945, $56,737,554.
Fiscal year 1946, $307,750,000.
Increase and replacement of naval vessels:
Increase and replacement of naval vessels, construction and machinery, $732,104,151.
Increase and replacement of naval vessels, armor, armament and ammunition, $276,876,967.
Increase and replacement of naval vessels, emergency construction, $38,385,489: *Provided*, That the balances remaining of appropriations under "Increase and replacement of naval vessels" shall not be available for the period of the fiscal year 1946 subsequent to October 16, 1945, for beginning the construction of any new vessels, except, not to exceed $24,100,000 may be available during the fiscal year 1946 against the construction of 5 advanced type combatant vessels and 17 minor craft.
Repair facilities, Navy:
Repair facilities, Navy, $38,266,050, and the contract authorization for "Repair facilities, Navy," available in the fiscal year 1946 is hereby reduced in the sum of $27,562,131.
Coast Guard:
Salaries, Office of Commandant, United States Coast Guard:
Fiscal year 1944, $219.
Fiscal year 1945, $133,293.
Pay and allowances, Coast Guard:
Fiscal year 1944, $35,006,326.
Fiscal year 1945, $8,658,922.
Fiscal year 1946, $80,000,000.
General expenses, Coast Guard:
Fiscal year 1944, $631,865.
Fiscal year 1945, $1,289,896.
Fiscal year 1946, $20,000,000.
Civilian employees, Coast Guard:
Fiscal year 1944, $109,654.
Fiscal year 1945, $200,633.
Establishing and improving aids to navigation, Coast Guard, $346,000.
Acquisition of vessels and shore facilities, Coast Guard, $2,741,000.
Retired pay, former Lighthouse Service, Coast Guard:
Fiscal year 1944, $73,320.
Fiscal year 1945, $48,109.
Salaries, Merchant Marine Inspection, Coast Guard, 1945, $25,536.
Salaries and expenses, Merchant Marine Inspection, Coast Guard:
Fiscal year 1944, $899,401.
Fiscal year 1945, $373,270.
Emergency construction, vessels and shore facilities, Coast Guard (Navy), $231,000.
Special projects, vessels, Coast Guard (Navy), $127,000.
Special projects, aids to navigation, Lighthouse Service, Coast Guard (Navy), $28,699.
Special projects, aids to navigation, Coast Guard (Navy), $556,000.

Navy Department

Salaries:
Salaries, Office of Secretary of the Navy:
Fiscal year 1944, $78.
Fiscal year 1945, $5,330.

Salaries, General Board, Navy Department:
Fiscal year 1944, $3,826.
Fiscal year 1945, $8,775.
Salaries, Naval Examining and Retiring Boards:
Fiscal year 1944, $1,536.
Fiscal year 1945, $5,662.
Salaries, Office of Naval Records and Library:
Fiscal year 1944, $879.
Fiscal year 1945, $7,035.
Salaries, Office of Judge Advocate General, Navy:
Fiscal year 1944, $5,312.
Fiscal year 1945, $36.
Salaries, Office of Chief of Naval Operations:
Fiscal year 1944, $787.
Fiscal year 1945, $731.
Salaries, Board of Inspection and Survey, Navy Department:
Fiscal year 1944, $3,452.
Fiscal year 1945, $2,893.
Salaries, Office of Director of Naval Communications:
Fiscal year 1944, $125.
Fiscal year 1945, $18,647.
Salaries, Office of Naval Intelligence:
Fiscal year 1944, $2,932.
Fiscal year 1945, $923.
Salaries, Hydrographic Office:
Fiscal year 1944, $176,696.
Fiscal year 1945, $16,357.
Salaries, Naval Observatory:
Fiscal year 1944, $38.
Fiscal year 1945, $1,117.
Salaries, Bureau of Ships:
Fiscal year 1944, $2.
Salaries, Bureau of Ordnance:
Fiscal year 1944, $322.
Fiscal year 1945, $151.
Salaries, Bureau of Supplies and Accounts:
Fiscal year 1944, $2,992.
Fiscal year 1945, $2,414.
Salaries, Bureau of Medicine and Surgery:
Fiscal year 1944, $4,578.
Fiscal year 1945, $2,854.
Salaries, Bureau of Yards and Docks:
Fiscal year 1944, $94.
Salaries, Bureau of Aeronautics:
Fiscal year 1944, $46.
Contingent expenses:
Contingent expenses, Navy Department, 1944, $10,322.
Contingent expenses, Navy Department, 1946:
The amount which may be transferred to this appropriation from other appropriations contained in the Naval Appropriation Act, 1946, is hereby decreased from "$5,500,000" to "$4,500,000."
Printing and binding, Navy Department, 1946:
The amount which may be transferred to this appropriation from other appropriations contained in the Naval Appropriation Act, 1946, is hereby decreased from "$18,500,000" to "$10,500,000."
Contingent and miscellaneous expenses, Hydrographic Office:
Fiscal year 1944, $289,839.
Fiscal year 1945, $94,942.
Fiscal year 1946, $413,000.
Contingent and miscellaneous expenses, Naval Observatory:
Fiscal year 1944, $572.
Fiscal year 1945, $40.

General provisions

Provisions of law prohibiting the payment of compensation to any person not a citizen of the United States shall not apply to personnel under the Naval Establishment during the fiscal year ending June 30, 1946.

Notwithstanding the provisions of section 10 of the Pay Readjustment Act of 1942 (56 Stat. 364), the Secretary of the Navy is authorized and directed to issue in kind one dress blue uniform and overcoat to each enlisted man in the naval service upon his return to the United States from sea and foreign shore duty for separation from the naval service upon the sworn statement of such enlisted man that these articles of clothing are not now in his possession by reason of compliance with orders of higher naval authority or other exigencies of the service beyond his control and that no claim for reimbursement will be filed for the value of such articles so replaced: *Provided*, That the value of such articles of clothing shall be charged to the clothing and small-stores fund. The authority contained herein shall terminate on September 30, 1946.

Personnel of the Naval Reserve, not qualified for sea duty, will, upon their application, be placed on inactive duty if surplus to requirements.

The dependents and household effects of such civilian and naval personnel of the Naval Establishment (without regard to rank or grade) on duty at locations outside the continental limits of the United States, or in Alaska, as may be determined upon by the Secretary of the Navy, may prior or subsequent to the issuance of orders for the relief of such personnel from their stations, or subsequent to the discharge or release of such personnel from active service, be moved (including packing and unpacking of household effects) from such locations outside the continental limits of the United States, or in Alaska, to such locations as may be designated by such personnel, or dependents concerned, by the use of either Government or commercial means of transportation, and later from such locations to the duty station to which such personnel may be ordered, and current appropriations of the Navy Establishment available for travel and transportation may be used for this purpose. In lieu of the transportation in kind authorized for dependents, the Secretary of the Navy may authorize the payment in money of amounts equal to the commercial transportation costs (including taxes if paid), for the whole or such part of the travel for which transportation in kind is not furnished when such travel shall have been completed.

In all, title III, $14,370,964.

General provision

The officer and enlisted personnel strengths of the Army, Navy, Marine Corps, and Coast Guard shall be demobilized at a rate not less than would be necessary to keep within the amounts available for their pay in consequence of the provisions of this act, unless the President otherwise shall direct.

Effective December 1, 1945, no military or naval personnel shall receive during the remainder of the current fiscal year aviation pay unless the person affected is assigned to duty on air activities prescribed by the Secretary of War or the Secretary of the Navy as requiring regular and frequent participation in aerial flights, or is required to participate regularly and frequently in aerial flights in order to continue his fitness for his primary technical skill: *Provided*, That in addition, on or before January 1, annually, the Secretaries of War and Navy, respectively, shall certify to the Congress by rank and age group the number of such officers above the rank of major of the Army or lieutenant commander of the Navy, with the average monthly flight pay authorized by law to be paid to such officers during the 6-month period preceding the date of the report: *Provided further*, That the Secretary of War and the Secretary of the Navy shall on or before January 3, 1946, submit to the Congress a joint recommendation for revision of the Pay Readjustment Act of 1942, as amended, including but not restricted to recommendations with respect to increases authorized for flying pay, parachute pay, glider pay, submarine pay, and similar special pay and allowances.

SEC. 301. This act may be cited as the "First Supplemental Surplus Appropriation Rescission Act, 1946."

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. LANHAM, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 5158) reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes, pursuant to House Resolution 499, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed adn read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRESIDENT TO RETIRE CERTAIN OFFICERS AND ENLISTED MEN OF THE NAVY, MARINE CORPS, AND COAST GUARD

Mr. VINSON. Mr. Speaker, I call up the conference report on the bill (S. 1405) to authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1405) to authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 3, 5, 6, and 7.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 4, 8, 9, 10, and 11, and agree to the same.

CARL VINSON,
P. H. DREWRY,
W. STERLING COLE,
Managers on the Part of the House.
DAVID I. WALSH,
MILLARD E. TYDINGS,
CHAS. W. TOBEY,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1405) to authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the

conferees and recommended in the accompanying conference report:

Amendments Nos. 1 and 2: These amendments provide that the members of selection boards shall be senior in permanent rank to the permanent rank of any officer under consideration. Under the Senate version an officer junior in permanent rank, though senior in temporary rank to the officer under consideration, could be serving on a selection board. The House amendment has been accepted by the conferees.

Amendments Nos. 3, 5, 6, and 7: These amendments have to do with the procedure to be followed in determining what rank officers shall have when placed on the retirement list. Officers retired under the Senate version of this bill would be retired in their highest temporary ranks and with retired pay based upon their highest temporary ranks only if their performance of duty in such ranks was satisfactory. The determination of satisfactory performance would be made by the Secretary of the Navy.

Under the House version of the bill, the determination of satisfactory performance of duty and the question of whether an officer was entitled to his highest temporary rank and pay based upon that rank would be made by a board. The practical results achieved would be the same.

Since the administration of the House version would require an enormous amount of work for many years to come, would create delays and doubts as to the amount of retired pay officers would receive, and would probably create inequities of treatment in individual cases by the necessary changes in membership of boards, the House conferees recommend that the House recede from its amendments Nos. 3, 5, 6, and 7.

Amendments Nos. 4 and 10: These amendments establish the limiting date on which an officer serving in a temporary rank can be retired in the highest temporary rank which he held. The Senate version required that such officers should be serving in this rank on August 12, 1945, or if prisoners of war the rank in which he was serving on November 1, 1945. The House provision is that an officer is eligible to be retired in the highest rank in which he served on or prior to June 30, 1946, or if a prisoner of war at any time during World War II, the highest rank to which such officer was temporarily appointed pursuant to the provisions of the act approved July 24, 1941.

Amendments Nos. 8 and 9: These amendments pertain to the ranks in which retired personnel may be recalled to active duty. As the bill passed the Senate, it required that they be recalled in their permanent grades, ranks, or ratings. The House amendment provides that they be recalled in the grades, ranks, or ratings with which they were retired or returned to inactive status unless other provisions of laws state that they are entitled to higher grades, ranks, or ratings.

Amendment No. 11: The Senate language provides that officers be retired on becoming 62 years of age with 75 percent of their active-duty pay, while the amendment of the House provides that the computation of retired pay shall be at the rate of 2½ percent per annum of the active-duty pay multiplied by the number of years of service. Under the House language it will require at least 30 years of service for an officer to be retired with 75 percent of the active-duty pay, while under the Senate version it would be possible for an officer with a shorter period of service to be entitled to the same retired pay.

CARL VINSON,
P. H. DREWRY,
W. STERLING COLE,
Managers on the Part of the House.

Mr. VINSON. Mr. Speaker, the report which has just been read clearly sets forth the issues that the conferees had to deal with. Of course, you recognize the fact that this bill has application only to the officers of the Regular Navy and not to Reserve officers. It is what is classified as an involuntary method of retiring officers. When the bill was before the House, we thought that before an officer is retired at his temporary rank it should be passed on by a board appointed by the Secretary of the Navy. The Senate version was that it should be satisfactory to the Secretary of the Navy. The House conferees agreed to the Senate version. In every other respect the Senate conferees agreed to the position of the House. I think the statement is so clear that there is nothing I can add to it which has not already been submitted.

Mr. WADSWORTH. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I am glad to yield to the gentleman.

Mr. WADSWORTH. Will the gentleman explain the situation with reference to the rate of retirement pay?

Mr. VINSON. That is amendment No. 11. The Senate language provided that officers be retired on becoming 62 years of age with 75 percent of their active-duty pay, while the amendment of the House provides that the computation of the retired pay shall be at the rate of 2½ percent per annum of the active-duty pay multiplied by the number of years of service.

Mr. WADSWORTH. Which amendment prevailed?

Mr. VINSON. The House prevailed in its position.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRESIDENT TO APPOINT REAR ADM. EARLE W. MILLS TO UNITED STATES MARITIME COMMISSION

Mr. VINSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 300 to authorize the President to appoint Rear Adm. Earle W. Mills, United States Navy, to the office of Chairman and member of the United States Maritime Commission and Administrator of the War Shipping Administration without affecting his naval status and perquisites.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. COLE of New York. Mr. Speaker, reserving the right to object, the gentleman will recall at the time this bill was before the committee no question was raised as to the effect this bill might have upon the complexion of the members of the Maritime Commission. Since the committee reported out this bill, that question has arisen. From a study of the bill it is apparent that there is some possibility the bill does upset the bipartisan nature of the Maritime Commission. I asume, and I am sure that the chairman will agree, that the committee had no intention of disturbing the bipartisan nature of the Commission.

Mr. VINSON. The gentleman from New York is absolutely correct.

Mr. COLE of New York. Therefore, I assume the gentleman would have no objection to an amendment being offered which I intend to offer to this bill to make sure that the bipartisan nature of the Board is not changed in any way.

Mr. VINSON. We welcome it. The committee this morning acted favorably upon the suggestion that we put language in the bill so that there would be absolutely no doubt about preserving the bipartisan representation required by the statute in the personnel of the Shipping Board.

Mr. COLE of New York. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. VINSON].

Mr. CHURCH. Reserving the right to object, Mr. Speaker, I wonder if the gentleman will make a brief explanation of the bill.

Mr. VINSON. Yes. I intend to. I am trying to get unanimous consent now to consider the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That notwithstanding the provisions of the act of July 31, 1894 (28 Stat. 205), as amended (title 5, U. S. C., sec. 62), or any other provisions of law, the President, acting by and with the advice and consent of the Senate, is authorized to appoint Rear Adm. Earle W. Mills, an officer in the United States Navy, to the office of Chairman and member of the United States Maritime Commission and Administrator of the War Shipping Administration, and the said Rear Admiral Mills' appointment to, acceptance of, and service in that office shall in no way affect any status, office, rank, or grade he may occupy or hold in the United States Navy or any component thereof, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of such status, office, rank, or grade: *Provided*, That so long as he holds the office of Chairman and member of the United States Maritime Commission Rear Admiral Mills shall have the rank and grade of rear admiral in the United States Navy or a higher rank and grade in the United States Navy, and he shall receive the pay and allowances payable to an officer serving on active duty with the rank and grade of rear admiral of the upper half in the United States Navy, or the pay and allowances of any higher rank which he may hold by reason of any promotion received prior to or subsequent to the date of approval of this act. In the event the salary prescribed by law for the office of Chairman and member of the United States Maritime Commission and Administrator of the War Shipping Administration exceeds his Navy pay and allowances, Rear Admiral Mills shall receive directly from the United States Maritime Commission the difference between his Navy pay and allowances and his salary as Chairman and member of the United States Maritime Commission and Administrator of the War Shipping Administration.

SEC. 2. In the performance of his duties as Chairman and member of the United States Maritime Commission and Administrator of the War Shipping Administration, Rear Admiral Mills shall be subject to no supervision, control, restriction, or prohibition

(naval, military, or otherwise) other than would be operative with respect to him if he were in no way connected with the Navy Department, the Naval Establishment, or the United States Navy, or any component thereof.

SEC. 3. Appropriations made for the United States Maritime Commission and the War Shipping Administration shall be available for reimbursement to the Navy Department of all pay and allowances received by Rear Admiral Mills from the Navy Department or its agencies while he is serving in the office of Chairman and member of the United States Maritime Commission and Administrator of the War Shipping Administration.

Mr. VINSON. Mr. Speaker, I ask for recognition on the bill.

The SPEAKER. The gentleman from Georgia is recognized.

Mr. VINSON. Mr. Speaker, the purpose of this bill is to permit the President to appoint Vice Admiral Mills Chairman of the Maritime Commission, and at the same time permit the admiral to be carried on the regular list as an officer of the United States Navy, and to draw all the emoluments from his rank as vice admiral in the Navy, doing identically in this case what was done when we made General Bradley the head of the Veterans' Administration. That is the entire bill. Otherwise the President could not appoint Admiral Mills Chairman of the Maritime Commission unless the admiral resigned from the Navy. The admiral does not care to resign. The President does not desire him to resign. So the White House suggested that we pass this same kind of a bill.

An amendment will be offered which will preserve the bipartisan relationship on the Maritime Commission.

Mr. COLE of New York. Mr. Speaker, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York: Strike out the period after the word "Administration", in line 2 on page 3, and insert the following:

"*Provided further*, That nothing in this joint resolution shall be construed to amend or alter in any manner section 1111 (a) of title 46 of the United States Code, which provides in part that not more than three of the members of the United States Maritime Commission shall be appointed from the same political party."

The amendment was agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FACT-FINDING BOARDS IN LABOR DISPUTES

Mr. CLARK, from the Committee on Rules, submitted the following privileged resolution (H. Res. 500), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4908) to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes; that after general debate, which shall be confined to the bill and continue not to exceed 2 days, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Labor, the bill shall be read, and after the reading of the first section of such bill, it shall be in order to move to strike out all after the enacting clause and insert as a substitute the text of the bill H. R. 5262, and all points of order against such substitute are hereby waived; at the conclusion of the consideration of the bill H. R. 4908, the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage, without intervening motion, except one motion to recommit, with or without instructions.

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent that the rule, which has just been reported, may be read so that the Members may understand what it is.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the resolution as above set out.

REPORT BY COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file a report on the bill H. R. 2764.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

EXTENSION OF REMARKS

Mr. FORAND asked and was given permission to extend his remarks and include a resolution; and also to extend his remarks by inserting an excellent address recently delivered by the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. DAVIS asked and was given permission to extend his remarks in the Appendix and include certain resolutions passed by the United States Conference of Mayors.

Mr. HOOK asked and was given permission to extend his remarks in the RECORD and include a telegram to the President of the United States and also a newspaper clipping.

Mr. JENNINGS asked and was given permission to extend his remarks in the RECORD and include therein an editorial from the New York Times of Wednesday, January 30.

Mr. GAMBLE asked and was given permission to extend his remarks on three topics and to include therein newspaper articles and editorials.

Mr. MARCANTONIO asked and was given permission to extend his remarks in the Appendix and include a newspaper article.

PERMISSION TO ADDRESS THE HOUSE

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent that on Monday next I may address the House for 20 minutes following the special orders heretofore entered for that day.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER. Under the previous order of the House, the gentleman from West Virginia [Mr. BAILEY] is recognized for 20 minutes.

TAXATION

Mr. BAILEY. Mr. Speaker, when one of the Nation's largest corporations has net earnings before payment of taxes of an amount in excess of $50,000,000 in the taxable year 1945 and in addition draws $34,980,000 in cash from the United States Treasury under the much "cussed" as well as discussed carry-back clause in our Federal Revenue Act, then gets by without paying a single dollar of Federal taxes for that same year, it is high time that some Member of Congress stand in the well of the House and demand a fair deal for the other 48,000,000 taxpayers who of necessity must carry the added load.

As 1 of only 10 Members of the House who voted against the amendments to the 1942 Revenue Act by the Seventy-ninth Congress I feel I am within my rights as well as consistent in urging immediate action on H. R. 5180 which seeks to repeal the so-called carry-back clause in the Revenue Act of 1945.

It is well to remember, in beginning this fight, that our revenue laws are an intricate and complicated affair. So intricate and complicated that it is the common practice of the House Ways and Means Committee to report tax legislation to the floor of the House under the well-known and much-abused "gag rule." They do this, so I am advised, on the ground that the average Congressman knows little or nothing about taxation and finance and should not be permitted to meddle with the committee's considered judgment in such matters.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from New York.

Mr. EDWIN ARTHUR HALL. The gentleman mentioned the gag rule a little while ago. I want to cite one case where a gag rule had an effect detrimental to the people as a whole, and that was in the case of the $5 automobile use-tax stamp. Fortunately, the gag rule did not prevail this last time the bill was considered and the Congress was able to repeal that unpopular law.

Mr. BAILEY. I thank the gentleman for his comment.

I am not accusing anyone of undue connivance and not even with a lack of judgment, but I submit, Mr. Speaker, that when an important official such as the Treasurer of the United States appears before the House and Senate committees considering tax legislation, and asks for a retention of the carry-back clauses in the 1942 revenue act, this same official should be asked to explain to the American taxpayers just why this clause was so important at the time to warrant his personal attention.

The carry-back is a device that is used when a company's earnings fail to exceed the excess-profits credit. In that event, the unused portion of the credit can be applied to an earlier year and the excess-profits tax for that year is reduced.

When Congress repealed the excess-profits tax it continued the carry-back through 1946 to enable corporations to meet possibly heavy reconversion expenses with tax refunds. Now, losses

due to strikes could produce the same effect.

I hesitate to place in the RECORD any figure in an attempt to show just how much our Treasury has been raided through this loophole in our tax laws, until such figures can be verified from the official record. It is a well-known fact that both individual and corporate tax returns are guarded from the prying eyes of even a Congressman. It is a violation of Federal law for any Treasury official to divulge the details of such tax returns.

I insist that certain detail in relation to carry-back refunds and amortization grants be produced and made available to the House Ways and Means Committee. This is also a part of the law. This information is necessary before serious consideration can be given to the legislation I introduced this past week to strike from our revenue code this very dangerous and unfair clause relating to excess-profits taxes.

I would like to keep the House advised on the progress of this legislation. In this connection, I desire to read and have placed in the RECORD copies of correspondence I have had with the Ways and Means Committee on this matter:

JANUARY 23, 1946.

Hon. ROBERT L. DOUGHTON,
Chairman, House Ways and Means Committee, House Office Building, Washington, D. C.

DEAR MR. DOUGHTON: On Monday of this week I introduced in the House H. R. 5180, which proposed legislation seeks immediate repeal of the carry-back provisions of the 1945 Revenue Act, insofar as those carry-back or refund provisions apply to excess-profits taxes paid into the Treasury for the taxable years 1944–45.

I am sure your committee realizes the import of this legislation. Excess-profits tax in the amount of $9,345,198,293.03 were paid into the United States Treasury for the taxable year 1944. This same total paid into the Treasury for taxable year 1945 was $11,003,579,622.76, or a total for the 2-year period of $20,348,777,915.79. All of this total is subject to refund under the carry-back provision should the company or companies that paid it in suffer an operating loss for the taxable year 1946.

It is my position that this carry-back provision should have been stricken from the last Revenue Act at the time Congress voted to do away with the excess-profits tax. If this provision is left in the law, and we should suffer an industrial tailspin or face a prolonged tie-up by strikes, this amount that the industries concerned could recover in the way of refund would make President Truman's budget item of $31,500,000 of revenue receipts for 1946–47 not worth the paper written on.

I trust the committee will favor a hearing on this vital legislation at the earliest possible time. In the meantime, may I suggest that you submit a copy of H. R. 5180 to the Treasury Department and the Budget Office in an effort to ascertain their position on the proposed legislation.

Cordially yours,
CLEVELAND M. BAILEY,
Member of Congress.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, D. C., January 23, 1946.

Hon. CLEVELAND M. BAILEY,
House of Representatives,
Washington, D. C.

DEAR MR. BAILEY: Your letter of January 23, calling attention to your bill, H. R. 5180, seeking repeal of the carry-back provision of the 1945 Revenue Act with respect to taxable years beginning after December 31, 1945, has been received and given attention.

You may be assured that I sincerely appreciate your views on this bill, and in compliance with your request I am today requesting a report from the Treasury Department on H. R. 5180.

With best wishes, I am,
Very sincerely yours,
R. L. DOUGHTON.

JANUARY 24, 1946.

MY DEAR MR. CHAIRMAN: The Secretary has asked me to acknowledge your letter of January 23, 1946, enclosing two copies of H. R. 5180, to repeal the unused excess-profits credit carry-back from taxable years beginning after December 31, 1945, and requesting a statement of this Department's views on this proposed legislation.

This matter will have consideration and a report thereon will be submitted to your committee as soon as possible.

Sincerely yours,
JOSEPH J. O'CONNELL, Jr.

JANUARY 26, 1946.

Hon. ROBERT L. DOUGHTON,
Chairman, House Ways and Means Committee, House Office Building, Washington, D. C.

MY DEAR MR. DOUGHTON: In further reference to my previous correspondence calling attention to the imperative need for early action on H. R. 5180, legislation seeking repeal of the carry-back provision in the 1945 Revenue Act insofar as it applies to excess-profit tax, may I suggest the need for detailed information from the Treasury Department.

In this connection may I suggest:

(a) The amount of excess-profit tax paid in the taxable years of 1944 and 1945 by all corporations whose annual gross business exceeded $1,000,000.

(b) A list of all corporations who claimed in their 1945 tax returns their right under the amortization clause in the 1942 Revenue Act and the amount of credits granted under this amortization clause.

(c) A list of all corporations whose gross annual business exceeded $1,000,000 that claimed their rights under the 1942 Revenue Act for a refund of 10 percent of their excess-tax liability and the amount of refund granted each corporation on their tax return for 1945.

(d) A list of all corporations whose gross business exceeded $1,000,000 that took advantage in their tax return for 1945 of the carry-back provision relating to excess-profit tax in the 1942 Revenue Act and the amount credited to such corporation in their 1945 tax return.

(e) A detail of cash refund paid to any corporation whose gross business exceeded $1,000,000 in 1945 with a notation as to whether such cash refund was under the amortization clause, the refund clause on excess-profit taxes or the carry-back clause relating to excess-profit tax.

(f) A list of all corporations whose gross business exceeded $1,000,000 in 1945 that were not required to pay income taxes for the taxable year 1945 together with a brief explanation as to whether such failure to pay taxes was due to their having claimed their rights under the amortization clause or the carry-back clause in the Revenue Act of 1942 relating to excess-profit tax.

(g) A list of all pending applications for refund not already acted on by the United States Treasury Department. This list should contain information showing whether refund requested is under amortization clause, refund of liability on excess taxes or carry-back provision in 1942 Revenue Code relating to excess-profit tax.

You are, of course, aware that this detailed information is not available to individual Members of Congress. It is available, however, through your committee. It is my considered opinion that no worth-while consideration of H. R. 5180 will be possible without having this information available in the committee file.

Again thanking you for past courtesies and looking to your further cooperation in this very important matter, I am,

Cordially yours,
CLEVELAND M. BAILEY,
Member of Congress.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Michigan.

Mr. HOOK. Does not the gentleman think that the adoption of his bill would go a long way toward helping to balance the budget?

Mr. BAILEY. I will come to that. I thank the gentleman for calling my attention to it. I will come to that a little further on. I am a firm believer in the old maxim, "Thrice armed is he whose cause is just." In this instance I feel my cause is just because it is the cause of every other American taxpayer who is entitled to equality in taxation both under our Constitution and under law. I much prefer to approach this subject from the standpoint of a safe and sane financial procedure, one that will make for a stable and dependable basis on which to budget the Nation's income and its expenditures. I submit, Mr. Speaker, Congress cannot afford to appropriate money that will never be in the Treasury nor can it afford to encumber money already in the Treasury when a sum five times greater than the present Treasury balance is subject to seizure by the Nation's corporations to cover their losses in the taxable year 1946.

The situation created by the retention of this carry-back clause in our tax laws is analogous to the case of a man who has, let us say, $100,000 in a bank on checking account and to his surprise learns that some other person has a legal right to draw on his bank balance. He can no more maintain a correct balance than our Government can maintain a stable budget.

The allegation has been made that the refunds obtained under this carry-back clause will be used by a group of industrial tycoons to finance a series of long drawn-out strikes in an effort to crush organized labor. This allegation if true must be proven by access to the records. Even though it never is proven it is possible for just such a thing to be done so long as this clause is left in the law.

That our Nation is aroused in the fear that our Government will be made a silent partner in a scheme to enhance the power of a few industrial giants is proven by the widespread press, radio, and editorial comment from every section of our country. Here is what PM, one of the Nation's leading daily newspapers, has to say, editorially in its issue of January 23:

What is the carry-back? It was written into the 1942 excess profits tax law to protect businessmen against the uncertainties of the war-production program. (Never, to paraphrase Churchill, were so many safeguards established for so few uncertainties.)

The law provided in substance that if in any one war year a corporation's profits fell below its average prewar profits, the corporation could collect the difference from

the Treasury in the shape of a refund from the excess profits taxes the corporation had paid in the previous 2 years.

Last year Congress repealed the excess profits tax law. But it did not repeal the carry-back. This means that in 1946 businessmen no longer pay excess profits taxes. But they can draw on excess profits taxes paid by them in 1944 and 1945. These total $20,000,000,000. The size of this profit backlog will be better appreciated if it is recalled that total net corporate earnings in 1929 were only $9,000,000,000.

This is the $20,000,000,000 kitty on which United States Steel and General Motors and other industrial recalcitrants can draw if they fail to make normal profits this year because of strikes. Under the circumstances, why should they be in any hurry to settle? They have a chance to break the labor movement at the Treasury's expense.

It should be understood that the Government was under no obligation to keep the carry-back provision in the law, whether the excess profits tax was repealed or not. No constitutional restrictions are involved; the ex post facto clause applies only to criminal law, not to tax measures. The excuse for retaining the carry-back after repealing the excess profits tax was that it would help American industry to meet legitimate costs of reconversion.

A strike precipitated by the refusal of United States Steel to accept the decision of a Presidential fact-finding board should hardly constitute a legitimate cost of reconversion. United States Steel does not have to accept that decision, we do not have compulsory arbitration. But there is no reason why its defiance of the White House should be subsidized by the Treasury at the expense of other taxpayers—for the rest of us will have to make up for the refunds United States Steel draws.

CARRY-BACK SHOULD BE REPEALED

Congressman BAILEY, of West Virginia, has introduced a bill in Congress to repeal the carry-back provision of the law. He told the House on Monday the carry-back makes the Treasury a silent partner in what appears to have all the earmarks of a conspiracy on the part of a few to destroy our economy in their frantic efforts to crush organized labor. BAILEY is no novice at tax questions. He was State director of the budget for 4 years in West Virginia.

PM believes it would be better to repeal the carry-back altogether than to permit its present abuse. PM believes it would be even better if the carry-back privilege were left available for companies genuinely hard-pressed by loyal efforts to abide by the decisions of Presidential fact-finding boards in labor disputes or in collective bargaining.

PM believes that adjustment in the higher wage levels so necessary to America's prosperity in the postwar period is a legitimate cost of reconversion. PM proposes that the carry-back provisions be amended. PM suggests that the carry-back be allowed only to companies which can show that wage increases justify their use of this tax privilege.

If Congress changed the tax law in this way, it would encourage industrial peace instead of industrial war. It would stimulate cooperation with the President's program instead of subsidizing economic sabotage.

The St. Louis Post-Dispatch in its editorial columns for January 24 comments on the discrimination in favor of corporations if the carry-back is not repealed. An excerpt from the editorial is:

But they should not have the refunds on the present terms, with no strings attached. For it cannot be doubted that the carry-back cushion sustains some managements in an all-out refusal to negotiate peace terms with labor. To that extent, the provision is grossly inequitable. Striking workers cannot draw unemployment compensation. Farmers can benefit from Government price supports only by producing. Corporations alone—and among them only the firms whose earnings increased greatly during the war—can take a long holiday from production without substantial expense to themselves.

With good reason, many Americans are shocked by the great advantage the law has thus given management in labor disputes. Not only that, but the advantage is also one of corporations over the American people. To finance industrial war of attrition by tax refunds is to load the expense of management's war on taxpayers at large—the same hard-ridden taxpayers who are already paying for industrial strife by being deprived of needed goods and by the back-door inflation of prices cause by scarcity of goods.

Thus prompt and vigorous action is strongly needed in the public interest. Reasoning citizens need not clamor unjustly and unwisely for outright repeal of the carry-back provisio. That act would be bad even if the administration were not throwing a certain weight on labor's side of the battle by leaving wages free to rise while it continues to hold price ceilings.

With Senator MORSE'S moderate counsel, however, one may wholeheartedly concur: The Government should proceed to determine to what extent tax savings are being used to carry on an antilabor drive by big business Then Congress and the President should move to bar such misuse of legitimate benefit.

The Chicago Daily Sun, in its editorial column of January 23, comments as follows:

A bill has been introduced by Representative BAILEY, Democrat, West Virginia, which might help check the tendency of some industrialists to reject conciliation, fact-finding reports and requests of the President regarding their labor disputes. The measure would deprive corporations of part of the advantages now granted them by the internal revenue laws, which virtually guarantee them a 1946 profit whether they produce or not.

The laws are those governing wartime excess profits taxes and particularly the "carry-back and carry-forward" provisions. Taxes on excess profits—those above a company's average prewar earnings—were imposed at a 95 percent level. But 10 percent was allowed as a prospective credit for the war's end, to cushion reconversion shocks. If a company's earnings this year should fall below its prewar average, it can make up at least part of the difference by claiming the 10 percent credit.

Union leaders have pointed out for weeks that this system protects industry against losses caused by labor disputes even if industry, rather than a union, is a blame for prolonging a strike. Mr. BAILEY'S bill proposes to do something about this situation.

How does the excess-profits tax credit work in specific cases? According to a Bureau of Internal Revenue analysis reported by the United Press, a company which had normal prewar earnings of $1,000,000, and dropped to $750,000 this year, could claim the deficient $250,000 as a credit. It could recalculate and reduce its excess-profits taxes for a previous year and pay only normal taxes on this year's earnings, including the $250,000. Internal Revenue officials expect to refund billions of dollars in excess-profit credits in coming months.

Other legislation bearing on this very urgent matter has been or will be introduced. It is hoped that from these separate efforts a community of interests may be had that will mean an early victory. It is my intention to keep the Congress advised on the progress made and I will as soon as possible have available for the RECORD some rather startling figures on the extent of past and possible "raids" on the Treasury.

Mr. MURRAY of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Wisconsin.

Mr. MURRAY of Wisconsin. Having heard what the gentleman has said and also having read what he has placed in the RECORD as to the $20,000,000,000 that is available in that fund, may I ask if that is somewhere near correct or is that just a supposition?

Mr. BAILEY. I will answer the gentleman by saying those are the exact figures supplied me by the Treasury Department. The $9,000,000,000 item was for the year 1944 and the $11,300,000,000 item was for the year 1945. Those are the exact figures.

Mr. MURRAY of Wisconsin. As I read the Treasury's report the other day, it seems to take a little different position.

Mr. BAILEY. Let me say to the gentleman that they figure that they will not lose all of that money for, we will say, the taxable year 1946. Under the excess-profits tax law, the rate was 85.5. When that was stricken out by the Congress just prior to the Christmas holidays to become effective as of January 1, it did not mean that they are going to escape taxation to the full extent of the 85.5 percent, because when that money is freed from the excess-profits tax it still is subject to taxation under the surtax rate of 38 percent. It will not be excess-profits tax money, but it will be added surtax money, because they will have to pay on those excess earnings. That is where the gentleman is confused. The Treasury was using the added return they would get under the surtax to offset what they were losing on the excess-profits tax.

Mr. MURRAY of Wisconsin. I thank my colleague. I will admit that I am quite confused about this, but I am never confused after I can get the facts. My great trouble is getting the facts.

Mr. BAILEY. Well, that clears it up.

The SPEAKER pro tempore (Mr. RESA). The time of the gentleman from West Virginia has expired.

(Mr. BAILEY asked and was given permission to revise and extend his remarks and include certain editorials.)

EXTENSION OF REMARKS

Mr. DWORSHAK asked and was given permission to include in the remarks he made in the Committee of the Whole this afternoon a table on civilian employment provided by the United States Civil Service Commission.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Nebraska [Mr. MILLER] is recognized for 20 minutes.

A LEGISLATIVE REPORT TO THE SPEAKER AND MY CONSTITUENTS

Mr. MILLER of Nebraska. Mr. Speaker, it occurs to me that every Member of Congress should, yearly, make a report to the people they represent. We should take stock of what we believe in, and conduct a soul-searching investigation as to legislation and philosophies which we have not only opposed, but supported and advocated, in Congress. This would assist Members to more conscientiously

represent their district. Mr. Speaker, I now want to make such a report to you and to my district.

The Members of this Congress, made up as it is of 435 men and women representing all the various interests and groups of the United States, naturally do not agree upon all legislation. The textile workers of New York City have an entirely different interest than the folks in my Nebraska district. The businessmen living in small communities, our farmers, and cattlemen have an entirely different problem from the people in large cities and large manufacturing districts.

During the past 3 years, I have had the privilege of representing the Fourth District of Nebraska in Congress. I have gone along, during the war period, rather blindly supporting every measure that the President and the armed forces said were necessary to win the war. Many times I had grave doubts about some of the measures being entirely necessary, but, because of the war, it was necessary to resolve these doubts in favor of the experts who were presumed to have the answer.

The Congress felt food was an important factor in winning the war, and I did support every effort to increase the production of food. I urged the production of farm machinery and the protection of our farm-labor supply. I opposed the shipment of farm machinery, in excess, to foreign lands and the stripping of labor from the farms. I supported the Tydings amendment for the deferment of necessary farm labor and opposed the efforts of Selective Service to sabotage this act. During the past 3 years, I opposed the foolish regulations issued by Government agencies on beef, pork, sugar, and other foods, because I felt these regulations, issued by inexperienced theorists, would reduce the supply of these items at the time when they were most needed. I did oppose subsidies and the roll back, which was established on meat, and still feel they were ill-advised. I opposed subsidies because they add to the grocer's bill and to the debt of this Nation, which eventually must be paid, in taxes, by the returned soldier and their children. It seemed to me that many of the regulations adopted during wartime to control our domestic economy were unwise and I said so, repeatedly. It would seem to me that while some price control on certain items, which would seem to raise the cost of living, was necessary, it was not wise for the Government to attempt to control the price of more than 8,000,000 items ranging all the way from hula-hula pictures, to teething rings, bird cages, and manhole covers.

The folks in my district are a part of America, they believe in free enterprise, in hard work and individual initiative. They feel that the rewards should come to individuals who must work hard to accomplish their aims and their desires. They are not people who want to be regulated and controlled by a paternalistic government in Washington. The cattle raisers, the farmers, and the businessmen are all red-blooded, patriotic American citizens. They work more than 8 hours a day or they never could have had the record of production and getting things done, such as they have accomplished. The people of my district have accepted, during wartime, many of the Government regulations and have tried to abide by the intricate rules coming from Washington.

The OPA, whose objectives, in the main, are good, has not operated in the best interests of the people of my State. The OPA has been dictatorial and has used methods which were un-American. I honestly believe that it has been impossible for the average businessman to operate under all its rules and regulations without some technical violation. In my humble opinion, the principal bottleneck to production is the OPA's continuing policy of establishing prices by theory and formula without a sufficient knowledge of the true facts and costs. I believe unnecessary delays will continue to occur in all production until such time as changes are made in the OPA law or drastic changes in its administration.

Mr. Speaker, you will recall that I have supported, as a member of the Committee on Irrigation and Reclamation, all those measures designed for flood control, irrigation, and the development of all natural resources for the people. If you will check my record, you will know that I have attended all the meetings of the three committees to which I have been assigned. I missed few quorum or roll calls in the House. When your gavel falls at noon, you see me in attendance. It is my intention to be on the job, though sometimes it is most discouraging, because, as a member of the minority party, it has not been possible to get things done which I feel should be done. Your party, Mr. Speaker, controls all legislation; you have the chairmanship of the committees and a majority of members on the committees and in the House. I have often wished that my party could sit in the driver's seat or hold a few of the aces in this game of politics. There is much to be done and it is possible that my party, after a long drought, will be in control, come January 1947. It will give Republicans a chance to apply some needed remedies to an economically sick Nation.

I think I can hear you, Mr. Speaker, and other members of your party say, "Well, Doctor MILLER, what would you do if your party were in control of the House?" That, sir, is a fair question. I would like to answer it.

I would insist, as I have in the past, and I believe it would be accepted:

First. That deficit spending by Government be stopped. That the budget be definitely balanced.

Second. I would insist that at least 2,000,000 Federal employees be taken off the pay roll.

Third. I would insist that the Congress declare hostilities at an end. You remember I introduced a resolution on September 27, 1945, which, if passed by this House, would declare VJ-day September 2, 1945, as the end of the war. This would stop many Government agencies from continuing their emergency powers over the American people. It would permit the boys who have been drafted for the duration, plus 6 months, the right to a discharge from the Army. This Government made a solemn contract with these men. It should be kept.

Fourth. I would insist, Mr. Speaker, that useless and duplicating agencies of the Government, which are now so greatly overstaffed, be eliminated.

Fifth. I would oppose the extension of Government controls and their interference in every walk of life.

Sixth. I would insist that our Federal debt, now $278,000,000,000, be amortized, so that it could be paid off in the next 30 years. I believe this can be done, if we practice economy. Our Government's obligations now amount to twice the net worth of this country. We cannot stand much more New Deal philosophy.

Seventh. I would continue to support the expansion of rural electrification lines by the loaning of Federal funds to well-organized REA districts. This does not cost the taxpayers anything, because the interest and the principal are returned to the Federal Government. My party should insist, Mr. Speaker, that when these REA or other Government loans are paid off, the moneys so received should be used to retire the bonds of Government.

Eighth. My party would insist that moneys paid into the old-age security fund should not be used for current expenses of Government.

Ninth. I would want the farmers of this country to have a parity price for the things they raise. It must be in balance with the things they must buy.

Tenth. The rights of the veterans who fought this war should be protected. Their right to a job—their insurance—their benefit payments—their hospital rights. These should all receive thoughtful and considerate attention by a grateful Nation.

Eleventh. I would expect my party to take the lead in the present industrial unrest that has plagued our country, not only during the war, but ever since. I would want better collective bargaining laws. I do not believe it is possible to have true collective bargaining unless both parties to a bargain are made responsible for carrying out the terms of the agreements they make. I believe that labor organizations and their leaders should be held accountable for committing acts of violence in connection with a strike or on a picket line.

Twelfth. I would insist, Mr. Speaker, that the industry pay wages comparable to and in line with their production and profits which they make from it.

Thirteenth. I would insist, Mr. Speaker, that my party uphold the Constitution of the United States.

Fourteenth. I would insist on a clear-cut foreign policy instead of the obscure befuddled mess that we now have.

Fifteenth. I shall continue to demand, and expect my party to also assist, that the present waste, extravagance, and duplication in Government be eliminated.

Sixteenth. I feel we need more adequate old-age assistance. This can be done in cooperation with the States.

Seventeenth. I would insist that our country return to a sound economic system, based upon free enterprise and the right of the individual to work out his

destiny with as little interference from his Government as is possible.

I believe it is possible, Mr. Speaker, to have full production and full employment in this country. This equals prosperity for all of us. The people have money and want to buy everything from nylon hose to automobiles. They cannot buy when there is no production.

I am concerned, Mr. Speaker, about certain groups in labor and Government, who seem anxious for Government to take over and run business, in the name of the state. I oppose this, Mr. Speaker, because, to me it means the same type of government they have in Russia and have had in Germany. Government seizure of business property is not the answer to industrial health or recovery. The answer is true, honest, collective bargaining.

Mr. Speaker, I cannot support the President's request to Congress for a full-employment bill. I cannot support his unemployment compensation for war workers who are now out of a job and even giving them travel pay back home. I cannot support his idea of socialized and political medicine. I will not support his plan for universal compulsory military training. I cannot support the retention of the employment services in the Federal Government. I cannot support his request for a continuation of food subsidies. I will not support his request for extension and additional powers over our people. I cannot support his request for loans to Great Britain and other countries. It is my opinion that we cannot continue to wantonly waste the resources of this country without a promise of a fair return. Loans to all countries should be made through the Export-Import Bank or the Bretton Woods agreement and based upon a sound business approach

Well, this is my report, Mr. Speaker, to you and to my constituents. What I have supported and my action in this House for the past 3 years is a matter of record. I have tried to tell you my feelings about the future. I am thoroughly convinced, Mr. Speaker, it is high time that this Congress take back some of the authority which has been given to the various Government agencies during wartime. We must do this if we are to maintain in America any constitutional rights for the individual. We cannot sit back and permit Government agencies to issue rules and regulations which have the full force and effect of law, without the approval of Congress.

If I return to Congress, I shall support the legislation which I have indicated in this report to you and I shall vigorously oppose that legislation which I do not feel is in the best interest of my Nation, my State, and my district.

AID TO THE PHYSICALLY HANDICAPPED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. KELLEY] is recognized for 20 minutes.

Mr. KELLEY of Pennsylvania. Mr. Speaker, as chairman of the House Committee on Labor Subcommittee on Aid to the Physically Handicapped, I have had occasion to prepare for the Committee on Accounts a summary of the work already done by our subcommittee and an outline of the work we propose to do in this session of the Congress. Our purpose is to serve the Congress and to provide it with recommendations for any necessary remedial legislation in aid to the physically handicapped. I should be pleased, and I am sure the Members who are serving with me on this subcommittee would be pleased, to receive any suggestions which may occur to others for improving the value of our work.

Work completed and published, March 26 to December 31, 1945:

Part 9. Monopolies and advertising affecting the welfare of physically handicapped.

Part 10. Philadelphia, Pa.

Part 11. Epilepsy.

Part 12. Accident prevention.

Part 13. Cancer.

Part 14. Tuberculosis.

Part 15. Amputees.

Part 15a. Supplement to part 15, hearings on amputations.

In the course of the work on amputees, the subcommittee called upon the Department of Justice and the Federal Trade Commission to investigate the artificial-limb industry and to insure that all Federal regulations applying to this industry were enforced. This has been carried out by these agencies with the result that a number of manufacturers were indicted by a Federal grand jury, and a code of trade practices was formulated for the industry. A further benefit derived from this work was the establishment of a better working relationship between the Department of Justice and the Federal Trade Commission, brought about through their joint efforts to clean up the artificial-limb industry. We were told that this had long been needed and that this case provided the opportunity for setting it up.

The subcommittee, in its preliminary report to the Congress, recommended that research on artificial limbs and sensory devices be not done by the Veterans' Administration, but by the Public Health Service. Subsequently, the new administrators of the Veterans' Administration were called before the subcommittee, and an informal agreement was reached by the members of the subcommittee not to implement its recommendation, but to encourage the new administrators to pursue with vigor the policy they had set for themselves.

Part 16. International activities relating to the physically handicapped.

Part 17. Aid rendered by the Library of Congress to the physically handicapped.

Part 18. Narcotics.

Part 19. Employment of the physically handicapped.

Part 20. Spastics.

WORK IN PROGRESS AND PROJECTED FOR 1946

Amputees: The subcommittee should keep itself informed of the progress of the research work on appliances. It should make sure that the excellent work being done on devices for the blind and the deaf, by the board for prosthetic and sensory devices, is not slighted in the transfer to the Veterans' Administration. This might happen because of the emphasis upon the amputee question in the public mind. It would be a great waste to have this portion of the work dropped before concrete results are attained. This subcommittee has served as a focal point for the complaints of servicemen, veterans, and civilians dissatisfied with present prosthetic appliances. There is a need for the continuation of this function until the whole matter is greatly improved.

State laws: A digest of State laws relating to the physically handicapped has been compiled. The purpose of this work is to print a handbook which will supply to the civilian the same information about his legal rights and status that is supplied to the veteran in his Handbook of State laws. It also has the purpose of supplying the various State governments with a means to check the laws in force in their own States against those in force in other States. Such information has not been readily available to the States previously. The handbook also will provide Federal agencies, and the Members of Congress, with a background for planning and work in all fields related to the physically handicapped.

The research on this project is completed. The material must now be studied, indexed, a summary written, and the work prepared for printing. Ahead of its publication, some Federal and State agencies are already making use of the information in its incomplete form.

Rural physically handicapped: Many problems are peculiarly difficult for the physically handicapped rural citizen to solve. Hearings at the earliest possible date are planned to collect much-needed information on this subject. Some preliminary work has been done, and some figures collected.

Correlation of agencies: The subcommittee has collected written reports from some 40 Federal agencies. These have to be studied and summarized in some manner so that the information and facts may be readily available to the Members of Congress who desire to be informed of each agency's function and responsibility. Hearings and further testimony will be required to make the information complete.

Disability insurance: Letters requesting consideration of the possibility of insurance or pensions for the home-bound and severely disabled have come into the subcommittee. Material will need to be collected and testimony taken to support recommendations to the Congress on this question. Material has been requested from the files of the Social Security Board, and is being prepared.

Special education: A great mass of material has been compiled through questionnaires, through several witnesses at hearings already held, and through written statements submitted for the study of the subcommittee. This material is being prepared for printing and for the use of the subcommittee in preparing recommendations to the Congress. It will also serve as a guide to the several States in measuring the adequacy of facilities for the education provided for the blind, the deaf, the crippled, the home-bound, and otherwise physically handicapped student.

Arthritis: Testimony will need to be taken to establish whether or not this

group of the handicapped have problems not common to the general group, and what special provisions, if any, are needed to meet their requirements.

Cardiacs: Sufferers from heart trouble have been mentioned in a number of hearings on other subjects. The subcommittee needs to collect further facts about the need for rest homes and convalescent care for this group through additional hearings or correspondence with specialists. Further study of the problems of sheltered workshops would pertain to this group of the handicapped especially, and the two subjects may be brought together in one study.

Private agencies: The private agencies working in the field of health in this country number about 20,000. In 1945 they collected over $48,000,000. More information is needed on the function of these agencies. Experts who have made a detailed study of them for private foundations must be consulted, and recommendations made by them must be studied, together with recommendations already submitted to the subcommittee by various witnesses appearing before it.

International: A search is still being made for an adequate source of information about the measures used by other nations in the care of the disabled. Denmark is reported to have especially fine systems in operation. Not much material on this subject has been translated. The ideal method would be to have our Members, or some of them at least, visit Denmark and observe the Invalidity Court and report on the subject. It has not been possible to plan this successfully, so an effort is being made to secure the information in other manners. Nothing satisfactory has yet been found.

England is said to have very fine and advanced laws safeguarding employment opportunities to the disabled. This should also be studied and observed.

Community level: In planning legislation to meet the needs of the physically handicapped throughout the country, there is no real substitute for observing the handicapped in his own environment and learning what problems he has to meet in his daily life, and what facilities are provided in his own community for meeting them. We should study at first-hand communities of various sizes, and various resources, scattered throughout the country. This would demand a staff of investigators and a much more ample budget than this committee has ever had provided for its use.

In view of the fact that travel and first-hand investigation have not been practical to the committee and its staff, we have undertaken to compile as much information by State and county as possible. This project is incomplete, but several States have been fairly well covered, and we hope to have the time and personnel to complete it. When finished, it will show at a glance all that we have been able to learn about the present facilities available in any section and subdivision of the country. This compilation of information is no more than an assembling of facts and data coming in to us for other purposes, but should prove of some value in ascertaining how adequate existing facilities are, and how well diffused through the country they are. It should also prove of interest to various Members of the Congress, since it would inform them in some detail of the needs of their own districts.

The material thus compiled cannot be said to be a substitute for first-hand information and observation.

Final report: The subcommittee functioned briefly in the Seventy-eighth Congress, and covered the following subjects:

Part 1. Aid to the blind.

Part 2. Aid to victims of poliomyelitis.

Part 3. Aid to the deaf and hard of hearing.

Part 4. New York City.

Part 5. Pittsburgh, Pa.

Part 6. Detroit, Mich.

Part 7. Federal aid to the physically handicapped.

Part 8. Aid to victims of orthopedic impairments, to disabled seamen, and so forth.

The mass of material collected and still to be collected must be studied and reduced to definite recommendations to the Congress. We hope that this may be done in sufficient time to enable the Congress to take such action as it may desire to take during its present session.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICHARDS. Mr. Speaker, I ask unanimous consent that, after the disposition of other special orders today, I may address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. JENKINS] is recognized for 10 minutes.

HOSPITALIZATION AND MEDICAL CARE OF WARTIME DISABLED VETERANS

Mr. JENKINS. Mr. Speaker, the Ohio Department of the Disabled American Veterans on January 24, 1946, adopted resolutions with reference to the hospitalization and medical care of wartime disabled veterans and with reference to the monetary benefits to which veterans are entitled under the law.

These resolutions are as follows:

Whereas under the current policy of the Veterans' Administration many wartime disabled veterans are neglected and fail to receive the service and care that should reasonably be expected under the laws enacted by Congress, and

Whereas continued publicity through the press, magazines and by radio of the wonderful care of this particular group of veterans is not substantiated by the facts, and

Whereas the Veterans' Administration hospitals in Ohio are inadequate and overcrowded conditions exist, with upwards of 1,500 wartime disabled veterans on the hospital waiting list and only strict medical emergency cases are accepted, and out-patient treatment for service-connected veterans is administered on a basis of considering the cost over and above sound medical judgment, and

Whereas at the offices of the Veterans' Administration in Ohio alone there are upwards of 40,000 claims for benefits on war-incurred disabilities not adjudicated and that thousands in this group are seeking medical treatment for combat wounds, tropical and other conditions incurred in many parts of the world, three-fourths of these claims not having even been acknowledged, and in the meantime these veterans are not eligible to out-patient care, monetary allowances or vocational training to overcome physical handicaps, and

Whereas the impression that all wartime disabled men and women file claims at time of separation from service is entirely erroneous, there being a backlog of thousands of authorizations for physical examinations pending for many months and the load is increasing every day and the adjudication of these claims must wait, and

Whereas a directive issued by the Washington office of the Veterans' Administration directs that applications of the able-bodied veterans seeking education and other benefits have precedence and priority over the claims for disability and medical benefits of those disabled as a direct result of war service, and

Whereas the Disabled American Veterans, Department of Ohio, believes such directive is unfair and unwarranted, and that first things be done first for America's service disabled, that they should at least have an equal standing with the able-bodied veteran in connection with the application for benefits: Therefore be it

Resolved by the Ohio Department of the DAV that we recommend the following corrective measures:

1. That the press, magazines, all other publications, and radio stations give to the people the actual facts pertaining to the treatment and service extended to veterans who have been physically handicapped as a direct result of war service.

2. Extend or enlarge existing hospital facilities or immediately engage in the building of new institutions without further delay and without continued interference from political and pressure groups; that the Veterans' Administration arrange to accept the Army hospitals known as Fletcher General at Cambridge and Crile at Cleveland immediately upon their release by the service department.

3. That out-patient or home medical treatment be made available for wartime disabled veterans at established Veterans' Administration clinics and by fee-basis physicians on a more practical and humane basis.

4. That administrative action be instituted to handle out-patient physical examinations more promptly, which can be accomplished by requiring salaried and full-time physicians of the Veterans' Administration to put forth a full day's work, and to supplement this service by utilizing fee-basis physicians.

5. That the worn-out excuse of insufficient personnel and insufficient office space or the defeatist attitude with regard to the administration of the laws affecting benefits for the war's disabled be abandoned. At this time actual unemployment is prevalent throughout the country and sufficient office employees are available. This condition can and should be relieved by the slashing of civil-service red tape. Adequate office space can be procured by resorting to condemnation proceedings when necessary; authority for such action already being provided for in existing laws.

6. It is the opinion of the Ohio department of the DAV that the able-bodied veterans themselves do not desire this preferential or special treatment in the processing of their applications for benefits over the claims of those veterans who have been disabled as a direct result of war service. It is also the opinion of this department that the able-bodied veterans desire that this directive of the Washington office of the Veterans' Administration be canceled at once so that all claims may be considered at least on an equal basis.

Adopted by the executive committee of the Disabled American Veterans, Department of Ohio, 111 Wyandotte Building, Columbus, Ohio, January 24, 1946.

D. M. BROWN,
Commander, Department of Ohio, DAV.

Mr. Speaker, the Disabled American Veterans, commonly referred to as the DAV, is the only organization of its kind ever to receive a charter from the Congress of the United States, and is composed exclusively of those who have served our country in the several wars of the past, and who were wounded, gassed, injured, or disabled in some way as a direct result of their war service. The DAV, in Ohio, has rendered a most valuable service to this particular group of veterans and to the widows and orphans for more than 24 years. During the last fiscal year ending June 30, 1945, the representatives of this organization at the offices of the Veterans' Administration in Ohio, arranged for 2,020 hospitalizations, obtained 3,992 physical examinations, received 25,900 letters from veterans regarding their claims, addressed 27,273 letters to veterans regarding their claims, personally interviewed 18,463 claimants, made 4,993 personal appearances before the rating boards of the Veterans' Administration for veterans, and reviewed 25,833 claims files.

The Ohio department of the DAV is leading all States in membership in the organization for the eighth consecutive year, has more members than the combined total of 24 other States, and more chapters than the combined total of 19 other States. Approximately 70 percent of the entire membership in the DAV in Ohio are either part paid or fully paid life members. About 45 percent of the entire membership in the organization in the State are fully paid life members. This is a record that is unequaled by any State organization of any kind in the United States.

Mr. David M. Brown, the present State commander of the DAV, in Ohio, is a successful businessman of the city of Akron, and has been an outstanding leader among the wars' disabled of the State for a number of years.

I have had particular opportunity to observe the work of Senator Albert L. Daniels, who is the adjutant-treasurer for the Ohio DAV. Senator Daniels is an able and forceful speaker, and has given of his time and energies for a number of years in speaking all over Ohio and in other States in behalf of the wartime disabled veterans and the widows and orphans. He is at present a member of the Veterans Program Commission of Ohio. Likewise I have observed the activities of Mr. W. K. Adams, of Portsmouth, Ohio, who has been the legislative chairman for the Ohio organization for a number of years. Bill Adams has always been ready to do his part in behalf of those disabled in war service.

I want also to compliment Mr. John D. Thomas, of Pomeroy, Ohio, who is a member of the executive committee of the Ohio organization, and who is now serving his second term as commander of the fine chapter at Pomeroy. Mr. Thomas is a veteran of World War II with a fine service record, and lost a leg in Africa. I can pay worthy compliments to other members of the State organization, including Frank B. Brown, former State commander, and Clinton Kramer, of Zanesville, who is known to all wartime disabled veterans of the State, but the three above named come from my section of the State of Ohio, where I have had a chance to observe personally their very effective and devoted service.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from South Carolina [Mr. RICHARDS] is recognized for 10 minutes.

AMERICA DEALING WITH SPAIN

Mr. RICHARDS. Mr. Speaker, I rise to reply to certain accusations made yesterday on the floor by the gentleman from Washington [Mr. SAVAGE].

The gentleman charged in speaking on the subject of relations of the United States with Franco Spain that, first:

We ship two boatloads of machine guns and ammunition to Spain;

Second:

and now the State Department confirms a story that we have sold Spain airplanes, bulldozers, power shovels, scrapers, and other heavy machinery.

Third, quoting the gentleman:

I call the attention of the House not only to this historic action but also to the declaration of the French Foreign Minister, Georges Bidault, that France by this vote was merely carrying into effect the pledge made by the democracies during the Yalta Conference—the pledge that all of the nations represented at the Yalta Conference would break diplomatic and commercial relations with the Nazi-Falange regime of Spain.

Upon hearing these very serious charges I contacted the Secretary of State this morning to inquire as to their validity. Secretary Byrnes replied to the effect that there is not a word of truth in the assertion that we shipped two boatloads of machine guns and ammunition to Spain. He further stated that the following press release was being issued today on the subject:

The Department has carefully investigated the charge and has received from Barcelona, Rome, and Caserta categorical denials. A search of the records at Caserta indicates: First. That no sale of arms to Spain has been authorized; second, that no transportation of arms to Spain has been authorized; third, during hostilities no visits were made from Italy to Spain by War Shipping Administration merchant vessels; and fourth, a search of the records since VE-day shows that no United States vessel carried shipments of arms to Spain from Italy or elsewhere.

As to the charge of the gentleman from Washington that the United Nations at the Yalta Conference had agreed that all relations with Franco Spain would be severed, and quoting Mr. Bidault of France in that conection, I convey to the House Secretary Byrnes' reply:

Neither Mr. Bidault nor any representative of France was at Yalta. There was no agreement at Yalta that the three governments there represented—the United Kingdom, the U. S. S. R. and the United States—would break diplomatic relations with Spain.

That answer is just as plain as the nose on your face; and the charges made by the gentleman from Washington were ill-considered and simply will not hold water.

The third charge as to selling to the Spanish Government certain planes and materials, the Secretary of State enlightened me to this extent:

The facts are that no combat planes have been sold to Spain. Commercial airports in Spain are of importance to the United States for air travel. There is no reason why we should refuse to carry out an agreement made with Spain in 1944 as a result of the Chicago Air Conference.

The Secretary, further, sent me a memorandum setting forth the facts in regard to the commercial aircraft transaction with Spain.

Mr. Speaker, I ask unanimous consent to insert at this point in my remarks a statement from the Secretary of State concerning the plane transaction I have spoken of.

The SPEAKER pro tempore (Mr. RESA). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RICHARDS. The memorandum referred to follows:

The background of the sales of aircraft to Spain is this:

At the Chicago Air Conference in November 1944, one of the American delegates made a statement to the effect that the United States Government was prepared to make available, on nondiscriminatory terms, civil air transport planes to those countries which recognized the principles which we believed should govern international air transport. Soon after, on December 2, 1944, we signed with the Spanish Government a civil air agreement embodying on a reciprocal basis the five freedoms of the air. Incidentally, Spain was the first country with which we were able to conclude such an agreement.

The subsequent sale of aircraft and airport construction equipment was not directly related to the air agreement, but, in view of the statement made above, and our obvious interest in seeing the airports improved, as rapidly as possible, it was in the national interest to approve the sales in question.

A total of 15 planes plus 4 for spare parts have been approved for sale to Spain as follows:

Three C-47 transport planes, force-landed on Spanish territory and interned during the war;

Four DC-3's from Army stocks sold about a year ago;

Five C-47's from surplus Army stocks, the sale of which in Paris has recently been approved;

Three DC-4's from new production in this country, for which export licenses have been approved, but which have not yet been delivered;

Four C-47's, the sale of which from surplus stocks in Europe was recently approved with the stipulation that they be used only as a source for spare parts.

These are all transport aircraft, which have, of course, been used by the United States Army during the war, but we are satisfied that they are intended for use in Spain for commercial air services and that American interests are served by the approval of these sales. The sale of airport construction equipment from new production and from surplus Army stocks has been approved because without American equipment the airfields could not be put in shape promptly for use by our biggest four-engine planes.

No tactical aircraft whatever have been sold to Spain.

Mr. Speaker, may I say in closing that I regret that the gentleman from Wash-

ington is not present to hear this reply to his charges. I informed the gentleman that I intended to get time this afternoon to answer him.

SMALLER WAR PLANTS CORPORATION

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. KEFAUVER. Mr. Speaker, during this past week, as a member of the Small Business Committee of the House, I have heard testimony concerning the announced plans of Mr. Snyder and the Budget Bureau for a division of the functions of the Smaller War Plants Corporation between the Reconstruction Finance Corporation and the Department of Commerce. The Executive order transferring these functions became effective day before yesterday.

The testimony was alarming in its implications. It showed how easily the Budget Bureau can nullify the intent of Congress on a matter of such vital concern to us as small business.

In 1942 Congress created the Smaller War Plants Corporation as a separate agency whose sole responsibility was to aggressively assist the small plants of this country. Subsequently, the War Mobilization and Reconversion Act and the Surplus Property Act conferred additional responsibilities on this separate agency, responsibilities which were expected to continue through the reconversion period.

The war is over and there are perhaps some who feel that the need for a Government program of assistance to small business disappeared on VJ-day. Those who take this position must, I submit, show that the problems facing small business, of which this Congress has been keenly aware, likewise disappeared on VJ-day.

What are some of these problems which are threatening the competitive position of small business?

I do not need to emphasize for any of the Members of the House that small business is at a distinct disadvantage in dealing with the regulatory agencies of the Federal Government. This is not to say that those agencies either in their regulations or their operations deliberately discriminate against small business. It is merely the old story of the big company having the staff and resources to be able to cope effectively with Government regulations. When a Government regulation works to the disadvantage of a large business the company's representatives are storming the offices of the Government agency and are able to present forcefully and clearly the ways in which the regulation needs changing. When small businesses are inadvertently and unnecessarily hurt they need assistance in showing the head officials of the Government agency the need for changes.

I need not remind anyone that even though the war is over the economic consequences of the war are still with us and will be with us for months to come. We must face squarely the problems confronting small business which are created by the economic consequences of the war just as we sought to face the problems of small business during the war.

It is quite proper at this time that we should still have a Civilian Production Administration allocating scarce materials and rendering priority assistance to break bottlenecks. We need an Office of Price Administration to hold down inflation which is an even more dangerous threat now than it was during the war. We need a War Assets Corporation to distribute quickly and equitably the huge stocks of Government surpluses. These facts are part of what might be called the short-run problems facing small business.

Time and the reconversion process will liquidate these problems but while they are still with us what are we going to do to make sure that small business gets a fair break? Who is going to represent small business effectively in the policy deliberations of these reconversion agencies? Who is going to assist individual small businesses to get a priority for material to enable their plants to keep going or to secure a necessary price adjustment, or to obtain the surplus machine tools which are the key to the modernization of the small plants of this country?

It is easy and convenient to say that the will of Congress toward small business will be taken into account by the regulatory agencies and that they will show special consideration of the needs of small business. Experience of the past 4 years demonstrates convincingly that Government itself must have a group in the executive branch, in the field as well as in Washington, which can effectively assist small business both on a general policy basis and on an individual case basis.

What are some of the long-run problems facing small business? Without trying to list them in their order of importance, the ones that come immediately to my mind are those in connection with monopoly and unfair competition, the need for adequate access to financing, a tax system which does not deter the expansion of small businesses, access to marketing and technical information.

There is disagreement as to how far Government should go to assist small business in connection with these longer-run problems. However, this much is obvious: Government itself must take steps to continually inform itself about the problems of small business and the changes which should be made to allow small business to grow and prosper. I, for one, do not know how government can adequately find out the changing problems of small business in our complex economic society unless the executive branch maintains a staff of qualified people whose particular interest it is to keep in touch with these matters.

This function as I see it is not one of compiling in Washington a lot of statistics about small-business failures. If the executive branch and the Congress itself sincerely want to be kept informed as to the needs of small business, whatever group is charged with this responsibility, whether it be the Department of Commerce or some other agency, must have an adequate field organization which can be in close touch with the small businesses themselves.

There is also the further question as to how much assistance in individual cases the Federal Government should undertake to render to small business. I should like to illustrate the problem by giving one example. Every small businessman knows that when the reconversion period is over he will be faced with a buyer's market; that his biggest single problem will be that of selling effectively against much bigger competitors.

Should government give small business any help on their marketing problems? Actually, the Government has been helping business on marketing problems for many years. The publications of the Census Bureau are the basis for most market research and analysis by private industry. But who gets the benefit of the millions of dollars which government has spent to compile and publish this information? It is the big companies who have trained staffs to take the vast mass of figures and adapt them to their own needs. The small man has neither the staff nor the knowledge to make use of these invaluable sources of marketing knowledge. He needs a Government field office reasonably close to his place of business which can make this information accessible to him in usable form. The question is really whether the Government considers the problem important enough to make it possible for all business, small as well as large, to get the benefit of the tax dollars which they have spent on such Government information.

This brings me back to the hearings which the House Small Business Committee held last week. By Executive order part of the functions of the Smaller War Plants Corporation are to be transferred to RFC and the remaining functions to the Department of Commerce. We heard the testimony of representatives of the Budget Bureau as to their reasons for the issuance of the order and for the steps which the Budget Bureau proposes to carry out under the order. We also heard testimony from representatives of RFC, the Department of Commerce, and SWPC.

It is with genuine regret that I have to report to the House that our committee is alarmed at the present plans of the Budget Bureau which were developed under the direction of Mr. Snyder.

In my opinion, the most dangerous part of the plan is that they have transferred to the Department of Commerce the basic responsibility of being the champion of small business both in Washington and in the field, yet have transferred to RFC the best tools which SWPC had for accomplishing these objectives. Here is what they have done. They have transferred to RFC all of the 100 district offices which SWPC had. These district offices are staffed for the most part by engineers and businessmen who have developed over a period of the war years truly valuable information concerning both the problems of small business and the manner in which small business can be most effectively helped. The Budget

Bureau proposes to transfer such personnel to the clerical function of certifying veterans' applications for surplus property. At the same time the Budget Bureau has recommended that the Department of Commerce be authorized to set up 75 district offices as of July 1, and to staff those offices with personnel qualified to assist small business. What a waste of personnel and Government funds. And what a disservice to the small businesses of this country.

One might well say in connection with this order that what the Budget Bureau hath given it can take away. For example, the Executive order gave to the Department of Commerce the general responsibility for helping small business secure an equitable share of surplus property. Now, all of you gentlemen know from your own experience that small business has not been getting an equitable share of surplus property. My own opinion is that the situation would have been much worse than it already is if SWPC had not been given by Congress a priority right which it could exercise in favor of small business. What do the Budget Bureau and Mr. Snyder propose to do about this protection which Congress gave to small business? They are transferring this power to the Reconstruction Finance Corporation. Now RFC has some very able men, but I have never known anyone who would accuse the RFC of burning zeal for assisting small business. Nevertheless, the Budget Bureau transferred SWPC's priority purchase right to RFC. I assume the Budget Bureau expects RFC to exercise this priority purchase right against its own subsidiary, War Assets Corporation, thus becoming the champion of the interests of small business.

There are some other points in connection with the transfer which was carried out Monday which the committee also felt needed immediate correction, but I shall not take the time of the Members to discuss these points.

The Smaller War Plants Corporation ceased to exist day before yesterday. It performed a great service to small business even though it failed in certain respects to accomplish all the things for small business which we might have hoped for. Perhaps its greatest contribution is that it served as a continuous warning to big business and big government that Congress intended that small business should get a fair break. The experience of the SWPC, and particularly the experience of its field personnel, can and should be the foundation for a more effective and continuing program of Government assistance to small business.

We on the Small Business Committee agree with the testimony of Mr. Wallace and the other witnesses that this is the year of decision so far as small business is concerned, but the manner in which the functions of SWPC are being transferred will mean that small business can expect from its Government little better than a token service during this year of decision.

It is my earnest hope, as well as the unanimous recommendation of the Small Business Committee, that Mr. Snyder will immediately arrange for a revision of the Executive order. If he chooses to disregard or delay on our recommendations, I see no alternative other than for the House to adopt legislation which will clearly and unequivocally express the intent of Congress for the preservation and strengthening of small business. I am prepared to introduce such a measure in case that action becomes necessary.

The letter of the Small Business Committee to Mr. Snyder is as follows:

JANUARY 25, 1946.

Hon. JOHN W. SNYDER,
Director, Office of War Mobilization and Reconversion,
The White House,
Washington, D. C.

Re Executive Order 9665, December 27, 1945.

DEAR MR. SNYDER: In submitting this letter to you, I am acting upon the unanimous instructions of the House Committee on Small Business, which has completed public hearings today on the subject of the manner in which the Bureau of the Budget is performing its assignment under the terms of said order and other matters.

In coming to the conclusions which are recorded in this letter, the committee did so only after hearing testimony on the subject from the following witnesses: Secretary of Commerce Henry A. Wallace; Under Secretary of Commerce Alfred Schindler; Mr. Evert L. Stancliff, Director of Field Operations, Department of Commerce; Mr. Wilford L. White, Acting Chief, Division of Small Business, Department of Commerce; Mr. Frank Cawley, Budget Officer, Department of Commerce; Chairman Charles B. Henderson, of the Reconstruction Finance Corporation; Mr. John D. Goodloe, General Counsel, Reconstruction Finance Corporation; Mr. Arthur J. Fushman, President, War Assets Corporation; Mr. W. E. Willett, Assistant Chief, Examining Division, Reconstruction Finance Corporation; Mr. Frank Prince, Chief, Small Business Section, Reconstruction Finance Corporation; Mr. Robert J. Hays, Vice President, War Assets Corporation; and 17 regional directors, district managers, and officials of the Washington office of the Smaller War Plants Corporation, including the General Council and Mr. Elmer B. Staats, Chief Budget Examiner, Bureau of the Budget, who was accompanied to the hearings by Mr. Robert W. Zehring and Mr. Robert C. Bast, also of the Bureau of the Budget.

This letter is being directed to you because testimony given at the hearings indicated that the Executive order in question was issued at the suggestion of a committee of which you acted as chairman, the other members of which were Judge Rosenman and Mr. Smith, Director of the Bureau of the Budget.

I shall try to make this letter as brief as possible, summarizing our findings and recommendations with explanatory comment rather than to go into great detail as to the testimony of each individual witness. A transcript of the testimony will be supplied you if you desire it.

Because, under the terms of the Executive order, the functions, personnel, and funds of the Smaller War Plants Corporation are to be distributed among various branches and divisions of the Commerce Department and the Reconstruction Finance Corporation as of January 28, 1946, the committee feels that you should be supplied with its findings immediately.

Because the merger is being effected under the terms of the First War Powers Act, instead of being proposed under the recently adopted Reorganization Act which would have provided the Congress with a reasonable period of time in which to pass upon the plan, immediate consideration of the matter seemed necessary. In like manner the committee feels that immediate consideration of its findings and recommendations by the executive branch at the proper level is also in order.

The committee's findings may be summarized as follows:

1. We have no opposition to any merger plan which consolidates the functions, funds, and personnel of the Smaller War Plants Corporation with those of other agencies in the interests of economy and increased administrative efficiency, provided that the continuity of service by the Federal Government to small businesses at the Washington, regional, and district-office levels is not disturbed and the standard of the service is not reduced.

2. We regret to state, however, that we find no evidence that the merger will result in economy or increased administrative efficiency.

3. We further find that the measures and dispositions which have been determined by the Director of the Bureau of the Budget as being necessary to effectuate the transfers provided for in the Executive order under the authority granted to the Director under section 4 of the order will seriously interfere with the continuity of service by the Federal Government to small businesses and will reduce the standard of service heretofore rendered by Smaller War Plants Corporation both in quality and in scope.

4. We have no opposition to the transfer of the small business loan function to the Reconstruction Finance Corporation.

5. We have no opposition to the transfer of such functions as it is proposed to transfer to the Department of Commerce.

6. We are vigorously opposed to the transfer of the personnel and funds of the field or district offices (other than those of the Loan Bureau) to the Reconstruction Finance Corporation. We feel strongly that those funds and personnel should be transferred to the Commerce Department as have been the funds and personnel of the regional offices.

7. We oppose the transfer of the small business surplus property priority purchase right to the Reconstruction Finance Corporation. Testimony demonstrated that this function is not sought by RFC. In granting RFC the sole right to thus police itself in the matter of surplus disposals for small firms, we believe that the intent of Congress in adopting section 18 (e) of the Surplus Property Act is being disregarded. We believe that this function should be transferred to the Department of Commerce.

8. We find that certification of veterans' priorities in the matter of surplus disposal is primarily a clerical job, not one requiring the services of trained engineers who it is felt have performed more important services for small business in the SWPC field offices and would be more efficiently employed in the field organization of Commerce Department than in the surplus disposal organization of RFC. Additional clerical personnel could and should be secured from other sources to do veterans' certification work instead of imposing that task upon men trained professionally to render assistance in the small business field on problems requiring superior engineering and management knowledge.

9. We fail to understand why the procurement and subcontracting functions originally assigned to Smaller War Plants Corporation under section 4 (f) of Public Law 603 are assigned to RFC instead of the Commerce Department. To us, these functions seem to be an integral part of any small business assistance program such as that otherwise assigned to Commerce Department under the order.

10. We are not entirely satisfied with the general outlines of the small business assistance programs of both the Department of Commerce and the Reconstruction Finance Corporation as they were submitted to us by the officials of these agencies during

our hearings. We feel, however, that such deficiencies in these programs which we have observed may best be corrected through conference with the heads of those agencies than by other means at this time, provided that certain modifications in the terms of the Executive order and the measures now authorized thereunder can be promptly arranged, as follows:

Recommendations: A. The Executive Order 9665 be amended as follows:

(a) Transfer to the RFC all the loan functions of Smaller War Plants Corporation heretofore carried out under section 4 (f) and section 6 of the act of June 11, 1942 (56 Stat. 351), and loan functions carried out under section 18 (f) of the Surplus Property Act of 1944 (58 Stat. 765), and loan functions carried out under the Contract Settlement Act of 1944 (58 Stat. 649). All personnel, property, records, assets, and liabilities of the Corporation directly involved in the making of loans are likewise to be transferred to RFC, together with the loan functions of the Board of Directors of the Corporation.

(b) Transfer to Commerce Department all other functions heretofore carried on by Smaller War Plants Corporation. All personnel not directly engaged in loan activities are to be transferred to the Department of Commerce. This includes personnel employed by SWPC but paid out of funds furnished by Surplus Property Administration.

(NOTE.—This includes specific authorization that all field-office functions, personnel, and funds of SWPC shall be transferred to Commerce Department, employees, functions, and funds of the Loan Bureau to be excluded from this provision, however.)

B. The committee recommends that the President shall be requested to make said amendment before January 28, 1946, the effective date of Order 9665.

C. The committee recommends that the function of certifying veterans for surplus property be handled either by the Veterans' Administration or by installing War Assets Corporation representatives in the local veterans information centers. In the time necessary to effect a transfer, additional positions should be authorized by the Bureau of the Budget and additional personnel temporarily assigned by War Assets Corporation to carry on this work in the SWPC district offices. As the certification function is taken over by Veterans' Administration or by the veterans information centers, such additional personnel can be assigned to the new offices.

In submitting this letter to you, the committee feels obliged to express its keen disappointment in the manner in which the assignment given to the Bureau of the Budget under this order has been handled. It is clear that full consideration was not given by that Bureau to the importance of maintaining a continuity of service to small business by the Government right at this critical time. The testimony of Under Secretary of Commerce Schindler was clear and positive on this point. From his testimony and from the views expressed by other competent witnesses, it is clear that the Department of Commerce would not be placed in a position, under the terms of this order or under the measures determined by the Bureau of the Budget, to render anything but a token service to small business for a period of at least 6 months and probably longer. Under the program presently planned Commerce Department could not hope to render small business service and assistance of a standard or a scope such as that previously rendered by Smaller War Plant Corporation for many months to come.

It is the committee's sincerely expressed hope that it will be possible for your office to make the necessary arrangements to comply with the suggested changes in the order and the other collateral directives which would be required before the effective date of the order which is January 28, 1946.

It is regretted that these views must be submitted to you on such short notice. In view of the fact that this merger is not being handled under the provisions of the Reorganization Act, no other course seemed feasible than for us to have held the hearings in question and to have supplied you with our findings promptly in this fashion.

The committee is fully aware of the extra burden which this letter imposes on you in view of the many difficult assignments that you are handling at this time. It feels, however, that a proper evaluation of the role which small business plays in our national life, particularly at this difficult reconversion time, justifies its placing this letter before you with a request that it be given your immediate official attention.

With kindest personal regards,

Sincerely yours,

J. W. ROBINSON,
Member of Congress, for the Commitee.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a letter from the Small Business Committee to Mr. Snyder, Director of the Office of War Mobilization and Reconversion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

W. STUART SYMINGTON

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, I understand that Mr. Symington, the Director of the Surplus Property Administration, is leaving his job today to go with the War Department as Assistant Secretary of War. I am sure he will be a lot happier in his new position. When Mr. Symington was named to the position of Surplus Property Administrator, all of us were delighted. I knew we could expect a fine performance from him. However, I am sure that he has been handicapped because of the faulty structure of the Surplus Property Administration and because of the actual disposal of surplus property being turned over to a number of agencies, thereby preventing proper coordination. As a matter of fact, it is my opinion that no job has been bungled more. It is a crying shame that we have divided that responsibility, and that authority had not been centered, as it should have been, in the man that the country expected to do the job.

I am sure if Mr. Symington had had the authority to do the selling as well as to form policies we would have actually disposed of most of the surplus.

Mr. KEFAUVER. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. I am very much interested in the observation of the gentleman. I am inclined to agree with most of the conclusions he has reached. There is one problem that has been called to the attention of every Member of Congress, I am sure, and that is that veterans had an idea that they were going to have a chance to get surplus property. They have been issued priority certificates, but when they get the certificates they cannot find the property. They are run from one place to another. Certainly, I hope the gentleman will make some observations about the poor plight of veterans under the present set-up. I hope that in the rearrangement of the Surplus Property Administration the veterans may be given a chance, which they have not had up to date.

Mr. BENDER. I think the gentleman's observation is most timely. I happen to be a member of the Committee on Expenditures in the Executive Departments, which recommended the legislation that created the Surplus Property Board. We were informed by Mr. Symington some months ago that he would come before us with additional legislation, but the administration has not permitted him to present legislation. I am sure I am correct in that statement. He has been stymied all along the line.

The observation the gentleman from Tennessee makes regarding veterans is wholly in order. Not only the veterans but everybody find themselves pretty much in a dilemma because of the indecision and the lack of coordination on the part of the persons charged with the responsibility of disposal. I think about the worst performance in connection with surplus-property disposal is that of the Reconstruction Finance Corporation. That is a lending agency and has never been in the selling game. They do not know what to do. They do not know whether they are afoot or horseback.

Mr. KEFAUVER. I am sure the gentleman heard my statement about the transfer of the lending functions of the Smaller War Plants Corporation to the Reconstruction Finance Corporation. The gentleman will be interested in knowing that along with that transfer went the power of the Smaller War Plants Corporation under 18 (c) or (e) of the Surplus Property Act to authorize the SWPC to purchase products in quantity under a priority and then divide them among veterans and small businesses later.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio be permitted to proceed for five additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KEFAUVER. I think one of the most confusing situations is that now the Reconstruction Finance Corporation has taken that purchase priority power which the SWPC had for small business and for veterans, and the RFC holds the whole power itself, so that there is nobody to have a check over the Reconstruction Finance Corporation to see that the little fellow and the veterans get an opportunity.

Mr. BENDER. As a result of the gentleman's statement, to which I listened very attentively, I asked for this time, because I agree with the gentleman, and especially agree with his observations regarding the transfer of these functions

to the Reconstruction Finance Corporation. I think the performance of the RFC in connection with the disposal of surplus property is nothing short of a calamity. I do not know whether the President has anyone in mind to fill Mr. Symington's shoes, but Mr. Symington, I am sure from my own observation, although he has not told me this, has been handicapped and stymied by the administration in the performance of his job. Because these various agencies have been given power of disposal of this property rather than Mr. Symington's being given that power, and because Mr. Symington has not been permitted to make recommendations so that functions are coordinated under one head, we find ourselves in this predicament. I sincerely hope that the Congress will direct its attention toward a proper disposal of the billions of dollars in surplus property. Unless we take some action immediately, our whole economy will be disturbed as a result of it. I know something about retail merchandising. I spent most of my life in the department store business. I know how many items you have to deal with. I know how important it is to watch every detail. But this Government, in connection with its handling of surplus property, is proceeding in exactly the same way as it has in so many other instances. You do not know from one day to the next just where you are going or where you are going to land. The people, in endeavoring to purchase surplus properties, are tired out because they are run from pillar to post. They do not know where to go next.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield.

Mr. CHURCH. The gentleman now speaking and the gentleman from Illinois now occupying the chair as Speaker pro tempore and I are members of the committee which the gentleman has just spoken of, the Committee on Executive Expenditures. Certainly the bill pending there is of vital importance. The gentleman from Tennessee should be invited to appear. That to me is one of the most vital pieces of legislation. It ought to be acted on soon in order that we cut the red tape so that returning veterans receive the surplus properties that they are trying to get today. They are today involved in an immense detail of red tape and delay. I think that is one of the most vital things which we should take up immediately. We should take up that bill before any other bill is taken up in the committee. I hope that the committee will meet soon. I have spoken to the chairman, the gentleman from Alabama [Mr. MANASCO]. I think he intends to take up that bill first before all other bills.

Mr. BENDER. I share the gentleman's views. Here you have the biggest business in the world, the United States Government. If a little haberdashery store were to carry on in the manner in which this Government is carrying on in this surplus property business, it would go broke in no time.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed for five additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield.

Mr. ROBSION of Kentucky. I have had similar experience to that which has been detailed by the gentleman speaking as well as the gentleman from Illinois and others. We have made a special effort to try to get surplus property for the returning veterans, I mean men who have the money and the credit and the business ability as well as the experience to construct roads and other things. Of course, it is just an endless chase trying to find the fellow who has the say in the matter. A person is sent from this fellow to that fellow and so forth. Finally, after you have found the man, he says, "Well, you can get this property anywhere that you can find it." And a person may ask, "Well, where can I find it?" And the answer is, "Down in Virginia and other places." I believe in practically every instance many soldiers have not yet been able to locate the property or get the property. They are just worn out. They give up in disgust and despair.

Mr. BENDER. That is exactly what I am saying. The gentleman from Kentucky is correct. We have 3,700,000 civilian employees and nothing is being done to lessen that number. We have about a million and a half surplus civilian employees on the pay roll. These pap suckers ought to be removed from the pay roll. Then you would not have to make 17 calls for a veteran in order for him to get in touch with the proper individual whom he is trying to contact in order to get his hands on some of the surplus property.

Perhaps we would not have to see more than four or five. However, it is a crying shame that these Federal employees, especially in the surplus property division, particularly in the Reconstruction Finance Corporation, are not conversant with the fact that the war is over, and that we now owe almost $300,000,000,000 and it is high time that they got down to business.

I hope with Mr. Symington's leaving we will not find further confusion, and that some recommendation will come here from the Administration that we will understand. It reminds me of the full employment bill. They have a sleight-of-hand performance for that. One bill is introduced. Then, another bill is presented, and finally the bill is passed. Then the conference committee meets, and you do not know what in the world they are driving at. They want something. It seems to me all they want is to pass a law that has no effect and that does not make sense, and that they themselves do not know where they are going.

Mr. ROBSION of Kentucky. The gentleman misinterprets the action. Perhaps it is to fool a lot of American people who really think we are going to get something through that beautiful and optimistic thing called full employment. It fools a lot of folks.

Mr. BENDER. I am afraid the gentleman is right on the basis of the performance of the majority in this body and in the other body as well. I am sorry to say that we are getting nowhere fast. When the gentleman finds the report of the conference committee he will wonder what in the world it is all about, unless I am sadly mistaken, and I hope I am.

I have taken more time than I had anticipated. I just want to emphasize the fact that we have billions of dollars in surplus property that is not being disposed of; that we have to do something about immediately.

Mr. BENDER. I would like to conclude my remarks with an editorial from the January 22 issue of the Daily Metal Reporter. It is as follows:

SYMINGTON'S PROMOTION TO WAR DEPARTMENT A BLOW TO WAR SURPLUS DISPOSAL

W. Stuart Symington has resigned as Surplus Property Administrator and President Truman has nominated him as Assistant Secretary of War for Air. Mr. Symington's resignation is to be deplored because he has been handling one of the country's most difficult tasks in a most efficient and businesslike manner.

In disposing of its billions of dollars' worth of surplus war materials, the Government has become the largest merchandiser in the world of all sorts of materials ranging from battleships to shoelaces. This gigantic merchandising task has been forced on the Government as a result of the war. The manner in which this task is handled may well determine the future economy of the Nation. Whether industry is to be fully engaged in producing commodities needed for civilian consumption or whether plants are to be idle will depend largely on what is done with Government-owned war plants and with the surplus material that the Government owns.

Few businessmen have realized the immensity of the task facing the Government in disposing of its war surpluses. It was only after the surplus-disposal program was badly bungled and mishandled that Symington was called to assume the post of Administrator. Being a practical businessman, he realized the gravity of the problem facing the Government and proceeded to tackle it in a manner that won the approval of Congressmen and Senators and of businessmen throughout the country. That in itself is an unusual achievement.

As Administrator, Mr. Symington formulated policies for the SPA that counteracted the many weaknesses of the Surplus Property Act. It was under his able administration that the disposal program really got under way but the surface of the disposal job has hardly been scratched and that is why it is regrettable that Mr. Symington is leaving his post.

There is no doubt that Mr. Symington will make a good Assistant Secretary of War. Perhaps his organizing ability and farsighted policies are needed in the War Department. In our humble judgment, however, his services are more urgently needed in directing the Government's disposal of the heterogenous mass of surplus materials with which it finds itself saddled.

Mr. Symington suggested to the President that the Surplus Property Administration be consolidated with the War Assets Corporation and the President will no doubt heed Mr. Symington's advice. Mr. Symington's successor may do as good a job as he did in this most difficult post but it is doubtful whether there are many who are endowed with his enthusiasm, his ability, his di-

plomacy and his vision, all of which are needed in tackling this job.

President Truman in accepting Mr. Symington's resignation, praised him for his most "splendid service." That praise was well deserved but we doubt the wisdom of having permitted him to resign. Mr. Symington should have been drafted to continue as Administrator and finish the job.

Of course the country is fortunate in retaining Mr. Symington's services as Assistant Secretary of War but it would have been still more fortunate had he remained as Surplus Property Administrator.

Mr. ROBSION of Kentucky. I think the gentleman has brought some very helpful information to the House and to the country.

The SPEAKER pro tempore. The time of the gentleman from Ohio has again expired.

EXTENSION OF REMARKS

Mr. KEFAUVER asked and was given permission to extend his remarks in the RECORD and include an article from Liberty magazine.

ADJOURNMENT

Mr. ROONEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 13 minutes p. m.), the House adjourned until tomorrow, Thursday, January 31, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 2 p. m. on Thursday, January 31, 1946, to continue hearings in its study of operations pursuant to the Public Utility Holding Company Act of 1935, in room 1304, House Office Building.

COMMITTEE ON BANKING AND CURRENCY

There will be a meeting of the Committee on Banking and Currency at 10:30 a. m. on Thursday, January 31, 1946, to continue housing.

COMMITTEE ON THE POST OFFICE AND POST ROADS

There will be a meeting of the Committee on the Post Office and Post Roads on Thursday, January 31, 1946, at 10:30 a. m., to consider H. R. 5186, authorizing certain administrative expenses in the Post Office Department, and for other purposes.

COMMITTEE ON THE CENSUS

The Committee on the Census will hold hearings on H. R. 4781, on Friday morning, February 1, at 10 a. m. in room 1012.

COMMITTEE ON THE JUDICIARY

The Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary will hold a hearing on Monday, February 4, 1946, on the bill (H. R. 5023) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, February 6, 1946, on the bill (H. R. 5089) to amend the First War Powers Act, 1941. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

996. A letter from the Archivist of the United States, transmitting a report on records disposed of under the provisions of section 10 of the act approved July 7, 1943 (57 Stat. 380), as amended by the act approved July 6, 1945 (59 Stat. 434); to the Joint Committee on the Disposition of Executive Papers.

997. A letter from the Archivist of the United States, transmitting the information that no records have been authorized for disposal during the calendar year 1945 under the provisions of section 7 of the act approved July 7, 1943 (57 Stat. 380), as amended by the act approved July 6, 1945 (59 Stat. 434); to the Joint Committee on the Disposition of Executive Papers.

998. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill to provide basic authority for the performance of certain functions and activities of the Department of Commerce; to the Committee on Interstate and Foreign Commerce.

999. A letter from the Secretary of the Navy, transmitting a copy of the Joint Chiefs of Staff report on H. R. 3603 to the Committee on the Merchant Marine and Fisheries.

1000. A letter from the president, Capital Transit Co., transmitting a report covering the operations of Capital Transit Co. for the calendar year 1945, with balance sheet as of December 31, 1945; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. RANDOLPH: Committee on the Civil Service. House Report No. 1349 (pt. II). Supplemental report to accompany S. 102, an act to amend section 2 (b) of the act entitled "An act extending the classified executive civil service of the United States," approved November 26, 1940, so as to provide for counting military service of certain employees of the legislative branch in determining the eligibility of such employees for civil-service status under such act. Referred to the Committee of the Whole House on the State of the Union.

Mr. MAY: Committee on Military Affairs. House Resolution 20. Resolution submitting report on investigations of the national war effort (Rept. No. 1510). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. Resolution disposing of sundry papers (Rept. No. 1511). Ordered to be printed.

Mr. BOYKIN: Committee on Patents. H. R. 5258. A bill granting a renewal of Patent No. 113,244, dated February 7, 1939, relating to the flag of the Church of God; without amendment (Rept. No. 1512). Referred to the Committee of the Whole House.

Mr. CLARK: Committee on Rules. House Resolution 500. Resolution providing for the consideration of H. R. 4908, to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes; without amendment (Rept. No. 1513). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. EBERHARTER:

H. R. 5293. A bill to revise the individual and corporation income tax so as to offer incentive to business enterprise; to the Committee on Ways and Means.

By Mr. GEELAN:

H. R. 5294. A bill to provide that one-half of the interest on loans guaranteed or insured under the Servicemen's Readjustment Act of 1944, as amended, be paid by the Administrator of Veterans' Affairs; to the Committee on World War Veterans' Legislation.

By Mr. HENDRICKS:

H. R. 5295. A bill to broaden the scope and raise the rank of the veterans' preference provided for in the Surplus Property Act of 1944; to the Committee on Expenditures in the Executive Departments.

By Mrs. LUCE:

H. R. 5296. A bill to amend the Internal Revenue Code, as amended, and for other purposes; to the Committee on Ways and Means.

By Mr. PACE:

H. R. 5297. A bill to broaden the scope and raise the rank of the veterans' preference provided for in the Surplus Property Act of 1944; to the Committee on Expenditures in the Executive Departments.

By Mr. SAVAGE:

H. R. 5298. A bill to grant to veterans of World War II a temporary exclusion from gross income; to the Committee on Ways and Means.

By Mr. STEVENSON:

H. R. 5299. A bill to provide for a preliminary examination and survey of the Pecatonica River with a view to the controlling of floods; to the Committee on Flood Control.

By Mr. WALTER:

H. R. 5300. A bill relating to the time of taking effect of the rules of criminal procedure reported to Congress at the beginning of the first regular session of the Seventy-ninth Congress; to the Committee on the Judiciary.

By Mr. HARE:

H. R. 5301. A bill to prohibit the use of force, violence, intimidation, or coercion to prevent any individual from accepting or performing work when and where offered; to the Committee on Labor.

By Mr. SPENCE:

H. J. Res. 311. Joint resolution to further implement the purposes of the Bretton Woods Agreement Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes; to the Committee on Banking and Currency.

By Mr. BURGIN:

H. Con. Res. 124. Concurrent resolution providing for the discontinuance of the manufacture of atomic bombs until further action by the Congress; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. WEST:

H. R. 5302. A bill authorizing Gus A. Guerra, his successors and assigns, to construct, maintain, and operate a bridge across

the Rio Grande at or near Rio Grande City, Tex.; to the Committee on Interstate and Foreign Commerce.

By Mr. JAMES J. DELANEY:

H. R. 5303. A bill to authorize the reinstatement of Anthony P. Campanella as a teacher in the high schools of the District of Columbia; to the Committee on the District of Columbia.

By Mr. DURHAM:

H. R. 5304. A bill for the relief of Pearson Remedy Co.; to the Committee on Claims.

By Mr. PFEIFER:

H. R. 5305. A bill for the relief of Joseph Scotto; to the Committee on Immigration and Naturalization.

By Mr. SPRINGER:

H. R. 5306. A bill to extend Letters Patent No. 1,734,445; to the Committee on Patents.

By Mr. WEST:

H. R. 5307. A bill for the relief of Ben V. King; to the Comimttee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII:

1507. Mr. CLASON presented a petition of Royal G. Daniels and others, World War II veterans employed at Westinghouse Electric Corp., at Springfield, Mass., urging repeal of provisions in the GI bill of rights restricting payment of benefits to veterans while strikes are in progress, and for other purposes, which was referred to the Committee on World War Veterans' Legislation.

SENATE

THURSDAY, JANUARY 31, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Lord God Almighty, who amidst the shifting sands of time standest sure, like men who turn from dusty toil to crystal streams, so we lift our soiled faces to Thee from the perplexities and the imperfections which crowd the common days. As we pause in reverent silence, let this high place, so great a factor in tomorrow's pattern for all men, become the audience chamber of Thy presence. Because there is no solution of the world's ills save as it springs from the hearts of men, we pray for ourselves: Cleanse Thou our hearts by Thy grace, feed our minds with Thy truth, guide our feet in Thy paths. For Thy name's sake. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed a bill (H. R. 5158) reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. BILBO obtained the floor.

Mr. WHERRY and Mr. RUSSELL addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Nebraska?

Mr. BILBO. I promised to yield first to the Senator from Georgia.

Mr. RUSSELL. Mr. President, I merely wish to do the customary thing of asking unanimous consent that a quorum be called without prejudicing the rights of the Senator from Mississippi to the floor.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Myers
Austin	Hart	O'Daniel
Bailey	Hatch	Pepper
Bankhead	Hawkes	Reed
Barkley	Hayden	Revercomb
Bilbo	Hickenlooper	Robertson
Brewster	Hill	Russell
Briggs	Hoey	Saltonstall
Buck	Huffman	Shipstead
Bushfield	Johnson, Colo.	Smith
Butler	Johnston, S. C.	Stanfill
Byrd	Kilgore	Stewart
Capehart	La Follette	Taylor
Capper	Langer	Thomas, Okla.
Chavez	Lucas	Thomas, Utah
Cordon	McCarran	Tobey
Donnell	McClellan	Tydings
Downey	McFarland	Walsh
Eastland	McKellar	Wheeler
Ellender	McMahon	Wherry
Ferguson	Maybank	White
Fulbright	Mead	Wiley
George	Millikin	Willis
Gerry	Morse	Wilson
Gossett	Murdock	Young

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from Louisiana [Mr. OVERTON], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. CARVILLE], and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Washington [Mr. MITCHELL] is absent on official business.

The Senator from Rhode Island [Mr. GREEN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. MURRAY], and the Senator from Maryland [Mr. RADCLIFFE] are detained on public business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business as a member of the Mead committee.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Minnesota [Mr. BALL] is absent because of illness.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Illinois [Mr. BROOKS], the Senator from Oklahoma [Mr. MOORE], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The PRESIDENT pro tempore. Seventy-five Senators having answered to their names, a quorum is present.

TWENTY-FIRST REPORT TO CONGRESS ON LEND-LEASE OPERATIONS—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore. Before the Senator from Mississippi starts his remarks the Chair desires to lay before the Senate a message from the President of the United States on the twenty-first report to Congress on lend-lease operations for the period ended September 30, 1945. The message is short, and, without objection, it will be read at this time.

(For President's messtge, see p. 661 of the House proceedings of today's RECORD.)

The PRESIDENT pro tempore. The message and report will be referred to the Committee on Foreign Relations.

LOAN TO GREAT BRITAIN—JOINT RESOLUTION INTRODUCED

Mr. BILBO. Mr. President, there are several of my colleagues who wish to present matters to be printed in the RECORD, and I shall be glad to yield to each of them, without losing the floor. I first yield to my beloved leader, who wishes to return to his committee work.

Mr. BARKLEY. I thank the Senator. I ask unanimous consent to introduce a joint resolution, to be referred to the Committee on Banking and Currency.

The PRESIDENT pro tempore. Without objection, the joint resolution will be received and referred to the Committee on Banking and Currency.

The joint resolution (S. J. Res. 138) to implement further the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes, was read twice by its title and referred to the Committee on Banking and Currency.

Mr. BARKLEY. Mr. President, I ask also to have printed at this point in my remarks a press release with respect to the joint resolution I have just introduced.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The President has now transmitted to the Congress the financial agreement with the United Kingdom with the request that the Congress take appropriate steps to implement it. I have, consequently, introduced a joint resolution for this purpose.

The financial agreement with Britain is a necessary and integral part of the international economic program of the United States, which is designed to promote the peace and prosperity of the world. This program has two broad objectives. The first is to eliminate discriminatory and restrictive trade practices and to prevent the development of conflicting economic blocs. The second is to create through international cooperation the conditions necessary for an expansion of world trade in which all coun-

tries can participate on a fair and equal basis.

We know from experience that a prosperous world is a peaceful world. When world trade breaks down, when countries adopt restrictive and discriminatory currency devices, they invite retaliatory measures, and they help to spread and intensify depression. That is economic warfare. It is a risk the world can no longer afford to take.

The policy of this Government has been to prevent any danger of economic warfare by getting the United Nations to cooperate in maintaining fair currency and trade practices. The International Fund, the International Bank, and the proposed International Trade Organization are the instrumentalities through which this policy of international economic cooperation will be put into effect. We have urged this policy because American prosperity depends on expanding world trade and an opportunity to export the products of our factories and farms. We have urged this policy because we believe it is an indispensable condition for the maintenance of peace.

At the time that the Bretton Woods agreements were drafted there were a number of the United Nations that could not adopt immediately the currency practices required by the International Monetary Fund. It was realized that these countries would need a period of time in which to reconstruct their economies and to restore their trade. The fund agreement provided for such countries a transitional period, during which they would not be required to apply the fundamental rule of nondiscrimination in their exchange transactions.

Britain is one of those countries which justifiably could avail itself of these transitional provisions. During the war, her export trade fell to 30 percent of the prewar volume. Much of her merchant fleet, from which she used to derive an important part of her foreign exchange receipts, was lost in the submarine warfare. More than $4,500,000,000 of her foreign investments were sold and her foreign obligations were increased to more than $13,000,000,000 to provide the foreign exchange resources for war. Unless she can find some means to pay for her essential imports, Britain must depend upon the transitional provisions. She would be compelled to maintain her wartime currency and import controls, and she might even find it necessary to extend and intensify these controls.

It is in our interest to help Britain eliminate soon these wartime controls. Britain is the world's largest importing country. She is the center of the British Empire and the sterling area, a group of countries that carry on nearly half the world's trade. Britain is our best customer. The British Empire and the sterling area buy more than 40 percent of the exports of the United States. The continuation of Britain's wartime controls would make it difficult for other countries to give up their wartime controls. It would be a serious blow to our exporters. Even after the transition period has passed, we might never regain the important position we hold in these markets.

The financial agreement with Britain has no other purpose than to make it possible for Britain to give up these wartime currency and trade controls.

When this agreement is approved by Congress, Americans who export to Britain will be paid in dollars; or if they are paid in sterling, they will be permitted to convert the sterling into dollars.

Within a year the proceeds of exports to Britain from all other countries will be convertible into any currency. The money will be free for use in buying goods in any country, including the United States.

Within a year the allocation of dollars to sterling area countries from the London pool will be abandoned. Any country securing dollars from business with the United States will be able to spend it here without waiting for approval from any other country.

The accumulated sterling balances will be settled by Britain with the countries directly concerned. Any funds released under this settlement, immediately or in future payments, can be spent in any country including the United States.

Furthermore, import licensing in Britain will not be used to discriminate against American exports. And Britain also associates herself with the American proposals to reduce unnecessary barriers to trade and to eliminate discriminations in trade. She will support the United States on these policies in the conference to be held to establish International Trade Organization.

These are far-reaching commitments that Britain undertakes in the financial agreement. Their effects on world trade and on American trade are of tremendous significance. They can be carried out by Britain, promptly, if she can get help in meeting her essential import needs during the transition period. Some of this help Britain can get from other countries. Much of it she can get only from us.

That is the other feature of the financial agreement, the credit to Britain. If Congress approves this agreement, a line of credit of $3,750,000,000 will be made available to Britain to pay for her current needs. None of the credit can be used to liquidate existing obligations. This credit will remain open for use until 1951. In that year she will begin repayment of the amount used, together with interest at 2 percent. Under certain conditions, the interest—but not the principal—due in any given year may be waived for that year. The whole credit will be repaid in 50 annual payments.

The Senate is fully aware of the importance of this agreement to our foreign policy and to our economic policy. In the words of the President, this agreement is an essential part of our program for establishing a peaceful and prosperous world. I am confident that the Senate hearings and discussions will provide us all with ample opportunity to give full and fair consideration to the proposed agreement.

Joint resolution to further implement the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes

Whereas in the Bretton Woods Agreements Act the Congress has declared it to be the policy of the United States "to seek to bring about further agreement and cooperation among nations and international bodies, as soon as possible, on ways and means which will best reduce obstacles to and restrictions upon international trade, eliminate unfair trade practices, promote mutually advantageous commercial relations, and otherwise facilitate the expansion and balanced growth of international trade and promote the stability of international economic relations"; and

Whereas in further implementation of the purposes of the Bretton Woods agreements, the Governments of the United States and the United Kingdom have negotiated an agreement dated December 6, 1945, designed to expedite the achievement of stable and orderly exchange arrangements, the prompt elimination of exchange restrictions and discriminations, and other objectives of the above-mentioned policy declared by the Congress: Therefore, be it

Resolved, etc., That the Secretary of the Treasury, in consultation with the National Advisory Council on International Monetary and Financial Problems, is hereby authorized to carry out the agreement dated December 6, 1945, between the United States and the United Kingdom which was transmitted by the President to the Congress on January 30, 1946.

SEC. 2. The Secretary of the Treasury is authorized in the manner prescribed by subsection (b) of section 7 of the Bretton Woods Agreements Act (act of July 31, 1945, Public Law 171, 79th Cong.), to provide and use an amount not to exceed $3,750,000,000 solely for the purpose of carrying out the agreement between the United States and the United Kingdom. Payments to the United Kingdom under this act and pursuant to the agreement and repayments shall be treated in the manner prescribed by subsection (b) of section 7 of the Bretton Woods Agreements Act, and payments of interest to the United States shall be covered into the Treasury as miscellaneous receipts.

Mr. LANGER. Mr. President, reserving the right to object, I wish to ask what the joint resolution is.

Mr. BARKLEY. It is a joint resolution I offered yesterday following the President's message and was not permitted to introduce, implementing the message, and providing for carrying out the agreement between the United States and the United Kingdom about the loan.

Mr. LANGER. It is my understanding that I am to be asked to attend the committee hearings.

Mr. BARKLEY. I assured the Senator, and I now assure him publicly, that when the hearings are in progress before the Committee on Banking and Currency on the joint resolution, the Senator will receive an invitation to attend and to make his views known with respect to the measure, and I should be glad to extend to him every courtesy in that connection.

Mr. LANGER. May I have the privilege of bringing witnesses?

Mr. BARKLEY. That was not included in our conversation. The length of the hearings and the number of witnesses, of course, will be determined by the committee. I am sure that the committee will give earnest consideration to any request the Senator from North Dakota might make on the subject. But I do not know how many witnesses it will be necessary to call, or how many will appear for or against the measure. The committee, however, will afford the Senator every courtesy consistent with usual committee procedure.

Mr. LANGER. I wish to say to the distinguished Senator that I feel very strongly on this subject. That is why I made what was an unusual objection to the introduction of the joint resolution. I feel strongly on this subject because of the immense sum of money involved.

Mr. BARKLEY. I understand that the Senator is opposed to the joint resolution and opposed to the proposed loan and will make his attitude known in the Senate and, if he wishes, before the committee.

Mr. LANGER. That is correct.

HARRY HOPKINS

Mr. MAYBANK. Mr. President, will the Senator from Mississippi yield to me?

Mr. BILBO. I yield.

Mr. MAYBANK. I ask unanimous consent to have printed in the RECORD an editorial published in the New York Times of yesterday entitled "A Good Soldier Dies." I also ask to have printed in the RECORD an editorial entitled "Harry Hopkins," published in the Washington Star of yesterday.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times]

A GOOD SOLDIER DIES

Harry L. Hopkins had two careers. He was a social worker, beginning as director of a boys' summer camp and resident in a settlement house, and ending as dispenser of $8,500,000,000 of Federal funds in the largest relief program in history. He was an appointed official and an unofficial Presidential adviser who little by little withdrew his energies from relief and reform and devoted them to getting ready for, and helping to win, a world war. In none of these capacities did he spare himself. In none was he ambiguous. As head of FERA, CWA, and WPA he developed the theory that the Federal Government had a direct responsibility for the welfare of its citizens, and that it was better and more American that those on relief should receive a wage rather than a dole. The practice was not always as good as the theory, but Harry Hopkins stuck to it and wrecked his health trying to make it work. As Secretary of Commerce, as Lend-Lease Administrator, and as Presidential emissary abroad he labored in pain and fatigue to bring home the realities of impending war, to strengthen faith in our national allies and to make victory possible.

Much that the late President Roosevelt accomplished would have been impossible without the help of Harry Hopkins. The friendship of the two men lay in mutual trust and was more than political. In this relationship Harry Hopkins was never merely a yes-man or errand boy. He helped form policy, as when he came back from Europe in 1941 and reported that both Russia and Britain would stand against the Nazi onslaught; and when he encouraged President Roosevelt to put aside further New Deal adventures in order to unite the Nation for the impending crisis. Some of his old associates thought he had betrayed reform. He had not done so. He had merely come to realize that there would be no chance for reform if Hitler were not crushed.

Like the late President, he was a good soldier, bearing his wounds bravely and keeping up the battle as long as he was needed and the strength was in him. At 55 he died too young. He deserves the honors we pay to veterans who gave all they had to the service of their country.

[From the Washington Star]

HARRY HOPKINS

Harry Hopkins cheerfully accepted the role in the Roosevelt administration to which his critics assigned him—the whipping boy of the New Deal. When it was politically unwise to attack the President, it was popular to lambaste Harry Hopkins. To many he became a sort of sinister embodiment of the New Deal when the term came into opprobrious use. Here was a "social worker" who had "never met a pay roll in his life," cocksure and full of wisecracks, given dictatorial authority to spend some $3,000,000,000 on projects which seemed as transitory as the raked leaves. And whether or not he ever said it, the boastful "spend and spend and spend, and tax and tax and tax, and elect and elect and elect" aptly expressed a popular estimate of his political philosophy.

The war gave Mr. Hopkins a new field of activity, but in the eyes of his defamers he merely went from bad to worse. Instead of spending hundreds of millions through CWA and WPA, he was pictured now as the shadowy figure behind the throne, scheming to get us into war, surreptitiously slipping treasure to our allies, hobnobbing with premiers, generalissimos, and dictators, and selling his country down the river.

Now that he is gone, it may be hoped that some surviving member of the intimate circle in which he lived and worked will make available the real story of Mr. Hopkins and the President. His value to Mr. Roosevelt, aside from his ability to do a job, evidently lay in a devoted loyalty which inspired complete confidence and a personality which the President found free of irritation. Those who best could tell this story would reveal a more credible account of the services performed by Mr. Hopkins than the myths which were created by his enemies. Their conception of Mr. Hopkins and the value of his war work pictures him as a selfless, shrewd, and able administrator, unquestioning in sacrifice to duty, stoically accepting such personal tragedies as the death of his youngest son in action, spending his frail health beyond endurance. He was credited with an ability to deal so forthrightly, yet without offense with our allies, that he was chosen for the most difficult missions in pursuit of what we needed. And no scandal of personal aggrandizement was ever made to stick to his name.

The death of Mr. Roosevelt ended an association which is unique and, therefore, of fascinating interest to the historians. One may believe that when its details are recorded Mr. Hopkins will outlive the memory of his detractors.

Mr. MAYBANK. I may say, Mr. President, that in the passing of Harry Hopkins the people of the United States have lost one of their great war leaders, a man who gave understandingly of his time, his service, and his energy, always in the interest of America and the American people during the crisis of the war and the period immediately following the war.

Mr. President, in the death of Mr. Hopkins I have lost a very dear personal friend. The editorials I have placed in the RECORD truly picture his character, his courage, and his unselfishness.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON DISPOSITION OF SURPLUS WAR-BUILT MERCHANT SHIPS

A letter from the Secretary of the Navy, transmitting a confidential copy of a report of the Joint Chiefs of Staff on the disposition of surplus war-built merchant ships (with an accompanying report); to the Committee on Commerce.

REPORT ON CERTAIN LANDS WITHIN INDIAN RESERVATIONS

A letter from the Acting Secretary of the Interior, reporting, pursuant to law, that no lands valuable for power or reservoir sites or necessary for use in connection with irrigation projects have been reserved from lands within Indian reservations; to the Committee on Indian Affairs.

REPORT OF UNITED STATES OFFICE OF EDUCATION

A letter from the Administrator of the Federal Security Agency, transmitting, pursuant to law, the Annual Report of the Office of Education for the fiscal year 1945 (with an accompanying report); to the Committee on Education and Labor.

REPORT OF SOCIAL SECURITY BOARD

A letter from the Administrator of the Federal Security Agency, transmitting, pursuant to law, the Tenth Annual Report of the Social Security Board, for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Finance.

REPORT OF SURPLUS PROPERTY ADMINISTRATION

A letter from the Administrator of the Surplus Property Administration, transmitting, pursuant to law, the fourth quarterly progress report of that Administration, 1945 (with an accompanying report); to the Committee on Military Affairs.

REPORT OF SURPLUS PROPERTY BOARD

A letter from the Administrator of the Surplus Property Administration, transmitting, pursuant to law, the third quarterly progress report of the Surplus Property Board, 1945 (with an accompanying report); to the Committee on Military Affairs.

REPORT OF CAPITAL TRANSIT CO.

A letter from the president of the Capital Transit Co., Washington, D. C., transmitting, pursuant to law, a report covering operations of that company for the calendar year 1945, with balance sheet as of December 31, 1945 (with accompanying papers); to the Committee on the District of Columbia.

REPORT OF WASHINGTON RAILWAY & ELECTRIC CO.

A letter from the vice president of the Washington Railway & Electric Co., transmitting, pursuant to law, a report of that company for the year ended December 31, 1945 (with an accompanying report); to the Committee on the District of Columbia.

REPORT OF POTOMAC ELECTRIC POWER CO.

A letter from the general manager of the Potomac Electric Power Co., Washington, D. C., transmitting, pursuant to law, a report of that company for the year ended December 31, 1945 (with an accompanying report); to the Committee on the District of Columbia.

STATEMENT OF RECEIPTS AND EXPENDITURES OF THE CHESAPEAKE & POTOMAC TELEPHONE CO.

Two letters from the president of the Chesapeake & Potomac Telephone Co., Washington, D. C., transmitting, pursuant to law, a comparative general balance sheet and a corrected statement of receipts and expenditures of that company for the year ended December 31, 1945 (with accompanying reports); to the Committee on the District of Columbia.

PETITIONS AND MEMORIAL

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California, to the Committee on Military Affairs.

"Senate Joint Resolution 2

"Joint resolution relative to memorializing the President and Congress of the United States to declare as surplus all unnecessary building materials held by the armed forces and to provide preference rights to veterans in sales of such materials

"Whereas the conclusion of actual hostilities finds the armed services of the United States in possession of large quantities of building materials in this State which are no longer needed in the prosecution of the war; and

"Whereas there exists in this State an immediate and urgent need to provide adequate housing facilities for our citizens and especially for returning veterans and their families; and

"Whereas it is only fitting and proper that a grateful Nation afford every possible opportunity to its veterans to reestablish themselves in civil life and in comfortable, sanitary, and healthful surroundings: Now, therefore, be it

"Resolved by the Senate and Assembly of of the State of California, jointly, That the Legislature of the State of California hereby memorializes and respectfully urges the President and the Congress of the United States immediately to declare as surplus all building materials now held by the armed forces in this State and which are no longer required for military purposes, and to provide proper measures whereby veterans be given a priority in the purchase of such materials; and be it further

"Resolved, That a copy of this joint resolution be transmitted to the President of the United States, and to the President pro tempore of the Senate, to the Speaker of the House of Representatives, and to each of the Senators and Representatives of this State in the Congress."

By Mr. LA FOLLETTE:

A resolution adopted by the Common Council of the City of Milwaukee, Wis., praying for the enactment of House bill 2232, providing for a permanent Fair Employment Practice Committee; ordered to lie on the table.

By Mr. CAPPER:

A petition of sundry members of St. Paul's Evangelical and Reformed Church, of Eudora, Kans., praying for the enactment of legislation to provide for the immediate release of conscientious objectors in the armed forces; to the Committee on Military Affairs.

A memorial of sundry members and friends of St. Paul's Evangelical and Reformed Church of Eudora, Kans., remonstrating against the enactment of legislation providing for compulsory military conscription; to the Committee on Military Affairs.

DEMOBILIZATION OF ARMED FORCES—PETITION

Mr. LANGER. Mr. President, I present a petition signed by more than 100 residents of the city of Jamestown, N. Dak., the signatures to which, I am told, were secured in less than 1 hour. I may say that I know most of the signers personally, and they are of all political complexions. The petition reads as follows:

We, the undersigned, citizens of the city of Jamestown, Stutsman County, N. Dak., demand that all men who have been in the armed forces for 2 years and have served overseas be released immediately. We believe there are shipping accommodations to bring the men who are eligible for discharge home from both the Pacific and European theaters if the facilities are used properly and for the purpose of bringing the eligible men of the armed forces to the United States.

AMENDMENT OF RAILROAD RETIREMENT ACT—PETITION

Mr. CAPPER. Mr. President, I have received a petition signed by several hundred railroad employees of Liberal, Kans., asking me to work for a measure that will amend the Railroad Retirement Act, changing the age limit to 60 years, and the total disability clause to include those with 10 years' service with the railroads. I think this suggestion is worthy of serious consideration. I ask that the petition be referred to the Committee on Interstate Commerce for early consideration. The petition is as follows:

We, the undersigned railroad employees, ask that you exert your influence in having the railroad retirement law amended, changing the age limit to 60 years and the total disability clause to include those with 10 years' service with the railroads.

The PRESIDENT pro tempore. Without objection, the petition will be received and referred to the Committee on Interstate Commerce, as requested by the Senator from Kansas.

DISTRICT OF COLUMBIA REPRESENTATION IN THE CONGRESS

Mr. CAPPER. Mr. President, I have received a copy of a resolution adopted by the Hampshire Heights (D. C.) Citizen's Association urging the Congress to enact the Capper-Sumners resolution granting District representation in the Senate and House of Representatives, as well as Presidential electors.

I ask unanimous consent to present the resolution for appropriate reference and that it be printed in the RECORD.

There being no objection, the resolution was received, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas there is now in committee the Sumners-Capper resolution which provides for an amendment to the Constitution to empower Congress to grant the District representation in the Senate and the House of Representatives and among the electors; and

Whereas it is the desire of the greater number of Washingtonians that this resolution be favorably acted upon; and

Whereas this association has on a number of occasions in the past years endorsed such action: Therefore be it

Resolved in regular meeting assembled this 22d day of January 1946, That Hampshire Heights Citizens' Association go on record as favoring the passage of this resolution; and further

Resolved, That copies of this resolution be sent the following: The president of the United States Federation of Citizens' Association; Senators CAPPER, WHERRY, STANFILL, and MURDOCK; Senate Judiciary Committee; Representative SUMNERS; Central Suffrage Conference.

Respectfully submitted.

DON. R. LAMBORNE,
Chairman, Suffrage Committee.

SUSPENSION OF IMMIGRATION—RESOLUTION OF VETERANS OF FOREIGN WARS OF THE UNITED STATES

Mr. CAPPER. Mr. President, I have received from the national legislative committee of the Veterans of Foreign Wars, a very fine organization, a copy of a resolution adopted by them in which they take a stand for suspension of all immigration. I ask unanimous consent to present the resolution for appropriate reference and that it be printed in the RECORD. I believe this proposal has strong support in my section of the country.

There being no objection, the resolution was received, referred to the Committee on Immigration, and ordered to be printed in the RECORD, as follows:

Whereas the critical shortage of housing in the United States is such as to require a period of 10 years for construction of new homes before the housing accommodations will meet the demands of the population of the United States; and

Whereas the United States has an obligation to first furnish employment to the men and women of the armed forces who have defended this country, and also furnish employment to the other employable citizens of the United States; and

Whereas unrestricted immigration to this country will intensify the critical housing shortage and prevent the furnishing of employment to returned veterans and employable citizens: Therefore be it

Resolved, by the Veterans of Foreign Wars of the United States, through its national legislative committee, meeting in Washington January 14, 15, and 16, 1946, That Congress be requested to immediately enact legislation prohibiting immigration from all countries for a period of 10 years; be it further

Resolved, That a copy of this resolution be forwarded to all Members of the House of Representatives and the Senate of the United States, with a request for an early pronouncement of their position on this issue.

PROTEST AGAINST GRANTING OF GOVERNMENT LOANS TO FOREIGN COUNTRIES

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution adopted by the Veterans of Foreign Wars of the United States, through its national legislative committee, meeting in Washington, D. C., January 14, 15, and 16, 1946, protesting against the granting of Government loans to foreign governments or the advancement in the future of any money to any foreign agency or government, and requesting that the national legislative representative of that organization be authorized and directed to represent such action before congressional committees.

There being no objection, the resolution was received, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Whereas the United States State Department has entered into an agreement with a foreign government for a Government loan in the amount of about $4,000,000,000, requiring the future approval of Congress; and

Whereas other foreign countries already have or are making approaches to this Government for loans which will aggregate $30,000,000,000 or more; and

Whereas the debt of the Federal Government as a result of the recent conflict approximates $300,000,000,000, a staggering indebtedness under any circumstances; and

Whereas the loan presently negotiated and awaiting congressional approval is at a rate of 2 percent, but actually, as a result of the 5 years' grace, approximates a rate of 1.62 percent, and the Federal Government average rate on War bonds and Victory bonds is approximately 1.92 percent; and

Whereas it has been said by most economists, and as has been well said by many statesmen, "that if this country can maintain full employment and a standard of living higher than that of any other country [the American standard of living and way of life] only by perpetually having a large surplus of exports over imports, then it will be impossible for any foreign country receiving such a loan to repay same"; and

Whereas statesmen of the country now favored by the loan agreement advance one set of expressions for home consumption and another for consumption in the United States—the former along this line: That "the loan is a prelude to further mutual advantageous arrangements and that the Empire and this country's activities can be integrated to insure for ourselves [the borrowing country] and the whole world a long period of prosperity and peace"; and

Whereas attention is called in the above respect to the attitude of this borrowing country regarding overseas and international aviation respecting the dictation of fares for aerial transportation and its recent unilateral action, secretly applied, of imposing 21 points of submission on the independent country

of Siam, most of which covered trade preferences and exclusive aviation rights; and

Whereas experience of the Government as a loaner of money to foreign governments, over the years, unfortunately demonstrates that we become disliked and accused of many things; lack culture, are behind the times and our religious perception woefully antiquated and as on former occasions we will be called Uncle Shylock and many other unkind names; and

Whereas in the light of the future financial needs of and rehabilitation of our veterans and service men and women, and the welfare of our country and its citizens, our economy now is burdened beyond the breaking point, in the matter of Government debt; and

Whereas it was never envisioned in this or any other country's fiscal set-up, to become a government banker, for other countries good or bad, and is foreign to our country's policy and inimical to its welfare and status of respect in the family of nations; and

Whereas in the light of the economic principal involved, that to be able to repay any loan granted a foreign country, it would be necessary for such foreign country to export to the United States goods and services in excess of the value of those imported from the United States, in other words a balance of trade against our labors and industry; how would labor and industry like that? (We veterans also are greatly concerned.) And to meet just such a situation and circumstance, the borrowing country has seen to it that there is in the agreement an escape clause which permits the borrower to put off interest payments in any year in which it has insufficient dollar balances. How frequently will this occur do you think? And if you are not a dodo, what do you need to happen or be told you, not to know from the above that this Government loan if granted will, as in the past, never be repaid by such Government, and they have set up the proviso, which will be its answer whenever the default occurs; and

Whereas your attention is called to the reply courteous given our country by the present borrower when we as customarily present the bill for debts due—in June 1938. The borrower's Ambassador presented the following note June 14, 1938:

"I am directed to express the appreciation of His Majesty's Government of the assurance of the Government of the United States is fully disposed to discuss any proposal which His Majesty's Government may desire to put forward in regard to the payment of this indebtedness. * * * His Majesty's Government will be willing to reopen discussions on the subject whenever circumstances are such as to warrant the hope that a satisfactory result might be reached."

Can't you just visualize the nature of the answer 10 or 20 years hence if another loan is granted and another bill therefor is received; and

Whereas notwithstanding the propaganda that will be spread nationally seeking to arouse public favor for the granting of this first proposed loan in the year 1946, it, and any others, is against the best interest and welfare of our country and its citizens: Now, therefore, be it

Resolved, That the Veterans of Foreign Wars of the United States, through its national legislative committee, meeting in Washington, D. C., this 14th, 15th, and 16th of January 1946, memorializes the Congress of the United States to oppose and refuse the granting of Government loans to foreign governments or the advancements in the future to any foreign agency or government of any money, or grant of funds for any reason or purpose whatsoever by this Government from any Government source, and that the national legislative representatives be authorized and directed to represent such action before congressional committees handling such legislation.

That such loans from private sources or advancements for relief or otherwise by public appeal is suggested as the proper procedure.

REPORTS OF A COMMITTEE

Mr. TYDINGS, from the Committee on Territories and Insular Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 3580. A bill to authorize municipalities and public utility districts in the Territory of Alaska to issue revenue bonds for public-works purposes (Rept. No. 910);

H. R. 3614. A bill to ratify and confirm act 33 of the Session Laws of Hawaii, 1945, extending the time within which revenue bonds may be issued and delivered under chapter 118, Revised Laws of Hawaii, 1945 (Rept. No. 911); and

H. R. 3657. A bill to ratify and confirm act 32 of the Session Laws of Hawaii, 1945 (Rept. No. 912).

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CAPPER:

S. 1780. A bill to provide for the appointment of public defenders in the district courts of the United States; to the Committee on the Judiciary.

(Mr. GOSSETT (for himself, Mr. CARVILLE, Mr. CHAVEZ, Mr. JOHNSON of Colorado, Mr. ROBERTSON, Mr. MCFARLAND, Mr. MITCHELL, and Mr. MORSE), introduced Senate bill 1781, to authorize the establishment of field stations in the Bureau of Mines for the purpose of reestablishing the mineral resources in the United States, which was referred to the Committee on Mines and Mining and appears under a separate heading.)

(Mr. LANGER introduced Senate bill S. 1782, to provide for loans to individuals for the purpose of enabling them to obtain a college or university education, which was referred to the Committee on Education and Labor, and appears under a separate heading.)

(Mr. MCCARRAN introduced Senate bill 1783, to amend the District of Columbia Teachers' Salary Act of 1945, as amended, to provide for increases in the salaries of certain teachers, and for other purposes; which was referred to the Committee on the District of Columbia, and appears under a separate heading.)

(Mr. BARKLEY introduced Senate Joint Resolution 138, to implement further the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

NEW MINERAL DEPOSITS

Mr. GOSSETT. Mr. President, I was requested by the Senator from Nevada [Mr. CARVILLE] to introduce a bill to authorize the establishment of field stations in the Bureau of Mines for the purpose of reestablishing the mineral resources of the United States. On behalf of myself, the Senator from Nevada [Mr. CARVILLE], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Colorado [Mr. JOHNSON], the Senator from Wyoming [Mr. ROBERTSON], the Senator from Arizona [Mr. MCFARLAND], the Senator from Washington [Mr. MITCHELL], and the Senator from Oregon [Mr. MORSE], I now ask unanimous consent to introduce the bill and that it be referred to the Committee on Mines and Mining.

There being no objection, the bill (S. 1781) to authorize the establishment of field stations of the Bureau of Mines for the purpose of reestablishing the mineral reserves of the United States and to provide for research and instruction in methods of discovering new mineral deposits, and for other purposes, was received, read twice by its title, and referred to the Committee on Mines and Mining.

LOANS TO INDIVIDUALS TO OBTAIN COLLEGE OR UNIVERSITY EDUCATION

Mr. LANGER. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to provide for loans to individuals for the purpose of enabling them to obtain a college or university education; and I request that it be printed in full at this point in the RECORD.

There being no objection, the bill (S. 1782) to provide for loans to individuals for the purpose of enabling them to obtain a college or university education was received, read twice by its title, referred to the Committee on Education and Labor, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the Commissioner of Education (hereinafter referred to as the "Commissioner") is authorized and directed to make loans, as provided in this act from the fund established pursuant to section 5, to individuals desiring to obtain vocational, technical, academic, or professional education beyond the high-school level.

SEC. 2. (a) Any person who is a citizen of the United States, and who has successfully completed a high-school course, or its equivalent, shall, upon application therefor approved by the Commissioner, be eligible for a loan under this act in an amount not to exceed $500.

(b) An application for a loan under this act shall be in such form and contain such information as may be prescribed by the Commissioner and shall contain (1) a statement by the applicant that he has not theretofore received a loan under this act; (2) a statement of the course of study or training proposed to be undertaken by the applicant; (3) a statement by the applicant that the loan applied for is necessary to such undertaking, and that, if granted, the proceeds thereof will be used to defray the costs of tuition, fees, books, supplies, board, lodging, and other necessary expenses incident to such study or training; and (4) a certification by an educational or training institution that it has found the applicant qualified for such course of study and that it is willing to admit him for such purpose.

SEC. 3. Such loans shall be made without security, except that the borrower shall execute a promissory note payable to the United States. Such note shall mature 15 years after the date of the loan, and shall bear interest at the rate of 1 percent per annum. If the applicant is a minor, such

note shall bear the endorsement of his parent or guardian.

SEC. 4. No loan shall be made to any person for any period during which he is receiving education or training under title II of the Servicemen's Readjustment Act of 1944.

SEC. 5. There is hereby authorized to be appropriated the sum of $3,000,000,000, which shall constitute a revolving fund to be available for the purpose of making loans under this act.

SEC. 6. (a) The Commissioner is authorized to promulgate such rules and regulations as may be necessary to carry out the provisions of this act.

(b) Nothing in this act shall be construed to authorize the Commissioner to exercise any influence upon the choice by an applicant for a loan under this act of a course of training or study or of the educational or training institution at which such course is to be pursued, or to authorize the Commissioner to exercise any supervision or control over any such institution.

(c) The provisions of this act shall be administered without discrimination against any person on account of his race, color, or creed.

AMENDMENT OF DISTRICT OF COLUMBIA TEACHERS' SALARY ACT OF 1945

Mr. McCARRAN. Mr. President, I ask unanimous consent to introduce a bill to amend the District of Columbia Teachers' Salary Act of 1945, as amended, to provide for increases in the salaries of certain teachers, and for other purposes, and request that it be referred to the Committee on the District of Columbia.

There being no objection, the bill (S. 1783) to amend the District of Columbia Teachers' Salary Act of 1945, as amended, to provide for increases in the salaries of certain teachers, and for other purposes, was received, read twice by its title, and referred to the Committee on the District of Columbia.

AMENDMENT TO REVENUE BILL OF 1946

Mr. BUTLER submitted an amendment intended to be proposed by him to the revenue bill for 1946, which was referred to the Committee on Finance, and ordered to be printed.

HOUSE BILL REFERRED

The bill (H. R. 5158) reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

THE ISSUES OF THE DAY—ADDRESS BY SENATOR KILGORE

[Mr. McFARLAND asked and obtained leave to have printed in the RECORD an address delivered by Senator KILGORE before the United Labor Committee for Political Action at Minneapolis, Minn., on January 10, 1946, which appears in the Appendix.]

THE PROPOSED LOAN TO GREAT BRITAIN—ADDRESS BY SENATOR BROOKS

[Mr. WHERRY asked and obtained leave to have printed in the RECORD an address entitled "Should Congress Approve the Proposed Loan to Britain?" delivered by Senator BROOKS before the Illinois Manufacturers Association at Chicago, Ill., January 15, 1946, which appears in the Appendix.]

THE SCHUYLKILL RIVER RESTORATION PROGRAM—ADDRESS BY SENATOR MYERS

[Mr. MYERS asked and obtained leave to have printed in the RECORD an address entitled "The Schuylkill River Restoration Program," delivered by him at a meeting of the Interstate Commission on the Delaware River Basin, held at Philadelphia, Pa., on January 25, 1946, which appears in the Appendix.]

LOOPHOLES IN ELECTION LAWS—ARTICLE BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article entitled "Loopholes in Election Laws," written by him and published in the February 1946 issue of Nation's Business, which appears in the Appendix.]

THE DECISIVE ISSUES OF 1946—ADDRESS BY SENATOR KILGORE

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio address entitled "The Decisive Issues of 1946," delivered by Senator KILGORE on the program Congress Speaks, on January 15, 1946, which appears in the Appendix.]

THE NEED FOR HOUSING FACILITIES AND HOUSING SUPPLIES

[Mr. MEAD asked and obtained leave to have printed in the RECORD a release relating to the need for housing facilities and housing supplies in the United States, issued by the Chamber of Commerce of the United States on January 25, 1946, which appears in the Appendix.]

DEVELOPMENT OF THE REA PROGRAM IN NEBRASKA—ADDRESS BY CLAUDE R. WICKARD

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an address entitled "Development of the REA Program in Nebraska," delivered by Claude R. Wickard, Administrator of the Rural Electrification Administration, before a meeting of the Nebraska Association of Rural Power Districts, at Columbus, Nebr., on January 25, 1946, which appears in the Appendix.]

ADDRESS BY HARRY W. BASHORE BEFORE NEBRASKA RECLAMATION ASSOCIATION

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an address delivered by Harry W. Bashore, former Commissioner of the Bureau of Reclamation, Department of the Interior, before the Nebraska Reclamation Association, at Lincoln, Nebr., on January 28, 1946, which appears in the Appendix.]

HOW WE CAN MAKE JOBS FOR MILLIONS—ARTICLE BY J. A. KRUG

[Mr. McCARRAN asked and obtained leave to have printed in the RECORD an article entitled "How We Can Make Jobs for Millions," written by J. A. Krug, former Chairman of the War Production Board, and published in the American magazine for January 1946, which appears in the Appendix.]

BIRTHDAY OF THE LATE PRESIDENT ROOSEVELT—POEM BY GEORGE W. WARD

[Mr. JOHNSTON of South Carolina asked and obtained leave to have printed in the RECORD a poem written by George W. Ward, which appears in the Appendix.]

GOVERNMENT CONTROL OF PRICES

The PRESIDENT pro tempore. The Senator from Mississippi [Mr. BILBO] has the floor.

Mr. WHERRY. Mr. President, will the Senator from Mississippi yield to me?

Mr. BILBO. I yield.

Mr. WHERRY. Mr. President, I should like to say that the first remarks I made on the floor of the Senate after taking the oath of office had to do with the need of obtaining maximum production of meat. Soon after I was appointed a member of the Small Business Committee. While serving on that committee the committee has held scores of hearings having to do with establishing prices which would bring about maximum production. In some instances prices have been raised vertically. In some cases subsidies have been paid, such as the one designed to bring about an increase in the production of milk. But along the line there have been some increases in prices.

At this moment much sentiment seems to be developing throughout the country on the part of merchants, producers, and labor that, in order to increase employment, our pricing system should be made flexible, and that prices should be made sufficiently high to obtain increased production.

I know Members of the Senate are anxious to learn the source of a statement which was made in the press recently, relative to the production of broadcloth shirts. The situation originated in an executive session of the Small Business Committee held during the holiday period. At that time the representative of a shirt company appeared before me in executive session. I was asked not to give the name of the company, so I withhold the name. The name, however, has been printed in the press. The witness told us that if his company could be given a flexible pricing program it would be able to produce and deliver shirts to the consumer. We asked why shirt companies could not do so now. We were told that shirt companies could not, under what is called MAP—which means maximum average price—produce shirts at the current cost level.

The representative of the company was asked, "Do you have on hand now any shirts already manufactured that you can deliver?" That question was asked because at every turn of the road we find discharged servicemen who want to buy suits of clothes and broadcloth shirts. It was then revealed that this particular company had on hand today in their own warehouse 35,000 dozen broadcloth shirts and 15,000 dozen pairs of shorts. We asked, "Why can you not deliver these shirts and shorts?" The answer was, "Because we cannot deliver them at less than cost. If we go any higher than MAP, we are subject to suit for violation of regulations and the payment of damages." The question was asked, "How much would you have to increase the price to free these shirts?"

Mr. President, I shall give the figures. By the way, I may say that the price for that particular shirt was $2.24 retail, which may enable the Members of the Senate to know what brand of shirt I am talking about. Without any increase at all in price, in February the company can deliver only 5 percent because of MAP—maximum average price. If the company were to increase the wholesale price of the shirt only 10 percent, the company could distribute 35 percent of those shirts wthout losing money. If the company were permitted to increase the wholesale price 20 percent—and 20 percent on this particular brand of shirt would be 44 cents, so the consumer could buy it for $2.68—the company would be able to deliver 80 percent of that stock of 35,000 dozen shirts now stored in its warehouse. If the wholesale price of that shirt were raised 30 percent, the

company would be able to deliver all the shirts it now has in its warehouse and go on a 100-percent production basis.

Mr. President, I think this is the first time those figures have been placed before the Senate. I submit that in view of those figures we should reflect upon the question of a flexible price program in the extension of the act. We could have all 35,000 dozen broadcloth shirts which are now in the warehouse brought out and sold to returned servicemen and to civilian consumers if an increase of 30 percent were permitted in the wholesale price of the shirt. Eighty percent of them could be brought out for sale if an increase of 20 percent in the wholesale price were permitted; 35 percent if an increase in the wholesale price of 10 percent were permitted, and the maximum increase in cost to the consumer would be 48 cents a shirt throughout the country.

A visit to the clothing stores will disclose that no broadcloth shirts are for sale. One can buy long pointed-collar sport shirts which sell for $8 or $9 apiece, which cannot be worn to work. Such shirts will not serve to meet the needs of the majority of people. What we need to do, if OPA is to be extended, is to adopt a flexible price program which will permit the production which is now so badly needed. This shirt example is one of the best I can present to the Senate. It is convincing evidence that where a choice must be made between production and price, it should be made in favor of production. Maximum production is the only weapon that can be successfully used to whip inflation.

Mr. President, I call attention to one more matter. I have in my hand an article published in this morning's newspaper, which I have not as yet had opportunity to verify. It is an AP dispatch, dated Detroit, January 30, relating to the Ford Motor Co. I read:

> Henry Ford 2d, president of the Ford Motor Co., today told Federal officials he was "convinced that if Government control of prices is removed promptly, management and labor will settle their differences without running to the Government."

The article states that the Ford Motor Co. is losing $300 on every car it now makes for civilian consumption.

The newspaper article has not been authenticated, and I simply read it for what it is worth. The Associated Press is reliable. The article again brings to the attention of the people of this country that if we are to whip inflation we must obtain production. The only way to whip inflation is by increased production. Here we have two outstanding examples of what results from the present OPA policy. I wanted to cite them in support of a program I have been working for since I came to the United States Senate.

Mr. WILEY. Mr. President, I wish to say a few words dealing with the same subject discussed by the Senator from Nebraska [Mr. WHERRY].

I think if we are to extend OPA we shall have to lay down definite directives in relation to procedure. In the OPA there are too many square pegs in round holes, who do not appreciate what the Senator from Nebraska has said so clearly, namely, that unless we get production we shall have inflation; and if we have inflation the American dollar will be depreciated in the same manner that European currencies have been depreciated.

The Senator from Nebraska spoke of Henry Ford 2d. Today I received a copy of a telegram which Mr. Ford sent to Mr. John W. Snyder, Director of the Office of War Mobilization and Reconversion. In a moment I shall read it into the RECORD.

Mr. President, the situation in relation to OPA is that apparently men have become hog-tied to the letter of a directive. They fail to see the need of the country for production—production of everything. Do they want inflation? They will get it with a vengeance, if we do not get production.

One instance was brought to my attention the other day in connection with enforcement. An official of OPA went into a store and ascertained that oranges the skins of which had contracted over a period of time weighed less than they weighed when they were full of moisture. He found that the weight of the oranges had decreased, with the result that the person selling the oranges, according to the OPA official, had charged 2 cents more than he should. Instead of counseling with the storekeeper, instead of advising him, instead of doing that which government was brought into existence to do, namely, to assist the individual, this official went through the books of the storekeeper for a period of 18 months, assumed that all oranges had been sold on that basis, and fined the storekeeper $700. That is only one instance of persecution.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. WILEY. I shall be glad to yield in a moment.

Let me cite another illustration. In the fall of 1941 a certain factory in my State entered into the production of commodities needed by the citizens of this country, but the production had been in progress only 3 months when the war came on. The entire factory was turned over to the Government for the manufacture of war materials. When the war was over and the company resumed the manufacture of articles which were needed by American citizens, production was limited to the amount which had been produced in the 3 months of 1941.

Mr. President, this is a common occurrence. The situation is a scandal. We cannot even obtain socks. The other day my wife went down town to buy a pair of socks for me. She found that the socks offered for sale were brought in from South America. My son, who has just returned from South America, where he had been for 3 years, stated that the socks were not made in South America, but were imported from England. The price of the socks was $1.65.

A news article indicates that men's shirts can be sold abroad but not in America. Why? Because OPA cannot see the way to take care of American needs.

We are not only failing to get production of needed consumers goods, but we are also getting unemployment. Men are thrown out of work in my State by the hundreds. Why? Because of lack of vision by public officials, who are blind to the effect of their actions.

America, which has productive capacity, manpower, money, machinery, and demand, cannot get into production because of the dumbbells in OPA.

Earlier in my remarks I referred to a telegram from Mr. Henry Ford 2d to John W. Snyder, Director of the Office of War Mobilization and Reconversion. Henry Ford 2d is one of the big men of this country. He is young in years, but he and his ancestors have a background of production for building the economic health of this country. This is what Henry Ford 2d telegraphed to Mr. Snyder:

> Our part of the job of reconversion is mass production of cars and trucks, and we have tried to do everything within our power since VJ-day to get into maximum production as quickly as possible. We have not succeeded. However, this has in no way been the fault of our employees. We have had no strikes since VJ-day.
>
> Time and again we have been forced to shut down operations because suppliers could not get us parts and materials for our cars and trucks. Some of them have stopped making our parts because they lost money at their ceiling prices. Some are slowed down in their production by strikes or are losing their employees because they cannot raise wages. Some cannot now get steel.
>
> Unless steel can be made available to us and to our suppliers promptly we will have to shut down completely sometime this week.
>
> All of this is very costly—aside from the hardships it causes to our employees who want to work but cannot be assured of steady jobs.
>
> It costs $400,000 a day to maintain idle assembly lines. At current OPA price ceilings we are currently losing about $300 on every car we make. Last week we agreed with UAW-CIO on a wage increase of 18 cents an hour for all UAW employees. Yesterday we gave a 15-percent increase to all salaried employees and all hourly rate employees not in UAW. These two increases will add more than $40,000,000 to our annual pay roll.
>
> We have done—and will continue to do—the best we can with our own affairs. We think the risks we have taken are justified because we have faith in the future of America.

God bless him for that statement: "We have faith in the future of America." His company is assuming an additional load of $40,000,000, and yet he has faith in America. The reason he is doing what he is doing is that he has faith. We all must have faith, but OPA needs to take the blinders off.

Let us remove some of the clutch holds that men like Bowles and others who do not comprehend the problem have upon our economy. Let us remove the clutch holds from business and get into production. The night before last I spoke in a Nation-wide radio hook-up on the subject of production as the most crucial issue of 1946. Without it we go down. With it we go up.

I continue to read from Mr. Ford's telegram:

> But American businesses, large and small, are dependent upon each other, and we are now blocked by circumstances entirely outside our own business—circumstances which, in our opinion, only national action can remedy.
>
> To my mind you cannot have a freely competitive mass-production industry with even

just a little Government price control. When you fix prices, you control every production operation. Fixing the price of a casting made in an Alabama foundry may mean forcing a wheel manufacturer in Ohio out of business and stopping an automobile assembly line in Detroit.

Nobody wants run-away inflation, but if we continue to stifle American industry's ability to produce, that is exactly, in my opinion, what we are heading for. Inflation exists when there are too few products for people to buy with the money they have. Inflation grows out of scarcity.

I am not an economist. There may be sound reasons in the public interest for continuing price control on such things as rents and foods. But so far as motorcar manufacturers and their suppliers are concerned, I am now convinced that if Government control of prices is removed promptly, management and labor will settle their differences without running to Government—where price fixing is now forcing them to go. Americans will soon be able to get the products they are eager and able to buy. And we will in a very short time be back to the kind of operation that Americans like best—finding ways to make money by beating competition to market with something better and cheaper.

Whether or not you agree with these views, I want you to know that if we can have promptly an uninterrupted flow of materials, our employees can go back to steady jobs and help us to get to Americans the motorcars and trucks they are waiting for.

HENRY FORD 2d.

Mr. President, that telegram points the way to the OPA and to America, if we really wish to "go to town."

PLAN TO SEND GI FAMILIES OVERSEAS

Mr. LUCAS. Mr. President, will the Senator from Mississippi yield?

Mr. BILBO. I yield.

Mr. LUCAS. Mr. President, this morning my attention was directed to an article appearing in the Washington Post, which relates to a matter that I believe should be discussed on the floor of the Senate. It is entitled "Prop to Morale—GI Families To Go Overseas, Some at Government Expense."

Mr. President, I have had occasion to check the contents of the article with the War Department, and I find that in the main the statements made in the article are correct and I consider it most unfortunate. The article reads in part as follows:

The War Department yesterday placed a two-legged prop under sagging morale of troops overseas.

1. Dependents of those remaining in theaters of operation will be permitted to join them within a few months, subject to existence of accommodations and a somewhat complicated priority schedule.

2. Those looking forward to redeployment and discharge will be speeded on their way by reduction of training periods for replacements from 13 to 8 weeks. The replacement training period was recently cut to 13 weeks from 17.

Dependents of officers and enlisted men of the first three grades will be taken to overseas theaters by Government transportation. Families of men below the grade of staff sergeant are not barred from joining the men but must pay their own fares under existing law.

Mr. President, it is this last point I wish to discuss briefly. There has been much controversy in this country about the demobilization of our soldiers and sailors who served in the recent war. The subject has been frequently discussed upon the floor of the Senate. I believe that every Senator and every patriot in this country wishes to encourage further demobilization of the men in the armed forces, so long as it is consistent with what is best for the interests of our country. Frankly, I was deeply impressed by the statement made by General Eisenhower some time ago before a meeting of the Members of Congress, in which he said that 1,600,000 more men had been demobilized by January 1 of this year than had been anticipated in September of last year when General Marshall made his statement. However, Mr. President, many mistakes have been made. Many a man has had to "sweat it out" somewhere, although perhaps he should have been home. But it was obvious that in the demobilization of 13,000,000 soldiers, errors and mistakes of great proportions might be made.

Mr. President, it now seems to me that if the Army is taking the position which it apparently does, according to the article to which I have referred, this position will not help the morale of our soldiers who are assigned to take care of distant areas; on the contrary, it will do just the opposite. I cannot understand why an officer or a high-rated sergeant should have travel expenses incurred by his family in traveling to a foreign land where our soldiers are doing occupational work, while at the same time a GI would be compelled to pay from his own pocket the travel expenses of his family. The same obviously is true of housing. In other words, the one who should receive help in connection with traveling allowances and housing is the one who, according to this article—and I understand it to be accurate—is to be denied such help.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. HATCH. This morning I read the article to which the Senator from Illinois is referring, and I was impressed by the thought the Senator has just voiced: In short, that those who can least afford to pay the expenses are the ones who are to be required to pay. I do not understand such a ruling.

Mr. LUCAS. I agree with my distinguished colleague from New Mexico; I, too, cannot understand the ruling. If the Army believes that this kind of ruling will serve to boost the morale of the man who is now in the service or the man who we hope will volunteer for this type of duty, then I am constrained to say that in my opinion the Army will find that it is badly mistaken.

Mr. President, in view of this article, I believe the War Department should clarify the situation in some way. I take the position that the War Department should treat all servicemen alike; that under no circumstances can the War Department be justified in discriminating in behalf of the officer or the high-rated sergeant who is in a better financial position to take care of his wife and family if he wishes to have them cross the sea than is the GI who is serving on a private's or corporal's salary. The lower-paid serviceman is just as entitled to have his family by his side in an occupied area if he wishes to have them there, as is an officer or a high-rated sergeant—perhaps more so.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. HATCH. I merely wish to ask the Senator this question: If all the men cannot be treated alike and placed on the same basis, would it not be better to reverse the order and begin at the bottom rather than at the top?

Mr. LUCAS. Mr. President, if the soldiers cannot all be placed on the same basis, I agree with the Senator from New Mexico. In my opinion, they should be placed on the same basis. If it is desired to boost the morale of the serviceman who is upholding and defending the principles for which the war was fought, the discrimination which is indicated in the article from which I am reading cannot be practiced with the expectation of developing the kind of morale and interest which is so vital at this particular moment in the occupied countries of Japan and Germany. One needs only to read the newspapers and see what General MacArthur and General McNarney are saying, in order to ascertain that the morale of some of the soldiers is pretty low. Yet the Army comes forward with an order of this kind to which reference is made in the newspaper article. The order does not boost the morale, but, instead, it tears it down.

Mr. President, what man with a family would volunteer his services under a situation of this kind? The article states:

Travel of dependents overseas will begin "without delay" as soon as theater commanders indicate that they are prepared to receive them.

"Without delay." What a delusion these words must be to any soldier who reads them. The order would have just the opposite effect. When will a theater commander make a request that the wife of Pvt. John Jones, or the wife of Officer Bill Smith, be allowed to go overseas? In other words, it is up to General McNarney in Germany to decide when the wives or families of the men there will be allowed to go to Germany, but that time will not be reached until housing conditions in Germany are such that the soldier's family can be adequately and properly cared for. I do not object to that, Mr. President, because it will be necessary that housing conditions be adequate. What I object to is the issuance of this kind of an order. It has a tendency to deceive the servicemen who read it, and it will work only to their disadvantage, the disadvantage of the country, and the disadvantage of national security.

Mr. President, this is a matter which seems to me to be so important that I thought I should discuss it for a few minutes. One of the most important things now confronting this country is the solution of the demobilization problem to the end that the serviceman and the country at large will have confidence in the Army. It is quite important that that condition be reached if we expect to carry out the commitments and obligations which we have made in connection with the purposes for which we entered into the war.

So, Mr. President, I bring the matter to the attention of the Senate. I should like to have the Army clarify this subject at the earliest possible time, because of the importance which I attach to it. I am glad to know that my good friend, the Senator from New Mexico [Mr. HATCH] has reached a viewpoint with regard to the article similar to that which I have reached.

The article continues:

Families of military personnel already have been authorized to travel to the Bahamas, the Canal Zone, and islands of the Antilles, Brazil, Bermuda, Newfoundland, Alaska, Aleutian Islands, Hawaii, and the Marianas.

But again I repeat, it is only when the officer in command in a particular theater makes the request that the wives and families may be sent. Yet the article would lead one to believe that merely by making a request of the War Department a soldier's family will be on their way. The situation is not so simple.

I thank the Senator from Mississippi for yielding.

Mr. BILBO. I was glad to yield to the Senator.

THE NAVAL ATOMIC BOMB EXPERIMENT

Mr. LUCAS. Mr. President, I wish now to discuss one more subject, if my good friend the Senator from Mississippi will yield to me in order that I may do so. I do not wish to take too much of his time, because I know that he has a great speech on his chest. [Laughter.]

I am serious in what I say, because I have heard the Senator from Mississippi debate on previous occasions, and I have always been entertained by his speeches. Sometimes they are somewhat long, but nevertheless no one will challenge the fact that the Senator from Mississippi can talk.

Mr. BILBO. I shall be glad to give the Senator all the time he wishes to take, because what he will say may be a contribution to my cause.

Mr. LUCAS. I do not wish to help the Senator from Mississippi too much, but I appreciate his courtesy. [Laughter.]

Mr. President, as I have already said, there is one other subject which I wish to discuss for a moment. I do not know whether I may be treading on thin ice in doing so, but I inject it into the debate now taking place before the Senate for whatever it may be worth.

I have been intrigued by reading what our Government proposes to do with 96 ships, including battleships and destroyers, some of which we captured during the war, in connection with the experiment to be made with the atomic bomb at some future time in the Pacific. I presume that the plans with respect to that experiment have all been completed, and that there is nothing which anyone could do to stop the proposed destruction of those ships. I do not know how much value they may have. I presume that they have some value from the standpoint of salvage, at least. Perhaps I may be wrong, but I think that if one of them could be moved into the port of San Diego for example, where the housing shortage is serious at the present time, it could be used in meeting the housing problems of some persons who reside in that district. Some of the remaining ships could be placed at different points along the Atlantic and Pacific coasts, and used to provide shelter for persons who cannot now find adequate housing facilities.

Mr. President, I recall that during the battle of Dunkerque every conceivable ship which could be found, even rowboats and skiffs, were used in order to make it possible for British soldiers to be returned to the British coast. I also recall that the late President Roosevelt sent to England approximately 50 old destroyers which had barnacles on their bottoms to such an extent that they could hardly move across the Atlantic, but they performed good service during the last war.

Mr. President, another thing which disturbs me is this: If we are to outlaw the use of the atomic bomb for miltiary purposes, why should we be making plans to display atomic power as an instrument of destruction? I am sure that the people of the world witnessed enough spectacular display of instruments of warfare during the last war to last them for a long time. Yet, we continue to talk about atomic power, atomic bombs, and rockets which will go to the moon, and so forth. Perhaps it is proper to do so. But I wonder sometimes whether the planned display of atomic power to take place at a future time in the Pacific, is proper. I may be wrong in my views with regard to the matter. I am merely thinking more or less out loud. But the more I think about it, the more I am convinced we should stop, look, listen, hesitate, and pause before going through with this particular project.

I am thinking of another subject which may be of some interest to others besides myself. I may be speculating somewhat, but suppose the atomic bomb should prove to be only a fizzle in destroying the big ships which it is planned to use in connection with the experiment in the Pacific. I presume that perhaps the experts know exactly what will be done. I presume they have carefully figured it out, and know what the power of the atomic bomb will accomplish, what destruction will be wrought, and what will be done to the waters surrounding the point of the experiment, as well as to the land nearby. But suppose, Mr. President, the experiment should prove to be a dud. I undertake to say that in that event our claims of having destroyed Hiroshima will appear to have been greatly exaggerated. On the other hand, if it proves more terrible than anticipated, of what increased value would it represent to us in connection with our future participation in world affairs?

Mr. President, I toss this subject into the debate for whatever it may be worth. But it seems to me that the joint committee which is now handling this subject of atomic energy should give at least some consideration to the question of whether or not we should destroy all the ships it is now being planned to use in connection with the experiment to be held in the Pacific.

I thank the Senator from Mississippi for yielding to me.

Mr. BILBO. Mr. President, if I may ask the Senator a question, I desire to get clear in my own mind how many of our capital ships are supposed to be in the list of vessels which are to be used in the experiment?

Mr. LUCAS. I have not seen, I will say to the Senator, a break-down of those ships. I do not know how many battleships, destroyers, and cruisers are scheduled to go, and so I cannot give the Senator the exact figures. The only thing I have seen is the over-all picture in the press, which says that some 96 vessels, including some vessels captured from Japan, including two battleships, as I recall, and probably the German cruiser *Prinz Eugen*, which recently came across the Atlantic and put into the port of Boston.

Mr. BILBO. Is it the Senator's understanding that a part of our naval force is included in the list of vessels to be destroyed?

Mr. LUCAS. The major number of the 96 ships to be destroyed are ships that belong to the United States. It is said they are out of date, but some of them have recently been in service. I noticed the other day the battleship *Pennsylvania* was included. The *Pennsylvania* was the flagship of Admiral Kimmel when Pearl Harbor was attacked on December 7, 1941; what condition it is in today, I am not advised. I remember hearing that in the Pearl Harbor investigation.

Mr. BILBO. It might be best to destroy that memory.

Mr. LUCAS. I again thank the Senator for yielding.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. BILBO. If anyone wants to know just how bad this bill is, I suggest that if he will read these 12 objections stated by the Senator from North Carolina he will be more than convinced. I repeated in my remarks, for the sake of emphasis, the 12 objections stated by the Senator from North Carolina in the hope that some good newspaper that reaches a considerable number of the population of the country would publish the 12 objections.

Mr. President, there is one mistake I desire to correct. Evidently the press got the wrong idea, for I find, on examining the report made by the Committee on Education and Labor on this bill, that a misunderstanding has been brought about as to the real attitude of the late President Roosevelt on FEPC. It is true that the Republican Party wholeheartedly and all the way endorsed this foreign idea or concept, but in justice to the late President, I wish to say that he did not endorse the FEPC as proposed in the pending bill. The only endorsement he gave in the campaign of 1944 was to a Committee on Fair Employment Practice in hiring employees in war industries and in Government agencies. I doubt

whether it ever crossed the mind of President Roosevelt that he would reach out or thought about reaching out and letting FEPC cover the private enterprises of this Nation. That is the absurdity of the proposition. So long as the Government itself is paying the salaries of employees in the Government agencies and paying the salaries of those who are operating plants for the war effort, there might be some slight excuse for seeing that there is a complete utilization of all available labor, regardless of race, creed, color, national origin, or ancestry. But, so far as legislation that reaches out and covers the private enterprises of the Nation, private business, is concerned, it is so utterly foreign to our concept of Americanism and American constitutional government that I doubt whether it ever crossed President Roosevelt's mind. So I desire to clear any impression that may have gotten out from what I said yesterday charging President Roosevelt with endorsing any such alien ideology or concept of government as is embraced in the pending bill.

Now, Mr. President, I ask permission to have printed in the RECORD as a part of my remarks, without taking the time of the Senate to read it, a compilation of some facts concerning the Southern Conference for Human Welfare.

The PRESIDING OFFICER (Mr. THOMAS of Oklahoma in the chair). Without objection, the request of the Senator from Mississippi is granted.

The matter referred to is as follows:

The Communist-front Social Work Today magazine, in its June 1940 and May 1942 issues, praised the work of the SCHW.

An examination of the file of the Southern Patriot, official organ of the SCHW discloses a very definite following of the Communist's Party-line and Communist Party ideology, plus support for the carrying out of the legislative program of the CIO. James A. Dombrowski has been its editor from the very beginning.

The Patriot is ably edited; cleverly, even insidiously, camouflaged, carrying with it the conviction to the superficial of sincerity, and a desire to ameliorate human conditions, painted as though prevailing only in the southern States of our great Nation. Mixed with it is an appeal to private enterprise for support because the Patriot has championed some measures which have borne their blessings in a concrete sense, such as the freight rates case under ICC rulings. In this the Patriot undoubtedly claims too much credit as its share in the eventual adjustment that has come about in this situation. The Patriot has maintained steadfastly that freight rates have kept the South in economic bondage.

Some of the accomplishments claimed by the Southern Patriot, as the result of its activities, are given officially as follows:

1. Mobilized over 6,000 progressive southern leaders to abolish the undemocratic poll tax.

2. Early in the present conflict cooperated in promoting a win-the-war conference in Raleigh, N. C., with representative leaders from all Southern States.

3. In Mississippi cooperated with leading citizens to secure the signatures of 75 outstanding white citizens to a statement in support of the Governor's efforts to bring mobsters to justice.

4. Initiated a statement signed by over 400 leading white citizens of Alabama protesting the attempt by reactionary forces to make political capital from an appeal to racial and religious prejudices.

5. Through press releases and special bulletins helped to educate the southern electorate on important issues of a local, regional and national nature.

6. Publishes The Southern Patriot, a monthly magazine of news and opinion on southern trends, with an average circulation of about 10,000 and with special editions up to 30,000.

7. Cooperated with church, civic, and labor groups to initiate campaigns to qualify their membership to vote.

8. Held three biennial all-southern conferences (Birmingham 1938, Chattanooga 1940, Nashville 1942).

The Women's Society of Christian Service of the Methodist Church of nine southeastern States, according to The Patriot, aided in its campaign for the continuation of the FSA's program. Maintenance of an oversupply of cheap farm labor from the Bahamas was charged against southern agricultural interests by the SCHW. The TVA was styled as the "dynamo for the arsenal of democracy." Senator FULBRIGHT's resolution for internationalism was undeviatingly supported by the SCHW. Opposition to the alleged program of the National Cotton Council, fighting conversion of southern agriculture to food production, was constantly on the agenda of The Southern Patriot. The slogan for this was "Too much cotton—too little food." The National Cotton Council was charged with blocking the war effort.

The July 1943 issue of The Southern Patriot carried the voting record of southeastern Congressmen on the basis of pro-administration as against administration voting on eight measures. The August issue contained an unsigned article of trends by States, where southern workers could powerfully influence congressional elections. The September issue played up the illiteracy of the South in a story about the Army rejecting 750,000 draft-age youth. The December issue plumped for the Federal soldier vote bill, adopting the same line carried by the Daily Worker.

The January 1944 issue blamed the South for the Republican victory in Kentucky on the basis of appeasement of the poll-taxers in the Senate. Senator MEAD, of New York, was asked to lead the poll-tax fight, by the SCHW, and the Bilbo filibuster against the poll tax was condemned. The March issue reverted back to the Federal soldier vote measure, with a cartoon aimed at Congressman RANKIN. Congressman SAM HOBBS was lampooned for H. R. 3690, captioned "an anti-labor bill." The April number contained a signed article by Mrs. Franklin Delano Roosevelt entitled, "What Will Happen to Women War Workers in Postwar America?" The same issue enthuses over David Lilienthal's leadership of the TVA. It also contained the announcement of the CIO-PAC's appointment of Dr. George S. Mitchell, Jr., as the southern director of its political activities. The May issue acclaims the Texas Supreme Court decision affirming the constitutional right of Negroes to vote in Texas primaries. This issue is studded with a whole page of signers from 13 Southern States, of a statement commending the Supreme Court's action. In the same issue an article by Helen Fuller eulogizes the liberalism of Senators CLAUDE PEPPER, of Florida, and LISTER HILL, of Alabama. The July issue devotes itself to the beginning of the campaign for the fourth term. This continues in the August issue, which also carries an article by the columnist Drew Pearson—labeled the "chronic liar" by President Roosevelt—under the title "Southern Revolt Against Roosevelt," headlined "Pearson Unmasks Instigators of Plot Against Roosevelt," in which Vance Muse of the Southern Committee To Uphold the Constitution, is the principal villain. The September issue reprinted a column by Aubrey Williams, which appeared in the communistic National Union Farmer. This same issue reproduced John Beecher's poem, "White Foam Breaking," which originally appeared in the socialistic magazine, The New Republic. The October issue waxed enthusiastic over the "Southern Tory Democratic revolt against Roosevelt having been crushed." This issue carries a page exposé of so-called southern smear sheets, mentioning Senator LEE O'DANIEL's news and Peter Molyneaux's Southern Weekly. Likewise, Justice Hugo Black gets a page salute in this same issue. The November number devotes itself largely to a protest against the ouster of President Homer Price Rainey of the University of Texas. It also comes out squarely for the permanent Fair Employment Practice Committee, and speaks glowingly of the CIO's aid to small farmers in the South. The December issue devotes itself largely to exposing "the Christian American" and Vance Muse's campaign for so-called labor regulatory laws in the Southern States through the medium of a "right to work" amendment to State constitutions.

The January 1945 issue recounts a meeting at Atlanta, Ga., of the South's "outstanding editors and writers," presided over by Mark Etheridge, publisher of the Louisville Courier Journal, resolving against the restraining registration laws and practices in voting suffrage of the Southern States. This issue also salutes Secretary of State Cordell Hull. The February issue brings acclaim for Secretary Wallace's 60,000,000 jobs program. This issue salutes Gov. Ellis Arnall as champion of the New South, and covers the event of the SCHW's dinner at the Hotel Commodore, New York City, March 6, in honor of Mrs. Roosevelt. The March issue carries a lead article by John Hunt, editor of the South Carolina Federationist, entitled "Georgia Free Vote Move Spreads East and West." Elizabeth Allen, in this issue, argues for support of ratification of the Bretton Woods Agreement. This issue salutes Dr. Clark Foreman, the president of the SCHW, and Justice Hugo Black. The April issue covers the statements of southern liberals on the passing of the President, included among which were Senator Pepper, Aubrey Williams, George S. Mitchell, David E. Lilienthal, Virginius Dabney, and others—a glowing account of the philosophy of the President is interspersed. The May issue attempts to make a case that the South consists of poor people and poor health. "How sick is the South?"; "Percentage of draftees rejected"; "Infant and maternal mortality rates"; "Where our babies are born"; "State health expenditure per capita"; "The patient is improving"; "Some prescriptions"; "The cure is up to us"—are some of the headlines, accompanied by charts, in this issue. A special supplement devoted to Justice Black's record is a part of this issue.

The June issue reverts back to the freight-rate victory being a green light for industry in the South, in an article by Frank P. Graham, devoted to "a new, happier South," with a double-spread "Why the South needs Bretton Woods and reciprocal trade treaties." This issue salutes David E. Lilienthal. The July issue goes back to "What's wrong with southern industry," "Full employment," defending the Negro GI's; more on why the FEPC should be enacted, and a diatribe aimed at Congressman RANKIN. The August issue contains more on full employment as an essential to southern farmers; an attack on Senator BILBO, as un-Christian, diversified with some philosophy as to what the South needs in order to have prosperous farmers. The September issue has another chart of the voting record of southern Congressmen, this time on the plus-and-minus system, picked up from the Union for Democratic Action and given currency by the socialistic New Republic. The October issue

has southern Congressmen sabotaging reconversion, an article by Henry Wallace, and one by Dr. Benjamin E. Mays.

All issues of the Southern Patriot are illustrated with cartoons, charts, graphs, statistical data, book reviews and political trends. From these and the reading of the material, one has very little choice between the philosophy expounded therein and that which appears in the Communist official organ, the Daily Worker, and Marshall Field's PM.

The following records of the SCHW official family, including the executive board members, are illuminating as to left, liberal, progressive, Socialist-Communist activities and philosophy. There is naturally some repetition but this was eliminated insofar as it was possible, to save space, and not to confuse the record. The determination of classification, as given, is taken from unusually reliable sources, including confidential reports, government documents and in many instances the official literature of the organizations involved:

W. W. Alexander, member of the executive board of the SCHW. Vice president, Julius Rosenwald Foundation, North Carolina. Sponsor of the Council of Young Southerners. Member of the CIO-begotten National Citizens Political Action Committee. Sponsor of the National Committee to Abolish the Poll Tax. Vice chairman, American Council on Race Relations. Administrator, minority group service of Office of Production Management. Director, Commission on Interracial Cooperation. Member, American Youth Commission. National committeeman, Committee on Militarism in Education (opposed to military training in colleges). Sponsor of the Emergency Peace Campaign. In 1930 denounced prosecution of Communists under the Civil War insurrection law.

Mary McLeod Bethune (colored): Member of the executive board of the SCHW. Member of the National Citizens Political Action Committee (CIO). Sponsor of the Communist conceived and controlled American Committee for the Protection of Foreign-Born. Member of the American League for Peace and Democracy, labeled by Attorney General Biddle as a Communist front organization. Vice chairman of Fight, official organ of the American League for Peace and Democracy, and also vice chairman of the official organ of the executive board of the American League for Peace and Democracy, known as the World for Peace and Democracy. Sponsor of the Committee of Women of the National Council of American-Soviet Friendship. Endorser of the American Youth Congress—Communist conceived and controlled. She signed the call for the fifth national convention of the American Youth Congress which met in New York, July 1–5, 1939. She was an active participant in bringing into being the American Youth for Democracy, successor to the Young Communist League. She was invited to appear before the Democratic National Committee, July 1944, by Robert Hannegan, as one, among others, representing the AYD. Affiliated with Coordinating Committee to Lift the Embargo (Spanish Civil War), a Communist front organization. Sponsor of Council of Young Southerners, youth section of SCHW. Sponsor of Daughters of the American Depression, also known as National Women's Conference on Unemployment. National convention of Daughters of American Depression, held in Washington, D. C., in 1940, was marked by stress placed on Communist line of the Stalin-Hitler pact, then in full effect. Sponsor of League of Young Southerners, youth division of SCHW. Had same administrative secretary and same executive secretary as Council of Young Southerners, and same sponsors, except John B. Thompson, who appears as a sponsor for the League but not of the Council. Thompson was head of the Communist-controlled American peace mobilization. Sponsor of National Committee to Abolish the Poll Tax, a Communist front organization that has received financial support from the Communist Party. Affiliated with National Council of American-Soviet Friendship, a Communist front organization and streamlined successor to old Friends of the Soviet Union. Sponsor of National Emergency Conference, a Communist front organization to oppose bills pending in Congress primarily affecting aliens. Member of board of sponsors of National Emergency Conference for Democratic Rights, one of the new series of Communist front groups set up after dissolution of the American League for Peace and Democracy. Affiliated with National Federation for Constitutional Liberties, one of the foremost Communist front organizations in the United States and subsidized by the Red-sustaining Robert Marshall Foundation and Sound View Foundation. Signer of petition to abolish the Dies committee. Affiliated with National Negro Congress and sent greetings to its second session. National Negro Congress is Communist organized and controlled, follows Communist line, and is specifically commended by Communist Party. President (1944) of the National Negro Women's Council, also known as National Council of Negro Women. This is another Communist front organization. Andley Moore, of its executive board, is a field organizer for New York State Communist Party. Affiliated with Negro People's Committee to Aid Spanish Democracy, another Communist front propaganda group set up to aid so-called Spanish Loyalists—the Communist-supported left. Was director of the division of Negro affairs for the now defunct National Youth Administration. A vice chairman, one of two from South at large, in 1938–39 for SCHW. In addition, there were 13 vice chairmen, 1 for each of 13 Southern States. Speaker before SCHW meeting in Nashville, Tenn., on April 19, 1942; listed as president of Bethune-Cookman College, Florida. Affiliated with Southern Negro Youth Congress, in effect, the youth division of the National Negro Congress. (See preceding notation thereon.) One of sponsors of testimonial dinner to Ferdinand C. Smith, colored, alien Communist, secretary of Communist-dominated National Maritime Union. She said the NMU "has meant much in the development of my people." Affiliated with United Front for Herndon, an adjunct of Communist-controlled International Labor Defense, formed to win freedom of Angelo Herndon, Negro Communist, convicted of sedition. Affiliated with Washington, D. C., Committee for Democratic Action, the District of Columbia branch of the National Federation for Constitutional Liberties, already noted. Attorney General Biddle, in a memorandum to Government department heads, branded the Washington Committee for Democratic Action as under Communist control. Sponsor of conference on civil rights, held under auspices of Washington Committee for Democratic Action. Member of American Round Table on India, a Communist front organization. Sponsor of Chicago committee of Spanish refugee relief campaign, another Communist-dominated movement to support left-wing forces in exile from Spain. Member of national board of national sharecroppers' fund, which supports the annual National Sharecroppers Week event in behalf of southern tenant farmers, based on Communist Party program.

Charlotte Hawkins Brown (colored): Member of the executive board of the SCHW. Sponsor of American Youth for Democracy, successor to Young Communist League. Member of Council on African Affairs, headed by Paul Robeson—set up to promote Moscow's program for Africa. Signed petition to abolish Dies committee. Endorser of Communist-conceived and controlled National Negro Congress. Signed open letter to Governor Dewey of New York for pardon of Morris U. Schappes, formerly of faculty of College of City of New York, an admitted Communist, convicted of perjury in re Rapp-Coudert committee investigation.

Born Henderson, N. C., 1882. Member, Federal Council of Churches. Founder of Palmer Memorial Institute, Sedalia, N. C. On national board of YWCA.

Louis Burnham (colored): Member of executive board of SCHW. Member of National Committee of International Labor Defense, Communist-conceived, organized and controlled committee for legal defense of Communsts and sympathizers. Sponsor of Negro Youth Act Now For Victory—formed to secure immediate freedom of Pvts. Richard Adams, John Walter Bordenave, and Lawrence Mitchell, sentenced to death on framed-up charges in Louisiana; for the indictment of lynchers of Willie Vinson in Texas; for suppression of the white supremacy movement; for passage of anti-poll-tax bill by Congress. As an Alabama sponsor is listed as organizational secretary, Southern Negro Youth Congress. Signer of petition to abolish Dies committee. Provisional secretary of Association of Young Writers and Artists, affiliated with Southern Negro Youth Congress, to encourage Negro artists. Sponsor of Emergency Peace Mobilization, Communist-inspired and controlled. Sponsor of United American-Spanish Aid Committee, a Communist-front organization. Sent congratulatory telegram to Earl Browder on the latter's release from Federal prison by Presidential clemency. Browder was then general secretary and active leader of Communists in United States of America. Delegate to and scheduled speaker before Youth for Victory Conference in Mexico City, Communist-inspired and controlled.

Judge Louise O. Charlton: Member of the board of SCHW. Sponsor of council of Young Southerners, youth section of SCHW. Its personnel in important posts interlocks with Communist-front organizations seeking to attract youth. Sponsor of League of Young Southerners, obviously same as council just noted. Both organizations have same executive secretary, administrative secretary, and same sponsors, except that John B. Thompson, head of the Communist-controlled American Peace Mobilization, appears as sponsor of league but not of council. Signer of petition to abolish the Dies committee and listed thereon as honorary president of SCHW. General chairman (1938) of SCHW and as such solicited active work on committees, etc., at Birmingham, Ala., conference of November 20–23, 1938. Later listed as one of the two honorary chairmen of SCHW. Consultant of organization and listed as United States commissioner at Birmingham, Ala. Also as general chairman of conference and described in organization's official report as United States commission and member of the State Democratic executive committee. One of the honorary presidents of SCHW.

Paul R. Christopher: A vice president of SCHW. Signed of petition to abolish Dies committee. Tennesseee regional director, CIO, Knoxville. Consultant (1 of 27) of SCHW. Executive secretary-treasurer, Tennessee State Industrial Union Council. Active with other CIO delegates in Washington, D. C., in October 1945 in soliciting support of southern Congressmen for Murray-Wagner-Patman full employment bill for increase in unemployment compensation to $25 for 26 weeks, and for establishing 65 cents per hour as minimum wage. Was accompanied on his rounds on this work by Congressman LUTHER PATRICK (Inside Washington, column by Bascom N. Timmons, Chicago Sun, October 17, 1945). Helped formulate policy and school term of CIO school at Highlander Folk School, Monteagle, Tenn., sponsored by southern regional directors of CIO to teach CIO members in methods and history of CIO. School term was 1 month of in-

tensive training and Christopher was one of teachers.

Dr. Rufus E. Clement: Member of executive board of SCHW. President, Atlanta University. Signer of petition sponsored by American Committee for Democracy and Intellectual Freedom, a Communist-front organization, to discontinue Dies committee. Signer of "Statement to the American People," prepared and circulated by the Communist-organized and controlled American Committee for Protection of Foreign-Born, endorsing campaign to facilitate and encourage naturalization of aliens. Sponsor of Fifth National Conference of American Committee for Protection of Foreign-Born, Communist inspired, organized, and controlled. Sponsor of American Committee to Save Refugees, Communist-front organization to protect foreign Communist operatives and spread Communist forces through financial, legal, and other assistance. Signer of Open Letter to the President of the United States, issued by the Communist-front American Council on Soviet Relations, urging a declaration of war on Finland in the interests of victory of United Nations over Nazi Germany and its Fascist allies. Sponsor of National Committee to Abolish the Poll Tax. This committee has received financial support from the Communist Party. One of 13 "consultants" for Citizenship and Civil Liberties Panel at SCHW Conference. On national advisory committee of Communist-inspired League for Human Rights, Freedom, and Democracy. On national committee of Committee for a Jewish Army—Zionist Palestine defense organization. Signer of Textbook Commission pledge against anti-Semitism, issued by religious-leftist group through "Protestant Digest."

William E. Cole: Member of executive board of SCHW. Sponsor of Council of Young Southerners, youth section of SCHW. Its important personnel interlocks with Communist-front organizations driving to draw youth into movement. Sponsor of League of Young Southerners, identical with council, just noted, as to executive secretary, administrative secretary and sponsors, except that John B. Thompson, head of the notoriously Communist-controlled American Peace Mobilization, appears as sponsor of the league but not of the council.

Tarleton Collier: Member of executive board of SCHW. Newspaper columnist; served for years on staff of the Atlanta Georgian; author of Fire in the Sky, a novel about the rural South. Connected with Farm Security Administration in Alabama, Georgia, South Carolina, and Florida. Author of An Acre for a Soldier, article in the New Republic, August 24, 1942.

John P. Davis (colored): Member of executive board of SCHW. Identified by William Odell Nowel, a former leading Negro Communist of Detroit, as Communist Party whip in National Negro Congress, of which he is executive secretary. Member of delegation sent by Abolish Peonage Committee, a subsidiary of the Communist International Labor Defense, to see Asst. Atty. Gen. O. J. Rogge in effort to force investigation of alleged peonage conditions in Oglethorpe County, Ga. Sponsor of All-Harlem Youth Conference, a Communist front. Sponsor of China Aid Council of the notorious Communist American League for Peace and Democracy. Member of National Committee of American League for Peace and Democracy. Endorser of congress of organizations to unite forces against United States entry into war—this was in the days when Hitler-Stalin pact was in effect—and to defend democracy and peace. The congress was called and sponsored by American League for Peace and Democracy. Member of National Council of American Peace Mobilization, another notoriously Communist organized and controlled group. Sponsor of call of American Peace Mobilization's Working Conference for Peace for American People's Meeting. Signed petition for immediate freedom of Earl Browder, Communist leader convicted for passport frauds. Eulogized by Joseph Starobin in Communist New Masses for May 6, 1941, as one of Negro leaders championing "a real national unity which terrifies southern reactionaries," etc. Signed call for Congress of Youth, being the fifth American Youth Congress, universally recognized as under complet Communist control. Signed statement urging President and Congress to defend the political right of the Communist Party and oppose legislation to ban or cripple it. This was at time when strikes were sweeping country, including one at California plant of North American Aviation, for which Attorney General said Communists were responsible. Speaker at Conference on Constitutional Liberties in America that launched Communist organized and controlled National Federation for Constitutional Liberties, listed as subversive by Attorney General Biddle. Member of Coordinating Committee to Lift the Embargo, a Communist front to aid Communists in Spanish civil war. Listed in lawyers group. Member of Greater New York Emergency Conference on Inalienable Rights, which interlocked with long list of Communist organizations. This was during time Hitler-Stalin pact was operative. Member of International Juridical Association, a front built around a substantial nucleus of avowed Communist and interlocking with many Communist organizations. Davis was on its national committee. Member, legal advisory committee of International Labor Defense, legal defense arm of Communist organization. Also on its national committee. At its 1939 meeting he said that no Negro would be shot down by police in Washington, D. C., that day, but that 2 years earlier one was shot down every 3 months. He said International Labor Defense had taught Negroes "the technique of mass pressure." Signed cable of Joint Committee for Defense of Brazilian People, a Communist-front organization, on behalf of Arthur Ewert, former Communist member of German Reichstag and a representative of Communist International (Comintern). Member, Lawyers' Committee on American Relations with Spain, a Communist-front organization to aid Communist-line followers in Spanish civil war. Speaker before Michigan Civil Right Federation, named by Attorney General Biddle as an affiliate of National Federation for Constitutional Liberties, which he branded as subversive. Panel member on "discrimination against racial, national, and religious minorities," at National Action Conference for Civil Rights, called by National Federation for Constitutional Liberties (April 19–20, 1940). The federation was branded subversive by Attorney General Biddle. Davis was also a sponsor of conference. Signed petition to abolish the Dies committee. Member and one of active leaders of National Lawyers' Guild, a Communist-front organization. Its pro-Communist program and control became so marked that many resigned, including Robert H. Jackson, then Attorney General, and now an Associate Justice of the Supreme Court; A. A. Berle, Jr., then Assistant Secretary of State and now Ambassador to Brazil. In his statement on resigning Berle said it was obvious that the guild was "not prepared to take any stand which conflicts with the Communist Party line." National secretary of National Negro Congress, listed by Attorney General Biddle as Communist controlled and subversive. Speaker before National Right-to-Work Congress, an openly Communist Party affair. Signed cable to President Vargas, of Brazil, in behalf of Luiz Carlos Prestes, head of Communist Party of Brazil and one of leaders in an abortive revolution. Sponsor of American Friends of the Chinese People, a Communist-front organization faithfully following Communist Party line on Chinese question and on general loyalty to Soviet program. Vice chairman of first conference of SCHW and active in its work ever since; now member of its executive board, as already noted. Active in organization of Southern Negro Youth Conference. This is in effect the youth division of the National Negro Congress, labeled as Communist-packed and denounced as subversive by Attorney General Biddle, as heretofore noted. Sponsor of United American Spanish Aid Committee, Communist-front organization set up as part of Communist machine in Spanish civil war. Signed petition of United Front for Herndon, for release of Angelo Herndon, Negro Communist convicted of sedition. This organization was also known as Herndon Petition Committee and was an adjunct of Communist organized and controlled International Labor Defense. Sponsor of Conference on Civil Rights under auspices of Washington Committee for Democratic Action, listed by Attorney General Biddle as Communist controlled. Participated in public hearing program of People's Committee to Investigate un-American Actives entitled "The People Versus the Dies Committee," same auspices. A sponsor of Washington Friends of Spanish Democracy, affiliate of North American Committee to Aid Spanish Democracy, another Communist front functioning in Spanish civil war activities. One time executive secretary of National Association for Advancement of Colored People, continuing supervision of its Washington office after its headquarters were moved to New York. Brought legal action to force admittance of his 5-year-old son to white elementary school in Washington, D. C.; court dismissed action. Speaker before fifth national convention of Workers' Alliance of America, Communist inspired and controlled. Sponsor of Washington (D. C.) Citizens' Committee to free Earl Browder, Communist leader convicted of passport frauds. Speaker at National Free Browder Congrers in New York. Sponsor of American Friends of Spanish Democracy, Communist-front organization in Spanish civil war set-up. Organizer for CIO among Negro workers. Sponsor of Mother Bloor's Seventy-fifth Birthday Souvenir Book. Mother Bloor is an old-time nationally known Communist organizer and speaker. Endorsed fourth national congress of American League Against War and Fascism, notorious Communist front. Sponsor of American Relief Ship for Spain, another Communist inspired and controlled move in Spanish civil war maneuverings. Member of Emergency Committee for Preserving the Fair Labor Standards Act.

Dr. James A. Dombrowski, executive secretary of SCHW. Member, National Citizens Political Action Committee. Of 141 members of this committee, 83 percent have records of affiliation with Communist and Communist-front organizations. Signed Communist statement urging President and Congress to uphold constitutional rights of Communist Party, ruled off ballot in 15 States. Affiliated with Conference on Constitutional Liberties in America, that launched National Federation for Constitutional Liberties, which was listed as subversive by Attorney General Biddle. Spoke at that conference (on the poll tax), and affiliated with the National Federation for Constitutional Liberties, foremost Communist-front organization in the United States. Signed petition to abolish the Dies Committee. Sponsor of People's Institute of Applied Religion, Communist-conceived, organized, and controlled. Labeled by Dies Committee as "one of the most vicious Communist organizations ever set up in this country." Wrote Highlander Folk School, eulogizing radical school at Monteagle, Tenn. This was part of an article on folk schools in October 1940 Journal of Adult Education.

Made speaking tour of New England in April 1941, appearing before Greenfield (Mass.) Central Labor Union at its annual banquet, and before students at Mount Holyoke, Smith and Amherst Colleges. Signed petition for pardon of Earl Browder, then general secretary of the Communist Party, imprisoned on conviction for passport frauds. Member of executive council of radical Highlander Folk School, which Nashville Tennessean, after thorough investigation, declared to be center for spreading of Communist doctrine in 13 southern States. Dombrowski is one of the incorporators of this school. Dombrowski is no newcomer to Socialist-Communist ranks. Educated at Emory University in Atlanta, and for a time secretary of its alumni association, he entered Union Theological Seminary in New York. In 1929, during summer, he worked in rayon mills to study labor conditions, was arrested in Elizabethton, Tenn., in June 1929, following an address made in the wake of a rayon strike, but was released on receipt of word from Gastonia, N. C., that no charges were pending against him there in connection with strike activities or otherwise. In 1933, when assistant in Christian Ethics at Union Theological Seminary, he was a candidate for board of directors of the Socialist League for Industrial Democracy, Inc. In 1935 he was temporary chairman of All-Southern Conference for Civil and Trade Union Rights, and in January 1936 signed the call for a united front of Socialists and Communists for struggle against war and fascism, to abolish southern wage differential, to support the Communist international labor defense in effort to free the Scottsboro Negro rapists, etc. He signed the call as representative of the Socialist Party of Tennessee. Editor of the Southern Patriot, official organ of SCHW. This publication follows the Communist Party line, advocating social equality between blacks and whites, repeal of segregation, and poll-tax laws, etc. Appeared as a witness before the lobby investigation committee of the Texas legislature in 1945, in opposition to freedom-to-work measures and to smear the Christian American and its secretary-treasurer. Went to Soviet Russia soon after he was graduated from Union Theological Seminary in 1931, and upon returning, reportedly had trouble with United States Customs Service over Soviet posters he was bringing in and that were considered seditious. Member of committee of editors and writers of the South opposing poll tax and other limitations on voting in the South.

Rosc e Dunjee (colored): A vice president (one of seven) of SCHW. Editor and publisher, the Black Dispatch, Oklahoma City, Okla. Member of National Citizens Political Action Committee—of its 141 members, 83 percent have records of affiliation with Communist and Communist-front organizations. Has written for Communist New Masses. Affiliated with Schappes Defense Committee, Communist-front group with strictly Communist objective, to wit: freeing of Morris U. Schappes, self-admitted Communist, former member of faculty of College of City of New York, convicted of perjury in courts of New York in connection with Rapp-Coudert Committee of New York Legislature investigation of Communist penetration of educational system. Signed open letter petitioning Gov. Thomas E. Dewey to pardon Schappes. Affiliated with Southern Negro Youth Congress, in effect the Youth Division of National Negro Congress, the latter classified as subversive by Attorney General Biddle. Affiliated with United Front for Herndon, also known as Herndon Petition Committee. This was an adjunct to the Communist International Labor Defense and was set up to secure release of Angelo Herndon, Negro Communist convicted of sedition. Dunjee signed petition for clemency. Speaker at National Association for the Advancement of Colored People.

Virginia Foster Durr (Mrs. Clifford Durr): A vice president (one of seven) of SCHW. A sponsor of Council of Young Southerners, Youth Section of SCHW. It interlocks with Communist-front organizations. Malcolm Cotton Dobbs, its executive secretary, was on national council of Communist-organized and controlled American Peace Mobilization. This illustrates the interlocking. A sponsor of League of Young Southerners, obviously same as council just noted. Has same executive secretary, administrative secretary, and sponsors as council, except that John B. Thompson, who was head of Communist-controlled American Peace Mobilization, appears as a sponsor of the league but not of the council. Both council and league were youth sections of SCHW. A vice chairman (one of two) of National Committee to Abolish Poll Tax, Communist front that received financial support from Communist Party. Sponsor of Paul Robeson's benefit concert in Washington, D. C., marking opening of celebration of tenth anniversary year of radical Highlander Folk School. Sponsor of Citizens' Committee to Free Earl Browder, national Communist leader and at that time general secretary of the party, convicted of passport frauds. On general board of Southern Electoral Reform League, organized to abolish poll tax.

Clark Howell Foreman: President of SCHW. Born in Atlanta, Ga., 1902. His father was a businessman, his grandfather editor of the Atlanta Constitution. Was graduated from University of Georgia at 19. Studied for a year at Harvard, followed by a year at London School of Economics, Socialist-Communist school where Harold J. Laski is instructor. Traveled for a year in Europe, during which he spent an interval teaching school in Germany. Returned to this country and took position with Interracial Commission in Atlanta. Had held responsible position with Phelps-Stokes Fund and Julius Rosenwald Fund, centering on educational work in South with emphasis on Negro phases. M. A. degree at Columbia University in the late 1920's, Ph. D. in 1932 at Columbia's faculty of political science. Spent another year in Europe. Author of the New Internationalism, and coauthor of the Consumer Seeks a Way (1934), and Total Defense (1940). In 1933, on return from Europe, became adviser on race problems to Secretary of the Interior Ickes. Boasts he was first official in Washington to have Negro secretary. Director of Power Division of Public Works Administration under appointment by Ickes in 1935, and after 5 years in that post became Director of Defense Housing for Federal Works Agency. In England for 8 months early in World War II on special mission for United States Navy; says color blindness barred him from joining Navy. Has been president of SCHW since 1942, serving in other positions theretofore. Secretary of National Citizens Political Action Committee. Contributed $5,000 to CIO Political Action Committee. On general board of Southern Electoral Reform League, organized to oppose poll tax. In June 1940 organized Committee on Economic Defense for American Council on Public Affairs, which brought out the report called Total Defense, read into CONGRESSIONAL RECORD by Senator CLAUDE PEPPER. It was in response for elaboration that book Total Defense heretofore noted, was written with Joan Raushenbush (Mrs. Stephen Raushenbush) as coauthor.

Helen Fuller: Member of executive board of SCHW. Member of Council of Young Southerners, heretofore noted as youth section of SCHW. Member of Washington bureau of the New Republic, revolutionary socialist weekly. Writer for Free World, monthly magazine for United Nations, opposing nationalism and favoring world citizenship.

George Googe: A vice president (one of seven) of SCHW. Southern representative, one of consultants on its industrial produc- American Federation of Labor, at SCHW, and tion panel. Also served on its committee on resolutions. Googe has been chief organizer for A. F. of L. for 13 years. As such has been through bitter labor wars in South, notably the 1934 textile strike, during which he delivered eulogy at mass funeral of seven pickets killed at Honea Path, S. C. Next to his textile activities, his hottest clashes have been against CIO in maritime industries. Served as president of Trades and Labor Assembly, Savannah, Ga. Admitted to National Labor Relations Board that local of A. F. of L. Tobacco Workers International in Larus Bro. tobacco plant in Richmond, Va., banned Negro workers, but asked that bargaining agency certificate be not revoked because of segregation practiced by this local. The matter became NLRB on charges of CIO Food, Tobacco and Agricultural Workers Union and trial examiner, Frank Bloom, had recommended revocation of certificate unless Negro workers were made eligible for membership, and not segregated in another local. On national advisory committee of League for Human Rights, Freedom, and Democracy.

Dr. Frank P. Graham: Honorary president (with Judge Louise Charlton) of SCHW. Born Fayetteville, N. C., October 14, 1886. President of University of North Carolina. Member of executive committee of American Committee for Democracy and Intellectual Freedom, a Communist-front organization, operating among college teachers and professors. The Daily Worker, leading Communist organ, featured its launching with a front-page display. One of sponsors of Midwest Conference of the Communist-organized and controlled American Committee for Protection of Foreign Born. Conference was called to discuss naturalization, immigration, and other laws and bills affecting aliens with view of making them "more democratic" and to establish realization that "the alien made America." Was also one of sponsors of fifth national conference of American Committee for Protection of Foreign Born. Member of Committee of American Friends of Spanish Democracy, Communist-front organization to aid Communist program in Spanish Civil War. Signed appeal of the notoriously Communist-organized and controlled American League for Peace and Democracy for quarantine of Fascist aggressor nations. Signed appeal of Russian War Relief, Inc., for aid for Russian people. Went on record as favoring Presidential clemency for Earl Browder, then General Secretary of Communist Party, serving sentence imposed for passport frauds. Signed appeal of Communist-organized and controlled Committee for a Boycott Against Japanese Aggression for boycott by consumers of manufactured and raw materials coming from Japan. The committee was organized in 1938, antedating opening of World War II, and was part of maneuvers to aid Communist program in China, with which Japan was then at war. Affiliated with Coordinating Committee to Lift the Embargo, a Communist-front enterprise to further Communist objectives in Spanish Civil War. One of sponsors of Council of Young Southerners, Youth Section of SCHW—interlocks through personnel with Communist fronts. Sent greetings to biennial national conference of International Labor Defense, Communist-organized and controlled. It is the legal defense arm of Communist organizations. Sent message of support and good wishes to Lawyers' Committee on American Relations with Spain, Communist-front organized around controlling Communist nucleus to aid Communist objectives in Spanish Civil War. One of sponsors of League of Young Southerners, same as Council of Young Southerners, heretofore noted, except that it adds John B. Thompson to list of sponsors. Thompson was head of the notoriously Communist-controlled American Peace Mobilization. One of the sponsors of National Committe to Abolish the Poll Tax, Communist-front that has received financial support from the Com-

munist Party. Signed open letter initiated by National Emergency Conference for Democratic Rights, protesting what it called alien baiting. This organization was a Communist front teeming with confirmed fellow travelers. Dr. Graham was also a sponsor or signer of this organization's "A Warning to America," calling for extension of "democratic" rights of the people "embodied in Bill of Rights, Social Security Act," etc. One of sponsors of China Aid Council, Communist-front. One of sponsors of drive to aid China, Aid Council of the Communist-organized, controlled and directed American League for Peace and Democracy. One of national sponsors of Medical Bureau and North American Committee to Aid Spanish Democracy, a Communist-front functioning in connection with Spanish Civil War. One of the sponsors of dinner under auspices of Soviet Russia Today, celebrating twenty-fifth anniversary of the Red army (February 22, 1943). The supplement of the Washington Post for Sunday, July 20, 1930, contains quite a significant write-up by David Rankin Barbee who, among other things, remarked:

"Frank Graham, as everybody calls him, except his students who address him as Mr. Graham, represents the new element in North Carolina and in the South, which is gradually seizing the reins of government. His prototype in the United States Senate is Hugo Black," etc.

Appointed by President Roosevelt as chairman, advisory council to formulate social insurance plan (11-10-34). Member of the national advisory council of the Institute of International Education, Inc., with headquarters at Columbia University in 1935. The Institute of International Education was the permanent American advisory organization for the Moscow State University. One of the sponsors of the Emergency Peace Campaign (1937). One of the sponsors of silver anniversary of the socialistic Survey Associates (1937). Trustee of the Church Peace Union (1938). Member of board of trustees of National Child Labor Committee (1938), an ambitious bureaucratic attempt to regiment the "children" of the whole country. Member of Council Against Intolerance in America (1939). One of sponsors of National Sharecroppers Week, under auspices of Southern Tenant Farmers' Union (March 24-31, 1939). Member of National Committee of American Boycott Against Aggressor Nations (1939). Member of the National Committee of Sponsors of National Conference on Civil Liberties, headed by the liberal William Allen White (now deceased), and in which the communistic International Labor Defense participated (Oct. 13-14, 1939). One of the officers of the National Conference of Christians and Jews (1939). One of backers of Facts and Fiction issued by the American Committee for International Information (affiliated with Council for Democracy) (1940). One of sponsors of Youth in Focus, which photo contest was open to all except those employed by the American Youth Congress or Friday magazine (1940). Sponsor and adviser for Work Camps for America (1940), a project of Highlander Folk School. Participant in American Association for Economic Freedom. Signed protest letter to Attorney General Jackson for treatment of conscientious objectors. Member of Commission to Study the Organization of Peace (1940). National Committee, International Student Service (1940). Vice chairman, Committee for Independent Voters for Roosevelt and Wallace (1940). Sponsor, American Rescue Ship (12-14-40 letterhead). National Advisory Committee, League for Human Rights, Freedom, and Democracy (3-31-41 letterhead). One of associate editors of Frontiers of Democracy (1941)—indoctrinating school teachers with Socialist propaganda. One of sponsors of Christianity and Crisis (1941). Member of the National Defense Mediation Board, representing the public (Mar. 1941). Permanent Charter dinner—Socialist New School for Social Research (4-24-41). Union for Democratic Action (4-29-41)—labeled 'subversive" by Attorney General Biddle. Russian War Relief Association (10-10-41). Sponsoring Committee, Citizens for Victory (12-22-41). Pled to Franklin Delano Roosevelt for Browder's freedom (Daily Worker, 4-13-42). 10-6-42 CONGRESSIONAL RECORD, asking Franklin Delano Roosevelt to inject himself into the Freedom for India Movement, a Communist Party-line project. International Honorary Board of Free World (1944)—a "world citizenship" leftist project. PM for 6-3-44 praised his stand against Montgomery Ward & Co. Member of Committee of Editors and Writers of the South, anti-poll-tax group. Member of the national committee of the notorious "patriot baiting," subversive Friends of Democracy, of which the pro-Soviet "Rev." L. M. Birkhead is the racketeering founder. Signed petition of National Federation for Constitutional Liberties against the United States Army ban on Communists being commissioned as officers (3-15-45) (Daily Worker). Edwin A. Lahey, of the Chicago Daily News' (Washington, D. C.) staff, who is himself a member of the CIO and very sympathetic to organized labor, in writing about the appointment of Graham by Secretary of Labor Schwellenbach, as chairman of the three-man panel in the oil strike, said, on December 4, 1945:

"Dr. Graham, in his years on the War Labor Board, acquired a reputation as friendly to labor, and has never been known to be niggardly with a corporation's money in making an arbitration award."

Joseph B. Hunter: Member of executive board of SCHW. No other record.

Rev. F. Clyde Helms: Member of executive board of SCHW. Has served in earlier years as a vice chairman. Minister, Shandon Baptist Church, Columbia, S. C. No other record.

Dr. Charles S. Johnson (colored): Member of executive board of SCHW. Director of department of social sciences, Fisk University, Nashville. One of sponsors of United Nations in America dinner, given by Communist organized and controlled American Committee for Protection of Foreign-Born, as tribute to contributions of the foreign-born to America. Also a sponsor of its fourth annual conference. Signed statement for abolishing Dies committee, circulated by National Federation for Constitutional Liberties, listed as subversive by Attorney General Biddle. Has served as member of research staff of Tennessee Valley Authority. Member of board of trustees, Julius Rosenwald Fund. Has served on editorial council of the World Tomorrow, an internationalist-pacifist publication, now defunct. Appointed United States representative on Liberian International Commission to investigate labor conditions in Liberia. Appointment made by President Hoover, in response to request of Liberian Government that an American Negro be on Commission. On faculty of Midwest Institute of International Relations—1936—with Clark M. Eichelberger, left-wing internationalist-pacifist; Toyohiko Kagawa, Japanese social workers; Frederick J. Libby, director of National Council for Prevention of War et al. Member of advisory board of Progressive Education Association, founded on Prof. John Dewey's educational doctrines, changing its name later to American Education Fellowship. Member of Farm Tenancy Commission; blamed antiquated laws in South for much of difficulties of sharecroppers. One of the sponsors of National Sharecroppers Week. On its educators' committee—1940—on work to benefit Southern Tenant Farmers' Union. Author of Patterns of Segregation (Harper & Bros.), favorably reviewed by Communist Ben Davis, Jr., member of New York City Council, in Daily Worker, leading Communist publication in United States. Scheduled guest lecturer for Communist conceived and controlled New Theater League. One of leaders of discussion on application of Christian pacifism to southern social and economic problems, before Blue Ridge, N. C., Conference of Fellowship of Reconciliation, left wing, extreme pacifist-internationalist organization. An editorial contributor to Fellowship, one of its publications. Vice chairman of Committee on Africa, the War and Peace Aims, organized by Dr. Anson Phelps Stokes, to apply principles of Atlantic Charter to African problems. On National Committee of American Committee for Democracy and Intellectual Freedom, a Communist front.

Paul B. Kern: A vice president (1 of 7) of SCHW. Bishop of Methodist Church; residence, Nashville, Tenn. Signed textbook commission pledge against anti-Semitism, fathered by The Protestant, left-wing religious group. Member of Emergency Peace Campaign, Communist-inspired. On Committee to Defend America by Aiding the Allies, the Organization led by the late William Allen White, to aid Allies in World War II, in every way short of war—this was prior to our entering war. Vice chairman of Crusade for a New World Order, led by council of bishops of the Methodist Church. It supported international collaboration and campaigned for approval of Dumbarton Oaks proposal, with suggested modifications affecting dependent peoples, for an international bill of rights, etc. Signed People's Mandate to Government, issued by Women's International League for Peace and Freedom, left-wing internationalist-pacifist organization infiltrated by Communists. One of sponsors of Council of Young Southerners, Youth Section of SCHW that interlocks through its personnel with important Communist-front groups. Likewise sponsor of League of Young Southerners, obviously same as council, as heretofore noted.

Roy R. Lawrence: Member of executive board of SCHW. President of North Carolina State Federation of Labor. Became Carolina's administrator for CIO in textile unionization and was cited to appear before State federation's executive board on May 1937 on charges of violating oath of office, sponsoring dual unionism, etc. The telegram calling him to appear to answer charges was sent by George Googe, southern representative of A. F. of L. Note that Googe is one of the vice-presidents of the SCHW.

Lucy R. Mason: Member of executive board of SCHW. Member of executive committee of National Citizens' Political Action Committee. One of sponsors of Council of Young Southerners, youth section of SCHW, noted heretofore. One of sponsors of League of Young Southerners, obviously same as council, as heretofore noted.

Mortimer May: Member of executive board of SCHW. No other record.

William Mitch: A vice president (one of seven) of SCHW. Member of national advisory committee of Galena Defense Committee, set up to raise funds for defense of members of the International Union of Mine, Mill, and Smelter Workers (CIO); indicted for murder in connection with labor riots marking strike of tri-State miners in Galena, Kans. Evidence was given that perpetrators of the murder were Communists, acting under instructions of Communist Party to foment violence, and that all members of Galena Defense Committee, with the exception of a Richard Murray, were either Communist Party members or 100-percent supporters of the Communist Party line in the Galena affair. President of District 20, United Mine Workers of America. On general board of Southern Electoral Defense League, organization opposing poll tax. Southern regional director of Steel Workers' Organizing Committee, organization that later became United Steelworkers (CIO). On so-called trade-union delegation to Soviet Russia, led by Albert F. Coyle. At that time he was Indiana State secretary of United Mine Workers of America. Trustee of Debs memorial radio

fund, that financed purchase of Debs memorial radio station WEVD. Assured WPA and other unemployed workers (1937) of support of miners and CIO in drive to organize the unemployed.

George S. Mitchell: Member of executive board of SCHW. Regional director for Southeast for CIO Political Action Committee, with headquarters at 75 Ivy Street, Atlanta. Born in Richmond, Va., in 1902. Rhodes scholar at Oxford University, England (1926–29). Economics teacher at Columbia College (1929–35) Regional director of Farm Security Administration for five States in the upper South, and was later Assistant Administrator. The Farm Security Administration was under constant congressional fire because of its pro-Communist and sovietizing program. Author of Textile Unionism in the South. Coauthor with Horace Cayton of Black Workers in the New Unions. During investigation of Farm Security Administration by a special House committee, an article from Puerto Rico World-Journal was submitted quoting Dr. Mitchell as saying, "Fee-simple ownership of property is the greatest detriment to our national prosperity," and declaring he advocated long-lease tenure of farm land, subject to cancellation. This was offered as evidence in support of charge that Farm Security Administration was seeking to sovietize tenant farming and poorer farmers generally by substituting long-term leases and shutting off all opportunity to acquire direct title. On executive council of the radical Highlander Folk School, heretofore noted.

Rev. A. T. Mollegen: Member of Executive Board of SCHW. Faculty member, Virginia Theological Seminary. Professor of Christian ethics. Chairman of American Democracy meeting in Washington, D. C., sponsored by East Washington branch of the notoriously Communist-organized and controlled American League for Peace and Democracy. Presided at one of sessions of Conference on Constitutional Liberties in America, June 7–9, 1939, that launched National Federation for Constitutional Liberties, listed as subversive by Attorney General Biddle. Elizabeth Gurley Flynn, then a member of the National Committee of the Communist Party and so announced on program, was one of the speakers at the session of the conference at which Reverend Mollegen presided. He was also one of the sponsors of the conference. One of two ministers conducting religious services at morning session (June 4, 1939) of the National Right-to-Work Congress, an out-and-out Communist party affair. Signed open letter to extreme left-wing American Civil Liberties Union, notorious for its defense of communists involved in actions to curtail their subversive propaganda activities, protesting its banning of Communists from membership and office on its national committee. All of the 17 signers of this open letter were frequent supporters of Communist party, its leaders, and its various fronts. Vice president of Conference on Civil Rights held under auspices of Washington Committee for Democratic Action, the Washington branch of National Federation for Constitutional Liberties, noted above. One of the sponsors of Tom Mooney meeting staged by Washington Tom Mooney Committee, set up by communist-organized and controlled American League for Peace and Democracy, through its Washington branch. This was all part of Communist program to exploit Mooney, convicted of dynamiting atrocity murder in San Francisco Preparedness Day parade prior to World War I. Sponsor of National Committee to Combat Anti-Semitism, a communist-infiltrated organization and interlocking in its personnel with the Protestant, publication of left-wing religious group. This committee is campaigning to oust Senator Bilbo of Mississippi from United States Senate and to secure adoption by Congress of Congressman Samuel Dickstein's (Democrat, New York) House Concurrent Resolution 89 declaring anti-Semitism and other "hate propaganda directed against racial or religious groups," a weapon in the hands of enemies of this country. It would label anyone participating in such propaganda as "un-American" and holds that "there can be no place in the lives or thoughts of true Americans for such ideology." Note the words "or thoughts" in the quoted phrase and that just as anti-Semitism was part of the "Hitlerite ideology," as charged in the Resolution, so this proposal in this "thought" phase parallels the ideology on which rested the thought policing in Japan abolished on orders of General MacArthur. Member of committee of editors and writers of the South, organized to oppose poll tax and other limitations on voting in the South. On national committee of Church League for Industrial Democracy, a production-for-use-and-not-for-profit organization within Episcopal Church, roughly paralleling the Socialist League for Industrial Democracy. Chairman of Washington Citizens' Committee to Free Earl Browder, Communist leader convicted of passport frauds.

M. C. Plunk: Member of executive board of SCHW. No other record.

Dr. Arthur F. Roper: Member of executive board of SCHW. One of sponsors of Council of Young Southerners, youth section of SCHW, and of duplicating League of Young Southerners, both noted heretofore. Speaker on farm tenancy before 1938 meeting of SCHW. Staff member, Carnegie Myrdal Study, Atlanta. Connected with United States Department of Agriculture, Greensboro, Ga. Social analyst for Department and co-author of Sharecroppers All. Supporter of National Sharecroppers' Week, an organization noted heretofore. On general board of Southern Electoral Reform League, an anti-poll-tax organization and for liberalization of election laws in South.

Hollis V. Reid: A vice president (one of seven) of SCHW. Chairman, Tennessee legislative board, Brotherhood of Locomotive Firemen and Engineers, Memphis, Tenn. A vice chairman of second Tennessee State Conference on Democracy, at Nashville, to discuss poll-tax repeal, protection of civil liberties, and rights of labor. Assisted regular staff of radical Highlander Folk School during short spring term in May 1941, for organized labor workers. He is a member of the executive council of this school at Monteagle, Tenn. Chairman of Tennessee Commonwealth Federation. Signed petition for pardon of Earl Browder, Communist leader convicted of passport frauds.

Dr. Ira De A. Reid (colored): Member of executive board of SCHW. With department of sociology, Atlanta University. Member of National Citizens' Political Action Committee, CIO. Member of American Committee for Protection of Foreign Born, Communist-founded and controlled. At its dinner in tribute to the contributions of the foreign born to America, he was on program for "Testimonial to Franz Boas," affiliated with long line of Communist-fronts. Affiliated with the Communist-organized and strictly Communist-controlled American League Against War and Fascism. He was a member of the arrangements committee that planned and carried out its founding. Affiliated with Citizens' Committee to Free Earl Browder, a Communist Party affair set up to secure release of the national Communist leader convicted of passport fraud. Affiliated with National Federation for Constitutional Liberties, Communist-front branded subversive by Attorney General Biddle. Member of Committee of Editors and Writers of the South, an anti-poll-tax organization heretofore noted. Member of Joint Committee for Political Refugees, cooperating with Joint Campaign for Political Refugees, an organization of which Prof. John Dewey was honorary chairman that was working for a haven here for European refugees. Cooperating with the Joint Campaign was the International Relief Association, which carries his name on its letterhead. Signed petition to President Roosevelt to countermand order of Attorney General Biddle for deportation of Harry Bridges, foreign-born left-wing labor leader and agitator. Director of Department of Research and Records, National Urban League, New York (1929). Lecturer for League for Industrial Democracy, Socialist. One of the endorsers of the All-Southern Negro Youth Conference, called originally by Southern Negro Youth Conference, youth section, of National Negro Congress, listed as subversive by Attorney General Biddle. One of the sponsors of fifteenth anniversary celebration of the radical left-wing Brookwood Labor College, Katonah, N. Y. Member of executive committee of League for Independent Political Action that in 1939 declared for campaign that will push the New Deal to the left.

Lillian E. Smith: Member of executive board of SCHW. Editor of South Today, Clayton, Ga., and author of Strange Fruit. Member of National Citizens' Political Action Committee. Affiliated with blatantly Communist-front American Peace Mobilization. Signed petition for release of Earl Browder, national Communist leader convicted of passport fraud. Affiliated with Emergency Peace Mobilization, which launched the American Peace Mobilization, noted above. Member of Committee of Editors and Writers of the South, an anti-poll-tax group as heretofore noted. One of 16 women selected for the 1944 Roll of Honor of National Council of Negro Women. Writer of wide variety of articles in publications of various types, such as Common Ground, Common Sense, American Unity, etc. Her The White Problem, in New York Herald Tribune Forum was condensed for the Negro Digest. Her race-relations novel, Strange Fruit, was banned in Boston and Cambridge, Mass., and the Massachusetts Civil Liberties Union pledged support in fight to lift restrictions. The Massachusetts Supreme Court, in a divided opinion, ruled it obscene, indecent, and impure. Member of National Committee of American Civil Liberties Union, extreme left-wing organization notorious for its defense of Communists under bans for their propaganda, and other activities.

Harry S. Strozier: Member of executive board of SCHW. Attorney, and contributing editor, Macon News, Macon, Ga. Member of Committee of Editors and Writers of the South, an anti-poll-tax organization noted heretofore.

Alva W. Taylor: Secretary-treasurer of SCHW. Signed open letter to President Roosevelt, sponsored by American Council on Soviet Relations, urging declaration of war on Finland in interests of unity of United Nations over Nazi Germany and its Fascist allies. Signed petition to abolish the Dies Committee, sponsored by National Federation for Constitutional Liberties, that was branded subversive by Attorney General Biddle. One of editorial advisers of the Protestant, publication of which Kenneth Leslie is editor and general manager. It is left-wing propaganda periodical with religious tone. One of sponsors of People's Institute of Applied Religion, classified by Dies committee as "one of most vicious Communist organizations ever set up in this country." Signed open letter of Schappes Defense Committee to Gov. Thomas E. Dewey, of New York for pardon of Morris U. Schappes, self-admitted Communist convicted of perjury in connection with New York legislative committee investigating Communist penetration of educational systems. Schappes had been on the faculty of the College of the City of New York for 13 years. Signed petition to President Roosevelt to countermand order of Attorney General Biddle for deportation of Harry Bridges, foreign-born extreme left-wing labor leader and agitator. Member of World Peaceways,

Inc., prewar internationalist and peace-at-any-price pacifist organization. One of national sponsors of New York chapter of National Sharecroppers' Week, noted heretofore. On Social Service Commission of Federal Council of Churches. Active member of People's Lobby, socialistic organization espousing Government ownership of industry and redistrbution of wealth by confiscatory taxation. One of vice chairmen of Committee of Interchufch World Movement investigating steel strike in 1919. Report was prepared with technical assistance of socialist Bureau of Industrial Research. It was so biased it discredited itself. Affiliated with National Mooney-Billings Committee working for pardon of Mooney and Billings, convicted of murder in bombing of Preparedness Day parade in San Francisco, prior to World War I. Chairman of Church Emergency Committee for Relief of Textile Strikers in Danville, Va., set up to solicit funds and food for strikers. On executive committee (1933) of National Religion and Labor Foundation, set up to propagandize "the new social order" and overthrow capitalist system. One of its officers declared in its official organ that there would be need for "a trained and disciplined group who will know how to function in a Lenin-leadership when the hour of opportunity comes. Our concern is to build the understanding leadership from those who are ready to talk business and digest the strong meat of direct revolutionary preparation." Signed petition (1932) for recognition of Soviets circulated by left-wing internationalist-pacifist Fellowship of Reconciliation. Member of committee on Cultural Relations with Latin-America, notorious for picturing United States as imperialistic. Referred to George Washington (November 11, 1929) as "a slow-moving individual at any rate."

Rev. John B. Thompson: Member of executive board of SCHW Has served as chairman in earlier years. Dean of Presbyterian Foundation at University of Oklahoma; pastor of First Presbyterian Church, Norman, Okla. One of sponsors of fifth national conference of Communist organized and controlled American Committee for Protection of Foreign Born. Chairman of American Peace Mobilization, one of the most notorious and blatant Communist fronts organized in this country. Made keynote speech at American People's meeting (April 5, 1941), sponsored by it. One of the sponsors of Committee to Defend America by Keeping Out of War, a provisional set-up leading to launching American Peace Mobilization, just noted. At the time of these activities the "line" of the Communist Party was based on the Stalin-Hitler pact that had not been broken by Hitler at that time. One of sponsors of Emergency Peace Mobilization, the meeting in Chicago that launched the American Peace Mobilization, just noted. One of sponsors of League of Young Southerners, Youth Section of SCHW and identical with Council of Young Southerners, except that the Reverend Thompson is not listed as a sponsor of latter. Bo'h closely interlocked through personnel with Communist fronts. One of sponsors of People's Institute of Applied Religion, labelled by Dies Committee as "one of the most vicious Communist organizations ever set up in this country." One of sponsors of call for Dinner Forum of Protestant Digest Associates. The Protestant Digest changed name to the Protestant, listed by Dies Committee as "one of the most remarkable vehicles of straight Communist propaganda in existence." It has a religious veneer. Former teacher at Highlander Folk School. Contributor to New Masses, Communist magazine, February 11, 1941.

Miss Jimme Woodward: Secretary YWCA, University of North Carolina. Member of executive board of SCHW. Elected a regional representative for the South (one of two) at fifth national gathering of American Youth Congress, front organization set up and controlled by Communists. Listed as subversive by Attorney General Biddle. At the time of her election as regional representative (1939) she was with YWCA at Randolph-Macon College.

Mr. BILBO. Mr. President, I had promised during this first installment of my 30-day speech to discuss the question of filibustering, and now I should like to make some observations on that much-discussed question. Although it was my hope that it would not be necessary for the business of the Senate to be delayed because of the FEPC, I do not now and have never hesitated to engage in a filibuster for a righteous cause. The privilege of unlimited debate, which makes filibusters possible, is one of the most sacred rights guaranteed to every Member of this esteemed and distinguished body. Without this right the minority would be helpless and defenseless and always and under all circumstances subject to the will of the majority, with not even a weapon with which to fight in the defense of the sovereign States that we represent on the floor of the Senate.

It has been said that majorities ought to have their way; but, Mr. President, majorities are not always right. The mob is a majority, but it is not right, and in times of hysteria, such as we have now in this country, there is a possibility of a majority, even of the people themselves, being misled in view of all the radio broadcasts and newspaper publications that are being disseminated to the American people. It is possible that the American people might be misled on these new, unheard of, foreign, alien ideologies or conceptions of government which are coming out of the city of New York, a city that has sent a Negro to Washington as a Member of the House of Representatives, a Negro named POWELL, who called the President's wife "the last lady of the land" because she dared to have luncheon with the splendid white ladies of the DAR of this Nation. We need not be surprised at anything coming out of that section.

Mr. President, the throttling of debate must never be allowed to exist in the Senate of the United States, the greatest deliberative forum in the whole world, and the only forum where free and unlimited speech is an inherent right. Yes, our opponents have the right, and can outvote and defeat a Senator in his contentions, but they cannot and they must not do it as long as he can and will speak. That is the doctrine of the filibuster.

It had been my intention to devote a portion of my speech at this time to a history of the merits of the filibuster, but last Thursday, after listening to the speech of the majority leader, the Senator from Kentucky [Mr. BARKLEY], I resolved anew to speak on this subject.

In his speech in the Senate on January 24 the Senator from Kentucky made this statement:

> The filibuster as a legislative institution is unjustifiable and indefensible.

When our beloved and distinguished leader made that statement, he hit in the face the great men who have helped to make this Nation great, because the great men of this Nation who have been Members of this body have engaged in filibustering for over a hundred years. I shall show in a moment what good they have done by the use of the institution known as filibustering. Yet our friend, the leader of the majority, says it is "unjustifiable and indefensible."

It seems that the Senator from Kentucky, along with some others, has the erroneous opinion that filibustering is wrong and should not be permitted. This belief is not only unfounded but the authority and justification for filibustering is recognized and honored by its use for 150 years. It has been resorted to by some of the greatest men who have ever held seats in this distinguished body. I question the right of any man to censure and condemn the great men who have been forced to resort to the filibuster in defense of good government and constitutional rights on so many occasions during the past 150 years.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Mississippi yield?

Mr. BILBO. Yes; if I may yield without losing the floor.

Mr. JOHNSTON of South Carolina. I should like to ask the Senator from Mississippi a question. Does he not believe that if 60 or even 75 percent of the laws which have been passed by the House and the Senate had been killed the Nation would have been better off?

Mr. BILBO. I always thought there was more virtue in killing legislation than in passing it.

Mr. President, the United States Senate is the only free forum in the world. The right of unlimited debate which belongs to every Member of this body is a weapon to safeguard the rights of minority groups, and it is a technique which must be protected and preserved.

Legislative filibustering is made possible and is permitted by the rules of the United States Senate. "Filibustering," as a term of parliamentary procedure, refers to the methods by which the proceedings of a legislative body may be delayed or obstructed, usually for the purpose of defeating a particular piece of bad legislation. However, the filibuster never actually kills any bill. It merely affords ample discussion and delays action.

Let us consider the proposal we are now discussing. We can filibuster; we can prevent the passage of the pending bill, but we cannot kill it. If it is righteous, and is necessary for the welfare and progress and growth and expansion and happiness of the people of America, it will persist, and in the end it will become a law. All we can do is to delay it, in order that the people of this country may know what it is, and if, after the people know all the facts about it, they still want it, they will put men in the Congress who will pass it. Do not worry about that.

Here is a bill which has been brought before the legislatures of 20 States, and 18 of those States have killed it through their legislative processes. Only two have passed it, and that was in a modified form. It is a kind of a joke in New Jersey. Dewey became afraid of his baby, and has in a way put the soft pedal on it in New York. But I notice that

certain minorities think that New Jersey and New York are today their mecca, and there are millions on their way. I hope that the legislature of my State will provide expenses of transportation, and let every citizen of my State who wishes to go to New York and New Jersey travel at the expense of the State government.

The term "filibuster" may be somewhat modern, but the use of filibustering tactics is certainly not a new legislative practice in the world. The method was used in the Roman Senate, and was long known to the English Parliament. Filibustering was practiced in some of our colonial legislatures—that is, in the Thirteen Original Colonies. Indeed, the very ratification of the Federal Constitution resulted in a famous but unsuccessful filibuster in the Pennsylvania one-house legislature.

Mr. President, as I have said, things which are right and things which should be done for the welfare of the people will in the end be successful. But in all the filibusters which have been successful in the past there has been no effort to renew the objectionable thing that was killed by the filibuster, and time has shown that the success of all filibusters has resulted to the benefit and welfare and glory of this great country.

Under the Constitution of the United States filjbustering found a place in the First Congress. Congress was meeting in New York, in June 1790, when a wrangle occurred which could certainly be called a filibuster. It is strange, Mr. President, that so much hell is being raised about filibustering by many New Yorkers who come here, and yet the first filibuster in this Republic took place in New York. They should be ashamed of themselves. They started it. The controversy concerned which city should be chosen as the meeting place for the United States Congress. When the Senate rejected the House motion calling for the selection of Philadelphia, the House tried to pass the motion again. This time two Members of the House delivered long speeches and made dilatory motions to delay action, and they prevented a vote for some time. There was even the threat of a filibuster in the Senate, for when it next met there were numerous endeavors made to waste time.

To hear some persons talk, Mr. President, Senators have been "wasting" time ever since we have had a government; but what seems to some to be a waste of time really is a service and to the best interests of the country in the long run. No one knows when—perhaps in the twinkling of an eye, or in a year or in 2 years or in 5 years—a measure may come up from the South, a bill which would impose upon the State of New Jersey and the State of New York conditions which would be very obnoxious to and cause resentment in the hearts of the people of those two States, and the people of those States would be glad to know that their Senators had the right to fight and fight and delay and delay and kill and kill motions made in an attempt on the part of a bloc from the South to do something that the people of those States did not want done. The people of those States are interested in this matter.

Mr. JOHNSTON of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from South Carolina?

Mr. BILBO. I yield.

Mr. JOHNSTON of South Carolina. I wish to ask the Senator if it is not true that filibusters have occurred in the Senate during all its existence, and if it is not also true that the same rules for the conduct of the business of the Senate have been in force ever since the Senate has been in existence, ever since the Constitution was adopted?

Mr. BILBO. Yes.

Mr. JOHNSTON of South Carolina. The same Senate rules are still in existence. Why change the rules now?

Mr. BILBO. I said a while ago, Mr. President, that there was hysteria resulting more or less from the disturbed conditions incident to the war we have just gone through, and primarily because of the organized efforts on the part of a minority to enforce upon the Congress and the American people its ideas of what it calls social equality. As a matter of fact, the real guts behind this bill, its real heart, the real idea behind it on the part of those who are now pressing it, is the enforcement of social equality in work. It is not so much a question of equality in obtaining jobs as in obtaining social equality. Senators know that we have a class of people in this country who say that segregation of any kind is discrimination. That doctrine has been preached by Judge Hastie and Roy Wilkins and Walter White and a great many other colored people, and by some white people who are not so fastidious. They have been preaching that segregation is discrimination. There never was a bigger lie in the world than that segregation is discrimination.

Mr. McCLELLAN. Mr. President——

The PRESIDING OFFICER (Mr. O'DANIEL in the chair). Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. BILBO. I yield.

Mr. McCLELLAN. If segregation is discrimination, then if we require those of a different political faith in this body to sit on the other side of the aisle they could charge they were being discriminated against.

Mr. BILBO. We are certainly discriminating against our Republican friends. But they are not "bellyaching" about it. They realize that it is right. They are glad to be grouped together so they can lay their plans to undo the Democrats in the Senate. And if the northern Democrats keep on monkeying with us southern Democrats we are going to draw the line of separation over on this side. [Laughter.]

I want to make a further observation about segregation. I said segregation was a law of nature. Segregation is perfectly natural in nature. It is natural in the animal world. We do not see horses out in the meadow land lining up with the cows. No; the cows go by themselves this way, and the horses by themselves the other way. Hogs and sheep keep apart. Hogs go by themselves and sheep by themselves. That general law also applies to the human race. People of the Mongolian races associate together. They intermarry and want to live together and do business together. The same is true of the Indians. The Negro race is the only one I know of which is ashamed of its race and which tries to obtain for itself social equality with the white race. Most of its leaders preach that segregation and mongrelization and intermarriage between the whites and the blacks is the only solution for the race question in this country.

Dr. Linton, dean of anthropology of Columbia University, said about 5 or 6 weeks ago that at the present speed of mongrelization, intermixing, intermarrying, and interbreeding between the whites and blacks, within nine generations, 300 years, there will be no whites in this country and no blacks. We will all be brown or yellow. Dr. Linton is not far wrong. The regrettable thing about it is that there are many white people in this country who have no regard for the integrity of their white blood, who are encouraging and aiding and abetting the attempt, the fight, the campaign, the movement which is on to bring about the mongrelization of their own white blood. I say that FEPC is one of the instruments they want to use to bring about that social equality which leads to miscegenation, mongrelization, intermixing. There are 18 States in this country which have legalized marriage between Negroes and whites. Today the yearly average is about 600 legal marriages in those 18 States between Negroes and whites. That does not take into consideration the interbreeding and mixing between Negroes and whites in all the rest of the country. That is horrible. That is why Dr. Linton said the fight was on, the race was on.

I do not know how others feel about it, but so far as I am concerned, Mr. President, if you want to "cuss" BILBO for being a bigot, for being a pessimist, and being this and that just because I have regard for my white blood, then make the most of it. So far as I am concerned, I would rather see my race and my civilization destroyed by the atomic bomb, with all its fury and its horror, than to see it destroyed by the slow, subtle, insidious campaign of mongrelization. One method is slow, the other is fast. I would prefer the fast method.

Obstructive tactics were characteristic of the House of Representatives long before they became common in the Senate. However, because of the size and the nature of the business of the House, rules were soon adopted limiting debate. There are 435 Members of the House, and if each Member wanted to make a speech of an hour or so in length, the House never would get through with dealing with one subject in a whole session.

By 1890 the House rules no longer permitted unlimited debate, and since that time filibustering has been confined to the Senate. The House is composed of men elected every 2 years from the body of the people, and its Members do not need to speak as long as Senators do. One of the special jobs of the Senate is to analyze and discuss bills which come over from that great body, with a membership of 435, which cannot spend much time in discussion and analysis. It is our

duty to analyze and discuss bills without limit, and discover the mistakes in policy and the effect on the American people if a proposed law is put into operation. That is our duty. If we see fit to discuss a bill for 2 weeks, 3 weeks, 30 days, or 6 months, that is all right. In the long run it is to the interest of the people.

During the early sessions of the Congress the procedure known as the "previous question" was a method by which debate could be limited in the Senate. But that rule was abolished in 1807, and there were no other rules adopted by which debate could be limited until the so-called cloture rule was adopted in 1917. In other words, from 1789, when the First Congress met in New York City, until 1807, there was what every parliamentarian knows as the "previous question," which cut off all debate. That procedure was so disastrous and so ineffective in perfecting legislation that in 1807 it was done away with. Some "nut" would demand the previous question merely to stop the discussion. Until 1917, for 110 years in the United States Senate, there has been no rule, no method, and no regulation by which the discussion of a subject on the floor of the Senate could be stopped.

But in 1917, during the war hysteria, when war legislation was being enacted, someone conceived the idea of cloture. We know what cloture is. After a bill has been thoroughly discussed, or at any time, 16 Senators may file a petition and force a vote on the question of whether cloture shall be imposed. It has practically the same effect as the previous question. It closes the debate. I shall come to that subject a little later.

Mr. President, I believe in free and unlimited debate. I am opposed to cloture; and I am not alone in that. I repeat that the day may come when those who are clamoring for limitation of debate, and cussing us because we filibuster, and who wish to do away with the filibuster, may wish that the right of filibuster still existed in order to save them and their particular section.

We do not know what is going to happen in this country. I am opposed to any limitation of debate in the United States Senate. The right of free and open debate has long been cherished in this body. The right of unlimited speech is a powerful weapon, but it is a safeguard necessary to the preservation of the liberty upon which this Nation was founded.

In 1897 Vice President Stevenson made the following statement with reference to the limitation of debate in the Senate. Listen to what one of the great men of the past said about it:

> It must not be forgotten that the rules governing this body are founded deep in human experience; that they are the result of centuries of tireless effort in legislative halls to conserve, to render stable and secure the rights and liberties which have been achieved by conflict. By its rules the Senate wisely fixes the limits of its own powers. Of those who clamor against the Senate, and its methods of procedure, it may truly be said: "They know not what they do." In this Chamber alone are preserved, without restraint, two essentials of wise legislation and of good government—the right of amendment and of debate. Great evils often result from hasty legislation; rarely from the delay which follows full discussion and deliberation. In my humble judgment, the historic Senate—preserving the unrestricted right of amendment, and of debate, maintaining intact the time-honored parliamentary methods and amenities which unfailingly secure action after deliberation—possesses in our scheme of government a value which cannot be measured by words.

That is not BILBO talking. That is one of the great men of the past, passing judgment upon the right of filibuster.

Members of the Senate represent the sovereign States from which they are elected. We must uphold the sovereignty and rights of our States. The privilege of unlimited debate gives us a method to protect those rights from destruction. So long as this right remains, the majority cannot force its views upon the minority when the minority is on guard and ready to fight. In other words, this body could not impose any law on the good people of Pennsylvania, New York, or New Jersey if Senators from those States were on the job to protect their rights. The rules of the Senate are such that they can stand here and fight as long as there is breath in them and keep their States from being imposed upon by any antagonistic majority from the South or from the West.

In certain sections of our country there are a great many aliens who have brought with them alien governmental concepts. Many of them are crackpots. Some of these days the South and the West will get together, and there will be some filibustering. We will get together and stop all this damned foolishness.

Each Senator is an ambassador from his State. Representatives in Congress come directly from the people, and their number is in proportion to the population. That is not so with the Senate. Each State has two Senators. New York, with her millions of people, has no greater representation or rights in the Senate than tiny little Rhode Island. The principle of State rights is not only essential and vital, but it is the very foundation of our dual system of constitutional government.

In discussing the United States Senate, the late Senator Henry Cabot Lodge made the following statement—let us hear from the late Senator Lodge, a great Republican and a great scholar:

> It is not necessary to trace the long struggle between these opposing forces which ended in the most famous compromise of the Constitution of which the Senate was the vital element, and which finally enabled the Convention to bring its work to a successful conclusion. It is sufficient here to point out that, as the Constitution was necessarily made by the States alone, they yielded with the utmost reluctance to the grants of power to the people of the United States as a whole and sought in every way to protect the rights of the several States against invasion by the national authority. The States, it must be remembered, as they then stood, were all sovereign States.

They were little independent republics. There were 13 of them.

> Each one possessed all the rights and attributes of sovereignty, and the Constitution could only be made by surrendering to the General Government a portion of these sovereign powers.
>
> In the Senate accordingly the States endeavored to secure every possible power which would protect them and their rights. They ordained that each State should have two Senators without reference to population, thus securing equality of representation among the States. They then provided in article V of the Constitution that "no State without its consent should be deprived of its equal suffrage in the Senate."

Each Senator covers so many square feet of this beautiful carpet, and if he has not "guts" enough to get on his square and hold it and defend the rights of the people of his State, he is not worthy of membership in this body.

> Except on some rare occasions the Senate has been the conservative part of the legislative branch of the Government. The cloture and other drastic rules for preventing delay and compelling action which it has been found necessary to adopt and apply in the House of Representatives have never except in a most restricted form been admitted in the Senate. Debate in the Senate has remained practically unlimited—

This is Senator Lodge speaking—

> and despite the impatience which unrestricted debate often creates, there can be no doubt that in the long run it has been most important and indeed very essential to free and democratic government to have one body where every great question could be fully and deliberately discussed. Undoubtedly there are evils in unlimited debate, but experience shows that these evils are far outweighed by the benefit of having one body in the Government where debate cannot be shut off arbitrarily at the will of a partisan majority.

Our Republican friends on the other side of the aisle are in the minority in this body, but they have this power. The majority of the Senate, on this side of the aisle—we Democrats—cannot run over the Republican Senators who are representing their States. They can stand together like a solid brick wall, and we cannot move them. That is why Senator Lodge said that the Constitution and the machinery of this body are so geared as to protect the sovereignty of the States. Mr. President, the day will come when the gentlemen on the other side of the aisle will wish they had the power to prevent cloture, so that debate might go on and so that their rights might be protected. Sometimes people act in a crazy fashion; sometimes they go wild. We sometimes have hysteria in the country. If an unsafe man were put in the White House, and if at that time there were an unsafe Congress on Capitol Hill, we could have communism, we could have totalitarianism, we could have almost anything overnight. But so long as the right of debate and the right of filibuster—which is only the right to delay—continue to exist, if there were left in Congress only a few men who believed in the eternal principles of our constitutional, dual system of government, our country could be made safe, regardless of who was in the White House, regardless of what might be the majority in Congress. The right to filibuster is the greatest safeguard ever given to a free people; and yet some unthinking people say, "Oh, let us do away with filibustering. It is wicked, it is sinful, it is wrong, it is disgraceful." One lady down in Atlanta, Ga., said BILBO was un-Christian because he is in favor of filibustering—poor fanatic.

I continue to quote from the statement by the late Senator Lodge:

The Senate, I believe, has never failed to act in any case of importance where a majority of the body really and genuinely desired to have action, and the full opportunity for deliberation and discussion, characteristic of the Senate, has prevented much rash legislation born of the passion of an election struggle, and has perfected still more which ultimately found its way to the statute books.

Mr. President, since I have been a Member of the Senate there was a Senator to whom I said one day, "Senator, do you know what your colleagues say about you? They say you are the meanest old rascal in the Senate."

"Well," he said, "that is very discouraging."

I said, "Wait a minute; I am not through. They also say that you are the most useful Member of the Senate."

The reason for it was that that Senator spent 18 hours of every day of his life reading every bill, every report, and every other matter which came before the Senate, and he knew more about every bill than did any other Member of the Senate. On calendar day, the day when bills are passed by unanimous consent—and that is when the snakes crawl—he stayed in the Senate Chamber and stopped and killed more bad laws than any other Member of the Senate ever did. I wish he were here now. We need him.

I read further from the statement by the late Senator Lodge:

The Members of the United States Senate have always cherished the freedom of debate which has existed in this Chamber. Senators have been reluctant to adopt any rule of cloture and even after the present rule was adopted in 1917, they have been reluctant to invoke it. Cloture is a gag rule; it shuts off debate; it forces all free and open discussion to come to an end. Such a practice destroys the deliberative function which is the very foundation for the existence of the Senate. It was the intent of the framers of the Federal Constitution to obtain from the Upper Chamber of the Congress a different point of view from that secured in the House of Representatives. Thus, the longer term, the more advanced age, the smaller numbers, the equal representation of all States. Careful and thorough consideration of legislation is more often needed than limitation of debate.

Mr. President, as we know, the age limit for Members of the Senate is greater than that for Members of the House of Representatives. The term of a Senator is 6 years, and the founding fathers arranged to have the elections of Senators staggered in such a way that only 32 Senators are elected every 2 years, which results in always having two-thirds of the Senate with 4 years of experience. That is why the Senate is a safer body, and is able to correct the mistakes of the House of Representatives.

I read further from the statement by the late Senator Lodge:

Unlimited debate—the filibuster—has proved its merits through the years of our national existence. Time has proved that filibustering has prevented action and defeated legislation which would have been disastrous to the American people. Prolonged debate saved us from the Force bill in 1891; free silver in 1893; the Ship-Purchase Act in 1915; the antilynching bill in 1922, in 1935, and 1938; the ship-subsidy bill in 1923; and a number of other measures. It is true that there may be some difference of opinion as to the merits of some of these measures, but who will now deny that in these instances the snap-shot decision would have been calamitous? The following are the words of former Senator J. T. Robinson, who was once minority leader in the Senate:

In no single instance has a measure of outstanding importance, defeated through resort to filibuster, been subsequently revived. In every case where a considerable minority has resorted to the utmost extremity to prevent a vote upon a bill, it has been based on the contention that the proposal is inconsistent with the spirit of American institutions, is violative of the fundamental principles of our Government, and, if thoroughly understood, will be rejected as subversive of American civilization. The Force bill (1891) and the Dyer antilynching bill (1922) are illustrations. If a vote had been taken in the Senate upon either, they would have been passed by large majorities. Yet neither has ever been brought forward again.

Mr. President, now let us consider the antilynching bill. Many fanatics have been crying about the need for the passage of an antilynching bill. They have said that too many persons were being lynched in the South. Well, the southern bloc has fought such legislation. We fought it in good faith, not because we believed in lynching, but because we were about to solve that problem ourselves. Through the churches, the schools, and the actions and utterances of public men we have been able to reduce the lynching evil to practically nothing in the South today. Sometimes a whole year goes by with no lynchings. Sometimes 2 years pass with no lynchings. Therefore, Mr. President, so far as human life is concerned, whether a person be black or white he is much safer in the South than he is in Harlem, New York, because the records show that some poor Negro is killed in Harlem every night of the year. [Laughter.] Some day we southern people will have a law passed which will take care of the Harlem situation, and while the bill is pending before Congress some persons who will oppose it will get on JIM MEAD'S neck and on BOB WAGNER'S neck and try to get them to filibuster against it.

We have done away with lynching in the South because it is inherently wrong, and our law-enforcing officials know that we will back them up. If the Congress had passed the fool antilynching bill which was pending before the Congress for some time, there would have followed ten times as many lynchings as had taken place prior to that time.

In the book entitled "Filibustering in the Senate," by Franklin L. Burdette, the following arguments are given as being commonly advanced by those who favor the practice of unlimited debate in the Senate. I wish to read them. We have plenty of time. We are not going to pass the pending bill today. [Laughter.]

The principal defenses offered by the supporters of the practice of filibustering are: (1) That minorities have rights which no majority should override; (2) that a Senate majority does not necessarily represent a majority of the people or even of the States; (3) that it has become the special duty of the Senate carefully to inspect legislation, a duty not readily performed without freedom of debate; (4) that filibusters really do not prevent needed legislation, because no important measure defeated by filibuster has been enacted later; (5) that it is the peculiar function of the Senate to act as a check upon the Executive, a responsibility too easily thwarted if Senators could be prevented from speaking fully upon all matters; and (6) that the constitutional requirement for recording the yeas and nays is a protection of dilatory tactics.

The principle that minorities have rights is no less an American tenet than the principle that the majority should rule. It is not an unfamiliar cry that government is constituted to protect minorities against majorities.

Do Senators understand the import of that statement? Evidently its significance has never impressed itself upon some persons, because they never heard it before.

Indeed, most Americans would uphold the argument that there are rights of individuals which a majority must respect. Natural rights, inalienable and inherent, are still significant in American thought. The Constitution contains great guaranties of minority freedom from oppression. Many defenders of the filibuster argue that when a great constitutional guaranty is being trampled by an unheeding majority the minority should obstruct with all the vigor at its command. John Sharp Williams, of Mississippi, declared that Senators represent States as ambassadors and that it is their duty to protect the rights of States even by filibuster.

It is contended that if a minority cannot be protected by parliamentary means the forces restrained through majority pressure may well overrun the majority at the next election or may burst out even in violence or revolution. Filibusters are almost always supported by minority opinion bearing at least some strength in the Nation, and if the issue is great enough that minority may never yield short of physical conflict. Filibustering is part of the democratic system to force compromise, the conserving possibility in great controversy.

Often Senate majorities do not conform to the opinion even of the popular majorities which they purport to represent. Frequently popular opinion upon a question has not been formulated, or if it has been, it is often not effectively expressed.

That is the situation in connection with the pending bill. Notwithstanding the fact that similar bills were introduced in the legislatures of 20 States, and that they were defeated in 18 of them, many persons have not yet had time to know about it. Perhaps by the time the elections are held next fall, more people will have become informed.

I continue reading from the book:

For the formation and expression of public opinion, information, discussion, and time, are necessary. Those indispensables are supplied in part by prolonged debate in the Senate and filibuster may prevent hasty majority action which would be out of harmony with genuine popular will. Legislative obstruction apprises the public of proposals with which they may be out of sympathy and which perhaps are close to enactment without popular awareness. If the public is actually sympathetic with the proposition, time is afforded for consideration of factors perhaps overlooked and for a clear popular mandate. That time should elapse before a final decision is said to be a reasonable minority demand.

Mr. President, let us take the pending bill. It was brought in with all the pomp, glory, and ceremony of the com-

mittee, placed upon the calendar, and made ready to be passed. Many Senators were ready to vote for it. However, after the Senate has heard a discussion and an analysis of the nefarious provisions of the bill, I dare say that not a dozen Members of the Senate will vote for the bill in its present form. I know that Members of the Senate who were strongest in favor of FEPC legislation refused to put their names to this bill because they would not stand for that kind of un-American legislation. However, some others swallowed it hook, line, sinker, bait, and all.

I continue reading:

An existing Senate majority may have been repudiated at the polls. In the former short sessions of Congress, sitting (prior to the twentieth amendment) after an election, that was frequently the case. Even today such "lame duck" sessions of Congress might be called between the date for the congressional elections and the following 3d of January, and in such sessions a Senate majority might be unrepresentative both of popular will and of the will of the majority of the States.

Of course, that would not apply at the present time, because the Norris amendment has done away with the "lame duck" session.

Mr. RUSSELL. Mr. President, if the Senator will yield, I may say that we still have a "lame duck" session between November and January, during which time a majority of the Congress might have its way even though it had been defeated in a prior election.

Mr. BILBO. The Senator's statement is made on the theory that we will always have continuous sessions. Before the war we did not have continuous sessions. In part, the Senator from Georgia is correct, but prior to the war, when Congress adjourned during July or August, the statement which I have read from the book would not apply.

I continue reading:

Moreover, only one-third of the senatorial terms expire after each election. After an election in which candidates favoring an issue had been defeated by the people with unmistakable intent, a majority for that issue might still remain. The objection might have particular validity regarding ratification or rejection of a pending treaty which had been an issue. The House, more responsive to election returns, would have no voice in the matter and could not check the Senate.

It is complained that at any time a Senate majority may represent a minority of the people in the Nation. Because of the equal representation of the States that possibility is unavoidable. On the other hand, a relatively few Senators from populous States may represent a majority of the American people, and at times such Senate minorities have been led to feel that they should have a determining voice in the public business. It has also been pointed out that in critical circumstances, when a division in the Senate is close, existing vacancies in representation may give the majority only a temporary lease upon control of the situation. Unrepresentative and temporary majorities, it is argued, are justifications for filibuster.

A clear majority in the Senate may act under compulsion from a minority of leaders or from outside influences, and defenders of filibustering contend that under such conditions proposed legislation should be resisted with every parliamentary device. If a caucus system prevails, formally or informally, a mere majority of the majority party, perhaps a distinct majority of the entire Senate, may seek effectively to control the action in the Chamber.

At present it is possible, under certain conditions, for members of the Democratic conference in the Senate to bind party followers, although the arrangement is rarely used.

I may say at this point that since I have been in the Senate we have not had any party caucuses to control Members on this side of the Chamber. Every Democratic Senator has been permitted to go his way and speak his convictions and vote as he pleases, without any effort on the part of the Democratic leader to tie us up and pledge us in advance of coming on the floor.

I read further:

There is no procedure in the Republican conference by which Senators can be bound. Yet the committee system itself may enable a few Senators to exert great influence upon all the members of their party. Committee members of the majority party may so commit their party to a course of action that only insurgents will refuse support. Often members of a Senate majority learn that in order to obtain legislation of their own they must consent to measures proposed by other majority Senators even if they do not approve of them. Legislation can thereby come to final passage supported by a majority of whom very few are genuinely in favor of the whole bill; it has been a matter of accepting the undesirable in order to retain highly valued provisions or to win support for other measures. Compulsion upon a majority also may come from outside the Chamber, particularly from an executive who uses his power of patronage to drive through the Senate a program of his own. Obstructionists therefore assert that in defeating legislation they often express the inarticulate sentiments of many Senators in the majority.

Since debate and deliberation are now rigidly curtailed in the House of Representatives, the Senate has become the only forum in the National Government where unhurried consideration, and, if necessary, long discussion, can be employed to perfect laws. The importance of the Senate in revising bills passed in the House is recognized as great. Senators are proud to be entrusted with responsibility for thorough analysis of legislation, and they value the privilege and utility of unlimited speech to enable the presentation of every possible view.

The favorite argument of defenders of obstruction is the statement that no filibuster has ever defeated important legislation deeply desired by the American people. To support the remark, it is said that great measures which have been successfully obstructed have not subsequently been enacted into law. But conditions may change to make obsolete a desire for such once-defeated legislation, and often measures are of such nature that, however great the demand for them in some quarters, passage is obviously impossible because of the inevitable renewal of filibustering should old issues be reopened. Users of such an argument take no account of bills enacted because of minority coercion or of the multitude of measures indirectly defeated by filibustering because there has been no time to consider them.

There are even those who insist that filibusters do not prevent the Senate from accomplishing the necessary business before it. They point out that a great mass of legislation is enacted by agreement to vote or by unanimous consent and that arrangements have been made in the rules for regular times to consider unobjected measures. And, after all, it is contended, the only real sanction behind the rules, whatever they are, is honor. Through a sense of honor and responsibility, both the majority and the minority cooperate in the process of legislation. Business in the Senate cannot be conducted upon a plane higher than the caliber and integrity of its membership.

That is a very important statement.

It has been argued persuasively that it is the peculiar function of the Senate, by the nature of the constitutional system, to check the Executive. The Senate alone has been endowed with prerogatives of advice and consent upon matters pertaining to appointments to office and to the ratification of treaties. Through its power of investigating policies of governmental agencies, combined with the privilege of Senators to discuss without hindrance what they please, the Senate constitutes the only great check upon the activities of the executive branch. Without the potentiality of filibusters, that undiminished power to check would be gone. Senators who believe that something is wrong in the Government are free to dilate upon it and to present such evidence as they may elect. If the policy or condition complained of is flagrantly improper, its investigation or correction is difficult to avoid without embarrassment. Indeed, Senators may, by their sheer ability to block business, force investigations distasteful to a majority and perhaps also to an Executive. Free speech in the Senate, by encouraging publicity in the affairs of government, is a safeguard to liberty.

Mr. President, in a speech in the Senate a few days ago the Senator from Kentucky [Mr. BARKLEY] said:

This is the only body among all the legislative bodies in the world about which I know anything where it—

The practice of filibuster—

is recognized as a legislative institution and is practiced. The legislature of my State met 2 weeks ago—

That is, the legislature of Kentucky. With all the whisky there, anything is likely to happen in Kentucky. The Senator continued:

The legislature of my State met 2 weeks ago, and one of the first things it did was to adopt rules which would prevent anyone from delaying a vote on a measure in the Kentucky legislature, on the theory that it has the right to vote on legislation which is brought forward. That is the way I feel about the United States Senate.

Our Democratic leader made that statement, and he endorses it wholeheartedly. In other words, he proposes to deny the right of minorities on the floor of the United States Senate, and he wants the majority to have its way always.

Somebody has been plowing with my heifer!

The Senator from Kentucky is opposed to the filibuster; he is opposed to unlimited debate. Yet in another part of his speech he made this statement:

I have voted for cloture and I have voted for it on the theory that if I voted for it in one case I was not automatically bound by any future implication of the rule of cloture which might embarrass me in the method in which I might consider future legislation coming before the Senate. In other words, every measure stands on its own bottom and its own merits; and the effort to restrain, restrict, or limit debate, and the vote upon the motion for cloture upon any measure do not in any way bind any Senator as to how he should vote in the future on some other cloture motion pertaining to some other legislation.

In other words, after the Senator from Kentucky in thunderous tones says filibustering is indefensible and undemocratic, and after he says he will vote for cloture, he says, "I want it understood that every question stands on its own bottom. The time may come when some question will arise when I would be against cloture."

Back in his mind, in his heart, the Senator from Kentucky, while he is anxious to have this FEPC bill passed, and is willing to vote cloture on the southern Senators and others who are against it—it is not a southern question, it is a national question, and I am glad to see Senators from all over the country against the bill—yet the Senator from Kentucky does not desire to tie himself up absolutely, because he knows the time may come when he will thank God for the rule of unlimited debate and of filibustering in the Senate.

Mr. President, the Senator from Kentucky has not been very consistent. He must either be in favor of cloture or he must be against it. From his statement, he seems to be for cloture at this time, but is on guard against the day in the future when he himself might wish to take advantage of the right of unlimited debate. This position may be understood, but the Senator did not leave his argument there. He goes on to say that he is opposed to the filibuster in such a way that he can never engage in such a practice without standing condemned by his own statement. He said that the filibuster is "unjustifiable and indefensible" and he spoke without qualifications. Therefore, it is certainly correct to assume that the Senator denounces every filibuster which has ever occurred in this body throughout its history. Let us look at the record and see what the filibusters of the past have been, and just what the Senator from Kentucky has condemned without reservation.

Mr. MORSE. Mr. President, will the Senator from Mississippi yield?

Mr. BILBO. I yield.

Mr. MORSE. I ask the Senator to yield only for the purpose of permitting me to comment upon another possible interpretation of the majority leader's remarks. I think it is quite possible to make a different interpretation, namely, that what the majority leader intended to say, and meant to leave with the Senate, was that he felt that the time for filing a cloture petition should be left to the merits of each individual case. I do not find anything in his language which indicates that he is not in favor of cloture. I would judge from his remarks that he is in favor of cloture whenever he is satisfied that all possible legitimate debate on the merits of an issue has stopped and that a filibuster has started.

Mr. BILBO. I shall be glad to have the Senator from Oregon take the floor and defend the majority leader whenever he sees fit to do so.

As I have previously stated, the first filibuster may be said to have occurred in 1790. The use of the "previous question" was possible in the Senate until 1807. This technique was seldom invoked, and even after it was abandoned there was no filibuster of major importance until 1841. From 1841 until 1923 some 26 filibusters were carried on in the Senate. These have been listed, and I wish to read them into the RECORD so that the public may know that the filibuster against FEPC is not the only filibuster that has occurred.

I read now from Outstanding Senate Filibusters, From 1841 to 1923.

In 1841 a bill to remove the Senate printers was filibustered against for 10 days.

In 1841, again, a bill relating to the Bank of the United States was filibustered for several weeks and caused Henry Clay to introduce his cloture resolution.

In 1846 the Oregon bill was filibustered for 2 months.

The trouble is that the FEPC'ers wanted to file a petition for cloture the first 3 or 4 days we commenced to talk about this damnable bill.

Here we find that Senators filibustered for 2 months on the Oregon bill, which affected the State from which my good friend Senator MORSE comes.

In 1863 a bill to suspend the writ of habeas corpus was filibustered.

In 1876 an Army appropriation bill was filibustered against for 12 days, forcing the abandonment of a rider which would have suspended existing election laws.

In 1880 a measure to reorganize the Senate was filibustered from March 24 to May 16—by an evenly divided Senate—until two Senators resigned, giving the Democrats a majority. God Almighty came to the rescue.

In 1890 the Blair education bill was filibustered.

In 1892 the "force bill," providing for Federal supervision of elections, was successfully filibustered for 29 days. This resulted in the cloture resolution introduced by Senator Aldrich, which was also filibustered, and the resolution failed.

In 1893 an unsuccessful filibuster, lasting 42 days, was organized against a bill for the repeal of the Silver Purchase Act.

In 1901 Senator Carter successfully filibustered a river and harbor bill because it failed to include certain additional appropriations.

In 1902 there was a successful filibuster against the tri-State bill, proposing to admit Oklahoma, Arizona, and New Mexico to statehood, because the measure did not include all of Indian territory according to the original boundaries.

In 1903 Senator Tillman, of North Carolina, filibustered against a deficiency appropriation bill because it failed to include an item paying his State a war claim. The item was finally replaced in the bill.

In 1907 Senator Stone filibustered against a ship subsidy bill.

In 1908 Senator La Follette led a filibuster lasting 28 days against the Vreeland-Aldrich emergency currency law. The filibuster finally failed.

This was the Senator La Follette who was father of our Bob.

In 1911 Senator Owen filibustered a bill proposing to admit New Mexico and Arizona to statehood. The House had accepted New Mexico, but refused Arizona because of her proposed constitution. Senator Owen filibustered against the admission of New Mexico until Arizona was replaced in the measure.

In 1911 the Canadian reciprocity bill passed the House and failed through a filibuster in the Senate. It passed Congress in an extraordinary session, but Canada refused to accept it.

In 1913 a filibuster was conducted against the omnibus public building bill by Senator Stone, of Missouri, until certain appropriations for his State were included.

In 1914 Senator Burton, of Ohio, filibustered against a river and harbor bill for 12 hours.

In 1914 Senator Gronna filibustered against acceptance of a conference report on an Indian appropriation bill.

In 1914 also the following bills were debated at great length, but finally passed: Panama Canal tolls bill, 30 days; Federal Trade Commission bill, 30 days; Clayton amendments to the Sherman Act, 21 days; conference report on the Clayton bill, 9 days. Almost the whole year was spent on filibusters.

In 1915 a filibuster was organized against President Wilson's ship-purchase bill by which German ships in American ports would have been purchased. The filibuster was successful and as a result three important appropriation bills failed.

In 1917 the armed ship bill of President Wilson was successfully filibustered and caused the defeat of many administration measures. This caused the adoption of the Martin resolution embodying the President's recommendation for a change in the Senate rules regarding limitation of debate.

Here comes rule XXII, which is the present cloture rule. This is the first time we had it, and it came about because of a very bitter fight which occurred during the war in 1917.

In 1919 a filibuster was successful against an oil and mineral leasing bill, causing the failure of several important appropriation bills and necessitating an extraordinary session of Congress.

In 1921, in January, the emergency tariff bill was filibustered against, which led Senator Penrose to present a cloture petition. The cloture petition failed, but the tariff bill finally passed.

In 1922 the Dyer antilynching bill was successfully filibustered against by a group of southern Senators.

In 1923 President Harding's ship subsidy bill was defeated by a filibuster.

I wish to add that on November 23, 1942, another anti-poll-tax bill was filibustered against. Cloture petition was filed, but failed to be adopted.

On May 15, 1944, an anti-poll-tax bill was filibustered against and the vote for cloture was lost.

Those two cases are in addition to the ones I have just read from the compilation I have before me.

Since 1923 there have been several filibusters of importance. In 1935, and again in the latter part of 1937, and again in 1938, the antilynching bill was the cause of long filibusters. The efforts to cram this piece of legislation down the throats of the Southern States were resisted by the southern Senators with all the strength at their command. This attempt to coerce the South, invade the rights of the sovereign States, and humiliate the southern people would surely

have succeeded had it not been for the weapon of unlimited debate which was repeatedly handled so successfully that the measure never came to a vote. The group conducting these filibusters surely agreed with the late John Sharp Williams, of Mississippi, who, when speaking in 1923 against the ship subsidy bill, made the statement that Senators were "ambassadors of the States in Congress," with the duty to protect the rights of the States, particularly "wherever a great, vital, fundamental constitutional question is presented and a majority is trying to override the organic law of the United States."

I believe the Senator from Idaho [Mr. TAYLOR] said yesterday that he would not make such a fight; that he would vote for cloture. That is the reason I said I would not vote for him for reelection.

It was in the antilynching filibuster in January 1938 that the Senator from Louisiana [Mr. ELLENDER] made the longest speech yet delivered on the floor of the United States Senate. The Senator from Louisiana alone consumed most of the hours in the sessions for six calendar days. It was while this filibuster was in progress, that the then Republican leader, Senator McNary, announced that he would vote against cloture. This distinguished Senator said that every Republican except two were for the bill and that they were willing "to remain here from sunrise to evening star and from evening star to sunrise in order to have the bill passed. But, Mr. President, I am not willing to give up the right of free speech and full, untrammelled opportunity for argument. That right is the last palladium, it is the last impregnable trench for those who may be oppressed or who are about to be oppressed, it may be the last barrier to tyranny."

Those were the words of the late Senator from Oregon. I loved Senator McNary. He was the leader on the Republican side, but he was one of the sweetest characters I have ever known. I believe I am the last Senator who talked to him before he went to the hospital to die. I loved him like a brother. He was such a sweet, gentle, congenial, affable man, and he was true to his country. He was patriotic.

I wish to read again what he said respecting cloture. This distinguished Senator said that every Republican except two were for the bill and that they were willing "to remain here from sunrise to evening star and from evening star to sunrise in order to have the bill passed."

They were that strong for the legislation. Then said Senator McNary:

> But, Mr. President, I am not willing to give up the right of free speech and full, untrammeled opportunity for argument. That right is the last palladium; it is the last impregnable trench for those who may be oppressed or who are about to be oppressed; it may be the last barrier to tyranny.

In this instance cloture was rejected by a vote of 51 nays and 37 yeas.

Mr. President, no man ever made a stronger statement against cloture than did Senator McNary at that time. He was then leader on the Republican side.

It is interesting to note the length of other speeches which have approached that of the Senator from Louisiana [Mr. ELLENDER]. The following speeches were made during the period beginning in 1890 up until 1938.

1890: Senator C. J. Faulkner on the force bill, 13 hours.

1893: Senator W. V. Allen on the silver purchase clause of the Sherman Act, 14 hours.

1914: Senator T. E. Burton on the river and harbor bill, 12 hours and 10 minutes.

1915: Senator Reed Smoot on the ship purchase bill, 11 hours, 25 minutes.

1915: Senator W. L. Jones on the ship purchase bill, 13 hours, 55 minutes.

1918: Senator Robert La Follette, Sr., on the National Banking Act, 18 hours, 23 minutes.

Up to the time the Senator from Louisiana [Mr. ELLENDER] spoke Senator La Follette held the record.

1935: Senator Huey Long on the extension of the NRA, 15 hours, 35 minutes.

1938: Senator ELLENDER on the antilynching bill, 25 hours.

The following are some examples of how long major filibusters have lasted:

1879: For repeal of certain election laws, 12 days.

1890: For force bill (election laws), 29 days.

1914: Antitrust bill, 21 days.

1914: Panama Canal toll on coastwise shipping, 31 days.

1914: River and harbor bill, 32 days.

1915: Ship purchase bill, 23 days.

In 1942 and again in 1944 there were filibusters against the anti-poll-tax bill in the Senate. In this case, as it was with the antilynching bill and as it is now with the FEPC, southern Senators were fighting against the invasion of the rights of the sovereign States. Passage of the so-called anti-poll-tax bill, which incidentally is sponsored by practically the same pressure groups and organizations who are now urging passage of the FEPC, would destroy the dual system of constitutional government in this Nation, strike down the franchise laws of some of the sovereign States, and prepare the way for an all-powerful bureaucratic government on the banks of the Potomac. Without the weapon of the filibuster, there is no doubt that the unconstitutional, un-American bill would have passed.

Again, during the filibuster against the anti-poll-tax bill, the Senate refused to invoke cloture and cut off debate.

The filibuster is a great saving to the people. As I stated the other day, I threatened a 30-day filibuster, filibustered for 2 days, and saved the taxpayers $500,000,000 on the land-grant railroad bill. I am prepared to make the statement that I hope to save them $4,400,000,000 when it is proposed to take that much money out of the pockets of the American taxpayers and lend it to Great Britain, which will mean that we must lend Russia $6,000,000,000; France will have to have two or three billion dollars; Belgium will have to have some, and all the other European countries will want loans. I am willing to be a cousin to the British. I am in favor of the good-neighbor policy. I am pro-British, but I am tired of the idea of being a Santa Claus to the British, and I am ready to filibuster if I can get some help.

There have been few cloture rules of any type adopted by the United States Senate. The Senate has always cherished and protected the right of freedom of debate. It is safe to say that had it not been for conditions during the perilous days of World War I we would have had no cloture rule in the Senate today. In order that we may understand the present-day rule and the background for it, I should like to refer to a historical analysis entitled "Legislative History of Cloture Rules in the Senate."

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. BILBO. I am glad to yield.

Mr. HATCH. The Senator has just made an observation which it seems to me is a threat—namely, that he intends to engage in a filibuster when the British loan bill comes before the Senate.

Mr. BILBO. If it is necessary.

Mr. HATCH. I merely wish to say this to the Senator: Some people have sympathized with fights which were made when certain rights were being invaded. But if the Senator from Mississippi or any other Senator uses the weapon of filibuster indiscriminately and on every occasion, simply because he can talk without limit, he will find that the Senate will rise up, and that the right of free and unlimited debate will be destroyed in the Senate of the United States.

Mr. BILBO. With all due deference to the Senator from New Mexico, when the Senator from Mississippi needs a father to advise him he will be glad to put the Senator from New Mexico on his pay roll.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. HATCH. The Senator engages in threats to the Senate on many occasions, and I think it is high time that he seek some advice, fatherly or otherwise.

Mr. BILBO. I would not go to New Mexico to get it.

I have a right to express my views about the $4,400,000,000 loan. If the Senator from New Mexico wishes to let the British have it, when we all know that they do not mean to pay back a cent of it, that is his business. If we have that much money to throw away, why not spend it on the GI boys? Let us spend it on our own people. We have poor people all over the country who need the money. If the Senator wishes to spend it in the way which is proposed, it is his right to support such a measure. However, I do not take that position; and if I wish to announce that I am ready to fight until hell freezes over, that is my business.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. BILBO. No; I will not yield further to the Senator.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a historical analysis entitled "Legislative History of Cloture Rules in the Senate." It is very brief, but it is a part of this discussion, and I should like to make it a part of my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi?

Mr. MORSE. Mr. President, reserving the right to object, I am sorry that I did not hear the request of the Senator from Mississippi. Will he repeat his request?

Mr. BILBO. I asked unanimous consent to have printed in the RECORD at this point as a part of my remarks a historical statement with regard to cloture rules in the Senate. I wish to make it a part of my remarks.

Mr. MORSE. I should be very much interested to hear it read. I object.

Mr. BILBO. Evidently the Senator was not listening, or he would have heard what I said about it. Why does not the Senator frankly say that he wishes to make me read it? The Senator does not wish to hear it. I do not believe the Senator has ever read it. Perhaps I had better read it for his benefit.

LEGISLATIVE HISTORY OF CLOTURE RULES IN THE SENATE

INTRODUCTION

In 1604, the practice of limiting debate in some form was introduced in the British Parliament by Sir Henry Vane. It became known in parliamentary procedure as the "previous question" and is described in section 34 of Jefferson's Manual of Parliamentary Practice, as follows:

"When any question is before the House, any Member may move a previous question, whether that question (called the main question) shall now be put. If it pass in the affirmative, then the main question is to be put immediately, and no man may speak anything further to it, either to add or alter."

In 1778, the Journals of the Continental Congress also show that the "previous question" was used. Section 10 of the Rules of the Continental Congress reading: "When a question is before the House no motion shall be received unless for an amendment, for the previous question, to postpone the consideration of the main question, or to commit it." In the British Parliament and the Continental Congress the "previous question" was not used to limit debate but to avoid a vote on a given subject.

"PREVIOUS QUESTIONS" IN THE SENATE

1789: At the establishment of our Government, debate was practically unlimited in the Senate, "the restraints placed upon it being slight and seldom enforced. They were that no motion should be debated until seconded, that the decision of all questions of order should be made by the President without debate, and that no Member should speak more than twice in any one debate on the same day without leave of the Senate." The previous question was provided for in the first Senate rules found in the annals of the First Congress, from 1789 to 1791. Rules 8, 9, and 11 related to the "previous question," but was rarely used. Like the precedents for the rule in the British Parliament and the Continental Congress, when it was used in the early days of the Senate, it did not limit debate, but avoided a vote on a given subject. The "previous question" was debatable and was used in both legislative and executive sessions and in the trial of impeachments, but not on amendments, or in the Committee of the Whole.

1806: On March 26, 1806, when the Senate rules were revised, the reference to the "previous question" was omitted, but in that year also debate upon a motion for adjournment was forbidden.

1807: In the following year, 1807, debate on an amendment at the third reading of a bill was also forbidden and from this time until 1840 there was no further limitations on debate in the Senate.

1841: On July 12, 1841, Henry Clay brought forth a proposal for the introduction of the "previous question," which he stated was necessary by the abuse which the minority had made of the unlimited privilege of debate.

Henry became a little impatient.

In opposing Clay's motion, Senator Calhoun said, "There never had been a body in this or any other country in which, for such a length of time, so much dignity and decorum of debate had been maintained." Clay's proposition met with very considerable opposition and was abandoned.

UNANIMOUS-CONSENT AGREEMENTS

1847: In 1847, in the Twenty-ninth Congress, the custom of securing unanimous-consent agreements for the limitation of debate was first established. The motion for unanimous consent was then used to induce the minority in the Senate to fix a day for a vote on the Oregon bill, which had been debated for 2 months.

1850: On July 27, 1850, Senator Douglas submitted a resolution permitting the use of the previous question. The resolution was debated, and laid on the table after considerable opposition had been expressed.

1862: As the business to be transacted by the Senate increased, proposals to limit debate were introduced frequently in the following Congresses, but none were adopted until the Civil War. On January 21, 1862, Senator Wade—

I believe he was from Ohio—

introduced a resolution stating that "in consideration in secret session of subjects relating to the rebellion, debate should be confined to the subject matter and limited to 5 minutes, except that 5 minutes be allowed any Member to explain or oppose a pertinent amendment." On January 29, 1862, the resolution was debated and adopted.

1868: In 1868 a rule was adopted providing that: "Motions to take up or proceed to the consideration of any question shall be determined without debate, upon the merits of the question proposed to be considered." The object of this rule, according to Senator Edmunds, was to prevent a practice which had grown up in the Senate, "when a question was pending, and a Senator wished to deliver a speech on some other question, to move to postpone the pending order to deliver their speech on the other question." According to Mr. Turnbull the object of the rules was to prevent the consumption of time in debate over business to be taken up. The rule was interpreted as preventing debate on the merits of a question when a proposal to postpone it was made.

1869: A resolution pertaining to the adoption of the previous question was introduced in 1869, and three other resolutions limiting debate in some form were introduced in the first half of 1870.

THE ANTHONY RULE

1870: On December 6, 1870, in the third session of the Forty-first Congress, Senator Anthony, of Rhode Island, introduced the following resolution: "On Monday next, at 1 o'clock, the Senate will proceed to the consideration of the Calendar and bills that are not objected to shall be taken up in their order; and each Senator shall be entitled to speak once and for 5 minutes, only, on each question; and this order shall be enforced daily at 1 o'clock till the end of the Calendar is reached, unless upon motion, the Senate should at any time otherwise order." On the following day, December 7, 1870, the resolution was adopted. This so-called Anthony rule for the expedition of business was the most important limitation of debate yet adopted by the Senate. The rule was interpreted as placing no restraints upon the minority, however, inasmuch as a single objection could prevent its application to the subject under consideration.

1871: On February 22, 1871, another important motion was adopted which had been introduced by Senator Pomeroy and which allowed amendments to appropriation bills to be laid on the table without prejudice to the bill.

1872: On April 19, 1872, a resolution was introduced, "that during the remainder of the session it should be in order, in the consideration of appropriation bills, to move to confine debate by any Senator, on the pending motion to 5 miuutes." On April 29, 1872, this resolution was finally adopted, 33 yeas to 13 nays. The necessity for some limitation of debate to expedite action on these annual supply measures caused the adoption of similar resolutions at most of the succeeding sessions of Congress.

1873: On March 1873, Senator Wright submitted a resolution reading in part that debate shall be confined to and be relevant to the subject matter before the Senate, etc., and that the previous question may be demanded by a majority vote or in some modified form On a vote in the Senate to consider this resolution the nays were 30 and the yeas 25.

1880: From 1873 to 1880 nine other resolutions were introduced confining and limiting debate in some form. On February 3, 1880, in the second session of the Forty-sixth Congress, the famous Anthony rule, which was first adopted on December 7, 1870, was made a standing rule of the Senate as rule VIII. In explaining the rule Senator Anthony said: "That rule applies only to the unobjected cases on the calendar, so as to relieve the calendar from the unobjected cases. There are a great many bills that no Senator objects to, but they are kept back in their order by disputed cases. If we once relieve the calendar of unobjected cases, we can go through with it in order without limitation of debate. That is the purpose of the proposed rule. It has been applied in several sessions and has been found to work well with the general appprobation of the Senate."

AMENDMENTS TO ANTHONY RULE

1881: On February 16, 1881, a resolution to amend the Anthony rule was introduced. This proposed to require the objection of at least five Senators to pass over a bill on the calendar. The resolution was objected to as a form of "previous question," and defeated. Senator Edmunds, in opposing the resolution, said: "I would rather not a single bill shall pass between now and the 4th day of March than to introduce into this body, which is the only one where there is free debate and the only one which can under its rules discuss fully. I think it is of greater importance to the public interest in the long run and in the short run that every bill on your calendar should fail than that any Senator should be cut off from the right of expressing his opinion * * * upon every measure that is to be voted upon here."

1882: On February 27, 1882, the Anthony rule was amended by the Senate, so that if the majority decided to take up a bill on the calendar after objection was made, that then the ordinary rules of debate without limitation would apply. The Anthony rule could only work when there was no objection whatever to any bill under consideration. When the regular morning hour was not found sufficient for the consideration of all unobjected cases on the calendar, special times were often set aside for the consideration of the calendar under the Anthony rule.

1882: On March 15, 1882, a rule was considered whereby "a vote to lay on the table a proposed amendment shall not carry with it the pending measure." In reference to this rule Senator Hoar (Massachusetts, R.), said: "Under the present rule, it is in the

power of a single member of the Senate to compel practically the Senate to discuss any question whether it wants to or not and whether it be germane to the pending measure or not. * * * This proposed amendment to the rules simply permits, after the mover of the amendment, who, of course, has the privilege, in the first place, has made his speech, a majority of the Senate, if it sees fit, to dissever that amendment from the pending measure and to require it to be brought up separately at some other time or not at all." This proposed rule is now rule XVII, of the present standing rules of the Senate.

1883: On December 10, 1883, Senator Frye, of Maine, chairman of the Committee on Rules, reported a general revision of the Senate rules. This revision included a provision for the "previous question." Amendments in the Senate struck this provision out.

ADOPTION OF PRESENT RULES

1884: On January 11, 1884, the present Senate Rules were revised and adopted.

On March 19, 1884, two resolutions introduced by Senator Harris were considered and agreed to by the Senate, as follows:

1. "That the eighth rule of the Senate be amended by adding thereto: 'All motions made before 2 o'clock to proceed to the consideration of any matter shall be determined without debate.'"

2. "That the tenth rule of the Senate be amended by adding thereto: 'And all motions to change such order or to proceed to the consideration of other business shall be decided without debate.'"

Now I wish to make some observations. The first of the two rules I have just read is the one under which we are now operating. It is part of rule VIII, and reads as follows:

All motions made before 2 o'clock to proceed to the consideration of any matter shall be determined without debate.

Mr. President, I myself think that is a horrible rule. I think it is wrong, and I think it should be changed. If the Senate takes a recess one evening, when it meets the next day a motion to take up a bill is debatable. But if the Senate adjourns at the end of one day and meets the next day at noon, if a Senator then moves, between the hours of 12 and 2, to take up a bill, the motion is not debatable.

Now I read further from the article entitled "Legislative History of Cloture Rules in the Senate":

From this time until 1890 there were 15 different resolutions introduced to amend the Senate rules as to limitations on debate, all of which failed of adoption.

1890: On December 29, 1890, Senator Aldrich introduced a cloture resolution in connection with Lodge's force bill, which was being filibustered against. The resolution read, in part, as follows: "When any bill, resolution, or other question shall have been under consideration for a considerable time, it shall be in order for any Senator to demand that debate thereon be closed. On such demand no debate shall be in order, and pending such demand no other motion, except one motion to adjourn, shall be made." There were five test votes on the cloture proposal which "commanded various majorities, but in the end it could not be carried in the Senate because of a filibuster against it which merged into a filibuster on the force bill."

1893: In 1893 nine resolutions were introduced limiting debate, but none of them were passed.

1911: April 6, 1911, Senator Root, of New York, submitted a resolution requesting the Committee on Rules to suggest an amendment to the Senate rules whereby the Senate could obtain more effective control over its procedure. No action was taken on the resolution.

1915: February 8, 1915, Senator Reed, of Missouri, introduced a resolution to amend rule XXII whereby debate on the ship purchase bill, "S. 6845 shall cease, and the Senate shall proceed to vote thereon * * *." The resolution did not pass in this session.

1916: From December 1915 to September 8, 1916, the first or long session of the Sixty-fourth Congress, there were five resolutions introduced to amend rule XXII. The resolutions acted upon were Senate Resolution 131 and Senate Resolution 149. On May 16, 1916, the Committee on Rules reported out favorably Senate Resolution 195 as a substitute for Senate Resolution 131 and Senate Resolution 149, which had been referred to it, and submitted a report (No. 447). The resolution was debated but did not come to a vote.

1917: March 4, 1917, President Wilson made a speech in which he referred to the armed ship bill, defeated by filibustering. The President said in part: "The Senate has no rules by which debate can be limited or brought to an end, no rules by which debating motions of any kind can be prevented. * * * The Senate of the United States is the only legislative body in the world which cannot act when its majority is ready for action. * * * The only remedy is that the rules of the Senate shall be altered that it can act." (See Washington Post, March 5, 1917.)

1917: On March 5, 1917, the Senate was called in extraordinary session by the President because of the failure of the armed ship bill in the Sixty-fourth Congress.

AMENDMENT TO RULE XXII

On March 7, 1917, Senator Walsh, of Montana, Democrat, introduced a cloture resolution (S. Res. 5) authorizing a committee to draft a substitute for rule XXII, limiting debate. Senator Martin also introduced a resolution amending rule XXII similar to S. 195, favorably reported by the Committee on Rules in the Sixty-fourth Congress. The Martin resolution was debated at length and adopted March 8, 1917, 76 yeas, 3 nays, as the present amendment to rule XXII.

That is when the Senate surrendered in part its right to be a forum in which it was possible to have free and unlimited debate and discussion on legislative matters.

I read further:

1918: On May 4, 1918, Senator Underwood introduced a resolution (S. Res. 235) further amending rule XXII, reestablishing the use of the "previous question" and limiting debate during the war period.

On May 31, 1918, the Committee on Rules favorably reported out Senate Resolution 235 with a report (No. 472).

June 3, 1918, the Senate debated the resolution and Senator Borah offered an amendment.

June 11, 1918, the Senate further debated the resolution and unanimous agreement was reached to vote on the measure.

June 12, 1918, the resolution was further amended, by Senator Cummins.

June 13, 1918, the Senate rejected the resolution, nays, 41; and yeas, 34. (See CONGRESSIONAL RECORD, June 13, 1918, p. 7728.)

1921: From March 4, 1921, to March 4, 1923, during the sixty-seventh Congress, five resolutions were introduced to limit debate in some form. These were referred to the Committee on Rules.

1922: On November 29, 1922, upon the occasion of the famous filibuster against the Dyer antilynching bill, a point of order was raised by the Republican floor leader against the methods of delay employed by the obstructionists which, had the Chair sustained it, would have established a significant precedent in the Senate as it did in the House. The incident occurred as follows:

Immediately upon the convening of the Senate, the leader of the filibuster made a motion to adjourn. Mr. Curtis made the point of order that under rule III no motion was in order until the Journal had been read. He also made the additional point of order that the motion to adjourn was dilatory. To sustain his point, Mr. Curtis said, "I know we have no rule of the Senate with reference to dilatory motions. We are a legislative body, and we are here to do business and not to retard business. It is a well-stated principle that in any legislative body where the rules do not cover questions that may arise general parliamentary rules must apply.

"The same question was raised in the House of Representatives when they had no rule on the question of dilatory motions. It was submitted to the Speaker of the House, Mr. Reed. Mr. Speaker Reed held that, notwithstanding there was no rule of the House upon the question, general parliamentary law applied, and he sustained the point of order." (See Hind's Precedents, p. 358.)

The Vice President sustained Mr. Curtis' first point of order in regard to rule III, but did not rule on the point that the motion was dilatory.

1925: On March 4, 1925, the Vice President, Charles G. Dawes, delivered his inaugural address to the Senate, in which he recommended that debate be further limited in the Senate.

On March 5, 1925, Senator Underwood introduced the following cloture resolution (S. Res. 3) embodying the Vice President's recommendation on further limitation of debate, which was referred to the Committee on Rules:

"Resolved, That the rules of the Senate be amended by adding thereto, in lieu of the rule adopted by the Senate for the limitation of debate on March 8, 1917, the following:

"1. There shall be a motion for the previous question which, being ordered by a majority of Senators voting, if a quorum be present, shall have the effect to cut off all debate, and bring the Senate to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill to its passage or rejection. It shall be in order, pending the motion for, or after previous question shall have been ordered on its passage, for the presiding officer to entertain and submit a motion to commit, with or without instructions, to a standing or select committee.

"2. All motions for the previous question shall, before being submitted to the Senate, be seconded by a majority by tellers if demanded.

"3. When a motion for the previous question has been seconded, it shall be in order, before final vote is taken thereon, for each Senator to debate the proposition to be voted for 1 hour."

Other resolutions introduced in the first session of the Sixty-ninth Congress limiting debate were Senate Resolution 25, Senate Resolution 225, Senate Resolution 217, Senate Resolution 59, Senate Resolution 77, Senate Resolution 76, which were also referred to the Committee on Rules.

Mr. President, for the information and convenience of the Senate, I wish to have printed at this point in the RECORD the new part of rule XXII of the Senate, and I ask to have it printed at this point in the RECORD as a part of my remarks.

There being no objection, the part of rule XXII referred to was ordered to be printed in the RECORD, as follows:

If at any time a motion,[1] signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by an aye-and-nay vote the question:

"Is it the sense of the Senate that the debate shall be brought to a close?"

And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure shall be the unfinished business to the exclusion of all other business until disposed of.

Thereafter no Senator shall be entitled to speak in all more than 1 hour on the pending measure, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

[1] As amended, Senate Journal 234, 64th Cong., 2d sess., March 8, 1917.

Mr. BILBO. Mr. President, there has been much discussion and criticism of this cloture rule, and the RECORD shows it has seldom been used in the Senate. From 1919 to 1944 cloture was voted on 15 times, but it was adopted only 4 times. Eleven times the petition to cut off debate in the Senate of the United States was rejected. A tabulation which I hold in my hand shows the Senate votes on invoking the cloture rule. Mr. President, I think the people of the country should have the advantage of the information this tabulation gives, for it shows just how many times a motion to impose cloture has been carried, from the adoption of the rule in 1917 up to the present time. Therefore, I ask unanimous consent to have the tabulation included at this point in the RECORD, as a part of my remarks.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Senate votes on invoking cloture rule

Date	Congress	Session	Subject	Senator offering motion	Vote		Congressional Record		Cloture
					Yeas	Nays	Volume	Page [1]	
Nov. 15, 1919	66th	1st	Treaty of Versailles	Lodge	78	16	58	8555-8556	Yes.
Feb. 2, 1921	66th	3d	Emergency tariff	Penrose	36	35	60	2432	No.
July 7, 1922	67th	2d	Fordney-McCumber tariff	McCumber	45	35	62	10040	No.
Jan. 25, 1926	69th	1st	World Court	Lenroot	68	26	67	2678-2679	Yes.
June 1, 1926	69th	1st	Migratory-bird refuges	Norbeck	46	33	67	10392	No.
Feb. 15, 1927	69th	2d	Branch banking	Pepper	65	18	68	3824	Yes.
Feb. 26, 1927	69th	2d	Retirement of disabled emergency officers of the World War.	Tyson	51	36	68	4901	No.
Do	69th	2d	Colorado River development	Johnson	32	59	68	4900	No.
Feb. 28, 1927	69th	2d	Public Buildings in the District of Columbia	Lenroot	52	31	68	4985	No.
Do	69th	2d	Creation of Bureau of Customs and Bureau of Prohibition.	Jones (Washington)	55	27	68	4986	Yes.
Jan. 19, 1933	72d	2d	Banking Act	Robinson	58	33	76	2077	No.
Jan. 27, 1938	75th	3d	Antilynching	Neely	37	51	83	1166	No.
Feb. 16, 1938	75th	3d	do	Wagner	42	46	83	2007	No.
Nov. 23, 1942	77th	2d	Antipoll tax	Barkley	37	41	88	9065	No.
May 15, 1944	78th	2d	do	do	36	44	90	2550-2551	No.

[1] Daily RECORD pagination.

NOTE.—The cloture rule was adopted Mar. 8, 1917, and requires a two-thirds vote in the affirmative of those voting. Senate rule XXII, U. S. Congress. Senate. Senate Manual. 75th Cong., 3d sess. S. Doc. 172. Washington. Government Printing Office, 1938, pp. 27-28.

Mr. BILBO. Mr. President, there have always been many outspoken men against any form of cloture in the United States Senate. Discussing the limitation of debate by revival of the use of the "previous question," in 1840, as proposed by Henry Clay—the motion failed—Senator Benton said:

Thus the firmness of the minority in the Senate—it may be said, their courage, for their intended resistance contemplated any possible extremity—saved the body from degredation—constitutional legislation from suppression—the liberty of speech from extinction, and the honor of republican government from a disgrace to which the people's representatives are not subjected in any monarchy in Europe. The previous question has not been called in the British House of Commons in 100 years—and never in the House of Peers.

In 1914, Senator La Follette vigorously opposed the adoption of the present cloture rule. The following are his words—and I wish to have my friend the present Senator LA FOLLETTE, of Wisconsin, read what his father then said:

Believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any cloture that denies free and unlimited debate.

Mr. President, the liberals and progressives should listen to the father of all of them. Yet, some of them are saying that filibustering is outrageous and disgraceful and a waste of the people's money and the people's time, and all that. I believe I had better read those words again:

Believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any cloture that denies free and unlimited debate.

That is the cloture rule. Senator La Follette also said:

Sir, the moment that the majority imposes the restriction contained in the pending rule, that moment you will have dealt a blow to liberty, you will have broken down one of the greatest weapons against wrong and oppression that the Members of this body possess.

That is why I was cautioning some of the people of New York. They had better help me kill this cloture business, because some day they will want to keep those of us from down South from invoking cloture against them.

I read further from the words of the late Senator La Follette:

He championed the constitutional right * * * reposed in a Member of this body to halt a Congress or a session on a piece of legislation which may undermine the liberties of the people and be in violation of the Constitution which Senators have sworn to support.

Some persons do not seem to realize that Senators take an oath when they become Members of this body.

Although the cloture rule adopted in 1917 has seldom been used, there have been movements since that time to further limit debate in the United States Senate. In 1925, Vice President Dawes advocated in his inaugural address that there be placed further limitation on debate in the Senate. His proposal, which provided for a strict form of cloture, caused much discussion but was never adopted.

Mr. Dawes was a very fine businessman, but he was not versed in the science of government. He was just here, that is all.

I have before me an article on this proposal which is of special interest, and which presents many favorable arguments for unlimited debate, as well as a number of statements from outstanding Senators who opposed the suppression of free and full debate in the Senate. The author is Lynn Haines and his article entitled "The A B C of Cloture for the Senate" appeared in the publication The Searchlight on Congress in May 1925.

Mr. President, I wish to invite attention of the Senate to statements which have been made by outstanding citizens and former Members of this body on the question of cloture. Let us consider a statement which was made by the late

Senator Borah, of Idaho. Senator Borah summed up the matter in these words:

I do not know what changes Vice President Dawes proposes with reference to the Senate rules. I have not seen any statement which he has made indicating just what he has in mind. In a general way it seems that he would adopt strict cloture. I am opposed to cloture in any form.

This is Senator Borah speaking:

I have never known a good measure killed by a filibuster or a debate. I have known of a vast number of bad measures, unrighteous measures, which could not have been killed in any other way except through long discussion and debate. There is nothing in which sinister and crooked interests, seeking favorable legislation, are more interested right now than in cutting off discussion in Washington. If they can succeed in reducing the situation to a point where they only have to see one or two men, either to put through or kill a measure, they are masters of the situation. I am opposed to it in any shape or form.

Mr. President, I have read from a statement by the late Senator Borah, of Idaho. He has since passed to his reward. He was one of the outstanding Members of this body. He was respected by every Member of the Senate, regardless of whether they were Democrats or Republicans. Senator Borah was an independent thinker. He was a great constitutional lawyer. He was a great statesman and was always looking ahead in the interests of the people. He said that under no condition would he ever vote for cloture. I will reread a part of his statement. He said:

If they can succeed in reducing the situation to a point where they only have to see one or two men either to put through or kill a measure, they are masters of the situation. I am opposed to it in any shape or form.

In other words, Senator Borah's idea was that if there were a desire that the Senate pass a certain bill, the majority of the Senators should be convinced of its merits. He believed that it should not be possible to go to the White House, for example, and get Harry Truman to pass a bill. He believed that it should not be possible for proponents of a bill to see, for example, the majority leader of the Senate, who is now the Senator from Kentucky [Mr. BARKLEY] and invoke his aid. He alone cannot pass the bill. Neither can the minority leader, the Senator from Maine [Mr. WHITE]. Mr. President, what this body needs is more independent thought and action. When the Senate exercises those prerogatives, service will be given to the people, and their rights will be protected. In politics, Senator Borah was a Republican.

Mr. President, let us see what Senator Couzens of Michigan had to say on the same subject.

While I am a comparatively new Member and not a good parliamentarian, it seems to me that rule XXII, as amended March 8, 1917, is sufficient cloture.

It will be seen that Senator Couzens was referring to Mr. Dawes' suggestion to revolutionize the rules of the Senate.

When the importance of the occasion seems to demand it, all that has to be done is: Sixteen Senators making such a motion, same being approved by two-thirds of the Senate, they can prevent a filibuster. Two-thirds of the Senate should be required, otherwise the majority might ride rough-shod over the minority at any time.

Mr. Dawes has not pointed out any real injury that has occurred to the country because of the rules he complains about. I would be interested in specific information of the damage that has been done.

Mr. President, I merely wanted to bring out that one point. Mr. Dawes did not show that any great harm had been done, or that any great need existed for a change in the Senate rules. He wanted merely to railroad through a change in the rules.

A bill is now pending before the Senate. I am afraid to say what should be done about it, because I might offend the Senator from New Mexico who is not, by the way, now present in the chamber.

The railroads are sponsoring a bill which is known in the South as the Bulwinkle bill. It is now pending before a Senate committee. The railroads would rather have that bill enacted into law than any bill which they have ever sponsored before the Congress, because it is a bill to bathe them, and wash them, and do other things which would be in violation of the antitrust laws. There is no doubt about it; they would like to have the bill enacted into law. At some time in the future, before it becomes a law, I will talk about it more at length.

Here is a statement which was made by the present President pro tempore of the Senate, the distinguished Senator from Tennessee [Mr. MCKELLAR]. He said:

I have served nearly 6 years in the House and more than 8 years in the Senate. I am familiar with the rules of both bodies. I believe the present rules of the Senate make for greater efficiency, make for better legislation, make for the better carrying out of the people's will than do the rules of the House. In the House, the previous question can be called for at any time, debate stopped, and a vote had. In other words, the party in power can pass any measure without debate and without public scrutiny. It is well to know that many bills are thus passed in the House. I do not believe that this unlimited right of cloture is best for the public weal. As a matter of fact, all of the legislation in the House is agreed upon by a few men occupying leading positions in the House, and the great body of Members is denied freedom of speech and action. All they can do is to get leave to print in the RECORD.

I say this not in criticism of the House or any of its Members, for I have served in the House and enjoyed my service, and its membership is of the highest character and quality of statesmanship. But, when a bill gets to the Senate, the situation is entirely changed. No bill can get through the Senate until it has undergone a season in the limelight. Any one of the 96 Senators can speak on it, hold it up to the public gaze, dissect it, and scrutinize it. If it is a bad bill, the public knows it. It cannot be put through in star-chamber proceedings. Secrecy is not the rule in the Senate, not even in executive session. Nor can one man hold up legislation indefinitely, as has been erroneously stated.

Of course, no one can make a statement of that kind who is familiar with the rules of the Senate. The present rules provide that 16 Senators can bring a measure to a vote at any time they petition the Vice President to that end. A vote can be had the next day, and debate can be limited at the same time.

Mr. CHAVEZ. Mr. President, will the Senator yield.

Mr. BILBO. I yield.

Mr. CHAVEZ. Does the Senator believe that merely because 16 Members of this body may petition for cloture, that that alone would result in an expression of the majority rule of the Senate? Is it not true that a two-thirds vote of the Senate would be required in order to make it effective?

Mr. BILBO. Yes; and sometimes two-thirds of the Senate might be wrong.

Mr. CHAVEZ. Yes; but cloture would give eventually to the majority a chance to express its opinion.

Mr. BILBO. I think that time should be the only treatment to give to bad legislation, and therefore I am opposed to cloture.

Mr. CHAVEZ. Then the Senator is wrong when he states that no one can stop a vote in the Senate.

Mr. BILBO. I was reading what had been said by the Senator from Tennessee.

Mr. CHAVEZ. Oh, the Senator is reading what the Senator from Tennessee has said.

Mr. BILBO. Oh, yes.

Mr. CHAVEZ. And the Senator from Mississippi does not agree with it.

Mr. BILBO. No. I am not so easily led.

Senator Thaddeus Caraway, of Arkansas, also made statements to that effect, and I shall be glad to include all those statements in the RECORD as a part of my remarks, because they are very informative to the Senate and to the country. I am making these remarks more for the purpose of setting the country right on the question of cloture than for any other purpose.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi?

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

Vice President Dawes has made and is making a vicious assault upon the rules of the Senate.

The objective of the Dawes attack is a more arbitrary exercise of cloture.

Cloture means the power to stop discussion.

It means not only the power to stop discussion, but also the power to prevent amendments.

Such powers always gravitate into the hands of a dominant group, usually a very small number of Members.

Strict cloture, such as the House has, invariably and inevitably operates to set up a boss system. It has no other purpose, and can have no other result.

Cloture would establish an absolute boss control of the Senate, nullifying deliberation as completely as that is possible.

In this respect the Senate would become like the House, with both branches sinking far below the present level of either.

A machine cannot exist without cloture, or gag rules. Given a drastic control over debate and amendments, a few leaders attain dominance. Their program, whatever it is, can easily be carried out, and any other as readily be defeated.

Instead of stating this crucial truth about the real objects of cloture, Dawes has advanced two excuses for his advocacy of a gag-rule system, both fallacious, and camouflaged to attract the unthinking.

He professes to seek cloture as a cure for the filibuster. The present rule XXII provides adequately against filibusters, so far as that practice can be or should be eliminated without recourse to fundamental remedies, such as abolishing the short session and removing the causes of congestion.

He raises the issue of minority strength under freedom of debate, whereas cloture would at once place czaristic power in an even smaller number of machine leaders, with none of the safeguards of discussion. If the Dawes contention were carried to its logical conclusion, a dominant minority of party bosses would be supreme, and all independence, all real deliberation, would disappear.

The demand for cloture always comes (as in this case), not from within the Senate, but is sponsored by executive influences, because—

Cloture for the Senate would establish an administration machine and invest it with boss power to determine every issue. It would mean executive domination of the legislative branch of the Government.

That is the nub of the whole matter.

Throughout the world today there is a rapidly moving tendency to discredit and diminish the powers of parliaments. The intent and results of this are obvious. Every successful assault upon the lawmaking branch of government is attended by a shifting of prestige and privilege, both political and economic, to those on the executive side.

Regardless of the form or occasion of these attacks upon parliamentary bodies, whether the immediate objective be bolshevism, fascism, bureaucracy, or boss ascendency, the sequel is inevitably a dangerous development toward a personal dictation of public affairs. It is a harking back to the dark days of kingcraft. It means, in America at least, the most menacing of all perversions—that politicians shall be given every opportunity to become despotic, with no functioning agency of checks and balances.

Here the movement has progressed to a point where but a single obstacle stands out against the absolutism of ruling class power. Administration predominance is already established in all fields save one—the National Legislature. There executive domination is hindered solely by the fact that its traditional freedom of debate renders the Senate uncontrollable.

Cloture would change all that. It would remove the last obstruction to bossism throughout the public affairs of the Republic.

The Dawes proposal, therefore, brings us face to face with the final test of whether or not our representative system is to endure. The issue cannot be camouflaged to hide the hideous truth. Cloture for the Senate would mean abject, boss-controlled subserviency on the part of the lawmaking branch. Instead of a government "deriving its powers from the consent of the governed," it would completely be malformed into a perpetual condition whereby "the consent of the governors" would prevail.

The legislative branch of the Government has fallen far below the level of safety for American institutions. The remedy is not further to degrade it, by destroying its last vestige of independence, but to life it above the bossism that already exists, to make it less, rather than more, amenable to dictation from other sources.

The American people are jealous of their liberties. They are sound and sensible. There is little likelihood of a popular stampede on an utterly false issue, particularly when the proposal is ultraradical and revolutionary

Moreover, the present Senate seems certain to stand like adamant against any abandonment of its most fundamental safeguard.

Opposing Dawes, a formidable force of thoughtful, conscientious Senators is already in action.

Borah, Norris, Brookhart, Couzens, and other independent Republicans are vigorously against a further abridgment of deliberation.

Moses, one of the Old Guard who doubtless expresses the attitude of numerous regulars, has openly ridiculed the Dawes attack.

Robinson, the accredited Democratic leader, has taken the public platform in opposition to such a Bolshevistic change as Dawes suggests.

Practically all of the Democratic Senators, the entire progressive group, and a considerable number of strict party Republicans will be against the Vice President. The Dawes proposal, therefore, is foredoomed to failure. But because it raises a question of fundamental significance, one that strikes at the very vitals of Americanism, the people should be fully informed as to the meaning of the controversy in all its important aspects.

* * * * *

The previous question: That is Underwood's idea, and his ideal, of cloture.

It is undoubtedly what the Dawes supporters want in preference to any other instrumentality of suppression, only they have not the fearlessness openly to advocate a device so utterly destructive of deliberation as this would be.

The power "to move the previous question," then, may fairly be stated as the objective of the Dawes proposal. The end to be attained, from the viewpoint of the administration machine, is a gag-rule system. A single change in the rules would bring about such a system. Nothing else need be done excepting to empower the dominant leadership to make a motion for the previous question.

That, when carried, closes discussion. What is vastly more important to the bosses, it shuts off amendments. Whatever the parliamentary situation, regardless of whether or not a measure has been adequately debated, and irrespective of the number of Members who may desire to present amendments, the adoption of a motion for the previous question stops everything save action upon the matter as it was pending when the motion was made.

The fundamental difference between the Senate and the House lies in the fact that the former, for more than a hundred years, has resisted every attempt to assassinate discussion through "the previous question," while the latter has had a boss system based upon that mother of all gag rules.

As a result, real deliberation has prevailed in the Senate, whereas the contrary condition of almost absolute boss control has characterized the House.

Now, if the Dawes proposal, as interpreted by Underwood, were to be effectuated, it would degrade the Senate as the House has been debauched by bossism. There is no longer any real deliberation in the House, its consideration of the most important issues is rendered worse than farcical by the boss-controlled cloture that exists. But the House is made to appear far less repulsive to democracy than it actually is by the fact that deliberation does prevail in the Senate. To end freedom of debate in the upper body would at once reduce both branches to a state of servility so abject and pitiable that the American people could not do otherwise than lose all their faith in our representative institutions.

A brief bit of historical review will aid us to understand.

Years ago the parliamentary atrocities of the House came to a climax under Speaker Cannon. The bossism of that period proved so repulsive to the American people that there was a political revolution, resulting in Democratic ascendency.

Then, in 1911, Underwood became the dominant House figure. Cannonism gave way to Underwoodism.

Up to this time there had been but two modern parliamentary methods of machine control. One centered power in the presiding officer and reached its highest development under Cannon in the House. The other was the floor leader system used by Aldrich in the Senate.

What Underwood did, in supplanting Cannonism, was to switch systems. The Aldrich machine methods were transplanted to the House.

Aldrich was the only boss of the Senate who ever made even a beginning toward personal dominance in that body; yet he, nor his machine, was never able to dictate excepting when backed by an overwhelming number of regulars. The reason is obvious—no leader, nor any group of leaders, could control debate. Real deliberation always existed in the Senate. Therefore, even the powerful Aldrich was impotent as a boss.

On the other hand, it was idiotically futile to expect any improvement over Cannonism in the House so long as cloture was a basic feature of its procedure.

Underwoodism proved as bad, and has since become more viciously un-American, than was the more direct Cannon methods. That is solely because "gag rules" are common to both systems.

There is the key to the whole matter—cloture. And all that the bosses could ever desire as an offensive and defensive weapon is the power "to move the previous question."

Any kind of bossism will succeed with drastic cloture. No boss, or bosses, can become or remain dominant, if denied the privilege of "moving the previous question."

It seems a safe guess that somebody higher up, representing either the political or the special privilege interests involved, influenced Dawes to exercise his "hell and Maria" tactics on this subject.

There is an explanation of himself by himself in Dawes' Journal of the Great War, as follows:

"My disregard of the conventions was studied and with a purpose."

In presenting his cloture issue to the country, Dawes is disregarding more than the conventions. His whole argument is falsely founded with respect to both excuses he has offered:

He contends that cloture would cure minority rule; the actual truth is that cloture would enable the smallest possible number (not of Independents, but of bosses) to control.

He insists also that cloture is a remedy for the filibuster; as a matter of fact, almost without exception, the filibusters of the past have been wholesomely in the public interest. Moreover, Dawes completely ignores the causes of filibustering, which are a congestion of business and the short session, rather than any failure to provide cloture. Furthermore (and of this he apparently takes no account), the present rule XXII is adequate at any and all times to end a filibuster.

* * * * *

The other Dawes subterfuge—his complaint against the existing opportunities for a minority of independents to influence legislative situations by freedom of debate—is the vital thing.

His proposal would destroy all minority power through discussion. It would likewise gag the majority.

Instead of curing minority influence, as he ignorantly and innocently imagines, cloture would establish a regime of leadership so small in number that it could hardly be

called a minority. The result would be a little coterie of bosses, with absolute dominance in every direction.

Of course, under cloture, filibustering would be stopped. So would all real deliberation be destroyed, utterly and inevitably.

In the communications from Senators, which follow, there is proper emphasis of this crucial fact, that cloture would invest a few bosses with dominant power. Borah, in particular, stresses this result. He says that "if they [sinister and crooked interests] can reduce the situation to a point where they only have to see one or two men, either to put through or kill a measure, they are masters of the situation."

Cloture always has, and always will, mean just that—absolute and arbitrary bossism in the hands of the smallest possible number.

And invariably the real dominance would originate with "the powers that be" in executive circles.

All legislative independence would disappear in exact accordance with the diminishment of deliberation. There would be a machine; it would be an administration machine. The power of the legislative bosses would be a puppet, pawnish power, having its source in and about the Presidency.

The one or two Senators to be seen about legislation would be all-powerful because of their relations with the White House.

The mechanics of it are exceedingly simple.

Cloture is the foundation of machine rule. With that foundation established, one or two or three bosses can easily attain and exercise supremacy. They can accomplish the most arbitrary minority rule.

The party caucus can be used, employing the vicious principle of control through a majority of a majority, which means a minority of the whole membership.

A dozen different kinds of coercion are available. The leaders are in a position to take care of subservient members with local legislation; patronage favors would abound for those who proved faithful.

The A B C of cloture, then, means absolute boss control of the National Legislature, through a machine manipulated from the outside by such political or economic interests as may be dominant in the administrative field.

Were that to be accomplished, which it will not be, our whole structure of representative Government would be weakened, perhaps irreparably.

Dawes must pay the penalty of his advocacy of a change so revolutionary, so deadly dangerous to American institutions. He will pass from the picture. But others will follow. Cloture is so essential to the success of selfishness that the effort to bring it about will be continuous—so long as control of the Federal Government remains the greatest mercenary prize in all the world. Therefore, the people must never lose sight of the certain consequences of such attempts to degrade Congress, nor relax in their vigilance against them.

A great deal should be done, not to weaken, but to strengthen the American Congress. Real reforms are needed, but they should all be in the direction of greater independence and more deliberation.

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THE ATTITUDE OF SENATORS

As a part of our effort to throw light upon this subject, we wrote to each Member of the Senate, asking for his view of the matter. That letter was as follows:

"This month The Searchlight on Congress will consider the proposal of Vice President Dawes with reference to a cloture rule for the Senate.

"We will greatly appreciate a statement from you as to your opinion of such a change, with the reasons for your attitude."

Congress is not in session and, of course, Senators are widely scattered. Several are in Europe; others vacationing or upon missions in out-of-the-way places. The response therefore has not been general; but a number have answered—a sufficient number to make an interesting and significant symposium by those most concerned.

These senatorial expressions on cloture require no comment.

BORAH SUMS IT UP

The proponents of cloture will have to fight Borah—probably the best debater in the Senate. There is no semblance of doubt as to his opposition, nor concerning his clear-cut conception of what it would mean to America. He writes:

"I do not know what changes Vice President Dawes proposes with reference to the Senate rules. I have not seen any statement which he has made indicating just what he has in mind. In a general way it seems that he would adopt strict cloture. I am opposed to cloture in any form. I have never known a good measure killed by a filibuster or a debate. I have known of a vast number of bad measures, unrighteous measures, which could not have been killed in any other way except through long discussion and debate. There is nothing in which sinister and crooked interests, seeking favorable legislation, are more interested right now than in cutting off discussion in Washington. If they can succeed in reducing the situation to a point where they only have to see one or two men, either to put through or kill a measure, they are masters of the situation. I am opposed to it in any shape or form."

COMMON SENSE FROM COUZENS

"While I am a comparatively new Member and not a good parliamentarian," writes Senator James Couzens, of Michigan, "it seems to me that rule XXII, as amended March 8, 1917, is sufficient cloture (this rule being quoted).

"When the importance of the occasion seems to demand it, all that has to be done is: 16 Senators making such a motion, same being approved by two-thirds of the Senate, they can prevent a filibuster. Two-thirds of the Senate should be required, otherwise the majority might ride roughshod over the minority at any time.

"Mr. Dawes has not pointed out any real inquiry that has occurred to the country because of the rules he complains about. I would be interested in specific information of the damage that has been done."

BROOKHART HITS THE MARK

The junior Senator from Iowa goes straight to the historical truth of the matter. Smith W. Brookhart has this to say about cloture:

"I do not think the Senate rule of unlimited debate will be materially changed. It is this rule that makes the United States Senate the one great open legislative forum in all the world.

"The rule sometimes delays good legislation, but never kills it. Good legislation always comes back, and finally wins. The rule kills a great deal of bad legislation. That class of legislation which cannot stand the light of publicity will always be killed by unlimited debate.

"The filibuster succeeds only at the end of the session or in the short session, and only against bad legislation. It cannot succeed against legislation that has merit, although it may postpone it to another session. I am informed that the Senate transacts more business with this rule of debate than the House does with its cloture rule, and that this is true in the whole history of the two Houses.

"It would be well for you to check this proposition and make an accurate statement of it in connection with your consideration of the change of rule.

"Rule XXII is the bulwark of free speech under the Constitution of the United States, and I think there will be few Senators who favor the change. I can understand how the Wall Street financial power would want to abolish this rule, but the American people, when they understand the facts, will sustain the rule."

M'KELLAR CONTRADICTS DAWES

In a public statement, Senator KENNETH D. MCKELLAR, of Tennessee, presents interesting comment and an analysis of the business done by both branches, as follows:

"I have served nearly 6 years in the House and more than 8 years in the Senate. I am familiar with the rules of both bodies. I believe the present rules of the Senate make for greater efficiency, make for better legislation, make for the better carrying out of the people's will than do the rules of the House. In the House the previous question can be called for at any time, debate stopped, and a vote had. In other words, the party in power can pass any measure without debate and without public scrutiny. It is well known that many bills are thus passed in the House. I do not believe that this unlimited right of cloture is best for the public weal. As a matter of fact, all of the legislation in the House is agreed upon by a few men occupying leading positions in the House and the great body of Members is denied freedom of speech and action. All they can do is to get leave to print in the RECORD.

"I say this not in criticism of the House or any of its Members, for I have served in the House and enjoyed my service, and its membership is of the highest character and quality of statesmanship. But, when a bill gets to the Senate, the situation is entirely changed. No bill can get through the Senate until it has undergone a season in the limelight. Any one of the 96 Senators can speak on it, hold it up to the public gaze, dissect it, and scrutinize it. If it is a bad bill, the public knows it. It cannot be put through in star-chamber proceedings. Secrecy is not the rule in the Senate, not even in executive session. Nor can one man hold up legislation indefinitely, as has been erroneously stated.

"Of course, no one can make a statement of that kind who is familiar with the rules of the Senate. The present rules provide that 16 Senators can bring a measure to a vote at any time they petition the Vice President to that end. A vote can be had the next day and debate can be limited at the same time.

"In addition to its duties as a part of the lawmaking branch of the Government, the Senate also has two other most important functions under the Constitution. The first is, it, with the President, must enact all treaties with foreign nations. The second, it must approve all of the countless thousands of important appointments to office made by the President. These two functions alone are enough to keep the Senate busy, but when, besides these, it passed many more bills than the House, which does not possess these additional functions, its efficiency is not subject to just criticism.

"In view of Vice President Dawes' recent statement that the rules of the Senate were antiquated, that the Senate does not efficiently transact its business, that the rules should be changed like those of the House so that the business of the Government might be efficiently transacted, before leaving Washington I had an expert to examine into the records for the past five Congresses—10 years—to see what business the records show the Senate had done and what business the House had done. I present the facts, which are as follows:

	64th Cong.	65th Cong.	66th Cong.	67th Cong.	68th Cong.
Number of Senate bills introduced	8,334	5,680	5,052	4,658	4,410
Number of Senate joint resolutions introduced	221	230	254	290	193
Total bills and joint resolutions	8,555	5,910	5,316	4,948	4,603
Number of Senate bills passed by the Senate	591	464	437	668	713
Number of Senate joint resolutions passed by the Senate	60	65	56	85	74
Total	651	529	493	753	787
Number of Senate bills enacted into law	234	152	181	289	378
Number of Senate joint resolutions enacted into law	29	33	27	48	53
Total	263	185	208	337	431
Number of House bills introduced	21,104	16,239	16,170	14,475	12,474
Number of House joint resolutions introduced	393	445	481	466	385
Total	21,497	16,684	16,651	14,491	12,859
Number of House bills passed by House	588	310	460	670	689
Number of House joint resolutions passed by House	39	30	52	69	34
Total	627	340	512	739	723
Number of House bills enacted into law	387	244	340	536	540
Number of House joint resolutions enacted into law	34	23	46	58	25
Total	421	267	386	594	565

CARAWAY CHALLENGES DAWES

Thaddeus H. Caraway, the scrappy Senator from Arkansas, does not mince matters in his response to our inquiry. Here is what he says:

"To be perfectly frank, I have been unable to gather from the Vice President's speeches exactly what it is he seeks. He has shown himself so lamentably without information touching the rules that it is difficult to be serious in discussing his attitude, but back of the Vice President's proposal is the real interest that he consciously or unconsciously seeks to serve. There is a demand by certain interests—and most of them sinister—to change the Senate rules so that legislation in their favor and against the interests of the majority of the people may be jammed through Congress before an opportunity has been afforded to thoroughly examine and expose the purposes of the legislation. It began with the Senate's refusal to accept the Mellon tax plan unchanged. Back of them there lined up every special interest that wishes an advantage.

"The best reason, therefore, that could be given to refuse to change the Senate rules in accordance with Mr. Dawes' suggestion is that these interests believe that it would be to their advantage. Necessarily, therefore, if it would be to their advantage, it would be against the interest of the great mass of the people.

"Disguise the controversy as one may seek, and as the Vice President has tried to do, no intelligent person need be mistaken and no really intelligent person is. I have yet to come in contact with any individual who has no interest other than the interests of other citizens who favor the Vice President's suggestion. On the other hand, I have come in contact with no one who seeks special advantage that is not heartily in favor of the Vice President's suggestion.

"I would be much pleased myself sometime to discuss it with the Vice President before any audience that might care to hear it."

AGAINST ARBITRARY CLOTURE

There is vigor and settled conviction in the attitude of Senator Furnifold McL. Simmons, of North Carolina. He writes:

"I am utterly opposed to Mr. Dawes' views on this subject. After 24 years in the Senate, I am satisfied that the rules which prevent arbitrary cloture of debate have been a great protection against ill-advised legislation and have brought about that thoroughness of discussion which is impossible under the rules of procedure obtaining in the House of Representatives. Under the present rules of the Senate, two-thirds of the Senate can at any time restrict debate within reasonable limits. When Mr. Dawes becomes familiar with the rules of the Senate, I think he will become less radical in his views."

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THE SENATE "TO COOL IT"

Royal S. Copeland, Senator from New York, makes some interesting observations on the subject. His answer to our letter gives food for thought in several directions, as follows:

"Just exactly what the function of the Senate was to be was a matter of great concern to the Constitutional Convention of 1787. There is an anecdote about Washington and Franklin. They were out having tea together during the Convention. Social rules and table manners were not quite the same in those days as they are now.

"As they visited together, Franklin said to Washington: 'What is the purpose of the Senate?' Washington retorted, as a New England Yankee would, by another question: 'Doctor, why do you pour your tea in your saucer?' 'Why,' said the astonished Franklin, 'to cool it.' 'Well,' said Washington, 'that is what the Senate is for.'

"The purpose of the Senate is entirely different from the purpose of the House of Representatives. From the very beginning it was intended to be a deliberative body where the expenditure of time and the exchange of views should determine judgment in any pending matter. The fact that this has been the rule has had a remarkable result as regards the constitutionality of the measures enacted into law. In the 135 years of our national history, only 38 acts of Congress have been set aside.

"It has been said that if you threw a bone of the Constitution into the Senate the Senators would gnaw on it for 10 days. They have done this to pretty good effect, however, because their cautions, deliberate and exasperating as they may seem, have resulted in the prevention of laws which under other circumstances would have gone into the scrap heap by way of the Supreme Court.

"I can quite understand why a citizen of Nevada might want to have the rules changed. Nevada has 77,000 population, and yet it sends 2 Members to the United States Senate. If New York were represented in the same proportion, it would have 144 Members in the United States Senate, instead of 2.

"Here is another thing to think about: The States of New York, Pennsylvania, Illinois, and Michigan pay 60 percent of the Federal taxes. The combined representation of these States in the Senate is one-twelfth of the total. Therefore these States are totally submerged so far as voting power is concerned.

"New York State has as great a population as 18 other States combined. It exceeds the combined population of Arizona, Colorado, Delaware, Florida, Idaho, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Oregon, Rhode Island, South Dakota, Utah, Vermont, Wyoming, Maine, and Nebraska.

"Add to these 18 States 7 other States—Arkansas, Louisiana, West Virginia, Washington, South Carolina, Maryland, and Connecticut, and it will be found that these 25 States, controlling 50 of the 96 votes, have a majority vote in the Senate. These States represent less than 20 percent of the total population of the country and they pay not more than 10 percent of the Federal taxes. Mr. Dawes' cloture rule would give this minority in population and financial standing absolute control of the Senate.

"I am unwilling to have this done. Unlimited debate is the most tiresome thing in the world, both to the man who indulges in it and for those who have to listen to it; but I contend that the best interests of the country have been and will be served by this rule of procedure. The present cloture rule is effective. When it is necessary to stop debate it can be done under the existing rule. I can testify to this because of my own experience in connection with the Isle of Pines. A notice given by Senator Curtis and the presentation of the petition as required by rule XXII demonstrated at once the futility of further effort to defeat action on this treaty.

"The great trouble in the Senate lies in the fact that almost all the business is done by unanimous consent. This means that one Senator by his objection can prohibit the consideration of some measure no matter how important it may be. I had a bill in the last Congress which I brought up nine separate times, and it was put over each time by the objection of the same man, one Senator. I proposed in the Sixty-eighth Congress and again proposed in the Sixty-ninth that this rule be changed, making it necessary for the objection to be supported by two other Senators. This simple change in the rules would revolutionize the work of the Senate."

MAYFIELD FOR NORRIS AMENDMENT

From Austin, Tex., Senator Earle B. Mayfield sends an answer that is clear and convincing. His position on the Dawes proposal follows:

"I do not understand that our Vice President has submitted a concrete, definite proposition as to how the rules of the Senate should be amended. So far he has only dealt in glittering generalities, claiming that one Senator can obstruct the business of the Senate by filibuster, and that ought not to be possible.

"I will admit that it is possible for one Senator or a small number of Senators to obstruct legislation by filibuster when the Senate is about to adjourn sine die, but it is unfair to create the impression that the general business of the Senate can be obstructed by one Senator, because that is not true.

"It might be all right to amend the rules of the Senate so as to limit debate, say 10 days before the session of the Senate is to be concluded, but I would not favor amending the rules of the Senate so as to limit general discussion of legislation.

"Under rule XXII, debate in the Senate can practically be terminated if two-thirds of the Senators favor the proposition, and if the rules were amended as I have above suggested, no measure could be talked to death by one Senator, or even by a group of Senators.

"Senator Norris, of Nebraska, has proposed an amendment to the Constitution which would do away with the so-called short session of Congress, as under his amendment the new President and the new Congress would take office in January following the general election in November. I am in favor of Senator Norris' amendment, and if those who are in sympathy with the views of Vice President Dawes as to cloture rule in the Senate will support the proposed amendment of Senator Norris, we will never again hear anything about filibuster in the Senate.

"With reference to filibuster, permit me to say that I doubt if any real constructive leg-

islation was ever killed in the Senate by that means. Meritorious egislation may be delayed by extended debate, but it cannot be killed in the Senate by filibuster.

"I would never support any amendment to the Senate rules that would result in gag rule, which no doubt the special interests of the country would like to see adopted. Greater harm is likely to come to our country through half-baked, ill-digested legislation than by the delay of meritorious legislation as the result of general debate. When a general measure has run the gantlet of the United States Senate, you can conclude, as a rule, that it has been well considered and analyzed, and, in my opinion, it would be a mistake to destroy the only legislative tribunal in the world where freedom of speech is untrampled. Most of the rules of the Senate were written by such statesmen as John Quincy Adams, Daniel Webster, Henry Clay, John C. Calhoun, and men of like character and ability, some of whom served in the Senate for over a quarter of a century. Our country has grown and prospered and developed under these rules, and I seriously doubt if we of this day and generation can improve them."

CLOTURE MEANS DESPOTISM

This statement, written in the third person, came from the office of Senator Fletcher. His argument and conclusions are soundly based upon the experience of both branches:

"Senator Duncan U. Fletcher, of Florida, says he is not in favor of cloture in the Senate, for that is the only legislative branch of the Government where mature consideration and careful deliberation respecting the measures proposed to be enacted into law is now possible; that the alleged waste of time in the Senate, and the so-called useless discussion there, is much exaggerated; that there is deliberate effort being made to discredit the Senate and shake the confidence of the public in its purposes and procedure; that the talk about filibusters assumes large proportions when really there is no need to be disturbed about that. As proof, he says one can search the CONGRESSIONAL RECORD from the beginning and will be unable to find a single bill that was defeated by a filibuster that ought not to have been defeated. He refers to the force bill and on down to the ship-subsidy bill of 1923, as illustrations, and says the force bill would have established a despotism over the South, which all now admit would have meant ruin, while the ship-subsidy bill would have given away vessels which had cost the people $4,000,000,000 and required the payment out of the Treasury of $75,000,000 a year for 10 years to favored shipowners; and there was not so much of a filibuster in that or in other instances as the public supposed, for those who would have felt obliged to vote for the bill if it had come to a vote were actively encouraging the opponents to prevent a vote.

"The Senator says the real menace is not the rules of the Senate, but the rules of the House, where there is cloture, for the leader of that body can move the previous question and end debate, with the result that five or a less number of the House decide what legislation shall be brought forward in that body, what time shall be allowed for consideration, whether any amendment may be made or not, whether or not a bill shall pass, and in what form. Not only that, but they can follow their bills to the Senate and let it be known there that they will not agree to any amendment or change. The five, or sometimes two, Members likewise prevent discussion of bills that other Members desire to have considered and taken up. To illustrate, the House passed a general public buildings bill. No amendment or any debate of consequence was permitted by the leaders. It came to the Senate and the House managers told the Senate committee, 'You must accept that bill precisely as it is, without amendment, or nothing.' That bill did not pass the Senate, and the amendment offered by me and agreed to by the Senate providing $7,500,000 for the construction of public buildings heretofore authorized was rejected by the House leaders. The Senate passed the retirement bill by a large vote. It would have passed the House by an overwhelming vote had the leaders in that body allowed a vote on it; but the three to five managers, or leaders, in that body refused to allow it to be taken up and the will of the majority was thus defeated. Those are two fair illustrations of how business is handled in the House and the procedure where there is cloture.

"I do not believe we want to place in the hands of a few men in the Senate the power of life and death over legislation. If that is done some 400 Members of the House might as well go home and let the five leaders do the legislating, and some 90 Senators might as well do likewise.

"I know that the people of this country do not favor an autocracy or despotism in Congress or elsewhere."

HE KNOWS WHAT'S WRONG

There is straightforward common sense in the response of Senator WALTER F. GEORGE, of Georgia. He says:

"Amend the Constitution so as to require Congress to convene by January 1 of each year, thereby doing away with the short session. This is all that is necessary. Harmful filibusters are not possible except during the short sessions of Congress. This change will also rid us of the 'lame duck' evil."

KEEP TO THE QUESTION

When asked his position on the Dawes proposal, Senator Simeon D. Fess, of Ohio, responded in these interesting observations:

"I will join any group of Senators to revise the rules to require a Senator to speak to the issue before the Senate, giving to any Member the right to call any Senator to order. Some Senators are objecting to that rule because they say it cannot be enforced, but it can be enforced as it is in the House. If the offending Senator is not satisfied with the decision of the Chair, he has the right to appeal to the Senate from the decision. Of course, the appeal should not be debatable. While this is not a cloture rule, it will operate as such in that it prevents the tactics of a filibuster. I think it wise to retain the ban of secrecy on treaties and permit unlimited debate on such questions."

PRESENT RULES SUFFICIENT

Another Republican, Senator J. W. Harreld, of Oklahoma, takes issue with the Vice President. In answer to our letter he says:

"I am not opposed to unlimited debate, generally speaking. I believe the Senate now has power to limit the discussion to the particular subject under consideration. I agree with Senator Robinson that the present rules would satisfactorily cover the situation and bring about the desired result, if the Senate would reserve the right to say when the speaker is transcending the rules instead of following the precedent set by the former Presiding Officer of the Senate to the effect that the speaker himself is the sole judge as to his privileges and rights under the rules and making him the sole judge of whether he is or not discussing the question under consideration.

"The whole matter can be determined in any given case by the Presiding Officer himself, notwithstanding the precedent mentioned above. He could rule a speaker out of order because he was not confining himself to the question under consideration. The speaker could then appeal from the decision of the Chair and thus gain the end which the Vice President seeks."

Mr. BILBO. Mr. President, I want it distinctly understood that I am opposed to the principle of cloture. I believe in free, open, full, unrestricted debate in the United States Senate, and if a Senator who comes here as an ambassador from a sovereign State of this Republic has physical strength and power and endurance to stand on this floor and speak without limit, and speak for a week, or 2 weeks, or 3 weeks, or 4 weeks, 30 days, 60 days, or 6 months, to prevent the passage of a bill which would have an ill effect on his people, and be disastrous to the welfare and happiness of the people of the country, I think he should be permitted to do it.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. CHAVEZ. I am sure the Senator from New Mexico would not object, and I should be delighted, to listen to the Senator speak for 6 months. I would not object to the Senator discussing the merits of this sound legislative proposal.

Mr. BILBO. I promise the Senator I will speak 60 days, and I will stay on this subject, and will not be reading the Bible, the almanac, or anything else, but will stay on the subject. So I suggest to the Senator that he take his name off the petition for cloture.

For more than 100 years, debate has been practically unlimited in this body; even the present cloture rule has seldom been invoked. With the right of free debate guaranteed to every Member of this body, this Nation has grown and progressed. Unlimited debate has been in accordance with American liberty, and has been zealously guarded and protected by the United States Senate.

The filibuster has been practiced for more than a century now and the record shows that it has been a meritorious and indispensable safeguard to protect American freedom. Every time a measure has been before the Senate which threatened the very existence of our system of constitutional government and our American way of life, the filibuster has been a powerful weapon available for us by the minority which would have been otherwise helpless. And the experience of these many decades has shown us that this weapon has been used wisely, and to serve the best interests of the American people. Time has proved that the filibuster has prevented passage of such vicious bills as the force bill, which proposed to give the Federal Government control of elections in the South, the antilynching bill, and many others of like character.

Great and distinguished Senators from all sections of the Nation have participated in filibusters during the years that have passed. Very few of our time-honored statesmen can be quoted as favoring cloture or any other gag rule in the Senate. Practically every Senator who has ever served in this body from any of the Southern States has been forced to filibuster and to cooperate in filibusters in order to protect the rights of the sovereign State which he represented.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. CHAVEZ. Of course, the Senator from Mississippi considers our majority leader [Mr. BARKLEY] and the Senator from Florida [Mr. PEPPER] as representing great constituencies, and they both have signed the cloture petition.

Mr. BILBO. Who?

Mr. CHAVEZ. The Senator from Florida [Mr. PEPPER] and the Senator from Kentucky [Mr. BARKLEY].

Mr. BILBO. It is a matter of public record that all Senators south of Mason and Dixon's line—Kentucky is a border State; it is not one of the Southern States, and never has been so considered—in this fight are standing shoulder to shoulder in defense of their people, the unity of their people, the welfare of their people, the peace and happiness of their people, and the protection of the rights and freedom of their people. They are all standing shoulder to shoulder, arm in arm, except CLAUDE PEPPER, of Florida. I do not know why he is not standing with the others. He says he will vote against the FEPC, but will vote for cloture, although, if cloture is ever enforced and a vote is had on the bill, I know and he knows and everyone else knows the bill will pass. He need not try to fool me, or the Senate, or his own people, or anyone else that he is against this bill, because he knows that when he is voting for cloture he is voting for the passage of the bill.

Mr. CHAVEZ. Of course, the Senator will admit that if he were to let the majority vote, the bill would pass.

Mr. BILBO. Any day, any hour. The majority not only would pass the FEPC bill, they would pass the anti-poll-tax bill, they would pass the antilynching bill, and God knows what they would not pass, because it would be good politics.

Mr. CHAVEZ. It is good politics, too, to "cuss" the Negro once in awhile.

Mr. BILBO. Good politics for a certain crowd; yes. We are filibustering, Mr. President, because we do not propose to let this bill come to a vote, and unless the majority goes wild and violates the amenities which should exist, and have existed all these years on this floor between Members of the Senate, and every rule in the book is raped, and resort is had to the law of the jungle, there will never be a vote on this bill at this session.

The majority can bring it about by force. They can say, "To hell with the rules of the Senate, to hell with any ideas of courtesy or consideration, to hell with everything else; we have a majority, we are going to ride roughshod and run over you and cram it down your throats anyway." They can do it; I know that. But the rules of the Senate were intended to protect the minorities in an orderly forum like the United States Senate, and I for one do not believe the majority is going to try that or think of doing it.

Mr. CHAVEZ. Of course, we would not try to keep the Senator from Mississippi or any other Senator from adequately discussing any legislation.

Mr. BILBO. That is not what I was talking about.

Mr. CHAVEZ. The Senator will also admit that rule XXII, which is the cloture rule, is also a rule of the Senate.

Mr. BILBO. Yes.

Mr. CHAVEZ. And just as effective, if it can be invoked, as any other rule.

Mr. BILBO. And the Senator from New Mexico knows, as well as I know, that the cloture rule cannot be invoked under the present parliamentary status of this discussion.

Mr. CHAVEZ. We will see about that when the proper time comes.

Mr. BILBO. I have said that if the majority wants to violate all the rules in the book, and all the precedents of parliamentary practice, and resort to the rule of "might makes right" and the law of the jungle, of course, they can do it.

Mr. CHAVEZ. No, Mr. President——

Mr. BILBO. They will never do it by any affirmative rule.

Mr. CHAVEZ. Mr. President, I have more faith in the presiding officers of this body than has the Senator from Mississippi.

Mr. BILBO. I resent that statement.

Mr. CHAVEZ. I would not like to think that the ruling of my good friend, the present occupant of the chair (Mr. JOHNSTON of South Carolina in the chair)——

Mr. BILBO. If it were left to the Senator from South Carolina [Mr. JOHNSTON], the majority would not have a chance.

Mr. CHAVEZ. I think the Senator who is now presiding would interpret the rules according to what he understood them to provide, and I would not like to think he would decide one particular way. In other words, I have more confidence in the Senator from South Carolina than has the Senator from Mississippi.

Mr. BILBO. The Senator, as a Senator from New Mexico, is an ambassador with power, representing a sovereign State. Is he willing to abide by the decision of the Chair and the ruling of the Parliamentarian on matters coming before this body?

Mr. CHAVEZ. I am willing to abide by anything the Senate does.

Mr. BILBO. That is not what I was asking the Senator.

Mr. CHAVEZ. I know the Senator was not.

Mr. BILBO. I was trying to ascertain whether the Senator would be inclined to appeal from a decision of the Chair after he ruled.

Mr. CHAVEZ. Of course, the Senate is a body by itself. The Senate makes the rules, not the presiding officer.

Mr. BILBO. There are 96 Senators.

Mr. CHAVEZ. That is correct, and those 96 Senators can make any rule.

Mr. BILBO. That is what I have been trying to tell the Senator. The minority would not have a chance. The minority has not a chance on this floor if the majority is to resort to the rule that a majority has a right to do what it wants to. That the majority is right because it is the majority is not a true statement. The majority is not always right. In hysterical times the majority goes haywire, just as some are going haywire on this bill.

Mr. CHAVEZ. Of course, the Senator is not talking about our side.

Mr. BILBO. I am not talking about anyone personally, because I have the very highest regard for my colleagues, especially the Senator from New Mexico, who is so affable, so congenial, so pleasant, and so accommodating; but his faith is yet to be tested, and that is the time for the rule of the jungle to take charge of the Senate. If the Senator joins the gang, I shall withdraw all I am saying about him.

Mr. President, the southern group is without a doubt the minority group which has most often been forced to engage in prolonged discussion in order to protect its rights. We hear so much today about protection of the rights of the minority racial groups and various other so-called minorities, but I here and now nominate for the most silent voice in this Nation—indeed, one which, if it speaks at all, speaks in whispers that cannot be heard—the voice of our northern, eastern, and western friends for the protection of the rights of the Southern States, and for respect for the customs and problems of the white people of the South. The southern Senators as a group are a voting minority in the Senate and if we could not engage in unlimited debate we would indeed be at the mercy of the majority at all times and under all circumstances. With conditions as they are today, with the threat of communism sweeping this Nation, with the pressure groups, the radicals, the Negro organizations, and others urging every conceivable reform upon the South and hurling every thinkable insult at white southerners, with greater and greater pressure for antisouthern legislation coming from northern groups—all located in New York—who wield a powerful vote, God forbid that the right of speech be taken from us.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. CAPEHART. I ask unanimous consent to have printed at this point in the RECORD chapter 325 of the Acts of the 1945 Indiana Assembly, eighty-fourth session. The chapter is entitled "An act conferring certain powers and duties on the division of labor and the commissioner of labor concerning discrimination because of race, color, creed, national origin, or ancestry, and providing for an advisory board."

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[Ch. 325]

[S. 75. Approved March 9, 1945]

An act conferring certain powers and duties on the division of labor and the commissioner of labor concerning discrimination because of race, color, creed, national origin, or ancestry, and providing for an advisory board

Whereas the practice of denying employment to, and discriminating in employment against, properly qualified persons by reason of the race, creed, color, national origin, or ancestry, is contrary to the principle of freedom and equality of opportunity, and the denial by some employers and associations of employees of employment opportunities to such persons solely because of their race, creed, color, national origin, or ancestry deprives large segments of the population of the State of the earnings which are necessary to maintain a just and decent standard of living; and

Whereas it is the policy of the State that opportunity to obtain employment without discrimination because of race, color, creed, national origin, or ancestry be protected as a right and privilege of citizens of the State of Indiana; and

Whereas it is the public policy of the State to encourage all of its citizens to engage in gainful employment, regardless of race, creed, color, national origin, or ancestry, and

to encourage the full utilization of the productive resources of the State to the benefit of the State, the family and to all the people of the State: Therefore

Be it enacted by the General Assembly of the State of Indiana:

DEFINITIONS

SECTION 1. Definitions. When used in this act:

1. The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, or receivers.

2. The term "associations of employees" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

3. The term "employees" shall not include any individual employed by his parents, spouse, or child, or in the domestic service of any person in his home.

4. The term "employer" shall not include a social club or a fraternal, charitable, educational, or religious association, organization, board, or body, not operating for private profit.

5. The term "division" means the Division of Labor of the Department of Labor of the State of Indiana.

6. The term "commissioner" means the commissioner of labor of the State of Indiana.

CONFERS UPON DIVISION OF LABOR POWER AND DUTY TO COOPERATE WITH OR UTILIZE OTHER AGENCIES TO AID IN REMOVING DISCRIMINATION WITH RESPECT TO EMPLOYMENT BECAUSE OF RACE, CREED, COLOR, NATIONAL ORIGIN, OR ANCESTRY

SEC. 2. There is hereby conferred upon the division of labor the power and duty, in addition to the powers and duties now vested in it, to cooperate with or utilize other agencies and to utilize voluntary and uncompensated services, in connection with the efforts of said division to aid in removing discrimination with respect to employment because of race, creed, color, national origin, or ancestry.

CONFERS UPON COMMISSIONER OF LABOR CERTAIN FUNCTIONS

SEC. 3. There is hereby conferred upon the commissioner of labor, in addition to the functions now vested in him, the following functions, viz:

1. To appoint such employees and fix such salaries or other compensation therefor as he may from time to time find necessary for the proper performance of his functions under this act. The reasonable and necessary traveling and other expenses incurred by the commissioner, his agents or employees, while actually engaged in the performance of such functions, outside of the city of Indianapolis, and all salaries and expenses in administering this act (which salaries and expenses shall not exceed $15,000 annually) shall be paid from the State treasury as expenses of officers and employees and other expenses of departments of the State government are paid and the sum of $30,000 is hereby appropriated to pay such salaries and expenses for the fiscal years beginning July 1, 1945, and July 1, 1946.

2. To aid in bringing about the removal of discrimination in regard to hire or tenure terms or conditions of employment because of race, creed or color: by making comprehensive studies of such discrimination in different metropolitan districts and sections of the State, and of the effect of such discrimination, and of the best method of eliminating it; by formulating, in cooperation with other interested public or private agencies, comprehensive plans for the elimination of such discrimination as rapidly as possible in cities or areas where such discrimination may be found to exist; by conferring, cooperating with and furnishing technical assistance to employers and private or public agencies, organizations and associations in formulating and executing policies and programs for the elimination of such discrimination; by receiving and investigating meritorious written complaints charging any such discrimination and by investigating other cases where he has reason to believe that such discrimination is practiced; and by making specific and detailed recommendations to the interested parties in any such case as to ways and means for the elimination of any such discrimination.

COMMISSIONER MAY RECOMMEND SPECIFIC PLAN TO GENERAL ASSEMBLY AFTER STUDY AND INVESTIGATION

SEC. 4. The commissioner shall make a study and investigation of discrimination in regard to hire, or tenure, terms or conditions of employment, in the departments and agencies of the State because of race, creed, or color, and may recommend to the General Assembly a specific plan to eliminate it and such legislation as he deems necessary to eliminate it.

COMMISSIONER AUTHORIZED TO RECEIVE WRITTEN COMPLAINTS OF VIOLATION OF CIVIL RIGHTS LAW, TO INVESTIGATE COMPLAINTS OR CONDUCT INVESTIGATION—TRANSMIT RECOMMENDATIONS TO LEGISLATURE

SEC. 5. The commissioner is authorized and empowered to receive written complaints of violation of the civil rights law or other discriminatory practices based upon race, creed, color, national origin or ancestry and to investigate such complaints as he deems meritorious, or to conduct such investigation in the absence of complaint whenever he deems it in the public interest. He may transmit to the legislature his recommendations for legislation designed to aid in the removing of such discrimination.

ADVISORY BOARD OF NINE MEMBERS CREATED

SEC. 6. There is hereby created an advisory board of nine members, eight of whom shall be appointed by the Governor. Four of the members appointed by the Governor shall at the time of their appointment be members of the State senate and four shall at the time of their appointment be members of the house of representatives of the State. The Lieutenant Governor shall be the ninth member of said board, by virtue of his office as Lieutenant Governor, and shall serve as chairman. Vacancies shall be filled in the same manner as original appointments. Such board shall advise and assist the division of labor and the commissioner in administering and carrying out the provisions of this act. Members of said board shall be paid their expenses reasonably and necessarily incurred.

SEVERABILITY

SEC. 7. If any clause, sentence, paragraph, or part of this act, or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not effect [affect], impair, or invalidate the remainder of this act, and the application thereof to other persons or circumstances, but shall be confined in its operation to the clause, sentence, pararaph, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the persons or circumstances involved. It is hereby declared to be legislative intent that this act would have been adopted had such invalid provisions not been included.

Mr. MEAD obtained the floor.

Mr. RUSSELL. Mr. President, will the Senator from New York yield so I may suggest the absence of a quorum?

Mr. MEAD. I yield for that purpose.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hart	Mead
Bailey	Hayden	Millikin
Bilbo	Hickenlooper	O'Daniel
Butler	Johnston, S. C.	Russell
Chavez	La Follette	Stanfill
Cordon	Langer	White
Donnell	McCarran	
Ferguson	McFarland	

The PRESIDING OFFICER. Twenty-two Senators have answered to their names. A quorum is not present. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. BREWSTER, Mr. BRIGGS, Mr. CAPPER, Mr. ELLENDER, Mr. HATCH, Mr. HOEY, Mr. KILGORE, Mr. MAYBANK, Mr. MCKELLAR, Mr. MORSE, Mr. SMITH, Mr. WILEY, and Mr. YOUNG answered to their names when called.

The PRESIDENT pro tempore. Thirty-five Senators have answered to their names. A quorum is not present.

Mr. RUSSELL. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. AUSTIN, Mr. BYRD, Mr. GERRY, Mr. HILL, Mr. MCCLELLAN, Mr. MYERS, Mr. ROBERTSON, Mr. SALTONSTALL, Mr. STEWART, Mr. THOMAS of Utah, Mr. TOBEY, Mr. TYDINGS, Mr. WALSH, and Mr. WILLIS entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-nine Senators have answered to their names. A quorum is present.

Mr. MEAD. Mr. President, it is my desire to take as little time as possible in the course of the brief observations I shall make. While I have no desire to participate in any effort which will postpone the actual debate upon the pending measure, I think perhaps it is appropriate occasionally to take a little time to check the record, to make some corrections, and briefly to make reply to some allegations which those of us on this side of the question think are entirely out of order and inappropriate. I shall ask my colleagues to bear with men in this most unusual request: I ask not to be interrupted until I complete my statement, because I do not wish to be responsible for prolonging the debate. I shall answer anyone and everyone, however, when we have an opportunity to debate the bill when the bill is actually the subject of discussion before the Senate. So I ask my colleagues to be patient with me. I wish to complete my remarks speedily, so that I may not in any way be subject to criticism for delaying the vote on the bill.

Mr. President, the able majority leader presented our side of this question in a very brief statement and necessarily in a very limited way. He explained the various parliamentary steps

through which the bill has passed, and he pleaded for its final passage by the Senate. I was rather proud of the earnestness and sincerity and eloquence of the majority leader in the plea he made to those on this side of the aisle. It buttressed the Democratic support which this measure has received in the past. It tied the Democratic Party all the closer to this important piece of legislation. It brought to mind the initiation of this proposal by the late lamented President Franklin D. Roosevelt, a great Democrat, a great humanitarian, and a great advocate of economic opportunity. When we think of the Democratic support which this proposed legislation has received and is receiving, it is refreshing to note the present President of the United States made this observation:

> Discrimination in the matter of employment against properly qualified persons because of their race, creed, or color, is not only un-American in nature, but will lead eventually to industrial strife and unrest. It has a tendency to create substandard conditions of living for a large part of our population. The principle and policy of fair-employment practice should be established permanently as a part of our national law.

That quotation is from President Truman.

So Mr. President, we have the utterances of the late President Roosevelt and those of the present President of the United States, and we find the same sentiments contained in the appeal made by the majority leader and in the remarks made by the distinguished Senator from New Mexico [Mr. CHAVEZ] in his remarks on the bill. The Senator from New Mexico is sponsoring the bill on the floor of the Senate, and he deserves our commendation for his forthrightness, his patience, and his desire always to be fair and reasonable in connection with the consideration of this measure.

I wish to say that the bill is not a partisan one. I can say that because it was endorsed in the platform of the Republican Party, and it is my understanding that a majority of the Senators on the other side of the aisle have already signed the cloture petition, signifying their eagerness to have this bill voted on by the Senate.

Mr. President, I must take issue with some of the statements which have been made on the floor. The first matter I wish to bring before the Senate relates to the conduct of the Senate itself, the decorum of Members of the Senate. It occurs to me that advantage accrues to the side which observes the proper parliamentary procedure and adheres to the standard of ethical conduct, to the accepted standards, by being good sports and by giving the other fellow the fullest and fairest opportunity.

During the discussion of this question there have been things said about my State and my people which, in my judgment, violate the rules of the Senate; and as a representative of the largest and most populous State of the Union, I cannot let such statements pass without commenting upon them. During the debate on this issue Senators—not on our side—have made utterances derogatory of Members of the other branch of the Congress. While the Members of the House of Representatives may make mistakes and may say things with which, under certain circumstances, we have a right to take issue, nevertheless there are rules which have been carefully devised and which for a long period of time have been guides for the House and the Senate to follow, and they should be observed and respected. I am not making any general complaint. I shall do so, if opportunity is given to me in the course of the conduct of the debate on this bill. But for the present I shall content myself by reading the rule. In all our debates on this bill and every other bill I should like to see the Senate meticulously adhere to the rules. Rule XIX, paragraph 2, reads as follows:

> No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

Mr. President, I am not saying that the motives of a Senator have been impugned, but I am saying that some of the utterances which have been made in this body have been derogatory of the conduct or the statements of Members of the other branch of the Congress. I served in the House of Representatives for 20 years, and I know that in that House the minute a Member of that body says anything derogatory of a Member of this body, he is called to task and he does not get very far. If we find that we have reason or excuse or opportunity to make a statement derogatory of a Member of the House of Representatives, the rule I have read should be broad enough to cover the situation.

Mr. President, I have another objection to make to some of the utterances which have been made during the debate. I shall not put them on a specific, personal basis, but I shall read the rule. It is paragraph 3 of rule XIX:

> No Senator in debate shall refer offensively to any State of the Union.

Mr. President, I reiterate that New York is in the Union and New York is deserving of the consideration of the Members of this body. In the matter of raising revenues for the support of the Government and in the matter of raising an Army for the defense of our Government, New York is always in the forefront. Regardless of whether New York is a large State or a small State, regardless of whether it is a State in the East, in the West, in the North, or in the South, in my judgment strict adherence to that rule will reflect to the credit and the intellectual stature of those who may debate this bill, or any other bill, on the floor of the Senate.

So, Mr. President, I shall now proceed to discuss the issue which is before us. The issue is confused. At various times it has been almost impossible to understand it. Sometimes the issue seems to be political, sometimes it seems to be social, sometimes it seems to be sectional.

Mr. President, the plain and unvarnished issue before the Senate is an economic issue—it is the issue of equal economic opportunity.

During the war we assured equality of economic opportunity, and our all-out economic effort smothered our enemies and amazed the world. We became the arsenal of democracy. We actually put into effect in America the principles of the Atlantic Charter and the four freedoms, one of which was freedom from want. That program served well in time of war. We cannot now reconvert to peace, carry out the ideals of the Atlantic Charter and of the four freedoms, and enjoy all-out maximum employment if we permit bigotry, racial intolerance, and economic inequality to operate unchecked. It simply cannot be done.

I reiterate that the issue is of of equality of economic opportunity. The pending bill pertains to jobs and employment, and not to the extraneous matters which have been referred to in the debate.

Mr. President, the charge has been made many of the persons who are sponsoring the pending bill are Communists. That charge is made altogether too liberally and too generously, and in most instances it does not apply. For a man to be liberally inclined toward this measure does not necessarily imply that he is a Communist. Sometimes I think that the Red issue is a red herring drawn across the trail in an attempt to injure the progress of this bill.

We are, of course, all in favor of the Atlantic Charter. We are all in favor of the elimination of war. The best way to eliminate war is to start now and pass this bill, and give a wartime agency which functioned well and did a very good job during the war the right to continue doing its job during the peace. At the very height of the war effort, while this agency was clothed with the full authority which was given to it by congressional action and congressional appropriation. I received from one of the large employers of America a telegram which I shall read. I think that the employers of America, such as the large corporations that have much to do with hiring policies in our industries, are good witnesses in behalf of our struggle to have enacted legislation of the kind which is being proposed in the pending bill. I received the following telegram from Dwight R. G. Palmer, president of General Cable Corp. In the telegram he says:

> May I respectfully bring to your attention the following telegram which I sent under date of June 15 to the chairman of the Senate Appropriations Committee:
>
> "In promoting a program of equal economic opportunity throughout the Nation in accordance with the ideas of the late Franklin D. Roosevelt and with those of our present great leader, the Honorable Harry S. Truman, the Fair Employment Practice Committee, we sincerely believe, is performing a useful and worth-while public service. That agency, so far as we know, has limited itself rigidly to the attainment of nondiscrimination in employment, in accordance with dictates of the Executive order under which it was set up. In operating 10 plants situated from coast to coast, we have consistently taken the position that all individuals, regardless of race, creed, or color, shall be afforded equal economic opportunities, and have been singularly successful while adhering to this principle. We have found that when the basic principles underlying this policy have been adequately explained to our employees, they have wholeheartedly agreed to the economic integration of any and all minority groups."

The telegram continues to recite the success which was attained as the result of adherence to the principles embraced in the words "economic opportunity."

Mr. President, let us take up some of the objections which have been made to the pending bill. The objections which I have noted are objections which are based on the contention that the bill violates States' rights; that it compels employers to hire against their will; that it advocates or approaches social equality. It is said that by the enactment of the bill we would arouse prejudices and discriminations, and defeat every object of the measure.

The bill does not violate States' rights, because it applies to industries which are interstate in character. Similar provisions, I may say, are contained in many of our legislative enactments in order to protect the States, define the scope of the legislation, and assure its constitutionality. Those purposes have been well taken care of in the pending measure.

With reference to the contention that the bill would compel employers to hire against their will, I may state that that is not the approach it makes. The approach is, rather, that employers shall not refuse to hire because of race, creed, or color. That is the compulsion, if any, Mr. President; not that employers are compelled to hire or fire, but that they shall not refuse to hire because of race, color, or creed.

With reference to the objection based on the assumption that the bill would be promotive of social equality; that objection is, in my judgment, merely a red herring which has been drawn across the trail. We cannot legislate social equality, nor can we legislate a man's religious affiliation. We can legislate equality before the law and equality of economic opportunity. That is all that we are trying to do.

The charge that the bill defeats its purposes by arousing prejudices is, in my judgment, well answered by the splendid and successful administration of the present Committee on Fair Employment Practice during the past several years.

Mr. President, I have noted in the CONGRESSIONAL RECORD some of the objections which have been made to the bill. One of the objections is that the bill would transfer the present employees of the Committee to the new Commission. The objection is based on the theory that by so doing, a preference would be exercised. We have already transferred employees from one agency of the Government to another. Such transfers have taken place over a long period of years.

It is a practice which is traditional in the Federal Government. After the war ended the disposition of surplus property was found to be in the hands of the Treasury Department. We transferred that function and the employees who had been handling it—a great number—to the Department of Commerce. Then we transferred the agency from the Department of Commerce to the RFC. We are now transferring the agency from the RFC to the War Assets Corporation.

Mr. President, there are approximately only 25 or 30 employees of the Committee on Fair Employment Practice, most of them being clerks and stenographers. The work of the Committee has been repetedly commended. It was commended by the late President Roosevelt, and has been commended by President Truman. Very naturally it would be desired to transfer the employees of the Committee to the proposed Commission because of the expert knowledge they have gained in the administration of the present program.

Another objection which I find in the CONGRESSIONAL RECORD is that the bill seeks to forbid discrimination in employment because of race, color, or creed. It has been contended that there should be included in the bill a proscription against discrimination because of union membership or the absence of union membership. Mr. President, if the proposal with reference to union membership and nonunion membership were added to the bill, violence would be done to the labor laws which have already been enacted by the Congress, which express the policy of the Congress, and which were debated at length on the floor of the Senate. As the result of that debate, we determined by our votes the policy of the Government with reference to our labor program.

Moreover, Mr. President, such a proposal would have the effect, I believe, of destroying the union shop. It would remove with one fell swoop the advances which have been made by labor during the past century, by making ineffectual collective bargaining, and by subverting every provision of the Wagner Act. It would be an attempt to amend the Wagner Act by taking away powers now in the hands of representatives of employees.

Mr. President, it has been stated that a majority group member may be denied employment because of age, but that a minority group member could not be denied employment for the same reason. My answer to that is that an employer may fix any standards of age or ability which he may desire to fix. If he applies all qualifications alike to persons of the majority group and to persons of the minority group, there can be no violation of the law. Violation consists of treating persons differently because of race, color, and creed. I stated that before, Mr. President, and I assert it again.

It is stated that this bill sets up courts wherein an employer might be tried anywhere in the United States. The answer to that is that under our requirements of due process and a fair hearing, it is obvious that the courts would not sanction the holding of a hearing at a place which would make it unduly inconvenient or impossible for a party charged to adequately present his defense. At any rate, the courts have something to say, rather than the committee.

It has also been said that the proposed agency might have certain power to put people in jail and fine them $5,000, and so forth, if they interfere with the proper examination, or if they resist in the proper presentation, of their records or their books.

The Commission could put no one in jail. An aggrieved party who refused to comply with an order of the Commission after a decree of a circuit court enforcing it had been entered, might have to go to jail under the contempt powers of the court. The same method of enforcement is in the National Labor Relations Act, in the Clayton Act, and in other administrative legislation. Again, the court is the authority rather than the Commission.

The Commission could not put a man in jail, or fine him, for resisting it or its agents. Section 14 is the provision Senators may have in mind and the punishment prescribed for violations of that section are applicable only after trial and conviction in the district court in accordance with established Federal criminal procedure.

There is a general complaint that this measure would create strife and animosity which do not now prevail; that it would do the colored people harm rather than good, and that in the final analysis it would adversely affect the minority groups which we are attempting to protect. In my judgment, that is not a tenable theory. On the contrary, I believe that racial strife and animosity arise from discrimination, particularly economic discrimination. They flourish most where discrimination is greatest, and discrimination itself is a major cause of race difficulties. One of the surest ways of lessening strife and animosity is to provide fair opportunities for minorities in industry.

There again the wise words of the president of the General Cable Corp. come to mind. He explained that he put the policy into effect from coast to coast, in all his industries, and when it was understood, it had the effect of eliminating the strife and the ill feeling which might otherwise exist.

It is not possible to legislate anything into the hearts and minds of the people. We can gradually eliminate prejudice and ill-feeling between groups.

Senate bill 101 is not designed to eliminate prejudice. It is intended, instead, to eliminate certain effects of prejudice; not to make persons like each other, but to respect the rights of others. That legislation is effective in eliminating discrimination in employment is shown by the history of the National Labor Relations Board, and that it can be used to control the conduct of employers toward employees in other ways is shown by the success of laws regulating the hours of work for women and those prohibiting child labor.

Mr. President, coming to another objection I find made against the pending bill, it is said that the size and the character of the agency are the subject of doubt, that it might become a great, growing octopus, and that there is no way by which we can foresee the ultimate result.

The number of workers to be employed by the Commission would be controlled by the Bureau of the Budget in its recommendation for appropriations and by the appropriate committees of Congress and by the Congress in acting on such recommendations. Qualifications of the employees would be fixed by the United States Civil Service Commission, as is the case in all similar agencies. They would be fixed consistent with the standards applicable to employees of other agencies.

Another objection to the bill is that the refusal of an accused employer to permit an examination of his books and records is made a crime, punishable by imprisonment for 1 year and a fine of $1,000.

The reference I presume is to section 14 of S. 101, which sets forth the punishment of any person after a criminal trial in a district court who willfully resists, prevents, impedes, or interferes with a member of the Commission or one of its agents in the performance of duties under the act. This is a usual provision in administrative law, and is found in section 12 of the National Labor Relations Act. The provisions of S. 101, however, would not be applicable to this form of resistance because, under section 11 (b), the subpenas of the Commission for the books and records of a party charged would be enforceable under the contempt powers of a district court.

So the courts enter again. It may be that some Senators had in mind the ultimate decision of the courts as the result of the enactment of the legislation, but I make the statement, Mr. President, that it rests with the courts.

The Commission has limitless authority to effectuate the policies of the act. A number of Senators have described the unwarranted influence and scope which might result from the enactment of the proposed legislation.

The Supreme Court, in deciding cases arising under administrative agencies, has repeatedly held that the affirmative action required to be taken by the agency must be related reasonably to the purposes of the act, and there are a number of instances where appellate courts have refused to enforce certain affirmative action orders of the National Labor Relations Board on the ground that those orders, or portions thereof, in the courts' opinions, were not calculated to effectuate the purposes of the National Labor Relations Act. Again, Mr. President, we must trust the courts.

The bill provides that the machinery of the agency would become effective after it had been alleged that an unfair employment practice had taken place.

In answer to that statement, the National Labor Relations Act contains a similar provision, and it is the established practice of the NLRB to require sworn allegations before commencing its investigations. On the other hand, neither the Federal Trade Commission Act nor the Clayton Act requires an allegation before the machinery of the Federal Trade Commission is brought into play. Under both those acts, the Federal Trade Commission may initiate its procedure when it has reason to believe that violations of the acts have taken place. Therefore these provisions of S. 101 are consistent with administrative history.

Moreover, the Fair Employment Practice Committee would have to prescribe in its rules and regulations the form in which the allegation must be made. Under the bill, Congress has 60 days in which to disapprove any such regulation.

Mr. President, I do not see anything inconsistent in the bill, nothing which has not already found its place in other acts, by congressional approval. I believe it follows the general trend, the general practice. I think a great deal of the authority which it is asserted is contained in the bill is not only found in other acts, but in some instances we may be mistaking the authority for the authority which is found only in other acts.

Mr. President, another statement has been made which I believe was derogatory of certain individuals or certain organizations that might be supporting the bill. For instance, the Southern Conference for Human Welfare seemed to come in for consideration. The name of Clark Foreman, of Atlanta, who was reelected president of that organization, was mentioned on the floor of the Senate. I do not know that I could say that the reference was highly complimentary, for if my memory serves me correctly, I think it was a derogatory observation.

I wish to read into the RECORD the names of some of the members of that organization. There are included in its list of officers Dr. Frank Porter Graham, president of the University of North Carolina, honorary president. I recall very well that he comes from the State of my good friend, the senior Senator from North Carolina [Mr. BAILEY]. He and I talked about him on the floor of the Senate, and if I recall the conversation correctly, the Senator from North Carolina said some complimentary things about the doctor.

There is Tarleton Collier, associate editor of the Louisville Courier-Journal, secretary; Dr. Alva W. Taylor, Nashville, Tenn., editor of the Mountain Life, treasurer; James A. Dombrowski, Nashville, executive secretary.

Mr. President, something has been said about Dr. James A. Dombrowski while I have been in the Chamber, and I believe it was stated that he was from New York. It is my good fortune to have a letter a paragraph of which refers to this celebrated and distinguished southern gentleman. The letter says:

> I happen to know Dr. Dombrowski as a very fine southerner and as an American of the highest type. I knew him when he was a student at the Union Theological Seminary in New York.

So he was in New York, but he was attending the Union Theological Seminary.

> I know of his untiring work in the cause of the Christian Church as well as in his humanitarian efforts.

It is my information, Mr. President—I am not at all sure about it, except that I recall it has been brought to my attention—that he is a southerner, that his father before him was a southerner, a southern minister, and that his grandfather was also a resident of the South.

Mr. EASTLAND. Mr. President——

Mr. MEAD. I stated at the very beginning that I was proceeding hastily to finish my remarks, that I was going to make observations in reference to certain statements and allegations which had been made, and when the bill comes before the Senate for a vote, I shall yield promptly and liberally, if I have opportunity to do so.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. MEAD. Mr. President, I ask that I have order. Is the President pro tempore going to enforce the rule? I am sorry I have to bring this to the attention of my colleagues a second or a third time.

The vice presidents of the organization are Paul Cristopher, Tennessee, regional director, CIO; Roscoe Dugnee, Oklahoma City, editor of the Black Dispatch; Mrs. Clifford Durr, Alexandria; Va., vice chairman of the National Committee To Abolish the Poll Tax; Methodist Bishop Paul B. Kern, Tennessee; William Mitch, United Mine Workers; and Hollis V. Reid, Brotherhood of Locomotive Firemen and Enginemen.

Mr. President, this organization is made up of residents of Southern States, individuals who hold responsible assignments to which they have been elected or selected by rather large representative bodies in the Southern States, and it occurs to me that when they submit their observations on legislation to the Senate they ought not to be held up to ridicule, there ought not to be allegations made that they are communistic, and it occurs to me that we would be better sports if we would just let the record stand if we could not say anything very good about them.

Mr. President, I desire to insert in the RECORD at this point, in order to expedite the progress of the debate, some editorials on the FEPC. This editorial comment was made during the war, when FEPC was in the full vigor of its influence with sufficient appropriations to carry out the purposes of the agency as it was set up by the late, lamented President Roosevelt. I shall not take time to read them, but I want to say that the southern press is represented in a very substantial way in support of the FEPC.

I should like to have printed in the RECORD an editorial from the Birmingham (Ala.) Age-Herald; one from the St. Louis (Mo.) Post-Dispatch; one from the Salisbury (N. C.) Post; one from the Durham (N. C.) Herald—I shall not name the newspapers of New York and other States—an editorial from the Asheville (N. C.) Citizen; another one from the Birmingham (Ala.) Age-Herald; another from the Durham (N. C.) Herald; another from the Knoxville (Tenn.) News-Sentinel.

Mr. JOHNSTON of South Carolina. Mr. President, unless they are read into the RECORD, I shall object.

Mr. MEAD. Mr. President, then they will not go in the RECORD, because I shall not delay the progress of this legislation by reading them.

The PRESIDENT pro tempore. Objection is heard.

Mr. MEAD. Mr. President, I regret that objection has been made. At a later date, when the Senate is a little more liberal with us, I shall have them printed in the RECORD, if I can.

Here is an article I shall read. I think it is important. I would have asked to have it inserted in the RECORD, but perhaps I would not be able to secure the opportunity to have it printed at this point in the RECORD. The article is from

Time magazine, and the title is "What Color Is Death?" It is as follows:

When a flu epidemic hit Georgia in 1938, it felled the only available white doctor in Jasper and Putnam Counties, left hundreds of his rural patients with one hard-to-swallow recourse. They had to call on gentle Dr. Frederick D. Funderburg, a Negro physician. Working virtually around the clock, Dr. Funderburg attended as many as 60 white patients a day, succeeded in checking the epidemic.

Convinced of his skill, grateful whites have been calling on him ever since with all sorts of ailments. The relationship between a Negro doctor and white Georgians was awkward at first, but Dr. Funderburg's competence has won him respect. Now 57, he shuttles busily between modest frame offices in both counties, where whites wait their turn along with Negroes. Among white people who visit him regularly are a bank official, a school teacher, several members of prominent Georgia families.

With a new flu season, Dr. Funderburg was not the only Negro who was overcoming prejudice with skill. Many a white southerner, unable to get his regular doctor, was turning to a Negro for help.

Tall, spare Dr Joseph B. Gilbert, 47, who practices in Georgia's Franklin and Hart Counties, got his start in 1937. He was asked to see a 60-year-old victim of pneumonia whose white doctor was ill. Frightened but confident, Dr. Gilbert pulled his patient through. He has since treated whites continually, delivered eight white babies.

In the little aristocratic town of Beaufort, S. C., brisk, 46-year-old Dr. Montgomery P. Kennedy has been at it even longer. A specialist in obstetrics, he handled his first white case—a woman with a postchildbirth hemorrhage—in 1930. He estimates that he has since delivered 85 white babies. With the local white doctors, he says, he gets along "just fine, except for one Connecticut Yankee."

Mr. President, I am not the author of this article. It was published in Time magazine. It may be completely accurate, it may be in error in some detail; but it goes to show that prejudice has no place when mankind and the problems of mankind, such as the one we are now considering, the right to work, the right to support our families, the right to keep body and soul together, are at stake. The article goes to show that we are making progress in the North and in the South, in the East and in the West, and it occurs to me that that progress can be accelerated by the enactment of this proposed legislation, which will create a limited authority that by the exercise of diplomacy, by the exercise of justice and of reason, will cut down the occasions of discrimination and eliminate the problems that have from time to time stirred up racial antipathy.

Mr. President, as I said when I began, I have given voice to what I thought were some general objections to the bill, and to some specific objections to the bill, and I have stated my interpretation of the bill contravening those objections. I did not intend that any of them should be specific. I wanted them to apply generally. I wanted to aid in my limited way those who are considering whether they will vote for or against the bill, in arriving at a decision.

Mr. President, when the bill finally comes before the Senate for discussion I shall be more specific, but I wanted to be brief on this occasion, and therefore I have endeavored to be as general as I could.

Mr. President, the goal of 60,000,000 jobs after reconversion presents another problem which is related to the pending measure. That goal will never be achieved if we fail to grant equal opportunity to all our citizens, as we did during the war, and as provided for in the Constitution of the United States.

The postwar period will prove to be a trying one. I am sure we all admit that. Not only must we close up the wounds of war, we must also untangle the almost unbelievably complicated economic problems caused by war. Foremost among these is the question of economic equality and opportunity. This can only be achieved by sound and forthright legislation by the Congress. Moreover, as we reconvert to peace we must remember that we cannot permit conversion to national bigotry, religious discrimination, and racial prejudice. Without equal opportunity for all our people, we will neither achieve our full economic strength nor realize the happiness and spiritual well-being, without which the world cannot long remain at peace.

With respect to the economic side, we all know that a sound civilian economy is an absolute essential in waging a war, particularly a long war. It is always desirable to permit the highest levels of civilian production consistent with obtaining the war material required for combat action and military training. This is an even more important consideration as the reconversion period progresses as it is today. We now have a direct obligation to our returning soldiers and sailors and war workers to provide them with jobs and decent living conditions, a task that can be accomplished only if civilian production is resumed quickly and on a large, national scale.

About 17,000,000 people are engaged in manufacturing and mining pursuits. Failure to provide work for even a small fraction of this number would have the most serious consequences if it existed for an appreciable length of time.

We are determined, now that the war is over, that we shall not witness a depression which will result in our returning veterans and war workers being unemployed.

We know that the period between the cancellation of war contracts and the complete resumption of civilian activities will be most difficult. But we also know that the resources of the Nation in materials, manpower, plant facilities, and purchasing power are sufficient to sustain an economy of a finer and better type than we ever enjoyed before the war.

A period of prolonged unemployment would induce people to cut down their purchases of consumer goods at the very time when their buying should increase and investments should be made for working capital. If the public should sit tight and wait until they know whether unemployment will last indefinitely, a period of hand-to-mouth buying would result. This in turn would cause retrenchment which would have far-reaching consequences even worse than the dizzy spiraling effect of inflation.

We have won complete military victory. We are now beginning the fight for maximum peace production. To win it we must promote the same national unity we achieved in war and the same extensive utilization of the Nation's manpower.

Therefore, the problem of discrimination in employment stems from the basic fact that the full utilization of the Nation's manpower is as great a problem in peace as it is in war. When discrimination is practiced in employment against properly qualified persons for reasons of race, color, creed, or ancestry, it deprives us of the fullest measure of our production potential. It lowers the standard of living. It reduces purchasing power and in general it retards economic progress. Surely it interferes with maximum employment.

Of all forms of discrimination, the type affecting economic livelihood is perhaps the most serious. It strikes at the very right to survival, since it deprives a man of the opportunity of making a living for himself and his family.

During the war there have been plenty of jobs and everywhere we heard talk of manpower shortages. But what will we do when jobs are not so plentiful? Are we going to sit by and wait for bitter competition to break out again and allow the evil hand of prejudice to close up outlets for the skills and abilities of our minority groups? Is it not wiser to act now and plan ahead, laying the foundation for genuine equality of opportunity for all groups that make up this great country?

Under Senate bill 101 management is left free to determine, as it always has, its own hiring, promotion, and discharge policies so long as there is no arbitrary discrimination because of race, color, creed, or national origin. Also labor unions remain free to manage their affairs in their own way, provided they do not deny the advantages of union membership and collective bargaining for reasons of race, color, creed, or national origin. But let us bear in mind that the FEPC does not attempt to outlaw prejudice. Prejudice is a human emotion and cannot by mere legislation be removed from the heart and mind of mankind. But Senate bill 101 does try to prevent overt acts of discrimination in employment and surely that is only just and right.

The Declaration of Independence is a statement of the basic principles of democracy, political and economic. The Constitution of the United States, with the Bill of Rights and the Civil War amendments, has embodied the political democracy of America. It is not yet fully realized, but its essential working is guaranteed. The permanent FEPC, as embodied in Senate bill 101, constitutes the implementation of our political democracy with industrial democracy. It is the long-awaited evidence that American democracy has come of age and that here in these United States we shall practice what the world hopes will eventually be realized—an equality of opportunity for men of all races, creeds, and origins.

Mr. President, we must see to it that this issue of economic opportunity is determined by the Congress. We cannot be fully satisfied that we are carrying out the philosophy of the Atlantic Charter or the "four freedoms," one of which is freedom from want, if we do not endeavor to the best of our ability to set an example for the world, and strive to eliminate the causes of discrimination in economic opportunity by setting up an instrumentality of government, guided by the Chief Executive and carefully supported, as the years go on, by recurring appropriations by Congress. It will be an agency in which I think we will take justifiable pride. It will be an agency which will have to report to us at frequent stated intervals. It will have to come before our committees and go into detail as to the record which it has made in order to secure recurring appropriations.

Mr. President, in the course of my comparatively brief talk this afternoon I hope that I have in nowise offended the feelings of any of my colleagues or said anything derogatory of any citizen of the United States, or any organization with which he may happen to be affiliated. I trust that I have kept within the rule. Surely I have meant no wrong, and I am thankful that I have had this opportunity to discuss the bill, answering, in the course of this rather brief talk, some of the general objections.

Mr. President, I subscribe to the tenets of this measure. In doing so, it occurs to me that I ought to be as considerate of my colleagues, of my fellow citizens, and of the membership of the other House of Congress as I can possibly be.

I yield the floor, in the hope that at another opportunity I shall have occasion to discuss with my colleagues the various objections which they may have thought of from time to time in connection with my talk.

Mr. RUSSELL and Mr. CHAVEZ addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from New York yield; and if so, to whom?

Mr. MEAD. Mr. President, I wish to yield the floor as an example of that conduct which I hope will become popular here, so that we may get down to the bottom of the question when the measure is before the Senate.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. MEAD. I yield for a brief question.

Mr. CHAVEZ. I believe that the Senator from New York made his main point in reference to the philosophy of the bill when he called the attention of the Senate to the fact that the bill represents the philosophy of a democracy as outlined by the Declaration of Independence and by the Constitution of the United States. I now ask if the point made by the Senator from New York fits in with the great idea which has been developed of late in the United States, of molding the mind of a little child along the lines of what America means when he swears allegiance to the flag?

I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one Nation, indivisible, with liberty and justice for all.

How does that fit the philosophy of this bill?

Mr. MEAD. My distinguished colleague has presented the question better than I could.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MEAD. I yield for a brief question or observation.

Mr. RUSSELL. I wish to ask the Senator some questions.

Mr. MEAD. I shall be glad to yield for a question; but I am not going to yield for a series of interrogations unless my colleague from Georgia will assist me in bringing the bill before the Senate.

Mr. RUSSELL. Of course, the Senator from New York is wholly within his rights in taking that position. I have been undertaking to defend the rights of Senators on this floor for several days, so I certainly shall not complain. I understood the Senator from New York to say at the outset of his remarks that he did not wish to be interrupted. That is a rather unusual request.

Mr. MEAD. I shall be glad to yield for a question, but I will not yield for a series of interrogations which will delay the time when the bill will be considered. I yield to the Senator from Georgia for a question.

Mr. RUSSELL. If the Senator will yield for questions, I shall be happy to phrase them as questions. One or two issues were presented by the Senator from New York which I should like to discuss with him.

Mr. MEAD. The Senator will have ample opportunity to discuss them with me at great length if he will aid me in bringing the bill before the Senate.

Mr. RUSSELL. The Senator from New York has been discussing the bill for a considerable time without its being before the Senate.

Mr. MEAD. The Senator from New York has discussed the bill for approximately an hour. Those on the other side have been discussing the bill for approximately a week.

Mr. RUSSELL. I am not complaining at the length of time the Senator consumed in discussing the bill. He made a very eloquent appeal to the emotions, upon which all the appeals in behalf of this legislation have been based. I enjoyed hearing him. I listened to every word he said. He made a very eloquent appeal to the emotions.

The Senator from New York has declined to discuss the questions which have been raised, but he certainly seems to base his refusal on rather specious grounds. After speaking for an hour, he says that he will not debate the matter further unless the bill is before the Senate. He has that right.

Mr. MEAD. Mr. President, I trust that my position will aid in expediting consideration of the bill. That is the only thought I have in mind.

Mr. RUSSELL. It seems to me that the same amount of time would be consumed whether the bill were under consideration or whether the pending question were a parliamentary motion relating to the Journal. The time of the Senate would be consumed, whatever might be the parliamentary situation.

Mr. O'DANIEL obtained the floor.

Mr. RUSSELL. Mr. President, without jeopardizing the rights of the Senator from Texas to the floor, I ask that for a quorum call, Senators should be present. Those of us who are opposing the bill are required to remain in the Chamber, and I believe that the proponents of the bill should be present.

The PRESIDENT pro tempore. Does the Senator from Texas yield for that purpose?

Mr. O'DANIEL. I yield for any purpose the Senator from Georgia desires.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

Mr. CHAVEZ. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. CHAVEZ. I thought the Senator had asked unanimous consent, and that the Chair would put the request.

The PRESIDENT pro tempore. As the Chair understood, the Senator from Georgia suggested the absence of a quorum.

Mr. RUSSELL. I did, Mr. President.

The PRESIDENT pro tempore. Thereupon the Chair directed that the roll be called.

Mr. CHAVEZ. I misunderstood. I thought the Senator from Georgia had asked unanimous consent.

Mr. RUSSELL. No; I suggested the absence of a quorum. It is still a constitutional right to suggest the absence of a quorum. The Constitution mentions a quorum, and the right to suggest a quorum cannot be abolished by a point of order.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Myers
Austin	Hickenlooper	O'Daniel
Bailey	Hill	Revercomb
Bankhead	Hoey	Robertson
Barkley	Huffman	Russell
Bilbo	Johnson, Colo.	Saltonstall
Brewster	Johnston, S. C.	Shipstead
Briggs	Langer	Smith
Butler	McCarran	Stanfill
Byrd	McClellan	Thomas, Utah
Chavez	McFarland	Tobey
Cordon	McKellar	Tydings
Donnell	McMahon	Wherry
Eastland	Maybank	White
Ellender	Mead	Wiley
Ferguson	Millikin	Willis
Gerry	Morse	Young
Hart	Murray	

The PRESIDENT pro tempore. Fifty-three Senators have answered to their names. A quorum is present.

Mr. O'DANIEL. Mr. President, I wish to assert at the beginning of my remarks that I am opposed to the FEPC. I also wish to make it clear that I congratulate the little group of Southern Democratic Members of the Senate who are endeavoring to save what is left of our democracy and our constitutional form of Government. I am glad to note that as a result of the roll call which has just been had, there are now a few more Senators present in the Chamber. There

have been very few here in the Chamber today, although while they were absent splendid words of wisdom were spoken which I wish they might have heard. However, whether Senators had responded to the roll call or not I should be very happy in noting the audience in the gallery, and especially the mixed audience of white and colored folk. Their presence makes me feel at home. During my campaigns in Texas some pretty large crowds attended the meetings which were held, and the colored folk were present as well as white folk. They seemed to enjoy the entertainment just as much as did the white folk. I certainly enjoyed their presence. Of course, the colored folk in Texas may vote if they wish to do so, but many of them do not vote. I may also say that many white folk do not vote in Texas. We have the poll tax in that State and it costs $1.75 for a person to vote. If some of our white folk do not wish to vote, they do not vote. Some of them think that it is not worth $1.75 to vote. But, anyway, whether they vote or not, the colored people in Texas used to come to our gatherings and hear what we had to say. They had been used to listening to the professional politicians in Texas and when they were enabled to come to a gathering and listen to a person who was making a good, honest campaign, they took advantage of the opportunity. I did not get the votes of those colored people, but I received their prayers. I want everyone to know that I appreciated the prayers of the colored folk as much as I appreciated the votes of the white folk.

Mr. President, I was born in the North. I chose Texas as the State of my residence on my own volition. I did not happen to be a Southerner by birth. I paid my railroad fare and went to Texas. I am glad that I did so, because I believe that the State of Texas is the greatest State of the Union. I believe the section of America covered by the State of Texas is the greatest section on earth. Nothing that I might say in favor of Texas could truly be said to be bragging, or exaggeration, because no exaggerated statement could be made with reference to that State. Texas is a wonderful State. I make that statement so that anything I say against the FEPC will not be construed as an infringement of the rights of the colored race. In the South we like the colored folk and they like us. Each of us keeps his place. I do not know what we would do without them or they without us. We get along well, but we do not live together. We do not marry each other. The colored people in Texas are proud of their race. They are just as proud of their race as the white people are proud of their race. I say, "Every man for his own country; every man for his own race, without infringing upon the rights of others."

That is the reason, Mr. President, that America has grown as it has grown during the past 150 years of its existence up until the time the New Deal took hold. Every American citizen, whether he was white or black, had equal opportunities, equal rights, and equal privileges. If the New Deal thinks that it can improve upon that situation, it is mistaken because America, at the time the New Deal took over, was the greatest Nation on the face of the earth. I regret that a small group of Southern Democratic Senators are mixed with some other Democratic Senators who are not of the same type, not of the Jeffersonian philosophy.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. EASTLAND. If I understand the Senator correctly, he is an anti-New Dealer. Am I correct?

Mr. O'DANIEL. If I did not make that implication clear, I am glad to say that I am against the New Deal. I am a Democrat. Practically all Democrats of whom I know are against the New Deal. Some people are and have been misled under the banner of the Democratic Party and led to believe that the party was practicing the philosophy of Jefferson, but in reality it was practicing the philosophy of the New Deal. I am an anti-New Dealer and an anti-FEPC'er.

The colored folk have been deceived so much that they like to know the truth. I know that when I was campaigning down in Texas the professional politicians there had gotten the State into terrible shape by creating a large public debt. We had a constitutional amendment which prevented a public debt in Texas, but the professional politicians found a way to get around that amendment. They did not call it a "public debt"; they called it a "deficit." That is a nice word, "deficit." Everyone in Texas is intelligent, and the people know what "deficit" means, but they did not pay much attention to it. It did not arouse their ire so much then as it did when I got into the campaign and told them that the professional politicians had been writing "hot" checks on the State treasury to the tune of about twenty-five or thirty million dollars. They got their dander up right then. They would put up with a deficit, but they did not like the idea of professional politicians in the statehouse writing "hot" checks, when if any common citizen wrote a "hot" check he would be put in the penitentiary.

Mr. CHAVEZ. Mr. President, will the Senator yield for a brief question?

Mr. O'DANIEL. I yield to the Senator for a brief question, or any other kind of question.

Mr. CHAVEZ. Were the politicians to whom the Senator refers Democrats or New Dealers?

Mr. O'DANIEL. They were mostly New Dealers, I am sorry to say, some of them cross-breeds. But when we call anything by its right name, most people understand it, so they understood when I told them the politicians had been writing "hot" checks, which is what they were doing. When they did not have the money in the treasury, they would write checks to pay State bills, but whoever received one of the checks would have to hold it until the money was available in the treasury, or discount the check.

After I became Governor, I recommended a constitutional amendment which would prevent State officials from writing "hot" checks on the State treasury. Of course, the people ratified the amendment as soon as it was submitted to them, although it was opposed by the New Deal Democratic committee in Texas prior to the election. But the people there are smart. They know what they want.

Whenever the Legislature of Texas makes an appropriation, before the appropriation bill goes to the Governor for his approval, it must go to the State comptroller, who much attach an affidavit to the bill that the money with which to pay the appropriation will be on the barrel head. If he does not attach his certificate, the bill does not go to the Governor, it goes back to the legislature, and it has to pass a tax bill to raise the money, or cut down the appropriation.

So Texas is not going the New Deal route, getting in debt head over heels. I wish we had a law in the Federal Government like the Texas law. We would not be in debt $275,000,000,000 or $300,000,000,000 if we had a law like that on the Federal statute books. I am not bragging about Texas, I am telling the facts.

It pays to tell the truth, and I want to tell the colored folk of this Nation that this FEPC is not an economic question at all, regardless of what it may have been called on the floor of the Senate. It is purely and simply a trick to try to steal the votes of the northern Negroes. It is a contest between the northern Republicans and the northern Democrats to steal the Negro votes. That is what it is in plain, ordinary language. Almost everyone understands that kind of language, just plain Texas language. However, I have not gotten down to plain Texas language yet. That would not be permitted on the floor of the Senate; it would have to be used outside.

It is against the rules of the Senate to impugn the motives of any other Senator, and I do not intend to do that; I wish to obey the rules of the Senate. I may refer to some of the bills which are introduced in the Senate, but I am not going to impugn the motives of any Senator who supports the kind of bill I am going to call the bill before us, because I want to obey the rules of the Senate. If I should say anything which might sound as if I were speaking about any Member of the Senate, it would be purely coincidental.

Mr. President, I think I can describe the bill better by telling a story. It is reported that a few years ago in one of the Northern States a group of bad white boys threw a skunk into a Negro camp meeting. It created quite a stir. The good brethren tried to throw the skunk out, just as the good brethren here are trying to throw this FEPC bill out. I would not exactly say they threw a skunk into the Senate, but I will say that when they threw this FEPC bill in, they threw in something which stinks worse than a skunk. Why do they call it S. 101? There may be some significance in the "S" which precedes the "101."

Many have been wondering, ever since the episode of those white boys throwing the skunk into the Negro camp meeting, what happened to those white boys after they grew up. The supposition might be that they became politicians

and were elected to some great legislative body.

Mr. President, the Senators who sponsor or support the Unfair Employment Practice Commission bill may be sincere. I do not say they are not sincere. I knew a girl once who was sincere, and she married a cruel beast of a man. She did not know what he was until after she was married. She made a mistake. So we will find out what this FEPC bill is if it ever should become a law, which God forbid.

My mail indicates that many soundthinking people recognize that the question raised by this bill is not an economic problem, but is purely political. As I stated a while ago, it is a contest between certain office seekers to get Negro votes.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. O'DANIEL. I am glad to yield to the Senator from Mississippi.

Mr. EASTLAND. Does the distinguished Senator know that a few nights ago, on the night of January 17, at a meeting held at the Asbury Methodist Church in the city of Washington, at Eleventh and K Streets, a meeting entitled "To Save FEPC," the principal speaker was one Benjamin J. Davis, a Negro Communist councilman from the city of New York, and that in his speech he stated that the agitation for FEPC was coming from Moscow, and what did they care if Moscow got them the FEPC?

Mr. O'DANIEL. No, I did not know that; but I am firmly convinced that the philosophy of this FEPC bill is purely communistic, and I should not be surprised to learn that it originally came from Moscow. However, as I have stated, I do not claim that everyone who supports the bill is communistic.

Mr. EASTLAND. The point was that the agitation and the driving power were being directed from Moscow.

Mr. O'DANIEL. I think the whole thing was generated in Moscow and that everything emanating from Moscow is a part of the program to overthrow our American form of government.

Mr. President, it may not be unfair practice for professional politicians to fight verbally for votes, but it certainly is unfair practice to misbrand a bill. This bill is certainly misbranded. It is strictly an unfair employment practice bill, erroneously labeled a fair employment practice bill.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield for a question.

Mr. WHERRY. Did I understand the Senator from Mississippi to say that this fair employment practice bill originated in Moscow?

Mr. EASTLAND. No.

Mr. WHERRY. Just what did the Senator say?

Mr. EASTLAND. I stated that on the night of January 17 a meeting was held at Asbury Methodist Church, in the city of Washington, a church located at the corner of Eleventh and K Streets, a meeting called for the purpose of saving FEPC; that one Benjamin J. Davis, a Negro Communist city councilman of the city of New York, stated there that the agitation for FEPC was being directed from Moscow, and what did the audience care if Moscow secured for them the FEPC.

Mr. CHAVEZ. Mr. President, will the Senator from Texas yield to me so I may ask the Senator from Mississippi a question?

Mr. O'DANIEL. I am glad to yield to the Senator from New Mexico so he may ask a question of the Senator from Mississippi?

Mr. CHAVEZ. Has the Senator from Mississippi reached the point now where he has faith in the statement of a Negro?

Mr. EASTLAND. I simply stated that that statement was made on that occasion by the councilman from the city of New York. I know that communism breeds on strife and discord, and because I know that it attempts to array race against race and religion against religion and class against class and bring disunity into any country, so that it can in the chaos which it has created take control, I am absolutely confident that the driving power here comes from the Communist Party.

Mr. CHAVEZ. And the statement was made by a Negro?

Mr. EASTLAND. The statement that I related was made on that occasion by the Negro Communist councilman of the city of New York.

Mr. CHAVEZ. So the Senator has reached the point where he believes the statement of a Negro Communist councilman from New York?

Mr. EASTLAND. As I told the distinguished Senator, I know that all this agitation and arraying of race against race and class against class and religion against religion and person against person, and creating strife and turmoil, is the communistic way of taking control of any area. I know that that is what is happening in this country, and this measure has all the earmarks of being a part of that plot.

Mr. O'DANIEL. I may say further to the Senator from New Mexico, although he did not direct his question to me, that I would rather take the word of a colored man who is being robbed of his vote than I would the word of a white man who was stealing the colored man's vote by trickery.

Mr. CHAVEZ. I was asking the Senator from Mississippi whether he had reached the point in life where he had confidence in the statement of a so-called Negro Communist from the city of New York.

Mr. EASTLAND. I think the Communist Negro Councilman Davis was telling the truth on that occasion.

Mr. WHERRY. Mr. President, will the Senator from Texas yield for another question?

Mr. O'DANIEL. Yes, I am glad to yield to my friend the Senator from Nebraska, because I realize that he is at heart against this kind of legislation, but because of his Republican label, he is going along with the boys. I think he is one of the finest Senators in the Senate, and I want to "brag on him."

Mr. WHERRY. With that very flattering testimonial I should like to ask another question of the distinguished Senator from Mississippi.

Mr. O'DANIEL. The Senator has my permission.

Mr. WHERRY. It came to my attention today in the way of information relayed to my office, that this bill was sponsored by the Political Action Committee of the CIO. Does the Senator care to make an observation on that subject, inasmuch as he has answered another question I asked? I should like to have the Senator go on record, if he has an observation to make in reference to that question, because I think these things ought to be brought out into the open, and if this bill is sponsored by the CIO Political Action Committee we should know it.

Mr. EASTLAND. In my opinion CIO is communistic. In my judgment the Political Action Committee of the CIO is merely an arm of the Communist Party. I know that the PAC—I say I know—I have seen the figures to the effect that the PAC was alined officially with 147 Communist front organizations. I am advised that that is true by employees of the Un-American Activities Committee. When I speak of communism and the Political Action Committee of the CIO, I think they are one and the same thing. There are millions of good, loyal Americans who belong to the CIO, but its leadership is communistic and its leadership is rotten to the core, and I think it is bent upon destroying America.

Mr. WHERRY. Mr. President, will the Senator from Texas yield for one more question?

Mr. O'DANIEL. I am glad to yield to the Senator from Nebraska for that purpose.

Mr. WHERRY. I appreciate the answer made by the distinguished Senator from Mississippi. I should like to ask him another question. In connection with his activities in investigating this proposed legislation can the Senator put his finger on a member of the Political Action Committee who has actually sponsored the legislation and is promoting it in the Halls of the Capitol Building?

Mr. EASTLAND. Of course representatives of the PAC——

Mr. CHAVEZ. I think I can answer, if the Senator from Texas will permit me.

Mr. EASTLAND. Mr. President, the Senator from Nebraska asked me the question.

Mr. O'DANIEL. Mr. President, I yielded to the Senator from Mississippi to answer the question.

Mr. EASTLAND. Of course no representative of the PAC would call on the Senator from Mississippi, but the newspapers are full of information that it is sponsored by them. I read their newspapers. I read their periodicals. When I see the activities of some of our friends there is no doubt in my mind about it.

Mr. WHERRY. I want to thank the Senator for his answer. I should like to ask another question, this time of the Senator from New Mexico, if the Senator from Texas will yield for that purpose.

Mr. O'DANIEL. Certainly; I am glad to yield to the Senator from Nebraska in order that he may ask a question of the Senator from New Mexico, the author of the bill.

Mr. WHERRY. I want to ask if the Senator from New Mexico knows any member of PAC who has been identified as the representative of that committee of the CIO in sponsoring this legislation?

Mr. CHAVEZ. I do not know one single member of the PAC as such. I do know that representatives of the CIO, as such, appeared before the committee and spoke in favor of the bill. I also know that representatives of the American Federation of Labor appeared before the committee in favor of the bill. I do not know a single man connected with the PAC. Not a single member of it appeared before the committee.

Mr. WHERRY. Mr. President, will the Senator again yield?

Mr. O'DANIEL. I yield to the Senator from Nebraska.

Mr. WHERRY. I am not a proponent of this measure, but I have gone along, as Senators know, to expedite the matter. I should like to ask the distinguished Senator, if it is not too personal a question, if he drafted the pending legislation?

Mr. CHAVEZ. That is a fair question and I will answer it. I drafted this legislation, yes; with as much honesty and as much sincerity of purpose as any legislation that has been drafted with the cooperation of the Senator from Nebraska.

Mr. WHERRY. And to the Senator's knowledge in drafting the legislation it had no connection with any suggestion made by members of PAC, representative of the CIO?

Mr. CHAVEZ. Except as they might have belonged to the CIO.

Mr. WHERRY. I understand that.

Mr. CHAVEZ. So far as labor organizations were concerned CIO appeared before the committee and testified in the presence of the Senator from Vermont [Mr. AIKEN], who cannot be accused of being a Communist any more than can the Senator from Mississippi; in the presence of the Senator from Kansas [Mr. CAPPER]; in the presence of many other Senators. Not only that, I do not care what Senators tell me, but Bishop G. Bromley Oxnam, of the Federated Churches of Christ in America, is not a Communist, and he appeared before the committee. No one accuses him of being a Communist. Members of almost every other denomination appeared before the committee. Let me tell the Senator from Nebraska, with the indulgence of the Senator from Texas, if he will permit me——

Mr. O'DANIEL. I am glad to.

Mr. CHAVEZ. The redeeming feature, the real thing that inspired us to vote to report this bill was that for the first time in the history of legislation we did not have a divided clergy. We had the Protestant, the Catholic, the Jew, and the unbeliever fighting for democracy, as we understand it in America. Representatives of practically all religions appeared before the committee and testified.

Mr. EASTLAND. Mr. President, will the Senator yield to me for a question?

Mr. O'DANIEL. I yield.

Mr. EASTLAND. The Senator from New Mexico said there was not a divided clergy in connection with this bill. I should like to read to the Senator a letter from the American Council of Christian Churches, 15 Park Row, New York 7, N. Y. The letter is dated January 25, 1946, and is as follows:

DEAR SENATOR EASTLAND: Permit this organization to voice a very earnest protest against the fair employment practice bill, which, if passed, would result in distressing regimentation.

The attached resolution will, we hope, be of interest to you. It has been gratifying to see the wisdom and courage of southern Senators in particular who are opposing the measure. If representatives of this council could be of any service sitting with committees, or in any other way, in blocking the passage of this undesirable bill, they would be only too glad to go to Washington for that purpose.

Cordially yours,

WM. HARLLEE BORDEAUX,
General Secretary.

This is a copy of the resolution unanimously adopted by the American Council of Christian Churches meeting at St. Louis, October 1945:

We oppose passage of the national fair employment practice bill. This is basically a spiritual problem. We hope that the issues concerned will be given careful and mature consideration by the Christian people of the land.

The proposed legislation would abolish the free labor market—

I ask Senators to mark that—

would abolish the free labor market and take a long step toward the totalitarian State. It attempts to force by law what can only be secured by the patient processes of education and growth. It is, therefore, subversive to its alleged aims and will sharpen rather than moderate racial differences.

I submit to the distinguished Senator from Texas that it is certainly true that the passage of this bill will sharpen rather than moderate racial differences. The resolution continues:

From the strong support given this measure by Communists and left-wing forces—

I ask Senators to get that—

From the strong support given this measure by Communists and left wing forces, whose technique is to stir up rather than to solve racial problems, we conclude that they desire to bring confusion into our national life in an effort to supplant our free system with Marxian totalism.

It is our profound conviction that only as men are born from above by the power of God through faith in Jesus Christ will they be able to live in completely right relations with each other.

I submit to the distinguished Senator from New Mexico that that is a resolution by one of the greatest church organizations in the country. Certainly the Senator cannot successfully contend that there is no division among the clergy or churches of the country over this bill.

Mr. CHAVEZ. I did not say that.

Mr. O'DANIEL. I thank the Senator.

I wish to call attention to the fact that not only does this kind of legislation stir up strife and increase animosity between the various races but it is creating strife and stirring up animosity and downright hatred among people of the same race.

CONSIDERATION OF EXECUTIVE CALENDAR

Mr. BARKLEY. Mr. President, will the Senator from Texas yield to me?

Mr. O'DANIEL. I am glad to yield with the understanding that unanimous consent may be granted that I shall not lose the floor.

Mr. BARKLEY. Certainly.

Mr. O'DANIEL. I yield with that condition.

Mr. BARKLEY. Mr. President, I ask unanimous consent, as in executive session, for the consideration of the Executive Calendar at this time, without prejudice to the rights of the Senator from Texas.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Kentucky? The Chair hears none.

First, the Chair wishes to lay before the Senate certain messages from the President of the United States.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. The clerk will state the nominations on the executive calendar.

REGISTER OF LAND OFFICE

The legislation clerk read the nomination of Mrs. Eudochia Bell Smith to be register of the land office at Denver, Colo.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

WAR DEPARTMENT—ASSISTANT SECRETARIES OF WAR

The legislative clerk read the nomination of Howard C. Petersen to be Assistant Secretary of War.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of W. Stuart Symington to be Assistant Secretary of War.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

THE TAX COURT OF THE UNITED STATES

The legislative clerk read the nomination of Byron B. Harlan to be judge of The Tax Court of the United States for the unexpired term of 12 years from June 2, 1936.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES MARITIME COMMISSION

The legislative clerk read the nomination of Richard Parkhurst to be a member of the United States Maritime Commission.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEYS

The legislative clerk read the nomination of John D. Hill to be United States attorney for the northern district of Alabama.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Patrick J. Gilmore, Jr., to be United States attorney for division No. 1 of Alaska.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The legislative clerk read the nomination of August Klecka to be United States marshal for the district of Maryland.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

COLLECTORS OF CUSTOMS

The legislative clerk read the nomination of Craig Pottinger to be collector of customs for customs collection district No. 26, with headquarters at Nogales, Ariz.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Louis T. Rocheleau to be collector of customs for customs collection district No. 5, with headquarters at Providence, R. I.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

SELECTIVE SERVICE SYSTEM

The legislative clerk proceeded to read sundry nominations in the Selective Service System.

Mr. BARKLEY. I ask that the nominations in the Selective Service System be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the Selective Service System are confirmed en bloc.

UNITED STATES COAST GUARD

The legislative clerk read the nomination of John H. Cornell to be commodore, for temporary service in the United State Coast Guard, to rank from January 1, 1946.

The PRESIDENT prc tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John S. Baylis to be commodore, for temporary service in the United States Coast Guard, to rank from January 1, 1946.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. BARKLEY. I ask that the Army nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the Army nominations are confirmed en bloc.

FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the foreign service.

Mr. BARKLEY. I ask that the nominations in the foreign service be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the foreign service are confirmed en bloc.

That completes the calendar.

Mr. BARKLEY. I ask that the President be immediately notified of all nominations confirmed this day.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith of all nominations confirmed today.

Mr. BARKLEY. I thank the Senator from Texas.

Mr. O'DANIEL. I am glad to have had the opportunity to accommodate the majority leader by yielding to him.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. O'DANIEL. Just a moment, and then I shall be glad to yield again to the Senator from Nebraska.

Mr. President, at the opening of my remarks I stated that if one tells the truth it accomplishes much more than beating around the bush. It seems that the few plain remarks which I have made brought forth a great deal of discussion directed to the very heart of the bill. I appreciate the questions asked by the Senator from Nebraska [Mr. WHERRY] of the Senator from New Mexico [Mr. CHAVEZ], in his honest endeavor to ascertain whether or not the CIO, the PAC, or the Communists had anything to do with writing the bill.

For the purpose of clarifying the RECORD, Mr. President, I invite attention to the fact that the bill states on its face that it was introduced by the Senator from New Mexico [Mr. CHAVEZ] for himself, the Senator from California [Mr. DOWNEY], the Senator from New York [Mr. WAGNER], the Senator from Montana [Mr. MURRAY], the Senator from Kansas [Mr. CAPPER], the Senator from North Dakota [Mr. LANGER], and the Senator from Vermont [Mr. AIKEN]. I would not wish to make any insinuations whatever that any of the Senators whose names appear on the bill as coauthors are in any way connected with the Communist party, the CIO, or the PAC. I hope that no one will gain that impression. The bill was introduced in all sincerity by the Senator from New Mexico and his associates, and that is where I wish to let the matter stand.

However, there are many who surmise that, because of the intense interest manifested by the Communists, the CIO, and the PAC, the bill represents their philosophy, although it migh thave been innocently written by some of the finest Members of this body. We all know—at least I know, and many others know—that the Communists and the CIO-PAC, in their effort to undermine our great constitutional form of government and destroy it, are very clever. They try to hide behind this person and that person. Some of them come out into the open, but the instigators of the crime stay in the background. They work in much the same fashion as do the gophers in my section of the country. One can see the dirt moved, but he cannot see the gopher, although he knows he is there.

I now yield to the Senator from Nebraska.

Mr. WHERRY. Mr. President, I wish to thank the distinguished Senator from Texas, and also the Senator from New Mexico. These rumors are floating around. We might as well get to the heart of the question and ascertain the truth. I wish to clear up the question. I thank Senators who participated in the discussion. I hope that if there is anything else that can be added, it will be added. The questions which I have asked have come to me through suggestions made by persons who have come to my office and made certain allegations. I believe that the proponents of the measure have a perfect right to stand on the floor of the Senate and give us the facts about the proposed legislation. I for one wished to know, and I still wish to know, if this philosophy has come from Moscow, and whether it is introduced here by the Political Action Committee of the CIO. I think we have a right to know. I certainly agree with the distinguished Senator from Texas as to the ability and good purposes and intentions of the distinguished Senator from New Mexico and those associated with him in introducing the bill. However, I feel that a defense should be made to the allegation, and that it should be cleared up on the floor of the United States Senate.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'DANIEL. I am glad to yield to the distinguished Senator from New Mexico with the understanding that I do not lose the floor.

Mr. CHAVEZ. I wish to make a brief observation.

The Senator from Nebraska has been in public life long enough, and has been a Member of this body for a sufficient length of time to know that any fair question will be answered by any Senator on either side of the aisle. I have no apologies to make for the part I took in preparing the bill. I hope the Senator from Nebraska is not so naive as to believe the rumors which are floating around, which indicate a certain degree of guilt in certain Members of this body. No matter what the Senate does, there is bound to be criticism from some quarters. If the Senate passes a tax bill in the best of faith, some Senator will be accused of trying to protect someone.

Yesterday the Senator from Nebraska made a fine address on an important matter which should be discussed before the American people; but there is no doubt in my mind that someone somewhere will accuse the Senator of ulterior motives. All we need to do is to be clear in our own consciences, and let the rumors take their course.

Mr. WHERRY. I hope the distinguished Senator will not misunderstand me. The point was raised this afternoon when I asked the question as to whether or not the philosophy of the bill came from Moscow. I believe the Senator will recall that question.

Mr. CHAVEZ. Yes.

Mr. WHERRY. Inasmuch as the question has been raised by one of our most distinguished Senators, I wish to know the source of the rumors.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield to the Senator from Mississippi.

Mr. EASTLAND. Let me tell the distinguished Senator from Nebraska that while none of the authors of the bill has any connection with communism, the philosophy of the bill is certainly the philosophy of Moscow; and if I can obtain the floor before the debate is over I intend to speak on that point.

Mr. CHAVEZ. Mr. President, will the Senator from Texas yield to me?

Mr. O'DANIEL. I yield to the Senator from New Mexico for a question.

Mr. CHAVEZ. I wish my friend from Mississippi would get to the point of not believing rumors or coming to conclusions with respect to philosophies on the basis of rumors. So far as I am concerned—and I am sure that I speak for all the proponents of the bill and the majority of Senators, who would like to vote for the bill—we have no desire whatever to get away from the American system of government. I could, if I were so inclined, reach conclusions on the basis of statements made by persons who come to my office. I know that they are wrong when they accuse Senators who are opposing the bill of ulterior motives, when they accuse them of opposing the bill not because they are against communism, not because they want to protect the Constitution, but for political reasons. I do not wish to believe that. I want to believe that the Senator from Texas and the Senator from Mississippi are fighting the bill because they think it is wrong.

Mr. EASTLAND. Of course.

Mr. CHAVEZ. But do not accuse anyone of being a Communist merely because he supports the bill. There are plenty of rumors going around as to why certain Senators are opposing the bill; but it is not communistic.

Mr EASTLAND. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield to the Senator from Mississippi.

Mr. EASTLAND. The Senator from Mississippi is not accusing the Senator from New Mexico or anyone else of ulterior motives in connection with the bill. I know that the Senator from New Mexico acted in good faith. However, the fact remains that the philosophy of depriving a man of the right of trial by jury and of other great safeguards to human liberty is the philosophy of Moscow. The debate has proved that under the terms of the bill American citizens would be deprived of their liberties. That is certainly the philosophy of Moscow. It is the philosophy of totalitarianism. It is the philosophy of the secret star-chamber trials which we have seen conducted in the Soviet Union.

The distinguished Senator from New Mexico is acting in entire good faith. He is honest and honorable. No one is accusing him of ulterior motives. However, the fact remains that the bill reflects the philosophy of Moscow; and the distinguished Senator from New Mexico was one of the first proponents of the bill to admit the necessity of drafting changes in his own measure.

Mr. CHAVEZ. Mr. President——

Mr. EASTLAND. Mr. President, will the Senator from Texas yield to me for a moment, without prejudicing his right to the floor?

Mr. O'DANIEL. I yield.

Mr. EASTLAND. I suggest the absence of a quorum.

The PRESIDENT pro tempore. Does the Senator from Texas yield for that purpose?

Mr. O'DANIEL. I yield.

Mr. CHAVEZ. Mr. President, will the Senator withhold his request for a moment, while I make an observation in answer to his remarks?

Mr. EASTLAND. Certainly.

Mr. CHAVEZ. Will the Senator from Texas yield to me for an observation?

Mr. O'DANIEL. I yield.

Mr. CHAVEZ. No one is more against the philosophy of the Communists than I am; and I have a right to come to that conclusion.

Mr. EASTLAND. Of course——

Mr. CHAVEZ. Pardon me. Let me finish.

A short while ago the Senator from Mississippi read a letter from a minister of the gospel, wherein he spoke of free labor markets. I am told that that is a communistic philosophy; that it is a thing that could happen in Russia, but not in the United States. However, I do not accuse the Senator from Mississippi of being for that philosophy merely because he read that letter.

Mr. President, I am not in favor of a free labor market. I am in favor of a market where those who work receive good pay which will enable them to maintain our American standards of living. I am not in favor of a free labor market such as the Senator from Mississippi favors.

Mr. EASTLAND. Mr. President, the Senator from New Mexico flees when no man pursueth. No man has charged the Senator from New Mexico with being a Communist, but the fact remains that the philosophy of his bill is communistic.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield, if I may do so with the understanding that I do not lose the floor.

RECESS

Mr. CHAVEZ. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 37 minutes p. m.) the Senate took a recess until tomorrow, Friday, February 1, 1946, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 31 (legislative day of January 18), 1946:

NATIONAL MEDIATION BOARD

Frank P. Douglass, of Oklahoma, to be a member of the National Mediation Board for the term expiring February 1, 1949.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Melford G. Cleveland, Randolph, Ala., in place of M. G. Merchant, retired.

CALIFORNIA

John G. Walsh, Auburn, Calif., in place of W. A. Shepard, deceased.

Pansy Lockett, Calimesa, Calif. Office became Presidential July 1, 1945.

COLORADO

Grace Warren, Dillon, Colo. Office became Presidential July 1, 1945.

ILLINOIS

Martha Ramsey, Oak Forest, Ill., in place of J. W. Jesk, resigned.

IOWA

Harvey Mason, Deloit, Iowa. Office became Presidential July 1, 1945.

Anna M. Eikenbary, Fertile, Iowa, in place of C. E. Eikenbary, retired.

KANSAS

Mary Fanny Brown, Hardtner, Kans., in place of P. A. McCann, resigned.

Helen G. Noel, Muncie, Kans., in place of I. A. Wiles, resigned.

MAINE

Wilfrid L. Spruce, Milford, Maine. Office became Presidential July 1, 1943.

MICHIGAN

Elmer O. Hoyer, Dollar Bay, Mich., in place of A. G. Kindelan. Incumbent's commission expired February 2, 1942.

Pauline M. Wood, The Heights, Mich., in place of Ida Parker, retired.

MINNESOTA

Lydia M. Parsley, Brownsdale, Minn., in place of J. H. Risius, resigned.

MISSOURI

Dorothy B. Bohr, Easton, Mo., in place of G. F. Kimball, retired.

Bernadine M. Dickherber, Old Monroe, Mo., in place of W. G. Schacher, transferred.

MONTANA

Eleanor H. O'Connor, Livingston, Mont., in place of O. D. Clement, resigned.

NEBRASKA

Jeanette Reinmiller, Staplehurst, Nebr. Office became Presidential July 1, 1945.

Pauline N. Swett, Wood Lake, Nebr., in place of J. Q. Kirkman, transferred.

NEW JERSEY

Charles A. Osborn, Breton Woods, N. J. Office became Presidential July 1, 1945.

NEW MEXICO

Robert E. Jackson, Hobbs, N. Mex., in place of C. K. Johnson, resigned.

NEW YORK

Sherleigh L. Westerdahl, Gerry, N. Y., in place of B. E. Tompkins, retired.

Mildred F. Drennan, Kendall, N. Y., in place of P. E. Preston, resigned.

Bernard C. Putnam, Stockton, N. Y. Office became Presidential July 1, 1945.

Donald S. Sutphen, Valois, N. Y. Office became Presidential July 1, 1945.

Doris C. Frosdick, Waterport, N. Y. Office became Presidential July 1, 1944.

NORTH CAROLINA

Ella M. Felton, Macclesfield, N. C., in place of J. T. Winstead, retired.

NORTH DAKOTA

Sylvia L. Wright, Courtenay, N. Dak., in place of M. L. Pederson, removed.

OKLAHOMA

Mary F. Cavender, Porum, Okla., in place of J. V. Cavender, deceased.

OREGON

Bryan Dieckman, Myrtle Creek, Oreg., in place of M. H. Sitter, deceased.

PENNSYLVANIA

Jean E. McCue, Atlasburg, Pa. Office became Presidential July 1, 1945.

Loma Gwynne, Brownfield, Pa. Office became Presidential July 1, 1945.

Agnes Duffy, Cardale, Pa. Office became Presidential July 1, 1944.

Norman D. MacMullan, Center Square, Pa. Office became Presidential July 1, 1945.

Besse Daugherty, East Millsboro, Pa. Office became Presidential July 1, 1944.

Harriet B. Parkins, Elco, Pa. Office became Presidential July 1, 1945.

Elisabeth L. Pierro, Hiller, Pa. Office became Presidential July 1, 1944.

Edward R. Sparks, Indian Head, Pa. Office became Presidential July 1, 1944.

Gertrude E. Shank, Normalville, Pa. Office became Presidential July 1, 1945.

Leona S. Mansuy, Ralston, Pa. Office became Presidential July 1, 1944.

Pete D. Lapenta, Uledi, Pa. Office became Presidential July 1, 1945.

Robert B. Boerio, Wendel, Pa. Office became Presidential July 1, 1945.

Harold P. Henry, Westland, Pa. Office became Presidential July 1, 1945.

SOUTH DAKOTA

Thomas E. Callan, Mitchell, S. Dak., in place of A. J. Rozum, resigned.

Frank X. Clarey, Sisseton, S. Dak., in place of J. A. Robertson, removed.

TENNESSEE

Flora B. Williams, Buena Vista, Tenn. Office became Presidential July 1, 1944.

Ervin M. Peters, Clarkrange, Tenn. Office became Presidential July 1, 1945.

TEXAS

Esther E. Walker, Blessing, Tex., in place of M. F. Selkirk, retired.

Madison G. Wilson, Maypearl, Tex., in place of C. N. Hooser, retired.

Hattie M. Stadden, Wilmer, Tex. Office became Presidential July 1, 1945.

UTAH

William A. Rhodes, Ferron, Utah., in place of Melvin Bryan, transferred.

WASHINGTON

John W. Weaver, Rochester, Wash., in place of P. B. Hoover, deceased.

WISCONSIN

Bessie L. Severson, Couderay, Wis. Office became Presidential July 1, 1945.

Violet M. Wiita, Iron Belt, Wis. Office became Presidential July 1, 1945.

Stanley Jasicki, Weyerhauser, Wis., in place of F. L. Daniels, transferred.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 31 (legislative day of January 18), 1946:

FOREIGN SERVICE

APPOINTMENTS OR PROMOTIONS

Ambassador Extraordinary and Plenipotentiary of the United States of America to Belgium and to serve concurrently and without additional compensation as Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Luxembourg

Vice Adm. Alan G. Kirk

Consul generals of the United States of America

Sydney B. Redecker
Robert Lacy Smyth

Consuls of the United States of America

Merritt N. Cootes	William Witman 2d
Edward P. Maffitt	Elbert G. Mathews
S. Roger Tyler, Jr.	Leon L. Cowles

PROMOTIONS IN THE FOREIGN SERVICE, EFFECTIVE DECEMBER 17, 1945

Foreign-service officers of class 1

Merwin L. Bohan	Julian F. Harrington
George H. Butler	Harry C. Hawkins
J. Rives Childs	George D. Hopper
Walter A. Foote	Charles A. Livengood
George R. Merrell	Harold Shantz
John J. Muccio	Edwin F. Stanton
Alfred T. Nester	Clifford C. Taylor
Albert F. Nufer	John Carter Vincent
Christian M. Ravndal	

Foreign-service officers of class 2

Donald F. Bigelow	Thomas McEnelly
Harry E. Carlson	Warwick Perkins
Cecil Wayne Gray	Austin R. Preston
David McK. Key	Joseph C. Satterthwaite
Marcel E. Malige	

Foreign-service officers of class 3

Gilson G. Blake
Leonard G. Dawson

Foreign-service officers of class 4

George M. Abbott	Charles A. Hutchinson
George D. Andrews	John B. Ketcham
Robert D. Coe	George D. LaMont
Charles H. Ducoté	Rufus H. Lane, Jr.
Archibald E. Gray	James E. Parks
Benjamin M. Hulley	Eric C. Wendelin

Foreign-service officers of class 5

Earl T. Crain	John Peabody Palmer
Frederic C. Fornes, Jr.	Elim O'Shaughnessy

Foreign-service officers of class 6

Hiram Bingham, Jr.	Reginald P. Mitchell
Walter J. Linthicum	Paul H. Pearson
Odin G. Loren	

Foreign-service officers of class 8

V. Harwood Blocker	Keeler Faus
William H. Christensen	Sidney K. Lafoon
	Harry Clinton Reed
Clifton P. English	Terry B. Sanders, Jr.
Thomas S. Estes	Merlin E. Smith

REGISTER OF LAND OFFICE

Mrs. Eudochia Bell Smith to be register of the land office at Denver, Colo.

WAR DEPARTMENT

ASSISTANT SECRETARIES OF WAR

Howard C. Petersen
W. Stuart Symington

THE TAX COURT OF THE UNITED STATES

Byron B. Harlan to be a judge of The Tax Court of the United States for the unexpired term of 12 years from June 2, 1936.

UNITED STATES MARITIME COMMISSION

Richard Parkhurst to be a member of the United States Maritime Commission for the unexpired term of 6 years from April 16, 1942.

UNITED STATES ATTORNEYS

John D. Hill to be United States attorney for the northern district of Alabama.

Patrick J. Gilmore, Jr., to be United States attorney for division No. 1 of Alaska.

UNITED STATES MARSHAL

August Klecka to be United States marshal for the district of Maryland.

COLLECTORS OF CUSTOMS

Craig Pottinger to be collector of customs for customs collection district No. 26, with headquarters at Nogales, Ariz.

Louis T. Rocheleau to be collector of customs for customs collection district No. 5, with headquarters at Providence, R. I.

SELECTIVE SERVICE SYSTEM

Troy W. Lewis to be Chief, Legal Division, Arkansas State headquarters, Selective Service System, with salary of $5,180 per annum.

Colgate Hoyt to be Assistant Chief, Veterans' Personnel Division, national headquarters, Selective Service System, with salary of $6,230 per annum.

Louis Carl Pedlar to be information analyst, national headquarters, Selective Service System, with salary of $5,180 per annum.

Edmund A. Flagg to be executive, Communications and Records Division, national headquarters, with salary of $5,180 per annum.

IN THE ARMY

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES

Thomas Jefferson Davis to be Assistant The Adjutant General, with the rank of brigadier general, for a period of 4 years from date of acceptance.

Roscoe Campbell Crawford to be Assistant to the Chief of Engineers, with the rank of brigadier general, for a period of 4 years from date of acceptance.

Thomas Bernard Larkin to be Quartermaster General, with the rank of major general, for a period of 4 years from date of acceptance.

To be assistants to the Quartermaster General, with the rank of brigadier general, for a period of 4 years from date of acceptance

George Anthony Horkan
John Brandon Franks
Herman Feldman

To be assistants to the Surgeon General, with the rank of brigadier general, for a period of 4 years from date of acceptance

Raymond Whitcomb Bliss
George Corwin Beach, Jr
Edward Allen Noyes

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

To Quartermaster Corps

Lt. Col. Edwin Joseph McAllister.
Lt. Col. Arthur Launcelot Moore.
Maj. George Patrick O'Neill.
First Lt. Charles Theodore Biswanger, Jr.

To Finance Department

Capt. Stilson Hilton Smith, Jr.

To Ordnance Department

Lt. Col. Clarence Edward Jones.
First Lt. Thomas Worthington Cooke.
First Lt. Edison Albert Lynn, Jr.

To Signal Corps

First Lt. Olin Lee Bell.

To Infantry

Capt. Harvey Julius Jablonsky.
First Lt. James Wetherby Graham.
First Lt. Jules David Yates.

To Air Corps

Maj. Francis LeRoy Ankenbrandt.
Capt. Lawrence McIlroy Guyer.
Capt. Maurice Monroe Simo .

APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES, ARMY OF THE UNITED STATES

Butler Buchanan Miltonberger to be Chief of the National Guard Bureau, with the rank of major general, for a period of 4 years from date of acceptance, and major general in the National Guard of the United States, Army of the United States.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Henry Alfred Byroade to be a brigadier general.

UNITED STATES COAST GUARD

TO BE COMMODORES, FOR TEMPORARY SERVICE IN THE UNITED STATES COAST GUARD, TO RANK FROM JANUARY 1, 1946

John H. Cornell
John S. Baylis

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 31, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Unto Thee, O King eternal, we come again to the solemn yet tender mystery of Thy throne. We believe that there is one God and one infinitely divine and holy Saviour through whose ageless sacrifice we are redeemed. We praise Thee for the Christ who has brought a loving Father out of the far-away and unseen

into the near and dear. We thank Thee that while Thy judgments are so often mysterious, yet they are merciful and gently correct us by that loving pity that gives us rest and peace. Be unto us an ever-present reality, and make Thy presence like unto the nearness of a true friend. Give us large conceptions of our office and a more profound knowledge of all things needful that we may rise above petty prejudices and narrow misunderstandings. Help us to bring the vision to the task, the revelation to the duty, and the truth to everything. In the name of our Saviour whom to know is life everlasting. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

RESIGNATIONS FROM COMMITTEES

The SPEAKER laid before the House the following letters, which were read:

Hon. SAM RAYBURN,
Speaker, House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the House Committee on the Public Lands.

Sincerely yours,

HARRIS ELLSWORTH.

Hon. SAM RAYBURN,
Speaker, House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the House Committee on Mines and Mining, and on Election of President, Vice President, and Representatives in Congress.

Sincerely yours,

HARRIS ELLSWORTH.

The SPEAKER. Without objection, the resignations are accepted.

There was no objection.

ELECTION TO COMMITTEES

Mr. MARTIN of Massachusetts. Mr. Speaker, I send to the desk a privileged resolution (H. Res. 502) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That WALTER NORBLAD, of Oregon, be, and he is hereby, elected to the Committee on the Public Lands, the Committee on Patents, and the Committee on the Election of President, Vice President, and Representatives in Congress, of the House of Representatives.

The resolution was agreed to.

Mr. MARTIN of Massachusetts. Mr. Speaker, I send to the desk a privileged resolution (H. Res. 501) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That HARRIS ELLSWORTH, of Oregon, be, and he is hereby, elected to the Committee on Naval Affairs of the House of Representatives.

The resolution was agreed to.

PERMISSION TO ADDRESS THE HOUSE

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that on Tuesday next the gentleman from California [Mr. PHILLIPS] may address the House for 1 hour following the legislative business of the day and special orders heretofore entered for that day.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. KEARNEY asked and was given permission to extend his remarks in the RECORD and include a letter.

OPEN LETTER TO CONGRESS

Mr. COLE of Missouri. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COLE of Missouri. Mr. Speaker, I take this time to read to the Members of the House a letter I received from the world history class of the Tarkio (Mo.) High School which I consider as timely:

OPEN LETTER TO CONGRESS

TARKIO, MO., *January 27, 1946.*

We, as a high school world history class, have been told it is our duty as Americans to stay on the job and attend school. We are accepting our responsibility and we wonder if you, our officials in Washington, are doing the same.

Now our Nation is experiencing the greatest strike in history. Why don't you do something about it? Our citizens have selected you to represent us during this trying period and we feel that you have let us down.

Not only that, our boys will soon be out of high school and they would like to know if they will be required to spend a year in compulsory military training. We realize that it takes time to collect the facts for such a major issue, but why so long?

Congress—isn't 1946 election year? Of course you can't please all the people all the time—but why not try to please some of them now.

Yours very truly,

CAROLINE STEVENSON.

THE ILLINOIS POLITICAL SITUATION

Mr. MASON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, the dean of the House in length of service, the genial, kindly gentleman from Illinois [Mr. SABATH], expressed his pleasure over a decision of a court in Illinois because, as he said, "the fears and worries of the Republicans of Illinois were now over."

I want to reciprocate that expression and state that the basis of my reciprocation is this: Arthur Sullivan, former State Democratic chairman, appeared in court and said:

We are fearful that if all candidates were elected at large in Illinois this year, Chicago would not have any representation in Congress.

I am glad that the fears of the Chicago group are now dead and have faded out of the picture entirely.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. MASON. Gladly.

Mr. SABATH. That means that Democrats as well as Republicans coming from Chicago would be defeated.

Mr. MASON. They would all be defeated.

Mr. SABATH. Chairmen are not always correct.

The SPEAKER. The time of the gentleman from Illinois has expired.

EXTENSION OF REMARKS

Mr. SCHWABE of Missouri asked and was given permission to extend his remarks in the RECORD and include an article appearing in this morning's Washington Post entitled "Henry Ford Tells the United States It Could Remove Trouble by Ending OPA."

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD in three different instances, in the first to include a record by Frank Kent and in the second and third articles by Samuel Crowther.

LOAN TO BRITAIN

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMAS of New Jersey. Mr. Speaker, after listening to the President's message yesterday to the House in reference to the loan to Britain I have taken the liberty of sending a letter to the President of the United States, as follows:

JANUARY 30, 1946.

The PRESIDENT,
The White House,
Washington, D. C.

DEAR MR. PRESIDENT: After listening with deep interest to your message today in which you recommend to the Congress the approval of a $3,750,000,000 credit to the United Kingdom, I concluded that it would be very helpful in my determination as to how to vote on such a measure if you would advise me as to whether the request for the United Kingdom will be followed by further requests of credits for other foreign nations.

Will there be a request for Russia, and for what amount? Will there be a request for France, and for what amount? Will there be a request for China, and for what amount? Will there be requests for other European nations, for South American nations, and for other Asiatic nations, and for what amounts?

Mr. President, I hope that in recommending the loan to the United Kingdom you are taking into consideration possible demands from other nations, and likewise the embarrassment which would accrue to us were we to grant a loan to the United Kingdom and not one to Russia and to the other powers.

Will you please supply me with the requested information at an early date, and thanking you in anticipation of it, I am

Sincerely.

PERMISSION TO ADDRESS THE HOUSE

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent that on Monday, February 11, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. CLEVENGER asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Washington Post.

Mr. HALE asked and was given permission to extend his remarks in the RECORD and include the text of the British Trade Disputes Act of 1927.

Mr. AUCHINCLOSS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address by Hon. John W. Hanes, former Undersecretary of the Treasury. I am advised that this will exceed the usual allowance, but I ask that it be printed, notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost the extension may be made.

There was no objection.

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD in two instances, and include resolutions adopted by the Common Council of the City of Milwaukee.

Mr. DOYLE asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. DURHAM asked and was given permission to extend his remarks in the RECORD and include an article on hosiery.

Mr. LARCADE asked and was given permission to extend his remarks in the RECORD and include newspaper articles.

Mr. MCKENZIE (at the request of Mr. LARCADE) was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. LANE asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD and include a letter from the Retired Railway Employees.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. PRIEST. Mr. Speaker, yesterday I asked unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight, last night, to file a report. The report was unavoidably delayed, and I ask unanimous consent that that committee may have until midnight, tonight, to file a report on the bill H. R. 2764.

The SPEAKER. Is their objection to the request of the gentleman from Tennessee?

There was no objection.

FACSIMILE OF FRANKLIN DELANO ROOSEVELT ON NEW DIME

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, it seems very appropriate that in connection with the observance of the birthday anniversary of our late, great, beloved President Franklin Delano Roosevelt, that I call your attention to the fact that his facsimile is now on the obverse side of the new 10-cent piece, just issued yesterday by our mint. I knew this yesterday, and had this one here with me, but I felt, by reason of that great masterpiece delivered by our majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], about the life of our late President that I should not then take any time to call it to your attention. Now, I am honored to have the privilege of so doing. Certainly, it is very appropriate that this great American citizen and President, whose efforts have always been directed toward the welfare of those suffering from polio and other physical handicaps, should have this significant recognition of his humanitarian interests and efforts by having the appropriate American dime carry his dignified likeness upon it. It is likewise a very happy occasion to have this occur on this birthday and in the midst of the annual march of dimes, by which money is raised to bless those attacked with the dread disease of polio.

His triumph over physical handicap was so significant and inspiring for a long term of years that I trust it will always be a living memorial to his love and sacrifice for those who also suffered physical limitation.

Several months ago I was privileged to urge that this appropriate 10-cent piece be improved in this manner. Thousands of citizens, not Members of this House, also did so and I am sure that, regardless of political party, the heart of America recognizes this sincere tribute as proper and powerful for good in the consciousness of our great Nation.

GI DISCRIMINATION

Mr. PACE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PACE. Mr. Speaker, on yesterday the War Department announced that the families of officers and the first three grades of noncommissioned officers could join their husbands in Europe, the expenses of transportation to be paid by the Government. I think it is most unfortunate that this privilege is not extended to the families of the GI's. Certainly, the enlisted man in Europe is just as anxious to see his wife and baby as is the officer of high rank and the noncommissioned officer. It may be, Mr. Speaker, that the fault partly lies in the law, as the act of June 16, 1942, permits the paying of expenses for the transportation of dependents only to the officers and the first three grades of noncommissioned officers. I feel so very deeply about this discrimination that I am today preparing and hope to offer during the day a bill to amend the law so that this privilege may be extended to the families of the GI's as well as to those of the officers and the noncommissioned officers. Certainly as between the two those to whom the privilege is now granted are more able financially to pay the expenses than are the GI's.

I hope my bill may have the immediate and favorable consideration of the Committee on Military Affairs and will be reported to the House for early enactment.

LOAN TO GREAT BRITAIN

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, the granting of the British loan, will not contribute to the establishment of peace and prosperity in the world, as was stated yesterday.

England will be unable to repay. Take paper and pencil and figure it out. Interest and principal installments will amount to over a hundred million dollars a year. If England is stone broke, how can she afford to pay that each year? She owes to the rest of the world probably $14,000,000,000 or $15,000,000,000. The pious hope was expressed that her creditors would scale down their debt. Britain owes India well nigh $5,000,000,000. The price of reduction of that debt would be political independence. England would not dare pay this price.

When we demand repayment, we will again be called Uncle Shylock like the last time. Peace and prosperity between the two nations will not be cultivated. On the contrary, there will be more irritations than ever before. The escape clauses are broad enough to fly a B–29 clear through. They make of the agreement a farce.

Britain borrows at an interest rate of 1.62 percent but a GI borrowing must pay 4 percent.

THE STRIKE SITUATION

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, on the 9th of January I prophesied that all strikes of a major nature in this country would be over by the 19th of January, but my prophecy did not come true. The reason was, I believe, the support given to certain elements by Members of this Congress. When I heard that steel was going to be up at least $4 per ton and that the OPA was being crucified, I understood why strikes were kept going along at a period that a person reading the lines of profit and loss could not fathom.

THE LATE HARRY HOPKINS

Mr. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a statement by the Honorable Winston Churchill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MAY. Mr. Speaker, Mr. Harry Hopkins has passed away. I do not think there has been any man in public life while I have been in Congress with whose political philosophies I have more thoroughly disagreed, but I believe in "rendering unto Caesar the things that are Caesar's." For that reason, I have taken this time to pay tribute to him by

inserting in the RECORD a statement by the Honorable Winston Churchill which appeared in the Washington Post of January 30, 1946. I do this in order that the country may read the estimate placed upon him by a man who met him at sword's length in intellectual conflict here, there, and yonder all over the world. The statement is as follows:

"A GREAT AMERICAN IS GONE FROM US"—CHURCHILL PRAISES HOPKINS FOR SERVICE TO WORLD CAUSE

MIAMI BEACH, FLA., January 29.—Former British Minister Winston Churchill tonight expressed profound grief at the death of Harry Hopkins, and declared "a great American is gone from us."

"A strong, bright, fierce flame has burned out a frail body," Churchill said in a statement issued here, adding:

"Few know better than I the services he rendered to the world cause. President Roosevelt had the gift of choosing generous and noble spirits to help him in peace and war.

"In Harry Hopkins he found a man not only of wide ranging vision but piercing eye. He always went to the root of the matter.

"I have been present at several great conferences where 20 or more of the most important executive personages were gathered together. When the discussion flagged and all seemed baffled, it was on these occasions he would rap out the deadly question: 'Surely, Mr. President, here is the point we have got to settle. Are we going to face it or not?'

"Faced it always was and being faced, was conquered.

"He was a true leader of men, and alike in ardor and in wisdom in time of crisis, he has rarely been excelled.

"His love for the causes of the weak and the poor was matched by his passion against tyranny, especially when tyranny was for the time triumphant.

"To dynamic, compulsive and persuasive force he added humor and charm in an exceptional degree.

"We do well to salute his memory. We shall not see his like again."

Mr. Speaker, it may be said, and no doubt everyone here will admit, that no man alive today is more able to place a proper estimate upon the life, character, and ability of Mr. Hopkins, who during his long service in public office, suffered much criticism, uncomplainingly with a spirit of charity and forebearance and tolerance toward even those who criticized. May his spirit rest in peace.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—REPORT OF OPERATIONS UNDER LEND-LEASE ACT

The SPEAKER laid before the House the following message from the President of the United States which was read and together with the accompanying papers referred to the Committee on Foreign Affairs and ordered to be printed with illustrations:

To the Congress of the United States of America:

I am transmitting herewith the twenty-first report of operations under the Lend-Lease Act for the period ending September 30, 1945.

Until VJ-day, lend-lease and reverse lend-lease operated to speed the redeployment of our troops from Europe and to insure the final victory over Japan. This report primarily describes the extent of aid rendered under the Lend-Lease Act prior to the cessation of hostilities. The surrender of Japan signaled the termination of lend-lease as a weapon for victory and prompt steps were taken by this Government to insure a rapid but orderly reduction of lend-lease expenditures and to bring to a close the employment of lend-lease procedures in supplying essential war needs to our allies.

Concurrently, negotiations have begun with many of the lend-lease governments looking toward a final settlement of the lend-lease and reverse lend-lease accounts. At the present time, such lend-lease negotiations have been successfully concluded with the United Kingdom, the largest single recipient of lend-lease supplies. The measures taken to wind up and settle the lend-lease program are outlined only briefly in this report but will be described in full in subsequent reports.

The master agreements that have been concluded with the various lend-lease governments contain the pledge that the terms and conditions of the lend-lease settlements are to be "such as not to burden commerce between the two countries, but to promote mutually advantageous economic relations between them and the betterment of world-wide economic relations." In the process of terminating lend-lease and in carrying on our negotiations for final settlements with the various governments, these principles of article VII will be before us as a reminder of the goal which this Government must constantly seek.

HARRY S. TRUMAN.

THE WHITE HOUSE, *January 31, 1946.*

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

JANUARY 31, 1946.

Hon. SAM RAYBURN,
Speaker, House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: Having been elected by the House to a vacancy on the House Public Buildings and Grounds Committee, I hereby tender my resignation as a member of the House Committee on Coinage, Weights, and Measures.

Cordially yours,

CLEVELAND M. BAILEY.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent that on Monday after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

APPOINTMENT OF FACT-FINDING BOARDS TO INVESTIGATE LABOR DISPUTES

Mr. CLARK. Mr. Speaker, I call up House Resolution 500 and ask for its immediate consideration.

CALL OF THE HOUSE

Mr. SABATH. Mr. Speaker, this is a very important matter. I believe the Members would want to hear the resolution read. Therefore, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 15]

Baldwin, N. Y.	Fernandez	Morgan
Barry	Fisher	Morrison
Bates, Mass.	Fogarty	Mundt
Beckworth	Gardner	Norton
Bloom	Gossett	Pfeifer
Bulwinkle	Granger	Plumley
Canfield	Hancock	Poage
Cannon, Fla.	Harness, Ind.	Price, Fla.
Carlson	Herter	Reed, N. Y.
Chapman	Hill	Rivers
Clements	Holifield	Rizley
Cole, Kans.	Hope	Robertson, Va.
Cooley	Johnson, Ill.	Robinson, Utah
Courtney	Johnson, Okla.	Roe N. Y.
Crosser	Kefauver	Scrivner
Curley	Kelly, Ill.	Sheridan
Dawson	LeFevre	Sundstrom
Dingell	Luce	White
Dondero	McKenzie	Wickersham
Engel, Mich.	McMillen, Ill.	Winter
Fellows	Mathews	Woodhouse

The SPEAKER. On this roll call 364 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

APPOINTMENT OF FACT-FINDING BOARDS TO INVESTIGATE LABOR DISPUTES

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4908) to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes; that after general debate, which shall be confined to the bill and continue not to exceed 2 days, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Labor, the bill shall be read, and after the reading of the first section of such bill, it shall be in order to move to strike out all after the enacting clause and insert as a substitute the text of the bill H. R. 5262, and all points of order against such substitute are hereby waived; at the conclusion of the consideration of the bill H. R. 4908, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage, without intervening motion, except one motion to recommit, with or without instructions.

Mr. CLARK. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and a little later I shall yield 15 minutes to the chairman of the Committee on Rules, the gentleman from Illinois [Mr. SABATH].

Mr. Speaker, this resolution relates to a highly controversial subject throughout the Nation. It is only natural that there should be here on the floor of the House a wide divergence of opinion because, after all, we are just a cross section of the American people. I feel that

it would be distinctly in the national interest if we here in the House might proceed dispassionately and in a spirit of reasonableness in our consideration of such a vital question. The subject is an exceedingly important one. I think the American people are watching what shall be done or what we shall fail to do to a degree that is altogether unusual. In my judgment, the House after 2 days of general debate and with as much time as it sees fit to take under the 5-minute rule where amendments may be considered, ought to be able to work its will in regard to this legislation. It is my judgment that under the rule now before the House it will have full opportunity of doing just that. I base that statement not only upon my own careful consideration of the rule, but upon the opinion of parliamentarians whose ability I can never hope to attain.

The rule provides for the consideration of the bill from the Committee on Labor, H. R. 4908, which is usually referred to as the fact-finding bill, and it provides that when the first section of that bill shall have been read, it will then be in order to move to strike out all after the enacting clause and insert as a substitute H. R. 5262, which is referred to now as the Case bill. When that motion is made, it is in the nature of an amendment to the original bill, and under the procedure the Case bill will be read under the 5-minute rule and amendments may be offered thereto just as long as the House sees fit to do so. And the debate may be extended as long as the House sees fit. After all amendments that anyone desires to offer have been offered and the substitute has been thus perfected, then a vote will come as to whether the substitute will be adopted or not. If as perfected it is adopted as a substitute, the Committee will rise and report the measure back according to the usual practice. But, on the other hand, if the substitute as perfected is voted down, then we would return immediately to the consideration under the 5-minute rule of the fact-finding bill. In any event, the House has the opportunity to work its will on the legislation.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield briefly to the gentleman, as my time is very limited.

Mr. WOLCOTT. The resolution provides that H. R. 4908 shall be considered, and that it shall be in order, after reading the first section, to offer the so-called Case bill as a substitute. But the language of the resolution is as follows:

That after the debate the bill shall be read.

The resolution does not provide that it shall be read under the rules of the House. Neither does it provide that it shall be read for amendment. Is it the gentleman's interpretation that the term "bill shall be read" means that the bill shall be read for amendment, and that amendments to H. R. 4908 will be in order provided the Case bill is voted down?

Mr. CLARK. That is distinctly my understanding.

Mr. Speaker, I reserve the balance of my time.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutess to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, this rule makes in order H. R. 4908, and with it also makes in order as a substitute, to be considered as an original bill, H. R. 5262.

This action has been taken by the Rules Committee for one purpose and one purpose only, that is, in order that the House of Representatives, the people in Congress assembled, may be given the opportunity to work their will as to labor legislation in this critical hour.

There has been a feeling among many Members of Congress that all of the various issues surrounding this problem, which so perplexes the people of America today, should be considered by the legislative representatives of the American people without restriction.

Under this rule, this great deliberative and legislative body has the right and the authority to accept the measure which was reported by the Labor Committee of this House, H. R. 4908, which, in my opinion, is somewhat of a weak measure; it has the right and the authority to accept the measure introduced by the gentleman from South Dakota [Mr. CASE], H. R. 5262, or it has the right and the authority, as it may decide, to write any germane amendment of any kind into this measure.

In my opinion, almost any amendment touching the field of labor relations would be germane. In other words, you may strike out, you may add to, you may change according to your will. It seems to me that, after all, is the American way, and especially so at a time like this, to let the representatives of the people in Congress assembled work their will.

This is not a complicated rule. It is not difficult to understand. It simply opens the door for a complete and full consideration of this great problem.

So I am hopeful this rule will be adopted and that when we have concluded our deliberations, that out of all the debate and discussion which will come in the hours and days ahead, will emerge a measure which will be of some benefit in settling one of the most perplexing problems that has ever troubled the American people. It is the only way I know of—through the adoption of this resolution—that we can have full, free, and frank discussion of this problem, and can finally reach a decision as to what should be done about it.

The SPEAKER pro tempore (Mr. BONNER). The time of the gentleman from Ohio has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. ANDREWS].

Mr. ANDREWS of New York. Mr. Speaker, I believe I understand the meaning of this rule. One question in my mind is whether or not an amendment to incorporate a labor union would be germane to either of these bills. I assume it may be to the so-called Case bill, in section 10 thereof.

I am indebted to the distinguished Senator from Virginia [Mr. BYRD] for some observations in regard to a bill for the incorporation of labor unions, he having proposed a bill somewhat similar to my own in the Senate.

There can be no hope for prosperity and industrial peace for America until the equality of rights of all citizens, corporations, and organizations, is written into law on a basis of justice to all.

Many labor unions are faithful to their contracts and obligations, but some of outstanding importance have violated contractural obligations, for which such unions should be held to the same accountability as would be done in the case of an industrial corporation. Strikes in basic industries which supply vital materials can shut down thousands of others. Unless contracts between labor and industry are observed and have the same legal status as other contracts, we can only look forward to a long period of industrial strife and business chaos.

A manufacturer who makes a contract with a labor union must have confidence in the performance of that agreement in order to plan his operations. Yet the union may breach its contract, and management has no redress in law, although the union is free to resort to all legal processes as well as illegal pressure to enforce the same contract.

With a debt approaching $300,000,000,000 we can only service this debt and perform our essential functions of government by means of a high national income. This will be very difficult under the most favorable conditions, and it is possible only by an uninterrupted industrial production.

In the years gone by industrial corporations undoubtedly abused their power. The result was that the Congress created the Securities and Exchange Commission for the purpose of protecting the welfare of the public. This act has served well and has eliminated most of the abuses that theretofore existed in corporate management. Now the shoe is on the other foot. The labor unions have great power—virtually the power of life and death over the economic progress of America. Hand in hand with power goes an equivalent responsibility. For years we have seen repeated instances of broken union contracts of sympathy strikes to encourage and support strikers working for some other corporation, the sympathy strikers having no grievance against their own employer. We have seen, time and again, jurisdictional strikes—strikes arising from disputes between two unions when the employer is in no manner involved, yet must suffer the consequences and losses resulting from shutting down his plant. This lack of union responsibility has reached an intolerable stage.

I am strongly for collective bargaining, but bargaining must mean what it says—namely, that a bargain made is equally binding on both parties to the agreement. I believe in the inherent right of labor to organize. Labor unions have a proper place in the economic life of America. Unions are here to stay, but if we are to have orderly business conditions, labor unions as such must have the same legal responsibility to perform their

contracts as the owners of industry. If one can be sued for violation of a contract, the other should be in the same status. When two parties make a contract, if that contract is to mean anything, there must be a mutuality of responsibility. This does not now exist between labor and industry. Why should a labor union as such be exempt from liability for the damages resulting from broken contracts when all citizens and business corporations can be sued when a contract is violated? We may as well try to build a house without a foundation as to enact legislation to prevent industrial and labor strife, without first providing for mutual responsibility.

As a first step to union responsibility, and this responsibility I believe to be essential before any real progress can be made to end industrial strife, I will offer an amendment to provide for incorporation of organizations engaged in collective bargaining.

Labor unions today have great financial resources. At the direction of Congress, the Joint Committee on Internal Revenue Taxation has released a preliminary report which reveals that incomes of approximately one-half of the labor unions in 1944 totaled $339,700,000. Included in the annual expenses of these unions were wages, salaries, and commissions of $50,000,000; compensation of officers, $38,000,000; other operating expenses, $88,000,000, with a total expenditure for the year 1944 of $323,000,000, leaving $66,000,000 to be added to the already very large financial reserves.

Why should not union members know what salaries their officers receive? Why should not the union members and the general public know how much was expended for political purposes? A business corporation is prohibited by law from making a political contribution. An individual making a political contribution over a certain amount must pay a gift tax and report the same to the Government.

Labor unions in America have grown up. They are now big business in their power and financial assets. They must assume their proper responsibility for their acts affecting the economic welfare of America. This legislation will do no more than place upon unions a legal responsibility commensurate with their power. As I have said, many have large financial resources adequate to pay damages for violation of contracts—I am informed that 12 unions have financial reserves of $160,762,000. At least the employer, under this plan, will know in advance the financial responsibility of the union with which he deals.

This legislation is democratic and just. I am convinced its enactment will be a substantial deterrent to strikes. It is the first and vital step toward the recognition that labor unions have tremendous power for good or bad in our economic life, and as such should have a responsibility under the law as has been imposed on other powerful groups. In the long-range objective for industrial peace we must put first things first and give to labor unions a legal status and responsibility.

This is the foundation. Until this responsibility to organized government is established there can be no lasting industrial peace, upon which our future prosperity so vitally depends.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. BUCK].

Mr. BUCK. Mr. Speaker, if a bottle of nitroglycerin is handled in anger and heedlessness, someone is apt to get hurt. Things which pack great force must be handled calmly, dispassionately, and thoughtfully.

A similar situation prevails as to the measure now before the House. I therefore hope that our deliberations will be conducted with the calmness and thoughtfulness which the importance of the situation demands.

In our consideration of labor legislation, we should not lose sight of one fact. The American system of free enterprise—the American system of big business if you will—has given the people of America, the workingmen of America, the highest standard of living in the world. As President Truman pointed out, the goose that laid these golden eggs and which continues to lay them must not be strangled. The strikes now bedeviling the country—strikes engendered and nurtured by one-sided legislation—are menacing the country's economic health.

I believe it incumbent upon the Congress to remedy one-sided legislation and thus set up conditions whereunder American workingmen, American investors and, more important, the American people, may continue to benefit from the highest standard of living the world has ever seen.

Mr. CLARK. Mr. Speaker, I yield 15 minutes to the gentleman from Illinois [Mr. SABATH] to be used by himself as he sees fit.

Mr. SABATH. Mr. Speaker, I wish to be notified when I have used 5 minutes and I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Not out of my time.

Mr. DIRKSEN. This is quite germane. It is a matter of interpretation of the rule.

Mr. SABATH. Later on I will explain that but I can not yield now, I am sorry to say.

Mr. Speaker, I agree with the gentleman who just preceded me that our country is prosperous. It has never been as prosperous as it is today. Both labor and industry are in much better condition today than in any other country in the world and all of this under present laws. I do not see any reason why we should at this time change the laws that have made this country the greatest, the richest, and the most powerful country in the world, and under which we have achieved the highest industrial production per worker that the world has ever known. Yet this Republican bill, which my nose tells me was cooked up by the National Association of Manufacturers, or perhaps by worse, would put labor in chains with this uncalled for and punitive measure.

For what do these Republican gentlemen propose to punish labor? For winning the war, on the battle front and the industrial front? For establishing an all-time record of production? For making America the arsenal of democracy in fact? During 4 years of global warfare, with all its hardships and heartbreaks on the home front, and while the husbands and sons of the workers were fighting, less than one-half of one percent of all available working time was lost by reason of strikes. Had industry kept its high-sounding no-war-profiteering pledge as well as labor kept its no-strike pledge our national debt today would not be so high. After war ended, and industry immediately started to cut labor's take-home pay, and the cost of living constantly increased, the newspapers lost sight of the fact that even when there were 500,000 men on strike there were still 53,000,000 men on the job.

Mr. Speaker, this rule is such a vicious rule, such a bad rule, so contrary to the orderly procedure of the House, that I could not report it myself, and not even my genial friend the gentleman from Georgia [Mr. COX], nor the gentleman from Virginia [Mr. SMITH], felt like reporting it. It was unloaded upon the gentleman from North Carolina whose amiability would not permit him to refuse to report it.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I only have 5 minutes.

Mr. Speaker, it will be contended later that there are precedents for this infamous action. However, there are no actual precedents. Twice before the Rules Committtee permitted itself to be used adversely, once in connection with a similar labor bill. A rule was reported making two other bills in order that had been considered by the Labor Committee. But this Case bill has never been submitted to the Labor Committee, it has been known to nobody with the exception of a few cooperative conspirators who hatched it in secret. No one knew anything about it until the very last minute when the gentleman from South Dakota appeared before the Rules Committee and urged that a rule be granted making the text of his bill in order as a substitute for the fact-finding bill.

The other time the Rules Committee was put in a similar position was when the gentleman from Mississippi [Mr. RANKIN], naturally in the interest of the Republican Party, offered his substitute precluding the American soldier from being able to vote in accordance with the Constitution of the United States.

Those, then, were the two previous exceptions to the rules of the House—on two occasions the Rules Committee forced to the floor bills previously rejected by their proper committees. Even if they were on all fours with the present example, which they certainly are not, two wrongs have never made a right, and they do not make a right at this time. As to orderly procedure, you all know that we cannot write legislation on the floor of the House. That is the reason we have legislative committees. The standing committees have the right and the duty, under the rules and under our

traditions of democratic action, to pass upon proposed legislation. That right has been denied to the Committee on Labor in this instance, and I think it is wrong.

In those earlier instances I opposed the action of the Rules Committee strenuously. I pointed to the dangers of such unprecedented actions. Today I oppose this rule just as strenuously. If the House accepts this rule, we may as well abolish the legislative committees outright. It destroys and nullifies the whole committee system. It is a wholly improper rule, just as the Case bill is a wholly improper bill, presented by a woolly lamb from the plains of South Dakota, deceived and led on by the wolves of Wall Street. To change the figure, this bill is the illegitimate offspring of secret and illegal wedlock.

The same unholy alliance of arch-enemies of labor responsible for those earlier violations of the precedents of the House are behind this present effort to discard all the lessons we have learned here in 160 years of democratic government. But this time they have gone further. In these two earlier instances the bills in question at least had been before legislative committees, and had been flatly rejected.

But now, Mr. Speaker, this tory and reactionary coalition proposes to revolutionize the rules of procedure of the House of Representatives. The Rules Committee reported a rule making in order as a substitute for the properly considered and reported Randolph fact-finding bill the text of the provisions of a bill never even made known to the Committee on Labor, which had proper jurisdiction, after that committee had reported the fact-finding bill requested by the President, and the chairman of the Committee on Labor already had appeared before the Rules Committee in behalf of the committee bill. Let me repeat that: This Case bill we are called upon to vote on was never brought before the Committee on Labor, and neither members of the Committee on Labor nor of the Rules Committee had seen the bill before the gentleman from South Dakota appeared before our committee with a typescript in his hand.

Who wants this legislation, this ex post facto punishment?

It is sought and urged in secret by those corporations—United States Steel, General Motors, General Electric, Westinghouse, the meat-packing companies—controlled absolutely by Wall Street; whose officers' salaries have been increased, not by 18½ percent, but up to 50 percent and 100 percent; whose officers are receiving, in addition to their salaries, bonuses and dividends amounting, in some cases, to from $50,000 to $500,000 annually; and who are deadlocked with their own employees at the command of sinister financial influences whose aim is to break labor, to force higher prices, to eliminate OPA.

No one else has sought this legislation. Ninety percent of American industry is opposed to any legislation at this time. The American Federation of Labor, the Congress of Industrial Organizations, the Railroad Brotherhoods, and in fact every labor organization, has most strenuously opposed any ill-considered and hasty antilabor legislation.

Those corporations I have mentioned above have made huge profits in the last 5 years. In unknowing generosity this Congress has agreed to finance their lock-outs. They have accumulated huge reserves and surpluses. They have fattened, financially and in physical plant assets, on the world's agony.

I regret that some Members on our side have seen fit to let themselves be used by the Republican machine, which functions as a front for corporate power and special privilege, exemplified by the dynasties of the Pews, the du Ponts, the Morgans. In that connection, it is pertinent to recall that in the other Chamber the special committees on campaign expenditures have found repeatedly that money from the Pews and du Ponts helped finance the Republican campaigns in South Dakota.

I am aware of the whip and the club used on the Republican side to muster a show of strength. I fully realize that under this coalition of Republicans and reactionary Democrats the rule will be adopted. Nevertheless, I feel it my duty in the interest of fair play to urge the defeat of the rule, so that sane and fair legislation can be enacted when the hysteria created by full-page advertisements in the Nation's leading newspapers, at a cost of thousands and thousands and thousands of dollars, has subsided.

Even at this late hour, Mr. Speaker, I have hope that there are enough sincere and progressive Republicans, who have the interest of our country and the early adjustment of labor disputes at heart, to join with progressive Democrats on this side and defeat this outrageous effort to enslave American labor and destroy the orderly procedures of this House.

The gentleman from South Dakota [Mr. CASE] and, no doubt, the gentleman from Virginia [Mr. SMITH] and others like them who for years have endeavored not only to restrain but to destroy organized labor, will contend that this is a fair bill. They may even contend that its administration will inure to the benefit of labor. I am sure, however, they will not call attention to the fact that it will repeal the National Labor Relations Act, repeal the Wagner-LaGuardia Act, and bring back that government by injunction wisely eliminated years ago. They will not say, Mr. Speaker, that passage of this outrageous bill would, instead of giving the President the fact-finding legislation he asked for, stab the President—the President, yes, and the whole country—in the back with a knife forged by enemies of the people.

Mr. Speaker, a few minutes before taking the floor I received a telegram from the Warehouse and Distribution Workers Union of Cleveland, Ohio, which I insert at this point as part of my remarks. It reads as follows:

CLEVELAND, OHIO, *January 31, 1946.*

Congressman A. J. SABATH,
Chairman, Rules Committee, House of Representatives, Washington, D. C.:

Demand no Jap sneak attack on American people by Congress. New labor bill proposed by Congressman FRANCIS CASE must be stopped. This bill is out-and-out Hitlerism.

WAREHOUSE AND DISTRIBUTION WORKERS UNION.

I wish time would permit me to read some of the hundreds of similar letters and telegrams I have received from every section of the United States, and not only from labor unions but from sincere men and women who have the interest and welfare of our Nation at heart.

I should like also to quote from a statement just handed me which describes more fully than I am able to do the effect of the provisions of the Case bill. Since my limited time precludes my reading excerpts from this statement, Mr. Speaker, I reserve the balance of my time, and for the information of the House and of the country I insert the statement, which is a summary of the bill H. R. 5262 as a part of my remarks.

The SPEAKER pro tempore. The gentleman from Illinois has consumed 5 minutes.

(Following is the text of the statement referred to:)

SUMMARY OF H. R. 5262 (CASE BILL)

H. R. 5262 is a vindictive attack on the rights of labor and on the democratic rights of all the people.

It provides:

1. That for a period which may be as high as 35 days, a strike by a labor organization is illegal.

2. Any form of assistance to a strike is illegal.

3. At any time, not merely during the 35-day cooling-off period, picketing by so-called force and violence is made illegal.

4. Boycotts now recognized as legal in the States are condemned as illegal.

5. The hated labor injunction, ousted from the law after years of bitter struggle, is restored to full force and effect and the Norris-LaGuardia Act is repealed.

6. Employees who are engaged in the types of picketing condemned by the bill lose their rights under the Wagner Act and employees engaged in intimidation or violence in connection with a labor dispute or in connection with organizational activites are denied reinstatement and back pay under the Wagner Act.

7. Large groups not only of supervisory employees but of clerical employees are denied the protection of the Wagner Act.

8. The Federal courts are open not only for the purpose of injunction but for the purpose of assessing damages against labor organizations which violate contracts.

The grave evils which the bill presents are as follows:

1. It is a vicious and thoroughly undemocratic interference with the exercise of the right to strike.

2. Its prohibitions upon assistance to strikes during the cooling-off period will condemn free speech, free picketing, community action in sympathy with strikes and many forms of democratic and constitutionally protected activities.

3. The irresponsible attacks upon picketing under the pretext of preventing force is merely a device to invite the courts to destroy picketing as a form of protected concerted activity in American industrial relations. All lawyers familiar with the field know that a court can find that all forms of picketing constitute force. Indeed, the widespread injunction abuses resulted from judicial expansion of the concept of force.

4. The bill revives the hated labor injunction ousted from the law by the Norris-LaGuardia Act after years of bitter struggle and makes of the Federal courts a star-chamber for the repression of the liberties of American workers.

5. The bill is sharply one-sided and is exclusively directed as a punitive expedition against labor and leaves untouched notorious employer misconduct in present-day labor

relations. The bill, for example, although it purports to deal with violence in labor disputes, says nothing about the use of tear gas by employers to break strikes, about the resort to terror by employers, about the notorious Mohawk Valley Formula.

Although it purports to deal with the improper use of economic sanctions by labor organizations, it is strangly silent concerning the conspiracy of American industry to defy the Government of the United States and its laws. Similarly, the bill exposes labor organizations to novel sanction of suits in the Federal courts for breach of contract, but says nothing about the widespread flouting of War Labor Board directives by employers which today has resulted in the denial to workers of back-pay awards of over $20,000,000.

6. The bill, in stripping not only supervisory employees but large groups of clerical employees of the protections of the Wagner Act, will encourage discrimination against employees who are entitled to the protection of the Wagner Act and will encourage these employees to strike in order to obtain those rights which this bill denies them.

7. The bill removes from the cognizance of local courts problems of violence and boycotts which are now adequately regulated by local law and substitutes for them a centralized Federal Gestapo. The bill also punishes employees for name-calling and minor scuffling on the picket line by denying them protections of the Wagner Act. The Wagner Act now, as interpreted by the National Labor Relations Board, contains adequate limitations on the rights of those strikers who engage in true violence.

8. The bill transforms the Wagner Act from one which protects the rights of employees into a weapon in the hands of employers to destroy labor organizations.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. WELCH].

Mr. WELCH. Mr. Speaker, I am opposed to this rule as a matter of legislative principle. I would oppose it if it applied to any legislation reported to Congress by the arbitrary action of the Rules Committee. It is an absolute departure from all orderly rules of parliamentary procedure of the House and it is without precedent.

If this undemocratic practice is carried to its logical conclusion the Rules Committee could usurp the prerogatives of every legislative committee of this House.

The Rules Committee reported a rule yesterday making possible the consideration of the so-called Case bill, H. R. 5262, in lieu of H. R. 4908, before the Case bill had even been printed, let alone being referred to the appropriate legislative committee. From a parliamentary point of view H. R. 5262 was absolutely nonexistent when the Rules Committee acted.

Mr. Speaker, this unprecedented procedure may serve the particular purpose intended but mark you, and mark you well, it will come back to haunt those responsible for breaking down the orderly and long-established procedure of the House of Representatives.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, the purpose of the so-called Case bill, H. R. 5262, is to give the country a chance to get rid of what I would call Pearl Harbor strikes and Pearl Harbor tactics in industrial warfare when the dispute substantially affects the public interest. The primary feature of the bill is that which establishes a labor-management mediation board and provides that if there be proposed either a strike or a lock-out, the party proposing to call the strike or to order the lock-out shall give 5 days' notice to a labor-management mediation board, during which 5 days this board may determine whether or not there is sufficient public interest in the issues at stake to warrant their declaring that it is a dispute affecting the public interest, and then offer their services as a mediation board for 30 days.

For, if they determine that there is sufficient public interest, then there will be a 30-day cooling-off period during which, first, the board will seek to pursue the collective bargaining that has been carried on and, if it is not possible to continue the negotiations that have been conducted, then to seek to mediate, to talk with the parties separately and find common ground and bring them together; then, if that fails, to suggest to them that they arbitrate, but the board has no power to compel them to arbitrate. The bill is an attempt to preserve industrial peace in the country, it is an attempt to recognize a situation where the public interest is greatly at stake and where the employees, the employers, and the consuming public all stand a chance to suffer, and to postpone breaking off relations for 30 days. The only power the board has during that period is that it can apply to a court to grant, if necessary, a restraining order to preserve the status quo, so that one side or the other does not get an advantage during the 30-day cooling-off period.

The primary purpose of the bill is industrial peace. The various provisions in the bill are all treated separately by sections. If this rule is adopted, each one of them can be considered and amendments be offered at that time.

Some of the gentlemen who have spoken have asked, "Why should we do anything at this time?" The gentleman from Illinois spoke about the production of the country during the war. That is true; the country did make a remarkable record in production during the war. We had some extraordinary facilities then for controlling the situation. We went further during the war with the War Labor Board than it is proposed to do in this bill and further than we ought to go in peacetime.

Who wants this legislation? Yesterday the Gallup poll reported on a poll of the people of the country on what was the No. 1 legislative problem this year. And the answer was that legislation dealing with labor and strikes is No. 1 in public importance. Gallup reported that twice as many people gave that as the primary job of Congress this year as mentioned any other question whatsoever.

Every Member of the Congress, both of the House and the Senate, during the past few weeks, has had to answer the question, "Why does not Congress do something about strikes?" If we were left with a rule which merely reported the mild bill, the kind of gesture offered by the Committee on Labor, as I say, if were limited to the consideration of that, we would not be in a position to meet many of the basic questions involved. This rule, if adopted, opens up the question so that we can have an opportunity, during the consideration of the substitute and amendments thereto, to work our will.

Every Member of this House has had to answer that question, "Why does not Congress do something about it?" What have you said? Well, you have said, "Such and such a bill has been introduced. The House has passed it, and then it was stopped in the Senate." Or, "This was introduced, and the Committee on Labor did not do anything about it."

The SPEAKER pro tempore. The time of the gentleman from South Dakota has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 1 minute to the gentleman.

Mr. CASE of South Dakota. In our hands, Members of the House, rests the destiny of America. It is our responsibility to do something about this labor situation, to try to work out something. This rule gives us an opportunity. Let us not run away from it. Let us vote for the rule and then work out the best legislation we can.

The SPEAKER pro tempore. The time of the gentleman from South Dakota has expired.

Mr. SABATH. Mr. Speaker, I yield 3 minutes of my time to the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Speaker, I want to pay my respects to one of the most outstanding Members of this House. His knowledge of labor-management relations has been accumulated over years of study. He is a man who knows and is tolerant of the problems of labor as well as management. I know he is on the other side of the aisle in the Republican Party, but his fairness and justice is such that I am ready and willing to follow, the Honorable RICHARD WELCH, of California, former chairman of the Labor Committee on Labor-Management Affairs. Every word that he said in the well of this House a moment ago was true, sincere, and honest. I say, with him, that I believe the action of the Rules Committee in circumventing legislative committees of this House should not be condoned here today or any other time. We should not put more emphasis on a precedent which should never have been established. The legislative committees of this House are supposed to study the facts and bring in legislation which, in their judgment, after full deliberation, meets the issue. You cannot legislate in a vacuum. We have never had an opportunity to have an investigation and complete study into the facts as to what made collective bargaining break down. Why did collective bargaining fail? I want to know; you want to know; the American people want to know. Both labor and management represented by the top men of those organizations said before the Committee on Labor that they thought the only way to approach this problem was

through fair and honest collective bargaining. The head of the Chamber of Commerce Mr. Johnston; the president of the National Association of Manufacturers, Mr. Mosher; and the heads of the three great labor organizations, Mr. Green, Mr. Lewis, and Mr. Murray, all agreed to that. I introduced a resolution in the Committee on Labor requesting that we establish an investigating committee to investigate the facts as to why collective bargaining has broken down. That resolution was defeated by a tie vote. I am told that if that resolution were presented today, it would pass by an overwhelming vote. Let us give the people the reasons why the great corporations—the United States Steel and General Motors—defied the Government and the President of the United States. The only way that can be determined is through an exhaustive study, with proper appropriations. I cannot, in the short period of time I have, give this House the information I have on the subject.

Of course, the South Dakota legislator, from that great State of the Black Hills and arid waste marginal land, now a self-appointed labor-management expert, now offers a bill which will bring blight on the Nation as the dry rot brings blight to the wheat crop of his State.

Do not legislate in a vacuum. It cannot be done. It will not work. Vote down this rule.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, I would like to address an inquiry to some member of the Rules Committee. It appears to me that the Case bill, when substituted, would serve as an original bill. Therefore, another substitute would be in order for the Case bill at any time when we finally read under the 5-minute rule. Is that a correct interpretation of this rule? Obviously, it must be germane.

Mr. CLARK. The Case bill will be in the nature of an amendment to the original bill, and I think a substitute would be in order, and probably an amendment to the substitute.

Mr. DIRKSEN. An amendment or substitute to the Case bill would be in order, under the rule?

Mr. CLARK. I think that is correct. And an amendment to the substitute would be in order.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. SABATH. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, in dealing with this rule, I submit we must consider facts. This rule makes in order the so-called Case bill. Without this rule the Case bill would be out of order. Let us see what the Case bill does. It definitely repeals the Norris-LaGuardia Anti-Injunction Act. It definitely vitiates the National Labor Relations Act. It most definitely substitutes government by injunction in labor relations.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I decline to yield. I have only 3 minutes. The gentleman should know what is in his bill if he wrote it.

Incidentally, let me say to the gentleman that his bill reinstates the yellow-dog contract. That is what this bill does to labor. It is the most vicious antilabor bill we have ever had before this House or that has ever been introduced in this Congress. That is just what we are being asked to consider by this most extraordinary, unprecedented rule.

This bill, in my considered judgment, is the product of a joint effort on the part of certain Republican reactionaries allied with certain poll tax gentleman on the Rules Committee. This bill constitutes incitement of industrial strife. This bill will assist corporations bloated with profits and arrogance to become more arrogant and it will encourage them to continue to refuse to give their workers a decent wage. Why? Because you protect their scabs by this bill, you destroy all of labor's rights attained after years of suffering and sacrifice. You gentlemen on the Republican side, remember you are reinstating the yellow-dog contract, which your own Republican administration at one time helped abolish. You are going back to the old days of Government by injunction. You are stripping labor of every one of its rights, and you are doing it by a most unholy and undemocratic alliance. You might as well face the facts when you vote for this rule.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. SABATH. Mr. Speaker, I yield the remainder of my time, 4 minutes, to the gentleman from Wisconsin [Mr. BIEMILLER].

Mr. BIEMILLER. Mr. Speaker, the gentleman from California [Mr. WELCH] and other speakers who have preceded me have quite correctly maintained that the Rules Committee is today asking you to break down the orderly procedure of the House of Representatives. They are asking you to vote for a rule that could boomerang against any committee in this House. They are asking you to make in order on this floor a bill which had not even been printed when the Rules Committee first acted upon it. They are asking you today to debate a bill which was introduced only 48 hours ago.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. BIEMILLER. I do not yield—my time is too limited.

Mr. Speaker, in voting on the proposal to make H. R. 5262 in order we had also best consider some other features of the bill in addition to those that have been pointed out. We are being asked to restore government by injunction in the field of labor relations, injunctions that in the past have been used so extensively as even to forbid the holding of church services in coal-mining areas because they were remotely tied up with labor disputes. You are asked furthermore, those of you who come from coal-mining areas, to do away with one of the great gains the coal miners have made in this country dealing with the maintenance of their organization. You are being asked to throw the check weighmen out of the union. The bill would specifically do that. You and I know that the early coal miners' unions were organized around this issue. It was the only way the coal miners could be certain they would get the full wages to which they were entitled.

Some of you on the other side of the House, some of you who are inclined to be for this measure inspired by the Republican National Committee and the Republican leadership of the House, are in the habit from time to time of coming on the floor and praising the American Federation of Labor. I believe you are probably sincere in that. May I point out to you that this bill would knock out of the building trade-unions every foreman. Foremen have belonged to those unions from time immemorial.

By curtailing labor's right to strike and management's right to strike, this bill takes a long stride toward compulsory arbitration. Every management spokesman I know of opposes such a move.

I cite this comparatively small number of illustrations to show you that the bill contains provisions which I am sure no one wants to support, provisions that if we had an opportunity to work out this problem carefully I believe none of us would want. That is why I hope the rule will be voted down, and that this whole problem of industrial relations can be considered carefully, as it should be; can be considered cautiously as we have been advised by Eric Johnston, president of the United States Chamber of Commerce, that it should be. We should revise labor legislation very, very carefully. If we pass hasty, ill-conceived, punitive legislation we may well find that instead of solving the strike problem we will intensify it. Remember what happened after Congress passed the Smith-Connally Act? Even the gentleman from Virginia [Mr. SMITH] wishes to repeal that law now.

There is not a Member of this House who believes that passage of a bill today will have any immediate effect upon easing the present strike situation. There are some of us, and I am one of them, who believe that the passage of this kind of punitive legislation, this legislation that is designed to destroy the advances which labor has made during the past half century in this country, would only antagonize the workers. As has been previously suggested, if we pass repressive legislation many, many corporation leaders in this country will again feel that they are above the law, that they can go back to their practice of the early twentieth century when they rode roughshod over all labor groups, when goons were the order of the day. H. R. 5262 would encourage the resumption of the kind of labor relations we knew in this country previous to the passage of the Wagner Labor Relations Act.

This is a bill that I believe, Mr. Speaker, was definitely sired by malice and foaled by deceit. Those who hate labor want

it passed, those who have little respect for the orderly procedure of Congress do not care how they get it on the floor.

I trust those Members who want to see us proceed in accordance with established rules and precedents will vote against the pending resolution from the Rules Committee.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. ALLEN of Illinois. Mr. Speaker, may I inquire how the time stands?

The SPEAKER pro tempore. The gentleman from Illinois has 8 minutes remaining, the gentleman from North Carolina 9, and the gentleman from Illinois [Mr. SABATH] has consumed his entire 15 minutes.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, this is a serious matter that we approach, and I would hope that every one of us could approach it with a recognition of its seriousness. Things have been said and words have been printed that legislative action should not be had in anger or in malice. I subscribe to that. I would also like to suggest to some of my estimable friends—who are sincere; I do not question that—that probably not very much is contributed to a sound solution of our problems by name calling, resort to epithets, or depart in great measure from the facts of the situation.

Let us see why this is before us. Was it not on last December 3 that President Truman asked for labor legislation? I recall that speech in which he asked the Congress to do something. He outlined the problem, and, as I remember it, he said something to the effect that if you do not like my program, why, get up one of your own. Did he not say that the American people have been patient? Did he not recall that the labor-management conference had ended with no recommendation? Did he not say that he recommended that the Congress take action?

Mr. Speaker, I intend to support this rule, which, first of all, brings before the House the bill introduced on December 5, I take it, prepared in the executive department in compliance with the request of the President. That bill went to the Labor Committee for consideration. Some hearings were held. I understand one witness appeared, even qualifiedly as to him, in support of the bill. That was the Secretary of Labor. However, the Labor Committee had all of the various matters we have been talking about before it in the consideration of that measure and any other matters that might be deemed appropriate.

The Labor Committee reported the bill, bear in mind, asked for in the first instance by the President of the United States. That bill was assailed by the same persons who assail it here today, and assail any action designed to bring about consideration by the House of this over-all matter. The committee recommended that certain parts of that bill be stricken out.

Subsequently a Member of the House who happens to be a Republican introduced a bill, which carries the number 5262. He asked the Rules Committee to make that bill in order as a substitute for the committee bill.

You gentlemen who oppose any rule here must recognize that if you defeat this rule you prevent the House from considering and determining, if it sees fit, whether or not the recommendation of the President of the United States in this matter should be brought up for consideration. You likewise deny to the House the right to consider any of the problems arising in connection with this matter.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the gentleman three additional minutes.

Mr. HALLECK. Mr. Speaker, reference has been made to the Case bill and I take it that this is not particularly the time to discuss the merits of that proposal because if this rule is adopted and the Case bill is read as a substitute, then the membership can strike it all out, it can strike out any part of it, it can refuse to substitute it for the committee bill and proceed to perfection of the committee bill.

I listened with great interest to some of the gentlemen who have spoken ahead of me in such violent opposition to anything and everything. I always enjoy hearing their tunes, but it is always the same tune. It would not make much difference what you put in a bill, you would hear the same arguments, that it stripped labor of all its rights, and other similar extreme and sweeping statements. Of course, that is not true; it could not be true generally.

A lot of us believe that the processes of mediation and conciliation should be strengthened. Why not proceed with the consideration of that and work out something in the course of the next number of days, or whatever time it takes, to strengthen those processes?

Yes; the gentlemen say that the declaration of purposes is fine; we agree with it entirely. But when anyone begins to implement it they are afraid to even try to do anything about it. They say, "Why, of course, collective bargaining means nothing if contracts are not binding on both parties." Yet apparently they are afraid to try to do anything about mutuality of obligation of contract.

Then they say, "Why, we are for law and order; we are not for violence or force on either side; on the part of the employers with goons, or on the side of the employees on strike." They agree with all of us on that, and no one disagrees. Yes; they agree with the American Civil Liberties Union that sent out a statement the other day. I am sure my good friend from New York, who likes to talk about the NAM, would hardly class the American Civil Liberties Union as an enemy of labor. Here is what they say:

> But no claims of the rights to picket justify the use of force to prevent access to plants on strike by those who are willing to cross picket lines. Reports of current strikes show instances in which pickets have prevented access to plants by executive officers, by maintenance crews keeping up such services as heat and lighting, and by clerical workers not members of the striking union.
>
> These are plain abuses of the right of picketing. In the view of the American Civil Liberties Union, the right of access, not only of these persons, but of any and all others, is undebatable. The two rights of picketing and of access to places picketed are not conflicting.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

Mr. CLARK. Mr. Speaker, I yield the remainder of the time on this side to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, there has been so much heat displayed in this debate that I hope I may not be out of place in attempting to shed a little light.

Those who constantly vote the CIO ticket still cling to the threadbare technique of crying "Wolf, wolf" whenever any type of labor legislation, however mild, is proposed. They have found in the past that by yelling bloody murder as loudly as possible and threatening those who disagree with dire political reprisals they have been successful in frightening certain timid souls.

I know, however, from my conversations in recent weeks with Members, both Democrat and Republican, that there is on the part of many of them an earnest and sincere desire to enact legislation that will be fair to both labor and industry, protect the paramount rights of the great masses of the general public, and still do no violence to the legitimate objectives of collective bargaining. I, therefore, appeal to the membership to read and study the provisions of this bill and not be swayed by the wild cries of anguish emanating from the left wing.

Members of Congress, newspapers, and radio commentators have spoken of this bill as drastic. I make the flat assertion that there is not a drastic provision in the bill, and I call to witness the language of the bill itself.

The theory upon which this legislation is based is that Congress in the past has enacted legislation—to wit, the Norris-LaGuardia Anti-Injunction Act and the National Labor Relations Act—in which have been given to organized labor exemptions and privileges not accorded to any other class of citizen. These immunities were given by the Congress in good faith for the purpose of protecting and encouraging the legitimate objectives of collective bargaining.

Congress never intended to protect organized labor in the pursuit of objectives which were not the proper aims of collective bargaining and which were against the rights of individual workers, inimical to the general welfare, and in violation of all decent standards of human activities.

This bill provides no penalties, either civil or criminal, but merely undertakes to draw a dividing line between the pursuit of legitimate objectives of collective bargaining and the exercise of union activities that were never intended to be protected by law and are contrary to the

paramount interests of the general public. All the bill does—and I invite your careful inspection of its language—is to withdraw from the protection of the Norris-LaGuardia Act and the protection of the National Labor Relations Act certain specific labor-union activities which neither Congress nor the general public ever intended to protect, shield, or countenance.

It merely provides that if labor unions persist in pursuing policies that are either criminal or against the public interest as declared in the bill, the union shall not be permitted to hide behind the shield of the Anti-Injunction Act and the National Labor Relations Act, which were never designed or intended for that purpose.

Then what are the specific things that we here declare to be against the public policy? And I ask if any fair-minded person can find fault with an inhibition against that type of practice. What are they?

The bill, beginning on page 11, under Miscellaneous Provisions, declares that four types of union activities are "detrimental to the interest of the general public" and "destructive of collective bargaining." Those four things are: Breach of contract, violence, unionization of foremen, boycotts, or related practices.

The bill declares, that:

First. Contracts made pursuant to collective bargaining shall be equally binding and enforceable, either in law or equity, on both parties to the contract, and either party breaching the contract is subjected to a suit for injunction or damages for breach of the contract.

Second. If either party to the contract seeks by the use of force, violence, or threats thereof, to prevent any person from quitting or continuing his employment, or accepting employment, or entering or leaving a place of employment, the guilty party may be enjoined from such illegal conduct and shall cease to have the protection afforded to an employee under the protective provisions of the National Labor Relations Act.

Third. That supervisory employees, being a part of the management of the business, cannot serve both the employer and the union and must make the choice of whether they shall be a part of management or a part of the union. They may not sit on both sides of the bargaining table as members or officers of the union and, at the same time, as representatives of management.

Fourth. That those who deliberately engage in so-called boycotts and jurisdictional disputes shall no longer enjoy the protection of the Anti-Injunction Act or the National Labor Relations Act.

Now, the gentleman from New York made the bold assertion that this bill absolutely repeals the Norris-LaGuardia Act. Gentlemen, I have told you just what it does.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I do not yield. I have told you just what it does. The statement rests between the gentleman from New York and myself. I ask you to read the bill and see which one of us is right about it.

It seems to me that those who are complaining so loudly and so bitterly about the provisions of this act would be more convincing if they would confine themselves to a logical argument as to why any individual, organization, corporation, or association should be protected by special law from any one of the four activities above mentioned. There just is no logical, just, and defensible reason why the law should give persons engaged in this type of activity special protection above and beyond that afforded to any other citizen of this country.

As to the mediation provisions of the bill, they are in effect substantially the same as those recommended by the bill report by the Labor Committee, with the exception that this bill carries the President's recommendation for a cooling-off period before a strike can be called and, likewise, withdraws from any person or union violating its provisions the special privileges accorded to labor unions in the Anti-Injunction Act and the National Labor Relations Act.

That is all that the bill does and no amount of lurid and extravagant language can read anything else into it.

Now, as to this rule—I just wish the time would come when the Committee on Rules could please all of the Members of the House even some of the time. We never hope to please all of them all of the time. But remember, we have a very difficult situation. We have a difficult situation of trying to find out what the majority of the House does want to consider. In this instance, we concluded that the majority of the House at the call of the people of the United States want the House to consider labor legislation and that they do not want to be hampered by parliamentary rules which would prevent them from giving it full consideration. So we decided to do the thing that was democratic. The democratic thing was to say to the House, "Here is the legislation with a wide open rule. Do what you think is best about it." We are going to open the door so that either side can offer any amendment to add to the legislation or strike from the legislation so that in the end this House would be permitted to do the thing that it wants to do by a majority of its votes. Can you ask for anything fairer than that?

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired.

Mr. CLARK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

Mr. MARCANTONIO. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 258, nays 114, not voting, 56, as follows:

[Roll No. 16]

YEAS—258

Abernethy	Anderson, Calif.	Arnold
Adams	Andresen,	Auchincloss
Allen, Ill.	August H.	Baldwin, Md.
Allen, La.	Andrews, Ala.	Barden
Andersen,	Andrews, N. Y.	Barrett, Wyo.
H. Carl	Arends	Beall
Bell	Gregory	O'Neal
Bennet, N. Y.	Griffiths	Pace
Bennett, Mo.	Gross	Patman
Blackney	Gwinn, N. Y.	Peterson, Fla.
Bland	Gwynne, Iowa.	Peterson, Ga.
Bonner	Hagen	Phillips
Boren	Hale	Pickett
Bradley, Mich.	Hall,	Ploeser
Brehm	Edwin Arthur	Price, Fla.
Brooks	Hall,	Priest
Brown, Ga.	Leonard W.	Rains
Brown, Ohio	Halleck	Randolph
Brumbaugh	Hand	Rankin
Bryson	Hare	Reece, Tenn.
Buck	Harless, Ariz.	Reed, Ill.
Buffett	Harris	Rees, Kans.
Burch	Hays	Rich
Burgin	Hébert	Richards
Butler	Henry	Riley
Byrnes, Wis.	Heselton	Roberston,
Camp	Hess	N. Dak.
Campbell	Hill	Robertson, Va.
Case, N. J.	Hinshaw	Robsion, Ky.
Case, S. Dak.	Hobbs	Rockwell
Cheif	Hoeven	Rodgers, Pa.
Chenoweth	Hoffman	Roe, Md.
Chiperfield	Holmes, Mass.	Rogers, Fla.
Church	Holmes, Wash.	Rogers, Mass.
Clark	Hope	Russell
Clason	Horan	Sasscer
Clevenger	Howell	Schwabe, Mo.
Clippinger	Jarman	Schwabe, Okla.
Cole, Mo.	Jenkins	Shafer
Cole, N. Y.	Jennings	Sharp
Colmer	Jensen	Short
Combs	Johnson, Calif.	Sikes
Cooper	Johnson,	Simpson, Ill.
Courtney	Luther A.	Simpson, Pa.
Cox	Johnson,	Slaughter
Cravens	Lyndon B.	Smith, Maine
Crawford	Johnson, Okla.	Smith, Ohio
Cunningham	Jonkman	Smith, Va.
Curtis	Judd	Smith, Wis.
D'Alesandro	Kean	Sparkman
Daughton, Va.	Kearney	Springer
Davis	Keefe	Stefan
D'Ewart	Kerr	Stevenson
Dirksen	Kilburn	Stewart
Dolliver	Kilday	Stockman
Domengeaux	Kinzer	Sumner, Ill.
Doughton, N. C.	Knutson	Sumners, Tex.
Drewry	Landis	Taber
Durham	Lanham	Talbot
Dworshak	Latham	Talle
Earthman	Lea	Tarver
Eaton	LeCompte	Taylor
Elliott	Luce	Thomas, N. J.
Ellis	Lyle	Thomason
Ellsworth	McConnell	Tibbott
Elsaesser	McCowen	Towe
Elston	McDonough	Trimble
Engle, Calif.	McGehee	Vinson
Fallon	McGregor	Vorys, Ohio
Fellows	McMillan, S. C.	Vursell
Fenton	Mahon	Wadsworth
Folger	Maloney	Wasielewski
Fuller	Manasco	Weaver
Gamble	Mansfield, Tex.	Welchel
Gary	Martin, Iowa	West
Gathings	Martin, Mass.	Whitten
Gavin	Mason	Whittington
Gerlach	May	Wigglesworth
Gibson	Merrow	Wilson
Gifford	Michener	Winstead
Gillespie	Miller, Nebr.	Winter
Gillette	Mills	Wolcott
Gillie	Monroney	Wolfenden, Pa.
Goodwin	Murdock	Wood
Gore	Murray, Tenn.	Woodruff
Gossett	Murray, Wis.	Worley
Graham	Norblad	Zimmerman
Grant, Ala.	Norrell	
Grant, Ind.	O'Hara	

NAYS—114

Angell	De Lacy	Granahan
Bailey	Delaney,	Granger
Baldwin, N. Y.	James J.	Green
Barrett, Pa.	Delaney,	Hart
Bates, Ky.	John J.	Havenner
Bender	Douglas, Calif.	Hedrick
Biemiller	Douglas, Ill.	Heffernan
Bishop	Doyle	Hoch
Bolton	Eberharter	Hook
Bradley, Pa.	Feighan	Huber
Buckley	Fernandez	Hull
Bunker	Flannagan	Jackson
Byrne, N. Y.	Flood	Johnson, Ind.
Cannon, Mo.	Forand	Kee
Carnahan	Gallagher	Kefauver
Celler	Gardner	Kelley, Pa.
Cochran	Geelan	Kelly, Ill.
Coffee	Gordon	Keogh
Corbett	Gorski	King

Kirwan	Neely	Ryter
Kopplemann	O'Brien, Ill.	Sabath
Kunkel	O'Brien, Mich.	Sadowski
LaFollette	O'Konski	Savage
Lane	O'Toole	Snyder
Larcade	Outland	Somers, N. Y.
Lemke	Patterson	Spence
Lesinski	Philbin	Starkey
Lewis	Pittenger	Sullivan
Link	Powell	Thom
Ludlow	Price, Ill.	Thomas, Tex.
Lynch	Quinn, N. Y.	Tolan
McCormack	Rabaut	Torrens
McGlinchey	Rabin	Traynor
Madden	Ramey	Voorhis, Calif.
Mansfield, Mont.	Rayfiel	Walter
	Resa	Welch
Marcantonio	Rogers, N. Y.	White
Miller, Calif.	Rooney	Wolverton, N. J.
Murphy	Rowan	Woodhouse

NOT VOTING—56

Barry	Fisher	Morrison
Bates, Mass.	Fogarty	Mundt
Beckworth	Fulton	Norton
Bloom	Gearhart	Patrick
Boykin	Hancock	Pfeifer
Bulwinkle	Harness, Ind.	Plumley
Canfield	Hartley	Poage
Cannon, Fla.	Healy	Reed, N. Y.
Carlson	Hendricks	Rivers
Chapman	Herter	Rizley
Clements	Holifield	Robinson, Utah
Cole, Kans.	Izac	Roe, N. Y.
Cooley	Johnson, Ill.	Scrivner
Crosser	Jones	Sheppard
Curley	LeFevre	Sheridan
Dawson	McKenzie	Stigler
Dingell	McMillen, Ill.	Sundstrom
Dondero	Mathews	Wickersham
Engel, Mich.	Morgan	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hartley for, with Mr. Barry against.
Mr. Herter for, with Mr. Healy against.
Mr. Plumley for, with Mr. Pfeifer against.
Mr. Poage for, with Mr. Sheridan against.
Mr. LeFevre for, with Mr. Dawson against.

General pairs until further notice:

Mr. Morrison with Mr. Jones.
Mr. Cooley with Mr. Harness of Indiana.
Mr. Roe of New York with Mr. Johnson of Illinois.
Mr. Bloom with Mr. Fulton.
Mrs. Norton with Mr. Hancock.
Mr. Izac with Mr. Dondero.
Mr. Dingell with Mr. Clason.
Mr. Wickersham with Mr. Reed of New York.
Mr. Clements with Mr. Scrivner.
Mr. Holifield with Mr. Rizley.
Mr. Beckworth with Mr. Mundt.
Mr. Robinson of Utah with Mr. Canfield.
Mr. Chapman with Mr. McMillen of Illinois.
Mr. Rivers with Mr. Engel of Michigan.
Mr. Hendricks with Mr. Gearhart.
Mr. Bulwinkle with Mr. Cole of Kansas.
Mr. Crosser with Mr. Sundstrom.

Mrs. EOLTON changed her vote from "yea" to "nay."

Mr. BEALL changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

ADJOURNMENT FROM FRIDAY UNTIL MONDAY

Mr. McCORMACK. Mr. Speaker, under the rule 2 days of general debate are allowed on this bill. It is pretty generally recognized that the bill will not be disposed of under the 5-minute rule in 1 day. The leadership have agreed that we will start the reading of the bill on Monday. In order to ascertain whether or not that understanding can be carried out, I ask unanimous consent that when the House adjourns on tomorrow, Friday, it adjourn to meet on the following Monday.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. FORAND asked and was given permission to extend his remarks in the RECORD and include a resolution.

APPOINTMENT OF FACT-FINDING BOARDS TO INVESTIGATE LABOR DISPUTES

Mr. RANDOLPH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4908) to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 4908, with Mr. O'NEAL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. RANDOLPH. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, in November 1932 I was elected by the voting citizens of the Second Congressional District of West Virginia to the Congress of the United States. It was only 2 or 3 weeks later when I came to the National Capital to discuss with Members of the Congress, who were experienced and who were in places of leadership, what I should do as a new Member taking office for the first time in March 1933. I remember very well the counsel which I received from splendid men on both sides of the aisle. I recall, most of all, the discussion which I was privileged to have with Representative Joe Byrns, of Tennessee, later to become an able Speaker of the House. He was at that time in a place of leadership within the Democratic Party, which had partially taken control of the administration of this country by the election in 1930 of a majority of Democrats in the House of Representatives. I said to Mr. Byrns, "I am a novice, and I want to ask some questions. If I can gain membership only on one committee in the House of Representatives, I should like that to be the Committee on Labor."

I told him then that in my State of West Virginia I had seen the crucifixion of labor upon the cross of long hours, short pay, and unsatisfactory working conditions. If I had my choice, and the opportunity were extended, I desired to become a member of the Committee on Labor in this body.

It so happened that I was chosen a member of that committee, and since 1933 until this present moment when I exercise the responsibility which I well understand as acting chairman of that group, I have been a member of the Committee on Labor.

I shall now discuss this most important legislation.

First of all, I think the membership of the House should know, so the record be kept clear, that I am for H. R. 4908 as presented originally and filed by the Committee on Labor, through its chairman, Mrs. NORTON, of New Jersey. I am for that legislation, proposed by the President of the United States and introduced into this body, and on which subsequently hearings and action were taken by the Committee on Labor.

The President of the United States, charged with almost fearful responsibility during this period of reconversion, said he desired placed in his hands this instrumentality to deal with the economic unrest and widespread strikes which were facing the people of this country during the last part of 1945 and the first weeks of 1946.

I must be equally frank with my colleagues and say, even though I am a vigorous advocate of the entire bill as presented in H. R. 4908, that I am just as strongly opposed to the so-called Case bill, which has been hurriedly presented and made a substitute for H. R. 4908. You will consider these proposals during the next few days, as Members individually and collectively, exercising your will and responsibility not only to your constituents in the counties you represent, but to the United States as a whole.

I trust that my remarks may be temperate, yet I hope they will be pointed, because I have made a study of this question. For what it is worth, I give you an analysis of the Presidential request, and ask you to think seriously, those of my colleagues who are listening today and those who may read the remarks I have made in the RECORD, about the reason why I predicate my support with the considered reasoning of the President and against other off-the-cuff proposals which are to be hastily considered.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield for a question?

Mr. RANDOLPH. I yield to my good colleague from Oklahoma.

Mr. JOHNSON of Oklahoma. The gentleman is making a very informative statement. I was very much interested in the gentleman's statement that he favors the President's proposed fact-finding bill. May I not suggest that certain polls indicate, particularly the Gallup Poll, that 8 out of 10 people in the United States favor the President's bill. Does not the gentleman think that the House has a moral right to vote for or against the President's fact-finding bill rather than either the bill as reported by the House Labor Committee or the so-called Case amendment that has been made in order?

The Case amendment may be a decided improvement over that reported out by the House Committee on Labor, but the point I am trying to make is that, considering all the discussion for and against the President's proposed fact-finding bill, that this House should be given the privilege of voting first on the President's proposal. What does the gentleman say about that?

Mr. RANDOLPH. The gentleman from Oklahoma poses a question, at least partially approached by other Members in discussing this matter of the rule. I wish we could vote first on the President's request in H. R. 4908 inclusive in all its provisions.

The reason I voted for the rule, I may say to the gentleman from Oklahoma and my colleagues, is because I am the acting chairman of the Committee on Labor of this House and the President of the United States requests that the legislation which he had drafted and sent to our body be reported. I am sorry the House Labor Committee did not report the full text of the President's bill. I so voted in the committee.

Under the rule if in the committee we adopt the Case substitute and then come into the House and vote down the Case amendment we have the opportunity in the House of voting for H. R. 4908, because that would then be in order; that is the only way, I may suggest, that I could carry out the desire of the Administration and my own personal wish in getting, although under not the most favorable circumstances, an opportunity to vote, I hope, on H. R. 4908.

Mr. JOHNSON of Oklahoma. If the gentleman would indulge me a little further——

Mr. RANDOLPH. I always indulge my friend. Certainly I yield.

Mr. JOHNSON of Oklahoma. My question was not propounded in any spirit of criticism, for I too voted for the rule to bring up this bill for consideration. The adoption of the rule is the only means presented of ascertaining the sentiment of the House not only on the Case bill, but it also gives hope ultimately of getting a vote on the President's fact-finding bill.

Mr. RANDOLPH. I now yield to my friend from Texas.

Mr. RUSSELL. I believe the gentleman has already answered the question I intended to ask, but to be sure I will state it. I understood the gentleman to say that he favored that part of the President's proposal which the Labor Committee struck out beginning at the bottom of page 3, subsection (b) on the fact-finding boards, as well as the first part of section 4, beginning on page 5, midway.

Mr. RANDOLPH. In the committee I voted against the emasculation of H. R. 4908 when it was attempted by striking out of the proposed bill the cooling-off period and the subpena power. I was for the bill as it was introduced. I was opposed to having those sections deleted in committee.

Mr. RUSSELL. That is exactly the answer I expected.

Mr. KELLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to my friend from Pennsylvania, a member of the committee.

Mr. KELLEY of Pennsylvania. Do I understand the chairman of the committee to say that if the so-called Case substitute is defeated, then in order will be H. R. 4908 as it was presented to the Labor Committee or as it was voted out?

Mr. RANDOLPH. As it was presented. It will be an original bill in the House if we vote down the amendment.

Mr. KELLEY of Pennsylvania. Does the House get no chance to vote on the bill as it was reported by the Labor Committee?

Mr. RANDOLPH. First of all, if the Case amendment is defeated in the House, the vote would recur on the full text of H. R. 4908, and not the amended and reported bill, as it came from the Labor Committee.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to my colleague.

Mr. HARRIS. And in that connection the question then would be whether or not the committee would adopt the amendments of the Labor Committee reporting this legislation to the House; and if the committee failed to adopt the two amendments, that is, the committee and the House fail to adopt the two amendments incorporated in the bill presented here, then you would have the President's original fact-finding proposal.

Mr. RANDOLPH. Yes. If whatever is adopted in the committee is refused in the House the next vote comes on the original H. R. 4908.

Mr. KELLEY of Pennsylvania. Mr. Chairman, will the gentleman yield for a question?

Mr. RANDOLPH. Yes; I yield to my friend from Pennsylvania.

Mr. KELLEY of Pennsylvania. How could the House vote on the original bill, H. R. 4908, when it was not reported?

Mr. RANDOLPH. It was reported, sir, with amendments. We did not report a clean bill. We reported H. R. 4908 with amendments.

Mr. RAMEY. Mr. Chaiman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Ohio.

Mr. RAMEY. H. R. 4908 with amendments is what we would still have to vote on provided the Case substitute is defeated. We would have to vote on what the committee brought in, would we not?

Mr. RANDOLPH. I am told by the Parliamentarian that the vote would recur on the original bill in the event the amendments adopted in the Committee of the Whole were defeated in the House. If I am in error, I will adjust my remarks to suit the exact situation. This rule, as you understand, from a discussion by the members of the Rules Committee and others in this House, has been somewhat in dispute.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from New York.

Mr. EDWIN ARTHUR HALL. I understood a while ago that if the Dirksen amendment prevailed, that would take priority over the other bill; am I correct?

Mr. RANDOLPH. I am sorry, I do not know about the Dirksen substitute, and if such is to be offered.

Mr. EDWIN ARTHUR HALL. There was a proposed amendment by the gentleman from Illinois [Mr. DIRKSEN].

Mr. RANDOLPH. I regret I do not know of any Dirksen amendment. I have not been advised in that regard.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. RANDOLPH. Mr. Chairman, I yield myself 10 additional minutes.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Michigan.

Mr. HOFFMAN. If I understand correctly, the Dirksen amendment or substitute, whichever you want to call it—substitute I think is proper—will be offered as a substitute for the Case bill. It is a sort of a younger son in the family or child in the family. Some of us, I guess, have not seen it. I thought of offering a substitute for the Dirksen amendment in the form of one to be written next week.

Mr. EDWIN ARTHUR HALL. I am asking for information. In the event this other amendment or substitute that the gentleman refers to comes up, what will then be the situation on the original bill?

Mr. RANDOLPH. The gentleman would not attempt to go into the matter of the Dirksen amendment. I know nothing about it at this point. I have not heard there was any so-called substitute to be offered by the gentleman from Illinois [Mr. DIRKSEN]. During the debate I hope we can be clarified, as well as attempt to clarify, in the situation which will exist when the actual amendments are offered.

Mr. HOFFMAN. Of course, if the Dirksen substitute is offered to the Case substitute and the Dirksen substitute is adopted, when we get back to the House the situation is the same as the gentleman from West Virginia has outlined. There will be an opportunity to vote on the original bill.

Mr. KELLEY of Pennsylvania. The gentleman stated he knows nothing about the Dirksen amendment. I do not think anyone else does either. The gentleman did not know anything about the Case substitute either before Tuesday evening, did he? No one else did.

Mr. RANDOLPH. The gentleman knows I am opposed to the Case substitute and vigorously oppose it. I will fight it with all the proper power that I have as an individual Member. I think the Case bill first came to my attention in a roundabout method on the morning of the afternoon it was introduced.

Mr. KELLEY of Pennsylvania. I am trying to bring out the point that the so-called Case substitute was introduced without the knowledge of the Members of the House until Tuesday afternoon.

Mr. RANDOLPH. I secured my printed copy yesterday afternoon.

Mr. KELLEY of Pennsylvania. It was reported to the Labor Committee. The Labor Committee never saw it before.

Mr. RANDOLPH. As a Member of the Labor Committee and of the House, I did not see the bill until yesterday afternoon.

Mr. HOFFMAN. Is it not true that no member of the Labor Committee was in favor of the bill which we reported, that we reported this out solely for the purpose of enabling the House to act as the President had suggested?

Mr. RANDOLPH. I can assure the gentleman that was my position.

Mr. HOFFMAN. That was my position, too.

Mr. RANDOLPH. I so stated in the committee.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I want to express my appreciation of the action of the Labor Committee in reporting out a bill so that we would have an opportunity to do something.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. HOFFMAN. And when we provided the vehicle so that you could have something before Congress, the members of the Committee on Rules denied us the right to offer our proposed legislation. That was the ungrateful attitude taken after cussing out the Labor Committee over the years because of inaction. When we did do something and reported it out, you choked us off and denied us any opportunity to consider even our own bill. I will go along with the legislation, but I do not want anybody to think that I have not been kicked and slapped around.

Mr. RANDOLPH. I admire the courage of the gentleman from Michigan because he shows no hesitancy in attacking what he believes to be wrong, even if it emanates from his own party circles, just as well as the Democratic side of the House.

Mr. HOFFMAN. Now, Mr. Chairman, I do not want the gentleman to put me in a position where I am not a loyal, regular Republican Member of the House.

Mr. DOUGHTON of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from North Carolina.

Mr. DOUGHTON of North Carolina. I was not here when the gentleman began his discussion. I am always very much interested in what he is saying on the floor of this House. I heard the gentleman say that he was opposed to the Case bill. I do not know whether I am opposed to it or in favor of it, but the question I want to ask is this: Does not the gentleman think the time has arrived when the Congress should take some affirmative action with respect to labor disturbances that are now so general throughout the country?

Mr. RANDOLPH. Yes; I do think that is a responsibility, and that is why I am advocating the bill H. R. 4908. I think it deals adequately with the situation in which we find ourselves during the period of reconversion.

Mr. DOUGHTON of North Carolina. I should apologize for asking the question, but I was not here when the gentleman started, and I did not know which bill he favored.

Mr. RANDOLPH. I favor the President's request embodied in the bill that the committee originally had before it.

Mr. DOUGHTON of North Carolina. That bill, if adopted, can be offered as a substitute for the bill before the House, can it not?

Mr. RANDOLPH. Yes. After we have had up the so-called Case amendment passed in committee, and then we defeat it in the House, as I am told by the Parliamentarian, we will have an opportunity to vote on the original bill, H. R. 4908.

Mr. DOUGHTON of North Carolina. If we do not perfect this to the satisfaction of the majority Members of the House, then we can take up the bill that is recommended by the President of the United States.

Mr. RANDOLPH. That is correct, and I so advised the House.

Mr. THOMASON. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Texas.

Mr. THOMASON. We could not vote on the so-called committee bill unless the Case substitute is voted down, could we?

Mr. RANDOLPH. No; and I have so stated several times. If the Case amendment is reported from the committee and then defeated in the House, we could then vote on the original bill, H. R. 4908.

Mr. Chairman, a century ago labor's right to organize received judicial recognition in this country. Prior to 1842, when the decision in Commonwealth against Hunt was handed down, a strike for higher wages was considered a criminal conspiracy. For many years the use of black lists, "yellow dog" contracts and labor spies, backed by the economic power of certain great business organizations, made organization of labor most difficult and slow. With the enactment of section 20 of the Clayton Act Congress recognized the inequality of bargaining power between labor and management. The court soon nullified section 20, however, through restrictive interpretations. That is my claim. It may not be the feeling of many Members of this House. It was not, indeed, until the 1930's and the enactment of the Norris-LaGuardia Act and the Wagner Act that Congress not only fully recognized but implemented with protective legislation the right of employees to bargain collectively through representatives of their own choosing. Over the last decade, labor union membership has increased to nearly 15,000,000.

Most of American industry has now accepted collective bargaining with organized labor as the American way of settling disputes between employers and employees. At the same time, conflicts between labor and management have increased in intensity and magnitude. Today labor and management conduct themselves in much the same fashion as two prize fighters in the ring. Both labor and management seem to regard their disputes as fight-to-the-finish combats. When labor and management cannot agree, they seem to prefer to slug it out and let the stronger side win.

Mr. DOUGHTON of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield again to the gentleman from North Carolina.

Mr. DOUGHTON of North Carolina. Has it occurred to the gentleman that in this desperate struggle where each desires to be in the ascendancy both have disregarded the public interest?

Mr. RANDOLPH. I am coming to that point now.

Unlike prize fighters, however, they are not willing to come to the referee for instructions.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. RANDOLPH. Mr. Chairman, I yield myself 10 additional minutes.

Unlike most prize fights, the battle between labor and management now involves an innocent third party on a scale seldom before reached—the public. The public in this instance is not only caught in the middle, the public is being struck below the belt. That may be a strong statement, but I believe it very thoroughly.

This is a critical period in the reconversion effort. It is obvious that in important segments of industry collective bargaining is not functioning at this time in a manner that will insure continued production in major industries.

I draw this picture, which may be apropos. A merchant who has no goods upon his shelves to sell to a consuming public, eager to buy, will soon of necessity close his doors. It is the same with America today. If we do not get into productivity and supply the materials and the necessary equipment with which our peacetime life can begin again, we face in this country, I fear—I hope I am wrong, but I fear it—a distressed, a disastrous, and a barren period. I think we face it much sooner than we should like to admit. The Government and the public have a vital stake in production, in full production, may I say. Unless we get it and get it quickly, the dangers of the inflation will continue to mount. It is only through an abundant flow of goods that the long-deferred and pent-up purchasing power of the Nation will be satisfied and something like an economic equilibrium restored. Labor and management, however, seem to be more interested—and understand, Mr. Chairman, I am making no distinctions here today; I am pointing constantly to both labor and management—in embroiling themselves in economic conflict than in getting on with the job of full production.

We no longer settle lawsuits by the method of trial by combat. We have also outgrown the stage in our industrial development in which we can afford the costly technique of settling important industrial disputes in major industries through the medium of economic trial by combat.

In the last few weeks the widespread industrial unrest has resulted, we know, in many major work stoppages. The steel, meat-packing, electronics, radio, automobile, telephone, and communications industries have dramatically recorded the break-down in collective bargaining resulting from the failure to resolve peacefully problems arising from reductions in take-home pay through shortened hours, down grading of workers, and shifts to wartime jobs carrying relatively high wage levels to peacetime jobs which carry lower rates.

Now, the President of the United States has been faced with the problem of maintaining industrial peace. He has demonstrated his concern, I believe, for this threat to the success of the reconversion effort which these work stoppages represent. He has recommended, I say to my Democratic as well as my Republican colleagues, the enactment of legislation for the establishment of fact-finding boards. The country has looked to

the President for leadership in showing the way to the settlement of our present turbulent labor-management relations. The President is entitled to the support of the country in his efforts to meet this problem. We should furnish him with the means for achieving the objectives of industrial stability, full production, adequate wages and living standards. I think the means is found in the enactment of H. R. 4908 in the form in which it was originally introduced. This bill would provide for the appointment of fact-finding boards consisting of persons who have no pecuniary or other private interests in the matter to investigate labor disputes which seriously affect the national interests and to make a report and recommendations concerning the facts of these disputes. Some representatives of labor and management have indicated little concern for the public welfare. This measure requested by the President recognizes clearly the general public concern in the prevention of work stoppages which seriously affect the national interests. It provides, therefore, for a 30-day waiting period during which the status quo is to be maintained. The bill would furnish an opportunity to the parties, that is, to the parties of the dispute, through which a full and fair hearing to present evidence in support of their contentions would properly be made. It would also enable the board to obtain all necessary information so that it can make its findings of fact through the medium of authority to subpena witnesses and records relevant to the investigation at that moment. Now if the fact-finding process is to be effective, these boards must be able to obtain all relevant facts. That is immediately the place where a certain segment of our industry raises its head and says, "You shall not find or use these facts."

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Illinois.

Mr. VURSELL. I would like to ask the gentleman if he does not find that the people of his district, the little businessmen generally, are against fact finding. I find it so in my district, that the small businessmen throughout the district are against fact finding and labor people are also. I wonder if it is that way in the gentleman's district.

Mr. RANDOLPH. I should say to the gentleman I have a very high regard for the intelligence of the constituency of my district. I am sure the gentleman does also for the constituency of his district, but sometimes the prospects of legislation are involved and it is not until weeks after a proposal has been made that the public really knows the implications contained in the provisions of a bill as it was originally presented or perhaps passed or defeated by the Congress. I shall give you later what the Gallup poll shows on the President's proposal. It is not for me to state whether it is correct or incorrect; I only give it to you as a matter of public interest.

Mr. VURSELL. Will the gentleman indulge me for another question?

Mr. RANDOLPH. I yield to my splendid colleague.

Mr. VURSELL. Perhaps the gentleman can clear up this question in my mind which I am at a loss to understand: How can any fact-finding board now going into the facts in regard to United States Steel, let us say, determine in advance, also keeping in mind the retroactive pay raise, what they will be able to pay labor in the coming year? That is the thing that bothers me on this fact-finding proposition.

Mr. RANDOLPH. That is going to bother us whether we have fact finding or not, even under the collective bargaining that will exist.

Mr. VURSELL. It is trial and error now.

Mr. KELLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Pennsylvania.

Mr. KELLEY of Pennsylvania. There appeared before the Committee on Labor the president of the National Association of Manufacturers, and the president of the United States Chamber of Commerce, along with the leaders of the larger unions. None of them was interested in fact finding. They did not want it.

Mr. RANDOLPH. As much as I dislike to disagree with the gentleman from Pennsylvania, the record will not show that to be true. I have before me the hearings, and if the gentleman and other members of the committee will turn to page 36, they will see that Mr. Eric Johnston makes a statement which I think you will want to consider.

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. RANDOLPH. Mr. Chairman, I yield myself an additional 10 minutes.

I want to remind you also that Mr. Eric Johnston did not appear as head of the United States Chamber of Commerce. He made that very clear in his opening statement. He said that organization had not taken action; that he was only giving his personal opinion.

He said:

> I do believe that in a democracy the public has a right to the facts on an industrial dispute if the issue vitally affects the public interest.

That, my colleagues, is why the President of the United States is thinking these days of the necessity of this proposal. It is in the public interest. Our Chief Executive is certainly not going to indiscriminately set up fact-finding boards. You know the President is interested in the welfare of the workers of the country. He is not going to do anything that would abrogate the rights of labor in collective bargaining with management.

Mr. Johnston further stated:

> However, unfortunately, at the present time the public has no method of arriving at the facts involved. So it has always appeared to me, and I have been constantly an active spokesman of fact-finding as an aid toward the adjudication of industrial disputes.

That, sir, is the view of Mr. Johnston.

Mr. KELLEY of Pennsylvania. Did he not qualify that?

Mr. RANDOLPH. All through his testimony he was cautious.

Mr. KELLEY of Pennsylvania. That he did not wish the subpena power to be granted, that fact-finding was all right if it was on a voluntary basis?

Mr. RANDOLPH. Labor, through some leaders, on the one hand does not want a waiting period. Certain management does not want the subpena on the other hand. That is why I am for the President's request. It is courageous on both ends of the dilemma. It gives to him the power which he will judiciously use in finding the facts in the interest of the entire consuming public, as well as any lesser group in our country.

You will also find that Mr. Mosher testified, and I would ask you to turn to page 80 of the hearings and you will see what the president of the National Association of Manufacturers said:

> I came here to support the objectives of President Truman's message, as well as the underlying principle of so-called fact-finding legislation.

Now, there are the opinions of two industrial leaders. They were both bolstered in their rather guarded statements by the Secretary of Labor, Mr. Schwellenbach, but he was enthusiastically for the bill.

Mr. GEELAN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. In just a moment I will yield. They were joined in their belief in the fundamentals of fact-finding by the Secretary of Labor and, of course, the President of the United States. But the witnesses who came before us who were against any feature of the President's request were the president of the American Federation of Labor, Mr. Green, and the president of the CIO, Mr. Murray, and also the president of the United Mine Workers of America, Mr. John L. Lewis. That is the correct picture of what transpired in the hearing.

Mr. Chairman, at this point, I am glad to acknowledge the many worth-while gains these three labor leaders have helped to achieve for the men and women within organized labor. I personally know of the long overdue gains secured for the coal miners, in my State and elsewhere, by Mr. Lewis.

I yield to my friend from Connecticut, a member of the committee.

Mr. GEELAN. Does not the gentleman recall that Mr. Mosher also stated he wanted the cooling-off period lengthened? I believe he suggested 90 instead of 30 days. And does not the gentleman also recall that Mr. Mosher tells us he was against granting subpena powers to the fact-finding boards? And does not the gentleman also recall that Mr. Mosher testified that he did not want this to apply to industry generally speaking, but wished it confined to those circumstances where the national health or safety were concerned and not the national welfare or interest?

Mr. RANDOLPH. I have said that gentlemen representing both labor and management came before our committee and they did not desire in toto the President's proposal. Neither Mr.

Mosher nor Mr. Johnston endorsed all of the provisions of H. R. 4908. They have said only that they endorsed the principle of fact finding; the three labor leaders wanted no part of the bill.

Mr. GEELAN. As a matter of fact, Mr. Chairman, is it not true that what Mr. Mosher was actually saying was that he did not want the bill but that he did not want the onus of the defeat of the bill?

Mr. RANDOLPH. I do not know what Mr. Mosher wanted to say. I only repeat, as you will read in this address, that I believe that labor and management, certainly sections within each, want nothing. Management does not want to be tampered with, not for a single moment. No subpena powers they say; they do not want labor to have, through a fact-finding board, vital information; by the same token, certain labor leadership does not desire to stop even for a few days the legitimate right to strike even though delay in the strike would be in the public interest.

Mr. GEELAN. Mr. Chairman, would the gentlemen yield further at this point?

Mr. RANDOLPH. I yield; yes.

Mr. GEELAN. Would the gentleman agree that it would be a radical departure from our democratic way of life if we were to permit a fact-finding board to go into the books of any company, obtain therein all of the secret information the company has, and then spread that upon the public records?

Mr. RANDOLPH. That is not done in the President's bill; oh, no.

Mr. GEELAN. Does the gentleman know of any other way in which the boards could accomplish their purpose unless the public were acquainted with the facts resulting from their investigation?

Mr. RANDOLPH. Oh, yes; yes. Did the gentleman ever arrive at a fact in his own mind and come to a decision but not tell the public the processes by which he arrived at the decision?

Mr. GEELAN. But that is not what the public wants to know; the public wants to know the facts so they can judge. Without the facts they cannot judge, and unless you tell them the secrets the companies' books show they cannot judge. That to me is a radical departure from our American way of life. Would not the gentleman also agree that the 30-day cooling-off period is a form of involuntary servitude?

Mr. RANDOLPH. No; I do not agree. I believe in the basic right to strike; I have always believed in it. The gentleman, if he will inquire into at least parts of my voting record, during almost 13 years will find——

Mr. GEELAN. I agree that the gentleman has always been, as far as I know, on the right side of every question, but I do not agree with him on this.

Mr. RANDOLPH. Nor with your President.

Mr. GEELAN. That is correct.

Mr. RANDOLPH. That is right. Let us make it perfectly plain that the President of the United States is opposed in this matter by many Democrats in this House.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. JOHNSON of California. Is it not the gentleman's opinion that the policy of the labor leaders and the industrialists is that they and their small groups alone are the only ones concerned? Right now in California there is a strike impending in the canning industry which could jeopardize the crops of the growers and prevent the canning of over a billion cans of fruits and vegetables. As a matter of fact the ones who will suffer most in such a strike, should it occur, will be the growers in California, who have not a thing to say about it, and also the consuming public back East, who would be deprived of these canned fruits and vegetables.

Mr. RANDOLPH. The gentleman is correct. That is why the President wants this instrumentality in the public interest. He has requested the bill to meet a condition and not a theory.

When the situation becomes so extreme, and when these two antagonists will not come to the referee in the center of the ring and receive instructions, he can, representing the public in the final analysis, use the processes of the fact-finding board.

We must return to what the gentleman from Connecticut [Mr. GEELAN] said about the American way of life and all the processes under which we work.

This may be beside the point, but I inject it at this moment: If this pulling and hauling between labor and management continues in this country we are surely to be faced with the nationalization of not only the public utilities and the services of this country but of practically every type of business as well. You know there are some persons within labor, there are some persons within management, and some persons within Government who are anxious for that day to come.

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. RANDOLPH. Mr. Chairman, I yield myself five additional minutes.

Mr. Chairman, do not mistake the real threat. There are those who desire just that. I trust it will not come. I hope that management and labor, standing with the President, for a middle of the road course, will give a little and take a little in the interest of the public and will not allow such a tragedy to happen.

Mr. KOPPLEMANN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Connecticut.

Mr. KOPPLEMANN. Then I understand from what the gentleman states, so that it will be clear in my mind, in order to avoid that which the speaker is in fear of, it is essential that we go through with a program that will give essential and necessary facts to the end that we may avoid strikes as a last resort?

Mr. RANDOLPH. The gentleman from Connecticut aptly states what is in my mind. I hope it is in his mind too.

Mr. KOPPLEMANN. It is.

Mr. RANDOLPH. That is splendid.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield further?

Mr. RANDOLPH. I yield to the gentleman from California.

Mr. JOHNSON of California. In the gentleman's opinion, will this bill cover and find the facts regarding jurisdictional strikes, strikes where there is no controversy between employer and employee but two labor unions are fighting over who shall be the bargaining agent in a plant, where the employer is absolutely paralyzed and wants to employ men but cannot because two groups of laborers are fighting? Will this bill bring out those facts clearly so the public can understand what the situation is?

Mr. RANDOLPH. I do not believe so. I believe that problem is of a broad-gage type, as are many other problems which of necessity will have to be considered and should be considered perhaps within the near future by legislative committees. It is my opinion, and only my opinion, that this bill goes simply to the public interest where management and labor are holding back the productivity of essential consumer goods.

Mr. LANDIS. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Indiana.

Mr. LANDIS. Is it not a fact that the steel companies gave a 30-day strike notice and also at the end of the 30-day strike notice the time was extended for the strike 1 week? I wonder if any request for an extension of what is called the cooling-off period has been turned down by labor?

Mr. RANDOLPH. Not to my knowledge.

Mr. LANDIS. I was thinking of a voluntary system or a request that would be granted as was granted in the steel strike. I wonder if such a process as that might continue?

Mr. RANDOLPH. The gentleman will remember that the Ford Motor Co., through its president, has said, yesterday I believe, that if the steel strike continues the production of Ford motor cars will halt immediately. Is that not true?

Mr. LANDIS. That is true, but here is what I am trying to bring out: Would the 30 days be considered a cooling-off period?

Mr. RANDOLPH. I shall discuss that problem in a few minutes.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I put in the RECORD a week ago Friday a statement which conveys exactly what the gentleman fears, that is, nationalization or socialization resulting from all this. But I want to ask the gentleman this question: What is there in this bill that will cure the defects that neither side may accept, if they do not want to, the result of the fact-finding body? What has the gentleman in this bill to cure that situation?

Mr. RANDOLPH. I want to cover that question in just a moment.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from New Jersey.

Mr. HAND. Does the gentleman feel that corporate profits have a direct relationship to wages which should be

paid? For example, if A corporation is very well managed and it has corporate profits indicating ability to pay $2 an hour, but B corporation, not so well managed, cannot pay it, both companies making the same product, how does the gentleman overcome that proposition?

Mr. RANDOLPH. This bill does not overcome it.

Mr. HAND. Are there any substantial facts that you want to find in this bill beyond corporate profits? That is what it is after, is it not—corporate profits?

Mr. RANDOLPH. This bill?

Mr. HAND. Yes.

Mr. RANDOLPH. The President's proposal?

Mr. HAND. Fact finding.

Mr. RANDOLPH. Does the gentleman mean in the settlement of a dispute?

Mr. HAND. What facts do they want to find by this bill?

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. RANDOLPH. Mr. Chairman, I yield myself fifteen additional minutes, and I shall answer the gentleman from New Jersey later.

If the fact-finding process is to be effective these boards must be able to obtain all relevant information. Provision for compelling the attendance of witnesses and parties and for access to records and for use of the subpena power to obtain them when necessary is a prerequisite to the success of the fact-finding process. Those who think otherwise have short memories.

It was early 1943, I believe, that John L. Lewis successfully opposed the efforts of the War Labor Board to secure his presence at a hearing in a pending coal dispute. Congress later enacted the provision in the War Labor Disputes Act which gave subpena powers to the National War Labor Board.

Nor is the element of defiance confined to certain labor leaders. Just a few weeks ago the General Motors Corp. withdrew from a hearing before a Presidentially appointed fact-finding board composed of men of outstanding integrity and considerable experience in the field of industrial relations.

There is no valid objection to the granting of the use of the subpena power. The National War Labor Board never abused that power and the very existence of the power made it unnecessary to use the subpena except on rare occasions. The subpena power stricken from the bill by the House Committee on Labor should be restored.

No party to a dispute which sincerely feels that it has merit on its side should be hesitant to submit the facts to the appraisal of fair-minded men.

I would also recommend the restoration of the 30-day waiting period provided in the measure as originally introduced. Under the bill the findings and recommendations of the board would not be enforceable. Either party would be free to accept or reject the recommendation. The gentleman from Massachusetts indicated that just a moment ago in his observation. Generally speaking, however, experience has shown that the general public interest in seeing that the recommendations of such a board are accepted will be a sufficient guaranty in most instances to secure that acceptance.

If strikes or lockouts are allowed, however, during the period in which the fact-finding board is investigating the dispute, the likelihood of acceptance is diminished. Apart from the imperative necessity of preventing such work stoppages, the existence of such a stoppage tends to lead the parties to adopt intransigent attitudes in regard to any yielding from their respective positions.

We have a wholesome precedent in the history of the emergency boards which have been appointed under the Railway Labor Act. The recommendations of those boards have met with almost complete compliance and acceptance. The waiting period provided for in that act is demonstrated by the facts to be a useful provision. The 30-day period is a reasonable one.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Since the gentleman has called attention to the beneficial effects of the Railway Labor Act, I cannot resist the opportunity to point out that the proposals in H. R. 5262, the so-called Case bill, follow very closely the procedure and the principles and policy of the Railway Labor Act.

Mr. RANDOLPH. May I point out what is to me a more pertinent fact, that H. R. 4908 contains the procedure also, and that is the bill I am advocating today.

I said the 30-day period is a reasonable one. It is identical in duration with the waiting period provided for in the War Labor Disputes Act. Labor and management have complied in the main with that requirement without apparent undue hardship.

I should emphasize that the 30-day period provided for in H. R. 4908 as introduced is not a cooling-off period, as such, but the 30-day period is one in which the process of hearings and fact finding and recommendations will take place. I think there is a vast difference. A cooling period in which nothing is done would accomplish less than was intended. It is a period which looks toward the settlement of the dispute, and not a period of preparation for the beginning of a strike. Do you not think that is important? I think it is essentially sound that in that period we prepare for the settlement of the dispute and do not use the time to prepare for a strike.

Some labor leaders, perhaps all of them, have objected to the 30-day provision. I have myself found no valid merit in the objections. The railway unions have had no difficulty under similar provisions in the Railway Labor Act.

The provisions of the bill would not of course be applicable to every type of labor dispute. That is what the gentleman from New Jersey discussed a moment ago. It is contemplated that the fact-finding procedure would be used in a relatively few cases. It would be utilized only when the Secretary of Labor had certified that conciliation and arbitration had failed, that the parties were unwilling to submit the controversy to arbitration, and that a stoppage of work would seriously affect the national interest. The procedure would not be applicable to disputes in small plants or local industries. That is why I partially answered the gentleman from Indiana by saying that there were perhaps reasons why now the fact-finding proposal would not be thoroughly understood by every man having a small business undertaking. Such provisions are sound. If public opinion is to be brought as an effective inducement upon the parties to accept the recommendations of fact-finding boards, there must not be too many such boards appointed. I cannot make that too strong. That is my feeling and I believe it is the feeling of all Members of this House who support fact finding in any degree.

This public opinion could not be effectively marshalled in support of the findings and recommendations of these boards. This bill, that is, H. R. 4908, would not create any legal rights in any of the parties to the dispute. Neither labor nor management may properly raise the cry of compulsion. Nevertheless, I feel that the moral obligation is sufficient to guarantee virtually a complete compliance with the rules of the game as set forth in the bill H. R. 4908. Moral obligations are more effective in the settlement of labor disputes than the imposition of penalties. In that statement I can join my friends who even argue against the provisions of the fact-finding legislation. I think as a distinguished commentator in the field of labor relations has pointed out that legislation requiring married couples live happily ever after will not accomplish the desired results. Labor relations are nothing more than human relations on a larger scale. The history of no-strike, no-lock-out pledges, given by industry and labor during the war, indicates that moral obligations are more effective than legal sanctions in this field and the whole amount of time lost due to work stoppages was small.

The existence of criminal penalties for engaging in strikes in Britain during the war did not prevent the occurrence of strikes in that nation.

I think it is wise, therefore, that this bill create no legal duties. Moreover, while some of the representatives of labor may be reluctant to place their case before a fact-finding board as a referee, the public does because it is vitally affected by these controversies. I think there is a fair-mindedness and a directness, gentlemen, as to this proposal of the President of the United States.

In the survey of the American Institute of Public Opinion issued on January 3, 1946, less than a month ago, 78 percent of the people canvassed were in favor of the President's proposal and only 11 percent disapproved. Of the union members questioned on the survey, 70 percent approved, 16 percent disapproved, and 14 percent were undecided. In a similar survey conducted by the Des Moines Sunday Register, 72 percent of union members in Iowa voted for the approval of the President's plan.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield again to the gentleman from Illinois.

Mr. VURSELL. Is it not a fact that everyone wants the facts, but is it not a further fact that not 10 percent, in your judgment, of the people who voted on the Gallup poll thought the thing through or knew what they were voting for?

Mr. RANDOLPH. You have just stated your constituents knew how they stood on this matter, as expressed to you in letters, and so forth. Why would not you believe the poll to be as valid and correct as to receive a letter or a statement on this subject by communication?

Mr. VURSELL. I qualified my statement by referring to businessmen who generally think things through along that line a little more quickly than the general public.

Mr. RANDOLPH. In a degree, that may be correct.

Mr. DOUGHTON of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. DOUGHTON of North Carolina. In view of the great public support that the President's proposal has had, according to the Gallup poll, can the acting chairman give us any reason why a bill carrying out the purpose of the President's proposal was not favorably reported by the Committee on Labor? The bill failed to receive the favorable action of the committee, and there must be some reason why a bill recommended by the President, which was so popular and had so much support in the public mind, has not received favorable action by the Committee on Labor. That situation bothers me.

Mr. RANDOLPH. Of course, it disturbs the gentleman now speaking. I think the Labor Committee should have reported the Presidential request, as embodied in H. R. 4908. A motion to report the bill, unamended, the President's bill, was defeated 13 to 5. A motion to strike out the subpena powers was defeated 9 to 7. A motion to strike out the waiting period was defeated 10 to 7. You have both sides of this picture—those who were opposed to the subpena and those who were opposed to the cooling-off period. A motion to strike out both the waiting period and the subpena power was adopted 10 to 8. Then, finally, the bill as amended was reported by that same vote to the House.

Mr. DOUGHTON of North Carolina. Which bill as amended? The bill now under consideration?

Mr. RANDOLPH. Yes. H. R. 4908.

Mr. DOUGHTON of North Carolina. The bill reflecting the views of the President, then, did not receive the support of a majority of the members of the committee?

Mr. RANDOLPH. No. It was defeated. A motion to report the bill without amendment was lost 13 to 5. Only five of us voted to report the Presidential request, as embodied in H. R. 4908.

Mr. DOUGHTON of North Carolina. So the bill carrying out the President's viewpoint has not been reported by the Committee on Labor?

Mr. RANDOLPH. No, sir, it has not. I think it should have been.

Mr. DOUGHTON of North Carolina. I was wondering why, with the overwhelming support it has from the public, it did not receive a favorable report from the Committee on Labor.

Mr. RANDOLPH. The gentleman must understand I have a very sincere regard for the members of the Committee on Labor. They disagreed with me, but I do not fall out with them personally on that count. They have their viewpoints and their reasons for such action. I regret the action taken. I wish we could have brought here the President's bill in toto and let it be discussed and voted up or down. We would thus let the country know that we as Democrats and Republicans stand behind the President in this period of reconversion, in his attempt to bring about economic stability. We had unity in war—we need it now in peace.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. HOFFMAN. Will the gentleman tell the committee how many of those five were proxy votes?

Mr. RANDOLPH. One was a proxy.

Mr. HOFFMAN. Does the gentleman mean there were four of them present?

Mr. RANDOLPH. Yes. The gentleman from North Carolina [Mr. BARDEN], the gentleman from New Jersey [Mr. HARTLEY], the gentleman from Indiana [Mr. LANDIS], and myself. Mr. MORRISON's proxy made the five votes.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. ZIMMERMAN. Did I understand the gentleman to say that 72 percent of the votes amongst labor unions recommended the President's proposed bill?

Mr. RANDOLPH. Seventy percent, as shown by the Gallup poll throughout the Nation. Seventy-two percent, as shown by a poll taken in Iowa. That is of the union members. Seventy percent Nation-wide; in another poll in Iowa, 72 percent.

Mr. ZIMMERMAN. Did I understand the gentleman correctly when he said the representatives of labor before your committee opposed the President's suggested legislation?

Mr. RANDOLPH. That is correct. Mr. Murray, Mr. Green, and Mr. Lewis.

Mr. ZIMMERMAN. Then, the gentleman means to say that they were not supporting a majority of their own people in this matter?

Mr. RANDOLPH. I do not mean to say anything about who they were representing. I only say to you they were opposed to this legislation. I like to believe the majority of labor union members feel otherwise.

Mr. ZIMMERMAN. Well, they were not representing a majority, then, before your committee, in their opposition to this bill. Of course, that is not taking into consideration a segment of our population known as John Q. Public.

Mr. RANDOLPH. And I think that he is a tremendously important factor. That is the reason why the President wants this legislation passed.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. JOHNSON of California. I have often heard from both sides of this problem that they do not want the facts concerning industry disclosed to labor or the facts concerning the unions disclosed to industry. Is it your conception that the facts which are submitted to the President are confidential facts, and those facts respecting industry will not be turned over to labor, and vice versa?

Mr. RANDOLPH. That is correct.

Mr. JOHNSON of California. In other words, they are just for the use of the President?

Mr. RANDOLPH. Yes; for the carefully used fact-finding board in a particular dispute at issue. The President, as I say, has so indicated.

Mr. JOHNSON of California. And not to be disclosed to either party to be used by either party in its controversy with the other party.

Mr. RANDOLPH. Absolutely not. I now yield to the gentleman from New York.

Mr. CELLER. I should like to ask two questions of the gentleman from West Virginia, who is an expert on this matter: Would the gentleman say that the Case substitute bill would be a return to yellow-dog contracts and indiscriminate labor injunctions?

Mr. RANDOLPH. I should say as I see it on a quick survey of the Case bill, and that is all I have been able to make because I did not see it until yesterday afternoon——

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. RANDOLPH. Mr. Chairman, I yield myself 3 additional minutes.

Mr. CELLER. Is the gentleman's answer in the affirmative?

Mr. RANDOLPH. I say as I understand the Case bill, and I received it last night or late yesterday afternoon, it is a catch-all bill. It may have some provisions within it which are agreeable. The gentleman from South Dakota calls attention to the so-called 30-day waiting period, as contained in the Case bill; that is contained in the President's request.

Mr. CELLER. Yes; but it would allow a return to indiscriminate labor injunctions.

Mr. CASE of South Dakota. Oh, absolutely not.

Mr. RANDOLPH. I have said that I believed the bill was a catch-all bill, that there are so many provisions which I think would have to be studied on their individual merits at a particular time.

I am for this bill, the President's bill. In the public interest he has requested it as an instrumentality to be placed in his hands to give to the people of this country, the consuming public, an uninterrupted production of consumer goods in a time when we need them; he is not damning labor or management in requesting that.

Mr. CELLER. I wish, if I may be permitted, to answer my own question. The Case bill does return to those very dark and murky days; and, to quote the Bible, "as a dog returneth to his vomit, so a fool returneth to his folly."

Mr. HOFFMAN. Now, wait a minute. Mr. Chairman, I object to those words.

I ask that those words be taken down as unparliamentary language.

Mr. CELLER. But I quoted the Bible.

The CHAIRMAN. What words does the gentleman object to?

Mr. HOFFMAN. Where he said we would be like a dog returning to his vomit if we defeated this bill.

Mr. CELLER. I said the Case bill. That is a quotation from the Bible.

Mr. HOFFMAN. The gentleman can quote more Scripture to his purpose than anyone else.

The CHAIRMAN. The Chair rules this all out of order. The Clerk will take down the words objected to.

Mr. CELLER. Mr. Chairman, I demand that the words of the gentleman from Michigan be taken down. He said I quoted Scripture to my own purpose, like the devil.

Mr. CASE of South Dakota. Mr. Chairman, I rise to a point of order. When a demand is made to take down a Member's words, that Member has no right to the floor until the matter has been settled.

The CHAIRMAN. All gentlemen will take their seats.

The Clerk will report the words objected to.

The Clerk read, as follows:

> Mr. CELLER. I wish, if I may be permitted, to answer my own question. The Case bill does return to those very dark and murky days; and, to quote the Bible, "would they be like a fool who returneth to his folly, or a dog that returneth to his vomit?"

The CHAIRMAN. The Committee will rise.

Accordingly, the committee rose; and the Speaker having resumed the chair, Mr. CHELF, Chairman of the Committee of the Whole House on the State of the Union, reported that that committee, having had under consideration the bill H. R. 4908, to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes, certain words used in debate were objected to and on request were taken down and read at the Clerk's desk, and he herewith reported the same to the House.

The SPEAKER. The Clerk will report the words objected to.

The Clerk read as follows:

> Mr. CELLER. I wish, if I may be permitted, to answer my own question. The Case bill does return to those very dark and murky days; and, to quote the Bible, "would they be like a fool who returneth to his folly, or a dog that returneth to his vomit?"

The SPEAKER. The Chair does not know all that happened before the language objected to was used, but the name of no Member is mentioned. In the words taken down the gentleman was giving his opinion of a measure before the House. The Chair would be compelled to hold that the language is not unparliamentary.

The Committee will resume its sitting.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 4908, with Mr. CHELF in the chair.

Mr. RANDOLPH. Mr. Chairman, I shall not quote from the Bible or attempt to quote from any book. I would repeat the words of Joaquin Miller in that famous poem Columbus, when he said:

> This mad sea shows its teeth tonight.
> He curls his lip, he lies in wait with lifted teeth as if to bite.

I think we get into a biting mood when it comes to a discussion of this problem, and it is not good, my colleagues, to become unduly upset.

Mr. CARNAHAN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Missouri.

Mr. CARNAHAN. I wanted to make this observation, that the President has proposed a remedy for the solution of our industrial strife. Is it the opinion of the gentleman that if we do not follow the President's proposal, then about the only step for us is legislation which will be definitely toward socialization of industry?

Mr. RANDOLPH. The gentleman expresses my fear that socialization or nationalization of industry may come if this unabated pulling and hauling goes on.

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. RANDOLPH. Mr. Chairman, I yield myself four additional minutes.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Michigan.

Mr. HOFFMAN. My question involves this assumption that the gentleman, and I think it is a logical one, is wholeheartedly and vigorously in support of the President's bill, the so-called Norton bill.

Mr. RANDOLPH. That is right.

Mr. HOFFMAN. But if after consideration the Members of the House should vote for the Case bill, as I know the gentleman, he is in no way intimating that we are like dogs returning to our vomit.

Mr. RANDOLPH. The gentleman returns to a term I was trying to forget.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I would say that the gentleman from West Virginia is far too intelligent, far too generous ever to make such comment, or have words put in his mouth on a bill which he says he is not familiar with the details of. The gentleman from West Virginia would never make such a broad statement unless he had an opportunity to study it. The gentleman from West Virginia never would.

Mr. RANDOLPH. I hope the gentleman from West Virginia is worthy of the gentleman's words of my position.

Now, may I be allowed to close by saying that I gave you the vote in connection with the poll of the cross sections of America, and specifically the members of unionism.

It is interesting to note also that some of the great religious organizations of this country have endorsed the principle of fact finding. The Federal Council of Churches of Christ in America, representing 25 Protestant denominations, the Synagogue Council of America, and the Department of Social Action of the National Catholic Welfare Conference have recommended the use of the fact-finding process.

Before making this proposal the President convened a labor-management conference. Labor and management were given every opportunity to reach an agreement upon machinery for the settlement of labor disputes. The conference failed to come to grips with the very vital problem as to the machinery to be created for the resolution of disputes when conciliation or mediation have failed.

The President is attempting to smooth the road for reconversion, offering a democratic and fair-minded means for the settlement of major labor disputes. The problems of reconversion are peculiarly complex and exceedingly difficult. We should furnish the Nation's Chief Executive with the equipment he needs for a successful solution of the problem of the settlement of major labor-management controversies.

Gentlemen, do not quickly turn your minds and your votes against the President's request as embodied in H. R. 4908.

Mr. LANDIS. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, strikes and threats of strikes are causing much controversy throughout the Nation. The strike wave has monopolized public attention. Everyone is interested in reestablishing labor-management peace and getting the Nation safely back on the reconversion road. The Nation is looking to Capitol Hill as well as the White House for termination of the strife. America wants full production and full employment. Our people want no protracted interruption in our reconversion program. Their happiness and well being are at stake.

Perhaps the administration made a mistake when it removed the War Labor Board before the reconversion program was under way. If the War Labor Board had been continued for another 6 months and the Little Steel wage formula increased 15 to 20 percent, we might be in full production today. Prices could have been raised enough to allow management to pay the wage increase. Of course, many would shout inflation but full production is the only sure weapon against runaway inflation.

Since President Truman turned thumbs down on my proposal to allow a small committee from Congress to be present at some of the fact-finding sessions, it leaves little opportunity for us to get the facts about labor disputes.

Congress is divided on what should be done and, therefore, what it should do. The fight on the House floor over strike-prevention legislation probably will be a hard and bitter one. It's outcome will be highly important to the immediate future of the Nation.

Care must be taken in shaping labor legislation, because you cannot make a man work in a democracy. I believe it is the duty of Congress to set up guide posts and do everything possible to create better relations between labor and management. Victory or defeat in the postwar period will depend upon the cooperation

of labor and management. What we need in America is teamwork. If we use our heritage and experience in teamwork we can build an economy and a standard of living the like of which the world has never known. We need emphasis on good management and persuasion rather than regimentation and compulsion. There must be mutual confidence and understanding between capital and labor. This cannot be brought about by harsh heavy-handed unenforceable mandates such as compulsory cooling-off periods and the like.

At this point I would like to quote from Abraham Lincoln:

All that serves labor serves the Nation. All that harms labor is treason to America. No line can be drawn between these two. If any man tells you he loves America yet hates labor, he is a liar. If any man tells you he trusts America yet fears labor, he is a fool. There is no America without labor.

Property is the fruit of labor; property is desirable; is a positive good in the world. That some should become rich shows that others may become rich, and hence is just encouragement to industry and enterprise—let not him who is houseless pull down the house of another, but let him labor diligently to build one for himself, thus by example assuring that his own shall be safe from violence—I take it that it is best for all to leave each man free to acquire property as fast as he can. Some will get wealthy. I don't believe in a law to prevent a man from getting rich; it would do more harm than good.

Mr. Chairman, the right of labor to organize and bargain collectively with employers is one of the cornerstones of competitive enterprise. The process of such bargaining must be protected and strengthened if we are to have real jobs and prosperity for all. Almost everyone agrees in collective bargaining. However, it means nothing unless it is accompanied with the right to strike at the expiration of a contract. But on the other hand, workers and management must not violate collective bargaining agreements.

Much is being said and much thought is properly being given to the question of legislation which would have as its aim the prevention of wildcat strikes or the breaking of contracts arrived at by collective bargaining.

After most careful deliberation I am fearful that most of the proposed legislation on this subject is impracticable and that there is no certain legislative panacea that can cure this particular difficulty. Right here I might add that I have been misquoted. But there are certain phases of said proposed legislation that might be helpful to this end. For instance, I think the proper committees of Congress can work out legislation, the details of which I need not attempt to discuss here, whereby certain privileges now enjoyed by laboring men through the generosity of the Federal Government might be withdrawn in the event they violate their collective bargaining agreements—for instance, certain welfare benefits.

There is one thing certain, and I think there is unanimity of opinion forming on the question, that it is wholly impracticable to make a compulsory so-called cooling-off period. You could not enforce it. You never did it under the Smith-Connally bill in time of war. How can you expect to do so in time of peace?

Much good argument has been presented to the effect that there ought to be a joint responsibility between the employer and the employee when the contract is violated by either party. It has been suggested that the labor organizations be required to give bond and be responsible for damages resulting from the breach of such contracts. I am of the opinion that if such a law could be enforced it would be the most effective way to break up labor unions that has ever been suggested. In the first place, there are not many labor unions with sufficient funds or assets to cover damages caused by wild-cat strikes; and in the second place, if a bond was required the cost of such would be prohibitive.

And right here I might digress from the general theme I have been discussing to the specific question of contract violations as affecting the United Mine Workers of America. It is a proud but true boast that the national organization of the United Mine Workers of America, which enters into contract with the national operators' organizations involving the employment of more than half a million men, have never in all their history violated a contract so entered into. It may also be said as a general proposition that the same is true of the mine operator. There is no bond for the fulfillment of the contract necessary by either the miner or the operator. Both, as national organizations, are financially responsible, and, moreover, as said before, they do not breach their contracts. When a wild-cat or unauthorized strike occurs—and they have occurred—they are frowned upon by the national organization and the recalcitrant union members promptly brought to terms.

If the national organization was by enforceable law made responsible for damage resulting from a wild-cat strike it would obviously be unfair to the hundreds of thousands of loyal members of the organization who were obeying their contract to have their national funds dissipated in such manner. If it is suggested that each local of the United Mine Workers of America give a bond or be liable for damages, the impracticability of such a suggestion is at once apparent for reasons which I have before stated.

Labor generally would do well to emulate the example of the individual members of the United Mine Workers of America who throughout the years have always urged more production and have never collectively inveighed against improved machinery and methods as have some labor organizations. This fact alone has resulted in the almost unbelievable situation that today one American coal miner mines six tons of coal while one English miner, with his old methods, his wheelbarrow and basket carrying facilities, mines 1,900 pounds of coal.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield.

Mr. BAILEY. Is the gentleman advised that during the war America modernized the British coal mines by the installation of electrical and mining equipment and loading equipment?

Mr. LANDIS. If they needed the coal, they should have had new machinery.

Mr. BAILEY. They did that, so there is nothing to be gained by any comparison of coal mining in England and in this country.

Mr. KELLEY of Pennsylvania. If the gentleman will yield. I think the gentleman is referring to a statement by Mr. John L. Lewis about the amounts of tonnage produced in this country as against the amount produced in England: 6 tons produced in the United States as against 1 ton in England.

Mr. LANDIS. And also, our mining organization did not fight the improvements of machinery.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield.

Mr. BRADLEY of Pennsylvania. On that basis it is probable that the wages of the miners in this country with respect to their production is less than the wages of miners in Great Britain.

Mr. LANDIS. Well, the point to be brought out is that in accepting improved machinery they should receive more wages.

Mr. BRADLEY of Pennsylvania. But, actually, they receive less money per ton or per pound than they receive in England.

Mr. LANDIS. Not only has the American mineworker been an outspoken proponent of increased production both during war and peace time but he has demonstrated his ability to carry out this theory. This attitude and the results therefrom, I think, may truthfully be said to spring largely from the fact that he voluntarily enters into a collective bargaining agreement and has not been compelled to do so and feels that he should live up to the spirit of that agreement.

So again I say, a proposal to make labor unions liable for wildcat strikes in violation of a contract and to require them to furnish bond for such liability, no matter how well-intentioned, is a stab directly at the heart of unionism and is not advocated, I have discovered, by those who have thought deeply on the question and who are vitally concerned with solving this most distressing problem.

It seems clear to me, in the light of all the circumstances and the happenings of the last several years, that no well-intentioned person should want to destroy the labor unions. There are many of us who want to get rid of some of the abuses on both sides of the labor question, but if you are to have collective bargaining—and there is great unanimity throughout this Nation in the belief that the eventual solution of labor difficulties will come through the agency of collective bargaining and improvements upon the laws relating thereto—the only known source of authority for collective bargaining is through the employer and the united employees.

At this point I also want to congratulate the United Mine Workers organization for having a fining clause in their contract which provides a fine of $2 per day for the first and second day and $1 for each additional day out on strike

during the violation of their collective bargaining agreement. Another good proviso in their contract with management, in regard to minor disputes, is that the mine must be in operation before a dispute is discussed before the miners and operators grievance committees. Since these two sections have been adopted the miners have come a long way toward better relations between labor and management. I also understand the American garment workers have placed a fining clause in their new contract. It might be the opportune time for other industries to give the necessary wage increases in return for a fining clause in their contracts.

The Smith-Connally Act should be repealed. It should never have been enacted, although those who voted for it no doubt, deeming it a war measure, felt compelled to take some action at that time. But this character of legislation emphasizes the fact that it is wholly impracticable and impossible by legislative mandate, such as has been proposed, to make a man work under our republican form of government.

The Smith-Connally Act, like other war legislation, was hastily conceived and enacted. It never, even in part, fulfilled the praiseworthy purposes for which it was intended. I place the President's proposed labor reform legislation in the same category as the Smith-Connally Act. Someone has styled it and his message to Congress relating thereto, as the second Missouri Compromise. Some of its proposals and its features may be praiseworthy; other phases of it are so impracticable and unenforceable and contrary to the spirit of the American cititzenship and American rights as to damn the whole suggestion.

I am opposed to the heavy hand of the Federal Government, when it steps into the breach, requiring that a collective-bargaining agreement shall be based upon the employer's ability to pay. Obviously some employers are better able to pay a high wage scale than others. Would you put a premium upon lack of thrift? Would you stifle initiative and business ingenuity, which in large part has made this Republic the wonder of the world? Is it fair that one manufacturer be required to pay a high wage scale and another a low one when they are in direct competition with each other? Is it conceivable that this is to be regarded as a sound economic policy?

Other phases of it are so impractical and unenforceable, and contrary to the spirit of American citizenship and American rights, as to damn the whole suggestion. I am opposed to the heavy hand of the Federal Government when it steps into the breach requiring that collective-bargaining agreements shall be based upon the employer's ability to pay. Obviously, some employers are better able to pay a high wage scale than others. Would you put a premium on lack of thrift? Would you stifle initiative and business initiative which in large part has made this Republic the wonder of the world? Is it fair to require that one manufacturer be required to pay high wage scales and another a low one when they are in direct competition with each other? Is it conceivable that this is to be regarded as a sound economic policy?

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. As I understand, both labor and management are against such a provision.

Mr. LANDIS. That is true.

Mr. ROBSION of Kentucky. If that policy should be followed would you not have just as many different wage scales as you have industries throughout the United States?

Mr. LANDIS. There is no question about that.

Mr. ROBSION of Kentucky. On the policy of ability to pay.

Mr. LANDIS. There is no question about that.

Mr. ROBSION of Kentucky. And, as the gentleman points out, it would place a premium on inefficient management and penalize efficient, active, experienced management, would it not?

Mr. LANDIS. The gentleman from Kentucky is correct. Moreover, the whole theory of a labor-dispute, fact-finding agency is too New Dealish for me.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield for another question?

Mr. LANDIS. I yield.

Mr. ROBSION of Kentucky. In the year 1919 we had a similar period of disturbance and confusion throughout the country when it was proposed to turn the railroads back to their owners. Many business people and others throughout the country said it would not do unless we put an antistrike provision in the law; that if we did not do that the railroad men would strike all over the country. Under the high pressure of that time, the Senate passed a law returning the railroads to their owners with an antistrike provision in the law, fixing a very severe penalty for any two or more persons who should unite and agree to quit work.

The bill came over to the House of Representatives. The House of Representatives refused to be stampeded into that proposal, and finally out of it all the Anderson amendment was offered to that bill that passed the Senate, and that was the beginning of this Mediation and Conciliation Act for the railroad workers of the country. I was against the antistrike provision being put in the law, and I had occasion at that time to say that I did not believe the time would come in this country as long as we were a free country that you could dig coal, operate the factories, or run railroads successfully at the point of a bayonet. What does the gentleman think about that?

Mr. LANDIS. There is no question but what the gentleman from Kentucky is right. After the First World War the Government undertook to run the coal mines, and it cost about $200 per ton for the coal mined.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield.

Mr. EDWIN ARTHUR HALL. I wish to point out the fact that we have some reason to be optimistic in the workings of our American system, for within the past few days a great deal of progress has been made in the settlement of various labor disputes throughout the country, and the next few days hold promise of more and more peaceful settlements to come between labor and management.

Mr. LANDIS. I believe that is true.

Mr. ROBSION of Kentucky. One other question, if the gentleman will permit.

Mr. LANDIS. I should like to proceed, but I will yield if the gentleman will be brief.

Mr. ROBSION of Kentucky. I assume the gentleman favors the strengthening of the conciliation and mediation principle.

Mr. LANDIS. There is no question about that.

Mr. ROBSION of Kentucky. And we may be today inaugurating for business generally a policy that was adopted more than twenty-odd years ago as to the railroads.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. LANDIS. Mr. Chairman, I yield myself an additional 10 minutes.

Mr. Chairman, the whole theory of a labor dispute fact-finding agency is too New Dealish for me. It smacks of bureaucracy in the worst form. If the agency worked perfectly in accordance with the proposed law it nevertheless would be bad—bad in principle and bad in ultimate economic results. But when you take into the equation the fact that no such bureaucratic agency is liable to be free from outside and inside dangerous influences, from prejudices, preconceived notions, and burdened with such inefficiencies as usually characterize such agencies, it makes it impracticable that the American people at this time embark on any such visionary and harebrained venture.

Aside from the ordinary objectionable features of most hastily created bureaus, the country is and should properly be alarmed at the insiduous influence in those bureaus of a communistic tendency, and I for one refuse to be lead by these star-gazing, starry-eyed bureaucrats into the pink pits of communism.

Federal decision must not be substituted for free agreement, but Federal machinery to promote peaceful settlement of disputes should be improved. I am certain fact-finding alone is not the answer to our difficulties. I believe we also need a Federal mediation board to consider disputes which are not settled by collective bargaining. This Board should include labor, management, and the public—all equally represented.

When labor and management do not get together through collective bargaining, it should be turned over to the Mediation Board, and the Mediation Board should be able to promptly induce management and labor to compromise.

If mediation should fail, then the Board should be authorized to recommend that the dispute be submitted to an arbitration commission. To make this plan operative and effective both labor and management would have to agree to it. If either labor or management balked, Government could not

force acceptance of a recommendation or a decision of the arbitration commission. We may reliably depend, I think, upon arbitration voluntarily entered into by the parties in a spirit of fairness which in so many instances now is shown in labor controversies. At least this is the best hope of the hour.

Mediation and voluntary arbitration will not always prevent strikes, but I believe it is a step in the right direction in solving most of our labor-management strife. Both labor and management should willingly accept this method, and if left alone by a meddling Government who ought to know they cannot successfully bludgeon their way through this problem, I think voluntary arbitration and mediation will in most instances solve the problem.

Both industry and labor have responsibilities. Industry must win the confidence of its working organization. It can win this confidence when it stands for those things which make for better homes, better educational facilities, better health, and all that goes to make up a healthful and contented community life. Every industry should have a plan that provides a proper contact between management and the workers. This will give the rank and file of labor an understanding of the problems of business as they relate to financing, producing, and marketing. It will also give business first-hand information about the problem of labor. Workers also have responsibilities. Too many workers consider a union as merely a grievance committee to secure all the wages it can squeeze out of the employer. A union must be a constructive organization designed to promote the mutual best interests of the employer and employees. Those unions that have adopted a policy to help management to improve production and reduce costs are to be commended. American labor is smart enough to know it must produce the products, goods, and services upon which profits and taxes must be had and levied to pay the cost of social security.

America is the hope of the world. We have just begun to climb the ladder. Private industry must organize and cooperate in a manner which will make unnecessary another WPA. Only through the processes of private enterprise will the American people enjoy a higher standard of living.

I should like to make one point clear, and that is that we have three problems before Congress. One is to try to prevent a breach of contract after collective bargaining is agreed to, and I think the only effective way to do that is for the union to put a fining clause in their contracts with management. If that is not done, then about the only thing that Congress can do would be to amend the Social Security Act and take the welfare benefits away from those labor unions and individuals who break their contracts. Another problem is for stronger conciliation, mediation, and voluntary arbitration. That question is not incorporated in this bill. We should have better mediation, conciliation, and voluntary arbitration.

The third point is that business complains that they do not have the same rights that unions have under the Wagner Act. Then we should bring the Wagner Act before the right committee and iron out the difficulties.

Mr. BARRETT of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Wyoming.

Mr. BARRETT of Wyoming. I want to commend the gentleman on the splendid presentation he has made, and I want to make this observation. Assume that the United Mine Workers of America have a record wherein they have never broken a contract that they have entered into, and that they also have in their contract a provision for fines in case of any violation of contract. Does the gentleman believe that it would be good policy for the Congress to step in and say to that industry and to that union, "Now, you have made an agreement. You have a record of keeping your agreement. You have provided for penalties, but we do not like that arrangement. We are going to provide a different penalty." Is that sound policy in the gentleman's opinion?

Mr. LANDIS. It is a question of what constitutes sound policy. What should Congress do to make a sound policy? You could not put 750,000 steelworkers in jail for being out on strike.

Mr. BARRETT of Wyoming. That is not quite the question that I had in mind.

Mr. LANDIS. The gentleman wants a penalty for breach of contract, as I understand.

Mr. BARRETT of Wyoming. Yes. As I understand, the United Mine Workers and the coal operators have provided a penalty in their own agreements.

Mr. LANDIS. That is right.

Mr. BARRETT of Wyoming. Now then, they are the ones who are primarily concerned. Of course, the public is concerned also. But they have already worked out their particular problems. Does the gentleman think it is good policy for Congress to come in and say, "Well, we do not like that arrangement. We are going to provide a different penalty?"

Mr. LANDIS. The trouble is that the railroad workers and the miners have gone through these strike periods for many years, and they have made some gains in a better relationship between management and labor. Some other organizations are going through a period now, that the miners and the railroad men went through years ago. About the only thing that we could do in Congress would be to say, "Here, we want to take care of a breach of contract or wildcat strike." A wildcat strike is a breach of a collective-bargaining agreement, and about the only thing that we can do is to take away workers' welfare rights, say, for a period of a year. If workers were out on a wildcat strike in any period during the year and for the entire year, they would lose their welfare rights, such as compensation benefits.

Mr. BARRETT of Wyoming. Here is an organization that has entered into an agreement and has a record of keeping its agreement. In the agreement it has provided for a penalty. Inasmuch as that procedure and policy has worked out so successfully, it seems to me it would be unwise for the Congress to disturb that arrangement.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. LANDIS. Mr. Chairman, I yield myself ten additional minutes.

The Garment Workers of America in their new contract emphasize that fact. They have included that in their new contract. I understand that in connection with the Ford contract they asked for it. I do not know whether or not it is present in the new Ford contract. They have asked for it also in the General Motors contract. If they will all put that clause in their contracts, there would be no need of legislation to solve this problem.

Mr. BARRETT of Wyoming. Should we not encourage that policy?

Mr. LANDIS. There is no question about that.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from California.

Mr. JOHNSON of California. Pursuing further the question propounded by the gentleman from Wyoming, is it the gentleman's idea that in cases where they do not include it in their contract we should pass a law stating that where they breach a no-strike clause the company could sue the union and its officers and members?

Mr. LANDIS. I am against such a provision.

Mr. JOHNSON of California. Would not that in effect open the door for companies to start suing and breaking up the unions?

Mr. LANDIS. There is no question about that. The result of it would be to break the unions.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I should be very much interested in having the gentleman's recommendation as to what steps we should take in order to make both sides to the contract responsible. If a wildcat strike develops and the plant closes down, what is the remedy?

Mr. LANDIS. About the only remedy we can apply through legislation is to take away their welfare rights, their compensation.

Mr. CRAWFORD. That is what I want to bring out. This Congress simply writes a law which says to the worker, "You can assess your own fine or you can behave yourself and have no fine." As I view it, we do not take anything away from him. He imposes his own execution.

Mr. LANDIS. That is correct. An amendment to the Social Security Act would deny welfare benefits to wildcat strikers. Back in 1919 in the coal fields, trip riders, and other single men, would come to work, and one of them would jump on a stump and say, "Let us throw out our water and go home." Then the married men working at that mine

would have to go home because of this action. After they put the fining clause in their contract that eliminated most of the trouble. Now we may have to insert a clause to amend the Social Security Act—to take away their welfare benefits if they are out on a wildcat strike. We believe in collective barganing and we believe in giving them the right to strike at the expiration of their contract, but on the other hand we want them to keep agreements. The question is, what are we going to do to make them keep their agreement? Are you going to fine them or put them in jail? Here is a mine out on strike with 500 men. There are 500,000 workmen employed, but here is one mine that does not want to work. If the 500 men out on wildcat strike lost their welfare benefits they would be more careful the next time.

Mr. CRAWFORD. What the gentleman means to say is, they by their act deprive themselves of their own benefits.

Mr. LANDIS. That is right.

Mr. CRAWFORD. Congress does not take anything away from them?

Mr. LANDIS. Correct.

Mr. CRAWFORD. You lay down a set of rules for playing the game?

Mr. LANDIS. That is right.

Mr. CRAWFORD. If so-and-so violates the rules, he enforces his own penalty on himself?

Mr. LANDIS. You are entirely right.

Mr. CRAWFORD. Therefore, I do not believe Congress takes anything away from him in approaching the proposition in that manner.

As I understand the gentleman, then, he does not recommend any kind of action which would place into the law the right of anyone to sue a union's purse, if you please, for monetary damages due to the breaking of a contract?

Mr. LANDIS. That is correct. You would break every union in the country, no question about that.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield.

Mr. CASE of South Dakota. I also want to compliment the gentleman from Indiana on his studious approach to this whole problem, evidently based upon long years of experience and of working with the problem. I was struck by what the gentleman has just proposed in the matter of providing penalties for violation of contracts. I think I might say that it is a logical approach to the problem to say that if labor itself violates its own contract it might forfeit rights to social-security benefits which the Government has conferred. As a matter of fact, I might say also that after working on this proposed substitute bill my first approach to the problem was with the thought of using that principle and preparing a bill which I thought might go to the Committee on Ways and Means, since that commitee has jurisdiction of legislation dealing with social security. But the way the matter has progressed, it seems to me that since the Committee on Labor has reported a bill I should seek to incorporate in the substitute something that would clearly place jurisdiction within the Committee on Labor. Consequently, I adopted the device of the forfeiture of rights which Congress itself has provided under the National Labor Relations Act. That is why the penalty clause, so-called, for violating the 30-day cooling-off period relates to the forfeiture of rights under the National Labor Relations Act. But there again the same thing would be true. It would not be a penalty which Congress inflicts or anything of that sort, but it would be a forfeiture of a benefit which the Government itself had provided. That is why I used that approach. I think the principle is the same as the gentleman from Indiana has espoused.

Mr. LANDIS. The idea presented might be the best method to prevent outlaw strikes. They will think twice before striking.

Mr. CASE of South Dakota. Yes. I thought in the case of certain strikes, in our dealing with labor problems, if they reach the point where we need to impose an individual punishment of some sort, that that might be true. Of course, I hope with the gentleman that what we can do by the legislation that grows out of this consideration is to so strengthen the processes of collective bargaining that mediation or possibly voluntary arbitration will solve the problem, and that we will not have to resort to anything that would in any sense abridge the right to strike.

Mr. LANDIS. That is correct. I think we need mediation and voluntary arbitration. I think those other two problems are very important and one may be worked out in the Social Security Act and the other worked out in the Wagner Act.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Iowa.

Mr. JENSEN. I compliment the gentleman on the very fine presentation he has made on this whole subject. However, I am a little bit concerned about his proposal to penalize employees who go out on wildcat strikes, for instance.

Mr. LANDIS. You are not really penalizing them.

Mr. JENSEN. If the gentleman will just permit me to state my question fully, I am thinking about the fellow who possibly is not in any sense responsible for the strike or who may be forced out of work because of the actions of some other people. Although this fellow may be entirely innocent in respect of what has taken place, do you still propose and do you still think that that man should be penalized to the extent of taking his social-security benefits away from him? The gentleman will admit, of course, that such a condition could arise?

Mr. LANDIS. Of course, we talk about taking it to courts and putting up a bond. It would be much better to take away the welfare rights. If a wildcat strike occurred when a plant was open for business those people who reported to work would not be considered strikers.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. LANDIS. Mr. Chairman, I yield myself five additional minutes.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield.

Mr. ROBSION of Kentucky. I think there are indications of improvement in the labor situation in the country. I think it was a splendid move when the United Mine Workers returned to the American Federation of Labor. Mr. Green and Mr. Lewis are connected with that. While we have about 1,750,000 men out on strike, I understand that only about 40,000 A. F. of L. men have been on strike since this trouble came up. The United Mine Workers have not been on strike. I believe that these influences are going to be very helpful in the solution of this problem. I wish to commend the gentleman for his suggestion about strengthening our mediation, conciliation, and arbitration laws. We are more or less circumscribed in what can be done. In the first place, the Constitution and the Supreme Court gives working people the right to strike. You cannot get around it.

Second. The Supreme Court and the law of the land—I do not mean the recent Supreme Court, but back in the time of Chief Justice Taft—held that workingmen had the right, under the Constitution, to organize, and it was essential to their protection that they have that right, because a single individual could not deal with organized brains and organized capital. There had to be organized brain and organized brawn to deal with each other. I hope that in this period of time we will not go off emotionally, but will approach this subject from every angle and take this bill and work out something that will help the country without regard to the political effect it will have on either party or on any Member of Congress, and look alone to the general welfare of the country, and, above all, preserve free private enterprise and free collective bargaining. You cannot have a free country, you cannot have free workers unless you have a free private enterprise, with the right to bargain collectively. Whenever we undertake to circumscribe that, then we are going to get into trouble in this country, and it will not be solved.

Mr. LANDIS. I thank the gentleman for his contribution.

Mr. GEELAN. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield.

Mr. GEELAN. I also wish to congratulate the gentleman from Indiana on his very fine presentation. There is a question in my mind here, however, as to how well thought out this entire subject matter is. Several of the statements made by the gentleman seem to confirm that. I would like to ask the gentleman, therefore, in what respect strikers could be deprived of receiving certain benefits under Social Security, that the Congress of the United States could deprive them of?

Mr. LANDIS. Of course, in some strikes, certain States deprive workers of their right to benfits while they are on strike. However, we could amend the social-security law. I would rather have it handled by a fining clause between management and the unions. There is no question but what that is the solution. If Ford and General Motors and the steel company would put that clause into a

contract, they would be better off. But you can amend the Social Security Act and deny benefits to persons out on wild cat strikes.

Mr. GEELAN. But does not the gentleman remember that only the other day he voted against a bill which the proponents of the bill for which he voted contended that the opponents of the bill were in favor of federalization of unemployment compensation acts?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LANDIS. I voted against that bill.

Mr. GEELAN. The gentleman voted to return the employment offices to the States.

Mr. LANDIS. Certainly I did. I did it for the reason that the States can do a better job of putting these men to work.

Mr. GEELAN. The proponents of the bill that the gentleman voted for contended that the opponents of that bill wanted to federalize not only the Employment Service but unemployment compensation; yet now the gentleman is suggesting that we amend by Federal law the Unemployment Compensation Act or the Social Security Act so that those States, in the few instances where they do, which pay strikers' benefits shall be prevented from doing so. As I understand, there are only five States so paying. All this brings me up to the point, the point I was going to make. We suggested that much more study be given this, that the entire field be gone into, and let us come up with a real, honest solution to this problem. If we did that, and if the gentleman had gone along with us, we would not have this mess on the floor here.

Mr. LANDIS. But the President of the United States and the people want some legislation on mediation and voluntary arbitration.

Mr. GEELAN. We have a way of getting legislation, but this is not the way to get it.

Mr. KELLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I want to make two more observations before I yield. I want to comment on willful violence and destruction of property. We have State laws that should take care of these problems. That should be up to the States. If the States are not taking care of those situations, it is up to the governors of the States to intervene.

Then we also have this foremen's section in the bill. We talk about not allowing foremen the right of collective bargaining. It is a difficult question to know where to draw the line. The conductor, engineer, and fireman are called supervisors; they run the train. Are they going to be denied the privilege of collective bargaining? It involves a pretty careful study to see where we should draw the line in the matter of foremen and supervisors.

Mr. BIEMILLER. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. Briefly.

Mr. BIEMILLER. First I wish to make a comment and then raise a question.

The gentleman from Connecticut has spoken of unemployment compensation laws and strike benefits. That matter has been raised on the floor several times and I believe the facts ought to be brought out. There are five States in the Union that do permit payment of unemployment compensation to strikers.

Mr. LANDIS. That may be true.

Mr. BIEMILLER. But in each of those instances there is a longer waiting period than there is for an ordinary unemployed person. Furthermore, the striker must agree to take a comparable job if it is offered to him before he can collect his unemployment compensation.

Mr. LANDIS. That may be true.

Mr. BIEMILLER. On the point the gentleman has been making, I have been very much interested in hearing what the gentleman had to say in the matter of foremen and the necessity for a long carefully thought-out study of the problem. In view of the gentleman's attitude I cannot understand why the gentleman from Indiana was part of the vote that permitted this situation to get on the floor where we obviously cannot give this matter due and careful consideration.

Mr. LANDIS. The American people want this question discussed and debated in Congress. It is my duty as a member of the Labor Committee to get this bill out here for discussion.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. On the matter of drawing the line and putting in the class of supervisory employees those who have anything to do with calculating the amount of pay a worker should get, that would include the check weighmen in mines, yet he is a union member and is elected by the union miners themselves to see that they get their just and proper wages. This would deprive them of putting that sort of men in that kind of position.

Mr. LANDIS. The gentleman is correct. He is exactly right.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I want to call attention to the fact that the gentleman is absolutely right in getting the bill before us in this way, because it gives us an opportunity to take up the various matters.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. LANDIS. Mr. Chairman, I yield myself three additional minutes.

Mr. CASE of South Dakota. Section 12, which deals with supervisory employees, can be changed, if the House wishes to do so, when the time comes for that. With respect to the illustration which the gentleman from Indiana used about conductors, firemen, and so forth, those are exempted from section 12.

Mr. LANDIS. The point I was trying to make is that we have people in other industries who have relative positions as conductors, brakemen, and firemen.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from New York.

Mr. EDWIN ARTHUR HALL. I want to compliment the gentleman for his statement. When they start to attack him about a vote that he cast a week ago and the result of his speech, they are going pretty far afield.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Pennsylvania.

Mr. GREEN. I just want to ask the gentleman one question. When we had the vote in the Labor Committee, did the gentleman have any knowledge that this other bill was going to be presented?

Mr. LANDIS. Of course, past history of the House since I have been here shows that we always have had opportunities for labor amendments to labor bills. I think the Members are entitled to bring those amendments in. It has been done before. I agree if there are too many, or if bad amendments are added to the bill, it may pass the House but it probably will die in the Senate like some of the rest of them have; however, I do want to say that we must have the opportunity to discuss and debate this legislation. We can add to or reject the amendments.

Mr. GREEN. It has been stated to me that is the policy of the Republican Party toward labor as the bill presented by the gentleman from South Dakota [Mr. CASE] provides.

Mr. LANDIS. I do not agree. Perhaps some Republicans are for it. There will probably be some Democrats for it, too. Do not say it is the policy of the Republican Party.

Mr. CASE of South Dakota. In view of the question just asked and the questions asked me, will not the gentleman state that he and I participated in a panel on the radio some weeks ago and at that time I did tell him I was working on some labor legislation, that I had a bill in mind I might toss in in the meantime, although we did not have opportunity at that time to discuss the details?

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from New York.

Mr. MARCANTONIO. I think this House is entitled to a forthright explanation as to who wrote the Case bill?

Mr. LANDIS. I do not think that is an issue here.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. BALDWIN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, in the limited time at my disposal I will not have an opportunity to express my own views on this subject except in a very limited manner; furthermore, due to a change in the program of the House, it now appears I shall not be here when the vote is cast on this bill. I do want to put myself on record for the benefit of the people in my district, the farm people, the business people, and unorganized as well as organized labor.

First, I voted for this rule so that we could bring these bills up and discuss them.

Secondly, if I were here and had the opportunity I would vote for the Case bill.

Third, I am in no way sympathetic with the bill reported by the Committee on Labor. I think it is extremely inadequate. Why that committee brought this kind of a bill out at this particular time is beyond my comprehension. So I think the record now will show my position on the two measures before the House at this particular moment. Such amendments as may be offered Monday I shall not have the opportunity to vote on because I will be in my district discussing some of these matters with some of the people I represent.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. No; I do not yield. I only have 5 minutes, and I will not be able to participate in this debate after today, and I do want to get a few things in the RECORD.

Mr. Chairman, out of about 52,000,000 payrollees in this country we have some 14,000,000 claiming to operate under collective-bargaining agreements. Let us assume that those 14,000,000 represent 3½ in each family. Then take the other thirty-six or thirty-eight million and multiply that by 3½, and you will find that approximately 90,000,000 people in this country out of a total of 140,000,000 are not within the embrace of the laws that have been enacted by the Congresses of the United States since 1884, primarily in the interest of organized labor. I have no fear whatsoever of being in the right spot when I am with laboring people. About 90 percent of all the people I ever met were laborers. In every community where I have resided most of my friends and neighbors have been laborers. All of my family have toiled and performed stoop labor all their lives, and I am not a stranger to stoop labor, even as a Member of this House. I reside on a 260-acre farm, and if you do not believe I can perform stoop labor, you can come out some week end and I will take you through a 24-hour stretch and show you exactly what stoop labor is. So with about 90 percent of our people performing labor in this country, whatever is right for those people, I am for. But what I cannot understand, when I go back and review the record in 1932—I think it was March 8—with this House controlled by the Democratic Party at that time, is just why organized labor was exempted from the Antitrust Act in respect to restraints of trade. I take the position that no organized minority monopoly, whether made up of businessmen or factory owners or shop owners or labor unions, has any legal or moral or social right to stop the flow of commerce between the people of the United States as has occurred in recent weeks and months.

As long as we have labor divided as it is at the present time I shall not support as a Member of this House or as a private citizen a proposal which enables a labor leader to stop the flow of social income, to prevent the production of goods, and to ship those goods in interstate commerce. The welfare of the organized worker, as well as the unorganized worker, economically speaking, lies only in the free play of competitive forces. There is no conflict between the Federal Government exercising its powers to protect the rights of an unorganized worker as well the rights of an organized worker. The Pace bill in my opinion undoes some of the work performed by the Congress in March 1932 when it approved the Norris-LaGuardia Act, and therefore I am in favor of that particular provision of the Case bill. I do not think the Case bill goes far enough. I do not believe we will ever arrive at a satisfactory solution of those propositions for the organized worker or the unorganized worker until we materially alter the provisions of the National Labor Relations Act. I do not think that act protects the organized worker as an individual from the depredations on his rights by the union itself.

In other words, I do not believe the National Labor Relations Act is a democratic law by any means.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. LANDIS. Mr. Chairman, I yield five additional minutes to the gentleman from Michigan.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I appreciate the study the gentleman has given to this matter. If he will recall, one Sunday afternoon I visited him at his home a few miles out in the country here, and we discussed these problems. The gentleman will realize that in trying to accomplish legislation at this time the thing one must try to do is to bring together what agreement may be reached upon. While I respect the gentleman's views, I felt that to include in the bill some of the objectives the gentleman has in mind would precipitate more controversy.

Mr. CRAWFORD. It would make it impossible to get anything considered. In no way am I criticizing the idea of bringing the Case bill here as it is. I am simply putting myself on record to say that I would go further than the Case bill goes along that line. In no way do I advocate the destruction of the collective-bargaining principle, but at all times I must advocate that there be something in the machinery which imposes direct responsibility on the union as it signs a contract. How in the world can we expect shop owners and management, representing ownership, ever to get anywhere unless they have some foundation upon which to rest with respect to operating for at least a 12-month period, to say nothing about a long-term commitment?

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Michigan.

Mr. HOOK. Will the gentleman inform me of one major labor organization that has violated its contract even though there are 15,000 contracts, according to the Bureau of Labor Statistics?

Mr. CRAWFORD. The gentleman knows as well as I do that he can go to the records of these cases which have been handled and ascertain the exact facts. I shall not try to gum up the record by making some guesses or wild statements.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I would be glad to submit for the record figures showing that during the period of the existing steel contract there have been 900 and some short strikes in violation of the contract. In the automotive industry in the last 3 months prior to the strikes there were 147 strikes of short duration.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from New York.

Mr. MARCANTONIO. I also hope that the gentleman from Virginia [Mr. SMITH] will put in the record the number of violations of labor-management agreements that have been made by management.

Mr. CRAWFORD. May I say to the gentleman from New York that I am just as opposed to management's failing to carry out its obligations as I am opposed to a union's failing to carry out its obligations. This country is based on faith and credit. If there is any phase of our life which teaches a man to meet his obligations it is in the business field. Any man who has operated a business and who has a thimbleful of brains knows that the best basis on which he can proceed is always to meet his obligations, verbal and written. If he does not do that, he is not a credit to the community.

Mr. SMITH of Virginia. To clarify the question raised by the gentleman from New York as to how many times industry has violated these contracts, you will find in all of those contracts, which are very elaborate, procedure laid down as to how differences of opinion shall be straightened out. Both sides are required by the contract itself to resort to that procedure. If the company fails to do so, every dollar of its assets is liable under that breach of contract.

Mr. CRAWFORD. The assets of the company or the assets of the people who have saved, who have denied themselves, and invested in buildings and machinery and machine tools so that people can be employed and produce goods, as the gentleman from Virginia has said, are subject to capture through legal processes if the management fails to carry out its obligations under the contract. But little shop A or little shop B can be harassed by a breaking of the contract through a wildcat strike or otherwise and eventually thrown into bankruptcy, and the firm for which the employees are working has no recourse and no way of saving its economic hide in remaining a solvent company so that employment can be given to people.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. BALDWIN of New York. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman and fellow Members of the House, there are several points which have been taken up here this afternoon

in the running debate that we have had which I think need clarification. In the first place, the gentleman from Michigan asked why the Committee on Labor brought out a meaningless bill. I know for one why some of us voted for the bill which was brought out. That was because we were convinced that the American people and this House wanted to have a debate on this subject. It was agreed then in the committee by even those of us who voted for bringing that bill out, that we might oppose it. I do oppose it and I oppose any legislation at this time because I am fearful that we will repeat the sad experience that we had in the past when we tried to pass legislation which was not well considered.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I am delighted to yield to the gentleman.

Mr. MARCANTONIO. The gentleman evidently refers to the Smith-Connally Act.

Mr. BALDWIN of New York. I definitely refer to the Smith-Connally Act which, in my opinion, fellow Members and Mr. Chairman, caused most of the strikes which occurred which were recently mentioned on the floor of this House.

Mr. KELLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I am delighted to yield to the gentleman from Pennsylvania.

Mr. KELLEY of Pennsylvania. The only benefit the American public got under the Smith-Connally Act was the expenditures of money to carry out these strike elections for which the taxpayers have to pay millions of dollars.

Mr. BALDWIN of New York. It is not only that—but, of course, I do not intend to debate the Smith-Connally Act. I do want to reemphasize my fear that we will repeat our experiences under that act. I have consulted with management and I have consulted with labor. I have taken the trouble to go out to the Middle West and consult with some of our important concerns. I went up to New York yesterday and consulted with some more of them. None of them want any legislation at this time because they are fearful, as I am, that in the long run the public will not be protected. They believe as I do in the capitalistic system and free enterprise. Furthermore, they do not want any first steps taken which will involve the Government in running what should be free enterprise.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I am delighted to yield to the gentleman.

Mr. CELLER. I presume also that the gentleman deplores the action of the Committee on Rules in bringing in this Case bill as a substitute for the Norton bill.

Mr. BALDWIN of New York. I shall come to that in a few minutes.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield.

Mr. JOHNSON of California. May I point out that Mr. Tracy, the Assistant Secretary of Labor, who testified before our committee, was very emphatic that we should not repeal the Smith-Connally bill, insofar as the provisions were put in that law to take over industry in case of strikes. I asked him specifically, "Are you thinking about public utilities?" He said, "Yes; I am; and we want this law to stay on the books, so far as those provisions are concerned."

Mr. BALDWIN of New York. Mr. Chairman, I, for one—and I think my record on the Smith-Connally bill is well known—would like to see it repealed without any amendment.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield.

Mr. CUNNINGHAM. If it is true that the Smith-Connally bill is the cause of the strikes we now have, will the gentleman tell me why labor publications call it the antistrike bill?

Mr. BALDWIN of New York. Mr. Chairman, I cannot answer for labor publications, inasmuch as, one, I rarely read them, and, two, I certainly do not write them. But I can say this: That the provisions of the Smith-Connally bill legalize strikes because they legalize Government procedure and provide machinery whereby the taxpayers pay for these strikes, as was pointed out.

Mr. CUNNINGHAM. I understand that.

Mr. BALDWIN of New York. By taking away from the conservative and reasonable labor leaders all control of the rank and file of the union membership, irresponsible union members would come along and would start those wildcat strikes. They would do it and could do it because of the Smith-Connally Act.

Mr. CUNNINGHAM. I agree with the gentleman.

Mr. BALDWIN of New York. And the answer is that if anyone wants to repeal the act now, someone always wants to offer some choice amendments which ultimately defeat repeal.

Mr. CUNNINGHAM. I agree with the gentleman, but he still has not answered my question why labor calls it the antistrike bill.

Mr. BALDWIN of New York. I cannot speak for labor. I can only speak for my constituents.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I am glad to yield to the gentleman.

Mr. MARCANTONIO. We have the same situation today in respect to this legislation, the so-called Case bill. As the gentleman recalls, when we had the Smith-Connally bill before us there was a great furor and great speeches were made, but now we find that the Smith-Connally bill is the most universally repudiated legislation—so much so that the author of that bill, the gentleman from Virginia [Mr. SMITH] himself has introduced a resolution to repeal the Smith-Connally Act.

Mr. BALDWIN of New York. I understood I had pointed that out, Mr. Chairman. I feel very emphatically we are faced with the same situation today. In the first place, I cannot understand how Members of this House could be presumed to act on legislation brought in here with no committee consideration whatsoever. I do not think it is fair to the membership of this House. I certainly do not think it is fair to the members of my own party in this House, to ask us to act intelligently on legislation which most of us had to read in the newspapers before we could get copies of it.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield.

Mr. JENNINGS. Have not all the different features of this measure now before the House been constantly before the people of this country and Members of this House for the past 12 months? Just how long do you think is the period of gestation when an idea could develop and be ready to be delivered in the brain of the average Congressman?

Mr. BALDWIN. Well, I cannot vouch for anybody else, but it would take me a long time to gestate some of the measures in this bill, and I do not think I could ever digest them or swallow them. I certainly believe that orderly procedure in a legislative body demands that a committee consider a bill as important as this and hold hearings on it. I read it in the newspapers, and I reread it twice, and I could not argue all the points in it. I am not definitely sure in my own mind where the mediation board begins and ends. I am not sure whether they can tell management just what they will charge to the public, because this is the only way they can pay this or that wage. It is the same question with the fact-finding board. I believe in the long run the public, which is aroused on this problem, will be best served by a continuance of free enterprise. Let capital and labor work out their own problems without Government interference. It is my own personal opinion that many of the laws we have on our statute books now, particularly involving capital, should be repealed, and that our free enterprise system would get along better if they were.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield in order that I may answer his implied question about the powers of the mediation board?

Mr. BALDWIN of New York. I would be glad to hear it.

Mr. CASE of South Dakota. The mediation board would have absolutely no power to come in and tell management what it should do. It is a mediation board and not an arbitration board.

Mr. BALDWIN of New York. Can the gentleman, then, enlighten me further by saying when does a case come before the mediation board? Where is the line drawn?

Mr. CASE of South Dakota. A case would come before the mediation board on the petition of either party to the industrial dispute. If they arrived at a position where they could no longer proceed with their collective bargaining, and are about to break off, and either side called a lock-out or a strike, they would be required in the public interest 5 days before they do that, to tell the mediation board.

Mr. BALDWIN of New York. They are required to tell the mediation board, then?

Mr. CASE of South Dakota. They are required to tell the mediation board that

they propose to strike. Then, if the officers of the mediation board, named in the bill, the chairman, the vice chairman, and the secretary, who are the public members of the board, appointed by the President, by and with the advice and consent of the Senate, determine that there are sufficient public interests at stake in the industrial dispute, then the mediation board would take jurisdiction. But that jurisdiction would not extend to giving them authority to enter any order or anything of that sort, but they would come into the picture and attempt to continue the processes of collective bargaining.

Mr. BALDWIN of New York. As I read it, then, this bill is entirely antilabor. They are allowed to do it with labor but not allowed to do it with capital?

We do it with capital too, with management.

But what I am getting at is that as I read this bill they have all kinds of mediation boards and procedures to stop labor from doing certain things, but they do not touch management at all.

Mr. CASE of South Dakota. They have exactly the same power with respect to management.

Mr. BALDWIN of New York. I do not see it that way. At any rate, the bill is going to be read and the gentleman will have time under the 5-minute rule to debate it and explain it. In the very short time I have had in which to study the bill it seems to me to be terrifically one-sided and to be an out and out attempt to get at labor. It is high time some of my colleagues in the House stopped such things if they want to come back.

Mr. CASE of South Dakota. When I have time in my own right I shall be pleased to explain the bill fully and clearly.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield.

Mr. JOHNSON of California. I wish the gentleman would give us the benefit of his opinion as to the liability provided under this bill for breach of any no-strike clause of a contract by a union or a union member. Does that mean that a company in the event a union breaks a clause in the contract can sue the union and the officers and every single member of the union?

Mr. BALDWIN of New York. I have not had sufficient time to study this bill. It has never been before the Committee on Labor or any other committee that I know of. It is the first time in all my legislative experience that a thing like this has happened to me, and I have been in legislative bodies for nearly 20 years. I do not myself understand it. I believe that they can do just that.

Mr. JOHNSON of California. And they could recover from an individual union member all that he happened to have, perhaps.

Mr. BALDWIN of New York. That is right, as I understand it; and that is one of the reasons why I say this bill is entirely one-sided. However, the whole matter will be debated under the 5-minute rule, and I am sure the official author of the bill, the gentleman from South Dakota [Mr. CASE] will be able to give the answers.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield.

Mr. EDWIN ARTHUR HALL. The gentleman has a very fine mind and is a very able member of the Committee on Labor. I wish to ask him what his reaction is to the following question: What does he feel the picture will be in the current strike situation even if the Case bill or no other legislation on the subject should be passed as the result of these deliberations?

Mr. BALDWIN of New York. I think that within a very short time it will all be settled. But if we pass legislation which rearouses labor we may have a lot of wildcat strikes which the conservative labor leaders would like to prevent. I believe the passage of legislation will not help, but rather will hinder the solution of these problems.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield.

Mr. JENNINGS. I assume that the gentleman in his business experience has made a great many contracts. They were bilateral contracts that bound each party, were they not?

Mr. BALDWIN of New York. That is right.

Mr. JENNINGS. They were mutually entered into. Does the gentleman know of any reason why in any contract where each of the parties to that contract have knowingly and understandingly entered into it, one should have the right to violate it and inflict damage upon the other and that party which is causing the damage to the other not respond in damages?

Mr. BALDWIN of New York. I entirely agree with the gentleman. But I think that has been much exaggerated here; I do not believe that phase of the matter has been properly presented. I have not time to do it now. I would have to collect most of the facts to present; but I think the gentleman will find that in contracts made by responsible and reasonable labor leaders 99 percent have been kept—at least they were until the Smith-Connally Act was passed.

Mr. JENNINGS. Of course, if they complete them they have no cause to fear anything.

Mr. BALDWIN of New York. In conclusion, Mr. Chairman, I hope that when we come to the final vote on these measures that we defeat all labor legislation at the present sitting.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. MURPHY].

Mr. MURPHY. Mr. Chairman, I ask unanimous consent to speak out of order on a subject of interest to all Members of the House.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MURPHY. Mr. Chairman, the Selective Service Medal, recently authorized by Congress, is being awarded to certain uncompensated members of the Selective Service System throughout the Nation who have served 2 years of service or more, in recognition of their faithful and loyal service.

Medals are being presented in each State and Territory at ceremonies arranged by the Governor and State Director of Selective Service.

The Pennsylvania presentation is scheduled for today at meetings to be held simultaneously in Harrisburg, Philadelphia, Pittsburgh, Scranton, and Erie.

I think this is a splendid idea. I believe I speak the unanimous sentiments of the House when I say that the able, conscientious, sincere work of those citizens in the promotion of the war effort should be so honored. These medals are richly deserved. To each and every one of them may I extend heartiest congratulations.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I wish to say to the gentleman from South Dakota [Mr. CASE] that when I quoted from the Bible in my question to the gentleman from West Virginia this afternoon there was no intention whatsoever to wound the sensibilities of the gentleman from South Dakota. There were no personalities intended.

Mr. CASE of South Dakota. I thank the gentleman for his statement. I am sure I did not so take it and I did not object to his words. It was not I who asked that the words be taken down.

Mr. CELLER. Mr. Chairman, I feel that both the Norton and Case bills would be an undue interference and a tragic interference with the right to strike and for that reason I must be against both bills. To my mind, the right to strike is an inalienable right. I remember when unorganized workers, including children, worked from dawn to dark with barely enough to keep them alive. Unions and strikes and threats of strikes changed that. Nearly every gain in over a hundred years has come through union of labor and strikes and threat of strikes. Decent wages and fair labor standards and working conditions have been secured from reluctant management only through strikes and threat of strikes. Our standard of living, the highest in the world, is primarily due to strikes, every one of which was denounced at the time in the press as socialistic or communistic or as destructive of the private enterprise system. If these strikes annoy you, reflect just one moment as to whether you were in favor a few years ago of child labor or a 12-hour day in the steel works.

This fact-finding bill deprives the workers of exercising that precious right to strike for 30 days. That time would destroy this inalienable right. In that period labor would have no rights. A strike after 30 days would be useless, as useless as dropping a bucket into an empty well. It would be a confrontation of an employee's fait accompli.

Let me read to you what William Green of the American Federation of Labor said before the Labor Committee:

Although the act provides that individuals as individuals, acting solely and independently without conferring, consulting, or agreeing with any other person or persons, may quit work, in practical effect this is merely a window-dressing device. The language is adopted to help save the constitutionality of an act which clearly imposes involuntary servitude on workers. Read literally, an individual may refuse to work himself, but he must not do so as a result of an agreement with another, and it becomes unlawful to induce or encourage another individual to abstain from working. This prohibition against a concerted refusal to work for a period of 30 days raises serious constitutional questions, for it thereby imposes upon workers involuntary servitude.

To my mind the fact-finding bill is bad, but the so-called Case bill is far worse. I would say that the Case bill is applauded by that type of industrialist who might have the best mind of the eighteenth century. The Case bill would be turning the clock backward. It is a denial of the fact that time marches on. We have outgrown the days of the yellow-dog contracts and indiscriminate labor injunctions which the Case bill would bring back. That bill would take us back to the robber baron days, to the industrialist buccaneer days. The great Socrates said: "We never should bathe in the same stream twice." With the Case bill we bathe in the murky, muddy waters of industry-labor disputes. To my mind if we are going to have fact-finding—and I am opposed to fact-finding—there must be attached to it at least two conditions precedent: One, there should be power to subpena records and persons; two, there should be invocation of sanctions. Both conditions are absent in the Norton bill. I oppose that bill for that reason, as well as for other reasons.

It has been a painful experience to labor, the waiting, the tireless waiting for the War Labor Board to find facts in labor disputes. Labor fears, and rightfully so, the bureaucratic delays. Labor fears the employer litigation that would be raised by fact-finding. Labor sees no assurance of employer compliance even after the facts are found and the recommendations are made. Once bitten, twice shy. Labor has already been bitten many times and has a right now to be shy of this so-called fact-finding Norton bill.

It has been stated and brooded about that labor assumes a "public be damned" attitude. Let us examine that momentarily. Be advised that as this moment 43,000,000 men and women are engaged as industrial and service workers, and with their loved ones, their wives and their parents and their children, they constitute over 100,000,000 of the population of the United States. Labor does not want to hurt the public because it hurts labor to hurt the public. Remember, labor represents, I repeat, over 100,000,000 of the population of the Nation. The welfare of the rest of our people is insoluble. You deal with labor's welfare, with labor's take-home pay, with labor's purchasing power. I would like to advise and emphasize and underscore that labor during the war kept a sacred pledge that it made not to strike, and it kept that pledge for 4 years. Labor is entitled to better recompense than some of the Members of this House want to give to labor.

It is interesting to note that after the last war 20.8 percent of the total workers were on strike. The situation is different now after this recent war. Less than 10 percent of the total employees of the country are now on strike. So the situation is not as dark and dismal as some of the Members of this House would want to make that situation out to be. I believe that these disputes will run their course in a very short time, and the difficulties will evaporate. But if we try to inject congressional action and we infuriate and we inflame and we act as picadors, then there will be more trouble. We will be pouring oil upon the fire and making the conflagration all the greater. I have great confidence in the future. I believe that we are on the verge of a great prosperity. Wall Street knows that. Despite all these strikes they believe that we are in for a huge wave of prosperity. Examine the stock market quotations and see how the stocks are constantly rising. They are not worrying about these strikes nor is the Internal Revenue Department worrying about these strikes. I have before me a prospectus for a balanced budget in the year 1947. If things were really as bad as they seem to be in the minds of some we could never balance our budget in 1947, but the Bureau of the Budget and the Internal Revenue Department say that we will balance our budget in 1947.

Mr. GREEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

HITLER LIVES?

Mr. GREEN. Mr. Chairman, when such an affirmative and progressive medium as the motion pictures tackles a topical problem with clarity and force I believe it is an event of the first magnitude. I say to you, without reservation, that I have just seen a splendid and striking example of the way the motion picture can be used in the public service and in a manner which must compel the admiration of, and the recognition by, this body and every American. I refer to the eloquent film document which Warner Bros. is presenting and which is entitled "Hitler Lives?" It is my earnest belief that Hitler Lives? contains a message, a warning, and a promise which are so urgent and so moving that it should be seen by every citizen of this country.

Every single American, as we know only too well, is seriously concerned with the specter of a possible Third World War. We hear from every side that what happened in 1918 and in 1939 must never happen again. We have a tremendous stake in so reeducating and rehabilitating the German people and nation that their will and power to make war is forever eradicated. And our desperate need is for the truth, for the historic facts, for the understanding of the way in which a whole nation can be motivated toward conquest.

Before our very eyes, this picture presents a pictorial record of German aggression in its defiance for humanity and its contempt for the principles of democracy. Bismarck, the Kaiser, and, finally, Hitler—these three monsters, these despoilers of civilization, and all the evil they stand for are presented in an unforgettable manner.

Because Hitler Lives? brings home the desperate need for a realistic understanding of the problem we face today, I believe it merits our complete endorsement, without any reservation whatever.

By a bare and unadulterated presentation of fact, Hitler Lives? points the way toward our great need, at this time, of not allowing ourselves to forget, as we have done in the past, the holocaust that these people have wreaked upon civilization. Because it enables us to understand the nature of this aggression, it must lead to a resolution that we must prevent future aggression. Hitler Lives? breathes flaming life upon the momentous catastrophe of German history. The evidence piles up, and it is incontrovertible. It is an acid which has corroded the minds of men. It sheds a glaring light upon bigotry and other seeds of the Nazi creed.

Hitler Lives? is more than a lesson in history; it is a plea for good will in our own country. I urge, therefore, sober reflection upon its message, and, in appreciation of the enormous public service rendered by the presentation of Hitler Lives? I recommend that this picture and the producers, Messrs. Harry and Jack Warner, and all those instrumental in its production, be publicly commended by the Congress of the United States.

Mr. RANDOLPH. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Chairman, natural birth pains that attend the coming of economic freedom, have stirred up a feeling of panic in some quarters. Drastic measures are being urged upon us. Instead of allowing the current management-labor crisis to work itself out in a democratic way, as it will, we find the legislative doctors in a flurry of excitement. Some are even angry with the patient, which is hardly the way to win her confidence and cooperation.

Fact-finding legislation of some sort is being heralded as the sovereign remedy and the doctors are mixing this witch's brew in various and confusing proportions.

In its most violent form, it is a physic, compelling management to give up its books and labor to part with its right to strike.

In the watered-down formula, it is a patent medicine dosage, harmless, meaningless; a waste of time, money, and effort.

We are being advised to prescribe one or the other, when the patient will benefit from neither. A majority of the American family, embracing both conservatives and liberals, oppose purgatives and oppose quack remedies. They know that, in this case, the mere expedient of pouring something, anything, down the patient's throat, will accomplish nothing. She will come out of her exertions, as she

has before, functioning naturally, and she will bring forth a new economy, healthier and stronger, the less we meddle with its coming.

Americans resent any form of compulsion. We have just emerged from a war in which we gave beyond measure to eliminate force, once and for all, as a way of doing business. And yet there are some who, forgetting that the meaning of America is cooperation, now advise us to adopt a contrary policy, that of bearing down in the demanding manner. In the heat of a domestic crisis, they become impatient and impulsive. They would have us forfeit all that we have come to mean and in the rush to impose a settlement would crush our fundamental freedoms. The gentlemen who suggest this may mean well, but they should keep an eye on recent history.

Fascism and nazism came to power through labor disputes. On the pretext of maintaining law and order, they intervened with final authority. When management and labor "came to" they found they had lost out. And from this method of settling industrial disputes, came the greatest agony in man's experience.

The compound word "fact-finding" sounds innocent enough, but when it goes into action with teeth it opens the way to a controlled economy in which government would dictate wages and profits.

Without teeth, it is only a gesture, a form of legislative shadow-boxing, duplicating a remedy we already possess.

As President Truman said:

> It is nothing new to have the Government get accurate information from the corporations.

Various Government agencies have been getting this information all along. As for the unions, the Labor Department has been able for some time to give us statistics—all the statistics we need—covering wages, gains in man-hour productivity, the cost-of-living index, unemployment, consumer demands, and all the other factors which enter into the case for the worker. When management and labor sit down together, what else do they put on the collective-bargaining table but the facts which both these organizations have assembled from their respective staffs of experts? Oftentimes, the facts are not in dispute. It remains a question of adjusting the facts and reaching a compromise. The only function of government is to serve as a conciliator and the procedure for this has been in operation with considerable success for a number of years.

Why, then, are we being asked to formulate repressive, or meaningless legislation? Fact-finding, with teeth, is a menace. Fact-finding without it is a mockery. We would be better occupied, I believe, in encouraging the democratic process of collective bargaining to settle the differences between management and labor.

Let us look at the record.

The Kaiser Steel Co. and the new Kaiser-Fraser automobile manufacturing venture have reached agreements with organized labor. After considerable negotiation, both Ford and Chrysler have reached a compromise settlement with the unions. Although the prevailing rate at Ford's—$1.21 per hour—was higher than General Motors—$1.12 per hour—Ford nevertheless agreed to add an 18-cent-per-hour increase on this rate for his UAW employees. Furthermore, he added 15 cents per hour to the pays of salaried and white-collar workers covered by union representation. Similar understandings were arrived at through collective bargaining in the oil industry.

It is obvious that conditions differ from industry to industry, and even within a given industry. In some cases, free bargaining is impossible within the limits imposed by Government price policy. If one industry can make no gains in productivity, it cannot pay higher wages. It cannot, in all fairness, be expected to raise wages as soon or as far as the progressive industries. Nevertheless, the wages, even here, must go up to some extent, in line with the general trend. Since this industry has made no advance in man-hour productivity, it must be permitted to charge higher prices. Here, let it be clearly understood, we are referring only to the relatively stagnant industries.

On the other hand, our major industries have made exceptional gains in efficiency. During the war years, productivity in manufacturing industry rose 23 percent

Let us take a hypothetical case. Suppose the facts, already available, show that a certain industry can pay a 50-percent increase in wages. This is no proof that it should. If the over-all increase in productivity happens to be 20 percent, this industry should raise wages from 20 to 25 percent and pass on most of the balance of its exceptional gains to consumers in the form of lower prices. At the same time, this industry is making more than average profits, in spite of higher wages and lower prices. No one questions its right to this share. However, the bulk of the gains must be spread through higher wages and lower prices else the economic machine will soon run down. The concentration of economic power brings responsibility. Management does not live in an ivory tower. Neither does labor live on the other side of the tracks. Both must work together producing and sharing in fair proportion, and always considering the welfare of the general public.

The facts put on the collective-bargaining table must include the picture of the country as a whole, in addition to the facts pertaining to the specific industry where the dispute arises. The collective bargain in each industry has become a matter of concern for all consumers. Management and labor, growing up to their responsibilities, must take these facts into consideration, as well as the specialized statistics of each industry.

The President has employed fact finding, on an informal basis, to help bring the major disputes at General Motors and United States Steel to a compromise solution. It did not result in an immediate and dramatic success, but I believe that it has served to bring both parties closer to the understanding which they will surely reach.

The results achieved through collective bargaining in the Ford and Chrysler disputes provide the pattern for industrial peace which others must follow if they want to solve their problems in the American way and retain the public's faith and confidence in their ability to make this cooperative procedure work.

Because I believe that a solution, arrived at through collective bargaining, is not far away, I consider it ill-advised for the Congress to interfere with hasty legislation that will only serve to aggravate both parties to an industrial dispute.

Management and labor will settle their differences without any fact-finding meddling by the Government. They have the facts all ready and on the table. With these they will work out an agreement in the voluntary, cooperative, and democratic way. It is better so.

Mr. RANDOLPH. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. COFFEE].

Mr. COFFEE. Mr. Chairman, at a time when an outraged public opinion has forced the abandonment by some corporations of a conspiracy in American industry to destroy labor organizations, at a time when a formula appears to be evolving for the adjustment of present labor-management differences, a coalition of Republicans and Southern Democrats is seeking to railroad through the House a strike-breaking bill, H. R. 5262, which constitutes an irresponsible and indefensible form of governmental intervention in labor matters on the side of employers and a serious blow to present hopes for industrial peace. The bill, which has been forced by this coalition onto the floor of the House while the ink on it is barely dry and without consideration by the House Labor Committee, provides briefly:

A tripartite mediation board is created, with representation from labor, management, and the Government. The bill imposes upon employees the duty to refrain from striking until after the expiration of 5 days from the date on which notice is given to the board of an intention to strike. If the board determines that the dispute substantially affects the public interest, it may take jurisdiction over the dispute.

After the board has taken jurisdiction over the dispute the board may issue an order to require any person to refrain from calling a strike. It may also order any person to refrain from assisting a strike in any manner. Such an order is effective for any period the board may determine, but in no event for a period longer than 30 days from the date on which the board took jurisdiction.

The bill provides that the Attorney General, at the request of the Chairman of the Board, may obtain an injunction in the Federal courts to enforce the orders of the Board and expressly states that the Norris-LaGuardia Anti-Injunction Act is not to apply to the injunction proceedings authorized by the bill.

The bill further provides that collective labor agreements are to be mutually enforceable against each of the parties thereto in the Federal courts and expressly states that labor organizations may be sued in such courts.

The bill makes it unlawful for any person at any time "by the use of force and violence or threats thereof, to prevent or attempt to prevent any person" from quitting or remaining in employment, from accepting or refusing employment, or from entering or leaving a place of employment. Again, the Norris-LaGuardia Anti-Injunction Act is repealed for the purpose of authorizing the Federal court to issue injunctions to enforce this portion of the bill.

This section of the bill also provides that any employee who violates it is denied the protections of the National Labor Relations Act. A further provision denies reinstatement and back pay under the National Labor Relations Act to any employee who engages in violence, intimidation, the unlawful seizure of property in connection with a labor dispute, or any organizational activities.

The bill also deprives supervisory employees of the protections of the National Labor Relations Act. This class of individual is defined to include not merely normal supervisory employees but also those whose duties include the computation of the pay of other employees, the determination of time worked by other employees, or supervision or administration of the factors upon the basis of which the pay of other employees is computed.

Finally, the bill contains broad prohibitions upon boycotts by labor organizations and creates two sanctions to enforce these prohibitions: It authorizes the issuance of Federal injunctions against violation and expressly repeals the Norris-LaGuardia Anti-Injunction Act for that purpose. It denies to any individual who violates its provisions the protections of the National Labor Relations Act.

This bill is not merely the product of vindictive antilabor thinking; it is not merely a one-sided attempt to punish labor for industry's transgressions; it is a blow at the liberties of all free Americans. The evils of the bill may be summarized as follows:

First. For a period of 35 days—5 days prior to the assumption of the board of jurisdiction and 30 days thereafter—a strike by a labor organization is condemned as an illegal act. A strike is outlawed for the period no matter how justified its cause, how vicious the employer provocations, how peacefully it is conducted. The requirement that the controversy substantially affect the public interest is so broad—it is not made subject to judicial review—as to insure that the board will take jurisdiction over every strike of any proportions.

The bill piously protests that the "processes of collective bargaining must be protected and strengthened." Nothing could weaken collective bargaining more completely than the withdrawal from a labor organization of the opportunity to exercise the right to strike at a time when it deems it essential. The bill irresponsibly eliminates a vital inducement to the settlement of industrial disputes, namely, the possibility of a resort to a refusal to work. Why should an employer settle a controversy if the union is impotent? When a union is compelled to refrain from striking for a period as long as 35 days, the right to strike becomes merely an empty right.

Second. The right to strike is not merely the most important asset of a labor organization, it is a vital asset of a democracy. The Nazis eliminated the right to strike and substituted for it industrial serfdom. This bill takes the same repressive road.

Third. The bill does not merely prohibit striking for a long period of time but it authorizes the Board to require any person, whether or not a party to a labor dispute, to refrain from assisting a strike during this period. This would condemn such constitutionally protected conduct as picketing, speaking over the radio in support of a strike, or any community activity in sympathy with strikers. Such broadside prohibitions make a mockery of democratic liberty and reflect the feudal thinking of a day when every form of concerted labor conduct was condemned as a conspiracy.

Fourth. The bill strikes a blow at the right to picket not merely during the 35-day cooling-off period but at all times. This is done under the guise of making it unlawful "by the use of force or threats of force" to prevent or attempt to prevent any person from quitting or remaining in employment, from accepting or refusing employment or from entering or leaving any place of employment.

This dragnet provision is little more than an attempt to subject to the process of injunction virtually every form of concerted activity traditionally engaged in by members of labor organizations to gain the support of their fellow employees.

Attorneys familiar with the decisions of the courts on questions of picketing will recall that there are courts which have held that picketing, however peacefully conducted, is by its very nature an attempt to exercise force. It is on this basis that many courts have in years past granted sweeping injunctions against concededly peaceful labor activity.

Attorneys familiar with the decisions of the courts on charges of "violence" in labor relations can tell of the implications to labor in a statute worded as is the Case bill. There are courts which, in injunction cases and in disorderly conduct cases, have held name calling or use of such terms as "scab" to constitute "force" or "violence."

This bill invites the Federal courts to enjoin the legitimate acts of labor organizations, and it also invites employers to discriminate against employees for picketing by removing from these employees the protections of the National Labor Relations Act. A more perfect union-busting provision could scarcely be devised.

Fifth. The bill reintroduces into the law the notorious antilabor injunction. In condemning strikes during the prescribed cooling-off period, and picketing and boycotts at all times, the bill authorizes the use of injunctions, ousted from the law by the Norris-LaGuardia Act only after years of bitter struggle. The bill thus makes of the Federal courts an instrument for the permanent repression of organized labor. Sweeping injunctions are made possible with all their attendant evils of repression and lack of fair hearings. This feature of the bill alone exposes its completely antilabor bias, its contemptuous disregard of the rights of labor.

Sixth. The bill strips from thousands of American employees the protections of the Wagner Act and thus creates an atmosphere which will promote anti-union discrimination against all employees and resort to strikes.

The bill denies to supervisory employees and to other extremely broad classes of clerical employees the protections of the Wagner Act. This means that (a) an employer is free to discharge these employees for their union activity and to destroy their labor organizations with complete immunity, and (b) since these employees' labor organizations will be powerless to obtain recognition through the Wagner Act, they will be compelled to strike for that purpose.

During the period which the National Labor Relations Board administratively denied protection to supervisors, a series of strikes by these employees for recognition rocked the country. The denial in this bill of Wagner Act protections not only to supervisors but to thousands of clerical employees who desperately need these protections is a new guaranty of further strikes. Moreover, since the bill permits an employer to discriminate against certain of his employees for union membership and activity, it enables him by such discrimination to intimidate the remainder of his employees and to crush their labor organization as well.

Seventh. The bill is sharply one-sided and is directed exclusively against labor organization. Any realistic study of the bill will show that from the initial prohibition on the exercise of the right to strike to its final condemnation of boycotts it is wholly and completely directed against labor organization. Indeed, there is some window dressing to create a pretense of even-handedness but the entire thrust of the bill is against labor.

Thus, while the bill purports to deal with force and violence in labor disputes, it punishes only the assumed transgressions of labor organizations. Not a word is said in condemnation of employer-instigated and provoked violence for the purpose of breaking a strike. An eloquent silence is preserved about such matters as the use of armed strike-breakers, attacks upon strikers with weapons supplied by employers, such as tear gas, the bribery and subsidization of police officials to break strikes, or the other weapons of force, terror, and fraud, fully described in the LaFollette committee report, the use of which is commonplace today and constitutes a national scandal.

Similarly, the eagerness of the bill to prohibit and limit the concerted activities of labor organizations with respect to boycotts and picketing contrasts sharply with its silence concerning concerted employer activities. For example, the bill makes no proposals to check or enjoin the current conspiracy of American industrialists to defy the Wagner Act—a field in which the bill could make a vital contribution since the Wagner Act does not apply to conspiracies. The bill has nothing to say about the notorious Mohawk

Valley formula or other conspiratorial and collusive strike-breaking devices.

Also, the bill exposes labor organizations to the completely novel sanction of Federal lawsuits for contract breach. Through this device union treasuries can be milked dry by employers who provoke such breaches and union members and their children placed in permanent economic servitude to such employers. By way of contrast, the bill does absolutely nothing about the widespread flouting of War Labor Board directives by employers which has resulted in the denial to American workers of more than $20,000,000 in back pay alone.

Eighth. The bill invites repression of labor by providing new punishments for conduct which is already subject to adequate restraint.

The bill's concern with supposed force and violence in picketing exposes its antilabor purpose. In the first place, in cases of true violence the Norris-LaGuardia Act now permits the issuance of injunctions. In the second place, there is no further need for Federal action in this field since the local courts and authorities are perfectly capable of restraining abuses on the picket line and, in fact, do so every day. Finally, there is no need to authorize the denial of reinstatement and back pay to a striker engaged in violence. The National Labor Relations Board does that under the Wagner Act. What this bill proposes is to make a picket-line scuffle or name calling an effective pretext for employer reprisal by denying the employee involved reinstatement and back pay.

This entire bill is ill-conceived and prejudiced.

Finally, Mr. Chairman, the introduction of this act at this time without prior consideration or study by the appropriate committee of the House, the House Committee on Labor, constitutes in my mind an act which jeopardizes labor peace on all fronts and at the very time when the country is just on the point that we are going to bring about a rapprochement between management and labor, at the very time when we are seeing a solution of the controversial labor questions. The introduction of this bill and the favorable consideration of the rule permitting it by the House in my judgment menaces the very peace and security of America and represents a blow directed at the reconversion program toward which all people have been looking with hopeful eyes.

I hope and pray that the Case amendment or substitute for the bill reported by the House Labor Committee will be decisively voted down.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. RANDOLPH. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. MILLS] having assumed the chair, Mr. JARMAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 4908) to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. HOOK asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances, in one to include two articles, one by Mr. Edison, distinguished correspondent of the NEA, and one by Mr. Thomas L. Stokes, and in the other to include a statement made by a number of Members of Congress.

Mr. MARCANTONIO asked and was given permission to extend his remarks in the RECORD and include an article written by Mr. Thomas L. Stokes appearing in today's Washington News, entitled "A Case in Point."

Mr. ROWAN asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mrs. LUCE (at the request of Mr. MARTIN of Massachusetts) was given permission to extend her remarks in the RECORD in two instances.

HOUR OF MEETING TOMORROW

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent that when the House adjourns tonight it adjourn to reconvene tomorrow at 11 o'clock a. m.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The SPEAKER pro tempore. Under special order heretofore agreed to, the gentleman from Wisconsin [Mr. WASIELEWSKI] is recognized for 30 minutes.

THE ONE HUNDREDTH ANNIVERSARY OF THE FOUNDING OF THE CITY OF MILWAUKEE

Mr. WASIELEWSKI. Mr. Speaker, today, January 31, marks the one hundredth birthday of the great city of Milwaukee. Milwaukee, located in the southeastern part of Wisconsin, is the largest city in the State; it covers an area of approximately 44 square miles along the crescent curve of a bay on Lake Michigan's western shore. The Milwaukee harbor is considered the most beautiful on the Great Lakes and has often been called the Naples of America. We have an outer basin protected by Government breakwater, an outer harbor, a river entrance channel protected by piers, and an inner commercial harbor formed by the Milwaukee, Menominee, and Kinniekinnic Rivers. Toward the east, Milwaukee looks upon a marine landscape animated by freighters, car ferries, excursion steamers, and the white flecks of yacht and sailboat. Westward, highways lead past wooded farmlands to dozens of inland lakes. There are 106 inland lakes within an hour's drive of the city, where many residents of even moderate means have summer cottages. Milwaukee is the gateway to one of the greatest recreational areas in the world.

Beautiful parks and parkways border almost all of Lake Michigan, with 6 miles of shore drive and acres of scenic woodland and ravines. Washington Park is the home of the Blatz Temple of Music where Milwaukee's summer music program, Music Under the Stars, is held. Outstanding opera and radio artists perform every year at Milwaukee's Washington and Humboldt Parks. The citizens' love for fine music is attested to by the capacity crowds.

This week Milwaukee is being honored by a series of national radio shows with famous stars of screen, stage, and radio paying tribute to the city on its one hundredth birthday. A special radio show earlier in the week over the ABC network included such famous Milwaukeeans as Dennis Morgan, Pat O'Brien, Jack Carson, Hildegarde, and Woody Herman. Spencer Tracy, another former Milwaukeean, read a message from Gen. Douglas MacArthur, our No. 1 soldier. General MacArthur maintains his legal residence in Milwaukee, having received his appointment to West Point from the congressional district I have the honor to represent.

The Milwaukee Centurama during 1946 will include many events. The highlight of the year will be a 31-day exposition at the beautiful lake front to begin on July 12. It is hoped that President Truman may be able to break away from his arduous tasks to visit Milwaukee during the exposition, and I have recently tendered an invitation to the President in behalf of Mayor John Bohn, of Milwaukee.

Now for a few historical facts about our city. The name "Milwaukee" means beautiful or pleasant lands. The name was spelled in various ways, Mahn-a-waukie, Milwarck, Milwaucki. Then came the white man's modification in the spelling and for many years the printed records gave the name as Milwaukie. Then one fine day early in the last century a newspaper editor calmly changed the name to Milwaukee and so it has remained.

The site which was destined to become the future location of a great city was originally selected by an Indian. The spot was chosen because the surroundings served his convenience; the white man, too, saw a geographic location which was well suited for commercial and industrial pursuits. The first of the great explorers to visit the spot now known as Milwaukee was Father Pere Marquette, who stopped here on October 26, 1674, on his way to Green Bay from Chicago. The first trader who came with the intention of remaining was Alexander Lafrombois who came from Mackinaw in 1785. Six years later he was killed by a band of hostile Winnebagoes, and the Indian village was without a trader for the 4 years following. In 1795, Jacques Vieaux and John Baptiste Mirandeau came from Green Bay. They were not permanent residents but commuted between Green Bay and Milwaukee, spending the summers in Green Bay and the winters in Milwaukee. Solomon Juneau, a French-Canadian, became the city's first permanent white settler in September of 1818.

While the first explorers, missionaries, and traders were Frenchmen from Canada, the white men who followed came predominantly from the New England States and New York. They were young men who were seeking their fortune in the West. They laid the foundations for the business enterprises. They estab-

lished the banks, insurance companies, the commercial enterprises. The industrial undertakings had their inception mainly with the German immigration which brought the skilled artisans and mechanics. They established the tanneries, machine shops, breweries, shoe factories, and so forth. Many of the names prominent in the early commercial life are still prominent in Milwaukee today—Plankinton, Layton, Bradley, Allis. Toward the last half of the nineteenth century the Anglo-American names were superseded by German and Irish and other nationalities.

Solomon Juneau, a fur trader originally, established Milwaukee as a fur-trading post. A few days ago, almost 100 years after the city was founded, Milwaukee resumed its position as one of the leading fur-trading centers in the country. It is expected that a total of $13,000,000 worth of furs will be offered for sale this year in Milwaukee.

The city of Milwaukee actually had three founding fathers. Solomon Juneau, the French-Canadian who founded Juneau Town; Byron Kilbourn who came from Connecticut and became the founder of the west side, and Colonel Walker, a Virginian, who established a community on the south side known as Walker's Point. There was heated and often bitter rivalry between the residents of these communities in the early days. Byron Kilbourn became envious of the success of Solomon Juneau on the east side of the river and to spite him platted the streets on the west side in such a manner that the streets running toward the river did not join with those on the east side. He could not have been a very far-sighted man for he believed that Kilbourn Town and Juneau's Side would remain separate villages for all time. We are reminded of this old feud to this day by the crook in the streets as they approach the bridges across the Milwaukee River.

On January 31, 1846, the Wisconsin Territorial Legislature granted a charter whereby the three towns were incorporated as the city of Milwaukee, and Solomon Juneau was elected the first mayor. His inaugural address is significant in that it demonstrates a thorough grasp of the problem confronting the brand new city. Solomon Juneau pointed out the necessity of placing the municipality upon a sound financial basis. Today Milwaukee is the only major city in the United States that is debt-free. He pointed out the necessity of rendering the city readily accessible by water through an efficient harbor in the interest of commerce and trade, promoting the health of the community, affording relief to the destitute, strengthening the fire protection for life and property, and suppressing of evil gambling. Milwaukee's reputation for good government, efficient fire and police protection, low crime rate, great safety and health record and wonderful school system is internationally recognized. Equally legitimate is the claim that in an economic, social, and civic sense, Milwaukee takes a proud place among her sister cities. We rank second among the 13 leading cities in per capita high-school attendance, and we have the largest vocational school in the country, with a peak enrollment during the war of 35,000. Milwaukee has attracted the attention of municipalities all over the world because of its fine sewage-disposal plant and water-purification system. The sewage-disposal plant is near the harbor entrance on land recovered from Lake Michigan. The model $4,600,000 water-purification plant is on the shores of Lake Michigan, with a capacity of 200,000,000 gallons a day. Thus, in keeping with Juneau's counsel, every precaution is taken to safeguard the health of the people of Milwaukee.

We note that at its very inception the city of Milwaukee set up for itself a goal to become an ocean port. The completion of the St. Lawrence seaway will assure the realization of that goal. The shore lines of Lake Michigan, as well as that of the other Great Lakes, are blessed with many efficient lake harbors which are contributing so vastly to the splendid commerce now carried on these inland seas. The completion of the seaway will connect these inland oceans with the Atlantic and make possible the transformation of the harbors of Milwaukee, as well as other cities, into ocean ports.

No harbor along the shores of Lake Michigan is better equipped or carries a larger water-borne tonnage than does Milwaukee. The prospect of bringing America's Midwest a thousand miles nearer the high seas and the products of the factory and farm an equal distance nearer the markets of the world excites the imagination. It opens up a new frontier in America, the doorway to the creation of many new industries and jobs and a definite outlet for the produce of the tillers of the soil in the Midwest and Rocky Mountain regions.

The St. Lawrence seaway will not compete with existing transportation systems in America to any appreciable degree. It will, instead, open the way to new commerce and intercourse with the world that cannot now be realized because of its present fenced-in position. With our great productive capacity there should be no concern or fear in the future that the farmers' prices will be hammered down because of surpluses or bumper crops. The completion of the St. Lawrence seaway will open an avenue to better living for America as well as in our sister nations of the world and Milwaukee shall play an important role in that development.

Milwaukee is the thirteenth largest city in the Nation, the tenth in industry, and the eighth in conventions. In 1944 we hit a peak of manufacturing production with $1,740,000,000 worth of products. Of course, a great share of this was war production. In 1945, with the cut-backs after VJ-day, our estimated production was $1,480,000,000. The character of the people who settled in Milwaukee is, to a great extent, responsible for the fine record of industrial progress. The young New Englanders who came to seek their fortune had the commercial spirit, but the foreign immigrants were the ones who were industrially minded. Many of the great industries can trace their origin to some artisan or mechanic who learned his trade in the Old World. With the passing of time his small shop grew into a factory, more and more men were employed until a full-grown plant was in operation. Then came the genius of invention when the machine augmented hand labor. A succeeding generation introduced mass production and well-planned methods of distribution.

A city of modest middle western people who enjoy a full cultural life, Milwaukee is known the world over for its many products and diversification of industry. Referred to as the machine shop of America, this community of second and third generation skilled artisans and mechanics turned out enormous quantities of war material.

Milwaukee's principal industrial production includes metal products; motor vehicle bodies, parts, and accessories; machinery; tractors; food products; meat packing; leather and leather products; malt liquors; electrical machinery and apparatus; printing and publishing; chemicals, paints, and varnishes; and textile-mill products.

Milwaukee normally leads the world in the manufacture of silk hosiery, automobile frames, heavy pumping machinery, large gas engines, heavy lubricating equipment, power shovels, dredges, sawmill and cement machinery, electrical control apparatus, rock crushers and wheelbarrows, hydroelectric units, and light woodworking machinery.

Prior to the war, the Milwaukee industrial area employed more persons in the manufacture of automobiles and automobile parts than any other city in the United States with the single exception of Detroit. It is the largest center for veal packing in the Nation. It consumes more steel than any other industrial area in the country.

Milwaukee is the home of four of the seven largest breweries in America. Our apprentice program and the on-the-job training has enabled us to maintain a high volume of sound, stable, skilled workmen and women. They have made a great contribution to our total war production program. The many products of Milwaukee's industry helped to win our total victory and they will help prepare the world for better living.

The success of Milwaukee is not due to its geographical location or because of the presence of any unusual natural resources; rather it is due to the character of its people, for though they may have come from many parts of the world, they are thoroughly American. Their civic pride and interest in cultural and educational fields have made them a very orderly, law-abiding, and peace-loving people. This is particularly apparent when one takes into account that 50.8 percent of the Milwaukeeans own the homes in which they are living. Milwaukee did not enjoy a mushroom growth, but a steady and gradual one, and as a result its people have become firmly and deeply rooted. The city today enjoys the highest percentage of American-born population of any city its size, to wit, 85.7 percent. Besides having one of the best school systems

in the country, it is recognized as a medical center, with many outstanding physicians and surgeons and fine hospitals and sanitaria. In addition to its public, parochial, and private schools, Milwaukee is the home of seven colleges, including two female and two theological seminaries.

Milwaukee has led the field in its contribution to the defense of our country. During the Civil War, with a population of 45,206, Milwaukee sent more than 5,000 soldiers to fight the Union cause and of that number about 1,000 were either killed or wounded. Again, in the Spanish-American War Milwaukee was well represented by her sons. During the First World War the city responded with money, machinery, and men, and was the first large city in the country to report a complete military registration on June 5. Milwaukee has more than 13,000 volunteers in service. In World War II, Milwaukee sent more than 86,000 men and women into service, and we are very proud of the fact that our city is the home of Gen. Douglas MacArthur. Among the men who gave their lives in the recently concluded conflict was our young mayor, Carl Zeidler, who resigned his position as mayor to answer the call to the colors and volunteered for service in the Navy. He was a member of the armed guard and in command of a gun crew on a small ship which was lost somewhere in the South Atlantic more than 2 years ago. No trace of the ship or its crew has ever been found. Carl Zeidler was but one of the many fine young men who made the supreme sacrifice.

Milwaukee had no strike or industrial disturbance to interfere with war production. Labor and management worked side by side with a commendable spirit of cooperation and produced the materials of war at superhuman speed and efficiency. A very enviable record was established when Milwaukee led the Nation in every war bond drive. That Milwaukeeans are community and civic minded is further attested to by the fact that every year the community chest is oversubscribed in short order.

The Milwaukee Chamber of Commerce was instrumental in establishing the first veterans' research section for employers, and the Milwaukee Institute on Veterans' Reemployment and Rehabilitation, sponsored by this division, was the first of its kind in the Nation. Proof of the fact that Milwaukee did an excellent job of planning lies in the fact that as of today we have no problem of unemployment.

Early Milwaukee was blessed with almost every nationality—Indian, French-Canadian, Anglo-Americans, Irish, English, Scotch, Welsh, French, German, Swiss, Dutch, and Scandinavian. During the late forties the Germans began to outnumber all others, and the Poles began to arrive in 1855, but most of them came in the early seventies. Since then the population has taken on a decidedly cosmopolitan aspect, and over 30 nationalities are now represented. The 1943 census estimated the population of Milwaukee at 618,000, and the predominating national origins are German and Polish.

Milwaukee has established a record of true progress during the first century of its history. It has demonstrated that its people are soundly rooted, dependable, civic minded, and appreciative of the finer things in life. It has skilled artisans and mechanics, the citizens are conscientious, thrifty, and industrious. With this foundation Milwaukee has every reason to be confident that the future for it is bright. With the completion of the St. Lawrence seaway its growth and development should be without bounds. Milwaukee's achievement is truly representative of progressive America.

I would like to take this opportunity to invite all my colleagues to visit Milwaukee during the Centurama Exposition to be held next summer.

The SPEAKER pro tempore. Under previous special order, heretofore agreed to, the gentleman from New York [Mr. TAYLOR] is recognized for 5 minutes.

NATIONAL EXPENDITURES

Mr. TAYLOR. Mr. Speaker, a great deal has been said of late in this House about the necessity for economy in the various departments of Government. It is high time, in view of the national debt which at the present moment has indentured every citizen and has placed upon him the obligation to labor until he has paid as his share of that debt the sum of $2,000.

The House last week spent long hours in a desperate attempt to pass legislation that would reduce, rather than increase, our national expenditures. To me the attitude of the House in attempting to make departments of our Government economize by cutting departmental appropriations is inconsistent, since the House takes no steps to prevent these same departments of the Government from giving away assets which belong to all of the people of this country. There seems to be no cohesion of thought or action between those who are attempting to save the taxpayers' money, and those whose duty it is to dispose of the Government's assets.

A few days ago my friend and colleague the gentleman from New York [Mr. LATHAM] told this House about the dumping of thousands of dollars' worth of trucks and equipment into the Pacific Ocean. You were appalled, and probably angered to learn that the Government had adopted such ruthless practices, particularly when there is such a demand for trucks and equipment. In your own back yard, so to speak, is a situation which is to me equally appalling.

In a place distant only 500 miles from Washington, the Government is about to dump what $27,000,000 has created into the auctioneer's lap. I speak of the barracks at Plattsburg, N. Y. You who know the glorious past of Plattsburg as written in the history of World Wars I and II, will sustain me when I say that not only would it be a disgrace to demolish or dispose of that post, but also it would be an asinine thing to do, particularly when there is no present pressing need for such action. The situation created by the relegating of this post to the Surplus Property Administration is identical with the situation which arose after World War I. Had it not been for the fact that someone with foresight concluded after that war that there might be a necessity in the future for military installations, Plattsburg would not have been intact for World War II. There were then people who said there would never be another war. We who have seen two wars are not so naive as to believe that there may never be another, as much as we work and pray for permanent peace. Residents of the Plattsburg community who are aware of the past, have raised their hands in horror when informed that disposal of the post may eventually take place. Newspaper editorials intimated that Members of Congress were lax in not finding means to prevent the disposal of a plant which they know has contributed so much to achieve victory in the last two World Wars. I can well appreciate the surprise and chagrin of the people of Plattsburg, since they and I were assured that the Army Air Forces would continue to occupy the plant with increased personnel.

There is a present need for Plattsburg Barracks. As you well know, every college and university in the United States today is overcrowded because of the fact that the colleges and universities were unprepared to accommodate more than the normal student quotas. They have been trying to sandwich in as many returned veterans as possible, without much success. In one college, for instance, located not far from Plattsburg, there is an overflow of some 300 veterans who are anxious to complete their college courses. If every university and college in the United States has an overflow of comparable size, it becomes a duty for Congress to establish veterans' universities to provide for the education of our veterans as guaranteed under the GI bill of rights.

We owe the veteran the duty, and we owe it to the future of America, to see to it that he has the opportunity to pursue higher education.

Under a bill which I have introduced, it is contemplated that any veteran who has been honorably discharged, and has completed a high-school course or its equivalent, could matriculate, and immediately pursue a course of study and be graduated with a recognized degree. Upon matriculation a veteran would waive the educational allotments provided for him in the GI bill of rights. The university would be established on the highest educational plane, and would provide courses of instruction recommended and approved by the New York State Board of Education. Supervision of educational methods and maintenance of standards of education would also be undertaken by that board operating in conjunction with a board of control also provided for in the bill. Graduates would receive degrees after successfully completing the courses prescribed by the board for such degrees. Maintenance of teaching personnel and necessary em-

ployees would be made by Government allotment, as would all other operational costs. The cost to the Government would be negligible.

The creation of such a university is by no means a novel idea. States and subdivisions of States have successfully operated schools. The Government of of the United States now operates the United States Military Academy, the United States Naval Academy, and the United States Merchant Marine Academy. An urgent need exists for the education of every veteran who wishes to study, and that need cannot now be met unless we act to create an institution of learning for him. The solution lies in the passage of my bill to create such an institution.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CLEMENTS (at the request of Mr. BATES of Kentucky), indefinitely, on account of illness in family.

ADJOURNMENT

Mr. WASIELEWSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly, under its previous order, the House (at 5 o'clock and 40 minutes p. m.) adjourned until tomorrow, Friday, February 1, 1946, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 10:30 a. m. on Friday, February 1, 1946, to continue hearings in its study of operations pursuant to the Public Utility Holding Company Act of 1935, in room 1304, House Office Building.

COMMITTEE ON BANKING AND CURRENCY

There will be a meeting of the Committee on Banking and Currency at 10:30 a. m. on Friday, February 1, 1946, on continuation of housing.

COMMITTEE ON THE CENSUS

The Committee on the Census will hold hearings on H. R. 4781, on Friday morning, February 1, at 10 a. m. in room 1012.

COMMITTEE ON THE JUDICIARY

The Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary will hold a hearing on Monday, February 4, 1946, on the bill (H. R. 5023) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, February 6, 1946, on the bill (H. R. 5089) to amend the First War Powers Act, 1941. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1001. A letter from the president, the Chesapeake & Potomac Telephone Co., transmitting a comparative general balance sheet of the Chesapeake & Potomac Telephone Co. for the year 1945; to the Committee on the District of Columbia.

1002. A letter from the Administrator, Surplus Property Administration, transmitting the progress report for the third quarter of 1945; to the Committee on Expenditures in the Executive Departments.

1003. A letter from the Administrator, Surplus Property Administration, transmitting the fourth quarterly progress report of the Surplus Property Administration; to the Committee on Expenditures in the Executive Departments.

1004. A letter from the vice president and general manager, Potomac Electric Power Co., transmitting a report of the Potomac Electric Power Co. for the year ended December 31, 1945; to the Committee on the District of Columbia.

1005. A letter from the Director, Office of Contract Settlement, transmitting the sixth quarterly report of the Office of Contract Settlement; to the Committee on the Judiciary.

1006. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1946 in the amount of $17,790,000 for the Treasury Department (H. Doc. No. 433); to the Committee on Appropriations and ordered to be printed.

1007. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $85,000 for the Tariff Commission (H. Doc. No. 434); to the Committee on Appropriations and ordered to be printed.

1008. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $194,000 for the Civil Service Commission (H. Doc. No. 435); to the Committee on Appropriations and ordered to be printed.

1009. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal year 1946 in the amount of $16,652,500 for the Federal Security Agency (H. Doc. No. 436); to the Committee on Appropriations and ordered to be printed.

1010. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1946, amounting to $409,534,576 (H. Doc. No. 437); to the Committee on Appropriations and ordered to be printed.

1011. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal years 1945 and 1946 in the amount of $1,314,039.63, together with a draft of a proposed provision pertaining to an existing appropriation, and proposed authorization for the expenditure of Indian tribal funds, for the Department of the Interior (H. Doc. No. 438); to the Committee on Appropriations and ordered to be printed.

1012. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1946 in the amount of $5,365,000 for the Department of Agriculture, together with an authorization to borrow an additional sum of $100,000,000 from the Reconstruction Finance Corporation (H. Doc. No. 439); to the Committee on Appropriations and ordered to be printed.

1013. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1947 in the amount of $1,282,000, together with a draft of a proposed provision, for the Department of Commerce, in the form of amendments to the Budget for said fiscal year (H. Doc. No. 440); to the Committee on Appropriations and ordered to be printed.

1014. A communication from the President of the United States, transmitting deficiency estimates of appropriation for the fiscal year 1945 and prior years in the sum of $71,761.59, and supplemental estimates of appropriation for the fiscal year 1946 in the sum of $446,300, amounting in all to $518,061.59, for the Department of Justice (H. Doc. No. 441); to the Committee on Appropriations and ordered to be printed.

1015. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $200,000 for the Office of War Mobilization and Reconversion (H. Doc. No. 442); to the Committee on Appropriations and ordered to be printed.

1016. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $1,700,000 for the Civilian Production Administration (H. Doc. No. 443), to the Committee on Appropriations and ordered to be printed.

1017. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $1,854,000 for the Office of Price Administration (H. Doc. No. 444); to the Committee on Appropriations and ordered to be printed.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 5260) granting a pension to Charles E. Carlovitz, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DOYLE:

H. R. 5308. A bill to impose tax on angora rabbit wool and yarn imported into the United States; to the Committee on Ways and Means.

By Mr. BELL:

H. R. 5309. A bill relating to the audit of accounts of Puerto Rico and its agencies and corporations; to the Committee on Insular Affairs.

By Mr. GREEN:

H. R. 5310. A bill to repeal the unused excess profits credit carry-back from taxable years beginning after December 31, 1945; to the Committee on Ways and Means.

By Mr. HENRY:

H. R. 5311. A bill to amend Revised Statutes 4921 (U. S. C. A., title 35, patents, sec. 70), providing that damages be ascertained on the basis of compensation for infringement; to the Committee on Patents.

By Mrs. LUCE:

H. R. 5312. A bill providing for the elimination of unfair wage practices by establishing a principle of equal pay for equal work without respect of the sex or color of the worker; to the Committee on Labor.

By Mr. TAYLOR:

H. R. 5313. A bill to establish the Veterans University of Plattsburg, N. Y., provide a

board of control therefor, and make an appropriation for its establishment and maintenance; to the Committee on World War Veterans' Legislation.

By Mr. ALLEN of Louisiana:

H. R. 5314. A bill to provide for an appropriation of $150,000 with which to continue the survey of the old Indian trail known as the Natchez Trace through Louisiana and Texas, with a view of constructing a national road on this route to be known as the Natchez Trace Parkway; to the Committee on Roads.

By Mr. BIEMILLER:

H. R. 5315. A bill to make imported beer and other similar imported fermented liquors subject to the internal-revenue tax on fermented liquors; to the Committee on Ways and Means.

By Mr. BRADLEY of Michigan:

H. R. 5316. A bill to repeal the law permitting vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes; to the Committee on the Merchant Marine and Fisheries.

By Mr. NORRELL:

H. R. 5317. A bill to amend the act establishing the Hot Springs National Park; to the Committee on the Judiciary.

By Mr. PACE:

H. R. 5318. A bill to amend the act approved June 16, 1942, entitled "An act to readjust the pay and allowances of personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," and for other purposes; to the Committee on Military Affairs.

By Mr. SMITH of Wisconsin:

H. R. 5319. A bill to authorize a preliminary examination and survey of Pecatonica River, Wis. and Ill., for flood control, for run-off and water-flow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

By Mr. HOFFMAN:

H. R. 5320. A bill to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, to diminish unemployment, to establish a national policy for assuring continuing employment in a free, competitive economy, and to protect the right to work; to the Committee on Labor.

By Mr. KNUTSON:

H. J. Res. 312. Joint resolution for the appointment of a joint committee to investigate conditions in Germany; to the Committee on Rules.

By Mr. VURSELL:

H. J. Res. 313. Joint resolution for the appointment of a joint committee to investigate conditions in Germany; to the Committee on Rules.

By Mr. MASON:

H. Con. Res. 125. Concurrent resolution for the appointment of a joint committee to investigate conditions in Germany; to the Committee on Rules.

By Mr. LANHAM:

H. Res. 503. Resolution to amend paragraph 2 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H. R. 5321. A bill for the relief of Francesco Antonio Pataca; to the Committee on Immigration and Naturalization.

By Mr. GREEN:

H. R. 5322. A bill for the relief of Mrs. Mary Wadlow; to the Committee on Pensions.

By Mr. HAYS:

H. R. 5323. A bill for the relief of Desmark Wright; to the Committee on Claims.

By Mr. KOPPLEMANN:

H. R. 5324. A bill for the relief of Mrs. Mary Francoline and Mrs. Rose Wallace; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 5325. A bill granting a pension to Oscar O. Cox; to the Committee on Pensions.

By Mr. WIGGLESWORTH:

H. R. 5326. A bill for the relief of Mr. and Mrs. George W. Wade; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1508. By Mr. FORAND: Joint resolution of the General Assembly of the State of Rhode Island and Providence Plantations, requesting the Senators and Representatives from Rhode Island in the Congress of the United States to work for an amendment to the GI Bill of Rights Act in order that men in the armed services who are hospitalized may have the same right as honorably discharged veterans to purchase Federal surplus property; to the Committee on World War Veterans' Legislation.

1509. By Mr. GOODWIN: resolution of the Board of Aldermen of the City of Somerville, Mass., regarding a Federal cash bonus for veterans of World War II; to the Committee on World War Veterans' Legislation.

1510. By Mrs. SMITH of Maine: Petition signed by Mrs. Nellie G. Saunders, of Rockland, Maine, and other citizens of surrounding towns, asking that the Townsend plan get a quick and complete hearing; to the Committee on Ways and Means.

1511 By the SPEAKER: Petition of the District of Columbia Branch of the National Association for the Advancement of Colored People, urging consideration of their resolution with reference to endorsement of House bill 4437; to the Committee on Labor.

1512. Also, petition of the Gulf Coast Rod, Reel, and Gun Club, urging consideration of their resolution with reference to endorsement of H. R. 519, the Mundt bill; to the Committee on Rivers and Harbors.

SENATE

FRIDAY, FEBRUARY 1, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou Shepherd of Souls who dost neither slumber nor sleep, we seek the completeness which is only in Thee, because Thou hast first sought us. In conscience, in quiet hours when above earth's strident voices the still small voice speaks to ourselves, in thoughts that will not stay on the ground, in deep needs that drive us to Thyself, in the sacrament of human love, the beauty of nature, the spiritual heritage of our race, in seers and prophets and in Christ over all Thou dost stand at the door and knock. May we open the door and, admitting the Divine Guest, be ourselves fit channels of that love which at last will break down every wall of partition and fulfill the desires of all nations. We ask it in the dear Redeemer's name. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

TRANSACTION OF ROUTINE BUSINESS

Mr. O'DANIEL obtained the floor.

Mr. RUSSELL. Mr. President, if the Senator from Texas will yield, I wish to suggest the absence of a quorum.

The PRESIDENT pro tempore. Before that is done, the Chair would like to lay before the Senate certain reports, and so forth, for appropriate reference, and there is other routine business which, if there is no objection, might be transacted at this time.

By unanimous consent, the following routine business was transacted:

BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY

The PRESIDENT pro tempore laid before the Senate a letter from the chairman of the Committee on Commerce [Mr. BAILEY], which was ordered to lie on the table and to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON COMMERCE,
January 24, 1946.

Hon. KENNETH MCKELLAR,
President pro tempore of the Senate,
Senate Office Building,
Washington, D. C.

DEAR MR. PRESIDENT: I am writing to advise that in accordance with the provisions of the act of July 15, 1939, I have appointed the following members of the Committee on Commerce to be members of the Board of Visitors to the United States Coast Guard Academy:

Senator CHARLES C. GOSSETT, of Idaho.

Senator WILLIAM F. KNOWLAND, of California.

Under the provisions of the law, the chairman of the Committee on Commerce is an ex officio member of the Board. I will announce the appointment of these members in the Senate at the first opportunity as they are designated in January of each year. I am writing to inform you of the names of my appointees because of the fact that under the law the President of the Senate appoints one member of the Board.

With best wishes,

Yours very truly,

JOSIAH W. BAILEY,
Chairman, Committee on Commerce.

BOARD OF VISITORS TO THE UNITED STATES MERCHANT MARINE ACADEMY

The PRESIDENT pro tempore laid before the Senate a letter from the chairman of the Committee on Commerce [Mr. BAILEY], which was ordered to lie on the table and to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON COMMERCE,
January 24, 1946.

Hon. KENNETH MCKELLAR,
President pro tempore,
United States Senate,
Washington, D. C.

DEAR MR. PRESIDENT: Pursuant to the provisions of Public Law 301 of the Seventy-eighth Congress I have appointed as members of the Board of Visitors to the United States Merchant Marine Academy the following members of the Committee on Commerce:

Senator JOHN L. MCCLELLAN, of Arkansas.

Senator GUY CORDON, of Oregon.

Under the provisions of the law, I am an ex officio member of the Board of Visitors as chairman of the Committee on Commerce. I am advising you of my appointment of these members as the President of the Senate appoints one member to the Board of Visitors to the United States Merchant Marine Academy in January of each year.

With best wishes,

Yours very truly,

JOSIAH W. BAILEY,
Chairman, Committee on Commerce.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

CERTAIN FUNCTIONS AND ACTIVITIES OF THE DEPARTMENT OF COMMERCE

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide basic authority for the performance of certain functions and activities of the Department of Commerce (with an accompanying paper); to the Committee on Commerce.

WITHDRAWALS OF CERTAIN PUBLIC LANDS

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a report showing the withdrawals and restorations of public land in certain cases by the Commissioner of the General Land Office during the period from January 1, 1945, through December 31, 1945 (with an accompanying report); to the Committee on Public Lands and Surveys.

REPORT OF WASHINGTON GAS LIGHT CO.

A letter from the vice president and treasurer of the Washington Gas Light Co., Washington, D. C., transmitting, pursuant to law, a detailed statement of the business of that company, together with a list of stockholders, for the year ended December 31, 1945 (with accompanying papers); to the Committee on the District of Columbia.

REPORT ON WAR CONTRACT TERMINATIONS AND SETTLEMENTS

A letter from the Director of Contract Settlement, transmitting, pursuant to law, the sixth report on war contract terminations and settlements (with an accompanying report); to the Committee on Military Affairs.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS

Petitions were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of New York; to the Committee on the Judiciary:

"Whereas since its inception, the State of New York, a free and independent sovereignty and one of the Original Thirteen (13) States, has claimed and exercised ownership, dominion, and jurisdiction over the lands under the ocean seaward for a distance of three (3) miles and the lands under all tidal and navigable waters within its boundaries; and

"Whereas the State's title to these lands, in common with all unappropriated lands, was and is based upon the sovereign character of the people of the State of New York as successors to the sovereign rights of the Crown of England; and

"Whereas, as sovereign, the people of the State of New York own hundreds of miles of submerged and tidal lands on the Atlantic Ocean, and in New York Harbor, Long Island Sound, the Hudson River, the Mohawk River, including vital stretches of the State Barge Canal, the Niagara River, the St. Lawrence River, the Great Lakes, and other inland streams and waters; and

"Whereas millions of dollars worth of these lands have been sold to the owners of the adjacent uplands and they in turn, acting in good faith upon the title conveyed by the people of the State of New York, have invested millions of dollars in improvements; and

"Whereas as a result of these improvements, there has been an incalculable increase in assessed valuation of these lands, upon which municipalities and the State rely as a basis of taxation and great revenue; and

"Whereas the title of the people of the State of New York to these lands and the title of those holding the lands by grant from the people of the State of New York has been upheld by numerous decisions of the New York courts and the Supreme Court of the Federal Government, its various departments and divisions; and

"Whereas the United States Department of the Interior, through the Secretary of the Interior, now advances claims which would jeopardize the title of the people of the State of New York to these lands and the title of those municipalities and private corporations and individuals now enjoying title, possession or other interests in such lands so granted by the people of the State of New York; and

"Whereas the raising of such claims, after more than a century and a half of acquiescence and consent, may cast an unjustifiable cloud upon the title of the people of the State of New York; and

"Whereas the claims of the Secretary of the Interior are devoid of basis in fact and law, and are contrary to the sound national policy of recognizing the ownership by the States, and by the State of New York, of the submerged or reclaimed lands within their boundaries: Now, therefore, be it

"Resolved (if the senate concur), That the Congress of the United States be respectfully requested to pass promptly the resolution known as House Joint Resolution 225, already passed by the House of Representatives and now pending in the Senate of the United States, which would quiet the State's title to these lands, remove the cloud placed thereon and disclaim any supposed interest by the Federal Government in such lands; and be it further

"Resolved (if the Senate concur), that the Legislature of the State of New York respectfully request the United States Senate Judiciary Committee to take favorable action upon said House Joint Resolution 225, and Resolution 48, now before that committee; and be it further

"Resolved (if the senate concur), That the Legislature of the State of New York respectfully request the United State Senate to give early and favorable consideration to said House Joint Resolution 225 and Senate Joint Resolution 48, to the end that the original title of the people of the State of New York in and to these lands may be confirmed.

"By order of the Assembly,

"ANSLEY B. BORKOWSKI,
"Clerk.

"In senate, January 30, 1946.

"Concurred in without amendment.

"By order of the senate.

"WILLIAM S. KING,
"Clerk."

By Mr. MAYBANK:

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on the Judiciary:

"Concurrent resolution urging the United States Senators from South Carolina to vigorously support and vote for House Joint Resolution 225, now pending in the Senate of the United States, providing for the release and quitclaim to the several States of the lands lying beneath the tidewaters and inland waterway of the States

"Whereas prior to the year 1937 no claim was made by the Federal Government or by Federal officials to title to tidewater lands and lands under the waters of navigable streams within the boundaries of the several States; and

"Whereas since said time certain officials of the United States of America have taken the position that the title to such lands is not in the several States but in the United States; and

"Whereas there is now pending in the United States Supreme Court a suit by the United States of America against the State of California in which the title to such lands is involved. An adverse opinion in that case would seriously affect the interest of every State in the Union having a coast line or inland navigable streams; and

"Whereas there is now pending in the Senate of the United States of America House Joint Resolution 225, which seeks to quiet the title to all such lands and declare the same to be in the States and in such manner avoid much litigation on the subject, and perhaps save to the States millions of dollars' worth of valuable property; and

"Whereas it is the opinion of the General Assembly of the State of South Carolina that the status of the title to such lands should be definitely fixed in the States, and that the resolution above referred to should be passed: Now, therefore, be it

"Resolved by the senate (the house of representatives concurring), That the Honorable BURNET R. MAYBANK and the Honorable OLIN D. JOHNSTON, United States Senators from the State of South Carolina, be, and they are, urged to support and vote for House Joint Resolution 225 when the same is up for consideration in the United States Senate; be it further

"Resolved, That a copy of this resolution be sent to each of the United States Senators from the State of South Carolina."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

S. 286. A bill for the relief of James F. Desmond; without amendment (Rept. No. 914).

By Mr. WALSH, from the Committee on Naval Affairs:

S. 1710. A bill to authorize the Secretary of the Navy to grant and convey to the Virginia Electric & Power Co. a perpetual easement in two strips of land comprising portions of the Norfolk Navy Yard, Portsmouth, Va., and for other purposes; without amendment (Rept. No. 915);

S. 1738. A bill to establish a Chief of Chaplains in the United States Navy; without amendment (Rept. No. 916);

S. 1739. A bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires which occurred at various Navy shore activities; without amendment (Rept. No. 917); and

S. J. Res. 130. Joint resolution to authorize the President to appoint Rear Adm. Earle W. Mills, United States Navy, to the office of Chairman and member of the United States Maritime Commission and Administrator of the War Shipping Administration without

affecting his naval status and perquisites; without amendment (Rept. No. 918).

REPORT OF CIVIL SERVICE COMMITTEE

Mr. HICKENLOOPER, from the Committee on Civil Service, to which was recommitted the bill (H. R. 2716) to provide for health programs for Government employees, reported it with amendments and submitted a report (No. 913) thereon.

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The President pro tempore laid before the Senate reports for the month of January 1946, from the chairmen of certain committees, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

COMMITTEE ON NAVAL AFFAIRS

JANUARY 31, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of January 1946, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Capt. James A. Saunders, USN (retired).	4105 Oliver St., Chevy Chase, Md	Office of the Chief of Naval Operations, Navy Department, Washington, D. C.	$6,000
Chief Yeoman Herbert S. Atkinson (T), USNR.	2405 Pennington Rd., Trenton, N. J	do	1,739
Yeoman (1st cl.) John M. Flannery, USNR.	17 Livingston St., Binghamton, N. Y	do	1,436

DAVID I. WALSH, *Chairman.*

SENATE NAVY LIAISON OFFICE, ROOM 461, SENATE OFFICE BUILDING

JANUARY 31, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of January 1946, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Lt. Comdr. Frederick A. McLaughlin, USNR.	317 Lynn Dr., Chevy Chase, Md	Bureau of Naval Personnel, Navy Department, Washington, D. C.	$3,000
Lt. Comdr. Joseph G. Feeney, USNR.	2745 29th St. NW., Washington, D. C	do	3,150
Commander H. J. Harris, USNR.	2008 Fort Davis St. SE., apartment 102, Washington, D. C.	do	3,500
Seaman (1st cl.) Charlotte L. Wilson, USNR.	Wave quarters D, Washington, D. C	do	742
Yeoman (2d cl.) Evelyn R. Frank, USNR.	Wave quarters E, Washington, D. C	do	1,152
Yeoman (2d cl.) Mary Ruth Steck, USNR.	do	do	1,152

The above employees are representatives of the Bureau of Naval Personnel, Navy Department, to assist Senators on naval personnel matters.

DAVID I. WALSH.

SUBCOMMITTEE ON HEALTH AND EDUCATION

FEBRUARY 1, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of January 1946, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Lauretta April	2714 Quarry Rd, NW., Washington, D. C	National Housing Agency, 1001 Vermont Ave. NW	$4,300
Charles Bragman	Arlington Village Apartments, Arlington, Va	Federal Public Housing Authority (NHA), 1201 Connecticut Ave. NW.	6,440
Betty Brimberg	5331 16th St. NW., Washington, D. C	Farm Security Administration, U. S. Department of Agriculture	2,100
Olive F. Caldbeck	237 Mississippi Ave. SE., Washington, D. C	Federal Public Housing Authority (NHA), 1201 Connecticut Ave. NW.	2,320
Rose G. Cohen	2513 14th St. NW., Washington, D. C	Veterans' Administration, Vermont and I Sts. NW	3,047
Groff Conklin	514 2d St. NW., Washington, D. C	U. S. Public Health Service, Federal Security Agency	6,230
Philip C. Curtis	4303 Russell Ave., Mount Rainier, Md	Navy Department, 18th and Constitution Ave. NW	4,600
Marion L. Dillon	2601 16th St. NW., Washington, D. C	do	3,200
Bernard Leroy	Persimmon Tree Rd., Bethesda, Md	do	7,500
Joseph McMurray	120 C St. NE., Washington, D. C	Department of Labor, 14th and Constitution Ave. NW	5,180
Love Morgan	1607 18th St. SE., Washington, D. C	Veterans' Administration, Vermont and I Sts. NW	2,650
Dolores Raschella	3028 Wisconsin Ave. NW., Washington, D. C	Federal Public Housing Authority (NHA), 1201 Connecticut Ave. NW.	2,320
Lt. Comdr. John B. Truslow, Medical Corps, USNR.	2007 Peabody St., West Hyattsville, Md	Navy Department, 18th and Constitution Ave. NW	3,000
Capt. Leslie Falk, Medical Corps, AUS.	2804 Terrace Rd. SE., Washington, D. C	War Department, Pentagon Bldg	

CLAUDE PEPPER, *Chairman.*

SENATE COMMITTEE ON PUBLIC LANDS AND SURVEYS

JANUARY 31, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the name of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of January, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944. (See attached memorandum.)

CARL A. HATCH,
Chairman.

By W. H. MCMAINS,
Clerk.

JANUARY 31, 1946.

Memorandum to Senator CARL A. HATCH, Chairman, Senate Committee on Public Lands and Surveys.

From Senator PAT MCCARRAN, Chairman, Subcommittee to Investigate the Administration and Use of Public Lands.

Following are the names of persons detailed by the Department of Agriculture

(Forest Service) to assist with the work of the above-mentioned subcommittee:

F. S. Haskell, senior administrative officer, Forest Service, CAF-12; basic salary, $5,000 per annum.

Elizabeth Heckman, clerk, CAF-5; basic salary, $2,000 per annum.

BILL INTRODUCED

Mr. McMAHON introduced a bill (S. 1784) to provide for the performance of military duties by the Marine Corps in connection with the occupation of conquered territories, which was read twice by its title and referred to the Committee on Naval Affairs.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res. 300) to authorize the President to appoint Rear Adm. Earle W. Mills, United States Navy, to the office of Chairman and member of the United States Maritime Commission and Administrator of the War Shipping Administration without affecting his naval status and perquisites, in which it requested the concurrence of the Senate.

HOUSE JOINT RESOLUTION PLACED ON THE CALENDAR

The joint resolution (H. J. Res. 300) to authorize the President to appoint Rear Adm. Earle W. Mills, United States Navy, to the office of Chairman and member of the United States Maritime Commission and Administrator of the War Shipping Administration without affecting his naval status and perquisites, was read twice by its title and ordered to be placed on the calendar.

STATEMENT BY DR. GOULD WICKEY IN OPPOSITION TO COMPULSORY MILITARY TRAINING

Mr. CAPPER. Mr. President, Dr. H. A. Kelsey, president of Sterling College, Sterling, Kans., has called my attention to a fine statement made by Dr. Gould Wickey, executive secretary of the National Commission on Christian Higher Education of the Association of American Colleges, in opposition to compulsory military training in peacetime. I ask unanimous consent to have this statement printed in the RECORD.

There being no objection, the statement, together with the letter of transmittal, were ordered to be printed in the RECORD, as follows:

STERLING, COLLEGE,
Sterling, Kans., December 26, 1946.

The Honorable ARTHUR CAPPER,
The Senate, Washington, D. C.

DEAR SENATOR CAPPER: Enclosed I am sending a copy of one of the best presentations of my position on the military-training proposal which has come to my attention.

If we wish to dare the world, or any part of it, to undertake another war, this compulsory military proposal is the very surest way. One-tenth of the money and energy such a proposal will cost us could most certainly succeed in convincing the world that we know how futile war is in settling international difficulties. For once, we should try a better way.

Please use your vote and influence against this proposal and, if possible, help adopt something more constructive.

Very sincerely,

H. A. KELSEY.

(Enclosure)

COMPULSORY PEACETIME MILITARY TRAINING

(By Dr. Gould Wickey, executive secretary, National Commission on Christian Higher Education of the Association of American Colleges)

Honorable chairman and members of the committee, as the executive secretary, and as a member of a special committee appointed for this purpose, I am here by the authority of the National Commission on Christian Higher Education of the Association of American Colleges.

In this country there are some 780 church-related colleges, junior and senior, both Catholic and Protestant. At this date the actual membership of this commission includes 445 colleges and universities. In the church-related colleges and universities of our great country there are registered under normal conditions some 800,000 American youth. These youth are loyal Americans. These colleges and universities have cooperated with the Government in winning the war for the sake of an anticipated permanent peace.

On January 10, 1945, at the annual meeting of this commission, held in Atlantic City, N. J., by the unanimous vote of hundreds of representatives of these educational institutions, this resolution was passed:

"*Resolved*, That the commission on Christian higher education of the Association of American Colleges urges that Congress postpone decision on the matter of compulsory peacetime military training until the war is over and the shape of the peace is clear; and

"That in the meantime Congress create a commission broadly representative of education, religion, industry, the Army, the Navy, and others, to study the best ways in which national security can be achieved without injury to democratic ideals, and to report back to Congress."

That resolution was passed on the bases that the shape of our foreign policy and the future military needs are still indefinite, and also that there is insufficient evidence that the proposed plan of a year of compulsory peacetime military training is the only satisfactory method of achieving permanent peace.

More recently, on September 28, 1945, this same commission, in sessions at Cincinnati, Ohio, unanimously voted—

1. That every possible effort be made by the Government of the United States to bring about the abandonment of peacetime military conscription, on the part of all nations.

2. That a commission of prominent citizens be appointed by the President, or by Congress, to make a complete study of the whole problem of national defense, and to report their recommendations before the Congress takes any action on the issue of universal peacetime military training.

Gentlemen, as statesmen, there are three closely related problems before you: Preparation for war, prevention of war, and preservation of peace. It is our conviction, on the basis of the testimony of history, which cannot be impeached, and on the basis of the nature of military training, that a program of compulsory peacetime military training is essentially a method of preparing for war. Militarized nations have been aggressors in war. The militarized nation is on the verge of being a dictatorized nation. God forbid that our Nation within a year after the signing of peace treaties should embark on a program so contrary to its history and so pregnant with fear, suspicion, and hatred.

As statesmen, you need to ask yourselves the question of any national policy and program: Can this program be universalized? Are we willing that all nations do the same? If not, why not? If not, it is self-evident that there is something wrong with it. In fact, if we adopt a compulsory peacetime military training program, a national poll shows that 71 percent of the people believe other nations will institute a similar program. Then the future relations among the nations will be worse than the past.

If it be true, as General Eisenhower testified before this committee, that we shall never have a great war with Russia, then where is the consistency in even thinking of a compulsory peacetime military training program?

We do not see the consistency in joining or forming the United Nations Organization, and planning at the same time a military program in preparation for war. If the nations have proved that they can cooperate, as Secretary Vinson declared recently, then why attempt to cooperate with other nations with our fingers on the triggers? If the United States is trigger-minded, already we have lost the peace. It is far easier and more simple to kill your enemy than to educate him, to work with him, and to love him.

The preservation of peace has never been accomplished through militarism. Force always defeats itself. Peace lives only in the atmosphere of mutual trust and understanding.

The present world atmosphere is one of confusion, distrust, suspicion, and uncertainty. Our task, your task as our statesmen, is to approve a national program which will develop international good will. To this end we urge:

1. That the United States adopt and implement a policy (see Martin resolution, H. R. 325) which would seek an immediate international agreement whereby compulsory military peacetime training and service will be eliminated wholly from the policies and practices of all nations.

2. That military needs for policing purposes be cared for through voluntary enlistment. There are reasons to believe that the number of enlistments will be increased if there is adequate financial support.

3. That the American youth be encouraged to attend colleges and universities preparing themselves to live for peace, being trained as scientists, social and international leaders and educators.

4. That the United States spend annually, not three billion, but only $1,000,000,000 for scholarships for exchange students and messengers of good will and neighborliness between the United States and any hypothetical enemy countries.

Gentlemen, we sent the atomic bomb to Japan. Let us send throughout the world cultural and moral bombs. Then fascism will disappear. Then we shall be assured of an enduring peace.

THE MINIMUM WAGE—LETTER FROM C. O. LUTZ

Mr. CAPPER. Mr. President, I have received an interesting letter from C. O. Lutz, a leading citizen of Sharon Springs, Kans., offering some interesting suggestions as to legislation on important measures now pending in the Senate. I ask unanimous consent to have his statement printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE PEOPLES STATE BANK,
Sharon Springs, Kans., January 26, 1946.

Hon. ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR: I notice that the Labor Committee of the Senate has recommended a new minimum-wage law with a future minimum of 75 cents per hour set out therein, and I desire to express my definite opposition to such a bill for the reason that employers must first be able to obtain revenue from the efforts of any employee sufficient to pay any wage before such employee should be entitled to any definite wage, and while

Congress cannot provide income to business to meet that wage, neither can they force any standard of production on the part of any employee so that he might be worthy of receiving the same. In my opinion—and I know of specific instances—such a minimum wage would merely necessitate the installation of additional mechanical equipment and the elimination of some employees from gainful occupation entirely, and I also know that this actually took place after the passage of the law originally, so the effect of the law actually worked contra to its original intention.

It is my further opinion that if the Republican Party wants to help the common man and justify its existence, that it is time that it changes its national policy from one of "me, too" to one of sincere effort on the part of every Republican Congressman or Senator to eliminate all of the useless and luxurious activities of the Federal Government and thereby be enabled to reduce the tax burden of the average man so that he will not only have some more take-home money but will not have to spend approximately 1 day out of every 3 working to pay for some unnecessary theoretical or socialistic program promulgated by some idealistic do-gooders. * * *

Very truly yours,

C. O. LUTZ.

SUGGESTIONS AS TO LEGISLATION—LETTER FROM DR. H. M. GLOVER

Mr. CAPPER. Mr. President, I have received an interesting statement from Dr. H. M. Glover, Newton, Kans., expressing his opposition to compulsory military training; also asking for the enactment of legislation against strikes, and appealing to the Congress to balance the Federal Budget. I ask unanimous consent to have the letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AXTELL CLINIC,
Newton, Kans., January 26, 1946.

Hon. ARTHUR CAPPER,
The Senate, Washington, D. C.

DEAR SENATOR CAPPER: I want to be very brief in urging my opinion on several items now up for decision in Washington.

1. Compulsory health insurance and the Wagner-Dingell program should not be adopted. American people have the best medical service in the world, and in isolated places transportation in America is so far ahead of other countries that moving seriously ill people to hospitals even though 50 miles away is not difficult.

2. Legislation should be passed which gives the public the protection it should have against strikes which cause shortages, suffering, and inconvenience. Mass picketing which inevitably leads to violence and injustice to individuals should be absolutely prohibited and prevented by military force if necessary.

3. Further expenditure of large amounts of money for social experiments which seem to make it unnecessary for many of our able-bodied citizens to work should be stopped.

4. Actual balancing of the Budget and the starting of repayment of our national debt should be gotten under way promptly.

I have appreciated your opinion and your stand on so many public questions that I am very hopeful my attitude on the above may meet with your approval and merit your support and backing.

With very best wishes to you, I am,

Sincerely yours,

H. M. GLOVER, M. D.

STRIKES HAVE GONE FAR ENOUGH—EDITORIAL FROM ARKANSAS DEMOCRAT

[Mr. MCCLELLAN asked and obtained leave to have printed in the RECORD an editorial entitled "Strikes Have Gone Far Enough," published in the Arkansas Democrat of Little Rock, Ark., of January 14, 1946, which appears in the Appendix.]

INCREASE IN WAGES AND INFLATION—EDITORIAL FROM THE ARKANSAS DEMOCRAT OF LITTLE ROCK, ARK.

[Mr. MCCLELLAN asked and obtained leave to have printed in the RECORD an editorial entitled "Strange Contradiction," dealing with proposed increases in wages and the danger of inflation, published in the Arkansas Democrat of Little Rock, Ark., January 23, 1946, which appears in the Appendix.]

PROPOSED INDEPENDENT STATE OF TRANS-JORDAN

[Mr. HAWKES asked and obtained leave to have printed in the RECORD a letter addressed to Hon. Dean Acheson, Acting Secretary of State, by the Hebrew Committee of National Liberation, regarding the separation of the territory of Trans-Jordan from Palestine, which appears in the Appendix.]

ADDRESS BY HON. SAM JACKSON BEFORE TENNESSEE STATE BAR ASSOCIATION

[Mr. STEWART asked and obtained leave to have printed in the RECORD an address delivered by Hon. Sam Jackson, of Indiana, before the Tennessee State Bar Association at Knoxville, Tenn., in November, 1945, which appears in the Appendix.]

UNIVERSAL MILITARY TRAINING—ADDRESS BY DR. ALEXANDER GUERRY

[Mr. STEWART asked and obtained leave to have printed in the RECORD an address by Dr. Alexander Guerry, president of the University of the South, on the subject of universal military training, before the Rotary Club of Chattanooga, Tenn., December 27, 1945, which appears in the Appendix.]

THE CHURCH AND NATURAL RESOURCE ENERGY—ADDRESS BY HON. JAMES P. POPE

[Mr. STEWART asked and obtained leave to have printed in the RECORD an address on the subject The Church and Natural Resource Energy, delivered by Hon. James P. Pope, director, Tennessee Valley Authority, before the Rural Life Conference, Alpine, Tenn., January 25, 1946, which appears in the Appendix.]

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. O'DANIEL. Mr. President——

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. Does the Senator from Texas yield for that purpose?

Mr. O'DANIEL. I yield for that purpose, with the understanding that I do not lose the floor.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Donnell	Hickenlooper
Austin	Eastland	Hill
Bailey	Ellender	Hoey
Bankhead	Ferguson	Huffman
Barkley	Fulbright	Johnston, S. C.
Bilbo	George	Kilgore
Brewster	Gerry	La Follette
Briggs	Gossett	Langer
Butler	Guffey	Lucas
Byrd	Gurney	McCarran
Capehart	Hart	McClellan
Capper	Hatch	McFarland
Chavez	Hawkes	McKellar
Cordon	Hayden	McMahon
Maybank	Russell	Tydings
Mead	Saltonstall	Walsh
Millikin	Shipstead	Wheeler
Morse	Smith	Wherry
Murdock	Stanfill	White
O'Daniel	Stewart	Wiley
Overton	Taft	Willis
Radcliffe	Taylor	Wilson
Reed	Thomas, Okla.	Young
Revercomb	Thomas, Utah	
Robertson	Tobey	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. CARVILLE], the Senator from California [Mr. DOWNEY], and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Washington [Mr. MITCHELL] is detained on official business.

The Senator from Rhode Island [Mr. GREEN], the Senator from Washington [Mr. MAGNUSON], the Senator from Pennsylvania [Mr. MYERS], the Senator from Montana [Mr. MURRAY], and the Senator from Florida [Mr. PEPPER] are absent on public business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Delaware [Mr. TUNNELL] is absent on official business, as a member of the Mead committee.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations now being held in London.

The Senator from Minnesota [Mr. BALL] is absent because of illness.

The Senator from California [Mr. KNOWLAND] is absent on official business as a member of the Mead committee.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Illinois [Mr. BROOKS], the Senator from Delaware [Mr. BUCK], the Senator from South Dakota [Mr. BUSHFIELD], and the Senator from Oklahoma [Mr. MOORE] are necessarily absent.

The PRESIDENT pro tempore. Seventy-three Senators having answered to their names, a quorum is present.

Mr. O'DANIEL. Mr. President, I had the opportunity and the pleasure for a while yesterday to address the Senate on the FEPC bill, and endeavored to use some plain language in describing the bill. I also endeavored to make it clear that anything I might say would not be an indictment against the honor or integrity of the authors, the coauthors, and supporters of the bill. In other words, I am discussing the demerits of the FEPC bill.

Yesterday I brought out the fact that we in the South, especially in Texas, have no colored problem whatever. There are many Negroes living in our State; there are many white people living in our State; there are many Mexican citizens living in our State; and many citizens of Mexican origin live in our State. We all get along fine. There is no discrimi-

nation. We keep things separate. We have some segregation laws which are just as satisfactory to the colored people as to the white people. Each race believes in its own race, and, as I have said, we get along well. I bring that out particularly because it has been stated on the floor that the colored people of the South, even in the Southwest, are not treated properly by the white people. Texas covers quite a bit of the territory of the Southwest, so I want to correct the impression which has been gained by some persons that the colored people have not been treated right in that section of the country. We treat the colored people right in every respect. The colored people have equality in Texas in religion, in employment, and in everything else, even in elections. Some people have the impression that the colored people are disqualified by law to vote in Texas. That is not a fact. Such an impression is absolutely unfounded and untrue. A colored person can pay a poll tax and thereby become qualified to vote in Texas, the same as any other citizen.

We are very liberal with the colored people in Texas. They have made great advancement there. They engage in all the professions. They are interested in business enterprises; they operate and support their own institutions, and receive help from the white people in doing so.

The State governments and the local governments draw no color line in support of our citizens. As proof of that I should like to show what some of our philanthropists in Texas think of the colored people. I shall read an article which appeared in the Houston Post of January 10 of this year. The headline is "Cullen gives $100,000 to University of Houston Negro College."

The article reads:

H. R. Cullen, chairman of the University of Houston board of regents, added $100,000 to funds of the Houston College for Negroes, a branch of the university, Wednesday.

In a letter to Dr. E. E. Oberholtzer, university president, in which Mr. Cullen enclosed a $100,000 check, he said he was keeping his promise to match funds raised by the Negroes, not to exceed $100,000.

Mr. Cullen noted in the letter that two other regents had given special gifts, totaling $50,000, and that the regents' mail campaign committee collected $40,000.

"So," he wrote, "the white people of Houston has raised $190,000 and the Negro committee has raised $93,000. I make this comparison because I should like for these facts to be made known to the public, so that every Negro man and woman in this city will realize that the people of Houston and of the entire South are their friends."

The letter continued:

"Two generations ago the Negro race came out of slavery and the people of the South taxed themselves to build schools and colleges for them, and they have continued this until now I think it can be said, without exaggeration, that the Negro race has progressed faster during this short period than has any other race in a comparable length of time. There are now many Negro bankers, lawyers, teachers, doctors, and businessmen throughout the South, and it gives us southerners much happiness that this has come about.

"God created the white, the black, and the yellow races, and I think history shows that each race is much stronger when it has retained its individuality and has not mixed with any other race. Each should be as proud of his race as the other, and each should work toward building his race to the highest standard possible under this great democracy."

Construction of the first buildings of the college are now under way.

Mr. President, when we receive information such as that, backed by substantial sums of money from worthy citizens, it certainly disproves the assertions which have been made on the floor of the Senate that there is need for such a vicious communistic bill as the FEPC bill, S. 101, as it is known in the Senate.

I stated yesterday on the floor of the Senate that this is not an economic question, at least that it will not tend to improve the economic conditions of the Nation. I made the direct charge that it is a political issue. I brought forth some testimony to justify the statement that it is purely a political issue. I am fully convinced that it is communistic; that it was generated in Moscow by the Communists, and that it is one of the steps toward communism which is being engineered from Moscow.

Some reference was made to the authors of the bill, and I made it plain that no stigma should attach to the Senator from New Mexico [Mr. CHAVEZ], or the coauthors, or any supporters in the Senate of S. 101.

The Communists in this country have been working mostly underground. Some of them come out in the open, but most of them went underground, as I explained by referring to the little animal known as the gopher, which is found in Texas and other States. One is unable to see the gopher very often. It works underground, but one can see the dirt move, and when the dirt moves he knows that the gopher is there. We can see the dirt move in the Senate in the introduction of the bill, Senate bill 101, and we therefore know that it is communistic philosophy and that the Communists are behind it, and are supporting it almost to a man.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. O'DANIEL. I am glad to yield to the Senator from Mississippi.

Mr. EASTLAND. The Senator stated that the bill embodies communistic philosophy. Is it not true that under the terms of the bill certain constitutional rights would be taken away from an accused person, which shows that the philosophy of the measure is totalitarian?

Mr. O'DANIEL. Without question.

Mr. EASTLAND. The citizen would become a mere creature of the State, to be treated as a bureau as the State might desire.

Mr. O'DANIEL. The Senator from Mississippi is absolutely correct. The bill, by its very nature, takes away rights of American citizens and substitutes compulsion for free-will action. Whenever compulsion is proposed to be substituted for free-will action, of course, the totalitarian philosophy of government is being preached. I thank the Senator from Mississippi for his contribution along that line.

EXCESSIVE FREIGHT RATES ON TRANSPORTATION OF GOVERNMENT TRAFFIC

Mr. WHEELER. Mr. President, will the Senator from Texas yield to me so that I may ask unanimous consent to have a brief statement printed in the RECORD?

Mr. O'DANIEL. With the understanding that the Senator from Montana will ask unanimous consent that I shall not lose the floor, I am glad to yield.

Mr. WHEELER. Mr. President, I ask unanimous consent that the Senator from Texas may yield to me without losing the floor.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WHEELER. On December 12, 1944, I wrote the following letter to the Director of the Bureau of the Budget concerning testimony that had been given in hearings before the Senate Interstate Commerce Committee to the effect that the Government was paying excessive freight rates on much of its traffic:

DECEMBER 12, 1944.

Mr. HAROLD D. SMITH,
Director, Bureau of the Budget,
Executive Office of the President,
Washington, D. C.

MY DEAR MR. SMITH: As you undoubtedly are aware, this committee recently held hearings on the bill (H. R. 4184) to repeal land-grant rates on transportation of Government traffic. From the testimony it appears that:

1. The Government is paying excessive rates on much important wartime traffic. For example, with respect to the movement of ordnance and military supplies one witness cited the case of a shipment of poultry wire which was ultimately to be used in making camouflage nets. When the shipment moved it was poultry wire, pure and simple, and entitled to a low rate as such. However, when the railroad billed the Government it listed the shipment as "camouflage nets," which carries a rate practically 100 percent higher than poultry wire.

2. With respect to the War Department, the Government agency having the most traffic, "the matter (the securing of reductions in excessive rates) is almost untouched; it is a virgin field practically (hearings p. 180).

3. There appears to be no agency in the Government doing anything about it. "* * * somebody in the Government ought to look after those things but nobody seems to do it" (hearings, p. 203).

4. There are "about 88 separate Government agencies interested in transportation" (hearings, p. 190).

5. The Interstate Commerce Commission "has not had the matter presented to it. * * * the Commission acts as a judicial body. It will hear and decide complaints presented to it, but ordinarily it does not take the initiative by way of investigating rates if nobody complains about them. * * * It has authority to make investigations on its own account; but it has not done so in this case. * * * It is not organized to conduct research and investigation in what you might term the 'promotional phases of transportation'" (hearings, p. 177).

6. A Government agency, properly qualified and staffed, should be set up "to make an investigation of the facts and present those facts to the Interstate Commerce Commission", and that if such an investigation is made, * * * it will save the Government many millions of dollars" (hearings, pp. 176 and 186).

7. Congress should consider the advisability of establishing a "central traffic bureau

in the Government that would handle all traffic matters, both before the shipments move and after the auditing of the shipments, as well" (hearings, p. 203).

8. Rates to the Government are so excessive and unreasonable that "if the public were familiar with some of the figures * * * they would wonder why they are buying war bonds and why the cost of the war is so high (hearings, p. 206).

Will you please advise me whether or not the Bureau of the Budget has made or contemplates making an investigation to determine whether the Government is being charged excessive freight rates on war materials? Certainly, in view of the testimony adduced at the hearings to which I have referred briefly above, someone ought to check up on the rates being charged the Government.

If the Bureau of the Budget has not undertaken a study of this problem I hope it will do so at an early date and furnish this committee with its report and recommendations.

Cordially yours,

B. K. WHEELER,
Chairman, Senate Committee on Interstate Commerce.

In January 1945, the Bureau of the Budget advised me that an administrative inquiry of the War Department revealed instances of excessive freight payments and that the Bureau would undertake a comprehensive investigation of War Department freight payments as I had suggested.

Thereafter a special committee, consisting of W. B. Hammer, chairman of the Board of Suspension of the Interstate Commerce Commission, and Charles E. Bell and Emory B. Ussery, of the firm of Bell & Ussery, undertook the investigation. A short time ago I was furnished a copy of their 140-page report consisting of findings, conclusions, and recommendations. The report, in my opinion, fully substantiates the complaints that have been made that the railroads have been and are charging the Government excessive freight rates. In the words of the special committee:

> The Government has not only paid excessive charges in a stupendous amount before and since Pearl Harbor but is still paying such excess charges on presently moving traffic and will continue to pay them until appropriate action is taken to remedy the situation.

Needless to say, I intend to introduce legislation to remedy the situation.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a summarization of the special committee's findings and its general conclusions and recommendations, together with certain correspondence which I have had with Secretary of the Navy Forrestal.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

SUMMARIZATION OF THE COMMITTEE'S FINDINGS

1. The Traffic Control Division of the Transportation Corps of the War Department was created on March 10, 1942. Ever since it commenced to function it has been inadequately staffed.

2. The total tonnage of War Department matériel and supplies has averaged about a hundred million tons annually. Approximately 90 percent of that tonnage moved by rail, 9 percent by motor carriers, and 1 percent by inland water carriers.

3. For a long period after the Traffic Control Division was created its major functioning was with respect to seeing that the traffic of the War Department was promptly and efficiently transported; in directing the most efficient routing for that traffic; and in effectuating transit arrangements for stopping, processing, and/or storage of war matériel and supplies at Army depots, storage and reconsigning points.

4. It was not until about June 1944 that any systemati approach was made to the study of the rates, ratings, and charges on War Department traffic although some important revisions had been negotiated before that date.

5. The greater part of the total tonnage of the War Department has been transported under rates, ratings, and charges applicable on commercial traffic. A majority of such rates, ratings, and charges have not been, and are not, excessive. The total charges on this portion of the traffic have been relatively less than on other kinds of traffic, including that on which a higher level of rates prevailed.

6. The traffic-control division has negotiated with the carriers for revisions in rates, ratings, and charges on many important commodities moving in greater or less volume. However, the rates, ratings, and charges on a great many commodities have not been studied.

7 Many of the rates and ratings accorded by the carriers as a result of negotiations are, in the opinion of the committee, reasonable for application on War Department traffic. Others are in excess of those proposed by the traffic-control division but were accepted by the division inasmuch as they reflected reductions. Many of the rates so accorded were given a retroactive effect under section 22 quotations.

8. It has been the general policy of the carriers not to give retroactive effect to section 22 quotations to a date prior to which revisions of rates and charges were requested by the traffic-control division. It has also been the general policy of the traffic-control division not to request retroactive effect prior to such dates.

9. Although, in many instances, the carriers have incorporated in their published tariffs the rates and charges accorded the War Department the majority of such rates have been accorded through the medium of section 22 quotations, a very large number of which provide that the rates so authorized will not be subject to land grant. This method had the effect of circumventing land-grant provisions.

10. The committee finds that many of the rates, ratings, and charges studied and evaluated by it have been and/or are excessive. Some of these adjustments are dealt with more comprehensively in part III of section 5 of this report.

11. As the result of continuing negotiations by the Traffic Control Division the carriers have accorded the War Department, through the medium of section 22 quotations, a large number of transit arrangements for application on traffic transited at the numerous War Department depots or holding and reconsignment points. These have been of incalculable value to the War Department and have resulted in large savings to the Department. Invariably, however, these quotations have provided that the through rates authorized therein will not be subject to land-grant deductions. All of these section 22 quotations provide for the addition of the ex parte 148 increases to the through rates authorized in such quotations on traffic moving on and after May 15, 1943, although the application of such increases on commercial traffic was suspended by the Interstate Commerce Commission effective on that date. In the opinion of the committee virtually all rates and charges on transited traffic have been and are unreasonable to the extent of the addition of the ex parte 148 increases. This subject is comprehensively dealt with in the concluding portion of part III to section 5 of this report.

12. There is nothing in the records of the War Department which discloses the amount of the freight charges finally paid by the Government on any class or character of traffic of the War Department.

13. The tonnage records of the transport economics section of the traffic control division are inadequate for the purpose of obtaining information necessary in evaluating the reasonableness of the rates and charges assessed on any particular class or character of traffic transported between given points, areas, or territories.

14. Viewing the over-all picture, the revisions in rates, ratings, and charges, and in various rules and regulations, and the granting of transit arrangements, which have resulted from negotiations with the carriers by the Traffic Control Division, have resulted in very great savings to the War Department.

15. The Traffic Control Division has been, and is, inadequately staffed and equipped for the preparation and presentation of necessary evidentiary factual data and appropriate testimony in support of any great number of complaints before regulatory bodies.

GENERAL CONCLUSIONS AND RECOMMENDATIONS

The conclusions of the committee with reference to various matters appear throughout this report and need not be restated here. However, based on the committee's investigations and studies, and its general knowledge, it cannot escape the general conclusion and the firm conviction that the Government has paid, and is paying, many millions of dollars in excessive charges for the transportation of matériel and supplies of the War Department:

1. There has never been any organization within the Department adequately equipped, staffed, and fully empowered to negotiate with the carriers necessary revisions of such rates, ratings, charges, rules, and regulations, or institute proceedings before the Interstate Commerce Commission, and other regulatory bodies, involving the reasonableness or lawfulness otherwise of such rates, ratings, charges, rules, and regulations, and prepare and present the necessary evidence in such proceedings;

2. There are no statistics in any department of the Government which disclose the amount of the freight charges assessed or finally paid on any class or character of freight transported for, or for account of, the War Department, between any given points, areas, territories, or as a whole. As a result there is no one within the War Department or elsewhere who knows or can readily obtain that information:

3. Existing tonnage statistics have been kept in such a manner that they are not susceptible of being readily adapted for use in connection with negotiations with carriers for revision in rates or for use before regulatory bodies, Federal or State, in support of formal complaints and investigations.

Because of the above conditions the Government has not only paid excessive charges in a stupendous amount before and since Pearl Harbor, but it is still paying such excess charges on presently moving traffic and will continue to pay them until appropriate action is taken to remedy this situation.

The committee, therefore, recommends:

1. That there shall be set up immediately a separate branch of the War Department, the sole functions of which will be confined to studies of freight rates, ratings, charges, and rules and regulations presently applicable, and those which may hereafter be contemplated for application, on any and all matériels and supplies transported for, or for account of, the War Department, by rail, water, motor carrier, express, and by air. That such branch be charged with the duty

and responsibility of negotiating with the carriers engaged in each such type of transportation, revisions of present rates, ratings, charges, rules and regulations, applicable on such traffic which the said branch may consider unreasonable or otherwise unlawful, and for the establishing, from time to time as necessity therefor may appear, such other reasonable rates, ratings, charges, rules and regulations, on matériel and supplies transported, or to be transported, for, or for account of, the War Department. Furthermore, that the said branch shall be empowered to institute or participate in formal or informal proceedings before the Interstate Commerce Commission, or other regulatory bodies, with respect to any rate, rating, charge, rule or regulation, applicable on matériels and supplies shipped by, or for account of, the War Department, which, in the opinion of the said branch, are excessive or otherwise unreasonable. Moreover, that the said branch shall be empowered to petition the said regulatory bodies for suspension and investigation of any tariff publishing any rates, ratings, charges, rules, or regulations which, in the opinion of the branch, are excessive or unreasonable for application on any matériel and supplies shipped by, or for account of, the War Department.

2. That the said branch shall be placed under the sole direction and control of a man of long training and experience in the evaluation of the reasonableness or lawfulness otherwise of freight rates, ratings, charges, rules and regulations, and who shall be thoroughly qualified and competent to conduct negotiations with the chief traffic officers and other rate-making officials of the respective types of carriers hereinbefore enumerated, for revisions in rates, ratings, charges, rules or regulations applicable on matériel and supplies shipped by, or for account of, the War Department, which he or the members of his staff may consider excessive. Also for negotiating such other reasonable rates, ratings, charges, rules and regulations which, from time to time, may be necessary for the transportation of such matériels and supplies. Furthermore, that the man charged with the direction and control of such matters shall be competent and qualified to determine whether or not formal or informal proceedings shall be instituted before the Interstate Commerce Commission, or other regulatory bodies, with respect to any such rates, ratings, charges, rules or regulations, and whether or not petitions for suspension and investigation of any such shall be filed with such regulatory bodies.

3. That the said branch, except as provided for in the next succeeding paragraph, shall be staffed solely with men trained and experienced in matters of freight rates, ratings, charges, rules and regulations, and that the men so constituting such staff shall be responsible only to the man charged with the administration and direction of the said branch.

4. That there shall be set up within the said branch a competent statistical section for the purpose of assembling such statistics as may be considered necessary for the proper and efficient functioning of the said branch.

5. That the man charged with the control and direction of the said branch shall be empowered to determine, within his own discretion, the manner and methods which shall be employed for the functioning of the said branch, and that he shall be empowered to utilize men of his own selection to constitute the staff of the said branch, whether civilians or otherwise.

6. That the man charged with the control and direction of the said branch shall report directly, and be responsible, to the Secretary of War, and shall have the sole power to determine what, if any, action shall be taken with respect to the matters, duties, and responsibilities with which he is charged.

7. That the man charged with the control and direction of the said branch, and the members of his organization, shall be relieved of all regulations and requirements which do not relate directly to the functioning of the said branch.

8. That the salaries or compensation of the man charged with the control and direction of the said branch and of the members of his organization shall be commensurate with their knowledge, training, and experience, corresponding with those prevailing in the commercial traffic and transportation field.

While this committee is only required to submit recommendations with respect to the rates, ratings, charges, rules, and regulations applicable on traffic of the War Department, the committee respectfully submits that it would be feasible and probably desirable that an organization of the character above recommended be created to function in the manner set forth for both the War Department and the Navy Department.

AUGUST 2, 1945.

Hon. JAMES FORRESTAL,
Secretary of the Navy,
Washington, D. C.

MY DEAR MR. SECRETARY: My attention has been called to the testimony of Commander F. C. Toal in the hearings on the Navy Department appropriation bill for 1946, before the House Committee on Appropriations, March 20, 1945.

Starting at page 370 of the hearings there is a discussion of "excessive freight transportation rates" paid by the Government. Commander Toal stated (p. 371) that "* * * the Navy's policy with respect to the extremely involved question of rate adjustment has been * * * to work with the carriers preferably through negotiation. In cases where we felt our negotiations have not resulted in proper charges, we have carried the matter before the Interstate Commerce Commission in formal litigation. It is a tedious and uncertain process, not to mention a slow process."

In view of Commander Toal's statement that the procedure before the Interstate Commerce Commission is tedious, uncertain and slow, I would appreciate having any suggestions you might care to submit as to changes that could be made to improve the procedure before the Commission, and particularly suggestions as to changes, if any, that should be made in the Interstate Commerce Act itself.

Assuring you of my high esteem, I am,
Cordially yours,

B. K. WHEELER,
Chairman.

THE SECRETARY OF THE NAVY,
Washington, August 24, 1945.

Hon. BURTON K. WHEELER,
Chairman, Committee on
Interstate Commerce,
United States Senate.

DEAR SENATOR WHEELER: With reference to your letter of August 2, 1945, relative to the testimony of Commander F. C. Toal, U. S. N. R., of the Bureau of Supplies and Accounts, in the hearings on the Navy Department appropriation bill for 1946, there is quoted below a statement by Rear Adm. W. J. Carter, U. S. N., Chief of that Bureau:

"Commander Toal's testimony did not imply any criticism of the formal procedures before the Interstate Commerce Commission, but rather pointed out the benefit to the Navy in securing voluntary rate reductions through direct negotiation with the carriers. Direct negotiation with the carriers permits relatively speedy disposition of rate adjustment requests, particularly those granted under authority of section 22 of the Interstate Commerce Act. Concessions made under this section of the act to the Government need not be published in regular tariffs and thus do not involve the delicate and sensitive rate relationships reflected in such tariffs.

"It would appear that the relative slowness in formal proceedings before the Interstate Commerce Commission is inherent in that body's policy of allowing everyone to be heard. Thus, after the filing of complaints ample time must be allowed for interested parties to intervene if they so desire. The public hearing following the filing of a complaint is in turn generally followed by the filing of briefs, an examiner's report, exceptions to the examiner's report, and possibly oral argument, before a final decision is reached. All of these steps, which give everyone a chance to be heard, at the same time necessarily slow up final disposition of matters formally submitted to the Commission.

"This Bureau does not feel qualified to suggest, in this connection, any changes in the Interstate Commerce Act. The point raised in testimony before the House Committee on Appropriations was one recognized and respected by industry generally, namely that friendly negotiation is preferable to litigation."

I hope this explanation of Commander Toal's testimony will be satisfactory to you. I have no suggestions as to any changes that could be made to improve the procedure before the Commission or as to any changes that should be made in the Interstate Commerce Act itself.

Sincerely yours,

JAMES FORRESTAL,
Secretary of the Navy.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. Hoey's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. O'DANIEL. Mr. President, in the discussion of the FEPC bill from the political standpoint, yesterday the Senator from New Mexico seemed to get the impression that some stigma was sought to be attached to him as author of the bill. I attempted to make it clear that I was not desirous of attaching any stigma to the author. The fact of the matter is that the Communists, working under cover and underground, always like to get people of the highest character to do their dirty work. Some very good people are often misled into believing that a certain article is good when it is bad.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. O'DANIEL. I am glad to yield to the Senator from Mississippi for a question.

Mr. EASTLAND. Of course no stigma is attached to the distinguished Senator from New Mexico [Mr. CHAVEZ]. But is it not strange indeed that a bill would be introduced by which an alien Communist would have preference in employment over a war veteran of the United States?

Mr. O'DANIEL. I think that is something that the people of the United States should well understand. I think it is an outrageous thing, but that is only one of the outrageous things about the philosophy of this kind of legislation, and particularly this bill.

Mr. EASTLAND. The distinguished Senator knows that it is the policy of communism to infiltrate into government and into private business wherever possible. In view of the fact that section 3 of the bill would prevent a

Communist from being discriminated against in employment, does not the Senator believe that the passage of the bill would make it easy for Communists to infiltrate into important places in American business and there stir up strife and discord, and control American industry?

Mr. O'DANIEL. Without doubt the Senator from Mississippi is absolutely correct. That is the purpose of the bill. That is what the Communists who favor the bill expect to accomplish by having the bill enacted. Of course, other issues are introduced. The colored issue is brought in, and many misguided colored people from the North are led to believe that some benefits would accrue to the colored race. The colored race is being used in order to help promote the idea and obtain further support. The benefits to accrue under this bill would accrue largely to members of the Communist Party and those who are endeavoring to overthrow our American form of government.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. O'DANIEL. I am glad to yield to the Senator from Mississippi for a question.

Mr. EASTLAND. Does not the distinguished Senator from Texas realize that the passage of this bill would repeal the GI bill of rights so far as it gives preferences in Government employment?

Mr. O'DANIEL. The Senator is absolutely correct.

Mr. EASTLAND. It is proposed to repeal the GI bill of rights in order to favor minority groups, aliens, and Communists, who are enemies of our system of government, of our society, and of the Christian religion itself.

Mr. O'DANIEL. The Senator from Mississippi very ably states the purposes of the bill, and I heartily agree with every word he has uttered.

As I stated a few moments ago, some of the very ablest Senators are authors or coauthors of the bill. I stated that people with ulterior motives, and especially the Communists, are very clever. They hire some highly intelligent men to give them advice and formulate their policy. They know that if they can get honorable men, men of high character, to do some of their chores, it lends prestige to the proposed legislation. Many persons throughout the United States would be for the bill simply because they knew that the Members of the United States Senate who introduced it were men of character, integrity, and honesty.

Mr. President, politics is a strange thing. I have obtained a very liberal education in politics since I was suddenly thrust into it a few years ago by having the citizens of Texas elect me to the governorship of Texas, which was the first public office I ever held. Soon after I was elected in the first primary by an overwhelming majority of the citizens of Texas, I was approached by a member of one of the State commissions or departments. He informed me that there was to be a vacancy in that branch of the government, in that commission or department, and he thought it would be a noble thing if I would appoint my preacher to that position. Every Christian has great admiration for his own preacher. The episode which I am relating simply shows how far the professional politicians will go in order to carry out their plots and their plans. They were approaching me, a man who was new in government service and who was just about to enter upon it. That experienced politician who was holding office was approaching me in an effort to work on my sympathy, admiration, and esteem for my preacher. He wished me to appoint my preacher to a vacancy which was soon to occur on a board of which he, the politician, was one of the three members. It can easily be seen that the politician might have had some other motive in mind. After studying the situation and listening to the politician, I discovered his motive. He told me that if I would appoint my preacher to the vacancy—and, like most preachers, my preacher was not very wealthy—the preacher could keep right on preaching and drawing his salary as a preacher. The politician further said that because of his great love for the preacher he would perform all the duties which the preacher would be supposed to perform while serving on the board, so that the preacher would not have to take any of his time to attend to his duties on the board. I do not know that the preacher knew of the conversation between the politician and myself. Nevertheless, that is the influence which was attempted to be brought to bear on me, in an endeavor to have me make the appointment. However, I believe that anyone who is appointed to public office should perform the duties of his office.

We find a somewhat similar situation here today. Men with ulterior motives who favor this bill have endeavored to convince some outstanding men in public life to serve as coauthors of the bill. It therefore behooves those of us who know that the bill is bad legislation to tell the truth about it to the majority of the people of the country, by speaking on the floor of the Senate so that the news may go out through the news services to all the people of America in order that they may learn of the plot which has been hatched in connection with this bill, and which is merely a step in, or a part of, a widespread plan to destroy our American form of government. Other steps in that direction already have been taken.

So, Mr. President, I am glad to join this little group of brave, patriotic southern Democrats in the Senate. Those who favor the bill can accuse us of everything they wish to, in respect to filibustering or anything else. Incidentally, let me say that I notice that most of the howl about filibustering comes from the Communist commentators, those on the radio and those who write for the newspapers. That shows who is back of this bill. They are criticizing our great American Government, criticizing the men who hold office in this, the greatest deliberative body on the face of the earth, this body which is one of the greatest protections left to our people, including our brave boys who went into battle all over the globe—battles in which thousands of them lost their lives in defense of this Nation, in order that we might forever retain our great democracy, where free men are really free. So we gladly volunteer our services in the effort to defeat legislation of this kind on the floor of the Senate. Call it filibustering or anything else you will. We are simply debating the demerits of this nefarious, communistic, brain abscess No. 101, known as the FEPC bill.

Mr. President, let us be fair in this matter. I am discussing the bill from the political standpoint, because it has no economic standpoint, except a very bad one. The results will be very bad indeed if any legislation of the sort represented by the pending bill is enacted; and that will be the case regardless of whether the bill is passed in its present form or after it has been amended, because the bill can never be amended sufficiently to make it a good bill, unless it is entirely rewritten to embrace an entirely different philosophy of government.

We wish to discuss the bill from the political standpoint. It is just a trick to get the Negro votes of the North. That is a part of this FEPC plan. It is a fight between the Republicans of the North and the northern Democrats who wish to get themselves reelected, reelected, and reelected by virtue of the minority votes which come from the members of the Negro race.

In considering the two classes of our people who are contending for the votes of the Negroes of the North, let us see which one is entitled to their votes—whether it is the Republicans or the Democrats of the North. To those who are familiar with the history of our Nation it is no secret that the Republicans under Abraham Lincoln freed the Negroes from slavery. Everyone understands that. That understanding is basic to a realistic approach to the problem. To those who are thoroughly familiar with the traits of Negroes, it is no secret that one of their most admirable characteristics is sincere appreciation of any kindness shown them and unswerving loyalty to their friends and benefactors. No one knows the traits of the Negroes better than do those of us who live with them and work with them in the South. So we know that the Negroes are appreciative of any favors, big or little, which are done for them.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. O'DANIEL. I am glad to yield to the Senator from Mississippi.

Mr. EASTLAND. Does the distinguished Senator from Texas believe that the Congress of the United States should, by statute, discriminate against veterans, in respect to employment?

Mr. O'DANIEL. I certainly do not believe that the Congress of the United States should discriminate against the veterans who fought and won the war for us.

Mr. EASTLAND. Does not the distinguished Senator realize that this bill would do just that by repealing the preferenses given to veterans by the GI bill of rights?

Mr. O'DANIEL. Absolutely.

Mr. EASTLAND. Not only would the bill repeal the preferences provided for veterans by the GI bill of rights, but it would actually give a preference to aliens, to Communists, to members of minority groups who are not veterans. Such persons would receive preferences over the veterans.

Mr. WHITE. Mr. President, will the Senator yield, to permit me to ask a question of the Senator from Mississippi?

Mr. O'DANIEL. I shall be glad to yield to the Senator from Maine, provided I may do so with the understanding that I do not thereby lose the floor.

Mr. WHITE. I do not intend to encroach on the Senator's rights.

The question just asked by the Senator from Mississippi interests me. I do not know whether the implication of what he has stated is correct, but I am wondering what the result would be in the case of our merchant marine. I see on the floor Senators who are members of the Commerce Committee, and I should like to have the benefit of their views with respect to the matter, as well as to have the benefit of the views of the Senator from Mississippi.

Our law provides that vessels which are beneficiaries of the Government of the United States shall, in their officer personnel, employ only American citizens. To state the matter in another way, the law provides that the officer personnel of ships of the United States which are beneficiaries under our merchant marine acts must be citizens of the United States.

Now let us assume that a man—either a citizen or not a citizen of the United States—comes along——

Mr. O'DANIEL. Mr. President, perhaps the Senator from Maine will permit me to interrupt him for just a moment, so as to call attention to the fact that a reference to citizens of the United States would not disqualify communistic citizens of the United States.

Mr. WHITE. Of course, in some respects the pending bill applies to all persons, regardless of whether they are citizens.

But if the Senator from Mississippi is correct in his implications with respect to veterans, I should like to know whether the pending measure would not put in jeopardy our rule of law that only citizens of the United States may belong to the officer personnel of our merchant vessels. In other words, suppose a noncitizen says, "I wish to apply for a commission as second mate on this great American liner." Is he entitled to that position as second mate, notwithstanding the fact that our law now provides that all officers on such vessels must be American citizens? Would the pending measure by implication repeal the provisions of law with respect to the citizenship of the officer personnel of our vessels?

Mr. EASTLAND. In my judgment it would repeal it by implication. On that point I should like to have the judgment of the Senator from Texas, or the Senator from Louisiana [Mr. OVERTON], if the Senator from Texas will yield to him.

Mr. O'DANIEL. I shall be very glad to yield to the Senator from Louisiana if he feels able to speak. I know that he has been ill for several days, and I am glad to see him on the floor of the Senate today.

Mr. OVERTON. I thank the Senator from Texas.

Mr. President, if enacted into law, the pending bill would be in direct conflict with the provision of the maritime law, which requires that all employees under the Maritime Commission and in the merchant marine shall be citizens of the United States. The pending bill declares that full opportunity shall be given to all persons to obtain employment, and that no discrimination may be practiced against one who seeks employment because that person happens to be an alien. He must be placed on the same footing with a citizen of the United States.

Mr. President, I had not given the matter any particular thought until the able Senator from Maine raised the question. Offhand, I have no hesitancy in saying that, in my humble judgment, the provision to which reference has been made in connection with the pending bill runs counter to the provisions of the Merchant Marine Act.

Mr. WHITE. Then, it is the opinion of the Senator from Louisiana that if a person who is not a citizen of the United States applies for a position of second mate, for example, on an American ship, the FEPC could compel his employment notwithstanding the present law of the United States that only citizens may hold commissions on certain of our ships.

Mr. OVERTON. The Senator has accurately stated my opinion. The bill applies to all persons in the United States, and not merely to citizens of the United States.

Mr. WHITE. I commend to the consideration of the members of the Commerce Committee of the Senate the point which the Senator from Louisiana has made. I do not profess to know myself what is the answer, but I think it is worthy of consideration.

Mr. O'DANIEL. I thank the Senator very much for his contribution. It shows that some Senators on the other side of the aisle, including the Senator from Nebraska [Mr. WHERRY], who brought out some important points yesterday, are learning more about this bill from day to day, and are becoming interested in the dire results which may flow from its enactment. Again I thank the Senator from Maine for his contribution to this debate.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'DANIEL. I am glad to yield to the Senator from New Mexico, the author of the bill.

Mr. CHAVEZ. I agree with the remarks of the Senator from Maine, and I also agree with what the Senator from Louisiana has in mind. His amendment was intended to apply to American citizens. But if Senators who are solicitous of taking care of American citizens will only give the rest of us an opportunity to clarify the bill, we will be very glad to do so. I know that there are persons who assume a holier-than-thou attitude, and claim to be patriotic. Yet there are others, I may say, who are just as patriotic, and have contributed to the welfare of this country to as great an extent as have the persons to whom I have referred. If those who are so solicitous will only let us have an opportunity to do so, we will endeavor to clarify the situation to their satisfaction.

Mr. O'DANIEL. What the Senator from New Mexico has said merely shows further a weakness in the bill. The bill was brought to the floor of the Senate in a deplorable condition, and all we now hear from the authors of the bill is that if they may only be given an opportunity they will try to clothe this terrible thing in a new dress and a new hat and make it look good. Mr. President, I assert that it cannot be dressed up so that it will be good legislation, regardless of what amendments may be offered to it.

Mr. OVERTON. Mr. President, while I was ill I kept informed as much as possible on what was taking place in the Senate, including the debate which was taking place on the floor with reference to the FEPC. The same argument which has just been made by the able Senator from New Mexico, for whom I entertain great admiration, was made on several previous occasions. I think the answer is a very simple one. If we were to agree to amend the bill as suggested by the Senator we would not know whether the Senate would adopt the amendment. I refer to the amendment striking out the word "person" and substituting for it the word "citizen." I do not know whether the Senate would approve of the amendment, or approve of any amendment which would give any person against whom a charge was made under the act the right of a trial by a jury of his peers, or whether the Senate would approve of other amendments which have been suggested. If the Senate should adopt such amendments and the bill went over to the other House, it may be that the House would not agree to the amendments. The bill would then go to a conference, and the conference committee might eliminate some amendments which we had considered to be very vital.

Therefore, Mr. President, let me suggest to my very able friend, the Senator from New Mexico, that we who are opposing this bill would be unwilling to open the door to immediate consideration of the bill with the hope and expectation that all we would want to have accomplished would be accomplished, because I doubt very seriously that it would be.

Mr. O'DANIEL. I thank the Senator from Louisiana for his remarks.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. EASTLAND. The Senator realizes, of course, that the proponents of the pending bill are now screaming that it should pass, and that it should be drastically rewritten because it contains possibilities which its authors did not intend. Does not the Senator believe that the bill should be recommitted so that the entire subject may be reconsidered and further hearings be held in regard to it?

Mr. O'DANIEL. I think the bill should be recommitted to the committee, and then committed to the grave.

Mr. EASTLAND. The Senator realizes that hearings were held on the bill on only three different days, and that several persons appeared before the committee, some of whom believe in the American philosophy of government, and some of whom do not. I submit that most of those who appeared on behalf of the bill do not, according to the House Committee on Un-American Activities, believe in the American system of government.

Mr. O'DANIEL. I agree with the Senator from Mississippi, and thank him for his remarks.

Mr. CHAVEZ. Mr. President, I personally am becoming tired of hearing the Senator from Mississippi and a few other Senators acting as though they were the only Americans in this country. There are other persons who are fostering the pending bill who have contributed blood to Americanism. I assert to the Senator from Mississippi and to the Senator from Texas that when we speak of Americanism we mean real Americanism.

Mr. O'DANIEL. Mr. President, the Senator from New Mexico seems to be somewhat disturbed about remarks which have been made on the floor, but I think that all Senators who have listened to me will realize how carefully I have guarded my statements, and that I have gone out of the way to state my honest conviction that the authors of this bill are men of honor and integrity and patriotism and are great American citizens. Because they are in that class, it is my judgment that they have been selected directly or indirectly to offer this nefarious communistic bill known as S. 101.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. O'DANIEL. I am glad to yield to the Senator from Mississippi.

Mr. EASTLAND. Of course, as we have all made clear, the distinguished Senator from New Mexico is a high-class gentleman and we think the world of him. What the Senator from Mississippi said was that most of those who appeared before the committee in favor of this bill belonged to organizations which the House Un-American Activities Committee states authoritatively are not organizations that believe in the American system of government. I will say to the distinguished Senator from New Mexico that the House committee has so found; the reports have been printed, and I am going to place them in the RECORD. Of course, there were good Americans who appeared in support of the bill, but the fact remains that the committee of the House of Representatives has found as I have stated. Of course, there is no stigma attached to the Senator from New Mexico. We hold him in the very highest regard.

Mr. CHAVEZ. Mr. President, may I ask the Senator a question?

Mr. EASTLAND. Yes, if the Senator from Texas will yield.

Mr. O'DANIEL. I am glad to yield for a question.

Mr. CHAVEZ. Will the Senator from Mississippi tell this body and the American people what particular witness who appeared in favor of this bill is a Communist?

Mr. EASTLAND. I told the distinguished Senator that before this debate is over I would place in the RECORD the report of the House committee giving the names of the individuals and the names of the organizations they found to be communistic and also the names of those they did not find to be in that category.

Mr. CHAVEZ. Mr. President, so long as we have come to this point, with the indulgence of the Senator from Texas——

Mr. O'DANIEL. I am glad to yield for the purpose of a question.

Mr. CHAVEZ. I will inquire of the Senator from Mississippi if Dr. Samuel McCrea Cavert, general secretary, Federal Council of the Churches of Christ in America, who appeared on behalf of this bill, is a Communist?

Mr. EASTLAND. As I told the distinguished Senator from New Mexico, the committee reports will speak for themselves, and I shall place the reports in the RECORD at the proper time.

Mr. CHAVEZ. I will ask the Senator——

Mr. EASTLAND. Wait a moment. I am not going into my own knowledge or lack of knowledge as to any individual, but I am going to place the committee reports in the RECORD. Then, of course, the Senator can argue with the committee as long as he pleases.

Mr. CHAVEZ. I am going to ask the Senator some questions and I should like to have him answer them, since he has made the charge that those who appeared in behalf of this bill are Communists. I will ask him if George K. Hunton, secretary, Catholic Interracial Council; editor, Catholic Interracial Review, who appeared on behalf of the bill, is a Communist.

Mr. EASTLAND. The answer is that I do not have the House committee reports before me, but they will be put in the RECORD and will speak for themselves.

Mr. CHAVEZ. Then, the Senator is making some charges about Communists appearing before the committee in support of this bill, but he is not willing to say who they are.

Mr. EASTLAND. As I have told the distinguished Senator time and time again, I am going to put in the RECORD at the proper time the names of the individuals and the names of the organizations that have been found by the House committee to be communistic. I have not stated that anybody was a Communist; I have not taken that position, and I said so. I said that a committee of the House of Representatives had so found.

Mr. CHAVEZ. Very well. Let me ask the Senator another question: Is Mrs. Ruth Mougey Worrell, a southern woman, who is executive secretary, United Council of Church Women, a Communist?

Mr. EASTLAND. I say that the committee report will be placed in the RECORD at the proper time.

Mr. CHAVEZ. I want to give a list to the Senator of those who appeared before the committee so that he may read it.

Mr. EASTLAND. I have a list of those who appeared at the hearings; in fact the copy of the hearings which I got, against which the House committee checked, were obtained from the Senator's office. It is all going to be put in the RECORD, and the Senator can debate the matter with the House committee if he desires.

Mr. CHAVEZ. The Senator from New Mexico is not going to debate with the House committee.

Mr. EASTLAND. The committee of the House of Representatives has found that most of the organizations that appeared in favor of this bill were not in sympathy with American ideals and the American system of government.

Mr. CHAVEZ. Mr. President, I am not going to depend in considering the merits or demerits of this legislation on what some House committee may say; but I should like to get a "yes" or "no" answer from the Senator from Mississippi as to which one of the witnesses who appeared before the committee is a Communist.

Mr. EASTLAND. I told the Senator I am going to put every one of them, without exception, into the RECORD.

Mr. CHAVEZ. The Senator is going to depend on someone else and not on what he himself knows.

Mr. EASTLAND. The Senator apparently does not want the House committee report put in the RECORD.

Mr. CHAVEZ. I should like to have the Senator state who and what they are.

Mr. EASTLAND. I shall do that, and show just what the House committee has found.

Mr. CHAVEZ. In the list of those who appeared before the committee——

Mr. EASTLAND. In the list there is also the Southern Conference for Human Welfare.

Mr. CHAVEZ. That is correct and they are interested in getting the Negro a little more money so that he may buy a second pair of overalls.

Mr. EASTLAND. I am for that too, but I also know that Mr. Earl Browder stated that that organization was a transmission line for communism, and the names of its officers which are in the RECORD show beyond peradventure of doubt that it is a Communist organization.

Mr. CHAVEZ. Does the Senator from Mississippi mean to state to the Senate that Mr. Earl Browder appeared before the Committee on Education and Labor testified to that effect?

Mr. EASTLAND. Of course not.

Mr. CHAVEZ. He did not appear?

Mr. EASTLAND. The Senator from New Mexico did not understand me to say that.

Mr. CHAVEZ. As I understand, the Senator has heard something about some Communists being for this bill. I would not be surprised if that were true but I want to tell the Senator——

Mr. EASTLAND. That is not what the Senator from Mississippi said. The Senator from Mississippi said that the House committee had found that most of the organizations that appeared in support of this measure had a communistic background. That is what I still say, and I will say further that that is going into the RECORD before the debate is over.

Mr. CHAVEZ. Let us see what the Senator from Mississippi knows about it himself and not what someone else said. Of course I know that in certain quarters Dr. Alexander does not stand so well.

Mr. EASTLAND. I thoroughly agree that in most quarters that really know he does not stand well and that he is a member of Communist front organizations. That has been in the RECORD.

Mr. CHAVEZ. The Senator will admit, at least, that Dr. Will Alexander is a southern gentleman.

Mr. EASTLAND. Well I do not know about that; I am not so certain. [Laughter.]

Mr. CHAVEZ. The Senator will at least admit that the grandson of Clark Howell, Dr. Clark Foreman, president of the Southern Conference for Human Welfare, was southern born and that his ancestors lived in the South for generations.

Mr. EASTLAND. We have had a number of Communists in the South. I have read that Thomas Lamont's son was one. I am confident he is a Communist, and the fact that Clark Foreman is the grandson of a man named Howell from the South, of course, is no evidence at all that he is not a Communist.

Mr. CHAVEZ. Would the Senator say to this body that Dr. Clark Foreman, of Atlanta, Ga., the president of the Southern Conference for Human Welfare is a Communist?

Mr. EASTLAND. That is my judgment.

Mr. CHAVEZ. That is the Senator's judgment.

Mr. EASTLAND. Yes, it is my judgment; and I will say that I think the committee of the House of Representatives has so found, and when its reports go into the RECORD my good friend from New Mexico, who desires to be fair and impartial and unbiased in these matters, will agree with me as to many of them.

Mr. CHAVEZ. The Senator from Mississippi is willing to take the judgment of a committee of another body and what they said about certain things, but he is not willing to believe that a majority of the Committee on Education and Labor of this body, of which he is a member, who reported the bill, can tell the truth.

Mr. EASTLAND. Of course they tell the truth, but the fact remains that here is a committee report from the House which names the organization, which shows who are in its membership, which shows with what it is affiliated, and from investigation has found what it is.

I should like to ask the Senator from New Mexico a question. Did the Committee on Education and Labor of the Senate call on the House Committee on Un-American Activities to get the background of the proponents of the bill?

Mr. CHAVEZ. Why should we call on them? We did call on the Senator from Mississippi to be present at the hearings, but he failed to come.

Mr. EASTLAND. The answer is that the committee did not call on the House committee. Is that correct?

Mr. CHAVEZ. Yes.

Mr. EASTLAND. That being true, I think the Senator from New Mexico would change his mind about the bill——

Mr. CHAVEZ. No, no.

Mr. EASTLAND. If he knew the background of most of the organizations who appeared in support of it.

Mr. CHAVEZ. I know the members of the organizations. I know William Green, of the American Federation of Labor, and Philip Murray, and, irrespective of how the Senator from Mississippi may feel about Philip Murray, I believe he is not a Communist. He does believe, however, in paying a man decent wages, whether the man be black or white.

Mr. EASTLAND. I believe in paying people decent wages. My opinion of Philip Murray and the opinion of the distinguished Senator of Philip Murray are as far apart as the poles. By the way, did Philip Murray testify in support of the bill?

Mr. CHAVEZ. The organization he represents——

Mr. EASTLAND. Oh, well.

Mr. CHAVEZ. I think he did.

Mr. EASTLAND. No. If the distinguished Senator will check, he will find that Mr. Murray did not testify in favor of the bill.

Mr. CHAVEZ. If the Senator from Mississippi is so much interested in how Mr. Murray feels, it would take him just about 3 minutes to call him on the telephone and he would tell the Senator.

Mr. EASTLAND. My judgment about the CIO is that its leadership and its policies are definitely communistic.

Mr. CHAVEZ. Then let me suggest someone else whom the Senator considers to be a real American. I suggest that he go and ask Mr. William Green, of the American Federation of Labor.

The PRESIDING OFFICER (Mr. SALTONSTALL in the chair). The Senator from Texas has the floor.

Mr. CHAVEZ. I wish to thank the Senator for permitting me to take so much of his time.

Mr. O'DANIEL. The Senator from New Mexico is entirely welcome to all the time he cares to take, for we want the bill discussed thoroughly.

In view of the colloquy which has just taken place between the Senator from Mississippi and the Senator from New Mexico, I should like to ask the Senator from New Mexico whether or not the Committee on Education and Labor, of which the Senator is a member, made any inquiry of those who testified to ascertain whether or not they were Communists.

Mr. CHAVEZ. I will reply in good faith to the Senator that I do not believe we asked that question.

Mr. O'DANIEL. Did the Senator from New Mexico or his committee make any investigation whatever in any other way to ascertain whether or not those who testified at the hearings were Communists, or fellow travelers?

Mr. CHAVEZ. When such a witness as Dr. Clark Foreman, a southern gentleman, from Atlanta, Ga., appeared, I think that question would have been out of order.

Mr. O'DANIEL. I am not asking the Senator what he thinks would have been out of order. I am asking him if questions were asked as to whether the witnesses were Communists or fellow travelers, or if any investigation was made by the committee.

Mr. CHAVEZ. No, we did not ask the question, "Do you hate the Jews?" or "Do you not like the Negroes?" We did not ask those questions, either.

Mr. O'DANIEL. I thank the Senator.

Mr. WHERRY. Mr. President, will the Senator from Texas yield?

Mr. O'DANIEL. I am glad to yield to the Senator from Nebraska.

Mr. WHERRY. I should like to ask a question of the distinguished Senator from New Mexico. We could not hear all that was said a moment ago in the colloquy in which he and other Senators were engaged. Will the Senator please restate what he said about amending the bill? I caught just the word "amend."

Mr. CHAVEZ. Mr. President, I said that in my opinion the bill does not need amendment, that it is an American bill, drawn for American citizens, and applicable to American citizens; but, in order to clarify the situation, if Senators desire to insert language whereby the bill will be clarified, I have no objection.

Mr. WHERRY. I wish to ask the distinguished Senator another question. I thought I understood him to say that if amendments were needed, we should get the bill up and amend it.

Mr. CHAVEZ. I feel that way, and I want the Senator from Nebraska to understand that I do not pretend to know all. I state that the Committee on Education and Labor acted in good faith, in the interest of what they thought was best for the country. But, being human beings, not all-knowing, possibly there are things in the bill which need clarifying, and because we are so interested in the basic principles of the legislation, any amendment which would tend to point out what we have in mind, and clarify it, and protect American rights fully, not for only one section, but fully, would meet with the approval not only of the sponsors of the bill, but I know of the committee itself.

Mr. WHERRY. Will the Senator from Texas yield further?

Mr. O'DANIEL. I am glad to yield for a question.

Mr. WHERRY. I deeply appreciate the very definite explanation by the distinguished Senator from New Mexico, who is one of the proponents of the bill. I think the distinguished Senator will agree with me that he knows I have declared myself for the principles of a fair employment practice act. A plank advocating the enactment of such a measure was in the platform on which I ran for the Senatorship in Nebraska, and it was in our national platform. It was only when I began to consider the provisions of the bill that I undertook to ask some questions.

Mr. CHAVEZ. I am glad the Senator did.

Mr. WHERRY. Since then I think the distinguished Senator from Oregon [Mr. MORSE] said that he was not for the bill

in its present form. I would not undertake to quote him, because I could not hear what he said very well, but I understood him to make a statement to that effect.

In the beginning of his remarks the able and distinguished Senator from Texas stated that a few southern Democrats were using the only means they had in standing here debating, as they had a right to do, in order to defeat the bill. He said some people call it a filibuster, but that he felt that he had a perfect right, under the Senate rules, to continue to filibuster, because he and those thinking as he does believe that is the way to prevent the passage of what he said was bad legislation. Is that correct?

Mr. O'DANIEL. That is correct.

Mr. WHERRY. A remedy for that situation is also provided in the Senate rules, namely, the cloture rule. That is the point I wish to suggest to the Members of the Senate.

Those of us who have gone along in favor of the principle of an FEPC bill, should have our position made plain to the American people. I circulated a petition for cloture, which is now in the hands of the distinguished Senator from New Mexico. The first 20 names on the petition were those of Republicans on this side of the aisle. We thought the thing to do was to invoke cloture, because we felt that if the bill needed amending and we could get it up, that was the thing to do. We had the petition ready a week ago yesterday, and it was turned over to the distinguished Senator from New Mexico, but, as yet, it has not been filed.

I think the remedy of cloture should be invoked immediately. I think there is no defense for proceeding further without cloture. I think the defense that is made that there is nothing before the Senate of the United States, is a sad commentary upon the legislative program before this body.

Mr. O'DANIEL. Mr. President, let me ask——

Mr. WHERRY. Let me finish, please.

The PRESIDING OFFICER. The Senator from Texas has the floor.

Mr. WHERRY. If there is no other bill on the calendar in shape for the Senate to consider, then I think we should adjourn and go home. The Senate committees are not reporting bills, because they say there is a filibuster—it slows their work, and that it does not make any difference anyway. I think that if we invoked cloture and had an up and down vote thereon, and had a decision by the Senate, we could either go on debating the merits of the bill, or we would know we could not continue with it. I do not see that we, as proponents of some kind of an FEPC, are gaining anything by delaying the filing of a cloture petition another minute in the United States Senate.

Mr. O'DANIEL. Mr. President, I always enjoy listening to the Senator from Nebraska. I should like to know what his question is. I have yielded to him for a question.

Mr. RUSSELL and Mr. CHAVEZ addressed the Chair.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Does the Senator from Texas yield, and if so to whom?

Mr. O'DANIEL. I yield first to the Senator from Georgia.

Mr. RUSSELL. Mr. President, I want to make an observation right here. There has been a considerable discussion of this bill. In my own time I discussed the bill, and I undertook to analyze in good faith some of the infirmities of the bill. I pointed out wherein it was a rank discrimination against American citizens in that it gave aliens priority in employment and in discharge over native-born American citizens. I reassert that here now. If there is any doubt about it I can read Supreme Court decisions on this floor for hours which will show that this bill, as drafted and brought to the Senate, would apply to all aliens here now or coming to this country in the future, as well as to any other minority group. There are just so many jobs, and when this Commission puts an alien on the job instead of an American citizen it results in denying that American citizen employment.

The Senator from New Mexico at that time admitted that the word "persons" would apply to everyone within the domain, and said he would be willing to accept an amendment.

And then, Mr. President, some call such a presentation of the infirmities of the bill a filibuster.

The Senator from New Mexico now says he does not think his bill needs any amendment. He thinks it is perfect in every respect.

Mr. President, in my discussion of the bill I undertook to point out how the bill violated the fundamental rights of any American citizen who might be haled before this body which it is sought to vest with judicial powers and denied the elemental right of a trial by jury, the elemental right of being confronted by the witnesses against him; that he was not even guaranteed the right of cross-examination, and that he might be confined in jail on very scanty evidence, when, as a matter of fact, he was acting in the utmost of good faith. Those who advocate the passage of the bill conceded that that was the case. Whether they concede it or not, Mr. President, it is the truth, and any honest lawyer who reads the bill will admit it is the truth. Senators on both sides of the Chamber who were committed to the bill have risen and said they still had some respect for the processes of American justice and for the English common law, which had been the bulwark of individual rights since Runnymede, and that they would accept an amendment which would preserve such rights to the American citizen. I understood the Senator from New Mexico to say that he would accept such an amendment, but now he says he does not think the bill needs any amendment.

Mr. President, I want to say to the Senator from Nebraska that if cloture is voted these amendments cannot be explained. If the Senator wants to muffle those of us who know—I started to say "who believe" but I will say those of us who know—we have rendered a great public service in pointing out the vices, infirmities, and iniquities of this bill, he can go ahead and do so, but when cloture is voted the amendments cannot be discussed. They must be voted upon immediately. The amendments will be read from the desk, and that is all Senators will know about them.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

Mr. O'DANIEL. Mr. President, I do not yield for the purpose of a parliamentary inquiry.

Mr. WHERRY. Mr. President, will the Senator yield while I ask the Senator from Georgia a question?

Mr. O'DANIEL. I will yield to the Senator for a question.

Mr. WHERRY. Does the Senator from Georgia understand that when cloture is voted that prevents the filing of amendments up until the time of the vote upon the bill?

Mr. RUSSELL. Yes. No amendment can be filed after a vote for cloture. Senators cannot discuss amendments filed before the vote when the time comes to vote under a cloture rule. Senators must vote on them practically en bloc.

Mr. WHERRY. We would have an opportunity to engage in debate upon the bill and the amendments, each Senator being allowed 1 hour, between the time cloture is voted and the time the bill is voted on, would we not?

Mr. RUSSELL. The Senator is wholly in error. Each Senator can speak for 1 hour after cloture is ordered. Of course, he can address himself to an amendment or to the bill. But every Senator knows that unless amendments are explained as they are voted on, the Senate does not understand them. The Senator can make a speech today on an amendment which might be voted on next week, and when the amendment comes to a vote, if the Senator cannot tag the amendment, cannot identify the amendment, and refresh the minds of Senators with respect to what the amendment provides when it comes to a vote by the Senate, Senators cannot vote intelligently on the amendment. They are always defeated in such circumstances.

We have before us now a bill which most of its advocates have admitted contains many defects. Some of them say it is a bad bill in its present form. Some of them concede they could not vote for it in its present form. Those who are charging that we are conducting a filibuster have admitted the bill's infirmities after we point them out. There is no question about the fact that the bill is shot through and through with the skillful design to nationalize jobs in this country, and it is done very thoroughly in the smoothest words that have ever been brought before the Senate. There is no question on earth that this bill delegates to a Commission in this country greater power than has ever been given to control the lives and habits and tastes and businesses of the American people; whether they are on the farm, whether they are in the bank, whether they are in industry, whatever kind of business they may be in, it will result in nationalizing all business and there is no way to escape this result if the bill

be passed. There is not one legislative safeguard in this bill—not one, to protect the rights of the individual who may be engaged in legitimate business in this country.

Mr. President, I want to say to the Senator from New Mexico, that I have tried as earnestly in this discussion to avoid giving him any offense as I have in exposing the inequities contained in this bill. I have absolved him of any desire to create a totalitarian state in America. I know the Senator did not write the bill, because this bill has been here in the Senate in the same form before the Senator from New Mexico affixed his name to it. But with all the deference and respect that I have for the Senator from New Mexico, I do not think it is fair for him to get up here and wrap the flag around himself every few minutes and try to make it appear that the opposition to this bill is predicated on the desire to beat down the Negro in the South, because any such imputation is absolutely untrue, at least so far as the Senator from Georgia is concerned.

I have said here before, and I say again, that I recognize that unless the people of my State, whether white or black or Chinamen—unless they all prosper the State cannot prosper, and I have taken that position throughout my entire public career. But when we hear Senators who admit the defect in the bill then say that they do not think it needs any amendment, and other Senators say "Let us put cloture upon Senators" so they cannot explain the defects in the bill, I know the Senate is playing with dynamite.

Mr. President, I have not pointed this out to my Republican brethren who are so zealous to lynch us in this bill, but I shall now put them on notice respecting some of the things that are in it and what they are doing to themselves. I have been told that the majority of the Republicans have signed a cloture petition to bring this bill to a vote, and I want to say here and now that if that be the case it is the first time a political party has voluntarily made a confession of political bankruptcy. I undertook to say the first time I spoke on this bill that my Republican brethren had best look into this bill; that it would be a mighty good idea for them to read it. That I hoped they would not be deluded into supporting it because their platform said something about a Fair Employment Practice Commission. I said to them, "You had better read this bill," and Senators will find that statement in the RECORD in the first remarks I made on the bill. I said, "You had better read the bill because you will find that you are being given a gift horse here which is not what you think you are getting. You are being handed a gift horse under the guise of part of your platform, when the horse is misnamed and mislabeled." The contents of the bill, the operations of the bill and the purpose of the bill, the very purpose of the bill—whoever really did draft it—is contrary to everything for which the Republican Party has ever claimed to stand.

Mr. President, I am a Democrat. It is true I am one of those southern Democrats who stand in such disrepute here, but I did not feel any obligation or responsibility to point out to the Republican Party what they were doing when they signed the cloture petition on this bill. I am going to do so now. There has never been a political party which has made such a public proclamation of political bankruptcy as has been done by the Republican Members who signed the petition for cloture on this bill.

I respectfully invite attention to section 5 of the bill, which provides for the appointment of a Commission to administer these unlimited powers. Not a Republican has advanced any objection to that provision, although, in common with the rest of the bill, it strikes down the American way of life and the American form of government which we have heretofore known. It provides for the appointment of a Commission of five to handle the vast powers proposed to be delegated, and it does not provide for bipartisan representation. The five members of the Commission might be all Negroes, all Democrats, all PAC representatives, or all A. F. of L. representatives. That is the kind of bill with respect to which Republicans are signing a petition for cloture. The author says that he does not believe that the bill needs amendment. In a moment he will rise and say that he is willing to have it amended; and in the next breath he will say that it does not need amendment.

That is the kind of bill which Republicans support with such zeal that they say we ought to be legislatively lynched with cloture for making this fight to preserve American property rights and the American way of life. Republicans are placing on Democrats the necessity of protecting Republicans against their own folly, and against cutting their own throats in the effort we are making to save the country.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. O'DANIEL. I am glad to yield to the Senator from Maine.

Mr. WHITE. Mr. President, what the distinguished Senator from Georgia has said prompts me to say a word in reply.

First, I note that he stated that he was a Democrat. I give notice, if it is necessary, that I am a Republican.

Mr. President, I wish to speak most briefly. One of the things which has disturbed me in connection with the proposed legislation is the very provision in section 5 to which the Senator from Georgia now refers. Let me say to my Republican colleagues that if there is one thing we have been insisting upon in late years it is that boards, bureaus, and commissions having regulatory and quasi-judicial powers should have minority representation thereon. With respect to the Federal Trade Commission, the Interstate Commerce Commission, the Federal Communications Commission, the Maritime Commission, and other agencies, we have insisted that sound public policy and sound principle dictated that there should be Republican or minority representation on those agencies. That is dictated by sound policy. It is dictated by right principle. Whenever men meet, and whenever men are present saying "Yes" to a proposition, there ought to be other men present saying "No." It is only from such a clash of ideas that right decisions and determinations can be reached.

So I have insisted, so far as I can—and Republicans have authorized me so to insist—that there should be Republican minority representation on all agencies of this character. The Senator from Georgia is correct when he says that section 5 utterly and completely repudiates this principle. It repudiates everything for which in late years we Republicans have been insisting. It is a repudiation of what Democrats, when they were in the minority, insisted upon, namely, that there should be minority representation. In the bill we find that principle utterly and completely repudiated. Under section 5 as it stands, the President of the United States could appoint five members of one color, one race, one creed, or one ancestry. The very principle which those espousing this legislation announce in its behalf would thereby be relegated to a forgotten past.

Mr. President, if it is not the purpose that this Commission shall be packed with those of a single view, why is the authority written into the bill giving the President that right? If it is intended that there shall be equality of opportunity, equality of right, and free expression of opinion, and that consideration shall be given to those who express divergent views concerning this legislation, or any other legislation, why should not that right be specifically defined in the bill? Why should it not declare that no more than three members of the Commission may be of the same political party? Why should it not declare that the minority members of the Commission shall be representatives of the minority party, speaking the beliefs of the minority party with respect to particular legislation and with respect to policies and principles?

One of the provisions of this bill which has made it impossible for me to give it my support, unless it is radically redrafted and reformed and a different principle is written into it than now appears in it, is the very section to which the Senator from Georgia refers.

Mr. O'DANIEL. Mr. President, I very much appreciate the remarks of the Senator from Maine.

Mr. RUSSELL. Mr. President, will the Senator yield to me for a moment?

Mr. O'DANIEL. I yield.

Mr. RUSSELL. I admire the courage of the Senator from Maine. He tries to preserve the dignity and self-respect of what was once the Grand Old Party even if those on his side disapprove. Evidently he acquired from his erring Democratic ancestor some idea also of preserving our form of government as it has always been known.

Some Senators advocate amending the bill on the floor of the Senate. When defects as vital as this are called to the attention of Republicans by Democratic Senators, it shows that the bill is shot through and through with the idea of

destroying every particle of our American conception of the way to administer a government honestly and on democratic principles.

When there were only a handful of Democrats on this floor and Republicans were creating boards and commissions, the Democrats would resist to the bitter end unless they were given minority representation. I was a Member of this body when there were not nearly as many Republicans as there are today. Republican Senators would not have rushed in to sign a petition for cloture on a bill which did not afford them minority representation on any board or commission which it might have been proposed to establish though they were few in number.

As has been pointed out so eloquently by the Senator from Maine, there were only a handful of Republicans in this body when the Securities and Exchange Commission was created, but Republican Senators insisted on minority representation. They did not go around signing petitions for cloture to limit debate in the Senate.

They insisted on their rights as a minority. They retained their self-respect and dignity. They stood for principle. They were few in number but they held to the belief that their party was qualified to participate in administering the affairs of government. Bipartisan representation was always held to be an essential of honest and efficient government until this nefarious scheme, supported so enthusiastically by many Republicans, was concocted. When the Federal Communications Commission was created there were not as many Republican Members of this body as there are now, but they still had some faith in their party, and were not willing to make a public declaration of political bankruptcy. They insisted on having watchmen on guard to warn the country when a commission with great powers was operating. That Commission did not have near the power to work ruin on American industry, American commerce, American agriculture, and American business as the proposed Commission could do under the unusual provisions of this bill.

The other day the Senator from New Jersey [Mr. SMITH], speaking in behalf of the bill, placed in the RECORD a letter from Gov. Thomas E. Dewey, the last Republican standard bearer, about the New York FEPC bill. I should like to read a line or two from the letter:

> The crux of this matter is the type of individuals who would be appointed to administer the law. If it were left to a collection of reformers and social dreamers it would crash with a mighty bang, and perhaps take down a good segment of our economy with it.

That comes from one who prides himself on being a very liberal Republican. He was not discussing this catch-all bill which is before us, which would grant such vast powers, and which is sought to be crammed down our throats without adequate consideration. He was discussing a mild State law. He stated that the crux of the matter was to have responsible individuals, and not leave the administration of the law to a collection of reformers and social dreamers, lest the whole economy crash around the ears of the people of his State. Yet we have no assurance whatever of being able to have a board with any concept of the rights of individuals, or of property rights; and Republicans have signed a petition for cloture to stop debate.

There are other things in the bill which have not yet been discussed. I admire the courage of the Senator from Maine in insisting that his party have some right of representation. If I had any idea that a man of the character and integrity of the Senator from Maine, with his conception of the American system of government, would be appointed to represent the minority on this Commission, with its vast, unlimited powers, I might vote for the amendment which will now be suggested to allow Republican participation.

However, I have seen minority groups put the pressure on Senators here on this bill and get them to sign a cloture petition for it in its present form. I know the kind of pressure that will be brought to bear if this Board shall ever be named, both here and on the Chief Executive. If they can commit Senators to this vicious bill without their having read it, they will be here with the pressure when the time comes to make appointments to the Board.

If Senators will examine the composition of the Board administering the temporary FEP Committee operating under Executive order, they will get some idea of the kind of personnel into whose hands will be delegated the future of American business and the American Government. No one with the character of the Senator from Maine would have a chance. I do not blame the Democrats who are supporting this bill for trying to get a commission composed wholely of members of their party. The surprising thing is that the Republicans are joined in this movement. We would find appointees of the type who demand that this bill be passed without consideration or amendment, who would stifle and choke us and stop us from talking here on the floor before we have begun to point out all of the dangerous traps and iniquities of this bill. If pressure can force Senators to invoke cloture and vote for such a dangerous bill, the same pressure will make them confirm the members of the Board who will be named to administer these vast powers.

For my part, I shall never vote to create any board with the power of life and death over every little business in this country and sacred rights of the individual American citizen. I may say, however, Mr. President, that if Senators on the Republican side are so determined to apply cloture and take steps to destroy the American system and economy, as Governor Dewey said could be done even under the mild New York State law, I shall vote against bipartisan representation. If the economy of this country is to be pulled down with a crash and a bang by a radical board, I shall vote to have only reformers and social dreamers wearing a Democratic label upon the Board. They will at least take responsibility for what will come. They will not take voluntary political bankruptcy.

Mr. President, I say that the departures from the American concept of government proposed under this bill are so great that even the minority political parties would not be entitled to stand on guard and watch its operations. I say that shows more clearly than any of the other discussion on the shortcomings of this bill has been able to demonstrate, that the bill is communistic in its concept. That is clearly to be seen when we consider the additional fact that the bill would grant the power to put aliens in the highest positions of Government and let aliens control the policies of the Government. I cannot understand the rush to shut off debate unless Senators cannot stand to see unveiled the monster they have committed themselves to support.

Mr. President, when the Senate is confronted with a bill which is so basically defective, the Senate does itself no credit by undertaking to correct on the floor of this body the many defects of the bill.

Let Republicans take such pleasure as they will from attempting to bring a bill of the nature of this one to a vote and from sitting here and admitting that they are so defunct as a political organization in this country and so devoid of capacity and responsibility as a great political party as to admit they are not even entitled to representation on the board proposed to be created by the bill.

I thank the Senator from Texas for yielding to me.

Mr. AIKEN. Mr. President, will the Senator yield to me?

Mr. O'DANIEL. I yield to the Senator from Vermont for a question.

Mr. AIKEN. Perhaps I can frame my thoughts in the form of a question.

Mr. O'DANIEL. As I said, I shall yield to the Senator if I may have unanimous consent to do so without losing the floor.

Mr. AIKEN. I shall not make a speech. I simply wish to say that I concur in part of the remarks which have been made by the Senator from Georgia and the Senator from Maine, and as one of the sponsors of the bill I gladly agree to do all that I can to see that their request that the Commission to handle the law be bipartisan is granted.

Mr. RUSSELL. Mr. President, we have been confronted with similar statements all during the debate. On one day some of the sponsors of the bill agree to accept an amendment, but on the next day they say the bill needs no amendment.

Mr. AIKEN. I am glad to understand the position of the Senator from Georgia in this respect, because I realize that, as a member of the Committee on Naval Affairs, he will soon be called upon to consider an administration bill which provides for eliminating the bipartisan nature of the Maritime Commission.

Mr. RUSSELL. Mr. President, if the Republicans are going to vote to prevent bipartisan representation on the Commission to be appointed under the pending bill, why should I try to have bipartisan representation preserved on another commission? Why should I worry about protecting the Republicans if a majority of them are going to sign a cloture peti-

tion in connection with a bill like this, which would do away with dual representation on important commissions? Generally I would fight with the Senator from Vermont to the bitter end for dual representation, but here I am confronted by the fact that the bill which he supports would entirely do away with dual representation. The pending bill provides, I ask the Senator to observe, that the members of the Commission could not be removed unless they were guilty of neglect of duty or malfeasance in office. Does not that connote anything to the Senator from Vermont?

Mr. AIKEN. Mr. President, the Senator is entirely mistaken, because I rose for the purpose of saying that I not only concur in the desire to have a bipartisan commission, but I am willing to insist upon having it. I wish to say further that when I agreed to be one of the sponsors of the bill I made a reservation to the effect that I would support certain amendments to the bill. I stated that I would insist that the bill not apply to organizations as small as those having only six employees, and I also stated that I would insist that the Commission to be appointed under the bill be bipartisan.

Mr. RUSSELL. Well, Mr. President, the Senator may make mental reservations. Votes count on the floor of the Senate. The Senator is an author of the bill and has asked for cloture. Cloture will be voted over my protest, but if it comes I feel no responsibility to make real the Senator's mental reservations. Under the provisions of the bill there will not be bipartisan membership on the Board or Commission.

Mr. President, not only would the Commission appointed under the Board be strictly not a bipartisan commission but the skillful persons who drafted this bill sought to create a situation in which, even if the Presidency of our Nation changed or the parties changed, the President would be powerless to remove from the Board or Commission any radical persons who might be appointed to it, even if all five of them were Democrats. That is so because section 5 provides, in part—and the provision I now read is stated in most unusual language:

> Any member of the Commission may be removed by the President—

Oh, Mr. President, that looks very fair and fine. but it is followed by this—

> upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

The whole effect of the bill is to create a self-perpetuating board. If the bill as written is enacted, the five men who would be appointed to the Commission could serve to the end of their days, if they so desired and if we followed the law, because the bill provides that the President shall carry out their orders; and even if the President sought to remove one of them from the Board, the Board could claim that such removal would be discrimination on account of race or creed or color or national origin, and it could order the President not to remove the member from the Board. That could be done even if the member had been guilty of malfeasance or neglect of duty, as I pointed out at some length the other day.

Mr. President, I say this is a sad commentary on the way we legislate in this country, when a minority group can have some lawyer who is smart enough draw up a bill of this nature, and can have it brought on the floor of the Senate bearing the signature of reputable Senators, and have other reputable Senators rush in and vie with each other in their haste to sign a cloture petition to cut off discussion and to prevent us from disclosing the iniquities of this bill—iniquities with which it is shot through and through.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for a question?

Mr. O'DANIEL. I am glad to yield for a question.

Mr. HICKENLOOPER. I wish to ask the Senator from Texas a question; but I should like to preface it with a preliminary statement, and I wish to say this through the Senator from Texas, to the distinguished Senator from Georgia: When I signed the petition for cloture a week ago last Wednesday, it was my understanding when I signed it that it would be filed on Thursday. It is also my understanding that, by some chance, on last Thursday—a week ago yesterday—the petition was turned over to the leadership of those sponsoring the bill. So far as I know, nothing has been done with it up to this time. There were sufficient signatures on it to place it on the desk of the Presiding Officer at that time. Although I may have my opinions about filibustering and how far filibusters should go, I say that the leadership sponsoring the bill has its share of the blame for the delays and continued discussion of the pending matter, and that more than a week's time has been lost by the delay in filing the petition, be it good, bad, or indifferent.

Today, I shall not discuss with the Senator from Georgia the merits or demerits of the cloture petition, or my reasons for signing it, except to say that I believe the Senator is in error and that he mistakes, at least in some respects, the purposes and motives of those who may have signed the petition for cloture. I do not believe the Senator from Georgia is warranted in assuming that every Senator who signed the petition for cloture is going to vote for this bill in its present form. At this time I shall not commit myself to one side or the other of the question. When we stop discussing whether or not the names of Senators who were present on a certain day shall be included in the Journal, and when, if ever, we reach the point of discussing the FEPC bill, I shall make my position clear. But in all fairness to the forum of the Senate, to debate and discussion, and without at this time discussing whether or not there has been a foreclosure of discussion, I may say to the Senator from Georgia, to the Senator from Texas, to the Senator from Louisiana, and to other Senators who have spoken, that almost without exception they have addressed themselves to what they believed to be the fundamental principles involved in this bill. I may violate what I said a moment ago with regard to disclosing any reason why I signed the petition for cloture, and state that I did so because I knew of no other way by which to bring to a head the issue of voting the bill up or down, the issue of considering the proposal that it be recommitted, or the issue of bringing to a head what seems to be an interminable situation. We seem to have gotten into the position of Mr. Roosevelt's party, namely, of having no pride of ancestry or hope of prosperity. I should like to see the issue decided. So far as I am concerned, Mr. President, I am willing to vote on the merits of the amendments which have been proposed, as well as on the merits of the bill. I know of no other way to bring this situation to an eventual close.

Mr. President, the question which I wish to ask the distinguished Senator from Texas is this: Will the Senator advise me how in the world this matter can be brought to a reasonably speedy conclusion so that the Senate may act? A vast number of important legislative matters affecting reconversion, reconstruction of our economy, the over-all social and industrial questions and the reestablishment of American prosperity, are pending, and I should like to see them considered and disposed of. I fear there are those in high places who are not particularly anxious to see this filibuster brought to a close, because its continuation may save them embarrassment with regard to other proposed legislation which the Congress should consider.

Mr. O'DANIEL. I thank the Senator very much for his contribution. His question was a rather lengthy one, but it was one of the best questions I have heard asked on the floor of the Senate in some time. I am very glad of the opportunity to answer the Senator as to what might be done.

Mr. HICKENLOOPER. Mr. President, I may say that I thought my question was short. Perhaps the preliminaries may have been lengthy.

Mr. O'DANIEL. I agree with the last statement of the Senator from Iowa. The question which he asked was short and to the point. But the discussion which has recently taken place provoked, perhaps, some of the statements which I have made. When I took the floor yesterday I stated that I would tell the truth. I am a believer in the biblical admonition, "And ye shall know the truth, and the truth shall make you free." I have stated the truth in unequivocal terms, and partially in Texas language. The questions which I have asked have provoked argument in which many persons are getting serious. Many of us have learned something from the discussion, and the southern Democrats have not yet finished their duty of tearing this iniquitous Communistic FEPC bill to shreds. In the meantime I wish to say that the best thing that could be done, in view of the fact that we who opposed the bill are gaining so many converts from the Republican side of the aisle, is to have the bill recommitted to the Committee with the instruction that the committee commit it to the grave.

Mr. HICKENLOOPER and Mr. RUSSELL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Texas yield; and if so, to whom?

Mr. O'DANIEL. I first yield to the Senator from Iowa, and I shall then yield to the Senator from Georgia.

Mr. HICKENLOOPER. It is highly questionable whether I am a convert or a backslider with regard to this issue. I have not declared myself on the merits of the bill or the details of the proposal. I am concerned at the moment with expediting the work of the Senate and, after reasonable discussion, arriving at some conclusion. I think that very profound discussion has taken place in respect to fundamental issues involved in the pending legislation, in spite of the fact that we are still trying to put the names of absent Senators on the Journal. When the time for the consideration of the merits of the bill arrives I shall be happy to make my views known. Meanwhile, I again suggest to the Senator from Georgia that I do not believe he is warranted in the assumption that because a certain parliamentary course is pursued it unquestionably and irrevocably means one thing or another. It is a parliamentary step, as I see it, and no interpretation or assumption should be permitted to go beyond that point.

Mr. RUSSELL. Mr. President, will the Senator now yield to me?

Mr. O'DANIEL. I yield.

Mr. RUSSELL. I do not question the right of the Senator from Iowa to do whatever he pleases on the floor of the Senate. I do not question the right, nor have I ever questioned the right, of any Senator to take any position which he chooses to take, or to follow any parliamentary procedure which he may desire to follow. I do say, speaking for myself, that were I a member of the minority party in the Senate I would never bring forward a petition for cloture on a bill which sought to eliminate my party as a political entity, entitled to respect in this country, unless I knew beyond peradventure that the fate of our Nation as a whole hung upon the issue to be decided. I am stating my own opinion. I do not question the right of the Senator from Iowa to take any position which he may desire to take.

Mr. HICKENLOOPER. Mr. President, perhaps I misunderstood the Senator from Texas, but I am still in the dark as to how we may eventually end this interminable situation in which the Senate finds itself.

Mr. O'DANIEL. I believe I made my answer plain. It is impossible to take this measure, which we might say is already dead, and breathe into it the breath of life. If that can be done, the next thing to do is to recommit the bill to the committee with the positive instruction from this body that the committee commit the bill to the grave and cover it 6 feet deep. Perhaps it should be buried deeper than that. At any rate, it should be buried deep enough so that it will never be revived again. It is impossible to amend the bill and make a good bill out of it. It is a bad bill. It is just like sin. There is no way to amend it. Sin is bad.

Mr. CHAVEZ. Mr. President, the way of a would-be leader is certainly hard. First I am criticized by some Members on the Republican side because I do not invoke cloture, and then I am criticized by my very good friends on our side because debate is not allowed.

Mr. President, I think the debate has contributed immensely to our way of living, to our system of government. I for one want the bill to be discussed adequately, as long as it is necessary, pro and con, and only when I make up my mind and conscience that the debate is not for the sake of bringing information to the Senate, so that Senators may with intelligence and according to their views determine what they desire to do, shall I invoke cloture.

I believe that debate which has nothing to do with the fundamentals of the proposed legislation should be abated, and I am going to invoke cloture when I feel that nothing else can be gained from debate, because I believe in adequate debate. What the Senator from Georgia and what the Senator from Texas and what other Senators have contributed in my opinion is good, even if I might not agree with what they say.

Mr. O'DANIEL. I thank the Senator.

Mr. CHAVEZ. Let me say further that if any Member of this body who signed the petition for cloture feels that there might be some embarrassment by continuing his name on the petition, the Senator from New Mexico will be glad to have him withdraw his name. If any Senator feels embarrassed at all, his name should be withdrawn.

Mr. WHERRY. Will the Senator from Texas yield?

Mr. O'DANIEL. I shall yield in a moment. I thank the Senator from New Mexico, and I wish to say that there have been many words of enlightenment and wisdom uttered on the floor of the Senate during the past week on the subject we are discussing. I do not claim to have spoken any words of wisdom, but I have spoken quite a few words, and I have stuck to the subject of FEPC.

I have here about 100 pages of notes, and so far, speaking yesterday afternoon and today, up to this time I have gotten down to page 3 of the 100 pages of notes. When I get through with them, I have some books here to read, for instance, a book on carpetbag rule in Florida, and several other books which will enlighten the people of this Nation about the history of the carpetbag days, which the bill before the Senate proposes to bring back, and not only again to apply the evils of those days to the South but to extend them all over the United States.

Mr. HAWKES and Mr. MAYBANK addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Texas yield; and if so, to whom?

Mr. O'DANIEL. I shall yield in just a moment. I wish to say that we hear ugly words uttered. We hear about "filibuster," and "cloture," and similar expressions.

Mr. President, we are not filibustering on the bill. We are explaining the bill. We are telling what a terrible thing it is, and how it would wreck our American form of government if it were passed by the Congress and signed by the President.

We hear talk about cloture. To my way of thinking, cloture is cloture. It is not cloture one time, when the Senate has before it a bill we do not like to hear discussed, and not cloture the next time. Cloture is something that is a muzzling operation, which destroys free speech in the Senate of the United States, and I say that, so far as I am concerned, I shall never vote for cloture in the United States Senate, I do care not what subject may be under discussion, because I do not wish to muzzle any Member of the Senate, regardless of what he may be talking about.

I call attention to the fact that the last historic example of cloture—and we know the terrible result which followed—was when Mr. Hitler invoked cloture in the Reichstag. The German people today are lying prostrate because free speech was abolished in the German Reichstag. Yet there are those here who are talking about putting it on in the United States Senate. Let them do it if they can. They have that right. If they wish to use brute force and outvote those of us who believe in free speech, let them go ahead and invoke cloture, but I say that it will be a sad day in American history when debate on proposed legislation such as that now before the Senate is forcibly stopped.

As I have said, Mr. President, I have not gotten very far in discussing the bill. I expect to discuss it more fully later, but I have promised to yield to a good Republican on the other side. It looks to me as though he is about down to the mourners' bench [laughter], and the faster we can get those on the other side of the aisle to come over one by one and agree with southern Democrats, the happier I shall be. Then we will let the northern Democrats who believe in this philosophy of government, and who cannot be elected without getting the Negro votes, go over to the other side and occupy the empty chairs there.

Mr. President, I yield to the Senator from New Jersey.

Mr. HAWKES. Mr. President, I shall attempt to contribute what little I may to the thinking on this most important subject we are now discussing, covered by Senate bill 101. I wish to say to the Senator from Texas, before I get into my subject, that I hope I am not at the mourners' bench. I hope the bill we are discussing will not be enacted, and if it should be enacted, that it will not be passed in such a form as to cause us to go to the mourners' bench.

Mr. President, I am an American above everything else in the world. I do not believe that the question before the Senate is at all a sectional question, I do not think it relates exclusively to the South, or to the Negro. It relates to American free enterprise; it relates to everything that has made this Nation what it is.

I would not want anyone in the United States to feel for one moment that I was participating in a filibuster. I am doing my duty to the American people, and at least saying here what I believe in regard to a bill which, in my opinion, if enacted would deprive free business in the United States of one of the great fundamentals it must have if it is to

survive and help maintain the position of this Nation as the leader of the world.

To my mind, Mr. President, the question involved in Senate bill 101 is not the Negro question, or the Jewish question, or a religious question of any kind, nor is it a question belonging wholly to the Democratic Party or the Republican Party. It involves the question of freedom of the individual to conduct business under the competitive system established under the Constitution of the United States and continued for more than 150 years.

As I stated a moment ago, it is not a sectional question, and it does not affect the people of the South any more than it affects the people of the North and the East and the West. I wish the press and the radio commentators would get this matter clear, and not condemn a few Senators from the South for fighting this proposal, because the problem goes to the very essence of Americanism, and if we in the North, regardless of party, do not stand up pretty soon and stop the movements which, one by one, are destroying the freedom of man, the freedom of opportunity, and interfering with the cherished principles which made this country what it is, then I assure my colleagues that we will sit down in tears before long and regret that we stood by and did not follow the admonition, "Eternal vigilance is the price of liberty."

Mr. President, this question has to do with the business and industry and people of the whole Nation. If this bill were enacted into law, it would be another nail in the coffin of free enterprise. We have already put many nails in the coffin, in preparing it for the burial of free enterprise. The patient is not yet dead, but he is extremely sick, and all that is needed to finish him is a few more poor doctors.

The nails we have already put into the coffin are the following:

One. The Government is fixing wages.

Two. The Government has fixed ceiling prices without regard to cost.

Three. The Government has the power to fix profits through taxation at such a point that the initiative of the individual will be stifled, if not destroyed.

Let us not forget John Marshall's wise admonition to the American people, when he said, "The power to tax also contains the power to destroy."

Four. The Government has entered into competition with private enterprise and bids fair to extend its competition.

Five. It uses the taxpayers' money and has no definite or fixed responsibility regarding profit or loss, and its fiscal operations are too gigantic for any human being to keep track of, as our distinguished friend, the junior Senator from Virginia [Mr. BYRD] knows.

Six. The Government has allocated materials and has the power yet to control the allocation wherever it deems it wise.

Mr. President, I should like to refer to just one clause in one section of the bill, namely, the clause regarding antidiscrimination which must be in contracts made between private individuals or concerns and the Government.

Let us not forget that the bill does not require even a nonpartisan commission composed of Democrats and Republicans, as the Senator from Georgia [Mr. RUSSELL] and the Senator from Maine [Mr. WHITE] have just pointed out. The Commission may consist of five partisan members, and it is easily conceivable that they could take such action against any private individual or company as would preclude the individual or company from doing business with the United States at least for a period of 3 years, and perhaps longer, if charges and findings of discrimination continued to be made.

The bill requires the inclusion of the antidiscrimination clause in all contracts to which the United States, or any Territory or possession thereof, or any agency or instrumentality thereof, is a party, both in original and all subcontracts. Unless the Commission otherwise directs, no contract is to be made by the United States, and so forth, with any person found to have engaged in any unfair employment practice. Found by whom? By this Commission. The individual involved does not have a right of trial by a jury of his peers, but is tried by this politically appointed Commission. No contract is to be awarded to any firm, corporation, partnership, association, or other organization in which such person owns a controlling interest, for a period not exceeding 3 years, such period to be fixed by the Commission. The Comptroller General of the United States is to distribute to all United States agencies and instrumentalities and to the appropriate officials in the Territories and possessions, lists containing the names of such persons, corporations, and so forth, who are blacklisted and prevented from doing business, because the Commission says they are guilty of unfair labor practices. But their fellow men, their peers in their own communities, never have a chance to decide whether they are guilty or not.

If the Government fixes employment in such a way as to remove the free choice of an employer to hire, discharge, or promote, without being harassed by political boards, and then denies an accused person his right of trial by jury, I make the prediction that the leadership of this Nation in the world will dwindle faster, Mr. President, than you and I may understand to a point where it will become a second-rate nation instead of the leader of the world.

Loss of the right of trial by jury, as guaranteed by the Constitution of the United States, is indeed a very serious objection to this bill, and one which would never allow me to vote for it.

Under the bill we would permit an army of examiners provided for in the bill, and agents and employees of the Commission, also provided for in the bill, to harass and badger busy men to such a degree as to prevent the successful operation of their businesses.

The Constitution of the United States provides against search and seizure by any agent of the Government without a warrant issued after an affidavit alleging that the man to be searched is accused of crime. In this bill the Congress undertakes to give a blank warrant to all these little agents and examiners to permit them, for any reason they might have, to go into the books and private papers of any businessman employing more than six persons.

I should like to say regarding the effort to amend the bill so as to make it apply only in cases where, instead of six, there are 35 or 40 or 50 or any other number of employees, that I am not in sympathy with it in any way. If the philosophy of this legislation is sound for those employing more than 50 it is good for every employer down to the one employing the lowest number, and I would bring it down to the employer of the smallest number of men or women. If the principle involved in this bill is correct, why, for cheap political purposes, should we try to limit its application to employers having a large number of employees? Is it simply for the purpose of eliminating from the purview of the bill many small businessmen in order that there may be less opposition, and votes may be obtained?

Mr. President, I am speaking quite frankly because the question involved is to me much greater than a political party. It affects something which is vital to the preservation of the United States of America.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. HAWKES. I yield.

Mr. RUSSELL. I wish to ask the Senator from New Jersey if the proposal to change the number of employees is not an attempt to stagger the bill's iniquities, by raising or by lowering the number, because if the number is raised it could also be lowered?

The Senator from New Jersey has been a great industrial leader and is recognized as such. I should like to ask him what incentive there would be to a man to expand his plant and to provide employment, to provide jobs, and to assist in bringing about what we all hope will come, full employment, if he were to subject himself to all the harassment of an agency of this nature whose agents could in fact tell him how he could operate his business and whom he should select to be placed in positions of trust. I ask the Senator: Would there be incentive on the part of men to create new business and new jobs, to bring about full employment, if those men knew that if they increased the number of employees in their business and thus promoted full employment, they would bring themselves under this agency and subject to all its annoyances?

Mr. HAWKES. My answer to the Senator from Georgia is that even if this bill were not a factor, there is not now sufficient encouragement for new people to engage in new enterprises in the United States. It is necessary to take Government out of the place it has gotten into. We must restore the individual liberty which made the business and the industry of this country. But I can only say to the Senator that he is asking the question of a man who is rather poorly qualified to answer it, because at my time of life I would not think of starting anything new that

would lead me into harassment without any opportunity of profit or advancement. That is not so with younger men. If I were 25 years younger I would take my chances. But this proposal certainly puts one more obstacle in the way of men of initiative who might desire to engage in business operations.

If an employer refuses to permit the agents of the Commission free access to any of his books and private papers he is guilty of a crime, and subject to a fine of $5,000 and 1 year imprisonment in the Federal penitentiary. It is bad enough for the Government to attempt to take over all employment in business, agriculture, industry, commerce, and finance; it is worse to adopt the destructive procedure set forth in this bill which denies the fundamental rights for which Americans have always contended.

We fought World War II to destroy the idea that government should become the master of the people.

I might say to my colleagues in the Senate that I hope their interest in stopping these movements will not wane when we have come to the final disposition of this bill. I hope Senators will understand that they cannot put government in a place where it is master of the people and have anything but a regimented citizenry. That was not what made the United States of America and what brought it to the point where the whole world called upon it to save free people throughout the world.

The Declaration of Independence gave as a reason for the Revolutionary War the fact that King George III denied the people of the Colonies the right of trial by jury composed of their peers, and encroached upon the elementary rights of the individual to be secure from unlawful search and seizure. That immortal document likewise complained of the hordes of agents sent forth by King George to prey upon the people and eat up their substance.

That is just what is happening every day in the United States, and I cannot understand why our people do not realize it. It is a very strange thing that men let their rights be taken away one by one until finally some day a few of them get together, when there is still liberty of movement and assembly and decide to resist, only to find that they have lost the power of resistance. They are willing to rise up, but they cannot do so because they have lost the power, they have let their rights be absorbed, and they have let their government become their master.

This bill would reassert the very system of tyranny against which our forebears rebelled.

Mr. RUSSELL. Mr. President, will the Senator permit me to interpolate that one of the most striking sentences I have read is that we learn nothing from history except that we learn nothing from history.

Mr. HAWKES. That is an excellent statement.

Mr. President, I make the prediction that unless we have less Government control and confiscation of the rights guaranteed to the individual by the Constitution, we will end by being completely Government-controlled and regimented, and we will have a Government dictatorship and a totalitarian state.

Remember, Senators, that 20 years is no time at all; it is merely the twinkling of an eye, and this movement is progressing very rapidly.

I doubt if more than a small percentage of the people of the United States have figured how far we have already gone in destroying the American system of making a living. I wish that people would believe me when I say that I am not talking for myself. I have always been able to get along in this world, and I do not want, and I do not need, any more than the average man gets. One can only eat three meals a day and sleep in one bed. That is all one can do. I am talking about the importance of doing something for the millions yet unborn. I am talking about the trusteeship we have over the precious heritage handed down by our forefathers which we must pass on to those who follow us in all its integrity, and without mutilating because of our failure to act on time. We sit idly by and watch while liberties are taken from us.

I should like very much now to point to the same thing our distinguished minority leader, the Senator from Maine [Mr. WHITE] brought out. I have already touched upon it, but I should like to refer to it again. It seems incredible to me that those who drew this bill would submit it to the Senate without having it clearly defined that the commission, if it should ever be appointed, should be a nonpartisan commission. I cannot understand how there could have been such an oversight.

Mr. BANKHEAD. Mr. President, will the Senator yield to me for the purpose of making a suggestion?

Mr. HAWKES. Surely.

Mr. BANKHEAD. It was developed on the floor of the Senate yesterday that the bill was prepared by a Democrat.

Mr. HAWKES. That is one reflection on the Democrats.

Mr. BANKHEAD. Perhaps he was seeking some Democratic advantage.

Mr. HAWKES. We all know that both Republicans and Democrats have gone about the country denouncing the tendency toward growing bureaucracy, and that they have denounced it in this body. Yet it is amazing that those who wish to destroy bureaucracy should be in favor of adding another powerful bureau to the long list of bureaus which already exist, and which are strangling the people.

I shall not attempt to go into the question of the right to harass an individual by hauling him from one district in the United States to another to be tried by this Commission or Board, or by its representatives, or later for a rehearing in Federal court. That question has been very ably discussed by several Members of the Senate who are well grounded in the law of the land; but it is a thing which must not be overlooked in connection with this harassing bill.

I know that some of my best friends in the Senate will contend that the bill does not force a man to hire anyone he does not wish to hire. If that be so, why have the bill? If it does not compel anyone to do anything that he does not wish to do, why have the bill? The fact is that if he refuses to hire someone, the bill would give that someone the right to start proceedings against him through the Commission, and carry the case into the courts if necessary. The bill would give the power to harass and destroy the efficiency of men charged with the conduct of business. I can say from my own experience that men must get rid of these harassments if they are to continue successfully the business and industrial system of the United States.

Mr. President, I know that there are those who sneer at our American system of business and talk about profits and other things. They tell us that men will not stop doing things in the United States. They do not know, and they do not care, what their words mean. The men who have created the industries and business which have made this country what it is are very weary and tired. The Senator from Georgia was quite right a few moments ago when he asked his question.

I am not a practicing lawyer, but I have listened in vain to hear some of my friends who are skilled in the law point out the difference between jailing a man because he does not hire a certain individual and jailing him because he refuses to hire the same individual. I should like to have that point discussed by some of my colleagues who are learned in the law.

I am sure that when the wise labor leaders of this country fully understand the bill they will be just as much opposed to it as I am, because the same power in the bill which enables the Commission to harass an employer, or enables any vociferous members of a minority group to harass employers, may be used to harass labor unions if they fall into disrepute with the Commission or with any minority group, or with those in charge of the Government itself.

Mr. President, if I were thinking only of politics I might not be speaking today. I believe that I know the human family pretty well. I am not fooled when 100 people write letters to me, or call me on the telephone and threaten me. That does not mean to me the vociferous members of a minority group represent the minority group at all. I believe that Senators should begin to understand that fact a little better than they do.

Let me repeat what I said the other day. No power in the world can legislate employment. Any effort to legislate employment and any undertaking which tends to destroy all or any part of the right of free choice in employing, promoting, or discharging can do other than effectively to injure, if not destroy, American business, which is based upon the freedom of the individual. I go further and say that the bill grants powers which, if improperly used, could destroy labor unions just as effectively as they could destroy any institution or business in the land.

Regardless of the purpose of the authors of the bill, its effect would be to deprive an individual of his right to use judgment in the employment of those whom he wishes to employ in his plant. It would make the exercise of individual judgment a crime if such judg-

ment did not conform to the views of the Commission. We cannot legislate employment; nor can we legislate a condition of fair employment practice, because different American citizens rightfully have different views as to what are fair employment practices.

This bill would not create a single job, except political jobs. It would create a great many political jobs. It would not create any productive jobs, but could easily, through its depressing effect, destroy many jobs. Fair employment practices must come from the heart, the mind, and the soul of man. We had better spend our time developing justice in human relationships, rather than in enacting a bill to harass or destroy the business which gives employment.

Mr. WHEELER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CAPEHART in the chair). Does the Senator from New Jersey yield to the Senator from Montana?

Mr. HAWKES. I yield to the Senator from Montana.

Mr. WHEELER. Let me say at the outset that I entirely agree with the objectives of the bill, as expressed in section 1 in the following language:

> The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production, endangers the national security and the general welfare, and adversely affects commerce.

However, I am very definitely of the opinion that if the bill were enacted into law it would do more to stir up racial and religious intolerance in this country than anything else that could possibly happen. In my judgment those who are seeking its passage for the purpose of preventing intolerance are showing a great lack of wisdom. As anyone in politics knows, if a person is denied a job, and he happens to be a member of a certain race, or a person of a certain color or religion, it frequently happens that he claims that the reason why he was not employed was his race or religion. If the bill were enacted into law everyone who was denied a job would immediately say that it was denied to him because of his race, religion, creed, or something else. I believe that the bill would definitely have the effect which those who are fathering it are seeking to overcome.

In the first place, I believe that the bill is definitely unconstitutional. Our bill of rights guarantees to everyone the right of religious freedom, the right to worship as he sees fit. While I am definitely and absolutely opposed to intolerance of any kind based upon creed, color, race, or anything else, I could not under any circumstances vote for the bill in its present form, because I know that would happen. In my judgment those who are advocating it in its present form are making a very serious mistake from their own standpoint.

Mr. HAWKES. Mr. President, I have very great respect for the Senator from Montana because, while he wishes to see a square deal for everyone, he does not wish to adopt foolish methods in trying to attain that end. The Senator from Montana is just as right as a man ever could be when he says that the bill, if enacted into law and placed in full operation, would lead to more trouble and discrimination, and greater difficulty among the various groups of people in the United States than anything we have heretofore known.

Perhaps the Senator was not present the other day when I stated that I did not believe that any of the work which I have done in trying to give a square deal to the colored race, as well as to people of all creeds, beliefs, and colors could have been accomplished if we had had a law of this kind, which raises the issue.

Almost 20 years ago I had the wages of Negroes in our plants increased to the same level as the wages of white men and women. I remember very distinctly that when I first went with the company I found that there was a differential of 10 cents an hour between the wages of white workers and those of colored employees. I sent for the superintendent and asked him the reason for the differential. I asked him, "Are not these Negroes any good?" He said, "Yes; they are just as good as the white workers." I asked him, "Why is there a differential of 10 cents an hour?" He said, "That is our rate for Negro labor." I changed the situation at that moment. I said that the color of a man's skin must never be used as a basis for fixing rates of pay. That is common sense. That was the first step which we took in our company after I went with it, nearly 20 years ago. For 20 years that company has devoted a great deal of effort toward building fair-employment practices and working conditions, without discrimination because of race, color, creed, or origin.

Mr. President, I wish to give the Senate the benefit of my experience, if it is worth anything, and to tell the Senate what I have done. I have operated with various organizations for the improvement of the welfare of the colored people, and organizations dedicated to the removal of class prejudice against various groups. I have functioned with them for a great many years. I remember going to a very important meeting in New York one night, at which there were present representatives from 10 or more great companies in the United States. I remember that the question of the FEPC philosophy arose at that meeting. Members of organizations representing various minority groups felt that there should be a law of this kind. We talked for 3 or 4 hours. I told them then what I am now telling the Senate. This is a question of the development in human understanding of democratic principles, philosophies, and practices. We can never in the world legislate a satisfactory job for any man. No one can compel me to hire anyone, or make him like his job. There must be something in the heart. There must be a desire to do the decent thing.

So I say again that the Senator from Montana is quite correct.

I should like to leave another thought with the Senate. In my company, which has had up to 4,000 employees in the different plants, I have always made it my business—although it cannot be done in every company—to go to the plants for the annual meetings and dinners of the workmen, and to sit down with them and let them see what kind of a fellow I am, and I talk with them. On such occasions I always made a speech to them—a speech from the heart. Fortunately, I had a head, too. I did not let my heart destroy what was in my head, and I did not let my head keep my heart from functioning. We cannot let one operate without the other. If we are governed solely by the heart, we destroy economics. If we are governed solely by the head, we prevent proper consideration for others. So I have tried to combine the two. I have gone to the meetings held by those employed in the plants of my company and I have talked to the workers there. Whenever I have seen any bitterness growing up against Negroes or other groups—and members of all groups work in the plants—I have sent for the superintendents and have talked with them and I have sat down and talked with various workers in the plants, to try to straighten out the difficulties. That cannot be done by law. Mr. President, do you not suppose that if it could be done by law in this great country of ours, founded on a belief in God Almighty, someone long ago would have passed a law to require observance of the Ten Commandments? Certainly that would have been done. But it cannot be done by law. Observance of the Ten Commandments must grow out of a belief in the Golden Rule and out of our other beliefs.

During my 17 years as president of the company, there never has occurred between any of the groups in the organization a fight or row which was sufficiently important to be reported to me, as president. That shows what can be done by education and by being on the ground or by having representation on the ground. We work on the principle of education and in conformity with democratic principles, which must be based on principles of equity and justice.

Mr. President, at the expense of possibly being misunderstood, although I am not seeking any self-exaltation, I shall read a little prayer of St. Francis of Assisi, a copy of which I gave to the Senator from Wisconsin [Mr. WILEY], and which he had printed in the RECORD some time ago. This prayer was written in 1226:

PRAYER OF ST. FRANCIS OF ASSISI (1226)

Lord, make me an instrument of Your peace; where there is hatred, let me sow love; where there is injury, pardon; where there is discord, union; where there is doubt, faith; where there is despair, hope; where there is darkness, light; and where there is sadness, joy.

O Divine Master, grant that I may not so much seek to be consoled as to console, to be understood as to understand, to be loved as to love; for it is in giving that we receive, it is in pardoning that we are pardoned, and it is in dying that we are born to eternal life.

At the bottom of that little prayer—and I have a reason for telling this, for

it is something which will give us a new faith in humanity; you see, Mr. President, I love working people, and I always have, for I was one of them, in overalls, and I have been all through it—I have written this:

These words are as true and important today as when first spoken, and this little prayer, often read, may have great power in building the important, intangible, real self.

Mr. President and Senators, I sent that little prayer to 215 traveling salesmen throughout the United States, with a letter. I sent it to the superintendent of each plant of my company. On the very day my letter arrived at one of the plants, the superintendent of that plant, which is one of the large plants of the company, had an appointment to see the collective-bargaining committee. The members of the committee came to his desk just about the time my letter reached it. The superintendent showed this prayer to them. After reading it, one of them said, "I wonder if I can get a copy of it from Mr. HAWKES." The superintendent said, "Certainly; you can have this one, and I can get another."

Later he told me about the incident. In 2 or 3 days every member of the collective-bargaining committee asked for a copy of the prayer, and inside of a week or 10 days thereafter, so I am told, nearly everyone in the plant wanted a copy of it. So I had 5,000 copies of it printed, and I had one given to every man and woman working in our plants. That little distribution led to the printing and distribution of a million and a half copies of the prayer. They have been sent throughout the United States.

Mr. President, it is by invoking such principles and by living with some degree of fidelity to the principles we express on Sunday that we are going to solve these problems. They cannot be solved by destroying a free people, by passing "must" legislation, and by putting it in the hands of novices, in most cases thoroughly unequipped to do a job that will help preserve the American system.

In our work, which has been fruitful in giving employment to people from all walks of life without discrimination, we have succeeded in making colored men into supervisors, and we have reduced ill-feeling to a minimum. When I came into the Senate, every colored man and woman working in the company and every white man and woman working in the company sent me a most beautiful testimonial with their good wishes, and each one of them signed it personally. I consider it, today, one of my choicest treasures. But it did not come by law, it did not come by legislation. It came by understanding of the human equation.

I cite this experience, not for any personal reasons, but to show that our system of education and of being together on proper occasions, with respect for each other, is fruitful of the result which must be achieved by a free people, and without the force of law.

It is my firm conviction that if a fair employment practice act such as the one now before the Senate became a part of the law of this country, the things we have accomplished in our company could not be accomplished, because the issues of race, color, or creed would continually be brought to the forefront, whereas my efforts put them in the background, and I always leave them there for just what they are—differences created by God Almighty, which He expects us to solve by degrees, by acting in a fair, just, and equitable way—but not by legislation.

In our plants, prior to the war, when we were employing 3,800 people, we had approximately 460 Negroes—a proportion in excess of the proportion of the Negro population to the white population of this Nation as a whole. I have always tried to keep the proportion balanced. They must make a living. They are entitled to fair treatment. We all have a right to choose our friends. I have some very dear colored friends. I like them very much. We had a fine Jewish superintendent in one of our important plants. He was as fine a man as I have ever known, and he was respected by everyone, because he was a man in his own right. Remember, Senators, he was supervising Protestants, Catholics, and others, and he got along with them as well as any man I have ever known. We had a Jewish gentleman who was high up in our engineering department, and he was always highly respected by everyone who knew him. We had Jewish stenographers, Jewish clerks, and Jewish workmen. We had workmen of all nationalities, many of whom were first generation in this country, and others had secured their citizenship papers. There was no discrimination and there was no conflict. They worked together efficiently and effectively. One of our policies was that whenever we found any antagonisms arising because of color, race, or creed, we immediately called the parties together and discussed the subject with them, and gave them the light of the living Day. We did not ask them to live together; we did not ask them to hobnob together. We merely said to them, "Remember that we are all human beings and we must find a way to get along together harmoniously." That same condition has continued to exist; it exists today, and it has resulted in worth-while accomplishments.

When I ran for election to the Senate, I had the support of practically every one of these working men and women, regardless of color, race, or creed, because they knew that my only objective in coming to the Senate was founded in the hope that I might be able to render some service which would be beneficial to better understandings and more effective cooperation under the only system which is open to free men.

If I thought for one moment that fair employment practices could be established by law without a destruction of our American system of free enterprise I would not be standing here discussing the subject today. My whole experience in life and what understanding I have of the Constitution of the United States, and the American method of making a living, which has grown up under the Constitution and has produced the highest living standards in the world, as well as the power to bring victory against our enemies who would destroy individual freedom, tell me in no unmistakable terms that if we destroy by law the right of free choice in hiring, discharging, or promoting employees, it will be one more step in the destruction of our great American system of business and industry which is based upon ability to produce and sell in competition so that the ultimate consumer receives the benefit to which he is entitled.

Mr. President, it is my firm conviction that Senate bill 101, or any other bill which goes to the extent of destroying the right of free choice on the part of the employer, will injure the cause of employees because it will injure the system which produces the fruit from which they derive their benefits. In my opinion this controversial bill should never have been brought to the Senate at such a time as the present, when the world is on fire and there are so many more important problems awaiting the consideration and action of this great body, the United States Senate.

Mr. President, I do not wonder that people throughout the Nation are confused and surprised. They do not understand the bill. Senators, think of it. The other day I talked with my doctor in Montclair, N. J. I had been in bed with a fever for several days. The doctor said to me, "I would like to come down and help string up some of those filibusterers." I said, "What do you know about filibustering?" He said, "Well, I know they are holding up legislation." I said, "Why are they holding up legislation?" He said, "I don't know." I said, "Well, I will tell you why. They are holding up legislation because somebody is trying to put through the Senate a bill which would not make necessary any more legislation, because there would be nothing about which to legislate." I said to him, "What do you know about this fair employment practice bill?" He said, "I don't know anything about it." I said, "Do you want yourself to be placed in the position where, when you need a secretary or an assistant nurse, for example, and someone applies to you for the job, and you do not like her, not because of color, race, or creed, but for some other reason, you will be compelled to employ her? Do you want to be placed in that position?" He replied, "I certainly do not." I said to him, "Well, you would be placed in that position if this bill were passed."

Mr. O'DANIEL. Mr. President, the Senator has repeated the conversation which he had with his doctor. There are many other persons who perhaps have the same opinion as that which was expressed by the doctor. They know that the Senate should be considering more important legislation. They think that possibly those of us who are conducting this debate are doing so in order to prevent such legislation coming upon the floor of the Senate. They think that the Senate should be considering proposed legislation to prevent strikes and solve other problems which face the country. But it appears to me that one might well believe that this FEPC bill was brought to the floor of the Senate with the deliberate purpose to delay action on proposed strike legislation, because, as everyone knows, such proposed legislation would be very controversial, and those of us who might be

opposed to it would discuss it and debate it for a long time. Whether or not bringing to the floor the pending bill was a deliberate move to prevent labor legislation coming before the Senate, there are many persons, Communists especially, who are very glad that this filibuster is taking place and preventing the Senate from considering any so-called labor legislation. So far as I am concerned, I would much prefer seeing some form of labor legislation brought on the floor at the present time than to see the Senate spending time on the pending bill.

Mr. HAWKES. I thank the Senator from Texas. The Senator may be quite right in the position which he takes. I shall not be so unkind as to say—and the Senator has not said it—that persons do believe as he has suggested. But I personally believe that if we had less politics in the Congress of the United States and used our own brains to bring forth bills instead of allowing pressure groups, minorities, and majorities to force them upon us, we would have better legislation.

Mr. RUSSELL. The Senator has expressed a thought which I had wished to express. I should not have been surprised if my doctor had not understood all of the features of the pending bill, but I have been dumbfounded and astounded that Senators who put their names to the bill as authors of it did not know about some of the provisions which the bill contains. There are those among us who are undertaking and have undertaken to point out the defects of the bill. When we have tried to do so the authors have said, "Well, we will meet and agree to amend this and amend that, because the bill is bad. We do not want to abolish trial by jury. Old men have some rights. We are not in favor of fining a man as much as $5,000 or 1 year in jail, or both." The authors of the bill apparently had not seen some of those provisions.

So, Mr. President, the Senator from New Jersey should not question the intelligence of the doctor because he did not understand the pending bill. He has not assumed any responsibilities to the country with reference to proposed legislation. He has not been sworn at the bar of the Senate to uphold the Constitution. The authors of the bill apparently have had no conception of how far reaching is the bill in its import.

Mr. HAWKES. So long as my doctor continues to prescribe the kind of medicine which he has prescribed for me, I shall not undertake to criticize him except when he expresses a positive opinion concerning something about which he knows nothing.

Mr. President, I believe that one of the most interesting experiences which I have had was in the form of a complaint which came into my office last week from a Negro who is working for the Committee on Fair Employment Practice. He said that the committee had discriminated against him because it had promoted someone else instead of him. If this bill had been enacted into law and the Committee on Fair Employment Practice were a private institution, it would have been hauled down by the Commission.

Mr. BAILEY. Mr. President, inasmuch as the Senator has described his experience, I wish to say that I have talked with an employee of the Committee on Fair Employment Practice who claimed that he was about to be discharged because of his race.

Mr. HAWKES. At the expense of being tiresome, I wish to reiterate what I contend to be the most important thing in connection with this entire bill. If and when the right of free choice as to brains, ability, character, and other elements of an employee is taken away, we will never again see any more progress such as we have so far seen in this great country. The only thing that ever kept me on my toes while I was a young man was the fact that I knew that my employer could fire me if I did not pay attention to my work. I knew that if he fired me I could not go somewhere else and demand a job, but that I would first have to sell myself to my prospective employer. That same principle applies, possibly to a lesser degree, all the way down the line.

Mr. President, I think this bill should be returned to the calendar, or recommitted to the committee for further consideration at a more appropriate time. Even those who sponsor it are not in agreement. Many amendments should be discussed in the committee, thereby saving the time of this body.

Before closing, I wish to refer to a matter which I overlooked earlier in the discussion. I wish to assure the Senate how sincere we have been in our work with the colored men, and with members of all groups. I intend to continue that work along the lines which I have always followed. I shall never resent criticism. I shall always remember that there is one great objective. Some time ago when I spoke at Trenton, N. J., before a Negro group consisting of some of the most prominent Negroes in the country, as well as politicians, governors, and would-be governors, there arose quite a heated argument. There were present persons who were appealing for the Negro vote. They were not appealing to reason. I took a firm position. The occasion was before my election, and it shows that a candidate for office can be honest, and does not lose votes by being honest. When I finished what I had to say I left for a very important appointment in New York. I was followed by some of the Negroes who were present at the meeting who had become very angry because of some of the statements that had been made to me by some of the politicians present. The Negroes included one or two who were very well educated. I went out to get my coat and several Negroes followed me to the coat room. They said, "Mr. HAWKES, we do not want you to leave this meeting angry at us or at our people merely because certain things have been said. We agree with everything which you have said. You are the only man who has offered anything constructive."

The constructive suggestion I offered was that no employer had the power to put into a plant a given number of people who were distasteful to those in the plant, and make them all get along together. Improving race relations must be accomplished by education, decent treatment, and Christian principles, with a desire to reach an objective and a knowledge that there is only one way in the world that the great United States of America can live as a country of free people—and I wish all could understand what I am going to say, though many do not—with voluntary cooperation. If I had my way, every man in the United States would talk to himself every day about voluntary cooperation.

Mr. President, I have been speaking in Los Angeles, New York, and other places, and the people are very angry; they want the Congress to pass legislation, and do it quickly, controlling the labor unions, controlling the workingman. They forget that if we plunge ourselves into a system of arbitrary legal control of the rights of individuals and destroy voluntary cooperation, we lose all and gain nothing. One should never do anything when he is angry. I might say to my distinguished friend the junior Senator from Georgia [Mr. RUSSELL] that I am not so sure that this delay in getting to labor legislation is a bad thing. We have all been talking about a cooling-off period. If that is good for labor unions, why is it not good for the Senate? I am not at all sure.

I hope I may not be misunderstood; I believe labor unions should be controlled by law, exactly as big business organizations are controlled. I believe they should be forced to be as clean as this great legislative body, long before I came here, tried to force the great corporations and other institutions of the United States to be clean.

Now I wish to give just one more illustration how we overcame resistance to the employment of Negroes in one of our important plants. We had very great difficulty at one plant. A committee waited on me one day and said that if we put a certain number of Negoes into that plant they would shut the plant down. Along came the war, and in the war we had to establish new departments, and when we established a new department and put plenty of Negroes in it, when a white applicant came along we told him, "You can work in this department if you wish, but we have plenty of Negroes in there. We do not see any reason why you should not want to work there, but we want you to know that we have the Negroes there and cannot put them out." We followed that plan during the war, and it worked successfully, and I should like to state a remarkable thing in that connection. Among all those whom we hired in the last 3 years in all those new departments, there was only one who refused to work in a department because there were Negroes in it.

Is that moving forward? Is that advancement in human relations? The workmen did not have to go home together, they did not have to go and sit down at the table together and eat, but they worked together.

I might state another interesting figure. I think I gave it earlier in my remarks, but I will refer to it again. At the present time in our various plants

22 percent of the total number of employees are Negroes; and there are some successful ones.

One day I was talking to 1,680 men at our Marcus Hook plant. There was no trouble there except in the case of one man, a young man who was an orator. I said, "We are going to have this meeting run on democratic principles, and anyone may ask anything he desires and he will not be out of order." So up popped this young man and said, "Mr. President." I was in the middle of an explanation, which I completed, and he again said, "Mr. President." I said, "Just a moment, young man, until I finish answering the previous question, then I will get to your question." When I finished he stood up and said:

"Mr. President, do you realize there are 39 men sitting in this room who can shut this plant down tight and keep it shut down so that the company will not make any of the profits it is making, and will not do all this big business?"

Up rose a Negro minister who was working in the plant, and he said:

"Mr. President, I move that the young man is out of order and that we put him out. We did not come here to hear this young man. We do not have many opportunities to hear you, and we want to hear you."

I said, "I appreciate that, but the young man is clearly within his rights. He can ask any question."

And God was kind to me right there, because He gave me this thought while I was talking. I said:

"My dear young fellow, I have lived a good many years, longer than you have, and I have changed ideas many times, and probably have been a little bit overenthusiastic at times in my life. But I want to tell you something. I do not know very much of anything in the world any more, but just two things I do know. One of them is that 39 men in this room can shut this plant down tight and throw 1,680 men out of work. The other thing is that management can shut the plant down tight and put 1,680 men out of work. But I did not think we came here today to talk about how much harm we could do one another. I thought we came here today to talk about how much good we could do to one another."

Mr. President, there was the greatest demonstration of how wonderful workmen can be. That crowd burst into applause and rose to the floor and called, "Throw him out." I said, "No, do not throw him out. Let us be kind today." Then they wanted to know if I wanted this man discharged. I said, "No. He did not do anything to justify his discharge. Let us teach him something."

Mr. President, 6 weeks after that I was called up from the plant and told the boy had gone, because the workmen resented the fact that he had made the statement I have repeated, and they made his life miserable and he went to the superintendent and said, "I appreciate all you have done for me, but I have to leave because I can never be happy here." So we kissed him good-by and wished him well on his way, and he went. That was a great lesson.

Mr. President, I called attention to the fact that 22 percent, the proportion of Negroes in our plants, is higher than the percentage of Negroes in the United States to the entire population. That is apparent, because we all know that the percentage is somewhere around 12 or 13 percent.

In closing, I again admonish that fair employment practice can only be successfully accomplished by education in the democratic principles necessary to make our great human relations machine work.

Success in this objective can only come through the hearts and souls and spirit of free men and women who recognize we are all creatures of God, and must find a way to get along together in the most successful and harmonious way that is possible for the human family to live.

I shall continue my work for fair employment practices, not only in any business with which I am connected but in connection with other employers throughout the Nation.

Mr. President, without trying to filibuster, I believe that what I have said comes pretty near covering what I desire to say on this subject today. I am very earnest about it. I have studied this country of ours, and I know human beings, and I desire to leave with this great body the thought that we must not become confused by uproars in certain quarters. We in this body are charged with the responsibility of doing those things which fairly represent our constituents at home, but we are charged with another responsbility, of doing those things which are in keeping with the Constitution of the United States.

I dare say that many Senators recall that when Henry Clay's constituents tried to force him to do something in which he did not believe, which he felt to be wrong and unconstitutional, he said to them a thing long to be remembered, "I cannot do this, because my conscience will not let me do it, and I would rather resign from the Senate than violate my conscience and the Constitution of the United States."

ATTENDANCE OF A SENATOR

WILLIAM F. KNOWLAND, a Senator from the State of California, appeared in his seat today.

JOURNAL OF THURSDAY, JANUARY 17, 1946

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. BYRD obtained the floor.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Brewster	Chavez
Austin	Briggs	Cordon
Bailey	Butler	Donnell
Bankhead	Byrd	Eastland
Barkley	Capehart	Ellender
Bilbo	Capper	Ferguson
Fulbright	Lucas	Shipstead
George	McCarran	Smith
Gerry	McClellan	Stanfill
Gossett	McFarland	Stewart
Guffey	McKellar	Taft
Gurney	McMahon	Taylor
Hart	Maybank	Thomas, Okla.
Hatch	Mead	Thomas, Utah
Hawkes	Millikin	Tobey
Hayden	Morse	Tydings
Hickenlooper	Murdock	Walsh
Hill	O'Daniel	Wheeler
Hoey	Overton	Wherry
Huffman	Radcliffe	White
Johnston, S.C.	Reed	Wiley
Kilgore	Revercomb	Willis
Knowland	Robertson	Wilson
La Follette	Russell	Young
Langer	Saltonstall	

The PRESIDENT pro tempore. Seventy-four Senators having answered to their names, a quorum is present.

Mr. BYRD. Mr. President——

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. BYRD. I yield provided I do not lose the floor.

Mr. CAPEHART. That is understood.

Mr. President, an impasse has arisen in this body. I do not know how much longer it will continue and I do not think anyone else does. It is my opinion that the Nation can ill afford any further delay. Fortunately—or unfortunately, depending upon which side of the controversy one is on in this debate—many of the proponents of the bill have stated on the floor of the Senate that they will not vote for the pending bill unless it is amended.

Many of us signed a cloture petition a week ago. A moment ago I sat in the Chamber and listened to the author of the bill take an arbitrary position as to why he had not filed the cloture petition. In fact, he challenged those of us who had signed it, if we did not like the position he was taking, to take our names off the petition. I do not know what that means. I am a new member of this body. But it seems to me that some funny business is going on. If Senators who are in favor of the bill will not file a cloture petition, which is the only way to stop the filibuster unless those who are filibustering are willing to stop it, I am at a loss to know what to do.

I wish it were possible under the rules for me to make a motion that the Journal be approved, and then, after approving the Journal, to make a motion to recommit the bill to the committee, to be rewritten and later submitted to this body. I do not believe we can afford to go further with this debate. As I previously stated, I do not wish to offend anyone, but I am beginning to question whether or not many of the proponents of the bill are in favor of it.

In my State of Indiana we have an FEPC law of which we are very proud. I introduced it into the RECORD yesterday. It is working well in Indiana. I have been in favor of an FEPC bill, but I will not vote for Senate bill 101 because to my mind, as I have previously stated, it is too vicious; it is too un-American; and I cannot support it. I think that is the position of many Senators on this side of the aisle, as well as many Senators on the other side who are in favor of an FEPC bill. I will vote for an FEPC bill along the lines of the law we have in Indiana. I do not presume that the op-

ponents of the bill would at this time consider a motion to approve the Journal, and I presume that they would not consider a motion to recommit the bill. In the absence of that, I earnestly urge that between now and the time the Senate convenes tomorrow at 12 o'clock, we get together and arrange to recommit the bill or file the cloture petition and take a vote on cloture. If that fails, of course, the bill will naturally die. If the cloture vote is successful, we can proceed to debate the merits and demerits of the bill.

Mr. AIKEN. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. AIKEN. Is it not necessary for a Senator who desires to file a cloture petition to obtain the floor in order to do so? May a cloture petition be filed without the Senator desiring to file it first obtaining the floor?

The PRESIDENT pro tempore. It must be presented on the floor of the Senate.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. RUSSELL. I merely wish to say that under the rules of the Senate, so long as the pending business is the perfection of the Journal, it matters not whether a Senator is recognized or not. He has no right to file a cloture petition.

The PRESIDENT pro tempore. That was not embraced in the question asked by the Senator from Vermont.

Mr. RUSSELL. The Senator from Georgia accepts the rebuke of the Chair. It was properly administered. The Senator from Georgia had no right to indulge in that statement.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. CHAVEZ. I believe that I am just as anxious as is the Senator from Indiana to present the cloture petition as soon as it is possible to do so; and if he will devote his time to trying to persuade some of the opponents of the bill to allow me to make the motion at this time, I shall not disappoint the Senator from Indiana.

But some of us believe that the cloture rule is important. We also feel that possibly there might be some embarrassment to Senators who signed the cloture petition, which I am unable to present at this time, no matter what my desire may be. If the situation causes embarrassment to the Senator from Indiana I will hand him the petition at this time and he can remove his name from it.

Mr. CAPEHART. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. CAPEHART. Do I correctly understand that it is impossible to present the cloture petition at this time?

Mr. CHAVEZ. Not so long as the Senator from Virginia [Mr. BYRD] has the floor.

The PRESIDENT pro tempore. The Chair so holds.

Mr. CAPEHART. Does the Chair hold that it is impossible to present the cloture petition at this time?

The PRESIDENT pro tempore. So long as the Journal has not been approved or disapproved.

Mr. CAPEHART. Mr. President, a further parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. CAPEHART. Do I correctly understand that since the cloture petition was placed in the hands of the Senator from New Mexico, at no time has it been possible for him to present or file it?

Mr. CHAVEZ. That is what some Senators contend. There are others who feel differently. Because of that difference of opinion, and because I should like to afford an opportunity to Senators on the other side of the aisle who have expressed a wish to sign the petition to do so, the petition has not been filed. Senators who have been absent have expressed a desire to sign the petition.

Mr. CAPEHART. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. CAPEHART. My understanding is that the signatures of only 16 Senators are required to present a cloture petition.

The PRESIDENT pro tempore. That is correct.

Mr. CAPEHART. Is it not a fact that for the past week or 10 days the petition has contained the signatures of 16 Senators?

Mr. CHAVEZ. That is correct. It is also a fact that Senators on the other side of the aisle who have signed the petition have requested me not to present it at the moment.

Mr. CAPEHART. Mr. President, my thought is simply this: Inasmuch as it seems to be impossible to file the cloture petition, and inasmuch as so many Senators who are in favor of some sort of FEPC bill have stated that they will not vote for the pending bill, why would it not be the sensible and practicable thing to do, in order to get on with the business of the United States Senate, to recommit the bill?

Mr. CHAVEZ. What business of the Senate? I should like to have the Senator from Indiana tell the Senate what other business could be disposed of at the particular moment?

Mr. CAPEHART. Mr. President, that question astounds me. The President of the United States has submitted to us a 21-point program——

Mr. CHAVEZ. Including the FEPC.

Mr. CAPEHART. Including the FEPC. With the world in the condition in which it is today, with one and a half million men out of work, with all the problems which any 6-year-old child knows should be solved, and with 140,000,000 American people looking to the Congress of the United States to do something. I am astounded that a Senator should rise on the floor of the Senate and ask, "What can we do?" There is plenty to be done, and the American people are expecting us to do it.

Mr. CHAVEZ. Mr. President, will the Senator from Virginia yield to me?

Mr. BYRD. I yield.

Mr. CHAVEZ. I ask the Senator from Indiana what other bill could be considered at this time? Irrespective of the importance of the legislation which the Senator from Indiana has in mind, what other bill could the Senator from Indiana vote on this afternoon, aside from the FEPC bill?

Mr. CAPEHART. I cannot answer that question because I am not the chairman of any committee. I might ask the able Senator from New Mexico the same question, because his party is in control of the committees. If no other measure has come to the floor of the United States Senate, it is because his party controls the committees.

Mr. CHAVEZ. Irrespective of which party controls the committees, and irrespective of who is at fault—and I am not accusing any party of being at fault—the fact still remains that the only measure on which noses could be counted at the moment is the FEPC bill.

Mr. CAPEHART. Is it the position of the able Senator from New Mexico that for the past couple of weeks we have been talking simply to hear ourselves talk, and killing time?

Mr. CHAVEZ. I take the position that if the Senator from Indiana had not been present in the Chamber discussing this particular bill he probably would be in his office, or on a visit to Indiana. The Senate would probably be in recess or adjournment. There is nothing before the Senate except the FEPC bill. That is the fact. That is the parliamentary situation, whether we like it or not, and regardless of whose fault it is. The Senator knows very well that if we were not discussing this bill we would probably be in recess until Monday.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. RUSSELL. I was loath to interrupt the recriminations between two of the supporters of the bill. I must say that I enjoyed the situation very much. However, I point out that there can be no question that the pendency of the bill is affecting our committee work. We all know that legislation in this body is framed in committee. With the exception of Senate bill 101, as a rule committees scrutinize bills very carefully, and most of the essential legislative work is done in committees. Every Senator knows in his heart that the fact that this fight is going on in the Senate is affecting the work of its committees. I presume that so long as the fight continues the work of committees will be slowed down on all legislation. There can be no question about it.

The Senator from Indiana wishes to know why we do not recommit the bill. Of course, Mr. President, if the Senator from Indiana were to leave it to me, I never would have reported the bill in the first instance; and after it had been reported I would have been glad indeed to have it recommitted.

Let me say frankly that in the 13 years I have been a Member of the Senate I have never seen a bill which needed recommitting as badly as this bill does. I have never seen any other bill with respect to which its authors apologized for particular parts of the bill and stated

that it ought to be amended. The Senator from Oregon [Mr. MORSE] even stated that he thought the Senate should resolve itself into a committee of the whole and proceed to amend the bill. If we were to follow that practice to its logical conclusion we should abolish committees altogether. If the function of a committee is only to report a bill and let the Senate resolve itself into a committee of the whole Senate then to eliminate vices and defects in a bill which its authors admit when they are shown to them, we ought to abolish committees. I would gladly join with the Senator from Indiana if we had any assurance that the bill would be recommitted. The Senator from Indiana and the Senator from Georgia would be glad to dispose of this matter posthaste by sending it back to the committee, thereby enabling the other committees which are considering legislation which is vital to this Nation in this hour of chaos to function to bring before the Senate measures which really amount to something, rather than a bill like the pending one, which is designed to create some termites to pull down whatever foundations of constitutional government remain in this country.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. BANKHEAD. In further answer to the question of the Senator from New Mexico as to what other measure there is for the Senate to act upon, I wish to say, as a member of the Appropriations Committee—and I speak at this time when the acting chairman of that committee is presiding over the Senate, and he knows that what I am about to say is correct—that the committee is diligently working on the appropriations bill which has to do with all the independent offices of this Government. It is a large bill and it is highly important. The committee cannot very well work efficiently on it under present circumstances, for we can work on the bill only approximately an hour and a half in the mornings, because we do not wish to remain in committee all afternoon, serving as a grand jury in respect to the various items contained in the bill, when there is pending on the floor of the Senate this important measure in which most of us are actively interested.

If present conditions continue—and I am sure I say this with the approval of the acting chairman of the committee, who now sits in the chair—probably that the appropriations bill will be ready to be taken up by the Senate by the middle of next week, possibly by Tuesday, but more likely by Wednesday, provided the Senate will permit the members of the committee to engage in their work in the committee all day long, as is customary for the Appropriations Committee under the driving hand of the great Senator now presiding, who is the acting chairman of the committee.

So I hope it will be understood and clearly known, as a matter of fact, that the pendency of this measure here is deterring action by the Appropriations Committee, indeed, is preventing it from acting as it should on the important measure now before it, which is the first of the great appropriation bills which must be taken under consideration by the Senate. We cannot proceed with the vast array of appropriations bills if we are continually required to be on the floor of the Senate during its sessions. The Senator from New Mexico [Mr. CHAVEZ] is a diligent member of the Appropriations Committee. He, too, has been detained here on the floor of the Senate all afternoon, every day. I do not know whether he is a member of the subcommittee working on the independent offices appropriation bill, but I do know that he understands the conditions which exist in the appropriations committee.

If some Senators wish to have the Senate proceed with consideration of the pending bill, let them not give the excuse that there is nothing else on the calendar at the moment. The first two or three measures which now are on the calendar are measures of importance which are ready to be acted upon. If Senators will look at the calendar, they will find that to be so.

But regardless of that and regardless of whether some Senators wish to have the Senate proceed with consideration of the pending bill, they should permit the members of the Appropriations Committee to proceed with the performance of their important duty, so as to get the first important appropriation bill out of the way, and thus be permitted to consider the other appropriation bills which will come along rapidly.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. CHAVEZ. Let me inquire whether it is not a fact that the appropriations bill would already be out of the way if it had not been for the opposition of some of those who also are opposed to the pending measure? They opposed a recommendation made by the President of the United States that the United States Employment Service be kept out of that bill. Who put it there if it was not the opponents of the pending bill? Otherwise, that bill would have been passed. It was reported by the Appropriations Committee months ago. Generally speaking, those who in this body are opposing the pending bill attached to that bill a rider which did not belong in it. That is the reason why the bill was vetoed by the President.

Mr. BANKHEAD. Mr. President, there are two answers to what the Senator has said. In the first place, he is speaking of ancient history. He is not discussing anything which is involved in connection with the pending bill or the appropriation bill which the Committee on Appropriations presently has under consideration. The Senator from New Mexico has referred to the opposition by some of us who are opposing the FEPC bill to the item providing for returning the employment agencies to the States; yet in the same breath, although without actually saying so, he attempts to imply condemnation of a majority of his associates who are supporting this FEPC bill. The Senator from New Mexico argues that some of us propose to have the Government keep the employment services under its control, and the Senator wishes to use that point as a pretext. But if some of us opposed it, how many of the Senator's associates in connection with the pending bill and also Senators on the other side of the aisle also opposed it?

Mr. CHAVEZ. I am not responsible in any way whatever for Senators on the other side of the aisle.

Mr. BANKHEAD. No; of course the Senator is not. I suppose they are happy that he is not. [Laughter.]

Mr. CHAVEZ. I can speak only for myself, or occasionally for some of the other Senators on this side. But those on the other side will have to answer for themselves.

Mr. BANKHEAD. I think there is no answer. I think the Senator has raised an entirely false issue.

Mr. CHAVEZ. No; it is not a false issue.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. MAYBANK. I should like to ask the distinguished Senator from Alabama if it is not a fact that yesterday we were called from the Appropriations Committee by quorum calls at a time when, in my judgment—and I am sure he agrees—we were discussing a most important matter, and were trying to obtain from representatives of the Interstate Commerce Commission the facts as to a very serious situation existing throughout the country, particularly as affecting the West where cars used for hauling wheat have been held up, and also as affecting the East where other cars have been held up, as well as the facts in respect to shortages of certain services, and so forth? I ask the Senator if it is not true that at that time the commissioners were telling us the necessity for having work continue in the field services and other services which have been working in connection with the transition from peace to war, especially in connection with matters related to the work of the Interstate Commerce Commission? I also ask the Senator if it is not a fact that most of the Senators were required by the proceedings on the floor of the Senate to depart from the committee session, so that at one time only the present occupant of the chair, the distinguished President pro tempore, and one other member of the committee remained in it?

Mr. CHAVEZ. Mr. President——

Mr. BANKHEAD. Mr. President, I can answer only one Senator at a time. After I have answered the Senator from South Carolina I shall yield.

What the Senator from South Carolina says is undoubtedly true, as is known by all Senators, both Democrats and Republicans, who are members of the Appropriations Committee. We could not proceed under those circumstances. We had to suspend the hearing. We reached the point where only two or three members of the committee were in attendance, because the other members were compelled to come to the floor of the Senate, where the roll was being called. The consideration of this highly important bill—highly important to all of us who feel that the principles of our Government are involved and who believe that we should be here—has prevented the

Appropriations Committee from making the progress it should have made by now. Even if those of us who are members of the committee remain at the committee hearing, we are unable to get our minds off the great and important problem which now confronts the Senate. Under these circumstances we could not remain in the committee and give to the evidence presented to the committee by the witnesses who appear before it the proper consideration, similar to the impartial consideration which a jury would give to a case before it in court. Under these circumstances we are unable to explore the environment of the witnesses, their economic position, their knowledge of the economic aspects of the subjects involved, with the careful deliberation and consideration which the members of all committees of the Senate should give to the subjects before them. The members of the committee are unable to give proper attention and consideration to the matters before the committee when the Senate is confronted and occupied with an issue which involves, as we believe, the continuance of our democratic form of government, the society of our people, and not only the economics but the industries of this country, and the racial and social fabric not only of the South but of all the States of the Union. Under those circumstances we cannot work properly in the committee.

Mr. CHAVEZ. Mr. President——

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. Mr. President, will the Senator from Virginia yield to me?

Mr. BYRD. I yield.

Mr. RUSSELL. Mr. President, the Senator from Virginia has the floor, and he has yielded to me. A moment ago, after he previously yielded to me, I yielded to the Senator from Alabama, but that does not entitle the Senator from Alabama to yield to other Senators.

Mr. BANKHEAD. Very well; I am willing to stop.

Mr. BYRD. Mr. President, I do not wish to take a Senator off his feet, but I wish to be recognized as having the floor.

Mr. BANKHEAD. I defer to my good friend and able friend from Virginia, who is ready to deliver to the Senate a message more important than the one I have attempted to deliver.

Mr. RUSSELL. Mr. President——

Mr. BYRD. I yield to the Senator from Georgia.

Mr. RUSSELL. Let me say that, of course, it is idle to try to fool ourselves. Some Senators may be able to fool some of the public by saying that none of the bills now on the calendar urgently require immediate consideration by the Senate, and in that event people who do not understand all the details involved in the work of the Senate might say, "Well, there is no bill on the calendar." But that does not fool Senators. Every Senator knows that the pendency of the FEPC bill is destroying the efficiency of the committee system. The Senate is holding daily sessions. Under these circumstances the committees can meet for only an hour and a half each morning, if they are to have full attendance. As has been well stated by the Senator from Alabama, the attendance in committees is slim if they attempt to meet during the afternoon, when the Senate has under discussion the bill now pending before it.

The Senator from Alabama has cited the situation in the Appropriations Committee. I, too, am a member of that committee, and I know that what he has said is true. It is equally true of every other standing committee of this body. I have been interested in certain hearings which have been held before the Naval Affairs Committee. A matter is pending there which I should like very much to be in position to follow. I should like to see the witnesses as they appear before the committee, because I still believe, contrary to the terms of Senate bill 101, that it is important for a man to see a witness when he testifies. When one sees a witness as he testifies, he is able to observe the witness' demeanor.

I am a member of the Special Committee on Atomic Energy. I did not seek an appointment to the committee, but I was, nevertheless, appointed as a member of it. I have done my best to attend every meeting of the committee. I was able to do so until this bill was brought forward to the floor of the Senate.

I happen also to be a member of the Joint Committee on the Organization of Congress. That committee has done a great deal of work, and has held many important hearings. The committee has tried to meet in the afternoons. The members of the committee would sit down and meet for about 30 minutes when the bell would ring for a quorum call, and the Members of the Senate who were on the committee would have to come back to the floor of the Senate in order to see what was taking place. Without regard to who is responsible, there is no need to fool ourselves about the fact that this bill is disrupting the work of the Senate, regardless of any way which Senators may wish to look at it.

Mr. CHAVEZ. Mr. President, I feel in sympathy with the Senator from Alabama and my good friend the Senator from Georgia. I am sorry that it was necessary for them to be interrupted in the work which they were doing on the Committee on Appropriations. But who was at fault? It was not the proponents of the bill.

Mr. RUSSELL. The one at fault was the Senator from New Mexico.

Mr. CHAVEZ. The Senator from New Mexico was not at fault. The only reason the Senator from Alabama and the Senator from South Carolina came upon the floor of the Senate was to answer the quorum call. Who suggested the absence of a quorum?

Mr. RUSSELL. I suggested the absence of a quorum. The right to suggest the absence of a quorum may not be abolished by a point of order.

Mr. CHAVEZ. The calling of the roll, following the suggestion by the Senator from Georgia of the absence of a quorum, brought the Senator from Alabama and the Senator from South Carolina to the floor in order to answer the quorum call. It kept them away from their duties. It was not caused, however, by any proponent of the pending bill.

Mr. RUSSELL. Mr. President, of course I suggested the absence of a quorum, and I shall continue to suggest the absence of a quorum at different times so long as the pending bill is before the Senate. On the afternoon to which reference has been made there were in the Chamber about two proponents of the bill and two opponents of it. A very interesting discussion was taking place, and the Senator from Georgia suggested the absence of a quorum so that some of his colleagues who were interested in this measure would come into the Chamber and assist in the discussion. But who in the first instance brought the matter before the Senate which caused the absence of a quorum to be suggested? If the Senator from New Mexico had not made the motion that the Senate proceed to consider Senate bill 101 in the first instance, we would not now be holding daily sessions of the Senate.

Senators may say that it is good for us to be here so that those in the galleries will see that the Senate is in session every day. I assert that at the beginning of a session of Congress the Senate would make more progress if it were in session only 20 minutes every third day, and thereby afford opportunity for Members of the Senate to sit in committees and give consideration to important bills. If Senators wish to have only three or four Members sit in the Chamber and make speeches, that is all right with me. It may fool some people. Senators know that it is a fact that the pending of this bill before the Senate in paralyzing the work of Senate committees, and that it is gravely impairing all the functions of law-making, and that a part of the cause is in suggestions of the absence of a quorum, which I shall continue to make. The primary cause, however, is the fact that the pending bill was brought before the Senate. The Senator from New Mexico, as well as other sponsors of the bill, knew that the bill would provoke a bitter fight on the floor of the Senate if once brought before the Senate for consideration. By having chosen a time at the beginning of the session for bringing the bill before the Senate, they must assume their part of the responsibility involved. So long as the bill is pending I shall assume my own responsibility for any suggestions of the absence of a quorum.

Mr. O'DANIEL. Mr. President, I return the floor to the Senator from Virginia [Mr. BYRD]. I know that he is anxious to make a statement.

I merely wish to add that the statement has been made that there are no bills which the Senate could consider at this time. On the desks of Senators are copies of the calendar for Friday, February 1, 1946. Fifty-three bills appear on the calendar. Those bills have been considered by committees of the Senate, and have been reported to the Senate for consideration. Some of the bills are very important. One of the bills is House bill 2277, an act to insure adequate nursing care for the armed forces. It appears to me that the bill might be a very important one. There are all kinds of bills on the calendar, and most of them are very important. They are

subject to immediate consideration by the Senate, just as is Senate bill 101, which is also listed on the calendar. It was picked out of 53 bills and brought before the Senate. So, it is not because of the lack of something to do that the Senate is now embroiled in the debate which is taking place on the FEPC bill. It is merely because some Member of the Senate threw the bill in, and some southern Democrats are trying to throw it out.

Mr. BYRD. Mr. President, I appreciate very much the return of the floor to the Senator from Virginia.

First, I wish to commend and to congratulate the very distinguished Senator from New Jersey [Mr. HAWKES]. In my judgment, he has made one of the most forceful, illuminating, and convincing speeches which has been made concerning the proposed legislation. In what he has had to say he has shown a Christian spirit and an appreciation of the rights of others. He has shown an understanding of the fundamental principles of our Government which have made America the greatest nation in the world. I cannot see how any man could have heard the speech of the Senator from New Jersey, coming as it did from a Senator with a wealth of practical sense and with a practical mind, and then vote in favor of the pending bill. The Senator's speech was filled with so much common sense it should have great influence on the Members of the Senate.

Mr. President, in the South there is an organization known as the Southern Conference for Human Welfare. That organization has been sending out propaganda and statements within the past few days alleging that the Senators from the South do not represent the true sentiments of their constituencies in opposing, as they are opposing with all the vigor and capacity which they may have, the passage of the pending bill. So, Mr. President, I sent a telegram signed by myself to the governors of Southern States. The Governor of a State is very close to his people and knows what they are thinking, their desires, and those things to which they are opposed. The telegram which I sent is as follows:

Petitions signed by a number of people in each of the Southern States under the name of Southern Conference for Human Welfare charging that Southern Senators opposed to FEFC bill are not representing the position of their constituents. I shall appreciate it if you will wire me collect at Senate Office Building, Washington, your views on this legislation and your opinion as to whether public sentiment in your State favors or opposes the enactment of the pending bill to create a permanent FEPC with the powers proposed. Regards.

Mr. President, each one of the governors to whom I sent the telegram responded. First, I shall read the reply I received from the Governor of Georgia, Ellis Arnall. It reads as follows:

Re your telegram. I have constantly opposed FEPC. The measure is merely a race irritant and will bring about conditions which will result in a disservice to all races. Regards.

ELLIS ARNALL,
Governor of Georgia.

So the Governor of Georgia is standing with the two great Senators from Georgia [Mr. GEORGE and Mr. RUSSELL], who are in the lead in opposing the adoption of the pending bill.

The next telegram is from the Governor of Florida, and in it he says:

Re telegram. In my opinion, FEPC bill, if it becomes law, will do much to engender racial strife in the South. The progress we are making will be nullified by any such force legislation. It is my opinion public sentiment in my State overwhelmingly opposes enactment of the pending bill or any similar bill. Regards.

MILLARD F. CALDWELL,
Governor of Florida.

Governor Caldwell stands with the senior Senator from Florida [Mr. ANDREWS] in opposing this bill.

Here is a telegram from the Governor of Arkansas:

Re your telegram, January 28. In my opinion, an overwhelming majority of the citizens of Arkansas are unalterably opposed to FEPC. I personally feel that a permanent FEPC will do serious harm to our democracy and is inimical to our way of life.

BEN LANEY,
Governor of Arkansas.

Governor Laney stands with the two Senators from Arkansas in opposing the pending bill.

Mr. President, I wish Senators to take note of the fact that, although the telegram which I sent to the governors made no mention of the question of racial disturbance, yet the governors whose telegrams I have read say that the passage of the pending bill would endanger the harmony which now exists in the South between the Negroes and the whites.

The next telegram which I wish to read comes from the Governor of the State of Tennessee:

I find no sentiment for the passage of FEPC bill and have heard no criticism of Senators who are opposing it. We certainly hope the bill will not become a law.

JIM MCCORD,
Governor of Tennessee.

So the Governor of Tennessee stands with the distinguished President pro tempore of the Senate, who will go down in history as one of the greatest Senators ever elected to this body, and he stands with the junior Senator from Tennessee [Mr. STEWART].

The following telegram came from the Governor of Louisiana:

I am personally opposed to FEPC bill now before Senate and believe that overwhelming majority of Louisiana's citizens are also opposed to it. Senators ELLENDER and OVERTON and the Louisiana delegation in the House of Representatives are qualified to speak for their constituents and to reflect correctly their views upon the provisions of the pending bill.

JAMES H. DAVIS,
Governor of Louisiana.

He stands with the Senators from Louisiana [Mr. OVERTON and Mr. ELLENDER].

The Governor of North Carolina telegraphed as follows:

I feel that our North Carolina Senators BAILEY and HOEY have correctly presented the views of their constituents in opposing the bill.

R. GREGG CHERRY,
Governor of North Carolina.

He stands with the two Senators from North Carolina, as is shown by his telegram.

The following telegram was received from the Governor of South Carolina:

I am opposed to the FEPC because a laborer is worthy of his hire and an employer has a right to select his employees and this bill is the first step toward state socialism and a lead to a share-the-wealth program. The people of my State are opposed to this bill. Regards.

RANSOME J. WILLIAMS,
Governor of South Carolina.

He stands with the distinguished senior Senator from South Carolina [Mr. MAYBANK] and the distinguished junior Senator from South Carolina [Mr. JOHNSTON].

The Governor of Alabama sent this telegram:

I am opposed to a Fair Employment Practice Commission. I take it, and in this I think I am stating a fact, that the people of my State are overwhelmingly opposed to any such legislation. I think the Senators of the South are doing exactly the correct thing and are entitled to and should use every weapon at their command to defeat this proposed bill. The whole object of the law is to produce social equality under the guise of economic legislation. This cannot be imposed upon an unwilling people.

Sincerely,

CHAUNCEY SPARKS,
Governor of Alabama.

So he stands with the distinguished Senators from Alabama.

The following telegram was received from the Governor of Texas:

Petitions you have received favoring FEPC legislation obviously represent very small minority. The thinking people of Texas appreciate the fight you and your colleagues are making against this bill and we sincerely hope you are successful. This bill will do more harm than good.

COKE STEVENSON,
Governor of Texas.

So states the Governor of Texas, the State so ably represented in part by its junior Senator [Mr. O'DANIEL], and if the senior Senator from Texas [Mr. CONNALLY] were in the country I am confident he would be in the very forefront of those opposing the proposed legislation; but he is away on important public business.

The Governor of Mississippi responded as follows:

I thoroughly endorse position of southern Senators in opposing FEPC bill now under consideration. The Mississippi Legislature has passed a resolution approving that position. Without doubt my view and that of legislature is the view of practically all Mississippians. Sending copies of resolution air mail.

THOMAS L. BAILEY,
Governor of Mississippi.

He stands with the Senators from Mississippi [Mr. BILBO and Mr. EASTLAND].

I have here a telegram from the Governor of Virginia, who has just been inaugurated, and who, incidentally, in his inaugural speech made the statement that he was unalterably opposed to the FEPC. I was present when he made the statement, and he received more applause on that statement from the thousands of Virginia citizens gathered at the capitol in Richmond than any other passage in his address. This is what Governor Tuck says:

I have been advised that petition signed by a number of people in each of the Southern

States under the name of Southern Conference for Human Welfare charges that southern Senators, in opposing FEPC bill, are not representing the views of their constituents. I have never heard of any such conference or organization, and I do not believe that one exists in this State. Such a statement, even if the organization does exist, is absolutely false insofar as the views of the people of Virginia are concerned. In my opinion, the people of Virginia are overwhelmingly opposed to the FEPC in any form. In my inaugural address of January 16 I criticized this Federal interference in the rights of the States and in the business of her people, and I received more congratulatory messages on this phase of my address than on any other part of it. I hope that the southern Senators will do whatever may be necessary to defeat this vicious legislation.

WM. M. TUCK,
Governor of Virginia.

Mr. President, a few persons here and there may favor the FEPC, but most of those who favor it do not understand its provisions. If there is any doubt in the mind of anyone about the South standing, as General Bee said General Jackson stood on one of the great battlefields in the War Between the States—like a stone wall—then I can produce on the floor of the Senate evidence that we stand together on this question as firmly as on any issue affecting our southern people which has ever been raised.

The Members of the Senate and House of Representatives should think very seriously before they force such a measure upon a people representing 25 or 30 percent of the population of this country, representing a good part of the wealth of the country, and representing, if I may say so, the ideals of America, including the desire for the retention of our constitutional form of government. To force, by the strong arm of the Federal Government, legislation upon a people who are so bitterly opposed to it could accomplish nothing except great racial dissension and dissatisfaction of every kind.

Mr. President, I was impressed with the address of the senior Senator from North Carolina [Mr. HOEY] a few days ago regarding the relations between the southern people and the Negro. I do not come from a State in the deep South. Virginia geographically is a border-line State. About 25 or 30 percent of the population is Negro. There are sections of Virginia where there are practically no Negroes, where there are two or three, or four or five, certainly just a few, in a whole county. There are other sections where Negroes may be in the majority.

We are having no trouble in Virginia with the Negro. We are getting along splendidly. There is no friction between the races. Relations are constantly improving. During the War Between the States the South was the battleground where brave men, engaged on both sides, fought mighty struggles. At the end the South lost, and much of our natural wealth and the lives of some of our best citizens were lost with the cause. Considering this background, I think the recovery of the South, following the war and after the terrible and evil days of reconstruction, can hardly be equaled in the history of any other nation in the world.

Mr. President, I employ a great many Negroes in my own business. They are paid exactly the same wages as others; they are given the same consideration; they are treated just as the white people who work for me are treated. There is no question today about racial discrimination in the South. We want the Negroes to work. My principal difficulty is to get them to work. That is the only real trouble we are having.

I say that the South must handle such problems itself, and outside interference and the strong arm of the Federal Government would do very much more harm than it could possibly do good.

I might refer to a condition which previously existed in the South. When I came to the Senate there was much discussion about the necessity of a Federal antilynching law. It was even said by some that the United States Army should be sent to the Southern States to punish those who were guilty of lynching. The antilynching bill was discussed as the pending bill is being discussed, and I make no apologies whatever for being one of those who are willing to stand on this floor and do all within my power to prevent the passage of the FEPC bill.

I speak as one who has not the capacity to filibuster, but it is true that while the bill has been discussed at length up to this time—and I have read carefully the debates which I did not hear—90 percent of the discussion on the part of the opponents of the bill has been devoted to the real and true merits of the proposed legislation. Converts have been found. I hear it said from day to day, when Senators understand what is in the bill, that they are not for it. The same thing happened in connection with the antilynching bill.

In this connection I secured the records today from the Library of Congress, and I wish to show how the South has handled the lynching problem. We have handled it just as we will handle all other problems if they are left to the South without interference.

In 1922 there were 57 lynchings in the country. That of course was a serious situation. In 1932, 10 years later, there were only eight. Last year, 1945, there was only one lynching, and that was alleged to have occurred in Florida, although the report is disputed by the Governor of Florida. In 1944 there were only two lynchings. In 1943 there were only three. In 1942 there were only five. In 1941 there were only four. In 1940 there were only five, in 1939 there were only three, and so on.

Mr. President, the record of the South in that regard is comparable with the record of other sections of the country. The South is not the only section where there have been lynchings. There have been lynchings in the West and in quite a number of other sections.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. RUSSELL. I should like to point out that some of the lynchings to which the Senator referred occurred in Missouri, and in one instance in California, and in no wise could they be charged to the South.

Mr. BYRD. The Senator from Georgia is entirely correct about that. As a matter of fact, Missouri had an average of nearly one lynching a year for quite a time.

Mr. President, I was elected Governor of Virginia about the time lynchings were a matter of public comment, so one of the first messages I sent to the general assembly contained the following statement:

LYNCHINGS MUST STOP

There have been few lynchings in Virginia in recent years, but it is intolerable that there should be any. There is no excuse for lynching in a State where the enforcement of the law in cases likely to provoke mob violence has been prompt and rigorous. Attempted rape in Virginia may be punished by death, and juries are quick to punish crimes that once incited men to take the law in their own hands.

Mob law is anarchy, and it is the duty of the Governor to see that the laws are enforced. I intend to discharge this duty to the extent of the resources of the State and to seek out the identity of those who take the law into their own hands and cause them to be prosecuted. But the law is now insufficient; it must be made more drastic in order that it may be dreaded by those who permit their inflamed passions to drive them into crimes of mob violence.

I recommend (a) that the crime of lynching be declared by law a specific State offense, to be prosecuted by the attorney general or other prosecutors designated by the Governor, in addition to local authorities; (b) that the Governor be authorized to spend such sums as he deems necessary in apprehending the guilty members of the mob. It should be made clear that declaring lynching by law as a specific State offense does not take away the constitutional rights of accused citizens for trial in the localities where the crime was committed.

Virginia is the last State in the Union where lynching should be tolerated, for Virginia contributed to America the leaders who taught that this was a government by laws.

Mr. President, the bill which I recommended was passed, and I am very proud of the fact—while I cannot claim all the credit for the legislation, because the people now are feeling differently about such matters—that there has not been a single lynching in Virginia in 17 years since that law was passed in 1928.

Mr. President, I want to say just a word to my colleagues on this side of the aisle. The South is the backbone of the Democratic Party. No one can deny that. Without the support of the South the Democratic Party could not survive as a national party. I say that without fear of successful contradiction. So I am unable to see why our Democratic colleagues from the West and from the North persist time and time again in proposing measures which are without justice and without reason but which are irritating to the South.

It is a very popular thing these days to talk about the reactionary element. Yet today the South is making greater economic progress than any other part of the Union. It is making greater business and economic progress, as the record will show, than any other section of America. I doubt if there are many persons who believe all the things that are being said about the South, but, in any event, it seems to me that in the American Union due consideration should

be accorded by the majority to the conditions that exist in any particular section of the country, even though it constitutes a minority. What section of the United States, taken by itself, is not a minority.

For that reason I am willing to stand here with my Democratic colleagues from the South and fight this bill so long as there is breath in my body, because I think it is the most vicious, the most iniquitous, and the worst bill presented to the Congress since 1933, when I became a Member of the Senate, and we are justified in taking any means in our power to defeat it.

The advocates of the bill were not so squeamish about the methods they adopted when they brought it up, contrary to an understanding that it was not to come up. No opportunity was given to discuss the question as to whether the bill was to be taken up, because the motion to consider it was made during the morning hour when it was not subject to debate.

Mr. President, I think there is one thing we must all understand ,and that is that by enacting a law the Government cannot make a business firm, a business enterprise of any kind, employ a certain person or a person of a certain creed or a certain color, any more than it can by law make a man work. The Government may use the Federal Army and force strikers back into the factories, but it cannot make them work. They can sit down. There is no way to make them work. By the same token the Federal Government cannot reach its strong arm into the business of any man and tell him whom he shall employ.

Consider this situation: The bill is very much more far reaching than many persons may think. It applies to every one employing more than six persons. There are many small businesses in this country which are not in a prosperous condition. They have no funds on which to fall back. They employ only six or seven persons. If they are compelled to employ one person of the six or seven who does not do a day's work, who is not competent to do a day's work, it may be that such a business will fail; it may be that the money which the employer has borrowed to conduct the business cannot be repaid. Under this bill not only is the right to hire an employee taken away from the employer, but he cannot fire the man he wants to fire, and he cannot promote the man he wants to promote. If there is any greater interference with the private life of a man or with his business operations than that, I do not know what it is. The bill would take away from the employer the right to fire, the right to hire, and the right to promote.

No wonder, Mr. President, that the framers of this legislation were careful to provide that there can be no trial by jury, because if under those conditions a trial by jury were permitted, I venture the assertion that it would be very difficult to obtain a conviction. It is not a crime for me to employ someone whom I want in my business, and it cannot be made a crime in the eyes of the people. It may be declared to be a crime here in Washington. A great bureau may be set up in Washington to harass employers all over the country; but the man who sits in the jury box will not consider it a crime simply because I choose to employ one man in my business in place of another man.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. RUSSELL. I came in as the Senator spoke of a juror in the jury box. Of course the Senator knows the bill proposes to deny trial by jury.

Mr. BYRD. I made that statement before the Senator came into the Chamber. I said it was not strange that those who drew the bill carefully provided that there should not be a trial by jury, because if I chose to employ a certain individual rather than someone else, it would not be considered a crime by those who sit in the jury box.

Mr. RUSSELL. I came into the Senate Chamber at that juncture, having stepped out for a moment. I thought the Senator was still old-fashioned enough to believe in trial by jury.

Mr. BYRD. Mr President, the bill proposes to establish another costly and powerful inquisitorial bureau of the Federal Government. It proposes to reach the strong arm of the Federal Government into the daily transactions of virtually every business in America, and to tell the employers, as I have said, whom to hire, whom to fire, and whom to promote, and all this comes at a time when the centralization of power in government has reached such a point as seriously to threaten our institutions of government. We already have under the Federal Government, 1,152 separate and distinct bureaus, which, in the main, are engaged in telling the people how to operate their business, and in controlling their daily activities. We have 2,500,000 Federal employees in the country now and 600,000 Federal employees outside the country.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. WHERRY. Has that number increased since last July or decreased?

Mr. BYRD. It has decreased.

Mr. WHERRY. Has it decreased appreciably?

Mr. BYRD. The figures have been inserted in the RECORD every month. There has been a decrease in the number of Federal industrial workers, but very little decrease in the number of those in the regular classified civil service.

Mr. President, no man, neither the proponents of the bill nor anyone else, can predict how many new employees the passage of this bill will add to the Federal pay roll. All we can do is to estimate the number of additional employees by the scope of the bill. I want the distinguished Senator from Nebraska, the Republican whip, and the distinguished leader of the Republican Party, to let me read a very fine platform plank, which was adopted by the Republican National Convention in 1944. It is headed "Bureaucracy":

> The national administration has become a sprawling, overlapping bureaucracy. It is undermined by executive abuse of power, confused lines of authority, duplication of effort, inadequate fiscal controls, loose personnel practices, and an attitude of arrogance previously unknown in our history.
>
> The times cry out for the restoration of harmony in government, for a balance of legislative and executive responsibility, for efficiency and economy, for pruning and abolishing unnecessary agencies and personnel, for effective fiscal and personnel controls, and for an entirely new spirit in our Federal Government.
>
> We pledge an administration wherein the President, acting in harmony with Congress, will effect these necessary reforms and raise the Federal service to a high level of efficiency and competence.

I cannot see, Mr. President, how any member of the Republican Party who believes in that platform which his party adopted in 1944, can possibly vote for this bill, because if it is enforced, and we must assume that it will be enforced, the Commission created by it will become one of the most gigantic bureaus we have ever known. There will be nothing comparable to it.

Here is what that bureau will do: According to the estimates based on Department of Commerce figures, there are approximately 1,500,000 business firms in the United States employing 6 persons or more, and their employment totals approximately 22,500,000 persons. This does not include those engaged in professional and domestic services or working on farms. Now it is proposed to establish a bureau which is to go into the daily lives, into the daily occupations, into the daily business transactions of 22,500,000 people and 1,500,000 firms. Let us make some predictions as to how many employees that will require. With the extravagance with which the Government is operated—and I speak as a Democrat who has denounced governmental extravagance from time to time, and what I am now about to say probably would apply if the Republicans were in power—no one can predict how many employees will be required. Suppose an employer increases the pay of an employee $5 a month. He will be haled before the Commission for doing so. Someone will complain that the increase in pay has resulted in some kind of discrimination. So the employer will be haled before the Commission. An agent will have to be sent to investigate the situation merely because the employer saw fit to increase the pay of one of his employees $5 a month. The agent will be sent from Washington. We do not know how much it will cost to investigate this case arising merely from the increase of $5 a month made in the pay of an employee. No one can predict how many new employees the establishment of this Commission will add to the number of Federal employees. I think that with all kindness to my Republican colleagues I should say that it is extremely inconsistent for them to advocate the establishment of this bureau and at the same time orate as they are doing all over the country against the Government bureaucracy and against the excessive number of Government employees. Yet today it is proposed to establish a new bureau which, in my judgment, would have far more employees than any existing Government bureau.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. RUSSELL. Am I to understand that the Senator's figures relate to industry, or to all employers?

Mr. BYRD. They relate to employers having six or more employees.

Mr. RUSSELLL. Would that include agriculture?

Mr. BYRD. No; it would not include agriculture. We could not obtain those figures.

Mr. RUSSELL. Thousands of agents would be required to police agriculture, because it is far-flung. It is scattered over the entire country. Once or twice the Senator has introduced figures with regard to traveling expenses. I wonder what the Senator thinks about the traveling expenses of the agents of the Board who would be turned loose on the country?

Mr. BYRD. These are minimum figures. According to the Department of Commerce figures it is estimated that there are 1,500,000 firms which employ six or more persons. The total number employed is 22,500,000, exclusive of those engaged in professional or domestic services, or workers on farms. So naturally the number is really far greater.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. WHERRY. I did not hear the Senator's last statement. Will he please repeat it?

Mr. BYRD. On the basis of Department of Commerce figures there are approximately 1,500,000 business firms in the United States employing 6 or more persons, and their employment totals 22,500,000. This does not include those engaged in professional or domestic services, or those working on farms.

Mr. WHERRY. Mr. President, will the Senator yield for a further question?

Mr. BYRD. I yield.

Mr. WHERRY. Does the Senator feel that the bill applies to farm labor?

Mr. BYRD. I do not see in it any exemption of farm labor.

Mr. WHERRY. Does it apply to all employment everywhere?

Mr. BYRD. As I read the bill, it applies to all employment of every character and description.

Mr. WHERRY. Mr. President, will the Senator further yield?

Mr. BYRD. I yield.

Mr. WHERRY. In the excerpt from the platform which the Senator just read, we made the following pledge:

> We unreservedly condemn the injection into American life of appeals to racial or religious prejudice.
>
> We pledge an immediate congressional inquiry to ascertain the extent to which mistreatment, segregation, and discrimination against Negroes who are in our armed forces are impairing morale and efficiency, and the adoption of corrective legislation.
>
> We pledge the establishment by Federal legislation of a permanent Fair Employment Practice Commission.

If a fair employment practice act could be built on that foundation, would the Senator be opposed to those principles?

Mr. BYRD. I would have to see the bill. I will not commit myself on any bill until I read it. The bill which has been brought before the Senate is one which even its proponents themselves do not understand.

Mr. WHERRY. I quoted the pledge which I took when I said that I would support the FEPC, founded upon that declaration of principles. I cannot see any objection to an FEPC bill of that kind.

Mr. BYRD. We must consider the FEPC bill which is before us.

Mr. WHERRY. I understand.

Mr. BYRD. The Senator was one of those who signed the cloture petition.

Mr. WHERRY. The pledge which I made, as an individual member of the party, was based upon the declaration which I have read.

Mr. BYRD. But the bill before the Senate does not represent that pledge.

Mr. WHERRY. I understand.

Mr. BYRD. Therefore it seems to me inconsistent for the Senator, and others to sign a cloture petition to bring to a vote a bill which apparently they do not approve.

Mr. WHERRY. Does not the Senator feel that the remedy of cloture is one thing, and that the vote on the bill is another?

Mr. BYRD. The Senator may feel that way.

Mr. WHERRY. I am asking the Senator.

Mr. BYRD. It depends upon whether or not a majority is for the bill.

Mr. WHERRY. A vote on cloture is a remedy to shut off debate. That is a clear-cut, separate issue. The question of how a Senator may vote on any bill, or any amendment to a bill, is a separate issue.

Mr. BYRD. It would not be a clear-cut issue with me, in connection with this bill.

Mr. WHERRY. The Senator is one of the most distinguished Members of this body. There is no Member of the Senate for whom I have higher regard. I believe he will agree with me that I have voted consistently to reduce appropriations, and that I am in favor of economy in government. I believe the Senator will give me that much credit.

Mr. BYRD. I certainly do.

Mr. WHERRY. What I am trying to do is to point out to the distinguished Senator from Virginia that when I pledged myself to be in favor of an FEPC organization that pledge was based upon the principles which I have just outlined. The declaration simply recited that there should be no discrimination in opportunity, economically or politically, regardless of race, creed, or color.

Mr. BYRD. Yes; but the legislation which is now pending is entirely different.

Mr. WHERRY. I agree with the Senator. It has been stated that a Senator who votes for the cloture petition is voting on the bill. I appeal to the distinguished Senator from Virginia. Does he not agree that a vote on cloture is a remedy to cut off debate? The bill is another issue. The bill is something which comes up afterward. How a Senator feels with regard to a bill might not be the determining factor in his vote on a petition for cloture.

Mr. BYRD. Let me state the reverse side. I would never vote for cloture. I do not believe in it. I believe that there should be one place in the world where there is free speech, and that is in the United States Senate. Free speech does not exist in the House of Representatives, or in any parliamentary body in the world except the United States Senate. No matter how anxious I might be to see a bill which I favored passed, I would never sign a cloture petition; and so long as the people of Virginia permit me to remain in the Senate I will never vote for cloture.

Mr. WHERRY. Mr. President, will the Senator yield for a brief observation?

Mr. BYRD. I yield.

Mr. WHERRY. I have a deep sympathy with the Senator's conviction. I required a long time to arrive at the decision to sign the petition for cloture, for the very reason the Senator mentions. But if cloture is the only remedy to cut off debate when a question has been presented as this question has been presented, so as to enable us to go on with the work of the Senate——

Mr. BYRD. Does not the Senator believe that some reason and judgment should obtain when such bills as this are presented? We are confronted with mob voting. We are not confronted with the proposition of each individual Senator voting his convictions. I say that without any desire to be offensive.

Mr. WHERRY. I still have the right to vote against the bill, or to vote for any amendment which I may favor.

Mr. BYRD. The Senator may vote against the bill, but the bill may be passed by a majority vote.

Mr. WHERRY. It would be passed anyway. Cloture would have no effect on its passage.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. HATCH. On the question of signing a petition for cloture and perhaps voting against the bill, I am reminded, in connection with this particular measure, that when it was first brought to the floor of the Senate it was repeatedly stated that the vast majority of the membership of this body would vote for the bill if they had an opportunity to do so. Therefore, under those circumstances, if that be true, a vote for cloture would be in reality a vote to pass the bill.

Mr. BYRD. That is what the opponents of the bill think.

Mr. MAYBANK and Mr. TAFT addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Virginia yield, and if so, to whom?

Mr. BYRD. I yield first to the Senator from South Carolina.

Mr. MAYBANK. As the distinguished Senator from New Mexico has stated, a vote on any amendment is a vote subject to concurrence by the House, concurrence by a free conference, and a vote up or down on a conference report.

Mr. BYRD. That is true. In the case of a House bill, the bill may be amended in the Senate, and the objectionable features may be removed. It must then go back to the House, and unless the House

concurs in the Senate amendments the bill must go to conference, and finally we must vote on the conference report.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. TAFT. My position on cloture is so different from that of the Senator that I should like to state it. I will always vote for cloture on any bill, whether I approve of it or not, when I feel that the debate has been sufficiently long to enable both sides fully to present their views. That is true whether I like the bill or not. I say that because I am convinced that when two-thirds of the membership of the Senate favors a certain measure, if less than one-third can block a vote on the measure the Senate will render itself completely futile, and in the end will discredit Congress. It will discredit the representative processes on which our Government is based. Therefore, I feel very strongly that when adequate debate has been had, I will vote for cloture on any bill. So far as this particular bill is concerned, I am against it. I so stated a year ago on the floor of the Senate. I shall vote against it.

Mr. BYRD. We have had free speech in the Senate ever since there has been a Senate. Up until 1917 it was not possible to have even a cloture vote. Cloture was made effective in 1917. Can the Senator point to a single instance in which the interests of the country were injured by free speech?

Mr. TAFT. I am afraid that I am not thoroughly conversant with the entire history of the Senate. But if the Senate sets a precedent in connection with this measure, that precedent will be followed over and over again at this session of this particular Congress.

Mr. BYRD. I will say to the Senator from Ohio that that situation has not been true in the past.

Mr. TAFT. If that happens the Senate will render itself completely futile. In my opinion, we must decide that if two-thirds of the membership of the Senate desire a vote, the Senate should be enabled to vote. That was the intention of the cloture rule when it was adopted. It was adopted under great pressure. President Wilson had attacked the Congress, and Congress was subjected to tremendous popular disapproval in connection with the armed ship bill vote before the First World War.

If two-thirds of the membership of this body desire a vote, I believe that a vote should be possible. I think a fair argument could be made for the proposition that if a majority desired a vote it should have it. It is obvious to me that if less than a third of the membership of the Senate can prevent a vote we shall simply discredit ourselves. We shall admit to the people that the Congress is unable to act in accordance with the will of the majority, and we shall discredit the very basis of our republican form of government.

I am in favor of unlimited debate, and I would not in this case sign a cloture petition except that those who are opposing the bill have announced that they are so acting as to prevent a cloture petition from being filed. Today they are frankly filibustering the bill. The purpose is not solely that of debate. That is the way I interpret the action which has been taken.

So far as this particular bill is concerned, I am against it and shall vote against it. I believe I took that position on the floor of the Senate before any other Senator did so. I offered an alternative bill which I think is sound, to meet the real abuse which exists. At an appropriate time I wish to discuss it.

On the issue of cloture, it seems to me that we should be able to vote for cloture. I am certain that two-thirds of the Senate will not abuse the power to prevent unlimited debate, that is, debate on any subject for 3 or 4 weeks, or whatever time is necessary to cover the subject fully and present the arguments to the people of the United States. I do not believe that cloture has ever been used for the purpose of destroying the right to free debate, and I do not thing it will ever be so used.

Mr. BYRD. The Senator is entitled to his opinion, and I am entitled to mine. I will never vote for cloture.

The Senator speaks of this action being a precedent for the future. I have been a Member of the Senate for 13 years. As I recall, during all that time we have had three cloture votes. So I do not believe that any harm has been done by freedom of debate. Much good has been done. If we had not had freedom of debate on this bill it would have been passed the first day it was proposed, and conditions would have been created in our Southland which would have been terrible to contemplate.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. TAFT. Amendments were pending. I certainly was prepared to offer a complete substitute. The bill would have been debated at just as great length as it has been, if it had then been permitted to come before the Senate.

Mr. BYRD. The Senator from Ohio would not have been able to control that.

Mr. TAFT. Mr. President, will the Senator further yield?

Mr. BYRD. I yield.

Mr. TAFT. The Senator said that if the bill had been permitted to come up it would have been passed the first day. That is not so. The same debate would have occurred. As a matter of fact, if the Senator will agree that a cloture petition may be filed, I can promise him that it will not be filed for 2 weeks.

Mr. BYRD. Why does not the Senator file his cloture petition?

Mr. TAFT. I do not do it because the debate is continuing.

Mr. BYRD. Has the Senator made an effort to file it?

Mr. TAFT. No; I have not. But, after all, the cloture petition——

Mr. BYRD. It was signed a week ago last Thursday.

Mr. TAFT. The opponents of the bill have put the advocates of the bill—and I am not one of them—in a difficult position, because the cloture petition would shut off debate. But debate is still occurring on the FEPC bill. I did not say I would vote for cloture at any time. I said I would not vote for cloture until I was satisfied that everything which could reasonably be said had been said.

But the opposition now take the position that they will never permit the Senate to vote on the bill, regardless of the circumstances; and the procedure they are following is attuned to that purpose. Whether it can be accomplished, I do not know, but that is the position they are taking.

Therefore, it seems to me we have the right to file the cloture petition in order to bring that situation to a head.

Mr. O'DANIEL. Mr. President, will the Senator yield to me?

Mr. BYRD. I yield.

Mr. O'DANIEL. I should like to ask the Senator from Ohio when he signed the cloture petition?

Mr. TAFT. I signed the cloture petition when it was first prepared—about a week ago.

Mr. O'DANIEL. About a week ago?

Mr. TAFT. Yes.

Mr. O'DANIEL. And at that time, was the Senator from Ohio of the opinion that everything necessary to be said had been said?

Mr. TAFT. No; but the position taken by the opponents of the bill made it perfectly clear that that time was coming. Regardless of whether it was clear, it was apparent that in order to get the bill before the Senate it would be necessary to file the cloture petition.

The opponents have taken the position that the only way to get the bill before the Senate is by having a cloture petition filed. It is debatable whether even the filing of a cloture petition would accomplish that result.

Mr. O'DANIEL. I wish to bring out the point that a week ago the Senator from Ohio signed a cloture petition, although ever since then much valuable debate has occurred, and it would have been cut off if cloture had been invoked.

Mr. TAFT. Because that debate has occurred, I have joined in the proposal to defer the filing of the cloture petition. But I say we cannot get the bill before the Senate and we cannot offer amendments to the bill unless the cloture petition is filed and unless cloture is invoked. Under the circumstances, it seems to me to be the only method by which that result may be secured.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. STEWART. I should like to ask the Senator from Ohio a question. He has said that the only way by which the bill can be brought before the Senate is to file a cloture petition and to have cloture invoked. I do not understand just what he means by that.

Mr. TAFT. I mean what I say.

Mr. STEWART. Undoubtedly the Senator does, but I wonder if he knows what he is talking about. [Laughter.]

Mr. TAFT. I say that the bill is before the Senate, but the only way by which amendments can be offered to it——

Mr. STEWART. Mr. President, the bill is not now before the Senate, is it?

Mr. TAFT. It is the only pending measure, in my opinion.

Mr. STEWART. The Journal is before the Senate; is it not?

Mr. TAFT. Yes; it is.

Mr. STEWART. Then is the FEPC bill the pending measure?

Mr. TAFT. Yes; the bill is the only pending measure. The Senator from Tennessee does not maintain that the Journal is the pending measure; does he?

Mr. STEWART. There is no pending measure. When was this bill laid before the Senate?

Mr. TAFT. The Senator is quite well aware that the bill was laid before the Senate. In my opinion when it is the pending business, regardless of the consideration of the Journal, it is the pending measure and we have a right to have it brought before the Senate, especially in view of the unreasonable position adopted by the opponents of the bill.

Mr. STEWART. I submit that the Senator would have no right to file a cloture petition in regard to the bill, because it would be filed in respect to a matter which is not pending.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. CHAVEZ. Regardless of the allegations made by any individual Senator, I still maintain that the pending measure, the one which is being considered, is Senate bill 101. I say that regardless of whatever may be the technical situation in regard to consideration of the Journal. I maintain that the cloture petition can be filed. The accuracy of my position in that respect can be established, it seems to me, when the petition is sought to be filed.

In justice to the Senator from Ohio, I wish to say that as I understand his argument, it is not a question of the merit or lack of merit of Senate bill 101. What he wishes to have is a vote. I know he was one of the Senators in the Committee on Education and Labor who were against the bill, but I think he is on sound ground when he maintains that something should be done to permit Senators to be recorded in regard to the legislation. I say that, knowing that the Senator from Ohio is just as much opposed to the bill as are the Senators who have been discussing the Journal as well as the bill. But I do not wish to have cloture invoked, because I desire to have the bill discussed as the Senator from Virginia has been doing. I do not object to having Senators express reasons which may appear to them to be sound. I have learned much from this discussion, and I do not wish to take any Senator off his feet merely because he happens to be against the bill.

In justice to the Senator from Ohio, I think it should be stated that at all times, both in committee and out of committee, he has been opposed to the bill; but I think I should also say that his request to have the Senate discuss the bill and vote on the bill is not unreasonable.

Mr. BYRD. Mr. President, what will enactment of the pending FEPC bill actually do?

Mr. LUCAS. Mr. President, will the Senator from Virginia yield to me before he resumes his discussion?

Mr. BYRD. I yield.

Mr. LUCAS. I should like to discuss for a moment the question raised by the able junior Senator from Tennessee [Mr. STEWART] with respect to cloture. If the position which the Senator from Tennessee takes is correct, then the cloture rule is nothing more than a snare and a delusion. Does not the Senator agree with me on that point?

Mr. BYRD. As to the position taken by the Senator from Tennessee?

Mr. LUCAS. Yes.

Mr. BYRD. No; I do not agree at all with the Senator from Illinois about that. The rule provides that before business can be transacted, the Journal must be approved. That is specifically required by the rule. We must act in accordance with that rule, and that is the first rule by which we must shape our conduct.

Mr. LUCAS. I understand the rule. In other words, if the position taken by the Senator from Virginia is correct, cloture could never be applied to a measure pending before the Senate, and, therefore, the cloture rule adopted by the Senate in 1917 is meaningless insofar as it applies to what we are doing at the present time. Is that the position the Senator from Virginia takes? If that is true, we might just as well not have a cloture rule, for in that event the cloture rule does not amount to anything at all.

Mr. STEWART. Mr. President, will the Senator yield to me, to permit me to make a further statement?

Mr. BYRD. I yield.

Mr. STEWART. The Senator from Ohio has referred to the pending measure. Senate bill 101 is not the pending measure.

Mr. TAFT. And it never will be.

Mr. STEWART. I hope it will not be.

Mr. TAFT. What I mean is that if the position taken by the Senator from Tennessee prevails, it never will be, for even if two-thirds of the Senators sign a cloture petition, the bill never will be brought before the Senate, because the Senator from Tennessee takes the position that the bill is not now before the Senate, and therefore the cloture rule is meaningless.

Mr. STEWART. No; it is not meaningless. When this bill was first called up several weeks or more ago, the Senate voted to consider it. Therefore it is now the unfinished business. But the first thing in order is the adoption or approval of the Journal, the minutes of the proceedings of the previous day, so to speak. The Journal has never been adopted or approved. Until it is adopted or approved, we cannot hurdle over it to get to the bill which remains the unfinished business. Therefore, the bill is not pending before the Senate, and the filing of a cloture petition would not be proper, because the rule provides that a cloture petition can be filed only against a pending measure. That is correct; is it not?

Mr. CHAVEZ. Mr. President, if I may interrupt for a moment, I should like to say that the Senator from Tennessee is correct, if the Journal can be considered as being a pending measure.

Mr. STEWART. Certainly the Senator would not attempt to file a cloture petition in respect to the Journal.

Mr. CHAVEZ. Well, we shall file a cloture petition in regard to anything as to which it is proper to be filed. I know the opponents are trying to take advantage of the Lord's Prayer, but they are not going to get away with it. No matter how long the Senator from Tennessee talks, at the moment there is only one pending measure, and that is Senate bill 101—not the Lord's Prayer.

Mr. STEWART. The other day the Senator from New Mexico said he was unable to agree to a unanimous-consent request until the Lord's Prayer was approved. I wish to remind him of that fact.

Mr. CHAVEZ. Well, we are not discussing that now.

Mr. BYRD. Mr. President, what would enactment of the FEPC bill do?

At the outset it would establish a commission of five members with a salary of $10,000 each to begin with. No estimate can be made of the number of investigators, inquisitors, detectives, and snoopers that will be required to carry out the provision of this act. We can estimate the number of Federal agents necessary only by reviewing what the act itself proposes.

Section 3 of the act proposes to control the right of every employer employing more than six employees as to whom he will hire, as to whom he will discharge, and as to whom he will promote.

Let us see what an undertaking this would be. According to estimates based on Department of Commerce figures, there are approximately 1,500,000 business firms in the United States employing 6 or more persons and that their employment totals approximately 22,500,000 persons. This does not include those engaged in professional and domestic services or working on the farms. The bill now pending, therefore, places upon a bureau the obligation to employ a sufficient number of agents to inspect 1,500,000 business firms in 48 States and the District of Columbia, which employ 22,500,000 people, to see that in the employment or dismissal of any person there shall not be any unfair practice in terms of his race, creed, color, national oigin, or ancestry, and to see further that there shall not be any unfair practice of discrimination against any person in compensation or in other terms or conditions of employment because of such person's race, creed, color, national origin, or ancestry.

This is what the Commission will have to do and, in effect, under the powers set forth in the bill, this FEPC will have the right to tell an employer who shall be hired, who shall be fired, and who shall be promoted. An employer may not have the power to discharge one of his own employees who is not satisfactory. He may not have the power to hire a new employee, or the power to control the promotions of his employees.

The investigators appointed by the Commission have the right to enter every employer's place of business, examine his books and papers without processes of any court, in order to get evidence to bring charges against him. It deprives a man of his constitutional rights by forcing him to give evidence against himself. It provides for an examiner to

hear the evidence, and the record can be sent to Washington, where a decision could be rendered against the employer in his absence. It denies the employer any right of appeal from findings of fact against him. It denies him a trial of his case by jury or before a judge of any court. It gives the FEPC the power to force the payment of back wages for refusing to give employment in the first place, and assesses fines and imposes jail penalties if such orders are disobeyed. It causes an employer to be brought into a United States court hundreds of miles from his place of business. It provides a fine up to $5,000 and imprisonment of 1 year for any person who hinders or interferes with the Commission or any of its agents in any of its operations.

I challenge the proponents of this bill to point to a single measure that has been given serious consideration by Congress in recent years that contains such arbitrary powers and such a denial of the ordinary rights of an individual citizen in the conduct of his private business.

We must proceed on the assumption that it is possible to enforce such a law, and, as stated in some of the telegrams received and read by me from the southern governors, this bill, if enacted, and if enforced, will do more to spread racial dissension and racial hatred through the Southern States than anything that has been attempted since the days of reconstruction.

It is not practical and will not accomplish the results expected by its most ardent supporters. Employers, in a practical sense of business operation, cannot be forced to employ a certain individual any more than that individual can be compelled to work. This bill, in my judgment, strikes at the very root of democracy and the private enterprise system. If we adopt such legislation as this, we will have taken a long step toward a totalitarian government, which, in the end, means a communistic state.

Mr. CHAVEZ. Mr. President, may I have the attention of the Senator from Maine [Mr. WHITE].

The PRESIDENT pro tempore. Will the Senator from Maine give his attention to the Senator from New Mexico?

Mr. CHAVEZ. Does the minority leader have anything in mind with regard to the remainder of the afternoon? Will it be agreeable to him if the Senate takes an adjournment at this time until 12 o'clock noon on Monday next?

Mr. WHITE. Mr. President, so far as I am concerned, if the Senator from New Mexico wishes to make such a motion I shall raise no objection to it.

Mr. RUSSELL. Mr. President, before the Senator makes the motion, if he will permit me——

Mr. CHAVEZ. I yield to the Senator.

Mr. RUSSELL. In my discussion the other day concerning Senate bill 101 I undertook to point out the way in which various States had approached the problem involving the FEPC. I stated that I had been able to learn the names of 20 States in the legislatures of which FEPC bills were introduced, and that in only four of such legislatures was any action whatever taken upon the bills. Two of them agreed only on an advisory and educational commission. I am in receipt of a copy of an act which was passed by the State Legislature of Wisconsin, a State which I stated had taken no action whatever on the matter. The bill which the Wisconsin Legislature passed was merely educational in nature. It imposed no penalties on any citizen; so it is not in anywise akin to Senate bill 101. However, Mr. President, in order to correct the statement which I made in error, I ask that a copy of the measure which was passed by the Legislature of Wisconsin be printed in the RECORD at this point as a part of my remarks.

There being no objection, the act referred to was ordered to be printed in the RECORD, as follows:

FAIR EMPLOYMENT

111.31. Declaration of policy: (1) The practice of denying employment and other opportunities to, and discriminating against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, is likely to foment domestic strife and unrest, and substantially and adversely affect the general welfare of a State by depriving it of the fullest utilization of its capacities for production. The denial by some employers and labor unions of employment opportunities to such persons solely because of their race, creed, color, national origin, or ancestry, and discrimination against them in employment, tends to deprive the victims of the earnings which are necessary to maintain a just and decent standard of living, thereby committing a grave injury to them.

(2) It is believed by many students of the problem that protection by law of the rights of all people to obtain gainful employment, and other privileges free from discrimination because of race, creed, color, national origin, or ancestry, would remove certain recognized sources of strife and unrest, and encourage the full utilization of the productive resources of the State to the benefit of the State, the family, and to all the people of the State.

(3) In the interpretation and application of this chapter, and otherwise, it is declared to be the public policy of the State to encourage and foster to the fullest extent practicable the employment of all properly qualified persons regardless of their race, creed, color, national origin, or ancestry. All the provisions of this chapter shall be liberally construed for the accomplishment of this purpose.

111.32. Definitions: When used in this chapter:

(1) The term "labor organization" shall include any collective bargaining unit composed of employees.

(2) The term "employees" shall not include any individual employed by his parents, spouse, or child.

(3) The term "employer" shall not include a social club, fraternal or religious association, not organized for private profit.

(4) The term "commission" means the industrial commission of the State of Wisconsin.

(5) The term "discrimination" means discrimination because of race, color, creed, national origin, or ancestry, by an employer individually or in concert with others against any employee or any applicant for employment in regard to his hire, tenure or term, condition or privilege of employment, and by any labor organization against any member or applicant for membership, and also includes discrimination on any of said grounds in the fields of housing, recreation, education, health, and social welfare.

111.33. Industrial commission to administer: Sections 111.31 to 111.38 shall be administered by the industrial commission. The commission shall have authority from time to time to make, amend and rescind such rules and regulations as may be necessary to carry out this chapter. The commission may, by one or more of its members, or by such agents or agencies as it may designate, conduct in any part of this State any proceeding, hearing, investigation, or inquiry necessary to the performance of its functions. The commission shall at the end of every year make a report in writing to the Government, stating in detail the work it has done and its recommendations, if any.

111.34. Advisory committee: The governor shall appoint an advisory committee consisting of seven members. Two shall be representatives of labor organizations, one to be chosen from each of the two major labor organizations of the State, two members shall be representatives of business and industrial management, and the remaining three members shall be representatives of the public at large. The term of members shall be for 3 years. The members of the committee shall elect their own chairman. The commission may refer to such committee for study and advice on any matter relating to fair employment. Such committee shall give consideration to the practical operation and application of this chapter and may report to the proper legislative committee its view on any pending bill relating to the subject matter of this chapter. Members of the committee shall receive no salary or compensation for services on said committee, but shall be entitled to reimbursement for necessary expenses.

111.35. Investigation and study of discrimination: The commission shall:

(1) Investigate the existence, character, causes, and extent of discrimination in this State and the extent to which the same is susceptible of elimination.

(2) Study the best and most practicable ways of eliminating any discrimination found to exist, and formulate plans for the elimination thereof by education or other practicable means.

(3) Publish and disseminate reports embodying its findings and the results of its investigations and studies relating to discrimination and ways and means of reducing or eliminating it.

(4) Confer, cooperate with, and furnish technical assistance to employers, labor unions, educational institutions, and other public or private agencies in formulating programs, educational and otherwise, for the elimination of discrimination.

(5) Make specific and detailed recommendations to the interested parties as to the methods of eliminating discrimination.

(6) Transmit to the legislature from time to time, recommendations for any legislation which may be deemed desirable in the light of the commission's findings as to the existence, character, and causes of any discrimination.

111.36. Commission powers: (1) The commission may receive and investigate complaints charging discrimination or discriminatory practices in particular cases, and give publicity to its findings with respect thereto.

(2) In carrying out the provisions of this subchapter the commission and its duly authorized agents are empowered to hold hearings, subpena witnesses, take testimony, and make investigations in the manner provided in chapter 101. The commission or its duly authorized agents may privilege witnesses testifying before them under the provisions of this subchapter against self-incrimination.

111.37. Separability: It is the intent of the legislature that the provisions of this act are separable and if any provision shall be held unconstitutional, such decision shall not affect the remainder of this act.

MARINES COME HOME

Mr. ROBERTSON. Mr. President, today the U. S. S. *Wakefield*, bringing 5,000

high-point United States marines home from occupation duty in China, docks in San Diego Harbor. These men and officers are from the Third Marine Amphibious Corps and the First and Sixth Marine Divisions and First Marine Air Wing.

The famed fighting First Marine Division has been on combat duty since August 7, 1942. On that date it landed on the beaches of Guadalcanal to open the first American offensive drive in World War II. The First Division carried its colors from Guadalcanal to Cape Gloucester, on New Britain, then to the bloody caves of Peleliu. They ended their battle record in the Pacific with the Okinawa campaign.

The Sixth Marine Division formed of the combat veterans of battle-hardened Marine units—the famed Raider regiment—including Colonels Carlson's and Edson's jungle units, the Twenty-second Regiment of Eniwetok fame, the Twenty-ninth and the Fifteenth Regiments, which fought through the atoll and jungle warfare of the Pacific, played a predominant part in the final land campaign against the bitterly resisting Japanese at Okinawa.

The First Air Wing fought continuously in the Solomon Islands from August 1942 until it moved up to assist Army Ground Forces in the Philippines campaign.

The officers and men of the Third Marine Amphibious Corps trace their battle lineage to the First Marine Amphibious Corps which directed the invasion of Bougainville in 1943. The Third Corps directed the invasions of Guam and finally Okinawa.

Traditionally, America's uniformed peacetime ambassadors on foreign shores, our marines returned in October 1945 to their traditional duty in troubled China. This time they served as occupation forces to disarm and repatriate Japanese forces in the Tientsin, Tsingtao, and Peiping areas of China. Because of the glorious record of the Corps in the Orient, the Chinese people welcomed back the marines with open arms. During their months of occupation duty which came hard on the heels of bitter fighting in the Pacific, these marines performed their occupation duties quietly and efficiently. By their calm demeanor, the smartness of their appearance, and their devotion to duty, they reflected glory upon our Nation and the principles for which it stands. The China marines, who have served in China and who are landing in San Diego today, deserve an accolade from the entire Nation for the honor which they have brought to it both in war and in peace. They are living symbols of that world-famed motto of the United States Marine Corps, "Semper Fidelis"—"Always Faithful." Truly, we owe them our deepest gratitude as America's modern minutemen, always ready to fight or to protect.

BLACK-MARKET OPERATIONS IN AGRICULTURAL COMMODITIES

Mr. BUTLER. Mr. President, the situation with reference to the procurement of grain for the operation of mills and processing plants throughout the country is becoming very serious. In indicating that situation, I wish to read into the RECORD a telegram, one of many which I have received. The telegram comes from Kansas City, Mo., and is dated yesterday:

KANSAS CITY, MO., *January 31, 1946.*
Senator H. A. BUTLER,
Washington, D. C.:

Our two plants with daily capacity 100,000 pounds corn meal for human consumption and 1,500,000 pounds animal and poultry feeds shut-down account lack grains. It is impossible to buy today as much as one carload of any grain such as corn, wheat, millet, oats, barley, kafir without bartering or buying on black markets. Our United States dollar isn't good enough unless used on the black market to obtain supplies. Understand virtually all grain processors in same predicament. This result of unsound relationship of values established by OPA. Black marketing, bartering, tie-in trades on a monstrous basis have virtually stopped movement through normal channels of all grains and feed ingredients. An instant and thorough investigation by Government should be pressed and immediate corrective action taken. Otherwise our entire national economy will shortly be seriously affected. Feeders and housewives depending upon us for supplies are unable to turn elsewhere because most of our competitors are up against same problem. All this in a year of better than average grain supplies. Here, for one, is a small business that quickly will go on the rocks without help now.

STALEY MILLING CO.,
THOMAS W. STALEY.

The telegram is signed, as will be seen, by the Staley Milling Co., Thomas W. Staley, president.

Mr. President, I should like to insert in the RECORD at this point suggestions which were sent today to the OPA by a distinguished group of grain millers from various parts of the United States. I shall leave their names out of the RECORD for good reasons, but I should like to have the Members of the Senate know what these distinguished citizens have had to say to the OPA today.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Chairmen of the Office of Price Administration advisory committees for the grain and feed trades, meeting here this week at the request of OPA to consider various matters relating to ceiling orders, incidentally were given confirmation by the Production and Marketing Administration of their own knowledge of a serious shortage in grain and feed ingredients in comparison to over-all food and feed demands.

The Office of Price Administration has established maximum prices on almost all of these commodities and, because of the shortage of supplies, ceiling prices were long since reached, and commodities promise to press hard against ceiling prices for some months ahead.

The OPA is acquainted with the vigorous and continued efforts of the grain and feed trades, working through advisory committees, grain exchanges, the trade press, and the national and many local associations, to encourage strict compliance with OPA regulations. But with the fighting ended on all war fronts and with shortage of supplies now so acute, there is a growing black market in these commodities, and now a spreading of uncommon methods of marketing by industries desperate to obtain their minimum needs. Coupled with this has been an almost total absence of enforcement and prosecution by the OPA and delay in making legal interpretations needed to meet the spread of uncommon marketing practices. These uncommon marketing practices have been outlined verbally to you here this week, but we would be willing to present in writing some description of various practices concerning which we think the OPA should offer prompt interpretations.

Because of this growing confusion as to price regulation in our trades, we offer the following comment to the OPA with the understanding that it is the personal comment of men who have considered these questions here this week, but is not in any sense to be considered as official expression of the advisory committees which these men may represent.

1. If price control for grains and feed ingredients is to be continued beyond June 30, 1946, we believe it can be accepted by our people only if investigation is continuous, enforcement prompt, and prosecution vigorous. We believe that it is entirely unrealistic to seek to maintain a regulation if it is admitted it cannot be enforced.

2. When points of doubtful practice arise within the trade on a national scale, we suggest that the Washington office of the OPA must make prompt and clear interpretation of the legality of such practices as soon as they reach your attention, thus avoiding the confusion of varied sectional interpretations.

3. We feel that any general or percentage increase of ceiling prices of all commodities involved in the grain and feed trades would be unwise, but we suggest that the OPA investigate further the price relationship between these various commodities to see that ceiling prices are in proper balance.

4. We do not know, from any OPA legal opinion, what types of barter may or may not be legal, so we advise against any reduction or change in the mark-ups on barter or trade transactions; where they are held illegal they should be prohibited, but where they are found legal the mark-ups should be continued.

5. We suggest that the OPA modify its mark-ups or other provisions on retail sales to feeders by producers and country shippers, to prevent mark-ups which favor one particular type of distribution and distort the normal flow of commodities.

6. We ask that the OPA examine the distribution pattern of corn through the so-called grain-base mixes, to see if the unnaturally large volume of this type of movement is not overencouraged by the regulations.

7. We ask the OPA to make a new and clear interpretation of the so-called cross sales, so that the attention of all in the trade again may be called to any types of cross sales which are held to be illegal.

Finally, may we repeat our opinion that the OPA either should abandon the imposition of maximum prices on grains and feed ingredients, or should proceed immediately to establish effective enforcement measures which will prevent the dislocation of supplies, the existence and growth of black markets, and other undesirable effects.

Mr. BUTLER. Mr. President, I ask unanimous consent to submit a Senate resolution calling for an immediate investigation of the black markets in agricultural commodities.

Mr. President, the OPA has permitted a serious situation to develop in grain markets in the last few weeks. The seriousness of the condition is high-lighted by a report by the chairmen of OPA advisory committees for the grain and feed trades, in which they refer to the growing black market in grains and feeds. Now I have begun to receive telegrams and letters from millers and other buyers

who say it is almost impossible to buy a carload of grain except on black markets or on an abnormal barter basis.

Mr. President, it might surprise some to know the nature of some of these barters. If a grain dealer today has a carload of corn, for instance, to be shipped to Chicago, Omaha, Kansas City or some other marget, he immediately tries to ascertain how many carloads of something else or how many dozens of nylon stockings he can get when he sells the carload of corn. In other words it is distinctly a barter market, for the first time in history. The movement of grain has been taken entirely out of the normal channels, and has been turned over entirely to black market operators.

In the corn-producing section, for instance, a trucker arriving from a distance of 100, 500 or 1,000 miles from where the corn is produced goes to the farmer and makes a deal with him for the corn in his crib. There may be a thousand bushels of corn in the crib, but they estimate it at 1,200 or 1,300 in order to be liberal and make a trade. He then allows so much for delivery, although the trucker hauls it himself. He loads the truck up and is gone, and after a day or two of travel he disposes of it in the black market at the other end of the line, and the legitimate business operators, the millers, are left without grain to keep their plants going.

Mr. President, the grain farmer and the grain trade supply not only the feed for practically all the livestock of this country, but they are the basis of the baking industry and the staff of life itself. I am sure every Senator appreciates as well as I do the extreme importance of preventing control of our bread supply from passing into the hands of black-market racketeers. Since this problem seems to be getting beyond the control of the OPA, I am asking that the Senate take immediate action. I should like to emphasize that unless the investigation is begun immediately, it may be too late.

There being no objection, the resolution (S. 223), submitted by Mr. BUTLER, was received and referred to the Committee on Agriculture and Forestry, as follows:

Resolved, That the Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation with respect to black-market operations in connection with agricultural commodities. The committee shall report to the Senate at the earliest practicable date the results of its investigation, together with such recommendations as to necessary legislative or other action as it may deem desirable.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, book, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee under this resolution, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate vouchers approved by the chairman of the committee.

JOURNAL OF THURSDAY, JANUARY 17, 1946

Mr. MORSE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Mexico yield to the Senator from Oregon?

Mr. CHAVEZ. I yield.

Mr. MORSE. Am I correct in my assumption that the Senator is about ready to make a motion to recess until Monday at 12 o'clock?

Mr. CHAVEZ. Yes.

Mr. MORSE. If the Senator will permit me, unless there is objection, I should like to set forth one or two or three reasons why I think the Senate should not adopt such a motion at this time. As I have said recently at the close of many sessions of the Senate, I am perfectly well aware of the fact that for me to attempt to prevent the adoption of such a motion is hopeless, because I am well aware that I would be overwhelmingly outvoted if I should call for a quorum. I do not propose to indulge in parliamentary discourtesy by calling for a quorum in order to get a majority of the Senate to return to the floor in order to cast the vote in favor of a recess, which I well know Senators would cast.

However, as a Member of this body I cannot leave the Chamber tonight without stating for the RECORD how serious I think it is, from the standpoint of the national interest, for the Senate of the United States to recess over the weekend while at the same time the people of the United States, in my judgment, are facing one of the greatest domestic crises in all the history of this Nation.

I do not think we can afford to ignore what is happening in America today. In my opinion the Congress of the United States has upon its shoulders the grave responsibility of devoting long and many hours to the affairs of state in the hope that we can avoid a possible economic catastrophe in this country.

I wish to mention just one or two of the problems confronting this country to which I think the representatives of the people should give long hours of service in an endeavor to help secure some equitable solution of them.

I happen to be one who believes that the Truman administration to date has completely failed to solve, in an effective way, any of the great labor-industrial relation problems facing the country. What is spreading over the country in effect, if not in fact, so far as the Nation's production problems are concerned? What exists today, in fact, is a creeping general strike throughout America by both labor and industry. I say that because major industry of America is becoming paralyzed.

The dangerous effects of the continuation of that economic paralysis are too awful, it seems to me, for us even to contemplate. We have reached the hour in the economic life of this country when we must have decisions and not further fumbling and muddling by this administration. The President must rise to the full responsibilities of leadership. In my judgment, we cannot afford to continue many more days in this country without some decisions being reached by all concerned so as to end the grave labor struggle that is taking place in America.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LUCAS. I am somewhat interested in the very sweeping statement my distinguished friend has made. I should like to know whether he advocates that the President of the United States take over the steel industry and all other organizations where strikes are now occurring. Would that be the decision he would make if he were President?

Mr. MORSE. If the Senator will bear with me, I think I shall cover exactly the points he has in mind, but I prefer to do it in my own way.

Mr. LUCAS. Very well.

Mr. MORSE. I say, Mr. President, that when steel is down, when General Motors is down, when the electric works of America are down, when the packing industry of this country is proceeding, as at the present time, under Government operation, when there are threatened deadlocks in the railroads, when there are rumors of great maritime strikes, when there is every reason to believe that a pattern is being set on the part of both industry and labor for the gradual paralysis of all the major industries of this country, then it is time for a free government to recognize what the people of the country actually face; it is time for our Government to call upon labor and industry to settle these particular disputes by arbitration. Not compulsory arbitration, but by good faith agreement between labor, industry, and Government, these three parties to these disputes should submit evidence to an impartial arbitrator to be appointed by the President, and agree that a decision on the evidence should be binding upon all concerned. These are not normal times. These are wartimes. From the standpoint of our economy we are still living in a wartime economy. It is not in the interest of the parties of the country to take advantage of these abnormal conditions for a slug-it-out battle between labor and industry.

Oh, industry and labor talk and prate about free collective bargaining and the voluntary processes for settling disputes. No man in the Senate more firmly believes in those processes than I do. They must be engaged in in good faith, and I know of no substitute for bad faith but good faith. There has been very little good faith collective bargaining in these disputes. The record shows it.

I think the leaders of labor involved in the disputes and the leaders of industry involved in them have made very clear, through many witnesses appearing before the Committee on Education and Labor in recent days, that so far as they are concerned they intend to settle these disputes by resort to economic war. The country cannot afford that, the parties cannot justify it. Neither is it in their own self-interest. Such an economic war under prevailing abnormal economic conditions will not be in the interest of either labor or industry. When witness after witness testified, as they have before the Committee on Edu-

cation and Labor, that collective bargaining has broken down, that mediation has failed, that fact finding has not produced the results intended by the President, then I say it is the duty of government to act, not by way of compulsion unless we have to come to that under the law of national necessity but by way of urging voluntary arbitration. I want the Senator from Illinois to keep constantly in mind that the major premise from which I argue is that if in fact we are confronted with a creeping paralysis of our economy so that the economic results amount to a general strike on the part of both industry and labor, then a representative Government must exercise its ultimate powers under the law of national necessity. But first it seems to me that we ought to exhaust every possible voluntary procedure that we have for the settlement of these disputes, and I say those procedures have not been exhausted to date.

I want to repeat what I said in the Committee on Education and Labor as a matter of official record. I say that whether he willed it or not, the fact is that the President is deeply involved in these cases. He did step into them, and I think properly so. He has made certain suggestions. He has been in conference with the parties. He has made certain recommendations. Now I say that the President should not walk out on this situation and adopt a hands-off policy. In my judgment he has got to take the next step, and that is to make it perfectly clear to the leaders of labor and the leaders of industry who are engaging in this economic civil war that not only their welfare but, the more important thing, the welfare of this country cannot permit a prolonged continuation of this economic civil war between labor and management in the country's major industries.

Mr. President, in the last analysis these disputes must be settled by somebody's judgment. Maybe it will be Charlie Wilson's judgment in the General Motors case, if he can succeed in beating down labor in that case, or maybe it will be the union's Thomas' judgment if it succeeds in prevailing over General Motors. But, oh, at what a cost to all concerned, including the general welfare of the country. I say the parties have demonstrated, as I have told them in the hearing room, that we cannot count on them for a fair exercise of judgment in the solution of these critical strikes, because they are men who now have locked themselves together in a deadlock. It is an emotional deadlock. Anger, not reason, prevails to a too great degree. Their attitude is, as far as industry is concerned, "You either take the wages we offer or else," and labor says, "You give us the wages we demand or else." It is a production strike by both industry and labor.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HICKENLOOPER. I have been extremely interested in the Senator's discussion because of his intimate and very profound knowledge of the broad subject about which he is talking, I should like to ask him whether there are not two phases to this whole industrial and economic problem. One is the problem of reasonable and equitable wages and working conditions for labor. The other is the problem of latitude of management to operate within the sphere of economic conditions in our whole national economy. In other words can we put controls upon the exercise of management in its sphere and meanwhile dictate to management what it must do in the question of the economics of labor? Can we hold prices at an arbitrary level but give a free hand and free rein or a free field in the cost field of that business?

Mr. MORSE. I think that is a very pertinent and vital question, and, may I say to the Senator from Iowa, those factors are involved in the picture, and many more, and I want to address myself to those factors as I proceed. I quite agree with the implications of the Senator's question, namely, that we are not dealing here with a labor struggle under normal economic conditions. We are dealing here with war conditions. The war is not over as far as the economic life of this country is concerned. It will not be until two great threats are removed: The threat of inflation, and this great threat of scarcity of goods which makes it impossible for competitive factors to function in their normal way.

Mr. HICKENLOOPER. Mr. President, will the Senator again yield?

Mr. MORSE. I yield.

Mr. HICKENLOOPER. That is the point I hope the Senator would bring out; that we are not permitting genuine collective bargaining between labor and management to operate, because our economy is today compelled to operate with restrictions thrown about it arbitrarily under the conditions and situation of war and the stringencies incident to recovery.

Mr. MORSE. That is why I have emphasized, and shall continue to emphasize, as I discuss from time to time this problem in the Senate, that we are not dealing in this period of our national life with normal economic conditions under which these forces of collective bargaining, mediation, and conciliation can function effectively. They cannot do it as long as we find it necessary to maintain needed controls over prices and distribution of scarce and vitally needed goods.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for one more question?

Mr. MORSE. I yield.

Mr. HICKENLOOPER. In other words, in a normal peacetime competitive economy the question of wages or working conditions comes up for settlement and decision. In considering the question in a normal peacetime competitive economy management can calculate what prices it must get, what enlarged outlets perhaps increased production will give it, and all similar factors, and thereby have freedom on the one side to deal, and labor can have freedom on the other side to deal in a free, open, competitive collective-bargaining system. Today those general economic conditions do not exist to permit that latitude.

Mr. MORSE. The Senator is right. Those are all factors which must be taken into account.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. WHERRY. Would the Senator advise terminating the emergency period, and eliminating controls so that we could have free collective bargaining, let us say, at some date in the future, 60 or 90 days, or does the Senator feel that we should continue to operate under the controls which exist because of the wartime emergency?

Mr. MORSE. For the time being it is the opinion of the Senator from Oregon that we should continue the emergency controls. They are necessary to check inflation. They, however, should be adjusted quickly as production reduces the scarcity of goods.

Mr. WHERRY. Then does the Senator think we should have control of prices and control of production under the one head?

Mr. MORSE. Yes; and that is why I make the plea that we should lay aside for the time being the use of economic weapons which are being used by labor and management in trying to win positions of advantage in these disputes. The Government owes it to the parties to agree upon a definite price policy for the next 12 months, and then the disputes should be arbitrated under that policy. If, in a given case, a price increase is necessary in order to allow a fair wage, it should be granted.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LUCAS. The distinguished Senator from Nebraska propounded practically the question I wanted to ask the able Senator from Oregon. As I gathered from the colloquy engaged in between the Senator from Iowa and the Senator from Oregon, the Senator from Oregon was not in favor of the elimination of all controls. I understand that that is not the position taken by the Senator from Oregon.

Mr. MORSE. Quite the opposite is the position of the Senator from Oregon. What the Senator from Oregon is trying to make clear, as far as his personal view is concerned, is that we must decide these disputes without resort to economic force. There are three parties to these disputes, industry, labor, and the Government. The Government cannot take the attitude which I think too many of our officials have been taking, that they do not have an interest in the actual settlement of the disputes themselves. I think the Government has a vital interest in the settlement of these disputes. If we can only get steel settled, that would break the log jam, and I think maximum production would be on its way. But I want to see steel settled by way of a full disclosure of all the evidence involved in the dispute—a full disclosure by labor, management, and Government.

Mr. LUCAS. Mr. President, will the Senator again yield?

Mr. MORSE. I yield.

Mr. LUCAS. I regret that I must leave the Senate Chamber shortly, and

will not be able to listen to the further remarks of the able Senator.

I should like to make this one observation, however, before I leave. I disagree with the Senator in his condemnation of the President of the United States for his failure to bring order out of the economic chaos that now exists. I doubt if any man could have done more than President Truman has in an honest, sincere effort to bring labor and management together. There is still time. I am not a pessimist at all respecting the situation at the present time. I never have been a pessimist in my whole life. I am a confirmed optimist about America and her future. I know that the conditions at this particular time are strained and that the economic chaos which exists is not for the best interest of the greatest number, but I am certain, Mr. President, that within a reasonably short time the underbrush will be removed and that this country will be on its way to a financial boom the like of which has never been known in any period of peace in the past.

I wish these strikes might be settled now, and I agree with the able Senator from Oregon that labor and management are both to blame, so far as I can see by reading the actual lines and reading between the lines.

I do not know what more the President could have done. I should like to have the Senator tell the country what he thinks the President of the United States ought to do, more than he has done, and whether or not he believes that the President should take over steel plants and every other industry throughout the country in which strikes are now occurring. If he does that, I know that the same group that has cried "dictatorship" ever since I have been in Congress will again raise the same cry. They have talked about the totalitarian powers which the administration wanted, and expected some day to seize. The same hue and cry will come from the lips of those who now condemn the President of the United States for not doing something. They will say, "The time has come when the New Deal administration"—which is still condemned on the floor of the Senate—"has seized the opportunity to take over and become the real dictator of this country."

Mr. President, there is no more dictatorship in the mind of the President of the United States than there is in the mind of any Member of the Senate. Everyone knows that to be true; but what I have suggested is exactly what would happen.

The President may be compelled, in the best interests of the greatest number, to take over the steel industry, because, as steel goes, so goes the Nation. So far as consumer goods are concerned, we cannot get along unless we have steel.

Today the President of the United States is laboring under the most difficult conditions which ever confronted any man who sat in the White House. He was catapulted into that position overnight through the death of the late great President Roosevelt, bringing upon his shoulders the most tremendous burdens ever assumed by any man who ever went into that high office. Knowing him as I do, I am not going to condemn him. I think he has done everything that any reasonable man could do in the way of settlement of strikes. Some say that he should never have intervened in the beginning. There are those who say that he should not have called the labor-management conference last December. Some say that he should never have intervened, but should have permitted collective bargaining to run its course. I do not know. I confess that I do not know exactly what should be done; but I have faith in my country, in the leaders in Congress, and in the President of the United States and his advisers. I believe that ultimately they will solve these problems.

I know that there are some who condemn the advisers of the President. That is always done in the case of every President, and it will continue to be done in the future, regardless of who is President. But I take off my hat to a real American, a man who comes from the section of the country where I live, a man who every Member of the Senate knows to be a real, true, hard-hitting, honest-to-God American. He is sitting there hour after hour, day after day, and night after night, working overtime in an attempt to solve these problems and do the best he can with the best available advice. America has never failed, either in peace or war, and she will not fail this time. Some of these days we shall be out of this mess, and happiness and prosperity will be here again, notwithstanding what critics say to the contrary.

I thank the Senator from Oregon.

Mr. MORSE. I am very glad to have the Senator's remarks. I always find the Senator from Illinois very persuasive. I marvel at the fine job he does when he finds it necessary to rise on the floor of the Senate and defend the administration. I think the administration is very fortunate to have a Member of the Senate who is so ready to defend it. But in this instance I find the Senator most unconvincing.

Nothing the Senator from Illinois has said can change the record of this administration in the field of labor relations. It is a record of vacillation, confusion, and failure. The labor situation in America today is all the proof I need to cite as to the failure of this administration to develop a reconversion program. The tremendous shut-down of industry from which the country is suffering is so unnecessary, and would not have occurred if the administration had developed a coordinated reconversion policy and not a program of vacillation and departmental conflicts.

Just look at the jurisdictional disputes within the Government in the field of labor relations. We need go no further to find part of the cause of the great difficulty confronting us in the field of labor. When we talk with leaders of labor and of industry what do they say, almost unanimously? "We do not know from day to day what this administration's policies are. We think they are one thing today, and tomorrow we find that they are completely reversed." There is no leadership in the administration so far as labor disputes are concerned upon which we can count for a consistency of policy.

I return to my major thesis. These disputes must be decided. The Senator from Illinois [Mr. LUCAS] refers to the labor-management conference. Certainly I think there should have been a labor-management conference. It should have been held much sooner than it was held. When I was a member of the War Labor Board we used to talk at great length about the manifold problems which would face us when reconversion was upon us. I say that this administration should have planned for that reconversion period long before VJ-day. The labor-management conference should have been held at a much earlier date, and when it was called the Government should not have walked out on it. That is what happened. The Government walked out on the conference.

The Government is a very important party to the labor-relations program which is to prevail during the reconversion. The advice and the negotiating help of Government officials in the determination of policy by that conference were needed throughout the conference. I have talked with members of the conference. Many of them say that one reason the conference failed, among many other reasons, was that the members of the conference did not know what the governmental policy was going to be. The Government ran away from the wage and the price issues. The conference was really called upon to set a labor pattern for a reconversion period which was still a war period, and will continue to be a war period until the danger of inflation is past and the problems of maximum production are solved.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. MORSE. I am glad to yield to the Senator from Connecticut.

Mr. McMAHON. I presume the Senator is speaking about the ill-fated labor-management conference?

Mr. MORSE. That was my last reference.

Mr. McMAHON. I think the Senator will agree that that conference was called for the purpose of seeing if industry and labor could not meet on common ground and recommend a policy. I was not aware that it had been called together to be dictated to by the Government of the United States. It was my conception of it that the Government called a conference of the two parties for the purpose of seeing whether or not they could come forward with a joint declaration of policy which would have been satisfactory to all the people of the country.

Mr. MORSE. I am very much interested in hearing the Senator from Connecticut, as well as the Senator from Illinois [Mr. LUCAS], express great fear of governmental dictation in the field of labor relations, especially when we pause and recognize the part that Government has had to play in the field of industrial relations under the law of national necessity during the entire war. The time for such governmental functioning has not passed, and it cannot pass, as I stated earlier in my remarks, until eco-

nomic laws can work under normal conditions. The Government has a very vital part to play in the reconversion labor policies of this country. What I wish to avoid, if I can help to avoid it, is governmental control of industry. Government seizure and operation of industry must be avoided, but Government cannot permit a general stoppage of production in America because of Government's failure to adopt reconversion policies that permit of production at a fair wage and a fair profit.

But we cannot have a settlement of these disputes, as the Senator from Iowa [Mr. HICKENLOOPER] pointed out a few moments ago, until both labor and industry know what the economic policy of this Government is to be for the next 12 months, or until we reach the point where we can say, "We have whipped the danger of inflation, and we have production so operating that normal competitive factors which are the most desirable means of controlling prices under normal conditions are again at work in our economy."

As I have stated, I believe that labor leaders should be concerned today primarily with real wages, not money wages. Real wages will determine the standard of living of labor. If we continue to try to tie wages to changes in cost of living, that formula will only feed an inflationary spiral. It will not produce increases in real wages.

So I think it is of the utmost importance that industry, labor, and the President, or representatives of the President, sit down and try to reach either an understanding as to what the reconversion wage-price policy shall be or an agreement to submit individual disputes to voluntary arbitration, with the understanding that the decision of the arbitrator will be based upon the evidence submitted to him by labor, by industry, and by Government officials who administer the economic policies of the Government. On the basis of such evidence the arbitrator should render a fair and impartial decision, with the definite understanding in advance that the decision will be accepted by industry, by labor, and by the Government.

I repeat that I think it is necessary that we have decisions today. In the interest of national security and in the interest of the perpetuation of the private property economy, we cannot justify a further continuance of economic civil war. We see about us on the Hill these days the results of the hysteria which will be intensified if this civil war continues. Ill-considered legislation will be proposed day by day, when what we need to solve these particular disputes is not legislation at all but impartial arbitration decisions.

We need fair-minded decisions, rendered by impartial men. I do not agree with Mr. Robertson, chairman of the board of directors of the Westinghouse Co., who testified this morning; nor do I agree with Mr. Charles Wilson, of General Motors. Those men say, in effect, that they do not believe they can get impartial decisions. I say that that is a sad commentary on America. It is an undeserved reflection upon our Government. I do not care who occupies the position of President of the United States. I happen to believe that whoever occupies the position of President of the United States can and will, if called upon, appoint fair-minded men who will render fair judgments in these disputes on the basis of the evidence. I wish the President would urge the parties to adopt such a procedure of their own free will. I do not think we can delay longer. I think notice must be served on industry and labor that they must submit these disputes to judgment. I think the President of the United States should ask them to come forward on a voluntary basis and submit such disputes to judgment.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. McMAHON. Assuming that such a condition comes to pass and that the parties refuse to abide by the judgment or the arbitration award, does the Senator suggest that acceptance be compulsory?

Mr. MORSE. I wish to discuss that point in detail because that question raises the seriousness of the problem. I say to the Senator from Connecticut that this country cannot permit a general strike pattern throughout its economy to develop. I happen to be one of those who believes that a general strike or the effects of a general strike never can be countenanced by our Government. I happen to believe that when we are confronted by a general strike, either on the part of labor or on the part of industry, Government must use whatever force it is necessary to use in order to see to it that the economy of the country proceeds with production. If the leaders of labor or the leaders of industry in this country, either one or both, take the position that they will have an out-and-out civil war in an abnormal reconversion economic period in our history, then I think a serious challenge to the public interest is drawn. In the face of such a challenge I say directly to the Senator, "Yes; then the Government should proceed with whatever force of Government it is necessary to use in order to see to it that innocent millions of American citizens do not have their livelihood jeopardized by such a flouting of the public interest."

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. MORSE. I yield.

Mr. HATCH. Just before the Senator from Oregon was interrupted by the Senator from Connecticut, he said that notice should be served now on the warring factions that the course of action he proposes will be taken. How would that notice be served? What authority would be behind it?

Mr. MORSE. The Senator from New Mexico was not here when I began my remarks. At the beginning of my remarks I indicated that I felt that the President of the United States should exercise that leadership and should exercise it right now. I think the President should go on the radio and tell the American people that the day of judgment has come as far as the economic life of this country is concerned, and that we have to determine now whether we are going to have these disputes settled on a fair and impartial basis or whether we are going to let the forces of labor and the forces of industry paralyze the production of desperately needed goods. Please note that I am pointing out that this is not a struggle between union A and employer B, but this production stoppage situation is fast becoming a pattern of production stoppage in America that will have the effects of a general strike if it goes on much longer.

Mr. HATCH. Mr. President, I was not critical of what the Senator was saying, but I wish to call his attention to the fact that in my opinion, instead of asking the President of the United States to take such a step, the Congress of the United States has the duty and obligation first to enact laws sufficient to give the President or some tribunal the necessary legal authority to serve the notice to which the Senator has so eloquently and ably referred.

Mr. MORSE. I have already stated that in my judgment no laws are necessary in order to settle these disputes. I believe that if labor statesmen and industrial statesmen would be told by their Government that it would sit down with them and present evidence on the basis of which impartial minds could settle the disputes from the standpoint of labor, industry, and Government, there would be no difficulty in obtaining the arbitration agreement which I propose.

I say that frankly, recognizing that Mr. Wilson, Mr. Robertson, and others who have testified before the committee have said they do not favor arbitration because they do not think impartial men would be obtained. I do not think they represent the views of industrial statesmen in America.

Mr. HATCH. Mr. President, I regret that I was otherwise detained, and thus was unable to hear all the Senator's remarks. Consequently I did not hear what he said about Mr. Robertson. But I have heard the same statement made by others. The representatives of industry do not seem to have any confidence that such a result would be obtained. I say that the Congress itself must first provide the necessary machinery.

Mr. MORSE. I do not share the Senator's views, because it seems to me that at this time we must approach the problem of labor legislation from a long-term standpoint, and if we are going to have labor legislation it should be legislation which is not devised to meet the present situation, because I do not think any labor legislation can meet this situation. But I think the President of the United States can meet it by using the prestige of his office to lead these great forces of labor and industry to a common-sense arbitration approach to this problem.

Mr. HATCH. Mr. President, I would not ask the Senator to yield to me again, except for the fact——

Mr. MORSE. I am glad to have the Senator make a statement.

Mr. HATCH. That the Senator made a statement with which I am in such complete accord that I wish to state that more than 2 years ago I favored working out long-term legislation, not with a

view to meeting a particular labor situation, because I have always insisted that such legislation is nearly always bad, but because I still insist that such long-term legislation properly includes measures for a complete long-range pattern, provided for necessary machinery with which to settle these difficulties, as the Senator has indicated.

I do not wish to place all the blame on the President of the United States. He appointed a fact-finding commission, but its findings were rejected; and when the President sought to arrive at a compromise offer, that was rejected. Under existing laws the President does not have the power to do more. All he can do is attempt to proceed with arbitration, but he is powerless if his suggestions are flouted.

When Government speaks, either through the President or through an agency, it should be backed with sufficient power to make its voice effective.

Mr. MORSE. Mr. President, I have two comments to make in reply to what the Senator from New Mexico has said. The first is that at a later time I shall be very glad to discuss with the Senator, in debate on the floor of the Senate, the legislation he proposes. I think he knows that I do not find myself in agreement with him as to the soundness of such legislation.

The second point I wish to make in reply to the comments made by the Senator from New Mexico is that I feel that the President should continue to try to bring these parties to an agreement, at least to an agreement which will accept the judgment of someone whom he will appoint to render a decision on the basis of the evidence submitted by the three parties I have mentioned, namely, labor, industry, and the Government.

It is true that the President has proposed fact-finding procedures, and it is true that fact-finding proposals have not been accepted. I think the Senator from New Mexico knows it is my view that General Motors, regardless of whether it could agree with the rationale of the fact-finding report, should have accepted the monetary results of that report, and I think that steel should have done the same thing. But their reply is—and that is the matter on which I wish them to have their day in court, so to speak—that the amounts allowed by the fact-finding boards or suggested by the President in the steel case cannot be paid, because of certain governmental controls imposed upon them in regard to prices.

I think they are entitled to have that evidence presented to someone who will sit as a judicial officer, so to speak, and I am making a plea for a judicial process, as contrasted with a fact-finding process. The distinction is vital and most important, because in the fact-finding process no one knows just what will be the facts upon which the fact-finding board ultimately will base its recommendations. I think the parties are entitled to know what the arguments of Government officials are, and what evidence Government officials wish to present in regard to a given dispute.

Let me digress further in regard to fact-finding procedures. I wish to point out that sterile facts do not solve labor disputes. Facts in relation to judgments—that is, so-called value judgments—are what decide labor disputes.

Mr. President, allow me to give one or two examples. Suppose a fact-finding board finds that an employer in a given case is paying wages as low as are being paid by any other employer in the community. The typical conclusion of the ordinary person would be that he should not be required to pay any higher wage. That does not follow at all. It may follow. That may be the judgment of a judicial mind on the record taken as a whole. But that is not conclusive. We know that the struggle, the essence of the American labor movement—and why not be perfectly frank about it? The essence of the free labor movement lies in that great struggle of free men ever to improve their standard of living in an economy of private property, whereby they may enjoy a greater and greater share of the products of their labor. That, in my judgment, is the essence of the labor movement. That is a great challenge to private industry to ever improve its powers of production. To improve its efficiency, its technology, and its production methods, so that it can give free men a steadily improved standard of living and at the same time make a decent profit. As I see it, that is the sum and substance of the so-called free enterprise system. It is a great system.

Mr. President, I try to be honest in these matters. I happen to be one who says to employers, "Quit kidding yourselves." If our American free-education system continues to spread enlightenment among all our people, it automatically follows that over the decades private industry will receive less of a profit than it receives when men are not well organized and well informed and when the wishes of consumers are not as fully developed as they will be developed as we move along in our economy to a better and better standard of living. In my labor philosophy, that theory happens to be very basic. I assert that the private-property economy will never survive in the future unless it is able to adjust itself to that constant challenge of raising, through improved efficiency of the private-property economy, the standard of living of all our people.

Mr. President, what greater purpose can a private-property economy perform for man? I think that is the challenge which industrial statesmen in this country are trying to meet and they welcome it.

But, to return to the main thesis of my statement, I assert that these disputes cannot be decided by fact-finding boards.

They must be decided by the exercise of judgment rendered by fair-minded men. This country wants a decision on the subject of steel, and on the subject of General Motors and all of the rest of the disputes. I assert that the parties involved should recognize that they must submit voluntarily to impartial judgments on the merits of these disputes. They should see that no ultimate good can be gained by continuing this knock-down, drag-out fight which is now taking place between labor and industry.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CAPEHART. I think the able Senator from Oregon has stated the case for the American private-enterprise system quite clearly. I was well pleased with his statement.

My observation is that he has stated exactly what has happened in America for 150 years. Private industry has been increasing the standard of living of all its people, including labor. I well remember when, years ago, labor was receiving half what it is receiving today. My observation is that wages have steadily increased. I think that the private-enterprise system has been a success. I believe that it will continue to be a success.

I do not agree with the able Senator from Oregon that the President of the United States should settle labor disputes. I do not think that it is within his province to settle them. I question very much if he has the law behind him, other than the war power authority which was given him, to settle such disputes. In my opinion, Mr. President, if anyone has failed, we in Congress have failed in that we have failed to demand the enactment of labor laws which would have prevented some of the strikes which are now taking place.

As I have already stated, I do not believe it is the duty or responsibility of the President of the United States to settle strikes, or any other problems existing between private enterprise and labor. I do not know why the President of the United States should be called upon to settle a strike or a dispute between a labor organization and a private enterprise, any more than he should be called upon to decide or to settle a lawsuit between two persons. I repeat that, in my opinion, if anyone has failed in this crisis it has been the Congress, and not the President of the United States. I believe that as soon as the Congress passes a few proper laws the entire matter will be cleared up. I have reference to the OPA and its attitude toward prices. I refer also to a couple of things which I think should be done in respect to labor. In my opinion the union should be held responsible for its contracts, just as all individual and corporations should be held responsible for the contracts entered into by them. I cannot see how any fair or honest man could object. Frankly, that is about as far as I am willing to go in connection with labor legislation. I cannot agree that the President of the United States should spend his time trying to settle labor disputes. We in the Congress should enact laws by which that can be done, and the labor organizations and private industry should live up to those laws, and do so without requiring any interference on the part of the President of the United States.

Mr. MORSE. Mr. President, I thank the Senator from Indiana for the remarks which he has made. I have two points which I wish to make in regard to what he has said, and then I shall yield to the Senator from Michigan [Mr. FERGUSON], and then to the Senator from New Mexico [Mr. HATCH].

As I have said, Mr. President, I find myself in complete agreement with the observation of the Senator from Indiana with regard to the private-property economy. I say to labor and to industry that I know of no economy which could be possible in a democracy except a private-property economy without losing our political democracy. I think that they are so connected that they cannot be separated. If we were to do away with our private-property economy we would have to substitute some form of statism, or some form of state economy. Then our political democracy would be at an end. That is another reason why I say to labor and industry that in my judgment they should not risk the continuance of the present break-down in production. They should not risk the future of their own economic interests by resorting to economic civil war at a time when the country is faced with inflation and a great scarcity of goods.

As to the second point which was made by the Senator from Indiana, it is not my suggestion that the President of the United States should settle disputes but, instead, that he should use the prestige of his great office and say to the leaders of industry and labor, "It is time for you to submit your differences to a judgment. I am willing to offer my good offices in order to make available to you the judicial process of impartial minds being brought to bear upon evidence which Government, industry, and labor will submit as to the merits of these disputes. It shall be understood that all parties will proceed with production upon the basis of such decisions."

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. FERGUSON. Mr. President, the citizens of my State are greatly interested in and concerned with this great question involving labor and management, because my State is an important one from the standpoint of industrial production. I am a great believer in the judicial process, for by it disputes can be settled by men who are not prejudiced or biased. I am greatly concerned with the question, for example, of the United States Steel Corp. The question concerning that organization is entirely different from the one concerning the General Motors Corp. In the case of the General Motors Corp., only one company is involved, whereas in the case of the United States Steel Corp., and in the steel industry generally, there are involved many separate companies. There is also involved in that situation the question of monopoly, as to whether or not arbitration or the judicial process can be applied to one company with one man at its head such as, for example, Mr. Fairless, or whether judicial process must be exercised in the interest of the future of America with relation to monopoly. I should like to have the Senator's opinion on that point.

Mr. MORSE. Mr. President, it is a very good point. Let us assume that the distinguished Senator from Michigan, able judge that he is, were assigned the task of arbitrating, on the basis of the evidence to be presented, the dispute concerning steel. I take it for granted that the arbitrator would want to have made available to him for his judgment the evidence which would be presented by labor, the Government, and by all the steel companies concerned. Of course, steel is the real crux of this whole problem. Once we can agree on price policies, it will not be difficult for a fair judgment to be rendered on the basis of the evidence that would be submitted in steel.

Mr. President, I am about to close.

Mr. HATCH. I apologize to the Senator. I wish to say that I am very glad the Senator has brought this subject up. I am sorry it is so late in the afternoon. I should like to see the discussion continue. I should like to see a full membership of the Senate present, and Senators express their views upon this most critical situation.

Again referring to the measure pending before the Senate Committee on Education and Labor, which the Senator introduced, what I wanted to say was that I think the Senator has made as able an argument for the legislation as I have heard. In fact, everything he has expressed here today is included within the bill.

Certainly, the distinction he makes between fact-finding commissions and voluntary arbitration is recognized in the main. I agree with the Senator as to fact-finding commissions in their field being altogether different from arbitration. Certainly, I should like very much to see the differences now existing submitted, as he has suggested, to voluntary arbitration, with each party agreeing to accept the award of the arbitrators. Frankly, I do not know how that can be done at this stage of the proceedings without legislation, and I am not urging that a bill be passed now or that one be passed exactly as the Senator's bill was written. I want it improved and perfected, made good. I want good legislation, and I think it is needed.

The Senator will recall that in the hearings before the committee, when Mr. Reuther was testifying on the GM strike, he mentioned the fact that the workers had submitted an agreement for voluntary arbitration to management, and management had rejected it. He did not go into the details, and I do not intend to do so this afternoon, but this significant question was asked him by the Senator from Pennsylvania [Mr. GUFFEY]: "Would you now be willing to arbitrate?"

His flat reply was, "No. They had their chance and they refused it."

I do not know how to meet such a situation as that. That is why I join with the Senator now as he is making public the invitation to these parties to arbitrate. I hope the statement of the Senator will be effective. I am sure the President would be only too glad to appoint a fair and impartial board, if the parties would agree in advance to submit all their facts to arbitration, and not only be bound by the decision of the board, but that the decision would be made upon the evidence submitted. I think that is a good point. Again, I thank the Senator for bringing this matter up.

Mr. MORSE. I thank the Senator for his remarks. I have no illusions about any invitation I might extend to the parties, because I have already extended such an invitation, as the Senator knows, in the committee hearings. However, I have great confidence that if the President of the United States should make clear to these parties—and I think it should be made clear to them—that they are under the same patriotic compulsions and obligations that existed in the midst of the war, and that they should proceed with this process of settlement for patriotic reasons, if for none other—I say I think that if the President would make that plea, we would know for a certainty whether the parties want to act in good faith or bad faith, so far as the public interest is concerned. They just cannot answer the fact that a continuation of this paralyzing national strike pattern by both industry and labor is likely to endanger the very stability of our economic system. Hence it is not flag waving to call upon them in the national interest to submit their differences to decision as I suggest.

Mr. HATCH. I thought that when the Senator submitted his offer of compromise, they had refused. Now shall the President of the United States again, representing the dignity of this Government, because the President speaks for the people of America in a matter of this kind, submit again this country to the whims and will of warring parties, and let them reject once more a plea from the President? Suppose it were rejected, then what would happen?

Mr. MORSE. I shall come to that in a moment; but let us take the first part of the question.

I think it makes quite a difference whether the parties are asked to do something without having had an opportunity to present their full evidence on the basis of agreed-upon judicial procedures for determination of the question. My proposal for arbitration under the leadership of the President, is far different from the procedures the President has followed to date. I would like to see it tried. I think the country would, too.

Do not misunderstand me. I think the President has tried to be exceedingly fair with these parties, and I assert that I think the President is trying to avoid—and I think up until now he has been right in trying to avoid—imposing compulsion upon the parties. But I think he is almost at the point of having to say to these parties, "Unless you will voluntarily agree to a judicial process for the settlement of these disputes, then the Government cannot longer permit paralysis of our economy to continue."

Mr. HATCH. What is he going to do if it reaches that point?

Mr. MORSE. That is the second part of the Senator's question, and I am coming to that. Let us put it right on top of the table.

Let us assume that for the next 90-day period—in fact, the testimony of one witness was that they could continue for 9 weeks or longer to fight this matter out——

Mr. HATCH. There was not any question on the part of the witnesses. They were very positive.

Mr. MORSE. That it could go on for 9 weeks?

Mr. HATCH. Yes.

Mr. MORSE. That is right. I say that not only the economic welfare of this country cannot permit any such long civil war between industry and labor, but I say that our very national security itself cannot permit it. I think both labor and industry will stage a Samson act within the temple of our private property economy if they take the attitude that for a long period of time they should be allowed to continue to avoid judgment by impartial men in the settlement of these disputes.

Mr. HATCH. That is the question. Suppose they do.

Mr. MORSE. If they take that position, and insist upon staging what amounts to a general strike in this country, then the Government will have to do everything it can to keep the wheels of production going.

Mr. HATCH. Again, what is that? What can the Government do?

Mr. MORSE. There are many things the Government can do. Let us take the case of steel. Under those circumstances, it will have to take over the steel industry, with all the inefficiencies and the dangers that will involve. We must have steel to maintain our American economy. It is basic to our great manufacturing system.

Mr. HATCH. That would mean seizing the plants.

Mr. MORSE. Of course.

Mr. HATCH. And operation of private property.

Mr. MORSE. Of course it will mean that.

Mr. HATCH. Would it not be far better to have a law, under the circumstances, requiring compulsory arbitration?

Mr. MORSE. But then you have the same question to answer. Suppose there were such a law, and 300,000 steelworkers said, "So what?" Or suppose 90,000 packing-house workers said, "So what?" It cannot be done by compulsion, and I am not pleading for compulsion. I am pleading for the President of the United States to try to make clear to these parties what a critical period it is we are living in, and how wrong it is for them to indulge in this economic civil war. Legislation will not solve it but good faith conduct of the parties will.

Mr. HATCH. I fail to follow the Senator, because in one breath he asks for compulsion and says that in the final analysis compulsion is the only remedy, but on the other hand he says we cannot have a law to enforce compulsion.

Mr. MORSE. But we do not need a law to apply the law of national necessity in case of a general strike. We do not need a law for that. If we reach the point where they would not agree to the President's invitation to indulge in voluntary arbitration, and we found ourselves confronted with a condition of a general strike throughout this country, we could apply the law of national necessity. It exists. It is there. No additional law is needed to apply it. I do not think it will ever have to be applied if the administration makes clear that it will cooperate in such a program as I have outlined.

Mr. HATCH. Mr. President, I wish we had time to continue this discussion. I should like to discuss the law of national necessity, a law with which I am not familiar. Power can be exercised only under the Constitution and the laws of the land. There is no law of national necessity under which power can be exercised. Rather than leave such grave problems in the hands of the Executive, no matter who the Executive may be, to be dealt with under some over-all law, which has never been known to exist, my thought is that the Congress itself must write the law according to the Constitution.

Mr. MORSE. I shall be very glad to discuss that.

Mr. CHAVEZ. Mr. President——

Mr. MORSE. I will say to the Senator from New Mexico that I am almost through. I shall be very glad to discuss the matter of voluntary action versus Government compulsion at a later date. I fear Government compulsion and I plead for common sense voluutary action.

Mr. CHAVEZ. I am glad to know that the Senator from Oregon is almost through because some of the opponents of the bill are becoming impatient and they are about to sign a petition for cloture.

Mr. MORSE. I wish they would. It would be a good precedent. Mr. President, I wish to summarize by saying that I think it is very unfortunate for the Senate of the United States to take a recess until Monday noon because there are so many very vital subjects which I think ought to be fully discussed by the Senate in an attempt to determine what our national policy on these issues should be.

I think I should like to close by pointing out that after listening to the witnesses before the Senate Committee on Education and Labor I take note of the fact that back in the defense days, Mr. President, we talked about taking the profit out of war, and yet when you get into these labor cases, when you start analyzing some of the motivations behind them, you come right up against the stark fact that we did not take the profit out of war. This country today is bulging with blood money. We took the profit out of war for some. Most of those are under white crosses. Some are trying to rehabilitate themselves to a peacetime economy in a disabled condition. We did not take the profit out of war when we followed certain tax policies in this country.

So I close, Mr. President, by saying that I think there is an obligation of this Congress to proceed to consider some of these economic problems, which must be resolved if we are to have a sound reconversion program. We should not hesitate to spend long hours here on the floor of the Senate in an endeavor to work out solutions to some of these problems.

For example, a resolution about to be introduced deserves, in my judgment, the very careful consideration of Congress. Congress should carefully consider whether or not we are faced today with a strike, by labor and by industry, which amounts to a general strike. We should find out if our Government policy is so vacillating that men in labor and men in industry who wish to act in good faith are at a loss to know what policy they can follow in negotiating wage adjustments.

Mr. WHERRY. Mr. President, in view of the remarks which have just been made by the distinguished Senator from Oregon, and by other Senators who took part in the debate, I think it should be said that there are those of us who are just as highly interested in interrelated factors which enter into maximum production as we are in the question of labor. I had hoped that the Senator would discuss some of those factors in connection with his address made today. Hearings which have been had almost daily in the Small Business Committee convince me that many of our labor problems would be settled if we had a realistic, flexible price program. That is something which is confronting not only the administration but the Congress.

Yesterday I brought an illustration of what I am now speaking of before the Senate. That was the case of the Ford Motor Co. It is one thing to grant an increase in wages in order to solve labor situations, but it is another thing to provide that one who is responsible for production also be made responsible for prices. So I hope that in the further consideration of this subject, when it is discussed on the floor of the Senate next Monday, if there shall be such discussion, there shall also be considered the question whether the one who is responsible for production shall also be responsible for the fixing of prices. If that is done we will have a realistic price program which will provide a profit in industry sufficient in many cases to permit an increase in wages. I think such a policy would result in settling many of the labor troubles which now confront us; but we do not need labor legislation to settle many of these troubles.

AID TO GERMAN NATIONALS IN THE AMERICAN-OCCUPIED ZONE—CORRECTION

Mr. CHAVEZ. Mr. President——

Mr. WHERRY. Mr. President, if the Senator from New Mexico will bear with me, I wish to correct a statement I made in the RECORD. During a speech I made in the Senate on January 29, I made the following statement which is to be found on page 514 of the CONGRESSIONAL RECORD:

> The only concession that this administration has made to the American people on this issue—
>
> That is the question of giving aid to German nationals in the zone in Germany occupied by us—
>
> was announced in an Associated Press dispatch January 27 in the New York Herald Tribune. According to this dispatch, the administration has given permission to the American council of voluntary agencies to send relief to "special categories" of German

civilians. According to the dispatch, Lt. Gen. Lucius D. Clay, commanding the American military government, authorized the American council to ship medical and sanitary supplies, soap, cod liver oil, and infants' food. The shipment of clothing is now permitted for the aged, the young children, pregnant women, nursing mothers, and the ill.

Mr. President, I called the secretary of the President's War Relief Control Board in Washington to check on whether or not that order had been placed in effect, and he told me it had not been; that it was merely a suggested plan. So the correction I want to make is that there is no relief of any kind, medical or otherwise, being given to any of the German nationals in the American-occupied zone in Germany at this time.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

Rear Adm. Earle W. Mills, United States Navy, to be a vice admiral in the Navy, for temporary service, effective from the 31st day of December 1945;

Vice Adm. Patrick N. L. Bellinger, United States Navy, to be a vice admiral in the Navy, for temporary service, to rank from the 5th day of October 1943;

Maj. Gen. (temporary) Raymond R. Wright, the Paymaster General of the Marine Corps, to be the Paymaster General of the Marine Corps for a period of 4 years from the 1st day of February 1946;

Lt. Frank L. Lawlor, A (3), United States Naval Reserve, to be a lieutenant in the Navy;

Ensign Ralph G. Leedy, United States Navy, to be an assistant paymaster in the Navy with the rank of ensign; and

Sundry officers to be assistant surgeons in the Navy with the rank of lieutenant (junior grade).

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

RECESS TO MONDAY

Mr. CHAVEZ. I move that the Senate now take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 6 o'clock and 18 minutes p. m.) the Senate took a recess until Monday, February 4, 1946, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 1 (legislative day of January 18), 1946:

DIPLOMATIC AND FOREIGN SERVICE

Raphael O'Hara Lanier, of Texas, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Liberia.

COLLECTOR OF CUSTOMS

John O'Keefe, of Pembina, N. Dak., to be collector of customs for customs collection district No. 34, with headquarters at Pembina, N. Dak. (Reappointment.)

HOUSE OF REPRESENTATIVES

FRIDAY, FEBRUARY 1, 1946

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord most holy, O Lord most mighty, as Thou dost call us to worship, let us come in that accordant ministry of the mind which is the noble product of our holy faith. We would not live by intellect alone lest we miss the true meaning of life. While knowledge grows, we pray that more of reverence may in us dwell—reverence for home, for authority, for Thy church universal.

Thou lover of concord, bring peace to our whole country; let it penetrate the clouds of controversy and touch and brighten every industry. Expand and enrich our national ideals; direct our people in the solution of its unsolved problems and dispel all earth-born clouds. There is no wrong that cannot be righted and no strife that cannot be solved by free obedience to our Christian principles. May we so put our trust in Thy guidance that old hurts will be relieved, anxious forebodings will be dispelled, and self-assurance will be merged with the divine will, and Thine shall be the praise. In our Saviour's name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. HARLESS of Arizona asked and was given permission to extend his remarks in the RECORD and include two letters, one from the American Legion and the other from a soldier in the Philippines.

Mr. SAVAGE asked and was given permission to extend his remarks in the RECORD and include an editorial from the Boston Globe.

THE LATE JOHN HADEN WILSON

Mr GRAHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GRAHAM. Mr. Speaker, it is my sad duty to announce to the House the death of a former Member, Hon. John Haden Wilson, a Member of the Sixty-sixth Congress who served in this body from March 4, 1919, to March 3, 1921, representing the then Twenty-sixth Pennsylvania District composed of the counties of Westmoreland and Butler.

Judge Wilson was born in Nashville, Tenn., on August 30, 1867.

At an early date his parents moved to Harmony, Butler County, Pa., and he graduated from Grove City College in 1891.

He leaves to survive him two sons and also two sisters and one brother.

In 1936 Grove City College conferred upon him the honorary degree of doctor of laws.

At one time he was a member of Company E of the Fifteenth Regiment, Pennsylvania National Guard, and participated with that company in the famous Homestead strike of 1892.

Upon retiring from Congress, Judge Wilson was elected to the court of common pleas of Butler County for a term of 10 years, and he filled this important office with dignity and capability. He was a splendid lawyer, having specialized in municipal and borough law.

He had served as a trustee of Slippery Rock State Teachers College and one term as president of the Pennsylvania State Bar Association.

He was always active in politics and was a delegate to the Democratic National Convention in 1916 at which Woodrow Wilson was nominated and again in 1932 when Franklin Delano Roosevelt was first nominated and also at his second nomination in 1936 and again in 1940.

Judge Wilson was a member of the First Presbyterian Church of Butler.

He was a splendid citizen, active in the affairs of his community, a forceful character and a man of great ability, a man of the highest integrity. He was respected by all and in his passing, our district, the great Commonwealth of Pennsylvania, and the Nation at large have lost a wise, a useful, and an upstanding citizen.

VETERANS' ADMINISTRATION

Mr. FULTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[Mr. FULTON addressed the House. His remarks appear in the Appendix.]

ANSWERING ATTACK ON THE VETERANS' ADMINISTRATION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix.]

BEN TOLAND

Mr. ADAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the RECORD and include an article on Ben Toland, of Concord, N. H.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

[Mr. ADAMS addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. FULTON. Mr. Speaker, I ask unanimous consent to include the letter of which I spoke in connection with my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks just made and include General Bradley's answer.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MASON. Mr. Speaker, I ask unanimous consent that in the remarks I shall make in Committee of the Whole this afternoon I may be permitted to insert a short editorial from the Saturday Evening Post on Caesar Petrillo.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HAND asked and was given permission to extend his remarks in the RECORD and include a letter from the Surgeon General.

RELIEF FOR THE STARVING PEOPLE IN EUROPE

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

[Mr. VURSELL addressed the House. His remarks appear in the Appendix.]

VETERANS' AFFAIRS

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. ANDERSON of California addressed the House. His remarks appear in the Appendix.]

Mr. HARLESS of Arizona. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended one additional minute.

The SPEAKER. The Chair does not, under the custom of limited 1-minute speeches allow extensions.

EXTENSION OF REMARKS

Mr. MERROW asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein two editorials from the Washington Post entitled "Mr. Roosevelt's Lapse" and "Halter at Yalta."

Mr. BUNKER (at the request of Mr. HARLESS of Arizona) was given permission to extend his remarks in the Appendix and include therein a letter.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD a number of times:

First. In reference to a statement made by Justin R. Querbes, president of the Red River Valley Improvement Association, on the development of the Red River Valley.

Second. To include a statement by John D. Ewing, editor and publisher of the Shreveport (La.) Times, on the subject of Red River navigation and development.

Third. To include a statement by S. S. Caldwell, mayor of Shreveport, entitled "The Red River Valley."

Fourth. A statement by Walter B. Jacobs, president of the First National Bank, Shreveport, La., entitled "A Lateral Canal for Red River Valley."

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

OVERLOADED VETERANS' ADMINISTRATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have great admiration for General Bradley. I think he and General Hawley are trying to do a very fine piece of work. It is true they are very short of personnel. In the Boston regional office alone they are short and are very slow in starting the branch office. Although hundreds of veterans are on the waiting list to be taken into the Veterans' Administration office, few persons are being employed. It looks to me, Mr. Speaker, as though there are persons in the old Veterans' Administration group and civil service who are not cooperative and who are holding up the appointments of these men. It is absolutely true that these appointments are being held up. There are many veterans who are qualified to serve in the Veterans' Administration today.

I know in the Boston area there are men who have been in job-placement training for months who have not received a single pay check. That is absolutely true, and very distressing; and I am wondering, Mr. Speaker, if General Bradley cannot borrow from some other department personnel in order to get those pay checks out. That should be done by Executive order if by no other way. I have maintained for months that the Veterans' Administration should have a departmental status and the head of the Veterans' Department should have Cabinet status. Cabinet members have much less difficulty in securing personnel than commissions or bureaus. During the war the Veterans' Administration had no imagination or vision or plans to meet the veterans' load of World War II. They were not meeting the load of World War I veterans. I warned the Congress and the President of this situation repeatedly. General Bradley inherited a great backlog of unadjusted claims, shortage of beds in hospitals, and inadequate office space. My predictions are only too true. Presidential Executive order can speed up all services for veterans.

The SPEAKER. The time of the gentlewoman from Massachusetts has expired.

STELLE'S CHARGES AGAINST THE VETERANS' ADMINISTRATION

Mr. HARLESS of Arizona. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. HARLESS of Arizona. Mr. Speaker, I inserted in the Appendix of the RECORD today a letter from Mr. John D. Stelle, commander of the American Legion.

I do not know what is the trouble in the Veterans' Administration, but I do know there is something wrong; I know there are many people, returning veterans, applying for positions with the American Legion, and they are not being given jobs. I know that last August it was pointed out to the Veterans' Administration that there were thousands of returning veterans going to Arizona, for respiratory and other ailments, who could not be given hospitalization. We know that something should be done to enlarge the hospital facilities there to take care of them; yet notwithstanding the passage of 6 months, to this date nothing has been done to enlarge the hospital facilities in that State. A commission was sent to Arizona to select a site for a hospital but time passes and nothing happens. I know General Bradley must be working hard on it, but something is wrong in the Veterans' Administration. Is it lack of sufficient money or is it failure in the administration?

The SPEAKER. The time of the gentleman from Arizona has expired.

JOHN STELLE, NATIONAL COMMANDER OF THE AMERICAN LEGION

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I have heard the statement of the gentleman from Pennsylvania [Mr. FULTON] and the charges he has made as to delays by the Veterans' Administration under General Bradley in handling veterans' affairs. I have heard also the statement made by the gentleman from Mississippi [Mr. RANKIN]. I am not in a position to deny or verify the statement by the gentleman from Pennsylvania [Mr. FULTON] or the charges made therein. I know of the splendid record of General Bradley prior to his assignment to the Veterans' Administration a short time ago; and that gives me faith that he is doing everything possible to eliminate delays and to prevent there being any just grounds for the complaints that come to us.

However, I am in an excellent position to say that it is manifestly unfair on the part of the gentleman from Mississippi [Mr. RANKIN] to say that the statements made by Mr. John Stelle, national commander of the American Legion, are not true.

I have known John Stelle for many, many years. Of my own knowledge, I know him to be an honorable, honest, and sincere gentleman, an outstanding businessman, and a foremost citizen of the great State of Illinois, where he made a splendid public record which met with the approval of the people of our State. He was Lieutenant Governor of Illinois, and also served as Governor. I feel that he must have the confidence of all veterans; otherwise those who are

members of the American Legion would never have elected him, as they did, to the high position he now holds as national commander of this great patriotic organization.

Mr. Speaker, I have not seen the release nor the letter in which, it is claimed, Mr. Stelle criticizes General Bradley and the Veterans' Administration; but I am satisfied that the national commander has received and has in his possession many complaints similar to those which have come to most of us. Our own correspondents complain of delays in acknowledgment of letters; in the processing of claims; in the treatment of veterans in some of the hospitals. I have faith that John Stelle is too fair-minded and too careful of his facts to make loose charges unless he has sure grounds for his statements.

I wonder if the gentleman from Mississippi [Mr. RANKIN] made any investigation before he charged here on this floor that Mr. Stelle's statement was untrue. I wonder if the gentleman will maintain that any criticism is necessarily false. Gentlemen here will recall times when the gentleman from Mississippi [Mr. RANKIN] has criticized many things and many persons. That, of course, is the gentleman's privilege. Will he deny that privilege to the American Legion? It seems to me that the gentleman exhibits greater sympathy for the Veterans' Administration than for the veterans themselves. It seems to me that in his anxiety to defend the Veterans' Administration the gentleman has been most unfair, and has cast unwarranted aspersions against the integrity of the chosen spokesman of the greatest of all veterans' organizations, and a spokesman, mind you, chosen by democratic processes in a great convention in my own city of Chicago just a few months ago, when 6,000 delegates representing nearly 2,000,000 veterans of both World Wars roared their unanimous approval of John Stelle, of Illinois.

Now, I am informed that the figures given in Mr. Stelle's letter, and in the American Legion news release, have been taken from the records of the Veterans' Administration itself. I have just been handed an excerpt from the release bearing on these figures, which I quote:

"There are," Stelle asserted, "more than 7,000 applications for hospitalization awaiting process. In addition, there are 102,830 unprocessed applications for education and training under the GI bill; 20,411 pending claims for waivers of insurance premiums; 18,847 undisposed-of death claims; and 287,000 unanswered letters."

In consequence of that quotation, I reiterate, Mr. Speaker, the harsh statement of the gentleman from Mississippi [Mr. RANKIN], with its implication that the national commander of the American Legion has not stated the truth, is unfair and unjustified. It is not only resented by me; it will be resented by members of the American Legion and by members of other veterans' organizations; by veterans everywhere, regardless of their affiliation; by our brave men still serving their country in the armed forces; and by parents and wives and children of veterans who look to the American Legion, always, to be in the vanguard to protect the rights and privileges of those who risked everything to serve our country in her hour of peril.

It is pertinent to the discussion, Mr. Speaker, to draw the attention of Members to a brief story from the New York Times which shows that President Truman overruled the Veterans' Administration on the proposal that veterans' hospitals be restricted to service-disabled cases. Does this not show that the President is in deep sympathy with the plight of sick and injured veterans—more so, perhaps, than the gentleman from Mississippi? Does it not show that, by implication at least, the President supports the charges of the American Legion? I now insert the news story from the Times at this point as a part of my remarks:

HOSPITAL KEPT OPEN TO ALL VETERANS

WASHINGTON, January 31.—President Truman has rejected a Veterans' Administration suggestion that hospital admissions be restricted to service-disabled cases. The hospitals will continue to accept all veterans for treatment of ailments within the limits of bed capacity.

One Veterans' Administration official asserted this might mean a guaranty of free life hospitalization for 20,000,000 veterans. Other officials said the effect of the Presidential decree was to free more bed space in veterans' hospitals for non-service-connected cases which by law are to be hospitalized only when bed space is available.

The restriction was suggested by the Veterans' Administrator, Gen. Omar N. Bradley, as a temporary expedient to relieve overcrowding. The patient load of 90,000 is now more than two-thirds non-service-connected.

According to the Veterans' Administration, the so-called pauper's oath, required of non-service-connected cases, has become a fiction. The Administration cannot go behind the veterans' statement of inability to pay.

Implementing the open-door policy, the Administration announced that an agreement has been reached with the Michigan Hospital Association to put service-connected Michigan cases in private hospitals.

The SPEAKER. The time of the gentleman from Illinois has expired.

EXTENSION OF REMARKS

Mr. JUDD asked and was given permission to extend his remarks in the RECORD in four instances and include excerpts.

Mr. LATHAM (at the request of Mr. MARTIN of Massachusetts) was given permission to extend his remarks in the RECORD.

APPOINTMENT OF FACT-FINDING BOARDS TO INVESTIGATE LABOR DISPUTES

Mr. RANDOLPH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 4908), to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 4908, with Mr. O'NEAL in the chair.

The Clerk read the title of the bill.

Mr. LANDIS. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MASON].

OUR PRESENT-DAY LABOR MESS

Mr. MASON. Mr. Chairman, the people are disturbed, worried, resentful. Congressional mail during January was three times as great as it was in December. This 300-percent increase in congressional mail in 1 month reflects the disturbed condition of the people back home. It means a heavy burden of correspondence for every Congressman at a time when his legislative burden is back-breaking. A majority of the letters express impatience, dissatisfaction, and discontent. They reflect the common plea, "Why does not Congress do something about it?" Under our system of government very little can be done in a legislative way when the majority of the Congress are not in sympathy with the program of the President. There is only one remedy for such a situation, either change the majority of the Congress or change the administration. Which shall it be? This is election year.

WHO IS TO BLAME?

Mr. Chairman, the present administration has been in power 13 years. During that time it has had a real working majority in both branches of the Congress. It had the votes to pass any labor legislation it desired at any time during the past 13 years. The present Nation-wide epidemic of strikes that have slowed down reconversion and today threaten to block production entirely, is the result of the do-nothing policy of the administration toward solving our labor troubles. The administration for the past 12 years has traded patronage and favors to the CIO leaders for their political support, thereby sowing the wind that has now developed into a whirlwind of strikes. For 12 years the administration has been in a political partnership with Philip Murray and Sidney Hillman. These two CIO leaders, through the PAC-CIO organizations, helped to reelect the present administration three times in succession. In fact, during the last Democratic National Convention everything had to be cleared with Sidney—even the selection of Senator Truman as a running mate for President Roosevelt. Sidney Hillman claims the credit for the reelection of Roosevelt in 1944, thereby placing Vice President Truman in the White House. Is it any wonder that during the past 12 years there has not been one serious effort by the administration to pass legislation that would definitely define and protect the rights of capital, labor, and the public? Every act of the administration today concerning labor must still be cleared with Sidney.

The House of Representatives in 1940, in 1941, and again in 1943 passed labor legislation that would have prevented much of our labor troubles today; but, because the administration was opposed to those bills, they died in the Senate. We are having too much government by men rather than government by law in dealing with disputes between capital and labor. The President has made his own rules and regulations for handling labor disputes under the War Powers Act, and those rules and regulations have not always been in the interests of the general public. The Congress, however, made this possible when it passed the War

Powers Act, so the Congress cannot escape its share of the blame. Now that the war is over, the sooner the Congress passes legislation to correct this situation the better it will be for all parties concerned—capital, labor, and the public.

PRESIDENT TRUMAN'S DILEMMA

Mr. Chairman, President Truman in a radio address on the evening of January 3, 1946, asked the American people to join with Sidney Hillman's PAC in bringing pressure upon Congress to enact Mr. Truman's program of legislation. The President represented his program as a Democratic Party program. Obviously it is no such thing. The program advanced by the President over the radio on January 3, and repeated in his message to the Congress on January 21, with the sole exceptions of his fact-finding boards and his universal military training program, is the program of the PAC-CIO. A substantial majority of the elected representatives of the people in the Congress refuse to go along with the President in what he has been pleased to present as his party program. If the majority of the Congress represent the attitude of the majority of their constituents—and they are supposed to do that—then a majority of the American people do not favor Mr. Truman's socialistic program. This supposition is borne out by the failure of the American people to respond to his appeal to bring pressure upon the Congress. The situation places the President in somewhat of a dilemma. What is the next move? Who should make it—the President, the Congress, or the American people?

LABOR'S WORST ENEMIES

Mr. Chairman, Communist leaders in the CIO—in the speaker's opinion—have deliberately launched a campaign to destroy the standing of legitimate labor groups and wipe out all of the hard-earned gains labor has made during the past 20 years. At least, if that is their objective, they are going at the job in exactly the right way. They have already destroyed much of the public good will that was carefully built up by such labor leaders as John Mitchell, Sam Gompers, John Walker, Vic Olander, and William Green. The loss of this public good will is a severe body blow to all organized labor groups. It has occurred because regular rank-and-file members have permitted radical Communist leaders to get a strangle hold upon their organizations, to pull jurisdictional strikes, to initiate wildcat strikes, and to violate signed contracts. This has brought about chaos on the labor front and has resulted in the loss of public good will.

In Congress we have Members with long records as friends of labor, records that go back in some cases 20 and 30 years, who now find themselves labeled "enemies of labor"—by the CIO and its PAC affiliate—because they dared to vote contrary to the wishes of the CIO on such measures as Bretton Woods, reciprocal trade agreements, the Dies committee, the confirmation of Henry Wallace and Aubrey Williams, tax relief for small corporations, and the administration's plan for price control, none of which were labor bills.

To be specific, the CIO-UAW has issued a booklet giving the labor record of every Member of Congress, using as a yardstick 15 separate congressional roll calls, only one of which had anything to do with labor. According to the CIO's arbitrary standard for measuring a Member's friendship for labor, most of the real friends of labor in the Congress find themselves with zero labor records as judged by the CIO's standards. However, these same Members still rate high as friends of labor from the standpoint of the A. F. of L. and the railroad brotherhoods. Naturally, these Members resent the CIO's method of grading or measuring, and do not feel very kindly toward that organization, although they realize that 95 percent of the CIO membership are patriotic Americans who do not agree with the communistic objectives of their leaders. The radical communistic leaders of the CIO are labor's worst enemies.

Mr. Chairman, under unanimous consent already granted, I include as part of these remarks a pertinent editorial from the Saturday Evening Post, January 26, 1946, on the thought-provoking subject Don't Blame Petrillo; He's Been Sanctified:

DON'T BLAME PETRILLO; HE'S BEEN SANCTIFIED

Columns and columns of diatribes have been directed at the portly figure of James Caesar Petrillo, whose latest ukase, as head of the American Federation of Musicians, forbade American radio listeners to hear musical programs from foreign countries. Petrillo, conceding that during the war it was a good idea to let in some foreign music in the interest of "good will and good relationships with other countries," insisted that we "should get back to normal as rapidly as possible"—normal to him meaning the rationing of music to the American public in the interest of a powerful and firmly entrenched labor union.

As remarked above, a lot of energy has been expended on abuse of Petrillo. This is wasted effort because Petrillo's only offense is to profit by the cowardice, poltroonery, and flabby brain work of politicians and judges, from executive labor boards, through Congress to the United States Supreme Court. He has made a profitable career out of making the American people look like 130,000,000 fatheads. He operates on the principle that the proprietor of a radio station or a restaurant who plays phonograph records for public hearing is under obligation to pay off certain live musicians who might be flogging fiddles for hire if mechanical devices had not displaced them. On this principle the trains ought to carry stand-in mule drivers in memory of the Erie Canal.

But is there any important dissent from this absurd and stultifying doctrine? Far from it. The principle has been recognized in thousands of arrangements with labor unions and has been embalmed into the law of the land by the Supreme Court of the United States in at least two leading cases. The basic idea is that almost any sort of racket becomes legal if it is adopted in a labor dispute. Thus restraints of trade by labor unions escape the antitrust laws if they can be shown to be part of a labor dispute. That's all you have to do.

It is easy to understand that a country threatened with a complete stoppage of its milk supply, or transportation, or electric-power transmission, might submit to such dictation. But the paradox is that one of the most relentless squeezes against the American public is operated by the purveyors of boogie-woogie. Maybe a country which can't lay off the jive long enough to establish the right to buy its music canned, crated, or any way it likes, gets what it deserves when a Petrillo waves foreign music off the air. Anyway, it is inappropriate to blame Little Caesar for cashing in on our spinelessness.

Mr. RANKIN. Mr. Chairman, I make the point of order that a quorum is not present. Members ought to be here to hear speeches of this kind.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 17]

Andrews, N. Y.	Doughton, N. C.	Luce
Baldwin, Md.	Douglas, Calif.	McDonough
Barrett, Pa.	Doyle	McGehee
Barry	Durham	McMillan, S. C.
Bates, Ky.	Earthman	McMillen, Ill.
Bates, Mass.	Engel, Mich.	Manasco
Beckworth	Feighan	Mathews
Bell	Fellows	Miller, Calif.
Bender	Fernandez	Morgan
Bloom	Fisher	Morrison
Bonner	Flannagan	Mundt
Boren	Fogarty	Murphy
Boykin	Folger	Norton
Brumbaugh	Gardner	O'Brien, Mich.
Buckley	Gearhart	Pace
Bulwinkle	Gerlach	Patterson
Bunker	Gore	Pfeifer
Byrne, N. Y.	Gossett	Philbin
Byrnes, Wis.	Granger	Plumley
Canfield	Gregory	Poage
Cannon, Fla.	Hall,	Quinn, N. Y.
Carnahan	Leonard W.	Rayfiel
Case, N. J.	Hancock	Reed, N. Y.
Celler	Harness, Ind.	Rivers
Chapman	Hart	Rizley
Chelf	Hartley	Robertson, Va.
Chenoweth	Havenner	Roe, N. Y.
Clark	Hays	Sheridan
Clements	Healy	Short
Clippinger	Heffernan	Spence
Cooley	Herter	Sumners, Tex.
Courtney	Holifield	Sundstrom
Cox	Jennings	Torrens
Crosser	Johnson, Ill.	Vorys, Ohio
Curley	Keefe	Welch
Dawson	Keogh	West
De Lacy	Kirwan	White
Delaney,	Knutson	Wickersham
James J.	Kopplemann	Winter
Dingell	Lane	Wood
Domengeaux	Lea	

Accordingly the Committee rose; and the Speaker pro tempore (Mr. McCORMACK) having resumed the chair, Mr. O'NEAL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 4908, and finding itself without a quorum, he had directed the roll to be called, when 302 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The SPEAKER pro tempore. The Committee will resume its sitting.

Mr. LANDIS. Mr. Chairman, I yield 20 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, over the years there has been a great deal of criticism of the Labor Committee because it did not bring in bills which some of the Members wanted reported out of committee. The Labor Committee was loaded in favor of labor and labor organizations and often followed the will of labor leaders, but there is nothing unusual in that. When first I came here I asked to be put on the Committee on Agriculture because the interests of my constituents were then primarily agricultural. I found that the

committee had a majority of members who were greatly and deeply concerned about agriculture and very desirous of pleasing their constituents. I found when I went over to the Merchant Marine and Fisheries Committee that people interested in those industries predominated on that committee, and that if any bill was brought in before that committee, always the interests of the constituents of the members of that committee were rather well cared for. So it is with the Labor Committee. It has always been a minority committee, so-called, and the members of that committee have gone on that committee because their constituents were represented largely by organized labor and by labor politicians. There is nothing wrong with that system, at least there is nothing we can do about it, so the Labor Committee should not be unduly criticized, although I have indulged in a little criticism myself because occasionally it would not act.

The Labor Committee had under consideration many, many bills, but because that proposed legislation was opposed by the presidents of the great labor organizations I never was able to get a hearing; I was never able to get any one of those bills out of committee. Then along came this situation after the war, when the reconversion program started on its way but bogged down and legislation was demanded. Then the President said that the people should put the heat on us, and they put on the heat, and lo and behold, the Labor Committee, which had been sleeping not quite as long but almost as long as Rip van Winkle, did what it thought was something, reported out a bill.

I know there are individual members of that committee, some of them sitting here, Republicans, who voted to get out a bill when they did not want to do so, when their constituents did not want them to report out a measure, and they were perhaps overpersuaded against their own convictions to send out a bill. They went along with us by a vote of 10 to 8, when one vote, a switch of one vote, would have given us again a tie vote over there and prevented any legislation from coming out. We on the Labor Committee came to the rescue of the House. Those gentlemen, I know, some of them on the Republican side, went along and we reported out a bill, a bill which was no good except as a vehicle on which the Rules Committee could send forth a rule so it would be possible for the Members of the House to hang on it here and there an amendment which might be good, which might give worth-while legislation.

Members of the Labor Committee, some of us at least, thought we had accomplished something. We really thought we were entitled to a pat on the back, not a heavy one, not too strong, but just a little tap of approval as we walked by. And what did we get? We went over to the Rules Committee and they gave us a good, hard, kick in the pants, bringing out a rule which barred the Labor Committee from suggesting any of its remedies except as they hung them on as a substitute to the Case bill. The Rules Committee kicked us right off the little red wagon we gave them and put on another driver who apparently does not know the road he is trying to follow.

Now, we can go on that way indefinitely and we will never get anywhere because the Members of the House know very well that when we get into a session that runs on and on and on and we have many amendments, the final result is worse than any dish of legislative hash that ever was put out by a legislative committee. That procedure is no good.

Well, we did not like that sort of treatment. It was shabby. We did not think that was the right way to treat the Labor Committee. But nevertheless, I, for one, and I think the other minority members on that Committee on Labor will go along and will do the best we can in an effort to make the Case bill worth while—and a terrific job it will be.

The President's bill in my judgment was of no value for two reasons. It provided for a cooling-off period which all of the labor leaders opposed and with some reason. It provided also for a sort of search and seizure process which would let another agency take a man from any part of the country or of the possessions of the United States, hale him into any other part of the United States or possession thereof, and there appear before any individual member of the commission named by the board. One has but to read the record of the first Smith Committee having to do with the operations of the National Labor Relations Act and the National Labor Relations Board to see what an outrageous, unconstitutional, unfair, and unjust procedure would be followed.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield briefly, but I want to go on.

Mr. RANKIN. I will not take much of the gentleman's time, but I call the attention of the gentleman to this fact, that the House has a right to amend the Case bill so that it will do what the Members of the House want to be done, before it is ever accepted as a substitute.

Mr. HOFFMAN. But there are some things we cannot amend so as to make them right. Writing a worth-while bill on the floor is a difficult if not an impossible task. I will repeat, we hope to do it. We will do the best we can—I will, I know, and I am sure others will. The bill we reported out had just one thing in it. It had a provision for a board of three members at $100 a day. That is all there was in it. But we thought it was a little car that we could get on if we wanted to and go some place. But the Rules Committee pushed.

Now, what is the matter with the Case bill? I do not know—I have heard that the Case bill was written by a group of majority members, a group of Democrats headed by the gentleman from Virginia [Mr. SMITH]. I have known the gentleman from Virginia for a long, long time. I do not want to praise him too highly because some Republicans down there in Virginia may want to run against him sometime and I might be quoted, so I will omit that. You can imagine if you will what I would say if I followed my inclination. But I know without being told by anyone that the gentleman from Virginia, Judge SMITH, never wrote the Case bill. I recall very distinctly when the judge stood here in the well of the House the other day and said that the Committee on Labor, and I did not like it either, had pulled all the milk teeth out of the President's bill. I hate to say this, but if the judge had anything to do with this bill, he did not even put a set of false teeth into the Case bill because there is not a thing in it that would give Congress jurisdiction to act. I am sure he did not have anything to do with it.

I heard a similar statement concerning the gentleman from Indiana [Mr. HALLECK], that he had something to do with it. Well, the gentleman from Indiana [Mr. HALLECK] is too good a lawyer to put out any such thing as the Case bill.

Again, what is wrong with the Case bill? First, in my judgment, it is wrong because it attempts to give a mediator some of the functions of a fact-finding board. I have no use for a fact-finding board. Why? For this reason. A fact-finding process is an attempt to call in an outsider who does not know anything about the business to tell a man how to run his business. The President might just as well appoint a fact-finding board to tell a farmer what to charge for his cattle, his milk, his beef and his fruit. He might just as well appoint a fact-finding board that did not know anything about that to tell the farmer what wage to pay the men he hires.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. Very briefly, but nothing about UNRRA or UNO.

Mr. VORYS of Ohio. What I wanted to ask the gentleman is this: Is it not true that we now have fact finding either by a committee appointed by the President, or as in the steel case, by the President himself, and that therefore we have to decide whether we want to continue that fact finding or some other method of mediation or conciliation to take its place?

Mr. HOFFMAN. Now, the gentleman has gotten me off on a sidetrack. I do not want anything to do with fact finding by any governmental board or agency. If you must have fact finding, then let it be by a court, although the New Deal has monkeyed with the courts quite a bit. Talk about loaded. Fact finding is worse than loaded. All these boards since the coming of the New Deal have always been in favor of following the political leaders of organized labor.

I do not want to get political, and I am not suggesting that in return for the administration's help in organizing the CIO and aiding and protecting it ever since it received the political support of the CIO, the PAC. Far be it from me to even suggest such a thing. Fact finding? Take what we have now. Here is a fact-finding board that says that General Motors should and must pay so much. Mr. Reuther, who received part of his education in Russia, and who wrote back to his comrades in Detroit that we should fight for a Soviet America—and he is doing a good job now for the Soviet and its form of government and for the Communists—Mr. Reuther used that fact-finding decision to say

that General Motors and all those who give jobs are fighting, not the unions, but the President of the United States. They are fighting the United States of America.

That is the way they improperly use the decisions and recommendations of a fact-finding board.

Who knows how much General Motors can pay, when General Motors does not even know what they must pay for the steel that goes into their products? Who knows? No one. Yet, along comes a fact-finding board which says, "You must increase the wage so many cents per hour." If General Motors accepts that decision and pays it and loses out, and the stockholders lose their investment, will the fact-finding board or the President make good? Will Reuther make good? Oh, no. That is just unfortunate for the stockholders.

So we might go down through all the industries.

That is why I do not like the theory of the Government selecting a board or putting it into the hands of an agency to say how much an individual employer shall pay and then permit another agency to come along and say what they shall charge for the finished product. If we are going to do it, we might just as well let the tail go with the hide. Give the CIO this billion-dollar steel plant for a $1 a year rental and let them run it. Then, if they prove they are right in their theories, I will go back and sit down, and, believe it or not, I will keep my mouth shut. That is one thing that is wrong with the Case bill—this fact-finding proposition.

Well, you say, "What have you to offer?" I will refer to that later and will print the National Labor Relations Act and in parallel columns proposed amendments. I have this to offer: What would you do? I think that passing another blanket piece of labor legislation but complicates our troubles. I believe we would well go back and take up the basic law, the National Labor Relations Act, and in spite of the majority on the Committee on Labor, in spite of the champions of the unions or of that section of the unions which thinks it should have control over all those who create jobs and keep them in existence and who meet the pay rolls, amend that law, make it fair and equitable, make it so that every citizen can come under that Supreme Court legend over there cut in marble, "Equal justice under law." If we do that, much of our present troubles with labor disputes and the strike situation will be solved.

Take the Case bill and, aside from this policy of modified finding which it follows through, what does it do? It states in the beginning that the chairman and the vice chairman, and a few others, shall determine whether or not a strike is affecting the public interest and that if, in its opinion, it is, then the board shall take jurisdiction. I may be wrong, but in my judgment that does not give the board any authority at all. The board has no authority, the Congress has no authority, no agency that we can create can be given authority, under the terms of this bill, to say that if, in its opinion, any particular action affects the public interest it can take jurisdiction and do this, that, and the other. When that section is read I shall offer an amendment adding a few words in there:

If when the board determines that any strike obstructs or interferes with interstate commerce.

Then the gentleman will have some place whereon he can hang his legislation.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. CASE of South Dakota. I think the gentleman is making a thoughtful approach to the problem. I thought of using the words "interstate commerce" in that connection. I did not, although without being sure in my mind but that it might be a valuable addition.

Mr. HOFFMAN. Did the gentleman write the bill?

Mr. CASE of South Dakota. I pecked it out on the typewriter.

Mr. HOFFMAN. Yes; I know.

Mr. CASE of South Dakota. I wrote that portion of the bill; yes. I got several suggestions from a few others of which I took some portions.

Mr. HOFFMAN. I am sorry the gentleman did not consult some lawyer who knows about the responsibility, duties, and powers of Congress. It has absolutely no power over the individual's action within a State. The individual might be guilty of violence, but that is a matter for State law unless the assault was upon a Federal agent. You might as well have Congress try to pass a law about assault and battery.

Mr. CASE of South Dakota. What the gentleman means is that the bill should be amended as he suggested with respect to interstate commerce.

Mr. HOFFMAN. Exactly.

Mr. CASE of South Dakota. And I think the gentleman's suggestion may be valuable.

Mr. HOFFMAN. The gentleman means it might be worth considering.

Mr. CASE of South Dakota. But I call attention to the fact that these three officers who determine at the start whether a strike affects public interest substantially would be three public members and they would be appointed by the President by and with the advice and consent of the Senate; and I cannot conceive such a body failing to take into consideration the effect on interstate commerce in determining whether or not public interest was substantially affected by a dispute.

Mr. HOFFMAN. Then, why not put the suggestion in the bill and remove all doubt? And why not come before the Labor Committee with the good ideas? Why not suggest the legislation to the Labor Committee? It is possible we might have had a moment of intelligence and picked it up and perfected it.

Mr. GRAHAM. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. GRAHAM. As I remember, the gentleman proposed language here last January to this effect:

That whenever any act mentioned in this or any subsequent section shall obstruct or interfere with interstate or foreign commerce—

Is that what the gentleman contemplates adding to this bill if given an opportunity? Are those the words the gentleman would undertake to add?

Mr. HOFFMAN. Yes; and I thank the gentleman, who is a distinguished lawyer, at that particular point, and also when we come to section 11 I shall make a similar effort to put that language in.

The amendment I will suggest is at the beginning of the bill. Then when we come down to section 11, which is the section that has for its purpose doing away with violence on the picket line, and that, of course, is a good purpose; that is one of the things the people want. A similar amendment will be offered.

The trouble with that section as it now reads is that there is nothing to hang it on. The Congress has no jurisdiction to pass an act prohibiting violence within the States except as it may interfere with the civil rights of a large section of the population and then comes in a Federal statute which states that it is the duty of the President—it shall be the duty of the President to use the armed forces to restore civil rights. My proposition is simply this: When we get to section 11 I am going to offer an amendment to strike it all out and insert perhaps a little different language but much the same provision, preceding it, however, by a clause which refers to interstate and foreign commerce, that will give the Congress the authority to act.

Then, another thing, I would try to make the bill maybe not much better but more acceptable by striking out those provisions which repeal the Norris-LaGuardia, Clayton, and the Sherman Anti-trust Acts insofar as they prohibit the issuing of injunctions for violations of this, that, or the other by labor organizations.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. LANDIS. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I appreciate the gentleman's opinion on these matters. If the Case bill is amended substantially or exactly as the gentleman proposes, would he then advocate that it be supported?

Mr. HOFFMAN. For the first time in my life I am on a hot seat.

Mr. CRAWFORD. I do not intend to put the gentleman there. I want his opinion.

Mr. HOFFMAN. I mean on a hot seat here. I am on a hot seat at home most of the time.

I want some sort of a remedy which will do something toward ending this intolerable situation in which we find ourselves. I will not say why I think we are where we are. But, as stated a moment ago, it is my conviction that what we should do is to take out the rotten spots that are in the National Labor Relations Act. If I could only get our distinguished majority leader to listen to me for 10 minutes some time, I think he and I could write some amendments to the Wagner Act that would be helpful and that would be acceptable to all and which

he could offer. I would not dare offer them because I would be accused of being antilabor, a labor baiter, but with the standing he has with the great labor unions he could offer them and maybe induce the unions to accept them.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. That is one day I have been hoping for and praying for, that my friend from Michigan would ever agree with me.

Mr. HOFFMAN. Does the gentleman mean to say he does not think the Wagner Act ought to be amended?

Mr. McCORMACK. My statement was that I was hoping and praying for the day that the gentleman would ever agree with me. Do not get me off on a lot of other matters.

Mr. HOFFMAN. On what?

Mr. McCORMACK. On almost anything.

Mr. HOFFMAN. I will agree with the gentleman on anything that is for the good of the country. I am very happy that he is the leader on that side. I will not tell him why. I do not want to go farther and tell him why, but I am glad he is the majority leader.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield for one more question?

Mr. HOFFMAN. Yes.

Mr. CRAWFORD. I appreciate the answer the gentleman gave to my question. I simply want to say that yesterday in speaking on this bill, and you will find it on page 682 of the RECORD, I emphatically stated it was my opinion we would never arrive at any reasonably satisfactory solution to this problem until we materially altered the provisions of the National Labor Relations Act and, furthermore, I stated I would support the Case bill in the hope that we might make it reasonably acceptable and start it on its way through the other machinery of Congress.

Mr. HOFFMAN. The Members are clear as to my position on that. I believe that the basic act should be amended. To get just something, we should not take a purported remedy that will make the situation worse. Not every patent medicine is good for the patient. The label on the Case bill is fine but I am suspicious of the contents.

I wish someone who is not characterized as a labor baiter, as a hater of a man who earns his livelihood, who every time he opens his mouth is accused of promoting vicious, wicked antilabor legislation, would take that old offering, go through it—it will be reprinted in today's RECORD—correct it, and add to it, then bring it in, fixed up, pass it, and much of our trouble will be over if it is fairly administered.

Now let me go back. Here is one thing that I think the House should do. I do not know whether the bill to which reference is made would be in order or not; its number is H. R. 5114. There is one thing on which even the members of the Labor Committee who accuse some of us of bias—I notice my genial friend, the gentleman from Michigan [Mr. HOOK], over there smiling; even he will agree with me; and the other gentleman, the gentleman from California [Mr. PATTERSON] a member of the Labor Committee; I do not know about the next one down there around the table, but the next one, the gentleman from New York [Mr. POWELL], also a member of the Labor Committee, will agree with me—and they have, in informal discussion before the Committee on Labor—that the interest of the public is paramount, and that when anyone, management or organized labor, or anyone, shuts off the light, the heat, the water supply, communication, and transportation, when they deprive the public of these essentials, that then the strong arm of the Federal Government should come in and police industry and labor. We already fix the rates for most of those things through public-utility commissions.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I will yield to the gentleman to whom I referred.

Mr. HOOK. Of course, there is one thing that the gentleman must realize, that those who work in the public utilities must eat, be clothed and housed, and that we, as the Government, set the rates of public utilities. There are arbitrary rates set by the Government. If those rates are not high enough to bring about a decent living for those who work there, the rates should be set accordingly.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. LANDIS. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. HOFFMAN. Mr. Chairman, what the gentleman said is true, but in the meantime and while they are on strike what happens? The gentleman assuredly does not believe that the rest of us should be deprived of drinking water, of light, of transportation. Of course not. So the amendment that I will offer—and which I hope can be made germane here and then adopted—will at least go a long way toward settling strikes affecting public utilities. It is simple. It provides that when the corporation which has a franchise as a public service corporation makes its collective-bargaining contract with its employees, it shall incorporate therein a provision that all those accepting employment, if they want to strike, shall give notice of their intention, so that when we wake up in the morning we will not find the transit company, the streetcars and busses in their barns instead of operating on the streets; that we will not find our water and our light cut off; that they incorporate in the contract that sort of a provision; then, giving notice of their intention if they want to strike—and I am one of the very, very few Members of Congress who have said that there should be no legislation prohibiting strikes, prohibiting picketing—if they want to strike, let them strike after they have given notice, and if they stay on strike for an appreciable number of hours let them lose their status as employees and compel the corporation to go out and hire someone else because it is inconceivable that the public, you and I, and all the folks in these United States should be at the mercy of those who, as they did in Michigan at one time, cut off water, light, and transportation by pulling a switch in a powerhouse. Why can Congress not adopt such legislation as that and pass it? The people want it.

Mr. HOOK. Mr. Chairman, will the gentleman yield there?

Mr. HOFFMAN. I yield.

Mr. HOOK. I thought your Smith-Connally Act took care of that?

Mr. HOFFMAN. Oh, how the gentleman loves to go back and rub what he thinks is an old sore; he cannot forget. I voted for the Smith-Connally Act, and after it came from conference I did one thing that I am afraid I will do again, vote for legislation which has in it the possibilities of doing a great deal of harm. The Smith-Connally Act, when it was passed by the House, was a good act, but it went over to the other body, and in the exercise of their wisdom they doctored it. Then it came back and we took it, as so often we do. As one of my leaders has said to me time and again, "You will take that or get nothing." Will you stand up here and be an odd one? Well, I have been the odd one many times, but I am getting tired of it. Take it or leave it. You vote against it and are accused of not wanting any legislation. The people want some legislation. They do not know what they want. They want something—I will take that back. They want legislation that will cure the strike situation, but the kind of legislation they want us to pass out they do not know, and some of us do not know, though getting the right kind is our responsibility.

The Smith-Connally Act came back, I do not know how you would describe it, from the other body, and then what happened? Take it or leave it. Because of public demand we took it and have been sick ever since. Why? Listen, this administration did not want it, an administration whose President vetoed it, having to take it, misinterpreted and maladministered it, so what could you expect? The administration did not want it to work and saw to it that it did not. That was what was the matter.

There are some other amendments to the Case bill that I will offer, but I will not detain you longer with reciting them. I will offer my amendments as the bill is read. They are all for the purpose indicated.

I was talking about the repeal of the Norris-LaGuardia and the Clayton and the Sherman Anti-Trust Acts, and said that I would not put that in this bill. Maybe I will be accused of taking a position merely for expediency's sake, I do not know, but I know this, that we can cure the violence, the intimidation that is practiced unlawfully by picket lines with a very few other simple amendments, maybe one. Near the beginning, insert a provision amending section 7 of the National Labor Relations Act, add a few words to the effect that in the organizing activities of unions there shall be no coercion from any source. That

will take care of the violence and the mass picket lines.

To give the Members of the House an opportunity to compare the proposed amendments to the National Labor Relations Act with the act, there are printed in parallel columns and section by section, the original National Labor Relations Act and H. R. 5334 introduced today, which contains the proposed amendments.

The purpose is to repeal the original National Labor Relations Act and to reenact it with the amendments shown hereafter and contained in H. R. 5334.

The gentleman from Michigan [Mr. CRAWFORD] asked me if I favored the Case bill. As it stands I do not. Perhaps it can be made acceptable. I hope it will be. In my humble judgment we should take the NLRA and amend it as indicated hereafter.

Here is the NLRA as written, here are the suggested amendments:

National Labor Relations Act (Public, No. 198, 74th Cong.)	*H. R. 5334 (introduced by Mr. Hoffman on February 1, 1946)*
An act to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, to create a National Labor Relations Board, and for other purposes	A bill to repeal the National Labor Relations Act and to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, to create a National Labor Relations Board, and for other purposes
Be it enacted, etc.—	*Be it enacted, etc.*—
FINDINGS AND POLICY	FINDINGS AND POLICY
SECTION 1. The denial by employers of the right of employees to organize and the refusal by employers to accept the procedure of collective bargaining lead to strikes and other forms of industrial strife or unrest, which have the intent or the necessary effect of burdening or obstructing commerce by (a) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (b) occurring in the current of commerce; (c) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods from or into the channels of commerce, or the prices of such materials or goods in commerce; or (d) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing from or into the channels of commerce. The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract, and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in indusry and by preventing the stabilization of competitive wage rates and working conditions within and between industries. Experience has proved that protection by law of the right of employees to organize and bargain collectively safeguards commerce from injury, impairment, or interruption, and promotes the flow of commerce by removing certain recognized sources of industrial strife and unrest, by encouraging practices fundamental to the friendly adjustment of industrial disputes arising out of differences as to wages, hours, or other working conditions, and by restoring equality of bargaining power between employers and employees. It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection.	SECTION 1. It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by furthering the development of friendly and mutually fair labor relations, by protecting the practice and procedure of collective bargaining and by protecting the exercise by all workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection.
DEFINITIONS	DEFINITIONS
SEC. 2. When used in this act— (1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers. (2) The term "employer" includes any person acting in the interest of an employer,	SEC. 2. When used in this act— (1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy or receivers. (2) The term "employer" includes any person acting in the interest of an employer,

National Labor Relations Act (Public, No. 198, 74th Cong.)
directly or indirectly, but shall not include the United States, or any State or political subdivision thereof, or any person subject to the Railway Labor Act, as amended from time to time, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization. (3) The term "employee" shall include any employee, and shall not be limited to the employees of a particular employer, unless the act explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse. (4) The term "representatives" includes any individual or labor organization. (5) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

H. R. 5334 (introduced by Mr. Hoffman on February 1, 1946)

directly or indirectly, but shall not include the United States, or any State or political subdivision thereof, or any person subject to the Railway Labor Act, as amended from time to time, or any labor organization (other than when acting as employer), or anyone acting in the capacity of officer or agent of such labor organizations.

(3) The term "employee" shall include any employee, and shall not be limited to the employees of a particular employer, unless the act explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of any employer's unfair labor practice, as defined in section 8 hereof, and who has not obtained any other regular and substantially equivalent employment, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse, or any individual who has been discharged for any cause other than lawful union activities or whose work has ceased in violation of a valid contract, or laid off for lack of work, inefficiency, misconduct, or other good cause.

(3) The term "any individual employed as an agricultural laborer" shall include any person engaged as an employee in farming in all its branches and, among other things, includes the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities (including commodities defined as agricultural commodities in section 15 (g) of the Agricultural Marketing Act, as amended), the raising of livestock, bees, fur-bearing animals, or poultry, eggs, baby chicks, and poults and any practices (including any forestry or lumbering operations when it is performed in connection with bona fide farming) perform by or for a farmer or on a farm as an incident to or in connection with such farming operations, including preparation for market, delivery to storage, or to market or to carriers for transportation to market; and shall also include employees of establishments engaged in ginning or compressing of cotton, or canning or freezing during the harvesting season from their raw or natural state, or pasteurizing, or drying, or preparing in their raw or natural state, of any agricultural or horticultural commodities for market, or making cheese or butter or any other dairy products, and such packing or handling or storing as is used in connection therewith or is incidental thereto, when such establishment is located (1) at a point where the major commodity used in such establishment is normally produced in commercial quantities within a radius of 50 miles thereof; and (2) within the general territory in any region of the United States where the farming district or districts are located from which such commodity is produced and within or in close proximity to any such farming district; or at such place in the general territory in proximity to such farming district, where such commodity is produced (but outside of any metropolitan industrial city) as is necessary to obtain reasonable, available, and adequate transportation, water power, or other required operating facilities; and (3) such establishment is engaged in the above operations on products produced from any farming district within the same general territory.

(4) The term "representatives" includes any individual or labor organization.

(5) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

National Labor Relations Act (Public, No. 198, 74th Cong.).

(6) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country.

(7) The term "affecting commerce" means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

(8) The term "unfair labor practice" means any unfair labor practice listed in section 8.

(9) The term "labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

(10) The term "National Labor Relations Board" means the National Labor Relations Board created by section 3 of this act.

(11) The term "old Board" means the National Labor Relations Board established by Executive Order No. 6763 of the President on June 29, 1934, pursuant to Public Resolution No. 44, approved June 19, 1934 (48 Stat. 1183), and reestablished and continued by Executive Order No. 7074 of the President of June 15, 1935, pursuant to Title I of the National Industrial Recovery Act (48 Stat. 195) as amended and continued by Senate Joint Resolution 133 approved June 14, 1935.

NATIONAL LABOR RELATIONS BOARD

SEC. 3. (a) There is hereby created a Board, to be known as the "National Labor Relations Board" (hereinafter referred to as the "Board"), which shall be composed of three

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(6) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia or within the District of Columbia or any Territory or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country.

This Act shall not apply to any person whose sales in "commerce" (as defined herein) during the calendar year preceding the date of filing a complaint or petition relating to that person were less than 50 per centum of that person's total sales.

(7) The term "affecting commerce" means in commerce, or substantially burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor dispute substantially burdening or obstructing commerce or the free flow of commerce.

(8) The term "unfair labor practice" means any unfair labor practice listed in section 8.

(9) The term "labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, provided the disputants stand in the proximate relation of employer and employee.

(10) The phrase "collective bargaining" for the purposes of this act shall be understood to mean the meeting together, on written request of one of the disputants, on a reasonable number of occasions and for a reasonable length of time, the reasonableness of the number of meetings and the length of the negotiations to be determined by taking into consideration the views of the parties to the negotiations and the prospects of an agreement, of the employer and his employees, through accredited representatives voluntarily chosen by them, with the full and free opportunity for negotiating concerning the terms or conditions of employment.

(11) The term "National Labor Relations Board" means the National Labor Relations Board created by section 3 of this act.

(12) The term "old Board" means the National Labor Relations Board established by Executive Order No. 6763 of the President on June 29, 1934, pursuant to Public Resolution No. 44, approved June 19, 1934 (48 Stat. 1183), and reestablished and continued by Executive Order No. 7074 of the President of June 15, 1935, pursuant to title I of the National Industrial Recovery Act (48 Stat. 195), as amended and continued by S. J. Res. 133, approved June 14, 1935.

NATIONAL LABOR RELATIONS BOARD

SEC. 3. (a) There is hereby created a Board to be known as the National Labor Relations Board (hereinafter referred to as the Board), which shall be composed of three members,

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members, who shall be appointed by the President, by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of 1 year, one for a term of 3 years, and one for a term of 5 years, but their successors shall be appointed for terms of 5 years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as Chairman of the Board. Any member of the Board may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(b) A vacancy in the Board shall not impair the right of the remaining members to exercise all the powers of the Board, and two members of the Board shall, at all times, constitute a quorum. The Board shall have an official seal which shall be judicially noticed.

(c) The Board shall at the close of each fiscal year make a report in writing to Congress and to the President stating in detail the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Board, and an account of all moneys it has disbursed.

SEC. 4. (a) Each member of the Board shall receive a salary of $10,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment. The Board shall appoint, without regard for the provisions of the civil-service laws but subject to the Classification Act of 1923, as amended, an executive secretary, and such attorneys, examiners, and regional directors, and shall appoint such other employees with regard to existing laws applicable to the employment and compensation of officers and employees of the United States, as it may from time to time find necessary for the proper performance of its duties and as may be from time to time appropriated for by Congress. The Board may establish or utilize such regional, local, or other agencies, and utilize such voluntary and uncompensated services, as may from time to time be needed. Attorneys appointed under this section may, at the direction of the Board, appear for and represent the Board in any case in court. Nothing in this act shall be construed to authorize the Board to appoint individuals for the purpose of conciliation or mediation (or for statistical work), where such service may be obtained from the Department of Labor.

(b) Upon the appointment of the three original members of the Board and the designation of its Chairman, the old Board shall cease to exist. All employees of the old Board shall be transferred to and become employees of the Board with salaries under the Classification Act of 1923, as amended,

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one representing the public, who shall be appointed by the President, by and with the advice and consent of the Senate, after the date of enactment of the National Labor Relations Act of 1939, for terms of 5 years except as hereinafter provided, but each member of the Board in office on such date shall continue to serve as a member of the Board until February 1, 1940. Each member of the Board so appointed shall be qualified by previous experience for the representative capacity in which he is appointed. No one shall be eligible to appointment hereunder if he shall have been an employer or shall have been on the pay roll of a labor organization within a period of 2 years prior to the effective date of such appointment. Upon the expiration of the terms of the members of the Board in office on the date of enactment of the National Labor Relations Act of 1939, the successors to such members shall be appointed one for a term of 1 year, one for a term of 3 years, and one for a term of 5 years, as designated by the President at the time of nomination, and thereafter each member shall hold office for a term of 5 years from the expiration of the term of his predecessor, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as the Chairman of the Board. Any member of the Board may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(b) A vacancy in the Board shall not impair the right of the remaining members to exercise all the powers of the Board, and two members of the Board shall, at all times, constitute a quorum. Vacancies shall, however, be filled as promptly as possible in order to preserve the representative characteristics of the Board. The Board shall have an official seal which shall be judicially noticed.

(c) The Board shall at the close of each fiscal year make a report in writing to Congress and to the President stating in detail the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Board, and an account of all money it has disbursed.

SEC. 4. (a) Each member of the Board shall receive a salary of $10,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment. The Board shall appoint, without regard for the provisions of the civil-service laws but subject to the Classification Act of 1923, as amended, an executive secretary and such attorneys, examiners, and regional directors, and shall appoint such other employees with regard to existing laws applicable to the employment and compensation of officers and employees of the United States, as it may from time to time find necessary for the proper performance of its duties and as may be from time to time appropriated for by Congress: *Provided, however,* That the Board shall not appoint any person to any position who is not at the time of such appointment an American citizen.

The Board may establish or utilize such regional, local, or other agencies, and utilize such voluntary and uncompensated services, as may from time to time be needed: *Provided,* That persons or agencies so utilized do not at the same time represent any party to any controversy under the terms of this act before the Board, either personally or through partners.

(b) Upon the appointment of the three original members of the Board and the designation of its Chairman, the old Board shall cease to exist. All employees of the old Board, who shall be for that purpose so designated as employees by the Board, shall be transferred to and become employees of

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without acquiring by such transfer a permanent or civil-service status. All records, papers, and property of the old Board shall become records, papers, and property of the Board, and all unexpended funds and appropriations for the use and maintenance of the old Board shall become funds and appropriations available to be expended by the Board in the exercise of the powers, authority, and duties conferred on it by this act.

(c) All of the expenses of the Board, including all necessary traveling and subsistence expenses outside the District of Columbia incurred by the members or employees of the Board under its orders, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Board or by any individual it designates for that purpose.

SEC. 5. The principal office of the Board shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place. The Board may, by one or more of its members or by such agents or agencies as it may designate, prosecute any inquiry necessary to its functions in any part of the United States. A member who participates in such an inquiry shall not be disqualified from subsequently participating in a decision of the Board in the same case.

SEC. 6. (a) The Board shall have authority from time to time to make, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of this act. Such rules and regulations shall be effective upon publication in the manner which the Board shall prescribe.

RIGHTS OF EMPLOYEES

SEC. 7. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection.

SEC. 8. It shall be an unfair labor practice for an employer—

(1) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7.

(2) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it: *Provided,* That subject to rules and regulations made and published by the Board pursuant to section 6 (a), an employer shall not be prohibited from permitting employees to confer with him during working hours without loss of time or pay.

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the Board with salaries under the Classification Act of 1923, as amended, without acquiring by such transfer a permanent or civil-service status. All records, papers, and property of the old Board shall become records, papers, and property of the Board, and all unexpended funds and appropriations for the use and maintenance of the old Board shall become funds and appropriations available to be expended by the Board in the exercise of the powers, authority, and duties conferred on it by this act.

(c) All of the expenses of the Board, including all necessary traveling and subsistence expenses outside the District of Columbia incurred by the members or employees of the Board, under its orders, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Board or by any individual it designated for that purpose.

SEC. 5. The principal office of the Board shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place. The Board may, by one or more of its members, or by such agents or agencies as it may designate, hold hearings necessary to its functions in any part of the United States; except that in connection with duties relating to the prevention of unfair labor practices, as defined in section 10 hereof, the Board shall act only in a judicial capacity in disposing of complaints under that section, and shall not, directly or indirectly, by its employees or otherwise, assist either the complainant or respondent by conducting investigations or acting as advocate for any party to the issue.

SEC. 6. (a) The Board shall have authority from time to time to make, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of this act. Such rules and regulations shall not favor or discriminate against any party to any controversy to which this act is applicable and shall be effective upon publication in the manner which the Board shall prescribe.

RIGHTS OF EMPLOYEES

SEC. 7. Employees shall have the right to self-organization, to form, join, or not to join a labor organization and shall have the right to assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection: *Provided, however,* That employees, in exercising the foregoing rights, shall not by force, intimidation, or otherwise, except by peaceful argument, interfere with the right of any other employee to continue in his employment or to join or refuse to join any labor organization.

SEC. 8. (a) It shall be an unfair labor practice for—

(1) Any person to threaten, restrain, or coerce employees in the exercise of the rights guaranteed in section 7: *Provided,* That nothing in this section shall abridge the freedom of speech or of the press.

(2) Any person to dominate or interfere by threat, restraint, or coercion with the formation or administration of any labor organization or any employer to contribute financial or other support to it: *Provided,* That nothing herein shall prohibit employers, individually or collectively, from furnishing housing, heating, lighting, and other facilities without charge for meetings relative to activities of such organizations, provided no discrimination is exercised among their employees in offering such facilities: *Provided further,* That an employer shall not be prohibited from permitting employees to confer with him during working hours without loss of time or pay: *And provided further,* That nothing contained herein shall prevent any

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(3) By discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: *Provided,* That nothing in this act, or in the National Industrial Recovery Act (U. S. C., Supp. VII, title 15, secs. 701–712), as amended from time to time, or in any code or agreement approved or prescribed thereunder, or in any other statute of the United States, shall preclude an employer from making an agreement with a labor organization (not established, maintained, or assisted by any action defined in this act as an unfair labor practice) to require as a condition of employment membership therein, if such labor organization is the representative of the employees as provided in section 9 (a), in the appropriate collective bargaining unit covered by such agreement when made.

(4) To discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this act.

(5) To refuse to bargain collectively with the representatives of his employees, subject to the provisions of Section 9 (a).

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employee or employees, of their own initiative, discussing any problem of common interest with their employer; or any employer discussing with any employee or employees any such subject if in connection therewith labor practices prohibitions herein contained are observed.

(3) An employer by discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization.

(4) To discharge or otherwise discriminate against an employe because he has filed charges or given testimony under this act, unless such testimony be proved to be willfully false.

(5) To refuse to bargain collectively with the representatives of his employees, subject to the provisions of section 9 (a).

(6) To deduct from the wages of employees any dues, fees, assessments, or other contribution payable to labor organizations, or to collect or to assist in the collection of any such dues, fees, assessments, or other contribution, unless such deductions have been authorized in writing by the employee from whose wages such deductions are made.

(7) Benefits under this act shall not accrue to individuals or organizations who support or participate in strikes without presentation of written demands or grievances and reasonable opportunity for their consideration; strikes in violation of employment agreements, including agreements to accept an arbitration award; strikes accompanied by repeated or systematic acts of violence and intimidation; sit-down strikes, or other strikes which involve illegal occupation of property; or individuals or labor organizations, members, agents, officers of labor organizations, who are guilty of an unfair labor practice as in this act defined.

(b) It shall be an unfair labor practice for a labor organization, any member of a labor organization, or any officer or officers of a labor organization, or any agent or agents of a labor organization, or anyone acting in the interest of a labor organization, or for an employee, or for employees acting in concert—

(1) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7.

(2) To threaten, intimidate, restrain by force or threat, or coerce any employee, directly or indirectly, for the purpose and with the intent of compelling such employee (a) to join or to refrain from joining any labor organization; (b) to continue or to suspend or to cease his employment; (c) or for the purpose or with the intent of influencing or affecting his selection of representatives for the purposes of collective bargaining.

(3) To resort to or engage in, during the course of any labor dispute and in connection with such dispute, any act or practice which is a violation of any criminal law effective in the jurisdiction in which such act or practice occurs.

(4) To interfere by threat, intimidation, or force or threat of force, with the exercise of the right by any employee to continue at his work or to go to or from its place of employment.

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REPRESENTATIVES AND ELECTIONS

SEC. 9. (a) Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment: *Provided*, That any individual employee or a group of employees shall have the right at any time to present grievances to their employer.

(b) The Board shall decide in each case whether, in order to insure to employees the full benefit of their right to self-organization and to collective bargaining, and otherwise to effectuate the policies of this act, the unit appropriate for the purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof.

(c) Whenever a question affecting commerce arises concerning the representation of employees, the Board may investigate such controversy and certify to the parties, in writing, the name or names of the representatives that have been designated or selected. In any such investigation, the Board shall provide for an appropriate hearing upon due notice, either in conjunction with a proceeding under section 10 or otherwise, and may take a secret ballot of employees, or utilize any other suitable method to ascertain such representatives.

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(5) To strike in violation of a valid contract or agreement.

(c) It shall not be considered an unfair labor practice for an employer to discharge or to refuse to reemploy any person who, under the terms of this act, is guilty of an unfair labor practice; nor shall it be considered an unfair labor practice for an employer to refuse to bargain with any organization which or employee who fails to recognize or be bound by the official certificate of collective bargaining representatives issued under section 9 hereof or willfully violates the terms of a collective bargaining contract.

(d) It shall not be considered an unfair labor practice for an employer to fail to reach an agreement after it has bargained collectively.

REPRESENTATIVES AND ELECTIONS

SEC. 9. (a) Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes shall be the exclusive representatives of all the employees in such unit who are members of the organization whose representatives have been so designated or selected for the purposes of collective bargaining) for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment: *Provided*, That any individual employee or a group of employees shall have the right at any time to present grievances to their employer; bargain collectively for themselves individually, for the members of their organization, provided it is not company dominated and provided further that they do not belong to the organization whose representatives have been designated for the purposes of collective bargaining and to enter into contracts with the employer as individuals or as an organization.

(b) The Board shall decide in each case within twenty days after the taking of testimony whether, in order to insure to employees the full benefit of their right to self-organization and to collective bargaining, and otherwise to effectuate the policies of this act, the unit appropriate for the purposes of collective bargaining shall be the employer unit, plant unit, or any subdivision thereof: *Provided*, That if the majority of any craft union within a plant or employer unit signify its wish for the craft unit, the Board shall designate the craft unit as the unit appropriate for the members of that union: *Provided further*, That without prejudice to the preceding provision if the majority of the employees of any plant within an employer unit signifies its wish for the plant unit for voting or representation in preference to the employer unit the Board shall designate the plant unit as the unit appropriate for collective bargaining for the employees of that plant: *Provided further*, That any such unit or subdivision may by majority vote in secret ballot obtain recognition as the appropriate bargaining unit Such election shall be called by the Board within five days after receiving a petition signed by 20 percent or more of employees who are members of such unit or subdivision, or when petitioned by the employer.

(c) Whenever a question concerning commerce arises concerning the representation of employees, the Board shall recognize such controversy and certify to the parties in writing, the name or names of the representatives that have been designated or selected. Prior to such certification, the Board shall provide for an appropriate hearing upon due notice, either in conjunction with a proceeding under section 10 or otherwise, and must thereafter within 10 days after such hearing take a secret ballot of employees, with adequate opportunity for

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(d) Whenever an order of the Board made pursuant to section 10 (c) is based in whole or in part upon facts certified following an investigation pursuant to subsection (c) of this section, and there is a petition for the enforcement or review of such order, such certification and the record of such investigation shall be included in the transcript of the entire record required to be filed under subsections 10 (e) or 10 (f), and thereupon the decree of the court enforcing, modifying, or setting aside in whole or in part the order of the Board shall be made and entered upon the pleadings, testimony, and proceedings set forth in such transcript.

PREVENTION OF UNFAIR LABOR PRACTICES

SEC. 10. (a) The Board is empowered, as hereinafter provided, to prevent any person from engaging in any unfair labor practice (listed in section 8) affecting commerce. This power shall be exclusive, and shall not be affected by any other means of adjustment or prevention that has been or may be established by agreement, code, law, or otherwise.

(b) Whenever it is charged that any person has engaged in or is engaging in any such unfair labor practice, the Board, or any

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all employees concerned to vote secretly in order to determine the views of the majority, if any, desiring representation under section 9 (a) hereof, and the Board shall certify as representatives for collective bargaining those persons receiving a majority vote of the bona fide employees employed in the plant where the vote is taken. All facts developed from such hearing and used in connection with the purposes of this act shall be made public.

On written petition filed by any employer the Board shall cause an election to be held by secret ballot to determine collective-bargaining representatives, as set forth under section 9 (a), within 20 days from the date of the filing of such petition.

When representatives for collective bargaining have been chosen under the terms of this act, the result shall be binding for 1 year, unless a labor organization representing, or a group of employees numbering, at least 20 percent of those employed in the unit in which the vote was taken, or the employer, shall file a petition with the Board or its representative showing a substantial change of sentiment in the unit for which representatives were chosen as to the choice of such bargaining representatives.

(d) Whenever an order of the Board made pursuant to section 10 (c) is based in whole or in part upon facts certified following an investigation pursuant to subsection (c) of this section, and there is a petition for the enforcement or review of such order, such certification and the record of such investigation shall be included in the transcript of the entire record required to be filed under subsections 10 (e) or 10 (f), and thereupon the decree of the court enforcing, modifying, or setting aside in whole or in part the order of the Board shall be made and entered upon the pleadings, testimony, and proceedings set forth in such transcript.

(e) Before the Board shall issue any order certifying representatives for collective bargaining, the labor organization or representatives seeking certification shall qualify by filing with the Board a sworn statement setting forth the following information, which shall be brought up to date at least annually and whenever during any year any substantial change occurs in any of the facts set forth in the statement: (1) The official name or title of the labor organization or collective-bargaining agency; (2) the date established; (3) a copy of the constitution or articles of organization and of any bylaws in effect; (4) the names of all officers of the organization, with the certification that each is an American citizen; (5) the official address or principal place of business of the organization; (6) the names and addresses of the individuals who will actually function in collective bargaining with the employer, the majority of whom shall be bona fide employees of that employer, with the certification that each is an American citizen, the Board to be notified of any changes in the identity of the individuals who will function thus and those changes to be in accordance with the foregoing provisions; (7) a statement that its members are a majority of the employees in the bargaining unit in which such representatives were chosen.

PREVENTION OF UNFAIR LABOR PRACTICES

SEC. 10. (a) The Board is empowered, as hereinafter provided, to prevent any person from engaging in any unfair labor practice (listed in section 8) affecting commerce. This power shall be exclusive, and shall not be affected by any other means of adjustment or prevention that has been or may be established by agreement, code, law, or otherwise.

(b) Whenever it is charged that any person has engaged in or is engaging in any such unfair labor practice, the Board, or any

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agent or agency designated by the Board for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect, and containing a notice of hearing before the Board or a member thereof, or before a designated agent or agency, at a place therein fixed, not less than 5 days after the serving of said complaint. Any such complaint may be amended by the member, agent, or agency conducting the hearing or the Board in its discretion at any time prior to the issuance of an order based thereon. The person so complained of shall have the right to file an answer to the original or amended complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint. In the discretion of the member, agent or agency conducting the hearing or the Board, any other person may be allowed to intervene in the said proceeding and to present testimony. In any such proceeding the rules of evidence prevailing in courts of law or equity shall not be controlling.

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agent or agency designated by the Board for such purposes, shall have power to issue and cause to be served upon such person a complaint which shall contain (1) a short and plain statement of the grounds upon which the Board's jurisdiction depends; (2) a short and plain statement of the charges against the respondent, stating the relief to which any of respondent's employees claim to be entitled; and (3) a demand for judgment for the relief to which the Board deems respondent's employees entitled. Relief in the alternative or of several different types may be demanded: *Provided*, That within 30 days following the commission of any unfair labor practice (listed in sec. 8 (a)) affecting commerce by any employer, any employees considering themselves aggrieved must serve on said employer in writing, a short and plain statement advising said employer what unfair labor practice he is accused of having committed and the kind of relief desired from said employer by said employees; and that the failure of any employee to make and serve upon the employer such a statement within the said period shall constitute a waiver of any and all rights of redress under this act against said employer for such violation: *Provided further*, That if an employer shall fail, within thirty days after receiving such a statement from any of his employees, to adjust satisfactorily said differences with such employees, thereafter such employees may within sixty days file a charge with the National Labor Relations Board against said employer, which charge shall be limited to the unfair labor practice of which the employer was accused and to the relief requested by said employees in their statement to the employer: *And provided further*, That no complaint shall issue from the National Labor Relations Board against any employer charging him with engaging in any unfair labor practice which has occurred more than 6 months prior to the date of service of the complaint upon the employer, and that such complaint and any amendments thereto shall be limited to the unfair labor practices alleged and to the relief requested by said employees in their charges filed with the National Labor Relations Board. Before answering to a pleading the respondent may within 15 days after the service of the complaint upon him, move for a more definite statement or for a bill of particulars of any matter which is not averred with sufficient definiteness or particularity to enable him properly to prepare his answer or to prepare for hearing. The motion shall point out the defects complained of and the details desired. Upon motion made by a respondent before answering said complaint within fifteen days after the service of the complaint upon him, any redundant, immaterial, impertinent, or scandalous matter may be stricken from said complaint. Said complaint shall be accompanied by a notice of hearing before the Board or a member thereof or before a designated agent or agency at a place therein fixed, not less than twenty days after the serving of said complaint. Any such complaint may be amended by the member, agent, or agency conducting the hearing or the Board in its discretion at any time prior to the termination of such hearing. The person so complained of shall within 20 days of the receipt of a copy of such complaint file an answer to the original or amended complaint and shall appear in person or otherwise and give testimony at the place and time fixed in the complaint. Any employee, labor organization, or group with members employed by the person so complained against shall have the right, in the discretion of the member, agent, or agency conducting the hearing of the Board, to intervene in the said proceeding and to present testimony. In any such

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(c) The testimony taken by such member, agent or agency, or the Board shall be reduced to writing and filed with the Board. Thereafter, in its discretion, the Board upon notice may take further testimony or hear argument. If upon all the testimony taken the Board shall be of the opinion that any person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the Board shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair labor practice, and to take such affirmative action, including reinstatement of employees with or without back pay, as will effectuate the policies of this act. Such order may further require such person to make reports from time to time showing the extent to which it has complied with the order. If upon all the testimony taken the Board shall be of the opinion that no person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the Board shall state its findings of fact and shall issue an order dismissing the said complaint.

(d) Until a transcript of the record in a case shall have been filed in a court, as hereinafter provided, the Board may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

(e) The Board shall have power to petition any circuit court of appeals of the United States (including the Court of Appeals of the District of Columbia), or if all the circuit courts of appeals to which application may be made are in vacation, any district court of the United States (including the Supreme Court of the District of Columbia), within any circuit or district, respectively, wherein the unfair labor practice in question occurred or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and order of the Board. Upon such filing, the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the pro-

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proceeding the rules of evidence prevailing in courts of law or equity shall be substantially followed but shall not be absolutely controlling.

(c) The testimony taken by such member, agent or agency, or the Board shall be reduced to writing and filed with the Board. Thereafter, in its discretion, the Board upon notice may take further testimony or hear argument. If upon all the testimony taken the Board shall be of the opinion that any person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the Board shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair labor practice, and to take such affirmative action as will effectuate the policies of this act. If reinstatement of employees with back pay is required by such order, then back pay shall be for a period terminating on a date not exceeding 30 days after the case is argued and submitted; except that, if the order is appealed by the employer, the added time required may be considered in connection with back pay.

Such order may further require such person to make reports from time to time showing the extent to which it has complied with the order. If upon all the testimony taken the Board shall be of the opinion that no person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the Board shall state its findings of fact and shall issue an order dismissing the said complaint.

If the Board shall find, as part of its findings of fact in any proceeding before it, that the party or parties filing the charges upon which the complaint was based have engaged in an unfair labor practice (listed in section 8 (b)) in connection with or as a part of the actions forming the basis of the complaint, such findings shall constitute a complete defense to the complaint and no order shall issue thereon against the respondent; nor, if such party or parties is a labor organization, shall the respondent be held to have violated the act for refusal to recognize or to bargain collectively with such organization as the representatives of his employees during any part of the term for which it was designated or certified as a collective bargaining agency for his employees subsequent to the commission of such unfair labor practice by such party or parties.

(d) Until a petition for the enforcement of such an order or a petition for the review of such an order shall have been filed in a court, as hereinafter provided, the Board may, at any time within thirty days after the making of such order, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

(e) The Board shall have the power to petition any circuit court of appeals of the United States (including the Court of Appeals of the District of Columbia), or if all the circuit courts of appeals to which application may be made are in vacation, any district court of the United States (including the Supreme Court of the District of Columbia) within any circuit or district, respectively, wherein the unfair labor practice in question occurred or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court a transcript of the entire record in the proceeding, including the pleadings and testimony upon which order was entered and the findings and order of the Board. Upon such filing, the court shall cause notice thereof to be served upon such person and thereupon shall have jurisdiction of the proceeding

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ceeding and of the question determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Board. No objection that has not been urged before the Board, its member, agent or agency, shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Board as to the facts, if supported by evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Board, its member, agent, or agency, the court may order such additional evidence to be taken before the Board, its member, agent, or agency, and to be made a part of the transcript. The Board may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which, if supported by evidence, shall be conclusive, and shall file its recommendations, if any, for the modification or setting aside of its original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate circuit court of appeals if application was made to the district court as hereinabove provided, and by the Supreme Court of the United States upon writ of certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

(f) Any person aggrieved by a final order of the Board granting or denying in whole or in part the relief sought may obtain a review of such order in any circuit court of appeals of the United States in the circuit wherein the unfair labor practice in question was alleged to have been engaged in or wherein such person resides or transacts business, or in the Court of Appeals of the District of Columbia, by filing in such court a written petition praying that the order of the Board be madified or set aside. A copy of such petition shall be forthwith served upon the Board, and thereupon the aggrieved party shall file in the court a transcript of the entire record in the proceeding, certified by the Board, including the pleading and testimony upon which the order complained of was entered and the findings and order of the Board. Upon such filing the court shall proceed in the same manner as in the case of an application by the Board under subsection (e), and shall have the same exclusive jurisdiction to grant to the Board such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Board; and the findings

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and of the question determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, or enforcing as so modified, or setting aside in whole or in part the order of the Board. No objection that has not been urged before the Board, its members, agent, or agency, shall be considered by the court unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Board as to the facts, if supported by the preponderance of the evidence shall be conclusive in cases where no affirmative action is required by the order of the Board; in all cases where affirmative action is required by such order of the Board, the findings of the Board as to the facts shall be prima facie evidence of the facts therein stated. If any party shall apply to the court for leave to present additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to present such evidence in any prior hearing, the court may order such additional evidence to be taken before the Board, its member, agent, or agency, and to be made a part of the transcript. The Board may, within thirty days, unless, on reasonable cause shown, further time appears to be necessary, modify its findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which, if supported by the weight of the evidence, shall be conclusive in cases where no affirmative action is required by the order of the Board, and shall file its recommendations, if any, for the modification or setting aside of its original order. In all cases where affirmative action is required by the order of the Board or the modified order of the Board, the new or modified findings of the Board as to the facts shall be prima facie evidence of the facts therein stated. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate circuit court of appeals if application was made to the district court as hereinabove provided, and by the Supreme Court of the United States upon writ of certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

(f) Any person and any employee or the representative of an employee employed in the unit designated by the Board under section 9, feeling himself aggrieved by a final order of the Board or by the issuing of a certificate or the making of any order by the Board, a member or representative thereof under section 9 of this act, may obtain a review of such order or certificate in any circuit court of appeals of the United States in the circuit wherein the unfair labor practice in question was alleged to have been engaged in or wherein such person resides or transacts business, or in any district court of the United States wherein such person resides, transacts business, or where the unfair labor practice is alleged to have occurred, if all the circuit courts of appeals to which application may be made are in vacation, or in the Court of Appeals of the District of Columbia, by filing in such court a written petition praying that the order of the Board be modified or set aside. A copy of such petition shall be forthwith served upon the Board, and thereupon the Board shall forthwith certify and file a transcript of the entire record in the proceeding, including the pleadings and the testimony, certified by the Board. Upon such filing, the court shall proceed in the same

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of the Board as to the facts, if supported by evidence, shall in like manner be conclusive.

(g) The commencement of proceedings under subsection (e) or (f) of this section shall not, unless specifically ordered by the court, operate as a stay of the Board's order.

(h) When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying, and enforcing as so modified or setting aside in whole or in part an order of the Board, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the act entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932 (U. S. C., Supp. VII, title 29, secs. 101–115).

(i) Petitions filed under this act shall be heard expeditiously, and if possible within 10 days after they have been docketed.

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manner as in the case of an application by the Board under subsection (e), and shall have the same jurisdiction to grant to any party to the proceeding such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Board; and the findings of the Board as to the facts, if supported by the weight of the evidence, shall in like manner be conclusive in cases where no affirmative action is required by the order of the Board; in all cases where affirmative action is required by such order of the Board, the findings of the Board as to the facts shall be prima facie evidence of the facts therein stated.

(g) The commencement of proceedings under subsection (e) or (f) of this section shall operate as a stay of the Board's order, and the court in its discretion upon good cause shown may suspend the accrual of the remedial financial damages against the respondent during the pendency of the appeal.

(h) When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying, and enforcing as so modified or setting aside in whole or in part an order of the Board, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the act entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932 (U. S. C., Supp. VII, title 29, secs. 101–115).

(i) Petitions filed under this act shall be heard expeditiously, and if possible within 10 days after they have been docketed.

(j) Any labor organization with members or any employee employed in the unit designated by the Board under section 9 aggrieved by a certification for collective bargaining purposes or an order of election by the Board under section 9 (b) or (c) may obtain a review of such certification or order of election in any circuit court of appeals of the United States in the circuit wherein the labor organization thus aggrieved has its principal office or place of business, or in the Court of Appeals of the District of Columbia, by filing in such court a written petition praying that such certification or order of election of the Board be modified or set aside.

(k) A settlement between the Board or anyone acting under its authority and any person charged with an unfair labor practice, approved by the Board, shall foreclose further action upon the same issues as long as the terms of the settlement are adhered to by such person: *Provided, however,* That a settlement between the bargaining agent designated by the Board and any person charged with an unfair labor practice, or any settlement between the Board or anyone acting under its authority, and any person charged with an unfair labor practice, or any settlement entered into by the Board or anyone acting under its authority, and any person charged with an unfair labor practice and the bargaining agent designated by the Board, shall not foreclose nor prevent any labor organization with members or any individual employed in the unit designated by the Board under section 9 from obtaining a review of any certificate or order issued by the Board under section 9 or section 10.

(l) Whenever any person aggrieved shall seek a review of any order or certification or final order made by the Board in either a representation or a complaint case, or whenever any person who is a party to any proceeding before the Board, any member of the Board, or any of its agents, shall so request, the Board shall furnish a daily copy of the transcript of the testimony taken, at the same price that is charged for like service to the Board or any governmental agency, and

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(No similar section in NLRA.)

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at no greater charge than the customary commercial rate for like service.

PROCEEDINGS IN DISTRICT COURTS (NEW SECTION)

SEC. 11. (a) Notwithstanding anything to the contrary hereinbefore or hereinafter, the district courts of the United States shall have jurisdiction in all cases that shall be removed to said courts from the National Labor Relations Board as hereinafter provided.

(b) Any person against whom any proceeding has been or shall be instituted before the Board may at any time within 20 days after the service of the complaint upon such person file a petition for removal in the appropriate district court, alleging the institution of such proceeding and attaching thereto a copy of such papers as may have been served upon such person in the proceeding, and praying that said proceeding be removed to said district court whereupon such court shall, as of course, and without requiring bond or undertaking, issue its order staying such proceeding before the Board and requiring the Board to certify and send to such court all pleadings and papers filed with the Board in such proceeding.

(c) Upon the filing in any district court of such petition for removal as provided hereinbefore, the court shall consider promptly, and if possible within 10 days after docketing, the matter or matters presented to it, upon the proofs and allegations of the parties and without regard to any proceeding had prior thereto, and after hearing if the court shall be of the opinion that any person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the court shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair labor practice, and to take such affirmative action, including remedial severance pay, but not including reinstatement of employees against the will of the employer, as will effectuate the policies of this act. Such order may further require such person to make reports from time to time showing the extent to which he has complied with the order. If upon all the testimony taken the court shall be of the opinion that no person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the court shall state its findings of fact and shall issue an order dismissing the said complaint. If the court shall find, as part of its findings of fact in any proceeding before it, that the party or parties filing the charges upon which the complaint was based have engaged in an unfair labor practice enumerated in section 8 (b) in connection with or as a part of the actions forming the basis of the complaint, such findings shall constitute a complete defense to the complaint and no order shall issue thereon against the respondent; nor, if such party or parties filing the charges upon which the complaint was based is a labor organization, shall the respondent be held to have violated this act for refusal to recognize or to bargain collectively with such organization as the representatives of his employees during any part of the term for which it was designated or certified as a collective bargaining agency for his employees, subsequent to the commission of such unfair labor practice by such party or parties.

(d) Jurisdiction in the case of a proceeding that shall have been removed from the Board as provided hereinbefore shall be in the district court of the judicial district where the petitioner for such removal resides or engages in business, or where the proceeding before the Board was instituted.

(e) Such proceeding in the district court shall be governed by the same rules, including rules of evidence, as may at the time be

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INVESTIGATORY POWERS

SEC. 11. For the purpose of all hearings and investigations, which, in the opinion of the Board, are necessary and proper for the exercise of the powers vested in it by section 9 and section 10—

(1) The Board, or its duly authorized agent or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question. Any member of the Board shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question, before the Board, its member, agent, or agency conducting the hearing or investigation. Any member of the Board, or any agent or agency designated by the Board for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

(2) In case of contumacy or refusal to obey a subpena issued to any person, any District Court of the United States or the United States courts of any Territory or possession, or the Supreme Court of the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Board shall have jurisdiction to issue to such person an order requiring such person to appear before the Board, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(3) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Board, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his

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applicable in a suit in equity in the district court. Any party to any such proceeding shall have the same right of appeal and upon the same terms and conditions as in a suit in equity in the district court to which such proceeding is removed.

(f) For the purposes of this section, the term "district court" shall mean any district court of the United States, including the district courts of Alaska, Hawaii, Puerto Rico, Canal Zone, Virgin Islands, and the District of Columbia, and the Supreme Courts of Hawaii and Puerto Rico, and the United States Court for China.

(g) The President of the United States is authorized, upon request by the Chief Justice of the United States, to appoint from time to time, by and with the advice and consent of the Senate, such additional district judges as may be necessitated by the enlarged jurisdiction conferred upon the district courts of the United States by the terms of this section.

(h) If and to the extent that any provision of this section shall conflict with any provision of any other section of the act as amended or of any other statute of the United States, the provisions of this section shall be controlling.

INVESTIGATORY POWERS

SEC. 12. (1) Any member of the Board shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter in question, before the Board, its member, agent, or agency conducting the hearing. The Board is required to issue subpenas upon the request of any party interested: *Provided*, That the Board or its agent may require a statement in writing that the parties subpenaed have knowledge pertinent to the question at issue.

Any member of the Board, or any agent or agency designated by the Board for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

(2) In case of contumacy or refusal to obey a subpena issued to any person, any district court of the United States or the United States courts of any Territory or possession, or the Supreme Court of the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Board shall have jurisdiction to issue to such person an order requiring such person to appear before the Board, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(3) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Board, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privi-

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privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution or punishment for perjury committed in so testifying.

(4) Complaints, orders, and other process and papers of the Board, its member, agent, or agency, may be served either personally or by registered mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual so serving the same setting forth the manner of such service shall be proof of the same, and the return post-office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses summoned before the Board, its member, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like service in the courts of the United States.

SEC. 12. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Board or any of its agents or agencies in the performance of duties pursuant to this act shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both.

LIMITATIONS

SEC. 13. Nothing in this act shall be construed so as to interfere with or impede or diminish in any way the right to strike.

SEC. 14. Wherever the application of the provisions of section 7 (a) of the National Industrial Recovery Act (U. S. C., Supp. VII, title 15, sec. 707 (a)), as amended from time to time, or of section 77B, paragraphs (1) and (m) of the act approved June 7, 1934, entitled "An act to amend an act entitled 'An act to establish a uniform system of bankruptcy throughout the United States' approved July 1, 1898, and acts amendatory thereof and supplementary thereto" (48 Stat. 922, pars. (1) and (m)), as amended from time to time, or of Public Resolution No. 44, approved June 19, 1934 (48 Stat. 1183), conflicts with the application of the provisions of this act, this act shall prevail: *Provided*, That in any situation where the provisions of this act cannot be validly enforced, the provisions of such other acts shall remain in full force and effect.

SEC. 15. If any provision of this act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SEC. 16. This act may be cited as the "National Labor Relations Act."

Approved, July 5, 1935.

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lege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(4) Complaints, order, and other process and papers of the Board, its members, agent, or agency, may be served either personally or by registered mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the person required to be served.

The verified return by the individual so serving the same, setting forth the manner of such service, shall be prima facie evidence of the same, and the return post-office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be prima facie evidence of service of the same.

Witnesses summoned before the Board, its member, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

SEC. 13. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Board or any of its agents or agencies in the performance of duties pursuant to this act shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both.

LIMITATIONS

SEC. 14. Nothing in this act shall be construed so as to interfere with or impede or diminish in any way the right of employees individually or collectively to quit work, to refuse to go to work; or to go to work, or to continue at work.

(Same as NLRA.)

SEC. 15. Wherever the application of the provisions of section 7 (a) of the National Industrial Recovery Act (U. S. C., Supp. VII, title 15, sec. 707 (a)), as amended from time to time, or of section 77 B, paragraphs (1) and (m) of the act entitled "An act to amend an act entitled 'An act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, and acts amendatory thereof and supplementary thereto" (48 Stat. 922, pars. (1) and (m)), as amended from time to time, or of Public Resolution No. 44, approved June 19, 1934 (48 Stat. 1183), conflicts with the application of the provisions of this act this act shall prevail: *Provided*, That in any situation where the provisions of this act cannot be validly enforced, the provisions of such other acts shall remain in full force and effect.

SEC. 16. If any provision of this act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

The National Labor Act approved July 5, 1935 (49 Stat. 449), is hereby repealed.

SEC. 17. This act may be cited as the "National Labor Relations Act."

The CHAIRMAN. The time of the gentleman has again expired.

Mr. RANDOLPH. Mr. Chairman, I yield 10 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, before beginning my somewhat formal remarks on the proposal to substitute the Case bill, H. R. 5262, for the pending legislation, H. R. 4908, may I make this pointed observation, that many of the leaders of the proposal to substitute the Case amendment which crowded the House Chamber yesterday when we voted on it on the roll call are conspicuous today by their absence. Their disinclination to listen to the arguments in general debate on this proposal is proof on its face that the action was premeditated that they took through the Rules Commit-

tee in setting aside the usual legislative procedures in the manner in which they brought the Case proposal before the House.

Mr. Chairman, when Midwest isolationism meets southern provincialism in a policy of defeatism a new page is being written in American political history and a new low in party responsibility has been reached.

This unholy alliance tearing, as it does, into shreds the party platform of both major parties, can have nc other issue than an illegitimate offspring that neither party will want to "daddy" in the coming election. Like the Missouri mule, this hysterical and grotesque hybrid can take no pride in its ancestry and less hope in its posterity.

Should the Case amendment prevail, it will mean the death of collective bargaining, an inherent right, which was assured the Nation's workingmen by the national political platform of both major parties in the 1944 elections. We are now asked to turn back the pages of history, in the book of labor relations, a quarter of a century and substitute for open agreements openly arrived at, the un-American theory of government by injunction.

I can well rememoer only a few short years ago in my home State that the abuse of the use of court injunction in labor disputes led to an armed march of miners that necessitated the calling out of the Regular United States Army. Many honest workmen languished in prison. Is this government by injunction to be the workingman's reward for the magnificent job he did in winning the war? Is this one of the four freedoms for which American youth shed their blood on foreign battlefields? Shall many of my State's young mine workers still in the armed services be sent into their own State to harass and overawe their own kinfolk in order that some peewee, utility controlled judge's injunction order shall be obeyed? That happened in West Virginia only 25 years ago. It can and will happen again if the proposals of the Case substitute are enacted.

That happened in West Virginia only 25 years ago. It can and it will happen again, if the proposals of the Case amendment are substituted for this pending legislation. I have heard it intimated on the floor of this House and confirmed by the press and radio that the Case substitute was aimed primarily at the Congress of Industrial Organizations. I want to say, gentlemen, there are other segments of labor that are opposed to the Case proposal. I want at this time to read into the RECORD a wire I have just received from William Green, president of the American Federation of Labor. It is addressed to me as a Member of Congress. It is as follows:

WASHINGTON, D. C., *January* 31, 1946.
HON. CLEVELAND M. BAILEY,
United States House of Representatives:

The American Federation of Labor is deeply concerned over H. R. 5262 introduced in the House yesterday and scheduled for general debate today. The American Federation of Labor hereby protests most forcefully the consideration of this bill which has for its purpose, the destruction of fundamental and constitutional rights of workers without the holding of public hearings thereon. This bill would impose unlimited liability for damages upon workers and their unions and would destroy their right to act as bargaining agencies for alleged violation of the law while no similar penalties are imposed upon employers for similar violation.

It is inconceivable that Congress would wipe from the statutes of the Nation the Norris-LaGuardia Act, passed in 1932 and signed by President Hoover, without even according labor the opportunity to present its reasons in opposition to such drastic action. The repeal of the basic provisions of the Norris-LaGuardia Act is in effect the reestablishment of the false and repudiated doctrine of conspiracy in labor cases and it will bring back the evil of "Government by injunction" condemned in both the Democratic and Republican platforms of 1912 and which resulted in the passage of the Clayton Act of 1914.

The establishment of a mediation board with power and procedure for functioning as provided in the bill requires much thought and consideration in order to assure a fair and impartial tribunal. It is apparent it has not had such consideration. The American Federation of Labor requests that full hearings be held on this bill and that representatives of labor be accorded the opportunity to appear at such hearings to acquaint the committee with facts and information which will clearly establish that the passage of this bill will not bring peace and harmony in industrial relations but on the contrary will cause confusion, chaos, injustice, and will disrupt industrial relations as long as this bill remains law.

By direction of the Executive Council:
AMERICAN FEDERATION OF LABOR,
WILLIAM GREEN, *President.*

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the distinguished majority leader.

Mr. McCORMACK. May I call attention to the recent history in relation to the antitrust law. The antitrust laws were passed by the Congress and were aimed at economic imperialism in the country and at the large trusts that were getting control of the economic life of America and destroying the small and independent businessmen of this country. For years the only result of it, as far as court interpretation is concerned, has been that instead of breaking up these tremendous monopolies the provisions of the antitrust laws have been used against labor in its efforts to obtain a living wage and decent working conditions.

Mr. BAILEY. I thank the gentleman from Masssachusetts for his pointed comments on this proposal.

All the workingmen of the Nation want is the unmolested right to bargain collectively. The President proposed compulsory arbitration through fact finding. The Case proposals would substitute force for freedom through compulsory mediation. It will be recalled that the leaders of this move to destroy constitutional liberty were only a few short months ago advocating compulsory draft of labor. The same crowd that is talking compulsory military training are advocates of force not freedom.

Mr. Chairman, the war may be over in Germany and Japan, but it is plain it is only beginning in the Halls of Congress. There is no room in the American political picture for two conservative parties. Since the reactionaries are "ram rodding" the boys from the back of the old GOP elephant, why should any group of so-called Democrats ride the donkey in the election parade and the elephant down Pennsylvania Avenue? Except for a brief interlude, occasioned by the appearance on the scene of the great "Teddy" Roosevelt and the late lamented Wendell Willkie, the Republican Party, as such, has never had a liberal idea since the great Abe Lincoln talked about a "government of the people, by the people, and for the people."

What a travesty on the memory of Lincoln is this Case proposal. Those of you who pay tribute to the Shrine of Lincoln, who freed such a great segment of our population, today are proposing to return twice as many to economic slavery and bondage.

It is a matter of record that not a single piece of outstanding labor legislation has been placed on the statute books by the Republican Party except the Norris-LaGuardia Act of 1932. Their record has been one of opposition. It is significant that a substitute for H. R. 4908 is proposed by a Republican from South Dakota, aided and abetted by a group of labor-hating Democrats who would wreck the Democratic Party to attain their own selfish ends.

The CHAIRMAN. The time of the gentleman from West Virginia [Mr. BAILEY], has expired.

Mr. RANDOLPH. Mr. Chairman, I yield the gentleman four additional minutes.

Mr. GEELAN. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield briefly.

Mr. GEELAN. I just wonder when Mr. LaGuardia and Senator Norris were Republicans.

Mr. BAILEY. The gentleman has posed a rather pertinent question, and I shall not attempt to answer it.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield.

Mr. BAILEY. I yield.

Mr. McCORMACK. I was in Congress when the Norris-LaGuardia bill was passed. As I remember, practically all Democrats in the House at that time voted for it, and it was that influence, coupled with the leadership of the gentleman from New York, Mr. LaGuardia, that put that bill through.

Mr. BAILEY. Knowing that Mr. LaGuardia and Senator Norris were outstanding liberals, I can understand exactly the explanation of the gentleman from Massachusetts.

Experience has proven that successful labor relations between employer and employee can no more be legislated than can one's religious belief. Neither can men be compelled to willingly substitute court actions and board directives for horse-sense reasoning and across-the-table negotiations. The Case substitute, as read into the RECORD of Tuesday's session, proposes to do this very thing. It should be noted that the GOP gets the advantage in the political jockeying. The 30-day cooling-off provision against labor is retained but the section requiring subpena authority on industry to open its records to inspection is left out.

It is tragic, indeed, that this bold attempt to sabotage the gains made in social security and labor relations, under the leadership of our late lamented Commander in Chief, comes at a time when a grateful nation is paying reverence to his memory on his sixty-fourth birthday.

It might be well to remind my Democratic colleagues at this time that the Democrats have never won a national election when they tried to steal the Republicans' thunder. They have always won when they went to the people with a forthright liberal program. They have always won when they had the support of organized labor. If the Democratic Party can stay liberal, it can win again in 1946, as it has won since 1932, under the leadership of the world's greatest liberal.

Should our party falter or deviate in the least in the weeks and months ahead from its present high estate as a defender of the common man, there will be an exodus of the faithful out of the Halls of Congress in 1946 and out of Washington in 1948 that will rival the exodus out of Egypt. I fear there will be no one left who will think enough of us to dry up the waters of the Potomac to let us cross over on dry land.

We know we never can go back to normalcy, either as a nation or as a political party. Nations go forward or go down. Political parties progress or they perish. Never before have I assumed the role of a political prophet. My excuse for so doing will be the excuse offered by the prisoner who was yanked up before a magistrate charged with throwing a brick through a plate-glass window. When the squire asked him why he did it, he said, "Yer honor, at the time I thought it was the proper thing to do." Mr. Chairman, I still feel it is the thing to do.

May I remind my colleagues in the House that this legislation is opposed by all groups of organized labor, representing some 11,000,000 of our citizens? Can you so lightly regard their interest and support this hastily prepared and obviously prejudiced legislation? Legislation that is unfair, unjust, discriminating, and dangerous.

The minority, for campaign purposes, has already attacked my voting record in Congress. May I suggest that this is one time they, the minority, will be asked to answer to their constituents? There will not be any southern Democrats at the polls to do the voting for you on election day.

May I warn you against those who speak "with the voice of Jacob but whose hand is the hand of Esau"?

Mr. RANDOLPH. Mr. Chairman, may I inquire how much time has been used approximately by both sides?

The CHAIRMAN. The gentleman from West Virginia has used 2 hours and 2 minutes; the gentleman from Indiana 1 hour and 53 minutes.

Mr. RANDOLPH. Mr. Chairman, I yield 20 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, the House is confronted today with consideration of what is probably the central problem of American democracy; unfortunately, we are called upon to consider this question on the basis of a bill which I believe hardly a Member of the House fully understands and which is going to be most difficult for anyone to understand even after the debate concludes. This is too important, too basic, too crucial an issue to be legislated upon in that manner.

Mr. Chairman, the main concern of every conscientious Member of this House will be to try today, tomorrow, next week, and next month to bring forth legislation which will be fair and just, and which will gain the willing cooperation of labor and management in its effectiveness.

Today the attention of the people is largely focused upon the faults of labor. Tremendous effort has been made to emphasize those things. No conscientious person would claim that any great human institution is without its faults, or that improvements were not possible in its functioning.

I agree with those people who say that organized labor has come of age, that the insistence of labor organizations that no legislation relative to their operations should be passed is unreasonable under the present circumstances. There are times and places where it becomes the duty of the National Government to pass legislation and I have voted for bills which were opposed by labor when I believed that the passage of such legislation, by correcting abuses, in the long run would be for the benefit of labor as well as the people of the country generally.

It is true today that a greater degree of responsibility has got to rest upon labor organizations. Particularly where the closed shop is in effect, I believe it to be a public duty to see that the rights of the rank and file of the unions are protected. Violence is wrong by whomsoever committed, but it is most important, as the gentleman from West Virginia emphasized, that the Congress should not in a moment of passion pass legislation which would lead us back to the time when it was possible for employers to pillory the workers by means of injunctive processes based upon an allegation that there were, for example, threats of violence about to threaten to take place, to borrow some of the language of the Case bill.

The practice of any labor organization in exacting payments for services not performed is indefensible and I believe that legislation in this field would be proper.

Jurisdictional strikes do not make any sense, as every one in and out of the labor movement will usually agree, but jurisdictional strikes can no more be eliminated by the passage of a law forbidding jurisdictional strikes than can tuberculosis be eliminated by the passage of a law against tuberculosis. The only remedy for such a situation is one wherein we attempt to devise other methods of settling jurisdictional disputes so that they will not get to the point where strikes take place.

Mr. Chairman, I know some Members are likely to ask, Why does not the gentleman attempt to devise such legislation? My answer to that is that I have and I am, and I believe that in the course of time it will be possible for earnest Members of this House to bring before it a piece of legislation in the form of a labor code, if you will, which, after careful consideration and hearings where all sides will be heard and where we will be able to take the flaws out of such legislation, will do considerable good. For my part, I am ready to go to work and have been at work for a long time along this line. I do not believe we can accomplish that purpose by a shotgun approach to it, such as inevitably we have before us under present circumstances.

Mr. Chairman, one reason why we have legislation before us today is because there have been a number of serious strikes in the country. Those strikes are serious primarily because they have reduced production and retarded reconversion. I make no defense for instances where unions have made demands of a far-reaching nature and then, without waiting for adequate collective bargaining to take place, have immediately taken strike action. In some cases, I am afraid, that has happened. But, on the other hand, I want to say with all the vigor at my command that I think any labor organization would be derelict in its duty if it did not attempt to protect the take-home pay of its members under present circumstances. I believe it to be in the national interest that labor organizations should succeed in that attempt.

I am afraid that many of the people of the Nation lay the blame for current strikes almost completely at the door of labor. I think we ought to look at the record a little bit.

In the General Motors dispute who was it that refused to arbitrate? Who was it that refused to cooperate with the fact-finding board appointed by the President of the United States? Who was it that refused to accept the findings of the board? In every single instance the answer is, It was not the union but the corporation. In the steel strike the same situation pertains. Labor accepted the President's proposal; the companies rejected it. In the case of the meat packing industry, apparently there was no counter offer made to the union's proposition by a single packing company save one.

In connection with shipbuilding I have been informed that in the month-long negotiations, a great deal of that time has been spent by the management members reading newspapers, without talking over the issues involved.

Under these circumstances certainly the approach to this problem that Congress should take is not one which ought to be in any way directed at the punishment of labor alone, for what has taken place at the present time, namely the stoppages of work. We cannot shut our eyes to the major part of the truth about this great national problem. It is important for us to be clear in our minds when we get before us an appeal on somebody's part that we stop strikes, that the only way that strikes can be stopped completely is by instituting the

power of government, first, to decide all issues between labor and management, and then enforce its decision. Now we cannot compel people to work for someone else's profit. In America you cannot do those things. They do that in some other countries, but you cannot do it in America. It is my judgment that in the field of vital public utilities, like the service of electricity and gas, and possibly communications, where the very health and life of the people may depend, that we have got to sit down and attempt to pass a means of substituting arbitration for work stoppages in those industries. I believe it can be done in most of those industries. The rates are fixed by public authority, and I believe we can manage to accomplish that purpose, but we have to be clear in our minds that on the one hand you cannot stop strikes unless you substitute governmental machinery and ultimately governmental authority, and I believe that as to American industry as a whole, the American people do not want to see that done.

What did the President of the United States propose about this matter? The President of the United States brought forth a proposal in which he said that he wanted one means of attempting to bring about the peaceful settlement of labor disputes; that he wanted the means to be one where the American people would have an opportunity impartially to check the facts in the case; that he wanted to depend on the power of an informed public American opinion as a final means of attempting to induce the two parties voluntarily to agree with one another on their disputes. It seems to me that the President's position was well taken. From the beginning I supported it, and I will be glad to have an opportunity to vote in favor of the President's proposal if such opportunity can be obtained in the House. The chairman of the committee explained in his speech how such opportunity might come before us, and I want to say that I hope that it will, for it seems to me quite clear, and I have studied this question a good deal, that all the way along the only time that the general public gets a chance or will get a chance to examine an impartial statement of the facts is if you have a fact-finding board of this sort. All of the rest of the process is a statement of one side or a statement of the other, but an analysis of the facts and an attempted impartial presentation of the facts can only come through a board appointed for that purpose.

May I say with all the earnestness at my command that it is my judgment that had the fact-finding boards already appointed been backed up in their findings by people in a position to influence public opinion, and had we found that when those impartial boards appointed by the President had been set up, that there was behind the recommendations of those boards in this Chamber and elsewhere a universal willingness on the part of everyone to say, "Here is a proposal that comes from the source appointed by the President of the United States and in the interest of the Nation; that proposal ought to be backed up as a means of preventing labor stoppages"—I believe had that been done many of the strikes would have been avoided.

What sort of legislation ought the House to pass? I have already said I will vote for the President's original proposal. It is my judgment that we should be clear about this, that the appointment of a fact-finding board ought to be the last step in the process, and not the only one. The bill that was brought before the Labor Committee did make that more or less plain by the first part of the language in it. But it seems to me that there is considerable improvement that might be made, first, by bringing together in a coordinated fashion the services of conciliation and mediation by a Government agency and by broadening those services by making them readily available in labor disputes; in the next place, by enacting a well devised piece of legislation providing for the voluntary submission of disputes to arbitration. I do not think that can be done in a single paragraph. I think it has to be done with great care, and it might be done as it is outlined in the Railway Labor Act. I believe that the type of legislation that this bill ought to be limited to is legislation attempting to assist labor and management in using collective bargaining processes effectively. For that reason, Mr. Chairman, and as a further means of trying to promote what I believe to be the job that Congress ought to do in this instance, and because I do not know what the future of some of these other proposals that will be before us will be, therefore I have prepared, as a result of considerable consultation with people wiser than myself in this field, and on the basis of the study of provisions of the Railway Labor Act over a long time, a bill which I have introduced today and which I shall offer as a substitute at the proper time when I have the opportunity. That substitute will provide roughly five things. It will provide in the first place for the coordination of the work of conciliation and mediation under an Administrator of Conciliation and Mediation in the Department of Labor, with the facilities of that Department ever available to management and labor for assistance in the settlement of their disputes as soon as management and labor have exhausted their efforts at direct negotiation.

In the second place, it will provide for voluntary arbitration, and the provision for voluntary arbitration is completely provided in this bill, and it has been adapted from the Railway Labor Act, where it has worked so successfully.

In the next place, it provides for the appointment of fact-finding boards after the Administrator of Mediation and Conciliation certifies to the Secretary of Labor that his efforts to peacefully settle the dispute have failed.

The final provision is one which I do not want to discuss right this minute because I want to come to another point.

Somebody wants to know, what do you do about the cooling-off period? What I do in this bill about that is precisely what the Railway Labor Act does. It provides that during the process of attempted peaceful settlement of the dispute, and during the time of the fact-finding board's work, no change shall be made in wages, hours, or working conditions by either party.

Somebody says, "Oh, that doesn't amount to anything." But it does, as I will explain.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from California.

Mr. JOHNSON of California. Is the gentleman's bill in substance the same plan offered by Mr. Leiserson of Johns Hopkins University?

Mr. VOORHIS of California. It is just as nearly so as I could make it. I do not want to put on Dr. Leiserson specific responsibility for the authorship of this because that would not be fair.

Mr. JOHNSON of California. No; but it does contain the ideas he has advanced?

Mr. VOORHIS of California. That is right. I have drawn it as nearly as I could on the basis of the recommendations made by Dr. Leiserson and a couple of other real students of this problem, but primarily on Dr. Leiserson's recommendations.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Alabama.

Mr. SPARKMAN. May I say to the gentleman I was very much impressed with Dr. Leiserson's views as presented to the Senate committee. I think the gentleman is to be commended for working up this legislation. I am very much impressed with the statement he has made. May I ask him one thing. I have not heard him mention anything about making employers and employees mutually responsible for their contracts. Does the gentleman feel that any legislation covering that is needed?

Mr. VOORHIS of California. I have been hoping against hope here all the time I have been talking that my time would not run out before I got to that. That is the next thing I am going to speak of. Before I come to it, I want to defend the provision in this measure I just mentioned, which is that during the period of negotiation and the period the fact-finding board is at work no change shall be made in wages, hours, and working conditions. That is precisely the provision that is in the Railway Labor Act, and it has worked successfully in the Railway Labor Act. What it in effect means is simply this, that the employer shall not make any change while the process of attempting to settle the dispute is in process. That in turn means that if a strike takes place the employer is not able to grant any concessions that are sought to be gained by the strike. You do not attempt to go into a lot of complex arrangements to try to compel people to work. All you say is, "You cannot gain anything during this process if you do go off the job." You say exactly what the Railway Labor Act has said and what has worked successfully through the years.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. How does the gentleman insure the maintenance of the status quo?

Mr. VOORHIS of California. By this provision I have mentioned, by providing that it shall be the duty of both parties that there shall be no change in wages, hours, or working conditions during the process of negotiation, conciliation, and mediation. I want to go on to the question that the gentleman from Alabama asked me because the last provision in the substitute I propose to offer is modeled on the Railway Labor Act. It sets up adjustment boards throughout the country.

Mr. KELLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. KELLEY of Pennsylvania. Is there any compulsion anywhere in your proposed bill?

Mr. VOORHIS of California. No, I would say there was not, unless the provision I have cited about maintaining the status quo can be so regarded.

Mr. KELLEY of Pennsylvania. You know the railway management asked the Government to do that in the case of the setting up of the Railway Labor Act. It is a voluntary arrangement between management and labor functioning through labor unions.

Mr. VOORHIS of California. I think that is true.

Mr. KELLEY of Pennsylvania. But you start out with the Government first.

Mr. VOORHIS of California. I do not know if I start out with the Government first.

Mr. KELLEY of Pennsylvania. You start out with legislation first. They have not come in and asked for it.

Mr. VOORHIS of California. I see what the gentleman means, and the gentleman is right, that in the railway industry there was a long period of relationship between established unions and management and that in the railway industry the management completely accepted the existence of the unions and did not question it and came to the point where it always dealt with the union. In many instances in our industries today that is not the case. Here we propose to legislate without that mature development which the gentleman mentioned. I recognize the difficulty in trying to do that. The only answer to that is this. I believe that in view of the present temper of the American people it is important for the Congress to attempt to iron out these things as best we can, to offer strengthening legislation which can be of assistance to labor and management in avoiding strikes. I believe furthermore we have come to the point where it is no longer possible for labor or management or both of them to say that their relations are none of the public's business. I think the people are going to insist that we make their relations, to some degree at least, the public's business. There is a minimum of compulsion in this bill that I have been discussing.

The other provision of my proposed substitute provides that under the national arbitration board which is set up to conduct voluntary arbitration there shall be appointed adjustment panels and adjustment boards throughout the country. Those adjustment boards shall perform the same functions for industry generally that the National Adjustment Board does under the Railway Labor Act for the railway industry, that is, for the settlement of grievances and disputes which arise over the interpretation or application or alleged violations of contracts. These boards shall consist of one member from labor, one member from management, and an impartial member to be appointed by the National Arbitration Board. To those boards would come disputes having to do with violations of contracts by whichever party they might be brought. After that board has made its findings, the findings of that board would be enforceable in court. May I emphasize one thing with great vigor. There are two kinds of labor disputes. On the one hand, there are disputes of interest, that is to say, where labor and management disagree as to what the rate of wages ought to be or what the hours of labor ought to be or what the conditions of work ought to be. One side might be right and the other side may be right. It is all a case of where the interest of the two parties may lie.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. KELLEY of Pennsylvania. I yield the gentleman three additional minutes.

Mr. VOORHIS of California. I am much obliged to the gentleman from Pennsylvania.

Mr. Chairman, on the other hand, there are disputes as to what may be called rights, that is, disputes which arise over questions as to whether or not under a contract a certain thing is allowed or whether it is not allowed, disputes arising over legal questions or contractual questions. In this second realm of disputes, in Sweden, England, and most other countries that I know of, they have provided for judicial settlement of those disputes. We can provide for judicial settlement of those disputes also, in my judgment, and that is the answer of this problem of mutuality of responsibility under contracts. I will say to the gentleman from Alabama that I have tried to understand that question. I certainly want mutuality of responsibility. I think anybody in labor who violates a contract does his movement irreparable damage, worse damage than could be done by anybody else outside of the movement. And we must remember that employers violate contracts too. You seldom hear about it, but they do. Any violation of those contracts is wrong by whomsoever committed. The answer to it is not simply to pass some hastily devised piece of legislation which you do not know where it will lead. I wish to goodness I could understand where section 10 of the Case bill would lead us. I do not know and I have talked with a dozen Members today, as well as studying it with great care myself. Mutual responsibility for the integrity of contracts is certainly right and something we must strive to bring about. But it is no simple matter. And the approach to it contained in my substitute is I am sure the correct approach. I believe it to be one which can lead to a real solution. For to set up machinery whereby either party can bring legal disputes before a judicial body for determination, first of all as to whether the contract has or has not been violated, then as to obtaining whatever corrective measure is proper for the party which has been aggrieved, seems to me clearly the correct attack upon this problem.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. RANDOLPH. Would the able gentleman reiterate his support of the President's position as embraced in H. R. 4908?

Mr. VOORHIS of California. Gladly. I stated that I had supported the President's proposal from the very beginning; that I hoped I would get an opportunity to vote for it; that I believed it was an approach to this problem that was fundamental, because it would be one means whereby the American Nation as a whole would have an opportunity to know what the facts were in these disputes.

In my speech about the substitute bill that I intend to offer, I pointed out that it does include the substance of the proposal made by the President though with some modifications; but it also includes these other provisions which I have tried to briefly outline. I think the gentleman from West Virginia [Mr. RANDOLPH] himself made a most excellent presentation of the case for the President's bill on yesterday.

In conclusion, I merely want to say that the clear duty of Congress is to legislate, not in the interest of or against the interest of any particular group in this Nation, but to attempt to bring forth something which will be of benefit and assistance. We are going to have to look behind every paragraph and every provision. Let us not "go overboard" and pass something that has not had adequate consideration just so we can say we voted for a bill. Let us rely instead upon measures where a pedigree can be brought in for them; where somebody can cite where he got it and how he got it and what its practical results have been in the past. Then we will be on safer ground.

The CHAIRMAN. The time of the gentleman from California [Mr. VOORHIS] has again expired.

Mr. LANDIS. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Chairman, I desire to digress for a moment from the labor legislation under discussion to present some facts with reference to hydroelectric rates in the Pacific Northwest which are vital to our economy which provides employment.

Mr. Chairman, last April, when the 1946 Interior supply bill was debated on the floor, I called attention to the fact that the $17.50 kilowatt rate for Columbia River Federal hydro projects will pay off Government costs and to certain inaccuracies connected with the allegation that the $17.50 kilowatt-year rate would not pay out or provide the statutory return to the Federal Treasury. I am not referring to committee action, but to remarks that were made during the debate

on the floor. I am trying, from time to time, to present facts which will be available to this House when the matter comes up for further consideration. I feel confusion in the record, without factual information, is responsible for some of the misunderstanding which I am today discussing.

This rate matter vitally affects the future welfare of the State of Oregon and my congressional district, in which the Bonneville project is situated. If the Bonneville rates are increased beyond the amount necessary to repay the costs, Oregon would be isolated out of the block of Western States and required to pay twice for the development of its own resources. Obviously, such an inequitable result would constitute unjust discrimination which I am certain none of us would approve. I know neither the courts nor the Congress will penalize any State in this manner. For these reasons, I am presenting such facts as will clarify the Bonneville rate and point out the fallacious reasoning behind the allegations that the rate should be upped.

An analysis of the evidence will demonstrate the adequacy of the cited $17.50 kilowatt rate as applied to Oregon. With this end in view, I addressed the House on July 6, 1945—CONGRESSIONAL RECORD, page 7312—and on October 29, 1945—CONGRESSIONAL RECORD, page 10149—in connection with the aluminum hearings. I am happy to report that since my earlier presentations my own previous conclusions have been verified by official documents from neutral agencies, charged by statute with the responsibility of determining the adequacy of these rates and the pay-out capability.

To understand the problem, the physical components and legislative background must be understood. The overall physical parts of the problem consist of the following:

First. The Bonneville Dam, power plant, and accessories are covered by the Rivers and Harbors Act of 1935 and the Bonneville Project Act of August 20, 1937. This project was constructed and is operated by the Corps of Engineers, United States Army.

Second. The transmission lines and marketing activities are covered by the act of August 20, 1937. These facilities were constructed and are operated by the Bonneville Power Administration.

Third. The Grand Coulee Dam and power facilities were authorized by the Rivers and Harbors Act of 1935 (sec. 2, 49 Stat. 1028, 1039).

Fourth. The Grand Coulee irrigation features are known as the Columbia Basin project. This project is governed by the Reclamation Act of 1939 (53 Stat. 1187) and the Columbia Basin Project Act of 1943 (57 Stat. 14). By definition of section 2C of the 1939 act, this item and the one I have just previously given are included under the Columbia Basin project, but in dealing with costs and repayment, the separation must be made as I have indicated, as different provisions of the cited laws apply.

The interests of the State of Oregon are fully protected by the act of 1937. This act covers more detail on rate protection than the other cited acts and is specific as to accounting and amortization. Oregon's interests lie in the correct handling of the first two cited projects. Each one of the four cited physical projects is covered by specific statute provisions, and these provisions do not have general uniform application to all of the projects.

The confusion and the inaccuracies arise out of an attempt to consolidate all four of these parts as if they were one project governed by one set of laws, when the facts and legislative history do not bear out such an assumption. The only correct procedure is to treat statutory repayment application to each of the parts and the sum of all for the over-all repayment, rather than consolidate all investment costs and handle this consolidated investment under one set of laws and ignore the statutes directly applicable to each part. Such treatment naturally leads to error, and when such fallacious reasoning is carried forward we come to an absurd conclusion which would require the citizens of Oregon to pay twice for the Bonneville development.

Under the act of August 1937 Congress charged the Federal Power Commission with the responsibility of making cost analyses of the projects cited under the first two parts of the over-all problem, and also approving adequate rates. This has been done. When the rates were approved, it was on the basis that they would pay out or they would not have been approved.

Early this year I made a detailed and independent analysis and calculation, and came to the conclusion that under the most adverse set of circumstances the $17.50 rate was more than adequate under the rate statute. My own calculations, based on actual estimated costs to the Government, showed that there was in this rate a factor of safety in excess of 20 percent.

During the recent hearings on the independent offices appropriation bill for 1947 the question of adequacy of the $17.50 rate was put up to Chairman Olds of the Federal Power Commission. Mr. Olds replied that the rate was adequate. His full statement can be found on page 133 of the House hearings on the independent offices bill.

Mr. Olds testified that Bonneville's present rate charges will permit amortization of the cost of the huge power project in 50 years, the Federal Power Commission believes. He told a House appropriations subcommittee that the present rate of $17.50 per kilowatt year "is more than sufficient to provide, in addition to the operating cost, for amortization of the project over a period of 50 years at 2½ percent interest on the money which the Government has invested in power."

"You know that the $17.50 rate is sufficient?" asked the gentleman from Idaho, Representative HENRY C. DWORSHAK.

"I do," replied Olds.

Olds said that the Commission's study included power from both Grand Coulee and Bonneville which is pooled and sold by the Bonneville Administration. He said the Commission had not been asked by Congress to determine how the rate schedule applies to Grand Coulee, a Reclamation Bureau power project. This past summer the Federal Power Commission also released its two-volume report on Bonneville costs analyses. This report goes into great detail and I am pleased to note that this scientific analysis confirms my own earlier conclusions derived by rational simplifications before the report was released. It shows beyond any question that my cited items one and two will fully pay out on a rate as low as $14.50 kilowatt-year, and that the $17.50 rate is fully compensatory under conditions more drastic than outlined in the act of 1937, and with adequate factors of safety.

This FPC cost analysis fully answers the allegations made last April on the floor and dispels all doubt as to pay-out capability of the Bonneville project and accessory transmission facilities. These findings were made pursuant to section 7 of the act of August 20, 1937.

The FPC allocation order and accompanying estimates are public documents made in conformity with a congressional mandate. I will not now take time to document the supporting details, as they are available as a public record, but will do so when the necessity arises. I might also say in this connection that this report also confirms the advance estimates by the Army engineers submitted to the House Rivers and Harbors Committee in the spring of 1937. Anyone who will take the time to examine in detail the evidence of the confirmation of the adequacy of the rate presented by both the Army engineers and the FPC can only come to the same conclusion that I have outlined, namely, that the $17.50 kilowatt rate is adequate to pay out the Federal Government's investment.

It is a well-known and axiomatic fact that the investment cost per kilowatt of installed capacity of a high-head hydro plant is lower than the similar cost of a low-head plant. Therefore, by comparing the high-head Grand Coulee unit costs with the low-head Bonneville project's like costs, it will be found that Grand Coulee as a power project alone would, with this rate, pay out under its applicable statutes.

With this generalization I have disposed of all components of the problem except the irrigation costs. Irrigation costs will largely accrue as the result of future appropriations. Very little has been spent to date on this feature of the project. Presently there is little to repay. To attempt to forecast adequately under existing conditions what will prevail some 20 or 30 years hence is entering into the field of speculation. We do not know what any future Congress will do; neither do we know the length of the present inflation cycle. However, amortization costs can be controlled and adjusted to insure irrigation-costs repayment without requiring Bonneville users to pay double for the services received.

On numerous occasions I have referred to the long exercise of outstanding vision by the House Interior Appropriations Subcommittee. It was their early vision that produced the facilities which forged a goodly part of the tools of victory—the atom bomb, over one-third of the air program, and a substantial part of the ship and ordnance program. Out of appreciation of this vision, I am offering

these constructive suggestions to aid in resolving a matter which can, unless fully analyzed, result in creating a barrier to western development and undo the success already achieved. I am fully in agreement with the intention of the Interior Appropriations Subcommittee to clarify the record and to obtain a full, over-all demonstration of pay-out capability. However, as I have pointed out, this should be done by considering individual projects and not by lumping projects together which are covered by different laws and dissimilar operating conditions.

Mr. LANDIS. Mr. Chairman, I yield 20 minutes to the gentleman from Pennsylvania [Mr. McCONNELL].

Mr. McCONNELL. Mr. Chairman, I have enjoyed the discussions I have heard so far. We are beginning to think, and from those thoughts we will eventually arrive at a worth-while bill.

We have been and are witnessing in this Nation a growing tendency to centralization of power in government, labor, and industry. As a result of this development, only a few people are deciding matters which affect the welfare of millions of people. More and more the individual is becoming a mere cog in a mighty machine. His freedom of action as a person is circumscribed to a marked degree. The personal relationship of one individual to another which in past years would enable a better understanding is disappearing rapidly. Many matters which in the past were settled on a local level are now being handled on a national level. The freedom of an individual is being lost, and I cannot help but feel that something very wholesome and worth while for the social, economic, and political well-being of this Nation is being tossed aside in the wild scramble for power and security.

I realize that the mistaken actions and developments of many years are now coming to fruition. It is difficult if not impossible to undo much of the damage that has been done. At least for the immediate period. Therefore, it becomes necessary to meet the situation as it now exists. The public interest, which means millions of individuals, must be protected as much as possible by their representatives by the establishment of simple, fair, and reasonable rules and procedures to apply to labor and management disputes. If this job is done in the spirit of justice and not in a punitive manner, and if the legal rights of both parties are preserved, I do not see how there can be serious objections. Government machinery for mediation would be provided that will be available for all parties to a dispute whether it be used or not. Individuals may or may not wish to go to church, but the facilities should be at hand for those who wish to use them.

Labor disputes affecting the public interest should be settled equitably and as far as possible without interruption to production and distribution. If the power to do harm exists, then it is the duty of those groups which possess it to be reasonable in the way it is exercised. We should seek to set up rules and procedures which will not only be equitable to both sides to a dispute, but which will also afford some measure of protection to the individual who is affected so tragically by the conflicts of big labor and management interests. The rights of industry, labor, and the general public must be preserved if the well-being of this Nation is to be maintained. The use of force and violence are against public policy whether used by a labor union or by industry.

This bill H. R. 5262 covers several subjects, but at the same time fails to mention some other important matters in the field of employer-employee relationships. The Smith-Connally Act which has had a rocky road to travel ever since its passage, and which is now almost universally condemned, should be repealed. The right of Government seizure which is contained in the act does not permanently solve labor-management strife, but merely postpones it. I have been informed by competent legal advice that in emergency situations where seizure appears necessary, the authority exists for the President to act, irrespective of the existence of the Smith-Connally Act.

The National Labor Relations Act, which deals with organization for collective bargaining, should be revised. Friends of mine with a decided labor bias, here in Congress and in my home district, admit privately that this law should be changed in order to be more balanced or equitable to both parties. I would like to suggest changes now, but hesitate to do so on such short notice.

The steady growth in power of corporations, labor organizations, and Government require constant vigilance on the part of all of us in order to protect the freedom of an individual. Interruption of the free flow of commerce by huge combinations of any type is undesirable, and leads me to the conclusion that a new restraint-of-trade act should be written and considered by Congress in the near future. It is a big question, and I doubt the wisdom of bringing it forth at this time.

It seems advisable to consider only the present bill and amendments thereto, which is a big enough mouthful to absorb in a hurry. There are certain provisions which are satisfactory, and others which I believe should be drastically amended in order to be made more effective, workable, and reasonable in the few days available for study.

Admitting the speedy action which brought forth this bill to the floor, nevertheless, it is here, and in the interest of accomplishing some good for the sake of the country let us join hands in an effort to see if a worth-while bill can be evolved from the discussions on the floor. Instead of bitter personality denunciations and complete opposition of some Members, why not pool our knowledge and in a spirit of give and take work with the material at hand. I recognize the fact that all worth-while legislation has been the result of compromise between divergent viewpoints. I admit my unfamiliarity with certain factors, but I am willing to listen to the opposition to various sections of the bill, and to vote for or against the ideas as I understand them. There are no perfect bills brought to the floor of this House, and, therefore, I believe it is the duty of each one of us to try and improve them to the best of our abilities and knowledge.

This bill provides for the creation of a board to be known as the Labor-Management Mediation Board. I see no reason for objection to that idea, provided the Board is kept free of politics and free of domination by either management or labor. It should be an independent board, composed of men whose character and ability are above question and in whom all parties would have confidence.

The bill requires both parties, after failure to reach an agreement, to submit to the Board a written statement of their failure to reach a satisfactory understanding, the reasons therefore, and the procedures of conciliation and mediation that have been tried. The company is required to refrain from conducting a lock-out, and the employees to refrain from striking for a period of 5 days. If the Board within the 5 days assumes jurisdiction of the dispute, then both must continue to refrain from such action for a period of 30 days, while the Board makes every reasonable effort to assist the parties in the adjustment of their dispute. The Board is to assume jurisdiction only if they decide the dispute substantially affects public interest—interstate and foreign—and cannot be adjusted quickly by collective bargaining. The Board in an effort to settle the dispute may utilize a mediation panel consisting of disinterested persons representative of the public or a combination of representatives of the employees, employer, and the public.

The procedure outlined above has only moderate merit, and I can see reason for objection on the part of some groups. Judging from violent objection voiced by labor to a cooling-off period as prescribed in the President's fact-finding bill, it is anticipated there will be objection to the same idea as presented in this bill. In order to meet this objection I suggest the following procedure: Require management and labor to commence negotiations on a new contract not later than 65 days before the termination of the old contract. At the end of 30 days if both parties have not reached an agreement, then each should file its written statements with the Board, and if the Board decides to assume jurisdiction within the next 5 days, the remaining 30 days could be utilized for the purposes of mediation. By such a method neither labor nor management would be put in the position of being forced to give up the right to strike or engage in a lock-out, since both would be under the terms of the old contract. I intend to offer an amendment next week that will provide for such a procedure.

In the event that a dispute is not settled by collective bargaining or by mediation during that period of 65 days then the Chairman of the Board or the mediation panel should endeavor to induce the parties to voluntarily submit their differences to arbitration. I favor the idea of voluntary arbitration. Once the parties agree to arbitration, then the

award of the arbitrator should be binding upon the parties consenting to such arbitration. I can see no reasonable objections to this section.

During the period of 65 days while the old contract is in force, both parties should be required to maintain the status quo while operating under the old contract. What is wrong with this idea?

The very fabric of society is held together by the honorable actions of individuals. If civilization is to endure there must be confidence and trust between people or between groups of people. The breaking of verbal agreements or written contracts represents violations of the pledged word. All collective bargaining contracts should be mutually and equally binding, and in order to protect the rights of each of the parties thereto, they should be made enforceable either in law or in equity. I realize that in the field of penalties will occur our greatest difficulties and problems.

The time is definitely at hand, in fact past due, when lawful and unlawful picketing should be more clearly defined. It should be unlawful for any person, or any group of persons, by the use of force or violence or threats, to prevent or to attempt to prevent any individual from quitting or continuing in the employment of, or from accepting or refusing employment by, any employer, or from entering or leaving any place of employment of such employer. These words have been taken from the bill. Whether the penalty provisions provided in this section of the bill represent the best method of meeting the situation, I do not know without further study during the next few days. I would like to read a letter which I received from a constituent:

GORDON O. WILKINSON,
Ardmore, Pa., January 17, 1946.

Representative SAMUEL K. MCCONNELL, Jr.,
Washington, D. C.

SIR: A drama was enacted today in front of the General Electric Supply Co., 429 North Seventh Street, Philadelphia, Pa., and thousands just like it are now spread all over the Nation, proving over and over, that a citizen no longer enjoys the protection of the Constitution of the United States.

This morning, I went to the GE Supply Co. for quotations on lighting equipment and was challenged by a group of men at the entrance. My name was demanded, which I saw no reason to give. Was told that they were a picket line and that I could not enter. After explaining that I did not work there and furthermore was not a union member, they insisted that I could only enter with a union permit. I went up the steps, opened the door to enter and was blocked by two men who greeted me with "this is a picket line," then added, "you can't enter because the place is closed." I protested that the company had not posted a closed sign on the door, and was answered "that don't mean nothin'." Then to my question, "has the company closed the door to business" one man answered "Yes." Addressing a city policeman, also standing within the building, I put the same question and he answered "Yes."

Returning home, I called the manager and was surprised to learn that the company had not closed, and, furthermore, there was no labor trouble in their section but the union pickets were keeping out all customers.

One thing I do know, however, and that is that incidents such as I have just read are wrong.

Section 12, dealing with supervisory employees, should be considered carefully. There are several matters that need clarification. If foremen and other supervisory employees are to be considered part of management, as was originally their designation, then their duties will have to be more clearly defined and their pay should be in better relationship with other employees. If the latter group receive as much or more for their services, which is often the case, due in many instances to the pressure of organized effort, then the desire of supervisory groups to organize is understandable. The position of union stewards in respect to foremen should be more clearly defined.

As can be understood by my statements, I am not in accord with all the provisions of the bill. I am hopeful that certain amendments will bring the necessary changes, particularly in respect to the penalty provisions. If not, I shall not hestiate to vote to recommit the bill. I believe general debate should continue over into the following week.

America has been known for years as the land of opportunity. Under the incentive of private initiative and a free economy, this Nation has grown to be the greatest industrial nation in the history of the world. Great care must be taken to see that huge size and power do not produce conditions whereby labor and management in their struggles cause curtailment of the rights of an individual, and cause personal harm to a human being.

Mr. GRAHAM. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from Pennsylvania.

Mr. GRAHAM. Under the gentleman's proposal does he propose that the labor unions shall be incorporated or not?

Mr. McCONNELL. No. I made no mention of that.

Mr. GRAHAM. The gentleman has not touched on that point at all?

Mr. McCONNELL. No.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I prefer not to until I have completed my statement.

Mr. CASE of South Dakota. I was going to make one comment on what the gentleman has just said. I think the gentleman is giving a very thoughtful approach to this subject. I was going to say that by both parties' agreeing on a certificate of agreement or arbitration, the terms and the mechanics for the arbitration would be provided in the certificate of agreement.

Mr. McCONNELL. I thank the gentleman.

Mr. RANDOLPH. Mr. Chairman, I yield 15 minutes to the gentleman from West Virginia [Mr. NEELY].

Mr. NEELY. Mr. Chairman, until it can be demonstrated that to pour gasoline on a flaming fire is the best way to prevent a conflagration, it will be impossible for me to doubt that the Case bill, if enacted, would retard the general welfare and increase industrial strife instead of promoting industrial peace. Let me illustratively indicate why my vote will be cast against this intolerable union-labor-baiting measure.

In this time of national turmoil that tries men's souls, fills their minds with apprehensions and depresses their hearts with fears, Mr. Wilson of General Motors and Mr. Fairless of the steel industry, unfortunately for their corporations and their country, are apparently blind to the fact that the Rosetta Stone to industrial peace, successful reconversion and general prosperity is staring them in the face every day and all day long. So far, they have been as oblivious to its existence and virtue as were the unlearned of another land to the divine effect of the mythical plant Haemony, the availability, abundance and disregard of which prompted the poet, Milton, to observe—

> The dull swain,
> Treads on it daily with his clouted shoon.

And what is this master key to the solution of our present problems, including that of returning thousands of employees of General Motors and the steel industry to their tasks? It is that familiar admonition from the Sermon on the Mount—

> Whatsoever ye would that men should do to you, do ye even so to them.

Let me briefly state the cases which General Motors and the steel industry have presented to the Nation, and then propose a test of the efficacy of the Golden Rule to heal adversities such as the toilers for these concerns are suffering and such as the general public will inevitably suffer if the pending Nation-wide strikes indefinitely continue.

Subsequent to the surrender of Japan, the net pay of the employees of these industries declined until it was indispensable that it be substantially increased in order to enable those who received it to maintain decent standards of living for themselves and those dependent upon them. The average wartime earnings of General Motors employees were $56.93 a week. Before these employees began their strike, their weekly compensation had declined to $44.80.

The average earnings of the steel workers in 1945, prior to the surrender of Japan, were $56.32 a week. Before these began their strike, their weekly earnings had declined to $42.70.

The employees of both these industries endeavored to obtain the increase in their compensation which they considered necessary and just. General Motors employees requested that their compensation be increased to $58.40 a week. The steelworkers requested that theirs be increased to $52.46 a week. The latter asked less than the former, presumably because they fully realized and sympathetically considered the fact that the profits of the steel industry and its ability to pay additional compensation were not comparable to those of the greatest of motor manufacturing concerns.

General Motors refused to grant the requested advance. The President appointed a fact-finding panel to investigate the case. It reported, in effect, that an increase of 19½ cents an hour would be fair both to the corporation and its employees. Although this was much less than the workers had requested and not nearly as much as they believed they deserved, they nevertheless promptly accepted the panel's proposal. The company flatly rejected it.

After the steel industry had refused the demands of its employees, President Truman recommended that they be granted an increase of 18½ cents an hour. These workers believed that they were entitled to considerably more than the suggested amount, yet they, like their fellow toilers in the motor industry, accepted the President's proposal. But the steel companies rejected it, notwithstanding assurances that the Government would, in justifiable cases, raise the ceiling price of steel as much as $4 a ton to compensate the industry for increasing the wages of its workers.

Not as a matter of choice, but as one of self-preservation, many thousands of the employees of General Motors and of the steel industry are now conducting strikes, and they are apparently determined to suffer unlimited hardships, if necessary, in order to obtain an equitable response to their demands. The consequences to the toilers, their employers and the general public of prolonged strikes in the steel and motor industries would be simply appalling. It is unnecessary to dramatize them or even enumerate them because they are self-evident to every thinking man and woman in the land.

And how could the Golden Rule be utilized in the present crisis to bring order out of chaos, peace out of strife and unsurpassable prosperity out of unlimited stagnation? The answer to this question will be indicated by the following amazing facts and the proposal that will be based upon them.

A report made by the Treasury for the year 1943—the last year for which relevant facts and figures are available—shows that General Motors paid its president, Charles E. Wilson, for that year a total of $459,041.38. This vast sum is more than $7,000 greater than the combined yearly salaries which the United States in 1945 paid its President, its Vice President, all the members of the President's Cabinet, the Chief Justice, and the eight Associate Justices of the Supreme Court, the Speaker of the House of Representatives, and General Eisenhower for winning the world's bloodiest war and saving all the free people of the earth from enslavement by the Axis Powers.

President Wilson's average compensation for 1943 was at the rate of $8,827.71 a week. For the same year the average weekly earnings of a General Motors employee were $44.80 on the basis of the standard 40-hour week.

Mr. Wilson's pay was $52.54 an hour. It was more than 87 cents a minute.

Upon the assumption that Mr. Wilson is neither abnormal nor subnormal in any particular, except that of refusing to grant a slight increase of wages to his company's deserving employees, he, like other human beings, breathes 18 times a minute. Consequently, day and night, sleeping and waking, working and playing, every time he draws his breath he draws 4 cents 8⅓ mills directly from the General Motors treasury and indirectly from the pockets of the stockholders of that corporation. With every beat of his heart more than a cent is added to his worldly wealth.

Rossetti must have had Mr. Wilson in mind when he wrote:

My heart is like a singing bird
Whose nest is in a water'd shoot;
My heart is like an apple-tree
Whose boughs are bent with thick-set fruit.

The reference to the heart-beat earnings of a cent reminds me that the versatile Mr. Ripley illustrated one of his recent "Believe It or Not" contributions to the daily papers with a picture of a man bearing an enormous burden. Beside the picture these words appeared: "In 503 a laborer's wages in Constantinople were frozen at 2 cents a day. The freeze lasted 1,400 years." During this period, what a glorious Shangri-la Turkey would have been for Montgomery Ward's Sewell Avery, who is one of the ringleaders of the bloodthirsty wolf pack of would-be exterminators of organized labor, and for President Wilson, the Goliath of General Motors, and for the tycoons of the steel industry who, by refusing to add a few pennies an hour to the wages of their employees, are wrecking the entire program of reconversion to peacetime production.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. NEELY. Certainly.

Mr. RANDOLPH. I asked the gentleman to yield at this point because of his mention of Mr. Wilson, of General Motors. Does the gentleman mean the General Motors which withdrew from the hearing before a presidentially appointed fact-finding group of experienced and fair men not so many weeks ago?

Mr. NEELY. My distinguished colleague has, with his usual accuracy, correctly identified the motors corporation to which my remarks refer.

From the Treasury report previously mentioned, it further appears that General Motors provided Mr. President Wilson the assistance of no fewer than 31 officials, each of whom received compensation ranging from more than $75,000 to more than three hundred fifty-nine thousand dollars a year. The names of these officials and the sums they received are as follows:

Harry W. Anderson	$90,506.93
Anthony C. Anderson	75,574.38
Thomas P. Archer	140,806.25
Albert Bradley	350,432.32
Donaldson Brown	306,160.75
George W. Codrington	142,281.20
Marvin E. Coyle	284,014.00
Harlow H. Curtice	252,600.90
Frederic G. Donner	151,034.27
Nicholas Dreystadt	168,050.00
Harley J. Earl	130,366.28
Ronald K. Evans	208,643.18
Edward F. Fisher	259,815.13
Lawrence P. Fisher	$164,454.10
Louis C. Goad	129,589.87
Richard H. Grant	195,794.63
Harold L. Hamilton	77,673.38
Henry M. Hogan	152,871.50
Ormond E. Hunt	359,519.00
Charles F. Kettering	306,117.88
Harry J. Klingler	168,713.81
Frederick J. Kroeger	181,659.43
Bayard D. Kunkle	163,929.19
Charles L. McCuen	218,871.05
Cyrus R. Osborn	82,930.56
Edward C. Riley	92,125.84
Sherrod E. Skinner	134,180.58
Alfred P. Sloan, Jr	200,800.00
John Thomas Smith	306,310.75
Meyer L. Prentis	99,832.72
William C. Williams, Jr	170,748.75

Mr. GAVIN. Mr. Chairman, will the gentleman yield at that point?

Mr. NEELY. I yield.

Mr. GAVIN. I should think in a spirit of fairness the gentleman would outline approximately what those men pay in income taxes. We all hear about the take-home pay. Let us be fair and tell how much they take home. The gentleman is telling what they receive, but the gentleman is not telling how much they are paying the Government in income tax which is up in the 85- and 90-percent bracket.

Mr. NEELY. Mr. Chairman, please let me inform the gentleman from Pennsylvania that General Motors officials and others like them, who are preventing the substitution of industrial peace for industrial chaos, are not the only ones who pay taxes.

Mr. RUSSELL. Mr. Chairman, will the gentleman yield?

Mr. NEELY. Not until I have completed my answer. Proceeding from the point at which I was interrupted, let me observe that, in proportion to financial ability, the toilers in the steel, motor, and various other industries pay more taxes than are paid by those in behalf of whom the gentleman from Pennsylvania has entered the debate.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. NEELY. I yield.

Mr. GAVIN. If the gentleman wants to be fair he should explain it.

Mr. NEELY. In my opinion, my remarks need no exegesis. Let the gentleman himself explain whatever he has in mind.

Mr. GAVIN. I am trying to do that.

Mr. RUSSELL. Mr. Chairman, will the gentleman yield now?

Mr. NEELY. I yield.

Mr. RUSSELL. If the gentleman wants to be fair about this proposition, why does he not tell the House how much John Lewis draws? How much Bill Green draws? How much Sidney Hillman draws? How much R. J. Thomas draws? How much they get with every breath they breathe? And why does he not tell us that it is paid from the sweat of the laboring man?

Mr. NEELY. Mr. Chairman, regardless of the Apostle Paul's admonition to avoid "Foolish and unlearned questions, knowing that they do gender strifes," I respond that the question of the gentleman from Texas is totally irrelevant to anything that I have said.

Mr. RUSSELL. Yes; it is relevant; it is utterly unfair not to give both sides.

Mr. NEELY. The gentleman's charge of unfairness is ignored. But I venture to express my surprise that a lawyer would contend that an advocate should plead for both the plaintiff and the defendant in the same case. So far as I am concerned, the gentleman may practice in that manner to his heart's content, but I shall certainly not emulate his example. I gratuitously add that, in my opinion, there is not even a shadow of justification for the insinuation that Messrs. Lewis, Hillman, and Green are involved in the strikes in the steel and motor industries, which are the subject of this discussion.

Mr. RUSSELL. But the gentleman was telling how much the president of General Motors draws as salary. He should tell how much the union presidents draw, and be fair about it.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. RANDOLPH. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. NEELY. Thus it appears that General Motors, which stubbornly refuses to grant its needy employees an increase in their compensation of a few cents an hour, paid President Wilson and 31 other high officials a total of $6,225,550.01 for their services during the year 1943. There is not, to my knowledge, any official report that would indicate that these fabulously compensated gentlemen have suffered any reduction whatever in their so-called take-home pay. Indeed, the probabilities are that if their compensation has been changed, it has been increased instead of diminished.

A General Motors employee, on the basis of the average pay for a 40-hour week, at the time the strike was begun, would be obliged to toil more than 3 years and 10 months in order to earn as much as the company pays President Wilson for a single week's service. It is improbable that any General Motors employee could, at his present wages, earn as much during the rest of his lifetime as President Wilson receives from the company every 3 months.

Let me propose that for a week Mr. Wilson relinquish his presidential compensation, move into a house such as the average General Motors employee occupies, enter one of the plants and for $44.80 render a week's service such as his average employee has been rendering for that sum; and let Mr. Wilson and his family—if he has one—live exclusively within the convenience and comfort that this meager compensation will provide them. It is my prediction that if he will do this he will at the end of the week say to his employees, in effect: "Ladies and gentlemen, I apologize to you for having drawn from General Motors a salary of more than $8,827 a week—more than $1,260 a day—while I was refusing to grant you $58.40 a week with which to pay taxes, rent, doctors' bills, dentists' bills, and house and clothe and feed yourselves and those dependent upon you. I have learned in the hard school of experience that it would be impossible for me and mine to obtain even the minimum necessaries of decent American life on wages such as my company pays you. I purpose henceforth to negotiate and contract with you in behalf of General Motors in harmony with the Golden Rule even if I have to reduce my own salary of more than a thousand two hundred sixty dollars a day to the mere pittance of $500 a day—$3,500 a week—in order to help provide you and those who are dear to you the means of living in accordance with the social standards approved by the progressive, intelligent, Christian people of the United States."

Mr. Wilson, please render this great service to your employees, your company, and your country, and thereby earn the gratitude of all your toilers, set a good example for all other captains of industry, win the high esteem of millions of your fellow men, and learn by soul-satisfying experience that "A good name is rather to be chosen than great riches, and loving favor rather than silver and gold."

It was my intention to discuss the situation in the steel industry at length, and to urge the immediate repeal of the so-called carry back provision of the tax law by virtue of which, according to charges recently made, if the companies composing the steel industry do not make or lose a cent in 1946, they may nevertheless receive from the Treasury refunds of $740,000,000.

But the clock admonishes me that the time which the able acting chairman of the committee, Mr. RANDOLPH, most generously granted me has almost expired. Consequently, my discussion of the steel strike must be postponed.

In the remaining moment at my disposal, let me invite attention to the fact that the ability of industry in general to grant reasonable additional compensation to its employees cannot be doubted. That there is a necessity for substantial increases in wages cannot be denied.

The Government's Department of Commerce has ascertained that during the war the yearly average profits of corporations, after the payment of their taxes, was almost two and a half times as much as their average profits in the prewar years. The Department has predicted that the profits of industry in 1946 will be even greater than they were in 1945.

The staff of the Advisory Board of the Office of War Mobilization and Reconversion has proclaimed that industry can increase wages 24 percent without increasing the price of its output and still make profits more than twice as great as those it made in prewar years.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. RANDOLPH. Mr. Chairman, I yield the gentleman three additional minutes, and will ask him to yield at this time.

Mr. NEELY. I gladly yield to my distinguished colleague.

Mr. RANDOLPH. When there was a discussion a few minutes ago about certain salaries, mention was made of salaries of certain leaders of unionism. I think the gentleman, as well as others, would want the House to know that Mr. Murray receives $18,000 a year, Mr. Green $20,000 a year, and Mr. Lewis $25,000 a year. To my way of thinking they earn the money they are paid.

Mr. NEELY. Mr. Chairman, I thank the gentleman and unconditionally concur in his conclusion. But those who are defending General Motors and the Steel Trust and all others who are hostile to labor will doubtless consider highly exorbitant the modest salaries of these great leaders of the millions who live by toil.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. NEELY. I yield to the gentleman from Michigan.

Mr. HOFFMAN. I want to thank the gentleman for the very fine address the gentleman has made.

Mr. NEELY. Mr. Chairman, the gentleman is more than gracious, and I thank him sincerely for his kind words of commendation.

Available information justifies the assertion that of all the corporations able to increase the compensation of their toilers without increasing the price of their products or accelerating inflation, and still make handsome profits, the name of General Motors, like that of Abou ben Adhem, leads all the rest.

Let me earnestly entreat General Motors, the steel industry and all other American industries promptly to begin to operate their establishments in harmony with the Golden Rule. Those who fail to observe it will eventually be likened unto the foolish man who built his house upon the sand. No matter how magnificent industrial and financial structures may be; no matter how prudently they are reinforced, or how strongly they are fortified, if they have been built in disregard of human rights and in disobedience to the Golden Rule, sooner or later, the rain will descend and the floods will come and the winds will blow and beat upon these structures and they will fall, and their fall will be very great because they were built upon the sand.

Mr. LANDIS. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. AUCHINCLOSS].

Mr. AUCHINCLOSS. Mr. Chairman, it is my opinion that the consideration of the present legislation is a direct result of the labor policy which has been adopted during the past 12 years by the Democratic administration. The keynote of this policy is based on social reform and while that in itself is desirable, at the same time the economic facts of life in our capitalistic system of free enterprise have been almost totally disregarded.

During the war years and under the laws of the land, the workingman has received many benefits affecting his economic life as well as his social status, and these benefits have been largely acquired at the expense of the industrial life of the Nation as well as at the expense of Government itself. Benefits as provided by the Wagner Act are progressive and desirable, but when any law favors one group of the people at the

expense of another group, it is unfair and bound to bring unrest and disunity.

Labor leaders are human and therefore are eager to acquire power and do what they can under such circumstances to secure everything possible for the benefit of the people they represent; but in their efforts, because they are human, they acquire a certain amount of arrogance, which in time tends to defeat whatever good they may have gained.

An identical state of affairs, with which I am familiar, is found in the attitude of the leaders in the Nation's financial world during the years 1927–30. At that time there was a scramble for financial power which took the place of greed for money, and being an active member of the New York Stock Exchange at that time, I was in the middle of it. Quite properly, as the result of a national demand, legislation was introduced and enacted into law to control security markets and the expansion of credit to provide greater protection for the people of the country. I was in favor of such legislation, although I was at the time a "small voice crying in the wilderness." During the consideration of the security laws there was the familiar cry that the credit of the country would suffer and that nothing should be done to hinder voluntary reforms. Today that same cry is being heard from the labor leaders and labor legislators, only we fail to hear any promise of reform from them.

In the past few months labor leaders made extravagant demands for higher wages, accompanied by the usual threats of strikes. The managers of industry replied by stating what increase in wages they felt they could afford without an increase in the cost of their products and there the matter stands today. Even though two disputes have been settled—that of the Ford Co. and the Chrysler Corporation—both of these corporations have already applied for an increase in the cost of their product to meet the additional wage expense involved.

It is possible that the leaders of labor should not be too severely censured in making demands for such a large increase in industrial pay rolls, when it is considered that the President of the United States, Mr. Truman, added fuel to the highly inflammable inflationary situation which existed on VJ-day by proposing large wage increases. This was an invitation to labor to come and get it. Corporations, on the other hand, were held tight in the control of the OPA's price ceilings, and when they failed to meet these extravagant demands Mr. Truman suggested a fact-finding procedure which is abhorrent to both capital and labor. The present economic situation in the country is due in no small measure to the ineptitude and futility of Mr. Truman's leadership.

The Labor Committee has reported out a bill which means nothing. It is platitudinous and it is the general opinion that it is no cure for a serious situation. The people of the country are demanding, as they did in 1930 in regard to financial matters, that Congress do something about the situation to stop the tying up of industry and to permit the production of goods which is fundamental in the prevention of inflation. The public will never be satisfied by the enactment of such meaningless legislation as the bill reported by the Labor Committee.

With this in mind, the Republican gentleman from South Dakota [Mr. CASE], one of the ablest men in the House of Representatives, has submitted his bill, H. R. 5262, generally referred to as the Case bill. He took this action only after considerable thought and after consultation with his Republican colleagues. It is a sincere and honest attempt to meet the issues in the labor situation and to find a solution for them. This bill, under the rule, may be substituted for the Labor Committee bill and it, in turn, may be amended and thereby perfected. I understand that there will be various amendments to this measure submitted for the consideration of the House, and the House, in its good judgment, may accept or reject them as it sees fit. Through this procedure it is hoped that some constructive legislation will be brought forth to the everlasting benefit of the country, as well as to the benefit of the workingman.

I feel very strongly that no legislation which abridges the right of collective bargaining or the right to strike should be enacted. The rights of labor must be safeguarded, but, at the same time, it must be remembered that industry has some rights too, and, most of all, the public must be considered.

No one in his right senses would ever claim that the late Justice Brandeis was a reactionary or a foe of the laboring man. He was one of the great progressives of this country and did much to clarify sound thinking for the benefit of the underprivileged. He wrote a book in 1914, Business a Profession, and in that book he said many things of great importance to industry and labor; I quote:

> This practical immunity of unions from liability is deemed by many labor leaders a great advantage. To me it appears to be just the reverse. It tends to make officers and members reckless and lawless, and thereby to alienate public sympathy and bring failure upon their efforts. It creates on the part of the employers, also, a bitter antagonism, not so much on account of lawless acts as from a deep-rooted sense of injustice, arising from the feeling that while the employer is subject to law, the union holds a position of legal irresponsibility.

And again:

> I can conceive of no expenditure of money by a union which could bring so large a return as the payment of compensation for some wrong actually committed by it. Any such payment would go far in curbing the officers and members of the union from future transgression of the law, and it would, above all, establish the position of the union as a responsible agent in the community, ready to abide by the law. This would be of immense advantage to the union in all its operations.

And again:

> The unions should take the position squarely that they are amenable to law, prepared to take the consequences if they transgress, and thus show that they are in full sympathy with the spirit of our people, whose political system rests upon the proposition that this is a government of laws, and not of men.

Mr. Justice Brandeis set forth in his clear and forceful way the fundamental truths which are applicable to today's economic situation. The American people want law and order and they do not want any man or group of men favored above any other man or group of men.

I am very proud that a Republican has had the courage to bring to the floor of the House legislation which, without bias or prejudice, is an honest effort to eliminate inequalities in the law and to reestablish the fact that the affairs of our country must be administered by "a government of laws and not of men."

Mr. LANDIS. Mr. Chairman, I yield 10 minutes to the gentleman from New Hampshire [Mr. ADAMS.]

Mr. ADAMS. Mr. Chairman, I had not intended making any reference to the remarks of the previous speaker or of any speakers in this debate, for that matter; on the other hand, to follow the logic of the gentleman from West Virginia, I suspect he might object to the President of the United States getting $75,000 a year on the ground that it might take 30 years for some one of his staff to earn that much.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. In fairness to the President, the gentleman should state what he takes with him, too.

Mr. ADAMS. It is a mighty small amount considering what he receives.

Mr. GAVIN. He pays income taxes also. We might be fair all the way around and get the figures straight.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Michigan.

Mr. HOFFMAN. The gentleman from West Virginia who just left the floor, calling attention to the salaries paid to the General Motors officials, apparently overlooked—inadvertently, no doubt—the fact that Reuther and Murray and all of these others who are calling these strikes and holding these negotiations and carrying them on, are all drawing their salaries right along while the boys on the picket line are not getting a nickel.

Mr. RANDOLPH. Mr. Chairman, will the gentleman indulge me a question?

Mr. ADAMS. I shall be glad to yield to my acting chairman.

Mr. RANDOLPH. I should like to say to the gentleman that I think the other gentleman from West Virginia [Mr. NEELY], in speaking of what he believed to be the excessive salaries paid to the industry gentlemen in question, was attempting, I believe—at least, that would be my understanding—to show that there was an inflated salary structure existing in certain corporate units. I think the gentleman speaking will agree that that is true; is that not so?

Mr. ADAMS. Perhaps so.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield further?

Mr. ADAMS. I yield.

Mr. HOFFMAN. In answer to the acting chairman of the Committee on Labor, talking about inflationary structures, the other gentleman from West

Virginia [Mr. NEELY], unless he is one of those bloated stockholders of General Motors, does not pay any portion of that salary, and it is quite evident that the stockholders, through the directors, are satisfied to hire a man of ability, a man who can produce who, even according to the CIO and that gentleman, Mr. Reuther, who is carrying on the negotiations and who wrote back to his comrades in Detroit to fight for a Soviet America—he even pays tribute to the ability of the General Motors officials, including President Wilson, because he says the corporation has made exorbitant profits and they have paid next to the highest wages of any corporation.

Mr. ADAMS. Mr. Chairman, I think it might be desirable if we conclude the argument at this point.

Mr. Chairman, I desire to address myself briefly to an amendment which I believe ought to be incorporated in the pending legislation, whether it be the fact-finding bill, or whether it be the Case bill, the Voorhis bill, or any other bill which is considered here that deals with these matters. The fact-finding bill reported by the Committee on Labor is emergency legislation. Its usefulness as a legislative contrivance is open to very serious doubt. It offers, in my judgment, very little hope of permanent improvement in the situation in which we find ourselves. It seems to me, in addition, Mr. Chairman, that it ought to be confined to the period of reconversion and terminate on January 1, 1947, or some similar date. By that time it will be possible to find out whether, in the light of subsequent experience, this type of legislation is of any usefulness or contributes anything to the solution of the situation.

On the other hand, if the bill which the gentleman from South Dakota has offered is adopted, that, too, in my opinion, will be experimental legislation.

Many of its provisions trespass distinctly upon the unknown. No one knows whether as a whole bill it is going to improve, much less cure, this situation. I do not propose to direct any criticism at the bill which the gentleman from South Dakota [Mr. CASE] has submitted. I realize that he was pressed for time. On the other hand, it is unfortunate, it seems to me, that the bill he has presented is now embarking upon a voyage in this House without having been tested in the uneven waters of the House Labor Committee.

It has occurred to many Members, Mr. Chairman, that there are a great many things about labor legislation that we do not know. There is a distinct need for such knowledge, regardless of what bill is adopted at this time. It seems to me that Congress is charged with an obligation to see to it that as able a group of men as this country possesses devote time and study and effort until a legislative program can be recommended and adopted that will straighten out this situation.

I think some such amendment as follows ought to be included in any bill which this committee adopts. The language applies to the Case bill but can be made applicable to any other bill:

It shall be the further duty of the Board to make a broad and comprehensive study of the field of labor-management relations from the viewpoint of both labor, industry, and the public to determine what adjustments are necessary to promote continuity and regularity of employment, industrial peace, and the uninterrupted production and distribution of goods and services for commerce. The Commission shall make its final report to the President and to the Congress, including recommendations with respect to legislation, not later than June 30, 1946.

If that amendment were offered to the fact-finding bill there would have to be a commission set up for that purpose. The amendment then ought to be in language framed substantially as follows:

There is hereby established a temporary labor-industry relations commission (hereinafter referred to as the Commission) to be appointed by the President by and with the consent of the Senate and to be composed of (1) five members representing the public; (2) two members representing labor; and (3) two members representing management.

What ought such a commission do? In addition to the amendment I have just read that would be offered to the Case bill, so-called, and without incorporating such recommendations in the amendment, among other things, the Commission ought to look into the underlying causes of labor-industry disputes and the factors obstructive of their settlement, including the effect of governmental policy both in the labor-industry and in other fields.

It should investigate whether special principles, policies, and practices should be applicable in the case of enterprises, interruptions in the continuous operation of which would vitally affect the health or safety of the people and, if so, what special principles, policies, and practices should be applicable in such cases.

It should inquire about existing impediments to the success of collective bargaining procedures and how they may be improved, with special reference to the possibility of further strengthening mediation and conciliation services.

It should look into the possibility of further improvement in procedures for the adjudication of controversies as to the interpretation and application of contracts arrived at through collective bargaining, and the peaceful settlement of grievances arising under such contracts or otherwise in the course of employment.

It should discover, if possible, means by which, without impairment of the essential rights of either labor or management, the obligations of each may be enforced.

It should probe the possibility of further clarifying and defining the respective rights and spheres of authority of labor and management.

It should concern itself with the problems arising in connection with the selection of representatives for the purpose of collective bargaining and disputes between labor organizations relative to the foregoing and other matters.

It should investigate problems arising in connection with strikes or lock-outs having objectives other than the furtherance of labor-industry disputes within the trade or industry in which the strikers or employers are engaged.

It should find means by which all forms of violence, espionage, intimidation, and other unlawful conduct on the part of any party to labor disputes may be effectively eliminated.

It should consider the problem of the most effective utilization in the public interest of new discoveries of inventions, techniques, and the elimination of practices restrictive thereof, and, at the same time, the elimination of hardships resulting from the introduction of such new discoveries, inventions, and techniques.

The CHAIRMAN. The time of the gentleman from New Hampshire has expired.

Mr. LANDIS. Mr. Chairman, I yield five additional minutes to the gentleman.

Mr. ADAMS. Mr. Chairman, I realize this suggestion is no panacea. In answer to those who may say that we should not be delaying with investigatory bodies, commissions, or committees at this time, I wish to say that regardless of the bill which we are presently to pass—and I assume we will pass one—it will be necessary to watch how the provisions of that bill work out. We shall then know as time goes on, through the investigations of men as competent as this Nation can provide, whether the provisions of any bill which is adopted here are in the public interest. I am not going to suggest at this time that this suggestion be substituted for the provisions of any pending legislation. On the other hand, that might be desirable.

I hope the question of germaneness of such an amendment will not be raised. So far as the bill introduced by the gentleman from South Dakota is concerned, he has introduced an omnibus bill. He reaches for a solution of the questions which are here involved by various and divers means. He has probed many possibilities and he follows no stereotyped pattern. The proposed amendment will help to arrive at a solution of the problems with which his bill deals. It ought to be in order. While it is true that the bill proposed by the gentleman from South Dakota and other bills which will be offered as substitutes here are positive legislation and are drawn in the interest of immediate action, yet, even if enacted, the need for more knowledge and the need for action that is not therein provided will still exist.

To those who say that this amendment would seek to investigate matters with which the legislation itself will deal with positively, I say that we do not know the results of any such legislation.

I realize that the Committee on Labor, of which I am a member, has considered the possibility of going into this whole field. If it decides later to do so, certainly I shall not object. On the other hand, what question today before the country is more entitled to consideration of the best brains in America? What problem which is before the people

should merit more work and effort and persistence by men qualified to deal with that subject in a fundamental and constructive manner?

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. The gentleman is making a very thoughtful approach to the problem. Therefore, it occurs to me that what he suggests requiring the board to make a study might well be germane to section 9 which gives the Board authority to make, amend, or rescind regulations pertaining to its work. Those regulations might call for a recommendation for a study such as he has in mind. I suggest that as a possibility the gentleman offer his amendment at that time.

Mr. ADAMS. I agree with the gentleman that it is probably germane. I believe a question may be raised as to its germaneness providing the House elects to consider the fact-finding bill in lieu of the gentleman's proposal. I do not know what other suggestion may be offered to the House or whether the amendment I am discussing here might be germane to the other proposals which may be before us. On the other hand, it seems to me that a persistent and intelligent investigation of this whole problem is unquestionably in the public interest.

Mr. Chairman, I yield back the balance of my time.

Mr. LANDIS. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. JONKMAN].

Mr. JONKMAN. Mr. Chairman, the only remedies which I can find from the present labor and industrial crisis in either H. R. 4908 or H. R. 5262, are to be found in the miscellaneous provisions of H. R. 5262. Section 10 under these provisions makes collective bargaining contracts equally binding on industry and labor, and enforceable in the courts of the United States. Section 11 makes violence and intimidation unlawful, again with the remedy in the courts of the United States. One of the main reasons why I believe them to be remedial is because they are enforceable in the courts instead of leaving their administration and enforcement to administrative agencies.

Any measures for relief by which we must look to administration labor-management mediation boards or any other administration boards, simply are not worth the paper on which they are written. I believe that if we are to have further remedial legislation, it must be so constituted as to have an absolute minimum of reliance on administration control, direction, or influence. For this reason I believe that the incorporation of unions is the first and positive necessity of accomplishing the objectives of the above-named section 10.

Past experience, right up to the present moment, has shown that the present administration is not only wholly and emphatically incompetent to promote and effect the general welfare of the people of the United States, especially in industrial and labor relations, but is honeycombed with elements which seek diametrically the opposite, and have as their primary objective the destruction of our present economy, and the establishment of a bureaucratic government operation of industries.

On more than one occasion, and especially under recent dates, I have called attention to the conspiracy in the present administration to accomplish this treasonable objective.

It was not surprising to me when yesterday and today I read such streamer headlines in the big newspapers as "Truman aides urge seizure if steel rejects wage plan." This has been the objective of President Truman's aides for months in advance of the present strike stalemate.

When the President's aides, several months in advance of the General Motors strike, urged and advocated 50, 25, and 24 percent increases in wages without increased prices, they were not interested in labor or in labor's receiving an increased wage in any way, shape, or manner. Their objective was to mislead labor with so high a request for increased wages that industry would be unable to meet them. In this way they sought to sabotage our reconversion efforts, and then induce the President to seize all manner of industries, and place them in the hands of these bureaucrats to operate. In this plan they were not only betraying the people of the United States, but they were also betraying labor.

Abraham Lincoln once said, "All that serves labor serves the Nation. All that harms labor is treason to America." Now, how did these conspirators betray labor? The answer is simple. Instead of leaving the initiating and negotiating for any increase in wages to collective bargaining between labor and industry—and I think it is true that labor in a great many industries is entitled to increased wages—these bureaucrats by their treasonable agitation deliberately injected their misleading and—coming from the administration—apparently authoritative statements that industry could easily stand increases of wages of 50, 25, and 24 percent. Naturally, after this siren call from the bureaucrats, it was not difficult for certain labor leaders to spread the belief that these increases were not only the minimum, but were justified. And how would anyone expect the others to say, "The administration is wrong; so radical an increase would only lead to the ruination of industry and jobs, or to ruinous inflation." And being thus betrayed, labor could not be blamed very much for not bargaining for anything much less than that.

Had the administration conspirators let labor and industry alone in their collective bargaining, the workers in General Motors, for instance, could have had an increase of 13½ cents an hour without ever having to strike. But the administration encourages labor leaders to insist on 19½ cents, a difference of 6 cents, and the conspirators in the administration with their sympathizers and coconspirators, supersede all collective bargaining. They seek to bludgeon industry, using the old New Deal tactics of beating them to the punch and calling management conspirators for failure to obey the President's dictator ultimatum for 19½ cents an hour increase. The President thunders, or should I say echoes, "19½ cents or else."

And see how effectively the employees of General Motors have been betrayed. Right today if they get the additional 6 cents an hour, it will take them just exactly 4 years of 40 hours a week at 6 cents an hour, to make up the 50 days at $10.04 a day, which they might have had without a strike, and which they have lost It is no wonder that the honest workers in General Motors, as well as their wives, are beginning to see through this conspiracy and are beginning to realize how they have been betrayed.

It may be answered that Ford and Chrysler have come through with an 18-cent and an 18½-cent raise, respectively. But who dare deny that this was only because they were bludgeoned into it by the administration? Henry Ford II said in yesterday's newspapers that Ford is currently losing $300 on every car they make. Let us hope that when Ford gets into mass production, this will be materially lessened. But unless it is changed into a reasonable profit, what are the Ford workers facing but either loss of their jobs or the ruinous inflation with which these conspirators are always scaring us? And to digress for a moment, while we all know that right now production is the main answer to inflation, what are these conspirators doing through OPA other than sabotaging production?

In seeking to enact remedial legislation, therefore, it should be borne in mind that the creation of new agencies in the administration to bring about this relief is futile, and will bring no results. Therefore, I believe that an amendment providing for the incorporation of unions, together with just a few provisions similar to the miscellaneous provisions above mentioned, will more nearly bring the desired results.

The American people are beginning to look more and more to the Congress, with the realization that the administration is betraying them into chaos and confusion. In the first place, they want to be spared from the anti-American, anti-free enterprise experiment of Government operation of industries. In the second place, all they want is government by law which makes both industry and labor respect human rights and property rights, as well as their contract obligations. In the latter respect, the issue was well stated by Mr. Justice Brandeis, one of the greatest liberals. In his book entitled "Business a Profession," published in 1914, he said:

> This practical immunity of unions from legal liability is deemed by many labor leaders a great advantage. To me it appears to be just the reverse. It tends to make officers and members reckless and lawless, and thereby to alienate public sympathy and bring failure upon their efforts. It creates on the part of employers, also, a bitter antagonism, not so much on account of lawless acts as from a deep-rooted sense of injustice, arising from the feeling that while the employer is subject to law, the union

holds a position of legal irresponsibility. * * *

I can conceive of no expenditure of money by a union which could bring so large a return as the payment of compensation for some wrong actually committed by it. Any such payment would go far in curbing the officers and members of the union from future transgression of the law, and it would, above all, establish the position of the union as a responsible agent in the community, ready to abide by the law. This would be of immense advantage to the union in all its operations. * * *

The unions should take the position squarely that they are amenable to law, prepared to take the consequences if they transgress, and thus show that they are in full sympathy with the spirit of our people, whose political system rests upon the proposition that this is a government of law, and not of men.

I am given to understand that amendments in harmony with the foregoing philosophy will be offered, and I hope that all of them are offered as the result of careful, mature, and impartial deliberation. I quite agree with those who say we must not proceed in the least degree in a spirit of emotion or punishment to unions; for I believe that the overwhelming majority of members of unions have been more sinned against by administration leaders than sinning themselves. Therefore, a few simple, fundamental but constructive amendments which we are certain will lead us in the right direction from this chaotic crisis is all that we should seek at the present time.

Mr. LANDIS. Mr. Chairman, I yield 15 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, I am indebted to the gentleman from New Hampshire [Mr. ADAMS] for his observation that he regretted that my bill which is made in order as a substitute had not been tried in the uneven waters of the Committee on Labor. It was not until I heard that expression that I really understood what was meant when the so-called President's bill, in the form presented to us, had been referred to us as a "watered-down version." If it be true that a course through the Labor Committee insures a certain amount of dilution, I think perhaps it is fortunate that the situation is working out the way it is, because it is apparent now that the House will have an opportunity to consider the problem of industrial disputes and pass appropriate legislation, comprehensively, and, as I hope, dispassionately.

That the American people expect the Congress to do something about the labor situation is beyond question. I received a letter from Indiana the other day from an old friend of mine who moved to Indiana many years ago. The first sentence reads:

If President Truman and Congress cannot smooth out affairs down at Washington pretty soon, we, the public, are coming down to do the job for them. We cannot have chaos in the industrial world of our Nation.

Many editorials in metropolitan papers, as well as in the local community press, are saying things such as expressed by one editor when he said:

Neither labor nor the administration seems to be conscious of any responsibility to the injured public, and certainly no such responsibility is being exercised. How long does Washington think the American people are going to stand for such a situation?

As I remarked yesterday in talking on the rule, the Gallup poll, 3 days ago, reported a poll of the people of the country on this question: "In the coming congressional election, which will be held next November, what do you think will be the main issue?" The replies listed a half dozen different things, but Gallup reported that "labor legislation and strikes" was the issue leading the list with twice as many votes as its nearest competitor.

In spite, then, of what those say who want to do nothing, one should hardly need apologize, for feeling that Congress should do something about the labor situation to try if possible to contribute to a course of industrial peace. Together with many other Members of the Congress I have been trying to do this.

I regret, and I say this sincerely, I regret that circumstances were such I was unable to get the bill I have introduced before the Labor Committee in time for its consideration before the committee reported the bill which it did report. Although, it is true, I do not come from what would be called an industrial district I began work last fall on an industrial disputes act and got several references from the Congressional Library on the subject. My duties on the Appropriations Committee kept me busy on hearings on the Independent Offices bill until just before we recessed for Christmas. I came back early to participate in hearings on the civil functions bill and in other hearings.

I had been working on a bill of a somewhat different type that might have gone to the Ways and Means Committee as I was approaching some of the problems from the standpoint of possible revision of the tax laws designed to correct what some people say is responsible for some of the strikes, the carry-back provisions of the tax laws. In fact I so indicated in a radio panel in which I participated with some of the Members of the Democratic side as well as Members on the Republican side a few weeks ago. But the action of the Labor Committee in reporting out this bill made it seem appropriate to try to get some action now; and over the week end, Saturday, Sunday, and Monday, I did the best I could in trying to bring together some of the provisions I had worked out, sections from other bills that have been introduced, some language from existing laws, and such other suggestions as I could get. I sincerely regret I was unable to get the benefit of counsel from all the Members I would like to have consulted.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. Briefly.

Mr. SHORT. While the gentleman's bill was not considered by the Labor Committee of the House, the principal provisions of his bill, the meat of the measure, have been considered by several different committees of this House, and all the Members are more or less familiar with the points involved.

Mr. CASE of South Dakota. The gentleman is certainly correct; and enough has been said over the radio and in the press of the country, and enough public meetings have been held in which this matter has been debated that the public understands the issues and expects us to do something about the situation now. In fact, nobody laid the burden upon the Congress any more definitely than did the President of the United States. I recall last fall when we came back in September that many people then were pressing for action, and I was forced to tell my people: "Well, the Labor Committee is not reporting anything on this, saying they will wait until the labor-management conference arranged by the President has expired, then they would report some legislation."

The labor-management conference terminated in failure and then came the message of the President calling upon the Congress to do something about it.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. Yes; I yield to the gentleman from Indiana.

Mr. HALLECK. In view of the fact the gentleman has made a suggestion, I should like to point out that yesterday in my talk on the rule I referred to the action of the President in requesting legislation on December 3 last, quoting as he did the fact that the labor-management conference had concluded without making any recommendation and suggesting in that message that the Congress should undertake to do something either to enact this program or such program as the Congress might see fit to adopt.

I was interested in noting in the papers this morning a report of the White House press conference in which it appeared the President said he did not want to comment on the matter before the House, that that was a matter for the Congress; but in view of the fact that action was suggested by the President after the adjournment of the labor-management conference, which as I said, came to no recommendation, I should like to say here because it might be of interest to some of the President's supporters, some of the people who likely will be supported by Mr. Hillman and the PAC, who now have announced their support of the President for reelection, that we take a look at two of the recommendations Mr. Truman made to the labor-management conference as the problems he thought they should deal with and that impliedly should be dealt with by Congress if nothing came of the labor-management conference.

Here is what he, the President, said:

We shall have to find methods not only of peaceful negotiation of labor contracts, but also of insuring industrial peace for the lifetime of such contracts. Contracts once made must be lived up to, and should be changed only in the manner agreed upon by the parties. If we expect confidence in agreements made, there must be responsibility and integrity on both sides in carrying them out.

That is directly in support of a section of the gentleman's bill and Mr. Truman ought to come out in support of it.

Let me read further what the President said:

Some substitute must be found for jurisdictional strikes. Business simply cannot stop, life and property just cannot be endangered, merely because of some internal disagreement between factions of labor, in which management can rightfully have no part and no interest. There can be no moral or economic justification for stopping production while rival organizations contend with each other. Labor has a particular interest in this matter—for nothing is so destructive of public confidence in the motives of trade unionism as a jurisdictional strike.

There again the President of the United States, already endorsed by the PAC for reelection, is recommending two of the things that the gentleman has in his bill.

Mr. CASE of South Dakota. I appreciate the gentleman's contribution because he has brought out clearly that the President recognized three problems; first, strengthening of the processes of conciliation and collective bargaining; second, the need for making contracts with mutual obligation, and, third, the problem of jurisdictional strikes.

Mr. Chairman, most of the debate up to this point has been so general in its character that I would like to use what remaining time I have to get down to a discussion of the provisions in the bill itself. There have been some very broad statements made as to what the bill did or did not do, mostly what it did do, but they have been so broad that they are wholly inadequate and I hope Members have before them a copy of the bill because I would like to take up the bill section by section. Let us see what the bill itself proposes rather than what somebody thinks it proposes.

First of all the declaration of policy is important to the bill because it sets forth the processes upon which the proposed labor-management mediation board would operate and would affect the interpretation of the bill. I may say that broadly speaking it goes back to section 8, article I of the Constitution which provides that the Congress shall have power to provide for the common defense and the general welfare of the United States.

Let us start with declaration of policy, then, and go right through with it. Section 2 states:

SEC. 2. It is declared to be the policy of the United States that labor disputes affecting the public interest should be settled fairly and, so far as possible, without interruption or delay in the production and distribution necessary to the public interest, and to that end it is the duty of both employers and employees to bargain in good faith. The right of labor to organize and bargain collectively with employers is one of the cornerstones of competitive enterprise. The processes of such bargaining must be protected and strengthened. Government is no less the guardian of the general welfare than of individual freedom. In a complex society warfare in one section of industry affects many others.

Government decision should not be substituted for free agreement, but governmental machinery to promote peaceful settlement of disputes should be improved.

I submit that the current events you read in every newspaper is evidence of that fact.

Demands of either labor or management should be kept within the bounds of reason and fairness, and both sides must recognize the rights of the general public.

The desired end of bargaining between management and labor is a contract. Once that contract is made, it must be equally binding and enforceable on both parties.

That is almost identically what the President said in his message to the labor-management conference, cited by the gentleman from Indiana [Mr. HALLECK]:

Free collective bargaining and contracts resulting therefrom must not be nullified or destroyed by resort on either side to willful violence or unlawful possession, obstruction, or destruction of property. Collective bargaining requires that labor be on one side of the table and management on the other. The separate positions, responsibilities, duties, powers, and rights of labor and management must be maintained.

Legislation has heretofore been enacted to guarantee the right of collective bargaining. It is equally important that legislation be enacted to protect the rights of labor, industry, and the general public in the processes of collective bargaining.

At that point I would like to say that out of the mounting pile of telegrams and letters that have been coming to my desk in the last few days, the thing which the people are saying over and over is that the interest of the public must be protected, and that is why they are glad that this legislation is before us. The declaration of policy recognizes this paramount interest of the public in the maintenance of our industrial processes without interruption by war between management and labor:

Wrongful and unlawful conduct on either side is destructive of collective bargaining; and conduct in pursuit of objectives that are not proper and legitimate objectives of collective bargaining and which are detrimental to the interests of the general public are likewise destructive of collective bargaining. The use of force, violence, and compulsion are declared to be against public policy, as they violate the principles of freedom and self-government upon which our Government was formed and the purposes for which it was founded.

To aid in the voluntary and expeditious settlement of labor disputes affecting the public interest, therefore, there are hereby established additional facilities and procedures for the application of collective bargaining, conciliation, mediation, and arbitration.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. ADAMS. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. CASE of South Dakota. Thank you. Now as you are following the bill with me, it would help, I think, if I call attention to the structure, that sections 3 to 9, inclusive, deal primarily with the Labor-Management Mediation Board. Following that are some miscellaneous provisions which deal with some of the other problems that have been mentioned.

First let us analyze sections 3 to 9. I am not going to read those all in detail, because I can pick out the salient features and explain them more quickly.

First, the President shall, by and with the advice and consent of the Senate, initiate a Labor-Management Mediation Board by the appointment of three people representing the public. Those three people whose appointment must be confirmed by the Senate will be the Chairman, the Vice Chairman, and secretary of the Board, respectfully. It is important to remember how they are selected, by and with the advice and consent of the Senate, because whether or not the Mediation Board steps into an industrial dispute will depend upon their determination whether or not the public interest is affected; consequently, it is provided that they be selected from the public's members of the Labor-Management Mediation Board, and that they be confirmed by the Senate.

Provisions follow on terms, salaries, meetings, organization powers, which are more or less characteristic of the formation of a board like that, and unless there is some special reason, I will not take the time to go into any of them.

Now coming to the duties of labor and management, section 4, at the bottom of page 6, says:

(1) Duty of employer: It shall be the duty of an employer to refrain from conducting a lock-out until after the expiration of 5 days from the date on which such employer or his representative has given the Chairman of the Board the written notice of his intention so to do, containing a statement of his reasons for such intended lock-out; and if the Board within such five days assumes jurisdiction of the dispute, it shall be the duty of the employer to refrain from conducting the intended lock-out until after the expiration of 30 days from the date of the notice.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I prefer not to yield until I get through taking up the details of the bill at this time.

First of all, then, there must be a 5-day notice on the part of the employer if he intends to shut up his shop. The same responsibility is placed upon the employees or their representatives in the calling of the strike. That is why I say that this is intended to eliminate Pearl Harbor tactics in industrial disputes. If the Japs had been required to give a 5-day notice before they struck at Pearl Harbor—let me say that those who laugh are thereby saying that we should preserve in the industrial life of this country the jungle law of the strike without warning. In the public interest the public is entitled to know when production of essential industries is going to be stopped and have an opportunity to try to strengthen the processes of collective bargaining.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield.

Mr. CASE of South Dakota. No; I am not going to yield until I have reviewed the principal sections of the bill. The gentleman might just as well save his time and effort and remain in his seat.

I want now to call attention to the equal obligation on the part of the employees to give a 5-day notice of intent to strike:

It shall be the duty of employees of an employer to refrain from striking until after

the expiration of 5 days from the date on which they, or their representatives, have given to the Chairman of the Board written notice of their intention so to do, containing a statement of their reasons for such intended strike—

And making it their duty to refrain from striking until the 5-day period expires. During these 5 days the officers of the Board have the opportunity to determine whether or not there is sufficient public interest or welfare involved to warrant taking jurisdiction.

Now I want you to notice subparagraph 3 on page 7, which states:

It shall be the duty both of employers, their employees, and their respective representatives, to withhold giving the notices provided for in this section until after other available conciliation and mediation procedures have been attempted, and the notices shall state what has been tried.

In the creation of the Department of Labor provision was made whereby the Secretary of Labor can appoint commissioners of conciliation, and we have a conciliation service functioning within the Department of Labor. This provision requires that the notice of intent to break off collective bargaining shall state that other available conciliation and mediation procedures have been attempted. In other words, we are to try to strengthen this process of collective bargaining set up by the National Labor Relations Act. We are trying to strengthen the process of conciliation established in the Department of Labor.

But when all this fails, when you arrive at the point that they either cannot sit at the table any more or, if they sit at the table, cannot talk to each other any more, then we seek to provide machinery whereby you can have a mediation panel established. The jurisdiction of the Board then comes in; if the Board determines that the public interest is involved, and it would apply to any labor disputes except those which come within the purview of the Railway Labor Act.

I might say in passing that in general this seeks to apply the very principles which have been used in the Railway Labor Act, the principles of an independent agency with authority to pursue avenues of mediation while a status quo is maintained. Section 6 on page 8 provides—

After the Board has taken jurisdiction of a dispute, the Board, under the direction of the Chairman, shall make every reasonable effort to assist the parties to adjust and settle the dispute and make agreements for that purpose. To such end the Board may utilize, and the Chairman may designate, a mediation panel consisting exclusively of disinterested persons representative of the public, or consisting of one or more persons representative of employers, a like number representative of employees, and a disinterested person or persons representative of the public.

Reference has been made during some of the debate to arbitration, and some of the misinterpreters of the bill have tried to say that this is a step toward compulsory arbitration. Let us see. On page 9, section 7, we find the subhead "Voluntary arbitration." Let us see what this does as far as arbitration is concerned:

In the event a dispute is not settled by collective bargaining or by mediation under section 6, the Chairman or the mediation panel shall endeavor to induce the parties to the dispute voluntarily to submit their differences to arbitration. If the parties consent to such arbitration, they shall file with the Board a notice of the agreement to arbitrate the dispute. The award of the arbitrator shall be filed with the Board and shall be binding upon all parties consenting to such arbitration.

In other words, before there can be arbitration the parties to the dispute must have consented to it, with a written notice of the agreement, which, of course, would provide for the conditions and the terms of the arbitration.

Then, the next section—section 8—provides for maintenance of the status quo. Obviously, if you are going to provide for a 5-day period for the Board to determine if they had jurisdiction and then if they take jurisdiction, a 30-day cooling-off period, in fairness to both parties the status quo should be preserved. When the gentleman from California [Mr. VOORHIS] was talking of his proposal he suggested using the procedure of the Railway Adjustment Board to maintain the status quo. It seems to me that maintenance of status quo is essential in any period of delay required for mediation, cooling off, or whatever purpose you have. So under section 8 we provide that after the Board has taken jurisdiction, then the Board shall have the power to issue an order, (1) requiring any person to refrain or cease and desist from calling, or assisting in any manner, a strike arising out of such dispute, that is, for those 30 days, or (2) requiring the employer who is involved in the dispute to refrain or cease and desist from practices which change the situation existing at the time the dispute arose, or which by changing an existing situation led to the dispute and which the Chairman deems shall be prejudicial to the prompt settlement of the dispute.

I want to call particular attention to the sentence that follows. I ask you to note that this next sentence applies not merely to this section, but it applies to the entire act. This sentence is patterned after a proviso which appears in the Railway Labor Act:

No order of the Chairman or process of any court under this act shall require an individual employee to render labor or services without his consent nor shall any provision of such order or process be construed to make the refusal to work of an individual employee a violation of such order or process or otherwise an illegal act.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. LANDIS. Mr. Chairman, I yield ten additional minutes to the gentleman.

Mr. CASE of South Dakota. I thank the gentleman. That sentence was placed in this section because I wanted to make clear that in the maintenance of the status quo, if they resort to an order it would be clear we were not attempting to make any individual work against his will. Personally, I do not think you can anyway. I do not believe you can have involuntary servitude anyway. I do not happen to believe you can require specific performance of a contract for personal services even if we wrote it into the law. But to make it perfectly clear that was not intended in any degree in this bill, that sentence is there. Perhaps I made a tactical mistake that I did not repeat that sentence in the other sections of the bill which deal with restraining orders, but you will note the fact that the language says, "No order of the chairman or process of any court under this act," so that it applies throughout the bill.

The next subparagraph (b) provides that such order shall be effective for such period as the Chairman shall determine, but shall in no event be effective for a longer period than 30 days from the date on which the Board took jurisdiction.

Subparagraph (c) prescribes the procedure by which the Attorney General, at the request of the Chairman, may ask the court for a restraining order.

Subparagraph (d) on page 11 reads:

When granting temporary relief or restraining order, or making or entering a decree enforcing an order of the Chairman, as provided in this section, the jurisdiction of court sitting in equity shall not be limited by the act entitled "An act to amend the judicial code, to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932, except that sections 11 and 12 of such act shall apply in cases of contempt.

Now, there is the language which in the much-heralded objections to the bill, some Members say repeals the Norris-LaGuardia Act. If the Members will read that carefully they will see there is no general repealer of the Norris-LaGuardia Act. The language merely suspends certain portions if it becomes necessary to get a restraining order to preserve the status quo for 30 days, that is mutually protective for labor and management. You may not get a writ of mandamus to compel specific performance of personal services but you might get a restraining order if necessary. The same language appears in the section dealing with violence and intimidation and the binding effect of collective bargaining.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. No; not at this time. The gentleman might just as well save his energy.

The purpose of this is to make this section equally protective to both sides. It is necessary to the person against whom an order might be directed. The National Labor Relations Act, the so-called Wagner Act, has similar language, which appears in the National Labor Relations Act, in section 10, subparagraph (h), which reads as follows:

(h) When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying, and enforcing as so modified or setting aside in whole or in part an order of the Board, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the act entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932 (U. S. C., Supp. VII, title 29, secs. 101–115).

In other words, the language which we have used here makes possible the use of

a restraining order to preserve the status quo, is identical with the language in the National Labor Relations Act. That sets aside the Norris-LaGuardia Act for the purpose of getting temporary relief to carry out an order of the Board there involved. So, the language here no more repeals the Norris-LaGuardia Act than does the Wagner Act.

Now, proceeding with the bill on page 11, the last section dealing with the Board is section 9. It says:

The Board shall have authority, in conformity with the provisions of this act, from time to time to make, amend, and rescind regulations providing appropriate procedures for carrying out the powers vested in it.

Now, we come to the miscellaneous provisions of the bill. Up to this time the bill primarily concerns the declaration of policy and the creation of the Labor-Management Mediation Board.

Section 10 deals with the binding effect of collective-bargaining contracts. This is designed to carry out the purpose expressed by the President with reference to the binding effect of collective bargaining.

SEC. 10. Binding effect of collective-bargaining contracts: All collective-bargaining contracts shall be mutually and equally binding and enforceable either at law or in equity against each of the parties thereto, any other law to the contrary notwithstanding. In the event of a breach of any such contract or of any agreement contained in such contract by either party thereto, then, in addition to any other remedy or remedies existing either in law or equity, a suit for damages for such breach or for injunctive relief in equity may be maintained by the other party or parties in any United States district court having jurisdiction of the parties. If the defendant against whom action is sought to be commenced and maintained is a labor organization, such action may be filed in the United States district court of any district wherein any officer of such labor organization resides or may be found.

Now, in connection with that it should be remembered that the process of any court under this act would not be able to require an individual employee to render labor or service without his consent. So I call attention again to that sentence on page 10, which applies hereto. You cannot get an order to require specific performance of personal services. However, you can get a restraining order to get relief in equity. You could not require any individual to work against his will.

Moreover, I call attention to the fact that since the contracts are to be enforceable either at law or in equity against each of the parties thereto, that an individual is not a party to a collective-bargaining contract, as far as labor is concerned. Relief granted will be toward the recognized bargaining agent rather than an individual, if the order applied to labor; it might be an individual if the order were directed against the employer and he, as a contracting party, were an individual.

The next section, section 11, Violence and Intimidation:

(a) It shall be unlawful for any person, by the use of force or violence or threats thereof, to prevent or to attempt to prevent any individual from quitting or continuing in the employment of, or from accepting or refusing employment by, any employer, or from entering or leaving any place of employment of such employer.

I call attention there to the matter which was brought before the committee yesterday, I believe it was, that the Civil Liberties Union has said that it was wrong to permit intimidation. I would also call attention to the mutual character of this provision which would make it possible for a labor union to get an order restraining the employer from employing a goon squad or anything of that sort to prevent an individual from quitting or continuing in the employment of any employer.

In other words, I have sought here to make this mutually applicable; and unless you believe that intimidation and violence have a rightful place in the industrial life of America, unless you believe in continuing warfare, it seems to me you ought to agree that we should outlaw the use of violence and intimidation in the industrial life of this Nation. We are spending a great deal of time these days trying to set up a world order in which we will outlaw the use of force and violence and try to make for conditions that mean peace, and lasting peace. Every argument that applies to the international situation applies with equal force to problems within this country, where we are trying to work out the processes of democracy and to establish a condition where we can have industrial relations without force and violence. Here we ought to be able to set up a condition of peace.

The penalty in case an employee should be found guilty of willfully engaging in violence or intimidation is not to make a felon out of him, not to put him in prison; the bill does not propose any such thing. Follow this paragraph with me, on page 13, subparagraph (b):

(b) An employee whom a preponderance of the testimony taken (in appropriate proceedings before the National Labor Relations Board) shows has willfully engaged in violence, intimidation, or unlawful destruction or seizure of property in connection with a labor dispute involving his employer, or in connection with any organizational activities of a labor organization among employees of his employer, shall not be entitled to reinstatement by, or any back pay from, such employer under section 10 of the National Labor Relations Act.

The CHAIRMAN. The time of the gentleman from South Dakota has again expired.

Mr. ADAMS. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. CASE of South Dakota. Is it not fair? If a preponderance of the evidence in hearings before the National Labor Relations Board shows that the individual engaged in force or violence, then he loses his right to reinstatement or back pay.

Could anything be fairer than that?

I merely want to say, in conclusion, this: When this bill comes up for amendment next Monday, I hope the Members will be here. We are trying to work out a process in democracy here. It is the responsibility of every Member to try to work out this problem and do something about this situation. It is of fundamental concern to all America today.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. ZIMMERMAN. There is one point I am not clear about and that is what remedy the gentleman suggests to prevent jurisdictional strokes.

Mr. CASE of South Dakota. I am sorry; I should have taken a little more time. In the second part of the section on boycotts is an attempt to deal with one form of jurisdictional strikes. I am not sure it goes as far perhaps as some Members would like.

Mr. ELLIS. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. ELLIS. Referring to section 7, in whom is authority vested for the appointment of the arbitration boards?

Mr. CASE of South Dakota. That would depend upon the certificate of agreement that was agreed to by both parties. I assume that the certificate of agreement agreed upon by both parties would state the procedure for arbitration in any given case. The gentleman will note that the section which deals with arbitration provides that both parties must voluntarily agree to submit it to arbitration and file notice of agreement.

The CHAIRMAN. The time of the gentleman from South Dakota has again expired.

Mr. GREEN. Mr. Chairman, I will yield the gentleman 2 minutes if he will answer questions.

Mr. CASE of South Dakota. I yield to the gentleman.

Mr. GREEN. I was highly amused with the gentleman's speech on fairness, especially the part of the bill that provides you must give 5 days before you strike. As a member of the Labor Committee, I want to bring to the attention of the House that this bill was offered in the House 3 days ago—just 3 days ago—and was never before the Labor Committee. But we all want to be fair. We certainly did not have 5 days to discuss this in the Labor Committee.

Mr. CASE of South Dakota. There will have been more than 5 days before the House votes on it. I read much of the bill on the floor the day I introduced it, last Tuesday, and placed all of it in the RECORD. That was 4 days ago. Yesterday the House had 1 hour on the rule, and now has had 2 days of general debate on the bill. The debate will be carried over the week end and the matter will be discussed Saturday and Sunday. We will have all the time in the world next week, and as long as anybody wants to offer amendments that are germane they may be offered. This bill will probably have longer consideration than any other bill that has passed the House in many, many months. Finally, let me say that one of the most far-reaching pieces of legislation that I personally have had anything to do with had much less consideration, and I refer to the institution of the Renegotiation Act, which originated in an amendment I offered on the floor of the House to an appropriation bill. That amendment received no general debate, yet it introduced the word

"renegotiation" into our handling of excessive war profits and became what was known as the Renegotiation Act, a piece of legislation of which many people later were proud, as I think they will be if we work out a comprehensive labor-management bill here.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from New York.

Mr. MARCANTONIO. The gentleman has discussed the bill in relation to the Norris-LaGuardia Anti-Injunction Act, and the gentleman has made what, in my opinion, is a very extravagant statement when he said that this bill does not repeal the Norris-LaGuardia Anti-Injunction Act. May I suggest that the gentleman take some time to read section 104 of the Norris-LaGuardia Act?

Mr. CASE of South Dakota. I have a copy of the Norris-LaGuardia Anti-Injunction Act in my hand here, and I have read it several times.

Mr. MARCANTONIO. Let me complete my statement.

Mr. CASE of South Dakota. If the gentleman has a question to ask, will he ask it?

Mr. MARCANTONIO. Here is the question: The Norris-LaGuardia Anti-Injunction Act enumerates specific acts not subject to restraining orders or injunctions. What does the gentleman's bill do to that section?

The CHAIRMAN. The time of the gentleman from South Dakota has again expired.

Mr. GREEN. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. POWELL].

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from New York.

Mr. MARCANTONIO. The reason I ask the gentleman to yield at this time is so that the RECORD will show that the gentleman from South Dakota has not dealt with this section 104 which is the heart of the Norris-La Guardia Anti-Injunction Act. For the benefit of the gentleman from South Dakota [Mr. CASE] let me point out that that section enumerates the specific acts that are not subject to injunction or court order. His bill wipes that out completely.

Mr. CASE of South Dakota. Only for limited purposes.

Mr. MARCANTONIO. I do not yield to the gentleman now. The gentleman's bill wipes out that section which is the heart of the Norris-La Guardia Anti-Injunction Act. I ask every Member of this House to read this bill in connection with section 104 of that act.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I am sorry I cannot yield, unless the gentleman from New Hampshire [Mr. ADAMS] will give me additional time.

Mr. Chairman, I am very happy to have this opportunity to follow the gentleman from South Dakota because up until the time he spoke I was not sure whether he had read the bill; but now that he has spoken and has read the bill publicly I am sure he knows what is in it for the first time.

The problem before us is a problem to solve, not a problem to institute a gag rule. This type of legislation is strictly gag legislation.

Now, we all know that the labor-management pot is boiling. But you cannot stop the pot from boiling by sitting on the lid, and that is all this bill, the so-called Case bill, would do. The thing to do is to have an approach that will be calm, objective and logical so that the fire will be extinguished. This bill is legislation which will make the pot boil even more.

The labor-management situation is a situation which has arisen in the big cities, and while we appreciate any type of light that can be shed on the problem by all Members, we think that Members from the rural areas and nonindustrial areas should look to those of us who know what lock-outs and strikes really are. We, from the large cities, would not dare to take the leadership in anything agricultural, and we are asking that the advice of those of us on the House Labor Committee from the big cities should be respected. In the Labor Committee hearings we had representatives from every section of labor and management. They all agreed that no type of legislation, and especially this kind, would be of any help. The so-called 30-day cooling-off period would be a means of sending labor back to slavery, especially in seasonal industries and industries which have peak production.

The truth of it is, to sum it all up, someone sold our Labor Department or the White House a bill of goods on fact finding. The Republicans, through the gentleman from South Dakota [Mr. CASE] have been kind enough to take the White House off the spot, because from this bill labor and management will know that the legislation has come from the Republican side. The gentleman from South Dakota [Mr. CASE] has introduced it, but in yesterday's deliberations it seemed that others than the gentleman from South Dakota [Mr. CASE], especially one or two from our side, knew more about it than did the gentleman from South Dakota [Mr. CASE].

This bill is really illegitimate. It is a bill that does not know its father and neither does anyone else.

By the time we get through deliberating with this bill and then it goes before the Senate, where it probably will not be reached before the 1st of March, and then goes to conference, why labor and management will have solved their problems like labor and management have always solved their problems. Already we find many in the field of management, such as Mr. Kaiser, Chrysler Motors, and Ford, solving these problems of merely postwar reconversion jitters.

I am a freshman Member of the House, of course, but in the brief time I have been here most legislation has been approached from an hysterical viewpoint. I remember a few months ago we had hysteria created over the work-or-fight bill. It was said that if we did not pass the work-or-fight bill America would collapse. Well, work-or-fight never came out as a law, and we won the war, and the rights of labor were respected. We are going to win the fight for reconversion if we will stop meddling with it, especially those who do not know anything about it, and let labor and management work out their own problems.

What we need here in the House is not antilegislation or destructive legislation but we need constructive, positive legislation. We have not begun any positive legislation since the postwar period began. The minimum wage bill, health insurance, the expansion of Social Security, full employment, fair employment, demobilization of our armed forces, these are positive things that the people are looking forward to. This is the legislation we should enact instead of spending our time on destructive forms of legislation.

If you want to know the truth about it, you cannot force labor to work, and you cannot force management to hire labor. Under our tax laws management can go along and incur losses year after year until 1946 and 1947 and 1948 have passed, and still make money. Industry can lose as much in 1946 as it made before profits in 1944 and 1945 which it may make in profits before taxes in 1947 and 1948 and yet receive a refund of these taxes by the Government of every penny of income and excess-profit taxes paid in 1944 and 1945, and in addition, pay no taxes in 1947 and 1948.

In other words, we can go along the way we are going and the Federal Government will probably have to foot a bill of twenty to thirty billion dollars. You cannot force management to solve this problem through any type of legislation that puts more heat and less light on the problem.

If we want to stop the strike situation it is very easy. We should make inapplicable sections 276, 322, and 710 of our Internal Revenue Code, and sections 122 and 131 of the Revenue Act of 1945, and such other sections of the Internal Revenue Code and the Revenue Act of 1945 as relate to the carry-back and carry-forward of losses and unused excess-profits credits. Then strikes will cease immediately because management will sit down and come to terms with labor.

We are not faced with the problem of labor being unwilling to settle the strike, we are faced with the problem of management striking against Government, because the Government has tried to mediate and has offered a fair solution to each and every strike.

In conclusion, may I say that this type of legislation may help some of the gentlemen in their districts to be reelected but it is not going to help our country. What we are aiming at is to solve the problem of labor and management so that no rights will be abrogated. You cannot fight a war to make the world safe for democracy and then deny democracy the right of the working class to collective bargaining, to use the power of the boycott and the power of strike. You cannot take these rights away from the masses and think we have won the war. We have merely fought a war and you, the Congress, have lost the peace.

Mr. ADAMS. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BUCK].

Mr. BUCK. Mr. Chairman, as with all bills attempting to minimize indus-

trial strife, H. R. 5262 has been labeled by its opponents as a measure destructive of union labor. Nothing could be further from the truth. It is in the interest of labor that strikes which would adversely affect our Nation's economy be settled before they begin. That is the objective, and the only objective, of this legislation.

Opponents of the bill tell us that it sets aside the Norris-LaGuardia Act, that it denies freedom of speech and assembly, that it prohibits strikes and picketing, that it permits antiunion contracts between individual employees and employers, and that it permits suits which would impoverish union treasuries. These stereotyped objections are not new. We heard most of them when this House, only a few days ago, was considering the Hobbs bill, which had as its sole purpose the elimination of highway racketeering.

Let us examine these objections as they apply specifically to H. R. 5262.

The Norris-LaGuardia Act deprives the Federal courts of their power to issue an injunction or, as it has been interpreted, to grant any legal remedy in any case growing out of a labor dispute concerning the terms and conditions of employment. In interpreting this provision, the Supreme Court has not limited the term "labor dispute" to mean only a controversy involving a demand which can lawfully be granted by the employer. On the contrary, it is held the exemption extended to a situation such as this: X union has an employer summoned before the NLRB to compel him to recognize that union as collective-bargaining agent for his employees. Protracted and costly proceedings follow, and X union wins the election, establishing itself as the sole bargaining agent. Then the losing Y union objects strenuously, and out go Y's pickets to strangle the bewildered employer's business, not because he has refused to give them something he lawfully can, but because he has obeyed the law by recognizing the successful union. The employer has an unenviable choice. He can break the law and suffer the consequences, or in due course he can file a petition in bankruptcy.

What does H. R. 5262 do as to injunctions? It permits the employer I have mentioned to obey the law without suffering dire consequences. Surely that is not unjust. It grants the employer protection against illegal boycotting. It makes enforcible against both labor and management the orders of the Labor-Management Mediation Board in maintaining the status quo while issues in the dispute are being mediated. It prevents use of force or violence by either party. Surely these uses of injunctions are not antilabor. They are merely anti-special-privilege. They are mere pro-public-interest.

As to freedom of speech and assembly, nowhere in the bill is there language which at any time would prohibit employees or their bargaining agents from giving full publicity to the existence of, or facts involved in, any labor dispute, whether by advertising, speaking, patrolling, or any other method not involving fraud or violence.

The Wagner Act prohibition of anti-union contracts between employer and employee still stands. The bill affects that provision in no manner whatsoever.

Now, for strikes and picketing. Under this bill the right to strike is merely postponed for 30 days after the Mediation Board takes jurisdiction, and during that same period the employer is also required to refrain from any acts which would upset the status quo. There is no prohibition against peaceful picketing.

The damage-suit impoverishment of union treasuries is the remaining principal objection. The bill does make a valid contract binding on both management and labor. It is only in the breach of a contract or in the violation of law that financial liability is involved. Is this unfair?

This bill, Mr. Chairman, restores equality under the law. Equality under the law has always been considered right and proper in America.

Mr. Chairman, I yield back the balance of my time.

Mr. GREEN. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. ROE].

Mr. ROE of Maryland. Mr. Chairman and Members of the Committee, of course we cannot all agree, but we have the right to disagree. But to my mind there are certain facts facing us. We won the war. Both industry and labor did a wonderful job. But labor received for that job the highest salaries ever paid in the history of the world. Our boys are now coming back. They think they have won a war, but they are going to find conditions very disappointing when they come home. What our people are demanding is that we stop these strikes. The mass of the people are demanding that. The Maryland delegation granted an interview to the CIO of Baltimore early in December. We listened to them very patiently. They were opposed to all pending legislation. They were opposed to the Hobbs bill which simply made highway racketeering illegal. They were opposed to the May-Arends bill, and if you stop to think, if we had passed that bill when it was before the House, we would not have had the steel strike because steel labor had a contract which does not expire until next October and it would have been illegal for them to have broken that contract. So that is what we missed in not passing the May-Arends bill when it was before the House.

They were opposed to the President's fact-finding bill. After listening to them for an hour I asked what they would recommend. They did not have anything to recommend. They wanted to let labor and management fight this thing out like two gladiators until the best man won. I asked them what was going to happen to the consuming public while that took place. They did not care a rap about the consuming public.

I asked them how we were going to get taxes for the Government to function. They were not interested in having the Government function. They were only interested in their own selfish welfare. We must consider the public welfare, the general welfare, the people's welfare, and an opportunity for our returning soldiers to come back to profitable occupation. It is absolutely incumbent upon the Congress to take positive action. To my mind, the Case bill is the best proposal we have had, and I hope it will be adopted by this House in the near future by an overwhelming majority.

The CHAIRMAN. The time of the gentleman from Maryland [Mr. ROE] has expired.

Mr. ADAMS. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. LAFOLLETTE].

Mr. LAFOLLETTE. Yes, Mr. Chairman, I, too, would like to have a better America for the people who have fought for it; but I cannot find myself in agreement with the gentleman from Maryland [Mr. ROE] who just preceded me. I do not know how we are going to get a better America and advance an intelligent form of capitalism which the people want to attain in this country, unless we sustain the buying power in the hands of the people. I have heard the Hobbs bill defined twice as a bill against highway robbery. I would like to point out that I offered an amendment to that bill which would have touched on the specific things about which these people now complain, and, oddly enough, it was rejected by the votes of these people who now complain about highway robbery.

So, under the circumstances, in the light of what is happening in this Congress, in the light of the refusal of Big Steel to settle on an agreement which I think they reached with the President, in the absolute refusal of General Motors, a tremendous aggregation of wealth, to consider any fact-finding recommendations of an institution set up by the Government, I think there is a strike. I think there is a strike by the owners of tools and plants which are capable of being used by the workers to produce wealth in this country. Oddly enough, when an owner goes on strike, he retires to his club or he goes to Florida and no one sees him.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. LAFOLLETTE. Just a moment. But when a worker goes on strike, he goes out on the street and everybody sees him.

I yield to the gentleman from Illinois, but I hope he will be brief, because I do not have much time.

Mr. VURSELL. The gentleman referred to the owner of General Motors going on strike, and the gentleman referred to the great aggregation of wealth in General Motors. Will the gentleman be kind enough to tell me whether or not I am correct when I state that 425,000 people own General Motors, from the poor man up to the top? Am I correct or not?

Mr. LAFOLLETTE. Now, the gentleman asked a question and I am going to give it to him. The trouble with what the gentleman has to say is that it is management that controls General Motors and steel, and the stockholders do not have a thing to do with it.

Mr. VURSELL. Will the gentleman answer the question?

Mr. LAFOLLETTE. I am not going to yield further. You sit there and take it.

Mr. VURSELL. You should answer my question.

Mr. LAFOLLETTE. It is management, in which a small group of people disregard the rights of stockholders more frequently than they disregard the rights of the workers, that is creating the situation that is confronting you in America.

The gentleman comes from a district of small towns and agricultural communities.

Mr. VURSELL. And labor.

Mr. LAFOLLETTE. All right; and labor. Now let me ask the gentleman: Who is going to purchase the things that come off the farms of Illinois? And who is going to buy things from merchants in the small towns of Illinois? Does the gentleman think the du Ponts are going to come out there and buy them? No; not at all. I will answer the gentleman. The only way that you can maintain prosperity in your rural communities is to keep enough money in circulation in America so that people who produce things on the farms can buy; and that money has to go into the hands of the masses of the workers and it must no longer be concentrated in the hands of people who own the tools the workers use.

Mr. VURSELL. I am ready to answer the gentleman's question.

Mr. LAFOLLETTE. I am not asking the gentleman to answer; I am telling the gentleman things.

Mr. BUCK. Mr. Chairman, will the gentleman yield for a question?

Mr. LAFOLLETTE. Yes; if the gentleman wishes to ask a question.

Mr. BUCK. Does the laboring man have more control over his union than the stockholder has over the control of General Motors?

Mr. LAFOLLETTE. I may say to the gentleman from New York that before I came here I represented—and interestingly enough I may say in passing, without charge—for 10 years the Central Labor Union of Evansville, Ind., which contained all of the A. F. of L. unions. In my opinion the democratic processes which prevailed in those local unions gave more control over the operation of the unions to the workers than the stockholders have in any large corporation in America.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. LAFOLLETTE. I yield.

Mr. MARCANTONIO. Was it not a Republican by the name of Abraham Lincoln who said that labor is independent and superior to capital, and therefore, deserves much the higher return? Perhaps if he were alive today he would be read out of the party.

Mr. LAFOLLETTE. I thank the gentleman for his observation. I remember that he once belonged to Lincoln's party and I am trying to get Lincoln's party back to where I think Lincoln left it.

Furthermore, on this subject there are some interesting figures; there are some figures which show that an original investment in General Motors in 1917 of $1,000 has been repaid in cash dividends and increased value of that stock today 26 times, so that it is worth $26,000 on that original investment. But the workers who created that wealth for that stockholder out of the amount of the wealth produced and left to the owner, over and above the wages the owner paid them, have no share of that wealth which they can call their own. Such capitalism will not forever satisfy our people.

We in this Congress, if we want to preserve the capitalistic system, must pay some attention to spreading the ownership of these great productive facilities so that more people can have a direct interest in them. You cannot permit the continued accretions to original investment in capitalism and the continued growth and accretions to the people who own, disproportionately, the wealth which is produced—and continue to satisfy our people that that is a system which gives them the opportunity which I think should be made available to them, under a real, bona fide capitalism. A system in which private enterprise means real opportunity for all not private privilege for the few.

Let me digress a moment and pay a little attention, if I may, to something I observed in the voting on the rule yesterday and which I think I will observe again in the voting on the passage of this legislation, and that is to this odd kind of liberals, both southern and northern, known as the internationally minded liberals, who are people who can see all the suffering in the Balkans but none of it in America. I want to point out that you cannot have a sound world unless you have a world which is economically sound. You cannot by creating a United Nations charter create a world in which you have peace unless you have trade and commerce in the world.

Now I am going to read a couple of quotations:

QUOTATIONS FROM INTERNATIONAL TRADE AND DOMESTIC EMPLOYMENT ISSUED BY THE COMMITTEE FOR ECONOMIC DEVELOPMENT

The maintenance of a high level of employment in the United States is the most fundamental condition for keeping in operation a program of international trade expansion. Evidence indicates that the level of our industrial activity is the greatest factor in determining the volume of our imports, on which many countries depend for their purchasing power in international trade.

If our National Government stands ready to take strong internal measures, whenever necessary in time of depression or threatened depression, to maintain domestic employment, imports need not be feared as a cause of unemployment.

Mr. Chairman, that was not Henry Wallace. That was not LAFOLLETTE. That is from International Trade and Domestic Employment, issued by the Committee for Economic Development, which is headed by Mr. Paul Hoffman, president of Studebaker Corp., of South Bend, Ind. What are those industrialists and bankers of the CED trying to say to you international liberals?

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. LANDIS. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. LAFOLLETTE. Mr. Chairman, you internationally minded people who call yourselves liberal, then vote for anti-labor legislation and attempt to depress wages in this country, cannot create a sound international order that way. You do not excuse yourselves to me as being liberals by saying "We vote for international cooperation." It is one world. I can talk about these things to you people because I voted with you and I believe there must be one world. But the base upon which the economy of one world is to exist lies right here in the United States of America. At this time when there is so much evidence that the managers and I keep myself in line with the position I explained to the gentleman from Illinois, of these aggregations of capital, defy the Government, and stupidly defy all laws of economics by not giving a sufficient proportion of the wealth produced to the worker in order that he may continue to buy the products which are produced. The people in this House who support that kind of program at this time, no matter what the faults of labor may be, and I have never said that labor was free from faults, are pursuing a wrong policy upon which to build a sound world order. I cannot strain at a gnat and swallow a camel of economic injustice and call myself a domestic supporter of capitalism nor can I do that and call myself a sound supporter of international cooperation.

I want to say to you people from the South and to you people largely from New England and the East who boast of the fact that you are international liberals that your world economy will fall flat on its face if you do not maintain a high rate of buying power in America. You do not maintain buying power in America by overlooking the prevailing evils which are being practiced by people who control great aggregations of wealth and will not even discuss a proper division of the new wealth we hope to produce here between the owner of the tools, the worker, and the public at present price levels, which is the only way you can have a decent economy and the only way that you can prevent a third world war.

I cannot go along with this legislation now, because, as I now see the picture, you are adopting a wrong labor-baiting policy at a time when there is every reason for people who labor to be suspicious of the conduct of those who manage capital, and this is no time to enact intelligent labor-management legislation in this country. The only effect of this legislation now will be to make management more arrogant and obdurate, which will eventually unduly suppress wages, lower consumption power, create an early depression after a temporary boom, wreck world economy, create world economic stresses out of which you will get a third world war, UNO or no UNO.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. GREEN. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. KELLEY].

Mr. KELLEY of Pennsylvania. Mr. Chairman, yesterday the gentleman from New York [Mr. MARCANTONIO] asked who the author of the so-called Case bill was, and he received no reply. Therefore, I suppose the author of the bill was ashamed to acknowledge the fact that he was the author of it. However, this is certain, that whoever is the author

of the bill shows a great unfamiliarity and lack of knowledge of labor and management problems. If he had the knowledge, the right information, he would never have written such a bill because, in the first place, it will destroy labor unions. It is a menace not only to organized labor but to unorganized labor as well. It would hamper industry and labor and it would strike at the very heart of private enterprise. If we have private enterprise in business we must have it in labor. I was surprised that the leadership on the other side of the aisle, which is ordinarily intelligent, should permit itself to sponsor this legislation. However, since they have done it, they will have to accept the consequences before the American people.

Mr. LANDIS. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, what is the cause of all the strikes and economic difficulties we find ourselves in? The hold-the-line policies of the OPA have brought on a great many of the difficulties that this country is now experiencing.

Now that the war is over it is about time for Congress to enact legislation to demobilize bureaucracy. The quicker the Government takes the shackles off business, cuts out the red tape, restrictions, and regulations, misrepresenting and misleading information, and gets out of business the better off the country will be. Chester Bowles and his policy makers continue to dream up a lot of unsound ideas and policies and programs that I feel quite certain they know will not work.

Several months ago it was recommended to the Congress that we abolish OWI. Since then OWI has gone out of business and it has never been missed.

Now, it is about time Congress checks up on the Office of Price Administration because I believe a continuation of their policies, methods, and programs, and interference with business and industry will ultimately wreck the country, throw us into bankruptcy, and leave most of us fit subjects for a psychiatrist.

Their present policy of freezing prices at 1942 levels is an example. And their directives and regulations, most of which are written by some bright, young legal mind, with no previous legal experience, after issued, take about 10 additional lawyers to interpret. When they reach business and industry nobody knows what it is all about and it usually ends up in confusion, confliction, and chaos. It looks to me as though they may become the bottleneck in the reconversion program.

I feel that no one will argue with the fact that the cost of materials and labor have greatly increased since 1942; manufacturers and industrialists certainly cannot produce and sell at 1942 price levels except at a loss. And back of every business and industry and individual enterprise is the profit motive, and if there is no profit there is no business; and if there is no business there is no work.

So I am of the opinion the determination of the OPA to freeze prices at 1942 levels will not create more employment but will mean the closing down of many plants and aggravate the unemployment situation and bring about more strikes, which we are anxious to avoid. Business, all the way from underwear to lumber, has been protesting vigorously.

It appears to me that over in OPA there has been for some time a group of policy makers, a political and economic planning group, who are ambitious to blueprint and chart a set-up to bring about the complete regimentation of our economic life. I am of the opinion that a great many policy makers in the OPA have been in Government since NRA days. It is about time they were demobilized to give us a breathing spell. They would like to force upon our people a program for the regimentation of agriculture, industry, finance, and labor into a socialistic state operated by a system that might be termed "administrative democracy."

This program, if they continue their profit controls rather than price controls, will wreck the country. I have concluded that their objective has been and is now the elimination and destruction of the middleman, the small businessman, and white-collar worker, who I believe—and I think you will agree with me—are the backbone of our American life.

They would like to bypass and eliminate the Congress. It is quite evident that for the past several years they have bypassed the Congress, and it is about time Congress reasserts its prerogatives and takes over.

There has been a question in their minds at times as to the constitutionality of their acts. Nevertheless, they take a chance to see if they cannot indoctrinate the American people, as they call it, with their socialistic program of production for use and not for profit, producer to consumer, to eliminate the small businessman and the middle class; profit control rather than price control, which would regiment entirely the economic structure of America.

Now, I say it is about time this element was eliminated from the control of various branches of the Government. They had their day in court with all of their impractical ideas, and it took a war to give them a new lease on life, and now they want to hang on just as long as they possibly can. These impractical visionaries and policy makers have been coddled long enough, and why we tolerate them is beyond my comprehension.

This past year we increased the Commodity Credit Corporation, so they could pay subsidies, from three billion to four billion seven hundred and fifty million dollars. Now a million dollars is a thousand thousand dollars, and a billion dollars is a thousand million dollars, and we set up last year to hold the line, $4,750,000,000. So, how are we holding the line? The American taxpayer will either pay through slightly higher prices or pay taxes to meet this $4,750,000,000 we are paying in subsidies. There is not much difference either way. So if they held the line on prices, they haven't held the line on taxes and we haven't even started to pay the bill yet.

This past year we are going to pay in subsidies for livestock, or meats, approximately $595,000,000—shortly wages of packing house employees will be increased so we will have to increase the subsidies to meet increased operating costs: So how are we beating inflation? Dairy feed to permit farmers to buy high-priced feed without raising the price of milk, cheese, and butter, $500,000,000; butter prices were controlled by a $100,000,000 subsidy; flour was subsidized for approximately $190,000,000; canned fruits and vegetables, $60,000,000; petroleum products, $290,000,000; natural rubber, $60,000,000; premium prices on copper, nitrates, and tin, $80,000,000. And you could go on and on and on.

The whole picture is a mental delusion. We are only kidding ourselves about holding down prices because we have not held down prices. Even paying subsidies, prices have not been held down but have greatly advanced as you are all well aware.

So what have we done? We have just forestalled actually paying the bills—approximately $300,000,000,000 that must be ultimately paid.

Who is going to pay it? Instead of the people who had security here at home, we will ask the boys to return from the war, take off their coats, and get out and find a job and earn the money to pay for that which we have spent.

At the present time there are demands for wage increases which are justified because of increased living costs. And if you can tell me how a manufacturer or a businessman can increase wages of his employees 25 percent or 30 percent and still maintain 1942 price levels for the sale of his commodities, it will be a pleasure to hear from you.

At OPA they tell us that industry, marketer, and distributor must absorb the increased cost and sell at 1942 prices. Well, if industry must absorb it, there will not be any industry if there is no profit in the business. It is simply an impossibility and the reconversion program won't amount to much and strikes will continue.

The OPA can sing a sweet tune about how they have held down prices and prevented inflation but they have only held it down by paying premiums and subsidies which we must now pay. They tell about increased business, increase of profits, all of which are eaten up by increased taxes. You never hear about the increased taxes and the part they play in running a business.

So why keep on the pay roll of OPA thousands of bungling bureaucrats who will continue to mess up the whole economic life of the Nation with their regulations and restrictions to such an extent that ultimately they will strangle the free flow of trade and crucify thousands of small businesses and throw hundreds out of employment. But they are determined to freeze prices.

Why the Congress will sit idly by and permit these policy makers to carry out their programs which will ultimately throw us into bankruptcy, I cannot understand.

The OPA was created for price control and not profit control. However, profit control under Federal supervision

gives them an opportunity to regiment entirely the economic structure of America.

I would say the American businessman, farmer, and laborer have reached a point of utter exhaustion and they are now lifting their voices to the Congress for relief from the OPA and their ambitious programs to socialize a system that has turned out the greatest production in the history of the world.

Mr. LANDIS. Mr. Chairman, I yield 15 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, we have up for consideration the No. 1 problem before the American people: How to bring about more amicable relations between management and labor. We are hopeful it may soon cease to be the No. 1 problem.

It is most remarkable at this time, when we have about $200,000,000,000 of deposits, savings in cash and in bonds, the greatest amount of spending money the American people have had at any one time in the history of this country. We have the greatest demand for services, products, and goods of every kind we have ever had, the greatest market not only in this country but in foreign countries, business is perhaps making as high profits as it ever has at any time in our history, and when workers are receiving the highest pay they have ever received, yet with all of this money and demand we find a large number of our workers on strike and many plants closed down. Evidently there must be something wrong somewhere. If management and labor could compose their differences, I can see nothing but a period of the greatest prosperity this country has experienced in its history.

But this problem of settlement and getting together is not as simple as many people assume it to be. I get telegrams from businessmen. They seem to think we can do some violent things to labor. On the other hand, I get telegrams from labor. They think that Congress can and should take some violent action against management. The power of the Congress under the Constitution of the United States is more or less restricted and limited. Some people think that we can pass some stringent strike law that would keep workers from striking. This cannot be done. Congress has no such power. The Supreme Court has held time and again, before the New Deal came into power, such able judges as Chief Justice Taft and others have held that we have no such power. The thirteenth amendment to the Constitution expressly forbids forced servitude except for persons who have been convicted of crime. We cannot compel men and women to work—they have the right to strike.

Secondly, our highest courts have held over and over, even before Congress passed the labor acts, that men have a right to organize as workers. Even Chief Justice Taft, who was not a spokesman for labor, years ago declared that they not only had the right to organize under the Constitution, but it was necessary for their own protection. He went on to recite in a noted case that we have organized brains and capital on the one hand. A single worker could not protect himself as to wages and working conditions when he acted as an individual. Therefore, Chief Justice Taft said they not only have the right to organize, but it is a matter of necessity to have organized brains and organized brawn to meet the power of organized brains and organized capital. Labor has the right to organize as has capital, lawyers, doctors, teachers, and others.

Then there are many people who think that under our Constitution we have the right to compel by law, management and labor to arbitrate their differences. Under our Federal Constitution the Congress has no such power. If we can force workers to arbitrate and then compel them to comply with the award of the arbitrators, if that be true, we could compel by law the workers to refrain from striking or if on strike, to return to their employment. It can be seen at once that this would be violative of the thirteenth amendment to the Constitution.

Our Supreme Court has held time and again that strikers have the right to engage in peaceful picketing. I regret to say that there are times when this right has been grossly abused. But our Constitution and laws have denounced the use of force, assault, or violence on the part of workers or management. Workers do not have the right to engage in assaults and rioting under the guise of peaceful picketing. Management does not have the right to employ men to assault the workers; and, on the other hand, workers do not have the right to assault the management or their representatives. And neither has the right, under the law, to destroy the property of the other. When labor and management were about to break their peaceful relations after VJ-day, the President called a labor-management conference and named President Green, of the A. F. of L.; President John L. Lewis, of the United Mine Workers; and President Philip Murray, of the CIO.

The President also named the heads of the Chamber of Commerce, the National Association of Manufacturers, and other distinguished men. They met and spent a number of weeks in trying to work out a plan to aid management and labor to compose their differences by peaceful means and without resorting to strikes or lock-outs. But after spending weeks of earnest study on this important problem they were unable to agree on a formula that would prevent stoppage of production. They did agree that we must preserve our private enterprise; honest, forthright collective bargaining; the sanctity of contracts; the desirability of mediation, conciliation, and arbitration; and the imperative need of full-time production in this period of reconversion. They disapproved resort to violence.

THE PRESIDENT'S BILL, H. R. 4908

President Truman announced to the country his plan for the settlement of labor disputes. This is known as the Norton bill, H. R. 4908. Mrs. NORTON is chairman of the Labor Committee, and one of the strong friends of the administration. This bill is called the fact-finding cooling-off period—ability-to-pay bill. Upon the introduction of this bill it was strongly denounced by President Green, of the A. F. of L., and President Lewis, of the United Mine Workers, and President Murray, of the CIO, and leaders among the railroad workers. It was likewise vigorously denounced by various leaders of the industrial world.

The President has been using his plan on the GM strike and the strike in the steel industry. It has not proved to be effective. It is urged by both labor and management that this is a snooper proposition, and while Mr. Reuther, who was educated in Russia and is a true left-winger, started the catch phrase, "Let us look at the books," and find out the ability of GM to pay the increase of 30 percent, the leaders of labor and management point out that this proposal, while attractive at first blush, was impracticable and would change our entire economic system and substitute Government control of both labor and capital.

Ability to pay should not be the measure of the amount of wages workers should receive. The workers must support themselves and their families. They must have high wages in this time of high cost of living. It can be seen at once that this would not work out. For instance, here is one plant on the west side of a street that has very active, experienced, and capable management that spends long hours and are diligently looking after their business. They earn a substantial profit. They have the ability to pay high wages. On the other side of the same street there is another plant whose management is inexperienced, indifferent, and careless. They are not active, and that plant is losing money. Under the President's bill of fact finding and ability to pay, they would make an award of high wages in one plant and little or no wages in the other plant. It can be seen at once that we would have as many different wage scales throughout industry, transportation, and other business enterprises as there are different plants and industries. The President's plan would destroy the wage structure that has been built up in this country. It would penalize the industry, plant, and stockholders who had selected the right sort of management and place a premium on the other type of management. I do not favor the President's bill.

After hearing the leaders of management, labor, and others, a motion was made in the Labor Committee to report out favorably the President's bill. Although the Democrats have a substantial majority on that committee, this motion was defeated by a vote of 13 to 5. In other words, the President's bill was defeated in that committee by a vote of 13 to 5. The President's bill was greatly amended and was then reported out by a vote of 10 to 8. One of the President's friends in describing the President's bill said "the only certain thing is that the members of the board that the President would appoint as his fact-finders would receive compensation at a rate not to exceed $100 per day." Other friends of labor and friends of the President assert that his bill would create discord and destroy the wage structure that had been built up for the workers of this country.

Since the President's fireside chat urging the people of the Nation to write

their Congressmen and Senators to get busy on his fact-finding, strike-settlement bill, I have received 100 or more letters and telegrams from Democrats as well as Republicans. One-half or more of these came from leaders of labor in my district and in other parts of Kentucky. Each and every one of them expressed opposition to H. R. 4908, the President's bill.

The President's bill, as amended and voted out by the Labor Committee, has very little in it. It does keep in it the $100 a day for members of the board, in addition to the members' necessary travel and other expenses.

There was introduced in the House on January 29, 1946, H. R. 5262 by Mr. CASE of South Dakota. The purpose of this bill, as declared in the title, is "to provide additional facilities for the mediation of labor disputes and for other purposes." This bill has been offered as a substitute to the President's amended bill, H. R. 4908, and is now before us for amendment and discussion. The first 9 sections of the bill contain a declaration of policy to be followed in efforts to settle labor disputes. It declares that labor disputes affecting the public interest should be settled fairly and so far as possible without interruption, and it is declared to be the duty of both employers and employees to bargain in good faith. It further declares the right of labor to organize and bargain collectively with employers as one of the cornerstones of competitive enterprise and the process of collective bargaining must be protected and strengthened. It further declares that contracts fairly made and entered into must be equally binding and enforceable on both parties, and that collective bargaining in contracts resulting therefrom must not be nullified or destroyed by resort of either side to willful violence or seizure or destruction of property, and it further insists that the use of force, violence and compulsion are declared to be against public policy as it violates the principles of freedom and of government and urges that the Government use its good offices in the voluntarily and expeditious settlement of labor disputes affecting the public interest.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield.

Mr. JENNINGS. We have set up the courts to which people who have controversies can go, but we do not compel anybody to go to court. Of course, his adversary may take him into court, but whether or not a man goes into court with his grievance is a matter that addresses itself to his own judgment.

Mr. ROBSION of Kentucky. Yes. If you will pardon me for going back to 1919—we have moved up tremendously in 27 years. During World War I the Government took over the railroads of the country. I believe in 1919 bills were introduced to return the railroads to their owners. Many of the railroad men felt they had incurred the displeasure of the managers.

It was claimed that some of the managers made threats to discharge the railroad workers and the railroad workers replied, "We will strike. You are not going to treat us in this way." There were 2,200,000 railroad workers at that time. They had a bill prepared and introduced which was called the Plum plan. It provided for the Government to turn the railroads over to the railroad workers instead of the railroad owners. This bill had strong support among all the workers of the Nation and many others beside. A bill was introduced providing for the return of the railroads to their owners. This bill was actively supported by businessmen. The railroad owners and their friends insisted that there be an antistrike provision put in the bill. Of course, this was vigorously opposed by the railroad workers. The antistrike provision of the bill provided that if two or more railroad workers agreed among themselves to strike, they could be indicted and convicted for felony. Their punishment, as I recall, was a heavy fine, imprisonment in the penitentiary for as much as 2 years, or both.

The Senate passed that bill with the antistrike clause by an overwhelming majority. The bill came to the House. I was a Member at that time. After considerable study of the whole matter, a substantial majority of the Members of the House struck out the antistrike provision and substituted in its stead collective bargaining, mediation, conciliation, and arbitration. It set up what we know now as the Railway Mediation Board.

The Republicans were in control of the House at that time. This law has proved to be very helpful indeed in the settlement of disputes and grievances among the railroad workers, and the Case bill, H. R. 5262, undertakes to follow that law and make it applicable as far as may be to other disputes between labor and management.

It will be observed that the railroads and railroad workers are exempt from the provisions of the bill we are considering.

In 1923, as I recall, the President, Mr. Coolidge, approved this Railroad Mediation Act, and the Republican Party adopted and strengthened it. When that bill was up for consideration many of us pointed out that there were 2,200,000 railroad workers, and if Congress had the power to pass an antistrike bill, what would happen if the 2,200,000 railroad men did strike? Who would arrest 2,200,000 railroad men and where would we find jails in which to imprison them?

I expressed the opinion then and still hold the same opinion that in free America we can never run the railroads, dig the coal, operate the factories, mines, and shops of this country successfully at the end of a bayonet. They could do it in Russia, were able to do it in Germany and Japan and some other totalitarian governments, but I do not believe it can be done in the United States. To do this we must change our Constitution. I do not mean to say that if the railroad workers and workers in other public utilities should quit their jobs and refuse to carry on their work and the security, lives, and health of the American people were imperiled, that the Government of the United States could not declare an emergency and take over these utilities and operate them. President Truman has the power today, and he has had it ever since he has been President. He likewise has the power to take over the steel, automobile, and other industries in this country. Under the powers granted to the President by the War Powers Act, the bill that he proposes and the other bills proposed would not add anything to the powers that he already has.

I should like very much to see mechanics set up that would bring about peaceful relations between labor and management, and that will encourage voluntary mediation, conciliation and arbitration and also strengthen and aid private enterprise as well as collective bargaining.

In the recent war we have expended nearly $400,000,000,000 in treasure, much precious blood, and made great sacrifices to establish freedom, justice, and liberty. We are now making great efforts to settle world problems by peaceful means and without resorting to lawlessness and violence.

Capital has rights that should be respected. There are more than 50,000,000 employees earning the support of themselves and their families. They have rights that must be respected. But on the other hand capital provides in a large measure the jobs for American workers, and it has rights that must be respected. Furthermore, labor and capital must depend on the 140,000,000 American people for their profits and their wages. Our Nation as a whole has rights that must be respected. These reciprocal rights should be understood and respected by all of us. The lockout and the strike should be the last resort. They result in many instances in great loss to both management and labor and to the American people as a whole. This country belongs to all of us; it is the finest and best in the world. No effort should be spared to compose the differences of management and labor by honest, conscientious collective bargaining and by cooperating with sincere and honest efforts to mediate, conciliate, and arbitrate differences.

The 30 days set up in this bill in my opinion is not a cooling-off period. It gives labor and management an opportunity to review the whole matter at issue. Every representative of management and labor should carry out in these deliberations the Golden Rule, "Whatsoever management would have labor do unto it, let management be willing to do unto labor; and whatsoever labor would have management do unto it, let labor be willing to do unto management." In other words, let each recognize the rights of the other and be willing to yield to what is just and fair.

Unless some policy such as this is pursued, and if we continue to force the Government to take over plants and operate them, one of these days taking over plants will become a habit and we shall find ourselves as the people of Germany and Italy and Russia found themselves—with a totalitarian form of government, with the rights of labor and management both frittered away in needless quarrels and discord.

If private enterprise and collective bargaining in this country are preserved

it will be largely due to the wise and unselfish policies pursued by them.

Will management and labor settle their disputes by collective bargaining, by mediation, conciliation, and arbitration, or will they have their differences settled for them through governmental force?

Mr. ADAMS. Mr. Chairman, I yield five additional minutes to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. There is nothing in H. R. 5262 to keep any worker from striking at any time. There is nothing in the bill to force management or labor to bargain collectively or to accept mediation, conciliation, or arbitration, but it does give management and labor the right and opportunity to all of these privileges. I can see some bright spots in the labor-management situation in the country. I think we are now suffering from some of the unwise policies of the administrations that we have had for the last 13 years. It is true that we have approximately 1,750,000 workers on strike. It is gratifying to me to see the 600,000 United Mine Workers again united with the American Federation of Labor. President Green, of the A. F. of L. is a great American, and he and his organization have some six to seven million members. President John L. Lewis is also a great American, and in his organization there are approximately 600,000. President Green has urged his members to refrain from striking. Since VJ-day only about 40,000 members of the A. F. of L. have gone out on strike. There has been no strike of the United Mine Workers since VJ-day, except some of the members have struck over the vigorous protest of Mr. Lewis himself. The railroad brotherhoods have a wage-increase problem and perhaps some other grievances. There are 20 of these railroad brotherhoods; 18 of them have already agreed to arbitrate their differences with the several railroads. The leaders of railroad workers, Mr. Green, Mr. Lewis, and other labor leaders have urged upon their members to use great restraint at this critical period.

The other strikers for the most part are members of the CIO. This is a comparatively new organization. I am very hopeful they will improve their record and be able to compose their differences through the medium of collective bargaining, mediation, conciliation, and arbitration. It seems to me that this is a most unfortunate time to have strikes and lock-outs. These times call for the exercise of restraint on the part of all of us. One of the great threats to the security of our country today is inflation. This is largely due to the scarcity of consumer goods, products, and materials, and this will continue as a real threat until production catches up with consumption. The American people and the peoples of other parts of the world for some years to come can buy, pay for, and consume all that we can produce, resulting in full employment at high wages, with great prosperity and happiness to labor, management, and all of our people.

I have not had time to discuss other sections of H. R. 5262. I would not support those sections in their present form. I am not in favor of the repeal of the Norris-LaGuardia Anti-Injunction Act approved by President Hoover. The repeal of this act will bring about a great deal of discord and confusion and we revert to conditions that prevailed before that act was passed.

The bill will be read next Monday and Tuesday for amendments. I understand that other substitutes and amendments will be offered. I shall continue to give this matter my very best thought and most earnest consideration in the hope that we may perfect a bill that will receive the approval of the Senate and the President and the support and cooperation of management and labor, as well as the American people.

Mr. LANDIS. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. GOODWIN].

Mr. GOODWIN. Mr. Chairman, "What are you going to do about these strikes?" is the query being put to me repeatedly in a mail which has increased tremendously since mounting labor difficulties have become the top subject of conversation everywhere.

At the conclusion of this debate I am confident an answer will be given as this House rises to the opportunity for the discharge of a clear responsibility. That responsibility must not be shirked. An isolated strike creates little interest, but an epidemic like the current series becomes a matter of widespread concern and brings home to the Congress the inescapable fact that we have to deal today not only with the rights of labor and of management, but actually with the rights of all the rest of our 140,000,000 people.

I would not take away from organized labor the reasonable rights which it has acquired over the years. The right to organize, the right to strike, and the right to collective bargaining are as American as is the right to profit through free competitive enterprise. And we do not need to affect these rights to the detriment of the great body of labor in order to pass new legislation which shall curb strikes and give the green light for the production of much wanted peacetime goods. It is not the rank and file of labor of whom we complain, but certain arrogant and irresponsible leaders.

I am satisfied that the really disloyal element in labor is a very small minority and that this could be proved if there might be a secret ballot. Members of unions tell me privately that they are not in sympathy with the demands of their present-day leaders; some tell me they do not want to strike, that they want to work. I feel that reasonable restrictions on the activities of organized labor at this time are really in the interest of union members themselves who would, if they could act without compulsion, remain loyal to their jobs and our industrial economy.

I will vote for the principles embodied in the Case bill and for any amendments which may seem to me to be desirable to bring into a proper and workable balance the rights of those whose capital is invested in industry, and those who are responsible for its management, those whose labor goes into the production of goods and services, and equally important, those who make up the great majority of our people not directly connected either with organized labor or with management, but who are entitled to live within a peacetime economy where needed goods shall be freely produced and distributed and services desired for their ordinary living shall be rendered without interruption.

In the Case bill the principle of collective bargaining is preserved by the machinery setting up a labor-management mediation board. This board would have authority to intercede in disputes substantially affecting the public interest and while such dispute was under consideration a strike or walkout would be prohibited for a period of 30 days.

The bill further permits wide use of court injunctions in enforcing the cooling-off period, preventing violence, or insuring movement of perishable goods; provides for civil suits against either organization, labor, or management for breaking contracts; prohibits outlaw violence in picketing by either side and forcible attempts to compel others to work or to quit work. The bill bans boycotting to support jurisdictional disputes and violators would face loss of their bargaining powers. It would further deny employee status to unions of supervisory workers unless they do manual productive labor.

These are provisions of merit, especially the set-up for conciliation and quasi-judicial machinery, and if the bill is passed, should be far-reaching in both the curbing of strikes and in the effort to arrive at fair and equitable settlements of labor strife, as a result of which production has been slowed down and reconversion delayed. Whole industries have had to close their doors and a million and a half workers have been forced to become idle.

No wonder the people are aroused and clamoring for action. They want and demand an immediate resumption of the orderly processes of reconversion. They want full production of peacetime goods which they are ready to buy and which are essential to their health and happiness. They want no further impeding of the natural flow of trade and commerce. They want the speeding of the day when all unnatural restraints against trade and wartime restrictions may give way to the old-fashioned economic law of supply and demand which can easily be done when the supply approximates the demand. This can be accomplished only by full production. The people are righteously indignant at the threats of further stoppages of normal facilities for transportation and other public services; they are aroused at the spectacle of certain labor-union leaders, drunk with power, coddled and encouraged for a dozen years by the administration at Washington, arbitrarily so dominating the industrial situation as to threaten a complete paralysis of the commercial life of the Nation.

The strike problem no longer involves merely a balancing of the rights of labor and of management. The menace of irresponsible labor leadership comes into the picture, and consequently this insistent demand of the general public that its rights, too, must be protected.

Mr. LANDIS. Mr. Chairman, I yield 6 minutes to the gentleman from Illinois [Mr. VURSELL].

Mr. RANDOLPH. Mr. Chairman, I yield the gentleman an additional 4 minutes.

Mr. VURSELL. Mr. Chairman, with a million five hundred thousand men on strike and with the President, during the holidays, suggesting to the Congress if they did not like his recommendations it was the responsibility of Congress to write a bill seeking to bring about peace between labor and capital, 258 Members of Congress voted last week to attempt to write legislation to help bring about industrial peace in the Nation for the present and future.

About 100 Members of Congress, most of them from the big industrial centers who depend largely on a solid labor vote for their reelection, apparently opposed any type of legislation.

There are about fifteen million highly organized laboring men in the Nation, and about one hundred and twenty million which make up the general public. The 258 Members who want to try to work out some just and fair program of legislation defining the rights of capital and labor, I think, are to be commended for having the courage to approach this problem, which in the last analysis, will be in the interest of the highly skilled and highly organized laboring men just as much as it is in the interest of the general public.

May I point out that the more conservative American Federation of Labor only has about 40,000 men out on strike. Those led by Sidney Hillman and Walter Reuther of the CIO who are encouraged by the most radical labor leaders in the big cities, are largely responsible for the Congress now attempting to write legislation. It is no secret when I tell you that the present administration, following the policies that have been followed for the past 12 years of trading special favors for votes, is also responsible for the necessity of bringing this legislation to the floor of the House.

It is my further opinion that unless something is done to define the just rights of labor and capital and bring about industrial peace, that the goal of some of those radical labor leaders in calling these strikes Nation-wide is to throw the country into State socialism and later into a form of government that will enslave labor and regiment the people of this Nation following some European pattern.

It is my opinion that history will applaud the efforts of us Members who think we have the foresight, and who know we have the courage to attempt to prevent such a catastrophe in our effort to write sound, fair, and just legislation which will not take any legitimate rights away from labor but which, in the last analysis, will not only help labor but the farmer, the businessman and all of the millions of people of this great country.

I have two letters in my mail this morning from soldiers returning from the war asking me to contact the Surplus Property Administration to see if I can help them buy an automobile which they need in their business. I must write them that there are 80,000 applications from soldiers for automobiles and that there are only 22,000 declared surplus, that I cannot help them because the administration will no longer accept applications because there are no cars. There are millions of people in this country today who want to buy automobiles but the automobile factories have practically all been shut down for the past 75 days because of strikes. Certainly the public is entitled to some protection. Certainly the welfare of the Nation in which the welfare of every man on strike is involved must be protected and something must be done to bring about industrial peace.

For weeks in my home town of Salem, merchants could not get food to sell to the people because of a truck strike in St. Louis and in 15 States in the Middle West. These merchants had to hire extra trucks and take considerable risk in securing these goods in St. Louis. For 2 weeks some 600 members of the Brown Shoe Co. in my home town of Salem were laid off from work because of the truck strike which made it impossible to get the raw material out from St. Louis 65 miles away to keep them employed.

Sooner or later in Centralia, also in my district, hundreds of men will be out of work in the car repair shops because of the lack of steel. I learn that over 700 were laid off last week but I do not know if it was because of the steel strike. One thousand four hundred men will likely be laid off at Mount Vernon, Ill., in my district, who work in the Mount Vernon Car Works for lack of steel and iron, if the steel strike continues. Millions over the Nation will be stopped from work for this reason.

I cite these instances to show you that the interest of the general public of over 100,000,000 people must be protected. And I repeat, if we can protect the interest of the general public who must buy the merchandise made by the skilled workmen it will help furnish a market for their goods to keep them steadily employed at high wages.

The papers report 40,000 men are on strike against the International Harvester Co. and a strike date is set against the Allis-Chalmers plants. A million farmers have been prevented from buying farm machinery during the war and are anxious to buy now. Agriculture is one of the most important segments of the economy of the Nation. How can these farmers plant, sow and reap unless they can get farm machinery? How can the American people and those in the big industrial cities eat unless the farmers are allowed to have machinery with which to produce? This is another illustration that the rights of the general public must be protected if the people of the Nation including labor are to have sufficient food.

Unfortunately most of the big labor leaders are opposing what is known as the Case bill now under consderation. Telegrams have gone out asking that the heads of all unions in my district and other districts urge the defeat of this bill. The facts are that the bill is not yet written so it cannot be termed an antilabor bill. Two substitutes and dozens of amendments will be considered. In fact, the majority of the Members of this Congress will not pass any antilabor bill. I would not vote for it unless it is amended. This Congress will not pass a bill that is unfair and unjust to any segment of labor. This Congress will attempt to pass a bill that is fair to labor, fair to business, fair to the farmer and to the general public. Labor leaders make a mistake when they brand everyone who is willing to attempt to pass legislation as being unfavorable to labor.

The best friends of labor in the long run in this House are the ones who are considering the Case bill and other substitute bills which will be offered on the floor in an attempt to bring about industrial peace. There has been 2 days of debate and we are now starting into two or three more days of debate, in which many amendments will be offered to the Case bill. None of us can know just exactly what the Case bill will be until it is finally amended and is then before the House for a final roll call. I believe in one or two instances the Case bill goes too far, and unless amendments are offered I shall offer amendments myself to correct those instances where some of the Members feel the bill restricts the rights of labor too much. I have had many telegrams from my district urging me to vote against the Case bill, some of them declaring that labor will be against me in the election if I do not. I know these men have been deceived by the telegrams and the publicity which has gone out relative to this legislation. I regard most highly the past friendship of the splendid laboring men who make up the rank and file of the organizations in my district. They, in the most part, are conservative, splendid citizens. They only want what is right, but they are being deceived on this legislation. When a bill, whether it is the Case bill as amended or any other labor bill, is finally passed by this House and they understand the provisions of the measure, they will then know that in the first instance they were deceived and that they can trust the Congress of the United States in writing this legislation.

In the Seventy-eighth Congress they were told that the War Labor Disputes Act was a vicious antilabor bill that would practically wreck the rights of labor. The bill was enacted into law, and it has not infringed the right of labor of a single laboring man in my district or in the Nation. No laboring man in my district can point out where the War Labor Disputes Act, which the labor leaders cried out against at that time, has done him a single injustice. They were deceived then as they are about to be deceived now. When this legislation is finally passed they will find that the legislation is designed to protect their interests and that not a one of them will have any reason to fear that the legislation will take away a single legitimate right that they want.

The Members of this Congress want labor well paid, want labor to have reasonable hours and good working conditions, but they want to protect the rank and file of labor so that it may hold the

good will of public opinion and so that it can continue to make its great contribution in building a strong, prosperous, and happy America.

It is my opinion that the old conservative American Federation of Labor must join with the conservative, courageous Members of the Congress now and in the future in working out and supporting legislation that is fair and just to all concerned if we are to prevent this country from being thrown into a Socialist state where labor will suffer more than any other segment of the American people.

It is my opinion that in so doing the rank and file of the CIO members thereby will receive the same protection from their Government. The most radical element of the CIO, led by Reuther, Hillman, and others in their policies in my judgment do not have the approval of the rank and file of the members of the CIO in my district. There are several hundred members of the CIO in Salem and in my county and district who are as fine citizens as you could meet anywhere. True, they want good wages and good working conditions—we want them to have good wages and good working conditions, and if the industrial strife can be settled therein lies their best chance for continued high wages and good working conditions. We want to protect them and the interest of their families in trying to write legislation that will help bring that industrial peace. Millions of people have billions of dollars in money which they are anxious to spend for goods and services. The Government insists that it will cost $35,000,000,000 in taxes to protect the bonds these laboring men have bought and to pay the running expenses of the Government. They cannot have this protection unless industrial peace is brought about which will allow them to work and produce the goods. The Government cannot collect this money in taxes unless the income of the Nation is high. None of these men are on a strike but unless these strikes are settled and a fair agreement is made on wages they will ultimately be out of work. The problem is so big, affecting millions of laboring men, millions of farmers, millions of professional and businessmen and white-collar workers that the Congress would be derelict of its duty if it failed to try to write legislation that would protect all of the people including labor itself.

In my opinion after having served in this House for 3 years, I do not believe there is a total of 30 men out of the 435 who want to treat labor unfairly. So I repeat, the rank and file of labor has nothing to fear at the hands of this Congress and that no legislation will be passed that will work an undue hardship on the laboring men of the Nation.

Mr. RANDOLPH. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Chairman, yesterday I made the statement on the floor of this House that the so-called Case bill repeals the Norris-LaGuardia Act, vitiates the National Labor Relations Act, and establishes the conditions of reinstating the yellow-dog contract in our labor relations. I have today attempted to question the gentleman whose name appears on this bill with respect to these issues, but it seems to me that he has not given us a direct reply. I think that it is conceded that the Republican Party in its professions in every campaign as far back as I can remember has always maintained that it believes in the Norris-LaGuardia law. I say that now in this Case bill you are nullifying that law. In fact, you are repealing it. I would like to deal with the record on this question. I want to first read section 104 which is the heart of the Norris-LaGuardia Act. These provisions were put into the law by a tremendous majority in this House after years of struggle, experience, and due to the desire of honest men who had at all times at heart the public interest which can best be served only by establishing equality in the relationship between labor and industry. To help insure equality in bargaining and equality in their relationship the following language was written into the law, accepted by everybody, and hailed by the Republican Party and Democrats as the sacred bill of protection against tyranny for the men and women who toil in this country.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the distinguished gentleman.

Mr. ROBSION of Kentucky. That act was signed by President Hoover.

Mr. MARCANTONIO. Yes; I pointed that out yesterday in my speech.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. McCORMACK. And it was passed by a Democratic House.

Mr. MARCANTONIO. Yes, it was passed by a Democratic House. That is all the more reason why this law should be preserved and not repealed by this Case bill. I submit in all fairness to the gentlemen on the Republican side that if you believe in the protestations that you have made to the country, in your pledges to organized labor with respect to this law, that you examine the Norris-LaGuardia statute, then examine the bill which carries the name of the gentleman from South Dakota [Mr. CASE], then see what happens to this sacred bill of rights. Let me read from section 104 of the Norris-LaGuardia law:

SEC. 4. No court of the United States shall have jurisdiction to issue any restraining order or temporary or permanent injunction in any case involving or growing out of any labor dispute to prohibit any person or persons participating or interested in such dispute (as these terms are herein defined) from doing, whether singly or in concert, any of the following acts:

(a) Ceasing or refusing to perform any work or to remain in any relation of employment;

(b) Becoming or remaining a member of any labor organization or of any employer organization, regardless of any such undertaking or promise as is described in section 3 of this act;

(c) Paying or giving to, or withholding from, any person participating or interested in such labor dispute, any strike or unemployment benefits or insurance, or other moneys or things of value;

(d) By all lawful means aiding any person participating or interested in any labor dispute who is being proceeded against in, or is prosecuting, any action or suit in any court of the United States or of any State;

(e) Giving publicity to the existence of, or the facts involved in, any labor dispute, whether by advertising, speaking, patrolling, or by any other method not involving fraud or violence;

(f) Assembling peaceably to act or to organize to act in promotion of their interests in a labor dispute;

(g) Advising or notifying any person of an intention to do any of the acts heretofore specified;

(h) Agreeing with other persons to do or not to do any of the acts heretofore specified; and

(i) Advising, urging, or otherwise causing or inducing without fraud or violence the acts heretofore specified, regardless of any such undertaking or promise as is described in section 3 of this act.

Now, let us see what the bill does to the heart of the LaGuardia-Norris Anti-Injunction Act.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. Not at this time.

We first come to the section of the bill that deals with the maintenance of the status quo. The chairman of the board is given the power to issue an order limited to 30 days. The Attorney General, at the request of the chairman, can petition any court of the United States for the enforcement of that order.

Now, we come down to just exactly what this bill does to the Norris-LaGuardia Anti-Injunction Act. Have you ever heard any more sweeping clause than is contained in the following language, on page 10, line 18:

Upon the filing of such petition, the court shall have jurisdiction of the proceedings, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter a decree enforcing the order of the chairman.

The court has all the right in the world to issue any order, restricted by what? Not by the terms of the Norris-LaGuardia anti-injunction law, but restricted only by what he deems to be just and proper. And, as if that was not enough, Mr. Chairman, they specifically, on page 11, say that the court can do this despite the terms of the Norris-LaGuardia Anti-Injunction Act. Let me read it. Let us get down to the facts, and let us look at the record. Page 11, subsection (d):

When granting temporary relief or restraining order, or making or entering a decree enforcing an order of the chairman, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the act entitled "An act to amend the judicial code, to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932.

The act approved March 23, 1932, is the Norris-LaGuardia law.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HOOK. Mr. Chairman, I yield the gentleman ten additional minutes.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I decline to yield. I have answered the gentleman by the words that appear in the bill that bears his name.

Mr. CASE of South Dakota. The gentleman said similar words could not

be found elsewhere. They are identical with words in the National Labor Relations Act—the same purpose, the same language.

Mr. MARCANTONIO. Mr. Chairman, I decline to yield. May I say to the gentleman that there is nothing in the National Labor Relations Act that causes the results provided for in this bill which bears his name?

I am now proving point No. 1, that this bill, which carries the gentleman's name, vitiates completely the Norris-LaGuardia Anti-Injunction Act. Then I shall discuss what it does to the National Labor Relations Act.

Mr. CASE of South Dakota. Not any more than the National Labor Relations Act vitiates the Norris-LaGuardia Act.

Mr. MARCANTONIO. Now, Mr. Chairman, when the gentleman continously refused to yield to me I took my seat and kept quiet. Finally at the end of his speech he yielded to me, only after he was given additional time from this side of the aisle. I have assured the gentleman that if I have time at the end of my speech I will yield to him, because I do not have any fear of debating this bill with the gentleman here or anywhere else. Again I say to him that everybody knows that the National Labor Relations Act protects labor's rights under the Norris-LaGuardia Act and that this bill before us destroys them. It states here on page 11 of the gentleman's bill, the bill that has the gentleman's name on it, that the court sitting in equity shall not be limited by the act entitled "An act to amend the judicial code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes, approved March 23, 1932." That is the Norris-LaGuardia Anti-Injunction Act. First they limit the court only to what the court may deem just and proper, wiping out the act; and then, as if that were not enough, they go further and specifically say so; and please do not be misled by the exception he has there:

> Except that sections 11 and 12 of such act shall apply in cases of contempt.

That is the provision with regard to a jury trial and the provision with regard to a defendant making an objection to any particular sitting judge. But the act is here specifically superseded and repealed. Not only do they do that on page 11 of the bill with regard to the maintenance of the status quo by court injunction in section 8——

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. Mr. Chairman, I decline to yield.

In section 8, the Board's order is limited to 30 days. However, under section 11 there exists no time limit. Under section 11 again the court is given the same power and again the same statement is made with regard to the Norris-LaGuardia Anti-Injunction Act. So, I submit, Mr. Chairman, I have proved today the charge I made yesterday. The bill of particulars I gave yesterday against this bill I have substantiated today by giving you the law, the Norris-LaGuardia Anti-Injunction Act, and by giving you the language contained in this bill.

Three times in this bill do they specifically say that the power of the court shall not be limited by the Norris-LaGuardia Anti-Injunction Act. They do it once on page 11, they do it a second time on page 12, and a third time on page 14.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. Mr. Chairman, I decline to yield.

Mr. Chairman, I just wonder how the Members on the Republican side who have been professing such great adherence and pride with respect to the Norris-LaGuardia Anti-Injunction Act are going to vote for the Case bill and reconcile their protestations with their votes.

As for "yellow dog" contracts, read section 103 of the Norris-LaGuardia Anti-Injunction Act, and then again read the powers of the court granted under this bill, and again read what this bill states with regard to the Norris-LaGuardia Anti-Injunction Act, and you will find it sustains my charge that this bill makes entirely possible in these United States the enforcement of "yellow dog" provisions in one way or another, either directly or collaterally. Now, let us take up the National Labor Relations Act. Just what do you do to the National Labor Relations Act? Let us assume that the dispute involved is one affecting the right of workers to bargain collectively through an agent of their own choice. What happens under this language, "That the court shall have the power to grant such temporary relief or restraining order as it deems just and proper"? What happens to the right to collective bargaining? What happens to the right to bargain through an agent of the worker's own choosing, as guaranteed in the National Labor Relations Act? How are you going to get away from that? You cannot escape it. I charged yesterday that this vitiates the National Labor Relations Act, and I submit that this language in the bill sustains my charge and you cannot answer it.

Mr. Chairman, we have a declaration of policy in this bill which I cannot help but describe as being sanctimonious because an analysis of the bill, in the light of realities, not superficial statements but in the light of the realities, shows that the bill takes away from labor whatever power it may have to help establish equality in its relationship with management and gives management complete advantage over labor.

Let us see whether I am right or not. Let us take it up point by point. First, duties of labor and management. Let us see realistically what duties you place on management. You say, "It shall be the duty of an employer to refrain from conducting a lock-out." Lock-outs? That technique is gone. When management becomes arbitrary it no longer resorts to lock-outs, so you are not even touching management. What does management do? It becomes arbitrary, it refuses to negotiate, or if it does sit down with labor it makes ridiculous offers and provokes the workers to go out. So that here you are realistically placing no burden, no duty whatsoever, on management. But as for labor, labor has been given a duty to refrain 5 days from striking, give notice to the Board, and then again refrain from striking for 30 more days. After the Board has taken jurisdiction it may maintain the status quo by:

> (1) Requiring any person to refrain or cease and desist from calling or assisting in any manner a strike arising out of such dispute; or
>
> (2) Requiring the employer, who is involved in the dispute, to refrain or cease and desist from practices which change the existing situation—

And so forth. What does this language in the bill mean? Again it imposes obligations and restrictions on labor and again realistically none on the corporations.

Let us see how this would apply to the steel situation. Steel corporations gain by the enforced delay. Steelworkers cannot strike during the 35-day period. They would have to continue to work under the status quo which the corporations seek to maintain and the workers are striving to change. Realistically the corporations are subjected to no restraint and are required to lose no advantage. The steelworkers are. The corporation would not worry about this. It is not affected by the maintenance of the status quo proviso in this bill at all. But the steelworkers would have to hold up striking when it is strategic for them to strike. They are tied down for 35 days, while the corporations are placed actually under no obligation. Again later on in section 11 of this bill, under the pretext of doing away with violence, the court is given the full power to destroy the picket line, cripple the strike, and the workers are deprived of all benefits under the National Labor Relations Act, lose their right to reinstatement and to back pay.

All this, despite the existing and enforceable State statutes against violence, assault, felonious or simple, and so forth. Under the guise of so-called violence against which everybody is protected by existing statutes you subject the steelworkers to unlimited injunctions of courts given full power and bound only by what they may deem to be just and proper. What penalty is the corporation subjected to? Or its officers? None. They can be brought into court only if they attempt by force or violence to prevent any individual from quitting. How silly! Realistically, again the corporation need have no fear of this proviso in this bill. Further, read this section 11 closely and you find that drastic punishment is provided for workers and none at all for the corporation or its officers.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. GREEN. Mr. Chairman, I yield the gentleman ten additional minutes.

Mr. MARCANTONIO. So by this bill the workers are handcuffed and then subjected to punishment. First their strike is held up and then their strike is subjected to injunction and they themselves extreme punishment. What happens to the steel corporation? Let us say they go before this board and say, "We

refuse to pay what the board recommends." What happens to them? Nothing at all; no loss of rights, no injunctive restraint, no punishment whatsoever. But what happens to labor? Let us assume that this board makes a decision against the steel corporation and the steel corporation says, "Phooey on you. We are not going to pay." What happens to the corporation? Again I repeat, nothing. What happens to the workers? They will still be out on strike. Let us say somebody punches somebody else in the nose. Under this bill, under the guise of protecting people against violence, you hail the union and the workers into court and the court, as it deems just and proper, issues any order restricting the right of picketing or any other lawful means of carrying out the strike because you have repealed by this bill the guarantees that exist in the Norris-LaGuardia Anti-Injunction Act. So therefore this is a bill to hamstring, to tie, to handcuff American workers in their right to strike, to bargain collectively and to obtain a living wage. This is a bill which protects the scabs to break strikes.

I repeat you impose no duty, no obligation, no punishment, no threat against organizations like General Motors or the steel corporation that have defied the decisions made by a fact-finding board in one case, and the President of the United States in another case. This is a very cleverly and cutely drawn bill but scrutinize it and you will agree with me that it is a bill to take existing rights and protection from labor and give every advantage to the corporations. It is a bill to aid these monopolies in their efforts to destroy organized labor. It is a bill to return to the days of complete inequality in favor of employers.

The gentleman from South Dakota has referred to the present strikes. "Pearl Harbor attacks," he says, "the Japs." That is very revealing. It reveals the attitude of the gentleman whose name appears on this bill. It reveals his attitude toward the men and women who toil. He prefers to consider them Japs. He prefers to describe an endeavor on the part of American workers to obtain for themselves a decent wage as a Pearl Harbor attack; placing them in the category of Japs attacking Pearl Harbor. Who has been making the attacks? What are the facts? The attacks have not come from labor. The attacks have come from financial empires like General Motors and steel that refuse to pay a decent wage, a wage fixed by a fact-finding board selected by the President of the United States in the case of General Motors or the wage fixed by the President of the United States himself in the case of steel. It is they who are provoking the strikes. Yet who are we legislating against here? Are we trying to go after corporations that refuse to pay a decent wage and compel the American workers to go on the picket line? Oh, no, we are not legislating against them. We are legislating against the workers on the picket line. We are trying to deprive the American workers of whatever rights or bargaining power they have to bring about agreements by collective bargaining and obtain for themselves a decent living wage. That is what is being done in this bill, and nothing else. Not a single finger is raised against management. Not a single finger is raised against the arbitrary, profit-bloated, arrogant empires of finance and industry.

Not a single finger is raised against them in this bill. It is only and all organized labor that is made the target. We go after their right to picket, we go after their right to strike, we repeal all the guaranties that have been considered sacred since 1932. We repeal the National Labor Relations Act. We even make possible the reinstatement of the "yellow dog" contract. Is this an effort to settle labor disputes? Oh, no. It is the legislative part of the drive to make organized labor weak and ineffective.

Forget the sanctimonious declaration of policy in this bill. Forget the statement against involuntary servitude. You do not have to go to a man with a gun and say, "Go to work." You do not have to use a gun or threat of jail, but, oh, how you can use a court order, a court order in a court of equity, a court order granted under the widest power in the world, restricted only by what the person who grants that order deems to be just and proper in complete contravention of the Norris-LaGuardia law and the National Labor Relations Act.

Oh, yes; my Republican friends, go back to Pittsburgh and Cleveland and the other large industrial cities and tell them again how you stand on the Norris-LaGuardia Anti-Injunction Act, and then tell them how you voted on this bill.

This bill is part of an offensive to break organized labor. Certain selfish interests in industry and in finance are determined that the peace won by the people now must be exploited for their own selfish interests. To them it is only one motive, the same motive that guided them in 1929, the same motive that motivated their conduct which brought about the disaster of 1929, 1930, 1931, and 1932—profits, profits, and more profits, at the expense of the American people. On one hand they are trying to jack up prices and on the other hand they are trying to keep labor down on depressed wages, depriving them of a decent standard of living. They do it by ruthlessly refusing to arbitrate, by ruthlessly refusing to mediate, by ruthelessly refusing to abide by decisions made by the President and the President's representatives. Then the offensive is launched in the Congress of the United States. Today an attack on labor's rights, tomorrow on price control.

Let us be frank about this thing. Let us call a spade a spade. This bill is a Republican bill on one side, supported by poll-tax Democrats on the other side. That is what this is. You cannot get away from it. Examine your roll call of yesterday and there you find it, a coalition, a coalition operating against the best interests of the people who toil in America. This offensive which has been launched in this Congress is just part of the war which has been launched throughout the country against men and women who toil by powerful industrial and financial corporations. Then you talk about the public's interest. Is it in the interest of John Q. Public to force American workers to live at an indecent standard of living? Is it in the interest of the American public to force American children, the children of workers, to be deprived of the various opportunities this postwar period can give them? Is it in the interest of the American public to take away the buying power or to reduce the buying power of the men who work in the mines and the mills and the factories of this country? Is it in the interest of the American public or in the interest of the American farmer to impoverish the working class in the richest country in the world? That is the question we must answer when we talk about the public's interest.

It is in the interest of the American public, of the dentist and the doctor and the lawyer and the salesman and the farmer and the grocery clerk that the American workers have purchasing power, it is to their interest that American workers have a decent standard of living, it is to their interest that American workers have their rights by which they can obtain for themselves this standard of living. It is in the interest of all of America that those rights remain inviolate despite the hysteria created by the press, yes; the press subsidized by full-page ads from the big industries of this country, and despite the hysteria that is being engendered here in the Congress of the United States.

Let me go one step further. Place labor under Government by injunction—deprive labor of the rights under the National Labor Relations Act—reinstate the possibilities for a yellow-dog contract—repeal the provisions and guarantees under the Norris-LaGuardia Act—and I tell you not only will you have an impoverished working people in America, but you will have an economic crisis in this country which will bring more havoc than the war itself. Chain labor—destroy free labor, and, ladies and gentlemen of this House, we will be marching with seven league boots toward domestic fascism in these United States.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. RANDOLPH. Mr. Chairman, I yield one more minute to the gentleman from New York so that the record may be very clear. I do not want the gentleman to leave the impression with the House, and I doubt whether he meant to leave the impression, that all those who voted for the rule yesterday were for the Case bill.

Mr. MARCANTONIO. No, that is not my intention, but I do say that an analysis of that vote demonstrates conclusively what I have said, that in the main this legislation is supported by Republicans of a reactionary variety and in the main by a majority of the poll-tax Democrats of this House. As for the gentleman from West Virginia, these remarks do not apply to him. He has been a consistent friend of labor, and I know also that labor appreciates his support.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman if I have the time.

Mr. RANDOLPH. Mr. Chairman, I yield one more minute to the gentleman from New York.

Mr. BRADLEY of Michigan. I want to say to the gentleman that I supported the rule yesterday. Had I not supported that rule and had the rest of us not supported that rule, the gentleman could not have just made his speech.

Mr. MARCANTONIO. That is not so. Mr. Chairman, I decline to yield further. The gentleman has asked me a question and I would like to be permitted to answer it. That is obviously not so. The Rules Committee brought out a rule which made this Case antilabor bill in order. It was clearly the duty of those opposed to that bill to have voted against the rule.

The CHAIRMAN. The time of the gentleman from New York has again expired.

The Chair recognizes the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Chairman, I take this time to inquire of the majority leader as to the program for next week.

Mr. McCORMACK. Mr. Chairman, on Monday the consent calendar will be called. Following that, we will continue the consideration of the present bill. On Tuesday, the private calendar will be called, and following that the bill now before the committee is scheduled for further consideration. If the present bill is not disposed of by Monday or Tuesday, of course, it will continue until disposed of. Therefore, Monday, Tuesday, and Wednesday, have been set aside for the further consideration of this bill. However, if the bill is disposed of before Wednesday night and if the opportunity presents itself, then H. R. 4199, which is the civil-service bill relating to retirement of Members of Congress, will be brought up. Following that, House Joint Resolution 265 will be brought up, which relates to river and harbor projects. Then, H. R. 1118, which is the amendment to the act familiarly known as the Hatch Act. On Thursday and Friday, the War Department civil-functions appropriation bill is scheduled for consideration. If that bill is disposed of in time on Friday so that any of these other bills which I have mentioned which may not have been taken up after the disposition of the present bill and before the consideration of the War Department civil functions appropriation bill on Thursday, we will take them up in the order in which I have heretofore listed them.

Mr. MARTIN of Massachusetts. The gentleman intends to dispense with Calendar Wednesday business?

Mr. McCORMACK. Yes.

Mr. LANDIS. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. BRADLEY].

Mr. BRADLEY of Michigan. Mr. Chairman, this is one of the few times that I find myself somewhat in agreement with the congenial gentleman from New York [Mr. MARCANTONIO] only, however, in that I am opposed to both of these bills. I confess, however, that I could not find myself in agreement with him when, prior to Russia's entry into the war, he consistently was one of the very few, if not the only, Member of Congress who voted against appropriations to afford badly needed munitions and matériel to the Army and the Navy.

In fact you will recall from the debates at that time that the gentleman from New York frequently characterized World War II as a war between the German-Italian Axis, on the one hand, and the Wall Street-Downing Street Axis, on the other hand. When Russia was allied with Germany at the start of World War II, he was opposed to any appropriation that would help to rearm the United States, but the minute the Stalin-Hitler friendship broke up and Russia was invaded then immediately World War II became a war for freedom and his attitude and his subsequent votes changed completely.

I have been unable to agree with him on many other votes; but in this instance I am in agreement with him, in opposition to both of the bills under consideration.

I did vote for the rule, and I will explain why in a few minutes. But, as the gentleman from New York refused to yield further to me, I still insist on the point I made, that had we not voted for this rule we would have been telling the American people that the Congress of the United States was too yellow to discuss and bring into this people's forum for discussion by the people's elected representatives the unfortunate picture of labor-management relations in this country today.

Had we voted down the rule, as he sought to do, we would have been dodging the issue and walking away from it; and the inspired speech just made by the gentleman from New York [Mr. MARCANTONIO] could not have been made in this public forum.

The gentleman from New York [Mr. MARCANTONIO] poses as a friend of labor, yet by his vote yesterday he would have denied the privilege to labor of having their Nation's Representatives, their own partisans included—as the gentleman from New York frequently professes to be—the right to bring this present labor-management unrest on the floor for discussion. By his vote of yesterday against this rule, I repeat, he could not have taken the floor here today in this debate and defended the rights of organized labor. I repeat also that by his vote he would have denied me as the Representative from my own district in Michigan the right to take this floor, as I am doing now, to explain to the people in my district why I feel both the administration's fact-finding bill and the Case bill are woefully inadequate to cope with this present situation. By my vote for the rule yesterday I said, in effect, that I wanted this matter thrashed out on the floor of this House once and for all, and I believe I shall make myself perfectly clear as to why, having been given that opportunity, I can conscientiously say that I am opposed to both of these bills under present discussion.

Now, I want to address myself to this legislation before us.

I am unalterably opposed to the passage of H. R. 4908, the administration's so-called fact-finding bill. I am just as unalterably opposed to the substitution of the so-called Case bill, H. R. 5262.

I may say to my very good friend the gentleman from West Virginia [Mr. RANDOLPH], acting chairman of the Committee on Labor, who yesterday drew a parallel in this present extraordinary situation to a prize fight, to the point that he might well have taken a page out of the life history of one rather notorious fighter, known as King Levinsky. If all this Labor Committee has had to do since December 3, 1945, when the President called for his fact-finding bill, was to bring this infamous piece of legislation to this floor, then I say he should have taken a leaf out of King Levinsky's book, and the committee should have "stood in bed."

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Michigan. Yes, of course I yield.

Mr. RANDOLPH. The gentleman knows I voted in the committee to report the President's bill, H. R. 4908.

Mr. BRADLEY of Michigan. I am sure I do not know how the gentleman voted in committee. I did not know those votes were regularly reported on the floor. I did hear the gentleman's remarks yesterday, in which he said he favored the President's bill—which was adulterated before reporting.

Mr. RANDOLPH. I do not want you to identify the individuality of the gentleman with any group on any subject.

Mr. BRADLEY of Michigan. I accept the gentleman's remarks. I know he could not possibly personally approve of H. R. 4908 in its present form.

I want to call to the gentleman's attention one more observation about his reference to prize fights. I have a very high regard for the District of Columbia Boxing Commission and above all do I have an exceptionally high regard for the referees licensed by that Commission. They are eminently fair men. That has not been true for the past 12 years under labor-management relations where government has sought to be the third man in the ring as the gentleman from West Virginia sought to illustrate. Inevitably the Government, as the referee, has exhibited it is biased and often published its preconceived biased decisions. Boxing could not long flourish anywhere in the United States under such a set-up.

Mr. Chairman, I do not expect to be here on Monday or Tuesday, whenever we have a vote for final passage, but I have made my position perfectly clear to our Republican leadership that I desire to be paired against the passage of either of these bills and I shall explain my position clearly in a very few minutes.

I voted for the rule yesterday despite the fact that I felt there was some sincere logic in the position taken by my good friend, the gentleman from California [Mr. WELCH], and my colleague, the gentleman from Michigan [Mr. HOOK], that it was unusual for the Rules Committee to report a rule making in order the substitution of the Case bill at a time when that bill had not even been printed, had not been considered by

the Labor Committee—to which it was properly referred—and indeed the provisions of which were not known to the membership of this House.

However, despite the fact that this country is today enjoying the highest standard of living of any nation in the world, and probably the highest standard of living ever attained by this Nation, nevertheless, the fact remains that we are not enjoying the highest standard that would be possible were it not for the present unprecedented gigantic labor-management warfare. This is a very serious situation facing us today. Aside from the fact that management and labor are at loggerheads, two undeniable facts must be clearly understood. You cannot have prosperity returning to us in the postwar world without there is purchasing power, and you cannot have prosperity without consumer goods are available to satisfy that purchasing power. It comes right back to a fundamental law of economics. There must first of all be a demand and there must be a supply to equal that demand and when the two are coequal there will be no such thing as inflation—government bureaucrats to the contrary notwithstanding.

I hold here a dollar bill. I am fortunate. I am one Member of Congress who still has a dollar in his pocket; most of us have not. This dollar bill is simply a symbol of purchasing power. When you inflate wages and you inflate the cost of living nobody is better off; you are simply reducing the value of this symbol, this dollar bill, insofar only as it applies to an active wage earner.

So, in this unfortunate present labor-management controversy, we find that management is not able to produce, therefore, there is no supply. But the tragic thing is that all of these hundreds of thousands—yes, millions—of laborers, who are out on strike are today rapidly being forced to cash in their wartime savings—being forced to liquidate the normal postwar demand, as it were—and so, if the forces of supply and demand are to continue in operation—and they will continue in operation, Government to the contrary notwithstanding—and when this issue is completely settled, we may, it is true, have a goodly supply of postwar goods, but a supply going into an already liquidated postwar demand. What, therefore, is the inevitable result? Under this present controversy, management by its stubborness is frittering away the greatest potential cash market in history, by being unable to produce the supply necessary to meet that potential market. Labor, on the other hand, has adopted a stubborn program by which it is frittering away, through a process of liquidation, the greatest potential consumer demand in all history.

When this warfare is all over if labor is not in the market to buy the products of industry, then industry and labor will equally suffer.

Mr. Chairman, it seems to me the situation is apropos to a motto long ago adopted by our own Michigan Department of Conservation, which is emblazoned by signs on the trees all through our forests. It reads: "Everyone loses when timber burns."

Today everyone is losing because management and labor are not together with both of them putting their shoulders to the wheel. We might well say now—"Everyone loses when management locks out—or labor strikes." Well, what are we to do about it? Out in Michigan we educate the people to the fact that "everyone loses when timber burns." And so that, Mr. Chairman, is why I voted for the rule yesterday. I wanted it not to be said of me that I would deny myself and other Members of this House an opportunity to discuss the present labor-management unrest picture and try to find some solution for it and at least to attempt in my feeble way to offer some advice which I hope will be educational.

Mr. SAVAGE. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Michigan. Of course, I yield.

Mr. SAVAGE. The gentleman is perfectly right, everybody loses when timber burns, because when the fire is over the rest of timber does not grow any faster. But it is different with a strike, because the workers do gain when they strike and gain a pay raise.

Mr. BRADLEY of Michigan. I disagree with the gentleman. If he will recall my remarks just a few minutes ago he will remember that I said they were already spending their war bonds and cash they had saved up. Where is that purchasing power to buy these consumer goods when once again they come back on the market?

Mr. SAVAGE. Well, they are looking ahead. They will have more purchasing power in the long run.

Mr. BRADLEY of Michigan. They will not if we continue to up the prices. As I said a few minutes ago, this dollar is simply a symbol. If you pay a man $10 a day and it costs him $9 a day to live, he is no better off than if he got $1 a day and it cost him 90 cents a day to live.

Mr. SAVAGE. The workers are not to blame for inflation. That responsibility is on the Congress.

Mr. BRADLEY of Michigan. I disagree with the gentleman. You cannot raise the cost of producing things without increasing the sales price; otherwise there will be no employment in this country.

Mr. SAVAGE. I thank the gentleman for yielding.

Mr. BRADLEY of Michigan. I am always glad to yield to the gentleman.

I want to say this to the gentleman. I think his fundamental philosophy is wrong, just as I believe Mr. Truman was wrong when he said in his annual message that industry could readily grant higher wages, but on the other hand he injects the OPA into the picture and says that industry shall not have higher prices. Who is the real sufferer among those whom we would like to call Mr. and Mrs. John Q. Public? The real sufferers are those who have what we call static income. By that I refer primarily to those widows and orphans who live off an income that their husband and father laid away for them in the form of life-insurance policies and what he then considered rock-bound investments, "secure until the judgment day doth come." Those poor folks have a fixed income based on the value of the dollar as it was on the day that papa invested it for them. If we permit a spiral of wage increases and a spiral of rising prices to compensate for them neither the capitalist who holds huge blocks of stock in industry is going to suffer nor is the wage earner. The capitalist, it is true, may suffer a lower return on his investments but even if he got the higher rate, our tax laws will take care of him and take it away from him in an ever-increasing amount as his income increases. The wage earner meanwhile will, it is true, as you point out, get a higher wage per hour and per day and per month but he has to pay more for everything he wants to buy with that money. Therefore he is no better off than he was before he got the wage increase. I repeat, if the dollar returned to its value before Mr. Roosevelt started monkeying with it, with the consent of a rubber-stamp Congress, if he then got a dollar a day for his efforts and it cost him 90 cents a day to live, he would be just as well off as he would be under the present or prospective future dollar if he gets $10 per day and it costs him $9 a day to live. He has only 10 percent left to save up for a rainy day and that is what you call inflation. It just alters the relative—the effective value—of this symbol—the dollar bill. But who suffers when inflation sets in? I repeat, it is the widows and orphans most of all because they have a steady fixed income and by this program that some of you choose to follow, of constantly increasing wages, and rising prices will of necessity follow, the inevitable result is that the value of the dollar that these poor widows and orphans get from the savings which daddy put away for a rainy day will go down and down and down. Is that the program you want to follow?

As was said here yesterday by the gentleman from Indiana [Mr. HALLECK], President Truman, who seems to have proven himself beyond all shadow of doubt woefully incapable of dealing with the present crisis, challenged the Congress on December 3 of 1945 to enact fact-finding legislation recommended by him and presumably as contained in H. R. 4908 or, failing to do so, recommend remedial legislation in its stead.

In my humble opinion—as I have said previously—neither of these two bills before us at the time, and in their present form, would help in the slightest manner to clear up the present labor-management disputes.

You cannot legislate to prevent strikes. The Constitution guarantees every man the right to work or not to work, just as he pleases.

Let us look at these two bills. The President's fact-finding proposal is simply that, and nothing more. The bill provides that:

Whenever the Secretary of Labor finds—

(1) that there is a labor dispute in which the agencies of the Government charged with the functions of mediation and conciliation

have been unable to bring the parties to agreement and have been unable to induce the parties voluntarily to submit the controversy to arbitration; and

(2) that a stoppage of work seriously affecting the national public interest—

And so forth. In other words when the Secretary of Labor finds such things do exist—and he would not have to look very far today to find them—then what is he supposed to do? Well, in effect, the bill says he is to certify such findings to the President.

Now is not that illuminating? And then the bill provides under section 3 (a):

At any time within 5 days after the date of such certification by the Secretary of Labor, the President, in his discretion, may appoint a board to investigate such labor dispute and to make a report containing its findings of fact and recommendations with respect to such dispute. Such board shall be composed of three or more persons, none of whom has any pecuniary or other private interest in the employers or employees who are parties to the dispute. The board shall proceed expeditiously to make a thorough investigation of all facts which it deems relevant to the dispute. The board shall give the parties to the dispute a full and fair hearing, which shall include an opportunity to present evidence in support of their claims and an opportunity to present their case in person, by counsel, or by their representatives.

Then it goes on to say:

Within 20 days after the date of its appointment, the board shall submit to the President a report containing its findings of fact and such recommendations concerning the dispute as the board deems appropriate. The time for submitting the report of the board may be extended by agreement of the parties, or their representatives, with the approval of the President. Any agreement extending such time shall be published in the Federal Register.

Now then, the bill goes on to say that—

Each of the members of such board shall receive compensation at such rate, not exceeding $100 a day, as may be fixed by the President, and shall receive his necessary travel and other expenses incurred in connection with the work of the board—

Now it has been the history of the fact-finding boards so far—which I remind you are entirely without congressional sanction but which the President has been employing presumably under the War Powers Act—he selects as impartial referees either his own cronies from Missouri or maybe some college professors. Now I know that college professors have been woefully underpaid for many years, and I am in favor of their earning a lot more money. But they can earn more serving on one of the President's fact-finding boards in this H. R. 4908 than they can earn in a year of teaching in college and what is the inevitable result? Of course, they are going to try to make it. Let us take a hypothetical case under H. R. 4908.

A union serves notice they are going to strike. The Secretary of Labor, after "diligent consideration"—and I stress the word "diligent"—determines that they mean what they say and he so certifies to the President and the President appoints three college professors as a fact-finding board. They are "impartial"—that is determined in advance. They have no interest on behalf of the employer or the employee. They are scheduled to get $100 per day and their expenses. They are supposed to sit in consideration for at least 20 days and the President may extend that for as long as he desires, so long as he publishes it in the Federal Register. I do not question the integrity of these gentlemen when I say they are probably hungry and want to pick up some sound money and they, too, are probably looking ahead to a rainy day. And so what is the answer? They go to labor and they say: "We are afraid we cannot arrive at a decision in this matter in the 20 days allotted to us so we will have to ask for an extension of time." Labor, one of the participants in the dispute, naturally hopes for a favorable finding in its own corner. So is labor going to object to their extension of deliberations? I think not. And then these $100-a-day boys go to management and they say: "We are afraid that we cannot determine—and I am sure they cannot—whether you have the ability to pay this demanded increase until we have further time to study your records, present, past, and projected future." Management is not likely to object to such an extension on their part. Is it? Thus, both labor and management are perfectly willing to give these poor hungry souls an additional 20, 30, or 60 days to work out their fact-finding and Uncle Sam continues to pay the bill day after day and who gains? Nobody except these college professors and I am sure that any university in the land would be glad to grant them leave of absence to serve on any of the President's fact-finding committees. But who loses? Everyone loses when timber burns.

And so what? Eventually they make a report and then what? Not one blessed thing in this bill.

They just simply make a report to the President—and then what? You guess the answer, I cannot. Is that a solution? Is that a solution to labor-management unrest? Is that what Mr. Truman wants? Well, if he does, it is just about as demagogic as much of the stuff that has been coming out of the White House these days. It is just plain eyewash. It is shadow-boxing. It is the most asinine piece of legislation I have ever seen in the 8 years I have been on the floor of this House.

Now let us analyze the Case substitute, H. R. 5262. What does it do? It starts out with a beautiful declaration of policy setting forth all our woes and difficulties and it reads very prettily. But the point is—how does it intend to cope with this labor-management situation? It proposes to set up another bureaucracy called the Labor-Management Mediation Board—

Which shall be composed of six or more members appointed by the President * * *. The Board shall consist of a number of members representative of employers, a like number representative of employees, and a number of disinterested members representative of the public * * *. The President shall appoint, by and with the advice and consent of the Senate, a chairman, a vice chairman, and secretary of the Board from among the public members.

It provides that those members shall have 3-year staggered terms of office—the chairman shall receive $12,000 per year and the other two $10,000 per year.

There is no provision made as to how the employers shall have any voice in the selection of their representatives. There is no provision made as to how the employees shall select their members. The entire control is left in the hands of the White House. And it seems to me inevitable that under this proposal the President, following natural human and political inclinations would select as chairman, vice chairman, and secretary, and among the others as well, men or women who were committed to follow his own political philosophy with respect to labor policies and so—is either management or labor going to get a fair break in this picture? Of course not. They are up against a stacked deck to start with.

Mr. Chairman, as I view this broad picture of labor-management unrest I have come to the very definite conclusion that what we need today is not more legislation. We need the repeal of certain legislation on the books today. Fundamentally and basically, I insist that what we need to do if we are to put an end to labor-management unrest and indeed open warfare as it exists today, we must take Government once and for all out of the picture as the third party in the guise of referee in labor-management arguments. We have floundered along here for 12 long years or more with Government sticking its nose into labor and management—yes, into our very lives and into our homes—with the inevitable result that everyone comes off second best; except the New Deal politicians who seek reelection.

Here is the political situation as I see it. The New Deal, sitting in the balance in labor-management disputes, seeks to buy off management on the one hand with ever-increasing campaign contributions and then turns around and seeks the same contributions from the unions and the only reason the unions do not have to contribute quite as much as management is because after all unions and the administration think the unions can swing a certain bloc of votes their way. In my opinion American labor is going to vote its own individual convictions now and forever more. They have been bunkoed long enough and they are getting sick and tired of it. No labor union—not excepting the CIO—PAC—has been able to deliver the votes they claimed could be delivered although I admit it has proven to be a powerful voice. And management long since has learned that it has no appreciable bloc of votes to deliver.

Mr. Chairman, I dislike to differ with the leadership of my Party but I want to state unequivocably that our Party has suffered ignominious defeat at the polls under two paid stooges—namely, Wendell Willkie and Thomas E. Dewey—and this present move on the part of my Party is just as stupidly conceived and ignominious as was their "me, too" policy. I do not subscribe to it. The honest American laboring man, I believe, fully subscribes to my policy that we should

take Government out of the picture and let labor and management sit across the board and argue sincerely and honestly. I believe in collective bargaining. I was brought up that way. My dad was an employer of labor many years ago and he never had labor disputes or a strike because he did honestly bargain collectively, and I must say this also that he paid the highest wages paid in that particular industry and the men were happy and satisfied, and he called every man by his first name and when they were in trouble they went to him first, last, and all the time for years and he always gave succor to them when he was able and when he knew they needed it. I repeat, you are not going to settle this present labor unrest by further injection of the Government into the picture because it is always political in its background and it cannot help to solve the problem. But to get back to this present situation facing the country today.

The people are getting sick and tired of the present situation because this triumvirate, with Government sitting in as the arbitrator in these disputes, has proven to be entirely unsuccessful. Inevitably whoever the Government members are—the so-called public members—who have sought to be the third party in these disputes, they have proven to be biased, have proven to be prejudiced, and on occasion after occasion they have made public their decisions in advance with the inevitable result that neither labor nor management is satisfied, and they start sniping at each other from the very moment that any contract has been signed, which has been done inevitably under Government duress.

Mr. Chairman, when this Congress in its wisdom determines once and for all to stop making a political football of industrial unrest, of labor-management disputes; when this Congress determines once and for all that there shall henceforth be honest collective bargaining straight across the board between management and labor only and no third party present, then, and not until then, will industrial peace return to America, and then, and not until then, will all of us enjoy the fruits of the American system of free enterprise. No, Mr. Chairman, I cannot bring myself in clear conscience to vote for either of those bills in their present form, and I have asked to be paired against them. I want to see the unions protected. I want to see the membership of those unions protected. The membership wants to return to work; they want steady income; they want to be able to spend their wartime savings for the purchase of the good things of life that they have wanted for all these years. And I want to see management freed to proceed in harmonious relations with labor to produce those things, and I want to keep Government out of the picture as the third party. To do that requires a complete review of the provisions of the Wagner Act by the Committee on Labor, and I suggest to them they make that review in the immediate future. That is the most important job that should be before that committee today, and having done so, then come on the floor of this House with a real bill, honestly conceived and sincerely offered as an attempt to give management and labor the right to put their own house in order without the inevitable political influence of the White House. I repeat, we do not need more legislation at this time. We need less new legislation—rather the repeal of legislation already on the books, and a lot of it.

Mr. HOOK. Mr. Chairman, I yield to the gentleman from Indiana [Mr. MADDEN] such time as he may desire.

Mr. MADDEN. Mr. Chairman, I am opposed to H. R. 4908, which was reported out by a divided vote from the House Labor Committee. This bill is merely serving as an entree for the proposed substitute Case bill, H. R. 5262, which will be offered as an amendment to the original committee bill.

The so-called Case bill is the most bitter antilabor legislation which has been presented in the history of Congress. This legislation is being presented now because labor's enemies realize the minds of the American people are greatly confused over mammoth reconversion problems which are the natural result of economic upheaval incident to a great world war.

The so-called Smith-Connally bill which was enacted for the purpose of curbing labor-management difficulties and strikes, passed this House during the confusion and frenzy incident to the miners' strike of 2 years ago. The Smith-Connally bill has proved to be a great mistake and a failure. Its sponsors have openly admitted that it was all-advised and impractical.

If the legislation now under consideration is enacted into law, it will contribute greatly to additional strife and animosity in labor-management's negotiations and will hamper reconversion beyond measure. H. R. 5262, the so-called Case bill, repeals the Norris-LaGuardia Anti-Injunction Act and in so doing, authorizes Federal injunctions against labor indiscriminately. This legislation practically nullifies the National Labor Relations Act. It is a blow at the liberties of all free Americans.

The right to work or strike is not merely the most important privilege and asset of a labor organization; it is one of the inherent rights of free citizens under a democratic form of government. Hitler abandoned the right to strike through the destruction of labor unions and substituted for it industrial serfdom. The Case bill is trying to accomplish indirectly what Adolf Hitler accomplished directly.

This bill invites the Federal courts to enjoin the legitimate acts of organized labor and it also invites employers to discriminate against employees for picketing by removing the protection of the National Labor Relations Act. The rights of workers which have been won over a half century of bitter struggle will be wiped out by this legislation. The entire bill is ill-conceived and prejudicial to the rights of free American citizenship.

The House Rules Committee usurped unreasonable and dictatorial powers in issuing a rule for the consideration of this legislation. The so-called substitute Case bill is being presented on the floor without an opportunity for public hearings of any kind or description. The Rules Committee met ostensibly to adopt a rule for the emasculated legislation reported out by the House Labor Committee. The reactionary members of the Rules Committee, in total disregard to the rights of the House membership, issued a gag rule, giving to the membership a piece of legislation which was unheard of previous to the consideration of this bill on the floor yesterday.

The prohibition legislation of 25 years ago, the Smith-Connally bill, and other repressive measures were enacted under public confusion and personal prejudice, all to the eventual regret of its sponsors and damage to the American people.

This antilabor legislation comes within this category; and, if enacted, will haunt its sponsors, contribute to industrial strife, and postpone reconversion and peacetime prosperity indefinitely.

Mr. LANDIS. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. HANCOCK].

Mr. HANCOCK. Mr. Chairman, before this debate closes I think the RECORD should show the views of the Bar Association of the State of New York on industrial relations. A resolution was adopted by the association at its annual convention in New York City last week which reflects the opinion of a large segment of the leading lawyers of the State, and which I believe represents the feeling of the great majority of Americans who have no private ax to grind.

The resolution declares that the maintenance of industrial democracy and with it the interests both of labor organizations and the public require that the form of organization of labor groups and the conduct thereof be considered as affected with a public interest; that the law should set up standards which, first, will provide for the periodic election of officers, the voting rights of members, the accountability for funds collected and disbursed and other provisions to make labor unions more truly representative, and, second, will assure not only the observance by such organizations of the sanctity of contracts, with appropriate obligations and sanctions similar to those imposed by law on the employer, and also the regulation of the right to strike where the public health, safety, and welfare are involved.

I think State laws as well as Federal law is necessary to accomplish these objectives. So far as I am concerned they will be my guideposts in voting on the legislation now before the House and any future legislation that may come before us.

Mr. HOOK. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. BIEMILLER].

Mr. BIEMILLER. Mr. Chairman, earlier this afternoon several attempts were made on this floor to create the impression that the only organization opposing the Case bill was the Congress of Industrial Organizations. Great and deserved tribute was paid by some speakers on the Republican side of the House to the American Federation of Labor and to one of the components of the American Federation of Labor, the re-

cently reaffiliated United Mine Workers of America. The inference was made that these groups were not opposed to the measure.

I think it is well to keep the record straight and to recognize that it is not just the CIO that is fighting the Case bill with all of the resources it can command but likewise the American Federation of Labor and the United Mine Workers are opposing the bill.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BIEMILLER. I yield to the gentleman from Michigan.

Mr. BRADLEY of Michigan. I was just going to bring in that point. Both the United Mine Workers of America and the American Federation of Labor are unalterably opposed to the Case bill. They want exactly the provision I advocated, to take Government out of the position of third party in industrial disputes.

Mr. BIEMILLER. I am not so sure that you would find complete agreement in that, because the gentleman will recall that at the recent labor-management conference, in which the A. F. of L. and the United Mine Workers participated, both reaffirmed their faith in the National Labor Relations Board.

Mr. BRADLEY of Michigan. I believe that was the position of Mr. John Lewis and Mr. William Green in the last month. They both assured me that was their personal position.

Mr. BIEMILLER. On the Case bill, I want to read a telegram that I think every Member has received, a telegram signed by William Green, president of the American Federation of Labor. The telegram states:

The American Federation of Labor is deeply concerned over H. R. 5262 introduced in the House yesterday and scheduled for general debate today. The American Federation of Labor hereby protests most forcefully the consideration of this bill which has for its purpose the destruction of fundamental and constitutional rights of workers without the holding of public hearings thereon. This bill would impose unlimited liability for damages upon workers and their unions and would destroy their right to act as bargaining agencies for alleged violation of the law while no similar penalties are imposed upon employers for similar violation. It is inconceivable that Congress would wipe from the statutes of the Nation the Norris-LaGuardia Act passed in 1932 and signed by President Hoover without even according labor the opportunity to present its reasons in opposition to such drastic action. The repeal of the basic provisions of the Norris-LaGuardia Act is in effect the reestablishment of the false and repudiated doctrine of conspiracy in labor cases and it will bring back the evil of government by injunction condemned in both the Democratic and Republican platforms of 1912 and which resulted in the passage of the Clayton Act of 1914. The establishment of a mediation board with power and procedure for functioning as provided in the bill requires much thought and consideration in order to assure a fair and impartial tribunal. It is apparent it has not had such consideration. The American Federation of Labor requests that full hearings be held on this bill and that representatives of labor be accorded the opportunity to appear at such hearings to acquaint the committee with facts and information which will clearly establish that the passage of this bill will not bring peace and harmony in industrial relations but on the contrary will cause confusion, chaos, injustice, and will disrupt industrial relations as long as this bill remains law.

Furthermore, Mr. Chairman, every Member of the House has also today received a wire from another distinguished leader of the American Federation of Labor, Daniel J. Tobin, president of the International Teamsters' Union, urging defeat of the measure now before the House. And before someone hastens to remind me that Mr. Tobin has headed the labor committee of the Democratic National Committee in the last several elections, let me also remind the House that the wire from the American Federation of Labor is signed officially "By direction of the executive council, American Federation of Labor, William Green, president." One of the members of the executive council of the American Federation of Labor is William Hutcheson, president of the Carpenters' Union, who has held a comparable position with the Republican National Committee to that held by Daniel J. Tobin with the Democratic National Campaign Committee.

Likewise you will recall that only during the past week. John L. Lewis has been again made a member of the executive council of the American Federation of Labor.

Neither Mr. Hutcheson nor Mr. Lewis, in recent years, have been closely associated with Democratic Party politics. Those of you on the Republican side who have been heeding the siren calls of your leadership to vote for this vicious bill aimed at the heart of the labor movement had best think twice before casting such a vote.

I bring these facts out on the floor to refute the sly attempts that have been made today by certain individuals to infer that only the CIO was opposed to the Case bill and by indirection give the understanding that the American Federation of Labor and United Mine Workers were not particularly interested in this fight. Contrary evidence is before us and I think it belongs in the RECORD.

Now, there are two or three other points that I want to make in the limited time that I have today.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BIEMILLER. I am glad to yield to the gentleman.

Mr. VORYS of Ohio. The gentleman has presented the views of leaders of organized labor. Our problem is whether there should be any attempt to regulate organized labor. While the views of the gentleman are very forceful and such as to give us pause, does the gentleman feel that a Member of Congress should be controlled in considering the regulation of a certain group by the views of that particular group?

Mr. BIEMILLER. Not at all. I repeat, I was simply making the statement that I wanted to clear up any misunderstanding that might have arisen on this floor from the witting or unwitting attempt to create the impression that the American Federation of Labor and the United Mine Workers were not in this fight as much as was the CIO. With reference to the point which the gentleman raises, I believe it is the duty of a Member of Congress to act on legislation before us in accordance with the dictates of his own conscience and as he believes is in the best interests of the public as a whole.

That is the reason I am opposed to the Case bill. I believe very definitely that those who are asking us to pass the Case bill want to create a situation whereby the workers would be intimidated from asking for legitimate wage increases which they need and to which they are entitled, if we are to maintain purchasing power in the United States.

Mr. DOUGHTON of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. BIEMILLER. I yield.

Mr. DOUGHTON of North Carolina. The gentleman always makes a very clear and understandable statement. There is no trouble about knowing his position on these matters. I will ask the gentleman's opinion if it is best for the country as a whole, capital and labor and the consumers, for either management or labor to have its way completely in legislative matters?

Mr. BIEMILLER. I think all legislation is the result of compromise. I do not know of a single piece of legislation that has ever been placed on the statute books of any State or of the United States that has not been the result of compromise. I think that is the situation we have at the present time.

Mr. DOUGHTON of North Carolina. Does the gentleman believe it would be best for the country as a whole to have it settled by compromise rather than for one party or the other to have its way completely?

Mr. BIEMILLER. I do not think either party does have its own way completely. I think we have a compromise on the statute books at the present time. I do not believe it is a one-sided law.

Mr. DOUGHTON of North Carolina. I am talking about the general policy.

Mr. BIEMILLER. As a general policy, I agree that compromise legislation is always what we get out of legislative bodies.

Now, Mr. Chairman, a few minutes ago I was referring to the fact that the workers of this country must have purchasing power sufficient to buy back the goods they produce, if we are to maintain a sound, stable economy in the United States. The workers of this country are confronted, as one Member after another has demonstrated in the well of this House during the past 2 days, with a serious drop in their purchasing power. If that purchasing power is permitted to continue, if the management of certain great aggregations of capital in this country are permitted to hold down the wages of the workers, we are heading directly for the kind of a bust we had in 1929, and probably for a much worse one.

Every student of economics recognizes that without sufficient purchasing power in the hands of the people you cannot keep a stable economy functioning. The workers of this country in trying to keep up their wage levels, their take-home pay level to where it was during the war, are rendering the best service they can toward maintaining the United States on an even keel.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. BIEMILLER. I yield.

Mr. HOFFMAN. I understood the gentleman to say that capitalists are trying to hold down wages. Does the gentleman go so far as to contend that there is no competition, for example, between Ford and General Motors and other manufacturers of automobiles, and that they are all in a conspiracy to hold down wages?

Mr. BIEMILLER. No. If the gentleman had been before the Rules Committee the other day, I answered that same question by pointing out that I, for one, had never maintained there was a general conspiracy inside the automobile industry. What I have maintained consistently—and what other Members on this floor have maintained—is that there has been a conspiracy on the part of certain Wall Street financial interests, particularly the du Pont and Morgan groups, who control General Motors, who control United States Steel, and who control the General Electric Co. But certainly no one would ever include Ford in that conspiracy because the relationships between Ford and Wall Street, as the gentleman well knows, have never been cordial. I know of no tie-up between Wall Street and Ford. I am talking about the set-up that manifests itself, to my mind at least, in a working conspiracy between General Motors, General Electric, and United States Steel, through the du Pont and Morgan control of those companies.

Mr. HOFFMAN. Does the gentleman not think there are other industries in the same line that give those companies enough competition to raise wages?

Mr. BIEMILLER. I regret to say I have never yet seen much evidence, from my study of the American economic order, that wages are raised primarily through competition between competing capitalistic interests. On the contrary, I am convinced from my study of American economic history that the only reason we have as high a standard of living as we have in this country, and relatively high level of wages, has been because of the determined fight which the workers of this country have put up through their own unions to make sure that they are adequately protected.

In the present situation it is true that Chrysler and Ford have settled with the auto workers union. They sat around the bargaining table and have settled with the union, but I believe that the strike of the General Motors workers had some influence on the settlement in Ford and in Chrysler.

Furthermore, the history of wages in the United States shows two things very clearly; it shows first of all that wages of unorganized workers always follow the trend set by the wages of organized workers. The most recent example is when Ford agreed upon an increase in wages to organized workers in the shop, the very next day it granted a 15-percent increase to workers in the offices and other occupations that did not come under the UAW. The second general observation about the trend of wages in the United States is this: There is an amazingly close correlation between total wage payments and total farm income in the United States; the two go up and down together. The farmers in this country are prosperous when total wage payments are high. The farmers in this country have low income when the total wage payments are low. These two curves are so parallel year after year that no one can come to any conclusion but that the prosperity of the farmer depends upon the prosperity of the wage earner in the city—on factory pay rolls.

Mr. SAVAGE. Mr. Chairman, will the gentleman yield?

Mr. BIEMILLER. I yield to the gentleman from Washington.

Mr. SAVAGE. I wanted to say that in wage negotiations, and I am sure the gentleman who has the floor has had plenty of experience, competition has a tendency to drive wages down, because the employer when negotiating with his workers will tell them that he cannot pay more and compete with his competitor. Is not that right?

Mr. BIEMILLER. Many times employers have raised that point in wage negotiations. I repeat my earlier statement that without their unions American workers would not enjoy the working conditions and wages they have today. Furthermore, just as eternal vigilance is the price of liberty, so is it the price of economic well-being. That is why I view with such alarm measures like the Case bill, which would destroy the power of the unions to protect the American standard of living.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. LANDIS. Mr. Chairman, I yield 8 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, in the discussion concerning strikes and disputes between management and labor, emphasis has been placed upon the rights, demands, and protection of management, as well as that of labor. I do not minimize either of these factors, but I do believe that too little consideration has been given to the third party involved in this problem, that is, the general public, who is entitled to protection under the law.

Consideration of the public interest has been sorely neglected. Regardless as to who may be blamed, the impact of strikes upon the public has been dramatically illustrated in the past few weeks. Reconversion has been delayed. Even food distribution has been seriously affected by reason of strikes and work stoppages. Economic losses to everybody are terrific. Suppose the farmers of this country should decide that because these disputes prevent them from securing the things they want, they should withhold their produce from market for 30 or 90 days. We could have a situation still more complicated with which to deal. Farmers need plows, tractors, and all kinds of machinery, just as other consumers need vacuum cleaners, radios, electric irons, and ice boxes.

As I have said on other occasions, the factor of public interest has not received the attention it deserves. In normal times, temporary failure of management and labor to arbitrate their differences and reach conciliatory decisions may not affect the public interest.

Our country is on the threshold of reconversion. Relations between management and labor assume tremendous importance. People demand that the Government take action to bring about a settlement of these strikes, so consumer goods can again flow freely in the channels of commerce.

We have a peculiar situation, where millions of people, both here and abroad, are seeking to buy scarce American-made commodities and are willing to pay the prices. Never before in our history has there been more money invested in stocks, bonds, savings accounts, and the like, yet the thing that prevents our greatest era of prosperity is the failure on the part of management and labor to settle disagreements involving wage increases in strike-bound industries, which, in some cases, involves less than a few cents per hour.

Mr. Chairman, I am not in favor of runaway prices. Inflation would be ruinous to our country, but I do think the administration leaders have been too prone to keep the lid on prices and then nod approvingly at wage increases. This is inconsistent. I believe, through collective bargaining and voluntary arbitration, that portion of labor controversies involving wage increases should be resolved just as far as possible by management and labor, without Government participation. If they cannot reach agreement, then let them submit their best offers to the Department of Labor. Then, if good faith has been shown on both sides and no agreement reached, let the President, under his price-control powers, review the case and if he sees fit to do so, extend wage increases and the price of commodities accordingly.

This process will not cause inflation. We have inflation already. The best way to control inflation is to achieve full production and do it now. The way to stop further inflation, is to restore free economy to America, an economy founded upon the basic law of supply and demand.

Last month I addressed the House and offered what I considered a common sense and reasonable solution to the management-labor controversies. I am gratified to see that among some administration leaders, my views are being given consideration, particularly by Civilian Production Administrator Small, who said:

> There has been a growing feeling throughout the country that price increases would be about the worst thing that could happen. To my mind, lack of production is the worse thing. We must have production. Production all-out, sustained production, is the cure for inflation and for unemployment.

I propose the administration apply constructive, dynamic leadership. The administration has been timid in approaching the labor-management problem. I believe the Federal Government has power, if it would use it, to control this situation. I fail to see how any of the bills submitted will really solve the present labor-management problem. I do not believe any one of these bills presently before us, if enacted into law, will

solve the problem. I fail to see how the President's proposal, if enacted into law, would have prevented the situation that exists today. I shall be glad, however, to support such legislation that I believe will bring about a better situation and understanding with respect to management and labor, and that will protect the rights of the public that are sorely neglected today.

Both management and labor must assume equal responsibilities, as well as share equal rights under the laws of our country, and both must respect the rights of the public interest.

The functioning of a democracy is dependent upon the correct balance of the rights and interests of management and labor, guided by the superior and all-embracing rights of the people as a whole. To permit the paralyzing of our communications systems and the production in this country just cannot be right. It does not make sense.

Mr. Chairman, one of the reasons for the present strikes and misunderstanding is the absence of arbitration and mediation. We arbitrate foreign affairs. Why not arbitrate our domestic disputes?

Mr. Chairman, I favor the enactment of legislation, following similar lines of the Railway Labor Act, that would set up mediation boards or panels to settle labor grievances and provide for a reasonable period before strikes are called.

Both labor and management should be required to live up to and abide by their agreements. Provision should be made to give equal protection to all parties concerned, including the third party—the public interest.

I am convinced our labor laws need revision and modernization. That job should have been done a long time ago. The present management-labor crisis should not be the cause of the passage of ill-conceived legislation which another Congress may be required to repeal.

Mr. Chairman, I would like to suggest that when further national management-labor conferences are held, that the President include in such group, not only a few big leaders in industry and labor, but also managers and leaders of small industries and small labor unions from all parts of the country. It should also include representatives of small businesses and farmers and other groups who are affected by and have a definite public interest in these problems. Work stoppages affect every household in the country.

Mr. Chairman, these are most serious times. America is at a turning point in her history. American people can solve these problems, but they are going to have to do it by working together in a common cause, having for their goal, things that are for the best interest of the American people as a whole. They can do it if they will. I still believe they will.

Mr. HOOK. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. McGEHEE].

Mr. McGEHEE. Mr. Chairman, I ask unanimous consent to proceed out of order, and to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. McGEHEE. Mr. Chairman, I desire to take this opportunity to call the membership's attention to the activities of the United Nations Relief and Rehabilitation Administration—more familiarly known as UNRRA—and the manner in which they are spending the money of the taxpayers of this country which has been made available to them to be used, as I, one Member of Congress thought, for the purchase and making available food and clothing for the displaced and starving people of the nations which have been so vitally affected by the recent war.

I am sure that every Member on this floor, when they voted for the first bill authorizing $1,350,000,000 as our share to participate in this world relief organization, then for the appropriation for this amount, all of which has been spent, they did so under the firm conviction that the moneys so appropriated out of our taxpayers' pockets would be utilized for the purchase of food and clothing for those unfortunates in foreign countries. This organization came back to the Congress asking for another authorization of $1,350,000,000, of which the Congress has already made available $750,000,000. It is this amount they are spending now, together with the small sums contributed by other countries.

I have recently been making an investigation of the activities of UNRRA, and I find they have gone far afield in the expenditure of these funds than was ever dreamed of by the membership of Congress. This money is being spent not for food and clothing except to a minor extent, but UNRRA has launched out in every field of activity in competition to business, agriculture, and all other interests of our people who are struggling to reach a stage of normal activity in the different lines of endeavor at the earliest possible date.

This organization is purchasing materials and manufactured products which are sorely needed by every class of our people, doing this as I said, in direct violation of the intent of the Congress and the spirit of the law under which they operate. As to why they are doing it, I cannot say, but in my humble opinion it is either being done by the leader of UNRRA and employees of that organization who desire to wreck and ruin the financial structure of our country, leading us down the pathway and further tendency towards state and individual socialism, or it is being done to build up channels of trade in the postwar era for certain cliques and clans who in their selfishness for return and advantages which would inure to them after we have returned to somewhat a state of normalcy. I am unable to say unto the Congress which of the two courses mentioned above it is their intention to follow.

Mr. Chairman, I am revealing this to the Congress with the view, and certainly if the majority of us have not reached the stage that we do not give a tinker's rap as to what the future holds in store for us, steps will be taken by the Appropriation Committee to immediately investigate each and every phase of the activities of this organization and stop it from expending the money of our people except in line with that which the Congress made the appropriation for.

Mr. Chairman, you will note that UNRRA has ordered literally thousands of tractors, sending them to practically every country in the world, thereby depriving the farmers of this Nation from securing tractors or tractor parts so they can continue to operate their individual farms. UNRRA is not only using their priority to purchase tractors and tractor parts and taking them direct from the manufacturers, but are buying thousands of those which have been declared surplus and purchasing them at a much less cost than the individual would pay.

Mr. Chairman, UNRRA is buying millions of feet of lumber for the construction of boats; thousands of 1½- to 2-ton trailers and Army wagons; general construction equipment, road graders, road rippers, road rollers, crushing and screen plants, power shovels, pile drivers, trucks and tractor cranes, snow plows, lumber and wood-working equipment, felling and logging equipment, sawmill units, which cost from $15,000 to $20,000 each, sight fabricating units, sharpeners and grinding outfits, patrol vessels, outboard motor boats, patrol salvaging utilities, harbor tugs, shallow-draft tugs, barges, cargo vessels, large floating cranes, and repair shop forms.

They are also buying rail equipment and railroad locomotives. My information is they have bought and placed orders for enough rails to build two or three lines from San Francisco to New York and back from New York to San Francisco.

Mr. Chairman, they are buying thousands of tons of nails, slicing bars, steel sheets and angles, fire hose, section hose, well casings, wire cloth, hundreds of feet of iron pipe in different sizes, hundreds of tons of iron bars, thousands of door locks, thousands of feet of belting, millions of feet of wire rope, thousands of wrenches—the most expensive which can be bought, and even thousands of steel measuring tapes.

They are buying several hundred boiler steam units from 125 to 150 horsepower, which cost several thousand dollars each. The Government has in its possession now a 6,000-kilowatt steam generating plant, sufficient to furnish electricity for a town of 75,000 to 100,000 population, which plant cost us over a million dollars. My information is that Hampstead, N. Y., and other cities are interested in purchasing this plant paying full cost to the Government, yet, UNRRA is preparing to take it over at a very large discount.

When, membership of this House, did you intend to appropriate the taxpayers' money to purchase power units to be sent to some other country? When did you intend to appropriate funds to purchase any of the property which I have enumerated, all of which has cost the taxpayers literally hundreds of millions of dollars?

Mr. Chairman, as we all should know, there were several hundred ships which

were loaded with supplies and materials for the invasion of the islands and countries in the Pacific and Europe when hostilities ceased, which had never been unloaded and the cargo of some is being sold before unloading. Only a few days ago the cargo of two ships was offered for sale. A bid was submitted by private individuals who desired to place the cargo in the channels of trade so as to give our people the opportunity to purchase some of the necessary articles which they so need today: This bid was around $860,000 for the two, but UNRRA steps in, threw their priority in the face of the disposal agency and said we will take these cargoes and at a price of around $215,000 less than was offered by the citizens of this country.

The cargo on several hundred more ships will be sold, but those interested are expecting UNRRA to take them over and at a discount anywhere from 15 to 40 percent less than the individual is ready to pay. The cargo on the above two ships which was sold, consisted of merchandise and material from locomotives, steel rails, down to tooth paste.

Mr. Member of Congress, did you when voting for the UNRRA appropriation, intend that they should step in and take over property belonging to your Government at such a discount as I have enumerated in preference to your own citizenship?

Mr. Chairman, the question which evidently comes to the minds of the membership is when UNRRA purchases the many articles and equipment which I have enumerated, what is the method of disposal and how utilized? My information is it is given to the foreign countries and they sell it to the individuals and industry and common judgment would dictate to you that it will be sold at a profit and they in turn pocket the proceeds from the sales and are at liberty to go out and expend it in any manner they see fit. Whether to further socialize or communize their countries we know not, but we do know we have made possible an agency and placed in its coffers billions of our taxpayers' dollars, and I am informing you now as to how it is being squandered and used contrary to the intent and purpose of this Congress.

I am calling the attention of the Members to the manner in which this relief organization is spending the money of the taxpayers of this country, with a view that eventually the Committee on Appropriations, which makes available this fund, will investigate the matter and determine whether they are spending this money according to the mandates of Congress.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. McGEHEE. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. All of this is being done at the expense of the American people, who want to have their money go to feed the hungry and destitute people of the world.

Mr. McGEHEE. As I understand, that is the purpose for which the Congress made the appropriation, to feed and clothe the starving people displaced by reason of this recent war.

Mr. HOOK. Mr. Chairman, I yield 15 minutes to the gentleman from Washington [Mr. DE LACY].

Mr. DE LACY. Mr. Chairman, many Members have been astonished at the meteoric course of the Case bill, rushed from an unheralded introduction, over the so-often insurmountable obstacle of the Rules Committee, and to the House floor for debate and adoption, all within 2 days, and without any hearings before any committee.

It is true, of course, that key reconversion bills urged by President Truman to keep the people's purchasing power from collapsing are still pigeonholed in committee.

It is true that Congress has not rushed to pass a full employment bill.

It has not rushed to protect farmers, businessmen, and workers against the catastrophic effects of $20,000,000,000 cut in national income expected for this year.

It has not rushed to meet America's critical housing needs.

It is not hurrying to end substandard wages through passing, as a beginning, a 65-cent-an-hour national minimum wage.

Congress is not moving swiftly to end steadily rising prices, through renewing and strengthening OPA.

Congress passed in 28 days a tax relief bill which gave America's richest corporations—a mere handful—over $2,000,000,000 in tax relief, but it is not rushing to pass a Nation-wide emergency unemployment compensation measure, asked for repeatedly since last August by the President, to help tide people over the roughest part of reconversion to a peacetime economy.

Yet there is no mystery, and should be no surprise, about why we are rushing to pass what is called the Case bill.

Fathered by the National Association of Manufacturers, born from the womb of the National Republican Committee, midwifed by poll-tax Democrats on the House Rules Committee, the Case bill is at the top of our calendar today because America's most powerful bankers and industrialists want it there.

With labor forced to take strike action to restore drastic wage cuts, the Case bill is legislation for Morgan's United States Steel. It is legislation for Morgan's General Electric and Westinghouse Corporations. It is legislation for du Pont's and Morgan's General Motors. It is legislation for Rockefeller's oil monopoly. It is legislation for Morgan's Swift & Co.

Aimed in the first instance at labor, the Case bill is a critical beachhead in the war of America's biggest trusts against the American people. It is part of monopoly's open conspiracy to rob the consumer, to drive smaller and independent businesses out of competition and 12,000,000 family-sized farms into bankruptcy.

Boiled down, the Case bill would restore the dark days when any court would break a strike cheap by injunctions. It would make collective bargaining contracts a mockery by turning over to employer-minded judges the power to interpret labor agreements and working rules, and to assess crippling fines and damages. In violation of constitutional guarantees of free speech and press, it seeks to outlaw boycotts, which are often, as in the case of the McCormack-Patterson Axis press, the people's only means of destroying evil. It would pull the teeth of the Labor Relations Act. It would repeal the Norris-LaGuardia Act, signed by President Hoover.

Why, even the last Republican Presidential candidate did not dare openly say that his party intended to pull down those laws. In fact, he said that he would maintain the basic social legislation passed under the Presidency of Franklin Roosevelt.

But that was at election time.

That was when even the House of Morgan and du Pont wanted everyone's help, and especially labor's, to stop the German industrialists and bankers who nearly bent the world to Hitler's murderous rule.

But with their dangerous German rivals out of the way, at least temporarily, it looks safe again for the American monopolists, now the most powerful in the world, to go back openly to their old game of robbing America.

THE SIT-DOWN STRIKE AGAINST OPA

Part and parcel of the labor strike which the monopolies have provoked, which the Case bill asks us to endorse by destroying the power of labor to fight back; part and parcel of this inspired labor strife is another national strike—a strike against OPA for super prices and super profits.

Only 2 days ago, we were informed that 3,000,000 shirts were being withheld from the market—stored in warehouses—while returning veterans, yes and Members of Congress too, go shirtless. The game is to keep those shirts in warehouses until the shirt manufacturers get their way with OPA.

The Baltimore Sun made a similar discovery trying to find why the returning veteran had to seek out a tailor to get the brass buttons taken from his khaki, his overcoat cut down, or his old moth-eaten civies made over instead of being able to walk into a store and buy a new suit of clothes. The Sun found that 750,000 new men's suits are in storage in Baltimore, Philadelphia, and New York alone—a plain sit-down strike against price control.

The Morgan-controlled electrical industry—until it forced a strike for wages to meet the increased costs and the decreased take-home pay of their workers—was producing electrical equipment. But no one could buy a radio or a vacuum cleaner. They are in warehouses, too, part of the monopolist conspiracy to rob the American consumer.

Only yesterday, President Truman had to rebuke Henry Ford 2d, who had demanded the end of all price control except on food and rents.

And this morning the heat is on for the scalp of the greatest friend of the American consumer, a man who has the guts to fight for the little man and woman, Chester Bowles. How the profiteers hate Chester Bowles. How their mouthpieces, like Fulton Lewis, Jr., rage against him.

Let me remind you that the source of the production sit-down, the source of

the demand for the end of the OPA, and the source of the Case bill are one and the same.

We are considering a law to break the steel strike. Yet Morgan's United States Steel is also part of the campaign to break the price line.

Steel is saying today that a $6.50 a ton price increase is essential to meet the compromise wage suggestion of the President of the United States.

This is the big "steal" formula. In 1944, excess-profits taxes of United States Steel were $209,386,000. Its normal income tax and surtax was $139,698,000.

Now, we have repealed the excess-profits tax. And we have reduced the income taxes for 1946.

If United States Steel's production equalled that of 1944, under present prices, the tax reductions alone would give them enough money to meet a 17 percent wage increase.

Chester Bowles said a $2.50 price increase would take care of a 12 percent wage increase. Certainly out of its great profits, United States Steel could make up the difference without gouging the American people.

Here is a little plain arithmetic. Government economists believe that a 20-cent a ton increase in steel prices—at lowest possible production figures—totals a 1 percent wage rise. United States Steel says it takes 30 cents to make a 1 percent wage increase. Using 25 cents a ton as our measure, a 17 percent wage increase could be amply taken care of by a $4.25 price rise. And that would mean that the public would foot the whole wage increase—with not a cent from Steel's profits. Yet Steel wants the American people to shoulder a $6.50 increase or more.

The Case bill is a part of this plot against the American consumer. It would destroy the purchasing power front, as the heat goes on to destroy the price front.

AIMED AT SMALL BUSINESS

The bill, too, is aimed at small business.

Its purpose is to drive wages down, drive prices up, and reduce total production.

That is the foundation for high monopoly profits. Monopoly always works that way, and the Case bill is a weapon in the arsenal of the biggest economic royalists in monopoly's kingdom.

The idea of full employment, essential to the program of small business, is abhorrent to the monopolists. A "float"—that is the NAM's own word for it—a "float" of six to eight million hungry and jobless Americans is "desirable" to the NAM—desirable so that labor can be broken, so that wages can be driven down, so that we can have a continuing scarcity of commodities, high prices—all making enormous profits for the three or four great families who control the greatest corporations.

But the small businessman, the average businessman in my own congressional district and yours, must have high purchasing power in the hands of his customers.

I ask you to look at my own congressional district. Only half of those who labored in 1944 are at work today. In Bremerton, Wash., great shipbuilding and ship repair center of this war, the businessmen know their problem. Those who are working have 30 percent less to spend than last year. And 10,000 who had jobs, do not now work. The purchasing power of these 10,000 is gone altogether. In Seattle, where savings are dipping dangerously low, many are out of work. Cut-backs and reduced take-home has taken money from the cash registers.

The small businessman has not the backlog to weather prolonged storms. He must sell and sell rapidly and then sell again. He cannot afford either unemployment or a shrinking power to buy. He cannot hold out for a year, waiting for OPA to be broken. He cannot afford inflation. He knows what happened to small business after World War I.

So this Case bill and the thinking it represents—the theory of slicing down the pay of workers as their collective-bargaining processes are destroyed and raising the prices of manufactured goods—this theory of cut-backs and restrictions, of profits for the few and poverty for the people, is a blow directly at the cash register of the small businessman in America.

THE FAMILY FARM TO BE DESTROYED

The gentleman from South Dakota is not an expert in industrial relations. His congressional district is barren of industry.

I wonder, therefore, if the gentleman—so inexpert in the subject he presents for action—is aware that the farming people of his district are to be the next victims of the program he advances.

For the NAM also has a program for the farmers. The economic tories, who sponsor this legislation, know that with wages forced down, industrial prices forced up and purchasing power knocked into a cocked hat, farm prices must be pushed down. After all, they can't have their low-wage workers starve to death. That is precisely why the NAM openly says the family-sized farm is uneconomic. Only big farms, run by absentee owners, the NAM thinks, are sound. Twelve million farm families should be destroyed, they think, to bring low food costs for underpaid industrial workers. Another 25 years of depression—like that following the last war—is the NAM program for the little farmer.

I quote John W. Scoville, chief economist for the Chrysler Corp. Tying this current fight against collective bargaining and the program to liquidate the small farmer neatly together, Mr. Scoville said:

> While I condemn collective bargaining as an assault on liberty, as an evil thing. * * * I realize that collective bargaining is only one chick in the foul breed of vultures that seek to pick the meat from the bones of honest men. * * * Farmer schemes for parity prices are of this malignant type.

I suggest to those who would crucify the whole people in the name of the farmer, that they consider what low-purchasing power—the design of this piece of legislation—means in the NAM drive against parity, against the "uneconomic farm" in royalist language—against the family farm that you and I know as one of America's bulwarks of independent living and thinking.

UNITED STATES TREASURY FOOTS THE BILL

Mr. Chairman, the most deplorable part of this entire conspiracy against the American people—against the workman, the consumer, the small businessman, and the family-sized farm, is that the American taxpayer is going to foot the bill. Our taxes finance a large part of this whole reactionary program of which the Case bill is a central part.

The American people are being asked to pay for their own destruction.

Under the carry back-carry over provisions of our tax laws General Motors, for example, by only breaking even in 1946, will get a refund from the United States Treasury of more than $100,000,000—or almost as much profit without producing a car as its full prewar profits, after taxes. And this colossal Treasury gift would be tax free.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. DE LACY. I yield gladly.

Mr. HOOK. Does not the gentleman think that is one of the real basic causes of these strikes?

Mr. DE LACY. Of course. The United States Government is subsidizing the provocation of strikes.

Or all big industry could follow the pattern of Bethlehem Steel in 1945. Bethlehem took advantage of the accelerated amortization provisions of the tax law to write off $44,100,000 for amortization. Thus, on its tax returns, Bethlehem—which had made an actual profit of $22,676,000 before taxes—showed a paper loss of $27,218,000. With such a loss, Bethlehem applied for a refund under the carry back provisions of the tax bill. And Uncle Sam dug into our pockets to hand Bethlehem an additional $34,980,000.

With the gift, Bethlehem's real profits were, therefore, more than $57,000,000. Yet, because they lost on paper, Uncle Sam gave them more than half of that great profit.

Thus the more the monopolists lose by reason of the strikes they provoke or through their production slow-down the more they take from the National Treasury.

Mr. Chairman, there are no words adequate to describe this scandal. The people's own Government is financing the plot of the biggest of big business against the security and well-being of all the rest of America.

Rather than helping further strengthen monopoly's hold on the economy of our country, by passing the Case bill, we should be legislating here today to stop Wall Street from picking the taxpayers' pockets. I have an amendment, Mr. Chairman, which I intend to offer to stop this legal robbery.

The amendment reads:

> Strike out all after the enacting clause and substitute the following language: "That section 710 (c) (2) of the Internal

Revenue Code is amended by inserting at the end thereof the following: 'There shall be no unused excess profits credit for any taxable year ending after December 31, 1945, in which a stoppage of work existed because of a labor dispute at the factory, establishment or other premises of the taxpayer.'"

If the Congress is unwilling to protect the Nation against ruinous prices and taxes and a starvation wage structure, if Congress is unwilling to speed demobilization, to speed reconversion by enacting the helpful measures urged by President Truman, if it is unwilling to reenact the OPA and provide that jobs shall pay living wages, if it will not take action for full and fair employment, if it will not speedily appropriate for housing, public works, and a health and hospital program, it must not range itself as an open ally of the ruthless plunder-bund which demands today the Case bill, tomorrow the end of OPA and next year some new, more terrible, and more profitable war to bail them out of a new and greater depression.

Mr. HOOK. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas [Mr. HAYS].

Mr. HAYS. Mr. Chairman, I voted for the rule to consider this legislation. In December I voted to consider the bill reported by the Military Affairs Committee dealing with the same subject, and I cast these votes because I believe that some legislation to maintain industrial peace should be enacted. Some action by the Congress limited and restrictive though it may be is imperative. It is obvious that there is much in the Case bill to justify the fear that it will not accomplish the primary purpose of allaying unrest, but on the other hand it may actually add to the difficulties with which we are dealing. The circumstances under which we must pass upon these proposals are such that we cannot hope to cover the subject as comprehensively as we had hoped might be done during the present session. If we hope to accomplish anything at all we should limit the scope of this legislation; we cannot cover the whole subject of labor relations in a single act. If our principal purpose is to maintain the productive system at high capacity by the elimination of strikes, we should stick to the simple task of perfecting the mechanics by which differences can be settled and governmental aid extended to the maintenance of peace.

Since I share some of the fears that have been expressed regarding the Case bill, I think the alternatives should be considered very seriously. I was, therefore, very much interested in what the gentleman from California [Mr. VOORHIS] had to say about a bill which he is today introducing and which he will offer as a substitute for the Case bill. I hope the gentleman's proposal will be thoroughly debated under the 5-minute rule.

I expect to offer another substitute and I trust that it, with that of the gentleman from California [Mr. VOORHIS] and those of other Members, will receive earnest consideration. We must do some hard thinking between now and the time to vote upon these various alternatives. The proposed substitute which I shall offer is title 1 of Senate bill 1171, commonly referred to as the Ball-Burton-Hatch bill. I shall ask the House for permission to extend a statement explaining this bill in the RECORD. It carries a compulsory arbitration feature for a limited number of industries—public utilities or other public services or those involving the supply of essential foods or essential fuels, or "in the case of any serious or protracted interruption in any other supply or service on the continuity of which the health, safety, or welfare of a community depends."

I recognize that serious objections are advanced to provisions carrying any element of compulsion whatever and in ordinary times I would probably be opposed to such legislation. I offer it now purely as an alternative and with the further proviso, which incidentally is the only feature that does not appear in the original Ball-Burton-Hatch bill, that the legislation be of a limited duration. If the experience to be acquired as a result of a brief trial of compulsory arbitration for disputes in this limited field suggests its permanent value, Congress can act in due time. For the present it should be emergency legislation, but that emergency is of such character that I believe it is justified, and I therefore present it for the consideration of the House.

Mr. Chairman, I am a member of the Committee on Banking and Currency. We will next week begin hearings on the extension of the Price Control Act. It would be highly illogical for us to concern ourselves with legislation designed to control inflation while permitting the continuation of conditions which really constitute the most serious threat of inflation. I therefore believe the Congress should explore every alternative, and in that spirit, and not with any particular pride in the measure that I present, since I did not share in its authorship, I present this as a single alternative with the hope that it will contribute something to the solution of this distressing problem.

The proposed substitute—title I—of the Ball-Burton-Hatch bill is as follows:

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TITLE I—SETTLEMENT OF LABOR RELATIONS CONTROVERSIES

PURPOSE

SEC. 1. (a) Declaration of policy: It is hereby declared to be the policy of the Congress to facilitate the prompt, peaceful, and just settlement of all labor relations controversies between employers and employees that may interrupt commerce among the several States or with foreign nations; and to that end—

(1) to encourage the making and maintaining of agreements concerning wages, hours, and other conditions of employment;

(2) to assist in maintaining the right of the parties to be represented in collective bargaining and in the making and maintaining of such agreements by duly authorized representatives freely and voluntarily designated by the respective parties without any interference, influence, or coercion exercised by any party over the self-organization or designation of representatives by any other party;

(3) to provide Federal settlement procedures for labor relations controversies likely to result in such substantial interruption of commerce among the several States or with foreign nations as to require or make appropriate Federal action; and

(4) to leave to the several States the handling of all other labor relations controversies that may interrupt such commerce among the several States or with foreign nations.

(b) Declaration of purposes: It is the purpose of the policy above declared (1) to promote continuity and regularity of employment, and (2) to avoid interruptions to employment arising from the inability of employers and employees to maintain satisfactory labor relations or from resulting strikes, lock-outs, shut-downs, or similar interruptions or cessations of the production or distribution of goods and services necessary to the health, safety, and welfare of the people of the United States.

ADMINISTRATION

SEC. 2. (a) Administration by Federal Labor Relations Board: This title shall be administered by the Federal Labor Relations Board (hereinafter referred to as the "Board") established by reorganizing the National Labor Relations Board in the manner provided in section 13 of this act. In carrying out the foregoing declarations of the policy and purpose of the Congress, the Board shall exercise only the powers specifically vested in it by this act, or other law and such powers shall be exercised only in the manner therein provided.

(b) Utilization of services of other agencies: The Board may utilize the services of any other agency or officer of the Government or of any State agency whenever in the Board's judgment such utilization is desirable for the administration of its functions, and the Board may authorize any such agency or officer to act as the agent of the Board.

(c) Transfer of United States Conciliation Service: All functions of the Secretary of Labor or the United States Conciliation Service under section 8 of the act entitled "An act to create a Department of Labor", approved March 4, 1913 (U. S. C., title 29, sec. 51), or under the War Labor Disputes Act (U. S. C., title 50, sec. 1507) or such functions under any other law are hereby transferred to the Board, together with the personnel, records, property, and unexpended balances of appropriations, allocations, or other funds of the United States Conciliation Service. Such transfer shall not affect any proceedings pending before the United States Conciliation Service or any certification, order, rule, or regulation theretofore made by it or the Secretary of Labor.

DUTIES OF EMPLOYERS AND EMPLOYEES

SEC. 3. (a) Employers and employees subject to act: Employers and employees shall be subject to this act if controversies between

them involving labor relations are within the scope of this act as hereinafter provided.

(b) Duty to make and maintain agreements: It shall be the duty of employers and employees subject to this act and their agents and representatives to exert every reasonable effort to make and maintain agreements concerning wages, hours, and conditions of employment to the end of avoiding the occurrence, and providing for the prompt, peaceful, and just settlement of controversies within the scope of this act. In case any such agreement is in existence and one of the parties thereto desires a change in the agreement, such reasonable efforts shall include the giving of notice in accordance with the provisions of such existing agreement, or if there is no such provision, then the giving of adequate written notice of the proposed change to the other parties to such existing agreement. Unless otherwise fixed by agreement the time and place for a conference between representatives designated and authorized so to confer by the respective parties shall be agreed on by the parties within 10 days after receipt of such notice and the time agreed on shall be within 30 days after receipt of such notice.

(c) Duty to settle controversies: If there arises a controversy within the scope of this act, it shall be the duty of the employers and employees involved therein—

(1) promptly to arrange conferences between representatives designated and authorized so to confer by the employers and employees, respectively, and to exert every reasonable effort to settle the controversy expeditiously in such conferences; and

(2) in case the controversy is not so settled in such conferences and the Board proceeds to deal with the controversy through the settlement procedures hereinafter provided, then fully and expeditiously to carry out their respective duties under such settlement procedures.

(d) Maintenance of existing conditions pending exhaustion of settlement efforts: Whenever there arises a controversy within the scope of this act it shall be the duty of the employers and employees involved therein and their agents and representatives, pending the exhaustion of all efforts at settlement under this title in accordance with the terms thereof, to make no use of any unilateral arbitrary or coercive methods or compulsory process to end the controversy or to obtain an advantage in its final determination, and except by agreement of the parties or with the approval of the Board, to make no change in the conditions out of which the controversy arose. In case a special fact-finding commission is appointed, as hereinafter provided, in connection with any such controversy, no such method or process shall be used and no such change in conditions shall be made pending the expiration of 30 days after making of its report, as provided in section 7, or pending the making of an award as provided in section 11. Nothing in this title shall be construed to require an individual employee to render labor or service without his consent or to make illegal the quitting of his labor or service or the withdrawal from his place of employment; nor shall any court issue any process to compel an individual employee to render labor or service or to remain at his place of employment without his consent.

(e) Right to strike: Except as provided in subsection (d) of this section, nothing in this title shall be construed so as to interfere with or impede or diminish in any way the right to strike.

(f) Designation of representatives: Representatives for the purpose of this title shall be designated by the respective parties in such manner as may be provided in their corporate organization or unincorporated association, or by other means of collective action, without interference, influence, or coercion exercised by any party over the self-organization or designation of representatives by any other party. Such representatives may be individuals who are not in the employ of the employers concerned, or organizations whose membership may include persons not in the employ of the employers concerned, so long as such individuals or organizations have been duly designated by the employers or employees who are concerned, as their representatives for the purposes of this title.

CONTROVERSIES SUBJECT TO ACT

SEC. 4. (a) Classes of controversies within scope of the act: Any labor-relations controversy shall be within the scope of this act, subject to the exclusions and limitations hereinafter specified. For the purposes of this act such controversies shall be divided into the following classes:

Class 1. Controversies over the right of representation of employees.

Class 2. Controversies over the making or maintaining of an agreement concerning wages, hours, or conditions of employment.

Class 3. Controversies arising out of any grievance against any employer concerning the application of any such agreement or concerning discipline, whether or not covered by agreement.

Class 4. Controversies not included in any of the foregoing classes.

(b) Exclusions by reason of character of employment: No controversy shall be within the scope of this act if it concerns—

(1) employment by the Government of the United States or of any State, or of any Territory or possession, the District of Columbia, the Canal Zone, or any other area under the jurisdiction of the United States, or of any political subdivision thereof, or by a governmental agency of any of the foregoing;

(2) employment by an employer (or if more than one employer has a common interest in the controversy, by employers) whose aggregate number of employees is less than 20, unless in the opinion of the Board the controversy threatens to result in such a substantial interruption of commerce as to require or make appropriate Federal action;

(3) employment of agricultural labor by farmers or cooperative associations of farmers;

(4) employment in the domestic service of any family or person at his home;

(5) employment by any labor organization (other than when acting as an employer) or by anyone acting in the capacity of officer or agent of such labor organization;

(6) a dispute for the settlement of which provision is made by the Railway Labor Act, as amended;

(7) a dispute over which the National War Labor Board takes jurisdiction under the War Labor Disputes Act or other law, or Executive orders thereunder, but only so long as the War Labor Disputes Act remains in effect.

(c) Exclusions by reason of local character of controversy: No controversy shall be within the scope of this act (1) unless the employment involved directly affects the producing, processing, preparing, or handling of raw materials, supplies, or goods for distribution in substantial quantities in national or international commerce of the United States, or directly affects their distribution in substantial quantities in such commerce; or (2) unless the employment involved directly affects the supplying of power, light, transportation, communication, or any other public or private utility service in substantial quantities in such commerce. For the purposes of this act, the national commerce of the United States is commerce between the several States (including the Territories, possessions, the District of Columbia, the Canal Zone, and other areas under the jurisdiction of the United States); and the international commerce of the United States is commerce between such States or areas and foreign countries: *Provided*, That the national and international commerce of the United States does not include such local handling or distribution of consumer goods or end products after termination of their interstate shipment or their importation as does not directly affect such commerce.

(d) Regulations defining controversies: The terms (1) "directly affects," (2) "substantial quantities," and (3) "such local handling or distribution of consumer goods or end products after termination of their interstate shipment or their importation as does not directly affect such commerce," as used in this section, may be further defined by the regulations of the Board. In any such regulations, such terms shall be so defined as to exclude controversies that are predominantly of a local character or effect and that do not directly affect national or international commerce of the United States. Such regulations shall be adopted after due notice of proposed regulations and opportunity for public hearing thereon and shall, when adopted, have the force and effect of law.

(e) Controversies where employment is outside United States: No controversy shall be within the scope of this act where the place of the employment incident to the controversy is outside the several States, the Territories, possessions, the District of Columbia, the Canal Zone, and other areas under the jurisdiction of the United States, unless the employment is in connection with international transportation or communication facilities operated by a business organized under laws of the United States, or the several States, or such areas.

(f) Applicability of State laws: The laws of the several States, Territories, and possessions may apply to any labor relations controversy occurring therein, whether or not such controversy is one within the scope of this act: *Provided*, That in case of a controversy within the scope of this act, the laws of the State, Territory, or possession shall remain applicable only so long as the services of the Board have not been invoked or proffered as provided in section 5. The Board shall cooperate with State and local authorities in the preparation and application of State and local legislation to carry out the purposes of this subsection.

HANDLING OF CONTROVERSIES BY BOARD

SEC. 5. (a) Invocation or proffer of Board's services: Any party to a labor-relations controversy within the scope of this act shall have the right to invoke the services of the Board, but in case of a class 3 or 4 controversy only if in the opinion of the Board the controversy threatens to result in such a substantial interruption of commerce as to require or make appropriate Federal action. The Board may on its own motion proffer its services in any class of controversy if it finds and publicly announces that the controversy threatens to result in such a substantial interruption of commerce as to require or make appropriate Federal action and that the services of the Board are necessary or desirable in the settlement of the controversy.

(b) Use of appropriate settlement procedures: In the event that the services of the Board are so invoked or proffered with respect to any controversy, the Board, having determined that the controversy is within the scope of this act shall proceed promptly to deal with the controversy with due expedition through the appropriate settlement procedures as hereinafter provided.

(c) Controversies handled by State authorities: If a labor-relations controversy within the scope of this act is being handled under State law by the appropriate State authority, then, notwithstanding the foregoing provisions of this section, no party to the controversy may invoke the services of the Board unless he does so on or before the

tenth day after jurisdiction over the controversy was assumed by the State authority. In the event that the Board's services are not so invoked within such 10-day period, then the jurisdiction of the State authority to handle such controversy under State law shall continue until such time as the controversy is settled or the State authority ceases to act unless prior thereto the Board on its own motion proffers its services after a finding and public announcement as provided in subsection (a).

SETTLEMENT PROCEDURE FOR CLASS 1 CONTROVERSIES

SEC. 6. (a) Determination of employee representation: In case of a class 1 controversy (that is, one relating to representation of employees) the Board shall investigate and determine the name or names of the representatives designated and authorized by the employees involved in the controversy in accordance with the requirements of section 3 (f). Representatives chosen by the majority of the employees in a unit appropriate to effectuate the purposes of this title, and to fulfill the duties herein imposed on employees, shall be the exclusive representatives of all the employees in such unit. In case of controversy as to what constitutes such an appropriate unit the Board shall determine what unit will best represent employees having a common interest in wages, hours, or working conditions, giving particular weight to evidence as to the unit which by custom and practice has proved to be acceptable to employees. The Board shall also determine whether such employees have already voluntarily designated by collective action their choice of representation, or whether it is necessary to hold an election in order to determine such employees' choice of representation. If the Board determines that such an election is necessary, then the Board shall, by order, require that there shall be held an election for the purpose of choosing representation.

(b) Avoidance of multiple representation: If the Board finds, in investigating any controversy, that more than one association of employees is seeking to represent employees having a common interest in certain terms and conditions of their employment or in other subjects of collective bargaining, and that multiple and diverse negotiations or agreements with a single employer, covering in part or in whole the same subject matter, would be impractical or disadvantageous, or injurious to one or more of the parties involved then (unless such associations voluntarily designate by agreement a single representation for all such employees in such matters of common interest) the Board shall require that there shall be held an election for the purpose of choosing a single, exclusive representation of all such employees for collective action on all such matters of common interest.

(c) Conduct of elections: Elections under this section shall be by secret ballot of all employees directly concerned and shall be impartially conducted under the control of the Board. The choice of representation shall be decided by the vote cast by a majority of those voting.

(d) Certification: The representation chosen as evidenced by voluntary action or if an election is held, then as evidenced by the election, shall be certified by the Board.

(e) Duration of representation: The representation of any group of employees, as certified by the Board under this section, shall constitute the exclusive representation of such group of employees for the purposes of collective bargaining for a period of at least 1 year following such certification: *Provided*, That any individual employee or group of employees shall have the right, individually or as a group, to adjust with the mangement any class 3 controversy independently without the interference or presence of any other person.

(f) Judicial review: Any certificate of representation issued by the Board under this section shall be subject to court review in the same manner and to the same extent as subsections (f), (g), (h), and (i) of section 10 of the National Labor Relations Act, as amended, provide for court review of orders relating to unfair labor practices.

SETTLEMENT PROCEDURE FOR CLASS 2 CONTROVERSIES

SEC. 7. (a) Mediation: In case of a class 2 controversy (that is, one relating to making and maintaining an agreement) the Board shall use its best efforts by mediation and conciliation to bring the parties into agreement. If such efforts to bring about an amicable adjustment through mediation and conciliation are unsuccessful, the Board shall then endeavor to induce the parties to agree to submit their controversy to arbitration under the provisions of section 10.

(b) Fact-finding Commissions: If any party declines to submit the controversy to such arbitration, the Board shall determine whether the controversy threatens to result in such a substantial interruption of commerce as to make it necessary or desirable in the public interest to create, or to request the President to create, a special fact-finding Commission. If the Board determines that a special fact-finding Commission is necessary or desirable, the Board may thereupon either create and appoint or request the President to create and appoint a special fact-finding Commission to investigate and report respecting such controversy. Such Commission shall be composed of such number of persons as may seem desirable to the Board (or to the President, if he shall act). No Commissioner appointed shall be pecuniarily or otherwise privately or prejudicially interested in the employees or employers concerned. The compensation of such Commissioners shall be fixed by the Board at an amount not exceeding $75 per day, or in case of Commissioners appointed by the President, fixed by the President at an amount not exceeding $100 per day. Such special fact-finding Commissions shall be created separately for each controversy or for each group of controversies presenting similar issues and pending at the same time. The Commissions shall investigate promptly the facts as to the controversy and make a report thereon to the Board (or to the President if the Commission was appointed by him) with its recommendations as to the manner in which such controversy should be adjusted. The report shall be made within 30 days from the date the Commission is created. The time for making such report shall not be extended except by action of the Board, which, in exceptional cases, may allow an additional 30 days on request of the Commission.

SETTLEMENT PROCEDURE FOR CLASS 3 CONTROVERSIES

SEC. 8. (a) Adjustment board: In case of a class 3 controversy (that is, one relating to a grievance) the Federal Labor Relations Board shall direct the parties to such controversy, to refer such controversy to an adjustment board which shall be authorized to make an award binding on the parties. It shall be the duty of the parties in making agreements to provide for an adjustment board to settle grievance controversies. In the event of the failure of the parties to establish such a board by agreement, the Board shall be authorized, when grievance controversies arise, to establish an adjustment board for their settlement and to designate an equal number of representatives of the parties as members of the board and to appoint, as hereinafter provided, an impartial chairman. An adjustment board shall consist of an equal number of representatives, not less than two, designated by, or on behalf of, each party. No member thereof shall be immediately involved in any controversy to be decided by the adjustment board.

(b) Impartial chairman: If the adjustment board is not able promptly to adjust such controversy, the Federal Labor Relations Board shall appoint an impartial chairman who shall be an additional member of the adjustment board. An award certified by a majority of the adjustment board so constituted shall be binding on the parties and may be filed by any party thereto within 6 months of the date of the award in the clerk's office of the district court of the United States for the district wherein the controversy arose, and when so filed shall be subject to the provisions of section 10 (c).

(c) Expenses of adjustment boards: The parties shall agree on an appropriate division of the expenses of an adjustment board, including compensation of an impartial chairman. In case of dispute his compensation shall be fixed directly by, or made subject to the approval of, the Federal Labor Relations Board.

SETTLEMENT PROCEDURE FOR CLASS 4 CONTROVERSIES

SEC. 9. In case of a class 4 controversy (that is, other controversies not specially provided for), the Board shall proceed as in the case of class 2 controversies.

VOLUNTARY ARBITRATION

SEC. 10. (a) Boards of arbitration: (1) Whenever the parties to a labor relations controversy agree to submit the controversy to arbitration under this section the controversy shall be arbitrated by a board of three (or if the parties to the controversy so stipulate, a board of six) persons: *Provided*, That the failure or refusal of any party to submit a controversy to arbitration shall not be construed as a violation of any legal obligation imposed upon such party by the terms of this act or otherwise, except where, as provided in section 11, a submission to arbitration is found by the Federal Labor Relations Board to be required to protect the public interest.

(2) Such board of arbitration shall be selected in the following manner:

In the case of a board of arbitration of three, the representatives of the employer or employers and the representatives of the employees, parties respectively to the agreement to arbitrate, shall each select an arbitrator. The two arbitrators thus chosen shall select a third arbitrator. If the arbitrators chosen by the parties shall fail to select the third arbitrator within 5 days after their first meeting, such third arbitrator shall be selected by the Federal Labor Relations Board.

In the case of a board of arbitration of six, the representatives of the employer or employers and the representatives of the employees, parties respectively to the agreement to arbitrate, shall each select two arbitrators. The four arbitrators thus chosen shall by a majority vote select the remaining two arbitrators. If the arbitrators chosen by the parties shall fail to select the remaining two arbitrators within 10 days after their first meeting, the said two arbitrators, or as many of them as have not been selected, shall be selected by the Federal Labor Relations Board.

(3) When the arbitrators selected by the respective parties have agreed upon the remaining arbitrator or arbitrators they shall notify the Federal Labor Relations Board, and in the event of their failure to agree upon any or upon all of the necessary arbitrators within the period fixed by this section they shall, at the expiration of such period, notify the Board of the arbitrators selected, if any, or of their failure to make or to complete such selection.

(4) The board of arbitration shall organize and select its own chairman and make all necessary rules for conducting its hearings: *Provided*, That the board of arbitration shall be bound to give the parties to the controversy a full and fair hearing which shall in-

clude an opportunity to present evidence in support of their claims and an opportunity to present their case in person, by counsel, or by other representatives as they may respectively elect.

(5) Upon notice from the Federal Labor Relations Board that any party to an arbitration desires the reconvening of a board of arbitration (or a subcommittee of such board of arbitration appointed for such purpose pursuant to the agreement to arbitrate) to rule upon any controversy over the meaning or application of their award the board of arbitration or its subcommittee shall at once reconvene. No question other than or in addition to the questions relating to the meaning or application of the award submitted by the party or parties in writing shall be considered by the reconvened board of arbitration or its subcommittee. Such rulings shall be acknowledged by such board or subcommittee thereof in the same manner and filed in the same clerk's office as the original award and become a part thereof.

(6) No arbitrator except those chosen by the Federal Labor Relations Board shall be incompetent to act as an arbitrator because of his interest in the controversy to be arbitrated or because of his connection with or partiality to any party to the arbitration.

7. Each member of any board of arbitration selected by any party to the arbitration shall be compensated by the party selecting him. Each arbitrator selected by the arbitrators or by the Federal Labor Relations Board shall receive from the Board such compensation as the Board may fix together with his necessary traveling expenses and expenses actually incurred for subsistence while serving as an arbitrator.

(8) The board of arbitration shall furnish a certified copy of its award to the respective parties to the controversy and shall transmit the original together with the record of the proceedings and a transcript of the evidence taken at the hearing certified under the hands of at least a majority of the arbitrators to the clerk of the district court of the United States for the district wherein the controversy arose or the arbitration is entered into, to be filed in said clerk's office as hereinafter provided. The board of arbitration shall also furnish a certified copy of the award and of the record of the proceeding and transcript of evidence to the Federal Labor Relations Board to be filed in its office.

(9) All testimony before the board of arbitration shall be given under oath or affirmation and any member of the board of arbitration shall have the power to administer oaths or affirmations. The board of arbitration or any member thereof shall have the power to require the attendance of witnesses and the production of such books, papers, contracts, agreements, and documents as may be deemed by the board of arbitration material to a just determination of the matters submitted to its arbitration and may for that purpose request the clerk of the district court of the United States for the district wherein said arbitration is being conducted to issue the necessary subpenas.

Upon such request the said clerk or his duly authorized deputy shall be, and he hereby is, authorized and it shall be his duty to issue such subpenas. In the event of the failure of any person to comply with such subpena or in the event of the contumacy of any witness appearing before the board of arbitration, the board of arbitration may invoke the aid of the appropriate district court of the United States to compel witnesses to attend and testify and to produce such books, papers, contracts, agreements, and documents relevant and pertinent to the proceedings pending before the board of arbitration to the same extent and under the same conditions and penalties as provided for in the act to regulate commerce, approved February 4, 1887, and the amendments thereto. Any witness appearing before the arbitrators shall receive the same fees and mileage as witnesses in courts of the United States, to be paid by the party securing the subpena.

(b) Form of agreement to arbitrate: The agreement to arbitrate—

(1) shall be in writing;

(2) shall stipulate that the arbitration is had under the provisions of this act;

(3) shall state whether the board of arbitration is to consist of three or of six members;

(4) shall be signed by the duly accredited representatives of the employer or employers and the employees, parties respectively to the agreement to arbitrate, and shall be duly verified by said parties and filed in the office of the Federal Labor Relations Board;

(5) shall state specifically the questions to be submitted to the said board of arbitration for decision and that in its award or awards the said board of arbitration shall confine itself strictly to decisions as to the questions so specifically submitted to it;

(6) shall provide that the questions of any one or more of them submitted by the parties to the board of arbitration may be withdrawn from arbitration on notice to that effect signed by the duly accredited representatives of all the parties and served on the board of arbitration;

(7) shall stipulate that the signatures of a majority of said board of arbitration affixed to their award shall be competent to constitute a valid and binding award.

(8) shall fix a period from the date of the selection of the arbitrator or arbitrators necessary to complete the board (as provided for in the agreement) within which the said board of arbitration shall commence its hearings;

(9) shall fix a period from the beginning of the hearings within which the said board of arbitration shall make and file its award: *Provided*, That the parties may agree at any time upon an extension of this period;

(10) shall provide for the date from which the award shall become effective and shall fix the period during which the award shall continue in force;

(11) shall provide that the award of the board of arbitration and the papers, proceedings, and transcript of the evidence when certified under the hands of at least a majority of arbitrators shall be filed in the clerk's office of the district court of the United States for the district wherein the controversy arose or the arbitration was entered into, which district shall be designated in the agreement and when so filed such award, papers, proceedings, and transcript of evidence, shall constitute the full and complete record of the arbitration;

(12) shall provide that the award when so filed shall be final and conclusive upon the parties as to the facts determined by said award and as to the merits of the controversy decided;

(13) shall provide that any difference arising as to the meaning or the application of the provisions of an award made by a board of arbitration shall be referred for a ruling to the same board or by agreement to a subcommittee of such board and that such ruling when acknowledged in the same manner and filed in the same clerk's office as the original award, shall be a part of and shall have the same force and effect as such original award; and

(14) shall provide that the respective parties to the award will each faithfully execute the same.

The said agreement to arbitrate when properly certified, as herein provided, shall not be revoked by a party to such agreement: *Provided*, That such agreement to arbitrate may at any time be revoked and canceled by the written agreement of the parties signed by their duly accredited representatives and, if no board of arbitration has yet been constituted under the agreement, delivered to the Federal Labor Relations Board or any member thereof; or if the board of arbitration has been constituted as provided by the agreement, delivered to such board of arbitration. The award of a board of arbitration having been certified as herein provided shall be filed in the clerk's office designated in the agreement to arbitrate.

(c) The arbitration award: (1) An award certified and filed as provided in this section or in section 8 (b) shall be conclusive on the parties as to the merits and facts of the controversy. Unless within 10 days after the filing of the award a petition to impeach the award on the grounds hereinafter set forth shall be filed in the clerk's office of the court in which the award has been filed, the court shall enter judgment on the award. Such judgment shall be final and conclusive on the parties.

(2) Any such petition for the impeachment of any award shall be entertained by the court only on one or more of the following grounds:

That the award plainly does not conform to the substantive requirements laid down by this act for such awards or that the proceedings were not substantially in conformity with this act;

That the award does not conform nor confine itself to the stipulations of the agreement; or

That a member of the board rendering the award was guilty of fraud or corruption or that a party practiced fraud or corruption which fraud or corruption affected the result.

(3) No court shall entertain any such petition on the ground that the award is invalid for uncertainty. In such case the proper remedy shall be a submission of such award to a reconvened board or subcommittee thereof for a ruling. An award contested as herein provided shall be construed liberally by the court with a view to favoring its validity and no award shall be set aside for trivial irregularity or clerical error going only to form and not to substance.

(4) If the court shall determine that a part of the award is invalid on some ground or grounds designated in this section as a ground of invalidity but shall determine that a part of the award is valid, the court shall set aside the entire award: *Provided*, That if the parties shall agree thereto and if such valid and invalid parts are separable, the court shall set aside the invalid part and other judgment to stand as to the valid part.

(5) At the expiration of 10 days from the decision of the court upon the petition filed as aforesaid final judgment shall be entered in accordance with said decision unless during said 10 days either party shall appeal therefrom to the circuit court of appeals. In such case only such portion of the record shall be transmitted to the appellate court as is necessary to the proper understanding and consideration of the questions of law presented by said petition and to be decided.

(6) If the petitioner's contentions are finally sustained judgment shall be entered setting aside the award in whole, or, if the parties so agree, in part; but in such case the parties may agree upon a judgment to be entered disposing of the subject matter of the controversy which judgment when entered shall have the same force and effect as judgment entered upon the award.

MAINTENANCE OF ESSENTIAL SUPPLIES AND SERVICES

SEC. 11. (a) Findings by Board: Whenever the Board is proceeding with any class of labor relations controversy under the settlement procedure provided by section 7 and determines that a special fact-finding Commission should be created for the controversy, the Board shall at the same time investigate and make a finding of facts and

public announcement as to whether it is necessary, in protection of the public interest, to require the parties to accept temporarily a compulsory settlement of their labor relations controversy so as to avoid any interruption to the supply of a commodity or to a service on which the community affected is so dependent that severe hardship would be inflicted on a substantial number of persons by either a brief or prolonged deprivation of such commodity or service. The Board is authorized and directed to find that severe hardship would so be inflicted in case of any serious or protracted interruption of a public utility or other public service, or of the supply of an essential food such as milk, or of the supply of an essential fuel such as coal or oil, or in case of any serious or protracted interruption in any other supply or service on the continuity of which the health, safety, or welfare of a community depends.

(b) Compulsory arbitration by fact-finding Commission: If, notwithstanding a finding of the Board under subsection (a) that compulsory settlement is necessary, the parties to such a controversy continue to fail to agree on a settlement or on a submission to arbitration under section 10, then it shall be the duty of the Board or the President in creating the special fact-finding Commission to invest said Commission with all the power of a board of arbitration established under section 10, which powers the Commission so invested is hereby authorized to exercise. The Commission so invested shall be composed and compensated as provided in section 7.

(c) Compulsory arbitration procedure: The Commission shall conducts its hearings upon the controversy and the questions submitted to it in the same manner as a board of arbitration established under section 10. Instead of making a report and recommendations within the period provided in section 7, the Commission shall make public its report at the conclusion of its deliberations, within a time specified in the order creating it, unless said time is extended by the Board or the President, and at the same time shall file an award in settlement of the controversy in the clerk's office of the district court of the United States for the district wherein the arbitration is conducted. Judgment shall be entered upon the award as provided in section 10 (c) unless said award shall be impeached successfully in accordance with the provisions of said section 10 (c). All the provisions with respect to arbitration proceedings and an award incorporated in section 10 shall be applied, so far as they can be made applicable, to proceedings before the Commission and to the subsequent course of an award in judicial proceedings. Unless the parties themselves execute a submission to arbitration (which they may be permitted to do without waiving any rights they may desire to assert as to the binding effect of an award), the Board shall draw up and present to the Commission a submission in their behalf stating, among other things, the questions to be submitted, which shall be the questions involved in the unsettled controversy, and fixing the dates of beginning hearings and making and filing an award. The Board shall either fix in the submission the date from which the award shall become effective and the period during which it shall continue in force, or, in the discretion of the Board, provide that the determination of such date and such period shall be left to the Commission and made a part of its award. The Commission shall give the parties adequate opportunity to participate in a full and fair hearing such as a board of arbitration is required to give under section 10 (a), but shall not be limited or restrained in the exercise of its power to make a binding award by the failure or refusal of any party, or of all parties, to participate.

(d) Compulsory arbitration award: The award of a Commission acting as a board of arbitration shall be final and conclusive on the parties as to the facts determined by the award and as to the merits of the controversy, and it is hereby made their legal obligation to accept said award as a final settlement of the controversy submitted to arbitration to the extent and for the period made evident in the award, which period shall normally be 1 year, and shall in no instance be longer than 2 years, from the effective date of the award. In the event, however, that the award shall be set aside by the final judgment of a court of competent jurisdiction exercising the authority conferred by section 10 (c), then the parties or any party shall be free to reinstate the controversy as a subject of conference between them, and it shall thereafter be handled in the same manner as any new controversy within the scope of this act.

ENFORCEMENT

SEC. 12. (a) Violations of act: It shall be a violation of this title for any person—

(1) to fail to perform the duties imposed on him by section 3;

(2) whether or not a party to a labor-relations controversy or proceeding for the enforcement of the requirements of this title, to interfere, or to incite or to support any interference, with the performance by any person of duties imposed on him by section 3, or in concert to attempt to prevent the effectuation of the purposes of this title or the making effective of regulations, orders, or certificates issued under the authority of this act or the National Labor Relations Act.

(b) Civil actions brought by Board: The Board is authorized by filing its complaint to institute a civil action to restrain or enjoin any violation or threatened violation of this title or to compel the performance of duties imposed by section 3. The district courts of the United States shall have exclusive original jurisdiction of any such civil action. In any such civil action, or proceeding for contempt arising in connection therewith, the provisions of sections 1 to 7, inclusive, of the act entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of the courts sitting in equity, and for other purposes," approved March 23, 1932 (U. S. C., title 29, secs. 101 to 107, inclusive), shall not apply.

(c) Civil actions brought by injured person: Any person suffering loss by reason of any violation of this title shall have the right to appropriate restitution, reparation for the loss actually suffered, or other appropriate relief. Such restitution, reparation, or relief may be had either in a civil action instituted by such person against the violator in any court of appropriate jurisdiction or through intervention by such person in any civil action brought by the Board against the violator under subsection (b).

(d) Denial of recognition of representatives: In the administration of this title the Board is authorized in its discretion to refuse to recognize or to certify any representative of any employer or employees if the Board finds, after due notice and opportunity for hearing, that such representative is engaged in any violation specified in subsection (a) of this section.

(e) Consent of United States to suits against Board: The consent of the United States is hereby given to any civil action against the Board, the Unfair Labor Practices Tribunal, or any joint board authorized by the Board to act for it in any matter, complaining of any act of the Board, of the Tribunal, or of any member, employee, or joint board as being in violation of law.

REORGANIZATION OF THE NATIONAL LABOR RELATIONS BOARD

SEC. 13. (a) Appointment. The National Labor Relations Board, created by section 3 of the National Labor Relations Act as heretofore in effect, shall hereafter be known as the Federal Labor Relations Board and shall be composed of five members appointed by the President by and with the advice and consent of the Senate. The terms of office of the members first appointed shall expire, as designated by the President at the time of nomination, one at the end of 1 year from the date of approval of this act, one at the end of 2 years, one at the end of 3 years, one at the end of 4 years, and one at the end of 5 years, from said date. The terms of office of all successors shall expire 5 years after the expiration of the terms for which their predecessors were appointed; but any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired term of his predecessor.

(b) Vacancies: Vacancies in the Board shall not impair the powers nor affect the duties of the Board nor of the remaining members of the Board. A majority of the members in office shall constitute a quorum for the transaction of the business of the Board.

(c) Salary: Each member of the Board shall receive a salary of $12,000 per annum, together with necessary traveling and subsistence expenses, or a per diem allowance in lieu thereof, subject to the provisions of law applicable thereto, while away from the principal office of the Board on business required by this act.

(d) Eligibility and removal: No person in the employ of, or whose conduct may be affected by any obligation to, or who has any pecuniary or other prejudicial interest in, any employer or employee organization shall be eligible to enter upon or continue to be a member of the Board. A member of the Board may be removed by the President for inefficiency, neglect of duty, malfeasance in office, or ineligibility, but for no other cause.

(e) Miscellaneous: The Board shall annually designate a member to act as Chairman. The Board shall maintain its principal office in the District of Columbia, but it may meet at any other place whenever it deems it necessary. Each member of the Board shall have the power to administer oaths and affirmations. The Board shall have a seal which shall be judicially noticed. The Board shall make an annual report to Congress.

(f) Personnel: The Board may (1) appoint such experts and assistants to act in a confidential capacity and, subject to the provisions of the civil-service laws, such other officers and employees as are essential to the effective transaction of the work of the Board; (2) in accordance with the Classification Act of 1923, as amended, fix the salaries of such experts, assistants, officers, and employees; and (3) make such expenditures (including expenditures for rent and personal services at the seat of government and elsewhere, for lawbooks, periodicals, and books of reference, and for printing and binding, and including expenditures for salaries and compensation, necessary traveling expenses, and expenses actually incurred for subsistence) as may be necessary, and as may be provided for by the Congress from time to time. All such expenditures shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Chairman of the Board, or other officer designated by the Board.

(g) Delegation of authority: The Board is hereby authorized by its order to assign or refer any matter arising with respect to its functions under this act or other law, or referred to it by the Congress or either branch thereof, (1) to one or more members or employees of the Board, to be designated by it in such order, or (2) to a joint board composed (as determined by the order of the Federal Labor Relations Board) of one or more of its members or employees, to be designated by the Board in its order, and of one or more members of the appropriate agency of any State or States affected by the matter, to be designated by such State agency.

The Board may by its order at any time amend, modify, supplement, or rescind any such assignment or reference. All such orders shall take effect forthwith and remain in effect until otherwise ordered by the Board. If so provided in the Board's order and in conformity therewith, such member or employee of the Board or joint board shall have power and authority to act for the Board in such matter assigned or referred.

(h) Rules of practice and regulations: The Board may from time to time adopt, amend, and rescind such interpretive regulations not in conflict with nor in addition to the provisions of this act or other law as may be necessary for the administration of its functions.

TITLE II—MISCELLANEOUS PROVISIONS

DEFINITIONS

SEC. 14. As used in this act—

(1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

(2) The term "employer" includes any person acting in the interest of an employer, directly or indirectly.

(3) The term "employee" includes any employee, and shall not be limited to employees of a particular employer, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor relations controversy or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment.

(4) The term "representative" includes any individual or labor organization.

(5) The term "labor organization" means any organization of any kind or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose in whole or in part of dealing with employers with regard to the making or maintaining of agreements concerning wages, hours, or conditions of employment or with regard to grievances or other types of labor relations controversies.

(6) The term "Board" means the Federal Labor Relations Board.

SEPARABILITY CLAUSE

SEC. 15. If any provision of this act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

TIME OF TAKING EFFECT

SEC. 16. (a) The foregoing sections of this act shall take effect on the ninetieth day after the date of its approval or at such earlier time (as announced in the Federal Register) as three members of the Federal Labor Relations Board have been appointed; and the terms of the members of the National Labor Relations Board shall thereupon expire: *Provided*, That the appointive powers authorized by section 13 (a) of this act and by section 4 (a) of the National Labor Relations Act, as amended by this act may be exercised at any time after the approval of this act.

(b) This section shall take effect on the approval of this act.

EXPIRATION DATE

SEC. 17. This act shall expire on ————.

The following is submitted in explanation of the above proposed substitute—references to title II are inapplicable:

OUTLINE OF A PROGRAM FOR INDUSTRIAL PEACE

THE NEED FOR NEW LABOR LAW

The solution of almost every economic and political problem depends upon cooperation between management and labor—and government.

But we have no effective national program for maintaining peaceful and sensible labor relations.

It is the responsibility of government to establish the legal rights and obligations of citizens and to organize an administration of justice in order to redress wrongs and to settle conflicts of interest.

But it has been the prevailing policy of State and Federal Governments to permit "industrial combatants to push their struggle to the limits of the justification of self-interest." (Quoting from an opinion of the eminent Justices Brandeis, Holmes, and Clarke.)

Local, State, and Federal Governments have in the main acted only as umpires of a continuing battle royal. Formerly labor fighters were often hamstrung by injunctions. More recently management fighters have been crippled by restrictive laws. But the right of both parties to wage brutal war with little regard for civilized ethics or for the public welfare has been generally accepted. As a result we find that laws otherwise enforced aganst violence, intimidation, extortion, destruction of property, mayhem, and even murder, are ignored and treated as dead letters in a labor dispute.

This laxity is not the fault of public officials, but of public opinion. This public opinion is in part written into law, as, for example, in the law which exempts a labor organization from prosecution as a monopoly, and thereby legalizes monopolies and restraints of trade by business managers who are willing to conspire with a labor union. This public opinion is also responsible for the unwritten law which restrains policemen, sheriffs, and judges from enforcing the rules of civilized conflict against either employers or employees when they fight out their differences with a brutality and disregard for the public interest which is simply indefensible.

The American people have tolerated industrial warfare with a vague assumption that this was part of the price to be paid for preserving the "freedom of private enterprise"—including in that term the freedom of both management to manage and of labor to refuse to be managed. But in recent years, particularly during the depression and then during the Second World War, many people (perhaps a large majority) have come to realize that we cannot afford to pay the price of lawlessness and also that civil warware is not a necessary cost of free enterprise.

If, however, freedom of labor and freedom of management are to be preserved there must be established somewhere a machinery of economic justice through which representatives of labor and management can settle peaceably and justly their inevitable and recurring conflicts of interest. It would be impractical, however, merely to set up industrial courts to decide the economic and social issues which arise in labor relations.

The ordinary courts are concerned with the enforcements of rights and obligations which are defined by law and capable of enforcement. Underlying the claims which are judicially approved or rejected are agreements, either voluntarily made or those included in what has been called the social compact—rights and obligations of a member of society.

But the major issues in a labor dispute involve not: "What are my rights?" but "What should be my rights?" Minor disputes arise over enforcing trade agreements. But major disputes arise over the making of an agreement. It is one thing to submit to a judge the interpretation and enforcement of a contract right. It is quite a different thing to permit another man to make a contract for parties when there is no way of measuring accurately what each should give to and take from the other.

So the problem of a peaceful adjustment of labor relations is much more complex and difficult than the ordinary administration of justice. There are, however, many procedures that have been found effective to settle peacefully and justly the great bulk of labor controversies; and these form the basis of the program now presented. Before explaining that program we should identify its sponsors.

THE COMMITTEE TO PROMOTE INDUSTRIAL PEACE

In the autumn of 1942 a group of men came together to discuss the need for a comprehensive and consistent Federal law that would meet the responsibility of the Federal Government to promote and to maintain labor relations which would not obstruct but would advance interstate and foreign commerce. The need for such a law was clearly evident in the makeshift procedures adopted in the national emergency of war to insure continuous and efficient production and distribution of vital necessities. No organization, no special interest group, promoted this meeting and those attending represented in their views the most important shades of opinion and economic interest.

This group made itself into a committee to urge the American Law Institute to undertake the drafting of a Federal law of industrial relations. In June 1943 the project was presented to the officials of the American Law Institute through its director, Dr. William Draper Lewis. For reasons, which reflected in no way upon the desirability of the project, the institute decided not to undertake it. Thereafter, the volunteer committee which had become deeply impressed with the need for this work, decided to carry out itself the project with funds made available by the generosity of Samuel S. Fels, of Philadelphia.

For over a year meetings have been held and, after extended discussions of fundamental policies and principles, the initial work of draftsmanship was entrusted to Donald R. Richberg, who had been a coauthor of the Railway Labor Act, the Norris-LaGuardia Act, and the National Industrial Recovery Act. Mr. Richberg served as chairman of the committee and as draftsman, without compensation, as did all other committee members.

The committee adopted the name of Committee To Promote Industrial Peace and met from time to time in extended sessions to criticize and revise drafts of the proposed law. In the final stages of the work the services of Frederic P. Lee, former legislative counsel of the United States Senate, were engaged to assist in perfecting the bill and making sure that all technical requirements were observed.

The final approved drafts was then submitted to a number of persons of experience in the field of industrial relations for their advice, with an invitation to join in sponsorship of the bill if it met with their approval. In the membership of the committee and in the additional, invited sponsors, it has been the intention to exclude any persons acting as the representatives of groups of special interest. No representatives of employer or employee associations have been included. Some persons are employers, some have served as lawyers for labor organizations or employers, some as Government officials dealing with labor problems. Naturally it was necessary to have the counsel and aid of men of experience and of different backgrounds and viewpoints. But it has been the obligation of everyone participating in the work to give dominant consideration to the public interest and to endeavor to give impartial consideration to the legitimate demands of all groups of conflicting and overlapping economic interests—those of employers and employees, of investors and consumers.

SENATORIAL SPONSORSHIP

The approved committee draft was also submitted to a group of Senators who have performed a conspicuous public service by joint, nonpartisan action in support of a program for international peace. It was thought that these Senators would have a

special interest in domestic legislation seeking to promote industrial peace in the United States which would be an essential foundation for any effective participation of the United States in efforts to preserve world peace. These Senators are also men who, through varied experiences in private life and public service, are well-informed as to the causes and consequences of labor relations controversies.

After extensive conferences with members of the senatorial group the proposed act, as originally drafted, was substantially revised, and we believe in many ways definitely improved. For example, the functions of mediation and of prosecution of unfair-labor practices, which had been originally combined in one board, were separated and two independent authorities established. The senatorial revisions were all found acceptable to the committee; and so the draft printed in this pamphlet presents the context of the bill to be introduced in the Senate as the joint product of the sponsoring Senators and of the Committee to Promote Industrial Peace.

THE FEDERAL INDUSTRIAL RELATIONS ACT

The proposed act begins with a declaration of public policy which is, in brief, to facilitate the prompt, peaceful, and just settlement of all labor-relations controversies that may interrupt interstate and foreign commerce, and to that end—

1. To encourage the making and maintaining of labor agreements.

2. To support genuine collective bargaining.

3. To provide procedures for settling labor controversies in the Federal field.

4. To leave to the States the handling of local labor controversies.

The purposes of the act are declared to be to promote continuity and regularity of employment by maintaining satisfactory labor relations.

The major administration of the act is given to a Federal Labor Relations Board, which is to be substituted for the present National Labor Relations Board, and which will have a comprehensive authority over the peaceful settlement of all labor controversies in the Federal field, except those now handled under the Railway Labor Act, which remains in full force and effect. The enforcement of prohibition of unfair-labor practices is lodged in a separate, but cooperating, tribunal.

The act makes it the duty of all employers and employees to exert every reasonable effort to settle controversies by agreement and to avoid any arbitrary, one-sided change of existing conditions while carrying on the settlement procedures provided in the act.

These settlement procedures are:

1. Negotiations between authorized representatives of the parties to a controversy.

2. If negotiations fail, mediation by the Board, in aid of which the functions of the Conciliation Service and of the Secretary of Labor in connection therewith are transferred to the Board. This is necessary to avoid a duplication of services, since now, for the first time, there will be a regularly established Federal Conciliation Service authorized and directed to promote the settlement of labor controversies in accordance with a defined public policy, statutory duties of employers and employees, and legally established procedures.

3. If mediation fails, there is a machinery of voluntary arbitration provided, which is modeled on the Railway Labor Act arbitration process which has worked well for 19 years.

4. If arbitration is refused, provision is made for a hearing and a report by a fact-finding Commission—another device successfully employed under the Railway Labor Act, which has served to adjust every major unsettled controversy for 19 years.

There are three questions which may immediately arise in the mind of a well-informed person:

I. Isn't this a cumbersome machinery to settle a great many petty controversies?

II. What happens when a major controversy is not settled by negotiation or mediation, and voluntary arbitration is refused and the recommendations of a fact-finding Commission are disregarded?

III. How is the duty to use the settlement procedures going to be enforced so as to stop arbitrary action by employers or employees that will produce strikes or lock-outs or some other one-sided change in their relations?

These questions will be answered in order. But, first, it is necessary to understand that the act divides labor relations controversies into four classes and provides different methods of dealing with the different classes.

1. In class 1 are controversies over representation of employees.

In dealing with class 1 controversies the Board investigates and certifies (after a secret ballot, if necessary) what representation the employers themselves desire.

2 In class 2 are controversies over the making of agreements. These are major controversies which can only be settled satisfactorily by having available the full machinery of negotiation, mediation, arbitration, and fact finding.

3. In class 3 are grievance controversies. These include the mass of petty disputes over applying an agreement, figuring wage payments and imposing discipline. In dealing with these controversies, the Board simply requires the parties to submit them to a bipartisan-adjustment board, either established by the parties, or, if they cannot agree, appointed by the Board. If the bipartisan-adjustment board is deadlocked, the Board appoints an impartial referee.

It has been the law for years under the Railway Labor Act that the awards of adjustment boards are enforceable in the courts. Many trade agreements make the same provision. These cases are like contract cases in the ordinary courts. In fact it is frequently possible, but unduly expensive to bring an action at law to settle a grievance.

There is no more compulsory arbitration in this provision than in the ordinary rule of law that any party to a contract can sue to enforce it. This is quite widely recognized by both large employers and large labor unions.

4. In class 4 is a catch-all of other types of labor controversies, which are to be handled in a manner similar to class 2 controversies.

I. After reviewing the procedures for dealing with these four classes of controversies it should be apparent that the Board will not be overburdened with handling a mass of petty cases. There are other provisions which aid in giving this assurance, and particularly it should be pointed out that:

1. The act specifically excludes controversies arising out of:

(1) Employment by State or Federal Government or agencies.

(2) Employment by an employer of less than 20 employees (unless a substantial interruption of commerce is threatened).

(3) Employment in agricultural labor by farmers.

(4) Employment in domestic service.

(5) Employment by a labor organization.

(6) Employments covered by the Railway Labor Act.

Also, controversies predominantly local, that only indirectly affect interstate commerce, are excluded. These are left to the control of State authority.

Controversies where the place of employment is outside United States jurisdiction are generally excluded.

2. The act also provides that in the case of class 3 and class 4 controversies the Board will take jurisdiction only if in its opinion a controversy threatens a substantial interruption of commerce. In a word, the Board is not expected to deal with every clothesline dispute but to give its attention to matters of serious importance, which, of course, may be sometimes small in size but important for the maintenance of a fundamental principle.

II. Returning now to our second question: What happens when a major controversy is not settled by voluntary agreement in the end? First, let it be pointed out that class 1 controversies are settled by a certificate of representation, which is reviewable and enforceable by the courts. Second, class 3 controversies are settled by an enforceable award. Class 4 controversies are handled in the same manner as class 2. So our second question is: What happens when there is no voluntary settlement of a class 2 controversy over making or maintaining an agreement?

Here we reach a novel and vitally important provision of the act. It is provided (in sec. 11) that when the Board determines that a special fact-finding Commission should be created the Board must also make public a finding of fact and an announcement as to whether it is necessary in protection of the public interest, because of severe hardship resulting from the deprivation of an essential service, for the parties to the controversy to be required to accept temporarily a compulsory settlement of their relations. For example, the Board would not make such a finding if the controversy involved only one factory and its employees in a highly competitive industry. But the Board would surely make such a finding if a great city were threatened with a stoppage of electric power and light.

If, after such a finding, the parties continue to fail to agree upon a settlement or upon an arbitration, then the Board is authorized to invest the fact-finding Commission with all the powers of a board of arbitration. Then its award is made effective as a final settlement of the controversy for a period of normally 1 year but not longer than 2 years, and the award will be enforceable by the courts.

During the war it has been found absolutely necessary for the President to take over certain plants in order to continue essential production. The compulsory use of property and the compulsory service of men is justified by the needs of national security. The public interest is likewise concerned with the maintenance of essential services in time of peace. Certainly property owners, whose property can be expropriated by paying just compensation, cannot complain of injustice in having a Government tribunal determine temporarily the terms of labor relationship when the continued use of their property is a public necessity. Certainly workers cannot complain of a temporary impartial fixation of the terms of their employment when they are unable to reach agreement with their employer and the continued cooperation of labor and management is essential to the general welfare. This governmental action does not impose involuntary servitude, because the act specifically preserves the right of any worker to quit his job. Any limitation of concerted action is clearly justified and within the fundamental authority of Government to protect the public health, safety, and welfare.

It should be noted that this limited provision for compulsory arbitration is only the last resort of Government to protect the public, after every opportunity has been given to private industry to meet its public responsibilities. Only persons who have been unreasonable and neglectful of their public obligations would have any reason to fear the result of such an arbitration. Only those who wish to be protected by a government of people whom they are willing to injure for selfish benefit should be expected to oppose such a law.

III. The third question left open is at once the easiest and the hardest to answer. The act provides ample measures for enforcing the duties imposed. But, forever and forever, the question will be asked: How can you make men obey a law? Disobedience can be punished. Fear of punishment may deter many from disobedience. But unless masses of men and women are willing, and indeed anxious to obey a law of good conduct, can any prohibitions of bad conduct bring about a prevailing good conduct?

In proposing any law to maintain order by giving assurances of the just settlement of controversies it is necessary to rely on the interest of the masses of the people in peace and good order. One must assume that there will be general support of measures reasonably designed to make the use of peaceful means to settle conflicts more advantageous to most people than reliance on private force. Then, in such a law it is necessary to make it costly and dangerous for shortsighted, lawless, ruthless persons to violate the obligations which the great majority will voluntarily fulfill. In this way assurance is given to those who are inclined to be law-abiding that they will not suffer from the law-breaking of those who will evade or violate a law if that course will seem to serve their immediate self-interest.

So this act provides for the enforcement of administrative orders and for judicial proceedings to prevent and punish violations of the rights confirmed and the legal duties imposed by the act. The enforcement provisions may be summarized as follows:

1. The unfair labor practices which are forbidden in the present National Labor Relations Act have been reenacted and expanded to cover unfair practices by either employers or employees which interfere with the essential freedom of labor to bargain collectively or of management to fulfill its obligations to workers, investors, consumers, and the general welfare. The enforcement procedures of the existing law have been retained. A separate and independent agency named Unfair Labor Practices Tribunal is created to enforce this part of the law. Legal rights and obligations are to be clarified by regulations adopted by the tribunal. (Secs. 23–27.)

2. It is made a violation of the act for any person to fail to perform duties imposed by the act, or to incite or support any such failure. The Board is authorized to proceed in the courts to restrain violations; and the limitations of the Anti-Injunction Act that might hamper relief are removed in such actions. The Board is authorized also to deny its aid to persons engaged in violations of the act.

The proposed act has been divided into three titles, covering subjects which can be summarized as follows:

Title I is the main body of the act which provides for establishing a machinery of conference, mediation, and arbitration for the settlement of labor controversies in accordance with a declared public policy and statutory duties imposed on employers and employees. The total effect of these duties is to require the parties to labor controversies to exert every reasonable effort to settle those controversies peaceably, through the means provided by the act, and to exert the dominant influence of the public interest in avoiding interruptions of commerce through one-sided, coercive action in support of one private interest, regardless of the public welfare involved in continuous employment and production.

Title II is devoted to amendments of the National Labor Relations Act for the purpose of establishing an independent, quasi-judicial agency to enforce prohibitions against unfair labor practices, which include, in addition to those defined in the National Labor Relations Act further defined unfair practices both by employers against employees and reciprocally those by employees against employers. The enforcement of these requirements is placed in a body named Unfair Labor Practices Tribunal. This quasi-judicial agency is to be entirely independent of the Federal Labor Relations Board, whose principal functions are those of mediation and peaceful, voluntary settlement of controversies. But it is the intention, by including this procedure in the same act, with a provision for cooperation with the Federal Labor Relations Board, to make certain a consistent, coordinated, and economical handling of all labor controversies subject to Federal authority.

Title II provides the definitions of terms used throughout the act, and the technical requirements of a separability clause and fixation of the time when the act shall take effect. It also provides for an investigation and report to Congress as to whether legislation is needed to assure democratic control of organizations engaged in collective bargaining.

There are many other details of the act which require careful study and an understanding of the particular problems which they are intended to meet if one is to render a final judgment as to the merit of the act in every detail. It has been the purpose of this outline only to provide a summary which would give a broad understanding of the principles and methods adopted in this draft of a Federal law designed to promote industrial peace with justice.

If these principles and methods meet with general approval it can be assumed any disagreements as to detail can be ironed out in the slow process of gaining public support and congressional approval of legislation of this importance. If the sponsors of this draft are able to do no more than to set the wheels in motion for the enactment of a Federal law regulating consistently and sensibly labor relations so as to bring to an end legalized civil warfare in the industries of the United States, they will have accomplished a public service in which they can take great satisfaction.

It is in that spirit that this outline and the attached draft of a Federal Industrial Relations Act are submitted for legislative consideration and public discussion.

Mr. HOOK. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, I take this time to comment on this Republican, yes, but antilabor monstrosity, known as the Case bill.

The hot, scorching sun beats down on the dry and arid wastes of South Dakota and spreads its rays into the Black Hills of the dismal destitute with the result that sunstroke is a common occurrence. I am told that a sunstroke victim sometimes has dreams of grandeur, power, and leadership.

I once stood at the top of Needle's Eye, a high spot in the Black Hills of South Dakota, and with field glasses searched the surrounding territory and for something that would in any way come near to a vast auto plant or steel mill or factory of any kind, but, lo, all I saw was wasteland and mountainous terrain where not even a mouse could eke out an existence.

Then I went into the lowlands and found miles and miles of dry, arid wasteland, where farmers were trying to make a go of it but to no avail. I asked why the failure of crops, and was told "no water," no rain. I wondered what could be done to help these poor unfortunates. I asked one of the natives whether anything had ever been done to bring about better living conditions or to help them move to a more habitable area. He said, "Oh, yes, we had President Coolidge out here one time. You know this was a great place for him to come, because there is not anything to talk about."

The forces behind the Case bill are, in my opinion, the same forces that cooperate with the management of General Motors and Steel to conduct an all-out industrial war of attrition against labor, meanwhile defying the wage-price and collective-bargaining policies of this administration. In my view this is part of the open conspiracy that has this Nation in its grip today.

They are bent upon the destruction of trade unionism, lengthening of working hours and the depressing of wages and working conditions. They are hell-bent for economic suicide, not only for themselves, but for the very free enterprise to which they give lip service.

If employers of this country, under a so-called free-enterprise system, insist upon killing off their customers by depressing wages and throwing millions out of work as lack of purchasing power shrinks markets and outlets for farm products, manufactured goods, and services, we face two alternatives: Either the economic royalists will maintain this system by a reign of terror, enforced with bayonets, secret police, blacklists of union men, and ultimately concentration camps, or the people of this country will rebel against such a system and set up some other system that will better meet their needs.

Mr. Chairman, we need not resign ourselves to either alternative. There is the middle way, the way of democracy, the way of free collective bargaining, the way of full employment, full production, and full consumption, achieved in an orderly democratic fashion.

Those who now propose to act hysterically in the adoption of this three-headed monstrosity, the Case bill, are, in my judgment, acting in folly, like the Gadarene swine preparing to rush down a steep place into the sea.

As proof of the present antilabor attitude of the management of the $2,000,000,000 GM Corp. in the current wage dispute, I want briefly to lay before the Members a few facts about the legal mouthpiece hired by the GM management for the purpose of telling the President of the United States and his fact-finding Board that the corporation would have no part of the Board's emergency fact-finding procedure unless it could write its own rules for the hearings and for the preparation of the Board's recommendations. The name of this mouthpiece is Walter Gordon Merritt.

Who is Walter Gordon Merritt? What does his appearance in the General Motors case signify?

The following facts are taken from the hearings and reports of the La Follette Civil Liberties Committee and from the records of the War Labor Board. Footnotes, except where otherwise specified, refer to the La Follette committee hearings and reports.

These facts show Mr. Merritt to belong to the cave-man era of industrial relations. In exhuming him from his recent comparative obscurity, General Motors management has dug up the original

specimen—the Piltdown man of the open shop.

For the younger generation of trade-unionists, it should be recalled that shortly after the turn of the present century labor union busters' favorite idea was to sell a union workman out of house and home if he was rude enough to insist, through his union, that union-made goods be bought and nonunion goods not be bought. The workman thrifty enough to own a home was thus the most vulnerable victim. If this home owner went on strike or if his union joined a boycott of scab goods, then legal machinery was started against him to sell his home as damages.

The best-known test of this humane method of breaking unions and individual members was the infamous Danbury Hatters case, begun in 1902, in which courts awarded a quarter of a million dollars' damages against union home owners, became the best-known test of this method. Then came the Bucks Range & Stove case, where the method was extended to include prison sentences against President Samuel Gompers, of the A. F. of L. and others.

In each of these cases, Merritt's father, and later he, himself, were the legal brains. The name of Merritt has lingered in the minds of all antiunion employers ever since. This probably explains General Motors management's startling action in employing him to voice General Motors defiance of the President's fact-finding Board.

The La Follette committee hearings of some years ago—part 45, page 16887, exhibit 7501—include a letter written by an office of one of the antiunion firms being investigated:

> The League for Industrial Rights is the outstanding organization following labor legislation and its general counsel is Mr. Walter Gordon Merritt. It is the organization which won the Danbury Hatters case and the Bucks Stove and Range case. We confer with it in reference to all labor troubles which affect the free distribution of our products throughout the United States.

In his History of the League for Industrial Rights, published in 1925, Merritt stated that the league was the successor to the American Antiboycott Association, the name having been changed in 1919. In that history, Merritt proudly describes a lifetime spent in fighting labor's efforts to bargain effectively with employers.

Merritt figured as counsel for the anthracite coal operators in the wage negotiations in August 1925. The miners' estimate of him at that time is set down in Cecil Carnes' biography, John L. Lewis; Labor Leader—page 142:

> The perpetual shadow of another bitter strike in the anthracite fields played about the conference room the next day as Walter Gordon Merritt, the counsel for the operators, said that at the coming wage scale meetings, set for August 16, the anthracite producers "must be plaintiffs and not defendants," and that the labor issue "was all one-sided anyway."
>
> Now, the miners could stand twice as much from anyone else. * * * The vehemence shown by the New York labor publicist, who hurled each word like Walter Johnson used to pitch, caused impartial observers to see no other possibility but a strike in store after August 30, when the agreement expired. Mr. Merritt's remarks left a bitter feeling when the miners read them in the newspapers as the meeting closed. * * *
>
> Rumors circulated that Walter Gordon Merritt was to be selected as chairman of the negotiation committee * * * but Mr. Merritt would never suit the miners. Ellis Searles, editor of the United Mine Workers Journal, made that fact very plain, indeed, when he spoke at a luncheon in New York City. He said there was no man in America who hated labor unions with such ferocity and who devoted such hard-working fidelity to the task of conscientious distaste.
>
> "When we ask 'What's the matter with coal?' we do not have to look far for at least some of the trouble," said Mr. Searles.
>
> "Who is this Walter Gordon Merritt?
>
> "He has been for years counsel for the National Anti-Boycott Association, traditional enemies of organized labor. He said in his Atlantic City speech, 'I have never been able to understand why the public should hesitate to condemn the attitude of labor as it affects the anthracite industry.' That is what he said, and it makes its own point."

Ten years later Merritt appeared before the La Follette committee investigating industrialists' use of armed violence against labor. He appeared as apologist for the Anthracite Institute members' purchase of poison gas for possible later use in driving unemployed miners from bootleg coal holes—part 2, pages 425–433.

In the committee's investigation into the use of tear gas, vomit gas, and so forth, in industrial disputes, it found one example of the purchase of real wartime poison gas.

Merritt explained that this gas—chloropicrin—was to be loosed in holes on anthracite lands. Here some 20,000 unemployed miners got out coal for the so-called bootleg market—the only means of livelihood open to them.

To gas the miners out of their holes, anthracite operators bought some $17,457 worth of this gas—7,500 ampoules—from the Lake Erie Chemical Co. In its report on industrial munitions, 1939, the La Follette committee found—pages 27–28—that this gas was "in reality, one of the deadly war gases." The report stated that this was the only instance found in which industrialists contemplated the use of real poison gas.

Although Merritt stressed the fact that his clients had not yet used the gas, other testimony showed that the gas was tested in three coal holes and the company police testified that it "was indeed amusing to see the bootleg miners trying to escape from their diggings"—part 2, page 623.

So far as is known, the committee's investigation discouraged the operators from ever using the gas they had bought.

But Merritt's resurrection on the industrial scene makes his justification of the gas purchase interesting. He told the committee his clients couldn't hire back the 20,000 unemployed miners because the companies could not find a market for the surplus coal. So the unemployed dug holes on the companies' lands and marketed the coal by the truckload; that made them thieves and outlaws. He referred throughout his testimony to these unemployed as thieves, robbers, and outlaws.

Merritt said it was impossible to get the sheriffs or the courts or the Governor of Pennsylvania to move against these unemployed. Hence, the companies resorted to the purchase of gas. The use of gas would cause less injury than to mobilize and use an army large enough to break up the so-called bootleg mining, it was suggested. And, said Merritt: "There is nothing antilabor in connection with this proposition. If these bombs are ever to be used, they are to be used against robbers"—part 2, page 429.

Merritt did have one concern, however. He sought to shift responsibility for damage suits in case the gas killed some miners. He asked the company furnishing the gas for a "warranty" that would reassure the coal operators about their liability—part 2, pages 429–430.

The Lake Erie Chemical Co. wrote that "in order to make future sales, some sort of statement will have to be made" for Mr. Merritt—part 2, page 621. The head of the chemical company was a former United States Army colonel who had been assigned to gas warfare in France in 1918. Lake Erie's assurance about toxicity failed to state that it was poison gas, as the Senate committee noted—page 27 of Report on Industrial Munitions.

The committee said of the gas: "In high concentrations it may cause unconsciousness and sudden death."

The present whereabouts of the gas purchased by Merritt's clients, or its disposition, are unknown. General Motors, his present client, was also among the substantial customers for gas a decade ago—see Reports on Industrial Munitions, pages 199–200.

The following words, taken from Merritt's History of the League for Industrial Rights, reveal his attitude and perhaps suggest a clue to his strategy on behalf of his new client, the General Motors management:

> If, through some change in our institutions, judges can be made to respond to the popular will instead of interpreting the Constitution as they find it, then our Constitution becomes practically a nullity. If the courts are deprived of their power to nullify laws for unconstitutionality, then minority rights and individual rights will be abandoned to the will of the majority or even aggressive minorities.

Mr. Chairman, I am sure that those who vote for the Case bill will receive the praise of Walter Gordon Merritt, the life-long apostle of the open-shop, the man who has devoted his life to fighting labor and who is now the mouthpiece for General Motors management in its war on genuine collective bargaining with organized labor.

Mr. HOOK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose, and the Speaker pro tempore (Mr. PRIEST) having resumed the chair, Mr. O'NEAL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 4908) to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes; that, after general debate, had come to no resolution thereon.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. O'NEAL. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file a report on the bill (H. R. 2764) to amend section 409 of the Interstate Commerce Act, with respect to the utilization by freight forwarders of the services of common carriers by motor vehicle.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

THE SUGAR CRISIS

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JONKMAN. On Tuesday of this week I called the attention of the House to the business methods of the Department of Agriculture and the Commodity Credit Corporation, which were so unbusinesslike as to cause a great crisis and shortage in our sugar situation in the United States. Today I read in the Washington Post some more of this bungling. The heading of the article is "Cuban growers refuse to sell sugar to United States," and the article reads as follows:

SANTIAGO, CUBA, January 31.—Sugar shipments for the United States were paralyzed today as growers refused to deliver the commodity.

The move resulted from a notification by the United States Commodity Credit Corporation that it would pay only 3.1 cents a pound for the sugar until the CCC was repaid for 47,500 tons of sugar it delivered last year as a loan to the Cuban Government to meet local consumption needs.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. JONKMAN. I yield to the gentleman from Michigan.

Mr. HOOK. Does not the gentleman think that probably the fact Great Britain is also offering Cuba 9 cents per pound and then going to subsidize that sugar which they are buying through government subsidy of Great Britain has something to do with it?

Mr. JONKMAN. That may influence the situation but tentative arrangements have been made to pay Cuba $3.67\frac{1}{2}$ a hundred for its sugar. The thing I cannot understand is what relationship there is between the lending of 47,500 tons last year, which must be repaid in kind, and the purchase of the 1946 Cuban sugar crop which the people of the United States are very direly in need of. There are 71 mills grinding sugar in Cuba, yet this sugar is being held up while, for instance, neighborhood bakers in my district are unable to get sugar with which to bake bread and rolls. There is another example of the bungling of the Department of Agriculture and the Commodity Credit Corporation in failing to procure sugar for the people of the United States.

Mr. HOOK. I am reliably informed that the buyers in Great Britain are offering 9 cents per pound to the Cubans for their sugar, then when it is brought there they are going to subsidize those buyers with our money.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

EXTENSION OF REMARKS

Mr. HOFFMAN (at the request of Mr. SPRINGER) was given permission to extend his remarks in the RECORD and include copy of the National Labor Relations Act and a bill introduced by him to amend that act.

Mr. BRADLEY of Michigan (at the request of Mr. SPRINGER) was given permission to extend his remarks in the RECORD and include a broadcast made by him.

Mrs. LUCE (at the request of Mr. LANDIS) was given permission to extend her remarks in the RECORD.

Mr. BALDWIN of New York (at the request of Mr. LANDIS) was given permission to extend his remarks in the RECORD and include a letter from a constituent.

Mr. WEICHEL (at the request of Mr. LANDIS) was given permission to extend his remarks in the RECORD and include a letter from the south Pacific.

Mr. HAYS. Mr. Speaker, in the Committee of the Whole I announced my intention to present a substitute for the Case bill and the bill under consideration at this time. I ask unanimous consent that I may be permitted to extend in the RECORD a statement in explanation of my proposed substitute and, further, that the entire body of this substitute, which is title I of Senate bill 1171, commonly referred to as the Ball-Burton-Hatch bill, be carried in the RECORD in full and in view of its possible slight excess over the allowance, and notwithstanding that, I ask unanimous consent that it be carried in the RECORD so that the membership may be duly informed.

The SPEAKER pro tempore. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. PRICE of Illinois (at the request of Mr. HOOK) was given permission to extend his remarks in the RECORD and include two telegrams.

Mr. HOOK asked and was given permission to extend his remarks in the RECORD and include excerpts from a study with regard to General Motors attitude and methods in industrial disputes.

Mr. COCHRAN of Missouri (at the request of Mr. SPARKMAN) was given permission to extend his remarks in the Appendix of the RECORD and include an article from the War Assets Corporation.

Mr. LUTHER A. JOHNSON (at the request of Mr. SPARKMAN) was given permission to extend his remarks in the Appendix of the RECORD and include a statement or letter from Secretary of State Byrnes.

PERMISSION TO ADDRESS THE HOUSE

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that the gentlewoman from California [Mrs. DOUGLAS] may have permission to address the House on Monday, February 4, for 15 minutes, after the disposition of business on the Speaker's desk and at the conclusion of any special orders heretofore entered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

ADJOURNMENT

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p. m.) the House, under its previous order, adjourned until Monday, February 4, 1946, at 12 o'clock noon.

COMMITTEE HEARING

COMMITTEE ON THE JUDICIARY

The Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary will hold a hearing on Monday, February 4, 1946, on the bill (H. R. 5023) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, February 6, 1946, on the bill (H. R. 5089) to amend the First War Powers Act, 1941. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 2 p. m. on Thursday, February 7, 1946, to continue hearings in its study of operations pursuant to the Public Utility Holding Company Act of 1935, in room 1304, House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1018. A letter from the Acting Secretary of the Interior, transmitting the information that no reservations pursuant to section 13 of the act of June 25, 1910 (36 Stat. 858), were made during the calendar year of 1945; to the Committee on Indian Affairs.

1019. A letter from the vice president and treasurer, Washington Gas Light Co., transmitting a detailed statement of the business of the Washington Gas Light Co., together with a list of stockholders, for the year ended December 31, 1945; to the Committee on the District of Columbia.

1020. A letter from the Acting Secretary of the Interior, transmitting a report of all withdrawals and restorations of public lands under an act to authorize the President of the United States to make withdrawals of public lands in certain cases, approved June 25, 1910 (36 Stat. 847; 16 U. S. C., sec. 471; 43 U. S. C., sec. 141, et seq.), covering the period from January 1 through December 31, 1945; to the Committee on the Public Lands.

1021. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report of its activities and expenditures for the month of July 1945; to the Committee on Banking and Currency.

1022. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. VINSON: Committee on Naval Affairs. House Joint Resolution 307. Joint resolution to authorize the use of naval vessels to determine the effect of atomic weapons upon such vessels; with amendment (Rept. No. 1514). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN of South Carolina: Committee on the District of Columbia. H. R. 5060. A bill to amend section 1 of the act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia," approved May 27, 1924; without amendment (Rept. No. 1515). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOREN: Committee on Interstate and Foreign Commerce. H. R. 2764. A bill to amend section 409 of the Interstate Commerce Act, with respect to the utilization by freight forwarders of the services of common carriers by motor vehicle; with amendment (Rept. No. 1516). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN of New York:

H. R. 5327. A bill to provide for the display in the lobbies of post offices of placards containing certain information with respect to the legislative representatives of the people; to the Committee on the Post Office and Post Roads.

By Mr. VOORHIS of California:

H. R. 5328. A bill to provide additional facilities for the mediation and peaceful settlement of labor disputes, and for other purposes; to the Committee on Labor.

By Mr. MANASCO:

H. R. 5329. A bill to amend the Surplus Property Act of 1944 with reference to veterans' preference, and to the disposal agency for surplus property outside the United States; to the Committee on Expenditures in the Executive Departments.

By Mr. PRICE of Illinois:

H. R. 5330. A bill to make imported beer and other similar imported fermented liquors subject to the internal-revenue tax on fermented liquor; to the Committee on Ways and means.

By Mr. KOPPLEMANN:

H. R. 5331. A bill to provide for the performance of military duties by the Marine Corps in connection with the occupation of conquered territories; to the Committee on Naval Affairs.

By Mrs. LUCE:

H. R. 5332. A bill to create a Department of Science and Research; to the Committee on Expenditures in the Executive Departments.

By Mr. LYLE:

H. R. 5333. A bill to create a board of research and investigation of matters relating to the armed forces; to the Committee on Military Affairs.

By Mr. HOFFMAN:

H. R. 5334. A bill to repeal the National Labor Relations Act and to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, to create a National Labor Relations Board, and for other purposes; to the Committee on Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUGUST H. ANDRESEN:

H. R. 5335. A bill for the relief of the Cannon Valley Milling Co.; to the Committee on Claims.

By Mr. BALDWIN:

H. R. 5336. A bill for the relief of Max M. Breslow; to the Committee on Claims.

By Mr. BUFFETT:

H. R. 5337. A bill for the relief of Kazue Oda Takahashi; to the Committee on Immigration and Naturalization.

By Mr. D'EWART:

H. R. 5338. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Edwin T. Jensen; to the Committee on Indian Affairs.

H. R. 5339. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Lester W. Zimmerman; to the Committee on Indian Affairs.

H. R. 5340. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Robert B. Zimmerman; to the Committee on Indian Affairs.

H. R. 5341. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Virgil L. Buchanan; to the Committee on Indian Affairs.

H. R. 5342. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Everett Shanks; to the Committee on Indian Affairs.

H. R. 5343. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Joe E. Damson; to the Committee on Indian Affairs.

H. R. 5344. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Ernest I. Stensland; to the Committee on Indian Affairs.

H. R. 5345. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Arnold E. Payne; to the Committee on Indian Affairs.

By Mr. FENTON:

H. R. 5346. A bill authorizing the naturalization of Arnold Szeleczky, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. HART:

H. R. 5347. A bill conferring jurisdiction upon the Court of Claims to hear and determine the claim of Auf der Heide-Aragona, Inc., and certain of its subcontractors against the United States; to the Committee on Claims.

By Mr. KEE:

H. R. 5348. A bill for the relief of F. M. Peters and J. T. Akers; to the Committee on Claims.

H. R. 5349. A bill for the relief of Charles F. Barrett; to the Committee on Claims.

By Mr. KILDAY:

H. R. 5350. A bill for the relief of Mrs. Elfreida Sakowsky Passant, alias Elfreida Sakowsky, alias Elfreida Pogue; to the Committee on Immigration and Naturalization.

By Mr. MANSFIELD of Texas:

H. R. 5351. A bill for the relief of Charles Booker; to the Committee on Claims.

By Mr. PFEIFER:

H. R. 5352. A bill for the relief of Joseph Ippolito; to the Committee on Claims.

By Mr. ROBINSON of Utah:

H. R. 5353. A bill to authorize the Secretary of War to convey certain lands situated within the Fort Douglas Military Reservation to the Shriners' Hospitals for Crippled Children; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1513. By Mr. GRAHAM: Petition of the Fulton C. Smith Post, No. 165, Veterans of Foreign Wars, of Ambridge, Beaver County, Pa., urging unemployment benefits to veterans under present strike conditions; to the Committee on World War Veterans' Legislation.

1514. Also, petition of 380 veterans of World War II, residents of Ambridge, Beaver County, Pa., urging amendment of the GI bill of rights to allow unemployment benefits to veterans under present strike conditions; to the Committee on World War Veterans' Legislation.

1515. By Mr. GRIFFITHS: Petition of Rhea Starr and members of Farm Bureau of district No. 4, Guernsey County, Ohio, opposing any change in present laws relating to the taxing of cooperatives; to the Committee on Ways and Means.

1516. By Mr. THOMAS of New Jersey: Petition of the Warren County, N. J., Board of Agriculture, registering their opposition to the construction of the proposed ship canal across the State of New Jersey; to the Committee on Interstate and Foreign Commerce.

1517. Also, petition of the board of directors of the United States Junior Chamber of Commerce, in session November 4, 1945, recommending that hospitalized veterans may, while convalescing, accept payment for their work in various trades, arts, and crafts; to the Committee on World War Veterans' Legislation.

1518. By Mr. THOMASON: Petition of J. C. and Clayton Williams, opposing the making of a loan to Great Britain; to the Committee on Foreign Affairs.

SENATE

MONDAY, FEBRUARY 4, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, author of liberty, who hath made and preserved us a nation, may there be forever cherished in this shrine of freedom, and therefore be found in us who are here called to serve the Republic, those spiritual values which alone can bring order out of chaos and peace out of strife. May the shield of our own unyielding integrity be always lifted against the arrows of all that shuns the light and against all betrayal of justice and righteousness in a time when the world's hopes depend on character. In Thy providence for all the world may this "sweet land of liberty," with all its privilege and power, be the quarry where shall be fashioned the white stones of a new order whose "alabaster cities shall gleam undimmed by human tears." We ask it in the dear Redeemer's name. Amen.

ATTENDANCE OF SENATORS

HUGH B. MITCHELL, a Senator from the State of Washington; E. H. MOORE, a Senator from the State of Oklahoma; and JAMES M. TUNNELL, a Senator from the State of Delaware, appeared in their seats today.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Overton
Austin	Hayden	Pepper
Bailey	Hickenlooper	Radcliffe
Ball	Hill	Reed
Bankhead	Hoey	Revercomb
Barkley	Huffman	Robertson
Bilbo	Johnson, Colo.	Russell
Briggs	Johnston, S. C.	Saltonstall
Bushfield	Kilgore	Shipstead
Butler	Knowland	Smith
Byrd	La Follette	Stanfill
Capehart	Langer	Stewart
Capper	Lucas	Taft
Chavez	McCarran	Taylor
Cordon	McClellan	Thomas, Okla.
Donnell	McFarland	Thomas, Utah
Downey	McKellar	Tobey
Eastland	McMahon	Tunnell
Ellender	Maybank	Tydings
Ferguson	Mead	Walsh
Fulbright	Millikin	Wheeler
George	Mitchell	Wherry
Gerry	Moore	White
Gossett	Morse	Wiley
Green	Murdock	Willis
Guffey	Murray	Wilson
Gurney	Myers	Young
Hart	O'Daniel	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] and the Senator from Nevada [Mr. CARVILLE] are necessarily absent.

The Senator from Washington [Mr. MAGNUSON] is detained on public business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Illinois [Mr. BROOKS], the Senator from Delaware [Mr. BUCK], and the Senator from New Jersey [Mr. HAWKES] are necessarily absent.

The PRESIDENT pro tempore. Eighty-three Senators having answered to their names, a quorum is present.

TRANSACTION OF ROUTINE BUSINESS

Mr. STEWART obtained the floor.

The PRESIDENT pro tempore. Before anything else is done, may the Chair ask that certain ordinary reports and routine matters be handed down and made of record? The Chair may also state there is other routine business which, if there is no objection, might be transacted at this time.

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON INSPECTION OF COAL MINES

A letter from the Secretary of the Interior, transmitting, pursuant to law, his report on the inspection of coal mines by the Bureau of Mines for the fiscal year 1945 (with an accompanying report); to the Committee on Mines and Mining.

JULY 1945 REPORT OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report of the Corporation on its activities and expenditures for the month of July 1945, including statement of loans and other authorizations, showing the name, amount, and rate of interest or dividend in each case (with accompanying papers); to the Committee on Banking and Currency.

REPORT OF FEDERAL WORKS AGENCY

A letter from the Administrator of the Federal Works Agency, transmitting, pursuant to law, the sixth annual report of that agency for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Education and Labor.

REPORT OF UNITED STATES PUBLIC HEALTH SERVICE

A letter from the Administrator of the Federal Security Agency, transmitting, pursuant to law, the annual report of the United States Public Health Service for the fiscal year 1945 (with an accompanying report); to the Committee on Finance.

REPORT ON CERTAIN ACTION BY WAR SHIPPING ADMINISTRATION

A letter from the Acting Administrator of the War Shipping Administration, transmitting, pursuant to law, the twelfth report of certain action taken by the War Shipping Administration under section 217 of the Merchant Marine Act of 1936, as amended (with an accompanying report); to the Committee on Commerce.

BOARD OF VISITORS TO UNITED STATES MERCHANT MARINE ACADEMY

A letter from the Acting Administrator of the War Shipping Administration, reporting, pursuant to law, that Friday, May 10, and Saturday, May 11, 1946, had been fixed as the dates for the visit of the Board of Visitors to the United States Merchant Marine Academy at Kings Point, N. Y.; to the Committee on Commerce.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of South Carolina; ordered to lie on the table.

"Concurrent resolution memorializing the Congress of the United States to discontinue the practice of the Fair Employment Practice Commission

"Be it resolved by the House of Representatives of the State of South Carolina (the senate concurring), That it is the sense of the general assembly of this State that the objects of the Fair Employment Practice Commission are un-American and contrary to the spirit of free enterprise in that they tend to destroy individual initiative, adaptability, efficiency, and freedom in the selection of employees and substitute therefor the individual whims of a certain group, race, color, and creed; hence, we regard the practice as contrary to the spirit of our Federal Constitution, and respectfully petition the Senators of all sovereign States to kill the bill now pending in the Federal Congress which would continue the practices of the Commission.

"We laud the high and constant purpose which moves the Honorable BURNET R. MAYBANK and the Honorable OLIN D. JOHNSTON, the distinguished Senators from this State, the Members of Congress from this State, and all others alined with them in their unabated opposition to the practice sought to be imposed on the American people by the continuance of such a Commission; be it further

"Resolved, That copies of this resolution be furnished the clerk of the Senate of the United States, the clerk of the House of Representatives, and the two distinguished Senators from South Carolina.

"COLUMBIA, S. C., *January 31, 1946.*"

A resolution adopted by the Territorial Central Committee of the Democratic Party of Hawaii, Honolulu, T. H., favoring the reappointment of Louis Le Baron as Associate Justice of the Supreme Court, Territory of Hawaii; to the Committee on the Judiciary.

A resolution adopted by the Territorial Central Committee of the Democratic Party of Hawaii, Honolulu, T. H., favoring the reappointment of Ingram M. Stainback as Governor of the Territory of Hawaii; to the Committee on the Judiciary.

By Mr. CAPPER:

A telegram in the nature of a memorial from Local Union 533, United Mine Workers of America, remonstrating against the enactment of the so-called fact-finding antistrike bill; to the Committee on Education and Labor.

By Mr. JOHNSTON of South Carolina:

A concurrent resolution of the Legislature of South Carolina, favoring the enactment of the joint resolution (H. J. Res. 225) to quiet the titles of the respective States, and others, to lands beneath tidewaters and lands beneath navigable waters within the boundaries of such States and to prevent further clouding of such titles; to the Committee on Territories and Insular Affairs.

(See concurrent resolution printed in full when presented by Mr. MAYBANK on February 1, 1946, p. 693, CONGRESSIONAL RECORD.)

By Mr. MAYBANK:

A concurrent resolution of the Legislature of South Carolina; to the Committee on Finance.

"Concurrent resolution requesting the Congress of the United States to pass necessary amendments to the GI bill of rights whereby veterans in accredited schools shall receive monthly benefits for each calendar month until their graduation or severance from said school

"Whereas under the present GI bill of rights veterans who are students in accredited schools only receive benefits for themselves and their dependents during the actual school term; and

"Whereas these veterans have no opportunity to earn a decent livelihood during their vacation period; and

"Whereas the housing situation is so acute that married veterans are unable to change their residence after entering the school: Now, therefore, be it

"Resolved by the House of Representatives of the State of South Carolina (the Senate concurring), That it is the sense of the General Assembly of South Carolina that Congress be, and the same is hereby, memorialized to effect immediate amendments to the GI bill of rights so that all veterans who matriculate in institutions accredited by the Veterans' Administration shall receive monthly benefits for themselves and, in those

cases where they have dependents, for such dependents, for each and every calendar month until their graduation from such accredited institution or school, or until they sever their connection with such institution or school by ceasing to be students of the same; be it further

"Resolved, That a copy of this resolution be sent to each of the Representatives in Congress from South Carolina, the President of the Senate of the United States, the chairman of the Judiciary Committee and the Military Affairs Committee of the United States Senate, to the Speaker of the House of Representatives, and a copy to the Judiciary Committee and Military Affairs Committee of the House of Representatives, and a copy to the Veterans' Administration.

"COLUMBIA, S. C., *January 30, 1946.*"

RESOLUTIONS OF AMERICAN FARM BUREAU FEDERATION

Mr. CAPPER. Mr. President, I received copy of resolutions adopted by the American Farm Bureau Federation at their recent annual meeting in Chicago, in which they take an emphatic stand against compulsory military training in peacetime, and make known their position on other national measures, as follows:

Supported the United Nations Organization, Bretton Woods monetary agreements, International Food and Agriculture Organization.

Recommended study of the maintenance of an international organization "for the effective enforcement of peace," with powers "adequate to cope with the threat of destruction by the use of atomic bombs," without surrendering sovereignty of respective nations.

Recommended study of the advisability of an international police force supported by all nations as a means of insuring peace.

Favored long-term capital loans to other nations to increase productive and consumptive capacities of countries involved, to the largest practical extent by private capital with the Government supplementing only when private capital is not available. (However, this resolution said there are conditions, "such as the present loan to England, under which the long-time interest of this Nation is promoting world trade, maintaining desirable forms of government, and promoting our best international interest can be furthered by making direct governmental loans.")

The delegates also:

Asserted this Nation should furnish food and other necessities to devastated countries, with the cost considered as a war expenditure.

Recommended that the State Department and diplomatic staff be strengthened, with adequately trained personnel and policies designed to attract "outstanding ability into this important field."

Recommended that "this Nation place great emphasis upon the development of a clear-cut foreign policy on a nonpartisan basis."

Favored gradual reduction of international trade barriers.

Supported international commodity agreements and recommended expansion of this program.

Stated that "we believe the development of an aggressive foreign trade policy is one of the 'musts' of our postwar program."

On the national farm program itself, the delegates urged study of required improvements and modifications, including possible changes in commodity marketing; "unalterably opposed" unlimited production at ruinous prices which would "force the American farmer to depend permanently upon Government subsidies;" urged strengthening of the Agricultural Adjustment Act and related measures, and favored legislation to extend benefits of the Agricultural Marketing Agreements Act of 1937 to any agricultural commodity.

AMENDMENT OF FIRST WAR POWERS ACT—REPORT OF JUDICIARY COMMITTEE

Mr. McCARRAN. Mr. President, from the Committee on the Judiciary, I ask unanimous consent to report favorably with an amendment the bill (H. R. 4571) to amend the First War Powers Act, 1941, and I submit a report (No. 920) thereon. In that connection I wish to call the attention of the Senate to a letter from the Department of State, from which I read:

The Department welcomes this opportunity to reemphasize its strong endorsement of this bill. On June 29, 1945, the Acting Secretary of State joined with the Alien Property Custodian and the Attorney General in a letter to Chairman SUMNERS of the House Judiciary Committee submitting a draft of H. R. 3750, which dealt with the same subject matter as the present bill, H. R. 4571, and requesting as a matter of urgency its early and favorable consideration. On September 12, 1945, Mr. Willard L. Thorp, Deputy to the Assistant Secretary of State, repeated this recommendation before Subcommittee No. 1 of the House Judiciary Committee. The Secretary of State in a letter of October 12, 1945, to Mr. SUMNERS again gave the concurrence of the Department to H. R. 3750 and the amendments proposed by the Alien Property Custodian, which are embodied in H. R. 4571. As you know, H. R. 4571 was reported and approved by the House Judiciary Committee with these amendments and passed the House of Representatives on December 8, 1945.

Other expressions endorsing the bill are filed in the report from the Attorney General.

The PRESIDENT pro tempore. Without objection, the report will be received, and the bill will be placed on the calendar.

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate reports for the month of January 1946 from the chairmen of certain committees, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

EDUCATION AND LABOR COMMITTEE

FEBRUARY 1, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the name of a person employed by the committee who is not a full-time employee of the Senate or of the committee for the month of January 1946, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
John W. Nelson	2745 29th St. NW., Washington, D. C	Department of Labor, Washington, D. C	$5,600

JAMES E. MURRAY, *Chairman.*

SPECIAL COMMITTEE TO STUDY AND SURVEY PROBLEMS OF SMALL BUSINESS ENTERPRISES

FEBRUARY 1, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of January 1946, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Edelsberg, Herman	2141 Suitland Ter. SE., Washington, D. C	Foreign Economic Administration, Washington, D. C	$7,175
Forbes, F. Preston	502 Four Mile Rd., Alexandria, Va	Commerce Department, Washington, D. C	7,175
Groeper, Stella J	1127 Branch Ave. SE., Washington, D. C	Reconstruction Finance Corporation, Washington, D. C	2,980
Soule, George H., Lt	4020 Beecher St. NW., Washington, D. C	Navy Department, Washington, D. C	2,400
Spicer, L. Evelyn	2515 Wisconsin Ave. NW., Washington, D. C	Reconstruction Finance Corporation, Washington, D. C	3,090
Steckman, Frederick W	4000 Cathedral Ave. NW., Washington, D. C	Maritime Commission, Washington, D. C	5,600
Strubel, Margie L	4632 12th St. NE., Washington, D. C	Reconstruction Finance Corporation, Washington, D. C	2,320
Thurman, Allen G	9729 Bexhill Dr., Rock Creek Hills, Md	Maritime Commission, Washington, D. C	7,175

JAMES E. MURRAY, *Chairman.*

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KILGORE:

S. 1785. A bill for the relief of Clark Wiley; to the Committee on Claims.

By Mr. BUSHFIELD:

S. 1786. A bill authorizing the issuance of a patent in fee to Silas Eagle Elk; to the Committee on Indian Affairs.

By Mr. ROBERTSON:

S. 1787. A bill to provide for canceling certain interest on and postponing the time of payment of loans made by the United States to persons serving in the armed forces during the war; to the Committee on Military Affairs.

By Mr. McCARRAN:

S. 1788. A bill to provide for the admission of Alaska, the forty-ninth State; to the Committee on Territories and Insular Affairs.

S. 1789. A bill granting to the State of Nevada certain public lands in such State for the use and benefit of public institutions of the State; to the Committee on Public Lands and Surveys.

LABOR FACT-FINDING BOARDS ACT—AMENDMENT

Mr. McMAHON. Mr. President, the Committee on Education and Labor has been conducting hearings on the Ellender fact-finding bill, Senate bill 1661, and the Hatch-Ball amendment, which was submitted as a substitute.

I am informed that most of the witnesses—representatives of labor, management, and the public—have testified that the kind of legislation which most nearly fits the long-run need for adequate labor-disputes-settlement machinery is that embodied in the bill which I, together with the Senator from Arizona [Mr. HAYDEN], the Senator from Utah [Mr. THOMAS], and the Senator from Delaware [Mr. TUNNELL] introduced.

The bill grew out of an extended investigation, conferences, and meetings with a great number of public labor experts, industrial managers, and labor.

I conducted the meetings in private and without any publicity in order to give the participants the opportunity of freely expressing their honest and best judgment.

It is no wonder, therefore, that so many witnesses have approved the approach offered to the problem by S. 1419.

In order, therefore, that the committee may finally consider my approach to the solution of labor disputes, on behalf of the Senator from Arizona [Mr. HAYDEN], the Senator from Utah [Mr. THOMAS], the Senator from Delaware [Mr. TUNNELL], I ask unanimous consent to submit an amendment in the nature of a substitute to the bill, S. 1661, to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes.

There being no objection, the amendment in the nature of a substitute, was received, referred to the Committee on Education and Labor, and ordered to be printed.

CONGRESSIONAL RETIREMENT SYSTEM

Mr. BANKHEAD. Mr. President, on June 19, 1939, I addressed the Senate on the subject of a congressional retirement system. My address appears in the CONGRESSIONAL RECORD of the Seventy-sixth Congress, first session, in volume 84, part 7, beginning on page 7428. In connection with the address there was published an Appendix on Costs of Congressional Retirement Systems, which contains the results of an exhaustive research by Mr. Murray W. Latimer, Chairman of the Railroad Retirement Board, and his staff of assistants. The Appendix on Costs was printed as Senate Document No. 85, Seventy-sixth Congress, first session, and also appears in the CONGRESSIONAL RECORD immediately following my address. The supply has been exhausted.

In view of the present renewed interest in that subject I ask unanimous consent to have printed in the body of the RECORD immediately following my remarks the address above described. I do that rather than use it as a time-killing program in opposition to the pending measure.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL RETIREMENT SYSTEM

Mr. BANKHEAD. Mr. President, I desire to interrupt the discussion on gold devaluation for a short time for the purpose of submitting some remarks on a congressional retirement system.

For some time a group of Senators, together with some Members of the other House, have been thinking about the need for a retirement system for Members of Congress. Congress has made provision for the retirement, on income, of Federal employees in the civil service who become disabled or grow old while in the service. It has provided retirement benefits for the officers and men of the Army, the Navy, the Coast Guard. It has likewise taken care of the members of the Federal judiciary. Finally, it is now about to provide substantial benefits for many millions of the citizens of this country, just as legislation has been in effect making provisions for benefits, aggregating already more than $150,000,000 to retired railroad men. The aggregate cost to the Federal Government for taking care of its own employees in the executive and judicial branches runs into many tens of millions of dollars annually. It is altogether natural that in considering the problems of so many millions of the citizens of this country Members of the Congress should stop for a minute or two to inquire whether or not it may be wholly justifiable to think about some of their own problems.

There have been times in this country when the Members of Congress were thought of as being a peculiarly fortunate group who drew a sizable salary without rendering therefor any very large amount of labor. I think that idea has pretty much disappeared. The very great amount of work which we are called upon to perform is now generally recognized. Indeed, I think that most people wonder how Congressmen can find time to answer the flood of mail from their constituents, sit at numerous committee hearings considering a large volume of important legislation, and become familiar with the great volume of other legislation arising in other committees and of equal importance to that considered by their own, in order to be able to pass judgment on it.

It is my opinion also that there is now a widespread recognition of the fact that the Members of the House and of the Senate have to bear many financial burdens which are far greater than those of ordinary citizens. We have election expenses. Most of us have the expense of maintaining more than one place of residence. Many of our constituents feel free to call upon us for services which require expenditures of one sort or another on our own part. We do not need to remind ourselves that most of us come here in the prime of life. Because of the extraordinary demands on our time, we must cut loose from the associations and means of making an income which we possessed before coming here. If we leave Congress, even after a relatively brief service, those associations and connections are gone and we must build anew.

We hear a great deal of the plight of the man who is over 45. Most of those who talk about the difficulties of those who are 45 in getting a job are thinking about the men who work in factories or in shops or in industry or business generally. All of us know, from the experience of our friends who have served with us here and have left, that the employment handicap applies not only to industry and business, but also to the professions. We know, too, that if we cease to be Members of Congress, the fact that we have served here will not help us very much whether as lawyers, businessmen, or whatever we may be in private life.

Most of us cannot possibly hope during our service in Congress to do very much toward securing from our own salaries any funds which would give us even a minimum income when we become old. One of the great benefits which often flow from the retirement system is that of giving ease of mind and freedom from worry to those who benefit by it. Most of us, necessarily, have to give some thought every now and then to our own future, and I think the great majority of us have cause, from time to time, to worry about it. I would be the last to reflect in any way upon the time or work we are called upon to devote to public service, but I cannot help feeling that we might sometimes be better off if we knew that, despite any action which we might take here, there is some reasonable assurance that our own families would not suffer. I believe that if we were protected by an adequate retirement system, we would view many matters from a more detached point of view than is now possible for us to achieve; and all of us and the country would benefit thereby.

Before we can go very far in thinking about a retirement system, we have to get down to details, and there are many details. At what age should retirement benefits be available? Should they be available to everybody, or should only those who have served a period of years be eligible? Should the Members of Congress themselves pay for part of the cost? If Members of Congress pay for part of the cost, what should happen when the Members withdraw from Congress before reaching retirement age? Should their contributions be refunded, or should they retain rights to receive some pro rata annuity when they attain retirement age? What is a fair amount of annuity? Should we pay the same amount of retirement annuity to everybody? If not, should it vary according to age of retirement, or according to the number of years of service?

The answers to all these questions would depend, to a considerable degree, on what a retirement system having a given set of particular provisions would cost. We all know that if a system were started tomorrow, providing for retirement benefits rather less than our salaries, very few of us would retire until the end of our current terms; that is, the year 1941 for Members of the House and one-third of the Senate, and still later for the other two-thirds of the Senate. But we know, too, that over a period of years, more and more Members would be on the retired list, and the payments would increase for a period of years. What we want to look at when we think about cost, therefore, is not so much how much would be spent under the system a year from now or even 5 years from now, but rather what would be the average level, taking into account interest at a reasonable rate over a period of years.

In getting at what various kinds of systems would cost, we asked Murray Latimer, Chairman of the Railroad Retirement Board, to help us out. Mr. Latimer was good enough to agree to do this, and he has had several of his staff working with him for some months now collecting data which would be useful in making estimates of costs. Estimates of costs are made by looking at past experience, making whatever adjustments in that past experience are definitely known to be affected by factors which themselves have changed from the past; and making the general assumption that with these adjustments past history will repeat itself in the future. We know, to start with, that past history does not repeat itself exactly. But we ought to make the best possible use of experience, realizing that, from time to time, adjustments will have to be made, taking into account changed conditions which, in common with all other human beings, we cannot foresee with exact precision.

In securing the data on which to make cost estimates, a record has been made of every person who has been in Congress at and since the beginning of the Fifty-seventh Congress, which took office March 4, 1901. For each of the 2,871 Members of the House and Senate since that time, a record has been made of the date of birth, the length of service in both Houses, and the date of death if the Member is not now living. In this connection, the records kept by Mr. Ansel Wold, particularly the Biographical Directory of the Congress, covering the years 1774–1927, were invaluable.

One of the factors to be taken into account in calculating cost is the possibility that some Members of Congress who are not now in service may return later on, and probably under any reasonable plan they would be given credit for their service up to now. In calculating cost, a study was made of intermittent service on the part of some Congressman, and an attempt has been made to allow for the possibility that some former Member of Congress not now in the service may later return and become eligible for retirement incomes. It is appropriate to say at this point that in all the plans for which cost calculations have been made it has been assumed that the present Members of Congress would receive credit for their past service. For example, a Member now 65, with 25 years of service when the plan begins to operate, could retire immediately on whatever benefits the plan provided for a Member aged 65 with 25 years all served after the beginning date. But none of the plans contemplates providing any benefits for Members of Congress not in service when the system starts and who never return later.

A study of these records of the Members of the Congress shows up and down fluctuations with respect to some of the important factors which have a bearing on cost. One of the most important factors is that of the age at which Members of Congress are elected initially. If all of us were elected at 25 and served continuously until 65, the cost would be much less than if, on the average, we were elected first at the age of 50. The records show that the typical Member of the House who was serving his first term in 1901 was just over 45 years old. The figure fell to 43.6 in 1903, and, except in 1911, when the average for new Members was 48.1, kept within the range of from 44 to 46 until 1917; thereafter it rose to over 49 in 1929 and 1931, but has since fallen to just over 45. The results would be slightly different if it were assumed that the ages of new Members would be 45 rather than 50. As a matter of fact, in the actual calculations it was assumed that new Members would enter at various ages, averaging 46.7.

Similarly in the Senate, the average age upon entering membership ranged from as low as 44 7/10 (in 1907) to as high as 59 9/10 (in 1931). Again, in the actual calculations it has been assumed that new Senators would be elected at various ages, averaging 53 1/10 years. Insofar as experience in the future deviates from these assumptions, costs will vary from those that have been estimated, unless the variation in the age factor is offset by changes in other figures in a direction having an opposite effect on cost.

The mortality experience of Members of Congress has also been studied, because mortality both while in service and out of service is a most important factor in the calculation of costs. Mortality on so small a group as the membership of the House and Senate is likely to vary rather widely from time to time. From 1901 to and including the Members elected to the present Congress last November, 2,871 persons have been Members of Congress in both House and Senate. This number is too small, even though taken over a period of years, for the law of averages to apply, particularly when this number is divided down, as it must be, into the different ages.

Moreover, mortality in the population in general has changed very greatly since the turn of the century. This is probably just as true of the Members of Congress as it is of any other group of the population. In order to get any mortality figures which could justifiably be used so far as the future is concerned, it appeared that it would be undesirable to take mortality experience further back than 1920. So far as mortality among Members in active service is concerned, it appears that the 1937 standard annuity mortality table is a reasonably good basis. In the period from 1920 to 1938, at the age of from 40 to 49, 5 percent fewer Members of Congress died than would have been the case if the standard annuity table had been exactly followed. At ages 50 to 59, 2 percent fewer died. At ages 60 and over, however, from 6 to 10 percent more Congressmen died than would have been expected under the standard annuity table. This means, as a matter of fact, that Members of Congress who remain in service have a somewhat lower mortality than does the population generally. The standard annuity mortality table of 1937 is compiled from among a rather select group, whose mortality is somewhat lower than for all men in the population. Congressional experience is, of course, primarily a male experience. So few women have served in Congress that their experience has practically no weight in the total

Apparently, however, Members of Congress die somewhat more rapidly than do men in the total population of the country, once they have left Congress. This is probably due in part to the fact that Members wear themselves out in the service, do not return, or are unable to return; and it was to be expected that the mortality among such former Members would be rather high on the average. There may be other factors here also. Of course, the average rate of mortality among Congressmen is much higher than the average rate for all men in the population, because the average age of Congressmen is higher by a good many years than the average age for all men in the United States.

If the retirement benefit is to be paid only to the Members who complete a certain number of years of service in Congress, the chance of serving that number of years is a highly important factor in the determination of costs. In calculating the chances of a Member serving a given period of years, it was thought desirable to break the period from 1901 to date into several parts to see whether or not shifts from one administration to another had had any decided effect on changing the probable periods of service. The periods selected were from 1900 to 1910; from 1911 to 1918; from 1919 to 1930, and from 1931 to 1939. Although some slight differences were discovered, the chances of a Member serving a given number of years have been remarkably constant over a period of time. There are, of course, some differences. For example, the chances of a Member who comes to Congress at the age of 30 serving 20 years or 30 years are much greater than the chances of a Member who was first elected at the age of 50 serving that number of years. This is largely because the chances of a man aged 30 living 20 or 30 years are materially greater than the chances of a man of 50 living for a like period of time. But apart from the factor of mortality, the chances of reelection each 2 years or each 6 years appear to have been rather uniform over the years. For example, for a Congressman elected at age 45, there are 78 chances out of 100 that he will serve his term and be reelected to a second term. The chances are 60 out of 100 that he will serve his second term and be reelected for a third term. The chances are 36 out of 100 that he will complete 8 years of service and be reelected for a fifth term. But the chances are only 7 out of 100 that he will complete 20 years of service and be elected for an eleventh term.

The chances of remaining in the Congress are naturally somewhat higher for Members of the Senate. If elected first at the age of 48, a Senator has about 59 out of 100 chances of completing his first term and being reelected for a second. The chances of finishing his second tern and being elected for a third are only 33 out of 100. The chances of completing a third term and being reelected for a fourth are only 18 out of 100; and the probability that the Senator will complete 24 years and be reelected for a fifth term are only 9 out of 100. Thus, if a retirement benefit is to be paid only to Members who have completed 20 years of service, only about 10 percent would qualify; and if, in addition to completing 20 years of service, the Member must have attained the age of 65 while in service in order to qualify, a still smaller percentage of the Members would be eligible to receive any benefits.

In order that Member of Congress might be able to come to some conclusion as to whether they wish a retirement system, and, if so, what its provisions should be, cost figures have been worked out for a large number of plans. Basically, however, these plans fall into four main types.

There is, first of all, a group of plans which provides for benefits upon the completion of a period of years of service and attainment of a given age, figures having been worked out for 6, 8, and 10 years of service, with retirement ages of 50, 55, 60, and 65. The amounts of annuity for persons retired at a given age and after a specified length of service have been made uniform, irrespective of service above the minimum requirements. Thus, in the first group of plans the amounts of benefit are varied according to age at retirement, the amounts to those retiring at 65 or over being the largest, smaller amounts being paid to those retiring at ages from 60 to 64, still less from 55 to 59, and with a further reduction in the amounts of benefit payable upon retirement at ages 50 to 54. Three sets of amounts have been used for each age in order to indicate the effect on cost in paying more or less annuity. Further figures are given for each combination of these several factors with the Government paying all the cost, and with the Member paying 3½ or 5 percent of their salaries as a contribution, with the Government paying the balance.

If Members contribute, it has been assumed that in the event they withdraw from Congress before becoming eligible for retirement benefits they would receive as a lump-sum refund the total amount of their contributions, together with interest compounded at the rate of 4 percent per annum. In the event of death before retirement, the survivors would receive a like amount. In the event of death after retirement, the balance, if any, of the amount of the death benefit as of retirement age, less annuities received by the deceased, would also be paid to the survivors.

A second set of plans provides for annuities varied according to the number of years of service. For example, if a Member retires after 20 years of service at a specified age, he will receive twice the amount of annuity that will be paid to a person who retires at the same age, but with only 10 years of service. In the basic set of calculations under this type of plan, it is assumed that the Member who withdraws from Congress will not receive a cash refund, but will retain the right to receive the amount of benefit credits earned by him for his service, beginning at the usual age of retirement. These Members will have the right, however, to have the annuity begin at a date earlier than the usual retirement age at an amount lower than what would be paid at the usual retirement age, to allow for the longer period in which payments would be made. For example, if a Member retired from Congress at the age of 50 and had accumulated credits amounting to $200 per month payable beginning at age 65, he could ask for an annuity beginning at age 60 in the amount of about $127 per month, and that amount could be paid at the age of 60 without any effect on the cost. If the Member died before reaching retirement age, or before receiving in annuities an amount equal to his death benefits, he would be given a refund just as was described in connection with the first set of plans.

In the second set of plans, costs are again calculated on three bases: One with the Government paying for the whole cost; the second with the members contributing 3½ percent of their salaries and the Government paying the balance; and the third with the members paying 5 percent and the Government paying the balance.

A third set of plans dealt with the cost of a flat amount of one-half of the salary payable at only age 65 or 70, after varying periods of service, without any contributions by members.

A fourth group shows the cost of paying annuities to retired members after a given number of years of service, irrespective of age, the minimum service being 15 years, with high amounts payable to those who retire after 20 or more years of service.

The cost of these various plans on the different bases, and the assumptions underlying the calculations, are presented in an appendix to these remarks.

The number of officers on the retired list of the United States Army as of June 30, 1938, was 3,532. The number of warrant officers and nurses was 777. The amount of retirement pay for the fiscal year 1938 was $11,386,200 for officers and $1,163,800 for warrant officers and nurses.

In the Navy Department the record shows the average number of officers in the United States Navy on the retired list for the fiscal year 1938 to be 2,928, and the retirement pay was $8,789,878.31.

Officers of the Army and Navy are paid 75 percent of the salary received at time of retirement. Age of retirement is 64 years. Contribution payments are not required.

The number of retired Federal judges on the retirement roll April 30, 1939, was 30 and the retirement pay for the fiscal year 1938 was $307,250. The retirement age is 70. They make no contributory payments to a retirement fund. They are paid the full salary received at time of retirement.

The number of Foreign Service officers on the retired list in the State Department for the fiscal year 1938 was 92; the retirement pay for the last fiscal year was $262,328.64. These officers contribute 5 percent of their basic salaries and may retire at the age of 64. After 15 years of service, retirement is compulsory at the age of 65, and they may be retired if totally disabled for useful and efficient service by reason of disease or injury not due to any misconduct of the officer so disabled.

Total annual annuities or retirement pay for officers of the Army and Navy, Federal judges, and Foreign Service officers of the State Department for the last fiscal year amounted to $21,909,456.95.

I am putting the material collected by Mr. Latimer in the RECORD for the information of the Members of Congress who may be interested in the subject.

I desire to take this occasion to thank Mr. Latimer and his staff of assistants for the thorough and painstaking research performed in collecting the data necessary for the presentation of the different retirement systems which are covered by the statement that I am submitting for the RECORD. Mr. Latimer and his assistants have manifested a thorough knowledge of the subject of retirement plans and it is evident that the Government has in its Railroad Retirement Board not only a most capable director but also a competent and worthy staff of assistants.

Mr. Latimer will gladly respond to requests that Members of Congress may make of him for further general or detailed information relating to the subject of congressional retirement systems.

Mr. BANKHEAD. Mr. President, I also ask unanimous consent to have reprinted for the use of the Senate document room 1,500 copies of the Senate document above described.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO ROBERT H. HINCKLEY—EDITORIAL FROM THE WASHINGTON POST

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an editorial paying tribute to Robert H. Hinckley, from the Washington Post of February 3, 1946, which appears in the Appendix.]

EIGHT COMMANDMENTS FOR PEACE—ARTICLE BY CAPT. RICHARD C. DAVIDS

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD an article entitled "A Young Soldier Gives You Eight Commandments for Peace," written by Capt. Richard C. Davids and published in Better Homes and Gardens for December 1945, which appears in the Appendix.]

FARM SURPLUSES—PORTION OF HEARINGS BEFORE SENATE COMMITTEE ON AGRICULTURE

[Mr. YOUNG asked and obtained leave to have printed in the RECORD a portion of the hearings held on February 1, 1946, by the Senate Committee on Agriculture on the subject of the uses of farm surpluses in the production of various industrial items such as alcohol and rubber, which appears in the Appendix.]

JOURNAL OF THURSDAY, JANUARY 17, 1946—PETITION FOR CLOTURE

The Senate resumed the consideration of Mr. HOEY's motion to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

The PRESIDENT pro tempore. The Senator from Tennessee has the floor.

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Kentucky?

Mr. BARKLEY. I do not want the Senator from Tennessee to yield to me. I wish to be recognized in my own right.

The PRESIDENT pro tempore. For what purpose?

Mr. STEWART. Mr. President, I understand I have the floor.

Mr. BARKLEY. For any legitimate and parliamentary purpose for which I may seek to occupy the floor.

Mr. STEWART. I have the floor.

The PRESIDENT pro tempore. The Chair has recognized the junior Senator from Tennessee; but the Chair has been informed that the Senator from Kentucky desires to make a motion under the rules of the Senate. The Chair is advised by the Parliamentarian that the Senator from Kentucky has that right.

Mr. BARKLEY. I advised the Chair this morning personally that I wished to be recognized, and I understood that I would be. I do not desire to take the Senator from Tennessee off his feet, if he wishes to address the Senate, but I do not want to be deprived of the opportunity to be recognized myself in my own right.

The PRESIDENT pro tempore. If the Senator desires to make a motion of the kind suggested, in the opinion of the Chair he has that right, and the Parliamentarian has advised the Chair that the Senator has that right even though another Senator may be on the floor, and for that reason and to that extent the Senator from Kentucky is recognized.

Mr. STEWART. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. STEWART. Does that take me off the floor?

The PRESIDENT pro tempore. Temporarily, but the Senator will be recognized as soon as the other matter is concluded.

Mr. BARKLEY. I will say that I would not care to take the Senator off the floor.

Mr. STEWART. I am sure the Senator would not, and I do not wish to surrender the floor, now that I have it.

Mr. BARKLEY. I am perfectly willing to ask, if it is necessary, though I think under the ruling of the Chair it would not be necessary, that I be permitted to offer the motion which I contemplate without interfering with the right of the Senator from Tennessee to the floor.

The PRESIDENT pro tempore. The Chair calls attention to rule XXII, subdivision 2, which in part provides:

If at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and so forth.

If the Chair were called upon to decide de novo the meaning of the phrase "at any time," he would hold that it means at a time when a Senator has the floor in his own right. The same words are used in rule V, relating to a quorum, and it is the established practice of the Senate that a Senator in possession of the floor cannot be interrupted against his consent by another Senator for the purpose of suggesting the absence of a quorum. The presentation of the credentials of Senators-elect, the laying of messages from the President or the House before the Senate, the presentation of conference reports, the making of motions to adjourn, to recess, or to go into executive session, are all privileged matters or motions, but it has never been

contended that such a matter or motion was in order by a Senator while another Senator had the floor and declined to yield for purpose.

It seems to the Chair that the following clause of subdivision 1 of rule XIX is conclusive of the question:

> No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the Presiding Officer.

A Senator can only be taken from the floor for a transgression of some rule of the Senate, as provided under paragraph 4 of the above rule; and it follows, as a necessary implication, that, so long as a Senator declines to yield to another Senator and refrains from a violation of the rules, his right to the floor is supreme.

The Senate, however, has made an exception in the case of the presentation of a cloture motion. On March 12, 1925, and again on February 24, 1927, the Senate, on appeal, decided that a Senator having the floor could be interrupted against his consent, and his right to the floor temporarily suspended, for the purpose of presenting a cloture motion.

The Chair, in view of the above precedents, feels constrained to follow such course, and holds the right of the Senator having the floor is temporarily suspended. Whether it is a proper time, under the rules, to present such a motion is a question that may later arise for decision.

The Chair recognizes the Senator from Kentucky to present the motion.

Mr. BARKLEY. Mr. President, I appreciate the Chair's ruling, and I merely desire to say, in a preliminary way, that I think the time has come in the Senate for the Senate and the country to know whether the bill which is the pending unfinished business can be brought to a vote. The proponents of the bill are entitled to know whether it can be brought to a vote, those who oppose it are entitled to know whether it can be brought to a vote, and as I see it—and I think the Senate will agree—the only way to test whether it can be brought to a vote is to have the Senate vote, under rule XXII, on a motion to close debate.

I am not in charge of the proposed legislation—the Senator from New Mexico [Mr. CHAVEZ] is in charge of it—and I am not in a position to do more than say that I think that a vote on cloture will be a pretty fair test as to whether we can bring the measure to a vote at any time in the reasonably near future. With that in view, and for the purpose of bringing the Senate, if possible, into a posture where it can either fish or cut bait, I am sending to the desk and filing, under rule XXII, a motion to close debate, which contains the signatures of 48 Senators.

The PRESIDENT pro tempore. The motion will be stated for the information of the Senate.

The motion is as follows:

PETITION FOR CLOTURE

> We, the undersigned Senators, in accordance with the provisions of rule XXII of the standing rules of the Senate, hereby move to bring to a close the debate upon the bill (S. 101) entitled "A bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry":
>
> DENNIS CHAVEZ, JOSEPH F. GUFFEY, CHARLES C. GOSSETT, JAMES W. HUFFMAN, HARLEY M. KILGORE, ALBEN W. BARKLEY, SCOTT W. LUCAS, GLEN TAYLOR, ABE MURDOCK, JAS. M. MEAD, FRANCIS J. MYERS, FRANK P. BRIGGS, SHERIDAN DOWNEY, THEODORE FRANCIS GREEN, ROBERT F. WAGNER, BRIEN MCMAHON, DAVID I. WALSH, ELBERT D. THOMAS, CLAUDE PEPPER, ELMER THOMAS, JAMES E. MURRAY, WARREN G. MAGNUSON, HUGH B. MITCHELL, JAMES M. TUNNELL, FORREST C. DONNELL, WAYNE MORSE, LEVERETT SALTONSTALL, W. A. STANFILL, ROBERT M. LA FOLLETTE, Jr., HUGH BUTLER, H. ALEXANDER SMITH, B. B. HICKENLOOPER, RAYMOND R. WILLIS, ROBT. A. TAFT, WILLIAM LANGER, GUY CORDON, OWEN BREWSTER, HOMER FERGUSON, ARTHUR CAPPER, CHAS. W. TOBEY, KENNETH S. WHERRY, CLYDE M. REED, HOMER E. CAPEHART, JOSEPH H. BALL, C. WAYLAND BROOKS, THOS. C. HART, GEORGE D. AIKEN, WILLIAM F. KNOWLAND.

Mr. RUSSELL. Mr. President, I rise to a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. RUSSELL. The point of order is that a motion to conclude debate on Senate bill 101 cannot be filed and received at this stage of the proceedings in the Senate. I direct the Chair's attention to rule III, and I wish to read from the rule:

> The Presiding Officer having taken the chair, and a quorum being present, the Journal of the preceding day shall be read, and any mistake made in the entries corrected. The reading of the Journal shall not be suspended unless by unanimous consent; and when any motion shall be made to amend or correct the same, it shall be deemed a privileged question, and proceeded with until disposed of.

Mr. President, the Senate now has before it an amendment to correct the Journal of January 17. That is a matter of the highest privilege under rule III of the Senate, and I therefore make the point of order that it is not in order to present a motion on a matter which is not before the Senate, and thereby strike down rule III by bringing before the Senate a motion which would have the effect of repealing rule III, which makes consideration of the Journal a matter of the highest privilege.

Mr. BARKLEY. Mr. President, I should like to argue for a moment the point the Senator from Georgia has raised, if he has concluded.

Mr. RUSSELL. I have concluded for the time being. The matter is so clear to me I did not think it required any argument.

Mr. STEWART. Mr. President, is argument in order, since I have the floor? Do I have to stand here and wait all day for this argument to be concluded?

The PRESIDENT pro tempore. The Chair does not know how long the Senator will have to stand, but under the ruling of the Chair, pursuant to the advice of the Parliamentarian, this matter takes precedence of the Senator's right to the floor.

Mr. STEWART. My question was, Does debate on this matter also take precedence?

The PRESIDENT pro tempore. Yes; debate on it would likewise take precedence.

Argument on the point of order is in order, if the Chair is desirous of hearing it, and if the Senator from Kentucky desires to present the matter, the Chair will be glad to hear him.

Mr. BARKLEY. It is within the discretion of the Presiding Officer whether he wishes to hear argument on the point.

The PRESIDENT pro tempore. The Chair will hear the Senator.

Mr. BARKLEY. Mr. President, rule XXII, under which the motion I have presented is filed, provides:

> If at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate—

And so forth. I contend that Senate bill 101 is the pending measure. If it be contended that the motion to approve the Journal is the pending measure, then, of course, it would be in order to file a cloture petition on that, if that is to be interpreted as being the pending measure. If this bill had not been made the unfinished business and the debate were debating the motion to proceed to its consideration, if that motion were held to be a "measure" within the meaning of rule XXII, then a motion for closing of debate on that motion would be in order. There has been no legislative interpretation of the word "measure" as used in this rule, but if we accept the interpretation of it that it must be a bill, then, of course, Senate bill 101 is the pending measure; it is the only thing that is pending that could be called a measure, and is the unfinished business now before the Senate.

Rule XXII was adopted by the Senate in 1917. It is a well-known theory and tenet of law, as well as legislation, that a later act if in conflict with a former act takes precedence over the former. Therefore when rule XXII, which was adopted by the Senate long after rule III was adopted, provides that if at any time—that is, without limitation—if at any time a petition is presented to close debate upon a pending measure, then it may be filed.

So, Mr. President, it seems to me that the purpose of rule XXII which was in the mind of the Senate at the time of its adoption, as evidenced by the very brief debate that took place when it was under consideration, should be effectuated. All Senators who spoke upon it, and as I recall, there were only three Members of the Senate who voted against the adoption of rule XXII in 1917—all those Senators who uttered any opinions at all about it said that they thought the time had come when the Senate should adopt a rule that would make it possible to close debate and bring a measure to a desision. That opinion was expressed without regard to geographical division. The then Senator from Georgia, Mr. Smith, the then Senator from Virginia, Mr. Martin, who offered the rule as the majority

leader of the Senate at that time, and the then Senator from Mississippi, Mr. Vardaman, spoke in behalf of it, as well the Senators from New York, Pennsylvania, and other States. So there was no geographical division in respect to the need for a rule which would bring a measure to an ultimate vote.

If a motion to approve the Journal made under a rule adopted long before rule XXII was adopted, can nullify rule XXII so as to make it forever impossible to file a petition under rule XXII, to bring to a termination the debate on a measure that is pending, then, of course, it completely nullifies not only rule XXII, but it nullifies the philosophy under which it was adopted and the purpose of the Senate at the time it was adopted, to make it possible to bring to a vote a measure that is pending. The only measure that is pending within the generally accepted meaning of the word "measure" is Senate bill 101, and it is the unfinished business, so much so that when 2 o'clock has arrived and has automatically concluded the morning hour the unfinished business is laid before the Senate and is proceeded with.

The only ground, it seems to me, on which any Senator can contend that this motion is not now in order is that rule XXII does not mean what it says when it says that at any time 16 Senators may file such a motion. And if we accept the definition of a "measure" included in that rule that it is a bill that is pending before the Senate and is the unfinished business—and Senate 101 is pending, notwithstanding any interlocutory motion with respect to the Journal of the Senate of a previous day, or the syntax or grammatical construction of the Chaplain's prayer, or anything else—the only way to vitalize the rule is to hold that Senate bill 101 is the pending measure, that it is not less a pending measure because a motion to approve the Journal has been made; and that therefore I am entitled to offer this motion, signed in accordance with rule XXII. I do not see how it can be contended that any other measure is the pending measure, except Senate bill 101. It was the purpose of the Senate to make it possible to bring such a measure to a vote by two-thirds of the Senate voting for a motion such as I have now filed.

I hope the Chair will overrule the point of order made by the Senator from Georgia.

Mr. RUSSELL. Mr. President, if the contentions of the Senator from Kentucky are correct, a motion for a cloture that is filed at any time could take from the calendar any measure pending on the calendar, and give it priority over other measures before the Senate.

This question has heretofore been before the Senate for determination, and it has been decided in a much calmer atmosphere than prevails here today.

Mr. BARKLEY. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. I yield.

Mr. BARKLEY. Does the Senator contend that, from a parliamentary standpoint, every bill on the calendar is a pending measure in the sense of the rule?

Mr. RUSSELL. It is just as much a pending measure as Senate bill 101 is the pending business before the Senate at the present time.

Mr. BARKLEY. The Senator knows how from time immemorial the Chair has held with respect to the pending measure. It is so different from bills on the calendar that on days when there is a morning hour, automatically at 2 o'clock we go back to the pending measure, which is the measure which the Senate has voted by a majority to consider, unless it has been taken up by unanimous consent.

Mr. RUSSELL. The morning hour has no relationship whatever to this question.

Mr. BARKLEY. I mention it because it differentiates between a bill that is being considered and bills that are on the calendar.

Mr. RUSSELL. The morning hour rule has nothing to do with this question. We are not working under the morning hour. The Senate has been taking recesses from day to day, and we are still in the same legislative day of Friday, January 18. So the morning hour rule does not have anything to do with it. It does not illustrate the issue in any way, shape, form, or fashion.

As I stated, this question has been before the Senate on previous occasions. There is a long line of rulings by presiding officers, both Democratic and Republican, that business of the Senate cannot be set aside by a motion for cloture unless the bill is actually pending before the Senate as the unfinished business at the moment the cloture petition is filed. That may be a defect in the rules. I shall not discuss that. I have heard Senators say that there were defects in the rules of the Senate. There have been times when I have been rather irked at the procedure permitted under the rules of the Senate when I occupied a different position from that which I occupy here today. But we have the rules of the Senate before us and the precedents of the Senate before us, and we should not undertake to correct the rules by this procedure. The rules provide for their own amendment by the Senate. If the rules are defective they should be amended in the manner the rules provide—by lawful, regular procedure. But they should not be stricken down in this fashion.

I submit, Mr. President, that on the basis of the precedents and according to the clear wording of the rule, it is not in order to present a petition for cloture on S. 101 at the present time.

Mr. TAFT. Mr. President, does the Chair care to hear further argument?

The PRESIDENT pro tempore. Does the Senator from Ohio desire to present an argument?

Mr. TAFT. I merely desire to say, Mr. President, that the adverse position is based entirely on rule III. Rule III was adopted in the days of Jefferson, and all it says is that—

> The reading of the Journal shall not be suspended unless by unanimous consent; and when any motion shall be made to amend or correct the same, it shall be deemed a privileged question, and proceeded with until disposed of.

Obviously it is not a pending measure.

What is the pending measure? There certainly is no other pending measure than the FEPC bill. That bill, by vote of the Senate, was made the unfinished business. So far as I can see, it is the pending measure and the only pending measure, and the fact that incidental matters are being discussed at the time does not prevent it being the pending measure.

The Chair has already ruled that a petition for cloture is so privileged that it will take a Senator off the floor, and he does so under a precedent of the Senate established in 1927. If it is so highly privileged as to take a Senator off the floor, surely it is more privileged than rule III, made many years ago, merely to prescribe a course of procedure.

Furthermore, Mr. President, it is not at all clear to me that this bill is not before the Senate at the present time. It seems to me that on the day when we discussed the Journal, when we reached the hour of 2 o'clock, automatically under the rules of the Senate the unfinished business should have come up, and the matter of the Journal should have gone to the calendar, or should have gone over until the following day. So it seems to me that on any reasonable basis Senate bill No. 101 is the pending measure; and unless we are to make this rule utterly futile, I do not see how there can be any ruling except that a petition may be filed on a measure which has been made the unfinished business, which is the unfinished business of the Senate today, and which in my opinion is the only pending measure before the Senate.

Mr. RUSSELL. Mr. President, the mere fact that this rule was established by Thomas Jefferson does not make it obsolete, even though the Senator from Ohio may think so. It is an old practice, it is true; but the Ten Commandments were handed down by Moses a long time before rule III was adopted, and they are still supposed to set a standard of conduct in some circles.

That portion of rule XXII which relates to the filing of the petition does not make it a privileged matter. Rule III provides that a motion to amend or correct the Journal "shall be deemed a privileged question, and proceeded with until disposed of."

The PRESIDENT pro tempore. The Chair is ready to rule. The Chair will first read the petition for cloture which has just been submitted:

> We, the undersigned Senators, in accordance with the provisions of rule XII of the standing rules of the Senate, hereby move to bring to a close the debate upon the bill S. 101 entitled "A bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry."

The petition is signed by the Senator from New Mexico [Mr. CHAVEZ] and 47 other Senators.

The second subdivision of rule XXII—relating to cloture—adopted on March 8, 1917, in part is as follows:

> If at any time a motion, signed by 16 Senators, to bring to a close the debate upon

any pending measure is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate—

And so forth. The rule was first invoked in connection with the treaty of peace with Germany, which had been under discussion for almost a month. On November 13, 1919, Mr. Gilbert M. Hitchcock, of Nebraska, the ranking member of the Committee on Foreign Relations, presented the following motion:

We, the undersigned, in accordance with the second paragraph of rule XXII, move that debate upon the pending conditions and reservations proposed by Senator Lodge to be added to, and incorporated in, the resolution of ratification of the treaty with Germany, and all substitutes, amendments, and additions thereto proposed, be brought to a close.

The question immediately arose as to what was meant by the "pending measure." Mr. Hitchcock took the position that it was the reservations and conditions proposed or that might be proposed to the resolution of ratification—that is similar to the position which the Senator from Ohio [Mr. TAFT] and the Senator from Kentucky [Mr. BARKLEY] take in this instance—while Mr. Henry Cabot Lodge, of Massachusetts, contended that the only pending measure before the Senate was the treaty. Mr. George W. Norris, of Nebraska, then made a point of order that Mr. Hitchcock's motion was out of order because it did not apply to the pending measure. Mr. Oscar W. Underwood, of Alabama, who took a leading part in the discussion at the time the cloture rule was adopted, concurred in Mr. Hitchcock's view, but, in the course of his remarks, with respect to the applicability of the rule to a legislative matter, said:

A pending measure, in my judgment, means a bill, resolution, or other parliamentary action that is before us for consideration.

Mr. Frank B. Kellogg, of Minnesota, supported Mr. Lodge's position, and Mr. James A. Reed, of Missouri, observed that the treaty of peace came before the Senate daily on a motion to proceed to its consideration.

The President pro tempore—Mr. Albert B. Cummins, of Iowa—sustained Mr. Norris' point of order, from which ruling Mr. Hitchcock appealed to the Senate. The appeal, however, was laid on the table by a vote of 44 yeas, 36 nays—CONGRESSIONAL RECORD, volume 58, part 8, pages 8413–8417.

On February 24, 1927, the then Vice President, Mr. Charles G. Dawes, ruled that a cloture motion applied to the business that was pending at the time it was presented, and in this view he was supported by Mr. Joe T. Robinson, of Arkansas—CONGRESSIONAL RECORD, Sixty-ninth Congress, second session, page 4661.

Mr. Robinson, as we all remember, was the Democratic leader at the time.

On February 26 and also on February 28, 1927, Vice President Dawes again ruled that a motion for cloture applied to a bill that was pending before the Senate at the time of its presentation.

In the latter instance an appeal was taken, but was laid on the table by a vote of 69 yeas, 12 nays—CONGRESSIONAL RECORD, ibidem, pages 4900, 4985.

The above precedents, established when the history of the cloture rule was fresh in the minds of the above-named Senators, nearly all of whom were Members of the Senate at the time it was adopted in 1917, leave no doubt in the mind of the Chair that it was the clear intent and purpose that a motion for cloture could only be applied to the measure pending before the Senate at the time it was presented.

The question arises, What is the business now pending before the Senate? At the present time, and since the Senate met on Friday, January 18, 1946, as appears from the CONGRESSIONAL RECORD, the matter pending before the Senate is and has been the question of the amendment of the Journal of Thursday, January 17, 1946, save certain business transacted by unanimous consent.

The matter first in order at the beginning of a legislative day is the reading and correction of the Journal. In the opinion of the Chair, a higher degree of privilege attaches to it than to any other matter under the rules of the Senate. All other questions of privilege are subordinated to it, as appears from subdivision 1 of rule VI, which provides that—

The presentation of the credentials of Senators-elect and other questions of privilege shall always be in order, except during the reading and correction of the Journal.

Rule III, with respect to the amendment or correction of the Journal, expressly provides that—

When any motion shall be made to amend or correct the same, it shall be deemed a privileged question, and proceeded with until disposed of.

The Chair calls attention to a recent precedent of the Senate in this respect. On November 17, 1942, while a motion to amend the Journal of the previous day was pending, the late Senator Charles L. McNary, of Oregon, made inquiry concerning the presentation of the credentials of two Senators recently elected for unexpired terms, who were ready to be sworn in. The then occupant of the chair, the Senator from Wisconsin [Mr. LA FOLLETTE], replying to the inquiry, said:

The present occupant of the chair is of the opinion that until the question of the correction of the Journal has been concluded, it would not be in order to present the credentials of Senators-elect or to have them receive the oath. * * * Until all questions concerning the Journal of the last session are disposed of, no other business can come before the Senate. (CONGRESSIONAL RECORD, 77th Cong., 2d sess., pp. 8919–8921.)

Senate bill 101, the FEPC bill, while technically the unfinished business, has been temporarily superseded by a highly privileged matter, which must be proceeded with, under the rule, until disposed of. The FEPC bill is not, in the opinion of the Chair, the pending measure before the Senate, and has not been such since the adjournment of the Senate on Thursday, January 17, 1946. It cannot, under the rules, again come before the Senate for consideration until the Journal of January 17 has passed the stage of correction or amendment. When that has been disposed of, the FEPC bill, as unfinished business, will automatically be laid before the Senate by the Presiding Officer. At that time, and not until then, can a cloture motion on the bill be presented to the Senate under the rules.

The Chair sustains the point of order.

Mr. BARKLEY. Mr. President——

Mr. TAFT. Mr. President——

The PRESIDENT pro tempore. The Senator from Kentucky.

Mr. STEWART. Mr. President, I have the floor until this matter is disposed of.

Mr. BARKLEY. Mr. President, there is another privileged matter before the Senate which involves this whole question.

Mr. STEWART. Mr. President, I have the floor.

The PRESIDENT pro tempore. The Senator from Kentucky will state the matter to which he has referred.

Mr. BARKLEY. The right of the Senate to pass upon its own rules. With great respect to the Chair, I think in this instance the Senate has the right to pass upon its rules and to interpret them, and therefore I must respectfully appeal from the decision of the Chair.

Mr. STEWART. Mr. President, I object to the statement of the Senator from Kentucky. I do not yield for that purpose, and I have not yielded for any purpose.

Mr. BARKLEY. Mr. President, a while ago I asked that the Senator be permitted to yield without interfering with his right to speak. The right to appeal from a decision of the Chair on the very matter which we have had before us is certainly a part of the proceeding for which the Senator has yielded.

Mr. STEWART. Mr. President, I repeat that I have the floor, and the Senator from Kentucky——

The PRESIDENT pro tempore. The Senator from Kentucky is correct about the matter, and he may make such an appeal.

Mr. BARKLEY. Mr. President, I regret that I do not find myself in accord with the ruling of the Chair, but I think on this matter the Senate has a right to interpret its rules itself.

For that reason, I am compelled to appeal from the ruling of the Chair.

The PRESIDENT pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. STEWART. Mr. President, since the Chair has already ruled that the Senator from Kentucky had a right to make the motion, I shall not propound a parliamentary inquiry which I was about to propound. I take it that the motion is debatable.

The PRESIDENT pro tempore. It is.

Mr. STEWART. Very well; then I shall proceed to debate.

The PRESIDENT pro tempore. The Senator from Tennessee is recognized.

Mr. STEWART. Mr. President, again we are confronted in the Senate of the United States with the consideration of a matter which is highly controversial. The controversial nature of the measure which the Chair has held to be the unfinished business has been demonstrated within the last few minutes.

Mr. President, technically I wish to debate the question which has been before the Senate within the past few minutes, namely, the ruling of the Chair on the question of sustaining the point of order against the filing of a petition for cloture and upon the question of permitting an appeal from the decision of the Chair. Likewise, I expect to debate the unfinished business, Senate bill 101, the well-known FEPC legislation. I understood the Chair to rule that the filing of a petition for cloture, being a highly privileged matter, temporarily would displace or take from the floor any Senator who previously had gained recognition. I did not object to that seriously, Mr. President, because I understand that to be the proper and correct ruling. But after the motion was made for permission to file a cloture petition, the petition being presented to the Chair with the signatures of 48 Senators, then the Chair proceeded to listen to a short discourse on the interpretation of the rules, made by the Senator from Kentucky, the Senator from Georgia, and the Senator from Ohio, whereupon the Chair proceeded to rule that the petition could not properly be filed because it could be directed only at the pending measure; and the FEPC bill not being the pending measure, but consideration of approval of the Journal being the pending measure, and the petition for cloture not having been directed at it, the Chair, of course, properly ruled that the petition for cloture could not be received.

Thereupon the Senator from Kentucky proceeded to take exception to the ruling of the Chair—but over my continued protest, that, inasmuch as I had previously been recognized by the Chair and had not yielded to the Senator from Kentucky, I had the floor, and that the Senator from Kentucky, who undertook to take exception to the ruling of the Chair and to make a motion which he was allowed to make appealing from the Chair's ruling, was entirely improper and out of order. I think the matter of consideration of such a motion cannot properly be taken up until such time as a Senator who desires to make the motion can obtain the floor in his own right. But the Chair has already passed on that matter, and I presume that for the present it will stand as it is.

So I desire now to discuss the FEPC bill, which I understand to be the unfinished business.

Mr. RUSSELL. Mr. President, I am sure the Senator from Tennessee would not wish to conclude that part of his remarks without stating that, under the rules of the Senate, the ruling by the Chair was the only one he possibly could have made without violating the rules of the Senate and all the precedents of the Senate on the subject.

Mr. STEWART. I think the Senator from Georgia is quite correct, of course. The obvious ruling to make concerning the petition for cloture was the ruling the Chair did make, because, as the Chair stated, in ruling in regard to the filing of the petition, his ruling followed every precedent which is known to this body. Of course, the Chair was highly correct. His ruling was highly proper. In fact, it was the only ruling which could have been made. While, as I have said, the motion to appeal from the decision of the Chair was out of order and, I believe, should not have been made, nevertheless it was made, and sooner or later we shall probably have to vote on whether the petition for cloture may properly be filed.

Mr. EASTLAND. Mr. President, will the Senator yield for an observation?

Mr. STEWART. I hope that Senators will read the various rules which apply to the situation, because I think it can truthfully be said that to overrule the Chair in respect to a ruling which is so fair and obvious would be almost to ravage the established rules and precedents of the Senate.

Mr. President, the FEPC bill is highly controversial. It is controversial by reason of the fact that it attempts to force the race question upon the United States, and particularly upon the States of the South. Within recent years kindred problems have been presented to the Senate. By "kindred problems" I refer to problems which are sectional in nature, or which invariably give rise to the race issue. I think that the pending bill should not have been presented to the Congress at this time. If it was to be presented at all, I think it should have been presented at a more opportune time. It should not have been presented at a time such as now, when the country as a whole is in a very chaotic condition. There are scores of other matters which should be receiving the consideration of the United States Senate. There are scores of matters which are crying for attention and which, if properly settled, would redound to the benefit of all the people of the world.

Mr. President, some of us are wondering why we are being forced to consider proposed legislation of the character which is now before the Senate, why we are being forced to consider this so-called FEPC bill. Is it because some powerful individual, or a powerful group of individuals, has demanded that the Senate consider such a matter at this time? If so, who is he, or who are they? Upon whom did they make the demand that the Senate consider Senate bill 101? Certainly, the demand did not originate with the people of the Southern States, and yet it is conceded that the people of the Southern States would be most seriously affected by the passage of such a bill. In fact, the South would perhaps be more seriously affected than would any other section of the country. It is because of that fact that southern Senators, with but two exceptions, are now opposing the FEPC bill. Therefore, Senators who are representing Southern States stand almost 100 percent together in their decision to fight the bill to the end. I have stated that no demand has been made by any responsible person or group of persons for the passage of the pending bill at this time, or at any other time. I know, and the people of the South know that there is absolutely no need for legislation of the character which is now being proposed. I may say, as it has also been said by other Senators during this debate, that we are solving our race problems in the South to the satisfaction of all concerned.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. STEWART. I yield.

Mr. EASTLAND. Does not the Senator from Tennessee believe that if a Negro got into trouble and wanted a friend to help him, he would more quickly go to southern people for help than he would go to some of his political friends who are clamoring so loudly for his vote?

Mr. STEWART. I may say to the Senator from Mississippi that it has been my experience that the relationship between the white man and the black man in the South has been such that very few Negroes, if any, have ever felt the slightest hesitancy in asking the white man for aid and succor in time of trouble.

Mr. EASTLAND. Is it not true that the average Negro considers the southern people to be better friends of his than people from other sections, and that the allegations which have been made of mistreatment of Negroes are largely the figment of the imagination of politicians who want the Negro vote?

Mr. STEWART. The allegation of trouble between the races in the South, and of discrimination against the colored man in the South, is not only a figment of the imagination and of a distorted mind, but it is absolutely untrue.

Mr. President, the Southern States date their present political status back to the unfortunate period of the War Between the States and the civil strife which ensued throughout the South. Having been overwhelmed and defeated in the battles which were fought during that war, which lasted 4 or 5 years——

Mr. EASTLAND. Is not the Senator mistaken about the South having been defeated?

Mr. STEWART. Mr. President, the Senator knows what I mean. We had to lay down our arms, and a Negro legislature was installed in one of the States, namely, South Carolina. If that fact did not represent defeat, I do not know what it did represent. Of course, the spirit of the southern men and women has never been defeated, and it will never be defeated so long as breath remains in their bodies.

Mr. EASTLAND. The South was defeated by starvation, and not by force of arms.

Mr. STEWART. The historians have written many stories about that situation. What the Senator has said is, I think, true. The South was unable to obtain supplies. The point which I was trying to make was that since those days the people of the South have struggled with the race problem. The whites and blacks struggled together and lived in days when neither of them had enough cornmeal to assure a respectable and decent repast.

They have lived together throughout the years. I am speaking of a period of three-quarters of a century or more, and in that period of time they have made progress of which I am proud, and of which the black man in the South is proud, notwithstanding the infamous

falsehoods the Communists have stated to the contrary.

Mr. EASTLAND. I wish to invite the attention of the Senator to section 3, page 2, of Senate bill 101. The Senator will note that the section provides:

It shall be an unfair employment practice for any employer within the scope of this act—

(1) to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry.

The question I wish to ask the distinguished Senator is this: Let us assume a business with 2,000 white employees and 500 Negro employees which I do not think is an extreme illustration. Suppose a white worker and a Negro worker, both of whom have the same qualifications, apply for the same job. The employer takes this position, "I have 500 Negroes employed, and that is one-fifth of my employees. That is a greater proportion than the sum total of the Negro population bears to the whole population of the country. Therefore I am going to hire the white man and not hire the Negro." He is refusing to hire the Negro because of his race. Does not the Senator believe he would then be guilty of discrimination, under the proposed law?

Mr. STEWART. As I construe the bill, the matter would be entirely in the discretion of the Commission that is to be set up.

Mr. EASTLAND. He would be guilty.

Mr. STEWART. They could hold him guilty on the ground that he had discriminated against a member of a minority race.

Mr. EASTLAND. If he refused to hire the man because he was a Negro, then he would be guilty, under the proposed law. I think the Senator will agree with me in that.

Mr. STEWART. I think that is true.

Mr. EASTLAND. Then does not that constitute a preference for the colored worker over the white worker?

Mr. STEWART. Preference is given throughout the bill to all minority groups. The result is that it gives minority groups control of industry in this country, to the exclusion of majority groups. There can be no question about that.

Mr. EASTLAND. The bill is not limited to minority groups. Suppose an employer should say, "I have four or five other white workers, and therefore I will give this job to a Negro, and not to a white man." Then he would be discriminating against the white man because of his race and because of his color.

Mr. STEWART. But he would not have violated any law.

Mr. EASTLAND. He would be violating the proposed law.

Mr. STEWART. He would not be violating the proposed law by discriminating against the white man if the white man belonged to a majority group, because the majority is not protected by the bill.

Mr. EASTLAND. I call the Senator's attention to the fact that to refuse to hire any person because of such person's "race, creed, color, national origin, or ancestry" is violative of the measure. The point is, does not the Senator think that either position the employer takes he is liable, under the proposed law, and can be prosecuted?

Mr. STEWART. I see the Senator's point. That might be correct. After all, it is up to the Commission to be set up by the bill to determine that question.

Mr. EASTLAND. But, as a matter of fact, if the employer took that position, he would violate the law.

Mr. STEWART. An employer cannot make any decision at all without violating it.

Mr. EASTLAND. The point is that under the bill all industry in this country will be nationalized, and we will have bureaucratic control of the whole economic life of the United States.

Mr. STEWART. There is no doubt about that. The Senator's conclusion is absolutely correct. In common parlance, we might say that the Senator is "as right as rain."

Mr. President, I may say, as has been stated by other Senators during the course of the debate, and as has been stated on the floor in similar debate scores of times, we of the South are solving our race problems, and solving them to the satisfaction of all those who are concerned. When I say those who are concerned, I do not mean communistic busybodies who are in other parts of the country, who are not close to the problem, and know nothing about it, but I mean those who are directly concerned. Of course, I mean the white man and the black man in the South.

Anyone interested honestly and sincerely in the solution of this problem will admit that we have made more progress in the South in the past quarter of a century than in any other comparable period of time. Every observer must know that the bill we are considering does raise the race question. That is precisely what it does, and no doubt that is the purpose for which it was designed. This statement of mine is not an original thought or idea; it has been repeatedly said on the floor of the Senate that the race question is raised by such proposals.

As I have said, we have made progress in settling the problems of race differences in the South. Speaking of race conditions, I naturally speak of the white and black races, because they predominate in the South.

Mr. President, I know, as does everyone else familiar with the situation in the South, as well as in other States of the Union, that conditions are not perfect. But who can say that perfection can be obtained by this iniquitous, unfair, utterly dishonest measure, Senate bill 101? I know that conditions never have been and probably never will be perfect, insofar as the solution of the race problem is concerned, not only in the South but in all sections of the country and of the world. But I know, or at least I believe, that, so far as we are concerned, we can and will settle the question among ourselves in the South with as nearly a perfect score as might be or could be expected. I think that, as a matter of fact, we can and will solve it among ourselves in the Southern States even better than other sections of the country are at the moment attempting to work out similar problems.

The southern white man and the southern black man are friends, and they will remain friends so long as they are left alone to work out their own destinies without "kibitzing" agitators from the outside who come in and attempt to stir up strife by pressing for the passage of laws such as the iniquitous bill now being considered.

Mr. President, this matter actually has possibilities of bringing serious trouble and unrest to one of the greatest sections of this country. The southern Negro is not as ill-content and unhappy as some people pretend he is. The southern Negroes have schools, and each year sees more and more of them built. They have schools and are educating their children, and progress is being made in this field.

Their freedom to work and earn their own way has not been denied. They own property, and the laws of the States protect them, just as they protect others.

The colored man is an ambitious person, he desires to go forward. He likes to see his children go to a good school. He wants them educated, and I glory in his ambition in that regard.

We in the Southern States are giving the Negroes all the aid humanly possible for us to give. The South, a bare 10 years ago, or less than that, perhaps was found to be the "Nation's economic problem No. 1." We have had less money in the South since the days of the War Between the States, than those of other sections of the country have had. The white people, as well as the blacks, have been poorer, and have had to struggle along.

Mr. JOHNSTON of South Carolina. Mr. President——

The PRESIDING OFFICER (Mr. O'DANIEL in the chair). Does the Senator from Tennessee yield to the Senator from South Carolina?

Mr. STEWART. I yield for a question.

Mr. JOHNSTON of South Carolina. I should like to ask the Senator whether, as has been stated a great many times in the newspapers, only the South is fighting this particular bill before the Senate in the discussion of what is commonly known as the FEPC.

Mr. STEWART. That has been stated, but it is not a correct statement. There is plenty of sympathy in other sections.

Mr. JOHNSTON of South Carolina. I wish to read from the Washington Post of February 1, a letter written by Robert White, Jr. The heading is FEPC. I want the Senator to listen to this and to answer the question whether or not we find people in the North probably taking the same view the Senator and I have taken. The letter reads:

FEPC

In your editorial columns and in letters to editor in re FEPC one point seems to be overlooked. The assumption seems to be that objection to FEPC is exclusively southern. That is an error. The clearest and sanest objection that has met my eye is a letter from the Chamber of Commerce of Boston, Mass., urging the State legislature not to let the action of New York stampede them into putting teeth into an act so stupid. This

was followed by a similar action by the C. of C. of Cleveland, Ohio.

The three main points were:

1. It destroys a valuable mainspring of industry called crudely the freedom to hire and fire.

2. It penalizes an employer for prejudices which may not be his. (Be he ever so broad-minded, if his other employees or his customers find some persons of other races or religions uncongenial, they can quit and leave Mr. Employer with the empty bag to hold.)

3. The essence of FEPC involves motive, and that is not so easy to pin on a man. (Motives are seldom simple. Most of them are a composite or compromise of several impulses.)

Prohibition would probably have been a howling success in a nation of law-abiding folk addicted to abstinence. The scheme of making the American people become temperate by law didn't seem to work out that way. It would be grand if our United Nations delegates could stand up and tell the world, "Let us show you how we did it in the United States of America. Just pass a law." If they do, it would be better for the world to look before we pass FEPC.

ROBERT WHITE, Jr.

That letter was published in the Washington Post of February 1, 1946. After having heard me read the letter, would the Senator say the contention that this fight is made only by southerners is true or is not true?

Mr. STEWART. Of course, the Senator knows, as I do, that similar legislation has been submitted to 20 States in the Union, and that only two have passed such legislation, and that not a single Southern State has done so.

Mr. JOHNSTON of South Carolina. Of course, the Senafor from Tennessee and I know that the bill will never come to a vote, but assuming it should come to a vote, does the Senator think the proponents of the bill would vote for an amendment like this:

Provided, That before this legislation shall become effective in any firm or corporation by which more than six persons are employed, the majority of the employees shall first vote in favor of putting this law into effect.

Does the Senator think the proponents of the bill would vote for such an amendment?

Mr. STEWART. I doubt it very much.

Mr. JOHNSTON of South Carolina. I am sure the proponents of the bill would not give the majority of employees of a corporation or firm employing more than six the opportunity to decide the practice they wanted applied in that firm or corporation.

Mr. STEWART. I would have serious doubt as to whether they would. Of course, in order to obtain proper and correct information the Senator will have to ask the question of someone who is for the bill. I am against it. But I do not believe such an amendment would get anywhere. I doubt very much if it would. I thank the Senator for his contribution.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. CHAVEZ. Of course, if the bill is worth while it should be effective. All laws are passed for the purpose of being effective. When Congress passed the draft law, the selective-service law, did it place in that law a proviso to this effect:

Young men from Tennessee or New Mexico, we will draft you provided you are willing to go to Europe.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator permit me to answer that question?

Mr. STEWART. Is the Senator from New Mexico willing that I yield to the Senator from South Carolina for the purpose of making response?

Mr. CHAVEZ. I shall be glad to have the Senator from South Carolina answer.

Mr. JOHNSTON of South Carolina. I have heard a similar question asked time and again on the Senate floor.

Mr. CHAVEZ. It is a good question.

Mr. JOHNSTON of South Carolina. When the boys, both white and colored, went into the service they realized and understood the conditions existing in the United States at that time. For the information of the Senator I will say that in the First World War I spent 18 months on the battlefields in France, and I was in Germany also. I expected to return to this country when the war was over and find it as it was when I left, with every employer having the right to hire the man he thought would fit into his organization or business, and not be jeopardized by having to take someone into his organization who might stir up strife and discontent and probably force his business into bankruptcy.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. STEWART. I yield to the Senator from New Mexico.

Mr. CHAVEZ. If an American boy, black or white, whatever his ancestry may have been, is good enough to hit the beaches to fight for his country, why should we not pass a law which will protect him against discrimination in employment, and provide a certain measure of decency in connection with his employment?

Mr. JOHNSTON of South Carolina. I am against discrimination, but that is not what the bill sponsored by the Senator from New Mexico deals with. This bill would set up a national agency which would be a virtual dictator in the United States, which could say whom I can hire, whom I can advance in pay and and whom I may discharge from my employment, provided I employ six or more persons. The bill affects interstate commerce, as the Senator knows.

Mr. CHAVEZ. Mr. President, I respect the opinions of the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. What does the bill cover? What does it provide?

Mr. CHAVEZ. It does not provide for any such thing as the Senator said.

Mr. JOHNSTON of South Carolina. What does it provide then?

Mr. CHAVEZ. No company is obliged or compelled to employ anyone, not a soul, whether he be black, white, a Jew, or of any other nationality. It says that if a man is qualified he should not be turned down for employment because of race, creed, color, or national origin.

Mr. JOHNSTON of South Carolina. I will say to the Senator that I am not in favor of giving an alien a right over the returned American soldier, whether he be white or black. I do not want to give an alien a right over the returning soldier so he can walk into an employer's office and say, "You must hire me because I am competent to do the job"; and then the soldier boy may walk in and find he cannot get the job, whether he be white or black, simply because the alien had gotten it before he did. Under this bill such a thing could happen. If the Senator will read the bill carefully he will see that what I say is true. It penalizes the returned soldier.

Mr. STEWART. Mr. President, I make this observation, which pertains to my speech: The arguments presented by both the Senator from South Carolina and the Senator from New Mexico are effective and worth while. The Senator from New Mexico said that no man is asked what his race or color is when he goes to war. Men are drafted on an equal basis. Both the statements made by the Senator from New Mexico and the reply made by the Senator from South Carolina are full of good sense and good logic.

Mr. President, my position with respect to this bill is that I have not yet seen any need for such legislation. Certainly there has been no convincing proof of the need for it presented at the hearings which were held. I did not attend the hearings, but, from what I understand, they were—I shall not say farcical, but they were at least one-sided. I heard the statement made the other day that the bill was brought to the floor with the thought that debate which might be indulged in on the floor by Senators might be used as a sort of substitute for the hearings. In other words, that the subject might be aired on the floor of the Senate. I think it has had a pretty good airing, and I think it will get a good deal more before the debate is concluded.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield for a question?

Mr. STEWART. I yield for a question.

Mr. JOHNSTON of South Carolina. For the information of the Senator, I will say that I noticed that when a similar bill was introduced in the House it was rushed in that body. The bill was introduced on January 16 and reported to the floor on January 21. It was considered in committee during a week end. I do not know whether or not any hearings were held by the House committee, but the interval between introduction and report of the bill shows that it was rushed in the House. I am a member of the Commitee on Education and Labor, and I shall be frank with the Senator and say that no worth-while hearings were had on the pending bill before it was reported to the Senate.

Mr. STEWART. I understand the hearings were rather meager, indefinite, and uncertain. I have heard language of that kind used in respect to what was done.

Mr. President, the people who are behind and who have agitated this vicious

proposal will be responsible for whatever strife it stirs up. There is, I repeat, no demand in the South for this character of legislation. I have been wondering what percentage of the so-called minorities of the country, which the bill purports to aid, actually want it. The adoption of the bill will create but one more bureau or commission to propagate discord.

The unfriendly feelings which it will engender will be much worse and more lasting than any alleged discrimination which the sponsors of the bill claim has been practiced. The remedy is far worse than the alleged disease which it is proposed to cure. It will bring snoopers and busybodies, smellers and agitators, alleged do gooders, and troublemakers into every phase of American life, not only in my southland, but in the North, East, and the West as well.

How long can this country, which was built to its present greatness on individual enterprise and initiative and know-how, weather such asinine foolishness? A return to understandings and good will on the part of the people as a whole, certainly cannot be expedited by such proposals as are contained in this ill-considered and infamous S. 101.

The report of the Committee on Education and Labor as one of the reasons for the necessity for passing this legislation declares, naively, that it is "to confound our enemies who hope to divide us class by class, race by race, group by group, to vitiate the victory that is at hand and to lay the basis for World War III."

We are asked to pass this bill so that our enemies overseas will not think that we are split up and divided. If I were making a stump speech to a crowd I could think of a good word to say right there.

In all fairness, Mr. President, I cannot conceive of anything that would create greater unrest and division in our economic, social, and business life than the passage of this foul-smelling legislation. It has the potentialities not only for breeding but fostering discord and dissatisfaction to their fullest growth. It should be apparent that we cannot regulate ideas in this respect, nor can we continue to aid in the growth of this country and the fullness of employment by compulsion and force such as are proposed in this bill.

Who really wants the bill? Who with real sincerity has asked for it? Was it requested in the interest of furthering understanding, harmony, and better relations? Who wants the bill? Is it folly to say, Mr. President, that understanding and tolerance cannot be promulgated by legislative decree?

Why was it brought up at this time, and why is an attempt being made to cram this thing down our unreceptive throats? I ask why because I wish to know. I ask why because I also wish to know whether it is more important to consider this bill, and consume 2 or 3 months in debating it in the Senate, than to consider other measures which are vitally important. Let us ask a few questions along that line.

Is it more important to consider this bill, which every one knows would serve only to provoke distress, promote discord, and, in common parlance, bring trouble, than it is to consider bringing home from overseas the fathers of 1,000,000 children? Is it more important to consider this bill than to consider bringing home from overseas other soldiers who are long since war weary? Is it more important than bringing home hundreds of thousands of veterans who have served their country long and well? Is this bill considered more important than restoring to their homes men who deserve to be returned, and whose return is highly desirable and will do much to bolster American morale?

Mr. President, I believe that the Congress is approaching the point where it is about to neglect its duty to servicemen who are entitled to be discharged and brought home now. I might add, as a precaution, that I do not wish to be misunderstood, nor do I intend to say that the duty of our Government overseas has been neglected in any sense, or should be neglected. However, I mean to emphasize the importance of returning the father to the child whom he has never seen, and the son to his mother whose face he has not gazed upon for years. But we cannot do that. We cannot have any legislation for that purpose, because we must mess around with this stinking FEPC bill. We cannot send overseas to bring back the boys who are praying to Almighty God to see the faces of mothers that they have not gazed upon in years. No. The Senate cannot pass such legislation as that. The boys over there, both black and white, cannot receive the attention we ought to be giving them, for the reason that we have serious domestic troubles to which we must give attention.

My good friend from Louisiana [Mr. OVERTON] sits on my right. I say to him that I venture the assertion that there is not one-tenth of 1 percent of cases of abuse in employment in the entire United States, if the God's truth were known.

This bill is a falsehood within itself. It stands upon a foundation which will not support it. It is an iniquitous falsehood from beginning to end. Listen to the preamble—or whatever it is—in section 1:

The Congress finds—

If we pass this bill, let me say to the Senator from South Carolina [Mr. JOHNSTON], who sits at my left, and with whom I have engaged in colloquy today, we must find—

that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production, endangers the national security and the general welfare, and adversely affects commerce.

After reading that, one would think that the sun would not rise in the morning if we did not pass the bill; that a Joshua would point to the sun and moon and say "Hold it," while the old earth trembled and froze again. One would think that if we did not pass the bill at once this country would go to hell on a bobsled. Do Senators subscribe to any such stuff as that? There is not a single word of it that is true. It is false.

It is said that the national security is endangered. How is the national security endangered? What has happened that makes us afraid of something from outside? What is it that endangers the national security? It is said that because we will not pass the FEPC bill the national security is endangered. How? Have Senators read the hearings which were held on this bill? There were practically no hearings. I have heard of only very meager ones.

It is said that commerce is adversely affected. How is commerce adversely affected? I should like to know what is meant by all these statements. If we pass this bill we say that all the conditions which are enumerated in section 1 actually exist in this country—that commerce is adversely affected, that the national security is endangered, and that we are on the broad highway which leads to another land.

I was asking whether it is more important to return the boys from overseas than it is to consider this bill. Let us talk some more about that and other questions.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. STEWART. I yield for a question.

Mr. OVERTON. Before the Senator reaches another point, recurring to section 1 of the bill, which he has just read to the Senate and which declares that—

The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry foments domestic strife and unrest.

I ask the Senator whether he knows of any domestic strife which has been fomented by reason of a denial of employment in the United States to any person because of race, creed, color, national origin, or ancestry?

Mr. STEWART. Mr. President, I can truthfully say "No." I know of absolutely none. A moment ago I prefaced my remarks with the statement that I knew of no such practices as are described in section 1 of the bill. If we pass the bill, we declare that such practices exist. I know of no such practices; and I made the statement that I ventured the assertion that there was not one-tenth of 1 percent of abuse in industrial employment, which this bill would be presumed to cure.

Mr. OVERTON. Is it not true, so far as labor is concerned, that the only domestic strife and unrest of any magnitude which prevails in this country is represented by numerous strikes?

Mr. STEWART. The Senator is correct.

Mr. OVERTON. I ask the Senator whether those strikes find their origin in the fact that employment has been denied to Negroes, Jews, or foreigners. Is that the cause of the strikes?

Mr. STEWART. I was coming to that question. If it is, who knows it? It was not presented at the hearings.

Mr. OVERTON. As a matter of fact, there is no relation whatsoever between the existing strikes and denial of employment to Negroes and others because

of race, creed, color, national origin, or ancestry.

Mr. STEWART If there is a single strike in any line of industry or elsewhere that can be attributed to any of the things mentioned in this bill, I do not know it. Strikes do not exist because anyone has been denied equal opportunity in employment, or because anyone has been discriminated against because of race, creed, or color.

Mr. OVERTON. If the bill were enacted into law, an employer would be required to employ a person, whether he were a citizen of the United States or not, and could not deny such employment because of race, creed, color, national origin, or ancestry. He would have to employ him. If that person were not affiliated with the union which dominated labor at the particular plant or in the particular industry, does not the Senator think that if the proposed law were enforced it would be very likely to foment strife and unrest, and bring on strikes in this country?

Mr. STEWART. I think it would be the beginning of an era the like of which we have never seen. There would be more trouble and discord. I have repeatedly stated that the bill would foment trouble and discord. That is all it is fit for.

Mr. OVERTON. Can the Senator understand why it is that organized labor of any kind—either the CIO or the A. F. of L.—should be undertaking to aid in the passage of a bill which would require the breaking up of the open shop? It would require an employer to hire any person, and would prohibit the employer from denying employment to any person because of his race, color, or creed.

Mr. STEWART. No; I cannot understand it. It is beyond me.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. STEWART. I yield to the Senator from Mississippi for a question.

Mr. EASTLAND. The Senator from Tennessee has read the committee hearings, I am sure. In those hearings was there any proof that the practices against which this bill seeks to legislate have fomented domestic strife and unrest in this country?

Mr. STEWART. I am sorry to say that I have not read the committee hearings. I have been told in substance what occurred before the committee, but I have not read the hearings.

Mr. EASTLAND. I will tell the distinguished Senator that there was utterly no proof that the practices, the occurrence of which on a large scale in the United States this bill attempts to prevent, are existing on a scale of sufficient size to justify or require legislation by the Congress.

Mr. STEWART. I had so understood. I understood there was no proof of that at all. In other words, to that extent the report is more or less manufactured, I take it.

Mr. President, is it more important for us to spend our time in the greatest deliberative body in the world dilly-dallying over an FEPC proposal that very few have asked for and nobody needs than it is to undertake to press for the solution of the problem of the atomic bomb and atomic research, for instance? The advent of the atomic bomb has created a situation unparalleled in this world. The idea of the harnessing of atomic energy for a destructive force in war was developed in the United States of America, at the cost of over $2,000,000,000 of American money.

Indeed, this development was created within the confines of my own State of Tennessee, where a great plant now stands and is still operating, although its future hangs in the balance. Is it more important to be giving time to consideration of a puny purpose when there hangs in the balance perhaps the question of interminable delay in the development of peacetime uses of this newly discovered energy?

Hundreds of scientists are awaiting the word to start research which will lead us far beyond the dreams of man. But the word has not come. It is caught up in the endless babble of many voices. Is it more important to be giving consideration here today to a thing which will make man hate man and which will cause strife and discontent so long as man lives and breathes than it is to press for consideration of such problems as atomic energy?

Is it more important to give consideration to the establishment of a commission which would be authorized to violate every right, privilege, and guaranty which American has not only enjoyed for more than 150 years but for which her sons have fought many wars, and under which this country has become great, than it is to be weighing the real vital problems which face us? Is it more important, I ask, to spend our time considering an iniquitous piece of legislation which will repeal almost in toto our Constitution when there are still unsettled in this country—and crying out loud for prompt consideration—domestic problems such as the strikes which have seized and paralyzed industry, strikes which cause men and women to do without food and other necessities of life, strikes which were not brought about by any of the discriminations referred to in this proposed legislation? Is it more important to continue to talk about this iniquitous piece of perfidy—Senate bill 101—than it is to attempt to solve the problem of the housing of returned veterans—veterans who but a few months ago were sacrificing themselves upon every battle front in the universe, veterans from the East, West, North, and South, veterans who carried the battle to the enemy, and who have, by the grace of our great God, returned home victorious?

Is it more important that we undertake to devise some manner and method by which minority groups might overrun and override and abuse majority groups rather than to give consideration to the problem of reconversion of industry, for instance, in our own country?

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. STEWART. I yield for a question.

Mr. JOHNSTON of South Carolina. I should like to ask the Senator from Tennessee whether it is true that at the present time we need to have a great many amendments made to the GI bill of rights, in order to give the veterans the rights they were intended to have in the beginning?

Mr. STEWART. I think there is only one part of the GI bill of rights which is working in a practical way, and that is the provisions to enable the boys to continue with their schooling. The GI bill of rights certainly needs many amendments.

Mr. JOHNSTON of South Carolina. I hold in my hand a concurrent resolution adopted by the General Assembly of South Carolina. It reads as follows:

> Concurrent resolution requesting the Congress of the United States to pass necessary amendments to the GI bill of rights whereby veterans in accredited schools shall receive monthly benefits for each calendar month until their graduation or severance from said school
>
> Whereas under the present GI bill of rights veterans who are students in accredited schools only receive benefits for themselves and their dependents during the actual school term; and
>
> Whereas these veterans have no opportunity to earn a decent livelihood during their vacation period; and
>
> Whereas the housing situation is so acute that married veterans are unable to change their residence after entering the school: Now, therefore, be it
>
> *Resolved by the house of representatives (the senate concurring)*, That it is the sense of the General Assembly of South Carolina that Congress be and the same is hereby memorialized to effect immediate amendments to the GI bill of rights so that all veterans who matriculate in institutions accredited by the Veterans' Administration shall receive monthly benefits for themselves and, in those cases where they have dependents, for such dependents, for each and every calendar month until their graduation from such accredited institution or school, or until they sever their connection with such institution or school by ceasing to be students of the same; be it further
>
> *Resolved*, That a copy of this resolution be sent to each of the Representatives in Congress from South Carolina, the President of the Senate of the United States, the chairman of the Judiciary Committee, and the Military Affairs Committee of the United States Senate to the Speaker of the House of Representatives and a copy to the Judiciary Committee and Military Affairs Committee of the House of Representatives and a copy to the Veterans' Administration.

Does not that show that the General Assembly of South Carolina believes there is need for amendments to the GI bill of rights?

Mr. STEWART. It shows that today the need for amendment of that law is quite acute. A similar concurrent resolution or petition might have come from the legislature of any other State of the Union. But suppose the Congress desires to have amendments made to the GI bill of rights; what possibility of it is there now?

Mr. JOHNSTON of South Carolina. It simply shows that under the present situation no such amendments can be made. We can attempt to submit them or to submit other remedial legislation, as we have done many times during this

debate, but one Senator can object and can thus prevent the submission or introduction of such measures. Therefore, all legislation is tied up here.

Mr. STEWART. Suppose the Senator from South Carolina had introduced such legislation and suppose it had gone through all the channels and had observed all the rules and protocol, and so forth, and was on the calendar, next in line; how could it be brought up?

Mr. JOHNSTON of South Carolina. It could not be brought up, under the situation presently existing in the Senate.

Mr. STEWART. That is correct.

Mr. JOHNSTON of South Carolina. I personally lay the blame on those who brought up the FEPC bill, because they knew it would cause extended debate for days and days, and probably for months.

Mr. STEWART. Certainly.

Mr. President, is it more important to be giving consideration to this FEPC legislation, which will only produce strife and discord, than it is to be giving consideration for instance, to world peace, at a time when commissions representing all governments in the land have gathered upon foreign soil for the purpose of working out a plan which will guarantee to the world eternal peace—not merely a plan which will give minority groups equal treatment, but one which will give all groups and governments final and complete protection.

Is is more important to be spending our time on the Senate floor in a so-called filibuster which has been forced upon us at the insistence of unreasonable minority groups who no doubt are undertaking to bring political pressure upon the Senators from their States, than to to be giving thought and attention for instance to the building, throughout the country, of schools and roads—not only roads for the benefit of transcontinental travel, but rural roads which are so seriously needed in so many States of the Union?

Is it more important to be spending our time, day after day, week after week, on this political measure which has been forced upon the Senate by pressure from a small segment of minorities in the United States, than it is to be giving attention to the surplus-property problems with which we have been shadow-boxing for a year? Is it more important, I ask, to continue the debate we are engaged in so that a few Communists who have been sitting in the galleries may be entertained, than it is to give consideration to the passage of a real law which will guarantee to every veteran in the country, and especially the small businessmen, the opportunity to purchase billions of dollars worth of surplus property which has been playing hide-and-seek all over the world since even before the war came to an end?

I speak of surplus property. I have spoken of surplus property many times on this floor and elsewhere. I have made the statement in this Chamber that the solution of the surplus-property problem lies with this administration and with Congress. I have also made the statement that it is within the bounds of a possibility for the surplus-property problem to create a stench greater than that of the famed Teapot Dome, which also followed shortly after a great world war. Let us talk about surplus property for a moment. What is happening in that respect? Who knows? Is anyone willing to stand up and give evidence of the kind and character of surplus property secrets? What has become of it?

Mr. EASTLAND. Mr. President, does not the Senator from Tennessee believe that veterans are being treated outrageously with regard to the way in which they are being allowed to obtain surplus Government properties?

Mr. STEWART. Yes. I will pay my respects to that subject within a few minutes.

Mr. EASTLAND. They receive what may properly be referred to as a license to go all over the country hunting for surplus property, and to be turned down by one bureaucrat after another.

Mr. STEWART. They do not receive anything. All they receive is a fishing license. They go on fishing expeditions and they do not come back with even a minnow.

Mr. JOHNSTON of South Carolina. Mr. President, how many discharged soldiers has the Senate heard of who have been able even to buy an automobile through the officials handling surplus property?

Mr. STEWART. Not any. I have heard—it is based only on hearsay—that a certain discharged soldier obtained a jeep, which had only three wheels.

Mr. President, I wish to discuss further the subject of surplus property. Approximately 6 months ago I said in this Chamber that there was grave danger that the surplus-property problem would create a stench greater than the stench which was created by the Teapot Dome scandal.

Mr. EASTLAND. Does the Senator from Tennessee believe that the proponents of the pending bill have prevented the Senate from considering legislation designed to rectify the situation to which he has referred, and make it possible for veterans to obtain surplus property?

Mr. STEWART. The Senate has been required to give so much attention to the iniquitous measure now pending before us that the Members of the Senate have had no time in which to give consideration to any other bill.

Mr. EASTLAND. And the responsibility for that situation lies on the shoulders of the sponsors of Senate bill 101, does it not?

Mr. STEWART. Yes; the responsibility rests upon their shoulders. Some of us are fighting because we feel compelled to prevent so far as we can the creation in this country of a bureaucracy such as would be created if the pending bill should become a law. Under the bill the Commission, with its headquarters in Washington, could judge the case of any person against whom it brought charges, for example, a person living in Mississippi, and arrive at a decision in Washington. A representative of the Commission could gather evidence, snoop around an individual's private files, obtain information and perhaps falsify it. Will Senators, and especially the proponents of the bill, tell me that a situation of that kind would not cause trouble? I assert that it would, and because of it some of us are fighting to defend ourselves.

Mr. EASTLAND. As I understand the distinguished Senator from Tennessee, he believes that the passage of Senate bill 101 would destroy American institutions and our system of government.

Mr. STEWART. It would do more than that. It would foment strife and revolution in this country.

Mr. EASTLAND. The Senator knows that it required several years of bloodshed and revolution to set free the American people. Several years of experiment were required under the Articles of Confederation before our forefathers obtained sufficient experience to write the American Constitution. It required months and months for a constitutional convention to devise that great document. Yet here we are in the Senate of the United States, in the year 1946, being asked to destroy our Government and its institutions within a period of a few days. Does not the Senator believe that conditions have arrived at a low ebb in this country when a bill so revolutionary as the pending bill could secure what has been stated to be a majority vote of this body, thus forcing men who love their country and the American Constitution to resort to dilatory tactics in order to defeat it?

Mr. STEWART. I do not know, but in my mind there is no doubt that the group which has been fighting in an attempt to prevent the passage of this bill is rendering to their country a definite service.

Mr. EASTLAND. Does the Senator know that the day this bill was taken up its sponsor the Senator from New Mexico [Mr. CHAVEZ] urged that the bill be passed that day?

Mr. STEWART. But the bill was not passed that day.

Mr. EASTLAND. And that he urged the passage of a bill which would ultimately destroy this country? Does not the Senator believe that other Senators from Southern States are performing a great service to all the people of America by preventing the passage of such an iniquitous, revolutionary, and communistic piece of legislation as is the pending bill?

Mr. STEWART. They are probably saving the country.

Mr. President, let us recur to the question of surplus property. I cannot allow the subject to pass without referring to it. Let us see what has happened to surplus property. Who knows what has happened to it? Does any Senator present know what has happened to it? May we have just little inkling of what has taken place, I do not know anything about it.

Mr. EASTLAND. I know that everybody, except the veterans, is obtaining surplus Government property.

Mr. STEWART. I have not seen any person who has received very much surplus property, and I know that veterans are not receiving any whatever.

Mr. EASTLAND. I know of some business organizations which have received

surplus property. I know of men who have received surplus property who were never in the armed forces. I have not yet seen a veteran who ever received any surplus property.

Mr. STEWART. I do not believe I can cite any person except the one to whom I referred who obtained a three-wheeled jeep. I suppose that jeep is hobbling along as best it can.

Mr. President, I have been interested in the subject of surplus property because of my connection with the original legislation on the subject, and my connection with the Small Business Committee. A year ago I introduced a bill which would provide for a central body to have authority over the matter, and which would require an over-all inventory to be made. I have been concerned with the matter for a long time.

A while ago I asked a Senator what had become of surplus property. Allow me to relate two or three occurrences. I live near Camp Forrest and I was told recently while I was in Tennessee that a surplus-property sale had been advertised at Camp Forrest.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. JOHNSTON of South Carolina. I know that the Senator from Tennessee is very much interested in this subject. Every other Senator with whom I have talked seems to be worried about what may happen to Government surplus property.

Mr. STEWART. The dangerous aspect of the situation is that what is to happen has possibly already happened. I do not know.

Mr. JOHNSTON of South Carolina. Many people throughout the country wish to obtain Government surplus property. Much of it is slipping through their hands in one way or another and is going, perhaps, to those whom we did not wish to obtain it. It is time we were spending our time on the problem instead of spending so much of our time on the FEPC bill.

Mr. STEWART. The Senator is entirely correct.

Mr. JOHNSTON of South Carolina. I hold in my hand a resolution adopted by the Senate of South Carolina urging me to do what I can to prevent the passage of the FEPC bill, and even do away with the Executive order creating the present Committee on Fair Employment Practice.

Mr. STEWART. All we can do is stand here and fight, because what good will surplus property do if the FEPC bill shall be enacted?

Mr. JOHNSTON of South Carolina. It will not do a bit of good.

Mr. STEWART. I was about to relate an occurrence having to do with surplus property. I live near Camp Forrest, in Tennessee, which was rather a large camp during the war. I was told just before the holidays that a surplus-property sale was advertised to be held at Camp Forrest. I do not know how many veterans attended the sale. Some estimated the crowd at perhaps three or four hundred. Veterans came from nearby towns; indeed some came from other States.

On arriving at Camp Forrest they were told that the property which had been advertised for sale on the day they attended had already been sold the day before. They were just a day late. They were all veterans, they had the certificates which they thought entitled them to preference; but the surplus property was gone. I have gotten the names of some 50 or 60 of those young men and have written letters to them to ascertain the correctness of the statement I have just repeated. I got the names only recently, and have not had time to get the actual truth about the matter. The story that was given to me was that they held quite an indignation meeting. Someone got up on a box and said, "All you boys come here and let us talk about this. We came here in response to an advertisement that surplus property would be sold, trucks, jeeps, and so forth. It has all been sold already. It was sold yesterday." They could not understand it. That is the way things seem to happen to the veterans and to the small businessman. They arrive either too late or with too little.

I might explain here what I mean by "too little," and in doing so I have but to refer to the story which I told on the floor of the Senate a few weeks ago of a young sailor, whose name I will furnish if necessary, for he has since been discharged from the service. He wanted to purchase a jeep which had been advertised at a place near Washington, as I recall. He was told that he could not purchase just one jeep, because they were selling them in blocks of 30. Of course this youngster did not have enough money to purchase 30 jeeps, but he might have bought one. He was not "too late," but he had "too little."

On the front page of the Washington Post a few days ago there appeared a story involving a captain who had served his country in World War I, and had just been discharged from service in World War II. He lived at Harpers Ferry, W. Va., and his desire was to resume a business in which he had previously been engaged, which required the use of a truck. He had a veteran's preference and made application for the truck late in September or early October, but just before Christmas had not gotten it. In the meantime the captain had been pushed around from pillar to post in the well-known game of hide and seek which the surplus-property experts seem to be playing, until he had worn himself out, and had reached such a point that he was ready to give up in his effort to purchase one truck out of the millions the Government has for sale.

He said that he first went to the Department of Commerce and was referred to eight different individuals before he finally found a man who knew anything about surplus trucks. This man was out of town that day, but an obliging and courteous secretary gave the captain an armful of blanks to fill out. He carried the blanks home with him, and, with the aid of members of his family, attempted to execute them.

The next day he returned to the office of the man who had been absent from his office on the occasion of the first visit, and found him at his desk. The man examined the blanks which had been given the captain the day before, and said, "These blanks are now obsolete; you will have to fill out some others." Patiently, painstakingly, and, shall I say, hopefully, this man, who had served his country in two wars and wanted to serve his country as a small businessman, had to start all over again. The story of how he was treated is positively revolting. I do not know whether he has yet gotten his truck. I have not inquired within the past 30 or 40 days. It is probably a little too early yet for me to make inquiry, but perhaps I shall do so sometime this spring or maybe in the summer. I think, however, I should ask him only for a progress report.

These stories tell things that we hear almost every day about surplus property. Something is happening in this surplus-property situation. I don't know what it is and nobody else knows, but when the time comes to check up and when an investigation is held, I believe there will be uncovered things which will shock the conscience of even the communistic groups which have been pressing their representatives in connection with this FEPC bill.

I have introduced legislation covering the surplus property question. I have sought from the very beginning to have one central control and authority for surplus property, and have the law amended so as to give the small businessman and the veteran an opportunity to be favored, but it has been impossible to accomplish this because the administration apparently has been and is more interested in controversial matters which sow the seed of discord and dissension among Americans of different nationalities.

I repeat, something is happening in the field of surplus property. Maybe speculators are purchasing this property. I believe that small businessmen and veterans are being purposely elbowed out of the picture every time they approach the scene of a sale. I do not know what is happening, but I fear the "sheep are in the meadow and the cows are in the corn."

I have said that the Communists are bethind this move and that the galleries have been filled with them ever since this debate started. At this point I want to read an editorial from the Memphis Commercial Appeal, one of the great newspapers of Tennessee and the South, which refers to this very subject. The editorial is as follows:

When New Mexico's Senator CHAVEZ called up the permanent fair employment practices bill the Senate gallery was filled with some 500 members of a delegation led by a New York Communist. He was Benjamin Davis, Negro Communist member of the New York City Council. The delegation represented 50 Communist-front organizations.

At a Washington rally held in conjunction with the delegation's appearance, Davis was fulsome in praise of all things Communist and caustically critical of all who oppose the effort to cram the FEPC measure down the national throat while the people are caught up in an economic revolution. American Communists are not interested in anything rightfully coming under the classification of fair practices. They are opportunists. Their

chief objective is to create dissension, and an enacted Fair Employment Practice Act would provide a means for spreading dissension. Discussion of the bill provides opportunity to further the same end.

A Communist, as a rule, is a no-good sort of a fellow. He will not work; he is an agitator. Who ever heard of a Communist actually doing a respectable day's work at anything except agitating? They are troublemakers; they go about mouthing, smelling, snooping; and they want everyone to be subservient to their desires and under their control and under the dominion of the ideas with which they undertake to permeate the atmosphere.

I continue reading from the editorial in the Memphis Commercial Appeal:

The pending FEPC bill, if passed, would have the opposite effect to what is intended, and its greatest ill effects would be felt in the very areas represented by its Senate supporters.

Those it is intended to help would be those most grievously injured by its enactment. This is one of the chief reasons why it is being so vigorously opposed by those who are more conscientious in their regard for the well-being of those it is intended to aid than are those who are supporting it. The only interest of a great many of the latter is self-interest in a senatorial election year.

The motive for Communist support and backing is part and parcel of an established pattern of political philosophy; and when any measure gets the quality of Communist support and the amount of Communist agitation for passage as the FEPC bill is getting, it becomes something for every honest American to examine closely.

The representatives of 50 Communist-front organizations who journeyed to Washington in behalf of FEPC have done the American people a great but unintended service. The identifying label they have pinned on that measure couldn't be misunderstood by anyone.

It will be noted that this editorial states that Benjamin Davis, a Negro Communist and a member of the New York City Council, was present with 500 other Communists from New York and that at the rally held in Washington for the benefit of those in attendance Davis praised all things communistic and criticized those who opposed FEPC.

Mr. President, do you want any more proof that this thing is being fostered, sponsored, and supported by Communists? If you do, let me turn to a letter written by a southern Negro and printed in the Newark (N. J.) Evening News under date of November 1, 1945, at a time when another race argument was being bandied about in the headlines throughout the country. This Negro's name is Charlie Lee White, and I read his letter in full:

This continual arguing back and forth about the DAR is so childish it seems to me that the real cause of all the trouble should be put before the people. The Communists in this part of the country have caused so much trouble and disagreement between the races it is about time we got after them and chased them out of the country so that we can plan a peaceful future.

In the first place, the Communists have been working for years to cause not only trouble between the North and the South, but to cause trouble between the races.

The whole organization is based on deceit. They have spurred the Negroes to demand things they sincerely do not want—such as moving into white neighborhoods, demanding entrance into white institutions, even intermarriage. This is not the Negro's idea of equal rights—that is, the intelligent Negro. I am a Negro with a college degree, and I most certainly want my race to have certain privileges, but being an intelligent person I certainly don't approve of the Communist propaganda which has fired the Negro's demands for such privileges to the point where he may marry with the white man.

I came north from Tennessee 14 years ago. My mother worked for a white family and helped raise their children. They paid her a reasonable salary and gave her an ideal home. I worked on this estate for several years before entering a Negro university. To this day I correspond with the family, and only deep devotion remains, though my mother died several years ago, and the entire family—the white family for which she worked—attended her funeral and wept for her.

I invite the attention of the Senator from Mississippi [Mr. EASTLAND] to the letter I am now reading, which is from a Negro who came north from Tennessee and entered a Negro university, because the Senator asked me whether the southern white man was a friend of the colored man.

Is there any such devotion in the East between the white man and his Negro help? There is not. Communism has destroyed all that is fine in these relationships. However, I would never even consider dining at the table with this fine white family, or even entering their church, for I would much rather be with my own people in a place exclusively for them. The Communist has done his best to try to make the less intelligent Negro think differently. He has encouraged him to demand entrance to white hotels, organizations, and I was told of a case where Negro girls entered a white beauty parlor and demanded service.

This makes me ashamed of my race, and no Negro with any intelligence would consider such things or be so impressed with Communist propaganda that he would be led to such actions. If we, as a race, are given good living conditions, a chance to make a decent living, and an opportunity to have our own clean hotels, hospitals with our own Negro staffs and nurses, our own churches and schools where our own teachers might teach, then and then only will we lick communism. Some of my dearest friends in the South are among white people, and I do not expect any Communist-contaminated Negro or white to understand this relationship. I have no enemies among the white men, and I have no desire to enter his institutions—hospitals, schools, etc.—but when that is the only decent place for me to go, what am I to do? There should be money to finance a Negro hospital with a Negro staff, especially when the number of Negroes in that city warrants an institution of their own. My children would be much happier in a school where only Negro children attended, and where only Negro teachers teach. That is all we ask.

That letter, as I stated just before the Senator came into the Chamber, was printed in the Newark (N. J.) Evening News when a race question was being agitated in October 1945. The letter is full of fine common sense and full of wonderful understanding and judgment.

Mr. EASTLAND. Mr. President——

The PRESIDING OFFICER (Mr. MCCLELLAN in the chair). Does the Senator from Tennessee yield to the Senator from Mississippi?

Mr. STEWART. Yes; I yield for a question.

Mr. EASTLAND. I agree with the Senator that the letter is very intelligently written and that what the writer says is correct. But is not the distinguished Senator afraid that he will be branded as a Fascist and a reactionary if he takes a stand here against racial amalgamation and social equality?

Mr. STEWART. I refer again to the letter. I think the intelligent and understanding people of the country agree with the sentiments expressed in the letter, and I believe they are in the majority. Of course, the minorities always make the loudest noise. I remember as a youngster when I was in grammar school a school teacher said, "Always remember that the empty wagon rattles louder as it goes down the road."

No, Mr. President; I have no fear. I do not care what the Communists think about me. What they think about me is not half so bad as what I think about them.

Mr. EASTLAND. Mr. President, will the Senator again yield for a question?

Mr. STEWART. Yes.

Mr. EASTLAND. Does not the distinguished Senator agree with me that we do not believe in the kind of democracy that the Communists and the radical left-wing group preach in this country?

Mr. STEWART. They do not preach democracy.

Mr. EASTLAND. They preach totalitarianism.

Mr. STEWART. They preach absolute Government control of everything. And they will not work. Did the Senator ever see one of them who worked?

Mr. EASTLAND. And here is a bill which is shot through with totalitarianism in every sentence.

Mr. STEWART. That is true. If bullets could be made out of totalitarianism, the bill could be shot at all day and there would be nothing left of it but holes.

The letter I have just read was written by a fine character who, by the way, is from my State of Tennessee. The Senator did not hear me say that. The writer speaks of the affection he has for the white family with which he lived, and how it continued through the years, and that he is still corresponding with them. I believe this letter has in it more genuine sense than any statement I have seen recently. There is no question that the writer is absolutely correct, and having been reared in the South he knows the problems that exist there. He has drawn, in this letter, a picture of the devotion and genuine affection that exists between the better elements of the two races. Each one respects the other and believes in the rights, privileges, duties, and responsibilities of the other.

The expression "equal rights" has been bandied about for many years. It has been talked of on many different occasions; occasions other than when race problems were being considered. People have been told throughout the land that they have a right to do this and they have the right to do the other and so on until many have been led to believe that they are not being given any rights of

any kind or character. That is the Communist method—"Demand your rights." But little thought is being given to the duties and responsibilities which citizens owe to the community in which they live; little thought is given to the duties and responsibilities owed to the Government which has protected us during the years. Little thought is being given to the duties to Government because people are constantly being told by political and communistic agents that they have rights! rights! rights! Have people become blind to their responsibilities toward their Government? But out of it all we have the letter from a colored man who recognizes his duties and responsibilities and who knows what the word "rights" means in a democracy.

I was surprised and disappointed that President Truman saw fit to recommend to the Congress in such strong terms the passage of this bill which, as I have repeatedly said, can do nothing but bring trouble to the American people. I was disappointed because there are so many other important matters to which we should be giving thought now. I was disappointed because I fear he is playing politics with a delicate matter of human rights and duties, a matter which involves complicated problems in a democracy of human relationship and association of different races which are now struggling to find a solution.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. EASTLAND. Does not the Senator think the Senate ought to be considering legislation for the welfare of the American people as a whole rather than a bill which caters to and throws out some bait to this organized minority and that organized minority in order to get some votes here and get some votes there?

Mr. STEWART. There is no doubt in the world that if we are to survive we must consider and act upon legislation to promote the welfare of the American people as a whole.

Mr. EASTLAND. We are now here catering to minorities as against the welfare of most of the people of this country?

Mr. STEWART. Somebody is doing that, precisely. I am not catering to them.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. STEWART. I yield for a question.

Mr. OVERTON. I know that the able junior Senator from Tennessee is a Democrat. I assume, without making any inquiry at all, that all the Stewarts of Tennessee related to the able Senator are Democrats.

I am a Democrat, born and bred as such. My father before me was a Democrat, and all the Overtons who originally came from Tennessee are Democrats.

Mr. STEWART. I am happy to say that I know of them, and if the Senator needs it vouched for at any time he can call on me and I shall do my very best for him.

Mr. OVERTON. I am sure the Senator can vouch for their democracy.

Mr. STEWART. That is correct.

Mr. OVERTON. My father was a Democrat during the dark days of reconstruction and of carpetbagism, when to be a Democrat it was necessary for a man to sleep with a shotgun at the head of his bed. We know what democracy is in the rock-ribbed democracy of the South. I ask the able Senator from Tennessee, Is it not passing strange that during the past few years of a Democratic administration, which is largely, if not exclusively dependent for its success at the polls upon the electoral vote obtained from the Southern States there have been brought to the fore in the Senate bills which are so obnoxious to southern democracy? They have been brought before the Senate with the approval of the administration in power, and with the vote of committees the majority of the membership of which is Democratic. Is it not true that there was first launched against us the anti-lynching bill, which had absolutely no justification because it involved a matter of State regulation and control, as does any other case of homicide? It had no justification because the Southern States have practically solved the problem of lynching. There has been only one in the past year, and I think the previous year there were none at all. I am not sure of that, however.

Then a Democratic administration, with the approval of a committee headed by Democrats, brought out the anti-poll-tax bill, which is obnoxious to the South. None of those bills has received congressional sanction. Thank heaven for that. That fact has been due, however, to the strong and sturdy opposition of southern democracy.

Mr. EASTLAND. That is the real democracy.

Mr. OVERTON. Is it not a fact that this bill, apparently aimed at the South, is now being brought out with the blessing of a Democratic administration, sponsored by a Democratic Senator, among others, and reported by a majority vote of a committee composed largely of Democrats? How long will the National Democratic Party continue to bite the hand that feeds it? That is the question which I wish to ask the Senator.

Mr. STEWART. Mr. President, I thank the very distinguished Senator from Louisiana for the contribution which he has made. He always makes a valuable contribution. His observations are quite pertinent.

Mr. EASTLAND. Mr. President, I should like to answer the question of the distinguished Senator from Louisiana. He asked the Senator from Tennessee a question which I should like to answer.

Mr. STEWART. Let me proceed for a moment, and then I shall be glad to yield. The answer appears on the page which I hold in my hand, and the succeeding page.

I am sure that the thing which inspired the observation and question of the Senator from Louisiana was the statement which I made, that I was deeply grieved and disappointed that President Truman saw fit at this time to suggest the passage of this FEPC bill, at a time when we are undertaking to pull ourselves out, so to speak, from the mud, the muck, and the mire in which we have been buried for the past 3 or 4 years during the war. Nearly always following war there is a period of unrest and hysteria, a period when we grope about to find out what the changes which war hath wrought mean. Here we are in the midst of it, when we should be giving consideration to the measures to which I have referred by the dozen—measures looking toward bringing boys home from the Army; measures dealing with surplus property, so that veterans may obtain it, and many others. We are groping about trying to find our way through reconversion. During such a time the President saw fit to send a message to the Congress demanding that attention be given to one of the most contemptible and controversial measures that has ever been brought before this body, one that would send snoopers and investigators to the far corners of this country, one under which a defendant, even though he might live in California, would be tried in Washington before a prejudiced board in a prejudged case. I am sick and tired of such controversial measures.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. EASTLAND. Has the Senator read the judicial code of the Soviet Union?

Mr. STEWART. No; I have been busy with other things.

Mr. EASTLAND. The similarity between the procedure set forth in Senate bill 101 and the procedure established for courts in the Soviet Union is uncanny. If the Senator will indulge me for making this reference at this time, I intend to speak on that point before this debate is concluded.

Mr. STEWART. Recurring to the question of this matter being recommended at such an unfortunate time by our President, I wonder who, besides Communists, has insisted to President Truman that this measure be considered at such a touchy time as this? I have said that it is politics, pure and simple, and I think that is what it amounts to. I wonder if the chairman of the Democratic National Committee, Mr. Hannegan, who is presumed to advise with his chief on political questions, advised President Truman that he thought this FEPC bill was politically expedient at this hour. Is that where it came from? I know it came from the Communists. We have been smelling them around here for 3 weeks.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. OVERTON. The Senator does not have to eat a whole beef to tell whether or not it is tainted.

Mr. STEWART. No, thank God. Therefore, a man sometimes has a chance to survive.

I wonder if the chairman of the National Democratic Party, when he advised—if he did—that this political measure be brought up, knew or gave any thought to what it would do to the South, and if he thought of the South,

which has been traditionally Democratic. I wonder if Mr. Hannegan and Mr. Truman carefully weighed the consequences of this iniquitous piece of legislation throughout the entire country. I wonder if the judgment of Mr. Hannegan, when he advised the President—if he did; and I presume he did, because he is supposed to advise him on political matters—was as good as it was when he advised his friend Dickman to run for mayor of St. Louis, only to see him go down in overwhelming defeat. I wonder if his judgment here is as good as it was in connection with the matter referred to by the Senator from Missouri [Mr. DONNELL] in the speech he made in this Chamber on May 7, 1945, when he placed in the RECORD numerous newspaper articles charging that this same Mr. Hannegan had advised against seating the then newly-elected Governor DONNELL. I wonder if his judgment was as good then, when he was defeated, as it is now. I am talking about his political judgment.

I wonder why Chairman Hannegan has forgotten to remember that his responsibility as Democratic National Chairman requires him to take into consideration vital problems of the South as well as other sections of the country. I am wondering whether Chairman Hannegan has fallen for the talk that went the rounds following the last election of President Roosevelt, to the effect that he had been elected without the vote of the South. I am wondering if Messrs. Hannegan and Truman are playing for the votes of other States of the Union to the exclusion of the South in the hope that President Truman will be nominated in 1948 without southern aid; and I am wondering also, since I have said this is a piece of political legislation, whether they do not have in mind that after President Truman receives the nomination without the aid of the South, the so-called yellow-dog Democrat of the South will be expected to support the then nominated President in the general election of 1948. Ah! how long-suffering southern Democrats have been.

Does that answer the Senator's question?

Mr. OVERTON. Very largely; and I thank the Senator.

Mr. STEWART. I say that this bill should be defeated on its merits alone, as a piece of political legislation. So far as I am concerned, I intend to keep my eye on Chairman Hannegan from now on, for this and other reasons.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. OVERTON. The Senator has very correctly made the observation that this is a political measure. It is intended to get votes for the national administration now in power. At least there is no doubt about that in my mind. I do not think there is any doubt about it in the mind of anyone, whether he be a Democrat or a Republican, if he has given any thought to the origin of this measure and its daddy and granddaddy, the anti-poll-tax bill and the antilynching bill. I ask the Senator if he does not agree with me that the purpose is very largely to enable the national Democratic administration to hold within its ranks Negro votes from pivotal States, and probably add to the number of Negro votes from such States.

Mr. President, I feel very friendly toward the Negro. I believe that all of us in Louisiana feel friendly toward him. We have no trouble with the Negro, politically or otherwise. So far as Louisiana is concerned, very few of them vote. They are perfectly well satisfied with the government of Louisiana, as it is being conducted today.

But, Mr. President, the question I wish to ask the Senator is whether the National Democratic Party realizes that ultimately the Negro is going to come to the conclusion that his permanent friend, his steady friend, his fast and certain friend is, not the Democratic Party, but the Republican Party? Is not the Negro going to come to the conclusion that out of a sense of gratitude he owes fealty to the Republican Party? Was it not the great emancipator, Abraham Lincoln, who broke the shackles from the Negro's wrists and gave him freedom? Was it not the Republican Party which placed in our Constitution the fifteenth amendment, giving the Negro the right of suffrage? Was it not the Republican Party that, following the War Between the States, undertook to place and did place the Negro in political power in the Southern States? Is the Negro going to forget his obligation to the party which made his race free, which gave it political power, and which gave it political prestige? Is he going to go astray and worship after false idols and false gods? Is he going to surrender the birthright and heritage of his race, politically, for a mess of pottage which might be thrown out by the present national Democratic administration?

As a Democrat whose forebears have been Democrats and whose democracy cannot be impunged, I wish to say that it would be infinitely better for the Negro to adhere to the Republican Party, rather than to the Democratic Party.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. STEWART. I yield for a question, but I do not wish to lose the floor.

Mr. CAPEHART. I understand, and my request is made with that in mind.

Mr. President, are we to understand from the able Senator from Louisiana that the Democratic Party does not wish to have the vote of the Negro?

Mr. OVERTON. So far as the southern Democrats are concerned, I can say "Yes"—unquestionably so, so far as the great majority of southern Democrats are concerned. We do not want the Negroes in the party. They do not belong in the Democratic Party.

Mr. EASTLAND and Mr. CHAVEZ addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. STEWART. The Senator from Indiana has not completed his question, I believe.

Mr. CAPEHART. Mr. President, I wish to say that I see no connection between wanting the vote of the Negroes and the question before the Senate at the moment. Let me say that we in the Republican Party want the votes of the Negroes of America because they are Americans.

Mr. OVERTON. You want them because they are votes. That is why you want them, and that is the only reason.

Mr. CHAVEZ. Mr. President——

Mr. STEWART. I yield to the Senator from New Mexico.

Mr. CHAVEZ. There is no question in my mind that some politics are involved. I have no question as to that.

Mr. OVERTON. Certainly.

Mr. CHAVEZ. And that is true as to both sides, too, I state to the Senator from Louisiana. Some Senators may now be in their home States, campaigning on the basis of this debate.

But would the Senator from Louisiana and the Senator from Tennessee go so far as to say that even in the Northern States if a voter happens to be of the colored race he should not be allowed to vote for a Democrat who happens to be a candidate for the Senate?

Mr. STEWART. I did not understand the Senator from Louisiana to say that the Negroes should not be allowed to vote.

Mr. CHAVEZ. Very well. If the Negro did not vote the Democratic ticket in Ohio, Illinois, Indiana, Pennsylvania, and other States, what the Senator from Louisiana has stated might be correct, namely, that some other persons might be elected. But we want the Negroes to vote the Democratic ticket in Indiana and in all the other States, so that we may be able to have a majority of the Senate on this side of the aisle and be able to reelect the Senator from Tennessee as President pro tempore of the Senate. I do not want the Senator from Ohio, a Republican, much as I love him, to be President pro tempore of the Senate. I want the Senator from Tennessee to be chairman of the Committee on Appropriations. I am satisfied with the Senator from Texas [Mr. CONNALLY] as chairman of the Committee on Foreign Relations. But how are we going to obtain a Democratic majority in the Senate and have the Senators who now hold them retain their chairmanships unless we get the votes of the Democrats in the North?

Mr. OVERTON. The Senator means to say "unless we get the Negro vote."

Mr. CHAVEZ. Very well; unless we get the Negro vote.

Mr. OVERTON. So we are indebted for these chairmanships to the Negro votes from the North, and that is the reason why this bill is here. Let us be perfectly frank about it. If it were not for the political issue involved, this bill would not be on the floor of the Senate of the United States.

Mr. CHAVEZ. Mr. President, the Senator from Louisiana knows that I am devoted to him and have great affection for him.

Mr. OVERTON. I know that, and the feeling is mutual.

Mr. CHAVEZ. I tell the Senator again that I am for this bill because I honestly believe in fair play for everyone. That is the way I feel about the matter. I am not questioning the motives or integrity or sincerity of purpose of anyone who may oppose the bill, but I believe in the bill because I believe it will apply

to all; I believe that opportunity should be afforded to all; I believe there should be equality of opportunity for all persons. The Negro is only an incidental consideration in connection with the bill. In the South there has never been any trouble, and there was no trouble during the war.

Mr. STEWART. But we will have trouble if this bill is passed.

Mr. CHAVEZ. Oh, no; that is merely politics on the part of Tennessee. We can also be accused of playing politics.

But, Mr. President, suppose politics is involved, and suppose we Democrats do not work for liberal rule, for equality of opportunity for others. Then I would not blame the Negro for going back to the party of his fathers. If a few Senators can keep the majority of the Senate from expressing its opinion one way or the other, then I do not blame the Negro for being resentful. Then he would say, "Mr. Senator, we elected you for this particular seat in the Senate and we know that you are for us, but you cannot do anything about it. Eighteen or nineteen other Senators can keep you from voting. So we are going to go back to the party of our fathers."

That is what would happen, and I would not blame the Democratic National Committee chairman if he did something about it. I wish he would. I have been complaining because he has not done anything about it. The Senator from Tennessee complains because he is supposed to have something to do with it. I have not heard from him. I wish I would. I think it would be in the interest of the political job he is now holding.

Mr. STEWART. I have not complained about political votes, if the Senator has been directing his remarks to me. The Senator was addressing the Senator from Louisiana upon that point. Of course, this bill does not affect the right of suffrage of anyone. It affects the matter of employment, or is supposed to. So far as the Negro vote is concerned, Negroes vote in most parts of the State of Tennessee.

Mr. CHAVEZ. Personally, I hope they vote the Democratic ticket in Tennessee.

Mr. STEWART. I wish to say to the Senator from New Mexico, the Senator from Louisiana, and all other Senators that, as they remember, the Negro voter left the Republican Party when he became hungry under a man named Hoover. That would drive anyone out of a party.

FIRST SUPPLEMENTAL SURPLUS APPROPRIATION RESCISSION ACT, 1946—REPORT OF APPROPRIATIONS COMMITTEE

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. STEWART. I yield to my colleague.

Mr. McKELLAR. From the Committee on Appropriations, I beg leave to report House bill 5158, an act reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes, and I submit a report (No. 919) thereon, which is attached to it.

The PRESIDING OFFICER. Without objection, the report will be received and the bill will be placed on the calendar.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. McKELLAR. I will if I may have permission to do so.

Mr. STEWART. Mr. President, I am willing to yield to the Senator from Nebraska, but I do not wish to lose the floor.

Mr. WHERRY. I agree as to that. I simply would like to have the senior Senator from Tennessee tell us again what the bill is.

Mr. McKELLAR. It is the bill which we passed, but which was vetoed on account of the United States Employment Service item. Elimination of that item was made, and the bill has passed the House of Representatives and is now on the Senate Calendar.

Mr. WHERRY. Is it the so-called rescission bill in respect to $55,000,000,000 or $56,000,000,000 worth of contracts which are to be terminated?

Mr. McKELLAR. That is correct.

Mr. WHERRY. Does not the bill involve contracts of that amount?

Mr. McKELLAR. The amount involved is in that neighborhood. I believe it is a little less than the Senator from Nebraska has stated.

Mr. WHERRY. The bill has now been reported and will be placed on the calendar; is that correct?

Mr. McKELLAR. Yes.

APPEAL FROM DECISION OF THE CHAIR ON CLOTURE MOTION

The Senate resumed consideration of the appeal of Mr. BARKLEY from the decision of the Chair sustaining the point of order of Mr. RUSSELL that, under the rule, the presentation of the cloture motion on the FEPC bill was not in order.

Mr. MEAD. Mr. President, will the Senator yield to me?

Mr. STEWART. I yield for a question.

Mr. MEAD. I was very much interested, a few moments ago, when the historical political affiliation of the Negro was brought into the discussion and it was pointed out that the Negro's loyalty to the Great Emancipator would, no doubt, have a fixed determination or effect on his political support and affiliation. The Negro, like everyone else, has a lasting admiration for the Great Emancipator. He has made his place in the history of this country and the history of the world secure for all time to come.

But the Senator touched the real situation which affects the Negro when he mentioned the Hoover administration. The Negro when he votes is not going to have in mind only the splendid administration of the Great Emancipator. It would be a reflection on his intellect if, for all time to come, regardless of his well-being, he were to vote only the ticket of the Republican Party. In New York, as the Senator well knows, the Negro supported the successive administrations of Franklin Delano Roosevelt because he realized that in his day President Roosevelt had the well-being of the Negro at heart, just as did Lincoln when he was alive. In our State we welcome the Negro into the Democratic Party just as we welcome anyone else. I may say to my distinguished colleague that in the other House the man who represents the district in New York which is composed largely of colored people, is a Democrat, and a colored man. In the State Legislature of New York the majority of representatives who were elected in the district to which I have referred are and have been Democrats and colored men.

The colored man of today, recognizing the fact that the Democratic Party is the great liberal force of America, the party which is more interested in the well-being of the working class than is any other party, supports, as a usual thing, the Democratic candidates. The Democratic Party is deeply concerned in legislation of the character of that proposed by the pending bill, because it is vitally interested in winning elections so that it may be enabled to make effective its liberal program. Naturally, the chairman of the Democratic National Committee, who has the task of seeing that victory comes to the Democratic Party, and afterward seeing that the pledges and platform of the Democratic Party are lived up to, is found on the side of all of us who are supporting the pending bill. The Negro of today, just as the Negro of the Civil War period, intellectually and effectively supports his friends. He recognizes that in the voice of the Democratic Party, the party of Franklin D. Roosevelt, he has a friend.

Mr. President, the Negroes of this country have accomplished a great deal under the benign influence of the Democratic Party and of Franklin Delano Roosevelt. I am sure that I speak in behalf of my party, and in behalf of the chairman of the Democratic National Committee, when I say that we welcome the Negro vote. We hope the Negro will always remain with us and that we shall continue to give him reason to remain with us.

Mr. EASTLAND. Mr. President, let me ask what could the Negro in the North obtain? A Democratic President is elected, and yet the party machinery, and the most important committees, are controlled by persons who are pictured in the public press as Fascists, arch-reactionaries, and southern Democrats who are opposed to all progressive measures. What do the Negroes receive after the election of a Democratic President, when the very measures which they advocated and for which, indirectly, they voted, are defeated by those of us who are called Fascists in the United States Senate? I do not see what the Negro gains by marching along with the Democratic Party.

Mr. STEWART. Mr. President, although the colloquy which has taken place, and in which several Members of the Senate engaged, has been interesting, I wish to return to the point where I left off and proceed with my remarks.

I have always exercised complete tolerance with respect to all people, be they black, white, yellow, or red. I have always exercised complete tolerance with regard to the subject of religion. I believe sincerely that the exercise of tolerance is highly essential in connection

with matters which involve various races of people, and various kinds and types of religion which are adhered to by the citizenship of this great democracy. I would not take from the white man or the black man any right which he may have of any kind or character, including the right to vote.

When I was interrupted I had made the statement that I thought it was extremely unfortunate that our President and the chairman of the Democratic National Committee had seen fit to permit a recommendation to come to this body calling for the passage of such an unjustifiable and controversial bill as the one now pending. What has just now taken place on this floor demonstrates exactly what I mean. The bill to which I have referred is controversial, and if it is enacted into law it will cause far-reaching consequences. It will cause more trouble than any law which has been written upon the statute books within the past century. I make that statement without knowing, of course, all the laws which have been written upon the statute books within the past 100 years. But, Mr. President, there could not be a more vicious or uncalled-for piece of legislation than is Senate bill 101.

I criticized the chairman of the Democratic National Committee, and the President of the United States for sponsoring such a controversial bill. I made such criticism because there are more serious national and international problems confronting us than are the problem or problems which are involved in the pending bill. Yet, we are forced to stand here week after week and mess around with a little picayune bill that would cause nothing but strife. I do not oppose any man merely because of his race, creed, color, and national origin, or his present location.

I want everyone who lives in this country, if he is a citizen, to have the rights guaranteed to him by the Constitution that was adopted at the beginning of this Government. I propose, as one who has taken an oath to defend the Constitution, to stand up by that obligation.

I was criticizing our two leaders, the President of the United States, and the chairman of our national committee, for recommending at this time that this controversial thing be brought up before the Senate, not only at a time when we should be considering other matters, but because it proposes legislation which is unnecessary. No one is being deprived of employment because of his color, I care not what the hearings show. They were not complete hearings, according to statements made on this floor a few days ago. I repeat that not one-tenth of 1 percent of the population have been discriminated against in industry or anywhere else in this land of ours. No one has been discriminated against because he was a Protestant or a Catholic, because he was white or black, because he was a Jew or a gentile. I challenge the contrary as absolutely untrue, and that situation makes unnecessary this contemptible bill, which would, if enacted, result in nothing short of Communistic control of this country.

Mr. President, I wish to continue my comment about Mr. Hannegan. I have said I was going to keep my eye on him. Mr. Hannegan is doing his party and his country and all the different races a very definite disservice by advising his chief, if he did so—and I assume he did—that the bill before us is good politics. Politics it is. It is nothing but politics, and, as has been pointed out, it is purely and simply a play for minority group votes in this country. For the Negro votes? I may be asked. Yes, and for others. That is purely what it is.

Mr. President, the bill has no place upon our calendar. There is no need for such a law in this country. As I have already said, this Nation is now in the very midst of a superhuman effort to emerge from the chaos and the disorder and the uncertainties which war has brought upon us.

I think an editorial from the Memphis Commercial Appeal of Wednesday, January 23, this year, expresses the feelings of the people and the opinions of the thinking and non-political-minded people of this country. It reads:

> Four months ago this Nation and its people completed the most superlative productive and combat undertakings recorded in the history of man.
>
> The Nation is the same. The people are the same. It is the spirit which has gone sour. It is unity which has been lost. It is the achieving rule of give-and-take on fair basis which has been thrust aside. Selfishness is rampant and economic tragedy threatens where there could be propserity.
>
> The dead of the wars are still being taken daily from isolated graves to 37 well-filled American cemeteries in faraway lands. That will go on until the kindly sun of June warms the earth in which they lie.
>
> In which they lie—for this?
>
> This—this turmoil, this obstruction, this chaos, this dalliance.
>
> This confession of failure.
>
> This great national obscenity.

Again I quote from the January 18 edition of the same newspaper, the Memphis Commercial Appeal, one of the greatest newspapers in the country:

> Actually, the FEPC move is opportunism of the most sordid type, and those responsible for it err if they think that it won't be recognized in its true light. If strike-control legislation is held up by a business-delaying opposition to FEPC, it isn't going to be the opposition which much bear the blame.

Now I ask, Is the judgment of President Truman good when he sends a message to Congress and asks us to pass a contemptible, controversial piece of legislation? I ask, Is the judgment of Chairman Hannegan and President Truman good, forcing at this time the consideration on the part of the United States Senate of an utterly needless and trouble-making measure which accomplishes nothing except to make man hate man, a measure for which there is utterly no need and has never been any need? I wonder if this might be looked upon as another sort of Missouri Compromise.

Just the other day the House of Representatives of the National Congress passed again the bill which places the USES in the hands of the States; they did this in the face of the President's recent holiday pocket veto, and we are told that amid the voting, which was at a ratio of two to one, the cries of States' rights could be heard all over the House. I think that shows the temper of the people. They are becoming not merely tired, but sick and tired of Federal dominion and control; of bureaucracy; of snoopers and smellers and tale-tellers, and thank God for it. That is one of the healthiest signs I have seen in recent years, together with the loud cries of States' rights from the mouths of both Democrats and Republicans who joined together to defeat another Federal invasion. I wonder if Chairman Hannegan is advising his chief on the USES legislation so as to prevent the States exercising control and so as to create still another Federal bureau which might send a lot of snoopers abroad in the land, who would come like a pestilence of grasshoppers in Kansas in midsummer.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. STEWART. I yield for a question.

Mr. JOHNSTON of South Carolina. I believe that at the present time in the United States we are trying to keep Communists out as much as possible. If this bill should be enacted, how could we keep them out of our State Department?

Mr. STEWART. They are already there, or at least there are some there. We would have to put out some poison, perhaps.

Mr. JOHNSTON of South Carolina. We could fire one on the ground he was a Communist, under this bill, could we not?

Mr. STEWART. We could not do that under this or any other bill—not a Communist.

Mr. JOHNSTON of South Carolina. Why not?

Mr. STEWART. Because they are too strongly entrenched, apparently.

Mr. JOHNSTON of South Carolina. Does the Senator mean to tell me that the United States is a communistic Nation?

Mr. STEWART. We have them everywhere, apparently. There were 500 of them in the Senate galleries a few days ago. How did we get them out? I do not know how many there are here today.

Mr. JOHNSTON of South Carolina. God pity America, then.

Mr. STEWART. Mr. President, oddly enough, about the same day that democracy won a real victory in the House of Representatives the Supreme Court, just across the park from the Capitol, announced that they would review the so-called Jim Crow laws which have so long been settled by decisions of other courts. I am wondering whether this Court is contemplating entering the legislative field again and whether this announcement, coming as it does at this time, is indicative of anything in particular.

The other day I received a letter and resolution from the chamber of commerce of Dyersburg, Tenn. This letter was signed by numerous individuals. Dyersburg is a thriving, progressive, and modern city in western Tennessee. The people there are deeply concerned about the trends of Government. I quote in

part from this eloquently expressed letter:

We are worried and disturbed concerning mounting trends of Government control and restrictions which has placed business in a strait-jacket. We are proud of the United States, and the real progress that has been made in the past, which has resulted in our being the wealthiest, most progressive nation in the world. We remember that this country, with not quite 7 percent of the population of the world, has created and owns more than half of the world's wealth. We know that the United States has a standard of living that consumes one-half of the world's coffee, one-third of its tea, and 60 percent of all its minerals. We know that this country has manufactured 92 percent of all of the automobiles in the world, and kept 90 percent of them at home to travel on the most elaborate and extensive hard-surface-highway system in the world. In short, the people of the United States has, in approximately 150 years been able to create three times as much wealth as the whole world had been able to create prior to 1776, and has provided our citizenship with the highest living standards in the world. This marvelous progress has not been brought about by an all-powerful government. It is a matter of history that, no political agency since the world began, has created and developed a single wealth-producing enterprise that makes for the continuous employment of men.

The progress of the United States has been possible because up until the present the Government has been the servant of the people, and the cost of government was kept at a figure that allowed a large portion of the wealth of this country to be used in research and job-producing enterprises.

The old truism uttered first by Thomas Jefferson, "That the least governed are the best governed," has been amply proved by our economic progress in the past.

There is in Washington today, a group of politicians who feel that regulation and control by a powerful central government is necessary in order to maintain our living standards. The efforts of this group to pass the Fair Employment Practice Commission bill, is an example of this zeal for governmental control. We believe they are far more interested in the power and control over business which this bill would provide, than the possible benefit it could be to persons who might be infringed on because of race, religion, or politics. Should FEPC become a law, it would mean just another step in the Government's continuing policy of rigid control of business.

Mr. President, I have read this letter to show the trend of the times, and the feeling of the people in my section of the country. These people are absolutely right in their conclusions that should FEPC be adopted as a part of the law of the land it would, in addition to all its other vices, be just another step in the Government policy of continuing rigid control of business.

To give to the Senate another southern viewpoint I quote from Mr. Thurman Sensing in his weekly release entitled "Down South," a statement entitled "The South and the FEPC." Mr. Thurman Sensing is director of research for the Southern States Industrial Council. He is a man whose judgment is good and his brief analysis of this pernicious legislation is quite accurate and timely:

While the establishment of a so-called Fair Employment Practices Commission is a national question and once established would affect all the people of the Nation, it is an issue that is more closely tied in with the South than with any other region. That this statement is true is quickly recognized when it is realized that were it not for the South the measure would have been saddled on the country long before now, and were it not for the South there would now be no opposition to the bill upon the floor of the Senate.

There are, of course, a scattered few in the South itself—unrealistic dreamers, or ill-advised reformers, or citizens well intentioned but uninformed as to the dangerous implications of the measure, or even a sprinkling of traitors to the American form of government—who are seeking the establishment of a permanent FEPC. However, these represent only a small percentage of the people of the South and it is the overwhelming sentiment of the South to abolish the FEPC and everything for which it stands. This could easily be proven by a poll of the people or by a vote of the people. Such a measure would never be established in any single Southern State.

It is, therefore, in accordance with representative democratic government that the Senators from the South should defend the principles of the South and represent the people of the South by opposing passage of the bill. Being in the minority in the Senate, they find it necessary to oppose the measure by any means at their command and by methods with which minorities must sometimes be protected.

And it should not be forgotten that the majority is not always right. Cases too numerous to mention can be taken from history to prove this statement. This was recognized by the founders of our Government when they set up a form of constitutional democracy that protected the rights of individuals and minorities.

The southern Senators being in the minority are, therefore, finding it necessary to filibuster against this bill. And now the proponents of the measure are attempting to draw attention away from the issue of the FEPC by venting their wrath against the filibuster itself, by stating it is contrary to the desires of the people, and by claiming that such action represents a threat to democratic government in this country.

As a matter of fact, a much better question which should be raised at this point is whether a great region representing one-third the people of the Nation should have thrust down their throats in the name of democracy a measure to which they are almost solidly opposed.

The provisions of the proposed permanent FEPC have been discussed thoroughly many times before. Suffice it to say here that the whole measure is contrary to the principles on which this Government was founded, and is certainly antagonistic to the beliefs which the people of the South cherish.

One of these beliefs, for instance, is States' rights. The people of the South do not object to any State having its own FEPC, if the people of that State desire it. But are its proponents willing to let each State make its own decision? They are not. No, the octopus of communism and bureaucracy and centralized control is not content unless it can spread its tentacles to every nook and cranny of the Nation. The proponents of this philosophy of government know they are not safe so long as there is any region of the Nation whose people will live by the principles of individual freedom, and by the principles of constitutional democracy on which this Nation has grown strong and prospered.

For these reasons, the South is aware of a great debt of gratitude to her representatives in the Senate of the United States. Moreover, once realizing the gravity of the issues involved, it is certain that the people of this whole Nation will some day awaken to the fact that they, too, are eternally beholden to this courageous band of defenders of the American way of life.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MAYBANK. As I understand, the writer of the letter suggests that if a vote were to be taken on FEPC in any of the Southern States it would be defeated.

Mr. STEWART. There is a strong majority against FEPC in every State in the South.

Mr. MAYBANK. Does the Senator believe that if the question were left for the people of the States in the West or in the East to vote on, a majority of the people would vote for it?

Mr. STEWART. I cannot see why. My answer ought to be "No." My information is that of 20 States—including not a single Southern State—which have had before their legislatures bills of this type, or FEPC bills of some type, only 2 States have enacted such legislation. The other 18 States have defeated it.

Mr. MAYBANK. Therefore the Senator would conclude that the people of those States would likewise vote against such a bill as is now before the Senate, would he not?

Mr. STEWART. Undoubtedly that must be true. Recently a Gallup poll definitely showed that the country as a whole was opposed to the FEPC. The poll was referred to by the Senator from Georgia [Mr. RUSSELL] the other day.

Mr. MAYBANK. I thank the Senator for mentioning the Gallup poll and referring to the other States.

Mr. STEWART. Mr. President, I wish to conclude. Let me say in conclusion that I do not believe that the President of the United States has been correctly advised about this matter. I do not believe that he has given thought to the terrible repercussions which such a law would bring throughout the entire country.

It is a rather terrible thing to reflect, for example, that an ordinary farmer, if I may use him for illustration, who hires as many as six persons could be forced by a board sitting in judgment a thousand miles away to employ persons on his farm whom he did not wish to employ. To that end he would be investigated by a representative of the board, who in all probability would be chosen chiefly because of his malice and hatred toward other people, or because of his influence with a political organization which no doubt would be in close contact with the Communists of this country. I might add that the only hope the farmer would have to be free from such interference on the part of busybodies and reformers would probably lie in the fact that people employed on the farm must work. The Communists never work. All they do is agitate. They never produce. They tear down and destroy. They are anxious only to cause trouble, strife, and discord, and force regulation upon the business of all other people.

Frankly, I wish that the President of the United States and Chairman Hannegan would reconsider this legislation and request that it be withdrawn from consideration before the Senate, in a special message which might be sent here by

the President, because of the exigencies of the time.

For the reasons which I have repeatedly stated during this discourse, I believe it is extremely unfortunate that we must spend our time on a picayune piece of legislation when the country is suffering and crying for the solution of many serious postwar problems.

THE MISSOURI VALLEY AUTHORITY—EDITORIAL FROM THE OMAHA EVENING WORLD-HERALD

Mr. BUTLER. Mr. President, I ask unanimous consent that there may appear in the body of the RECORD an editorial taken from the Omaha Evening World-Herald of January 14, last, relating to the Missouri River Valley Authority.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A TALE OF TWO RIVERS

This is the story of two rivers.

One is the Missouri, which flows past Omaha's back door. Which sometimes, at flood stage, flows into Omaha's back door.

The Missouri, as readers of this newspaper will recall, was a lively issue in Congress last month.

Representatives of the valley demanded that funds for flood control be provided in the deficiency appropriation bill then pending. Other interests opposed them. The controversy raged back and forth, from the floor of the House to the floor of the Senate to conference committee rooms and back to the floors again.

As eventually passed the bill provided some $7,000,000 for the control of floods in the Missouri Valley. Not much, in view of the magnitude of the job, but valley people cheered anyhow. After long experience with Congress they are grateful for crumbs.

Now the Army engineers are preparing to spend a half-million at Omaha, another half-million at Council Bluffs, two million at Kansas City, varying amounts elsewhere. That will be a bare beginning.

Now turn to the other river of this tale—the Yellow River of China.

Eight years ago—long before the United States entered the Asiatic war—the Chinese cut the dikes of this river near Kaifeng, in order to halt the advance of the Japanese Army.

They stopped the Japanese, sure enough, but the Yellow went berserk. It poured through the 2-mile breach in the dikes and cut a new channel to the sea.

The Yellow has been doing that same sort of thing for centuries. The plains of its broad valley are scarred with old channels which the outlaw river has tried and finally abandoned.

But this time someone proposes to do something about it. And that someone, naturally, is UNRRA.

UNRRA, the world-wide relief agency which is financed mainly with American dollars.

According to the Associated Press, it proposes to spend $50,000,000 to put the Yellow back in its 1938 channel.

And this gallant rushing to the rescue of a Chinese river will require no act of Congress, probably will occasion not even a ripple of debate in Washington. For UNRRA's millions and billions are appropriated as lump sums, and the bureaucrats—our own and other nations'—decide how they shall be spent.

It should be emphasized that this is not a war obligation.

The Chinese cut the dikes when they were engaged in a private war with Japan. America was not then their ally, had nothing to do with the case. China did it, in China's own interests.

Perhaps the Yellow should be put back in its former course. At least there is no need to argue the point. The only question so far as Americans are concerned is whether it is a proper job for UNRRA and its American dollars, or whether it should be done by the sovereign government of Chiang Kai-shek.

The global spenders will retort, of course, that China can't do it because China is broke.

Well, confidentially, so is the United States.

Financially speaking it is broker than China ever dreamed of being. Its debt is nearly $300,000,000,000—more, probably, than all the rulers of China have spent since Confucius. It can raise more millions for the Yellow River project only in one way. That is, by the process which Washington's bright young men lovingly refer to as "borrowing from each other."

But if "borrowing from each other" is so beneficial for the American people, why wouldn't it be equally beneficial for the Chinese? If Washington can produce and spend money it doesn't have, why can't Chungking?

It would be interesting to hear those questions discussed in Congress.

And it would be interesting, too, to hear the official theory about these two rivers. Why is it so eternally difficult to get a piddling seven millions to keep the Missouri off American farms and out of American basements, while it is so delightfully easy to get seven times that amount to plug a hole in the dikes of the Yellow?

PROPOSED VETERANS' HOSPITAL IN KENTUCKY

Mr. STANFILL. Mr. President, there are two situations in Kentucky which are very disturbing to our citizens, and I desire to ask unanimous consent of the Senate to lay them before this body.

The first is the location of a veterans' hospital for the area embracing northern Kentucky and a part of southern Ohio. The United States Government now owns and has held for many years title to the site known as Fort Thomas located on Kentucky side of the Ohio River. It has owned this property for a great many years. During the First World War it was an Army post, and has been continued as such since that time. In fact, my information is that it has been an Army post for more than 50 years. Just what the acreage in this post is, I do not know, but it lies on a hill overlooking the beautiful Ohio River, and the scenic beauty of the spot is not surpassed at any place along the river. In fact, it has been known for a long time as the "West Point of the West." The ground is high, being at an elevation several hundred feet above the river bed, and the topography is such that it readily lends itself to winding paths, roads, walkways and driveways for use of convalescent patients, and it is now beautifully landscaped. There are a number of buildings already constructed, and there is a hospital which was used during the war as a convalescent hospital by the American Air Forces. The buildings now on the property are ready for immediate occupancy by patients, and there are sufficient homes for physicians and staff members.

I am informed the Government has an investment of more than $7,000,000 in this plant. We all believe that the Government should not waste the money of the taxpayers. I am sure this is the sentiment of all of us, yet if this property is not utilized for the veterans' hospital, the Government will realize practically nothing from its sale.

I am told that the engineers of the Veterans' Administration have approved this site, if they have not actually recommended it above all others. Certainly, in their report to the Administrator of Veterans' Affairs they have shown it to be a desirable site from a physical standpoint.

Fort Thomas is a part of metropolitan Cincinnati. The metropolitan area of that city embraces a portion of Kentucky, including the cities of Covington, Ludlow, Fort Mitchell, Southgate, Bellevue, Newport, Dayton, and Fort Thomas. In this area approximately 200,000 people live; it is separated from Cincinnati proper by the Ohio River, but over this river are five or six bridges, all but possibly two of which are toll free. Streetcars and/or busses run from Cincinnati to Fort Thomas on regular schedules, and the fare is the same as the fare to any other point in the Cincinnati area.

The chief objection advanced by the Veterans' Administration to this site is the claim that it may be difficult to secure medical men, physicians, to attend the patients at this location. Gen. Omar Bradley indicated to a delegation of Kentuckians, including myself, in an interview a few days ago, that another proposed location in the city of Cincinnati might be preferable because it was near the University of Cincinnati, and because he thought medical services could be more readily secured there. I think this argument is unsound for these reasons:

A. While there is a medical school at the University of Cincinnati the professors and teachers at that school are largely private practitioneers in the city of Cincinnati and northern Kentucky and the fact that they go to the medical school of the University of Cincinnati to hold their classes would not make them more available to the hospital if it were near the university than if it were at the Fort Thomas site.

B. The fact that there are medical students at the University of Cincinnati ought not to weigh against the Fort Thomas site, for I am sure the people of this country do not want their veterans in the hospital treated by students in a medical college. We want the very best of medical care for them which may be obtained.

C. Most of the better-known physicians practice and are located in the downtown area of Cincinnati, thus making them more accessible to the Fort Thomas area in Kentucky than to the proposed site in Cincinnati.

D. The physicians in northern Kentucky have sent me a statement which I believe shows a very fine spirit and is a fine exhibit of professional ethics. They have an organization known as the Campbell-Kenton County Medical Society, which is composed of the physicians living and/or practicing their profession in this metropolitan area, which embraces parts of Campbell County and Kenton County in Kentucky.

Mr. President, I ask that a letter from the Campbell-Kenton County Medical Society be printed in the RECORD without taking the time of the Senate to read it.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE CAMPBELL-KENTON COUNTY MEDICAL SOCIETY,
Newport, Ky., January 14, 1946.

Hon. WILLIAM STANFILL,
Washington, D. C.

DEAR SIR: The Campbell-Kenton Medical Association held a meeting of its members on Thursday evening, January 10, 1946, for the purpose of discussing the position in which the members have been placed as the result of the controversy between the interests in Cincinnati and the interests in northern Kentucky over the location of the proposed new veterans' hospital to serve the Cincinnati area.

A great many charges and counter charges have been made which has resulted in the placing of the members of the medical profession in northern Kentucky in a somewhat embarrassing position. It is to clarify our position that we present this statement.

In the discussions that have taken place over the location of the proposed hospital, the question of the medical care to be given to the patients seem to be uppermost in the minds of those factions in Cincinnati who seek to have the hospital located there. It has been pointed out in each instance that an abundance of medical talent is available and will be available if the hospital is located there, and this leaves by inference that, unless the hospital is located in Cincinnati, medical skill will not be available under any except most trying conditions. We do not wish to dispute the fact that splendid medical talent will be available to the patients if the hospital is located in Cincinnati but we consider it manifestly unfair to create the impression that medical talent just as competent is not available in northern Kentucky. We also want to emphasize that the members of the medical profession in northern Kentucky are willing and eager to lend their services whenever needed to the patients of the proposed hospital within the limitations of their availability, regardless of where the hospital is located.

Aside from other considerations governing the location of the veterans' hospital and the factors that will determine the ultimate location of this hospital, we desire to point out that there exists an ample reservoir of medical talent which, it seems to us, will be entirely adequate to supplement the regular medical staff if the hospital is located at Fort Thomas. We are very proud of the fact that the Campbell-Kenton association has so many doctors and surgeons of outstanding skills in its membership. Sixty-two percent of the practitioners in northern Kentucky are graduates of the Cincinnati Medical College, and a number of these men are on the teaching staff of the medical college.

We believe that the erroneous impression that there exists a lack of medical skill in northern Kentucky is unwarranted and in justice to the members of the medical profession we have taken these means to correct it.

We deeply regret that the medical profession has become so far involved in this matter that its dignity and ethics are threatened to a point where we are forced to thus defend ourselves against a possible misunderstanding of the public.

WILLIAM J. O'ROURKE, M. D.,
President.
R. EUGENE WEHR, M. D.,
Secretary.

Mr. STANFILL. Mr. President, without taking any more time of the Senate, I wish to have printed as a part of my remarks on this subject, the following selected letters, telegrams, and resolutions, which will bear out the facts I have stated regarding the Fort Thomas site:

First. Letter dated December 12, 1945, from Newport, Ky., from the Sixth Ward Boosters' Social Club.

Second. Letter dated January 25, 1946, from the Monmouth Street Merchants Association.

Third. Letter from the American Legion Post at Bellevue, Ky., dated January 16, 1946.

Fourth. Letter dated January 3, 1946, from the Central Covington Civic Club in Covington, Ky.

Fifth. Copy of a letter dated January 12, 1946, from Lewis W. Fritsche, the original of which was directed to Gen. Omar Bradley.

Sixth. Letter dated December 21, 1945, from the Fraternal Order of Eagles of Covington, Ky.

Seventh. Letter dated December 17, 1945, from the South Fort Mitchell Fire Association.

Eighth. Telegram from the James Wallace Costigan Post of the American Legion at Newport, Ky.

Ninth. Resolution of the Campbell County Fiscal Court signed by the Honorable Odis W. Bertelsman, county judge, and the county commissioners and duly authenticated by the county clerk of Campbell County, Ky.

Tenth. Resolution of the Kenton County Fiscal Court signed by Judge William E. Wehrman and properly attested by the clerk of the court.

Eleventh. Resolution duly adopted by the House of Representatives of the Commonwealth of Kentucky on January 17, 1946, duly authenticated by the chief clerk of the house.

There being no objection, the letters, telegram, and resolutions, were ordered to be printed in the RECORD, as follows:

SIXTH WARD BOOSTERS' SOCIAL CLUB,
Newport, Ky., December 12, 1945.

Hon. WILLIAM STANFILL.

DEAR SIR: At a meeting of the Sixth Ward Boosters' it was called to our attention the controversy over the use of Fort Thomas Army post for hospital site for disabled veterans. It is our belief that this site should be used for this purpose inasmuch as the buildings are already equipped somewhat, and it would be a savings of millions of dollars to the Government and taxpayers alike. It hasn't been so long ago that the AAF used this property as a convalescent hospital, and after spending thousands of dollars to equip it for their needs, they gave it up in about 1 year. Insofar as President Truman has advocated the useless spending of money in all departments of the Government so as to cut down the national debt, we believe now is a time to economize and save. As you know, the site in Fort Thomas is high among the hills of northern Kentucky, out of reach of all the soot and smoke in the community, plenty of fresh air and river breeze which is ideal for rest and comfort for our disabled veterans.

We also point out to you if the Veterans' Bureau would accept one of the sites offered by our sister city of Cincinnati, it would be from 2 to 3 years before they could occupy the buildings, because of the shortage of material and labor, when they could move in at Fort Thomas in a short time. Therefore, we urge you to do your utmost in having the veterans' hospital located at Fort Thomas. Thanking you for past favors,

I am,
Respectfully yours,
ARTHUR B. KNARR,
Recording Secretary.

Attest:
EARL FRISCHOLZ,
President.

MONMOUTH STREET MERCHANTS ASSOCIATION,
Newport, Ky., January 25, 1946.

VETERANS' ADMINISTRATION,
Washington, D. C.

Attention: Gen. Omar S. Bradley, Administrator.

Subject: Location of a veterans' hospital in the Cincinnati area, and urging the selection of Fort Thomas.

GENTLEMEN: We respectfully call to your attention the following:

1. We deplore the fact that the press of Cincinnati has strongly implied that the matter of determining the location of this hospital is being subjected to political pressure. Naturally persons on both sides seek the aid of their respective representatives in Congress. That does not imply that any decision is urged as a matter of political preferment. In the case of selecting Fort Thomas as the site of a veterans' hospital on the one hand, or the city of Cincinnati on the other, it is clear that politics cannot be involved. The act itself seems to contemplate that existing hospitals of the Army and Navy shall be preferred, and that only if additional hospital facilities should become necessary is an apppropriation made for that purpose. Of course, it is not contended that the Veterans' Administration has not the authority to build a new hospital in Cincinnati, but the statute seems to suggest economy by the utilization o. existing facilities subject to the paramount question as General Bradley has stated, What is ultimately best for the veteran?

So how can it be said that the selection of Fort Thomas, where the hospital is comparatively new, though located at a post of over 50 years standing, is a matter of political significance.

2. As taxpayers to the Federal Government upon whom the expenses finally rest, we respectfully suggest that the savings ought to be made by selecting a hospital in the Cincinnati area that is already constructed and ready for immediate occupation, unless such facilities are not or cannot be made sufficient for the purpose of giving the disabled veterans the best of care.

3. Medical services are as equally available to Fort Thomas as they would be at the site that has been suggested adjoining the General hospital in the city of Cincinnati. The site in Fort Thomas is not much farther from the Doctors Building, about the center of the city of Cincinnati, than is the General Hospital of Cincinnati.

Certainly the location, of such scenic beauty that Fort Thomas has been called the West Point of the West, and the atmosphere unpolluted by the smoke and vapors of industry, invite the favorable consideration of Fort Thomas.

Contrast a convalescent veteran, at a window overlooking river, valley and wooded hills, and one at a window facing a city's street, and walls of other hospitals.

Only if it be true that misery loves company, would the later window be preferred.

4. The area surrounding the Fort Thomas Hospital, and now owned by the Government, lends itself to present addition or future extensions that may become desirable.

The foregoing presentation was authorized and directed by and at an open meeting, held on January 21, 1946, of the members of the Monmouth Street Merchants Association, of Newport, Ky., an organization which has been in existence for about 30 years and comprises a large majority of the merchants of the city of Newport, which, of course, is adjacent to Fort Thomas.

By order of said Association, this is
Respectfully submitted.

JNO. A. BAHLMAN,
CHAS. T. BRANDT,
Committee.

AMERICAN LEGION,
EDWARD W. BOERS POST, No. 153,
Bellevue, Ky., January 16, 1946.

The Honorable W. A. STANFILL,,
United States Senator, Washington, D. C.

DEAR SIR: Edward W. Boers Post, No. 153, American Legion, wishes to thank you for your support of Fort Thomas as the site for the new veterans' hospital instead of Cincinnati.

The argument of the Cincinnati newspapers that the hospital must be on the ash heap near the medical college for the benefit of the veterans is fallacious. We know that all Government hospitals have their own staffs, and that outside help is not needed, and very rarely called for.

The location at Fort Thomas is much better than the Cincinnati location, the air is purer, there is more room for recreation. It can go into operation as a hospital at once. It is easier and cheaper to get to downtown in Cincinnati than from the medical college.

We do not want our boys used as human guniea pigs by the doctors and students at the medical college in Cincinnati, which seems to be the idea of many of those who are plugging for Cincinnati and knocking Fort Thomas.

Yours truly,
NEIL F. ANNABLE, *Adjutant.*

CENTRAL COVINGTON CIVIC CLUB,
Covington, Ky., January 3, 1946.

Hon. WILLIAM A. STANFILL,
Washington, D. C.

DEAR MR. STANFILL: At a recent meeting of our club the location of the new veterans' hospital was discussed, and we, the Central Covington Civic Club, have gone on record as approving the stand taken by the Norman Barnes Post, American Legion, favoring Fort Thomas, Ky., as the most favorable site for the Government's new veterans' hospital.

Trusting that you will do all in your power to secure this location for same, we are,

Very sincerely,
VIRGINIA STODTLANDER, *Secretary.*

FORT THOMAS, KY., *January 12, 1946.*

UNITED STATES VETERANS' ADMINISTRATION,
Washington, D. C.

Gen. OMAR BRADLEY,
Director of Veterans' Affairs,
Washington, D. C.

Gen. PAUL HAWLEY,
Medical Director,
Veterans' Administration,
Washington, D. C.

GENTLEMEN: There has been quite a lot of articles in the newspaper regarding locating the veterans' hospital in Cincinnati, Ohio, as well as Fort Thomas, Ky.

It seems that Cincinnati believes this hospital should be located within Cincinnati because it will be near the medical school. For the love of Pete, that should make no difference, for surely our Government is not going to use these veterans, who were so instrumental in bringing victory to us, as guinea pigs. Further, with the housing shortage in Cincinnati, the ground which would be used for such a hospital could be used for dwellings.

Most of the individuals who are clamoring for locating this hospital in Cincinnati are howling loudest about our Government wasting money, causing high taxes.

As to locating the hospital in Fort Thomas, Ky., this would save our Government quite a chunk of cash. The Government owns the Fort Thomas Military Reservation, which covers quite a large area, more than could be utilized for the hospital alone.

The doctors and surgeons surely would be employed by our Government on a full-time basis and would desire to live close to the hospital. Such being true, there are at present more good buildings now on the Fort Thomas Reservation than they could use. This is more than Cincinnati can boast of, for there are not enough dwellings to house the present citizens of Cincinnati.

I was born and raised in Cincinnati. However, I saw the light and moved to Fort Thomas about 20 years ago. I am employed in Cincinnati and journey to and from 6 days per week.

Fort Thomas' altitude is very high and the air is clear and clean. On coming to work some mornings it is very clear when leaving home, but upon nearing Cincinnati it is often so foggy one cannot see 50 feet ahead. Cincinnati is located within a valley and while the sought location of the hospital is on the brink of a hill, you will find it is quite foggy there at times.

Cincinnati also is a manufacturing city and this in itself is not so healthy for convalescent people, as the air naturally is filled with smoke and other particles.

Fort Thomas does not have any manufacturing plants within its boundary nor for miles from the Government reservation. It does have the Chesapeake & Ohio Railroad running at the foot of the hill, but the smoke from what few locomotives do pass the reservation could not possibly reach the top of the hill.

Cincinnatians desire the hospital due to the revenue it would receive therefrom, while the city of Fort Thomas would not derive any revenue, as the Government now owns the military post.

At present there is a hospital building upon the Fort Thomas site which could be enlarged, if necessary, or there is plenty of unused ground for a new building. It was used, up until a few months ago, as a convalescent hospital for members of the Army Air Corps and was very satisfactory.

If our veterans must be used for guinea pigs, the Fort Thomas location is within a short distance of the medical school, with good roads running outside of congested areas.

We all know that our Government wasted plenty of money during the war, which could not be helped, so let's all turn over a new leaf and practice a bit of economy, forgetting greed. Let's also endeavor to help our veterans regain their health in as healthy an atmosphere as possible with good surroundings.

I have no mercenary motive behind my writing this letter. I would like to see our veterans receive the best possible care in the best possible hospitals affording the best possible surroundings.

What our country needs most now is more statesmen, not politicians, so let's all get behind the ball and push in harmony to give our wounded veterans the best possible care.

Sincerely yours,
LEWIS W. FRITSCHE.

FRATERNAL ORDER OF EAGLES,
COVINGTON AERIE, No. 329,
December 21, 1945.

Hon. Senator W. A. STANFILL,
Washington, D. C.

DEAR SENATOR STANFILL: Covington Lodge No. 329, Fraternal Order of Eagles, representing 3,500 members, requests that the Veterans' Administration establish a veterans' hospital at the Fort Thomas Army Post, Fort Thomas, Ky., because:

First. Fort Thomas is ready and equipped for immediate occupany. It has been used only recently as a convalescent hospital by the AAF.

Second. The buildings are there for immediate occupancy by patients and there are homes for physicians and staff members. There is also ample space for rest and recreation in a place that is high above the smoky and murky atmosphere that hangs over the two alternate sites advocated by Cincinnatians.

Third. Fort Thomas Army Post is but a 7-minute ride from Cincinnati in the event the hospital requires the services of outside medical men.

Fourth. Numbers of returning servicemen are in need of immediate hospitalization and should not be required to wait approximately 2 years which will be required to erect a hospital on either of the two sites in Cincinnati.

In addition the Government has a $7,000,000 investment in Fort Thomas. This investment should not be abandoned at a time when there is dire need for economy.

This resolution is to be spread on the minutes of this lodge and the secretary will send a copy thereof to the Veterans' Administration.

Very truly yours,
ROBT. J. TUTTLE, *Secretary.*

SOUTH FORT MITCHELL
FIRE ASSOCIATION,
South Fort Mitchell, Ky.,
December 17, 1945.

Hon. W. A. STANFILL,
Senator, Washington, D. C.

DEAR SENATOR: The South Fort Mitchell Fire Association, of South Fort Mitchell, Ky., have gone on record that Fort Thomas Army Post, located at Fort Thomas, Ky., is the ideal location for the veterans' hospital.

We beg of you to do all you can that Fort Thomas Army Post be selected for the site.

Thanking you for the stand you have taken, we are,

Truly yours,
JOSEPH HEPP,
President.

NEWPORT, KY., *December 7, 1945.*

Hon. WILLIAM J. STANFILL,
Senate Office Building,
Washington, D. C.:

Dear Mr. STANFILL: We appreciate your efforts in behalf of the Fort Thomas site for veterans' hospital and urge you to continue to fight as we feel that it is the most ideal location to build, both from health standpoint and proper environment for our sick and disabled veterans, and the fact that it is now Government property, 800 feet above sea level and above the smoke, dirt, and the noise of a large city, and easily accessible to a large medical center.

PETER J. FEILEN,
Commander,
James Wallace Costigan Post,
American Legion, Newport, Ky.

CAMPBELL COUNTY FISCAL COURT, CAMPBELL COUNTY, KY., RESOLUTION

Whereas the Veterans' Administration is contemplating the establishment of a veterans' hospital in this vicinity; and

Whereas there are facilities existing in this county, located at Fort Thomas, Ky., formerly used by the Army Air Forces as a convalescent hospital; and

Whereas this site comprising acres of ideally situated land is owned by the United States of America; and

Whereas hospital buildings and other facilities are now available at this site, together with ample acreage for expansion; and

Whereas this centrally located site is the most practical of any under consideration from the viewpoint of service to the veterans and availability to medical personnel located in Ohio and Kentucky: Now, therefore, be it

Resolved by the Campbell County Fiscal Court of Campbell County, Ky., That the United States Veterans' Administration be and hereby is respectfully requested to establish the proposed veterans' hospital at the said Fort Thomas, Ky., site; be it further

Resolved, That copies of this resolution be forwarded to Senators ALBEN BARKLEY and

WILLIAM STANFILL, and Representative BRENT SPENCE.

Done at the regular meeting of the Campbell County Fiscal Court at Alexandria, Ky., the 7th day of January 1946.

ODIS W. BERTELSMAN,
County Judge.
JACOB MARTZ,
LAWRENCE BAUMAN,
JAMES DECKERT,
Commissioners.

KENTON FISCAL COURT, RESOLUTION

Whereas the Veterans' Administration proposes to establish a veterans' hospital within the greater Cincinnati area; and

Whereas the Fort Thomas Military Post is now available for such use as the Veterans' Administration may deem best; and

Whereas the Kenton Fiscal Court realizes the value of the Fort Thomas location from the point of view of excellent buildings, desirable locality and proximity to the greater Cincinnati medical center: Therefore be it

Resolved, That the Kenton Fiscal Court endorses the use of the Fort Thomas Military Post as a veterans' hospital; and be it further

Resolved, That copies of this resolution be sent to Senators Alben W. Barkley and W. A. Stanfill, Congressmen Brent Spence, Congressman A. J. May, and to Gen. Omar Bradley.

Adopted by the Kenton Fiscal Court at Covington, Kenton County, Ky., this 11th day of January 1946.

WM. E. WEHRMAN,
Judge, Kenton County Fiscal Court.

A true copy:
Attest:

SAM FURSTE, *Clerk.*
By W. TAYLOR.

IN HOUSE OF REPRESENTATIVES,
COMMONWEALTH OF KENTUCKY,
January 17, 1946.

House Resolution 8

Concurrent resolution petitioning the Veterans' Administration and the Congress of the United States to use the Army post at Fort Thomas, Ky., as a veterans' hospital

Whereas a considerable number of new veterans' hospitals are now being established; and

Whereas the Army post at Fort Thomas is ideal for a veterans' hospital and would be much more valuable as such than its present use: Now, therefore, be it

Resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky (the Senate concurring therein):

It is respectfully urged that the Veterans' Administration and the Congress of the United States arrange for the use of the Army post at Fort Thomas, Ky., as a veterans' hospital.

The clerk of the house shall mail copies of this resolution to the President of the United States, to the Director of the National Veterans' Administration, to the Clerk of the Senate and House of Representatives of Congress, and to each Member of the Senate and House of Representatives of Congress from Kentucky.

This resolution was adopted by the house of representatives on January 14, 1946, and concurred in by the senate on January 16.

Attest:

BYRON ROYSTER,
Chief Clerk of House.

THE KENTUCKY BURLEY TOBACCO MARKET

Mr. STANFILL. Mr. President, another condition to which I desire to call attention is the deplorable situation now prevailing in the State of Kentucky in the burley tobacco market. I do not know just what has caused this condition, but I do know that it has caused great hardship to the farmers of the burley tobacco belt in Kentucky. I have a resolution which was passed by the Senate of the Commonwealth of Kentucky, now in session, duly authenticated by its chief clerk, memorializing the Congress of the United States to establish a floor price for tobacco. I ask that the resolution may be printed in the RECORD without reading.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Senate resolution memorializing Congress to establish a floor price for tobacco

Whereas a ceiling price has been established, above which tobacco cannot be sold; and

Whereas tobacco is one of the chief sources of income for the farmers of Kentucky; and

Whereas the selling price of tobacco is dropping far below the ceiling price, thereby diminishing the farmers' ability to purchase the equipment needed for the operation of the farm, at the present high prices of equipment which will be even higher when labor's demand for higher wages is granted; and

Whereas the farmers are powerless to demand adequate prices for their tobacco: Now, therefore, be it

Resolved by the Senate of the General Assembly of the Commonwealth of Kentucky:

(1) It is respectfully urged that the Congress of the United States establish a floor price not more than 4 cents below the ceiling price.

(2) It is further urged that the Congress strive, through scientific research, to find more uses of tobacco such as fertilizer ingredient, insect control, etc., which may result in such demand for tobacco that the farmers can expect a good price for their product at any time.

Copies of this resolution shall be sent to the Secretary of Agriculture, Clerk of United States Senate, Clerk of United States House of Representatives and to all Kentucky Members of House and Senate, Washington, D. C.

Attest:

EMERSON BEAUCHAMP,
Chief Clerk of Senate.

Mr. STANFILL. Mr. President, I also have a resolution passed by the House of Representatives of the Commonwealth of Kentucky properly authenticated by the chief clerk of the house of representatives. I ask that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

1. Burley tobacco is now produced in 17 States and the acreage and territory is gradually spreading. There are thousands of additional farmers who want to grow burley tobacco and probably will, regardless of regulations. There is now, or soon will be, an abnormal surplus or carry-over of burley unless some immediate steps are taken to solve the problem.

2. In the last 25 years little if any effort has been made by the growers or our representatives in Washington to sell burley in export trade. Burley tobacco has not been placed on the "must" list in the extending of foreign credits and loans, like cotton and other commodities.

3. Reports show that many foreign countries are now very short on tobacco supplies and that there is not enough tobacco of the type used heretofore to supply the immediate demand.

4. The reports of our returning veterans have proven conclusively that the people of foreign countries crave cigarettes made from our burley tobacco and that if given the opportunity will consume products made from our burley tobacco.

5. Less than 10 percent of the world's population now have an opportunity to use the products of burley tobacco.

6. It is the sense of the members of the house of representatives herein assembled that the burley growers are entitled to more financial support from the Federal Government and to greater cooperation of our State Department for the permitting of sales of burley tobacco in foreign countries: Now, therefore, be it

Resolved by the House of Representatives of the Commonwealth of Kentucky, That the following steps be taken immediately:

First. Federal laws should be amended governing the regulations of growing tobacco. The penalty should be increased alike on all types of tobacco which is grown in excess of their allotment to 40 percent of the sales price or to 15 cents a pound, whichever is greater.

Second. Provisions should be made for the annual measurement of tobacco planted so as to discourage overproduction.

Third. Burley production for 1946 should be reduced as a temporary measure to help relieve prices.

Fourth. Immediate steps should be made by the Federal Government or one of their agencies to purchase 25 percent of the remainder of the burley crop in order to support the price of tobacco, purchased to be used when extending foreign credits.

Fifth. The Senators and Representatives in Congress from the burley-producing States are requested to contact or assist our farm-bureau representatives to contact export companies and export authorities and help work out a plan that will increase the export of burley tobacco.

We hereby go on record as approving wholeheartedly the efforts of the Farm Bureau Federation and support their tobacco program 100 percent.

It is hereby ordered that the clerk of the house send a copy of this resolution to each Member of Congress from Kentucky, the United States Secretary of Agriculture, Secretary of Commerce, and the State Department.

Mr. STANFILL. Mr. President, another resolution was passed by the House of Representatives of the Commonwealth of Kentucky on January 15, 1946, asking the Department of Justice to investigate, with a view to ascertaining whether the Sherman Antitrust laws have been violated.

I ask that the resolution may be printed in the RECORD at this point without reading.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

House Resolution 16

Whereas burley tobacco constitutes one of the chief sources of revenue for the farmers of Kentucky; and

Whereas the whole economy of the State and of the Nation may be thrown out of balance by the recent sudden break in the burley market; and

Whereas the tobacco companies had at their disposal at the beginning of the market all of the information which they now have, including the size of their own inventories, the size of the present crop, and the possible markets available for marketing of the products of the companies; and

Whereas it is reasonable to believe that with all of the above information at the disposal of the companies at the beginning of the market, the prices paid at the beginning of the market must have been based upon the ability of the companies to pay said prices, having in mind present inventories, the size of the 1945 crop and available markets; and

Whereas the break in the market came suddenly and the low bidding was apparently participated in by all of the representatives of all of the companies at the same time; and

Whereas it appears from the morning press that at a meeting at Washington yesterday attended by the representatives of farm organizations from the Burley Belt called for the purpose of considering an increase in the price of cigarettes in order to allow the companies to pay for the 1945 burley crop, that no company put in its appearance; and

Whereas from such action the companies indicated a complete disregard for the welfare of the growers and a complete lack of interest in finding a solution to the growers' problem; and

Whereas on at least one previous occasion the Government of the United States instituted criminal proceedings against some of the tobacco companies and said companies were found guilty of conspiracy to defraud the farmer of his crop; and

Whereas the present situation gives at least many outward appearances of collusion on the part of the companies: Now, therefore, be it

Resolved by the House of Representatives of the Commonwealth of Kentucky, That in an effort to reach the facts, this body go on record as requesting the Department of Justice to immediately institute an investigation of the buyers in the burley market to ascertain why the market was opened at approximately $50 per hundred and, without any change in the information available, all buyers at approximately the same time dropped the price to approximately $38 per hundred; and that it is the sentiment of this body that if an investigation by the Department of Justice indicates that there is collusion among the buyers to break the market and defraud the farmer of his 1945 crop, that said information be presented to the Federal grand jury at Lexington, Ky., and those guilty of conspiracy to break the market be indicted in accordance with the Federal antitrust laws; and be it further

Resolved, That a copy of this resolution be immediately forwarded to each of the Kentucky Congressmen and Senators and to Hon. Tom Clark, Attorney General of the United States.

APPEAL FROM DECISION OF THE CHAIR ON CLOTURE MOTION

The Senate resumed the consideration of the appeal of Mr. BARKLEY from the decision of the Chair sustaining the point of order of Mr. RUSSELL that, under the rule, the presentation of the cloture motion on the FEPC bill was not in order.

Mr. EASTLAND. Mr. President, in the beginning I wish to say that I believe in economic equality for the Negro. That question has been brought into the debate, and that is the reason why I mention it at this time. I believe in better housing conditions. I believe in equal pay for equal work. I believe in improving the economic condition of the Negro in the United States. If my colleagues will pardon a personal reference, I have supported that doctrine with my own money, and I believe that I have done more in behalf of schools, hospitals, and improved housing for the Negro than have all his political friends in this body combined. I do not think it is fair to the South to drag that question in, and say that he is being mistreated down there, and that that is an issue in this controversy.

Mr. President, there are in the world two schools of thought. Our Constitution and our whole system of government are founded on the protection of the rights of the individual. The rights of the individual under our system are paramount to the rights of classes or groups. Under the Communist system and under the Socialist system it is the welfare of the class which counts.

For the past 15 or 20 years there has been a gradual drift in this country toward class government, or group government, under which the rights of the individual citizen are sacrificed. Class rights and alleged group rights are made paramount to the rights of the individual. This bill marks the high point in the drift toward a socialistic America. We have floors under prices. We have wage floors. When the drift continues further there will be wage fixing and price fixing, and we shall live in this country under a managed economy.

Under the terms of this bill the control of employment would pass into the hands of the Government. Employment would be nationalized. I submit that it is all a part of the plan to destroy our country and to set up a Socialist government. A little later I shall discuss the system of procedure and the jurisprudence established under the provisions of this bill, and compare it with the judicial procedure of the Soviet Union, to show that whoever wrote the bill had an uncanny knowledge of the system of jurisprudence in vogue in Soviet Russia today. The two systems are the same. In Russia the rights which are left to the individual are practically the same rights that an employer would have under the terms of the bill. From a study of the code of the Soviet Union, I submit that whoever wrote this bill is to be congratulated on possessing an expert knowledge of the jurisprudence of that country.

First, Mr. President, I desire to refer briefly to certain provisions of the bill. Section 3 (a) provides as follows:

SEC. 3. (a) It shall be an unfair employment practice for any employer within the scope of this act—

(1) to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry.

What does that provision mean? It means that if a white man and a member of one of the minority groups, each with the same qualifications, should apply for a job at an industrial plant, if the employer should conclude that he already had enough employees of the minority race, and that therefore he should give the place to the white applicant, he would be guilty of discrimination under the terms of the bill, and could be prosecuted as set forth therein. It is said that that creates a preference in employment for a member of a minority group and that it gives him a preference over a white applicant. That is true. Let me say, Mr. President, that since June 1940, more than 800,000 aliens have come into this country. American boys have been serving in the armed forces. There was a shortage in the labor market. Those aliens have obtained employment in American industry. I submit that one of the plans behind this bill is, as the Senator from Georgia so well stated, to use the Commission proposed to be created as an employment agency to give employment to aliens and alien groups at the expense of returning American soldiers.

Mr. McCLELLAN. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. Would not such a program greatly serve the Communist movement in this country?

Mr. EASTLAND. It would greatly serve the Communists in America, because under this bill an employer could not refuse to hire a person because of his creed, an employer could not fire a person because of his creed, and an employer would be liable to prosecution if he fired a Communist or if he refused to give a job to a Communist. Let me tell the distinguished Senator from Arkansas that, as he well knows, the present Communist program in this country is one of infiltration—a program of getting into key positions in Government and in industry.

Mr. McCLELLAN. It is characteristic of the Communists, is it not, to try to infiltrate, rather than to try to move by means of a direct approach?

Mr. EASTLAND. That is their official policy in the United States, and this bill would greatly facilitate the advancement of that policy.

Mr. McCLELLAN. Mr. President, then, I assume that the Senator agrees with me that the passage of this bill would serve to promote the welfare and interests of the Communists in America, rather than serve the interests of true Americans who love democracy and believe in our system of government.

Mr. EASTLAND. I do not think there can be any doubt about that.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield to the Senator from Georgia for a question.

Mr. RUSSELL. The Senator has referred, in the illustration he has given, to an incident which might occur in an industry. I know the able Senator realizes that this bill applies, not only to industry, but to agriculture, to the farmers, and to all other types of business in the United States.

Mr. EASTLAND. Yes; and to the Government.

Mr. RUSSELL. A beauty parlor or a drug store or a little corner grocery store which employs more than six persons would be compelled to accept into its business, into positions of trust, the persons selected by the Board. Of course, we have had no board with anything like the far-reaching powers which are proposed to be vested in the Board to be appointed under the pending bill. We have, however, had a Board of rather limited powers. It was created by Executive order. We know that that Board sought to reach out and assume jurisdiction in cases in which it did not have it, and because it did not have such jurisdic-

tion it came to the Congress with this bill, in order to have power given it over all American life and business.

But the Senator has referred to the Government, and that is what frightens me in connection with the discussion about subversive groups. I am concerned about the power which would be given this group to handle employment in our Government. We can judge the future only by the past. In the past the members of the Board have at least belonged to the group known as "fellow travelers" of the Communist Party. Inasmuch as the bill would give the Board power to regulate employment in the various departments of our Government, I ask the Senator what would be the almost certain effect? I ask him whether it would not be true that as positions of trust became available—positions whose occupants mold the domestic policies of our Government and our relations with foreign countries, who have charge of Government secrets of primary importance to the welfare of our people—this Board, with the power to force even the President of the United States to carry out its orders, could within a few months put subversive men into all the key positions of our Government and could set in motion a train of consequences which would pull down the citadel of our Government around our ears.

Mr. EASTLAND. Mr. President, I think the Senator is exactly correct. I should like to ask the distinguished Senator from Georgia a question, if I may do so without jeopardizing my position on the floor. There is no doubt that, under the bill, schools which receive Federal financial aid for vocational training or other purposes would come under its provisions.

Mr. RUSSELL. I think there can be no question about that.

Mr. EASTLAND. Suppose in one of those schools there was a teacher who taught communism, who encouraged it, who supported it among the students. Does the Senator think she could be fired?

Mr. RUSSELL. She could not be removed. The board of trustees would be powerless to remove her without losing all Federal funds, if the board appointed under the bill were to issue a desist order. The Senator knows, of course, that even if a Communist were to obtain a position of power in a labor organization and were willfully to try to cause trouble, through his prominent position in the labor organization, if that labor organization met and sought to oust him from his position and if the board determined that such action was taken on account of his creed or belief, then all the members of that labor organization could wind up in jail because they tried to purge their ranks of a trouble breeder—an alien who was trying to disrupt our form of government.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. I simply wish to make an observation and ask the Senator if he does not agree, namely, that by the passage of this bill we are not only opening the door of our Government to Communists and those who wish to change it and destroy it but we are putting out a frank "welcome" sign, welcoming them to come in. Does not the Senator believe that, under the terms of this bill, an avowed Communist under the pay and direction and orders of Moscow could apply to a Federal agency of the Government for a job, and, if he were otherwise qualified by education and experience and training, he would have to be employed by the agency, for if it refused to employ him because he was an avowed Communist and wished to overthrow this Government, then the agency would be subjected to the penalties which the board would be given authority and jurisdiction to impose? Not only would the door be opened to such persons but over it a "welcome" sign would be placed, and in effect such a person would be told, "Come in, all you Communists. We welcome you here."

Mr. EASTLAND. Certainly that would happen. All our Government agencies would find themselves in that position.

Mr. RUSSELL. The bill would certainly invite anyone from abroad to come here and secure preferential treatment.

Mr. EASTLAND. It would give preference to an alien, as compared to an American soldier who had been wounded in the war and had given his blood for his country.

Mr. President, I now wish to discuss briefly the judicial system which would be set up under the bill, and to show that it would be practically the system in vogue in the Soviet Union today. Under the theory of our Government the American judiciary is a free and independent branch; it is separate from the executive branch, and separate from the legislative branch, and is a check upon the power of both.

I now wish to read from a statement by Krylenko, one of the leading authorities of the Soviet Union on the place of the courts in Communist Russia. Krylenko was the foremost author of works on the Soviet judiciary until the thirties, and his theory of the court in general, and the Soviet court in particular, was as follows:

> No court was ever above the class interests, and if it were such a court, we would not care for it * * *. The court is, and still remains, the only thing it can be by its nature as an organ of the government power—a weapon for the safeguarding of the interests of a given ruling class.

Mr. President, I submit that the pending bill provides for the establishment of an administrative agency as a part of the legislative branch of the Government, which will have as a part of its functions the promotion of the interests of separate classes of our citizens, namely, minority groups.

Mr. Krylenko continues:

> A club is a primitive weapon, a rifle is a more efficient one, the most efficient is the court. For us there is no difference between a court of law and summary justice. A court is merely a better organized form which warrants a minimum of possible mistakes and better evidence of the fact of the time.
>
> The court is an organ of state administration and as such does not differ in its nature from any other organs of administration which are designed, as the court is, to carry out one and the same governmental policy.

To carry out a government policy. That certainly is not the rule in America, but it is the rule provided for in the pending bill.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. The distinction between the courts of communistic governments and those of democracies, such as ours, is this: The courts in a communistic government are designed to enforce the policies of the government, whereas in a democracy the primary purpose of the courts is to protect the rights of the individual citizen.

Mr. EASTLAND. The Senator is correct.

Mr. McCLELLAN. I have stated the distinction between the two types of courts.

Mr. EASTLAND. I may state a further distinction. In communistic states courts are established for the protection and promotion of a class.

Mr. McCLELLAN. That class being the ruling class. The Senator is correct.

Under the terms of the pending bill, and its provisions with respect to adjudication of allegations of discrimination, the Commission is to be vested with powers similar to those which are now conferred upon courts in communistic governments. Those powers are to be used for the purpose of enforcing the policy of the Commission against all others, irrespective of their independent views, their liberty, or the freedom which the Constitution guarantees to them.

Mr. EASTLAND. Those powers are to be exercised against the rights of the individual, such as his right of freedom, his right of employment, and so forth. I continue the quotation:

> Our judge is above all a politician, a worker in the political field * * * and therefore he must know what the Government wants and to guide his work accordingly * * * therefore the court must be organized so that there must be a possibility to direct the verdict in conformity with the aims of the state policy which is pursued by the government.

Mr. McCLELLAN. In other words, the Commission is to be established for but one thing, namely, to carry out orders issued by the ruling authority.

Mr. EASTLAND. The Senator is correct. Does not the Senator know that the Commission would exercise such powers freely and without restraint?

Mr. McCLELLAN. I am sure that the Commission would exercise such powers and that those powers would even exceed some of the powers of the Chief Executive in that the Commission could order him around.

Mr. EASTLAND. The Commission could go further than a communistic court in Russia could go.

Mr. McCLELLAN. I believe the Senator to be correct.

Mr. EASTLAND. What I have said applies even to the Ogpu, which, under certain conditions, is subject to orders of the district attorney. I submit that this Commission, if established, will be the

most totalitarian court in the world today.

I continue reading:

> We look at the court as a class institution, as an organ of government power, and we erect it as an organ completely under control of the vanguard of the working class. * * * Our court is not an organ independent of the governmental power. * * * Therefore it cannot be organized in any way other than being dependent upon and removable by the Soviet power.

Mr. President, I submit that, generally speaking, the policies to which reference is made in the statement which I have read reflect the policy which will underlie hearings to be held by the Commission provided for by the pending bill.

What is the system in vogue in Soviet Russia today? I now read from a synopsis of Russian statutes which has been prepared by a very able man whose name I will give if I am requested to do so. He holds a very important position in this Government. He studied law at the University of Moscow and practiced law in Soviet Russia. He graduated at Heidelberg, Germany, and from the University of Leipzig. Today he is in charge of a foreign-law section in a great agency of the American Government. I know that the synopsis which he has prepared is absolutely correct in all its details.

What is the procedure which is followed in the Soviet Union? Upon information that a crime has been committed, administrative agencies in Russia investigate all the pertinent facts.

What would happen under this bill? When the Commission had received information, regardless of the source from which it had come, or by what method, such as over the telephone, by letter, hearsay, or whatever manner in which it may have heard that discrimination had taken place, it would send an agent to conduct an investigation. It would not be necessary for the aggrieved person to have made a complaint. During the beginning of the process the Commission would operate exactly under the same system which obtains in Russia. I read further from the report on Soviet law:

> The person, if suspected, cannot avail himself of a counsel for his defense until an investigation is concluded.

Under the pending bill the accused would be forced to give evidence against himself. Under the Russian system, after a person is indicted he may not be forced to testify against himself. But the system in effect there is to put him on the witness stand as a witness during the preliminary investigation, swear him, make him testify, and later set his testimony out in full in an indictment. In effect, he has been made to give evidence against himself, which is exactly what would take place under the agency provided for in the pending bill.

I continue reading:

> The administrative agencies are, if a case is transferred to them by a court—

That means by the Ogpu. It is not limited in any particular manner, and it may assume jurisdiction of a case and then transfer it to another, a judicial officer who is not required to have any legal training. In the pending bill a hearing is provided for. The Commission is the grand jury, prosecutor, judge, and jury. But the man who is present as the judicial officer is not required to have a legal training. Neither is a judge in Soviet Russia. When I speak of Soviet Russia, Mr. President, I refer to a system which is generally in effect in eastern and southern Europe today. The man who wrote Senate bill 101 had intimate knowledge of the judicial procedure obtaining in the areas to which I have referred.

Mr. RUSSELL. Mr. President, while the Senator is speaking of the fact that under the pending bill a person could be compelled to testify against himself, I think it is well to read the provision of the bill covering that point. Paragraph (c) of section 11 reads:

> (c) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture.

Of course, as the Senator has pointed out, that is the same rule that is applied by the Ogpu in Russia, and that was applied by the Gestapo when it was in power in Germany. The language which I have read is one of the earmarks of the totalitarian state, and would deny the right of the accused to present testimony in behalf of himself.

Mr. EASTLAND. The Senator is correct.

Mr. McCLELLAN. I listened to the language which was read by the able Senator from Georgia, and noted that in it there is a provision that the accused shall be required to testify. Then the language continues:

> But no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

The point I wish to make is that when a man is brought before the Commission, or its agent, he is compelled to tell all he knows about himself, and that is used as the basis for an indictment; yet it is said he will not be punished. It is contradictory; it is inconsistent. It is an impossible imposition upon the human equation, because no man sitting as a judge would be capable of carrying out the full letter of the law. No human being could do it. I make a charge against someone; I make him tell me all that occurred and happened yesterday; then I disabuse my mind of that and do not consider it in weighing his character, weighing him for what he is, or weighing the charge that is to be made against him? It is a human impossibility. Not a Senator could do it; not a judge could do it; not a jury could do it.

Mr. RUSSELL. Mr. President, it is repugnant to the concept of Anglo-Saxon justice to make a man testify against himself. There are two reasons for such a concept. In the first place, back in the days when America meant something and being an American citizen was considered as a badge of honor and distinction, the mere fact that a man was compelled to plead guilty to the Commission of an offense was considered a penalty. The Constitution threw its arms around the citizen and said that no man should be compelled to bear testimony against himself or to incriminate himself. Now it is proposed to amend the Constitution by this proposed law, and say we will make a man testify against himself, despite the provision of the Constitution, in the Bill of Rights, in the fifth amendment, which provides that a man shall not be compelled to incriminate himself.

As the Senator from Arkansas has well pointed out, no human being could dissociate the fact that a man was under compulsion to testify from evidence which came from other sources. A jury could not do it. Under the pending bill a man would not even be allowed a jury, but he would be tried by the Ogpu agent, as the Senator pointed out.

Furthermore, when a man is made to testify against himself, although the proponents of the bill say there is no penalty imposed, yet in the express terms and provisions of the bill, there is held over his head the threat of a prosecution for perjury if he refuses to testify in reply to the evidence the examiner of the Commission might give in the case.

Mr. EASTLAND. Mr. President, I ask Senators to listen to this and see whether this provision is in the bill. I quote from Communist procedure:

> A judicial officer who does not necessarily have to have legal training has free hands in summonsing and examining witnesses and documents, no matter to whom they belong.

Think of that, Mr. President.

Mr. McCLELLAN. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. McCLELLAN. It is significant to me that there is no provision in the bill—at least I have been unable to find any—making allowance for the expenses an individual who was accused would incur, and would of necessity have to incur, to produce his witnesses wherever the hearing was held.

Mr. EASTLAND. I was about to come to that.

Mr. McCLELLAN. I am talking about the particular bill we are discussing. If a citizen of the Senator's State of Mississippi is charged with discriminating and refusing to employ someone on account of his race, creed, or color, and the hearing is set here before a Commissioner, the man might have 25 witnesses from whom he could produce evidence to the effect that he had not discriminated on account of race, creed, color, or national origin. Yet, in order to enable him to make his defense, someone would have to pay the expense of transportation and the other necessary expenses involved in his appearing in Washington, or wherever the hearing was held, in order to establish his innocence, because that is what he would have to do. There is no presumption of innocence in this measure.

Mr. EASTLAND. Of course not. Let me say to the Senator, there is no presumption of innocence in Soviet Russia either.

Mr. McCLELLAN. That is correct, and the Senator is drawing a very appropriate and timely analogy in the consideration of the bill.

The point I am making is that the small businessman, the struggling businessman, is helpless. He cannot defend himself. The bill starts out with a presumption that, once he is accused, he has violated the law, discriminated against someone, and he is not able to defend himself. He has to yield to a little investigator; he has to bow to his will; he has to bow to intimidation; he has not the means to come to Washington and appear before the Commission, or to go somewhere else and defend his liberty.

Mr. EASTLAND. Mr. President, that is not the worst feature of it. An accused person can be required to bring his witnesses from Little Rock to Washington; he can then be required to go to San Francisco with his witnesses, and then be required to go to the city of Detroit, all at his own expense, for hearings, under a system under which I think it is admitted by some of the proponents of the bill fictitious complaints will be made by men who are fired.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McMAHON. I have no intention of entering into the debate, but I will say that the provision of the bill to which reference has just been made should be stricken out. For several years I think there has been a tendency on the part of the Government to select the jurisdiction in which it desires to proceed. As Senators know, under the conspiracy statutes of the United States, an accused person can be tried in California, or he can be tried in New York. It is up to the prosecutor to select the district in which he is to be tried.

Mr. McCLELLAN. If the Senator from Mississippi will yield at that point, under those statutes the burden is on the Government to procure the attendance of the witnesses of the accused in his own defense.

Mr. McMAHON. That is also true.

Mr. McCLELLAN. Under the pending bill there is no such burden on the Government.

Mr. McMAHON. All the more, then, do I think that particular provision of the bill should be stricken out.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Nathan Cayton, of the District of Columbia, to be chief judge of the Municipal Court of Appeals for the District of Columbia, vice William E. Richardson, deceased;

Roy M. Shelbourne, of Kentucky, to be United States district judge for the western district of Kentucky, vice Shackelford Miller, Jr., elevated;

Edward S. Kampf, of New York, to be United States district judge for the northern district of New York, vice Frederick H. Bryant, deceased;

J. Vincent Keogh, of New York, to be United States attorney for the eastern district of New York, vice Miles F. McDonald, resigned;

Alexander M. Campbell, of Indiana, to be United States attorney for the northern district of Indiana;

Al W. Hosinski, of Indiana, to be United States marshal for the northern district of Indiana; and

John M. Comeford, of Wisconsin, to be United States marshal for the western district of Wisconsin.

RECESS

Mr. CHAVEZ. Mr. President, I understand the Senator from Mississippi [Mr. EASTLAND] has the floor. Am I correct?

Mr. EASTLAND. Yes.

Mr. CHAVEZ. Is the Senator willing that the Senate recess at this time provided he does not lose the floor?

Mr. EASTLAND. I am willing that the Senate recess at this time provided I retain the floor.

Mr. CHAVEZ. Mr. President, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 14 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, February 5, 1946, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 4 (legislative day of January 18), 1946:

ASSISTANT COMMISSIONER OF PATENTS

Thomas F. Murphy, of Massachusetts, to be Assistant Commissioner of Patents, vice Conder C. Henry, resigned.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

(Those officers whose names are preceded by the symbol (×) are subject to examination required by law. All others have been examined and found qualified for promotion.)

To be colonels with rank from December 28, 1945

×Lt. Col. Joseph Leon Philips, Cavalry (temporary brigadier general).

×Lt. Col. Harry Innes Thornton Creswell, Infantry (temporary colonel).

Lt. Col. Lloyd Harlow Cook, Infantry (temporary colonel).

Lt. Col. Kenneth McCatty, Coast Artillery Corps (temporary colonel).

×Lt. Col. Harold Holmes Ristine, Field Artillery (temporary colonel).

Lt. Col. Charles Timothy Senay, Infantry (temporary colonel).

Lt. Col. Egmont Francis Koenig, Infantry (temporary brigadier general).

Lt. Col. Theodore Woodward Wrenn, Field Artillery (temporary colonel).

Lt. Col. Harold Whitaker Rehm, Ordnance Department (temporary colonel).

Lt. Col. Peter Kenrick Kelly, Coast Artillery Corps (temporary colonel).

Lt. Col. Kramer Thomas, Cavalry (temporary colonel).

Lt. Col. Lawrence John Ingram Barrett, Infantry (temporary colonel).

Lt. Col. Clifford Hildebrandt Tate, Field Artillery (temporary colonel).

Lt. Col. Oliver Patton Echols, Air Corps (temporary major general).

Lt. Col. Willard Stratton Wadelton, Cavalry (temporary colonel).

×Lt. Col. John Murray Jenkins, Jr., Field Artillery (temporary colonel).

Lt. Col. Frank Lewis Culin, Jr., Infantry (temporary major general).

Lt. Col. Beverly Hare Coiner, Cavalry (temporary colonel).

×Lt. Col. Albert Dewitt Chipman, Coast Artillery Corps (temporary colonel).

×Lt. Col. Robert Edgar Turley, Jr., Coast Artillery Corps (temporary colonel).

×Lt. Col. Ralph Corbett Smith, Infantry (temporary major general).

×Lt. Col. William Moses Goodman, Coast Artillery Corps (temporary major general).

×Lt. Col. Arthur Henry Truxes, Cavalry (temporary colonel).

×Lt. Col. Gordon Joseph Fred Heron, Cavalry (temporary colonel).

×Lt. Col. Thomas Seelye Arms, Infantry (temporary brigadier general).

Lt. Col. Archelaus Lewis Hamblen, Infantry (temporary brigadier general).

×Lt. Col. Paul Whitten Mapes, Infantry (temporary colonel).

Lt. Col. Robert Chauncey Macon, Infantry (temporary major general).

×Lt. Col. Stanley Bacon, Field Artillery (temporary colonel).

×Lt. Col. Samuel Victor Constant, Cavalry (temporary colonel).

×Lt. Col. William Curtis Chase, Cavalry (temporary major general).

Lt. Col. Norman Edgar Fiske, Cavalry (temporary colonel).

×Lt. Col. Wilson Tarlton Bals, Cavalry (temporary colonel).

×Lt. Col. Cyrus Jenness Wilder, Cavalry (temporary colonel).

Lt. Col. Harold Charles Fellows, Cavalry (temporary colonel).

×Lt. Col. George Lester Kraft, Infantry (temporary colonel).

×Lt. Col. John Singleton Switzer, Infantry (temporary colonel).

×Lt. Col. Robert Ellsworth Phillips, Coast Artillery Corps (temporary colonel).

Lt. Col. Allen Frederick Kingman, Infantry (temporary brigadier general).

Lt. Col. Leander Russell Hathaway, Infantry (temporary colonel).

Lt. Col. John Theodore Pierce, Cavalry (temporary brigadier general).

×Lt. Col. Vincent Bargmant Dixon, Air Corps (temporary colonel).

×Lt. Col. Wilmer Stanley Phillips, Coast Artillery Corps (temporary colonel).

×Lt. Col. Leven Cooper Allen, Infantry (temporary major general).

Lt. Col. Cornelius Martin Daly, Cavalry (temporary brigadier general).

×Lt. Col. Oliver Arlington Hess, Infantry (temporary colonel).

Lt. Col. Edward Amende Allen, Signal Corps (temporary colonel).

Lt. Col. Frank Lawrence Whittaker, Cavalry (temporary colonel).

×Lt. Col. Edgar Harrison Underwood, Coast Artillery Corps (temporary brigadier general).

×Lt. Col. Jedediah Huntington Hills, Adjutant General's Department (temporary colonel).

×Lt. Col. Donald Strong Perry, Cavalry (temporary colonel).

×Lt. Col. John Eubank Copeland, Infantry (temporary brigadier general).

Lt. Col. Frederick Reid Lafferty, Cavalry (temporary colonel).

×Lt. Col. Joseph LeTourneau Lancaster, Infantry (temporary colonel).

×Lt. Col. David Renwick Kerr, Infantry (temporary colonel).

×Lt. Col. Arthur Titman Lacey, Cavalry (temporary colonel).

×Lt. Col. Paul Hills French, Coast Artillery Corps (temporary colonel).

×Lt. Col. Sidney Sohns Eberle, Infantry (temporary colonel).
×Lt. Col. Joseph Nicholas Dalton, Adjutant General's Department (temporary major general).
Lt. Col. David Wilson Craig, Field Artillery (temporary colonel).
×Lt. Col. Thomas Gannt Dobyns, Cavalry (temporary colonel).
×Lt. Col. John Thomas Minton, Cavalry (temporary colonel).
Lt. Col. Horace Lincoln Whittaker, Quartermaster Corps (temporary brigadier general).
×Lt. Col. Walter Alexander Pashley, Quartermaster Corps (temporary colonel).
Lt Col. Edward Fondren Shaifer, Cavalry (temporary colonel).
×Lt. Col. Richard Gentry Tindall, Infantry (temporary brigadier general).
×Lt. Col. Graham Wallace Lester, Infantry (temporary colonel).
×Lt. Col. Francis Artaud Byrne, Infantry.
Lt. Col. Farragut Ferry Hall, Quartermaster Corps (temporary colonel).
Lt. Col. Orville Monroe Moore, Field Artillery (temporary colonel).
×Lt. Col. Leonard Russell Boyd, Infantry (temporary brigadier general).
Lt. Col. Withers Alexander Burress, Infantry (temporary major general).
×Lt. Col. Harry Lee Bennett, Signal Corps (temporary colonel).
Lt. Col. John Cheney Platt, Jr., Signal Corps (temporary colonel).
Lt. Col. James Lindley Hatcher, Ordnance Department (temporary colonel).
Lt. Col. Charles Winship Jones, Infantry (temporary colonel).
×Lt. Col. Paul Nutwell Starlings, Infantry (temporary colonel).
×Lt. Col. Sevier Rains Tupper, Infantry (temporary colonel).
Lt. Col. Irving Carrington Avery, Infantry (temporary colonel).
Lt. Col. Aaron Joseph Becker, Infantry (temporary colonel).
×Lt. Col. Wilson McKay Spann, Infantry (temporary colonel).
×Lt. Col. James Vernon Ware, Infantry (temporary colonel).
Lt. Col. Robert Washington Brown, Judge Advocate General's Department (temporary colonel).
×Lt. Col. Charles Lowndes Steel, Infantry (temporary colonel).
Lt. Col. Manuel Benigno Navas, Infantry (temporary colonel).
×Lt. Col. Enrique Manuel Benitez, Coast Artillery Corps (temporary colonel).
×Lt. Col. Andres Lopez, Infantry (temporary colonel).
×Lt. Col. Modesto Enrique Rodriguez, Infantry (temporary colonel).
×Lt. Col. John Wallick McDonald, Cavalry (temporary colonel).
×Lt. Col. David Hazen Blakelock, Cavalry (temporary brigadier general).
Lt. Col. John Warren Cotton, Infantry (temporary colonel).
×Lt. Col. Ira Benjamin Hill, Coast Artillery Corps (temporary colonel).
×Lt. Col. Albert Russell Ives, Field Artillery (temporary colonel).
Lt. Col. Paul James Dowling, Infantry (temporary colonel).
Lt. Col. John Lenhart Rice, Cavalry (temporary colonel).
Lt. Col. Willis Henry Hale, Air Corps (temporary major general).
×Lt. Col. William Powell Scobey, Infantry (temporary colonel).
Lt. Col. William Cheney Moore, Infantry (temporary colonel).
×Lt. Col. Wharton Girard Ingram, Cavalry (temporary colonel).
Lt. Col. Herman Frederick Kramer, Infantry (temporary major general).
Lt. Col. Clarence Paul Evers, Infantry (temporary colonel).
×Lt. Col. Charles Wesley Gallaher, Field Artillery (temporary colonel).
×Lt. Col. Adrian St. John, Chemical Warfare Service (temporary colonel).
Lt. Col. John Colford Daly, Cavalry (temporary colonel).
Lt. Col. Paul Everton Peabody, Infantry (temporary brigadier general).
×Lt. Col. Albert Francis Christie, Infantry (temporary colonel).
×Lt. Col. Ernest Hill Burt, Judge Advocate General's Department (temporary brigadier general).
×Lt. Col. Ray Milton O'Day, Infantry (temporary colonel).
×Lt. Col. James Madison Garrett, Jr., Field Artillery (temporary colonel).
×Lt. Col. Julian Wallace Cunningham, Cavalry (temporary brigadier general).
Lt. Col. Clarence Edward Cotter, Coast Artillery Corps (temporary colonel).
×Lt. Col. Gordon Bennett Welch, Ordnance Department (temporary colonel).
×Lt. Col. Edmund Bernard Edwards, Field Artiller, (temporary colonel).
×Lt. Col. Merritt Elijah Olmstead, Infantry (temporary colonel).
Lt. Col. Benjamin Franklin Caffey, Jr., Infantry (temporary brigadier general).
Lt. Col. Frank August Heileman, Corps of Engineers (temporary major general).
×Lt. Col. Clinton Albert Pierce, Cavalry (temporary brigadier general).
×Lt. Col. McFarland Cockrill, Cavalry (temporary colonel).
×Lt. Col. Otto Blaine Trigg, Cavalry (temporary colonel).
Lt. Col. Edison Albert Lynn, Ordnance Department (temporary colonel).
×Lt. Col. Lawrence Cordell Frizzell, Cavalry (temporary colonel).
×Lt. Col. Guy Humphrey Drewry, Ordnance Department (temporary brigadier general).
Lt. Col. Henry Davis Jay, Field Artillery (temporary brigadier general).
Lt. Col. Clarence Maxwell Culp, Infantry (temporary colonel).
Lt. Col. Ray Lawrence Burnell, Field Artillery (temporary brigadier general).
Lt. Col. Raphael Saul Chavin, Ordnance Department (temporary brigadier general).
×Lt. Col. John Lester Scott, Finance Department (temporary colonel).
×Lt. Col. Philip Shaw Wood, Infantry (temporary colonel).
Lt. Col. William Henry McCutcheon, Infantry (temporary colonel).
×Lt. Col. Adlai Cyrus Young, Infantry (temporary colonel).
×Lt. Col. Clinton Inness McClure, Field Artillery (temporary colonel).
×Lt. Col. Evan Clouser Seaman, Coast Artillery Corps (temporary colonel).
Lt. Col. Henry Rasick Behrens, Coast Artillery Corps.
×Lt. Col. Roy Charles Lemach Graham, Quartermaster Corps (temporary brigadier general).
Lt. Col. George Ralph Barker, Infantry (temporary colonel).
×Lt. Col. John Waldemar Thompson, Infantry (temporary colonel).
×Lt. Col. Archie Arrington Farmer, Signal Corps (temporary brigadier general).
×Lt. Col. Charles Sabin Ferrin, Field Artillery (temporary brigadier general).
Lt. Col. Roger Hilsman, Infantry (temporary colonel).
×Lt. Col. Holmes Ely Dager, Infantry (temporary major general).
Lt. Col. Harry Elmer Fischer, Infantry (temporary colonel).
×Lt. Col. Roger Williams, Jr., Infantry (temporary colonel).
Lt. Col. Harry Brandley Hildebrand, Infantry (temporary colonel).
×Lt. Col. Louis Whorley Hasslock, Field Artillery.
Lt. Col. Frederick Stone Matthews, Infantry (temporary colonel).
×Lt. Col. William E. Kepner, Air Corps (temporary major general).
×Lt. Col. Marcus Aurelius Smith Ming, Field Artillery (temporary colonel).
Lt. Col. Walter Raymond Graham, Infantry (temporary colonel).
×Lt. Col. James Patrick Murphy, Infantry (temporary colonel).
×Lt. Col. Jacob Edward Bechtold, Infantry (temporary colonel).
Lt. Col. Neal Creighton Johnson, Infantry (temporary brigadier general).
×Lt. Col. Norman Pyle Groff, Infantry (temporary colonel).
×Lt. Col. Glenn Adelbert Ross, Infantry (temporary colonel).
×Lt. Col. Francis Augustus Woolfley, Infantry (temporary brigadier general).
×Lt. Col. Nelson Dingley 3d, Coast Artillery Corps (temporary colonel).
Lt. Col. Richard Weaver Hocker, Field Artillery (temporary colonel).
Lt. Col. Joseph Ware Whitney, Infantry (temporary colonel).
Lt. Col. Peter Paul Salgado, Infantry (temporary colonel).
×Lt. Col. Martin Ackerson, Infantry.
Lt. Col. William Johnston Bacon, Judge Advocate General's Department (temporary colonel).
Lt. Col. Frank Unsworth McCoskrie, Infantry (temporary colonel).
Lt. Col. Edward William Bondy, Infantry.
Lt. Col. Andrew Jackson McFarland, Infantry (temporary brigadier general).
Lt. Col. John Miller Fray, Field Artillery (temporary colonel).
Lt. Col. Harold Howard Galliett, Infantry (temporary colonel).
×Lt. Col. John Vincil Stark, Infantry.
×Lt. Col. Grover Be Egger, Infantry (temporary colonel).
×Lt. Col. Clyde Pickett, Adjutant General's Department (temporary colonel).
Lt. Col Paul Oscar Franson, Infantry (temporary colonel).
Lt. Col. John Neely Hopkins, Infantry (temporary colonel).
×Lt. Col. George William Gillette, Corps of Engineers (temporary colonel).
×Lt. Col. William Agnew Howland, Infantry.
Lt. Col. Clifton Augustine Pritchett, Infantry (temporary colonel).
Lt. Col. Luke Donald Zech, Infantry (temporary colonel).
×Lt. Col. Lucian Dalton Bogan, Infantry (temporary colonel).
×Lt. Col. William Pitt Morse, Infantry (temporary colonel).
Lt. Col. Roy Eugene Blount, Cavalry (temporary brigadier general).
Lt. Col. Hubert Vincent Hopkins, Air Corps (temporary colonel).
×Lt. Col. Thomas Ralph Miller, Field Artillery (temporary colonel).
×Lt. Col. Frank Edwin Sharpless, Infantry.
×Lt. Col. Nels Erick Stadig, Infantry (temporary colonel).
×Lt. Col. Ben-Hur Chastaine, Infantry (temporary colonel).
Lt. Col. Leigh Bell, Infantry (temporary colonel).
Lt. Col. George Frederick Spann, Quartermaster Corps (temporary colonel).
Lt. Col. Harry Clayton Luck, Infantry (temporary colonel).
×Lt. Col. Harry Richardson Simmons, Infantry (temporary colonel).
×Lt. Col. Kenneth Frederick Hanst, Infantry (temporary colonel).
×Lt. Col. Everett Charles Williams, Field Artillery (temporary colonel).
Lt. Col. Maurice Clenen Bigelow, Infantry (temporary colonel).
×Lt. Col. Ross Ormall Baldwin, Infantry (temporary colonel).
×Lt. Col. James Alphonse Kilian, Cavalry (temporary colonel).
×Lt. Col. Thomas Ralph Kerschner, Field Artillery (temporary colonel).
×Lt. Col. Otho Wilder Humphries, Quartermaster Corps (temporary colonel).
Lt. Col. Perry Lee Baldwin, Infantry (temporary colonel).
Lt. Col. George Thomas Shank, Infantry (temporary colonel).

×Lt. Col. Thomas Butler Burgess, Infantry (temporary colonel).
×Lt. Col. Albert Chester Searle, Field Artillery (temporary colonel).
Lt. Col. Carl Austin Russell, Infantry (temporary brigadier general).
×Lt. Col. Will Gillett Gooch, Quartermaster Corps (temporary colonel).
×Lt. Col. Chauncey Harold Hayden, Infantry.
×Lt. Col. Erle Oden Sandlin, Infantry (temporary colonel).
Lt. Col. Isaac George Walker, Cavalry (temporary colonel).
×Lt. Col. Walter Edward Jenkins, Field Artillery (temporary colonel).
×Lt. Col. William Elmer Lynd, Air Corps (temporary brigadier general).
×Lt. Col. Ernest Louis McLendon, Infantry (temporary colonel).
Lt. Col. Rhodes Felton Arnold, Infantry (temporary colonel).
Lt. Col. Aln Dudley Warnock, Infantry (temporary brigadier general).
×Lt. Col. Eugene Nelson Slappey, Infantry (temporary colonel).
×Lt. Col. Stephen Garrett Henry, Infantry (temporary major general).
×Lt. Col. Harwood Christian Bowman, Field Artillery (temporary brigadier general).
Lt. Col. Rosenham Beam, Air Corps (temporary colonel).
×Lt. Col. Pleas Blair Rogers, Infantry (temporary brigadier general).
×Lt. Col. Frank Alfred Jones, Infantry (temporary colonel).
×Lt. Col. Donald Wilson, Air Corps (temporary major general).
Lt. Col. John Derby Hood, Cavalry.
×Lt. Col. Claude Greene Hammond, Infantry (temporary colonel).
×Lt. Col. James Patrick Moore, Infantry (temporary colonel).
×Lt. Col. Frank Austin Heywood, Quartermaster Corps (temporary colonel).
×Lt. Col. John Jacob Bethurum Williams, Field Artillery (temporary colonel).
×Lt. Col. Randolph Gordon, Infantry (temporary colonel).
Lt. Col. Charles McDonald Parkin, Infantry (temporary colonel).
×Lt. Col. Philip Coleman Clayton, Cavalry (temporary colonel).
×Lt. Col. William Francis Heavey, Corps of Engineers (temporary brigadier general).
×Lt. Col. Robert Marks Bathurst, Field Artillery (temporary brigadier general).
Lt. Col. Daniel Noce, Corps of Engineers (temporary major general).
×Lt. Col. Willis Edward Teale, Corps of Engineers (temporary colonel).
Lt. Col. Clark Kittrell, Corps of Engineers (temporary colonel).
×Lt. Col. Charles Everett Hurdis, Field Artillery (temporary major general).
×Lt. Col. Henry Hutchings, Jr., Corps of Engineers (temporary brigadier general).
×Lt. Col. Henry John Schroeder, Signal Corps (temporary colonel).
×Lt. Col. John Matthew Devine, Field Artillery (temporary major general).
Lt. Col. Harold Albert Nisley, Ordnance Department (temporary brigadier general).
×Lt. Col. James Louis Guion, Ordnance Department (temporary colonel).
Lt. Col. George Douglas Wahl, Field Artillery (temporary brigadier general).
×Lt. Col. Basil Harrison Perry, Field Artillery (temporary brigadier general).
Lt. Col. Harold Rufus Jackson, Coast Artillery Corps (temporary brigadier general).
×Lt. Col. Ray Hartwell Lewis, Field Artillery (temporary colonel).
Lt. Col. Augustus Milton Gurney, Field Artillery (temporary brigadier general).
×Lt. Col. John Trott Murray, Infantry (temporary brigadier general).
Lt. Col. Morris Keene Barroll, Jr., Ordnance Department (temporary colonel).
×Lt. Col. Warfield Monroe Lewis, Infantry (temporary colonel).
Lt. Col. Walter Wilton Warner, Ordnance Department (temporary colonel).
Lt. Col. Rex Webb Beasley, Field Artillery (temporary brigadier general).
Lt. Col. Joseph Lawton Collins, Infantry (temporary lieutenant general).
×Lt. Col. Walter Francis Vander Hyden, Ordnance Department (temporary colonel).
Lt. Col. Ira Adam Crump, Ordnance Department (temporary colonel).
Lt. Col. Elbert Louis Ford, Ordnance Department (temporary brigadier general).
Lt. Col. Scott Brewer Ritchie, Ordnance Department (temporary colonel).
Lt. Col. John Tupper Cole, Cavalry (temporary colonel).
Lt. Col. George Sampson Beurket, Field Artillery (temporary colonel).
Lt. Col. Charles Hunter Gerhardt, Cavalry (temporary major general).
Lt. Col. Frederick Augustus Irving, Infantry (temporary major general).
×Lt. Col. Burnett Ralph Olmsted, Ordnance Department (temporary colonel).
×Lt. Col. Matthew Bunker Ridgway, Infantry (temporary lieutenant general).
×Lt. Col. Irvin Edward Doane, Infantry (temporary colonel).
×Lt. Col. Albert Cowper Smith, Cavalry (temporary major general).
Lt. Col. Richard Mars Wightman, Field Artillery (temporary colonel).
×Lt. Col. Charles Walter Yuill, Infantry (temporary colonel).
Lt. Col. William Willis Eagles, Infantry (temporary major general).
×Lt. Col. Joel Grant Holmes, Ordnance Department (temporary colonel).
×Lt. Col. James Arthur Code, Jr., Signal Corps (temporary major general).
×Lt. Col. William Sackville, Coast Artillery Corps (temporary colonel).
Lt. Col. Louis LeRoy Martin, Cavalry (temporary colonel).
Lt. Col. William Kelly Harrison, Jr., Cavalry (temporary brigadier general).
Lt. Col. Ernest Nason Harmon, Cavalry (temporary major general).
×Lt. Col. Norman Daniel Cota, Infantry (temporary major general).
Lt. Col. Christian Gingrich Foltz, Coast Artillery Corps (temporary colonel).
×Lt. Col. Joseph Scranton Tate, Field Artillery (temporary colonel).
×Lt. Col. Robert Bundy Ransom, Infantry (temporary colonel).
×Lt. Col. Arthur McKinley Harper, Field Artillery (temporary major general).
×Lt. Col. Carleton Coulter, Jr., Infantry (temporary colonel).
×Lt. Col. Aaron Bradshaw, Jr., Coast Artillery Corps (temporary brigadier general).
Lt. Col. Robert Newton Kunz, Signal Corps (temporary colonel).
×Lt. Col. Charles Solomon Kilburn, Cavalry (temporary colonel).
Lt. Col. Willis Richardson Slaughter, Ordnance Department (temporary colonel).
Lt. Col. George Hatton Weems, Infantry (temporary brigadier general).
Lt. Col. Charles Radcliffe Johnson, Jr., Cavalry (temporary colonel).
×Lt. Col. William Claude McMahon, Infantry (temporary brigadier general).
×Lt. Col. Bertrand Morrow, Cavalry (temporary colonel).
×Lt. Col. Harry Russell Pierce, Coast Artillery Corps (temporary colonel).
×Lt. Col. Lawrence Collamore Mitchell, Coast Artillery Corps (temporary colonel).
Lt. Col. Milton Baldridge Halsey, Infantry (temporary brigadier general).
×Lt. Col. Charles Love Mullins, Jr., Infantry (temporary major general).
Lt. Col. Sterling Alexander Wood, Infantry (temporary colonel).
×Lt. Col. Alexander Hunkins Campbell, Coast Artillery Corps (temporary colonel).
×Lt. Col. David Sheridan Rumbough, Field Artillery (temporary colonel).
Lt. Col. Marvil Groves Armstrong, Coast Artillery Corps (temporary colonel).
×Lt. Col. Donovan Swanton, Infantry (temporary colonel).
×Lt. Col. Francis Atherton Macon, Jr., Adjutant General's Department (temporary colonel).
Lt. Col. Laurence Bolton Keiser, Infantry (temporary brigadier general).
×Lt. Col. Homer Caffee Brown, Infantry (temporary brigadier general).
×Lt. Col. Clare Hibbs Armstrong, Coast Artillery Corps (temporary brigadier general).
Lt. Col. Harris Marcy Melasky, Infantry (temporary major general).
Lt. Col. John Clement Whitcomb, Infantry (temporary colonel).
Lt. Col. Wallace James Redner, Quartermaster Corps.
×Lt. Col. Paul Hancock Brown, Infantry (temporary colonel).
×Lt. Col. William Stuart Eley, Infantry (temporary colonel).
Lt. Col. Joseph Pescia Sullivan, Quartermaster Corps (temporary brigadier general).
×Lt. Col. Clarke Kent Fales, Infantry (temporary colonel).
×Lt. Col. Solomon Foote Clark, Field Artillery (temporary colonel).
Lt. Col. Russell Gilbert Barkalow, Field Artillery (temporary colonel).
×Lt. Col. Frank Augustus Keating, Infantry (temporary major general).
Lt. Col. Richard David Daugherity, Finance Department (temporary colonel).
Lt. Col. Joseph Clark Addington, Infantry (temporary colonel).
Lt. Col. Allison Joseph Barnett, Infantry (temporary major general).
×Lt. Col. John Andrew Porter, Quartermaster Corps (temporary brigadier general).
×Lt. Col. George Frederick Unmacht, Chemical Warfare Service (temporary colonel).
×Lt. Col. William Settle Evans, Field Artillery (temporary colonel).
×Lt. Col. George Herbert Schumacher, Quartermaster Corps (temporary colonel).
×Lt. Col. Walter Moody Tenney, Field Artillery (temporary colonel).
Lt. Col. Arthur Shelby Levinsohn, Quartermaster Corps (temporary colonel).
Lt. Col. Richard Bartholomew Moran, Signal Corps (temporary brigadier general).
Lt. Col. Arthur Oscar Walsh, Finance Department (temporary colonel).
×Lt. Col. Harry Lauman Waggoner, Quartermaster Corps (temporary colonel).
×Lt. Col. Walter Herbert Wells, Infantry.
Lt. Col. LeRoy Lutes, Coast Artillery Corps (temporary lieutenant general).
×Lt. Col. Welcome Porter Waltz, Infantry (temporary colonel).
Lt. Col. John Walter Crissy, Infantry (temporary colonel).
×Lt. Col. Edwin Hugh Johnson, Infantry (temporary colonel).
Lt. Col. Russel McKee Herrington, Corps of Engineers (temporary colonel).
×Lt. Col. Lewis Abram Pulling, Cavalry.
×Lt. Col. Fred Matthew Fogle, Quartermaster Corps (temporary colonel).
×Lt. Col. Charles Erwin Rayens, Infantry (temporary colonel).
×Lt. Col. Sidney Feagin Dunn, Field Artillery (temporary colonel).
Lt. Col. William Hones, Infantry (temporary colonel).
Lt. Col. Breckinridge Atwater Day, Field Artillery (temporary colonel).
×Lt. Col. Joseph Kennedy, Field Artillery (temporary colonel).
Lt. Col. George David Shea, Field Artillery (temporary brigadier general).
×Lt. Col. Donald Coe Hawley, Cavalry.
×Lt. Col. Gilmer Meriwether Bell, Infantry (temporary colonel).
Lt. Col. Jay Ward MacKelvie, Field Artillery (temporary brigadier general).
Lt. Col. Francis Truman Bonsteel, Cavalry (temporary colonel).
Lt. Col. William Edwin Barott, Quartermaster Corps (temporary colonel).
×Lt. Col. Frank Nelson, Cavalry (temporary colonel).

Lt. Col. John Homer Carriker, Field Artillery (temporary colonel).
Lt. Col. Benjamin Harrison Hensley, Infantry (temporary colonel).
Lt. Col. William Samuel Rumbough, Signal Corps (temporary major general).
×Lt. Col. Frank Henry Barnhart, Cavalry (temporary colonel).
Lt. Col. Henry Theophil John Weishaar, Quartermaster Corps (temporary colonel).
Lt. Col. Henry Jeffrey Matchett, Infantry (temporary brigadier general).
×Lt. Col. John William Bulger, Infantry (temporary colonel).
×Lt. Col. Crosby Nickerson Elliott, Quartermaster Corps (temporary colonel).
×Lt. Col. Alton Wright Howard, Cavalry (temporary colonel).
×Lt. Col. Frank Moore Child, Infantry (temporary colonel).
Lt. Col. Hurley Edward Fuller, Infantry (temporary colonel).
×Lt. Col. Larry McHale, Field Artillery.
×Lt. Col. John Paul Horan, Infantry (temporary colonel).
Lt. Col. William Benjamin Wright, Jr., Air Corps (temporary colonel).
Lt. Col. Richard Whitney Carter, Cavalry (temporary colonel).

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 4, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou who art the way, the truth, and the life, whose word is the loftiest teaching of earth, enrich our minds and hearts with Thy heavenly gifts that we may abhor the evil and cleave to that which is good. O take the beam from our own eyes that we may see more clearly to take the mote out of our brother's eye. Unsoiled by the thought of selfishness, unfretted by the faults of others, ennoble us by unfaltering devotion which shames the stifling things born of self. O Zion, hasten to bring to our Nation the blessings of insight, accuracy, and creative power for the future. May we be resolutely determined to make our land the citadel of upright, patriotic citizens, lifting it out of the wilderness of strife and confusion into the folds of peace. We pray in the name of Him who walked the troubled waters of sin and sorrow and opened the way to wide horizons where there is strength and power in the courts above. Amen.

The Journal of the proceedings of Friday, February 1, 1946, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the President pro tempore has appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies.

1. Department of Agriculture.
2. Department of Commerce.
3. Department of Commerce (Coast and Geodetic Survey).
4. Department of Justice.
5. Department of the Navy.
6. Department of War.
7. Federal Works Agency.
8. National Archives.
9. National Housing Agency.
10. Office of Price Administration.
11. Office of Scientific Research and Development.
12. Petroleum Administration for War.
13. Surplus Property Administration.
14. United States Railroad Retirement Board.

SWEARING IN OF MEMBERS

Mr. J. LINDSAY ALMOND, JR., and Mr. SAM J. ERVIN, JR., appeared at the Bar of the House and took the oath of office.

EXTENSION OF REMARKS

Mr. LANE asked and was given permission to extend his remarks in the RECORD in two instances, and to include in one an article that appeared in Look magazine and in the other an editorial that appeared in the Boston Sunday Post.

Mr. WALTER asked and was given permission to extend his remarks in the RECORD and include an address by the Under Secretary of the Navy.

Mr. BROOKS asked and was given permission to extend his remarks in the RECORD in two instances and to include in one an address delivered by Mr. Claudius Dickson, of Shreveport, La., and in the other remarks of Mr. Harry Johnson, of Shreveport, La.

Mr. DOMENGEAUX asked and was given permission to extend his remarks in the RECORD in two instances, and to include in one a letter written to the Secretary of Agriculture by various Members of Congress and in the other an editorial from the New Orleans Item.

Mr. LARCADE asked and was given permission to extend his remarks in the RECORD and include a letter from the Governor of Louisiana addressed to the Governor of Ohio.

Mr. KELLEY of Pennsylvania asked and was given permission to extend his remarks in the RECORD and include a telegram from Thomas Kennedy, secretary-treasurer of the United Mine Workers of America.

Mr. SIKES asked and was given permission to extend his remarks in the RECORD.

Mr. DOUGHTON of North Carolina asked and was given permission to extend his remarks in the RECORD and include a letter from Hon. Edwin Gill, Commissioner of Revenue of North Carolina, to Hon. O. Max Gardner, Chairman of the Advisory Board on War Mobilization and Reconversion, and his reply.

Mrs. LUCE asked and was given permission to extend her remarks in the RECORD and include copies of certain resolutions passed by chapters of the DAR condemning the action of the Washington board in connection with its exclusion of Negro artists from Constitution Hall.

LABOR LEGISLATION

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, on Friday I addressed the House and outlined briefly the terms of a substitute bill which I shall offer to the Case bill at the proper time. I merely want to say at this time that I have copies of that bill, which is H. R. 5328, and will be glad to furnish any Member the text of that proposal. It is a piece of legislation constructive in nature, which can be enacted into law. I earnestly hope for careful consideration of it, and that Members will take the trouble to look it over before that time comes.

Mr. MONRONEY. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Oklahoma.

Mr. MONRONEY. Will the gentleman tell the House at what point in the RECORD and of what day his remarks explaining the bill appear?

Mr. VOORHIS of California. Page 751 of the RECORD of Friday, February 1.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Illinois.

Mr. CHURCH. Is the bill of which the gentleman is now speaking practically the bill introduced by Senator MCMAHON?

Mr. VOORHIS of California. A considerable part of it, but it also has provision for the final settlement of disputes over grievances, over contract interpretations, and so on, patterned on the Railway Labor Act, as the last section of the bill. There are also 10 other provisions in my bill which do not appear in the McMahon bill, which I shall explain when I have time.

VETERANS' ADMINISTRATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I should like to bring to the attention of the Members of the House something they may want to know.

That is, that for 4 months the Veterans' Administration offices were told by the War Department not to request AGO or medical reports because the office furnishing these reports was moved from High Point, N. C., to some place in Missouri.

So, for 4 months, these reports badly needed by the Veterans' Administration before they could adjudicate claims were not to be had.

When I discovered this condition and learned what had happened, I was very active in having the Veterans' Administration request that they be allowed without further delay to request and receive these AGO records. Thereupon

some 2 weeks later an order went out to permit the Veterans' Administration to request these records.

There is another thing I think most Members realize. That the former Administrator of the Veterans' Administration, except for a very late survey of hospitals, had made absolutely no plans to meet the additional tremendous load to be placed upon him by veterans of World War II. I brought this fact before the House time and time again during the war.

I have pointed out the lack of space, lack of personnel, and lack of hospital facilities.

I have urged that the Veterans' Administration be made the veterans' department with a Cabinet head. Only in that way will the head of the Veterans' Administration have the power to secure the necessary governmental support in order to act promptly and efficiently in matters pertaining to needs of service men and women.

The head of a commission or bureau has very little influence and power. General Bradley's hand should be strengthened in every way, in order to make his work effective.

LOAN TO ENGLAND

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

[Mr. ELLIS addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. SHORT asked and was given permission to extend his remarks in the Appendix of the RECORD and include a radio address he delivered last December.

Mr. KILBURN asked and was given permission to extend his own remarks in the Appendix of the RECORD and include therein an address delivered by Mr. Charles E. Wilson at a meeting of the alumni of Clarkson College of Technology, of Potsdam, N. Y., of which college a former colleague, Hon. Bertrand H. Snell, was for 25 years president of the board of trustees and still is a very active member of the board.

PROPOSED CAPITAL OF THE UNITED NATIONS

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. KOPPLEMANN. Mr. Speaker, as a Member of this body from the State of Connecticut I desire to inform Congress that my State has received a tremendous honor in being recommended as the capital of the United Nations.

The site inspection committee of the United Nations preparatory commission will report to the General Assembly meeting in London on their choice of the Greenwich-Stamford area.

Final selection is up to the General Assembly of the UNO. Connecticut was recommended because it qualified as a location for the permanent United Nations capital. I regret that some local opposition has arisen.

I feel sure that if Connecticut is voted as the capital site by the Assembly, the United Nations will be welcomed with open arms.

World peace hangs in the balance of establishing a world capital. Connecticut, if selected, will need the full cooperation of the whole United States.

We in Connecticut are going all out to do our part. Today the small State of Connecticut is on a much larger map—the map of the world which no longer knows boundary lines.

We from Connecticut humbly acknowledge this great honor. I want to personally, from the well of this House, express my appreciation to the inspection site committee of the United Nations.

EXTENSION OF REMARKS

Mr. GOSSETT asked and was given permission to extend his own remarks in the Appendix of the RECORD and to include a radio address delivered by him last Friday night.

Mr. PHILBIN asked and was given permission to extend his remarks in the RECORD and include therein certain resolutions of the Americans Veterans' Organization of Massachusetts.

PRICE INCREASES AND INFLATION

Mr. SLAUGHTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include a letter as part of my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

[Mr. SLAUGHTER addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD in two instances and to include therein sundry letters and records.

Mr. SHEPPARD asked and was given permission to extend his remarks in the Appendix of the RECORD and include some comments from the Daily Sun, of San Bernardino, Calif., on strike legislation.

Mr. CELLER asked and was given permission to extend his own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House on Wednesday for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. MERROW asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein an article by W. H. Lawrence.

PERMISSION TO ADDRESS THE HOUSE

Mr. MERROW. Mr. Speaker, I ask unanimous consent that after the disposition of business on the Speaker's desk and at the conclusion of special orders heretofore entered I may address the House on Thursday next for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

EXTENSION OF REMARKS

Mr. McCORMACK asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein a radio speech recently made by a former colleague, Hon. William J. Granfield, of Massachusetts; and also to extend his remarks in the Appendix of the RECORD and include therein a letter which he received from the Civil Service Commission in relation to the delay in acting upon applications of veterans.

SENIORITY RIGHTS IN CIVIL SERVICE OF VETERANS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I am today introducing a bill relating to veterans of the last war which I think will appeal to each and every Member of the House. Certainly it is based upon equity and justice. I can best briefly illustrate the objectives of the bill by citing a concrete example.

Take the case of anyone who served during the recent war, and at the time he entered the service his name was on a civil-service list, and that while he was in the service his name was reached on the list. By reason of being in the service, he could not be appointed. It may have been an appointment as rural carrier, or letter carrier, or as a clerk in the Post Office Department, or as a clerk in the Veterans' Administration, or any other civil-service position in any agency of the Federal Government.

The boy returns to civilian life. After his return, his name is restored to the civil-service list or is still on the list it was on before he entered the service. Finally, it is reached and he is appointed. The seniority rights of that young man start at the time he is appointed.

The purpose of my bill is to provide by law that the seniority rights and his rights under retirement and so forth shall start from the time he would have been appointed when his name was reached on the list, had he not been in the armed services. In other words, this bill will remove an unintentional and unconscionable discrimination against veterans who were appointed to Federal service after the termination of the war, whose names were upon the civil-service list at the time they entered the service, and whose names were reached for appointment while in the service.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

ATTACKS ON COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks, and to include therein some excerpts from the hearings before the Committee on Un-American Activities.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix.]

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. OUTLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. OUTLAND. Mr. Speaker, I have listened with interest to the remarks of the gentleman from Mississippi [Mr. RANKIN]. Twice in the last 24 hours I have seen it stated that the chief counsel of the Committee on Un-American Activities has written to a veterans' organization in New York stating: "I wonder if you are sufficiently familiar with the history of the United States to be aware that this country was not organized as a democracy," and further stating that our Nation was a Republic. Mr. Speaker, of course our Government is a Republic—our entire way of life, however, is a democracy, and everyone of any intelligence knows it.

Mr. Speaker, I seem to recall that the President of the United States during the First World War stated we were fighting to make the world safe for democracy. We have just finished an even greater war for the same avowed purpose.

If the Committee on Un-American Activities wishes to render a real service to the American people, I suggest it start by investigating its own chief counsel. Unless he is better informed and more understanding of our way of life than to write letters such as this to our veterans' organizations, he should not be on the pay roll of a congressional committee.

The SPEAKER. The time of the gentleman from California has expired.

EXTENSION OF REMARKS

Mr. EBERHARTER asked and was given permission to extend his remarks in the RECORD and insert a statement of facts relating to a strike of the United Electrical, Radio, and Machine Workers of America.

AMENDING THE HATCH ACT

Mr. SABATH from the Committee on Rules submitted the following privileged resolution (H. Res. 504) which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1118) to amend the Hatch Act. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

THE CONSENT CALENDAR

The SPEAKER. The Clerk will call the first bill on the Consent Calendar.

TO PRESERVE THE NATIONALITY OF NATURALIZED VETERANS, THEIR WIVES, MINOR CHILDREN, AND DEPENDENT PARENTS

The Clerk called the bill (H. R. 4605) to amend the Nationality Act of 1940, to preserve the nationality of naturalized veterans, their wives, minor children, and dependent parents.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That subsection (h) of section 406 of the Nationality Act of 1940, approved December 24, 1942 (56 Stat. 1085; 8 U. S. C. 806), is hereby amended to read as follows:

"(h) Who is a veteran of the Spanish-American War, of World War I, or of World War II, his wife, minor children, or dependent parents."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PLACING CHINESE WIVES OF AMERICAN CITIZENS ON A NONQUOTA BASIS

The Clerk called the bill (H. R. 4844) to provide for the admission to the United States of the alien Chinese wives of American citizens who are admissible under the provisions of the immigration laws other than those authorizing exclusion on grounds of race or birth in a defined geographical area.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ELLIS. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

RIVER AND HARBOR PROJECTS

The Clerk called House Joint Resolution 265, to provide for proceeding with certain river and harbor projects heretofore authorized to be prosecuted after the termination of the war.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, inasmuch as a rule has been granted on this bill, I object.

Mr. COLE of New York and Mr. CUNNINGHAM objected.

DOMESTIC RAISING OF FUR-BEARING ANIMALS

The Clerk called the bill (H. R. 2115) relating to the domestic raising of fur-bearing animals.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN, Mr. COLE of New York, and Mr. ANGELL objected.

OFFICERS AND EMPLOYEES FOR CERTAIN COURTS

The Clerk called the bill (H. R. 4230) to provide necessary officers and employees for circuit courts of appeals and district courts.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

EXTENDING THE CLASSIFIED EXECUTIVE CIVIL SERVICE OF THE UNITED STATES

The Clerk called the bill (S. 102) to amend section 2 (b) of the act entitled "An act extending the classified executive civil service of the United States," approved November 26, 1940, so as to provide for counting military service of certain employees of the legislative branch in determining the eligibility of such employees for civil-service status under such act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, this bill has been passed over on previous calls of the calendar for the reason that the report did not comply with the Ramseyer rule making a notation of the changes in existing law.

I am advised by the chairman of the Committee on the Civil Service that an amended report has been filed. Although the amended report has not been submitted to us, I have no reason to doubt my information.

I therefore withdraw my objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (b) of section 2 of the act entitled "An act extending the classified executive civil service of the United States," approved November 26, 1940 (54 Stat. 1212; U. S. C., title 5, sec. 631 (b)), is amended by adding at the end of such subsection a new sentence as follows: "In the case of an individual who shall have held such a position in the legislative branch for at least 2 years and who shall have been separated from such position for the purpose of entering the military or naval service, such individual shall be deemed, for the purposes of this subsection, to have held such position during the period within which he shall have served in the military or naval forces."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMINISTRATION AND ULTIMATE LIQUIDATION OF FEDERAL RURAL REHABILITATION PROJECTS

The Clerk called the bill (H. R. 2501) to authorize the Secretary of Agriculture to continue administration of and ultimately liquidate Federal rural rehabilitation projects, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN, Mr. COLE of New York, and Mr. CUNNINGHAM objected.

TRAVEL ALLOWANCES AND TRANSPORTATION OF DEPENDENTS OF MEMBERS OF THE NAVAL FORCES UPON SEPARATION

The Clerk called the bill (H. R. 4896) to provide for payment of travel allowances and transportation, and for transportation of dependents and shipment of household effects, of members of the naval forces upon separation from active service, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any member of the naval forces who is hereafter separated from active service under conditions other than honorable may be furnished transportation in kind at Government expense from the place of separation from active service to the place at which he entered upon active service or home of record: *Provided*, That no transportation will be furnished under this section to any person who is in confinement pursuant to sentence of a civil court at the time of separation from active service.

SEC. 2. In lieu of transportation for dependents of personnel of the Navy, Marine Corps, and Coast Guard, or of any of the components thereof authorized under any provision of law, payment in advance or otherwise at the rate of 4 cents per mile for dependents 12 years of age and over, and 2 cents per mile for dependents under 12 years of age to include dependents 5 years of age and over, may be made for land travel. No payment will be made for dependents less than 5 years of age. Reimbursement is authorized in the manner prescribed in this section, for travel performed, in any case where payment for such travel has not theretofore been made.

SEC. 3. The Secretary of the Navy is authorized to delegate authority to determine the availability of Government transportation for dependents of naval personnel to or from stations beyond the continental limits of the United States under any provision of law and such determinations heretofore made by administrative officers shall be deemed sufficient to support payments for transportation of dependents.

SEC. 4. The Secretary of the Navy is authorized to prescribe regulations for carrying out the provisions of this act. Determinations of dependency, distances, and the places between which transportation or travel is authorized, made by the Secretary of the Navy, or such persons as he may designate, shall be conclusive for accounting purposes.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to provide for payment of travel allowances and transportation and for transportation of dependents of members of the naval forces, and for other purposes."

AMENDING ARTICLE 38 OF THE ARTICLES FOR THE GOVERNMENT OF THE NAVY

The Clerk called the bill (S. 1545) to amend article 38 of the Articles for the Government of the Navy.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc. That article 38 of the Articles for the Government of the Navy (Rev. Stat., sec. 1624, art. 38), as amended or superseded by the act approved February 16, 1909, chapter 131, section 10 (35 Stat. 621), as amended by the act approved August 29, 1916, chapter 417 (39 Stat. 586), is amended and reenacted to read as follows:

"ART. 38. Convening authority: General courts martial may be convened:

"First. By the President, the Secretary of the Navy, the commander in chief of a fleet, and the commanding officer of a naval station or a larger shore activity beyond the continental limits of the United States; and

"Second. When empowered by the Secretary of the Navy, by the commanding officer of a division, squadron, flotilla, or other naval force afloat, and by the commandant or commanding officer of any naval district, naval base, or naval station, and by the commandant, commanding officer, or chief of any other force or activity of the Navy or Marine Corps, not attached to a naval district, naval base, or naval station."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJUSTMENT OF PAY ACCOUNTS OF NAVAL PERSONNEL

The Clerk called the bill (S. 1467) to provide for adjustment between the proper appropriations of unpaid balances in the pay accounts of naval personnel on the last day of each fiscal year, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That upon certification to the Comptroller General and the Secretary of the Treasury by the Bureau of Supplies and Accounts on transfer and counterwarrants of the net amount of the unpaid and overpaid balances occurring in the individual pay accounts of naval personnel on the last day of any fiscal year, such net amount shall be charged against the appropriation for the fiscal year in which such balances occurred, and from which such amount was payable, and shall be credited to and payable from the corresponding appropriation for the next succeeding fiscal year.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COST OF TRANSPORTATION OF DEPENDENTS OF CERTAIN PERSONS

The Clerk called the bill (S. 1631) to provide for the payment on a commuted basis of the costs of transportation of dependents of certain persons entitled to such transportation, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) section 12 of the Missing Persons Act (act of March 7, 1942; 56 Stat. 143, 146), as amended (50 App. U. S. C. 1012), is hereby further amended by inserting before the period at the end thereof the following: ": *Provided further*, That in lieu of transportation authorized by this section for dependents, the head of the department concerned may authorize the payment in money of amounts equal to such commercial transportation costs for the whole or such part of travel for which transportation in kind is not furnished, when such travel shall have been completed."

(b) This amendment shall take effect as of September 8, 1939.

SEC. 2. (a) The first section of the act of October 14, 1942 (56 Stat. 786; 50 App. U. S. C. 831), is hereby amended by inserting before the period at the end of such section the following: ": *Provided further*, That in lieu of transportation authorized by this section for dependents, the Secretary of the Navy may authorize the payment in money of amounts equal to such commercial transportation costs for the whole or such part of travel for which transportation in kind is not furnished, when such travel shall have been completed."

(b) This amendment shall take effect as of October 1, 1940.

SEC. 3. (a) The act of November 28, 1943 (57 Stat. 593; 50 App. U. S. C. 833a), is hereby amended by inserting the following new section and by renumbering the present section 5 as section 6:

"SEC. 5. In lieu of transportation authorized by this act for dependents, the Secretary of the Navy may authorize the payment in money of amounts equal to such commercial transportation costs for the whole or such part of travel for which transportation in kind is not furnished, when such travel shall have been completed."

(b) This amendment shall take effect as of December 7, 1941.

SEC. 4. Section 4 of the act of June 5, 1942 (56 Stat. 314, 315; 50 App. U. S. C. 763, 764), is hereby amended by inserting after subsection (d) the following subsection (3):

"(e) In lieu of transportation authorized by subsections 3 (b), (3) (c), 4 (a), 4 (b), and 4 (c) of this act for dependents, the Secretary of War may authorize the payment in money of amounts equal to such commercial transportation costs for the whole or such part of travel for which transportation in kind is not furnished, when such travel shall have been completed: *Provided*, That the provisions of this subsection shall be applicable to travel performed by dependents on and after the respective effective dates of the afore-mentioned subsections."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SETTLEMENT OF ACCOUNTS OF DECEASED OFFICERS AND ENLISTED MEN OF ARMY, MARINE CORPS, COAST GUARD, AND PUBLIC HEALTH SERVICE

The Clerk called the bill (S. 50) to permit settlement of accounts of deceased officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and of diseased commissioned officers of the Public Health Service, without administration of estates.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, hereafter, in the settlement of the accounts of deceased officers or enlisted persons of the Navy, Marine Corps, and Coast Guard, where no demand is presented by a duly appointed legal representative of the estate, the accounting officers may allow the amount found due to the decedent's widow, widower, or legal heirs in the following order of precedence: First, to the widow or widower; second, if decedent left no widow or widower, or the widow or widower be dead at time of settlement, then to the children or their issue, per stirpes; third, if no widow, widower, or descendants, then to the father and mother in equal parts; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, widower, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes: *Provided*, That this act shall not be so construed as to prevent payment from the amount due the decedent's estate of funeral expenses, provided a claim therefor is presented by the person or persons who actually paid the same before settlement by the accounting officers.

SEC. 2. Section 507 (a) of the Public Health Service Act (58 Stat. 682) is amended by striking out the words "the amount due the decedent's estate is less than $1,000 and."

SEC. 3. The following statutes or parts of statutes are hereby repealed: The last paragraph under the heading "Back pay and bounty" in chapter 200, Thirty-fifth Statutes at Large, 317 (which paragraph is the fourth paragraph on p. 373), as amended.

With the following committee amendment:

Page 2, after line 24, insert the following:

"SEC. 4. The paragraph of the act entitled 'An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1907, and for other purposes,' approved June 30, 1906 (34 Stat. 750), as amended by the act of December 7, 1944 (58 Stat. 795), which related to the settlement of accounts of deceased officers and enlisted men of the Army, is amended to read as follows:

" 'Hereafter in the settlement of the accounts of deceased officers or enlisted persons of the Army, where no demand is presented by a duly appointed legal representative of the estate, the accounting officers may allow the amount found due to the decedent's widow, widower, or legal heirs in the following order of precedence: First, to the widow or widower; second, if decedent left no widow or widower, or the widow or widower be dead at time of settlement, then to the children or their issue, per stirpes; third, if no widow, widower, or descendants, then to the father and mother in equal parts; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, widower, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes: *Provided*, That this act shall not be so construed as to prevent payment from the amount due the decedent's estate of funeral expenses, provided a claim therefor is presented by the person or persons who actually paid the same before settlement by the accounting officers.' "

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to permit settlement of accounts of deceased officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard, and of deceased commissioned officers of the Public Health Service, without administration of estates."

A motion to reconsider was laid on the table.

ARCTIC WEATHER REPORTING STATION

The Clerk called the bill (S. 765) concerning the establishment of meteorological observation stations in the Arctic Region of the Western Hemisphere, for the purpose of improving the weather forecasting service within the United States and on the civil international air transport routes from the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to improve the weather forecasting service of the United States and to promote safety and efficiency in civil air navigation to the highest possible degree, the Chief of the Weather Bureau, under the direction of the Secretary of Commerce, shall, in addition to his other functions and duties, take such action as may be necessary in the development of an international basic meteorological reporting network in the Arctic region of the Western Hemisphere, including the establishment, operation, and maintenance of such reporting stations in cooperation with the State Department and other United States governmental departments and agencies, with the meteorological services of foreign countries and with persons engaged in air commerce.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUERTO RICAN AND HAWAIIAN 1946 SUGAR CROP; TEXAS CITY TIN SMELTER

The Clerk called House Joint Resolution 301, to amend Public Law 30 of the Seventy-ninth Congress, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. KEAN. Mr. Speaker, reserving the right to object, I would like to ask the chairman of the Committee on Banking and Currency if this bill is going to cost new money or whether the money already in the fund is going to be used?

Mr. SPENCE. Mr. Speaker, the bill merely carries forward the program of 1945 of the Commodity Credit Corporation with reference to sugar to the year 1946. The purpose of the bill is to permit the Commodity Credit Corporation to buy the sugar of Puerto Rico and Hawaii, which amounts to about 2,000,000 tons, about one-third of the total consumption of the United States, and permit the sale of that sugar. It will be sold at a slight loss, and will cost about $25,000,000, but this is absolutely essential if we are going to have an adequate supply of sugar.

There is a great shortage of sugar on the east coast, in fact there is a shortage of sugar throughout the United States, and it is the hope of the administration if this bill passes we will obtain enough sugar to meet the needs of the people of the United States. The bill was reported by the committee without objection.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I was interested in this matter and I asked Mr. Hudson when he was on the stand whether the $225,000,000 which was made available for the 1945 program would carry over for the 1946 program or whether this bill contemplated a new appropriation of $225,000,000 for the 1946 program. He gave a very definite answer to the effect that the 1946 subsidy would be paid out of the original appropriation of $225,000,000 and that there was no new money authorized in the bill.

Mr. KEAN. Under those circumstances I will withdraw my reservation of objection.

Mr. DIRKSEN. Mr. Speaker, reserving the right to object, I want to say that the testimony we had before the Agricultural Appropriations Committee with reference to this item is quite in concurrence with what the gentleman has said.

Mr. CHURCH. Mr. Speaker, reserving the right to object, the chairman of the Committee on Banking and Currency spoke of the cost being $25,000,000. Does he mean a loss of $25,000,000?

Mr. SPENCE. There will be an increase in the price of sugar at the mill, as I understand it, of a half-cent per pound. The sugar will be sold, I think, at a loss of six-tenths of a cent per pound. It is absolutely necessary to do this in order to get the supply of sugar.

Mr. CHURCH. Amounting to a loss of how much?

Mr. SPENCE. Twenty-five million dollars. There is no need for an appropriation. They have the funds already, but to be frank, I think it will cost about $25,000,000. There is another provision in here with reference to the Texas City tin smelter, which is absolutely essential in order to continue the production of tin during the reconversion period. I earnestly hope there will be no objection to the bill.

Mr. SABATH. Mr. Speaker, reserving the right to object, I have the utmost confidence, and I know the House has, in the gentleman from Kentucky, and I know that whatever he aims to do is for the best interest of the country. But I did not hear his explanation as to the cost of the sugar to the housewives.

Mr. SPENCE. It will be very, very little. I could not tell the gentleman how much the increase will amount to but it will be very little. The alternative is that the housewife will not get any sugar at all.

Mr. SABATH. And it is absolutely necessary to pay the additional amount for Cuban sugar so that the housewives can obtain it?

Mr. SPENCE. This is not Cuban sugar that we contemplate purchasing. It is Puerto Rican and Hawaiian sugar.

Mr. SABATH. And under this bill we will be able to get this sugar from our possessions?

Mr. SPENCE. That is true. This relates only to Hawaiian and Puerto Rican sugar, and this is about one-third of our national consumption, amounting to about 2,000,000 tons. The subsidy authorized by this bill to the Texas City tin smelter to continue its operation will amount to about $12,000,000 a year. The Texas City tin smelter is the only tin smelter in the Western Hemisphere. Its production has been as follows:

	Long tons
Total production Texas City tin smelter from Apr. 1, 1942 (beginning of operations) to Jan. 1, 1946	107,433
Current monthly production pig tin:	
December 1945	3,676
November 1945	3,612
October 1945	3,557
Average monthly production for last quarter	3,615
Civilian Production Administration for calendar year 1946 of domestic consumption of pig tin on a restricted basis (i e., under existing CPA controls)	70,000
The estimated monthly production of the tin smelter for calendar year 1946	3,800
This is estimated total production for 1946 [1]	45,609

[1] Approximately 65.1 percent of estimated 1946 consumption.

It is obvious the continued operation of the Texas City tin smelter is absolutely necessary for the reconversion program.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That (a) section 3 of the act of April 12, 1945 (59 Stat. 50), is hereby amended by deleting in clause (b) (3) of said section, the words "1945 crop program operations", and by inserting in lieu thereof, the words "1945 and 1946 crop program operations"; and (b) neither the last paragraph of section 2 (e) of the Emergency Price Control Act of 1942, as amended, nor the act of June 23, 1945 (59 Stat. 260), shall be construed to apply to purchases by the Reconstruction Finance Corporation of such tin ores and concentrates as it deems necessary to insure continued operation of the Texas City tin smelter; and (c) the allocations provided in the act of June 23, 1945 (59 Stat. 260), involving subsidies and anticipated losses, are hereby changed by increasing the dollar amounts provided for meat and flour by $125,000,000 and $25,000,000, respectively, and by decreasing the amounts provided for petroleum and petroleum products and butter by $175,000,000 and $75,000,000, respectively.

With the following committee amendments:

Page 1, line 7, after the semicolon, insert the word "and."

Page 2, strike out the remainder of the joint resolution after the word "smelter" in line 3.

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARINE INSURANCE

The Clerk called the bill (H. R. 1519) relating to marine insurance in the case of certain employees of the Army Transport Service who suffered death, injury, or other casualty prior to April 23, 1943, as a result of marine risks.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That effective as of March 24, 1943, section 2 (b) of the act of March 24, 1943, entitled "An act to amend and clarify certain provisions of law relating to functions of the War Shipping Administration, and for other purposes," is amended to read as follows:

"(b) Whenever the Administrator, War Shipping Administration, finds that, on or after October 1, 1941, and before 30 days after the date of enactment of this subsection, a master, officer, or member of the crew of, or any persons transported on, a vessel owned by or chartered to the Maritime Commission or the War Shipping Administration or operated by, or for the account of, or at the direction or under the control of the Commission or the Administration, or operated by the Army Transport Service, has suffered death, injury, detention, or other casualty, for which the War Shipping Administration would be authorized to provide insurance under Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended by this act, the Administrator may declare that such death, injury, detention, or other casualty, shall be deemed and considered to be covered by such insurance at the time of the disaster or accident, if the Administrator finds that such action is required to make equitable provision for loss or injury related to the war effort and not otherwise adequately provided for: *Provided*, That in making provision for insurance under this subsection the Administrator shall not provide for payments in excess of those generally provided for in comparable cases under insurance hereafter furnished under the said Subtitle—Insurance of title II, as amended: *Provided further*, That any money paid to any person by reason of insurance provided for under this subsection shall apply in pro tanto satisfaction of the claim of such person against the United States arising from the same loss or injury. The declarations, findings, and actions of or by the Administrator under this subsection shall be final and conclusive."

With the following committee amendment:

Strike out all after the enacting clause and insert "That effective as of March 24, 1943, section 2 (b) of the act of March 24, 1943, entitled 'An Act to amend and clarify certain provisions of law relating to functions of the War Shipping Administration, and for other purposes,' as amended, is amended to read as follows:

"'(b) Whenever the Administrator, War Shipping Administration, finds that, on or after October 1, 1941, and before 30 days after the date of enactment of this subsection, a master, officer, or member of the crew of, or any persons transported on, a vessel owned by or chartered to the Maritime Commission, the War Shipping Administration, or the War Department or operated by, or for the account of, or at the direction or under the control of the Commission, the Administration, or the War Department, has suffered death, injury, detention, or other casualty, for which the War Shipping Administration would be authorized to provide insurance under subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended by this act, the Administrator may declare that such death, injury, detention, or other casualty, shall be deemed and considered to be covered by such insurance at the time of the disaster or accident, if the Administrator finds that such action is required to make equitable provision for loss or injury related to the war effort and not otherwise adequately provided for: *Provided*, That in making provision for insurance under this subsection the Administrator shall not provide for payments in excess of those generally provided for in comparable cases under insurance hereafter furnished under the said subtitle—Insurance of title II, as amended: *Provided further*, That any money paid to any person by reason of insurance provided for under this subsection shall apply in pro tanto satisfaction of the claim of such person against the United States arising from the same loss or injury. There shall be no recovery of any money paid on account of insurance provided for the master, officers, or members of the crew of, or individuals transported on, any vessel under this subsection or under subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended, from any person who in the judgment of the Administrator, War Shipping Administration, is without fault, and when in the judgment of the Administrator such recovery would defeat the purposes of benefits otherwise authorized or would be against equity and good conscience. The declarations, findings, and actions of or by the Administrator under this subsection shall be final and conclusive.'"

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill relating to marine insurance in the case of certain employees of the War Department who suffered death, injury, or other casualty prior to April 23, 1943, as a result of marine risks."

A motion to reconsider was laid on the table.

EXEMPTING THE NAVY DEPARTMENT FROM STATUTORY PROHIBITIONS AGAINST THE EMPLOYMENT OF NONCITIZENS

The Clerk called the bill (S. 1618) to exempt the Navy Department from statutory prohibitions against the employment of noncitizens, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, reserving the right to object, the appropriation bill for the Navy Department for the fiscal year 1946 contained a provision that none of the funds can be used to pay the wages or salaries of any person who is not a citizen of the United States. The Navy Department desires to take advantage of the knowledge and skill of certain scientists of former enemy countries and to bring them here to continue studies in various fields of military science. This bill is designed to make that possible. I read in the press that the Navy has already engaged scientists from foreign countries, have them here in this country, and apparently have made some satisfactory arrangements for paying the salaries of these people, and therefore it seems questionable whether such a bill as this is necessary.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from Georgia.

Mr. VINSON. The distinguished gentleman from New York is aware of the fact that there is a prohibition in the appropriation bill that they cannot pay salaries unless this bill is enacted into law, and this is merely extending to the Navy Department the same right that the War Department enjoys today.

Mr. COLE of New York. Perhaps the chairman of the committee can advise the House under what conditions and how it is possible that the Navy already has these scientists in this country and doing the work that they desire to have done?

Mr. VINSON. I will say, Mr. Speaker, that I read the same article in the paper, and I know of no law by which the Navy Department can pay the salaries of these scientists that are brought in, because section 206 of the Appropriation Act prohibits it, and I doubt very seriously whether the Navy Department is seeking to pay the salaries, else, they would not have this bill before the House.

Mr. COLE of New York. It is curious to me that the Navy would come to Congress asking permission to do this thing and at the same time go ahead and do the very thing that they seek permission to do.

Mr. VINSON. When the Navy Department presented the bill they stated that they were not bringing anybody here unless they had authority of the Congress. Of course, Mr. Speaker, the House should be informed of the fact that they cannot bring them in and pay them, and this is to permit these outstanding scientists to come to the country and render their aid and assistance in certain developments.

Of course, it is understood that if there is an American that can contribute what the Navy Department wants

these foreign scientists will not be brought in. So I hope the gentleman from New York will not object. He was present when the bill was considered and is as familiar with it as I am.

Mr. COLE of New York. If the gentleman will recall, since he has raised that question, it is true I was present when the bill was first considered by the committee, but the action taken by the committee in tabling it made me think no further action would be taken, so it was with some bit of surprise that I found that at a subsequent meeting of the Committee on Naval Affairs which I did not attend this bill was reported.

Mr. VINSON. If the gentleman from New York wants to exercise his right to object, of course he has the right to object.

Mr. COLE of New York. Until we can find out just what steps the Navy has taken on this subject, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

APPLICATIONS FOR PATENTS

The Clerk called the bill (H. R. 5223) to extend temporarily the time for filing applications for patents, for taking action in the United States Patent Office with respect to the making of an invention, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Reserving the right to object, Mr. Speaker, this bill is of considerable importance and covers a wide variety of subjects relating to patents. I suggest the gentleman from Texas undertake to explain the bill so that Members may be informed.

Mr. LANHAM. The distinguished gentleman from New York is quite correct in saying that this is an important bill, but its passage should be speeded in order to protect the patent rights of American citizens, some of whom are in the armed services and whose rights have been suspended by reason of the war. In many instances the ordinary terms of protecting our inventions in foreign countries could not possibly be complied with during the war.

It also affords protection for those inventions of the Allies which were communicated from country to country during the war and kept secret but used.

The other provision of the bill is one that has already passed this House and is now pending before the Senate. That is with reference to proof of acts abroad in trying to vitiate the patents of an American citizen in this country.

I hope there will be no objection. The hearings were attended by the authorities of the War Department, of the Navy Department, of the Patent Office, and of a great many organizations in this country, without any objection being raised. They all stressed the prime importance of getting this legislation passed, and that unless it is passed and passed promptly many American inventors will lose their rights in these foreign countries.

Mr. COLE of New York. May I inquire of the gentleman whether this bill undertakes in any degree to regulate the patents or patentability or control of patents relating to atomic energy?

Mr. LANHAM. Not to my knowledge. No objection on that ground was brought to the attention of the committee.

Mr. STEFAN. Reserving the right to object, Mr. Speaker, did I correctly understand the gentleman to say that this has the approval of the Patent Office and of the Patent Commissioner?

Mr. LANHAM. It does It has the approval of the Patent Commissioner, the War Department, the Navy Department, and the various patent organizations all over the country, as well as of inventors. They all recognized the necessity of speedy legislation because American inventors are losing their rights.

Mr. STEFAN. Does the Navy Department approve of the bill?

Mr. LANHAM. I so understand.

Mr. STEFAN. Would the gentleman care to say whether this has any connection with the program of sending certain people known as scientific intelligence people to Europe by the Department of Commerce? Does this bill have any connection with that?

Mr. LANHAM. No. The purpose of this is simply to provide for those who in good faith have their inventions and could not by reason of the war file their applications for patents in these foreign countries. We are simply giving them the right within 6 months after the approval of this act to file their applications for patents in these foreign countries.

Mr. STEFAN. Has the gentleman investigated this thoroughly himself?

Mr. LANHAM. I attended all the hearings. I conducted the hearings, and the Army, Navy, Patent Office, inventors, and various patent organizations all over the country appeared in favor of this bill and stressed the importance of its prompt enactment because of the fact that American inventors are losing their rights by further delay in the matter.

Mr. STEFAN. Would the gentleman care to say whether or not this will give some encouragement to the movement of continuing international cartels?

Mr. LANHAM. There is no purpose of that kind. In other words, this makes effective at this time patent provisions which are already law, but which could not be complied with by reason of the fact that the war made it impossible to comply with them in point of time.

Mr. STEFAN. Mr. Speaker, I withdraw my reservation of objection and thank the gentleman.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. That concludes the call of the bills on the Consent Calendar.

AMENDING INTERSTATE COMMERCE ACT

Mr. BOREN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 2764) to amend section 409 of the Interstate Commerce Act with respect to the utilization by freight forwarders of the services of common carriers by motor vehicles.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. BOREN. Mr. Speaker, the purpose of the bill as my colleague well knows personally, though I realize he is asking for an explanation of the bill for the benefit of other Members, is to create a permanent status for the freight forwarders under section 4 of the Transportation Act. All during the war period this problem was pending before our committee. Because of the pressure of other business there were extensions of time of this law while we considered a proper solution. The time expires on February 16 and it becomes urgent that this matter be acted on by the House in order that the Senate may have time to conclude its action by that date. I may say to the gentleman that it is a technical question, but one on which we finally agreed upon unanimously and the committee reported the bill out unanimously after considerable work together on it. Members from both sides of the aisle have very constructively worked together on it and worked out a proper solution.

Mr. BROWN of Ohio. Mr. Speaker, I believe it should be pointed out that this measure contains amendments which were offered and accepted by the committee prior to the unanimous report of this bill by the Committee on Interstate and Foreign Commerce. In the beginning there was quite a division of opinion as to whether or not this legislation would affect line haul rates on railroads and operations also by other means of transportation. The amendments contained in the bill protect the proper interests of all forms of transportation, and yet, at the same time, will permit the freight forwarding companies to furnish the service originally intended when the general Transportation Act was enacted—furnish those services in the postwar world.

As far as I know, there is no objection to the bill. It has the unanimous approval of the Committee on Interstate and Foreign Commerce, and all those who sat on the committee.

I therefore withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 409 of the Interstate Commerce Act, as amended, is amended to read as follows:

"UTILIZATION BY FREIGHT FORWARDERS OF SERVICES OF COMMON CARRIERS BY MOTOR VEHICLE

"SEC. 409. (a) The Commission, after notice and opportunity for hearing—

"(1) Shall at the earliest practicable time determine and by order prescribe the reasonable, just, and equitable terms and condi-

tions, including terms and conditions governing the determination and fixing of the rates, charges, compensation, or divisions to be paid or observed, under which freight forwarders subject to this part may utilize the services and instrumentalities of common carriers by motor vehicle subject to part II of this act, under agreements between such freight forwarders and common carriers in such manner as will be in furtherance of the national transportation policy declared in this act; and

"(2) When it has prescribed such reasonable, just, and equitable terms and conditions, shall by order specify a reasonable time after which subsection (b) of this section shall no longer be effective; and the order or orders issued under this paragraph may, if the Commission deems it to be in furtherance of the national transportation policy declared in this act, provide for the termination of the effectiveness of such subsection (b) at different times in different territories or sections.

"(b) Subject to the authority of the Commission to terminate by order the effectiveness of this subsection, as provided in subsection (a) (2), nothing in any part of this act shall be construed to make it unlawful for freight forwarders subject to this part and common carriers by motor vehicle subject to part II of this act to operate under joint rates or charges. The provisions of part II of this act shall apply with respect to such joint rates or charges and the divisions thereof, and with respect to the parties thereto, as though such joint rates or charges had been established under the provisions of such part II, and the provisions of this part shall not apply with respect thereto: *Provided however*, That—

"(1) Joint rates or charges and concurrences contained in tariffs heretofore filed with the Commission shall become effective, without notice, as of the date of enactment of this part, unless the parties thereto file notice with the Commission, within 30 days after the date of enactment of this part, canceling such joint rates or charges and concurrences;

"(2) Joint rates or charges and concurrences, contained in tariffs heretofore offered for filing with the Commission, but rejected by the Commission, shall become effective, without notice, as of the date of enactment of this part, if filed with the Commission within 30 days after the date of enactment of this part;

"(3) Joint rates or charges and concurrences, under which freight forwarders and common carriers by motor vehicle subject to part II of this act were actually operating on July 1, 1941, may become effective, without notice, as of the date of enactment of this part, if tariffs covering such joint rates or charges and concurrences are filed with the Commission within 30 days after the date of enactment of this part;

"(4) No new or additional joint rate or charge may be established under authority of this subsection for service from any point of origin to any point of destination with respect to any particular commodity or class of traffic unless at least one rate or charge for service from such point of origin to such point of destination with respect to such commodity or class of traffic, established by an individual freight forwarder or by a freight forwarder jointly with a common carrier by motor vehicle, is already lawfully in effect; but for purposes of this paragraph the making of a change in a joint rate or charge which has been established, or which has become effective pursuant to this subsection, shall not be deemed to constitute the establishment of a new or additional joint rate or charge;

"(5) Any joint rate or charge or concurrence established, or which becomes effective pursuant to this subsection, may at any time be canceled or withdrawn in accordance with the provisions of part II of this act;

"(6) The filing of tariffs under paragraph (2) or (3) of this subsection may be in accordance with the requirements with respect to the form and manner of filing tariffs in effect under part II of this act prior to December 31, 1936;

"7. For the purpose of computing the period of 30 days prescribed in paragraph (1), (2), or (3) of this subsection, the date of mailing by registered mail shall be deemed the date of filing; and

"(8) As used in this subsection the term 'rates or charges' includes classifications, rules, and regulations with respect thereto."

With the following committee amendments:

Page 1, strike out lines 7 to 9, inclusive, and insert in lieu thereof the following:

"SEC. 409. (a) (1) The Commission shall at the earliest practicable time determine."

Page 2, lines 2 and 3, strike out "rates, charges, compensation, or divisions" and insert in lieu thereof "compensation."

Page 2, line 7, after "common carriers" and before the comma, insert "(which agreements may be required by the Commission to be subject to its approval, disapproval, or modification)."

Page 2, line 9, strike out "act; and" and insert in lieu thereof the following: "act: *Provided*, That in the case of line-haul transportation between concentration points and break-bulk points in truckload lots, such terms and conditions shall not permit payment to common carriers by motor vehicle of compensation which is lower than would be received under rates or charges established under part II of this act, except to the extent that such lower compensation is found by the Commission to be justified by reason of the conditions under which the services and instrumentalities of common carriers by motor vehicle are utilized by freight forwarders and the character of the services performed by common carriers by motor vehicle and by freight forwarders."

Page 2, lines 10 and 11, strike out "When it has prescribed such reasonable, just, and equitable" and insert in lieu thereof "The Commission, when it has prescribed such."

Page 2, after line 18, insert the following paragraphs:

"(3) The Commission is authorized, upon complaint or upon its own initiative without complaint, to investigate and determine whether, in order to carry out the purposes of paragraph (1) of this subsection, any terms and conditions prescribed thereunder should be modified or rescinded or whether additional terms and conditions should be prescribed thereunder, and, after such investigation, the Commission shall by order modify or rescind any such terms and conditions, or prescribe additional terms and conditions, to the extent it finds such action necessary or appropriate to carry out the purposes of such paragraph.

"(4) No order shall be entered under this subsection except after interested parties have been afforded reasonable opportunity for hearing."

Page 2, line 21, strike out "any part" and insert in lieu thereof "this part or in part II."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPOINTMENT OF FACT-FINDING BOARDS TO INVESTIGATE LABOR DISPUTES

Mr. RANDOLPH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 4908) to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes.

The SPEAKER. Without objection, the motion is agreed to.

Mr. MARTIN of Massachusetts. Mr. Speaker, a point of order. I make the point of order that there is no quorum present.

The SPEAKER. The Chair has already announced that the motion was agreed to that the House resolve itself into the Committee of the Whole House.

Mr. MARTIN of Massachusetts. But we have not gone into the Committee of the Whole. The Speaker is still in the chair, and as long as the Speaker is in the chair, we are in the House. I make the point of order that there is no quorum present.

The SPEAKER. Does the gentleman desire to object to the vote on the ground that a quorum is not present?

Mr. MARTIN of Massachusetts. I prefer not to. I prefer to make the point that there is no quorum present.

The SPEAKER. The Chair is entirely justified in saying that the House is in Committee of the Whole, because the Chair put the motion, but if the gentleman desires to have a roll-call vote, on the ground that there is no quorum present, the Chair will entertain that.

Mr. MARTIN of Massachusetts. I will do that if that is necessary, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCORMACK. Would it be in order for the gentleman to ask unanimous consent that the motion previously entered be vacated, so that he could make a point of order that a quorum is not present?

The SPEAKER. The gentleman has objected to the vote on the ground that a quorum is not present.

Mr. MARTIN of Massachusetts. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER. The question is on the motion of the gentleman from West Virginia that the House resolve itself into the Committee of the Whole House on the State of the Union.

The gentleman from Massachusetts objects to the vote on the ground that a quorum is not present. Evidently no quorum is present.

The roll call is automatic.

The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 362, nays 6, answered "present" 2, not voting 60, as follows:

[Roll No. 18]

YEAS—362

Abernethy	Andresen,	Barden
Adams	August H.	Barrett, Wyo.
Allen, Ill.	Andrews, Ala.	Bates, Ky.
Allen, La.	Andrews, N. Y.	Beall
Almond	Angell	Bell
Andersen,	Arends	Bender
H. Carl	Auchincloss	Bennet, N. Y.
Anderson, Calif.	Baldwin, N. Y.	Bennett, Mo.

Biemiller	Grant, Ind.	Martin, Iowa
Bishop	Gregory	Martin, Mass.
Blackney	Griffiths	Mason
Bland	Gross	May
Bolton	Gwinn, N. Y.	Merrow
Bonner	Gwynne, Iowa.	Michener
Boren	Hagen	Miller, Calif.
Boykin	Hale	Miller, Nebr.
Brooks	Hall,	Mills
Brown, Ga.	Edwin Arthur	Monroney
Brown, Ohio	Hall,	Morgan
Bryson	Leonard W.	Mundt
Buck	Halleck	Murdock
Buffett	Hancock	Murphy
Bulwinkle	Hare	Murray, Tenn.
Bunker	Harless, Ariz.	Murray, Wis.
Burch	Harris	Neely
Burgin	Hartley	Norblad
Butler	Havenner	Norrell
Byrne, N. Y.	Hays	O'Brien, Ill.
Byrnes, Wis.	Hébert	O'Brien, Mich.
Camp	Hedrick	O'Hara
Campbell	Heffernan	O'Konski
Carlson	Hendricks	O'Neal
Carnahan	Henry	Outland
Case, N. J.	Herter	Pace
Case, S. Dak.	Heselton	Patman
Celler	Hess	Patrick
Chapman	Hill	Patterson
Chelf	Hinshaw	Peterson, Fla.
Chenoweth	Hobbs	Peterson, Ga.
Chiperfield	Hoch	Pfeifer
Church	Hoeven	Philbin
Clark	Hoffman	Phillips
Clason	Holifield	Picket
Clements	Holmes, Mass.	Pittenger
Clevenger	Holmes, Wash.	Poage
Cochran	Hook	Price, Fla.
Cole, Kans.	Hope	Price, Ill.
Cole, Mo.	Horan	Priest
Cole, N. Y.	Howell	Quinn, N. Y.
Colmer	Huber	Rabaut
Combs	Hull	Rabin
Cooper	Izac	Ramey
Corbett	Jackson	Randolph
Cox	Jarman	Rankin
Cravens	Jenkins	Rayfiel
Cunningham	Jennings	Recce, Tenn.
Curtis	Jensen	Reed, Ill.
D'Alesandro	Johnson, Calif.	Rees, Kans.
Daughton, Va.	Johnson, Ind.	Rich
Davis	Johnson,	Richards
De Lacy	Luther A.	Riley
Delaney,	Johnson,	Robertson,
James J.	Lyndon B.	N. Dak.
D'Ewart	Jones	Robertson, Va.
Dirksen	Jonkman	Robinson, Utah
Dolliver	Judd	Robsion, Ky.
Domengeaux	Kean	Rockwell
Dondero	Kearney	Rodgers, Pa.
Doughton, N. C.	Kee	Roe, Md.
Douglas, Calif.	Keefe	Roe, N. Y.
Douglas, Ill.	Kefauver	Rogers, Fla.
Doyle	Kelley, Pa.	Rogers, Mass.
Durham	Kelly, Ill.	Rogers, N. Y.
Dworshak	Kerr	Rooney
Earthman	Kilburn	Rowan
Eaton	Kilday	Russell
Elliott	King	Sadowski
Ellis	Kinzer	Sasscer
Ellsworth	Kirwan	Schwabe, Mo.
Elsaesser	Knutson	Schwabe, Okla.
Elston	Kunkel	Scrivner
Engle, Calif.	LaFollette	Shafer
Ervin	Landis	Sharp
Fallon	Lane	Sheppard
Feighan	Lanham	Short
Fellows	Larcade	Sikes
Fenton	Latham	Simpson, Ill.
Fernandez	Lea	Simpson, Pa.
Flannagan	LeCompte	Slaughter
Flood	LeFevre	Smith, Maine
Fogarty	Lemke	Smith, Ohio
Folger	Lesinski	Smith, Va.
Forand	Lewis	Smith, Wis.
Gallagher	Link	Somers, N. Y.
Gamble	Luce	Sparkman
Gardner	Ludlow	Spence
Gary	Lyle	Springer
Gathings	Lynch	Starkey
Gavin	McConnell	Stefan
Gearhart	McCormack	Stevenson
Gibson	McDonough	Stockman
Gifford	McGehee	Sullivan
Gillespie	McGregor	Sumner, Ill.
Gillette	McKenzie	Sumners, Tex.
Gillie	McMillan, S. C.	Taber
Goodwin	McMillen, Ill.	Talbot
Gordon	Madden	Talle
Gorski	Mahon	Tarver
Gossett	Maloney	Taylor
Graham	Manasco	Thom
Granahan	Mansfield,	Thomas, N. J.
Granger	Mont.	Thomas, Tex.
Grant, Ala.	Mansfield, Tex.	Thomason
Tibbott	Walter	Winstead
Tolan	Wasielewski	Winter
Torrens	Weaver	Wolcott
Towe	Weichel	Wolfenden, Pa.
Traynor	West	Wolverton, N. J.
Trimble	White	Wood
Vinson	Whitten	Woodhouse
Voorhis, Calif.	Whittington	Woodruff
Vorys, Ohio	Wickersham	Worley
Vursell	Wigglesworth	Zimmerman
Wadsworth	Wilson	

NAYS—6

Bailey	Green	Ryter
Eberharter	Resa	Savage

ANSWERED "PRESENT"—2

Kopplemann	Sabath

NOT VOTING—60

Arnold	Curley	McGlinchey
Baldwin, Md.	Dawson	Marcantonio
Barrett, Pa.	Delaney,	Mathews
Barry	John J.	Morrison
Bates, Mass.	Dingell	Norton
Beckworth	Drewry	O'Toole
Bloom	Engel, Mich.	Ploeser
Bradley, Mich.	Fisher	Plumley
Bradley, Pa.	Fuller	Powell
Brehm	Fulton	Rains
Brumbaugh	Geelan	Reed, N. Y.
Buckley	Gerlach	Rivers
Canfield	Gore	Rizley
Cannon, Fla.	Hand	Sheridan
Cannon, Mo.	Harness, Ind.	Snyder
Clippinger	Hart	Stewart
Coffee	Healy	Stigler
Cooley	Johnson, Ill.	Sundstrom
Courtney	Johnson, Okla.	Welch
Crawford	Keogh	
Crosser	McCowen	

So the motion was agreed to.

The Clerk announced the following pairs:

General pairs until further notice:

Mrs. Norton with Mr. Arnold.
Mr. Keogh with Mr. Bradley of Michigan.
Mr. Morrison with Mr. Crawford.
Mr. Dingell with Mr. McCowen.
Mr. Healy with Mr. Fuller.
Mr. Bloom with Mr. Harness of Indiana.
Mr. O'Toole with Mr. Brumbaugh.
Mr. Rivers with Mr. Johnson of Illinois.
Mr. Buckley with Mr. Fulton.
Mr. Courtney with Mr. Ploeser.
Mr. Gore with Mr. Reed of New York.
Mr. McGlinchey with Mr. Rizley.
Mr. Sheridan with Mr. Welch.
Mr. John J. Delaney with Mr. Plumley.
Mr. Drewry with Mr. Sundstrom.
Mr. Hart with Mr. Canfield.
Mr. Cannon of Missouri with Mr. Engel of Michigan.
Mr. Baldwin of Maryland with Mr. Brehm.
Mr. Coffee with Mr. Gerlach.

Mr. HOLIFIELD changed his vote from "no" to "aye."

The result of the vote was announced as above recorded.

The doors were opened.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 4908, with Mr. O'NEAL in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. All time for general debate has expired.

The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Labor Fact-Finding Boards Act."

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out all after the enacting clause and insert as a substitute the text of the bill H. R. 5262.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. CASE of South Dakota moves to strike out all after the enacting clause of the bill H. R. 4908, and insert the following:

"SHORT TITLE

"SECTION 1. That this act may be cited as the 'Labor Disputes Act, 1946.'

"DECLARATION OF POLICY

"SEC. 2. It is declared to be the policy of the United States that labor disputes affecting the public interest should be settled fairly and, so far as possible, without interruption or delay in the production and distribution necessary to the public interest, and to that end it is the duty of both employers and employees to bargain in good faith. The right of labor to organize and bargain collectively with employers is one of the cornerstones of competitive enterprise. The processes of such bargaining must be protected and strengthened. Government is no less the guardian of the general welfare than of individual freedom. In a complex society warfare in one section of industry affects many others.

"Government decision should not be substituted for free agreement, but governmental machinery to promote peaceful settlement of disputes should be improved. Demands of either labor or management should be kept within the bounds of reason and fairness, and both sides must recognize the rights of the general public.

"The desired end of bargaining between management and labor is a contract. Once that contract is made, it must be equally binding and enforceable on both parties. Free collective bargaining and contracts resulting therefrom must not be nullified or destroyed by resort on either side to willful violence or unlawful possession, obstruction, or destruction of property. Collective bargaining requires that labor be on one side of the table and management on the other. The separate positions, responsibilities, duties, powers, and rights of labor and management must be maintained.

"Legislation has heretofore been enacted to guarantee the right of collective bargaining. It is equally important that legislation be enacted to protect the rights of labor, industry, and the general public in the processes of collective bargaining. Wrongful and unlawful conduct on either side is destructive of collective bargaining; and conduct in pursuit of objectives that are not proper and legitimate objectives of collective bargaining and which are detrimental to the interests of the general public are likewise destructive of collective bargaining. The use of force, violence, and compulsion are declared to be against public policy, as they violate the principles of freedom and self-government upon which our Government was formed and the purposes for which it was founded.

"To aid in the voluntary and expeditious settlement of labor disputes affecting the public interest, therefore, there are hereby established additional facilities and procedures for the application of collective bargaining, conciliation, mediation, and arbitration.

"LABOR-MANAGEMENT MEDIATION BOARD

"SEC. 3. (a) Membership: There is hereby created in the executive branch of the Government a board to be known as the 'Labor-Management Mediation Board' (in this act called the Board), which shall be composed of six or more members appointed by the President, as the President from time to time finds that the work of the Board requires. The Board shall consist of a number of members representative of employers, a like number representative of employees, and a number of disinterested members representative of the public (in this act called, respectively, employer members, employee

members, and public members). The President shall appoint, by and with the advice and consent of the Senate, a Chairman, a Vice Chairman, and Secretary of the Board from among the public members. The terms of the first Chairman, Vice Chairman, and Secretary shall begin as soon as they qualify, and expire as designated by the President at the time of nomination, one on February 1, 1948, one on February 1, 1949, and one on February 1, 1950. The terms of office of all successors shall expire 3 years after the expiration of the terms for which their predecessors were appointed; but any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired term of his predecessor. The President is also authorized to appoint such number of alternate public members, alternate employer members, and alternate employee members as he deems appropriate, subject to salary appropriations approved by the Congress. Upon designation by the Chairman, an alternate member may serve upon the panels provided for in section 6, and may serve as a substitute for any absent regular member in the same representative group, with full power to act as a regular member of the Board.

"(b) Terms and salaries: The members and alternate members, other than the Chairman and Vice Chairman, shall be appointed for such terms and shall receive such compensation for their services as the President shall, from time to time, determine. The Chairman shall receive compensation at the rate of $12,000 per annum; the Vice Chairman and the Secretary shall receive compensation at the rate of $10,000 per annum.

"(c) Meetings: The Board shall meet on call of the Chairman or on the written request of a majority of the Board filed with the Secretary. In the absence of the Chairman of the Board, the Vice Chairman shall be authorized to act as Chairman. The Chairman shall designate some public member or alternate public member of the Board to act as Chairman in the absence of both the Chairman and Vice Chairman. Two members or alternate members from each representative group shall constitute a quorum of the Board. The Board shall have an official seal which shall be judicially noticed.

"(d) Organization powers: The Board is authorized to employ and fix the compensation of such officers and employees not otherwise provided for, as may be necessary, within appropriations made therefor by the Congress. The Board may establish or utilize such regional, local, or other agencies and utilize such voluntary and uncompensated services and, with the approval of the President, the services and facilities of, such other departments and agencies of the Government as may from time to time be needed. The Board may delegate to any public member or alternate public member or to an executive secretary such administrative duties relating to the internal management of the Board's affairs as it may deem appropriate.

"(e) Office of the Board: The principal office of the Board shall be in the District of Columbia, but it may meet and exercise any or all of its powers in any other place.

"(f) The National Mediation Board created by the Railway Labor Act, as amended by the act approved June 21, 1934 (Public, No. 442, 73d Cong.), shall hereafter be known as the National Carrier Mediation Board.

"DUTIES OF LABOR AND MANAGEMENT

"SEC. 4. (a) Employers, employees, and their respective representatives shall have the following duties in the public interest:

(1) Duty of employer: It shall be the duty of an employer to refrain from conducting a lock-out until after the expiration of 5 days from the date on which such employer or his representative has given to the Chairman of the Board the written notice of his intention so to do, containing a statement of his reasons for such intended lock-out; and if the Board within such 5 days assumes jurisdiction of the dispute, it shall be the duty of the employer to refrain from conducting the intended lock-out until after the expiration of 30 days from the date of the notice.

"(2) Duty of employees: It shall be the duty of employees of an employer to refrain from striking until after the expiration of 5 days from the date on which they, or their representatives, have given to the Chairman of the Board written notice of their intention so to do, containing a statement of their reasons for such intended strike; and if within such 5 days the Board assumes jurisdiction of the dispute, it shall be the duty of the employees to refrain from striking until after the expiration of 30 days from the date of the notice.

"(3) It shall be the duty both of employers, their employees, and their respective representatives, to withhold giving the notices provided for in this section until after other available conciliation and mediation procedures have been attempted, and the notices shall state what has been tried.

"(b) For the purposes of this section 'employer' does not include any person who regularly has in his employ less than 50 individuals.

"JURISDICTION OF THE BOARD

"SEC. 5. The Chairman, Vice Chairman, and Secretary shall determine, in the case of any labor dispute (excluding any matter coming within the purview of the Railway Labor Act), whether such labor dispute is one which substantially affects the public interest and cannot be expeditiously adjusted by collective bargaining. If they so determine, the Board shall have jurisdiction of the dispute.

"PROCEDURE FOR MEDIATION

"SEC. 6. After the Board has taken jurisdiction of a dispute, the Board, under the direction of the Chairman, shall make every reasonable effort to assist the parties to adjust and settle the dispute and make agreements for that purpose. To such end, the Board may utilize, and the Chairman may designate, a mediation panel consisting exclusively of disinterested persons representative of the public, or consisting of one or more persons representative of employers, a like number representative of employees, and a disinterested person or persons representative of the public. The persons designated may be members of the Board, alternate members of the Board, or other persons named by the Board. The chairman or mediation panel may at any time request the parties to a dispute to negotiate by collective bargaining or to meet with any representatives of the Board.

"VOLUNTARY ARBITRATION

"SEC. 7. In the event a dispute is not settled by collective bargaining or by mediation under section 6, the chairman of the mediation panel shall endeavor to induce the parties to the dispute voluntarily to submit their differences to arbitration. If the parties consent to such arbitration, they shall file with the Board a notice of the agreement to arbitrate the dispute. The award of the arbitrator shall be filed with the Board and shall be binding upon all parties consenting to such arbitration.

"MAINTENANCE OF STATUS QUO

"SEC. 8. (a) After the Board has taken jurisdiction of a dispute as provided in section 6, the Chairman, in order to effectuate the purposes of this act, shall have the power to issue an order (1) requiring any person to refrain or cease and desist from calling, or assisting in any manner, a strike arising out of such dispute; or (2) requiring the employer, who is involved in the dispute, to refrain or cease and desist from practices which change the situation existing at the time the dispute arose, or which by changing an existing situation which led to the dispute and which the Chairman deems shall be prejudicial to the prompt settlement of the dispute. No order of the Chairman or process of any court under this act shall require an individual employee to render labor or services without his consent nor shall any provision of such order or process be construed to make the refusal to work of an individual employee a violation of such order or process or otherwise an illegal act.

"(b) Such order shall be effective for such period as the Chairman shall determine, but shall in no event be effective for a longer period than 30 days from the date on which the Board took jurisdiction.

"(c) The Attorney General, at the request of the Chairman, shall petition any district court of the United States, in any State or in the District of Columbia, or the United States court of any Territory or possession, within the jurisdiction of which any person to whom an order is directed resides, transacts business, or is found, for the enforcement of such order, and for appropriate temporary relief or restraining order. Upon the filing of such petition, the court shall have jurisdiction of the proceedings, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter a decree enforcing the order of the Chairman. Notice or process of the court under this section may be served in any judicial district, either personally or by leaving a copy thereof at the residence or principal office or place of business of the person to be served. Petitions filed under this section shall be heard with all possible expedition. The judgment and decree of the court shall be subject to review by the appropriate circuit court of appeals, or by the United States Court of Appeals for the District of Columbia in the case of a judgment of the District Court of the United States for the District of Columbia, and by the Supreme Court of the United States upon writ of certiorari.

"(d) When granting temporary relief or restraining order, or making or entering a decree enforcing an order of the Chairman, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the act entitled 'An act to amend the Judicial Code, to define and limit the jurisdiction of courts sitting in equity, and for other purposes', approved March 23, 1932, except that sections 11 and 12 of such act shall apply in cases of contempt.

"REGULATIONS OF THE BOARD

"SEC. 9. The Board shall have authority, in conformity with the provisions of this act, from time to time to make, amend, and rescind regulations providing appropriate procedures for carrying out the powers vested in it.

"MISCELLANEOUS PROVISIONS

"SEC. 10. Binding effect of collective-bargaining contracts: All collective-bargaining contracts shall be mutually and equally binding and enforceable either at law or in equity against each of the parties thereto, any other law to the contrary notwithstanding. In the event of a breach of any such contract or of any agreement contained in such contract by either party thereto, then, in addition to any other remedy or remedies existing either in law or equity, a suit for damages for such breach or for injunctive relief in equity may be maintained by the other party or parties in any United States district court having jurisdiction of the parties. If the defendant against whom action is sought to be commenced and maintained is a labor organization, such action may be filed in the United States district court of any district wherein any officer of such labor organization resides or may be found.

"SEC. 11. Violence and intimidation: (a) It shall be unlawful for any person, by the use of force or violence or threats thereof, to prevent or to attempt to prevent any individual from quitting or continuing in the employment of, or from accepting or refusing employment by, any employer, or from entering or leaving any place of employment of such employer. The district courts of the United States shall have jurisdiction, notwithstanding the act of March 23, 1932, entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes', to enjoin violations and threatened violations of any of the provisions of this section, and by appropriate order or decree to compel compliance with such provisions. Any individual who violates any of the provisions of this section shall on and after such violation cease to have, and cease to be entitled to, the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act, or the status of a representative for the purposes of such act.

"(b) An employee whom a preponderance of the testimony taken (in appropriate proceedings before the National Labor Relations Board) shows has willfully engaged in violence, intimidation, or unlawful destruction or seizure of property in connection with a labor dispute involving his employer, or in connection with any organizational activities of a labor organization among employees of his employer, shall not be entitled to reinstatement by, or any back pay from, such employer under section 10 of the National Labor Relations Act.

"SEC. 12. Supervisory employees: (a) As used in this section the term 'supervisory employee' means an employee whose duties include—

"(1) the direction or supervision of the activities of other employees; or

"(2) the computation of the pay of other employees; or

"(3) the determination of the time worked by other employees, or the supervision or administration of the factors on the basis of which the pay of other employees is computed;

"but does not include any employee within the purview of the Railway Labor Act.

"(b) Hereafter no supervisory employee shall have the status of an 'employee' for the purposes of sections 7, 8, and 9 of the National Labor Relations Act.

"SEC. 13. Boycott and so forth: (a) It shall be unlawful (1) by means of a concerted refusal to use, handle, or otherwise deal with articles or materials produced or manufactured by any person, to induce or require or to attempt to induce or require another person to recognize, deal with, comply with the demands of, or employ members of, any labor organization; or (2) by means of a concerted refusal to use, handle, or otherwise deal with articles or materials purchased, produced, manufactured, or used by an employer, to induce or require or to attempt to induce or require such employer to recognize, deal with, comply with the demands of, or employ members of, one labor organization instead of another labor organization with which such employer has an applicable collective-bargaining agreement.

"(b) The district courts of the United States shall have jurisdiction, notwithstanding the act of March 23, 1932, entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' to enjoin violations and threatened violations of any of the provisions of this section. Any individual who violates any of the provisions of this section shall on and after such violation cease to have, and cease to be entitled to, the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act, or the status of a representative for the purposes of such act.

"SEC. 14. Definitions: As used in this act—

"(a) 'Person' means an individual, partnership, association, corporation, business trust, or any organized group of persons.

"(b) The terms 'employer,' 'employee,' 'representative,' 'labor organization,' and 'labor dispute' shall have the same meaning as in section 2 of the National Labor Relations Act.

"SEC. 15. If any part of this act shall be held unconstitutional, it shall not affect the validity of the remaining provisions of the act.

"SEC. 16. There is hereby authorized to be appropriated out of the Treasury any sums necessary to the purposes of this act not otherwise appropriated."

Mr. CASE of South Dakota (interrupting the reading of the amendment). Mr. Chairman, in view of the fact that the bill has been printed and discussed heretofore, in the interest of saving time, I am willing to ask unanimous consent that the further reading of the amendment be dispensed with and that it be printed in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

Mr. BAILEY and Mr. HOOK objected.

The Clerk continued the reading of the amendment.

Mr. BAILEY (interrupting the reading of the amendment). Mr. Chairman, I have an amendment to offer to section 1.

The CHAIRMAN. The Clerk will complete the reading of the amendment, and then it will be open for amendment after the gentleman from South Dakota [Mr. CASE] has been recognized.

The Clerk concluded the reading of the amendment.

AN INESCAPABLE ISSUE

Mr. CASE of South Dakota. Mr. Chairman, once in a while inescapable issues come before the country. Today is one such time. The morning's paper features as its first headline that two additional walk-outs send the Nation's total of idle to 1,400,000. The story below the headline speaks of the slow strangulation of industry, the paralysis which is creeping across the country. Many might like to postpone or avoid the issues that confront us in the question here before us, but responsibility is inescapable because it exists in the very condition that prevails in the country today.

When the war was concluded everybody assumed that then we would try to get back to normal peacetime production. It does not require any recitation from me to show what the condition in the country is today. The very fact that this issue before us today is the top item of conversation and comment wherever you go, on the radio, and in the press, is evidence of the inescapability of the issue and its fundamental character.

The bill that is before us by the rule which was adopted last week seeks, primarily, to do about three things:

First, it seeks to strengthen and continue the processes of collective bargaining. It seeks to provide an opportunity for the process of negotiation and mediation to be completed without resort to strikes or lock-outs, without costly interruptions in wages and production.

Second, it seeks to establish a mutual responsibility when the collective-bargaining process has resulted in a contract.

The third aim is to attain peaceful procedures for our industrial operations in this country by discouraging and making unlikely and unprofitable the use of force and violence.

These are the basic things in the bill. As we proceed in the debate I assume that many Members will want to apply their intelligence to this particular phase of the question or that; and if some of you feel that you are called upon to voice a little criticism, or even abuse of me personally, that is not going to hurt my feelings. I have served in this House long enough to respect the integrity and good judgment and the intelligence of the individual Members and their interest in the welfare of the districts they represent. But I wish every Member of the House might read the correspondence that has come to me since this bill, H. R. 5262, has been before the country. The theme which runs through it over and over again is: This is the first ray of hope we have seen that Congress will confront the fundamental problem facing the country today. We cannot escape it. The Gallup poll said that in its survey of public opinion in the country twice as many people placed labor legislation first as the issue which would confront us in the congressional elections next fall. As we proceed here, let us try to be dispassionate. Let us consider amendments carefully. Under the parliamentary situation existing we can go into the whole field and adopt a measure that will express the intent and the will of the Congress. I am not saying this is a perfect bill, but the very fact that we propose to attack the problem apparently has caught the fancy of the country. The people want us to do something about strikes.

Mr. Chairman, men may quibble about a word here and there, but fundamentally the bill presented by the rule offers an opportunity for the Congress to say that here in the United States we are going to solve the problems of a democracy in operation. We have been giving a great deal of effort to setting up an international world order that will preserve peace and make it possible for the nations of the world to live together. Here we have an opportunity to try to set our own house in order, to provide a condition where management and labor can live together and work together for the common good.

I hope in that spirit we may approach the debate ahead of us and proceed with the perfecting and adoption of the bill H. R. 5262, which I have offered as a substitute amendment for the committee bill.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. CELLER. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. CELLER moves that the Committee do now rise and report the bill H. R. 4908 back to the House with their recommendation that the enacting clause be stricken out.

The CHAIRMAN. Is the gentleman opposed to the bill?

Mr. CELLER. Yes.

The CHAIRMAN. Does the gentleman desire recognition for 5 minutes?

Mr. CELLER. I do.

The CHAIRMAN. The gentleman is recognized.

Mr. CELLER. Mr. Chairman, this motion gives the members of the Committee an opportunity to defeat both the Norton bill and the Case bill. To my mind the Norton bill is bad and the Case bill is far worse because it takes away from labor, the Case bill, the right to strike. It shackles all workmen throughout the length and breadth of the land and would bring us back to the Danbury Hatters case days where an action was brought against the union and the members of the union, bankrupting the union as well as every member of that union. As the result of the tragedy of the Danbury Hatters case and similar cases where injunction broke labor's back we developed in this Congress remedial legislation like the Norris-LaGuardia Act and the Wagner Act; but the passage of the Case bill would destroy all the benefits of those acts and turn the hands of the clock backward.

I may say that the authors of the Case bill have the Marie Antoinette mind. They would say to labor, "If you have not bread, eat cake." They would take us back to those old days of the indiscriminate use of labor injunctions and the yellow-dog contracts. They would make two classes in this country, the herrenvolk, the master class, and the slavenvolk, words Hitler used, the slave class, as between the employers and the employees. Workers would be entirely at the mercy of industry. The right to strike would be rendered a nullity.

If you are worried a bit about the strikes now, reflect but a moment and then you will realize that only because of strikes and the right to strike were we able to do away with child labor, were we able to do away with arduous hours for women in industry, do away with 12-hour day in the coal pits and steel works. Only because of the specter of strikes hanging over the employer and the economic Bourbons of the Nation—and there are many among us here today who are economic Bourbons—were we able to wrest from management and capital social security and unemployment compensation, and only because of strikes were we able to get those boons for labor that we have. I do not advocate strikes as such. But I do not want the strike weapon taken from labor. It is labor's bill of rights.

Mr. LYNCH. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. LYNCH. Is it not a fact that the Case bill was introduced the day after the report of the Labor Committee and that no report at all was had on it?

Mr. CELLER. That is the correct situation, and it is most anomalous that we should be treated like babes in the woods and it is to be expected of us that we are to swallow a bill like the Case bill without any mature deliberation or consideration, without it even being referred or being considered by a committee of this House. That in and of itself argues ill for the Case bill. I hope, therefore, that my motion will prevail and that the bill will be referred back to the House with the enacting clause stricken therefrom.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 42, noes 130.

So the motion was rejected.

Mr. ADAMS. Mr. Chairman, I offer a substitute amendment to the amendment offered by the gentleman from South Dakota [Mr. CASE].

The Clerk read as follows:

Amendment offered by Mr. ADAMS as a substitute for the Case amendment:

"That the Congress hereby declares that the objectives of this act are to avoid and diminish strikes and other forms of industrial strife or unrest, which have the intent or the necessary effect of burdening, or obstructing commerce, and to aid in attaining increased prosperity by achieving the highest degree of production at wages assuring a steadily advancing standard of living, by encouraging the acceptance of collective bargaining and voluntary conciliation, mediation, and arbitration agreements, thereby disposing of controversies between labor and management by peaceful means and discouraging avoidable strife through strikes and lock-outs.

"DEFINITIONS

"SEC. 2. When used in this act—

"(1) The term 'commerce' means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country.

"(2) The term 'affecting commerce' means in commerce, or burdening or obstructing commerce, or having led or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

"(3) The term 'labor controversy' includes any disagreement, or any dispute concerning terms, tenure, or conditions of employment or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the contestants or disputants stand in the proximate relation of employer and employee; but the term shall not include any matter subject to the provisions of the Railway Labor Act, as amended (44 Stat. 577, 48 Stat. 1185, 49 Stat. 1189), or title X of the Merchant Marine Act of 1936, as amended (52 Stat. 965).

"(4) The term 'employer' includes any person acting in the interest of an employer, directly or indirectly, but shall not include the United States, or any State or political subdivision thereof, or any person subject to the Railway Labor Act, as amended from time to time, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization.

"(5) The term 'employee' shall include any employee, and shall not be limited to the employees of a particular employer, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor controversy or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse.

"(6) The term 'representatives' includes any individual or labor organization.

"(7) The term 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers, concerning grievances, labor controversies, wages, rates of pay, hours of employment, or conditions of work.

"CENTRALIZATION OF LABOR FUNCTIONS

"SEC. 3. It is the intent of Congress that the Department of Labor and the United States Board of Arbitration shall be the only agencies of the Federal Government to engage in the conciliation, mediation, and arbitration of labor controversies as defined in this act: *Provided*, That nothing in this section shall prohibit or limit the National Labor Relations Board from attempting to settle any labor controversy pending before it.

"BOARDS OF INQUIRY

"SEC. 4. The President is hereby empowered to create and appoint special boards of inquiry to hear the facts and issues respecting any labor controversy to the end that the factual argument of each party to the controversy may be made available to the public, whenever he deems such action desirable in furtherance of the objectives of this act: *Provided, however*, That the appointment of such board of inquiry shall not otherwise interfere with any action undertaken or to be undertaken by either party. Such board of inquiry shall be composed of such number of persons as may seem desirable to the President. No member of such board of inquiry shall be pecuniarily or otherwise privately interested in the employees or employers concerned. The compensation of members of such boards of inquiry shall be fixed by the President at an amount not exceeding $100 per day. Such boards of inquiry may be created separately for each controversy or for a group of controversies presenting similar issues and pending at the same time. The boards of inquiry shall convene promptly, shall hear the facts and issues involved in the controversy, shall prepare frequent and periodic summaries thereof, and shall promptly make available to the public the factual arguments of each party to the controversy. The hearings shall be conducted in the locality where the controversy arose, or such other place as the President may direct.

"MEDIATION AND CONCILIATION DIVISION

"SEC. 5. (a) There is hereby created in the Department of Labor a division to be known as the 'Conciliation and Mediation Division' (hereinafter called the Division), at the head of which shall be a conciliation and mediation administrator (hereinafter called the Administrator). The Administrator shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $12,000 per annum, together with necessary traveling and subsistence expenses, or per diem allowance in lieu thereof, subject to the provisions of law applicable thereto, while

away from the principal office of the Division. The Administrator shall not engage in any other business, vocation, or employment.

"(b) The Administrator may appoint and fix the compensation of such officers and employees and make such expenditures for supplies, facilities, and services as may be necessary to carry out the Division's functions. Without regard to the provisions of the civil-service laws and the Classification Act of 1923, as amended, the Administrator may appoint such experts, mediators, conciliators, and their assistants and fix their compensation as may be necessary to carry out the Division's functions. The Administrator may, subject to the civil-service laws, appoint such clerical and other personnel as may be necessary for the execution of the Division's functions, and shall fix their compensation in accordance with the Classification Act of 1923, as amended.

"(c) The principal office of the Division shall be in the District of Columbia, but the Division shall establish regional offices convenient to localities in which labor controversies are likely to arise. The Administrator may by order, subject to revocation at any time, delegate any authority and discretion conferred upon him by this act to any Deputy Administrator, regional director, or other officer or employee of the Department of Labor and shall do so to the extent necessary to assure the decentralized exercise of the Division's functions. The Division may utilize the services of other agencies of the Government, part-time employees, and such voluntary and uncompensated services as may from time to time be needed.

"(d) The Administrator may from time to time adopt, amend, and rescind such regulations and rules as may be necessary for the administration of the Division's functions.

"(e) The Administrator shall make an annual report to Congress through the Secretary of Labor.

"(f) Upon the appointment of the Administrator, those officers, commissioners of conciliation, employees of the Department of Labor, engaged in carrying out the conciliation and mediation functions now vested in the Secretary of Labor under the act of March 4, 1913 (37 Stat. 738), commonly known as the United States Conciliation Service, and those officers and employees of the National War Labor Board whose services in the judgment of the Administrator are necessary to the efficient operation of the Division, shall be transferred to and become employees of the Division, without reduction in classification or compensation: *Provided*, That such transfer shall not operate after the end of the fiscal year during which it is made to prevent the adjustment of classification or compensation to conform to the duties to which such transferred personnel may be assigned: *Provided further*, That such of the transferred personnel as do not already possess a classified civil-service status shall not acquire such status by reason of such transfer except (1) upon recommendation of the Administrator within 1 year after such personnel have been so transferred and certification within such period by the Administrator to the Civil Service Commission that such personnel have served with merit for not less than 6 months prior to the transfer, and (2) upon passing such suitable noncompetitive examinations as the Civil Service Commission may prescribe: *And provided further*, That no officer or employee taking such examination shall be discharged or reduced in grade or compensation pending the result thereof, except for cause in the manner provided by law. All records, papers, and property of the Department of Labor in carrying out these functions shall become records, papers, and property of the Administrator, and all unexpended funds and appropriations for such purposes shall become funds and appropriations available to be expended by the Administrator pursuant to this act. All conciliation and mediation proceedings pending before the Department and undisposed of at the time of such transfer shall be handled to conclusion by the Division.

"(g) The Administrator may recommend for appointment by the President special mediators who shall act individually or in panels, when the Administrator shall deem such appointment necessary or desirable in furtherance of the objectives of this act. Each mediator appointed by the President shall receive from the Administrator such compensation as the President may fix at an amount not exceeding $100 per day together with his necessary traveling expenses and expenses actually incurred for subsistence while serving as mediator. Mediators appointed in accordance with this subsection shall not serve as arbitrators during their service under such appointments.

"DUTIES OF ADMINISTRATOR OF CONCILIATION AND MEDIATION

"SEC. 6. It shall be the duty of the Administrator, in order to prevent or minimize interruptions of the free flow of commerce growing out of labor controversies, to encourage employers and employees to exert every reasonable effort, through their lawfully designated representatives—

"(1) to make and maintain agreements concerning rates of pay, hours, and working conditions, including, wherever possible, provision for the final adjustment of grievances or questions regarding the application or interpretation of such agreements; and

"(2) to settle all differences, whether arising out of the negotiation, interpretation, or application of such agreements or otherwise, with all expedition, wherever possible, in conference in the first instance.

"VOLUNTARY CONCILIATION AND MEDIATION

"SEC. 7. The services of the Division may be invoked by the parties, or by either party, to any labor controversy affecting commerce and not adjusted by the parties in conference in the first instance. The Division may proffer its services whenever there arises a labor controversy involving or threatening an immediate and substantial interruption to the free flow of commerce. In either event it shall be the duty of the Division promptly to put itself in communication with the parties and use its best efforts, by mediation and conciliation, to bring them to agreement.

"SEC. 8. Binding effect of collective-bargaining contracts: All collective-bargaining contracts shall be mutually and equally binding and enforceable at law against each of the parties thereto, any other law to the contrary notwithstanding. In the event of a breach of any such contract or of any agreement contained in such contract by either party thereto, then, in addition to any other remedy or remedies existing in law, a suit for damages for such breach may be maintained by the other party or parties in any United States district court having jurisdiction of the parties. If the defendant against whom action is sought to be commenced and maintained is a labor organization, such action may be filed in the United States district court of any district wherein any officer of such labor organization resides or may be found.

"UNITED STATES BOARD OF ARBITRATION

"SEC. 9. (a) There is hereby created as an independent agency in the executive branch of the Government a board to be known as the 'United States Board of Arbitration' (hereinafter called the Board), composed of three members who shall be appointed by the President by and with the advice and consent of the Senate. One of the original members of the Board shall be appointed for a term of 1 year, one for a term of 2 years, and one for a term of 3 years. Their successors shall be appointed for terms of 3 years, except that any person chosen to fill a vacancy occurring prior to the expiration of any member's term shall be appointed only for the unexpired term of his predecessor. The Board shall annually designate a member to act as Chairman. Any member of the Board may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

"(b) A vacancy in the Board shall not impair the authority of the remaining members to exercise all the functions of the Board, and two members shall at all times constitute a quorum for the transaction of business. The Board shall have an official seal, which shall be judicially noticed.

"(c) The Board may from time to time adopt, amend, and rescind such regulations and rules as may be necessary for the administration of its functions.

"(d) The principal office of the Board shall be in the District of Columbia, but it may meet and exercise any or all of its functions at any other place.

"(e) Each member of the Board shall receive a salary at the rate of $12,000 a year, together with necessary traveling and subsistence expenses, or per diem allowance in lieu thereof, subject to the provisions of law applicable thereto, while away from the principal office of the Board on official business. Members of the Board shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment.

"(f) The Board shall make an annual report in writing to Congress.

"POWERS OF THE BOARD OF ARBITRATION

"SEC. 10. (a) The Board may appoint and fix the compensation of such officers and employees and make such expenditures for supplies, facilities, and services as may be necessary to carry out its functions. Without regard to the provisions of the civil-service laws and the Classification Act of 1923, as amended, the Board may appoint such experts, arbitrators, and their assistants and fix their compensation as may be necessary to carry out its functions. The Board may, subject to the civil-service laws, appoint such clerical and other personnel as may be necessary for the execution of its functions, and shall fix their compensation in accordance with the Classification Act of 1923, as amended. All expenditures of the Board shall be allowed and paid on presentation of itemized vouchers therefore approved by the Chairman or by any employee designated by the Board for that purpose.

"(b) The Board may utilize the services of the Department of Labor and of other agencies of the Government in accordance with section 601 of the act of June 30, 1932, as amended: *Provided*, That by agreement of the Board with the Secretary of Labor the expenses of all or part of the services rendered by the Department of Labor may be paid out of the appropriation of that Department. The Board may utilize such voluntary and uncompensated services as may from time to time be needed. The Board may by order, subject to revocation at any time, assign or refer any part of its functions under this act to any member, agency, or employee of the Board. The Board may establish suitable procedures for cooperation with State and local mediation and arbitration agencies.

"(c) The Secretary of Labor shall supply the Board with offices and hearing rooms in the District of Columbia and whenever possible when the Board's functions are exercised at any other place in accordance with section 601 of the act of June 30, 1932, as amended.

"(d) Upon the appointment of the three original members of the Board and the designation of its Chairman, all arbitration functions now performed by the Department of Labor shall be transferred to the Board. All records, papers, and property of the Department of Labor principally used in carrying

out such arbitration functions shall become records, papers, and property of the Board. All arbitration proceedings pending before the Department and undisposed of at the time of such transfer shall be handled to conclusion by the Board.

"PROCEDURE FOR VOLUNTARY ARBITRATION

"SEC. 11. (a) (1) Whenever the Board is requested to do so by both parties to a labor controversy, it shall cooperate with the parties in forming a board of arbitration in accordance with an agreement to arbitrate conforming with the provisions of subsection (b) of this section signed by the parties: *Provided,* That the failure or refusal of either party to agree to arbitration shall not be construed as a violation of any legal duty or other obligation imposed by this act.

"(2) It shall be the duty of the Board to establish a roster of arbitrators having a reputation for fairness and objectivity from which the Board or the parties to a controversy may select an arbitrator or arbitrators (as provided in section 11 (b) 3) familiar with the industrial and employment problems in the region or locality where the controversy arises.

"(3) The board of arbitration formed in accordance with the paragraph (1) of this subsection shall organize and select its own Chairman and make all necessary rules for conducting its hearings: *Provided,* That such board of arbitration shall be bound to give the parties to the controversy a full and fair hearing which shall include an opportunity to present evidence in support of their claims and an opportunity to present their case in person, by counsel, or by their collective-bargaining representative.

"(4) Upon notice from the United States Board that any party to an arbitration desires the reconvening of a board of arbitration (or a subcommittee of such board of arbitration appointed for such purpose pursuant to the agreement to arbitrate) to rule upon any controversy over the meaning or application of the award the board of arbitration or its subcommittee shall at once reconvene. No question other than or in addition to the questions relating to the meaning or application of the award submitted by the party or parties in writing shall be considered by the reconvened board of arbitration or its subcommittee. Such rulings shall be acknowledged by such board or subcommittee thereof in the same manner and filed in the same clerk's office as the original award and become a part thereof.

"(5) No arbitrator except those chosen by the United States Board shall be incompetent to act as an arbitrator because of his interest in the controversy to be abritrated or because of his connection with or partiality to any party to the arbitration.

"(6) Each member of any board of arbitration selected by any party to the arbitration shall be compensated by the party selecting him. Each arbitrator selected by the arbitrators or by the United States Board pursuant to paragraph (1) of this subsection shall receive from the Board such compensation as the Board may fix at an amount not exceeding $100 per day together with his necessary traveling expenses and expenses actually incurred for subsistence while serving as an arbitrator.

"(7) The board of arbitration formed in accordance with paragraph (1) of this subsection shall furnish a certified copy of its award to the respective parties to the controversy and shall transmit the original together with the record of the proceedings and a transcript of the evidence taken at the hearing certified under the hands of at least a majortiy of the arbitrators to the clerk of the district court of the United States for the district wherein the controversy arose or the arbitration is entered into, to be filed in said clerk's office as hereinafter provided. Such board of arbitration shall also furnish a certified copy of the award and of the record of the proceeding and transcript of evidence to the United States Board to be filed in its office.

"(8) All testimony before a board of arbitration formed in accordance with paragraph (1) of this subsection shall be given under oath or affirmation and any member thereof shall have the power to administer oaths or affirmations. Such board of arbitration or any member thereof shall have the power to require the attendance of witnesses and the production of such books, papers, contracts, agreements, and documents may be deemed by such board of arbitration material to a just determination of the matters submitted to its arbitration and may for that purpose request the clerk of the district court of the United States for the district wherein said arbitration is being conducted to issue the necessary subpenas.

"Upon such request the said clerk or his duly authorized deputy shall be, and he hereby is, authorized and it shall be his duty to issue such subpenas. In the event of the failure of any person to comply with such subpena or in the event of the contumacy of any witness appearing before such board of arbitration, the board of arbitration may invoke the aid of the appropriate district court of the United States to compel witnesses to attend and testify and to produce such books, papers, contracts, agreements, and documents relevant and pertinent to the proceedings pending before the board of arbitration to the same extent and under the same conditions and penalties as provided for in the act to regulate commerce, approved February 4, 1887, and the amendments thereto. Any witness appearing before the arbitrators shall receive the same fees and mileage as witnesses in courts of the United States, to be paid by the party securing the subpena.

"(b) Form of agreement to arbitrate. The agreement to arbitrate—

"(1) shall be in writing;

"(2) shall stipulate that the arbitration is had under the provisions of this act;

"(3) shall specify means not inconsistent with the provisions of this act for selecting the board of arbitration;

"(4) shall be signed by the duly accredited representatives of the employer or employers and the employees, parties respectively to the agreement to arbitrate, and shall be duly verified by said parties and filed in the office of the United States Board;

"(5) shall state specifically the questions to be submitted to the said board of arbitration for decision and that in its award or awards the said board of arbitration shall confine itself strictly to decisions of the questions specifically submitted to it;

"(6) shall provide that the questions or any one or more of them submitted by the parties to the board of arbitration may be withdrawn from arbitration by agreement of all the parties on notice to that effect signed by the duly accredited representatives of all the parties and served on the board of arbitration;

"(7) shall stipulate that the signatures of a majority of said board of arbitration affixed to their award shall be competent to constitute a valid and binding award;

"(8) shall fix a period from the date of the selection of the arbitrator or arbitrators necessary to complete the board (as provided for in the agreement) within which the said board of arbitration shall commence its hearings;

"(9) shall fix a period from the beginning of the hearings within which the said board of arbitration shall make and file its award: *Provided,* That the parties may agree at any time upon an extension of this period: *Provided further,* That if the award of the said board of arbitration is not made and filed within the time agreed upon, and in the event the parties will not agree to any extension, the said board may extend the time for a period not to exceed an additional 15 days.

"(10) shall provide for the date from which the award shall become effective and shall fix the period during which the award shall continue in force;

"(11) shall provide that the award of the board of arbitration and the papers, proceedings, and transcript of the evidence when certified under the hands of at least a majority of arbitrators shall be filed in the clerk's office of the district court of the United States for the district wherein the controversy arose or the arbitration was entered into, which district shall be designated in the agreement and when so filed such award, papers, proceedings, and transcript of evidence shall constitute the full and complete record of the arbitration;

"(12) shall provide that the award when so filed shall be final and conclusive upon the parties as to the facts determined by said award and as to the merits of the controversy decided;

"(13) shall provide that any difference arising as to the meaning or the application of the provisions of an award made by a board of arbitration shall be referred for a ruling to the same board or by agreement to a subcommittee of such board and that such ruling when acknowledged in the same manner and filed in the same clerk's office as the original award, shall be a part of and shall have the same force and effect as such original award; and

"(14) shall provide that the respective parties to the award shall each faithfully execute the same.

"The said agreement to arbitrate when properly certified, as herein provided, shall not be revoked by a party to such agreement: *Provided,* That such agreement to arbitrate may at any time be revoked and canceled by the written agreement of the parties signed by their duly accredited representatives and, if no board of arbitration has yet been constituted under the agreement, delivered to the United States Board or any member thereof; or if the board of arbitration has been constituted as provided by the agreement, delivered to such board of arbitration. The award of a board of arbitration having been certified as herein provided shall be filed in the clerk's office designated in the agreement to arbitrate.

"(c) The arbitration award: (1) An award certified and filed as provided in this section shall be conclusive on the parties as to the merits and facts of the controversy. Unless within 10 days after the filing of the award a petition to impeach the award on the grounds hereinafter set forth shall be filed in the clerk's office of the court in which the award has been filed, the court shall enter judgment on the award. Such judgment shall be final and conclusive on the parties.

"(2) Any such petition for the impeachment of any award shall be entertained by the court only on one or more of the following grounds:

"That the award plainly does not conform to the substantive requirements laid down by this act for such awards or that the proceedings were not substantially in conformity with this act;

"That the award does not conform nor confine itself to the stipulations of the agreements; or

"That a member of the Board rendering the award was guilty of fraud or corruption or that a party practiced fraud or corruption which fraud or corruption affected the result.

"(3) No court shall entertain any such petition on the ground that the award is invalid for uncertainty. In such case the proper remedy shall be a submission of such award to a reconvened Board or subcommittee thereof for a ruling. An award contested

as herein provided shall be construed liberally by the court with a view to favoring its validity and no award shall be set aside for trivial irregularity or clerical error going only to form and not to substance.

"(4) If the court shall determine that a part of the award is invalid on some ground or grounds designated in this section as a ground of invalidity, the remainder of the award shall not be affected thereby.

"(5) At the expiration of 10 days from the decision of the court upon the petition filed as aforesaid final judgment shall be entered in accordance with said decision unless during said 10 days either party shall appeal therefrom to the circuit court of appeals. In such case only such portion of the record shall be transmitted to the appellate court as is necessary to the proper understanding and consideration of the questions of law presented by said petition and to be decided.

"(6) If the petitioner's contentions are finally sustained, judgment shall be entered setting aside the award in whole, or, if the parties so agree, in part; but in such case the parties may agree upon a judgment to be entered disposing of the subject matter of the controversy which judgment when entered shall have the same force and effect as judgment entered upon the award.

"BUREAU OF LABOR STATISTICS

"SEC. 12. (a) For the guidance and information of interested representatives of employers, employees, and the general public, the Bureau of Labor Statistics of the Department of Labor shall maintain a file of copies of (1) all agreements reached as a result of mediation, conciliation, and arbitration pursuant to this act; (2) all arbitration agreements made and awards rendered pursuant to this act; (3) all statements and summaries of facts issued by the board of inquiry; and (4) any other collective labor agreements submitted for such purposes by any of the parties thereto. Such file shall be open to inspection under appropriate conditions prescribed by the Department of Labor.

"(b) The Bureau of Labor Statistics in the Department of Labor shall be authorized and equipped to furnish upon request of the Board, the Administrator of Mediation and Conciliation, employers, employees, or their representatives, all available data and factual information which may aid in the settlement of any labor controversy.

"SEPARABILITY OF PROVISIONS

"SEC. 13. If any provision of this act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

"LIMITATIONS

"SEC. 14. Nothing in this act shall be construed so as to interfere with or impede or diminish in any way the right to strike, or exert other lawful means, to amend or modify the provisions of the National Labor Relations Act (49 Stat. 449), or the Act of March 23, 1932, "to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity and for other purposes" (47 Stat. 70).

"SHORT TITLE

"SEC. 15. This act may be cited as the 'National Mediation and Arbitration Act of 1946'."

Mr. ADAMS (interrupting the reading of the substitute). Mr. Chairman, I ask unanimous consent that the further reading of the substitute be dispensed with.

Mr. HOOK. I object, Mr. Chairman.

Mr. ADAMS. Mr. Chairman, in probing for a bill that would meet the exigencies of the present situation in the minds of a great many Members of this House the provisions of Senate 1419 seem to appeal to a great many of us. This bill is in print and can be obtained by any Member. Many Members of the House have not been able to accept the provisions of the Case bill, particularly with respect to some of its penalty provisions. Many Members have expressed the opinion that the Case bill by no means goes to the core of our present difficulties. Certainly the present speaker owes no allegiance to that legislation, it never having come to the Committee on Labor of which he is a member. In my judgment many of the punitive provisions of the Case bill as proposed are unworkable.

In my judgment, they will only aggravate instead of improve the situation. If the bill is perfected, it still will not go into the fundamental difficulties we are presently encountering.

Technically, this Committee has a bill called the fact-finding bill before it. Nobody has stated that this is permanent, fundamental legislation which will improve the situation we now face, not even the members of the Committee on Labor. It is distinctly an emergency device. It is patchwork legislation, and it does not cure the situation in the slightest degree.

It seemed to many Members that the provisions of the bill S. 1419, after giving effect to amendments to which I shall refer, offered the possibility of an area of agreement that might appeal to those who earnestly seek positive, constructive action here, who positively and constructively want to do something to promote industrial peace so that the maximum number of jobs may be created so that the men coming home from the service may be able to find jobs instead of strike-bound plants.

The provisions of this bill seem fair to labor, and fair to industry. The bill provides a medium that has not yet been tried to the extent that it ought to be in this country for the adjudication of industry-labor disputes.

The provisions of this bill have been widely reviewed. The Legislative Reference Service has already analyzed it in a report which is available to all Members. It approaches the solution of present difficulties in the field of voluntary arbitration of strengthening the conciliation and mediation services in the Department of Labor and providing for a United States Board of Arbitration. Whenever the disputants so agree they may elect to use the services of this Board of Arbitration, and are then bound by the results of its decision.

The bill provides for a procedure under which that Board shall operate and for the form in which the disputants shall arbitrate. It seems to many Members that this bill provides the machinery that is essential at this time in order that disputants in a labor-management controversy may come to an agreement in the field of voluntary activity.

There are two amendments which have been suggested.

The CHAIRMAN. The time of the gentleman from New Hampshire has expired.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ADAMS. I thank the majority leader for his consideration.

The present bill, S. 1419, provides for boards of inquiry. These boards of inquiry are ostensibly fact-finding boards, appointed by the President, in order to find out the facts about any industrial dispute.

Mr. DONDERO. Mr. Chairman, will the gentleman yield for a question?

Mr. ADAMS. I yield to the gentleman from Michigan.

Mr. DONDERO. How far would that provision go? Does it mean that labor unions would have to open up their books or that management and industry would have to open up their books?

Mr. ADAMS. In the manner in which the bill was originally written, what the gentleman says is so. On the other hand, the bill has been altered to strike out the subpena power in the boards of inquiry, and that is one of the amendments to which I referred.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Indiana.

Mr. HALLECK. As the gentleman has amended the bill as introduced in the other body, would it yet permit or provide for recommendations by the board of inquiry as to what they thought the facts were or the settlement should be?

Mr. ADAMS. The bill provides for that in this language, and I quote:

> The boards of inquiry shall convene promptly; shall hear the facts and issues involved in the controversy; shall prepare frequent and periodic summaries thereof and shall promptly make available to the public the factual arguments of each party to the controversy.

That answers the gentleman's question.

Mr. RANDOLPH. Mr. Chairman, I do not believe the question has been answered. The gentleman from Indiana has been inquiring with reference to the recommendations of the Board after the facts, so-called, have been found.

Mr. HALLECK. Mr. Chairman, will the gentleman yield further?

Mr. ADAMS. I yield.

Mr. HALLECK. I do not know just how far that language may go. The things that disturbs me about it is that it would apparently provide for the degree of governmental determination and decision which to many means the destruction of the processes of free agreement arrived at through collective bargaining.

Mr. ADAMS. Well, the gentleman is entitled to his interpretation.

Another amendment is suggested which incorporates the proposition of the mutuality of agreements without the provision for injunctive relief.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Pennsylvania.

Mr. BRADLEY of Pennsylvania. I wonder if the gentleman has any idea as to how many Members of the House have had any opportunity to analyze and

study his bill and reach an intelligent decision with respect to the provisions thereof?

Mr. ADAMS. May I say to the gentleman from Pennsylvania that this bill was introduced on September 20. It has been altered only in two instances. The provisions of the subpena power that are given to the boards of inquiry have been stricken out and the provision making contracts mutually binding and enforceable has been included. Other than that, the bill is exactly the same as it was originally introduced.

Mr. BRADLEY of Pennsylvania. Introduced by whom?

Mr. ADAMS. It was introduced by a Member of the United States Senate.

Mr. BRADLEY of Pennsylvania. It was introduced in the Senate of the United States, but it was never introduced in the House, and no hearings have been held on it by any House committee.

Mr. ADAMS. In my judgment, Mr. Chairman, this bill offers a constructive, sound approach to provide for the mediation, conciliation, and arbitration of labor-management controversies. I commend it to the attention of the House for it seems to me that this bill is a fair proposal; fair to labor, fair to management, and fair to the public's interest which is of paramount importance in the situation in which we find ourselves.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield in order that I may ask him a question?

Mr. ADAMS. I yield.

Mr. RANDOLPH. The gentleman is one of the most able members on our Labor Committee. He goes thoroughly into the provisions, not only of proposals on this subject, but other matters concerning labor and management.

Mr. ADAMS. I thank the gentleman.

Mr. RANDOLPH. Is the gentleman thoroughly convinced that it is the responsibility of Congress at this time to pass over-all legislation of the McMahon bill type or other proposals rather than to solve reconversion troubles as desired in the request of the President?

Mr. ADAMS. I think the Congress at this time should adopt the proposal which to it seems best fitted to provide the maximum amount of correction in the situation that we find ourselves in. I would provide furthermore for a commission composed of outstanding citizens of this country to study the effects of this or any other legislation that is passed by the House at this time, because I think any bill that comes out of these deliberations is only going to be piecemeal legislation at best.

The CHAIRMAN. The time of the gentleman from New Hampshire [Mr. ADAMS] has expired.

Mr. BARDEN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New Hampshire.

Mr. Chairman, I have noticed up to this point, and doubtless it will occur many times during the deliberations on this legislation, reference to the fact that certain legislation has not been considered by the Committee on Labor. That is regrettable, but, being a member of that committee, I know something of the operations of the committee, and I say to you that we are in a rather peculiar position at this time.

The committee comes to the floor with a bill, H. R. 4908, and, as far as I know, there is not a single member of the committee supporting it. I pause to see if I am incorrect.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. RANDOLPH. I just wanted to make sure. The gentleman said, "As reported from the committee"?

Mr. BARDEN. Yes. Now, that is a very peculiar situation.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. No; I do not care to yield, unless the gentleman wants to admit fatherhood of this bill, and say he is supporting it.

Mr. HOFFMAN. Well, you asked a question.

Mr. BARDEN. That is right. I still do not yield. I asked a particular kind of question. I hope the gentleman will not bother me. I love the gentleman, but I want to proceed.

I am not saying this as making any attack upon the committee. I am a member of that committee. There are wide differences of opinion on the committee. When I say that no one is supporting the bill, I include myself, because I am not supporting it myself, but I voted to bring it out. The majority of the members of that committee felt that, in the light of the present situation and existing conditions in this country, and the demands of the people, some kind of a bill should come to this floor, and let the House work its will.

Now, I have heard stated on this floor on many, many occasions that we should bring in certain bills; that we should do away with the Rules Committee, and this, that, and the other thing. Members have filed discharge petitions, and come down here and shook their fists, and wanted the right to legislate on this floor. Ladies and gentlemen, you have that right and privilege now. You have a wide-open field right now in your laps.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. Not at this point.

Now, I hope we make the best of it. That just increases the individual responsibility in this House about tenfold. You no longer can say, "Well, now, the majority of the committee, in which I have great confidence, has passed out this legislation, and I think I will go along with the committee." You cannot travel with the committee today. You are on your own individual responsibility, and that requires that every Member familiarize himself with the three bills that have been introduced and the various amendments that will be offered.

I want to say that if we accomplish but three things we will have made considerable progress here. One is, I think we must give some dignity and some standing to a contract that results from collective bargaining.

Number two, I think we must do away with this violence and intimidation that is taking place around plants where strikes occur, tearing up property and battering in heads when strikes are in progress. Three, we should specify that no supervisory employee shall have the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act.

Down my way a gentleman's contract is binding whether it be in writing or verbal; and a gentleman who violates a gentleman's contract is no gentleman from then on; and he loses his standing. The other day when Mr. John L. Lewis was before the Labor Committee I asked him a question dealing upon the sanctity of contract. Mr. Lewis and other labor leaders call for the right to contract, the right to sit down and bargain and arrive at an agreement and go through the process of signing their names to what they then say is a binding contract. That is a right that all labor and all men and all decent people want preserved.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. RUSSELL. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BARDEN. I thank the gentleman very much.

Bearing on the question I asked Mr. John L. Lewis, who was a witness before the committee, the question as to whether he wanted a contract that he entered into with an employer to be binding. Here is the colloquy that took place, here are the words spoken by Mr. Lewis and me. We had dealt upon the subject briefly before this point:

> Mr. BARDEN. Then one other question: If I get your statement correctly, you wouldn't advocate any machinery or any legislation, or any action on the part of Congress, and would not look with favor upon a decision that would make a contract by a labor union with an employer enforceable, or would make a contract between an employer and a union enforceable, from the other end?
>
> Mr. LEWIS. That is just so right, I can't add anything to it.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. No; I do not care to yield at this point.

Mr. GALLAGHER. O. K.

Mr. BARDEN. I do not know what else the country can do except through Congress halt any movement that might be getting under way in this United States that would treat as scraps of paper sacred contracts that have been arrived at between men sitting at a table through the right of bargaining and put their names and their seals on that paper and then for a man who claims to be and is a union leader to say that he does not want that contract to be any better than a scrap of paper. We had a war over one contract that Germany treated as a scrap of paper. Now let us not let this practice or philosophy get to the point that violating contracts is considered to be respectable or that the sacred word of a man or men does not have any standing in this country.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. Briefly; yes.

Mr. MAY. I wish to ask the gentleman if he does not understand that there is a provision in the Case bill relating to supervisory personnel and that Mr. Lewis' contracts with the coal miners and the operators for years and years—General Motors and all of the great industries of the country—have such a provision in them?

Mr. BARDEN. I understand that is correct; and I find more in the Case bill that I like than I do in any of the rest of the bills offered. I am rather warming up to the Case bill. If it can do the job, then all right. But the American people are calling for action. I, for one, am willing to accept my share of the responsibility involved and move forward.

I know one thing: This Congress cannot stand where it is; you are going to move in one direction or the other. The people of this country have made up their minds to that effect.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield there?

Mr. BARDEN. You can do something constructive and stay in the road, or avoid it and hit the briar bush, whichever you choose, but there is a tremendous responsibility here. So far as party vote is concerned, we better throw that out of the window and look after the welfare of the United States of America.

I am going to try as best I can to support a piece of legislation that will get this country to moving once more. Why, unemployment is setting in all the way down the line. It is cutting off the farm machinery on the farms, it is taking the washing machines away from the housewives, it is doing so much damage that you cannot realize it at this point, but it will begin to show up in a very few weeks. Whether it is going to set off another Hoover escapade or not, I do not know, but I do know that labor leaders cannot continue to shout for the right of collective bargaining, then at the same time shout for the right to disregard the bargains and contracts that they enter into. I do not see how anyone can double talk in any such way, and unless we write a bill that contains some remedies to take care of those very evils, then we are wasting our time here. The welfare of the United States of America is more important than the selfish ambitions of any organized minority.

That is going to be my aim, Mr. Chairman, and my efforts are going to be directed along that line. I sincerely hope the House will take some very definite action.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. LANDIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LANDIS to the Case amendment:

In section 12, "Supervisory employees," page 13, strike out "whose duties include" and insert "whose primary duties consist of."

In line 22, after the word "employees" insert "but who regularly do no productive manual work."

In line 23, after the word "employees" insert "and does not include persons who are selected by productive workers under established practice."

Mr. HOFFMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN. Are amendments to the substitute also in order at this time?

The CHAIRMAN. They are. Amendments to the Case amendment and to the Adams substitute are in order.

Mr. HOFFMAN. Will the Case bill be read by section for amendment?

The CHAIRMAN. The Case bill has already been read.

Mr. HOFFMAN. Are amendments in order at any point in the Case bill?

The CHAIRMAN. Amendments are in order to any part of the Case bill.

Mr. CASE of South Dakota. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASE of South Dakota. May I ask, so that it will be clear to everybody, that the Chair state the order in which amendments will be voted upon?

The CHAIRMAN. Amendments to the Case bill are in order, amendments to the substitute are in order and when those two are perfected, one or the other, the substitute will be voted on first, the Case bill second.

Mr. CASE of South Dakota. Amendments to the so-called Case substitute will be voted on first?

The CHAIRMAN. They will be voted on first.

Mr. CASE of South Dakota. Before amendments are voted on in the substitute?

The CHAIRMAN. That is correct.

Mr. LANDIS. Mr. Chairman, the Congress is divided on what should be done, and therefore what it should do. This legislation will be highly important to the immediate future of the Nation. Care must be taken in shaping labor legislation because you cannot make a man work in a democracy. You cannot regulate human honesty by law. I think, however, if we take our time and amend one of these bills we might get proper legislation that will make a feasible plan to prevent strikes.

This amendment I have introduced clarifies section 12 so you really understand what a supervisory employee is. It is one of those whose primary duties consist of but regularly do no productive manual work. All of those people who do manual productive work should have a right to collective bargaining. Those who are selected by productive workers should be allowed to be organized. This is just a clarifying amendment to the definition of supervisory employees.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Michigan.

Mr. DONDERO. Would it prevent the association of foremen which now exists in this country from the right to go to their employers through a bargaining agent and make a contract for their particular pay?

Mr. LANDIS. I would not think so.

Mr. DONDERO. Does the gentleman think they still have a right to bargain collectively if this section stays in the bill?

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Indiana.

Mr. HALLECK. The only purpose of this section is to clarify the definition of "employee" for the purposes of the National Labor Relations Act. The Labor Board has been on both sides of the matter about supervisory employees being employees within the purview of the act. This section, if adopted as amended by the gentleman, would not prevent foremen from having an association, or joining any organization they wanted to. It simply would mean that for the purposes of the Wagner Act they would not be treated as employees and hence, specifically answering the question of the gentleman from Michigan, the foremen would still have the right to organize in any organization or association they wanted to get up and to make suggestions to their employers if they wanted to do so.

Mr. LANDIS. Unless this amendment is adopted, this section might as well be stricken from the bill.

Mr. DONDERO. That was exactly the point that I proposed to inquire about.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I may say that the gentleman from Indiana has discussed his amendment with me in some detail, and I am convinced that it improves the definition of "supervisory employees," and as far as I am concerned I hope his amendments are agreed to.

Mr. LANDIS. I just want to make another suggestion. In the first section on page 6 there is another amendment which is of vital importance to the Committee and to the House, and that is, unless section 3 (d) is amended to exclude the Bureau of Internal Revenue and the Federal Social Security Agency, it will be similar to subpena power. You might as well give the power of subpena as to leave this section intact.

Mr. GALLAGHER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I was not allowed to speak when we had 2 days of general debate on this question, but the only thing I want to say now is that John Lewis is not a New Dealer. He is not a Democrat, and he is the only labor leader of importance in this country who during the war did not make a no-strike pledge. I object to quoting him as a representative of organized labor.

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I was most anxious to get recognition at the conclusion of the remarks of the gentleman from New Hampshire, because I thought it important to explain to the House the manner in which his substitute differs from the substitute about which I spoke in the House on last Friday, copies of which have been available in the document

room for the last 3 days; copies of which I have here if anybody wants to see them.

I would agree basically with much of what the gentleman from New Hampshire said, and I hope to see his substitute amended in order to bring it into accord with what my bill provides. If we are not successful in accomplishing that, I shall, as soon as I am able, offer my substitute.

In the first place, the gentleman from New Hampshire includes section 10 of the Case bill in his substitute. You can read section 10 of the Case bill. Section 10 of the Case bill is modified by the amendment offered by the gentleman from New Hampshire in that he leaves out the applicability of injunctive relief. But I do not know what section 10 of the Case bill means, either with injunctive relief in it or with it out. My bill, instead of that, provides, just as the Railway Labor Act has provided during the years, for the establishment of adjustment boards throughout this country, which adjustment boards shall be appointed by the National Board of Arbitration, and whose functions it shall be to have brought before them any dispute arising out of a grievance, an interpretation of a contract, or an alleged violation of a contract. Those boards are empowered to have those cases brought before them on motion of either or both parties. They are, on the basis of hearings and development of the facts, to make a finding and award, which finding and award may be enforced in the courts by either party, if not accepted as such.

May I emphasize that these boards deal only with disputes that are legal disputes based upon the terms of contracts already signed. In my judgment, the provision in my bill is much safer, much fairer, much better tested in practice than the one contained in the gentleman's bill or the Case bill, either one.

Mr. DOUGHTON of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from North Carolina.

Mr. DOUGHTON of North Carolina. May I inquire of the distinguished gentleman from California if his bill was considered by the Committee on Labor?

Mr. VOORHIS of California. My bill was not considered by the Committee on Labor, but I can submit to the gentleman the pedigree of every section of my bill. Portions of my bill, those having to do with conciliation and mediation, which are exactly the same as the one offered by the gentleman from New Hampshire, although I brought mine before the House before he did, I say resepectfuly, are taken from the McMahon bill, which was, as he says, introduced in the Senate and has been considered by the Senate committee at considerable length. However, in my bill I have changed the McMahon bill in certain respects, such as the gentleman from New Hampshire has not done. Instead of the boards of inquiry which the gentleman from New Hampshire provides for, and which, if I understand correctly, can operate any time and any place, and might, in my opinion, get in the way of the mediation and conciliation proceedings seriously, my bill provides that fact-finding boards may be appointed at the end of the time when they have attempted to settle the dispute by conciliation and mediation, upon certification by the Administrator of Conciliation and Mediation to the effect that he has failed to settle the dispute peacefully. The fact-finding boards under my bill would be boards with some standing and influence, I would hope, and might be a real influence in bringing before the Nation the facts in the case and inducing a peaceful settlement.

Another difference between my bill and that of the gentleman from New Hampshire is that his bill contains no language which states that it shall be the positive duty of employers and employees to include in their agreements provision for orderly methods of changing the agreements or the positive duty to exhaust all peaceful efforts at settlement before resorting to coercive action. My bill does contain such a provision. My bill also contains a provision that during the course of conciliation, mediation, or fact-finding there shall be no change made in the wages, hours, or conditions of employment in effect prior to the time of controversy arose. That is the language of the Railway Labor Act. It is the manner in which the Railway Labor Act through the years has succeeded in maintaining the status quo and avoiding strikes during the period of peaceful negotiation. My bill contains no compulsion, in the last analysis. It does set up a workable, complete, orderly procedure of peaceful settlement of disputes.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for five additional minutes. This bill is very important to us.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. VOORHIS of California. I am much obliged to the gentleman from Texas, and yield to him.

Mr. LUTHER A. JOHNSON. With reference to mutuality of contracts and the enforceability of contracts, what will the gentleman's bill do with reference to making both industry and labor perform the contracts they make?

Mr. VOORHIS of California. In my opinion, my bill will operate on that problem in the only really practical way that we can do it. We have here a special field of contractual relationship that over and over we have found it difficult for the ordinary court to deal with in the first instance. That is the reason we set up a number of agencies of Government, that are now in existence.

My bill takes from the Railway Labor Act and adapts as nearly as I could do it the provisions for adjustment boards which the Railway Act has had for years. I will explain once again that once a contract has been entered into, both sides or either side may if they believe that that contract has not been lived up to by the other side, or if they have a grievance under the terms of that contract, bring that grievance or that claim for failure to carry out the contract before one of these adjustment boards. The Adjustment Board takes the evidence, it decides the case, it can make a finding which is final and binding upon both parties. That award is enforceable in the court, the facts as determined by the Adjustment Board being prima facie evidence of the facts in the case. Unless we approach this problem in some such manner as that, and provide for the machinery necessary to see that justice is done all around and the real facts developed, no short cut will in my opinion do much good. I think this is the constructive approach to that problem because I believe that disputes of interest between the parties, employers and labor, ought not to be dealt with by compulsion. But when they have already signed a contract and it is only a matter of determining specifically what the terms of that agreement actually are and how they should be carried out, I believe we can use machinery such as this. I believe it has been proved workable and would be workable if adopted.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. Will the gentleman tell the House just what is in his bill, or just what can be done under his bill that cannot now be done under existing practices which now prevail and are now being pursued?

Mr. VOORHIS of California. Yes. I will say to the gentleman that the provision of my bill which I have just spoken of and which I have gone over twice already in this speech, and I do not want to go over it again, is new legislation. This provision that I have been talking about is new legislation. I will say to the gentleman that at the present time there is a conciliation service in the Department of Labor, and it has done good work. But my bill would provide for mediation services as well as conciliation to be handled by a better organized and more adequate single agency than we now have. There is at present no positive obligation, or moral duty, placed upon employers and workers to settle their disputes peacefully. There is no provision such as my bill would provide for the appointment of fact-finding boards with some established standard. Neither is there a provision for the maintenance of the status quo while the process of peaceful settlement is taking place. Neither is there any legislation presently on the statute books which sets up an agency for voluntary arbitration of labor disputes.

Mr. SMITH of Virginia. You have nothing in your bill that will enforce the 30-day period, for instance?

Mr. VOORHIS of California. I think I do, I will say to the gentleman.

Mr. SMITH of Virginia. Where—what?

Mr. VOORHIS of California. I do not propose to go out and try to arrest all members of a labor union. I do not believe you can do that nor that men can be forced to work for a private employer. What I do is to say to both sides in a controversy that the status quo shall be maintained during the process of peaceful settlement of the disputes.

That has worked under the Railway Labor Act. What it means is that during that time there will be no advantage to anybody in attempting to use force to get a settlement of the dispute.

Mr. SMITH of Virginia. I do not like to use so much of the gentleman's time, but would the gentleman yield to me again?

Mr. VOORHIS of California. I yield.

Mr. SMITH of Virginia. You know you have the 30-day waiting period under the Smith-Connally bill.

Mr. VOORHIS of California. That is right.

Mr. SMITH of Virginia. But it does not work. What is the enforcible provision behind that?

Mr. VOORHIS of California. I think the provision in the Smith-Connally Act is decidedly inferior to this provision of the Railway Labor Act because it implies an attempted compulsion which I doubt can be enforced. The provision I am dealing with on the other hand approaches the thing from the other side and says there shall be a positive duty to maintain the existing status quo. Under those circumstances, the employer can say with perfect logic, "Yes, sir; you fellows have a perfect right to strike, but it will not do you any good if you do because I am not able to change the conditions." Thus, we have a chance to maintain an avoidance of strikes or stoppages while peaceful methods of settling a dispute are at work. If it does not work, you do not try to impose by compulsion the decision of any board on any party; that is perfectly true. I do not believe you can pass a bill that will absolutely stop work stoppages from taking place. In the end the best you can do is to try to provide the machinery for them to settle the dispute peacefully.

Mr. MURDOCK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MURDOCK. At what point is this substitute in order to be offered as a substitute?

The CHAIRMAN. After the Adams substitute is disposed of. If it is unfavorably disposed of, then further substitutes will be in order.

Mr. JENNINGS. Mr. Chairman, I rise in support of the Landis amendment.

Mr. Chairman, this Landis amendment makes definite and clear who it is that comes within the purview of the language "supervisory employee." As amended, by the Landis amendment, section 12 reads:

> As used in this section the term "supervisory employee" means an employee whose primary duties consist of (1) the direction or supervision of the activities of other employees, but who regularly does no productive work.

Ordinarily, a foreman, a man who represents the employer and stands in the relationship of a vice principal to him, and for whose acts or failure to act the employer is liable, is a man who does not go out and work. He is a man who directs and supervises those who work, perform manual labor. He represents the employer. That clarifies the meaning of this section.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield.

Mr. MAY. The gentleman failed to use the word "manual." "Manual work."

Mr. JENNINGS. It is productive work.

Mr. MAY. Manual work.

Mr. JENNINGS. Well, I am glad the gentleman corrected me. Manual work.

So that you have clearly a definition of the supervisor who we say shall not be under the provisions of sections 7, 8, and 9 of the National Labor Relations Act.

The second amendment is simply with respect to this, as it reads:

> The computation of the pay of other employees does not include persons who are selected to be productive workers under established practice.

I take it that that amendment is simply to give workers in an establishment who select a man to represent them in timekeeping or, for instance, in the operation of a coal mine who select a check weighman. There can be no debate among men of reasonable minds as to the proposition that when management sends a man out to represent management he should not betray his trust. He is a man for whose actions the management is responsible.

I remember in my State, in 1903, the legislature required mine operators to employ certified mine foremen, but there was a provision written into the law to the effect that in the performance of his duties he should not be under the control of the mine owners. Men who prior to this act were injured through the negligence of the mine foremen could recover, but the time came when an attorney for the defendant obtained a directed verdict on the ground that the certificated mine foreman, in the performance of his duties, was not under the control of the company. Then we had to go back to the legislature and remove that provision and place the certificated mine foreman under the control of the operators.

Of course, where employees of a coal mine, or any other industrial enterprise, elect one of their own members to act for them, and keep check upon the hours recorded by the company timekeeper, or check upon the weight of coal by the company weighman, that man should not be under the control of the company.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield.

Mr. DONDERO. As long as the foreman in no way becomes affiliated with any union, might it not be better to strike out all of that language?

Mr. JENNINGS. I do not think so. Let him belong to a union if he wants to, but when he does, he no longer has the status of an ordinary employee and is no longer protected by sections 7, 8, and 9 of the Wagner Act. A foreman, a supervisory employee should keep faith with his employer and not be on both sides of the fence.

Mr. DONDERO. But there are provisions that they cannot affiliate with any other union.

Mr. JENNINGS. If there has been an invasion of this field of management, let us set that question at rest. This amendment does exactly that. Let us do it by law.

There should be no twilight zone in this thing. A man cannot serve two masters; either he will cling to the one or despise the other. Let us provide that he shall be true to his trust, work for the people who hire him to do a specific job; and if he goes to the other side then strike from him the bargaining rights and the protection afforded the general employees who do manual labor by the Wagner Act.

Mr. MAY. Mr. Chairman, will the gentleman yield further?

Mr. JENNINGS. I yield.

Mr. MAY. I wish to get one thing settled for the benefit of the membership. I wish to know whether or not it is true in the coal fields in the hills of Tennessee as it is in the coal fields in my district that the check weighman is always selected by the miners and is paid by the miners?

He is selected by the miners and is paid by the miners. He ought not therefore to come under the purview of this bill. He represents the miners just as surely as the mine foreman represents the operators.

This amendment should be adopted.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. CASE of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASE of South Dakota. May we have a vote on the Landis amendment at this time?

The CHAIRMAN. Yes, provided there are no other amendments to be offered to it or no pro forma amendments.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in strict fact, the bills that are pending here, including the substitutes, do not quite go to the heart of the problem that is before the country. Sooner or later we shall be confronted with the necessity of reviewing in detail the Wagner Act which has been on the books for more than 10 years. Some of the proposals in the Case bill, properly speaking, should be incorporated in a bill amendatory of the Wagner Act and should have hearings; but I doubt very much whether we would even then go to the heart of the problem. Today we are dealing with something of a palliative, and I believe from the standpoint of consistency that the proposal that was advanced by the gentleman from New Hampshire [Mr. ADAMS] has much to recommend it. In the first place, it was well drawn, it was not hasty, and it does not have the characteristics of patchwork legislation. It bears the name not of one Member of another legislative body but of four. It has been in print altogether nearly 5 months. It was drawn only after consultation with people on both sides who have an abiding interest in this matter, and it develops a consistent approach to the problem. After the preamble and the necessary administrative details it undertakes to

formalize conciliation and mediation and then, in addition, it seeks to set up an independent arbitration board. It strikes out the subpena provision which was originally incorporated; so there is at least a consistent approach to the problem of seeking to develop bargaining contracts.

The question has been very properly raised here: If parties to a bargaining contract do disobey a contract, what about it? That was the reason section 10 of the Case bill has been incorporated in the Adams substitute; namely, the binding effect of selective bargaining contracts to make them enforceable by action in law. If other conditions ought to be incorporated such as the section on supervisory employees, the section on intimidation and abuses, the section on boycotts, that can be done to the Adams substitute as well as to the Case bill, if such is the will of the House. But I do say that the compulsory features have been kept out and that it is a forthright and very consistent approach to centralize conciliation, mediation, and arbitration procedure in the Department of Labor where it properly belongs.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. HALLECK. As a matter of fact, the so-called Adams substitute is nothing more or less than a proposal for mediation and conciliation, which is likewise covered in the Case bill. In addition, the gentleman from New Hampshire took one other section out of the so-called Case bill, that dealing with mutuality of the obligation of contract.

Mr. DIRKSEN. That is correct.

Mr. HALLECK. As to urging that the substitute offered by the gentleman from New Hampshire may be perfected, may it not likewise be said that the Case bill might be perfected in exactly the same manner?

Mr. DIRKSEN. Very definitely; that is quite obvious; but I point out that here at least is a far more consistent and well-rounded approach to the problem of first bringing the parties together, developing the contract, and then making the contract enforceable in law; and I rather like the well-rounded-out approach that is carried in the substitute of the gentleman from New Hampshire.

Mr. HALLECK. Mr. Chairman, will the gentleman yield for a further question?

Mr. DIRKSEN. I yield.

Mr. HALLECK. Did the gentleman know that a number of provisions, in fact most of them on mediation and conciliation, contained in the Case bill were once upon a time, back in 1941, adopted by the House of Representatives by an overwhelming vote?

Mr. DIRKSEN. That is very conceivably true. I have one abiding interest in this matter and that is that whatever we do may be fair to both sides; secondly, whatever we do will have at least a decent chance of being enacted into law. There is an awful futility and frustration about racing up and down this floor, brandishing your fists in the air and orating on various sections that pertain to labor, the public, and management only to find that they go into a pigeonhole in another body. Perhaps we should be unmindful to what another body may do but the fact is it is a part of the legislative branch of the Government and it must conjoin in anything we do before it can be inscribed on parchment and become an enrolled bill.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Was not the so-called Adams substitute first introduced in the Senate and has it not been laying over there in a pigeonhole since the 20th of last September?

Mr. DIRKSEN. That is exactly so. It gives point to the fact if we are not fair and wholly discriminate in the kind of thing that we undertake to perfect here today it will meet a similar fate.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. THOM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to direct my remarks to section 10 of the Case bill which seeks to give the right to unions to sue and be sued and to enforce collective-bargaining contracts either in equity or by suit in damages.

In section 10 the Case bill seeks to make labor unions legally responsible and gives the right of enforcement of collective-bargaining agreements either in equity or by suit for damages in the United States courts.

Notwithstanding popular thought to the contrary, labor unions can now be sued in State and United States courts, and damages collected for breach of contract.

The old theory that a labor union, because it is a voluntary organization, cannot sue or be sued has generally been discarded. As far back as 1932, 20 States permitted unions to be sued in their common name, including, I may say, most of the large industrial States where labor unions are important factors in labor relations. Since then, I understand that most of the other States have fallen in line.

I next assert that if a collective labor contract or agreement is properly drawn, damages can be asked if its terms are breached.

In a book entitled "Labor Policy of the Federal Government," issued in 1945 by the Brookings Institution, Harold W. Metz, the author, says:

> Collective agreements in most jurisdictions are generally regarded as legally binding contracts.
>
> Such agreements contain promises of the union not to strike or to picket and promises of the employer not to hire nonunion employees. These different obligations generally will be enforced if the right party brings the action.

In a document of the United States Department of Labor, The Law Behind Union Agreements, by David Ziskind, we find the following discussion of the subject:

> It is now possible to make a collective bargaining agreement that will be enforceable in the courts just as other contracts. Many of the early union wage scales in schedules of hours were not considered binding agreements. They were written as simple statements of what workers were to be paid and what hours they were to work. When some of the workers sought to enforce these terms in the courts, they were not able to do so. The courts said that the statement of union wages and hours was merely a gentleman's agreement, or a one-sided memorandum, and it was not intended to be a contract. Also unions were unincorporated associations and the courts had not yet established the power of such organizations to make contracts. But these difficulties have been overcome, or at least they can now be overcome, if the parties concerned wish to make a binding contract and wish to make it binding for themselves and for their members.

In a statement during this debate on this floor I find the following:

> A manufacturer who makes a contract with a labor union must have confidence in the performance of that agreement in order to plan his operations. Yet the union may breach its contract and management has no redress in law, although the union is free to resort to all legal processes as well as illegal pressure to enforce the same contract.

I think I have proven by experts that the above statement is without foundation.

Yet the newspapers, the radio commentators, and Members of Congress continue to repeat it, and the public at this stage, at least, believes them.

What new remedy, then, does the Case bill provide in section 10?

The answer is that the chief purpose of section 10 of the Case bill is to permit a party to a dispute to bypass the State courts and thus carry his cause of action to a forum, a United States district court, far away from home.

Advocates of States' rights and home rule in this body for years have been talking about centralization as the great peril of American Government, yet today we see them here as authors and defenders of the Case bill that would usurp, in effect, the rights of local courts to decide issues in their own localities.

Most of the talk about labor union responsibility rises now as a result of the so-called no-strike clause contained in collective bargaining agreements. The Case bill obviously hopes to secure enforcement through damage suits. However, the end result of this might be that the unions would exclude no-strike clauses from their agreements. Thereby would be lost the benefits now derived from the hundreds of contracts that contain no-strike sections which are obeyed.

Mr. HOOK. Mr. Chairman, I move to strike out the last word.

Mr. MAY. Mr. Chairman, will the gentleman yield so that I may propound a parliamentary inquiry?

Mr. HOOK. I yield to the gentleman from Kentucky.

Mr. MAY. As I understand the situation, Mr. Chairman, there are two substitutes pending—the Case substitute and the substitute to that. Should it not follow that when an amendment to either of the substitutes has been considered that it ought to be voted on before we continue to debate the substitute?

The CHAIRMAN. The parliamentary situation is this: That the Case bill is the first amendment to the Norton bill. The Adams substitute was offered, and both the Case amendment and the Adams substitute are subject to amendment.

Mr. MAY. I do not think the Chair got my point.

The CHAIRMAN. The gentleman from Indiana has offered an amendment which is an amendment in the second degree. Therefore no amendment other than pro forma amendments will be received to the Landis amendment, because they would be amendments in the third degree. The amendment offered by the gentleman from Indiana will be voted on as soon as the pro forma amendments are disposed of.

Mr. HOOK. Mr. Chairman, right at this time I want to call the attention of the House to a little further reading of the hearings before the Committee on Labor. My good friend the gentleman from North Carolina [Mr. BARDEN] read a question and part of an answer by John L. Lewis. I think it in order to have the matter fairly and honestly before the House and have the full answer of Mr. Lewis, which should have been read. Let me read it again:

Mr. BARDEN. Then one other question: If I get your statement correctly, you wouldn't advocate any machinery or any legislation, or any action on the part of Congress, and would not look with favor upon a decision that would make a contract by a labor union with an employer enforceable, or would make a contract between an employer and a union enforceable, from the other end?

Mr. LEWIS. That is just so right I can't add anything to it.

Right there the gentleman stopped. He did not read the rest of the answer. The rest of the answer is this:

And I want to say this: One of the reasons I wouldn't is that such legislation would destroy every existing labor organization in this country. There is no reason why any employer couldn't hire himself a gumshoe detective or operator and put him in any local union in any village or community in this country and let him gain the confidence of the men by serving there awhile, while he buttered them up with words that were sweet in his mouth until he inveigled them into a situation where they go on an illegal strike and cause damage, and the central organization of that union would be held responsible for the acts of that agent provocateur. Now, is that what you want, so that you can hire a Pinkerton detective and send him to my local union and raise hell up there and defame labor? I am against it.

Mr. BARDEN. That is what I wanted to find out.

Mr. LEWIS. You certainly found out.

That is the testimony. I think that it is rather unfair to this House for the gentleman from North Carolina to mislead the Members by only giving part of the testimony. I trust you will read the testimony of William Green, president of the A. F. of L., where he says that he believes that the sanctity of contracts should be inviolate, and proves rather conclusively that there has been no violation on the part of any major labor organization. He also emphasizes that it is not workable because of the fact that these gumshoe detectives that are being hired can bring about the violation of a contract. Philip Murray, president of the CIO, also makes this point clear. Good faith on the part of both is the only way you are going to have contracts held inviolate. Until it is shown that there are violations of contracts by labor unions, Members should not be criticizing the way they are. It is very unfair and misleading.

Mr. LANDIS. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield to the gentleman from Indiana.

Mr. LANDIS. Is the gentleman opposed to my amendment to section 12?

Mr. HOOK. I certainly am.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield to the gentleman from Indiana.

Mr. HALLECK. Does the gentleman favor the Adams substitute as against the so-called Case bill?

Mr. HOOK. I certainly do not.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield further?

Mr. HOOK. I yield.

Mr. HOFFMAN. "Until there are wholesale violations." Does the gentleman call the steel strike a wholesale violation?

Mr. HOOK. The steel strike is not a violation and the steelworkers are not striking in violation of the contract. That is another illustration of subterfuge and propaganda. Eighty-three million dollars is being spent with the newspapers and radio of this country by the steel corporations leading the public to believe that the steelworkers are striking in violation of the contract, which is not true. They quote only part of the contract. They quote only that part which refers to the no-strike clause. They do not quote the whole contract. One little clause saying that "the workers agreed not to strike" is run in full-page advertisements in all daily papers. They agreed not to strike if there was no change in the basic-wage policy. There was a change in the basic-wage policy, but that part of it was not carried in the propaganda that was spread throughout the United States by the steel corporations to the tune of about $83,000,000. I wonder when we are going to stop that kind of propaganda going around this country. In other words the steel corporations are yelling to the high heavens that the labor organizations are striking in violation of their contracts which is an untruth and a misrepresentation of the facts. Still some of you gentlemen believe the steel corporations' pernicious propaganda. I invite you to call on Philip Murray, president of the United Steelworkers of America, for the text of the contract and after reading it you will find that there has been no violation on the part of the unions.

These steel barons have given up the old black-jack, shooting, poison-gas tactics of the robber baron days, and have adopted a new and modern bludgeoning program by using the public-relations man. The United Steelworkers of America should have the right to sue these steel barons for malicious mischief because of the low-down, dirty tactics that they are using to mislead the unsuspecting public. Let me say in closing "the truth will make us free." Let us have the truth and things will take a turn for the better. We have not been getting the truth from the full-page ads paid for by these steel corporations.

Mr. CASE of South Dakota. Mr. Chairman, I am very reluctant to make the point of order that pro forma amendments on the Landis amendment are amendments in the third degree. I think it is helpful to have this discussion. However, I wonder if we cannot have an agreement to close debate shortly, and I ask unanimous consent that all debate on the Landis amendment close in 10 minutes.

Mr. RANDOLPH and Mr. BIEMILLER objected.

Mr. CASE of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASE of South Dakota. Are amendments to the Landis amendment amendments in the third degree?

The CHAIRMAN. The Chair will state to the gentleman from South Dakota that the Chair is well aware of the fact that a pro forma amendment is technically an amendment in the third degree where they are offered to the Landis amendment. The Chair has hesitated to so rule because the Chair feels that the Members want to speak on this bill.

Mr. CASE of South Dakota. I am not going to make the point of order. I want to see the discussion proceed, but I do think there should be a reasonable limitation on the discussion.

The CHAIRMAN. The Committee has the power to close debate, and, of course, that will stop within a reasonable time the offering of pro forma amendments. The amendment now pending is the Landis amendment, and the gentlemen are being recognized for pro forma amendments.

For what purpose does the gentleman from West Virginia rise?

Mr. RANDOLPH. Mr. Chairman, I rise simply to say that it is my desire, of course, and certainly the desire of others of the Committee on Labor and the Committee of the Whole House on the State of the Union to allow debate to proceed in orderly fashion. It is well recognized, and everyone senses the importance of this matter. We would make a mistake if we attempt to cut off debate at this time.

Mr. O'HARA. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. O'HARA. Mr. Chairman, I have an amendment which is not an amendment to the Landis amendment but to the Case bill. When will it be in order to offer my amendment?

The CHAIRMAN. When the Landis amendment is disposed of the Case bill will be open to further amendment.

Mr. STEWART. Mr. Chairman, I move to strike out the last five words. Mr. Chairman, I observe that amendments and substitutes and substitutes to the amendments are running riot. There have been the greatest strategic moves here on the part of the opponents to confound and confuse us against the Case substitute beyond anything I have yet witnessed in this House. There is just one way for us to do what the people want in this country, and that is to eliminate everything but the Case substitute and then vote the Case amendment straight. There are 100,000,000

people in the United States of America whose welfare is paramount to labor and industry, and they should, according to their being a great majority, have first consideration, for they have the majority of the votes and elect a majority of the Members of Congress. It has been said here in this well during general debate on this bill that we from the country should listen to the city folks. Well, I want to tell you we have listened to them just about a little too long. When we take our commodities to market, the price paid by the consumer is 3 to 10 times what it was when they left our fields for market. The margin of profit to take care of members of the union and fees for union-labor leaders is just too high. It is time to call a halt. You may argue that if we vote the Case substitute, contrary action will be taken by the other body. But let us clean our own noses and bare our own breast to a public that is ready to stop these strikes and get into production enough equipment and enough material to build a few houses and to put a few clothes on the backs of our returning servicemen. I know that every one of you know this legislation is needed—and may I say much stronger legislation is needed.

I, like many of the others here, would like to make it much stronger, but I am willing to accept the Case substitute. But let us not impair it and dismember it and maim it to the point where it becomes meaningless by the adoption of any of the amendments or substitutes offered. Let us take it as it is, and strike down every change that affects it in any way. I know that we have a well-organized group which understands labor legislation. I know that the rest of us have to do a great deal of study in order to inform ourselves of the various workings of the labor laws and their administration. Yet, I know, as an average citizen of America, that labor should not have an advantage over anybody else in this country. That is exactly what labor has. By the vote of the Wagner Act and the interpretations of it by our courts, they are the privileged people of America. We have had to stand the gaff. There is going to be an awakening, because the American people have always righted wrongs when the administration of any law leaned too far to the left or showed partiality to any group. Whether it will be in this session of Congress by the passage of this bill or in the next session of Congress, I am not in a position to tell you—but one thing I do know: The people of America will arise in their wisdom and issue an edict at the polls to put all groups on an equal. The American public is tired of the answers they have been receiving from some of their Congressmen. I have seen statements in the press by some of my colleagues as to how strong they are for cleaning up, but their votes and actions do not reflect the statements given out.

Let me say again, if we will go straight down the line for the Case substitute and send it to the Senate and let them take what action they may, we will say to the American public that the House of Representatives is for cleaning up the strike situation and giving a hundred million folks who are affected by having to pay the bill in taxes and suffering with no opportunity to buy long awaited items, homes, and much needed merchandise. The 100,000,000 people are the ones who bought most of the war bonds and contributed most to mercy organizations. I predict that it will not be too long until the average unorganized person is going to be compelled to organize politically to combat the labor unions and the big industrial organizations. When they take the government in hand they will equalize the gains with labor, all of which is just and right. I do not mean at the expense of organized labor, but just and righteous gains that all the rank and file of the majority of our citizens ask for and I believe such was the thought and idea of our forefathers. Organized labor should be fair to the point of helping to sponsor the Hobbs bill now in the Senate to prevent the pushing over of trucks and forcing farmers to pay tribute before they can drive their trucks to market in New York City. If organized labor does not, they will lose that and many other things.

The CHAIRMAN. The time of the gentleman from Oklahoma [Mr. STEWART] has expired.

Mr. PLOESER. Mr. Chairman, I move to strike out the last six words.

Mr. Chairman, I think there are certain fundamentals which must be acknowledged by industry and labor and the public. For example, a man has a right to say that he will not work unless conditions are satisfactory. Therefore, men—laborers—have a right to strike. I think that is fundamental, and I do not believe that that right can be abridged by law. I think, likewise, that a man has a right to say that he can quit business. That has been generally accepted, and if that right is to be acknowledged by all, then the man who wishes to quit work has the same right.

I think there is another fundamental, and that is the right upon the part of business to earn a profit. If we are to continue our free competitive profit system—and I think that we must if we are to be prosperous—then business has a right to earn a profit.

I think it is further folly to say that wages do not affect prices. That's usually just political talk. No one believes such obvious falsehood—certainly I hope no one does. Wages inevitably affect prices, and if we are to have general wage increases, we are likewise to have general price increases.

I think it further a fundamental, due to the fact that it has been accepted by Americans generally, claimed by labor, accepted by the lawmakers, and accepted by business, that labor has the right to collective bargaining. I think it is now a generally accepted American concept in labor relations.

Now, there are some other fundamentals which I think should be written into law. I do not think it is necessary to write further into law the things I have discussed.

Union responsibility is one. That is based upon strong belief which I have, and I found in some mature labor leaders, and I found also among management, that both parties to a contract must both be responsible.

Some labor leaders claim that their unions have always lived up to their wage agreements until their expiration and in no way have ever prejudiced the contract; but there must be responsibility, because there are immature labor leaders, just the same as there are immature managers of business.

Mr. Chairman, I would like to go back to the discussion of section 12 of the Case substitute, for which there is an amendment before the House.

Section 12 of the Case substitute, if carried to the extreme, could be the means by which any labor union in any plant could be utterly defeated in its membership. While I hold there should be contract responsibility and want to legislate to that extent; while I hold there should be some form of conciliation and mediation which would bring us to the point of industrial peace, I am not interested in the creation of law for the persecution and destruction of labor unions in America.

I do not think the Landis amendment provides a sufficient remedy. It is predicated on an attempt to define what work a superintendent does, instead of to define what responsibility he holds. If the Landis amendment should be defeated, I propose to offer another amendment to the same section, which would read as follows after line 20:

> Any supervisor with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or affirmatively recommend such action.

To take the place of the definition now in section 12. If the Landis amendment should prevail, I intend to offer an amendment to delete section 12 from the Case substitute entirely, because, unless the definition is proper and fair, it has no place in law.

I now yield to the gentleman from Indiana.

Mr. LANDIS. I just wanted to ask the gentleman if any definition is not better than the one now in the bill.

Mr. PLOESER. I think yours is an improvement on the bill, but I think what I have just read to be the better amendment. I believe there should be a clear definition between management and labor, if it is to contribute anything at all to effective collective bargaining. I am in agreement with that. The definition should be clear and not destructive of either labor unions or management.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield.

Mr. HOFFMAN. Inasmuch as most of us are all trying to get to the same destination, would it not have been a nice thing if those who are in charge of this legislation would have consulted some of us and let us put our little two cents in too? Perhaps we would not have had any amendments.

Mr. PLOESER. I have been here 5 years. I imagine the membership in all the time I have been here has been making suggestions to the Labor Committee of various corrections in labor legislation, but in the 5 years that I know of this is the first time the Labor Committee

has brought out anything, even though it be just a little peep.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield there?

Mr. PLOESER. Gladly.

Mr. HOFFMAN. As a member of the Labor Committee I do not recall ever having received a single suggestion from anyone on the Republican side about legislation before our committee.

Mr. PLOESER. Neither do I recall that the gentleman is the sole member of the Labor Committee.

Mr. HOFFMAN. Well, ask the rest of them; they are all here.

Mr. PLOESER. Now, Mr. Chairman, getting back to the point again, if the Landis amendment is voted down I shall be most happy to offer this amendment which I think is a fair definition. Otherwise I shall be inclined to move to strike the section from the bill.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield.

Mr. HOOK. As I understand, the gentleman does not believe the Landis amendment properly defines it.

Mr. PLOESER. It is a partial improvement, but still not in my opinion a proper definition.

Mr. HOOK. Does not the gentleman know that it is up to the National Labor Relations Board to determine that subject and not within the purview of the Congress?

Mr. PLOESER. Does not the gentleman know that the language of my amendment is the language of the National Labor Relations Board? It is not original with me.

Mr. HOOK. There are so many amendments talked about from the floor that it is pretty hard to know just what state the bill is in.

Mr. PLOESER. Then the gentleman certainly can vote for my amendment.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield.

Mr. MAY. Is the language the gentleman is offering as the language of the National Labor Relations Act the same language on which the board has decided three different ways?

Mr. PLOESER. Yes; they have decided various ways, but I offer the language of the one way which I would assume to be the right way.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield.

Mr. HALLECK. The gentleman from Michigan makes the point that it is a matter for the National Labor Relations Board. It is not an obligation of the National Labor Relations Board to construe and administer the language of the statutes enacted by the Congress?

Mr. PLOESER. Absolutely.

Mr. HALLECK. The fundamental responsibility for the underlying act is upon the Congress of the United States.

Mr. PLOESER. That is right. It is certainly not the duty of the Congress to follow the National Labor Relations Board; it is the duty of the National Labor Relations Board to administer the acts of Congress and enforce them.

Mr. MAY. And in view of the fact that the Labor Board itself has been on both sides of this matter of interpreting and applying the word "employee" in the Wagner Act, does it not follow that the Congress of the United States should clarify that meaning?

Mr. PLOESER. That is my attempt.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we are rapidly developing into the same state which existed when this House passed the Smith-Connally bill. Those of us who were here at that time will recall that one substitute followed another in such rapid order that the members of the committee handling the bill had to inquire of the Chair as to what they were considering. We passed that bill without the House knowing anything about what it was voting on, and then in a few months even the most ardent advocates of the Smith-Connally bill were denouncing it and saying that it contained provisions that were unwise. That is exactly the situation we have here today. We started off with the Norton bill, then we had the Landis bill, and suddenly last week from under some mysterious wraps we got the Case bill. Now we have the McMahon bill from the Senate, the Adams bill, and then I am told the gentleman from California [Mr. VOORHIS] also has a bill; and I see Member after Member rising and asking the Chair what we are getting ready to vote upon.

Now, Mr. Chairman, I want to refer for just a minute to what was said by my good friend the gentleman from Oklahoma [Mr. STEWART] who referred to the boys from the big cities. He said they were tired of listening to us, that we were out to do a job on the farmer. He inferred that. I will submit that the record shows that there has been no group in this House that has supported legislation for the betterment of the farmer and particularly for the betterment of the farmer from his section of the country, the Cotton Belt, than the gentlemen from the big industrial cities.

I can recall when the president of the American Farm Federation, Mr. O'Neal, who last week broke into print in another great denunciation of labor and labor leaders, on three or four occasions came to me and to other Members from the industrial sections of this country begging our support for cotton bills, and he always got that support.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I yield to the gentleman from New York.

Mr. MARCANTONIO. As a matter of fact, it was the votes of Members from the cities that put over parity back in 1939, was it not?

Mr. BRADLEY of Pennsylvania. Absolutely. Always we came to their aid. It is strange that all these great critics of labor come from sections of the country where they have never seen a shipyard, a steel mill, or blast furnace. Some of these people think that a blast furnace is some vociferous platform orator. That is what they think a blast furnace is, because they have never seen one.

Let us take the gentleman from South Dakota [Mr. CASE], for instance, whose name is on one of these substitutes. The great industry today in South Dakota is raising sagebrush, yet he comes in here with a bill that only lacks an amendment to repeal the Bill of Rights to answer the prayer of every reactionary in the United States.

I think it would be more important if this House, instead of getting confused as it undoubtedly is now, would follow the idea that was stated last week by the distinguished chairman of the Ways and Means Committee, the gentleman from North Carolina [Mr. DOUGHTON]. I believe I am correct in saying that he was quoted in the press to the effect that he thought we should give some consideration to the cut-back and refunds in taxes to see if these corporations could afford to be idle and finance strikes, yet still make as much money as though they were working at full production. I think that is the important issue before this country. The labor unions do not have hundreds of thousands of dollars to pay to newspapers to propagandize their particular point of view. They do not have that money; but, nevertheless, the American people are getting wise to what this Congress did in the tax bill, and they are beginning to understand that when we passed that tax bill we financed these strikes and made it possible for a corporation to make money by being idle the same as they would if their employees were engaged in production.

Mr. DOUGHTON of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I yield to the gentleman from North Carolina.

Mr. DOUGHTON of North Carolina. The gentleman talks about tax cutbacks. But if the corporations broke even they would not get any money, they would not get any draw-back. That particular provision was recommended by the Treasury Department and put in by our committee, and it has been grossly misrepresented at times. They get no cut-back unless they make money, and they may lose money.

Mr. BRADLEY of Pennsylvania. I understand the gentleman himself was so concerned about it that he thought the Congress ought to look into the situation.

Mr. Chairman, I hope this House does not do what it did when it passed the Smith-Connally bill. I hope it does not act in this confused state of mind and later regret what it did.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The question is on the Landis amendment.

The question was taken; and the Chair being in doubt, the committee divided; and there were—ayes 109, noes 65.

So the amendment was agreed to.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment to the Case amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN to the Case amendment: Page 8, line 7, after the word "substantially", insert "obstructs or interferes with interstate of foreign commerce or."

Mr. HOFFMAN. Mr. Chairman, in my judgment the gentleman from Illinois [Mr. DIRKSEN], stated a proposition with which I think two-thirds of the Members of this House will agree if they consider the situation. Piling one blanket legislative act on another will never solve our labor troubles. The basic act is the National Labor Relations Act; defects in that are at the bottom of our trouble. There is no reason why we should not have, in the years gone by, cut out the bad features and amended that act as the defects became apparent. But we did not do it. So here we are—caught in this dilemma. There is not a thing in any of these bills which have been offered here today except fact finding and mediation which have not been offered time and again by way of amendment to the National Labor Relations Act. What I mean is this, that if you will examine last Friday's RECORD, you will find there in parallel columns the National Labor Relations Act, and you will find proposed amendments to that act. Amendments which will take care of violence on the picket line, which will take care of boycotts, take care of secondary strikes which will take care of violations of contracts, which will do everything that the Case bill or any of the other substitutes would do, except there is no amendment covering fact finding or conciliation nor do the proposed amendments give the district courts jurisdiction; they do not repeal that Norris-LaGuardia Act which is so dear to the hearts of my friends on the other side. We let that alone. We want to satisfy you some way if we can, and still get what we want. Nor do the proposed amendments touch the provisions of other laws which exempt unions under certain circumstances from the provisions of the antitrust acts.

It is not my purpose here to urge the adoption of those amendments at this time, because I realize that it is foolish to ask the House, sitting in Committee, to take amendments, 10, 15, or more of them, amendments which, among other things, define unfair labor practices. I only refer to the RECORD of last Friday, because, believing as I do that these bills that we adopt, will not solve our problem, that the RECORD cited gives us something to work on during the next year or two so that we may finally get some legislation which will stand the test of time.

This proposed amendment offered now is, in my judgment, absolutely necessary. I do not understand, I do not know why, the gentlemen having this bill in charge will not accept it. The way the bill stands today, the Case amendment does not contain one word which gives the Congress jurisdiction to pass any act. What I mean is this: If you take the bill as it is, this Congress has no authority to act on it. The only way we can get jurisdiction to pass these amendments that are proposed is to adopt these amendments by inserting, after the word "substantially", the words "obstructs or interferes with interstate or foreign commerce or." It is a perfecting amendment. I wish the committee having that in charge—the wise boys, the political genius of our party, the legislative experts—would accept that little amendment.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. As the gentleman read his amendment he had no "or" at the end of it.

Mr. HOFFMAN. Yes; I have the "or" on the tail of it.

Mr. VORYS of Ohio. If the "or" is in, the gentleman has destroyed the effect of his amendment. I hope he will leave off the "or" and put in a comma.

Mr. HOFFMAN. Anything the professor says the language should be, I yield.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I think the gentleman's amendment is helpful to the bill as far as that is concerned, but I think that in the declaration of policy at the beginning of the bill there is such a clear statement of the public interest that we are justified in proceeding under the general welfare clause of the Constitution.

Mr. HOFFMAN. To make sure, why does not the gentleman accept the amendment?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CASE of South Dakota. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment offered by the gentleman from Michigan is a constructive and helpful amendment, and I see no objection whatsoever to its adoption. I may say merely in explanation of the points he has raised that under the broad declaration of policy where we base this legislation upon the public interest—and no one can deny the public interest in maintaining production and distribution in the country today—it seemed to me we were justified in proceeding under the general welfare clause of the Constitution. Further, it occurred to me that under the decisions which the Supreme Court has been making for some time now with respect to interstate commerce it would be impossible for the officers of the labor-management mediation board to find a substantial interest for the public in anything that was not interstate commerce.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. CASE of South Dakota. I yield.

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent that the high-school word "or" be changed to the university word "and."

Mr. MARCANTONIO. I object, Mr. Chairman.

Mr. CASE of South Dakota. It occurred to me that under the decisions which the Supreme Court has been making for some time now to the effect that anything which affects interstate commerce is in effect interstate commerce, the words "interstate commerce" are not necessary, but I certainly have no objection to the purpose of the amendment offered by the gentleman from Michigan and I hope the Committee will accept it.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Indiana.

Mr. HALLECK. I asked the gentleman to yield for the purpose of making this suggestion. I think the use of the word "or" in the disjunctive does not accomplish the purpose that is sought to be accomplished here. In view of the fact that unanimous consent was refused to change the word "or" to "and", I ask that the Committee vote down the amendment in order that it may be reoffered with the word "and" instead of "or" and then adopted, in order that there may be no question but that it is the intention in this provision to apply the legislation to interstate commerce alone.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer the same amendment, except changing the word "or" to "and."

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN to the Case amendment: On page 8, line 7 of the Case amendment, after the word "substantial", insert "obstructs or interferes with interstate or foreign commerce and."

The amendment was agreed to.

Mr. ANDREWS of New York. Mr. Chairman, I offer an amendment to the Case bill.

The Clerk read as follows:

Amendment offered by Mr. ANDREWS of New York to the Case amendment: Page 12, after line 13, insert a new section to be known as 12 (a) entitled "Incorporation of and Annual Financial Reports by Labor Organizations":

"PARAGRAPH 1. Every labor organization in which the employees are employed by an employer engaged in interstate commerce within the meaning of the Wagner Act shall become a body corporate as provided in this act. The officers of each labor organization shall make, sign, and acknowledge, before any officer competent to take acknowledgment of deeds, and file in the office of the Recorder of Deeds of the District of Columbia, to be recorded by him, a certificate in writing, in which shall be stated—

"First. The name or title by which such labor organization is to be known.

"Second. The term for which it is organized, which may be perpetual.

"Third. The purposes and objects of the organization.

"Fourth. The names and addresses of its officers for the first year of its corporate existence.

"PAR. 2. When the certificate provided for in paragraph 1 has been filed, the labor organization shall be a body corporate, and may, in its corporate name, sue and be sued, grant and receive property, real, personal, and mixed, and use such property, and the income thereof for the objects of the corporation. Members of the corporation shall not

be personally liable for the acts, debts, or obligations of the corporation.

"PAR. 3. A labor organization incorporated under this act shall have the power to make and establish such constitution, rules, and bylaws (including rules and bylaws defining the duties and powers of its officers and the time and manner of their election) as its members may deem proper for carrying out its lawful objects, and amend, add to, or repeal such constitution, rules, and bylaws to such extent as its members may deem proper.

"PAR. 4. A labor organization incorporated under this act shall, on or before the 1st day of March of each year, make and file with the office of the Recorder of Deeds of the District of Columbia a complete report of its financial activities during the year, including in itemized form, among other things—

"(a) The total amount and the various types of corporate incomes, including particularly the amounts received in the form of admission fees, dues, and assessments from members and others; and

"(b) The names and salaries of all officers, whose aggregate compensation from activities on the part of labor organizations total more than $5,000.

"PAR. 5. Section 2 (5) of the National Labor Relations Act (U. S. C., 1940 edition, title 29, sec. 152 (5)), is amended to read as follows: '"(5) The term 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, incorporated under the Labor Organizations Incorporation Act, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work."'

"PAR. 6. Section 6 shall take effect ——— days after the date of the enactment of this act."

Mr. RANDOLPH. I make a point of order that the amendment, which I understand is offered as a new section to the Case bill, is not in order. I believe the subject matter goes far afield from the matter under consideration here. I would like a ruling of the Chair on this matter because I think it is important to resolve it at this point in the reading of the bill.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the point of order?

Mr. ANDREWS of New York. As I understand the point of order, it is on account of the fact that I have offered it as a new section?

The CHAIRMAN. No. The point of order is based on germaneness.

Mr. ANDREWS of New York. Mr. Chairman, my own personal feeling is that this subject matter, the incorporation of labor unions and their rights thereunder, is the very basis and fundamental principle upon which the entire unfortunate situation exists today. I do not think there is any single act that Congress could pass today that would give the unions more prestige and get right at the root of our fundamental difficulty as to the differences between the two sides, than such a provision.

Whether it is germane to the bill is a matter for the Chair to decide, but it seems to me this is a very wide-open rule. There are included within the provisions of the Case bill many conceptions of various matters having to do with the entire labor picture. It seems to me this is within the same scope as the other features of the Case bill.

The CHAIRMAN. The Chair is ready to rule.

When the committee bill was presented to the House, it was under a rule making the Case bill in order. It was previously stated during the debate on the rule, that the purpose was to open up the entire field with reference to labor legislation. The House voted affirmatively for the special rule bringing in the bill.

This is an amendment to the Case amendment. In the Case amendment there are provisions for financial and legal liability of labor unions and employers, and the amendment of the gentleman from New York, as offered, is merely a means of further bringing about the legal responsibility of the union.

The Chair therefore believes it is in order, and overrules the point of order.

The gentleman from New York is recognized.

Mr. ANDREWS of New York. Mr. Chairman, the provisions of the bill are clear and, therefore, I presume everybody understands them. I do not think there is any one provision the Congress could enact today that would do any more for the situation or would do more for the standing of labor in the entire American community than the provisions of the bill which I have offered.

Mr. HOOK. Mr. Chairman, I rise in opposition to the amendment.

Generally, when the leadership of labor is criticized, they speak about incorporation. I want to read to this Congress the words of Cyrus S. Ching, of the United States Rubber Co. These words were spoken in January 1938. He said:

> In our company, I am going to try to impress this on the industrialists here, we are going to get about the type of labor leadership that we develop by our own actions. If, in dealing with labor organizations, we are ethical, are entitled to the confidence of people, use fair tactics, and use friendly attitudes, we will get that in return. If we are going to be militant, use underhanded tactics, and fight all the time, that is the type of organized labor we will get. So I think we all must realize that where we are dealing with organized labor we are going to get about the type of leadship that we are ourselves.

I am just wondering how any industry or any labor organization could function if in their meetings they were in the state of confusion that we are in this House today. Talk about incorporating labor organizations! You do not enforce the incorporation of employer associations. Employer associations are not required to be incorporated. Business associations are not required to incorporate. If they do incorporate they are free to do so under any statute or any State law they wish and, therefore, may choose the most liberal statute.

Compulsory incorporation of unions is in effect opposed to public welfare. It is unwarranted and it could discredit a trade-union organization and activities in the eyes of the general public. Incorporation would greatly weaken unionism through restriction of the right to organize and possible political control owing to the charter and other legal requirements.

They could go to the State of Delaware, incorporate under Delaware laws with the most lenient charter there is, and they could place into that charter things that you people yourselves would blush at.

We do not want, nor should there be, a forced incorporation of labor organizations any more than there should be enforced incorporation of any other organization in this Nation. How would you like it if they came before this Congress and tried to force industry to incorporate, tried to force every partnership or group of people who might wish to associate together, to incorporate? I could give you many more reasons showing the fallacy of the type of antiunion propaganda. Suffice to say that enactment of this kind of legislation is foolish. You would have dictatorship supreme. If you want dictatorship supreme just go ahead and adopt this kind of legislation.

Mr. Chairman, I yield back the balance of my time.

Mr. SLAUGHTER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Missouri is recognized for 5 minutes.

Mr. SLAUGHTER. Mr. Chairman, I dislike to be in the position of opposing the amendment offered by my friend, the gentleman from New York, but I do not believe this is the time or the place to take up this amendment. Furthermore, there is something in what the gentleman from Michigan [Mr. HOOK] said when he stated there is no more reason to require a labor organization to incorporate than to require a business to incorporate. In other words, a business can operate as an individual, partnership, or corporation, in any way it wants to.

If this bill we are perfecting is effective, it will not be necessary to require the unions to incorporate. What this bill seeks to do is to fix financial responsibility by providing that unions and labor organizations may be sued in the district court where they reside or where their officers may be found; and for that reason and because it seems to me that this amendment is going pretty far afield, I urge the committee to vote down the amendment.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. SLAUGHTER. I yield.

Mr. ROBSION of Kentucky. Is there any law requiring manufacturers' associations, the American Medical Association, or some score of other associations to organize?

Mr. SLAUGHTER. The gentleman from Kentucky is just restating what I said a moment ago. That was one of the reasons I had for opposing the amendment.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. SLAUGHTER. I yield.

Mr. JUDD. Does the gentleman believe it is constitutional to force people to incorporate, to force groups that wish to associate, to incorporate?

Mr. SLAUGHTER. I do not wish to express an opinion on that, but I am inclined to think perhaps it would be. The point I am making here is that if this bill does what we intend it to do, to make organizations on both sides re-

sponsible, it is immaterial whether they are incorporated or unincorporated associations.

Mr. ROBSION of Kentucky. Is it not true that these associations are legal whether incorporated or not?

Mr. SLAUGHTER. The gentleman has again restated my point; that is right.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. SLAUGHTER. I yield to the gentleman from Texas.

Mr. SUMNERS of Texas. Mr. Chairman, I want to join in the suggestion made by the gentleman from Missouri that this matter not be considered at this time in connection with the present bill. It is too far reaching to be imposed as an amendment on this bill. I hope the distinguished gentleman from New York will withdraw the amendment.

Mr. ANDREWS of New York. Mr. Chairman, will the gentleman yield?

Mr. SLAUGHTER. I yield to the gentleman from New York.

Mr. ANDREWS of New York. The provisions of this amendment to the bill have been referred to the Committee on the Judiciary. Do I understand that a subcommittee will hold hearings on this matter?

Mr. SUMNERS of Texas. We will try to.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. SLAUGHTER. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. That is the reason upon which I predicated the very brief statement I made against the germaneness of the amendment.

Mr. SLAUGHTER. And it is for that reason I join with the gentleman.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

The question is on the amendment offered by the gentleman from New York [Mr. ANDREWS].

The question was taken; and on a division (demand by Mr. ANDREWS of New York) there were—ayes 6, noes 104.

So the amendment was rejected.

Mr. VORYS of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VORYS of Ohio to the Case amendment:

"Page 11, line 25, of the Case amendment, strike out the words 'either at law.'

"Page 12, line 1, strike out the words 'or in equity.'

"Page 12, lines 5 and 6, strike out the words 'either in law or equity.'

"Page 12, lines 6 and 7, strike out the words 'or for injunctive relief in equity.'"

Mr. VORYS of Ohio. Mr. Chairman, section 10 of the Case bill makes collective-bargaining agreements binding on both parties. I am in favor of this. It is a vital step in improving labor-management relations. This amendment merely prevents the use of injunctions to force people to work, as part of the machinery for enforcement of such contracts.

The House has voted overwhelmingly three times by record vote to bring up the Case bill and perfect it. I think that is what we should now do, and this amendment is an attempt to perfect the Case bill, instead of endlessly talking about an apparently endless number of substitutes. Let us do one thing at a time.

This proposal would take out of section 10, which is the section providing for mutuality of enforceability of collective-bargaining contracts, any reference to a proceeding in equity which might be construed as an attempt at a new form of action. The lawyers here know that we have never had in law or equity any action for specific performance of a personal service contract. That means, in lay language, a court cannot order a man to work even though it can make him pay damages for not working. I do not believe it is the wish of the House at this time to create any such new right of action, with reference to labor-management collective bargaining. We do not want to give a court the power to force a man to work, as the result of a collective bargain. What we want to do by section 10, and it seems to me this is one of the most important sections of the bill, is to make collective bargaining contracts mutually and equally binding on both parties under general law. We therefore, by the amendment which I propose, take out any references to "law and equity," which are technical terms lawyers understand, but leave the section so that we make the contracts equally binding and enforceable in the courts. We do create, if there is any doubt about its present existence, an action for damages for breach of contract against a labor organization or an employer, which means that either party, the labor organization or the employer, may have the benefit of a trial by jury in any such action.

A word to those who are not lawyers about "law and equity." These words, in a legal sense, refer to two separate sets of functions which courts have which grew up under the common law, and are still preserved. In some States there are separate courts for law and equity. In most States, and in our Federal courts, both functions are performed by the same court. Injunctions, orders to a man to do something or refrain from doing something, are made by the equity court, or the equity side of the same court. Actions for damages are on the law side. Since we are attempting to create no new right in the equity side, there is no reason to refer to the equity side, and therefore no reason to refer to the law side.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. Would the adoption of this amendment eliminate the objection to the bill that it would repeal the Norris-LaGuardia Act?

Mr. VORYS of Ohio. I think it would go far in that respect. There has been a lot of criticism aimed at section 10, and there have been a lot of claims made that the Norris-LaGuardia Act would be swept away by the use of injunctions under section 10, with this amendment, these criticisms and claims are answered. The Norris-LaGuardia Act is partially suspended with reference to certain limited situations in three other places in the bill. I wish to remind the committee that the Norris-LaGuardia Act itself does not attempt to bar injunctions where fraud or violence are involved. This amendment would take out of section 10, providing for equal responsibility of labor and employer organizations, any possibility that we might have the use of an injunction to enforce the performance of personal-service contracts.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield to the gentleman from Indiana.

Mr. HALLECK. As a matter of fact, I cannot conceive of any situation under which injunction would lie in a matter involving breach of contract. As far as I am concerned I can see no reason why those words having to do with injunctive relief should not be stricken out of the bill, leaving the language which simply sets up a responsibility in a court of law at the suit of either party for damage arising out of breach of any agreement made, an issue that would be, at the request of either side, submitted to the jury for decision.

Mr. VORYS of Ohio. It seems to me that that is a very apt statement of what this paragraph will provide if this amendment is adopted. It will take away any particular benefits or advantages of one party or the other that now exist under other laws which keep the obligations from being equal and mutual; will not give any new rights by way of injunction to either party but will specifically provide for an action at law for damages to enforce any act of violation of the contracts.

Mr. SLAUGHTER. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield to the gentleman from Missouri.

Mr. SLAUGHTER. I direct the gentleman's attention to page 11, line 25, and I believe the gentleman by inadvertence has misdrawn his amendment. He provided in this amendment to strike out the words "at law." Of course, the gentleman wants to strike out the reference to "equity" on the next page. But I do not believe the gentleman intended to strike out the reference to actions at law; did he?

Mr. VORYS of Ohio. The purpose was to strike out wherever the words "law" and "equity" appear. The gentleman, if he is a lawyer, knows that you do not start to discuss actions at law ordinarily unless you are balancing or including them in a discussion about equity. When we strike out "at law" and leave it simply that they are binding and enforceable in the courts, and we leave all of the present existing remedies, and then, in addition, make it very clear that a suit for damages may be brought, we get away from the technical difficulty which was involved in attempting to use either of those words, and we eliminate any possibility of confusion.

Miss SUMNER of Illinois. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, I would like to offer a little suggestion. It seems to me that

again and again, whenever there is a wave of strikes, we come up with all of these suggestions, and there is no hope that any of them presents a means of stopping the present strikes. The condition is growing worse until now strikes are spreading throughout the country like forest fires, and it is really the principal cause of the prolonged mass unemployment. It seems to me the reason is that because of the committee situation and other factors this Congress has never made a really exhaustive study of the labor question so as to know the facts that this Congress ought to know and what the law is and what the law ought to be. I have a deadly fear, since the time of that work-or-fight bill, that the thing is going to become worse, as we know it will, because of the inflationary pressures which OPA just sweeps under the carpet, and that as the thing becomes worse we will have a sort of mob spirit here and again we will pass something like the thing that we called the slavery labor bill, something utterly communistic. During this very debate there were suggestions about setting apart certain agencies and industries like the food and the utility industries and have fixed wages—utterly communistic.

It seems to me that what we need here is to have a study so that we will know what the law is. Perhaps what we need is to have a constitutional amendment overriding some of the decisions of the Supreme Court. I was amazed to learn that the Supreme Court, thanks to the lack of appropriations, has only one research assistant for each Judge. The theory is that since the best lawyers in the country are on each side of the case the Judges get both sides and get the law. Every lawyer here knows that what they are getting is extremes on both sides. It may be that that is one of the reasons we have had such confusion.

Therefore, I think we need a study of the facts, and what the law is and what it ought to be. I cannot see that we are going to get such a study from any fact-finding bureaus set up by the Government or from the Committee on Labor or from any special investigating committee, in view of the way those committees are usually appointed—for political reasons.

I have come to the conclusion that it would be a good idea if this whole subject were turned over for investigation to a subcommittee of the Committee on the Judiciary. You laugh, but I might mention some of the men on that committee: Mr. WALTER, Mr. GRAHAM, and Mr. GWYNNE of Iowa—fair, judicious men. If they were properly staffed and all sides were presented I think they could come out with an exhaustive study which would give us some idea of what the law is and what it ought to be. Then after that study we could have some basis for legislating in this country and really get an American industrial relations policy. I hope you will give this some thought, because I am very afraid that when the next great wave of strikes comes, as it is sure to come, once more there will be this hysterical feeling, and in view of the communistic ideas that are running through this country I have a deadly fear of the kind of law that may happen to us before we realize what is happening.

Mr. HOFFMAN. Mr. Chairman, will the gentlewoman yield?

Miss SUMNER of Illinois. I yield to the gentleman from Michigan.

Mr. HOFFMAN. I agree with what the gentlewoman from Illinois has said. That is good advice. But does not the gentlewoman think it is cruel and unusual punishment, now that the Committee on Labor has shown signs of conversion and repentance and is trying to do something, to take this thing away from it?

Miss SUMNER of Illinois. Let us not discuss personalities.

Mr. HOOK. Mr. Chairman, will the gentlewoman yield?

Miss SUMNER of Illinois. I yield to the gentleman from Michigan.

Mr. HOOK. Will the gentlewoman advise me as to whether or not she voted for the rule?

Miss SUMNER of Illinois. I voted for the rule.

Mr. HOOK. The gentlewoman voted for the rule, even though they did not read the Case bill? The gentlewoman did not think about studying it at that time, did she?

Miss SUMNER of Illinois. I always vote in the hope of having some kind of study on the question here, on the suggestions offered by the gentleman from Michigan and other suggestions. It is only after listening to the debate that I think we need further study. I may add that I was thoroughly opposed to the slavery labor bill. If the CIO and some of the anointed friends of labor here made any opposition, it was not noticeable either in our correspondence or on the roll call.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. VORYS].

The question was taken; and the Chair being in doubt, the Committee divided; and there were—ayes 107, noes 23.

So the amendment was agreed to.

Mr. BAILEY. Mr. Chairman, I offer an amendment to the Case substitute.

The Clerk read as follows:

Amendment offered by Mr. BAILEY, of West Virginia, to the Case substitute for H. R. 4908: "On page 3, line 18, after the word 'arbitration', strike out the period, insert a comma, and insert 'And in this connection it is the declared intent of the Congress that all subsidies now being paid out of the United States Treasury in the form of tax refunds, tax rebates, and "carry back" payments to individuals, companies, or corporations, be suspended for the duration of any strike or strikes now existing or that may occur during the calendar year that lead to industrial unrest, delay reconversion, and otherwise impair our national economy.' "

Mr. KNUTSON. Mr. Chairman, I make a point of order against the amendment.

Mr. RANDOLPH. Mr. Chairman——

Mr. KNUTSON. Mr. Chairman, the amendment is clearly out of order. It is not germane to the bill. There is nothing in this bill that has anything to do with the carry-back. I do not think we should waste time by discussing a proposition that is irrelevant.

Mr. BAILEY. Mr. Chairman, I desire to be heard on the question of germaneness of the amendment I have offered.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. KNUTSON. This is a matter for the Committee on Ways and Means, Mr. Chairman.

Mr. BAILEY. I am afraid of that.

Mr. Chairman, when the Seventy-ninth Congress, first session, in its wisdom chose to amend the Federal Revenue Code by removing all excess-profits taxes it was definitely fixing a policy for the entire Nation.

Mr. KNUTSON. Mr. Chairman, I ask for a ruling on the point of order.

The CHAIRMAN. Does the gentleman from West Virginia [Mr. BAILEY] desire to be heard on the point of order?

Mr. BAILEY. I do desire to be heard, Mr. Chairman, to discuss the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. BAILEY. The Congress is being asked for a two-page declaration of policy contained in the proposed Case substitute to H. R. 4908 to make known its intent as regards strikes in industry. This declaration of policy is also predicated on the assumption that the speedy end of strikes will be in the public welfare and tend also to stabilize our postwar economy.

Mr. KNUTSON. I think the gentleman has talked long enough, Mr. Chairman——

The CHAIRMAN. The Chair will hear the gentleman briefly.

Mr. BAILEY. If the Congress is going into the business of prescribing for all the ills of the Nation, I suggest that the inclusion of a few additional germs to be eradicated might even improve this historic document.

The CHAIRMAN. The gentleman from West Virginia will suspend.

The Chair is very much interested in what the gentleman has to say on the point of order. The Chair feels that what has been said up to this time has not been directed to the point of order.

Mr. RANDOLPH. Mr. Chairman, the gentleman from West Virginia now addressing you was on his feet at the beginning of this subject matter. I had hoped the gentleman from Minnesota [Mr. KNUTSON] would withhold his point of order, allowing the gentleman from West Virginia [Mr. BAILEY] to speak. Then, of course, I would make a point of order if someone else did not make it, that the amendment, as offered, was not germane.

Mr. KNUTSON. Of course, I am interested in getting the gentleman's viewpoint on the philosophy of taxation.

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. KNUTSON. For the time being, I will reserve the point of order.

The CHAIRMAN. The gentleman from West Virginia [Mr. BAILEY] is recognized for 5 minutes.

Mr. BAILEY. Mr. Chairman, I insist that the Chair rule on the point of order.

The CHAIRMAN. The gentleman from West Virginia does not desire to avail himself of the reservation of a

point of order but insists on a ruling by the Chair.

In the opinion of the Chair, the amendment offered by the gentleman from West Virginia [Mr. BAILEY] deals with both taxation and the disposition of taxes, and is not germane to the pending amendment.

The point of order is sustained.

Mr. RANDOLPH. Mr. Chairman, I want the RECORD to clearly indicate that the gentleman now addressing the Chair desired that there be a reservation of the point of order so that the gentleman from West Virginia [Mr. BAILEY] might have explained his position other than on the germaneness of his amendment.

The CHAIRMAN. That is a part of the RECORD.

Mr. O'HARA. Mr. Chairman, I offer an amendment to the Case amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. O'HARA to the Case bill: "Page 10, following end of sentence, line 6, add, 'If any employee, under the conditions described in this subsection, shall refuse to work it shall be lawful for the employer to discharge such employee refusing to work, notwithstanding the provisions of this act or any other provision of law or contract, and it shall be lawful for said employer to employ a replacement for such discharged employee, notwithstanding the provisions of this act or any other provision of law or contract.'"

Mr. O'HARA. Mr. Chairman, permit me to say I approach this much in the same spirit that the gentlewoman from Illinois [Miss SUMNER] did in her statement a few moments ago; namely in the public interest and welfare.

In the consideration of section 8, beginning on page 9 and extending to page 11, there is reference to the maintenance of the status quo, which is the cooling-off period, as I construe it, during which time the Board takes over the jurisdiction of issuing certain orders both to the employer and employee, and which goes on to state that the Board—page 10, lines 1 to 6, inclusive—cannot make an order compelling an employee to work. That is merely a statement of the constitutional right of labor.

Mr. Chairman, under the bill it is obvious that it is intended to create and continue a status quo in these establishments whereby it is the purpose that there shall be an orderly continuation of the operation of the business. That is for the benefit not only of the industry itself but of labor and what is more important the public welfare. I view it as a practical matter. We have this situation which can arise very easily, you may have a plant furnishing a public service and the public welfare involved. It is highly important that the status quo be maintained during the so-called cooling-off period; and under the order of the Board, as it is created in this so-called Case bill, section 8, that is exactly the responsibility of the board. It is acting in the public welfare. Without my amendment it is clear that an impasse can well arise, and all this provision is just words.

Let us take the situation where there may be a closed-shop agreement, or a maintenance-of-membership agreement, and despite the order of the Board, the employees strike or go on the picket line in sufficient number that the plant cannot operate, notwithstanding it may be in the public interest that the plant continue in operation. As I view it, the language of this bill provides only a proposition that the employer cannot continue the status quo. Obviously if they go on strike, go on the picket line, his establishment cannot operate. If they have a maintenance-of-membership or a closed-shop agreement obviously the union is not going to permit other employees to enter in and join the union so they can work. This amendment is purely to make effectual what the author of the legislation, I believe, started out to do. If we are going to have a law that means anything, let us have one that protects the general public interest. It is solely in the interest of the public welfare that, I feel, makes my amendment imperative.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. RANDOLPH. What the gentleman says is correct about the public interest being paramount during the reconversion period.

Mr. O'HARA. That is the sole motive I have in offering my amendment and my vote on this legislation.

Mr. RANDOLPH. That is what I attempted during the beginning of this debate, to argue as vigorously as I could for the provisions of the Presidential request as embodied in H. R. 4908, because it did just what the gentleman is effectively arguing for in behalf of the Nation in this House.

Mr. O'HARA. I wish to thank the distinguished gentleman from West Virginia, because what he has so well stated presents exactly my views. I do not care whether you feel you are the advocate of labor or the advocate of industry, the paramount thing all of us should be concerned with as Members of the House is to try to legislate justly as to both industry and labor, not forgetting that after all there is a paramount responsibility on the part of all of us to the general public welfare.

Mr. THOM. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. THOM. Under this 30-day cooling-off period would the employer have a right to recruit men to take the place of the strikers?

Mr. O'HARA. I do not believe so; I may say to the gentleman from Ohio, under the terms of the bill as written. That is why I offer my amendment.

Mr. THOM. I should think that the recruiting of men would not affect the status quo under this provision.

Mr. O'HARA. Under the bill if they have a closed shop or a maintenance of membership, they could not take them in anyway, without my amendment.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. BAILEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the matter of Government subsidies in the form of amortization grants, tax refunds and carry-backs cannot be divorced from any congressional declaration of policy that has to do with such matters as public welfare and economic stability.

When the Seventy-ninth Congress, first session, in its wisdom, chose to amend the Federal Revenue Code, by removing all excess-profits taxes, it was definitely fixing a policy for the entire Nation. When the same Congress chose to leave in the Revenue Act the carry-back clause, relating to the refund of excess-profits taxes, it was declaring a policy of Government paternalism predicated on the thought such action would tend to be in the public welfare and aid in stabilizing our postwar economy.

Now the Congress is being asked in a two-page declaration of policy, contained in the proposed Case substitute to H. R. 4908 to make known its intent as regards strikes in industry. This declaration of policy is also predicated on the assumption that the speedy end of the strike hysteria will be in the public welfare and tend also to stabilize our postwar economy.

The authors—authors that is—of this proposal say right in the very paragraph I propose to amend "To aid in the voluntary and expeditious settlement of labor disputes affecting the public interest" is their basic reason for enacting this legislation. Can it then well be argued that the payment of subsidies and tax-refunds do not affect both the strike situation as well as the public welfare? Certainly these Government handouts are a factor in the strike situation.

What about across-the-table bargaining, as is envisioned in this proposal, if one of the parties had some of his cash assets concealed under the table in a canvas bag marked United States Treasury? It would certainly be germane to the argument taking place.

The sponsors of this substitute must have thought the question of cash payments was germane. They took extreme care to see that the President's recommendation for opening up the records of industrial concerns by subpena process to ascertain their ability to pay, was left out of this substitute. If this were part of the law it would be easy for the fact-finding boards to learn just what gratuities had come to industry in the form of Government debates, refunds and carry-backs.

Wartime tax provisions for business relief suddenly have become a bone of contention in the strike issue. Unions charge that tax laws are rigged to give public money to corporations as strike-breaking funds. The general public hears the term "carry-back" for the first time, and deluges the Treasury for explanations.

Actually, the carry-back and other relief provisions were written into war taxes to take care of extraordinary expenses that war saddled upon corporations. They were put into the tax law of 1942, long before the present strike issue arose.

The excess-profits tax provides the basic explanation. This was a tax on "excess" corporate profits resulting from war. Whether a profit was excess or not was measured either by a company's prewar earnings between 1936 and 1939, or by a specified return on its capital

investment. This base is known as the excess-profits credit. Earnings above that base were taxed at 95 percent, with provision for a 10 percent postwar refund. Earnings below the base paid the normal corporation tax of no more than 40 percent.

In addition, the excess-profits tax was designed to average out a corporation's wartime tax payments through the war and early postwar period. A company, for example, might make a huge profit in one year and little or nothing in the next. Here is where the carry-back comes in.

The carry-back is a device that is used when a company's earnings fail to exceed its excess-profits credit. In that event, the unused portion of the credit can be applied to an earlier year and the excess-profits tax for that year is reduced. For example, if a company earned $1,000 above its credit in 1943, the net excess-profits tax on that amount was $855. If in 1945 or 1946 earnings fell short of the credit by $1,000, that sum could be carried back to 1944, wiping out excess-profits tax liability for the earlier year.

When Congress repealed the excess-profits tax, it continued the carry-back through 1946 to enable corporations to meet possibly heavy reconversion expenses with tax refunds. Now, losses due to strikes could produce the same effect.

Its workings could be like this:

Excess-profits credit of a corporation that earned $40,000,000 a year in its base period would be $40,000,000. Now, suppose this company made $100,000,000 in 1944. It was subject to a 1944 net excess-profits tax of 85.5 percent on $60,000,000, after taking the postwar refund into consideration, or a tax of $51,300,000. In addition, a normal tax of 40 percent was levied on the remaining $40,000,000, amounting to $16,000,000. That brought total 1944 taxes to $67,300,000.

If shut down through 1946 by a strike or otherwise, this company could apply its wartime $40,000,000 excess-profits credit to 1944 by the carry-back. That would double the 1944 credit to $80,000,000, leaving only $20,000,000 subject to 1944 excess-profits tax at a net of 85.5 percent, or $17,100,000.

At this point, however, the company would be liable for normal income taxes in 1944 on $80,000,000 instead of $40,000,000, which, at 40 percent, would be $32,000,000. Recomputed total tax for 1944, therefore, would be $17,100,000 excess-profits tax plus $32,000,000 normal tax, or $49,100,000. But it paid on 1944 earnings a net tax of $67,300,000. The difference—$18,200,000—would be the refund.

Mr. RABIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in opposition to the passage of the so-called Case bill. I am unalterably opposed to it. I think its passage would not be in the interest of the country, and it would mark a step backward in labor relations; it would be harmful to both industry and labor.

The world is being reorganized. We have just gone through the most devastating war in all history. We have fought this war in the hopes that this world would be a better place in which to live. We have fought it to try to obtain "freedom from want" and "freedom from fear." It is difficult to accomplish those objectives. The fight for a happy peace will be more difficult, I am afraid, than the great fight for victory in war. The only way to accomplish it is through cooperation—cooperation of nations, cooperation of individuals, cooperation of all kinds and classes of people, and on the economic front, cooperation of both labor and capital.

We are now in a period of unrest, seeking to find a common meeting ground for labor and capital. It is a difficult task. Let us not add to that task by hastily passing legislation which is unwise and which I think is unfair and unjust. The Case bill is that type of legislation. Congress has made that mistake before when it passed the Smith-Connally Act. Intended to avert strikes, it actually encouraged and intensified them. I think the passage of the Case bill will have the same effect.

The Nation is now in the throes of industrial strife. It is a struggle on the part of the workingman to secure for himself a decent standard of living and to bring up his family in a manner which will give it some hope for the future. Labor cannot be blamed for striking to accomplish these objectives. What weapon would labor have to force recognition of those demands except to strike? And because it is exercising the only weapon which it has, shall we now say that the right of strike be taken away from it? Shall we now say that the right to organize should be taken away from labor? Without the right to organize and without the right to strike, labor would be helpless and would be crushed by the power of industry. I know that industry has become enlightened to the just claims of labor since the days of the sweat shops and canning factories, but, except in a few instances, I do not think it has become enlightened to the point where it will voluntarily offer to labor increases in salaries even when such increases be necessary to insure a decent standard of living. The workingman must obtain those by himself. The only method he has is through collective bargaining and without the right to strike there can be no such thing as collective bargaining.

True, the country is tied up by strikes; but why must we assume that it is the sole fault of labor? Why should we not say the responsibility is that of industry for refusing to pay a decent wage in the light of the higher cost of living? Must we come to the conclusion that it is the fault of labor merely for demanding it?

Great advances have been made in industrial relations in the past 12 years. Through progressive legislation, labor has been given an opportunity to bargain with industry with a reasonable degree of effectiveness and on a relatively equal level. It was fair and just that opportunity was given to it. Without that legislation, it would have been overwhelmed by the economic might of industry just as that economic strength has suppressed it in the past. It is only if labor is strong and can bargain on an equal level with industry that the standard of living can be raised to a decent level; that the purchasing power of our community can be raised—both leading to a more prosperous economy.

The Case bill, now before the House, would wipe out the advances that have been made and would again give industry the power to suppress collective bargaining and would substitute for those advances rule by injunction. It would restrict the right to strike merely on an allegation of a threat of coercion. This bill convicts labor without a trial and it imposes a penalty on a basis of such unfair conviction.

Why do we not adopt legislation that would go to the root of the evil? Why do we not adopt a real full-employment bill and a minimum-wage bill? Why do we not pass an antidiscrimination bill and establish a FEPC? Why should we not broaden and strengthen our social-security laws and pass proper health-insurance legislation? Why do we not liberalize and extend the unemployment-insurance bill? The passage of this program would be striking at the cause of the problem. It would help the workingman now and lessen his fear of the future.

We realized during the war that with the conclusion of hostilities we would have great reconversion problems. We passed adequate legislation for the reconversion of industry. It has its carry-backs on taxes; it was taken care of through adjustments on termination contracts; it has received great tax relief. What program of reconversion have we passed for the man who performed the manual labor and kept the wheels of industry turning? Did we give him adequate compensation upon the termination of his services when the war was over? Do we give him an income-tax adjustment? Did we pass any reconversion legislation for him at all? The bills I referred to would be such a reconversion program, and it would tend to remove many of the causes for these strikes.

Let us not convict labor because it is striking in an endeavor to earn a decent living. Let us not pass repressive legislation that would throw us back to the days when labor was helpless. The right to strike must be preserved, if labor is to live. It is endangered by the Case bill. I am opposed to it, and I urge its defeat.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. O'HARA].

The question was taken; and on a division (demanded by Mr. O'HARA) there were—ayes 16, noes 37.

So the amendment was rejected.

Mr. ROBSION of Kentucky. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBSION of Kentucky to the Case amendment: "Page 12, line 8, after the word 'any', insert the words 'state or.' Strike out all of section 10, page 12, beginning with the word 'if' and balance of section."

Mr. ROBSION of Kentucky. Mr. Chairman, may I invite the members of the Committee to turn to page 12, section 10, of the Case bill. I think this is

an amendment upon which you want to act favorably.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from Michigan.

Mr. HOOK. May I say to the gentleman that the members of the Committee on Labor have had nothing to do with the Case bill.

I know that your Committee on Labor did not consider the Case bill. I regret that it was not submitted to your committee or some other committee and hearings held thereon; but we have the Case bill now before us for consideration, and I think all of us should do what we can to make the bill just and fair to labor, management, and the people of the whole country.

An amendment has taken out the injunctive feature of the bill.

Mr. MARCANTONIO. If the gentleman will yield, that is only on page——

Mr. ROBSION of Kentucky. This is section 10. As section 10 now stands either party may bring suit at law for damages for breach of contract. The bill as drawn claims this action can be filed in the United States district court. The first part of my amendment merely permits the suit to be filed either in the State court or the United States court.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the distinguished gentleman from Indiana.

Mr. HALLECK. I call the gentleman's attention to lines 4 to 5 of the bill, on page 12, where it is said: "In addition to any other words or remedies existing."

Mr. ROBSION of Kentucky. That has been taken from the bill.

Mr. HALLECK. The only words stricken were the words following that "either in law or in equity."

Mr. ROBSION of Kentucky. Well, "in law." This is an action at law. Why should not the State have jurisdiction as well as the United States court? And I repeat, the first part of my amendment gives the complaining party the right to institute his action in either the State court or the United States District Court.

However, there is a more important part to my amendment: You will notice the provision in fixing the venue or place where the suit may be filed and the person on whom the process may be served provided it is a labor union. My amendment strikes out the following language:

> If the defendant against whom action is sought to be commenced and maintained is a labor organization, such action may be filed in the United States District Court of any district wherein any officer of such labor organization resides or may be found.

You will observe that under that provision of the bill, any company or person filing an action against a labor union could file it in the United States District Court of any district wherein any officer of such labor organization resides or may be found.

Let us bear in mind that this section contemplates the filing of an action by the aggrieved party for damages and relief for violation of a contract. It does not fix the venue as to the place of filing if a labor union sues the employer. It evidently leaves that to the Federal Code and statutes. But if the defendant is a labor union it may be sued in "any" district court of the United States where "any" officer of the union may "reside" or "be found."

The employer would not have to bring his suit where the contract was made or being performed or where the injury or damage was sustained by the employer. Neither does it require the service of process upon the principal officer of the labor union, but "any" officer of the union.

Now how would that work out if the employer desired to take advantage of that provision of the law in filing his action against the labor union? For example, some employer in the State of California, Michigan, Ohio, or New York had a contract with a labor union and the employer claimed that the labor union had breached the contract and the employer had suffered damages. Under that provision such employer could go to the State of Florida, Mississippi, or Texas and file his lawsuit in any district court provided he could find any officer of the union in that district. This "any" officer would not have to reside in such district. He might be merely passing through there and he might be one of the lowliest officers of the union and he might be in Florida for a short time or going to some other Southern State on account of his health, or he might be passing through one of these States on his way to Florida or Mississippi with a sick wife, son, or daughter; and then the union would have to take all its witnesses and attorneys perhaps a thousand or 2,000 miles to defend that action.

Now let us turn the case around:

What if there were a provision in this section giving to the union the right to sue any employer in any United States District Court in any district where any officer of such employer might reside or be found?

No fair-minded person would say that would be fair to the employer. The labor union might bring an action against the employer to obtain damages for breach of contract. The contract may have been made or was to be performed in the State of Texas or Mississippi. But the union, under this provision, could seek out any United States District Court in New York, Illinois, or California, where "any" officer of the employer resides or might be found.

My amendment strikes out this provision of section 10. With this section stricken, the place of filing the action will be fixed by the Federal Code and statutes if it is filed in the United States court, and if it is filed in the State court, it will be fixed by the code and statutes of the State wherein the action is filed; and if the plaintiff or complainant files his suit in the wrong jurisdiction and his process has not been served on the person as provided in the code and the statute, on timely objection to such service it would be quashed by the court.

I think the parties should have the right to file their action either in the State court or the Federal court. If the amount in controversy and other considerations did not bring it within the jurisdiction of the Federal court, the action, of course, would be dismissed on timely motion by the defendants.

MUTUALITY OF CONTRACTS

As I understand the position of the leaders of the railroad brotherhoods, the American Federation of Labor, the United Mine Workers, and other unions and the employers of labor, they all favor mutuality of contracts.

Labor has for many years been strong advocates of collective bargaining, and an overwhelming majority of management, whether they have some regular union or some independent union, have for a number of years favored collective bargaining with their employees.

I was a Member of Congress many years ago when the railway mediation-adjustment acts were passed. These brought about collective bargaining, mediation and adjustments between management and labor. These collective bargaining contracts should be made after a free, fair and full discussion of all the matters involved and should be signed by the parties with the utmost good faith and when these contracts are once entered into they should be adhered to by both parties. If there are provisions in the contract against lock-outs and strikes both parties should observe these provisions, as well as other provisions of the contract, and it seems to me that it would be in the interests of both parties for the contract to provide as a part of the collective bargaining principle to resort to mediation, conciliation, and voluntary arbitration. As strikes are costly and frightful experiences for both management and labor no effort should be spared to prevent lock-outs and strikes. If the spirit and the letter of the contracts are not to be observed by both parties, then the so-called collective bargaining becomes a futile gesture. If the pledged word is broken it can only breed discord and distrust.

The observance of these contracts is not only a good thing for management and labor themselves, but for the country as a whole. While there have been some wildcat strikes, as I understand it the railroad brotherhoods have not broken their collective bargaining contracts with either the tacit or direct approval of their leaders. These wildcat strikes have been condemned and I understand this is true as to the American Federation of Labor, also to the United Mine Workers of America. It is true there have been some strikes and threatened strikes on the part of the United Mine Workers of America with the approval of their leaders; but they always came after the failure of the mine workers and operators to agree upon a contract.

Since VJ-day there have been no strikes among the railroad workers or United Mine Workers. There have been only a few of the six or seven millions of A. F. of L. men and workers who have gone out on strike, and these were without the approval of Mr. Green and his associates. The A. F. of L. have settled a great many of their differences by mediation, conciliation and voluntary arbitration, and it was most gratifying very recently to observe that 18 out of 20 railroad brotherhoods have already

agreed to voluntarily arbitrate their claims for wages, increases of pay, and perhaps some other matters. This is most heartening to those who want peace among labor and management.

As I am informed the steel workers, automobile workers and some other groups who have gone out on strike, have contracts that have not expired. Perhaps there have been lock-outs on the part of management, but no lock-out has been brought to my attention.

It is just as reprehensible for management to break its contract as for labor to do so. It is most unfortunate that these differences have not been settled by mediation, conciliation, and voluntary arbitration. There are perhaps $200,000,000,000 in money, securities and other liquid assets available to the American people to spend for goods, products, materials, and properties of every kind and character. There never was such a demand in this country and in other countries for things that Americans and other people need or a greater scarcity of these things that they need now. We are on the threshold of a few, at least, of the most prosperous years this country—both management and labor—has ever experienced. Yet through these stoppages of production the things that the people need become more scarce every day and the threat of inflation becomes more menacing.

This threat will continue until production reaches such a point as to reasonably meet the demands of our own people and other people.

I am afraid that labor has not served its best interests in bringing about a stoppage of production. At this critical point of reconversion we cannot have peace and full production, with full employment, unless management and labor both desire peace and unless they sit down to a table together and confine their demands to those things that are just and right, looking alone to the best interests of the American people as a whole.

After all, the American people have got a stake in industry, agriculture, commerce, and labor.

Management and labor must constantly keep before their minds the threat of Government control. When the Government intervenes, it may be to the temporary advantage of one or the other of the group; but in the end Government interference and settlement of disputes between labor and management will destroy private enterprise and collective bargaining, and then we shall have arrived at a totalitarian government in this country. Management and labor are enjoying a priceless heritage of liberty and freedom. In Russia they do not have any trouble with labor or management, and this is true of some other totalitarian governments. But, on the other hand, they do not have free private enterprise or collective bargaining. They have Premier Stalin.

Labor and management must not pull down the temple on their own heads.

It seems to me that it is much wiser and better for management and labor to sit down together and compose their differences through collective bargaining, mediation, conciliation, and arbitration than to have the Government step in with a big club or with bayonets and bullets and settle their differences for them and, at the same time, take away their freedom and their rights. I have always been, and still am, opposed to violence on the part of either labor or management. We must, in this land of constitutions and laws made by the people and their representatives, settle our differences within the law and not try to achieve our aims by force and violence; and when a group undertakes to achieve its aims by force and violence, with bayonets and bullets, the Government should step in after doing what it can to bring the parties together through mediation and conciliation and stop such lawlessness; but it should not be partisan, and both labor and management should always feel that they can have a full hearing before their Government and receive just and fair treatment.

Mr. RANDOLPH. Mr. Chairman, the Members of the House desire and know that we will have adequate debate on the amendments which have been offered today and which are still pending; also those that will be considered later. I feel that Members have work to do in their offices this afternoon. I know that I do. I know that we have been in committee meetings this morning. Therefore, in the interest of orderly procedure, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'NEAL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 4908), to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin asked and was given permission to extend his own remarks in the Appendix of the RECORD and to include a magazine article.

Mr. GEELAN asked and was given permission to revise and extend his remarks in the RECORD.

Mr. HOOK asked and was given permission to extend his remarks in the RECORD and include therein a statement by Mr. J. H. Leib, past vice commander and past service officer of the Vincent B. Costello Post, No. 15.

Mr. PATTERSON asked and was given permission to extend his remarks and include a resolution of certain labor unions meeting today in Washington.

Mr. MORRISON asked and was given permission to extend his remarks and include therein an article by Joseph V. Moreschi.

Mr. GORDON asked and was given permission to extend his remarks in the RECORD and insert a very interesting editorial on the Polish problem which appeared in the Washington Evening Star on Saturday.

PERMISSION TO ADDRESS THE HOUSE

Mr. BIEMILLER. Mr. Speaker, I have a special order for today. I ask that the some be vacated and that I may be permitted to address the House for 1 hour on Monday, February 18, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. VOORHIS of California asked and was given permission to extend his remarks in the Appendix of the RECORD and to include the text of the bill (H. R. 5238).

Mr. WHITE asked and was given permission to extend his remarks in two instances and to include certain excerpts.

Mr. LANDIS asked and was given permission to extend his remarks in the Appendix of the RECORD and to include a radio broadcast.

THE LATE HON. OSCAR YOUNGDAHL

Mr. JUDD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. JUDD. Mr. Speaker, it is with deep regret and sorrow that I have the sad duty of informing the House of the death yesterday in Minneapolis of the able and distinguished gentleman who preceded me as Representative of the Fifth District of Minnesota, the Honorable Oscar Youngdahl.

Mr. Youngdahl came from one of the most respected and distinguished families in Minnetosa.

He served in the armed forces of his country during the First World War.

He was active in work for veterans, including a term as State commander of the American Legion.

He was elected to the House of Representatives in 1938 and served in the Seventy-sixth and Seventy-seventh Congresses.

He was a member of the great Committee on Interstate and Foreign Commerce and was always diligent and faithful in working for the interests of the people of the district and the State he represented.

He leaves a widow and four children as well as a host of friends who mourn his passing.

Mr. Speaker, I know the members of the House join me in expressing our deep sorrow at his untimely death and extend to the members of his family our sympathy and condolence. I feel sure that the knowledge of his long patriotic service to his country will in some degree assuage their grief.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KNUTSON. Mr. Speaker, those of us who had the privilege of serving with Oscar Youngdahl in this body recall him with affection. I well remem-

ber with what fidelity and faithfulness he represented his district, his State, and his country, and in his untimely passing we have lost a good citizen and friend.

Of course, as we grow older, sun spots momentarily obscure with greater frequency the bright halo which binds the world together, yet they cause us pangs of pain and sorrow. I know I express the sentiments of every Member of this body when I say that Mrs. Youngdahl, a most estimable woman, and her fine children have the sincere sympathy of every Member of this House in this dark hour of their lives.

Mr. PITTENGER. Mr. Speaker, I join with my colleagues in this moment of sorrow, when we pay our respects to our late colleague, Hon. Oscar Youngdahl, of Minneapolis, Minn.

It was my honor and privilege to serve with him as a Member of the House and to know him and to know something of the fine work he did as the Representative of his State and his city. All of us were shocked this morning to learn the news of his untimely passing. All of us mourn with his family and his friends in this great loss that has come not only to the city of Minneapolis but to the State and to the Nation.

Mr. Youngdahl served as a Member of this House with distinction. He was a man of courage. He was a man of character. He was a man of whose friendship anyone might well be proud.

I join with others in these few moments when we are paying tribute to a man we loved to call "Oscar." Mr. Speaker, our friend and former colleague is no more. He has gone to that undiscovered country from whose bourn no traveler returns. But our Christian faith teaches us that there is a life beyond the grave and that the soul of man never dies. In a beautiful land of somewhere, beyond the Great Divide, he lives to take up the higher and eternal tasks prepared for those who have left us.

And so we pay tribute to his memory, and I close with the following fine sentiment:

IF LIFE WERE ALL

If life were all,
Where were the recompense
For all our tears?
The troubled toil
Of all the long-drawn years,
The struggle to survive,
The passing show,
Were scarce worth while
If life were all.

If life were all,
What were it worth to live?
To build in pain,
So soon to learn
Our building were but vain,
And then to pass to some vain nothingness.
Were scarce worth while,
If life were all.

If life were all,
How might we bear
Our poor heart's grief,
Our partings frequent,
And our pleasures brief?
The cup pressed to the lips,
Then snatched away,
Were scarce worth looking on,
If life were all.

Life is not all,
We build eternally,
And what is ours today
To make existence such
Is ours always,
We stand on solid ground,
That lasts from aye to aye,
And makes earth's sojourn worth the while,
Life is not all, I say.

Life is not all,
I do not understand the plans;
I only know that God is good,
And that His strength sustains,
I only know that God is just;
So in the starless, songless night,
I lift my heart to Him and trust,
And God my spirit witness gives,
Life is not all.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that all Members who wish to speak on the life, character, and services of our departed friend, Oscar Youngdahl, may have five legislative days in which to do so.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, Oscar Youngdahl entered Congress the same day I did, back in January 1939. He did a splendid work in representing his district during the 4 years he was a Member of the House.

Oscar's family was always first in his thoughts and I well remember the conversations we had concerning his plans for the future of his children.

This tribute by the House to the memory of one of the most generous and likable men ever to sit in Congress will help Mrs. Youngdahl and their four children to meet the blow which has fallen upon them. His many friends here join in sympathy to his loved ones.

The SPEAKER. The Chair recognizes the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA. Mr. Speaker, it was with profound sorrow that I learned of the passing yesterday of my good friend and former colleague the Honorable Oscar Youngdahl, of Minneapolis.

My friendship and association in the State of Minnesota with Mr. Youngdahl goes back many years. Those associations were not only of friendship but were of a nature of civic and veteran affairs, as well as my association here in the House.

Oscar was always kind and thoughtful and was one ever to be helpful, to friends and associates. He had preceded me in election to the House and, as an example of his kindness and thoughtfulness, when I was elected to the Seventy-seventh Congress he made arrangements for my congressional offices.

He served in the Navy in World War I. In 1931 he was State commander of the American Legion, Department of Minnesota, and following World War I he devoted much of his time to the cause of the veterans.

He was an intense American. He had definite ideas and ideals and the courage of his convictions. As a Member of Congress he served on the important Interstate and Foreign Commerce Committee and was a valued member of that committee. It is my judgment that no one in Congress was more conscientious in assiduously attending to the problems of the people of his congressional district. He had a deep sense of loyalty, not only to his duties of office but to his friends, and he was held in affection and esteem by his colleagues in Congress and his many friends.

It is difficult to express the personal sorrow that I feel in his passing. I know that I have lost a true friend and I shall always treasure the friendship which has existed between us through the years.

Oscar Youngdahl comes from a distinguished Minnesota family. I know his affection and concern for his wife and his four children. I do wish to convey to his widow and his children, and to his distinguished brothers who survive him, my deepest sympathy in the loss of their husband, father and brother.

To his family and to those who knew and loved Oscar Youngdahl as a friend, we may take comfort in the following lines:

Death is only a quiet door
Set in a garden wall;
On gentle hinges it gives, at dusk
When the thrushes call.
Along the lintel are green leaves,
Beyond the light lies still;
Very willing and weary feet
Go over that sill.
There is nothing to trouble any heart
Nothing to hurt at all
Death is only a quiet door,
In an old garden wall.

May his soul rest in peace.

The SPEAKER. The Chair recognizes the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, Oscar Youngdahl had his friends in South Dakota too, where he often visited. One of his brothers was a director of music in one of our colleges. On the floor of the House, I came to know and respect him.

Mr. Speaker, Oscar Youngdahl's friends in South Dakota join with the people of Minnesota in sorrow over his untimely death.

The SPEAKER. The Chair recognizes the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, I join with my colleagues in expressing my deep sorrow in the passing of my old friend, Oscar Youngdahl. He was every inch a patriot. He had the courage of his convictions. I admired him for his many, many fine qualities as a man. I do not have words adequate to express my deep feeling of regret that Oscar Youngdahl will be with us no more.

To his wife and family I extend deepest sympathy. May the same God who has called Oscar to his heavenly home give his good wife and family strength.

Mr. LECOMPTE. Mr. Speaker, I could not let this occasion go by without expressing my admiration and deep affection for Oscar Youngdahl. He came to the Seventy-sixth Congress when a great many new Members were entering Congress, and almost at once he won the affection especially of the younger Members and the respect, I think, of the older Members. Oscar Youngdahl was a stalwart American; courageous, a man who

had convictions, and never lacked the courage to uphold those convictions.

In this hour of sadness I feel certain that his bereaved wife and children will be comforted by the recollection of the many happy years they spent together.

Mr. VORYS of Ohio. Mr. Speaker, I was shocked today to learn that Oscar Youngdahl had passed away. I came with him as a freshman in the Seventy-sixth Congress, and we were associated together in our work on the floor; we had offices near each other, and we met as friends outside of Congress on many occasions.

I remember he had a birthday party in his office when he introduced a number of his friends to the delights and mysteries of the smorgasbord, that wonderful Scandinavian institution. I remember in his office the pictures of his fine wife, whom I met, and of his splendid children.

Perhaps these seem like little things to bring up at a time like this. When our friends pass on, and we realize we shall never see them again, and we view their whole lives as we knew them, the little, friendly, human things, and the big, eternal things in their lives come together in our minds and hearts. I am feeling that way now about Oscar Youngdahl.

He was my friend, he was a valued colleague, and he made his contribution here in Congress during the difficult times before Pearl Harbor. Soldier, lawyer, statesman, and friend; his loss will be mourned by his colleagues in Congress, by his family and friends, but the world is better because Oscar Youngdahl was here.

Mr. MARTIN of Massachusetts. Mr. Speaker, I join my colleagues in expressing my deep sympathy at the death of our former colleague, Mr. Youngdahl. It was my privilege to serve with him a number of years here.

I knew the character of the man he was, the splendid service he rendered to the country, and I join with all those who express to his wife and family their deep sympathy.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, speaking for the Democratic side of the House, I want to join with our distinguished minority leader, the Members of the Minnesota delegation, and the others who have spoken on that side of the aisle in expressing their deep sorrow at the passing of our distinguished late colleague, Oscar Youngdahl. We also join with you in expressions of sympathy to the loved ones, his wife and children, who are left behind him.

Mr. MARTIN of Massachusetts. I thank the gentleman for his generous words.

PERMISSION TO ADDRESS THE HOUSE

Mr. SAVAGE. Mr. Speaker, I have a special order to address the House today. I ask unanimous consent that that time be vacated and that I be permitted to address the House for 20 minutes on Wednesday, February 13, after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered.

EXTENSION OF REMARKS

Mrs. DOUGLAS of California. Mr. Speaker, on January 22, 24, 25, 28, 29, 30, 31, and on February 1, 1946, there appeared in the CONGRESSIONAL RECORD my remarks entitled "The Negro Soldier." I ask unanimous consent that these remarks be printed together in the permanent RECORD under date of February 1, 1946.

The SPEAKER. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mr. JUDD asked and was given permission to extend his remarks in the RECORD in three instances and to include excerpts in each.

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks in the RECORD and include a very fine article of appreciation of the beautiful daughter of Hon. Bruce Barton.

Mr. HAYS asked and was given permission to extend his remarks in the RECORD and include a proposed substitute which he expects to offer for the Case amendment to the pending bill.

Mr. ROWAN asked and was given permission to extend his remarks in the RECORD and include an article from the Chicago Daily Times.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a very interesting letter that I received from Dr. Frederick J. Bailey, health commissioner of the city of Boston, on the results that have come from the use of the compound or insecticide known as DDT in certain sections of Boston on infantile paralysis cases as well as other types. I am sure that the medical authorities throughout the country will be very interested in these results as disclosed by the letter of the health commissioner of Boston.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. Under previous order of the House the gentleman from California [Mr. PHILLIPS] is recognized for 1 hour.

A REPORT ON THE OPA

Mr. PHILLIPS. Mr. Speaker, when Adolf Hitler was still a paperhanger, trying to improve his social and economic conditions by becoming a political leader, he spent some time in a Landsberg jail. Other than the fact that his freedom was restrained—a condition he subsequently imposed on an entire nation—it was not an unpleasant vacation and it gave him time to write a monumental work called Mein Kampf. The world never took this book seriously enough at that time, and still does not take it as seriously as it deserves.

Hitler was not an experienced writer. He belonged rather in the group of political pamphleteers. Mein Kampf therefore is now, and will continue to be for many generations, one of the important political tracts of the period through which the world is passing.

Mein Kampf is, in effect, a psychological autobiography. It put down in writing just exactly what the future "fuehrer" intended to do, and why he intended to do it. It also says frankly why he thought these ideas would succeed, just as the CIO-PAC, for example, in this country, puts down frankly just how it runs its political campaigns, and why it thinks its methods will succeed.

The reason I say that Mein Kampf is taken with too little seriousness in the United States is because it contained then, in 1926—Hitler was sentenced in the peoples court at Munich in 1924 and wrote Mein Kampf during the next 2 years—and still contains, the blueprint of certain methods now being used politically in the United States.

For example, I quote from page 108 of Mein Kampf, in which Mr. Hitler proclaims to an apathetic world his belief in certain propaganda methods and his reasons for that belief:

> What we mean by the words "public opinion" depends only to the smallest extent on the individual's own experiences or knowledge, and largely on an image, frequently created by a penetrating and persistent sort of so-called enlightenment.

Please observe, Mr. Speaker, the words "penetrating and persistent."

There are other quotations, and I tried in the short time I had before preparing this talk, to find his comment, which I am certain is in Mein Kampf, concerning the power of repetition. To put it in my own words, if the propagandist repeats a false statement often enough, not only do the people believe it, but he himself may eventually believe it.

The similarity between the methods advised by the late Mr. Hitler and the present Mr. Bowles, should not be overlooked. This is exactly the program of the OPA.

CREDIT WHERE CREDIT IS DUE

Obviously, Mr. Speaker, I could explore this subject, and elaborate upon its details. My intention today, is simply to give credit where credit is due. It is a common thing, in science, to attach the name of the discoverer, or the name of the principal developer, to some method or to some disease or to some discovery. We speak, for example, of Parkinson's disease, an inflammation of the spinal cord; we speak of Weil's disease, a serious blood disease; or we speak of Winckel's disease, an internal hemorrhage in new-born infants. These are examples of what I mean.

Mr. Hitler pointed out this method, and Mr. Bowles has taken it almost without change and has imposed it upon the still apathetic housewives of the United States. I think therefore, in simple fairness to Mr. Bowles, we should in the future refer to this propaganda method as "the Hitler-Bowles method."

At the moment it is being used openly to renew the life of the OPA, and thus impose on the men and women of America a control which is the forerunner of national socialism.

I am on the floor today, Mr. Speaker, to give accurate figures regarding the citrus prices and to trace, step by step, the procedure used by the OPA to deceive the American housewives between November 19 and January 4.

CHARGES SUBSTANTIATED

These figures will substantiate the charges made by the Republican Congressional Food Study Committee, which were as follows:

1. OPA failed to remove price ceilings, as it had agreed to do, late in July 1945, when average orange prices fell far below ceiling.

2. OPA thereafter consistently refused to keep its promise to remove ceilings, although wholesale prices of oranges were from 50 cents to $2.24 below ceilings for 18 weeks prior to November 19.

3. Having failed to remove ceilings when it should have done so, OPA suddenly suspended ceiling prices on November 19, when the demand was highest and the supply the lowest for several weeks. OPA announced this suspension would be reviewed after 60 days.

4. In removing ceilings just 3 days before Thanksgiving, OPA did so with the knowledge that market conditions would almost certainly bring about a sharp increase in the price of the better grades of citrus fruit. This is the history of holiday marketing in many commodities.

5. OPA propagandists, from district and local press agents to Chester Bowles himself, immediately began a systematic propaganda campaign. They ignored the average price of citrus fruit; talked only of the skyrocketing of a few specialty grades; implied that their distorted version was a true picture of citrus prices; and drew from this the conclusion that "this is what happens when ceiling prices are removed, therefore OPA must be continued beyond June 30."

6. Completing the price coup, OPA succeeded in having ceiling prices reimposed on January 3, at a time when adequate supplies were just beginning to reach the market, when prices were already on their way down, and when the citrus market was historically in its period of lowest seasonal prices.

7. In his public statement of January 5, 1946, Mr. Bowles stoops to the low level of using erroneous figures and false ceiling prices in order to make market prices during the period of suspension appear relatively higher than they actually were.

Several times, Mr. Speaker, while this matter was being argued between the OPA, the Office of Economic Stabilization, and the Department of Agriculture, members of the Republican Congressional Food Study Committee, besides myself, accused the OPA of deliberately issuing misleading figures on citrus price ceilings and thus attempting to provide propaganda for the continuation of the OPA.

On December 21—CONGRESSIONAL RECORD, page 12535—as on December 6—CONGRESSIONAL RECORD, page 11602—I gave, in the well of this House, the accurate figures regarding both increased and decreased prices to the housewives for citrus fruits. I pointed out, Mr. Speaker, as you will remember, that on the OPA's own figures the percentage of citrus fruits selling over the ceiling was actually less than before the ceiling prices had been taken off. I also pointed out that the increase up to that time, for all kinds of citrus fruits, over the United States, was 2.1 cents per box. In order to find the average increase for oranges, you have only to divide 8.6 cents by something over 200 oranges. I said then, and I repeat now, that this does not seem to me to be a very startling nor a very inflationary trend, and that so far as I am concerned my heart is not bleeding for the well-to-do purchasers of large sizes, or early fruit, sold on the high-priced city markets.

I also pointed out, as you will remember, that there were difficulties in certain markets, particularly in some markets mentioned here on the floor, because of transportation troubles, and that this exists any time, and has very little relation to whether or not we have a ceiling price. Then, Mr. Speaker, in the December 21 speech I gave figures, all of them pointing out inaccuracies in the figures announced publicly by the OPA, and bringing the market prices up to date.

I was trying to show that the housewife benefits directly from as nearly normal a market as possible, and that certainly nothing in the citrus situation justified the concern which I now recognize as part of the Hitler-Bowles method, which was then being expressed by the OPA Administrator.

PROMISED TO GIVE MORE FIGURES

I said to you, Mr. Speaker, that I would return to this floor following the recess, and give more figures, again bringing the situation up to date. All members of Congress know what has happened in the meantime. As soon as the Congress recessed, on December 21, the pressure increased steadily. I mean the pressure to return the ceilings. Having delayed taking off the ceilings, when they were requested prior to October, and having taken them off on November 19, which is historically the time prices begin to rise, ceilings or no ceilings, and when fruit is scarcest, and when the holiday season approaches, all the machinery of propaganda, under the Hitler-Bowles method, was exerted to force the ceilings back on again.

I think it should be said to the credit of the Secretary of Agriculture, that he at no time was part of this conspiracy. Correct figures were at all times available in the Department of Agriculture. I now say, in the simplest possible language that the figures which Mr. Bowles credited to the Department of Agriculture, are not the figures the Department of Agriculture uses to represent citrus prices. I also say that the order announced about January 3, which returned price ceilings, was not favored by the Secretary of Agriculture, and this is a matter of record. He only approved it when directed to do so by the Office of Economic Stabilization. The order returning citrus ceilings, came from the office of Judge Collett, the Office of Economic Stabilization.

Mr. Speaker, I will now support these charges. On January 5, 1946, Mr. Bowles released to the press what he called a reply to the charges which had been made by the gentleman from Ohio [Mr. JENKINS] and myself and restated by the distinguished junior Senator from Nebraska [Senator WHERRY]. In this Mr. Bowles did not attempt to disprove the charge of propaganda, and admitted that OPA anticipated, when price ceilings were removed on November 19, that the prices of some oranges and grapefruit would go up. Mr. Bowles' reply contains misstatements of fact, and misrepresentations. It demonstrates effectively the truth of the charge that OPA has deliberately misrepresented the citrus situation and is using it for propaganda purposes.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield to the distinguished gentleman from Ohio, the chairman of the Republican Congressional Food Study Committee.

Mr. JENKINS. Is it not a fact, at least it has been my experience, that all the trade journals dealing with citrus, which I read, found the facts consistent with the statements of the gentleman from California and myself?

Mr. PHILLIPS. These figures have been carefully checked.

Mr. JENKINS. And at no time have I found the statement made by any responsible agency or trade journal which contradicted the statements which we made.

Mr. PHILLIPS. The gentleman is absolutely correct. All of the statements have been checked and verified.

In this "reply to charges by Senator WHERRY and Representatives JENKINS and PHILLIPS," to quote the letter, that OPA deliberately misrepresented citrus fruit prices in order to provide itself with a propaganda theme for continuation of the OPA, Mr. Bowles admits that OPA knew prices would go up when it removed ceilings on November 19.

I quote Mr. Bowles:

> It was anticipated that because of extraordinary demand for fruits just before Thanksgiving and before Christmastime there might be temporary upward price flurries particularly in special oranges.

This is exactly what the Republican Congressional Food Study Committee had charged—that OPA knew when it took price ceilings off that prices of some citrus fruits would advance. That OPA was prepared to take advantage of the example of decontrol thus afforded, is demonstrated by the almost verbatim press releases from OPA which appeared in papers throughout the country, and from the many references by Mr. Bowles himself to the skyrocketing of citrus fruit prices.

In each case, it should be pointed out, the OPA carefully selected only the highest prices it could find anywhere on the citrus market nationally, and consistently concealed from the American housewives, from whose pocketbooks the money must come, the fact that since average prices were little, if any, above the ceiling, then of necessity the housewives were buying a very large percentage of their citrus requirements at less than the prices before the ceilings were removed.

We do not need to go out of the city of Washington to demonstrate this fact. The citrus industry filed, with Judge Collett, tear-sheets from newspapers from all parts of the United States. I offer today only Washington tear-sheets, and I do not need to remind any Member of this House of the fact that Washington prices are not the lowest in the United States.

Here are advertisements from the Washington Evening Star, beginning with Monday, November 26, and running to Thursday, January 3, showing the prices of oranges and grapefruit in one

large group of retail stores. Citrus prices never went over OPA ceilings in this group during the entire period of suspension. On Florida grapefruit and oranges, prices were substantially below ceiling throughout that period. Keep in mind, please, Mr. Speaker, that this was the period used by the OPA during the systematic compaign under the Hitler-Bowles method. Oranges and grapefruit were available in adequate quantities. Please observe that these stores were offering them by the box. With a grapefruit ceiling of 7½ cents, they were advertised five times at 6 cents per pound; three times at 7 cents, and never went over 7 cents. Oranges, with a ceiling of 8½ cents, were advertised twice at 5 pounds for 33 cents; once at 5 pounds for 31 cents, and five times at 10 pounds for 65 cents.

Texas grapefruit, with a ceiling of 9 cents, was advertised three times for 7 cents per pound, and four times at 9 cents; always under the previous OPA ceiling.

In addition to these local papers I have tear-sheets from Syracuse, N. Y., from Burlington, Iowa, and from Hutchinson, Kans. The story in each advertisement is the same; oranges and grapefruit, of the sizes the housewives want, in adequate quantities at less than ceiling prices. This is not the story told to the buying public of the United States by the OPA, under the Hitler-Bowles method.

MR. BOWLES ADMITS CHARGE

Mr. Bowles has, therefore, admitted the only portion of the charges made by the Republican Congressional Food Study Committee which was not already a matter of general public knowledge. There are, however, other misstatements and misrepresentations in Mr. Bowles' so-called reply. For example:

First. Says Mr. Bowles:

> Beginning in the late summer and early fall, OPA was under constant and heavy pressure from citrus-trade interests to remove price ceilings from citrus fruits.

The facts are: The pressure for modification or removal of citrus-fruit ceilings started in March 1945, when representatives of the citrus industry from California, Arizona, Texas, and Florida came to Washington.

The reasons for requesting removal of citrus prices at that time was that a bumper crop of citrus fruit was then a certainty; there was going to be a record crop of Valencia oranges, but the oranges themselves were going to be the smallest on record. Experience has shown conclusively that OPA ceiling prices tend to become floor prices at the wholesale and retail levels, thus pegging artificially the prices of small fruits at or near ceiling prices and preventing the normal movement of small sizes of fruit, and the normal savings to the housewives which automatically occur when the trade lowers the price on such fruit in order to dispose of it.

After a study of the data presented by the citrus growers and the Department of Agriculture:

> OPA promised in April that when the average prices at auction dropped 50 cents below the ceiling price for a period of 10 days, they would suspend ceilings. This promise was never kept.

I quote a statement by Mr. J. A. Stewart, general manager, Mutual Orange Distributors.

The condition prescribed by OPA was met on July 28, 1945, when the average price of oranges at 10 auction markets dropped to a point $1.52 below ceiling. On July 30 the citrus growers filed a formal petition with OPA and the Department of Agriculture, asking that the agreement to remove ceiling prices be carried out. I interrupt myself here, Mr. Speaker, only to call to your attention that Mr. Bowles has several times made this statement regarding ceiling removals; on October 23, before the Banking and Currency Committee of the Senate, he said:

> As rapidly as supply and demand come into balance * * * other controls will be suspended. However, we will maintain a cautious watch over the price trends in this field and reestablish any suspended ceilings whenever inflationary price movements develop.

And in a letter to the House Appropriations Committee dated October 1—Report 1125—he said:

> Continuing studies of the supply-demand picture are being carried on in each price branch * * * in conjunction with the other agencies of the Government. Controls are being dropped and will be dropped as promptly as supply comes up to demand. It is the policy of the agency to drop controls a little too early, rather than too late, as long as there appears to be no likelihood of a similar increase in the price level.

In spite of its promise to do so, however, OPA refused to remove citrus ceilings during the 18 weeks in which the price of oranges remained from 50 cents to $2.24 a box below ceilings, just as it has delayed or refused to remove other ceilings where this should have been done under Mr. Bowles' own statements. Then on November 19, as supplies were becoming scarce and as the extraordinary holiday demand was beginning to appear, price ceilings were suddenly suspended.

Following are the weekly averages of the 10 auction markets accepted by the citrus industry and by the Department of Agriculture as a reliable guide to citrus-fruit prices, starting with the date prices dropped below ceiling:

	Number of cars	Average	Amount below ceiling
Week ending—			
June 24, 1945	358	$5.85	
June 30, 1945	444	5.84	$0.01
July 7, 1945	486	5.84	.01
July 14, 1945	421	5.80	.05
July 21, 1945	432	5.34	.51
July 28, 1945	700	4.33	1.52
Aug. 4, 1945	840	3.70	2.15
Aug. 11, 1945	893	3.61	2.24
Aug. 18, 1945	485	3.65	2.20
Aug. 25, 1945	663	4.35	1.50
Sept. 1, 1945	571	4.73	1.12
Sept. 8, 1945	585	4.68	1.17
Sept. 15, 1945	650	4.34	1.51
Sept. 22, 1945	661	4.55	1.30
Sept. 29, 1945	637	4.47	1.38
Oct. 6, 1945	649	4.59	1.26
Oct. 13, 1945	674	4.54	1.31
Oct. 20, 1945	668	4.49	1.36
Oct. 27, 1945	527	4.51	1.34
Nov. 3, 1945	484	4.43	1.42
Nov. 10, 1945	480	4.18	1.67
Nov. 17, 1945	370	4.40	1.45
Nov. 24, 1945	293	5.47	
Dec. 1, 1945	370	5.62	
Dec. 8, 1945	412	5.26	.10
Dec. 15, 1945	451	5.24	.12
Dec. 22, 1945	324	6.22	
Dec. 29, 1945	177	6.03	
Jan. 5, 1946	304	5.29	.07

The validity of the citrus industry's claim that OPA ceilings unbalance the price situation and tend to become floor prices as well as ceilings, is demonstrated by the following table. As is clearly indicated by this table, the price the consumer pays for oranges, under OPA ceilings, has gone up proportionately higher than it did on a free market, and has stayed there longer.

Oranges—fresh: Retail price per dozen by months, 1934–44

Year	Unit	January	February	March	April	May	June	July	August	September	October	November	December	Average	Spread
1934	Cent	27.4	26.3	26.6	26.0	27.5	34.7	33.9	33.4	34.0	33.2	31.6	27.4	30.2	8.7
1935	do	28.5	29.3	28.3	31.1	32.0	30.1	29.6	29.4	31.6	31.1	30.4	29.9	30.1	3.7
1936	do	28.9	28.5	29.2	28.0	29.9	32.3	32.6	33.6	33.8	35.0	32.1	27.9	31.0	7.1
1937	do	27.9	34.0	33.8	35.3	36.3	37.5	39.6	41.8	41.4	42.0	32.7	27.7	35.8	14.3
1938	do	23.9	23.5	24.2	23.5	25.7	25.9	26.6	27.7	28.2	26.3	25.1	25.1	25.5	4.7
1939	do	24.4	23.3	22.9	23.7	24.9	26.9	28.2	28.5	31.6	32.0	27.6	25.1	26.6	9.1
1940	do	23.0	25.2	25.5	26.5	29.2	30.9	28.8	28.9	28.1	27.8	26.2	25.7	27.2	7.9
1941	do	25.4	25.6	25.9	26.2	26.9	27.6	28.1	33.6	32.5	35.8	36.3	28.6	29.4	10.9
1942	do	27.8	25.2	27.9	27.1	29.7	33.8	34.0	36.8	36.4	41.5	41.9	40.9	33.6	16.7
1943	do	36.0	35.7	38.3	39.0	41.5	43.2	47.2	49.4	50.7	50.6	44.4	42.1	43.2	15.0
1944	do	39.2	36.3	40.5	43.3	44.7	45.9	46.4	48.5	48.6	47.8	43.8	41.6	43.9	12.3

It will be noted from the study of the table of retail prices that, before price control, orange prices tended to reach their highest point about September and thereafter tapered off rather rapidly to reach their low about January, with an average spread between the highest and the lowest average monthly price, of 8.3 cents for the 8 years 1934 to 1941. With the impact of price control the market lost its flexibility and not only showed a tendency to reach high prices earlier, but continued them longer, and resulted in a far greater spread, between the season's high and low prices, than on a free market.

For the 3 years 1942–44, inclusive, the average spread was 14.7 cents. This represents an unnecessary cost to the consumer resulting from the destruction of market flexibility by price regulations

and the tendency of ceiling prices to become floor prices. Thus the OPA, except in those instances of definite scarcities, easily determined and foretold, has not operated to lower prices to the housewives but has operated to increase the prices they must pay.

Second. Says Mr. Bowles:

In early November, however, it became apparent that the bumper crop would actually materialize, that it was moving toward the market, and that prices were beginning to fall below ceilings.

The facts are: There are two misstatements of fact in this one sentence:

First, prices were not "beginning to fall below ceilings"; the price of oranges had been from 50 cents to $2.24 below ceilings for the past 18 weeks, and rather than "beginning" to fall had actually increased somewhat after reaching their low point in mid-August; and second, the bumper crop was not "moving toward the market" but supplies were actually at their lowest point for many weeks on November 19, the date Mr. Bowles chose as the strategic moment to lift ceiling prices.

The fruit that was "moving toward the market," at the time price controls were lifted, was that which had been shipped during the three previous weeks. Shipping records compiled by the Department of Agriculture show that orange shipments for the week ending November 17, 1945, were the lowest since the week ending October 6, 1945.

For a month previous to the moment selected by Mr. Bowles for lifting citrus fruit prices, orange shipments had been falling off and for the 3 weeks immediately preceding November 19—the supplies which were reaching the market at the time ceilings were removed—total shipments of orange had averaged only 2,762 cars per week—just about half the normal movement after the full winter supply of oranges reaches maturity.

The following table shows total United States shipments of oranges for the period August 4 to December 1, 1945:

[Standard cars]

	California-Arizona		Total	Florida	Texas	Total
	Navals	Valencias				
	1	2	3	4	5	6
Week ending—						
Aug. 4, 1945	----------	2,001	2,001	----------	----------	2,001
Aug. 11, 1945	----------	1,779	1,779	----------	----------	1,779
Aug. 18, 1945	----------	2,133	2,133	----------	----------	2,133
Aug. 25, 1945	----------	2,460	2,460	----------	----------	2,460
Sept. 1, 1945	----------	2,446	2,446	----------	----------	2,446
Sept. 8, 1945	----------	2,411	2,411	----------	----------	2,411
Sept. 15, 1945	----------	2,439	2,439	----------	----------	2,439
Sept. 22, 1945	----------	2,588	2,588	----------	----------	2,588
Sept 29, 1945	----------	2,284	2,284	13	----------	2,297
Oct. 6, 1945	----------	2,116	2,116	135	----------	2,251
Oct. 13, 1945	----------	2,211	2,211	433	----------	2,644
Oct. 20, 1945	----------	1,854	1,854	965	175	2,994
Oct. 27, 1945	----------	1,574	1,574	1,623	402	3,599
Nov. 3, 1945	----------	1,003	1,003	1,605	337	2,945
Nov. 10, 1945	----------	874	874	1,521	324	2,719
Nov. 17, 1945	84	674	762	1,551	308	2,621
Nov. 24, 1945	1,042	408	1,450	2,462	459	4,371
Dec. 1, 1945	2,099	385	2,484	2,772	571	5,827
Total	3,225	31,644	34,869	13,080	2,576	50,525

The historical price pattern should have been sufficient warning to OPA not to remove ceiling prices in mid-November if it sincerely intended to keep prices down. An examination of the monthly retail price chart on page 8 discloses that, historically, the retail price of oranges in November is still well above the yearly average, and that the lowest price—indicating adequate supplies—is not automatically reached until after the first of the year. This was the time chosen by the OPA to reinstate price ceilings. It will be noted that in the 10 years 1934–43, for which revised retail figures are available, the November price of oranges was well above the average annual price in all but 3 years.

Third. Bowles says:

After the price flurries in specialty oranges during the Thanksgiving holiday had leveled off, the average of all citrus prices continued to move steadily upward.

Throughout the period of price suspension, OPA utilized every medium of propaganda to capitalize on the increase in the price of specialty citrus fruits which had been brought about by its action. This started with simultaneous and almost verbatim press releases from OPA regional offices throughout the country the day after ceilings were removed, and continued throughout the period of price suspension, in the form of statements by Mr. Bowles, by regional and local OPA press agents, and by other inspired spokesmen. These statements employed a uniform technique; the average price of citrus fruit was ignored; prices quoted were invariably the highest that could be found, even though they might reflect the price of only a few boxes of specialty oranges out of carloads of all grades which had been sold; the statements uniformly pointed to the increase in citrus prices as an example of what happens when ceilings are removed, and exploited this incident as a major argument in favor of the indefinite continuation of price controls.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield.

Mr. JENKINS. I want to compliment the gentleman on the great amount of work he has done in getting these facts together. I gave it only a cursory survey, and I found what the gentleman said with reference to the similarity of these advertisements. All through the little county papers in my district I found that Mr. Bowles, or someone, was inducing the local OPA officials to get out that same sort of statement in the newspapers favorable to the OPA, and in every one of these was a stereotyped statement with reference to these citrus prices—that these people could not possibly have known what the citrus market was because they are far inland and they had no reason to know. That is one thing I think the OPA should be condemned for because it uses its office for propaganda purposes on the people of the country.

Mr. PHILLIPS. Did not the gentleman tell me at one time privately that one of the newspaper editors in his State had finally gotten tired of this method and had put a notice in that "This news item has been requested by the OPA"?

Mr. JENKINS. Yes. That did appear in one of my little county papers.

Mr. PHILLIPS. The following statement by Mr. Bowles, made to the National Association of Manufacturers December 6, 1945, is typical:

Some grades of oranges, lemons, and grapefruit moved up 50 to 100 percent in the first few days following the action of OPA in removing the price restrictions. If this occurred on food products which seemed to be in adequate supply, what would happen to meat, vegetables, milk, cereals, and all the other dozens of food products which are in more scarce supply?

The facts are: Prices of some specialty grades of citrus fruits did advance sharply when ceilings were removed. This is not denied. In fact, it is the basis of the charge which has been made against Mr. Bowles—that ceilings were removed at a time when it was known that exactly this reaction would take place. It is further charged that in exploiting this situation which it had created, OPA consistently ignored the average price of citrus fruit and publicized only disproportionately high prices, which were not representative of the market as a whole and which had the effect of misleading the American people.

The further facts are: That throughout the entire period of price suspension the price of all oranges sold at the 10 largest wholesale markets in the United States was only 11 cents a box above the ceiling price. Since there are more than 220 oranges to the average box, this amounts to an increase of one-twentieth of 1 cent per orange.

During the same period, Department of Agriculture records show that the average ceiling price of Florida interior grapefruit was only 9 cents a box above previous OPA ceilings, while Texas grapefruit averaged 25 cents a box below the previous ceiling. The average of all grapefruit sold during the period was only 25 cents a box above previous OPA ceiling prices, and for all oranges and grapefruit—except Florida Indian River grapefruit—the average price was only 5 cents above the ceiling, again less than one-twentieth of 1 cent for grapefruit or oranges.

Far from being a runaway price situation, the prices of citrus fruits probably were a normal reflection of the market conditions which existed during the

period of price suspension. One of the major factors was inadequate supply. Mr. Bowles himself admits this when he says that—

The first reason—

For sustained high prices—

was that shortages of freight cars, which still persist, have made it difficult to bring this huge crop actually into the retail market.

The following table shows the average prices of all oranges and grapefruit during the period of price suspension:

10 auction average prices compared with average ceiling prices (each weighted by number of cars sold in each market) for entire period of suspended ceiling Nov. 19, 1945, to Jan. 3, 1946

	Cars	Actual price	Ceiling price	Differential
ORANGES				
Florida:				*Cents*
Interior	1,192	$4.49	$4.59	−10
Indian River	502	5.35	5.00	+35
California	1,759	5.55	5.37	+18
Total	3,453	5.16	5.05	+11
GRAPEFRUIT				
Florida, interior	154	3.68	3.59	+09
Texas	619	3.33	3.58	−25
Subtotal	773	3.40	3.58	−18
Florida, Indian River	562	4.95	4.10	+85
Total	1,335	4.05	3.80	+25
COMBINED ORANGES AND GRAPEFRUIT				
All except Florida, Indian River grapefruit	4,226	4.83	4.78	+05
All	4,788	4.85	4.70	+15

The following table gives the week-by-week prices of oranges and grapefruit at the 10 leading auction markets in the United States:

Orange prices—10 auction averages

	Florida oranges				California oranges	
	Interior		Indian River			
Approximate ceiling	$4.60		$5.00		$5.36	
	Cars	*Price*	*Cars*	*Price*	*Cars*	*Price*
Week ending Nov. 23	160	4.23	42	4.63	237	5.44
Week ending Nov. 30	204	4.27	61	4.84	299	5.61
Week ending Dec. 7	243	4.36	78	5.15	330	5.26
Week ending Dec. 14	206	4.34	95	4.96	354	5.26
Week ending Dec. 21	211	4.51	118	5.15	222	6.34
Week ending Dec. 28	86	5.16	66	6.58	127	6.41
Jan. 2, 1946	46	5.44	17	7.00	117	5.42
Jan. 3, 1946	36	5.20	25	6.42	73	5.17
	Cumulative					
1 week	160	4.23	42	4.63	237	5.44
2 weeks	364	4.26	103	4.78	536	5.54
3 weeks	607	4.29	181	4.92	866	5.43
4 weeks	813	4.31	276	4.94	1,220	5.36
5 weeks	1,024	4.35	394	5.00	1,442	5.51
6 weeks	1,110	4.42	460	5.23	1,569	5.58
Aggregate (Nov. 19, 1945, to Jan. 4, 1946)	1,192	4.49	502	5.35	1,759	5.55

Grapefruit prices—10 auction averages

	Florida grapefruit				Texas grapefruit	
	Interior		Indian River			
Approximate ceiling	$3.60		$4.10		$3.56	
Pink	4.27		4.27		4.27	
	Cars	*Price*	*Cars*	*Price*	*Cars*	*Price*
Week ending Nov. 23	17	3.88	78	4.78	52	3.45
Week ending Nov. 30	18	4.02	90	4.81	66	3.51
Week ending Dec. 7	32	3.96	80	5.10	105	3.46
Week ending Dec. 14	24	3.50	95	4.82	136	3.22
Week ending Dec. 21	17	3.66	97	5.12	148	3.25
Week ending Dec. 28	31	3.37	75	5.29	63	3.28
Jan. 2, 1946	6	3.24	24	4.76	34	3.39
Jan. 3, 1946	9	3.01	23	4.49	16	3.22
			Cumulative			
1 week	17	3.88	78	4.78	52	3.45
2 weeks	35	3.95	168	4.79	118	3.48
3 weeks	67	3.96	248	4.89	223	3.47
4 weeks	91	3.88	343	4.87	359	3.38
5 weeks	108	3.85	440	4.93	507	3.34
6 weeks	139	3.74	515	4.98	569	3.33
Aggregate (Nov. 19, 1945, to Jan. 4, 1946)	154	3.68	562	4.95	619	3.33

Fourth. Mr. Bowles says:

We could fulfill our responsibility to the consumers of the country only by recommending the immediate restoration of controls.

The fact is Mr. Bowles had to hurry to get under the wire before the seasonal drop in orange and grapefruit prices. His order restoring price ceilings just barely made it. This made the OPA look good. But historical evidence indicates that the prices of citrus fruits always decline rapidly immediately after the first of the year, because of the seasonal production then moving to market. Reference to the monthly retail prices in the chart on page 8 will indicate that prices in January and February are invariably the lowest of the season.

On the wholesale market the average weekly prices for the past 3 years have been:

Week ending:	
Dec. 22	$5.67
Dec. 29	4.99
Jan. 5	4.37
Jan. 12	3.92
Jan. 19	3.83

Fifth. Mr. Bowles says that the charges by the gentleman from Ohio [Mr. JENKINS] and the gentleman from California [Mr. PHILLIPS] and Senator WHERRY that OPA removed ceilings on citrus fruits to provide a "shining example of the horrors of removing price controls" is "ridiculous."

The fact is even in his press release seeking to refute the charges Mr. Bowles himself provides the strongest evidence that OPA has been and is now deliberately misrepresenting the citrus fruit situation in order to mislead the American people.

In his statement Mr. Bowles includes a supposedly authentic chart of citrus fruit prices and ceilings which is so erroneous and misleading that it must be seen to be believed. It is reproduced exactly as it appeared in Mr. Bowles' own press release, including the explanatory paragraph prepared by OPA, but with the addition in parentheses of the average weekly prices for the weeks from which Mr. Bowles has selected the daily prices:

TABLE FROM BOWLES' STATEMENT, JANUARY 5, 1946

As an indication of price behavior just before and following the suspension of ceilings, OPA cited the following figures, taken from Department of Agriculture reports, showing average auction prices for oranges in 10 cities—Boston, New York, Philadelphia, Baltimore, Pittsburgh, Cleveland, Cincinnati, Detroit, Chicago, and St. Louis:

Oranges

	Florida, interior	Florida, Indian River	California
Ceiling per box (average price reflected by the ceiling)	$4.06	$4.48	$4.86
Average price before suspension	[1] 3.85	[2] 4.26	[1] 4.42
Nov. 19 (date of suspension)	4.47 (4.23)	5.02 (4.63)	4.98 (5.44)
Nov. 21	3.96 (4.23)	..... (4.63)	4.35 (5.44)
Nov. 28	4.42 (4.27)	5.01 (4.84)	5.65 (5.61)
Dec. 5	4.40 (4.36)	5.43 (5.15)	5.35 (5.26)
Dec. 12	4.24 (4.34)	5.00 (4.96)	5.25 (5.26)
Dec. 14	4.35 (4.34)	5.23 (4.96)	5.41 (5.26)
Dec. 19	4.39 (4.51)	5.22 (5.15)	6.48 (6.34)
Dec. 26 (includes sales Dec. 22)	4.86 (5.16)	5.69 (6.58)	6.75 (6.41)
Dec. 27	5.27 (5.16)	6.79 (6.58)	6.07 (6.41)
Dec. 28	6.00 (5.16)	7.37 (6.58)	6.26 (6.41)
Jan. 3 (day before ceilings reinstated)	5.45 (5.33)	7.00 (6.65)	5.42 (5.32)

[1] Oct. 8 to Nov. 18.
[2] Oct. 22 to Nov. 18.

The actual ceilings: Florida interior, $4.60; Florida Indian River, $5; California, $5.36.

REVISED FIGURES

The figures in parentheses above, showing the average prices, by weeks, for the weeks in which Mr. Bowles' selected days fall, are taken from a California computation. I now list the official week-by-week averages for California oranges for the same period, furnished by the Department of Agriculture. Please observe, Mr. Speaker, that the following figures are even lower than the ones I have previously used, thus making Mr. Bowles' press release that much more inaccurate:

Week ending:	*California*
Nov. 24	$5.32
Dec. 1	5.61
Dec. 8	5.23
Dec. 15	5.25
Dec. 22	6.34
Dec. 29	6.40
Jan. 5	5.29

For the weeks following, the prices still further decreased:

Week ending:	*California*
Jan. 12	$4.99
Jan. 19	4.87
Jan. 26	4.97

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I am always happy to yield to the gentleman from Wisconsin [Mr. KEEFE], a man whose statistics have never been challenged and can never be challenged successfully.

Mr. KEEFE. I thank the gentleman. My attention has been called to and I have been furnished a copy of a full page ad which appeared just recently in the Chicago Sun, which is part of the propaganda of OPA. It is one of those pictorial reviews of the dangers of inflation.

Mr. PHILLIPS. Mr. Bowles is very fond of them.

Mr. KEEFE. And across the bottom of this pictorial review is a graph showing the tremendous rise in the price of citrus fruit. The second one is the tremendous rise in the price of mink coats. The third one is the tremendous rise in the price of juke boxes. The fourth one is the tremendous rise in the price of coconuts. Those four illustrations are used to convince the American people that if OPA is not kept with its full powers another year the price of coconuts is going up, the price of juke boxes is going up, the price of mink coats is going up, and the price of citrus fruit is going up.

I am glad that the gentleman is answering the only one in which I am interested, and that is with reference to citrus fruits. So far as I am concerned and 99 percent of the people of this country, we have not a very fundamental or primary interest in juke boxes or mink coats and I may say, perhaps, coconuts.

Mr. PHILLIPS. Mr. Bowles is constantly concerned about ceilings. It is typical that his concern is for the buyers of mink coats and coconuts.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from Ohio.

Mr. JENKINS. In line with what the gentleman from Wisconsin said, he clearly forgot to mention white potatoes that went down noticeably when the ceilings were taken off.

Mr. PHILLIPS. Now, I shall take up these charts and recite certain facts. I hope the Committee on Banking and Currency, before which Mr. Bowles will appear—I think tomorrow morning—for the first time, will challenge the charts, of which the gentleman from Wisconsin has just spoken, and will challenge all the figures which the OPA presents to that committee, and I would be willing to wager that a careful analysis of those facts and figures by a disinterested committee will prove them to be just as inaccurate as the citrus figures which I am now citing.

The facts are in connection with the citrus ceilings:

First. Although OPA cites the Department of Agriculture as the source of its information, the figures given do not agree with Department of Agriculture figures covering the same period.

I have just indicated this in the charts. I hope the House Committee on Banking and Currency will keep this in mind when Mr. Bowles presents his inevitable chart demonstration.

Second. Carrying out its program of deception and propaganda, OPA has selected, out of all the market days between November 19 and January 3, the 11 days which fit most nicely into its propaganda theme. The figures in parentheses, following the market figures, quoted by OPA, are the market figures for the whole week from which OPA has handpicked its daily prices. It will be noted that with only three exceptions, at least two out of the three daily prices quoted by OPA are higher than the average weekly prices for that week and must be considered, therefore, an intentional distortion of the price picture, in order to show as high prices as possible.

Third. The ceiling prices quoted by OPA are false. The correct average ceiling prices for the 10 auction markets for the 3 types of oranges listed have been added at the bottom of the chart. These were obtained from the Department of Agriculture.

Fourth. Whatever OPA's explanation may be in the future of how it arrived at what it represents to be the ceiling prices in this chart, their use in this manner can have been nothing but an outright attempt to mislead the American people. There are hardly words strong enough to characterize this kind of action by a Government agency. I characterize it as the Hitler-Bowles method.

THIS IS FRAUD

Regardless of where OPA got the figures it represents to be ceiling prices, they are not the ceilings applicable to the wholesale markets which OPA quotes. The average ceiling prices of those markets are well-known to everyone connected with the citrus trade, and must have been known to the OPA officials who prepared this statement. The use of any figures other than the correct aggregate ceilings for those markets, in connection with market prices, is nothing, Mr. Speaker, but an outright fraud.

In this statement today, I have discussed this propaganda method from the standpoint of the consumer only. It was upon the average housewife that this fraud fell most heavily. It is the mind and the pocketbook of the workingman and his wife into which the Hitler-Bowles method reaches. Mr. Bowles tried to scare the housewives into thinking they were paying exorbitant prices for oranges and grapefruit. The facts are, for the whole season, the average price for Florida interior oranges has been 41 cents below the previous ceiling, and for California oranges has been 46 cents below the previous ceiling.

Sixth, and last, Mr. Bowles says:

The charge that this was a diabolic scheme to perpetuate the OPA is ridiculous.

The fact is the charge is eminently sound, and I am told it has been made by at least one member of President Truman's Cabinet on two separate occasions.

A STRANGE COINCIDENCE

Finally, Mr. Speaker, it is in order to call attention to a marked coincidence. The fruit industry requested, in March 1945, that citrus ceilings be removed from citrus fruits not later than October. This would have been a benefit to the people of America, who want to buy oranges and grapefruit. The OPA did not remove the ceilings until November 19, and then announced that the ceilings would be kept off for 60 days, after which time the situation would be rechecked to see what the effect had been.

The prices on specialized and choice fruit, and in certain markets where the supply was short, rose during this period as it has historically risen for generations. It was about to fall, again as it has always fallen historically when the Christmas season was over. It was impossible for the OPA to wait until the time it had set—60 days. Mr. Bowles convinced the Office of Economic Stabilization that a situation existed which required urgent action. Judge Collett, against the wiser advice of the Secretary of Agriculture, issued an order replacing ceilings. This was on January 3.

On February 5, tomorrow, exactly 1 month after the successful effort to reinstate citrus ceilings—the OPA, headed by its Administrator, Mr. Chester Bowles, will come before the House Committee on Banking and Currency, to ask for its own renewal, and the protection of its own jobs. It seems to me that this is something more than an accidental coincidence.

Had the ceilings stayed off citrus fruits for the time set by the OPA, which would have been, shall we say, until about January 16, the prices would have begun to drop. There would have been no grounds for a request to return citrus ceilings. Under the Hitler-Bowles method, to permit such a condition to develop would have been improper; it was necessary to build up this straw man of inflation, in order that he might be disposed of by "Don Quixote Bowles," the great jouster against the windmills of his own imagination, the great "savior" from an inflation which amounted at its peak to 11 cents per box for an average of more than 220 oranges per box.

THE BANKING AND CURRENCY COMMITTEE WILL BE WARNED

The Republican Food Study Committee is convinced, Mr. Speaker, that the House Committee on Banking and Currency will seriously investigate this situation, and will in the future challenge all charts and all statistics which come from the Office of Price Administration as the Committee on Agriculture now does, while Mr. Chester Bowles remains as its Administrator.

EXTENSION OF REMARKS

Mr. O'KONSKI asked and was given permission to extend his remarks in the RECORD in two instances.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. JOHNSON of Illinois (at the request of Mr. MARTIN of Massachusetts) on account of death in family.

To Mr. FULTON (at the request of Mr. CAMPBELL), indefinitely, on account of illness.

To Mr. HARNESS of Indiana (at the request of Mr. HALLECK), temporarily, on account of injury.

ADJOURNMENT

Mr. VOORHIS of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 31 minutes p. m.) the House adjourned until tomorrow, Tuesday, February 5, 1946, at 12 o'clock noon.

COMMITTEE HEARING

COMMITTEE ON THE JUDICIARY

Subcommittee No. 1 of the Committee on the Judiciary will hold a hearing on Wednesday, February 6, 1946, on the bill (H. R. 5089) to amend the First War Powers Act, 1941. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 2 p. m. on Thursday, February 7, 1946, to continue hearings in its study of operations pursuant to the Public Utility Holding Company Act of 1935, in room 1304, House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1023. A letter from the Administrator, Federal Security Agency, transmitting the annual report for the United States Public Health Service for the fiscal year 1945; to the Committee on Interstate and Foreign Commerce.

1024. A letter from the Secretary of the Interior, transmitting his report on the inspection of coal mines by the Bureau of Mines for the fiscal year 1945; to the Committee on Mines and Mining.

1025. A letter from the Acting Administrator, War Shipping Administration transmitting in accordance with the provisions of section 217 (b) of the Merchant Marine Act, 1936, as amended (Public Law 498, 77th Cong.), report No. 12 of action taken under section 217 of such act, as amended; to the Committee on the Merchant Marine and Fisheries.

1026. A letter from the Secretary of War, transmitting a draft of a proposed bill to amend the Canal Zone Code, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

1027. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $500,000,000, together with a revised estimate of appropriation for the fiscal year 1947, consisting of a decrease of $500,000,000, the latter in the form of an amendment to the Budget for said fiscal year, for the Veterans' Administration (H. Doc. No. 445); to the Committee on Appropriations and ordered to be printed.

1028. A communication from the President of the United States, transmitting a deficiency estimate of appropriation for the fiscal year 1940, amounting to $171.32 for the Navy Department and naval service (H. Doc. No. 446); to the Committee on Appropriations and ordered to be printed.

1029. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $159,000, for the Office of Defense Transportation (H. Doc. No. 447); to the Committee on Appropriations and ordered to be printed.

1030. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $8,000 for the Treasury Department (H. Doc. No. 448); to the Committee on Appropriations and ordered to be printed.

1031. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1946 in the amount of $3,075,300 for the Department of State (H. Doc. No. 449); to the Committee on Appropriations and ordered to be printed.

1032. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1946 in the amount of $5,512,000, together with drafts of proposed provisions pertaining to existing appropriations, for the Department of Commerce (H. Doc. No. 450); to the Committee on Appropriations and ordered to be printed.

1033. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1947 in the amount of $8,159,000, for the Department of Commerce, in the form of amendments to the Budget for said fiscal year (H. Doc. No. 451); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules. House Resolution 504. Resolution providing for the consideration of H. R. 1118, a bill to amend the Hatch Act; without amendment (Rept. No. 1517). Referred to the House Calendar.

Mr. PHILBIN: Committee on Military Affairs. H. R. 4839. A bill to amend Public, No. 779, Seventy-seventh Congress, second session, an act to provide for furnishing transportation for certain Government and other personnel necessary for the effective prosecution of the war, and for other purposes, approved December 1, 1942, and for other purposes; without amendment (Rept. No. 1518). Referred to the Committee of the Whole House on the State of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 5322) for the relief of Mrs. Mary Wadlow, and the same was referred to the Committee on the Merchant Marine and Fisheries.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of New York:

H. R. 5354. A bill to authorize the Secretary of the Navy to transfer certain property to Keuka College; to the Committee on Naval Affairs.

By Mr. KELLEY of Pennsylvania:

H. R. 5355. A bill to permit veterans in certain cases to receive readjustment allowances for unemployment due to stoppages of work which exist because of labor disputes; to the Committee on World War Veterans' Legislation.

By Mr. VINSON:

H. R. 5356. A bill to provide assistance to the Republic of China in augmenting and maintaining a naval establishment, and for other purposes; to the Committee on Naval Affairs.

By Mr. EBERHARTER:

H. R. 5357. A bill granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River, at a point between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

By Mr. GEARHART (by request):

H. R. 5358. A bill to amend section 811 (c) of the Internal Revenue Code with respect to the inclusion in the gross estate for the purposes of the estate tax of certain transfers taking effect at death; to the Committee on Ways and Means.

By Mr. HOLIFIELD:

H. R. 5359. A bill to make imported beer and other similar imported fermented liquors subject to the internal revenue tax on fermented liquors; to the Committee on Ways and Means.

By Mr. ROE of New York:

H. R. 5360. A bill to provide for erecting a statue of Commodore John Barry upon the grounds of the United States Naval Academy at Annapolis; to the Committee on Naval Affairs.

By Mr. ROONEY:

H. R. 5361. A bill to permit the city of New York to maintain a road over Federal land; to the Committee on Military Affairs.

By Mr. MERROW:

H. R. 5362. A bill to provide for the discharge or release from active duty of members of the armed forces who have served at least 2 years; to the Committee on Military Affairs.

By Mr. McCORMACK:

H. R. 5363. A bill to provide benefits for certain employees of the United States who are veterans of World War II and lost opportunity for probational civil-service appointments by reason of their service in the armed forces of the United States; to the Committee on the Civil Service.

By Mrs. DOUGLAS of California:

H. R. 5364. A bill for the development and control of atomic energy; to the Committee on Military Affairs.

By Mr. HOLIFIELD:

H. R. 5365. A bill for the development and control of atomic energy; to the Committee on Military Affairs.

By Mr. MAY:

H. R. 5366. A bill to authorize the exchange of certain land at the Benicia Arsenal, Calif.; to the Committee on Military Affairs.

By Mr. HAYS:

H. R. 5367. A bill to protect interstate and foreign commerce by providing for the prompt, peaceful, and just settlement of labor relations controversies between employers and employees; to establish the rights and obligations of the parties thereto, and for other purposes; to the Committee on Labor.

By Mr. VINSON:

H. Res. 505. Resolution providing for the consideration of House Joint Resolution 307, a joint resolution to authorize the use of naval vessels to determine the effect of atomic weapons upon such vessels; to the Committee on Rules.

By Mr. GEELAN:

H. Res. 506. Resolution requesting the Secretary of War to furnish to the House of Representatives certain information with respect to discharges and enlistments in the Army; to the Committee on Military Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to allocate housing appropriations upon the basis of need and of present population; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to pass necessary amendments to the GI bill of rights whereby veterans in accredited schools shall receive monthly benefits for each calendar month until their graduation or severance from said school; to the Committee on World War Veterans' Legislation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CAMP:

H. R. 5368. A bill for the relief of W. G. Magruder; to the Committee on Claims.

By Mr. CARLSON:

H. R. 5369. A bill for the relief of Andrew W. Peterson; to the Committee on Claims.

By Mr. CELLER:

H. R. 5370. A bill for the relief of the widow of Reuben Malkin; to the Committee on Claims.

By Mr. CRAVENS:

H. R. 5371. A bill for the relief of Marvin Pettus; to the Committee on Claims.

By Mr. GEARHART:

H. R. 5372. A bill for the relief of Jessie Wolfington; to the Committee on Claims.

By Mr. HENDRICKS:

H. R. 5373. A bill for the relief of the estate of Mrs. Elizabeth Campbell; to the Committee on Claims.

By Mr. MARCANTONIO:

H. R. 5374. A bill for the relief of John Camara; to the Committee on Immigration and Naturalization.

H. R. 5375. A bill for the relief of Francis Sopko; to the Committee on Immigration and Naturalization.

By Mr. ROWAN:

H. R. 5376. A bill to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, by including therein the name of Gustaf E. Lambert; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1519. By Mr. BRYSON: Petition of the Legislature of the State of South Carolina, requesting the Congress of the United States to pass necessary amendments to the GI bill of rights whereby veterans in accredited schools shall receive monthly benefits for each calendar month until their graduation or severance from said school; to the Committee on World War Veterans' Legislation.

1520. By Mr. EBERHARTER: Petition of 1,000 citizens of western Pennsylvania, on antilabor legislation; to the Committee on Labor.

1521. By Mr. SHORT: Petition of Mrs. George W. Rollins, and others of Douglas County, Mo., urging a favorable vote on the Bryson bill, H. R. 2082; to the Committee on the Judiciary.

SENATE

TUESDAY, FEBRUARY 5, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Most merciful God, whose throne standest steadfast and sure, even as on this our spinning habitation in the vastness men's hearts fail for fear, into Thy hands of love we commit ourselves and our troubled world. In this great day of our opportunity, Thou hast set us tasks which test all our courage, trust, and fidelity. May we be strong to do the things which need to be done and to put aside the things which are unworthy or belittling or base. Grant us vision to follow in faith Thy ways of love and truth until our lives become Thy revelation and Thy spirit touches into the beauty of holiness our thoughts and deeds. We ask it through riches of grace in Christ Jesus our Lord. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., February 5, 1946.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN H. BANKHEAD, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

KENNETH MCKELLAR,
President pro tempore.

Mr. BANKHEAD thereupon took the chair as Acting President pro tempore.

ATTENDANCE OF A SENATOR

EDWARD P. CARVILLE, a Senator from the State of Nevada, appeared in his seat today.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 102. An act to amend section 2 (b) of the act entitled "An act extending the classified executive civil service of the United States," approved November 26, 1940, so as to provide for counting military service of certain employees of the legislative branch in determining the eligibility of such employees for civil-service status under such act;

S. 765. An act concerning the establishment of meteorological observation stations in the Arctic region of the Western Hemisphere, for the purpose of improving the weather-forecasting service within the United States and on the civil international air transport routes from the United States;

S. 1467. An act to provide for adjustment between the proper appropriations of unpaid balances in the pay accounts of naval personnel on the last day of each fiscal year, and for other purposes;

S. 1545. An act to amend article 38 of the Articles for the Government of the Navy; and

S. 1631. An act to provide for the payment on a commuted basis of the costs of transportation of dependents of certain persons entitled to such transportation, and for other purposes.

The message also announced that the House had passed the bill (S. 50) to permit settlement of accounts of deceased officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and of deceased commissioned officers of the Public Health Service, without administration of estates, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 1519. An act relating to marine insurance in the case of certain employees of the War Department who suffered death, injury, or other casualty prior to April 23, 1943, as a result of marine risks;

H. R. 2764. An act to amend section 409 of the Interstate Commerce Act with respect to the utilization by freight forwarders of the services of common carriers by motor vehicle;

H. R. 4605. An act to amend the Nationality Act of 1940, to preserve the nationality of naturalized veterans, their wives, minor children, and dependent parents;

H. R. 4896. An act to provide for payment of travel allowances and transportation and for transportation of dependents of members of the naval forces, and for other purposes; and

H. J. Res. 301. Joint resolution to amend Public Law 30 of the Seventy-ninth Congress, and for other purposes.

TRANSACTION OF ROUTINE BUSINESS

Mr. EASTLAND obtained the floor.

The ACTING PRESIDENT pro tempore. Before the Senator proceeds, the Chair would like to lay before the Senate certain reports, and so forth, for appropriate reference, and there is other routine business which, if there is no objection, might be transacted at this time.

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

SPECIAL ASSISTANTS, DEPARTMENT OF JUSTICE

A letter from the Attorney General, transmitting, pursuant to law, a report showing the special assistants employed during the period from July 1 to December 31, 1945, under the appropriation "Compensation of special attorneys, etc., Department of Justice" (with an accompanying report); to the Committee on the Judiciary.

AMENDMENT OF ORGANIC ACT OF THE UNITED STATES GEOLOGICAL SURVEY

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to reenact and amend the Organic Act of the United States Geological Survey by incorporating therein substantive provisions confirming the exercise of long-continued

duties and functions and by redefining their geographic scope (with an accompanying paper); to the Committee on Mines and Mining.

REPORT ON GOVERNMENT-OWNED SHIPYARDS AND FACILITIES

A letter from the Administrator of the Surplus Property Administration, transmitting, pursuant to law, a report with respect to Government-owned shipyards and facilities (with an accompanying report); to the Committee on Military Affairs.

FAIR EMPLOYMENT PRACTICE COMMITTEE—TELEGRAM FROM DIALECTIC SENATE OF NORTH CAROLINA UNIVERSITY

Mr. MEAD. Mr. President, I have received a telegram from the Dialectic Senate of the University of North Carolina, which reads as follows:

CHAPEL HILL, N. C., *February 4, 1946.*

SENATOR JAMES M. MEAD,
United States Senate Office Building,
Washington, D. C.:

Dialectic Senate of University of North Carolina voted overwhelmingly to condemn current Senate filibuster, and urge you to do all possible to bring FEPC to a vote now.

GLORIA CHAPMAN, *Clerk.*

The ACTING PRESIDENT pro tempore. Without objection, the telegram will be received and lie on the table.

DISTRICT OF COLUMBIA REPRESENTATION IN CONGRESS

Mr. MEAD. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution adopted by the District of Columbia Branch of the National Association for the Advancement of Colored People, favoring the enactment of the so-called Sumners-Capper resolution, Senate Joint Resolution 9, proposing an amendment to the Constitution of the United States empowering Congress to grant to the people of the District of Columbia representation in the Congress and among the electors of President and Vice President.

There being no objection, the resolution was received, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas citizenship in our democracy endows each individual with rights and duties, among them the duty to participate in the conduct of our Government; and

Whereas the selection of public officers of our democracy by popular vote is one of the fundamental rights of every competent individual in our democracy; and

Whereas the denial of this right to the residents of the District of Columbia defeats the spirit and purpose of the Declaration of Independence and the Constitution of these United States: Therefore be it

Resolved, That the District of Columbia Branch of the National Association for the Advancement of Colored People heartily endorses the Sumners-Capper resolution, Senate Joint Resolution 9, which proposes an amendment to the Constitution of the United States empowering Congress to grant to the people of the District of Columbia representation in the Congress and among the electors of President and Vice President.

RETURN OF PUBLIC EMPLOYMENT OFFICES TO STATE OPERATION

Mr. MEAD. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by the District of Columbia Branch of the National Association for the Advancement of Colored People at the Asbury Methodist Church, Washington, D. C., on January 27, 1946, favoring the enactment of the so-called Ramspeck bill, which is House bill 4437, to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes.

There being no objection, the resolution was received, referred to the Committee on Education and Labor, and ordered to be printed in the RECORD, as follows:

Whereas Federal control of the United States Employment Service is part of our national program of reconversion; and

Whereas uniform practices in employment throughout the country serve to make full use of our available labor supply and aid our efforts for full production in peacetime economy; and

Whereas the President of the United States has asked Congress to continue Federal control of the United States Employment Service until July 1947: Therefore be it

Resolved, That the District of Columbia Branch of the National Association for the Advancement of Colored People endorses the Ramspeck bill, H. R. 4437, and urges its enactment into law.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOEY, from the Committee on Agriculture and Forestry:

H. R. 5135. A bill to amend the Agricultural Adjustment Act of 1938, as amended; without amendment (Rept. No. 921).

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

S. 1535. A bill to authorize the Secretary of War to convey certain lands situated within the Fort Douglas Military Reservation to the Shriners' Hospitals for Crippled Children; with amendments (Rept. No. 922).

By Mr. HATCH, from the Committee on the Judiciary:

S. 1163. A bill to provide for the appointment of two additional district judges for the northern district of California; with amendments (Rept. No. 923).

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The ACTING PRESIDENT pro tempore laid before the Senate a report for the month of January 1946, from the chairman of the Appropriations Committee, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which was ordered to lie on the table and to be printed in the RECORD, as follows:

APPROPRIATIONS

FEBRUARY 2, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the name of a person employed by the committee who is not a full-time employee of the Senate or of the committee for the month of January 1946, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Mrs. Mamie L. Mizen	1434 Saratoga Ave	District of Columbia government	$3,970

KENNETH MCKELLAR, *Acting Chairman.*

INVESTIGATION OF SENATORIAL PRIMARIES AND ELECTIONS

Mr. GREEN submitted the following resolution (S. Res. 224), which was referred to the Committee on Privileges and Elections:

Resolved, That a special committee of five Senators, to be appointed by the President of the Senate, from States in which no Senator is to be elected at the general election in 1946, is hereby authorized and directed to make a full and complete investigation with respect to—

(1) The extent and nature of the expenditures made by all candidates for the office of United States Senator in 1946 in connection with their campaigns for nomination and election to such office;

(2) The amounts subscribed and contributed, and the value of services rendered and facilities made available (including personal services, and the use of billboards and other advertising space, radio time, office space, moving-picture films, and automobiles and other transportation facilities), by any individual, group of individuals, partnership, association, or corporation to or on behalf of each such candidate in connection with any such campaign, or for the purpose of influencing the votes cast or to be cast at any primary or general election, or at any convention, held in 1946, at which a candidate for United States Senator is to be nominated or elected;

(3) The expenditure of funds appropriated by the Congress with a view to determining whether any such funds have been or are being expended by any department, independent agency, or instrumentality of the United States, by any State or political subdivision thereof, or by any instrumentality of any State or political subdivision thereof, in such a manner as to influence the votes cast or to be cast for any such candidate at any such primary or general election or convention;

(4) The use of any other means or influence (including the promise or use of patronage) for the purpose of aiding or influencing the nomination or election of any such candidate; and

(5) Such other matters relating to the election of United States Senators in 1946, and the campaigns of candidates in connection therewith, as the committee deems to be of public interest, and which in its opinion will aid the Senate in enacting remedial legislation or in deciding any contests that may be instituted involving the right to a seat in the Senate.

SEC. 2. The committee is authorized to act upon its own motion and upon such information as in its judgment may be reasonable or reliable. Upon complaint being made to the committee, under oath, by any person, candidate, or political committee, setting forth allegations as to facts which, under this resolution it would be the duty of said committee to investigate, the committee shall investigate such charges as fully as

though it were acting upon its own motion, unless, after a hearing upon such complaint, the committee shall find that the allegations in such complaint are immaterial or untrue. All hearings before the committee, and before any duly authorized subcommittee thereof, shall be public, and all orders and decisions of the committee, and of any such subcommittee, shall be public.

SEC. 3. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such public hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to employ such attorneys, experts, clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $30,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee or the chairman of any duly authorized subcommittee thereof.

SEC. 4. The committee by majority vote may authorize any member of the committee, or any member of a duly authorized subcommittee, to conduct on behalf of the committee any part of the investigation herein provided for, and for such purpose any member so authorized may hold public hearings, issue subpenas and provide for the service thereof, require by subpena or otherwise the attendance of witnesses and the production of books, papers, and documents, administer oaths and take testimony.

SEC. 5. The committee, or any duly authorized subcommittee thereof, may authorize any one or more persons to conduct on behalf of the committee any part of the investigation herein provided for, and for such purpose any person so authorized may hold such public hearings, issue such subpenas and provide for the service thereof, require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, and take such testimony, as the committee, or any such duly authorized subcommittee, may from time to time authorize.

SEC. 6. The committee shall report to the Senate on the first day of the next regular session of the Congress the results of its investigation, together with its recommendations, if any, for necessary legislation.

COMMEMORATION OF ONE HUNDRED AND FIFTIETH ANNIVERSARY OF ADMISSION OF TENNESSEE AS A STATE

Mr. McKELLAR submitted the following resolution (S. Res. 225), which was referred to the Committee on the Library:

Resolved, That on Saturday, June 1, 1946, at the conclusion of the morning business, the legislative business of the Senate be suspended for the purpose of permitting addresses to be delivered concerning the history of the State of Tennessee and its leaders, in commemoration of the one hundred and fiftieth anniversary of the admission of Tennessee to the Union as a State.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CARVILLE:

S. 1790. A bill to authorize the coinage of 10,000,000 silver 50-cent pieces in commemoration of Pearl Harbor; and

S. 1791. A bill to authorize the coinage of 10,000,000 silver dollars in commemoration of the victorious conclusion of World War II; to the Committee on Banking and Currency.

S. 1792. A bill to authorize the Secretary of the Navy to transfer the name plate, ship's bell, and silver service of the U. S. S. *Nevada* to the State of Nevada; to the Committee on Naval Affairs.

By Mr. WHEELER:

S. 1793. A bill authorizing the Secretary of the Interior to convey certain lands in the State of Montana to Arnold L. Fast;

S. 1794. A bill authorizing the issuance of a patent in fee to Mr. and Mrs. James Archdale; and

S. 1795. A bill authorizing the Secretary of the Interior to convey certain lands in the State of Montana to M. J. Schwinden; to the Committee on Indian Affairs.

By Mr. LUCAS:

S. 1796. A bill to amend the Pay Readjustment Act of 1942 to provide transportation and monthly allowances for quarters for dependents of all enlisted personnel of the armed forces, for investigating housing for servicemen's dependents, and for other purposes; to the Committee on Military Affairs.

(Mr. MURRAY (for himself, Mr. TAYLOR, Mr. WHERRY, and Mr. CAPEHART) introduced Senate bill 1797, to amend section 125 of the National Defense Act for the purpose of permitting persons honorably discharged from the armed forces to wear their uniforms for a period of 6 months, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

By Mr. MYERS:

S. 1798. A bill to repeal section 800 (b) of the Servicemen's Readjustment Act of 1944; and

S. 1799. A bill to permit payment of veteran's unemployment readjustment allowances where his unemployment is due to a strike lasting more than five successive weeks; to the Committee on Finance.

S. 1800. A bill for the relief of Gustavo Ferretti; to the Committee on Immigration.

By Mr. TUNNELL:

S. 1801. A bill authorizing the appointment of an additional judge for the district of Delaware; to the Committee on the Judiciary.

By Mr. McCARRAN:

S. 1802. A bill to provide for permanent preservation as historic relics of the silver service, ship's bell, and name plate from the battleship U. S. S. *Nevada;* to the Committee on Naval Affairs.

By Mr. LA FOLLETTE (for himself and Mr. THOMAS of Utah):

S. 1803. A bill to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes; to the Committee on Education and Labor.

PERMISSION FOR DISCHARGED MEMBERS OF ARMED FORCES TO WEAR UNIFORMS

Mr. MURRAY. Mr. President, on behalf of the Senator from Idaho [Mr. TAYLOR], the Senator from Nebraska [Mr. WHERRY], and the Senator from Indiana [Mr. CAPEHART], and myself, I ask unanimous consent to introduce for appropriate reference a bill to permit honorably discharged war veterans to wear their uniforms for a period up to 6 months.

There being no objection, the bill (S. 1797) to amend section 125 of the National Defense Act for the purpose of permitting persons honorably discharged from the armed forces to wear their uniforms for a period of 6 months, introduced by Mr. MURRAY (for himself, Mr. TAYLOR, Mr. WHERRY, and Mr. CAPEHART), was received, read twice by its title, and referred to the Committee on Military Affairs.

Mr. MURRAY. Mr. President, as chairman of the Senate Small Business Committee, I have just introduced for myself and for the Senator from Idaho [Mr. TAYLOR], the Senator from Nebraska [Mr. WHERRY], and the Senator from Indiana [Mr. CAPEHART] a bill to amend the National Defense Act which will permit honorably discharged war veterans to wear their uniforms for a period up to 6 months. The existing statute, which has been on the books since its passage in 1916, permits an honorably discharged man to wear his uniform only from the place of his discharge to his home, and in no instance does it permit him to wear all or any part of his uniform for more than 3 months.

The bill which has just been introduced is brief and clear. It reads as follows:

That section 125 of the National Defense Act, approved June 3, 1916, as amended, is amended by striking out "nor to prevent any person who has been honorably discharged from the United States Army, Navy, or Marine Corps, Regular or Volunteer, from wearing his uniform from the place of his discharge to his home, within 3 months after the date of such discharge" and inserting in lieu thereof the following: "nor to prevent any person who has been honorably discharged, or relieved from active duty in the United States Army, Navy, or Marine Corps, Regular or Volunteer, from wearing his uniform at any time within a period of 6 months after the date of his discharge or relief from active duty, if he wears on such uniform such insignia as may be prescribed by the Secretary of War or the Secretary of the Navy to indicate that he has been honorably discharged from or relieved from active duty in the armed forces of the United States."

It will be noted that the principal change is one extending the time when the dischargee can wear his uniform under any condition for a period of 6 months after he leaves the service. Further provision is made for the wearing of such insignia as may be prescribed by the Secretary of War and the Secretary of the Navy indicating that the veteran has been honorably discharged and has been relieved of active duty.

Mr. President, this bill grew out of hearings recently held by the Senate Small Business Committee to ascertain the reasons for the shortage of men's clothing, and to do what we could to remedy the situation. At those hearings the Civilian Production Administration, Office of Price Administration, Surplus Property Administration, and War and Navy Departments presented testimony—and leaders in the clothing industry were called upon. The serious plight of returning soldiers, sailors, and marines who cannot get even one civilian suit to put on in adjusting themselves to civilian life was brought out forceably.

Over 5,000,000 men have already been released from the Army, 1,000,000 from the Navy and 200,000 from the Marine Corps. Many more thousands are being released daily. They need suits, overcoats, and other wearing apparel with which to outfit themselves for civilian life and civilian jobs. In addition to the need of our returned servicemen is that of the many millions of our citizens who have not been able to buy sufficient clothing during the war years.

Over against this need, which is estimated to be at least 40,000,000 suits of

clothing during 1946, there is an estimated production of 20,000,000 suits.

And this 20,000,000 can only be produced if labor shortages in the industry do not increase—and if the mill and the manufacturer cooperate in a production drive to provide the necessary types of fabric at the necessary price level.

During the conferences held by the Senate Small Business Committee, we were assured by Army and by Navy that their declarations of surplus fabrics and clothing were current and were being constantly scrutinized. Surplus Property Administration's testimony was not as assuring on the promptness with which they were getting declarations of surplus clothing and fabrics into wholesale and retail distribution channels.

The Senate Small Business Committee was pretty well satisfied that relatively little relief to the suit and coat shortage could be hoped for from these sources.

The problem is primarily one of production—and the direction of that production into the necessary channels.

Today the Civilian Production Administration emphasizes that up until VJ-day every possible textile loom and yard of fabric was devoted to filling the needs of the military—and they state that since August there has not been enough time for the industry to adjust itself fully to civilian production.

But last summer, the War Production Board—CPA's predecessor—was more hopeful, and issued press releases which stated that the clothing and textile industry, unhampered by war restrictions, would be able to concentrate on getting men's suits and coats on the racks by the middle of last November, in sufficient quantity to take care of veteran and essential civilian demand.

Those suits and coats have not been forthcoming, and the manufacturers, relieved from production and distribution controls, have found it more profitable to produce more expensive fabrics—with which to make more expensive suits—even if their production of such higher-priced merchandise is limited by OPA's pricing restrictions.

I ask, Mr. President, what average young man getting out of service can afford $150 for a suit—if he can find one to buy?

The Civilian Production Administration has recently re-announced its low-cost clothing program with new schedules and new stipulations. A WPB-CPA low-cost clothing program has been in effect, in various forms, since May 1945. It has also reaffirmed its statement of policy to retailers asking them to cooperate in giving preference to veteran purchasers. The Office of Price Administration has also taken part in CPA's program by putting into effect certain price incentives which it is hoped may pry loose some of the much needed production.

The Civilian Production Administration has stated that their program should yield at least 50 percent of the desired production.

I am less hopeful that this renewed effort to make a voluntary low-cost clothing program work will have the desired results—at least not by the first and second quarters of 1946. Wartime incentives are lacking, and the pressure on the market is spiralling upward into higher-priced clothing.

Labor shortages and work stoppages persist in the textile and clothing industry as they have persisted more or less throughout the war. Yet, according to a recent statement on January 22, 1946, by John W. Snyder, Director of the Office of War Mobilization and Reconversion, the wool goods output prospect is not too dark. He said:

> Worsted and woolen fabric production increased from a 1939 level of 372,000,000 yards to 536,000,000 in 1943. In 1945 production fell under 500,000,000 yards, but now that substantial change-overs to civilian fabrics have been made the rate of production should go up during 1946.

My argument, Mr. President, is that we will not be able to get enough production, even at peak, to take care of more than 50 percent of the demand that exists today, and we have no assurance by either CPA or OPA controls that we will have production of the types of woolens and at the lower prices that are so desperately needed.

I have called the attention of the Office of War Mobilization and Reconversion to this situation and have urged immediate consideration of a program that will require, first, that a larger proportion of woolens and other fabrics be allocated for the production of men's clothing; and, second, that Civilian Production Administration regulations stipulate that certain loom capacity must be devoted to the manufacture of the necessary weights of woolens within the low-price range.

In my opinion, an emergency still exists, and without such specific designation a low-cost clothing program is powerless and will continue to be evaded. In a few months 10,000,000 men will be clamoring for clothes—chaos, now in the making, will have arrived—and more stringent methods will have to be applied to remedy the situation.

By dealing forehandedly with it, adopting those measures which will most nearly prevent such conditions, we may avoid such dire consequences and our returning servicemen and other civilians may have the clothing they so badly need.

The bill, which I have introduced today, is a small but important part of the whole program. We in the Senate Small Business Committee urge its early and favorable consideration by the Congress.

LOAN TO GREAT BRITAIN—AMENDMENT

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent to submit for appropriate reference an amendment intended to be proposed by me to the joint resolution (S. J. Res. 138) to implement further the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes.

The ACTING PRESIDENT pro tempore. Without objection, the amendment submitted by the Senator from Colorado will be received, referred to the Committee on Banking and Currency, and printed.

Mr. JOHNSON of Colorado. In this amendment I have completely rewritten section 2, so as to make provision for the British loan to be made directly by American subscribers, and giving to the American subscribers to such loan, in payment of their interest and principal, the amounts paid by the British Government on the loan. I should like to read the amendment:

> SEC. 2. (a) In order to provide funds for carrying out the agreement dated December 6, 1945, between the United States and the United Kingdom, the Secretary of the Treasury is hereby authorized to borrow, from time to time, not in excess of $3,750,000,000, and to issue therefor bonds in the form and subject to the conditions hereinafter set forth. The Secretary of the Treasury is authorized to use the proceeds of such bonds for the purpose of carrying out the agreement.
>
> (b) Bonds issued pursuant to the authority of this section shall be subject to the same provisions for amortization and interest (including waiver of interest) as are provided in the agreement with respect to repayment by the United Kingdom. Payments on account of principal and interest shall be made solely from amounts paid by the United Kingdom under the agreement, but the United States shall be under no obligation to the holders of such bonds with respect to principal or interest.
>
> (c) Bonds herein authorized shall from time to time be offered as a popular loan under such regulations prescribed by the Secretary of the Treasury as will in his opinion give the people of the United States as nearly as may be an equal opportunity to participate therein.
>
> (d) Except as otherwise provided in this section, the bonds herein authorized shall be issued in the same manner, so far as is consistent with the provisions of this section, as bonds issued under the Second Liberty Bond Act, as amended. They shall be of distinctive design and shall bear on their face a statement to the effect that they are not backed by the credit of, or guaranteed by, the United States.
>
> (e) No payments shall be made to the United Kingdom under the agreement or this joint resolution except from the proceeds of bonds issued under the provisions of this section.
>
> (f) Inasmuch as bonds issued under this section are not obligations of the United States, such bonds shall not be considered for the purpose of the debt limit of the United States.
>
> (g) The Secretary of the Treasury shall provide by regulation for the distribution on an equitable basis among the holders of such bonds of payments of principal and interest received from the United Kingdom.

In brief, Mr. President, the amendment provides for a referendum among the people of the United States on the proposal for a British loan. I note from the press that the banks of this country have on deposit $162,000,000,000. I note also today that the public debt of this country has risen to an all-time high of $279,444,000,000. That indicates to me, at least, that there is money in this country to finance the loan, but that the money to finance the loan is not in the Treasury of the United States. In other words, the Treasury is worse than broke, and the people have the money. So why not submit this loan to the people with the money, instead of having the taxpayers of the country underwrite the loan?

Mr. RUSSELL. Mr. President, am I to understand that the Senator's proposal is to have the Treasury operate as an agency for the British Government?

Mr. JOHNSON of Colorado. That is correct.

Mr. RUSSELL. And that the obligations which the Treasury would sell or offer for sale to the American people would be bonds issued with the full faith and credit of the British Government?

Mr. JOHNSON of Colorado. That is correct.

Mr. RUSSELL. Without imposing any obligation on the Treasury of the United States for their repayments?

Mr. JOHNSON of Colorado. That is correct.

Mr. RUSSELL. It is an interesting suggestion.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred, as indicated:

H. R. 1519. An act relating to marine insurance in the case of certain employees of the War Department who suffered death, injury, or other casualty prior to April 28, 1943, as a result of marine risks; to the Committee on Commerce.

H. R. 2764. An act to amend section 409 of the Interstate Commerce Act, with respect to the utiliation by freight forwarders of the services of common carriers by motor vehicle; to the Committee on Interstate Commerce.

H. R. 4605. An act to amend the Nationality Act of 1940, to preserve the nationality of naturalized veterans, their wives, minor children, and dependent parents; to the Committee on Immigration.

H. R. 4896. An act to provide for payment of travel allowances and transportation and for transportation of dependents of members of the naval forces, and for other purposes; to the Committee on Naval Affairs.

H. J. Res. 301. Joint resolution to amend Public Law 30 of the Seventy-ninth Congress, and for other purposes; to the Committee on Banking and Currency.

EFFECT OF OPA PRICE REGULATIONS ON SALES OF WASHING MACHINES

Mr. HICKENLOOPER. Mr. President, the question of continuance of OPA and its regulations will come before the Senate shortly. I should like to read to the Senate two paragraphs from a letter which is typical of a number of letters I have received. The letter happens to be from a man for whose integrity I can vouch. I received it this morning. He wrote:

On December 26 I wrote you a letter reciting a few facts regarding the effect of Government regulations and particularly the OPA.

I may say, Mr. President, that the letter to which he refers dealt with his losses.

A few days ago, I received a telephone call from the National Association of Manufacturers asking if they could use this in their publicity and I consented. This morning I am in receipt of a telegram asking if I will testify at the congressional hearing on extension of price control beginning February 5. I have accepted conditionally.

* * * * *

I hear rumors that employers who publicize their troubles or criticisms of Government bureaucrats, suddenly find themselves facing intense investigations and there is a growing fear among employers to come out and say what they think. In your opinion, should I testify or is there reason to be fearful of what they might do on investigations?

Your comments will be very much appreciated.

Mr. President, I have received another letter, together with a short statement of actual cost of washers, from a distributor of washing machines, who shows by his letter and by his break-down statement of costs that he is losing money on every washing machine he sells at the OPA ceiling prices at which he is permitted to sell them.

I ask unanimous consent that the letter, together with the break-down of costs, be printed at this point in the RECORD as a part of my remarks, without the necessity of reading them.

There being no objection, the letter and statement of costs were ordered to be printed in the RECORD, as follows:

FEBRUARY 1, 1946.

Hon. B. B. HICKENLOOPER,
Washington D. C.

DEAR SIR: As a distributor for * * * who manufacture * * * washers, we are enclosing certain pertinent information, substantiated with actual-cost figures as pertains to OPA's new pricing order RPO SO–119–60.

These figures are all substantiated with paid freight bills, which we have had to pay, covering the cost of one carload of washers which we have already received here * * *. The date of unloading was January 14, 1946.

It is needless to point out to you that if OPA's pricing policy continues with the same train of thoughts they have shown in the past, it will be a financial impossibility for a distributor to market washing machines under any circumstances. I realize there is a lot of inefficiency in the OPA executive offices in Washington, but I didn't realize that in the face of a so-called reconversion program, a pricing structure such as this would hold the line down.

I cannot imagine, in a country which is supposed to be full of free enterprise such as the United States of America, anyone establishing a price which would force the distributor completely out of business, if he were to attempt to meet the OPA price structure.

Unless some relief is granted by OPA in this pricing structure on * * * washing machines, it will be necessary for me to cancel my contract with * * * inasmuch as I will not operate at a loss, now or at any time in the future.

Trusting that you will do everything in your power to help alleviate this situation, which is constrictive to the distributors' business, I am,

Very sincerely yours.

Actual cost of washers by known cost factors

Cost of washer, f. o. b. factory	$43.420
Cost of freight in carload lots (freight bill attached)	1.483
Cost of unloading car (bill attached)	.830
Warehousing if necessary	.470
Commission to salesman, 5 percent	2.440
Invoice and waybill form	.036
Cost of ledger entry	.164
Delivery of washer to dealer	1.250
Total cost of washer delivered to dealer	49.643
Allowable price to dealer under OPA revised pricing order No. SO–119–60	48.750
Net loss to distributor on each washer	.893

This is a true statement of costs on above washing machine.

HOUSING AND AMERICA'S FUTURE—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD a radio address entitled "Housing and America's Future," delivered by him over Station WIND and a group of Wisconsin stations, on February 2, 1946, which appears in the Appendix.]

FOREIGN POLICY—ADDRESS BY SENATOR PEPPER

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address on the subject Foreign Policy, delivered by him before the National Citizens Political Action Committee, at the Hotel Commodore, New York, N. Y., January 31, 1946, which appears in the Appendix.]

PROPOSALS FOR EXPANSION OF WORLD TRADE AND EMPLOYMENT

[Mr. HILL asked and obtained leave to have printed in the RECORD excerpts from a document entitled "Proposals for Expansion of World Trade and Employment," developed by a technical staff of the United States Government in preparation for an international conference on trade and employment, which appear in the Appendix.]

PAULEY AND ALLEN—ARTICLE BY WALTER LIPPMANN

[Mr. MORSE asked and obtained leave to have printed in the RECORD an article entitled "Pauley and Allen," by Walter Lippmann, published in the Washington Post of February 5, 1945, which appears in the Appendix.]

APPEAL FROM DECISION OF THE CHAIR ON CLOTURE MOTION

The ACTING PRESIDENT pro tempore. The question is, Shall the decision of the Chair, holding it was not in order on yesterday under the rules to present a cloture motion on Senate bill 101, the FEPC bill, stand as the judgment of the Senate?

Mr. EASTLAND obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator from Mississippi yield to me to make a point of no quorum?

Mr. EASTLAND. If I do not lose the floor.

Mr. BARKLEY. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Myers
Austin	Hart	O'Daniel
Bailey	Hatch	Overton
Ball	Hayden	Pepper
Bankhead	Hickenlooper	Radcliffe
Barkley	Hill	Reed
Bilbo	Hoey	Revercomb
Brewster	Huffman	Robertson
Briggs	Johnson, Colo.	Russell
Buck	Johnston, S. C.	Saltonstall
Bushfield	Kilgore	Shipstead
Butler	Knowland	Smith
Byrd	La Follette	Stanfill
Capehart	Langer	Stewart
Capper	Lucas	Taft
Carville	McCarran	Taylor
Chavez	McClellan	Thomas, Okla.
Cordon	McFarland	Thomas, Utah
Donnell	McKellar	Tobey
Downey	McMahon	Tunnell
Eastland	Magnuson	Tydings
Ellender	Maybank	Walsh
Ferguson	Mead	Wheeler
Fulbright	Millikin	Wherry
George	Mitchell	White
Gerry	Moore	Wiley
Gossett	Morse	Willis
Green	Murdock	Wilson
Guffey	Murray	Young

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Illinois [Mr. BROOKS], and the Senator from New Jersey [Mr. HAWKES] are necessarily absent.

The ACTING PRESIDENT pro tempore. Eighty-seven Senators having answered to their names, a quorum is present.

Mr. GUFFEY. Mr. President, will the Senator from Mississippi yield to me in order that I may make a short speech, with the understanding that the Senator will not lose the floor thereby?

Mr. EASTLAND. Mr. President, I am glad to yield to the Senator from Pennsylvania to make a speech, with that understanding.

Mr. GUFFEY. Mr. President, on December 21, 1945, my distinguished colleague the Senator from New Mexico [Mr. CHAVEZ], announced on the Senate floor that soon after Congress reconvened he would make a motion to bring S. 101, the bill to establish a permanent Fair Employment Practice Commission, before the Senate for action.

I want to commend the Senator for so promptly carrying out that announcement and to say that this legislation will have my utmost support.

Mr. President, in my opinion, action on S. 101 is long overdue.

More than a year ago, during the Presidential campaign, responsible leaders in the Democratic Party promised enactment of this legislation.

In fact, the party's standard bearer, Franklin Delano Roosevelt, indicated to the country that the establishment of a permanent Fair Employment Practice Commission would be one of his objectives, if elected.

I hardly think our southern citizens were unaware of the Presidential candidate's position on FEPC.

There was in no part of our country the slightest doubt of Franklin Delano Roosevelt's attitude toward our minority groups.

It is one of the certainties that he will go down in history as their best-loved President since Lincoln.

Yet, he was elected, and the South voted solidly for President Roosevelt while they knew that his administration, according to his own words, would seek enactment of legislation to create a Permanent Fair Employment Practice Commission, because—and I quote from the President's Chicago speech:

> Our economic bill of rights, like the sacred Bill of Rights of our Constitution itself, must be applied to all our citizens, irrespective of race, creed, or color.

The President's running mate in that election, Senator Harry S. Truman, had long ago pledged himself to the enactment of a bill to create a permanent FEPC.

He reiterated that pledge during the campaign.

When the tragedy of President Roosevelt's untimely death overtook us, it was fortunate for our country that Vice President Truman's record in the Senate, and in the campaign, had revealed him as a protector of all our people, Protestant, Catholic, and Jew, colored and white.

That record was the reassuring symbol in a moment of vast uncertainty and distress.

Since that time President Truman's forthright declarations on behalf of a permanent FEPC have been unhesitating.

Only recently, in his message to the Nation, he said:

> On several occasions I have also asked that the Congress outlaw by permanent statute un-American discrimination in employment. * * * Legislation making permanent the Fair Employment Practice Committee would carry out a fundamental American ideal. I am sure that the overwhelming mass of our citizens favor this legislation and want their congressmen to vote for it.

Mr. President, it is not my impression that pledges made to the American people are made to be broken.

As legislators, Members of the Senate have a distinct responsibility to act, if we are not to invite an unhealthy cynicism in our voting citizenry.

This responsibility is not limited to this side of the Senate Chamber, for the Republican Party, in its campaign platform, pledged support to the passage of a permanent FEPC.

Just as President Truman states that he is sure that the great majority of our citizens favor this legislation and want their congressman to vote for it, so am I equally certain that the great majority of the Members of Congress, House and Senate, favor this legislation and want to vote for it.

It is a discordant note in this great democracy that a small group of men, through the misuse of legislative privilege, can block the march of progress against the will of the people, and the will of the majority of the Members of our legislature.

What are the reasons that provoke an opposition to attempt to break party pledges, and to use extreme legislative tactics to defeat this legislation?

I submit that those which have been brought to my attention must be the result of an amazing misunderstanding of the bill.

The ancient spectre of social equality has been raised in the name of this bill.

S. 101 applies solely in the field of economic equality—the very cornerstone of our democracy—first laid in the Declaration of Independence.

A few days ago Walter Lippmann, one of our foremost news columnists and authors, reminded us:

> What democracy demands is equal rights for all men because they are men and, at the same time, equal opportunity—so that what is best and exceptional in each man may come forth and flourish.
>
> Faith in democracy is justified by this promise that it will release talents and gifts that would be suppressed in a society of caste, and therefore that it brings into the service of the Nation and of mankind men who have rich and varied and excellent abilities.

The essence of what this bill calls for is that a scientist shall not be relegated to the role of ditch digger only because his skin is black; that a skilled toolmaker shall not be cast as a porter because of a Mexican background; that any man or woman shall have the opportunity in life that his or her skills and abilities and experience warrant, rather than that it shall be predetermined by the accident of his or her birth, or perhaps his or her religious faith.

The alternatives to the objectives of this legislation are reminiscent of Hitlerian policies, which we have just finished spilling life blood to defeat.

Equality of economic opportunity is the sole objective of this bill, and the issue of social equality has been dragged in as a red herring to confuse the gullible.

Some have said that prejudice cannot be legislated out of existence, any more than the prohibition law could be successful in its enforcement.

May I say emphatically that this bill does not seek to legislate against prejudice, but rather against the effects of prejudice. We are not allowed to shoot our neighbor even though he has incurred our intense dislike. Should we then be allowed to cut off the opportunity for our neighbor to make a living consistent with his merit because we are prejudiced against him?

Some spokesmen would have us believe that if this bill were passed the majority groups in this country would then find themselves discriminated against in the employment field. Such a charge is almost too ridiculous to answer. The bill is a protection for all people, whether white or colored, Protestant or Catholic, Jew or gentile.

Some of the bill's attackers have been wringing their hands over the idea that should it pass, Protestant schools would be forced to employ Catholic teachers, and vice versa. This is a curious kind of misrepresentation, since the church organizations themselves have been among the chief supporters of the legislation. In point of fact, no educational or religious institutions are in any way affected by the proposed legislation.

The bill covers, outside the Government agencies and firms holding Government contracts, only those employers and unions in business affecting interstate commerce.

Moreover, a religious institution might well need employees with a thorough background in its particular religion in order to carry on its work effectively. Such a background would be, in such an instance, a qualification of employ-

ment. The bill removes discrimination in employment for qualified applicants. It in no way waives qualifications in employment.

Mr. President, I have heard it said that this bill, if enacted, would deprive veterans of rights provided under the GI bill of rights. That is a claim out of whole cloth.

In point of fact, unless this bill is passed, millions of our minority veterans now coming back from the battlefields will find barriers of prejudice standing between them and the rights provided them in veterans' legislation. What good is it to offer minority veterans vocational retraining opportunities if their opportunities in employment at skilled levels are nonexistent?

Mr. President, we owe a great debt of appreciation to the Negro veterans. The War Department points out that more than a half million Negro soldiers "helped make possible the victory and are now protecting the peace." During the closing months of the European war Negro and white American soldiers fought in mixed units and had their joint baptism of fire.

One final point: Certain members of the opposition have raised threatening objections to this bill. They say it will stimulate disruption and group hatreds. Actually, just the opposite is the case. This law is a necessary safety valve. People who cannot get jobs through no fault of their own grow hungry, restless, and angry, and it is in that situation that the greatest incentive to rioting lies. The passage of this legislation is the best guaranty for racial harmony, for it is the essence of economic justice.

In short, the permanent Fair Employment Practice Commission will have but one function—to eliminate unfair employment practices based on discrimination on grounds of race, color, creed, national origin, or ancestry, and, further, to make certain that women shall not be discriminated against. I understand that the Senator from New Mexico [Mr. CHAVEZ] is willing to add the word "sex" so that the bill will apply to both men and women. This has my hearty approval.

Management continues free to set its own hiring, training, and upgrading practices, to adjust its internal plant policy, and to discharge according to any standard it may adopt, so long as there is no arbitrary discrimination because of race, color, creed, national orgin, or ancestry.

In the same way, organized labor continues free to manage its internal affairs according to its own lights, except that it cannot deny any of the advantages or opportunities of union organization and collective bargaining to any person because of race, color, creed, national origin, or ancestry.

Mr. President, the country awaits enactment of this crucial piece of legislation. It is on the President's "must" list. The legislative process should be permitted to take its course.

The Senate of the United States can do no more or no less than to consider and vote on this legislation, which has been out of committee and before it for the past 10 months.

Chaplain Roland Gittelsohn dedicated the Fifth Marine Cemetery at Iwo Jima last summer. He said on that occasion:

> Somewhere in this plot of ground there may lie the man who could have discovered the cure for cancer. Under one of these Christian crosses, or beneath a Jewish Star of David, there may rest now a man who was destined to be a great prophet. * * * Now they lie here silently in this sacred soil, and we gather to consecrate this earth to their memory. * * * Here lie officers and men, Negroes and whites, rich men and poor. * * * Here are Protestants, Catholics, and Jews * * * here no man prefers another because of his faith or despises him because of his color.
>
> Here there are no quotas of how many from each group are admitted or allowed.
>
> Theirs is the highest and purest democracy.
>
> Any man among us, the living, who * * * lifts his hand in hate against a brother, or thinks himself superior to those who happen to be in the minority, makes of this ceremony and of the bloody sacrifice it commemorates an empty, hollow mockery.

Mr. President, I should like to ask the indulgence of the Senator from Mississippi to make a few remarks on the subject of the steel strike and steel financing, if I may do so with the understanding that the Senator will not lose the floor.

Mr. EASTLAND. I yield with that understanding.

Mr. RUSSELL. Mr. President, before the Senator leaves the subject which he has been discussing will he yield to me for a question in connection with his statement?

Mr. GUFFEY. Certainly.

Mr. RUSSELL. The Senator has stated that the question of social equality was in no wise involved in Senate bill 101, and has implied that those of us who are opposing the measure are opposed to economic equality. Of course, that may be a debatable question. We deny it.

The Senator from Pennsylvania is aware of the fact that there has been in existence a Committee on Fair Employment Practice, appointed by the President under an Executive order. It has had powers only with respect to the departments of Government, and with respect to those who have entered into contracts with the Federal Government. In the Federal Government the Committee on Fair Employment Practice has not only brought pressure to bear for the employment of members of minority groups—and I may say that there is no question in my mind that the Federal Government has the right to establish any kind of agency to handle such employment—but it has also brought pressure to bear upon departments of Government to do away with separate rest-room facilities for the races in the departments of Government, and to abolish the separate dining rooms for the races in various departments of Government, forcing all employees of all races to use the same facilities. I should like to ask the Senator if he considers it an unfair employment practice merely to have one rest room bearing the sign "Colored women's rest room" and another room with the sign "White women's rest room"; also a room bearing the sign "White men's rest room" and another room with the sign "Colored men's rest room." Does the Senator think that is an unfair employment practice? Does he think that an agency such as FEPC should have the power to discharge any division or bureau head for approving such practices?

Mr. GUFFEY. I do.

Mr. RUSSELL. The Senator from Pennsylvania thinks that is a discrimination in economic opportunity; does he, rather than an effort to enforce social equality?

Mr. GUFFEY. I do.

Mr. RUSSELL. Well, Mr. President, I think that states very well the basic difference here between those who oppose this bill and those who support it. It shows the difference and it dispels forever to any fair-minded man the idea that those of us who are opposing this bill are fighting equality of economic opportunity and it shows conclusively, to my mind and, I think, to any fair-minded man, that the object back of this bill is not so much equality of economic opportunity as it is to force social equality and intermingling of the races; and we can leave it to such a matter as the illustration which I have just presented to the Senator from Pennsylvania. That is the kind of so-called economic equality this agency will undertake to enforce.

I should like to ask the Senator further whether he would consider a plant which had separate rest-room facilities for the races—a plant which would be under the jurisdiction of this Commission—to be engaging in an unfair employment practice?

Mr. GUFFEY. Does the Senator mean a plant which had such facilities divided as to whites and Negroes?

Mr. RUSSELL. Yes.

Mr. GUFFEY. I would.

I should like to say to the Senator from Georgia that about 40 years ago, when I was a young man, I was employed in the Pittsburgh post office, and I had under me about 400 people. I was employed there as superintendent of delivery. I broke up that practice. I believed in what I did then, and I believe in it now.

Mr. RUSSELL. I am not criticizing the Senator for holding that view even though I differ with him. I do not think it has anything to do with economic equality.

Mr. GUFFEY. That is my position.

Mr. RUSSELL. I wish to make it clear that, according to my viewpoint, in those cases the question of economic equality is not involved. The Senator's position is perfectly clear; he is supporting this bill because he thinks there should be such a law, with a powerful agency to support it, with the power to declare that the case I have cited is unfair economic discrimination, and jail any employer who has separate facilities for the races. Of course, the Senator from Pennsylvania knows that one of the most celebrated cases which was tried by the so-called Fair Employment Practice Committee was in connection with a plant somewhere in Maryland where telephones were manufactured for the Army. The Fair Employment Practice Committee moved into the plant. It could not find that there was any difference in the

pay which was given the employees. All the employees, white or black, received equal pay for equal work. The Committee could not find that there was any discrimination in regard to the ranks or titles or positions of employees of the company. But it did find that the company maintained separate rest-room facilities. The company was ordered to tear down the partitions and to permit the races to intermingle in those facilities. That brought about a serious strike. But the Senator's viewpoint is that the Committee was correct in declaring it to be an unfair employment practice to have separate rest rooms; is that correct?

Mr. GUFFEY. I say it is discrimination.

Mr. RUSSELL. Yes; the Senator from Pennsylvania says it is an unfair employment practice and one which should subject a man to the severe penalties and punishment under this bill. The Senator from Pennsylvania further knows that there was a case affecting a maritime union whose members were working upon Government contracts. The union had both white and black members. All of them met together in the same union hall. All of them had the same representatives in collective bargaining. But on the ships their men sailed the union did insist that there be separate sleeping quarters for the black sailors and separate sleeping quarters for the white sailors, and separate eating places for the white sailors and separate eating places for the black sailors. The Fair Employment Practice Committee ordered the union to stop that practice, although the members of the union apparently had been satisfied as long as the black sailors or Negro sailors received the same pay, exactly the same facilities, exactly the same food, exactly the same kind of bunks. The Negro sailors did not complain about it. But the Fair Employment Practice Committee said the union had to do away with that, that it was an unfair practice to have the men segregated. The Senator from Pennsylvania indicates that he agrees with that decision.

Mr. GUFFEY. I do.

Mr. RUSSELL. And, of course, the Senator from Pennsylvania then thinks that a private employer or a labor union should be subjected to the penalties prescribed in the bill if he or it made any division whatever between the different races of people employed by the plant or business, in facilities of this nature, even if they are identical in quality.

Mr. GUFFEY. I do.

Mr. RUSSELL. I thank the Senator for clarifying the issue.

THE PRESENT CRISIS IN THE BASIC STEEL INDUSTRY

Mr. GUFFEY. Mr. President, I desire to bring to the attention of the Senate some significant facts concerning the present crisis in the basic steel industry.

The basic steel industry has total assets of approximately $6,000,000,000. Its plants are scattered throughout the entire country. It employs approximately one-half million workers in its steelmaking plants. Hundreds of thousands more are engaged in the various fabricating branches of the steel industry.

In many cases, the steel plant represents the sole manufacturing concern in the community. The economic health of many an individual community depends upon the pay rolls of the steel plant in the vicinity.

Even this does not give us anything like a full picture of the power of the basic steel industry. Basic steel is our economic barometer. When the men in the steel industry are prosperous and are working full time, workers throughout the Nation fare likewise. When the basic steel industry grants a wage increase, other industries follow suit. Frequently the other industries merely rubber-stamp the wage increase in steel. When steel refuses to grant an increase, or when basic steel inaugurates a wage cut, the other industries do likewise. It is no wonder that everyone keeps a keen eye on trends in the steel industry. This is true in collective bargaining matters as well as in other phases of our economic activity.

From the standpoint of collective bargaining, there is within the basic steel industry one company which the industry considers the bellwether, the United States Steel Corp., so-called "big steel." Ever since its inception, this large corporation has been the industry arbiter on wage matters. In days before collective bargaining, United States Steel first determined whether there was to be a wage increase, a wage cut, or no change. When United States Steel acted, other steel companies acted in the same manner and to the same degree. Other industries then followed the trend in steel.

The importance of the United States Steel Corp. has not diminished in this era of collective bargaining. Negotiations between United States Steel and the United Steelworkers of America are the first to begin in basic steel. Most other companies ask to defer collective-bargaining decisions until the United States Steel negotiations reach a conclusion one way or the other. The results of these negotiations are embodied in contracts throughout the industry. In most cases, the other companies ask for, and receive, the identical provisions embodied in the United States Steel contracts, without so much as a change in the punctuation. In every case, the substantial provisions of the Carnegie-Illinois agreement are usually the basic structure of other steel contracts.

Today, the workers in United States Steel and every other basic steel company, with the notable exception of Henry J. Kaiser's plants on the west coast, are out on strike. So I should like to review the process that led to the taking of a drastic step by one of the most responsible labor unions in the country.

Since December 1943, the steelworkers have been trying to get a wage increase. Negotiations with the companies broke down then, and the case went to the National War Labor Board which, after a lengthy fact-finding process, declined to hand down any decision on wage policy, and sent its report to the President.

In August 1945, the President changed the national wage stabilization policy, returning wage negotiations to the arena of collective bargaining; and in September the War Labor Board ruled that the steel contracts could be reopened on the issue of wages.

In October, the United Steelworkers presented to the companies their request for a $2-a-day wage increase. This $2-a-day increase, if granted, would not have meant any more money in the workers' pay envelopes than they were getting at the peak of war production.

Here are the facts: The average weekly earnings of steel workers in April 1945 were $56.32. They now stand at $43.48—a drop of $12.84. Even if the full $2-a-day increase had been granted, the workers in the steel industry would still be earning $2.84 less each week than during the last full month before VE-day.

The union spent 2 days outlining to the steel corporations its case for this wage increase. The United States Steel Corp. handed the union a letter refusing to make any counteroffer and rejecting the requested $2-per-day increase.

In November, the Secretary of Labor invited union and corporation representatives to meet for conciliation. The union accepted, but the company rejected the invitation. A week later the invitation was repeated, and the same answer given—acceptance by the union, rejection by the corporation.

On November 28 the National Labor Relations Board conducted a strike vote among the workers in compliance with the provisions of the Smith-Connally Act.

The workers voted 5 to 1 for a strike, but the union still deferred taking such drastic action.

The union's wage policy committee, consisting of 131 workers elected by the membership and the union's directors and officers, met on December 10, and set the strike date for January 14, more than a month later.

It was not until the last week before the strike was scheduled to take place that United States Steel made a counterproposal of 15 cents an hour increase, and that only after there had been lengthy negotiations with the Government for an increase in the price of steel.

The results of these increased-price negotiations have never been officially announced.

The union lowered its request from 25 cents an hour to 19½ cents, that figure having been recommended by the fact-finding board in the General Motors strike.

After two sessions at the White House the company refused to grant an increase of more than 15 cents.

President Truman then suggested that the company and the union agree on an 18½ cents an hour increase. The union accepted. The company declined flatly and made no further offer. In effect, it preferred to battle to a finish, and thereby jeopardize not only the welfare of its own workers but that of the entire Nation.

The blame for the present strike in the steel industry rests squarely with the company because of its adamant position.

This does not seem to be merely a case of United States Steel setting a pattern and the rest of industry following suit, but rather a planned campaign on the part of the greatest and wealthiest corporations in America to hold up the American people for exorbitant price increases or to destroy organized labor.

The Government of this country is faced with a great responsibility in this hour, and I hope that the legislative branch of the Government will accept that responsibility.

I support wholeheartedly President Truman's recommendation of a wage increase for the steel workers. I have grave doubt that the passage of fact-finding legislation would have solved this strike problem.

The facts have been found. The workers have cooled off for far more than 30 days, without the compulsion of law. Yet, 1,500,000 workers are now on strike across the Nation because of the continued refusal of corporations to grant adequate wage increases.

The proper committees of the House and Senate should look into this apparently joint activity on the part of large corporations and the moneyed interests, and lay bare the facts, not as to industry's ability to pay higher wages—that has been demonstrated—but as to its program for America.

I also hope, Mr. President, that serious attention will be given to revising our tax laws so that the American people will not be subsidizing corporations in their efforts to break the organizations of their workers.

The present situation is particularly alarming when viewed against the backdrop of history.

I can only conclude from the attitude of the corporations that they are bent on getting as large profits as possible and paying as low wages as possible.

The past wage history in the steel industry shows that in 1923 the United States Steel Corp. raised wages about 10 percent. The rest of the industry followed suit. That wage increase was the last general raise granted in the 1920's.

Steel wages were frozen until 1931, when a cut of 11 percent took place, followed by another cut of 15 percent in 1932.

Steel profits during the years when wages were frozen soared from $188,000,000 in 1924 to $483,000,000 in 1929.

During those same years the industry reduced its funded debt by 38 percent and increased its net working capital by 17 percent. That is the picture of steel wages and profits during the twenties—and steel was setting the pattern then as now.

Wages in all industries stayed down, and profits rose, with the result which we all know. Our top-heavy economic structure collapsed in 1929.

There is one fundamental difference between the 1920's and the present time. The steel industry and other basic industries are now organized, and the union in those industries, with the steel union in the lead, are waging a fight for higher wages which, if successful, will lessen the danger of another disastrous economic collapse and resulting depression.

The Government should not stand idly by and watch American industry, in its headlong drive for higher profits, destroy the people's bulwark against the threat of another depression.

For the benefit of any who may have doubts concerning the present ability of steel corporations to pay higher wages, I wish to include an analysis of the financial status of the steel industry.

During 1935–39, according to its own reports, the United States Steel Corp. averaged net profits annually, before taxes, of $78,470,000. During the 1940–44 period, however, it averaged $209,908,000 annually, an increase of 168 percent.

Of course, this is not complete. There were taxes to be paid. How about net profits after taxes? During 1935–39, net profits after taxes for United States Steel averaged $36,015,000. During 1940–44, the average was $82,726,000, an increase of 130 percent.

During 1935–39, the corporation's dividends averaged $35,306,000. During 1940–44, they averaged $60,033,000, an increase of 70 percent.

How did the corporation look at the end of the last fiscal year, after its war experiences? On January 1, 1940, the corporation had $1,768,524,000 in total assets. On January 1, 1945, its total assets were $2,082,374,000, or an increase of 18 percent.

How about the cash position of the corporation? The net current assets—the excess of current assets over current liabilities—went from $431,988,000 on January 1, 1940, to $773,814,000 on January 1, 1945, an increase of 79 percent.

The undistributed profits—after all taxes and dividends were paid—went from $263,319,000 on January 1, 1940, to $376,625,000 on January 1, 1945, an increase of more than $100,000,000, or 43 percent.

The reserves of the corporation went from $38,638,000 to $206,916,000, an increase of 436 percent.

This is what happened to the corporation during the period about which it complains, the period for which Mr. Fairless wants a compensatory price increase of about $7 a ton. Net profits before taxes rose 168 percent; net profits after taxes, 130 percent; dividends, 70 percent; total assets, 18 percent; net current assets, 79 percent; undistributed profits, 43 percent; and reserves, 436 percent.

Mr. Fairless claims the corporation suffered. The figures speak for themselves on this score.

But another representative of the same company took a different position recently. Mr. Enders M. Vorhees, of the finance committee of United States Steel, according to a trade paper, said, "The corporation was in the best financial position it ever had experienced."

I think these facts are quite illuminating and worth while in light of Mr. Fairless' actions.

There are a number of other steel corporations which have, in effect, taken the same position as United States Steel. They claim they need compensatory price relief.

Let us examine the records of these representative steel corporations. During 1935–39 Bethlehem averaged $26,314,000 in profits before taxes. During 1940–44 it averaged $143,557,000, an increase of 446 percent. Net profits after taxes went from an average of $15,980,000 in 1935–39 to $35,363,000 during 1940–44, an increase of 121 percent. Dividends went from $11,358,000 to $23,894,000 in these two periods, or an increase of 110 percent.

Bethlehem's total assets on January 1, 1940, were $734,932,000. On January 1, 1945, they were $1,055,214,000, an increase of 44 percent. Net current assets went from $189,339,000 on January 1, 1940, to $314,086,000 on January 1, 1945, an increase of 66 percent. Undistributed profits went from $78,229,000 to $133,343,000, an increase of 71 percent. Reserves rose from $10,577,000 to $55,771,000, or 427 percent.

These are not unusual cases in the industry. As a whole, the industry shows the same trend, according to an analysis which I have received.

Public reports for individual companies have been extended to give an approximation of the entire industry's status. The extension is based on relative capacity of the companies furnishing public reports and the industry as a whole. Based on this adjustment, how did the industry as a whole fare?

Net profits before taxes went from an annual average of $186,511,000 during 1935–39 to $700,401,000 during 1940–44, representing an industry-wide increase of 276 percent. Net profits after taxes increased 113 percent, from an annual average of more than $115,000,000 to $245,000,000.

Dividends paid by the industry rose from $83,000,000 to $152,984,000 annually, an increase of 82 percent.

The total assets of the industry went from $4,863,693,000 on January 1, 1940, to $5,914,467,000 on January 1, 1945, an increase of 22 percent. Net current assets jumped from $1,210,878,000 to $2,034,713,000, or 68 percent.

The industry's undistributed net profits on January 1, 1940, were $585,468,000; on January 1, 1945, $1,061,298,000. The increase is 81 percent. Reserves went from $103,121,000 to $394,956,000, a jump of 283 percent.

This industry then, through Mr. Fairless, said that although net profits before taxes rose 276 percent, although net profits after taxes rose 113 percent, although it paid 82 percent more in dividends, and although its assets increased by more than a billion dollars, it still wanted a price increase of $7 a ton before it would even begin to bargain with the union.

This is the picture based upon an acceptance of the industry's own figures and industry's own interpretation of the figures. The picture and analysis is not an exaggeration.

On the contrary, the union claims that industry has understated its profits, and

so forth, through certain bookkeeping fictions. The union claims that the industry has mushroomed alleged depreciation, depletion, and amortization allowances, created new reserves, and increased pension funds in order to deflate the real profits.

The union says that the increases over peacetime practices in this respect are net profits camouflaged. They are actually net profits by another name.

In order that Senators may have an idea of what this means, I shall show the picture for United States Steel for 1944.

The corporation admitted its net profits after taxes for 1944 were about $60,791,000—during 1936–39 they averaged $44,732,000. But in addition to these profits, the corporation increased its normal contribution to the pension reserves by more than $25,000,000. It created special reserves amounting to $25,000,000.

These are not operating costs—they are not deductions from income under our tax laws. If we add these figures to admitted profits, we find that the net profits at this point were, in round figures, in excess of $110,000,000 instead of some sixty million as reported.

Nor is this all. According to the union, there are other similar practices.

If we continue this adjustment all along the line, we find that the corporation's net profits for 1944 were $160,091,000 as contrasted with the prewar average of $44,732,000.

As for the industry as a whole, the reported net profits after taxes were about $190,366,000. This is about $75,000,000 more than the peacetime average.

If we add the excess in reserves and allowances to determine the true income—as the Government would do in determining taxes—we find that the full profits after taxes amounted to $407,531,000 for 1944, or almost four times the peacetime average.

The union told me it would be willing to have any Government income and tax expert check the validity of its conclusion that the industry's true profits after taxes last year were $407,531,000, instead of the $190,366,000 carried by industry under its public reports of its net profit account.

So much for the past. These figures should suffice in enabling one to judge how the corporation and the industry did during the past few years. But the corporation wants assurances of possible future price increases. It is dissatisfied with the future prospects. One might also well examine this claim.

We are not in possession of the full picture for 1945. We must use preliminary figures, and make estimates of what is ahead of the industry. The most nearly complete figures are for the first 6 months of 1945. What happened, compared to a similar period in 1944? For the first 6 months of 1945, United States Steel reported net profits of $32,153,000. For the first 6 months of 1944 it made $32,383,000. It was standing still, not retreating appreciably. But every other major steel company for the same period showed its net profits were higher in 1945 than in 1944. Bethlehem's rose 20 percent; Republic Steel's, 49 percent; Jones & Laughlin's, 22 percent; and so forth. There is every indication that steel profits for 1945 will follow the national corporate income trend.

According to the United States Department of Commerce, 1945 corporate profits will be $9,300,000,000, compared with $9,900,000,000 for 1944, and compared with $8,700,000,000 average for the war years, or $3,300,000,000 for the 1936–39 peacetime average.

Mr. President, what will be the impact of the proposed increase of $2 a day on the industry's future income? This is the corporation's second reason for refusing to bargain. Unfortunately, the corporation has not issued any figures concerning this point. We must turn to other sources. The union has prepared an analysis of the prospects. The increase, if granted, would amount to the gross figure of $250,000,000 a year.

How will this affect the industry's costs and profits? As to increasing the costs over past figures, we must remember that the industry is returning to a 40-hour week as a result of VJ-day. This will reduce overtime costs. It will also reduce vacation-pay costs, since vacation pay is based on the workweek. Based on pay-roll figures published by the American Iron & Steel Institute, these two items will reduce pay rolls about 10.6 cents an hour. This amounts to an annual pay-roll reduction of $126,818,000.

It is, therefore, obvious that the increases in costs will be the difference between the demand and these pay-roll savings. Thus, if the increase is granted, pay rolls will increase over 1944 levels by less than $125,000,000, in round figures.

This does not include additional pay-roll savings through downgradings, demotions, elimination of newer and less efficient workers, increased productive efficiency, and so forth.

Moreover, according to the union, under the repeal of excess-profits-tax laws, the corporation will save some $123,404,000. Thus, pay-roll costs will decline $125,000,000 and taxes will drop about $125,000,000.

The gross wage demand is $250,000,000. On this basis, costs would be $100,000,000 less annually even if the full increase were granted.

On the basis of these developments in pay rolls and taxes, plus industry's estimates of production for next year, the union concludes that industry's net profits after taxes for next year will be $482,880,000 even if the wage increase were granted in full. This would be more than four times the peacetime average, 1936–39.

These estimates have been submitted publicly by the union. So far as I can tell, the industry has not denied the truth of this analysis and prediction.

STARVATION AND THE FOOD PROBLEM IN EUROPE

Mr. CAPEHART. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield.

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement which I have prepared on conditions in Europe as they relate to starvation and the food problem.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, the alleged "peacetime" policies of this administration have degenerated into a deliberate face-saving fraud. The fact can no longer be suppressed, namely, the fact that it has been, and continues to be, the deliberate policy of a confidential and conspiritorial clique within the policy-making circles of this Government to draw and quarter a nation now reduced to abject misery.

In this process this clique, like a pack of hyenas struggling over the bloody entrails of a corpse, and inspired by a sadistic and fanatical hatred, are determined to destroy the German nation and the German people, no matter what the consequences.

Mr. President, this is no thoughtless or unsubstantiated charge that I am making. I speak from a deep and studied conviction. It now appears, from the facts that are already available to the whole world, that we have fought the most diabolic war in history at the cost of unmeasured sacrifice only to find that our greatest enemy and the gravest threats to the honor, the integrity, and the continued existence of our free institutions, have moved right into our own midst.

I heartily welcome any proof to the contrary, from my colleagues on the Senate floor or from the American people.

In August 1940, Prime Minister Churchill made the following solemn promise:

"We can and will arrange in advance for the speedy entry of food into any part of the enslaved area * * * so that there will always be held up before the eyes of the people of Europe including—I say it deliberately—the German and Austrian peoples the certainty that the shattering of the Nazi power will bring to them all immediate food, freedom, and peace."

On October 27, 1945, in the Nation, Mr. Leon Henderson quoted from a letter written by President Roosevelt to Secretary of War, Stimson:

"It is of utmost importance that every person in Germany should realize that this time Germany is a defeated nation. I do not want them to starve to death, but, as an example, if they need food to keep body and soul beyond what they have, they should be fed three times a day with soup from Army soup kitchens. That will keep them perfectly healthy, and they will remember that experience all their lives."

And on September 17, President Truman himself issued the following statement:

"This Government has abundant evidence that the American people are aware of the suffering among our allies. They have also made plain their determination that this country shall do its full part along with other supplying nations in helping to restore health and strength to those who fought at our side, both in Europe and the Far East. It is an American responsibility not only to our friends but to ourselves to see that the job is done and done quickly."

At Potsdam the representatives of the United States, the United Kingdom, and the Union of Soviet Socialist Republics solemnly signed the following declaration of principle and purpose:

"It is not the intention of the Allies to destroy or to enslave the German people."

Mr. President, the cynical and savage repudiation of these solemn declarations, which has resulted in a major catastrophe, cannot be explained in terms of ignorance or incompetence. This repudiation, not only of the Potsdam declaration, but also of every law of God and man, has been deliberately engineered with such a malevolent cunning, and with such diabolic skill, that the Amer-

ican people, themselves, have been caught in an international death trap.

A few days after Pastor Niemoeller was liberated by the Allied forces he was guest at a dinner given by General Alexander. By some mischance certain members of this conspiratorial clique to which I have referred discovered that Pastor Niemoeller, realizing the extent of the tragedy that was already developing—not only in Germany and Austria, but throughout Europe—had announced his intention of going to Switzerland and then to America to appeal to his fellow Christians and men of good will of every faith all over the world for immediate action to avert this impending tragedy.

The moment this fact became known Pastor Niemoeller was arrested, and on the very next day following his dinner with General Alexander was returned to a concentration camp. His spirit, still unbroken by this unheard-of cruelty inflicted on him, moved him to go on a hunger strike. In order to escape a scandal this same clique had him removed from the concentration camp but took every other possible means of strangling any word from his mouth that might reach America.

Mr. President, on January 29 my distinguished colleague, the junior Senator from Nebraska [Mr. WHERRY], brought the facts of what had ensued since that time before the attention of the Senate in one of the most courageous and scathing indictments ever charged against any administration. In the course of his speech many of his colleagues from both sides of the aisle rose in his support. My colleague charged that the American people had been made the unwilling accomplices in the crime of mass starvation, and he laid the responsibility for that crime right where it belongs—squarely on the shoulders of this administration.

If there is not a deliberate conspiracy of strangulation, suppression, and silence operating right here at home as well as abroad, how is it that when 15 or more Members of the United States Senate make such a serious charge against the administration, and when there was not a single man who raised his voice in defense even of the President, both the radio and the press, with one or two exceptions, joined in this conspiracy of silence by refusing to tell the American people what went on in the United States Senate?

Mr. President, this strangulation and perversion of the truth makes it impossible for many of the American people to understand just exactly what is at stake now in America's policies toward her former enemies. Yet I am amazed that there are not more who do not understand the issues involved.

The first issue is purely humanitarian. Germany has become largely a nation of the aged and of women and children. Yet the policies we have been pursuing have degenerated into the calloused and inhuman practices of the Nazis themselves. For 9 months now this administration has been carrying on a deliberate policy of mass starvation without any distinction between the innocent and the helpless and the guilty alike.

On February 2 Lt. Gen. Lucius Clay declared categorically:

"There is no starvation in the United States zone of Germany nor is it intended that there shall be."

According to the Associated Press dispatch of that date, General Clay said:

"Five teams of American nutrition experts were constantly scrutinizing nutrition of the German people in the American zone and had found no cases of starvation."

Mr. President, without exception the authority in the field of nutrition are agreed that the official United States Government policy of 1,550 calories a day is a starvation diet.

Secretary Byrnes himself has admitted that this diet cannot sustain life over a long period of time.

Byron Price warned President Truman on November 28 last:

"The United States must ship food enough to Germany to increase the basic ration to 2,000 calories, if starvation, epidemics, and disorder under a new 'leader' are not to spread through Germany and all western Europe."

Mr. President, not long ago the University of Minnesota Medical School conducted an experiment on the effect of a 1,500-calory diet on 34 human guinea pigs, volunteers who were carefully picked for physical and psychological normality from among conscientious objectors. For 6 months they were fed at the semistarvation level, going down to about 1,500 calories per day, to which millions of Europeans are subjected. Not only did the effects of this experiment make it difficult for these men to maintain their dispositions, their judgment, their intellectual work, and any form of manual labor, but the really striking thing was that the men made almost no improvement at all when their diet was raised to a level of 2,000 to 2,500 calories. It was only after a very considerable time, under a 4,000-calory diet, that real progress was made. The Worldover Press, in commenting on this experiment, observed:

"The significance of this for the rehabilitation of Europe and for the hope of democracy in Europe is obvious and appalling."

On February 1, the day before General Clay stated categorically that there is no starvation in the American zone, the New York Times carried a special dispatch from Frankfort which states:

"In contrast to Senator KENNETH WHERRY'S protests against starvation levels which he indicated he believed were being maintained in the United States zone, the Food and Agriculture Division reported that the amount of rationed food permitted had increased consistently in each succeeding ration period and that the normal consumer received 1,262 calories daily in the eighty-first period, ended November 11.

"The daily ration rose to 1,550 the first week in January, and recommendations are now pending that it be increased to 1,750. The public-health officers of the military government, who submitted this proposal, further indicated that if the average weights of civilians dropped it would be further increased to a minimum of 2,000 calories daily. The increase in the ration, however, caused an unduly rapid reduction of the indigenous resources and a corresponding increase in import requirements, the report added."

Mr. President, what kind of reporting is this? Is not this more of the same misinformation and misinterpretation that has helped to bring this tragedy on our heads. These facts reported by the New York Times do not contradict the junior Senator from Nebraska's statement that we are parties to the crime of mass starvation; they confirm it. Is there anyone in this Senate body who will deny that a daily diet of 1,262 calories is a starvation diet? Is there anyone who would deny that if, at the end of a 6-month experiment with a starvation diet of 1,500 calories, it took a sustained diet of 4,000 calories to recover from those effects, that this statement in the New York Times makes General Clay's assertion that there is no starvation in Germany ridiculous. Up until November the Germans lived on a diet of 1,262 calories or less.

Mr. President, I hold in my hand authentic photographs of the condition in which German children were found as a result of this enforced starvation policy of this Government. I deeply regret the fact that there are not enough copies to be placed on the Senators' desks, but I invite their attention to the condition described in these photographs and to the fact that they were published by Victor Gollancz, a Polish Jew, now one of the leading editors in England. Copies of this pamphlet can be obtained at 14 Henrietta Street, Covent Garden, London, W. C. 2.

Sometime ago David Lawrence, the eminent editor and publisher of the United States News, predicted that as a result of our polices the American people would soon see pictures of conditions in the American zone in Germany that would rival in their horror the atrocity films that have already been displayed across the country. But Mr. Lawrence made this assertion upon the following condition: That the American news reporters were permitted to do their duty. Why is it, Mr. President, that if the American people want to see the results of their own policies in the American zone of occupation in Germany they must send to England for the films?

On February 3, Under Secretary of State Dean Acheson, in a radio broadcast sponsored by the State Department, acknowledged there will be starvation in Europe this winter despite all our efforts to prevent it. Mr. Acheson went on to say:

"We've won the war and we can't afford to let hunger and starvation defeat us now—even if it means a return to wartime conditions in some sectors of our economy."

Mr. Acheson continued:

"The short-supply countries between now and July 1 will need 17,000,000 tons of wheat, and that, at most, 12,000,000 tons can be shipped to Europe from the United States, Canada, Australia, and the Argentine, of which 6,000,000 must come from the United States. The situation is so bad in some countries that there is only enough wheat and flour for a 2 weeks' supply of bread. We can not go on feeding wheat to our hogs and cattle while people die of hunger."

In the same broadcast, Under Secretary of Agriculture John B. Hutson warned this country:

"Unless we can greatly increase our foreign shipments of wheat, we may have to choose between these alternatives: Trying to limit the starvation to Germany, thereby running the danger of imperiling our whole occupation program or spreading the supply thinly everywhere, with the result that there will be starvation on a smaller scale throughout Europe, even in the countries of our allies."

In other words, Mr. President, the native humanitarianism of the United States and the instinctive love of decency and respect for human dignity have been taken advantage of by this conspiratorial clique within this administration which has kept the terrifying facts suppressed whenever any of the ugly consequences of their policies threatened to be opposed. The truth is that this tragedy has been so long in the making now that the American people are presented with two alternatives: Either we must continue the deliberate policy of starvation in Germany and Austria in order to keep the other liberated peoples alive, or we must spread our resources so thin that mass starvation will stalk the whole European Continent. At least these are the alternatives now presented to us by the official spokesmen for the administration. Mr. Acheson now admits there will be starvation in Europe this winter "despite all our efforts to prevent it."

Mr. President, in the face of these facts, are we to believe General Clay's assertion there is no starvation in the American zone in Germany and that the five nutrition boards operating in that zone cannot find a single case of starvation? Whom are we to believe? Mr. Acheson? Mr. Hutson? General Clay? Or these pictures that I hold in my hand?

One high-ranking Army officer returning from many months in the American zone in Germany, recently told of listening to the

death notices being read during the service in one of the largest German churches in Berlin. He said, as the list lengthened, he hung his head in shame while admitting to himself, "this is starvation."

Following is the story told by Dr. Lawrence Meyer on January 13 in St. Louis, Mo., after returning from an investigation of conditions in the American zone:

"The 1,300 to 1,700 calories allotted to people in Germany is barely enough to keep them alive if they stay in bed all day."

Dr. Meyer went on to say:

"Germany literally swarms with children. Eight children per family is nothing extraordinary. Millions of these children must die because there is not enough food. In Frankfort at a children's hospital there have been set aside 25 out of 100 children. These will be fed and kept alive. It is better to feed 25 enough to keep them alive and let 75 starve now than to feed the 100 for a short while and let them all starve."

Dr. Meyer continued:

"On the way to Berlin we saw a caravan of 55 busses carrying 1,800 children. They were one section of a group of 50,000 being evacuated from Berlin for the winter to keep them alive. Bishop Dibelius of Berlin said that all children under 2½ years in that area will die this winter."

Whom are we to believe, Mr. President? At this very moment a conference is being prepared for the Cabinet members, to be held in the White House, to discuss a grain shortage so grave that some officials are talking of a return to rationing. On February 1, Secretary Anderson of the Department of Agriculture called this conference because Secretary Byrnes upon returning from Europe reported that failure of this country to meet its export quota would condemn millions to die of hunger before the winter ended. What are the American people to believe? It was only a few weeks before that Secretary of Agriculture Anderson stated that the vicious New Deal practices of plowing under crops and reducing acreage would have to be revived; that quotas for 1946 crops would have to be reduced, in order to maintain price levels in this country. And now, out of a clear sky, the American people are told that the maximum production of food of which this Nation is capable is not sufficient to prevent mass starvation among our allies and peoples of the conquered countries alike.

Mr. President, this is deliberate deceptive confusion. This is a conspiracy against the basic humanitarian instincts of the American people. These things do not just happen. They have been planned and engineered by this vicious conspiratorial clique to which I have referred that has already betrayed the American people.

I do not believe what General Clay says about no starvation in the American zone. And while he was careful to point out that he was speaking only for the American zone, there are three other zones in Germany, right in the heart of Europe, for the welfare, protection, and livelihood of which the American people were solemnly committed at Potsdam. There is no need to go through a long rehearsal of conditions in those zones for which we are responsible.

Mr. President, on September 21 the Catholic and Protestant clergy of Loerrach sent a petition to the French military government which has just come into my hands, and from which I quote:

"In the name of Christianity, in the name of humanity, in the name of the peace aims for which the victorious powers went to war, conscious of their responsibility before God and before their people for the peace, the signatories refer, at this moment of greatest misery and most important decisions to the fateful consequences which the continuation of present methods of occupation, of starvation, the toleration of looting, the requisitioning of foodstuffs, will have for our people and for France.

"Fully conscious of the situation and of the tone of the population the ministers of Loerrach urgently beg the French occupational authorities for moderation, for clemency, for aid; they beg for bread and peace for the starving population."

On October 12, the United States Army officials stopped turning over German prisoners to the French after the International Red Cross charged the French with failing to provide sufficient food for German prisoners working for them. The Red Cross made representations to the United States Army Headquarters that widespread malnutrition existed among German prisoners in French camps. The newspaper, Figaro, on September 22, quoted Gen. Louis Buisson, Director of the War Prisons, as admitting that food rations were "just enough to allow a man to lie down, not move, and not die too quickly."

The French Government has been compelled to reduce the bread ration in France for its own people. And now, at this very moment, the French Government is in Washington pleading with this administration to ship enough extra food into the French zone of occupation to prevent a catastrophic collapse, admitting that the French authorities have not been able to maintain a ration of 1,100 calories in the French zone since they took over its administration.

Mr. President, what are the facts in the Russian zone? I quote from a confidential memorandum prepared on October 12, 1945, by an outstanding European economist:

"Since the end of the war about 3,000,000 people, mostly women, children, and overaged men, have been killed in eastern Germany and southeastern Europe; about 15,000,000 people have been deported or had to flee from their own homesteads and are on the road. About 25 percent of these people, over 3,000,000, have perished. About 4,000,000 men and women have been deported to eastern Europe and Russia as slaves.

"A distorted picture of the relief needs has been given. The major problem is the political arrangements which prevent the people from organizing self-aid measures with the means still at their disposal. In Berlin, for instance, 3,000,000 people are starving while crops are rotting in surrounding agricultural areas. It seems that the elimination of the German population of eastern Europe—at least 15,000,000 people—was planned in accordance with decisions made at Yalta. Churchill had said to Mikolajczyk when the latter protested during the negotiations at Moscow against forcing Poland to incorporate eastern Germany: 'Don't mind the five or more million Germans. Stalin will see to them. You will have no trouble with them: they will cease to exist.' (Quoted in the conservative London news letter, Review of World Affairs.)"

Again, Dr. Lawrence Meyer on January 13 stated:

"About 16,000,000 German refugees east of the Oder are being deported from their homes. It has been estimated that already 10,000,000 have been driven out. The human tragedy and suffering caused by this forced 'Volkswanderung' are unparalleled in history. Hunger, cold, sickness, and death is the lot of millions. An authentic eyewitness report of the physical wretchedness of most of these refugees is pictured in the following:

"A large barge is slowly being towed across the Oder River. In it, lying on straw, are 300 children ranging from 2 to 14 years of age. There is hardly a sign of life in the whole group. Their hollow eyes, their swollen bellies, knees, and feet are telltale signs of starvation. These are merely the vanguard of hundreds of thousands—millions of homeless, tattered, hungry, sick, helpless, hopeless human beings fleeing westward—west of the Oder and the Neisse Rivers.

"A trust in God—in His goodness and mercy—these are the only hope of Germany today. And thank God in many there is still faith in God against which the gates of hell have stormed in vain during the past decade."

Mr. President, I feel it my duty to read into the record from a report made by the German Central Administration for Health at the beginning of this winter regarding conditions in the Russian zone. The agency reporting is a German agency set up by Moscow. In speaking of the population in the Russian zone of Germany these authorities state:

"The people hunger. They hold only the immediate present responsible for their condition. They are without the energy to trace the links of causes. They have even forgotten Hitler. Beyond the immediate present their power to reproduce even memory does not reach. There is growing, as though by psychological compulsion, a mass hysteria, with a thousand different symptoms of drug addiction, drunkenness, perversities, sadism, murder, infantilism, the situation is reaching a generally psychopathological state, through chronic hunger. We are seeing aberrations such as were previously known only among stranded and starving sailors in lifeboats, or thirsting persons forgotten by caravans in desert sands. It is increasingly impossible to discover in the masses of the people opinions. They have only animal urges.

"The explanation of this mass phenomenon, this mental and spiritual paralysis, is physical. They are emaciated to the bone. Their clothes hang loose on their bodies, the lower extremities are like the bones of a skeleton, their hands shake as though with the palsy, the muscles of the arms are withered, the skin lies in folds, and is without elasticity, the joints spring out as though broken.

"The weight of the women of average height and build has fallen away below 110 pounds. Often women of child-bearing age weigh no more than 65 pounds. The number of still-born children is approaching the number of those born alive, and an increasing proportion of these die in a few days. Even if they come into the world of normal weight, they start immediately to lose weight and die shortly. Very often the mothers cannot stand the loss of blood in childbirth, and perish. Infant mortality has reached the horrifying height of 90 percent."

On December 8, Bertrand Russell, writing in the New Leader, states:

"The Russian zone was the chief food-producing area of Germany, and the western powers had supposed that there would still be an exchange of food from the eastern regions for industrial products from the west. The Russians, however, seized almost all livestock and stores of food and agricultural machinery, and transported all able-bodied men to forced labor in Russia or Poland. There is consequently not nearly enough food left in eastern Germany to feed even the normal population. What food there is goes largely to the Russian troops, which are not fed from home as are the British or Americans.

"Meanwhile Russia has annexed East Prussia, and Poland has annexed the rest of what was Germany east of the Oder and the Neisse. All Germans in these regions and the Sudeten 'Germans,' who are in fact Austrians, have been or are being expelled into Austria or the Russian zone of what remains Germany. It was agreed at Potsdam that these expulsions should take place 'in a humane and orderly manner,' but this provision has been flouted. At a moment's notice, women and children are herded into trains, with only one suitcase each, and they are usually robbed on the way of its contents. The journey to Berlin takes many days, during which no food is provided. Many are dead when they reach Berlin; children who

die on the way are thrown out of the window. A member of the Friends' Ambulance Unit describes the Berlin station at which these trains arrive as 'Belsen over again—carts taking the dead from the platform, etc.' A large proportion of those ejected from their homes are not put into trains, but are left to make their way westward on foot. Exact statistics of the numbers thus expelled are not available, since only the Russians could provide them. Ernest Bevin's estimate is 9,000,000. According to a British officer now in Berlin, populations are dying, and Berlin hospitals 'make the sights of the concentration camps appear normal.'

"Most of these refugees make their way first to Berlin. But in Berlin 80 percent of the houses have been destroyed, and of those that are intact a large proportion have been requisitioned by the Allies. In the available houses there is practically no furniture, as a result of Russian looting, while the Russians were in sole occupation. There is no coal for civilians and very little food; the best ration (to which few are entitled) is 1,200 calories, which is less than half the number considered adequate for a sedentary office worker normally clothed and housed, but in practice the nominal rations are not met, and refugees are not entitled to any rations at all while they stay in Berlin. It is expected that all children under 1 year old will die in Berlin before the end of the winter. During the three summer months the death rate for children under 1 year was already 594 per thousand; the general death rate for Berlin is at present 61 per thousand; it is expected to rise to about 200 during the winter.

"If millions of children are caused to die of hunger and disease bred of destitution through the action of our allies and many yet unborn are to be endowed by their fathers with the legacies of venereal infection or hunger, or both, we have our share of responsibility unless we do everything in our power to alter their policy or, if that is impossible, to mitigate its effects by unilateral action."

Mr. President, I am convinced that the American press has deliberately avoided the implications of the mass exodus of Jews from eastern and central European countries now under Russian domination which brought about the vicious charges against Gen. Sir Frederick Morgan, chief of UNRRA operations in Germany. The truth is, that this basic issue of humanitarianism of which I am speaking has been so violently degraded into a savage and inhuman attack on the body, the mind, the heart, and the spirit of man, that every race and every national and religious group caught in this barbarism are brutalized alike.

Mr. Michael G. Tress, president of the Agudath Israel Youth Council of America, returning from Europe after a month and a half abroad under UNRRA auspices, made just such a sorry admission when on January 23 he stated that the Jews, while they might in time make a way of life in Rumania, Hungary, and Czechoslovakia, * * * fear the Russian orbit terribly.

Mr. President, it is generally accepted that the conditions in the British zone of occupation are best of all.

There is no need to go into a detailed discussion of conditions there. The British are terribly fearful of the impending catastrophe that threatens the whole of Europe. And they are doing everything within their power to alleviate the tragic conditions existing in their own zone.

The first issue has been, and continues to be, purely humanitarian, and this vicious clique within this administration that has been responsible for the policies and practices which have made a madhouse of central Europe has not only betrayed our American principles but they have betrayed the GI's who have suffered and died, and they continue to betray the American GI's who have to continue to do their dirty work for them. As one high-ranking military official recently wrote from Berlin, "starvation of the wards of an occupation army corrupts that army to the bone."

I refuse to believe there is anything remotely American in this whole despicable deal. I agree with Dorothy Thompson who, on November 8, stated:

"The noisy articulate minority of revengists do not represent American opinion. The Christian church and communities from Quakers to Catholics are in protest. We shall soon, I predict, hear vehement reactions from labor circles against the advice on German trade unions being handed to General McNarney by American labor politicos who speak for no real percentage of American labor. The armed forces, quite outside, are furious over what the politicians are doing with the democratic victory. Foreign and domestic policy cannot be divided as though on two planets."

Mr. President, on December 1 the American Friends' Service Committee placed a large advertisement in five of the largest newspapers in the United States, pleading for a change in American policy under the headline "If Thine Enemy Hunger, Feed Him." I want to enter into the record a few of the 25,000 letters of support that have come from Jew and gentile, civilian and serviceman alike.

One man wrote from New York:

"The Nazi monsters have almost exterminated my people, not only in Germany but throughout Europe. Their anti-Semitic propaganda has had its repercussions throughout the world. Nevertheless, I still believe in the fatherhood of God and the brotherhood of man. I still believe that the German children should not suffer for the sins of their misguided fathers. I believe with all my heart that we should rise above the hatreds and prejudices engendered by the war and succor all people, including the Germans, who are afflicted and heavy laden."

Another refugee wrote:

"I have lost my old parents, my sister, my brother-in-law and a little nephew in German extermination camps. There are no excuses for German crimes and criminals and there are no excuses for statesmen who would permit a nation, any nation, men, women, and children, to become one vast extermination camp."

One veteran wrote:

"As an ex-GI of the Third Army, there are tens of thousands of guys like me who remember the not very pretty pictures of little kids—and grown-ups—fighting for the scraps from our mess kits as we ran a kind of gauntlet to get to the garbage cans after chow. I think it safe to say that we were the ones who sacrificed most because of the war; yet the 'let them starve' attitude seems to be more prevalent among the people here who saw the war through the news reels and enjoyed a higher standard of living than they ever had before."

And here is another GI, now in Detroit:

"I am a former serviceman returned to the United States November 2, 1945, after 17 months overseas. First, I fought the German Army. Then I lived with the German people. Circumstances beyond our control made us enemies, but I can find no room for hatred. * * * I fear that we as a nation are heedless of a very real opportunity of making the German Nation friendly to us which could be done simply by putting into practice some of that spirit of Christianity of which we boast so much and have so little."

Another soldier writes:

"I've just been discharged after 5 years in the United States Army. * * * After all, the war is over and if we want to teach democracy to Europe, I think it's about high time the State Department wakes up."

A lieutenant commander in the Navy wrote this:

"I wish I could tell you how heartening it is to one who has just returned from overseas to hear, rising above the voices of bitterness, hatred, and confusion, the clear call of Christian brotherhood pointing to our duty. * * * Whether we like the German and Japanese people is beside the point. We cannot deny that we have chosen to make them our wards; we have therefore assumed entire responsibility for their existence, just as society assumes such a responsibility when it incarcerates a criminal. If people die of privation in the defeated countries this winter, their deaths will mark an atrocity on our part as deliberate and as horrible as those in the concentration camps of the Nazis and the Japs."

A marine says:

"I was recently discharged from the Marine Corps, after 5 years of service, and I certainly did not give 5 years of my life so that I could live in comparative luxury while others must suffer hunger and want."

On January 10, President Harry Truman received a passionate plea from Mr. Howard A. Smith of Connecticut, a plea which I believe represents the heart and conscience of America in this matter. Mr. Smith, by writing this letter, had merely joined the everlengthening line of American citizens and leaders who have been beating a path to the President's door pleading for a humanity that can no longer plead for itself. Mr. Smith concluded his letter with the following plea:

"Do not tell me you cannot do anything about it because of lack of ships. There are 121 ships tied up, the papers tell us, for lack of crews but we got crews during the war. We got crews by paying them a bonus for crossing the ocean, more bonuses for calling at certain ports, and more bonuses for going through mine areas. Well, there are no mine areas today and there are no submarines and there are no bombers to contend with, but there are reliable reports made by your representatives and officials that 10,000,000 women and children will die in Germany this winter. Already it is reported that few children are alive in Germany today who were born in 1945. The infant mortality rate is close to 100 percent.

"If we can pay bonuses to ship munitions to kill people, we can pay bonuses to ship food to save starving children. I am not a Nazi. I fought the Germans in 1917 and 1918 and my two boys fought them this time, but babies and women are not our enemies. For Jesus Christ's sake give them at least an equal chance with the other women and children in Europe. Please—before it is too late."

The second issue that is involved is the effect this tragedy in Germany has already had on the other European countries. Those who have been responsible for this deliberate destruction of the German state and this criminal mass starvation of the German people have been so zealous in their hatred that all other interests and concerns have been subordinated to this one diabolic obsession of revenge. In order to accomplish this end it mattered not if the liberated countries in Europe suffered and starved. To this point this clique of conspirators have addressed themselves: "Germany is to be destroyed. What happens to the other countries of Europe in the process is of secondary importance."

But, Mr. President, what has happened to these other countries? This group has subjected them to the status of corridors for their corroding hate. Burning with an all-consuming determination to wreak their vengeance while they could, this vicious minority have permitted Europe to be divided into two

hostile camps. Politically this group has nurtured the division between Fascists and anti-Fascist groups in every country in Europe. It is not only within Germany that the American technique of purging which has been carried on under the innocuous slogan of "de-Nazification," has earned for Mr. Morgenthau, Mr. Bernard Bernstein, the titles of "American Himmlers." This group has deliberately fostered such a rabid and rabble-rousing campaign of hatred that even in the liberated countries only those who demand the destruction of the German nation and the impoverishment and enslavement of the German people are to be tolerated.

In other words, in order to cover their bloody tracks and to gain the time necessary to complete their mission of destruction, this same clique has sabotaged, obstructed, misrepresented, and misinterpreted any American policy or American direction for the treatment of Germany worthy of the name. At this very moment Europe sits on a powder keg of political and ideological conflicts, suspicions, and hatreds.

It is an obvious fact that Europe cannot be cut up into little categories of classes or cliques or nationalities. Furthermore, it is obvious that even these categories which are being carved out of Europe cannot possibly restore any industrial, or economic, or social stability until political stability has been reestablished. Yet every government in Europe is tottering because this inner clique within this administration—and its now unofficial advisers—have merely whipped the basic ideological conflicts in the continent of Europe into a frenzied uncertainty and confusion to further their own aims, while at the same time millions of our allies and members of the United Nations were forced into more desperate and more ghastly circumstances.

Mr. President, this revenge that has motivated and directed the undermining of American principles has not stopped at undermining the future and security of Europe and Asia. From every section of the globe there now comes to America the tragic pleas of a starving world, pleas which reflect a condition born of a vicious intent and a criminal neglect on the part of this highest inner policy-making circle in our Government.

We have already discussed the plight of France, and England, and Germany. Russia is struggling with a situation in which twenty-five to fifty million of her seventy million homeless are starving. Italy is in such desperate circumstances that on January 19 UNRRA increased its aid to the starving Italian people almost a thousand percent.

On January 6, Gen. F. H. Stayner reported to UNRRA:

"Some 54 percent of the entire Greek population is utterly destitute with regard to food and clothing."

On December 31 Gen. Mark Clark said he had been compelled to requisition food and other goods to be brought into Vienna to alleviate suffering in the American occupation zone.

On January 4, Dr. W. A. Sawyer, Director of Health for UNRRA, stated:

"Upon returning from Warsaw, Lublin, Krakow, I found epidemics of typhus, typhoid, and diphtheria are to be feared in Poland this winter. The people lack almost everything—food, clothing, shelter. Everything except courage."

UNRRA has just allocated $4,000,000 of relief for Hungary that will not scratch the surface. Yugoslavia, Czechoslovakia, Bulgaria, and Rumania have been stripped of all available food—stocks and supplies. And Moscow-sponsored armies are foraging for their very existence on the countryside.

On January 31, a member of the Indian Government in charge of the food department, cabled the British Government:

"India faces a famine of the gravest dimensions this summer—far worse than the Bengal famine of 1943."

Not long ago a combined board of experts, writing in the Washington Daily News, stated:

"Large sections of China are facing death by starvation. Chinese families have been hungry the last 10 years. This year they are worrying about which ones in the family will be dead by spring or if they all will be dead."

On January 9, the New York Times carried the following story:

"With the revelation that Korea—which normally exported annually to Japan between thirty-six and fifty-four million bushels of rice—this year would almost certainly be able to ship nothing, squabbles among Allied officials over Japan's food supply have suddenly taken on a graver aspect.

"It is no longer a secret here that the movement northward across Russian borders has been heavy ever since October, with the Soviet Army removing Japanese technicians to Siberia, as well as plant machinery and food. As a result of the Manchurian food exodus, Korea above the thirty-eighth parallel which is Russian controlled, is probably short-rationed unless it is supplied with rice from the American zone. The American zone, which is Korea's rice bowl, is not receiving other grains from north Korea and Manchuria and must eat its own bumper rice crop largely unsupplemented. Thus south Korea will have a diet closely comparable to Japanese urban fare."

And what are the conditions in Japan, Mr. President? General MacArthur has requested 2,000,000 metric tons of wheat immediately to enable him to raise the present starvation level in Japan to 2,000 calories in order to avoid an outbreak of violence.

On January 1 Governor Lehman, himself Director of UNRRA, in a radio address, warned the UNRRA would not be able to bind up every wound or feed every child that cries for help. Governor Lehman warned America: "In Europe and in China there are millions of maimed and broken bodies without adequate medicine or even clothing to keep themselves warm, and there are millions of children who are hungry. The needs of weary humanity are overpowering."

And now, Mr. President, while these vicious policies directed toward the extermination of the German state and people have been carried on by blind fanatics, our own State Department officials and Governor Lehman himself warn us that this clique has had its own way so long and has ignored the larger problems arising out of this war to such an extent that our allies themselves have been betrayed.

The third issue, Mr. President, is the issue of world cooperation and world peace which are all intimately wrapped up with the ultimate fate of Germany. This same group who by their very actions have already condemned themselves as fanatics have even stooped to sabotage the precarious relationships existing among the big powers without any thought of the dreadful consequences that were sure to follow if they could only wreak their blind hatred on a prostrate people. One after another, this same clique has hurled charges and insinuations and smears at France, Britain, and Russia in order to cover their own tracks. I have been reliably informed that certain members of the military government in Berlin, in order to gain time for their own vicious ends, actually destroyed a document signed by Marshal Zhukov in which the Russian commander agreed to the initiation of an interzonal arrangement among the Big Four. The blame for the failure of American occupation policies in Germany has constantly been laid at the door of either Britain, Russia, or France, or, if the occasion warranted, General Patton could be attacked. Or General MacArthur could be smeared and maligned. This clique of fanatics has been willing to stop at nothing to gain its own end. Even if international complications and mortal threats to world peace were involved.

Mr. President, the record convinces me that while this same clique has been willing to use any means to attain its end, its basic and single purpose and concern has been to destroy Germany. At this very moment this group who formulated the Morgenthau plan, who repudiated the American plan for the treatment of Germany drawn up in our State Department, continue to single Germany out of all the victorious and conquered nations of the world for the following treatment. In the first place there is no relation in the degree of the desire for vengeance they display between Japan and Germany. The press and radio they control is overwhelmingly directed at Germany and the German people. Second, as of this moment Germany is the only nation in the world whose nationals are permitted neither to send nor to receive 1 ounce of food, mail, medicine, clothing, or a word of commiseration. UNRRA is not permitted to function within Germany where German nationals are concerned. Some thirty million loyal and patriotic Americans, whose fathers and mothers, whose brothers and sisters, whose relatives and friends are walled in behind an iron curtain of complete isolation from the outside world, together with all of the charitable and religious groups in this country—are unable to minister directly to what has now become only part of a staggering human need.

The fourth issue at stake is whether this country is to function as a constitutional representative republic through its elected servants from the President down, or whether it is to be forced to continue to be the puppet of a vicious conspiratorial clique who, in deliberate defiance of the will of the vast masses of the American people, and without regard for the consequences to the rest of the world, continue to bleed and to mulct the last vestiges of a liberty-loving people, to feed their own lust for revenge.

This issue involves the answers to the following questions:

1. What are the conditions that really exist behind all this smoke of propaganda and confusion?

2. What are the directives that have actually been issued and how are they being put into practice?

3. Who has been responsible for the ghastly tragedy now confronting us?

Mr. President, everything this administration touches in Europe is turning to ashes. Every single directive that has been issued for the treatment of Germany has become a whited sepulchre filled with infants' bones. Who is it that has been responsible for forcing the acceptance of the Morgenthau plan as anything that even remotely represents the things America stands for and the things for which her sons have bled and died?

Mr. President, America can no longer hide behind excuses or evasions or propaganda. The time has come for America to act, and I urge the enthusiastic support of the resolution introduced by the Senator from Nebraska, calling for the immediate appointment of a congressional committee to investigate American policies which are imposing mass starvation on any peoples anywhere.

GOVERNMENT INTERFERENCE WITH PRODUCTION

Mr. WILLIS. Mr. President——

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from Mississippi yield to the Senator from Indiana?

Mr. EASTLAND. I yield.

Mr. WILLIS. Mr. President, 9 months have passed since VE-day and almost half a year since VJ-day. After brief periods of exultation the long-suffering

American people settled back to wait patiently for what they had every right to expect—a veritable flood of civilian goods after the lapse of a reasonable length of time.

Economists freely predicted that if such a flood of civilian goods—particularly automobiles and consumer durable goods—could be put on the market it would sop up a lot of the excess purchasing power prevailing in this Nation, and keep prices from rising. The one watchword to a stable peacetime economy was "production."

Millions of Americans who had gone without automobiles for years knew that it would be 6 or 8 months before they could be satisfied. But they were willing to wait 6 or 8 months patiently. They knew that plants would have to retool, workers would have to be retrained, other work done. Now the 6 or 8 months have passed and, to the hundreds of thousands of Americans who expected new automobiles, the waiting becomes more and more unbearable.

Millions of housewives who normally would have purchased electrical washing machines, or electrical ironers, or dozens of other needed home appliances during the years 1942 through 1945, forebore these seminecessities with little complaining, realizing that there was a war on. They said to themselves last summer: "Only a few more months now and I can go and buy the electrical equipment I need." But can they? There is arising a dull and despairing feeling that even within another 6 months or a year they will not be able to rid themselves of the drudgeries which they had a right to be rid of before now.

They have waited and waited and waited—apparently with little sympathy from the highest echelons of power here in Washington.

Millions of farmers and suburban dwellers, the men and women who make up our great middle class, thought last summer, that in a few months they would be able to have the house papered for a fair price, or could have the drain pipes fixed, or could install the new electrical pump they intended to buy, or could switch over to electrical milkers or other labor-saving machinery. But they have waited and waited and waited. And today, to many millions of them, it seems as if they will wait forever.

They have the money with which to make the purchases. Many of them are willing to pay a premium for the things they need, for if they had the implements to use, they could save the difference in a few short weeks.

All of them know that the shortage of these appliances and implements is not caused by lack of facilities. They have seen the reports of the administration showing that, by and large, American industry has reconverted quickly and much more speedily than was dreamed possible last summer.

The millions who are waiting for these things include union laborers as well as nonunion laborers. Yet, all suffer alike, because the greatest industrial machine every built in the history of the world is stalled on dead center.

Mr. President, every Senator's mail is heavy with complaints from people whose plans for production have been thwarted by interference of our Government in their efforts. Every Senator's office is besieged by businessmen who have come to Washington to try to get a sensible adjustment of the difficulties which block their ability to produce. I shall cite two examples. Within a few days an Indianapolis man who has a large construction contract for supplying fabricated steel for a building told me that the Office of Price Administration sometime ago had allowed him a $10 spread between the cost of the material and the ceiling prices he could get for his product, within which range he was restricted for the payment of all the labor, overhead, and other expenses necessary for the fabrication of the steel.

These costs had absorbed within 25 cents of the 10-dollar range, and if the Government authorizes an increase in the price of steel of from $4 to $6, as is contemplated, he will have to close down his operations unless a new ceiling price is permitted on his product. He could get no encouragement that he will receive an adjusted price. Much building in his area will thereby be stagnated.

Indiana produces 60 percent of the lawn mowers made in the country, but out in Richmond and Muncie lawn mowers are being stored in warehouses because the OPA will not give the manufacturers a price which will permit them to recover the cost of production. At the same time it gives to a new manufacturer who did not make lawn mowers before the war a price which would be satisfactory to the old-established manufacturers, but is denied them.

In the case of the wood office-furniture field, for instance, in which my State also is a leader, if OPA persists in keeping this industry under the present theory of price control, it will be only a short time before OPA will have to set prices on from 100 to 2,000 new designs, depending upon the time the new designs are completed and ready for prices. These are but a few of hundreds of similar industries which ought to be out from under price control now—and would be, under any sensibly administered reconversion program.

It is common knowledge that no one can buy shirts and no one can buy stockings because OPA will not permit prices sufficiently inviting to move them, and textile production is going into lines in which profit is more inviting.

We are long on laws but short on shorts.

What good is price control on nonexistent automobiles, nonexistent electric washers, nonexistent homes, nonexistent office desks, warehoused shirts, stockings, and lawnmowers?

Factories all over the country are closing down daily because of their inability to get parts which cannot be supplied at the ceiling prices allowed.

Hundreds of thousands of American workmen are out of jobs on strikes because their wage demands cannot be met by the industry on the ceiling price enforced.

Mr. President, the economic foundation of our country is trembling and the whole structure will collapse unless early action is taken to remove the hindrances to full production and full employment in this country.

The American people have two choices of action to take in the present situation. One is complete regimentation of the country in the matter of production and distribution, employment, wages, and prices, on the plan of a total socialized state, adjusting and regulating the affairs of our citizens to the minutest detail. That plan is abhorrent to the tradition and to the present-day desires of the American people. It is out the window to start with.

The second choice is to give the Government back to the people, and let them regulate their own affairs and work out their own adjustment of prices and of production and of distribution under the natural laws of economics.

The way to begin this reform is to throw out the window the system of price control which the Government operated during the war. It must be drastically revised on the basis of production rather than stagnation. Phantom price lines have long since faded before the actual facts of rising costs.

The course suggested was urged upon the administration last week by Mr. Henry Ford 2d, and certainly the history of his remarkable industrial institution as an outstanding example of the American way of economics, compels us to give close consideration to it.

But I hear the question raised, "What about rents in this day of acute housing shortage?" It will be agreed that during the period of growing scarcity of housing and the inability to produce housing facilities, rent control accomplished a useful purpose, but it was most unjust to property owners who had to neglect proper upkeep of their property. What a travesty it is that our soldiers who went out to fight for our country have to come home to squalid quarters, temporary housing, and camp trailers to shelter themselves and their loved ones from the storm. A government that does not remedy that situation at once is, indeed, ungrateful.

In the present situation a system of rent control which refuses to give a fair rental return for the money invested in building will simply prolong the shortage of housing facilities. In the long run the only way that rents will be reduced is by the production of an ample supply of housing facilities, or by the break-down of our economy to such an extent that people in order to exist will have to double up and use less rental space. Manifestly, the desirable way is through increase in housing facilities. Unless an immediate revision is made of the rent-control policy, so that property owners may get a fair return on their investment, the housing shortage will grow increasingly critical, and when the controls are removed at the end of wartime powers the inflationary prices will mount far above the point to which they would now go if the controls were gradually eased, looking forward to the time

when they must and will be removed altogether.

The hold-the-line policy has been a delusion and a snare. We have spent billions in subsidies to delude the American people into thinking that prices are lowered, when subsidies have only added to inflation and to the debt which the people will have to pay with harder-earned dollars tomorrow. The black market has added to the cost of living and people have been driven away from the just use of our money system as a medium of exchange to a barter system which OPA cannot control. We read in the papers this week that in one western State a carload of corn was swapped for an automobile tire, and that in another State corn was being traded for nylon stockings. People will find a way to satisfy their desires whenever Government steps in and tries to restrict them. That has been proven time and time again in America. Why can we not heed the lesson?

Mr. President, we are all talking about inflation as some future danger which we should seek to avoid. Inflation is already here. It has grown with the expanding public debt, the expanding currency, and the devaluation of the dollar. When we lowered the purchasing power of the dollar we increased prices. When we paid out huge sums of money on a deficit financing basis, so that every earning family piled up a huge buying power; when we restricted the production of certain goods in order to care for our wartime needs, we built a higher level of nominal values to which our economy must be geared. We will have to have higher prices, we will have to have higher wages, we will have to adjust salaries to this higher level, or there will be no production. This is an elementary law of economics, and cannot be thwarted by theorists sitting in swivel chairs in Government buildings in Washington.

The Office of Price Administration may have served a useful purpose during the war. It never was administered on the sound basis which its framers intended, that is, that when production costs increased in certain levels they should be reflected in the cost of the finished product. At the taxpayers' expense Mr. Bowles and his associates have been propagandizing the country with a false philosophy. They have been holding rallies, they have been scaring the people with a bogey of inflation, they have been telling the Nation that they are supermen whose plans can control prices, they have been misleading our people with the subtlest form of demagoguery. Their practices are so patently unsound that one is forced to the conclusion that they are deliberately planning to wreck the American system of freedom in production, in labor, and in business, laying the ground work for some new form of regulated society.

One of our wisest Presidents once said, "This Nation cannot remain half slave and half free." That statement is just as true today. We cannot have a half-socialized state and a half-free economy, and the pity of it is that if we attempt it we will become altogether a socialized state. Let us take the Government back home to the people; let us keep this a free Nation. Let us begin now; the time is already late. God help us that it may not be too late.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point, following the conclusion of my remarks, resolutions adopted by members of the Marion County Residential Builders, Inc.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Whereas the members of the Marion County Residential Builders, Inc., are ready, willing, and able to undertake the construction of any and all housing units needed to adequately and satisfactorily house everyone now in the market for a new home, and regardless of whether the person or family in need wishes to purchase or rent such a home; and

Whereas building crews including craftsmen of all types are available for immediate employment.

And since financing of home building is known to be more than ample for all requirements.

And further since the production of more and more new homes or dwelling units is the only solution to the present housing problem.

And since no agency can provide new housing any faster than the supply of materials will permit or build or cheaply or as well as the private builders are ready and willing and able to do so.

And further since it is known that the general shortage of materials and supplies for home construction is the only deterrent prevalent at this time in this locality in the home building industry.

And further since it is evident that the shortage of materials and supplies is due chiefly to the operation of price controls promulgated and applied to the sale of building materials and supplies by the Office of Price Administration: Therefore be it

Resolved by the members of the Marion County Residential Builders, Inc., in regular meeting assembled, That no legislation such as the Wagner-Ellender-Taft measure will serve to correct or be of any benefit in the present housing shortage but will instead place additional difficulties in the way and further stifle the construction of homes by private builders and that for these reasons the Wagner-Ellender-Taft bill as well as the Patman bill should be defeated; and be it further

Resolved, That the present situation demands the abrogation of price-control regulations on building materials and supplies in order to remove the stifling effect of these regulations on production and thus enable the manufacturers to increase the production of such materials and supplies and permit the home-building industry to proceed with the construction of new homes as rapidly as the production and supply of materials can be increased; and be it further

Resolved, That a copy of these resolutions be furnished to the press and to each Member of Congress, representing the people of the State of Indiana.

A. M. H. GRAVES,
President.

Attest:

ELMER E. MEADLEY,
Executive Secretary.

Adopted January 15, 1946.

Mr. WILLIS. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD, at the conclusion of my remarks, an editorial from the Washington News of January 28, 1946, entitled "Please Let Me Make My Zippers."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

"PLEASE LET ME MAKE MY ZIPPERS"

The strike situation looks a little better.

The CIO meat strikers have wisely changed their minds and gone back to work in the Government-seized packing plants. Their wage dispute isn't settled, but the country will get some meat. Ford and Chrysler have granted wage raises a little more than half as big as the CIO auto union first demanded. That's probably about what most CIO unions expected to get, and most big industries to give, in the first place, before the issue got all snarled up in politics and bitterness.

So, perhaps, we can hope for fairly early settlement of the General Motors strike, the electrical-goods strike, and others, including even the great steel strike. These labor-management battles have cost the country a terrible lot of money, time, and production. And the wage increases will be cut down by higher prices unless production comes fast, big, and quick—unless all concerned get to work and work hard.

Why this is so has seldom been better explained than it was the other day by David Silberman, a New York zipper manufacturer. Mr. Silberman decided that the whole labor problem "was being approached too much from the political and pedagogical angles." The average man "was being kicked around too much."

So he sat down in his hotel room and wrote an advertisement—"A plea from a bewildered small businessman to the United States Government, my Government, to labor, to management." Then he took it around and had it printed, full-page, in the New York Times. It deserves even wider circulation. Here's what it said:

"I manufacture zippers. I cannot get enough tape. I cannot get enough metal. I cannot get enough labor. I cannot get enough of anything except customers. If I could get enough material and enough labor, and my competitors could, too, very soon between us we would make so many zippers—the competition would be so keen—that there would be no possibility of inflation, at least so far as zippers are concerned.

"What is true of my business—zippers—is true of buttons and dresses and fabrics and steel and autos and locomotives and finger bowls and toothpicks and of apple sauce.

"Production, competition, the ingenuity of management, the cooperation of labor is what will prevent inflation, not Government regulation. So—

"Labor—please stop your strikes. Management—please pay your employee a higher wage, remember he is your best customer. Government—trust us, don't regulate us. We'll hold the line—voluntarily.

"Please, everybody, get together and let me make my zippers."

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 1085) for the relief of Mrs. Celia Ellen Ashcraft.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 2223) for the relief of Catherine Bode; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCGEHEE, Mr. MORRISON, and Mr. PITTENGER were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amend-

ment of the Senate to the bill (H. R. 2267) for the relief of Harriet Townsend Bottomley; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McGEHEE, Mr. KEOGH, and Mr. CASE of New Jersey were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 2487) for the relief of Mrs. S. P. Burton; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McGEHEE, Mr. COMBS, and Mr. JENNINGS were appointed managers on the part of the House at the conference.

APPEAL FROM DECISION OF THE CHAIR ON CLOTURE MOTION

The Senate resumed consideration of the appeal of Mr. BARKLEY from the decision of the Chair sustaining the point of order of Mr. RUSSELL that, under the rule, the presentation of the cloture motion on the FEPC bill was not in order.

Mr. EASTLAND. Mr. President, I am glad the distinguished Senator from Pennsylvania [Mr. GUFFEY] stated what was really behind this measure. He stated that social equality was not an issue; yet he admitted that the bill would establish certain practices which were aimed at bringing about social equality in this country. Behind the bill, Mr. President, there is not only an attempt to bring about social equality and racial amalgamation, but the bill itself constitutes an attack upon the segregation statutes of the Southern States. It exemplifies the ideology and the governmental philosophy of Harlem and of the Bronx and is an attempt to impose the governmental philosophy of Harlem over the rest of the United States.

The city of New York is a great city, but, Mr. President, the ideals, the philosophy, the idealogy of the masses of its people are entirely foreign to the governmental conceptions of the masses of the people who make up America, and the people who built America and made her great.

Mr. JOHNSTON of South Carolina. Mr. President——

Mr. EASTLAND. I yield to the Senator from South Carolina.

Mr. MEAD. Mr. President, a point of order.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. MEAD. Mr. President, according to the rules of the Senate, it is out of order for any Member to refer offensively to any State of the Union. To hold up the State of New York or any part of it to ridicule by comparison with other States or with the people of other States is offensive and in violation of the rule. I should like to have a ruling upon the point of order.

The ACTING PRESIDENT pro tempore. The Chair rules that what the Senator from Mississippi said, properly construed, is not offensive to the State of New York. The Chair is aware that there is such a rule, but the Chair holds that it has not been violated by the Senator from Mississippi.

Mr. EASTLAND. Of course, Mr. President, I have not said anything offensive to the State of New York. The philosophy of this bill is backed, as I believe the distinguished Senator from New York has stated, by the people of his State, and I submit that that is all I have said in this instance. But I may say that the Members of the southern delegation in Congress are charged with being Fascists and are being ridiculed. I saw an article to that effect today, written by I. F. Stone. We are being ridiculed by individuals such as he at a time when the South, Mr. President, is standing for Americanism as against communism, when we are trying to protect our country, when we are trying to preserve the future of our country so as to hand down to our children and our children's children the kind of country we love and the kind of country we have helped create.

Mr. President, before going into the jurisprudence of this bill as compared to that of Soviet Russia, I should like to call attention to two of the provisions of the bill. On page 10, line 9, appears this provision:

> Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof.

Mr. RUSSELL. Mr. President, before the Senator from Mississippi leaves the subject he was discussing, will he permit me to interpolate a few words?

Mr. EASTLAND. I yield to the Senator from Georgia.

Mr. RUSSELL. Mr. President, the Senator has mentioned the fact that the real issues involved in this bill have not been submitted to the American people; that the issues involved in this controversy have, in some cases, been deliberately misrepresented. For example, Time, a magazine of very wide circulation, holding itself out as being reliable in the information it carries, denominated the opposition to this bill as an effort on the part of southern Senators to prevent the Negro population receiving any increase in their wages. Of course, the Senator knows that such a statement, from whatever source it might come, is wholly false.

One of the proponents of the bill on the floor of the Senate today states the real purpose which is back of the measure. When the Senator from Pennsylvania [Mr. GUFFEY] states that he is for this bill because it vests a Federal bureau with the power to strike down any idea of the separation of the races in any of the relations of life he states one real reason for the opposition of those of us who are opposing the bill. We know, even though that knowledge cannot be carried to the people of the Nation generally, that this bill is designed to undertake to force social equality, miscegenation of the races, amalgamation of the races and eventually a mongrel American race. We know that that is the primary purpose back of the bill.

Some proponents of the bill denounce us and in one breath say that we wish to deny equal economic opportunities, and in the next breath say that they think the mere fact that in a given establishment separate toilet facilities, although identical in character, are provided for the white man and for the black man is a discriminatory practice, and that if this practice is not eliminated everywhere in the United States the owners of the enterprises ought to be put in jail. Not only would the owners of such enterprises be put in jail but under the terms of the bill if the employees within a plant objected to having separate eating facilities or toilet facilities for the races, the mere fact that the owner did not discharge the employees of his plant who so objected would subject him to a sentence in jail and to all the harassments and punishments the bill devises.

Mr. President, there has never been a greater fraud perpetrated upon the American people than the deliberate attempt that has been made to create the impression that we are opposing economic equality in fighting this bill. Those who drew the bill, those who gave it life, and those who gave the distorted news to the American people know that the main purpose back of this measure is to make of it a force bill, to break down the segregation of the races which we have found essential to harmonious life in the Southern States.

They have done it here already in all of the departments in Washington. In the name of fairness they have in the District of Columbia demanded and obtained the employment of twice as many colored people in the departments of Government as the total proportion of colored population bears to the whole population of these United States. They have gone into the departments of Washington and have changed customs which have prevailed under Republican administrations and under Democratic administrations, which provided some little measure of separation of the races in the more intimate affairs of life. Then some individuals pillory us on every radio, in practically every press column, as opposing a bill to prevent discrimination, when we are merely fighting to sustain in our country a way of life which both the white man and the black man approve as being essential to harmony in racial relations in the South.

Mr. President, it is simple enough to sit in the cloistered halls on some campus in the East or in some great law office in an eastern city or in a western city where a Negro is not seen more than once every 2 months, and solve all these problems when dealing with them in the abstract. In my State, which has the largest Negro population of any State in the Union, which has 46 counties in which the colored people greatly outnumber the white people, we have a little different slant on these matters. Men of good faith, both white and black, have worked tirelessly in the South in the 80 years since the great tragedy of the War Between the States, to formulate a pattern of relationships between the races which would be fair to all. We have made our blunders, but through a process of trial and error we have made great progress.

Not satisfied with our pattern of life, the proponents of the bill seek to create a monumental Federal agency with vast powers, greater than those of any other agency ever previously contemplated, to strike down that pattern and, whether the people of the Southern States wish it or not, to compel them to accept the views of those in other sections in regard to segregation.

Mr. EASTLAND. The Senator means the views of Harlem.

Mr. RUSSELL. I have never considered segregation any more of a discrimination against the Negro than it is against the white man. I have never been able to understand the monumental inferiority complex which causes the proponents of the bill to take this position. For my part I would not consider it a discrimination against me—I have too much personal pride—if the finest restaurant in the city of Washington had a sign on it "For Negroes only." I would never think of devising ways and means of crashing into that restaurant, where I was not wanted; and I cannot understand the mental attitude of those who would.

Whatever may be the pretense here, the Senator from Pennsylvania [Mr. GUFFEY] let the cat out of the bag in answer to certain questions when he practically admitted that the purpose in creating this powerful agency is to force us, in the departments of government, in the smallest enterprises, in all our plants, all our offices, and all our stores employing more than 6 persons, to accept the views of a radical board as to what is unfair and discriminatory employment practice.

Mr. President, I shall not trespass further upon the time of the Senator from Mississippi. In my own time I propose to discuss a number of rulings of the limited Committee on Fair Employment Practice which has been in existence, to supplement the admission of the Senator from Pennsylvania that the purpose is not economic equality, but to force the acceptance of certain ideas of social life in this country, and eventually to see that the white race of this land of ours is mongrelized with a minority race, the colored race.

Mr. EASTLAND. Mr. President, the distinguished Senator from Georgia made reference to a quotation from Time Magazine. The article declared that the issue in this contest is that the opponents of the bill are against adequate wages for the Negro in the South. That statement is a fraud and a falsehood. Mr. President, today the highest wage scales in the United States are those of cotton pickers in the fields of the South. In the South today we have the highest wage scale in the country.

This bill does not involve economic equality. It involves social equality. Let us be frank about it. There is an attempt to tear down the social institutions of the South, institutions which protect the racial integrity of both races; and it is proposed to mongrelize them. There is behind this whole program a plan to have sent to the Senate of the United States a different type of men to represent the Southern States so that this country may be made over into a Marxist state. The southern delegation in the United States Senate is now standing between the people of the country and Marxism.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. ELLENDER. Apropos of the question just discussed by the distinguished Senator from Georgia [Mr. RUSSELL] and the Senator from Mississippi, I should like to read a few paragraphs from an editorial of Saturday, February 2, 1946, entitled "The Battle of the Century," published in the Pittsburgh Courier, which is a newspaper owned and published by some colored folk. The editorial reads in part as follows:

> The current struggle in the United States Senate over the Fair Employment Practice Commission is, from the viewpoint of the long struggle to make this a democratic country, the battle of the century.
>
> Not since the fight to pass the Civil War amendments to the Federal Constitution has there been such a clear-cut fight against feudalism, racism, and reaction.

The editorial further states:

> As was to be expected the Southern oligarchy, through its one-party representatives, is lined up 100 percent against any consideration of a Fair Employment Practice Commission on a permanent basis, just as it has stood unanimously against any legislation designed to break down the color bar in this country.

This paragraph states the issue:

> Many years ago a Southern white writer succinctly stated the issue: that if Negroes gained economic equality, they could not be long denied political equality, and if these two qualities were achieved, complete social equality would not be far off, hence it was absolutely essential that they be prevented from gaining economic equality, lest the whole racial structure of southern life be destroyed and the tides of life flow together.

There in a few words the issue is stated. Before this debate is over I propose to show what happened to the civilizations of Egypt, India, Haiti, and South America, and what has happened in Harlem, showing what mongrelization will do to a nation, and what it will do to our country if we enact legislation of this kind, which would lead to social equality. I am convinced that political equality will lead to social equality.

Mr. EASTLAND. There is no doubt about it.

Mr. ELLENDER. It will lead to social equality, which will result in the degradation of our race. I expect to prove that historically when the time comes.

I thank the Senator for yielding.

Mr. EASTLAND. Mr. President, I desire to leave the city for a week or two. I should like to know how long the Senator from Louisiana expects to speak.

Mr. ELLENDER. During the debate on the antilynching bill I had the privilege of occupying this floor for 11 successive days. Of course, I have grown a little older, but I think I can do as well, and perhaps better. I do not wish to boast as to what I am able to do. Before the debate started I made the statement that, so far as I was concerned, I would talk as long as God gave me breath; and that statement still stands.

Mr. EASTLAND. I hope the Senator will speak until I return. When the time comes, I shall be glad to yield to the Senator for that purpose.

Mr. President, I read from page 10 of the bill, which provides that the attendance of witnesses and the production of evidence may be required from any place in the United States or any Territory thereof.

Subparagraph (2) of section 3 provides that it shall be an unfair employment practice for any employer—

> (2) to discharge any person from employment because of such person's race, creed, color, national origin, or ancestry.

It is admitted that if the bill is enacted, when a member of a minority group is discharged from employment a complaint may be brought under that provision of section 3. Great numbers of complaints without merit would be made.

Under the provisions of section 11, on page 10, when a complaint is filed, even though it may have no merit, the respondent may be brought from Hawaii to New York City. He may be called away from his home, his business, and his family, and be forced to travel 1,000 miles to a hearing. We all know that such proceedings are slow-moving, and that many delays are involved. A person may be brought a thousand miles to one hearing and forced to go across the country to another. Is that the American system? In civil cases in the district courts of the United States witnesses cannot be forced to come from more than 100 miles outside the district in which the court is held. That is totalitarianism, Mr. President. It is a destruction of the privat rights of American citizens.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. STEWART. Under such procedure as the Senator has described, a man might be taken from one side of the country to another without respect to the crossing of State lines.

Mr. EASTLAND. And in connection with complaints which had no merit.

Mr. STEWART. What is the need for a State? What function will States perform hereafter? What is the need of having a State?

Mr. EASTLAND. None at all.

Mr. STEWART. What would it amount to?

Mr. EASTLAND. Nothing.

Mr. STEWART. What would the Governor be but a mere political satrap? What would a State be, other than a mere province? What would be the need of having States?

Mr. EASTLAND. A State would not even be a province.

Mr. STEWART. Under the Senator's construction of the proposed law, and the things that could be done under it by the Commission which would be appointed, as I understand, if the Commission so desired, it could prepare a case against a man in California, through investigators whom it would send there for that purpose. A trial might be held in the city of Washington, where the Commission might sit, and the accused person would be forced to come all the way across the continent to attend the trial at Washington.

Mr. EASTLAND. Certainly; and he might then be forced to go to another hearing, perhaps in St. Louis, or to as many hearings as the Commission might wish to hold.

Mr. STEWART. Would the defendant have any access to the court by way of appeal?

Mr. EASTLAND. None at all. The authority of the Commission would be greater than the authority of a court under the Russian system. Under the Communist system, which I was discussing yesterday, and shall continue to dissuss in a moment, the calling of a witness for either the prosecution or the defendant is within the discretion of the court. But in this case it would be mandatory, and a man could be forced to travel thousands of miles away from his family, his home, and his business, to answer a picayunish complaint made by a mongrel Communist bureaucrat.

Mr. President, I invite the attention of the Senate to the language on page 13 of the bill. Section 14 reads as follows:

SEC. 14. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Commission or any of its referees, agents, or agencies, in the performance of duties pursuant to this act, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than one year, or both.

Under that section if any person interferes with an agent of the Commission in what the agent conceives to be his duty under the act, he is liable to punishment by a fine of not more than $5,000 or by imprisonment in the penitentiary for not more than 1 year.

Here is a section which shows that the Commission could go to the place of business of an individual, examine his books, examine his records, and make copies thereof. Mr. President, I maintain that beyond peradventure of doubt that provision is rotten and because of it alone this bill is a monstrous thing.

Let me read the fourth amendment to the Constitution of the United States:

The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

If a citizen of this country were to stand on his rights under the American Constitution and were to say, "You have no warrant; you have no probable cause to search my books. I forbid you to do it. I am an American citizen, and the Constitution gives me the right to refuse," yet he could be indicted, called into court, and placed in the Federal penitentiary and fined $5,000, within the discretion of the judge.

Mr. President, I submit that is totalitarianism, that is destruction of the rights of individual American citizens, in line with the Communist philosophy which has invaded this country.

Mr. STEWART. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Does the Senator from Mississippi yield to the Senator from Tennessee?

Mr. EASTLAND. I yield.

Mr. STEWART. The Senator was referring to some of the penalties provided for by the bill. Will he repeat them?

Mr. EASTLAND. I read section 14, on page 13, of the bill:

WILLFUL INTERFERENCE WITH COMMISSION AGENTS

SEC. 14. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Commission or any of its referees, agents, or agencies in the performance of duties pursuant to this act shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both.

Mr. STEWART. How would the imprisonment and fine be imposed?

Mr. EASTLAND. I judge by indictment and by trial in a United States district court.

Mr. STEWART. They would be imposed by a court?

Mr. EASTLAND. Of course.

Mr. STEWART. That would be taking some authority away from the Commission; would it not?

Mr. EASTLAND. Yes; but if an individual were to interfere with the right, under the bill, of one of the Commission's agents, he would be indicted for a misdemeanor and would be tried in a United States district court, and would be punished, if found guilty.

Mr. STEWART. The Commission would have powers as set out from time to time in the bill—powers which are practically equivalent to the rights of a court in a criminal case; are they not?

Mr. EASTLAND. That is true.

Mr. STEWART. I wish to read section 9, beginning on page 6, of the bill:

LOCATION OF OFFICES

SEC. 9. The Commission shall hold its sessions in the District of Columbia and at such other places as it may designate. The Commission may, by one or more of its members or by such referees, agents, or agencies as it may designate, prosecute any inquiry or conduct any hearing necessary to its functions in any part of the United States or any Territory or insular possession thereof.

Mr. EASTLAND. That is in connection with employment practices.

Mr. STEWART. It applies to any of the Commission's functions; does it not?

Mr. EASTLAND. Yes.

Mr. STEWART. I read further:

PROHIBITION OF UNFAIR EMPLOYMENT PRACTICES

SEC. 10. (a) The Commission is empowered as herein provided to prohibit any person from engaging in any unfair employment practices within the scope of this act.

Suppose a man were to violate some of the provisions of the bill, and thus become subject to a charge of unfair practice; what then would be the modus operandi of the Commission?

Mr. EASTLAND. The Commission then would investigate and would issue a cease-and-desist order or an order to reinstate the employee or employees. If the employer failed to obey the order, he would be cited for contempt in a United States Circuit Court of Appeals, and the court would hear the case on the basis of the record and would be bound by the Commission's findings of fact, regardless of whether there was any evidence at all, either competent or incompetent, to sustain the judgment of the Commission.

Mr. STEWART. Under this bill the circuit court would be bound, would it not, to impose upon the firm or individual the Commission had investigated, a fine or sentence for contempt of court?

Mr. EASTLAND. That is correct.

Mr. STEWART. How long could the defendant be kept in jail?

Mr. EASTLAND. Indefinitely—as long as in the opinion of the court it would take to purge him of the contempt.

Mr. STEWART. Does the Senator think that the sweeping powers and authority proposed to be given this Commission would violate the Constitution of the United States, particularly the fourth and sixth amendments to the Constitution?

Mr. EASTLAND. Of course, they would violate the Constitution. But does not the Senator know that it is just a bluff held over the heads of the American people to make them acquiesce in the denial of their rights?

Mr. STEWART. What is the Senator's construction of the provisions set forth in section 1 which refers to the declaration of policy and states that certain practices which are referred to therein adversely affect commerce—in other words, interstate commerce?

Mr. EASTLAND. Today, in the United States, interstate commerce means anything that our present Supreme Court may guess at. The distinguished Senator from Tennessee knows how I feel about that court, and I am certain that my feelings are shared by the distinguished Senator from Tennessee.

Mr. President, here is what is behind this bill: As the Senator stated so well yesterday, this whole thing is an attempt to bring about racial amalgamation in this country, and to bring it about under the guise of fostering economic equality. Everyone believes in economic equality. Economic equality is practised in the South today. But those who back the bill realize that if they could destroy the social institutions of the South, then they could send to the Senate of the United States from the Southern States men who would acquiesce in legislation which would destroy our country. I submit that I do not wish to see the South in the control of the crowd which today rules a great many States north of the Mason and Dixon's line and along the Atlantic seaboard. That is one of the issues involved in this matter. Let us be frank about it.

Mr. STEWART. Before I take my seat I should like to read the seventh amendment to the Constitution, merely for purposes of comparison:

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by jury shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

Mr. EASTLAND. Yes.

Mr. STEWART. Of course, that applies to the common law alone.

But the absurdity of the proposals of the bill are to be seen by the comparison. This bill, as the Senator from Mississippi has well stated, would take away practically every bit and vestige of right which a man has to control his own property or control the operation of his own business, to manage his own firm, if he employed more than six persons, and yet suit could not be brought against him at common law, if he owed the person bringing the suit as much as $20, unless he had the right to have the case tried before a jury in a court. However, rights worth perhaps a thousand times as much as $20 could be flouted by the Commission set up under this pernicious piece of legislation, Senate bill 101.

Mr. EASTLAND. Mr. President, as I shall tell the Senator from Tennessee in a moment, the procedure of trial by men who would serve as judges, and their qualifications and their powers to conduct a trial, as provided by the bill, are identical with those provided under the system in vogue in Soviet Russia. It is absolutely uncanny how similar the provisions of this bill are to those of the Soviet system. Seemingly it must have been written so as to conform to the Communist system. I intend to show that. I have the Russian Code on my desk, and what I have just stated can be shown conclusively, beyond peradventure of doubt. But the people of this country do not realize that communism is behind this move.

Mr. STEWART. I should like to observe, if the Senator will permit me, that the United States of America is the last Nation on the face of the earth where humanity has any rights at all which are respected or which have been respected in the past, and I state that if this bill is passed it will be the beginning of the everlasting, eternal end of democracy here, and we in the United States will confront the same conditions which now face the people of other lands.

It is the beginning of what has taken place in other lands. It is the beginning of what has been used in the past to destroy every form of free government which history records. It is the beginning of that which will take away from humanity every vestige of the liberties which it may now have, including the right to worship God according to the conscience of the individual.

Mr. EASTLAND. The Senator is absolutely correct.

Mr. STEWART. The Senator cannot cite a single instance in the United States of a person having been denied the right to worship according to his choice of religion.

Mr. EASTLAND. One of the primary objectives of communism is the destruction of the Christian religion. As the Senator has said, if the pending bill should become law we would continue to drift. I contend that the drift which has already taken place in America must be arrested.

Mr. STEWART. Under the seventh amendment to the Constitution a very important protection is afforded every American citizen. If, for example, a man unlawfully takes $20 from someone else, he has a right to have a trial by jury. Yet, under the pending bill, everything which the accused might possess could be taken away from him. I wonder if the Senator has given consideration to the question of whether, if the pending bill becomes law, the accused might have even as much as $20 left after his entire business had perhaps been destroyed, and he had been denied the right of a trial by jury.

Mr. EASTLAND. Mr. President, from what I have read about the Russian system, by enacting into law the pending bill, we would be installing a similar system of procedure in the United States. As the Senator from Tennessee knows, the jurisdiction of the proposed agency would be very wide. If the agency were once established and it began to set up rules, it would increase considerably its jurisdiction.

Mr. ELLENDER. Mr. President, when the distinguished Senator from Mississippi discusses the laws which now exist in Russia, as he said he would do, I wonder if he will state whether or not he has been able to find anything touching upon this point: In section 11 of the bill, on page 11, unique language may be discovered. I should like to have the Senator's view with regard to it. I understand that under our present laws, when a person is called before any kind of an investigatory body, whether it be a grand jury or some other body, he has the right to refuse to answer certain questions, particularly if by answering them he may later be prosecuted for a crime.

Mr. EASTLAND. Mr. President, I am sorry that I was unable to follow the Senator, but my attention was temporarily diverted. May I ask him to restate his question?

Mr. ELLENDER. There is a provision in the Constitution which gives an accused the right to refuse to answer a particular kind of question, such as, for example, a question which might incriminate him. I wish to quote from the bill, paragraph (c) of section 11:

> (c) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture, but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

I wish the Senator would spend some time in telling us what, in his mind, prompted such language. Was it an attempt further to take away the rights and privileges of the individual, as the entire bill apparently seeks to do?

Mr. EASTLAND. Certainly that was the object in view, and it is very evident.

Mr. President, I have stated that I would discuss the Russian system of jurisprudence. I discussed it at some length yesterday. I now quote from the synopsis of the Russian system from which I read yesterday. The synopsis was compiled by a very prominent American public office holder who graduated from the University of Moscow, and knows at first hand the system of jurisprudence now in effect in the Union of Soviet Socialist Republics. I read:

> A judicial officer who does not necessarily have to have legal training, has free hands in summoning and examining witnesses and documents, no matter to whom they may belong.

Mr. President, where do we find a similar provision in America. We find it in Senate bill 101 which proposes to give to a governmental agency very broad authority. After a complaint has been made, a representative of the Commission could interview any witnesses he might desire, put them under oath, cross examine them, and have access to all the records and documents which he might desire to examine. The provision of the bill covering that matter was taken bodily from the Code of Russian jurisprudence, a copy of which I now hold in my hand.

I go further. After the facts in the case have been established to the satisfaction of the investigator, an indictment may follow. I read further from the statement with regard to Russian jurisprudence:

> And then the district attorney looks over the case and formulates the final indictment, or approves of recommendations of the examining official.

That is what would happen under the pending bill. Under the Russian system investigators from an administrative branch of the Government examine whatever witnesses they may desire to examine. They have access to all the records and documents which they may desire to bring under their scrutiny, and then they may make a recommendation of indictment to a higher official. The same system would be used under the pending bill. After the examination has been completed a recommendation would then come to the city of Washington, and there the Commission would make up the charges. Mr. President, I point out that the system provided for in the pending bill was lifted bodily from the Code of Soviet Russia.

I continue reading:

> The person suspected does not know what were the testimonies of witnesses examined.

That is what we find in the pending bill—no knowledge being given to the individual at first hand of what he must face.

> It is entirely within the discretion in Russia of the examining official to let the accused know the contents of the evidence against him.

Mr. President, we are asked to place our stamp of approval upon a similar procedure to be used in this country. We are asked to follow a procedure which now exists in Russia in connection with a criminal trial. We are asked to follow the Russian procedure in connection with an accused person who has not even been found to be guilty of a crime. I submit that there never was a more hideous bill introduced in the Congress of the United States than is the measure which we are now considering.

I read further from the system of procedure in effect in communistic Russia.

Here is the make-up of the Russian court:

The court is composed of a professional judge—

Just like the professional examiner the FEPC sends out—

who, again, is not necessarily trained in the law.

Exactly as in the case of an examining official under the bill. An examiner is sent out. There is no requirement in the bill that he must be trained in the law. I read further from the Russian system:

He is professional in the sense that judgeship is full-time judgeship, for which he is paid.

That is the identical system we are asked to adopt under the bill, sending out full-time examiners.

The Soviet statute does not set up any educational or legal qualifications for judgeship.

In the bill there are no educational or legal qualifications set up for a trial examiner under the FEPC. The whole thing is mimicking Russia, mimicking eastern Europe and destroying the American system of justice.

Mr. MAYBANK. Mr. President——

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from Mississippi yield to the Senator from South Carolina?

Mr. EASTLAND. I yield.

Mr. MAYBANK. The Senator is making a very able argument to show the type of discrimination which would befall the American businessman and worker if the bill as written should become law. The Senator mentioned the fact that no qualifications are provided for examiners. I should like to ask the Senator whether or not he thinks that under the language used in the bill, in which the word "person" is employed, aliens could be used as examiners?

Mr. EASTLAND. Of course aliens could be used as examiners, and the bill gives them a preference in employment over veterans, and over other citizens of the United States.

As I stated yesterday, more than 800,000 aliens have come to the United States since the beginning of World War II, and one of the principal reasons for the pending bill is the purpose to set up an employment agency to give them a preference in employment over men who have shed their blood and offered their lives in defense of their country.

Mr. MAYBANK. Will the Senator yield further?

Mr. EASTLAND. I shall be glad to yield, but I desire to show the distinguished Senator from South Carolina how peculiarly and how adroitly and how intelligently section 3 of the bill is drawn. It provides:

It shall be an unfair employment practice for any employer within the scope of this act—

(1) to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry.

Not "any citizen of the United States," but "any person." An alien, an enemy of this country, would have a preference over a man who carries on his breast medals of honor for valor upon the battlefield. I ask, Is it just, is it fair, is it right, that aliens and members of minority groups, should have a preference in employment over the great masses of people who make up America, who built America, and who made America strong?

Mr. MAYBANK. Mr. President, will the Senator yield further?

Mr. EASTLAND. I yield.

Mr. MAYBANK. The distinguished Senator from Mississippi has very carefully read and studied the bill. I should like to ask him whether he noticed anywhere in the bill provision for veterans' preference.

Mr. EASTLAND. The bill actually repeals the GI bill of rights, under which veterans have preference in employment, when a veteran applies for the same job sought by a member of a minority group. I should like to know what these groups have done to earn a preference in employment. Why should they be permitted to profit from discrimination against the veterans of this war in the matter of jobs after the war?

Mr. MAYBANK. I should like to ask the Senator whether it is not a fact that one section of the bill requires that all those who have been employed by the FEPC for the last 2 years, during the war, shall be immediately transferred, without further ado, to the new Commission?

Mr. EASTLAND. That is an unheard of provision, and I say to the distinguished Senator from South Carolina, after seeing a list of those employees, and knowing who they are, I think it would be a most monstrous thing for the Senate of the United States to approve this bill with that provision in it, and to let a crowd of mongrels, a crowd of Communists, take control of the economic and business life of our country.

Mr. MAYBANK. Will the Senator further yield?

Mr. EASTLAND. I yield.

Mr. MAYBANK. Is it not a fact that many of those who during the recent trying days have come to this country from the continent of Europe, or from the Orient, came here with various types of passports, and in some instances, secured entry into this country in mysterious ways, even to the extent of being smuggled in?

Mr. EASTLAND. There is no doubt about that.

Mr. MAYBANK. There are numbers of such aliens.

Mr. EASTLAND. That is true.

Mr. MAYBANK. Is it not a fact that the records of the Treasury Department show that these aliens were liable to the payment of taxes on some $6,000,000,000 of income?

Mr. EASTLAND. Yes.

Mr. MAYBANK. I should like to have the Senator, if he would care to do so, discuss that situation for a few moments, and tell me why these aliens were allowed to enter this country, and, before anything was done about it, were allowed to accumulate $6,000,000,000 of income without paying the taxes due this country, when everyone else was paying his taxes. By that I do not mean to criticize the Secretary of the Treasury in the slightest.

Mr. EASTLAND. If he is responsible, he should be criticized.

Mr. MAYBANK. He is not responsible, because Secretary Vinson has been doing everything he could to cure that situation, and we in the Senate have been assured that the money will be collected before the aliens leave. I have been trying to find out who is responsible.

Mr. EASTLAND. The Senator from South Carolina has done remarkable work, and the people of the country are certainly indebted to him for the fight he has made to make the incomes of those people subject to taxes, whereby they must pay their share to support the Government which gives them asylum and sanctuary. They are here, and they should be treated right, of course, but why should they have preferential treatment over the citizens of this country, be they white, black, red, yellow, or whatever their color, and why should they have preferential treatment over the veteran who has been on the firing line?

Mr. MAYBANK. I thank the Senator for the kind remarks he has made, but I wish to pay my tribute to the present distinguished Secretary of the Treasury, Mr. Vinson, and also the collector of internal revenue and others, who are going after these aliens to make them pay the proper taxes on the $6,000,000,000 they have accumulated while living in this country. The records show they owe taxes on that amount of money they made in New York. How much they have in cash boxes and how much they have in their pockets no one knows.

Mr. EASTLAND. I thank the distinguished Senator. A great many bills are pending in Congress to tear down our immigration laws, to eat away the quota system. In my judgment, there is a concerted attempt to destroy the quota system piecemeal and to create new quotas.

Most of these bills pass the House of Representatives and come to the Senate, where they are referred to the Senate Committee on Immigration. They go to a subcommittee of which the distinguished Senator from South Carolina and the Senator from Mississippi are members. There they rest and there they sleep, and I think the people of the country owe the distinguished Senator from South Carolina a great debt of gratitude for his fight in the committee to maintain inviolate the immigration policies of the United States. With those policies maintained and the defeat of such iniquitous bills as the one now pending, the United States will remain a country ruled by the old-line American citizens.

Mr. President, I read further from the statement of the Soviet statute:

The Soviet statute does not set up any educational or legal qualifications for a judgeship.

I have already stated, and I submit again, that the same is true of the pending bill. In the bill there are no educational or legal qualifications provided for trial examiners.

I read further from the statement of the Soviet Code:

Side by side with the professional judge are sitting two so-called peoples assessors. They are not professional judges, but they

are not the jurors. They are elected in the same manner as the judge, or their names are put on a list and they are called to serve in the hearing of cases, each assessor for 10 consecutive days each year. They constitute, together with the judge, the bench which decides all questions, both of law and fact.

Mr. President, the procedure prescribed by the Soviet Code in this further instance is set up in this bill. A citizen of the United States is called before an examiner who is not trained in the law, who is not qualified, who has no educational or legal qualifications, and the examiner decides the case and makes recommendations. If the American citizen does not obey his decision, he is cited for contempt in the district court or in the Circuit Court of Appeals of the United States and can be placed in jail. Under this bill an American citizen does not have the right to trial by jury; it is denied him, just as it is denied in Communist Russia today.

Mr. McCLELLAN. Mr. President——

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. Not only does the bill not provide any standard of qualifications for the investigators and inspectors who may be sent out, but it does not even require that they be American citizens.

Mr. EASTLAND. Certainly not.

Mr. McCLELLAN. Therefore under this bill, if the Commission chooses to do so, and it may do so, and it has the power to do so if the bill is enacted into law, it could select an alien, one who owes no alliance to this Government whatsoever, to make investigation, to make the seizure or the search or demand the records of any businessman who employs more than six persons.

Mr. EASTLAND. Just as is done in Russia.

Mr. McCLELLAN. And make a report to the Commission for its decision and action. Is that not correct?

Mr. EASTLAND. That is exactly correct.

Mr. McCLELLAN. Does not the Senator agree with me that it will be a physical and human impossibility for the Commission, as constituted under this bill, if it is set up, personally to review and consider the reports made by the several investigators and inspectors, and that, therefore, in many, many instances—I should say in most cases—it would simply be a routine matter of approving and adopting whatever report might be made by the investigator?

Mr. EASTLAND. That is certainly correct.

Mr. McCLELLAN. Therefore, the American citizen's liberty, his rights of property, his constitutional rights, all that he has guaranteed to him under the Constitution, all the rights he has in connection with the pursuit of life, liberty, and happiness are taken away from him. In other words, his constitutional rights are subjugated to the will of a Commission, which in turn is guided and influenced in its decision and in the orders it will make by the report of an investigator who is required to possess no qualifications, not even citizenship in the United States.

Mr. EASTLAND. The Senator is exactly correct.

Mr. President, let us follow the Russian system further and see how the bill fits the picture. The venue of a criminal prosecution in the United States must be where the crime occurs. I think that is the universal practice in the State courts as it is in the courts of the United States. The venue of the action must be where the crime occurs. Listen to this statement as to the procedure in Russia. I quote the Russian jurisprudence:

> The case may be tried by the court of the place where the crime is committed, but if it is difficult to define the place where the act was committed it may be tried by the court where the prosecution was instituted. Prosecution can be instituted in whatever district the information was found.

Think about that, Mr. President. A man can be prosecuted in Russia at whatever place a charge against him is filed.

Mr. McCLELLAN. Mr. President——

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. The provisions of the pending bill do not even afford comparable protection to that given under the statute of Russia. Under the pending bill, an accused person can be taken anywhere and tried.

Mr. EASTLAND. That can be done in Russia also. That is the point I make.

Mr. McCLELLAN. In Russia the individual is given a measure of preference.

Mr. EASTLAND. No.

Mr. McCLELLAN. He is given some measure of preference because the code provides that the case "may be tried" by the court where the crime was committed. It is thus left to the discretion of the court.

Mr. EASTLAND. The Senator did not give me time to conclude. I read further:

> And it is not necessary that the accused be tried where the crime was committed. The case can be transferred from one area to another within the jurisdiction of the superior court. In civil cases the case can be tried wherever the court deems it should be tried.

Under the terms of the pending bill, an accused person could be cited at any point in the United States, Hawaii, or Alaska, and he could be tried there. In Russia, if prosecution is instituted in one district, under the superior court the case may be transferred to another district. Under the terms of this bill, if a man is cited in one district, one area, or one city of the country, the Commission may transfer the case to another city. So far as venue of actions is concerned, we have here exactly the Russian system.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. I appreciate the Senator's further explanation. The first inference I drew from his statement was that in Russia there was some measure of protection of the right of a man to be tried in his own jurisdiction unless it were inconvenient to do so. After the Senator's further explanation and comparison, it is only fair to say, and we are fully justified in saying, that certainly the pending bill gives an American citizen no more rights than are given to a citizen of Russia.

Mr. EASTLAND. It is identically the Soviet system. In this country the accused is tried near the place where the crime was committed. I submit, so far as the venue of actions is concerned, under the terms of the bill, that further right would be swept away.

Mr. McCLELLAN. The Senator agrees that it is definitely as bad as the Russian system.

Mr. EASTLAND. I say that it is identically the Russian system, and that the similarity between the two systems is uncanny.

Mr. MOORE. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. MOORE. Apropos of the discussion and what has been said about further regimentation of the American people and subjecting them to further snooping into their affairs under the terms of the bill, I ask the Senator if he will yield to me so that I may place in the RECORD two editorials—not bearing on this immediate subject but bearing on what I consider a similar institution.

Mr. EASTLAND. I yield with the understanding that I shall not lose the floor, and that my rights will not be prejudiced.

Mr. MOORE. Mr. President, both these editorials are from the Daily Oklahoman, which is published in my State. One of them is entitled "Our Modern Hercules." It reads as follows:

OUR MODERN HERCULES

More than a million shirts are stored away in various places, but Chester Bowles, OPA Administrator, decrees that they can't be sold, though returning servicemen are clear out of shirts. The ceiling price isn't the issue. It's a rule some Ph. D. economist has worked out, that to sell higher priced shirts (say the $3 ones) manufacturers must produce a comparable number of cheap ones, which they can't do; so nobody gets any shirts. Very simple. Try it on your adding machine.

Mr. Bowles, in a heroic mood to save the people from themselves, has taken the center of the stage in the three-ring circus and refuses to get out until he has completed a series of incredible labors, which make those of Hercules seem quite trivial.

He conquered the boar of Erymanthus with one hand and has tackled the Hydra of Lerna, which, because it has so many heads, seems to be a kind of bureaucracy. He has a crew of Harvard graduates cleaning out the Augean stables. They seem to be losing ground, as accumulations are increasing, and Bowles may have to do the job himself, after all. But he can do it.

Capturing the Cretan bull was comparatively easy for a man of his attainments, though livestock men and packers cramped his style. When it came to taking away the girdle of Hippolyte, queen of the Amazons, the utmost diplomacy was required, for, after all, the synthetic rubber factories are producing a million tons a year. But he did it.

Seizing the cattle of Geryon and bringing in the apples of Hesperides were right up his alley. If OPA couldn't get 'em, CCC and AAA would.

Capturing the lion of Nemea was mere routine, for all he needed to do was to issue a

directive, like he did to the three little Swiss guys of San Francisco. So also the seizing of the stag of Arcadia, which was done by a court order. Shooting the birds of Stymphalus was simple, for he had a Ph. D. handy with a slide rule and a book of logarithms, to figure out the angle. Capturing the Thracian mares was easy to anyone accustomed to chasing livestock.

Bringing up Cerberus from the infernal regions posed certain unusual problems, but presumably he directed some of his more practical assistants—those who used common sense in their procedure—to go to hell, and they came back with the wild dog, which, in the new environment, is now growing wilder every hour.

Determined now to outdo Hercules and establish an all-out Olympic record, Mr. Bowles proposes to repeal the law of supply and demand, all by himself, single-handed. Ladies and gentlemen! Watch the center ring for the most sensational, amazing and incredible feat ever performed by a human being! Shirtless veterans may occupy the front seats.

The other editorial is entitled "Law of Supply and Demand," and reads as follows:

LAW OF SUPPLY AND DEMAND

Since OPA is trying desperately to maintain its wartime control of prices indefinitely into peacetimes, it is about time to make careful examination of the theory, and determine whether it is safe for any long-time program.

Those who urge the complete abolition of Government price controls, as rapidly as such elimination can be accomplished without undue shock, do not deny that prices, in some cases, would go up.

That would be a disadvantage. It might even produce a temporary inflation. But the real question is whether a failure to do so will not produce still more disastrous results. Our managed inflation is still inflation, without a doubt.

It all goes back to the fact that the law of supply and demand is, and always will be, the most inexorable of all the economic laws, and no amount of artificial Government controls can ultimately defeat it.

In the matter of men's shirts, for instance, there are a million of them held for sale, but they can't be sold because OPA has a fancy theory about making their sale depend upon the sale of a cheaper grade.

If the shirts were thrown on the market without restriction, possibly the price would rise, since customers, for a while, would bid against each other. But the shirt manufacturers would be eager to get in on the good prices, so they would redouble their efforts to produce them. After a while there would be an over-supply, for our modern technology works fast. Then the price would go down again—very likely lower than they are now. We must always remember that under modern technology, prices normally tend to go down, like steel to a magnet. That is the very nature of the process, for it is closely linked with volume production in an interdependent economic chain of factors, under brisk competition.

With the OPA restriction still on, however, the manufacturers won't produce shirts at all, and general paralysis of that industry has set in. Ultimately it will mean drastic scarcity and disaster. OPA is building up to a great fall. The system just won't work. We shall all have to pay through the nose for this folly.

The matter of the 65-cent wage minimum is another illustration.

It's all very fine to say that every laborer should have at least 65 cents an hour. It sounds high-minded and altruistic. But in practical application it won't work because there are certain types of labor for which no one will pay 65 cents an hour. The work will remain undone, or the prospective employer will manage to do it himself. The 40-cent or 25-cent man, who has no skill or training, will be put out of a job and that means disaster, no matter how you look at it. The law of supply and demand must be respected. It will have its way, no matter how many artificial obstacles are put in its way.

This is another agency which is hindering the activities of the people of the country, and therefore delaying reconversion.

Mr. EASTLAND. The agency is very inflationary, because it is costing us production.

Mr. MOORE. It is costing us production, and it is preventing production. Undoubtedly it is one of those things which is intended to discourage enterprise.

Mr. President, I have just read the bill which is under consideration, and it seems to me that it would totally destroy inducement of any kind for any industry to try to function under it. Under the private enterprise system, of course, private industry is operated for profit. I doubt very much whether an employer ever gives any consideration to the color, creed, or nationality of the persons he employs. As I understand, he employs them because they can make some contribution to production, on which private enterprise depends.

I have consistently held, although I have not had very much support in my contention, that the OPA has been a hindrance to production, and is in itself inflationary, because it simply does not permit of a program which will encourage production.

Apropos of some of the objections which are made to the bill under consideration, without considering what may have been the practice of some employers with reference to the employment of members of certain races or creeds, the bill is so destructive of the freedom which is needed in private enterprise that it would practically destroy private enterprise. Whether or not that is the purpose of the bill, it certainly would have that result.

Mr. EASTLAND. Can the Senator doubt that that is the purpose of the bill, when the procedure for punishing an offender, in disregard of the rights of an American citizen, is lifted out of the Russian Code?

Mr. MOORE. I do not believe that there is any serious desire in the minds of Senators to see this bill enacted.

Mr. EASTLAND. Does the Senator believe that if there were a secret vote the bill would receive as many as 15 votes?

Mr. MOORE. I have been told by a Senator in whom I have great confidence that if there were a secret ballot it would not receive more than two votes.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. If that be true, if the consciences and hearts of representatives of the people in the Senate are not behind this measure, that means that it is self-evident that the real motive behind the presentation of it to the Senate is wholly and purely political.

Mr. MOORE. Political and deceptive.

Mr. EASTLAND. Does the Senator think that?

Mr. McCLELLAN. If the statement just made, that not more than 15 Senators would vote for it if the ballot were secret, can be substantiated, that is what it means.

Mr. EASTLAND. What are the Senator's views on that question?

Mr. McCLELLAN. I do not wish to comment on what any other Senator might or might not do, but I feel quite confident that if we could have a secret ballot on the bill it would not receive nearly as many votes as it would if the vote were recorded.

Mr. MOORE. That means that all we are trying to do is to fool someone.

Mr. McCLELLAN. I do not say that.

Mr. MOORE. I have not said it either. I am only quoting another Senator.

Mr. McCLELLAN. Let me put it this way: Every Member of Congress, being human, had some interest in trying to remain in office, unless he is determined not to run again. He may not feel such deep convictions against this measure that he cannot yield to political expediency. But I do say that if the premise is correct—that not more than 15 Senators would vote for it if we had a secret ballot—the only conclusion that can be drawn is that it is a political consideration rather than one of service to the general welfare of the country.

Mr. MOORE. Mr. President, I should like to have the RECORD show that I do not state that I have an opinion about the motives of Senators who support or oppose the bill. I did not state, and I do not now state, that I have any knowledge as to how many Senators would vote for it. I was quoting another Senator.

Mr. McCLELLAN. I take the same position. I do not know, but I say that if that statement can be substantiated, there is but one conclusion to draw.

Mr. EASTLAND. Mr. President, I take the same position as does the distinguished Senator from Arkansas. I do not know the sentiments of all Senators. However, we have all heard the statement. I do not know whether it is correct or not. I know that there are Senators who are sincerely for the bill. I know that the distinguished Senator from New Mexico [Mr. CHAVEZ] is sincerely for it.

Mr. CHAVEZ. And I am not asking the permission of the Senator from Mississippi or the Senator from Oklahoma to be for it. If the Senator from Mississippi and the Senator from Oklahoma are so brave and so sure of their position that the bill will be defeated, why do they not give us an opportunity to vote on it? They are afraid. The cowardice is on the side of those who would kill the bill through talk, through the deception of which the Senator from Oklahoma speaks, he not being for the bill. I am for the bill. If the Senator from Oklahoma is so brave and so honest, why does he wait for a secret ballot? Why does he not stand up and tell the world that he is against the bill?

Mr. MOORE. I am against it.

Mr. CHAVEZ. I am for it.

Mr. MOORE. That is all right.

Mr. CHAVEZ. And I am not asking the permission of the Senator from

Oklahoma or any other Senator to be for it.

Mr. MOORE. I am not impugning the Senator's motives.

Mr. CHAVEZ. But the Senator will not let us vote on the bill. He does not dare to let us vote on it, because he knows that there would be more than 15 votes in favor of it.

Mr. EASTLAND. Mr. President, we are protecting the Constitution of the United States and the American system of government, and this bill is not going to pass.

Mr. CHAVEZ. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from New Mexico?

Mr. EASTLAND. I yield.

Mr. CHAVEZ. Does the Senator admit that the bill would pass if its opponents would permit us to vote upon it?

Mr. EASTLAND. I do not admit anything. I do not say anything——

Mr. CHAVEZ. The Senator will not even admit that he is hitting against the Negro.

Mr. EASTLAND. I say that we are justified in doing anything we can to prevent passage of a bill which would destroy the country.

Mr. CHAVEZ. I am becoming tired of being accused of cowardice, lack of patriotism, and such things. I do not take my hat off to any Senator, whether he be from the South or elsewhere.

Mr. EASTLAND. Who has accused the Senator——

Mr. CHAVEZ. Some Senator, unbeknown to anyone else, told the Senator from Oklahoma that if there were a secret ballot the bill would not receive 15 votes.

Mr. EASTLAND. Did that statement impugn the motives of the Senator from New Mexico?

Mr. CHAVEZ. I place my own interpretation on the statement, just as the Senator from Mississippi places his own interpretation on the bill.

Mr. MOORE. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Oklahoma?

Mr. EASTLAND. I yield.

Mr. MOORE. I most certainly wish to have the Senator from New Mexico, for whom I have a very high regard, understand that I am not in any way impugning his motives or his sincerity in his beliefs. I have stated very frankly that I think this bill, if enacted, would be a very bad law, just as I think all the other New Deal laws—every one of them—are bad. There has never been any misunderstanding about what my position regarding them has been. I am not saying that I am correct, but those are my views.

I respect the views of the Senator from New Mexico, just as I do the views of all other Senators.

I think this bill would be bad law; therefore I am very strongly against it, just as the Senator from New Mexico is very strongly in favor of it.

In saying that I was told by a Senator that if there was a secret ballot, only a few Senators would vote in favor of the bill, I did not mean to say that I asked how the Senator would vote. Since I have been in the Senate I have never asked another Senator how he would vote on a bill, and I do not think anyone has asked me. I have appreciated that relationship which has existed between Senators.

I wish to say now that, as many other Senators on both sides of the aisle have contended, I think this issue is political. If there be any who consider it so important that they come back here that they will readily resort to expedients in hich they do not believe, I think that is political cowardice. That is nothing new, and I do not charge it.

I have received a great deal of correspondence about this bill, as other Senators have. Those who have written me have stated that they would like me to vote for cloture or limited debate and to vote for this bill. I presume their letters represent somewhat of an organized effort; it looks that way to me. If it is not, then it is spontaneous.

But I judge from the mail which I have received that if I ever seek reelection to the Senate, which I expect to do if I am living at the time when my present term expires, it is possible that I might be defeated because of the stand I take on this bill. What does the Senator from New Mexico think about that? Does that convince him that I am in earnest, regardless of the consequences, and does he blame me if I consider my own conscience and my own responsibility in deciding to vote against a bill which I believe to be contrary to the interests of the people of the United States?

Mr. CHAVEZ. Mr. President, will the Senator from Mississippi yield, so that I may reply to the Senator from Oklahoma?

Mr. EASTLAND. I yield.

Mr. CHAVEZ. Let me say that no one impugns the motives or sincerity of the Senator from Oklahoma for doing that, but we are asking for the same respect. I feel that the Senator from Oklahoma is against the bill because he feels, down in his heart, that the bill is wrong.

Mr. MOORE. That is correct.

Mr. CHAVEZ. It is proper for him to oppose the bill if he feels that way about it. But why go so far as to say that it is deceptive if I dare to be for the bill, if the Senator from Kansas [Mr. CAPPER] dares to be for it, if the Senator from Vermont [Mr. AIKEN] dares to be for it? Cannot they be just as honest and just as courteous to other Senators as is the Senator from Oklahoma, and must he say that they are attempting to deceive the American people? I do not think the Senator from Kansas or the Senator from Vermont need to advocate this bill in order to be reelected. The Senator from Oklahoma might. The Senator from New Mexico might.

Mr. MOORE. I would not know about that, and I would not be concerned.

Mr. CHAVEZ. I am not concerned, either. But I maintain that the 48 Senators who signed the petition for cloture have a right to know what this body is going to do about it. Those Senators are not only from this side of the aisle. Twenty-four of them are from the Senator's side, and they dared to sign the cloture petition. That does not necessarily mean that they will vote for cloture, of course.

Mr. MOORE. What would the Senator think if I were to tell him that some Senators who signed the cloture petition intended to vote against the bill?

Mr. CHAVEZ. I do not know about that, and I am not interested in any way in what Senators on the other side of the aisle will do. I know they are likely to do anything. But the fact remains that 24 of them signed the cloture petition.

Mr. MOORE. That is correct.

Mr. CHAVEZ. I know that some who signed it are against the bill, and that is all right. But does not the Senator think that, inasmuch as they intend to vote against cloture, some opportunity should be given to them to vote against it if they wish to do so?

Mr. MOORE. That I am not able to answer. Of course, the rule requiring a two-thirds vote in favor of cloture before it can be invoked was adopted before I came to the Senate. If I had been here when the Senate was asked to adopt the rule, I would have voted against it, because I have advocated and I still advocate unlimited debate in the Senate of the United States.

Mr. CHAVEZ. Mr. President, let us go further. There is no question that, possibly, there are some political implications connected with the bill.

Mr. MOORE. Possibly?

Mr. CHAVEZ. Yes; possibly. When the Senator voted to lower the taxes on corporations, he knew there was politics in that, too.

Mr. MOORE. What is that?

Mr. CHAVEZ. When some Senators voted last fall to lower the taxes on corporations after the first of the year, they also knew there was politics in that.

Mr. MOORE. I thought that was a matter of self-preservation.

Mr. CHAVEZ. Oh, certainly; so long as you do not give some poor human beings, some Negroes, more than $15 a month and a side of pork, it is self-preservation. But will you try to get them a job? Will you try to give them an opportunity to enjoy the American way of life? Will you try to see that they are able to obtain medicine and food for their families? Oh, no; it is said that that is un-American and wrong.

Mr. EASTLAND. Mr. President, I ask the Senator to wait right there. The distinguished Senator from New Mexico is now talking about the wage scale of Negroes in the South. I have stated on this floor today, and I repeat it, that the wage scale for cotton pickers in the cotton fields of the South is higher than the wage scale for Negroes in the State of Pennsylvania; in fact, it is the highest wage scale in America today, and I defy the Senator from New Mexico or anyone else to refute that statement.

Mr. CHAVEZ. How much is it?

Mr. EASTLAND. It is $3 a hundred for picking cotton. I challenge anyone to refute that statement.

Some say the opposition to this bill is a fight against wages. Mr. President,

that is not so. The Senator from Pennsylvania [Mr. GUFFEY] today put his finger on the spot when he said the purpose of the bill was to tear down partitions between rest rooms for white people and rest rooms for Negroes, and to create social equality.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. MAYBANK. Is it not a fact that the groups in certain cotton sections of the South meet and determine, themselves, in the American way, the price per hundred pounds for picking cotton?

Mr. EASTLAND. Certainly.

Mr. MAYBANK. Is it not also a fact that those groups consistently, since 1932, have raised the price for picking cotton from, in some instances, 30 or 40 cents a hundred pounds to as much as $4?

Mr. EASTLAND. Certainly. Many of those who advocate the passage of this bill state that they are trying to increase the wages of the poor downtrodden tenant-farmer southern Negroes. But, Mr. President, without this bill, without such Marxist measures as this, the southern Negroes who pick cotton have the highest wage scale in America.

Mr. MAYBANK. And is it not also a fact that in the South many of the colored people own their own farms, on which they produce about half of the total amount of cotton grown in the South?

Mr. EASTLAND. That is true.

Mr. MAYBANK. Is it not also a fact that the OPA wishes to have a ceiling placed on cotton, a large proportion of which is raised by the colored people of the South?

Mr. EASTLAND. Yes—in order to benefit Sidney Hillman's union.

Mr. MAYBANK. In order to benefit a few people in New York. That is the fact.

Mr. EASTLAND. Now, Mr. President, I continue with a synopsis of procedure in the Soviet Union in criminal cases:

The court decides whether the trial will take place with the participation of attorneys for the prosecution and for the defense, or the case may be determined by the court alone.

In other words, in Russia the judge or the presiding officer of the court, whose duty it is to carry out the policies of the State, and who is merely an agent of the executive power, decides whether a defendant may have a lawyer. In that particular, this bill protects the rights of an accused, because under the bill an accused is entitled to have an attorney to defend him. But what do those rights avail him when he goes to a court which is "packed" against him and which is bent upon a legal lynching?

Mr. MAYBANK. Mr. President, will the Senator further yield?

Mr. EASTLAND. I yield.

Mr. MAYBANK. If the Senator will bear with me for a moment, I should like to refer once more to the cotton situation, so that there may be no misunderstanding and so that some of those who would destroy the income of the colored people of the South and who have consistently worked in the interest of the North, particularly New York, may know the actual situation. I ask this question: In speaking of the price of cotton, is it not a fact that the cost of laundering a shirt in the city of Washington or in the city of New York is more than the cost of all the cotton that is in the shirt?

Mr. EASTLAND. The Senator is absolutely correct.

Mr. MAYBANK. Is it not a fact that the price of cotton has but very little to do with the total cost of garments which the poor people must wear?

Mr. EASTLAND. The Senator is exactly correct. But, Mr. President, I am tired of hearing appeals to prejudice, and statements being made that some of us are attempting to keep down the southern Negro. Last fall I paid Negro cotton pickers $10 a day, and furnished them with a house and a garden. Where else in America could a Negro make as much money, and where else in America could he obtain such a standard of living?

Mr. MAYBANK. The Senator has spoken of colored cotton pickers. Is it not a fact that almost half the cotton pickers in the South are white persons?

Mr. EASTLAND. Yes; and they vote. I suppose that eventually someone will accuse us of attempting to take that right away from them.

Mr. MAYBANK. Is it not the Senator's belief that the proper thing to do is to help increase the price of cotton, tobacco, corn, and other agricultural products which are raised on the farms operated by both colored and white farmers?

Mr. EASTLAND. The Senator is correct.

Mr. MAYBANK. And does not the Senator believe that it is important to readjust southern freight rates so that all the business of the country will not be centered in the East?

Mr. EASTLAND. When the present economic discriminations against the South are removed, the welfare of all the people of the South will be greatly improved.

Mr. President, I continue reading from the synopsis of the Russian system of jurisprudence, in showing that we are asked to follow a similar system in Senate bill 101:

The admittance of one of the other witnesses proposed by the counsel for the defense or prosecution lies within the discretion of the court.

Under the pending bill the accused would have a right to call witnesses, and that right would be in accordance with the American system. However, the Commission would have authority to hold a hearing 3,000 miles away from the home of the accused, and force him to take his witnesses that far away from their homes. No provision is made in the bill to pay for the transportation of the accused or his witnesses, or pay his expenses in any form. Therefore, Mr. President, what is the right which the accused may have under the terms of the bill worth to him or to any other citizen of this country?

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. The very circumstances which the Senator has described, including the manner in which the alleged defendant may be forced to travel from one State to another, makes the bill a most vicious one. Would not the exercise of the power to be given to the Commission result in intimidation itself? How many small businessmen faced with charges under the terms of the bill could possibly bear the expense of defending themselves, however innocent they might be of the charges which had been made against them.

Mr. EASTLAND. There would be only one thing for them to do, namely, yield to the Commission.

Mr. McCLELLAN. In other words, the Senator agrees with me that the accused would be compelled to yield to whatever the inspector or the investigator told him he should do, or what he ordered him to do.

Mr. EASTLAND. Yes.

Mr. McCLELLAN. And upon his failure to do what he had been told to do, he could be subjected to the expense to which the Senator has referred, harassment, and other punishment which might eventually put him out of business.

Mr. EASTLAND. The Senator is correct.

Mr. President, I read further from the synopsis of the Russian code:

The witnesses that are summoned are the witnesses which the court deems necessary and defendant does not have the right to have his witnesses summoned except by permission of the court.

Mr. President, that is very similar to the system proposed by the pending bill.

Any statement or document gained during the judicial investigation is admissible in evidence against the accused provided there are serious obstacles for bringing the witness to court, to that extent the right of cross-examination is denied.

Mr. President, that is the same system that we find established in the FEPC bill. Any statement may be admitted in evidence by the Commission. Hearsay testimony may be admitted in evidence. An affidavit may be admitted in evidence. Within the discretion of the Commission the accused may be denied the right to face his accusers, or the witnesses who testify against him. He may be denied the right of cross-examination. That is exactly the system which prevails in Communist Russia today.

I read further from the synopsis of the Russian code:

Any statement or document gained during the judicial investigation is admissible in evidence against the accused.

I had already read that language, but I wish to emphasize it. Is not the effect of the language similar to the effect of the provisions of the pending bill? Is there any doubt that any statement, any document, or any record which has been gained by the first investigator would be admissible in evidence against a person who had been accused. There can be utterly no doubt about it, and such a system rapes elemental rules of American justice. Why, Mr. President, has it been necessary for us to go to Russia and take her criminal procedure as an example to follow in a bill such as the one now pending before the Senate,

which would give a Commission vast powers over American business?

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. OVERTON. I do not know what the procedure is in the common-law States, but Louisiana is a civil-law State, as the Senator knows.

Mr. EASTLAND. Yes.

Mr. OVERTON. In order to obtain a document in the possession of one's adversary it is absolutely necessary that the party desiring the production of the document shall go into court with a verified petition——

Mr. EASTLAND. And obtain a court order.

Mr. OVERTON. The petition must describe the document and what is expected to be proved by it. It must also show that the evidence to be obtained would be competent and material. That is what we call a subpena duces tecum.

Mr. EASTLAND. We call it such in the common-law States, including Mississippi.

Mr. OVERTON. Yes. Under the pending bill the FEPC representative could enter a man's place of business, ransack his books and papers, take copies of whatever he pleased, and walk out as though he were the Czar of all the Russians.

Mr. EASTLAND. And if the accused were to refuse to give the investigator free access to his books and records he would be subject to an indictment and a sentence of $5,000, or a year in jail, or both. In the pending bill there has been embodied the Russian system whereby an investigating agent could obtain all the documents which he desired to get into his possession, and such documents would be considered as being competent evidence against the accused.

Mr. OVERTON. I think that the power sought to be granted in the pending bill would be much more drastic than the power given by the Russian Code. At least that is my impression from what I have learned while the Senator was reading. The Russian Code provisions are somewhat more liberal than are the provisions of this bill, so far as the party under investigation is concerned.

Mr. EASTLAND. From what I understand about it, the practice in Russia is about the same as the practice which is provided for under this bill. For example, in Russia an accused is not required to give evidence against himself. Yet an investigating officer may swear him, put him on the witness stand, make him testify, and then set his testimony up in an indictment which may be used against him.

Mr. President, I read from a translation of section 57 of the Code of Criminal Procedure of Russia, and I ask Senators to listen carefully to it:

> The court shall not be limited to any formal rules of evidence and it shall be discretionary with the court to admit in accordance with the circumstances of the case one or other pieces of evidence or to request such from a third party for whom such request is mandatory.
>
> The court shall not be limited by any formal rules of evidence.

Mr. President, is that in the FEPC bill? The Commission can set up its own rules of procedure, and is the sole judge of what it shall admit in evidence.

Mr. President, rule 57 of the Communist Code is in the bill.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. The bill does not even require that the accused shall be confronted by his accuser, does it?

Mr. EASTLAND. No.

Mr. McCLELLAN. It does not provide him the right of cross-examination of those who accuse him?

Mr. EASTLAND. No. In that regard it is more drastic than the practice in Russia. Under the practice in Russia a witness is first interrogated by the trial judge. When the judge gets through, then the prosecuting attorney or the defense attorney asks the judge questions, and requests the judge to ask those questions of the witness. The trial judge, or the trial officer—he is not a judge—is subject to reversal by a superior court.

Mr. President, that is not the practice proposed under the bill. The Commission is not to be subject to reversal if any evidence, be it proper or not, would sustain its findings. In that particular the proposed system is much more drastic than the system in vogue in Russia.

Mr. McCLELLAN. Will the Senator further yield?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. Under the provisions of the bill there is not the same requirement even for preponderance of evidence that is required in civil cases in this country before a judgment can be rendered against a man for money consideration.

Mr. EASTLAND. That is absolutely correct.

Mr. McCLELLAN. Whereas in the criminal jurisprudence of our land the requirement is that the evidence must convince beyond a reasonable doubt before a man can be convicted of a crime.

Mr. EASTLAND. There is no presumption of innocence in Russia, and there is no presumption of innocence in Senate bill 101.

Mr. McCLELLAN. The only burden the bill places upon the accuser, or the Commission, is that some evidence—it says "any evidence," and some evidence would be any evidence—some evidence of discrimination shall be produced.

Mr. EASTLAND. The Senator would not take the position, would he, that under the bill evidence necessary to support a judgment would have to be competent and admissible in court?

Mr. McCLELLAN. The bill does not provide that, and therefore it does not contain such a requirement. I point out further to the Senator that under the provisions of the bill the evidence is not required to be sworn to. However, it might be evidence by which the courts would be bound, if it appeared in the record. It might be in the form of ex parte affidavits; it might be in the form of a telegram or a written letter; it might be anything, if it made some kind of a charge.

Mr. EASTLAND. This is from the Russian Code:

> Oath as an evidence shall not be admitted.

In Russia witnesses are not sworn, and are not permitted to be sworn. Our law provides, as the Senator knows, that witnesses must be sworn. Under the bill there is no provision for swearing a witness before he is competent to testify. Does the Senator think we are following the Communist procedure here?

Mr. McCLELLAN. If the Senator will yield, under the bill even the person making the accusation is not required to do so under oath, nor at any time after having made it must he substantiate it under oath.

Mr. EASTLAND. And it is not necessary, under the bill, that there be probable cause shown before the complaint is approved and the defendant summoned to defend himself.

Mr. McCLELLAN. There is in the bill no provision, such as is embodied in our present penal code, that protects an individual from false and malicious prosecution. There is no provision in the bill which protects a citizen. In other words, if a small businessman in Mississippi were accused of discrimination, he would be brought to Washington, finally brought before the Commission, and put to the expense necessary finally to defend himself and protect himself against the fallacious charges brought against him, and no matter how much expense he incurred and how much inconvenience and loss of time and other harassment he suffered, he would have no remedy against his accusers.

Mr. EASTLAND. I call the attention of the distinguished Senator to the sixth amendment to the Constitution of the United States, which reads as follows:

> In all criminal prosecution, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and District wherein the crime shall have been committed.

Does the Senator think that under the pending bill the accused would be entitled to a speedy and public trial? Of course, he would not be. Nor is an accused person in Russia entitled to a speedy and public trial.

I read further from the sixth amendment:

> Which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation.

That is not required under the bill.

> To be confronted with the witnesses against him.

That constitutional right is taken from the citizen.

> To have compulsory process for obtaining witnesses in his favor.

Mr. President, does not the Senator from Arkansas realize that in matters over which the FEPC has jurisdiction the accused does not have the right of compulsory process to bring witnesses to testify in his behalf?

Mr. McCLELLAN. Mr. President, the Senator from Arkansas does realize it,

and I realize many other imperfections of the bill.

Mr. EASTLAND. Did the Senator know that in Soviet Russia there is not the right of compulsory process?

Mr. McCELLAN. I am not so familiar with the procedure in Russia, but I am being enlightened by the very able address the Senator is making. I am very much interested in the comparisons he is making. Of course, we all know—I say we all know; it would be conceded by me, at least—that the bill contravenes all principles of the American Government which have existed up to this time, and any comparison with the Russian system is very enlightening indeed. I cannot see how the bill can have the support of those who love liberty, if they really appreciate what the consequences of it will be. If the bill shall be enacted, the liberty and the majesty of American citizens, as such, will simply be destroyed.

Mr. EASTLAND. I thank the Senator from Arkansas. I wonder why the bill did not go to the Committee on the Judiciary. That committee was certainly the proper one to which the bill should have been referred. As the Senator knows, the Judiciary Committee is composed of lawyers, who would have realized that the bill proposed to abandon the American system of justice. A monstrosity would not have been brought up before the Senate substituting Russian criminal procedure for the American court system.

Only yesterday, when several provisions of the bill, as compared with the Russian Code, were read, the distinguished Senator from Connecticut [Mr. McMAHON] who is very much in favor of the bill, took the floor and said at least one of the provisions should by all means be changed. Such a monstrosity would never have gotten out of the Committee on the Judiciary.

Mr. McCLELLAN. Mr. President, will the Senator further yield?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. Since the debate started there have been so many such admissions with reference to the different provisions of the bill, by those who profess to be favoring the enactment of an FEPC bill, that if all of them were acted on there would not be any of the provisions of the bill left.

Mr. EASTLAND. The Senator is exactly correct.

Mr. President, let me return to the Russian Criminal Code. Listen to this from the synopsis:

> Thus there are no rules for the admission of evidence but anyone is competent, hearsay, etc., within the discretion of the court.

Under the bill hearsay is competent, anything is competent within the discretion of a trial examiner who himself is not a lawyer, as in Russia the judge is not a lawyer.

Mr. President, let us go further in respect to the criminal procedure in Russia:

> The decisions of the court are made by majority vote.

In Russia the decisions of the court are by majority vote. A man is not convicted by the unanimous decision of 12 of his peers, as is the practice in this country, but in Russia it is by majority vote. In Russia the court is composed of a trial examiner and two other individuals who are summoned to serve. Under the FEPC bill the accused would be convicted by a majority vote, just exactly as is the practice in Soviet Russia, the only difference being that in Russia only three individuals sit in judgment, while under the present FEPC bill a Commission of five would sit in Washington, and decide.

The system provided in the bill is even weaker than the Russian system, because the three men who sit as a court under the Russian system see the witnesses, hear the testimony of the witnesses, observe their facial expressions, and are in a better position to judge the truth or the falsity of the testimony and to reach a just and correct verdict than a board which does not see and hear the witnesses. Under the FEPC bill the record would be transmitted several thousand miles to the city of Washington, and, as the Senator from Arkansas [Mr. McCLELLAN] so well pointed out, the Commission in many instances—I will say in most instances, Mr. President—will not actually examine that record and reach a decision, but the decision will be reached by a bureaucrat, by an underling. I submit that all too often that is the system which is in vogue in this city today.

Mr. President, let us go further with the synopsis of the Russian system:

> Witnesses are interrogated by the court. After the court is finished, then the attorney for the accused or the prosecutor can request the court to ask the witnesses specific questions, and this is a matter within the discretion of the court.

There Mr. President, we have the same system as would be created by this bill. The witnesses, under the provisions of the bill, can request the trial examiner to be permitted to ask some questions, and it is within his discretion whether he will permit that to be done. That is the same as the Russian system. But that, Mr. President, is not the same as the American court system; it is not the same as the great system which safeguards the liberties of the American people. That is a right which is swept away, which is destroyed, which is gone, and it is swept away in order to give minorities preference in employment over men who have suffered and shed their blood for their country.

I read further from the synopsis of the Soviet system:

> In the Soviet Union no court warrant is required for an arrest.

Is not that true under the provisions of the bill? Is a warrant required under its provisions when a man is cited before the Commission by whose decision he can be deprived of his liberty? Are we not still further tracking the system in vogue in Communist Russia at the present time?

> The constitution—

By that is meant the Constitution of the Soviet Union—

> states merely that any arrest must be approved by the prosecuting attorney.

That is the system provided in the bill. The citation of an accused under the bill must be approved by the Fair Employment Practice Commission. Under our American court system a warrant must be issued, there must be a judicial determination, probable cause must be shown. Under our court system an individual is guaranteed against arrest on frivolous grounds. Those are sacred rights guaranteed to the American citizen. An American citizen under our law cannot be deprived of his liberty except on probable cause shown, unless there is an adjudication before a judicial officer. But in Russia, oh no, the prosecuting attorney must approve before an arrest, just exactly as is provided in the present FEPC bill, under the terms of which the Fair Employment Practice Commission must approve the citation, when a man is cited without a warrant.

INVESTIGATION OF STARVATION CONDITIONS IN EUROPE

Mr. WHERRY. Mr. President, will the Senator from Mississippi yield to me so that I may place something in the RECORD, if by doing so he will not lose the floor?

Mr. EASTLAND. I yield if I do not thereby lose the floor.

Mr. WHERRY. On January 29 I spoke in the Senate, at which time I made a detailed report of the food conditions in Europe, particularly in the American occupied zone. I spoke of the starvation policy to which apparently we, either knowingly or unknowingly, have subscribed. At the same time I submitted a concurrent resolution in my own behalf and in behalf of other Members of the Senate, which calls for the appointment by the President pro tempore of the Senate of six members of a nonpartisan congressional committee, three members from the Democratic side and three members from the Republican side of the Senate, a like number to be appointed in the House, to go immediately to our occupied zone in Germany, as well as into all other zones where the committee could take evidence, and conduct an investigation on the ground in an attempt to investigate the truthfulness of the reports which are filtering through and determine the correctness of allegations, some of which have been made by individuals in high places in our Government, as well as by leaders of charitable organizations, and by others. The proposed committee would determine whether such reports are to be taken at face value or whether they should be discounted. In other words, the committee would make an impartial report as to conditions prevailing not only in our occupied zone in Germany but in any other zone which the committee might be able to visit and in which it could take direct testimony relative to the food situation, the housing situation, and the clothing situation.

My resolution, Mr. President, was based upon the precedent of the congressional investigating committee which was sent to Europe to investigate the atrocities committed in the political prisoner camps. I am quite sure that the distinguished occupant of the chair will agree

with me that that committee was nonpartisan in character, that it was composed of the same number as I have suggested in my resolution, and that the committee made a unanimous report which was accepted by Congress and, I am satisfied, was accepted by the people of America as presenting not only the viewpoint of the committee whose members were eyewitnesses to the atrocities but also correctly reflected the evidence which was adduced in the investigations conducted by the committee. The distinguished majority leader, the Senator from Kentucky [Mr. BARKLEY], made that report. It was a long, detailed report, and I believe the President pro tempore will remember that there was no dissenting voice to any of the provisions of the report.

Mr. President, the members of the committee were high in their praise of the report made by the majority leader. I happened to be a member of that investigating committee, and because I believed that that committee did such able work, that it was nonpartisan in character, and brought back correct information relative to atrocities, I think it proper that a similar committee be appointed to investigate the situation now existing in Europe relating to food, clothing, and housing during the remainder of the winter.

Mr. President, time is the essence of this matter. We are now into the middle of February. In a few more days February will have passed. If we are to make any recommendations respecting one of the provisions of the resolution, which is to open up the mails so that charitable institutions in this country may use the mails in collecting money, food, clothing, and medicine, which must, of course, be transmitted across the ocean to those who need help, action must be taken quickly, because, as I said, time is of the essence.

Mr. President, we have listened today to the able address made by the distinguished Senator from Mississippi [Mr. EASTLAND] in which he dwelt upon the philosophy of Russia. He was a member of another committee which investigated conditions in Europe. That committee rendered excellent service, and submitted a valuable report to Congress.

As the Senator was speaking respecting the Russian philosophy, I thought that, if possible, the proposed committee should go into the Russian zone; that it should not only investigate conditions in our own zone but in the Russian zone to ascertain what are the conditions there. I say that because there was handed to me today by one high in the military service a report which I now hold in my hand. I am not permitted to mention his name. We receive our information in ways similar to this. We ourselves cannot secure direct information. We have no way of subpenaing witnesses. Congress does not have under its jurisdiction personnel which it can send overseas to make investigations. Such investigations must be authorized by congressional resolution. If the allegations contained in the report which was handed me by the Army official to whom I referred are true, they certainly bear out the detailed report which I submitted on the floor of the Senate a few days ago relative to the charges which are made as to conditions in our own military occupied zone and in other zones.

Mr. President, this report is dated December 4, 1945, and is entitled "Eyewitnesses' Reports From Russian and Polish-controlled Territories." It states:

From a large number of reports, a few have been selected to give a picture of (a) the transport of evacuees through Polish and Russian-controlled territories—

The very territory we are talking about today—

(b) conditions within the refugee camps in the Russian zone; and (c) the situation existing in those parts of the Russian zone to which the stream of refugees has been directed.

The reports which are coming in are to the effect that thousands upon thousands of refugees are crowding into the American-occupied zone because of conditions which are worse outside the American-occupied zone. This particular report is entitled, "New Wave of Evacuation from Breslau. Eyewitness Report of a Prominent Clergyman."

The report states graphically what the condition is in that particular locality:

A new wave of evacuation of the German population from Breslau has been going on for the past 2 weeks. At present the number of Germans in Breslau is not more than 160,000, as compared with a Polish population of 60,000. In September, the number of Germans in Breslau was reported as 200,000.

The official expulsion order covers the following groups of the city's German population:

1. All able-bodied unemployed.
2. All women with small children, unavailable for labor.
3. Old and sick, insofar as they are able to travel.
4. Those cleaning up the streets, insofar as their work is not regarded as vital.

The block leaders have to list all Germans who fall within these designated groups. Using their list as a guide, the expulsions are carried out in such a manner that those arrested have to leave their homes within half an hour. They have to line up on the street, are then picked up and taken, under guard, to the "Stadthafen" freight depot, where they are loaded into unheated freight cars and shipped west in the direction of the Russian-Polish border via the towns of Obernigh, Rawitsch, Glogau, and Forst.

In this way, 40,000 to 60,000 Germans are being removed from Breslau. These evacuation measures seem especially inhuman, as most persons belonging to groups 2 and 3, and also some in group 1 are dependent on outside aid in order to move out of the city. As such assistance is not available, it can be stated without exaggeration that for many, especially the children, old and sick, the forthcoming expulsion means certain death.

They are subject to evacuation from that particular zone, and when they are evacuated they are started westward. They finally wind up in the American zone, where we are not feeding German nationals through UNRRA or any other agency that I know of, except for some feeding by the United States Army.

The report proceeds to tell about the eye-witness testimony of the clergyman from Breslau, as I have already stated. The second part has to do with the refugee camp southeast of Berlin. The name of the camp is Cottbus. It is in the Russian zone.

REFUGEE CAMP, ANNABERGSTRASSE, COTTBUS, IN THE RUSSIAN ZONE, SOUTHEAST OF BERLIN

This report was rendered by an objective anti-Nazi official of one of the large Berlin banks, who made a special investigation of conditions in the Cottbus camp; the 65-mile rail journey, Berlin-Cottbus, which in normal times took two hours, required 15 hours.

He goes into detail about the camp. Conditions are almost identical with the conditions we found in the political prisoner camps when I was over there.

Mr. EASTLAND. Mr. President, I am much interested, and I think the Senator from Nebraska should read the entire report. I agree with him. I believe that there is a conspiracy of silence to prevent the American people from knowing the terrible effect, in starvation and human misery, which our policies are having in Europe. I believe we have engaged in a policy of race extermination, to exterminate a race of people who are very similar to our own. I feel that the distinguished Senator should by all means read the report in full.

Mr. WHERRY. I thank the distinguished Senator from Mississippi for the contribution which he has made, and also for the invitation to read the report into the RECORD. I did not want the Senator to feel that I was taking his time. I did not wish to interfere at this point in his speech.

Mr. EASTLAND. I have plenty of time.

Mr. WHERRY. The Senator made reference to the situation in Russia. A portion of the report deals with the Russian zone.

Mr. EASTLAND. I thank the Senator. I have plenty of time and plenty to say; but I believe that as a matter of public service the distinguished Senator should read the entire report for the benefit of the Senate and the country.

Mr. WHERRY. I thank the Senator. With the consent of the Senator, I shall be glad to read the report into the RECORD at this point.

Mr. EASTLAND. Provided I do not lose the floor.

Mr. WHERRY. I will accept the floor on that basis, and not ask the Senator to yield for any other purpose.

Mr. President, I was speaking about the report of the bank official of Berlin, who was an anti-Nazi. He made an investigation of the camp at Cottbus, in Russian-occupied territory in Germany.

The report continues:

The refugee camp in Cottbus is situated on the eastern outskirts of the city; it consists of 20 barracks and covers an area 300 by 600 feet. The condition of the camp is very bad; the impression is one of complete demoralization. In most of the barracks there are no windows. The barracks cannot be heated, except for the hospital barracks, as there are neither stoves nor fuel available. There is no electricity, as the lines were damaged and have not yet been repaired.

The most necessary fixtures, such as bedsteads, wardrobes, tables and benches, are missing. The refugees, with their children, have to live eat, and sleep on the floors. The small amount of straw available has been used so much that it has become matted and hard. It is pitiful to see fathers beg the camp director in vain, for coal to prevent their children from freezing to death.

Bathing installations are broken and the delousing facilities of the camp cannot be used, due to lack of coal. As a result, there is no delousing. When entering the camp, the evacuees receive no inocculations against contagious diseases.

The suffering of the evacuees is indescribable. Driven out by Polish soldiers and militia, they had to leave their houses and farms in Polish-controlled territory, often on less than 1 hour's notice. They are allowed to take with them only the barest essentials of clothes and foodstuffs. Their papers are taken from them and their baggage is ransacked—everything of value is taken. Sometimes they have to walk all day to the Polish-Russian border and then remain standing all night while their baggage is searched. Children fall down from exhaustion and go to sleep in the mud. Transportation by train through Polish-controlled territory seems to be the exception.

The crossing of the evacuees from Polish-controlled into Russian-controlled territory, takes place over the Oder and Neisse bridges primarily at Frankfort on Oder, Fuerstenberg, Guben, Forst, and Goerlitz. Having arrived on the Russian side, the refugees shift for themselves, trying to get into camps. In the Cottbus camp, the refugees arrive almost alone or in groups up to 200 people.

That is one thing that has been contended all the way through the reports which I have received. It is the Russian policy to move into Poland and the occupied parts of Germany and move the population off the land. The Russians take possession, and the refugees must seek food, clothing, and shelter for themselves.

Mr. EASTLAND. Mr. President, the distinguished Senator from Nebraska is exactly correct. However, the men are taken to Russia and enslaved.

Mr. WHERRY. That is correct.

Mr. EASTLAND. Women and helpless little children are turned out onto the highways in the dead of winter.

Mr. WHERRY. That is correct.

Mr. EASTLAND. Does not the distinguished Senator know that that is the policy which our own Government agreed to at Potsdam?

Mr. WHERRY. In answer to the distinguished Senator I will say that that is the agreement which we entered into at Potsdam; and unless we do something about it, we are certainly subscribing to it 100 percent.

Mr. EASTLAND. This is the first time in the Christian era that the doctrine of human slavery has been recognized as applying to the white race.

Mr. WHERRY. That is correct. I thank the distinguished Senator for his remarks. They are very timely. It is certainly time for a committee to go over there and investigate the conditions. As I previously stated, if such conditions are revealed, we ought to have the right to go into Russian territory and make an investigation, because we signed the Potsdam agreement, and the Allied Control Commission certainly ought to have the right to know what is being done in Russian territory, so long as we subscribe to Russia having permission to know what is being done in our own American-occupied zone.

Mr. EASTLAND. Does not the Senator believe that his resolution should be amended so as to include an investigation of the whole Potsdam agreement and the effect which such agreement will have on the economy and prosperity of the United States?

Mr. WHERRY. I thank the distinguished Senator for asking me that question. I am now convinced that amendments should be made. When I submitted the resolution it was primarily from the humanitarian point of view, but after submitting the resolution and studying the reports in detail I decided that it would be necessary for the committee to make a complete investigation as to the policies which we are now following under the Allied Control Commission because of the fact that such policies are based upon the theory of the so-called Morgenthau plan. If we are to carry that plan out to the limit and completely deindustrialize Germany as is being done today, blowing up industry after industry under the theory that the Germans should not be permitted to become an industrial nation, we are not going to cure the vacuum in Europe. We shall be creating a further vacuum. Certainly that plan, if carried out to the extreme, would have a vital effect not only on the peace of Europe but the peace of the world.

Mr. FASTLAND. I was informed by representatives of the State Department that there was a plan, to which our Government was a party, to dismantle the German textile industry and give it to Russia as reparations.

Mr. WHERRY. That is correct.

Mr. EASTLAND. If that had been done, it would have cost this country a permanent market for 2,000,000 bales of American cotton.

Mr. WHERRY. That is correct.

Mr. EASTLAND. The industry would be dismantled with the approval of underlings in the State Department, persons who are appointed by God only knows whom, and responsible to no one. Their decision would be very detrimental to the interests of the American people. Under the present system there is no way for our people to know what is happening over there. There is no way by which they can know, before the order is issued, what industries will be dismantled. The people in this country who are injured have no means of protesting or having a hearing, or having the matter adjudicated.

While the Potsdam agreements are in the nature of a treaty, they do not come to the United States Senate. What is being done is being done by irresponsible men in the State Department. I submit that the whole system is wrong. When we are confronted with a peace treaty these things will already have been accomplished in Europe. I use the cotton textile industry merely as an illustration to show that permanent damage would be done to the economy of our own country if such a plan were adopted. It was not carried into effect because of the activities of southern Senators. But similar things are happening in respect to other industries in this country, which, in my judgment, are just as vitally affected. I believe that the whole question should be investigated. Machinery should be set up whereby the people of this country who are interested and who will suffer by the acts of the State Department will have a right to be heard and will have a right to have the matter determined. If we are to protect the interests of the American people it is necessary to do that. I think the distinguished Senator's resolution should be adopted, but I think before being adopted it should be amended so as to include provision for an investigation of the whole Potsdam set-up. It seems to me that the welfare of our people requires that that be done.

Mr. WHERRY. Mr. President, once again I thank the distinguished Senator from Mississippi for his contribution, and I wish to tell him that I shall be very happy to support such an amendment because I feel that the resolution should be broadened so as to provide for an investigation of the whole problem of our policies in Europe, and I think the time to do it is now.

Mr. CHAVEZ. Mr. President, will the Senator permit me to interrupt?

Mr. WHERRY. Yes.

Mr. CHAVEZ. With the permission of the Senator from Mississippi, I should like to ask the Senator from Nebraska a question. I think there is merit in the resolution as outlined by the Senator from Nebraska. However, it appears to me that it should be extended in scope. Why confine the investigation to Europe? Why should not we be interested in conditions in the islands of the Pacific which have cost so much American blood and so many American lives? Why not investigate the agreements, if any, which we made with Dutch imperialists in Java or with the French in Indochina, or in respect to Arabia or elsewhere, or which we made with the British in regard to Egypt or Palestine? So long as we are going to investigate, I think we should investigate the complete situation, so as to find out where we stand.

Mr. WHERRY. I thank the distinguished Senator from New Mexico for his suggestion. Once again I say I shall be heartily in favor of amending the resolution in the manner suggested. I shall support such an amendment if it is offered, and I shall be glad to offer one myself if no other Senator does. I would have the resolution amended so as to include not only an investigation of conditions in Europe, but also an investigation of our policy as to diet and our other policies in respect to the various other conquered areas, as has been advocated by the Senator from New Mexico.

Mr. CHAVEZ. Does not the Senator believe that inasmuch as the matter is important, he should plead with the Senator from Mississippi to let us vote on Senate bill 101, so that we may thereafter proceed to provide for an investigation of conditions throughout the world?

Mr. WHERRY. I deeply appreciate the suggestion. As one who signed the petition for cloture, I should be glad to do so.

Mr. EASTLAND. Mr. President, as I said yesterday, it took 7 years of bloody revolution to set the American people free. It took several years of experience under the Articles of Confederation to gain the knowledge needed to enable our forefathers to draw up the Constitution of the United States. The process of drafting the Constitution at the Convention required many months. The total period was well over 10 years, beginning with

the Revolutionary War. So I do not think we should permit this country to be destroyed after just a few weeks of debate. I think the debate should by all means run as long as the Revolutionary War, as long as the whole process by which the United States was created. I think it is imperative that we do not surrender the liberties of this country in less time than it took to create them.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. WHITE. I am sure the Senator has in mind that it took almost 600 years from Magna Carta to reach the Declaration of Independence. Is the Senator suggesting that length of debate?

Mr. EASTLAND. That length of debate would suit me fine. I have a little boy who is just a year old. The other day I took him to the Senate barber shop and had his hair cut. It would suit me to have this debate run on until he gets into the Senate under his own power. He has been to the Senate barber shop; he knows about that now and he knows his way around. When he becomes a Member of the Senate, under his own power, I think we should still be debating this bill, if it is necessary to debate it that long in order to kill it.

Mr. WHERRY. Mr. President, will the Senator yield to me once more?

Mr. EASTLAND. I yield.

Mr. WHERRY. I deeply appreciate the colloquy which has taken place, especially as it has related to suggestions about broadening the scope of the resolution, because I sincerely believe the Senate should take action on the resolution immediately and that the committee provided for by the resolution should be constituted at once, so that it may begin its investigation of conditions in any area in Europe, in any area in the Pacific, or wherever it might be directed to go. I think the committee should bring back to the Congress of the United States an impartial report which would be the means of guiding the Congress in respect to immediate action to relieve the situation of the starving people in Europe and in other theaters of war.

The policies involved are ones to which we subscribe because we signed the Potsdam agreement. Regardless of whether those policies apply only in the German zone occupied by American troops or whether they apply in other zones, if we are operating under an Allied Commission we are giving our sanction to the application of those policies—policies which we ourselves went to war to eliminate and eradicate because we regarded them as injustices perpetrated upon the human race.

After the resolution was submitted last week the newspapers of the next day carried a report from Gen. Lucius Clay that the people concerned were getting along satisfactorily and that the reports were exaggerated.

Mr. EASTLAND. Mr. President, if the Senator will pardon me at this point, let me state that, from what I know of General Clay's position about this whole matter, it seems there was an attempt to "pull a fast one" on the American people. I doubt that General Clay gave such a statement to the newspapers, because it is so much at variance with what I know his position to be and with what we know to be the conditions which exist today in central Europe.

Mr. WHERRY. Not only is it at variance with what the Senator knows about those conditions, on the basis of information from reliable sources, but I should like to ask the Senator if his information is not based on an authentic statement made by one high in the military service. I refer to a statement to the effect that the people in Europe will starve this winter and that the diet we are feeding those for whom we are responsible is so limited in caloric content that the people will have to lie in bed and that such a diet is causing starvation in the European zone.

Mr. EASTLAND. We have received information that 1,500 calories a day are so insufficient that the people fed such a diet are practically compelled to stay in bed.

Mr. WHERRY. That is correct.

Mr. EASTLAND. We are also informed that such a diet is so insufficient that the disease ratio has increased and that there is a 50-percent infant mortality rate in Berlin due to the malnutrition of the mothers.

Mr. President, I will ask a question of General Clay, and I hope the newspapers will carry what I say. I wish General Clay would state whether he favors a diet of 2,000 calories for the German people and whether he recommended such a diet to those in authority. I say frankly that I do not think he has kept faith with the people of this country when he has taken issue with the statements made by the distinguished Senator from Nebraska.

Mr. WHERRY. I thank the Senator once again. I should like to propound this inquiry to the Senator: Is it not also a fact that from the same source from which we obtained the information upon which we both base the premise that insufficient calories are being fed the German people in the zone occupied by American troops, reports have also come, within 24 hours from the time when that information was obtained, that the calories fed to German nationals in the French zone have decreased to 1,100 a day a person. Is that correct?

Mr. EASTLAND. That is correct. From the same high, reliable source I also understood, as did the distinguished Senator from Nebraska, that the French had requested this country to supplement the diet in that area.

Mr. WHERRY. That is correct; and let me say that I also understood that it was stated that if we could not supplement it, they could not help themselves, and that for the remainder of the winter they would not be able to maintain a diet of even 1,100 calories a day for the German nationals in their zone. Does the Senator understand that I have correctly stated the information we have received?

Mr. EASTLAND. That is entirely correct.

Mr. WHERRY. Yes.

So, Mr. President, that seems to entirely refute the statement made by General Clay.

As the Senator from Mississippi said, it seems impossible that General Clay made such a statement, in view of the information the Senator from Mississippi and I have received regarding conditions not only in the American-occupied zone but in other zones.

Mr. EASTLAND. And also in view of the information which other Senators have received from the same source.

Mr. WHERRY. Yes.

Mr. President, I understand that the Foreign Relations Committee is to meet tomorrow to consider some resolutions and other matters which are now before it. I sincerely request the Foreign Relations Committee immediately to consider this resolution and report it to the Senate, so that within the next few hours we may have a congressional delegation on the way to Europe to make an impartial investigation, to the end that, right on the ground, all sources of information may be consulted and a dependable report brought back to the Congress of the United States. It will be a dependable report if we have that kind of congressional committee making that kind of an investigation not only in our zone but in every other zone it can get into in Europe and also, if necessary, in the Southwest Pacific, as well.

Mr. President, I continue to read the report which the distinguished Senator from Mississippi requested that I place in the RECORD at this point. I was talking about Camp Cottbus, which is 85 miles from Berlin, and is in the Russian-occupied zone, and I had stated that farmers comprise the largest group of evacuees:

> Farmers comprise the largest group of the evacuees. There are also manual laborers of every type, tradesmen, officials, bargemen, and so forth, with their families. The absence of intellectuals, with the exception of a few teachers, is noticeable.
>
> Generally the refugees stay in the camp from 8 to 14 days until a large enough group has collected. Then, in groups of from 400 to 600, they are shipped on by train. At the time set by the camp leader, the evacuees gather at the station with their baggage. They often have to wait one or two days around the destroyed station buildings until the Russians give the permit for the trip.

Mr. CHAVEZ. Mr. President, will the Senator yield in order that I may ask unanimous consent that the "boys" who have been participating in the filibuster be delegated to go to Europe and that they leave tomorrow? [Laughter.]

Mr. WHERRY. Will the Senator repeat his request?

Mr. CHAVEZ. I wonder if the Senator will be kind enough to yield to me in order that I may ask unanimous consent that the "boys" who have been participating in the filibuster be delegated to go to Europe, and that they leave tomorrow. [Laughter.]

Mr. RUSSELL. Mr. President, I object to any such unanimous-consent request.

Mr. WHERRY. Mr. President, I hesitated in submitting the report because I thought that possibly the proponents of the FEPC bill might feel that I was delaying a vote on cloture. I merely asked permission to invite the attention of the Senate to the headlines, and to place the report in the RECORD. But I was reading from the report at the suggestion and at

the instance of the distinguished Senator from Mississippi, who was one of the 34 Senators who signed the petition that was sent to the White House long before the present session of Congress began, and who was one of four Senators, who went to the White House during the holiday season and pleaded with the President to do something about the situation. The fact that our request was refused was convincing evidence to me that the distinguished Senator from Mississippi was sincere when he asked me to place in the RECORD every word of this report. It was only when he asked me to place it in the RECORD that I agreed to do so.

I want the distinguished Senator from New Mexico to know that I have done just as much as he has done in order to help move forward the FEPC bill on the floor of the Senate of the United States. I was not going to bring the matter up because I did not want to inject any politics into the issue, but so long as the Senator has charged me with being one of the "boys" who have been participating in a filibuster by attempting to have the report made a part of the RECORD——

Mr. CHAVEZ and Mr. EASTLAND addressed the Chair.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Does the Senator from Nebraska yield; and if so, to whom?

Mr. WHERRY. Mr. President, I have the floor and I will not yield. I want to finish my statement, and after I have completed it I will be glad to yield first to the distinguished Senator from New Mexico.

Among those who signed the petition for cloture were 22 Republican Senators on this side of the aisle.

Mr. CHAVEZ. The Senator is correct.

Mr. WHERRY. When the petition was signed by me, it was done in the interest of harmony.

Mr. CHAVEZ. I agree with the Senator.

Mr. WHERRY. When the petition was submitted yesterday, on top of the Republican petition was a petition which the Senator had circulated containing the names of Democratic Senators, in order to give the impression that the Democratic Senators had signed the petition before the Republican Senators had signed it. After we presented the petition the President pro tempore said, in effect, "Here is a petition which has been filed by the Senator from New Mexico [Mr. CHAVEZ] and 47 other Senators." I had the statement corrected, to include the name of every Senator who signed the petition printed in the RECORD. When the names were printed the names of Democratic Senators appeared first. [Laughter.]

Mr. President, who is taking advantage of the situation? Many of us on this side of the aisle have done our level best in working with the proponents of the bill in order to have it voted up or down in the United States Senate.

Mr. CHAVEZ. Mr. President, I am afraid that the Senator from Nebraska has somewhat confused matters. What he has stated about the Republican Senators who first signed the petition is correct. But the Senator is a little violent in his conclusions as to what actually was done. The Senator will recall that he handed me a petition on a piece of cardboard with one sheet of paper containing the names of Republican Senators. The paper was attached to the cardboard with clips.

Mr. WHERRY. Yes.

Mr. CHAVEZ. Then I commenced to circulate the petition. I am not apologizing for anything which I did, and I do not feel that anything which I did was wrong. But, as a practical proposition, where does the Senator believe that the other sheet of paper should have been attached?

Mr. WHERRY. I should like to say that there was plenty of room on the first petition on which to put the 22 signatures which the Senator obtained, and which were placed on top of the sheet of the original petition. The Senator did not need another sheet of paper on which to place the names. [Laughter.]

Mr. CHAVEZ. Mr. President, the Senator from Nebraska is taking his republicanism too seriously. There were 24 Democrats and 24 Republicans who signed the petition, so I do not see how anyone obtained any particular advantage. We on this side of the Chamber have never gotten sore because the name of the junior Senator from Vermont [Mr. AIKEN] is the first to appear on roll calls. His name does not appear in that order merely because we want to give the Republicans any kind of an advantage, but his name appears as the first on the roll call because alphabetically it rightly belongs there. I am sorry that there is anything in the RECORD which might possibly indicate that so far as I am concerned any advantage was taken of the Republicans at any time, because I know the Republicans did as much as we did in connection with advancing the pending bill. We had difficulty in trying to get as many Democrats to aid us in our cause as there were Republicans who were willing to help.

Mr. WHERRY. We could have filed a petition when we had obtained 16 Republican names.

Mr. CHAVEZ. Yes.

Mr. WHERRY. But we did cooperate with the proponents of the measure. The only reason I brought forward the matter to which I have referred is that I am fighting for something which is probably more vital than anything which has ever confronted the Senate. But I do not want to feel that the proponents of the FEPC bill are in position to intimate that I have been engaged in a prolonged debate to prevent Senate bill 101 coming to a vote. I have done as much as any other proponent of the FEPC bill has done in trying to bring the issue to a conclusion, and I am sure that the Senator will agree with my statement.

Mr. CHAVEZ. The Senator is correct in what he says. But I am afraid, Mr. President, that the Senator from Nebraska will suffer a great deal more from now on if his sense of humor does not improve. I was facetious in what I said, I may say to the Senator from Nebraska. I was speaking to some of my colleagues on this side of the Chamber and I said to them, in effect, "The only way we can get this matter disposed of is for you boys who are filibustering to go to Europe right now." That is why I facetiously made the unanimous-consent request, and I hope the Senator did not take offense. I did not have him in mind when I made the request. I was merely trying to indulge in a little levity with my colleagues.

Mr. WHERRY. I asked the Senator to repeat his statement the second time.

Mr. CHAVEZ. I did repeat it.

Mr. WHERRY. If I understood him correctly he said that he wanted the RECORD to show that "you boys" who are now filibustering should go to Europe. Will the Senator please tell me if that is not what he said?

Mr. CHAVEZ. Of course, the Senator has not been filibustering. So, Mr. President, I did not see any reason for the argument.

Mr. WHERRY. And I am not one of "you boys" to whom the Senator referred in connection with filibustering in the Senate.

Mr. CHAVEZ. I was referring, among others to my good friend the Senator from Mississippi.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. RUSSELL. I think that all our colleagues on both sides of the aisle who saw fit to sign the petition for cloture were very poorly advised. But nevertheless, in the controversy between the Senator from Nebraska and the Senator from New Mexico, I must side with the Senator from Nebraska. It is true that the Republicans made as much if not a greater sacrifice than did the Democrats in signing the petition for cloture. They sought to have brought to a vote a bill which would create in this country an all-powerful Commission, which is being espoused by some Democrats, but on which no provision is made for any Republican representation. In their anxiety to have the bill brought to a vote the Republicans signed what was equivalent to a voluntary admission of political bankruptcy and lack of responsibility on their part by demanding the creation of such an agency. So, Mr. President, in my opinion, the Senator from New Mexico was most unjust in his references to Republican Senators who were willing to make the kind of sacrifice which they made in endeavoring to bring the bill to a vote.

Mr. WHERRY. Mr. President, if any political advantage was gained, or any sacrifice made, it was when more than 16 Republican Senators signed the petition for cloture and turned it over to the proponents of the measure to be circulated.

Mr. RUSSELL. I agree with the Senator.

Mr. WHERRY. If that act did not indicate a nonpartisan attitude, I do not know how such an attitude could be indicated in connection with matters involving proposed legislation.

With regard to the remarks of the Senator from Georgia concerning the bankrupt Republican Party, a challenge is ever made to the Republican Party to fight when issues arise which vitally affect the interests of America. In meeting those issues in this body we rendered one of the greatest services that could be

rendered by the Members of the United States Senate.

I, for one, am not only going back to Nebraska when I have an opportunity, but whenever I speak I am certainly going to rededicate my life not only to one issue, but all issues which I think are truly American.

I wish to thank the distinguished Senator from Georgia for his speeches pointing out what he thinks about the philosophy of the bill. I wish to thank him for pointing out to those who want to recommit the bill some of its provisions which possibly should be amended.

Mr. RUSSELL. Does the Senator think a bill which denies his party any recognition whatever on the Commission provided for is a good measure?

Mr. WHERRY. My answer to the distinguished Senator from Georgia is that I voted for cloture because I thought the time had come when we should shut off debate on the particular issue of amending the Journal, and get down to business on legislation that is now confronting the Senate of the United States, such as the rescission bill, or the wage-hour bill, or other bills. I voted to proceed to the consideration of the pending bill because I had declared myself for the principles of an FEPC bill, and the bill I declared myself for was endorsed not only by the Republican platform, not only nationally, but in my State. I believe those principles are sound, and I believe the distinguished Senator from Georgia would subscribe to them as they were thus promulgated.

Mr. RUSSELL. I would never subscribe to any policy under which someone could hand me a bill which I would accept as being a party platform measure when it did not even provide for representation by my party. As I have stated heretofore, I have seen the time when only about 17 Republican Senators were Members of the Senate, but they insisted on having bipartisan representation on boards created by Congress. Now we come to a board to control all boards and to end all boards. We would not need any more boards or bureaus, or need any more government, if we passed Senate bill 101. Yet the Senator signed a cloture petition to shut off debate before it had even been pointed out on the floor of the Senate that the bill did not provide for bipartisan representation.

Mr. WHERRY. I must believe that the distinguished Senator from Georgia, for whom I have the highest regard, knows just as well as I do that cloture is one thing and voting on a bill is another.

The charge is being made that because a Senator votes for cloture he approves everything in Senate bill 101. The distinguished Senator from Georgia knows that is not the case. We have a perfect right to propose amendments; we can offer amendments from the time the petition is filed until the bill is voted on.

I agree with the Senator on the question of a non-partisan Commission, and I agree with him on his suggestion about amendments to Senate bill 101, but I say once again to the distinguished Senator, because I know how he feels in his heart for his fellow men, that he would vote just as quickly as anyone would for the declared principles of an FEPC bill which provided equal opportunity for Americans, whether they were white or black. I know the Senator would subscribe to that.

Mr. RUSSELL. I would do it, but I would not do it at the expense of the Constitution and of the individual American citizen.

Mr. WHERRY. The Senator has a perfect right to his opinion, but I am satisfied we possibly could recommit the bill and have it reported by the committee with the necessary amendments in it, and I am satisfied we would go a long way toward passing it upon the basis on which I think the legislation should be drawn.

Mr. President, I did not rise this afternoon to engage in a debate on the FEPC. I have declared myself heretofore. I hope my remarks will not be misunderstood. I merely wanted the proponents of the measure to know that when I came in with a report, because of its seriousness, and because of the gravity of the situation, when I am asked by Senators to place it in the RECORD, I have taken the only means I know of to place it in the RECORD, that is to read it in. As I was reading the report the question arose whether or not one who takes any time is filibustering. I merely want the RECORD to show that I, for one, am not filibustering. I voted to make the FEPC bill the unfinished business, and I signed the cloture petition because I thought the time had arrived when we should have a vote on the bill, and so far as I am concerned, there is no need for another 5 minutes of argument.

Mr. McCLELLAN. Mr. President, the Senator said that there is no need for another 5 minutes of argument; that he is ready to vote on the bill in 5 minutes. Does the Senator think the bill could be revised so that in 5 minutes he could conscientiously favor it and vote on it.

Mr. WHERRY. If I said vote on the bill, I should have said that I am ready to vote on cloture in 5 minutes. I correct that, Mr. President. If I said the bill, what I meant was cloture.

Mr. McCLELLAN. I believe the Senator agrees with me that as now written it is almost impossible to so amend the bill as to make it acceptable. We would simply have to rewrite it on the floor of the Senate before the bill could pass, before the Senator would be willing to vote for the bill. Does not the Senator agree with me that the only proper thing to do in this situation is to recommit the bill and leave it in committee until such time as a bill can be brought out which will give some promise of preserving human liberty?

Mr. EASTLAND. Mr. President, as I understand the statement of the distinguished Senator from Nebraska, it is that the cause of FEPC would be subserved if the bill were recommitted and redrafted.

Mr. WHERRY. I should like to answer the distinguished Senator from Mississippi in this way: I think a vote on cloture should first be had, if we can get it, because I feel that if cloture prevailed there would be an opportunity to offer amendments to the bill, and if the amendments were satisfactory, it would be up to Senators whether or not they wanted to pass the bill.

Mr. MAYBANK. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield.

Mr. MAYBANK. I should like to ask the Senator from Nebraska a question. He suggests that various amendments might be made to the bill in the Senate. Has the Senator any assurance such amendments would be retained by the House?

Mr. WHERRY. No.

Mr. MAYBANK. Has the Senator any assurance that the amendments might not be stricken out by the House?

Mr. WHERRY. No.

Mr. MAYBANK. I call that to the attention of the Senator because he and I see eye to eye on many things, but as to this particular bill, if we should put an amendment on it, it might be stricken out, and then we would be left to vote on a conference report and vote it either up or down.

Mr. EASTLAND. Mr. President, I should like to make a statement. As I understand, we are debating an appeal from the decision of the Chair as to the right to file a cloture petition.

The PRESIDING OFFICER (Mr. OVERTON in the chair.) The Senator is correct.

Mr. EASTLAND. If the appeal were sustained, then it would take unanimous consent, as I understand the Senate rules, to offer an amendment.

Mr. WHERRY. That is correct.

Mr. EASTLAND. I am certainly going to object, and I know other Senators who are going to object, and as I understand the distinguished Senator from Nebraska, he is not in favor of the bill as it is now written.

Mr. WHERRY. Mr. President——

Mr. EASTLAND. That being true, I know a great number of other Senators who are not, and while I am against the whole thing, and desire to be frank about it, why would not the cause of the FEPC bill be furthered if the bill were recommitted?

Mr. WHERRY. Will the Senator yield so that I may make an observation? I have been asked questions by two Senators.

Mr. MAYBANK. Will the Senator yield to me to make a short statement?

Mr. WHERRY. I defer to the Senator from South Carolina.

Mr. MAYBANK. With reference to the statement I made regarding the House of Representatives, I meant no slur, or anything of the kind. I referred to the cold, brutal fact of what might happen to any amendment which the distinguished Senator from Nebraska might put on the bill, or any amendment that might be put on the bill by the distinguished Senator from Indiana, who, I think, has an amendment pending. Who knows that those amendments will be kept in the bill by the House?

Mr. EASTLAND. There are no amendments pending, none have been filed and read. No amendment can be offered except by unanimous consent, and I am going to object.

Mr. MAYBANK. I presume, of course, the bill would be returned to the calen-

dar, and come back on the floor in regular form to be amended.

Mr. EASTLAND. The bill would have to be recommitted.

Mr. MAYBANK. Certainly.

Mr. WHERRY. Will the Senator yield so that I may answer one or two of the various questions which have been asked?

Mr. EASTLAND. I greatly appreciate the lengthy contribution of the Senator from Nebraska. I think he is doing very well.

Mr. WHERRY. In answer to the remarks of the Senator from South Carolina about the House of Representatives, and about amendments which might be offered and which might be modified in the House, I agree that the House might do anything. My responsibility ceases when the bill leaves the Senate of the United States, and then the House takes its own responsibility for whatever it does.

Mr. MAYBANK. I might say to the Senator that that is the very reason why we do not intend to let this bill leave the Senate of the United States. I am not apprehensive, but no one knows what might happen.

Mr. WHERRY. If I may be permitted to answer the second question, namely, am I in favor of recommitting the bill, I should like to continue my statement by making this observation: I think that if possible we should be able to get a vote on cloture. I am giving my opinion. I think we should have a vote. As I said before, I think the time has arrived when we should vote up or down the question whether the bill should come to the floor of the Senate and amendments be offered.

Mr. EASTLAND. How could amendments be offered?

Mr. WHERRY. They certainly could not be offered unless those who are against the bill give us unanimous consent to offer them.

Mr. EASTLAND. That is not going to happen. Now, does not the Senator think the bill should be recommitted?

Mr. WHERRY. Will the Senator permit me to proceed with my answer?

Mr. EASTLAND. Yes.

Mr. WHERRY. If we cannot have a vote on cloture—and I admit that because of the rules of the Senate those in opposition have it in their power to prevent a vote on cloture—then I am ready either to recommit the bill, or take up some other business, and let the bill automatically go back upon the calendar.

Mr. EASTLAND. I do not know, but I do not think we are going to get a vote on cloture.

Mr. MAYBANK. Will the Senator yield to me?

Mr. EASTLAND. I yield.

Mr. MAYBANK. I rather agree with the distinguished Senator from Mississippi, and differ with my distinguished friend the Senator from Nebraska, on the question of a vote on cloture. Does not the Senator from Nebraska believe that the list of those who signed the petition for cloture includes practically every Senator who would vote for cloture? I am not binding anyone.

Mr. WHERRY. The Senator is asking me a question which is very difficult to answer because I do not know what the Members of the Senate would do on the vote.

Mr. MAYBANK. Is it not a fact that many Senators have been bombarded by telegrams? Please do not misunderstand me.

Mr. WHERRY. I cannot answer for other Senators.

Mr. MAYBANK. I noticed an article in various publications today under the headline "Wire your Senator to sign cloture." It states that certain Senators have signed the cloture petition, and so on, and so forth. My general thought is, though I have not talked to anyone about that matter, that most of those who would vote for cloture signed the petition. But there is no chance to vote for cloture because there can be no cloture vote on the question of amending the Journal.

Mr. WHERRY. Mr. President, will the Senator yield to me to continue with the report?

Mr. EASTLAND. Yes.

Mr. WHERRY. Before continuing with the report, I would say that because of the parliamentary procedure and the rules of the Senate those who are against FEPC, of course, have a perfect right to filibuster. They can do so under the rules of the Senate. That is their method; that is the only way they have to defeat either the pending business or the FEPC bill, if it is not the pending business, and they are adopting that procedure. On the other hand, the only way the proponents of the measure can secure action is to bring to an issue the cloture petition.

Mr. EASTLAND. The distinguished Senator from Nebraska certainly would not accuse anyone of filibustering.

Mr. WHERRY. All I should like to say to the distinguished Senator from Mississippi is that I feel that from a practical point of view—and we might just as well be frank about the matter—those who are opposed to the FEPC bill are proceeding in a perfectly practical fashion within the rules of the Senate to continue to debate the subject. But I think if we defined what is now going on we will find that, in reality, it is a filibuster against the measure. I want to say again that Senators who oppose the FEPC have a perfect right to continue to debate the measure so long as they please under the rules of the Senate. The only way the Senate can break up that procedure—and I think this is a significant point because such a situation might arise again in connection with other legislation—if the opponents continue, the only remedy we have is to vote on cloture. If those who are against the pending measure will not permit a vote on cloture—and apparently they have the strength to continue, and at least they say they will not permit the question to be brought to a vote—if and when we learn that there are not sufficient votes to bring about cloture, then, I should like to say to the distinguished Senator from Mississippi, I think the time will have come when the people of the country expect us to take up some other measure, either a measure which is on the calendar or a measure which will be reported to the calendar, so we may get on with the business of the Senate. While I am one of those who signed the cloture petition, and I should like to have a vote taken on it, and I should like to have the FEPC bill debated on the floor of the Senate and opportunity to be given to vote for an amended bill, yet, if that is denied us, I am ready, along with the Senator from Mississippi and the Senator from South Carolina, to take up some other matter, and proceed with the work of the Senate.

Mr. CHAVEZ. Mr. President, will the Senator from Mississippi yield to me so I may ask a question?

Mr. EASTLAND. I should like to suggest that surely the distinguished Senator from Nebraska is not serious in saying that a filibuster is in progress. I am against the bill and I know I am not filibustering. I think the distinguished Senator owes me an apology. [Laughter.]

Mr. WHERRY. I should like to have the Senator from Mississippi realize that I was not filibustering when I took the floor of the Senate this afternoon to make a statement on an important matter.

Mr. EASTLAND. The Senator has spoken as long as I have this afternoon, and he says I am filibustering and that he is not.

Mr. CHAVEZ. Mr. President, taking the chance of again being castigated, I wish to ask the question: What are both Senators doing?

Mr. EASTLAND. Mr. President, I am opposing FEPC and exposing its iniquities.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. WHERRY. I thank the distinguished Senator, who is always very courteous. I appreciate his patience. Now that he has made it plain that he is not filibustering, I hope he will permit me to continue with the report. In view of the fact that he insisted that I read it into the RECORD, I hope he will permit me now to continue, and not to accuse me of filibustering.

I come now to the next part of the report on page 3 which is headed, "Report on a transport of evacuees from the refugee camp at Kahnsdorf, Province of Brandenburg, to Demmin, Mecklenburg."

I should like to point out to the distinguished Senator from Mississippi that the charges here made are almost identical with the charges made in connection with the Cottbus Camp, 65 milies from Berlin, in the Russian zone.

The report speaks of evacuees shipped in cattle cars with no heating facilities. The same condition prevails in the case of the evacuees who were transported to the other camps.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. MAYBANK. I am glad the Senator from Nebraska spoke of evacuees being shipped in freight cars. I wish to say to the distinguished Senator that today a serious car shortage exists in this country. The ODT, the Interstate Commerce Commission, and the railroads are having great difficulty in allocating freight cars. A measure is now before the Committee

on Appropriations, of which the distinguished Senator from Nebraska is a member, in connection with which the freight car situation in this country will be dealt with. I am told that many cars are held up; and that grain elevators and shippers generally cannot obtain sufficient cars. Is that a correct statement of the situation?

Mr. WHERRY. That is correct.

Mr. MAYBANK. I ask the Senator if he does not think the all-important independent offices appropriations bill should not be acted upon by the committee and brought to the floor of the Senate and given at least some priority, so that the Interstate Commerce Commission, and the Office of Defense Transportation, may be given sufficient funds to do what is necessary to bring relief in the tangled situation that exists respecting freight-car movements?

Mr. WHERRY. I agree with the distinguished Senator from South Carolina. I know that approximately 75 cars filled with wheat a day leave Omaha for seaboard ports. When they once reach the seaboard it is difficult to get them back to the Middle West. Our farmers who would like to ship their grain to market cannot get a sufficient number of cars. The situation is very serious in our section of the country, and as it progresses it will become much more serious. I will say to the distinguished Senator that I am in favor of the action he proposes.

Mr. MAYBANK. I am happy to hear the Senator say so.

Mr. WHERRY. The report deals with what took place on the journey from the refugee camp at Kahnsdorf to Demmin; with the accommodations in the train, with the matter of provisions, and sanitary conditions. Those of us who were members of the committee which went to Germany and saw the train with 3,100 bodies in it which stood in front of the camp at Dachau know what it is for people to be shipped in freight cars under such conditions as would cause many of them to starve to death. We know something of the sanitary conditions in these freight cars. The report speaks of the conditions in the freight cars, stating that people were treated like cattle as they were being shipped westward and finally wound up in the American zone, for which we are responsible.

The fourth part of the report is headed "Plight of refugees in Mecklenburg." Eyewitness report of a woman social worker.

It tells of the many cases of typhoid which exist there today. It says the county hospital in Hagenow is equipped with 400 beds, but had 900 patients.

The report says child mortality among the evacuees, due to insufficient food, strain of the trek, and lack of sanitation and care, is estimated at 30 percent, and that approximately 10 percent of the children die of hunger and the remainder from disease.

Certainly we ought to bring to the attention of the Members of the Senate the fact that an investigation should be made in the area in which we have responsibility.

Then the report deals with venereal disease conditions. It speaks of the various dread diseases that have afflicted the people who are confined in these camps. It is simply a repetition of the conditions which existed in the concentration camps which the Senate Committee visited.

Mr. President, I ask unanimous consent that the report may be printed in the RECORD as a part of my remarks at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

EYEWITNESSES' REPORTS FROM RUSSIAN- AND POLISH-CONTROLLED TERRITORIES

From a large number of reports, a few have been selected to give a picture of (a) the transport of evacuees through Polish- and Russian-controlled territories, (b) conditions within the refugee camps in the Russian zone, and (c) the situation existing in those parts of the Russian zone to which the stream of refugees has been directed.

The following reports have been rendered by reliable German observers who have recently traveled extensively through territories in question:

"DECEMBER 4, 1945.

"NEW WAVE OF EVACUATION FROM BRESLAU—EYEWITNESS REPORT OF A PROMINENT CLERGYMAN

"A new wave of evacuation of the German population from Breslau has been going on for the past 2 weeks. At present the number of Germans in Breslau is not more than 160,000, as compared with a Polish population of 60,000. (In September the number of Germans in Breslau was reported as 200,000.)

"The official expulsion order covers the following groups of the city's German population:

"1. All able-bodied unemployed.

"2. All women with small children, unavailable for labor.

"3. Old and sick, insofar as they are able to travel.

"4. Those cleaning up the streets, insofar as their work is not regarded as vital.

"The block leaders have to list all Germans who fall within these designated groups. Using their list as a guide, the expulsions are carried out in such a manner that those arrested have to leave their homes within half an hour. They have to line up on the street, are then picked up and taken under guard to the 'Stadthafen' freight depot, where they are loaded into unheated freight cars and shipped west in the direction of the Russian-Polish border via the towns of Obernigk, Rawitsch, Glogau, and Forst.

"In this way 40,000 to 60,000 Germans are being removed from Breslau. These evacuation measures seem especially inhuman, as most persons belonging to groups 2 and 3, and also some in group 1, are dependent on outside aid in order to move out of the city. As such assistance is not available, it can be stated without exaggeration that for many, especially the children, old, and sick, the forthcoming expulsion means certain death."

"DECEMBER 8, 1945.

"REFUGEE CAMP, ANNABERGSTRASSE, COTTBUS, IN THE RUSSIAN ZONE, SOUTHEAST OF BERLIN

"(This report was rendered by an objective anti-Nazi official of one of the large Berlin banks, who made a special investigation of conditions in the Cottbus camp. The 65-mile rail journey, Berlin to Cottbus, which in normal times took 2 hours, required 15 hours.)

"The refugee camp in Cottbus is situated on the eastern outskirts of the city. It consists of 20 barracks and covers an area 300 by 600 feet. The condition of the camp is very bad. The impression is one of complete demoralization. In most of the barracks there are no windows. The barracks cannot be heated, except for the hospital barracks, as there are neither stoves nor fuel available. There is no electricity, as the lines were damaged and have not yet been repaired.

"The most necessary fixtures, such as bedsteads, wardrobes, tables, and benches are missing. The refugees, with their children, have to live, eat, and sleep on the floors. The small amount of straw available has been used so much that it has become matted and hard. It is pitiful to see fathers beg the camp director, in vain, for coal to prevent their children from freezing to death.

"Bathing installations are broken and the delousing facilities of the camp cannot be used, due to lack of coal. As a result, there is no delousing. When entering the camp the evacuees receive no inoculations against contagious diseases.

"The suffering of the evacuees is indescribable. Driven out by Polish soldiers and militia, they had to leave their houses and farms in Polish-controlled territory, often on less than 1 hour's notice. They are allowed to take with them only the barest essentials of clothes and foodstuffs. Their papers are taken from them and their baggage is ransacked—everything of value is taken. Sometimes they have to walk all day to the Polish-Russian border and then remain standing all night while their baggage is searched. Children fall down from exhaustion and go to sleep in the mud. Transportation by train through Polish-controlled territory seems to be the exception.

"The crossing of the evacuees from Polish-controlled into Russian-controlled territory takes place over the Oder and Neisne bridges primarily at Frankfurt on Oder, Fuerstenberg, Guben, Forst, and Goerlitz. Having arrived on the Russian side, the refugees shift for themselves, trying to get into camps. In the Cottbus camp, the refugees arrive alone or in groups up to 200 people.

"Farmers comprise the largest group of the evacuees. There are also manual laborers of every type, tradesmen, officials, bargemen, etc., with their families. The absence of intellectuals, with the exception of a few teachers, is noticeable.

"Generally the refugees stay in the camp from 8 to 14 days until a large enough group has collected. Then, in groups of from 400 to 600, they are shipped on by train. At the time set by the camp leader, the evacuees gather at the station with their baggage. They often have to wait 1 or 2 days around the destroyed station buildings until the Russians give the permit for the trip.

"The evacuees receive for the trip provisions consisting of 1,500 grams of bread per person for 5 days. They should also receive 30 grams of butter per day which, however, is rarely available. This is all they get. They are shipped in unheated freight cars. Many people die on these transports. The situation might be somewhat improved if refugee trains had priority over freight trains, especially coal trains, which are continually moving onto the now one-track line, Berlin-Gottbus-Goerlitz.

"It was impossible to get a clear picture of the organizational side of the transport. The camp director stated that he receives directions from the city mayor's office to collect the refugees at the station at a certain time. The last transport, carrying 1,600 refugees, allegedly went to Mecklenburg."

"REPORT ON A TRANSPORT OF EVACUEES FROM THE REFUGEE CAMP AT KAHNSDORF, PROVINCE OF BRANDENBURG, TO DEMMIN, MECKLENBURG

"(This report is an extract from a letter by a welfare organization to the Central Administration for Refugees (in the Russian zone), asking for an improvement in the conditions of transport of evacuees.)

"1. Journey

"On Friday, November 23, at 11 a. m. a train with 2,000 evacuees from the camps at Kahnsdorf and Forst (Province of Branden-

burg in the Russian zone), was scheduled to leave the railway station Luckau for the north. The train did not leave until 8:30 p. m. A doctor, an intern, and two nurses accompanied the transport.

"The destination, Fuerstenberg, at the Mecklenburg border, about 100 miles away, was reached on Saturday at 7 p. m. When the train arrived, it was announced that Fuerstenberg could not accept the evacuees. The train then proceeded to Stralsund, a distance of 70 miles, arriving there Sunday, November 25, at about 11 a. m. As the evacuees were likewise turned away, the train was shunted back to Demmin—30 miles. Obviously, no preparations had been made to receive the people there; the train remained in the station, as the Landrat had to give his permission for the unloading. At 5 p. m. an order came that the train had to be unloaded immediately, as the freight cars had to be returned to Forst.

"The lights went out. The 2,000 refugees, among whom were many women with children, cripples, old people and invalids, were thus unloaded in complete darkness and the greatest confusion. There were no stretchers nor was there any transportation. Those who could not walk were simply laid on the platform. A lunatic who had been included in the transport and kept in the caboose had escaped.

"2. Accommodations on the train

"The refugee train consisted of 41 freight cars and one conductor's car. One car was marked with a red cross and apparently was meant to serve as a hospital coach. The doors did not close. There were no facilitations for lying down, no straw, and no heat.

"Occupants of two of the 41 cars were able to secure two small stoves during the journey, but all the other cars remained without heat.

"3. Provisions

"Upon departing, the refugees received 2 days' rations. They arrived in Demmin only on the evening of the third day. There was no warm food on the entire trip, not even for the small children, old, and sick people. The nurses had no warm food for 7 days.

"4. Sanitary conditions

"A 15½-year-old girl, who was in labor pains and an 18-year-old girl with a bleeding kidney infection had to be unloaded at Fuerstenberg.

"Two women had such bad diarrhea that that their presence would not be tolerated by their cotravelers. Lacking other facilities, they were taken into the so-called hospital car, which was used to carry the corpses of evacuees who had died on the trip.

"Most of the evacuees were suffering from diarrhea. Many used the corners of the car to take care of their needs. A half-crippled man on the train fell in his own excrement. No further illustration need be given of the danger of infection in such a train, under these conditions."

"PLIGHT OF REFUGEES IN MECKLENBURG—EYEWITNESS REPORT OF A WOMAN SOCIAL WORKER—END OF NOVEMBER 1945

"According to an official estimate, there are 35,000 cases of typhoid today in the Land Mecklenburg. The number of doctors and assistants throughout the land is very limited; as a result, there is such a delay in the treatment of patients that they often remain with their families for 2 or 3 weeks, thus infecting the other family members. A pastor in Rostock cites an instance in the town of Kroeplin where a man suffering from typhoid is compelled to share a straw mattress with his wife and 8 children; they have to eat in the same room. The children are inadequately clothed, undernourished, and cannot be kept clean, as no soap or washing materials have been issued since last May.

"In Rostock, the administration has released only one horse-drawn hearse for transporting the bodies, wrapped in blackout paper, to the cemetery. As a result, the dead bodies remain a comparatively long time with the families. During the period from November 24 to 26, 120 bodies had to be removed. Since many bodies are in rooms where people are still living, eating and sleeping, it is not surprising that there is so much sickness.

"The hopitals are overfilled. The county hospital in Hagenow, Mecklenburg, for example, is equipped with 400 beds, but at the end of November had about 900 patients. Many of the hospital attendants are sick as a result of overwork and lack of nourishment. Food for the patients is insufficient. According to the doctor in Tessin, the patients in many instances do not get more than 600 calories of food daily.

"Child mortality amongst the evacuees, due to insufficient food, strain of the trek, and lack of sanitation and care, is estimated at 30 percent. Approximately 10 percent of the children die of hunger, and the balance from disease.

"Venereal disease throughout Mecklenburg and Pomerania is widespread. There is, however, a marked difference between those districts which were first occupied by American or British troops and later on turned over to the Russians, and those which were originally conquered by the Russians. In the former, cases of venereal disease amount to only one percent. In Pomerania, a province originally occupied by the Russians, it is reported that 8 out of 10 girls have been raped and that 6 out of 8 girls are infected with venereal disease. Medical supplies to treat these cases are altogether lacking.

"The 'Landesverwaltung' (German administration in the Russian zone) has established a number of overnight camps, quarantine stations, and permanent camps at different railway junctions. In the Hagenow district (Mecklenburg) I had an opportunity to visit some of these camps. One camp, as well as the barracks at the station, was adequate. The rooms are kept clean and can be heated; there are cooking facilities, although primitive. The toilets are sufficient and are kept clean. This camp, which is in one of the railroad buildings, is not being plundered and attacked by the Russians; in fact, the Russians protect the hospital barracks which the Red Cross has established for those unable to travel. Every patient has his own bed with a straw mattress. A doctor visits the sick refugees daily.

"Conditions are appalling in the former prisoner's camp at the Hagenow station. The camp director, a Communist, showed me the camp, which was full of vermin of every kind. This camp is often attacked by the Russians and if women try to defend themselves against being raped, their barracks are set on fire by the Russians. I have personally seen three such burned barracks.

"The refugees undergo their worst ordeal at the stations and the trains. They worry whether they can get into the trains and complete the journey without being plundered by the Russians and thrown out of the coaches, or be molested and raped. The same insecurity exists if they have to spend a night in the station. There are not enough waiting rooms to protect them from cold, dampness, and wind.

"They cower outside the entrance, tired, apathetic, and hungry, until they faint. An average of 4 to 10 bodies are taken out of trains at every large junction, such as Schwerin, Rostock, Ludwigslust.

"I have particularly horrible memories of the night of November 26–27 in Wismar. At 11 p. m. there were about 3,000 people in the station trying to get to Berlin. The night was very cold and it was snowing. A prisoner returning from Russia, his leg amputated, shaking from cold, was limping around trying to find his relatives. An old woman, her arm broken, sat near me; she had no coat, as the Poles had taken it from her. Near me was a married couple from Allenstein. The man had wrapped his wife in a shawl. During the flight she had gone crazy; he was trying to go to the west and did not want to leave his wife alone in this condition. The whimpering of the woman and the cries from time to time were almost unbearable. A young woman had lost one child on the trip and buried another; she did not know where to turn, as her life no longer had any meaning. She regarded, with tragic eyes, a mother who had three children and who moved about the whole night, trying to protect them from freezing. From time to time I walked through the crowd in order to help. The toilets were in terrible condition. The people were also crowding into the toilets in order not to freeze. When the gates were opened the people got on the train like wild animals; those left behind—the tired, weak, and sick—crowded together and had to live through another 24 hours at the station. Some old people and women with small children already spending their third night there, as the Russians had requisitioned some of the coaches."

Mr. WHERRY. Mr. President, I feel that every word of the report should be read by every Member of the United States Senate.

In conclusion, I should like to say again that the Foreign Relations Committee will meet, as I understand, tomorrow. The concurrent resolution is now before that committee. I should be perfectly willing to accept the amendments suggested by the distinguished Senator from Mississippi and the amendment suggested by the distinguished Senator from New Mexico. I should be glad to broaden the joint resolution as much as the Senate wishes to. Once again I desire to say that I feel that a nonpartisan committee of 12 should be appointed by the President pro tempore of the Senate and by the Speaker of the House, to be composed in equal numbers of members of the Republican and Democratic Parties, and equipped with sufficient technical personnel to conduct thorough investigations. The committee should have available individuals who are authorities on the subjects of medicine, food, and housing. The committee and its technical personnel should be flown immediately to Europe to conduct investigations.

Mr. President, what I have stated today and what I stated last week is based on reports which have come to me. The Senator from Mississippi, who was a member of an investigating committee which went to Europe, knows how bad the situation is in Europe. Saturday night the Under Secretary of State, Mr. Dean Acheson, made the statement that many people would starve in Europe this winter and that the time had come when we in this country should go back to rationing in order to provide food to send across the water. If what has been stated is the situation which exists on the average level in Europe, what, Mr. President, do you think is the situation in the Russian zone? If 1,500 calories a day are given those who live in the American zone, what do you think the situation is in the zone occupied by France, and in the zone occupied by Russia? I believe we are entitled to know what the Control Commission is doing in enforcing the terms of the Potsdam agreement.

Mr. EASTLAND. Mr. President, I do not think the distinguished Senator

from Nebraska is painting exactly an accurate condition of the situation in Germany. He must remember that there is no coal for heating in Germany. Houses there are not heated. There is some heat provided in other European countries. More food is required to sustain the human body when the people must live in unheated houses.

Mr. WHERRY. I wish to thank the distinguished Senator once more for his contribution.

In conclusion I wish to say that I hope and pray that the Foreign Relations Committee will consider this concurrent resolution and report it back to the Senate immediately, so that there can be appointed a committee to go to Europe and make a first-hand investigation, right on the ground, and bring back to the Congress of the United States accurate information concerning the conditions which exist, so Congress can make proper recommendations to the President as to what should be done before it is entirely too late. Let me say to the distinguished Senator from Mississippi that I very much appreciate his suggestion that I read this report into the RECORD. I hope that he and other opponents of the FEPC bill will feel that I was sincere and serious, and that it was not done in the spirit of continuing a filibuster or a debate upon Senate bill 101.

Mr. EASTLAND. Mr. President, I shall be glad to go with the distinguished Senator from Nebraska to the Committee on Foreign Relations. I believe that this is a very important subject. I know that it is fraught with peril to the future of our country and the future of world peace.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. CHAVEZ. I should like to call the attention of the Senator from Mississippi to the fact that the Senator from Maine [Mr. WHITE], the minority leader, has asked me if it would meet with my approval to suspend at a rather early hour this afternoon because of some matters which he must take up with members of the minority party. It is my purpose, after disposing of some executive business, to move that the Senate take a recess until tomorrow.

Mr. EASTLAND. With the understanding that I do not lose the floor.

Mr. CHAVEZ. Of course. I should like to have the Executive Calendar called before the Senate takes a recess.

Mr. EASTLAND. That is agreeable to me.

EXECUTIVE SESSION

Mr. CHAVEZ. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Lt. Gen. Edmund B. Gregory to be War Assets Administrator, effective upon retirement from the Army, which was referred to the Committee on Military Affairs.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. BARKLEY, from the Committee on Banking and Currency:

Fred M. Vinson, of Kentucky, to be United States Governor of the International Monetary Fund and United States Governor of the International Bank for Reconstruction and Development for a term of 5 years;

William L. Clayton, of Texas, to be United States Alternate Governor of the International Monetary Fund, and United States Alternate Governor of the International Bank for Reconstruction and Development for a term of 5 years;

Harry D. White, of Maryland, to be United States Executive Director of the International Monetary Fund for a term of 2 years and until his successor has been appointed;

Emilio G. Collado, of New York, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of 2 years and until his successor has been appointed;

Wilson W. Wyatt, of Kentucky, to be National Housing Administrator;

Harvey Jones Gunderson, of South Dakota, to be a member of the Board of Directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1946 (reappointment);

Henry T. Bodman, of Michigan, to be a member of the Board of Directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1946; and

Charles B. Henderson, of Nevada, to be a member of the Board of Directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1946 (reappointment).

By Mr. WHEELER, from the Committee on Interstate Commerce:

Frank P. Douglass, of Oklahoma, to be a member of the National Mediation Board for the term expiring February 1, 1949.

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

Candler Cobb for appointment as Director of Selective Service for New York City under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940, as amended;

Sundry officers for temporary appointment in the Army of the United States, under the provisions of law; and

Sundry officers for promotion in the Regular Army of the United States, under the provisions of law.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The PRESIDENT pro tempore. Without objection, the nominations of postmasters are confirmed en bloc; and without objection, the President will be immediately notified.

THE NAVY—NOMINATION PASSED OVER; REMAINING NOMINATIONS CONFIRMED

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. WHITE. Mr. President, one of the nominations in the Navy is that of Earle W. Mills to be vice admiral, for temporary service, effective from December 31, 1945. I ask that that nomination be passed over.

The PRESIDENT pro tempore. Without objection, the nomination of Earle W. Mills to be vice admiral in the Navy will be passed over; and, without objection, the remaining Navy nominations are confirmed en bloc, and the President will be immediately notified.

THE MARINE CORPS

The legislative clerk read the nomination of Raymond R. Wright to be paymaster general of the Marine Corps.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed; and, without objection, the President will be notified forthwith.

UNITED STATES DISTRICT JUDGES

The legislative clerk read the nomination of Roy M. Shelbourne to be United States district judge for the western district of Kentucky.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed; and, without objection, the President will be notified forthwith.

The legislative clerk read the nomination of Edward S. Kampf to be United States district judge for the northern district of New York.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed; and, without objection, the President will be notified forthwith.

CHIEF JUDGE, MUNICIPAL COURT OF APPEALS, THE DISTRICT OF COLUMBIA

The legislative clerk read the nomination of Nathan Cayton to be chief judge of the Municipal Court of Appeals for the District of Columbia.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed; and, without objection, the President will be notified forthwith.

UNITED STATES ATTORNEYS

The legislative clerk read the nomination of Alexander M. Campbell to be United States attorney for the northern district of Indiana.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed; and, without objection, the President will be immediately notified.

The legislative clerk read the nomination of J. Vincent Keogh to be United States attorney for the eastern district of New York.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed; and, without objection, the President will be notified forthwith.

UNITED STATES MARSHALS

The legislative clerk read the nomination of Al W. Hosinski to be United States marshal for the northern district of Indiana.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed; and, without objection, the President will be notified forthwith.

The legislative clerk read the nomination of John M. Comeford to be United States marshal for the western district of Wisconsin.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed; and, without objection, the President will be notified forthwith.

That completes the Executive Calendar.

RECESS

Mr. CHAVEZ. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 34 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, February 6, 1946, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate February 5 (legislative day of January 18), 1946:

WAR ASSETS ADMINISTRATOR

Lt Gen. Edmund B. Gregory to be War Assets Administrator, effective upon retirement from the Army.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 5 (legislative day of January 18), 1946:

UNITED STATES DISTRICT JUDGES

Roy M. Shelbourne to be United States district judge for the western district of Kentucky.

Edward S. Kampf to be United States district judge for the northern district of New York.

CHIEF JUDGE, MUNICIPAL COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Nathan Cayton to be chief judge, Municipal Court of Appeals for the District of Columbia.

UNITED STATES ATTORNEYS

Alexander M. Campbell to be United States attorney for the northern district of Indiana.

J. Vincent Keogh to be United States attorney for the eastern district of New York.

UNITED STATES MARSHALS

Al W. Hosinski to be United States marshal for the northern district of Indiana. (Now serving under an appointment which expired July 3, 1945.)

John M. Comeford to be United States marshal for the western district of Wisconsin. (Now serving under an appointment which expired October 30, 1945.)

IN THE NAVY

APPOINTMENTS IN THE NAVY FOR TEMPORARY SERVICE

Patrick N. L. Bellinger to be vice admiral, for temporary service, to rank from October 5, 1943.

APPOINTMENTS IN THE REGULAR SERVICE

To be assistant surgeons with the rank of lieutenant (junior grade)

Charles D. Adams	Carl L. Johnson
Alfred Agrin	Edward A. Johnson
John H. Annegers, Jr.	Andrew Johnston
Ernest M. Barker	Lloyd H. Klefstad
Bernard A. L. Bellew	John A. Leam
Frank W. Bussard	Gordon V. Lillie
Joseph P. Cannon	Joseph T. Lucas, Jr.
George C. Chaney	Glenn L. Marshall, Jr.
James F. Clearly, Jr.	Theodore R. Marvin
Edward B. Crohn	Hugh B. McAdams
Bernard F. Danton, Jr.	Hoyt B. Miles, Jr.
Francis D. Donahue	Albert D. Nelson, Jr.
Frederick F. Ferguson	Leonard R. Ortega
Rodes C. Garby	Ralph R. Preston
William D. Grant	Alan Raftery
Alfred E. Gras	Wilfred N. Sanders
Jack M. Gruender	David J. Sanderson
Robert L. Henry, Jr.	Clinton R. Strong
William L. Hutchinson	Loy T. Swinehart
William J. Jenkins	Frank M. Thornburg
John A. Twaddle	Edwin C. Welsh
Wallace R. Van Den Bosch	Clifford A. Wiethoff

To be lieutenant

Frank L. Lawlor

To be assistant paymaster, with the rank of ensign

Ralph G. Leedy

IN THE MARINE CORPS

To be Paymaster General of the Marine Corps for a period of 4 years from February 1, 1946

Raymond R. Wright

POSTMASTERS

GEORGIA

Dora L. Raulerson, Hortense.

INDIANA

John Leonard, Birdseye.
James Perona, Blanford.
Dorothy Fohl, Cedar Grove.
William O. Burgess, Gas City.
James E. Cox, Newburgh.
Elsie B. Johnson, Westpoint.

KANSAS

Marjorie A. Cain, Delphos.
George M. Thomas, Morrowville.

MISSOURI

Frank A. Johnson, Gainesville.

MONTANA

Albert Leo Nix, Wibaux.

NEBRASKA

Julius E. Arnold, Big Springs.
Edward Borzych, Farwell.
Martha E. Castor, Stockville.

NORTH CAROLINA

Bessie L. Adams, Blounts Creek.
Willie T. Smith, Dudley.
Mildred C. Thompson, Hallsboro.
Helen J. Dellinger, Iron Station.
William R. Miller, Laurel Springs.

OKLAHOMA

Leroy K. Hawkins, Boynton.
Evah Kirksey, Porter.

WEST VIRGINIA

Cordia H. Covert, Yawkey.

WISCONSIN

Helen A. Feye, Eastman.
Rachel P. Porter, Fontana.
Stella J. McCollow, River Falls.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 5, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou merciful and mighty Spirit, come and rule in our hearts and direct our minds and labors. Breathe through the heats of our desire that all our efforts may be for the solution and the transfiguration of the hard paths of toil. Let us proclaim to the discouraged and all in need the evangel of our Elder Brother and meet courageously the test of our stewardship. In word and deed, may we confess that the best and the most enduring contribution we can make to our country is our faith in God and our fellow men. Vouchsafe to the Congress a very earnest sense of its responsibility by proving its fidelity to all the fundamental principles of our Republic. Allow us not to walk in paths of blind confusion or tarry in the chill of doubt, but so serve our land that its imperial soul shall breast the tides of change and live on with freedom as its immortal pursuit and life's richest attainment. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from committee:

JANUARY 28, 1946.

Hon. SAM RAYBURN,
Speaker of the House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Elections No. 3 of the House of Representatives.

Respectfully,

HUGH PETERSON.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

EXTENSION OF REMARKS

Mr. DONDERO asked and was given permission to extend his remarks in the RECORD and include an article from the New York Journal-American.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the RECORD in two instances and include in one a quotation from James Madison and one from Abraham Lincoln and in the other two letters written to him on the question of the Office of Price Administration.

Mr. DOLLIVER asked and was given permission to extend his remarks in the RECORD and include a statement from R. K. Bliss, Iowa director of the Extension Service.

Mr. ELLIS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. COLE of Missouri asked and was given permission to extend his remarks in the RECORD and include a poem written by F. J. Lyons, of Conception Junction, Mo.

CALENDAR WEDNESDAY BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order tomorrow, Calendar Wednesday, be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE GREAT WAR WORK OF MR. PETER HANSEN, OF BEATRICE, NEBR.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CURTIS. Mr. Speaker, I rise to pay tribute to a great patriot. I refer to Mr. Peter Hansen, of Beatrice, Nebr. Although Mr. Hansen is past 77 years of age, and has spent most of the last 2 years in a hospital, when VJ-day came he was knitting his one hundred and thirty-eighth sweater for the members of our armed forces. Since that time he

has completed two more. Mr. Hansen was born in Denmark, the ninth child in a family of 10. When he was 6 years old his mother taught him to knit. During World War I he used to knit in his idle moments while traveling on the train as a salesman. When this war came he started to knit again and made 12 sweaters in the bundles for Britain campaign. When the United States entered the war his time and talents were given to the bundles for America program, and it was in that program that he made the 140 sweaters.

Mr. Speaker, we are a great nation because of individuals like Mr. Peter Hansen. He is a man who loves his country more than self, and who gives his time and his talents for the preservation of our great Republic.

EXTENSION OF REMARKS

Mr. HENDRICKS asked and was given permission to extend his remarks in the RECORD on surplus property for veterans and include a letter from one of his constituents.

Mr. PATTERSON asked and was given permission to extend his remarks in two instances, in one to include several letters, and in the other to include an editorial.

PROPOSED UNIVERSAL MILITARY TRAINING

Mr. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MAY. Mr. Speaker, I take this time for the purpose of making a statement in which I think the membership of the House should be interested and to correct some erroneous reports that have gone out in the press. There have been statements made in the press from time to time during the last 10 days that the Committee on Military Affairs had abandoned the idea of further consideration of universal military training. That is an incorrect statement. Hearings have been set for the purpose of completing the hearings on that legislation, starting on the 18th day of this month and running probably through the week. The purpose of the committee is to do something about legislation that has been recommended by the President of the United States. We propose to give this House an opportunity to express its wishes.

EXTENSION OF REMARKS

Mr. WIGGLESWORTH asked and was given permission to extend his own remarks and include a recent newspaper article.

Mr. RANKIN asked and was given permission to extend his remarks in the RECORD and include therein excerpts from the addresses of Mr. Vishinsky and Mr. Bevins at the UNO Security Council yesterday.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

TENDERING THANKS OF CONGRESS TO GENERAL OF THE ARMY GEORGE C. MARSHALL AND MEMBERS OF ARMY OF UNITED STATES

The Clerk called the joint resolution (H. J. Res. 243) tendering the thanks of Congress to General of the Army George C. Marshall, and the members of the Army of the United States who have fought under his direction during the wars; and providing that the President of the United States shall cause a medal to be struck to be presented to General Marshall in the name of the people of the United States of America.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the thanks of the American people and of the Congress be, and they hereby are, presented to General of the Army George C. Marshall, for his statesmanship as a member of the Combined Chiefs of Staff in cementing the moral and physical forces of the United Nations in the common cause against aggression and his leadership in formulating and executing the global strategy of the wars; his initiative, wisdom, and foresight as Chief of Staff of the Army in conducting the expansion, equipping, training, and deployment of the great Army of the United States to the high degree which enabled it to go directly from its training camps and maneuver grounds to overcome the strongest forces which our determined enemies could amass; and his selfless integrity, inflexible patriotism, and surpassing military genius which guided our armies directly to the heart of the homelands of our enemies; and to the members of the Army of the United States under his direction for their heroic valor and unwavering loyalty and service throughout the wars.

SEC. 2. The President of the United States is requested to cause a gold medal to be struck, with suitable emblems, devices, and inscriptions, to be presented to General Marshall. When the said medal shall have been struck, the President shall cause a copy of this joint resolution to be engrossed on parchment, and shall transmit the same, together with the said medal, to General Marshall to be presented to him in the name of the people of the United States of America.

SEC. 3. A sufficient sum of money to carry this joint resolution into effect is hereby appropriated out of any money in the Treasury not otherwise appropriated.

With the following committee amendment:

Page 3, line 2, after the word "hereby", insert the words "authorized to be."

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to consider was laid on the table.

AGNES J. ALLBERRY

The Clerk called the bill (S. 865) for the relief of the estate of Agnes J. Allberry.

Mr. SPRINGER. Mr. Speaker, there is a very close legal question involved in this matter. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Indiana.

There was no objection.

MRS. GERTRUDE VERBARG

The Clerk called the bill (H. R. 1073) for the relief of Mrs. Gertrude Verbarg.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

ORVIS WELCH

The Clerk called the bill (H. R. 2167) to confer jurisdiction upon the District Court of the United States for the Eastern District of Texas to hear, determine, and render judgment upon the claims of Orvis Welch.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the District Court of the United States for the Eastern District of Texas, notwithstanding any statute of the State of Texas limiting the time within which actions in tort may be brought, to hear, determine, and render judgment upon the claims of Orvis Welch, of Paris, Tex., against the United States, on account of personal injuries resulting from an accident involving a vehicle operated by the War Department, which occurred on United States Highway 271, near Paris, Tex., on January 29, 1944. The court shall have such jurisdiction within 1 year after the date of the enactment of this act, and the liability of the United States in any such suit shall be determined upon the same principles and measures of liability as in like cases between private individuals.

With the following committee amendment:

Strike out all after the enacting clause and insert "That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Orvis Welch, of Paris, Tex., the sum of $4,523.45, in full settlement of all claims against the United States on account of personal injuries, medical and hospital expenses, and loss of earnings sustained as the result of an accident involving a vehicle of the United States Army which occurred near Paris, Tex., on January 29, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Orvis Welch."

M. F. DILLER

The Clerk called the bill (H. R. 2596) for the relief of M. F. Diller.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that thi bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

LEONARD J. FOX AND MILFORD G. FOX

The Clerk called the bill (H. R. 3158) for the relief of Leonard J. Fox and Mil-

ford G. Fox, a partnership, doing business as Fox Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $9,058.32, to Leonard J. Fox and Milford G. Fox, a partnership, doing business as Fox Co., in full satisfaction of its claim against the United States under contracts Nos. W669-QM-19810 and W669-QM-2022, dated June 30, 1942, and July 16, 1942, respectively, entered into by Fox Co. with the United States Government through the Philadelphia Quartermaster Depot, United States Army, and providing for the manufacture of 250,000 badges, Army Award Work, and 300,000 badges and bars, such claim arising from a change in the purchase price of silver, established by the Office of Price Administration, with the concurrence of the State Department as follows: Subsequent to the dates of such contracts orders were placed by said Fox Co. with Handy & Harman Co. for 113,229 ounces of silver at 38⅛ cents per ounce. Following the placing of this order the price of silver was so changed by the action of the Office of Price Administration and the State Department that when it was delivered said Fox Co. was required to pay 46⅛ cents per ounce, resulting in a loss to claimants of $9,058.32: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IDA F. BRAUN, ET AL.

The Clerk called the bill (H. R. 1782) for the relief of Ida F. Braun, Alice Braun Menges, and Carl J. Braun, individually and as executors of the estate of Hedwig W. Braun, deceased, and as legatees and beneficiaries of the will of Hedwig W. Braun, deceased, and as the sole parties in interest by succession under the last will and testament of Hedwig W. Braun, deceased, and under the last will and testament of Herman W. Braun, deceased.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

GEORGE PATHY

The Clerk called the bill (H. R. 3573) for the relief of George Pathy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the limitations of subsection (b) of section 307 of the Nationality Act of 1940 (54 Stat. 1142; 8 U. S. C. 707), shall be held inapplicable to a petition for naturalization filed by George Pathy, an alien, who filed declaration of intention No. 539562 in the United States District Court for the Southern District of New York, New York City, on April 29, 1943.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OGDEN AND DOUGHERTY

The Clerk called the bill (S. 815) for the relief of Ogden & Dougherty, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to certify for payment to Edwin Dougherty and M. H. Ogden, trading as Ogden & Dougherty, the sum of $15,414.21, recommended by the United States district engineer at Cincinnati, Ohio, the division engineer at Columbus, Ohio, and the Chief of Engineers as the amount of just mathematical errors in the accepted bid submitted on January 7, 1941, by Ogden & Dougherty for the construction of a hospital building at Patterson Field, Dayton, Ohio, the exigencies of the military service being such as not to admit of delay necessary to correct the errors in the bid before the contract was entered into and the construction work commenced.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES ALVES SAUCIER

The Clerk called the bill (S. 831) for the relief of James Alves Saucier.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Alves Saucier, of Poplarville, Miss., the sum of $3,000, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him when he was struck by a United States Army truck at the Gulfport Army Airfield, Miss., on August 24, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OSCAR S. REED

The Clerk called the bill (S. 1077) for the relief of Oscar S. Reed.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oscar S. Reed, of Auburndale, Mass., the sum of $350, in full satisfaction of his claim against the United States for compensation for personal injuries and loss of earnings sustained by him as a result of an accident which occurred when the automobile in which he was riding was struck by a United States Navy vehicle, at Portsmouth, N. H., on August 20, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AFTAB ALI

The Clerk called the bill(S. 1081) for the relief of Aftab Ali.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Aftab Ali, of New York, N. Y., the sum of $500, in full settlement of his claim against the United States for the refund of a bail bond posted for Azir Khan, an alien, such bond having been forfeited on January 17, 1944, when the said Azir Khan failed to appear for deportation: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MANUEL ROSE LIMA

The Clerk called the bill (S. 1101) for the relief of the estate of Manuel Rose Lima.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Manuel Rose Lima, of New Bedford, Mass., the sum of $5,000, in full satisfaction of the claim of such estate against the United States for compensation for the death of said Manuel Rose Lima, as a result of personal injuries sustained by him when he was struck by a United States Navy vehicle while walking on Washington Street, in Nantucket, Mass., on September 11, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. SPRINGER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SPRINGER: On page 1, line 6, strike out "$5,000" and insert "$4,000."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FLORENCE BARROWS

The Clerk called the bill (S. 1142) for the relief of Florence Barrows.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Florence Barrows, of the town of Exeter, county of Kent, State of Rhode Island, the sum of $2,500, in full settlement for personal injuries sustained by her on December 18, 1943, when she was injured by an Army truck, W-422452, operated by an enlisted man of the United States Army: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WINTER BROS. CO.

The Clerk called the bill (S. 1158) for the relief of Winter Bros. Co.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Winter Bros. Co., of Wrentham, Mass., the sum of $2,400; the payment of such sum shall be in full settlement of all claims of such company against the United States on account of losses sustained in the execution of Navy contract numbered NXsx-37041, for the supply of pipe taps, entered into by such company on September 13, 1943, such loss being due to a typographical error in the bid which, through a mutual mistake of fact by the contracting officer and the contractor, was not corrected in the signed contract: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAUL E. TACY

The Clerk called the bill (S. 1231) for the relief of Paul E. Tacy.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Paul E. Tacy, of Monterey, Calif., the sum of $23.50, in full satisfaction of his claim against the United States for compensation for property damage sustained by him when his automobile was struck by a United States Army vehicle on Fountain Avenue, in Pacific Grove, Calif., on October 28, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. ALLAN F. WALKER

The Clerk called the bill (S. 1294) for the relief of Mr. and Mrs. Allan F. Walker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Allan F. Walker, of Sepulveda, Calif., the sum of $2,500 in full satisfaction of their claims against the United States for compensation for the death of their son, Dennis Allan Walker, who died as a result of burns received by him when a United States Army airplane crashed at 9363 Burnet Avenue, in Sepulveda, Calif., on January 25, 1945: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN A. HATCHER

The Clerk called the bill (S. 1296) for the relief of John A. Hatcher.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $650, to John A. Hatcher, of Teays, W. Va., in full settlement of all claims against the United States for personal injuries, medical and hospital expenses sustained as the result of an accident involving a United States Navy vehicle, near St. Albans, W. Va., on December 5, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF WILLIAM CARL JONES

The Clerk called the bill (S. 1323) for the relief of the estate of William Carl Jones.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of William Carl Jones, of Merigold, Miss., the sum of $3,551.99, in full satisfaction of the claims of such estate against the United States for compensation for the death of the said William Carl Jones as a result of gunshot wounds inflicted by a guard at the prisoner-of-war camp at Merigold, Miss., on March 24, 1945, and for reimbursement of medical, hospital, and funeral expenses incurred as a result of such injuries and death: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BENALI EL OUKILI BOUCHETA

The Clerk called the bill (S. 1360) to compensate Benali El Oukili Boucheta, an inhabitant of French Morocco, for the wrongful death of his son Mohamed Ben Boucheta Ben Ali El Oukili, near Marnia, Algeria, on September 30, 1944.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Benali El Oukili Boucheta, a resident and inhabitant of French Morocco, the sum of $780 in full satisfaction of his claim against the United States arising from the wrongful death near Marnia, Algeria, on September 30, 1944, of his son, Mohamed Ben Boucheta Ben Ali El Oukili: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLEMENT EUZIERE

The Clerk called the bill (S. 1361) to compensate Clement Euziere, an inhabitant of French Morocco, for personal injuries caused by a naval vehicle near Oran, Algeria, on September 21, 1943.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clement Euziere, a resident and inhabitant of French Morocco, the sum of $2,000, in full satisfaction of his claim against the United States arising from an accident occurring near Oran, Algeria, on September 21, 1943, in which he sustained permanent injuries, to wit: the loss of his left leg at the level of the upper third of the thigh: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM WILSON WURSTER

The Clerk called the bill (S. 1448) for the relief of William Wilson Wurster.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he hereby is, authorized and directed to settle and adjust the claim of William Wilson Wurster, San Francisco, Calif., on account of increased costs incurred by the said individual in the performance of his contract numbered WA-1194, dated January 9, 1942, with the Federal Works Agency, by reason of unavoidable delays on the part of other contractors and the Government in the construction and completion of a defense housing project at or near Sacramento, Calif., and to allow in full and final settlement of the claim the amount of not to exceed $3,140. There is hereby appropriated the sum of $3,140, or so much thereof as may be necessary for the payment of the said claim: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES R. HOOPER

The Clerk called the bill (S. 1480) for the relief of Charles R. Hooper.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles R. Hooper, of Washington, D. C., the sum of $6,000, in full settlement of all claims against the United States for personal injuries sustained by Charles R. Hooper while employed in the United States navy yard at Washington, D. C., in the year 1894: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. SPRINGER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SPRINGER: Strike out on page 1, line 6, the figure "$6,000" and insert in lieu thereof the figure "$4,000."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. G. SULLIVAN

The Clerk called the bill (H. R. 4752) for the relief of J. G. Sullivan.

Mr. SPRINGER and Mr. McGREGOR objected, and, under the rule, the bill was recommitted to the Committee on Claims.

LEWIS E. MAGWOOD

The Clerk called the bill (H. R. 4797) to confer jurisdiction upon the United States District Court for the Eastern District of Virginia to determine the claim of Lewis E. Magwood.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Eastern District of Virginia to hear and determine, and to render judgment, as if the United States were suable in tort, on the claim of Lewis E. Magwood, of Norfolk, Va., to recover damages for personal injuries sustained and expenses incurred by the said Lewis E. Magwood on account of a wound received while he was on duty on the tub Mars, which was towing targets during target practice of the Two Hundred and Fifty-second Coast Artillery, North Carolina National Guard, under the guidance and instruction of United States Army personnel, near Fort Moultrie, S. C., on August 3, 1932, if such suit is brought within 1 year after the enactment of this act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the judgment, if any, rendered as the result of such suit, upon proper certification from the said United States District Court for the Eastern District of Virginia.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNA ELEANOR ROOSEVELT

The Clerk called the bill (H. R. 3389) granting a pension to Anna Eleanor Roosevelt.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McGREGOR. Mr. Speaker, owing to the fact, I am reliably informed, there have been no hearings on this bill, I ask unanimous consent it be referred to the committee for further consideration.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. RICH. Mr. Speaker, reserving the right to object, I understand she is now a member of the United Nations Conference drawing a salary from the Federal Government of $12,000 a year.

The SPEAKER. The gentleman from Ohio has already answered that. Is there objection to the request of the gentleman from Ohio?

There was no objection.

CITY OF MEMPHIS, TENN., AND MEMPHIS PARK COMMISSION

The Clerk called the bill (S. 176) for the relief of the city of Memphis, Tenn., and Memphis Park Commission.

Mr. SPRINGER. Mr. Speaker, there is a very close legal question involved in this claim and I therefore ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

MABEL FOWLER

The Clerk called the bill (S. 845) for the relief of Mabel Fowler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1940 ed., title 5, secs. 751-791), Carl F. Fowler, who was electrocuted on September 16, 1943, while seeking to correct failure of electric facilities at the Army air base near Mitchell, S. Dak., shall be deemed to have been a civil employee of the United States within the purview of said act, at the time of his death, and compensation for death shall be payable to Mabel Fowler, if she is found to be the widow of the said Carl F. Fowler, under the conditions provided in section 10 of such act of September 7, 1916, such compensation to be computed in the manner prescribed in said act upon the basis of $175 as representing the monthly wage of the deceased at the time of his death. Any compensation for death received by said Mabel Fowler under any other workmen's compensation law shall be credited in such manner as the United States Employees' Compensation Commission may find to be just and equitable against any compensation which she may receive by reason of this act: *Provided*, That claim for compensation for death under such act shall be filed within 1 year from the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAROLD E. BULLOCK

The Clerk called the bill (S. 905) for the relief of Harold E. Bullock.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harold E. Bullock, of Las Vegas, Nev., the sum of $5,000, in full satisfaction of his claim against the United States for compensation for the death of his wife, Mrs. Harold E. Bullock, as a result of personal injuries sustained by her, when the automobile in which she was riding was struck by a United States Army vehicle on Highway No. 66, near Oro Grande, Calif., on July 27, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIE H. JOHNSON

The Clerk called the bill (S. 1129) for the relief of Willie H. Johnson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Willie H. Johnson, Dunnellon, Fla., the sum of $600 in full settlement of all claims against the United States for personal injuries and loss of earnings sustained by him as the result of an accident which occurred in Dunnellon, Fla., on February 22, 1944, involving an Army vehicle: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. SPRINGER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SPRINGER: Page 1, line 6, strike out "$600" and insert in lieu thereof "$350."

The amendment was agreed to

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEGAL GUARDIAN OF WAYNE EDWARD WILSON, A MINOR

The Clerk called the bill (S. 1338) for the relief of the legal guardian of Wayne Edward Wilson, a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Wayne Edward Wilson, a minor, of Lebanon, Del., the sum of $3,000, in full satisfaction of all claims against the United States for compensation for personal injuries sustained by the said Wayne Edward Wilson, on August 28, 1944, and for reimbursement of medical, hospital, and other expenses incurred by him, as a result of his being burned when he came into contact with a cable hanging from a live electric wire, near Lebanon, Del., such cable having been dropped onto the electric wire from a United States Army airplane: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELI L. SCOTT

The Clerk called the bill (H. R. 1721) for the relief of Eli L. Scott.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eli L. Scott, of Homewood, Ala., the sum of $7,598.20, in full settlement of all claims against the United States for personal injuries, medical, hospital, and other expenses incurred as the result of a collision between the motorcycle he was driving and a United States Army vehicle at Homewood, Ala., on January 17, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. CONRAD NEWMAN

The Clerk called the bill (H. R. 1788) for the relief of Conrad Newman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Conrad Newman, Muhlenberg County, Ky., the sum of $7,500. The payment of such sum shall be in full settlement of all claims of the said Conrad Newman against the United States on account of the death of his minor son, Jackie Glenn Newman, who was struck and killed by a United States Army truck operated under the direction of the post engineer of Fort Knox, Ky., while its driver was dumping small rocks and gravel along Adair Street in Goldville, Fort Knox, Ky., on May 7, 1943.

With the following committee amendments:

Page 1, line 6, strike out "$7,500" and insert "$3,000."

Page 2, line 4, after "1943", insert a colon and the following: *"Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Mr. and Mrs. Conrad Newman."

ARTHUR A. GUARINO

The Clerk called the bill (H. R. 2243) for the relief of Arthur A. Guarino.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

EDWARD W. THURBER

The Clerk called the bill (H. R. 2244) for the relief of Edward W. Thurber.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,500, to Edward W. Thurber, in full compensation for injuries sustained and damages suffered by him as the result of an accident which occurred November 2, 1942, at Warwick, R. I., and which accident involved the operation of an airplane, the property of the United States Army, which said airplane was then and there being operated by a commissioned officer of the United States Army.

With the following committee amendments:

Line 5, strike out the figures "$5,500" and insert in lieu thereof the figures "$3,000."

Line 6, after the name "Thurber," strike out the remainder of the bill and insert "of Pawtuxet, R. I., in full settlement of all claims against the United States for property damage, personal injuries and loss of earnings sustained and medical and hospital expenses incurred by him as the result of an accident which occurred on November 2, 1942, in Warwick, R. I., involving an Army airplane: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a

misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH O. MELLO AND ANTONIO MELLO

The Clerk called the bill (H. R. 2246) for the relief of Joseph O. Mello and Antonio Mello as next of kin of Michael O. Mello.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of $20,000, to Joseph O. Mello and Antonio Mello, in full compensation because of the death of Michael O. Mello as a result of injuries sustained by him as a result of an accident which occurred on April 5, 1943, on Fall River Avenue in the town of Seekonk, Commonwealth of Massachusetts, which accident involved the operation of a motor vehicle the property of the United States Navy, which said motor vehicle was then and there being operated by an enlisted man of the United States Navy in the performance of his duties.

With the following committee amendment:

Line 5, after the sign "$", strike out the remainder of the bill and insert "5,000 to the estate of Michael O. Mello, and to pay the sum of $3,500 to Christian O. Mello, of Bristol, R. I., in full settlement of all claims against the United States for the death of the said Michael O. Mello, and for personal injuries to Christian O. Mello sustained as a result of an accident involving a United States naval vehicle on April 5, 1943, in Seekonk, Mass.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the estate of Michael O. Mello and Christian O. Mello."

JOSEPH TARANTOLA AND IDA TARANTOLA

The Clerk called the bill (H. R. 2415) for the relief of Joseph Tarantola and Ida Tarantola.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $4,443 to Joseph Tarantola and Ida Tarantola, of St. Louis, Mo., in full settlement of all claims against the United States as compensation for the death of Martha Tarantola, their daughter, who was killed as a result of an accident involving a United States Army jeep, on Arsenal Street, St. Louis, Mo., on February 9, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES SHERRY

The Clerk called the bill (H. R. 2528) for the relief of James Sherry.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Sherry, Sault St. Marie, Mich., the sum of $20,000. The payment of such sum shall be in full settlement of all claims of the said James Sherry against the United States on account of the deaths of his three minor sons, James, John, and Peter Sherry, ages 12, 11, and 7, respectively, which were caused by the explosion on his farm near Brimley, in Chippewa County, Mich., on August 6, 1944, of a hign explosive antitank rocket or bazooka projectile, which had been left on the Rexford rifle range by members of the United States Army on maneuvers.

With the following committee amendments:

Line 6, strike out the figures "$20,000" and insert in lieu thereof the figures "$12,500."

At the end of the bill add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agree to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Mr. and Mrs. James Sherry."

A motion to reconsider was laid on the table.

VENACIO CADIZ LLACUNA ET AL.

The Clerk called the bill (H. R. 3670) for the relief of Venacio Cadiz Llacuna, In Sun Kwon, Sang Woon Kim, Matias Simon Miguel, Sabas Lagac Teanio, the legal guardian of Benjamin Ramelb, and the legal guardian of Santiago Sabado.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Venacio Cadiz Llacuna, of Waialua, Oahu, Territory of Hawaii, father of Venacio Llacuna and Juan Llacuna, minors, the sum of $10,000; to In Sun Kwon, of Waialua, Oahu, Territory of Hawaii, father of Sung Ho Kwon, minor, the sum of $5,000; to Sang Woon Kim, of Waialua, Oahu, Territory of Hawaii, father of Fred Kim, a minor, the sum of $5,000; to Matias Simon Miguel, of Waialua, Oahu, Territory of Hawaii, father of Matias Miguel, Jr., a minor, the sum of $5,000; to Sabas Lagac Teanio, of Waialua, Oahu, Territory of Hawaii, father of Ernest Teanio, a minor, the sum of $5,000; to the legal guardian of Benjamin Ramelb, a minor, the sum of $5,000; and to the legal guardian of Santiago Sabado, a minor, the sum of $5,000. Such sums are in full settlement of all claims against the United States on account of the deaths of Venacio Llacuna, Juan Llacuna, Sung Ho Kwon, Fred Kim, Matias Miguel, Jr., and Ernest Teanio, who were killed, and for personal injuries, hospital and medical expenses for Benjamin Ramelb and Santiago Sabado, who were injured as the result of an accident in which an Army vehicle struck this group of persons at Waialua, Oahu, Territory of Hawaii, on July 8, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum no exceeding $1,000.

With the following committee amendment:

Page 1, line 5, after the word "to" strike out the bill down to the colon in line 18, page 2, and insert in lieu thereof: "the estate of Venancio Llacuna, deceased, the sum of $2,114.50; to the estate of Juan Llacuna, deceased, the sum of $2,227; to the estate of Sung Ho Kwon, deceased, the sum of $2,382.50; to the estate of Fred Kim, deceased, the sum of $2,375.50; to the estate of Matias Miguel, Jr., deceased, the sum of $2,341.40; to the estate of Ernest Teanio, deceased, the sum of $2,554.50; to the legal guardian of Benjamin Ramelb, a minor, the sum of $330.50; and to the legal guardian of Santiago Sabado, a minor; the sum of $337, in full settlement of all claims against the United States on account of the deaths of Venancio Llacuna, Juan Llacuna, Sung Ho Kwon, Fred Kim, Matias Miguel, Jr., and Ernest Teanio, deceased, and the medical hospital, and burial expenses incurred as a result of their injuries and deaths, and on account of personal injuries sustained by Benjamin Ramelb and Santiago Sabado and the medical and hospital expenses incurred on their behalf, all resulting from an accident involving an Army vehicle which occurred at Waialua, Oahu, Territory of Hawaii, on July 2, 1944."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the estate of Venancio Llacuna and others."

MRS. BEATRICE BRISBIN ET AL.

The Clerk called the bill (H. R. 4253) for the relief of Mrs. Beatrice Brisbin, and the legal guardians of Wynona Gene Brisbin, Nelda Elaine Brisbin, Gwendoline Louise Brisbin, and Jacqueline Nadine Brisbin, minors.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Beatrice Brisbin, of Holland, Tex., the wife of Chancie Lee Brisbin, deceased, the sum of $10,000, and to the legal guardians of Wynona Gene Brisbin, a minor, the sum of $5,000, Nelda Elaine Brisbin, a minor, the sum of $5,000, Gwendoline Louise Brisbin, a minor, the sum of $5,000, and Jacqueline Nadine Brisbin, a minor, the sum of $5,000, each of said minors being the daughters of Chancie Lee Brisbin, deceased, and each residing at Holland, Tex., in full settlement of all claims against the United States for the death of the said Chancie Lee Brisbin on January 24, 1945, caused by a block of ice negligently thrown from a train by a soldier about 1 mile south of Holland, Tex., on the same date.

With the following committee amendments:

Page 1, line 7, strike out the figures "$10,000" and insert in lieu thereof the figures "$3,313."

Page 1, line 8, strike out the figures "$5,000" and insert in lieu thereof the figures "$1,000."

Page 1, line 9, strike out the figures "$5,000" and insert in lieu thereof the figures "$1,000."

Page 1, line 10, strike out the figures "$5,000" and insert in lieu thereof the figures "$1,000."

Page 2, line 1, strike out the figures "$5,000" and insert in lieu thereof the figures "$1,000."

At the end of bill add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SIGURDUR JONSSON AND THOROLINA THORDARDOTTIR

The Clerk called the bill (S. 314) for the relief of Sigurdur Jonsson and Thorolina Thordardottir.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jon Sigurdsson as attorney in fact for his parents, Sigurdur Jonsson and Thorolina Thordardottir, of Hafnarfjordur, Iceland, for and on their behalf, the sum of $4,070.85, in full settlement of all claims against the United States for the death of their son, Thordur Sigurdsson, who was fatally injured when shot by an enlisted soldier in the Army of the United States on November 8, 1941, at Hafnarfjordur, Iceland: *Provided*, That the claimants accept such sum in full settlement of all claims against the United States for the death of their son.

With the following committee amendment:

At the end of the bill insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT M. WIKLE

The Clerk called the bill (H. R. 262) for the relief of Robert M. Wikle.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert M. Wikle, Talladega, Ala., the sum of $500. The payment of such sum shall be in full settlement of all claims of the said Robert M. Wikle against the United States on account of loss of rent with respect to a dwelling owned by him in Talladega, Ala., as the result of rent-control operations of the Office of Price Administration.

With the following committee amendment:

At the end of the bill insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALVIN W. TWIGG

The Clerk called the bill (H. R. 804) for the relief of Alvin W. Twigg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alvin W. Twigg, Cumberland, Md., the sum of $1,171.72. Such sum represents compensation in the sum of $805, and allowances for equipment maintenance in the sum of $366.72, which the said Alvin W. Twigg would have been paid by the Post Office Department for the period from May 1, 1926, to September 30, 1939, for services rendered as a rural carrier assigned to route No. 3, Cumberland, Md., if an error had not been made in measuring the length of such route.

With the following committee amendment:

Page 1, line 5, after the word "appropriated", strike out down to and including the word "route" page 2, line 3, and insert "the sum of $529.69 to Mrs. Trixie Minnie Twigg, of Cumberland, Md., in full settlement of all claims against the United States for services rendered by her husband, Alvin W. Twigg, as a rural carrier assigned to route No. 3, Cumberland, Md., from May 1, 1926, to September 30, 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Mrs. Trixie Minnie Twigg."

LANDER H. WILLIS

The Clerk called the bill (H. R. 841) for the relief of Lander H. Willis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are waived in respect to the claim for compensation of Lander H. Willis, a rural mail carrier of the Post Office Department, Gray Court, S. C., for disability alleged to have resulted from an injury to his right hand on January 4, 1943, while in the performance of his duty, and the United States Employees' Compensation Commission is hereby authorized to receive, consider, and determine the merits of his claim when filed, under the remaining provisions of such act, but only if he files such claim with the Commission within 90 days after the date of enactment of this act. If the Commission finds that the claim of the said Lander H. Willis otherwise comes within the purview of such act, it shall pay to him in a lump sum within 60 days after such finding, in addition to any benefits to which he may be entitled after the date of enactment of this act, the total amount of monthly compensation to which he is entitled by reason of the enactment of this act for any period of disability prior to the date of enactment of this act, together with the medical expenses which have been necessarily incurred on account of such injury prior to such date.

With the following committee amendment:

Page 2, line 10, strike out "within 60 days."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HORTENSE ARNOW, J. M. ROGERS, AND MRS. WILLIE L. ROGERS

The Clerk called the bill (H. R. 1037) for the relief of Mrs. Hortense Arnow, J. M. Rogers, and Mrs. Willie L. Rogers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Hortense Arnow, Jacksonville, Fla., the sum of $19,272.60; to J. M. Rogers, Jacksonville, Fla., the sum of $6,967.50; and to Mrs. Willie L. Rogers, Jacksonville, Fla., the sum of $6,-

917.20. The payment of such sums shall be in full settlement of all claims of the said Mrs. Hortense Arnow against the United States for damages on account of the death of her husband, for the destruction of his car, and for personal injuries to herself, and all claims of the said J. M. Rogers and his wife, Mrs. Willie L. Rogers, against the United States for damages for personal injuries to themselves, resulting from an accident which occurred on June 27, 1943, when the car in which they were riding was struck by a United States Army truck on the highway connecting Jacksonville with Jacksonville Beach, Fla.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That jurisdiction is hereby conferred upon the United States District Court, Southern District of Florida, to hear, determine, and render judgment upon the claims of Mrs. Hortense Arnow, J. M. Rogers, and Mrs. Willie L. Rogers, all of Jacksonville, Fla., for such damages sustained as the result of a collision between the car in which they were riding and a United States Army truck on the highway connecting Jacksonville with Jacksonville Beach, Fla.

"SEC. 2. Such suit shall be brought in the United States District Court, Southern District of Florida, within 1 year of the date of approval of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

The title was amended so as to read: "A bill to confer jurisdiction upon the United States District Court, Southern District of Florida."

A motion to reconsider was laid on the table.

LT. COL. JOHN P. MAHER, FIELD ARTILLERY RESERVE, ARMY OF THE UNITED STATES

The Clerk called the bill (H. R. 1264) for the relief of Lt. Col. John P. Maher, Field Artillery Reserve, Army of the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $225, to Lt. Col. John P. Maher, Field Artillery Reserve, Army of the United States, of Brownsville, Tex., now on active service and stationed at West Point, N. Y., in full satisfaction of all claims against the United States for reimbursement of the cost of transporting his three dependents from Brownsville, Tex., to West Point, N. Y.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out "$225" and insert "$201.74."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. LUCY PALMISANO AND THE LEGAL GUARDIAN OF ANTHONY PALMISANO, JR.

The Clerk called the bill (H. R. 1399) for the relief of Mrs. Lucy Palmisano and the legal guardian of Anthony Palmisano, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $750 to Mrs. Lucy Palmisano, of Bayonne, N. J., and the sum of $350 to the legal guardian of Anthony Palmisano, Jr., of Bayonne, N. J. The payment of such sum shall be in full settlement of all claims of the said Mrs. Lucy Palmisano and the legal guardian of Anthony Palmisano, Jr., against the United States for injuries sustained on May 10, 1944, when a Navy truck struck Mrs. Palmisano and Anthony Palmisano, Jr., while they were crossing Hudson County Boulevard at Forty-ninth Street, Bayonne, N. J.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provision of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "$750" and insert "$350."

Line 7, strike out "$350" and insert "$200."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARIE A. SHEDD, MRS. MAUDE C. DENNEY, MRS. MABEL GLENN GRAY, AND MRS. RUTH C. SHEDD

The Clerk called the bill (H. R. 1732) for the relief of Mrs. Marie A. Shedd, Mrs. Maude C. Denney, Mrs. Mabel Glenn Gray, and Mrs. Ruth C. Shedd for injuries sustained when an Army truck was in collision with the car in which they were riding.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Marie A. Shedd, the sum of $15,235.61; to Mrs. Maude C. Denney, the sum of $5,666.60; to Mrs. Mabel Glenn Gray, the sum of $3,267.24; and to Mrs. Ruth C. Shedd, the sum of $581, for injuries sustained by them when an Army truck was in collision with the car in which they were riding.

With the following committee amendment:

Page 1, line 6, after "Shedd", strike out the remainder of the bill and insert "1132 Stearns Drive, Los Angeles, Calif., the sum of $5,798.30, in full settlement of all claims against the United States on account of the death of her daughter, Miss Sybil Shedd; to Mrs. Maude C. Denney, of 1211 North Stevens Avenue, El Paso, Tex., the sum of $4,578.41, in full settlement of all claims against the United States for personal injuries sustained and for medical, hospital, nursing, and incidental expenses and loss of earnings incurred; and to Mrs. Mabel Glenn Gray, of 4020 Trowbridge Street, El Paso, Tex., the sum of $3,267.24, in full settlement of all claims against the United States for personal injuries sustained and for medical, hospital, and incidental expenses and loss of earnings incurred, resulting from an accident involving an Army vehicle in El Paso, Tex., on January 21, 1944."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Mrs. Marie A. Shedd, Mrs. Maude C. Denney, and Mrs. Mabel Glenn Gray."

A motion to reconsider was laid on the table.

HARRY COHEN

The Clerk called the bill (H. R. 1950) for the relief of Harry Cohen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $161 to Harry Cohen, of 76 Suffolk Street, Malden, Mass., in full settlement of all claims against the United States for personal injuries and medical expenses as a result of a collision between the Dodge truck in which he was a passenger and a United States Navy truck, in South Boston, Mass., on March 13, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF J. EARL EVANS

The Clerk called the bill (H. R. 2011) for the relief of the estate of J. Earl Evans.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of J. Earl Evans, of Carroll County, Mo., the sum of $6,148.63, in full settlement of all claims against the United States as compensation for the death of J. Earl Evans and funeral expenses incident thereto sustained as the result of his being struck by a United States Army ambulance in the 1700 block of North Capitol Street, Washington, D. C., on November 17, 1942:

Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out "$6,148.63" and insert "$4,248.63."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WESLEY A. MANGELSDORF

The Clerk called the bill (H. R. 2480) for the relief of Wesley A. Mangelsdorf.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $18,270, to Wesley Mangelsdorf, of San Francisco, Calif., in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and other losses sustained as a result of a collision between the car in which he was riding and the United States Coast Guard truck on th Bayshore Highway just about the northerly limits of Redwood City, Calif., on March 9, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1, line 5, strike out "$18,270" and insert "$9,000."

Mr. SPRINGER. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. SPRINGER to the committee amendment: Page 1, line 6, strike out "$9,000" and insert "$5,000."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN S. WINGATE

The Clerk called the bill (H. R. 2786) for the relief of John S. Wingate.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOLLIVER and Mr. SPRINGER objected, and, under the rule, the bill was recommitted to the Committee on Claims.

LEGAL GUARDIAN OF JAMES HAROLD NESBITT, A MINOR

The Clerk called the bill (H. R. 2843) for the relief of the legal guardian of James Harold Nesbitt, a minor.

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

THERESE R. COHEN

The Clerk called the bill (H. R. 2956) for the relief of Therese R. Cohen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwir appropriated, to Therese R. Cohen, Brooklyn, N. Y., the sum of $10,000, in full settlement of all claims against the United States for injuries sustained by the said Therese R. Cohen, resulting from her being thrown from a United States Navy truck on April 14, 1944, on the grounds of the Floyd Bennett Naval Air Station, Brooklyn, N. Y.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$10,000" and insert "$7,500."

Mr. SPRINGER. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. SPRINGER as an amendment to the committee amendment: On page 1, line 6, strike out the sum "$7,500" and insert "$5,000."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY G. PAUL

The Clerk called the bill (H. R. 3003) for the relief of Mary G. Paul.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1940 edition, title 5, secs. 767 and 770), are hereby waived in favor of Mary G. Paul, Albuquerque, N. Mex., and her claim for compensation for disability resulting from her having contracted tuberculosis while employed as a nurse at the Veterans' Administration, Alexandria, La., is authorized and directed to be considered and acted upon under the remaining provisions of such act, as amended, as if she had filed notice of injury and claim for compensation for disability within the time prescribed by such sections 17 and 20, but only if she files such claim with the United States Employees' Compensation Commission not later than 60 days after the date of enactment of this act.

With the following committee amendments:

Page 1, line 3, strike out the words "17 and 20" and insert "15 to 20, inclusive."

Line 10, page 1, after the word "disability" strike out "allegedly."

Page 2, line 1, after the word "nurse", strike out the balance of the line and all of line 2, and insert "by the Veterans' Administration, at facilities of such Administration, between April 1926 and June 13, 1944."

Page 2, line 8, strike out "17 and 20" and insert "15 to 20, inclusive."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DAVID SISKIND

The Clerk called the bill (H. R. 3050) for the relief of David Siskind.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to David Siskind, of New York City, the sum of $2,142.68, in full settlement of all claims against the United States for personal injury, medical expenses, and loss of earnings sustained as a result of a collision between the taxicab he was driving and a United States Navy jeep, June 14, 1944, at Madison Avenue and Forty-eighth Street, New York City: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$2,142.68" and insert "$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIZABETH M. SIMMONS

The Clerk called the bill (H. R. 3121) for the relief of Elizabeth M. Simmons and Robert H. Simmons.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth M. Simmons and Robert H. Simmons, of Owensboro, Ky., the sum of $1,034.65, in full satisfaction of all claims against the United States for damages for personal injuries and medical expenses sustained by

Elizabeth M. Simmons when she fell while descending the steps, which were in a chipped and broken condition, from the south entrance of the post office building at Owensboro, Ky., on April 26, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JEAN TAUBE WELLER

The Clerk called the bill (H. R. 3126) for the relief of Mrs. Jean Taube Weller.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000, to Mrs. Jean Taube Weller, 334 McClellan Street, Schenectady, N. Y., in full settlement of all claims against the United States for personal injuries, medical and hospital expenses sustained as the result of an accident involving an Army vehicle at approximately the intersection of Meta Street (also known as Highway 101) and Oak Street, in Ventura, Calif., on June 20, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out "$5,000" and insert "$2,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY F. VINTON, JR.

The Clerk called the bill (H. R. 3127) for the relief of Harry F. Vinton, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry F. Vinton, Jr., of Braintree, Mass., the sum of $5,000, in full settlement of all claims against the United States for personal injuries sustained by him, as a result of being struck by a United States Navy truck on March 6, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$5,000" and insert "$1,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ERNEST PEDRO FERREIRA

The Clerk called the bill (H. R. 3159) for the relief of Ernest Pedro Ferreira.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ernest Pedro Ferreira, Honolulu, T. H., the sum of $3,000. The payment of such sum shall be in full settlement of all claims of the said Ernest Pedro Ferreira against the United States on account of personal injuries sustained on April 16, 1942, when the truck on which he was employed as a helper was struck in the rear while standing in a line of traffic on North King Street, Honolulu, T. H., by a United States Army truck which had, in turn, been struck in the rear by a second United States Army truck: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$3,000" and insert "$1,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES J. BARRETT, JR.

The Clerk called the bill (H. R. 3177) for the relief of James J. Barrett, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James J. Barrett, Jr., aviation radioman first class, United States Naval Reserve, the sum of $110.55. Such sum represents reimbursement for transportation of his wife, Dorothy M. Barrett, from San Diego, Calif., to Philadelphia, Pa., incident to his change of station from San Diego, Calif., to Carrier Aircraft Service Unit 47.

With the following committee amendment:

Page 1, line 7, after the word "sum", strike out the balance of the line and down to and including the word "47", on line 1, page 2, and insert "shall be in full settlement of all claims against the United States as reimbursement of transportation cost of his wife, Dorothy M. Barrett, from San Diego, Calif., to Philadelphia, Pa., incident to his change of station from San Diego, Calif., to Carrier Aircraft Service Unit 47: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEN. WILLIAM J. WILLIAMSON

The Clerk called the bill (H. R. 3261) for the relief of Gen. William J. Williamson.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SPRINGER and Mr. McGREGOR objected, and, under the rule, the bill was recommitted to the Committee on Claims.

JAMES HERBERT KEITH

The Clerk called the bill (H. R. 3301) for the relief of the legal guardian of James Herbert Keith, a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of James Herbert Keith, a minor, of Cedar Springs, Ky., the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries sustained by the said James Herbert Keith on March 23, 1945, as the result of the explosion of a dynamite cap left in an abandoned shack which had been constructed by the Works Progress Administration at Cedar Springs, Ky., in or about the year 1936, in connection with a road-construction project: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contrat to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1, line 6, strike out "$5,000" and insert "$2,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE F. POWELL

The Clerk called the bill (H. R. 3430) for the relief of George F. Powell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the

Treasury not otherwise appropriated, the sum of $5,000, to George F. Powell, of Success, Mo., in full settlement of all claims against the United States for personal injuries, medical, hospital expenses, and loss of earnings as the result of an accident involving a United States Army vehicle, near Fort Leonard Wood, Mo., on December 16, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

F. W. BURTON

The Clerk called the bill (H. R. 3431) for the relief of F. W. Burton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to F. W. Burton, of Decatur, Tex., the sum of $216.90, in full satisfaction of all claims against the United States for compensation for servicing vehicles of the Three Hundred and Ninety-fifth Infantry, United States Army, while on maneuvers near Decatur, Tex., on June 20, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELMER D. THOMPSON

The Clerk called the bill (H. R. 3543) for the relief of Elmer D. Thompson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elmer D. Thompson, of Gurley, Ala., the sum of $5,000, in full settlement of all claims against the United States for personal injuries, sustained by his minor son, James Thompson, as a result of being struck by a United States Army vehicle on or about February 2, 1944, on United States Highway No. 17, in front of Crofts Grocery Store, in Windermere, Charleston, S. C.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$5,000" and insert "$1,118.75."

Page 1, line 8, after the word "injuries," insert "medical and hospital expenses."

Page 1, line 10, after the word "on" strike out "or about."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the legal guardian of James Thompson, a minor."

A motion to reconsider was laid on the table.

CHARLES BROWN

The Clerk called the bill (H. R. 3590) for the relief of Charles Brown and the legal guardian of Lula Mae Brown.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles Brown, Albany, La., the sum of $1,030, and to the legal guardian of Lula Mae Brown, a minor, Albany, La., the sum of $1,618. The payment of such sums shall be in full settlement of all claims against the United States on account of personal injuries sustained by the said Charles Brown and Lula Mae Brown on December 20, 1944, in New Orleans, La., when a United States Navy truck knocked an iron post from its foundation, causing such post to strike the said Charles Brown and Lula Mae Brown: *Provided*, That no part of either of the sums appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$1,030" and insert "$500."

Page 1, line 7, after the words "the sum of" strike out the balance of the line, all of lines 8 and 9, down to and including the words "Mae Brown" in line 5, page 2, and insert "$500; to Charity Hospital of New Orleans, La., the sum of $28; to Dr. Edward H. Maurer, of New Orleans, La., the sum of $30; in full settlement of all claims against the United States on account of personal injuries, medical and hospital expenses sustained on December 20, 1944, when a United States Navy truck knocked an iron post from its foundation, causing said post to strike said Charles Brown and Lula Mae Brown, in New Orleans, La."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Charles Brown, legal guardian of Lula Mae Brown; Charity Hospital of New Orleans, La.; and Dr. Edward H. Maurer."

H. A. EDD

The Clerk called the bill (H. R. 4054) for the relief of H. A. Edd.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. A. Edd, fiscal agent, emergency rubber project, Los Angeles, Calif., the sum of $290, to reimburse him for repayment of this amount to the credit of the appropriation "Emergency Rubber Project, Department of Agriculture (F. S.), 1942–43", covered by certificate of deposit 12–229, dated January 26, 1945, accounts of G. F. Allen, chief disbursing officer, symbol 115–8750, on account of cost of shipment of the household goods of Dr. C. A. Muller on transfer of station from Washington, D. C., to San Antonio, Tex., said shipment having been made after expiration of the 6-month period within which shipment was authorized to be made: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MABEL R. WOODFALL

The Clerk called the bill (H. R. 4176) for the relief of Mabel R. Woodfall.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mabel R. Woodfall, Braintree, Mass., the sum of $10,000. The payment of such sum shall be in full settlement of all claims of the said Mabel R. Woodfall against the United States on account of the death of her son, Earle R. Woodfall, Jr., who died from injuries received on May 21, 1943, while riding in a bus, owned and operated by the Motor Transportation Division of the Panama Canal. Such bus, while en route from Gamboa to Balboa, Canal Zone, was struck by a bulldozer which extended over the left side of a trailer truck on which it was loaded. Such trailer truck was owned and operated by the Municipal Engineering Division of the Panama Canal: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, after the word "to", strike out the balance of line 5, all of lines 6, 7, 8, 9 and 10 down to and including the word "Canal" in line 6, on page 2, and insert "the estate of Earle R. Woodfall, Jr., deceased, the sum of $5,000, in full settlement of all claims against the United States on account of the death of the said Earle R.

Woodfall, Jr., from injuries sustained on May 21, 1943, when the Government bus in which he was riding from Gamboa to Balboa, C. Z., was involved in an accident with a trailer truck owned and operated by the Municipal Engineering Division of the Panama Canal."

Mr. SPRINGER. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. SPRINGER to the committee amendment:

Page 2, line 7, strike out "$5,000" and insert "$4,200."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the estate of Earle R. Woodfall, Jr., deceased."

JAMES R. VAUGHAN

The Clerk called the bill (H. R. 3828) for the relief of James R. Vaughan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000, to James R. Vaughan, of Henderson, Tenn., in full settlement of all claims against the United States for personal injuries sustained as the result of a collision involving a United States Army truck at the intersection of United States Highway No. 45 and West Main Street, Henderson, Tenn., on December 2, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out "$5,000" and insert "$2,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. BEULAH HART

The Clerk called the bill (H. R. 916) for the relief of Mrs. Beulah Hart.

Mr. DOLLIVER and Mr. SPRINGER objected, and the bill, under the rule, was recommitted to the Committee on Claims.

MAJ. EDWARD A. ZAJ

The Clerk called the bill (H. R. 1980) for the relief of Maj. Edward A. Zaj.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Maj. Edward A. Zaj, United States Army, is relieved of all liability to refund to the United States any amount for which he is accountable, on the date of enactment of this act, because of the loss through theft during the invasion of Sicily of $1,900 in United States invasion currency which had been entrusted to his care. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Maj. Edward A. Zaj so much of such sum of $1,900 as has been refunded to the United States by him, through deductions from his pay or otherwise, prior to the date of enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FATHER PETER B. DUFFEE

The Clerk called the bill (H. R. 1238) for the relief of Father Peter B. Duffee.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized and directed to pay, out of sums appropriated for the Medical Department of the Bureau of Medicine and Surgery, Department of the Navy, to Father Peter B. Duffee such sum as will reimburse him for all hospital and medical expenses incurred prior to the expiration of 10 days after the date of enactment of this act as the result of personal injuries sustained by him in the rescue of persons from the steamship *Lafayette* (formerly the *Normandie*) and in the performance of other services during the burning of such vessel.

SEC. 2. Until such time as the said Father Peter B. Duffee is fully recovered from the effects of the injuries sustained by him in the burning of the *Lafayette*, he shall be entitled, without expense to him, to such care, maintenance, and treatment in any naval or other hospital under the jurisdiction or control of the Department of the Navy as he may require on account of such injuries.

SEC. 3. As used in this act, the term "injuries" includes any disease contracted by the said Father Peter B. Duffee as the result of the heroic services rendered by him during the burning of the *Lafayette*.

With the following committee amendment:

Page 2, line 2, after the word "vessel", insert "not to exceed the sum of $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MORGAN CREAMERY CO.

The Clerk called the bill (H. R. 4435) for the relief of the Morgan Creamery Co.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $395.37, withheld from money due from the United States Government to the Morgan Creamery Co., Fargo, N. Dak., and that the Veterans' Administration's claim of $920.64 against the Morgan Creamery Co. be canceled. The said claim arising out of the excess cost alleged to have been incurred by the Veterans' Administration by reason of the failure of the Morgan Creamery Co., to perform under contract No. VA37r-935, entered into on June 25, 1942, with the United States Veterans' Administration to deliver fresh milk, cream, buttermilk, and cottage cheese to the Veterans' Administration facilities, Fargo, N. Dak., during the fiscal year that ended June 30, 1943. The facts are that the Morgan Creamery Co. discontinued the delivery of said products in accordance with a direction and agreement on the part of the Veterans' Administration facilities at Fargo, N. Dak.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 3, strike out all after the enacting clause and insert in lieu thereof: "That the Comptroller General of the United States is hereby authorized and directed to allow the sum of $395.37 in full settlement of the claim of the Morgan Creamery Co., Fargo, N. Dak., under contract No. VA37r-935 entered into on June 25, 1942, with the Veterans' Administration for furnishing dairy products to the Veterans' Administration facility, Fargo, N. Dak., during the fiscal year ending June 30, 1943, and the said company is hereby relieved of all liability to the United States on account of excessive cost incurred by reason of its default under the said contract. There is hereby appropriated the sum of $395.37 for payment of claim."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HUTCHINSON'S BOAT WORKS, INC.

The Clerk called the bill (H. R. 1217) for the relief of Hutchinson's Boat Works, Inc.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hutchinson's Boat Works, Inc., Alexandria Bay, N. Y., the sum of $6,842.06. Such sum represents the actual loss incurred by the said Hutchinson's Boat Works, Inc., in the performance of a contract with the Department of the Navy (contract NXs 3319) for the construction of five buoy boats. The payment of such sum shall be in full settlement of all claims against the United States arising from the performance of such contract.

With the following committee amendment:

Page 1, line 6, after the words "sum of", strike out the remainder of the bill and insert "$4,468.12; to First National Bank of Merrick, Merrick, N. Y., assignee of Amity Boat Basin, the sum of $13,855.58; to Brun-Kimball & Co., of Patchogue, N. Y., the sum of $17,297.85; to Mount Desert Boat Yard, Inc., of Mount Desert, Maine, the sum of $1,299.84; to Channel Boat Co., of Newport Beach, Calif., the sum of $9,822.94; to Fair Haven Yacht Works, of Fair Haven, N. J., the sum of $14,448.95; to Harbor Boat Works, of San Diego, Calif., the sum of $17,523.83;

to San Pedro Boat Works, of San Pedro, Calif., the sum of $117,205.62; to Reed Bros., of Boothbay Harbor, Maine, the sum of $12,686.71; to S. B. Norton & Son, of Dark Harbor, Maine, the sum of $5,120.78. Such sums shall be in full settlement of all claims against the United States for losses sustained as the result of certain contracts made between the said companies and the United States Navy for building small boats, referred to as 'buoy boats': *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Hutchinson's Boat Works, Inc., and others."

GRAVES BLANCHARD ERSKINE

The Clerk called the bill (S. 1590) to authorize the President to appoint Graves Blanchard Erskine, major general, United States Marine Corps, to the office of Retraining and Reemployment Administrator, without affecting his service status and perquisites.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of the act of July 31, 1894, as amended (5 U. S. C. Annotated 62), or any other provisions of law, the President, acting by and with the advice and consent of the Senate, is authorized to appoint Maj. Gen. Graves Blanchard Erskine, a general officer in the United States Marine Corps, to the office of Retraining and Reemployment Administrator, and Major General Erskine's appointment to, acceptance of, and service in that office shall in no way affect any status, office, rank, or grade he may occupy or hold in the United States Marine Corps or any component thereof or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade: *Provided*, That so long as he holds the office of Retraining and Reemployment Administrator, Major General Erskine shall retain the rank and grade of major general which he now holds in the United States Marine Corps and he shall receive the pay and allowances payable to an officer serving on active duty with the rank and in the grade of major general in the United States Marine Corps, or any component thereof; and in the event the salary prescribed by law for the office of Retraining and Reemployment Administrator exceeds such pay and allowances, Major General Erskine shall receive directly from the Department of Labor the difference between such pay and allowances and such salary.

SEC. 2. In the performance of his duties as Retraining and Reemployment Administrator, Major General Erskine shall be subject to no supervision, control, restriction, or prohibition (naval or otherwise) other than would be operative with respect to him if he were in no way connected with the United States Marine Corps, or any component thereof.

SEC. 3. The appropriations of the Department of Labor shall be available for reimbursement to the Marine Corps of all pay and allowances received by Major General Erskine from the Marine Corps or its agencies while he is serving as Retraining and Reemployment Administrator.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. MARION M. HILL

The Clerk called the bill (S. 991) for the relief of Mr. and Mrs. Marion M. Hill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Marion M. Hill, of Wheeler, Ala., the sum of $4,175 in full satisfaction of their claim against the United States for compensation for the death of their minor son, Arless Atchely Hill, as a result of personal injuries sustained by him when he was struck by a Government-owned vehicle driven by an employee of the Bureau of Internal Revenue in the performance of his official duties, near Wheeler, Ala., on December 2, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM C. REESE

The Clerk called the bill (H. R. 3085) for the relief of William C. Reese.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SPRINGER and Mr. DOLLIVER objected; and, under the rule, the bill was recommitted to the Committee on Claims.

MRS. MAY HOLLAND

The Clerk called the bill (H. R. 5010) for the relief of Mrs. May Holland.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. May Holland, Cape May, N. J., the sum of $10,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. May Holland against the United States on account of the death of her husband, Leslie W. Holland, who was fatally injured on September 2, 1942, when the bicycle he was riding on State Highway Route No. 4, near Cape May, N. J., was struck by a United States Army truck.

With the following committee amendments:

Page 1, line 6, strike out the figure "$10,000" and insert in lieu thereof the figure "$5,529."

Page 2, line 2, after the word "truck:" insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRANTING AN HONORABLE DISCHARGE TO WILLIAM ROSENBERG

The Clerk called the bill (H. R. 1616) to grant an honorable discharge from the military service of the United States to William Rosenberg.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That an honorable discharge be granted to William Rosenberg, Army serial No. 6041837, for the period of an enlistment in the United States Army extending from July 8, 1916, to December 26, 1917, said discharge to supplement the pardon granted by the President of the United States under date of February 2, 1918.

SEC. 2. That, upon request, the Secretary of War shall grant to William Rosenberg, Army serial No. 6041837, a discharge certificate showing that he is held and considered to have been honorably discharged under the provisions of this act.

With the following committee amendment:

Strike out everything after the enacting clause and insert in lieu thereof the following:

"That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers or their dependents, William Rosenberg shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of Company M, Forty-ninth Infantry, on the 26th day of December 1917: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of William Rosenberg."

A motion to reconsider was laid on the table.

AUTHORIZING SALE OF THE ALLOTMENT OF HENRY KEISER ON THE CROW INDIAN RESERVATION, MONT.

The Clerk called the bill (S. 480) to authorize the sale of the allotment of Henry Keiser on the Crow Indian Reservation, Mont.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, upon the

application of Henry Keiser in writing, to offer for sale to the highest bidder, under such terms and conditions as the Secretary may prescribe, the allotment of Henry Keiser, Crow Indian allottee No. 3313, described as lots 11 and 12 of section 3, west half of section 10, township 2 south, range 30 east, and southwest quarter northwest quarter, northwest quarter southwest quarter, south half southwest quarter, and southeast quarter of section 1, township 8 south, range 37 east, principal meridian, Big Horn County, Mont., containing seven hundred and eighteen and seventy-five one hundredths acres: *Provided*, That such part of the proceeds received from the sale of said land as the Secretary of the Interior may deem advisable shall be reinvested in other lands selected by said Henry Keiser, and such land so selected and purchased shall not be alienated or encumbered without the approval of the Secretary of the Interior and shall be nontaxable and such restrictions shall appear in the conveyance. The balance of such proceeds, if any, shall be deposited to the credit of Henry Keiser and shall be expended under individual Indian money regulations of the Department of the Interior.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

AUTHORIZING SALE OF THE ALLOTMENT OF LEROY MILLIKEN ON THE CROW INDIAN RESERVATION, MONT.

The Clerk called the bill (H. R. 4027) authorizing sale of the allotment of LeRoy Milliken on the Crow Indian Reservation, Mont.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, upon the application of LeRoy Milliken in writing, to offer for sale to the highest bidder, upon such terms and conditions as the Secretary may prescribe, the following-described lands allotted to said LeRoy Milliken: The south half of the south half of the north half of the northeast quarter, the south half of the northeast quarter, the southeast quarter of the northwest quarter, the east half of the southwest quarter, and the southeast quarter, of section 24, township 5 south, range 26 east, the north half of the northeast quarter, the southeast quarter of the northeast quarter, and the northeast quarter of the northwest quarter, of section 25, township 5 south, range 26 east, and lots 4, 9, and 10 of section 19, township 5 south, range 27 east, Montana principal meridian.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE ISSUANCE OF A PATENT IN FEE TO ALICE YARLOTT

The Clerk called the bill (H. R. 4034) authorizing the issuance of a patent in fee to Alice Yarlott.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to issue Alice Yarlott Othermedicine, a Crow Indian allottee, a patent in fee to the following-described lands allotted to her on the Crow Indian Reservation, Mont.: The northwest quarter of the southwest quarter, section 11, township 9 south, range 34 east, Montana principal meridian, Big Horn County, Mont., containing 40 acres.

With the following committee amendments:

In line 7 of the bill strike out the word "southwest" and substitute therefor "southeast."

Correct the name "Alice Yarlott" in the title and in line 4 of the bill to "Alice Yarlott Othermedicine."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill authorizing the issuance of a patent in fee to Alice Yarlott Othermedicine."

A motion to reconsider was laid on the table.

AUTHORIZING ISSUANCE OF PATENT IN FEE TO WILBUR KEISER

The Clerk called the bill (H. R. 4035) authorizing the issuance of a patent fee to Wilbur Keiser.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to issue to Wilbur Keiser a patent in fee to the following-described lands allotted to him on the Crow Indian Reservation, Mont.: Lot 4 and the southwest quarter of the southwest quarter of section 2, and the west half of the northwest quarter of section 11, township 3 north, range 31 east, Montana principal meridian, containing 157.2 acres.

With the following committee amendments:

Page 1, line 4, strike out "Wilbur" and insert "Wilbert."

Page 1, line 10, strike out "two-tenths" and insert "twenty-two one-hundredths."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill authorizing the issuance of a patent in fee to Wilbert Keiser."

A motion to reconsider was laid on the table.

HERMAN GELB

The Clerk called the bill (H. R. 4957) for the relief of Herman Gelb.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Herman Gelb, of New York City, N. Y., the sum of $500, in full settlement of all claims against the United States by said Herman Gelb on account of the injuries sustained by him when the automobile in which he was a passenger was struck by a War Department jeep on October 15, 1943, in Jersey City, N. J.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MINERVA C. DAVIS

The Clerk called the bill (H. R. 5167) for the relief of the estate of Mrs. Minerva C. Davis.

Mr. DOLLIVER and Mr. SPRINGER objected, and, under the rule, the bill was recommitted to the Committee on Claims.

FLAG OF CHURCH OF GOD

The Clerk called the bill (H. R. 5258) granting a renewal of Patent No. 113244 dated February 7, 1939, relating to the flag of the Church of God.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That a certain design patent issued by the United States Patent Office of date of February 7, 1939, being Patent No. 113244, relating to the flag of the Church of God, is hereby renewed and extended for a period of 14 years from and after the date of enactment of this act with all the rights and privileges pertaining to the same.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONFERENCE REPORT ON FULL EMPLOYMENT BILL

Mr. MANASCO. Mr. Speaker, I ask unanimous consent that the conferees on the part of the House may have until midnight tonight to file a conference report and statement on the bill S. 380, the so-called full employment bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman tell us when he is going to bring that conference report up for consideration?

Mr. MANASCO. I think it will be brought up tomorrow.

Mr. McCORMACK. Mr. Speaker, if the conference report is filed today, it will be brought up the first thing tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

EXTENSION OF REMARKS

Mr. VINSON asked and was given permission to extend his remarks in the Appendix of the RECORD.

MRS. CELIA ELLEN ASHCRAFT

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1085), for the relief of Mrs. Celia Ellen Ashcraft, with Senate amendments thereto, and agree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 5 and 6, strike out "Mrs. Celia Ellen Ashcraft, of Clinton, Okla., formerly of Gore, Okla." and insert "the estate of Edwin Perry Ashcraft."

Page 1, line 8, strike out "Mrs. Celia Ellen Ashcraft" and insert "estate."

Page 1, line 9, strike out "her husband."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendments were agreed to.

The title was amended so as to read: "An act for the relief of the estate of Edwin Perry Ashcraft."

A motion to reconsider was laid on the table.

CATHERINE BODE

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2223), for the relief of Catherine Bode, with Senate amendment thereto, disagree to the Senate amendment and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection, and the Speaker appointed the following conferees: Messrs. McGEHEE, MORRISON, and PITTENGER.

MRS. S. P. BURTON

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2487) for the relief of Mrs. S. P. Burton, with Senate amendment thereto, disagree to the Senate amendment and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. McGEHEE, COMBS, and JENNINGS.

HARRIET TOWNSEND BOTTOMLEY

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2267), for the relief of Harriet Townsend Bottomley with a Senate amendment thereto, disagree to the Senate amendment and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. McGEHEE, KEOGH, and CASE of New Jersey.

ESTATE OF PETER G. FABIAN, DECEASED

Mr. McGEHEE submitted the following conference report and statement on the bill H. R. 1890, for the relief of the estate of Peter G. Fabian, deceased:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1890) for the relief of the estate of Peter G. Fabian, deceased, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the sum inserted by the Senate amendment, insert "$3,500"; and the Senate agree to the same.

DAN R. McGEHEE,
E. H. HEDRICK,
JOHN W. BYRNES,
Managers on the Part of the House.

OLIN D. JOHNSTON,
KENNETH S. WHERRY,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1890) for the relief of the estate of Peter G. Fabian, deceased, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying report:

The bill as passed by the House appropriated the sum of $2,423.75 to the estate of Peter G. Fabian, deceased, for his death, hospital, medical, and funeral expenses incident thereto, as a result of being struck by a United States Army jeep in Rochester, N. Y., on June 14, 1944. The Senate increased the amount to $5,423.75, and at the conference a compromise of $3,500 was agreed upon.

DAN R. McGEHEE,
E. H. HEDRICK,
JOHN W. BYRNES,
Managers on the Part of the House.

EXTENSION OF REMARKS

Mr. GORDON asked and was given permission to extend his remarks in the RECORD and include an article that appeared in the New York Times.

Mr. LANE asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an article that appeared in the Lynn Telegram-News, of Lynn, Mass., a very complimentary statement on the United States attorney at Boston, Mass.; in the other to include a letter from a constituent.

Mr. WORLEY asked and was given permission to extend his remarks in the RECORD and include a letter from George Schaeffer, of Happy, Tex.

Mr. MERROW asked and was given permission to extend his remarks in the Appendix of the RECORD and include several telegrams from people in New Hampshire and in New England.

Mr. MANSFIELD of Montana. Mr. Speaker, I renew my request of yesterday to extend my remarks in the RECORD and include copy of the Montana War Finance Report. Mr. Speaker, I have received an estimate from the Public Printer that this will cost $121.40, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and to include letters from constituents.

Mr. GAVIN asked and was given permission to extend his remarks in the RECORD in two instances; to include in one an editorial appearing in the Bristol Courier and in the other an editorial appearing in the St. Marys Daily Press.

APPOINTMENT OF FACT-FINDING BOARDS TO INVESTIGATE LABOR DISPUTES

Mr. RANDOLPH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 4908) to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 4908, with Mr. O'NEAL in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose yesterday there was pending an amendment offered by the gentleman from Kentucky [Mr. ROBSION]. The question is on the amendment.

The question was taken; and the Chair being in doubt, the Committee divided; and there were—ayes 33, noes 0.

So the amendment wa agreed to.

Mr. BENNET of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BENNETT of New York to the Case amendment: On page 11, after section 9, line 21, insert a new subsection, section 9 (a):

"SEC. 9. (a) It shall be the further duty of the Board to make a broad and comprehensive study of the field of labor-management relations from the vewpoint of both labor, industry, and the public to determine what adjustments are necessary to promote continuity and regularity of employment, industrial peace, and the uninterrupted production and distribution of goods and services for commerce. The Board shall make its final report to the President and to the Congress, including recommendations with respect to legislation, not later than June 30, 1946."

Mr. BENNET of New York. Mr. Chairman, for over a year I have been attending sessions of this body and have listened to many debates on the problems of labor and management. As a result, I have come to the conclusion that there are a handful of Members who will support anything desired by organized labor regardless of its merits and that there is another handful who will oppose anything which they believe is favored by labor.

However, I am equally convinced that the vast majority of the membership is neither prolabor nor antilabor, but sincerely desires to reach a solution of these problems which will improve the chances for uninterrupted production by our industries and thus avoid the terrific economic losses to all classes of our people caused by strikes.

In trying to accomplish this result, however, the membership is handicapped as it is in so many other fields, by the lack of adequate, disinterested advice, including specific recommendations.

We cannot rely upon the Department of Labor for that Department invariably and frankly takes labor's side of the argument. We cannot rely upon organized labor for it represents only a frac-

tion of the people employed in this country and what its leaders want will not always promote the interests of other workers.

Furthermore—labor leaders, as far as I can judge from my correspondence and telegrams, content themselves with denouncing pending legislative efforts to deal with the labor problem, but suggest no legislation of their own. They do not seem to realize that the people of the country and most Members of Congress want some form of legislation adopted and do not believe that all labor disputes should be settled solely by the participants and without regard to the general public.

We cannot rely upon management for help because management too often relies upon efforts to paint labor leaders as Communists, or worse, and is as much at fault as organized labor in failing to recommend constructive legislation.

The amendment which I have proposed differs from any of the legislation thus far submitted on this subject in that it does not limit the powers of the Board created by the so-called Case bill to the handling of specific labor disputes, but instead, charges the Board with the responsibility of studying the underlying causes of industrial disputes and recommending to the Congress permanent, forward-looking legislation calculated to reduce to a minimum the number of labor-management disturbances.

If this amendment is adopted the Congress will have for the first time its own creation to which it can look for well informed, disinterested advice and specific recommendations.

The Board will be empowered, under this amendment, to study and comment upon the various profit-sharing plans now in operation in various industries. It will be enabled to study, analyze, and summarize the Trade Disputes Act adopted by Great Britain which appears to have worked successfully.

Under the terms of the amendment the Board will be directed to make its report to the Congress by June 30, 1946, and the Congress would then have before it, following its return from the summer recess, a well-digested and documented summary of the entire labor-management relations field, specific suggestions for curing the ills which actually exist, and convincing reasons for each of the recommendations given, based upon actual experience either in our country or elsewhere.

This amendment has not been hastily drawn and submitted at the last minute. It is the result of the labors of several Republican Members of Congress who have been meeting off and on for the past 2 or 3 weeks in an effort to make some lasting contribution toward the difficult task of helping American industry to operate at maximum efficiency which it must do if we are to have steady employment for the greatest possible number of Americans.

I voted for the rule bringing the fact-finding bill on the floor for debate for various reasons, but was guided largely by my belief that in so doing I could get before the House at an early date the amendment which I have now introduced and which I hope will be supported by every Member who is anxious to have the Seventy-ninth Congress, before the end of its life, enact legislation which will promote domestic peace which in the long run is even more vital to us than world peace.

If this amendment is adopted and the Board's recommendation are laid before the Congress on or before June 30 we may possibly adopt legislation of that nature. At least, we shall then have the opportunity of doing so.

Under present conditions as has been well evidenced by the current debate we can only hope to produce a hodgepodge bill adopted in haste in an effort to meet popular clamor and without any guidance, except from those who have axes to grind.

Probably it will be helpful to the morale of the country for us to do this if only as an indication of the fact that Congress does not fear nor hesitate to legislate in this field. But, whether anything more lasting than that would be accomplished it would be difficult to say.

I earnestly hope that everyone who wishes to seek a permanent solution and to equip Congress on this subject at least with the kind of machinery it ought to have on all subjects will support this amendment.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I believe that with the explanation the gentleman has given it will now be helpful to reread the amendment. The gentleman proposes to offer a short paragraph following section 9 of the Case bill to read as follows:

> It shall be the further duty of the Board to make a broad and comprehensive study of the field of labor-management relations from the viewpoint of both labor, industry, and the public to determine what adjustments are necessary to promote continuity and regularity of employment, industrial peace, and the uninterrupted production and distribution of goods and services for commerce. The Board shall make its final report to the President and to the Congress, including recommendations with respect to legislation, not later than June 30, 1946.

Personally, I see no objection to the amendment.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from New York.

Mr. COLE of New York. This amendment raises the question in my mind as to what function, if any, our Department of Labor and Department of Commerce perform in our Federal operation.

Mr. CASE of South Dakota. Apparently the gentleman who offered the amendment has some doubts on that score. So he desires to have this study made and a report by a fixed date.

Mr. COLE of New York. Is this not the duty of the two Departments to which I have referred?

Mr. CASE of South Dakota. It may be their duty, but several Members have mentioned the need for such a study. Possibly it should be said that this directive is more specific than the general powers they have.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. LANDIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. LANDIS: On pages 14 and 15 of the Case amendment, strike out section 13.

Mr. LANDIS. Mr. Chairman, the amendment I have just introduced strikes out section 13. Section 10 makes an attempt to take a man to court and probably an attempt to put him in jail. Then we turn right around in section 13 and make an attempt again to put him in jail for the same offense. I understand section 13 is to eliminate jurisdictional strikes. I understand that a jurisdictional strike is a strike between two different unions or between two crafts in a union. A breach of contract is a jurisdictional strike. A wildcat strike, an outlaw strike, or a sympathy strike are similar. Now, if you have taken care of jurisdictional strikes in section 10, why repeat in section 13?

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Indiana.

Mr. HALLECK. Might it not be possible that one of these strikes that are covered in section 13 might be carried on where there was not a no-strike provision in the contract? Hence, there would be no issue of a violation of contract. I just raise that question for the purpose of clarifying the matter.

Mr. LANDIS. Of course, you have the penalty for breach of contract in any collective-bargaining agreement. I understand that.

I yield to the gentleman from Missouri [Mr. PLOESER].

Mr. PLOESER. May I say to the gentleman I am delighted to see him offer this amendment? I intend to vote for it. I hope the Members on this side of the aisle who want to vote for some sort of constructive bill will help to perfect this Case amendment by joining with the gentleman from Indiana in supporting the deletion of section 13.

Mr. LANDIS. I realize, of course, that the employer does not have anything to say about jurisdictional disputes or strikes because that involves a difference between two unions or between the crafts of any union. But this penalty is taken care of in section 10.

Mr. JENKINS. Mr. Chairman, will the gentleman yield?

Mr. LANDIS. I yield to the gentleman from Ohio.

Mr. JENKINS. I think section 13 goes a good deal further than simply attacking matters of jurisdictional strikes. Here is the word "boycott," for instance. The paragraph starts with the words "boycott, and so forth." Now, the words "boycott, and so forth" in any dispute can mean nearly anything.

The word "boycott" has an accepted implication that in a way means organizations to prevent the sale of some certain commodities. But in this bill these words have a different meaning. Under the language in the present bill it can include persons who are not connected even remotely with any strike. We are here considering legislation designed to prevent strikes and to assist in the settlement of strikes. I think we should stick close to the real purpose which we seek to accomplish.

Mr. LANDIS. The gentleman is correct.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. SMITH of Virginia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we have now arrived at that point in the consideration of this bill when the effort to sabotage it, sterilize it, and caponize it is now beginning to show itself. This is the boycott provision of this bill. There are many Members who have been asked by farm organizations to support this bill. The reason is that this is one tooth in this bill which will stop this outrageous business of labor organizations refusing to permit the products of the farms to go to market. We might just as well face this thing now. Do not be deceived by this effort to strike out this provision in the bill. It is the very meat, the very heart of the bill, as far as the agriculture of this Nation is concerned.

Let me read a telegram I have just received from California. Some of our friends from California who pretend to be here in support of the lawful rights of their farmers and their fruit raisers ought to take a little interest in this matter if they really mean to do something for their friends.

Here is an extract from a telegram I received from California this morning:

In this State AFL teamsters' unions are refusing to move products to and from canneries because CIO has bargaining rights under Wagner Act. These products are perishable. Last week manager and assistant manager in Penney store in suburbs Los Angeles beaten up, seriously injured, skulls fractured, because they attempted to open up their store—

And so forth. Let us not be under any misapprehension about this thing. Vote to sterilize this bill, vote to cut all the vitals out of it, if you want to, but do not let anybody deceive you into thinking you are doing something that amounts to anything, because if you proceed as you have started this morning with this bill you will wind up with an empty gesture which will accomplish nothing more than to deceive the people of the United States into believing you have done something about labor-union abuses, as a matter of fact, we know, if we read the bill, we will not have done anything. I appeal to you to give this ample debate and ample consideration before you take this first step to remove all the teeth from this bill.

Mr. LANDIS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. LANDIS. Section 11 takes care of violence and intimidation, and the Hobbs antiracketeering bill takes care of some of the other things the gentleman has spoken about.

Mr. SMITH of Virginia. But this is the only section in this bill which takes care of the proposition where your farmers are denied the right to move their stuff to market. All you have got to do is to look at the hearings held before the Committee on the Judiciary on this subject. They are voluminous. There are pictures there showing where carloads of lemons have been boycotted and permitted to rot on the railroads, and scooped out with steam shovels. You Members know about this thing. Is there any Member from any farm area who does not know that his farmers are being discriminated against in having their products excluded from the markets and permitted to rot on the vines? You know it. Let us not fool ourselves about this thing. Let us do something or let us do nothing. If you are not going to do anything, let us vote against the whole business, but let us not fool the people of America any further.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from Virginia just assumes that section 13 in this bill which follows legislation he has heretofore sponsored is the only legislation we can adopt that will accomplish the committee's purpose. He has no monopoly on opposition to violence, to unfair picketing, to the denial of the right of a man to work. Some of us on this side are just as earnest, some of us on this side are just as sincere. I will not say we know as much about it as he does, but we know something about it.

The issue is not whether or not we want legislation against strikes and violence; everyone wants that; the issue is how can we get it without harm to the right of collective bargaining, without harm to the general public. My farmers have been cut off from the markets just as much as have been the farmers down here in Alexandria and we have spoken about it on the floor a good many times. Only recently the teamsters' union, to which he makes reference, shut off the groceries, closed the grocery stores, some of them in my district, by refusing to handle goods from warehouses. To end that practice by the teamsters' union H. R. 5202 and H. R. 5203 were introduced.

If this amendment is defeated I propose to offer an amendment which has been on the Speaker's desk since yesterday and which has to do with the interstate handling of merchandise, which strikes from section 13 that provision which gives the courts the right to issue injunctions. I do not believe that provision necessary and yesterday you will recall that the gentleman from Ohio [Mr. VORYS] offered another amendment to one section which was adopted by the House which denied the authority of the courts to issue injunctions.

The amendment which I propose to offer applies principally to those who are engaged for hire in moving goods in interstate commerce and prohibits violence, secondary and boycott strikes, which is something most of us want. I hope to have an opportunity to vote on that.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. Mr. Chairman, I yield back the balance of my time.

Mr. ELLIOTT. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, with section 13 stricken from the bill, as far as I am concerned, it is no bill.

If we want to do anything to curb these strikes we must face the real issues. Do we want to control and curb the strikes, or do we just want to fool the people of America into thinking we are doing something when we are not?

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. ELLIOTT. I would like to finish my statement; then I will be glad to yield.

I, for one, have come to feel that this is the time for us to take a stand. If there was ever a time in the history of our Nation when Members of Congress must stand up in the well of this House and speak their piece or answer the roll call "Yes" or "No" that time is now; and the question is: Do we want to correct the evil or do we want to continue to play cheap politics? I, for one, am sick and tired of it. Here we go on day in and day out drafting legislation, putting provisions in bills to do a job and then as soon as we start getting telegrams and letters from a handful of people back home we get scared to death. I would hate to be in a free-for-all scrap and have some of you guys there to help me out.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. ELLIOTT. I will yield to the gentleman from Michigan.

Mr. HOFFMAN. This is not accurate, but it will illustrate what I mean. When you were running around still on the bottle with your associated farmers in California I prepared an amendment in 1939 to cover this very thing.

Mr. ELLIOTT. Do not talk about when I was running around with a bottle. I was no bottle baby in the first place.

Mr. Chairman, the gentleman from Virginia [Mr. SMITH] told you the facts a while ago. I am sincere in this proposition. Right now the AFL and the CIO in my State are sabotaging the agricultural program, even to the extent of depriving our people of certain necessary foods. We talk here about taking care of our allies. We have two organizations, labor organizations, if you please, and one or the other is picketing the other all the time, keeping food from being processed today in the State of California.

Let us not remove the effective parts of this bill that will do the job. I will go along with the Members in any way that is right, but I am not going to vote for a toothless piece of legislation. If we cannot put teeth in it, let us not have any law at all.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. ELLIOTT. I yield to the gentleman from Kentucky.

Mr. MAY. In answer to the question asked by the gentleman from Michigan, I am curious to know if what he favored

in 1939 was good legislation why it is not now?

Mr. HOFFMAN. May I answer the gentleman?

Mr. ELLIOTT. Yes.

Mr. HOFFMAN. If the gentleman will look at the RECORD of last Friday, instead of devoting all of his time to the Military Affairs Committee, and he is doing a good work there, he will see that bill was offered.

Mr. MAY. If it was good then why is it not good now?

Mr. HOFFMAN. It is good now, but I cannot get anybody to listen to it.

Mr. ELLIOTT. Mr. Chairman, I hope we may proceed to give this matter careful consideration before we sabotage the bill. Let us be fair about this matter. The only way to legislate is to legislate in the right direction. This is not in the right direction and if we want to control the evils which now exst, we are going to have to put teeth in the law and make it work. If you do not want it to work just add some of these milk-bottle babies to it and you will not have any bill at all.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. PHILLIPS. Mr. Chairman, I move to strike out the next to the last word.

Mr. Chairman, I doubt if some of the Members of this House who come from city districts have ever had the rather doubtful pleasure of spending the better part of a year raising food crops as we raised them in the western part of the United States, and taking those crops, which provide food for the people of the United States to the extent of one-third of all the perishable foods of the United States at certain seasons, and attempting to get them to market, or to a processing plant, as the gentleman from California [Mr. ELLIOTT] mentioned the canneries, then having a jurisdictional fight between two labor unions, in which the farmer is not interested at all, result in the complete destruction of the food, the food that you have raised, and the complete loss of what amounts to a year's income. If you had had that pleasure, or had lived in an area where that had taken place, you would have no doubt whatever what to do with an amendment such as has been offered.

I would like to make a suggestion, if I may. This is not a section of the bill that should be stricken out. It may be a section of the bill in which, as one Member of the House suggested to me, there might be some changes in the wording to clarify it. It seems to me this is a section of the bill that should be left in, taken to the Senate, and then in conference, leave in the intent of the section but improve, if you will, the language.

I hope this House, not for our sake in the West but for the sake of the food that you people in the East and in the cities want from the West, will vote down this amendment and leave this section in the bill.

Mr. LANDIS. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from Indiana.

Mr. LANDIS. The gentleman realizes that these jurisdictional disputes are a breach of contract. You have the same penalty under section 10 which takes care of all breaches of contract.

Mr. PHILLIPS. I do not so understand it. I also realize that there are many technicalities which provide loopholes through which conflicts can slip if they are not carefully covered in the bill.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from Georgia.

Mr. PACE. Is not a boycott usually caused by an organization that does not have a contract but wants to get a contract?

Mr. ANDERSON of California. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS. I yield to my colleague from California who lives in a district that knows exactly what this means.

Mr. ANDERSON of California. I might add that the gentleman also lives in a district where the results of certain boycotts have been extremely disastrous to consumers, particularly in the Los Angeles area. I would like to call attention to the effect of one secondary boycott down there, where hay, hauled to a farmers' market by a trucker who was not employed by a union was declared hot. Then the unions went so far as to declare that the milk from the cow that ate that hay, was hot, and refused to haul it. Section 13 of the pending bill would put a stop to that sort of thing.

Mr. PHILLIPS. In the gentleman's own district a carload of food which was being shipped to a processing plant was stopped, although it left the farm before the jurisdictional dispute arose.

Mr. KIRWAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we are assembled here today trying to pass legislation to curb strikes. Just 9 years ago this summer a steel strike took place in the United States. Let us look at the record of that strike. One week before it took place there met in New York City the biggest band of pirates of our time, known as the Steel Institute. They agreed around the table in that room not to recognize the CIO. You will remember that the press of that day said that Charlie Schwab sneaked out of the back door and agreed to put Bethlehem Steel and Lackawanna Steel on a 40-hours-a-week basis to get the Government contracts of four or five hundred million dollars, to comply with the Walsh-Healey Act. Remember that on Tuesday Ben Fairless, president of United States Steel, said that as long as he was president he would never recognize the CIO. Remember on a Friday of that week Myron Taylor tossed Ben Fairless and the rest of them out of the window and said he would recognize the CIO. You remember that strike that took place. Big Steel worked and Little Steel was on strike. Now what have we got? There met in the White House here a couple of weeks ago, Ben Fairless and Phil Murray. They came within a cent and a half of settling their dispute. But Fairless said he had to go back to New York to get permission. Permission from whom? From Olds, chairman of the board of United States Steel. Now who was Olds? Olds was the man who said in 1940 when the President sent for him, having been asked whether they had to expand in steel, said, "No, sir; we can produce all the steel that the Allies and this country need if we go to war." Not only did Olds miss the boat, but he was the first man I ever heard of missing the ocean, because the United States Government expanded to the extent of $919,000,000 in steel, besides private industry. Here was the same Olds who said we did not have to expand, but he came to Washington last week and wanted to raise steel $13 a ton. Who do you think is to blame, labor or those fellows in the upper brackets? Labor came right down and accepted the President's proposal. But I again repeat, Fairless had to go back to New York to get his orders; the same man, the chairman of the board of directors of United States Steel, who knew so little about his own business as to say that no expansion in steel was necessary. He is the same man who is responsible for this strike today by telling them that they need $13 a ton more on steel. That is the trouble. It is not with labor. It is with those fellows in New York. Not that I am defending Kaiser or his knowledge of steel, but he was correct when he said that Ben Fairless knew that a cent and a half difference in the wage was not enough. It was not low enough to destroy America but he had to go back, I repeat, to New York and take orders from a man who did not know that expansion in steel was necessary.

Suppose this Nation or the President had listened to what Olds said, that we did not need to expand, would we be assembled today in his Hall? When they had priorities on bobby pins, that is how much we needed steel during the war. And here is a man who said it was not necessary to expand, the same man that is tying up the country today and is trying to ease that blame onto labor. So there is the blame.

You look at the last time, when they went out on strike and lost. The Congress of the United States granted them 10 times more than what they went out on strike for in 1937. They gave them the right of collective bargaining, the right to organize, the right to picket. That was granted by this Congress. And here we are again today, trying to do something to promote strikes, not to prevent them.

Mr. STEWART. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, at every stage in the discussion of every bill there is what you might term "an atomic era." The Landis amendment to the Case amendment is the atomic amendment to the Case bill. It would blow up and destroy every right that the public of America is entitled to from this bill. I cannot see why some of my colleagues are so fearful of offending organized labor. It has been my experience that once you go against or for any act contrary to the wishes of organized labor, they smear you in their CIO, A. F.

of L., and other publications, as having sinned against the Holy Ghost. As for me, I accept the mark of Cain that they have or may hereafter place on me. I want to be correctly identified where there will be no doubt as to my identity, because I know when I speak I represent 100,000,000 people who pay the major expense of government and who are not recognized as yet, but will be soon. There is some conjecture as to when the time will come. In my own mind, the adoption of the Landis amendment would destroy the very heart of this Case bill. The labor groups stay up day and night working out plans and strategy to confuse Members of Congress. Now is the time to call a halt. We know the labor organizations have shaken down the rank and file of many thousands of workers who were not in sympathy with such wrongdoings, but they had to pay tribute or they did not work, a mode of strategy which to this good hour has worked most perfectly. There is only one way to meet the issue, and that is with more votes than they have. Let us not be taken on a snipe hunt and kill this bill with the amendment offered by the gentleman from Indiana. I do not know what his background is on labor matters, but we know today that strikes are going on throughout our Nation.

The city of New York is just about ready to call the Army to take over the tugboats, and the tugboat workers according to the press, have refused to agree. They called such acts civil war back in 1861, but we cannot rebel against our property being taken away from us. That is just peaceful picketing and the right to strike according to organized labor. To deprive the babies and mothers and other citizens of that great city of New York of food and fuel and the very necessities of life, is that justice? We all know, and there is no argument against it, organized labor is a privileged group in America, stronger than the law or any political organization that has ever been in power in this country, a supergovernment within this great Government that we love so well.

I have certainly been surprised at some of my colleagues whom I have followed on most occasions, particularly my good friend from Michigan. I thought that if ever there was a man whose heart had been purified with the dripping blood of the sins of labor, he was one of them. I have come to the conclusion that his heart has mellowed and that he, too, feels the quivering pulse of possibly the organization that has taken place over the week end.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. STEWART. I want to stand as one representative of and for the 100,000,000 people of America who are paying the bill by taxes and furthermore paying the fiddler while Rome burns, while industry and labor squabble. Our taxes are mounting. Our privileges of citizenship are being taken away from us. Whenever they appoint somebody in some of our Government organizations to deal for one of my group, the majority group, that somebody is some laborite or from some other special group.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. STEWART. My time is limited. If the gentleman can get me five more minutes, I will be happy to yield to him.

Mr. HOFFMAN. I know, but you felt so sorry for me.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

Mr. HOFFMAN. Mr. Chairman, reserving the right to object, and I will not object, if the gentleman will let me correct him.

Mr. STEWART. I do not know whether I want to be corrected or not.

Mr. McCORMACK. The gentleman said he would yield to the gentleman from Michigan.

Mr. HOFFMAN. In the interest of truth, you know, I think you ought to be corrected.

Mr. STEWART. I yield to the gentleman if he will withdraw his objection.

Mr. HOFFMAN. I cannot do it before, but I will later, if you can rely that long on my word.

Mr. STEWART. I will take it for that long.

Mr. HOFFMAN. Now, you seemed to feel very bad because you fantied I had slipped from grace. I want to assure the gentleman that if he had taken the trouble to read the RECORD of last Friday, only last Friday, where I inserted proposed amendments to the Wagner Labor Act, he would have discovered just how wrong he is. You are another of those "Johnnie-come-lately's" who does not know and who would not advise himself as to how some of us stand. The amendment I proposed, the one that is on the Clerk's desk up there, will take care of this situation.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. McCORMACK. Mr. Chairman, I renew my request that the gentleman's time be extended for 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. STEWART. Mr. Chairman, I will resume from the point at which I had arrived before the gentleman from Michigan made his statement. I hardly know how to interpret a man who has taken the position he has taken heretofore on labor matters. I cannot analyze his previous position with his position upon this matter at hand. It is just a little difficult for me to digest. Possibly, when I have been here as long as he has and have seen as many labor bills considered by this body, I will perhaps be in as good a position as he is to know where the right and the wrong in the administration of labor laws is. But I do want to say that America is at the crossroads. America is threatened. Jurisdictional strikes which this amendment, in my opinion, would condone, is one of the evils of the existence of the common American citizen. Strikes have become a burden upon our Government. When we vote an appropriation here, the taxpayer pays the bill for all strikes. It takes away our tax money from the rest of us who are willing to go along and be good American citizens, worthy of the blood that our fathers lost upon the fields of battle when America first began to grow as a nation.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. STEWART. I yield to the distinguished gentleman from Georgia.

Mr. COX. I should simply like to say that this bill either holds or goes to pieces in the waters in which it is now traveling. The adoption of this amendment would destroy the entire effort to get fair and adequate legislation to deal with the problem that threatens the security and the safety of the country.

Mr. STEWART. I thank the able gentleman, and I do think he is an able gentleman, for his valuable contribution, because I think he hit the bull on the nose when he made his statement. I want to talk to all of you about taking action. This matter of playing the role of tweedledee and tweedledum, hoping that you will blindfold labor when they are all around, even taking the remarks you strike out when you get permission to revise and extend, is going to be a little too much to attempt to straddle.

As I said in the outset, once you sin you are always a sinner. Now is the time to redeem yourself with the people of America. The people speak. I mean, they are riled up to the point where they are going to take action. Outside of a few little industrial districts, represented by perhaps 50 Congressmen, I believe the majority of the people of America want these strikes stopped. They want this group that tells you and me when we shall go to bed and when we shall get up, what we shall pay for socks, rent, and what we shall pay for biscuits, to give us a chance to live. The farmers of America are fed up with their crops being destroyed after they have been placed in transportation, through jurisdictional disputes or because they were harvested by themselves or unorganized labor. It is time for us to stand up like men, men like the small group of patriots that gave us this grand form of Government in 1776, and say to the people, "We are going to hand it back to you like George Washington wrested it from England. We are going to have that Government we have loved so long." This is no time for tweedledee and tweedledum. We do or we do not. Now, are you? It is up to you. I appeal to you. At this very minute the American people are appealing to you to take a positive position against unlawful strikes.

My seat in this Congress is not worth enough to me as an individual to make me violate the principles of my Government. It is a known fact that labor has more to do with the functions of this Government than the Democratic Party has or the Republican Party ever had to do with it when it was in power. A person who does not know that knows but little about the way our Government is run today.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. RANDOLPH. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RANDOLPH. Mr. Chairman, during the reading of the bill for amendment yesterday, I did not take occasion to make any formal remarks, but simply stated some observations on pending amendments and asked questions which I felt would develop the viewpoint which Members would want to have very clear. It is now an appropriate time for me to speak again.

The gentleman from Oklahoma [Mr. STEWART], who has just finished speaking, said, "We either do or we do not." He declared, "It is either tweedledee or tweedledum." The gentleman indicates that there is a wavering within this House as to just exactly where, individually and collectively, the Members stand as we go into the second day of the reading of the Case bill, which has been made in order as a substitute to H. R. 4908.

The gentleman from Oklahoma also stated that in this country, in an earlier period, we had a civil war. I often recall a story of a dweller in my section. We were so-called border territory. At the beginning of the War Between the States he found himself torn between two interests. He did not know on which side to place his fortunes.

Mr. STEWART. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. STEWART. I did not intend to say I was torn between two parts.

Mr. RANDOLPH. I have not accused the gentleman of that. He has told us where he stands. Courage is an admirable trait.

Mr. STEWART. My people wore the gray. They went clear down from '61 to '65, while the State of West Virginia seceded.

Mr. RANDOLPH. Of course, West Virginia is a political entity, as well as Virginia, and we paid our debt to Virginia, and we paid it with interest, I will say. But that does not mean there is not the most friendly feeling between West Virginia and Virginia. Our two States include a beautiful and productive section of America. At least two governors who have served as the Chief Executive of the Commonwealth of Virginia were born in West Virginia after West Virginia became a State.

Now, to go back to the story: This man was torn between his feelings for the North and the South. Finally he determined that he would purchase for himself a blue coat and a gray pair of trousers. The result was that the soldiers of the South shot him through the coat and the soldiers of the North shot him through the pants. If Members attempt, as the gentleman from Oklahoma indicates, to serve two masters they will not gain favor with either side and will be literally riddled by the voters of their congressional districts.

Now, a further observation: When I addressed my colleagues at the very outset of the general debate I stated that I was strongly in favor of H. R. 4908 as it was introduced, embodying within its provisions the request of the President of the United States. He desired not to deal with the overall subject of labor legislation, important as that might be for the consideration of the Congress on a later date, but he was determined if this instrumentality was placed within his jurisdiction to bring through this period of reconversion the production of essential consumer goods which the public was ready to purchase.

What did he do? He was courageous. I am not speaking of our national leader as a Democrat or a Republican. In the message to Congress, December 3, 1945, he challenged us with this language:

> All who think seriously about the problem of reconversion—of changing our economy from war to peace—realize that the transition is a difficult and dangerous task.
>
> I hope that the Congress will approve the steps which I am now taking. They are being taken in the interest of accelerating our production, promoting our reconversion program, and pushing forward to a higher standard of living.
>
> This is an immediate program which is fair to both sides. I hope that the Congress, naturally disappointed at the failure of labor and management to agree upon a solution for the prevention of industrial disputes, will not adopt repressive or coercive measures against either side. A free American labor and a free American private enterprise are essential to our free democratic system. Legislation which would stifle full freedom of collective bargaining on either side would be a backward step which the American people would not tolerate.

What did he request? What was he against?

He covered the reconversion period, and that is the time element with which I am concerned. We must not act in haste and regret later what we have done, and he warned against repressive action in Congress. The President said he favored full freedom of collective bargaining. I do also. Fact finding would implement—not destroy—that full freedom.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. RANDOLPH. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. The President was dealing essentially with the reconversion problem. In my opinion, that is what I believe the committee should be considering today, these immediate problems of reconversion from war to peace. In the very nature of events we have a certain chaotic condition and economic unrest in this country. It was so after World War I and it is so, only more acute, after World War II because of the heavy lines of the picture and the number of industrial forces involved; yet we find ourselves today trying to write legislation hurriedly off the cuff, and attempting to write a bill covering the many problems of labor which should be dealt with just as the many problems of management should be studied. I had hoped we would resolve the question by either the approval or the disapproval of the request of the President of the United States, and not try to embrace too many subjects.

I am just as vigorous in my opposition, as I stated last Thursday, against the top-heavy Case bill and its provisions as I am vigorous in the advocacy of the request in H. R. 4908 of the President of the United States.

I have felt, Mr. Chairman, the sting of the very strong and effective opposition of certain labor leaders. I may have it again and again. I would, however, remind my colleagues that approximately one-half of the workers in private industry in the United States have some type of union agreement with management. That means, as of 1944, about 14,500,000 workers in this country were working under union agreements. It means, certainly they were union workers in the bargaining which they collectively were making with management. About 65 percent of all the workers in the manufacturing industries of America have union agreements. We know that in a few industries, like coal mining and in the operation of railroads, the workers are almost 100 percent covered by agreements between management and labor. I am in favor of responsible unionism.

So, Mr. Chairman, in very factual and good spirit, I reiterate that I think we make a mistake in trying to legislate in connection with this over-all picture rather than to deal with it as the President requested on December 3. My colleagues, this is a period of reconversion, and we know this power of fact finding, with helpful aids, would be used only in the most extreme cases where the public interest is deeply involved. Labor and management should come together in the center of the so-called industrial ring to receive instructions from the referee, which is the American public. The public, with all this slugging to the finish between management and labor, is not only in the middle but being struck below the belt.

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. ARENDS. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I oppose the amendment offered by the gentleman from Indiana for the simple reason that section 13 should remain in this bill if we hope to accomplish some of the objectives that various Members of this House have in mind. All we will do is to weaken this bill through the adoption of such an amendment.

In connection with this great question of management-labor disputes which we are debating today, let me say I am glad that at last it is here on the House floor so we can stand up and be counted as to what we are going to do. If this whole problem were not so serious, an individual would have to stop and laugh at the statements made here regarding who is prolabor and who is proindustry. I think the rank and file in this House are big enough to stand on their own

feet and be fair about this matter, and that is what I hope we are going to do today.

Those of us who happen to come from rural areas are often referred to by the boys in the city as our country cousins; I refer to them as city slickers. I sometimes believe these city slickers are not thinking through what is happening to their country today. I make this statement because of something that is now moving on through the agricultural sections of this great country of ours. It was emphasized awhile ago when a Member referred to the many difficulties the farmers are now up against in raising their crops, processing them, and bringing them to market. I hope the time never comes when we will have an agricultural strike in this country, but I do want you to know that some farm people of this Nation do have a cause, and someday they might well become a little more vociferous, talk louder, and do something about it.

This morning, a letter came to my desk which was not circulated in my district but in a district next to mine, and I want to read excerpts from it to emphasize what some of the agricultural people of this country are thinking about and why they want these difficulties between management and labor straightened out and straightened out right now. These farmers are not prolabor or proindustry but they are pro-American. If we do not now accept our responsibility and try to do something about labor-industry differences then we are not the right kind of Members of Congress. This letter says:

It's time for a show-down. There is nothing that will collapse as quickly as the human stomach.

Remember the Secretary of Agriculture just this week suggested that farmers should start sending hogs to market at lighter weights, because there is not enough corn on hand to feed them. Someone said over the radio the other night that there will be no white bread baked within a few months.

All right. Do not think for a minute that some of us cannot get just a little bit hungry in this country. What is happening? The farmer who has worked 12, 14, and 16 hours a day during this war to try to do his part toward food production, has depleted his land; he has worn out his machinery, and now he cannot get replacements or obtain help. He tries to buy new machinery, and he turns to the greatest implement-producing factory in the world, but what does he find? They are on strike. It is almost impossible to buy a piece of machinery in the United States. Go and try it. The other day a farmer in my district, who was in great need of a four-row corn planter, which formerly sold in the neighborhood of $200 or $250, when new, went to a sale and there he paid $600 to get a used corn planter which he had to have to put his crop in the ground. Now, who is going to pay that unneeded additional expenditure of $400 that it cost this farmer to buy that planter, because the factory cannot produce while they are on strike?

The letter continues, and I repeat I do not endorse all contents of the letter:

Politics is not the farmer's long suit. He ordinarily sits back and watches. But in self-defense, he must now prepare to take an active hand in the goings-on at Washington or take the distasteful consequences.

Disputes should be settled while men work. All the consuming public knows this, but union bosses have them bluffed.

I want to say to the House today that this whole matter goes much further than what the average rank and file of farmers may say about either wages or prices. It goes right down at the root of the problem: production in the United States of America. I repeat, I hope the time will never come when there is a strike in the agricultural sections of the country. But they have been again and again tested to the limit, and unless we remedy the situation now confronting us, we will be faced with more trouble than we have ever been before. I hope that we do not cut essential and vital parts out of this bill. I hope that we will proceed the way we have been going, and that we here and now make honest effort to do something to bring about a solution of the problems of labor and management and get production in high gear.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Kentucky.

Mr. MAY. Suppose all the farmers that produce wheat or all the farmers that produce corn got together and decided they would not sell a bushel for the next 12 months to come, what would happen?

Mr. ARENDS. They would have to do that for not more than 30 days and we would have chaos, and some are thinking about it now. I am sorry to make that statement and I sincerely hope such a movement by the farmers is never started.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. These strikes in implement factories have so slowed down work so that really what we have today is an involuntary slow-down on the farms.

Mr. ARENDS. That is correct. And I am sorry to say it is my belief that the people of the cities do not realize what is taking place in this country. So I repeat, let us do everything possible now to pass constructive legislation that will help correct present-day conditions where we have so many unnecessary stoppages of work and when what we truly need, is for everyone to be working with all their productive effort.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RANDOLPH. Mr. Chairman, as I stated yesterday, we do want the most helpful debate on each and every amendment. I am wondering now what gentlemen want to speak directly to the Landis amendment, and if we could agree on some time, and then vote on that proposition.

Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 30 minutes.

Mr. CASE of South Dakota. Mr. Chairman, reserving the right to object, as far as I am concerned, I would not want 5 minutes. I wonder if we might not agree on taking less than 5 minutes apiece?

Mr. RANDOLPH. If any gentleman would want less than 5 minutes, that would be agreeable to me.

Mr. SMITH of Virginia. Mr. Chairman, reserving the right to object, I think this is about one of the most vital amendments that we are going to have on this bill. I think every Member of the House wants to understand what this is about and have ample debate before he votes on it. When this amendment is voted on we will have determined whether this House is going to do something or nothing. I hope the gentleman from West Virginia will withdraw his request for the present. I do not think it will run very long, but give these gentlemen 5 minutes apiece.

Mr. RANDOLPH. Of course, I have no desire to hasten decisions on this amendment or any other. However, in view of what the gentleman from Virginia has said, I will withdraw my request and we will let the matter run along.

Mr. CASE of South Dakota. Mr. Chairman, reserving the right to object, let us try to speed along on this amendment and make our remarks directly to the point.

Mr. PACE. Mr. Chairman, there is not too much I can contribute to the discussion of this amendment except I have tried as best I could to keep in touch with the situation in agriculture across the Nation. I do want you to realize in your consideration of this amendment that there is a growing restlessness throughout this country in the farming sections. That exists in Indiana, it exists in Ohio, and it exists in Missouri. As the gentleman from Illinois has mentioned, there has for the first time in this Nation been offered a proposal that those who till the soil, those who produce the food and the fiber to feed and to clothe the Nation, resort to their inalienable right to stop work.

Some of the things that have brought it on have been referred to here. There is a great strike now in one of the farm machinery manufacturers' plants. Do you know what they are striking for? You probably have not noticed it because it has been overshadowed by the steel and General Motors strikes. They are striking for a 6-hour day, 30 hours a week.

Have you stopped to consider for a minute how much food you would have if the farmers of this Nation worked 6 hours a day, 30 hours a week? Have you ever produced your crops, carried them to town, and been unable to unload them because two unions were engaged in a jurisdictional strike and nobody could enter the place?

I think at this hour, according to the newspaper accounts, the Cabinet is meeting at the White House with the Presi-

dent of the United States. They are trying to find ways to feed the starving people of Europe. You know who must produce the food; the same ones who produced it for the four long years of the war without adequate farm machinery, without adequate help—the farmers of this Nation.

The only reason I am talking to you now is that already there is a movement among farmers out West, and it should not be necessary. Do not, as the representatives of the people of this Nation, and particularly of those who till the soil, let the word go out this afternoon that the Congress has stricken from this bill a provision that would help them in marketing their commodities after they have worked in the sun for months to produce them. That is the danger we are facing when we send out word to the farmers of this Nation that there has been stricken from the bill a paragraph which has only one single purpose, to stop the practices now going on in jurisdictional strikes. If you think the farmer's wagon should be stopped and he not be permitted to market his produce until he joins a union, then vote for this amendment. That is the issue.

There is a terrible feeling of restlessness going on among the farmers. I am afraid of it, to be frank with you. I do not want to see the farmers of this Nation go on strike. I have talked to them, I have worked with them throughout the years as they have watched the practices going on in other parts of this Nation, and I am frightened by this amendment, which, if adopted, would leave those who feed the Nation utterly helpless.

Mr. WHITTINGTON. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I oppose the amendment of the gentleman from Indiana [Mr. LANDIS] to strike out section 13. The best that can be said of the gentleman's argument is that it is exceedingly weak. It cannot hurt to repeat and thus emphasize the need for curbing jurisdictional strikes and boycotts. It is contended that the provisions of sections 10 and 11, either or both of them, cover the situation. The best argument against that contention is the reading of section 13. It covers a state of facts not contemplated and not mentioned, and provides a remedy that is not stipulated in the preceding sections 10 and 11.

Widespread and increasing strife and strikes result in the loss of millions of dollars of production and of millions of dollars of purchasing power every day. It has been correctly and repeatedly asserted that labor organizations oppose the pending bill or any legislation. It might, with equal force, be said that management opposes the pending bill. But the long-suffering public, the innocent bystander, demands constructive legislation curbing labor and providing for the cooperation of management. In the contest between wages and prices the public interest is suffering and demands legislation, notwithstanding the opposition of both labor and management.

It has been said that the Case bill has not received committee consideration. An unprecedented condition confronts the House. No member of the committee supports the reported bill. The substitute has been the subject of debate and consideration for more than 4 days. It is being considered by the House in the Committee of the Whole. The principles have been repeatedly brought to the attention of the House. There is no occasion for extended consideration of the fundamental abuses at which the bill is aimed.

In the nineties and again following the twenties the Government intervened to restrain the selfish and irresponsible exercise of vast power by capital and management. The Utility Act and the Securities and Exchange Act were passed. Capital rode to a fall. Today the exercising of unprecedented power by labor organizations threatens to destroy a helpless public. Labor now is riding to a fall. Unless the Government intervenes the welfare of many will be sacrificed to the interests of the few. While I favor collective bargaining the public must be protected. The effect of strikes upon the great mass of the public is paramount.

The strike is a weapon, but it can be a dangerous weapon, and when dangerous its use should be restricted. Strikes have now reached the point where there is not only serious injury to the public economy, but the public is being deprived and sacrificed. It is time for the Congress to assume and to exercise our responsibilities as the representatives of the many rather than as the spokesmen of the few. It is time for action.

The country demands that economic chaos cease and that order and production, including the production of farm machinery, be restored. It is not a matter of party, but it is a question of country and a question of whether the public interest will be promoted.

As I have indicated, there is no occasion for protracted debate or extended consideration. The public demands that both labor and management live up to their contracts. There is nothing extreme or new in this provision of the Case bill. Only extreme partisans would contend that there is anything unfair about that provision of the bill.

First. The declaration of the Case bill is sound. Collective bargaining is declared to be the cornerstone of enterprise. Government decisions should not be substituted for free agreement, but free agreement should be promoted and obtained. Contracts should be binding upon both management and labor. Conciliation, mediation, and arbitration will be provided.

Second. The bill provides for a labor-management board with powers of conciliation and mediation. Arbitration is promoted.

Third. Both labor and management are required to live up to their contracts. No further consideration is necessary.

Fourth. Strikes and lock-outs in the public interest are prohibited until there is a period of fact finding, and strikes in public utilities essential to the maintenance of health and safety are limited. The bill is clear on this point. No further consideration on this score is required.

Fifth. Lock-outs and strikes are prohibited for a reasonable fact-finding period. The status quo is maintained while bargaining is given a chance. The Norris-LaGuardia Act is amended so as to make effective orders for maintaining the status quo, and this is only a partial amendment of the Norris-LaGuardia Act. It should be said, once and for all, that the act is not repealed. The Case bill provides that the Norris-LaGuardia Act shall not prevent the maintenance of the status quo pending fact finding to protect the public interest.

Sixth. Violence in support of strikes is curbed. Mass picketing is prevented. There is no rational ground for their defense. Injunctions may be used under the section, and there is thus a sound modification of the LaGuardia Act as well as a modification of the Wagner or the National Labor Relations Act. I may say that other amendments to the Wagner Act should be made. I have voted for, and supported, such amendments in legislation that passed the House in 1940, and it died in the Senate. It is one-sided. Employers are right in demanding equality under the Wagner Act. But any existing act that protects violence and mass picketing without further debate or consideration should be changed.

Seventh. Boycotts, jurisdictional, and secondary strikes should be prohibited and the Norris-LaGuardia or any other act should be modified so as to prevent boycotts. There is thus a third modification of the Norris-LaGuardia Act to ban boycotts, jurisdictional, and secondary strikes.

I have thus briefly outlined the essential provisions of the Case bill. It contains not only prohibitions, but affirmative provisions. Strikes would be prohibited for 35 days for an opportunity for mediation and arbitration. Both the affirmative and the prohibitory provisions of the Case bill have been generally considered not only by the public, but by Members of Congress. There has been ample time for debate and discussion in the Committee of the Whole, probably the best of all committees, for 4 days. Perfecting amendments have been adopted. While not a complete or perfect remedy, the Case bill is the only vehicle or the only bill under the rules of the House that gives Members an opportunity to vote to curb in the public interest the wholly indefensible strikes and strife, increasing day by day, that are destructive to the public interest and are fast destroying our economic order.

While I do not agree with President Truman's recommendations for compulsory investigation of employers, although I agree with a cooling-off 30-day period, he was certainly right in urging that Congress, if they did not approve his recommendations, adopt its own constructive program. Of all the bills suggested and of all the measures introduced, I believe that the Case bill is not only fair to both labor and management, but in the general public interest. I only wish that the Case bill, under the rules of the House, could be further amended to amend the Wagner Act, and to provide other restraints on organized labor.

Mr. BUCK. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, in the city of New York the great Idlewild Airport has been under construction for many months. Two labor difficulties on that job delayed the construction and increased the cost. In the first instance, there was a jurisdictional dispute between two unions which delayed the project, as I recall, 2 or 4 months. In the second, the electricians' union refused to install certain electrical devices which had been brought from some other State unless union members were permitted to disassemble those devices and reassemble them on the job.

I wish to ask the gentleman from Indiana how the bill covers those contingencies in the event his amendment is adopted.

Mr. LANDIS. If a contract is made and either party breaks the contract, section 10 covers every contract that is made between management and labor.

Mr. BUCK. What about this matter of disassembling electrical equipment and reassembling it?

Mr. LANDIS. Is it covered by a contract?

Mr. BUCK. I think it is evident, Mr. Chairman, that if this amendment carries we will not have a solution to the two conditions that have delayed that airport and increased its construction cost.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield.

Mr. MAY. Inasmuch as we have a bill here reported by the Committee on Labor that no member of the committee is for, have we not the right to assume that it is improper legislation? And if that be true, what have we got to vote for except the Case substitute?

Mr. BUCK. I agree with the gentleman.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield.

Mr. JENNINGS. I am in sympathy with the objective sought by section 13, but it occurs to me as a lawyer that if that provision were on the statute books and I undertook to draft a bill seeking relief under it with respect to a boycott or a sympathetic strike I just could not conceive of how I would frame the prayer of the bill, how I would formulate the fiat of a judge for an injunction that would afford any relief. Remember, we cannot make people work.

We can declare sympathetic strikes and boycotts illegal and deprive participants in such illegal acts of the rights under the Wagner bill. And I believe if this provision with respect to the use of the injunction were cut out and the provision retained with respect to the loss of their rights there would be a valid enactment; but I just cannot conceive how one would enforce that provision of an injunction.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I believe the gentleman from Tennessee has made an excellent suggestion.

Mr. HOFFMAN. I will take care of the suggestion of the gentleman from Tennessee by an amendment which will be offered as soon as the vote is taken on this one.

Mr. BUCK. Mr. Chairman, I yield back the balance of my time.

By unanimous consent the pro forma amendments were withdrawn.

Mr. RUSSELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the first thing I want to do is to correct an error that the alter ego of the CIO in this House keeps stating—for political purposes, as I see it, for there could be no other reason for an intelligent person to make such erroneous statements—to the effect that we who are trying to get something done for our country in this time of need are enemies to labor. The fact is, we are trying to help labor by keeping them from doing that which they seem determined to do, whereby they are losing all the respect and assistance of the honest people of our land. When I say we are trying to help labor, I mean honest laboring men and not racketeers.

Surely, surely honest people who belong to labor organizations can see the handwriting on the wall, and know that America is not going to put up with what is now and has been going on for some time in the way of strikes and stoppages of production, to the detriment of the country, the people, and themselves. Reconversion is being hampered—production so badly needed is being stifled without any just cause or reason. And when we try to do something with the situation in behalf of the people of this country, this bunch begins to cry "Wolf! Wolf!" until the people are sick and tired of it. This happens every time a remedial measure in behalf of the public is brought before this House. Let me tell you something: The people are aroused as never before, and if this Congress does not correct the chaotic condition now existing, a number of us might as well begin packing our belongings, for we are not going to stay here after this year. The people will see to that.

Down our way the people believe in being honest and carrying out the terms of their contracts. A gentleman will do so, and one that does not do so is not considered a gentleman. Yes; they believe in keeping their word, whether it be written or oral; they will carry out the terms of their agreements.

Let us see now what is being done in 99 out of every 100 strikes that are in progress at this time. Take the steel strike and see what was included in that contract, which has some time yet to run, yet the CIO called a strike in the face of their solemn promise not to do so during the life of that contract which they secured, which gave them an increase in wages, and which they do now break. The no-strike clause reads as follows:

> During the term of this agreement, neither the union nor any employee, individually or collectively, shall cause or take part in any strike, or other interruption, or any impeding of production at any plant of the company covered by this agreement. Any employee or employees who violate the provisions of this section may be discharged from the employ of the company in accordance with the procedure of section 8 of this agreement.

And down in the State of Tennessee, at the home town of our colleague, the gentleman from Tennessee [Mr. KEFAUVER], the CIO is on strike against the Southern Ferro Alloys Co. In fact, the CIO has called strikes against six Chattanooga plants. The contract for the company named, which was entered into on October 24, 1945, was to continue until October 1, 1946, and contained the following clause:

> The contracting parties agree that for the full period of this agreement, extension or renewal thereof, there shall be no strikes by the union or lock-outs by the company.

Notwithstanding this provision, the contract entered into, which settled the wages apparently to the satisfaction of the union, was breached that same afternoon when a letter postmarked 3:30 o'clock was mailed to the company demanding a reopening of wages and an increase of $2 per day. According to the contract, this could not be discussed for 15 days, but in only 5 days after the contract was signed the union notified the National Labor Relations Board that a controversy existed with the company, and demanded a strike vote. No conference was held, no bargaining attempted. Later there was a conference, at which there was a demand of the union to "take it or leave it", and no attempt was made to bargain in good faith.

A like provision was contained in the contract entered into with General Motors, in which the CIO agreed not to strike during the life of the contract, and yet they violated that provision and struck approximately 6 months before the contract was to expire. This is true, as I have stated, in 99 cases out of 100; and it is up to the Congress to pass a law that will guarantee equal rights to both sides and special privilege to neither. That is the American way, and any industry or labor organization that objects to it has something wrong with their Americanism.

As I see it, at this time the Case bill is the best piece of legislation before us. It does not satisfy me and it will not satisfy the public, in that it does not go far enough. But it is a step in the right direction, and unless we get something better, it is my intention to support it. Until we have laws that make each side responsible for their acts, that recognize the interests of the public, and that are two-way streets instead of a dead-end, we will not get any relief from this crowd that holds their sacred and binding contracts only as scraps of paper. As has been said on this floor, a war was caused once because a contract was considered a scrap of paper.

Law-abiding citizens have always advocated the living up to contracts openly and freely made, and they should be carried out. Is it not peculiar to you that practically all of the alter egos of the CIO are afraid of the law and afraid of the courts. Down our way, the old philosopher taught us that those who were afraid of the law and the courts were the criminals and the representatives of the criminals. Down our way we believe in law and order. We believe in that rule of action commanding what is right and prohibiting what is wrong. To

deny any American citizen or citizens, whether it be individuals, associations, or corporations, the right to go in a court of justice for a redress of a wrong, and deny them the benefits of the law or equity of the land, is placing ourselves in a position of agreeing with the anarchists, and placing us on the side of anarchy.

Let us see what the Case bill does.

First. It seeks to strengthen and continue collective bargaining, by providing a 30-day period without loss of position to either side. How can anyone object to this provision? It is as much in behalf of labor as it is in behalf of industry. It gives them time to cool off and work on a sane, sensible basis with reference to collective bargaining. As I have understood the full import and meaning of collective bargaining, I have always been in favor of it. But as collective bargaining is operating today, unless it is supplanted with collective efficiency, collective square dealing, collective honesty, and collective love of our fellowman, it will not and cannot be a success.

Second. The Case bill seeks to require mutual responsibility for carrying out the sacred terms of a contract signed and made. Can any American object to that?

Third. It eliminates all force and violence from use by either or both sides, in industrial disputes. Those who believe in this believe in organized communities going under law and order, while those who are opposed to such a provision place themselves on the side of anarchists and anarchy; and I feel that the intelligent membership of the Congress should support this provision.

To condemn the law is to condemn ourselves if the American Congress has made laws not in keeping with that ideal and definition, then it is a pretty heavy charge that we are laying against the lawmaking body of our land and against ourselves. I am not willing to do that, in order to please the whims of a class of people who consider their contracts as scraps of paper.

Let us pass the Case bill and not cripple it by amendments; improve on it if we can, but not water it down because it is mild enough as it is. Let us work in the interest of 130,000,000 citizens of our great country, and not discriminate against the bulk of them and work in the interest of class legislation for a small minority, who are in the main dominated and ruled by a racketeering class whose ideals are as far from the American ideals as the moon is from the earth.

Mr. GREEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 12 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, there can be no disagreement with the position that any lawless action or violence or abuse of power on the part of anybody is not only bad for the Nation but bad for the group that commits it. The problem that confronts Congress, however, is to find an appropriate answer to these problems.

I should like to point out that considerable reference has been made in the debate that has just taken place to the State of California. May I say that California has on its statute books today a law which prohibits secondary boycotts. That was the so-called hot cargo bill. It is the law now in our State. With regard to the troubles taking place out there at the present time, it is due to a jurisdictional dispute.

What is the answer to the jurisdictional strikes? Are you going to pass a law saying there shall not be any jurisdictional strikes? That will make everybody feel just fine and virtuous, and perhaps some people will come back to Congress. But I am not a bit sure you can solve the problem by so oversimplified a means.

The thing that has to be done about a problem of this kind is that you have to find what a constructive remedy for it is. I have been trying very hard to find a constructive remedy. I think I know the line along which a constructive remedy for jurisdictional strikes has to be found. I think it has to be found in setting up some means of getting what amounts to a judical decision of jurisdictional disputes. Legislation to accomplish that would have to be devised with some care. I think you have to set up some kind of an impartial group that can make decisions with regard to these jurisdictional strikes, so that instead of just forbidding tuberculosis, shall we say, which is about as reasonable as to say there shall not be jurisdictional disputes, you have an answer to the thing, a machinery for preventing the difficulty, and a means of avoiding it.

Therefore, in the instant case, where Congress is attempting to legislate about these matters, it has seemed to me that we have to recognize that our greatest need is to get real consideration of the problems involved here without reference either to a point of view which insists upon punitive measures or to a point of view which says, "we will not consider anything if there is opposition to it on the part of the great labor organizations." Neither of those points of view will work, and we have suffered from the absence of enough people and enough earnest effort to get at these problems constructively with both of those points of view eliminated.

In the bill before us we had better stick to things where we know what we are doing and what we can accomplish by what we attempt. It is for that reason that I think we should aim this legislation we have before us today at improvement of the collective-bargaining process, at machinery that has been tested by time and under other legislation, so that we will know what we are getting at and what we are going to accomplish as nearly as possible under the circumstances.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Chairman, Mr. Ford has stated that labor and capital can get together, because it will pay, if you will quit price ceilings. I say that labor and capital will settle their strikes over the board in collective bargaining under the laws we have now, without strikes, if you do not promise them that this Congress or the President or someone will help them get better prices for their goods.

I wonder how many men in this House know anything about labor difficulties in the days before we had organized labor. I have worked for 14 or 15 cents an hour in the freight houses. We worked 10 hours a day. If our job was not done, they added another hour of two and they did not pay us anything. Unless a person had a relative or stood in with the people who ran the organization, regardless of the fact that he had chidren, he was pushed out of the picture, and someone else, maybe a man who worked for $3 and $4 a day during the summer took his place; and this other man who had worked all winter, the man with a family, was out of a job. There was favoritism of all kinds. Some of it was graft. I want to say that unless you had a pull you had no chance whatever.

Another thing, we in Minneapolis never objected to a fellow having the same right to a job as we did but you could start in the summer and get laid off because you were the first one there. When you came back, they would say, "We have nothing against you, but we do not need so many men now. But the first thing in the spring we will hire you." But when you got back there, you found out that the salesman had promised jobs and they had 15 to 20 men in that organization working. When you spoke to the boss for a job, you had to say, "Mister" with your hat in your hand. Thank God we have a chance to organize now. I do not believe any of these slave propositions is going to help the situation. There are many things that can be corrected, but that is a matter concerning our tax laws. If you allow business and labor to settle their own problems without congressional dictation, you will find there will be no strikes.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, I want to talk directly to the amendment. I shall make it as short and as brief as I can. It is impossible for us to leave the solution of all problems to labor and management. We will find that the public is overlooked. A case directly in point is contained in the story that appeared in the Evening Star last night about a secondary boycott in New York City.

The Associated Press reported from New York that a strike by 3,500 tugboat workers, supported by 35,000 longshoremen, had tied up shipping in the harbor, and was cutting off a large portion of the city's food and fuel supplies. It reported that Mayor O'Dwyer estimates that the city would be without 80 percent of its normal flow of coal and other fuel and nearly half of its food supply.

Joseph P. Ryan, president of the ILA, said that the 35,000 longshoremen of the

parent union would support the walkout by refusing to load or unload any ship which normally would be handled by the strikers.

I call your attention that this paragraph which is proposed to be stricken from the bill deals with secondary boycotts. This does not concern the members from farming districts alone. You have secondary boycotts threatening you in New York.

The gentleman from Virginia, I think it was, said a few minutes ago that the President was having a meeting in the White House right now to consider how they would get food for the world. He is likely to be having a meeting to find out how they will get food for the city of New York.

Now, that is one of the situations we seek to get at by the operation of this section 13, which deals with the refusal to handle, use, or otherwise deal with articles or materials purchased, and so forth.

My own personal interest may grow out of situations like those described by the gentleman from Minnesota and the gentleman from California, who have talked about the delivery of produce by farmers to their markets. But certainly a boycott also affects the people in the cities.

The other thing that section 13 seeks to deal with is jurisdictional strikes. On that point I want to give the words of the President of the United States as to the need for legislation on that point. I quote what he said to the labor-management conference last fall. President Truman said:

Some substitutes must be found for jurisdictional strikes. Business simply cannot stop. Life and property just cannot be endangered merely because of some internal disagreement between factions of labor, in which management can rightfully have no part and no interest. There can be no moral or economic justification for stopping production while rival organizations contend with each other. Labor has a particular interest in this matter—for nothing is so destructive of public confidence in the motives of trade unionism as a jurisdictional strike.

Labor does have an interest in this matter. So do farmers; so do city dwellers. So I beg of you, do not take section 13 out of the bill.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

All time has expired. The question is on the amendment offered by the gentleman from Indiana [Mr. LANDIS].

The amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 14, line 9 of the Case amendment, after the word "forth", and after the period and dash, insert "Whenever any act mentioned in this section shall obstruct or interfere with interstate or foreign commerce."

And strike out subsection (b), and insert the following:

"Whoever violates the provisions of this section—

"(1) shall on and after such violation cease to have, and cease to be entitled to, the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act, or the status of a representative for the purposes of such act;

"(2) in case such violation is by a labor organization, such organization shall thereof cease to have and cease to be entitled to a status of a representative or labor organization under the National Labor Relations Act, for a period of not less than 90 days, nor more than 6 months."

Mr. HOFFMAN. Mr. Chairman, in the hope that I may secure the support of the sponsor of this bill, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, perhaps it was my own fault that the gentleman from Oklahoma [Mr. STEWART] misunderstood what I was trying to get across awhile ago. I was only attempting to show to the gentleman from West Virginia [Mr. SMITH], and some others, that some of us did have some other suggestions which we thought should be included in this legislation. I stated explicitly and, I thought, clearly enough that if the Landis amendment were out I would offer another amendment to section 13. I would like the attention of the gentleman sponsoring this bill, that we are now considering, to this amendment. The amendment I propose now does not weaken the language of section 13 in any way insofar as the language relating to violence is treated. To those gentlemen who suspect that I may have softened up toward Dan Tobin's teamsters' union, I need only say that 2 days after the Supreme Court handed down the decision legalizing extortion when practiced by the teamsters' union an amendment was offered by me to correct that defect in the law. Later the Hobbs bill went to the body at the other end of the Capitol and has been there ever since. It went over there more than 2 years ago. Now, I would like the sponsors of this bill to tell me how you expect to get this bill out of the other body. But that is not my worry, though it is a matter of concern.

Now to get back to this amendment. The amendment does not change the sense of the language down to and including line 22. Please read it and compare it with the words of the amendment. The amendment does strike from the bill section (b) which gives the courts jurisdiction to issue injunctions and take other action notwithstanding the Norris-LaGuardia Act.

I wish the gentleman from Oklahoma had been successful in convincing those who speak for so-called labor leaders, those on my right here, that I was speaking for them. I am afraid he was not. If they would only go along on that idea until this amendment is voted on, I, for one, would appreciate it.

Now, understand, the amendment does defeat the attempt to repeal the Norris-LaGuardia Act; and I ask for that not because I think that act insofar as its provisions about the issuance of injunctions should not be repealed, but I put it in there hoping that some of the real friends of labor would go along now with what we might call this half-way legislation to aid in the settlement of labor disputes and support it.

The other part of the amendment makes the union—which the act as written does not—liable for a violation of section (a), as now in H. R. 5262. The penalty imposed by the amendment is not a fine, not imprisonment; it just deprives the union of the special privileges which we have given it under the National Labor Relations Act. Certainly, when you give an organization special privileges, it should, in fairness, be willing to go along and keep its word, its contract, comply with what it has agreed to do, and refrain from assault and battery. The only penalty—I am repeating now—the only penalty contained in the amendment is to take away from those who have been granted special privileges the special privileges that have been given—take away those special favors until they repent and reform. There is nothing bad about that.

There is another point in the amendment. A similar amendment was adopted yesterday by adding this proposed provision to section 5. One more point—that is, to insert the words "whenever any act mentioned in this or a subsequent section shall obstruct or interfere with interstate and foreign commerce."

I would like to ask the sponsors of this bill if they cannot accept this amendment to this particular section? I see no reason why they cannot.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. WADSWORTH. I am seeking for information on this thing, and wish to ask the gentleman whether he believes that the exercise by a court of the power of injunction against a violator or violators of the provisions of this section would be effective to the extent of compelling the men to go back to work?

Mr. HOFFMAN. No; I do not. I think that if you have injunctions you will have as many different theories as to when an injunction should be issued as you have courts or judges.

Mr. WADSWORTH. For example, the gentleman from South Dakota stated the situation now existing in the harbor of New York where apparently, judging from newspaper dispatches, the longshoremen's union is going to embark upon a strike in support of the tugmen's union.

Mr. HOFFMAN. Secondary and a boycott.

Mr. WADSWORTH. Secondary and a boycott, yes. Would an injunction issued against the longshoremen's union be effective in making those 35,000 men go to work?

Mr. HOFFMAN. Not in my opinion. I do not think so. The remedy is to take from those strikers the special privilege which we have given them. If they do not want to work, that is all right, let them strike—that is their right—but the city of New York and its people will need food, so let some one else work if those who strike are tired of their jobs. I would not try to make any man work if he does not want to. If he wants to depend on the charity of relatives or if some great-granddad left him some money, and if he can get along that way, all right, but, on

the other hand, I would not let that man deprive any other man of the opportunity of working.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. I did not quite get the language of the gentleman's amendment. As I understand his explanation he leaves in subsection (a) and strikes out section (b)?

Mr. HOFFMAN. Yes.

Mr. LUTHER A. JOHNSON. Does the gentleman substitute anything in lieu of section (b)? Does he put anything in place of (b) or leave it with (a)?

Mr. HOFFMAN. I tried to make clear that the object is to deprive the individual of certain rights given by the NLRA. I repeat, the penalty for a violation of this section is imposed upon the individual member of the union and upon the union if the union violates section (a).

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Illinois.

Mr. MASON. It is the gentleman's purpose to make the loss of privileges under the National Labor Relations Act come into effect and the gentleman thinks that is much more effective than any court injunction could possibly be?

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Georgia.

Mr. PACE. Under the gentleman's amendment how does the farmer get his produce unloaded?

Mr. HOFFMAN. Just the same as under section 13 of the bill. It makes it unlawful for these men to interfere with those hauling produce or merchandise to market. If they interfere then they lose their rights under the NLRA.

Mr. PACE. I again ask, How does that allow the farmer to unload his produce?

Mr. HOFFMAN. It does not attempt to make the truck driver unload the produce, but it does permit a farmer to send his hired man to market with his load of produce, or he may hire the gentleman from Georgia to take the load down, and if there is interference by force the union man and his union loses the special rights given by the National Labor Relations Act, and without which the union cannot exist.

Mr. WOODRUFF. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. WOODRUFF. As a matter of fact, anyone who knows anything about the delivery of farm produce to the market by the farmer knows very well that the farmer unloads the produce or his hired man.

Mr. HOFFMAN. They do not in Detroit. The union decrees that you must hire a union man to drive the truck through the city and to unload it.

Mr. WOODRUFF. We do not have farmers up my way who can hire all this to be done because the farmers in my part of the country who deliver their produce into Detroit and other centers of population unload their own trucks.

Mr. HOFFMAN. I hope that you gentlemen who favor some sort of effective legislation will support this amendment. Let me go over it again. It keeps all of subsection (a) of section 13 in the same words. On page 574 it strikes out subsection (b) which is the section giving the United States district courts authority to issue injunctions notwithstanding the Norris-LaGuardia Act. It makes the penalty the forfeiture of the special privileges and rights which the employees and which the unions have under the National Labor Relation. Act, and it also contains that all-important and vital provision relating to obstruction of interstate and foreign commerce.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was agreed to.

Mr. BELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BELL: Page 3, line 19, of the Case amendment, strike out beginning in line 19, page 3, to and including line 21, page 11, and insert in lieu thereof the following:

"CERTIFICATION OF DISPUTES

"SEC. 2. Whenever the Secretary of Labor finds—

"(1) that there is a labor dispute in which the agencies of the Government charged with the functions of mediation and conciliation have been unable to bring the parties to agreement and have been unable to induce the parties voluntarily to submit the controversy to arbitration; and

"(2) that a stoppage of work seriously affecting the national public interest and affecting interstate or foreign commerce, or the national defense, or commerce within the District of Columbia or any Territory or possession of the United States, has resulted or threatens to result from such dispute;

"the Secretary shall certify such findings to the President. Any such certification of the Secretary shall be published in the Federal Register and shall designate the employer or employers involved in such dispute, the groups or units of employees involved in such disputes, and the representative or representatives of such employees. The employers, employees, and representatives so designated shall, for the purposes of this act, be regarded as the parties to the dispute. Whenever a question arises concerning the representation of such employees, the Secretary of Labor may request the National Labor Relations Board to certify to him the names of the representatives of such employees; and such Board shall determine the names of such representatives in the manner provided in section 9 of the National Labor Relations Act and shall certify such names to the Secretary.

"FACT-FINDING BOARDS

"SEC. 3. (a) At any time within 5 days after the date of such certification by the Secretary of Labor, the President, in his discretion, may appoint a board to investigate such labor dispute and to make a report containing its findings of fact and recommendations with respect to such dispute. Such board shall be composed of three or more persons, none of whom has any pecuniary or other private interests in the employers or employees who are parties to the dispute. The board shall proceed expeditiously to make a thorough investigation of all facts which it deems relevant to the dispute. The board shall give the parties to the dispute a full and fair hearing, which shall include an opportunity to present evidence in support of their claims and an opportunity to present their case in person, by counsel, or by their representatives. Within 20 days after the date of its appointment, the board shall submit to the President a report containing its findings of fact and such recommendations concerning the dispute as the board deems appropriate. The time for submitting the report of the board may be extended by agreement of the parties, or their representatives, with the approval of the President. Any agreement extending such time shall be published in the Federal Register.

"(b) The several department and agencies of the Government, when directed by the President, shall furnish the board, upon its request, all records, papers, and information in their possession relating to any matter before the board.

"(c) Any board appointed under this section may prescribe or adopt such rules and regulations as it deems necessary to govern its procedures and the exercise of its functions. Each of the members of such board shall receive compensation at such rate, not exceeding $100 a day, as may be fixed by the President, and shall receive his necessary travel and other expenses incurred in connection with the work of the board. Such compensation and expenses shall be paid by the Secretary of Labor.

"(d) The Secretary of Labor shall provide for the board such stenographic, clerical, and other assistants and such facilities, services, and supplies as may be necessary to enable the board to perform its functions. When a board appointed under this section has made its report, the board shall be dissolved and its records shall be transferred to the Secretary of Labor.

"EXEMPTION

"SEC. 4. Nothing in this act shall be applicable with respect to any labor dispute subject to the provisions of the Railway Labor Act, as amended.

"APPROPRIATIONS

"SEC. 5. Such appropriations as may be necessary for carrying out the provisions of this act are hereby authorized."

Mr. BELL. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BELL. Mr. Chairman, this is proposed as an amendment to the so-called Case bill. The purpose of my amendment is to strike out that portion of the Case bill beginning at line 19 on page 3 of the Case bill, beginning with the heading "Labor-Management Mediation Board" and running over to and including line 21 on page 11. I am seeking to substitute for that language the following language which appears in the so-called Norton bill, H. R. 4908. You start on line 5 on the first page of the Norton bill and go right on through that bill until you get to line 14 on page 6.

Mr. WHITTINGTON. If the gentleman will yield, is that the bill, H. R. 4908, as introduced or as reported by the committee?

Mr. BELL. As reported by the committee.

Mr. WHITTINGTON. With the committee amendments?

Mr. BELL. That is right; at least, I assume it is with all committee amendments. It is H. R. 4908 as I find it printed.

Here is my purpose in seeking the adoption of this amendment. The Case bill sets up over a number of pages, down to the bottom of page 11, a permanent board, which I think will be a vast and growing addition to our bureaucracy. It provides that this board shall consist of six or more members. You can have as many as you want, but not less than six. It provides that at least two members are to represent labor, another two are to represent business, and a third two are to represent the public. The two representing the public will be a good deal like the man who interfered in the fight between the Irishman and his wife. In about the next minute he found the Irishman on one side and his wife on the other, each giving him some pretty good blows. I think that sort of a board would not be effective. I do not think it is the kind of board we want.

The bill provides for the setting up of a secretariat, for salaries, for clerk hire, and all of those things that go with the establishment of a permanent institution. In order to live, that board is going to have to have some strikes to settle. They have to have them or they will go out of business. I do not like that sort of set-up.

In the Norton bill a board of three or more members is provided for, not as a permanent board; it merely gives the President the right in the event a strike arises which affects the public interest or which interferes with interstate commerce, a stoppage of work which affects the national interest, to appoint three or more men for the purpose of helping to negotiate a settlement of that strike. When they have negotiated a settlement and their work is done, they are through. You do not have a continuing bureaucracy to hamper the work of those who want to go back to work. I do not understand the President in his message to ask for any permanent board. All he wants are two very simple things. I think this proposal of mine will not in anywise affect the thing that the gentleman from South Dakota [Mr. CASE] is trying to do. I think it will even aid in what he is trying to do. On the other hand, I think we will have a situation where we will not saddle the country with another bureaucracy by the adoption of the amendment I have offered.

Mr. JENKINS. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield.

Mr. JENKINS. Am I to understand that the gentleman starts with the Norton bill on page 3 and includes all the language that is used in the Norton bill?

Mr. BELL. It starts on page 1, line 5, where it says, "Certification of disputes" and takes all of the language of the Norton bill down to where it says, "Appropriations" two lines from the bottom. All there is in those provisions is the language providing for this board.

Mr. JENKINS. Do you take all of pages 3 and 4 and follow the language right through as it was in the old bill?

Mr. BELL. That is right.

Mr. JENKINS. In other words, the gentleman takes the old bill, except what the committee took out of the bill in reporting it to the House?

Mr. BELL. That is right.

Mr. PLOESER. Does that mean you put back the same fact-finding provisions of the old bill?

Mr. BELL. I do not know what you call the old bill. This is the bill H. R. 4908 as printed.

Mr. PLOESER. I should not call it the old bill, but at the same time that is what it appears to be right now. I mean, the Norton bill as reported by the committee.

Mr. BELL. That is right. I follow exactly the language of the Norton bill from line 5 on page 1 down to the last paragraph providing for appropriations which I assume the Case bill takes care of in another form.

Mr. PLOESER. That provides for fact-findings and a reported recommendation to the President?

Mr. BELL. It is the printed form of the Norton bill providing for the setting up of a board for the payment of a per diem—so much a day—$100, and for the fact-finding. That is all there is in that provision. It merely provides for the fact-finding board and fixing the per diem. Then, when they have done their work, they go home again.

Mr. SLAUGHTER. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield.

Mr. SLAUGHTER. The amendment which the gentleman offers, as I understand it, is taken verbatim from the Norton bill.

Mr. BELL. That is right.

Mr. SLAUGHTER. The gentleman is aware of the fact that in the President's recommendation he asks for a 30-day cooling-off period.

Mr. BELL. That is right.

Mr. PLOESER. That will not be provided in the gentleman's amendment?

Mr. BELL. No; that is true.

Mr. SLAUGHTER. Nor does the amendment, as I understand it, which is offered by the gentleman, have any enforcing provisions in it at all, does it?

Mr. BELL. No; it does not have an enforcing provision. It is merely a provision to set up a temporary board for the purpose of fact-finding, recommendation, and helping the disputants to get together.

Mr. SLAUGHTER. But with no machinery to maintain the status quo or to provide, as the President said, for a cooling-off period.

Mr. BELL. No; it does not provide for anything of that kind. One of the reasons why I think this provision is better than that in the Case bill is that you have a lengthy provision setting up this board providing for certain injunctive relief, which to my mind in its wording is rather indefinite in some respects. There has been no opportunity to work that out in committee. I am just not certain what those provisions carry or what they provide for in the Case bill which I am seeking to strike out.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman from Michigan.

Mr. HOFFMAN. That there may be no misunderstanding, is the power of subpena and the cooling-off period in the provision which you offer as an amendment?

Mr. BELL. No; I think that was stricken out in committee.

Mr. HOFFMAN. Is it in or out?

Mr. BELL. That was stricken out, as I understand, in committee.

Mr. HOFFMAN. Do you propose to put it back in?

Mr. BELL. Not in this amendment.

Mr. HOFFMAN. I thank the gentleman.

Mr. HALLECK. Mr. Chairman, I rise in opposition to the amendment.

I think when we understand what the issue is here, the committee will not be very long in voting down this proposal.

In the first place, it seeks to write into the bill provisions that apparently no one on the Labor Committee favors, although they did report it.

Secondly, it raises the specific question between a strengthening of the processes of mediation and conciliation, the offering of the good services of Government to try to get management and men together when they are in disagreement, as against setting up of so-called fact-finding boards, empowered and directed to inquire into the facts involved and to make public recommendations thereon as to settlement.

I believe in collective bargaining. I think those processes should be strengthened. I do not believe we should have substitution of governmental decision for free agreement, through the processes of collective bargaining. One of the things that has disturbed me about this whole fact-finding proposition is that the making of decisions by fact-finding boards may be carried to the point where, in truth and in fact, we have a substitution of governmental decision for free agreement. Neither management nor labor wants that.

The proposal of the gentleman from Missouri [Mr. BELL] sets up the power to intervene aft r conciliation and mediation have failed. The Case bill would start with mediation and conciliation, and finish up with voluntary arbitration; and beyond that it would not go.

As bearing upon the question of whether we should have another agency or whether it should be in the Department of Labor—and what I am about to say applies with equal force against the Adams substitute that would set up mediation and conciliation in the Department of Labor—my view is that if this agency is to accomplish any real good, then it must not be the special pleader of either side. It must, by its activities, by its conduct, and by its action, unprejudiced and unbiased, always maintain itself in such position that it can go to the two sides of the controversy and say to either side, "Gentlemen, how about this as a matter of settlement?"

I think it is fair to say, and it is no challenge of the propriety of the arrangement, that the Department of Labor is

set up as something of a champion of labor. As I understand it, that is its purpose. If that is true, then does it not follow that the mediation and conciliation service, if it is to be most effective, must be free from any suspicion of bias or prejudice. Should it not be set up to carry on this service that the Government offers, to try to bring its people together through the processes of collective bargaining, in which we all believe on the best possible basis. Why should we desert the mediation and conciliation sections that are in the Case bill, with a well-set-up agency to do this job, and go back to this proposition that apparently has few supporters, if any, anywhere?

Some suggestion is made about the fact that this board would be permanent. Yes; that is true as to the chairman, the vice chairman, and the secretary; but there is left in the provisions of the bill provision for flexibility by which the President can from time to time increase or decrease the size of the over-all establishment to meet the necessities at any given time.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

The question is on the amendment offered by the gentleman from Missouri.

The amendment was rejected.

Mr. LANDIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LANDIS:

Page 6, line 10, after the word "appropriate" insert the following: *"Provided, however,* This provision shall not apply to the Bureau of Internal Revenue, Federal Social Security Agency, or any other department or agency of the Government which holds as confidential any and all information submitted to it."

Mr. LANDIS. Mr. Chairman, management is dead set against the use of the power of subpena to obtain books and records. Labor is likewise opposed to turning their books and records to a group of fact finders.

If you give several hundred Federal workers the power of subpena to obtain books and records, you will eliminate free competition—business secrets would be no longer secret. When you eliminate free competition in industry, private enterprise is gone.

Labor objects to the power to subpena books and records of their organization because it would expose their financial standing to their employers.

I have opposed the power of subpena in committee. I am opposed to the heavy hand of the Federal Government, when it steps into the breach, requiring that collective-bargaining agreement shall be based upon the employer's ability to pay. Obviously some employers are better able to pay a high wage scale than others. Would you place a premium upon lack of thrift? Would you stifle initiative and business ingenuity which in large part has made this Republic the wonder of the world?

In case of doubt that under the section here on page 6 they could go into the Bureau of Internal Revenue and get confidential information out of it, I wanted to make clear that this could not be done by a mediation board or members of a mediation board or the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The question was taken; and the Chair being in doubt the Committee divided and there were—yeas 64, noes 35.

So the amendment was agreed to.

The CHAIRMAN. The gentleman from California [Mr. PATTERSON] has an amendment at the desk which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PATTERSON: Page 3, after the word "arbitration" in line 18, strike out all the balance of page 3 and all of pages 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15.

Mr. PATTERSON. Mr. Chairman, I do not expect the Committee to adopt this amendment; however, I have listened now for 4 days to the debate and I have noticed particularly the Republican Party in confusion and disagreeing among themselves, not knowing exactly what they want to do and not knowing where the bill was conceived or thought of. I think the best thing to do is to take you at your word when you declared a very sensible policy.

The declaration of policy is very good. It says that you are for collective bargaining, which is a good thing. You say that you are for mutuality of obligation of contracts, which is already the law in every State in the Union. You say you are against violence. We are all against violence. Violence can be put down in any State of the Union. You have laws to protect labor and industry in every State of the Union in this regard, so there is no reason for duplication of legislation.

You refused, wisely I think, to declare that a labor union should be a corporation any more than you would want industry or management to be forced into being a corporation. You were fair enough in that regard and I want to compliment you on it because I recognize you want to treat labor the same as you do management as far as forcing them to do something against their will, which would probably be an unconstitutional gesture against both management and labor.

Then you begin to do what you say you do not want to do. You say that you do not want to regiment labor, you say that you do not want to bring about governmental control of labor or management; you say you want less government in industry. You are doing, though, what they tried to do in Australia but it did not work. I have been down to Australia, I have talked to some of the governmental officials who have compulsory arbitration. Even the court decisions against labor and management are not upheld in Australia because Australia is still a democracy. We are still a democracy here. You say also, and very justly, that you are against forced labor, which means involuntary servitude, and I am glad you had the wisdom to strike that from the books because it would have been unconstitutional if you had left it in there. You recognize you cannot force a man to work against his will. You also recognize you cannot force a man to stay in business against his will. You recognize also that free competition takes care of this situation. For instance, General Motors refused to settle with labor, and still is refusing to settle with labor over 1½ cents or 2 cents or thereabouts, which is a ridiculous amount to hold out on when you say the country is in danger. You say General Motors will not settle and you say labor will not settle with General Motors. So what? Suppose management and labor are stubborn in regard to the settlement of their disputes, private competition will take care of that.

Kaiser, Chrysler, and all the other automobile companies in America, and every other company that is not so stubborn will take care of the situation and General Motors will go out of business. Other companies, through competition and free enterprise, will take over. Why not? That is the American way, and that is the way you say you are for; yet you come in here and introduce a bill, conceived in haste by some member of the Republican Party. I have listened to representatives of labor and of industry testify before the Labor Committee, and I agree with them to this extent that you cannot have involuntary servitude in the United States of America and have democracy. That is true in regard to involuntary servitude, whether you force this concept on labor or industry, and it will not work. Therefore, I say that the only thing good about this Case bill is the declaration of policy; that it stands for the right to collective bargaining.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. PATTERSON. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PATTERSON. I wish you were sincere in it, for this reason. Then you go right ahead and do everything that is humanly possible to cut labor's right and management's right to collective bargaining right out from under, after you say you are for it. I do not understand your reasoning or your philosophy.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PATTERSON. I yield to the gentleman from Indiana.

Mr. HALLECK. That is typical of the ridiculous statements that are made concerning the position of several of us on this legislation. The gentleman just got through saying that a number of things were taken out that made this bill better from his standpoint. Then he says that somebody has done everything humanly possible to make it as bad as possible.

Mr. PATTERSON. As a whole, I said that you have done very little in perfecting this bill. I do not say that you have made it as good as possible; no. I still think it is a very, very bad and dangerous bill. Furthermore, you know it will

not pass the Senate. You know it is a political gesture here, and you know the President will not sign it.

Mr. BALDWIN of New York. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, nobody is more opposed to the Case bill than I am. I made a speech against it and against this legislation the minute we opened general debate. But I believe in a fair fight, and I believe that those who sincerely think that this bill is an answer to the question have a right to express their points of view and not be criticized for doing it. There are Members on that side of the aisle, the majority side, in the Democratic Party, Mr. Chairman, who control this House and every committee in it, who have taken the attitude that they want to see what the Republicans are going to do. Well, here is one Republican that is going to protest this bill, vote against it, fight against it, but I am willing to do it in a fair fight and listen to the arguments on the other side. Do not let us have any nonsense of lying down on either side of the aisle when it comes to a vote on this measure.

Mr. Chairman, I am thoroughly convinced that this legislation is going to be a repetition of the Smith-Connally Act. I think that the Labor Committee should have been allowed to study this bill. I think public hearings should have been held on it. You can say that we have delayed, delayed, and delayed. I made a pledge here the last time I spoke for the Smith-Connally bill repeal when I said I was convinced that the Labor Committee would bring out something that we could debate, and they did bring out something that we could debate.

I now repeat that pledge. If we had had a chance to study this legislation and had a committee to go into the whole question of labor-management relations, we would have something in due time. My distinguished friend the gentleman from Michigan at one point said he thought the matter could be handled by amending the Wagner Act. I think certain reasonable amendments to the Wagner Act might solve this problem. However, nothing will solve the immediate strike problem except leadership; leadership down at the other end of Pennsylvania Avenue and elsewhere; leadership on the part of labor and management. You know that as well as I do. The bills we pass here are not going to solve the current strike situation, and what we do in the future should be carefully studied and carefully analyzed, and after bringing in a bill we should hear arguments and make it as adaptable as possible so that whenever it comes to a vote we will know what we are voting on.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield to the gentleman from Michigan.

Mr. HOFFMAN. I want to say to the Members of this House that if it had not been for the vote of the gentleman from New York [Mr. BALDWIN] we would never have brought anything out here.

Mr. BALDWIN of New York. Mr. Chairman, I am perfectly willing to accept that statement. I made a promise here on the floor of this House that, as far as I was concerned, I would see that the House, and consequently the public generally, would have a chance to debate this question. It seems to me that was reasonable and proper. It does not change one iota my own personal feelings and my own conviction that we are legislating here too hastily in going about it in a few days, as we did with the Smith-Connally bill. And you can read the record of what I said when the Smith-Connally bill was passed. I said it was going to increase strikes, upset management, and do all the things we did not want it to do. I say the same thing now; that is exactly what is going to happen here now if we pass this legislation without proper committee consideration.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. The gentleman speaking is courageous now as he always is within the committee on which I am privileged to serve with him, regardless of his viewpoint, which is not in issue. Does the gentleman feel that it would be better for this House to deal with the economic unrest during a period of reconversion rather than attempt to write here on the floor over-all legislation dealing with labor and management?

Mr. BALDWIN of New York. I definitely do, Mr. Chairman. I do not think that ever in times of stress and excitement proper legislation is forthcoming. I think the thing should be considered calmly after the event or sometime before the event, that the committee should have a chance and the public should have a chance to study the legislation that we attempt to pass here, before it becomes permanent legislation.

Mr. RANDOLPH. Would the gentleman announce his position on the President's original request?

Mr. BALDWIN of New York. I am opposed to the President's original request. I stated that in the committee and I state it here again. I support the proposal that was also presented in committee, that we should have our committee get some funds and counsel to make a really fundamental study of labor-management relations and pass fundamental law, taking time to do it. This would have been the sensible approach to the problem. I voted for that in committee and it was beaten.

Mr. SMITH of Virginia. Mr. Chairman. I move to strike out the last two words.

Mr. Chairman, it is seldom that I find myself in agreement with my good friend from New York [Mr. BALDWIN]. He made the statement that if we did not look out we were going to be in the same fix about this bill that we were about the Smith-Connally bill. I am in thorough accord with that statement. I just want to remind the House of the history of that piece of legislation.

When that bill passed the House it had provisions in it that would have accomplished the purpose intended of minimizing strikes in defense industry. But the same thing happened there that has been threatening here all day, the effort, and the repeated and consistent effort, to one by one draw its teeth. If you do that to this bill, as the effort has been made to do here today, you are going to have a bill that will not accomplish the purpose the House expects. That is what happened to the Connally-Smith bill. It was a good bill when it passed the House, and when it got back here from the Senate conference all the teeth had been drawn. I hope you will not do that to this bill.

Mr. MUNDT. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I take this occasion simply to call to the attention of the House the fact that we do not have the happy alternative suggested by my good friend the gentleman from New York [Mr. BALDWIN]. We just have not been given the opportunity to consider strike legislation at a time when there is not a period of stress or strain. These strikes happen to be causing a most serious condition at the present time. There was nothing done before the strikes took place to make it possible for the proper kind of settlement to be provided by Government action. Certainly the third point of the dilemma proposed by the gentleman from New York [Mr. BALDWIN], we cannot await, and that is until business and labor both reach such an unhappy state of bankruptcy that they both urge Congress to meet the problem now confronting us. Consequently, I urge the defeat of the Patterson amendment and urge we continue here on the House floor to do our best to establish a working legislative formula for establishing and maintaining industrial equity and peace.

Mr. BALDWIN of New York. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from New York.

Mr. BALDWIN of New York. Were the steel strike and the General Motors strike announced just before the strikes happened, or were they forewarned several months before they happened?

Mr. MUNDT. I think they were forewarned. The fact remains that the Committee on Labor did not bring out a bill to meet the challenge of those impending strikes, consequently we are forced to meet the situation here on the floor of the House with the bill suggested by my good colleague from South Dakota, and constructed by Members on both sides of the aisle over the period of many months and by amendments here and now on the House floor.

Mr. BALDWIN of New York. The Committee on Labor was holding hearings, the Committee on Labor was hoping to do something on this matter without its hand being forced by public pressure. I think if the committee had been given more time it might have brought out intelligent legislation. In order to have a debate in this House, we brought out what in my opinion is a blank piece of paper. I voted to bring it out, announcing I would oppose it on the floor.

Mr. MUNDT. I think probably if the Committee on Labor had been given sufficient time, something might have emanated therefrom. But it is beyond me to determine what that sufficient amount of time might have to be because in the nearly 8 years I have been here, the

Committee on Labor has been holding hearings almost every session and still no legislation has come forth to provide a good industrial-relations program between labor and capital in this country. I am sure there is no disposition on the part of either side of this House to pass antilabor legislation, but there now is a very vigorous disposition to pass legislation which will establish working machinery for creating and continuing peaceful, just, and productive industrial relations.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I am happy to yield to the gentleman.

Mr. COX. I have the feeling there are many Members of the House who are indebted to the gentleman from New York [Mr. BALDWIN] for having declared his position on this proposal, because it makes it easier for them to decide as to what would be the proper vote on the bill.

Mr. MUNDT. I agree with the gentleman. We certainly are indebted to him for having cast the vote which makes it possible for us here in the Committee of the Whole House to discuss the entire strike problem. I agree with what one gentleman said earlier today. I think it was the gentleman from Mississippi [Mr. WHITTINGTON], that the Committee of the Whole House is the best, the most significant, and most important Committee of the Congress and that this is not such a bad place to write legislation after all.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield.

Mr. HOFFMAN. Having made that observation of the relative value of committees, are you willing to submit the questions which come before the Committee on Foreign Affairs to the Committee of the Whole?

Mr. MUNDT. We always do because we arrive at a committee conclusion and bring out a bill, invariably with an open rule, so that the Committee of the Whole has precisely the same opportunity with such legislation to amend and refine it as we are having today to amend and refine the legislation now before us for the purpose of alleviating industrial disorders.

Mr. Chairman, the great consuming public of America, our returning veterans, our farmers, the honest, hard-working people of our towns and cities have had enough and too much of the bickering and name-calling going on between capital and labor. They have had enough and too much of strikes and work stoppages which prolong existing scarcities and magnify the problems of inadequate clothing, insufficient housing, and a hundred and one other shortages which are crippling the reconversion efforts of this Republic.

President Truman has done nothing effective to remedy this serious situation; the Labor Committee has failed to bring out legislation fashioned to correct conditions. Consequently, this House is right in facing up to the responsibilities which now confront it. We should proceed calmly and dispassionately to write labor legislation which is fair alike to labor and to capital but which goes to the heart of the serious labor disturbances now strait-jacketing recovery and reconversion in this country. We should stick with this problem until by our collective good judgment we can develop and evolve an industrial relations act which finds some other way to settle industrial disputes other than the tidal wave of strikes now handicapping every region of this country and encouraging the onrush of inflation with all of its evil consequences.

Therefore, Mr. Chairman, I urge the defeat of the Patterson amendment now before us which would make a mockery of the present legislation. Let us amend and refine and correct the so-called Case bill as much as necessary to make it the most effective and the most equitable in the minds of the most Members of this body and then let us enact it into legislation and send it along to the Senate for further consideration. But let us not turn back from our tasks by adopting such a complete repealer as the Patterson proposal.

Some corrective amendments have already been adopted to the Case bill and others are about to be presented in the course of the consideration of this legislation. Let us test and measure each suggested amendment by its workability, its equity, and its efficacy but let us continue to grapple with this problem until we have evolved the best industrial relations legislation of which we are collectively capable.

With fairness toward all and malice toward none, we can thus succeed where the White House has failed. We can succeed in establishing a formula whereby employers and employees can find a way to adjust their differences through collective bargaining which in its attempt to provide justice for each side also will recognize that the general public has an interest in such settlements and that its interest, too, is entitled to consideration.

Mr. GREEN. Mr. Chairman, I move to strike out the last word.

Mr. RANDOLPH. Mr. Chairman, before the gentleman proceeds, in an effort to find the best policy for the House to pursue at this hour in the afternoon, I am wondering whether it would be advisable to see if we can arrived at a definite period for debate on the Case amendment and all amendments thereto. I wonder what the feeling of the membership would be as to my making a formal request in that respect.

Mr. HINSHAW. Do I understand correctly that the Adams substitute which has been offered to the Case bill can be followed by other substitutes for the Case bill? I wonder whether or not the gentleman's idea is to include all of the substitutes that may be offered for the Case bill or merely refers to the Case bill exclusively.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. RANDOLPH. I should like to say that as a legislative son I am usually very happy to follow my legislative fathers, because I have confidence in them.

Mr. HOFFMAN. That answers my question.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. GREEN. I yield.

Mr. McCORMACK. The thought entered my mind that the Adams substitute is pending, and that if the motion is carried to close debate on the Case amendment and all amendments thereto, that would preclude any other Member from debating another substitute for the Case amendment. I believe that if any limitation that may be imposed on the debate, it might be confined exclusively to the Adams amendment. Of course, that would be a different matter. If it is not confined exclusively to the Adams amendment, then some other Member might want to offer a substitute for the Case amendment and thus would be cut off from the opportunity to debate it.

Mr. HINSHAW. My understanding of the request was that it was for limitation of time on the Case substitute. At the moment, the only amendments that are in order are amendments to the Case substitute. It would seem to me we could reach some agreement as to when we might conclude the perfection of the Case substitute.

Mr. RANDOLPH. Mr. Chairman, I withdraw my request, if it was a request.

Mr. CASE of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASE of South Dakota. What amendment is now pending?

The CHAIRMAN. The Case bill as an original amendment is being considered for amendment. There is a substitute, the Adams bill, which is subject to amendment. If the Adams substitute is defeated, any other bill by way of amendment would be in order to the Case amendment.

Mr. CASE of South Dakota. The inquiry I sought to submit was, What specific amendment was pending at this time?

The CHAIRMAN. The amendment offered by the gentleman from California [Mr. PATTERSON] is pending at this time. A vote has not been taken on the Patterson amendment but will be taken following the remarks by the gentleman from Pennsylvania.

Mr. PATTERSON. We can have a vote on it now, if you want to.

Mr. GREEN. I would rather you waited until I spoke, because what I have to say may have a great bearing on the outcome of the vote.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. GREEN. Mr. Chairman, being a freshman Member of Congress, and being a member of the Labor Committee sitting here for the last 4 days listening to the oratory on both sides of the House about the lack of work which the Labor Committee does, I have been very much amused. As a member of that committee I think I have been quite active in the House and the committee.

The history of the legislation that is before us today, in a confusing way, is very comical. Shortly after the President delivered his message requesting that fact-finding boards be set up, there

was a bill introduced by the distinguished chairlady of the Labor Committee, the gentlewoman from New Jersey [Mrs. NORTON]. Two or three days later we held hearings.

First of all, before we held hearings, we had the Military Affairs Committee walking up and down outside our committee room with their rifles.

Mr. MAY. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. MAY. I understand, of course, that perhaps the gentleman is speaking ironically about the Military Affairs Committee.

Mr. GREEN. The gentleman will state his point of order.

Mr. MAY. I do not propose to stand here and permit that kind of a statement to go into the RECORD that the House Military Affairs Committee was walking up and down outside the committee room with rifles.

Mr. GREEN. That statement is absolutely true, because the chairman, as the newspapers stated, said they were going to see what the Labor Committee did.

Mr. MAY. Mr. Chairman, I make a point of order. I ask that the gentleman's remarks be taken down and expunged from the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania will take his seat.

The gentleman from Kentucky will state the words complained of.

Mr. MAY. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from Pennsylvania will proceed.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. GREEN. I yield to my distinguished colleague.

Mr. HOLIFIELD. As a member of the Military Affairs Committee I want to say that I resent the remarks the gentleman just made. That was a popgun that I was carrying.

Mr. GREEN. What I am trying to do is just to give you a history of the background of this legislation to show you what position the other Members of the House put the Labor Committee in every time any piece of legislation is before the Labor Committee. I said in the committee that I felt like someone with a pistol at his head but that I did not scare so easily.

The outcome was we had the May-Arends bill brought out on the floor by the Rules Committee and it was defeated on the rule. And justly so.

We had before our committee John L. Lewis, Philip Murray, William Green, all the leaders of organized labor. We had Ira Moser, head of the National Association of Manufacturers; we had Eric Johnston, former head of the chamber of commerce. Not one of those was in favor of this piece of legislation and warned against legislating in haste.

We had voted in the committee to continue hearings on fact finding. After we returned from our recess we held another committee meeting and reported out, although I voted against it, the piece of legislation that went to the Rules Committee. My distinguished colleague, the gentleman from New York [Mr. BALDWIN], who is always vigorous in his support, felt that that legislation should have an opportunity on the floor. I think that was very admirable of him.

The previous speaker said it was fine to have this discussion on the floor about legislation. Why can we not have discussion about FEPC legislation like this on the floor. That was reported out of the Labor Committee. Is it not funny that that does not get to the floor? Oh, when you throw a piece of meat in to a lot of wolves they certainly tear each other apart in order to get a portion of it. That is what is happening here. Labor baiters are having a field day.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. GREEN. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GREEN. I do not want a piece of it; I do not want any part of it. I was against the fact-finding bill, I am against the Case bill. I do not know what this is going to look like when it is finished, but I will be against it because I do not think this is the proper way to write legislation that is so important and I do not believe its supporters do either. How are they going to vote on the proposition of letting certain liberal legislation reach this floor that has been pending in committee for months?

THE OTHER POINTS IN PRESIDENT TRUMAN'S PROGRAM

Now we will talk about the serious things that are before Congress. I do not receive a great deal of mail about the so-called terrible strikes that are going on all over the country but I do get a lot of mail about demobilization. I do not, however, see any bill coming out of the Committee on Military Affairs dealing with demobilization. What is being done about that? Why do we not get the fathers with children at home out of the Army? You know it was the policy of Hitler to take the young men out of Poland and France to cut down the birth rate in those countries.

Excuse me for digressing.

We hear much about free enterprise and much about the competitive system.

Responsibility of management. Free enterprise! Competitive systems! Bunk! Bunk! Does anyone have even the slightest idea that there is any comparison between the competitive system as known to the founding fathers of this country and the way it is done now? There is as much similarity as there is between a water pistol and the atomic bomb.

Sure, we still have competition. Competition so vastly changed that the old boys would scarcely recognize it.

We have a market place today as there was in the first decade of our Republic, but the prices that prevail there today are not by and large the automatic prices our forefathers knew. Some of which approximate the definition of automatic, some of which are administered, and then we have the monopoly prices of the various types of prices prevailing in our economy today. The administered price is easily the most characteristic. This price is not based primarily on the law of supply and demand, operating freely in the market place, but on the judgment of corporation officials. These gentlemen estimate the cost of the product they make, the probable demand at various price levels, and then fix on the one that is calculated to maximize profits. If their estimate of sales turns out to be overoptimistic they reduce the volume of production, not the price. Under this system, despite the law of supply and demand, prices tend to remain relatively inflexible. This system exists with the automobile industry, dominated by three giant concerns.

Thus such phrases as "free competition" and "the system of competitive enterprise" cannot be applied in the same sense to American business today as to business in the pre-Civil War period.

When GM refuses to cooperate with the Government fact-finding board on the ground that the American competitive system would be doomed, it is not defending something hallowed by history and blessed by the founding fathers. It is fighting to preserve a system that is competitive only in a very special and very modern sense.

With the same token there is some truth in the idea that the responsibility of management has been the keystone of American business. Yesterday, yes—today, no.

In the early days of this country business management was closely associated with ownership. Most businessses were small and the owners generally managed them in person; in most cases worked side by side with employees. They exercised a responsibility which everyone understood and approved—the responsibility associated with ownership, a responsibility that was severely restricted and disciplined by a free and competitive market place. They were in no position by reason of being managers of a business to make decisions on wages, prices, and profits that would have far-reaching effects on the livelihood of their fellow citizens.

We have many thousands of small businessmen today that operate along the same lines but they have ceased to be a dominant factor in modern economic life. The dominant factor today is the huge corporation, the industrial empire and the dominant persons in this set-up are not the owners, but hired managers.

The average stockholder has no control over his property and little sense of responsibility for it. It is not unfair to describe American business today as a system in which ownership and responsibility have been effectively divorced. The result has been the enthronement of hired managers and these men are in a position to affect the lives of millions of people. They are not rigidly confined by the law of supply and demand operating in a free market place. They can administer prices and gear production to support those prices.

Nothing is quite so useless as fighting over slogans which have lost their orig-

inal meaning. We are being invited to defend "free enterprise," "the American competitive system," "right of management to manage." Before setting our sights, let us make sure we know what this fight is all about.

Mr. MAY. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, in the 15 years I have been a Member of this great body I have tried to so conduct myself that I would not subject any of my colleagues to criticism or give them cause to criticize me. I have had some pride, and I have it now, in having been permitted by my constituents and by the pleasure of the Congress of the United States to serve as chairman of the House Military Affairs Committee during the last 8 years, covering several years before the beginning of this desperate war in which we are now engaged. Having that pride in the position that I hold, I want to pay tribute, if I may, to the Committee on Labor as a whole. I am particularly glad to pay tribute to my splendid colleague from the State of West Virginia [Mr. RANDOLPH], who has been specially courteous and considerate of everyone. I know as acting chairman of the Labor Committee, he has sought earnestly to have reported worth while labor legislation and I commend him.

I remember that my committee was subjected to the necessity of dealing with and bringing to the House floor the Smith-Connally bill, and the only reason why we were here with it recently was because it had become necessary that it be repealed, and the bill known as the May-Arends bill would have repealed several provisions of that act; in fact, it repealed it outright except the provision that still authorizes the President to maintain the War Labor Board until the end of the year.

Now, the remarks of the gentleman from Pennsylvania—and I can excuse him because he says he is a freshman—that the House Committee on Military Affairs was marching up and down the hall with guns and bayonets in order to force the Committee on Labor to bring something to the floor, ought not to go in a public record for the people of the country to read, and to think that committees of Congress are up in arms against each other, and that is the reason why I objected to his words. I withdrew them at the request of the leadership. Now I take it that he was merely facetious in that remark. But I would like to observe on the pending amendment which strikes out everything in the Case bill except the declaration of policy in section 1 that it will probably make the Case bill, even though it was all stricken out except the policy section, a better bill than the Committee on Labor bill, because it does declare something of substance.

Now I am going to vote for the Case bill. I am going to do it because there is no other alternative. The Committee on Labor has brought us a bill that none of its Members will sponsor, and I take the position that that being true, with that great committee having studied that bill, that it condemns it itself, and that I am entitled to vote against it, and having nothing else to vote for except the Case substitute, with whatever amendments may be adopted on it, I shall vote for the Case bill.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Maybe the gentleman's opinion of the Committee on Labor is not any better than my own opinion, but the Committee on Labor did something that the Committee on Military Affairs was never able to do, and that was to give the House a chance to vote on a bill.

Mr. MAY. We have never failed to bring out any bill that we had jurisdiction of, and we brought out the bill to repeal the War Labor Disputes Act, and the gentleman had the opportunity to vote on a rule on it.

Mr. HOFFMAN. How about the May-Arends bill?

Mr. MAY. The gentleman, I expect, voted against it. I believe he voted against us consistently.

Mr. BALDWIN of New York. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from New York.

Mr. BALDWIN of New York. Mr. Chairman, I regret as much as the gentleman does any bickering as between committees. But is it not true that the Committee on Military Affairs, which had under its jurisdiction the Smith-Connally bill and the May-Arends bill, when the rule for that bill was defeated, publicly stated, or if not publicly, certainly to me privately, that if the Committee on Labor did not act, they would reproduce that May-Arends bill for consideration by the House? I think perhaps my distinguished friend, the gentleman from Pennsylvania, had that in mind when he talked about a military parade in front of the Committee on Military Affairs' door.

Mr. MAY. May I say to the gentleman that his question is rather complicated, but I think I can answer it. We brought out that which was referred to us, by the Speaker of the House of Representatives, with amendments. And certainly considering the past performance of the Labor Committee, perhaps someone or some group should have done something to get something reported, for surely everyone familiar with proceedings in this House knows that until the gentleman from West Virginia [Mr. RANDOLPH] took charge that committee has been on a sit-down strike.

Mrs. DOUGLAS of California. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the gentleman from Pennsylvania may be a freshman, but I think he has gone to the heart of the matter. There has been confusion here today and yesterday because we are not talking to the issue. The issue is not strikes. The issue is a subsistence wage. Strikes are the last desperate expression of men and women in showing their needs. Strikes are no picnic. You cannot say it is just a few labor leaders. It is 2,000,000 men and women who say they cannot work for what they are getting. They say they are not getting a subsistence wage. For instance, in the GM strike there are 40,000 women of middle age with families who are among those on strike—not because they like it, but because they cannot live on what they are getting. It is not a lot of big bruiser men that just want to get out and have fisticuffs with people just for the joy of striking. And if you look over the lists, as I have in the General Motors strike, you will find veteran after veteran being turned out of his home with his family. The issue is not strikes, but food, rent, clothing, doctors, orange juice. Strikes are not pleasant things. They are the most heartbreaking experience that people with no resources can go through. We will not settle the real issue confronting us by passing the kind of legislation we are discussing here, and I think we all know it.

It is as though you had a boiling teakettle on the stove and you wanted to stop the steam, so you stick your thumb in the spout. You do not stop the steam, but you do blow the top off the teakettle and burn your finger. The way you stop the steam is to turn the stove off. The way to stop strikes is to get at the root of the trouble.

It reminds me of what Lincoln said, and I think that is the issue involved here:

> It is the same principle in whatever shape it develops itself. It is the same spirit that says, "You toil and work and earn the bread and I will eat it."

No matter in what shape it comes, whether from the mouth of the king who seeks to bestride the people of his own nation and live by the fruit of their labor or from one race of men as an apology for enslaving another race, it is the same tyrannical principle. If Lincoln had lived today, he might have said, "Whether it be an economic king or a corporation who seeks to bestride the people of his own nation and live on the fruit of their labor, it is the same tyrannical principle."

Nobody is against profits. I think we ought to make all the profits we can make, but not when it comes out of the stomachs of men and women. The question is, in this transition period—and I do not think the issue has been met squarely—in this twilight period between war and peace, if we are to keep down inflation, which is going to do nobody any good, anyway, who is going to pay the cost? Is it going to be paid out of the excess war profits that have been stored up or out of the stomachs of men and women? I say it ought to come out of the profits.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. PATTERSON].

The amendment was rejected.

Mr. HALLECK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. HALLECK: On page 8 of the Case amendment, line 2, after "less than", strike out "fifty" and insert "two hundred and fifty."

Mr. HALLECK. Mr. Chairman, I have a little difficulty in understanding the

position of some of the extreme opposition to these various proposals before us. Some of the Members violently in opposition will say before the Rules Committee and they will say here that they think contracts should be binding. They say that is just, decent, and fair. But somehow or other they are just against anything that tries to make contracts binding.

They will say, "We are for law and order. We do not think that people should have their heads bashed in, their automobiles turned over, that assault and battery should be committed, that malicious trespass should be committed. We are against that." But when you try to do something about it, they are just against it.

Some of my radical friends on the other side of the aisle who have been voicing such preposterous and absurd criticisms of all the proposals before us, including the proposal of President Truman, have tried to create the impression that here in the House we do not know what we are about. Now, if they want to plead guilty to not knowing what they are about, that is all right with me, but for myself I am not going to so plead. If they do not know what has been going on here, it is because they have not read the various proposals that have been before us for days and days—yes, and because they have not been paying any attention to the debate.

As a matter of fact, I would like the country to know, I would like those who scoff at Congress as an institution, to know that the last days here in the House of Representatives have been about the best exposition of representative government in action that I have seen in my time in Congress. I think the address just made by the gentlewoman from California was listened to as intently as any I have heard here in a long time. Why, look around you. Yesterday and today as we have read this bill and considered various proposals, we have had on the floor a greater number of our membership than I have seen here for the consideration of any proposal in a long, long time. Is that not true? Who will deny it?

The President sent a message to Congress asking us to do something. He outlined his program. But the gentleman from Pennsylvania said he was against it. The President said, "If you do not like this, then do something." Now, right or wrong, that is exactly what the House of Representatives is doing. That is what the overwhelming majority of the people of the country want us to do. I am not going to plead guilty to such a lack of intelligence and character, understanding and integrity in the membership of the House of Representatives as would lead the people to believe there is not enough collective good judgment here to approach this matter with discretion, in fairness, and in equity, in an effort to try and get something done.

I have offered this amendment as a part of the process of trying to harmonize judgment and viewpoints and get some legislation that will be workable.

I would like to say this further, in respect to some of my aforesaid friends whom I have been talking about—they seem to know exactly what they are doing. It rather amuses me although some of its aspects are downright tragic. They apparently are refusing to join in an effort to work out fair, equitable, and proper legislation.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. HALLECK. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. PATTERSON. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. PATTERSON. Do you suggest and go on record as in favor of repealing the whole committee system and bringing every single bill out here—perhaps I would not be averse to it—and consider legislation which you are holding up here that President Truman also asked for? He asked for 14 or 15 major pieces of legislation. Are you for bringing those out here and discussing them and abolishing the committee system?

Mr. HALLECK. Of course, I am not for abolishing the committee system.

Mr. PATTERSON. Why do you make such a speech, then?

Mr. HALLECK. Now, you have asked a question. Let me answer it. I never have been prone to indulge in any criticism of committees. I recognize that every member of a committee in the House of Representatives carries great responsibility. But let me say this to the gentleman: Reference has been made to the action of the Labor Committee on this legislation. Reference has been made to the vote on the rule on the May-Arends bill. The gentleman should know, if he does not know, that that rule was defeated in order to give the Labor Committee a chance to consider this matter.

Now, more specifically, the gentleman from Pennsylvania [Mr. GREEN] who spoke a moment ago, is, I understand, a member of the Labor Committee. What assurance—yes, less than assurance—what indication could any of us have that anything would be forthcoming from the Labor Committee when he, as a member of it, stands here and announces that he is "just 'agin' anything and everything?"

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. Yes. I will yield, I mentioned the gentleman's name.

Mr. GREEN. I did not say that I was against anything. I said I was against the fact-finding bill. I was against the Case bill. The procedure you are using in the House to write a bill is not the proper procedure. You stand here and you are for everything that is good and holy and you are against sin, but you come in with a closed rule on amendments to the Smith-Connally bill.

Mr. HALLECK. Now, I refuse to yield further, Mr. Chairman, because I want to call to the gentleman's attention the fact that when he said he was against the committee bill and against the President's proposal and against the Case bill, he also said, "I don't know what is going to happen to the Case bill, but I am 'agin' it." If that is not saying you are "agin" everything and anything, I cannot understand the English language.

Now, I do not yield further, Mr. Chairman.

I referred to some of the strange antics that have been going on. This is what I mean: Some of these good friends of mine on the other side of the aisle complain bitterly of the inclusion of certain provisions for injunctive relief, yet when the gentleman from Ohio [Mr. VORYS], with support of many of us, offered an amendment to strike injunctive action from the contract section of the bill, they voted against that amend ment. Some of them even voted for an amendment to require labor unions to incorporate. I know very well they do not believe in that.

Now, to get down to this particular amendment which I have offered, the bill as drafted provided that these mediation and conciliation operations should go into effect as to the provisions therein contained in respect to employers having 50 or more employees. Obviously, that was put in there as some guide in respect to a determination of the matter of public interest involved, because it is contemplated that the procedures provided for in this section shall be invoked when the public interest is involved. My view is that that figure of 50 is too low. I think it should be 250. I recognize that many disputes between management and men in plants of a less number than 250 employees could have serious consequences for communities, for the men, and for management, but, on the other hand, having regard to the fact that what we are trying to do here is to invoke these procedures when great fundamental public interest is involved, I think the figure should be raised. It should be understood that this amendment applies only to the mediation and conciliation sections of the bill. I believe, in addition to that, it will be understood that the processes of mediation and conciliation as a voluntary matter as offered in controversies would still be available, but this would make the limit apply to those procedures that are outlined definitely in the bill and about which we have had so much discussion.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

The question is on the amendment offered by the gentleman from Indiana.

The amendment was agreed to.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 12 of the Case bill strike out all of section 11 down to and including the word "provisions" in line 2 of page 13 and insert in lieu thereof the following:

"SEC. 11. Violence and intimidation: (a) Whenever any act mentioned in this or any subsequent section shall obstruct or interfere with interstate or foreign commerce—

"(b) It shall be unlawful for any person, alone or acting with another or others, directly or indirectly, by force, coercion, intimidation, or by show or threat of force, or attempt to use force, to force or attempt to force any person to become, be, or remain a

member of any labor organization; or, by force, coercion, intimidation, or threat of force, or attempt to use force, to force or attempt to force any person to refrain from engaging, or remaining in employment, or by force, coercion, intimidation, or by show or threat of force, or attempt to use force, to interfere or attempt to interfere with any employee or other person on his or her way to or from employment, or while seeking employment, which in any way contributes to the production of anything which may become an article of interstate or foreign commerce.

"(c) It shall be unlawful for any labor organization or the officers thereof, or for any other organization or the officers thereof, to commit any of the acts herein made unlawful when committed by a person or a group of persons.

"(d) Interference in the manner prescribed in section 1 with each employee or other person is hereby made a separate and distinct offense."

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent to strike out section (d) of the amendment which makes each interference a separate act.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Virginia. Mr. Chairman, I reserve a point of order and in the meantime I should like to make an inquiry.

Does this amendment carry any criminal penalties?

Mr. HOFFMAN. It does not.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. HOFFMAN. Mr. Chairman——

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield for a question.

Mr. MASON. We have heard in the House for the last 2 days a great deal about the fact that the material in the Case bill is new material. Is it not true that a large part of the material in the Case bill was introduced by the gentleman from Michigan back in 1939? And that practically everything in the Case bill has been introduced by the gentleman and others and has gone to the Labor Committee in the last 6 years?

Mr. HOFFMAN. At one time or another—and some of it before the Committee on the Judiciary.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, this amendment does not in any way affect the purpose of section 11 insofar as prohibiting violence on the picket line, violence anywhere in connection with any strike or any labor dispute.

What the amendment does is to add a paragraph at the top which relates solely to interstate and foreign commerce, an amendment to sections 5 and 13 which have been accepted by the House.

The other provision in it strikes from the committee bill that language which has to do with the issuing of injunctions, which the House has also accepted with reference to section 10 and section 13.

In the Case bill, in line 17 you have language which makes it an offense for anyone to, by force or threat, prevent an individual from quitting his work, and that is as it should be, but the section does not prevent the use directly or indirectly of force, coercion, or intimidation or the show or threat of force, to force a man to join a union or to compel him to pay dues, nor does it protect a man from similar tactics when he is seeking employment. The objectives of the section are good, but its provisions do not go far enough.

I do not want to support legislation which prevents or which destroys the right to strike. As I have stated time and again, if men working want to strike let them strike, but let them get out of the way of individuals who want to work.

This bill does prescribe that it shall be unlawful for anyone to use violence on the picket line, or for anyone to interfere with a man on his way to or from his work. Remember, it does not destroy picketing. Men may picket to their heart's content just as long as they do not go over the line and by force or threat of force prevent a man from going to work.

I may say to the gentlemen on the majority side and to those on this side who are opposed to this legislation that last week there was an article in the Washington Daily News of January 23 last by the American Civil Liberties Union condemning those who use force and violence on the picket line. This amendment goes no further than did that comment by the American Civil Liberties Union and which reads as follows:

THE RIGHT TO PICKET

The American Civil Liberties Union, an organization always active in defending the rights of workers and other citizens, has sent the following statement to heads of national and local labor unions now engaged in strikes:

"The American Civil Liberties Union has always supported the right to picket at any time, at any place, for any purpose. Picketing, as the courts have held, is a form of free speech and assembly and is supported on that principle.

"The only limitations by public authorities on picketing supported by the union are those to keep traffic open for pedestrians and vehicles, to insure access to places picketed, to prevent the use of fraudulent signs, and to maintain order. The union has supported mass picketing where these conditions are met.

"But no claims of the rights to picket justify the use of force to prevent access to plants on strike by those who are willing to cross picket lines. Reports of current strikes show instances in which pickets have prevented access to plants by executive officers, by maintenance crews keeping up such services as heat and lighting, and by clerical workers not members of the striking union.

"These are plain abuses of the right of picketing. In the view of the American Civil Liberties Union, the right of access, not only of these persons, but of any and all others, is undebatable. The two rights—of picketing and of access to places picketed—are not conflicting.

"The present issue, however, goes further than the right of access to places across a picket line. It affects profoundly the rights of organized labor itself, for wherever the use of force by pickets is successful, public sympathy with unions is alienated and encouragement is given to the opponents of labor's rights.

"These excesses connected with picketing are bound to have a disastrous effect in the long run on the basic right to picket. It is, therefore, greatly in the interest of the unions themselves so to control picketing that access to plants is not denied by force.

"Police efforts to keep access to plants open should be supported by responsible leaders; not resisted as some reports indicate. If they are defied, the inevitable result will be resort to the courts by those aggrieved, with consequent injunctions. Even the statutes protecting labor's legitimate rights from injunctions may thus be endangered."

Here is one other thing: Instead of providing a criminal penalty, the amendment follows the Case bill but also provides that those who crack heads beyond the picket line in an effort to force men to join a union in order to work shall lose their special privileges under the National Labor Relations Act.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. The gentleman has made many speeches against force and violence on the picket line.

Mr. HOFFMAN. That is right.

Mr. SMITH of Virginia. The Case bill provides for an injunction so that people can get in and out of their places of business.

Mr. HOFFMAN. Yes.

Mr. SMITH of Virginia. Why does the gentleman withdraw that?

Mr. HOFFMAN. Because there are so many courts, so many judges, so many different opinions. Also because we can end force and violence, the practice of blocking factory entrances by taking from unions the special privileges given them by the National Labor Relations Act, without which they cannot carry on their intimidation and coercion. All you need to do is to read the press. Here one judge grants an injunction; another judge denies an injunction. You see every day in the paper al those varying opinions. If there is one thing that organized labor depends upon for the preservation of its unions it is the fact that it has special privileges under the National Labor Relations Act and if they resort to force and violence, if they destroy property, if they crack heads, and you take away that special privilege, I say that will stop, because they are dependent upon the exercise of that privilege for their power and existence. The section still makes it unlawful to use force.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Minnesota.

Mr. JUDD. Did I understand the amendment included language referring to the threat or an attempt to force somebody to join or not join a union?

Mr. HOFFMAN. It does.

Mr. JUDD. That is beyond the language of section 11. This has only to do with quitting or entering into employment.

Mr. HOFFMAN. The language of this bill prevents anyone interfering through force with a man going to his job or coming away from his job.

Mr. JUDD. But the gentleman has the joining or not joining a union here, as I understand it.

Mr. HOFFMAN. That is right. If you want to permit an organizer to go around with a club and tell John Jones, "Now, John, you join the union, or I will crack your head or give you a black eye." You can do it by rejecting this amendment.

Mr. JUDD. I am only asking for information because I think the House should understand it includes that provision which is beyond section 11 of the Case bill.

Mr. HOFFMAN. Yes. And while there are some to whom the Case bill is the alpha and the omega of labor legislation, some do not so regard it. The amendment prohibits an organizer or a "goon squad" from doing, as has been done in some of the cities, going to a man's home, throwing a brickbat through a window of his home, threatening his wife or children, in order to force him to join the union or pay his dues.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. JENNINGS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan. The gentleman offering this amendment loses sight of the real purpose of the bill we are now considering. This bill has been introduced and it will be passed by this House to give expression to the desire and the will of the great majority of the people of this country for industrial peace. It recognizes and undertakes to protect the public interest in seeking to settle fairly and as quickly as possible all labor disputes affecting the public interest to the end that there may be no interruption in the production and distribution of goods that are absolutely essential to the prosperity, happiness, and health of the people of this country. This measure recognizes the right of labor to organize and bargain collectively with employers. It seeks to protect and strengthen collective bargaining. It recognizes the fact that in a complex industrial system such as ours warfare in one branch of industry closes down plants and throws out of employment thousands and sometimes, as now, millions of men and women in other branches of industry.

The bill does not seek to substitute Government dictation for contracts freely entered into between management and ownership on the one hand and their employees on the other. It sets up governmental machinery to promote the peaceful settlement of labor disputes.

Why is it desirable that management and ownership on the one hand and their employees on the other voluntary negotiate and bargain? In order that they may enter into a contract. Should this contract when made be equally binding and enforceable on both parties? All fair-minded men will readily admit that a contract when it is entered into must not be nullified or destroyed by either employer or employees, whether by a lock-out or a shut-down by an employer, or by willful and unlawful violence on the part of either employer or employees.

Collective bargaining requires that labor be on one side of the table and management on the other side. Management has no right to interfere with or invade a labor union, or to undertake to employ officials of labor unions in order to control the actions of such unions.

On the other hand, when management employs a foreman to represent management in the direction and operation of its business, this foreman, as the respesentative of management, should be true to his trust and represent management.

Section 11 of this act outlaws force, violence, and compulsion on the part of either employer or employee.

The district courts of the United States are given the power to prevent such violence and threats of violence by enjoining the person or persons who are about to commit or who are committing such acts. Congress, in carrying out the will of the great majority of the people of this country, is making a decision for the people through the law and through the enforcement of the law, that this Government of ours shall declare that it has supreme power over all groups of society. Now the amendment offered by the gentleman from Michigan falls short of attaining one of the main purposes of this bill and that is to prevent the use of violence or force by either side in labor disputes. We are not concerned with the question of whether an employee is or is not a member of a labor union. The question here presented is more important than membership or nonmembership in a union. The question of whether or not a man becomes a member of a union or remains a member of a union is, and properly should be, a matter for him to decide. And we are not undertaking to investigate or police the question of whether or not a man is voluntarily or otherwise joining a union. We are undertaking here to provide methods by which such paralyzing strikes as are now being carried on in the automobile industry and in the steel industry, and as are threatened in other great industries may be avoided; first, through collective bargaining; and second, if that fails, through conciliation, mediation, or through voluntary arbitration. We are engaged in an attempt to accomplish this great purpose, and the gentleman from Michigan is undertaking to lead us from the beaten path off into the woods. I am afraid if he were on a bear hunt and was on the trail of the bear and a mouse crossed his path, he would take off after the mouse.

The high command of the CIO and the leaders of its Political Action Committee are undertaking to take over our system of free economy. They have the run of the White House and are undertaking to dictate to the elected representatives of the people of this Nation what action Congress shall or shall not take with respect to passing laws and setting up machinery to preserve our form of government and our system of free economy by free men and women in a free country.

Mr. Walter P. Reuther, international vice president of the United Automobile Workers, CIO, in his telegram to President Truman on Sunday, February 2, clearly reveals the unprecedented and challenging attitude of this organization in its attempt to seize the industry of this country by the throat and to browbeat and dominate the President and Congress. Mr. Reuther in his telegram to the President stated that prices and not wages had become the major issue in the country's labor disputes and charged that industry, spearheaded by Steel and the General Motors Corp., is determined to hijack the American people and the American Government into accepting unjustified price increases that would provide the most outrageous profits in history.

Reuther further stated, in effect, that General Motors and other large corporations were resigned to granting wage increases recommended by the President and then he said his organization is ready to accept those recommendations as a down payment on what it is justly and equitably entitled to.

Not content to speak for those he claims to represent in fighting for higher wages, he lays aside that issue as settled in his own mind and steps over into the field of management and undertakes to preempt, occupy, control, and dominate the field of management and ownership in business, and undertakes to tell them at what prices they shall sell their products. Having thus proclaimed himself the boss, not only of labor but of management and business also, he swaggers onto the floor of Congress and demands that the Congress, at his behest, revise the tax laws so as to punish industry and to deprive it of the relief sought to be afforded industries that have suffered losses by undertaking to produce war supplies for this Government and its allies, and to enable industry to convert its plants from war plants into plants to produce the goods that the people of this country now so desperately need, and to enable them to continue to give to the millions of workers of this country profitable employment. And he states to the President of this Nation in ominous and threatening language: "The fight of the General Motors workers is your fight and the fight of every American. It demands your immediate and militant support." In other words, Walter P. Reuther demands of the President of the United States that he dance to Reuther's music and that he abandon his position as Chief Executive of all the people, a position that should be one of impartiality and fairness, and become a partisan of the CIO in its effort to dominate the industry of this country and to seize control of all branches of the Government.

As a matter of fact, the President has subjected himself to an enfilading fire in this matter.

On the one hand, many commentators, columnists, and close observers of his course of action have said he is an ally of the CIO in these movements that have paralyzed the production of this country. On the other hand, Mr. Reuther and other high-ranking labor leaders have charged that the President, as a result of his mild request for authority to appoint fact-finding boards, and in his request for a 30-day cooling-off period, has deserted the cause of labor and become the enemy of the working people.

In Chicago the other day, Mr. Clark, the head of the CIO meat-cutters organ-

ization, denounced the President's action in seizing the meat-packing establishments in Chicago as that of a strike-breaker, and charged that he had double-crossed the meat cutters.

Let us confine ourselves to the purpose of this bill and not be led astray by the amendment offered by the gentleman from Michigan. Let us not be deterred by these people who are drunk with power. The people of this country may well ask Mr. Reuther: "Upon what meat doth this our Caesar feed that he is grown so great?" By this bill we, as the representatives of all the people, in the discharge of our duty, are determined to establish justice, insure domestic tranquillity, promote the general welfare, and secure the blessings of liberty to every man, woman, and child in this Nation.

Mr. DE LACY. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I always like to listen to the distinguished gentleman from Indiana [Mr. HALLECK]. He goes on in his smooth, forceful, logical way, generally addressing himself to the meat of the problem, very adroitly twisting tails and telling the House many things that lie behind the legislation that is before us today. But the fact of the matter is that it does not make a great deal of difference how you cut labor's throat. It does not make much difference whether you do it with one bill or another bill, with one amendment or another amendment. The plain fact of the matter is that here is labor today representing the great body of the American people who are trying to keep their living standards up in the face of slashes that have come during this reconversion period. It is not their fault that their wages are lower. It is not their fault that they are out of work. Only half of those employed in 1944 in my congressional district are working today. Now, are those men and women with families supposed to like that situation? They are out of work, and the ones that are working have had their pay cut up to 30 percent. These great strikes that have swept across the face of this Nation are the expressions of the determination of the American people not to yield to that wage cutting, not to yield supinely, not to surrender their livelihood and their bread and their family's welfare to unemployment, to wage cuts. This legislation we have before us today is meant to stab the valiant representatives of the great mass of the American people in the back.

Labor is engaged today in a life-and-death struggle with the most powerful corporations this country has ever seen. This legislation is a stab in the back of those patriotic American men and women who are fighting the battle of the farmers through their efforts to have higher wages, and who are fighting the battle of the consumers against the effort of the great corporations to smash the price levels.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. DE LACY. I yield to the gentleman from Indiana.

Mr. HALLECK. Would the gentleman make about the same statements concerning President Truman's fact-finding proposal?

Mr. DE LACY. I would say that President Truman unfortunately thought he could appease some of the enemies of labor by putting a 30-day cooling-off period in his bill. I think that fact finding is desirable.

Mr. HALLECK. The gentleman would in effect and substance make about the same statements about the fact-finding proposal sent up here by the President?

Mr. DE LACY. I would say that any effort which weakens labor's bargaining position when it is across the table from the most powerful corporations in America weakens labor and destroys the whole economic position of the American people.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. DE LACY. I yield with pleasure.

Mr. RANDOLPH. I hope that the gentleman will not insist that the President of the United States desires to weaken or strengthen any group in this country during the period of reconversion. He said to this Congress and to the American people that during this period of reconversion he wanted the production of essential consumer goods to be made as quickly as possible available to the American people. That is the reason the President's proposal is here. He said for that reason it would be used as an instrumentality only in the extreme cases where the public interest was involved. The gentleman certainly does not want to misconstrue the President's request for legislation.

Mr. DE LACY. I cannot misconstrue the plain provision which puts a curb on labor's power to bargain with the most powerful monopolies in this country. Why do we not get down to business on the full employment bill? Why do not we get down to business on the 65-cent minimum wage bill? Why do we not pass some housing legislation? Why do we not put suits and shirts on the backs of these veterans who are coming back? Why do we not do something to relieve these economic strains instead of trying to fuel the fire which has grown so hot that it has scared some of the distinguished Members on the other side of the aisle. You came in with a bill, a bill to carry us back to the days before the injunction was taken away from the employer-minded courts, one of the most vicious bills I have ever seen. What has happened? You have become so frightened that you are running in 16 directions. It is laughable.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. SLAUGHTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I listened with great interest to the gentleman from Washington who has just spoken, and in particular I paid close attention to one or two of his statements. One statement was to the effect that it does not make any difference how you cut labor's throat as long as you do it. I do not quite know how to interpret that remark. The amendment we are discussing now goes to section 11 which is the section which seeks to prevent force and violence. It is my own thought, and I would offer the suggestion to the gentleman from Washington, that the man or men who cut the throats of labor are the men who endorse, and who bring about practices which are calculated to bring labor into disrepute. I challenge any Member of this House who is on the floor today who prides himself on being a friend of labor to get up and condone the practice of force and violence. The proposition, of course, is so absurd that no one will do it.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. SLAUGHTER. I yield.

Mr. GALLAGHER. You are assuming that labor is the cause of all these strikes. I want to ask you, if the soldier who has been fighting in the Pacific comes and gets the same job that one of the laborers had at this time, would he get the same wages or would he get lower wages?

Mr. SLAUGHTER. I have no idea how to answer the gentleman's question, because I do not understand it.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. SLAUGHTER. I yield to the gentleman from New York.

Mr. MARCANTONIO. I think the gentleman should point out just what section 11 does. Is it not a fact that, under section 11, you give the courts the power to enjoin labor from doing things which have been considered sacred since 1932 under the Norris-LaGuardia Anti-Injunction Act?

Mr. SLAUGHTER. Why certainly not. The gentleman, good lawyer that he is, does not think that. If he does, he has not read the Norris-LaGuardia Act in some time. Does the gentleman say for one moment that the Norris-LaGuardia Act ever gave anybody the right, title, or patent to the right to resort to violence? Of course not.

Mr. MARCANTONIO. Of course not. But it gave labor certain guaranties. Has the gentleman read section 114 of the Norris-LaGuardia Act?

Mr. SLAUGHTER. I do not know the number, but I am familiar with the Norris-LaGuardia Act. Let me ask the gentleman a question. Does the gentleman say that force and violence should not be restricted? Does the gentleman say that force and violence should not be restricted whether by injunction or by the policeman on the beat or by public opinion, or more important, by the labor leaders themselves, who should be responsive to public opinion and to the welfare of their members?

Mr. MARCANTONIO. In answer to the question of the gentleman which he put to me, we say that the issue here is that you are attempting to use a ban against force and violence realistically and in effect to deprive labor of its right to peaceful picketing, its right to advertise, and its right to do everything else.

Mr. SLAUGHTER. Apparently the gentleman has not read the section.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. SLAUGHTER. I yield to the gentleman.

Mr. HALLECK. The statement just made by the gentleman from New York,

of course, is one of those statements that involves an opinion to which he has a right, but it is so far-fetched that I am quite sure no one would be taken in by it. Now, I wonder if the gentleman from New York would insist that in any action that the Government ever took it undertook to legalize assault and battery or worse, or malicious trespass or destruction or seizure of property?

Mr. SLAUGHTER. Of course, the answer to the situation is simple. I have heard the question asked dozens of times, in committee rooms and on the floor, of numerous persons who purport to represent labor, and I use the word "purport" advisedly, as to whether they condone force and violence, and they never give you an out-and-out answer because the only answer that decent people would accept is, "No." Instead, they beat around the bush and try to evade the issue. This section merely seeks to prevent these practices which no decent man or woman in this country can condone.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, who is the true friend of labor—those who seek to eliminate force and violence, or those who take the position that labor can do no wrong? This morning I received a letter from a laboring man whose home is in Seattle, Wash. He says:

I happen to be a veteran of World War II—just returned—and a member of the Electrical Engineers Union of Seattle, Wash.

The head of our own union has written me in answer to a letter I wrote him on this subject, and he admits that the Wagner Act is all one-sided in labor's favor, and the Smith-Connally Act also. And that the Norris-LaGuardia Act was a mistake, because it prevents injunctions, and the leaders have no way of keeping the outlaws in line if employers can't get injunctions against violent picketing.

Something was said by the gentleman from Washington about hurting labor. Who is hurting labor today? Listen as I read further from this letter:

My wife and I hear white-collar people everywhere, people who don't own businesses or belong to labor unions, but are just workers, and they are sick of strikes and sore as the devil at the union leaders. I don't care where you go, you get it on all sides. They know it's labor-union leadership that is taking the initiative in all these strikes, and then trying to kid the public that they are being forced to strike. Yes, forced to hold their big jobs. They ask me why I still belong to any union, all my friends, and they used to be so sympathetic to labor. But they hate all unions now.

I have been getting a great deal of correspondence, as you may imagine, but here is one from San Francisco, Calif:

I do hope your bill on labor situation will come to a favorable vote as conditions are very bad here on the Pacific coast. There is violence on the picket line nearly every day. I enclose a set of pictures showing a case. Also, strikers follow home workers who are only luke warm toward the strike, and throw creosote stink bombs through their home windows, and in several cases have beaten up men who are not strong enough for the strike.

Often the letters say it is not the workers, not the employees, but persons hired by radical strike leaders simply for the purpose of carrying on the rough stuff.

If you take out this injunction provision, you have no way of getting at the hired racketeers on the picket line. There is no place for the hired thug by either side to an industrial dispute.

Now, as far as the suspension of the Norris-LaGuardia Act is concerned, all we do is to suspend it to get a restraining order on force and violence or threat thereof. We believe their use is an unfair-labor practice. That same thing is provided in the National Labor Relations Act. The National Labor Relations Act carries a section which suspends the Norris-LaGuardia Act in exactly the same language as we have here, if an employer engages in unfair-labor practice.

I submit to you that when violence goes on as described in these letters coming from all over the country, then certainly innocent people who want to go back to work are entitled to the protection of the law against force and violence.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. HALLECK. I want it understood that, in my opinion, this amendment should be defeated.

To my mind, the issue here is one of whether or not we are going to do what we can to maintain law and order. The amendment otherwise is objectionable because it seeks to get to the matter of people joining unions or not joining unions. I think that should not be injected here.

For the benefit of those who may not have heard me the other day, the Civil Liberties Union came out with a statement that I would like to read to you, because I think it has an important bearing on this proposition. The Civil Liberties Union certainly has been in the forefront of those who have insisted upon protection of the civil liberties of a citizen. Yes, and some who get so vehement in their opposition to some of these measures might well practice on these occasions, their expressed devotion to the protection of civil liberties.

But no claims of the right to picket justify the use of force to prevent access to plants on strike by those who are willing to cross picket lines. Reports of current strikes show instances in which pickets have prevented access to plants by executive officers, by maintenance crews keeping up such services as heat and lighting, and by clerical workers not members of the striking union.

Then, there is this additional paragraph:

These are plain abuses of the right of picketing. In the view of the American Civil Liberties Union, the right of access, not only of these persons, but of any and all others, is undebatable. The two rights—

And I ask the gentleman from New York [Mr. MARCANTONIO] to pay attention to this—

The two rights—of picketing and of access to places picketed—are not conflicting.

I agree with that statement. I do not think it is a fair statement of the problem to accuse anyone who thinks that something should be done, that what he seeks to do is destroying the right of picketing.

Mr. CASE of South Dakota. Letters from all over the country are telling about incidents where force and violence are used. Here is one from Ohio, where a small bakery man was set upon by 12 men, his delivery truck upset and himself assaulted and beaten up, just because he was delivering the bread he had made, using his own truck.

I urge you to reject the pending amendment; all we are asking is the authority to get restraining orders to protect innocent people from force and violence and threats of violence.

The CHAIRMAN. The time of the gentleman from South Dakota [Mr. CASE] has expired.

Mr. SMITH of Virginia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, here is an amendment with a great many words. It has just been read once, and nobody knows what it does or what it purports to do, with the exception of the gentleman from Michigan [Mr. HOFFMAN], who offered it.

Mr. HOFFMAN. Mr. Chairman, will the gentleman give me time to explain it to him?

Mr. SMITH of Virginia. The gentleman had 5 minutes to explain it.

Mr. HOFFMAN. Everybody seems to be satisfied but you.

Mr. SMITH of Virginia. I do not know of anybody who is satisfied.

Now we have, as has been explained here, a provision against violence. There is not any person in this House who is right thinking——

Mr. BRADLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I do not yield.

There is no right-thinking person in this House who will get up on this floor, I believe, and assert the right of labor unions or anybody else to hit somebody over the head with a lead pipe because they want to approach and enter their own premises. If there is I hope he will follow me and justify his opposition.

I had expected assaults against certain features of this bill from many sources in the House, but I did not expect it to come from the gentleman from Michigan, who has been wailing in the wilderness for the correction of these abuses. I can only say to him in the words of Shakespeare: Thou, too, Brutus! I hope the House will defeat his amendment.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield? The gentleman just thinks he is the only fellow who knows anything about it.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, an effort has been made here by the gentleman from Missouri [Mr. SLAUGHTER] the gentleman from Virginia [Mr. SMITH], and the gentleman from Indiana [Mr. HALLECK] to make the country believe that the objective of section 11 in the Case bill is to abolish alleged violence in an industrial dispute. That is not the fact. The real objective of section 11 is to destroy the rights of

labor, guaranteed by section 114 of the Norris-LaGuardia Act. No amount of smoke screen about violence can change these facts. You say that you seek to prohibit violence, but in fact you seek to enact strike-breaking laws.

We are asked: Are we against violence? Of course, we are all against violence. It is just like asking somebody if he believes in beating his grandmother.

What we are opposed to is the repealing of the guarantees set forth in section 114 of the Norris-LaGuardia Anti-Injunction Act; guarantees of picketing, peaceful assembly, and so forth. The Norris-LaGuardia law specifically states that no court of the United States shall have jurisdiction to issue any restraining order or temporary or permanent injunction in any case involving or growing out of any labor dispute, to prohibit any person or persons participating or interested in such dispute from doing, whether singly or in concert, any of the following acts:

The following are the acts which I again shall put in the RECORD although I placed them in the RECORD last Friday:

(a) Ceasing or refusing to perform any work or to remain in any relation of employment;

(b) Becoming or remaining a member of any labor organization or of any employer organization, regardless of any such undertaking or promise as is described in section 3 of this act;

(c) Paying or giving to, or withholding from, any person participating or interested in such labor dispute, any strike or unemployment benefits or insurance, or other moneys or things of value;

(d) By all lawful means aiding any person participating or interested in any labor dispute who is being proceeded against in, or is prosecuting, any action or suit in any court of the United States or of any State;

(e) Giving publicity to the existence of, or the facts involved in, any labor dispute, whether by advertising, speaking, patrolling, or by any other method not involving fraud or violence;

(f) Assembling peaceably to act or to organize to act in promotion of their interests in a labor dispute;

(g) Advising or notifying any person of an intention to do any of the acts heretofore specified;

(h) Agreeing with other persons to do or not to do any of the acts heretofore specified; and

(i) Advising, urging, or otherwise causing or inducing without fraud or violence the acts heretofore specified, regardless of any such undertaking or promise as is described in section 3 of this act.

Let me ask a question of the adroit gentlemen who by this bill now attempt to repeal these sacred provisions whether or not an injunction against violence can be obtained under the Norris-LaGuardia Act. Of course it can. The Norris-LaGuardia Anti-Injunction Act specifically provides for injunction against violence. Under that law the court can enjoin acts of violence and fraud, but it cannot enjoin certain specific legitimate activities which I have enumerated.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. Not at this moment.

Let us look at what section 11 does. It gives the courts the power to enjoin labor from exercising any of the rights enumerated under section 114 of the Norris-LaGuardia law. Here is the trick in this bill, Mr. Chairman: Section 11 states that the court can enjoin against violence in any manner in which it deems appropriate notwithstanding the Norris-LaGuardia Anti-Injunction Act. This is specifically stated on page 12, line 20, of the Case bill. Do you get the trick in it? Or do you not get it? You come here and tell us that you are against violence. Well, the Norris-LaGuardia law provides for injunctions against violence. Then, why section 11? The answer is clear. Your object is not to legislate against violence, but to vitiate labor's rights to conduct a strike, guaranteed under section 114 of the Norris-LaGuardia Act. If not, why the following language in this section 11 of this bill, "Notwithstanding the act of March 23, 1932, entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts in equity, and for other purposes.'"

This is the law commonly referred to as the Norris-LaGuardia Act.

Yes; why this language? If you do not seek to repeal this Norris-LaGuardia law, if you are not trying to deprive labor of the rights established under this law, if you are not attempting to pass a strike-breaking bill, why do you have the language in section 11 of your bill, which specifically states that the courts can issue orders notwithstanding the Norris-LaGuardia Act? Why? Because in this period of industrial strife you seek to take away every protection that labor has had and give every advantage to the corporations. You say you are opposed to violence. So are we. Violence is provided against in the existing Norris-LaGuardia law. We stand by that law. We are likewise against violence being done to the sacred, fundamental, democratic rights of the working people in these United States. Where do you stand on that? You stand by the language of your section 11 of your bill.

Mr. SLAUGHTER. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. Not at this time.

Mr. SLAUGHTER. I wanted to help the gentleman.

Mr. MARCANTONIO. The gentleman is supporting section 11. Maybe he has changed his mind now, but I doubt it.

Mr. Chairman, again I repeat, section 11 states that the district courts of the United States shall have jurisdiction notwithstanding the act of March 23, 1932, entitled "An act to amend the Judicial Code," and so forth. That is the Norris-LaGuardia Anti-Injunction Act. Under section 11 the court can enjoin violations and threatened violations of any of the provisions of the section by appropriate order or decree.

Who decides what is appropriate? The court. It is given the power, under the pretext of enjoining against violence, to enjoin labor from doing any of the things guaranteed under the Norris-LaGuardia Act, because section 11 states that the court may issue any appropriate order notwithstanding the Norris-LaGuardia law.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MARCANTONIO. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

Mr. STEWART. Mr. Chairman, reserving the right to object, will the gentleman yield to me?

Mr. MARCANTONIO. Mr. Chairman, I refuse to bargain. I have asked unanimous consent to proceed for 2 minutes. I would not object to the gentleman if he asked for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. Mr. Chairman, I say once again—and I cannot say it too often—get this straight—the Norris-LaGuardia Anti-Injunction Act provides that the courts can enjoin against violence. It provides, though, the courts cannot enjoin against peaceful picketing, against the right of assembly and against the right of advertising a strike. In section 11 of the Case bill, however, you say that the courts can enjoin anything they want to as long as the court deems it appropriate, notwithstanding the guaranties set forth in the Norris-LaGuardia Act. The Norris-LaGuardia antiinjunction law gives the courts the power to enjoin against violence, limits the power of the courts, so that the courts cannot enjoin labor from the exercise of certain rights. The Case bill does not limit the courts and gives them the power to enjoin labor from the exercise of its legitimate rights. That is the difference between the Norris-LaGuardia law in section 11. One provides against violence and protects the legitimate and lawful activities of labor; the other provides against violence but leaves labor without protection in carrying on its lawful and legitimate activities. Therefore, do not tell us that you are here to enjoin violence. You have that in the existing law. What you are doing with this bill is to enjoin against the right to strike and continuing that strike in a peaceful manner.

Mr. SLAUGHTER. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Missouri.

Mr. SLAUGHTER. I know the gentleman wants to be fair. He has enumerated all of these things that the Norris-LaGuardia Act does, but let me direct his attention to page 12 wherein the section provides, does it not, that it shall be unlawful for any person (1) by use of force and violence to prevent or attempt to prevent any individual from quitting or continuing employment, and so forth.

Mr. MARCANTONIO. Yes. But why do you specifically say in section 11, notwithstanding the Norris-LaGuardia Anti-Injunction Act, and why do you give the court the power to issue any order which it deems appropriate? I will tell you why. Because you want to repeal the right to peaceful picketing. You want to repeal the right to free press and peaceful assemblage. Do not talk of merely seeking to enjoin violence when you speak of section 11.

Mr. SLAUGHTER. Does the gentleman find all that in there?

Mr. MARCANTONIO. Yes; and the language of section 11 tells the story.

The difference between the gentleman and me is that he favors section 11, which destroys labors rights, and I favor the continuance of the Norris-LaGuardia Act, which provides for action against violence and also protects labor in its lawful and legitimate endeavors. You are trying to cripple organized labor, and I seek to protect it, when it is striking for a living wage.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. GALLAGHER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I want to say as far as violence is concerned that there are 48 States in this Union and every one of them has laws against violence. They are enforced in most cases. Mr. Chairman, if strike legislation such as the Case bill proposes is passed by this House you will see an increase in the price of farm machinery of at least 50 percent. Let some of these farmer supporters of this legislation take note of that.

Mr. HALE. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Michigan.

Mr. Chairman, I think that if we consider that amendment temperately and coolly we will perceive that it essentially strengthens section 11. Let me point out that it simply supersedes the first two sentences of section 11. All the matter in section 11 beginning on line 2 of page 13 down to the end is preserved in the Hoffman amendment. The Hoffman amendment does strike from section 11 the very dubious provision in the second sentence of that section in regard to the Norris-LaGuardia Act. The gentleman from South Dakota has pointed out that the Norris-LaGuardia Act is affected to some extent by the National Labor Relations Act. I do not think that anybody has made a sufficient study of the Norris-LaGuardia Act to warrant repealing it in any particular or limiting it with respect to the situation with which this section attempts to deal. I think that when we get into tampering with the Norris-LaGuardia Act we do something to which the objections of the gentleman from New York are entirely legitimate. I believe that the amendment offered by the gentleman from Michigan will make votes for this bill. It will prevent lawsuits if the bill passes and it will make a better piece of legislation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was rejected.

Mr. HAYS. Mr. Chairman, I move to strike out the last word.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. Mr. Chairman, I feel that when the gentleman from Arkansas has concluded—I knew of his desire to speak, having talked with him earlier in the afternoon—that the Committee should rise. Is there any feeling of extreme opposition to that desire on the part of your Chairman?

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I wonder if we might be advised by the Chair whether or not there are many amendments at the desk pending on the Case amendment.

The CHAIRMAN. There are 16 amendments pending. Two of those are to the Adams substitute. I am not sure that all of them will be offered.

Mr. CASE of South Dakota. I understand that there are several Members of the House who have an invitation to attend the White House reception this afternoon, in alphabetical series. That applies to both sides of the aisle. I think we ought to let those Members feel that they can go and attend the reception, as much as I would like to proceed.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Georgia.

Mr. COX. I am informed that there are several Members who have engagements for next Monday that will probably keep them until Thursday. Would they be safe in going ahead with those engagements?

Mr. RANDOLPH. I think we can finish tomorrow.

Mr. HAYS. Mr. Chairman, before I yield further, may I say that my announcement will be very brief, and I hope to discourage a sudden exodus if the agreement to rise is reached.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Ohio.

Mr. BENDER. I understand the conference report on the full employment bill will come up tomorrow. That will take some time. Does the gentleman feel under those circumstances that we are going to be able to vote on this bill tomorrow?

Mr. RANDOLPH. Mr. Chairman, if the gentleman will yield, I have not been advised that the conference report on the full employment bill is being brought to the floor tomorrow, but I do ask the majority leader if he has any statement to make regarding it.

Mr. McCORMACK. I will state now that the conference report on the full employment bill will be the first order of business tomorrow.

Mr. HAYS. Mr. Chairman, last Friday I made an announcement regarding my intention to submit a substitute for the proposed Case amendment. I included a detailed statement of its purposes. Those of you who had occasion to read it will recall that I based my substitute upon the plan embraced in the Ball-Burton-Hatch bill. On yesterday I introduced a bill, H. R. 5367, containing in modified form the principles of that measure. However, I have eliminated provisions for compulsory arbitration of class 2 disputes, that is, those pertaining to the making of agreements concerning wages and conditions of employment, and also, I have struck out the provisions relating to reorganization of the National Labor Relations Board—section 13. My bill is similar in some respects to the ones presented by the gentleman from New Hampshire [Mr. ADAMS] and the gentleman from California [Mr. VOORHIS], but conveys certain enforcement powers upon the Federal Board not found in the other measures. It may be possible to consider some of these provisions as amendments to the pending substitute by the gentleman from New Hampshire. I do not submit it necessarily as a rival measure because I would be glad to see the Adams substitute strengthened and adopted.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Georgia.

Mr. COX. I am interested to know if the gentleman is opposed to the Case bill?

Mr. HAYS. I am in its present form, yes. As indicated, the substitute which I shall offer is H. R. 5367, and is available in the Chamber. I hope tomorrow to have more to say in elaboration upon this proposal. I should like to point out however, that in giving the Board power to invoke court action to prevent the parties from violating duties imposed by the act, including that of maintaining conditions pending exhaustion of settlement efforts, the bill makes the machinery for peace as effective as possible. Violations of such duties, imposed by section 3 of the bill, by an employee, would deny such employee rights to reinstatement under the Wagner Act and should operate as a real deterrent to grievance strikes. The provisions relating to the settlement of strikes over the application of existing contracts are particularly effective.

Mr. RUSSELL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. O'NEAL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 4908) to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes, pursuant to House Resolution 500, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. HOWELL asked and was given permission to extend his remarks in the RECORD and include a magazine article.

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD and include an article by Samuel B. Pettengill, former Member of the House of Representatives.

Mr. CUNNINGHAM asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. H. CARL ANDERSON asked and was given permission to revise and extend the remarks he made in the Committee of the Whole and include certain newspaper articles.

Mr. JENNINGS asked and was given permission to revise and extend the remarks he made in the Committee of the Whole and include certain excerpts from articles.

Mr. JUDD asked and was given permission to extend his remarks in the RECORD and include excerpts.

Mr. SADOWSKI asked and was given permission to extend his remarks in the RECORD and include two newspaper editorials.

Mr. HOFFMAN asked and was given permission to extend his own remarks in the RECORD on two subjects and include some excerpts.

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD and include a telegram.

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. PHILLIPS] is recognized for 1 hour.

FURTHER EVIDENCE OF OPA INACCURACY

Mr. PHILLIPS. Mr. Speaker, yesterday afternoon on the floor of the House I gave certain information and certain statistics in order to place before you and the Members of the House a clear picture of the propaganda campaign which has been carried on by the OPA in an effort to continue its own existence. I referred to the method, characterizing it as the Hitler-Bowles method. Mr. Speaker, in order that I may place in the RECORD the evidence that this propaganda campaign is not confined exclusively to citrus, which I used as an illustration yesterday, I wish to submit further data at this time on poultry.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from California.

Mr. VOORHIS of California. I listened to the gentleman yesterday. I am not sure I agree with the gentleman about motives, but I do agree with the gentleman tha the selection of the time for the removal of ceilings on citrus fruit and the period during which those ceilings were removed could not have been better chosen, if it had been desired, to try to indicate that the removal of ceilings would be an impractical proposition. I feel as the gentleman does, I believe, that had the ceilings either been removed much earlier or had they been kept off for a longer period, we would have seen much different results from the removal of ceilings on citrus fruit.

Mr. PHILLIPS. I thank the gentleman very much.

May I ask the gentleman if he does not agree with me that when the ceilings were removed in November that the OPA in a press release at that time said they would be left off for 60 days?

Mr. VOORHIS of California. I do not quite agree with the gentleman on that. I think they said they would be suspended for a period of not to exceed 60 days. But I do not think they were precluded from putting them back on in the meantime if they could get an agreement from Judge Collett's office to do so.

Mr. PHILLIPS. I also would ask the gentleman, who is very familiar with the citrus subject, representing a citrus-growing district, and being a member of the Committee on Agriculture, when he finds this situation to exist with citrus, and then finds similar inaccuracies in the figures with relation to poultry, and similar inaccuracies as regards other commodities, does he still think it is all accidental?

Mr. VOORHIS of California. No; I agree with the gentleman that, for example, on the poultry figures I have not agreed with the OPA cost figures at all because they have omitted any consideration of interest on investment. They have omitted, it seems to me, any consideration of an adequate return to the farmer himself and a number of other things.

THE OPA AND POULTRY STATISTICS

Mr. PHILLIPS. I thank the gentleman very much, because that is the information I am about to put in the RECORD. I go back to a hearing held either before the Committee on Agriculture or before representatives of the poultry groups back in May of this year. I took down the figures very carefully at that time, and they indicated that the net cost to the producer of poultry on the Pacific coast was approximately 1 cent per broiler. Now, a market broiler weighs about 3 pounds; consequently, on an average for the entire west coast, it meant that the profit for the poultry producer was one-third of 1 cent per pound.

In order to arrive at that profit it was necessary for the OPA to take the average of the cost of all producers in the area, and, furthermore, to count in the sales of various items which are produced incident to the production of poultry, including fertilizer. In other words, it was a very rare producer, on the average, who could have made even one-third of one cent.

These were the OPA's own figures. There was no question of them at the time. So when the surplus came in the poultry industry, and recalling Mr. Bowles' own statement, which I placed in the RECORD yesterday, that he intended to take the ceiling off just as soon as any item was in surplus, and that he intended to do it a little too soon rather than a little too late—when that surplus in poultry came about and nothing happened, and the ceilings were not taken off, the Committee on Agriculture, through a subcommittee, of which the gentleman from Georgia [Mr. PACE] was chairman, called representatives of the OPA to the committee room and asked them, "Why not?"

I wish to read, therefore, one or two of the comments made at that meeting. Mr. Bowles was present in person. A statement was read for him, because of a slight throat condition that made it impossible for him to read it himself. It was read by Mr. Timm. After the statement was read, I quote from the transcript:

Mr. PHILLIPS. Mr. Chairman, it is a known fact that the OPA's figures are inaccurate.

Mr. Bowles said:

Excuse me for disagreeing, Mr. PHILLIPS.

Mr. PACE said:

I am sure the figures will be checked, and I am quite sure that Mr. Bowles has checked them.

Now, let us see. The gentleman from California [Mr. VOORHIS], who just contributed to what I am now saying on the floor, said:

I would like to ask one specific question. I want to ask whether the figures shown in the table which you have submitted include any calculation of the farmer's own time, or do they just include his cash output? In other words, when you say in California that there is a margin of profit of 5.4 cents per pound, is there any calculation there for payments for the farmer himself or his own time?

Please note that Mr. Bowles, in that statement on November 14, set up a figure of 5.4 cents per pound profit, although his own statisticians a few months before had shown the profit to be one-third of 1 cent.

The spokesman for Mr. Bowles replied:

The figure includes all costs except the farmer's labor. It includes any hired labor which he has and any interest on his investment.

Please notice that last sentence particularly.

I then said to Mr. Bowles, jokingly, "May I ask Mr. Bowles whether he now agrees or disagrees with me?"

Mr. PACE then proceeded to say that since there was a question regarding these poultry figures, that we take a representative of the OPA, a representative of the Committee on Agriculture, and a representative of the Department of Agriculture and that they analyze Mr. Bowles' statistics. This was done.

Before the committee adjourned, however, Mr. Bowles having already said, through his spokesman, that they did not include the labor of the farmer but they did include hired labor, Mr. Bowles was again asked by the gentleman from California [Mr. VOORHIS], "Does it include hired labor?" The spokesman said that it included hired labor. There was immediately a little whispered consultation among representatives of the OPA.

The spokesman then said:

No; it does not include hired labor; I am wrong about that.

Let me call to your attention, therefore, Mr. Speaker, that these figures, presented as net profit to the farmer, by the OPA to the Committee on Agriculture of the House of Representatives were inaccurate in that they did not include the farmer's labor, the labor of any member of the farmer's family, any hired labor that he may have had to pay for; nor did it include any interest on his investment.

Mr. Speaker, that is so obviously a deliberate misrepresentation that I know no other word by which to designate it. Again, I classify it as the Hitler-Bowles method of propaganda, to secure for the OPA a sort of good will on the part of the housewives of America, who do not understand that by this method their prices have been kept up on any commodity in surplus, rather than kept down.

And, so, Mr. Speaker, finally I should like to submit and have printed in the RECORD a letter from the chairman of that subcommittee, the gentleman from Georgia [Mr. PACE], a distinguished member of the Committee on Agriculture, which he wrote to Mr. Chester Bowles on December 4 as a result of the report made to him by this examining committee of three to which I have already referred. I quote the letter in full:

DEAR MR. BOWLES: You will recall that on November 14 you appeared before and made a statement to the House Committee on

Agriculture with reference to the poultry situation and the advisability of suspending ceiling prices.

You will also recall that several members of the committee questioned the figures you used as the basis for your argument and it was agreed that the committee's attorney, a representative from your office, and a representative from the Department of Agriculture would make an analysis and report on your statement.

I enclose herewith a copy of the analysis of your statement and I am wondering if you will not agree that your statement was misleading, not authorized by the facts, and goes a long way in justifying a statement made to you in the meeting by Congressman JOHN PHILLIPS to the general effect that Members of Congress cannot rely upon the figures issued by the Office of Price Administration.

Sincerely yours,

STEPHEN PACE,
Member of Congress.

BANKING AND CURRENCY COMMITTEE SHOULD EXAMINE OPA FIGURES

Mr. Speaker, I bring this to the floor today for two reasons: First, that it may be apparent to the Members of Congress that this is not alone a problem of the citrus industry, but that it affects all the figures, all the statistics, all the charts, and all the booklets put out by the OPA for the benefit of the trusting housewives of America; and, second, because beginning I thought today, but apparently beginning Thursday, the Committee on Banking and Currency will begin to hear the OPA, and its first witness will be Mr. Bowles himself. He will without question present some very beautiful charts and some very beautiful figures. My hope is that the Committee on Banking and Currency will do what the Committee on Agriculture did, appoint examiners to examine the figures presented by the OPA.

I yield back the balance of my time.

PERMISSION TO ADDRESS THE HOUSE

Mr. PHILLIPS. Mr. Speaker, I yield back the balance of my time, after making the request that I may have a reservation to address the House for 30 minutes on Monday next following the special orders heretofore entered for that day.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 102. An act to amend section 2 (b) of the act entitled "An act extending the classified executive civil service of the United States," approved November 26, 1940, so as to provide for counting military service of certain employees of the legislative branch in determining the eligibility of such employees for civil-service status under such act;

S. 765. An act concerning the establishment of meteorological observation stations in the Arctic regions of the Western Hemisphere, for the purpose of improving the weather forecasting service within the United States and on the civil international air transport routes from the United States;

S. 1467. An act to provide for adjustment between the proper appropriations of the unpaid balances in the pay accounts of naval personnel on the last day of each fiscal year, and for other purposes;

S. 1545. An act to amend article 38 of the Articles for the Government of the Navy; and

S. 1631. An act to provide for the payment on a commuted basis of the costs of transportation of dependents of certain persons entitled to such transportation, and for other purposes.

ADJOURNMENT

Mr. HAVENNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; thereupon (at 5 o'clock and 8 minutes p. m.) the House adjourned until tomorrow, Wednesday, February 6, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

Subcommittee No. 1 of the Committee on the Judiciary has postponed until Thursday, February 7, 1946, the hearing originally scheduled for Wednesday, February 6, 1946, on the bill, H. R. 5089, to amend the First War Powers Act, 1941. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 2 p. m. on Thursday, February 7, 1946, to continue hearings in its study of operations pursuant to the Public Utility Holding Company Act of 1935, in room 1304, House Office Building.

COMMITTEE ON THE CENSUS

The Committee on the Census will hold hearings on H. R. 4781 on Thursday morning, February 7, at 10 o'clock, in room 1012.

THE COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold open hearings Thursday, February 7, and Friday, February 8, at 10:30 a. m. on the bills H. R. 2346, H. R. 2180, H. R. 2449, and H. R. 3500.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1034. A communication from the President of the United States, transmitting estimates of appropriation amounting to $1,144,000 and an increase in a limitation for the Department of Agriculture for the fiscal year 1947, in the form of amendments to the Budget for said fiscal year (H. Doc. No. 452); to the Committee on Appropriations and ordered to be printed.

1035. A letter from the Administrator, Surplus Property Administration, transmitting a report on shipyards and facilities; to the Committee on Expenditures in the Executive Departments.

1036. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to reenact and amend the organic act of the United States Geological Survey by incorporating therein substantive provisions confirming the exercise of long-continued duties and functions and by redefining their geographic scope; to the Committee on Mines and Mining.

1037. A letter from the Attorney General, transmitting a report showing the special assistants employed during the period from July 1 to December 31, 1945, under the appropriation "Compensation of special attorneys, etc., Department of Justice"; to the Committee on Expenditures in the Executive Departments.

1038. A letter from the Secretary of State, transmitting a draft of a proposed bill to amend section 540 of title 10 and section 441 (a) of title 34 of the United States Code providing for the detail of United States military and naval missions to foreign governments; to the Committee on Military Affairs.

1039. A letter from the Administrator, Federal Works Agency, transmitting the sixth annual report of the Federal Works Agency for the fiscal year ended June 30, 1945; to the Committee on Public Buildings and Grounds.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUNKER:

H. R. 5377. A bill to provide for permanent preservation as historic relics of the silver service, ship's bell, and name plate from the battleship U. S. S. *Nevada;* to the Committee on Naval Affairs.

By Mr. DE LACY:

H. R. 5378. A bill to authorize the disposal agencies under the Surplus Property Act of 1944 to lend or donate surplus camping equipment to the Boy Scouts of America and other organizations; to the Committee on Expenditures in the Executive Departments.

By Mr. GIBSON:

H. R. 5379. A bill to amend section 800 (b) of the Servicemen's Readjustment Act of 1944; to the Committee on World War Veterans' Legislation.

By Mr. KEOGH:

H. R. 5380. A bill to provide for the conferring of the degree of bachelor of science upon graduates of the United States Merchant Marine Academy; to the Committee on the Merchant Marine and Fisheries.

By Mr. MERROW:

H. R. 5381. A bill to provide Members of the House of Representatives, Delegates, and Resident Commissioners in Congress with additional copies of the daily edition of the CONGRESSIONAL RECORD; to the Committee on Printing.

By Mr. PETERSON of Florida:

H. R. 5382. A bill to establish and maintain in the General Land Office a record of title to all lands held by the Federal Government; to the Committee on the Public Lands.

By Mr. BARRY:

H. R. 5383. A bill authorizing the construction of a new hospital and diagnostic center in the county of Queens, city and State of New York; to the Committee on World War Veterans' Legislation.

By Mr. CAMPBELL:

H. R. 5384. A bill granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River, at a point between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

H. R. 5385. A bill granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River, at a point between the boroughs of Belle Vernon, in Washington Township, Fayette County, and Speers, in Fallowfield Town-

ship, Washington County, and in the Commonwealth of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

By Mr. CORBETT:

H. R. 5386. A bill to provide for the construction of a bridge across the Monongahela River; to the Committee on Interstate and Foreign Commerce.

H. R. 5387. A bill to provide for the construction of a bridge across the Monongahela River; to the Committee on Interstate and Foreign Commerce

By Mr. JOHNSON of Oklahoma:

H. R. 5388. A bill authorizing the transportation of the wives and children of enlisted men of the Army or the Army of the United States of all grades to the stations without the continental limits of the United States of their husbands; to the Committee on Military Affairs.

By Mr. WOLCOTT:

H. R. 5389. A bill to amend the National Housing Act by adding thereto a new title to provide for a housing expediter and to define his powers, providing for the allocation of building materials for the construction of homes, providing for preference to veterans of World War II in the purchase or rental of housing accommodations, and for other purposes; to the Committee on Banking and Currency

By Mr. MERROW:

H. Res. 507. Resolution to amend clause 4 of rule XXVII of the Rules of the House; to the Committee on Rules.

By Mr. JARMAN:

H. Res. 508. Resolution authorizing the printing as a public document of a revised edition of House Document No. 228, Seventy-ninth Congress, first session, entitled "Our American Government: What Is It? How Does It Function?"; to the Committee on Printing.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States and certain Federal governmental departments to take steps to alleviate the shortage of buildings and office space in California cities for veterans of World War II engaged in business and professions; to the Committee on World War Veterans' Legislation.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to discontinue the practice of the Fair Employment Practice Commission; to the Committee on Labor.

Also, memorial of the Legislature of the State of Kentucky, memorializing the President and the Congress of the United States to establish a floor price for tobacco; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCK:

H. R. 5390. A bill to suspend deportation of Domenico Marrozzo and record his admission for permanent residence; to the Committee on Immigration and Naturalization.

By Mr. CASE of New Jersey:

H. R. 5391. A bill for the relief of Ann Maureen Bell; to the Committee on Immigration and Naturalization.

By Mr. DIRKSEN (by request):

H. R. 5392. A bill for the relief of Bruno Benedetto Zevi; to the Committee on Immigration and Naturalization.

By Mr. HAVENNER:

H. R. 5393. A bill for the relief of Earl F. Hentzy; to the Committee on Claims.

By Mr. IZAC:

H. R. 5394. A bill for the relief of San Diego Gas & Electric Co.; to the Committee on Claims.

H. R. 5395. A bill for the relief of Leonard C. Clark and Elizabeth Clark; to the Committee on Claims.

H. R. 5396. A bill for the relief of Carl L. Rosso and Josephine A. Rosso; to the Committee on Claims.

H. R. 5397. A bill for the relief of Nels L. Olson; to the Committee on Claims.

By Mr. MALONEY:

H. R. 5398. A bill for the relief of Walter J. Barnes Electric Co. and Maritime Electric Co., Inc.; to the Committee on Claims.

By Mrs. ROGERS of Massachusetts:

H. R. 5399. A bill for the relief of Sarkis Mugrdichian; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1522. By Mr. CASE of South Dakota: Petition of Mrs. G. S. Gunderson, president, Lutheran Ladies Aid, Baltic, S. Dak., and 41 other signers, urging enactment of legislation to prohibit advertising of alcoholic beverages by radio and interstate transmission of periodicals containing alcoholic-beverage advertisements; to the Committee on the Judiciary.

1523. Also, petition of Mrs. Olaf Brende, of Garretson, S. Dak., and 20 other signers, urging enactment of legislation to prohibit advertising of alcoholic beverages by radio or interstate transmission of periodicals containing alcoholic-beverage advertisements; to the Committee on the Judiciary.

1524. By Mr. SHORT: Petition of Charlie Chastain and other citizens of Stone County, Mo., urging the passage of the Poage bill or H. R. 1742; to the Committee on Interstate and Foreign Commerce.

1525. Also, petition of J. B. Manka and other citizens of Lawrence County, Mo., urging the passage of the H. R. 1742 or the Poage bill; to the Committee on Interstate and Foreign Commerce.

1526. By the SPEAKER: Petition of the Minnesota District of the Evangelical Lutheran Synod, petitioning consideration of their resolution with reference to the President and Congress of the United States to take the necessary steps so that the services of UNRRA be extended to include all the needy people in the occupied territories; to the Committee on Foreign Affairs.

1527. Also, petition of the board of directors, the Texas Cotton Association, petitioning consideration of their resolution with reference to the pending loan to Great Britain; to the Committee on Banking and Currency.

1528 Also, petition of the Fifty-fourth Assembly District Democratic Club, petitioning consideration of their resolution with reference to Congress continuing price control for a period not less than 2 years; to the Committee on Banking and Currency.

SENATE

WEDNESDAY, FEBRUARY 6, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty God, with whom there is no shadow that is caused by turning, conscious that in the rough and rushing world there is upon us constantly the hot breath of malice and envy, of evil tempers and thoughts, in this quiet moment of devotion, breathe on us, breath of God, fanning to flame our smoldering faith that the dross which weights the wings of our spirits may be consumed.

As those into whose unworthy hands has been placed the crying needs of stricken humanity, may the thoughts of our minds and the sympathies of our hearts, the words of our lips, and the decisions of our deliberations be acceptable in Thy sight, O Lord, our strength and our Redeemer. Amen.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 480. An act to authorize the sale of the allotment of Henry Keiser on the Crow Indian Reservation, Mont.;

S. 815. An act for the relief of Ogden & Dougherty, and for other purposes;

S. 831. An act for the relief of James Alves Saucier;

S. 845. An act for the relief of Mabel Fowler;

S. 905. An act for the relief of Harold E. Bullock;

S. 991. An act for the relief of Mr. and Mrs. Marion M. Hill;

S. 1077. An act for the relief of Oscar S. Reed;

S. 1081. An act for the relief of Aftab Ali;

S. 1142. An act for the relief of Florence Barrows;

S. 1158. An act for the relief of Winter Bros. Co.;

S. 1231. An act for the relief of Paul E. Tacy;

S. 1294. An act for the relief of Mr. and Mrs Allan F. Walker;

S. 1296. An act for the relief of John A. Hatcher;

S. 1323. An act for the relief of the estate of William Carl Jones;

S. 1338. An act for the relief of the legal guardian of Wayne Edward Wilson, a minor;

S. 1360 An act to compensate Benali El Oukili Boucheta, an inhabitant of French Morocco, for the wrongful death of his son Mohamed Ben Boucheta Ben Ali El Oukili, near Marnia, Algeria, on September 30, 1944;

S. 1361. An act to compensate Clement Euziere, an inhabitant of French Morocco, for personal injuries caused by a naval vehicle near Oran, Algeria, on September 21, 1943;

S. 1448. An act for the relief of William Wilson Wurster; and

S. 1590. An act to authorize the President to appoint Graves Blanchard Erskine, major general, United States Marine Corps, to the office of Retraining and Reemployment Administrator, without affecting his service status and perquisites.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment in which it requested the concurrence of the Senate:

S. 314. An act for the relief of Sigurdur Jonsson and Thorolina Thordardottir;

S. 1101. An act for the relief of the estate of Manuel Rose Lima;

S. 1129. An act for the relief of Willie H. Johnson; and

S. 1480. An act for the relief of Charles R. Hooper.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 262. An act for the relief of Robert M. Wikle;

H. R. 804. An act for the relief of Mrs. Trixie Minnie Twigg;

H. R. 841. An act for the relief of Lander H. Willis;

H. R. 1037. An act to confer jurisdiction upon the United States District Court, Southern District of Florida;

H. R. 1217. An act for the relief of Hutchinson's Boat Works, Inc., and others;

H. R. 1238. An act for the relief of Father Peter B. Duffee;

H. R. 1264. An act for the relief of Lt. Col. John P. Maher, Field Artillery Reserve, Army of the United States;

H. R. 1399. An act for the relief of Mrs. Lucy Palmisano and the legal guardian of Anthony Palmisano, Jr.;

H. R. 1616. An act to grant an honorable discharge from the military service of the United States to William Rosenberg;

H. R. 1721. An act for the relief of Eli L. Scott;

H. R. 1732. An act for the relief of Mrs. Marie A. Shedd, Mrs. Maude C. Denney, and Mrs. Mabel Glenn Gray;

H. R. 1788. An act for the relief of Mr. and Mrs. Conrad Newman;

H. R. 1950. An act for the relief of Harry Cohen;

H. R. 1980. An act for the relief of Maj. Edward A. Zaj;

H. R. 2011. An act for the relief of the estate of J. Earl Evans;

H. R. 2167. An act for the relief of Orvis Welch;

H. R. 2244. An act for the relief of Edward W. Thurber;

H. R. 2246. An act for the relief of the estate of Michael O. Mello, and Christian O. Mello;

H. R. 2415. An act for the relief of Joseph Tarantola and Ida Tarantola;

H. R. 2480. An act for the relief of Wesley A. Mangelsdorf;

H. R. 2528. An act for the relief of Mr. and Mrs. James Sherry;

H. R. 2956. An act for the relief of Therese R. Cohen;

H. R. 3003. An act for the relief of Mary G. Paul;

H. R. 3050. An act for the relief of David Siskind;

H. R. 3121. An act for the relief of Elizabeth M. Simmons and Robert H. Simmons;

H. R. 3126. An act for the relief of Mrs. Jean Taube Weller;

H. R. 3127. An act for the relief of Harry F. Vinton, Jr.;

H. R. 3158. An act for the relief of Leonard J. Fox and Milford G. Fox, a partnership, doing business as Fox Co.;

H. R. 3159. An act for the relief of Ernest Pedro Ferreira;

H. R. 3177. An act for the relief of James J. Barrett, Jr.;

H. R. 3301. An act for the relief of the legal guardian of James Herbert Keith, a minor;

H. R. 3430. An act for the relief of George F. Powell;

H. R. 3431. An act for the relief of F. W. Burton;

H. R. 3543. An act for the relief of the legal guardian of James Thompson, a minor;

H. R. 3573. An act for the relief of George Pathy;

H. R. 3590. An act for the relief of Charles Brown, legal guardian of Lula Mae Brown; Charity Hospital of New Orleans, La.; and Dr. Edward H. Maurer;

H. R. 3670. An act for the relief of the estate of Venancio Llacuna and others;

H. R. 3828. An act for the relief of James R. Vaughan;

H. R. 4027. An act authorizing sale of the allotment of LeRoy Milliken on the Crow Indian Reservation, Mont.;

H. R. 4034. An act authorizing the issuance of a patent in fee to Alice Yarlott Othermedicine;

H. R. 4035. An act authorizing the issuance of a patent in fee to Wilbert Keiser;

H. R. 4054. An act for the relief of H. A. Edd;

H. R. 4176. An act for the relief of the estate of Earle R. Woodfall, Jr., deceased;

H. R. 4253. An act for the relief of Mrs. Beatrice Brisbin, and the legal guardians of Wynona Gene Brisbin, Nelda Elaine Brisbin, Gwendoline Louise Brisbin, and Jacqueline Nadine Brisbin, minors;

H. R. 4335. An act for the relief of the Morgan Creamery Co.;

H. R. 4797. An act to confer jurisdiction upon the United States District Court for the Eastern District of Virginia to determine the claim of Lewis E. Magwood;

H. R. 4957. An act for the relief of Herman Gelb;

H. R. 5010. An act for the relief of Mrs. May Holland;

H. R. 5258. An act granting a renewal of patent No. 113,244 dated February 7, 1939, relating to the flag of the Church of God; and

H. J. Res. 243. Joint resolution tendering the thanks of Congress to General of the Army George C. Marshall and the members of the Army of the United States who have fought under his direction during the wars; and providing that the President of the United States shall cause a medal to be struck to be presented to General Marshall in the name of the people of the United States of America.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 102. An act to amend section 2 (b) of the act entitled "An act extending the classified executive civil service of the United States," approved November 26, 1940, so as to provide for counting military service of certain employees of the legislative branch in determining the eligibility of such employees for civil-service status under such act;

S. 765. An act concerning the establishment of meteorological observation stations in the Arctic region of the Western Hemisphere, for the purpose of improving the weather-forecasting service within the United States and on the civil international air-transport routes from the United States;

S. 1467. An act to provide for adjustment between the proper appropriations of unpaid balances in the pay accounts of naval personnel on the last day of each fiscal year, and for other purposes;

S. 1545. An act to amend article 38 of the Articles for the Government of the Navy;

S. 1631. An act to provide for the payment on a commuted basis of the costs of transportation of dependents of certain persons entitled to such transportation and for other purposes; and

H. R. 1085. An act for the relief of the estate of Edwin Perry Ashcraft.

CALL OF THE ROLL

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Murray
Austin	Hart	O'Daniel
Bailey	Hatch	Overton
Ball	Hawkes	Pepper
Bankhead	Hayden	Radcliffe
Barkley	Hickenlooper	Reed
Bilbo	Hill	Revercomb
Brewster	Hoey	Robertson
Briggs	Huffman	Russell
Buck	Johnson, Colo.	Saltonstall
Bushfield	Johnston, S. C.	Shipstead
Butler	Kilgore	Smith
Byrd	Knowland	Stanfill
Capehart	La Follette	Stewart
Capper	Langer	Taft
Carville	Lucas	Taylor
Chavez	McCarran	Thomas, Okla.
Cordon	McClellan	Thomas, Utah
Donnell	McFarland	Tobey
Downey	McKellar	Tunnell
Eastland	McMahon	Tydings
Ellender	Magnuson	Walsh
Ferguson	Maybank	Wheeler
Fulbright	Mead	Wherry
George	Millikin	White
Gerry	Mitchell	Wiley
Gossett	Moore	Willis
Green	Morse	Wilson
Guffey	Murdock	Young

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Pennsylvania [Mr. MYERS], and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from Illinois [Mr. BROOKS] are necessarily absent.

The PRESIDENT pro tempore. Eighty-seven Senators having answered to their names, a quorum is present.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

TREATIES WITH GREAT BRITAIN AND NORTHERN IRELAND RELATING TO DOUBLE TAXATION—RECOMMITTAL

As in executive session,

Mr. GEORGE. Mr. President, on behalf of the Committee on Foreign Relations, I ask unanimous consent that Executive D, a convention between the United States of America and the United Kingdom of Great Britain and Northern Ireland, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on April 16, 1945, and Executive E, a convention between the United States of America and the United Kingdom of Great Britain and Northern Ireland, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on the estates of deceased persons, signed at Washington on April 16, 1945, be taken from the calen-

dar and recommitted to the Committee on Foreign Relations for further hearing.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

PETITIONS

Petitions, etc., were presented and referred as indicated:

By Mr. DOWNEY:

A joint resolution of the Legislature of the State of California; to the Committee on Post Offices and Post Roads:

"Assembly Joint Resolution 7

"Joint resolution relative to memorializing Congress to provide a wage readjustment for postal service employees

"Whereas by action of Congress, effective July 1, 1945, employees of the United States postal service were granted permanent wage readjustments for the first time in 20 years; and

"Whereas with their return now to a 40-hour week and no overtime the net or take-home pay of such employees is actually less than it was before the 1945 increases were made, rendering inadequate the benefits thus conferred; and

"Whereas the great army of postal employees represents a highly loyal and efficient group of public servants, recognized for their continuous devotion to duty and their outstanding performance in wartime: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California (jointly), That the Legislature of California hereby endorses and respectfully memorializes Congress to provide a wage readjustment for postal-service employees commensurate with their heavy duties and adequate for their present needs; and be it further

"Resolved, That the chief clerk of the assembly is directed to transmit copies of this resolution to the President of the United States, the President pro tempore of the Senate of the United States, the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Postmaster General of the United States."

Three resolutions of the Legislature of the State of California; to the Committee on Banking and Currency:

"Assembly Joint Resolution 5

"Joint resolution relative to the modification of the application of price controls to retailers in the sale of lumber

"Whereas the end of the war has increased the use of lumber in California, particularly by the farmer and small businessman, and a great many of the purchases of lumber are made at small lumberyards in small towns and in rural areas; and

"Whereas the operator of a lumberyard is governed by regulation 26, issued by the Office of Price Administration, in the purchase of Douglas fir and other west coast lumber from a mill or stock yard, but Regulation 26 does not apply to the sale of lumber from a distribution yard, more commonly known as a retailer's lumberyard, and the retailer is thereby permitted to charge to the consumer a higher price than is allowed by regulation 26; and

"Whereas regulation 26 defines a purchase, which is subject to the provisions of said regulation, as the purchase of lumber shipped from a mill and it reaches the purchaser without ever becoming an integral part of the stock of a distribution yard; and

"Whereas the present definition works an undue hardship upon the operator of a small retail lumberyard, because frequently he receives orders for lumber which his stock is insufficient to fill and he must order the required amount from a mill, and that lumber is delivered to the consumer without it becoming a part of the retailer's stock of lumber, and consequently the retailer can only charge the consumer the maximum price set forth in regulation 26, because the sale is in effect made to the consumer, but the mill, of course, would require the retailer to pay the maximum price provided by the regulation, and as a result the retailer has no margin of profit; and

"Whereas the Federal and State Governments have indicated their willingness to assist the small business enterprises but this intention cannot be reconciled with a policy of refusing to permit any margin of profit to a group of retailers in an important industry: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Office of Price Administration is requested to redefine the 'purchase of lumber from a mill,' so that a small retailer of lumber will not be discriminated against, and that he be assisted in making a reasonable profit; and be it further

"Resolved, That the secretary of the senate is hereby directed to send copies of this resolution to the President and Congress of the United States, the Director of the Office of Price Administration, and each of the Senators and Congressmen from California in the Congress of the United States."

"Assembly Joint Resolution 4

"Joint resolution relative to memoralizing Congress to allocate housing appropriations upon the basis of need and of present population

"Whereas wide diversity of conditions exists throughout the Nation with reference to housing needs, the problem being particularly acute in some areas and less critical in others; and

"Whereas while shortage of materials and wartime building restrictions have taken Nation-wide toll on the housing situation, the effects have been felt with greatest severity in industrial centers, to which large numbers of persons have migrated under impetus of war and many of whom have indicated their intention to remain; and

"Whereas Federal legislation, in aid of the Nation's housing shortage, and the appropriations made thereunder, will meet more equitably the varying needs and contribute more effectively to their general alleviation if the foregoing factors are considered: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That Congress is respectfully memoralized, in enacting legislation with reference to housing, to allocate the appropriations made thereunder, primarily upon the basis of the needs of each area and, secondly, upon the basis of population, using, for the latter, present figures rather than those of the 1940 Federal census; and be it further

"Resolved, That the chief clerk of the assembly is directed to transmit copies of this resolution to the President of the United States, the President pro tempore of the Senate of the United States, the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"House Resolution 55

"Resolution memorializing the Congress and certain Federal governmental departments to take steps to alleviate the shortage of buildings and office space in California cities for veterans of World War II engaged in business and professions

"Whereas it has been reported that numerous veterans of World War II returning to the San Francisco, Los Angeles, San Diego, Alameda, Long Beach, Oakland, and other California cities to engage in business and professions have been unable to secure proper office or building space; and

"Whereas it has been reported that various Federal governmental departments and agencies are occupying unnecessary building space in the area, and that when building space does become available it is not, in many instances being turned over to veterans applying therefor on an equal or equitable basis: Now, therefore, be it

"Resolved, That the Assembly of the State of California does hereby memorialize the Congress of the United States of America to take such steps as it may deem proper to have Federal governmental departments and agencies vacate any building and office space in the San Francisco, Los Angeles, San Diego, Alameda, Long Beach, Oakland, and other California cities as may be in excess of their minimum requirements therefor; and be it further

"Resolved, That during the interim between the time of vacating of such premises by such departments and agencies and the time of final release thereof by the Federal Government, it is urged that consideration be given by the proper disposal officers of the Federal Government to the making of interim short term subleases to veterans of World War II returning to engage in business and professions, granting priority to such veterans under section 16 of the Surplus Property Act of 1944; and be it further

"Resolved, That copies of this resolution shall be sent to each Senator and Representative from California; to the Honorable Leslie L. Biffle, Secretary of the United States Senate; to the Honorable South Trimble, Secretary of the House of Representatives; the Honorable Robert Porter Patterson, Secretary of War; the Honorable James V. Forrestal, Secretary of the Navy; the Honorable W. Stuart Symington, Surplus Property Administrator, Hon. Charles B. Henderson, Acting Federal Loan Administrator; and Maj. Gen. Donald H. Connolly, Army-Navy Liquidation Deputy Commissioner."

TITLES TO LANDS BENEATH TIDEWATERS AND NAVIGABLE WATERS

Mr. DOWNEY. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by the Board of Harbor Commissioners of the city of Long Beach, Calif., favoring the enactment of legislation to quiet the titles of the respective States and others to lands beneath tidewaters and lands beneath navigable waters within the boundaries of such States and to prevent further clouding of such titles.

There being no objection, the resolution was received, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolution HD–275

Resolution of the Board of Harbor Commissioners of the City of Long Beach petitioning the Senate of the United States to act favorably upon House Joint Resolution 225, adopted by the House of Representatives, or Senate Joint Resolution 48, both pending before its Committee on the Judiciary, or some similar resolution quitclaiming to the States and their grantees any pretended claim of the United States to tide and submerged lands within the boundaries of the respective States

Whereas the Supreme Court of the United States, in more than 50 decisions rendered over a period of more than 100 years, has determined that it is the settled law that the States and their grantees, and not the Federal Government, are the owners of the tide and submerged and reclaimed tide and submerged lands within their respective boundaries; and

Whereas since approximately 1937, and more particularly in the recent 6 months,

certain Federal officials, in a purported effort to expropriate the petroleum deposits belonging to the State of California and lying within the tide and submerged lands along its coast, have maintained a continuing attack on the title of the State to these lands and have caused to be instituted an original proceeding in the Supreme Court of the United States against the State of California, wherein it is sought to quiet the title of the United States to such lands belonging to the State of California, thereby placing in jeopardy the title to all port facilities, highways, parks, recreational, and other improvements of immeasurable value that have been placed upon such lands by the State of California and all States and their grantees; and

Whereas under certain acts of the Legislature of the State of California, as respectively set forth in Statutes of California, 1911, page 1304, Statutes of California, 1925, page 235, and Statutes of California, 1935, page 974, the State of California did grant to said city of Long Beach and to its successors all the right, title, and interest of the State of California held by said State by virtue of its sovereignty in and to all the tidelands and submerged lands, whether filed or unfiled, within the boundaries of said city and situated below the line of mean high tide of the Pacific Ocean, or any bay or harbor within said boundaries, to be forever held by said city in trust for harbor, recreation, park and highway uses and purposes, as therein set forth; and

Whereas water frontage of the city of Long Beach bordering the Pacific Ocean consists of 8.11 miles, and the submerged lands within said city limits consist of 12,440 acres, of which 345 acres have been reclaimed at the expense of said city, upon which 10,617 lineal feet of dock and pier installations have been constructed, providing 20 berths, and upon which 55,900 feet of railroad trackage has been installed by the city; storage space for the accommodation of commerce has thereon been constructed in a total amount of 7,780,000 square feet; and

Whereas the total tonnage of cargo handled during the 12-month period ending December 31, 1945, over municipal docks of the city constructed upon said reclaimed tide and submerged lands, including imports and exports, amounted to the sum of 1,672,568 tons, and said city received during said 12-month period revenues for the use of said harbor facilities in the amount of $960,364.62; and

Whereas it is believed to be self-evident that another judicial affirmation by the Supreme Court of the title of the States and their grantees in and to said lands will not put an end to such attacks upon their title as aforesaid:

Now, therefore, the Board of Harbor Commissioners of the City of Long Beach resolves as follows:

SECTION 1. That the city of Long Beach, by and through the board of harbor commissioners of said city, does hereby petition the Senate of the United States to act favorably upon House Joint Resolution 225, adopted by the House of Representatives, or Senate Joint Resolution 48, both pending before its Committee on the Judiciary, or some similar resolution quitclaiming to the States and their grantees any pretended claim of the United States to tide and submerged lands within the boundaries of the respective States, to the end that by legislative declaration said issue of title shall be set at rest.

SEC. 2. That the city attorney be and he is hereby authorized and directed to transmit a certified copy of this resolution to the President of the United States, to the members of the Committee on the Judiciary of the United States Senate, and to the United States Senators from California.

SEC. 3. The secretary of the board shall certify to the passage of this resolution by the board of harbor commissioners of the city of Long Beach, and it shall thereupon take effect.

SEC. 4. The secretary of the board shall cause this resolution to be published once in the Long Beach Independent, the official newspaper of the city of Long Beach.

(Mr. DOWNEY also presented a resolution adopted by the City Council of the City of Los Angeles, Calif., identical with the foregoing, which was referred to the Committee on the Judiciary.)

LEAVE OF ABSENCE

Mr. YOUNG. Mr. President, I ask unanimous consent to be absent from the sessions of the Senate during the next week or 10 days on business in my State.

The PRESIDENT pro tempore. Without objection, leave is granted.

PEACETIME MILITARY CONSCRIPTION

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a letter I have received from M. S. Bennett, a leading citizen of Minneapolis, Kans., expressing the opposition of himself and his family to peacetime military conscription.

There being no objection, the letter was received, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

MINNEAPOLIS, KANS., *December 27, 1945.*

The Honorable ARTHUR CAPPER,
Topeka, Kans.

OUR DEAR SENATOR: We write to let you know our entire family stand absolutely opposed to conscription for military training, or any compulsory peacetime training. We trust you will vote against the bill and use all your influence to defeat its passage.

Our son, who was discharged in October, says all the boys he heard express themselves were against such a law in our democracy, and say, "Did we fight for freedom, or a dictatorship?" Can we let them down? You represent us and we are depending on your faithfulness.

Thank you.

THE M. S. BENNETT FAMILY.

BOY SCOUTS OF AMERICA—THIRTY-SIXTH ANNIVERSARY

Mr. CAPPER. Mr. President, the Boy Scouts of America, one of the great youth-serving agencies of this country, are today observing the thirty-sixth anniversary of that organization. The anniversary theme is "Scouts of the world—Building together." President Truman has emphasized the importance of this theme in his message to all Scouts when he said:

> Keep on "building together" in this the thirty-seventh year of the Scout Movement in America and all the years to come.

Boy Scouts are organized in practically all the freedom-loving countries of the world. They are dedicated to ideals of friendliness, mutual good will and respect for the convictions of their fellow men. These millions of Boy Scouts can, when they have grown to manhood, be a powerful factor in helping the cause of world peace.

In our country we have nearly 2,000,000 Boy Scouts. If each of us will share in giving them leadership and support, we can greatly extend the opportunities of all boys to become members of this character-building organization. Boy Scouts have proved the value of their Scout training. They have proved it on the field of honor during the war. They have proved it by their zeal on the home front in many capacities.

What America needs and what the world needs is more Boy Scouts. I hope that all of us will have a part in extending the movement in the year ahead.

THE LUMBER SHORTAGE

Mr. KNOWLAND. Mr. President, I ask unanimous consent to present and to have printed in the RECORD at this point as a part of my remarks a letter from the Southern California Retail Lumber Association dealing with the critical lumber situation with which the country is now faced, and a letter from Mr. James J. Sloan, Jr. Mr. Sloan is at present a member of the armed forces of the United States, and expects to be discharged within a short time. He is greatly concerned about the prospects of homes being afforded so that he and other veterans may find roofs over their heads during the ensuing months as they are discharged from the service.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

SOUTHERN CALIFORNIA RETAIL
LUMBER ASSOCIATION,
Los Angeles, Calif., January 28, 1946.

Hon. WILLIAM F. KNOWLAND,
Senate Office Building,
Washington, D. C.

DEAR SIR: This association was motivated to send a telegram of protest to the OPA respecting a new order it now has in project which would, if issued, work to the discrimination of lumber consumers in California.

We are enclosing a copy of our bulletin of January 25, a new release, and our telegram of protest to OPA respecting the new order, which we thought you would be interested in having.

There is an acute housing shortage in California. This shortage is particularly trying for returning veterans who are looking for a home.

The most important factor to the housing shortage is the lack of lumber in the area. That situation is daily growing worse. The reasons for this are:

1. Production of lumber was short of demand during the war and that situation has grown progressively worse since the war, due in large part to:

(a) The strike at the mills in the Pacific Northwest, which lasted for 10 weeks, without Government intervention;

(b) The strike in the California redwood mills now in progress;

(c) The recent seasonal shut-down in mills in the Pacific Northwest, that lasted for nearly 30 days due to bad weather, floods, and holidays;

(d) Exportation of lumber to foreign countries;

(e) Unrealistic price controls, which has retarded, and is now retarding, the production of boards, dimension, small timbers, flooring, ceiling, siding, running and standing trim, etc., which are critically short in this market and urgently needed to build homes.

2. The retail lumber dealers' inventories in the area are now at an all-time low. This condition is the result of the following:

(a) During the war their inventories went down to about 15 percent of normal, due principally to the heavy war demand on local stocks and inventory controls;

(b) Following the cease firing order, reconversion of war plants was given Government encouragement in order to give jobs to discharged war workers and returning veterans. That program further drained the dealers' inventories, which they have been

unable to replenish, and today's inventories are estimated to be from about 90 to 95 percent short of normal. Further, present inventories include items of lumber which are not suitable for home construction, consequently several thousand units now in project in the area must await suitable materials before they can be completed.

Because of the conditions above outlined we urge you to use your good office to prevail upon OPA not to issue the order described in the attachments, because that order would be discriminatory to the users of lumber in California, and such action on the part of OPA would retard and not help to solve the housing shortage in the area.

Respectfully submitted.

ORRIE W. HAMILTON,
Secretary-Manager.

NORTHRIDGE, CALIF., *January 29, 1946.*

Senator WILLIAM F. KNOWLAND,
Senate Office Building,
Washington, D. C.

DEAR SIR: It is imperative, for the welfare of the people of California, that the lumber shortage be overcome immediately.

Since the war has ended it is no longer required that vast quantities of lumber be shipped to the Army and Navy abroad. The lumber thus taken by them can now be diverted to the building of homes in this country.

If the British need lumber, let them get it from Canada, where there are vast forests of it. We need ours here, in California. I will be out of the Navy in 2 months and want to start building my house, which I have waited over 5 years for now, and desperately need, as my wife is having to live in a little made-over shack.

Please use your influence to stop the exporting of lumber.

Yours truly,

JAMES J. SLOAN, Jr.

Mr. KNOWLAND. Mr. President, I hold in my hand a recent release from the Civilian Production Administration in which it is stated that the Administration has authorized the exportation of 225,000,000 board feet of lumber from the United States during the first quarter of 1946. At that rate, during the four quarters of the year more than 1,000,000,000 feet of lumber will be exported from the United States during a time when a critical housing shortage exists from one end of the country to the other. The difficult situation facing those who are interested in building homes is aggravated by the fact that for exported lumber the Administration has permitted to be charged an excess of $7.50 per thousand feet over the price which the producer can obtain from the domestic purchaser. Under those circumstances we can hardly blame the lumber producer for selling lumber to foreign purchasers. I believe that the Administration has on its shoulders the very serious responsibility of forthwith bringing the exportation of lumber to an end until we can meet the critical housing situation which now exists throughout our country.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. MAYBANK. Unfortunately, I was called out of the Chamber and was not present when the Senator from California was speaking. I am wondering if an enormous quantity of lumber is now being shipped from the west coast.

Mr. KNOWLAND. Enormous quantities of lumber are being shipped from various sections of the United States.

Mr. MAYBANK. I am familiar with conditions in the southeastern part of the United States, but I am not familiar with conditions in California, Washington, and Oregon.

Mr. KNOWLAND. I hope that the Senator from South Carolina will join with me in making such representations as may be necessary to prevent the shipment of lumber out of this country until we can meet the critical housing shortage which obtains at home.

Mr. MAYBANK. Am I correct in understanding that the same situation exists on the west coast which exists in the South Atlantic States and in the East, namely, that enormous quantities of lumber are being shipped from those localities?

Mr. KNOWLAND. The Senator is correct.

Mr. MAYBANK. I thank the Senator.

REPORT OF A COMMITTEE

Mr. TYDINGS, from the Committee on Territories and Insular Affairs, to which was referred the bill (S. 1109) to restore to the Territory of Hawaii certain lands designated under section 203, title II, as available within the meaning of the Hawaiian Homes Commission Act of 1920, as amended, reported it with an amendment and submitted a report (No. 924) thereon.

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate reports for the month of January 1946, from the chairmen of certain committees, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON MILITARY AFFAIRS
SUBCOMMITTEE ON SURPLUS PROPERTY,
February 4, 1946.

Hon. KENNETH MCKELLAR,
President, United States Senate,
Washington, D. C.

DEAR MR. PRESIDENT: Pursuant to Senate Resolution 318, I am transmitting herewith a list of employees of the Surplus Property Subcommittee (S. Res. 129) of the Senate Military Affairs who are not full-time employees of the Senate. Included with this list is the name and address of each such employee, the name and address of the department paying the salary of such employee, and the annual rate of compensation for such employee.

Respectfully yours,

JOSEPH C. O'MAHONEY,
Chairman, Surplus Property Subcommittee.

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Kurt Borchardt	6007 34th Pl. NW	Reconstruction Finance Corporation, Washington, D. C.	$7,240
Hilda Hamilton	705 18th St. NW	do	2,890

SENATE MILITARY AFFAIRS COMMITTEE, SUBCOMMITTEE ON WAR MOBILIZATION

FEBRUARY 1, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of January 1946, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Ann S. Gertler	3721 39th St. NW., Washington, D. C.	Department of Interior, Washington, D. C.	$2,980.00
Joan P. Karasik	1919 19th St. NW., Washington, D. C.	Foreign Economic Administration, Washington, D. C.	4,300.00
C. Theodore Larson	3917 North 5th St., Arlington, Va.	National Housing Agency, Washington, D. C.	6,230.00
Fritzie P. Manuel	1621 T St. NW., Washington, D. C.	State Department, Washington, D. C.	5,180.00
Darel McConkey	509 Fontaine St., Alexandria, Va.	Department of Interior, Washington, D. C.	6,230.00
Cora L. Moen	5327 16th St. NW., Washington, D. C.	Office of Price Administration, Washington, D. C.	2,650.00
Elizabeth H. Oleksy	1620 Fuller St. NW., Washington, D. C.	Office of War Mobilization and Reconversion, Washington, D. C.	3,090.00
Mary Jane Oliveto	500 B St. NE., Washington, D. C.	National Housing Agency, Washington, D. C.	2,100.00
Francis C. Rosenberger	5814 64th Ave., East Riverdale, Md.	Office of Price Administration, Washington, D. C.	6,230.00
Herbert Schimmel	3604 Minnesota Ave. SE., Washington, D. C.	Office of War Mobilization and Reconstruction, Washington, D. C.	9,012.50

H. M. KILGORE, *Chairman.*

BILL AND JOINT RESOLUTION INTRODUCED

A bill and joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WHEELER:

S. 1804. A bill to make permanently effective certain provisions of law conferring military rank upon members of the Navy Nurse Corps and entitling them to pay and retirement benefits of commissioned officers; to the Committee on Naval Affairs.

(Mr. YOUNG introduced Senate Joint Resolution 139, directing the Secretary of the Interior to estimate the cost of reconstructing Ford's Theater, which was referred to the Committee on Public Buildings and Grounds, and appears under a separate heading.)

RECONSTRUCTION OF FORD'S THEATER

Mr. YOUNG. Mr. President, I ask unanimous consent to introduce for appropriate reference a joint resolution directing the Secretary of the Interior to estimate the cost of reconstructing Ford's Theater.

There being no objection, the joint resolution (S. J. Res. 139) directing the Secretary of the Interior to estimate the cost of reconstructing Ford's Theater, was received, read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. YOUNG. Mr. President, a visit to Washington, is to many an American family an experience of a lifetime, long planned for, and undertaken with a singleness of purpose and a sincerity of interest. To visit the Lincoln Memorial, the Capitol of the United States, and the White House, are great experiences in the lives of many of our people.

To those who love Lincoln, a visit to Ford's Theater is an additional experience long anticipated. But in visiting Ford's Theater they feel a distinct disappointment. They do not see the theater at all. On the floor is a thin black line outlining the position of the stage where the awful tragedy took place. On the wall is a single photograph of the stage, the box in which Lincoln sat, and the scenic setting of that play—the last ever presented in Ford's Theater.

On the 4th of March 1865, President Lincoln was inaugurated for his second term. His address, which is enshrined in the memorial, was one of the most beautiful ever delivered by this great man. In the midst of a trying ordeal, he sought by calmness to inspire his countrymen. He asked that they "with malice toward none, with charity for all," go about the work of healing the Nation's wounds and restoring a political and social fellowship throughout the Nation.

The War Between the States had not yet ended. But President Lincoln became a symbol of a new spirit that was manifest in the other great leaders of the day.

On the 9th of April General Lee surrendered to General Grant at Appomattox Courthouse. Grant directed that the men should keep their horses because they would need them for the spring plowing. And that great leader of the South, General Lee, when urged by some of his own officers to carry on in small fighting squads, stated, "You must remember we are a Christian people. For us as a Christian people there is now but one course to pursue. These men must go home and plant crops, and we must proceed to build up our country on a new basis."

President Lincoln in these times acted with sober motives and a kindliness of judgment. Then suddenly on the 14th of April, 5 days after Lee's surrender, he was struck down. On that evening he attended Ford's Theater with his wife and a party of friends. During the the course of the play an assassin slipped into the President's box and shot him through the brain. Lincoln fell forward in his seat; he was carried to a home directly across from the theater and lingered in an unconscious state until he died the following morning.

Thus ended the life of one who was prudent, farsighted, and resolute; thoughtful, calm, and just; patient, tenderhearted, and great. The manner of his death consecrated his memory. The American people placed him in his tomb, mourning the one who fell when he could least be spared, the spirit that he had instilled in his countrymen died with him.

Therefore, Mr. President, although nearly 81 years have elapsed since that tragic event, it is not too late to bring back to the American people a vision of exactly what occurred. The home in which he died, located at 516 Tenth Street, is a Lincoln shrine and is intact. It is very unfortunate that the theater across the street is not also intact. The restoration of the stage, the boxes, and the scenery in Ford's Theater is a duty which should be carried by us all. It is not a question of the cost. Each visitor is now charged by the Department of the Interior an admission fee. These moneys could be applied to the cost of restoration. I look to the earliest possible restoration of Ford's Theater. Not just the stage, boxes, and scenery but the chair in which the immortal Lincoln last sat and the flag that draped his box.

FAIR EMPLOYMENT PRACTICE ACT—AMENDMENT

Mr. MORSE submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, which was ordered to lie on the table and to be printed.

PROSPECTIVE LOANS TO CERTAIN FOREIGN COUNTRIES

Mr. LANGER submitted the following resolution (S. Res. 226), which was referred to the Committee on Banking and Currency:

Resolved, That the Secretary of State is requested to transmit to the Senate at the earliest possible date detailed information as to what countries, other than the United Kingdom, have commenced negotiations with a view to obtaining loans from the United States, together with his recommendations concerning the amounts which should be loaned to the following countries in the event they have requested or hereafter request such loans: China, the Union of Soviet Socialist Republics, France, Argentina, Australia, the Kingdom of Belgium, Bolivia, Brazil, the Byelorussian Soviet Socialist Republic, Canada, Chile, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, the Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, Honduras, India, Iran, Iraq, Lebanon, Liberia, the Grand Duchy of Luxemburg, Mexico, the Kingdom of the Netherlands, New Zealand, Nicaragua, the Kingdom of Norway, Panama, Paraguay, Peru, the Philippine Commonwealth, Poland, Saudi Arabia, Syria, Turkey, the Ukrainian Soviet Socialist Republic, the Union of South Africa, Uruguay, Venezuela, and Yugoslavia.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H. R. 262. An act for the relief of Robert M. Wikle;

H. R. 804. An act for the relief of Mrs. Trixie Minnie Twigg;

H. R. 841. An act for the relief of Lander H. Willis;

H. R. 1037. An act to confer jurisdiction upon the United States District Court, Southern District of Florida;

H. R. 1217. An act for the relief of Hutchinson's Boat Works, Inc., and others;

H. R. 1238. An act for the relief of Father Peter B. Duffee;

H. R. 1264. An act for the relief of Lt. Col. John P. Maher, Field Artillery Reserve, Army of the United States;

H. R. 1399. An act for the relief of Mrs. Lucy Palmisano and the legal guardian of Anthony Palmisano, Jr.;

H. R. 1721. An act for the relief of Eli L. Scott;

H. R. 1732. An act for the relief of Mrs. Marie A. Shedd, Mrs. Maude C. Denney, and Mrs. Mabel Glenn Gray;

H. R. 1788. An act for the relief of Mr. and Mrs. Conrad Newman;

H. R. 1950. An act for the relief of Harry Cohen;

H. R. 1980. An act for the relief of Maj. Edward A. Zaj;

H. R. 2011. An act for the relief of the estate of J. Earl Evans;

H. R. 2167. An act for the relief of Arvis Welch;

H. R. 2244. An act for the relief of Edward W. Thurber;

H. R. 2246. An act for the relief of the estate of Michael O. Mello, and Christian O. Mello;

H. R. 2415. An act for the relief of Joseph Tarantola and Ida Tarantola;

H. R. 2480. An act for the relief of Wesley A. Mangelsdorf;

H. R. 2528. An act for the relief of Mr. and Mrs. James Sherry;

H. R. 2956. An act for the relief of Therese R. Cohen;

H. R. 3003. An act for the relief of Mary G. Paul;

H. R. 3050. An act for the relief of David Siskind;

H. R. 3121. An act for the relief of Elizabeth M. Simmons and Robert H. Simmons;

H. R. 3126. An act for the relief of Mrs. Jean Taube Weller;

H. R. 3127. An act for the relief of Harry F. Vinton, Jr.;

H. R. 3158. An act for the relief of Leonard J. Fox and Milford G. Fox, a partnership, doing business as Fox Co.;

H. R. 3159. An act for the relief of Ernest Pedro Ferreira;

H. R. 3177. An act for the relief of James J. Barrett, Jr.;

H. R. 3301. An act for the relief of the legal guardian of James Herbert Keith, a minor;

H. R. 3430. An act for the relief of George F. Powell;

H. R. 3431. An act for the relief of F. W. Burton;

H. R. 3543. An act for the relief of the legal guardian of James Thompson, a minor;

H. R. 3590. An act for the relief of Charles Brown, legal guardian of Lula Mae Brown; Charity Hospital of New Orleans, La.; and Dr. Edward H. Maurer;

H. R. 3670. An act for the relief of the estate of Venancio Llacuna and others;

H. R. 3828. An act for the relief of James R. Vaughan;

H. R. 4054. An act for the relief of H. A. Edd;

H. R. 4176. An act for the relief of the estate of Earle R. Woodfall, Jr., deceased;

H. R. 4253. An act for the relief of Mrs. Beatrice Brisbin, and the legal guardians of Wynona Gene Brisbin, Nelda Elaine Brisbin, Gwendoline Louise Brisbin, and Jacqueline Nadine Brisbin, minors;

H. R. 4335. An act for the relief of the Morgan Creamery Co.;

H. R. 4797. An act to confer jurisdiction upon the United States District Court for the Eastern District of Virginia to determine the claim of Lewis E. Magwood;

H. R. 4957. An act for the relief of Herman Geib; and

H. R. 5010. An act for the relief of Mrs. May Holland; to the Committee on Claims.

H. R. 1616. An act to grant an honorable discharge from the military service of the United States to William Rosenberg; to the Committee on Pensions.

H. R. 3573. An act for the relief of George Pathy; to the Committee on Immigration.

H. R. 4027. An act authorizing sale of the allotment of LeRoy Milliken on the Crow Indian Reservation, Mont.;

H. R. 4034. An act authorizing the issuance of a patent in fee to Alice Yarlott Otherm'dicine; and

H. R. 4035. An act authorizing the issuance of a patent in fee to Wilbert Keiser; to the Committee on Indian Affairs.

H. R. 5258. An act granting a renewal of Patent No. 113,244, dated February 7, 1939, relating to the flag of the Church of God; to the Committee on Patents.

H. J. Res. 243. Joint resolution tendering the thanks of Congress to General of the Army George C. Marshall, and the members of the Army of the United States who have fought under his direction during the wars; and providing that the President of the United States shall cause a medal to be struck to be presented to General Marshall in the name of the people of the United States of America; to the Committee on Military Affairs.

THE AMERICAN ARMY—ADDRESS BY SECRETARY PATTERSON

[Mr. McMAHON asked and obtained leave to have printed in the RECORD an address by the Secretary of War at the annual meeting of the American Jewish Committee, at the Waldorf-Astoria, New York City, February 3, 1946, which appears in the Appendix.]

NATIONAL FOREIGN TRADE CONVENTION—FINAL DECLARATION OF THIRTY-SECOND MEETING

[Mr. MURRAY asked and obtained leave to have printed in the RECORD the Final Declaration of the Thirty-second National Foreign Trade Convention, held in New York November 12 to 14, 1945, which appears in the Appendix.]

THE END OF THE RIDE—ARTICLE BY MILTON MAYER

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an article entitled "The End of the Ride," written by Milton Mayer, and published in the Progressive of January 28, 1946, which appears in the Appendix.]

APPEAL FROM DECISION OF THE CHAIR ON CLOTURE MOTION

The Senate resumed consideration of the appeal of Mr. BARKLEY from the decision of the Chair sustaining the point of order of Mr. RUSSELL that, under the rule, the presentation of the cloture motion on the FEPC bill was not in order.

Mr. ELLENDER. Mr. President, I wish first to apologize to my distinguished colleagues who have led the fight on the pending bill for not having been more active during the debate. I have been busily engaged before the Senate Committee on Education and Labor on a bill, which in its original form, was almost as far reaching as the pending measure. I believe the two measures taken together could be termed "the Gold Dust Twins."

The pending FEPC bill has as its objective the forcing of an employer to hire men and women not of his choosing. The minimum wage bill, as originally introduced, had as its objective the creation of authority in the hands of an administrator to select advisory committees for each industry, with full power in the hands of these advisory committees to fix minimum wages from the point fixed by the bill itself, the minimums varying from 65 cents to 75 cents and on up. In other words, these advisory committees under the so-called minimum wage bill would have had the authority to go into every industry of this Nation; they would have been in a position to classify every jobholder, from the floor sweeper on up to the highest paid, and fix for those employed in each classification a minimum wage along the lines sought to be established in the minimum wage bill. So we would have had this condition existing: One measure, the pending one, designed to tell an employer whom he should employ, and the other designed to state how much he should pay to each of those employed.

Mr. President, there is no doubt in my mind that the enactment of such bills would result in the severest blow ever attempted to be struck by the Congress at our citadel of freedom. I have no hesitancy in saying that if the pending measure, as written, should be enacted into law, and if the minimum wage bill, as written, should be enacted into law, we might as well hang black crepe on the door of free enterprise. The forces which are striving to have the pending bill enacted are the same as those which have been at work attempting to have the minimum wage bill, to which I just referred, enacted into law.

Mr. President, our country has made great progress since the Declaration of Independence was signed and the Constitution became our bible, so to speak. No nation which now exists and no nation which existed in the past ever made as great progress as has the United States. The progress we have made is attributable to the freedom enjoyed by all our citizens under the American flag.

One can well imagine what would have happened to this great Nation of ours in the past 25 or 26 years, when our way of life was at stake had we not been in a position to make the implements of war. Freedom of enterprise made it possible for us to become the arsenal of democracy. Because of the freedom we enjoy, we have become the greatest industrial nation in the world, and as such we were able not only to equip ourselves to fight the foe, but to help our allies in their efforts to conquer him.

Mr. President, south of us there is a nation which is territorially larger than ours. I refer to Brazil, which is older than our nation. It has more natural resources than we have. Why has Brazil not progressed as we have? I shall speak of that in further detail later. For the present let me say it is because the white men who settled on its shores intermarried with the natives. Negroes were brought from the dark continent of Africa and made the slaves of the Brazilian people, marriage between the Negroes and the natives was permitted, and in a few generations Brazil had a mongrel race, and because of it no progress.

Mr. President, I ask this question: Suppose the same thing had occurred in this Nation; suppose there had been mongrelization here; where would we be today? Could we have prepared successfully to meet the foe which sought to destroy our way of living and our country? Of course, the answer is a loud "No."

Mr. TUNNELL. Mr. President, will the Senator yield to me so I may make an announcement?

Mr. ELLENDER. I gladly yield, Mr. President, on condition I do not thereby lose my right to the floor.

Mr. TUNNELL. Mr. President, I rise to announce that the Senator from New Mexico [Mr. CHAVEZ] has been compelled to leave the Senate Chamber on the orders of the doctor. He has asked me to make that announcement, and to say that the Senator from New York [Mr. MEAD] will represent him on the floor.

I thank the Senator from Louisiana for yielding.

Mr. ELLENDER. Mr. President, I am truly sorry that my distinguished colleague the Senator from New Mexico is not present, because before proceeding further with a discussion of the bill I thought I would devote some time to the circumstances surrounding the hearings on the pending measure, as well as the hearings on S. 2048, which was reported to the Senate during the Seventy-eighth Congress. I think the Senator from New Mexico and a few other Senators stated on the floor of the Senate that the hearings had been thorough, that there had been no opposition witnesses, and that all who appeared were for the bill. I do not deny that. The reason for that is that every Senator appointed on the subcommittee to hold the hearings either had his name on the bill or was for it. No effort was made to select a Senator opposed to the bill to serve on the subcommittee which held hearings, as was done when S. 2048 was considered and reported to the Senate during the last days of the Seventy-eighth Congress.

In this connection I should like to refer to my correspondence to show the circumstances under which both S. 2048 and S. 101 were considered by the committee and reported to the Senate.

Mr. BILBO. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. BILBO. The Senator has made a very striking statement to the effect that the entire membership of the subcommittee which held hearings on the bill was in favor of the bill. What I want to know is whether there were members of the full committee who were opposed to the bill from among whom

members could have been chosen to sit on the subcommittee, so there might be a division of opinion on the subcommittee.

Mr. ELLENDER. Yes; I happen to be a member of the full committee. I was present and discussed the facts and circumstances surrounding the holding of the hearings, and made an effort to have the hearings reopened, and I shall in the course of my remarks state to the Senate exactly what happened. I have before me letters from the Senator from New Mexico himself copies of telegrams which I sent to the Senator from Utah [Mr. THOMAS] and the Senator from New Mexico, and also letters from the present chairman of the Committee on Education and Labor.

Mr. BILBO. Are we to presume that the chairman of the full committee, who very strongly favored this legislation, knew that the Senators he appointed on the subcommittee were all in favor of the bill?

Mr. ELLENDER. I will let the chairman himself explain through a letter which he wrote me. I shall read the letter into the RECORD and I believe it will answer the question asked by the distinguished Senator from Mississippi. I may say, however, that the distinguished chairman of the committee is not to blame as will appear from the correspondence I propose to place in the RECORD

Mr. President, continuing my remarks with respect to the facts and circumstances surrounding the holding of hearings on the first bill, which had as its purpose the prohibition of discrimination in employment because of race, creed, color, national origin, or ancestry. On August 2, 1944, I received the following letter from the Senator from New Mexico:

DEAR SENATOR ELLENDER: Senator ELBERT D. THOMAS, chairman of the Senate Committee on Education and Labor, has appointed me as chairman of the subcommittee to give consideration to S. 2048 which has for its purpose, "To prohibit discrimination in employment because of race, creed, color, national origin, or ancestry."

You have been selected as a member of said subcommittee. As soon as it is determined definitely how long Congress will be in session the chairman of the subcommittee will advise you as to when hearings will be held.

Very sincerely yours,

DENNIS CHAVEZ.

On August 21 I received this letter from the Senator from New Mexico:

DEAR SENATOR: The initial hearings of the Senate subcommittee of the Committee on Education and Labor to consider S. 2048 which provides for the establishment of a permanent Fair Employment Practice Committee, will be held on Wednesday, August 30, at 10:30 a. m. in the Senate Education and Labor Committee room.

I do hope that it will be possible for you to be present.

There is a notation on this letter, made by me, to the effect that I had talked with someone in the office of the Senator from New Mexico, and was told that because Congress might recess shortly the hearings would be postponed. I naturally took it for granted that the hearings would be postponed, and that they would not be held until after we returned from a short vacation, which was ordered by the Congress on September 21, 1944.

With the understanding that the hearings would not be held, I proceeded to my home in Louisiana, when, lo and behold! I saw in the newspapers that not only had the hearings been held, but that the whole committee would meet and report the bill to the Senate before recess. I ask Senators why that was done. We were to take a recess on September 21, to return in November after the elections of that year. Could anyone conceive that the bill could be enacted during the Seventy-eighth Congress? Of course not. As Senators know, all bills which are on the calendar at the close of a Congress die, and must be reintroduced. So the time left to enact this legislation after our return in 1944 was not sufficient, especially in view of the fact that we returned after the elections, and that the Christmas holidays were soon to be upon us. Furthermore, there was then pending much important legislation, which caused Congress to return to Washington.

When I heard about the situation I telegraphed to the Senator from New Mexico on September 18, 1944. The Senator from New Mexico had telegraphed to me on the same day asking my views on FEPC, and how I desired to vote before the committee. I replied as follows:

Am disappointed you held hearings on Senate bill 2048 during my absence. Before leaving Washington had telephoned your secretary asking that hearings be postponed until after recess. Having heard nothing further I naturally concluded hearings had been postponed. Am opposed to bill and expect to file minority report. Hope you will not press matters until after November elections.

The matter referred to in the last sentence of that telegram was the report of the bill itself to the Senate.

What happened? A notice was sent to my office suggesting that I be present at a committee meeting on September 20, 1944, which was to be held for the purpose of reporting the bill. Bear in mind that on the twentieth there were few Senators in the city. On the next day we were to take a recess. The bill was reported back from the committee on September 20, and the Senate took a recess on September 21.

The following notation was made by my secretary:

Clerk of Education and Labor Committee says you did not receive notices of committee meetings because CHAVEZ had not informed him that you had been appointed as a member. He says nothing will be done on the bill before recess, and his personal belief is nothing will be done after recess either since the subject is so highly controversial.

That is substantially the statement which I made a little while ago—that even though the bill were reported to the full committee there was no opportunity to take it up because it was so controversial.

That is the episode so far as Senate bill 2048 is concerned. When the new Congress assembled, a year ago last January, another move was made——

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. EASTLAND. Did I correctly understand the Senator to say that he was appointed on a subcommittee which was to hold hearings on Senate bill 2048, and was not notified when those hearings were to be held?

Mr. ELLENDER. The only notice which I received, and which I read into the RECORD, was the one sent to me on August 21, stating that the hearings would begin on Wednesday, August 30. I received that notice; but when I received it I was about to leave for my home. Whereupon I got in contact with the office of the Senator from New Mexico, and I was given to understand that the hearings would not be held until after the recess. When I was given that assurance, I left for home. I wish to make it plain that I did not receive such assurance from the Senator from New Mexico, but from one employed in his office. I learned about the hearings after they had been completed. When I learned that the hearings had been held, I was at my home.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield.

Mr. EASTLAND. As I understand, the Senator had been assured by someone in the office of the Senator from New Mexico that hearings would not be held.

Mr. ELLENDER. Exactly, as I have just indicated. I repeat that ends the episode so far as the hearing on Senate bill 2048 are concerned. As to the pending measure, the hearings were held without giving me notice; and I do not believe that any member of the full committee who was not a member of the subcommittee received notice.

Now, who were the members of the subcommittee? I will tell you: The Senator from New Mexico [Mr. CHAVEZ] was chairman. The other members were the Senator from Delaware [Mr. TUNNELL], the Senator from Pennsylvania [Mr. GUFFEY] the Senator from Wisconsin [Mr LA FOLLETTE], and the Senator from Vermont [Mr. AIKEN].

As to the subcommittee to hold hearings on Senate bill 2048, let me say that, as I recall, there were seven members and the hearings were held in the presence of only two Senators, the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Vermont [Mr. AIKEN]. No other member was present.

When I learned that hearings on the pending bill had been held, and I had not been notified, I wondered what the trouble was. So on May 16, 1945, I wrote the following letter to the Senator from Montana [Mr. MURRAY], who——

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. OVERTON. What position did the Senator from Montana occupy at that time?

Mr. ELLENDER. I was coming to that. He was then chairman of the committee. When Senate bill 2048 was considered the Senator from Utah [Mr. THOMAS] was chairman, and I had been appointed by him on the subcommittee to hold hearings. When the Seventy-ninth Congress was organized the Senator from Utah became chairman of the Committee on Military Affairs, and the Senator from Montana succeeded him as chairman of the Committee on Education and Labor.

On May 16, 1945, I wrote the following letter to the Senator from Montana:

I was very much surprised and disappointed yesterday when I was informed that the hearings on the so-called FEPC bill had been concluded.

Last year I was appointed a member of the subcommittee that held hearings on the bill. When I left for Louisiana, I had an understanding with Senator CHAVEZ's office that the hearings would not be conducted until my return. To my surprise, however, they were held during my absence.

As this is a very important bill, I thought surely that members of the subcommittee would at least be notified when the subcommittee held its hearings so that they could be present if they so desired.

I had intended to be present when the hearings were held so as to examine some of the witnesses, and it was also my intention to suggest that certain witnesses be called.

Yours very truly.

In answer to that letter to the Senator from Montana, on the next day I received from him the following reply:

Hon. ALLEN J. ELLENDER,
United States Senate,
Washington, D. C.

DEAR SENATOR ELLENDER: I have your letter of March 16—

That is the one I have just read—

regarding the hearings of Senator CHAVEZ's committee on the so-called FEPC bill.

When I appointed this subcommittee I called Senator CHAVEZ to ascertain the membership of the committee that was appointed last year.

That is the one I was on last year.

The list furnished me did not include your name. Had I known that you desired to serve on this subcommittee I most certainly would have appointed you as a member. Since you had not made known any such desire, I assumed that there could be no objection to reappointment of last year's subcommittee. Following this same course, I have reappointed you as a member of the labor subcommittee and chairman of the housing subcommittee, both of which assignments you had in the last Congress.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. OVERTON. I desire to ascertain from the Senator whether in connection with consideration of Senate bill 2048, the 1944 bill, he was the only member of the Committee on Education and Labor who was opposed to the FEPC who was appointed on the subcommittee.

Mr. ELLENDER. That is my recollection.

Mr. OVERTON. Then, as I understand, when the subcommittee was appointed on the new bill, the Senator from Louisiana, who was the only member of the former subcommittee who was opposed to FEPC, was not reappointed as a member of the new subcommittee; is that correct?

Mr. ELLENDER. The Senator is correct.

Mr. OVERTON. Very well.

Will the Senator yield, so that I may ask another question?

Mr. ELLENDER. Certainly.

Mr. OVERTON. At that time was the Senator from Alabama [Mr. HILL] a member of the Committee on Education and Labor?

Mr. ELLENDER. He was.

Mr. OVERTON. He was not appointed on the subcommittee at all; was he?

Mr. ELLENDER. No.

Mr. OVERTON. Was the Senator from South Carolina [Mr. JOHNSTON] a member of the committee?

Mr. ELLENDER. Yes; but he was not appointed to the subcommittee.

Mr. OVERTON. Was the Senator from New Jersey [Mr. SMITH] appointed to the subcommittee?

Mr. ELLENDER. No; he was not.

Mr. OVERTON. I think the Senator stated the names of those who were appointed to the subcommittee.

Mr. ELLENDER. The only Senators appointed by the Senator from Montana [Mr. MURRAY], at the request of the Senator from New Mexico [Mr. CHAVEZ], were the Senator from Delaware [Mr. TUNNELL], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Wisconsin [Mr. LA FOLLETTE], and the Senator from Vermont [Mr. AIKEN].

Mr. OVERTON. I thank the Senator.

Mr. ELLENDER. Mr. President, I continue to read from the letter dated March 17, addressed to me by the Senator from Montana:

Senator CHAVEZ, as chairman of his subcommittee, set the hearings and I assume gave such notice as has been customary for such subcommittees. I should think that if you will see Senator CHAVEZ that you desire to have additional witnesses heard, he will reopen the hearings. However, if this is not arranged, I will be glad to have any witnesses you designate heard by the full committee when the subcommittee submits its report.

Yours very truly,

JAMES E. MURRAY,
Chairman.

Following the receipt of that letter, I wrote the Senator from Montana as follows, on March 23, 1945:

Hon. JAMES E. MURRAY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: I have your letter of March 17—

That is the one I have just read—

I am hereto attaching copy of a letter dated August 2, 1944 from Senator DENNIS CHAVEZ, which is self-explanatory—

That is the one I read a moment ago, showing my appointment by the Senator from Utah during the Seventy-eighth Congress—

and also copy of a letter from him dated August 21. After receiving the letter of the 21st, I telephoned Senator CHAVEZ's office and I understood that the hearings would be postponed until after the recess of Congress. Although I was promised that the hearings would be postponed, I was informed that the hearings had been held, whereupon I sent to Senator CHAVEZ a telegram dated September 18, copy of which I am hereto attaching. I am also attaching a copy of a telegram dated September 19, 1944, that I addressed to Senator THOMAS, which is self-explanatory.

All the letters and telegrams referred to in the letter have already been read and placed in the RECORD.

I read further from my letter:

You will see from the attached correspondence that I was a member of the subcommittee that considered the so-called FEPC bill which was introduced during the Seventy-eighth Congress. I don't know at the moment of any particular witnesses that I would like to have summoned before the committee for a hearing, but I would have liked to cross-examine the witnesses who presented themselves, with a view of eliciting from them information as to how FEPC works and obtaining a record of all cases handled by FEPC since it was created.

I was apprised by many of my constituents of efforts of the FEPC to encroach on quasi-private businesses such as the telephone companies and railroad companies of the country in the matter of employment of a certain percentage of colored people.

With best wishes,

Sincerely yours.

To the letter I have just read, I received the following reply from the Senator from Montana, dated March 28, 1945:

MY DEAR SENATOR: Thank you for your letter of March 23 with the enclosed correspondence between you and Senator CHAVEZ.

Now Mr. President, listen to this:

Apparently I was misinformed when notified of the membership of the subcommittee last year. I assure you that I regret very much that you were not again appointed on the subcommittee and that the oversight was purely a case of misinformation.

I hope that if there is any way I can rectify it you will call upon me.

With best wishes, I am,

Sincerely yours,

JAMES E. MURRAY,
Chairman.

At the meeting of the committee at which it was decided to report the bill, the Senator from Montana kindly offered to reopen the hearings so as to enable me to present the testimony of any witnesses whom I desired to call. I could not see much advantage in that procedure as I wanted also to examine witnesses who previously appeared in favor of the bill. I thought I might point out to them the iniquities which the bill contained and which would take away from our citizenry cherished liberties.

Mr. EASTLAND. Mr. President, will the Senator yield for a question.

Mr. ELLENDER. I yield.

Mr. EASTLAND. The Senator has read the hearings. Did he see in them a single instance of any witness who appeared in favor of the bill having actually gone into the mechanics of it, and discussed its provisions?

Mr. ELLENDER. I doubt if any witnesses who appeared before the committee knew what the bill contained.

Mr. EASTLAND. Is it not very strange that a bill which, according to the Gallup and other polls, is opposed by a majority of the people of the United States, as well as by church organizations and trade bodies, should have been reported favorably by the committee without the committee having heard witnesses who might have opposed the bill? I may invite the attention of the Senator to the fact that a few months ago the city of Los Angeles refused to adopt an ordinance embodying provisions of the kind which are contained in the pending bill. Does it not appear strange to the Senator from Louisiana that no one appeared before the committee to testify in opposition to the bill?

Mr. ELLENDER. Mr. President, far be it from me to accuse my colleagues of any ulterior motives in connection with the hearings which were held on Senate bill 101. However, I believe, that the

correspondence in my possession, all of which I have read, shows what took place. As shown by the hearings, not one single, solitary witness before the committee testified against the bill, and I attribute it to the fact that no one who was not in favor of the bill was invited to appear before the committee and testify.

Mr. EASTLAND. I agree with the Senator; I would not charge any of my colleagues with ulterior motives, but it is very strange to me that no one appeared in opposition to the bill when the majority of the people of the country are opposed to it.

Mr. ELLENDER. I read various newspapers almost every day, or at least when I have time to do so. In my reading of the newspapers which were published during the period in which the hearings were held on this bill, I observed nothing concerning those hearings. As a rule, when hearings are held on an important bill, the newspapers carry some reference to them. It may be that the newspapers did carry some reference to the hearings then being held; but if so, I did not see it. The Senator from New Mexico [Mr. CHAVEZ], the chairman of the committee, knew that I was a member of the subcommittee during the previous Congress. He knew my interest in the subject. As the Senator from Montana has suggested, my name was not submitted by the Senator from New Mexico so that I could be reappointed to the committee. The reason I desired to be reappointed was to make sure that some member of the subcommittee would examine the witnesses who might appear before the committee, and obtain their views with reference to the implications involved in the bill. However, that opportunity was denied, and Senators must take the record as it has been written and form their own conclusions with reference to the implications which have been incorporated in the bill.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. OVERTON. I have not read the hearings on this bill, and I do not know as I shall ever read them. However, as chairman of subcommittees during my tenure of office in the Senate, I have had occasion to conduct hearings on many legislative proposals. It has been my experience that the chairman and the clerk of the committee, as well as the chairmen of subcommittees, receive resolutions from various organizations, both public and private, in respect to bills in which there is considerable public interest, as well as letters from prominent citizens. I always put such resolutions and letters into the record when a request is made to do so. I presume the record to which the Senator has referred does contain expressions of opposition to the pending bill.

Mr. ELLENDER. Not one single complaint against the bill is shown in the record.

Mr. OVERTON. My office has received various resolutions against the FEPC bill, and I am quite sure that the files of the Committee on Education and Labor show that quite a number of such resolutions were sent to that committee.

Mr. ELLENDER. The only evidence appearing before the committee handling the pending bill was evidence which was submitted by proponents of the measure, and not one single, solitary word was said by anyone in opposition to the measure.

Mr. OVERTON. I thank the Senator.

Mr. ELLENDER. Mr. President, I now desire to explain at least some aspects of the genesis of this bill. It has been said on the floor of the Senate that the bill is designed to protect the minority races, and that it was fostered by all minority groups. I shall proceed to show that back of the bill is a small clique of Negroes who live in and about the city of Washington, and who prey on the ignorance of the colored people. To maintain their suites in Washington and carry on the big lobby which is now in evidence on the pending bill requires money, and this little group of selfish colored people are attempting to represent the 13,000,000 colored people who are scattered all over this country, principally in the South.

I am sure that, if I were to go to my State tomorrow and travel over it for a week, I could not find a handful of colored people who knew anything about FEPC. They would not know what it is about. We hear very little talk about such a measure among them.

Mr. President, in order to prove what I say, let me quote from an article in the American, the issue of January 1943, beginning at page 37. The article was written by William H. Birnie, and the opening paragraphs read as follows:

> It has been a red-letter day for a powerful organization, hereto unpublicized, known as the Black Brain Trust.
>
> This Black Brain Trust consists of about 25 Negro leaders—

If I said 100, I made a mistake; it is 25, instead of 100—

> who have assumed command of America's 13,000,000 Negroes in their fight for equality. They hold informal meetings to plan their strategy, whether it is to defeat a discriminatory bill in Congress or to overcome prejudice against a black private. Few white men know it, but they have already opened a new front in America—a front dedicated to the liberation of the dark races.
>
> Some white leaders accuse them of "taking advantage of the war." They boldly admit it, insisting that if this is a war for liberty they want theirs. They argue that their fight serves the American cause on two fronts: It will put an end to the apathy of many Negroes toward a war in which they say they have no real stake, and it will secure America's position abroad among the black, brown, and yellow peoples of Central and South America, India, Malaya, Burma, and China.

Mr. President, I shall not read further in respect to what their plans are except to read into the RECORD what they want. This article, as I have said, appeared back in January 1943:

> The final objective of the Black Brain Trust, as outlined to the author of this article, is economic and political equality for Negroes—total abolition of "second-class citizenship." But the immediate program embraces this eight-point program.

Mr. President, here is another admission that the purpose of this whole plan is to give to the colored people political and economic equality, and I propose to show before I conclude that political equality will lead to social equality, and social equality to a degradation of our race. I propose to prove that from history. I propose to show the greatness of Egypt at one time, and how, after she imported Ethiopians in order to help her build the Pyramids and the Sphinx, in less than 500 years the head of the Egyptian Government was a mulatto, and the Egyptian people came to naught as a great power.

I shall show the same with respect to India, which is one of the most thickly populated countries of the earth. Does it not seem strange that a little handful of Britishers—10 percent of the population of Great Britain—can rule the destinies of 400,000,000 people? That is what is occurring today in India. I attribute that to the fact that India lost her power as a nation when she permitted the white people of that country to amalgamate with other races of people, both the yellow and the black.

Mr. President, I shall go into detail later in my presentation of the subject. I may take a long time to do it; I may repeat; but it is worth while. I am not speaking for this generation, I am not speaking for my son's son, because it will require a much longer period than two generations to make a mongrel race out of our people, but I wish to offer it as a warning to our people in the light of past history.

As I stated a moment ago, we do not have to go very far back to determine what mongrelization will do to a people. I have never feared the people to the south of us. I have never feared Mexico, or the Central American countries, or the countries of South America, for the reason that virtually all those countries, with very few exceptions, are populated by a mongrel race, which is unable ever to progress ahead of the American people. So far as I am concerned, I wish to give warning now, and I expect to repeat it and repeat it, that we must take heed lest we may realize the danger too late.

Mr. President, I wish to read further from the article to which I referred, entitled "The Black Brain Trust."

Mr. EASTLAND. Mr. President——

The PRESIDING OFFICER (Mr. BYRD in the chair). Does the Senator from Louisiana yield to the Senator from Mississippi?

Mr. ELLENDER. I yield.

Mr. EASTLAND. The Senator spoke of amalgamation in India, and the mongrelization of the race. Does not the Senator think that the policies of certain States, particularly the State of New York, where it seems to be the State policy to repeal the segregation laws and to throw the races into social contact, will result in racial amalgamation?

Mr. ELLENDER. The Senator has anticipated me. I expect to show that. I have the statutes, which I expect to submit to the Senate, showing the extent to which politicians in the various States of the Union have gone in order to appease a miserable little group of colored people here and there, in order to win their support.

Mr. EASTLAND. Does not the Senator think that the pending bill is merely

an attempt to export Harlem democracy to the rest of the country?

Mr. ELLENDER. There is no question about it. The colored people in the pivotal States have been able, as it were, to induce small-time ward politicians to aid them in passing laws favorable to them. Those who are responsible for such laws are always hopeful that the colored people will not exercise the rights given to them under such laws.

I shall cite some statutes which were passed in Pennsylvania and in other States giving to colored people the right to be buried alongside white people in the same cemeteries. Why was such a law passed? Who instigated it? Does the Senator think the white people did?

Mr. EASTLAND. I think white politicians who were catering to Negro votes did it.

Mr. ELLENDER. There is absolutely no doubt about it.

Mr. EASTLAND. Men who placed political ambition above the welfare of their States and the welfare of their country.

Mr. ELLENDER. What is being attempted here is to put the movement on a national basis. Small groups in many States of the Union started the movement here and there. It may have taken them a good deal of time to accomplish their purpose but they succeeded. Let us not be fooled, Senators. The purpose of this bill, as well as other bills which I shall mention in the course of my remarks, is solely to try to win over Negro votes in various parts of the country, and for other reasons.

Mr. EASTLAND. And to win over other minority groups.

Mr. ELLENDER. Yes, but principally the colored. As I expect to show by reading from the article, I started to read a moment ago, those who proposed fair employment practice went to the White House and tried to put pressure on our late President, and as a matter of fact forced him, as the article goes to show, to do their bidding.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. EASTLAND. Does not the Senator from Louisiana agree with me that racial pride is one of the great things in life and that there is a concerted attempt among certain elements in our population to destroy racial pride in the breasts of white men, so that they can bring about a mongrelization of the races and destroy this country?

Mr. ELLENDER. I do not believe that is their intention, I will say to the Senator. I think they are innocent of such a purpose.

Mr. EASTLAND. But, of course, that will destroy this country.

Mr. ELLENDER. Yes; but I am not accusing those who would vote for this bill of that, because I do not believe they understand the implication of bills of this nature. The Senator knows what took place in the Senate in 1938. I participated in a debate against the anti-lynching bill.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. EASTLAND. The Senator made a great speech in 1938. He is making a great speech today. I compliment him. He is preaching the funeral of FEPC, and I am glad to be here, not as a mourner, but in another capacity.

Mr. ELLENDER. Mr. President, I am very serious in what I am trying to tell the country, and I am satisfied that if the great men of this Senate would study past history to find what occurred in other countries because of amalgamation, because of mongrelization, they would not be for the bill. But many of them are willing to forget about that. Many of them are thinking, "How will it affect me in November when I run for offices?" That is what is in their minds, and nothing else. What they have in mind is the effect their voting for or against the bill will have upon the election in which they are involved.

Mr. President, I want to say further that I do not see how some Senators in whose States there is less than two-tenths of 1 percent colored can be for a bill of this kind. There is no reason for them to be for it from a political standpoint. The only reason why they are for it, as I see it, is that there is some kind of a national move, one embracing not only New Hampshire, where the colored population is small, but all the Northern States, in order to control the colored vote in eight or nine pivotal States of the Union where the colored vote, however it goes, will decide the national election.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. O'DANIEL in the chair). Does the Senator from Louisiana yield to the Senator from Mississippi?

Mr. ELLENDER. I yield.

Mr. EASTLAND. Does not the fact that there appears to be a coalition between the Negro voters and certain other minorities, the PAC, the Communists, and the mongrels, all under the banner of liberalism, support the view that there is a concerted attempt to take over this country, and that this bill is bait which is thrown out by that same element to the Negro voters to hold them in line?

Mr. ELLENDER. I do not know, Mr. President. I would not venture to say, because I do not know, but my hope is that the proponents of this bill are going to view it in the light of what I have been talking about. Bear in mind that the bill in itself does not accomplish what I am now saying, but it is only a cog in the wheel.

The personnel of the present FEPC, who would be transferred to the new Commission and carry out the terms of the bill, include 65 colored out of 110 employed. By the way, talk about equalization of opportunity and of spreading employment on the basis suggested in the pending bill. The FEPC in the last couple of years has had as many as 111 or 112 employees and 65 of them were colored. Yet we hear talk about dividing jobs on the basis of the percentage of colored to the rest of the population, and of providing jobs without respect to race, color, creed, national origin, or ancestry. I will say to the distinguished Senator from Mississippi if a bill of this character were passed, with the powers vested in the Commission that the provisions of the bill would vest in it, God alone knows what would happen, because it would simply lead to the adoption of other similar legislation which would take us further down the road of disaster and ruin. I have no doubt about that, Mr. President. I am surprised that Senators will not look as far into the future as I am trying to, and will not study the past history of countries which permitted themselves to be dominated by the colored race, or even the yellow race, or the Indian race, as was the case in Central and South America. I expect to be more specific about that before I take my seat.

Mr. President, before I was interrupted by the distinguished Senator from Mississippi—of course I do not mind being interrupted at any time—I was about to read further from the Black Brain Trust, an article written by William A. H. Birnie in the January 1943 issue of the American magazine. I read this article to show the Senate the manner and method by which the Executive orders were issued which created the Fair Employment Practice Committee. The matter was not discussed in ordinary tones, that is, "We think it is wrong, Mr. President, that the colored people of this Nation should not be given an opportunity to work"; but the way it was done was by threatening a march by 50,000 colored people on Washington. And because of that threat, as the article indicates, our late President sent for the master mind or the head man of the movement, and as I read the article it will explain better than I can tell what happened.

Probably the most telling action of the Black Brain Trust led to the second Presidential Executive order dealing with Negroes in American history, 78 years after the first—President Lincoln's Emancipation Proclamation.

Early in 1941 Negroes throughout the country were grumbling about their exclusion from defense jobs. The "brain trusters" decided to take direct action. A. Philip Randolph, president of the International Brotherhood of Sleeping Car Porters, an A. F. of L. union, with about 11,000 Negro members, proposed a mass march on Washington.

This man Randolph is a colored man, with offices in New York, and, as the article indicates, he is the president of this union which is composed entirely of colored people.

Soon there were reports that an army of 50,000 Negroes would march on the capital and picket the White House on July 1.

That was in 1941.

As the dead line approached, politicos put the screws on Randolph. "Don't do it," they argued. "You'll just inflame southern Senators and you'll be worse off than ever." A few years back that argument probably would have prevailed, but Randolph was adamant.

"The march must go on," he said. "I am sure it will do some good." Finally President Roosevelt himself summoned Randolph, White—

Senators know who White is. He has been living on the pennies collected by his colored association from many poor colored people all over the United States. I do not know how much salary he receives, but I am told that he is paid $10,000 and expenses to represent the colored people. He is one of the 25

"brain trusters" who are handling the affairs of 13,000,000 Negroes, and, as I have just pointed out, I am sure without the knowledge or consent of more than a handful of them.

Finally President Roosevelt himself summoned Randolph, White, and several other Negro leaders to the White House. Besides the President, Secretary of War Stimson, Secretary of the Navy Knox, and key officials of the then existing Office of Production Management attended the conference.

Randolph told his story bluntly. He reported that doors of defense plants were being closed to Negro workers, and feelings were running high. He wanted a Presidential antidiscrimination order with teeth in it. A few days later, Randolph was called in again and shown the draft of an order committing defense industries only. "Not enough," said Randolph, in effect. Unless the order included Government agencies as well as defense industries, he was sorry but the march would take place as planned. The Negroes stood pat, and the administration gave ground. Executive Order 8802 was issued:

"That it is the policy of the United States to encourage full participation in the national defense program by all citizens in the United States, regardless of race, creed, color, or national origin * * * that all departments and agencies of the Government concerned with vocational and training programs for defense production shall take special measures appropriate to assure that such programs are administered without discrimination."

Listen to this, Mr. President and Senators—the few who are present—

"and that all contracting agencies of the Government shall include in all defense contracts hereafter negotiated by them a provision obligating the contractor not to discriminate."

"It was purely a knock-down-drag-out affair," Randolph told me when I talked with him in his union office above a drugstore in a Harlem loft.

Remember, the President of the United States, the Secretary of War, and the Secretary of the Navy participated in the conference.

"I don't want any one to think I called off that march on Washington permanently. That's still our ace in the hole. We could rally thousands of Negroes to stage it next week."

Mr. President, that is the manner of approach by these colored people in having our great President issue Executive Order No. 8802. It was done under threat of a march to Washington. Think of it.

In that order contractors were told that they had to write this nondiscrimination feature not only into the main contracts, but into all subcontracts. The bill which is now before the Senate has such a clause written into it. I am wondering what the difficulties would be with the General Accounting Office in the settlement of all the contracts entered into between our Government and private industry if it could be shown in some cases that there was discrimination. The Comptroller General may have the right to stop payment on the contracts, because of a violation of the nondiscrimination provision of the contract.

The bill goes still further and provides that if any discrimination is shown by a contractor he may be blackballed and prevented from obtaining future contracts. Think of such clauses being written into all contracts. Such a thing would have a tendency to clog the work of our great Government. I can see what would happen, with little snoopers going around like a colony of ants, trying to find out this or that, in an effort to exercise the power proposed to be conferred by the bill.

No attempt was made by the administrators of the Executive order to go very far, because the Executive order could not provide the teeth. It was practically all gums. The teeth could not be provided because of lack of authority in the President. But give them power and see what will happen.

Mr. President, it is inconceivable that Congress should pass the pending bill or anything that resembles it. It would be a rape of the commerce clause of our Constitution to pass such legislation. So far as I am concerned—and I did not say it boastfully the other day, but I will repeat it—if I am given the privilege, I will talk on this floor as long as God gives me breath against such a bill as the one before us, or anything like it, because I can conceive what would happen in years to come to our great citadel of freedom, the freedom which has made this country great. It breaks my heart to see Senators take the position they assume.

Executive Order 8802 was first issued on June 25, 1941. It passed through various stages. First the administration of it was placed in the Office of Production Management; but for some reason or other the advocates of the proposal were not satisfied, so it was moved into the War Production Board. There further difficulties were encountered, which prevented the proponents from proceeding as they had planned. So the administration was placed in the War Manpower Commission.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. JOHNSTON of South Carolina. Does the Senator know that at the present time 83 percent of the personnel of FEPC consists of colored people, and only 17 percent white?

Mr. ELLENDER. A few moments ago I so indicated to the Senate. I did not know the exact percentages.

Mr. JOHNSTON of South Carolina. I hold in my hand a letter from Mr. Ross, giving the percentages.

Mr. ELLENDER. A moment ago I indicated the number. As the Senator has shown, the Committee on Fair Employment Practice does not itself practice fair practice.

Mr. JOHNSTON of South Carolina. Does the Senator know that 20 percent of its personnel is from the State of New York, and 20 percent from the District of Columbia, or a total of 40 percent from those two places? Is that fair employment?

Mr. ELLENDER. I am not surprised, because people from New York, the District of Columbia, Virginia, Maryland, and Pennsylvania—I do not wish to overlook Pennsylvania—hold a great many jobs in the Government. Of course the great State of Pennsylvania and the great State of New York, whence comes my good friend JAMES MEAD, are for this bill. I do not wish to accuse my good friend of ulterior motives. He is a fine friend, but I know the condition in his State. I know of the large colored vote in Harlem, in Rochester, and in other sections of the State. The Senator from New York comes up for reelection next year; and, of course, he needs all the votes he can get. I for one do not wish to see him lose votes. But I am making an earnest effort to put before the American people the implications involved not only in this bill, but in legislation of a similar character which has been proposed time and again before Congress in an effort to appease certain minority groups, particularly the colored people of this Nation.

Mr. JOHNSTON of South Carolina. I know the Senator wishes to be fair to everyone, but I notice that of the 40 percent from Washington and New York, there is but one white person—only one in the whole outfit—according to the statement which I received this morning.

Mr. ELLENDER. I would not be surprised or disappointed if it were found that all of them were colored.

Mr. MEAD. Mr. President, will my distinguished colleague from Louisiana yield to me?

Mr. ELLENDER. Gladly.

Mr. MEAD. It is my understanding that only approximately 30 employees are left in the FEPC, and that nearly all of them are clerks and stenographers.

Mr. ELLENDER. That is also my understanding.

Mr. MEAD. I further understand that a goodly number who came from other jurisdictions transferred to other agencies when the appropriation was reduced, and that a number of the persons now working for the FEPC are working without pay.

Mr. ELLENDER. Yes. Of course, that is frequently the case in governmental work. It often happens that if the employees of a certain Government agency learn or believe that it is likely to peter out, as it were, they endeavor to transfer to some other agency. In other words, in this instance they anticipated that the Congress would not establish the FEPC on a permanent basis, and naturally they wanted to leave the ship—and I do not blame them.

Mr. MEAD. Mr. President, will my colleague yield to me again?

Mr. ELLENDER. I gladly yield for a question.

Mr. MEAD. I wish to congratulate the Senator from South Carolina because I am quite sure that if he will look over the roster of the United States Government he will find that some very lucrative positions, including Cabinet positions, are filled by citizens of his State. If he has had anything to do with that, I think he should be congratulated.

Mr. JOHNSTON of South Carolina. Mr. President, I also congratulate the Senator from New York, for if he will look back just a few short years he will find that at that time practically half the Cabinet positions were filled by citizens of New York.

Mr. MEAD. We lost those positions to South Carolinians.

Mr. ELLENDER. Mr. President, I ask the Senator from New York whether he has any further questions to ask.

Mr. MEAD. No; I was merely congratulating my distinguished friend the

Senator from South Carolina, who has done rather well.

Mr. ELLENDER. Of course, Mr. President, as the distinguished Senator from South Carolina has just stated, it has only been recently that the South has had any recognition. I think the present President is so close to the South that we can call him a southerner, and of course he has seen fit to divide up the patronage, as it were, and to give a little bit of representation to the South.

As was also pointed out by my good friend the Senator from South Carolina, prior to the advent of our present President most of the important positions in the Government, including the Presidency, were filled by New Yorkers. I am merely envious of them; I am not complaining.

Mr. MEAD. A few of the votes that made it possible for the President to serve also came from New York.

Mr. ELLENDER. Oh, yes. But if it had not been for the South's maintenance of the Democratic Party, the chances are it would have dissolved. We have stood by the Democratic Party through thick and thin, but I do not know what will happen in the future if these assaults against our section of the country are continued. I simply do not like it.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield to me?

Mr. ELLENDER. I yield.

Mr. JOHNSTON of South Carolina. Is it not true that in the South we have had quite a time holding the party in line, due to certain reactionary changes which have occurred in our Government? I wonder whether the South will continue to put up with the present tendency if it is maintained. Certainly there is a breaking point somewhere; is not that true?

Mr. ELLENDER. Yes. The people of the South are most patriotic. I do not mean to say that the people of the North are not equally patriotic. But we in the South have followed the Democratic Party because we love its principles and what it stands for. However, it has gradually gravitated away from the principles upon which it was founded. If these assaults are maintained, it may be necessary to make some changes. So far as I personally am concerned, if the methods which are now followed are continued and if they lead to the point of meaning the destruction of our freedom and our Nation, I do not know that I shall wish to follow that road. I myself may wish to change. That is what will happen if proposals of this nature continue to be advocated and fostered.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield again?

Mr. ELLENDER. I yield.

Mr. JOHNSTON of South Carolina. I merely wish to ask a question. At the last Democratic National Convention did not the Senator notice the effect of some of the things we have been talking about? Were not their effects felt at the last Democratic National Convention?

Mr. ELLENDER. Yes; and perhaps they will be felt at the next convention, although I hope not.

Mr. MEAD. Mr. President, will the Senator from Louisiana yield at this point?

Mr. ELLENDER. I yield.

Mr. MEAD. While we are discussing the possibility of a change of political affiliation, whether it relates to the individual or to the State, in view of the fact that the platform has just been brought into the discussion it might be well for us to review the record which has been made. The record shows that both the Republican platform and candidate and the Democratic candidate pledge their support to this particular legislation.

Mr. ELLENDER. The Senator from New York did not hear me praise the Republican Party; did he?

Mr. MEAD. No.

Mr. ELLENDER. It is just as bad, or perhaps worse, respecting its position on the pending bill, because it has put the matter in black and white in its platform. But no such pledge is to be found in the Democratic platform, and there is a good reason why it was kept out.

Mr. MEAD. I merely thought it would be appropriate to mention that point now, in view of the fact that the Senator from Louisiana has been speaking about the possibility of a change or transfer of affiliation. According to the record, there is no other place to go; they are all for this bill.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. JOHNSTON of South Carolina. In order to keep the record straight, let me say that no one can accuse me of threatening to go into the Republican Party. Down in my State we have whole counties where people do not even know what a Republican looks like, and I said so at the convention. However, let me point out that different lines of feeling or belief are to be found in the Republican Party. I do not wish to split my party, and I do not think any other good Democrat wishes to do so either.

Mr. ELLENDER. Mr. President, when I was interrupted a moment ago by the request to yield—and of course I was glad to give my good friend an opportunity to ask some questions—I was discussing the way the committee which was established under Executive Order 8802 started out in the Office of Production Management, then was shifted to the War Production Board, and finally landed in the War Manpower Commission. If the truth were known, I wager there was considerable conflict between the interests of the FEPC and those of the other three agencies. I have no doubt that another threat was made to the President, in an effort to have him make the existing FEPC committee an independent agency. So on May 27, 1943, by Executive Order 9346, a committee of seven was authorized. One of its members was to be chairman and the others were to be mere commissioners, with a per diem rate of pay. That agency was set out by itself; it was independent of the War Manpower Commission, independent of the War Production Board, and independent of the Office of Production Management. It could go into every industry in the country and make its own investigations, on its own initiative; and although there were no teeth in the Executive order establishing it, it sought to harass many businessmen throughout the country. It went so far as to make attempts to go into private industries which were not engaged in interstate commerce. It attempted to dictate to quasi-public concerns which were not engaged in interestate business. I am sure there are very few Senators on this floor who have not heard complaints from their States in respect to such attempts on the part of the FEPC. Mr. President, there is no telling the extent to which a commission of this character would be prone to go if it had the power of subpena, the power to investigate, the power to go into a man's business and force him to give up his books, and not only that, but the power to force him to testify, even though his testimony might incriminate him. That is something which is very seldom heard of, and yet this bill provides, in section 11 (c) that any man who is summoned, irrespective of the effect of his testimony from a criminal standpoint, is bound to answer to the Commission or its chosen investigators. The section contains language to the effect that if he gives testimony, he may not be prosecuted, but he is not protected should his testimony incriminate him as to the relation of a State, parish, county, or municipal law. I read section 11 (c):

> No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture—

That language flies into the teeth of the Constitution of the United States and, I am sure, the constitutions of all the States of the Union.

I read further—

> but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Mr. President, every part and parcel of this bill seeks to take away from the American citizen the God-given rights which are guaranteed to him by the Constitution.

After the Committee on Fair Employment Practice was organized under the Executive order, and while from time to time it was snooping into the businesses of various persons and going a little further and further than it should have gone, the Congress, at the instance of the distinguished Senator from Georgia [Mr. RUSSELL], provided that the President cold no longer use the funds appropriated for his use in maintaining the work of the Committee. Therefore, the Committee was required to come to Congress and ask for funds with which to operate. All of us know what took place when the appropriation bill was considered last year. The powers of the FEPC were considerably reduced, so much so that my good friend, the Senator from New York [Mr. MEAD] was

moved to say that today the Committee is a mere skeleton of what it originally was. I hope that later we will do a complete job of breaking up all the bones of that skeleton and thereby dismember it.

Mr. President, it is my contention that this bill is not necessary. I grant that there may have been some reason of an emergency nature to cause the President to take some such step during the war. I am complaining as to the manner in which it was done. As the Executive order stated, not all people were employed, and it was necessary to make an effort to insure their employment. However, I am satisfied that the same result could have been attained through the United States Employment Service then operating throughout the Nation. All such offices were clamoring for ship workers, welders, and so forth. No question was asked of a man as to his race, color, or creed. The question was, "Can you do the job?" If the applicant could do the job, he was employed. Our armed forces were being sent across the seas, and it was necessary to supply them with materials and arms. All industrialists were vieing with each other for workers. The farmers of the Nation were short of help. I contend that the shortage of help would have eventually been supplied, and that there was no necessity in the first place for the President to exercise his wartime powers by creating the Committee on Fair Employment Practice.

Mr. President, as I indicated a while ago, this bill, as well as the Executive order to which I have referred, were fostered for and by the Negroes. I do not believe that any other minority groups had anything to do with either the Executive order or the bill. At least, I do not believe that they had anything to do with the Executive order until after the Committee had been formed. Those who have put on high pressure are groups from various pivotal States who are demanding that this or that be done, "or else we won't see you at the polls at the next election." That is the way the bill has been handled, and no other way. The record indicates and the facts show that of all the cases handled by the Committee on Fair Employment Practice, 78 percent affected colored persons. Ten percent of the complaints which were made were based upon religious grounds, principally those affecting Jews. Seven percent of the complaints were based on the ground of those affected being aliens, and 5 percent on the ground of national origin, involving, principally, Mexicans. But the astounding fact of all is that of the 78 percent of complaints affecting colored persons, only 25 percent originated in the South where 75 percent of the colored people of the United States reside.

Mr. President, I assert that so far as the South is concerned, there is no necessity whatever for this bill. The record further shows that most of the alleged discriminations took place within only a few States, such as California, Illinois, New York, Indiana, and a few others. Yet, Congress is asked to enact into law this iniquitous bill which would apply to all the States.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. EASTLAND. Do the records show any great amount of discrimination having been practiced in the country as a whole?

Mr. ELLENDER. Of course not. The record shows that only minor discriminations have taken place. Reference has been made in the Senate by the Senator from Maryland [Mr. TYDINGS] to something which occurred in Baltimore. Some group of colored people employed in a plant there wanted to use the same toilet that was being used by white persons. I understand that through some action which was taken by the Committee on Fair Employment Practice the manager of the industry was forced to remove the partitions. Such instances are few. They would never have originated if some of those poor devils had not been led to believe that the Committee on Fair Employment Practice had the right to prevent such alleged discriminations, although when they woke up they found that the committee was not as powerful as they had thought it was.

Mr. EASTLAND. The Senator heard the statement on yesterday of the Senator from Pennsylvania [Mr. GUFFEY], did he not?

Mr. ELLENDER. I heard only a portion of what he said.

Mr. EASTLAND. He said that the segregation of facilities, such as rest rooms for white and colored folk, was an unfair employment practice, and that the removal of such discriminations was one of the objects of the bill.

Mr. ELLENDER. Yes. I may say to the Senator from Mississippi that similar conditions prevail right here in Washington. I know certain persons who work in the War Department. When the President's Executive order made it necessary to employ a certain percentage of colored people in the various Government departments, the colored workers had been employed approximately only a month before they began to insist on using the same toilets which were used by the white employees and eating in the same cafeterias. Does the Senator know what occurred? I know of my own knowledge that some of the best obtained transfers. They are not now in their former employment. In some of the departments the work has been left entirely to colored employees. In some departments, colored employees exclusively are engaged in filing work. I understand that in one division of the War Department the filing clerks are exclusively colored employees. Officials of the War Department who find it necessary to go to that department and obtain files are unable to find them.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. EASTLAND. The State of Mississippi, under its police power, has a statute which prohibits races from eating in restaurants together. Suppose an industrial plant in that State, by virtue of the State law, operated two restaurants, one for whites and one for colored. Does the Senator think that if this bill should be enacted the Commission set up under it could step in and try to repeal the State statute?

Mr. ELLENDER. I doubt if it could, because as I understand the bill is being advocated as being constitutional, under the commerce clause. Of course, if the company referred to were engaged in interstate commerce, it would come within the purview of the proposed act.

Mr. EASTLAND. The proponents of the bill say it would. That is the object of it.

Mr. ELLENDER. No; as I pointed out a while ago, and as the Senator stated yesterday on the floor of the Senate, the object is to bring about social equality. That is the object, and nothing else.

Mr. EASTLAND. It is a plan to strike down the segregation statutes of the South.

Mr. ELLENDER. There is no question about that. I see that the Jim Crow law is before the Supreme Court today. I do not know what is going to happen, but I am apprehensive that the Judges who now adorn the bench might, with their present views, upset decisions of many years' standing.

Mr. President, in the hearings on the national war agency appropriation bill for 1945, it was shown that complaints of discrimination were few, that most of them were trivial and could easily have been settled through the United States Employment Service. As I indicated a moment ago, 75 percent of the complaints in respect to colored people originate in the North, where only one-fourth of the colored people reside.

If it were possible to look into this matter further, it would be found that these cases originated in cities like Detroit, Chicago, Los Angeles, San Francisco, and other large cities in the larger States of the North. So that if we were able to boil the matter down, as it were, and ascertain where each case originated, and if we were able to take a count of the colored people living in those localities, it would be found that 75 percent of the complaints originated where but a very small percentage of the colored people reside.

There is no necessity for such a bill as this. As the hearings on H. R. 4878, which I hold in my hand, show—and the statement came from the lips of the chairman of the FEPC, Mr. Ross—during 10 months of the last fiscal year 90 percent of the cases came from the North and West and only 10 percent from the South. The testimony shows further that 90 percent of the complaints came from the large cities, and, figuratively speaking, affected but a handful of colored people, compared with the entire colored population of the country.

What I do not like is that, merely because there may be some discrimination here and there in some of the larger cities—few in the South—some Senators are willing to saddle an infamous bill of this kind on the entire Nation. As I have said, it is not necessary, and in all the hearings that were held since 1943 on the bills which came before the Committee on Appropriations, the evidence showed that the number of cases in the South gradually decreased, until, as I have just indicated, in the last 10 months of the last fiscal year, only 10 percent of all the cases in the country originated

in the South, although 75 percent of the colored population of the Nation lives in the South.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. TYDINGS. I have not given the bill the thought bestowed on it by the Senator from Louisiana and other Senators who have debated it on the floor of the Senate, and I should like to ask the Senator whether it is his understanding that the proposed regulation of employment would be applicable to organizations which are devoted exclusively to religious purposes.

Mr. ELLENDER So the bill says.

Mr. TYDINGS. I glanced through the bill, and I did not see any exceptions. It occurs to me that if there were a vacancy in an educational institution which was devoted to some religious theology, irrespective of the question of race—I am not talking about that—a person might apply for a position as teacher in the institution who would be of a different religious faith from that of those who conduct the institution. So far as I have been able to read the bill, it seems to me that if a person were turned down solely because he was of a different religion, even though the school was devoted entirely to religion, there would be a violation of the act.

Mr. ELLENDER. There is no question about that. No exception is made. The bill is specific in basing the reason for discrimination on race, creed, color, national origin, or ancestry, without any limitation.

Mr. TYDINGS. Many religious groups maintain institutions of one kind or another—very worthy institutions they are, too, dedicated to the public good—in which the faith of those who subscribe or adhere to the particular religion permeates the whole atmosphere. If there should arise a vacancy in an institution of that kind, which I need not name, but which I am sure we can all visualize, under the terms of the bill I take it the institution might be compelled to employ one who was not of the religious faith in question.

Mr. ELLENDER. There is no question about it. Since the Senator raises that point, I call attention to the fact that I read a discussion of what would happen to the employees of the Christian Science Monitor. I understand the proprietors follow a certain policy, having employees of a certain faith. Whether that is true or not I do not know, but I read a discussion of it.

Mr. TYDINGS. I do not believe the law would be enforceable, even though it contained specific provisions, in the instance to which I called the Senator's attention, for the reason I shall now state. I do not refer to the Christian Science Monitor, but to religious institutions. The Constitution contains this provision:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

The phrase "free exercise" of religion, liberally construed, in my opinion, would be broad enough to prevent the compulsory employment of a person in a religious institution who was not of the faith to which the persons conducting the institution adhered. So, in that particular instance if the law compelled one sect to employ a person of another sect or faith, in my opinion it would contravene the first amendment to the Constitution, and in that instance I believe the court would hold that the Congress had not the power to compel such employment.

Mr. ELLENDER. I have no doubt of that, I will say to the Senator. I had in mind what the bill itself contained when answering questions propounded to me.

Mr. TYDINGS. I have just finished reading it. There is no exception in it.

Mr. ELLENDER. No; none whatever. A while ago I read subsection (c) of section 11, appearing on page 11 of the bill. Under the terms of that subsection, a man can be forced to testify, even though it can be shown that his testimony would incriminate him. Yet he must testify. That is in violation, I presume, of every State constitution, as well as of our Federal Constitution.

Mr. TYDINGS. Mr. President, I do not pose as a religious authority, but let me suggest to the Senator that when we talk about what we call religion we generally think of a man as a Jew, a Catholic, a Protestant, a Mohammedan, or what not. Religion is a way of life. It is not something detached from human existence. It is a part of our everyday activity. It is a philosophy. Any religion that one adheres to, whether it be Protestant, Catholic, Jewish or what not, is a way of living. But most people think of this provision of the Constitution as dealing only with a man who goes to church. A man may be a great student of the Bible or of the words of Christ and never set foot in a church, yet he may be more religious than men who habitually go to church. We are apt to think of what we call religion as detached from human existence.

In my opinion, the amendment was written into the Constitution to protect a man in his philosophy of life, which is nothing more than being a man of God or an atheist. Certainly the Constitution protects an atheist, a man of no religion at all. It protects a man who has a religion. I am afraid that latterly in many considerations, and not only in connection with this bill, the intendment of the first amendment to the Constitution has been lost sight of. The intendment is to prevent coercion. When we apply that to a religious institution, it can easily be seen that such interference as I have suggested would violate the amendment.

But religion does not stop at the religious institution. One does not have to go into a religious institution. For example, the Catholics maintain many nunneries and many monasteries, and, of course, those who dwell therein have devoted their lives to the particular undertaking with which they are associated. But there are plenty of good Catholics who are not monks, who are not nuns, for example, just as there are plenty of Protestants who are not ministers of the Gospel, and so on. So that a man's religion, boiled down, is the right to believe, that is all. And if I believe something, I do not think the Congress can take it away from me so long as I am not interfering with anyone else.

Mr. ELLENDER. It is more or less personal.

Mr. TYDINGS. And my own business is my own.

One more question: Under what authority of the Constitution can Congress pass an act telling an individual to hire someone he does not want to employ? I would be grateful if any Senator present would show me the implied or the express provision of the Constitution which authorizes us as a legislative body to pass a law which compels a man to hire in his business someone whom he does not want to employ. I am not arguing the right or wrong of the question. I am looking for the authority. I do not want to become involved in a debate concerning whether this proposed law is a good law or a bad one, whether it is just or unjust. But we have no authority, except what is expressed or implied in the Constitution, and so far in this debate I do not believe anyone has pointed out where that authority is, either implied or expressed, which gives the Federal Government the right to tell an employer whom he shall employ in his business.

Mr. ELLENDER. Of course, as I pointed out earlier in the debate, the bill would be a rape of the commerce clause of the Constitution.

Mr. TYDINGS. Where is the authority in the commerce clause?

Mr. ELLENDER. That is what the proponents are depending on.

Mr. TYDINGS. It seems to me that is a pretty weak reed. The commerce clause is a part of section 8, which along with other clauses confers certain direct authority on Congress. It says:

> To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

Of course, it might be argued that there is no such thing as intrastate commerce left. I have asked many of my colleagues to point out an inanimate article produced in America, just one article, whether it be a toothpick or a hairpin, which is solely in intrastate commerce, and up to this hour no one has been able to think of an article that is exclusively in intrastate commerce. Under a recent Supreme Court decision everything is now interstate commerce.

Mr. ELLENDER. Of course, the Senator concedes that the Supreme Court has gone far afield in its interpretation of what the commerce clause means.

Mr. TYDINGS. I think the Supreme Court, in some of its recent decisions, has done more to overthrow this Government and its constitutional processes than all the Communists that have been admitted into this country in the last 30 years. They have done things because there is no court of higher appeal. They have taken advantage of their position to impose a political philosophy on the country which is in divergence with the Constitution of the United States, and in so doing have frankly admitted that they have overturned the history and the precedents of this country of 150 years' standing.

I cannot find any authority in the Constitution which gives to the Congress the right to compel me or you, Mr. President, or anyone else, to hire someone whom we do not wish to hire. Maybe there is an injustice in the way people are hired, but the point is, Where is the authority? Is this a regulation of interstate commerce? Is that what it is supposed to be?

Mr. ELLENDER. That is the basis for it, and I presume the Senator will have opportunity to ask that pertinent question of the proponents of tl. bill.

Mr. TYDINGS. I am not asking it of anyone in particular, including the Senator from Louisiana. I am merely trying to ascertain how I could support this measure constitutionally, and so far no one has produced any authority which would enable the Federal Government to compel me to hire a certain person to work for me if I do not want to hire him.

Mr. ELLENDER. The Senator no doubt concedes that this bill is an invasion to the *n*th degree of States' rights.

Mr. TYDINGS. I think there are many injustices in the employment of people, not only among the colored people but I think among white people, people who are far removed from the purview of this bill, whose race is all right, whose color is all right, whose creed is all right, whose nationality is all right. The Senator from Louisiana knows that he and I and every other Member of this body have had come to us persons who work for the Government who tell us they are not receiving a correct marking, that their boss does not like them, that they are being discriminated against, and so forth. That is something which is heard in every activity. An employer or person in a position of responsibility may take a liking to certain individuals and may dislike others. But I do not see how we can pass a law which provides that because one likes a person or dislikes a person thus and so shall flow from that situation.

I have not yet been able to find any authority given Congress to compel me against my will, or anyone else, to hire someone I do not want to hire. If there is anything in this Republic that seems to me to be a matter of secure protection it is the right, as the Constitution provides, to be secure in my person, papers, house, and effects, and all the intimate things that are related to my business, or the right to live the religion I may embrace, even though I may not go to church. My daily life is a part of my religion, I hope, as it is of everyone else's, and I do not believe that can be taken away from me by the ipsi dixit of the Congress.

Mr. ELLENDER. I am certainly sorry that I cannot help the Senator, but I would not be able to point out any place in the Constitution wherein such power is given to Congress. On the contrary, as I have stated on many occasions, this is a further rape of the commerce clause of the Constitution. The bill in section 1—listen to this language, Senators—states as follows:

> The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production, endangers the national security and the general welfare, and adversely affects commerce.

If it is admitted that domestic strife and unrest affect commerce, the passage of this bill will do nothing but create and foment domestic strife and unrest the like of which we have never known in this country in peacetime.

Mr. MEAD. Mr. President, will the Senator from Louisiana yield for a brief observation without losing any of his privileges?

Mr. ELLENDER. Gladly.

Mr. MEAD. The question of discrimination in employment in religious institutions brought to mind a question which was asked earlier in the debate on the same subject, which resulted in my contacting the FEPC to ascertain if any difficulties had arisen in the past in which the FEPC had interfered in the matter of employment in purely religious institutions. I was told that such a thing had never happened.

Mr. ELLENDER. The Senator means under the existing organization.

Mr. MEAD. That is correct.

Mr. ELLENDER. If this bill were enacted conditions would be far different from those that now exist. Under the provisions of the bill the FEPC would be given unlimited powers.

Mr. MEAD. I am coming to that question.

I was also informed that the leading churchmen of the Catholic, Protestant, and Jewish religions had recommended this bill, and that the FEPC would be willing to furnish me with a list of representatives leaders of religion all over the United States in support of this measure.

As a final observation——

Mr. ELLENDER. Unfortunately, however, if the Senator will read the record of the hearings he will find that the implications of the bill were not discussed by those leaders.

Mr. MEAD. I am only saying that they have come out publicly for it, and that I am willing to place a list of their names in the RECORD before we conclude the debate.

As a final observation, when my distinguished colleague and his associates enable us to bring the bill before the Senate for amendment I shall be perfectly willing to join in writing into the bill the provision of the first amendment to the Constitution to which reference has be made, so that there may be no discrimination against religion.

Mr. ELLENDER. The bill would still be most repugnant to me.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TYDINGS. I am certainly very much in favor of protecting religious institutions from having to employ persons whom they do not wish to employ; but I must ask, as a matter of simple honesty, Why should they be excepted?

Mr. ELLENDER. I yield to the Senator from New York to permit him to answer the question if he desires to do so.

Mr. MEAD. The Senator from Maryland asks why religious institutions should be exempted.

Mr. TYDINGS. I maintain that, whether there is a constitutional provision or whether there is not, no religious institution should be compelled to employ someone whom it does not wish to employ. But, under the philosophy of this bill, why should a religious institution be exempted?

Mr. MEAD. Religious leaders are not worrying about the bill. I believe that my colleague simply misinterprets the wording of the bill.

Mr. TYDINGS. That does not answer my question.

Mr. MEAD. It answers it, so far as I am concerned. If the religious leaders of the country felt as the Senator feels, they would be opposing this measure.

Mr. TYDINGS. Certainly they would.

Mr. MEAD. I believe that they are amply supported by the Constitution and by the administration which they have thus far experienced, and there is no desire on their part to offer any amendment which would give them the protection which they do not believe they need, but which the Senator is so deeply interested in giving them.

Mr. TYDINGS. They may not need it now, but over a period of time in the administration of the act they would need such protection. This is only the beginning.

Mr. President, I wish to make my position clear. I do not like force anywhere; I do not like force in any degree if it can be avoided. I like all the freedom that is possible. I would protect every religious group in this country against any kind of force being used against it which would be inimical to the carrying on of its philosophy, traditions, and teachings. However, if there is to be no discrimination because of race, because of creed, because of color, or because of foreign ancestry, why should not religious organizations be included in the scope of the bill by the authors of the bill? Why exempt them?

Mr. MEAD. In the first place, I do not believe that we are eliminating the entire body of law; nor are we wiping out the Constitution or ' e treaties which we have with foreign nations. We are passing a simple bill, which will be in conformity with the existing laws of the land. In those existing laws we find labor practices, judicial procedure, and protection of religion, which is in no way violently interfered with by this simple measure. If my distinguished colleague will aid me in bringing the bill before the Senate, I am sure we will be very glad to consider, and in some instances support, his amendments.

Mr. TYDINGS. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. TYDINGS. The Senator from New York has already retreated from his express purpose in this bill. That is what the Senator is now proposing——

Mr. MEAD. Mr. President——

Mr. TYDINGS. Let me finish.

Mr. MEAD. When the Senator says that I am proposing something he is not speaking about me. This bill was not introduced by me. I am merely trying to persuade my distinguished colleague to help me bring the bill before the Senate so that we may improve it. I am willing to do that, but he is not.

Mr. TYDINGS. The bill provides, in effect, that no person shall be denied work anywhere in this country because of his race, creed, color, national origin, or ancestry. Now the Senator proposes to write an amendment to the bill. He would say, in effect, "No person shall be denied the right to work because of his race, creed, color, national origin, or ancestry, except in religious institutions."

Mr. MEAD. Mr. President, will my colleague yield to me?

Mr. ELLENDER. I yield to the Senator from New York so that he may answer the Senator from Maryland.

Mr. MEAD. I am not sponsoring any amendments. I am merely saying to my distinguished colleague that he will not allow the bill to come before the Senate.

Mr. TYDINGS. I have not prevented the bill from coming before the Senate.

Mr. MEAD. If the Senator will only allow it to come before the Senate, if there is any reason behind his amendments I shall be glad to see him given full freedom and opportunity to present them. But I cannot sympathize with his position if he intends to vote against the bill, if he intends to vote against cloture, and if at the same time he is offering amendments and doing so in my name.

Mr. TYDINGS. The Senator from Maryland has not raised a finger to stop the bill from coming to a vote, at any time since it was brought before the Senate. The Senator from Maryland voted to take up the bill.

Mr. MEAD. I believe that my distinguished colleague did not sign the cloture petition.

Mr. TYDINGS. Of course not. I do not believe in cloture.

Mr. MEAD. I believe that my distinguished colleague made quite a speech against cloture.

Mr. TYDINGS. No. I made no speech against cloture. I made a speech against the hypocrisy of this bill, during which the issue of cloture was raised by the Senator from New Mexico [Mr. CHAVEZ]; and inasmuch as he asked me a direct question I gave him a complete, frank, and unequivocal answer.

Mr. MEAD. If I correctly recall, my distinguished colleague took a decided stand against majority rule.

Mr. TYDINGS. Let us not change the subject and get off on a tangent. The Senator says that it is an outrage for any man in this country to be denied the right to work because of race, creed, color, national origin, or ancestry.

Mr. MEAD. What my colleague is saying is what he said. I never used those words. The Senator is repeating his own language, and trying to put it in my mouth.

Mr. TYDINGS. I am reading from the bill.

Mr. MEAD. The Senator is reading from a bill which is not my bill; but if he will join with me, perhaps we may be able to improve the bill when he offers his amendments. But the Senator will not vote to bring up the bill. He is against majority rule.

Mr. TYDINGS. Mr. President, it is not necessary to go back over that question. The Senator knows that I voted to take up the bill when the roll was called. I am not in favor of cloture. One of the great offices of a Senator of the United States is to protect, at times, those who do not have force from the incursions of those who do have it. I am opposed to force in any sense of the word. I like freedom.

Mr. MEAD. But my distinguished colleague knows that without cloture we cannot bring up the bill.

Mr. TYDINGS. That is all right. I am not taking issue with the Senator on that question, except to say that I am not going to vote for cloture.

Mr. MEAD. And to that extent the Senator would prevent consideration of the bill.

Mr. TYDINGS. I am sorry. That is a fundamental belief, like my religion, or my love for my family, and I intend to adhere to it.

The point is that whoever is the author of the bill—which I believe the Senator from New York is supporting—says in effect, "You shall not be denied work anywhere in this country, on any farm, in any factory, or in any institution of any kind, because of race, color, creed, national origin, or ancestry." Now an exception is to be made—except in the case of religious institutions. I am heartily in favor of that, because that is only one of the things, among a multitude of others, which I am advocating. But I believe that that shows pretty clearly that even the proponents of the bill are willing that men be denied the right to work because of their race, creed, color, national origin, or ancestry. That philosophy says, "I am in favor of them working everywhere else, except in my own back yard. In that respect I want a special amendment to exempt me."

Mr. President, if the bill were to become law as it is written, the religious institutions of this country—and properly so—either during its consideration or afterward, would ask for an exemption from the provisions of the law.

Who would they be? With no disrespect to them, they would be the very ones who, the Senator says, have espoused the principles of this bill for all others, but not for themselves. Am I mistaken? They would be the ones who would say, "Methodists, Episcopalians, Jews, Catholics, and nonbelievers, in all other places you shall not be denied the right to work because of race, religion, creed, color, national origin, or ancestry, but in our own institutions you will be denied that right."

That is all I have to say, Mr. President.

Mr. ELLENDER. Mr. President, I do not mind yielding for questions, but hereafter I shall have to call a halt on long speeches, because they take the pep out of me. I have my line of thought, and sometimes I am very much distracted from it, and it is rather difficult for me to become warmed up again. But I shall do my best.

By the way, Mr. President, I do not mean that I am not willing to answer any questions which Senators may wish to ask me. Any Senator is at liberty to ask me any question which he may desire to ask, and I shall be glad to answer it if I am able to do so.

As I suggested a moment ago, before I was interrupted, this bill is clearly an invasion of States' rights. As all of us know, the colored people came to America as slaves, beginning in 1619, and they have been with us ever since. We in the South have always had most of them. They have been our wards, so to speak. We have made it possible for them to attain the degree of civilization which now is theirs, for most of them came from darkest Africa. I know of no race which, in so short a time, has made so much progress as that which has been made by members of the colored race who now are living in the United States. We in the South have done all in our power and all in our means to assist the colored people. I have no doubt that if we are let alone we can better their station in life. But, Mr. President, that will not be done by force, as some persons are now attempting to do.

Let me point out that back in 1909, when I entered college, my State at that time was spending less money to educate our entire white population and colored population than it is now spending to educate the colored people alone. Do Senators desire to impede that progress? We have any number of elementary schools, high schools, and colleges for Negroes; such schools and institutions are to be found throughout my State. We have built them on a voluntary basis. The other day the distinguished junior Senator from North Carolina [Mr. HOEY] gave us a full description of what has occurred in the State of North Carolina in the past 25 years in respect to the education of Negroes.

In my State we have a number of publicly owned hospitals. In New Orleans we have the great Charity Hospital, which is known to almost everyone throughout the land, especially to the members of the medical profession. The colored people comprise about 28 percent of the total population of Louisiana; the white people comprise the other 72 percent. That is the approximate proportion. However, we find that more than 40 percent of the patients who come to our publicly owned hospitals are colored—although, as I said, the colored people comprise only 28 percent of the entire population of my State. So it is obvious that we have been taking care of them and that, if we are let alone, their progress will be continued. But I repeat that it will not be done by force.

Mr. MAYBANK. Mr. President, will my colleague from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. MAYBANK. I wish to ask the Senator if it is not a fact that a large part of the money spent on public health in the South has been spent on the colored population?

Mr. ELLENDER. That is what I have attempted to state. I said that although in my State the Negroes comprise only 28 percent of the population, nevertheless 40 percent of the patients treated at our public hospitals are colored. That same condition prevails in many other of our State institutions which assist the uplifting of the colored people, both from a sanitary and health standpoint and from the point of helping the community as a whole.

Mr. MAYBANK. I am glad to have the Senator's statement in that respect, but

I really had in mind the treatment of malarial fever, the treatment of typhoid fever, and similar activities not only in health centers but in various other agencies throughout the South which use State money for many other purposes. I should like to have the Senator comment on that point.

Mr. ELLENDER. The point is that the number of colored people who are aided at such places constitute a much greater percentage of the total number of persons receiving such aid than the percentage which the colored people bear to the entire population of the State. In short, the situation existing in other State institutions is similar to that existing in the public hospitals to which I have referred, namely, that although only 28 percent of the people of my State are colored, yet 40 percent of the patients treated at the hospitals are colored. I have no figures in respect to the exact conditions in other institutions of the State, but I would not question for a moment that as to them the situation prevailing is approximately the same as that prevailing in the hospitals to which I have referred.

Mr. MAYBANK. I thank the Senator. What he has said is certainly the case in South Carolina.

I also wish to ask the Senator if it is not a fact that, in the Committee on Education and Labor, he was an ardent supporter of the hospital bill which was recently passed and which authorizes the construction of hospitals from one end of the United States to the other. I also ask the Senator if it is his opinion that that hospital bill will do more good for the colored people than for the white people.

Mr. ELLENDER. There is no question about that, so far as the South is concerned, because, as I have already indicated on several occasions, approximately 75 percent of all the colored people in the United States live in the South, and naturally the colored people in the South will receive a larger share of such assistance. The conclusion is fortified by the statement I have already made, that, although the Negroes in Louisiana constitute only 28 percent of the entire population, yet the Negro patients to be found in our public hospitals constitute 40 percent of the total number of patients treated at those hospitals. I should not be surprised if the same condition were found to exist in the hospitals which will be built under the provisions of the bill to which the Senator from South Carolina has just referred.

Mr. President, as I indicated awhile ago, we in the South love the colored people and we try to help them. We do not do them any injustice, although many misinformed persons have claimed we do. The average colored person who works in the South on a farm or in a factory is never heard to complain, except perhaps in a few instances when some agitators from the North try to prod him into doing this, that, or the other. But, as a whole, the colored people in the South not only are well treated but—I repeat—in the past 300 years they have made greater progress than any other race or nation of people has made in a similar period of time in the history of the world. I shall proceed to give proof of that by reading from a book entitled "Twelve Million Black Voices," written by two men named Wright and Rosskam. I shall read first, beginning at page 145.

Mr. MAYBANK. Mr. President, before the Senator begins to read from that book, I should like to ask him another question.

Mr. ELLENDER. I am glad to yield for a question.

Mr. MAYBANK. The Senator spoke of the number of colored people in the South and the number who work in various places. Is it not a fact that the vast majority of the colored people in this generation own their own farms and their own little homes?

Mr. ELLENDER. Mr. President, I did not intend to discuss that matter at this point in my speech. I expect to do so next week, when I shall continue my speech. [Laughter.]

Mr. MAYBANK. I thank the Senator. I assure him that I will be here next week when he discusses that matter.

Mr. ELLENDER. I have all the data and the details to show the progress which has been made in the South for the colored people.

I am satisfied that the amount of money which was spent in Louisiana for Negro and white education in 1909 was about what we now spend each year for the colored people alone. I am sure that the figures which I shall present to the Senate, if given an opportunity to do so—I think the Senate should hear them—will prove that the authors of the book from which I intend to read, told the truth. This book, which is entitled "Twelve Million Black Voices," indicates that the colored people themselves admit the fact of the progress which has been made by them during the past 300 years. I believe that the same admission as to the progress which has been made by the colored people of this Nation during the past 300 years has been made on many other occasions. In speaking for myself and for many others, including the colored people themselves who reside in the South, I repeat that nothing should be done by the strong arm of this Government which would in any wise impede such progress.

Mr. President, I read from page 145 of the book to which I have referred:

> Standing now at the apex of the twentieth century, we look back over the road we have traveled and compare it with the road over which the white folk have traveled, and we see that 300 years in the history of our lives are equivalent to 2,000 years in the history of the lives of whites.

Mr. President, I pause to ask, What progress would the blacks have made had it not been under the guidance of the white people?

I continue reading:

> The many historical phases which whites have traversed voluntarily and gradually during the course of western civilization we black folk have traversed through swift compulsion. During the 300 years we have been in the New World we have experienced all the various types of family life, all the many adjustments to rural and urban life, and today, weary but still eager, we stand ready to accept more change.
>
> Imagine European history from the days of Christ to the present telescoped into 300 years, and you can comprehend the drama which our consciousness has experienced. Brutal, bloody, crowded with suffering and abrupt transitions, the lives of us black folk represent the most magical and meaningful picture of human experience in the western world. Hurled from our native African homes into the very center of the most complex and highly industrialized civilization the world has ever known, we stand today with a consciousness and memory such as few people possess.
>
> We black folk, our history and our present being, are a mirror of all the manifold experiences of America. What we want, what we represent, what we endure, is what America is. If we black folk perish, America will perish. If America has forgotten her past, then let her look into the mirror of our consciousness, and she will see the living past living in the present, for our memories go back, through our black folk of today, through the recollections of our black parents, and through the tales of slavery told by our black grandparents, to the time when none of us, black or white, lived in this fertile land.
>
> The differences between black folk and white folk are not blood or color, and the ties that bind us are deeper than those that separate us. The common road of hope which we all have traveled has brought us into a stronger kinship than any words, laws, or legal claims.
>
> Look at us and know us and you will know yourselves, for we are you, looking back at you from the dark mirror of our lives.
>
> What do we black folk want?
>
> We want what others have, the right to share in the upward march of American life, the only life we remember or have ever known.
>
> The lords of the land say: "We will not grant this."
>
> We answer: "We ask you to grant us nothing. We are winning our heritage, though our toll in suffering is great."
>
> The bosses of the buildings say: "Your problem is beyond solution."
>
> We answer: "Our problem is being solved. We are crossing the line you dared us to cross, though we pay in the coin of death."
>
> The seasons of the plantation no longer dictate the lives of many of us; hundreds of thousands of us are moving into the sphere of conscious history.
>
> We are with the new tide. We stand at the crossroads. We watch each new procession. The hot wires carry urgent appeals. Print compels us. Voices are speaking. Men are moving. And we shall be with them.

Of course, what I have read is boastful language. But the fact remains that in our progress we in America have brought along with us the colored people. Many of them came here as savages a little more than 300 years ago. Many of them had to be chained, but today many of them are great doctors. There are many good lawyers among them, and many scientists. We in the South want to encourage them, we want them to go forward, and we will not raise any question if we are permitted to progress along the line which we have followed during the past few decades.

Mr. President, the next matter I should like to deal with specifically I have discussed generally up to this point, namely, the distribution of the Negro population of the United States since 1790. I shall not take the time of the Senate to read all the figures, but I ask Senators to look at them. They are now printed in the RECORD of January 15, 1938, volume 83, part 1, beginning at page 587. The tables there printed give by number and percentage the distribution of the colored

population from 1790 until 1930, and I have before me figures I obtained from the Census Bureau for 1940, and to which I shall refer specifically because those figures are up to date.

I ask unanimous consent that there be inserted in the RECORD following my emarks the tables beginning at page 587 and ending at the top of page 590 of the RECORD to which I have just referred.

The PRESIDING OFFICER (Mr. BANKHEAD in the chair). Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. ELLENDER. Mr. President, without going into details to show the percentage of the colored people, who have been our wards since our Constitution was adopted, and since we became a Republic, I shall give the figures for the period since 1850. It will be noted that the percentage from 1850 to 1930 has decreased somewhat in the South, showing a migration of the colored people from the South to the North.

In 1850 in the 13 Southern States there were 87 percent of the entire colored population, and in the remaining States, principally in the North, there were only 13 percent. In 1860 the percentage in the South was 88, and in the North 12. In 1870 the percentage in the South was 85, and in the North 15. In 1880 in the South it was 86, and in the North 14. In 1890 in the South it was 86 and in the North it was 14. In 1900 in the South it was 85 and in the North 15. In 1910 in the South it was 85 and in the North 15. In 1920 in the South it was 81 and in the North 19. In 1930 in the South it was 74 and in the North 26.

According to the most recent census, the total colored population of the country is 12,865,509, and of that number 9,261,783 are in the 13 Southern States, and 3,403,726 are scattered among the other States of the Union.

As this table indicates, the percentage of colored people in some of the States is little or nothing. Let us take Maine, the State of the senior Senator from Maine [Mr. WHITE], the minority leader. Of a total population of 844,543 in 1940, there were only 1,304 colored people, or two-tenths of 1 percent. I suggest, what interest have the people of Maine in a measure of this kind?

In the State of New Hampshire the colored people form one-tenth of 1 percent of the population; in the State of Vermont, one-tenth of 1 percent; in Massachusetts 1.3 percent; in Rhode Island, 1.5 percent. And so on down the line.

I ask permission at this point to insert in the RECORD the entire table which shows the number of colored people in all the States of the Union, both in number and percentagewise.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Negro population by States

State	White	Negro	Percent Negro
Maine	844,543	1,304	0.2
New Hampshire	490,989	414	.1
Vermont	358,806	384	.1
Massachusetts	4,257,596	55,391	1.3
Rhode Island	701,805	11,024	1.5
Connecticut	1,675,407	32,992	1.9
New York	12,879,546	571,221	4.2
New Jersey	3,931,087	226,973	5.5
Pennsylvania	9,426,989	470,172	4.7
Ohio	6,566,531	339,461	4.9
Indiana	3,305,323	121,916	3.6
Illinois	7,504,202	387,446	4.9
Michigan	5,039,643	208,345	4.0
Wisconsin	3,112,752	12,158	.4
Minnesota	2,768,982	9,928	.4
Iowa	2,520,691	16,694	.7
Missouri	3,539,187	244,386	6.5
North Dakota	631,464	201	
South Dakota	619,075	474	.1
Nebraska	1,297,624	14,171	1.1
Kansas	1,734,496	65,138	3.6
Delaware	230,528	35,876	13.5
Maryland	1,510,481	301,931	16.6
District of Columbia	474,326	187,266	28.2
Virginia	2,015,583	661,449	24.7
West Virginia	1,784,102	117,754	6.2
North Carolina	2,567,635	981,298	27.5
South Carolina	1,084,308	814,164	42.9
Georgia	2,038,278	1,084,927	34.7
Florida	1,381,986	514,198	27.1
Kentucky	2,631,425	214,031	7.5
Tennessee	2,406,906	508,736	17.4
Alabama	1,849,097	983,290	34.7
Mississippi	1,106,327	1,074,572	49.2
Arkansas	1,466,084	482,578	24.8
Louisiana	1,511,739	849,303	35.9
Oklahoma	2,104,228	168,849	7.2
Texas	5,487,545	924,388	14.4
Montana	540,468	1,120	.2
Idaho	519,292	595	.1
Wyoming	246,597	956	.4
Colorado	1,106,502	12,176	1.1
New Mexico	492,312	4,672	.9
Arizona	426,792	14,993	3.0
Utah	542,920	1,235	.2
Nevada	104,030	664	.6
Washington	1,698,147	7,424	.4
Oregon	1,075,731	2,565	.2
California	6,596,763	124,306	1.8

Negro population by States—Continued

Source: Sixteenth Census of the United States, 1940, Population, vol. II, Characteristics of the Population, Part I, U.S. Summary Report by States. U. S. Government Printing Office, Washington, D. C., 1943.

W. H. GILBERT,
General Research Section.

Population:
13 Southern States:
Whites ---------- 27,651,141
Blacks ---------- 9,261,783
Percent Negroes, 33.
Other States:
Whites ---------- 90,537,747
Blacks ---------- 3,603,726
Percent Negroes, 4.

Mr. ELLENDER. It will be seen that the South has three-fourths of the colored population of the country, and, as I pointed out awhile ago, of all the cases which came under the FEPC in the last 10 months of the last fiscal year only 10 percent originated in the South, where 75 percent of the colored people live. So, for Senators to attempt to impose such a bill as this on us does not seem right.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. McCLELLAN. In view of the statistics the Senator has just given, I call attention to the fact that of the complaints the present Fair Employment Practice Commission has considered, about 80 percent have had to do with the colored race.

Mr. ELLENDER. Seventy-eight percent.

Mr. McCLELLAN. What percentage of those came from the Southern States, where the great majority of the colored people live?

Mr. ELLENDER. For the first 2 years it was only 25 percent, but for the last 10 months of the last fiscal year, of all such cases, only 10 percent came from the South.

Mr. McCLELLAN. Has the Senator any doubt that the present committee has certainly given appropriate attention to the South in the discharge of its duties?

Mr. ELLENDER. I have no doubt about that. There is ample evidence to show it.

Mr. McCLELLAN. Do not the very statistics the Senator has related definitely substantiate the contention we have made continually that the real problem between the white and Negro races, if there is any, is not in the South?

Mr. ELLENDER. There is no question about it at all.

Mr. McCLELLAN. And do they not definitely establish the fact that the real problem, if there is a real problem, is where the white people are undertaking to let down the barriers on social equality?

Mr. ELLENDER. There is no question about that. That is why I have argued here time and again that it is best to let such problems as this be handled by the States themselves. It is best for the South itself to handle the problem for the good of the colored people themselves.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. McCLELLAN. Does not the Senator believe that the statistics he has given should establish conclusively to the mind of any fair person that the South is better able to handle the problem than is any other section of the country? We have demonstrated that to be true. When we are left alone we do handle the problem and have less trouble than if we are interfered with. But the minute anyone undertakes to break down the barriers, the minute anyone undertakes to prevent segregation, and to bring about conditions which are conducive to the amalgamation of the races, just that minute trouble occurs.

Mr. ELLENDER. There is no question about that, and I propose to demonstrate the truth of the Senator's statement. That is my next point. The Senator has anticipated my statement. I propose to present a comparison of crimes committed in the South, where 75 percent of the Negro population reside, with crimes committed in the North, where but 25 percent of the Negro population live. The figures are astounding. They go to show, as I have stated, that in the South we have been able to handle the problem because we know the colored people, having lived with them for 300 years. If it were not for agitators from the North, white and black, coming down there and acting in the capacity of a disturbing element I am confident conditions would be even better, and it is my hope that they will continue to improve.

Mr. McCLELLAN. Mr. President, will the Senator yield to me at this point in his remarks to read a letter which I think is apropos of the very point now under discussion?

Mr. ELLENDER. I yield for that purpose.

Mr. McCLELLAN. I should like to read a letter, which is not from a citizen of my State, but from a citizen of Ohio, addressed to me under date of Sunday,

January 27, 1946. I wish Senators would pay attention to this letter:

DEAR SIR: I wish to congratulate you on the way you handled the debate on the radio Saturday evening. I am a housewife of Columbus, Ohio, with a 6-year-old daughter and a very nice, hard-working husband. According to his business life, our home life, and our religious standards, we are what is considered the American family. We are very grateful for an American to be in Congress who is trying to protect our class of life.

During the war I worked in a war plant to help our country as well as ourselves. At this plant it was very discouraging the way the colored people were catered to. This certain war plant has hurt Columbus greatly where the colored race is concerned. They are rude in the downtown sections because of the rights they were given at this place of employment.

Several times I have been very embarrassed in public. For that very reason I will say I have never sat beside one in a streetcar or in a theater. Many times in one of our nicest restaurants and while at work I have had to leave my meal uneaten because a colored person had nerve enough to come in and sit down beside me.

I have also taught my child this, and now it is a very important factor in my life. My daughter starts to school tomorrow. Although there are no colored people living within five or six squares of our home, there are a few in our schools. In fact, I think I can be safe in saying the only schools in Columbus where ther are no colored are the private schools.

My husband, as well as . any of our friends, agree with our committee and are hoping you will be able to defeat this bill, as we have been waiting for the day when we can go out to dinner or to the theater without having to move a couple of times to be able to sit by white people.

Hoping you all the success in the world.

The lady signs the letter. I shall not place her name in the RECORD because I do not have her permission to do so.

Mr. President, I merely point out, along the line of what the Senator has been saying, that there is more trouble and more friction and more strife caused by the attempt to break down the social barriers than by any other one thing, and the more of it we have, the more prominent the race issue will become.

Mr. ELLENDER. Mr. President, I know the Senator speaks the truth in making that statement. As I indicated a moment ago, I shall proceed to show the number of crimes committed, and make comparisons. I have selected in most instances, particularly with respect to our large cities, seven of the most heinous crimes know to criminology, and I have had the Library of Congress make a comparison of such crimes as between the colored and the white. I have had a comparison made of the crimes committed in the city of New Orleans, which in 1930 had about the same population as the city of Washington. I wish more Senators were present to listen to the figures. I propose to place in the RECORD not only the figures as to these heinous crimes, but of others, and show the number of individuals incarcerated in the jails of the country, and to make comparison as between the colored people and the white people, between those living in the North and those living in the South.

Mr. TAYLOR. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Idaho?

Mr. ELLENDER. I yield for a question.

Mr. TAYLOR. I thank the Senator from Louisiana. I really did not want to ask a question, but to make a comment on the letter read by the Senator from Arkansas.

I am sorry for the poor lady who wrote the letter. It is too bad that there is not a Hitler around with a going concern somewhere, where she could go and live, and where racial prejudices and superior peoples could have their way and relegate the less fortunate to an inferior position.

I have no doubt that the figures which the Senator from Louisiana will present will show that there are more Negroes incarcerated for crimes of various kinds than there are white people. I may say further that if he will look at the figures he will probably find that many more underprivileged whites are convicted of crime than are white people who have greater advantages.

Mr. ELLENDER. If the Senator will be patient, I have the figures and will present them to make comparison, and if the Senator remains in the Chamber, he will hear them. I shall not cover simply one segment. I shall cover them all, whites and blacks.

Mr. TAYLOR. I have been pretty faithful in my attendance trying to find out what the thing was all about.

Mr. MCCLELLAN. Mr. President, will the Senator yield to me to make an observation?

Mr. ELLENDER. Yes.

Mr. MCCLELLAN. I do not think the good lady who wrote the letter needs any particular defense from me. The reading of her letter has provoked from a United States Senator the remark we have just heard, that he wished she had a Hitler or somebody else to give her what she wants. Let me say to my friend the Senator from Idaho that if he pursues the present trend and the purpose to pass such legislation as this, a Hitler will rise in America, not only for the benefit of this lady but for the benefit of the Senator from Idaho and his own loved ones. This bill is right in the direction of Hitlerism. Movements such as this can be continued until the liberty of the American people is destroyed. The pitiful thing about it is that the Senator thinks he is trying to remedy something that is bad. He does not know what this vicious, damnable legislation would do to this country.

Mr. ELLENDER. Mr. President, before I was interrupted I was giving the figures of the latest census taken, indicating the small percentage of colored people in some States, some of whose representatives in Congress are most vociferous for the passage of the bill. I cannot help repeating what I stated earlier, that there seems to be a movement in all the States of the North, in particular, to try to impose such legislation as this on the people of the South. As I shall demonstrate by figures, I am sure that the South can cope with the problems of the Negro better than can the North.

The figures which I am about to present are for the country as a whole. The statistics are divided into several categories, covering those incarcerated in county and municipal jails; those in State and Federal prisons, and so forth. After giving the figures for the various categories, it is my purpose then to compare figures from some of the leading cities of our country from the standpoint of the number of crimes committed.

I have before me figures for the city of Washington. In this great city, although the colored population is approximately 28 percent, for every white person who has committed 1 of the 7 heinous crimes, to which I shall refer in a moment, in some years as many as 7 colored persons committed the crime. In other words, in a given year 28 percent of the population, which is colored, committed seven times as many of the crimes which I shall mention as did members of the white population.

I wish to cite some figures for the first 6 months of 1933. These figures were prepared by the Library of Congress. The information is taken from the Census. What do the figures show? They show that during the first 6 months of 1933 the number of Negro prisoners in municipal and county jails in 13 Southern States was 25,496. The total colored population was 8,805,635.

In the remaining 35 States of the Union, including the District of Columbia, the number of colored prisoners in county and municipal jails was 29,542, and the total colored population was only 3,085,508. The rate in the South was 290 for every 100,000 population. In the North the rate per hundred thousand was 957. Imagine that. Let me put it this way, for emphasis: In the South, with a colored population of 8,805,635, there were 25,496 colored persons in county and municipal jails, while in the North, with a colored population of only 3,085,508, there were 29,542 colored persons incarcerated in county and municipal jails.

Let us see what the comparison is among the white population. The Senator from Idaho [Mr. TAYLOR] made the suggestion that we should consider the poor white folk, too. In the 13 Southern States the population was 24,146,167, and the number of prisoners 35,273. In the remaining States of the Union, including the District of Columbia, the number of prisoners was 140,602, out of a population of 84,718,040. The rate in the South, so far as the white people were concerned, was 146 per hundred thousand. In the North the rate was 166. There was a slight difference in that respect. The colored people in the North constitute approximately 25 percent of the entire colored population of the country. Yet it will be seen that more of them were incarcerated in county and municipal jails in the North than in the South

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. JOHNSTON of South Carolina. I have heard a great deal of talk to the effect that the colored man was more underprivileged in the South than in the North.

Mr. ELLENDER. These figures do not prove it.

Mr. JOHNSTON of South Carolina. According to these figures that is not true, is it?

Mr. ELLENDER. Of course not. The trouble is that in the North, by law, certain privileges have been granted the colored race, which it is hoped they will not exercise. Many of the Northern States have given to the colored people the right to enter cafes and hotels, and the right to swim in the same swimming pools with whites; but when the poor devils try to exercise those rights they are prevented from doing so. As a result, there are many race riots. The Negroes usually become the victims. That is why there is a great deal more crime among the colored race in the North than in the South. In the South we do not give the colored people any rights which we do not wish them to exercise. We do not coddle them. We do not say to them, "We are going to pass a law giving you the right to do this, that, or the other thing," unless we mean that they shall exercise such rights. In the North, as I shall show—in Pennsylvania, New York, Maine, Kansas, and many other States—many rights are granted to the colored people simply to obtain their political support, but in the hope that they will not exercise the legal rights accorded to them.

Mr. JOHNSTON of South Carolina. In the South the colored people have a great occasion, known as the hot supper, usually on Saturday nights. When a white boy drops around he usually gets into trouble, does he not?

Mr. ELLENDER. That is correct. As a result of long experience—and I believe we have succeeded pretty well—we have tried to make the colored man know where his place is.

Mr. JOHNSTON of South Carolina. Also the white man.

Mr. ELLENDER. Yes. We do not attempt to hurt the colored man, but we simply make him realize that the white race is superior to the colored race in every respect.

Mr. President, I shall continue to read from this table. I ask unanimous consent that the entire table be printed in the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, the table may be printed in the RECORD as requested.

(See exhibit 2.)

Mr. ELLENDER. We come now to the figures for 1934, showing the number of prisoners, both colored and white, placed in State and Federal prisons and reformatories. In 10 of the 13 Southern States—there were 3 States for which the facts were not available—the number of prisoners incarcerated in State and Federal prisons and reformatories was 6,616, out of a colored population of 5,779,958, or 114 per 100,000.

Let us see what the figures show for the 35 remaining States of the Union, where the colored population was only 3,085,508. The number of prisoners was 8,237, or 267 per 100,000. In other words, in the South, where three-fourths of the total colored population of the country lives, there were in jail 114 per 100,000, as compared with 267 per 100,000 colored people in the North. What do those figures show? The very thing which the distinguished Senator from South Carolina has just suggested—that in the South we understand the colored people; we treat them right and they are not prone to get into so much mischief as those in the North. They have been living with us for a long time. I am certain that we treat them better than they are treated in the North.

For contrast, in order to further comply with the suggestion of my good friend from Idaho [Mr. TAYLOR], in the 10 Southern States, where the white population was 19,611,262, there were 9,319 prisoners, or 47 per 100,000. In the 35 remaining States there were 35,772 out of a population of 84,718,000, or 42 per 100,000. That was in the year 1934.

In the year 1935 the 10 Southern States had approximately the same populations which I have stated for the year 1934. In the Southern States the rate for Negroes in Federal and State prisons and reformatories was 132 per 100,000. In the Northern States the rate was 283 per 100,000. In other words, although the North has but one-fourth of the Negroes of the country, in contrast to the South, where three-quarters of the Negroes of the country are found, in the year 1934 there were 8,735 colored people in Federal and State jails and reformatories in the North, as compared to the 7,627 colored people in the South.

When we consider the number of white persons incarcerated we find that the situation which I pointed out for the year 1933 is approximately the same as that for the year 1935. In the 10 Southern States the number of white persons incarcerated was 9,980, out of a population of 19,611,000, or 51 white persons per 100,000. In the 35 remaining States and the District of Columbia there were 38,606 white people in jail, or 46 per 100,000.

Mr. President, I propose to show the corresponding figures for a number of years, to demonstrate that approximately the same proportion exists right along. As I have stated, I shall give the figures for the large cities. The figures for the large cities are much more astounding than the figures I have cited.

I proceed now with the figures for the year 1936——

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. JOHNSTON of South Carolina. Does the Senator have any figures to show whether the crimes committed in the South involved both white and black people or primarily colored people only, or does the Senator have any other figures along that line? I have in mind figures to show whether the crimes committed involved two or more colored persons or involved, in each case, a colored person and a white person.

Mr. ELLENDER. No; I have not.

Mr. JOHNSTON of South Carolina. If the Senator obtained that information I think he would find that, generally speaking, in the South the colored man who is in prison is not there because he has committed some crime against a white man. It will be found that in the South in about 8 or 9 cases out of 10 the crimes committed by colored people were committed against other persons of their own race. If the figures are produced, it will be found that most of the graver crimes committed by Negroes involve only members of the colored race.

Mr. ELLENDER. I would not doubt that, because I believe that, inasmuch as the colored people of the South do not seek to mingle with the white people, most of their difficulties occur among themselves. Of course, at times they attempt to encroach on the white people, and, of course, the white people are resentful of that. But I agree with what the Senator has said; in other words, I am sure that if it were possible to analyze the figures in that way, it would be found that in the South the various crimes or difficulties with which colored people are involved occur primarily among only the colored people, rather than among both colored people and white people.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. OVERTON. I think the junior Senator from Louisiana is making a very valuable contribution, Mr. President.

Mr. ELLENDER. I thank the Senator.

Mr. OVERTON. The Senator's contribution is especially valuable insofar as it is in support of the thought entertained by so many persons who have given study to this problem, namely, that the Negro of the South is more law-abiding than the Negro who resides above Mason and Dixon's line. I think the reason is perfectly obvious; but under the limitations imposed on debate I cannot at this time point it out. Probably the junior Senator from Louisiana has his own views on that subject. But there is no question that the Negro of the South is much more law-abiding than the Negro of the North. I ask my colleague if he, too, takes that view.

Mr. ELLENDER. Mr. President, there is absolutely no question about it. The fact that so many more colored people are arrested in the North than in the South answers that point.

Mr. OVERTON. But why is that true?

Mr. ELLENDER. I indicated a moment ago that my own opinion is that the Negroes of the North feel a little freer than the Negroes of the South do because of the passage in the North of laws giving them certain rights, and when they go to exercise those rights they get into trouble. That is one of the reasons why I believe so many more Negroes in the North get into trouble. Of course, I am satisfied that the white people of the North are just as resentful as the white people of the South when the colored people try to rub elbows with them and try to place themselves on the same social footing, on a basis of social equality. Anyone should resent that.

I revert now to the figures I was discussing. For the year 1936, in the 10 Southern States, 6,886 colored people out of a total Negro population of 5,779,958 were confined in State and Federal prisons and reformatories—or at a rate of 12 per 10,000, for the Southern States. For the remainder of the country—in other words, the 35 other States and the District of Columbia—where the colored population was only 3,085,508, 8,592 colored persons were involved in crimes, or at a rate of 28 for every 10,000. Think of that, Mr. President. We in the South, with three-quarters of all the colored people in the United States, whereas the North has only one-fourth of

them, got along much better with the Negroes, as is shown by the fact that in the North there were almost 2,000 more Negroes in State and Federal prisons and reformatories than there were in the South.

Now let us consider the white people. In 1936, in the 10 Southern States, with a white population of 19,000,000-plus, there were 9,339 white people in State and Federal prisons and reformatories, or at a rate of 4.8 per 10,000. In the 35 remaining States and the District of Columbia the total number of white persons in jail was 35,369, out of a total white population of 84,000,000-plus, or 4.2 per 10,000. That is the situation. The figures show how similar the situation among white people in the North is to that among white people in the South, in terms of the number of white persons incarcerated in Federal and State prisons and reformatories. As I have said, in the 10 Southern States the rate for white people was 4.8 per 10,000, and in the North it was 4.2 per 10,000. Those figures are almost identical.

But when it comes to the colored people in the North and the colored people in the South, there is a great difference. In the South, the number of colored people confined in Federal and State prisons and reformatories is 12 per 10,000, and in the North it is 28 per 10,000.

Mr. President, I do not like to read figures, but I think it is important to do so in this case, for I know of no other way to make an impression or to try to make an impression on the Senators who are now in the Chamber! How many are here now? I see only 7 or 8. Many more should be here to listen to some of this information and to learn what we are heading for if we permit legislation of this kind to become law.

I do not wish to be misunderstood; but I say this bill is an effort to do nationally what some of the Northern States have done locally in order to appeal to certain small, miserable groups of politicians who make every effort to get this, that and the other concession in order to appease the handful of colored voters in their midst. If they only knew the damage which would be done to the future of our country, they might take a different view of the situation. But they do not consider that phase of the matter. Their views are entirely selfish.

I do not like to talk too much about my colleagues, but I just cannot help believing that a great deal of what is being done is purely for political reasons and nothing else. If they will study these figures, and study the history of other nations in regard to mongrelization, I think they will change their views in respect to this bill.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TAYLOR. I stated the other day, though possibly the Senator from Louisiana was not then present in the Chamber, that in Idaho we may have as many as 500 Negroes. Considering the Negro population as a whole, that is a very small number. So anything which I may say in connection with the pending bill will certainly not be prompted by any desire to obtain Negro votes.

Mr. OVERTON. Mr. President, will the Senator from Louisiana yield in order that I may propound a question to the Senator from Idaho?

Mr. ELLENDER. Mr. President, I am sorry, but my attention was temporarily diverted. Will the Senator from Idaho repeat his statement?

Mr. TAYLOR. I said that in Idaho we have only approximately 500 Negroes, and that anything I may say relative to the pending bill should not be considered as catering to the votes of such a small bloc or group.

Mr. ELLENDER. No; but the Senator is doing what I have accused other Senators of doing indirectly. There seems to be some kind of—I will not say conspiracy, but an understanding among some Senators from the Northern States——

Mr. TAYLOR. No; there is no understanding between me and any other Senator with regard to what I am supposed to do or will do in respect to the FEPC bill.

Mr. OVERTON. Mr. President, will the Senator from Louisiana now yield to me in order that I may ask a question of the Senator from Idaho?

Mr. ELLENDER. I yield.

Mr. OVERTON. The Senator from Idaho said that there are approximately 500 Negroes in his State.

Mr. TAYLOR. Yes.

Mr. OVERTON. How many people in Idaho are members of the CIO?

Mr. TAYLOR. I doubt if any are members. Most of our colored people——

Mr. OVERTON. I am not talking about the colored people alone; I am talking about both the whites and the blacks.

Mr. TAYLOR. Is the Senator asking how many of them belong to the CIO?

Mr. OVERTON. Yes.

Mr. TAYLOR. I do not know the answer to the Senator's question. In the northern part of the State some of the mine and timber workers are members of the CIO, but I believe that so far as Idaho is concerned, the A. F. of L. has a greater membership than does the CIO.

Mr OVERTON. The CIO organization is in favor of the pending bill, is it not?

Mr. TAYLOR. Yes.

Mr. OVERTON. And the A. F. of L. organization is also in favor of the pending bill, is it not?

Mr. TAYLOR. I do not know.

Mr. OVERTON. A statement to that effect has been made on the floor of the Senate. How many A. F. of L. members are there in Idaho?

Mr. TAYLOR. I do not know how many A. F. of L. members there are in Idaho. I do not pay attention to the membership of groups. I do not care how many members they may have. Frankly, I do not know the answer to the Senator's question.

Mr. OVERTON. What is the population of Idaho?

Mr. TAYLOR. The population of Idaho is less than 500,000.

Mr. OVERTON. Am I making an overstatement when I say that, considering the organized labor vote combined, it represents at least two-thirds of the population of Idaho?

Mr. TAYLOR. No; I should say it represents probably not more than one-tenth of the population of Idaho.

Mr. OVERTON. I thank the Senator.

EXHIBIT 1

PROPORTION IN TOTAL POPULATION

Percent Negro in total population at each census, by divisions and States, 1790–1930

Division and State	1930	1920	1910	1900	1890	1880	1870	186.	1850	184(	1830	1820	1810	1800	1790
United States	9.7	9.9	10.7	11.6	11.9	13.1	12.7	14.1	15.7	16.8	18.1	18.4	19.0	18.9	19.3
Geographic divisions:															
New England	1.2	1.1	1.0	1.1	.9	1.0	.9	.8	.8	1.0	1.1	1.3	1.4	1.5	1.7
Middle Atlantic	4.0	2.7	2.2	2.1	1.8	1.8	1.7	1.8	2.1	2.6	2.9	3.3	4.1	4.6	5.3
East North Central	3.7	2.4	1.6	1.6	1.5	1.6	1.4	.9	1.0	1.0	1.1	1.0	1.3	1.2	-------
West North Central	2.5	2.2	2.1	2.3	2.5	3.3	3.7	5.6	10.3	14.1	18.3	15.9	17.4	-------	-------
South Atlantic	28.0	30.9	33.7	35.7	36.8	38.7	37.9	38.4	39.8	40.7	41.9	41.6	40.4	37.6	36.4
East South Central	26.9	28.4	31 5	33.7	33.0	34.5	33.2	34.7	33.4	32.2	27.6	24.2	20.5	17.5	14.9
West South Central	18.7	20.1	22.6	25.9	29.1	32.6	36.4	36.9	39.2	47.6	53.2	48.4	54.4	-------	-------
Mountain	.8	.9	.8	.9	1.1	.8	.5	.1	.1	-------	-------	-------	-------	-------	-------
Pacific	1.1	.9	.7	.6	.7	.6	.7	1.0	1.1	-------	-------	-------	-------	-------	-------
New England:															
Maine	.1	.2	.2	.2	.2	.2	.3	.2	.2	.3	.3	.3	.4	.5	.6
New Hampshire	.2	.1	.1	.2	.2	.2	.2	.2	.2	.2	.2	.3	.5	.5	.6
Vermont	.2	.2	.5	.2	.3	.3	.3	.2	.2	.3	.3	.4	.3	.4	.3
Massachusetts	1.2	1.2	1.1	1.1	1.0	1.0	1.0	.8	.9	1.2	1.2	1.3	1.4	1.5	1.4
Rhode Island	1.4	1.7	1.8	2.1	2.1	2.3	2.3	2.3	2.5	3.0	3.7	4.3	4.8	5.3	6.3
Connecticut	1.8	1.5	1.4	1.7	1.6	1.9	1.8	1.9	2.1	2.6	2.7	2.9	2.6	2.5	2.3
Middle Atlantic:															
New York	3.3	1.9	1.5	1.4	1.2	1.3	1.2	1.3	1.6	2.1	2.3	2.9	4.2	5.3	7.6
New Jersey	5.2	3.7	3.5	3.7	3.3	3.4	3.4	3.8	4.9	5.8	6.4	7.2	7.6	8.0	7.7
Pennsylvania	4.5	3.3	2.5	2.5	2.0	2.0	1.9	2.0	2.3	2.8	2.8	2.9	2.9	2.7	2.4

Percent Negro in total population at each census, by divisions and States, 1790–1930—Continued

Division and State	1930	1920	1910	1900	1890	1880	1870	1860	1850	1840	1830	1820	1810	1800	1790
East North Central:															
Ohio	4.7	3.2	2.3	2.3	2.4	2.5	2.4	1.6	1.3	1.1	1.0	.8	.8	.7	.....
Indiana	3.5	2.8	2.2	2.3	2.1	2.0	1.5	.9	1.1	1.0	1.1	1.0	2.6	5.3	.....
Illinois	4.3	2.8	1.9	1.8	1.5	1.5	1.1	.5	.6	.8	1.5	2.5	6.4	.....	.....
Michigan	3.5	1.6	.6	.7	.7	.9	1.0	.9	.7	.3	.9	2.0	3.0	.....	.....
Wisconsin	.4	.2	.1	.1	.1	.2	.2	.2	.2	.6	.....	.....	.....	.....	.....
West North Central:															
Minnesota	.4	.4	.3	.3	.3	.2	.2	.2	.6	.....	.....	.....	.....	.....	.....
Iowa	.7	.8	.7	.6	.6	.6	.5	.2	.2	.4	.....	.....	.....	.....	.....
Missouri	6.2	5.2	4.8	5.2	5.6	6.7	6.9	10.0	13.2	15.6	18.3	15.9	17.4	.....	.....
North Dakota	.1	.1	.1	.1	.2	1.3	1.7	.....	.....	.....	.....	.....	.....	.....	.....
South Dakota	.1	.1	.1	.1	.2			.....	.....	.....	.....	.....	.....	.....	.....
Nebraska	1.0	1.0	.6	.6	.8	.5	.6	.3	.....	.....	.....	.....	.....	.....	.....
Kansas	3.5	3.3	3.2	3.5	3.5	4.3	4.7	.6	.....	.....	.....	.....	.....	.....	.....
South Atlantic:															
Delaware	13.7	13.6	15.4	16.6	16.8	18.0	18.2	19.3	22.3	25.0	24.9	24.0	23.8	22.4	21.6
Maryland	16.9	16.9	17.9	19.8	20.7	22.5	22.5	24.9	28.3	32.3	34.9	36.1	38.2	36.7	34.7
District of Columbia	27.1	25.1	28.5	31.1	32.8	33.6	33.0	19.1	26.6	29.9	30.8	31.6	33.1	28.6	.....
Virginia	26.8	29.9	32.6	35.6	38.4	41.8	41.9	34.4	37.1	40.2	42.7	43.4	43.3	41.6	40.9
West Virginia	6.6	5.9	5.3	4.5	4.3	4.2	4.1								
North Carolina	29.0	29.8	31.6	33.0	34.7	38.0	36.6	36.4	36.4	35.6	35.9	34.4	32.2	29.4	26.8
South Carolina	45.6	51.4	55.2	58.4	59.8	60.7	58.9	58.6	58.9	56.4	55.6	52.8	48.4	43.2	43.7
Georgia	36.8	41.7	45.1	46.7	46.7	47.0	46.0	44.1	42.4	41.0	42.6	44.4	42.4	37.1	35.9
Florida	29.4	34.0	41.0	43.7	42.5	47.0	48.8	44.6	46.0	48.7	47.1	.....	.....	.....	.....
East South Central:															
Kentucky	8.6	9.8	11.4	13.3	14.4	16.5	16.8	20.4	22.5	24.3	24.7	22.9	20.2	18.6	17.0
Tennessee	18.3	19.3	21.7	23.8	24.4	26.1	25.6	25.5	24.5	22.7	21.4	19.6	17.5	13.2	10.6
Alabama	25.7	38.4	42.5	45.2	44.8	47.5	47.7	45.4	44.7	43.3	38.5	33.2	.....	.....	.....
Mississippi	50.2	52.2	56.2	58.5	57.6	57.5	53.7	55.3	51.2	52.3	48.4	44.1	42.9	41.5	.....
West South Central:															
Arkansas	25.8	27.0	28.1	28.0	27.4	26.3	25.2	25.6	22.7	20.9	15.5	11.7	.....	.....	.....
Louisiana	36.9	38.9	43.1	47.1	50.0	51.5	50.1	49.5	50.7	55.0	58.5	51.8	55.2	.....	.....
Oklahoma	7.2	7.4	8.3	[2]7.0	[2]8.4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Texas	14.7	15.9	17.7	20.4	21.8	24.7	31.0	30.3	27.5	.....	.....	.....	.....	.....	.....
Mountain:															
Montana	.2	.3	.5	.6	1.0	.9	.9	.....	.....	.....	.....	.....	.....	.....	.....
Idaho	.2	.2	.2	.2	.2	.2	.4	.....	.....	.....	.....	.....	.....	.....	.....
Wyoming	.6	.7	1.5	1.0	1.5	1.4	2.0	.....	.....	.....	.....	.....	.....	.....	.....
Colorado	1.1	1.2	1.4	1.6	1.5	1.3	1.1	.1	.....	.....	.....	.....	.....	.....	.....
New Mexico	.7	1.6	.5	.8	1.2	.8	.2	.1	[3]	.....	.....	.....	.....	.....	.....
Arizona	2.5	2.4	1.0	1.5	1.5	.4	.3	.....	.....	.....	.....	.....	.....	.....	.....
Utah	.2	.3	.3	.2	.3	.2	.1	.2	.4	.....	.....	.....	.....	.....	.....
Nevada	.6	.4	.6	.3	.5	.8	.8	.7	.....	.....	.....	.....	.....	.....	.....
Pacific:															
Washington	.4	.5	.5	.5	.4	.4	.9	.3	.....	.....	.....	.....	.....	.....	.....
Oregon	.2	.3	.2	.3	.4	.3	.4	.2	1.6	.....	.....	.....	.....	.....	.....
California	1.4	1.1	.9	.7	.9	.7	.8	1.1	1.0	.....	.....	.....	.....	.....	.....

[1] Dakota Territory. [2] Includes population of Indian Territory. [3] Less than 1/10 of 1 percent.

GEOGRAPHIC DISTRIBUTION AND INCREASE

Negro and white population, by sections, divisions, and States

Section, division, and State	1930				1920				1910		1900	
	Total	Negro	White	Other races	Total	Negro	White	Other races	Negro	White	Negro	White
United States	122,775,046	11,891,143	108,864,207	2,019,696	105,710,620	10,463,131	94,120,374	1,127,115	9,827,763	81,364,447	8,833,994	66,809,196
The North	73,021,191	2,409,219	70,388,367	223,605	63,681,845	1,472,309	62,085,612	123,924	1,027,674	54,627,598	880,771	46,413,758
The South	37,857,633	9,361,577	27,673,879	822,177	33,125,803	8,912,231	23,731,899	481,673	8,749,427	20,316,253	7,922,969	16,521,970
The West	11,896,222	120,347	10,801,961	973,914	8,902,972	78,591	8,302,863	521,518	50,662	6,420,596	30,254	3,873,468
Geographic divisions:												
New England	8,166,341	94,086	8,065,113	7,142	7,400,909	79,051	7,315,995	5,863	66,306	6,480,468	59,099	5,527,026
Middle Atlantic	26,260,750	1,052,899	25,172,104	35,747	22,261,144	600,183	21,638,625	22,336	417,870	18,879,881	325,921	15,110,862
East North Central	25,297,185	930,450	24,277,663	89,072	21,475,543	514,554	20,931,279	29,710	300,836	17,926,513	257,842	15,710,053
West North Central	13,296,915	331,784	12,873,487	91,644	12,544,249	278,521	12,199,713	66,015	242,662	11,340,736	237,909	10,065,817
South Atlantic	15,793,589	4,421,388	11,349,284	22,917	13,990,272	4,325,120	9,648,556	16,596	4,112,488	8,071,473	3,729,017	6,706,058
East South Central	9,887,214	2,658,238	7,224,614	4,362	8,893,307	2,523,532	6,367,166	2,609	2,652,513	5,754,154	2,499,886	5,044,847
West South Central	12,176,830	2,281,951	9,099,981	794,898	10,242,224	2,063,579	7,716,177	462,468	1,984,426	6,490,626	1,694,066	4,771,065
Mountain	3,701,789	30,225	3,303,586	367,978	3,336,101	30,801	3,071,405	233,895	21,467	2,445,515	15,590	1,579,855
Pacific	8,194,433	90,122	7,498,375	605,936	5,566,871	47,790	5,231,458	287,623	29,195	3,975,081	14,664	2,293,613
New England:												
Maine	797,423	1,096	795,183	1,144	768,014	1,310	765,093	1,011	1,363	739,991	1,319	692,226
New Hampshire	465,293	790	464,350	153	443,083	621	442,330	132	564	429,906	662	410,791
Vermont	359,611	568	358,965	78	352,428	572	351,116	40	1,621	354,298	826	342,771
Massachusetts	4,249,614	52,365	4,192,926	4,323	3,852,356	45,466	3,803,467	3,423	38,055	3,324,897	31,974	2,769,764
Rhode Island	687,497	9,913	677,016	568	604,397	10,036	593,976	385	9,529	532,488	9,092	419,050
Connecticut	1,606,003	29,354	1,576,673	876	1,380,631	21,046	1,358,713	872	15,174	1,098,888	15,226	892,424
Middle Atlantic:												
New York	12,588,066	412,814	12,150,293	24,959	10,385,227	198,483	10,170,548	16,196	134,191	8,966,525	99,232	7,156,881
New Jersey	4,041,334	208,828	3,829,209	3,297	3,155,900	117,132	3,036,832	1,936	89,760	2,445,820	69,844	1,812,317
Pennsylvania	9,631,350	431,257	9,192,602	7,491	8,720,017	284,568	8,431,245	4,204	193,919	7,467,536	156,845	6,141,664
East North Central:												
Ohio	6,646,697	309,304	6,331,136	6,257	5,759,394	186,187	5,570,951	2,256	111,452	4,654,758	96,901	4,060,204
Indiana	3,238,503	111,982	3,116,136	10,385	2,930,390	80,810	2,848,246	1,234	60,320	2,639,876	57,505	2,458,502
Illinois	7,630,654	328,972	7,266,361	35,321	6,485,280	182,274	6,294,999	8,007	109,049	5,526,241	85,078	4,734,873
Michigan	4,842,325	169,453	4,650,171	22,701	3,668,412	60,082	3,600,283	8,047	17,115	2,785,135	15,816	2,398,563
Wisconsin	2,939,006	10,739	2,913,859	14,408	2,632,067	5,201	2,616,700	10,166	2,900	2,320,503	2,542	2,057,911
West North Central:												
Minnesota	2,563,953	9,445	2,538,973	15,535	2,387,125	8,809	2,368,586	9,730	7,084	2,059,143	4,959	1,737,036
Iowa	2,470,939	17,380	2,448,382	5,177	2,404,021	19,005	2,381,293	3,723	14,973	2,208,682	12,693	2,218,667
Missouri	3,629,367	223,840	3,398,887	6,640	3,404,055	178,241	3,221,661	4,153	157,452	3,133,570	161,234	2,944,843
North Dakota	680,845	377	671,243	9,225	646,872	467	639,912	6,493	617	569,845	286	311,712
South Dakota	692,849	646	669,453	22,750	636,547	832	619,052	16,663	817	563,747	455	380,714
Nebraska	1,377,963	13,752	1,353,702	10,509	1,296,372	13,242	1,276,473	6,657	7,689	1,179,994	6,269	1,056,526
Kansas	1,880,999	66,344	1,792,847	21,808	1,769,257	57,925	1,692,736	18,596	54,030	1,625,755	52,033	1,416,319
South Atlantic:												
Delaware	238,380	32,602	205,694	84	223,003	30,335	192,585	83	31,181	171,100	30,697	153,977
Maryland	1,631,526	276,379	1,354,170	977	1,449,661	244,479	1,204,690	492	232,250	1,062,627	235,064	952,424
District of Columbia	486,869	132,068	353,914	887	437,571	109,966	326,825	780	94,446	236,113	86,702	191,532
Virginia	2,421,851	650,165	1,770,405	1,281	2,309,187	690,017	1,617,871	1,299	671,096	1,389,802	660,722	1,192,855
West Virginia	1,729,205	114,893	1,613,934	378	1,463,701	86,345	1,377,180	176	64,173	1,156,811	43,499	915,233
North Carolina	3,170,276	918,647	2,234,948	16,681	2,559,123	763,407	1,783,709	11,947	697,843	1,500,508	624,469	1,263,603
South Carolina	1,738,765	793,681	944,040	1,044	1,683,724	864,719	818,532	473	835,843	679,159	782,321	557,807
Georgia	2,908,506	1,071,125	1,836,974	407	2,895,832	1,206,365	1,689,070	397	1,176,987	1,431,786	1,034,813	1,181,294
Florida	1,468,211	431,828	1,035,205	1,178	968,470	329,487	638,034	949	308,669	443,567	230,730	297,333

Negro and white population, by sections, divisions, and States—Continued

Section, division, and State	1930				1920				1910		1900	
	Total	Negro	White	Other races	Total	Negro	Whit	Other races	Negro	White	Negro	White
East South Central:												
Kentucky	2,614,589	226,040	2,388,364	185	2,416,630	235,938	2,180,462	230	261,656	2,027,926	284,706	1,862,309
Tennessee	2,616,556	477,646	2,138,619	291	2,337,885	451,758	1,885,939	188	473,088	1,711,417	480,243	1,540,186
Alabama	2,646,248	944,834	1,700,775	639	2,348,174	900,652	1,446,958	564	908,282	1,228,789	827,307	1,001,152
Mississippi	2,009,821	1,009,718	996,856	3,247	1,790,618	935,184	853,807	1,627	1,009,487	786,022	907,630	641,200
West South Central:												
Arkansas	1,854,482	478,463	1,374,906	1,113	1,752,204	472,220	1,279,479	505	442,891	1,130,878	366,856	944,580
Louisiana	2,101,593	776,326	1,318,160	7,107	1,798,509	700,257	1,093,991	4,261	713,874	939,789	650,804	729,612
Oklahoma	2,396,040	172,198	2,123,424	100,418	2,028,283	149,408	1,813,217	65,658	137,612	1,441,577	55,684	670,204
Texas	5,824,715	854,964	4,283,491	686,260	4,663,228	741,694	3,529,400	392,044	690,049	2,978,382	620,722	2,426,669
Mountain:												
Montana	537,606	1,256	517,327	19,023	548,889	1,658	533,991	13,240	1,834	360,491	1,523	226,283
Idaho	445,032	668	437,562	6,802	431,866	920	424,540	6,406	651	319,074	293	154,495
Wyoming	225,565	1,250	214,067	10,248	194,402	1,375	188,146	4,881	2,235	139,990	940	89,051
Colorado	1,035,791	11,828	961,117	62,846	939,629	11,318	909,763	18,548	11,453	780,146	8,570	529,046
New Mexico	423,317	2,850	331,755	88,712	360,350	5,733	301,879	52,738	1,628	283,574	1,610	180,207
Arizona	435,573	10,749	264,378	160,446	334,162	8,005	202,985	123,172	2,009	122,360	1,848	92,903
Utah	507,847	1,108	495,955	10,784	449,396	1,446	440,699	7,251	1,144	366,425	672	272,465
Nevada	91,058	516	81,425	9,117	77,407	346	69,402	7,659	513	73,455	134	35,405
Pacific:												
Washington	1,563,396	6,840	1,521,099	35,457	1,356,621	6,883	1,319,393	30,345	6,058	1,108,967	2,514	496,304
Oregon	953,786	2,234	937,029	14,523	783,389	2,144	768,530	12,715	1,492	654,833	1,105	394,582
California	5,677,251	81,048	5,040,247	555,956	3,426,861	38,763	3,143,535	244,563	21,645	2,211,281	11,045	1,402,727

Section, division, and State	1890		1880		1870		1860		1850	
	Negro	White	Negro	White	Negro	White	Negro	White	Negro	White
United States	7,488,676	55,101,258	6,580,793	43,402,970	4,880,009	33,589,377	4,441,830	26,922,537	3,638,808	19,553,068
The North	701,018	39,035,798	615,038	31,235,267	452,818	24,815,772	340,240	19,337,997	285,369	13,745,077
The South	6,760,577	13,193,453	5,953,903	10,555,427	4,420,811	7,863,209	4,097,111	7,033,973	3,352,198	5,630,414
The West	27,081	2,872,007	11,852	1,612,276	6,380	910,396	4,479	550,567	1,241	177,577
Geographic divisions:										
New England	44,580	4,653,191	39,925	3,968,789	31,705	3,455,043	24,711	3,110,480	23,021	2,705,095
Middle Atlantic	225,326	12,468,794	189,492	10,305,055	148,033	8,662,226	131,290	7,327,548	126,741	5,771,994
East North Central	207,023	13,253,725	183,298	11,012,047	130,497	8,987,512	63,699	6,855,644	45,195	4,478,065
West North Central	224,089	8,660,088	202,323	5,949,376	142,583	3,710,991	120,540	2,044,325	90,412	789,923
South Atlantic	3,262,690	5,592,149	2,941,202	4,657,112	2,216,705	3,635,238	2,058,198	3,305,107	1,860,871	2,818,219
East South Central	2,119,797	4,305,668	1,924,996	3,657,593	1,464,252	2,929,091	1,394,360	2,626,376	1,122,790	2,240,481
West South Central	1,378,090	3,295,636	1,087,705	2,243,722	739,854	1,288,880	644,553	1,102,490	368,537	571,714
Mountain	12,971	1,117,363	5,022	614,821	1,555	301,848	235	164,092	72	72,855
Pacific	14,110	1,754,644	6,830	997,455	4,825	608,548	4,244	386,475	1,169	104,722
New England:										
Maine	1,190	659,263	1,451	646,852	1,606	624,809	1,327	626,947	1,356	581,813
New Hampshire	614	375,840	685	346,229	580	317,697	494	325,579	520	317,456
Vermont	937	331,418	1,057	331,218	924	329,613	709	314,369	718	313,402
Massachusetts	22,144	2,215,373	18,697	1,763,782	13,947	1,443,156	9,602	1,221,432	9,064	985,450
Rhode Island	7,393	337,859	6,488	269,939	4,980	212,219	3,952	170,649	3,670	143,875
Connecticut	12,302	733,438	11,547	610,769	9,668	527,549	8,627	451,504	7,693	363,099
Middle Atlantic:										
New York	70,092	5,923,955	65,104	5,016,022	52,081	4,330,210	49,005	3,831,590	49,069	3,048,325
New Jersey	47,638	1,396,581	38,853	1,092,017	30,658	875,407	25,336	646,699	24,046	465,509
Pennsylvania	107,596	5,148,258	85,535	4,197,016	65,294	3,456,609	56,949	2,849,259	53,626	2,258,160
East North Central:										
Ohio	87,113	3,584,805	79,900	3,117,920	63,213	2,601,946	36,673	2,302,808	25,279	1,955,050
Indiana	45,215	2,146,736	39,228	1,938,798	24,560	1,655,837	11,428	1,338,710	11,262	977,154
Illinois	57,028	3,768,472	46,368	3,031,151	28,762	2,511,096	7,628	1,704,291	5,436	846,034
Michigan	15,223	2,072,884	15,100	1,614,560	11,849	1,167,282	6,799	736,142	2,583	395,071
Wisconsin	2,444	1,680,828	2,702	1,309,618	2,113	1,051,351	1,171	773,693	635	304,756
West North Central:										
Minnesota	3,683	1,296,408	1,564	776,884	759	438,257	259	169,395	39	6,038
Iowa	10,685	1,901,090	9,516	1,614,600	5,762	1,188,207	1,069	673,779	333	191,881
Missouri	150,184	2,528,458	145,350	2,022,826	118,071	1,603,146	118,503	1,063,489	90,040	592,004
North Dakota	373	182,407	113	36,192	94	12,887	----------	2,576	----------	----------
South Dakota	541	328,010	288	96,955						
Nebraska	8,913	1,047,096	2,385	449,764	789	122,117	82	28,696	----------	----------
Kansas	49,710	1,376,619	43,107	952,155	17,108	346,377	627	106,390	----------	----------
South Atlantic:										
Delaware	28,386	140,066	26,442	120,160	22,794	102,221	21,627	90,589	20,363	71,169
Maryland	215,657	826,493	210,230	724,693	175,391	605,497	171,131	515,918	165,091	417,943
District of Columbia	75,572	154,695	59,596	118,006	43,404	88,278	14,316	60,763	13,746	37,941
Virginia	635,438	1,020,122	631,616	880,858	512,841	712,089	548,907	1,047,299	526,861	894,800
West Virginia	32,690	730,077	25,886	592,537	17,980	424,033	----------	----------	----------	----------
North Carolina	561,018	1,055,382	531,277	867,242	391,650	678,470	361,522	629,942	316,011	553,028
South Carolina	688,934	462,008	604,332	391,105	415,814	289,667	412,320	291,300	393,944	274,563
Georgia	858,815	978,357	725,133	816,906	545,142	638,926	465,698	591,550	384,613	521,572
Florida	166,180	224,949	126,690	142,605	91,689	96,057	62,677	77,746	40,242	47,203
East South Central:										
Kentucky	268,071	1,590,462	271,451	1,377,179	222,210	1,098,692	236,167	919,484	220,992	761,413
Tennessee	430,678	1,336,637	403,151	1,138,831	322,331	936,119	283,019	826,722	245,881	756,836
Alabama	678,489	833,718	600,103	662,185	475,510	521,384	437,770	526,271	345,109	426,514
Mississippi	742,559	544,851	650,291	479,398	444,201	382,896	437,404	353,899	310,808	295,718
West South Central:										
Arkansas	309,117	818,752	210,666	591,531	122,169	362,115	111,259	324,143	47,708	162,189
Louisiana	559,193	558,395	483,655	454,954	364,210	362,065	350,373	357,456	262,271	255,491
Oklahoma	21,609	172,554	----------	----------	----------	----------	----------	----------	----------	----------
Texas	488,171	1,745,935	393,384	1,197,237	253,475	564,709	182,921	420,891	58,558	154,034
Mountain:										
Montana	1,490	127,690	346	35,385	183	18,306	----------	----------	----------	----------
Idaho	201	82,117	53	29,013	60	10,618	----------	----------	----------	----------
Wyoming	922	59,324	298	19,437	183	8,726	----------	----------	----------	----------
Colorado	6,215	404,534	2,435	191,126	456	39,221	46	34,231	----------	----------
New Mexico	1,956	142,918	1,015	108,721	172	90,393	85	82,924	22	61,525
Arizona	1,357	55,734	155	35,160	20	9,581	----------	----------	----------	----------
Utah	588	205,925	232	142,423	118	86,044	59	40,125	50	11,330
Nevada	242	39,121	488	53,556	357	38,959	45	6,812	----------	----------
Pacific:										
Washington	1,602	340,829	325	67,199	207	22,195	30	11,138	----------	----------
Oregon	1,186	301,982	487	163,075	346	86,929	128	52,160	207	13,087
California	11,322	1,111,833	6,018	767,181	4,272	499,424	4,086	323,177	962	91,635

EXHIBIT 2

	Number of prisoners	Total population	Rate per 100,000
1933 (first 6 months) (county and municipal jails):			
Negroes:			
13 Southern States	25,496	8,805,635	290
Remaining 35 States and District of Columbia	29,542	3,085,508	957
Whites:			
13 Southern States	35,273	24,146,167	146
Remaining 35 States and District of Columbia	140,602	84,718,040	166
1934 (State and Federal prisons and reformatories):			
Negroes:			
10 Southern States (3 Southern States not reporting)	6,616	5,779,958	114
35 remaining States and District of Columbia	8,237	3,085,508	267
Whites:			
10 Southern States	9,319	19,611,562	47
35 remaining States and District of Columbia	35,772	84,718,040	42
1935 (State and Federal prisons and reformatories):			
Negroes:			
10 Southern States (3 Southern States not reporting)	7,627	5,779,958	132
35 remaining States and District of Columbia	8,735	3,085,508	283
Whites:			
10 Southern States	9,980	19,611,562	51
35 remaining States and District of Columbia	38,602	84,718,040	46

During the delivery of Mr. ELLENDER'S address,

Mr. MORSE. Mr. President, will the Senator yield with the understanding that he will not lose the floor?

Mr. ELLENDER. Gladly.

Mr. MORSE. I should like to ask the Senator from Louisiana if he will extend to me the courtesy of permitting me to offer at this time an amendment in the nature of a substitute for Senate bill 101, with the understanding that my request and the proposed substitute will be printed at the end of his remarks?

Mr. ELLENDER. I gladly yield.

Mr. MORSE. I am not asking for the privilege of discussing the substitute at this time, as I shall do later, but I should like to have the substitute printed so that Members of the Senate may study it and consider it. The substitute relates to some suggestions which the junior Senator from Oregon has heretofore made on the floor of the Senate.

Therefore, Mr. President, I ask unanimous consent to present the amendment in the nature of a substitute and that it lie on the table and be printed in the body of the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment in the nature of a substitute, intended to be proposed by Mr. MORSE, is as follows:

Amendment (in the nature of a substitute) intended to be proposed by Mr. MORSE to the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, viz: Strike out all after the enacting clause and insert the following:

"That this act may be cited as the 'Fair Employment Practice Act.'

"FINDINGS AND DECLARATION OF POLICY

"SEC. 2. The Congress hereby finds and declares—

"(a) That the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of race, religious creed, or color is contrary to the principles of freedom and equality of opportunity upon which this Nation is built, is incompatible with the provisions of the Constitution, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production and defense, and burdens, hinders, and obstructs commerce.

"(b) That it is the policy of the United States to bring about the elimination of discrimination because of race, religious creed, or color in all employment relations which fall within the jurisdiction or control of the Federal Government.

"UNFAIR EMPLOYMENT PRACTICES DEFINED

"SEC. 3. (a) It shall be an unfair employment practice for any employer within the scope of this act—

"(1) to refuse to hire any person because of such person's race, religious creed, color, national origin, or ancestry;

"(2) to discharge any person from employment because of such person's race, religious creed, color, national origin, or ancestry;

"(3) to discriminate against any person in compensation or in other terms or conditions of employment because of such person's race, religious creed, color, national origin, or ancestry; and

"(4) to confine or limit recruitment or hiring of persons for employment to any employment agency, placement service, training school or center, labor union or organization, or any other source that discriminates against persons because of their race, religion, color, creed, national origin, or ancestry.

"(b) It shall be an unfair employment practice for any labor union within the scope of this act—

"(1) to deny full membership rights and privileges to any person because of such person's race, religion, creed, color, national origin, or ancestry;

"(2) to expel from membership any person because of such person's race, religion, creed, color, national origin, or ancestry; or

"(3) to discriminate against any member, employer, or employee because of such person's race, religion, creed, color, national origin, or ancestry.

"(c) It shall be an unfair employment practice for any employer or labor union within the scope of this act to discharge, expel, or otherwise discriminate against any person because he has opposed any practices forbidden by this act or because he has filed a charge, testified, or assisted in any proceeding under this act.

"SCOPE OF ACT

"SEC. 4. (a) This act shall apply to any employer having in his employ 50 or more persons, who is (1) engaged in interstate or foreign commerce or in operations affecting such commerce; (2) under contract with the United States or any agency thereof or performing work, under subcontract or otherwise, called for by a contract to which the United States or any agency thereof is a party, awarded, negotiated, or renegotiated as hereinafter provided in section 8 of this act.

"(b) This act shall apply to any labor union which has 50 or more members who are engaged in interstate or foreign commerce or in operations affecting such commerce or employed by the United States or any Territory, insular possession, or instrumentality thereof.

"(c) This act shall apply to the employment practices of the United States and of every Territory, insular possession, agency, or instrumentality thereof, except that subsection (b) of section 6, providing for enforcement by the courts, shall not apply in any case of any department or independent agency of the United States; but in any such case the Fair Employment Practice Commission established by section 5 of this act shall make a report to the President, and it shall thereupon be the duty of the President to take such measures as he deems appropriate to prevent such department or agency from engaging in an unfair employment practice.

"FAIR EMPLOYMENT PRACTICE COMMISSION

"SEC. 5. (a) There is hereby created a commission to be known as the Fair Employment Practice Commission (hereinafter referred to as the 'Commission'), which shall be composed of five members who shall be appointed by the President, by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of 1 year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years, and one for a term of 5 years, but their successors shall be appointed for terms of 5 years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as chairman of the Commission. Any member of the Commission may be removed by the President upon notice and hearing for neglect of duty or malfeasance in office, but for no other cause.

"(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission and three members of the Commission shall at all times constitute a quorum.

"(c) The Commission shall have an official seal which shall be judicially noticed.

"(d) Each member of the Commission shall receive a salary at the rate of $10,000 a year, and shall not engage in any other business, vocation, or employment.

"(e) When three members of the Commission have qualified and taken office, the Committee on Fair Employment Practice established by Executive Order No. 9346 of May 27, 1943, shall cease to exist. All employees of the said Committee shall then be transferred to and become employees of the Commission, and all records, papers, and property of the Committee shall then pass into the possession of the Commission.

"(f) The principal office of the Commission shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place and may establish such regional offices as it deems necessary. The Commission may, by one or more of its members or by such agents or agencies as it may designate, conduct any investigation, proceeding, or hearing necessary to its functions in any part of the United States.

"(g) The Commission shall have power—

"(1) to appoint such officers and employees as it deems necessary to assist it in the performance of its functions;

"(2) to cooperate with or utilize regional, State, local, and other agencies and to utilize voluntary and uncompensated services;

"(3) to pay to witnesses whose depositions are taken or who are summoned before the Commission or any of its agents or agencies the same witness and mileage fees as are paid to witnesses in the courts of the United States;

"(4) to issue, from time to time, such regulations as it deems necessary to regulate its own procedure and the appearance of persons before it, and to amend or rescind, from time to time, any such regulation whenever it deems such amendment or rescission necessary to carry out the provisions of this Act;

"(5) to serve process or other papers of the Commission, either personally, by registered mail, or by leaving a copy at the principal office or place of business of the person to be served; and

"(6) to make such technical studies as are appropriate to effectuate the purposes and policies of this Act and to make the results of such studies available to interested Government and nongovernmental agencies.

"DUTIES OF THE COMMISSION

"SEC. 6. (a) It shall be the duty of the Commission to bring about the removal of discrimination in regard to hire, or tenure,

terms, or conditions of employment, or union membership, because of race, religious creed, or color—

"(1) by making comprehensive studies of such discrimination in different metropolitan districts and sections of the country and of the effect of such discrimination, and of the best methods of eliminating it;

"(2) by formulating, in cooperation with other interested public and private agencies, comprehensive plans for the elimination of such discrimination, as rapidly as possible, in regions or areas where such discrimination is prevalent;

"(3) by publishing and disseminating reports and other information relating to such discrimination and to ways and means for eliminating it;

"(4) by conferring, cooperating with, and furnishing technical assistance to employers, labor unions, and other private and public agencies in formulating and executing policies and programs for the elimination of such discrimination;

"(5) by receiving and investigating complaints charging any such discrimination and by investigating other cases where it has reason to believe that any such discrimination is practiced; and

"(6) by making specific and detailed recommendations to the interested parties in any such case as to ways and means for the elimination of any such discrimination.

"(b) Whenever the Commission finds that any person has engaged in any unfair employment practice within the scope of this act and that the Commission is unable to eliminate such unfair employment practice by use of the means specified in subsection (a), the Commission may apply to the appropriate district court of the United States for an order enjoining such person from engaging in such unfair employment practice; and upon a showing by the Commission that such person has engaged in or is about to engage in such unfair employment practice, the court may grant without bond a permanent or temporary injunction, restraining order, or other order prohibiting such person from engaging in such practice.

"(c) The Commission shall at the close of each fiscal year report to the Congress and to the President describing in detail the investigations, proceedings, and hearings it has conducted and their outcome, the decisions it has rendered, and the other work performed by it, and shall make such recommendations for further legislation as may appear desirable. The Commission may make such other recommendations to the President or any Federal agency as it deems necessary or appropriate to effectuate the purposes and policies of this act.

"INVESTIGATORY POWERS

"SEC. 7. (a) For the purpose of all investigations, proceedings, or hearings which the Commission deems necessary or proper for the exercise of the powers vested in it by this act, the Commission, or its authorized agents or agencies, shall at all reasonable times have the right to examine or copy any evidence of any person relating to any such investigation, proceeding, or hearing.

"(b) Any member of the Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence relating to any investigation, proceeding, or hearing before the Commission, its member, agent, or agency conducting such investigation, proceeding, or hearing.

"(c) Any member of the Commission, or any agent or agency designated by the Commission for such purposes, may administer oaths, examine witnesses, receive evidence, and conduct investigations, proceedings, or hearings.

"(d) Such attendance of witnesses and the production of such evidence may be required, from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

"(e) In case of contumacy or refusal to obey a subpena issued to any person under this act, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the investigation, proceeding, or hearing is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony relating to the investigation, proceeding, or hearing; any failure to obey such order of the court may be punished by it as a contempt thereof.

"(f) No person shall be excused from attending and testifying or from producing documentary or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

"GOVERNMENT CONTRACTS

"SEC. 8. (a) All contracting agencies of the Government of the United States shall include in all contracts hereafter awarded, negotiated, or renegotiated by them, except such classes of contracts as may be exempted from the scope of this provision by regulations of the Commission, a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, religion, creed, color, national origin, or ancestry, and requiring him to include a similar provision in all subcontracts.

"(b) No contract shall be awarded or executed by the United States or any agency thereof to any person found by the Commission to have violated any such provision of such a contract or to any firm, corporation, partnership, or association in which such person has a controlling interest, for a period to be fixed by the Commission not to exceed 3 years from the date when the Commission determines such violation to have occurred. The Commission may by subsequent order, for good cause shown, reduce any period so fixed. The Comptroller General is authorized and directed to distribute a list to all agencies of the United States containing the names of such persons.

"Amend the title so as to read: 'A bill to prohibit discrimination in employment because of race, religion, creed, color, national origin, or ancestry.'"

ORDER OF BUSINESS

After the conclusion of Mr. ELLENDER'S speech,

Mr. RUSSELL Mr. President, at least two important conferences are scheduled to be held this afternoon. If the Senator from Louisiana [Mr. ELLENDER] and the Senator from Maine [Mr. WHITE] will agree, I should like very much to have the Senate take a recess at this time until 12 o'clock tomorrow.

Mr. ELLENDER. Mr. President, providing I do not lose any of my privileges, I shall gladly consent to a recess being taken at this time until 12 o'clock noon tomorrow. I have just about warmed up. I have sufficient data to enable me to speak for at least 30 hours. I do not wish to encroach unnecessarily upon the time of the Senate, but if I may be permitted to resume the floor upon the convening of the Senate tomorrow so that I may put into the RECORD some of the figures to which I have referred, I shall be glad to have the Senate take a recess now.

Mr. WHITE. Mr. President, on yesterday the majority accorded the minority the courtesy of an early adjournment in order that the minority might hold a conference. I believe it to be entirely proper for the minority now to accord the majority a like courtesy. I have no objection to the Senate taking a recess at this time.

CONFIRMATION OF NOMINATIONS

The PRESIDENT pro tempore. Before entertaining a motion to recess, the Chair wishes to invite attention to the fact that there are several important nominations on the Executive Calendar which should be disposed of.

Mr. MEAD. Mr. President, I had intended to invite the attention of the Chair and of the other Members of the Senate to the long list of nominations on the Executive Calendar. I ask unanimous consent that, as in executive session, certain executive matters be considered.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from New York? The Chair hears none.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Alexander H. Bell, of Norfolk, Va., to be collector of customs, collection district No. 14, with headquarters at Norfolk, Va., which was referred to the Committee on Finance.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. MURRAY, from the Committee on Education and Labor:

William S. Tyson, of North Carolina, to be Solicitor of Labor.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the calendar.

IN THE NAVY—NOMINATION PASSED OVER

The legislative clerk read the nomination of Earle W. Mills to be vice admiral, for temporary service, effective from December 31, 1945.

Mr. WHITE. Mr. President, the nomination was passed over at my request. I have no desire at this time to renew the request.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

INTERNATIONAL MONETARY FUND AND INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The legislative clerk read the nomination of Fred M. Vinson, of Kentucky, to

be United States Governor of the International Monetary Fund and United States Governor of the International Bank for Reconstruction and Development for a term of 5 years.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of William L. Clayton to be United States Alternate Governor of the International Monetary Fund and United States Alternate Governor of the International Bank for Reconstruction and Development for a term of 5 years.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Harry D. White to be United States Executive Director of the International Monetary Fund for a term of 2 years and until his successor has been appointed.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Emilio G. Collado to be United States Executive Director of the International Bank for Reconstruction and Development for a term of 2 years and until his successor has been appointed.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

RECONSTRUCTION FINANCE CORPORATION

The legislative clerk read the nomination of Harvey Jones Gunderson to be member for a term of 2 years from January 22, 1946.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Henry T. Bodman to be a member for a term of 2 years from January 22, 1946.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Charles B. Henderson to be member for a term of 2 years from January 22, 1946.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

NATIONAL MEDIATION BOARD

The legislative clerk read the nomination of Frank P. Douglass to be member for the term expiring February 1, 1949.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

NATIONAL HOUSING AGENCY

The legislative clerk read the nomination of Wilson W. Wyatt to be National Housing Administrator.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

SELECTIVE SERVICE SYSTEM

The legislative clerk read the nomination of Candler Cobb to be director of selective service for New York City.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the nominations in the Army be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the Army are confirmed en bloc.

Mr. MEAD. I ask unanimous consent that the President be notified of all nominations confirmed today.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

RETIREMENT OF LT. GEN. LEVIN H. CAMPBELL, JR., FROM ARMY SERVICE FORCES

Mr. MEAD. Mr. President, I wish to invite the attention of the Senate to the fact that the Army Service Forces is losing one of its most dominating military leaders this month—February 13—when Lt. Gen. Levin H. Campbell, Jr., Chief of Ordnance during World War II, retires to become vice president of International Harvester Co. That such a nationally reputed organization as International Harvester has chosen General Campbell to coordinate its hundred-million-dollar postwar construction and reconversion program is ample testimony of the efficient manner in which he handled the difficult ordnance job of getting and supplying the arms and ammunition that won the war. I wish to take a few minutes at this time to express the respect and admiration of the Government and the public for this man who was responsible for the turning out of billions of dollars' worth of superb battle tools for our armed forces.

General Campbell became Chief of Ordnance in June of 1942. Since 1940 he had been in charge of the development and construction of the new ordnance installations that mushroomed throughout the country to meet mounting demands for war weapons. In this capacity General Campbell proved himself to be a man who could meet and beat all emergencies. His success was due to his own extensive knowledge of industry, his faith in the ability of his staff, and, above all, to the cooperation he inspired between the leaders of United States industry and the United States Army Ordnance Department.

One of his most effective ideas in getting large production at minimum cost in minimum time was the establishment of the Industry Integration Committees. Senators all know the amazing production quotas American manufacturers attained at the very beginning of the war. No little part of this was due to the keen understanding, the cooperation, and the high standards of General Campbell's Industry Integration Committees. He not only won the wholehearted support of leading industrialists but he staffed his department with technical specialists who understood every phase of labor and management.

The roster of Ordnance Department officers during the war reads like a four-star cast of industrial experts. With such a group he proceeded to build the mightiest arsenal of guns, trucks, tanks, ammunition; together with some 350,000 bits and pieces of ordnance material including all the nuts, bolts, screws, and tools necessary to maintain the hardest-hitting weapons and the finest automotive equipment that the world has ever seen.

He not only supervised the production of this tremendous project but he saw to it that these weapons reached the troops. He built one of the smoothest-running supply systems ever operated, and commanded regiments of skilled automotive, optical, and weapons repairmen to keep ordnance supplies in fighting trim. I remember reading the late Ernie Pyle's amazed observation after he had traveled for a while with an outfit of these ordnance craftsmen in Normandy. Said Pyle, "I've been finding more damned square pegs in square holes in the Army lately. Something must be wrong." But it was not wrong the way Lt. Gen. Levin H. Campbell, Chief of Ordnance, figured it. It was exactly what he planned. His Army was a civilian as well as a soldier army. It was an army of selected, skilled workers who had a whopping big job to do—keeping all our armies rolling and shooting—and they did it superbly.

One of the greatest miracles of increased production and cost reduction during the war was achieved by the Ammunition Division of the Ordnance Department. The major part of the credit for this superb job was attributed to General Campbell by the Honorable ALBERT J. ENGEL, member of the War Department Subcommittee, House Appropriations Committee, in a report published in August 1944, in which he said:

> I have on numerous occasions pointed out how money has been wasted. It gives me a great deal of satisfaction to be able to point out this instance in which the taxpayers are obtaining value received for every dollar spent.

Before Pearl Harbor private industry produced 95 percent of the powder and explosives in the United States. By 1944 the War Department was producing 95 percent and private industry only 5 percent. In this time the War Department had improved production methods to the point that TNT production costs had dropped from 29 to 7 cents a pound. The cost of 16-inch shells was reduced by $400 and 12-inch shells by $100. The cost of loading shells and the man-hours required to load them was also greatly reduced. Among the reasons given by Congressman ENGEL for these cost reductions were the close and effective cooperation between industry and the War Department in the operation of ammunition plants, which made information of every kind and quality which industry possessed available to all concerned without reservation. Operational costs were continually analyzed and compared, thereby creating a competitive spirit. Each plant tried not only to increase efficiency but also to reduce their costs to the level of the plant which had the lowest unit-cost level. General Campbell believed that this spirit of competition was a more worthy motivation for

maximum production than huge monetary bonuses; and again his keen judgment was crowned by success.

In addition to ammunition cost and production records the Ordnance Department built up one of the most amazing safety records in the history of any industry during this period. Ammunition production safety precautions were so rigidly enforced under General Campbell's command that the most dangerous industry in the world chalked up an enviable safety record, surpassed only by the Women's Garment Industry of America.

In all these achievements we recognize administrative genius. But General Campbell has more than that. His engineering ability has merited the general approval of engineers throughout the country.

After World War I General Campbell studied artillery matériel production under Pliny Holt, of the Holt Manufacturing Co. in Stockton, Calif. Pliny Holt was a renowned automotive engineer in those days when the automotive business was a gangling, noisy youngster, and General Campbell received excellent training on the ground floor of the powerful industry with which he was to work hand-in-glove 20 years later.

His first claim to engineering distinction came in 1923 at Rock Island, where he inaugurated manufacturing techniques for producing gun carriages and self-propelled fighting vehicles. Later he revolutionized the art of artillery ammunition production in several of its most important phases while serving at Frankford Arsenal. Progress in the machining of shells, the manufacture of cartridge cases and the production of mechanical time fuzes had been extremely limited until General Campbell devoted his talents to these fields. His improved techniques introduced vast new avenues for quantity production in Government arsenals which paved the way for the great expansion in production methods which characterized the industry-ordnance effor' during the war.

The huge new canning program the Army is now following to preserve the weapons used in the war was first introduced in the Army by General, then captain, Campbell after World War I. The same weapons sealed by young Captain Campbell in his canning experiment were found ready for action 20 years later when World War II was declared.

His engineering skill has won General Campbell many honors, including an honorary degree of doctor of .aws from the University of Arkansas and an honorary life membership in the American Society of Mechanical Engineers.

With such a military record one would surely think that the general was a West Point graduate, or at least was initiated in the Regular Army. Actually this three-star Army ordnance officer received his commission from the United States .Naval Academy in 1909. He elected to transfer into the Army 2 years after he graduated from Annapolis.

Another interesting fact about General Campbell is that he is one of the few great leaders I know who was born in Washington, D. C. He was born in the center of the town most noted throughout the Nation for its predilection for red tape, and yet his slogan—tacked on the walls of Ordnance throughout the world—reads, "Whenever a member of the Ordnance Department, regardless of rank, encounters red tape in conducting our business, throw the red tape to hell out the window. Accept that, please, as a definite general order."

The Senators present who visited Aberdeen Proving Grounds and saw the mighty array of ordnance weapons which were used in this war realize that General Campbell administered not only a highly productive ordnance industry but that his department gave our soldiers the finest equipment to be had. The late General Patton was one of the heartiest appraisers of the high quality of Army Ordnance equipment. His praise of American tanks was high-lighted in every newspaper in the Nation. He called the M1 rifle "the sweetheart of the Army," and rated it the finest weapon ever produced.

General Campbell has reason to be proud of the fine, businesslike ordnance organization which he molded from meager beginnings, and we Americans are proud to have had such a military leader in such perilous times. Emerson was speaking of such men when he wrote:

A nation great and strong,
Not gold, but only men can make
Men who for truth and honor's sake
Stand fast and suffer long.
Brave men who work while others sleep,
Who dare while others shy,
They build a nation's pillars deep
And lift them to the sky.

RECESS

Mr. RUSSELL. Mr. President——

Mr. MORSE. Mr. President, I wonder if the Senator from Georgia [Mr. RUSSELL] will withhold the motion which I presume he is about to make that the Senate now take a recess until I file my standing protest.

Mr. RUSSELL. I shall be glad to yield to the Senator from Oregon.

Mr. MORSE. I understand that the purpose of the recess which is about to be taken a few minutes before 4 o'clock in the afternoon, is to enable the majority party to hold a conference in regard to the situation involving the FEPC bill which now confronts the Senate. I am well aware of the fact that the majority should perhaps hold a conference, but I regret that it is to be held at such an early hour. I wish the majority would hold its conference at a later hour in the day, because I am still of the belief that the Senate of the United States should proceed with the business now pending before it. I still believe that the Journal should be immediately approved, and that we should proceed, under the usual parliamentary procedure, to consider the merits of the FEPC bill. We should return to what I believe is to be the great obligation of the Senate, namely, that of voting, and thereby be enabled to proceed with other vital problems now confronting America. More important than that, Mr. President, the great Senate of the United States should be enabled again to return to the principle of majority rule.

SALE OF CERTAIN GOVERNMENT-OWNED MERCHANT VESSELS

Mr. MAGNUSON. Mr. President, I understand the distinguished Senator from Maryland [Mr. RADCLIFFE] is about ready to present to the Senate the conference report on the ship-disposal bill.

Just prior to the Christmas recess, during the discussion of the bill, I called the attention of the Senate to the plight of the Alaskan steamship operators. The conference report makes no provision, as yet, to rectify that situation.

I told the Senate during the debate that not only were the Alaskan steamship operators in bad shape because none of the ships to be disposed of was adaptable to the Alaskan trade, but I said that something would probably happen if they kept on using the 20-year-old fleet, as they must do, since they cannot afford, as Members of the Senate well know, to construct ships at present construction costs without a doubling of the now excessive Alaskan rates.

Day before yesterday, one of those old ships went aground. That is a yearly occurrence in Alaska. Fortunately, everyone was saved.

During the war, some Liberty ships were tried in Alaskan waters. I personally went out and looked at nine cracked Liberty ships trying to ply those waters. The Russians used some of our ships, and they cracked up four. We simply cannot use the ships which are available, and the Senate and the Congress should take notice of that. The incident which occurred day before yesterday should force the matter upon the attention of the Congress, and, despite the fact that I know the importance of having the ship-disposal bill acted upon immediately so that the Maritime Commission may dispose of the millions of tons of ships which are now under the control of the War Shipping Administration, I sincerely hope that before it is too late, and before all our intercoastal trade to Alaska is gone, and is moved over the Canadian Railroad and in Canadian barges to Alaska, and before another accident may happen—and they happen almost yearly—the Senate will heed my plea that some kind of measure for the relief of the Alaskan ship operators be passed.

The PRESIDENT pro tempore. The Chair will state to the Senator that the report of the conference committee is still on the desk and undisposed of. It has not been put on the calendar or otherwise disposed of in any way.

Mr. MAGNUSON. I thank the Presiding Officer. I understood the committee was ready to make the report.

Mr. BAILEY. Mr. President it is true that the conferees are ready to make the report, and I think it should be made. It was filed yesterday. But the bill in question is a bill to dispose of ships already in existence. It is not a bill to build ships. The Senator from Washington just stated that none of the ships we are disposing of are suitable to the Alaskan trade. Therefore his point with respect to this conference report could not possibly be well taken. We are not trying to dispose of ships not in existence, but we

are attempting to dispose of ships already built. I repeat, the Senator says the ships we are disposing of are not suitable to the Alaskan trade. If that be the case, the thing to do is to build some ships which will be suitable. I do not see what his remarks have to do with the conference report.

Mr. MAGNUSON. Mr. President, I wish to say to the very able chairman of the Committee on Commerce that I bring the matter up now again because of the incident of day before yesterday; secondly, because I attempted on the floor of the Senate, at the time the bill was under consideration, and in the committee, to amend it, on the ground that the situation was acute.

I appreciate that the bill is a ship-disposal measure, and that what I am discussing would be somewhat in the nature of a construction subsidy. The Senator from Maine and I discussed that on the floor of the Senate. I refer to it again now because at the present time an already bad situation is becoming much worse, and I knew of no other way to call the matter to the attention of the Senate.

The matter does have some bearing on the ship-disposal bill, because under that bill all other operators in foreign trade—and this trade is in foreign competition—will have an opportunity, by the terms of the bill and the conference report, if I understand some of its features correctly, to get ships at such a reduced cost that they will be able to operate. Alaskan operators are completely shut out.

I appreciate that the reason why the Senate rejected my amendment was, as the able chairman has stated, that it refers to another category of our merchant marine. But I was just as desperate as are the Alaskan operators in hoping something would be done about the situation.

Mr. BAILEY. Mr. President, the Alaskan operators will have the same opportunity, under the bill, any other operator will have. The Senator's point is that they do not wish any of the ships which are to be disposed of. I think his remedy must be to introduce some sort of a bill. The bill would have to be different from the Maritime Act. The Maritime Act already provides for a construction subsidy, and the Alaskan operators therefore should apply to the Maritime Commission to build the ships to suit their peculiar trade.

I do not know what caused the wreck of the *Yukon*. She ran on a reef, but all the Congresses that ever existed and all the shipbuilders who ever built a ship could not build one which would be safe when it ran on a reef in Alaskan waters.

Mr. MAGNUSON. I merely wish to clarify something, Mr. President. Of course, what the Senator says is true, but the *Yukon* ran on a reef because she was so old she could not withstand the storm which occurred at the time. The average age of the fleet in Alaskan waters, as I have said, is 20 years, and these ships just break up because they are too old. I do not know whether the accident to the *Yukon* was due to bad navigation or not, but I do know that because of her age she could not withstand the storm which raged. She practically broke up before she hit the reef.

Mr. President, I ask permission to include at the conclusion of my remarks an editorial from the Everett (Wash.) Herald of December 31, 1945, by Mr. Paul Dunham, which pretty well states the situation.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CAPITAL NEWS

(By Paul Dunham)

WASHINGTON, D. C., December 31.—Mainly because it involved departure from the traditional policy of the United States opposed to the subsidizing of intercoastal trade, an amendment to the ship-disposal bill proposed by Senator MAGNUSON, of Washington, was rejected. The Washington Senator advanced what seemed to be sound argument in favor of his amendment and practically the only opposition was based on its possible violation of tradition, but this was enough to defeat it. The situation, with respect to the Alaska trade is unlike that which exists on the Atlantic coast, as Senator MAGNUSON explained. Shipments to Alaska are carried by three steamship companies, two of them American and the third operated by the Canadian Pacific and the Canadian National Railroads, the latter transporting about one-third of all goods shipped into the Territory.

Although foreign-owned vessels are not permitted to participate in the intercoastal trade, a means of evasion is found through the shipment of goods from east coast points to Vancouver, B. C., by rail and their transshipment by Canadian cargo carriers to Alaska ports. During the winter season when American ships in the Alaska trade are tied up the Canadian vessels carry cargo to India and other ports in the Far East and are thereby enabled to operate the year round.

The Magnuson amendment would have authorized American steamship lines to purchase from the Maritime Commission a sufficient number of vessels to replace the 9 lost during the war and the other 11 ships in the fleet which have become obsolete or fallen into such a state of disrepair as to be no longer serviceable. If suitable ships were not available, the Maritime Commission would be authorized to build new ones and sell them on the same basis as is provided for the disposal of Liberty and Victory ships owned by the Commission. This would mean their sale at actual cost less discount for depreciation, and here is where the traditional policy against subsidizing entered the picture.

Adoption of the Magnuson amendment would have permitted continued operation of the two American lines without an increase in freight rates, it was believed, and this was the prime motive behind the amendment. It was contended that present freight rates to Alaska are as high as the traffic will bear without imposing undue hardship upon residents of the Territory. An application for rate increases is now pending.

RECESS

Mr. RUSSELL. Mr. President, without prejudice to the rights of the Senator from Louisiana [Mr. ELLENDER] to hold the floor, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 10 minutes p. m.) the Senate took a recess until tomorrow, Thursday, February 7, 1946, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate February 6 (legislative day of January 18), 1946:

COLLECTOR OF CUSTOMS

Alexander H. Bell, of Norfolk, Va., to be collector of customs for customs collection district No. 14, with headquarters at Norfolk, Va. (Reappointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate February 6 (legislative day of January 18), 1946:

INTERNATIONAL MONETARY FUND AND INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Fred M. Vinson to be United States Governor of the International Monetary Fund and United States Governor of the International Bank for Reconstruction and Development for a term of 5 years.

William L. Clayton to be United States Alternate Governor of the International Monetary Fund and United States Alternate Governor of the International Bank for Reconstruction and Development for a term of 5 years.

Harry D. White to be United States Executive Director of the International Monetary Fund for a term of 2 years and until his successor has been appointed.

Emilio G. Collado to be United States Executive Director of the International Bank for Reconstruction and Development for a term of 2 years and until his successor has been appointed.

RECONSTRUCTION FINANCE CORPORATION

MEMBERS OF THE BOARD OF DIRECTORS OF THE RECONSTRUCTION FINANCE CORPORATION FOR TERMS OF 2 YEARS FROM JANUARY 22, 1946

Harvey Jones Gunderson
Henry T. Bodman
Charles B. Henderson

NATIONAL MEDIATION BOARD

Frank P. Douglass to be a member of the National Mediation Board, for a term expiring February 1, 1949.

NATIONAL HOUSING AGENCY

Wilson W. Wyatt to be National Housing Administrator.

SELECTIVE SERVICE SYSTEM

Candler Cobb to be a director of Selective Service for New York City, with salary of $7,175 per annum.

IN THE ARMY

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

To be a major general

Milton Baldridge Halsey

To be brigadier generals

Kearie Lee Berry
Wyburn Dwight Brown
Kenneth David Nichols
Rodney Hamilton Smith
Carlton Spencer Dargusch
Charles Gurdon Sage
Francis Rusher Kerr
Robert Joshua Gill
Gerson Kirkland Heiss

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

To be colonels to rank from December 28, 1945

Joseph Leon Philips et al. which were received by the Senate on February 4, 1946.

(NOTE.—A full list of the persons whose nominations for promotion in the Regular

Army were confirmed today may be found in the Senate proceedings of the CONGRESSIONAL RECORD for February 4, 1946, under the caption "Nominations," beginning with the name of Joseph Leon Philips, on page 825, and ending with the name of Richard Whitney Carter, on page 828.)

IN THE NAVY

APPOINTMENT IN THE NAVY, FOR TEMPORARY SERVICE

Earle W. Mills to be a vice admiral in the Navy, for temporary service, effective from December 31, 1945.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 6, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, whose paths are paths of peace, help us to choose Thee as our guide and leader and to walk in Thy footsteps. In our lowliness, amid weakness and temptation, do Thou bestow Thy grace upon us that we may faithfully and diligently seek that integrity of motive that will bulwark us against strains and unjust criticisms.

O God, many are being victimized by false riches, rooted in covetousness and decaying standards. O teach every land under the sky that its wealth does not consist in the abundance of its possessions, lest the winds of selfish gain touch the torch of destruction. All boundaries and claims are as sounding brass and tinkling cymbals without freedom and justice for all. Dear Lord, the world with its empty hands is scantily clad; in this moving pageant of human misery, let us not fail in our compassion to keep the faith. Free them from the foes with merciless power and replenish them with living hope for a new day, in a new world wherein dwelleth righteousness and peace and honor. Through Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

ANNOUNCEMENT

The SPEAKER. On account of the calendar today, the Chair prefers not to recognize Members to proceed for 1 minute, but they may extend their remarks in the RECORD.

EXTENSION OF REMARKS

Mr. BATES of Kentucky asked and was given permission to extend his remarks in the RECORD and include a letter by the commander in chief of the Veterans of Foreign Wars.

Mr. LANE asked and was given permission to extend his remarks in the RECORD in two instances; to include in one a resolution adopted by the City Council of Lynn, Mass., and in the other an article by Judge Daniel J. Gillen, of the municipal court of the city of Boston.

Mr. GALLAGHER asked and was given permission to extend his remarks in the RECORD and include a tribute to Mr. Bowles.

Mr. ROE of Maryland asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Preston News entitled "Feed Situation Is Intolerable."

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD and include an editorial on the REA.

Mr. ARENDS asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the United States News entitled "The Truth About Yalta—a Year Late."

Mr. JENKINS asked and was given permission to extend his remarks in the RECORD and include an address delivered by the national commander of the United States Service Legion.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the RECORD and include a letter on the subject of free competition.

Mr. LUTHER A. JOHNSON asked and was given permission to extend his remarks in the RECORD and include an editorial.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

RETIREMENT OF DISTRICT JUDGES IN ALASKA ET AL.

Mr. BATES of Kentucky, from the Committee on Rules, reported the following privileged resolution (H. Res. 509, Rept. No. 1521) which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the act (S. 565) to extend the privilege of retirement to the judges of the District Court for the District of Alaska, the District Court of the United States for Puerto Rico, the District Court of the Virgin Islands, and the United States District Court for the District of the Canal Zone. That after general debate, which shall be confined to the act and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary, the act shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the act for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the act and amendments thereto to final passage without intervening motion except one motion to recommit.

RIVER AND HARBOR PROJECTS

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 510, Rept. No. 1522), which was referred to the House Calendar, and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 265) to provide for proceeding with certain river and harbor projects heretofore authorized to be prosecuted after the termination of the war. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Rivers and Harbors, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

INDIAN CLAIMS COMMISSION

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 511, Rept. No. 1523), which was referred to the House Calendar, and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4497) to create an Indian Claims Commission, to provide for the powers, duties, and functions thereof, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Indian Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. RANKIN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. GORE. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 19]

Andrews, N. Y.	Dawson	Madden
Arnold	Dingell	Monroney
Barden	Doyle	Murphy
Bell	Engle, Calif.	Norblad
Bishop	Fisher	Norton
Bland	Fogarty	Patterson
Bloom	Fulton	Price, Ill.
Bradley, Mich.	Gardner	Reed, N. Y.
Bradley, Pa.	Gearhart	Rowan
Brooks	Gwynne, Iowa	Short
Bulwinkle	Hancock	Sparkman
Cannon, Fla.	Harness, Ind.	Starkey
Cannon, Mo.	Holifield	Sumners, Tex.
Clark	Johnson, Ill.	Wadsworth
Cravens	Keefe	Welch
Crosser	Lea	
Curley	Luce	

The SPEAKER. On this roll call 381 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL FUNCTIONS APPROPRIATIONS BILL

Mr. SNYDER. Mr. Speaker, by direction of the Committee on Appropriations, I ask unanimous consent that I may have until midnight tonight to file a report on the bill H. R. 5400, the War Department civil functions appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CASE of South Dakota reserved all points of order on the bill.

EMPLOYMENT-PRODUCTION BILL—CONFERENCE REPORT

Mr. MANASCO. Mr. Speaker, I call up the conference report on the bill (S. 380) declaring a national policy on employment, production, and purchasing power, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 380) to establish a national policy and program for assuring continuing full employment and full production in a free competitive economy, through the concerted efforts of industry, agriculture, labor, State and local governments, and the Federal Government, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Employment Act of 1946.'

"DECLARATION OF POLICY

"SEC. 2. The Congress hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means consistent with its needs and obligations and other essential considerations of national policy, with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power.

"ECONOMIC REPORT OF THE PRESIDENT

"SEC. 3. (a) The President shall transmit to the Congress within sixty days after the beginning of each regular session (commencing with the year 1947) an economic report (hereinafter called the 'Economic Report') setting forth (1) the levels of employment, production, and purchasing power obtaining in the United States and such levels needed to carry out the policy declared in section 2; (2) current and foreseeable trends in the levels of employment, production, and purchasing power; (3) a review of the economic program of the Federal Government and a review of economic conditions affecting employment in the United States or any considerable portion thereof during the preceding year and of their effect upon employment, production, and purchasing power; and (4) a program for carrying out the policy declared in section 2, together with such recommendations for legislation as he may deem necessary or desirable.

"(b) The President may transmit from time to time to the Congress reports supplementary to the Economic Report, each of which shall include such supplementary or revised recommendations as he may deem necessary or desirable to achieve the policy declared in section 2.

"(c) The Economic Report, and all supplementary reports transmitted under subsection (b), shall, when transmitted to Congress, be referred to the joint committee created by section 5.

"COUNCIL OF ECONOMIC ADVISERS TO THE PRESIDENT

"SEC. 4. (a) There is hereby created in the Executive Office of the President a Council of Economic Advisers (hereinafter called the 'Council'). The Council shall be composed of three members who shall be appointed by the President, by and with the advice and consent of the Senate, and each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret economic developments, to appraise programs and activities of the Government in the light of the policy declared in section 2, and to formulate and recommend national economic policy to promote employment, production, and purchasing power under free competitive enterprise. Each member of the Council shall receive compensation at the rate of $15,000 per annum. The President shall designate one of the members of the Council as chairman and one as vice chairman, who shall act as chairman in the absence of the chairman.

"(b) The Council is authorized to employ, and fix the compensation of, such specialists and other experts as may be necessary for the carrying out of its functions under this Act, without regard to the civil-service laws and the Classification Act of 1923, as amended, and is authorized, subject to the civil-service laws, to employ such other officers and employees as may be necessary for carrying out its functions under this Act, and fix their compensation in accordance with the Classification Act of 1923, as amended.

"(c) It shall be the duty and function of the Council—

"(1) to assist and advise the President in the preparation of the Economic Report;

"(2) to gather timely and authoritative information concerning economic developments and economic trends, both current and prospective, to analyze and interpret such information in the light of the policy declared in section 2 for the purpose of determining whether such developments and trends are interfering, or are likely to interfere, with the achievement of such policy, and to compile and submit to the President studies relating to such developments and trends;

"(3) to appraise the various programs and activities of the Federal Government in the light of the policy declared in section 2 for the purpose of determining the extent to which such programs and activities are contributing, and the extent to which they are not contributing, to the achievement of such policy, and to make recommendations to the President with respect thereto;

"(4) to develop and recommend to the President national economic policies to foster and promote free competitive enterprise, to avoid economic fluctuations or to diminish the effects thereof, and to maintain employment, production, and purchasing power;

"(5) to make and furnish such studies, reports thereon, and recommendations with respect to matters of Federal economic policy and legislation as the President may request.

"(d) The Council shall make an annual report to the President in December of each year.

"(e) In exercising its powers, functions and duties under this Act—

"(1) the Council may constitute such advisory committees and may consult with such representatives of industry, agriculture, labor, consumers, State and local governments, and other groups, as it deems advisable;

"(2) the Council shall, to the fullest extent possible, utilize the services, facilities, and information (including statistical informaton) of other Government agencies as well as of private research agencies, in order that duplication of effort and expense may be avoided.

"(f) To enable the Council to exercise its powers, functions, and duties under this Act, there are authorized to be appropriated (except for the salaries of the members and the salaries of officers and employees of the Council) such sums as may be necessary. For the salaries of the members and the salaries of officers and employees of the Council, there is authorized to be appropriated not exceeding $345,000 in the aggregate for each fiscal year.

"JOINT COMMITTEE ON THE ECONOMIC REPORT

"SEC. 5. (a) There is hereby established a Joint Committee on the Economic Report, to be composed of seven Members of the Senate, to be appointed by the President of the Senate, and seven Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The party representation on the joint committee shall as nearly as may be feasible reflect the relative membership of the majority and minority parties in the Senate and House of Representatives.

"(b) It shall be the function of the joint committee—

"(1) to make a continuing study of matters relating to the Economic Report;

"(2) to study means of coordinating programs in order to further the policy of this Act; and

"(3) as a guide to the several committees of the Congress dealing with legislation relating to the Economic Report, not later than May 1 of each year (beginning with the year 1947) to file a report with the Senate and the House of Representatives containing its findings and recommendations with respect to each of the main recommendations made by the President in the Economic Report, and from time to time to make such other reports and recommendations to the Senate and House of Representatives as it deems advisable.

"(c) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

"(d) The joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings as it deems advisable, and, within the limitations of its appropriations, the joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants, to procure such printing and binding, and to make such expenditures, as it deems necessary and advisable. The cost of stenographic

services to report hearings of the joint committee, or any subcommittee thereof, shall not exceed 25 cents per hundred words. The joint committee is authorized to utilize the services, information, and facilities of the departments and establishments of the Government, and also of private research agencies.

"(e) There is hereby authorized to be appropriated for each fiscal year, the sum of $50,000, or so much thereof as may be necessary, to carry out the provisions of this section, to be disbursed by the Secretary of the Senate on vouchers signed by the chairman or vice chairman."

And the House agree to the same.

That the title of the bill be amended to read as follows: "An Act to declare a national policy on employment, production, and purchasing power, and for other purposes".

CARTER MANASCO,
JOHN J. COCHRAN,
WILLIAM WHITTINGTON,
Managers on the Part of the House.
ROBERT F. WAGNER,
ALBEN W BARKLEY,
GEORGE L. RADCLIFFE,
ABE MURDOCK,
GLEN TAYLOR,
CHAS. W. TOBEY,
ROBERT A. TAFT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 380) to establish a national policy and program for assuring continuing full employment and full production in a free competitive economy, through the concerted efforts of industry, agriculture, labor, State and local governments, and the Federal Government, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment to the text of the bill strikes out all the Senate bill after the enacting clause. Under the conference agreement the Senate recedes from its disagreement to the amendment of the House with an amendment, which is a substitute for the language of both the Senate bill and the House amendment. The substantial differences between the Senate bill and the House amendment and the proposed conference substitute are as follows:

STATEMENT OF POLICY

The Senate bill declared that it is the responsibility of the Federal Government to maintain full employment and to assure at all times sufficient opportunities for employment to enable all Americans able and willing to work to exercise their right to continued full employment.

The House substitute declared that it is the continuing policy of the United States to promote employment, production, and purchasing power under the system of free competitive enterprise, and that the function of the Government is to promote and not to assure or guarantee employment. It is the theory of the House substitute that employment is not the sole responsibility of the Government and that industry, agriculture, and labor have their responsibility.

The conference agreement adopted the view and declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means in a manner calculated to foster and promote free competitive enterprise for the purpose of creating and maintaining conditions under which there will be afforded opportunities for those able, willing, and seeking to work, and conditions to promote maximum employment, production, and purchasing power. The term "full employment" is rejected, and the term "maximum employment" is the objective to be promoted. There is to be cooperation with industry, agriculture, labor, and State and local governments. The United States is to promote by all practicable means, which may well include, but need not be limited to, taxation, banking credit and currency, foreign trade, public works and loans. The conference agreement instead of referring to public works and loans, uses the term "all practicable means." The term embraces public works but it also includes legislation. Studies are to be made and the causes of economic dislocations are to be ascertained. Causes of unemployment are to be removed or eliminated.

The words or terms "full," "guarantee," "assure," "investment," and "expenditure" do not occur in the conference agreement. The goal is maximum or high levels of employment. The emphasis on spending, expenditures, and disbursements is omitted from the conference agreement.

ECONOMIC REPORT OF THE PRESIDENT

The Senate bill provided for a production and employment budget. A budget contemplates previous authorizations and commitments. There are no authorizations in the conference agreement. The House substitute provided for an economic report by the President instead of a budget. The report was to be made on economic conditions affecting employment in the United States and the extent to which the programs and activities of the Government were contributing to the achievement of the declared policy.

The conference agreement adopts substantially the economic report of the House substitute. Mention of public works and loans is omitted. The President is to transmit a review of economic conditions and his program for carrying out the policy declared.

COUNCIL OF ECONOMIC ADVISERS TO THE PRESIDENT

The House substitute provided that the President should have the best available advice to aid and assist him in preparing the economic report. A council of three members was authorized to advise the President. The House provision for a council of economic advisers is substantially adopted in the conference agreement with few changes. The conference agreement provides that the three members shall be appointed by the President with the advice and consent of the Senate. The President is to name the chairman and vice chairman. Again the provision in the House substitute that the report should be made available on request to the joint committee is eliminated. The Congress or the joint committee without the provision has all the power that the provision would have given to secure the studies, reports, and recommendations of the council. In the employment of personnel the council is not limited to the District of Columbia.

JOINT COMMITTEE ON THE ECONOMIC REPORT

The provisions of the Senate bill and the House substitute with respect to the joint committee are substantially the same. Both provide for a joint congressional committee. The conference agreement limits the number to seven and leaves the President of the Senate and the Speaker of the House free in the selection of the members. It is believed that the smaller committee would be more efficient. Both bills provided for payment out of the contingent fund. The House substitute put a limitation of $100,000 for each fiscal year for the joint committee. The conference agreement authorizes an appropriation not to exceed $50,000 in lieu of payments out of the contingent funds of both Houses.

INTERPRETATIONS

The Senate bill and the House substitute contained a section with respect to interpretations. Inasmuch as there is no change in existing procedures on appropriations, and inasmuch as there are no authorizations of appropriations in the conference agreement except for the Advisory Council and the joint committee, the section with respect to interpretations is eliminated as being wholly unnecessary.

TITLE OF THE BILL

Under the conference agreement there is adopted in lieu of the title of the bill as contained in the Senate bill and the House substitute a title reading as follows: "An act to declare a national policy on employment, production, and purchasing power, and for other purposes."

CARTER MANASCO,
JOHN J. COCHRAN,
WILLIAM WHITTINGTON,
Managers on the Part of the House.

Mr. MANASCO. Mr. Speaker, I ask unanimous consent that all Members who speak on the conference report may be permitted to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MANASCO. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this is the first conference report I have ever seen where the proponents of two diametrically opposed views are in agreement that it is a good bill and that it meets the objectives of both their positions.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. MANASCO. I yield to the distinguished gentleman from Illinois, a member of the committee.

Mr. CHURCH. The conference report is not signed by the minority Members of the House.

Mr. MANASCO. We will give them an opportunity to explain their reasons for that.

In the original bill introduced in the House and the Senate there was an assurance of jobs when all other means of providing jobs failed. This assurance carried with it the obligation of the Federal Government to provide jobs at remunerative wages, at the prevailing wage in the community where the jobs were given. We took the position that our Federal Treasury, now in debt $279,000,000,000, could not undertake such a commitment. The House Committee on Expenditures in the Executive Departments refused to go along with that view. We adopted the view that there are certain functions the Federal Government can perform to promote maximum employment, we hoped that we could promote full employment. That is the objective of everyone. All those who opposed the original bill hope that we can promote full employment in a free, competitive enterprise system, that we enjoy in this country, but we thought—I think I can speak for a majority of the committee—that it was high time that the American people be told by the Congress that we are not going to continue deficit spending unless

our very existence is threatened. That is the philosophy we adopted in the House. You will find nowhere in this bill reference to the terms "assure," "full," "guarantee," "investment" or "expenditure." We have followed practically word for word the House bill in creating the Advisory Council and the Economic Report of the President. We think the Advisory Council can render a most valuable service in our economy. I want to say here and now that unless the most able men in the United States are appointed on this Advisory Council and unless they are given an opportunity to freely study the economic fluctuations and financial condition of our Government and the needs of our people, it will be a complete failure.

I am sure that unless this Council does its duty and makes recommendations to the Congress that are practicable and worth while the Congress in due time will repeal this act. We hope when this Council is appointed by the President—and, by the way, we gave them $15,000 a year because we thought we should get the most capable men in the United States—we do not want theorists; we want practical men, men who have the interest of our system of government at heart—we hope when this Council is appointed by the President that we will not have any plan submitted in an economic report which will destroy the system of free enterprise which we enjoy in this country. I do not think that anyone who signed the conference report desires such a report to be submitted to us. But we do believe they can render very valuable service to the executive department, and in turn to the Congress of the United States, and enable us to meet some of the problems that face us from time to time.

Some people say that we abandoned the position taken by the House, basing their statement on the ground that we have exchanged the term "full employment" for the term "maximum employment." Nothing is further from the truth. The original bills use the words "assure full employment." In section 2 of the conference agreement we state that we want to promote maximum employment, production, and purchasing power, but do not say that we are going to assure maximum employment. We do say that the Federal Government should use all practicable means consistent with its needs and obligations and other essential considerations of national policy, with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities. This means, among other things, that the Federal Government will not pursue destructive tax policies or unfair competition with private enterprise. It also means that we will not foster or promote restraint of trade. It means we will not pursue policies that will destroy initiative or private investment.

As I interpret the conference report, it means that it will be the continuing policy of the Government to assist private enterprise in giving jobs to all those able, willing, and seeking work, and will not encourage or sponsor legislation that will result in the destruction of our system of private enterprise. It cannot be interpreted by the wildest stretch of imagination as committing the Congress to a policy of socialization of our economy. It can in no way be construed as holding out the false hope to our people that the Federal Government is going to provide jobs at the prevailing wage for those who are unable to secure work in private employment or self-employment. Those of us who had grave fears about the ultimate aims envisioned by some of the advocates of the original bill have nothing to fear under this conference agreement. We do not expect its passage to result in our entrance into Utopia. We know that anything done under this bill will not make it possible for our citizens to make an honest living without working, but we do feel that if the advisory council to the President is made up of men of ability, integrity, and courage that they can make studies and suggestions that will enable us to avoid the dangers of peaks and depressions. We cannot by law, under our present system of government, prohibit a buyers strike, which will ultimately result in the shutting down of factories, but we can use the facilities already possessed by the Government to keep our people continuously advised of our economic plight, and I am sure the American people will cooperate to the fullest in an effort to prevent the recurrence of another serious depression.

The SPEAKER. The gentleman from Alabama has consumed 5 minutes.

Mr. MANASCO. Mr. Speaker, I will not take more time since I have requests for more time than is available. I now yield 5 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Speaker, I am supporting the conference committee bill on S. 380 with the greatest misgivings.

The pledge of this administration, made in the 1944 election and continually repeated by the majority party to the American people, of full employment is violated in this act. The bill, after long months of wrangling, maneuvering, amendments, and legislative butchery, is little short of a complete mess.

The administration leadership has disgracefully yielded, not only in phraseology but in concept, to the opposition within his own party. The bill is not a full employment bill and does not assure anybody anything. Basically, then, the bill is a fraud—a legislative fraud which the administration hopes to pass off upon the American people as fulfillment of its pledge of full employment.

Technically, this bill does not clearly recognize even the fundamental right of every American to earn a decent, good living. The language is weak and vague and the administrative and legislative machinery set up in the conference bill may in all likelihood prove completely inadequate. The clauses creating the Joint Committee on the Economic Report are not specific enough. Nevertheless, despite the weakness of this bill, I shall support the conference committee report because I believe it is the responsibility of every Member of Congress to do everything possible to achieve sincere cooperation between Congress and the Executive. The Executive has asked for this bill. The administration bears the responsibility for this bill. The country demands employment, higher production, and a prosperous peace and economy. No single piece of legislation, and particularly this bill, will guarantee such an economy, but the first necessary premise is cooperation between the Congress and the Executive.

This bill merely provides a means for studying and reporting by the President to Congress on economic dislocations. Incidentally, if it is legitimate to study atomic power, why not have the tools to be aware of economic problems and situations?

It is extremely difficult to follow the mental gymnastics of the President on this measure. On December 20 he wrote to our chairman and again used the same language in his speech to the country, as follows:

> No bill which provides substantially less than the Senate version can efficiently accomplish the purposes intended.

Now, frankly, this is not the Senate version. The Senate conferees and the House conferees completely abandoned the Senate version. This is a watered-down version of the House bill.

I want to commend a member of our committee for a 100-percent performance. I am referring to our colleague the gentleman from Mississippi [Mr. WHITTINGTON]. The gentleman from Mississippi I am sure wrote this bill. I am certain he wrote the original House bill, and he got his way 100 percent. We do not want the American people to feel that this is a full-employment bill, and the administration should not be permitted to convey that impression to the American people, because that is wholly untrue. This is a watered-down version of the House bill.

The SPEAKER. The time of the gentleman from Ohio [Mr. BENDER] has expired.

Mr. MANASCO. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, if I wanted to see this country become a communistic nation or a socialistic nation and have the Government doing everything that would create jobs, I would pass a bill like some of those presented to our Committee on Expenditures in the Executive Departments for consideration here in the House of Representatives. But I do not want that to happen. I think this measure is too important to try to do anything but see that the bill that is before you will do some good without swapping this Government for some form of socialism. I will encourage private enterprise.

As far as the chairman of our committee is concerned, the gentleman from Alabama [Mr. MANASCO] I want to congratulate him on what he tried to do in order that we might aid and assist this country from time to time when there is lack of employment in certain sections of the country, so that we may assist the people in securing employment. I am sure that is the intent and purpose of the gentleman from Alabama [Mr. MANASCO]. That was the main object for this legislation, but I fear that it will go beyond the point of being a good start. I fear eventually it will lead to more trouble than good.

Now, we can go too far in trying to create full employment. It depends on the people at the head of our Government and the philosophy they advocate and the business ability of the men at the helm of government if we have full employment. I want all people who want to work to have jobs but I do not want to create jobs to the detriment of sound economy and of good common sense. Too many jobs created will be a detriment to, rather than good for, our people and our Government.

Take the bill and analyze it. There are supposed to be three members of the Council of Economic Advisers, to be appointed by the President, and to draw salaries of $15,000 per annum each. If the President appoints good, sound businessmen with a desire to work out the problem and an ability to analyze the conditions of the country and make their recommendations to the Congress, then we should be able to meet the problem of unemployment at all times.

The President of the Senate will appoint seven advisers, and the Speaker of the House will appoint seven. The three men appointed by the President will report to this committee of 14 members from the Congress. Eventually this group ought to be able to recommend, if necessary, something to the Congress to meet the situation without in any way endangering the welfare of this country.

This council will have at its disposal the sum of $345,000 for clerical hire and assistance. Fifty thousand dollars is authorized for the committee selected by the Speaker of the House and the President of the Senate. Certainly this should prove to be ample funds for their needs.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield for a question to the distinguished gentleman from Ohio.

Mr. SMITH of Ohio. Does the gentleman have full confidence that the President will appoint the type of men to serve on this council that he describes? And will the gentleman tell the House the basis of his answer?

Mr. RICH. The President should appoint competent men, men of business ability, men well versed in economics, men familiar with the economic conditions of the country. That is the most important part of this bill; and these three men should be good, honest, conscientious, sound Americans who will not be influenced by a lot of radical people.

Mr. SMITH of Ohio. Is that the kind of men who have been appointed to similar positions in the past?

Mr. RICH. Not since I have been in Congress have I seen all men appointed that I have had confidence in by this or the former President.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Illinois.

Mr. CHURCH. The gentleman from Pennsylvania is the watchdog of the Treasury. I wonder if he can justify this measure, or reconcile it with his opposition and my opposition to the appointment of assistants to the President in the past when bills for that purpose have been before us? There is little more in this bill except the creation of new positions—$45,000 for three assistants, $345,000 for people they call a council. Does the gentleman justify that expenditure?

Mr. RICH. No; I cannot justify the set-up as is. I am doubtful of it doing what is best. I am afraid it is just another set-up of the New Deal.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MANASCO. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. CHURCH].

Mr. CHURCH. Mr. Speaker, in opposing the conference report, I merely want to call the attention of the House to the provision of section 4 (a) of this bill providing for the appointment by the President of a Council of Economic Advisers to assist the President, which is little less than three more assistants or advisers to the President—it does not make any difference what they are called—at $15,000 each per annum, a total of $45,000. We have objected many times to bills providing for additional assistants to the President.

The bill in section 4 (f), page 20, authorizes a further additional annual expenditure of $345,000 for salaries of a so-called Council and its employees. I call his to the attention of the economy-minded Members of this House. Both amounts are entirely unnecessary. In the departments of the Government there are many so-called economists, specialists, experts, and theorists of all kinds. Also the members of the President's Cabinet can constitute a council.

Mr. Speaker, all this bill does is to authorize an appropriation for more pay rollers to do what the President and present Cabinet ought to be fit and able to do. That is the issue in this report and little more.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. CHURCH. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Directing my attention to the statement of the gentleman from Pennsylvania [Mr. RICH], I think the language in section 4 (a) prohibits the appointment of practical businessmen on the committee because the language is—

> Who as the result of his training, experience, and attainments is exceptionally qualified to analyze and interpret economic developments.

One type of man reaches out and grabs the economic forces of the world, puts them together and brings forth goods. The analyst sits down and analyzes economic facts, figures, and statistics. I think that language prohibits the appointment of practical men.

Mr. CHURCH. The bill authorized an appropriation for a lot of money to do that very thing and that is the thing that Members should resist—this continued increase of spending, spending, taxing and taxing, and appropriating and appropriating. This is nothing more than an additional pay-roll bill and I want Members to know that. The minority Members did not sign this report. I shall vote against the conference report.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. MANASCO. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, it is my understanding that the present bill does not satisfy anyone, but it is all that we can get at this time. Am I right, may I ask the gentleman from Missouri?

Mr. COCHRAN. It satisfies me.

Mr. HOFFMAN. Then I will say that the gentleman is easily satisfied.

If I understand it correctly, this bill creates a new advisory committee or commission or agency consisting of three members. They study a while, then they tell the President what they think should be done, either by way of making new jobs through private enterprise, or, as they put it, by the Federal Government—but back of it all is deficit spending—or through new laws to prevent another depression or mass unemployment. When those three men have made this study, they tell the President all about it, and you will remember both President Hoover and President Roosevelt guessed absolutely wrong, Hoover when he said something about two chickens in every pot and two cars in every garage, and Roosevelt when he said along in October of '36 that the wheels of industry were humming and everybody had a job ahead of him at good pay, then the following March, less than 100 days later, he said that one-third of the Nation did not have clothing, shelter, or food enough. They had good advisers, but both were wrong. I also recall that the Secretary of Commerce, Mr. Wallace, intimated before a committee that those two gentlemen might have had political thoughts in mind. I do not think so. They just could not guess ahead far enough.

Then Mr. Speaker, after the President gets this advice he sends it down to the Congress. And the Congress turns it over to this joint committee. This is one good thing the conferees did, they cut the committee from 22 to 14. That helped some. Then after the committee searches around in several departments and gets all the information it can—that is, this joint committee—they send it back to the Senate and the House, and the President of the Senate and the Speaker of the House split up that advice, and they give the various committees of the House and the Senate which have jurisdiction over the subject matters involved those parts of the report which the President of the Senate and the Speaker of the House think each

committee ought to have, and then House and Senate are right back again where they were when the whole thing began, though we have chased the devil of unemployment around the stump, never quite catching him.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Nebraska.

Mr. CURTIS. I notice by the new bill that the members of this Council of Economic Advisers do not have to be citizens of the United States.

Mr. HOFFMAN. Oh, well, as long as we get much of our advice from abroad, what is the difference? Might even have Mr. Laski sit; he is sure our capitalistic system will not work.

Mr. CURTIS. Is it contemplated that they must sit and act in this country, or will they send their programs directly over here from Moscow or elsewhere?

Mr. HOFFMAN. You will have to see someone on the Committee on Foreign Relations about that, or perhaps you might ask UNO.

Here is my point: This Congress has talked a lot about simplification and the streamlining of Congress, and here we set up another committee of 14 members, a joint committee just to give the standing committees of the House some advice. We have talked about reorganization. We gave the President authority to condense and squeeze the water out of the Government facilities, and we go ahead with this bill, and disregarding that, our profession of a desire to reduce and simplify, we create another agency of three authorized to spend $445,000. I think it is another joint committee of 14. I just do not see the sense in all that.

Mr. MANASCO. Mr. Speaker, I grant such time as he may desire to the gentleman from Indiana [Mr. LAFOLLETTE].

Mr. LAFOLLETTE. Mr. Speaker, I shall support the conference report. Few people in the Congress get what they want, so in cases where no moral issue upon which a man has a deep conviction is involved, it is usually better to take a half loaf than to starve without anything. That is the issue here presented.

I should like to digress and I hope I shall not transgress in so doing.

Last night I received through the mail, in an envelope postmarked Baltimore, Md., but not otherwise marked so as to identify the sender, the following peculiar document:

PETITION TO THE CONGRESS OF THE UNITED STATES

Whereas more than 80 years of unhappy experience have demonstrated that the proclamation of the President of the United States dated January 1, 1863; article XIII of the Constitution of the United States, proclaimed by the Secretary of State on December 18, 1865; article XIV thereof, proclaimed July 28, 1868, and article XV thereof, proclaimed March 30, 1870, have failed to provide and maintain, as was hoped by their proponents, a reasonable degree of peace, justice, and good will between the white and colored peoples of the country; and

Whereas there is no present evidence that relations between the two races will improve hereafter, but every reason to believe that they will worsen, as they are even now worsening;

Therefore the undersigned, citizens of and voters in the States listed after their names, do hereby respectfully petition the Congress to clear off the existing misunderstanding and enmity, and open the way for a new and more rational attack upon the problem by repealing and nullifying, by joint resolution, the said proclamation of January 1, 1863, and by submitting to the several States, under article V of the Constitution, an amendment repealing the aforesaid articles XIII, XIV, and XV.

As in duty bound, the said petitioners humbly pray, etc.

(When these spaces are filled, mail to your Congressman or to the Secretary of the Senate, Washington, D. C. If more spaces are needed attach a sheet below. Any person interested is free to reprint this blank.)

I do not know whether the sender is satirical or in earnest. I have inserted the petition in the RECORD with the hope that the country may learn what is the intent of those who have prepared and circulated this strange document—patent on its face—full of latent ambiguities as to intent beneath the surface.

Mr. MANASCO. Mr. Speaker, I yield such time as he may desire to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker, the President urged the Congress to pass a bill granting full employment, establishing a new, and which would probably soon become, a very large bureau here in Washington, also commitments for the expenditure of very large sums of money.

A bill was introduced in the House and Senate by some very close friends of the administration which proposed to carry out these recommendations of the President.

This bill was rejected in the Senate. The Senate did pass a bill, S. 380, which was a greatly modified form of the President's proposal. It came to the House and the appropriate committee of the House rejected the President's bill by a vote of 13 to 5 and submitted to the House a modified bill. The House passed the modified bill.

These two bills were referred to a conference committee of the House and Senate, and after most careful consideration of the whole subject, they submitted a report to the House and Senate. The report sets forth fully the compromise bill agreed on by the conference and the report, with this compromise bill, is now before us for consideration.

It is my intention to vote for the conference report.

I heartily approve of the plan worked out by the conferees whereby the Federal Government will cooperate with the States, the counties, and cities, in preserving private enterprise and in aiding industry, agriculture, and commerce so that private enterprise may function efficiently and prosperous conditions in industry, agriculture, and commerce may be promoted; and thereby help to provide employment for the people who are able to work and who desire to work.

In other words these various governmental units will work together to achieve prosperity and real jobs for the people of this country.

As a part of this program it provides for a board or council to make a study of economic conditions, employment, production, and purchasing power and submit reports, which reports and information shall be available to the President and to the Congress and in that way to bring about closer cooperation for the prosperity of the people of this Nation and to avoid unemployment.

I might say that this measure does not commit the Federal Government or any State, county, or municipality to the policy of deficit spending. It does not guarantee or insure full employment; neither does it guarantee that there will be investments or expenditures made; but it does in my opinion serve a very useful purpose in securing information and knowledge, and furnishing that information and knowledge for the use of the Federal Government in cooperation with the States, counties, and municipalities in working out plans that will preserve private enterprise and promote employment and the prosperity of the people of the Nation. The success or failure of this proposal will depend on how wisely the President acts in his selection of the men who make up this board or council. We are assuming that the President will appoint men of broad experience in the fields of industry, agriculture, commerce, and labor, who will be guided by one purpose alone, and that is to serve the best interests and the general welfare of the people of the United States. We must have prosperity in industry, agriculture, and commerce if jobs are to be provided for those who can and who desire to work.

On the other hand industry, commerce, and agriculture cannot be prosperous unless labor is gainfully employed at such wages as will enable men to maintain the high American standard of living.

If the President appoints a board or council made up of incompetent persons who are bent on serving one particular group in this country, this plan will prove to be harmful rather than helpful. All groups of our economic life should be fairly and justly considered.

Mr. MANASCO. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Speaker, this conference report is the answer to the oft-repeated statement made during the last 7 months that the House and the Senate would never agree upon legislation of this character.

You have heard from the two Republican Members of the House conferees, the gentleman from Ohio [Mr. BENDER] and the gentleman from Michigan [Mr. HOFFMAN]. Let it be said for the gentleman from Ohio [Mr. BENDER] that he has been extremely liberal in his views, the same as I have been, in connection with the consideration of this legislation. He does not feel that this conference report goes far enough. I do. As for the gentleman from Michigan [Mr. HOFFMAN] if you would let him write the conference report, he would not sign it after he had prepared it.

Some supporters of this legislation like Mr. BENDER have hastily jumped to the conclusion that the conference bill

is inadequate and that it does not contain the basic principles of the original full employment bill. Let me advise those who have taken this position to make a careful reading of the conference report. When they have done so, they will find that the language may be somewhat different, but that the substance remains the same.

The first aim of the sponsors of this legislation was to establish the objective of full employment.

This objective is clearly set forth in the bill agreed to by the conferees. Let me quote from section 2:

> Conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing and seeking to work.

This is the commonly accepted definition of full employment.

Our second aim was to recognize the fact that the Government has a responsibility toward employment.

This responsibility is also set forth in the bill agreed to by the conferees. Let me quote from section 2 again:

> The Congress hereby declares that it is the continuing policy and responsibility of the Federal Government—

And so forth. Our third aim was to define this responsibility in terms of really getting full employment rather than merely encouraging it.

The original bill used the term "assure." The bill agreed to by the conferees defines the Government's responsibility in terms of "creating and maintaining" conditions of full employment. For my part, "creating and maintaining" is every bit as good as "assuring."

Our fourth objective was to have a full employment program that would utilize all the financial resources of the Government, that would provide whatever Federal expenditures might be needed—as a last resort—to maintain full employment.

The bill agreed to by the conferees does not refer to Federal investment and expenditure. Instead it calls upon the Federal Government to "coordinate and utilize all its plans, functions, and resources" for the purpose of maintaining conditions of full employment. In my opinion, this concept of utilizing all the resources of the Government is much more effective than the provisions of the original bill. Under this declaration, Mr. Speaker, we pledge to provide not only whatever expenditures may be needed, but also whatever revenue program, whatever agricultural program, whatever antimonopoly program, or whatever other program may be needed to maintain conditions of full employment.

Finally, in the original bill we assumed that our objective was not only jobs for all, but also a rising level of production and purchasing power.

The bill agreed to, by using some of the language from the bill as passed by the House, sets this objective forth explicitly. It states that the Government's responsibility is not only to utilize all its resources for the purpose of maintaining conditions of full employment, but that its responsibility is also "to promote maximum employment, production, and purchasing power." This, Mr. Speaker, represents an improvement over the original bill.

I cannot understand how anyone who was for the original bill can refuse to support this measure now. I am gratified to hear the gentleman from Pennsylvania [Mr. RICH] say that he is going to support it.

Mr. RICH. No, I did not say I was going to support it. I said it is so much better than anything you have presented here that I congratulate you on toning it down.

Mr. COCHRAN. The other sections of the bill agreed to by the conferees are likewise worthy of the strongest support by all those who backed the original legislation.

Section 3 provides that the President shall transmit to Congress every year an economic report on the employment problem. This report is to contain all of the basic elements which were called for in the original bill. But instead of being described by the misleading name of National Budget, it is called the Economic Report, as proposed in the House bill.

Section 4 sets up a council of economic advisers in order to give the President the personal assistance of three outstanding experts on economic problems. Although this section closely follows the provisions in the House bill, two changes have been made.

First. The conference bill drops the provision that the reports, studies, and recommendations of the President's economic advisers should be made available to the joint committee. This is a distinct improvement, because it emphasizes the fact that the council is not an autonomous agency, but that its sole purpose is to provide the President with essential assistance and information on economic matters.

Second. The members of the Council of Economic Advisers are subjected to confirmation by the Senate. In my opinion, this provision is to be regretted.

Section 5 of the conference bill sets up a Joint Committee on the Economic Report. This committee is to analyze the President's economic report and attempt to coordinate the activities of the various committees of Congress affecting the full-employment program. In my opinion, this section is an improvement over the original bill, the Senate bill and the House bill.

Section 6 of the Senate bill and the House bill has been deleted. This also is an improvement, because it was entirely unnecessary.

All in all, therefore, I think we have a bill that we can be proud of, a bill that is a credit to the conference committee, a bill that provides a strong foundation for developing a far-sighted program designed to maintain conditions of full employment within our economic and political system.

Of course, I should have liked to see the bill contain some of the more vigorous language that appeared in the original version or the version that passed the Senate. But the important thing is the basic substance of a bill, not a few phrases and slogans. And the substance of this bill is sound, constructive, and progressive.

Mr. HENRY. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Wisconsin.

Mr. HENRY. May I say to my distinguished friend from Missouri that I, too, shall vote for this conference report, but not because the bill before us resembles in any way whatsoever the original Patman bill that was before us.

Mr. COCHRAN. I am very glad to have the gentleman's views and to know he will support the conference report.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Illinois.

Mr. CHURCH. I wonder if the Cabinet members are going to quit advising the President.

Mr. COCHRAN. Of course the gentleman knows the answer to his own question. In times such as this when we have so many important problems confronting us naturally the Cabinet is not going to be able to take on additional duties. The purpose in setting up the Council of Economic Advisers is to meet the situation that the Secretary of Commerce, Mr. Wallace, and other members of the Cabinet explained to the committee, and that was that one of the reasons President Hoover failed to meet the crisis confronting him was that he did not have the proper advice, and it was also stated that had President Roosevelt been properly advised in reference to the situation he might have done a better job in meeting the deplorable conditions that existed at the time. Therefore, we are setting up this Council of Economic Advisers because we feel that the men who are to canvass the situation should have nothing else to do. Naturally when the Council makes its report to the President he undoubtedly will discuss the report and the conditions with his Cabinet before sending any message to the Congress.

Mr. Speaker, I am confident that the language carried in this conference report as a substitute for the House and Senate bill will become a law. When it does become a law Congress will have done two things. It will have made a solemn promise to maintain conditions under which there will be employment opportunities for those able, willing, and seeking work. It will have established procedures and machinery where these promises can be translated into reality. Again, we are passing legislation that is placing a new responsibility upon the President. I feel that this will be of benefit to the country as a whole because of the assurance that we give in section 2, the declaration of policy.

Mr. MANASCO. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. OUTLAND].

Mr. OUTLAND. Mr. Speaker, the original full-employment bill that was introduced in this House and that was sponsored by 116 Members from both sides of the aisle was never intended to, and nobody that ever studied it thought that it would, guarantee jobs for all. It was only the first step in the right direc-

tion, an essential first step, however, because it did two things: It stated policy and set up governmental responsibility for creating opportunities for jobs for all when private industry failed, and, secondly, it set up certain machinery designed to further better opportunities for employment throughout this country.

In my judgment, the conference report is not nearly as good as the original bill; it has been weakened considerably, both in policy and in machinery. I shall support it, however, because it is still a first step. Even though it does not go as far as many of us wished, it does give us an impetus in the right direction. If we take the indicated succeeding steps, we shall be on the way to our goal.

I call the attention of the House to the following language in the committee report at the bottom of page 1:

> The United States is to promote by all practicable means, which may well include, but need not be limited to, taxation, banking, credit and currency, foreign trade, public works, and loans. The term embraces public works but it also includes legislation.

Mr. Speaker, this is the crux of the whole matter. If this bill is followed up with proper legislation in these fields, then we are going to take several steps toward attaining full employment; if not, we shall accomplish nothing. The conference report specifically states that legislation must be enacted if we are going to attain jobs in America. I shall look forward, therefore, to seeing this House and the other body bring in practical legislation dealing with taxation, with banking, with credit and currency, with foreign trade, with public works and loans, which will help to insure jobs for all in the United States. Mr. Speaker, I do not understand why we are so afraid of the words "full employment," the word "assure," the phrase "jobs for all." What more important work has this Congress than enacting legislation designed to create an atmosphere in which all Americans able to work and seeking work may find the opportunity to make a decent living?

As I said, I intend to vote for this conference report, but let us face the facts squarely. If we have in the United States a few years from now five, ten, or fifteen million men walking the streets looking for work, every man and woman in this House will wish he had voted for the original Patman bill when it was brought up. Long relief rolls again will be a sharp reminder to us. I think we do have here a good start. I hope, however, we can bolster it with the proper legislation to follow in these many fields. If we do not, and if this bill is not properly administered, we will be making a useless gesture here today. I hope that this House and the other body will follow up this conference report with useful legislation in all of these fields which the conferees mentioned. I call attention again to the conference report where it states "the causes of unemployment are to be removed or eliminated." Where we come to discriminatory practices, where we come to monopolistic practices, then I assume the conference report does mean that these and other causes of unemployment are to be eliminated. It is only through such additional legislation following up this conference report that we are going to bring about full or maximum employment to the people of America. We have heard a great deal the last few days about labor strife. If we went to the heart of the labor strikes, which is a feeling of insecurity on the part of millions of American workers, we would not have strikes. Bills like this, weakened though they are, in my judgment constitute one of the big steps in that direction. I shall vote for this conference report, hopeful that having taken this first faltering step we shall soon take the necessary succeeding steps. An America where anyone looking for work and able to work can find a job is our goal. I intend to do everything in my power to reach that goal, and I am certain that the other 115 cosponsors of the original bill feel the same way.

Mr. MANASCO. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. PATMAN].

(Mr. PATMAN asked and was given permission to revise and extend his remarks, and include certain statements and excerpts.)

FULL EMPLOYMENT BILL

Mr. PATMAN. Mr. Speaker, the purpose in introducing the bill known as the full employment bill was to have the Congress of the United States, the legislative branch of our Government, set forth a policy concerning full or maximum employment. This conference report clearly outlines a duty and an obligation on the part of the Federal Government to do everything within its power to provide maximum employment, which I construe to be full employment, if possible. It was never intended that any person would be guaranteed a job. It was never intended to be a bill which would provide a particular job for a particular person. We will always have some unemployment. We cannot expect the people to be 100 percent employed. No one has ever expected that. Yet, we want a policy which, if carried into effect, will cause us to have just as little unemployment as possible and provide maximum or full employment to the greatest extent possible for the people. This conference report sets forth not only the policy but sets forth the machinery which will permit consideration of that policy. Those two things are vital; they are necessary; they are essential in any program or plan that we may have to aid the people of this country in gaining security for themselves and for their families. I am, therefore, anxious to support this conference report. I congratulate the conferees and the committee on the fine job that they have done, especially under the circumstances.

I know the handicaps they have encountered.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I have only 5 minutes. If the gentleman will get me more time, I will yield.

Mr. HOFFMAN. I do not have control of the time.

Mr. PATMAN. I am sorry.

Now, this will depend upon its administration. After the law is enacted, the administration of it is the important thing. If it is properly and adequately administered, then it will depend upon legislation that is enacted by reason of the administration of this law. This law itself is not self-executing. It does not provide any money for jobs, except for those on the council and the committee. Neither the bill that was introduced in the House or the Senate provided for an appropriation. They only provided for planning against the disastrous, mass unemployment of the past. That is all either bill has ever contemplated, and that is what this conference report proposes to do.

ANALYSIS OF THE MURRAY-PATMAN FULL EMPLOYMENT ACT OF 1946

The Employment Act of 1946 as contained in this conference report does the following four things:

First. Establishes a national policy of full employment—section 2;

Second. Provides for the President to transmit to Congress an annual economic report—section 3;

Third. Sets up a Council of Economic Advisors to assist the President—section 4; and

Fourth. Sets up a congressional joint committee on the economic report—section 5.

1. THE NATIONAL POLICY OF FULL EMPLOYMENT

The declaration of policy in section 2 of this act does the following:

(a) Sets forth full employment as an objective of national policy. Instead of using the actual words "full employment," the declaration uses the accepted definition of full employment, "conditions under which there are afforded employment opportunities, including self-employment, for those able, willing and seeking to work."

(b) Acknowledges that the Federal Government has a responsibility with respect to employment opportunities.

(c) Defines the Government's responsibility in terms of creating and maintaining conditions of full employment.

(d) Pledges the Government to coordinate and utilize all its plans, functions, and resources in discharging this responsibility.

(e) Broadens the Government's responsibility to include the promotion not only of maximum employment, but also of maximum production and purchasing power.

(f) Provides that the Government's responsibilities be discharged by using all practicable means consistent with its needs and obligations and other essential considerations of national policy; and with the assistance and cooperation of industry, agriculture, labor and State and local governments; and in a manner calculated to foster and promote free competitive enterprise and the general welfare.

2. THE PRESIDENT'S ECONOMIC REPORT TO CONGRESS

The President's Economic Report to Congress is to be transmitted within 60 days after the beginning of each session and is to include:

(a) Goals on employment, production, and purchasing power.

(b) An analysis of current facts and trends with respect to employment, production, and purchasing power.

(c) A review of the Government's economic program and of general economic conditions, as they affect employment, production and purchasing power.

(d) A program for carrying out the declaration of policy.

Supplementary reports may be transmitted to Congress whenever the President deems necessary.

The President's Economic Report and all supplementary reports are to be referred to the Joint Committee on the Economic Report.

3. THE COUNCIL OF ECONOMIC ADVISERS TO THE PRESIDENT

The purpose of the Council of Economic Advisers is:

(a) To advise the President in the preparation of the economic report.

(b) To gather information on economic trends.

(c) To appraise the various programs of the Federal Government.

(d) To recommend specific economic policies to the President.

(e) To consult, to the extent deemed necessary, with representatives of industry, agriculture, labor, consumers, State and local governments, and others—and to set up advisory committees for this purpose.

The Council is to be composed of three members who:

(a) Shall be appointed by the President.

(b) Shall be confirmed by the Senate.

(c) Shall be exceptionally qualified to analyze economic developments, appraise Government programs and recommend national policy.

(d) Shall be paid $50,000 a year.

(e) Can be removed by the President at any time.

The total salaries of the Council and its employees are limited to $345,000 a year. The Council is directed to utilize, to the fullest extent possible, the facilities of other Government agencies as well as of private research agencies.

4. THE JOINT COMMITTEE ON THE ECONOMIC REPORT

The purpose of the Joint Committee on the Economic Report is:

(a) To make a continuing study of matters relating to the President's Economic Report.

(b) To study means of coordinating programs in order to carry out the declaration of policy and by May 1 of each year to file a report with the Senate and the House of Representatives containing its analysis of the recommendations in the President's Economic Report.

The joint committee is to be composed of seven Members of the Senate and seven Members of the House of Representatives, to be appointed by the presiding officer of each House. The party representation on the committee is to reflect, as nearly as may be feasible, the relative membership of the majority and minority parties. The committee is to select its chairman and vice chairman. The sum of $50,000 a year is authorized to cover the committee's expenses.

The Murray-Patman Full Employment Act is based upon H. R. 2202, sponsored in the House of Representatives by the gentleman from Texas, Representative WRIGHT PATMAN, with the support of 115 other Representatives, and upon S. 380, sponsored in the Senate by Senators MURRAY, Montana; WAGNER, New York; THOMAS of Utah; O'MAHONEY, Wyoming; MORSE, Oregon; TOBEY, New Hampshire; AIKEN, Vermont; and LANGER, North Dakota.

ALARMED OVER FEAR OF INFLATION

I am more alarmed today than I have been since I have been a Member of this Congress, the past 17 years, about the outlook in the United States for the people and the Government. We have successfully won our wars upon foreign battlefields. Our fine young servicemen have done that for us, but our No. 1 problem today is to prevent inflation at home, which can destroy everything economically that those servicemen have preserved for us. Our dollar today is worth only 76 cents. It can go down to 44 cents, as it did during World War I period, or to 40 cents, just as it did during the Spanish-American War, or to 33 cents as during the Revolutionary War. As to whether or not it will depends upon the action of this Congress. I am apprehensive that we cannot predict, with any assurance at all, the extension of any of the controls over scarce and limited commodities that will keep price controls in hand and that will prevent undue, ruinous, or run-away inflation. There is so much sentiment in this Congress today against any kind of controls, even on scarce commodities, or any kind of allocation, that I am not really convinced we are going to pass effective laws that will permit their further control.

The SPEAKER. The time of the gentleman from Texas [Mr. PATMAN] has expired.

Mr. MANASCO. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, after having heard the statements of the gentleman from Missouri [Mr. COCHRAN]; the gentleman from California [Mr. OUTLAND]; and the gentleman from Texas [Mr. PATMAN], who have all urged adoption of the conference report on the shadowy remains of the President's proposed legislation to insure full employment, I realize with other Members that the amended bill will fall woefully short of carrying out the President's original urgent recommendations.

I had hoped that the Congress would give the President the law that he asked for and that he needs to cushion the shock of future unemployment. We failed in that. Nevertheless, in view of urgent needs I shall support and vote for the conference report.

The amended bill as it will now go to the President for signature, as appears from the conference report, creates a Council of Economic Advisers, each of whom is required to be an expert in economics, and it further provides for a joint congressional committee to maintain a continuing study of economic conditions. I hope sincerely that not only the members of the Council of Economic Advisers but the members of the joint congressional committee will be open-minded, alert, and well-informed. I hope they will, from time to time, make such recommendations as will be most conducive to wise legislation to make our country stronger and to make depressions impossible; or, if that is too much to hope for, to make depressions less likely and to reduce their shock on our national well-being. It may be seriously questioned whether our economy, and our form of government, can suffer another Hoover depression.

I fully appreciate that some Republicans will maintain that this is not a full employment measure. I agree with them fully. These Republicans did not want a full employment bill. They wanted less even than we have given to strengthen the hands of the President. However, Mr. Speaker, while this bill does not call for full employment in those very words, it does call for maximum employment, which is tantamount to full employment, properly construed.

As one of the 116 Members who have been urging and working for the President's program, I feel that the conferees, in the face of difficulties and adverse conditions, have worked out a bill that is bound to be helpful and beneficial in the future.

I am satisfied there is not going to be any substantial unemployment in the immediate future, Mr. Speaker. There is a severe shortage of labor now which will doubtless continue for 3 years or more. By that time, I feel that the Council of Economic Advisers to the President, with the broad powers and adequate funds granted, will have completed a full and unbiased investigation, and will be ready to make recommendations for legislation which we all hope will encourage employment for every man and woman who wants to work, and at a fair wage. I also hope and believe that private industry, long before the danger of widespread unemployment and mass misery is upon us, will have come to the conclusion that, in their own best interests, and in the best interests of the country which should come first in the hearts and minds of every American, they should deal fairly with labor and pay a wage on which wage earners can exist in decency and pride. This will serve to eliminate discord between employer and employee; there will be no need for organized labor to strike for a living wage; and it will insure a vast mass market for the products of industry. Everyone will be helped.

Mr. Speaker, it is my fervent hope that the Government will not have to resort to "made work" to enable people to eat. The demand for civilian goods, at home and abroad, should continue to be greater than the available supply for many months to come, and our greatest present danger is from inflation rather than from depression. During this pe-

riod it is unthinkable that we, as a nation, should have to provide public work projects.

If we plan wisely now we can keep depression from striking when supply catches up with demand, and this bill, however much it may lack, is at least a long step in the right direction.

Mr. MANASCO. Mr. Speaker, I yield such time as he may desire to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Speaker, more than a third of a century ago I was hurrying one morning to the campus of a college in Missouri and noticed a tall man speaking to a group of grimy-faced miners on a street corner. There was a strike on in a coal mine nearby. The speaker was the Millionaire Hobo and he was telling these men that they ought to be employed by the Government. I stopped out of curiosity, but spied on the outskirts of the crowd a well-dressed dapper little gentleman with a van dyke beard who was a member of the faculty of our nearby college. He tried to pass on before I saw him, but when I overtook him and asked how he happened to be there, he said, "I just happened to be passing this way and I wanted to take a second look at the Millionaire Hobo, but, of course, his revolutionary ideas have little appeal to the saner members of society."

Perhaps the professor was right, but I have noticed a slight change creeping into the textbooks and teachings in the field of economics during the long years since that morning. I do not mean that the idea that the Government should furnish everybody a job, which I heard expressed by the Millionaire Hobo, has come to be accepted by sane persons, but at least safe and sane writers on economics do hold that in our free enterprise system with its impelling profit motive, there is a function and a duty devolving upon government to a certain extent concerning jobs. The best of textbook writers freely express the opinion that in the midst of a depression it is the duty of government to furnish feasible and needed public works that jobs may be had by those who are otherwise unemployed. This does not refer to leaf raking and gravel scratching, but to prevent such.

Of course, it is the duty of the people to support the Government and not the duty of the Government to support the people. It is understood that government under our system cannot expend a dollar to furnish jobs to those otherwise unemployed without taking that dollar in taxes from somebody who has previously been employed. While somewhat confused, the relationship there is not nearly so uncertain and confused as to which comes first, the hen or the egg. I expect even the Millionaire Hobo did not really believe "that the world owes everybody a living."

There is no question in my mind but that the American economic way of life, involving free enterprise and the profit motive, is the best economic system. Certainly I believe it is best for the American people and that it is accountable for the marvelous economic development of our country, with its accompanying benefits of great wealth widely diffused. I want to be perfectly clear on that point. Yet I do not believe that the recurring cycles of prosperity and depression which have characterized our American economic system are inevitably necessary. It has been taught that they are unavoidable. There has been a lot of bunk taught in our schools and colleges, written into our textbooks, and encouraged by some of our leaders in finance and industry along that line. There have been some so-called economic laws, called "natural laws," against the operation of which these leaders of thought have declared man cannot successfully contend. Therefore, if we accept their philosophy we must expect and put up with these recurring cycles of booms and depressions and endure them as best we may.

I reject that idea. Now I do not know that there are any preventatives of cyclones and earthquakes, but I am not prepared to believe that booms and depressions are equally inevitable. Even if man cannot stop or prevent cyclones and earthquakes, intelligent men can at least provide some protection against them, and I think the same amount of intelligence would enable men to provide protection against booms and depressions with even greater success to minimize their destructive effects.

It is because I believe this measure will tend to level off the peaks and fill up the valleys in the production of material goods, and also I believe that the Government has a duty to have a voice in the matter along with business and to exert some influence through a coordinated public building plan of necessary construction and of projects which will create wealth, that I favor the adoption today of this legislation. I trust the conference report will be adopted.

Mr. MANASCO. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, first of all, as a member of the committee I want to express to the House conferees my appreciation for the excellent job they did in getting the Senate conferees to accept the basic philosophy of government which motivated us in writing and bringing out the House bill. I am glad they have brought back this legislation in substantially the form it was passed by the House.

I also want to congratulate the gentleman from Texas [Mr. PATMAN] and the gentleman from California [Mr. OUTLAND], and the other sponsors of the original full employment bill on their belated conversion to the committee bill. They fought the committee tooth and nail for four long months, during which it was beaten over the head by all the forces they could rally in America, including condemnation in two Nation-wide broadcasts by the President, because the committee would not bring out their bill without the changing of a comma. I am glad they have seen the light and have decided that if they cannot father this bill they, at least, are willing now to be stepfather to it. I congratulate them for their decision to support our bill.

This bill does not carry the name "full employment," but I am convinced it will have a better chance of furnishing full employment than the Patman bill would. That is the reason most of us in the committee have worked so long on the committee bill. We were not willing to deceive anybody or to try to pull the wool over anybody's eyes. We wanted to make a straightforward and honest effort to do everything in our power to so handle the economy of this country that everybody who wants to work and is able to work will have a chance to get a job, and the right kind of a job.

Mr. Speaker, the President has been saved by the allegedly obstreperous members of the Committee on Expenditures in the executive departments from the embarrassment that would have been his if the original bill had been passed. Its unwisdom would soon have been evident. Despite the fact that some advised him that the committee was just stalling and was against maximum employment, the committee's insistence on sticking to fundamental and sound principles has saved him from the great errors which would have been evident had he had to make a National Budget under that original bill. For example, the estimates of involuntarily unemployed that would have been made only 3 months ago would already be about 500 percent off. I am sure he is grateful to the committee now for having rescued him from that most unhappy predicament.

I cannot see any reason for voting against this conference report. The bill in its final form cannot do any harm and it can do a great deal of good if administered in the right way with the right kind of appointments on the Council of Economic Advisers.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. MANASCO. Mr. Speaker, I yield 5 minutes to the majority leader the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, while this bill does not go as far as some of us would like, still it represents another important step in the progress of our country.

As for the phraseology of the bill, it calls for "maximum employment, production, and purchasing power." If one looks up the definition of "maximum" in the dictionary, among other things one finds that "maximum" means: "the greatest quantity of value attainable in a given case; the highest point or degree." So I believe that those who try to draw a distinction between "maximum" and "full" are drawing one that in fact does not and under the provisions of this bill will not exist.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. JUDD. Does not the gentleman believe that the addition of the word "attainable" makes all the difference in the world? "Full" is an absolute term, whereas "maximum" means the highest attainable. To me it makes a very great difference.

Mr. McCORMACK. I respect the gentleman's view, but I believe "maximum" in this bill and "full" as employed in the original bill give to future Congresses substantially the same powers from a legislative angle.

Mr. JUDD. I am glad the gentleman agrees, because the word "maximum" was the word of which I was the father in the committee.

Mr. McCORMACK. So far as "maximum" and "full" are concerned, the gentleman is a pretty good father, because I do not see much distinction between the two.

Miss SUMNER of Illinois. I agree with the majority leader. I think we got exactly the full employment bill.

Mr. McCORMACK. I will not challenge the statement of the gentlewoman from Illinois.

Mr. MANASCO. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MANASCO. In the original bill full employment was assured. Under this bill we are trying to bring about full employment.

Mr. McCORMACK. Under the provisions of this bill there is established a definite policy. That is the important thing which this bill writes into law, that the powers of Government can and shall be used to combat depressions and their evil, deflationary, harmful, and destructive results.

It was only prior to 1933 that most persons, even economists, took the position that depressions were a necessary part of our national economy and that when we were visited by a depression the Government should retrench and spend as little as possible and wait for business to "pick up"; in other words, to let things take their course, and to hope and pray we would not hit too low a bottom. This meant doing nothing to try and stop the deflationary forces of a depression.

From 1929 until March 1933, nothing was done except for a few large banks and railroads, nothing was done except to let business go through bankruptcy, to let homes and farms be foreclosed, to let banks close with a loss of life savings to hundreds of thousands of our citizens, and to let the unemployed and their dependents look to local charity, and to the States, cities, and towns for relief. The Federal Government adopted a hands-off policy. Under Franklin D. Roosevelt that situation changed. There are few persons now except those who believe in old-fashioned conservatism such as existed in the Hoover and pre-Hoover days, who believe in such a do-nothing policy.

Before Franklin D. Roosevelt it was felt by many that depressions while unpleasant were unavoidable and could not be minimized. There were ven some who felt they had a wholesome effect. This latter feeling was mainly confined to those who were possessed of the world's spoils so that they did not have to worry and most of them waited until prices were low, then stepped in and purchased and came out of the depression with their wealth greatly increased.

Happily there has been a change in the minds of the American people as the result of their intense sufferings of the last depression.

This bill implements and strengthens our economic system based on private capital. That is what we want to do and we should do. Based on experience, it is the means if and when a future depression comes, or a business recession, to meet in a democratic way the evil economic forces that accompany a depression or business recession as well as the destructive results that follow.

This bill is a recognition that it is the duty of government to battle future depressions, not to follow the defeatism policy that existed before the days of Franklin D. Roosevelt.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. MANASCO. Mr. Speaker, I yield such time as he may desire to the gentleman from Alabama [Mr. PATRICK].

Mr. PATRICK. Mr. Speaker, time marches on. I was one of the coauthors of the original full employment bill introduced as the Patman bill. As for myself I am glad to get this conference report and shall vote for its adoption.

It has been watered down and does not contain the strong diet of security for this country it would have carried had the original Patman bill been passed but it is certainly better than some of us feared when the fight started against this legislation on the floor of Congress. It is worth fighting for, even as it is.

This measure as passed is a very good example of how our democratic processes do work. Among those who voted for this bill in the House are some who feel they went a long way to support it at all. Some of you moderate gentlemen feel you came a greater distance than we who wished to put a stronger bill through and we feel that we had to go much further in your direction than you went in ours. At any rate we met near enough the middle of the field to pass a bill. The Senate came through with its version.

Now, the conference has given us this piece of work and I am very happy to find it is as good as it is. At least it lays out a piece of ground work and gives us something to build upon. Many good people throughout America will give thanks tonight and will sleep with a greater sense of general national security. They may feel sure the President will sign and an employment law will soon be among the laws of our great country.

Mr. MANASCO. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks on the pending conference report.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MANASCO. Mr. Speaker, I yield the remainder of the time to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Speaker, the conference agreement constitutes a constructive advance in one of the most difficult problems confronting government, the problem of unemployment. There is general agreement as to the broad objectives of employment legislation. The difference has been as to the means and the methods. Those of us favoring legislation and opposing planned economy and deficit spending have asserted that employment is not the sole responsibility of the Government, but that the real responsibility of the Government is to create sound basic conditions for the promotion of employment under our free competitive enterprise system.

The conference agreement eliminates the words and the terms in the so-called full employment bills as passed by the Senate and as introduced in the House that are misleading, if not deceptive. The objective is high levels of employment or maximum employment, to use a term of the bill as it passed the House.

I should like to say with respect to the conference report in this connection that while my good friend the gentleman from Michigan [Mr. HOFFMAN] did not sign the report, he exercised an influence that contributed to a sound policy in the conference agreement. I may also be pardoned for saying with respect to my good friend the gentleman from Ohio [Mr. BENDER] that his act in saying he will support the conference agreement speaks louder than his words in criticism of the agreement.

May I say also, with respect to the question of the gentleman from Nebraska [Mr. CURTIS] as to the advisers not being required to be citizens of the United States that I acquit him of any intention of either gratuitously reflecting upon the President of the United States or the Senate by saying that no appropriations under limitations of Congress are made except to pay public officials who are citizens of the United States and by saying further that under the terms of the conference agreement the Senate of the United States will advise and consent to the appointment of the members of the advisory council. The language is the usual terms for appointment and confirmation in practically all bills passed by the Congress. I believe that the gentleman on reflection will withdraw his unwarranted criticism of the qualifications of the members of the Council.

The conference agreement contains the essential provisions of the House bill and it rejects the philosophy of the Senate bill.

The Senate bill declared that it is the responsibility of the Federal Government to assure at all times sufficient opportunities for employment to enable all Americans able and willing to work to exercise their right to continued full employment. The declaration was implemented by Federal expenditures and investments to attain the policy of full employment. The President was requested to submit a budget in line with the declaration of the Senate bill.

The House bill or substitute rejected the responsibility of the Government to assure or guarantee employment. It declared the policy to promote employment, production, and purchasing power under the system of free competitive enterprise. It was the philosophy of the

House bill that employment is not the sole responsibility of the Government but that industry, agriculture, and labor have their responsibility.

I submit that the conference agreement adopted the House view, and while it did not adopt the House language the declaration of policy is in line with the House bill. While the House bill declared for the continuance of the policy to plan and adopt public works and to make loans without naming other means, the conference agreement declares that it is the policy of the Federal Government to use all practicable means. The term "means" embraces not only public works, loans, but taxation, banking, currency, and foreign trade. It is not limited to these fields, but practicable means consistent with the needs and obligations and other essential considerations of national policy implies legislation as well as taxation or public works. The House bill not only paid lip service to free enterprise, but it declared for the promotion of employment fundamentally through the free competitive system. This declaration is retained in substance in the conference agreement. The promotion rather than the guaranty or assurance of employment is the goal of the conference agreement and it was the objective of the House bill. The conference agreement, in line with the House bill, declares that it is the responsibility of the Federal Government to promote employment with the assistance and cooperation of industry, agriculture, labor, State and local governments, and to coordinate and utilize its plans, functions, and resources to use another term from the House bill to create conditions in a manner calculated to foster and promote free competitive enterprise and to promote maximum employment, production, and purchasing power.

The term "full employment" is rejected. The conference agreement uses the term "maximum employment." In my judgment it is synonymous with the high levels of employment of the House bill. The words "full," "guarantee," "assure," "investment," and "expenditure" do not occur in the conference agreement. Without question there was emphasis in the Senate bill on spending, expenditures, and disbursements. Deficit spending would have obtained. The emphasis is omitted in the conference agreement.

ECONOMIC REPORT

The House bill rejected the budget of the Senate bill. Budgets contemplate authorizations. While there was an implied authorization, in my view, in the Senate bill there was no direct authorization. No authorization except for the council and joint committee was contained in the House bill. It provided for an economic report rather than a budget. The conference report contains the substantial provisions of the House bill for an economic report.

COUNCIL OF ECONOMIC ADVISERS

In order that the President may have the best advice that it is possible to secure, the conference agreement adopted the House provisions for a Council of Economic Advisers. President Hoover in 1931 and President Roosevelt in 1937, when they made their predictions with respect to economic conditions, had the benefit of their Cabinet views and President Hoover had the benefit of a Committee of his Cabinet under the Stabilization Act of 1931. The Cabinet Committee employed a coordinator and expended $90,000 annually in preparing reports for the President. There was general agreement in the hearings that further provisions should be made to aid and assist the President in submitting his economic report and making recommendations for legislation respecting employment and economic policies. The agreement authorizes the President to obtain the best talent in the Nation to aid him in formulating, developing, and recommending a national economic policy to provide for employment and production under the system of free competitive enterprise. Three members are to be appointed, heir offices being of equal dignity with that of the Cabinet. I oppose creating additional offices generally, but employment is one of the most important problems confronting the Government. Billions of dollars were spent in the thirties. In my view, the small expenditures provided for the Council in the sum of $345,000 and the joint committee in the sum of $50,000 would promote both efficiency and economy in dealing with the problem of employment.

JOINT COMMITTEE

A joint congressional committee is provided for. There are no restrictions as to the membership. The House bill provided for a committee of 11 each in the Senate and the House. A smaller committee would be more efficient. There is need for such a committee. Depressions and fluctuation in employment to a greater or less degree obtain every few years. The problem is a continuing one. It is of first importance. Congress has provided public works for public needs. These works may be stepped up to stimulate and stabilize in depression employment. There is need for the provisions for public works loans and other outlays to be coordinated. Such is the responsibility of the joint committee, a coordination of all plans under existing law to provide for employment. This constructive feature obtained in the House bill and is preserved in the conference agreement.

INTERPRETATIONS

Inasmuch as the conference report does not change any statutes with respect to appropriations or authorizations, there was no occasion for the section on interpretations. It has been eliminated in the conference agreement inasmuch as the agreement contains no authorizations and provides for no appropriations except a limit on the amounts that may be expended by the council of advisers and by the joint committee.

CONCLUSION

The conference agreement declares a policy. It provides the means and the machinery for the execution of that policy. The success will depend upon administration, and it will depend not only upon the will of the administration, particularly with respect to spending, but it will depend upon the caliber of the three persons appointed as members of the Economic Council. They are to develop and recommend economic policies and legislation to promote employment under the system of free competitive enterprise. I emphasize that the conference agreement, if efficiently administered, will preserve and promote the American system of free enterprise and will promote employment and production, but I also emphasize that if all the members of the council are not competent, and if the President adopts the policy of spending rather than the policy of ascertaining the causes of depressions and the adoption of legislation to prevent their recurrence, the problem of unemployment and depressions will continue to be the fate of the Republic. Everything depends upon the administration.

The hearings, I emphasize, showed that President Hoover needed better advice, and that President Roosevelt needed better advice. This conference agreement authorizes the President of the United States to appoint statesmen of the very highest caliber, on a par with the members of the Cabinet, three of them, not one as is the case with the Director of War Mobilization and Reconversion, to advise the President, to survey conditions, and to recommend a program and policies for the solution of, I repeat, one of the most important problems confronting our Government.

When the President submits his program after receiving their report and recommendations, they having been confirmed by the Senate, the language providing for their appointment having been approved in this House in the original bill by a vote of more than two to one, we will then have an opportunity for a joint committee of the House and Senate to consider and coordinate the plans that have been adopted by Congress and to consider and submit its recommendations to the Congress for legislation respecting the President's program.

Mr. Speaker, we anticipated the superficial criticism that this council provides for the expenditure of more money. We anticipated that by limiting the expenditures. In my judgment and in the judgment of the conferees it would be efficiency and economy to authorize a permanent council of outstanding statesmen to advise the President and thus prevent a repetition of the deficit spending that followed the depression of the thirties, amounting to bililons and multiplied billions of dollars. It is a sound provision. It is praiseworthy for the Congress of the United States to give to the President when he submits his program the best talent of the Nation to advise and to assist him in the submission of that program.

There is a change in the conference agreement with respect to the committee. A smaller committee, of seven, is provided. The Speaker of the House and the President of the Senate are not limited to any committee. They have the House and the Senate at their command.

May I say this word, finally. There are no authorizations for any program;

there are no appropriations in this bill. Whatever program the President submits will be considered by the Congress. It is subject to future legislation. We have provided a sound declaration of policy. We have not manifested a continuing indifference to the problems of employment and of unemployment. We have provided in this conference agreement, as the House provided in the House bill, advisers to aid and assist the President of the United States when he makes his report to the Congress to submit a constructive report and a constructive program.

This legislation, like all legislation, in the last analysis, if it is to be successful, if it is to do the job, as I have said, is dependent upon administration. In my judgment, the crux of this legislation is the provision that is made for the appointment of men of the very best caliber in the Nation to set up this program, to provide and develop policies and programs for the solution of the problem of employment in this country, to recommend legislation by amending existing legislation or proposing new legislation to prevent the recurrence of depressions. If the objective of this bill can be accomplished, it will result in great benefit to the United States in the years ahead—and will promote the general welfare.

Mr. WHITE. Would the organization set up in this bill have been a godsend to this country when the administration and the Congress were groping in 1930 for some means to provide for the welfare of the country?

Mr. WHITTINGTON. I have so indicated.

I now yield to the gentleman from Illinois [Mr. CHURCH].

Mr. CHURCH. I just want to make sure that the gentleman does not leave the wrong impression. I thought the gentleman said that this bill had to come back to the Congress for further authorization for appropriations. Is it not true that the total of $390,000 is already authorized and then more if necessary?

Mr. WHITTINGTON. No, let us understand that matter now. I have stated that before any appropriations were made or before any program was adopted, that program or those appropriations for carrying out the policies of the program would have to be submitted to the Congress of the United States and adopted by the Congress. I have stated, as you have indicated, that the smaller amount not to exceed a total of $395,000, a small appropriation as provided in the original House bill for the Council of Economic Advisers and for the Joint Committee, is authorized in this bill. I have indicated and I have emphasized that that is the extent of the authorization carried in this bill.

Mr. CHURCH. That is, $390,000?

Mr. WHITTINGTON. Not more than that—that is the ceiling. The ceiling is, as I have stated, $395,000.

The SPEAKER. The time of the gentleman from Mississippi has expired. All time has expired.

Mr. MANASCO. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

Mr. McCORMACK. Mr. Speaker, this is an important matter and I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 322, nays 84, answered "present" 1, not voting 23, as follows:

[Roll No. 20]

YEAS—322

Adams	Earthman	Kirwan
Allen, La.	Eaton	Kopplemann
Almond	Eberharter	LaFollette
Anderson, Calif.	Elliott	Landis
Andresen, August H.	Elsaesser	Lane
Andrews, Ala.	Engel, Mich.	Larcade
Andrews, N. Y.	Engle, Calif.	Latham
Angell	Ervin	Lemke
Auchincloss	Fallon	Lesinski
Bailey	Feighan	Lewis
Baldwin, Md.	Fenton	Link
Baldwin, N. Y.	Fernandez	Luce
Barden	Flannagan	Ludlow
Barrett, Pa.	Flood	Lyle
Barrett, Wyo.	Fogarty	Lynch
Barry	Folger	McCormack
Bates, Ky.	Forand	McCowen
Bates, Mass.	Fuller	McDonough
Beall	Gallagher	McGlinchey
Beckworth	Gamble	McGregor
Bell	Gardner	McKenzie
Bender	Gary	McMillan, S. C.
Bennet, N. Y.	Geelan	McMillen, Ill.
Bennett, Mo.	Gerlach	Madden
Biemiller	Gifford	Mahon
Blackney	Gillespie	Manasco
Bland	Gillie	Mansfield, Mont.
Bolton	Gordon	Mansfield, Tex.
Bonner	Gore	Marcantonio
Boren	Gorski	Mathews
Boykin	Gossett	Merrow
Bradley, Pa.	Granahan	Michener
Brehm	Granger	Miller, Calif.
Brooks	Grant, Ala.	Mills
Brown, Ga.	Grant, Ind.	Monroney
Brumbaugh	Green	Morgan
Bryson	Gregory	Morrison
Buck	Griffiths	Mundt
Buckley	Hagen	Murdock
Bulwinkle	Hall, Edwin Arthur	Murray, Tenn.
Bunker	Hall, Leonard W.	Murray, Wis.
Burch	Hand	Neely
Burgin	Hare	Norblad
Butler	Harless, Ariz.	O'Brien, Ill.
Byrne, N. Y.	Harris	O'Brien, Mich.
Camp	Hart	O'Hara
Campbell	Hartley	O'Konski
Canfield	Havenner	O'Neal
Cannon, Mo.	Hays	O'Toole
Carnahan	Healy	Outland
Case, N. J.	Hébert	Pace
Case, S. Dak.	Hedrick	Patman
Celler	Heffernan	Patrick
Chapman	Hendricks	Patterson
Chelf	Henry	Peterson, Fla.
Chenoweth	Herter	Peterson, Ga.
Chiperfield	Heselton	Pfeifer
Clason	Hess	Philbin
Clements	Hill	Pittenger
Clippinger	Hinshaw	Plumley
Cochran	Hobbs	Poage
Coffee	Hoch	Price, Fla.
Cole, Kans.	Holifield	Price, Ill.
Cole, Mo.	Holmes, Wash.	Priest
Cole, N. Y.	Hook	Quinn, N. Y.
Colmer	Horan	Rabaut
Combs	Howell	Rabin
Cooley	Huber	Rains
Cooper	Hull	Ramey
Corbett	Izac	Randolph
Courtney	Jackson	Rayfiel
Cravens	Johnson, Calif.	Reed, Ill.
Cunningham	Johnson, Ind.	Rees, Kans.
D'Alesandro	Johnson, Luther A.	Resa
Daughton, Va.	Johnson, Lyndon B.	Richards
Dawson	Johnson, Okla.	Riley
De Lacy	Judd	Rivers
Delaney, James J.	Kean	Robertson, N. Dak.
Delaney, John J.	Kearney	Robertson, Va.
D'Ewart	Kee	Robinson, Utah
Dingell	Kefauver	Robsion, Ky.
Dirksen	Kelley, Pa.	Rockwell
Domengeaux	Kelly, Ill.	Roe, N. Y.
Douglas, Calif.	Keogh	Rogers, Fla.
Douglas, Ill.	Kerr	Rogers, Mass.
Doyle	Kilburn	Rogers, N. Y.
Drewry	King	Rooney
Dworshak	Kirwan	Rowan
Ryter	Stewart	Vorys, Ohio
Sabath	Stigler	Vursell
Sadowski	Sullivan	Wadsworth
Sasscer	Sumners, Tex.	Walter
Savage	Sundstrom	Wasielewski
Sharp	Talbot	Weaver
Sheppard	Tarver	Welchel
Sheridan	Taylor	White
Sikes	Thom	Whittington
Simpson, Ill.	Thomas, N. J.	Wickersham
Slaughter	Thomas, Tex.	Wigglesworth
Smith, Maine	Thomason	Wilson
Smith, Va.	Tibbott	Wolcott
Snyder	Tolan	Wolfenden, Pa.
Somers, N. Y.	Torrens	Wolverton, N. J.
Sparkman	Towe	Woodhouse
Spence	Traynor	Worley
Springer	Trimble	Zimmerman
Starkey	Vinson	
Stevenson	Voorhis, Calif.	

NAYS—84

Abernethy	Gwynne, Iowa	Pickett
Allen, Ill.	Hale	Ploeser
Andersen, H. Carl	Halleck	Rankin
Arends	Hancock	Reece, Tenn.
Bishop	Hoeven	Rich
Brown, Ohio	Hoffman	Rizley
Buffett	Holmes, Mass.	Rodgers, Pa.
Byrnes, Wis.	Hope	Roe, Md.
Carlson	Jenkins	Schwabe, Mo.
Church	Jennings	Schwabe, Okla.
Clevenger	Jensen	Scrivner
Crawford	Jones	Shafer
Curtis	Jonkman	Short
Davis	Kilday	Simpson, Pa.
Dolliver	Kinzer	Smith, Ohio
Dondero	Knutson	Smith, Wis.
Ellis	Kunkel	Stefan
Ellsworth	Lanham	Stockman
Elston	LeCompte	Sumner, Ill.
Fellows	LeFevre	Taber
Gathings	McConnell	Talle
Gavin	McGehee	West
Gibson	Maloney	Whitten
Gillette	Martin, Iowa	Winstead
Goodwin	Mason	Winter
Graham	May	Wood
Gross	Miller, Nebr.	Woodruff
Gwinn, N. Y.	Norrell	
	Phillips	

ANSWERED "PRESENT"—1

Powell

NOT VOTING—23

Arnold	Doughton, N. C.	Keefe
Bloom	Durham	Lea
Bradley, Mich.	Fisher	Martin, Mass.
Cannon, Fla.	Fulton	Murphy
Clark	Gearhart	Norton
Cox	Harness, Ind.	Reed, N. Y.
Crosser	Jarman	Welch
Curley	Johnson, Ill.	

So the conference report was agreed to.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Cox with Mr. Martin of Massachusetts.

Mr. Doughton of North Carolina with Mr. Reed of New York

Mrs. Norton with Mr. Johnson of Illinois.

Mr. Lea with Mr. Keefe.

Mr. Bloom with Mr. Arnold.

Mr. Jarman with Mr. Harness of Indiana.

Mr. Cannon of Florida with Mr. Fulton.

Mr. Crosser with Mr. Bradley of Michigan.

Mr. Durham with Mr. Gearhart.

The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

MERCHANT SHIP SALES BILL OF 1945

Mr. BLAND submitted a conference report and statement on the bill (H. R. 3603) to provide for the sale of surplus war-built vessels, and for other purposes.

EXTENSION OF REMARKS

Mr. PATMAN asked and was given permission to extend his remarks in the RECORD and include a resolution passed by the Texas Cotton Association endorsing the British loan.

Mrs. DOUGLAS of Illinois asked and was given permission to extend her remarks in the RECORD.

Mr. JUDD asked and was given permission to extend his remarks in the RECORD and include certain excerpts.

APPOINTMENT OF FACT-FINDING BOARDS TO INVESTIGATE LABOR DISPUTES

Mr. RANDOLPH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 4908) to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 4908, with Mr. O'NEAL in the chair.

The Clerk read the title of the bill.

Mr. RANDOLPH. Mr. Chairman, would the Chair state for the benefit of the Members the status of the bill at this moment?

The CHAIRMAN. At the present time, there is pending the Adams substitute amendment for the Case amendment on the desk which is to be offered. It is the purpose of the Chair to recognize Members who desire to offer amendments to the Case amendment at this time.

Mr. McCONNELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCONNELL: Strike out section 4 (a), (1), (2), and (3) to 3 (b), line 24, page 7 and substitute:

"SEC. 4. (a) It shall be the duty of employers, employees and their respective representatives to commence negotiations with respect to a new contract at least 70 days before the date of expiration of the existing contract. If no agreement with respect to a new contract has been reached within 30 days after the commencement of such negotiations, a written statement by both parties to the dispute shall be given to the Board within 5 days thereafter, outlining the efforts which have been made to reach an agreement, and the reasons for the failure to agree on the terms of a new contract. Not later than 5 days after the receipt of such statement, the Board shall determine whether such labor dispute is one which substantially affects interstate commerce, and cannot be expeditiously adjusted by collective bargaining. If the Board so determines, it shall have jurisdiction of the dispute until the date of the expiration of the contract."

Strike out "Jurisdiction of the Board," from line 3 to line 10, inclusive.

Mr. McCONNELL. Mr. Chairman, I have listened with interest to the discussions during the past several days. The majority of speakers, whether for the bills or against them, have contributed something to the debate. Although many Members have deplored the speedy action in bringing the various bills to the floor, they are here, and for the sake of perfecting a bill now or later, and for the sake of my country's welfare, I have taken the position that I should do my best to improve any or all of the bills now before the House. Every suggestion may contain the germ of a good idea to meet the present troubled situation. I know I have learned some new angles of the problems faced by labor and management. So regardless of the statements of some Members, the events of the last few days have not been without recompense.

It is now obvious to all there are many factors to consider in management-labor problems. For instance, none of the bills before the House at this time provide for the repeal of the Smith-Connally Act, and for revision of the National Labor Relations Act, both desirable actions, in my opinion. Also, nothing has been mentioned about a subject that is very fundamental or basic to the present situation. I refer to the need of currency stabilization. I believe it is closely allied to present and future labor-management difficulties.

The Congress, through its appropriate committees, such as the Committee on Banking and Currency, or Coinage, Weights, and Measures, should be considering legislation dealing with the standard of value for our currency, and the methods of achieving stabilization of our currency. Rapid fluctuations of value, and especially depreciated values, affect all the inhabitants of this Nation. Their inexorable pressures on the people will bring demands for frequent changes in the amounts of payment received by employees.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I will yield later. My time is short.

Congress, through its Banking and Currency Committee or the Coinage, Weights, and Measures Committee should be considering legislation dealing with a standard of value for our currency, and methods of achieving the stabilization of our currency. Rapid fluctuations of value, and especially depreciating values, affect all the inhabitants of this Nation. Their inexorable pressures on the people will bring demands for frequent changes in the amounts of payments received by employees. Certain fair rules and regulations to govern the activities of labor and management are necessary, and Congress should proceed expeditiously with such legislation. However, it will only be patchwork if the basic factor I have mentioned is not considered immediately by the appropriate committee. The time is growing late, as recent financial activities disclose all too clearly.

As to the amendment I have submitted, there was considerable opposition in the Labor Commitee during the hearings on the fact-finding bill on the part of labor to the compulsory cooling-off period, and undoubtedly there is opposition now to the requirement that there be an extra 30 days for the compulsory cooling off in the Case bill. Therefore, I have suggested this amendment in the hope of meeting that objection.

This amendment requires that mediation proceedings take place while the existing contract is in effect. In other words, it says it shall be the duty of employers and employees and their representatives to commence negotiations with respect to a new contract not later than 70 days before the expiration of the old contract. During the first 30 days employers and employees shall carry on negotiations. If they fail at the end of 30 days to reach an agreement, then they submit in writing to the mediation board a statement of the facts showing what has been done, and their failure to reach an agreement. The board considers it for 5 days, and at the end of that time, if they consider it will substantially affect interstate commerce, and an expeditious settlement is not possible, then they will take jurisdiction of the negotiations.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. McCONNELL. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McCONNELL. Then, for the remaining 30 days, while they are still under the contract, mediation proceedings will go on. At the end of the contract, of course, if they could be persuaded to arbitrate their dispute, so much the better. But, at least, the compulsory cooling-off period will be stricken from the bill by this amendment. In other words, mediation proceedings can take place while the contract still exists. I am suggesting this as an additional means of providing favorable action during negotiations on the contract, and also after specifying for labor and management that they do not have to give up any rights during that period, because they are operating under a contract, that it will meet the objections that labor would have to this part of the Case bill.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield.

Mr. JOHNSON of California. Your idea is that during the life of the contract, mediation might force them to get together, so that a new contract will go into effect when the old one expires?

Mr. McCONNELL. That is correct. They are negotiating while they are under contract, so that there is no lapse there. We do not wait until they strike, and then say, "You have got to go back to work," or "You have got to remain at work." Why should not mediation proceedings be brought in while the contract is still in force?

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield.

Mr. ROBSION of Kentucky. The gentleman's amendment is directed to a matter of contracts, and I wish to say that it seems to me to be a sound proposition; but what if something arises during the year or before or after the 70 days?

Mr. McCONNELL. During the 70 days?

Mr. ROBSION of Kentucky. Or before that about some matter that is not mentioned in the contract, about which the men feel they want to strike, or on the part of the company that the company wants to close down its works.

Mr. McCONNELL. The gentleman, of course, means in violation of the contract.

Mr. ROBSION of Kentucky. Something not included in the contract.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. McCONNELL. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield.

Mr. PACE. What provision does the gentleman's amendment carry which would assure that negotiations would begin within the 70-day period? And which would assure that they would give the certification to the board that they had been unable to agree?

Mr. McCONNELL. We are attempting to place. It is right in the Case bill; we are writing it here today, to set it up in this present bill, and that would be as effective as any other provision we are adopting here. In other words, we propose to put it into the bill if the amendment is accepted.

Mr. PACE. The gentleman does not think there need be any penalty?

Mr. McCONNELL. If they go out in violation of their contract we have already provided a penalty. It is enforceable under law to remain under the contract. It is an ideal procedure that I have been considering seriously for quite a few months and finally I thought it advisable in the interest of promoting better action on this bill to present it to the Members for consideration.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. HENRY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, while we have been considering amendments to the current labor legislation, we have not been entirely unaware of the fact that the measure has not been accorded a public hearing before a committee. Personally, this has been no deterrent because it is generally understood that the democratic processes will be realized by every interested person when the bill reaches the proper Senate committee.

But, in view of the few protests that have been voiced because emergency legislation of this type was not scheduled for a committee hearing, I am moved to conjecture upon what could have happened in this period of "reconfusion" if certain interested parties had seen fit to bombard a committee of this House and its Members with alleged statistical information intended to sway votes. It is my humble opinion that the Members of this House have been able to give more considerate thought to the proposed legislation without the confusion that would be engendered by a preponderance of conflicting figures such as I am prepared to divulge.

It is my contention that certain leaders of organized labor have not seen fit to play square with the Members of Congress or with the public when offering information that is designed to gain benefits for members of labor unions. I make this charge without reservations, because I am possessed of facts with which to support the claim.

I have been reviewing a 237-page book entitled "Living Costs in World War II," authored by Philip Murray, president of the CIO, and R. J. Thomas, vice president of the CIO. This book was sent to newspapers in the State of Wisconsin and to Members of Congress to support the CIO's demand for higher wages. It claims that Government agencies such as the Bureau of Labor Statistics failed to give a "realistic measure of actual wartime living costs," and on page 51 there is drawn the conclusion that wartime living costs "have risen not less than 45.3 percent" for the period January 1941 to March 1944.

There is then published a table to show that the average percentage rise on commodities such as food was 71.9 percent; on clothing, 76.8 percent; on house furnishings, 63.5 percent; on rent, 15 percent; miscellaneous, 22.8 percent; and on fuel, electricity, and ice, 14.8 percent.

No attempt will be made here to dispute the figures on most of the various commodities, except that in a court of law, when a witness has been found to have given perjured testimony in some instances, then his entire testimony is regarded by the court as worthless.

Thus, let us look at that fuel, electricity, and ice grouping.

On page 119, chapter 10, there is an attempt made to break down the various percentages of increase. However, in the matter of fuel, electricity, and ice the report states:

> With the time and facilities at our disposal we have had opportunity to investigate only a few of them with any thoroughness.

Then, under a subtitle, "Fuel, Electricity, and Ice"—page 119—there follows this amazing statement:

> We have made no analysis of the various items making up this section of the Bureau of Labor Statistics Index. We accept, however, the widespread conviction among householders that there has been a considerable degree of quality deterioration in the case of coal, and that in the case of ice, not only are the cakes less carefully weighed, but there is more wastage because of irregular deliveries and less well-constructed ice boxes.

It is important to note that in what is purported to be a statistical survey the CIO leaders accepted the widespread conviction among householders.

But, equally important is the omission of any reference to electricity costs in the so-called analysis, despite the fact that electricity is mentioned in the subtitle and is grouped with fuel and ice.

By what authority does the CIO accept widespread conviction, in this instance, when it consumes 237 pages of a report to supposedly justify its findings in the case of all other commodities?

It is a very simple procedure to accept widespread convictions, which may mean hearsay or rumors, but it is not very effective, and it is downright dishonest when placed in competition with economic research that is conscientiously applied for the purpose of determining the facts.

In my estimation the CIO report in its entirety is weakened, if not nullified, by such haphazard reckoning. If all of organized labor's propaganda and statistics as handed out to Members of Congress are as unstable, why should Senators and Representatives take time to read such trash?

In this particular instance—where electricity costs are said to have been increased—the hearsay evidence would seem to have been deliberately calculated to give a wrong impression of the electric industry. Could it be that if the truth were told that the electric industry would by comparison with other commodities be given too much favorable publicity?

If this is not the case, why do not the CIO researchers separate the items "fuel, electricity, and ice" so as to portray the cost of electricity in its true status? Certainly, according to the manner in which the cost of electricity is regulated by governmental agencies, it is a top-ranking commodity.

Having been a director for several years of the Jefferson Water and Light Commission, a governmental body which operates the municipally owned utilities of the city of Jefferson, Wis., I have naturally been interested in electric rates. I have followed closely much of the statistical information that has been disseminated on the subject of electric rates by Government regulatory agencies.

A continued study of such information has left with me the definite impression that electricity rates throughout the Nation, and especially in the State of Wisconsin, have been steadily decreasing, even during the war years. This impression was strengthened by the appearance in several hundred Wisconsin newspapers of an article citing a recent report of the Wisconsin Public Service Commission, a clipping of which I have selected from the Journal of Burnett County published in Grantsburg, and which states:

> ELECTRIC RATES SHOW DECREASE DURING YEAR
>
> Electric rates for various classes of consumers in Wisconsin were reduced during the war years, according to a survey made by the State public-service commission. All other commodities have shown a substantial increase in cost for the same period, several Federal Government agencies have reported.
>
> In 1941 the average cost of residential electric service in Wisconsin was 3.23 per kilowatt-hour. In 1944 the average rate was 3.05 cents.
>
> Small commercial and industrial customers paid an average of 3.16 cents in 1941, and 3.04 cents in 1944.
>
> Rural electricity users were paying an average of 4.72 cents per kilowatt-hour in 1941, and 4.2 in 1944.
>
> Public street and highway lighting costs were reduced from 3.01 cents in 1941 to 2.91 in 1944.
>
> Rate reductions were effected by business-managed utilities in spite of a steadily increasing tax load during the war years. In 1944 their taxes amounted to 26.5 cents of each dollar collected for electric service.

The CIO researchers had access to the records of the Federal Power Commission as well as to the reports of the several State regulatory bodies, including statistical information of the electricity industry, which latter information is sustained by that of the governmental agencies. But, instead of utilizing such avail-

able information the CIO, in what appears to be a burning desire to depict an increase in the cost of all commodities, chose to lump electricity along with ice and fuel. The net result was that the CIO managed to conceal the fact that there has been a gradual and appreciable decline in the cost of electricity since 1882, and that this decrease in the cost of electricity has been sustained even during the war years covered by the CIO report.

This Congress and the American public should not be fooled by artificial findings such as are contained in the CIO report. Superficially, the figures serve the narrow and immediate interests of the authors of this CIO report, but they do not by any means assist the Members of Congress in arriving at a solution to problems which labor has presented.

The newspapers, especially those in Wisconsin, have during the war years carried stories to the effect that the Wisconsin Public Service Commission, the State's regulatory body, has authorized this or that electric utility to reduce its rates. By authorized it is meant that the utility sought permission to reduce rates voluntarily, that the Public Service Commission merely approved the change.

Likewise, the bulletins of the Edison Electric Institute, with information that can be substantiated with figures from Federal and State governmental agencies, show a marked decline in the cost of electricity during the war years.

For instance, the average—for the Nation—cost of electricity consumed in the home stood at 3.84 cents per kilowatt-hour in 1940. In 1941 the cost of residential electricity was 3.83 cents per kilowatt-hour, the national average. In 1942 the cost had dropped to 3.72 cents per kilowatt-hour; in 1943 it was 3.68 cents; in 1944, 3.57 cents, and at the end of September 1945, the cost had dropped to 3.45 cents.

Thus, the percentage decrease in cost of electricity used in the home was 6.8 percent from January 1941 to March 1944. The decrease from January 1941 to July 1945 was 9.4 percent.

In the face of those figures the CIO leaders accept the widespread conviction among householders that the cost of electricity, when bunched with fuel and ice, has risen 14.8 percent during the war years.

I repeat that we Members of this House undergo a difficult experience when asked to vote intelligently on labor legislation in the face of such a compendium of misinformation based solely on conviction and belief.

Mr. CASE of South Dakota. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Pennsylvania, I know, has given some careful study not merely to this amendment but to the whole labor problem, and anything that he suggests is worthy of consideration. If his amendment merely proposed that 70 days prior to the expiration of a contract the employer and employee should be required to consider the extension of the contract, that would be one thing. But it goes far beyond that in its effect upon this bill.

The amendment not merely strikes out most of section 4 down to the very last subparagraph, but it also strikes out the sections on the jurisdiction of the board and the maintenance of the status quo, which would be half of page 9, all of page 10 and most of page 11. In doing so it removes the restraints on the employer as well as an employee. That is one reason why I think it ought not to be adopted.

It removes the duty of the employer to maintain operation without a lockout until the mediation board has had an opportunity to offer its services. It does nothing about wildcat strikes. It is true that we have another section in the bill which provides for performance under contract in which there is a penalty for violating the contract; but our fundamental aim in this bill is to try not to have strikes. For this reason we are saying that after you have tried these processes of negotiation by yourselves let the mediation board come in and try to find common ground and avoid the strike. And when we do that the only fair thing is then to say that we will maintain the status quo.

If the gentleman's amendment were adopted we would lose the authority we have under section 8 to preserve the status quo during the 30-day period the strike is delayed.

Neither labor nor management will lose anything by preserving the status quo for 30 days because any award that is made at the end of that time would be retroactive.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. The gentleman talks about preserving the status quo. Is there any compulsion or any force to maintain the status quo?

Mr. CASE of South Dakota. In the bill as written during the 30-day period the board could ask for a restraining order to maintain the status quo.

Mr. ROBSION of Kentucky. Yes; but if there is a settlement, any benefits coming to labor or to the other party would date back to the beginning?

Mr. CASE of South Dakota. They would date back to the beginning; yes. The principle of the "count 10 before you strike" period has been recognized in the Stassen law of Minnesota, it has been recommended by the President and I do not think we should delete it from this bill.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from California.

Mr. HINSHAW. Aside from the constructive portions of the bill to which the gentleman objects, does not the gentleman think there is some logic to the bringing of these disputes to a head before the expiration of existing contracts?

Mr. CASE of South Dakota. If that were all that were involved, I think there might be something to the point.

Mr. HINSHAW. Could not the gentleman offer an amendment to his own bill that would cause that to be placed in effect?

Mr. CASE of South Dakota. I do not think any amendment is necessary because that could be done voluntarily. They could start negotiations at any time.

Mr. HINSHAW. Except for the fact that under the act as the gentleman brings it up in his bill the time can pass by the expiration of the contract before any Federal agency is brought into play.

Mr. CASE of South Dakota. Not necessarily. It depends upon whether or not the strike is in advance of the expiration of the contract for on 5 days notice by either party to a threatening dispute the board could take jurisdiction.

Mr. Chairman, I hope the amendment will be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. McCONNELL].

The question was taken; and on a division (demanded by Mr. McCONNELL) there were—ayes 29, noes 44.

So the amendment was rejected.

Mr. KNUTSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KNUTSON to the Case substitute: On page 14, line 6, after the word "employee", insert the following: "and no employee whose compensation is at a rate in excess of $5,000 per annum."

Mr. BOREN. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Oklahoma.

Mr. BOREN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. KNUTSON. Mr. Chairman, the purpose of my amendment is to take all employees who receive $5,000 or more per year from out of sections 7, 8, and 9 of the National Labor Relations Act. I believe it will be agreed that when a man attains a salary grade of $5,000 a year we do not need to be very much concerned about him. His working conditions are of the best, and certainly no one can quarrel with the wages he is receiving, or the conditions under which he works.

The purpose of all labor legislation, as I understand, is to help those in the lower brackets. When the steel workers asked for an increase we were told that it would mean $42,000,000 a year to the steel industry. That is a lot of money, even though it only means 3½ cents per hour. I am just wondering how big a part of these enormous increases that are being asked would go to men in the higher brackets who really do not need the increase as much as those in lower brackets. It is unfair, and I will show you why, if I can. We will assume that a company makes an agreement with its employees to give a 30-percent increase clear across the board. The chap who is getting $5,000 a year gets an automatic increase of $1,500, whereas the man who is getting $2,400 a year gets $720, and the poor fellow who is down in the $1,800

bracket would get $540. Consider that disparity. The man in the lower bracket gets only one-third as much increase as the one in the higher bracket, whereas the man in the middle gets only one-half as much.

I think that the time has come to screen out labor, so that you can base all negotiations on actual conditions or, should I say, so that you can reward those who are the most deserving. But under the present scheme an increase applies to the chap up on top just as much as it does down at the bottom, and I do not think that Congress should concern itself too much with individuals who are getting $5,000 a year.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. I am just wondering whether the gentleman has thought that perhaps, if this limitation would apply to persons receiving more than $5,000, you would take many of the leaders of labor out of the provisions of this act; is that what the gentleman wants to do? In other words, the act would not apply to them, is that correct?

Mr. KNUTSON. May I say to the gentleman from Pennsylvania that most labor leaders are not on the pay roll of any company; they are on the pay roll of their unions. But if there is any class in this country that does not need protection it is the labor leaders, and if there is any protection needed it is on the part of the people against labor leaders.

I sincerely hope that the amendment will carry, because I feel that it will put future negotiations on a much fairer and equitable basis and greatly help the conditions and the status of those men and women in the lower brackets whom we are really trying to help.

Mr. VORYS of Ohio. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I recently looked over the pay roll of a mine. There were four miners who were getting $6,000 a year. The owner of the mine showed me the pay roll because he wanted to point out that four of these miners were getting more than his manager or his superintendent. Those men won that high pay through collective bargaining and through their efficient piecework under the system by which they were paid. It seems to me it would be unwise to attempt to put a ceiling on the amount a workingman might get and still be entitled to the protection of the Wagner Act.

I am one of those who believe we must go over the Wagner Act and reconsider a number of its provisions in the near future, but certainly putting in this sort of a ceiling would have nothing to do with preventing labor disputes, and that is what we are trying to do in this bill. Therefore, I hope that we defeat this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. KNUTSON].

The amendment was rejected.

Mr. JONES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES: On page 14, line 22, strike out the period and insert a semicolon and the following: "or (3) by means of a concerted refusal to use, handle, install, or otherwise deal with articles, materials or parts thereof, or tools, produced or manufactured by a manufacturer or producer who has produced or manufactured said articles, materials or parts thereof, and tools, during the existence of a contract with a labor union certified to said manufacturer or producer by the National Labor Relations Board."

Mr. JONES. Mr. Chairman, I can explain best what this amendment seeks to do by telling you of a specific example in my district. Neon Products, Inc., is a sign manufacturer in Lima, Ohio. The NLRB has certified a CIO union as the bargaining agent for the employees. The CIO has a valid contract with the Neon Products Co. by virtue of that certification. There is no controversy between the union and the manufacturer. All the terms of the agreement are entirely satisfactory. This is a promising and thriving young small business. They sell their product—electric neon signs—all over the United States. When they sell to New York, Detroit, New Orleans, San Francisco, and Los Angeles purchasers, and the purchasers attempt to hang the electric signs on the buildings in these metropolitan areas, they cannot be hung because the union of the contractor, the installer of the signs, is an A. F. of L. union. The manufacturer's union is the CIO. One will not recognize the union label of the other. Therefore, my constituent will be out of business, if this controversy continues between unions; and 200 or 300 employees who pay their dues to their union will be out of work.

Let us see what one can do from a practical standpoint to correct the situation. Is there anything in existing law that covers it? At this point I will put in the RECORD portions of a letter from Mr. John M. Houston, a former Member of this body on the majority side. I put these facts to him as I have outlined them to you in the speech so far, and this is what Mr. Houston has to say about it:

You asked that I advise procedure to bring this matter before the National Labor Relations Board in formal hearing so that your constituent will not be discriminated against, inasmuch as he is complying fully with the National Labor Relations Act, and how long it will take before this matter will come to hearing for final determination.

What can the National Labor Relations Board do? He says further:

I must advise that, in a matter of this nature the National Labor Relations Board has no jurisdiction, and I can only suggest that your constituent, who apparently is caught between two fires, take the matter up with the United States Conciliation Service of the Department of Labor, which agency may be able to work out some sort of a solution.

My constituent has gone to the United States Department of Labor and has talked to the Secretary of Labor. The Secretary of Labor can do absolutely nothing because the Wagner Act, the National Labor Relations Act, has nothing to say on the subject.

This is not an amendment to carp at labor unions, this is an amendment to save labor unions from themselves. This is an amendment that will save civil war from occurring in this country, and I have evidence to prove that this sort of thing is growing on a Nation-wide scale. I refer to the Journal of Electrical Workers and Operators, the issue of February 1946. In that issue under the title "Reconvert Union Label Is Wise Advice" appears an article from which I quote the following:

The union label, indicating that the product is manufactured, processed, installed, and serviced by organized labor, under wages, hours, and working conditions achieved through collective bargaining, is a significant symbol.

That is a fair description of the purpose of the National Labor Relations Act. That was the purpose of the Wagner Act. Let us see how that purpose is distorted. Let us see what the American Federation of Labor union says on page 80 of the publication. They say they are not satisfied with any labor-union label. They are not satisfied with the labor union certified by the National Labor Relations Board to a manufacturer, if it is not their own union. This is what they say:

The union label is now recognized as entitled to the same protection as trade-marks and it is settled and prevailing law in this country that members of a labor union may refuse to work on materials or parts of materials or tools which do not bear the label of their own union.

Now, that is a distortion of the Wagner Act and the spirit of labor legislation. Let me review the situation again. The National Labor Relations Board has certified this union to the manufacturer. That is the CIO union. There is no controversy between the manufacturer and the CIO union. The manufacturer sells his product and it goes to a distant city. In that city, the contractor who would hang that sign or hang the product will not hang it because it does not bear an A. F. of L. union label on it; or was not made by A. F. of L. union employees.

If you allow this condition to continue and if it is carried to its ultimate conclusion throughout the Nation, you will have absolute chaos in labor relations in this country, and you will paralyze private economy because there is no white alley, no Government agency to whom labor unions, laborers, owners of factories, salesmen, or commissionmen can appeal to have these materials handled, processed, serviced, or installed by a union other than the union certified by the National Labor Relations Board to the manufacturer.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. JONES. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. HALLECK. May I ask the gentleman whether or not he thinks that the

first words of section 13 contained on page 14 of the bill:

It shall be unlawful (1) by means of a concerted refusal to use, handle, or otherwise deal with articles or materials produced or manufactured by any person, to induce or require or to attempt to induce or require another person to recognize—

And so forth. Is not the action taken there in direct line with that? Is not the action taken for the purpose of inducing another employer to deal with another union?

Mr. JONES. No, sir. That is not the purpose, because A. F. of L. unions in Chicago and other cities are not challenging the right of the CIO union to deal with the manufacturer in my State. They say you have to have a CIO union in the contracting firm who will hang the sign in New York. The language in the first and second paragraphs touches upon controversies affecting the plant where the material is made. I say you will do a great injustice if you do not adopt my amendment, which will be paragraph 3, and will touch this kind of situation where it involves controversies in another State and has nothing to do with a manufacturer who has no trouble at all with the labor unions with which he has a contract and is producing goods for interstate commerce.

Mr. HALLECK. I do not think section 13 has to do with the plants where the goods are made. I think in the part I read it has to do with the places where the goods are to be used or handled as distinct from the plant where they are made.

Mr. JONES. No. I will read from line 13 on. It says:

Attempt to induce or require another person to recognize, deal with, comply with the demands of, or employ members of, any labor organization—

There is nobody who will hang the signs because that is an A. F. of L. union. The A. F. of L. can hang the signs so far as the CIO union is concerned or so far as the union is concerned which makes the product in the plant in Lima, Ohio.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. HOFFMAN. Mr. Chairman, I rise in support of the amendment. Mr. Chairman, the gentleman from Indiana, and those who think as he does, feel that the bill as written covers the situation. To them this bill is the beginning and the end. Some of us do not agree. Yesterday I offered an amendment striking out certain provisions in this section and offered a substitute. It was voted down. Well and good—that is water over the dam. Now, along comes the gentleman from Ohio [Mr. JONES] and without striking out anything from the section asks that we insert words which will take care of the situation, the outrageous situation which he has described. Let me call your attention to an example of the policy of these unions. All throughout western Michigan, and elsewhere in the country, the teamsters' union refused to haul goods from the warehouse to the little corner grocery, to the A. & P., to others. Why? Because the clerks did not belong to the teamsters' union. I took it up with one of the gentlemen who wanted merchandise and I said, "Why do not you fight this thing? What do they want?" He said, "They want the clerks to kick in." The thing first arose when some of the corner grocerymen said, "Have our clerks got to join the A. F. of L. teamsters' union in order for us to get groceries?" I said, "As a matter of law, no; as a matter of fact, yes." The boys and girls employed in neighborhood grocery stores have to come across or Dan Tobin's teamsters' union will not haul groceries from the warehouse down to the stores where they are sold. So I said to the A. & P., "Why do not you fight this?" They said, "Our margin of profit is so small that, great as we are, we cannot afford to." The clerks will have to come across. That is one of the things I tried to remedy yesterday by an amendment but the gentleman from Indiana and the gentleman from North Dakota would not take it.

Now, when the A. & P. and these other big grocery stores cannot fight the teamsters' union in order to protect their clerks, when these boys and girls in the stores have to dig into their pockets at the end of the week and pay union dues, I say I can see no reason why this sort of legislation should not be accepted.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. JONES. As a matter of fact, the Congress owes a moral responsibility to straighten out this line of jurisdiction, because we have given the machinery by which this civil war will occur. We have required that the complier must deal with the union that is certified to him by the National Labor Relations Board. Then we ruin the man's business by making it possible for another union in another jurisdiction to refuse to handle and process or service that particular product, after the employer has complied with the law.

Mr. HOFFMAN. That is right. The employer has gone along under the National Labor Relations Act. He has accepted the ruling of the National Labor Relations Board. He has recognized that union, and yet another union refuses to handle merchandise that he must have if he is to continue in business, simply because some other union made it or had something to do with it. I think it is an outrageous situation and that this Congress should deal with it. For 5 years I have had proposed legislation dealing with that outrageous situation pigeonholed in committee. All you who have been talking about full employment, why do not you get busy on this kind of thing? Here are jobs, yet you vote against legislation that will enable the people of our country to work in those jobs.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FOGARTY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. FOGARTY. Mr. Chairman, I think it is fair to say that this House has rarely, if ever, witnessed the confusion that has been apparent since these various measures, substitutes and amendments to substitutes came under consideration.

I have heard Member after Member arise to propose or oppose all manner of varying suggestions and ideas. Parliamentary inquiries have been as thick as rain.

All this confusion and uncertainty points to one unmistakable fact. The Members of this House know down deep in their hearts that this Case bill is not the cure-all for industrial unrest. The measure is put forth here under similar circumstances as those which attended the debate over the Smith-Connally bill.

The same heat, the same fury which many of us decried at that time, is present once more and some Members of this House seem possessed with the idea that punitive legislation, in any form, will cure all our industrial ills. Common sense dictates that this is the wrong way to approach the problem.

None of the proponents of this legislation attempt to get at the basic causes of the present difficulties. No one makes any pretense of endeavoring to find out just what is wrong. Instead, we have loud denunciations of labor—and stalwart defenses of industry by the self-anointed champions of private enterprise.

Every human is susceptible to error. None of us can claim perfection. However, it is wearisome to attend on the sessions of the House and listen to the oft-repeated inference that industry can do no wrong—and by the same token, every gesture, every utterance of a member of a labor union is damnable treachery.

The labor unions were to be punished by the Smith-Connally bill, and those of us who opposed its passage were described as obstructionists, and men who would support labor no matter what its demands. The printing presses which ground out the copies of that misnamed legislation were scarcely cleaned before the cries for repeal arose all over the land. The bill accomplished nothing save the expenditure of a ridiculous amount of money that could have been used to far better advantage in a study of the economic cause of industrial strife.

That Smith-Connally bill accomplished one other thing—far from curing anything in our economic or industrial fields—it was the immediate cause of unrest, distrust, and deceit. No industry could feel secure—no union could feel safe. A premium was placed on work stoppages, and the Nation undertook to assist in the cultivation of labor unrest.

This Case bill will accomplish the same purpose. Unions will be told by this Congress, should the Case bill be enacted, that it has no rights which are entitled to protection. Unions will be warned that it must not enter into contracts with employers. The specter of the yellow-dog contract and union-busting goons will be with us once more. Company unions will be ordered by all segments of industry, and instead of progressing toward a fuller life for all the people of the land, we shall find ourselves embarked upon a program of exploitation of the working men and women of America.

Instead of cultivating the greatest market American industry has in the world—the American family—we shall devote our energies to cultivating markets abroad and reducing the American family to the status it occupied in the days of company-owned homes, company-owned stores, company-owned villages, that marked the black days of the last generation.

Congress did not debate in heat and passion the abolition of excess-profits taxes. Congress quite calmly provided for industry the fullest possible measure of financial assistance to tide industry over the so-called perilous reconversion period. Those aids which Congress bestowed on industry are now used quite boldly in strike-breaking tactics, and it is considered horrible for any man to question such use. Never do we hear from proponents of slave-labor legislation a suggestion that perhaps industry may be at fault in some degree. Never do we hear criticism of industry, although it defied the President of the United States and the long-suffering public of the United States. Industry refuses to cooperate until its demands for increased profits are met in full. It cries as one for leadership from the White House and then damns the White House when the President proposes a solution to the difficulty. Industry has struck in the General Motors and steel industries just as surely as any union ever organized a picket line. Industry's pickets are now around the White House plying their trade to force an increase in prices—not an increase dictated by all the facts, but an increase dictated by the steel industry and by the General Motors Corporation. They must have their way, or there will be no industrial peace.

In spite of this arrogant attitude, the only words we hear in this House are those which denounce labor unions as flagrant violators of the peace of the land.

The President, who is denounced for his lack of leadership, proposed a full employment bill as a cure for depressions, as a stimulant to business, and a course to be followed in providing full production and full employment. The Congress ignored the proposal and squeezed through a pious declaration of hopes that would have looked bad coming from a high school debating society.

The President asked for an increase in the minimum wage. This, too, is destined for the discard.

No matter what the proposal or suggestion, no matter from what source it comes, if it smacks of a friendly attitude toward the men and women who work in the shops and mills, then it is immediately condemned as something sponsored by Communist intrigue. To get a hearing in this Congress it seems the first requisite of a bill must be a denunciation of labor and a threat of punitive action unless labor sits up and begs.

Throughout the length and breadth of the country there are labor unions by the score who have settled their difficulties without the necessity of a work stoppage. The unions which have struck, in almost every single instance, have endeavored, for many months, to arrive at a meeting of the minds before resorting to the use of labor's only economic weapon.

Every Member of this House knows the course of the efforts in the General Motors case to settle that wage dispute without a strike. The daily papers carried the stories of the weeks and weeks of conferences and meetings during which time the union endeavored to settle the dispute through collective bargaining.

Those unions which have been successful in their efforts to work out their difficulties are ignored. Those which have been driven to strike are condemned. I submit, in all fairness, labor cannot possibly be all wrong and industry all right.

That there is difficulty at the present time it is foolish to deny. That this bill will resolve those difficulties it is equally foolish to assert.

An honest attempt to arrive at some common meeting ground will meet with the enthusiastic support of the unions. Taking out the blackjack as is proposed here will merit only opposition from the unions.

Mr. DE LACY. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the trouble with a great deal of this legislation and the current amendment is that it still leaves the body of labor able to breathe. It still leaves it possible for blood to circulate in the bodies of working men and women. You cannot agree over there on the Republican side of the aisle because you have not yet satisfied yourselves that you are all out against laboring people and their organizations.

We have gone on a lynching bee here today. The gentleman from Michigan [Mr. HOFFMAN] is complaining that we are still permitting people to join unions.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. DE LACY. Yes.

Mr. HOFFMAN. You said the burden of my complaint was that I objected to people joining the unions. That is not it. What I object to is that your union boss, or whoever he is, comes in and says that someone who does not belong to the union cannot work. That is what I object to. Join all the unions you want to, but do not be forcing people to join unions.

Mr. DE LACY. So long as the unions cannot be effective, you do not object to people joining them.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. DE LACY. I yield.

Mr. MARCANTONIO. I think the burden of the gentleman's remarks is to do away with the closed shop and go along with the open shop. Have unions, but tie the hands of the unions and negate collective bargaining.

Mr. DE LACY. That is the trouble with the legislation before us.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. DE LACY. I yield.

Mr. JONES. I hope the gentleman is not opposing my amendment in this colloquy with the gentleman from Michigan, because there is no law presently on the subject. I think it will help restore order and correct the confusion that results from the jurisdictional fights between two unions, when in each case both have been certified by the National Labor Relations Board as the bargaining agent.

Mr. DE LACY. I thank the gentleman for his contribution.

Yesterday, when we were discussing this legislation, the gentleman from South Dakota [Mr. CASE], rose to read a letter which he said came from the First District of Washington, my district. Whoever composed that letter was good enough to send what looks like a carbon copy of it to my office. Just for fun I checked on the signature and I was very much amazed to discover that apparently the gentleman from South Dakota, whom I believe has been misled in the type of legislation he has laid before this body, is likewise being misled into accepting at its face value some of the statements that are sent to him in letters. It just happens that this antilabor blast that he favored us with yesterday is made by someone who may exist but who does not know much about the city of Seattle, for he gave an address which could not possibly exist. Pine Street runs east and west, not north and south, and there is no such place as North Pine Street.

Now, there are people in the city of Seattle, I suppose, who are against labor, but I have here an interesting letter which, since the gentleman from South Dakota invited us to listen to some of his mail, I will read to you. It is a carbon copy of a letter that was sent to the gentleman from South Dakota [Mr. CASE], the carbon sent to me. It is therefore as much my property as it is that of the gentleman from South Dakota. It comes from a place which does exist in the city of Seattle, the University Unitarian Church. It is signed by a minister who does exist, and the address as given is the correct address. This letter reads:

DEAR MR. CASE: You are worried about these strikes. So am I.

But I think you're listening to the wrong people. Maybe you'd like to know how it looks from here.

It looks from here as if you and many of your colleagues, along with a share of the public, are being taken for a hay ride by the gentlemen who pull the purse strings.

They wouldn't turn a wheel for war until you guaranteed them 10 percent profits; now they sit on top of those profits and won't turn a wheel for peace till you fix up a nice tax deal. On top of that, with the law so written that the strikes don't cost them a thing, they are now stalling, hoping Congress will be stampeded into putting the ball and chain on labor.

But Mr. CASE, we're not falling for it. A few of my people, maybe. Most of them are somewhat confused, but day by day their temper is mounting—not against the unions, but against big business.

This is 1945, not 1920.

It seems to me that that letter from the clergyman of the University Unitarian Church does represent a pretty responsible cross-section of opinion in any community, mine or any other; and it seems to me some of the remarks that have been made about the great, arbitrary, arrogant power of labor, have to be assessed against the background from which they proceed.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. ROONEY. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I am not only opposed to the pending amendment but to the Case bill in its entirety. I have now listened for 5 days to the arguments of its proponents upon this floor. It is with a saddened heart that I detect the temper of far too many distinguished colleagues who are unwittingly playing the cards for the big businesses of our country, to the detriment of the majority of our constituents, no matter from what part of this great land of ours we come. I find too many colleagues representing agricultural areas pitted to the last ounce of their strength and ability against those of us from the large cities representing, not landowning successful farmers with crops to sell, if you will, but the little man who toils for a weekly pittance, who feels he is fortunate when he reaches the advanced stage in life where he can pay off the last installment on his household furniture or on his wife's operation. This is the man organized labor represents. This is the man whose dignity in life has been fought for successfully over many years by organized labor of this country. Who, other than this little man that I speak of, who constitutes the backbone of our population, is going to buy your constituents' farm crops? If we pass this Case substitute or any other legislation deliberately planned to destroy organized labor, this little man of the U. S. A. will be returned to his economic level of 30 years ago. Big business will ride high and mighty. Wages will be forced down. Who then will be in a position to pay fair or present prices for oranges from Florida, cotton from the South, fine vegetables from California and the far West, wheat from Minnesota or potatoes from either Idaho or Long Island? Certainly, then the farmer will not need to worry about who will handle his produce on its way to market because there will then be no market. And the small businessman will find no customers to buy his merchandise at a fair price.

Are we all in such a fog that we cannot see what big business is doing today? Is it not apparent to every one of us that big business has a planned campaign not only to destroy labor but to break the price line as well. Why is it that it is practically impossible for a returning GI or anyone else to buy a suit of clothes? Why cannot the public purchase the articles that have been manufactured in the plants of big business these last 6 months or more but which are now lying in warehouses? Because big business, whose interests you advocate today, waited first for repeal of excess-profits taxes, and now seeks abrogation of the God-giving rights of the laboring man, and next revocation of our price control. How can anyone of us lend a hand in carrying out this nefarious, well-financed, and selfish scheme?

My district back in Brooklyn is populated by the little man of whom I just spoke. There are no wealthy farmers, plantation owners, or successful ranchmen in my district. Mine is a typical big-city-industrial-area district. No coupon clippers, and there will be few with even small steady incomes if we destroy organized labor on the floor of this House. The owners of the big industrial plants which abound in my district live on swank Park Avenue or in the palatial suburbs where they will never worry about inflation while enjoying South Dakota pheasant.

During the past week I have received thousands of letters from constituents advocating defeat of the Case substitute. All from the little man I speak of. Not one from an individual citizen in favor of the Case bill. On the other hand, I have received many telegrams—sent incidentally by crossing the picket line of the notoriously underpaid Western Union employees—from the corporations whose places of business are in my district, requesting that I participate in shackling labor. In this connection it might be interesting to note that I had one from a certain corporation praying for passage of the vicious Case bill, that, according to the copy of the Brooklyn Eagle which I read last night, received a refund in taxes from Uncle Sam in an amount upwards of $150,000. How would the little man's labor union get justice from that firm if we pass the anti-labor legislation many of us contemplate?

Let us do some cooling off ourselves by calling off all this proposed antilabor legislation. Be fair to both sides. Do not let us do an irreparable harm to the many little men and women who just barely get along in life, by venting our spleen on a few union heads you do not like. I do not believe in violence, in communism, or in any illegal activity any more than you do, but I do believe in justice to the workingman. Let us call it all off, I say, and make industry as well as labor be reasonable in the present crisis, so that the people of our Nation may now enjoy the peace our discharged veterans so valiantly fought for.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield? I merely want to thank the gentleman for advertising the fact that we have pheasants in the State of South Dakota.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. STEWART. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the address just made by the gentleman from New York [Mr. ROONEY], with reference to the unions and agricultural States, brings to my mind a couple of facts I wish to bring to your attention. First, peace is no more present on our industrial front today than it was in my home town of Antlers, Okla., at 5:46 on April 12, 1945, just after a tornado struck the town, killing 72, injuring 400 citizens, and destroying 490 home units. Things were just as peaceful there then as they are today throughout the Nation because of the strikes and threats of strikes. When babies cry for milk and the ex-servicemen fail to find clothes, cars, homes, or tools to work with and equipment to enter business, it certainly is a dark day for America.

The gentleman's remarks with respect to the agricultural States prompts me to observe that from the viewpoint of the big industrial cities, the agricultural States are just colonies. Cities like New York and others who eat the food we grow and use the raw materials we produce have always enjoyed a greater profit in transportation and reselling than the actual producer, and believe me you, they will fight to the last to use us in the same old fashion. In most all transactions after leaving the farmers' possession every commodity expands in price to pay union labor's demands. They permit us to grow our crops and sell them at market price and then what we grow and produce is sold at from three hundred to a thousand percent more to the consumer. They are that unfair with us and we do not dare take our own commodities that we produce from the soil by our own sweat and labor in our own vehicles to market in any of the highly labor organized cities.

Mr. JONES. Mr. Chairman will the gentleman yield?

Mr. STEWART. I yield to the gentleman from Ohio.

Mr. JONES. As a matter of fact, this amendment would stop the folks in the larger cities from throwing the people in the unions, who work in the plants in the small communities throughout the land, out of work, because they refuse to install or service the products that are made by the unions who are certified by the National Labor Relations Board in the continental United States.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. STEWART. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. I regret that the gentleman from Washington would not yield to me, because I wanted to point out that according to my information the girls working in the department stores in Seattle had to join the teamsters union.

Mr. STEWART. That is my information, and I certainly thank the gentlewoman for her contribution. We are getting nowhere fast, but some of these days we are going to have to buckle our own belts and get down to business before we face chaos squarely in the face. It is just as sure to happen as I am standing here in the well of this House. The people are going to take over. They are getting tired of this minority stuff, and labor is the predominate minority group that is trying to wreck the Government. They are not only trying, but doing a pretty good job of it because they occupy many of the key official positions and direct the policies and business operations for the great majority of the people of America. There are a lot of other things about labor where a lot of cleaning up could be done in their own house if they want to survive. I make no argument that there was a time when labor had a right to organize but they have taken advantage of their just right and passed the burden on to the public and not to their employer. They break what heretofore has been considered sacred contracts and through laws that have granted them many privileges they run the

Government and the rest of us bow our heads, take orders, and suffer their extortions and suffer their assaults on our person and damage to our property.

Labor objects to the passage of the Hobbs bill which has passed this House twice since I have been a Member of Congress and their position in this respect is nothing short of ridiculous for all the Hobbs bill does is make the laws the rest of us live under apply likewise to members of labor unions.

Mr. JONES. Mr. Chairman, I ask unanimous consent that the amendment be again read.

The Clerk again read the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

Mr. HALE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALE: On page 12, line 20, of the Case amendment, after the period in line 20 on page 12, strike out the words "The district courts of the United States" and all the words on lines 21, 22, 23, 24, and 25, and line 1 on page 13, and the word "provisions" on line 2 of page 13.

Mr. CASE of South Dakota. Mr. Chairman, I reserve a point of order against the amendment.

Mr. HALE. Mr. Chairman, I have offered this amendment for the purpose of raising in very specific form the question of whether we wish in this section to make this back-handed and rather vague repeal of the Norris-LaGuardia Act or some part thereof. For myself, I am in favor of and I expect to vote for the Case bill whether or not this amendment is adopted, but I do think we should give very careful consideration to the question of policy under the Norris-LaGuardia Act.

As I read the Norris-LaGuardia Act, there is nothing in the terms of the act which prevents one from getting an injunction against violence. The difficulty of getting the injunction against violence under the Norris-LaGuardia Act, I am advised by attorneys, is a procedural one under section 107 of the act, which obliges you to name all the persons individually who threaten violence, and that is almost impossible to do.

I have the very gravest doubts whether the language which I have moved to strike in section 11 of the bill would be effective to clear up the difficulties which arise under the Norris-LaGuardia Act. Plainly, it seems to me, the Norris-LaGuardia Act should be amended to eliminate these procedural difficulties, and I should like for the purpose of the record to refer in this connection to the case of *United States* v. *Hutchinson* (312 U. S.). I repeat, I think that the Norris-LaGuardia Act should be amended just as the National Labor Relations Act should be amended, but I believe that the way to amend those particular pieces of legislation is to step up to them man-fashion and say, "Section so-and-so of such-and-such an act is repealed or amended to read in such-and-such a way." Then you would know where you were. But I do not think that if this section 11 is passed in its present form, with the second sentence in, a district judge will really know where the law is left. I question very gravely whether he would be any more ready to grant injunctions than he is at the present time. For this reason it seems to me it would be better to omit this sentence from the section and to proceed by other legislation to revise the Norris-LaGuardia Act in a straightforward way.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HALE. I yield to the gentleman from Indiana.

Mr. HALLECK. I assume the gentleman would want to do what he could to maintain law and order.

Mr. HALE. No question about that; it is only a question of the best way to maintain it.

Mr. HALLECK. Does the gentleman think there will be sufficient provision left in the bill for that accomplishment if the gentleman's amendment is adopted?

Mr. HALE. I do not believe this provision, which simply says the district courts of the United States shall have jurisdiction notwithstanding the Norris-LaGuardia Act to enjoin violence, is really sufficient, because I do not believe that language really touches the issue. There is jurisdiction under the Norris-LaGuardia Act to enjoin acts of violence. The difficulty is the procedure laid down in the Norris-LaGuardia Act and the decisions thereunder which makes the task of counsel seeking an injunction almost impossible.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. HALE. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I have not gotten clearly what language the gentleman would strike out.

Mr. HALE. The language which my amendment strikes is simply the second sentence of section 11.

Mr. ROBSION of Kentucky. Beginning on page 12 in line 20?

Mr. HALE. Yes.

Mr. ROBSION of Kentucky. How far does it extend?

Mr. HALE. Just that sentence down to the word "provisions" in the second line on page 13.

Mr. ROBSION of Kentucky. I think the gentleman is correct. I think that provision there is going to cause a lot more discord than if it is out. It would not help. Furthermore, with that out, the courts are still granting injunctions.

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. CASE of South Dakota. Mr. Chairman, I reserved the point of order against the amendment because it occurred to me that this matter had been considered yesterday in the vote upon the amendment offered by the gentleman from Michigan [Mr. HOFFMAN]. This language here involved was proposed to be stricken by the amendment then offered. The amendment was voted upon and defeated. It is true that the amendment offered by the gentleman from Michigan included some further language.

The CHAIRMAN. Will the gentleman from South Dakota cite the page of the RECORD containing the amendment offered by the gentleman from Michigan? It is the recollection of the Chair that that amendment did not apply to just one paragraph, but to the entire section.

Mr. CASE of South Dakota. It did not apply to the entire section. It is the amendment which appears in the RECORD on page 936 which was offered by the gentleman from Michigan [Mr. HOFFMAN] to page 12 of the Case bill:

Strike out all of section 11 down to and including the word "provisions," in line 2 of page 13, and insert in lieu thereof the following—

And so forth. It is true that he proposed to insert some other language, but the portion stricken embraced matter which is sought here to be stricken and ends with the word "provision" on line 2, page 13. I think for clarity's sake, however, we should have a ruling upon the question.

Mr. HALE. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will be glad to hear the gentleman from Maine.

Mr. HALE. Mr. Chairman, it seems to me that the point of order is not well taken because the amendment offered by the gentleman from Michigan [Mr. HOFFMAN] yesterday sought to strike out not only the language which my amendment seeks to strike out, but other language as well. Furthermore, his amendment sought to insert language, whereas my motion is to strike out.

The CHAIRMAN (Mr. O'NEAL). The Chair is ready to rule.

Yesterday the gentleman from Michigan offered an amendment striking out that part of the bill which the gentleman from Maine now attempts to strike out, as well as language in addition thereto and to insert other language. The amendment was defeated. Therefore, the amendment offered by the gentleman from Maine, which proposes to strike out a portion of the language, is appropriate at this time. The Chair overrules the point of order.

Mr. ROBSION of Kentucky. Mr. Chairman, management and labor oppose the President's fact-finding ability-to-pay bill. It was also defeated in the Labor Committee of the House. I, too, am opposed to that bill, H. R. 4908. I arise in support of the motion offered by the gentleman from Maine. H. R. 5262 declares it to be the policy of the United States that labor disputes affecting the public interest should be settled fairly and, so far as possible, without interruption or delay in the production and distribution necessary for public interest, and to that end it is the duty of both employers and employees to bargain collectively in good faith. It also declares the right of labor to organize and bargain collectively with employers as one of the cornerstones of competitive enterprise. The purpose of such bargaining must be protected and strengthened. The desired end of bargaining between management and labor is a contract. Once that is made, it must be equally binding and enforceable on both parties. Legislation has heretofore been enacted to guarantee the right of collective bargaining. It is equally important that legislation be enacted to pro-

tect the rights of labor, industry, and the general public in the process of collective bargaining. This policy also declares against violence and unlawful conduct on the part of either side as such action is destructive of collective bargaining and such force, violence and compulsion are against public policy, as they violate the principles of freedom and self-government upon which our Government was formed and the purposes for which it was founded. To aid in the voluntary and expeditious settlement of labor disputes affecting the public interest, therefore, there are hereby established additional facilities and procedures for the application of collective bargaining, conciliation, mediation, and arbitration.

This bill undertakes to encourage and strengthen voluntary collective bargaining, mediation, conciliation, and arbitration. I think it is agreed among all thinking men of management, labor, and the public that every reasonable effort should be made by management and labor to compose their differences without resorting to lock-outs or strikes, and there has never been a time when this is more important to management, labor, and the American people than at the present time.

I think the repeal of the so-called Anti-Injunction Act of March 23, 1932, which was passed by Congress and approved by President Hoover, is in conflict with the purposes set forth in the declaration of policy and the sections providing for mediation, conciliation, and voluntary arbitration. No one is more strongly opposed to resort to violence, intimidation, unlawful destruction of property than I am, whether it is management or labor in industry or by any association or group of individuals. There was such wide abuse in the granting of injunctions and consequent discord and violence resulting therefrom in labor disputes before March 23, 1932, that the Congress in the Hoover administration adopted that act and which was approved by President Hoover. It does not take away the right of injunction but it requires open hearings and a more definite showing as to the necessity of an injunction. Prior to that time in many cases some attorney representing the employer would get 2 or 3 affidavits and appear before a court in chambers and have granted injunctions. I observed many times the results of such action. Instead of creating an atmosphere whereby there could be mediation, conciliation, and arbitration, it stirred up strife, discord, and bitterness between management and labor.

This motion should prevail and that part of the bill should come out. If we are going to depend upon force to carry on industry, instead of mediation, conciliation, and arbitration then perhaps that provision should remain in the bill.

I understand that an amendment will be offered which provides that courts shall not issue injunctions against the right to strike, peaceful assembly, or peaceful picketing, and no injunction may issue unless there is clearly established acts of violence and intimidation, If the courts observe those provisions, it may save the country from returning to conditions that existed in labor disputes prior to March 23, 1932.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I cannot at this time. I think the Congress knew what it was doing in 1932 when it passed that act. It was passed by Members of the House and Senate, many of whom had been here for many years and who knew of the discord that had been brought on. That condition encouraged in many cases management to resort to injunctions to settle their differences instead of collective bargaining, mediation, conciliation, or arbitration.

Mr. ROBSION of Kentucky. Mr. Chairman, I ask unanimous consent to proceed two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. GATHINGS. Mr. Chairman, reserving the right to object, I am going to object to further requests for additional time on these amendments. I think 5 minutes is enough. I will not object at this time.

Mr. ROBSION of Kentucky. This bill, with this provision stricken, does not take away the right to secure an injunction. Violence, intimidation, and destruction of property are prohibited by the laws of every State in the Union. It is the duty of every State in the Union to uphold their laws. The act of March 23, 1932, requires the applicant seeking an injunction to show that the State authorities were unwilling or at least unable to afford the protection sought by the complaining party.

Mr. JENKINS. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to my friend from Ohio.

Mr. JENKINS. I take it the gentleman holds that the first few sections of this bill are sufficient in themselves without any legislation to interfere with the Norris-LaGuardia Act.

Mr. ROBSION of Kentucky. We have many provisions in this bill and we have many laws against violence. I do not think it wise to take away the power of the States to enforce their laws and turn this power over to the Federal Government. I would not do away with our State laws.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to my colleague.

Mr. MAY. The gentleman, like I am, is opposed to violence. The trouble with the gentleman's position is that he is against it, but does not want to do anything about it.

Mr. ROBSION of Kentucky. The gentleman does not state my position at all. I am as much for law and order as the gentleman, Mr. MAY, or any other Member of this House. I yield to no man, not even to the gentleman from Kentucky, in this respect. I wonder if the gentleman feels that he has a monopoly on patriotism or to uphold the laws of our country or of the several States. No one could be more strongly opposed to intimidation or violence than I am, and it matters not who may engage in such unlawful acts or what aim or purpose they may desire to be accomplished. I believe in equal justice under the law for great and small, rich and poor—for all our citizens. It has only been about a year or two that our colleague, Mr. MAY, and others urged that we must pass the Smith-Connally Act. He and others insisted that was necessary in order to protect our country against the working people. That bill was set out in a conference report. I voted against the conference report, and I voted to sustain the veto. I was criticized by some of the employers of labor and others for my action. I pointed out in a speech on the conference report that in my opinion the bill would creat discord; that it would increase strikes. We are having more strikes today and more men are involved than at any time in our history, but the Smith-Connally Act is still in full force and effect. We recall that Mr. Dewey, the Republican candidate for President last year, urged the repeal of the Smith-Connally Act and pointed out for the year next before the passage of this act there were approximately 3,000 strikes and during the year following the passage of this act there were approximately 4,000 strikes, and today we have an epidemic of strikes throughout the Nation. The gentleman and others who supported that act were in error and many businessmen and others who criticized me for voting against that act have been urging its repeal—even Mr. SMITH and Mr. CONNALLY themselves have urged its repeal.

If this measure is adopted, I hope that it will be helpful in settling disputes between management and labor, but I have serious doubts that that will be the result. The opinion is frequently expressed that if we pass this bill in its present form it will not be approved by the Senate and will not be approved by the President, and, therefore, we will march up the hill and then march down. I may vote for this bill if one or two amendments are put in the bill which in my opinion will improve it, but I am not unmindful of the fact that in my opinion it will not be approved by the Senate or by the President. As we have many laws to deal with violence, intimidation, and the destruction of property, personally I thought that if we strengthened the machinery that would provide for fair mediation, conciliation, and arbitration, it might be as much as we can do at this time to settle conditions with which the country is now confronted, also giving a right of action to the party in fault for the breach of collective bargaining contracts.

I wish to again assert that unless the contracts arrived at through collective bargaining are in good faith lived up to then it is an expensive and foolish gesture to make such contracts. Breach of contracts has always been condemned by fair-minded, honest men in this country.

It is agreed that Congress does not have the power to pass an antistrike law or to force employees to work against their will, or to compel them to arbitrate their differences, or to keep them from forming labor unions. This also applies to business or professional associations, and the bill before us I desire to say does not violate any of those fundamental

principles given to labor, management, or other groups.

If any law is written, it will be after the Senate has acted. They, of course, will amend this bill. It will then go to conference and the conferees, if they can compose the differences between the House and Senate, will then make a report to the House and Senate and the measure as finally agreed upon would be set out in this report, and we shall then have an opportunity to vote for or against the measure that will likely become the law if it is approved by the President, and I shall hold in abeyance any further opinion on this matter until it comes up for final action.

There is a 30-day period in this bill giving management and labor an opportunity to settle their dispute by collective bargaining, mediation, conciliation, or voluntary arbitration. Some have spoken of this as a cooling-off period. I do not regard it in that light. It merely gives the party an opportunity to review the whole situation to see if they can settle their differences. As a general rule if the employer closes down his plant or if it is closed down by a strike it will likely take more than 30 days before there is a settlement. This bill only applies to plants engaged in interstate commerce that employ regularly more than 250 men and the closing down of which affects the public welfare and the public interest of the people of the country generally. If such plants are about to close down all the facts and circumstances should be reviewed with great care—not only looking to the interest of the employers and labor but to the welfare and interest of the American people generally. We observe that when one plant closes down and a few thousand men are thrown out of employment, it may bring about the closing down of many other plants and many more times the number of workers. Therefore, while Congress does not have the power to pass a law keeping workers from striking or companies from lock-outs, it is only fair and common sense for them to use every reasonable means to settle before they resort to strikes.

Mr. SMITH of Virginia. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Virginia is recognized for 5 minutes.

Mr. SMITH of Virginia. Mr. Chairman, we are now right back where we were yesterday morning; we are back to an effort to strike all the teeth out of this bill.

Now, I expect some folks are getting a little bit tired of hearing us say: "I am against violence. I do not believe in violence. I believe in law and order." But you do not want to do anything to maintain law and order.

There is not any use in our fooling ourselves about this thing or trying to fool anybody else about it. Talk about the Norris-LaGuardia Act protecting people against violence. Well, it just does not. You know that in the General Motors strike all over this Nation today the owners and officials of that property are prohibited by force and violence and mass picketing from entering their own premises; and that is done under the cover of the Norris-LaGuardia Act. If any Member of Congress believes in that, and if any Member of Congress thinks the Norris-LaGuardia Act was intended for the purpose of excluding persons by violence from their own premises, then he ought to vote for this Hale amendment. If he feels as I do, and as I believe most of the Members of Congress do, and as I believe the American people do, then he ought to vote so to clarify this law that there can be no question about the power of the Federal court to prohibit violence and the usurpation of property through violent methods. Is not that perfectly simple? We debated it all day yesterday. We had many amendments identical with this, but the House voted them down overwhelmingly. Why do we have to keep on debating this same thing? It is the same old question: Do you believe in violence or do you not believe in violence? If you believe in violence you ought to vote against this bill and you ought to vote for this amendment; but if you do not believe in violence, and if you do believe in law and order, and if you do believe that there is some duty upon the Congress to do something about it, then you ought to vote down this Hale amendment just as you voted down the other amendments yesterday.

Mr. JENKINS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. JENKINS. How did we prevent violence in this country before the Norris-LaGuardia Act?

Mr. SMITH of Virginia. You did not have any Norris-LaGuardia Act, which apparently protected unions from anything they chose to do.

The Norris-LaGuardia Act simply did this: It placed labor unions under labor disputes in a different category from all the other people in the United States, and under the cloak of that act has grown up this matter of mass picketing and violence which is apparently protected under the Norris-LaGuardia Act.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I do not.

What this bill seeks to do is to clarify that by saying that the Norris-LaGuardia Act was never intended to shield violence and unlawful conduct. That is all it does. If you want to let it be known that you wish to clarify the Norris-LaGuardia Act and if you want to let it be known that you do intend to protect against violence, intimidation, and all the other unlawful activities, we better vote down the Hale amendment like we voted down a similar amendment yesterday and another one previously today. But let us get to an end of this thing. Let us vote once and be done with it. Why debate it all day, vote it down, then the next day, with a change of two or three words, have it debated all day again?

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. RANDOLPH. Mr. Chairman, I desire to state to the members of the Committee that it is my personal hope we may conclude consideration of the pending legislation before nightfall. I am going to ask at this time unanimous consent that all debate on the Case amendment and all amendments thereto close at 4:30.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

Mr. VOORHIS of California. Mr. Chairman, reserving the right to object, I would like to ask the chairman whether his unanimous-consent request means that all debate on the Case amendment and all substitutes thereto and all amendments to both the Case amendment and to substitutes for the Case amendment shall close at 4:30?

Mr. RANDOLPH. It is all-inclusive.

Mr. VOORHIS of California. If that is what the gentleman's request provides, there are, I believe, 9 or 10 amendments still pending to the Case amendment. There is a substitute pending. I, myself, have a substitute which I wish to offer as soon as the other substitute has been disposed of. It is utterly impossible for us to have more than 2 minutes to speak on these other measures if the limitation the gentleman suggests prevails. May I, at the risk of impertinence, suggest that if there were a limitation placed on the length of time for debate on amendments to the Case substitute, there might be an agreement gotten upon that point, whereas we do not know what the other substitute provisions may be that will be offered afterward?

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

Mr. BALDWIN of New York. Mr. Chairman, I object.

Mr. RANDOLPH. Mr. Chairman, I ask unanimous consent that all debate on the Case amendment and all perfecting amendments thereto close at 4:15.

Mr. MAY. Mr. Chairman, reserving the right to object, I do not understand the gentleman's request for this reason: There are different kinds of amendments than perfecting amendments. Does that mean we may offer a lot of perfecting amendments, consider them, and still the Case amendment will be open?

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

Mr. BALDWIN of New York. Mr. Chairman, I object.

Mr. RANDOLPH. Mr. Chairman, I move that all debate on the Case amendment and all amendments thereto close at 5 o'clock.

The CHAIRMAN. The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

Mr. ENGEL of Michigan. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

TAXATION, INCREASED LIVING COSTS, AND STRIKES

Mr. ENGEL of Michigan. Mr. Chairman, naturally every Member of Congress has given a great deal of thought to labor problems and to strikes. A great many bills have been introduced and many ideas presented. In looking over the various ideas and suggestions I can-

not get away from the fact that there are fundamental causes for this labor unrest; that until these causes are removed, legislation is futile.

Many labor disputes came up during the war. Labor leaders did a grand job in selling their no-strike-during-the-war policy to their membership. Usually the workers were told that these differences could be settled when the war is over. The war is now over and while some labor problems arising during the war have disappeared, many of the wartime differences between management and labor come up now for settlement, including increased pay.

On March 19, 1945, I addressed this House on the subject How Our Tax Policy Affects the Low-Income Group, I now desire to address the House on the subject Taxation, Increased Living Costs, and Strikes. At the time of the March 19 speech, I discussed the typical case of a man and wife with an annual income of $2,500 a year, $2,000 a year, $1,000, and also a single person with an annual income of $1,000. In discussing the case of a man and wife with a $2,500-a-year income, I pointed out that we had increased his living costs from 31 to 48 percent, increased his income tax 12½ percent, reduced his purchasing power from $2,500 a year to anywhere from $1,470 to $1,660 in terms of the 1939 dollar.

I further stated that no 15-percent increase in wages under the Little Steel formula or any other formula would place this man and others like him back upon even a 1939 living-cost standard. At that time I laid down what I considered four fundamental principles, as follows:

First. Every man, woman, and child in America is entitled to a decent living. Many are not getting it.

Second. Paying an individual or the head of a family enough money, whether in wages or other income, to support himself or herself and family in common decency, is not and can never be inflationary. Money spent for the necessities of life to keep body and soul together will never bring about inflation. The anti-inflation policy of the Government has been to keep all wage increases to 15 percent under the Little Steel formula, regardless as to whether that wage brought a decent living or not. That policy is wrong.

Third. Taking money we call taxes from the low-income groups, which should be spent for bread, butter, milk, and food to fill the stomachs of hungry children will not avert inflation. Such a policy can only bring about suffering, crime, immorality, and poor citizenship. No policy of making everyone pay a tax to make people tax conscious can be justified when the tax dollar collected forces the living standards of the taxpayer below a decent level.

Fourth. Real, sound peacetime prosperity must be based upon increased purchasing power for this low-income group. Peacetime prosperity cannot be based upon starvation wages or income, either before or after taxation. Automobiles, radios, decent housing or living will not be bought with family incomes of $1,000 or even $2,000.

The 1944 Treasury Department records show that 21,600,000 individuals with annual incomes of $1,000 or less, 9,000,000 of whom were heads of families, paid $500,000,000 in taxes in 1944. While it is estimated that the 1945 tax law removed 12,000,000 persons from the income-tax column, it is likewise true that by no means all of these are in the $1,000-or-less annual income bracket. Many are in higher brackets. The relief accorded them under the new law is proper and well justified. Nevertheless, my point is that despite the relief of the 1945 tax law, the greater number of the 12,600,000 single persons in the $1,000-or-less income group are still going to be paying income taxes in 1946. The same is true with regard to married persons with annual incomes of $1,500, $2,000, $2,500, and even $3,000 a year or more. Thus, we have millions of individuals, many of whom are heads of families, who find themselves in the face of increased living costs and taxation, with incomes which are absolutely inadequate to provide decent housing, clothing, and food for themselves and their families. I mention incomes instead of wages because that class includes everyone in the low-income group, including wage earners. What was high income or wage in 1939 has, through taxation and increased cost of living, become a low wage or low income today. The basic reason for a demand for increased wages as a rule is increased cost of living.

COST OF LIVING

I pointed out in my speech of last March that, depending on whose increased living-cost figures were used it took from $1.31 to $1.43 in 1944 to buy what $1 bought in 1939. This last statement was based upon the various and detailed statistics I have gathered on the subject. I discussed at length the various living-cost yardsticks at that time. According to the Bureau of Labor Statistics as revised by the Presidential committee, it took $1.31 to buy in 1945 what $1 bought in 1939.

According to the American Federation of Labor estimates, it took $1.46 plus today to buy in living costs what $1 bought in 1939.

According to the Congress of Industrial Organizations estimates, it takes $1.47 plus today to buy in living costs what $1 bought in 1939.

According to the Bureau of Agricultural economics composite cost of living indexes—farmers and workers—the increase between March 1939 and March 1944, was 43 percent. According to these figures it takes $1.48 today to buy in living costs what $1 bought in 1939.

A study of the whole problem will indicate, I believe, that the figures of the Bureau of Labor Statistics were extremely low and that $1.48 comes nearer to representing the increased living costs from 1939 to 1944 than does the Bureau's figures of $1.31.

JUST WAGES CANNOT BE DETERMINED WITHOUT ACCURATE LIVING-COST STATISTICS

The important thing when we study cost of living is that we have had no reliable and dependable figures on the increased cost of living. With this in mind the Labor-Federal Security Agency Subcommittee of the Appropriations Committee, of which I am a member, on my motion, included $580,000 in the 1946 Budget to be used exclusively for conducting a cost-of-living index, with particular reference to the index cost we had in 34 typical cities. Until we have definite cost-of-living figures not only in 34 cities but in other cities of similar classifications, figures in which both labor and management have confidence, we are going to have labor trouble and no legislation will stop such trouble. As soon as we have such cost-of-living figures, part of that trouble will disappear.

Another factor which has certainly not helped to settle labor disputes has been our tax policy as set forth in the 1945 tax bill. In that bill we gave corporations a $3,136,000,000 reduction in taxes while individuals received only $2,644,-000,000 reduction. For instance, a man and wife with a $2,500 income received 21.7-percent reduction in income taxes while a man and wife with a $2,000 income received 26-percent reduction. A man and wife with a $1,500 a year income received a 34-percent reduction, while a single person with $1,000 a year income received only 12.4-percent reduction in taxes, while the average reduction of a corporation was 34.6 percent.

The tragic part of this bill was that Congress gave corporations a reduction in taxes by eliminating excess-profit taxes before excess profits actually stopped. I agree that excess profits should not be carried over into peacetime. The billions of dollars which still remained to be spent in terminating contracts together with the very fact that there are $3,136,000,000 taxes rescinded shows that wartime profits had not stopped when the last surrender was signed. Someone must make up this $3,136,000,000 deficiency. Corporations have been relieved of that sum which means that the individual, including the low-income group, must bear the tax burden which the corporations were relieved of. We are soon to have another bill to pay back to corporations an added four or five billion in carry-back taxes. If this is passed it means you are transferring that burden to the individual. All of these things have naturally caused the individual and particularly the wage earner to be dissatisfied and unwilling to keep on accepting a wage rate which has not been increased in proportion to his living cost and tax increase.

INCREASED NATIONAL INCOME ESSENTIAL IF WE ARE TO SURVIVE

In my speech on March 19, I made the following statement:

Real, sound, peacetime prosperity can come only by increasing the purchasing power of the millions of people in the low-income group.

And again:

Unless this low-income group is given relief from this unjust burden of taxation, being permitted to earn and enjoy a decent living, they will turn to some ism for relief. They are in the majority and in the final analysis will say what kind of a government we will have.

I wish to point out again, with a $300,-000,000,000 national debt in sight, it will require an annual tax levy of from twenty-seven to thirty billion dollars a year to balance the Budget. This will include $9,000,000,000 to pay the interest on and amortize the national debt in 50 years. It includes funds to take care of sixteen to eighteen million veterans

of two wars and other financial responsibilities we have assumed. We levy a tax against income payments. By income payments I mean all the income of the Nation including rents, royalties, wages, salaries, farm income, corporation income, dividends, interest, and so forth. The highest income payment we had before the war was $83,000,000,000—1929. It is obvious that no twenty-seven to thirty billion dollar Federal tax can be levied against an $83,000,000,000 national income in addition to all the State, local, and municipal tax levies If we are to survive we will have to have a national income of not less than one hundred and forty to one hundred and fifty billion dollars. This means that we have to increase our income from sixty to seventy billion dollars a year.

While I recognize that corporation incomes must naturally have some increase, the greater proportion of this increase in national income must and should go to individuals in the low-income group, farmers, and wage earners, if we are to avoid unemployment and financial disaster. Building factories will not sell one automobile or radio, except insofar as building that factory provides labor and purchasing power to the man or woman who buys that automobile and radio. Wages and farm income must increase, low incomes must increase if this country is to survive and pay its obligations. It is only by wage increases and increases to farmers and other low-income people that we increase purchasing power of the Nation and it is only by increasing purchasing power we can furnish jobs and avoid financial disaster. If we can increase the income and purchasing power of the wage earner, the farmer, and others in the low-income group sixty or seventy billion dollars, there will be full employment and we can meet our financial obligation, otherwise not.

I now wish to discuss the effect the increase in living costs and our 1945 tax policy had on our low-income group. In reading the following paragraphs on low incomes I want to assume that you are a worker with an annual income of from $1,000 to say $3,000, $4,000, or even more. Let us assume further you found your living costs increased from 31 percent to 48 percent, your taxes taking 10 to 25 percent or more out of your wages. Just what would you say and do should the employer offer you an increase of 15 percent in wages to meet the increase in the cost of living and reduction in income by taxation.

HOW MUCH DOES THE 1945 TAX LAW HELP OUR LOW-INCOME GROUPS?

In showing the effect of our old and new income-tax laws on the low-income group, I want to use again the comparison that I used in my speech of last March 19 on that subject. Let us take the various groups as given in that speech and see what happens to each group when they pay their 1946 income tax under the new tax law.

HEAD OF A FAMILY WITHOUT DEPENDENTS AND WITH A $2,500 ANNUAL INCOME

A married man or head of a family without children had a $2,500 income-tax exemption in 1939. His exemption was reduced through the years until in 1944 he had a family exemption of only $500 for normal tax purposes and $1,000 for surtax purposes. In 1944 he paid, according to the Treasury Department schedules, $300 income tax, and, if he was a worker, he paid $25 social-security tax, leaving $2,175 after the payment of these two taxes. Depending on whose living-cost estimates we use, it takes from $1.31 to $1.48 today to buy what $1 bought in 1939; $1,470 to $1,660 bought the same living in 1939 that $2,175 buys today. So this man with a wife who had an income of $2,500 in 1944, through increased tax rates, increased living costs, and decreased tax exemptions, is forced to a $1,470- to $1,660-a-year living standard in terms of the 1939 dollar. We increased his income tax 12½ percent, increased his living costs from 31 to 48 percent, and reduced his purchasing power to anywhere from $1,470 to $1,660 a year in terms of the 1939 dollar. This does not include the increase in excise and other taxes on hundreds of articles he is compelled to buy.

I want to emphasize that I am referring only to the low-income group, and not the worker in the higher-wage bracket. Nevertheless we must bear in mind that it is the annual earnings and not the hourly wage rate which determines whether or not a worker is in the low-income group.

If this man lived in a sales-tax State he would have to pay among other taxes, according to the Treasury Department, a sales tax on 80 percent of his living costs. In Michigan this additional tax would have amounted to $52.20. In 1944 there were 6,590,000 married persons or heads of families with incomes of from $2,000 to $2,500 a year.

Under the new Revenue Act of 1945, this man with a wife will pay $235 income taxes in 1946 instead of $300. He will save $54 or 21.7 percent of his income tax. If it were possible for this man and wife to incorporate themselves and be given the same savings of 34 percent that the average corporation is given under the new law, he would have saved $102 or $37 more. It pays to incorporate. Just how much purchasing power this would restore depends on whose increased living cost figures we use. However, $44 to $49.61 would have bought the same amount of living in 1939 that this $65 buys today.

Now let us see what happens to a 15-percent increase under the Little Steel formula, of which we heard so much during the war but which is being called just a plain increase now. A 15-percent increase in wages would of course amount to $375. Thus we throw this worker into a higher income-tax classification. His employer would give him $375 but the tax collector would immediately collect $69 more taxes or a total of $304 instead of $235. The 15-percent increase would be reduced to a 12.2-percent increase. Let us see what happens to his total pay check. The tear-sheet on his pay check would read something like this:

Total pay for the year	$2,875.00
Income tax	304.00
Social-security tax	28.75
Amount of check for the year	2,542.25

On a 1939 living-cost basis, $1,716 to $1,948, depending again on whose increased cost-of-living figures we use, bought the same living in 1939 that this $2,500 plus the $375 increase in pay will buy for this worker after he has paid his income and social-security taxes under the new law. All this is true of course providing living costs do not go higher.

HEAD OF A FAMILY WITHOUT DEPENDENTS WITH AN ANNUAL INCOME OF $2,000

A head of a family without dependents with an annual income of $2,000 was exempt from income taxation in 1939. In 1944, according to Treasury Department deduction schedules, he paid $202 income tax. If he was a wage earner, he paid $20 social-security tax, leaving a net balance after the payment of these two taxes of $1,778. Approximately from $1,200 to $1,357, depending on whose increased-living-cost estimates we take, would have purchased the same living in 1939 that this $1,778 purchased today. So this $2,000-a-year head of a family in 1944 is forced to a 1939 living standard of from $1,200 to $1,357.

Under the Revenue Act of 1945 this man and wife will have to pay $150 income tax or a reduction of $52. This is a reduction of 26 percent, or 8 percent less than the average deduction given corporations. This leaves him $1,830 after income and social-security taxes. Again, depending on whose increased-living cost figures we use, $1,240 to $1,397 would have bought the same living for this worker and his wife in 1939 that this $2,000 will give them under the Revenue Act of 1945. In 1944 there were 9,589,000 married persons or heads of a family with annual incomes from $1,500 to $2,000.

HEAD OF A FAMILY WITHOUT DEPENDENTS WITH A $1,500 ANNUAL INCOME

A head of a family without dependents with a $1,500 annual income was exempt from payment of income tax in 1939. In 1944 he paid, according to Treasury Department schedules, $98 income tax. If he was a worker, he paid $15 additional in social-security taxes, leaving him a net balance after the payment of these two taxes of $1,387. Depending upon whose living cost estimates we adopt, $937 to $1,060 would have purchased the same living in 1939 that $1,387 buys today. So this $1,500-a-year head of a family in 1944 is forced down to a 1939 living cost standard of from $937 to $1,060.

Under the new tax law this man will pay next year $64 income tax instead of $98. This will be a saving of $34 or approximately 34 percent. This was undoubtedly a great triumph and victory for those advocating a tax reduction for the low-income group. They actually gave this man with a wife and an income of $1,500 the same percent tax reduction that they gave the average corporation. But let us go on and see how much we have helped him to overcome the high cost of living Deducting the $64 income tax and the $15 social-security tax, a worker has $1,431 a year left to meet the living cost for two. Again depending on whose living cost figures one takes, $961 to $1,085 bought the same living for this worker and his wife in 1939 that $1,500

will buy after taxes under the new tax law. In 1944 there were 7,450,000 married persons or heads of a family with annual incomes of from $1,000 to $1,500.

A SINGLE PERSON WITH $1,000 INCOME

A single person with a $1,000 income was exempt from payment of income taxes in 1939. In 1944 he paid $89 tax, and if he was a worker, he paid $10 social security tax, leaving him $901 net income after the payment of these two taxes. Depending upon whose increased living cost standards we use, $608 to $688 would have bought the same living in 1939 that $901 buys today. This single person with $1,000 income is forced to a 1939 living cost standard of from $608 to $688.

Under the Revenue Act of 1945, this person pays $78 a year instead of $89, a saving of $11, or a saving of 12.4 percent. If this person had been incorporated or given the same reduction the law gives the average corporation of 34 percent, he would have saved $30.26, and his tax would have been only $58.74 instead of $89. This worker will have $912 left after payment of 1946 income and social-security tax. Depending on whose increased living costs you use, $616 to $702 bought the same living for this worker in 1939 that this $1,000 will buy in 1946 after deduction of social-security tax and income tax under the Revenue Act of 1945. In 1944 there were 12,250,000 single persons with annual incomes of $1,000 or under.

In closing I want to say a word to my Republican colleagues. We have taken a political beating in 1932, 1934, 1936, 1938, 1940, 1942, and 1944—seven times we have hit the political mat. For fourteen straight years we have lost in congressional elections. The main reason has been because we have had practically no labor support. Way back in the days of McKinley and Mark Hanna, who were considered conservatives, we had labor support. The Republican Party was then considered friendly and fair to labor. Those were the days of the grand old labor leader, Samuel Gompers. The Republican Party has done much to antagonize labor during the past 12 years. Always we hear the same story—the labor leaders do not represent labor. Seven consecutive defeats at the polls show that labor is following their leaders.

I had hoped for better relations between our party and labor. However, nothing that the Republican Party has done during the past 12 years has so antagonized labor as its attempt with the help of the southern Democrats to pass the May-Arends bill and the attempt which is now being made with the approval of at least some of our leaders to pass the Case bill.

The May-Arends bill would have taken bargaining rights from any union which has violated the no-strike clause in its contract. Less than 1 percent of the unions violated their no-strike clause and then usually after a great deal of aggravation and in the heat of a fight. You would have penalized 99 percent who did not violate their no-strike clause to get at 1 percent who may have violated it. The result would have been the elimination of the no-strike clause from all labor contracts because no labor union would take a chance of losing its bargaining rights by a no-strike clause when they could play safe by simply refusing to put it into a contract.

Now we have the Case bill, which would repeal in effect many of the laws and rights for which labor has fought for a quarter of a century. It would repeal the Norris-LaGuardia Act and make possible the old injunction battles we had in the past. I hope this bill will not pass and, if it does, I hope it will not be at the expense of the Republican Party. The Republican Party must learn that it cannot slap labor down 23 months and 2 weeks in every 2-year period and then go out and make speeches during the last 2 weeks before election and get the labor vote. It just does not work that way.

Mr. BALDWIN of New York. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the cat, it seems to me, is now out of the bag. It has been stated by the proponents of this bill that there is nothing in it against labor, and yet any attempt to remove injunctions provided in this bill which prevailed 50 years ago, creating conditions which were admittedly a scandal to the country, is voted down by the proponents of this bill, or ignored by the Members on the other side of the House who would like to see my Republican colleagues assume responsibility. Section 11 is the meat of this injunction possibility, and anybody that has read the section knows it.

The gentleman from Michigan [Mr. HOFFMAN] put in a more extensive amendment yesterday, and that was voted down. Now, here is a milder one, and the proponents of the bill are objecting to it, and it seems perfectly ridiculous, if we are sincere in wanting reasonable labor legislation, that we will not listen to debate and that we will not support any worth-while attempts to perfect this bill. So far as I am concerned, Mr. Chairman, the purpose of having any debate at all in this House was so that we could have full debate. When the members of the Committee on Labor brought out a bill, it was done because some of us had made a pledge that we would bring out a bill that this Congress could debate and amend as they saw fit. Now, you ask that debate be shut off; that the members of the committee who have any number of amendments at the desk should be precluded, in fact, from presenting those amendments and discussing them on the floor. The question of violence has already been discussed. There is no State in this Union that does not have laws against violence. There is no State in this Union that does not have laws that permit it to go to the Federal Government to ask aid in maintaining order. It seems to me that this is at least a reasonable amendment; if the proponents of this bill are sincere in saying that the bill is not antilabor, then this amendment ought to be passed, and it ought to be passed by the very proponents of the bill.

I hope, Mr. Chairman, that at least we will act reasonably in this matter.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield to the gentleman from Minnesota.

Mr. JUDD. Is it not a fact that even if this amendment is passed and this sentence stricken from the bill, there are still in the bill substantial penalties for unlawful use of violence?

Mr. BALDWIN of New York. I do not even acknowledge that it is always unlawful use of violence.

Mr. JUDD. I mean that removal of injunctions does not remove the other measures of restraint.

Mr. BALDWIN of New York. Oh, there are other methods of restraint, in my opinion. This is an attempt to repeal the Norris-LaGuardia Act, and everybody knows it.

Mr. JUDD. And by accepting that amendment, striking that sentence from the bill, we are not giving the green light to violence.

Mr. BALDWIN of New York. Not at all.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I rise in support of the amendment. We have had some pretty bitter words from some of those who speak for labor, and no complaint has been made by me.

I want to know, if the authors of this bill want this injunction provision in, and if they are acting consistently—I do not challenge their good faith—why it is that the members of the committee did not turn over here to section 52 in title 29 and ask for the repeal of that section which provides that—

> No restraining order or injunction shall be granted by any court of the United States, or a judge or the judges thereof, in any case between an employer and employees, or between employers and employees, or between employees, or between persons employed and persons seeking employment, involving, or growing out of, a dispute concerning terms or conditions of employment, unless necessary—

And so on. If you want to legalize injunctions in labor disputes why were you not consistent, and why did you not include a repeal of that act? It is still there.

I support the amendment. I ask that the House support that because it still leaves in the law the power of the court to enjoin violence in labor disputes.

Mr. JENNINGS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair would like to make a statement before recognizing the gentleman.

It is the purpose of the Chair as far as possible to recognize gentlemen who have amendments on the Clerk's desk, rather than to recognize gentlemen to offer pro forma amendments, because of the shortness of time. If a sufficient number of pro forma amendments are offered, it will give little or no time to those who have actual amendments on the Clerk's desk. The Chair now recognizes the gentleman from Tennessee, and will recognize the gentleman from California following that, due to the fact that the gentleman from California has a substitute amendment he intends to offer which, in view of the motion of the gentleman from West Virginia to limit debate, he would otherwise probably have no opportunity to explain. Following that, the Chair will endeavor to give

priority in recognition to Members who have amendments at the Clerk's desk.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BRADLEY of Pennsylvania. Will the Chair state how many amendments are at the Clerk's desk?

The CHAIRMAN. At the present time, according to the record which the Chair has, there are 12 amendments to the Case bill and some additional amendments to the Adams substitute to the Case bill. In order to complete the program within the time limit set by the Committee of the Whole, it will be necessary to follow the procedure suggested by the Chair.

Mr. JENNINGS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Maine.

What I shall say I shall say with due regard and with the utmost respect for the gentlemen who would differ with me in the discussion of this amendment. If I were actuated and controlled in what I do here by the conditions that exist in my district, it would be immaterial to me and to them whether or not this provision, section 11, were in the bill for two reasons. In the first place, as a rule, we have no mass picketing; we have no violence down there. Just to give an illustration, thousands of employees of the Aluminum Co. of America are now on strike, but in order that that plant may go forward with its operations when the strike is over, the striking employees who are working in the potrooms are on the job. Under the law of my State, an adequate injunction or efficient legal process that is necessary to stop violence in industrial disputes is available to the people who are interested, both employees and employers. The Congress, when it passed the Norris-LaGuardia Act, thought it had made provision in that act for adequate injunctive provision against violence in industrial disputes. But that provision has been whittled away by the Supreme Court of the United States in the case of United States against Hutcheson, where the Court held that even though the Norris-LaGuardia Act in express terms provides that an injunction may be had against fraud and violence, if a labor union in pursuit of a lawful objective by strike resorted to force and fraud, that was legal and could not be enjoined in view of the terms of the Norris-LaGuardia Act. Now, what have we here? That law was passed to meet a situation which existed at that time. There had been abuses of injunctive processes. But now when labor has become all-powerful some of the members, to the hurt of the others and to the hurt of the entire country, have taken the law into their own hands. Do you or do you not believe in stopping violence in industrial disputes? Do you believe that anybody in any dispute, industrial or otherwise, has the right to commit violence and knock a man in the head to keep him out of his own property or knock a man in the head to keep him from performing labor by which he supports his wife and children? If you believe in it, then vote for the amendment offered by the gentleman from Maine. I know that my good friend, the gentleman from Michigan [Mr. HOFFMAN], one of the ablest lawyers in this House and one of the finest men in the House—I like him—is disturbed and angry today. I try to be calm and not get angry with anybody. I am not excited and I am not angry.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. No, because I am paying you a high compliment.

Mr. HOFFMAN. The gentleman says that I am mad. I am just sorry for myself.

Mr. JENNINGS. I decline to yield, Mr. Chairman. The gentleman is unduly exercised over the literary allusion made here yesterday by the gentleman from Virginia. Brutus was a great statesman and a great patriot. In participating in the death of Caesar he thought he was rendering his country a service. I do not think he stabbed Caesar in the back; I think he stabbed him in front if he stabbed him at all. My friends, if you do not just want to march up the hill and then down again, and if you do not want to do what the Committee on Labor did—bring a still-born infant here and try to put it under an oxygen tent of lip service—why, then, beat this Hale amendment.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield.

Mr. VORYS of Ohio. Is it not the situation that section 11 is merely to repeal judicial legislation written by Justice Frankfurter and that if we pass the Hale amendment we will then concede to the sort of legislation that Frankfurter writes instead of that which the Congress writes?

Mr. JENNINGS. That is exactly what we would be doing. By section 11 of the Case bill we effectively made plain the purpose of the Congress when it passed the Norris-LaGuardia Act. It was never the intention of the Congress of the United States to legislate in favor of violence, and to make it legal.

I propose to keep faith with my self-respect. If it means my political life, what is my political life or tenure of office in any office as compared with the life of this country of mine?

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. JENNINGS] has expired.

Mr. VORYS of Ohio. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. VORYS of Ohio. Would it not be possible, in order to avoid endless confusion, to vote on these amendments as we go along, rather than try to carry them in our mind until the conclusion of the debate?

The CHAIRMAN. The Chair will try to handle that matter in as expeditious manner as possible.

The question is on the amendment offered by the gentleman from Maine [Mr. HALE].

The question was taken; and on a division (demanded by Mr. HALE) there were—ayes 36, noes 76.

So the amendment was rejected.

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have 5 minutes in which to speak upon a bill of great importance. Mr. Chairman, I am going to offer a substitute for the Case bill, as soon as I am in order to do so, which will be after the substitute, offered by the gentleman from New Hampshire [Mr. ADAMS], has been acted upon. I had hoped to have an opportunity to perfect the Adams substitute. I shall not have that opportunity, but I want the House to know that was my attitude, rather than to try to get my own substitute necessarily as the only alternative.

My substitute will be a bill which is clean cut, which I believe even in 5 minutes I can explain clearly to the House. It is directed at one end, and one end only, and that is the orderly settlement of labor disputes without governmental compulsion but with maximum opportunity to avoid strikes. Here it is, as it will be offered, and anybody who wants to see it can get a copy of it right here.

By the time the Case bill is voted on no one will have the slightest idea what it means. I doubt anyone knows now. I voted in favor of the Hobbs anti-racketeering bill, and I voted for it twice, because it was a single, clear proposition, and I knew what I was doing. I say that to the House only in order that I may make clear my position, that I am not afraid to vote for a piece of legislation where it is necessary to correct an abuse, but I do not believe you can do it in a big basket where a lot of things have been thrown together helter-skelter as is the case with the Case bill.

My bill is a measure that can be passed by both the House and the Senate and signed by the President. It offers therefore the chance that Congress can actually do something in the present situation, which every man in this House knows cannot be done if extreme legislation is passed by the House. For such legislation never will become law.

Most of my bill is adapted from the Railway Labor Act. The conciliation and mediation provisions of the bill are taken substantially from the McMahon bill which has been before the Senate Committee for a long time and has met with general approval.

Generally speaking, my bill sets up five constructive measures for the settlement of labor disputes. In the first place, it places upon employers and employees a positive moral duty to use peaceful methods of settlement and to negotiate directly before anything else is done.

Secondly, it sets up an effective coordinated administration of conciliation and mediation in the Department of Labor to handle by conciliation and mediation such disputes as cannot be settled by direct negotiation.

Thirdly, it provides for voluntary arbitration and sets up completely in the bill all the necessary machinery for a United States Board of Arbitration which will have sufficient dignity and permanence that there will be every reason for disputants voluntarily to avail themselves of the services of the Board.

In the fourth place, it provides that if voluntary arbitration is refused, if

mediation and conciliation fail, that there shall be appointed boards to determine the facts and report to the American people what the facts are in any controversy. It provides that any information available to the Bureau of Labor Statistics shall be available to such boards. It does not place any subpena power in the hands of this board, although personally I think it would be all right to include it; but it does not have it.

In the fifth place, it provides that during the time of peaceful settlement when these negotiations are taking place there shall be no change in the status quo, which means, in effect, the same as in the Railway Labor Act, that as to both employer and worker during the attempt to settle the dispute peacefully no change shall take place, which means there is nothing to be gained by a work stoppage during such a period. This is the best, most workable so-called "cooling off" provision that has ever been devised.

Now, as to legal disputes, disputes arising out of grievances, applications of contracts, or alleged breach of contracts, such disputes belong in a different special category. They have to do with rights of the parties already defined in law or contract. There is no reason there cannot be settlement of such disputes by an essentially judicial process. That is what must be done. It is what my bill does. Such disputes are brought before adjustment panels appointed by the United States Board of Arbitration, and these adjustment panels will make a final determination and award which is enforceable in the courts of the United States as to all such legal disputes.

Here is the way to get mutuality of responsibility for carrying out contracts. Mr. Chairman, there is the only way in which we can really arrive at that goal. I have a Supreme Court decision here, which I have not time to read, which proves that, contrary to a lot that has been said here, today labor unions can be sued in the courts of law. It happens every week. The trouble has been to determine fairly and definitely whether or not a contract has in fact been violated by whom and under what provocation, if any. Under my bill, we would have the machinery to determine that fact first and thereafter there could follow court enforcement of the findings of the adjustment panel.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. SCRIVNER. Mr. Chairman, I offer an amendment.

The Clerk read, as follows:

Amendment offered by Mr. SCRIVNER:

On page 10 of the Case amendment, line 12, after the word "chairman", insert "during such 30-day period of jurisdiction."

Line 20, after the word "power", insert a comma and the words "during but not beyond the Board's 30-day period of jurisdiction."

Lines 20 and 21, strike out the words "as it deems just and proper."

Mr. SCRIVNER. Mr. Chairman, this is an amendment to which all should be able to agree. We know too well that too many of the boards, bureaus, and agencies and some of the courts do not pay heed to the spirit, letter, intent, and purpose of laws passed by Congress.

This provision relates to section 8, the status quo section, which provides for the 30-day cooling-off period which is analogous to counting 10 when we are angry before we do or say anything.

Subsection (b) provides this period of 30 days.

Subsection (c) to which this amendment is offered limits the time within which the district courts are empowered to act to that cooling-off period of 30 days while the matter is before the board.

There was doubt in my mind and I believe there is doubt in the minds of many of us as to the period of the court's jurisdiction. Whether we are for or against a bill, there should be as little ambiguity as possible in it. It is our duty to clarify doubtful language. This amendment will clearly say to the courts that they have the power to receive petitions, enforce these orders only during the 30-day period of cooling off, and that they shall have the power to make these orders only during this period and not beyond, and that the orders which they make shall grant temporary relief, and enforce the orders of the chairman of the board.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Indiana.

Mr. HALLECK. It is my understanding that the jurisdiction properly would be limited to the 30-day period, and, as far as I can see, there is no objection to the definite inclusion of those words. I wonder what the gentleman has in mind by striking out the words "as it deems just and proper."

Mr. SCRIVNER. Just to be sure that the courts know that the jurisdiction which it would have would be to make those orders purely for the purpose of enforcing the orders of the chairman of the board so that there would be no possibility of the court going beyond the concept of Congress.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I may say I have read the amendment carefully and I personally see no objection to it. I believe it is helpful.

Mr. SCRIVNER. I thank the gentleman. The amendment will eliminate any possible attempt to drag out any Board orders or court decrees beyond that 30-day period.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. SCRIVNER].

The question was taken; and on a division (demanded by Mr. SCRIVNER) there were—ayes 42, noes 28.

So the amendment was agreed to.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN as an amendment to the Case amendment: On page 14, after line 8, insert a new section 12 (a) reading as follows:

"SEC. a. That it shall be unlawful for employees of any person who is engaged in business as a carrier of property for hire, to attempt, by means of a concerted refusal to transport the property of, or to transport property to, another person—

"(1) to induce or require such other person to recognize, deal with, comply with the demands of, or employ members of, any labor organization; or

"(2) to induce or require employees of such other person to become or remain members of any labor organization; in any case in which the property to be transported is to be transported in interstate or foreign commerce, or in which such concerted refusal directly affects interstate or foreign commerce.

"SEC. 2. It shall be unlawful, by means of a strike against any person, or by means of a concerted refusal to work on, handle, or otherwise deal with articles or materials belonging to any person, to induce or require, or to attempt to induce or require, another person to recognize, deal with, comply with the demands of, or employ members of, any labor organization, in any case in which such strike or concerted refusal directly affects interstate or foreign commerce.

"SEC. 3. It shall be unlawful for any labor organization, or for any officer of any labor organization, to induce or require, or to attempt to induce or require, any of the members of such organization to perform any act which constitutes a violation of section 1 or 2.

"SEC. 4. Whoever violates any of the provisions of section 1, 2, or 3—

"(1) shall on and after such violation cease to have, and cease to be entitled to, the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act, or the status of a representative for the purposes of such act.

"(2) in case such violation is by a labor organization, such organization shall thereof cease to have and cease to be entitled to a status of a representative or labor organization under the National Labor Relations Act, for a period of not less than 90 days, nor more than 6 months.

"SEC. 5. None of the provisions of this Act are applicable to any employee who is within the purview of the Railway Labor Act."

Mr. HOFFMAN. Mr. Chairman, that amendment was designed to stop the interference of the delivery of groceries by the teamsters union. I do not care to argue it. I just want a vote on it, that is all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: Page 15, line 14, strike out the words "and labor dispute" and insert after the word "act", on line 16, page 15, the following: "The term 'labor dispute' as used in this act shall be construed to mean a dispute between an employee and an employer when and only when the employee is the employee of the employee with whom he has a dispute."

Mr. HOFFMAN. Mr. Chairman, I will be very brief about this amendment, and I think it is a meritorious one. The provision in the Case bill states that the term "labor dispute" shall be defined as the term "labor dispute" defined in the National Labor Relations Act. Under the National Labor Relations Act as construed by the Supreme Court of the United States there may be a labor dispute even though there is no relationship

of employer and employee between the parties.

In the case of *New Negro Alliance* v. *Grocery Co.* (303 U. S., 552, 564), decided March 28, 1938, the Supreme Court of the United States held that, even though the relationship of employer and employee did not exist, where a group of Negroes insisted that certain stores, as new employees were taken on, employ Negroes instead of whites, a labor dispute within the meaning of the Norris-LaGuardia Act existed.

In the same case, it was further held that picketing to compel the stores to employ Negroes could not be enjoined unless such picketing was shown to create a substantial and irreparable loss and that the public authorities were either unable or unwilling to furnish adequate protection.

That is to say, if the gentleman here on my right is my employer and I am his employee, if a third man comes along and says to my employer "You hire Mr. Jones, you discharge Mr. HOFFMAN," my employer has a labor dispute on his hands, mark you, with this third fellow. I say that the words "labor dispute" issue should be confined to a situation where there is an employer-and-employee relationship between the two people.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Kentucky.

Mr. MAY. I wanted to ask the gentleman two questions, and I think he would like to answer them. The first is, What effect would his amendment have on one of these, what we call, wildcat strikes, where one man, who is a member of a particular union, is starting a strike in his own union against the other union?

Mr. HOFFMAN. It would cut out, to a large degree, secondary and jurisdictional strikes and boycotts. You cannot have a labor dispute, if this amendment is adopted, between individuals or groups unless those people stand in the relationship of employer and employee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The question was taken; and the Chair being in doubt, the Committee divided; and there were—ayes 25, noes 30.

So the amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: After line 8 on page 15, insert a new section to be known as section 13 (a), which reads as follows:

"That when used in this section—

"(1) The term 'public utility' includes only a public utility which is engaged in commerce or whose operations are such that a slowdown or stoppage thereof would burden or obstruct commerce or the free flow of commerce.

"(2) The terms 'employee,' 'representatives,' 'labor organization,' and 'commerce,' shall have the meaning assigned to them in section 2 of the National Labor Relations Act.

"(3) The term 'strike' includes any concerted action which results in a slow-down or stoppage of work.

"SEC. 2. After the date of the enactment of this act, no public utility shall enter into any contract with any labor organization concerning the wages, hours, or other terms or condition of employment of any of the employees of such public utility, unless such contract provides that such employees will not engage in any strike until after the expiration of 60 days from the date on which they or their representatives give to such public utility written notice of their intention to strike together with a statement of their reasons for such intended strike.

"SEC. 3. If any employees of a public utility engage in any strike which continues for more than 24 hours, in violation of a provision required by section 2 of this act to be included in the contract with respect to such employees, whether or not such provision is included in the contract, or in violation of a provision in a contract with respect to such employees, entered into before, on, or after the date of the enactment of this act, which prohibits a strike or requires the giving of notice before engaging in a strike, then, from the time of the beginning of such strike until the expiration of 12 months after the termination of such strike—

"(1) the employees who engage in such strike shall not be entitled to any rights, privileges, or benefits under the National Labor Relations Act, with respect to their employment by such public utility;

"(2) the labor organization with which such contract was entered into by such public utility shall not be recognized as a labor organization, or as a representative of employees, under the National Labor Relations Act insofar as any matter relating to the employees of such public utility is concerned; and

"(3) the National Labor Relations Board shall not require such public utility to bargain with such labor organization as the representative of any of the employees of such public utility.

"SEC. 4. If such strike continues for more than 24 hours, the employees engaged in such strike shall cease to be considered employees of the public utility."

Mr. HOFFMAN. Mr. Chairman, I realize the futility of attempting to make amendments to the Case bill. Evidently those in authority, those in power, have decided that the Case bill is the beginning and the end of all legislation having to do with the settlement of labor disputes or strikes, and all amendments good or bad will share the same fate. The time for debate has been limited to 5 o'clock tonight, after which debate will be shut off and a vote is expected, though on the Clerk's desk are many amendments offered in good faith. Several substitutes are ready but the gentlemen in charge of this bill, the gentleman from Indiana [Mr. HALLECK] and the gentleman from South Dakota [Mr. CASE], have decided they do not want to even hear them.

The amendment I just offered, which was defeated, would have gone a long way, in my judgment, in aiding in the settlement of our labor disputes. Now the news comes that in New York either late today or tomorrow there is to be a universal or a general strike for 2 hours.

Mr. MAY. Of what organization?

Mr. HOFFMAN. I do not know what organization. Two pickets were shot and killed today, several wounded. After delaying, refusing to act for 5 years, those proposing this legislation have been prodded into action—and action good or bad is what they intend to have, even though they know the Senate will act when, and only when, it gets good and ready.

One thing we do know—that people want an end to these widespread strikes which are creating a shortage of necessities. One thing we know—many of the men who are out on strike want to go back to work

Another thing we all know is that the public interest is paramount, that it supersedes and is greater than the interest of either management or labor-union organizers or union politicians.

We do not know whether this proposed legislation will aid in preventing or in minimizing the number of labor disputes, the number of strikes or the extent of those strikes.

H. R. 5262 was never submitted to a legislative committee. Certainly none of the Republican members of the House Labor Committee were ever consulted as to its terms. Apparently the Republican steering committee, which presumes to speak the policy of the Members in Congress, went underground, drafted this bill, then set its propaganda machinery to work, broadcasting to the effect that the Case bill was perfect; that it must not be amended; that it was the only thing which would even aid in solving labor disputes, minimizing strikes. The doctrine was even spread that if anyone opposed it, he was fighting private industry, his own constituents.

In short, the proponents of this legislation for the moment assumed a characteristic New Deal attitude and damned all who did not swallow their patent remedy without any attempt to amend it.

That they had moments of aberration is evident by even a casual reading of the bill. Congress has no authority to legislate on many of the matters set forth in this measure, except as the doing or the failing to do of the things condemned or directed, obstruct or interfere with interstate or foreign commerce. Yet you can read the bill as written from the number to the final period and you will not find in it one single word upon which jurisdiction to pass the proposed legislation can be based.

So at the outset, in spite of their evident distaste, in order to give any vitality to the bill, they did most ungraciously take an amendment—when the vote showed they must—containing a provision which would permit H. R. 5262 to be born.

No one doubts for a moment but that public resentment finally goaded them into action. No one questions their sincerity, but their inconsistency is apparent when you read section 11.

They profess most earnestly that the bill, in order to be of real value, must contain this language:

The district courts of the United States shall have jurisdiction, notwithstanding the act of March 23, 1932 * * * (the Norris-LaGuardia Act), to enjoin violations and threatened violations of any of the provisions of this section, and by appropriate order or decree to compel compliance with such provisions.

By that language, they would confer jurisdiction upon the courts to issue injunctions, notwithstanding the provisions of the Norris-LaGuardia Act. But they overlooked or deliberately ignored the fact that, after giving the district courts jurisdiction to issue injunctions,

to enjoin violations and threatened violations of the act, they made no provisions whatever as to the conditions, facts, or circumstances which must be shown before an injunction might be issued.

They overlooked the fact that, while, by the language quoted, they gave the courts jurisdiction and so in effect repealed the first sentence of section 107 of title 29, U. S. C., which stated that, "No court of the United States shall have jurisdiction to issue a temporary or permanent injunction in any case involving or growing out of a labor dispute," that language did not in any way affect subsections (a), (b), (c), (d), and (e) of the Norris-LaGuardia Act.

As good a lawyer and judge as the gentleman from Tennessee, Judge JENNINGS, just simply forgot that, after a Federal court, taking jurisdiction under the language of Section 11, approached the question of whether an injunction should or should not be issued, that court would be bound by those five subsections.

It is section (e) of the Norris-LaGuardia Act that renders it almost impossible, from a practical standpoint, to obtain an injunction where there is violence on the picket line.

All too often, the picket line is composed of members of the picketers' union—a union furnishing pickets for hire; a union which has no interest in the labor dispute or the strike, except as its members are paid for picketing.

If the authors of this bill or its proponents really intended by this language to give the district courts of the United States jurisdiction to issue injunctions where there was violence or force, or threat of the same, why did they overlook section 52 of title 29, which will be found just one page in front of the Norris-LaGuardia Act, as printed in the United States Code?

What sense is there in asking for the repeal of that section of the Norris-LaGuardia Act just referred to, but making no effort to repeal section 52 of title 29? That section reads as follows:

SEC. 52. Statutory restriction of injunctive relief

No restraining order or injunction shall be granted by any court of the United States, or a judge or the judges thereof, in any case between an employer and employees, or between employers and employees, or between employees, or between persons employed and persons seeking employment, involving, or growing out of a dispute concerning terms or conditions of employment, unless necessary to prevent irreparable injury to property, or to a property right, of the party making the application, for which injury there is no adequate remedy at law, and such property or property right must be described with particularly in the application which must be in writing and sworn to by the applicant or by his agent or attorney.

And no such restraining order or injunction shall prohibit any person or persons, whether singly or in concert, from terminating any relation of employment, or from ceasing to perform any work or labor, or from recommending, advising, or persuading others by peaceful means so to do; or from attending at any place where any such person or persons may lawfully be, for the purpose of peacefully obtaining or communicating information, or from peacefully persuading any person to work or to abstain from working; or from ceasing to patronize or to employ any party to such dispute, or from recommending, advising, or persuading others by peaceful and lawful means so to do; or from paying or giving to, or withholding from, any person engaged in such dispute, any strike benefits or other moneys or things of value; or from peaceably assembling in a lawful manner, and for lawful purposes; or from doing any act or thing which might lawfully be done in the absence of such dispute by any party thereto; nor shall any of the acts specified in this paragraph be considered or held to be violations of any law of the United States. (Oct. 15, 1914, ch. 323, 20, 38 Stat. 738.)

For myself, I can see little—in fact, no—sense in slapping in the face my colleagues who want to go along with this legislation but who honestly believe that all of the ills sought to be cured by it can be better reached by amendments to the national labor relations law; by penalties which deprive those violating this bill of all of their rights under the National Labor Relations Act.

I can think of no more effective penalty. If there is anything dear to the heart of the labor organizer or official who wants to engineer a strike, keep his union strong, it is the special privileges and benefits given to labor organizations by the National Labor Relations Act.

They fear a deprivation of their privileges under that act far more than any injunction or any penalty by way of fine or imprisonment.

The vigor and the persistence with which the proponents of this legislation object to the striking out in section 11 of the provision giving the Federal courts jurisdiction to issue injunctions and their failure to even refer to section 52 of title 29, United States Code, makes me wonder whether they were asleep or just fooling.

This amendment now offered has just one purpose, to minimize the effect of labor disputes which affect the public interest when a strike is called. Briefly, the amendment would require a corporation furnishing to the public necessities such as light, heat, water, transportation, and communications, to enter into a collective-bargaining contract with the employees' union or with its employees who make possible continued service, which would contain a provision that if the employees want to strike they must give 60 days' notice of their intention. Is there anything wrong about requiring those who are working for the light company or the water company or the power company or the communications or transportation company which furnishes you with power, with light, with water, with phone service, with transportation, to give 60 days' notice if they intend to quit?

Is there anything unreasonable about insisting that when they make a collective-bargaining contract, there be included a clause protecting the public against an arbitrary shutting off of a necessity upon the continuation of which the public health depends? Is it unreasonable to ask the employees to say "We are giving you 60 days' notice that we are going to quit and shut off your lights and power and water." Is there anything wrong about that? Then, the other provision is not a prohibition against strikes—no—if the employees want to strike, if they get mad, if they say, "I am not going to work for that dirty, greedy, grasping corporation another minute," I say, "All right, go ahead, strike and go home." But, you get all night to think it over, and if at the end of 24 hours your wife has not convinced you that you ought to have a pay check and that you ought to go down to that plant and start those motors going so that you can turn on the switch and get some light or turn on the faucet and get some water to wash the baby or get a drink or do a little cooking, if she has not convinced you about that, and if you have not been satisfied, and have not reached the conclusion that your employer was not as bad as you thought he was, then you are out of a job. But if you have, then you can go back to work if you want to. But if you do not, then the public service corporation which wants to give the people these services can hire somebody else who does want to work. Is there anything wrong about that? If you want legislation to end strikes which injure the public health and welfare, let us legislate to that end, not in favor of the employer, of industry, of management—not in favor of the employees and of union men and of unions—let us once, let us once, please, legislate in favor of the general public.

Mr. Chairman, I urge the adoption of my amendment.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CASE of South Dakota. Mr. Chairman, I rise in opposition to the amendment.

I have read this amendment carefully. I am in sympathy with protecting the public. That is what the bill seeks to do, but in defining transportation as a public utility the pending amendment would supersede and override the National Railway Labor Act in many respects. The House does not want to do that and should reject the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

Mr. RICHARDS. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. RICHARDS: Page 12, line 21, strike out the word "notwithstanding" and insert the words "in accordance with."

Mr. SMITH of Virginia. Mr. Chairman, I make a point of order against the amendment, but will reserve the point of order.

The CHAIRMAN. The gentleman from Virginia [Mr. SMITH] reserves a point of order against the amendment offered by the gentleman from South Carolina [Mr. RICHARDS].

Mr. RICHARDS. Mr. Chairman, this is a very simple amendment. It can be understood in a half minute, if you will refer to page 12 of the Case bill, on line 21. The amendment proposes to strike out one word "notwithstanding" and insert in lieu thereof three words "in accordance with," which means in simple

words that it is understood that the provisions of this bill do not supersede any part of the LaGuardia Act.

Mr. Chairman, the gentleman from New York [Mr. MARCANTONIO] who is an extremist on one side of this question, should certainly vote for this amendment, as it makes certain in plain language that the Norris-LaGuardia Act is not being tampered with. That is, unless, as some say, he does not want the bill improved in any respect in order to better justify his final vote against it.

I believe, on the other hand, the gentleman from Virginia, Judge SMITH, who is rather extreme on the other side, should be for this amendment. During the entire course of this debate I do not know of any Member who has said here that he wants to repeal any provision of the Norris-LaGuardia Act. If that is the understanding, why not accept my amendment which will make the avowed position of the House plain as day. If any Member of the House wants to nullify that act, to emasculate that act, sometime during this debate he should have gotten up here and said so. So far as I am concerned, I hesitate to believe it is intended by this bill to modify the Act of 1932 but I must take cognizance of the fact that the argument has been made on this floor that, under its terms, somewhere in the United States, somewhere, in California or New York, someone with a sinister purpose can go to a judge prejudiced against labor and ask and obtain an injunction on trivial grounds not allowed under the terms of the Norris-LaGuardia Act.

It is agreed by all that injunctions may be obtained under the Norris-LaGuardia Act in cases of fraud, violence, or force. There is no question about that. If you will accept my amendment, you can still get those injunctions, but you make it plain that you can get them on no other grounds than those stated in the Norris-LaGuardia Act, that is on grounds of fraud and violence.

As far as I am concerned, I do not want to emasculate the Norris-LaGuardia Act in any way. Certainly Republicans here should not want to tamper with the 1932 act because they were in power then. Democrats here should also remember that the bill received an overwhelming vote on the Democratic side of this House in 1932.

There is no doubt in my mind that we need additional legislation to help settle labor-management differences in this country, to expedite postwar reconversion and to help our people obtain from industry the necessaries of life which they have been denied during the war years and now so sorely need. A war-weary America cries for peace and understanding on the labor-industry front.

No doubt there are some labor leaders in this country who thrive on industrial strife and who want to see no fair progress made through collective bargaining or otherwise. There are some people in this country, and possibly on the floor of this House, who want to see our democratic processes for collective bargaining and the settlement of labor disputes break down in order that a socialistic state may take over here. There are reactionaries, no doubt, who want nothing done in the hope that the people generally will become so disgusted that they will be willing to go back to the horse and buggy days of labor-management relations. God forbid that that day may ever come. I believe that 99 percent of the laboring people in this country and the great majority of the unions join with me in the prayer that the rights of both private industry and labor be preserved under our free enterprise system. We should not forget for one minute that the masses of American laboring people, union and nonunion, want to do the fair thing and are willing to do the fair thing to those on the other side of the fence in this labor-management problem. Do not forget that a vast majority of those who toil with their hands believe in this country and its institutions just as we do.

As to management in this country, the vast majority wants to be fair to labor and its legitimate aspirations. I believe there is no more than 5 percent of our industrialists who seek opportunity out of this national unrest of dissatisfaction to put labor in its so-called place, the place that it occupied 50 years ago, when it had practically no recognized rights and when its voice could not be heard above a whisper in the public debates of this forum or across the desk of industrial management. Those who take that position will only reap the whirlwind.

We should keep our feet on the ground today, as we never kept them there before. We are met here in an attempt to pass legislation which will help to settle strikes now in existence and to bring to an end the necessity for strikes in the future. If we are going to approach this problem sensibly, we are going to admit to start with that there is no law under our Constitution that this assembly can pass which can legally prohibit the right to strike. I do not believe any sane Member here will dispute this assertion.

We should not approach this problem in a spirit of hysteria, now so prevalent throughout the Nation. Our objective here should be to approach the question in a cool, collected, fair attitude and to attempt to evolve from the various bills before us legislation and machinery bolstering the principle of collective bargaining between management and labor and seeking to enforce, equally against both parties thereto, valid contracts entered into by and between management and labor, through the decision of an impartial board backed up by the courts of the land, just as the performance of contracts is now enforced between business enterprises in this country and between individuals throughout the land. When the day ever comes when contracts between nations, businesses, organized segments of our people, or individuals come to an end, along with it will end organized government, as we know it. No labor union in the land, nor any business in the land, should be for 1 minute allowed to repudiate and break a contract entered into in good faith.

Under the parliamentary situation confronting us, we have up for consideration the Case bill, the committee bill, President Truman's bill, the Adams proposal, the Voorhis proposal, the Brooks proposal, and will have up various and sundry amendments, some of them in effect separate bills themselves. Out of it all we should be able to evolve in a week's debate legislation both desirable and helpful.

It will serve no useful nor patriotic purpose to salve our consciences here today by passing just another bill and then announcing to the American public that we have done our part, washing our hands of the whole affair and send to the other body legislation which we know beforehand will have no chance of passage there.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. SMITH of Virginia. Mr. Chairman, I desire to make a point of order against the amendment, on the ground that this subject was debated yesterday and voted down. We debated it again within the last half hour and voted it down. It is in different words, but exactly the same thing that has been voted down twice, that is, the question of whether you want to have violence or not.

The CHAIRMAN. Will the gentleman from Virginia state what the words were? If they are similar words they are not subject to a point of order.

Mr. SMITH of Virginia. They are not the same words. but it was substantially the same idea.

The CHAIRMAN. Due to the fact that the words are not the same words, the Chair overrules the point of order.

The question is on the amendment offered by the gentleman from South Carolina [Mr. RICHARDS].

The amendment was rejected.

Mr. ELLIOTT. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read, as follows:

Amendment offered by Mr. ELLIOTT: On page 15, line 16, after the words "National Labor Relations Act", insert:

"The term 'agricultural laborer' as used in section 2 (3) of the National Labor Relations Act means any person employed in performing agricultural labor as that term is defined in section 1426 (h) of the Internal Revenue Code, as amended."

Mr. ELLIOTT. Mr. Chairman, all this amendment does is to define the term "agricultural labor" as set forth in section 1426 (h):

SEC. 1426 (h). Agricultural labor: The term "agricultural labor" includes all services performed—

(1) On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and fur-bearing animals and wildlife.

(2) In the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane, if the major part of such service is performed on a farm.

(3) In connection with the production or harvesting of maple sirup or maple sugar or any commodity defined as an agricultural commodity in section 15 (g) of the Agricultural Marketing Act, as amended, or in connection with the raising or harvesting of mushrooms, or in connection with the hatch-

ing of poultry, or in connection with the ginning of cotton, or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways used exclusively for supplying and storing water for farming purposes.

(4) In handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; but only if such service is performed as an incident to ordinary farming operations or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market. The provisions of this paragraph shall not be deemed to be applicable with respect to service performed in co nection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption.

As used in this subsection, the term "farm" includes stock, dairy, poultry, fruit, fur-bearing animal, and truck farms, plantations, ranches, nurseries, ranges, greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities and orchards.

This is not a new proposition to the House for in one of the 1945 appropriation bills we included this definition.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. MAY. Does this bring agricultural workers or fruit growers engaged as was discussed here yesterday on the floor within the purview of the act?

Mr. ELLIOTT. That is right.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was agreed to.

Mr. FOLGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FOLGER to the Case amendment:

On page 12, line 16, strike out the word "threats" and insert the words "or attempted use thereof."

Line 24, page 12, strike out the word "threatened" and insert the word "attempted."

On page 13, after the word "provisions" in line 2, strike out the remainder of section 11 (a) and strike out subsection (b) on page 13.

Mr. FOLGER. Mr. Chairman, this is a part of section 11, and this amendment relates to largely and substantially the same conception. I do not know what you would do about the word "threats." I do not think you could legislate as harshly as is done in this bill against a simple threat that might be made but not followed up by an attempt to do some act of violence or employ force. It rather smacks of a disposition to harshness when it is connected with the penalties that are applied under the same section of the bill.

An effort was made to limit injunction to that injunction that may be deemed to be allowed under the Norris-LaGuardia Act, but that was voted down by the committee. So the bill remains that if any employee or former employee shall undertake by force or violence or attempt—or if you leave the language of this section as it now reads—even threaten without following it up by any attempt at violence, then he shall suffer the penalties or he shall be subject to be enjoined or restrained by the United States district court.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. FOLGER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I am afraid the gentleman goes even beyond the phraseology of the Norris-LaGuardia Act. The Norris-LaGuardia Act uses the word "threatened" in section 7.

Mr. FOLGER. That is largely a legal conception. I cannot yield further because I have not the time.

On page 13 is to be found the penalty:

Any individual who violates any of the provisions of this section shall on and after such violation cease to have, and cease to be entitled to, the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act, or the status of a representative for the purposes of such act.

Mr. Chairman, that is a lifetime sentence that continues on after the time any person shall have been found to have been guilty of a threat or an attempt at force or violence in connection with that condemned by this bill; from that time forward he can never have the benefit of any of these sections. I have been wondering if we understand what these sections mean and what they have reference to. Section 7 is a provision that employees shall have the right of self-organization. After that, at no time, can that man ever again take any part in self-organization or become a member of any union in the country. It is not confined to that employer but ever after that time that privilege is denied him.

Then we go to section 8 which is rather long, but a part of that is to discharge or otherwise discriminate against an employee. The man who has been found guilty, and an injunction found justified against his conduct for threat, or intimidation or violence or attempted violence, can be discriminated against all anybody pleases the balance of his life under the provisions of this part of section 11 of the bill.

Of course, when I come to consider the matter, I remember the very sensible observation made by the gentleman from Illinois who pleaded with the House to undertake to adopt a bill in this House that would have the possibility of approval by the President and by the Senate, and that this might be taken care of there; but we are legislating here.

Section 15: Employees shall have the right of self-organization to form a union, and so forth:

158. Unfair labor practices by employer defined.

It shall be an unfair labor practice for an employer—

(1) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 157 of this title.

(2) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it: *Provided*, That subject to rules and regulations made and published by the Board pursuant to section 156 of this title, an employer shall not be prohibited from permitting employees to confer with him during working hours without loss of time or pay.

(3) By discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: *Provided*, That nothing in sections 151–166 of this title, or in any other statute of the United States, shall preclude an employer from making an agreement with a labor organization (not established, maintained, or assisted by any action defined in sections 151–166 of this title as an unfair labor practice) to require as a condition of employment membership therein, if such labor organization is the representative of the employees as provided in section 159 (a) of this title, in the appropriate collective-bargaining unit covered by such agreement when made.

(4) To discharge or otherwise discriminate against an employee because he has filed charges or given testimony under sections 151–166 of this title.

(5) To refuse to bargain collectively with the representatives of his employees, subject to the provisions of section 159 (a) of this title. (July 5, 1935, ch. 372, sec. 8, 49 Stat. 452.)

158a. Providing facilities for operations of Federal credit unions:

Provision by an employer of facilities for the operations of a Federal credit union on the premises of such employer shall not be deemed to be intimidation coercion, interference, restraint, or discrimination within the provisions of sections 157 and 158 of this title, or acts amendatory thereof.

By the individual who may have been found to have done or to have threatened to do any of the things condemned in section 11 of the bill, none of the rights or protections in sections 7, 8, and 9 of the national labor relations law can be claimed. Never, so long as he lives. That seems to me harsh and unreasonable. The House on yesterday, in amending section 13 of the bill, limited the punishment for boycotts and jurisdictional strikes and other acts to loss of rights under sections 7, 8, and 9 to a period of not less than 90 days nor more than 6 months.

Mr. Chairman, I just think the penalty imposed is too severe, and I hope this amendment may be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. FOLGER].

The amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: Amend section 11, by inserting after line 17, on page 13, the following:

"(c) In addition to any other penalty imposed by this section, every person or organization violating the terms hereof shall be liable to every employee or person deprived of employment by violation of section 1 for double the amount of damage suffered by such employee or other person, which said damages shall be not less than the sum of $50, together with the costs of such suit, including an attorney fee of $25, which said damages shall be recoverable in any Federal court sitting in the State where such violation may occur, and jurisdiction of such actions and of the persons and organizations involved therein is hereby conferred upon such courts."

Mr. WOLVERTON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from New Jersey.

Mr. WOLVERTON of New Jersey. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD in opposition to the Case bill and in support of the so-called Voorhis bill.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WOLVERTON of New Jersey. Mr. Chairman, the strike situation that exists today constitutes the most serious handicap that confronts the Nation in its effort toward postwar reconversion. Its proper solution requires deliberation of the highest order that this Congress is capable of giving. Hasty and ill-considered legislation will do more harm than good. Failure to recognize fundamental rights will promote rather than settle strife. There must be a willingness to seek the underlying causes of the existing unrest before attempting to apply a remedy. Without this knowledge the proposed cure, no matter how good intentioned, can easily prove a failure, or, even worse, create a condition far more unsatisfactory than that which now exists.

The solution of the problem is far more difficult than some who demand immediate legislation seem to realize. Nothing can more surely evidence the difficulty of finding an adequate solution than the failure of the labor-management conference recently held in Washington to make any new recommendations.

The labor-management conference called by the President consisted of the best minds the President could find to represent business, labor, and the public. They conferred for several weeks. A good spirit prevailed. A genuine and sincere effort was made to find basic principles upon which all could agree. The final result was an acceptance of the principle of collective bargaining. Thus the conference ended with no definite proposal other than a recognition of a principle that was already in common use.

In view of this it is plain that if some new remedy is to be found it can only come from careful and deliberate study and consideration. That kind of study and consideration has not been given to the legislation brought before the House by the action of the Rules Committee. The so-called Case bill had not even been printed at the time it was offered to the Rules Committee as a substitute for the President's fact-finding bill then before the committee. There were only a few typewritten copies of it in existence. The membership of the House did not even know that such a bill was in existence or was under consideration by the Rules Committee. It had not been introduced, printed, or referred to the proper legislative committee. Consequently, there had never been any hearings upon the bill. The right of interested parties to appear before the proper committee of the House and testify, in accordance with time-honored practice, either for or against the bill or any of its provisions had been denied. Never before to my knowledge has such improper procedure been practiced in the House of Representatives.

No matter what the viewpoint of any individual may be, with respect to the necessity or advisability of having additional legislation in the present emergency, there is no justification for denying the right of interested parties to appear before the proper legislative committee of the House and express opinions either for or against proposed legislation.

Whatever the duty of Congress may be in dealing with the present situation, it cannot and should not substitute hasty action for careful consideration. It is claimed that the Wagner Act has failed to diminish the cause of labor disputes to the extent expected or desired. That is true, yet, Congress is not justified because of that, nor do thoughtful citizens expect it, to pass ill considered and hasty legislation. Weeks, yes, months, of time have been permitted to slip by without any serious consideration being given by the Congress to find a sound remedy that would protect the legitimate rights of both labor and management, and the public, against abuses of power by either, and that would establish conditions under which collective bargaining could work effectively without bringing widespread distress.

Conceding that there may be merit in some of the proposals contained in the Case bill, yet, there are definitely others that are unfair and dangerous to the rights of those who work for a living. Provisions that would destroy fundamental rights of labor. For instance, the repeal of the Norris-LaGuardia Anti-injunction Act that was adopted many years ago to protect labor from certain types of unwarranted and unjust injunction imposed by some courts, and, that had worked great injustice upon workers. This act had the approval of President Hoover. His signature made it law. It has worked satisfactorily during the many years that have intervened. There has been nothing shown to exist that demands the repeal or modification of that time-honored and well-considered piece of legislation.

In drawing legislation affecting the right of labor to strike it must constantly be kept in mind that no one in the United States of America can be compelled to work under conditions or for wages that are not to his or her satisfaction. Under our Constitution it is the inalienable right of any individual to refuse to work. Every individual has the fundamental right to withhold his or her labor. That right is guaranteed to every citizen no matter how humble. It cannot be taken away as long as the Constitution remains the law of the land. That right is one of the distinguishing features of our democratic system of government. If it did not exist, then we would have a condition of involuntary servitude. We must preserve this great principle of democracy under all conditions.

The sole objective that should guide our consideration of legislation to remedy the present situation should be to find ways and means that would remove the causes that produce friction between employee and employer, and that would encourage a more orderly and sane approach to the settlement of differences. The Case bill goes far beyond this. I am convinced that many of its provisions would create more friction and produce more heat than now exists, and, would increase the difficulty of settling labor disputes by mediation or conciliation methods. Even the 30-day period it provides for would not be sufficient to cool off the heat some of the other provisions of the bill would generate.

This House would make a great mistake in my opinion to adopt a bill with provisions that have not even been given the test of open hearings, nor, as to which has been provided any opportunity for interested parties, either management or labor, to express their opinions upon, nor, for the public to become acquainted with and form its own judgment. This is no time to throttle careful and serious consideration. The condition that confronts us today requires that we move toward its solution with the greatest of care. To do otherwise will bring upon the country the same unsatisfactory condition that has followed the enactment of the Smith-Connally Act.

The Smith-Connally Act was passed at a time when there was a demand for antistrike legislation. That legislation was introduced and considered without proper preliminary study and consideration. It was prepared in haste and pushed through the Congress as a cure-all. What has been the result? There have been far more strikes than before its enactment. It has proved to be a totally ineffectual piece of legislation. I voted against its enactment for reasons that were similar to those I am now presenting. I predicted its failure. I could foresee the results that would follow. However, the desire to pass legislation was so intense that discretion was thrown to the winds. The Smith-Connally Act has proven so unsatisfactory that, today, the very persons who advocated with strong language its enactment are now asking for its repeal.

I bring to your attention the disastrous results that have followed the enactment of the Smith-Connally Act in order that I may the more forcibly emphasize the point I have made, namely, that no legislation of the importance of that now before this House should be acted upon until it has had the careful study and consideration of a committee of this House and with full and complete hearings held thereon.

I am strongly of the opinion that this House would act more wisely, and, with better future results, if, instead of adopting a bill that provides some new and untried proposal, such as the Case bill, it would adopt a bill of the character, and, drawn in accordance with the policies and principles laid down in the Railway Labor Act. This act has been in existence for upwards of 20 years. It has given highly satisfactory service through all the years that have intervened since its enactment by providing a sensible, fair, and reasonable approach to the settlement of labor disputes between railroad workers and management. The railroads constitute our greatest industry. If the Railway Labor

Act has been so effective in preventing disastrous stoppages of work on the railroads, does it not seem reasonable that we should now recognize that fact and take advantage of the experience gained by the administration of its provisions, and, adopt a bill that would extend its provisions, and, the policies upon which it is based, to the larger field of industry? I appeal to the House to give serious consideration to this simple but yet effective means of dealing with the problem that now confronts the Nation.

Mr. LEMKE. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from North Dakota.

Mr. LEMKE. Mr. Chairman, I cannot support this bill. But I shall vote for the Sherman-Adams substitute. I shall help to improve the bill. I know we have strikes and more strikes. But no one has yet told us just what was the cause of these strikes. In a general way we know that they are the headaches, the result, of World War II. Unless we are careful there will be more headaches. They will be the Churchill-De Gaulle kind of headaches.

Some of these strikes are undoubtedly promoted by Communists. Their purpose is to create confusion—to destroy our form of government. Others are justifiable. They are a revolt against conditions that do not permit an American standard of living—conditions that breed communism. During the war wages were frozen to the Little Steel Formula. But the cost of living and rentals were not frozen.

No apologies to the OPA. The OPA bungled and interfered with production and then raised the ceiling. It bungled the lumber situation until production fell from 36,000,000,000 feet a year to less than 26,000,000,000 feet. It bungled the rentals until a furnished home that used to be $80 a month is now $150 and up. It bungled the sugar situation so that you cannot get it.

The average industrial worker receives less than $200 a month. If he has a family, he will have to pay at least from $80 to $100 a month for a half-way decent furnished home to live in, another $50 for heat, light, water, and gas in the winter months. This leaves $50 with which to clothe and feed himself and family.

These strikes are unfortunate. They come at a time when there is an accumulated shortage of everything—a shortage produced by 4 years of war, a shortage increased by exporting farm implements, wearing apparel, and other things that we ourselves need. These shortages are not solely caused by strikes, but are largely the result of war—the result of Uncle Sam playing Santa Claus to other nations at the expense of his own people.

I cannot help but feel that both the donkey and the elephant are sadly out of joint. The donkey finds a sore spot on the body politic, and puts a piece of sticking plaster over it. Then the rash breaks out all over the body, and along comes the elephant and tries to put a blanket over the whole body. But underneath the blanket the rash continues. It is about time that we wake up and realize that we cannot improve either industry or labor by blindly passing an emotional law.

We always enslave ourselves by enslaving others first. In moments of emotion we want to enslave everybody who does not agree with us, but in the end we will find we have put the yoke upon ourselves. We talk of violence. If there is any violence, and I know there has been some, it is the responsibility of the States and the municipalities to stop it. There is no authority under any Federal law, or any State law that prevents a State from maintaining order and peace. It is not a question of passing more laws, but a question of enforcing those we have.

We talk about a 30-day cooling-off period for labor. Yet in a moment of emotion and excitement, we are about to pass a bill that will have far-reaching consequences—consequences whether for better or for worse, no one knows. Would not it be wise if this House took a 30-day cooling-off period? A 30-day cooling-off period from emotion and false propaganda—propaganda that would have us go back to the Dark Ages in labor legislation. I am sure the Senate will take such a cooling-off period. Why not we?

Do not worry; we will pass an anti-strike law, just as we passed the Smith-Connally Act. It will be just as ineffective. Congress cannot pass a law to make a person work if he does not wish to—especially not if he has a grievance. Such an attempt is contrary to our experience, and contrary to human nature. It never can be enforced except by a dictator and then only with gun and club.

Henry Ford 2d, on January 9 in Detroit, discussing strikes before the Society of Automotive Engineers, said:

> As we look at these problems in human relations we feel that the solution must be found through a closer understanding between management and labor. If we cannot succeed by cooperation, it doesn't seem likely that we can succeed by an exercise of force.
>
> We cannot, for example, expect legislation to solve our problems. Laws which seek to force large groups of Americans to do what they believe is unfair and against their best interests are not likely to succeed. In fact, such legislation can lead to exaggeration of the very problem it is designed to solve. And when freemen give up the task of trying to get along with each other, and pass the buck to government, they surrender a substantial measure of their freedom.

Surely industry does not wish any more regimentation—any more bureaucracy directing its course. They have had enough of the OPA and other Federal agencies. Just as sure as we regiment labor industry will be regimented. You cannot promote individual enterprise—individual initiative—by putting labor in a straitjacket. In the end you will find yourself in the same jacket. Henry Ford 2d senses the danger. We had better take a 30-day cooling-off period.

Some of my colleagues have brought agriculture into the picture. They have intimated that the farmers may join the strikers and also go on a strike.

The farmers should long ago have gone on a strike and demanded cost of production. They should long ago have gone on a strike and demanded that the Secretary of Agriculture refund the $20,000,000 that was collected from them under the unconstitutional Wheat Penalty Act. I say unconstitutional, and I make no apology to the Supreme Court who could not read the Constitution.

I am glad to know that the farmer is not going to be made the goat any longer—that in place of helping to annihilate labor he is about to join them. If he does this, he will get justice.

Then, in spite of the dismal predictions we have had, there will be brighter days ahead. America is going to come into her own. She is going to be a nation where the new wealth created each year is going to be more fairly and equitably distributed. I am sure we are going forward to a brighter day and not backward to the Dark Ages.

I agree with the gentleman from Michigan that in place of passing more laws that neither labor nor management want, it would be wise to amend and improve some of those we have. It would help the situation a great deal if we would repeal some of them. If we would set up permanent machinery in the Labor Department for arbitration—machinery that would give both labor and industry an equal opportunity to select the arbitrators with the right of review by an appeal board—then we would have gone a long way in preventing strikes.

We all know the splendid job that labor did during the war. We appreciated it. We all know that while their wages were frozen, the cost of living went up. We were told that if wages raised at the same rate as the cost of living, then we would have inflation. But we have inflation.

We know that the dollar has only 50 cents purchasing power. We know that the laborer who now gets $200 a month can buy no more than he could with $100 before World War II. We got inflation when we printed $28,050,000,000 of paper money where there never was over $5,700,000,000 before. We know that high prices and high wages are the result of inflation and not the cause.

In conclusion when we entered this war we had a right to expect readjustment headaches when it was over. We will outlive these headaches, and in spite of emotional and hysterical waves, our aim is to build a better and greater nation for all, not the few, to live in. That is and must be the United States of the future.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from West Virginia.

Mr. BAILEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Chairman, once again I wish to register my opposition to the court-injunction provisions of the Case substitute.

I have heard it intimated on the floor of this House that the railway brotherhoods were not opposed to the Case bill.

I desire, at this time, to read into the RECORD, at this point, a communication from Mr. A. E. Lyon, executive secretary of the Railway Labor Executives' Association, registering the opposition of the

21 labor groups affiliated with the association to the entire Case bill No. 5262.

Mr. Lyon's letter follows:

FEBRUARY 4, 1946.

To all Members of the United States House of Representatives:

DEAR SIRS: The Railway Labor Executives' Association respectfully appeals to the Members of Congress to not enact the pending Case bill, H. R. 5262.

The bill has not been given the consideration which a measure dealing with such fundamental rights of American citizens should have. The time-honored and democratic procedure of holding public hearings has not been followed. The bill, if enacted into law, would not promote harmonious or desirable industrial relations, but it would produce confusion and injustice.

Language is contained in the bill which appears to exempt railway employees from the provision of certain sections. Even though railway workers were fully and adequately exempted from all provisions of the bill, we would, as American citizens having direct contact and long experience with labor relations and having regard for the welfare of our country, vigorously oppose its enactment.

Our examination of the bill convinces us that it would inflict injustice upon railway employees as well as the workers of other industries, that it would destroy basic rights, and that it would interfere with and disrupt those successful management-labor relations now existing

We urge that this bill be rejected or referred to the appropriate committee for public hearings and the careful consideration which our Congress usually gives to such vital measures.

Respectfully yours,

A. E. LYON.

I want also at this time to call attention to an Associated Press News release bearing a London, England, date line of February 2. This news dispatch reads as follows:

LONDON, February 2.—Chairman CONNALLY, of the Senate Foreign Relations Committee, who is one of the American delegates at the UNO Assembly meeting, engaged in a loud verbal tilt today with the Ukrainian delegate in the course of which Senator CONNALLY demanded admission of the American Federation of Labor to the United Nations if the World Federation of Trade Unions is admitted.

The American and Ukrainian delegates avoided a floor dispute over the United Nations' labor policies, then went into committee, where they continued the argument.

May I, in commenting on this incident, observe that while this distinguished Texas statesman is trying to take the American Federation of Labor into the United Nations Organization some of his colleagues here in Congress are trying to put the members of the American Federation of Labor in jail.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD in favor of the Case bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa.

There was no objection.

Mr. JENSEN. Mr. Chairman, when a person is sick there is always a cause for it, just as there is a cause for a nation being sick, and surely we all agree America is sick right now. The American people are asking "Doctor Congress" to do something quick, since "Doctor New Deal" has poisoned our economic system and now will not or cannot administer a cure.

Congress has been asked to do something about strikes. A great majority of the American people are demanding that we pass a law that will effectively cope with the situation. The Case bill which we are now considering will do much to curb unwarranted strikes. In my studied opinion the Case bill as amended if made law will tend to curb the racketeering labor leaders, and will prove beneficial to the honest patriotic laboring men and women of America as well as giving protection to all good labor unions, and to all worthy employers of labor and the American people generally. I trust the bill will pass by a big majority.

Mr. Speaker, I am sure that those who have made even a slight analysis of the cause for the widespread unrest so prevalent among the American people in every walk of life today will agree with me that the cause is due to the unbusinesslike manner, to say nothing about the cheap politics employed instead of employing an honest effort and sensible means to properly meet and solve the national problems in the traditional American way which is the best medicine I can prescribe for our many economic ills. I am sure the American people are eager, willing, and ready to take that kind of medicine.

Mr. HAVENNER. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from California.

Mr. HAVENNER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HAVENNER. Mr. Chairman, the purpose of the bipartisan coalition which the Republican Party has effected in this House is now clearly revealed. That purpose is legislation by fiat to punish organized labor in America.

The so-called Case bill, which has been made in order by a species of parliamentary trickery without precedent in the history of this body, violates a fundamental principle of the Bill of Rights of the American Constitution. Passage of a bill which has never been referred to a legislative committee for a hearing is equivalent in the legislative branch of our Government to conviction without a trial in a court of justice. This measure may be compared to a bill of attainder, which is prohibited by the Constitution, because it imposes penalties upon a great body of citizens who have been denied an opportunity to appear before Congress and give their reasons why such penalties should not be imposed.

In this case the Rules Committee of the House met to consider a measure which had been recommended by the President of the United States and duly reported, after extensive hearings, by the committee to which it had been referred by the Speaker of the House. By a process of parliamentary legerdemain, the Rules Committee reported back to the House not only the bill which it had met to consider, but another bill, radically different in its provisions, which had never been referred to a legislative committee and which had never been the subject of any hearings by such a committee. The substitute bill was brought before the House by fiat of the Rules Committee. Such a proceeding is abhorrent to the whole theory of orderly legislative practice.

Aside from the question of the merits or defects of the Case bill, the very nature of its introduction into the House is a sufficient justification for its defeat.

However, this illegitimate legislative offspring of the bipartisan antilabor alliance which the Republican Party has consummated in Congress is now before us, and under the perverted construction of our rules which created this abnormal situation we must perforce vote it up or down without the benefit of any committee recommendations and without the guidance of any committee hearings, where competent testimony should have been but was not taken.

Caught in this unrighteous predicament, all Members of this House, who are not parties to the unholy alliance which brought it about, are now compelled to rely upon a hasty analysis of the provisions of this political fiat and upon the criticisms we have received by correspondence with responsible representatives of the interests which it would most directly affect.

Contrary to widely published statements apparently emanating from sources close to the sponsors of this measure, to the general effect that it was primarily intended to punish the CIO for its political activities and that it would have no injurious effects upon any of the other great bodies of organized labor, my correspondence shows that American labor is unanimous in its unqualified opposition to the Case bill.

William Green, president of the American Federation of Labor, describes it as a measure having for its purpose the destruction of fundamental and constitutional rights of workers, and denounces in unmeasured terms the very proposal to consider the bill without holding public hearings on it. Mr. Green asserts that it would restore the evils of government by injunction, which was repudiated by the national platforms of both the Republican and Democratic Parties more than four decades ago, and would repeal the Norris-LaGuardia Act which was signed by Republican President Hoover in 1932.

This bill will not bring peace and harmony in industrial relations—

Declares Mr. Green—

On the contrary it would cause confusion, chaos, injustice, and would disrupt industrial relations as long as it remained a law.

The International Brotherhood of Teamsters, meeting in convention at Indianapolis last Friday, authorized its president, Daniel J. Tobin, to announce its unanimous opposition to the Case bill.

The bill is of such magnitude and importance that it is inconceivable that Congress will act upon it without according labor an

opportunity to express itself at committee hearings—

Says the Teamsters' president.

Not a single recognized spokesman for management in industry has publicly endorsed this bill. Indeed, all of the recent public utterances of the representatives of management directly concerned in the great industrial disputes now in progress in this country have indicated that they are opposed to any legislation designed to restrict complete freedom of negotiations under the existing rules of collective bargaining.

So we may assume that both labor and management oppose the Case bill. Who, then, is for this hybrid measure? No one, apparently, but the advocates of legislation by fiat, who compose the bipartisan, labor-baiting coalition of this House, under the leadership of the Republican Party.

The Case bill will never become a law. For the sake of the reputation of the House of Representatives, it should be defeated here today.

Mr. HOFFMAN. Mr. Chairman, I have a unanimous consent request of my own. After the vote on this amendment I still have eight or nine other amendments on the Clerk's desk. I would like to have those printed in the RECORD, and if they want to be considered as objected to by the committee, that is all right with me. I just want to make the RECORD clear. If it is possible, why I should like to have that done.

The CHAIRMAN. Does the Chair understand that the gentleman is offering the other amendments and not speaking to them?

Mr. HOFFMAN. Yes; and get a vote on them.

The CHAIRMAN. En bloc?

Mr. HOFFMAN. And without being read, if I can.

The CHAIRMAN. By unanimous consent they do not have to be read, and they can be voted on en bloc.

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent that the amendments I have pending on the desk after the vote on this one may be printed in the RECORD.

The CHAIRMAN. The question is on this amendment and other Hoffman amendments on the Clerk's desk. The unanimous consent request is that the reading be dispensed with, and that they be considered en bloc. Is there objection to the request of the gentleman from Michigan?

Mr. MARCANTONIO. Mr. Speaker, reserving the right to object, we do not know what those other amendments are. I object.

Mr. HOFFMAN. Why should the gentleman from New York object? He would not vote for any of them.

Mr. MARCANTONIO. I want to know what those amendments are. I think we should know.

Mr. HOFFMAN. Apparently the House is not interested and apparently they will not debate any of them either, so what is the gentleman quarreling about?

Mr. MARCANTONIO. Mr. Chairman, I object.

The CHAIRMAN. Does the gentleman from Michigan desire to be heard on the amendment now pending?

Mr. HOFFMAN. I do not.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was rejected.

Mr. EBERHARTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EBERHARTER to the Case amendment: Page 15, after line 8, add a new section, as follows:

"EXCESS-PROFITS TAX CARRY-BACK CREDITS AS AFFECTED BY STRIKES

"SEC. 14. If in any taxable year ending after December 31, 1945, there exists a stoppage of work at any time during such taxable year because of a labor dispute at the factory, establishment, or other premises of the taxpayer, who is an employer under any of the provisions of this act, the unused excess-profits credit for such taxable year shall be reduced by an amount which is such part of the unused excess-profits credit as the number of days during which such stoppage was in effect is of the total number of days in such taxable year prior to January 1, 1947."

Mr. CASE of South Dakota. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CASE of South Dakota. I am reluctant to make a point of order here because I think I am in sympathy with what the gentleman is trying to do. However, a similar amendment was presented by the gentleman from West Virginia [Mr. BAILEY] the other day, and a point of order was made against it on the ground that it was not germane to the bill. The same point of order should lie here.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard?

Mr. EBERHARTER. Mr. Chairman, I desire to be heard on the point of order.

Mr. Chairman, in the first place, the provisions of the amendment which has just been read are entirely different than the provisions of the so-called Bailey amendment which was submitted the other day. There is no question about that at all if anybody will only compare them for just a moment. Mr. Chairman, I do not believe that the point of order is well taken because we have before us today the so-called original committee bill, which is known as H. R. 4908. That bill is very wide in its scope.

First, Mr. Chairman, I should like to call attention to the provisions of my amendment.

The CHAIRMAN. The Chair has the amendment offered by the gentleman at this time and has read it very carefully and is familiar with what it contains.

Mr. EBERHARTER. In order to press my position that the amendment is in order, I call attention to the fact that the amendment applies only to those employers who are taxpayers and whose plant or establishment is affected by a strike or by a work stoppage. Therefore, it brings them entirely within the provisions of both the committee bill and the Case amendment. In other words, Mr. Chairman, this amendment would not apply to taxpayers in general; it would apply only to those employers who are specifically defined in the committee bill and in the Case bill.

Mr. Chairman, I feel very strongly that the amendment is certainly germane. I can refer to provisions, for instance, of the bill before the House which pertain to boycotts. A boycott may be exercised by the entire citizenry of the United States; in other words, it may not be a boycott by just members of a union or members of a certain group; it may be a general boycott by every citizen of the United States under the terms of this measure as written. Therefore, the bills before the House are all-inclusive.

Mr. Chairman, I also call attention to the fact that my amendment refers only to cases where there are labor disputes—labor disputes only.

The CHAIRMAN. The Chair wants to be as courteous as possible to the gentleman, but there are other Members who have amendments to offer that are very desirous of being heard.

Mr. EBERHARTER. As I understand, when a point of order is being discussed, the time consumed therein is not to be taken out of the time allowed for debate.

The CHAIRMAN. The Chair has recognized the gentleman from Pennsylvania to discuss the point of order, but the Chair in the interest of all the Members urges him to be as brief as possible consistent with protecting his own rights.

Mr. EBERHARTER. I appreciate the courtesy of the Chair, although some of the gentlemen who have just been heard have been out of order themselves and not very courteous. However, I will submit the question to the Chair on the argument I have made.

The CHAIRMAN. The Chair is prepared to rule.

The Chair is interested in the remarks the gentleman has made. However, after having examined all the bills that have been introduced, including the declarations of policy, the opening paragraphs, and all the remainder of the bills, as far as the Chair can discover there is not one word mentioned about taxes or the disposition of taxes. Although the rule and the action of the House in adopting the rule opened the whole question to a very wide interpretation, the Chair does not feel that the question of the disposition of excess profits is within the purview of any of the bills. The Chair, therefore, sustains the point of order.

Mr. GATHINGS. Mr. Chairman, during the war many disastrous strikes held up the production of vital war supplies and munitions to support our fighting forces. The people of America called upon Congress for action—for strike legislation—so that the men who were called on to bear arms for their country would be furnished the weapons, ammunition, and other supplies to assure victory for our cause. The mail of Members of Congress mounted with appeals from every congressional district in the land, that Congress act, and act soon, to stop the strikes. Although the people were alarmed then at labor disorders and work stoppages, they are as much

or more disturbed today because the whole reconversion machinery has virtually stopped the wheels of industry in the production of the goods essential for domestic and foreign needs. To whip inflation, production is needed, and needed in great quantities. Work stoppages, if permitted to continue, will cause run-away inflation and blot out the accumulated savings of the American people. The people are aroused, and justly so, and have appealed to their representatives in both branches of the Congress for legislation to put an end to the strike wave which has enveloped America.

Let us see just for a moment what the people have to say about the chaotic condition with which we are confronted. I would like to read one of the letters which I have received from my constituents, and I quote:

JANUARY 18, 1946.

Hon. E. C. GATHINGS,
House of Representatives,
Washington, D. C.

DEAR MR. GATHINGS: In the very beginning, may I say that what I write in this letter, I believe to be the sentiment of the people of this community, and you being our Representative, I feel it my duty to express that sentiment to you.

I am a farmer and live in Craighead County, Ark., Childress school district.

Our Government is saying to the farmer: "Produce more, produce more, we must feed the starving nations."

I go to my implement dealer and say to him, "My tractor-drawn breaking plow has a broken wheel. I would like to have a new one." He says, "I'm very sorry. I don't have one and the factory is on strike, just don't know what we will do."

Then his face brightens, and he says, "I'll call a dealer over in another city. Maybe he has one." All of a sudden he stops and says, "No, I can't do that. The telephone is on strike." Then he says, "I'll write him—but no, the truckers are on strike. I couldn't get it down here."

So I finally get back home in my worn-out truck—can't get a new one—the factory is on strike.

It seems to me that labor strikes have gone entirely beyond the bounds of reason. I am not opposed to labor unions, that would be un-American, and I do not know whether the trouble is with labor, or capital, or both, but it does seem like it is time our Congress and President get up on their own feet and do something about it.

So many times we are not willing to sacrifice self, in order to better serve our country.

May we bear in mind the several hundred thousand who made the supreme sacrifice, and the millions who are still serving for $50 per month—and not striking.

Most any of them would be very very glad to trade places with those who are now on strike, and go back to work.

Let's be Americans, let's be statesmen, let's be men, and not let a little gang of rotten politicians, either from capital or labor, plunge our great America into chaos just to better serve his own selfish interest.

Thanking you for past favors and trusting conditions will be improved, I am

Very truly yours,

JOHN HOUT,
Route 3, Leachville, Ark.

P. S.—Just suppose the farmers should strike. J. H.

There are millions of others in this land of ours who feel as Mr. Hout does. I do not believe that the Congress will turn a deaf ear to their pleas.

It has been said by the opponents of the substitute bill that no hearings were held and no opportunity given them to express their views. While it is true, the Case bill itself was only introduced last week, its provisions have been considered in both House and Senate for several years. On December 3, 1941, H. R. 4139, better known as the Smith antistrike bill, passed this body by a vote of 252 to 136. It went to the Senate where it died in the Committee on Education and Labor. The bill required 30 days' notice of intention of employees to strike, or of employers to conduct a lock-out. It prohibited violence or intimidation of workers. It outlawed jurisdictional walkouts, labor boycotts, or sympathy strikes, and made violation of any of the restrictions subject to the injunctive power of the courts. Practically the same provisions are carried in the Case bill. I strongly supported the Smith bill and other labor legislation which this House has passed, including the Hobbs anti-robbery bill, which outlawed labor union racketeering of farmers who attempted to transport their produce across State lines. Hearings have been held by the Labor Committee on the cooling-off-period provision of the Case bill. The Case bill further makes it unlawful for supervisory employees to be members of a labor organization. The Committee on Military Affairs, of which I was a member at the time, held extensive hearings for many days on such legislation and reported it to the House for consideration.

The right to work is a God-given heritage and no labor racketeers, labor politicians, employer, or anyone else, should deny him that right. The Case bill protects that man from violence who desires to work in the reconversion plants of our country. The Nation demands action. Will we be lacking in courage and constancy?

Mr. HARRIS. Mr. Chairman, I am deeply concerned as many other Members of this House have indicated, about labor-management problems and the controversies which have brought about industrial strife, that is seriously affecting our reconversion program and the national welfare of our people.

We have here several proposals in the way of legislation that seek to bring about industrial peace. I do not believe there is anyone in this House that has any other thought in dealing with these matters than to stop strikes and bring about peaceful relationship between management and labor. No one wants to do an injustice to either labor or management, and everyone wants to get on with our reconversion program and a settlement of these disputes and controversies in order that we may attain maximum production.

Unfortunately, Mr. Chairman, we have two extreme views presented as an approach to this problem. We have a lot of theoretical views. I believe in theories and many problems facing us must be approached theoretically, but we are now faced, Mr. Chairman, with a program that must be dealt with on a practical and realistic basis. When you are dealing with two powerful groups as we have here—management on one side and labor on the other—there is only one approach and that is the realistic and practical approach. You cannot deal with it any other way with any degree of success.

Let me explain, Mr. Chairman, what I mean. I have been a Member of this Congress a short time, comparatively—only 5 years. I have done a lot of observing and I have seen quite a number of things happening during this period of time. We get all worked up over something, when a wave of so much importance as this issue sweeping the country, but in the final analysis it is the final accomplishments that count.

Now let me try to analyze this situation from my viewpoint. In the first place, by far the greatest number of people realize that something must be done to bring about industrial peace, something must be done to settle these disputes in order that the people of this country will not continue to suffer.

The President of the United States has made a determined effort to bring about a settlement of the controversies existing in some of our major industries.

We have long since adopted the policy of collective bargaining. I believe in collective bargaining, and I think most of the other Members of this House believe in it. I believe in the right to organize for collective-bargaining purposes, and that everyone who wants to become a member of a union should have that privilege. I likewise believe that labor and management by collective bargaining should handle their own affairs in the traditional American way. No one can deny that this policy is the democratic way.

Pursuant to our established policy and in an effort to prevent labor and management difficulties that would handicap our reconversion program and interfere with full production, the President of the United States called a management-labor conference that they might have a common understanding and assume full and undivided responsibility for providing production so badly needed for the protection of our domestic economy.

What happened at this conference? There was no agreement or common understanding reached on the real issue of how to prevent strikes and avoid work stoppages. Consequently, this conference ended without substantial success. Labor relations took a tailspin and the public interest is vitally affected.

The President, recognizing that industrial strife and a few of our industries were causing severe hardship throughout the country, generally, and that labor and management could not agree on this issue of wages and recognizing that collective bargaining had broken down and that conciliation had failed, recommended to the Congress that he be given authority for fact finding and a 30-day cooling-off period, that he might bring about settlement of such disputes and ultimately industrial peace.

That, briefly, is what brought this issue before us. Management on the one hand says, no, we do not want authority for fact finding and the power of subpena; and labor on the other hand says, no, we do not want to submit to as much as

a 30-day cooling-off period. Consequently, the Committee on Labor has reported this bill out here or consideration, which means, in my opinion, exactly nothing.

Frankly, I am not very strong for the President's request. I do not believe it is the best solution to our problem but as a practical solution and immediate relief, I am inclined to think that this Congress should give him the legislation that he requested. Why do I say that? Because whatever legislation might pass this Congress must be administered under the direction of the President of the United States. This is what he says he needs and if this Congress will provide him with what he says he needs the responsibility then will be on his shoulders and we will get greater, far greater results. I am talking to you, Mr. Chairman, about the practical approach to the problem that is facing the country, and I had hoped this Congress would approach this question realistically.

I do not question or for one moment impugn the motives of the sponsors of the so-called Case substitute—H. R. 5262. I very frankly and honestly and sincerely, Mr. Chairman, do not believe that the Case bill will bring about industrial peace. I am just as convinced that it would bring about more industrial strife and further intertere with our reconversion program and bring about greater hardships to the people of the country as the sponsors of the bill believe otherwise. Consequently, I cannot support such a provision. Certainly I believe in the purposes the gentleman seeks to accomplish by this bill, if I understand his explanation, and that is to bring about industrial peace. It is the method of accomplishment that I disagree with. I repeat, it is not, in my opinion, a practical and realistic approach, and if there ever was a time in the history of this Nation, and especially this Congress, that we should face the facts it is now.

May I remind you, Mr. Chairman, that this House on several occasions passed bills with some of the provisions and many more affecting labor problems and labor relations with management to find it pigeonholed in another body of this Congress. Is there one Member of this House who has any doubt as to what will happen with a bill, such as the Case substitute, if passed by this House? I do not think so. Then do you want to attempt something that has a chance of becoming a law, and bringing about the settlement of labor disputes, as the people throughout the Nation are appealing for, or do you want to proceed on an impractical method and accomplish little, if anything, at all?

Personally, I think the proper approach, Mr. Chairman, is in the nature of the substitute that has been offered by the gentleman from California [Mr. VOORHIS]. I shall support his amendment. I think it has the greatest possibility, or something similar to it, of becoming law. I do not see how the President of the United States could object to it. It would provide a procedure similar to the Railway Labor Act, which, in my opinion, has worked rather successfully for many years. It provides, when labor disputes arise for mediation and conciliation, a division under the Department of Labor to bring about voluntary settlement of such issues between labor and management. It provides a maintenance clause during such negotiations and without agreement by the parties that no change in rates of pay, hours, or conditions of employment in effect prior to the time of the controversy.

If mediation and conciliation fail, it provides a board of arbitration with certain powers and procedure for voluntary arbitration and remember that during this time conditions will remain the same for at least a period of 30 days. If by voluntary arbitration a settlement of the dispute is not brought about the board of arbitration, after full hearing shall make an award to be filed in the clerk's office of the district court of the United States for the district wherein the controversy arose. Unless within 10 days after the filing of the award a petition to impeach the award on the grounds set forth is filed, the court shall enter judgment on the award. Such judgment shall be final and conclusive on the parties. It provides for the fact-finding board that the President requested. It provides for the cooling-off period that the President requested. It provides a procedure of adjustment of grievances as I have said similar to that of the Railway Labor Act. No one can deny that we have not had unusual success in the administration of that act and in the settlement of differences between railroad employees and railroad management.

Therefore, Mr. Chairman, I hope this Voorhis substitute prevails. If not, I shall vote against the Case bill in an effort to have an opportunity to vote for the bill requested by the President, which I again repeat that I believe to be the most practical solution to accomplish desired results toward the settlement of strife, strikes, and disputes, that are so obnoxious and distasteful to even the participants as well as to the people throughout the country.

Mr. ROGERS of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Florida: On page 13, line 2, after the period insert "Provided such court shall not issue an injunction against the right to strike, peaceful assembly, or peaceful picketing."

Mr. ROGERS of Florida. Mr. Chairman, I am sorry that we are in such a hurry to get through with this bill. We have brought it out here in the Committee of the Whole to find its merits and demerits. I think it is the most important bill that this Congress has ever had under consideration. We should study the situation and get out something that will afford some relief from the labor management situation which now confronts this Nation. I think in all fairness to labor that this provision in this bill certainly is fair inasmuch as the Norris-LaGuardia Act was referred to. That is all I want. I want to be fair to industry; and I want to be fair to labor. I do not want this Congress to put out something at this time which does not declare the purpose of this country in dealing with this situation. The bill reads as follows:

The district courts of the United States shall have jurisdiction notwithstanding the act of March 23, 1932, entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," to enjoin violations and threatened violations of any of the provisions of this section, and by appropriate order or decree to compel compliance with such provision.

My amendment would add the words:

Provided such district courts shall not issue an injunction against the right to strike against peaceful assembly and peaceful picketing.

Now, that is a fair policy. There cannot be any objection to it. If it does anything, it improves this bill. It is recognized by our laws and recognized by Congress and the courts that labor has the right to strike. Labor has the right to peaceful assembly. Labor has the right to peaceful picketing. How can anybody have any objection to this amendment? I urge the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. ROGERS].

The amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New Hampshire [Mr. ADAMS].

Mr. ADAMS. Mr. Chairman, on Monday I offered a substitute to the Case amendment. It was in substance the provisions of Senate bill 1419, which has been in print since last September and which I had inserted in the RECORD on Monday. In brief, it provides for the creation of fact-finding boards to investigate the facts in industrial disputes and which shall made the differences public. Boards do not have the subpena power. It provides for the creation of a conciliation and mediation service in the Department of Labor. It provides that all collective-bargaining contracts shall be mutually and equally binding upon both parties; that a suit by either may be brought against the other in United States district courts. Most important of all, Mr. Chairman, it provides for the creation of an independent agency called the United States Board of Arbitration. If the members to the dispute elect to abide by the decision of this Board, the arbitration award becomes binding and enforcible at law. I submit that this proposal offers a logical approach to the solutior of the difficulties in which we find ourselves today.

The gentleman from California [Mr. VOORHIS] would like to amend this proposal. He proposes a substitute which is very much in the same language that I have used, with two exceptions. The gentleman proposes, instead of providing that the disputants, in case of grievance disputes and breaches of contract, take their grievances to court, may refer the differences to a regional adjustment panel. That regional adjustment panel shall sit upon application of either party and make a finding, and that finding shall be enforceable at law. In addition,

he provides that fact-finding boards shall not function until the processes of mediation, conciliation, and arbitration shall have been exhausted in trying to adjudicate a dispute, whereas my substitute provides for an early determination of the facts in the interest of a prompt settlement.

I hope that my amendment will be adopted as a substitute, because it seems to me that we ought to adopt this pattern as a more workable basis of settling labor-management disputes.

The CHAIRMAN. The time of the gentleman from New Hampshire [Mr. ADAMS] has expired.

Mr. MICHENER. Mr. Chairman, I move to strike out the last word.

Mr. MICHENER. Mr. Chairman, for 4 days the House has been endeavoring to write a formula that will be helpful in solving the unprecedented management-labor disputes which have practically tied up the industry of the country. We are here because the people demand action. In response to this demand the President submitted his plan, which is embodied in the Norton bill. He insists that the Norton bill be enacted into law at once or that the Congress pass alternative legislation to accomplish the same purpose.

The Labor Committee wrestled with the problem for weeks and finally reported a bill which does not have the support of a single member of the committee. The purpose in reporting such a bill was to give the House an opportunity to write alternative legislation suggested by the President.

Some of the debate has been critical of the Rules Committee because it complied with the President's desires and gave the House a chance to use its own judgment, express its own views, and write its own legislation. No gag rule was invoked, and the House in its wisdom determined by a roll call of 258 to 114 that the procedure we are now following should prevail.

The President's bill consists of two parts: First, fact finding with the right of subpena. Second, a cooling-off period of 30 days, after notice, before a strike is inaugurated.

Management is opposed to the first part and labor is opposed to the second part. There is no possibility of enacting the President's plan. Therefore, the Case plan has been offered as a substitute. The Adams plan has been offered as a substitute for the Case plan. The Voorhis plan, and several other plans, will be offered as substitutes for all the other plans. Indeed, the whole field has been explored. This is one occasion when the people's Representatives can truly and freely express their views and offer their amendments.

The House can well be divided into three groups:

First. Those who accept the position of the leaders of organized labor and oppose any legislation of any name or nature that would in any way change or modify any existing law or attempt in any way by law to cope with the present strike epidemic.

Second. A small minority who would write the most restrictive and punitive law possible dealing with both management and labor.

Third. The great majority of the House who want to write a law helpful to both management and labor, but who recognize their obligation to legislate for all of the people. After all, in the final analysis, that which is best for the general public is best for both the management and labor minorities.

Most of the debate up to now has been on the Case bill. It is well that the people understand just what that bill contemplates. Mr. Chairman, I quote the declaration of policy as set forth in the Case bill:

SEC. 2. It is declared to be the policy of the United States that labor disputes affecting the public interest should be settled fairly and, so far as possible, without interruption or delay in the production and distribution necessary to the public interest, and to that end it is the duty of both employers and employees to bargain in good faith. The right of labor to organize and bargain collectively with employers is one of the cornerstones of competitive enterprise. The processes of such bargaining must be protected and strengthened. Government is no less the guardian of the general welfare than of individual freedom. In a complex society warfare in one section of industry affects many others.

Government decision should not be substituted for free agreement, but governmental machinery to promote peaceful settlement of disputes should be improved. Demands of either labor or management should be kept within the bounds of reason and fairness, and both sides must recognize the rights of the general public.

The desired end of bargaining between management and labor is a contract. Once that contract is made, it must be equally binding and enforceable on both parties. Free collective bargaining and contracts resulting therefrom must not be nullified or destroyed by resort on either side to willful violence or unlawful possession, obstruction, or destruction of property. Collective bargaining requires that labor be on one side of the table and management on the other. The separate positions, responsibilities, duties, powers, and rights of labor and management must be maintained.

Legislation has heretofore been enacted to guarantee the right of collective bargaining. It is equally important that legislation be enacted to protect the rights of labor, industry, and the general public in the processes of collective bargaining. Wrongful and unlawful conduct on either side is destructive of collective bargaining; and conduct in pursuit of objectives that are not proper and legitimate objectives of collective bargaining and which are detrimental to the interests of the general public are likewise destructive of collective bargaining. The use of force, violence, and compulsion are declared to be against public policy, as they violate the principles of freedom and self-government upon which our Government was formed and the purposes for which it was founded.

To aid in the voluntary and expeditious settlement of labor disputes affecting the public interest, therefore, there are hereby established additional facilities and procedures for the application of collective bargaining, conciliation, mediation, and arbitration.

Mr. Chairman, is there one sentence in that declaration that is antilabor? Of course not. I want my organized-labor constituents to read that statement. It is clear and understandable.

I do not believe there is a single Member of the House who opposes this policy. However, some are opposed to writing into law anything that will by law implement that policy. The opponents of the Case bill throughout the debate have assumed the same attitude. No one has attempted to justify jurisdictional strikes, violence on the part of pickets, the practice of certain unions in violating collective-bargaining contracts, preventing owners of property entering their own plants, hindering farmers from delivering their own produce to the purchasers, and other acts which are contrary to the rights guaranteed all citizens under the Constitution.

The only answer of those who oppose adequate legislation is that management and labor should be left alone to work out their disputes in their own good time and way. Well, I wish that could be done, but the present chaotic strike conditions are conclusive proof that it is not being done. Again, we are confronted with a condition and not with a theory. The Congress has provided machinery for peaceably settling these disputes. Nevertheless, we all know that this machinery has not brought about the result intended. In short, if management and labor will not cooperate, in accordance with the law of the land, it would seem sensible and reasonable that every effort should be made by the Congress to stop up the loopholes in existing law and amend these laws where amendments are needed. That is all that the Case bill, the Adams bill, the Voorhis bill, and all the others attempt to do.

Name calling, heat, passion, and labor or management partisanship will avail us nothing. We are in the gray dawn of the morning after. The country is beset with dissension. Everybody recognizes the problem, and it is strange indeed that any segment of our people should take exception to enacting needed law in behalf of all of the people. There should be no class legislation. No group or class is greater than the Government. Those receiving the protection of the law must be responsible to the law.

There was a time when large corporations and concentrated capital were so powerful that they were above the law. The Congress passed antitrust and other laws controlling and regulating these trusts. The welfare of the people, required that these groups be regulated and circumscribed. Organized labor was then in its infancy; collective bargaining was unheard of; labor was at the mercy of the employer. Because of this condition Congress enacted laws protecting labor and assuring it rights, under which, it has grown and expanded until today it is the giant in our economic structure. In fact, its power, strength and potentiality are such at the moment that by unwarranted strikes it can tie up all public utilities, transportation, and industry. Indeed, at the command of organized labor leaders, the people may be denied heat, light, food, and, all services essential to the health and very life of the people. Now, this is not an extravagant appraisal. Yet, we are told by the opponents of any regulatory legislation that any attempt on the part of the Congress to protect the public, is vicious, antilabor, labor baiting and en-

slaving. The several bills now before Congress have no such objective and will not bring about any such results. The greatest danger to labor is the conduct of labor itself. If I thought otherwise, I should not support any of these proposals.

Mr Chairman, the common good of the common man should be the goal of all legislation. If the American system is all wrong, then it should be abandoned. I am sure no patriotic employer or labor leader will take any such position. I agree that that country is governed best that is governed least. This does not mean that there should be no government. Only essential laws should be placed upon the statute books. If management and labor can and will work out their difficulties in the interest of all the people, then certainly compulsory law has no place in the picture. The truth is that they have not done this and, unless Government intervenes, might, power, violence, and force will take the place of law and order. The American people do not want this and will not tolerate it. None of the laws protecting organized labor should be repealed in toto, but these laws should be strengthened and amended to require both capital and labor to function in the public interest and not in the selfish interest of any privileged class be it capital or labor.

Out of this free and untrammeled discussion, this House by a majority vote is going to approve what it believes to be the most effective bill at the moment. I doubt if the completed version will suit any Member in every particular but it will be the best compromise possible. I am sure that it will not be written exactly as I would write it.

When the bill passes the House it will go to the Senate, where full opportunity will be given to add to, subtract from; amend, or change. Then the Senate bill and the House bill will go to conference where the differences can be composed. The conference report will come back to the House for a final vote of approval or disapproval. That is the vote that will really count. To vote for the Norton bill, the Case bill, or whatever is approved by the House, is but a step in the legislative process of getting laws enacted.

For my part, I shall vote for the House bill and send it on its way to be perfected and made better, if possible. To vote otherwise is to prevent any kind of legislation that might be helpful. The American people will and should understand this. We have heard here that any bill the House passes will be killed in the Senate—so why make the effort? If legislation is advisable or necessary, the House should be courageous enough to meet the issue man-fashion. If the Senate does not desire to act, that is not the fault of the House. We have our own duty to discharge. Let us act without fear or favor.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on the 17th day of January 1946, a distinguished Member of another body offered a motion to amend the Journal in that body to include the Chaplain's prayer. That motion has been under discussion in that body since the 17th day of January. If, for more than 3 weeks, a great deliberative legislative body can take so much time to debate a motion as to whether or not the Chaplain's prayer shall be included in the Journal of proceedings, it does occur to me that we should take ample time to fully discuss a matter that is so vital to everybody in the United States.

I think I have no choice at the moment except to support the substitute that has been introduced by the gentleman from New Hampshire [Mr. ADAMS]. As he has so well indicated, it has been in print for 5 months. It preserves collective bargaining and undertakes to make bargaining work, and that is the great problem before America today.

A very distinguished commentator on the radio last night, who, according to the score card that is used in radio, stands at the top and probably has six or seven million listeners to every broadcast, said that today collective bargaining in the United States may be in jeopardy. What is the alternative? It is for the man or horseback to move in. When once bargaining goes out, no matter how bad, how uncertain, how confused it has been, and when the Government steps in, it not only steps insofar as labor is concerned but it steps in also as far as management is concerned, and then the pattern of control goes infinitely further.

The hope of our whole free-enterprise system lies in the preservation of that technique whereby industry and labor can sit down and compose their problems with a minimum of Federal interference. A carefully developed mediation, conciliation, and arbitration service such as is contemplated in the Adams substitute should go far in bringing parties together where a labor dispute develops.

Once a collective-bargaining agreement has been contrived by labor on one side and industry on the other, section 8 of the Adams substitute would make those contracts enforceable at law. That in my judgment is the crux of the present problem.

I recognize the abuses and difficulties that have developed over recent years and would, indeed, support any reasonable proposal that has for its purpose the outlaying of intimidation, coercion, and violence.

But in the main, today's problem is to bring the parties to a labor dispute together and then give binding effect and enforceability to the agreement which they have contrived. I believe such a proposal would have the best chance of concurrence by the Senate and actually find its way to the statute books. That, however, is a matter for the Committee of the Whole to determine. If this proposal is rejected, I shall support the Case bill because it supplants the administration's fact-finding proposal and is the only thing the House can send to the Senate.

Mr. JUDD. Mr. Chairman, I ask unanimous consent that I may extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. JUDD. Mr. Chairman, I am compelled to protest at what seems to me the outrageous procedure being followed here. Two days ago and again yesterday when some of us wanted to speed along the debate on relatively minor amendments to the Case substitute for H. R. 4908 and on various general aspects of the whole question of labor-disputes legislation about which we had already talked for two full days, the acting chairman of the Labor Committee and others opposed our attempts, saying the bill had been brought before us in order to give everybody an opportunity to have full and free debate on all the proposed amendments and consider them carefully and deliberately. At that time the question was raised here whether there might be an attempt to shut off debate later when important amendments or substitutes for the Case bill would still be before us. We were assured there would be no such attempt. And yet we have just witnessed action to close all debate in an hour and a half when it is known full well there still are more than 10 amendments to the Case bill on the desk, and that there will then be the Adams substitute, and that another substitute will be offered by the gentleman from Arkansas [Mr. HAYS] and that if all these are defeated there will be a third substitute introduced by the gentleman from California [Mr. VOORHIS], with amendments to each of these substitutes.

Mr. Chairman, it seemed to me our debate on yesterday and the day before was as wholesome and on as high a level as any I have heard since coming to this House. I believe that the changes already made in the Case bill are all to the good, but there are a good many other changes which ought to be made. For example, while it is manifestly improper for supervisory employees and foremen to belong to the same unions, either locally or internationally, as do the employees whose work they are called upon to supervise, it is also unfair to the foremen to have them completely forbidden to organize in order to bargain collectively with their employers for contracts for themselves which will be wholly separate from the contracts for the employees. Without that opportunity to bargain collectively, foremen sometimes find themselves receiving lower wages than the men whose work they supervise. That obviously is a bad situation from everybody's standpoint, not the least management's.

Again, the loss of status as an employee prescribed as a penalty in sections 11 and 13 is far too drastic, because it could conceivably be ruled a permanent loss of status. We have been denied the chance to get this point before the committee and get it corrected.

Mr. Chairman, I had planned to introduce a substitute which is essentially our Minnesota Labor Relations law, modified for the National rather than a State situation. When it was sponsored by our former governor, Harold Stassen, it was assailed bitterly by many employers and

labor leaders. It was called a "slave labor law." The fact remains, however, that under its operation the labor disputes picture in Minnesota has changed from one of the two or three worst in the Nation in 1938 to one of the very best during the war years. Nobody can possibly claim that it has enslaved or "crucified" either labor or management.

However, the parliamentary situation developed so that it became impossible for me to introduce this substitute. Besides, as I have studied the substitute to be introduced by the gentleman from California [Mr. VOORHIS] and talked with him at length about it, I have become convinced that his bill may be an even better arrangement for getting a maximum of justice, good will, and efficiency in labor relations with a minimum of strikes, lock-outs, slow-downs, or wasteful economic struggles. Certainly his substitute is the best of the four or more bills on which we may get a chance to vote. The incredible thing is that we will be able to have almost no debate at all on three of the bills after five whole days of talk almost exclusively on one of them.

It is discouraging to see those in this House who are the spokesmen for labor either not voting at all on the amendments, or voting against almost every effort either to improve the Case bill, or to get full and fair consideration of the Adams and Voorhis and Hays substitutes. It is clear that they want to keep the legislation as bad as possible so as to reduce the chance of its passage. I cannot believe they are really serving the interest of labor in so doing. If they would join many of us in recognizing that there are some real problems which must be handled by the adoption of sound, fair, and just legislation which would enable labor and management and the public to know what they can count on, and would help us try to get such legislation, I think we could do it. Without their help many of us will have to vote reluctantly for the Case bill in its present form because they allow us no choice except the Case bill or nothing. The country cannot and will not tolerate much longer a policy of nothing. I have said repeatedly to labor leaders in my district that either labor will take over the country, or legislation will be enacted laying down rules of behavior for labor unions as rules had to be laid down for banks, railroads, utilities, Wall Street, and so forth. I do not think the unions are going to take over the country. Then why not try to get the best kind of rules, instead of something much less than the best?

If the Adams and Voorhis substitutes are defeated, I must vote for the Case substitute, knowing that the vote amounts only to a protest against the very bad situation which exists in our labor relations. The Case bill cannot do anything effective about it because the Senate will never enact it in its present form or the President sign it. I do not like gestures, but I have no other choice. A vote for the Case bill, as amended, is a gesture for some legislation on this critical issue. A vote against it is a gesture for no legislation at all. Of the two I must choose the former.

I regret exceedingly that the Democratic leadership is cutting off all opportunity to consider carefully and judicially the Adams, Voorhis, and Hays substitutes, and thereby jamming through the Case bill. I repeat that I believe the so-called friends of labor in this House are today doing it and our country a great disservice in their refusal to play ball with those of us who are neither prolabor or antilabor, but who know that when anything gets as big as big business and big unionism are today, there have to be some clear rules under which they operate and who know also that only as those rules are fair and equitable to all concerned, including first of all the American public, will they be workable and helpful. This bill will never become law, at least not without the changes we should have made here but are now unable to make: but I must go on record as expressing my belief we must have some definite rules and therefore must continue to work until we do get rules that will be fair and equitable to all and can be enacted into law.

Mr. CASE of New Jersey. Mr. Chairman, I offer an amendment:

The Clerk read as follows:

Amendment offered by Mr. CASE of New Jersey to the Adams substitute: 1. At the end of section 12 insert the following new section, to be numbered section 13:

"TEMPORARY LABOR-INDUSTRY RELATIONS COMMISSION

"SEC. 13 (a) There is hereby established a Temporary Labor-Industry Relations Commission (hereinafter referred to as the Commission) to be appointed by the President by and with the consent of the Senate and to be composed of (1) five members representing the public; (2) two members representing labor; and (3) two members representing management. Any member may, when unable to attend a meeting of the Commission, authorize another member to act and vote for him in his absence. A vacancy in the Commission shall not affect the power of the remaining members to execute the functions of the Commission and shall be filled in the same manner as the original appointment.

"(b) The Commission shall select a chairman from the public members. A majority of the Commission shall constitute a quorum, and the power conferred herein may be exercised by a majority vote.

"(c) For the purpose of this section, the Commission, or any subcommittee designated by it, shall have authority to administer oaths and affirmations.

"(d) In case of contumacy by, or refusal to obey a subpena issued to any person, the Commission may invoke the aid of any court of the United States having jurisdiction of the person and such court may issue an order requiring the appearance and testimony of such person. Any failure to obey such order of the court may be punished by such court as a contempt thereof.

"(e) It shall be the duty of the Commission to make a broad and comprehensive study of the field of labor-management relations from the viewpoint of labor, industry and the public to determine what adjustments are necessary to promote continuity and regularity of employment, industrial peace and the uninterrupted production and distribution of goods and services for commerce. Without limiting the generality of the foregoing, the Commission in its investigation shall inquire into:

"(1) The underlying causes of labor-industry disputes and the factors obstructive of their settlement, including, among other things, the effect of governmental policy both in the labor-industry and in other fields;

"(2) Whether special principles, policies and practices should be applicable in the cas of enterprises, interruptions in the continuous operation of which would vitally affect the health or safety of the people and, if so, what special principles, policies, and practices should be applicable in such cases;

"(3) Existing impediments to the success of collective bargaining procedures and how they may be improved, with special reference to the possibility of further strengthening mediation and conciliation services;

"(4) The possibility of further improvement in procedures for the adjudication of controversies as to the interpretation and application of contracts arrived at through collective bargaining, and the peaceful settlement of grievances arising under such contracts or otherwise in the course of employment,

"(5) Means by which, without impairment of the essential rights of either labor or management, the obligations of each may be enforced;

"(6) The possibility of further clarifying and defining the respective rights and spheres of authority of labor and of management;

"(7) Problems arising in connection with the selection of representatives for the purpose of collective bargaining and disputes between labor organizations relative to the foregoing and other matters;

"(8) Problems arising in connection with strikes or lockouts having objectives other than the furtherance of labor-industry disputes within the trade or industry in which the strikers or employers are engaged;

"(9) Means by which all forms of violence, espionage, intimidation and other unlawful conduct on the part of any parties to labor disputes may effectively be eliminated; and

"(10) The problem of the most effective utilization, in the public interest, of new discoveries, inventions, and techniques and the elimination of practices restrictive thereof and, at the same time, the minimization of the hardships resulting from the introduction of such new discoveries, inventions, and techniques.

in connection with which investigation the Commission shall consider, among other things, the effect of existing laws and the regulations and practices of governmental bodies administering such laws.

"(f) The Commission shall make its final report to the President and to the Congress, including recommendations with respect to legislation, not later than October 1, 1946.

"(g) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $100,000, or so much thereof as may be necessary to cover the expenses of the Commission. Such expenses shall be paid upon certification of the chairman of the Commission and shall include compensation for members, not to exceed $25 per diem, employment of experts, stenographic and other services by contract if deemed necessary, transportation, rent of office in the District of Columbia or elsewhere, purchase of necessary books and documents, printing and binding, and such other expenses as the Commission deems necessary, without regard to the provisions of any other act.

"(h) All authority granted under this section 13 shall terminate at the expiration of the Seventy-ninth Congress."

2. Renumber sections 13, 14 and 15 as sections 14, 15, and 16 respectively.

Mr. CASE of New Jersey. Mr. Chairman, this amendment is in substance the same amendment that was adopted yesterday to the Case bill. It provides for a study commission, creates a commission and provides for it to submit a report to the President and to the Congress on October 1 of this year, studying the whole

field of labor-industry relations. I urge its support and am confident the House will support it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The amendment was rejected.

Mr. HOPE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOPE: On page 15, at the end of section 13 insert the following:

"That notwithstanding the provisions of an act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity and for other purposes, any district court of the United States having jurisdiction of the parties may award either a restraining order or a temporary or permanent injunction restraining any violation of this section where it shall affirmatively appear from the pleadings and the evidence that otherwise irreparable injury will otherwise occur due to the perishable nature of the articles or materials referred to in subsection (a) including livestock and live poultry."

Mr. HOPE. Mr. Chairman, on yesterday the committee adopted an amendment submitted by the gentleman from Michigan [Mr. HOFFMAN] which struck out subsection (b) of section 13 providing for the issuance of injunctions for violation of subsection (a) of section 13. The committee adopted as part of that amendment a provision whereby violations of subsection (a) were to be punished by a loss of collective bargaining rights on the part of individuals and labor organizations. I think the committee was under the impression at that time that in adopting this provision it was substituting an equally adequate or perhaps a more severe punishment for violation of subsection 8. That may be true in dealings between employers and employees, but in this particular sort of case these involve violations, intimidations, and things of that nature. In very many instances they are not either employees or employers, and I am referring to cases that we are all familiar with because they were discussed in connection with the Hobbs bill where farmers take their produce to market and where there is violence or intimidation.

The CHAIRMAN. The time of the gentleman from Kansas has expired. All time has expired.

The question is on the amendment offered by the gentleman from Kansas [Mr. HOPE].

The amendment was agreed to.

Mr. RANDOLPH. Mr. Chairman, I ask unanimous consent that all Members may have the privilege of extending their remarks at this point in the RECORD.

The CHAIRMAN. That consent will have to be secured in the House.

Mr. D'ALESANDRO. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. D'ALESANDRO. Mr. Chairman, I appeal to the membership of the House, for the welfare of all the people of America, to oppose the drastic and far-reaching Case bill. It cures nothing, but creates new evils. It jeopardizes collective bargaining. It is unfair to labor and also unfair to management, because it will not prevent strikes, but will serve to produce more strikes.

Mr. RICHARDS. Mr. Chairman, I ask unanimous consent to revise and extend the remarks I made this afternoon.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DOYLE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Chairman, on the 8th of last June, on the floor of this House, I stated that I was speaking against a system which permitted the Rules Committee to stifle and choke and actually prevent a democratic opportunity to this great House for debate on a measure after a duly constituted committee reports favorably it be considered by the Members of the House. I also stated then, as I do again now, that I am not criticizing any person, but I am again protesting the same procedures by which the bill H. R. 4908 was, to all intents and purposes, made secondary and of virtually no importance for legislative purposes, by the procedure followed by the Rules Committee. Yet H. R. 4908 had been studied and reported out by the Labor Committee, which is a legislative committee of this House, while the Rules Committee is not a legislative committee. Nor is it in fact a fair answer to say that by having 218 Members sign a petition, the ruling of the Rules Committee can be upset. For the democratic processes should dictate that the Rules Committee should give full play to our democratic processes, rather than to make it more difficult for the majority to find expression. So I protest the means by which the Case bill is here on the floor, with the theory of the President of the United States a poor second. I believe the confusion that at this hour exists on this legislation on this floor justifies my statement that the most democratic and constructive procedure to take is to pass out to the floor for debate bills which have first had the study and report of a legislative committee. This Case bill was born in surprise as far as this body as a whole is concerned. It never had committee consideration. It is admitted some members of the Rules Committee had not yet read it when they voted for it. Surprise legislation is generally of short life, too. Studied legislation is the only safe sort to submit.

Over 3 days of debate we have had five major bills on the same subject with several dozen amendments to consider. Most of these amendments appear to have been written out on the floor of this House as debate proceeded. I have counted the pages of the 5 bills to be 108 pages. I venture that not over 20 percent of the Members of this House have ever read more than half of these bills and that not over 5 percent of the Members could pass a grade of 75 percent on the contents of these bills.

Furthermore some of these bills deal with and propose to nullify basic and existing laws in the field of labor and management and how can we intelligently act on these bills unless we know the content of these basic Federal statutes they propose to dissolve or destroy? I have asked several of the Members of this House to give me their opinion as to what percentage of the Members could pass a grade of 75 percent on the contents of the Norris-LaGuardia statute, for instance. I was shocked—but not surprised—to find they all stated figures of not over 10 percent. Yet, the Case bill expressly proposes in section 11 to make of no effect section 104 of this basic statute relating to the working people of our Nation and their basic rights to do certain acts peaceably.

How can we vote intelligently on the Case bill when so few know the content of the Norris-LaGuardia statute? Yes, I know we can rely upon someone else's statement or opinion or hearsay. But that, gentlemen, is not sound enough legislation on this vital matter. If the Case bill passes the way section 11 now is, we can have as many different standards for injunctions as there are different judges of the courts having jurisdiction. We need less confusion, instead of more. Besides, why should the proponents of the Case bill wish to destroy these basic principles of the Norris-LaGuardia statute? Do they object to peaceful procedures of labor therein protected? If they did not want to destroy labor's peaceful activities therein shielded by Federal statute, why did they write it in the bill?

My estimate right now is that there are not more than a half dozen or so Members of this House who can tell us with much degree of accuracy what the status of the bill is as relates to its present text as a result of amendments thereto. This is not surprising either on account of the confusion and lack of opportunity by the Members to fully acquaint themselves with all the bills and their lack of ready knowledge of the present existing Federal laws on the subject.

This is no time for hasty or ill-considered legislation. What we do here today will in no event change the course of the present labor-management deadlocks, anyway.

I hear Members say they feel we are being too hasty and hurried in our debate. I hear Members speak of admitted confusion on their part and on the part of the House itself. As far as I am concerned, let us stay here until late tonight and come early tomorrow and next day and next night and every day and night until we are as sure as can be, under such difficult legislative processes, that we are not creating a monstrosity.

Having done considerable outside reading on this subject recently, I think you would be interested in a very brief and partial outline of the development of the interest or plan of government in the labor field, for the records show that it is very recent.

In regard to Case bill and Federal labor policy, three basic trends on principles are manifest in the Federal processes of aiding workers to increase their own earnings and to improve their working conditions. These three governing principles are:

First. The Government encourages workers to engage in concerted action.

Second. The Government protects the workers in peacefully organizing in their own way.

Third. The Government seeks to aid and promote the peaceful and voluntary settlement of labor disputes.

Concerted action by the workers is encouraged and aided in order to facilitate working employees to make collective agreements with their own employers and since by collective action the bargaining power of workers is developed and increased and the result is the terms of employment are aided. The Government requires employers to engage in collective bargaining if the workers themselves require it. Therefore, employers are prohibited from interfering with voluntary efforts of workers concerning exercising of these rights.

Only in 1884 did Congress create the Bureau of Labor in the Department of the Interior and not until 1903, upon the request of President Theodore Roosevelt, did Congress establish the Department of Commerce and Labor, whereupon the old department, established in 1884, was transferred to the new department. And then not until March 1913 was a separate department with the head, of Cabinet rank, established. The first regulatory activity in the general field of labor was the Antitrust Act of 1890 which prohibited any restraint of interstate commerce in the form of agreement, contract, or trust. Our Supreme Court held that it applied to concerted acts of workers such as strikes and boycotts when designed to restrain interstate commerce. In 1932 the Norris-LaGuardia Injunction Act attempted to free labor from this antitrust interpretation. This Norris-LaGuardia Act was the first legislative statement and declaration of policy that it is desirable for labor to organize and to bargain collectively. A few years before that in 1926 the Railroad Labor Act drastically modified the machinery for the settlement of railway labor disputes and established a Board of Mediation composed of five members. It was not until 1916 that Congress prohibited the transportation in interstate commerce of goods made by child labor. And in 1924 Congress submitted to the States for ratification a constitutional amendment granting to the Federal Government the power to regulate child labor, but it has never been ratified by three-fourths of the States.

The labor policy of the Government has developed primarily since 1932. In 1933 Congress enacted the National Industrial Recovery Act providing for the general regulation of all industry by voluntary codes or by Government licenses. In 1933 the Employment Service Act provided for reorganized and expanded United States Employment Service, financed on a grant-in-aid basis, and administered cooperatively by the Federal Government and States.

The Social Security Act of 1935 provided for old-age benefits.

I repeat Mr. Chairman, I regret, and I fear this House will, the haste and speed with which we are limiting this debate and the enacting of this legislation. It all should have had committee legislative consideration. But in the absence thereof it appears to me as hazardous to legislate in haste and even shut off debate and consideration while there are sincere and most able Members yet desirous of participating.

Mr. MILLER of California. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Chairman, I rise in opposition to the Case bill.

I base my position on a number of factors, the chief of which is that we attempt to write legislation on this all-important subject without the benefit of a recommendation of the proper legislative committee to study and recommend on matters pertaining to labor. The effects of this bill go into the homes of every person in the Nation. There is no more important piece of legislation that will come before this Congress than that which we now so hurriedly consider. I urge you go slowly, to reject the bill so that the labor committee can further deliberate on it and its drastic provisions.

I sense a deliberate plan on the part of the proponents of this legislation to whip up the emotions of the membership and to create in their minds a false value for the necessity for this type of legislation. There have been a rash of strikes around the country, but time will eliminate them. Already, to my way of thinking, the redness has begun to go out of the skin of our body politic. I have recently had the privilege of visiting my district, and though I only had 4 days, I tried to talk to as many as I could. I talked to them to obtain their reaction on legislation pending in the Congress. I discussed this matter with a number of people from large employers on down to the man of the street, and I can truthfully say that not one of them was excited about the situation. They did not like certain developments in the field of labor. They realize that it was the natural outcome of the cut-backs coming after war and that the work stoppages were not a permanent thing.

I have heard claims that seemed to me exorbitant made about the amount of money made by people who labor. I do not know what takes place in other districts, but I know that such claims could not be substantiated in my district. I have in my possession the check stubs of a number of common laborers who work for the Chrysler Corp. in Oakland, Calif., and that all show that after the cut-back of hours, coming with the cessation of hostilities, that the take-home pay of married men, substantial American citizens, ranges from $27 to $33 a week, and I submit to you that men cannot pursue the happiness guaranteed them in the Declaration of Independence on salaries of that type at this time.

A great deal has been said about the high standards of American living and we are all proud to know that this country leads the rest of the world in this respect. But, I invite you to examine the record and see where the highest standards of living in the country obtain. It is not accidental that these standards are highest in the sections of the country where labor is best organized, nor is it accidental that in those sections of the country where labor is best organized, the farmer or the industrialists finds a ready market for his products.

In those sections where labor is well organized, you will find the highest educational standards—you find the highest standards of health, and there yon find the highest standards of the American way of living.

I urge you not to act hurriedly, but to weigh carefully the provisions of this bill that would substantially destroy the labor movement in America, and destroy with it those things that we are proud to call American.

Mr. THOMASON. Mr. Chairman, I ask unanimous consent that debate on the Case amendment and all amendments thereto be extended for 2 hours.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. BALDWIN of New York. Mr. Chairman, I object.

Mr. HOFFMAN. Mr. Chairman, in view of the fact that we have reached the end of discussion on the amendments offered, I ask unanimous consent that I may be permitted to print the amendments I have on the Clerk's desk in the Appendix of the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. STARKEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. STARKEY. Mr. Chairman, I have listened diligently to the debate on the so-called Case bill, and I am convinced that enactment of it into law will not accomplish the purposes that its supporters contend it should, namely, promote collective bargaining, settlement of labor disputes, and encourage voluntary arbitration.

It is my firm conviction that it will do just the opposite. I make this statement based on practically 30 years of experience in drafting, negotiating, and interpreting collective-bargaining agreements between employers and employees, and also through experience under a State labor relations act which in an extremely mild manner embodies some of the principles contained in this bill.

One needs no further evidence than the debate carried on on this floor for

the past 4 days to convince himself that both employers and employees will be much more hesitant to arbitrate their disputes under the provisions of this bill than under existing Federal facilities.

The requirement that the Board may take jurisdiction for from 30 to 35 days will compel the unions to immediately serve notice so as to start the time running, and the Board will be completely swamped just as they were under the provision for strike votes under the Smith-Connally bill. As under the Smith-Connally bill the expense will be tremendous, and it is my prediction that if this bill should possibly become law the same people will be back the next session or two seeking its repeal, as they did with the Smith-Connally law.

This bill does two things which I think are uppermost in the minds of the people sponsoring this legislation.

First, it permits unions to be sued for breach of contract, which, of course, in most cases would be the stoppage of work while a contract was in existence. This of necessity would compel labor unions to insist on a clause in the contract to the effect that nothing herein contained shall be construed as a breach of contract if the members of said union cease work if a grievance is not settled satisfactorily within a period of, say, 5 days. Of course, the employer would not agree to such a provision.

Second, failing to reach an agreement on this question would again of necessity compel the union to spell out in the contract every conceivable question that would have the remotest possibility of arising, which would result in long and bitter bickering and based on my experience in such matters would lead to stalemates, bitter disagreements, and strikes, not over a current grievance, but over some grievance that might possibly arise at some time in the future.

Therefore, I say the bill does not promote or assist collective bargaining but would bring about confusion, distrust, and unnecessary interruption of production.

The bill further provides that injunctions may be issued against unions or any individual member thereof and while proponents cry to high heaven about force and violence they know full well that injunctions may now be obtained against the use of force and violence. They say nothing about intimidation or threat thereof, but I am satisfied that if this bill becomes law any member of the legal profession could obtain an injunction against any individual who attempted to persuade a persor to join a labor organization or to refrain from working for an employer who refused to meet union conditions, if such an individual used the same tone of voice and the same facial expressions and gestures that have been used on the floor of this House by Members attempting to persuade other Members to vote for or against this bill.

The proponents know full well that enactment of this bill into law would repeal the Norris-LaGuardia anti-injunction law and set us back to conditions and precedents of 20 years ago. Last, but by no means least, is this the reward that our veterans and servicemen are to receive? The title "Veteran" as commonly used at this time indicates that he has courageously and unselfishly given himself to the defense of our country to preserve our way of life. He has gone onto the battlefield to restore to the workers of other lands the right to organize and have some control over their standards of living. But the title "Veteran" in the true sense is past tense and the vast majority of them during the rest of their life will be working people and will want to enjoy the full fruits of their toil.

Are we going to show our gratitude to the veterans who have not acclimated themselves to their return to civilian life and the millions still overseas, by taking away from them the rights that others enjoyed while they were defending our country and make it more difficult for them to enjoy that for which they fought, political and industrial democracy?

No, my fellow Members, I cannot bring myself to support this bill and I am satisfied that the vast majority of the citizens of this country, if they knew all the implications and far-reaching effect of this bill would not for one moment lend their support to it

Mr CHURCH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CHURCH. I have an amendment at the desk. Will it be read?

The CHAIRMAN. The amendment will be read.

Mr. VORYS of Ohio. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VORYS of Ohio. Mr. Chairman, this House has just finished rewriting the so-called Case bill here on the House floor under the most difficult conditions. About 20 amendments have been adopted and at least 20 amendments were defeated. We have spent 5 days here on this bill, without any leadership from the President or his party. The best that the administration-controlled Labor Committee could produce was a bill none of them now support for "fact-finding," a process that has already been tried by the President and failed to prevent strikes. The amended Case substitute is not perfect, but it is the best bill that the House can put together under these difficult conditions, and I am supporting it, for it is unthinkable that Congress should do nothing about the strike situation.

WHO WANTS STRIKE LEGISLATION?

The people want Congress to do something about strikes. War veterans, white collar people, farmers, small businessmen have demanded that Congress do something about strikes. The President himself, has asked Congress to act.

Labor leaders, and certain elements in big business, and the Communist Party, want us to do nothing. Union leaders are against this bill or any bill at all limiting their activities in any way whatsoever. Certain business interests are passing the word for Congress to do nothing, so that they can fight the unions to a finish. William Z. Foster, head of the Communist Party, is for no strike law, bigger and better strikes, saying "at least 4,000,000 workers are now in motion"; he believes this is a step toward his goal "nationalizing the basic industries of the United States."

THE DUTY OF CONGRESS

Which group, which leader, should Congress follow? Well, in this case, nobody; certainly not President Truman, for his suggestions are merely an elaborate way of passing the buck. Congress must lead. Congress must really legislate this time. We must think this out for ourselves, under great and conflicting pressures; no bill we pass is going to be popular, for the conflicting demands on us are hysterical for either drastic action, or for no action, and we know that neither course is wise. We must look beyond this week, this year, and this election, and deliberate as lawmakers.

Some say unions should remain above and beyond the law; others say unions should be abolished by law; I say that unions are big business now, they are here to stay, and should be regulated by law in the public interest, just as we regulate other big business.

THE PUBLIC INTEREST

The public interest includes everybody and that includes the individual working man. The public, including the working man, wants production, no strikes, low prices, high purchasing power. The individual working man wants good pay in terms of what he can buy for a day's work and wants to be free from domination by his boss, his Government, or his union. He wants his union to bargain collectively for him, but not to cost him too much in dues, or strikes, or any other way. The public wants to share in every invention or improvement in industrial know-how through lower prices. The public does not want a system whereby all the profits go to stockholders, or to unions and stockholders, or to the Government in taxes.

In this postwar struggle for power between unions and management in America each side wants security through power; the public interest is made secure only by limiting the power of both business and unions. We know that in America the individual citizen obtains freedom and security for his political rights through the divided powers of the executive, legislative, and judicial branches. No one branch must be too powerful, or the citizen loses his security. In the same way, each American citizen obtains economic freedom and security through dividing and balancing the powers of unions and business and Government. If any one of the three gets too powerful the citizen, including the worker, will be less secure and less free. Congress is attempting to preserve this balance in the Case bill.

THE PRICE-WAGE MISTAKE

We all want higher wages and lower prices for ourselves. We all know that what we mean is being able to buy more for a day's work. We have done just that in America in the past, through invention and ingenuity and production

and collective bargaining. We could have done it again after VJ-day. We shall do it again in the marvelous period that lies ahead, of undreamed-of production, when we can make anything out of almost anything, for almost nothing; when through cooperation of labor, management and Government we have returned to a policy of planned plenty.

But President Truman slowed it all down. He forgot that prices and wages are tied together, unless you get production and invention going. He left on price regulations that throttled production, then took the ceilings off of wages, then disbanded the War Labor Board, then got out statistics that encouraged labor to make demands that could not be met without price increases, and now, when we are in the midst of the greatest strikes in all our history, all he can suggest is "fact-finding."

Strikes cause scarcity; enforced prices that are too low cause scarcity, because industry cannot produce; prices that are too high cause scarcity because people cannot buy. We had a policy of planned scarcity under the early New Deal. We are suffering now from the Truman brand of planned scarcity.

THE CASE BILL

Many exaggerated statements have been made for and against this bill. It will not prevent strikes. It does not force anyone to work. No law can do this. The bill sets up a permanent mediation board, headed by officers to be confirmed by the Senate to represent the public, not labor or management; it provides, in big labor disputes, a 30-day period during which conciliation and mediation must be attempted; it makes collective bargaining agreements binding on both parties; it forbids violence and intimidation and boycotts; it provides that supervisors representing the employer shall not have the benefits of the Wagner Act, which was designed to protect employees. No criminal penalties are provided.

My amendment, which was adopted, cut out any new use of injunctions in labor-contract disputes. On the other hand, we restored the power of the courts to enjoin fraud or violence which was provided in the Norris-LaGuardia Act but nullified by a court decision written by Justice Frankfurter. We thus created no new injunction powers in the courts, but merely repealed judicial legislation by the New Deal Supreme Court which violated the clear intention of Congress expressed in the Norris-LaGuardia Act.

The Case bill does not affect railroad workers at all. In fact, it is an attempt to apply some of the principles of the Railway Labor Act to labor disputes in industry.

This bill is not a panacea for strikes, but under wise and courageous administration it can be very helpful in the fair settlement of labor disputes without resorting to strikes.

The Smith-Connally Act was rewritten on the floor of the House and rewritten on the floor of the Senate and then passed over the Presidential veto. It is the style now to say that this act was no good. It is interesting to note, however, that we are now eating meat and getting gasoline because the meat and oil industries are being operated under the Smith-Connally Act. It is also interesting to note that none of the prophecies of labor leaders about this act, that the right to strike was destroyed, that labor would be hamstrung, and so forth, came true. The Smith-Connally Act, although it has been badly administered by a hostile administration, had a very important moral effect in wartime; it proved that Congress would do something about strikes. Passage of the Case bill by the House, even though it goes no further, shows certain labor leaders that the House is willing to do something about strikes, and this will have an important moral effect.

OTHER LEGISLATION

The Case bill provides in section 9A:

It shall be the further duty of the Board to make a broad and comprehensive study of the field of labor-management relations from the viewpoint of both labor, industry, and the public to determine what adjustments are necessary to promote continuity and regularity of employment, industrial peace, and the uninterrupted production and distribution of goods and services for commerce.

This is one of the important provisions of the bill. A calm and intelligent and impartial review of the Wagner Act and the antitrust laws and other laws affecting labor-management-public relations is needed. This study cannot be made by a biased House Labor Committee, dominated by outside interests. Full hearings should be provided, and bills should be thoroughly considered in committee before coming to the floor. Our aim should be something more than providing Marquis of Queensbury rules for industrial warfare, although that in itself is important. We should seek means of avoiding work stoppages due to industrial disputes. This is most difficult. Compulsory arbitration, which is hated by both labor and management, may become necessary if either labor or management overlook too long the public interest, for the American public and its representatives in Congress will not be content to suffer indefinitely as innocent bystanders in total warfare between gigantic organizations of labor and capital.

We should remember that we have a form of extra-legal arbitration going on now, which is almost compulsory in its effect. President Truman made a one-man arbitration award in the steel strike that union spokesmen and certain newspapers are labeling a governmental act. I do not believe in pressure arbitration from the White House. I do not believe in using the prestige of the Presidency in this way; if Presidential prestige is high, this is a dangerous power; if it is low, as now, it is still unsatisfactory. I have not been impressed by the stage managing, the public relations, of General Motors or steel or the CIO in their bids for public opinion during these strikes; but when little President Truman, beloved and befuddled, shakes first his fist, then his finger at these giants, then wrings his hands, then washes his hands of the whole thing, we feel a combination of pity and disgust. This brings a sobering realization to us here in America and in Congress; we cannot rely upon White House showmanship to settle the strike problem. The hundreds of thousands of American workmen now on strike ought not to have their rights, their duties, and their destinies depend upon the acting ability of half a dozen big shots of labor, management, and Government; their rights and their duties should depend upon the law.

The Communists and their fellow travelers have a very clear picture of what should be done. They want more strikes, more violence, and finally nationalization of industry, so that every worker is secure as a slave of an all-powerful state. The rest of us seek as our goal the security for an American workingman, which comes when he is not dominated by his employer, or his union or his Government. In a few years we shall know which way America will go.

Mr. LINK. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LINK. Mr. Chairman, today the people throughout our country are faced with the all-consuming thoughts—security or liberty.

During the war we subdued both of these thoughts for victory—and we achieved that victory.

Now, gentlemen, our problem is to achieve both security and liberty—and I am afraid that many people in our country are more concerned about security than liberty.

This was clearly demonstrated on Thursday when an overwhelming majority of Congress voted for the Case bill. All party lines were broken and we liberals in Congress found ourselves to be a small minority. Our Nation—the wealthiest and the most powerful in the world—surely is capable of finding a means of carrying on in such a way that we can still be the wealthiest nation and the most powerful nation, and yet have both security and liberty. But it seems to me that certain groups in our country are so blinded by the power of gold that they are reaching out to take over our liberties by throwing us a little sop of security.

Let us go back to Thursday and to what they are offering us for our liberty. General Motors knows that if the Case bill is passed labor will be hobbled to such an extent that all gains which have been made during the past 40 years will be nullified by special laws enacted to keep labor impotent—and labor will go back to those days when depressions were called recessions.

We were even told in school that these 7-year periods of recession where necessary to empty the warehouses—we were overproduced—but after that recession, labor never went back to work at the old wage scale. No; it always had to take a cut, and it had no choice because at the end of the recession period labor was broke. But, gentlemen, those days are over. Today labor is organized just as well as management; and, above all, remember that the man in the overalls outnumbers by far the man with the gold.

Gentlemen, security with liberty is the goal for which all humanity is striving; and we can have both security and liberty if labor and management and government work together.

Security without liberty is not the American way of life.

Mr. ROWAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROWAN. Mr. Chairman, the conference report on full employment—House Report 1520—which has just passed the House of Representatives, and for which I voted, will, in my opinion and the opinion of many others, aid the cause of unemployment in our country. Although it will not accomplish many of the things which those who sponsored the legislation had anticipated, it is nevertheless a move in the right direction. We all confidently hope that as a result of the passage of this bill something will be done to prevent wholesale unemployment within the months that are ahead.

The Case substitute for the Norton-Ellender bill, which has just been adopted by the Committee of the Whole, will do nothing for unemployment, and certainly will have no bearing on the current strikes which have resulted in unemployment of over a million workers. On the other hand, unless some settlement is brought about, these strikes will result in a substantial increase in the ranks of the idle.

What the American people are interested in today, if we are to judge by the correspondence which comes to many Members of the Congress, is jobs for the unemployed and the potentially unemployed. Full employment is a subject that is presented most frequently and this matter should engage the attention of all of us. Strikes can and will be settled, but unemployment will continue unless something is done about it and Congress is the place where such action should be taken now. The public is perplexed over the fact that while the Members discuss the question of a loan of $4,000,000,000 to Great Britain as an aid to American prosperity in the near future, a million men are unemployed just because the tycoons of industry and big business cannot agree to meet the Presidential request to grant an increase of 3½ cents and hour to American working people. One of the constituents corresponding with my office has informed me that he is going to carefully scrutinize the roll call on the Case bill and compare it with the roll call on the loan to Great Britain. He predicts that many of the persons who have been most enthusiastic for curtailing the labor will be enrolled with those who support the loan to Great Britain.

These are days when we must think of the workingman and his family. The mail that comes to our desks certainly indicates that this is a subject uppermost in the minds of millions. As an illustration of this correspondence I do not think it would be amiss at this time to present some excerpts from a letter, signed by Samuel W. Silverman, national president of the Allied Veterans Political Association of America. This association, according to the stationery on which the letter is written, was organized by act of Congress July 14, 1933. Although the letter, which bears the heading "An appeal to the consciences of the House of Representatives and to the Senate of the United States of America," has undoubtedly been sent to most of the Members, it brings home to me, at least, with great emphasis the temper and the thought of many people who are trying to bring about an orderly adjustment of postwar conditions in our country. It will be noted that in the program that is set forth there is no mention made of the Case bill, or any other antilabor bill, but stress is placed upon the fact that there are some bills for which there is much greater demand than the legislation which has engaged the attention of the House for the last week. During today's session I reread the letter from Mr. Samuel W. Silverman and herewith would like to present some of his views, not mine, on problems that are uppermost in the minds of American people including great numbers of veterans of World War II:

THE ALLIED VETERANS
POLITICAL ASSOCIATION OF AMERICA,
Washington, D. C., January 25, 1946.

AN APPEAL TO THE CONSCIENCE OF THE HOUSE OF REPRESENTATIVES AND TO THE SENATE OF THE UNITED STATES OF AMERICA

HONORABLE GENTLEMEN: As you recall, 22,000 veterans of World War I marched on, and took possession of Anacostia—this was the bonus army. They created a most embarrassing problem for Congress. The CCC camps were organized to partly solve the problem—and it was I who first suggested the solution to the then adviser to the President—Louis Howe.

Out of Anacostia came many things—among them was the birth of our veterans' organizations—designed to protect the rights of veterans in a political sense. The AVPAA was organized for the specific purpose of acting in behalf of veterans where other veteran groups were forbidden the right to speak on political issues. I foresaw Anacostia and I urged that corrective action be taken at that time—action which would have avoided that whole, painful episode.

Now, I again warn the Congress that there will be another march on Washington—this time of 100,000 veterans of World War II. When this legion marches, they will take possession of all governmental buildings, including the offices occupied by Congress. They will use these offices and buildings as their homes until the Congress and the Government provides housing and jobs for veterans and their families. They have power. They represent power. They will use power.

Because there is here a very real threat which may create a social danger, I am presenting this statement to the Congress. Whether you gentlemen know it or not, there are several facts which merit the attention of the Congress. They are as follows: Returning veterans of the recent war are swelling the ranks of the American veteran's committee. There is the fact of, and the battle for control going on in, the American veterans' committee—between the Fascist and the Communist elements. Remember, gentlemen, no matter who wins that internecine war, we, the American people, are the losers. Our institutions, our beliefs, and our traditions—our very Constitution itself—will be torn to pieces. These people are taking advantage of industrial dislocation and are fomenting discord in the confusion incident to the termination of the war.

Speaking with seeming sincerity and truth, the American veterans' committee leaders know only too well the art of selecting the proper methods of propaganda to attract the attention of returning veterans. They know only too well how to play upon the emotional nature and racial prejudices. What has happened in Europe should be taken into serious consideration. I am sure that every Member of Congress would not like to see, in these United States, a repetition of the horror of Europe. Yet, that same potential danger is actual, and real—and it confronts us at this very moment.

We know how absurd the appeals to religious and racial prejudice may be, but we also know from sad experience, and from contemporary history, the actual crimes which have been the direct result of such appeals.

The American veterans' committee seemingly champions the cause of the downtrodden and persecuted minorities. They engender the natural trust and gratitude of those minorities.

Seemingly, they champion the rights of the weak and they build their power on the blind faith and loyalty of the weaklings. One cannot censure the poor, misguided but sincere people who so loyally follow those who appear to be fighting their battles for them, and who, apparently, seek only their welfare. But, gentlemen of the Congress, this same blind faith and loyal support, no matter how sincerely intended, can create a very serious political crisis—a crisis that now bids fair to become the most destructive in our whole national history. They are organized and directed by a group of highly intelligent, experienced, and wealthy leaders—toward a well-planned objective.

It is only when you and I, who know better, who are aware of the false character latent in their cogent and specious pretense—it is only when you and I lose our heads and play cheap and dirty politics; when we forsake sincerity of purpose and the welfare of all the people, that we play right into their hands. We then find ourselves strange bedfellows.

The Communists and Fascists are inciting and inflaming the veterans. They have received, and still are receiving, help from the Congress by virtue of its inactivity with respect to the dislocation caused by the abrupt ending of the war. The inability of the veteran to obtain jobs at a wage which will make it possible for that veteran to earn a living for himself and his dependents, based on the American standard of living, is only adding fuel to the disgust of the veteran. In some instances, this disgust is converted into contempt and hatred for a Congress which has failed, on some pretext or another, to provide the veteran with that protection which he feels he has justly earned by virtue of his service and his sacrifice for the defense of an apparently wholly ungrateful nation.

It is, therefore, quite obvious to those who can envisage the situation in all of its aspects, that unless the Congress takes immediate steps to remedy this situation, it may be too late to prevent disaster. Congress must provide jobs at a decent wage; it must provide a decent home. It is utterly useless to deny that multitudes of veterans are homeless, are sleeping in jails, parks, and hallways. These veterans are embittered, resentful, and sullen. Remember, gentlemen, that they are blood-tested, and have, in many cases, retained war-won weapons in the use of which excellent training has made them adept.

Do not censure the veteran—if there is any censuring to be done at all, then apply that censure to you, the Congress. Strange as it may appear to some of you, we do not blame the Fascist or the Communist for the danger which so imminently confronts you. We blame the Government and the Congress for a series of complicated problems which have

been allowed to grow into alarming proportions. What are you doing, if anything, gentlemen of Congress, about these momentous matters? Are you only intent on playing your cheap and dirty politics? Are you hiding an ostrich head in political sands?

What excuse is there for the failure of Congress to provide jobs and homes for the veteran and his family? If you are concerned about where the money is to come from, to provide low-cost housing, why are you not diverting those $4,000,000,000 which you propose to lend to Great Britain, or the six billion you propose to lend to Russia—divert that money to build homes for our veterans. The veteran cannot marry, he cannot resume normal living until he has a home. The veteran is finding it hard to adjust himself to a new and different mode of life. He faces shortages of basic essentials in a land of plenty. He is disillusioned and bitter. The veterans are ripe for uprising. The veterans are ripe; the leadership is there, their cause is basic—vital.

The Allied Veterans Political Association of America presents this as a minimum program of action. The Allied Veterans Political Association of America recommends:

1. The adoption of the Wagner-Ellender-Taft housing bill.

2. The adoption of a full-employment bill which will provide 60,000,000 jobs immediately—in order that veterans may obtain an all-around opportunity to enjoy at least some of the things for which he has fought so ably and so well.

3. The continuation of the OPA as a means of preventing inflation.

4. The continuation of the United States Employment Service, permanently.

5 The continuation and further implementation of the Fair Employment Practice Committee as a means of eliminating friction between the various racial and religious groups which constitute our Nation.

Sincerely yours,

ALLIED VETERANS POLITICAL ASSOCIATION OF AMERICA,
SAMUEL W. SILVERMAN,
National President.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Chairman, on last Friday, during the debate on H. R. 4908 and the Case bill, H. R. 5262, I outlined in detail to the Members of the House, my opposition to this legislation. During the intervening days of debate and discussion, there has not been any constructive amendments passed by the Committee of the Whole which convinces me that I should change my opinion.

This legislation, if enacted into law, will be not only a repetition of the anti-labor Smith-Connally Act, but will hamper the rights of free American labor to exercise privileges given to it under our Constitution.

A great majority of the Members are not familiar with the numerous amendments that have been attached to this legislation in the last few days and cannot vote intelligently on the legislation now before the House for passage.

I repeat a statement made in my speech of last Friday that the passage of the Case bill, with or without the adopted amendments, will lead to the destruction of labor unions and eventual industrial serfdom. If enacted, it will haunt its sponsors, contribute to industrial strife, and postpone reconversion and peacetime prosperity indefinitely.

I am opposed to this legislation and hope that it is defeated.

Mr. HAYS. Mr. Chairman, I have an amendment to the Adams substitute. Will that be read?

The CHAIRMAN. That will be read later.

Mr. HINSHAW. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HINSHAW. Mr. Chairman, during the debate and amendment of H. R. 4908 I have been in almost constant attendance on the floor of the House attempting to learn the facts as presented and to act with reason and judgment upon the amendments. With the welter of argument presented, this has been a most difficult undertaking. It has been my conclusion that the Adams substitute and the Voorhis substitute would be more effective and more likely of final approval in the other body than the Case bill, so I voted for both substitutes in turn. Both were defeated. I now intend to vote for the Case bill as amended in the Committee of the Whole, as I believe it to be a more effective measure than H. R. 4908.

During the weeks' discussion it has occurred to me that there is a great confusion of thought in the minds not only of persons in the Government, but among the great mass of our people, and particularly in the minds of leaders and the rank and file of labor organizations, in respect to at least one very fundamental thing, namely: that which has made and can again make ours a prosperous country.

We hear much talk of money and rates of wages and distribution of profits—just as though that was the fundamental aspect of prosperity.

Mr. Chairman, you could set wages at $100 per hour and make everyone a gift of a million dollars, but if there were little or no production we would soon become a starving and impoverished people. The important thing is not money—the important thing is production, and more production.

If one man can produce two items in 1 day and yet produces only one, then the cost of his labor is, of course, twice as much as it would have been had he done his best. Hence, when carried out among all who labor with head or hand, it is certain that a day's wages could then only buy half as much as it otherwise would buy.

If those who extract building materials from forests, mines, and quarries, and those who process these things, and those who fabricate, erect, and finish a home do less work in a day than they are really able to do—then homes must cost more than they should. Who suffers? The very workmen who need the homes to live in. Their wages can only buy the value of the production.

The scale of wages in dollars is important, of course. But if a general scale of wages be established that will compensate each man in proportion to his skill and productive ability, then overall prosperity and higher standard of living can be achieved—not through higher wages but through better production and hence lower costs. In other words, Mr. Chairman, the dollar is not nearly as important as how much the dollar will buy.

An over-all increase in wages without a corresponding increase in production per hour means nothing in the long run, except inflation, because costs are increased when wages are increased. The wage earner gets more dollars per day but it takes more dollars to buy his daily needs. That game is like climbing two ladders at the same time. It is ruinous to those who have retired on pensions, the aged, the sick, the widows and the disabled. Their incomes in most cases remain fixed. They find themselves to be poorer and poorer as prices go up.

We in this country now are engaged in a race with inflation. We would do well to remind ourselves that in so doing we are in a race with starvation and a depression worse than that of the thirties. We are glibly talking of sending money, food, clothing, and machinery to devastated Europe and Asia. If production in America is impeded much more by strikes and slow-downs, then we ourselves will indeed be devastated, and there can be no help for Europe and Asia from us. We will share their poverty rather than they being able to share what once was our prosperity.

The purpose of these bills in Congress is to avoid strikes and other stoppages of work, so that we can be about the business of producing things with a will. Production at lower and lower costs means that more people can buy more things. To tolerate idle hands and idle factories in these crucial times of dire shortage and tremendous world-wide need is well nigh a crime against humanity itself. Let us get back to work with the will to produce to live and help others live.

The CHAIRMAN. Are there any further amendments to the Case substitute?

Mr. CHURCH. Mr. Chairman, I have an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CHURCH: Page 15, line 9, of the Case amendment, insert the following:

"Section 13 of the Federal Corrupt Practices Act, 1925, is hereby amended to read as follows:

"'SEC. 13. It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution in connection with any election to any political office, or in connection with any political convention or primary election held to select candidates for any political office, or for any corporation whatever, or any labor organization to make any contribution, expend any sum, aid in the solicitation of any funds, or levy any assessments on its stockholders, members, or subordinate affiliates, in connection with any election at which Presidential and Vice Presidential electors, or a Senator or a Representative in, or a Delegate or Resident Commissioner to, Congress are to be voted for or in connection with any political convention or primary election held to select

candidates for any such election, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section. Every corporation or labor organization which makes any contribution in violation of this section shall be fined not more than $5,000; and every officer or director of any corporation, or officer of any labor organization, who consents to any contribution by the corporation or labor organization, as the case may be, in violation of this section shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both. For the purposes of this section "Labor Organizations" shall have the same meaning as under the National Labor Relations Act'."

Mr. CASE of South Dakota. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CASE of South Dakota. Mr. Chairman, I make the point of order that the amendment is not germane and expands the scope of the bill.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. CHURCH. I do, Mr. Chairman; although I realize my difficulty under the circumstances of haste and the parliamentary situation.

The Case bill that my amendment attempts to amend gives the President broad powers in appointing members, officers, and alternates on the Board. It also gives Congress broad powers in appropriating or denying appropriations to this Board, all of which would bear on the effectiveness of the Board. The President could appoint a good or a bad Board. Congressional appropriations could likewise affect the work of the Board. Mr Chairman, it has been demonstrated in the debates that a member of the Committee on Labor seems to be a very valuable one as the result of the election the last time. It was that narrow margin of the vote of the gentleman from New York [Mr. BALDWIN] that enabled this bill to come before the House for amendment, discussion, and final action. Primaries and elections throughout the United States are often close and are swayed one way or the other because of expenditures by corporations and unions that my amendment reaches. I believe my amendment goes to the very heart and very grass roots of this bill, and is conceivably germane, but time does not permit me to effectively urge its germaneness, Mr. Chairman.

Mr. MARCANTONIO. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. Briefly.

Mr. MARCANTONIO. Mr. Chairman, I believe that this amendment is germane It helps crucify labor. The bill crucifies labor. Therefore, the amendment is germane.

The CHAIRMAN. In the opinion of the Chair the amendment offered by the gentleman from Illinois is not germane to the bill, and therefore the Chair sustains the point of order.

Are there any other amendments to the Case bill?

Are there any other amendments to the Adams substitute?

Mr. HAYS. Mr. Chairman, I offer an amendment to the Adams substitute.

The Clerk read as follows:

Amendment offered by Mr. HAYS to the Adams substitute: Strike out the first eight sections and insert the following:

"PURPOSE

"SECTION 1. (a) Declaration of policy: It is hereby declared to be the policy of the Congress to facilitate the prompt, peaceful, and just settlement of all labor relations controversies between employers and employees that may interrupt commerce among the several States or with foreign nations; and to that end—

"(1) to encourage the making and maintaining of agreements concerning wages, hours, and other conditions of employment;

"(2) to assist in maintaining the right of the parties to be represented in collective bargaining and in the making and maintaining of such agreements by duly authorized representatives freely and voluntarily designated by the respective parties without any interference, influence, or coercion exercised by any party over the self-organization or designation of representatives by any other party;

"(3) to provide Federal settlement procedures for labor relations controversies likely to result in such substantial interruption of commerce among the several States or with foreign nations as to require or make appropriate Federal action; and

"(4) to leave to the several States the handling of all other labor relations controversies that may interrupt such commerce among the several States or with foreign nations.

"(b) Declaration of purposes: it is the purpose of the policy above declared (1) to promote continuity and regularity of employment, and (2) to avoid interruptions to employment arising from the inability of employers and employees to maintain satisfactory labor relations or from resulting strikes, lock-outs, shut-downs, or similar interruptions or cessations of the production or distribution of goods and services necessary to the health, safety, and welfare of the people of the United States.

"ENFORCEMENT

"SEC. 2. (a) Violations of act: It shall be a violation of this act for any person—

"(1) to fail to perform the duties imposed on him by section 3;

"(2) whether or not a party to a labor-relations controversy or proceeding for the enforcement of the requirements of this act, to interfere, or to incite or to support any interference, with the performance by any person of duties imposed on him by section 3, or in concert to attempt to prevent the effectuation of the purposes of this act or the making effective of regulations or orders issued under the authority of this act.

"(b) Civil actions brought by board: The Board is authorized by filing its complaint to institute a civil action to restrain or enjoin any violation or threatened violation of this act or to compel the performance of duties imposed by section 3. The district courts of the United States shall have exclusive original jurisdiction of any such civil action. In any such civil action instituted by the Board the limitations upon the jurisdiction of the Federal courts imposed in the act entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of the courts sitting in equity, and for other purposes,' approved March 23, 1932 (U. S. C., title 29, secs. 101 and the following), shall not be construed or applied so as to prevent or restrict the granting of injunctive relief to the Board in aid of enforcement of this act.

"(c) Any employee who fails to perform the duties imposed on him by section 3 (d) of this act (which subsection relates to maintenance of existing conditions pending exhaustion of settlement efforts) shall not be entitled to reinstatement or any back pay from such employer under section 10 of the National Labor Relations Act.

"DEFINITIONS

"SEC. 2A. As used in this act—

"(1) The term 'person' includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

"(2) The term 'employer' includes any person acting in the interest of an employer, directly or indirectly.

"(3) The term 'employee' includes any employee, and shall not be limited to employees of a particular employer, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor relations controversy or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment.

"(4) The term 'representative' includes any individual or labor organization.

"(5) The term 'labor organization' means any organization of any kind or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose in whole or in part of dealing with employers with regard to the making or maintaining of agreements concerning wages, hours, or conditions of employment or with regard to grievances or other types of labor relations controversies.

"(6) The term 'Board' means the United States Board of Arbitration established by the terms of section 9.

"DUTIES OF EMPLOYERS AND EMPLOYEES

"SEC. 3. (a) Employers and employees subject to act: Employers and employees shall be subject to this act in controversies between them involving labor relations are within the scope of this act as hereinafter provided.

"(b) Duty to make and maintain agreements: It shall be the duty of employers and employees subject to this act and their agents and representatives to exert every reasonable effort to make and maintain agreements concerning wages, hours, and conditions of employment to the end of avoiding the occurrence, and providing for the prompt, peaceful, and just settlement of controversies within the scope of this act. In case any such agreement is in existence and one of the parties thereto desires a change in the agreement, such reasonable efforts shall include the giving of notice in accordance with the provisions of such existing agreement, or if there is no such provision, then the giving of adequate written notice of the proposed change to the other parties to such existing agreement. Unless otherwise fixed by agreement the time and place for a conference between representatives designated and authorized so to confer by the respective parties shall be agreed on by the parties within 10 days after receipt of such notice and the time agreed on shall be within 30 days after receipt of such notice.

"(c) Duty to settle controversies: If there arises a controversy within the scope of this act, it shall be the duty of the employers and employees involved therein—

"(1) promptly to arrange conferences between representatives designated and authorized so to confer by the employers and employees respectively, and to exert every reasonable effort to settle the controversy expeditiously in such conferences; and

"(2) in case the controversy is not so settled in such conferences and the Board proceeds to deal with the controversy through the settlement procedures hereinafter provided, then fully and expeditiously to carry out their respective duties under such settlement procedures.

"(d) Maintenance of existing conditions pending exhaustion of settlement efforts: Whenever there arises a controversy within the scope of this act it shall be the duty of the employers and employees involved therein and their agents and representatives, pending the exhaustion of all efforts at settlement

under this act in accordance with the terms thereof, to make no use of any unilateral arbitrary or coercive methods or compulsory process to end the controversy or to obtain an advantage in its final determination, and except by agreement on the parties or with the approval of the Board, to make no change in the conditions out of which the controversy arose. In case a special fact-finding commission is appointed, as hereinafter provided, in connection with such controversy, no such method or process shall be used and no such change in conditions shall be made pending the expiration of 30 days after making of its report as provided in section 7.

"Nothing in this act shall be construed to require an individual employee to render labor or service without his consent or to make illegal the quitting of his labor or service or the withdrawal from his place of employment; nor shall any court issue any process to compel an individual employee to render labor or service or to remain at his place of employment without his consent.

"(e) Right to strike: Except as provided in subsection (d) of this section, nothing in this act shall be construed so as to interfere with or impede or diminish in any way the right to strike.

"(f) Designation of representatives: Representatives for the purpose of this act shall be designated by the respective parties in such manner as may be provided in their corporate organization or unincorporated association, or by other means of collective action, without interference, influence, or coercion exercised by any party over the self-organization or designation of representatives by any other party. Such representatives may be individuals who are not in the employ of the employers concerned, or organizations whose membership may include persons not in the employ of the employers concerned, so long as such individuals or organizations have been duly designated by the employers or employees who are concerned, as their representatives for the purposes of this title.

"CONTROVERSIES SUBJECT TO ACT

"SEC. 4. (a) Classes of controversies within scope of the act: Any labor-relations controversy shall be within the scope of this act, subject to the exclusions and limitations hereinafter specified. For the purposes of this act such controversies shall be divided into the following classes:

"Class 1: Controversies over the right of representation of employees.

"Class 2: Controversies over the making or maintaining of an agreement concerning wages, hours, or conditions of employment.

"Class 3: Controversies arising out of any grievance against any employer concerning the application of any such agreement.

"Class 4: Controversies not included in any of the foregoing classes.

"(b) Exclusions by reason of character of employment: No controversy shall be within the scope of this act if it concerns—

"(1) employment by the Government of the United States or of any State or of any Territory or possession, the District of Columbia, the Canal Zone, or any other area under the jurisdiction of the United States, or of any political subdivision thereof, or by a governmental agency of any of the foregoing;

"(2) employment by an employer (or if more than one employer has a common interest in the controversy, by employers) whose aggregate number of employees is less than 20, unless in the opinion of the Board the controversy threatens to result in such a substantial interruption of commerce as to require or make appropriate Federal action;

"(3) employment of agricultural labor by farmers or cooperative associations of farmers;

"(4) employment in the domestic service of any family or person at his home;

"(5) employment by any labor organization (other than when acting as an employer) or by anyone acting in the capacity of officer or agent of such labor organization;

"(6) a dispute for the settlement of which provision is made by the Railway Labor Act, as amended;

"(7) a dispute over which the National War Labor Board takes jurisdiction under the War Labor Disputes Act or other law, or Executive orders thereunder, but only so long as the War Labor Disputes Act remains in effect.

"(c) Exclusions by reason of local character of controversy: No controversy shall be within the scope of this act (1) unless the employment involved directly affects the producing, processing, preparing, or handling of raw materials, supplies, or goods for distribution in substantial quantities in national or international commerce of the United States, or directly affects their distribution in substantial quantities in such commerce; or (2) unless the employment involved directly affects the supplying of power, light, transportation, communication, or any other public or private utility service in substantial quantities in such commerce. For the purpose of this act, the national commerce of the United States is commerce between the several States (including the Territories, possessions, the District of Columbia, the Canal Zone, and other areas under the jurisdiction of the United States); and the international commerce of the United States is commerce between such States or areas and foreign countries: *Provided*, That the national and international commerce of the United States does not include such local handling or distribution of consumer goods or end products after termination of their interstate shipment or their importation as does not directly affect such commerce.

"(d) Regulations defining controversies: The terms (1) 'directly affects,' (2) 'substantial quantities', and (3) 'such local handling or distribution of consumer goods or end products after termination of their interstate shipment or their importation as does not directly affect such commerce', as used in this section, may be further defined by the regulations of the Board. In any such regulations, such terms shall be so defined as to exclude controversies that are predominantly of a local character or effect and that do not directly affect national or international commerce of the United States. Such regulations shall be adopted after due notice of proposed regulations and opportunity for public hearing thereon and shall, when adopted, have the force and effect of law.

"(e) Controversies where employment is outside United States: No controversy shall be within the scope of this act where the place of the employment incident to the controversy is outside the several States, the Territories, possessions, the District of Columbia, the Canal Zone, and other areas under the jurisdiction of the United States, unless the employment is in connection with international transportation or communication facilities operated by a business organized under laws of the United States, or the several States, or such areas.

"(f) Applicability of State laws: The laws of the several States, Territories, and possessions may apply to any labor relations controversy occurring therein, whether or not such controversy is one within the scope of this act: *Provided*, That in case of a controversy within the scope of this act, the laws of the State, Territory, or possession shall remain applicable only so long as the services of the Board have not been invoked or proffered as provided in section 5. The Board shall cooperate with State and local authorities in the preparation and application of State and local legislation to carry out the purposes of this subsection.

"HANDLING OF CONTROVERSIES BY BOARD

"SEC. 5. (a) Invocation or proffer of Board's services: Any party to a labor-relations controversy within the scope of this act shall have the right to invoke the services of the Board, but in case of a class 3 or class 4 controversy only if in the opinion of the Board the controversy threatens to result in such a substantial interruption of commerce as to require or make appropriate Federal action. The Board may on its own motion proffer its services in any class of controversy if it finds and publicly announces that the controversy threatens to result in such a substantial interruption of commerce as to require or make appropriate Federal action and that the services of the Board are necessary or desirable in the settlement of the controversy.

"(b) Use of appropriate settlement procedures: In the event that the services of the Board are so invoked or proffered with respect to any controversy, the Board, having determined that the controversy is within the scope of this act, shall proceed promptly to deal with the controversy with due expedition through the appropriate settlement procedures as hereinafter provided.

"(c) Controversies handled by State authorities: If a labor-relations controversy within the scope of this act is being handled under State law by the appropriate State authority, then, notwithstanding the foregoing provisions of this section, no party to the controversy may invoke the services of the Board unless he does so on or before the tenth day after jurisdiction over the controversy was assumed by the State authority. In the event that the Board's services are not so invoked within such 10-day period, then the jurisdiction of the State authority to handle such controversy under State law shall continue until such time as the controversy is settled or the State authority ceases to act unless prior theret the Board on its own motion proffers its services after a finding and public announcement as provided in subsection (a).

"SETTLEMENT PROCEDURE FOR CLASS 1 CONTROVERSIES

"SEC. 6. Determination of employee representation: In case of a class 1 controversy (that is, one relating to representation of employees) the Board shall refer the dispute to the National Labor Relations Board for determination in accordance with the provisions of the National Labor Relations Act.

"SETTLEMENT PROCEDURE FOR CLASS 2 CONTROVERSIES

"SEC. 7. (a) Mediation: In case of a class 2 controversy (that is, one relating to making and maintaining an agreement) the Board shall use its best efforts by mediation and conciliation to bring the parties into agreement. If such efforts to bring about an amicable adjustment through mediation and conciliation are unsuccessful, the Board shall then endeavor to induce the parties to agree to submit their controversy to arbitration under the provisions of section 10

"(b) Fact-finding commissions: If any party declines to submit the controversy to such arbitration, the Board shall determine whether the controversy threatens to result in such a substantial interruption of commerce as to make it necessary or desirable in the public interest to create, or to request the President to create, a special fact-finding commission. If the Board determines that a special fact-finding commission is necessary or desirable, the Board may thereupon either create and appoint or request the President to create and appoint a special fact-finding commission to investigate and report respecting such controversy. Such commission shall be composed of such number of persons as may seem desirable to the Board (or to the President, if he shall act). No commissioner appointed shall be pecuniarily or otherwise privately or prejudicially interested in the employees or employers concerned. The compensation of such commissioners shall be fixed by the Board at an amount not exceeding $75 per day, or in case

of commissioners appointed by the President, fixed by the President at an amount not exceeding $100 per day. Such special fact-finding commissions shall be created separately for each controversy or for each group of controversies presenting similar issues and pending at the same time. The commission shall investigate promptly the facts as to the controversy and make a report thereon to the Board (or to the President if the commission was appointed by him) with its recommendations as to the manner in which such controversy should be adjusted. The report shall be made within 30 days from the date the commission is created. The time for making such report shall not be extended except by action of the Board, which, in exceptional cases, may allow an additional 30 days on request of the commission.

"SETTLEMENT PROCEDURE FOR CLASS 3 CONTROVERSIES

"SEC. 8. (a) Adjustment board: In case of a class 3 controversy (that is, one relating to a grievance) the Federal Industrial Relations Board shall direct the parties to such controversy, to refer such controversy to an adjustment board which shall be authorized to make an award binding on the parties. It shall be the duty of the parties in making agreements to provide for an adjustment board to settle grievance controversies. In the event of the failure of the parties to establish such a board by agreement, the Board shall be authorized, when grievance controversies arise, to establish an adjustment board for their settlement and to designate an equal number of representatives of the parties as members of the board and to appoint, as hereinafter provided, an impartial chairman. An adjustment board shall consist of an equal number of representatives, not less than two, designated by, or on behalf of, each party No member thereof shall be immediately involved in any controversy to be decided by the adjustment board.

"(b) Impartial chairman: If the adjustment board is not able promptly to adjust such controversy, the Federal Industrial Relations Board shall appoint an impartial chairman who shall be an additional member of the adjustment board. An award certified by a majority of the adjustment board so constituted shall be binding on the parties and may be filed by any party thereto within 6 months of the date of the award in the clerk's office of the district court of the United States for the district wherein the controversy arose, and when so filed shall be subject to the provisions of section 11 (c).

"(c) Expenses of adjustment boards: The parties shall agree on an appropriate division of the expenses of an adjustment board, including compensation of an impartial chairman. In case of dispute, his compensation shall be fixed directly by, or made subject to the approval of, the Federal Industrial Relations Board.

"(d) No interference with unfair-practice complaints: The Board shall take no action under the provisions of this section which will interfere in any way with the consideration or determination of complaints of unfair practices by the National Labor Relations Board in accordance with the provisions of the National Labor Relations Act.

"SETTLEMENT PROCEDURE FOR CLASS 4 CONTROVERSIES

"SEC. 8–A. In case of a class 4 controversy (that is, other controversies not specially provided for), the Board shall proceed as in the case of class 2 controversies."

Mr. HAYS (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with and that I be permitted to address the Committee for 1 minute in order to explain the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HAYS. Mr. Chairman, the amendment that I have offered to the Adams substitute will do all that the substitute offered by the gentleman from California will do; and in addition, in that class of cases known as class 2 controversies, where there has been no agreement between employer and employee, but a threatened strike over wages or working conditions, the Board of Arbitration shall have the power to maintain the status quo. Thus, in both grievance cases and those in which no agreement has been made, in order to make mediation and voluntary arbitration work, the Board shall have power to invoke court action to maintain the status quo and prevent interruption of work; but where no contract exists, it does not affect the right to strike after the cooling-off period. This is substantially the Ball-Hatch amendment to S. 1661 with an addition to section 11 providing a slight amendment to the Wagner Act.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas [Mr. HAYS].

The amendment was rejected.

The CHAIRMAN. The question is on the Adams substitute for the Case amendment.

The question was taken; and on a division (demanded by Mr. CASE of New Jersey) there were—ayes 78, noes 220.

So the substitute amendment was rejected.

Mr. VOORHIS of California. Mr. Chairman, I offer a substitute amendment to the Case amendment.

The Clerk read as follows:

Amendment offered by Mr. VOORHIS of California as a substitute for the Case amendment: Strike out all after the enacting clause of the bill H. R. 4908 and insert the following:

"That the Congress hereby declares that the objectives of this act are to avoid and diminish strikes and other forms of industrial strife or unrest, which have the intent or the necessary effect of burdening or obstructing commerce, and to aid in attaining increased prosperity by achieving the highest degree of production at wages assuring a steadily advancing standard of living, by encouraging the acceptance of collective bargaining and voluntary conciliation, mediation, and arbitration agreements, thereby disposing of controversies between labor and management by peaceful means and discouraging avoidable strife through strikes and lock-outs.

"DEFINITIONS

"SEC. 2. When used in this act—

"(1) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country.

"(2) The term "industry affecting commerce" means any industry or activity in commerce or in which a labor controversy would burden or obstruct commerce or tend to burden or obstruct commerce or the free flow of commerce.

"(3) The term "labor controversy" includes any disagreement, or any dispute, concerning terms, tenure, or conditions of employment or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the contestants or disputants stand in the proximate relation of employer and employee; but the term shall not include any matter subject to the provisions of the Railway Labor Act, as amended (44 Stat. 577, 48 Stat. 1185, 49 Stat. 1189).

"(4) The term 'employer' includes any person acting in the interest of an employer, directly or indirectly, but shall not include the United States, or any State or political subdivision thereof, or any person subject to the Railway Labor Act, as amended from time to time, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization.

"(5) The term 'employee' shall include any employee, and shall not be limited to the employees of a particular employer, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor controversy or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse.

"(6) The term 'representative' includes any individual or labor organization.

"(7) The term 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers, concerning grievances, labor controversies, wages, rates of pay, hours of employment, or conditions of work.

"MEDIATION AND CONCILIATION DIVISION

"SEC. 3. (a) There is hereby created in the Department of Labor a division to be known as the "Conciliation and Mediation Division" (hereinafter called the Division), at the head of which shall be a conciliation and mediation administrator (hereinafter called the Administrator). The Administrator shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $12,000 per annum, together with necessary traveling and subsistence expenses, or per diem allowance in lieu thereof, subject to the provisions of law applicable thereto, while away from the principal office of the Division. The Administrator shall not engage in any other business, vocation, or employment.

"(b) The Administrator may appoint and fix the compensation of such officers and employees and make such expenditures for supplies, facilities, and services as may be necessary to carry out the Division's functions. Without regard to the provisions of the civil-service laws and the Classification Act of 1923, as amended, the Administrator may appoint such experts, mediators, conciliators, and their assistants and fix their compensation as may be necessary to carry out the Division's functions. The Administrator may, subject to the civil-service laws, appoint such clerical and other personnel as may be necessary for the execution of the Division's functions, and shall fix their compensation in accordance with the Classification Act of 1923, as amended.

"(c) The principal office of the Division shall be in the District of Columbia, but the Division shall establish regional offices convenient to localities in which labor controversies are likely to arise. The Administrator may by order, subject to revocation at any time, delegate any authority and discretion conferred upon him by this act to any Deputy Administrator, regional director, or

other officer or employee of the Department of Labor and shall do so to the extent necessary to assure the decentralized exercise of the Division's functions. The Division may utilize the services of other agencies of the Government, part-time employees, and such voluntary and uncompensated services as may from time to time be needed.

"(d) The Administrator may from time to time adopt, amend, and rescind such regulations and rules as may be necessary for the administration of the Division's functions.

"(e) The Administrator shall make an annual report to Congress through the Secretary of Labor.

"(f) Upon the appointment of the Administrator, those officers, commissioners of conciliation, employees of the Department of Labor, engaged in carrying out the conciliation and mediation functions now vested in the Secretary of Labor under the act of March 4, 1913 (37 Stat. 738), commonly known as the United States Conciliation Service, and those officers and employees of the National War Labor Board whose services in the judgment of the Administrator are necessary to the efficient operation of the Division, shall be transferred to and become employees of the Division. All records, papers, and property of the Department of Labor in carrying out these functions shall become records, papers, and property of the Administrator, and all unexpended funds and appropriations for such purposes shall become funds and appropriations available to be expended by the Administrator pursuant to this act. All conciliation and mediation proceedings pending before the Department and undisposed of at the time of such transfer shall be handled to conclusion by the Division.

"(g) The Administrator may recommend for appointment by the President special mediators who shall act individually or in panels, when the Administrator shall deem such appointment necessary or desirable in furtherance of the objectives of this act. Each mediator appointed by the President shall receive from the Administrator such compensation as the President may fix at an amount not exceeding $100 per day together with his necessary traveling expenses and expenses actually incurred for subsistence while serving as mediator. Mediators appointed in accordance with this subsection shall not serve as arbitrators during their service under such appointments.

"DUTIES OF EMPLOYERS AND EMPLOYEES

"SEC. 4. (a) It shall be the duty of employers and employees engaged in any industry affecting commerce and their agents and representatives to exert every reasonable effort to make and maintain agreements concerning wages, hours, and conditions of employment to the end of avoiding the occurrence, and providing for the prompt, peaceful, and just settlement of labor controversies. In case any such agreement is in existence and one of the parties thereto desires a change in the agreement, such reasonable efforts shall include the giving of notice in accordance with the provisions of such existing agreement, or if there is no such provision, then the giving of adequate written notice of the proposed change to the other parties to such existing agreement. Unless otherwise fixed by agreement the time and place for a conference between representatives designated and authorized so to confer by the respective parties shall be agreed on by the parties within 10 days after receipt of such notice and the time agreed on shall be within 30 days after receipt of such notice.

"(b) If there arises a labor controversy within an industry affecting commerce, it shall be the duty of the employers and employees involved therein—

"(1) promptly to arrange conferences between representatives designated and authorized so to confer by the employers and employees, respectively, and to exert every reasonable effort to settle the controversy expeditiously in such conferences; and

"(2) in case the controversy is not so settled in such conferences and the Administrator proceeds to deal with the controversy through the procedures hereinafter provided, then fully and expeditiously to cooperate with the Administrator in respect to such procedures.

"DUTIES OF ADMINISTRATOR

"SEC. 5. (a) It shall be the duty of the Administrator, in order to prevent or minimize interruptions of the free flow of commerce growing out of labor controversies—

"(1) to encourage employers and employees within industries affecting commerce to make and maintain agreements concerning wages, hours, and conditions of employment, and to encourage such employers and employees to settle their differences by peaceful means and by negotiations between the parties without resort to strikes, lockouts, or any form of violence; and

"(2) to assist parties to labor controversies within industries affecting commerce to settle such controversies through conciliation and mediation.

"(b) The services of the Administrator may be invoked by the parties, or by either party, to any labor controversy in any industry affecting commerce, if such controversy is not referable to an adjustment panel hereinafter provided for in this act. The Administrator may proffer his services whenever there arises a labor controversy involving or threatening an immediate and substantial interruption to the free flow of commerce. In either event it shall be the duty of the Administrator promptly to put himself in communication with the parties and to use his best efforts, by mediation and conciliation, to bring them to agreement.

"(c) If the Administrator is not able to bring the parties to agreement by mediation or conciliation, within a reasonable time, he shall seek to induce the parties voluntarily to submit the controversy to arbitration. If arbitration at the request of the Administrator is refused by one or both parties, the Administrator shall at once notify the Secretary of Labor and both parties to the controversy, in writing, that his efforts at mediation and conciliation have failed.

"MAINTENANCE OF CONDITIONS DURING NEGOTIATIONS

"SEC. 6. In the case of any labor controversy within an industry affecting commerce, it shall be the duty of the parties to the controversy to make no change in the rates of pay, hours, or conditions of employment in effect prior to the time the controversy arose, until the expiration of 5 days after the Administrator has notified the parties that his efforts at mediation and conciliation have failed, unless a period of 10 days has elapsed after the termination of conferences between the parties without the services of the Administrator having been invoked or proffered in connection with the controversy.

"UNITED STATES BOARD OF ARBITRATION

"SEC. 7. (a) There is hereby created as an independent agency in the executive branch of the Government a board to be known as the United States Board of Arbitration (hereinafter called the Board), composed of three members who shall be appointed by the President by and with the advice and consent of the Senate. One of the original members of the Board shall be appointed for a term of 1 year, one for a term of 2 years, and one for a term of 3 years. Their successors shall be appointed for terms of 3 years, except that any person chosen to fill a vacancy occurring prior to the expiration of any member's term shall be appointed only for the unexpired term of his predecessor. The Board shall annually designate a member to act as Chairman. Any member of the Board may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

"(b) A vacancy in the Board shall not impair the authority of the remaining members to exercise all the functions of the Board, and two members shall at all times constitute a quorum for the transaction of business. The Board shall have an official seal which shall be judicially noticed.

"(c) The Board may from time to time adopt, amend, and rescind such regulations and rules as may be necessary for the administration of its functions.

"(d) The principal office of the Board shall be in the District of Columbia, but it may meet and exercise any or all of its functions at any other place.

"(e) Each member of the Board shall receive a salary at the rate of $12,000 a year, together with necessary traveling and subsistence expenses, or per diem allowance in lieu thereof, subject to the provisions of law applicable thereto, while away from the principal office of the Board on official business. Members of the Board shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment.

"(f) The Board shall make an annual report in writing to Congress.

"POWERS OF THE BOARD OF ARBITRATION

"SEC. 8. (a) The Board may appoint and fix the compensation of such officers and employees and make such expenditure for supplies, facilities, and services as may be necessary to carry out its functions. Without regard to the provisions of the civil-service laws and the Classification Act of 1923, as amended, the Board may appoint such experts, arbitrators, and their assistants and fix their compensation as may be necessary to carry out its functions. The Board may, subject to the civil-service laws, appoint such clerical and other personnel as may be necessary for the execution of its functions, and shall fix their compensation in accordance with the Classification Act of 1923, as amended. All expenditures of the Board shall be allowed and paid on presentation of itemized vouchers therefor approved by the chairman or by any employee designated by the Board for that purpose.

"(b) The Board may utilize the services of the Department of Labor and of other agencies of the Government in accordance with section 601 of the act of June 30, 1932, as amended: *Provided*, That by agreement of the Board with the Secretary of Labor the expenses of all or part of the services rendered by the Department of Labor may be paid out of the appropriation of that Department. The Board may utilize such voluntary and uncompensated services as may from time to time be needed. The Board may by order, subject to revocation at any time, assign or refer any part of its functions under this act to any member, agency, or employee of the Board. The Board may establish suitable procedures for cooperation with State and local mediation and arbitration agencies.

"(c) The Secretary of Labor shall supply the Board with offices and hearing rooms in the District of Columbia and whenever possible when the Board's functions are exercised at any other place in accordance with section 601 of the act of June 30, 1932, as amended.

"(d) Upon the appointment of the three original members of the Board and the designation of its chairman, all arbitration functions now performed by the Department of Labor shall be transferred to the Board. All records, papers, and property of the Department of Labor principally used in carrying out such arbitration functions shall become records, papers, and property of the Board. All arbitration proceedings pending before the Department and undisposed of at the time of such transfer shall be handled to conclusion by the Board.

"PROCEDURE FOR VOLUNTARY ARBITRATION

"SEC. 9. (a) (1) Whenever the Board is requested to do so by both parties to a labor controversy, it shall cooperate with the parties in forming a board of arbitration in accordance with an agreement to arbitrate conforming with the provisions of subsection (b) of this section signed by the parties: *Provided*, That the failure or refusal of either party to agree to arbitration shall not be construed as a violation of any legal duty or other obligation imposed by this act.

"(2) It shall be the duty of the Board to establish a roster of arbitrators having a reputation for fairness and objectivity from which the Board or the parties to a controversy may select an arbitrator or arbitrators (as provided in sec. 10 (b) 3) familiar with the industrial and employment problems in the region or locality where the controversy arises.

"(3) The board of arbitration formed in accordance with paragraph (1) of this subsection shall organize and select its own chairman and make all necessary rules for conducting its hearings: *Provided*, That such board of arbitration shall be bound to give the parties to the controversy a full and fair hearing which shall include an opportunity to present evidence in support of their claims and an opportunity to present their case in person, by counsel, or by their collective-bargaining representative.

"(4) Upon notice from the United States Board that any party to an arbitration desires the reconvening of a board of arbitration (or a subcommittee of such board of arbitration appointed for such purpose pursuant to the agreement to arbitrate) to rule upon any controversy over the meaning or application of their award the board of arbitration or its subcommittee shall at once reconvene. No question other than or in addition to the questions relating to the meaning or application of the award submitted by the party or parties in writing shall be considered by the reconvened board of arbitration or its subcommittee. Such rulings shall be acknowledged by such board or subcommittee thereof in the same manner and filed in the same clerk's office as the original award and become a part thereof.

"(5) No arbitrator except those chosen by the United States Board shall be incompetent to act as an arbitrator because of his interest in the controversy to be arbitrated or because of his connection with or partiality to any party to the arbitration.

"(6) Each member of any board of arbitration selected by any party to the arbitration shall be compensated by the party selecting him. Each arbitrator selected by the arbitrators or by the United States Board pursuant to paragraph (1) of this subsection shall receive from the Board such compensation as the Board may fix at an amount not exceeding $100 per day, together with his necessary traveling expenses and expenses actually incurred for subsistence while serving as an arbitrator.

"(7) The board of arbitration formed in accordance with paragraph (1) of this subsection shall furnish a certified copy of its award to the respective parties to the controversy and shall transmit the original together with the record of the proceedings and a transcript of the evidence taken at the hearing certified under the hands of at least a majority of the arbitrators to the clerk of the district court of the United States for the district wherein the controversy arose or the arbitration is entered into, to be filed in said clerk's office as hereinafter provided. Such board of arbitration shall also furnish a certified copy of the award and of the record of the proceeding and transcript of evidence to the United States Board to be filed in its office.

"(8) All testimony before a board of arbitration formed in accordance with paragraph (1) of this subsection shall be given under oath or affirmation and any member thereof shall have the power to administer oaths or affirmations. Such board of arbitration or any member thereof shall have the power to require the attendance of witnesses and the production of such books, papers, contracts, agreements, and documents may be deemed by such board of arbitration material to a just determination of the matters submitted to its arbitration and may for that purpose request the clerk of the district court of the United States for the district wherein said arbitration is being conducted to issue the necessary subpenas.

"Upon such request the said clerk or his duly authorized deputy shall be, and he hereby is, authorized and it shall be his duty to issue such subpenas. In the event of the failure of any person to comply with such subpena or in the event of the contumacy of any witness appearing before such board of arbitration, the board of arbitration may invoke the aid of the appropriate district court of the United States to compel witnesses to attend and testify and to produce such books, papers, contracts, agreements, and documents relevant and pertinent to the proceedings pending before the board of arbitration to the same extent and under the same conditions and penalties as provided for in the act to regulate commerce, approved February 4, 1887, and the amendments thereto. Any witness appearing before the arbitrators shall receive the same fees and mileage as witnesses in courts of the United States, to be paid by the party securing the subpena.

"(b) Form of agreement to arbitrate: The agreement to arbitrate—

"(1) shall be in writing;

"(2) shall stipulate that the arbitration is had under the provisions of this act;

"(3) shall specify means not inconsistent with the provisions of this act for selecting the board of arbitration;

"(4) shall be signed by the duly accredited representatives of the employer or employers and the employees, parties respectively to the agreement to arbitrate, and shall be duly verified by said parties and filed in the office of the United States Board;

"(5) shall state specifically the questions to be submitted to the said board of arbitration for decision and that in its award or awards the said board of arbitration shall confine itself strictly to decisions of the questions specifically submitted to it;

"(6) shall provide that the questions or any one or more of them submitted by the parties to the board of arbitration may be withdrawn from arbitration by agreement of all the parties on notice to that effect signed by the duly accredited representatives of all the parties and served on the board of arbitration;

"(7) shall stipulate that the signatures of a majority of said board of arbitration affixed to their award shall be competent to constitute a valid and binding award;

"(8) shall fix a period from the date of the selection of the arbitrator or arbitrators necessary to complete the board (as provided for in the agreement) within which the said board of arbitration shall commence its hearings;

"(9) shall fix a period from the beginning of the hearings within which the said board of arbitration shall make and file its award: *Provided*, That the parties may agree at any time upon an extension of this period: *Provided further*, That if the award of the said board of arbitration is not made and filed within the time agreed upon, and in the event the parties will not agree to any extension, the said board may extend the time for a period not to exceed an additional 15 days.

"(10) shall provide for the date from which the award shall become effective and shall fix the period during which the award shall continue in force;

"(11) shall provide that the award of the board of arbitration and the papers, proceedings, and transcript of the evidence when certified under the hands of at least a majority of arbitrators shall be filed in the clerk's office of the district court of the United States for the district wherein the controversy arose or the arbitration was entered into, which district shall be designated in the agreement and when so filed such award, papers, proceedings, and transcript of evidence shall constitute the full and complete record of the arbitration;

"(12) shall provide that the award when so filed shall be final and conclusive upon the parties as to the facts determined by said award and as to the merits of the controversy decided;

"(13) shall provide that any difference arising as to the meaning or the application of the provisions of an award made by a board of arbitration shall be referred for a ruling to the same board or by agreement to a subcommittee of such board and that such ruling when acknowledged in the same manner and filed in the same clerk's office as the original award, shall be a part of and shall have the same force and effect as such original award; and

"(14) shall provide that the respective parties to the award shall each faithfully execute the same.

"The said agreement to arbitrate when properly certified, as herein provided, shall not be revoked by a party to such agreement: *Provided*, That such agreement to arbitrate may at any time be revoked and canceled by the written agreement of the parties signed by their duly accredited representatives and, if no board of arbitration has yet been constituted under the agreement, delivered to the United States Board or any member thereof; or if the board of arbitration has been constituted as provided by the agreement, delivered to such board of arbitration. The award of a board of arbitration having been certified as herein provided shall be filed in the clerk's office designated in the agreement to arbitrate.

"(c) The arbitration award: (1) An award certified and filed as provided in this section shall be conclusive on the parties as to the merits and facts of the controversy. Unless within 10 days after the filing of the award a petition to impeach the award on the grounds hereinafter set forth shall be filed in the clerk's office of the court in which the award has been filed the court shall enter judgment on the award. Such judgment shall be final and conclusive on the parties.

"(2) Any such petition for the impeachment of any award shall be entertained by the court only on one or more of the following grounds:

"That the award plainly does not conform to the substantive requirements laid down by this act for such awards or that the proceedings were not substantially in conformity with this act;

"That the award does not conform nor confine itself to the stipulations of the agreement; or

"That a member of the board rendering the award was guilty of fraud or corruption or that a party practiced fraud or corruption which fraud or corruption affected the result.

"(3) No court shall entertain any such petition on the ground that the award is invalid for uncertainty. In such case the proper remedy shall be a submission of such award to a reconvened board or subcommittee thereof for a ruling. An award contested as herein provided shall be construed liberally by the court with a view to favoring its validity and no award shall be set aside for trivial irregularity or clerical error going only to form and not to substance.

"(4) If the court shall determine that a part of the award is invalid on some ground or grounds designated in this section as a

ground of invalidity, the remainder of the award shall not be affected thereby.

"(5) At the expiration of 10 days from the decision of the court upon the petition filed as aforesaid final judgment shall be entered in accordance with said decision unless during said 10 days either party shall appeal therefrom to the circuit court of appeals. In such case only such portion of the record shall be transmitted to the appellate court as is necessary to the proper understanding and consideration of the questions of law presented by said petition and to be decided.

"(6) If the petitioner's contentions are finally sustained, judgment shall be entered setting aside the award in whole, or, if the parties so agree, in part; but in such case the parties may agree upon a judgment to be entered disposing of the subject matter of the controversy which judgment when entered shall have the same force and effect as judgment entered upon the award.

"BUREAU OF LABOR STATISTICS

"SEC. 10 (a) For the guidance and information of interested representatives of employers, employees, and the general public, and Bureau of Labor Statistics of the Department of Labor shall maintain a file of copies of (1) all agreements reached as a result of mediation, conciliation, and arbitration pursuant to this act; (2) all arbitration agreements made and awards rendered pursuant to this act; (3) all reports made by a fact-finding board pursuant to this act; and (4) any other collective labor agreements submitted for such purposes by any of the parties thereto Such file shall be open to inspection under appropriate conditions prescribed by the Secretary of Labor.

"(b) The Bureau of Labor Statistics in the Department of Labor shall be authorized and equipped to furnish upon request of the Board, the Administrator of Mediation and Conciliation, employers, employees, or their representatives, or any fact-finding board appointed under this act, all available data and factual information which may aid in the settlement of any labor controversy.

"FACT-FINDING BOARDS

"SEC. 11. (a) When the Administrator notifies the Secretary of Labor that his efforts at mediation and conciliation have failed in any controversy within an industry affecting commerce, if the Secretary of Labor finds that such controversy seriously affects the national public interest, he shall certify such finding to the President.

"(b) At any time within 5 days after the date of such certification by the Secretary of Labor, the President, in his discretion, may appoint a board to investigate such labor controversy and to make a report containing its finding of fact and recommendations with respect to such controversy. Such board shall be composed of three or more persons, none of whom has any pecuniary or other private interest in the employers or employees who are parties to the controversy. The board shall proceed expeditiously to make a thorough investigation of all facts which it deems relevant to the controversy. The board shall give the parties to the controversy a full and fair hearing, which shall include an opportunity to present evidence in support of their claims and an opportunity to present their case in person, by counsel, or by their representatives. Within twenty days after the date of its appointment, the board shall submit to the President a report containing its findings of fact and such recommendations concerning the controversy as the board deems appropriate. The time for submitting the report of the board may be extended by agreement of the parties, or their representatives, with the approval of the President.

"(c) Any board appointed under this section may prescribe or adopt such rules and regulations as it deems necessary to govern its procedures and the exercise of its functions. Each of the members of such board shall receive compensation at such rate, not exceeding $100 a day, as may be fixed by the President, and shall receive his necessary travel and other expenses incurred in connection with the work of the board. Such compensation and expenses shall be paid by the Secretary of Labor.

"(d) The Secretary of Labor shall provide for the board such stenographic, clerical, and other assistants and such facilities, services, and supplies as may be necessary to enable the board to perform its functions. When a board appointed under this section has made its report, the board shall be dissolved and its records shall be transferred to the Secretary of Labor.

"(e) After the President has appointed a board under this section and until the expiration of 5 days after such board has submitted its report, it shall be the duty of the parties to the controversy to make no change, in the rates of pay, hours, or conditions of employment in effect prior to the time the controversy arose.

"ADJUSTMENT OF GRIEVANCES AND INTERFRETATION OF AGREEMENTS

"SEC. 12. (a) The United States Board of Arbitration shall establish such adjustment panels as may be necessary for the adjustment of labor controversies growing out of grievances or out of alleged violations or the interpretation or application of collective agreements between employers and employees. Such adjustment panels may be established on a regional basis or an industry basis, or both, and each such panel shall have jurisdiction with respect to controversies to which this section is applicable in such region or in such industry or industries as may be prescribed by the Board. The members of each adjustment panel shall be selected by the Board. Each such panel shall consist of one or more representatives of employers, an equal number of representatives of employees, and one or more members, officers, or employees of the Board. The Board may authorize any member of the Board to serve on any adjustment panel at any time in place of any officer or employee of the Board who is a member of such panel. Members of such panels who are representative of employers and employees shall not receive any compensation from the United States, but no provision of law prohibiting officers or employees of the United States from receiving compensation from other sources shall be deemed applicable with respect to such members.

"(b) The Board shall from time to time adopt, amend, and rescind such rules and regulations as may be necessary for governing adjustment panels in the exercise of their functions. The Board shall provide for adjustment panels such stenographic, clerical, and other assistants and such facilities, services, and supplies as may be necessary to enable such panels to perform their functions.

"(c) Whenever a labor controversy between an employer and employees within an industry affecting commerce arises out of grievances or out of alleged violations or the interpretation or application of a collective agreement, if no method is provided in such agreement for the final settlement of such controversy, such controversy may be referred by petition of the parties or petition of either party to the appropriate adjustment panel with a full statement of the facts and all supporting data bearing upon the controversy. If such panel finds that the controversy so referred to it is within its jurisdiction it shall proceed to consider such controversy. Parties may be heard either in person, by counsel, or by other representatives, as they may respectively elect, and the adjustment panel shall give due notice of all hearings to the parties involved in the controversy. Any panel may empower three or more of its members to conduct hearings and make finding upon controversies, at any place designated by the panel, but final decisions as to any controversy must be made by a majority vote of the entire panel. Each adjustment panel shall deliver a written opinion in respect of each controversy referred to it, setting forth its decision as to the respective rights of the parties and requiring the parties to take such action as the panel deems just and equitable. The decision of the panel shall be transmitted to the Board; and if the Board finds that such decision was made in accordance with the provisions of this section, the Board shall issue an order requiring the parties to the controversy to comply with the requirements of such decision.

"(d) If either party to a labor controversy does not comply with such an order of the Board, any party to such controversy or any other person for whose benefit such order was made may, at any time within 2 years from the date of the order of the Board, file in the appropriate district court of the United States a petition setting forth briefly the causes for which he claims relief, and the opinion of the adjustment panel and the order of the Board in the premises. Such suit in the district court shall proceed in all respects as other civil suits, except that on the filing of such suit the findings and opinion of the adjustment panel shall be prima facie evidence of the facts therein stated, and except that the petitioner shall not be liable for cost in the district court nor for cost at any subsequent stage of the proceedings, unless they accrue upon his appeal, and such cost shall be paid out of appropriation for the expenses of the courts of the United States. If the petitioner finally prevails in such suit he shall be allowed reasonable attorney's fees, to be taxed and collected as part of the costs of the suit. The district courts shall have jurisdiction to make such orders and to enter such judgment as may be appropriate to enforce or modify or set aside the order of the Board.

"RIGHT TO QUIT EMPLOYMENT

"SEC. 13. Nothing in this act shall be construed to require an individual employee to render labor or service without his consent, nor shall anything in this act be construed to make the quitting of his labor or service by an individual employee an illegal act; nor shall any court issue any process to compel the performance by an individual employee of such labor or service, without his consent.

"SEPARABILITY OF PROVISIONS

"SEC. 14. If any provision of this act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

"SEC. 15. Nothing in this act shall apply to employers or employee covered by the Railway Labor Act."

Mr. VOORHIS of California (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with and that I be permitted to address the Committee for 1 minute in order to explain it.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Chairman, the difference between the measure now before the House and the Adams substitute just defeated is that under my amendment there is provision for the maintenance of the status quo and a cooling-off period, during the period of attempts to settle the dispute that under my amendment there is provision for the direct settlement and final

settlement of all disputes of a legal nature and having to do with contracts. It will establish the mutuality of contracts in an orderly way.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. VOORHIS].

The question was taken; and on a division (demanded by Mr. VOORHIS) there were—ayes 101, noes 183.

So the amendment was rejected.

Mr. KEFAUVER. Mr. Chairman, there is one aspect of the measure now before the House which has not received the attention it should receive, if we are to act wisely in this matter. H. R. 5262 would substantially repeal the Norris-LaGuardia Anti-Injunction Act of 1932. There is no provision in H. R. 5262 for outright repeal, but through several well-placed phrases, such as, "notwithstanding the act of March 23, 1932, entitled," repeal would be effected just as surely as though there were a section in the bill which spelled it out in so many words. In every instance where the restraining of workers in labor disputes is mentioned, the application of the act of March 23, 1932, is ruled out. Yet it was precisely and solely for the purpose of ending such unfair and crippling restraint that the Norris-LaGuardia Anti-Injunction Act was passed.

The Norris-LaGuardia Act was no partisan measure forced through Congress by a lean party majority. It passed a Democratic House by the overwhelming vote of 362 to 14 and a Republican Senate by an even more overwhelming vote of 75 to 5. And those votes, gentlemen, are just about as near unanimity as these Houses of Congress ever reach.

In view of the near-unanimous bipartisan support for the Norris-LaGuardia Act, we would do well to pause and think twice before we tear down this work of an earlier Congress. It brought a measure of success to the 25-year struggle of workingmen to eliminate the injunction as an unfair weapon used so readily by employers against their unions. And it set forth an admirable public policy regarding the jurisdiction and authority of the courts of the United States in labor matters.

The Norris-LaGuardia Act provides, among other things, that no court shall issue an injunction to prohibit any person or persons participating or interested in a labor dispute, whether singly or in concert, from ceasing or refusing to perform any work: in other words, workers may not be enjoined from striking. On the other hand, the measure now before this House, H. R. 5262, would permit the Chairman of the proposed Labor-Management Mediation Board to issue an order requiring any person to refrain or cease and desist from calling, or assisting in any manner, a strike arising out of a dispute over which the Board has assumed jurisdiction. Furthermore, the Chairman may apply to the courts through the Attorney General for the enforcement of his order and for an injunction. And it is provided specifically that the courts would be released from the limitations imposed by the Norris-LaGuardia Act.

The Norris-LaGuardia Act prohibits the issuance of an injunction against workers assembling to act in promotion of their interests in a labor dispute, picketing, or using other methods not involving fraud or violence. H. R. 5262 would permit the issuance of an injunction upon the mere threat of the occurrence of force or violence in any of these activities. Obviously, an employer could rush into court and secure an injunction on the ground that since negotiations with his employees' union had broken down he feared a strike was imminent and that violence would surely follow.

Furthermore, the Norris-LaGuardia Act prohibits the issuance of an injunction until, through due process, the court has found facts to the effect that, among other things, greater injury will be inflicted upon the employer's property by the denial of an injunction than will be inflicted upon the employees and their union by the granting of an injunction. H. R. 5262 has no such equitable concern for the rights of the workers. To it, the mere existence of a threat of force or violence is sufficient to justify an injunction against the workers and their union.

But vastly more important than the specific protection against the injunction evil, afforded to workers and their unions by the Norris-LaGuardia Act, is the public policy set forth therein. It is declared, in part, that the worker shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of his representatives to negotiate the terms and conditions of his employment, or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection. The courts of the United States are forbidden to issue any restraining order or injunction contrary to this public policy.

Should the House of Representatives now repudiate this public policy with its supporting provisions approved and established so overwhelmingly by a Congress which pioneered our present forward-looking era? Should we now turn back to labor's dark ages? I think we should hesitate and ponder and deliberate a very long time before doing so.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from South Dakota [Mr. CASE].

The question was taken; and on a division there were—ayes 197, noes 115.

So the amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker, having resumed the chair, Mr. O'NEAL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 4908) to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes, pursuant to House Resolution 500, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. HOFFMAN. Mr. Speaker, I demand the reading of the engrossed copy.

The SPEAKER. The gentleman from Michigan demands the reading of the engrossed copy, which, of course, is impossible at this time.

Therefore, the vote cannot be had until the engrossed copy is here.

Mr. TARVER. Mr. Speaker, I ask unanimous consent that the bill in its presently amended form be printed in the RECORD for the information of the Members of the House.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

H. R. 4908

An act to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes

Be it enacted, etc.—

SHORT TITLE

SECTION 1. That this act may be cited as the "Labor Disputes Act, 1946."

DECLARATION OF POLICY

SEC. 2. It is declared to be the policy of the United States that labor disputes affecting the public interest should be settled fairly and, so far as possible, without interruption or delay in the production and distribution necessary to the public interest, and to that end it is the duty of both employers and employees to bargain in good faith. The right of labor to organize and bargain collectively with employers is one of the cornerstones of competitive enterprise. The processes of such bargaining must be protected and strengthened. Government is no less the guardian of the general welfare than of individual freedom. In a complex society warfare in one section of industry affects many others.

Government decision should not be substituted for free agreement, but governmental machinery to promote peaceful settlement of disputes should be improved. Demands of either labor or management should be kept within the bounds of reason and fairness, and both sides must recognize the rights of the general public.

The desired end of bargaining between management and labor is a contract. Once that contract is made, it must be equally binding and enforceable on both parties. Free collective bargaining and contracts resulting therefrom must not be nullified or destroyed by resort on either side to willful violence or unlawful possession, obstruction, or destruction of property. Collective bargaining requires that labor be on one side of the table and management on the other. The separate positions, responsibilities, duties, powers, and rights of labor and management must be maintained.

Legislation has heretofore been enacted to guarantee the right of collective bargaining. It is equally important that legislation be enacted to protect the rights of labor, industry, and the general public in the processes of collective bargaining. Wrongful and unlawful conduct on either side is destructive of collective bargaining; and conduct in pursuit of objectives that are not proper and

legitimate objectives of collective bargaining and which are detrimental to the interests of the general public are likewise destructive of collective bargaining. The use of force, violence, and compulsion are declared to be against public policy, as they violate the principles of freedom and self-government upon which our Government was formed and the purposes for which it was founded.

To aid in the voluntary and expeditious settlement of labor disputes affecting the public interest, therefore, there are hereby established additional facilities and procedures for the application of collective bargaining, conciliation, mediation, and arbitration.

LABOR-MANAGEMENT MEDIATION BOARD

SEC. 3. (a) Membership: There is hereby created in the executive branch of the Government a board to be known as the "Labor-Management Mediation Board" (in this act called the Board), which shall be composed of six or more members appointed by the President, as the President from time to time finds that the work of the Board requires. The Board shall consist of a number of members representative of employers, a like number representative of employees, and a number of disinterested members representative of the public (in this act called, respectively, employer members, employee members, and public members). The President shall appoint, by and with the advice and consent of the Senate, a chairman, a vice chairman, and secretary of the Board from among the public members. The terms of the first chairman, vice chairman, and secretary shall begin as soon as they qualify, and expire as designated by the President at the time of nomination, one on February 1, 1948, one on February 1, 1949, and one on February 1, 1950. The terms of office of all successors shall expire 3 years after the expiration of the terms for which their predecessors were appointed; but any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired term of his predecessor. The President is also authorized to appoint such number of alternate public members, alternate employer members, and alternate employee members as he deems appropriate, subject to salary appropriations approved by the Congress. Upon designation by the chairman, an alternate member may serve upon the panels provided for in section 6, and may serve as a substitute for any absent regular member in the same representative group, with full power to act as a regular member of the Board.

(b) Terms and salaries: The members and alternate members, other than the chairman and vice chairman, shall be appointed for such terms and shall receive such compensation for their services as the President shall, from time to time, determine. The chairman shall receive compensation at the rate of $12,000 per annum; the vice chairman and the secretary shall receive compensation at the rate of $10,000 per annum.

(c) Meetings: The Board shall meet on call of the chairman or on the written request of a majority of the Board filed with the secretary. In the absence of the chairman of the Board, the vice chairman shall be authorized to act as chairman. The chairman shall designate some public member or alternate public member of the Board to act as chairman in the absence of both the chairman and vice chairman. Two members or alternate members from each representative group shall constitute a quorum of the Board. The Board shall have an official seal which shall be judicially noticed.

(d) Organization powers: The Board is authorized to employ and fix the compensation of such officers and employees not otherwise provided for, as may be necessary, within appropriations made therefor by the Congress. The Board may establish or utilize such regional, local, or other agencies and utilize such voluntary and uncompensated services and, with the approval of the President, the services and facilities of, such other departments and agencies of the Government as may from time to time be needed. The Board may delegate to any public member or alternate public member or to an executive secretary such administrative duties relating to the internal management of the Board's affairs as it may deem appropriate: *Provided, however*, this provision shall not apply to the Bureau of Internal Revenue, Federal Social Security Agency, or any other department or agency of the Government which holds as confidential any and all information submitted to it.

(e) Office of the Board: The principal office of the Board shall be in the District of Columbia, but it may meet and exercise any or all of its powers in any other place.

(f) The National Mediation Board created by the Railway Labor Act, as amended by the act approved June 21, 1934 (Public, No. 442, 73d Cong.), shall hereafter be known as the National Carrier Mediation Board.

DUTIES OF LABOR AND MANAGEMENT

SEC. 4. (a) Employers, employees, and their respective representatives shall have the following duties in the public interest:

(1) Duty of employer: It shall be the duty of an employer to refrain from conducting a lock-out until after the expiration of 5 days from the date on which such employer or his representative has given to the Chairman of the Board the written notice of his intention so to do, containing a statement of his reasons for such intended lock-out; and if the Board within such 5 days assumes jurisdiction of the dispute, it shall be the duty of the employer to refrain from conducting the intended lock-out until after the expiration of 30 days from the date of the notice.

(2) Duty of employees: It shall be the duty of employees of an employer to refrain from striking until after the expiration of 5 days from the date on which they, or their representatives, have given to the Chairman of the Board written notice of their intention so to do, containing a statement of their reasons for such intended strike; and if within such 5 days the Board assumes jurisdiction of the dispute, it shall be the duty of the employees to refrain from striking until after the expiration of 30 days from the date of the notice.

(3) It shall be the duty both of employers, their employees, and their respective representatives, to withhold giving the notices provided for in this section until after other available conciliation and mediation procedures have been attempted, and the notices shall state what has been tried.

(b) For the purposes of this section "employer" does not include any person who regularly has in his employ less than 250 individuals.

JURISDICTION OF THE BOARD

SEC. 5. The Chairman, Vice Chairman, and Secretary shall determine, in the case of any labor dispute (excluding any matter coming within the purview of the Railway Labor Act), whether such labor disputes is one which substantially obstructs or interferes with interstate or foreign commerce and affects the public interest and cannot be expeditiously adjusted by collective bargaining. If they so determine, the Board shall have jurisdiction of the dispute.

PROCEDURE FOR MEDIATION

SEC. 6. After the Board has taken jurisdiction of a dispute, the Board, under the direction of the Chairman, shall make every reasonable effort to assist the parties to adjust and settle the dispute and make agreements for that purpose. To such end, the Board may utilize, and the Chairman may designate, a mediation panel consisting exclusively of disinterested persons representative of the public, or consisting of one or more persons representative of employers, a like number representative of employees, and a disinterested person or persons representative of the public. The persons designated may be members of the Board, alternate members of the Board, or other persons named by the Board. The Chairman or mediation panel may at any time request the parties to a dispute to negotiate by collective bargaining or to meet with any representatives of the Board.

VOLUNTARY ARBITRATION

SEC. 7. In the event a dispute is not settled by collective bargaining or by mediation under section 6, the Chairman or the mediation panel shall endeavor to induce the parties to the dispute voluntarily to submit their differences to arbitration If the parties consent to such arbitration, they shall file with the Board a notice of the agreement to arbitrate the dispute. The award of the arbitrator shall be filed with the Board and shall be binding upon all parties consenting to such arbitration.

MAINTENANCE OF STATUS QUO

SEC. 8. (a) After the Board has taken jurisdiction of a dispute as provided in section 6, the Chairman, in order to effectuate the purposes of this act, shall have the power to issue an order (1) requiring any person to refrain or cease and desist from calling, or assisting in any manner, a strike arising out of such dispute; or (2) requiring the employer, who is involved in the dispute, to refrain or cease and desist from practices which change the situation existing at the time the dispute arose, or which by changing an existing situation which led to the dispute and which the Chairman deems shall be prejudicial to the prompt settlement of the dispute No order of the Chairman or process of any court under this act shall require an individual employee to render labor or services without his consent nor shall any provision of such order or process be construed to make the refusal to work of an individual employee a violation of such order or process or otherwise an illegal act.

(b) Such order shall be effective for such period as the Chairman shall determine, but shall in no event be effective for a longer period than 30 days from the date on which the Board took jurisdiction.

(c) The Attorney General, at the request of the Chairman, during such 30-day period of jurisdiction, shall petition any district court of the United States, in any State or in the District of Columbia, or the United States court of any Territory or possession, within the jurisdiction of which any person to whom an order is directed resides, transacts business, or is found, for the enforcement of such order, and for appropriate temporary relief or restraining order. Upon the filing of such petition, the court shall have jurisdiction of the proceedings, and shall have power, during, but not beyond, the Board's 30-day period of jurisdiction, to grant such temporary relief or restraining order and to make and enter a decree enforcing the order of the Chairman. Notice or process of the court under this section may be served in any judicial district, either personally or by leaving a copy thereof at the residence or principal office or place of business of the person to be served. Petitions filed under this section shall be heard with all possible expedition. The judgment and decree of the court shall be subject to review by the appropriate circuit court of appeals, or by the United States Court of Appeals for the District of Columbia in the case of a judgment of the District Court of the United States for the District of Columbia, and by the Supreme Court of the United States upon writ of certiorari.

(d) When granting temporary relief or restraining order, or making or entering a decree enforcing an order of the Chairman, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the act entitled "An act to amend the Judicial Code, to define and limit the

jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932, except that sections 11 and 12 of such act shall apply in cases of contempt.

REGULATIONS OF THE BOARD

SEC. 9. The Board shall have authority, in conformity with the provisions of this act, from time to time to make, amend, and rescind regulations providing appropriate procedures for carrying out the powers vested in it.

SEC. 9A. It shall be the further duty of the Board to make a broad and comprehensive study of the field of labor-management relations from the viewpoint of both labor, industry, and the public to determine what adjustments are necessary to promote continuity and regularity of employment, industrial peace, and the uninterrupted production and distribution of goods and services for commerce. The Board shall make its final report to the President and to the Congress, including recommendations with respect to legislation, not later than June 30, 1946.

MISCELLANEOUS PROVISIONS

SEC. 10. Binding effect of collective-bargaining contracts: All collective-bargaining contracts shall be mutually and equally binding and enforceable against each of the parties thereto, any other law to the contrary notwithstanding. In the event of a breach of any such contract or of any agreement contained in such contract by either party thereto, then, in addition to any other remedy or remedies existing, a suit for damages for such breach may be maintained by the other party or parties in any State or United States district court having jurisdiction of the parties.

SEC. 11. Violence and intimidation: (a) It shall be unlawful for any person, by the use of force or violence or threats thereof, to prevent or to attempt to prevent any individual from quitting or continuing in the employment of, or from accepting or refusing employment by, any employer, or from entering or leaving any place of employment of such employer. The district courts of the United States shall have jurisdiction, notwithstanding the act of March 23, 1932, entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," to enjoin violations and threatened violations of any of the provisions of this section, and by appropriate order or decree to compel compliance with such provisions: *Provided*, Said courts shall not issue an injunction against the right to strike, peaceful assembly, or peaceful picketing. Any individual who violates any of the provisions of this section shall on and after such violation cease to have, and cease to be entitled to, the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act, or the status of a representative for the purposes of such act.

(b) An employee whom a preponderance of the testimony taken (in appropriate proceedings before the National Labor Relations Board) shows has willfully engaged in violence, intimidation, or unlawful destruction or seizure of property in connection with a labor dispute involving his employer, or in connection with any organizational activities of a labor organization among employees of his employer, shall not be entitled to reinstatement by, or any back pay from, such employer under section 10 of the National Labor Relations Act.

SEC. 12. Supervisory employees: (a) As used in this section the term "supervisory employee" means an employee whose primary duties consist of—

(1) the direction or supervision of the activities of other employees but who regularly do no productive manual work; or

(2) the computation of the pay of other employees and does not include persons who are selected by productive workers under established practice; or

(3) the determination of the time worked by other employees, or the supervision or administration of the factors on the basis of which the pay of other employees is computed;

but does not include any employee within the purview of the Railway Labor Act.

(b) Hereafter no supervisory employee shall have the status of an "employee" for the purposes of sections 7, 8, and 9 of the National Labor Relations Act.

SEC. 13. Boycott, and so forth: Whenever any act mentioned in this section shall obstruct or interfere with interstate or foreign commerce (a) it shall be unlawful (1) by means of a concerted refusal to use, handle, or otherwise deal with articles or materials produced or manufactured by any person, to induce or require or to attempt to induce or require another person to recognize, deal with, comply with the demands of, or employ members of, any labor organization; or (2) by means of a concerted refusal to use, handle, or otherwise deal with articles or materials purchased, produced, manufactured, or used by an employer, to induce or require or to attempt to induce or require such employer to recognize, deal with, comply with the demands of, or employ members of, one labor organization instead of another labor organization with which such employer has an applicable collective-bargaining agreement; or (3) by means of a concerted refusal to use, handle, install, or otherwise deal with articles, materials, or parts thereof or tools produced or manufactured by a manufacturer or producer who has produced or manufactured said articles, materials, or parts thereof, and tools during the existence of a contract with a labor union certified to said manufacturer or producer by the National Labor Relations Board.

(b) Whoever violates the provisions of this section (1) shall on and after such violation cease to have, and cease to be entitled to, the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act, or the status of a representative for the purposes of such act; (2) in case such violation is by a labor organization, such organization shall thereof cease to have and cease to be entitled to a status of a representative or labor organization under the National Labor Relations Act, for a period of not less than 90 days, nor more than 6 months.

That notwithstanding the provisions of "an act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," any district court of the United States having jurisdiction of the parties may award either a restraining order or a temporary or permanent injunction restraining any violation of this section, where it shall affirmatively appear from the pleadings and evidence that irreparable injury will otherwise occur due to the perishable nature of the articles or materials referred to in subsection (a), including livestock and live poultry.

SEC. 14. Definitions: As used in this act—

(a) "Person" means an individual, partnership, association, corporation, business trust, or any organized group of persons.

(b) The terms "employer," "employee," "representative," "labor organization," and "labor dispute" shall have the same meaning as in section 2 of the National Labor Relations Act. The term "agricultural labor" as used in section 2 (3) of the National Labor Relations Act means any person employed in performing "agricultural labor" as that term is defined in section 1426 (h) of the Internal Revenue Code, as amended.

SEC. 15. If any part of this act shall be held unconstitutional, it shall not affect the validity of the remaining provisions of the act.

SEC. 16. There is hereby authorized to be appropriated out of the Treasury any sums necessary to the purposes of this act not otherwise appropriated.

Mr. RANDOLPH. Mr. Speaker, I do not want to propound a parliamentary inquiry which would not go to the direct point at issue, but I would like to know approximately the time we might expect the engrossed copy.

The SPEAKER. The Chair has an opinion that in all probability it could not be here before midnight.

Mr. RANDOLPH. Mr. Speaker, assuming the engrossed copy is here tomorrow, will the first order of business, on reconvening, be the vote on the bill?

The SPEAKER. It is the unfinished business.

Mr. SMITH of Virginia. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SMITH of Virginia. If it were the pleasure of the House to wait until it does arrive, even though it is midnight, it could be voted on tonight, could it not?

The SPEAKER. The House can vote down a motion to adjourn any time it so desires.

EXTENSION OF REMARKS

Mr. GATHINGS asked and was given permission to extend the remarks he made in the Committee of the Whole and to include therewith a letter.

Mr. DAVIS asked and was given permission to extend his remarks in the RECORD and include a short speech.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and include an article; also to extend my remarks and include a short statement in the RECORD just before the vote was taken on the Case substitute in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MERROW asked and was given permission to extend his remarks in the RECORD and to include therein a resolution passed by the Council of the American Library Association; and in a second extension to include an article from the Manchester Union entitled "United States Diplomats Poorly Paid."

Mr. HAGEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include resolutions adopted by the Regular Veterans' Association. I am advised by the Public Printer that this exceeds the limit set by the Joint Committee on Printing and that it will cost $121.40. Notwithstanding the cost I ask that the extension may be made.

The SPEAKER. Notwithstanding the cost, without objection, the extension may be made.

There was no objection.

Mrs. DOUGLAS of California asked and was given permission to extend her remarks in the Appendix of the RECORD on five topics and to include excerpts.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the special order that the gentlewoman from Massachusetts [Mrs. ROGERS] had for today may be transferred to tomorrow following the special orders heretofore entered for that day.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ENROLLED BILL SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 1085. An act for the relief of the estate of Edwin Perry Ashcraft.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 480. An act to authorize the sale of the allotment of Henry Keiser on the Crow Indian Reservation, Mont.;

S. 815. An act for the relief of Ogden and Dougherty, and for other purposes;

S. 831. An act for the relief of James Alves Saucier;

S. 845. An act for the relief of Mabel Fowler;

S. 905. An act for the relief of Harold E. Bullock;

S. 991. An act for the relief of Mr. and Mrs. Marion M. Hill;

S. 1077. An act for the relief of Oscar S. Reed;

S. 1081. An act for the relief of Afted Ali;

S. 1142. An act for the relief of Florence Barrows;

S. 1158. An act for the relief of Winter Bros. Co.;

S. 1231. An act for the relief of Paul E. Tacy;

S. 1294. An act for the relief of Mr. and Mrs. Allan F. Walker;

S 1296. An act for the relief of John A. Hatcher;

S. 1323. An act for the relief of the estate of William Carl Jones;

S. 1338. An act for the relief of the legal guardian of Wayne Edward Wilson, a minor;

S. 1360. An act to compensate Benali El Oukili Boucheta, an inhabitant of French Morocco, for the wrongful death of his son, Mohamed Ben Boucheta Al El Oukili, near Marnia, Algeria, on September 30, 1944;

S. 1361. An act to compensate Clement Euziere, an inhabitant of French Morocco, for personal injuries caused by a naval vehicle near Oran, Algeria, on September 21, 1943;

S. 1448. An act for the relief of William Wilson Wurster; and

S. 1590. An act to authorize the President to appoint Graves Blanchard Erskine, major general, United States Marine Corps, to the office of Retraining and Reemployment Administrator, without affecting his service status and perquisites.

BILL PRESENTED TO THE PRESIDENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 1085. An act for the relief of the estate of Edwin Perry Ashcraft.

ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. Will not the gentleman withhold that for a moment?

Mr. COCHRAN. We have got to have some assurance that we are not going to stay here until 12 o'clock tonight.

The SPEAKER. The question is on the motion to adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 27 minutes p. m.) the House adjourned until tomorrow, Thursday, February 7, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

Subcommittee No. 1 of the Committee on the Judiciary has postponed until Thursday, February 7, 1946, the hearing originally scheduled for Wednesday, February 6, 1946, on the bill [H. R. 5089] to amend the First War Powers Act, 1941. The hearing will begin at 10 a. m., and will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. on Thursday, February 7, 1946, to continue hearings in its study of operations pursuant to the Public Utility Holding Company Act of 1935, in room 1304, House Office Building.

COMMITTEE ON THE CENSUS

The Committee on the Census will hold hearings on H. R. 4781 on Thursday morning, February 7, at 10 o'clock, in room 1012.

THE COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold open hearings Thursday, February 7, and Friday, February 8, at 10:30 a. m. on the bills H. R. 2346, H. R. 2180, H. R. 2449, and H. R. 3500.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1040. A letter from the Comptroller General of the United States, transmitting pursuant to the Act of April 10, 1928, 45 Stat. 413, a report concerning the claim of the Danvers Shoe Co., Inc., against the United States; to the Committee on Claims.

1041. A letter from the Secretary of Agriculture, transmitting a report of operations under the Soil Conservation and Domestic Allotment Act during 1945; to the Committee on Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. BATES of Kentucky: Committee on Rules. House Resolution 509. Resolution providing for the consideration of S. 565, an act to extend the privilege of retirement to the judges of the District Court for the District of Alaska, the District Court of the United States for Puerto Rico, the District Court of the Virgin Islands, and the United States District Court for the District of the Canal Zone; without amendment (Rept. No. 1521). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 510. Resolution to provide for the consideration of House Joint Resolution 265, a joint resolution to provide for proceedings with certain river and harbor projects heretofore authorized to be prosecuted after the termination of the war; without amendment (Rept No. 1522) Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 511. Resolution providing for the consideration of H. R. 4497, a bill to create an Indian Claims Commission, to provide for the powers, duties, and functions thereof, and for other purposes; without amendment (Rept. No. 1523). Referred to the House Calendar.

Mr. SNYDER: Committee on Appropriations. H. R. 5400. A bill making appropriations for the fiscal year ending June 30, 1947, for civil functions administered by the War Department, and for other purposes; without amendment (Rept. No. 1524). Referred to the Committee of the Whole House on the State of the Union.

Mr. FLANNAGAN: Committee on Agriculture. H. R. 4873. A bill to create an Agricultural Credit Agency, to consolidate therein all Federal agricultural lending agencies, to create a public farm-appraisal system, and for other purposes; without amendment (Rept. No. 1525). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SNYDER:

H. R. 5400. A bill making appropriations for the fiscal year ending June 30, 1947, for civil functions administered by the War Department, and for other purposes; to the Committee on Appropriations.

By Mr. ANGELL:

H. R. 5401. A bill to provide for the protection of the Dall sheep, caribou, and other wildlife native to the Mount McKinley National Park area, and for other purposes; to the Committee on the Public Lands.

By Mr. BLAND:

H. R. 5402. A bill to amend the Canal Zone Code, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. GILLETTE:

H. R. 5403. A bill to revive and reenact the act entitled "An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Susquehanna River at Bridge Street in Plymouth Borough, between Plymouth and Hanover Townships, in the county of Luzerne, and in the Commonwealth of Pennsylvania"; to the Committee on Interstate and Foreign Commerce.

By Mr. GRIFFITHS:

H. R. 5404. A bill for improvement of the Muskingum River, Ohio, in the interest of navigation; to the Committee on Rivers and Harbors.

By Mr. HAGEN:

H. R. 5405. A bill to provide retirement annuities for retired fourth-class postmasters with 30 years of service; to the Committee on the Civil Service.

By Mr. HÉBERT (by request):

H. R. 5406. A bill to amend the District of Columbia Traffic Act, 1925, approved March 3, 1925, as amended, to provide for tests of blood, urine, and breath of persons arrested in the District of Columbia for certain offenses; to the Committee on the District of Columbia.

By Mr. LANHAM:

H. R. 5407. A bill to grant to the Federal Works Administrator certain powers with respect to site acquisition, building con-

struction, purchase of buildings, and other matters; to the Committee on Public Buildings and Grounds.

By Mr. RIZLEY:

H. R. 5408. A bill restricting importations of wool; to the Committee on Ways and Means.

By Mr. GRANT of Indiana:

H. R. 5409. A bill to grant to enlisted personnel of the armed forces certain benefits in lieu of accumulated leave; to the Committee on Military Affairs.

By Mr. McGEHEE (by request):

H. R. 5410. A bill to amend the license law of the District of Columbia; to the Committee on the District of Columbia.

By Mr. REECE of Tennessee:

H. R. 5411. A bill to provide for retirement of certain officers; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUCHINCLOSS:

H. R. 5412. A bill for the relief of the estate of Thomas Gambacorto; to the Committee on Claims.

By Mr. KEFAUVER:

H. R. 5413. A bill to accept the renunciation by Albert W. Johnson of pension under section 260 of the Judicial Code; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H. R. 5414. A bill for the relief of Marie Gorak; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 5415. A bill for the relief of James F. Petty; to the Committee on Military Affairs.

By Mr. ROBSION of Kentucky:

H. R. 5416. A bill granting a pension to Abijah Wombles; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1529. By Mr. GRAHAM: Petition of 26 members of the Woman's Auxiliary to Beaver County Medical Society of Aliquippa, Beaver County, Pa., opposing Senate bill 1606 and House bill 4730; to the Committee on Interstate and Foreign Commerce.

1530. By Mr. KILDAY: Petition of 2,530 officers and enlisted men stationed at Harmon Field, Guam, with reference to the War Department's demobilization program; to the Committee on Military Affairs.

1531. By the SPEAKER: Petition of the American Council on Education, petitioning consideration of their resolution with reference to urging the adoption of House Joint Resolution 305 and Senate Joint Resolution 135; to the Committee on Foreign Affairs.

SENATE

THURSDAY, FEBRUARY 7, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Reverend Edgar W. Beckett, First Methodist Church, Hyattsville, Md., offered the following prayer:

Our Heavenly Father, Thou who art high above all and yet strangely near to each one of us, we come into Thy holy presence. We come to offer unto Thee ourselves, that we might hold aloft the torch to a people groping in a fog—groping to find the way. Truly in us is the destiny of a great nation. We are the channels through which Thou must act; we are Thine instruments, Thy hands. We pray to be holy, acceptable unto Thee. Walk Thou through the corridors of our hearts, open Thou every secret door, unlock every cupboard, and whatsoever Thou dost find unclean therein cleanse it. We want nothing within to mar the beauty and activity of Thy spirit. This we pray in the name of our Saviour, who is indeed the light of the world. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 380) to establish a national policy and program for assuring continuing full employment and full production in a free competitive economy through the concerted efforts of industry, agriculture, labor, State and local governments, and the Federal Government.

ENROLLED BILLS SIGNED

The message also anounced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 480. An act to authorize the sale of the allotment of Henry Keiser on the Crow Indian Reservation, Mont.;

S. 815. An act for the relief of Ogden and Dougherty, and for other purposes;

S. 831. An act for the relief of James Alves Saucier;

S. 845. An act for the relief of Mabel Fowler;

S. 905. An act for the relief of Harold E. Bullock;

S. 991. An act for the relief of Mr. and Mrs. Marion M. Hill;

S. 1077. An act for the relief of Oscar S. Reed;

S. 1081. An act for the relief of Aftab Ali;

S. 1142. An act for the relief of Florence Barrows;

S. 1158. An act for the relief of Winter Bros. Co.;

S. 1231. An act for the relief of Paul E. Tacy;

S. 1294. An act for the relief of Mr. and Mrs. Allan F. Walker;

S. 1296. An act for the relief of John A. Hatcher;

S. 1323. An act for the relief of the estate of William Carl Jones;

S. 1338. An act for the relief of the legal guardian of Wayne Edward Wilson, a minor;

S. 1360. An act to compensate Benali El Oukili Boucheta, an inhabitant of French Morocco, for the wrongful death of his son, Mohamed Ben Boucheta Ben Ali El Oukili, near Marnia, Algeria, on September 30, 1944;

S. 1361. An act to compensate Clement Euziere, an inhabitant of French Morocco, for personal injuries caused by a naval vehicle near Oran, Algeria, on September 21, 1943;

S. 1448. An act for the relief of William Wilson Wurster; and

S. 1590. An act to authorize the President to appoint Graves Blanchard Erskine, major general, United States Marine Corps, to the office of Retraining and Reemployment Administrator, without affecting his service status and perquisites.

CALL OF THE ROLL

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Murray
Austin	Hart	O'Daniel
Bailey	Hatch	Overton
Ball	Hawkes	Pepper
Bankhead	Hayden	Radcliffe
Barkley	Hickenlooper	Reed
Bilbo	Hill	Revercomb
Brewster	Hoey	Robertson
Bridges	Johnson, Colo.	Russell
Briggs	Johnston, S. C.	Saltonstall
Buck	Kilgore	Shipstead
Bushfield	Knowland	Smith
Butler	La Follette	Stanfill
Byrd	Langer	Stewart
Capehart	Lucas	Taft
Capper	McCarran	Taylor
Carville	McClellan	Thomas, Okla.
Cordon	McFarland	Thomas, Utah
Donnell	McKellar	Tobey
Downey	McMahon	Tunnell
Eastland	Magnuson	Tydings
Ellender	Maybank	Walsh
Ferguson	Mead	Wheeler
Fulbright	Millikin	Wherry
George	Mitchell	White
Gerry	Moore	Wiley
Gossett	Morse	Willis
Green	Murdock	Wilson

Mr. HILL. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Virginia [Mr. GLASS], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senators from Pennsylvania [Mr. GUFFEY and Mr. MYERS] and the Senator from Ohio [Mr. HUFFMAN] are detained on public business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Illinois [Mr. BROOKS] is necessarily absent.

The Senator from North Dakota [Mr. YOUNG] has been excused and is absent on official business.

The PRESIDENT pro tempore. Eighty-four Senators having answered to their names, a quorum is present.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

BOARD OF VISITORS TO NAVAL ACADEMY

The PRESIDENT pro tempore. Under authority of law, the Chair appoints the Senator from Louisiana [Mr. OVERTON], the Senator from Pennsylvania [Mr. MYERS], the Senator from Oregon [Mr. MORSE], and the Senator from Washington [Mr. MAGNUSON] members of the

Board of Visitors to the Naval Academy. The Chair will state that under the law the chairman of the Committee on Naval Affairs, the Senator from Massachusetts [Mr. WALSH], is an ex officio member of the Board.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PERSONNEL OF THE LAND FORCES

A letter from the Secretary of War, reporting, pursuant to law, the number of men in active training and service in the land forces on November 30, 1945, under section 3 (b) of the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

SUSPENSION AND DEPORTATION OF ALIENS

A letter from the Attorney General, transmitting, pursuant to law, a report reciting the facts and pertinent provisions of law in the cases of 350 individuals whose deportation has been suspended for more than 6 months by the Commissioner of the Immigration and Naturalization Service under the authority vested in him, together with a statement for the reason of such suspension (with accompanying papers); to the Committee on Immigration.

EXPENDITURES BY THE ALASKA RAILROAD

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize certain expenditures by the Alaska Railroad, and for other purposes (with an accompanying paper); to the Committee on Territories and Insular Affairs.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on February 6, 1946, he presented to the President of the United States the following enrolled bills:

S. 102. An act to amend section 2 (b) of the act entitled "An act extending the classified executive civil service of the United States," approved November 26, 1940, so as to provide for counting military service of certain employees of the legislative branch in determining the eligibility of such employees for civil-service status under such act;

S. 765. An act concerning the establishment of meteorological observation stations in the Arctic region of the Western Hemisphere, for the purpose of improving the weather forecasting service within the United States and on civil international air transport routes from the United States;

S. 1467. An act to provide for adjustment between the proper appropriations, of unpaid balances in the pay accounts of naval personnel on the last day of each fiscal year, and for other purposes;

S. 1545. An act to amend article 38 of the Articles for the Government of the Navy; and

S. 1631 An act to provide for the payment on a commuted basis of the costs of transportation of dependents of certain persons entitled to such transportation, and for other purposes.

MEMORIAL

Mr. CAPPER presented a memorial from Local Union 8168, United Mine Workers of America, of Monmouth, Kans., remonstrating against the enactment of House bill 4908, the so-called Case antistrike bill, which was referred to the Committee on Education and Labor.

FAIR EMPLOYMENT PRACTICE ACT—PETITION

Mr. CAPPER. Mr. President, I have received a petition signed by a large number of members of the bar of the State of New York who approve the action of the National Association for the Advancement of Colored People in their support of S. 101, the bill to create a permanent Fair Employment Practice Committee, and to provide for cloture. I ask unanimous consent to present the petition and that it be appropriately referred and printed in the RECORD without the signatures attached.

There being no objection, the petition was received, ordered to lie on the table, and to be printed in the RECORD, without the signatures attached as follows:

NEW YORK CITY, *February 2, 1946.*

We, the undersigned, members of the bar of the State of New York, support the proposal to establish by Federal legislation a permanent Fair Employment Practice Commission. Furthermore, we believe that the present filibuster in the Senate constitutes a denial of the basic principles of American democracy and should be ended by cloture.

COMPULSORY PEACETIME MILITARY TRAINING—MEMORIAL

Mr. CAPPER. Mr. President, I have received a memorial signed by Rev. Floyd L. Jarboe, pastor, and many other members of the Appenoose Church of the Brethren, of Overbrook, Kans., expressing their opposition to compulsory military training in peacetime. I ask unanimous consent to present the memorial, and that it be appropriately referred and printed in the RECORD, without the signatures attached.

There being no objection, the memorial was received, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD without the signatures attached, as follows:

OVERBROOK, KANS.

The Honorable ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: We, the undersigned members of the Appanoose Church of the Brethren and/or of the surrounding community, are deeply concerned with the problems now confronting our Nation. We view with great apprehension the movement now on to pass a peacetime conscription law. We believe this to be both un-American and un-Christian.

We commend you for the stand you have taken in opposition to the passage of such a law. We urge you to continue to use your influence to prevent the passage of such legislation. We believe the resolution introduced by Representative NEELY, of West Virginia (H. J. Res. 269), is worthy of consideration and support by the other Members of Congress.

REPORT OF COMMITTEE ON INTERSTATE COMMERCE

Mr. WHEELER, from the Committee on Interstate Commerce, to which was referred the resolution (S. Res. 192) to investigate matters relating to the handling of insolvent railroads, reported it without amendment and submitted a report (No. 925) thereon, and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate reports for the month of January 1946 from the chairmen of certain committees, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

COMMITTEE ON FINANCE

FEBRUARY 7, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of January 1946, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual[1]	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Fred R. Miller	7535 17th St. NW	Veterans' Administration, Washington, D. C.	$5,810
Bertha M. Heck	1631 Euclid St. NW	do	2,166

[1] Both assigned to work of permanent Subcommittee on Veterans' Legislation, room 310-A, extension 1224.

WALTER F. GEORGE, *Chairman.*

INTERSTATE COMMERCE COMMITTEE

FEBRUARY 5, 1946.

To the Senate:

The above-mentioned committee hereby submits the following report showing the name of a person employed by the committee who is not a full-time employee of the Senate or of the committee for the month of January 1946, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Mrs. Alma B. Kidwell	113 Park Blvd. SE	Federal Communications Commission	$1,800

B. K. WHEELER, *Chairman.*

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HART:

S. 1805. A bill to authorize the promotion of personnel of the Navy, Marine Corps, and Coast Guard who were prisoners of war; to the Committee on Naval Affairs.

By Mr. PEPPER:

S. 1806. A bill for the relief of Capt. John F. Lynch; to the Committee on Claims.

S. 1807. A bill to provide for recognition of certain active-duty members of the Civil Air Patrol as veterans of World War II; to the Committee on Military Affairs.

S. 1808. A bill to extend the term of design patent No. 21,053, dated September 22, 1891, for a badge, granted to George Brown Goode, and assigned to the National Society, Daughters of the American Revolution; to the Committee on Patents.

By Mr. LUCAS:

S. 1809. A bill to revive and reenact and amend the act entitled "An act authorizing the county of Gallatin, State of Illinois, its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near the city of Shawneetown, Gallatin County, Ill., to a point opposite thereto in the county of Union, State of Kentucky," approved July 18, 1939; to the Committee on Commerce.

By Mr. HAWKES:

S. 1810. A bill for the relief of Adrian E. Butler; to the Committee on Immigration.

CHARLES R. HOOPER

The PRESIDENT pro tempore, laid before the Senate the amendment of the House of Representatives to the bill (S. 1480) for the relief of Charles R. Hooper, which was, on page 1, line 6, to strike out "$6,000" and insert "$4,000."

Mr. CAPPER. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

THE FEPC—A FAIR LABEL ON AN UNFAIR BILL—ADDRESS BY SENATOR RUSSELL

[Mr. RUSSELL asked and obtained leave to have printed in the RECORD an address entitled "The FEPC—A Fair Label on an Unfair Bill," delivered by him over the radio on February 6, 1946, which appears in the Appendix.]

THE CITIZEN AND FOREIGN POLICY—ADDRESS BY HON. HENRY CABOT LODGE, JR.

[Mr. SALTONSTALL asked and obtained leave to have printed in the RECORD an address entitled "The Citizen and Foreign Policy," delivered by Hon. Henry Cabot Lodge, Jr., before a meeting of the Foreign Policy Association, at Minneapolis, Minn., on February 4, 1946, which appears in the Appendix.]

GERMANY IS OUR PROBLEM—ARTICLE BY DR. KARL BRANDT

[Mr. EASTLAND asked and obtained leave to have printed in the RECORD an article entitled "Germany Is Our Problem," by Dr. Karl Brandt, which appears in the Appendix.]

THE NEXT STEP IN INTERNATIONAL RELATIONS—ARTICLE BY THOMAS L. STOKES

[Mr. TAYLOR asked and obtained leave to have printed in the RECORD an article relating to the next step in international relations, written by Thomas L. Stokes, and published in the Los Angeles Times of November 21, 1945, which appears in the Appendix.]

LOAN TO GREAT BRITAIN

Mr. ELLENDER obtained the floor.

Mr. McFARLAND. Mr. President, will the Senator yield to me to make a few remarks, on condition that he shall not lose the floor?

Mr. ELLENDER. If the Senator can obtain unanimous consent, I will yield.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Arizona may proceed.

Mr. McFARLAND. Mr. President, the financial and economic condition of our Nation—and of the entire world—requires that we formulate a definite financial policy in our dealings with other nations. This policy, I believe, should be based upon good, solid, and accepted practical business principles. It cannot be based upon altruism, wishful thinking, or visionary idealism.

When I was a young man, a friend who was a successful businessman, in the course of giving me some advice on a fundamental principle of business, recounted to me a story of a merchant in a western town and one of his customers. The merchant was in the general mercantile business, selling almost everything the farmers and ranchers in that area needed in order to make and harvest a crop. Many of the farmers carried large accounts in his store until their crops were harvested and sold.

One of these customers—we will call him John Smith—owned a great deal of land, but unfortunately had spread out too much and his land was heavily mortgaged. He was what we used to call land poor. He had a difficult time meeting his interest payments. But because many of his farms were rented, he was a good customer of the merchant and the latter financed him from season to season.

The time came, however, when Smith was unable to pay on his accounts. The merchant told him that unless he would make some substantial payment he could no longer afford to carry him along. Smith became angry, recalling to the merchant the business he had given him over the years and threatening to quit trading with him. When the merchant stood firm, Smith carried out his threat and took the cash he had, which he could have paid on the account, and began doing business on a cash basis with a competitor across the street. The merchant lost his best customer.

But the time came when Smith was again in difficulty; when he needed credit and had none. He went back to the merchant and said to him: "We have done business together for many years that made money for both of us. Why cannot we do so again? Why cannot you open my account? I will pay out." The merchant patiently explained that he could not extend additional credit when Smith already owed him so substantial an unpaid account. That sort of business, he added, would bankrupt him.

However, the merchant owned a farm adjoining one of Smith's. "Smith," he said, "that pasture land of yours adjoining mine is not doing you much good. It is mortgaged; you cannot sell it; and you cannot sell any of your land, under present conditions, to square your debts. But to help you get on your feet so that we can get back on a business basis, and to show you my good faith, I will buy that piece of pasture land and you can settle up your account. Then we can go back to doing business on a business basis. But I want you to know that this transaction is conditioned on you paying your account regularly as funds come in from the sale of your products."

Smith became angry and accused the merchant of taking advantage of him. The merchant said, "All right. You go ahead and do business wherever you can. I cannot collect my account from you because your land and all your property are already mortgaged. I made you a proposition that would make money for both of us. If you do not want to take it then there is nothing I can do."

Smith went his way. Things became worse for him. The banks threatened to foreclose, so finally he went back to his friend, the merchant, and told him he was willing to settle his account in the manner suggested. The transaction was completed and Smith made money in the future and so did the merchant. The point of the story is that Smith never would have paid if the merchant had not insisted upon an equitable settlement.

Everyone on the floor of the Senate knows the truth of this story. Everyone within the sound of my voice knows that it is not good business to be lax in granting credit. It results not only in the loss of the customer, but all others who trade with you know your failing, and those who have the inclination to do so, will demand the same loose credit.

Mr. President, now we are confronted with the question of whether we should approve a loan to Great Britain in the sum of $3,750,000,000. Let me say first that I am one who has a great deal of respect for Great Britain. I have great respect for the British people and consider the friendship of their nation to ours as worth much to the people of both countries. I voted for every measure to assist them before and after our country became involved in World War II. I have done everything within my power to see to it that we were a real ally in the war and that no wedge was driven between our two nations.

I was in England a few months ago and had the honor to meet and speak with that great statesman and former Prime Minister, Mr. Winston Churchill. I spoke with many members of Parliament. I talked with leaders and industrialists, I talked with cabbies and porters, restaurant waiters and shop keepers. I think I know something of Britian's economic, social, and financial problems, and I am sincerely anxious to help her meet them. I want to be of whatever service I can to assist the people of Great Britain in solving those problems. But, Mr. President, I do not believe that we can assist them by doing business on any other than a business basis. To do business on any other basis would not be fair to the people we in Congress represent, or even fair to the British people themselves.

It is fair and proper to ask here, What have been our business dealings with

Great Britain in the past? Let us cast up our accounts.

First. The fact remains that today the British Government owes the United States about four and one-third billion dollars principal and two and one-eighth billion dollars in interest, resulting from loans made more than 20 years ago at the time of the First World War.

Second. During World War II we gave to Britain the stupendous total of more than $25,000,000,000 in goods and money under the program known as lend-lease. That is the net amount with reverse lend-lease deducted. We learn now, from the Twenty-first Report to Congress on Lend-Lease Operations, submitted January 31, 1946, that it is intended to settle this tremendous credit with the United Kingdom for some $650,000,000. And even this is not the final figure; it may be less than that. Moreover, this final settlement contemplates the taking over of vast amounts of surplus materials in Europe. And all this is to be done, apparently, without the Congress having anything to say about it.

We gave this tremendous assistance to Britain because it was necessary, as everyone knows, to save England from destruction. But we gave it, I believed and the American people believed, on the basis that we would get something back in return. I seem to remember something about a house being on fire, and we loaning the hose. We would get a new hose back, it was declared. Now, apparently, we are to get a settlement of 2½ cents on the dollar, and perhaps not even that. I do not believe anyone expected that we would receive full payment in cash, but we were certainly led to believe that this country would receive some other valuable consideration which, at least in some measure, would come near equaling the value of the material furnished under lend-lease. Certainly, if this was not the belief and the expectation, we would have provided that lend-lease was to be a grant, a gift without strings.

Oh, I know it will be said that lend-lease was our share of the war. But I am not one of those who agree that Great Britain was fighting our war. Yes; she later became our ally and she helped fight the war as our ally, just as she did in World War I. Nor am I attempting to detract in the slightest degree from the credit that is due British citizens who fought and died for their country. They were good Allies and paid a price in this war.

But does anyone question that we did our part in World War I? Does anyone question that we did our part in World War II? We did our share, not alone in money and material, but in blood and sweat and tears as well. Even Mr. Churchill commented that we furnished the overwhelming majority of the fighting troops who crossed the channel and made the drive that eventually crushed the enemy. Does anyone question that we shouldered the major burden in the war against Japan? I do not make these assertions boastfully. I am not one of those who wave our flag in the face of other nations with clarion shouts that "We won the war." But I do not want anyone to say to me that the people of the United States did not do their full part—even if debts owing us were paid in full.

Third. I come now to the third point. I have mentioned the debts of World War I and the lend-lease payments. A few months ago we passed legislation establishing an International Monetary Fund and an International Bank, known generally as the Bretton Woods agreements. By its terms we bound ourselves to subscribe some $6,000,000,000 to the Fund and the Bank, solely for the purpose of aiding nations devastated economically by the war to get back on their feet. Britain's quota to both was $2,600,000,000. While I recognize that our subscriptions to the Fund and Bank are not solely for the benefit of Britain, let us see where we stand in this international financial aid to the world:

Britain owes us $6,500,000,000 from the First World War; we extended upward of $25,000,000,000 net in lend-lease; we have committed ourselves to pay into the International Fund and Bank almost $6,000,000,000 more; and now we are asked to make what amounts to a partially interest-free loan of another $3,750,000,000 to Britain.

It seems about time that we ought to take stock; it seems that we ought to apply the principles of the small-town merchant of whom I spoke earlier; it seems that we ought to see whether all this is good business. The question is whether we should lend this money, and if we do, should we require some form of settlement of past debts?

In considering this loan, there are certain questions which we must first ask ourselves:

First, does the borrower need the money? So far as we know, the answer is "Yes." Perhaps we do not know as much about this phase of the proposition as a good banker would want to know, but that fault lies in other agencies of Government. That is why there is quibbling about such things as the vast amount of British assets in this country in the shape of American securities which were not fully used in the war; the sharp difference in the amount that Britain and the United States expended in the war; Britain's assets in her colonial empire and the Dominions.

Second, can the lender afford to make the loan? On any practical, sound business basis, the answer is obviously "No" until their old account is settled.

There are those who argue that our own economic stability and future is involved in this loan to Britain. A careful reading of the parliamentary debates when the pending loan was under consideration by Commons will make clear, I am sure, that neither Britain's nor our own future would be jeopardized by failure of the loan.

At this point, Mr. President, I should like to invite the attention of the Senate to an article by Mr. Werner Knop which appears in the Saturday Evening Post for February 9. The article is headed:

The British businessman is cheerful. With huge markets waiting and her industrial plant in better shape than at the beginning of the war, England confidently expects a full-sized boom Mr. Attlee? Oh, well, that's just one of those things, you know.

I should like to quote a small portion of the article:

Speaking to a gathering of industrialists, Lord Davidson, president of the Engineering Industries Association, said, "I believe this country is on the threshold of a tremendous recovery, which engineering, despite all apparent difficulties, will lead." The same optimistic sentiment is being echoed in company-chairmen speeches, although not all would go quite as far as Mr. Samuel Courtauld, chairman of a $170,000,000 textile company, who states: "As regards the future, I say without hesitation that the outlook is brighter than ever."

Further along in the article, in discussing the financial situation which exists in Britain, this is said:

The same optimism exists with regard to the home market During 6 years of war, the British consumer has been allowed to buy only the barest necessities of life. At the same time the net income of every Briton, after payment of income tax and surtax, has exactly doubled Whether he liked it or not, he had to put aside a large slice of his income in savings, and at $35,000,000,000 his wartime savings are equal to something like 25 years' savings at the prewar rate.

To this tremendous future purchasing power must be added another $14,000,000,000 which have accumulated as bank deposits, and $20,000,000,000 for various postwar credit schemes, service gratuities and war-damage payments.

The article further states:

The ending of lend-lease provided one of those very rare occasions when the British seemed to lose their sense of balance Responsibility for this lay mainly with Prime Minister Attlee, who grossly exaggerated the gap between Britain's income and expenditure of dollars He claimed it to be $5,000,000,000 a year, whereas, when allowance is made for the stoppage of munition supplies and the cutting out of all nonessential imports, Britain's deficit with the United States need not exceed $900,000,000. As Britain has during the war built up a gold and dollar reserve of more than $2,000,000,000, the difficulties of bridging the dollar gap for a period of a year or two would have been by no means insurmountable, even without American aid.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. JOHNSON of Colorado. I understood from the quotations which the Senator just read that the British have saved $35,000,000,000.

Mr. McFARLAND. That is correct.

Mr. JOHNSON of Colorado. Plus $14,000,000,000.

Mr. McFARLAND. That is correct.

Mr. JOHNSON of Colorado. Plus $20,000,000,000.

Mr. McFARLAND. That is what the article states.

Mr. JOHNSON of Colorado. That makes a total of $69,000,000,000. Great Britain has a population which is a little less than a third of that of the United States. Comparing our savings with theirs, the figures show that they have saved as much as we have during the war period.

Mr. McFARLAND. I thank the Senator for his comments. That is exactly the point I want to make. Where is the United States to get the money for this $3,750,000,000 loan? From the American taxpayer, of course. We shall have to float more bonds; go further into debt.

If the British people have this tremendous amount of savings—$69,000,000,000, according to the Saturday Evening Post article which appeared only this week—why doesn't the British Government borrow from its own citizens? Their savings are apparently tremendous; the people are seeking investments for their funds. What better investment for British citizens than the securities of their own Government? Why a procedure which requires American citizens to make another $3,750,000,000 loan right after having "given" the British $23,000,000,000 in lend-lease?

Mr. President, let me emphasize here that both they and we recognize that the loan would be helpful—helpful to Britain in hastening her getting on her feet; helpful to us if for no other reason than a partial equilibrium may be restored in the world.

It is said that Britain needs this credit and needs it now. That statement seems to make light, indeed, of the Bretton Woods agreement and Britain's rights as a borrower from the International Monetary Fund. It is argued that this credit will assist her to meet the expected deficit in her balance of payments during the next 6 years. Of course, it will. But who will assist the United States to meet her deficits in the years ahead? It is said that the loan will enable Britain to buy from the world the supplies of food and raw materials which are essential to the life and work of the British people. Of course; but to what extent does that help the United States? There is no compulsion upon Britain to spend the $3,750,000,000 in the United States; and even if there were, that would not make the loan a good one or a necessary one. We should have experience enough to know what that course leads to—or have we forgotten the experience of 1929?

It is asserted that the loan will keep open a market for those surpluses of the United States which are customarily exported to the United Kingdom. Again, we may ask, What kind of a market? Britain will buy here what she can buy profitably and to her own welfare.

Are there any arrangements that Britain will favor our markets over those of the Empire? Of course not; nor should we expect it. And even in our best years of trading with Britain, what did our foreign trade amount to? Are we going to loan nearly $4,000,000,000 to do a billion dollars' worth of business a year? Is that sound or sensible?

Those, we are told, are the important short-term purposes of the $3,750,000,000 credit to Great Britain.

These are some of the matters which it is well for us to consider.

Mr. President, I do not believe there is any question that if Great Britain had this amount of money it would improve her trade relations with the United States. But suppose she does buy goods from us with the loan. If it were never to be paid, we might as well give them the goods in the first place. But would that be good business? Would that help the United States? The answer, of course, is "No." We can only judge as to whether Great Britain will repay this loan by her actions in the past.

So, Mr. President, it is my opinion that Great Britain should settle her past debts with us before we make a new loan. Oh, it will be said that if she had this amount of money, she would not need the loan. I concede Great Britain is not financially able to pay us what she owes in dollars, but she can settle her account with us by giving us property rights.

I said a moment ago that I believed we had done our full share in World War II. Part of that share was the expenditure of billions of dollars, and the sweat and blood and lives of our men, in the building of submarine and naval bases, air bases, and communications centers in many places throughout the world. American cement and American steel, American brains and American brawn, went into miles of concrete runways, hangars, buildings, docks, and roads all over the world. In every case the contracts limited the use by the Allies of these facilities to the period of the war. Even in the destroyer-for-bases deal—a deal that was certainly as much to Britain's advantage as to ours—the 99-year leasehold barred permanently the commercial use of the facilities we built for the successful carrying on of the war. And so today we find ourselves giving up and moving out of air bases and communications centers and naval depots and refueling stations that we built and maintained; we find ourselves bargaining painfully with an ally for rentals for the use of air strips which are essential to the carrying on of world commercial aviation.

Understandably, because Britain is a world empire, many of these naval and air bases are on British soil or on British mandated territory or in lands over which Britain exercises a powerful persuasive force.

When this question of a loan is presented before the Senate Committee on Banking and Currency, I propose to place upon this loan conditions in the following form:

To direct the negotiation of an agreement for permanent American rights to bases, instead of 99-year leases; to eliminate the existing provision restricting use of the bases to military purposes only; to permit peacetime commercial use by the United States of other bases built by this country in lands owned by Britain and in states owned or controlled by her; and for such other pyament in goods, property, or money as Britain may be able to make without injury to her financial standing. This agreement is to be submitted to Congress for approval, and such approval would authorize the loan.

I do not believe that our Government has the moral right to make such a loan except upon a strictly business basis. For my part, I am much more willing to appropriate $4,000,000,000, or even $40,000,000,000, for loans to individual American citizens who may require funds to help them in business. I believe that such citizens are better credit risks; that there is a far better chance of repayment; and that if there were default in payment we, at least, would have the satisfaction of knowing that the money was spent in the United States and for the benefit directly and indirectly of this Nation.

I cannot, for the life of me, see any merit in extending a loan to a foreign nation at an interest rate half of that we charge an American veteran and then making provision that even that low-interest payment may be waived under certain conditions, unless we are to receive benefits which make up for this difference. What is the justification for such a double standard? Are American soldiers and sailors, now attempting to rehabilitate themselves into our economic life stream, less precious to us economically and financially than a foreign power, however important that power may be and however important it may be that that power becomes once again a strong economic factor in the world?

There is also good argument against permitting foreign nations to float their loans here, on the premise that our Government will step out of the picture and merely permit those of our citizens who think these nations good credit risks to purchase their bonds. I think that is unsound procedure, on two grounds. In the first place, no investor is going to buy a bond at the rate of interest proposed in the British loan, and not even the most patriotic British citizen will invest in a security on which the interest may be waived by the lender for the first 5 years. Not even in the darkest days of the war did Britain sell a security of that character. Secondly, I do not think it a good policy to encourage or allow a large number of our citizens to invest their earnings in bonds of another country, thereby becoming, in many instances, personally more interested in the financial success of those nations than in the success of their own country.

I am of the firm opinion that the overwhelming majority of our citizens are friendly to Britain, desire to see her reestablish herself, make herself economically strong again, become in a position so that she can take steps to free colonial peoples of overlordship, and take her accustomed place in the family of nations.

But I am also of the firm opinion that the overwhelming majority of our people are opposed and will oppose the granting of this large loan to Britain now, unless we can show them that we are getting something for our money.

The American people are not fools. They know what the war cost us, in dollars as well as in blood. They are paying taxes on that cost now, and their children's children for many generations will continue to bear the burden. It will be difficult indeed to convince them that we should make a loan to a foreign power at an interest rate half of what we demand from our own veterans and with a right not to pay any interest at all for 5 years; it will be even more difficult to convince them that such a loan will be of any direct help to this Nation in an economic way in the years ahead; it will be hardest of all to tell them that such a loan does not open the door to other loans to many other nations, requests which we will not be able to refuse without making open enemies of many powers.

So, Mr. President, unless we in Congress use realism and hard common sense, unless we attach conditions to this loan which make sense to the American people, we shall find that we have lost the confidence of the people.

Mr. President, my proposal for payment by Great Britain of her debt in part, or in whole, would not, in the words of Mr. Churchill, liquidate the British Empire. This would not in any way hurt the trade of the British Empire unless she expects to employ unfair advantages against the United States. But it would permit us to realize something from the billions of dollars we have spent in this and the last war. This is no novel scheme of payment. After I decided to offer this reservation to the joint resolution, and began to draft it, I noticed in the January 31 edition of the Washington Evening Star an article which I desire to read:

BRITAIN SHOULD PAY UNITED STATES DEBT IN BASES, CANADIAN DECLARES

ALBANY, N. Y., January 31—Canada's wartime munitions chief—

And it is to be noted that he is not merely an ordinary citizen of Canada—

said last night that Britain should pay her debt to America in Western Hemisphere bases or by other mutually satisfactory settlement.

William Flockert Drysdale, speaking as a private citizen, declared the grim specter of debt forgiveness must not arise in this new age of infinite threats and dangers as it so unhappily arose after the First World War.

Mr. Drysdale, in a speech before the Albany County Historical Society, said Britain's obligations to the United States "are and remain debts until they are fully acknowledged and liquidated."

"Contractual arrangements for payment," he said, "could be either by permanent cession of by leases of lengthened tenure of present or different lands in or contiguous to the waters of the Western Hemisphere, and/or by such other media of installment payments as are mutually satisfactory."

He said England's staggering war losses, especially the destruction or damaging of 4,000,000 homes, must be replaced "if Britain is to continue as a useful ally in the company of enlightened nations."

"Between neighbors and allies and comrades in past times of peril, that may arise again, there must be no sordid question of the cost of such human and necessary help. * * * Past, present, and future they are debts of moneys and credits of health and safety, especially called for and gallantly provided."

Do we in the United States have less interest in the welfare of our Nation than has Mr. Drysdale, of Canada? He, a British subject, has made practically the same suggestion which I propose to offer before the Committee on Banking and Currency.

Our dealings with all nations must be on an equal basis. If Great Britain does not make settlement on a business basis of her accounts with us, every nation with which we do business will demand and is entitled to the same treatment. Such a course of action would bankrupt the United States. The Congress of the United States cannot afford to set up such standards in dealing with other nations.

RECONSIDERATION OF CERTAIN ARMY NOMINATIONS

Mr. THOMAS of Utah. Mr. President——

The PRESIDING OFFICER (Mr. HOEY in the chair). The Senator from Louisiana [Mr. ELLENDER] has the floor.

Mr. THOMAS of Utah. Will the Senator from Louisiana yield to me so that I may make a motion, with the understanding that the Senator will not be taken off the floor?

Mr. ELLENDER. I yield with that understanding.

Mr. THOMAS of Utah. Mr. President, as in executive session, I move that the action taken by the Senate yesterday in confirming the nominations of approximately 350 colonels be reconsidered and that the motion of the Senator from New York [Mr. MEAD] that the President be notified of the confirmation of the nominations be rescinded. The action confirming the nominations is to be found on page 971 of the CONGRESIONAL RECORD of yesterday, February 6.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Utah.

The motion was agreed to.

Mr. THOMAS of Utah. Mr. President, I should like to make a brief explanation of why I have made the motion on which the Senate has just acted.

The War Department sent to the President a list of approximately 350 colonels together with the following memorandum:

JANUARY 31, 1946.

Memorandum for Col. Earl B. Wixcey, G. S. C., Military Affairs Committee, United States Senate, Capitol Building, Washington, D. C.

1. The nominations for 349 lieutenant colonels to the grade of colonel, Regular Army, with rank from December 28, 1945, are being submitted to the Senate for confirmation.

2. These officers have completed 28 years' service and 5 years in-grade as required by law. These promotions are to fill existing vacancies, will not cause the limit of 1,054 colonels, authorized by law, to be exceeded and no officer is being promoted ahead of any officer senior to him on the promotion list. The law has been complied with in every respect. Those officers who are nominated subject to examination are so indicated in the nomination.

EDWARD F. WITSELL,
Major General,
Acting The Adjutant General.

Mr. President, the list includes the name of an officer whose promotion has been questioned. It would be unwise for us to prejudge the officer, or to take any action which would affect him until after an investigation has been completed. Therefore, I am asking that the entire list be held in abeyance, because under the seniority rule and under the present law, not only this officer might be affected but others as well. The relative seniority status of those on the list will not be affected by the action the Senate has just taken, because when the promotions shall have been made, the service of each officer will be relative to a certain date under the action of confirmation. So no harm will be done to the officers who are to be promoted, and yet the Senate will have an opportunity to determine if a certain officer should not be promoted, that he will not be promoted.

Mr. President, I trust that the President will be notified promptly of the action taken by the Senate.

Mr. HART. Mr. President, will the Senator from Louisiana yield, with the understanding that he does not lose the floor?

Mr. ELLENDER. I had agreed to yield to another Senator.

Mr. HART. What I wish to say is on the same subject to which the Senator from Utah has just addressed himself.

Mr. ELLENDER. I gladly yield to the Senator.

Mr. HART. Mr. President, a very important and much larger point is involved in the question now being raised. It applies not only to one officer but to the entire 349 whose names appear on the list. This promotion list means that more than one-third of the future Regular Army list of colonels is involved. Those are the men who will be commanding the regiments of our future Army. In any body of 349 officers there will be found varying degrees of efficiency, although all the officers under consideration have undergone a great deal of training and have performed satisfactory service for at least 28 years.

As the list came to the Military Affairs Committee the following fact was evident: Of the 349 officers whose names appear on the list, 92 had held under temporary appointment prior commissions either two or three grades higher, which meant that they had been selected upward as the best fitted for receiving promotion. Two hundred and forty-two of them had been temporary colonels, or had been selected for promotion of one grade, and 15 had remained as lieutenant colonels throughout the war. During the war a most important change was made which lay in the selection of officers for promotion to the temporary grades rather than strictly by seniority. Now, in all probability, there are differences existing within those three categories into which the list of 349 is divided. The service rendered by some of those officers during 4 years of war has, without doubt, proved them to be more competent than others of the same list.

Mr. President, there is yet another consideration. On the Army list, below these 349, are the names of other officers who held commissions won up to that of general officer, during this war. Of course, those men have not been considered for promotion to colonel although they have proven superior.

The Army has carried out the law of promotion by seniority. The 349 names were submitted to the President, and then to the Senate, because they were the names of 349 officers whose position was at the top of the list as the law required. Mr. President, I think the law is wrong. At this time, when the country has only recently completed 4 years of war, during which the entire list of Regular Army officers was tested to the limit, and when the stress upon them was much greater than ordinarily exists in time of

peace, what was learned about the respective qualities of those officers is being disregarded. During the war officers were temporarily promoted to higher grades by the selection of those who were judged to be of superior fitness for the tasks. Now, Mr. President, when there is much more to go upon in comparing officers and in picking out the best among them than has ever obtained before, we strike down the idea of promotion by selection of the best fitted and return to the principle of seniority promotions. I merely wish to be on record as expressing my belief that the law governing the matter should be changed as soon as it can be done.

APPEAL FROM DECISION OF THE CHAIR ON CLOTURE MOTION

The Senate resumed consideration of the appeal of Mr. BARKLEY from the decision of the Chair sustaining the point of order of Mr. RUSSELL that, under the rule, the presentation of the cloture motion on the FEPC bill was not in order.

Mr. WHITE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Maine?

Mr. ELLENDER. I yield on the same conditions on which I have heretofore yielded.

Mr. WHITE. I ask unanimous consent that I may proceed without impairment of the right of the Senator from Louisiana to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUSSELL. If the Senator from Maine is to speak, I think we should have a quorum present.

Mr. WHITE. Oh, no.

Mr. RUSSELL. If the Senator does not desire it, I shall not suggest the absence of a quorum.

Mr. WHITE. Mr. President, I speak upon the pending measure because of my great desire that my colleagues may know the conclusions to which I have come, and more especially because I want the people of the State of Maine to know the convictions I have with respect to this entire controversial matter. I wish to make perfectly clear to all my colleagues now present that I am speaking in my individual capacity, and I absolve every Senator on the minority side from any responsibility whatsoever for what I may say.

Mr. President, the legislative and parliamentary situation in which the Senate is involved is contributed to by three related problems.

The bill itself, S. 101, raises in the minds of Senators the gravest doubts as to its constitutionality and its wisdom. It is significant that every voice in the Senate in behalf of the pending bill admits its serious defects and concedes that amendments should be adopted before approval is given to the measure. It is even more challenging that the proposed legislation faces the vigorous and bitter opposition of Senators who merit and who have the highest respect of all Members of this body.

Mr. President, many Senators charge that provisions of the bill go beyond and are in violation of constitutional powers, of rights secured to our people by our American Bill of Rights and of the ethos of our people and institutions.

More specifically, Senators assert, first, that by this bill the citizen is subjected to unlawful search and seizure; second, that the citizen charged with an offense which, if proved, may subject him to the pains and penalties of fine and imprisonment, is denied the right of trial by a jury of his peers in the jurisdiction in which he lives or in which the offense alleged, and of which he is suspected, took place; third, that the proceedings against any individual may be initiated by an allegation, not in writing and not verified by either oath or affirmation; fourth, that a complaint may be filed against a person, not necessarily by the Commission, but by any referee, agent, or agency designated by the Commission; fifth, that the hearing upon the complaint is not necessarily to be before the Commission, but may be before the very agent or agency which filed the complaint, or any other agent, with no statutory and required qualifications; sixth, that this hearing may be held at any time or at any place in the United States; seventh, that should the person charged with offense be found guilty, the Commission shall state its findings of fact, shall issue a cease-and-desist order, and shall take such other affirmative actions—actions neither defined nor limited by the bill—as will effectuate the purposes of the act; eighth, that the Commission is given the authority to petition any circuit court of appeals, anywhere in the United States, for enforcement of the orders of the Commission, and that in this final and effective step in the enforcement of the Commission's findings such findings are conclusive upon the court, if supported, not by the weight or preponderance of evidence, but by any evidence at all; and ninth, that in this proceeding before the court, the respondent is given no right of representation by counsel, to present additional evidence, or to examine any person appearing before the court.

Mr. President, these charges are but some of the many leveled at the bill. If they are justified, they are an unanswerable indictment of the proposed legislation. I am persuaded of the substantial truth of these criticisms.

But these particular arguments do not stand alone, nor are they the most persuasive.

Mr. President, in most instances in which boards or commissions are established with regulatory and quasi-judicial powers, provision is made that they shall be bipartisan in person and character.

This is sound policy and right principle. It respects our idea of checks and balances in government. It assures expression of divergent views, and contributes to right determinations. In the pending bill this principle is completely repudiated, and instead of bipartisanship, section 5 permits all five members of the Commission to be of one race, one creed, one religion, one ancestry, one political party. I believe this possibility challenges every principle asserted in behalf of the proposed legislation. If we are against the grant of such power, the reposing of such power in the Executive, why give it to the Executive?

Mr. President, the bill declares to be an offense that which, in the overwhelming number of cases, can never be proved. Who can know that I refuse to hire, that I discharge, or that I discriminate against any person, because of his race, or creed, color, origin, or ancestry? My motive is locked within my own mind, and, except in very rare instances, motive can never be proved.

The bill takes from the employer of America freedom to choose that man or that woman who in his judgment is best qualified to render service, to make contribution to the productive effort of America. It subjects the employer's right of employment of a person, and his business relationships with that employee, to the scrutiny and challenge of an agent of an autocratic government.

The bill declares its lost faith in the efforts of Christian generations to build a world of tolerance, of knowledge, of good will, and of brotherhood. It substitutes for the humane and kindly spirit of men the fear and the compulsion of law. Threat, dictation, compulsion of sword, or force of law have never aided man as he has struggled through the long centuries to make this a better and happier world for all mankind. This bill has not in it the sympathy and the warmth of the human heart. It must fail, therefore, of its professed purposes.

Finally, Mr. President, the bill creates another huge agency of a central Government which seeks always, and always exercises, restrictive and tyrannical powers over the social, financial, industrial, and political lives of a people. Here in America, warning of the loss of a people's freedom is seen all along the way we travel. Mr. President, these clear trends must be stopped if our America is to be saved.

Mr. President, the next two questions involved in our over-all problem are whether a filibuster is now being waged and, if it is, should cloture be invoked.

Mr. President, there can be no doubt that a filibuster is in process. It is open, notorious, and continuous. The required reading of the Senate Journal, the amendments proposed to the Journal, the admissions and the threats of Senators, announce the purpose and admit the fact of filibuster.

I do not like a filibuster but, Mr. President, there can be greater evils in the Senate and in this country of ours. There may be times and circumstances in which minorities can in one way alone successfully resist the power of a temporary majority. Majorities do not have the right to exercise arbitrary and uncontrolled powers. I challenge contradiction of the assertion that through the long years, the framers of constitutions and the writers of law have been more concerned in the protection of individuals and minorities than in granting powers to majorities. Our own Bill of Rights, agreement upon which was a condition

precedent to the adoption of our Constitution, sought protection of the citizen and of minorities. Nine of its first 10 articles seeks to shield from the powers of Government and of majorities the freedom of the manhood and womanhood of our country.

These safeguards find authority in our fundamental law and in the rules of this body itself. Both recognize the fallibility of a temporary majority in matters of the highest import. This recognition requires a two-thirds vote, not a majority, to ratify a treaty. We require a two-thirds vote to convict in cases of impeachment. A two-thirds vote is required for the approval of a constitutional amendment by the Senate, and a three-fourths vote of the States is necessary for the ratification of the two-thirds vote of the House and Senate submitting the amendment, and no cloture can force the States to vote.

In the business life of our country, many instances are found in which more than a majority vote is essential to effect corporate changes.

In our civil and criminal law, subject to limited exceptions to the general rule, we demand not a two-thirds vote, not a three-quarters vote, but unanimity of jury finding in determining a civil controversy or for the conviction of the humblest person for even the theft of a paper of ins.

In all ordinary circumstances, we may safely rely upon majority rule in the life of our people and in our legislative processes, but Mr. President, there are occasions when we are forced, as in the present instance, to decide whether a filibuster by a minority is not a lesser wrong than the threatened action, through cloture's aid, of a majority. In my judgment, it is better in the cause of sound legislation and the happy relationships of all our people that the minority should have unrestricted opportunity to protect itself from the power of a majority than that they, the minority, should be subjected to the numbers of a majority.

Mr. President, for what I am about to say I am indebted to the Senator from New Mexico [Mr. HATCH], who called my attention only a few days ago to the quotation I am now about to use, and, I hope, with his complete sanction.

Mr. President, Jefferson spoke a word of caution when he wrote in the preface of his Manual of Parliamentary Practice:

> So the maxim is certainly true * * * that as it is always in the power of the majority by their numbers, to stop any improper measures on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary from time to time * * * by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power—
>
> The wantonness of power—
>
> is but too often apt to suggest to large and successful majorities.

Whatever may be the technical distinctions between a vote for cloture and a vote for the bill, the hard, practical, and substantial truth is that a vote for cloture in the present instance is a vote for this FEPC bill and for its passage by a majority vote.

Mr. President, if I vote for cloture, in practical effect I give my approval to a bill unconstitutional and unwise. I give approval to a bill denying rights accorded to and inhering in every citizen of the Republic. I further, by such a vote, the cause of a bill which will result in dissension, in strife, and in definite retreat along the roads of progress we heretofore have been slowly and often painfully advancing. I shall be building new and dangerous instruments of governmental power. I shall be strengthening the arms of government by weakening the liberties of the people of this blessed Republic.

Mr. President, because of all these considerations I have reached the conclusion that I cannot vote for this legislation. I cannot vote for a cloture petition which brings the evils of it closer to our country and our people.

Mr. President, I thank the Senator from Louisiana for yielding to me.

Mr. RUSSELL. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield on the same condition as previously.

Mr. RUSSELL. When the people of my State commissioned me as a Senator I felt a great pride in the title of Senator. That pride is greatly enhanced by the privilege of being permitted to associate with men of the character and courage of the distinguished Senator from Maine [Mr. WHITE]. If I may be permitted to paraphrase some words of the Bard of Avon I would say:

> His life is gentle, and the elements
> So mix'd in him, that Nature might stand up
> And say to all the world, "There is a man!"

Mr. WHITE. Mr. President, I thank the Senator from Georgia.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Lousiana yield; and if so, to whom?

Mr. ELLENDER. Mr. President, I have agreed to yield to the distinguished Senator from Nebraska [Mr. WHERRY] under the same conditions as I yielded previously.

Mr. WHERRY. Mr. President, I appreciate very much the courtesy extended to me by the distinguished Senator from Louisiana, but I am glad to give way to the Senator from Virginia [Mr. BYRD] and the Senator from Wyoming [Mr. ROBERTSON], and to take the floor after they have concluded.

REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES — CIVILIAN EMPLOYMENT IN THE EXECUTIVE BRANCH OF THE GOVERNMENT

Mr. BYRD. Mr. President, will the Senator yield to me?

Mr. ELLENDER. I yield to the Senator from Virginia under the same condition as I yielded previously.

Mr. BYRD. Mr. President, according to reports submitted by the agencies to the Joint Committee on Reduction of Nonessential Federal Expenditures, civilian employment in the Executive branch of the Federal Government decreased 60,231 during the month of December 1945, from a total in November 1945 of 3,215,423 to a total in December 1945 of 3,155,192.

The reductions in the War and Navy Departments and in the national war agencies total 61,411, indicating that the peacetime departments and agencies actually had a net increase of more than 1,000 employees during the month.

Of the 22 establishments which added employees, Veterans' Administration increased 6,224; Post Office Department increased 2,625; Reconstruction Finance Corporation increased 2,522; Treasury Department increased 881; and Federal Works Agency increased 851. Other smaller increases are to be found in the Bureau of the Budget, Office of Alien Property Custodian, Office of Inter-American Affairs, Office of War Mobilization and Reconversion, Smaller War Plants Corporation, Civil Aeronautics Board, Export-Import Bank of Washington, Federal Deposit Insurance Corporation, Federal Trade Commission, General Accounting Office, Government Printing Office, Interstate Commerce Commission, National Archives, National Capital Housing Authority, National Labor Relations Board, Railroad Retirement Board, and Securities and Exchange Commission.

Of the 32 agencies which decreased, the largest were War Department with a 52,933 decrease; Commerce Department with a 6,158 decrease; Navy Department with a 3,902 decrease; Office of Price Administration with a 2,570 decrease; Labor Department with a 2,070 decrease; Agriculture Department with a 1,455 decrease; and Civilian Production Administration with a 1,217 decrease.

With few exceptions, for some years, the agencies have been claiming credit for their part in the war effort with requests for additional employees to carry on their new activities. The average citizen was amazed at some of the fields invaded, but tolerated the situation in the belief that with the cessation of hostilities there would be a return to normalcy. However, one cannot help being alarmed at the course of events since VJ-day. The agencies are struggling to find reasons for the continuance of their supposedly temporary activities and in addition are anxious to absorb functions and personnel of other agencies which on the surface are reported to be in the process of liquidation.

Much of such reduction as is taking place is to be found in the shipyards and arsenals of the country. The industrial employees should not be the only ones removed from Federal pay rolls. Thousands of employees who found desk jobs in the Government as part of the war effort should be included in drastic reductions as the war functions in both war and peacetime agencies are curtailed and eliminated.

Mr. President, I ask to have printed in the RECORD a table showing civilian employment of the executive branch of the Federal Government by departments and agencies for the months of November and December 1945, showing the increases and decreases in numbers of paid employees.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Civilian employment of the executive branch of the Federal Government, by departments and agencies, for the months of November and December 1945, showing the increases and decreases in number of paid employees

Departments or agencies	1945		Increase (+) or decrease (−)
	November	December	
EXECUTIVE OFFICE OF THE PRESIDENT			
Bureau of the Budget	741	753	+12
EXECUTIVE DEPARTMENTS			
Agriculture Department	87,664	86,209	−1,455
Commerce Department	36,024	29,866	−6,158
Interior Department	43,397	43,135	−262
Justice Department	25,213	24,945	−268
Labor Department	34,596	32,526	−2,070
Navy Department	591,538	587,636	−3,902
Post Office Department	444,974	447,599	+2,625
State Department	18,943	18,864	−79
Treasury Department	94,762	95,643	+881
War Department [1]	844,048	791,115	−52,933
NATIONAL WAR AGENCIES			
Civilian Production Administration	3,934	2,717	−1,217
Committee on Fair Employment Practice	55	36	−19
Office of Alien Property Custodian	600	602	+2
Office of Defense Transportation	374	243	−131
Office of Inter-American Affairs	602	605	+3
Office of Price Administration	40,034	37,464	−2,570
Office of Scientific Research and Development	934	875	−59
Office of War Information [2]	6	0	−6
Office of War Mobilization and Reconversion	608	642	+34
Petroleum Administration for War	281	190	−91
Selective Service System	17,043	16,561	−482
Smaller War Plants Corporation	1,684	1,792	+108
War Shipping Administration	5,045	5,044	−1
INDEPENDENT AGENCIES			
American Battle Monuments Commission	1	1	
Civil Aeronautics Board	407	408	+1
Civil Service Commission	5,220	4,945	−275
Employees' Compensation Commission	546	543	−3
Export-Import Bank of Washington	70	77	+7
Federal Communications Commission	1,477	1,469	−8
Federal Deposit Insurance Corporation	1,175	1,189	+14
Federal Power Commission	678	671	−7
Federal Security Agency	31,763	31,338	−425
Federal Trade Commission	450	477	+27
Federal Works Agency	20,503	21,354	+851
General Accounting Office	13,943	14,050	+107
Government Printing Office	7,031	7,111	+80
Interstate Commerce Commission	2,025	2,059	+34
Maritime Commission	8,619	8,283	−336
National Advisory Committee for Aeronautics	5,947	5,799	−148
National Archives	343	346	+3
National Capital Housing Authority	246	247	+1
National Capital Park and Planning Commission	17	16	−1
National Gallery of Art	275	272	−3
National Housing Agency	14,380	14,241	−139
National Labor Relations Board	860	1,106	+246
National Mediation Board	100	95	−5
Panama Canal	31,580	30,624	−956
Railroad Retirement Board	1,690	1,715	+25
Reconstruction Finance Corporation	26,228	28,750	+2,522
Securities and Exchange Commission	1,164	1,172	+8
Smithsonian Institution	419	417	−2
Tariff Commission	267	265	−2
Tax Court of the United States	122	122	
Tennessee Valley Authority	11,857	11,824	−33
Veterans' Administration	86,463	92,687	+6,224
Total [3]	2,568,966	2,508,735	−74,046 / +13,815
Net decrease			−60,231
War Department [4]	646,457	646,457	
Grand total	3,215,423	3,155,192	

[1] Does not include employees stationed outside the continental United States.
[2] Terminated as of Dec. 31, 1945.
[3] Includes employees stationed outside the continental United States, except those of the War Department. Total for November, 106,924; and December, 98,955.
[4] Employees stationed outside the continental United States, reported quarterly as of Sept. 30, 1945.

LEAVES OF ABSENCE

Mr. DONNELL. Mr. President, I respectfully ask unanimous consent that I may be absent from attendance on the Senate from today until Friday, February 15, in order that I may make a trip to my home State.

The PRESIDING OFFICER (Mr. HOEY in the chair). Without objection, leave is granted the Senator.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that I may be absent from the Senate tomorrow, for 1 day.

The PRESIDING OFFICER. Without objection, the leave requested is granted.

ATOMIC BOMB AND AIRCRAFT

Mr. ROBERTSON. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield to the Senator from Wyoming on condition that I do not lose the floor thereby.

Mr. ROBERTSON. Mr. President, the subject of the atomic bomb test, which is to take place in the Pacific in May, is not a new one to this body.

But with your permission, Mr. President, I should like to venture a suggestion; indeed, I would make it a most urgent request. It is possible that my suggestion has already received consideration, but not to my knowledge.

During the month of May, 97 ships of the Navy will be anchored in a lagoon—sitting ducks—stripped of their greatest defensive weapon, the power of movement, the ability to disperse and take evasive action. On their decks will be the heavy, medium, and light guns; radar towers will be in place; lifeboats will be slung; observation planes will be on their ramps; while on the carriers, aircraft will be in position of readiness. Beneath the steel decks will be oil and aviation gasoline and bombs and rockets and heavy naval shells. On the islands about will be military installations—pill boxes, tents, dumps, and buildings. This we know.

Coupled with what we already know about the effect of the A-bomb, we hope to gain much information. We know what it does to cities, and, therefore, what it can do to land armies. We will know, or we hope to know after this test, what it can, under certain conditions, do to surface craft.

In winning the war we used three forces—land, sea, and air. In this test we are hoping to prove something regarding sea power. We already have some information on the effect on land, but apparently we have no information, nor are we making any preparation to obtain information as to the effect of the atomic bomb on our air forces.

Perhaps plans have already been made to do this very thing. Perhaps my suggestion is late. I do not know.

But I do know that in all the newspaper publicity I have seen to date, and in all the discussions I have heard so far, the only reference to aircraft—other than a few tiny drones filled with recording devices—has been to those on the decks of the old carriers and on the adjacent islands.

What I would like to see would be squadrons, complete formations of radio-operated planes overhead, fighters, light bombers, medium bombers, heavy bombers, and superbombers, at altitudes from a few hundred feet to thirty or forty thousand feet.

I would like to see these planes combat-loaded with ammunition for their 30- and 50-caliber machine guns, their 20 mm. and their rockets, with varying gasoline loads, and with bombs, fuzed and ready, just as they would carry in seeking out an enemy task force or searching for a land target.

Today the Army is scrapping hundreds of B–17's, B–24's, B–28's, and small craft. A selected number of these, plus Army and Navy light bombers and fighters should be in the air.

Thus, after the bomb has exploded, after the smoke has cleared away, and that part of the earth has returned to normal, we would have a complete picture of what the atom bomb might do—not only when it is dropped on land targets or surface craft, but also if it were sent aloft to intercept the approach of an enemy air armada.

THE WHEAT PROBLEM

Mr. REED. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield to the Senator from Kansas, on the condition that I do not lose the floor.

Mr. REED. Mr. President, as the President of the United States and other officers have stated so frequently in the public press, one of the most important questions, not only in the United States but in the world, is the volume of wheat available for domestic and international use.

The head of one of the important farm cooperatives in this country is Mr. M. W. Thatcher, of St. Paul, Minn., president of the National Federation of Grain Cooperatives. Those cooperatives will have a conference at Chicago tomorrow and the next day, to which have been invited the Secretary of Agriculture and his representatives, and the chairmen of the Agriculture Committees of both the Senate and the House.

Mr. Thatcher has sent me a long telegram in which he discusses a number of phases of the wheat situation which go to the heart of the problem. He brings up the question of whether or not farmers should be expected to sell their wheat at present ceiling prices in a period when prices of all kinds, including wages, are going up. The question presented is whether or not the OPA will hold the present ceiling prices on wheat through to the end of at least this crop year.

Another question presents itself. The farmer is being urged to sell the wheat he now has. Will he also be expected to sell the crop which he harvests this year? If so, he will have an income-tax situation in which he will pay upon a larger sum, because he will be disposing of two crops in 1 year.

Other questions of that type are presented and discussed by Mr. Thatcher in his long telegram. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the telegram which Mr. Thatcher, who is general manager of the Farmers' Union Grain Terminal Association of St. Paul, in addition to being president of the National Federation of Grain Cooperatives, has sent to me.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

ST. PAUL, MINN., *February 4, 1946.*

CLYDE M. REED,

United States Senate, Washington, D. C.

There is a wheat problem but not one that calls for bread rationing or for use of more wheat in flour, which admittedly would be a coarser and darker flour. Based on the United States Department of Agriculture's figures of January 1, 1946, we had 689,000,000 bushels of wheat on hand. A new wheat crop will pour into market after July 1. Present indications are for at least 700,000,000 bushels of winter wheat. There will be a heavy spring wheat acreage. Allowing for a January disappearance of 89,000,000 bushels, we will need up to July 1 no more than 200,000,000 bushels for flour, and 50,000,000 bushels for spring wheat seeding and miscellaneous farm use. This would leave 350,000,000 bushels of present stocks for export, carry-over, and livestock feeding. It would be better to stop feeding wheat than to ask flour mills and bakeries and consumers to adapt themselves to a new product with all the changes necessary to make a straight run of flour using 85 percent of the wheat instead of the normal 72 percent. The public and the processors would resist these far-reaching changes Farmers will move the wheat to town and sell it if they are given parity treatment. Farmers know that Congress is in doubt about extending the OPA price-control law That makes farmers doubt that it is wise to sell wheat under present ceilings. Farmers know that on July 1 there will be a big increase in wheat prices, if Congress does not extend the OPA law for another year. Farmers have the same intelligence as business people who have been and are withholding merchandise for the much higher prices which they hope will be realized either through dropping of OPA or through making exceptions, as for example the steel industry. Farmers also know that with wage levels in the process of rising, eventually such increases will be reflected in a new and higher parity price which under law will force the OPA to lift present ceilings on all farm prices. From the standpoint of price, the farmer sees about every advantage in not marketing wheat now. He is not going to succumb alone to any patriotic call when he sees the United States Steel Corp. and General Motors Corp. and others getting away with theirs. The farmer feels that all he has to do is wait. Another point, the farmer is accustomed to carrying an inventory of wheat on his farm. It is his ever-normal granary and his base money supply. Not for patriotism alone does he intend to market this year both his present inventory and also his new crop. He would then be compelled to pay a 2-year or double income tax. In brief, he is not a fool. He intends to be treated as well as other groups in the economy of the Nation, even if he is the most patriotic. He, as much as any other person, wants to see wheat shipped to the starving people in other parts of the world but the National Federation of Grain Cooperatives cannot honestly urge its wheat-producing members to market their wheat so long as the wheat farmer is at a disadvantage as regards ceilings and double taxation. If the farmer knew now what wheat ceiling prices would be until July 1, 1947, and if he could be relieved of double taxation from marketing two crops in the same year, and if he could be assured that he would not be subject to a third tax by the repeal of laws protecting his marketing cooperatives as advocated by the National Tax Equality Association then we would be on sound ground to ring the bell of patriotism and save the starving families abroad. Further, if all these economic disadvantages were corrected, there is still a transportation break-down, not only from lack of boxcars, but from disorganization on the railroads. Now the movement of cars just from the Dakotas to Minnesota frequently takes weeks. We want to emphasize that you can get wheat for export, without upsetting the operations of flour mills and bakeries or changing the food habits of consumers. If you act now on these three problems: First, Give us boxcars and transportation facilities that will work and move the wheat. Second, decide now, one way or the other, on the future of OPA and price ceilings for 1946-47. Third, protect the farmer against double and triple taxation. If and when these three needs are met, the National Federation of Grain Cooperatives and the general farm organizations will advise farmers to move their wheat off the farms. People all over the Nation are now questioning the political integrity and economic sense of both the Congress and the administration. This problem of wheat is not in the hands of the millers or the bakers or the farmers. It is in the hands of the Congress and the administration. We have called a meeting of our grain cooperatives in Chicago on February 8 and 9, and have called officials from the United States Department of Agriculture to confer with us. We also are inviting through this wire the chairmen of the House and Senate Committees on Agriculture to be with us in Chicago. Our National Federation of Grain Cooperatives is comprised of the Regional Grain Cooperatives from Ohio to the Pacific Northwest, and from the Canadian border to the Gulf of Mexico. Its annual handle of grain is close to 400,000,000 bushels a year. Most of the farmers who own these cooperatives also are members of the Farm Bureau, the Farmers Union or the Grange. Thus you can rest assured that you can have the solid mobilized support of agriculture to move the wheat that is needed if the Congress and the administration will move first.

Respectfully submitted.

M. W. THATCHER,
President, National Federation of Grain Cooperatives.

GEN. OMAR N. BRADLEY

Mr. STEWART. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield to the Senator from Tennessee under the same terms as I have heretofore yielded.

Mr. STEWART. I thank the Senator from Louisiana. Mr. President, I wish to take notice of the recent criticism which has been directed at General Bradley, the head of the Veterans' Administration. I believe that this criticism is very unjust. I think it is extremely unfortunate that it comes from the source from which it comes, Mr. Stelle, of Illinois, the head of the American Legion. A few days ago he criticised General Bradley rather severely for what he termed neglect of duty, as I understand, for his failure to handle more expeditiously the claims of veterans of World War II.

General Bradley has been done a very grave injustice by this charge. It is quite true, and known by everyone to be true, that many thousands of claims of veterans who have been released from this war are piling up in the Veterans' Administration. For many reasons the Veterans' Administration has been unable to handle them as rapidly as it would like to handle them. General Bradley has expedited the handling of such claims as rapidly as any other man who might have served in his capacity, or who might now be serving in his capacity, could have done. I believe that he has done perhaps a great deal better than many other men might have been able to do.

We must remember that since General Bradley was appointed to head the Veterans' Administration more than 7,000,000 persons have been discharged from the armed services. As a result, many thousands of claims of various kinds have been filed. It has been humanly impossible to handle every one of them. General Bradley has been at the head of the Veterans' Administration for less than 6 months. In my opinion he has done as well as, or better than, almost anyone else who might have been serving in that capacity. I believe that the present criticism is extremely unfortunate, most untimely, and completely unjustified.

In my opinion there is not a man in the United States who is of greater stature than General Bradley. He was one of the great soldiers and leaders of the World War which has just recently been concluded. He was not only one of the great soldiers of this World War, but, as has been stated by those in a position to know, one of the greatest military tacticians of all time. He is a man of tremendous capabilities. He has not had one-tenth of 1 percent of the chance that he is entitled to in this work. He has made a far better showing than might have been expected of him under the circumstances.

As one Senator remarked to me a few moments ago when we were discussing the subject, perhaps public sentiment has already taken care of the matter. I think it is extremely unfortunate that this criticism should have been made. From the experience I have had and the contact I have had with General Bradley in the past 2 or 3 months, I know something of the magnitude of the work which he is required to do. Based upon the knowledge and information which I have, which I believe to be entirely accurate, I make the statement that this

charge is utterly unjustified. I do not know whether it falls in the category of cheap publicity or not, but it certainly is not and never has been justified.

General Bradley will make good as head of the Veterans' Administration. He is the kind of man who will see to it that his administration is successful. He is not only capable, but he is thoroughly honest, and he is painstaking in everything he does. The plans which he has for the future in behalf of the veterans are exceptionally broad and well-considered.

I repeat that the charge against General Bradley is not only unfortunate, but absolutely unjustified.

I thank the Senator from Louisiana for yielding to me.

AMENDMENT OF EMERGENCY PRICE CONTROL ACT OF 1942

Mr. WHERRY. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield to the distinguished Senator from Nebraska under the same terms and conditions as I have heretofore yielded.

Mr. WHERRY. I accept the terms, so as not to prejudice the rights of the distinguished Senator from Louisiana. I thank him for his patience and also for giving me the opportunity at this time to submit amendments intended to be proposed by me to Senate Joint Resolution 118 amending the Emergency Price Control Act of 1942, as amended, with respect to the margin of profit which must be allowed in fixing maximum prices. I send the amendments to the desk, and I ask that they be read and referred to the appropriate committee. If there is any doubt, I also ask unanimous consent that hereafter Senate Joint Resolution 118 be Senate Joint Resolution 118 as amended by the proposed amendments.

The PRESIDING OFFICER (Mr. O'DANIEL in the chair). Without objection, the amendments intended to be proposed by the Senator from Nebraska to Senate Joint Resolution 118 will be received, read, referred to the Committee on Banking and Currency, and printed.

The CHIEF CLERK. The amendments intended to be proposed by Mr. WHERRY to Senate Joint Resolution 118 are to strike out all after the resolving clause and insert:

That it is hereby declared to be the policy of the United States (a) that the achievement of maximum production in industry is essential to prompt and orderly transition from a war to a peacetime economy, (b) that the necessity for obtaining maximum production in industry is paramount to the need for maintaining existing price levels, and (c) that the authority to establish and maintain maximum prices, conferred by the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended, shall be exercised in a manner calculated to stimulate, secure, and maintain maximum production.

SEC. 2. (a) Section 2 of the Emergency Price Control Act of 1942, as amended, is amended by adding at the end thereof the following new subsections:

"(o) No maximum price shall be established or maintained for any commodity under authority of this act or the Stabilization Act of 1942, as amended, or otherwise, (1) below a price which will reflect to producers, manufacturers, wholesalers, distributors, jobbers, and retailers dealing in such commodity a percentage profit per unit, based on current costs, equal to the average percentage profit per unit earned during the calendar years 1937 to 1941, inclusive, or (2) which will reduce or result in the reduction of trade discounts or percentage mark-ups, with respect to such commodity, below the average established trade discounts or percentage mark-ups applicable with respect to such commodity during such calendar years.

"(p) No regulation or order shall be promulgated or enforced under the authority of this act or the Stabilization Act of 1942, as amended, or otherwise, which (1) establishes maximum prices in such a manner as to require absorption by the seller of a commodity of lawful increases in the costs of production, processing, or distribution of such commodity, or (2) directly or indirectly requires or compels a producer of a commodity to conform, during any period, to a pattern of production or sales of such commodity by price range or unit classification, based on any prior period."

SEC. 3. (a) Section 203 of the Emergency Price Control Act of 1942, as amended, is amended to read as follows:

"SEC. 203. At any time after the issuance of any regulation or order under section 2, or in the case of a price schedule, at any time after the effective date thereof specified in section 206, any person subject to any provision of such regulation, order, or price schedule may file in the district court of the United States for the district in which he resides or maintains his principal place of business a petition praying that such regulation, order, or price schedule be enjoined or set aside in whole or in part. Upon such filing the court shall cause notice thereof to be served upon the Administrator, and thereupon shall have jurisdiction to grant such temporary relief or restraining order as it deems just and proper, and to make and enter a decree enjoining or setting aside in whole or in part the regulation, order, or price schedule, or dismissing the petition. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate circuit court of appeals as in other cases, and the judgment and decree of such circuit court of appeals shall be final, subject to review by the Supreme Court of the United States upon writ of certiorari or certification, as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. Code, title 28, secs. 346 and 347)."

(b) Section 204 of such act, as amended, is hereby repealed.

And amend the title so as to read: "A joint resolution to amend the Emergency Price Control Act of 1942, as amended, so as to achieve maximum production, eliminate impediments thereto, created by certain policies, and for other purposes."

Mr. WHERRY. Mr. President, I wish to give the history of the formulation of the amendments which some of the members of the Small Business Committee are now offering to Senate Joint Resolution 118.

On November 15, 1945, the Senator from Tennessee [Mr. STEWART] and I introduced Senate Joint Resolution 118, proposing amendments to the Price Stabilization Act. That joint resolution provides as follows:

No maximum price shall be established or maintained for any commodity under authority of this act or the Stabilization Act of 1942, as amended, or otherwise, (1) below a price which will reflect to producers, manufacturers, wholesalers, distributors, jobbers, and retailers dealing in such commodity a percentage profit per unit, based on current costs, equal to the average percentage profit per unit earned during the calendar years 1937 to 1941, inclusive, or (2) which will reduce or result in the reduction of trade discounts or percentage mark-ups, with respect to such commodity, below the average established trade discounts or percentage mark-ups applicable with respect to such commodity during such calendar years.

Those are the provisions of that short amendment to the act. In brief, the joint resolution would forbid the Office of Price Administration to put into effect a maximum price which would not reflect percentagewise the mark-up enjoyed down through the years on top of current costs. It would also prohibit the Office of Price Administration from giving a percentage of a price payable under a private contract or an invoice to labor engaged in production or some other segment of the industry concerned, at the expense of a retailer or distributor or some other segment of the industry.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. WHERRY. If the Senator from Louisiana will permit, I yield.

Mr. EASTLAND. I agree with the Senator, and I judge that he wishes to do away with the retail cost-absorption policy of the OPA.

Mr. WHERRY. That is correct.

Mr. EASTLAND. Let me say to the Senator that I agree that should be done. Does not the Senator think that the Office of Price Administration should be prohibited from placing on agricultural commodities price ceilings which do not reflect parity plus the labor costs?

Mr. WHERRY. Mr. President, I wish to say emphatically that I certainly do agree with the distinguished Senator from Mississippi. I am sure he will recall that not long ago I offered on the floor of the Senate an amendment, which was adopted, providing that the farmer should be paid on a cost-plus basis for the commodities he produced, just as in the case of payments made under the provisions of contracts relating to the sale of industrial products. Certainly a rule or regulation relating to the sale of agricultural commodities that does not result in the payment of parity is in direct contradiction to the provisions of the Agricultural Adjustment Act itself.

Mr. EASTLAND. Mr. President, will the Senator further yield?

Mr. WHERRY. Gladly, if the Senator from Louisiana will permit me to do so.

Mr. EASTLAND. I wish to say that parity, as it is defined in that act, does not include farm-labor costs.

Mr. WHERRY. That is correct. When I now refer to parity, I mean parity on top of current costs. That would include the labor costs.

Mr. EASTLAND. For instance, today in the South the farm-labor costs amount to more than three times what they did during the base period.

Mr. WHERRY. Yes.

Mr. EASTLAND. For that reason, when we include in our calculations the farm-labor costs, we find that today the

cotton growers cannot produce cotton at a profit.

Mr. WHERRY. That is correct.

Mr. EASTLAND. From what I understand of the farm-wage scale in the West, the situation is even more critical in the West than it is in the South.

Mr. WHERRY. Yes; it is.

Mr. EASTLAND. I state to the Senator that when the question of the renewal of the Price Stabilization Act comes before the Senate, I shall offer amendments along the line I have indicated.

Mr. WHERRY. I thank the distinguished Senator. Let me say that I wish it to be understood that I believe parity should be based upon current costs. The old definition of parity is the relationship of the average price of the farm product during the years 1909 to 1914 to the relation of the purchasing power of the farmer's dollar for what the farmer buys. The Senator from Mississippi well knows, as do all of us in the Middle Western States, that today labor costs are in some cases three times what they were in 1909 and the relationship upon which parity is based is out of line.

Mr. EASTLAND. That is true.

Mr. WHERRY. So, on the basis of today's costs, parity does not represent the cost of producing a commodity in the same relationship as back in 1909–14.

Mr. EASTLAND. As I understand the situation, farm-labor costs in the West are five times what they were in the period 1909–14, and in the South they are three and one-half times what they were in the period 1909–14. In the interest of doing justice to agriculture, Congress must rectify that situation.

Mr. WHERRY. Certainly, Mr. President, that matter must be considered when the question of the extension or renewal of the Price Stabilization Act is before the Senate, because I think all Senators agree that if we are to obtain maximum production we must make it possible for producers to make a profit, not only in the production of industrial articles but also in the production of farm commodities as well. That does not mean that there will have to be runaway inflation. That does not mean that the price stabilizer will not be able to fix ceilings which will control the selling prices of a particular product. But we would prevent the Price Stabilizer from fixing a price ceiling which would not permit the producer to make a profit. We believe steps should be taken to make sure that the producers will obtain profits, as well as to make sure there will be ample production.

Mr. EASTLAND. Mr. President, will the Senator further yield?

Mr. WHERRY. Yes; if the Senator from Louisiana will permit me to do so once more.

Mr. EASTLAND. Let me say that the Senator is correct in what he has said. Of course, what he has suggested will not cause inflation; but it will prevent inflation, because it will bring about production.

Mr. WHERRY. That is correct.

Mr. EASTLAND. After all, production is the only safeguard the people of the United States have against inflation.

Mr. WHERRY. That is my theory, and it has been all the time. The first speech I made on the floor of the Senate—in 1943—was an appeal to the Senate to lift the restrictions so that maximum production might be obtained. Not only did we need it for our wartime economy, but, as I said then, and I now repeat, maximum production is the best weapon we can use in our fight to whip inflation. I say that in the battle to whip inflation, it is of paramount importance that production be obtained, rather than that prices be controlled.

Mr. EASTLAND. Mr. President, will the Senator further yield?

Mr. WHERRY. Yes; if the Senator from Louisiana will again permit me to do so.

Mr. EASTLAND. Let me say that I agree with what the distinguished Senator from Nebraska has said, and I know that he agrees with me when I say that industrial labor is entitled to a higher wage scale. We agree that it should be properly paid. But the Office of Price Administration and its personnel are discriminating against American agriculture, and are doing so for the benefit of industrial labor. I do not think the average laboring man desires to see any American worker discriminated against.

Mr. WHERRY. I agree with the Senator, and I thank him once again.

Mr. President, a moment ago I read the provisions of Senate Joint Resolution 118, introduced by the Senator from Tennessee [Mr. STEWART], and myself on November 15, 1945. I shall now proceed to state the foundation or basis upon which the new amendments, which were read by the clerk, are offered.

When the joint resolution was introduced I requested, should it be referred to the Senate Banking and Currency Committee, that the chairman of that committee assure the Members of the Senate early hearings would be held so that evidence might be adduced for immediate consideration, in connection with the President's proposal to extend the Price Stabilization Act for 1 year from its termination in June. I also requested that the amendments offered be considered in order to correct the slowing-down of production since VE-day.

Senators may recall that on the afternoon when I introduced the joint resolution, considerable colloquy took place between the Senator from Oregon and myself, as well as some of the other Senators on this side of the Chamber, and it was stated that it was necessary for the Banking and Currency Committee to conduct immediate hearings, because the price-control program was holding back production in almost all lines of industry. At that time some of us requested that hearings be held, and that a report be made to the Senate on the suggested amendments.

The chairman of the Senate Banking and Currency Committee has not seen fit to call hearings, although in a very few weeks the Members of the Senate will be called on to vote upon legislation for the extension of certain powers granted to the Executive at the outbreak of hostilities.

Those powers, as enacted in the Emergency Price Control Act, the Stabilization Act, and the War Powers Act, were extended from time to time during hostilities and are being exercised today. Moreover, their extension is being asked for.

Prior to, during, and since the Christmas vacation, members of the Small Business Committee have conducted hearings on the question of the exercise of these powers since VJ-day, and have studied the effect of their administration since the cessation of hostilities. We are convinced that changes must be made if we are to discharge our duties as legislators, and assist the rehabilitation of our Nation's economy. The report of the committee has not yet been made available. It is now being prepared, and I am hopeful that at least a majority of the Members will sign it, because I think that, in the main, at least so far as recommendations are concerned, our committee is pretty much in agreement. There may be controversy with regard to some of the basic problems involved, but so far as the recommendations are concerned, I think that nearly all members of the committee will agree. When offered, they will, no doubt, be offered by the chairman of the committee.

Our study of the subject was detailed and extensive. What we found will doubtless be of great interest to the Senate and will assist us all in the proper determination of this most important question.

I wish to stress the fact that this is not a partisan question, nor is it a matter for partisan consideration. The significance of the action that must be taken on the subject lies in its determination of the immediate destiny of our economy.

As a result of these studies, I am suggesting a proposed amendment to Senate Joint Resolution 118, which provides that it is hereby declared to be the policy of the United States:

(a) That the achievement of maximum production in industry is essential to prompt and orderly transition from a war to a peacetime economy.

(b) That the necessity for obtaining maximum production in industry is paramount to the need for maintaining existing price levels.

If it is necessary to increase the price level in order to obtain production, I think that question should be determined by the Congress so that those in authority will interpret the intent of Congress to the effect that the first and primary requisite is to obtain production, and that a price increase should not be held up continuously over a period of months until such a point is reached that producers will be put out of business.

(c) That the authority to establish and maintain maximum prices, conferred by the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended, shall be exercised in a manner calculated to stimulate, secure, and maintain maximum production, including that of the farms.

Secondly, that section 2 of the Emergency Price Control Act of 1942, as

amended, be amended by adding at the end thereof section (o), which includes the provisions of Senate Joint Resolution 118. I have previously discussed that resolution. Moreover, the proposed amendments to Senate Joint Resolution 118 would include amendments to the Price Stabilization Act of 1942, which would prohibit:

First, establishing maximum prices in such a manner as to require absorption by the seller of a commodity of lawful increases in the costs of production, processing, or distribution of such commodity; or

Second, directly or indirectly requiring or compelling a producer of a commodity to conform, during any period, to a pattern of production or sales of such commodity by price range or unit classification, based on any prior period.

This would prohibit the continuance and extension of what is known as the cost-absorption policy now in effect under the Office of Price Administration.

Finally, section 203, a proposed amendment providing that at any time after the issuance of any regulation or order under section 2, or in connection with a price schedule, or at any time after the effective date thereof as specified in section 206, any person subject to any provision of such regulation, order, or price schedule may file in the district court of the United States for the district in which he resides or maintains his principal place of business, a petition praying that such regulation, order, or price schedule be enjoined or set aside in whole or in part.

Today no such right is enjoyed. The moment that a regulation is issued, its effect begins immediately. It cannot be set up as a defense. Moreover, if a person is indicted for a violation thereof, he may not go into the Federal court and obtain an injunction pending the determination by a judicial court, but he must comply with the price regulation. Under those conditions there have been cases in which persons have been compelled to wait for as long as 6 months, which resulted in their being driven out of business. Such a situation should not be allowed to continue. Upon filing such a petition, the court shall cause notice thereof to be served upon the Administrator, and thereupon shall have jurisdiction to grant such temporary relief or restraining order as it deems just and proper, and to make and enter a decree enjoining or setting aside in whole or in part the regulation, order, or price schedule, or dismissing the petition. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate circuit court of appeals as in other cases, and the judgment and decree of such circuit court of appeals shall be final, subject to review by the Supreme Court of the United States upon writ of certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended.

That means that after a price regulation has been issued, if one against whom the regulation applies has not seen it within a 30-day period, he shall not lose his right to go into a Federal court and challenge the regulation. In all other cases the defendant has a right to his day in court. After the defendant gets into court I think that he should have the right to have an order entered by the court restraining the Price Control Administrator from carrying out the terms of the regulation until a judicial determination has been had. Furthermore, the defendant should be permitted to go into a Federal court of the district in which his business is located, instead of being required to come to the Emergency Court of Appeals in Washington and seek relief. No Member of Congress would wish to require a man to travel 1,500 or 2,000 miles, as some have been required to travel, in order to get into the Emergency Court of Appeals when he should have the right to take his case into the Federal court of the district in which his business is being conducted.

Mr. President, I have explained some of the amendments which some of us have found to be necessary. I ask unanimous consent that when the report is finally made by the Small Business Committee, inasmuch as no report has been made by the Committee on Banking and Currency, and no hearings have ever been held on the joint resolution which was introduced in November of last year, the Senate immediately start debating the question of whether or not we shall extend the Price Control Administration in accordance with the wishes of the President. We should become familiar with the problems to which I have referred, which are blocking production. Production is being curtailed because of the price-fixing policies of the administration which are causing the disruption of industry throughout the land. So if the price program extension is asked for, those of us who believe these things should be done will have an opportunity to amend the bill when it comes before the Senate; but if the amendments are not adopted, and the administration continues to interfere with maximum production, then I think we will have an absolute defense, and that we should no longer continue the Office of Price Administration.

I thank the distinguished Senator from Louisiana for the time he has given me to present my amendments and for other courtesies extended. I ask that the amendments be referred to the proper committee, and I assume they will be assigned to the Senate Banking and Currency Committee. I respectfully ask that consideration be given Senate Joint Resolution 118, and that the amendments proposed herein to Senate Joint Resolution 118 receive consideration at the same time.

RATIONING OF BREAD

Mr. BUTLER. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield on the same terms and conditions on which I have yielded heretofore.

Mr. BUTLER. I thank the Senator. I assure him that I shall occupy the floor for only a very short time.

Mr. President, I dare say all Members of the Senate noticed the headlines in the newspapers today advising that the United States is to be on short rations in order to feed the world. Before proceeding further, I assure the Members of the Senate that I, for one, am just as much concerned as is anyone else in complying with all obligations which may rest upon us to distribute food elsewhere in the world where it is needed. But I think this is a question which should have the attention, closer attention than it has had to date, of the Members of Congress.

I presume all Senators have been receiving messages within the last few days from millers in their States and from large bakery operators, and perhaps some of the smaller ones, who are worried about having supplies with which to operate their plants. In order to bring this matter before the Senate, I shall read one typical message, which comes from one of the large baking concerns in Omaha, Nebr., dated the 6th of February, and addressed to me, as follows:

OMAHA, NEBR., *February 6, 1946.*

Hon. HUGH BUTLER,
Senate Office Building,
Washington, D. C.:

Highest levels of Government considering rationing wheat flour or down-grading flour and bakery products by permitting milling of only dark and coarse flours. Either proposal will reduce consumption of bread, the best and most nourishing energy food. Reduction of volume will require price relief to bakers and increase cost of living; down-grading means force feeding of Americans with coarse animal filler in the name and guise of wholesome energy foods. The human digestive system, unlike that of farm animals, is irritated by and cannot utilize the food values in coarser feeds milled into down-graded dark flour. The present acute animal feed situation would also be further aggravated by such proposed action. The English wartime trial of flour and bread down-grading caused consumer dissatisfaction, decline of bread consumption, and increased consumption of substitute foods of higher cost. We ask your cooperation in protecting the American human health and diet, in maintaining good wheat nourishment for human mouths instead of animal mouths and foreign mouths.

Mr. President, I think all will admit that there exists a wheat problem, but not one that calls for bread rationing, or for use of more wheat in flour, which admittedly would be a coarser and darker flour. Based on United States Department of Agriculture figures of January 1, 1946, we had 689,000,000 bushels of wheat on hand at that time. A new wheat crop will pour into market after July 1. Present indications are for at least 700,000,000 bushels of winter wheat. There will be a heavy spring acreage. Allowing for January disappearance of 89,000,000 bushels, we will need up to July 1 no more than 200,000,000 bushels for flour, and 50,000,000 bushels for spring wheat seeding and miscellaneous farm use. This would leave 350,000,000 bushels of present stocks for export, carry-over, and livestock feeding. It would be better to stop feeding wheat than to ask flour mills and bakeries and consumers to adapt themselves to a new

product, with all the changes necessary to make a straight run of flour, using 85 percent of the wheat instead of the normal 72 percent.

Late yesterday, before I knew of the Executive order of the President, I prepared a very short statement, which, with a very minor change, I intend to put into the RECORD today. I shall take the privilege of reading the statement into the RECORD at this time in order that others may have the inspiration, I hope, of informing themselves about this rather serious situation.

The following statement was prepared late last evening, February 6, before I had word that a statement was to be issued by the President, putting the United States on a dark-bread diet in order to feed Europe. The statement I prepared yesterday is still appropriate, in spite of the fact that the President has since issued his order. Therefore, I am going to leave it just as I prepared it yesterday.

Few persons realize that we are threatened with rationing of bread—the staff of life. During the last few weeks there has developed what appears to be a shortage of wheat for grinding. There is no real shortage of wheat in the United States. Department of Agriculture figures confirm that statement. Nevertheless, there is a move on within the regulatory departments to ration wheat to the millers, and also to require them to make more pounds of flour from a bushel of wheat. This means that part of what we ordinarily feed to the livestock—bran and shorts—is to be put in the flour sack for the housewife and the bakers to use in making bread.

Housewives do not know the threat as yet, but many of the big bakers over the country have had the tip-off and are beginning to speak out. No doubt many Members of Congress have already heard from them direct, as I have myself.

I sincerely hope no emergency war order will go out requiring this down-grading of flour for human consumption. If it does, I predict dire results—far from what the Government agencies expect. The English tried this experiment during the war, and with unsatisfactory results. Bread consumption declined, and the use of higher cost substitutes arose. The human digestive system, unlike that of farm animals, is irritated by and cannot utilize the food values in coarser feeds milled into down-graded dark flour.

Another excuse for this plan of down-grading wheat flour, is the shortage of boxcars for the shipment of the wheat to mills. The real reason, however, is that certain commitments have been made to ship wheat to the hungry in Europe and Asia. Millers in my own State of Nebraska, the geographical center of the United States, and the heart of the Wheat Belt, are concerned, and some have asked that we lower or eliminate entirely import charges on wheat from Canada, Australia, and the Argentine. My suggestion would be that we stop shipping our own wheat abroad, but fulfill our foreign obligations by purchasing wheat in Canada, Australia, and Argentine and ship it direct to the hungry in Europe and Asia, instead of lowering our own stocks to the point where we may have to import into the United States for our own use. It would mean a tremendous saving in the unnecessary handling of supplies, and boxcars are really critically short. Just yesterday I had a request from one of the big milling companies that the railroads be required to furnish them open cars, that is, coal cars, commonly called gondola cars, for the shipment of wheat to the mills. Open cars are usually used only for shipment of coal or similar materials that do not require enclosed cars for safe handling. Millions of bushels of Nebraska wheat have already been moving to market in open cars, and if the railroads will furnish the equipment we can still ship our wheat, but if they will not, wheat for export cannot be shipped from the interior points of the country.

Late yesterday I sent the following telegram to the Honorable Clinton P. Anderson, Secretary of Agriculture:

> Reports reach me that some consideration is being given plans looking toward changing regulations affecting the manufacture of wheat flour, requiring a higher percentage of the grain to be sold as human food. This is perhaps a suggestion made account apparent shortage of grain for milling and actual shortage of boxcars for shipping and partly due to desire on part of some who want to further regulate everything. There is no actual shortage of wheat. In fact, we have an abundance but there is a terrible shortage of boxcars. We produced planes, tanks, and other war material in abundance and could under pressure turn out an abundance of boxcars in a comparatively short time. We should stop use of available cars to move our own wheat into export and furnish the wheat to other countries from outside sources like Canada, Australia, and Argentina, thus insuring our own supplies both for human food and stock feed. I think those who plan this further unwise regulation of flour production should be stopped at once and the public advised that the American health and diet will be protected while at the same time filling our obligations to those of other countries from sources other than our domestic stocks. I hope you can wire me today that the American health and diet will be protected.

A few minutes ago I made inquiry from the proper sources in order to obtain information as to the amount of wheat available in the three countries I have named. There is not as much available in Australia as I had anticipated. In order that all may have the information, I shall put the figures into the RECORD at this point.

In Canada, as of January 1, there were available 238,000,000 bushels of wheat. Very little of it is required for domestic use. Practically all of it would be available for export. In Australia there were but 6,000,000 bushels available as of January 1. In the Argentine there are between two and three million metric tons of wheat that would be available for export to other countries.

Mr. President, I am sympathetic with the attempts of the administration to meet our obligations abroad, but I feel they have made a very unwise provision in adopting the plan they have chosen in order that those obligations may be met from our domestic stocks.

THE OFFICE OF PRICE ADMINISTRATION

Mr. MORSE. Mr. President, will the Senator from Louisiana yield to me with the understanding that he will not lose the floor?

Mr. ELLENDER. I yield.

Mr. MORSE. I wish to refer very briefly to the comments on OPA made in the speech of the junior Senator from Nebraska [Mr. WHERRY]. I do not share all the views expressed by the Senator, but I desire to call the attention of the Senate to the fact that some of the predictions made on the floor of the Senate as far back as June 8, 1945, as to the effect of the policies of OPA on the meat industry of this country have been fulfilled. It was stated by several of us last June that they would result in continued hardship, especially upon the small slaughterhouses, unless the Congress wrote into the law as of that time certain protective clauses which some of us felt essential if we were to protect especially the small slaughterhouse operators. The Senate will recall that at that time we were considering what was known as the Thomas amendment which sought to bring to an end the policy of the OPA respecting the so-called over-all plant profit principle. We sought by that amendment to see to it that there was written into the law protection for the small slaughtering-house operator so that he could have a profit upon the processing of the particular type of livestock he might be slaughtering as of any given time. It looked for a time, as I think Senators present will agree, that the so-called Thomas amendment would be adopted. Then an interesting bit of strategy on the part of the administration forces was brought into play. I refer to the letter of June 6, 1945, addressed to the Senator from Oklahoma [Mr. THOMAS] and the Senator from Tennessee [Mr. MCKELLAR] by the head of the OPA. There was much debate on that letter because it was argued that the letter showed the intent of OPA, and that it ought to be considered as a substitute, really, for the Thomas amendment. Over the protestations of some of us, that is exactly what the Senate did—it accepted the letter as a statement of OPA policy which could be depended upon in the future. I pointed out in my speech in opposition to the letter at that time, as set forth on pages 5788 and 5789 of the CONGRESSIONAL RECORD for June 8, 1945, that there was a sleeper clause in the letter, that the letter was so framed and phrased that it gave the livestock producers and the slaughtering-house operators of the country no assurance whatsoever that the policies of OPA would be so administered as to result in that fair protection which we felt under the pricing policies of the Government they were entitled to. I say that because the letter contained this paragraph:

> To the fullest practicable extent, the Office will see that each of these groups of products is separately profitable at all times, regardless of live-animal prices. It will at all events see that each group is separately profitable on an annual basis.

Mr. President, I raised serious question at the time as to whether that letter was even worth the paper it was written on, and I ventured the suggestion that it was not.

I will not take the time to repeat the argument I advanced at the time, but let the RECORD now show that on June 8, 1945, I not only proposed, but I argued somewhat at length that the only real guarantee we could give to the slaughterhouse operators and the producers of livestock was for the Senate to rise to what I considered its obligation and put into law the principle of the Bowles letter of June 6, 1945. I suggested that if Senators were willing to accept the Bowles letter, as it was being advanced by administration forces on the floor of the Senate, then they ought to be willing to clarify it and write that letter into the law.

Now exactly the predictions many of us made at that time have come to pass. We now find in the newspapers this morning the report of at least an interview with the chairman of the fact-finding board which has been called upon to find facts in regard to the wage issues in the packing industry. That interview reports that a fair wage cannot be paid on the basis of the profits which are being made by the packing industry because of the OPA price policy. Apparently if the wage that is going to be recommended by the fact-finding board is to be paid it is going to be necessary for the Government to take action either by way of subsidy or by way of price changes. We should have foreseen that, it seems to me, last June, and paved the way by enactment into legal principle of the remedy which ought to have been enacted at that time.

Mr. President, I should like to have incorporated in the RECORD as a part of my remarks a letter to Mr. Bowles dated February 6, 1946, written to him by Mr. Wesley Hardenbergh, president of the American Meat Institute, which discusses at some length the situation which prevailed in the Senate on last June 8, and also discusses at some length the financial situation in which the packing industry finds itself. I should like to have the letter incorporated in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN MEAT INSTITUTE,
Washington, D. C., February 6, 1946.

The Honorable CHESTER A. BOWLES,
Administrator,
Office of Price Administration,
Washington, D. C.

DEAR MR. BOWLES: During the hearings before the fact-finding board of the meat packing industry, representatives of the Office of Price Administration took the position that the meat-packing industry could absorb a substantial percentage of any wage increase that might be recommended by the Board.

The industry is surprised and greatly disturbed by this position of your representatives—

First, in view of the facts presented to the Board;

Second, as a matter of fairness to the meat-packing industry;

Third, on the basis of the Stabilization Act as amended in 1945; and

Fourth, because of past commitments of the Office of Price Administration which remain in effect and unsatisfied.

We contend that maximum wholesale prices on products resulting from the processing of cattle and calves, lambs and sheep, and hogs, the processing of each species being separately considered, have not over the past year allowed, and do not currently allow, for a reasonable margin of profit to the meat-processing industry as a group.

Under these circumstances, the meat-packing industry cannot, and must not, be expected to absorb any portion of any wage increases.

In support of our position, we respectfully call to your attention the following facts, legislative developments, and administrative actions relating to the meat-packing industry over the past several months:

Financial reports submitted by 78 companies, small, medium, and large, located in all parts of the country, equaling more than 67 percent of all federally inspected slaughter, show net profits (before taxes) per hundredweight alive of only the following amounts:

For the fiscal year through October 1945:

	Cents
Cattle and calves	2
Hogs	4
Sheep and lambs	7

For the 4-month period July through October 1945:

	Cents
Cattle and calves	20
Hogs	30
Sheep and lambs	21

You will recall that the Price Control Act as originally enacted provided that maximum prices should be "generally fair and equitable," and an amendment to the Stabilization Act provided that "a generally fair and equitable margin should be allowed" for processing livestock products. The construction placed by the Office of Price Administration upon these provisions was that prices were "generally fair and equitable" and that "a generally fair and equitable margin was allowed for processing" if the current over-all industry earnings before Federal taxes equaled or exceeded the over-all industry earnings before Federal taxes during a base period 1936–39.

The regulations promulgated pursuant to this price policy placed controls both on the price of cattle and hogs and the price of products of livestock, and resulted, together with the tightening supply situation and increased costs, during the latter part of the fiscal year 1944 and for the several months thereafter, in a squeeze on the customary and necessary operating margins of the packing industry in the pork, beef, and lamb departments.

By January 1945, losses had become so severe that many meat packers were forced drastically to curtail or to suspend their operations.

These facts were well known to the Office of Price Administration through advice from its industry advisory committees, committees representing the industry, formal protests, complaints by many individual companies and testimony given before congressional committees. The existence of a scandalous widespread black market and the maldistribution of meat were a matter of common knowledge.

Notwithstanding full knowledge that its pricing policy was causing heavy losses on every animal slaughtered, thereby compelling law-abiding companies to curtail or suspend operations, the Office of Price Administration failed and refused to grant any relief, and, beginning in February 1945, committees of Congress made extensive investigations of the meat situation and published findings that the squeeze on meat processors was a factor contributing to the serious meat situation.

The Special Committee To Investigate Food Shortages for the House (the Anderson committee) recommended:

"We must therefore urge a fresh approach that guarantees these margins as a matter of right."

The Special Subcommittee on Agriculture and Forestry for the Senate recommended:

"That the Price Control Act be amended to require and direct the Office of Price Administration to give to processors of livestock a reasonable margin of profit for processsing each species of livestock."

Senator ELMER THOMAS of Oklahoma proposed an amendment to the joint resolutions extending the Price Control Act and the Stabilization Act designed to correct the faulty pricing policy of the OPA and prohibit the use of "the over-all industry profits test." The Thomas amendment would have made any maximum price unlawful for the products of any species of livestock that did not allow for the recovery of any processor's total costs plus a reasonable margin of profit not less than the profit earned in a representative bas period.

The Office of Price Administration opposed any amendment and agreed to cure the defects and eliminate the causes administratively and on June 6, 1945, addressed the following letter to Senators THOMAS and MCKELLAR:

"You have asked for a statement of the policy which the Office of Price Administration will follow in pricing the products of the various species of livestock.

"Recognizing the critical shortage of meat and the imperative need of avoiding any impediment to maximum production and even distribution, this Office, in addition to satisfying all the various mandatory requirements of the present law, will see that the products of each of the three main groups of livestock—cattle and calves, hogs, and lambs and sheep—are each separately considered, on a profitable basis.

"To the fullest practicable extent the Office will see that each of these groups of products is separately profitable at all times, regardless of live-animal prices. It will at all events see that each group is specially profitable on an annual basis.

"I have discussed this letter with Judge Vinson and Mr. Davis, and they authorize me to say they concur in it."

During the debate on the Thomas amendment in the Senate, the administration objected to the amendment on the grounds that (1) the Thomas amendment applied to all agricultural products whereas meat was the only commodity needing legislative relief, and (2) the Thomas amendment was impossible of administration because it would require the collection and analysis of the OPA of detailed figures from every company in the industry before wholesale ceiling prices could be established or changed and would require individual ceiling prices for each company.

Senator BARKLEY, the majority leader, offered a substitute amendment for the Thomas amendment, and it was enacted into law as the Barkley-Bates amendment.

When Senator BARKLEY offered his substitute amendment, he read your letter into the RECORD and said:

"Mr. President, a Member of the Senate has said, 'Why cannot that be integrated into the law. Why, instead of having a letter from Mr. Bowles saying he is going to do this, cannot we have it written into the law?'

"I have undertaken to do that by means of a substitute which I now send to the desk and ask to have read. I offer it as a substitute for the amendment offered by the Senator from Oklahoma" (CONGRESSIONAL RECORD, June 11, 1945, p. 5867).

In the course of debate Senator BARKLEY said:

"Mr. BARKLEY. Of course, the amendment provides that each category shall be dealt

with separately. In other words, a maximum price would be fixed for sheep and lambs as though the producer were producing nothing else but sheep and lambs. Then a ceiling would be fixed on hogs, in dealing with that category separately as if the processor were dealing in that category only. Cattle and calve would be dealt with as a separate category, whether sold as steaks or veal. The purpose is not to put them all together in a sort of hodgepodge of meat.

"Mr. FULBRIGHT. On that basis, I do not think there is a great difference between the cost of production as between large producers and small producers.

"Mr. BARKLEY. The prices of the so-called Big Four or Big Five are determined on the basis of everything they made and everything they distribute; whereas if they were not making anything except the products of cattle, sheep, hogs, and so forth, their average unit profits might be no greater than that of the average small company that makes none o' these extra things in his manufacturing process" (CONGRESSIONAL RECORD, June 11, 1945, p. 5868).

In the course of the debate Senator BARKLEY clearly indicated that the same margins should be allowed all processors, and said:

"Mr. BARKLEY. I think so, because, assuming that a reasonable profit margin is to be allowed to the processing industry—and I assume that that would be the case, because Mr. Bowles in his letter to the Senator from Oklahoma said that is the policy the OPA is going to inaugurate, and I am trying to integrate it into law—and that some of the processors will make profit enough to enable them to pay more for the livestock they process, automatically that will increase production.

"Mr. WHERRY. Then basically there is no difference between the Senator's amendment and the so-called Thomas amendment, except the amendment of the Senator from Kentucky applies to the processors in groups rather than as individuals. Am I correct?

"Mr. BARKLEY. It applies to the processors as an industry, as a group.

"Mr. WHERRY. Rather than as individuals.

"Mr. BARKLEY. Yes; rather than to each individual, for the reason I have attempted to outline. If it is applied to each individual, there cannot be any uniformity of prices in any community, and if the over-all is fixed high enough to reach the less efficient, the smaller man, it must be made so high that the big man will get more profit than he ought to have.

* * * * *

"Mr. BARKLEY. In other words, a Senator's vote probably will be determined, at least in part, by whether he thinks the OPA ought to deal with each individual processor and fix his profit separately, or with the industry of processing as a whole. There is one other difference. My amendment deals only with livestock and meat, whereas the pending amendment deals with cotton, textiles, etc." (CONGRESSIONAL RECORD, June 11, 1945, pp. 5868–5869).

It is clear that Congress intended by the enactment of the Barkley-Bates amendment, to prohibit the pricing policy theretofore followed by the OPA (the over-all profit theory) and prevent any further squeeze on meat-processing margins.

The meat-packing industry was entitled to assume that, from and after your assurances to Congress and the amendment of the law, any company with average costs and efficiency would be permitted to slaughter and process livestock and sell at maximum wholesale prices that would permit the recovery of all its costs, plus a reasonable margin of profits, for each separate species.

Notwithstanding numerous and widespread complaints that existing maximum prices failed to return a reasonable margin of profit by species on an industry basis, no relief was afforded until OPA Directive No. 90 was issued in December 1945.

On September 12, 1945, a joint committee representing the American Meat Institute and the National Independent Meat Packers Association called upon you at your office and furnished you with written proof that your commitment of June 6, 1945, to make the industry profitable by species on an annual basis had not been kept and that existing wholesale maximum prices were not in compliance with the law. You will recall that you assured the committee that you were aware of your commitment and the law and they would be me . You advised the committee that your office had collected figures from the industry, were studying them and retroactive relief would be announced on or about October 1, 1945.

I am sure that you will likewise recall that on October 25, when you appeared before the Senate Banking and Currency Committee, in response to a question of Senator HICKENLOOPER concerning your letter of June 6 to Senator MCKELLAR, you said, "That will be completely carried out," and further at the same hearing you assured Senator HICKENLOOPER that the provisions of the Barkley-Bates amendment would be complied with. You also said that the adjustment would be made in 2 or 3 days. (Hearing on controlling inflation before Committee on Banking and Currency of the Senate, pp. 46 and 47.)

On November 4, 1945, the Office of Price Administration announced to a subcommittee of its beef and pork industry advisory committees what it proposed to do in carrying out your commitment to Congress and to comply with the law. The subcommittee was informed the OPA was recommending that each company be paid additional subsidy for each species of livestock slaughtered from April 1 to October 31, 1945, as follows:

	Cents per hundredweight
Cattle and calves	10 to 12
Hogs	13 to 15
Sheep and lambs	20

and that the same amount per hundredweight was to be paid to each company, without discrimination, on an industry-wide basis.

We are informed that the subcommittee of the beef and pork OPA advisory committees promptly advised the Office of Price Administration that the proposed subsidy payments would be wholly inadequate to make the industry profitable by species for the fiscal year just ended or to provide a reasonable margin of profit by species for current and future operations. The results heretofore set forth confirm the joint committee's views.

Directive 90, issued on December 4, 1945, as a substitute for the OPA proposal, completely changed the OPA plan by (1) reducing the amounts to be paid, (2) setting up discriminatory eligibility provisions, (3) using "income from all sources" as a standard, (4) providing for individual pricing dependent upon eligibility, amounts of sales, and other factors.

Directive 90 does not follow the law or carry out your commitment to Congress; it revives practices and policies which were condemned by both the Senate and House and which led to the enactment of the Barkley-Bates amendment, namely, control of profits, over-all earnings as a basis for maximum prices, individual pricing which OPA claimed was administratively impossible for the purpose of defeating the Thomas amendment; in effect, the directive completely nullifies the Barkley-Bates amendment.

We are sure that you are thoroughly familiar with the fact that the widespread black market has continued to flourish and that it is in some respects more serious than found by the congressional committee in 1945.

You have been fully advised from time to time of the extremely serious situation in the cattle market and beef business. It is obvious that the prices being paid for good cattle can only be explained by a very extensive and highly organized black market in beef and noncompliance with the cattle stabilization program. Legitimate operators have been compelled drastically to curtail their beef operations, thereby further increasing their unit costs. Unless conditions are promptly corrected, the beef business will largely be in the black market. In many consuming centers wholesale and retail ceiling prices are pure fiction and the price paid by consumers is far in excess of what prices would be if legal profit margins were adequate to permit their legitimate companies to again competitively conduct business.

We respectfully submit that wholesale meat prices and meat processing margins must be immediately increased and continued so that any company with average costs and efficiency can sell at legal wholesale prices and recover all of its costs, plus a reasonable margin of profits on each species of livestock.

We further request that you immediately review the position taken before the Fact Finding Board by your representatives on the question of absorbing any part of the wage increase recommended by the Board or finally placed into effect in the meat-packing industry.

Not only do we believe that any absorption would be contrary to the legal requirements and commitments of the Office of Price Administration, but we also believe it would do great harm to the legitimate operators and thereby accentuate your already serious problem of enforcing meat price ceilings.

Very truly yours,

AMERICAN MEAT INSTITUTE,
WESLEY HARDENBERGH,
President.

Mr. MORSE. Mr. President, I close my remarks by saying again that there are those of us on both sides of the aisle who believe that we must use price control during this abnormal reconversion period as one of the weapons with which to fight inflation. If we are not successful in the battle against inflation, then we may make up our minds to the fact that in the very near future, and I speak in terms of weeks, the lid is off, the American dollar will depreciate in value, and we will adopt by way of inflation an unconscionable repudiation policy in this country. A great many people with fixed incomes and a great many people whose savings are almost limited entirely to war bonds are going to find that their savings and bonds will greatly depreciate in value.

I happen to be one, as I have said over and over again, who believes that we will have to maintain, for at least 12 months, price control and restricted price policies on a good many commodities, especially those which involve principally necessities of life, and in regard to which there is a great scarcity. But I repeat that we must have an OPA policy which permits of adjustment quickly on the basis of the facts as they can be presented from time to time. That is why I am willing to join with the Senator from Nebraska and raise my voice once again for the resolution which has long been sleeping in the Committee on Banking and Currency calling for an investigation of OPA. The Senate has a responsibility to consider the resolution. The Senate ought to set up a Senate committee through which we can channelize the complaints and criticisms of OPA in order to sift the truth from what is false, and so that that committee can work as

a strengthening arm to OPA in those instances in which OPA is right. We need such a committee to be available to see to it that wrongs perpetrated by OPA, arbitrary practices of OPA, maladministration of OPA, incompetency which exists in OPA, shall be quickly brought to the attention of the Senate and adequate remedies put into effect.

Yes, I know that if one so much as speaks a word of criticism against OPA then there are pressure groups in America that say, "You are trying to destroy OPA." I repeat that in my judgment the real friends of OPA in the Senate of the United States, are those who have taken the position which the junior Senator from Oregon has taken many times on this floor, that we ought to set up, under the provisions of the resolution I submitted months ago, a senatorial investigating committee to find out what the facts are in regard to the administrative practices of OPA. Such a committee should be available at all times to protect OPA when it is right, when the facts warrant its protection. But certainly steps should be taken to remedy abuses when the facts of a case show that OPA is in error.

APPEAL FROM DECISION OF THE CHAIR ON CLOTURE MOTION

The Senate resumed consideration of the appeal of Mr. BARKLEY from the decision of the Chair sustaining the point of order of Mr. RUSSELL that, under the rule, the presentation of the cloture motion on the FEPC bill was not in order.

Mr. BILBO. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Does the Senator from Louisiana yield to the Senator from Mississippi?

Mr. ELLENDER. I yield with the understanding that I will not lose my right to the floor.

Mr. BILBO. With that understanding, Mr. President, I wish to take a few minutes to present some matters, before further discussion of FEPC and kindred subjects has been closed in this debate.

Last week while speaking on this question the Senator from New Mexico [Mr. CHAVEZ] asked me the question:

At any rate, would the good Senator from Mississippi consider Monsignor Ryan, of the Catholic Church, to be a Communist because of his views in regard to this bill?

To which I replied:

When God has put His hand on a man, I take mine off. Monsignor Ryan is dead.

Then the Senator from New Mexico said:

Yes; God in His wisdom, works in a peculiar fashion.

I do not know whether the Senator knows Bishop Sheily; but would the good Senator from Mississippi, who is so broad-minded, say that Bishop Sheily, of the Catholic Church of Cleveland, or Archbishop Byrne, of the oldest Catholic diocese in the country, at Santa Fe, N. Mex., or Bishop Lucey, of the Catholic Church at San Antonio, are Communists? Would the Senator consider such persons to be Communists?

To which I replied:

Mr. BILBO. Mr. President, if I did not think the Senator was high-minded and honorable, and did not possess any low traits of chicanery, I would think that his question indicated that he was trying to make a statement which the press could use in an attempt to show that BILBO was aganst the Catholics. I am not against the Catholics. Some Catholic priests in Mississippi are making the same fight that I am making.

Mr. CHAVEZ. I assure the Senator that that was not the purpose.

Mr. BILBO. Well, the Senator from New Mexico is a Catholic and he should know about the priests of the Catholic Church. So when the Senator from New Mexico gets the floor in his own right he can tell the Senate all about the Catholics and what they believe and what they stand for. I will take care of the Baptists and Methodists.

I started to say, "to my surprise," but that would be wrong, because I am not surprised at anything the Southern Conference for Human Welfare would do, because I know the character of those who are officers and managers of the Southern Conference for Human Welfare——

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. BILBO. I yield, provided the right of the Senator from Louisiana [Mr. ELLENDER] to the floor is not disturbed.

Mr. McMAHON. The Senator does not imply by what he just stated, does he, that there is any difference in the patriotism or devotion to our country of those who may embrace one religion rather than another?

Mr. BILBO. Did the Senator hear me read from the RECORD?

Mr. McMAHON. No; I did not. I just entered the Chamber.

Mr. BILBO. That accounts for his question, which could not apply to the Senator from Mississippi. Certainly not.

Mr. McMAHON. The Senator's answer would be informative to me, and I should like to know the answer.

Mr. BILBO. I have been associated with the Senator long enough to know that by this time he should know that at no time, under no circumstances, by direction or indirection, innuendo or insinuation, have I ever said that a man's religion had anything to do with his patriotism.

Mr. McMAHON. I thank the Senator very much, indeed, for that statement.

Mr. BILBO. I am glad to plant that thought in the Senator's mind, and I trust in the minds of the other citizens of our country.

After this colloquy between the Senator from New Mexico and myself I received the following letter from Meridian, Miss., dated February 2, 1946:

DEAR SENATOR BILBO: This afternoon I forwarded to you a letter I received from the Southern Conference for Human Welfare, signed by its executive secretary, together with a separate plain sheet of paper containing the names of prominent church men and women in Mississippi and other Southern States which was enclosed with the letter referred to above. A few minutes ago Dr. Norman W. Cox, pastor of the First Baptist Church here—

That is, at Meridian, Miss.—

and president of the Mississippi Baptist Convention, called me and stated that a friend had advised him that his name appeared on the plain sheet of paper referred to above.

When I read the mimeographed sheet I was then confident that this organization enclosed the sheet to fraudulently represent that the persons whose names appeared thereon were in sympathy with the movement to procure telegrams condemning you for your opposition to the Fair Employment Practices Act now pending before the Senate. Dr. Cox advised me over the telephone that he did not know his name was being circulated by this organization, that he was not in sympathy with the movement of that organization as was expressed in the letter to me, that he did not authorize his name to be used, and wanted me to show him what I had received in the mail. But I had already deposited the letter in the post office and it left by air mail this afternoon. By all means return the two pieces of paper to me when they have served their purpose so that I can show them to Dr. Cox. He is very anxious that this be done and, in justice to him, I am anxious also.

Sincerely yours,

FRED A. ROSS.

By the way, Mr. Ross is a former sheriff of one of the largest counties in Mississippi.

I have before me a letter, a telegram, and other matters sent out by the Southern Conference for Human Welfare, signed by James A. Dombrowski, executive secretary. The following letter is dated January 31. Senators will remember that the colloquy which I read awhile ago occurred on January 30.

NASHVILLE, TENN., *January 31, 1946.*

DEAR FRIEND: We are writing to ask you to join with other Methodist and Baptist ministers and laymen in signing the open telegram below to Senator BILBO. If you wish to have your name included, please send me a telegram collect. Simply say, "Use my name," and sign. Please give the correct name of your church or title if not given correctly on the attached list.

If you can secure one or two other signatures, we will welcome your help. It is important to hear from you at once. This telegram should be sent tomorrow night (Friday) or not later than Saturday.

Sincerely yours,

JAMES A. DOMBROWSKI,
Executive Secretary.

This is the telegram which the notorious secretary of the Southern Conference for Human Welfare, which I conclusively showed, in my 2-day address last week, to be a Communist-front organization, sent to me. If Senators have not had an opportunity to read my exposé of this miserable bunch of mongrels sponsored by the Communist Party, they ought to read it.

This is the telegram:

We, the undersigned Baptist and Methodist ministers and laymen—

Dombrowski prepared the telegram for the preachers to sign, condemning BILBO. That was a part of his scheme.

We, the undersigned Baptist and Methdist ministers and laymen, working for the removal of the slavery of intolerance, prejudice, and economic discrimination, resent your assuming the right to speak for Baptists and Methodists of the South, as reported in the press of January 31: "I will take care of these Baptists and Methodists."

Mr. President, there is no intimation or suggestion in anything I said in the colloquy with my distinguished and beloved friend from New Mexico [Mr. CHAVEZ] to indicate that I was assuming to speak for the Methodists or Baptists of the South or of my State. There might be an intimation that I might speak about the Methodists and about the Baptists, but most certainly I was

not intimating that I was assuming the right to speak for the Baptists or for the Methodists. Sometimes it is necessary to talk about some of them, but certainly I would not be audacious enough to try to assume the right to speak for them. I shall select the individuals about whom I wish to speak.

By resorting to the unprincipled method of the filibuster in your assault upon the fair employment practice bill—

Mark that. This man Dombrowski, who is representing the Communist Party in the South, in the Communist-Front Southern Conference for Human Welfare, is trying to put in the mouths of Methodist and Baptist preachers whom he can induce to sign the telegram, the statement that filibustering is an unprincipled method, when it was shown in the speech which I delivered last week on the history of filibustering, that filibustering has been engaged in by Members of the United States Senate since 1790. From time to time through the years in this great forum, the greatest in the world, where unlimited debate has been permitted—even without cloture until 1917—from the year 1806 up until the present it has become necessary for the minority on this floor, representing sovereign States of the American Union, to defend the rights of their constituents, the rights of their sovereignties, by resorting to extended remarks, sometimes called filibustering. Yet this miserable creature wishes to make these men of God say that filibustering is an unprincipled method. It has been recognized and honored by the great men of this body in the days gone by. The records show that every filibuster which has been successfully conducted has resulted in great good to this Republic.

Today we heard possibly one of the best speeches of this session of Congress from the minority leader on the Republican side [Mr. WHITE] denouncing cloture as a method of curtailing or limiting discussion of any issue which comes before this distinguished body.

I continue to read from the telegram:

You and your associates have formed an unholy compact to delay the coming of social progress in the South and the coming of a world of brotherhood, peace, and democracy.

What Dombrowski means is just what every other Communist means. When he speaks about the coming of a world brotherhood, he is speaking about the coming of social equality between the Negroes and the whites in this country, miscegenation, mongrelization, intermarriage, interbreeding, doing away with white and blacks and making them all yellow. That is what he is talking about. That is the social progress which this "unholy compact" is delaying. I pray God that we may have strength enough always to delay it. I hope we can continue until this question is settled right and this Republic is saved from the day when all its citizens will be yellow and this will be a country of mongrels, mulattoes, and half-breeds.

I continue to read from the telegram:

We wish to remind you that the punishment assigned to that evil servant who said in his heart, "My Lord delayeth His coming," and began to smite his fellow servants, was that he should be cut asunder and his portion assigned with the hypocrites.

This is more of the telegram which Dombrowski prepared for the preachers to sign:

The day is at hand when political punishments of this sort will be meted out in the new South—

The new South! Their idea of the new South is a South where social equality of the Negro will be permitted and the 10,000,000 Negroes in the South will become part and parcel of the social life of the South—intermingling, interbreeding, intermarrying, mongrelizing! That is the "new South" they talk about.

I continue to read from the telegram:

To its reactionary representatives who with their faces turned backward are engaged in smiting their fellow servants. It is inevitable that conditions of justice, tolerance, and equality be created.

That is the telegram.

To that telegram is attached a list of signatures of preachers in Alabama, Arkansas, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Oklahoma, Texas, and Virginia. They are only a few of the preachers to whom the telegram which I have just read was sent. Dombrowski sent it to 22 preachers and leading laymen of the different churches in Mississippi. After he had gone to the expense of trying to have that telegram, which is filled with misrepresentations, signed by the preachers, all in an effort to condemn me for what I said in the colloquy to which I have referred, when I said I would take care of any Methodist or Baptist preachers who went haywire on this question or any other question, although I did not assume the right to speak for them, here are the ones out of the group of 22 in Mississippi to whom he sent the telegram who actually agreed to have their names attached to it as signers: Let me say that the ones who replied in that way are rather limited in number. He heard from Mrs. W. H. Ratliff, of the Southeastern Jurisdictional Council of the Methodist Church, at Clarksdale. She is the same lady who signed a bunch of telegrams or petitions which were circulated in the press gallery and sent to each Member of Congress last week. The same lady signed the telegram which was sent to her by Dombrowski. In other words, she puts her "John Hancock" on anything that Dombrowski sends to her to sign.

Another person who agreed to let his name be used as a signer of the telegram was Rev. Stewart Smith, of Vicksburg. He is the son of Joseph A. Smith, and is a nephew of Lillian Smith, who wrote that book of all books, Strange Fruit, that glorification of a love affair between a Negro woman and a profligate white man in the South. That book has received widespread condemnation in the severest terms. Mr. President, let me point out, for instance, that the good people of Massachusetts, with their excellent taste and sense of the proprieties, scorned that book; and the Supreme Court of that State denounced the book in the strongest terms saying that it was lascivious, demoralizing, and disgraceful. As I have said, Rev. Stewart Smith is the nephew of the lady who wrote that book.

Another one who agreed to have his name used as a signer of the telegram is Rev. Walter L. Russell, president of Wood Junior College, at Mathiston, Miss.; and the telegram is also signed by Dr. Jasper Weber, president emeritus, Wood Junior College; and Dr. H. M. Williamson, dean of Wood Junior College. All those gentlemen are from Mathiston, Miss. Wood Junior College happens to be a little school which was established by northern capital right after the reconstruction days. It has been operating in a country district of my State. At one time I delivered an address at the commencement exercises at the school. It is a fine little school, but it has teachers who have been imported from the North, in order to inculcate into the minds of the young people of that section of the State the ideals and beliefs of the northern people. The three persons whose names I last read agreed to have their names added to the telegram as signers.

Another signer is Rev. Joseph A. Smith, of the Centenary Methodist Church, at McComb. He is a brother of Lillian Smith, to whom I have previously referred.

Another signer is the Reverend James S. Conner, of Leavell Woods Methodist Church, at Jackson, Miss. He is a newcomer to me, I do not know him. Another signer is Mrs. L. W. Alford, of McComb, Miss. She denounced me as well as my colleagues who have seen fit to oppose this unthinkable piece of legislation.

Mr. President, in the meantime, I have received the following telegram:

MERIDIAN, MISS., *February 2, 1946.*
United States Senator THEODORE G. BILBO,
Senate Office Building,
Washington, D. C.

Use of my name by Dombrowski totally unauthorized. You will find it in material of letter you will receive from Fred Ross. I do not belong to nor do I approve of the Southern Conference of Human Welfare program. I am totally opposed to the fair employment practice proposal and approve of your stand.

NORMAN W. COX.

By the way, he is the head of the Baptist State Convention of my State.

So, Mr. President, we find that when Dombrowski sent out the telegram which he had concocted, he attempted to leave with those who received it the impression that all the persons whose names were on the list attached to it would actually sign the telegram condemning BILBO and his 25 or 30 colleagues in the Senate who are fighting this damnable piece of legislation.

In the meantime, Mr. Ross, who had received this junk from Dombrowski, sent me a telegram; he could not wait. His telegram reads as follows:

MERIDIAN, MISS., *February 2, 1946.*
Senator THEODORE G. BILBO,
United States Senate, Washington, D. C.:

I have sent the following telegram to James A. Dambrowski, secretary, Southern Conference, Human Welfare, Nashville, Tenn. "Regarding your letter of January 31, this is to advise you that you are doing more to reelect THEODORE G. BILBO to the United States Senate, by an overwhelming majority, than any other single organization, with the possible exception of the Communist front op-

erating in New York, Washington, and Moscow.

"The people of Mississippi are not as stupid as you apparently think. Your letter is being forwarded to Senator BILBO, with the request that he incorporate it into the Journal of the United States Senate so that the American people will know the method of you and your group to promote racial distrust and hatred in the United States."

FRED A. ROSS.

Entirely in line with the idea which is expressed in that telegram—namely, that all this dirt and mud being dished out by my Communist friends is just a help to me, not a hindrance—I wish to read a little editorial from the Decatur, (Ala.) Daily News:

BILBO OR ELSE

If you lived in Mississippi would you vote for reelection of Senator BILBO this year? Now wait, before you answer. When Walter Winchell, the PAC, the FEPC, the NAFAOFCP, the Southern Conference for Human Welfare and groups like that tell you not to vote for a man, isn't your reaction pretty apt to be what the reaction of the people of Mississippi is apt to be come election day?

Mr. President, it has been rumored that the PAC, the CIO, and some of the other minority groups in the North are going to spend several hundred thousand dollars or a million dollars or so in Mississippi between now and the 2d of July to accomplish my defeat. I have just this to say: I have already organized in Mississippi. Let them send down the million dollars to accomplish my defeat. My friends are ready to receive it. We will take the money, give it a bath to get the taint off of it, then spend it for useful things, and then all vote for BILBO. That is the way we will work with it.

In that connection, I wish to read a letter which I have just received from Mississippi. It will give some idea of just what is the attitude of the people of Mississippi:

JACKSON, MISS., *January 24, 1946.*

Hon. THEODORE G. BILBO,
United States Senator (Mississippi),
Senate Office Building,
Washington, D. C.

DEAR SIR: We wish to commend your fight against the vicious and dangerous FEPC bill.

We continue to support your general racial outlook. We believe in what you believe in, and you can depend on us for everything from a vote or a letter to a fight.

The present apathy existing in the Nation, as well as in the South, concerning the importance of a racial viewpoint, is as alarming to us as undoubtedly it must be to you. Unless something is done to take the aggressive and carry the war into Africa, so to speak, the Nation is doomed beyond hope of recovery. The mere force of inertia and traditional custom will not be sufficient to turn back the tide. A dynamic faith is necessary to fight a dynamic, if sinister, faith. This is God's truth; and we wish we could say it to those who need to hear it a great deal more than you.

Even if you succeed in sidetracking this bill temporarily, and do not institute a countermovement against these diabolical forces, we will deserve the fate which will inevitably overtake us.

Frankly it is our opinion that we should resist by arms if necessary any attempt of this illegal commission to enforce a communistic tyranny on the Nation. We know that the vast bulk of the American people actually stand with all of us, but for some unaccountable reason remain impotent and supine under the total domination of an unscrupulous minority.

We intend to vote for you, for we love you for the enemies you have made. We hope you will take your gloves off, and tell the people of Mississippi what it is all about in the next election.

Sincerely yours.

At this point I wish to read a letter dated January 24, sent to me from New York:

It is with great interest that I a southerner, stationed up here in Yankee country, read of your fight along with the other Senators, in opposition to the FEPC.

Keep up the good fight. A lot of us officers and soldiers are in sympathy with the opposition to that scandalous legislation. Although the northern Senators say that their voting populace is for the bill, I have heard many citizens of this small town in New York express opposition and furthermore state they will defeat Dewey and other Republicans for sponsoring that type of bill in the New York Senate and House last session.

I spent a period of 6 months in Mississippi down at Kiln, Miss., in charge of a CCC camp way back in 1935. I rode through Poplarville many times and have seen your home there. I also have seen some of the things you did for Mississippi while Governor. The problems concerning race are many in your State and if some of these dumb people would pay a visit there and see for themselves, a lot of this castigating would stop. My home is now in Virginia, and naturally am biased for the South, but I feel I am cosmopolitan enough to know a pressure group when I smell one, and that is just what you Senators are facing today. Keep up your courage, Senator, for you have many supporters who have not expressed a feeling as yet.

I expressed my feeling to Senator EASTLAND back in the summer when he so gallantly exposed the failure and cowardice of the Negro soldier. He was absolutely right.

Again I say, success to you in this fight.

Mr. President, the writer of the letter which I have just read is a captain in the Army, whose name I cannot reveal.

I have recently received from Tsingtao, China, a letter dated January 22, 1946, bearing the signatures of approximately 65 marines. About 15 of the 48 States of the Union are represented in this letter. The letter reads:

DEAR SENATOR BILBO: We have been following you in your great fight against the FEPC ever since this black piece of legislation was introduced into the Senate, and we got so darned mad at the continued attacks upon you by such magazines as Life and Time—

I believe those magazines are controlled by Mr. Henry Luce, the husband of Mrs. LUCE, a Member of the United States House of Representatives—

that we decided to write you just how we feel about the whole thing.

If the people in certain States want to live with the Negro, let them do it. That's democracy, but for heaven's sake why can't they let the other people in the United States who feel different alone. In our estimation this FEPC is the most damnable piece of legislation that has been introduced in Congress in 80 years, and we want you to know that we are 100 percent behind you in your fight to defeat the FEPC, and always will be.

As I have already said, this letter is signed by about 65 marines. They are from New Jersey, Georgia, Tennessee, Texas, Pennsylvania, Alabama, West Virginia, North Carolina—O, Mr. President, there are about 15 States from which these marines came.

Keep up the fight and never give up. We, the undersigned, are 100 percent with you in wishing you an early victory over the FEPC.

I read the postscript to the letter:

The above-named marines didn't fight for anything that even smelled like the FEPC, and I know not one of their buddies died for anything that smelled like it. Show this to some of your fellow Senators if they think the serviceman favors it.

Mr. President, I am indebted to the Senator from Louisiana [Mr. ELLENDER] who has been kind and courteous to me. I wish to read one more letter. It comes from Atlanta, Ga., and reads as follows:

I am in an office with eight other people and they have asked me to write you this letter. Due to the circumstances surrounding our employment, we are not signing this letter.

We want to thank you for your vigorous fight against this vicious and un-American FEPC Act. Regardless of the statement of Clark Forman, the head of the Southern Society for Human Welfare, Senator GEORGE represents the sentiment—the overwhelming sentiment—of the people not only of Georgia but of the entire South. This Society for Human Welfare recently lowered itself still further by bringing a Negro woman, who styles herself "Dr. Bethune," down here to tell us how we ought to treat the Negro problem in the South.

As to this petition signed by 3,600 southern people to do away with filibustering, when you consider that they probably honeycombed the entire South, and after weeks of laborious effort were able to secure only that relatively small number, I don't think anyone need give such a petition such attention.

Mr. President, last week I explained that about 4 months were required in order to get the petition into shape so as to be sent to Members of the Senate.

This bunch of fatheads are now doing nothing in the world but seeking to bring about social equality in the South. This crowd of renegade southerners might as well realize that if the FEPC is enacted into law it is going to cause race riots all over the South.

Mr. President, we all know that. Senators from the North do not appreciate the fact when we tell it to them. We have been born and reared among Negroes and we know the customs and sentiments of the South, both among the Negroes and among the whites. I was for 8 years the Governor of Mississippi, and God knows I ought to know what I am talking about. Regardless of the fact that I was Governor, the Negroes of Mississippi are my friends because I have always treated them fairly. As individual citizens they have their rights, but they are not entitled to social equality with the whites. We object to social equality because we have some regard for the integrity of white blood, and we know that social equality leads to miscegenation, which in turn leads to social equality in marriage, which in turn leads to mongrelization of the race.

I continue reading from the letter.

Every southern governor, including even Georgia's Little Boy Blue, has recently condemned the FEPC, and so has Mayor Hartsfield of Atlanta.

Keep up your fight and accept absolutely no compromise. The South is almost solidly

behind you. If you seek a compromise it will only mean you have got to go through another fight on the vicious bill at every future session of Congress.

We are sending copies of this letter to some of the more or less prominent gang who signed this petition to invoke cloture.

Yours truly,

NINE RED-BLOODED GEORGIANS.

I may say to the Senate that the authors of the letter need not urge us to keep up the fight, because this fight, like Tennyson's brook, is going to continue forever. We are fighting for principles, for our constituencies, for the sovereignty of our States, and the integrity of the blood of the Caucasian race. We shall continue to fight, and we want our opponents to know that we will keep up the fight until the proponents of the pending measure—or, I should say, the sponsors of the pending measure—who come here to administer drinks of stimulants to those each day who are sponsoring the bill, are convinced that their fight is lost. We will fight on until the sponsors on bended knee pray, "Please, O Southerners, quit blowing that hot air on us." [Laughter.]

Mr. KNOWLAND. Mr. President, will the Senator from Louisiana yield to me with the understanding that he will not be taken off the floor?

Mr. ELLENDER. I yield.

Mr. KNOWLAND. Mr. President, it is not often that I disagree with my distinguished colleague from the State of Maine [Mr. WHITE], for whom I have the highest admiration and greatest respect. But on the question of cloture and the advisability of it, I must disagree with him today.

I have recently returned, as a member of the Mead—former Truman—committee, from a 30,000-mile trip by air around the world. During the trip I saw conditions existing in the Far East. Once again I had an opportunity to see conditions which exist in Europe where I had served as a member of the Army for 18 months. No man can return home after seeing the conditions which prevail in Europe and in Asia without realizing that the coming of VJ-day and VE-day did not bring a solution to the great problems which face the American people and the people of the world.

I returned to this country convinced that anything which I could do to uphold the United Nations Organization and the establishment of a firm system of international law and order should be done. I am convinced that civilization as we know it cannot survive another world war.

We returned to the United States and found serious domestic problems facing the people of our country. Those problems affect the productivity of the Nation and involve conditions which may lead us into a great spiral of inflation which would wipe out the life savings of many of our people. We returned and found that the Senate of the United States had been tied up since January 17 with a filibuster which was preventing the Senate from conducting the public's business.

I cannot help believing that this is a good deal like a sit-down strike. I cannot help believing that the action of our colleagues on the other side of the Chamber in conducting this filibuster is as effective against the legislative processes of government as would be a mass picket line marching up and down in front of the doors of this Chamber.

I believe, Mr. President, that 1946 may well indeed be the year of decision for the American people. I believe that as Senators of the United States we have a grave obligation to the people of our Nation and to the people of the world who are looking to America for world leadership, a grave obligation to show to them that representative government, as such, can function, and that it can function better than any other form of government in the world.

Mr. President, I do not believe that the demonstration which has been conducted here since the 17th of January would give any confidence to those who believe in representative government in this country, or who believe in representative government abroad, and are looking to the example of America. I do not believe we have given them anything which can make them confident that our form of government is better than their forms of government.

We have just emerged from a great world war in which representative government and constitutional institutions were challenged by those who believed that some form of statism was a better form of government than representative democracy as we know it, and with a great sacrifice of life and a great expenditure of wealth we came through that war and were victorious. Yet, Mr. President, at this time we find the processes of government stifled, we find the hands of the greatest legislative body on the face of the earth tied so that it cannot function, so that it cannot carry on and meet the serious legislative problems which are already facing this body.

For the reasons I have stated, Mr. President, I signed the cloture petition, and I shall support the motion for cloture on this and any other issue when a minority of this body seeks to prevent the representatives of the people of the United States from functioning under our due obligations. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER (Mr. OVERTON in the chair). The galleries will remain quiet. The occupants of the galleries are here as guests of the Senate. There will be no demonstration either of approval or disapproval of anything uttered on the floor of the Senate.

Mr. ELLENDER. Mr. President, I wish to say that I was very glad to relinquish much of my time today in order to give to my colleagues an opportunity to speak, but I freely confess that I think I made a very serious mistake. Perhaps I should have given my time only piecemeal, so that I could have in the Senate Chamber a few more Senators to listen to what I have to say. As the Presiding Officer will notice, there are but two Senators present on the floor of the Senate besides myself.

Yesterday during the course of my remarks I spent about 4 hours on the introductory part of the speech I am about to deliver. When the Senate recessed yesterday afternoon I was submitting to my colleagues some facts and figures relating to the number of Negroes and whites incarcerated in the State and Federal prisons and reformatories, and attempting to compare the number who were incarcerated in prisons and reformatories in the South with those incarcerated in the North.

In giving the figures I propose to present this afternoon I wish to say that I am not animated by any feeling of hatred or malice or animosity toward the colored people. I have lived among them all my life, and I know they are good people and are well treated. I know from my own experience that we of the South have treated the colored people well; we love them; but we do not associate with them to the extent of putting them on the same social basis with the white people.

As I stated yesterday, the Senate had better take heed of conditions which have prevailed in other countries which have placed colored people and members of the yellow race and the red race on a plane of social equality with the white people.

I cited the example of Brazil. I presented the example of Egypt and India, to show historically that the mixture of the white race with the colored or with the yellow has produced a mongrel race, and as a result progress has been stymied.

I shall not devote any time this afternoon to that subject, as I propose to take it up about Monday or Tuesday of next week, but I shall continue to give figures showing the number, respectively, of white and colored prisoners confined in State and Federal prisons and reformatories for the year 1936, and contrast the figures between the North and the South.

My purpose in placing these figures before the Senate and the country is to show, so far as I can, that although there are in the South three-fourths of the Negro population of the country, in contrast with the number in the North, yet among the colored people of the North more crime is committed than among the colored population of the South.

I indicated yesterday, the figures for 1934–35. I shall now give the figures for 1936, which indicate the number of prisoners received in State and Federal prisons and reformatories for the entire year.

In 10 Southern States—3 States did not report—the number of prisoners aggregated 6,886, out of a total colored population of 5,779,958, or at the rate of 12 to 10,000 of population.

In the 35 remaining States, with a population of 3,085,508 colored people, the prisoners incarcerated in State and Federal prisons aggregated 8,592, in contrast with 6,886 in the South. On the basis of 10,000 population, the figures for the Southern States show the rate to be 12 as against 28 for the 35 remaining States.

In the 10 Southern States, with a population of 19,611,562, there were 9,339 white persons incarcerated in the State and Federal prisons and reformatories as against 35,369 white persons incarcerated in the remaining States, with a population of 84,718,040.

I give the rate per 10,000 of population. In the 10 Southern States the rate of white persons incarcerated was

4.8, in contrast with the rate in the remaining States of 4.2. I call particular attention to how close the percentage rates are of white persons incarcerated in prisons and reformatories in the 10 Southern States compared with those incarcerated in the remaining States. Then I contrast that with the percentage rate for colored persons incarcerated, which was 12 per 10,000 in the Southern States as against 28 in the remaining States.

Mr. President, I ask that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Prisoners received in State and Federal prisons and reformatories, 1936

	Number of prisoners [1]	Total population [2]	Rate per 10,000
Negroes:			
10 Southern States [3] (3 Southern States not reporting)	6,886	5,779,958	12
35 remaining States and District of Columbia	8,592	3,085,508	28
Whites:			
10 Southern States	9,339	19,611,562	4.8
35 remaining States and District of Columbia	35,369	84,718,040	4.2

[1] Based on report prepared by U. S. Bureau of the Census.
[2] Population figures based on 1930 census.
[3] Arkansas, Florida, Kentucky, Louisiana, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia.

Mr. ELLENDER. Mr. President, as I stated yesterday, I shall cite crime figures to show the contrast between cities throughout the country, and to make a comparison between some cities of the North and some cities of the South. I am sorry I could not obtain a complete recapitulation of all crime figures for all the larger southern cities and all the larger northern cities, but I think I have sufficient crime figures to demonstrate that the same discrepancy that exists between the number of colored persons incarcerated in prisons in the South in contrast with the number of colored persons incarcerated in prisons in the North prevails, but that in fact the difference is greater in favor of the South. The figures I shall present emphasize to a great extent the fact that the colored people who inhabit the large cities of the North commit many more crimes than those who live in the large cities of the South. That goes to prove that when the colored people of the South go to the northern cities and attempt to rub elbows with the white people of the large cities of the North the result, to say the least, is unfortunate.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield to me?

Mr. ELLENDER. I yield for a question.

Mr. JOHNSTON of South Carolina. I understand the main point the Senator from Louisiana is trying to make now is that segregation is a good thing. Is that true?

Mr. ELLENDER. That is what we practice in the South, and it seems to be responsible for the great difference in the number of crimes committed by the southern Negro compared with the crimes committed by the Negroes of the North, the Negroes of the North committing a greater number than the Negroes of the South.

Mr. JOHNSTON of South Carolina. I should like to read into the RECORD at this time what Abraham Lincoln had to say on this very question in a speech which he delivered at Springfield, Ill., on June 26, 1857. He said:

> There is a natural disgust in the minds of nearly all white people at the idea of an indiscriminate amalgamation of the white and black races. * * * A separation of the races is the only perfect preventive of amalgamation; but as an immediate separation is impossible the next best thing is to keep them apart where they are not already together. If white and black people never get together in Kansas, they will never mix blood in Kansas. This is at least one self-evident truth A few free colored persons may get into the free States, in any event; but their number is too insignificant to amount to much in the way of mixing blood. * * *
>
> Such separation, if it ever be effected at all, must be effected by colonization; and no political party, as such, is now doing anything directly for colonization. Party operations at present only favor or retard colonization incidentally. The enterprise is a difficult one, but where there is a will there is a way, and what colonization needs most is a hearty will. Will springs from the two elements of moral sense and self-interest. Let us be brought to believe it is morally right, and at the same time favorable to, or at least not against, our interest to transfer the African to his native clime, and we shall find a way to do it, however great the task may be. The children of Israel, to such numbers as to include 400,000 fighting men, went out of Egyptian bondage in a body.

That Mr. President, was Abraham Lincoln speaking. That is what he said in 1857; so it seemed that Lincoln thought the Negroes should be segregated as much as possible.

Mr. ELLENDER. During the course of my remarks I had expected to refer not only to the quotation the Senator read from Abraham Lincoln, but a number of other quotations from some of his speeches respecting what he thought about the colored people. I am glad, however, that the distinguished Senator has read during the course of my remarks the quotation from Mr. Lincoln's speech.

Mr. President, before I was interrupted I was about to give to the Senate comparative figures of the number of arrests in the city of New Orleans and in the city of Washington for the year 1935 and also for the years 1936 and 1937. The 1930 census showed the total population of Washington, D. C., to be 486,869, and that of New Orleans 458,762. The difference in population between the two cities was a little more than 25,000; and, strange as it may seem, the difference between the number of colored people in the city of New Orleans and in the city of Washington was only 1 percent. Twenty-eight percent of the total population of New Orleans was colored and 27 percent of the total population of Washington was colored.

I have obtained from the United States Bureau of the Census the population figures of the two cities, and I have obtained from the chiefs of police of Washington and New Orleans the crime figures of the two cities.

In 1935 the figures for murder in New Orleans were, whites 22, colored, 26. The figures for murder in Washington in 1935 were whites 19, colored 53.

In the same year in New Orleans the figures for manslaughter were 27 whites and 10 colored. In Washington the figure for manslaughter were 29 whites and 15 colored.

In the same year the figures for rape in New Orleans were whites 7, and colored 11, whereas in Washington the figures for rape were whites 9, and colored 13.

The figures for robbery in New Orleans were 52 whites and 29 colored; whereas in Washington they were 163 whites and 359 colored.

The figures for aggravated assault, New Orleans, whites 107, colored 111; in Washington, whites 105; colored 313.

The figures for burglary in New Orleans were whites 119, colored 131; whereas in Washington the figures were whites 301, colored 916.

The figures for larceny in New Orleans, whites 427, colored 399; whereas in Washington the figures were whites 209 and colored 330.

The figures for auto thefts in New Orleans were 31 whites, 18 colored; whereas in Washington the figures were 146 whites and only 5 colored.

I now give the total figures of crimes committed in the two cities.

In the city of New Orleans, with a population of 458,000, 28 percent of which are colored, the total for the whites was 792, in contrast with 735 for the colored. In Washington, with only 25,000 more people, and 1 percent less colored people than New Orleans, the total for whites was 981, and for colored 2,004.

Mr. President, those figures are significant. They show that in the city of New Orleans in the year 1935 for every white man who committed one of the crimes which I have enumerated, approximately one colored person committed the same crime. But in Washington, D. C., the proportion is 981 to 2,004. Comparing Washington with New Orleans, the colored people of New Orleans committed 735 of such crimes, in contrast with 2,004 committed by the colored people in Washington. The ratio is almost 3 to 1, as between the colored people of Washington and the colored people of New Orleans, whereas comparing the number of whites in Washington who committed such crimes with the number of colored people in Washington who committed the same crimes, the ratio is almost 3½ to 1.

For the year 1936, the figures show that the two cities had approximately the same population, and the same percentage of colored people. The percentage for Washington was 27, while that for New Orleans was 28. The total number of crimes of the character described committed by the whites in New Orleans in 1936 was 753, as against 718 for the colored people. In Washington the total for the same crimes was 777 for the whites, in contrast to 2,810 for the colored people.

As I have stated, the percentage of Negro population in both cities is almost

the same. There is only 1 percent difference. In New Orleans there is 1 percent more colored population than in Washington, and yet in New Orleans the number of colored people arrested for the crimes which I have mentioned totaled 718, in contrast with 2,810 in Washington.

Mr. President, I ask that the entire table, together with the tables from which I am about to read, be placed in the RECORD at this point as a part of my remarks.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Data from police records of cities of Washington, D. C., and New Orleans, La., showing arrests for certain crimes, as between whites and Negroes, years 1935 and 1936

	1935			1936		
	Whites	Colored	Total	Whites	Colored	Total
City of New Orleans:						
Murders	22	26	48	23	24	47
Manslaughter	27	10	37	14	5	19
Rape	7	11	18	9	11	20
Robbery	52	29	81	57	40	97
Aggravated assault	107	111	218	108	122	230
Burglary	119	131	250	142	165	307
Larceny	427	399	826	375	339	714
Automobile theft	31	18	49	25	12	37
Total	792	735	1,527	753	718	1,471
	about even			about even		
City of Washington:						
Murders	19	53	72	17	42	59
Manslaughter	29	15	44	6	6	12
Rape	9	13	22	5	9	14
Robbery	163	359	522	212	644	856
Assault	105	313	418	78	296	374
Housebreaking (burglary)	301	916	1,217	297	1,465	1,762
Larceny	209	330	539	149	348	497
Automobile theft	146	5	151	13	----------	13
Total	981	2,004	2,985	777	2,810	3,587
	over 2 to 1			almost 4 to 1		

Population, Washington, D. C., and New Orleans, La.

[Figures furnished by Dr. Truesdell, Chief of Census Bureau, taken from 1930 census]

	Washington	New Orleans
Total population	486,869	458,762
Negro population	132,068	129,632
Percentage of Negro population to total	27	28

Arrests, city of New Orleans, 1937

	Whites	Negroes	Total
Murder	30	31	61
Manslaughter	15	2	17
Rape	19	20	39
Robbery	28	34	62
Aggravated assault	66	97	163
Burglary	112	139	251
Larceny (includes petty larceny)	362	409	771
Automobile theft	31	9	40
Total	663	741	1,404
Rate per 10,000 population	20	57	----------

Population
Whites (72 percent) 327,729
Negroes (28 percent) 129,632

Total 457,361

Crime figures furnished by Superintendent of Police, New Orleans.
Population figures from 1930 census (U. S. Bureau of the Census).

Arrests, city of Washington, 1937

	Whites	Negroes	Total
Murder	17	55	72
Manslaughter	5	2	
Rape	6	27	33
Robbery	217	472	689
Aggravated assault	68	284	352
Burglary	283	991	1,274
Grand larceny	267	323	590
Automobile theft	1	2	3
Total	864	2,156	3,020
Rate per 10,000 population	24	163	----------

Population:
Whites (73 percent) 354,801
Negroes (27 percent) 132,068

Total 486,869

Crime figures taken from 1937 Report of the Major and Superintendent of the Metropolitan Police, District of Columbia.
Population figures from 1930 census (U. S. Bureau of the Census)

Arrests, city of Washington, 1938

	Whites	Negroes	Total
Murder	7	55	62
Manslaughter	5	2	7
Rape	2	25	27
Robbery	209	577	766
Burglary	234	715	949
Grand larceny	177	244	421
Automobile theft	2	1	3
Total	636	1,619	2,245
Rate per 10,000 population	18	123	----------

Population (1930):
Whites (72.7 percent) 353,914
Negroes (27.1 percent) 132,068

Total 485,982

Crime figures taken from 1938 Report of the Major and Superintendent of the Metropolitan Police, District of Columbia.
Population figures from 1930 census (U. S. Bureau of the Census).

Arrests, city of Washington, 1939

	Whites	Negroes	Total
Murder	13	46	59
Manslaughter	1	5	6
Rape	3	15	18
Robbery	240	324	564
Burglary	468	715	1,183
Grand larceny	135	203	338
Automobile theft	5	5	10
Total	865	1,313	2,178
Rate per 10,000 population	24	99	----------

Population (1930):
Whites (72.7 percent) 353,914
Negroes (27.1 percent) 132,068

Total 485,982

Crime figures taken from 1939 Report of the Major and Superintendent of the Metropolitan Police, District of Columbia.
Population figures from 1930 census (U. S. Bureau of the Census).

Mr. ELLENDER. Let me take the figures for 1937, in the same two cities, New Orleans and Washington, to make the contrast. In the city of New Orleans, with the population and the percentage of colored people which I have just indicated, the number of whites who committed these crimes—that is, murder, manslaughter, rape, robbery, assault, burglary, larceny, and auto theft—was 663, as compared with 741 for the Negroes. In the city of Washington, for the same year, the number of whites who committed these crimes or were arrested for them was 864, as compared with 2,156 for the colored people.

In the city of Washington the rate per 10,000 population among the whites was 24, and among the colored 163. Statistically speaking, every time a white person committed one of the crimes which I have enumerated, 6.8 colored people committed one of the same crimes.

In the city of New Orleans, for the same year, for every 10,000 population, 20 whites committed one of these crimes, in contrast with 57 Negroes. Every time a white person committed one of these crimes in the city of New Orleans, 2.8 colored people committed the same crimes.

All this goes to show that we in the South believe we know how to handle the colored people. We do not permit them, if we can help it, to associate with the whites on a social basis, as they attempt to do in the city of Washington and in other cities of our country. As I indicated yesterday, we of the South do not coddle the colored people by proposing legislation of which we do not expect them to take advantage. We do not enact legislation in the hope that the privileges granted to them will not be exercised by them. However, in the North the story is different. As I shall demonstrate, 18 States have enacted statutes giving to the colored people the right to eat in the same restaurants with white people, to be buried in the same cemeteries with white people, and to swim in the same swimming pools with the whites. When the poor devils try to exercise those rights they get into trouble. To my way of thinking that is what causes a great many of the crimes which lead to the figures which I have just read. That is why there is so much crime among the colored people of the North—much more crime than there is in the South among the colored race.

For the benefit of the Senate I propose to discuss further figures for the city of Washington and other large cities, in order to demonstrate that the difference in the commission of crimes which I have been trying to point out, as between the white people and the colored people in New Orleans and Washington, prevails in other large cities to about the same extent as I have indicated. I shall now proceed with further figures on the subject in order to prove my point. I shall continue to give figures for the city of Washington. These figures are based on the crimes which I have previously enumerated, that is, murder, manslaughter, rape, robbery, burglary, grand larceny, and auto theft.

In 1938, with a white population in the city of Washington of 353,914, or 72.7

percent of the entire population, and a colored population of 132,068, or 27.1 percent of the entire population, according to the 1930 Census, this is what the figures show:

For murder, 7 whites as against 55 colored; manslaughter, 5 whites as against 2 colored; rape, 2 whites as against 25 colored; robbery, 209 whites as against 577 colored; burglary, 234 whites as against 715 colored; grand larceny, 177 whites as against 244 colored; auto theft, 2 whites as against 1 colored. The total figures show that 636 white people committed the crimes which I have just indicated, as against 1,619 colored people. The number of whites who committed these crimes per 10,000 amounted to 18; and the number for the colored people was 123. In other words, for each white person in the city of Washington who committed these crimes in 1938, 6.8 colored people committed the same crimes. Do not forget, Mr. President, that the percentage of colored people in the city of Washington is approximately 27 percent, as contrasted with slightly more than 72 percent of whites.

I now proceed to the year 1939. For murder, 13 whites and 46 colored; manslaughter, 1 white and 5 colored; rape, 3 whites and 15 colored; robbery, 240 whites and 324 colored; burglary, 468 whites and 715 colored; grand larceny, 135 whites and 203 colored; auto theft, 5 whites and 5 colored. The totals are 865 whites and 1,313 colored. The rate per 10,000 population was 24 for whites and 99 for colored. To put it in another way, in 1939 every time a white person in Washington committed one of these crimes 4.1 colored persons committed one of the same crimes. I wish to reemphasize that the percentage of colored population was approximately 27 percent, as compared with approximately 72 percent white.

For 1940, in the city of Washington: Murder, 7 whites and 44 Negroes; manslaughter, 3 whites and 5 Negroes; rape, 8 whites and 11 Negroes; robbery, 125 whites and 426 Negroes; burglary, whites, 446; Negroes, 925; grand larceny, whites, 144; Negroes, 270; auto theft, whites, 4; Negroes, 1. Total: whites, 737; colored, 1,682. Rate per 10,000: Whites 21, colored, 208.

In other words, Mr. President, in the great city of Washington, where today there is a persistent clamor for voting, for electing their own officials, I wonder what would happen if the people of Washington could vote and if the colored population of Washington continued to increase so that the colored and white population would be about on a 50–50 basis. I wonder what would happen then in the great city of Washington.

As I have just indicated, for 1940 the rate per thousand was 21 for whites, and 208 for colored. In other words, every time one white man committed one of these crimes in the city of Washington 9.9 colored men committed similar crimes—a proportion of almost 1 to 10. Yet some Senators are trying to impose laws of the kind of the FEPC in the hope that they can show us how to handle the colored problem in the South.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Washington, 1940

	Whites	Negroes	Total
Murder	7	44	51
Manslaughter	3	5	8
Rape	8	11	19
Robbery	125	426	551
Burglary	446	925	1,371
Grand larceny	144	270	414
Automobile theft	4	1	5
Total	737	1,682	2,419
Rate per 10,000 population	21	208	

Population (1930):	
Whites (72.7 percent)	353,914
Negroes (27.1 percent)	132,068
Total	485,982

Crime figures taken from 1940 Report of the Major and Superintendent of the Metropolitan Police, District of Columbia.

Population figures from 1930 Census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, I now wish to cite the figures for the city of Washington in 1941:

Murder, whites 12; Negroes 41; manslaughter, whites 14; Negroes 7; rape, whites 5; Negroes 24; robbery, whites 303; Negroes 519; burglary, whites 504; Negroes 1,133; grand larceny, whites 148; Negroes 261; auto theft, whites 4; Negroes 3. Total, whites 990; Negroes 1,988. Rate per thousand of population: Whites 21; colored 116—or, to put it in another way—every time 1 white man committed any one of those crimes in the city of Washington, D. C., 5.5 colored men committed similar crimes.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Washington, 1941

	Whites	Negroes	Total
Murder	12	41	53
Manslaughter	14	7	21
Rape	5	24	29
Robbery	303	519	822
Burglary	504	1,133	1,637
Grand larceny	148	261	409
Auto theft	4	3	7
Total	990	1,988	2,978
Rate per 10,000 population	21	116	

Population (1940):	
Whites (72.8 percent)	474,326
Negroes (28.2 percent)	187,266
Total	661,592

Figures furnished by the office of the Major and Superintendent of the Metropolitan Police, District of Columbia.

Population figures from 1940 Census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, I wish to say that for 1941 the percentage of whites to Negroes increased slightly in the District of Columbia. The whites numbered 474,326, under the 1940 census, or 72.8 percent of the total population of the city, whereas the colored numbered 187,266, or 28.2 percent of the total population, instead of the 27 percent which I indicated a while ago for the 1930 Census.

In 1942 the arrests in the city of Washington were as follows: Murder, whites 10, Negroes 55; manslaughter, whites 14, Negroes 4; rape, whites 8, Negroes 29; robbery, whites 165; Negroes 452; burglary, whites 571, Negroes 920; grand larceny, whites 186, Negroes 233; auto theft, whites 5, Negroes 4. Total: Whites 959, Negroes 1,697.

Rate per 10,000: Whites 20, Negroes 90—or, put in another way, for every white man who committed one of those crimes, there were 4.5 colored who committed one. The year 1942 was the only one among all the years since 1935 for which I have submitted data, in which the proportion as between colored and whites arrested for crimes was as low as 4 to 1. In all the other years it was either 5 to 1 or higher—up to the ratio I indicated a moment ago of 9.9.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Washington, 1942

	Whites	Negroes	Total
Murder	10	55	65
Manslaughter	14	4	18
Rape	8	29	27
Robbery	165	452	617
Burglary	571	920	1,491
Grand larceny	186	233	419
Auto theft	5	4	9
Total	959	1,697	2,646
Rate per 10,000 population	20	90	

Population (1940):	
Whites (72.8 percent)	474,326
Negroes (28.2 percent)	187,266
Total	661,592

Crime figures founded by the office of the Major and Superintendent of the Metropolitan Police, District of Columbia.

Population figures from 1940 Census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, in 1943, the arrests in the city of Washington were as follows:

Murder, whites 16; Negroes 55; manslaughter, whites 4; Negroes 1; rape, whites 3; Negroes 8; robbery, whites 136; Negroes 503; burglary, whites 414; Negroes 1,303; grand larceny, whites 259; Negroes 361, auto theft, whites 2; Negroes, 2. Total: Whites 834; Negroes 2,233.

Rate per 10,000 population: Whites 17; Negroes 119—or, put in another way, for every white man who committed one of those crimes in the city of Washington, 7 colored people did; and Mr. President, please bear in mind that, as I indicated a moment ago, in that year 72 percent of the population of Washington was white and 28 percent was colored.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Washington, 1943

	Whites	Negroes	Total
Murder	16	55	71
Manslaughter	4	1	5
Rape	3	8	11
Robbery	136	503	639
Burglary	414	1,303	1,717
Grand larceny	259	361	620
Auto theft	2	2	4
Total	834	2,233	3,067
Rate per 10,000 population	17	119	

Population (1940):
Whites (72.8 percent) 474,326
Negroes (28.2 percent) 187,266
Total 661,592

Figures furnished by the office of the Major and Superintendent of the Metropolitan Police, District of Columbia.

Population figures from 1940 Census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, for the year 1944, in the city of Washington, our great capital, we find the following figures:

Murder, whites 9; Negroes 46; manslaughter, whites 9; Negroes 3; rape, whites 6; Negroes 15; robbery, whites 171; Negroes 480; burglary, whites 601; Negroes 1,062; grand larceny, whites 173; Negroes 328; auto theft, whites 12; Negroes 0. Total: Whites 981; Negroes 1,934.

Rate per 10,000: Whites 20; Negroes 103—or, for every white man who committed one of those crimes, there were 5.1 colored men who did.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Washington, 1944

	Whites	Negroes	Total
Murder	9	46	55
Manslaughter	9	3	12
Rape	6	15	21
Robbery	171	480	651
Burglary	601	1,062	1,663
Grand larceny	173	328	501
Automobile theft	12	0	12
Total	981	1,934	2,915
Rate per 10,000 population	20	103	

Population (1940):
Whites (72.8 percent) 474,326
Negroes (28.2 percent) 187,266

Figures furnished by the office of the Major and Superintendent of the Metropolitan Police, District of Columbia.

Population figures from 1940 Census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, for last year, 1945, the figures are as follows: Murder, whites 6, Negroes 54; manslaughter, whites 3, Negroes 8; rape, whites 5, Negroes 19; robbery, whites 141, Negroes 400; burglary, whites 605, Negroes 1,034; grand larceny, whites 214, Negroes 421; auto theft, whites 14, Negroes 0. Total: Whites 988, Negroes. 1,936.

Rate per 10,000 of population: Whites 21, colored 104—or in the proportion of 5.2 Negroes to every white man who committed one of those crimes in the city of Washington, where the population was divided as between whites and Negroes according to the percentages which I have previously indicated.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Washington, 1945

	Whites	Negroes	Total
Murder	6	54	60
Manslaughter	3	8	11
Rape	5	19	24
Robbery	141	400	541
Burglary	605	1,034	1,639
Grand larceny	214	421	635
Automobile theft	14	0	14
Total	988	1,936	2,924
Rate per 10,000 population	21	104	

Population (1940):
Whites (72.8 percent) 474,326
Negroes (28.2 percent) 187,266

Figures furnished by the office of the Major and Superintendent of the Metropolitan Police, District of Columbia.

Population figures from 1940 Census (U. S. Bureau of the Census).

Source: W. H. Gilbert, General Research Section, Jan. 30, 1946.

Mr. ELLENDER. Mr. President, that completes the figures for our great Capital City. I wish to say that I have before me, and I expect to go through them, figures for many other cities. The figures for the cities of the North show about the same percentages as those I have just indicated for our great Capital City of Washington. In a few instances the ratio as between whites and colored is slightly higher.

I shall point out a little later the situation in the South. For the years for which I have been able to obtain comparable figures in order to show the differential, I find that in the city of Houston, Tex., for instance, the situation which prevailed there was about the same as that prevailing in the city of New Orleans.

There is only one southern city in which the percentage is not so great as it is in northern cities. I refer to the city of Charleston, S. C. The only reason which I have been able to assign for that situation is that the population as between the whites and the colored in that city is almost equal. If I am incorrect in my statement, I hope that my distinguished colleague who is now occupying the chair, the Senator from South Carolina [Mr. JOHNSTON] will tell me at the proper time.

In the city of Charleston, as I have said, the population as between the whites and the blacks is almost equal. The percentage of whites is 52 or 53. The remainder of the population is colored. When the colored people in the South are permitted to congregate in large numbers in one place, such as in a large city, they usually get into more mischief than when they are scattered about. I can say that such a condition prevails in several of the southern cities with which I am familiar. At the proper time—it may not be today, but some day next week—I expect to set forth figures pertaining to the city of Charleston. If I have not stated the situation correctly I hope that my distinguished colleague from South Carolina will be thinking about the matter in the meantime and give us the benefit of his views on the subject.

Mr. President. I have put into the RECORD figures pertaining to our great Capital of Washington. I now proceed to St. Louis, Mo. The figures which I am about to submit cover the period of April, 1935, to March, 1936, or almost a year. The figures with reference to the whites and the blacks in the city of St. Louis, according to the 1930 Census, are as follows: Whites, 726,879; colored, 93,580. Eighty-eight percent plus represents the white population, and 11 percent plus represents the colored population.

I hope that the few Senators who are now present in the Chamber—I can almost count them on the fingers of one hand—will bear the percentages in mind when I read the number of whites and colored who committed various crimes.

The crimes which I have selected are, as will be noted, some of the most heinous that have ever been recorded in criminology. As I indicated in connection with previous tables which I placed in the RECORD, when considering all crimes it will be found that the proportion is greater in so far as northern colored persons are concerned than in respect to colored persons of the South. In the tables, not only has crime in the large cities been taken into consideration, but all crimes resulting in incarceration in Federal and State prisons and in reformatories. The figures which I shall read are in respect to large cities in the South where the Negroes represent a greater proportion of the total population than they do in some of the Northern cities. Having in mind the difference between the percentages with respect to the colored population and the white population of St. Louis. I repeat that the ratio is: Whites, 88 percent; colored, 11.

I read from the table as follows:

Murder, whites 21; Negroes 57.

I ask Senators to bear those figures in mind: Whites 21; Negroes 57. The population, as I have stated, is 11 percent colored as against 88 percent white.

Manslaughter, whites 124; Negroes 16; rape, whites 52; Negroes 57; robbery, whites 227; Negroes 163; burglary, whites 385; Negroes 496; aggravated assault, whites 182; Negroes 225; larceny, whites 1,315; Negroes 1,466; auto theft, whites 173; Negroes 89.

Total, whites 2,479; Negroes 2,609.

Rate per 10,000 population, whites 34; Negroes 267.

In other words, for every white man who committed one of the crimes to which I have referred in the city of St. Louis, 7.8 Negroes committed similar crimes.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of St. Louis, April 1935 to March 1936

	Whites	Negroes	Total
Murder	21	57	78
Manslaughter	124	16	140
Rape	52	97	149
Robbery	227	163	390
Burglary	385	496	881
Aggravated assault	182	225	407
Larceny	1,315	1,466	2,781
Auto theft	173	89	262
Total	2,479	2,609	[illegible],088
Rate per 10 000 population	34	267	

Population:	
White (88 percent)	726,879
Colored (11 percent)	93,580
Total	820,459
Other	1,501
Total	821,960

Crime figures taken from annual report of Police Commissioners of St. Louis, Mo., dated Mar. 31, 1936.
Population figures taken from 1930 Census (U. S. Bureau of the Census).

Mr. ELLENDER. Here are more figures with reference to the city of St. Louis, covering the period from April 1, 1936, to March 31, 1937:

Murder, whites 28, Negroes 40; manslaughter, whites 121, Negroes 24; rape, whites 74, Negroes 97; robbery, whites 163, Negroes 156; aggravated assault, whites 178, Negroes 276; burglary, whites 380, Negroes 548; larceny, whites 1,330, Negroes 1,432; auto theft, whites 139, Negroes 65. Total: Whites 2,413; Negroes 2,638. Rate per 10,000 population: Whites 33, Negroes 282.

Or, Mr. President, to put it in another way, for every white man who committed one of these crimes in the city of St. Louis, 8.5 colored men committed similar crimes.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of St. Louis, April 1, 1936, to March 31, 1937

	Whites	Negroes	Total
Murder	28	40	68
Manslaughter	121	24	145
Rape	74	97	171
Robbery	163	156	319
Aggravated assault	178	276	454
Burglary	380	548	928
Larceny	1,330	1,432	2,762
Auto theft	139	65	204
Total	2,413	2,638	5,051
Rate per 10,000 population	33	282	

Population:	
White (88 percent)	726,879
Colored (11 percent)	93,580
Total	820,459
Other	1,501
Total	821,960

Crime figures taken from annual report of police commissioners of St. Louis, Mo., dated Mar. 31, 1937.
Population figures taken from 1930 Census (U. S. Bureau of the Census).

Mr. ELLENDER. I continue with figures pertaining to the city of St. Louis, and I now take the year 1939. I ask Senators to bear in mind the ratio of population in that city, namely, 88 whites to 11 Negroes.

Murder, whites 28; Negroes 33; manslaughter, whites 96; Negroes 27; rape, whites 68; Negroes 93; robbery, whites 141; Negroes 114; burglary, whites 468; Negroes 480; aggravated assault, whites 133; Negroes 258; larceny, whites, 1,173; Negroes 1,186; auto theft, whites, 138; Negroes 66.

Total: Whites, 2,245; Negroes, 2,257.

Rate per 10,000 population: Whites, 31; Negroes, 243.

In other words, Mr. President, the figures show that 11 percent of the total population, consisting of Negroes, committed a greater number of crimes than did 88 percent of the population which consisted of whites. Every time one white man committed one of these crimes, 7.8 colored men committed similar crimes.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of St. Louis, 1939

	Whites	Negroes	Total
Murder	28	33	61
Manslaughter	96	27	123
Rape	68	93	161
Robbery	141	114	255
Burglary	468	480	948
Aggravated assault	133	258	391
Larceny	1,173	1,186	2,359
Automobile theft	138	66	204
Total	2,245	2,257	4,502
Rate per 10,000 population	31	243	

Population:	
White (88 percent)	726,879
Colored (11 percent)	93,580
Total	820,459
Other	1,501
Total	821,960

Crime figures taken from annual report of police commissioners of St. Louis, Mo., dated Mar. 31, 1939.
Population figures taken from 1930 Census (U. S. Bureau of the Census)

Mr. ELLENDER. Mr. President, I continue with figures in reference to the city of St. Louis for the year 1940. In that year the percentage of population as between the colored and white had changed. The white population constituted 86.6 percent of the total population in contrast to 13.3 percent of colored.

As will be noted, the colored population in the past 10 years in the city of St. Louis, that is, from 1930 to 1940, increased about 2.3 percent, but as will be noted from the figures which I shall read, the number of colored people, in contrast with the whites, who committed these crimes, changed very little. The lowest for any 1 year the records show is for the year 1943, when the contrast was, whites 1, compared to 5.5 for the colored. I read from the 1940 figures: Murder, whites 16; Negroes 41; manslaughter, whites 94; Negroes 21; rape, whites 74; Negroes 103; robbery, whites 164; Negroes 146; burglary, whites 405; Negroes 473; assault, whites 147; Negroes 262; larceny, whites 1,164; Negroes 1,168; auto theft, whites 126; Negroes 148. Total: Whites 2,190; Negroes 2,262. Rate per 10,000: Whites 31; Negroes 209. The ratio was 1 white to 6.7 Negroes.

Mr. President, I ask unanimous consent that the table from which I have just read be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of St. Louis, 1940

	Whites	Negroes	Total
Murder	16	41	57
Manslaughter	94	21	115
Rape	74	103	177
Robbery	164	146	310
Burglary	405	473	878
Aggravated assault	147	262	409
Larceny	1,164	1,168	2,332
Automobile theft	126	48	174
Total	2,190	2,262	4,452
Rate per 10,000 population	31	209	

Population:	
White (86.6 percent)	706,794
Colored (13.3 percent)	108,765
Total	815,559
Other	489
Total	816,048

Crime figures taken from annual report of police commissioners of St. Louis, Mo., dated Mar. 31, 1940.
Population figures taken from 1940 Census (U. S. Bureau of the Census)

Mr. ELLENDER. I continue with the city of St. Louis for the year 1942. Murder, whites, 20; Negroes, 30; manslaughter, whites, 91; Negroes, 19; rape, whites, 56; Negroes, 78: robbery, whites, 101; Negroes, 62; burglary, whites, 339; Negroes, 272 aggravated assault, whites, 180; Negroes, 249.

Mr. President, I am glad the Senator from Colorado [Mr. JOHNSON] has returned to the Chamber. What I am trying to do is to give to the Senate a statement of crimes committed in the various cities of the Nation. I have already stated the figures for the city of St. Louis. The Senator from New Mexico [Mr. HATCH] has also returned to the Chamber, and I a n glad he is present, and that I can state to him what I am attempting to do.

I am endeavoring to show to this august body that we in the South seem to be better able to take care of the Negro population than are our friends in the North. One of the ways by which I am attempting to show that, as I have just indicated for the city of St. Louis, is to present the figures as to crimes committed for both the whites and the colored people. St. Louis had a population of 11 percent colored and the remainder white. There were more crimes committed—that is, murder, manslaughter, rape, robbery, burglary, aggravated assault, larceny, and auto theft—among the colored people, with only 11 percent of the entire population, than among all the white people that accounted for 89 percent of the population. I am proceeding to show that the same condition existed in almost every year prior to the 1940 Census.

The last figure I read for the year 1942 was for aggravated assault.

Larceny, whites, 969; Negroes, 1,058; auto theft, whites, 153; Negroes, 68.

Total, whites, 1,909; Negroes, 1,836.

The rate per 10,000 population was, whites, 27; Negroes, 170.

To put it another way, every time one of these crimes was committed by a white man in the city of St. Louis during 1942 6.3 were committed by colored people.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of St. Louis, 1942

	Whites	Negroes	Total
Murder	20	30	50
Manslaughter	91	19	110
Rape	56	78	134
Robbery	101	62	163
Burglary	339	272	611
Aggravated assault	180	249	429
Larceny	969	1,058	2,027
Auto theft	153	68	221
Total	1,909	1,836	3,745
Rate per 10,000 population	27	170	

Population:	
Whites (86.6 percent)	706,794
Colored (13.3 percent)	108,765
Total	815,559
Other	489
Total	816,048

Crime figures taken from annual report of police commissioner of St. Louis, Mo., dated Mar. 31, 1942.
Population figures taken from the 1940 Census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, now I continue with the city of St. Louis, for the year 1943. As I indicated a while ago, for this year the contrast as between whites and colored is the smallest of any of the years for which I have the figures from 1935 to 1945.

Murder, whites, 25; colored, 33; manslaughter, whites. 91; colored, 22; rape, whites, 78; Negroes, 79; robbery, whites, 68; Negroes, 50; burglary, whites, 425; Negroes, 254; aggravated assault, whites, 190; Negroes, 263; larceny, whites, 1,018; Negroes, 910; auto theft, whites, 123; Negroes, 53. Total: Whites, 2,018; Negroes, 1,664.

Rate per 10,000 population, whites, 28; Negroes, 154.

For every white man, 5.5 colored men were arrested for one of the crimes I have mentioned. The population ratio is the same.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of St. Louis, 1943

	Whites	Negroes	Total
Murder	25	33	58
Manslaughter	91	22	113
Rape	78	79	157
Robbery	68	50	118
Burglary	425	254	679
Aggravated assault	190	263	453
Larceny	1,018	910	1,928
Auto theft	123	53	176
Total	2,018	1,664	3,682
Rate per 10,000 population	28	154	

Population:	
Whites (86.6 percent)	706,794
Colored (13.3 percent)	108,765
Total	815,559
Other	489
Total	816,048

Crime figures taken from annual report of police commissioner of St. Louis, Mo., dated Mar. 31, 1943.
Population figures taken from the 1940 Census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, I continue with the city of St. Louis, for 1944. Murder, whites, 24; Negroes, 28; manslaughter, whites, 63; Negroes, 10; rape, whites, 71; Negroes, 59; robbery, whites, 109; Negroes, 109; burglary, whites, 430; Negroes, 450; aggravated assault, whites, 145; Negroes, 222; larceny, whites, 777; Negroes, 923; auto theft, whites, 198; Negroes, 106.

Total: Whites, 1,817; Negroes, 1,907.

Rate per 10,000: Whites, 26; Negroes, 177.

In other words, every time one white man committed one of these crimes or was arrested for one of these crimes in the city of St. Louis in 1944, 6.8 colored persons were arrested for a similar offense.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of St. Louis, 1944

	Whites	Negroes	Total
Murder	24	28	52
Manslaughter	63	10	73
Rape	71	59	130
Robbery	109	109	218
Burglary	430	450	880
Aggravated assault	145	222	367
Larceny	777	923	1,700
Automobile theft	198	106	304
Total	1,817	1,907	3,724
Rate per 10,000 population	26	177	

Population:	
Whites (86.6 percent)	706,794
Colored (13.3 percent)	108,765
Total	815,559
Other	489
Total	816,048

Crime figures taken from annual report of police commissioner of St. Louis, Mo., dated March 31, 1944
Population figures taken from the 1940 Census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, I now come to the year 1945 for the city of St. Louis: Murder, whites, 25; Negroes, 50; manslaughter, white, 65, Negroes 12; rape, whites, 74, Negroes, 74; robbery, whites, 102, Negroes, 92; burglary, whites, 398, Negroes, 302; aggravated assault, whites, 109, Negroes, 225; larceny, whites, 809, Negroes, 890; auto theft, whites, 304, Negroes, 95.

Total number of whites arrested 1,886; total number of Negroes arrested 1,740.

The rate per 10,000 of the population is: whites arrested 27, Negroes arrested 161, showing a ratio between the whites and Negroes of 1 to 6.

Mr. President, I ask that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of St. Louis, 1945

	Whites	Negroes	Total
Murder	25	50	75
Manslaughter	65	12	77
Rape	74	74	148
Robbery	102	92	194
Burglary	398	302	700
Aggravated assault	109	225	334
Larceny	809	890	1,699
Auto theft	304	95	399
Total	1,886	1,740	3,626
Rate per 10,000 population	27	161	

Population:	
Whites (86.6 percent)	706,794
Colored (13.3 percent)	108,765
Total	815,559
Other	489
Total	816,048

Crime figures taken from annual report of police commissioner of St. Louis, Mo., dated Mar. 31, 1945.
Population figures taken from the 1940 Census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, I now take up the figures for the city of Cincinnati, Ohio. I do not see in the Chamber at the moment either of the distinguished Senators who represent the State in which that great city is located. I am sure the reason they are not present is that they are busy in connection with committee hearings which are being held this afternoon. I know it is most difficult for Senators to attend sessions of the Senate and listen to the important debate which is now proceeding. Of course, it is excusable for Senators to be absent when they have work which is more important to them or to the country outside the Senate Chamber than in it. I have no reason to complain because they are not present.

Mr. President, I should like to call especial attention to the comparisons I have made and shall continue to make between the number of white persons who commit crimes and the number of colored persons who commit crimes. I emphasize that this is one method of demonstrating that we from the South are in a much better position to cope with the Negro problem than the people of the North, if only we are permitted to do so.

I repeat, Mr. President, enactment into law of the pending bill will not cope with the problem. Neither will the many bills which have been introduced in the Senate with a view of appeasing a few miserable groups of politicians here and there all over the Nation who are trying to vie with each other for the colored vote. I wish I could believe that that is not what is in the mind of some of those who are urging the passage of this bill, but I cannot help think it is. I am earnestly pleading with Senators not to make it impossible for us from the South to cope with the Negro problem. The Negroes have been our wards since they were sold as slaves generations ago. I believe if an honest attempt were made to determine who is best qualified to handle this problem it would be found that we of the South are best qualified to handle it. I do not like to think of this great body considering legislation which has back of it the idea of getting the support of the colored voters.

Mr. President, we who represent Southern States are making many sacrifices in our attempt to oppose the pending bill. Many of my colleagues might think it is an easy thing to stand on the floor of the Senate and talk for 4 or 5 or 6 hours every day. I do not mind it, although it takes a considerable amount of my energy to do so. But, as I have said on frequent occasions, in order to preserve the liberties which we have enjoyed since the Constitution was adopted and which have made us a great Nation and brought prosperity to the citizenry of the Republic, I for one am willing, in the effort to prevent the passage of such legislation

as this, to discuss the question so long as God gives me breath.

As I expect to show in the course of my remarks, if we permit bills of this character to pass this body and be passed by the House of Representatives and become law, I have no doubt that the same forces which have demanded this legislation will go a step further and seek to obtain other legislation which will probably be a little more obnoxious, and which will lead to the point where the advocates of strange and foreign doctrines may achieve the goal for which they are now striving.

I repeat what I said on the floor of the Senate back in 1938. If we give the colored people of this Nation political equality it will lead to social equality; and social equality will lead to the degradation of our race. If any Senator has the time to listen to me in the course of this debate I will prove to him that I am right historically. I do not expect to do so this afternoon, because I do not have the time. I have other arguments to deal with for the moment. I shall probably reach that point by Tuesday or Wednesday of next week. I should like to have Senators listen to me, in the hope that I may convert them before it is too late.

Mr. MORSE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HOEY in the chair). Does the Senator from Louisiana yield to the Senator from Oregon?

Mr. ELLENDER. I yield.

Mr. MORSE. I am sure the Senator from Louisiana knows that I have listened to him very patiently. I should like to ask him a question.

The Senator made reference to other legislation. Am I correct in inferring that the Senator might feel justified in using the same technique of the filibuster in attempting to defeat minimum wage legislation?

Mr. ELLENDER. No; absolutely not. I would not attempt to do so. Of course, the Senator knows that in the minimum wage legislation as it was originally introduced there were a few obnoxious sections of the bill which I seriously opposed. I refer to that provision of the bill which would give to the Administrator the right to select advisory committees for each industry, with full power to go into each industry and classify every job, from that of floor sweeper up, and fix minimum wages along the lines as Congress is being asked to do. I am sure that the distinguished Senator does not want that. In the full committee some time ago that clause was stricken out.

As I said yesterday, if the minimum wage bill were enacted by the Congress as written and introduced, and then we should place the pending bill, as written, on the statute books, it is my considered judgment that we might as well hang a large black crepe on the door of private enterprise, because there would be one law to tell an employer whom to hire and another law to tell him how much he must pay to each employee.

Mr. MORSE. I am sure the Senator from Louisiana will recall that the Senator from Oregon joined in the vote against the particular provision of the minimum wage bill to which he has alluded.

Mr. ELLENDER. Yes.

Mr. MORSE. But I stress to the Senator from Louisiana that I joined in a vote; and I wish the Senator from Louisiana would make it possible for us to vote on the floor of the Senate on the pending measure.

Mr. ELLENDER. If the Senator is interested in the consideration of other legislation, all that is necessary is to place the pending bill back on the calendar, and we can then consider all the legislation which the Senator desires to consider. It can be done very easily.

Mr. President, I was about to consider figures for the city of Cincinnati. I am glad to see that the distinguished Senator from Ohio [Mr. TAFT] is present.

In 1936, in the city of Cincinnati there was a white population of 403,112, or approximately 89 percent of the total. The colored population was 47,818, representing approximately 11 percent of the entire population. Members of other races numbered 230. The total population was 451,160. I should like to have Senators bear those figures in mind. Of the entire population, approximately 89 percent was white, and 11 percent colored. I shall proceed to show that in 1936, with respect to the crimes of murder, manslaughter, rape, robbery, aggravated assault, burglary, larceny, and auto theft, the Negroes, who constituted 11 percent of the population, committed more of those crimes than did the whites, who constituted approximately 89 percent of the entire population. The figures are as follows:

Murder and manslaughter are combined in this table. I do not know why, but they are combined. For murder and manslaughter, whites, 25; Negroes, 48. For rape, whites, 29; Negroes, 16. For robbery, whites, 79; Negroes, 156. For aggravated assault, 71 whites, and 180 Negroes. For burglary, 241 whites and 294 Negroes. For larceny, 384 whites and 454 Negroes. For auto thefts, 92 Negroes and 83 whites. The total number for whites was 921, as against 1,231 for Negroes.

Bear in mind, as I have stated, that the colored population was approximately 11 percent of the total, as contrasted with approximately 89 percent for the whites, and yet the colored people living there, who constituted 11 percent of the entire population, committed 300 more of these crimes than did the whites.

The rate per 10,000 population for the whites was 23, and for Negroes 258. In other words, for every white person who committed one of those crimes in the city of Cincinnati in 1936, there were 11.2 Negroes. I ask unanimous consent that the table from which I have been reading be printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Cincinnati, 1936

	Whites	Negroes	Total
Murder, Manslaughter	25	48	73
Rape	29	16	45
Robbery	79	156	235
Aggravated assault	71	180	251
Burglary	241	294	535
Larceny, theft	384	454	838
Automobile theft	92	83	175
Total	921	1,231	2,152
Rate per 10,000 population	23	258	

Population:	
White (89 percent)	403,112
Colored (11 percent)	47,818
Total	450,930
Other	230
Total	451,160

Crime figures taken from Annual Report of Division of Police, Department of Safety, City of Cincinnati, 1936.
Population figures taken from 1936 Census (U. S. Bureau of the Census).

Mr. MEAD. Mr. President, will my distinguished colleague yield?

Mr. ELLENDER. I yield for a question.

Mr. MEAD. I do not wish to argue in defense of the commission of crime by anyone, but I am wondering if my distinguished colleague, who has taken such an enthusiastic interest in good housing, would go along with me to a certain extent in my thought that probably society or the Government may be in some degree responsible for this situation. I think the Senator will agree with me that the education, housing, and economic condition of the Negro have been more or less neglected. If the Negro could have the advantages which people more fortunately situated have had, he, too, would be an improved citizen. We are told by experts that it is difficult to expect that there will be less crime in a blighted area, a slum area, than there is in an area which is up to date and has all the advantages which higher standards provide. I am not finding fault with the figures which my distinguished colleague is citing. I know nothing about them. I suppose he obtained them from some Government agency.

Mr. ELLENDER. All the crime figures I have submitted were obtained from official sources and those for Cincinnati were furnished me from reports of the Division of Police, Department of Safety, of the city of Cincinnati.

Mr. MEAD. Does not the Senator agree with me that there is a responsibility which we may have neglected, in the provision of good housing, better economic conditions, and better educational facilities for the Negroes? While I know that religion has done a noble work wherever opportunity and facilities were available, yet there is also in this field further opportunity, I think, for more work to be done. I believe further that the Government has neglected its obligation, and perhaps we are somewhat responsible.

Mr. ELLENDER. I have no doubt that what the Senator says is correct; but do not forget that in the city of Cincinnati there are as many poor white people as there are poor colored people, if not more. The figures which I am presenting to the Senate are not taken from a selected

class. They represent all the whites. The Lord knows that in the city of Cincinnati—and the same thing holds true of the city of New York—a large proportion of the white population is just as poor and in just as bad condition economically as are the colored people.

The only reason I am citing these figures, as I have stated on this floor on many occasions, is simply to show that the white people in the North do not seem to be able to cope with the colored problem as we in the South do. The Senator was not present a while ago when I was discussing this question. No doubt he was busy before some committee. I am sure that many other Senators who were not present were as busy before committees as was the Senator from New York.

The point is that I compared the figures for the city of New Orleans with those for the city of Washington. The population of the city of Washington is almost the same as that of the city of New Orleans; and the Negro population in Washington is only 1 percent less than the Negro population in New Orleans. Yet, strange as it may seem, in the city of New Orleans, for every white person who committed one of these crimes there were 2.1 Negroes. In the city of Washington the figures are as high as 9.9 Negroes for every white person.

The Senator appreciates the difference I am trying to point out there.

Mr. MEAD. Yes; I understand the difference.

Mr. President, will my distinguished colleague further yield to me?

Mr. ELLENDER. I yield.

Mr. MEAD. There is a serious problem of adjustment to be considered. For instance, if a number of the members of colored population in a rural area of a Southern State were suddenly transported to a large industrial city of the North, probably in some instances they would not be as readily received as other persons would be. In some cases they are the last to be hired and, again, the first to be fired. There is a period of adjustment which leaves them somewhat handicapped.

So it occurs to me that with a good background of education, with fair economic opportunity, with decent living conditions, with good housing—which has much to do——

Mr. ELLENDER. Mr. President, I am prompt to confess that good housing would to a considerable extent relieve the situation. But I doubt whether the proportion to which I have referred would differ, because if housing conditions for the poorer white people were improved, the extent to which such persons would become involved in crime would no doubt decrease almost to the same extent it would decrease in the case of the colored people, if their living conditions or housing were improved.

Mr. MEAD. I recognize in my colleague from Louisiana a stanch advocate of good housing, and his present interest in that subject is reassuring. But we are told by experts who have studied crime that slums are the greatest breeders of crime. Invariably a great many of the southern colored people who find their way to the large industrial cities of the North live in blighted areas—even in slums.

If that be true, we have the obligation of seeing to it that they live in good, clean, healthful, sanitary homes. We are all aware that many colored people who have a good economic and educational background and who live in good communities are fine, outstanding citizens.

I think we can in large part correct the situation to which reference has been made by assuming the responsibility, which is ours, of giving the colored people the opportunity they have earned and to which they are entitled. So I wish to impress upon my distinguished colleague the necessity of our assuming that responsibility. The colored people are here in the United States, they are citizens of this country. They have fought for our democracy. They have done hard, laborious work, both in the South and in the North. If we give them a good educational background, if we provide the decent housing conditions which this rich country can very well provide, if we see to it that the economic conditions of the colored people are improved, we shall get at the root of the difficulty which the Senator has pointed out this afternoon.

Mr. ELLENDER. Mr. President, I assure my distinguished colleague the Senator from New York that, as a coauthor of the so-called Wagner-Ellender-Taft bill on housing, I shall do all I can to see to it that that housing bill is enacted by the Congress. So far as I personally am concerned, I wish to say further that I am a strong advocate of increasing the opportunities of the colored people. I have done that all my life, in the South. I was a member of the Louisiana Legislature from 1924 until I came to the Senate of the United States, and my record will show that I have done all I could do to help the colored people.

As I said yesterday in the Senate, today we in Louisiana are spending more money for the education of the colored people of our State than was spent in Louisiana for the education of both whites and Negroes back in 1909, the year I entered college.

We have made great progress in the South. All I am asking is that we be allowed to settle our own problems. I do not wish to do anything here which would cause the colored people to be placed on a basis of social equality with the white people, because the moment that were done, the moment such things were permitted, a course would be started which, within 300 or 400 years, would end in our having a mongrel race, such as has developed in Brazil. As I pointed out yesterday during the debate, Brazil is a larger and older country than the United States. But what happened there? When the European settlers went to that great country, they intermarried with the Indians who lived there. Later on, the prosperous Brazilians imported a number of African slaves to help grow the crops. In the course of a few years the colored people who went there from Africa intermarried with the Indians, and some of the white people intermarried with some of the colored people. Today in Brazil there is a mongrel race. The result is that a country which is richer and larger than ours and older than ours is now as far back, in respect to progress, as it was in 1512.

Mr. MEAD. But, Mr. President, if my colleague will yield to me again, let me say that some of the countries from which the people who settled in Brazil came are not much better off, today, or even as well off, as Brazil itself is.

Mr. ELLENDER. Can the Senator from New York mention any country where that is due to mongrelization? What he says might be due to the fact that some of the poorer countries may have been overpowered by others. But Brazil has never been involved in any wars of any consequence—none sufficient to destroy her. Brazil could have made the same progress we have made, or even better progress than we have made, because, as I have said, Brazil has more resources than we have; Brazil has a finer climate, generally speaking; everything has been to her advantage. Yet she is hundreds of years back of the United States, insofar as progress is concerned. I attribute that condition to the fact that in Brazil there is, today, a mongrel race, just as a mongrel race developed in Egypt centuries ago. At first there was an Aryan race in Egypt. Egyptian history shows that in science, medicine, and the other arts Egypt went very far in olden times. But when the Pharoahs decided to build the Pyramids, the Egyptians imported a number of Ethiopians to help them do the heavy work. What happened? In less than 50 years those colored Ethiopians began to intermingle with the Egyptians, to such an extent that at the end of 50 years the Egyptians passed a law making it a felony punishable by death for any more Ethiopians to come within the borders of Egypt. But it was too late. Mongrelization had already started. In less than 400 years the situation had deteriorated to such an extent that a mulatto was at the head of the Egyptian dynasty.

I do not want such a thing to happen in the United States.

However, the establishment of social equality between the whites and the colored people would be the beginning of a similar process or development in the United States. Once social equality was established, the result in our country inevitably would be similar to that in Egypt. It might not come to pass within my generation or within the generation of my son's son's son, but the time would come.

That is what the colored people are trying to do today. They are doing everything they can to attain social equality with the white race. But as I have said, I will talk as long as God gives me breath to prevent it.

Mr. MEAD. Mr. President, I am sure that any student of history or any Member of the Senate might find ample argument and material to fit his fancy, if he studied the very beginnings of civilization, as to the reasons for the decay or degeneration of either governments, civilizations, or peoples. Such decadence may be attributed to many causes.

But regardless of that subject, regardless of what caused the fall of Rome or the ruination of ancient Greece or the decay of the Egyptian civilization, such considerations have no bearing upon the necessity for the improvement of the economic opportunity of the colored people who are citizens of our country. I am sure my distinguished friend, the Senator from Louisiana, will admit that it is not sufficient to provide them with educational opportunity for 10 or 15 weeks of the year, in a one-room schoolhouse, with an underpaid teacher. We all admit such education would not be very advantageous and would not prove beneficial. Nor can we expect the finest type of citizenship to emanate from an educational background so meager and as limited as that. I am sure the Senator will also agree that bringing up a family in a one-room shack which is not much better than a barn is not conducive to the development of good citizenship. I do not believe we can expect to produce the best type of citizens if our wage standards are so low that the people can hardly keep body and soul together. We still have, I insist, the obligation to improve the economic conditions which we all admit are present and are indefensible in a country so rich as ours.

So, Mr. President, I wish to congratulate my colleague for his continued interest in the matter of providing good housing for the people of this country. I believe that in the slums and in the blighted areas the Senator will find, according to expert testimony on the subject, some explanation for the difficulties which he has associated with the colored race. As I have said, I know many of them who have excellent backgrounds, and have had opportunities to work and obtain educations. They are very fine citizens. I think that if we were to discharge our obligation and make it possible for Negroes as a whole to obtain educations, homes, and jobs, it would pay rich dividends.

Mr. ELLENDER. I repeat to my distinguished colleague that I am in accord with doing what he has suggested being done. Our only difference is with regard to the method of doing it. We will never attain the conditions which he has described by the enactment of such a bill as the one now pending before the Senate.

Mr. President, I desire to continue with facts and figures relating to the city of Cincinnati. A moment ago I presented figures for the year 1937. I shall now proceed to give figures for the year 1938. For the benefit of many Senators who have entered the Chamber since I began this discussion, I may state that I have been arguing for a part of the afternoon in order to show that we of the South are much better able to cope with the Negro problem than are the people in the North. We do not permit colored people to rub elbows with us and be received socially by us, but we do assist them.

The entire population of the city of Cincinnati consists of 11 percent Negroes and 89 percent whites. In that city Negroes committed more crimes consisting of murder, manslaughter, rape, robbery, burglary, aggravated assault, larceny, and auto theft than were committed by whites. The figures are as follows:

Murder and manslaughter, whites 16, Negroes 37; rape, whites 20, Negroes 22; robbery, whites 127, Negroes 169; aggravated assault, whites 61, Negroes 185; burglary, whites 382, Negroes 290; larceny, whites 675, Negroes 746; auto theft, whites 76, Negroes 70.

Total, whites 1,357, Negroes 1,519.

Or, to put the figures in another form, the rate per 10,000 population was, whites 34, Negroes 316.

Mr. President, by those figures it will be seen that for every white man who committed one of these crimes in Cincinnati, the white population of which constitutes 89 percent of the whole, 9.3 Negroes committee similar crimes.

The same situation prevailed with respect to the years 1939, 1940, and 1941, and in almost the same proportion as that which I have just indicated.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Cincinnati, 1938

	Whites	Negroes	Total
Murder	16	37	53
Manslaughter			
Rape	20	22	42
Robbery	127	169	296
Aggravated assault	61	185	246
Burglary	382	290	672
Larceny theft	675	746	1,421
Automobile theft	76	70	146
Total	1,357	1,519	2,876
Rate per 10,000 population	34	316	

Population:	
White (89 percent)	403,112
Colored (11 percent)	47,818
Total	450,930
Other	230
Total	451,160

Crime figures taken from the Annual Report of Division of Police, Department of Safety, City of Cincinnati, 1938.

Population figures taken from 1930 Census (U. S. Bureau of the Census).

Mr. TAFT. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TAFT. Does not the Senator believe that if there were no discrimination practiced in employment, and Negroes had as good jobs as whites have, the discrepancy to which the Senator has referred might be changed? Does he not believe that the conditions to which he has referred result from discrimination against the employment of Negroes? Is is not true that Negroes are much poorer than white people are, and do not have the income which white people have?

Mr. ELLENDER. I do not believe so, because the figures which I have given not only relates to the Negroes in the city of Cincinnati but to all the poor white folks there as well. If Cincinnati does not have any poor white folk, she is an unusual city.

Mr. TAFT. The Senator knows that in most cities the average income of Negroes is considerably lower than the average income of white people.

Mr. ELLENDER. Could that fact account for the proportion of murders and other crimes to which I have referred?

Mr. TAFT. Yes; I think that discrimination in employment makes it very difficult for colored people to make their living in honest ways, and causes them to turn to crime. There are other causes involved, but I think that the condition which I have pointed out is one of the causes.

Mr. ELLENDER. I agree with the Senator. I presented figures which relate to not only the seven or eight classes of crimes which I mentioned, but practically all crimes. It is true that the ratio as between whites and Negroes is not so great as that which I have just indicated in connection with the city of Cincinnati, but the figures do show that as between the North and the South the proportion of Negroes of the South who are incarcerated in jails, prisons, and reformatories, is much less than in the case of the Negroes of the North.

As I pointed out on many occasions we treat the Negroes of the South much better than the people of the North treat them. As the Administrator of FEPC, created under Executive order, testified last year, only 10 percent of the complaints come from the South and yet we are being charged with discrimination against them. The fact that we treat them better than northern folks may account for fewer crimes among them than those of the North.

AUTHORIZATION TO REPORT APPROPRIATION BILL AND TO SUBMIT NOTICES TO SUSPEND THE RULE

During the delivery of Mr. ELLENDER's speech,

Mr. McKELLAR. Mr. President, will the Senator from Louisiana yield to me to make a unanimous consent request about reporting an appropriation bill?

Mr. ELLENDER. If it will not take me off the floor.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Without objection, the Senator from Tennessee may proceed.

Mr. McKELLAR. The Committee on Appropriations has agreed to the independent offices appropriation bill, but it cannot physically report it at this moment. I ask unanimous consent that the bill may be reported as of today.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. McKELLAR. I wish to make a further request. There are two items about which there will have to be motions to suspend the rules in order that they may be considered. I ask unanimous consent that I may give notice now of the request to suspend the rules so that these items may be in order when the bill is considered, if it should be considered tomorrow or the next day.

Mr. MORSE. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Will the Chair explain to the Senator from Oregon the effect of the unanimous consent request made by

the distinguished Senator from Tennessee, if it shall be agreed to, upon the debate which is now taking place in the Senate? I assure the Senator that I want to accommodate him, but I desire to make certain that I understand what effect it will have on the debate now pending before the Senate.

The PRESIDING OFFICER. It will have no effect upon the matter now pending before the Senate.

Mr. McKELLAR. Has the Chair put the request?

The PRESIDING OFFICER. The Chair hears no objection, the request is granted.

Subsequently,

Mr. McKELLAR, from the Committee on Appropriations, to which was referred the bill (H. R. 5201) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1947, and for other purposes, reported it with amendments, and submitted a report (No. 926) thereon.

NOTICES OF MOTIONS TO SUSPEND THE RULE

Mr. McKELLAR. Mr. President, in accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill H. R. 5201, making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1947, and for other purposes, the following amendment, namely:

Page 4, after line 7, insert the following:

"EMERGENCY FUND FOR THE PRESIDENT

"Emergency fund for the President: Not to exceed $5,000,000 of the appropriation 'Emergency fund for the President,' contained in the First Supplemental National Defense Appropriation Act, 1943, as supplemented and amended, is hereby continued available until June 30, 1947: *Provided*, That no part of such fund shall be available for allocation to finance a function or project for which function or project a Budget estimate of appropriation was transmitted pursuant to law during the Seventy-ninth Congress, and such appropriation denied after consideration thereof by the Senate and House of Representatives or by the Committees on Appropriations of both bodies."

Mr. McKELLAR also submitted an amendment intended to be proposed by him to House bill 5201, the independent offices appropriation bill, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. McKELLAR. Mr. President, in accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill H. R. 5201, making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1947, and for other purposes, the following amendment, namely:

On page 14, after line 4, insert the following:

"The Federal Works Administrator is authorized to accept payment, at par and accrued interest, of any obligations, held by him, of States or other public bodies or nonprofit corporations, notwithstanding the maturity dates or any premiums for the redemption thereof."

Mr. McKELLAR also submitted an amendment intended to be proposed by him to House bill 5201, the independent offices appropriation bill, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

STARVATION CONDITIONS IN EUROPE

During the delivery of Mr. ELLENDER'S speech,

Mr. WHERRY. Mr. President, will the Senator yield to me?

Mr. ELLENDER. I yield if I do not lose my rights to the floor by doing so.

Mr. WHERRY. I hold in my hand an article published in the New York Times. It is under the date line of Washington, February 6. The headline is: "One hundred and forty million in Europe get only 2,000 calories a day."

The article states that according to estimates made in a report made by the Emergency Economic Committee for Europe, which is an intergovernmental body under the chairmanship of Philip Noel-Baker of Great Britain, and members of which are Belgium, Denmark, Greece, Luxembourg, The Netherlands, Norway, Turkey, the United Kingdom and the United States, more than 140,000,000 persons in Europe will have to live on an average total diet of 2,000 calories a day for the next few months, and that about 100,000,000 will be receiving an average of 1,500 calories or less per person. The report certainly is convincing evidence of the truth of the statements which have been made on the floor by nearly a dozen Senators who are interested in having food furnished to the starving people of Europe, that millions face starvation in Europe this winter.

I ask unanimous consent to have the article from the New York Times printed in the RECORD at this point, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ONE HUNDRED AND FORTY MILLION IN EUROPE TO GET ONLY 2,000 CALORIES A DAY—ECONOMIC COMMITTEE REPORTS 100,000,000 WILL HAVE TO LIVE ON 1,500 UNITS OR LESS—HIGHER DIETS EXPECTED FOR BRITAIN

WASHINGTON, February 6.—More than 140,000,000 persons will have to live on an average total diet of 2,000 calories a day in Europe for the next few months and about 100,000,000 will be receiving an average of 1,500 calories or less per person, according to estimates made in a report made tonight by the Emergency Economic Committee for Europe.

An average of 2,000 calories is regarded as a minimum for safety. The estimates take into account all home-grown and imported food supplies available or in sight.

While the study upon which the estimates were made covered only calories, adequate supplies of other nutritional elements, such as proteins, fats, vitamins, and minerals which are also essential, are even a less satisfactory prospect than are calories.

It was pointed out that an average diet of 2,650 calories in addition to necessary quantities of other nutritional elements has been recommended by the UNRRA Food Committee as necessary for full health and efficiency. The report warned:

"A serious gap between food supplies and minimum requirements remains for many millions of people in Europe."

The Emergency Committee is an intergovernmental body under the chairmanship of Philip Noel-Baker of Great Britain. Members are Belgium, Denmark, Greece, Luxembourg, The Netherlands, Norway, Turkey, the United Kingdom and the United States.

TEXT OF THE REPORT

Following is the text of the report of the committee:

"The Emergency Economic Committee for Europe has reviewed such information as is available to it about the levels of food consumption in European countries, with the object of estimating the diet in terms of calories which an average person in each country might expect to receive in the course of the next few months.

"The information on which this study is based is incomplete. In some cases it has been necessary to use information obtained through nonofficial channels.

"In all cases the future position has been forecast in terms of prospects as they appeared early in January so that changes in the food outlook which may have taken place since then are not taken into account. Thus, much of the information on which the forecasts have been based is subject to an appreciable margin of error.

"Nevertheless, the committee considers that its review presents a substantially correct broad picture of the prospective food position in the countries covered."

ONE HUNDRED MILLION AT ONE THOUSAND FIVE HUNDRED CALORIES

"The broad picture that emerges after taking into account all home-grown and imported food supplies available or in sight, is that over the next few months over 140,000,000 people in the European countries reviewed will have to continue to live on a diet which provides an average of less than 2,000 calories a day. (See footnote 1.)

"Specifically the committee has found that:

"(A) About 100,000,000 people in the following groups will probably be receiving an average total diet of 1,500 calories per person per day or less:

"(I) The nonfarm population of Austria (74 percent); (see footnote 2), (The nonfarm population in the United States and United Kingdom zones and in Vienna are currently receiving somewhat over 1,500 calories, but most recent information indicates that rations may have to be reduced, thereby bringing the diet of the nonfarm population in all zones of Austria under 1,500 calories.)

"(II) The farm populations of tobacco growing regions in Bulgaria (9 percent).

"(III) German residents in Czechoslovakia (insofar as they do not qualify for Czechoslovak citizenship) (16 percent).

"(IV) The nonfarm population of eastern Slovakia (3 percent).

"(V) The nonfarm population of Finland (43 percent).

"(VI) The nonfarm population of Germany (75 percent). (The nonfarm population in the United States and United Kingdom zones, in the Union of Soviet Socialist Republic zones with certain groups excepted, and in Berlin are currently receiving somewhat over 1,500 calories, but most recent information indicates that rations may have to be reduced, thereby bringing the diet of the nonfarm population in all zones under 1,500 calories.)

"(VII) The nonfarm pouulation of Hungary; especially Budapest (50 percent).

FOR ITALY 59 PERCENT

"(VIII) The nonfarm population of Italy (59 percent).

"(IX) The nonfarm population of Rumania (30 percent).

"(X) The nonfarm population of Spain (40 percent) may also be in this category.

"(B) A further 40,000,000 people will probably be receiving an average total diet of over 1,500 but less than 2,000 calories including:

"(I) The nonfarm population of France (65 percent) (see footnote 2).

"(II) The nonfarm population of Bohemia and Moravia and western Slovakia (50 percent).

"(III) The nonfarm population of Greece (47 percent).

"(IV) The farm and nonfarm population of certain districts of Yugoslavia (33 percent).

"(C) An average of a bare 2,000 calories per day appears to be in prospect for the nonfarm population of Luxembourg and possibly Portugal. Somewhat higher diets still under 2,500 calories may be anticipated for the nonfarm populations of Belgium, Bulgaria, The Netherlands, Norway, Poland (with certain groups at lower levels), and Yugoslavia.

"(D) Average diets of over 2,500 calories will be available only for the nonfarm populations of Denmark, Sweden, Switzerland, and the United Kingdom and farm populations of all countries except where otherwise noted above.

"It should be noted that the above classification excludes entirely Albania, Eire, Turkey, and the Union of Soviet Socialist Republics, for which no definite information on the food situation was available to the committee.

"While this study is in terms of calories only, as a convenient indicator of the level of food supply, adequate supplies of other nutritional elements—proteins, fats, vitamins, and minerals—are also essential.

"In general, current and prospective European diets are even less satisfactory in other nutritional elements and in palatability than they are in calories.

"As a guide to the possible nutritional and economic effects of the diet levels described in this review, it may be noted that a diet containing an average of about 2,650 calories per day, in addition to necessary quantities of other nutritional elements, has been recommended by the UNRRA Food Committee as the amount of food sufficient to maintain full health and efficiency in a population with a normal distribution according to sex, age, and occupation.

"Prewar diets in some countries in southern and eastern Europe did not reach this level, however, while diets in northwestern European countries were generally at levels somewhat above this standard.

"An average diet of around 2,000 calories has been generally recognized in military and civilian relief planning as a minimum level below which there would be marked effects on ability to work and danger of the development of disease and unrest associated with food shortage.

"These effects become progressively more serious as the diet is reduced down to and below 1,500 calories and the period of low diet is prolonged.

SERIOUS GAP FOR MILLIONS

"Thus a serious gap between food supplies and minimum requirements remains for many millions of people in Europe even after the vigorous efforts to alleviate the position which have been, and are being, made by the governments and international agencies concerned have been taken into account."

Footnote 1. It is emphasized that the division of various groups of the population of Europe into broad diet categories is based on the estimated prospective average level of the total diet of the group concerned. Within any group the actual consumption of different individuals may vary from starvation to fully adequate levels.

Footnote 2. The percentage figures shown in parenthesis are an estimate of the proportion of the total population of the country concerned which is in the particular group listed. Thus, about 74 percent of the total population of Austria are estimated to be in the nonfarm population group.

ADJUTANT GENERAL OF THE ARMY

During the delivery of Mr. ELLENDER'S speech:

Mr. MAYBANK. Mr. President, will the Senator from Louisiana yield to me, if by so doing so he does not lose his right to the floor?

Mr. ELLENDER. I yield.

Mr. MAYBANK. Mr. President, an editorial was published in The State, of Columbia, S. C., the issue of Tuesday, February 5, 1946, entitled "Adjutant General of the Army." It relates to the nomination of Maj. Gen. E. F. Witsell to be Adjutant General of the Army and to the confirmation of his nomination. We in South Carolina are fortunate in having one of our distinguished native sons elevated to the position of Adjutant General of the Army. We are indeed proud that he has been selected for this most important position.

General Witsell is a man of outstanding character and ability. He has a long and glorious war record. Furthermore, Mr. President, he is a man with a heart, a man who understands human nature and the problems of the GI. I think the United States of America is particularly fortunate in having such a distinguished gentleman as Adjutant General of the Army.

I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ADJUTANT GENERAL OF THE ARMY

In the State Sunday we carried the news that Maj. Gen. E. F. Witsell had been confirmed as Adjutant General of the Army. For some time, ever since the illness of General Ulio, General Witsell has been Acting Adjutant General, much of the heavy war work falling on his shoulders. He is a South Carolinian, a native of Charleston and a graduate of The Citadel. He is another man from this State who has made good in a big way, and this newspaper is pleased to note that he is no longer serving in an acting capacity but is now the Adjutant General of the Army.

APPEAL FROM DECISION OF THE CHAIR ON CLOTURE MOTION

The Senate resumed consideration of the appeal of Mr. BARKLEY from the decision of the Chair sustaining the point of order of Mr. RUSSELL that, under the rule, the presentation of the cloture motion on the FEPC bill was not in order.

Mr. BARKLEY. Mr. President, without taking him off the floor, will the Senator from Louisiana yield to me in order that I may make the point of no quorum?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Kentucky, with the understanding as stated?

Mr. ELLENDER. I yield.

Mr. BARKLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Murray
Austin	Hart	O'Daniel
Bailey	Hatch	Overton
Ball	Hawkes	Pepper
Bankhead	Hayden	Radcliffe
Barkley	Hickenlooper	Reed
Bilbo	Hill	Revercomb
Brewster	Hoey	Robertson
Bridges	Johnson, Colo.	Russell
Briggs	Johnston, S. C.	Saltonstall
Buck	Kilgore	Shipstead
Bushfield	Knowland	Smith
Butler	La Follette	Stanfill
Byrd	Langer	Stewart
Capehart	Lucas	Taft
Capper	McCarran	Taylor
Carville	McClellan	Thomas, Okla.
Cordon	McFarland	Thomas, Utah
Donnell	McKellar	Tobey
Downey	McMahon	Tunnell
Eastland	Magnuson	Tydings
Ellender	Maybank	Walsh
Ferguson	Mead	Wheeler
Fulbright	Millikin	Wherry
George	Mitchell	White
Gerry	Moore	Wiley
Gossett	Morse	Willis
Green	Murdock	Wilson

The PRESIDENT pro tempore. Eighty-four Senators having answered to their names, a quorum is present.

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Kentucky?

Mr. ELLENDER. I yield, on the same conditions heretofore stated.

Mr. BARKLEY. I might advise the Senator from Louisiana that it will be necessary ultimately for him to yield the floor, but I think there will be no difficulty about that.

Mr. President, I always try to be frank with the Senate in the matter of its procedure and the consideration of legislation. We have now been for some 3 weeks considering the parliamentary and legislative situation involving Senate bill 101, and the effort to bring it to a vote. The Senator is familiar with the procedure up to the present, which involves the approval of the Journal of the 17th of January, and then later involves an appeal from the decision of the Chair on a ruling made last week when I made an effort to file a petition for cloture to bring to a close the debate on Senate bill 101.

Under the rules of the Senate the motion to amend the Journal, as well as the motion to approve the Journal, is debatable, and can be debated indefinitely unless some method is devised to close debate on the motion. An appeal from the decision of the Chair is likewise debatable, and can be debated indefinitely unless some method be found to close debate on that. Therefore we now have a double-barreled situation, so that two propositions which are debatable indefinitely might be before the Senate before we could file a petition for cloture on Senate bill 101, unless in the meantime a method might be found by which debate could be terminated on the appeal from the decision of the Chair in the first instance, in the second instance on the motion of the Senator from North Carolina [Mr. HOEY] to amend the Journal, and, I might say, in the third instance on the motion to approve the Journal. All that has to be cleared away as underbrush before we can get back

to the main proposition of the consideration of Senate bill 101.

As I indicated a few days ago, and as I still believe, the test of the ability of the Senate to bring about a vote on Senate bill 101 depends upon our ability to carry by the required two-thirds majority a motion to close debate under rule XXII. Unless we can reach a posture in the parliamentary situation where we can get a vote on that, we cannot get a vote on the bill.

Therefore, Mr. President, under these circumstances it seems to me wise to get a vote on the cloture motion so that we may know where we are. In order to get a vote on the cloture motion it is necessary that I withdraw my appeal from the decision of the Chair on the ruling of a few days ago, it is necessary for the Senator from North Carolina to withdraw his amendment to the Journal, and it will then be necessary to approve the Journal, so that a motion for cloture can be filed.

Believing, as I do, and as I think a majority on both sides believes, that it is essential that we get a vote on cloture so that we can determine whether we can ever get a vote on the bill, I have determined to withdraw my appeal from the decision of the Chair, after conference with both sides, with the Senator from North Carolina, and with those who oppose and those who support Senate bill 101, without prejudice in any way insofar as the merits of the interpretation of rule XXII may be concerned, because I think the time will come, in connection with some legislation, when the Senate must either interpret what it meant when it adopted rule XXII, or it must amend the rule so that we will not find ourselves in an impasse where we cannot function.

So, without prejudice to the right to bring that question before the Senate at any appropriate time, either for interpretation, or an amendment to the rule, I have decided to withdraw my appeal from the decision of the Chair, because I think that is an essential first step to getting a vote of the Senate not only on the motion for cloture, but on the right to file it under the ruling of the Chair.

Therefore, Mr. President, under those conditions, I now withdraw my appeal from the decision of the Chair holding that the petition for closing debate which I offered a few days ago could not be filed.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. BARKLEY. I yield to the Senator from Oregon.

Mr. MORSE. The Senator says "without prejudice." I wonder if he will explain to me what he means by that; because it seems to me that one of the real dangers of this situation is that a record is now being made of a ruling of the Chair which some of us believe to be an erroneous ruling—and I say that with all respect to the Chair—and in my opinion, a record has not been made as yet, with full adequacy, of the cons of that ruling. If the Senator from Kentucky now withdraws his appeal it seems to me that we are running a very serious danger of establishing a precedent which may be used on the floor of the Senate on a future occasion, just as other precedents were cited in the very able statement—although I do not agree with it—which the President pro tempore made on Monday last when he ruled on the question which had been raised. I do not think the precedents cited are applicable to the situation before the Senate, and I regret that the appeal is going to be withdrawn, unless there can be presented a much more complete statement of the opposite point of view on the ruling of the Chair.

I will be perfectly frank with the Senator from Kentucky. I have an argument which I desire to make on the ruling of the Chair. At the same time I do not want to take the time of the Senate this afternoon to make the argument if it can be understood that, for the purpose of the RECORD, I shall be able to make the argument—shall we say, tomorrow, at a time when most of the Senators are having lunch, and therefore will not be inconvenienced?

Mr. BARKLEY. I would not impose on the Senator from Oregon the requirement that he make his speech while Senators are at lunch. But I wish to say, and I intended to say, that in withdrawing the appeal at this time from this specific ruling, with which I disagree sincerely and conscientiously, because I believe that if the Senate maintains that ruling it in effect nullifies the cloture rule, rule XXII, so we might never get to a point where we could even file a petition for cloture, which certainly was not intended by the Senate when it adopted rule XXII, that in withdrawing the appeal I yield nothing of my view upon that subject. I do not accept the ruling, so far as I am concerned, as a precedent, because I would reserve the same right at any other time, when a ruling is made under the provision of rule XXII, which is involved here, to ask the Senate to interpret its own rule, that I have asserted in taking the appeal in this instance. I am withdrawing my appeal now in order that we may get to a vote on cloture, which, as I see it, is the test at this time of our ability to bring the pending bill to a vote.

Mr. MORSE. Mr. President, in order that the RECORD may be perfectly clear as to my position, may I remind the Senator from Kentucky that I have had much to say on the floor of the Senate in recent days about the question of majority rule? I happen to believe in it. I am perfectly aware that my opposition, or my inability to agree with the procedure which is about to be followed, represents a decidedly minority opinion, and I do not think it would be at all sportsmanlike for me to raise any technical objection that I might raise at this time, or make an objection myself, or proceed at this time to make the arguments on the ruling of the Chair which I think ought to be made for the RECORD. Hence I shall not resort to any of those techniques, but I do want to serve notice—and I should like to have it understood—that tomorrow at some hour when I do not feel that I would be interfering too much with the business of the Senate, I do want to set forth for the RECORD the reasons why I think the ruling of the Chair from which the Senator from Kentucky appealed, was an erroneous ruling, so that the RECORD may show the basis on which I make my statement.

Mr. BARKLEY. I might say to the Senator from Oregon that I contemplate at the appropriate time, in order that the Senate may have it under consideration, to make a rather detailed argument myself with respect to the purpose of rule XXII. I certainly would not do it tomorrow. I do not know that the Senator means that he makes that as a condition upon which we are proceeding now.

Mr. MORSE. Decidedly not.

Mr. BARKLEY. So far as I am concerned, the Senator can make his argument at any time when it is appropriate to do so. And I think I will find myself in agreement with the basis of his argument, because I feel very deeply about the rule under which we are now proceeding, or attempting to proceed, or are prevented from proceeding. But I think at some appropriate time, when we are not laboring under such conditions as now prevail here, there ought to be a thorough threshing out of the intention of the Senate when it adopted rule XXII, and the meaning of that rule within any reasonable interpretation.

Mr. MORSE. May I make very clear to the Senator from Kentucky that my statement as to my desire to present an argument tomorrow in no way refers to any condition precedent to any proceeding the Senate follows this afternoon. At the same time I should not want the RECORD to be closed today in such a way that anyone would gain from it the impression that I find myself in agreement with the procedure or that I think the ruling of the Chair the other day is a correct ruling.

Mr. President, I believe I can put it in this way: There are two things I am trying to do. I am trying to demonstrate that I am endeavoring to cooperate with doing business, so far as the Senate is concerned, when I discover that I am in such a minority as I am in this instance. In the second place, I want to show my complete disagreement with the ruling of the Chair and the procedure being followed by making an argument respecting my position at a later hour.

Mr. BARKLEY. Mr. President, that is why I stated, in withdrawing the appeal, that I did it without prejudice to any principle involved, and without yielding in any way my views in regard to the ruling from which I appealed.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. OVERTON. Taking cognizance of the remark made by the Senator from Oregon respecting the rule of the majority, may I inquire of the able majority leader whether the rules of the Senate were adopted by a majority or minority vote?

Mr. BARKLEY. I do not think anything is adopted here, including the rules, without a majority vote.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. I want only to express my agreement with the Senator from Kentucky. I understand the RECORD will

show that the present occupant of the chair believes the rule to be one thing and the majority leader, and those of us who support him, believe it to be another, but that the actual decision as to what the rule means will be left to a later date, the Senator from Kentucky having accomplished the purpose of securing, by agreement, a vote on cloture.

Mr. GEORGE. Mr. President, that is not the stipulation at all.

Mr. BARKLEY. That is not an accurate statement.

Mr. GEORGE. That is not the stipulation at all. I would not sit here and allow a statement of that kind to go into the RECORD unchallenged. That is not the parliamentary situation at all.

Mr. TAFT. The point I wish to make is that the Senator from Kentucky, in moving to dismiss his appeal, is not admitting the correctness of the ruling.

Mr. BARKLEY. I stated that.

Mr. TAFT. In joining with the Senator from Kentucky in his move to dismiss the appeal, I also do not concur in the correctness of the ruling. I expressed my opinion on the ruling on February 4, as is to be found in the RECORD, and I merely wish to say that in concurring with the dismissal of the appeal I do not wish to indicate that I have in any way changed my opinion expressed at that time.

Mr. BARKLEY. All I wish to say is that I do not yield my views in regard to the interpretation of rule XXII, and that in withdrawing my appeal I do not forego the right at some future and more appropriate time to bring in question the principle involved in the rule. It would probably be on some other legislation, but I did not mean to infer that the decision of the Senate on the ruling, and on the interpretation of that rule, is deferred to some later date, because that could not be done, and I did not mean that to be the interpretation of my remarks.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. RUSSELL. I wish to make a statement for the RECORD. Since statements are being made which are critical of the ruling of the Chair, I wish to state that there are those of us in this body who are as conscientious as any Senator who has spoken, who believe that the ruling of the Chair was not only eminently correct, but in view of the precedents of this body, was the only ruling that could be made without doing violence to the rules which have been adopted.

Mr. President, if the rules of the Senate do not conform to the ideas of Senators as to what they should be, let Senators offer amendments to the rules in the regular way. I say that those of us who believe that the ruling of the Chair was correct, who heard the precedents which were read from the RECORD, are convinced that the ruling of the Chair was not only correct, but the only ruling that could have been made without striking down the rules of the Senate adopted for its own guidance.

Mr. BARKLEY. Mr. President, in stating my views I, of course, did not remotely mean to cast any reflection on the sincerity or earnestness of any other Senator who takes a different view. If it were not for the difference which exists among lawyers as to what the law is in any case involving the rights of people, the legal profession would go out of business; it would not be needed. Lawyers who take different sides of a question in the courts or elsewhere, and in interpreting the law, are accorded as much sincerity as anyone. And I accord that sincerity to all Members of this body, regardless of their opinion. I do not, however, want my withdrawal of the appeal to be interpreted to mean that I have changed my views with respect to the proper interpretation of the rule. I accord to all Senators equal sincerity with myself, and I accord to the distinguished Presiding Officer entire sincerity in the decision which he rendered.

With that, Mr. President, I now withdraw the appeal.

The PRESIDENT pro tempore. The Senator from Kentucky has the right to withdraw his appeal from the ruling of the Chair, and has done so.

The question now recurs on the motion of the Senator from North Carolina [Mr. HOEY] to amend the Journal of the proceedings of the Senate of Thursday, January 17, 1946.

Mr. HOEY. Mr. President, I appreciate the serious and extended consideration which the Senate has given to my amendment for approximately 2 weeks; but since it has not been adopted, I ask leave to withdraw it.

The PRESIDENT pro tempore. The Senator has the right to withdraw it, and the amendment is withdrawn.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Journal about which we have been debating be approved. I wish to announce that following that I shall offer the cloture petition which I attempted to offer the other day.

The PRESIDENT pro tempore. Without objection, the Journal of the proceedings of the Senate of Thursday, January 17, 1946, is approved.

The Chair now lays before the Senate the unfinished business.

FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed the consideration of the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry.

Mr. BARKLEY. Mr. President, I send to the desk a motion under rule XXII, and ask that it be read.

The PRESIDENT pro tempore. Without objection, the Chair will designate the clerk to read the motion. The Chair believes that the rule provides that the Chair shall read it. The Chair asks unanimous consent that the clerk may read it. Is there objection? The Chair hears none.

The Chief Clerk read as follows:

PETITION FOR CLOTURE

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the bill (S. 101) entitled "A bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry":

DENNIS CHAVEZ, JOSEPH F. GUFFEY, CHARLES C. GOSSETT, JAMES W. HUFFMAN, HARLEY M. KILGORE, ALBEN W. BARKLEY, SCOTT W. LUCAS, GLEN TAYLOR, ABE MURDOCK, JAS. M. MEAD, FRANCIS J. MYERS, FRANK P. BRIGGS, SHERIDAN DOWNEY, THEODORE FRANCIS GREEN, ROBERT F. WAGNER, BRIEN MCMAHON, DAVID I. WALSH, ELBERT D. THOMAS, CLAUDE PEPPER, ELMER THOMAS, JAMES E. MURRAY, WARREN G MAGNUSON, HUGH B. MITCHELL, JAMES M. TUNNELL, FORREST C. DONNELL, WAYNE MORSE, LEVERETT SALTONSTALL, W. A. STANFILL, ROBERT M. LA FOLLETTE, JR., HUGH BUTLER, H. ALEXANDER SMITH, B. 3. HICKENLOOPER, RAYMOND R. WILLIS, ROBT. A. TAFT, WILLIAM LANGER, GUY CORDON, OWEN BREWSTER, HOMER FERGUSON, ARTHUR CAPPER, CHAS. W. TOBEY, KENNETH S. WHERRY, CLYDE M. REED, HOMER E. CAPEHART, JOSEPH H. BALL, C. WAYLAND BROOKS, THOS. C. HART, GEORGE D. AIKEN, WILLIAM F. KNOWLAND.

Mr. BARKLEY. Mr. President, under the rule the Senate would be required to vote 1 hour after the Senate meets on the second day after the filing of the cloture petition, which would be Saturday at 1 o'clock p. m.

The Senator from New Mexico [Mr. CHAVEZ] the author of the bill, who has been in charge of it, is now ill at his home with a severe cold, and is unable to be present today. I am speaking for him, after conferring with him. Because of a situation which exists in his domestic household, because of the fact that his daughter is to be married at 12 o'clock on Saturday, he asks, and I ask, unanimous consent that instead of voting at 1 o'clock on Saturday, the vote be taken at 4 o'clock p. m. I ask unanimous consent that instead of voting at the hour of 1 o'clock p. m., under the rule, we vote at the hour of 4 o'clock p. m.

The PRESIDENT pro tempore. The Senator from Kentucky asks unanimous consent that instead of voting at 1 o'clock p. m. on Saturday on the petition for cloture, the hour for the vote be fixed at 4 o'clock p. m. Is there objection? The Chair hears none, and it is so ordered.

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. SALTONSTALL. Following the petition for cloture which has just been presented under the rule, are amendments to Senate bill 101 now in order to be offered?

The PRESIDENT pro tempore. The Senator may offer such amendments, so that they may be read before the vote to bring the debate to a close.

Mr. SALTONSTALL. Mr. President, a further parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. SALTONSTALL. If they are offered now, or before 4 o'clock on Saturday, may they then be debated after 4 o'clock on Saturday, provided the motion for cloture is adopted at that time?

The PRESIDENT pro tempore. If it can be done within the limitation of the rule, which allows 1 hour's debate for each Senator.

Mr. SALTONSTALL. I then offer at this time, without discussion, two amendments which are printed under my name, and designated as amendments intended to be proposed by me to the bill.

The PRESIDENT pro tempore. The amendments will be received and filed, to be taken up under the conditions named.

Without objection, they will be considered in compliance with the rule, and printed in the RECORD.

The amendments intended to be proposed by Mr. SALTONSTALL are as follows:

Amendment intended to be proposed by Mr. SALTONSTALL to the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, viz: On page 7, after line 7, strike out lines 8 to 16, inclusive, and insert in lieu thereof the following:

"(B) Whenever it is alleged that any person has engaged in any such unfair employment practice, the Commission, or any referee, agent, or agency designated by the Commission for such purpose, shall cause prompt investigation to be made in connection therewith; and if the Commission shall determine after such investigation that probable cause exists for crediting the allegations of the complaint, it shall immediately endeavor to eliminate the unlawful employment practice complained of by conference, conciliation, and persuasion. Neither the Commission nor any officer or employee of the Commission shall disclose what has transpired in the course of such endeavors.

"In the case of failure so to eliminate such practice, or in advance thereof if in the judgment of the Commission, circumstances so warrant, the Commission shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect and containing a notice of hearing before the Commission or a member thereof, or before a designated referee, agent, or agency at a place therein fixed not less than 10 days after the serving of said complaint."

Amendment intended to be proposed by Mr. SALTONSTALL to the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, viz: On page 8, beginning with line 10, strike out down through and including line 16, on page 9, and insert in lieu thereof the following:

"(e) The Commission shall have power to petition any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) or, if all the circuit courts of appeals to which application might be made are in vacation, any district court of the United States, within any circuit or district, respectively, wherein the unfair employment practice in question was alleged to have occurred, or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court to which petition is made a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and the order of the Commission. Upon such filing the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding and of the question determined therein, including questions of fact and questions of law, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Commission. The findings of the Commission as to the facts, if supported by substantial evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Commission, its member, or designated referee, agent, or agency, the court may take and consider such additional evidence. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, subject to review by the appropriate circuit court of appeals if application was made to the district court as hereinabove provided, and by the Supreme Court of the United States upon writ of certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

"(f) Any person aggrieved by a final order of the Commission granting or denying in whole or in part the relief sought may obtain a review of such order in any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) within any circuit wherein the unfair employment practice in question was alleged to have occurred, or wherein such person resides or transacts business, by filing in such court a written petition praying that the order of the Commission be modified or set aside. A copy of such petition shall be forthwith served upon the Commission, and thereupon the aggrieved party shall file in the court a transcript of the entire record in the proceeding, certified by the Commission, including the pleadings and testimony upon which the order complained of was entered and the findings and order of the Commission. Upon such filing, the court shall proceed in the same manner as in the case of an application by the Commission under subsection (e), and shall have the same exclusive jurisdiction to grant to the Commission such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Commission; and the findings of the Commission as to the facts, if supported by substantial evidence, shall in like manner be conclusive.

"(g) The commencement of proceedings under subsection (e) or (f) of this section shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

"(h) Petitions filed under this act shall be heard expeditiously, and if possible within 10 days after they have been docketed."

Mr. MILLIKIN. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. MILLIKIN. Does not the rule require that amendments may not be considered, if cloture is defeated, unless they have been presented and read prior to the decision on cloture?

The PRESIDENT pro tempore. If cloture is defeated, there will be no limitation at all.

Mr. BARKLEY. If cloture is defeated, the bill will stand in the same relationship as though cloture had never been voted upon.

Mr. MILLIKIN. Then I ask, if cloture is sustained, may amendments be debated which have not been presented and read prior to the time of the decision on cloture?

The PRESIDENT pro tempore. Only by unanimous consent.

Mr. MORSE. Mr. President, in accordance with the ruling just made by the Chair, I now offer and send to the desk a substitute amendment to Senate bill 101. I ask for a ruling that it complies with the rule.

The PRESIDENT pro tempore. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment intended to be proposed by Mr. MORSE is as follows:

Amendment (in the nature of a substitute) intended to be proposed by Mr. MORSE to the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, viz: Strike out all after the enacting clause and insert the following:

"That this act may be cited as the 'Fair Employment Practice Act.'

"FINDINGS AND DECLARATION OF POLICY

"SEC. 2. The Congress hereby finds and declares—

"(a) That the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of race, religious creed, or color is contrary to the principles of freedom and equality of opportunity upon which this Nation is built, is incompatible with the provisions of the Constitution, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production and defense, and burdens, hinders, and obstructs commerce.

"(b) That it is the policy of the United States to bring about the elimination of discrimination because of race, religious creed, or color in all employment relations which fall within the jurisdiction or control of the Federal Government.

"UNFAIR EMPLOYMENT PRACTICES DEFINED

"SEC. 3. (a) It shall be an unfair employment practice for any employer within the scope of this act—

"(1) to refuse to hire any person because of such person's race, religious creed, color, national origin, or ancestry;

"(2) to discharge any person from employment because of such person's race, religious creed, color, national origin, or ancestry;

"(3) to discriminate against any person in compensation or in other terms or conditions of employment because of such person's race, religious creed, color, national origin, or ancestry; and

"(4) to confine or limit recruitment or hiring of persons for employment to any employment agency, placement service, training school or center, labor union or organization, or any other source that discriminates against persons because of their race, color, religious creed, national origin, or ancestry.

"(b) It shall be an unfair employment practice for any labor union within the scope of this act—

"(1) to deny full membership rights and privileges to any person because of such person's race, religious creed, color, national origin, or ancestry;

"(2) to expel from membership any person because of such person's race, religious creed, color, national origin, or ancestry; or

"(3) to discriminate against any member, employer, or employee because of such person's race, religious creed, color, national origin, or ancestry.

"(c) It shall be an unfair employment practice for any employer or labor union with-

in the scope of this act to discharge, expel, or otherwise discriminate against any person because he has opposed any practices forbidden by this act or because he has filed a charge, testified, or assisted in any proceeding under this act

"SCOPE OF ACT

"SEC. 4. (a) This act shall apply to any employer having in his employ 50 or more persons, who is (1) engaged in interstate or foreign commerce or in operations affecting such commerce; (2) under contract with the United States or any agency thereof or performing work, under subcontract or otherwise, called for by a contract to which the United States or any agency thereof is a party, awarded, negotiated, or renegotiated as hereinafter provided in section 8 of this act

"(b) This act shall apply to any labor union which has 50 or more members who are engaged in interstate or foreign commerce or in operations affecting such commerce or employed by the United States or any Territory, insular possession, or instrumentality thereof.

"(c) This act shall apply to the employment practices of the United States and of every Territory, insular possession, agency, or instrumentality thereof, except that subsection (b) of section 6, providing for enforcement by the courts, shall not apply in any case of any department or independent agency of the United States; but in any such case the Fair Employment Practice Commission established by section 5 of this act shall make a report to the President, and it shall thereupon be the duty of the President to take such measures as he deems appropriate to prevent such department or agency from engaging in an unfair employment practice.

"FAIR EMPLOYMENT PRACTICE COMMISSION

"SEC. 5. (a) There is hereby created a commission to be known as the Fair Employment Practice Commission (hereinafter referred to as the 'Commission'), which shall be composed of five members who shall be appointed by the President, by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of 1 year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years, and one for a term of 5 years, but their successor shall be appointed for terms of 5 years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as chairman of the Commission. Any member of the Commission may be removed by the President upon notice and hearing for neglect of duty or malfeasance in office, but for no other cause.

"(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission and three members of the Commission shall at all times constitute a quorum.

"(c) The Commission shall have an official seal which shall be judicially noticed;

"(d) Each member of the Commission shall receive a salary at the rate of $10,000 a year, and shall not engage in any other business, vocation, or employment.

"(e) When three members of the Commission have qualified and taken office, the Committee on Fair Employment Practice established by Executive Order No. 9346 of May 27, 1943, shall cease to exist. All employees of the said committee shall then be transferred to and become employees of the Commission, and all records, papers, and property of the committee shall then pass into the possession of the commission.

"(f) The principal office of the Commission shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place and may establish such regional offices as it deems necessary. The Commission may, by one or more of its members or by such agents or agencies as it may designate, conduct any investigation, proceeding, or hearing necessary to its functions in any part of the United States.

"(g) The Commission shall have power—

"(1) to appoint such officers and employees as it deems necessary to assist it in the performance of its functions;

"(2) to cooperate with or utilize regional, State, local, and other agencies and to utilize voluntary and uncompensated services;

"(3) to pay to witnesses whose depositions are taken or who are summoned before the Commission or any of its agents or agencies the same witness and mileage fees as are paid to witnesses in the courts of the United States;

"(4) to issue from time to time, such regulations as it deems necessary to regulate its own procedure and the appearance of persons before it, and to amend or rescind, from time to time, any such regulation whenever it deems such amendment or rescission necessary to carry out the provisions of this act;

"(5) to serve process or other papers of the Commission, either personally, by registered mail, or by leaving a copy at the principal office or place of business of the person to be served; and

"(6) to make such technical studies as are appropriate to effectuate the purposes and policies of this act and to make the results of such studies available to interested Government and nongovernmental agencies.

"DUTIES OF THE COMMISSION

"SEC. 6. (a) It shall be the duty of the Commission to bring about the removal of discrimination in regard to hire, or tenure, terms, or conditions of employment, or union membership, because of race, religious creed, or color—

"(1) by making comprehensive studies of such discrimination in different metropolitan districts and sections of the country and of the effect of such discrimination, and of the best methods of eliminating it;

"(2) by formulating, in cooperation with other interested public and private agencies, comprehensive plans for the elimination of such discrimination, as rapidly as possible, in regions or areas where such discrimination is prevalent;

"(3) by publishing and disseminating reports and other information relating to such discrimination and to ways and means for eliminating it;

"(4) by conferring, cooperating with, and furnishing technical assistance to employers, labor unions, and other private and public agencies in formulating and executing policies and programs for the elimination of such discrimination;

"(5) by receiving and investigating complaints charging any such discrimination and by investigating other cases where it has reason to believe that any such discrimination is practiced; and

"(6) by making specific and detailed recommendations to the interested parties in any such case as to ways and means for the elimination of any such discrimination.

"(b) Whenever the Commission finds that any person has engaged in any unfair employment practice within the scope of this act and that the Commission is unable to eliminate such unfair employment practice by use of the means specified in subsection (a), the Commission may apply to the appropriate district court of the United States for an order enjoining such person from engaging in such unfair employment practice; and upon a showing by the Commission that such person has engaged in or is about to engage in such unfair employment practice, the court may grant without bond a permanent or temporary injunction, restraining order, or other order prohibiting such person from engaging in such practice.

"(c) The Commission shall at the close of each fiscal year report to the Congress and to the President describing in detail the investigations, proceedings, and hearings it has conducted and their outcome, the decisions it has rendered, and the other work performed by it, and shall make such recommendations for further legislation as may appear desirable. The Commission may make such other recommendations to the President or any Federal agency as it deems necessary or appropriate to effectuate the purposes and policies of this act.

"INVESTIGATORY POWERS

"SEC. 7. (a) For the purpose of all investigations, proceedings, or hearings which the Commission deems necessary or proper for the exercise of the powers vested in it by this act, the Commission, or its authorized agents or agencies, shall at all reasonable times have the right to examine or copy any evidence of any person relating to any such investigation proceeding, or hearing.

"(b) Any member of the Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence relating to any investigation, proceding, or hearing before the Commission, its member, agent, or agency conducting such investigation, proceeding, or hearing.

"(c) Any member of the Commission, or any agent or agency designated by the Commission for such purposes, may administer oaths, examine witnesses, receive evidence, and conduct investigations, proceedings, or hearings

"(d) Such attendance of witnesses and the production of such evidence may be required, from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

"(e) In case of contumacy or refusal to obey a subpena issued to any person under this act, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the investigation, proceeding, or hearing is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency there to produce evidence if so ordered, or there to give testimony relating to the investigation, proceeding, or hearing; any failure to obey such order of the court may be punished by it as a contempt thereof.

"(f) No person shall be excused from attending and testifying or from producing documentary or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

"GOVERNMENT CONTRACTS

"SEC. 8. (a) All contracting agencies of the Government of the United States shall include in all contracts hereafter awarded, negotiated, or renegotiated by them, except such classes of contracts as may be exempted from the scope of this provision by regulations of the Commission, a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, religious creed, color, national origin, or ancestry, and requiring him to include a similar provision in all subcontracts.

"(b) No contract shall be awarded or executed by the United States or any agency

thereof to any person found by the Commission to have violated any such provision of such a contract or to any firm, corporation, partnership, or association in which such person has a controlling interest, for a period to be fixed by the Commission not to exceed 3 years from the date when the Commission determines such violation to have occurred. The Commission may by subsequent order, for good cause shown, reduce any period so fixed. The Comptroller General is authorized and directed to distribute a list to all agencies of the United States containing the names of such persons."

Amend the title so as to read: "A bill to prohibit discrimination in employment because of race, religious creed, color, national origin, or ancestry."

Mr. MORSE. Let me say, in regard to the printing of the substitute, that as it was printed last night a word which I had written in handwriting, "religious" is printed in the amendment as "religions." I should like to have a correction made, so that the word will read "religious."

The PRESIDENT pro tempore. Without objection, the correction will be made.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. WHERRY. Following the ruling of the Chair, the distinguished Senator from Massachusetts offered his amendment. Do I correctly understand that if such amendments are not read, even though cloture should prevail, the amendments may not be debated after the vote on cloture is taken, without unanimous consent?

The PRESIDENT pro tempore. Unless they have been presented and read by 4 o'clock p. m. on Saturday or their reading waived by unanimous consent.

Mr. WHERRY. Then is it in order that the amendments be read between now and the time the cloture petition is voted upon?

The PRESIDENT pro tempore. The Senator is correct, unless the reading is waived.

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. SALTONSTALL. By offering the amendments and sending them to the desk at this time, are not all the rules complied with, so that such amendments may be debated and presented for a vote after cloture is voted upon?

The PRESIDENT pro tempore. The Senator must present them now in order that they may be pending and argued after 4 o'clock p. m. on Saturday.

Mr. SALTONSTALL. So all the rules have been complied with.

Mr. BARKLEY. Mr. President, I ask unanimous consent that all amendments which have been offered or may be offered before 4 o'clock p. m. on Saturday be considered as having been offered in compliance with the rule.

The PRESIDENT pro tempore. Is there objection?

Mr. RUSSELL. Mr. President, may we have the request stated?

Mr. BARKLEY. I ask unanimous consent that all amendments which have been offered or may be offered between now and 4 o'clock p. m. on Saturday be considered as having been offered in compliance with the rule, which means that they will be pending if cloture should be agreed to. As the Senator knows, under the rule they may not be offered after the vote on cloture, if cloture should be adopted, except by unanimous consent.

Mr. RUSSELL. I am well aware of that. But is the Senator asking that any amendment may be sent to the desk, without Senators being apprised of the contents?

Mr. BARKLEY. No. I mean any amendments offered from the floor during sessions of the Senate, up until 4 o'clock p. m. on Saturday. I ask unanimous consent that they be considered as having been offered under the rule, and in compliance with the rule. I think that is the rule anyway.

Mr. RUSSELL. The Senator is as badly in error in that respect as he is in regard to the ruling of the Chair. The rule provides that amendments must be offered and read.

Mr. MILLIKIN. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. MILLIKIN. Assuming that we have a favorable vote on cloture, if any Senator wishes to debate an amendment, must not the amendment have been presented and read prior to the vote on cloture?

The PRESIDENT pro tempore. Under the rule, it must have been presented prior to that time.

Mr. BARKLEY. Mr. President, I did not mean to obviate the necessity of reading the amendment. I think that is what the rule means. I did not mean to abrogate the rule my asking that a Senator be permitted merely to send his amendment to the desk.

The PRESIDENT pro tempore. Does the Senator wish to change his unanimous-consent request?

Mr. BARKLEY. If that was the impression I gave, it was an erroneous impression. I ask unanimous consent that all amendments presented and read under the rule, up until 4 o'clock p. m. on Saturday, be regarded as having been offered in compliance with the rule.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. SALTONSTALL. Mr. President, have not the rules been complied with so that the amendments which I have offered may be debated and voted upon after 4 o'clock p. m. on Saturday?

The PRESIDENT pro tempore. The Parliamentarian advises the Chair that the Senator has complied with the rule.

Mr. MILLIKIN. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. MILLIKIN. Is not the Senator's right to debate his amendment, assuming that cloture is adopted, conditioned upon unanimous consent?

The PRESIDENT pro tempore. No; he has 1 hour, which he may use in any way he desires.

Mr. MILLIKIN. I note that rule XXII provides as follows:

Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time.

Perhaps I did not make my question clear. I ask the Chair, would not consent be required under those circumstances?

The PRESIDENT pro tempore. Not to debate the amendment, but only to offer a new amendment that had not been previously read.

Mr. KNOWLAND. Mr. President, I should like to ask the majority leader a question.

Mr. BARKLEY. I shall be glad to try to answer it.

Mr. KNOWLAND. I am not certain that I am clear on the point raised by the Senator from Massachusets (Mr. SALTONSTALL). As I understand, he has presented his amendment, but the amendment has not yet been read. My question is, Will an opportunity be given between now and 4 o'clock p. m. on Saturday for the amendments which have been sent to the desk to be read, so that they will comply with the rule?

Mr. BARKLEY. Undoubtedly.

The PRESIDENT pro tempore. A special agreement was made about the two amendments submitted by the Senator from Massachusetts. He requested unanimous consent that they might be offered and considered as read; and, under the rule, he is entitled to that.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. WHERRY. If other amendments are offered between now and the hour at which we are to vote on the cloture motion, will there have to be a special agreement as to them?

The PRESIDENT pro tempore. Under the rule, they would have to be read; but the rule may be waived and the amendment printed in the RECORD, which would be deemed as a compliance with the rule.

Mr. WHERRY. Would there have to be unanimous consent to that effect?

Mr. BARKLEY. No; they can be offered and read prior to 4 o'clock on Saturday.

Mr. WHERRY. Prior to 4 o'clock on Saturday?

The PRESIDENT pro tempore. Yes, under the rule.

Mr. MORSE. Mr. President, a few moments ago I submitted and sent to the desk an amendment in the nature of a substitute for Senate bill 101. I was laboring under the impression that the unanimous-consent agreement obtained by the majority leader would not make it necessary for me to request between now and 4 o'clock on Saturday that my amendment in the nature of a substitute be read.

The PRESIDENT pro tempore. The reading of the Senator's amendment was waived—which makes it in compliance with the rule.

Mr. MORSE. That puts my amendment in the same position as that of the

amendments offered by the Senator from Massachusetts; does it?

The PRESIDENT pro tempore. Exactly.

THE FULL EMPLOYMENT BILL—STATUS OF CONFERENCE REPORT

Mr. BARKLEY. Mr. President, I desire to call the attention of the Senate to the fact that the House has adopted the conference report on Senate bill 380, commonly known as the full employment bill. I hope that tomorrow there may be an opportunity to bring the conference report to the attention of the Senate and have it disposed of.

CONFIRMATION OF NOMINATION

Mr. BARKLEY. Mr. President, there is only one nomination on the Executive Calendar. I request that as in executive session, it be considered at this time.

The PRESIDENT pro tempore. Is there objection? Without objection, the nomination will be stated.

DEPARTMENT OF LABOR

The legislative clerk read the nomination of William S. Tyson, of North Carolina, to be Solicitor of Labor, Department of Labor.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed, as in executive session.

Mr. BARKLEY. I ask that the President be notified forthwith of the confirmation.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Military Affairs.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. BARKLEY, from the Committee on Banking and Currency:

Henry A. Mulligan, of New York, to be a member of the Board of Directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1946 (reappointment).

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundary postmasters.

FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed the consideration of the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry.

Mr. BARKLEY. Mr. President, I wish to have it understood, in accordance with the agreement with the Senator from Louisiana [Mr. ELLENDER], that when the Senator from Louisiana yielded to me he did not lose the floor, and that that understanding will apply to the session tomorrow, no less than to the session today.

The PRESIDENT pro tempore. Without objection, the Senator from Louisiana will hold the floor.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 41 minutes p. m.) the Senate took a recess until tomorrow, Friday, February 8, 1946, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 7 (legislative day of January 18), 1946:

APPOINTMENTS IN THE REGULAR ARMY

CHIEF OF ORDNANCE

Maj. Gen. Everett Strait Hughes (colonel, Ordnance Department), Army of the United States, for appointment in the Regular Army of the United States as Chief of Ordnance, with the rank of major general, for a period of 4 years from date of acceptance, vice Lt. Gen. Levin Hicks Campbell, Jr., who retires on May 31, 1946.

TO BE ASSISTANTS TO THE CHIEF OF ORDNANCE, WITH THE RANK OF BRIGADIER GENERAL, FOR A PERIOD OF 4 YEARS FROM DATE OF ACCEPTANCE

Maj. Gen. Gladeon Marcus Barnes (colonel, Ordnance Department), Army of the United States, vice Brig. Gen. Earl McFarland, United States Army, retired.

Maj. Gen. Henry Benton Sayler (colonel, Ordnance Department), Army of the United States, vice Maj. Gen. Charles Tillman Harris, Jr.

SELECTIVE SERVICE

J. Watt Page for appointment as State director of selective service for Texas under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940, as amended.

Compensation for the position of State director of selective service for Texas will be at the rate of $7,175 per annum.

Vivian B. Collins for appointment as State director of selective service for Florida under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940, as amended.

Compensation for the position of State director of selective service for Florida will be at the rate of $5,600 per annum.

CONFIRMATION

Executive nomination confirmed by the Senate February 7 (legislative day of January 18), 1946:

DEPARTMENT OF LABOR

William S. Tyson to be Solicitor of Labor.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 7, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, the giver of all good, lead us to those spiritual heights where our very loftiness of thought and feeling become our best defense. Here we behold the Christ, waiting with long patience to unveil the face of God; here we learn that he who exalteth himself shall be humbled, and he that humbleth himself shall be exalted.

O keep Thou the springs of our national life unpolluted and cause us to understand that intellect alone cannot solve our problems. We pray that more of the human heart may enter into the rigor of toil, the drudgery of service, and the harshness of law. Not by might, not by power, but by My Spirit, saith the Lord; otherwise the lamp of hope burns low and the stars grow dim. As there is no wealth but life, O vitalize us anew with this great force, lest we become mere reformers and temporal opportunists, rather than custodians of a day destined to move upward and onward. Amen.

The Journal of the proceedings of yesterday was read and approved.

APPOINTMENT OF FACT-FINDING BOARDS TO INVESTIGATE LABOR DISPUTES

The SPEAKER. The unfinished business is the reading of the engrossed copy of H. R 4908.

The Clerk read the engrossed bill, as follows:

H. R. 4908

An act to provide for the appointment of fact-finding boards to investigate labor disputes seriously affecting the national public interest, and for other purposes

Be it enacted, etc.—

SHORT TITLE

SECTION 1. That this act may be cited as the "Labor Disputes Act, 1946."

DECLARATION OF POLICY

SEC. 2. It is declared to be the policy of the United States that labor disputes affecting the public interest should be settled fairly and, so far as possible, without interruption or delay in the production and distribution necessary to the public interest, and to that end it is the duty of both employers and employees to bargain in good faith. The right of labor to organize and bargain collectively with employers is one of the cornerstones of competitive enterprise. The processes of such bargaining must be protected and strengthened. Government is no less the guardian of the general welfare than of individual freedom. In a complex society warfare in one section of industry affects many others.

Government decision should not be substituted for free agreement, but governmental machinery to promote peaceful settlement of disputes should be improved. Demands of either labor or management should be kept within the bounds of reason and fairness, and both sides must recognize the rights of the general public.

The desired end of bargaining between management and labor is a contract. Once that contract is made, it must be equally binding and enforceable on both parties. Free collective bargaining and contracts resulting therefrom must not be nullified or destroyed by resort on either side to willful violence or unlawful possession, obstruction, or destruction of property. Collective bargaining requires that labor be on one side of the table and management on the other. The separate positions, responsibilities, duties, powers, and rights of labor and management must be maintained.

Legislation has heretofore been enacted to guarantee the right of collective bargaining. It is equally important that legislation be enacted to protect the rights of labor, industry, and the general public in the processes of collective bargaining. Wrongful and

unlawful conduct on either side is destructive of collective bargaining; and conduct in pursuit of objectives that are not proper and legitimate objectives of collective bargaining and which are detrimental to the interests of the general public are likewise destructive of collective bargaining. The use of force, violence, and compulsion are declared to be against public policy, as they violate the principles of freedom and self-government upon which our Government was formed and the purposes for which it was founded.

To aid in the voluntary and expeditious settlement of labor disputes affecting the public interest, therefore, there are hereby established additional facilities and procedures for the application of collective bargaining, conciliation, mediation, and arbitration.

LABOR-MANAGEMENT MEDIATION BOARD

SEC. 3. (a) Membership: There is hereby created in the executive branch of the Government a board to be known as the Labor-Management Mediation Board (in this act called the Board), which shall be composed of six or more members appointed by the President, as the President from time to time finds that the work of the Board requires. The Board shall consist of a number of members representative of employers, a like number representative of employees, and a number of disinterested members representative of the public (in this act called, respectively, employer members, employee members, and public members). The President shall appoint, by and with the advice and consent of the Senate, a Chairman, a Vice Chairman, and secretary of the Board from among the public members. The terms of the first Chairman, Vice Chairman, and secretary shall begin as soon as they qualify, and expire as designated by the President at the time of nomination, one on February 1, 1948, one on February 1, 1949, and one on February 1, 1950. The terms of office of all successors shall expire 3 years after the expiration of the terms for which their predecessors were appointed; but any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired term of his predecessor. The President is also authorized to appoint such number of alternate public members, alternate employer members, and alternate employee members as he deems appropriate, subject to salary appropriations approved by the Congress. Upon designation by the Chairman, an alternate member may serve upon the panels provided for in section 6, and may serve as a substitute for any absent regular member in the same representative group, with full power to act as a regular member of the Board.

(b) Terms and salaries: The members and alternate members, other than the Chairman and Vice Chairman, shall be appointed for such terms and shall receive such compensation for their services as the President shall, from time to time, determine. The Chairman shall receive compensation at the rate of $12,000 per annum; the Vice Chairman and the secretary shall receive compensation at the rate of $10,000 per annum.

(c) Meetings: The Board shall meet on call of the Chairman or on the written request of a majority of the Board filed with the secretary. In the absence of the Chairman of the Board, the Vice Chairman shall be authorized to act as Chairman. The Chairman shall designate some public member or alternate public member of the Board to act as Chairman in the absence of both the Chairman and Vice Chairman. Two members or alternate members from each representative group shall constitute a quorum of the Board. The Board shall have an official seal which shall be judicially noticed.

(d) Organization powers: The Board is authorized to employ and fix the compensation of such officers and employees not otherwise provided for, as may be necessary, within appropriations made therefor by the Congress. The Board may establish or utilize such regional, local, or other agencies and utilize such voluntary and uncompensated services and, with the approval of the President, the services and facilities of, such other departments and agencies of the Government as may from time to time be needed. The Board may delegate to any public member or alternate public member or to an executive secretary such administrative duties relating to the internal management of the Board's affairs as it may deem appropriate: *Provided, however,* This provision shall not apply to the Bureau of Internal Revenue, Federal Social Security Agency, or any other department or agency of the Government which holds as confidential any and all information submitted to it.

(e) Office of the Board: The principal office of the Board shall be in the District of Columbia, but it may meet and exercise any or all of its powers in any other place.

(f) The National Mediation Board created by the Railway Labor Act, as amended by the act approved June 21, 1934 (Public, No. 442, 73d Cong.), shall hereafter be known as the National Carrier Mediation Board.

DUTIES OF LABOR AND MANAGEMENT

SEC. 4. (a) Employers, employees, and their respective representatives shall have the following duties in the public interest:

(1) Duty of employer: It shall be the duty of an employer to refrain from conducting a lock-out until after the expiration of 5 days from the date on which such employer or his representative has given to the Chairman of the Board the written notice of his intention so to do, containing a statement of his reasons for such intended lock-out; and if the Board within such 5 days assumes jurisdiction of the dispute, it shall be the duty of the employer to refrain from conducting the intended lock-out until after the expiration of 30 days from the date of the notice.

(2) Duty of employees: It shall be the duty of employees of an employer to refrain from striking until after the expiration of 5 days from the date on which they, or their representatives, have given to the Chairman of the Board written notice of their intention so to do, containing a statement of their reasons for such intended strike; and if within such 5 days the Board assumes jurisdiction of the dispute, it shall be the duty of the employees to refrain from striking until after the expiration of 30 days from the date of the notice.

(3) It shall be the duty both of employers, their employees, and their respective representatives, to withhold giving the notices provided for in this section until after other available conciliation and mediation procedures have been attempted, and the notices shall state what has been tried.

(b) For the purposes of this section "employer" does not include any person who regularly has in his employ less than 250 individuals.

JURISDICTION OF THE BOARD

SEC. 5. The Chairman, Vice Chairman, and secretary shall determine, in the case of any labor dispute (excluding any matter coming within the purview of the Railway Labor Act), whether such labor disputes is one which substantially obstructs or interferes with interstate or foreign commerce and affects the public interest and cannot be expeditiously adjusted by collective bargaining. If they so determine, the Board shall have jurisdiction of the dispute.

PROCEDURE FOR MEDIATION

SEC. 6. After the Board has taken jurisdiction of a dispute, the Board, under the direction of the Chairman, shall make every reasonable effort to assist the parties to adjust and settle the dispute and make agreements for that purpose. To such end, the Board may utilize, and the Chairman may designate, a mediation panel consisting exclusively of disinterested persons representative of the public, or consisting of one or more persons representative of employers, a like number representative of employees, and a disinterested person or persons representative of the public. The persons designated may be members of the Board, alternate members of the Board, or other persons named by the Board. The Chairman or mediation panel may at any time request the parties to a dispute to negotiate by collective bargaining or to meet with any representatives of the Board.

VOLUNTARY ARBITRATION

SEC. 7. In the event a dispute is not settled by collective bargaining or by mediation under section 6, the Chairman or the mediation panel shall endeavor to induce the parties to the dispute voluntarily to submit their differences to arbitration. If the parties consent to such arbitration, they shall file with the Board a notice of the agreement to arbitrate the dispute. The award of the arbitrator shall be filed with the Board and shall be binding upon all parties consenting to such arbitration.

MAINTENANCE OF STATUS QUO

SEC. 8. (a) After the Board has taken jurisdiction of a dispute as provided in section 6, the Chairman, in order to effectuate the purposes of this act, shall have the power to issue an order (1) requiring any person to refrain or cease and desist from cailling, or assisting in any manner, a strike arising out of such dispute; or (2) requiring the employer, who is involved in the dispute, to refrain or cease and desist from practices which change the situation existing at the time the dispute arose, or which by changing an existing situation which led to the dispute and which the Chairman deems shall be prejudicial to the prompt settlement of the dispute. No order of the Chairman or process of any court under this act shall require an individual employee to render labor or services without his consent nor shall any provision of such order or process be construed to make the refusal to work of an individual employee a violation of such order or process or otherwise an illegal act.

(b) Such order shall be effective for such period as the Chairman shall determine, but shall in no event be effective for a longer period than 30 days from the date on which the Board took jurisdiction.

(c) The Attorney General, at the request of the Chairman, during such 30-day period of jurisdiction, shall petition any district court of the United States, in any State or in the District of Columbia, or the United States court of any Territory or possession, within the jurisdiction of which any person to whom an order is directed resides, transacts business, or is found, for the enforcement of such order, and for appropriate temporary relief or restraining order. Upon the filing of such petition, the court shall have jurisdiction of the proceedings, and shall have power, during, but not beyond, the Board's 30-day period of jurisdiction, to grant such temporary relief or restraining order and to make and enter a decree enforcing the order of the Chairman. Notice or process of the court under this section may be served in any judicial district, either personally or by leaving a copy thereof at the residence or principal office or place of business of the person to be served. Petitions filed under this section shall be heard with all possible expedition. The judgment and decree of the court shall be subject to review by the appropriate circuit court of appeals, or by the United States Court of Appeals for the District of Columbia in the case of a judgment of the District Court of the United States for the District of Columbia, and by the Supreme Court of the United States upon writ of certiorari.

(d) When granting temporary relief or restraining order, or making or entering a decree enforcing an order of the Chairman, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the act entitled "An act to amend the Judicial Code, to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932, except that sections 11 and 12 of such act shall apply in cases of contempt.

REGULATIONS OF THE BOARD

SEC. 9. The Board shall have authority, in conformity with the provisions of this act, from time to time to make, amend, and rescind regulations providing appropriate procedures for carrying out the powers vested in it.

SEC. 9A. It shall be the further duty of the Board to make a broad and comprehensive study of the field of labor-management relations from the viewpoint of both labor, industry, and the public to determine what adjustments are necessary to promote continuity and regularity of employment, industrial peace, and the uninterrupted production and distribution of goods and services for commerce. The Board shall make its final report to the President and to the Congress, including recommendations with respect to legislation, not later than June 30, 1946.

MISCELLANEOUS PROVISIONS

SEC. 10. Binding effect of collective-bargaining contracts: All collective-bargaining contracts shall be mutually and equally binding and enforceable against each of the parties thereto, any other law to the contrary notwithstanding. In the event of a breach of any such contract or of any agreement contained in such contract by either party thereto, then, in addition to any other remedy or remedies existing, a suit for damages for such breach may be maintained by the other party or parties in any State or United States district court having jurisdiction of the parties.

SEC. 11. Violence and intimidation: (a) It shall be unlawful for any person, by the use of force or violence or threats thereof, to prevent or to attempt to prevent any individual from quitting or continuing in the employment of, or from accepting or refusing employment by, any employer, or from entering or leaving any place of employment of such employer. The district courts of the United States shall have jurisdiction, notwithstanding the act of March 23, 1932, entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," to enjoin violations and threatened violations of any of the provisions of this section, and by appropriate order or decree to compel compliance with such provisions: *Provided*, said courts shall not issue an injunction against the right to strike, peaceful assembly, or peaceful picketing. Any individual who violates any of the provisions of this section shall on and after such violation cease to have, and cease to be entitled to, the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act, or the status of a representative for the purposes of such act.

(b) An employee whom a preponderance of the testimony taken (in appropriate proceedings before the National Labor Relations Board) shows has willfully engaged in violence, intimidation, or unlawful destruction or seizure of property in connection with a labor dispute involving his employer, or in connection with any organizational activities of a labor organization among employees of his employer, shall not be entitled to reinstatement by, or any back pay from, such employer under section 10 of the National Labor Relations Act.

SEC. 12. Supervisory employees; (a) As used in this section the term "supervisory employee" means an employee whose primary duties consist of—

(1) the direction or supervision of the activities of other employees but who regualarly do no productive manual work; or

(2) the computation of the pay of other employees and does not include persons who are selected by productive workers under established practice; or

(3) the determination of the time worked by other employees, or the supervision or administration of the factors on the basis of which the pay of other employees is computed;

but does not include any employee within the purview of the Railway Labor Act.

(b) Hereafter no supervisory employee shall have the status of an "employee" for the purposes of sections 7, 8, and 9 of the National Labor Relations Act.

SEC. 13. Boycott, and so forth: Whenever any act mentioned in this section shall obstruct or interfere with interstate or foreign commerce (a) it shall be unlawful (1) by means of a concerted refusal to use, handle, or otherwise deal with articles or materials produced or manufactured by any person, to induce or require or to attempt to induce or require another person to recognize, deal with, comply with the demands of, or employ members of, any labor organization; or (2) by means of a concerted refusal to use, handle, or otherwise deal with articles or materials purchased, produced, manufactured, or used by an employer, to induce or require or to attempt to induce or require such employer to recognize, deal with, comply with the demands of, or employ members of, one labor organization instead of another labor organization with which such employer has an applicable collective-bargaining agreement; or (3) by means of a concerted refusal to use, handle, install, or otherwise deal with articles, materials, or parts thereof or tools produced or manufactured by a manufacturer or producer who has produced or manufactured said articles, materials, or parts thereof, and tools during the existence of a contract with a labor union certified to said manufacturer or producer by the National Labor Relations Board.

(b) Whoever violates the provisions of this section (1) shall on and after such violation cease to have, and cease to be entitled to, the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act, or the status of a representative for the purposes of such act; (2) in case such violation is by a labor organization, such organization shall thereof cease to have and cease to be entitled to a status of a representative or labor organization under the National Labor Relations Act, for a period of not less than 90 days, nor more than 6 months.

That notwithstanding the provisions of "an act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," any district court of the United States having jurisdiction of the parties may award either a restraining order or a temporary or permanent injunction restraining any violation of this section, where it shall affirmatively appear from the pleadings and evidence that irreparable injury will otherwise occur due to the perishable nature of the articles or materials referred to in subsection (a), including livestock and live poultry.

SEC. 14. Definitions: As used in this act—

(a) "Person" means an individual, partnership, association, corporation, business trust, or any organized group of persons.

(b) The terms "employer," "employee," "representative "labor organization," and "labor dispute" shall have the same meaning as in section 2 of the National Labor Relations Act. The term "agricultural labor" as used in section 2 (3) of the National Labor Relations Act means any person employed in performing "agricultural labor" as that term is defined in section 1426 (h) of the Internal Revenue Code, as amended.

SEC. 15. If any part of this act shall be held unconstitutional, it shall not affect the validity of the remaining provisions of the act

SEC. 16. There is hereby authorized to be appropriated out of the Treasury any sums necessary to the purposes of this act not otherwise appropriated.

Mr. RANKIN (interrupting the reading of the bill). Mr. Speaker, I ask unanimous consent that the further reading of the engrossed copy of the bill be dispensed with and that it be printed in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. DOYLE. I object, Mr. Speaker.

Mr. BULWINKLE (interrupting the further reading of the bill). Mr. Speaker, I ask unanimous consent that the further reading of the engrossed copy of the bill be dispensed with and that it be printed in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk completed the reading of the bill.

Mr. BALDWIN of New York. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BALDWIN of New York. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read, as follows:

Mr. BALDWIN of New York moves that the bill (H. R. 4908) be recommitted to the Committee on Labor.

Mr. McCORMACK. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. MARCANTONIO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 258, nays 155, answered "present" 1, not voting 16, as follows:

[Roll No. 21]

YEAS—258

Abernethy	Brown, Ga.	Cox
Adams	Brown, Ohio	Cravens
Allen, Ill.	Brumbaugh	Crawford
Allen, La.	Bryson	Cunningham
Almond	Buck	Curtis
Andersen, H. Carl	Buffett	Daughton, Va.
	Bulwinkle	Dirksen
Anderson, Calif.	Burch	Dolliver
Andresen, August H.	Burgin	Domengeaux
	Byrnes, Wis.	Dondero
Andrews, Ala.	Camp	Doughton, N. C.
Andrews, N. Y.	Campbell	Drewry
Arends	Carlson	Durham
Auchincloss	Case, S. Dak.	Dworshak
Baldwin, Md.	Chapman	Earthman
Barden	Chelf	Eaton
Barrett, Wyo.	Chiperfield	Elliott
Bates, Mass.	Church	Ellis
Beckworth	Clark	Ellsworth
Bennett, Mo.	Clason	Elston
Blackney	Clevenger	Ervin
Bland	Clippinger	Fallon
Bolton	Cole, Kans.	Fellows
Bonner	Cole, N. Y.	Fernandez
Boren	Colmer	Folger
Boykin	Cooley	Fuller
Brehm	Cooper	Gamble
Brooks	Courtney	Gary

Gathings	Kilburn	Robsion, Ky.
Gavin	Kilday	Rockwell
Gearhart	Kinzer	Rodgers, Pa.
Gerlach	Landis	Roe, Md.
Gibson	Lanham	Rogers, Fla.
Gifford	Lea	Rogers, Mass.
Gillespie	LeCompte	Russell
Gillette	LeFevre	Sasscer
Gillie	Lyle	Schwabe, Mo.
Goodwin	McConnell	Schwabe, Okla.
Gore	McCowen	Scrivner
Gossett	McGehee	Shafer
Graham	McGregor	Sharp
Grant, Ala.	McKenzie	Short
Grant, Ind.	McMillan, S. C.	Sikes
Gregory	McMillen, Ill.	Simpson, Ill.
Griffiths	Mahon	Simpson, Pa.
Gross	Maloney	Slaughter
Gwinn, N. Y.	Manasco	Smith, Ohio
Gwynne, Iowa.	Mansfield, Tex.	Smith, Va.
Hale	Martin, Iowa	Smith, Wis.
Hall, Leonard W.	Martin, Mass.	Sparkman
	Mason	Springer
Halleck	Mathews	Stefan
Hancock	May	Stevenson
Hand	Merrow	Stewart
Hare	Michener	Stigler
Harness, Ind.	Miller, Nebr.	Stockman
Hartley	Mills	Sumner, Ill.
Hays	Monroney	Sumners, Tex.
Hébert	Mundt	Sundstrom
Hendricks	Murray, Tenn.	Taber
Henry	Norblad	Talbot
Herter	Norrell	Talle
Heselton	O'Hara	Tarver
Hess	Pace	Taylor
Hill	Patman	Thomas, N. J.
Hinshaw	Peterson, Fla.	Thomason
Hobbs	Peterson, Ga.	Tibbott
Hoeven	Phillips	Towe
Holmes, Mass.	Pickett	Trimble
Holmes, Wash.	Ploeser	Vinson
Hope	Plumley	Vorys, Ohio
Horan	Poage	Vursell
Jarman	Price, Fla.	Wadsworth
Jenkins	Priest	Weaver
Jennings	Rains	Welchel
Jensen	Ramey	West
Johnson, Ind.	Rankin	Whitten
Johnson, Luther A.	Reece, Tenn.	Whittington
	Reed, Ill.	Wickersham
Johnson, Lyndon B.	Rees, Kans.	Wigglesworth
	Rich	Winstead
Johnson, Okla.	Richards	Winter
Jones	Riley	Wolcott
Jonkman	Rivers	Wolfenden, Pa.
Judd	Rizley	Wood
Kean	Robertson, N. Dak.	Woodruff, Mich.
Keefe		Worley
Kerr	Robertson, Va.	Zimmerman

NAYS—155

Angell	Feighan	Lane
Bailey	Fenton	Larcade
Baldwin, N. Y.	Flannagan	Latham
Barrett, Pa.	Flood	Lemke
Barry	Fogarty	Lesinski
Bates, Ky.	Forand	Lewis
Beall	Gallagher	Link
Bell	Gardner	Luce
Bender	Geelan	Ludlow
Biemiller	Gordon	Lynch
Bishop	Gorski	McCormack
Bradley, Pa.	Granahan	McDonough
Buckley	Granger	McGlinchey
Bunker	Green	Madden
Butler	Hagen	Mansfield, Mont.
Byrne, N. Y.	Hall, Edwin Arthur	Marcantonio
Canfield	Harless, Ariz.	Miller, Calif.
Cannon, Mo.	Harris	Morgan
Carnahan	Hart	Morrison
Case, N. J.	Havenner	Murdock
Celler	Healy	Murphy
Chenoweth	Hedrick	Murray, Wis.
Clements	Heffernan	Neely
Cochran	Hoch	O'Brien, Ill.
Coffee	Hoffman	O'Brien, Mich.
Cole, Mo.	Holifield	O'Konski
Combs	Hook	O'Neal
Corbett	Howell	O'Toole
D'Alesandro	Huber	Outland
Davis	Hull	Patrick
Dawson	Izac	Patterson
De Lacy	Jackson	Pfeifer
Delaney, James J.	Johnson, Calif.	Philbin
Delaney, John J.	Kearney	Pittenger
	Kee	Powell
D'Ewart	Kefauver	Price, Ill.
Douglas, Calif.	Kelley, Pa.	Quinn, N. Y.
Douglas, Ill.	Kelly, Ill.	Rabaut
Doyle	Keogh	Rabin
Eberharter	Kirwan	Randolph
Elsaesser	Kopplemann	Rayfiel
Engel, Mich.	Kunkel	Resa
Engle, Calif.	LaFollette	Robinson, Utah
Roe, N. Y.	Sheridan	Tolan
Rogers, N. Y.	Smith, Maine	Torrens
Rooney	Snyder	Traynor
Rowan	Somers, N. Y.	Voorhis, Calif.
Ryter	Spence	Walter
Sabath	Starkey	Wasielewski
Sadowski	Sullivan	White
Savage	Thom	Wolverton, N. J.
Sheppard	Thomas, Tex.	Woodhouse

ANSWERED "PRESENT"—1

Knutson

NOT VOTING—16

Arnold	Curley	Norton
Bennet, N. Y.	Dingell	Reed, N. Y.
Bloom	Fisher	Welch
Bradley, Mich.	Fulton	Wilson
Cannon, Fla.	Johnson, Ill.	
Crosser	King	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Knutson for, with Mr. Dingell against.

Mr. Bennet of New York for, with Mr. Crosser against.

Mr. Reed of New York for, with Mr. Bradley of Michigan against.

General pairs until further notice:

Mrs. Norton with Mr. Johnson of Illinois.

Mr. Curley with Mr. Welch.

Mr. Bloom with Mr. Fulton.

Mr. King with Mr. Wilson.

Mr. KNUTSON. Mr. Speaker, I have a live pair with the gentleman from Michigan, Mr. DINGELL. I therefore withdraw my vote of "yea" and vote "present."

The result of the vote was announced as above recorded.

Mr. CASE of South Dakota. Mr. Speaker, I offer a motion to amend the title.

The Clerk read as follows:

Mr. CASE of South Dakota moves to amend the title to read as follows:

"A bill to provide additional facilities for the mediation of labor disputes, and for other purposes."

The motion was agreed to.

A motion to reconsider was laid on the table.

Mr. HOFFMAN. Mr. Speaker, it was not until 11:30 this morning that I had an opportunity to read the amended Case bill as printed in the RECORD. Up to that time, I intended to support the bill, as I have at various times announced from the floor. I intended to vote for it. But when I read these sections, I changed my mind.

Permit me very briefly to refer to the history of the Case bill and the methods by which it was forced through the House.

TWO WRONGS DO NOT MAKE A RIGHT

Blasted out of their complacency by an aroused public, a coalition of southern Democrats and northern Republicans, dominated by its more politically minded Members, hastily threw together strike legislation, gave it to the gentleman from South Dakota [Mr. CASE] who, with the support of the Rules Committee, brought it to the House floor.

In writing the legislation, its sponsors acted without the aid of the Committee on Military Affairs or of the Committee on the Judiciary, both of which have been considering such legislation for several years, and they deliberately refused any recognition of or aid from the Republican members of the Committee on Labor who had made possible the consideration of the bill.

Whether deliberately or inadvertently, but probably through oversight, the writers of the bill failed to include jurisdictional language which would justify the passage of the bill. That defect was remedied by an amendment offered from the floor.

The bill contained a provision purporting to give Federal courts jurisdiction to issue injunctions to prohibit coercion and violence, boycotts, and secondary strikes, in labor disputes. Again, whether because of haste or deliberately, the language was inadequate to accomplish the purpose. This because, while the bill as written gave the Federal courts jurisdiction to issue injunctions, and to that extent repealed that provision of the Norris-LaGuardia Act prohibiting the issuing of injunctions in labor disputes, it did not repeal five subsections of that act which prescribed the method and the degree of proof which must be submitted to the court before an injunction can be issued. Those subsections have made it extremely difficult, in many cases impossible, to obtain an injunction against violence or threatened violence in connection with strikes.

If those drafting the bill knew what they were doing and sincerely desired to give relief in labor disputes by way of injunction, or if they were familiar with Federal legislation, it would seem they would have included a provision making ineffective the "statutory restriction of injunctive relief" contained in section 52 of title 29, United States Code, which expressly states that:

No restraining order or injunction shall be granted by any court of the United States * * * in any case between an employer and employees—

Except when certain conditions, somewhat similar to those contained in the Norris-LaGuardia Act, are complied with.

Many of the Members of the House—and I was one of them—wanted a modification of the proposed injunction relief as written. Some, because they knew that as written it meant little, if anything; others, because injunctions will not give adequate relief against boycotts or secondary strikes in those cases where a large number of men are involved.

As an illustration: Today tug men in New York Harbor have called a strike which seriously affects the food and fuel supply of the city of New York. A court might, under the Case bill, issue an injunction forbidding the men to strike. We all know it would be ineffective because courts cannot compel men to work. The court might issue a mandatory injunction, naming each man and requiring him to go to work. If sustained—but I do not believe it would be—an individual might be put in jail for failure to obey the injunction, but that would not make him work, and, if he was compelled to work with a man standing guard over him, the chances are that his work would be of little value.

What, then, you ask, would I suggest? Time and again I tried to induce the sponsors of this bill to adopt the remedy of, for a short period—I repeat, for a short period—depriving unions and

members of unions of the special privileges granted them under the NLRA if and when they willfully violate the terms of a contract to which they have agreed, or deliberately use threats, coercion, intimidation, or violence in their efforts to impose their will upon others.

As long ago as 1939, I contended, as I do today, that the only adequate, long-time remedy was amendment of the basic labor law, the NLRA, the so-called Wagner law. A majority of the House now agree; but some of those who have been thinking along the lines of political expediency, who have received political support from the National Association of Manufacturers, from State associations of manufacturers, from the heads of farm organizations, from prominent members of the United States Chamber of Commerce, have refused to give consideration to the amendment of the National Labor Relations Act; though, when the present bill came to the floor, they assumed to speak at this late day as the sponsors of needed legislation.

They rejected proposed amendments designed to protect the public from strikes which deprive it of food, water, power, communications, transportation. Taking advantage of the situation, they refused to even consider other amendments offered by several Members of Congress and which the authors of those amendments sincerely thought would give better legislation.

They forced advocates of fair legislation to vote for or against this bill as written, thinking that those who were sincere in their desire for a remedy would vote for the present bill even though they knew it was not the answer to the people's demand. They forced this issue even though, according to the press, some of the leaders have prophesied that it would not be accepted by either the Senate or the President.

They forced the issue on this bill, even though it contains a provision that, for a violation of either section 11 or 13—and a simple assault and battery on the picket line would be a violation of section 11—an employee, a man who must work for his livelihood, shall be deprived of any and all benefits given him by the national labor relations law, and that penalty is imposed without limitation as to time. It is a life sentence denying to a worker the right to join a union, to bargain collectively through his representatives.

Let me quote the penalty contained in section 11, which is similar to the one in section 13:

> Any individual who violates any of the provisions of this section shall on and after such violation cease to have, and cease to be entitled to, the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act, or the status of a representative for the purposes of such act.

I had intended to vote for this bill notwithstanding its other defects, but after this morning reading the bill as amended, and that was the first time it was available; realizing the severity of the penalty, I voted against the passage of the bill, and for that action I have no apologies to make.

Consistently and vigorously I have opposed and sought relief from unjustifiable procedure by union organizers, union officials, and union picket lines, but I never will vote to deprive a man forever of the benefits of a law enacted for his protection just because for a moment he lost his temper, slapped someone's face. Before our so-called labor troubles are appreciably lessened the Congress will by public sentiment be forced to amend the NLRA.

To aid in determining what should or should not be done to aid in diminishing labor disputes and preventing strikes, I have caused to be reprinted in the daily CONGRESSIONAL RECORD of February 1, 1946, the National Labor Relations Act as written and proposed amendments in parallel columns. This will enable those desiring to make amendments to quickly understand what is proposed. No claim is made that these amendments are the answer. They are merely suggestions printed for the convenience of those who are seeking real relief from a lopsided law which, in the opinion of some, has tended to encourage labor disputes, increase the number of strikes. There is nothing new about this proposal. Unlike the present bill, it is not the conception of a small group, some politically minded, working under cover. It is my own proposal offered first in 1939, printed in the RECORD in 1940, and now again suggested.

Having for more than 10 years been an outspoken opponent of intimidation, of coercion, of violence, of unlawful practices followed by union organizers and union politicians, I regret more than anyone will know being forced into the position of apparently opposing legislation said to be designed to remedy the things which I have condemned.

My condemnation of the NRA, of the NLRB, of those labor unions and labor leaders who followed improper, unlawful procedure, does not, however, justify me in voting for a measure which would deprive the laboring man of one of his most cherished rights—the right to bargain collectively with his employer.

If and when the proponents of this legislation bring it back from the Senate, with amendments which will guarantee equal justice under law to all, it will receive my most enthusiastic support.

The penalty provision to which I referred is most unjust; it is unreasonable, and legalizing it just because something is demanded is no answer to our problem.

Mr. FOLGER. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. FOLGER. The gentleman recalls that I offered an amendment to correct that and it was voted down.

Mr. HOFFMAN. Yes, and I offered an amendment which limited the penalty to be imposed upon the union to not more than 6 months.

Depriving a man for life of the benefits conferred in sections 7, 8, and 9 of the National Labor Relations Act just because he violated either section 11 or 13 of the Case bill is medicine which I cannot take.

The eighth amendment to the Constitution of the United States of America reads as follows:

> Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

If the penalty carried in those two sections is not a "cruel and unusual punishment," then I can conceive of none. How the sponsors of this bill can, to the workingmen of America, justify their support of that, their refusal to accept amendments, I cannot understand. Can you?

Mr. TARVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TARVER. Mr. Speaker, I have not participated in the debate on the pending labor bill because of my necessary absence from the floor in presiding over hearings being held both mornings and afternoons on the pending agriculture appropriation bill. I am, however, deeply interested in the subject matter and have given study to the various bills which have been submitted for consideration and to the present bill in its form as amended in the Committee of the Whole.

In the Committee of the Whole, on yesterday, I supported the proposal to substitute for the pending bill, the bill introduced by the gentleman from California, Congressman VOORHIS. There was, of course, no record vote on that proposal. I therefore make my own position a matter of record in this manner since I feel that my constituency has the right to know my position on important subject matters of this type whether record votes are had in connection with them or not.

I feel that the objective of those who are dealing with this controversial issue should be to secure the enactment of legislation. No advantage will accrue to anybody nor to the general public through outbursts of feeling on the part of either those who undertake to voice the wishes of management on this floor or of those who undertake to speak for labor, nor from the attempt to enact legislation which will veer so far in one direction or the other that its very intemperance will destroy the chances of its enactment or of beneficial results therefrom even if it could be enacted. So far as I am concerned, I am not interested in crucifying either labor or industry. I am interested in the enactment of some legislation which may tend to solve the difficulties which exist in labor-management relations at the present time. Such legislation, in order to have a chance of enactment, or a chance of successful administration after enactment must be temperate in character and must be fair in its ultimate objectives both to employers and employees.

I have tried to weigh pending legislative proposals in accordance with these views. After doing so I felt that, while none of the several bills which have been offered here have in my judgment been perfect in character, the Voorhis bill, which proposed in substance the application to industry generally of the provisions of the Railway Labof Act, offered the best hope both of final enactment and of administration in such a way as to bring about relief in present labor-management difficulties. I therefore supported it on yesterday as a substitute

for the Case bill, but it was rejected by a vote of 101 to 183. There then remained pending before the House only the Case bill as it has been amended in the Committee of the Whole. I do not feel that it has the chance either of final enactment or of successful administration that would have been had by the Voorhis substitute, yet Members of the House were faced with the necessity of either supporting the Case bill or voting against the enactment of any legislation at all. I feel very earnestly the necessity for the enactment of legislation. I realize that the Case bill will be revised and reviewed in the Senate and that legislation must be finally worked out which will meet the approval of the President, otherwise it will be vetoed and nothing at all will be accomplished. I have therefore voted for the pending bill as it has been amended because to do so will be to help to expedite the final decision of this problem by the enactment of at least some legislation undertaking to deal in an effective way with the tremendous labor-management difficulties which now exist and which have so greatly impeded the efforts of our people to get our national economy upon a sound basis. That result cannot be obtained unless we are able to bring about peace in industry, and peace in industry will not be secured by legislation which swings too far either toward the side of labor or toward that of management. I reserve the right in voting for the pending bill to compare its provisions with whatever legislation may be worked out in the Senate or in conference committee and may hereafter come before the House as a substitute for the pending proposal, and I shall then vote in accordance with my best judgment and in line with the objectives which I have described and which I feel should be the goal of all of us.

EXTENSION OF REMARKS

Mr. THOMAS of New Jersey asked and was given permission to extend his remarks in the RECORD and include correspondence passing between him and the President of the United States on the subject of the British loan.

PHILIPPINE INDEPENDENCE

Mr. COX. Mr. Speaker, I ask unanimous consent that our colleague the Resident Commissioner of the Philippines, Mr. ROMULO, may at this point address the House for 20 minutes on the subject of Philippine independence.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ROMULO. Mr. Speaker, I have inserted into the RECORD a series of editorials which have appeared in the American press during recent weeks commenting on the current problems of the Filipino people. These editorials reveal what all of us already know—that everywhere in the United States there is a deep and abiding friendship for the Filipino people.

These editorials have appeared in large newspapers and small, in metropolitan daily and country weekly, in the East and in the Middle West and in the Far West. These editorials truly voice the conscience of the American public. They agree, with an impressive unanimity, that we in the Philippines deserve American help in our recovery program, and that we deserve this help right away. They recognize the unbreakable links that bind our two peoples together. They acknowledge the American responsibility to the Philippines in its hour of need. They are the voice of America, and it is a good voice, a friendly and intelligent voice, a helpful and sympathetic voice.

Some of the editorials indicate a very understandable lack of complete information. For example, I find in many a thread of doubt concerning the Filipino desire for independence. One newspaper reports that "many Filipinos look forward with increasing reluctance and apprehension to the prospect of independence 6 months from now." Another quotes "an American observer" as declaring that "80 percent of the Filipinos are leary of immediate independence and wish the United States would wait another 5 years before releasing the islands from its aegis." A third remarks that "already we hear the uneasy whisper that Philippine independence will be premature, that the Filipinos are not ready for it, and that our defense needs forbid it."

Let it be said, to the everlasting credit of American public opinion and the American press, that none of these newspapers recommends unilateral action by the United States to postpone or withhold independence. Not one proposes that the United States refuse to go through with the recognition of Philippine independence next July. What they do say, generally, is that if it is true that many Filipinos do not really want independence so soon, then the United States must indeed listen to their plea—that the initiative must come from the Philippines, however—and that the United States is ready to do whatever the Filipino people ask in this matter.

Mr. Speaker, the time has come to clear this whole thing up, once and for all.

The simple truth is that we want our independence, and we want it on July 4, 1946, and we hope to see the topmost representatives of the American people as our honored guests at the ceremonies in Manila when we take our sovereign place among the family of free nations. That should be as proud a day for America as it is for the Philippines.

We want to go forward. For generations we have dreamed of the moment when our Nation would at last fulfill its destiny, when our 18,000,000 human beings could make their contribution to the welfare and the peace and the progress of the world. That dream is the dream of independence. Not one of us, in the past, ever thought that its fruition would come in the midst of Nation-wide devastation and misery. But that is how the hand of destiny has written our future, and we stand ready for the difficult times ahead of us. We of the Philippines want our independence. Let there be no mistake about this. To us this is a closed matter beyond argument.

Spiritually, Mr. Speaker, there can be no better time for Philippine independence. We shall cross the threshold in a time of dire distress, amid a multitude of difficulties and hardships, with our souls wearied and our bodies wounded and scarred. But, as we enter the era of independence, we leave the era of enemy occupation. Independence will be hard for us, but occupation was harder. Freedom holds no terror for us. For we have tasted the bitter draught of oppression, and we have had our fill. None of the trials, none of the tribulations, none of the complications, that lie before us can possibly be worse than those we went through during the Japanese invasion of our homeland. If we had entered this new phase of our national life 5 years ago, let us say, we might perhaps have left with regret the soft, easy status of wards of America. Today we have passed the test of fire, and our spirit is strong. We face the future, with pride and with hope, without fear and without regret.

I do not deny that some Americans who have been in the Philippines recently have come home with a different impression. And I should like to explain why they labor, quite sincerely, under such a misconception.

Our people is a grateful people. We who have fought the bloody battles of the Philippines, who have felt the grim terror of war in our midst, who have seen our beloved homeland humiliated under the harsh, imperious hand of the invader, are everlastingly grateful to the sons of America who traveled thousands of miles over ocean and jungle to help liberate us. We feel, as a nation, the way the internees at Santo Tomas felt when rescue came—the way the prisoner of Dachau felt when liberation arrived.

Many of your friendly, wise-cracking, heroic GI's have made good friends in the Philippines. They have visited our homes and partaken of our fare. They have enjoyed our fiestas and dated our girls. And often, sitting in the little home of a simple Filipino family, or exchanging small talk with Filipino civilians during a break in their military duties, the American soldiers have struck up conversations on political matters.

A soldier might ask, as thousands seem to have done, "How do you like America?" And the Filipino answer has always come from the heart: "We love and respect America; we feel toward America and the Americans the way we feel toward no other people on earth; we are grateful to America for her help and for our liberation." And then the soldier might ask, as thousands seem to have done: "But what about your independence? Do you really want to cut yourselves away from America, if that is the way you feel about us?" It is hard for a Filipino whose heart brims with gratitude to give a flat and abrupt answer to such a question, framed in such a way. And so our people, who are bred in a tradition of deep courtesy, reply, "Naturally we do not want to divorce ourselves from America."

And so, out of an amalgam of gratitude and courtesy, has grown this widespread misunderstanding of our real desires. But, Mr. Speaker, I know that the sincerest courtesy requires that the truth be told. The truth is that we do want our independence. The truth is that all our people, with few exceptions, want our

country to fulfill its sovereign destiny. The truth is that, in the midst of the presidential election campaign which is now going on in the Philippines, both candidates have come out flatly in support of independence next July and against any idea of turning back, of re-examining, of postponing. If any Filipino politician were to raise his voice against independence today, the voters of the Philippines would rise up and defeat him. Politically, he would be committing suicide.

It is true, of course, that our people look upon independence in a somewhat different light than they did 10 years ago, or even 5 years ago, and possibly this change has misled some American observers into misunderstanding our attitude.

Before the war, we had too frequently come to look upon independence as the millennium for the Philippines. For millions of our people, national independence seemed to be the gate to a golden age of untold wealth and unbounded happiness. Too often there was a tendency to minimize the new and difficult responsibilities of independence, and to concentrate on the outward signs that the Filipino people had at last come of age.

Today few of our people live in such a dream world.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. ROMULO. I yield.

Mr. RANKIN. Under the laws which we have passed, as I understand it, if nothing else is done the Philippines will become independent on the 4th of next July. Is that correct?

Mr. ROMULO. Yes, sir; that is correct.

Mr. RANKIN. So there is nothing we can do to expedite the matter?

Mr. ROMULO. No, sir.

Mr. RANKIN. And unless there is some interference, the Philippine Islands will become independent on July 4, 1946?

Mr. ROMULO. Yes, sir.

Mr. RANKIN. The first resolution I ever introduced in Congress was for complete independence of the Philippine Islands, and I still stand on that proposition. I am delighted that your people are about to have their lofty ambition gratified.

Mr. ROMULO. I thank the gentleman.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. ROMULO. I yield.

Mr. DONDERO. Would the gentleman be able to tell the House what percentage of your people really desire their independence at this time or on July 4, 1946.

Mr. ROMULO. The exact percentage is difficult to say.

Mr. DONDERO. Would you say it is a vast majority of them?

Mr. ROMULO. An overwhelmingly vast majority.

Mr. DONDERO. You would be different from the American people if you did not want your freedom.

Mr. ROMULO. Yes, sir. Thank you.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. ROMULO. I yield.

Mr. STEFAN. The gentleman who is addressing the House, Mr. Speaker, is one of the heroes of Bataan. He saw American and Filipino soldiers fight side by side and saw their blood mingled together. It was not so long ago, Mr. Speaker, that it was the privilege of some of us to go to the Philippine Islands to help inaugurate the Philippine Commonwealth Government, at which time the late Secretary of War Dern, representing the President of the United States, told hundreds of thousands of Filipino people that Uncle Sam always keeps his promise; the Filipino people will have their independence on the 4th of July 1946. I hope, Mr. Speaker, that this House and the committees of the House, who have charge of certain legislation, will bring that legislation to the floor of the House in order to make that independence just a little easier for people who suffered so much for freedom.

Mr. ROMULO. I thank you, sir.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. ROMULO. I yield.

Mr. RICH. When you receive your independence on July 4, 1946, you feel that the people of the Philippine Islands are well able to take care of themselves and look after the welfare of their people, in order that they may have the privileges that go to a country which wants to give its people freedom, liberty, and independence.

Mr. ROMULO. We are ready to suffer the trials and tribulations that freedom may bring with it.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. ROMULO. I yield.

Mr. BRADLEY of Pennsylvania. I want to say that I think the Filipino people have not only earned the right to independence, which I trust will not be delayed, but they also have earned the right to expect a helping hand from the United States in the immediate years which lie ahead of them following their independence.

Mr. ROMULO. I thank the gentleman.

Mr. HARE. Mr. Speaker, will the gentleman yield?

Mr. ROMULO. I yield.

Mr. HARE. Approximately 13 years ago in this month, it was my privilege to be chairman of the committee that reported the first bill for Philippine independence in this House. I was convinced at that time, the committee, some of the members of whom are still here, was convinced, and this Congress was convinced that the Filipino people had met the requirements set up by President McKinley when he pledged that this country would give to the Filipino people their independence as soon as this country felt they were qualified and prepared to establish and maintain a civil government. As I said, the committee was convinced from the testimony submitted, the Congress was convinced from the testimony submitted, that the Filipino people had qualified; and it was a great privilege and pleasure and a great honor for me to participate in that legislation.

I am glad to learn that the time is drawing nigh when this people will be given an opportunity to demonstrate their fitness, demonstrate their ability, and demonstrate their qualifications to maintain and sustain a great democratic system of government, which has been their ideal, as I understand.

Mr. ROMULO. We are indeed grateful to the gentleman from South Carolina.

Mr. CANFIELD. Mr. Speaker, less than 1 week ago I was in Manila and I saw the terrible destruction wrought in that great city. Ten days ago I was on Corregidor looking across that small stretch of water to Bataan where the gentleman in the well of the House and the brave men of the Philippines helped hold back the Japs so long with so little.

I was terribly disappointed when I saw Corregidor. I had pictured it in my mind as an American Gibraltar. What did I see there? Guns of the vintage of 1903 and 1905, 12-inch mortars, 14-inch rifle guns—worse than inadequate. For the life of me I cannot understand how MacArthur's and Wainwright's men and General Romulo's brave Filipinos stood those trials so long.

Yes; I am for Philippine independence and I am for the prompt enactment of those bills now before the committees of the House to bring justice to ruined Manila and our Philippine comrades who stayed with us in our blackest hours.

They were with us when we needed them most. It is only fair that we give our best to them when they need our help. Justice is justice. Let us give it to them, cheerfully, unhesitatingly, and now.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. ROMULO. I yield.

Mr. RANKIN. If it had not been for the court martial and the humiliation of Gen. Billy Mitchell the Philippines would never have been taken by the Japs; and there would have been no Pearl Harbor disaster.

Mr. CANFIELD. May I say further that whenever our military leaders on the rock at Corregidor wanted to bring in some modern guns and equipment the Japs protested that we were violating the Treaty of 1922.

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. ROMULO. I yield.

Mr. JOHNSON of California. In my opinion, the act granting the Philippines independence is one of the most important acts ever passed by the Congress. In the first place, we kept our promise of over 40 years ago that when your country was able to handle its own affairs it should have its freedom.

In the next place, and far more important, is that by granting to the Philippines their independence we have set an example and laid a pattern for other countries to follow, that may be of the greatest importance in bringing peace to the world. Other countries or areas, similar to the Philippines, that are a natural geographic, racial, or economic units may likewise desire their independence and the right to govern themselves. Our example may be a model for other countries to follow in handling colonial areas who may wish to and when able to

handle self government should have it. Imagine what this may mean to the stability of the world. It may ultimately result in the liberation of vast areas and millions of people who, like ourselves, yearn for freedom and the right of self government. The success with which the Philippines handle their freedom may convince other countries having colonial possessions that true progress may be made by granting liberation and autonomy to populations and areas that may be able to handle their liberty and govern themselves.

I should like to add one personal note here, and that is that my youngest brother, a mining engineer, and his wife and baby, who at the time they fled was only 2 months and 15 days old, successfully eluded the Japanese. They were in Japanese-occupied territory—for 39 months. Through the kindness of the Filipinos in not telling where they were or giving word to the Japanese who occupied the area they were able finally to be liberated, came out of the Philippines, went to Leyte, and were taken back to America.

Mr. WHITE. Mr. Speaker, will the gentleman yield for one observation?

Mr. ROMULO. I yield.

Mr. WHITE. As a Member of this House, it is a source of gratification and pride that free and liberal America is seeking to give independence to one of its colonies. It will be an example for the empires all over the world.

Mr. ROMULO. I thank the gentleman from Idaho.

All around us we see the dread mark of war on the face of our islands. We see our ruined cities, our broken economy, our crippled agriculture. We rise from the ashes of victory, beset by fearful wounds and an uncertain future. It is in such an atmosphere that we face the future. Our head is still high. But we are not too proud to realize that we need help. We do not ask for soul-stifling charity, for ease and indolence at the expense of your toil. But we need your help now, so that we may help ourselves.

I do not need to inform the Members that the American High Commissioner to the Philippines, the Honorable Paul V. McNutt, has just returned to Washington from Manila. He has carried with him an urgent appeal for American assistance in the Philippine rehabilitation program. In the statement he issued when he arrived here, Commissioner McNutt said:

> I seek quick action on the essential legislation which must be passed before the Philippines can get rehabilitation under way. * * * Eighteen million Filipinos have their eyes on Washington today to see if the promises we made to them during the war are going to be kept.

Mr. Speaker, that is the first-hand conclusion of an American statesman who has seen with his own eyes the conditions in the Philippines today. He knows how much the Filipino people must depend on America to assist them in rebuilding that which they lost in fighting for America.

When war broke out in December 1941 the Filipino people did not exact any promises from the United States before they would fight. They did not ask for guaranties or pledges. Of their own free will they took up arms to fight the Japanese. And after the fall of Bataan and Corregidor, they did not wait for promises before they formed their resistance groups. They fought, asking for nothing, because they had faith in America. And because they had faith in America, they had faith in the pledges which President Roosevelt and other American leaders voluntarily made to them during that long period of enemy occupation. I am inserting in the RECORD today a brief résumé of the many promises which were made to the Philippines while the war was going on, and after it was won—promises which the Filipinos believed with their whole hearts, promises which all the other peoples in the Orient believed as well. And now, not only 18,000,000 Filipinos but the whole Orient have their eyes on Washington to see if those promises are going to be kept.

I quote further from Mr. McNutt's public statements:

> Independence for the Philippines is a settled fact, but we must take the necessary steps to make that independence a success or we shall lose all the credit we have been building up in the Orient and the world by granting independence to the people of the Philippines.

He appealed for passage of both the Bell trade-relations bill and the Tydings rehabilitation bill, and then he went on to say:

> We are pledged, by act of Congress, by the written words of the President of the United States, and by our national conscience, to bind the wounds inflicted on the Philippine Islands through our war with Japan.
>
> We are pledged to grant the islands their independence on July 4. That pledge will be kept.
>
> But we are also pledged to prepare the islands for independence and to insure the establishment there of a free and democratic republic, which also means a prosperous and going nation. Toward that pledge we have shown a strange indifference.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. ROMULO. I yield to the gentleman from Mississippi.

Mr. RANKIN. Mr. Speaker, we talk about the discovery of the Philippines, and there is the general impression in this country that the Filipinos were savages, which is a mistake. The Filipinos had a high state of civilization at the time of Magellan's adventure, and in the battle against Magellan and his aggressive followers they killed Magellan with steel weapons, which shows they were not living in the stone age, as some people think, but were civilized along with the other nations of that portion of the world.

Mr. ROMULO. I thank the gentleman. I thank all my distinguished colleagues who spoke today. Your expressions of good will and friendship I am sure my people appreciate deeply. May I not ask that you now go further and transmute your statements into action and help me get something tangible from this Congress for the rehabilitation of the Philippines.

Mr. Speaker, in this hour of our national rebirth in the Philippines, we ask for the redemption of the American pledges to which Commissioner McNutt has called attention. We need your help. We count on the legislation now pending before the Congress of the United States—the Bell trade relations bill and the Tydings rehabilitation bill.

For the Filipino people know that economic rebirth must go hand in hand with political rebirth. If we are uncertain, it is because we do not yet know where we stand economically. If we are hesitant, it is because the will of the American people has not yet been fulfilled. If we are uneasy, it is because the lack of a definite policy toward our country makes it well-nigh impossible for us to lay our plans.

But for us there is no turning back. The choice is not that. It is whether we shall embark upon our independence with the spirit of self-confidence and economic strength arising from your help—or whether we shall start falteringly, uneasily, unsure of ourselves, because we do not have your help. That choice is not ours to make. It is up to you.

I have no doubt where the American people stand on this matter. They have made their position clear too long for any of us to misunderstand it. They have spoken through the pledges of their President, their Congress, their press, their every word of friendship. All that is needed now is the final action which will redeem these pledges.

In the name of my 18,000,000 countrymen, I plead with you to take that final action quickly.

PERMISSION TO ADDRESS THE HOUSE

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I voted for the Case bill, H. R. 5262, entitled "Labor Disputes Act, 1946," because I hope it may help to solve some of the present labor-management difficulties the country is experiencing. There can be little question that a large portion of the rank and file of wage earners desire some kind of legislation that will make it possible for them to continue uninterruptedly in their employment. The public at large is strongly demanding action by Congress on this matter.

However, there are some features about this measure which I feel may, in the long run, not work out so well in the interest of the Nation. I refer particularly to the Mediation Board. If such a Board could be always unbiasedly operated, free from poltical influence, it could become a great good. What one must fear nowadays is that there is danger that such influence would be exercized over the Board's activities. I have in mind the recent experience where the President requested the books of the General Motors Corp. be turned over to him for inspection.

I want it understood that in voting for this measure I consider myself in no way bound in the future to support legislation providing for a Mediation Board.

And furthermore, it is very doubtful if the Case bill (H. R. 5262) will go very far in solving the many labor problems confronting our country because the legislation does not go to the root of the trouble. A simple law guaranteeing the right of every person to work wherever he pleases, at whatever compensation he can voluntarily agree upon with the employer without having to pay tribute to anyone would solve most of the employer-employee wage difficulties.

EXTENSION OF REMARKS

Mr. KINZER asked and was given permission to extend his remarks in the RECORD and include a statement made before the Senate Committee on Education and Labor on February 5.

Mr. JONKMAN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. JUDD asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. RICH asked and was giver permission to extend his remarks in the RECORD and include a statement by Arthur Krock appearing in the New York Times of February 7, entitled "Magic of Formula 'That Never Varies'."

Mr. TABER. Mr. Speaker, I ask unanimous consent to revise and extend the remarks which I expect to make in the Committee of the Whole this afternoon and include therein a table which I have prepared with reference to the numbers and costs of employees included in the President's budget.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PHILBIN asked and was given permission to extend his remarks in the RECORD and include a radio address he recently delivered in Springfield, Mass.

Mr. GORDON asked and was given permission to extend his remarks in the RECORD and include a copy of a letter addressed to Secretary of State Byrnes regarding the present trouble with American foreign policy.

Mr. POWELL asked and was given permission to extend his remarks in the RECORD in two instances; to include in one an article appearing in the Architectural Forum, and in the other quotations from Race and Democratic Society.

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a petition signed by my constituents, and I also ask unanimous consent that I be permitted to revise and extend the remarks I expect to make in debate this afternoon on the civil functions appropriations bill and include therein certain statements and figures from the hearings on that bill.

Mr. COFFEE asked and was given permission to extend his remarks in the RECORD and include excerpts from letters and newspaper articles.

Mr. COFFEE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include the opinion of the United States Court of Claims in the case of Robert Morss Lovett et al., against the United States. I am informed by the Public Printer that this will exceed two pages of the RECORD and will cost $221, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

H. R. 4908

Mr. WHITE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WHITE. Mr. Speaker, responding to the request of the President I have been on the floor in support of H. R. 4908 to provide for the appointment of a fact-finding board to investigate labor disputes. I regret that the parliamentary situation has not given me an opportunity to vote for H. R. 4908. I could not support the Case bill, a bill that will take away so many of the hard-won rights of organized labor.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

Mr. LESINSKI. Mr. Speaker, by direction of the Committee on Immigration and Naturalization, I ask unanimous consent that Report No. 1312, Seventy-ninth Congress, first session, Union Calendar 397, be withdrawn.

Mr. MASON. I object, Mr. Speaker.

Mr. MARCANTONIO. I object, Mr. Speaker.

PERMISSION TO ADDRESS THE HOUSE

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent that tomorrow, at the conclusion of the legislative program of the day, and following any special orders heretofore ordered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois.

There was no objection.

LABOR LEGISLATION

Mr. FERNANDEZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. FERNANDEZ. Mr. Speaker, unlike the gentleman from South Dakota [Mr. CASE], sponsor of the labor bill we have just passed, and his supporters, who in debate this week successfully opposed amendments to broaden the scope of his labor bill, and asserted that overall legislation should be considered when the present state of unrest has passed, I have felt right along that unless we did a complete job now we would not have that opportunity later when public interest has subsided.

I felt right along efforts to amend on the floor would be futile. For this reason I voted against the rule bringing up this bill for consideration. This bill, though drastic as against labor, is too limited. Labor unions need some drastic curbs, yes, but so does management, which is equally at fault.

Despite the fact that efforts to broaden it have failed, I have voted for this bill today in the hope that in conference between the House and Senate, the bill will be broadened and that machinery such as that contained in the Hatch-Burton-Ball bill now pending in the Senate will be provided.

Public utilities and other corporations affected with a public interest, are subject to regulation by Government. There is nothing un-American or undemocratic in this, nor in legislation which would require both labor and management in such enterprises to submit to arbitration by Government when collective bargaining, mediation, conciliation, and voluntary arbitration have failed. In no other way can the public be protected, unless it is by seizure of the plants, which is socialistic and in my concept undemocratic. There is no other alternative.

The bill now pending in the Senate, prepared by experts in labor relations, and studied for months, does make such provisions and others equally necessary. I realize, of course, that when both labor and management join hands in opposition to any bill so providing the interests of the public have but little chance, and the possibilities of enacting effective legislation will decrease when the public interest has waned. The present bill, in my opinion, takes it out on labor for its sins, while permitting management to continue serenely on its way, despite the fact that management has shown even less concern for the public in this crisis. I have voted for the bill, however, in the hope it will be broadened in conference. Workers as distinguished from the union leaders would welcome Government arbitration, for they suffer more by their present "trial by combat" methods.

DEMOBILIZATION OF THE ARMED FORCES

Mr. COFFEE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. COFFEE. Mr. Speaker, hundreds upon hundreds of wives of servicemen in my home town of Tacoma, Wash., have banded together in an organization known as the Service Fathers' Release Association.

At a recent meeting of that organization I was presented with some startling material and confronted with complaints of a disturbing character. Among other things discussed was a letter written by a Navy man, who is the 22-year-old father of a 3½-year-old son. This letter was directed to Mrs. Robert J. Moffett, who is chairman of the Tacoma branch of the Service Fathers' Release Association. Because the disclosure of this man's name and exact rank might result in discriminatory penalties being imposed upon him I am omitting his name. The letter is self-explanatory and is as follows:

DEAR MRS. MOFFETT: I'm not only writing this letter for myself but for many unhappy and lonesome fathers on Okinawa and

throughout the Pacific. From day to day we wait for news of our return to the States and our loved ones. We remember and cherish all the happy hours which we spent with our wives and with our children, when they play in the yard and holler with joy and delight of happiness. We can't forget their tender little kisses when we returned home after a hard day's work.

Most people in the States have the idea that these islands are a beautiful paradise. They are completely wrong and should be told the truth. This isn't living; this is torture.

Now that the war has ended, our paradise can be nothing but home. We lie awake at night hoping and thinking of a happy future. We're eating our hearts out for the very things we're entitled to have, our homes, our families, and the good old U. S. A.

I hope our feelings have been somewhat expressed. We pray that your campaign becomes Nation-wide. Please accept this letter of appreciation for your sincere efforts in our behalf. We thank you very much and are happy to know us fathers are being thought of.

From the foregoing, it would appear how deeply moved are these fathers at their continued retention in the far-flung areas of the Pacific, and how they yearn for home and loved ones. The low morale of these men is pitiful.

Here is another letter from a service father in the Army. This boy is located on Okinawa. It is to be noted that this letter was written on last Christmas Day. The letter reveals how strongly many of the GI's feel and their hostility to commissioned officers generally. These boys feel that they are being discriminated against, that there are plenty of ships available, that GI's are being retained deliberately where they are not required.

OKINAWA, *December 25, 1945.*

There is plenty of dirty work going on over here by some officers who are afraid they will lose their commissions.

There was a cablegram from Manila to Okinawa intercepted by some of the enlisted men a few days ago, which stated, "There are 12 ships available for troops of the Okinawa area." The answer from Okinawa was, "We don't need them." So you see there is somebody who doesn't want to get these men off the island.

Furthermore, we have a pretty good reason to believe, the U. S. S. *Exiria*, which is supposed to be in a state of repair, delaying our trip home, is no worse off now than it was when it left the States.

I am personally of the opinion that more ships could be assigned to bringing back the GI's from overseas, that there has been constant bungling, that the delay in returning men after announcements had been made that they would be brought home at an earlier date was a terrible shock, that too many men are being retained in the service in order to justify brass hats holding their present commissioned ranks.

I call upon my colleagues to enact legislation which will force the War and Navy Departments to bring these men back right away.

EXTENSION OF REMARKS

Mr. SADOWSKI asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. ROMULO asked and was given permission to extend his remarks in the RECORD and include some of the commitments made to the Filipino people by American leaders.

Mr. ROMULO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include some of the editorials appearing in the American press on independence and rehabilitation of the Philippines. I am informed by the Public Printer that this will exceed two pages of the RECORD and will cost $234, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. LANE asked and was given permission to extend his remarks in the RECORD in two instances and include in one an article and in the other a newspaper item.

Mr. BONNER asked and was given permission to extend his remarks in the RECORD and include an editorial on the splendid and untiring service of the Honorable Fred M. Vinson.

Mr. LUDLOW asked and was given permission to extend his remarks in the RECORD.

Mr. ROONEY asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. KEFAUVER asked and was given permission to extend his remarks in the RECORD and include excerpts from a radio program in which he and the gentleman from Illinois [Mr. DIRKSEN] participated.

PERSONAL ANNOUNCEMENT

Mr. KING. Mr. Speaker I was unavoidably detained and was unable to be present on the roll call on the Case bill. Had I been present I would have voted "no."

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. MUNDT asked and was given permission to extend his remarks and include an editorial on the subject of the British loan.

THE BREAD SUPPLY

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include a telegram at the end of my speech.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, everybody refers to the farmer as the backbone of the Nation. But when it comes to giving the backbone any strength, then we forget him.

All one has to do to realize what a neglected person the American farmer has become is to read over some of the letters I receive from the farm folks in my district. They say the farmer is going on strike. If he does, nobody will blame him.

The next crisis our dairymen and poultry raisers of the Northeast will face is a feed shortage. According to one complaint that came to my attention, one of the largest cattle-feed distributors in the county is without any grain whasoever.

In the words of this week's issue of the Poultryman, a weekly farm newspaper, "The Northeast is being the first area to feel the pinch of feedstuffs."

In the meantime, the steady shipments of wheat, corn, and other grains continue to foreign countries at a terrific rate.

Just how will the American people feel when suddenly they awake to the fact that the Nation's supply of beef, milk, poultry, and other products from livestock is disappearing because the farmer cannot get feed.

Now that the meat strike has been settled, it will be difficult to blame meat shortage on packinghouse workers.

No, it is time to raise the question, how much grain can we allow to leave the United States and still enjoy the products of the farm. The American people certainly have a priority on our own food supply. It is not right to give other nations the meat, eggs, and dairy products that go for the basic American diet.

I am not trying to alarm you when I say I am deeply concerned over the growing shortage of dairy and poultry feed here in the Northeast. I am therefore introducing a bill in Congress entitled "A bill to prohibit the export of grain from the United States for a certain period":

Be it enacted, etc., That no grain shall be exported from the United States until it is determined by the Secretary of Agriculture that sufficient quantities of said grain have been distributed to areas of the United States now suffering from shortages of livestock and poultry feeds.

(The telegram referred to is as follows:)

BINGHAMTON, N. Y., *February 6, 1946.*

Congressman EDWIN ARTHUR HALL,
Washington, D. C.:

We understand that shipment of wheat and flour abroad and demands for animal feed in the domestic market threaten the white bread supply in this country. The importance of bread as an inexpensive food should be recognized. American people want plentiful supplies of white bread, not brown bread. The baker has suffered from shortages of all kinds during the war and shortages are worse at this time than at any time during the war. A white-flour shortage would be about the last straw for the average baker. We hope the bakers may have your support on this most vital problem.

Mr. SPAULDING,
President, Spaulding Bakery, Inc.

The SPEAKER. The time of the gentleman from New York has expired.

EXTENSION OF REMARKS

Mr. ROBERTSON of North Dakota asked and was given permission to extend his own remarks in the RECORD and include therein a telegram dealing with the present wheat situation of the Nation.

Mr. HERTER asked and was given permission to extend his own remarks in the RECORD and include therein a recent article by Stanley High of Reader's Digest.

Mr. KINZER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a state-

ment by Mr. H. W. Prentis, Jr., president of the Armstrong Cork Co.

I am informed by the Public Printer that the said statement is estimated to make three and one-third pages of the CONGRESSIONAL RECORD at a cost of $173.40. Notwithstanding the cost, I ask unanimous consent that the extension may be made.

The SPEAKER. Notwithstanding and without objection, the extension may be made.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I may address the House for 20 minutes next Tuesday.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CIVIL FUNCTIONS APPROPRIATION BILL, 1947

Mr. SNYDER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5400), making appropriations for the fiscal year ending June 30, 1947, for civil functions administered by the War Department, and for other purposes; and pending that motion, Mr. Speaker, may I inquire of the gentleman from Michigan [Mr. ENGEL] as to the time to be allotted for general debate?

Mr. ENGEL of Michigan. I think not to exceed an hour and a half would be adequate. We are rather anxious to finish the bill today if we can because of the national holiday next week.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent that general debate close at 2:45 o'clock this afternoon, and that we finish the bill, the time for general debate to be equally divided between the gentleman from Michigan [Mr. ENGEL] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 5400, with Mr. STIGLER in the chair.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. SNYDER. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, the committee charged with the responsibility to hear and determine the justifications for appropriations for the civil functions administered by the War Department has discharged its duty and is now ready to submit its findings and conclusions to the House for further determination.

Hearings on this bill before the subcommittee were quite extensive and in view of the heavy duties imposed upon each individual member by other activities, and especially the heavy work in their own offices, I wish to express my appreciation to every member of the committee for the cooperation demonstrated in our efforts to bring before you a bill that we feel is entitled to full support. There are items in the bill that do not have the full endorsement of each Member, but the measure presented here represents the cooperative and combined judgment of the entire membership of the committee.

The bill now before us is to provide funds for the following activities: Cemeterial expenses, Alaska communications system, river and harbor and flood control under the Corps of Engineers, United States Soldiers' Home, and the Panama Canal.

The total amount recommended for these various activities of Government for fiscal year 1947 is $300,987,498. This is an increase over the amount appropriated for the same activities for the present fiscal year of $39,895,958, but the committee, in its careful study of the facts before it, found it possible to recommend a reduction of $36,041,011 from the Budget estimates. In only one item has the committee recommended an increase, that being in the item for rations for members of the United States Soldiers' Home, which I will discuss later and in order.

CEMETERIAL EXPENSES

The amount of $2,433,000 proposed for cemeterial expenses is an increase of $685,300 over the amount appropriated for the present fiscal year. Included in the increase is $71,340 for 5,316 more headstones than were provided for during the present fiscal year. There is an increase for construction work of $105,280, consisting principally of roads and drainage systems which should not be further deferred. Maintenance and repair of cemeteries is increased by $383,786, comprising $118,628 for additional labor and $265,158 for contractual work and supplies. The remainder of the total increase, which is $124,894, is for operating expenses, and consists of $31,725 for personal services, $90,639 for equipment, and $2,530 for miscellaneous expenses.

ALASKA COMMUNICATIONS SYSTEM

The present bill recommends an appropriation of $543,000 for fiscal year 1947 and assumes that signal service of the Army funds will not be made available to cover obligations of the system, as has been the case during the war period. For example, in fiscal year 1945, obligations for the system covered by Alaska communications system funds were $227,840, whereas similar signal service of the Army obligations totaled $2,775,146.

The system provides the framework for all civilian and military communications in Alaska and has been operated by the Signal Corps since 1901. The nucleus of personnel trained in the system prior to World War II made it possible to provide efficient engineering, installation, operation, and maintenance of the greatly expanded communications system required by the Army in Alaska and western Canada between 1941 and 1946.

The recommendation is based on a plan to operate 33 stations in the system—32 in Alaska and a master station at Seattle, Wash. During the war period a total of 46 stations were operated. Twenty-one stations were in operation when the war started.

One hundred and fifty civilian and 300 military personnel will be used to maintain and operate the system. This will reflect a reduction from 350 civilian and 2,000 military personnel during fiscal year 1945. Just prior to the war, 52 civilians and 191 military personnel were used to operate the system.

Receipts from commercial traffic are estimated at approximately $700,000 during fiscal year 1947. The value of Government traffic, if charges were made at commercial traffic rates, is estimated at approximately $2,000,000. Use of radiotelephone facilities will result in increased commercial traffic. Revenue from commercial traffic in fiscal year 1941 exceeded $450,000, and for the preceding several years had increased at a rate of about 10 percent per year.

Increased military activity in Alaska creates most of the growth of Government traffic over prewar levels. The value of Government traffic, estimated at commercial rates, in fiscal year 1941 was $1,162,000. The fiscal year 1945 Government traffic at commercial rates was valued at approximately $8,800,000.

Submarine cable is installed from Seattle, Wash., to Attu, Alaska, by way of Whittier, Alaska, but it is not planned to use this cable west of Kodiak. Present plans contemplate use of the cable between Seattle and Kodiak as long as major rehabilitation is not required.

CORPS OF ENGINEERS

Following the cessation of hostilities, Congress considered supplemental estimates to permit the resumption of Federal public works construction which had been suspended during the war. The First Deficiency Appropriation Act, 1946, appropriated approximately $25,000,000 for resuming the program for rivers and harbors; $85,000,000 for flood control; and $15,000,000 for flood control on the Mississippi River and tributaries. Those amounts have permitted a start on the return to peacetime construction operations on such programs. The amounts here recommended will provide for a continuation of projects for which funds were appropriated in the deficiency act and for continuation of other projects now under way with earlier appropriations.

The war quite properly and necessarily required the suspension of all river and harbor and flood-control works not directly needed for successful conclusion of hostilities, but that gap has also served to emphasize the urgency of returning to peacetime schedules as quickly as possible in accordance with plans carefully studied and authorized by Congress. Major floods have occurred during this interval in several of the larger river basins of the country resulting in tangible flood damages of over $350,000,000

and heavy loss of life, disruption of essential community and industrial activities and other substantial losses of an intangible nature. If the gap in the flood-control construction program had not occurred, many of the projects previously started would have been completed and in operation and a substantial portion of those losses would have been avoided. Many other projects which are not yet started would have now been nearing completion.

Floods are unpredictable but certain to recur. Now that hostilities have been terminated, further delay to full return to peacetime progress on the civil-works program will result in a further extension of our wartime experiences with losses due to inadequate river channels and harbors and lack of flood protection. The dates upon which the various projects in the river and harbor and flood-control programs will be completed and placed in operation to provide the benefits to the commerce and security of the Nation, for which they have been authorized by Congress, depend entirely upon the rate at which appropriations are made available.

I am better acquainted with and have more first-hand knowledge of the facts concerning the upper Ohio River Valley than any of the other major river basins. The waters of the upper Ohio Valley are made up largely of waters from the Monongahela and Allegheny Rivers and their tributaries, which furnish the water that causes the floods in Pittsburgh, and to a large extent, on down the river to its confluence with the Mississippi River. The great damage that has resulted in the Pittsburgh area had been much talked of for the past 42 years to my personal knowledge, but no constructive action was taken toward adopting a program until 1936. Prior to that time no funds were appropriated for the upper Ohio River Valley or for any flood-control projects in the western Pennsylvania area. The best available information discloses that prior to 1936 estimated direct damages to the Pittsburgh area totaled $310,741,000. Since that time the estimated direct damages total $131,674,000, making a total of $441,415,000 damages to the Pittsburgh area.

Prior to 1936 nothing had been done throughout the Nation to prevent flood control, generally. Think of it, $310,000,000 of damage by floods and nothing set up to curb it. In 1936, President Roosevelt recommended that Congress set up a flood-control program for the Nation. Congress did this by setting up a flood-control legislative committee headed by the capable gentleman from Mississippi, Hon. WILLIAM M. WHITTINGTON. So we started the flood-control projects throughout the Nation in 1936.

It was in 1936 that I had the honor and the pleasure of being made chairman of this committee. Thus all of the money appropriated for the entire Nation for flood control, generally, has come out of my committee. In other words, my committee initiated the appropriations for all the projects, general throughout the Nation, since that time, a sum total of $628,921,000. My congressional district is in the upper Ohio River watershed. The Ohio River, as you know, is made up at Pittsburgh by the confluence of the Monongahela and Allegheny Rivers. These two rivers and their tributaries furnish all the water for Pittsburgh and all the water that floods the Pittsburgh area. We have built the following flood-control or multipurpose dams on the Monongahela and Allegheny Rivers and their tributaries since 1936, namely:

Tygart River Dam, W. Va., February 1938.

Crooked Creek Reservoir, Pa., October 1940.

Tionesta Reservoir, Pa., January 1941.

Mahoning Creek Reservoir, Pa., June 1941.

Loyalhanna Reservoir, Pa., partial operation, June 1942.

Youghiogheny River Reservoir, Pa., partial operation, November 1942.

Plus $9,000,000 for flood-control channel through the city of Johnstown, Pa.

Plus $6,000,000 included in this bill and the last deficiency to start work on the Conemaugh River Dam, which will give additional protection for the Pittsburgh area.

I take pride in the fact that during my services in Congress and my position as chairman of the Subcommittee on Appropriations for Flood Control was at the time when all this wonderful protective work for Pittsburgh and the Nation was being done. Since 1936 my committee has recommended and Congress has appropriated more than $67,000,000 for flood-control protection and projects for the Pittsburgh area and more than $628,991,000 for flood control, generally, throughout the United States, and more than $514,000,000 for flood control on the Mississippi River.

Every flood-control project that we build is a Nation-building project. For national protection and national security for the future we should build four or five times as many flood-control projects next year as we have set forth to be built in this bill.

You know we will never catch up if we do not build more projects each year. As stated in the former paragraph, for instance, the damages in the upper Ohio in the last 10 years were $131,000,000 and yet we only spent $67,000,000 toward protecting or stopping these flood damages. We now know that if we had started 50 years ago to conserve our water by building dams and flood-control projects and plant trees at the right places, that we would have few of these dust storms throughout the Nation and practically no flood damage.

I recently took my committee on an inspection and observation trip of 36,000 miles around the world, stopping at some 40 Army posts and installations where we had equipment in order that we as a committee might get first-hand knowledge of our installations and property and thus be able to more intelligently appropriate for the future and suggest what should be done with surplus as the result of the war and stoppage of war activities. It was on this trip that we saw desert lands by the millions and millions of acres in China, India, Iran, Iraq, Africa, and Palestine area, caused over the centuries by the peoples of that time not taking care of the water channels, water facilities, and water storage. If we do not do more as a Nation in the next hundred or two years, than we have done in the past, along the line of protecting our national resources through river, harbor, and flood-control improvements—we can expect nothing better at the end of a few centuries here in the United States than deserts like appear in these old countries.

RIVERS AND HARBORS

The amount of $42,776,250 recommended in the instant bill will permit continuation of work started under the funds authorized in the First Deficiency Appropriation Act, 1946, on 21 projects. The estimated amount required to complete all river and harbor projects authorized by Congress is approximately $623,000,000. Of this amount $569,000,000 is the estimated cost for completion of work not subject to foreseeable delays due to nonfulfillment of local cooperation requirements.

The amount recommended for maintenance of existing projects, operation and care of canals and other works of navigation, examinations, surveys, and contingencies, and other continuing and routine operations is $67,871,500. This amount includes $8,000,000 for the construction of a large seagoing hopper dredge primarily for use in New York Harbor. At the present time there are more than 1,000 completed or partly completed projects located throughout the continental United States, Alaska, Puerto Rico, and the Hawaiian Islands requiring periodic maintenance. During the war period, due to scarcity of labor, materials, and plant, maintenance work was limited to that essential to the war effort, with the result that many projects have shoaled to such an extent that navigation is severely handicapped. Repairs to structures also have been postponed due to scarcity of materials and labor.

The water-borne commerce of the United States for the calendar year 1944 amounted to 605,928,000 tons, an increase of 25,347,000 tons over the previous calendar year. The railroads—classes I, II, and III—carried 3,156,480,000 revenue tons during the same period, or a little more than five times as much as the water-borne commerce.

Total authorization for general flood control, general, $1,680,400,000.

Appropriation, general, $628,921,000.

Mississippi, total authorization, $864,934,000, of which $200,000,000 is for navigation as well as flood control authorized in the act of 1944; $514,000,000 for lower Mississippi River. There remains to be appropriated $200,000,000 and about $150,000,000 of the previous authorization for flood control of Mississippi.

FLOOD CONTROL

The amount of $96,150,000 recommended in the present bill, while $28,200,000 less than estimated by the Bureau of the Budget, provides for work on 62 projects, most of them having been started or continued with appropriations in the First Deficiency Appropriation Act, 1946. There is no program of the Federal Government looking to the future that gives promise to future generations as does the benefits of flood control which protects the lives of our people, the fer-

tility of the soil, and eliminates the destructive forces of waters on rampage. It is in truth building for the future.

Funds in the amount of $8,000,000 are recommended to provide for the preparation of detailed plans and specifications to allow for the completion of advance planning for a considerable number of projects which will place those projects in a position for prompt initiation of construction when funds for that purpose are appropriated. There is always the thought in providing for works of this sort that it may be used to supply jobs in times of labor depression. Such is not the purpose of the recommendations contained in the instant bill for it is believed that each of the projects for which funds are recommended are economically justified aside from the factor of employment.

UNITED STATES SOLDIERS' HOME

The only general appropriation carried in this bill that has been recommended for an increase over the Budget estimate is that for the Soldiers' Home. The increased amount recommended is for the purpose of giving members of the home a better allowance for subsistence. During the present fiscal year ration costs per day per person were set at 46 cents. This has proved insufficient and the Budget by supplemental estimate has submitted an additional estimate to bring this amount up to about 52 cents per day. Since the Army in this section of the country, faced with much the same problem of securing subsistence supplies, allows 62 cents per day per person, it is the belief of the committee that an approximate amount should be provided for members of the Home and the recommended funds will provide near that amount.

Funds from which this appropriation is made are not funds collected through taxation of the general public but are provided by means of monthly deductions from the pay of enlisted men and warrant officers of the Regular Army, military fines, forfeits accruing from desertions, sale of unclaimed effects of dead soldiers, and interest accruing on sizable funds thus collected and held as a trust fund in the Treasury of the United States.

This home is a national shrine and should be classed in the same category as the Arlington National Cemetery. It was purchased with funds collected by Gen. Winfield Scott from Mexico at the close of the War with Mexico, and set apart as a haven for disabled Regular Army soldiers. Its membership is limited to those who have had 20 years in the military service of the United States, part of which was served in the Regular Army; to those who have had some service in the Regular Army and who have been rendered incapable of earning their own livelihood by reason of disability incurred in the military service of the United States; to every soldier, active or discharged, of the Army of the United States—which includes services in the Regular Army, Volunteer Army, National Army, United States Guards, or National Guard called or drafted into the Federal service—who was an enlisted man in said Army during any war, or who has had any service where the armed forces of the United States have been employed and their lives hazarded in military operations, or who has contributed, except through fines and forfeitures, to the support of the United States Soldiers' Home, who has had some service as an enlisted man in the Regular Army, and who by reason of wounds, sickness, old age, or other disability, incurred after enlistment, or aggravated by military service, is unable to earn his own livelihood. In all cases the veteran must have had some service in the Regular Army.

The management of the home is vested in a governor, a deputy governor, and a secretary-treasurer, selected by the President of the United States. Other necessary officers are employed by the board of commissioners. A medical officer is detailed from the United States Army.

The home is one of the most attractive spots in the District of Columbia, containing approximately 500 acres. It has several miles of hard-surfaced roads and is open at all times to the public, and in many respects serves as a public park.

THE PANAMA CANAL

The Budget estimate of $19,801,000 for the activities of the Panama Canal is recommended in the bill. This recommendation reflects an increase of $11,692,200 over the amount appropriated for the present fiscal year, but the increases are largely due to resumption of activities which were curtailed or deferred on account of the war. The enactment of Public, 280, approved December 28, 1945, authorizing funds for undertaking a review and study of the means of increasing the capacity and security of the Panama Canal accounts for an increase of $1,500,000 requested in the Budget.

The total capital investment of the United States in the Panama Canal as of July 1, 1944, amounted to $701,532,682.49. During fiscal year 1945 receipts for direct deposit in the United States Treasury as miscellaneous receipts amounted to $8,930,555.06. The net operating expenses, including depreciation and payment by the State Department to the Republic of Panama, but not interest, and after deduction of revenue repaid to appropriations, amounted to $13,905,470.81, leaving a net operating deficit of $4,974,915.75. Congress appropriates from the Treasury for current expenses each year only enough to pay the excess of the expenses over those earnings that are repaid to the appropriations. Fiscal year 1943 was the first year since 1916 in which the revenues of the Panama Canal were not sufficient to cover the ordinary operating expenses. In 1945 the deficit was greater than in 1943, but somewhat less than in 1944. The deficit each year since 1943 is due to the loss in tolls revenue as a consequence of wartime conditions.

For purposes of administration and accounting the Canal organization may be considered in three groups: Transit divisions, business divisions, and special engineering division.

The funds required by the transit divisions for replacement of worn-out plant and equipment, with the exception of floating plant, must be specifically appropriated by Congress from general funds of the Treasury since no funded replacement reserves for these purposes are maintained by the Panama Canal. As a matter of theoretical accounting, depreciation charges are set up in the general Canal accounts in respect to depreciable property of transit divisions, but the depreciation shown is not retained or funded, except that pertaining to floating plant. Instead, the receipts are turned into the general fund of the Treasury each year in the form of revenues, including tolls, and are not available for expenditure by the Panama Canal without appropriation.

The unfunded depreciation reserve balance for these transit divisions on June 30, 1945—exclusive of floating plant—amounted to $28,046,339.64. Thus, for this part of the organization, the Panama Canal is dependent upon Congress to provide the funds not only for current operations, but also for the replacement of worn-out and obsolete plant and for expansion as it becomes necessary to meet the requirements of efficient operations.

The business divisions, such as the municipal, electrical, mechanical, and building divisions, are auxiliary divisions, set up for administrative and accounting reasons, to furnish services—including construction work—and supplies at reasonable prices to other parts of the organization, to other branches of the Government, to shipping, and to employees. No appropriation from the general funds of the Treasury is required ordinarily for the operating expenses of business divisions. Last year their expenses were $48,167,022.01, including depreciation. The net earnings, over and above expenses, turned into the general fund of the Treasury for the fiscal year 1945 amounted to $1,469,183.52, or 3.08 percent interest on a plant investment of $47,704,953 as of July 1, 1944. Funded replacement reserves are maintained by business divisions from depreciation credits accumulated for the replacement of worn-out or obsolete equipment.

Funds required for capital expenditures; that is, expenditures on new projects, for any part of the Canal organization must be appropriated by Congress.

The Special Engineering Division was created to plan and supervise the project covered by the act approved August 11, 1939, providing for the construction of a third set of locks. Funds for construction of the project were included initially in the appropriation for the fiscal year 1941, and subsequently in 1942, 1943, and 1946. Effective in May 1942, the third locks construction program was modified by direction of the Secretary of War, and on account of this directive no appropriation for third locks was included in the estimates for 1944 and 1945. Public Law 352, approved June 26, 1944, making available the appropriations for 1945, provided for the repeal of $30,257,572 of the appropriation for third locks and this amount was returned to the general fund of the Treasury as surplus funds. In 1946

there was appropriated $810,600 and in the regular 1947 estimates there is included an appropriation in the amount of $1,118,000 for continuation of the work under the modified program. There is included in this recommendation also an amount of $1,500,000 to provide funds for a study and investigation of means of increasing the capacity and security of the Panama Canal, authorized by Public Law 280, Seventy-ninth Congress.

Peak traffic through the Canal occurred in fiscal years 1929 and 1930. Traffic declined during depression years, but for the fiscal year ended June 1939 again reached approximately the peak level of 10 years earlier. The outbreak of hostilities in Europe produced a decline in traffic between Europe and the west coasts of North and South America, with later on a gradual decrease in some of the other trade routes. The entry of the United States into the war produced a very sharp decline in the commercial tolls-paying traffic with the decrease in United States intercoastal trade—normally the most important trade served by the Canal—and the discontinuance of traffic through the Canal which served the far eastern territories.

Commercial tolls-paying traffic increased from 1,797 transits in the fiscal year 1944 to 2,300 in 1945, and free transits of combat, supply, and troop vessels of the United States, and vessels for repairs, which do not pay tolls, increased from 3,333 to 6,566 during the same period. This volume of traffic required additional personnel, and the continuation of the regular operating personnel on an overtime basis, throughout that part of the organization engaged directly in the passage of ships through the Canal, which in addition to general increases in the cost of labor, materials, and equipment experienced in recent years have increased the costs of all operations incident to the transiting of vessels and other services.

The revenue from tolls for the first 6 months of this fiscal year to December 31, 1945, totaling $6,488,652.64, is greater by $3,330,180.64, or 105 percent, than for the first 6 months of last year, and is more than one-half of the rate of tolls receipts during the period from 1936 to 1939, inclusive.

Combined transits increased from 4,316 in the first 6 months of the fiscal year 1945 to 5,152 in the first 6 months of the fiscal year 1946, an increase of 19 percent. Based on these total transits for the 6-month period ended December 31, 1945, transits for the fiscal year 1946 will be considerably more than during the fiscal year 1939 of approximately normal traffic, when total transits were 7,481.

Appropriations for the Panama Canal provide funds for the operation and maintenance of the Canal, sanitation, and government of the Canal Zone, continuation of the modified third-locks construction program, and for the investigation of means for increasing the capacity and security of the Panama Canal. The total amount appropriated for 1946 was $8,108,800, but a supplemental request has been submitted in the amount of $1,425,000 to cover the net cost of the increases authorized for Federal employees which, together with $13,833,892 carried forward from prior-year appropriations, will make a total available for obligation in 1946 of $23,367,692. The amount recommended in the instant bill for 1947 is $19,801,000, which includes the $1,500,000 for investigation of means for increasing the capacity and security of the Canal, and $18,000 for employment of additional teachers in the schools. The amount of $19,801,000 together with $2,430,580 expected to be carried forward from prior-year appropriations, will make a total of $22,231,580 available for obligation in the fiscal year 1947.

The gross obligations of the Panama Canal are financed through the authorized use of receipts from sales and services and appropriations from the general fund of the Treasury. With the exception of net profits from business operations, funds provided for the Canal are available until expended. In general, it is contemplated that the expenses of the business divisions, including proportionate charges from certain transit divisions to cover the administrative and accounting services rendered, will be financed by receipts from sales and services. This procedure provides a sound basis for making appropriated funds available solely for activities chargeable to the Federal Government.

During peacetimes the Canal is used to a great extent as a commercial waterway and for more than 25 years produced sufficient revenue to cover the ordinary operating expenses. During the war years there was a deficit as toll-paying vessels were largely off the seas, but its value to the war effort would have justified the total cost of construction had it never been used as a commercial waterway. It was able to meet every demand made upon it during the war period.

During the last 3 or 4 years we did not present anything for this, but the War Department unit representing this item assures us that there will be sufficient to take care of all the needs of cemeterial expenses with this appropriation.

I pass now to the Alaska Communications System.

Mr. ANGELL. Mr. Chairman, will the gentleman yield before he leaves the matter of national cemeteries?

Mr. SNYDER. I shall be pleased to.

Mr. ANGELL. The gentleman will recall that 2 years ago or so both Houses passed and the President signed a bill that would permit the construction of a cemetery in the Northwest, in my district.

Mr. SNYDER. Yes.

Mr. ANGELL. There is none now within 600, 800, or maybe a thousand miles. I am wondering when we may expect an appropriation so that the mandate of that legislation will be carried out and this burial place for veterans provided?

Mr. SNYDER. I recall what the gentleman is speaking about. I recall his interest in that cemetery for the Northwest. I forget just where it is to be located.

Mr. ANGELL. In the vicinity of Portland, Oreg.

Mr. SNYDER. And I took occasion, I may say, in the gentleman's behalf at the recent hearings to mention that, and they assured me they expected within the next year that one national cemetery would be built in each State, at least, and in some of the more populous States, like my own Pennsylvania, probably two or three, to take care of this situation. I hope the project the gentleman is interested in will be among the first to be taken care of.

Mr. ANGELL. I certainly appreciate the gentleman's interest and trust he will help us get sufficient appropriation to construct that cemetery.

Mr. SNYDER. I shall be glad to do what it is my duty to do toward that end.

Mr. DOYLE. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I yield to the gentleman from California.

Mr. DOYLE. The gentleman mentioned flood control. May I ask what the position of the committee was on the Whittier Narrows project. I see it is not included. Was it passed over without prejudice?

Mr. SNYDER. It is passed over without prejudice and I can assure the gentleman it will not be dropped. It will be considered when other findings are made to the committee in order to enable the committee to give more consideration to it. It seems to be about a 50–50 proposition.

Mr. SAVAGE. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I yield to the gentleman from Washington.

Mr. SAVAGE. I see that the Baker Bay project that has been formally approved by the engineers was not included. Was that passed over without prejudice?

Mr. SNYDER. It was.

Mr. SAVAGE. Are the appropriations by the House restricted to the recommendation of the Bureau of the Budget on such projects?

Mr. SNYDER. Not entirely.

Mr. PRICE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I yield to the gentleman from Illinois.

Mr. PRICE of Illinois. There is an item in the bill of three and one-half million dollars for the Mississippi River from the Ohio to the Missouri River. Would that include continuation of the levee-building program from St. Louis to Cape Girardeau?

Mr. SNYDER. That is money to be applied to the continuation of what has already been constructed.

Mr. PRICE of Illinois. I see, yes, and any possible new projects in there that have been surveyed and approved by the War Department engineers?

Mr. SNYDER. Yes.

Mr. PRICE of Illinois. On both sides of the river?

Mr. SNYDER. On both sides of the river.

Mr. TRAYNOR. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I yield to the gentleman from Delaware.

Mr. TRAYNOR. Has the gentleman given any thought to the question of the marked erosion that has taken place in certain areas, such as around the en-

trance to bays? I refer particularly to Cape Henlopen, at the mouth of Delaware Bay, where there is considerable erosion. The State has applied for help through the engineers in Philadelphia and has been turned down on it. It was seeking to have bulkheads erected to stop that erosion.

Mr. SNYDER. I do not recall the project to which the gentleman refers, but I do recall that the Army engineers are bound by certain physical contours and physical boundaries. They can give assistance only under certain conditions. Perhaps the project the gentleman refers to is such that under the present set-up they would not be allowed to give assistance I shall be happy to look into the matter for the gentleman.

Mr. TRAYNOR. Does the gentleman believe the State would have to bear part of the cost?

Mr. SNYDER. I would imagine it would. As I see it, speaking for myself only, I think the State should, and especially now when all States of the Union have more money than they ever had before.

Mr. TRAYNOR. Yes, I know they have more than the Government has.

Mr. SNYDER. Yes; they ought to be willing to step in.

Mr. NORRELL. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I yield to the gentleman from Arkansas.

Mr. NORRELL. May I suggest to the gentleman from Delaware that probably this project has not been authorized, or, if it has been authorized, apparently the engineers have found that without the State aid it cannot be economically justified as a Federal project.

Mr. ENGEL of Michigan. Mr. Chairman, the War Department Subcommittee of the Appropriation Committee, which held hearings on this bill, is coming before you with the most complete record and justifications that have been presented to the House in any bill which has been presented by any one of my subcommittees during the 10 years I have been a member of the Appropriations Committee. Anyone who is interested in rivers and harbors, flood control, or irrigation and reclamation should keep this record for future reference.

When the deficiency appropriation bill came up last fall it contained approximately 118 projects. There were 57 projects, as I recall it, that had been stopped by the war before they were completed. I was in favor at that time of continuing those projects. I opposed approximately 62 new projects which I felt should have further study by the committee because of increased costs. I took the position that they had no place in a deficiency bill. I realized, of couse, that it was futile to try to oppose a bill even in part which had 118 flood control projects in 31 States which were represented in Congress by 371 Members.

The House voted overwhelmingly to pass the bill despite the fact that I still thought that there were some projects in that group that should not have been passed. I accepted the verdict of the House as final. The House has spoken and I shall not oppose in any way any of the projects upon which the House acted at that time.

This bill contains, as pointed out by the chairman, appropriations to continue these 62 projects and also provides for some additional projects. The Appropriations Committee and this subcommittee holding hearings on that part of the bill last fall for the Deficiency Committee were criticized because the record was incomplete. No such criticism can be made toward this bill as this record is most complete.

During the hearings before the Deficiency Committee last fall, Major General Robins testified in answer to my question that there was a 6-year program on flood control. It was the first time that anyone had spoken of a 6-year program on anything. After the bill had passed I took the matter up with the War Department and obtained this 6-year program. The evidence shows that the program was formulated at the request of the President and the Budget Bureau. A similar 6-year program was also asked for by the President on rivers and harbors and on irrigation and reclamation. Each of these programs will be found in the hearings. The 6-year-flood-control program will be found on pages 275 to 297, inclusive. You will find there:

First. The name and location of each project.

Second. The year Congress authorized such project.

Third. The total estimated cost.

Fourth. The obligations to June 30, 1945.

Fifth. The estimated obligations for the fiscal year 1946 as they were estimated at the date the report was made.

Sixth. The balance required to complete each project.

Seventh. The estimated obligations on expenditures during the fiscal years 1947, 1948, 1949, 1950, 1951, and 1952.

Eighth. The balance required to complete such project after the fiscal year 1952.

The chairman of the Flood Control Committee testified before our War Department Subcommittee of the Appropriations Committee that the total amount of work authorized which remained to be appropriated for was $1,500,000,000. He, of course, did not have all the projects that are contained in this record. The testimony before our committee shows that there has been a 25 to 30 percent increase in construction cost since the war. It further shows that some projects will cost as much as four and one-half times the amount estimated by the Corps of Engineers when the project was presented to the Flood Control Committee for authorization.

For instance, the cost of Hoards Creek project in Texas was estimated by the Corps of Engineers at $468,000. It will cost approximately $2,200,000—see pages 347 and 348 of the hearings.

The Osceola Reservoir in Missouri was estimated at $28,500,000.

Lieutenant General Wheeler, Chief of Engineers—see page 309 of the hearings—testified that the cost of the land now is estimated at $18,158,000. Relocation of railroads, highways, roads, and utilities will cost $19,982,000, and that the total prewar cost of the dam is now estimated at $52,850,000. When we add 25 percent increase in cost which has occurred since the war, this project, the cost of which was estimated at $28,500,000, will now cost $65,000,000.

The Garrison Reservoir in North Dakota will cost over $200,000,000 instead of $131,000,000.

The Florida barge canal will cost nearly $73,000,000 instead of $44,000,000.

This 6-year flood-control program has in it 700 projects not including the Sacramento River and the Mississippi River work. The total estimated cost of these projects was $3,781,08 .800. When we add 25 percent increased cost on the uncompleted portion, we find that the total program will cost us $4,492,790,300 when complete. Some $900,000,000 worth of work has already been done, however, so the uncompleted portion of the 6-year program aggregates $2,846,434,100. This again is the pre-war cost.

Without taking into consideration increased estimates, increased costs over and above the 25 percent as pointed out heretofore and adding only 25 percent increased cost, this means a program ahead of us of $3,558,042,600. The 6-year program provides that this entire sum will be spent during the 6 years with the exception of approximately $700,000,000.

SIX-YEAR RIVERS AND HAREORS PROGRAM

The President also requested and the War Department also submitted to us a 6-year rivers and harbors program. This 6-year program can be found on pages 148 to 165, inclusive, of the hearings. You will find there some detailed information which is found in the 6-year program on flood control. The total 6-year program was estimated at $569,000,000. When we add 25 percent increased cost since the war began, we find that program has increased to $711,225,000. You will find a similar increased cost on rivers and harbors projects that you found in flood-control projects.

INTERIOR DEPARTMENT PROGRAM

On pages 856 and 857 of the record you will find a 6-year program of the Interior Department on reclamation and irrigation. It also contains some detailed information that the other projects contain. The total project aggregates $2,417,149,332. There will have been allocated, including the program for 1946, $781,139,044, leaving a balance to be appropriated for, of $1,636,010,288. The Interior Department representative appeared before our subcommittee on another project and very kindly furnished me with this information which is found in the record and which has enabled the committee to present the complete program to you.

TOTAL 6-YEAR PROGRAM

Summarizing we find that the total amount of the program before us on rivers and harbors, flood control, and irrigation and reclamation aggregates $7,621,164,632. The record further shows that $5,905,277,888 of this amount will be spent after the fiscal year 1946. This means almost $1,000,000,000 a year for this purpose. These figures, adding the

25-percent increase in cost since the war, do not include the increased cost by reason of change in plans, errors made in plans, and so forth, such as Osceola Reservoir, Hoards Creek project, Florida barge canal, Garrison Reservoir, and other similar projects.

No one seems to know what the exact cost of that program is going to be. No good business firm would proceed with such a program in the face of increased costs and in the face of the financial condition of the Nation. This is all the more true when we take into consideration the fact that every project is justified on the basis of the ratio of benefits to costs. For instance the Hoards Creek project was justified on a ratio of benefit to cost of 1.32 to 1—see page 348 of the record. Lieutenant General Wheeler insisted that it could still be justified on the basis of benefit to cost despite the fact that the cost had increased 400 percent.

I feel strongly that the entire rivers and harbors and flood-control program should be resubmitted to the proper legislative committees, each project gone over, the actual cost determined and after determining the actual cost then decide upon the facts whether or not the ratio of benefit to cost justifies the construction of the project. The Interior Department's figures incidentally were, I was told, up-to-date, 1945 costs. It is for this reason that I did not include them in my recommendation.

The Osceola project, a flood-control project in Missouri, was estimated to cost $28,500,000. General Wheeler, Chief Engineer, testified before our committee that it would cost $18,000,000 for land alone; some $19,000,000 for location of highways, airports, railroads, telephone, and electric lines. The cost for the relocation of those items and the land alone was $38,000,000. The total cost would run up to $52,000,000. When you add 25 percent you have a cost of $65,000,000 on a project the cost of which was estimated at $28,500,000.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield.

Mr. SHORT. And that dam is located at such a spot that it would create a lake in the upper reaches at least 10 miles wide, and would cross at least four railways—the Missouri Pacific, the Frisco, the Kansas City Southern, and the Missouri-Kansas-Texas railroads. I am not going to say any more, but I wish the gentleman would yield to my colleague from Missouri.

Mr. ENGEL of Michigan. The project is not in the bill. We cut it out.

Mr. SHORT. I want to congratulate the gentleman and other members of his subcommittee for striking that out.

Mr. BENNETT of Missouri. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield.

Mr. BENNETT of Missouri. Was the gentleman from Michigan able to obtain from the Army, and did he obtain, all the data they were willing and able to furnish in an attempt to prove it was economically justified?

Mr. ENGEL of Michigan. Yes; but they have not yet satisfied me that it is economically justified.

Mr. BENNETT of Missouri. And, therefore, as far as the gentleman is concerned, and the committee is concerned, it is dead.

Mr. ENGEL of Michigan. As far as I am concerned, it is dead.

We had another project, a small project down in Texas, estimated at $468,000, yet the actual cost is going to be $2,200,000, or four times the amount estimated.

When these projects come before a legislative committee they are passed upon on the basis of ratio of benefits to costs. In this last project the ratio of benefit to cost was 1.32 to 1. Despite the fact that the cost of that project was increased over four times, the Chief Engineer thought it was still justified, when the ratio of benefit to cost was 1 to 1.32.

Mr. PLOESER. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield.

Mr. PLOESER. Are the estimates in this bill figured on the new costs or are they on the basis of the old costs?

Mr. ENGEL of Michigan. The estimates you have before you in this bill are based upon prewar costs. I tried to get the accurate figures from the Chief of Engineers to find out what the actual cost would be, but they were not given to the committee when they came here on the items.

Mr. PLOESER. It seems to me most unfortunate that the Congress should have to appropriate on inaccurate bases in relation to these large expenditures.

Mr. ENGEL of Michigan. May I finish? Let us take the rivers and harbors part of this program. The rivers and harbors program is a 6-year program that was asked for by the President. The items aggregate on a prewar cost basis $569,000,000 plus 25 percent, or another $142,000,000, and, mind you, these figures I am giving you, Mr. Chairman, include no increase except the 25 percent. They do not include, for instance, the Osceola project which went up four times, rather than going up 25 percent—or twenty-five and eight million. This makes the program stand at $711,000,000.

The Interior Department has a program of $2,417,000,000 for reclamation and irrigation, and remaining to be appropriated $1,600,000,000. These three agencies have a total program of $7,621,000,000 for irrigation, reclamation, flood control, rivers and harbors; and there remains to be appropriated to meet these obligations $5,906,000,000, or almost $6,000,000,000.

Mr. PLOESER. Mr. Chairman, will the gentleman yield further?

Mr. ENGEL of Michigan. I yield.

Mr. PLOESER. Has the public ever been told that by the administration?

Mr. ENGEL of Michigan. The public has never had these figures before. It took a great deal of work on my part to get them. They were submitted to me, however, by the different agencies. There is no question but what we were being fed these items on the old basis. And, remember, that in these projects Osceola, which would cost $65,000,000 is in there at $28,000,000 plus 25 percent, or about $35,000,000. Garrison Dam, in North Carolina, is in there at an estimated cost of $131,000,000, but the actual cost will go to $200,000,000.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield.

Mr. BENDER. Is the Florida ship canal in here, too?

Mr. ENGEL of Michigan. The Florida ship canal is in the bill. I expect to discuss that when I make a motion to strike it out.

Here we have a total program of $7,600,000,000 of these items. Nobody knows what the cost is going to be. The Interior Department had actual 1945 costs. Time and time again we asked them but they could not give us itemized costs, and we are proceeding to appropriate items some of which cost four times the amount authorized by the committee.

I have always been one of those who believed that the integrity and the power and the authority of the legislative committees to authorize appropriations ought to be protected. It is for this reason that on my motion we placed into the report a statement that hereafter we would not consider any project—where the cost exceeded the estimate by 25 percent.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. ENGEL of Michigan. Mr. Chairman, I yield myself five additional minutes.

Mr. PLOESER. Mr. Chairman, will the gentleman yield further?

Mr. ENGEL of Michigan. I yield.

Mr. PLOESER. What the gentleman has just said is astounding. To think that the administration would be planning a $7,000,000,000 program of public works and not taking the public into its confidence. Is that what I understand the gentleman to say?

Mr. ENGEL of Michigan. All I can tell the gentleman is that the first I knew of it was when General Robins admitted to me in the Deficiency Subcommittee that he had a 6-year program. I then demanded a break-down on this 6-year program and I got the figures on it.

General Stratton of the Army Engineers Board told me it was submitted by the engineers at the request of the President. The Army engineers made the same statement regarding the President asking for the 6-year program when the bill came up on rivers and harbors.

Mr. PLOESER. I trust the gentleman's information. No one in the Government doubts his ability to seek into these things and bring forth the truth.

Mr. ENGEL of Michigan. These are not my figures I am giving you. They are Army engineers' and reclamation figures.

Mr. NORRELL. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield to the gentleman from Arkansas.

Mr. NORRELL. I want to congratulate the gentleman because of his initiative and ability as a member of this committee, but in order to keep the record straight, may I say that most of these investigations were authorized by the legislative committee. Investigations over the years have been had and re-

ports made and authorizations passed by the Congress. The fact is we do these things in piecemeal fashion and eventually we have a program that is entirely too large.

Mr. ENGEL of Michigan. You will find in the record the year that each project was authorized by the Congress or the authority for it. The thing just grew like Topsy.

Mr. NORRELL. I am interested in the provision in our report with reference to the excess cost of the projects and I wish the gentleman would state for the record what he understands the procedure to be with reference to these projects where the costs are in excess of 25 percent more than the original authorization?

Mr. ENGEL of Michigan. First, the provision in the report, and if I am wrong the gentleman can correct me, was not intended to apply to any project in this bill or heretofore commenced. Second, hereafter, where the cost on any of these projects exceeds the amount of the authorization or the estimate of the engineers by 25 percent, it should go back to the committee.

Mr. NORRELL. I think at that point it would become the duty of the Army engineers, where costs for any reason exceed 25 percent of the original authorization, to refer those projects back to the legislative committee for further action.

Mr. ENGEL of Michigan. It is the sense of the committee, as I understand it, where the costs exceed the authorization and the estimates by 25 percent for any reason the Army engineers should go back to the legislative committee and get proper authorization.

Mr. BENNETT of Missouri. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield to the gentleman from Missouri.

Mr. BENNETT of Missouri. Is that the position of the committee?

Mr. ENGEL of Michigan. That is in the committee report.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield to the gentleman from Ohio?

Mr. BENDER. Has the gentleman any figures to indicate how much the comparative cost of transporting, say, a barrel of oil through the proposed barge canal would be with, say, the railroad charge?

Mr. ENGEL of Michigan. I will take that up when the bill is read for amendment.

Mr. PLOESER. I would like to say in connection with what the distinguished gentleman from Arkansas has said that it is one thing for the Congress to authorize an investigation of a project, and it is quite another thing for either the Congress or the administration to actually plan that project. As I understand it, this committee's information reveals that the administration is going ahead planning a program involving six or seven billion dollars' worth of public works, yet this is the first time the public has been let in on it.

Mr. ENGEL of Michigan. May I clarify the situation? I want to be fair in the matter. The gentleman from Arkansas and I have worked on this project. The entire committee has worked on it, as a matter of fact. When the President asked the Army engineers to go back and make this 6-year program investigation, they went back and got the authorized projects which were authorized by Congress.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. ENGEL of Michigan. Mr. Chairman, I yield myself two additional minutes.

They went back and got the projects as authorized by the Congress and put them into the 6-year program, and it will amount to nearly a billion dollars a year.

Mr. NORRELL. I want to compliment the gentleman. That is a very fair statement, and exactly what the situation is.

Mr. PLOESER. I want the gentleman to know that I did not infer that I disagreed with what the gentleman from Arkansas said. The thing that astounds me is that this is so late in getting to public attention.

Mr. NORRELL. The point I am making is that it has had consideration all along, but we ought to stop the authorization of projects in this Congress.

Mr. ENGEL of Michigan. The thing I want to emphasize is this: No business concern would handle its affairs in that manner, and it is not good business for Congress to go ahead and build a project, the cost of which was estimated at $28,500,000, which is going to cost $65,000,000, or three times as much. You would not do it in your own business, and we should not do it in our business here.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield to the gentleman from Pennsylvania.

Mr. RICH. Why is it that we are starting a lot of projects now when labor is so scarce practically all over the country, when there are more jobs now than we have men to put in industry in order to get industry started?

Mr. ENGEL of Michigan. Let me answer the gentleman right now. The reason you are starting this project is because the House voted my motion down by an overwhelming majority to cut these things out last fall, and I could not even get a roll call on my motion.

Mr. RICH. Then the only way we can stop it is to get another vote on the gentleman's motion.

Mr. ENGEL of Michigan. The way to stop it is to stop authorizing, and when the amount exceeds the estimate, quit appropriating for it.

Mr. RICH. Another thing. Why is it that when we get estimates for so many of these projects we always find that the construction costs three to four times the amount of the estimate, as a rule, as submitted to the committee?

Mr. ENGEL of Michigan. Because of several reasons. In the first place, we have had from 25 to 30 percent increase in all costs since 1939. In the second place, many times they have changed the plans and specifications whereby they have added some power or flood-control project, and many times the estimates are made upon a superficial basis by the Corps of Engineers, which estimates were not complete when we got them.

Mr. RICH. That is not always the reason. They told us that the Pentagon Building would cost $30,000,000 but they spent over $100,000,000 on it. That is the way with a lot of their items.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. SNYDER. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, I want to preface my brief remarks by saying that I am for adequate flood control. I am for this flood-control item in this appropriation, even though it does not contain a much-needed project in my Third West Virginia District.

I am, Mr. Chairman, dead set against this item in the War Department civil-functions appropriations bill now pending in the manner in which it was handled. It is chock-full of favoritism and discrimination. It has far too much Budget Office directives to suit me and a lot of other Members of this House.

In fact, Mr. Chairman, it forces the Congress to wonder whether the Congress or the Budget Office is determining our flood-control policy.

We are told there is only $110,000,000 available for flood control in 1947. We were also told there were to be no new projects in the 1947 program now before this Congress. There appears to be plenty of money when we want to make a foreign loan or vote relief to people other than our own.

Some of the items now before us for consideration have every indication of favoritism. One such item is the much cussed and discussed Buggs Island power project in North Carolina. This item first made its appearance in the deficiency appropriation for 1946. The initial appropriation was for $1,000,000. Now we find this same project gets $3,000,000 more out of the paltry $110,000,000 the Budget Office tells the Congress they can spend for this purpose.

I, too, was before the subcommittee on appropriations when the deficiency bill was being considered and asked to have inserted a project known as the Sutton flood-control dam on Elk River. I was told not to press the matter in the deficiency budget; that my item would be included in the regular 1947 appropriation. It is not so included. I represent a district that is among the first 50 in Federal tax-paying ability. It has eight approved flood-control projects authorized by Congress. Not one single cent of Federal money has been appropriated for this district. The Sutton has top priority over any other project in West Virginia. The plans and specifications are ready to advertise for bids. I protest the action of the Budget Office in leaving out a worth-while project like this that has no facilities for producing power in favor of increased and additional appropriations for the Buggs Island proposal.

I shall, at the proper time, attempt to insert in this appropriation bill all those items which the Budget Office has so arbitrarily seen fit to delete from the program of worth-while recommended

projects submitted to the Budget Office by the War Department engineers.

Mr. ENGEL of Michigan. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, at the present time the United States Government owes, directly, $280,000,000,000. It owes directly and indirectly, including war-risk insurance, altogether, nearly $680,000,000,000.

If America is going to avoid the throes of inflation we must balance our budget.

The most dangerous feature of the President's budget which was submitted here on the 21st of January is the demand on the part of the various bureaus and departments for increased help. Almost every single one of them carries a request for more personnel.

With a total in the civil agencies alone for the fiscal year 1946 of 925,077, the President proposes for these same agencies—and this excludes the Army and Navy—for the fiscal year 1947 a total of 1,042,059, an increase of 116 982; and these figures are in man-years, which means an increase of at least 125,000 new jobs costing an additional $232,000,000.

It is true that we must have more help in the Veterans' Administration, but when the administration proposes such increases as 4,239 man-years in the Agricultural Department, 7,632 in the Commerce Department, 10,896 in the Interior Department, 11,638 in the Post Office Department with declining business, 1,574 in the State Department, and 7,500 in the civil functions of the War Department, it is a perfectly ridiculous set-up.

I am inserting in the RECORD a table showing just what these increases are, and how bad they are. I hope that the Congress will cut out a large portion of this $232,000,000 increase so we may begin to move toward a solvent Government and a balanced Federal budget for a change.

Nineteen forty-seven is the crucial year. Let us have a sense of responsibility here in the Congress and refuse to be a party to such increases.

Comparison of agency personnel requirements 1946–47 as shown in the 1947 Budget)

Departments and agencies	Man-years		Net man-years		Net money differences	
	1946	1947	Increase	Decrease	Increase	Decrease
Executive Office of the President	52	225	173		$561,350	
Executive Mansion and grounds	60	70	10		12,060	
Bureau of the Budget	738.7	875.5	136.8		529,500	
American Battle Monuments Commission	45.5	74	28.5		69,565	
American Commission for the Protection and Salvage of Artistic and Historic Monuments	7.9			7.9		$24,809
Civil Service Commission	5,015.7	4,232.5		783.2		2,823,060
Federal Communications Commission	1,413.5	1,580.1	166.6		1,606,340	
Federal Deposit Insurance Corporation	975.2	1,089.7	114.5		405,801	
Federal Power Commission	702.9	908.4	205.5		616,257	
Federal Trade Commission	479	605	126		410,701	
General Accounting Office	14,997.1	14,944		53.1	472,902	
Interstate Commerce Commission	2,181.2	2,439.1	257.9		621,598	
National Advisory Committee for Aeronautics	5,711.3	4,876.9		834.4		2,578,933
National Archives	331	380.8	49.8		138,503	
National Capital Housing Authority	230.1	234	3.9			8,156
National Capital Park and Planning Commission	5	7	2		5,869	
National Labor Relations Board	860.9	1,001.2	140.3		458,379	
National Mediation Board	97.6	106.6	9		36,751	
War Mobilization and Reconversion	837.3	898.4	61.1		124,833	
Securities and Exchange Commission	1,162	1,305.2	143.2		540,142	
Smithsonian Institution and National Art Gallery	682.5	822.5	140		134,324	
Tariff Commission	284	290	6		6,889	
Tax Court of the United States	123.3	126	2.7		3,811	
U. S. Employment Compensation Commission	519.3	502		17.3		38,393
U. S. Maritime Commission	8,077	5,344		2,733		9,338,376
Veterans' Administration	77,439.4	144,895	67,455.6		152,727,527	
Columbia Institution for the Deaf	87	90	3		2,800	
Food and Drug Administration	930.3	1,128.3	198		559,863	
Freedmen's Hospital	345.2	388.4	43.2		90,324	
Howard University	484.1	509	24.9		58,841	
Office of Education	346.8	348.1	1.3		173,720	
Public Health Service	19,008	20,369.1	1,361.1		7,635,842	
Social Security Board	11,588.5	11,907.8	319.3		862,792	
Federal Works Agency	17,824.8	17,877	52.2			1,423,427
Department of Agriculture	66,618.1	70,857.2	4,239.1		2,519,693	
Department of Commerce	25,994.4	33,627.1	7,632.7		24,586,601	
Department of the Interior	42,302.6	53,199.5	10,896.9		24,185,290	
Department of Justice	25,548.2	23,072.6		2,475.6		5,758,063
Department of Labor	5,320.8	4,587.1		733.7		145,504
Post Office Department	406,981.3	418,619.5	11,638.2		1,787,741	
Department of State	13,199.2	14,773.6	1,574.4		1,210,413	
Treasury Department	89,844.3	98,502.8	8,658.5		19,256,176	
War Department, civil functions	55,711.8	63,224	7,512.2		9,742,296	
District of Columbia	19,913	21,145.8	1,232.8		2,838,252	
Total	925,077.8	1,042,059.8	124,620.2	7,638.2	254,993,746	22,138,721

RECAPITULATION

Net increase in man-years	124,620.2	Net increase in personnel costs	$254,993,746
Net decrease in man-years	7,638.2	Net decrease in personnel costs	22,138,721
Total net increase in man-years	116,982.0	Total net increase in personnel costs	232,855,025

NOTE.—This data does not include any departments or agencies for which estimates are to be submitted later, including the War and Navy Departments and other agencies.

Mr. DOUGHTON of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from North Carolina.

Mr. DOUGHTON of North Carolina. Is the Committee on Appropriations going to lead the way in this reform the gentleman has so earnestly and, in my opinion, so pertinently suggested?

Mr. TABER. If the Committee on Appropriations does not lead the way and nobody else leads the way, I am going to lead the way. I do not propose to let the Congress adopt these increases without giving it a chance to vote on them.

Mr. DOUGHTON of North Carolina. I know the gentleman will have plenty of followers if he leads the way.

Mr. TABER. I am hopeful that will happen.

Mr. SNYDER. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Chairman, I compliment the distinguished chairman and members of the Subcommittee on War Department Appropriations for their careful and painstaking attention to the items contained in this bill and particularly the items for continuation of construction work in New York Harbor, the greatest seaport in the world.

You have recommended an expenditure of $1,510,000 for deepening the Ambrose and Anchorage Channels from 40 to 45 feet and of $3,634,000 for continuation of dredging and rock removal in part of the harbor. Also included is an appropriation of $8,000,000 for construction of a large seagoing hopper

dredge, primarily for use in New York Harbor.

In the amount for flood control our committee recommended $4,740,000 for construction work on projects in up-State New York at Syracuse, Elmira, Almond Reservoir, East Sidney Reservoir, and Mount Morris Reservoir.

I trust we shall have the full support of this Committe of the Whole on these meritorious and much needed appropriatons which are recommend by my committee.

Mr. ENGEL of Michigan. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. TIBBOTT].

Mr. TIBBOTT. Mr. Chairman, during the hearings on War Department civil functions appropriations, we looked into every item as best we could. These items were carefully scrutinized and it is our belief that as we reported them, they are within reason. This is particularly true as the justifications relate to flood control, which I personally regard as necessary now inasmuch as this is really the first appropriations bill for flood control since the start of the war. It is most important that we start projects for flood control with as little delay as possible. There is a flood in some part of our country each year, the control of which is essential to our general welfare and progress.

At this point I wish to compliment Gen. R. A. Wheeler, Chief, Corps of Engineers, for the manner in which he expressed himself before our committee. General Wheeler was straightforward in his answers to questions and cooperated in every way possible in helping us to arrive at estimates for rivers and harbors and flood-control appropriations.

As to the estimates for the United States Soldiers' Home, I believe the functions at this institution entitle the administrators of it to all which we have recommended in our report. When we take into consideration the activities at the Home, such as the library, amusements, band, religious services, and so forth, I am convinced that great comfort and happiness is being provided for those who have served their country so well. The sanitary conditions and the health of its members have been satisfactory throughout the year.

In general, I regard the rest of the items in our report as essential now and the estimates entirely within what is just and equitable. We have been fair in arriving at what was requested of us.

While I am an advocate of retrenchment in our expenditures with the exception of what is absolutely necessary, such as the items to which I have already referred, yet we cannot escape the fact that our spending is getting out of hand. There is no good reason, in my judgment, why, with the proper exercise of economy and the determination on the part of Members of Congress, they cannot for the time being abandon certain pet projects which are not absolutely necessary to be carried on at this time.

People are not only expecting, but are demanding, that the appropriations be reduced and that they be relieved of some of the excessive taxes imposed on them during the war. We should be opposed to new activities now, unless they are absolutely necessary.

Our expenditures are increasing at a rate entirely disproportionate to the benefits received or to the increase in population. We are building up more Federal instrumentalities, more commissions, and a more expensive system of administration. I cannot see where this is a government of law. It would be more appropriate to say that it is a government of commissions, by commissions, and in the interest of commissions. This is the period of administrative law. Statute law is no longer the rule of action. Bureaus, commissions, and executive agencies have committed to them not only executive powers, but also legislative powers. They make ordinances, regulations, and rules which have the force of statute law.

During wartime we expect and we know that we have a tendency to government by commissions and boards. War suspends and destroys local self-government and transfers to one or a few hands an authority theretofore exercised by the people. In peacetime many commissions, bureaus, and boards should be abolished and the powers which they have had delegated to them returned to the local communities, counties, and States.

The struggle is on between the consolidated and powerful Federal Government dominated by bureaucratic forces on one side and the rights of the people as individuals, the local communities, and the States on the other side.

The propaganda carried on by the executive agencies and Federal officials is demoralizing the people and breaking down their morale and leading them to the acceptance of the Federal Government as the source of power and authority which should superimpose itself upon the States, control their activities, and direct the lives of the people themselves.

If an appeal for an appropriation is denied, within a short time the constituents of a Congressman or Senator who has been instrumental in securing the rejection is appealed to and in turn pressure is brought on him to reverse his position.

What we need now is more democracy, not less democracy; more freedom and less centralization of power.

Will we continue to fashion a government along imperialistic lines and surrender the precious gifts of freedom?

This vital question the American people are interested in having the answer to now.

Mr. ENGEL of Michigan. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, I, too, wish to compliment the committee on the work they have done here. The job of making appropriations for the civil functions of the War Department is not an easy one. There are many demands and there are many problems that arise. The need for public improvements on our streams has grown a great deal because that work has been held in abeyance throughout the period of the war, just as the need for housing is now acute, because no houses have been built in the last 4 or 5 years.

As one member of the committee, which must recommend taxes to the Congress to be levied upon the American people, I say I, too, feel we should balance our budget and I am willing to vote for those taxes that will balance the budget. I am of the opinion that this bill is a good bill, a bill that is needed and one which we can support. I believe that sound flood control and irrigation projects are in the public interest.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield.

Mr. CASE of South Dakota. May I say as one member of the subcommittee handling these appropriations for flood control, I particularly appreciate the remarks that the gentleman from Nebraska has made, because having served on the legislative committee for flood control he knows something of the study that is necessary to determine what is a feasible or an unfeasible project. That, coupled with the gentleman's present service on the Committee on Ways and Means, particularly qualifies him to speak along the lines that he now is addressing the Committee.

Mr. CURTIS. I thank the gentleman.

Mr. CARLSON. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. CARLSON. Mr. Chairman, if the gentleman from Nebraska [Mr. CURTIS] will yield, I would like to take this opportunity to express my appreciation to the subcommittee which has worked so diligently on this appropriation bill. Their problems have been most difficult in view of the many demands for projects, and at the same time an urge for a reduction in Federal expenditures. Then, too, I want to pay my respects to the gentleman from Nebraska who is speaking, and who served for several years on the Flood Control Committee of the House. This committee spent much time in studying the projects on the various watersheds of the Nation and have submitted to Congress a comprehensive flood-control program that I am instructed will go far toward the elimination of floods.

It was my privilege to serve on the Flood Control Committee for two terms and therefore I am familiar with many problems that are presented to the committee on flood control under its able chairman, the gentleman from Mississippi [Mr. WHITTINGTON].

Now that the war is over, we should be in a position to begin construction of some of these projects. The projects in this bill have the approval of the Chief of Engineers and the Bureau of the Budget. This means they have been checked and double-checked for economic justification. Both of these agencies working together should safeguard the interests of the taxpayer.

It is my contention that we must have source control of water run-off in the Nation and the comprehensive program that was submitted to Congress in 1938

is justified from every angle. Personally, I am most pleased that this appropriation bill includes an item for the completion of the Kanopolis Reservoir on the Smoky Hill River, which is a tributary of the Kansas River, and also an amount of money for the commencement of construction of the Harlan Reservoir on the Republican River. These are worthy projects and will have a decided effect on the flood waters of the Kansas and Missouri Rivers. In this bill is also included an item for further study of the proposed Tuttle Creek Dam on the Blue River. I want to urge that the Army engineers continue their studies on this stream in order that this river valley may be saved if at all possible. It contains some of the most fertile land in the Kansas River Basin and every plan should be studied before the beginning of construction of this dam.

Mr. CURTIS. I want to say a word about the Army engineers. If we could observe the marvelous job of construction that the Army engineers have done in this war, in order to bring this war to its successful conclusion, we would have adequate reason to believe that their peacetime program is very much worth while. It has developed a corps of builders who can do the job in time of national emergency.

This bill carries funds for construction on the Harlan County Dam on the Republican River. On many previous occasions I have spoken of the need for flood control and irrigation on the Republican River and I wish to thank the committee for its inclusion in this bill.

Mr. ENGEL of Michigan. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, Mr. Truman has sent a budget message to the Congress requesting a Budget expenditure of $36,000,000,000. Remember this is a peacetime Budget. The largest peacetime Budget in our history. The last peacetime Budget of the New Deal was for the year 1941, of $9,000,000,000. That administration was not noted in any way for its economy. So Mr. Truman wants four times as much. In the name of all that is good, it is up to the Appropriations Committee to get out the ax and cut out the functions of Government and force the President to use his power under the recent law which the Congress passed to streamline the Government, or we will go bust. Yes, go broke.

President Truman says he wants $25,000,000,000 a year during the balance of his term. With this estimate we will bust. The only way to save it is for the Congress to act, to vote economy; you now talk it, let us vote it. Where will you get the money?

In this civil-functions appropriation bill, the appropriation for 1946 was $261,091,540. The Budget estimate for 1947 was $337,028,509. The committee cut that down to $300,987,498. But now I think it is up to Congress to do some more cutting. Let us get out the ax and cut this appropriation to the limit. Let us streamline this bill, if possible, so that we can really and truly say that the Congress is going to serve the people, and furnish only such functions of government as are absolutely necessary to get along. For this reason you have a debt now of $279,000,000,000, according to the Treasury statement, the greatest debt that was ever placed upon any nation in the history of the world. We are in a serious position. So it will require each and every Member of Congress to eliminate anything that can possibly be eliminated from these appropriation bills, if we are going to survive.

The item of interest alone is a great item, over $5,000,000,000. The only way you can cut down that interest item is by cutting down the national debt. The sooner we do it, and the sooner we try to economize, the better for our taxpayers and our Nation.

Another thing, the President yesterday said it is going to be necessary for us to sacrifice in order to feed the starving nations of the world. We can do many things different than we are doing to aid in this worthy and humanitarian objective.

Let me make a suggestion to the President on how we might serve those people. I am in sympathy with trying to give them food to eat. Look at these food sales lists that come over our desks every day from Surplus Property, showing food owned by the Army and the Navy. Let us try to get those foodstuffs to the foreign countries through the Red Cross. That has been the greatest organization ever known to take care of starving people in foreign countries. It can do the work cheaper as well.

If you will look at some of the things contained in those lists: Here is dried milk, solid, over 77,000 cases. Let them give that to the foreign countries to try to sustain themselves.

Mr. PITTENGER. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. PITTENGER. Where are they disposing of that milk? Does the gentleman know?

Mr. RICH. They are selling it to anybody who will pay the highest price in open bids.

Mr. PITTENGER. You know, do you not, that the President wants to feed our people brown bread. Has anybody told him that we have all this surplus milk and these other surplus products?

Mr. RICH. Certainly they should, and that is what I am calling attention to. We are going to have an opportunity to vote on $1,200,000,000 more for UNRRA, so the President says. That is not the way to feed those starving people. That is not the best way nor the economical way to do the job.

Here is another item: 700,000 cases of canned asparagus. Here are thousands of cases of canned tomatoes. Here are thousands of cases of dehydrated tomato juice cocktails. Here are other thousands of cases of tomato juice cocktails. Here are 418,905 cases of spinach. Let us see that they get this stuff over into those foreign countries and preserve the lives of those people.

We have dried eggs for sale in great quantities. The Government has tons and tons of powdered milk for sale. Dried fruits of many kinds that can be used for the starving. Rations that were put up for our Army—good life-sustaining food that will tide over the foreign countries. I say stop selling them for less than cost. Send them to starving countries and peoples. Stop selling things at a loss and then getting the UNRRA to pay the high price for more foods at a loss. That is the way you have been doing business for 12 years—now stop it and do it at once.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SNYDER. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE of Illinois. Mr. Chairman, the subcommittee has worked hard on this measure and has given fair consideration to each project presented to it. I believe, however, that there may be some important levee construction delayed unless additional funds are made available for flood control on the Mississippi River in the sections between St. Louis and Cape Girardeau.

I am concerned because I know the need for more adequate levee protection for many southern Illinois counties. I do not want to see any interruption in the present plans of the War Department engineers for rebuilding old levees and constructing new levees that will protect thousands of acres of valuable farm lands and many miles of railroad roadbeds.

Each year the flood menace in the river counties in my own district is becoming more serious. Great areas of farm lands are annually thrown out of production by the raging water of the Mississippi. Large railroad terminals, freight yards vital to our Nation's welfare are constantly threatened by floodwaters.

It is Congress' duty to hold tight reins on the Nation's purse strings but it is false economy to withhold funds from levee construction which should be started at the earliest possible time.

I hope that in its final form this bill will carry sufficient funds to permit the War Department engineers to proceed with its program of levees for the protection of many thousands of acres of valuable land in the lower end of St. Clair County and the rich farm lands in Monroe County

I am pleased that the bill provides funds for the start of construction of the Chain of Rocks Canal in Madison County. This is an important project that in future years will more than return in benefits it will bring the community the cost of construction. I am also pleased that funds have previously been made available in last year's deficiency appropriation for the construction of the Wood River levee in Madison County, Ill.

Mr. ENGEL of Michigan. Mr. Chairman, I yield to the gentleman from Kansas [Mr. CARLSON].

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Cemeterial expenses: For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, and other employees; purchase of grave sites; purchase of tools and materials; purchase (not to exceed five), repair, maintenance, and operation of passenger-carrying motor vehicles; care and

maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and that portion of Congressional Cemetery to which the United States has title and the graves of those buried therein, including Confederate graves, and including the burial site of Pushmataha, a Choctaw Indian chief; repair to roadways but not to more than a single approach road to any national cemetery constructed under special act of Congress; for headstones or markers for unmarked graves of soldiers, sailors, and marines under the acts approved March 3, 1873; February 3, 1879; February 26, 1929; and April 18, 1940 (24 U. S. C. 279–280b), and civilians interred in post cemeteries; for repairs and preservation of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell; care, protection, and maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase, at Columbus, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island; and for care and maintenance of graves used by the Army for burials in commercial cemeteries, $2,433,000: *Provided*, That no railroad shall be permitted upon any right-of-way which may have been acquired by the United States leading to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

Mr. ANGELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANGELL: Page 3, line 10, after the figures "$2,433,000" insert the following: "And the additional sum of $605,240 to establish and maintain a national cemetery in the vicinity of Portland, Oreg., pursuant to the provisions of Public Law 388, Seventy-seventh Congress."

Mr. ANGELL. Mr. Chairman, on December 29, 1941, Public Law 388 of the Seventy-seventh Congress was signed. This law provides for a national cemetery in the vicinity of Portland, Oreg. The facts are that there is no national cemetery nearer than a thousand or fifteen hundred miles from Portland, absolutely no place where a veteran may be buried in a national cemetery. The nearest place is south of San Francisco or out in Montana.

This bill received the careful consideration of both Houses of the Congress and the President, and was signed, as I said, in 1941; but no appropriation has been made to provide burial facilities as authorized by this law.

Many of you may say that there is now pending legislation not yet approved to provide cemeteries in each of the States of the Union. That is true, but in no single instance, as far as I am advised, has the Congress itself authorized the construction of a cemetery that has not been constructed except this one. The Congress did authorize the construction of this cemetery by reason of the urgency of the case. Every veteran in this whole territory has been up in arms by reason of the fact that there is no place for a veteran to be buried in a national cemetery in this whole Northwest territory.

My amendment merely provides for the sum fixed by the Secretary of War for this cemetery and needed to carry out the provisions of the mandate of Congress, a law passed some years ago. When Mr. Stimson was Secretary of War he wrote saying that the sum of $605,240 would be the amount necessary to carry out the provisions of this law and provide for the construction of this cemetery. I hope my colleagues present will realize the seriousness of the situation and the urgency that faces us there in the Northwest for some place to bury the soldier dead. Before we had a single veteran of World War II there were 50,000 veterans in that area. There are a great many who are dying now, for many of them are getting old, veterans of the Spanish-American War, and a good many from World War I, and now we have the veterans of World War II; and yet there is absolutely no place for the soldier dead to be buried in a national cemetery in that whole area.

My amendment would provide the sum necessary to carry out the mandate of the law which we pass.

May I say also that President Roosevelt said he would not authorize a budget item for this by reason of the fact that he would not approve the payment of any Federal money for a cemetery site. In view of that fact, I conferred with the authorities in my State, and the legislature provided money for the acquisition of a site. The site was inspected and approved by the War Department and has been purchased by the State of Oregon. It is all ready for the construction to proceed and will be donated to the United States when construction is authorized. The only thing remaining to be done is the passage of this amendment so that construction of the cemetary may proceed.

I share the feeling of the gentleman from Pennsylvania [Mr. RICH], who preceded me, with reference to our cutting out every single item possible in order that we may curtail the expenses of this Government if we are going to maintain the equilibrium of our financial structure; but it seems we owe some obligation to the dead, particularly those who fought our wars, and who desire when the Master calls them to be buried in the hallowed ground of their ancestors in their home community. Most of you have a veterans' cemetery in or near your district, but we have none there in that great Northwest country, and I plead with you today to approve this amendment so we may have this appropriation and have at least one national cemetery in the Pacific Northwest.

Mr. SNYDER. Mr. Chairman, if I were the only one involved in this matter, my good friend the gentleman from Oregon [Mr. ANGELL] would get this cemetery, and I would go out and help him build it; but the way the national situation with reference to cemeteries stands today, as you all know, we voted for a cemetery for each State and in States such as Pennsylvania, New York, perhaps Illinois and other heavily populated States, there will be two or three cemeteries.

There has been no estimate sent up here by the War Department for this or given to the Bureau of the Budget. The Bureau of the Budget has sent nothing here. I may say, incidentally, that I do not blame my good friend for wanting this cemetery. They need it out there: but they need them at a lot of other places; and if we grant this request, it will only be right that we grant two or three dozen other requests by States in a similar situation.

In the State of Pennsylvania we had one-tenth of the soldiers in uniform in the United States Army, and I suppose we will have one-tenth of the deaths caused by the war, yet we do not have near enough cemetery space to take care of these people. I should not ask for it just now because we will have to wait until the Bureau of the Budget and the Army get plans made for these cemeteries throughout the Nation, and ir different States, and send it up here.

Mr. ANGELL. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I yield to the gentleman from Oregon.

Mr. ANGELL. May I say to the gentleman that in the great State of Pennsylvania you have veterans' cemeteries which you have had for years. This is the only cemetery, as I understand it, that has been approved by the Congress itself and authorized to be constructed that has not been constructed. We have a letter over the signature of Henry L. Stimson, Secretary of War, giving the amount of money that will be necessary for this cemetery which is the amount in my amendment.

Mr. SNYDER. I understand that. We have a cemetery, for instance, in Philadelphia for veterans, but it is filled. It has no more space. They have asked to go out 30 or 40 miles and buy additional space.

Mr. Chairman, I ask that the pending amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon [Mr. ANGELL].

The question was taken; and the Chair being in doubt, the committee divided; and there were—ayes 22, noes 33.

So the amendment was rejected.

The Clerk read as follows:

RIVERS AND HARBORS

Maintenance and improvement of existing river and harbor works: For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation; for survey of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparation, correction, printing, and issuing of charts and bulletins and the investigation of lake levels; for prevention of obstructive and injurious deposits within the harbor and adjacent waters of New York City; for expenses of the California Debris Commission in carrying on the work authorized by the act approved March 1, 1893, as amended (33 U. S. C. 661, 678, and 683); for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for operating and maintaining, keeping in repair, and continuing in use without interruption any lock, canal (except the Panama Canal), canalized river, or other public works for the use and benefit of navigation belonging to the United States, including maintenance of the Hennepin Canal in Illinois; for

payment annually of tuition fees of not to exceed 50 student officers of the Corps of Engineers at civil technical institutions under the provisions of section 127a of the National Defense Act, as amended (10 U. S. C. 535); for examinations, surveys, and contingencies of rivers and harbors; for the execution of detailed investigations and the preparation of plans and specifications for projects heretofore or hereafter authorized; for printing and binding, newspapers lawbooks, books of reference, periodicals, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, including such printing as may be authorized by the Committee on Printing of the House of Representatives, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress, and for the purchase in the fiscal year 1947, of not to exceed 550 motor-propelled passenger-carrying vehicles and 10 motorboats: *Provided*, That no part of this appropriation shall be expended for any preliminary examination, survey, project, or estimate not authorized by law, $112,883,250, including $25,000 for the removal of the Upper Free Bridge over the Illinois River at Peoria, Ill.: *Provided further*, That from this appropriation the Secretary of War may, in his discretion and on the recommendation of the Chief of Engineers based on the recommendation by the Board of Rivers and Harbors in the review of a report or reports authorized by law, expend such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality, or other public agency, outside of harbor lines and serving essential needs of general commerce and navigation, such work to be subject to the conditions recommended by the Chief of Engineers in his report or reports thereon: *Provided further*, That not to exceed $3,000 of the amount herein appropriated shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment of the expenses of the properly accredited delegates of the United States to the meeting of the congresses and of the Commission.

Mr. ENGEL of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ENGEL of Michigan: Page 6, line 16, strike out the sum "$112,883,250" and insert "$97,883,250."

Mr. ENGEL of Michigan. Mr. Chairman, I ask unanimous consent to proceed for 10 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ENGEL of Michigan. Mr. Chairman, this is the amendment to strike out the Florida barge canal from this bill. This matter came up originally as a WPA project under the heading of a ship canal back in the WPA days, when its construction was defeated. During the war—I believe it was in 1942—when there was a great shortage of heating oil in the New England States, the bill passed Congress authorizing the construction of this canal, based upon an estimated cost of $44,000,000. In 1943 an effort was made to obtain the appropriation. The proponents of the bill came before the War Department Subcommittee on Appropriations asking for an appropriation to build the canal at a cost then estimated at $44,000,000. When I questioned them they said the purpose was to haul oil from the Texas oil fields to the east coast and the New England States. The proponents admitted at that time that it would have cost approximately $450,000,000 to build the barges to haul 1,600,000 barrels of oil a day through the canal.

At that time Ralph K. Davies, formerly vice president of the Standard Oil Co. of California, was Deputy Fuel Administrator. At my request the Deputy Fuel Administrator, Mr. Davies, the man in charge of the transportation department, members of the War Production Board, and others appeared before our committee. They testified at that time—and you will find the testimony in the hearings—that the canal would cost $44,000,000, but that it would cost $1,500,000,000 instead of $450,000,000 to build the barges, if the steel were available, to haul 1,600,000 barrels of oil a day through the canal. The hearings at that time disclosed certain other information on my questioning regarding the cost of transportation of oil, tonnage, and so forth.

We have now before us an appropriation to build this same canal at an estimated cost of nearly $73,000,000, with a request by the Budget for us to appropriate $20,000,000, which the committee cut down to $15,000,000.

The same year, Mr. Chairman, that the committee turned down the Florida barge canal in 1943, we placed in the bill $3,000,000 for plans and specifications. Despite the fact that Congress turned down this project, the War Department spent $1,300,000 on surveys and plans on a project we had turned down. This was $1,300,000 out of a total of $3,000,000 provided for plans and specifications for the entire United States.

The total amount contained in this bill for rivers and harbors construction in all the 48 States is only $52,000,000, yet the Budget Bureau comes in here and recommends $20,000,000 of the $52,000,000 for one project. This was cut by the committee to $15,000,000. If we pass this bill as it is, $15,000,000 out of $52,000,000 will be spent this year, and $73,000,000 will be tied up on the Florida canal and some other worthy projects will not be able to obtain funds, such projects as many of you have come to me complaining about.

The authorization bill was passed with an estimated cost of $44,000,000. The annual tonnage given was 340,000 a year. General Wheeler, the Chief of Engineers, testified there would be more tonnage. "We are going to have a lot more tonnage, and a lot of it will be oil."

Mr. Chairman, the 1943 record showed—and I have it in these hearings—that it cost $1 a barrel to ship oil through the canal by barge to the east coast. The wartime cost of transportation by tankers was 40 cents a barrel, and the peacetime cost by tankers is 21 to 24 cents a barrel. The pipe-line cost is 35 cents a barrel. They are going to talk about the cost of that pipe line. The pipe line paid for itself at 35 cents a barrel over the canal at a dollar a barrel if we had shipped the amount over the canal that we shipped through the pipe line. Those days the tankers were being sunk and we were looking for a different method of shipping oil during wartime, but today it is not a question as between tankers and railroads or tankers and pipe line, it is a question of the difference in cost between two of the cheapest methods of transportation; that is, water transportation, the difference between the cost of transportation by tanker and by barge canal.

It is 2,400 miles to 3,000 miles from the Texas oil fields to the east-coast points. This means that these barges travel 2,400 to 3,000 miles at the rate of 4 to 5½ miles an hour, according to the testimony, and then they go back empty because you cannot haul anything in them but oil; so that is another 2,500 to 3,000 miles to haul empties. How in the world are they going to make the canal pay out hauling oil at a cost of a dollar or even 50 cents a barrel when the tankers are hauling oil for 21 to 23 or 24 cents a barrel?

It will be said here, Mr. Chairman, that the short haul will do it. There is no such thing as a short haul when it comes to hauling oil from Texas by barge canal. Those barges travel 1,100 miles before they ever strike the Florida barge canal. After they leave the barge canal they go hundreds of miles farther. Of course, you can take a barge and deliver oil at the various ports cheaper than you can by tanker, but you cannot haul oil long distances, 1,100 to 2,400 miles, and then distribute it more cheaply.

Mr. Chairman, I wonder just where the political pressure is coming from to make the War Department spend $1,300,000 for plans and specifications on a project which the Congress turned down the same year that money was authorized to be spent? The War Department recommended $30,000,000 for the Florida barge canal. I wonder where the political pressure is coming from which would induce the Budget to recommend $20,000,000 out of $52,000,000 rivers and harbors money for a Florida barge canal which has been turned down time and time again.

Mr. Chairman, I asked General Wheeler, "This canal is going to cost $75,000,000. The interest charge on that alone is nearly $2,250,000, and we are going to have to borrow the money to build this canal. How can you make it pay out?"

General Wheeler testified that the operating cost, including interest charge, would be $2,500,000 for every year that that canal is operated after it is built. After mentioning larger possible tonnage, he came right back and said 340,000 tons is the actual tonnage. Regardless of what the proponents may say, that is the tonnage upon which the Rivers and Harbors Committee authorized that appropriation. Now, Mr. Chairman, if we take the figure of 340,000 tons a year and the cost of operating at $2,500,000 to $3,000,000, what is this going to cost per ton? General Wheeler testified, and it is here in the record, that the cost would be from $8 to $9 a ton to transport freight by barge through the canal.

If you take four times the amount of tonnage that the Chief Engineer gave, you still have a cost of $2 a ton in addi-

tion to the freight. And when you talk about shipping oil through the canal, there just is not going to be any oil shipped through there.

Talk about a short haul—the shortest haul you have before you get to the canal is 1,100 miles from the Texas oil fields to the proposed canal. Furthermore, you have to take your empties back. I ask this committee to turn down this project and adopt my amendment striking this $15,000,000 from the bill.

Mr. HENDRICKS. Mr. Chairman, I rise in opposition to the amendment, and ask unanimous consent that I may proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HENDRICKS. Mr. Chairman, I hope I will not require the 10 minutes.

Mr. Chairman, it is unfortunate that the proponents or opponents of this project call it the Florida barge canal. The truth of the matter is it is a connecting link, and it should be so described. The only purpose for which I have brought this map here is to show how this cannot be considered as a local project. If this were a project in the State of Florida, if it were alone for my State, I could not afford to vote for it, because it would not serve a purpose and it would not be justified. But I want you to see from this map that this is a connecting link in a chain of waterways that has cost this Nation already over $200,000,000 to develop.

Mr. PITTENGER. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield.

Mr. PITTENGER. Sometime I wish you would elaborate on that and show this House how a short-sighted policy in the development of the resources of America has cost us not only $200,000,000 a year, but a billion dollars in the St. Lawrence seaway and power basin, where we have had to pay enormous freight rates to haul materials for ships that would have been hauled for one-tenth what it would have cost if that seaway had been in progress during World War II. I am for this project.

Mr. HENDRICKS. I thank the gentleman for his contribution. He is certainly wise. We are penny-wise and pound-foolish when it comes to developing and protecting the natural resources of this Nation.

For once and all I want to spike this matter of a Florida barge canal. It is no such thing. It is a connecting link between two canals which, when completed, will be 2,500 miles long and will serve the entire Atlantic-Gulf seaboard of this Nation. If you will look at this map you will find when this canal is completed from Corpus Christi to Brownsville it will run all the way from the Mexican border of the United States to Florida, 12 feet deep by 100 feet wide, when they make some improvements. Then you jump across Florida, and from Florida to Trenton, N. J., you have another canal completed, an inland waterway of 2,500 miles in length, and when certain improvements are made, at a cost of over $200,000,000, then we will have a complete waterway all the way from Corpus Christi to Trenton, N. J. This is the connecting link. This is the gap that has kept transportation from going through. That is the only reason I wanted to use this map.

This affects not only the coastal canal but also the inland waterways up through the Mississippi and Missouri Rivers. They have no way of getting across here. They must unload or go around the State of Florida, or go by rail transportation across the State.

The gentleman from Michigan [Mr. ENGEL] is a close personal friend of mine. He has done me favors and I am willing to do him a favor at any time. We disagree on this project. I like the way he fights. He takes off his coat, rolls up his sleeves, and bangs away. That is exactly what I am going to do. I do not think he will disagree with me in that. He knows there is nothing personal in it. However, the gentleman made a lot of what Ralph K. Davies had to say when this was before the subcommittee in 1943. I would not believe Mr. Davies on a stack of Bibles as high as the Capitol.

The gentleman from Michigan says, "I am willing to take Mr. Davies' word." I want him to go back and read those same hearings in which he sat, and see where Mr. Davies told that committee: "If you will give us the things we have requested here, if we get the facilities we have requested, there will be no shortage of fuel on the Atlantic seaboard this coming winter." Those are his words and the words of Mr. Wilson and the words of Mr. Ickes, yet that coming winter we had the greatest shortage we have ever had in the history of the Nation. So if the gentleman from Michigan wants to rely on the figures of Mr. Davies that is all right, because his own statement belies him right there. The statement is in the record for the gentleman to see.

I do not see that Mr. Davies' statement about what it cost to build barges for the canals has anything to do with this appropriation. That was at a time when we were talking about having barges go through, hauling oil from the Gulf to the Atlantic seaboard. But at this time we are not talking about that. We are talking about linking up two great waterway systems.

I may say to the gentleman that the committee did not turn this canal down at that time because it was undesirable, they turned it down because Mr. Ickes said a pipe line would be the quickest and most feasible way of getting oil to the rest of the Nation. At that time I told the committee that if we constructed this waterway we would have something that would serve the people of this Nation in the future and would not have to be abandoned when the was was over. The committee, however, decided otherwise in their wisdom, and now we have pipe lines at a cost of over a hundred millions, which today are either to be junked or filled with sand, and nobody is going to use them. Had that money been spent on this connecting canal it would have been saved to the people of this Nation in the form of reduced transportation costs.

Mr. BUCK. Mr. Chairman, will the gentleman yield for a question?

Mr. HENDRICKS. I yield.

Mr. BUCK. What depth of water is carried in the Atlantic portion of the canal system at the present time?

Mr. HENDRICKS. There are certain portions of it that have not been completed, just a small portion as I understand. It carries a depth of 12 feet, exactly the depth authorized for the construction across Florida to connect up these two canals.

Mr. BUCK. Twelve feet along the Atlantic portion of the system.

Mr. HENDRICKS. That is correct.

Mr. BUCK. One other question, What is the relative cost of transporting a ton of oil by canal barge as compared with an ocean-going tanker between the same ports?

Mr. HENDRICKS. I shall be glad to answer that question because my friend the gentleman from Michigan brought it out. He insisted that General Wheeler answer this question about what it would cost. General Wheeler did state what it would cost but the gentleman from Michigan himself inserted the figures of between $8 and $9 per ton to be hauled by the barge canal. And the way he arrived at that figure was this, and I want you to follow me closely I am sure my friend from Michigan does not intentionally mislead you, but he certainly did with those facts because here is the way he arrived at his figure: He took the lowest estimate of tonnage on this canal in prewar days of 340,000 tons, and he took the highest estimate of cost of the canal, which is now based on war costs and postwar costs. Then he gives the cost of maintenance and arrived at his figures of $8 or $9 a ton, which is absolutely incorrect.

I may point out to you here that this is the only project in the whole bill that will not be increased in cost. It came in here with the increase in costs figured by the War Department, taking into consideration the wartime high rate of wages and cost of materials. On all other projects the engineers themselves have stated there will probably be an increase of from 20 to 30 percent of the figures presented but on this one, instead of there being an increase, there will, if anything, be a decrease. So my friend from Michigan is wrong in the way he arrived at his figures by taking the lowest estimate of prewar tonnage and dividing it into the highest estimate of cost and maintenance. That gave him his figures of $8 or $9 a ton, but I say those figures are absolutely untrue.

I questioned General Wheeler, as you will find from the hearings, and you will find them in the record. He stated that when a tanker hauls from the point of production to the point of consumption that it will haul cheaper than a barge. But he also said that that applied only in a case where they would haul from Corpus Christi, Tex., for instance, and unload at Norfolk, Va. It did not include the cost of unloading from the tanker and reloading on tank cars, hauling overland, and unloading again, and reloading on barges in the canal for hauling to another point.

But he also said, and this is in the record too, that where you can use barges from the point of production to the point of consumption that the barges will haul cheaper than the tankers. The statistics in the engineers' office show that this statement is absolutely correct.

Mr. Chairman, let me say that it seems rather unusual that when we talk about water transportation the statement always is made that we do not want to spend too much money, the question of economy is always raised. We should be economical, that is true, as the gentleman from Michigan has said. There is only $52,000,000 in this bill for present construction and the engineers sent a budget of $20,000,000 which was reduced to $15,000,000 for the canal.

Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HENDRICKS. Mr. Chairman, I was speaking about various forms of transportation. It is true, as has been said, that there are $52,000,000 in this bill for construction, $15,000,000 of which were allotted to the Florida ship canal. Let me say to the gentleman that I am going to offer amendments to see how far we want to go to spread these items in order to help other projects in here. I am willing to spread it out. Many Members have discussed the possibility of offering amendments putting projects in here. If they offer those amendments I think we ought to adopt them and I will tell you why. We ought to adopt those amendments for the reason that in the pioneer days of this country the Government gave millions of dollars' worth of land to the railroads. The Government subsidized railroad transportation and for what purpose? To benefit the people of this Nation, and that was proper. During the recent war the Government spent over $1,000,000,000 in building airports throughout the country to be turned over to cities, municipalities, and communities. For what purpose? To be used by air transport lines to serve the people of this Nation. Just recently we passed a bill authorizing $650,000,000 for the purpose of subsidizing air lines for air transportation in this country by building more airports. That should be done. We made an authorization of $500,000,000 for public roads throughout this country, thereby subsidizing the bus lines and truck lines throughout the Nation. That is all right. We recently passed a bill which, in effect, turned back to the railroads of this country hundreds of millions of dollars because now the Federal Government does not take advantage of the land-grant provision and we have to pay the railroads for the freight they haul; that is justice. We are subsidizing every form of transportation in this Nation except the cheapest form—water transportation.

When we come to some little project here which will affect millions of people on the Atlantic seaboard and on the Gulf in the way of connecting those two great waterways, then we hear the statement, "No; that is a little too much," and reference is made to it as a local project. It is no such thing. No one could defend it if it were purely a local project.

Mr. Chairman, I want to be perfectly fair. This project is for the benefit of the entire Nation. It is not for the benefit of the State of Florida. May I say to you also that when the engineers made their estimate of tonnage here they based it on on prewar days. They themselves state they did not take into consideration the long-haul value of transportation from over here to over there or from here back to there [indicating] but simply the local tonnage across the State of Florida. When I asked General Wheeler the question he said in the record of the hearings that that 360,000 tons would be doubled time and time again.

Mr. Chairman, I want to point out to you some statistics from the Bureau of Statistics of the Army engineers. Here are two projects on all fours. We did not consider any increased tonnage at all; that is, the gentleman from Michigan has not, and I want to read to you some statistics.

Here is one I want to read. Commerce on the Atlantic and Gulf Intracoastal Waterway has grown rapidly for the past 10 years, depression years as well as war years, from less than 500,000,000 ton-miles in 1934 to 5,800,000,000 in 1944, an increase of 1,000 percent. Here is another intercoastal project on all-fours, and I refer to the Mississippi River intercoastal connecting canal by way of Plaquemine and Morgan City which has increased from 416,690 tons to 3,477,433 tons, an increase of 800 percent. When they begin hauling from the Gulf coast to the Atlantic seaboard it will increase by a thousand percent.

Mr. Chairman, shipping concerns have always opposed a canal, stating, "We will not use them." But it has always been true that when the canals were completed they did use them, and I am sure that will be true in connection with this particular waterway. Of course, Mr. Davies said he would not use it or that all the companies will not use it. But I will tell you the reason why they will not use it. I want to tell you people on the Gulf coast why they will not use it. One of the proponents of the canal was talking to an official of one of the big oil companies one day and he said, "Why, sure, it will save us every cent that you say and more, too," but he said, "It would lose $150,000,000 for us annually." The proponent said, "How is that? I do not understand what you mean." He said, "How do you think we will control the price of petroleum if you open up the barge canal so that the independents can deliver to the consumers?"

Mr. Chairman, I could go on all afternoon, but if you read the record you will see that this project is justified.

Mr. PETERSON of Florida. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the situation with reference to this particular barge canal is this, that originally, after long study, it was contemplated that the cross-State waterway from Fort Myers to Stuart was the connecting link with the coastal waterways from Corpus Christi north. The engineers' reports so referred to it. In the days when the cross-State ship canal was surveyed, this particular route under consideration now was surveyed, and finally a report came in, but previously the Army engineers had approved the west coast intercoastal waterway along the west coast of Florida, then going across State from Fort Myers to Stuart. The total cost of that is only about one-tenth of this particular canal. The figures as given to you by the gentleman from Michigan are correct. Originally I had opposed the cross-State canal because of the fact that I thought it was economically unsound and because of the fact that it would greatly endanger the water supply of the State of Florida, and because of the fact we thought it was a Federal obligation to pay for the bridges.

The elimination of the sea-level canal and the provision for locks removed one of those objections but did not remove the objection of the economic unsoundness of it, because the canal, with one-tenth of the cost, by using the already approved waterway and the connecting link down the west coast of Florida. I do not say that because the connecting link is in my district. It was at one time but is not now. But it is still economically unsound to spend this vast amount of money for this barge canal at route 13B now. There are many projects approved in the River and Harbor Act passed this year and many projects which were approved by the engineers a number of years ago that are greatly needed.

There is $15,000,000 for this particular project. There are many harbor and bay improvements in all southeastern United States, which were approved prior to this time, that are vastly more needed. I am in an embarrassing position of opposing this large amount of money in my own State. I said in all candor and frankness to the committee that there are many people in Florida who want it, but when we study the economic soundness of the project, it stands to reason that the money can be spent to far better advantage in Florida than in other places in the engineers reports approved and under survey.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Florida. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Is it not a fact that there is now a natural route over which such a barge canal could be built from Fort Myers through Lake Okeechobee and onto the Atlantic coast, on a very small program?

Mr. PETERSON of Florida. Yes; from Anclote River at Tarpon Springs to Fort Myers, thence from Fort Myers through the Calvoosahatchee and Lake Okeechobee to Stuart, which would only cost approximately one-tenth of the estimated cost by using the regular waterways, knocking out bars and dredging some here and there.

Mr. KNUTSON. That is the route that nature intended should be used.

Mr. PETERSON of Florida. That is correct. The gentleman is familiar with the situation.

Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HENDRICKS. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Florida. I yield to the gentleman from Florida.

Mr. HENDRICKS. Right along that same line, may I ask my colleague from Florida if this canal that he speaks of down in his district were completed, with the same depth and the same width, to connect the two intercoastal canals, what would it cost?

Mr. PETERSON of Florida. I may say first that it is not all in my district. The estimated cost is $3,200,000 of that portion in my district for 8 feet from the Anclote to the Caloosahatchee.

Mr. HENDRICKS. For a canal 12 feet deep and 100 feet wide, to connect with the other two canals?

Mr. PETERSON of Florida. That is the estimate.

Mr. HENDRICKS. I am sure the gentleman will find it will cost far over $100,000,000.

Mr. PETERSON of Florida. No; that is also the connection from Fort Myers through Lake Okeechobee and the Caloosahatchee.

Mr. HENDRICKS. I am speaking of the canal that will connect the two intercoastal waterways, at 12 feet deep and 100 feet wide. I am sure the gentleman will find it will cost over $100,000,000.

Mr. PETERSON of Florida. No; that is not correct. The figures have been developed from time to time. The 8-foot waterway would be made 10 feet at a cost of less than half a million, according to the Army engineers' report. The original report referred to it as a connecting waterway. The cross-State portion does not go through my district now, it goes through the district of my colleague the gentleman from Florida [Mr. ROGERS], but I am familiar with the situation because I once represented that district.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Florida. I yield to the gentleman from Michigan.

Mr. DONDERO. How long has this question of a Florida barge canal been before the United States?

Mr. PETERSON of Florida. It was actually under consideration before Florida belonged to the United States. It was also discussed back in the old territorial days, and before there was a Territory. It has been surveyed and resurveyed, and there has never been a favorable report except in the hysteria of the war period. That is the situation. It is a question of the best expenditure. There is $15,000,000 marked for expenditure here. There are other projects approved that need it far more. The improvement of the great harbors of Tampa and St. Petersburg, the smaller ones of Sarasota and Clearwater and a small expenditure on the Coatee River and at Tarpon Springs, $10,000 for a turning basin which is not included here but has been authorized would save more than that to the sponge industry in 3 months. Let us take first things first. When we have funds available that can be well spent for canals, then that is a different situation. This was authorized when they thought they would construct it during the war period, purely for the purpose of getting oil. It previously had been turned down time and time again.

In the printed hearing there was some confusion and possible misprint as to the use of the words "interstate" and "intrastate." The intrastate is generally known as west coast intracoastal canal. The bridges, for which I insist on the Federal Government paying, is the Cross State Canal, known now as Cross Florida barge canal.

Mr. ROGERS of Florida. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I regret very much protesting against any improvement that comes to the State of Florida. I hesitate to disagree with my good friend the gentleman from Florida [Mr. HENDRICKS], but I believe in fair dealing, I believe that things that are first should come first.

This subcommittee recommended this appropriation, at a time when in my own district projects that have merit to them got absolutely no consideration. I have many such projects, but here are two, for example. There is a project known as Lake Worth Inlet in my district for the improvement of the port at Palm Beach. Congress authorized an appropriation of $711,000, Public Law No. 14. The freeholders of the port of Palm Beach district, upon the assumption that this House was going to carry out what we passed and give them an appropriation of $711,000, voted a bond issue of $1,000,000. They have that money right now in the bank to make the improvements, yet this appropriation is not included in this appropriation bill.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from Georgia.

Mr. TARVER. Was any Budget estimate transmitted to the Congress for that project?

Mr. ROGERS of Florida. I do not think so.

Mr. TARVER. The gentleman knows that the Committee on Appropriations does not consider projects until Budget estimates are transmitted.

Mr. ROGERS of Florida. I know that the Board of Engineers recommended it. They said it was a worth-while project. This House passed that bill authorizing an appropriation of $711,000, but that appropriation is not in this appropriation bill. Now this bill authorizes an appropriation of $15,000,000 for a barge canal, which should not have priority over the amount authorized for the Lake Worth Inlet, and I am not in favor of this appropriation before our project, which has merit in it, has been included.

Mr. ENGEL of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield.

Mr. ENGEL of Michigan. There are many Members on both sides of the aisle who came to me with worthy projects, just as the gentleman has. Unless we cut out some of these projects that the Bureau of the Budget has approved for some inexplicable reason and rejected others, such as the gentleman's project, we cannot put some of these others in. The fact of the matter is that the engineers report these projects, then the President comes down and sets a limit on how much money they can put in the Budget, and it comes down from the engineers with some of the projects, such as the gentleman has, being cut out and others are put in.

Mr. ROGERS of Florida. I thank the gentleman for that remark. I want to say that regardless of what the Budget or the engineers have said, that the House ought to stand behind a good project, and if they see something that is not right or has no merit in it, they should cut it out, as the gentleman from Georgia [Mr. TARVER] said. You know and I know that if this amount is appropriated for these projects, then we cannot get these meritorious projects in the southern end of our State. The gentleman from Florida [Mr. PETERSON] has shown you that we have a waterway there, the canal from Stuart to Fort Myers, connecting us up. It is a wonderful waterway and should certainly have an appropriation prior to this one. It needs development and will not cost us much. I think this canal should get its appropriation before the barge canal and should be developed, as authorized by the Board of Engineers. When this is done, I will not oppose an appropriation for the barge canal.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. TARVER. Mr. Chairman, I ask unanimous consent that the gentleman from Florida may proceed for another minute so that I may ask him a question.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield.

Mr. TARVER. The gentleman's project, as I understand it, is included in the rivers and harbors bill which was passed last fall, and no appropriations are authorized under that bill until 6 months after the war. Therefore, there is no appropriation authorized for the gentleman's project at this time.

Mr. ROGERS of Florida. I do so understand the situation is as the gentleman states. Nevertheless, the gentleman from Georgia obtained an appropriation in a deficiency appropriation bill upon the theory that he would help us to get out a project if we voted for his project down there in Georgia. So I voted for the project.

Mr. TARVER. I never even heard of the gentleman's project until a few days ago and most certainly had no agreement with him of any kind.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am not opposed to the project referred to by my distinguished friend from Florida [Mr. ROGERS]. I am not opposed to the project referred to by the distinguished gentleman from Florida [Mr. PETERSON], but that project down there would not be worth anything to the intercoastal canal. I say that advisedly. I have been on the Rivers and Harbors Committee for many years and have heard all the testimony on this proposition.

The barges that would travel through the intercoastal canal could not go out through the Atlantic Ocean or through the Gulf of Mexico; and if you were to move down to the place they refer to in Florida to try to make a canal across Florida, still these barges that travel along the Atlantic seaboard and along the Gulf coast could not any more use it than they could cross the Peninsula of Alaska.

Mr. PETERSON of Florida. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I certainly will yield.

Mr. PETERSON of Florida. The contemplated canal, of which a portion has already been finished, goes down the west coast of Florida to the waterway which is Caloosahatchee which as used all during the war period for small barges and thus saved fuel for the Coast Guard to the extent of as much as the estimated cost of the canal.

Mr. RANKIN. Even if you get down the west coast of Florida, when you get out into the Atlantic Ocean, your barges could not travel, for the reason that they cannot operate in the open sea. The engineers have testified to that fact time and time again.

I am willing to assist the gentleman from Florida in any legitimate development, but I can tell you now you will never build this intercoastal canal to cross the peninsula at the point they indicate and make it carry the barges that travel along the Atlantic seaboard intercoastal route and the intercoastal route along the Gulf coast.

They cannot travel down the west coast of Florida, then cross and go out into the open waters of the Atlantic Ocean because the waves would sink them. Every engineer that knows anything about the barge business will tell you so. For that reason, as I said, I am willing to support the proposition of the gentleman from Florida when it comes up, but I am not willing to destroy this great link in one of America's greatest transportation courses merely in order that some time later we may develop a local project somewhere else in Florida, or at any other place.

I hope the amendment will be voted down and that this project will be developed so as to connect that great barge system, the intercoastal barge system along the Atlantic seaboard and the one along the shores of the Gulf of Mexico, because it will mean untold millions of dollars to the shippers of both sections of the country.

Mr. SNYDER. Mr. Chairman, I wonder if we cannot agree to a limitation of debate on this matter.

I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

Mr. HENDRICKS. Mr. Chairman, reserving the right to object, I may offer a substitute amendment, and in case I do, I wish to reserve 5 minutes on that amendment.

Mr. SNYDER. I will limit it to this amendment.

Mr. HENDRICKS. I will not object, provided it does not prevent me from offering a substitute and being heard on the substitute.

Mr. SNYDER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. The question is on the motion.

The motion was agreed to.

The CHAIRMAN. The Chair has recorded the following gentlemen desiring to speak on this amendment, and will divide the time accordingly: Messrs. DONDERO, RICH, KNUTSON, SIKES, PRICE of Illinois, HENDRICKS, and SNYDER.

The gentleman from Michigan [Mr. DONDERO] is recognized for 2 minutes.

Mr. DONDERO. Mr. Chairman, the Florida barge canal is not a new subject to the House or to me. I recall that on two previous occasions this House rejected the proposal. At that time the proposition was a deep water canal, of 30-foot depth. The present proposal is for a 12-foot depth canal.

The original estimate on the deep water canal was $200,000,000.

The first estimate on the barge canal or the 12-foot depth was $44,000,000. Now it is $72,000,000.

The estimated tonnage to be carried on the canal has been given as 340,000 tons. Multiply that by four and the rate through the canal would still be about $2 per barrel for oil. Mr. Davies testified that during the war 95 percent of all the oil that reached the eastern seaboard went by tanker, only 5 percent went either by rail or pipe line.

It must be evident to the House that the volume of traffic or commerce to go through the canal would be oil, and the oil tanker is the cheapest of all methods of transportation for this particular product. It costs from 22 to 25 cents a barrel to transport oil by tanker; about 35 cents a barrel by pipe line; and about $1 per barrel by barge line.

It seems to me that such a proposal as this which cannot be justified economically should be voted down by the House at this time, particularly in view of the financial condition of the Nation. Some think when the volume of traffic and commerce warrant, it may be justified economically. Then let the House consider this project.

I hope the amendment offered by the gentleman from Michigan [Mr. ENGEL] will be approved and that this item of $15,000,000 will be stricken from the bill.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The gentleman from Pennsylvania [Mr. RICH] is recognized for 2 minutes.

Mr. RICH. Mr. Chairman, it certainly does amaze me to see the great number of Members in the House of Representatives who talk economy, get up on the floor of the House and make speech after speech favoring economy, yet when an opportunity comes along to save the money of the taxpayers of this country they do not vote economy. Where is the chairman of the Committee on Appropriations? Let him get up here. He has been talking economy lately. Why is he not here doing something to help us economize in this instance? Why is not he here supporting an amendment that will cut an appropriation out of the bill?

To those of you who believe in economy, I say now is the time to vote economy. We must get at this at the source.

Those sponsoring this canal insist on it. I say there is no necessity for this canal today; the wartime need for it has passed, and whether it be the State of Florida or any other State in the Union, we should not increase our national debt at this time. To vote appropriations for projects which are not economically justified is nothing but absolutely silly. To those Members of Congress who want to try to get their particular projects in every bill that comes up, I say it is a time when actions speak louder than words.

Let us vote this down.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. CASE of South Dakota. The gentleman does not want to vote this amendment down; we want to vote this amendment up, for it strikes the item from the bill.

Mr. RICH. I want to strike the item from the bill, that is right. I want to cut out everything it is possible to cut out.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The gentleman from Florida [Mr. SIKES] is recognized for 2 minutes.

Mr. SIKES. Mr. Chairman, some of the discussion on the Florida canal has revolved about wartime costs and an effort is being made to use those costs to determine the canal's value. It might be well to remind ourselves that everything connected with the war effort cost a great deal more than it would have ordinarily. In war, it was victory that counted. We did not measure the cost and we did not use cost as the basis for determining whether a thing was good or bad. It was something we had to do and we saw it through.

Mr. Chairman, I would like to point out that the uncompleted gap in the two great coastal waterways, which extends across the State of Florida cost thousands of lives during the war, it cost a great many ships, it cost many hundreds of thousands of barrels of oil and of other vital war material. They were lost because of submarine action in the Gulf and in the Atlantic. The intracoastal waterway, then as now, was only partially completed and we felt its need very keenly. It was not until we turned to barge shipments along the coast and to pipe lines that we bested the problem of fuel and heat. Perhaps we will never need the intercoastal canal across the State of Florida for defense purposes. Let us hope we shall not, but who can say whether we will or not. It is worth the investment from the standpoint of national security alone.

Mr. Chairman, it is said that we will only have 340,000 tons of commerce to move over the Florida barge canal. May I point out that those were prewar figures, arrived at before we had terminals at a time when there were but few tugs and barges utilized in those waters, when there were a number of uncompleted gaps in the intracoastal waterway. They have little relation to the present. During the war we saw what happened to other shipping figures, similarly arrived at, in the same area. They were expanded 10 times, 20 times, yes, as much as a thousandfold, Mr. Chairman. No, my friends, we have not completed the development of our waterways. We are only beginning. Let the records speak for themselves. You show me a completed waterway in this Nation, I will show you a resultant increase in trade, in economic activity, and in the prosperity of the people in the particular area.

I hold no particular brief for the cross-State canal. There are projects in my own district in which I am much more interested. Some of them are not included in this bill. But I seek the completion of our waterways pattern. Eventually, all of them will fit together, a monument to the foresight of Congress and a great asset to the Nation's economy and to its continued development. Because of its potential defense value, and because I am convinced that all of Florida, the Southeast, and the Nation will benefit from the link-up of our great waterway systems, I urge your support of this item.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. PRICE].

Mr. PRICE of Florida. Mr. Chairman, it is unfortunate that we who represent the people of Florida come before you today in what some of my colleagues stated is a divided purpose because, really, this is not a selfish matter or a local project that we are before you with. I am sure that my colleague from Florida [Mr. HENDRICKS] has impressed you with the fact that this project affects the citizens of the Gulf coast as well as those of the eastern seaboard.

It should be brought to the attention of the House that there will be products other than oil hauled over this canal. I feel sure that the traffic will be a great deal heavier in other items than in oil. It has been proven before the committee that the project is economically sound. That has been brought out in the discussion and hearings on the bill. In my opinion, we can defend this project as a matter of national defense as well as an economic matter.

Mr. HENDRICKS. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Florida. I yield to the gentleman from Florida.

Mr. HENDRICKS. Something has been said about disagreement on the part of the people of Florida. Does not the gentleman think if we had a three- or four-prong canal, one running from Miami to Tampa and one from Jacksonville to Tampa, we would not have any disagreement?

Mr. PRICE of Florida. They are talking about their pet projects that have been cut out of this bill. They are selfish. I have projects that have been cut out of this bill, but I am willing to go along and try to get the Florida barge canal because it will be really a grand thing for the whole seaboard and the Gulf coast.

Mr. PETERSON of Florida. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Florida. I yield to the gentleman from Florida.

Mr. PETERSON of Florida. The other projects are not out. They are in there too.

Mr. PRICE of Florida. Mr. Chairman, I hope that the Members of the House will see fit to approve the appropriation for the construction of this barge canal across Florida. As we all know the authorization of this project was passed several years ago, in time for the canal to have been in operation during the war through which we have just passed. The canal would have saved this country untold millions of dollars during the war and hundreds of lives. It is indeed a shame that because of the pressure brought by selfish interests that this great sacrifice of lives and money had to be made.

To say that a hundred of our young men were called upon to give their lives does not register in the heat of this argument. But if there were those present who had lost a loved one on the coast of Florida during the time the German submarines were playing such havoc with our shipping, that could have been traveling across the Peninsula of Florida in the canal far removed from the hazards of war, of course the matter of the canal would be a matter of vital importance. I had no relative who lost his life because this canal was not in operation, but I did have a very dear friend who died in the burning oil when his ship was sunk off the coast of Florida. Nothing can be done that will correct this mistake that has cost so much money and loss of life, but we can appropriate this money in order that the canal can be constructed without further delay. It was definitely brought out in the hearings before the committee that the building of the Florida State barge canal was justified from an economic and from a national-defense viewpoint. The commercial value of this project was proved without a doubt, and I hope the House will give its approval to this worth-while appropriation.

The CHAIRMAN. The time of the gentleman from Florida has expired.

The Chair recognizes the gentleman from Florida [Mr. HENDRICKS].

Mr. HENDRICKS. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. HENDRICKS for the amendment offered by Mr. ENGEL of Michigan: Page 6, line 16, strike out "$112,883,250" and insert "$104,883,250."

Mr. HENDRICKS. Mr. Chairman, I do not care whether this amendment is adopted or not. I just want to bring to the attention of the House and to the gentleman from Michigan [Mr. ENGEL] as well as others who have spoken of the fact that if this amendment is not adopted, it will be taking from others and it could be spent wiser on other projects. You may say that about any project in this bill. You can take the money from some other project and spend it on your particular project, if you want to be selfish about it.

The amendment I have offered reduces the amount in the bill by $8,000,000. It takes $5,000,000 off the Florida barge canal. It takes $2,000,000 off the St. Marys River project in Michigan and $1,000,000 from the project from Kansas City, Mo., to Iowa; therefore you have $8,000,000 which I am perfectly willing that the committee adopt and take $5,000,000 from me, $2,000,000 from the gentleman from Michigan and $1,000,000 from the people who want this waterway through Missouri and Iowa, and spread it out over these other projects. I do not care whether this amendment is adopted or not, but it shows how selfish we can be. I just want to bring to the attention of this House that anybody can offer amendments to provide money that can be taken from somebody else or my amendment. We have to decide these projects on what the engineers have stated, and the engineers have stated that the canal is feasible and economically sound, and they have also said that it has defense justification, and I would take the word of the engineers, and I think this project ought to stay in the bill and other projects put in also. There is nothing mysterious about the way this thing came here. It came here like every other project in the bill, and I do not like to have anybody insinuate that there was some mysterious manner in which it was put in. I believe this amendment of mine should be voted down and I believe the amendment offered by the gentleman from Michigan should be voted down.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Florida to the amendment offered by the gentleman from Michigan.

The substitute was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. ENGEL].

The question was taken; and the Chair being in doubt, the Committee divided; and there were—ayes 103, noes 42.

Mr. HENDRICKS. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was agreed to.

The Clerk read as follows:

FLOOD CONTROL

Flood control, general: For the construction and maintenance of certain public works on rivers and harbors for flood control, and for other purposes, in accordance with the provisions of the Flood Control Act, approved June 22, 1936, as amended and supplemented, including printing and binding newspapers, lawbooks, books of reference, periodicals, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, and for the purchase in the fiscal year 1947, of not to exceed 200 motor-propelled passenger-carrying vehicles, and for preliminary examinations, surveys, and contingencies in connection with the flood control, $110,814,000: *Provided*, That funds appropriated herein may be used for flood-control work on the Salmon River, Alaska, as authorized by law: *Provided further*, That funds appropriated

herein may be used to execute detailed surveys, and prepare plans and specifications, necessary for the construction of flood-control projects heretofore or hereafter authorized or for flood-control projects considered for selection in accordance with the provisions of section 4 of the Flood Control Act approved June 28, 1938, and section 3 of the Flood Control Act approved August 18, 1941 (55 Stat. 638): *Provided further*, That the expenditure of funds for completing the necessary surveys shall not be construed as a commitment of the Government to the construction of any project: *Provided further*, That no part of this appropriation shall be available or used to maintain or operate the Garrison (N. Dak.) Reservoir at a higher maximum normal pool elevation than 1,830 feet, or for constructing dikes or levees which would be required by a higher maximum normal pool elevation than 1,830 feet for operating such dam.

OAHE AND RANDALL RESERVOIRS

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, if I may have the attention of the chairman of the committee, I have previously discussed with him a paragraph which appears at page 7 of the committee report which deals entirely with some money recommended for reservoirs in South Dakota.

Mr. SNYDER. I recall that.

Mr. CASE of South Dakota. Would the chairman have any objection to my placing that paragraph in my remarks at this point, modified as I suggested to him?

Mr. SNYDER. No.

Mr. CASE of South Dakota. I have consulted my colleague from South Dakota. It has no relation to any project outside of the State. It does not affect the Budget recommendation so far as totals are concerned, but we think it would make a better division of the recommendation of the Budget.

The paragraph as it appears in the committee print reads:

The Budget estimates for projects in the comprehensive plan of flood control in the Missouri Basin include a recommendation of $700,000 for continued planning on the Oahe Reservoir. Since the sum of $200,000 for further exploration of sites and related questions of spillway and foundations was appropriated in the First Deficiency Appropriation Act, 1946, and only recently has become available and final plans cannot well be made until those studies are completed, and since testimony before the committee made clear the urgency of establishing flood control for the lower basin at the earliest possible date, the committee believes that the $700,000, which it is recommending should be added to the $400,000 it is recommending for the Fort Randall Reservoir, the flood-control reservoir farthest downstream on the river, and that the combined fund should be available either for plans or construction of the Randall Reservoir. It is included in the appropriation total for flood control with that understanding.

Under the agreement now reached, the paragraph is modified to read as follows:

The Budget estimates for projects in the comprehensive plan of flood control in the Missouri Basin include a recommendation of $700,000 for continued planning on the Oahe Reservoir. Since the sum of $200,000 for further exploration of sites and related questions of spillway and foundations was appropriated in the First Deficiency Appropriation Act, 1946, and only recently has become available and final plans cannot well be made until those studies are completed, and since testimony before the committee made clear the urgency of establishing flood control for the lower basin at the earliest possible date, the committee believes that of the $700,000 recommended for plans, $600,000 should be added to the $400,000 recommended for planning the Fort Randall Reservoir, the flood-control reservoir farthest downstream on the river, and that the combined fund should be available either for plans or initiating construction of the Randall Reservoir. The Budget amount for these reservoirs is included in the appropriation total for flood control with that understanding.

The listing in the table given in the committee's report on the bill, then, instead of reading—

Missouri River Basin:	
Sioux City, Iowa	$20,000
Fort Randall Reservoir, S. Dak.	1,100,000

will read—

Missouri River Basin:	
Sioux City, Iowa	$20,000
Oahe Reservoir, S. Dak.	100,000
Fort Randall Reservoir, S. Dak.	1,000,000

I thank the chairman and the committee for their consideration in this matter.

Mr. POAGE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: On page 8, line 5, strike out "$110,814,000" and insert "$113,814,000."

Mr. POAGE. Mr. Chairman, this amendment has for its purpose the increasing by $3,000,000 the appropriation for flood control. The purpose of asking for the increase is to allow the engineers to commence work on the Whitney Dam on the Brazos River. The Whitney Dam was authorized by this Congress before the war. It was again authorized by the last flood-control bill. It has been authorized on two separate occasions by this body and by the other body. Twice the President of the United States has approved the authorization of this project. Twice has the Congress approved it.

This matter may not seem of much importance to some of you when compared with other improvements with which you are more closely associated, but it is of vital importance to those of us who live in the valley of the Brazos River, and I hope that we may have your serious consideration of the problem we have to present to you.

There are very few flood-control projects in the United States involving loss of life, but the figures show there have been 411 people drowned, died, lost their lives below the site of the Whitney Dam on the Brazos River. In addition to the loss of life, there is recurrent property loss which has been estimated to exceed $100,000,000. The alluvial flood plain of the Brazos stretches for 300 miles from Whitney to the sea. It contains the most fertile land in our State. Every acre is subject to overflow.

This dam we are asking be commenced has been authorized for years. It is the keystone to the control of the largest stream in the State of Texas, a stream more than 1,000 miles long. I do not know of another stream in the United States of that length and which carries an equal volume of water that has not had some kind of governmental assistance in stopping floods and in protecting people that live along its lower reaches. The depredations of the Brazos have been such that the Legislature of Texas in 1929 created a district involving all of the drainage basin of the Brazos. The first stream valley in the United States ever organized as an entire valley was organized by the Legislature of Texas in 1929 as the Brazos River Conservation and Reclamation District. In 1935 the State of Texas appropriated $6,120,000 for the control of floods on this stream, and approximately $5,000,000 of State money has been put into this work—not promised, but put into it. We are asking now that the Federal Government make a start on the work that has been promised year after year and year after year. After we have put our own money into it, and after we have relied upon the promises that have been made, we believe that we have a meritorious claim on your consideration.

I am especially familiar with this work for I was a member of the Texas Legislature which provided State assistance 11 years ago. In fact, I drew the bill that made State participation possible. At that time we expected the Federal Government to at least aid us and not to discriminate against us because of the effort of our local people. We have, however, been chagrined to find the Federal Government appropriate freely for all manner of projects where the local people contributed nothing, and yet refuse to give the Brazos one red cent. We believe we have a project that actually involves more real flood loss than any project we know of in the United States.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. ZIMMERMAN. Does the bill specify this stream?

Mr. POAGE. No, because the bill does not specify any streams. The bill simply provides a lump sum to carry out authorized projects. This is an authorized project. Of course, we feel in all fairness that should this House adopt this amendment, the engineers would recognize it was for the purpose of commencing this project.

Mr. ZIMMERMAN. The point I was going to make was that if the engineers saw fit, they might use that money for some other approved project.

Mr. POAGE. They might.

Mr. ZIMMERMAN. Do you not think you had better amend it so that you will get the relief you want?

Mr. POAGE. We do not think so because we have confidence in the sincerity of the engineers. As a matter of fact, the entire bill provides so much money in one lump sum. There are no projects specified by name. I have already submitted this amendment to the Parliamentarian, and he has approved its form.

Mr. MANSFIELD of Texas. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to my colleague.

Mr. MANSFIELD of Texas. I will state that the engineers have never violated the confidence of Congress. When they are given money with the under-

standing that it will go into certain matters, although they are not bound by law to do so, they have never violated that understanding.

Mr. POAGE. We are not afraid to trust the engineers in this matter. All we ask is that this House give us an opportunity to commence work on a project which means more to 10 great congressional districts in Texas than any other one project I can think of; a project about which there is no difference of opinion; a project on which all of our people are united; a project on which our State government is united; a project on which every Congressman up and down the stream is united; a project on which there is unanimous accord. Let this House not withhold approval of this undertaking. There is no objection to it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. POAGE. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

Mr. SNYDER. If the gentleman will accept 2 minutes, I will not object but I must object to 3 minutes.

Mr. POAGE. If the chairman wants to cut me off, I will have to accept his terms.

Mr. CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Chairman, I am sorry that we must be limited in the discussion of a project that is of such vast importance. We properly discussed at some length a very important project in another section just before this amendment was considered. It was entitled to full consideration, but the drainage basin of the Brazos River is larger than the entire State of Florida. Bear in mind that the drainage basin of that river is larger than the Tennessee Valley. There is not one single Federal structure to prevent floods on that whole great thousand miles of river.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. MAHON. I want to corroborate the statement made by the gentleman. All of us who live in that section, and my own district is partially in that watershed, are all united in the feeling that this is perhaps the most urgent project in the whole State of Texas.

Mr. POAGE. Everybody agrees on that. I repeat we have no division on that subject. Let us have the funds we need that we may start this work and get it under way. We hope to prevent floods that are killing people. You come to us and make appropriations of money to prevent floods that destroy property. Yes, our floods destroy property, too, but we have 411 corpses that we could lay out before you. I do not know where you are going to find that sort of a situation on any of the 500 other streams which the chairman states are just like this one. I want to plead with this House to give us an opportunity to commence a great program on a great stream system and that you not discriminate against this system. We do not know why it was left out. We are not coming here charging anybody with anything and we are not criticizing anyone. But an injustice has been done and we want this House to rectify that injustice.

I came to this House about 10 years ago. One of my first efforts was directed toward the authorization of a survey of this project. I was successful. The survey was made. The Corps of Engineers gave a favorable report. The Congress authorized the project. The State of Texas spent its $5,000,000 in good faith. I relied, my colleagues relied, our people relied on the repeated assurances that this dam would be built just as soon as the war was over. Together with my colleagues, Hon. LUTHER JOHNSON, Hon. SAM RUSSELL, Hon. GEORGE MAHON, Hon. TOM PICKETT, Judge MANSFIELD, and others were advised just before Christmas not to harass those in authority—that the appropriation would be in the regular appropriation bill. I know that within the last 6 months it has become apparent that there will not be the widespread unemployment this spring and summer which was anticipated, and that as a result the Budget has cut two-thirds to three-fourths off the estimates for public works including flood control, but this is not and never was a make-work project. It is a project which should stand and can stand on its own merits.

I plead with you to correct the injustice that this bill does and to give us enough money to get this great project started.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SNYDER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am sorry to have to disagree, or be opposed to this amendment offered by my friend the gentleman from Texas, but I think all of you within the sound of my voice know the situation, that there are more than 500 projects in the United States, many of them in California, Pennsylvania, in fact, in most of the States of the Union, in exactly the same status as the one we are talking about, just as important to those people as this one is important to the gentleman from Texas. So it would be inconsistent for us to adopt his amendment today applying to that particular case. We want to be consistent on all these projects and treat every Member of this House fairly.

The Bureau of the Budget has had this before them for a number of years. They turned us down. They did not send it to us.

It is said in answer that the Army engineers have made a recommendation on it. Certainly. They send in recommendations on items totaling more than a billion. But we do not have the money to cover them all, and the Bureau of the Budget together with the Corps of Engineers decided that they would send up only those incorporated in the bill. They left our projects in my district as well as in the State of Texas.

So I ask the Committee to vote the amendment down.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I accept the challenge of the chairman of this subcommittee when he says there are 500 other projects in the United States that are in the same situation. I challenge the accuracy of that statement, because there is no other project where they can show the loss of as many lives from lack of flood control as is shown on the Brazos River.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. SNYDER. I challenge the gentleman's statement.

Mr. LUTHER A. JOHNSON. Name a place.

Mr. SNYDER. The Pittsburgh district on the Ohio River.

Mr. LUTHER A. JOHNSON. And they got the money too, did they not?

Mr. SNYDER. They did not get the money, they only got one-third of it.

Mr. LUTHER A. JOHNSON. We did not get any. Give us one-third and we will be satisfied.

I still challenge the gentleman's statement and say there is not another project as worth while and necessary from the standpoint of the saving of human life.

In this connection let me point out that my State has already spent more than we are asking the Federal Government to give. Texas has already appropriated $6,000,000 and spent $5,000,000 trying to control this stream. All we are asking for now is $3,000,000.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. SNYDER. The gentleman says all he is asking is $3,000,000?

Mr. LUTHER A. JOHNSON. That is all we are asking for now.

Mr. SNYDER. How much will it take to complete it?

Mr. LUTHER A. JOHNSON. What we want is to start it.

Mr. SNYDER. It must be completed or the money invested in it will be lost.

Mr. LUTHER A. JOHNSON. It will take, I may say to the gentleman from Pennsylvania, $20,000,000 to complete it, but that is to be spread over a period of years. What we want first is money to start our project and let us begin work on it.

Mr. SNYDER. It will take $200,000,000 before the thing is finished.

Mr. LUTHER A. JOHNSON. Are we talking about the same project? The estimate of the Army engineers, after a careful survey, is that $20,000,000 will complete the Whitney Dam on the Brazos River, and that is what I am talking about.

Mr. SNYDER. Why did not the gentleman go down to the Bureau of the Budget and speak to them down there about getting this amount included for this project?

Mr. LUTHER A. JOHNSON. Those of us interested in this project, and remember there are 10 Texas congressional districts affected by it, had every reason to believe that in view of the very favorable report made by the Army engineers that it would undoubtedly be included by the Bureau of the Budget, and when we learned that it had not been included we did go to the Bureau of the

Budget and vigorously protest its omission. Those who did go besides myself were my colleagues Mr. POAGE, Judge MANSFIELD, Mr. RUSSELL, and Mr. MAHON. My colleague, Mr. POAGE, myself, and others of the Texas delegation have been active for a long time in this matter. We know that there is no flood control project more badly needed in any State of the Union than the building of Whitney Dam on the Brazos River and we are now here asking for help on this meritorious project which has been thoroughly examined, surveyed, and approved by the Army engineers. The State of Texas has already spent $5,000,000. We are asking for only $3,000,000, and I hope we will be supported and this amendment adopted.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Chairman, let me say furthermore that there is no division of opinion in Texas about the necessity or the value of this project. The Brazos River and its overflows affect 10 congressional districts in the State of Texas and the Whitney Dam is the key in the control of floods on that stream. We are all back of the project, the State of Texas is back of it, and we need the money to get started to save human lives. On the basis of the humanitarian plea, if there is nothing else that can be used as an argument justifying this appropriation, I ask you to give us this appropriation.

Mr. RUSSELL. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, most usually you find me on the side that is trying to save money. You know I grew up so poor down there in this district where the Brazos River runs that I reckon I learned the value of money.

This is one amendment that I think this House in justice ought to pass.

The Brazos River runs through my district. Until yesterday afternoon I had been led to believe by everybody that there was no question but what the appropriation was going to be made to start the Whitney Dam.

As told you by my colleagues, we are not asking it upon a charity basis, because we have done something ourselves, we have spent $5,000,000 of the Texas taxpayers' money trying to curb the river.

Let me make you this promise: If you will pass this amendment and get this Whitney Dam under construction the State of Texas is going to spend more money, a lot of our money, in order to handle the situation. You are not going to handle it by yourselves. We are going to do our full-fledged part.

This is a project that is believed in by everybody who knows anything about it; they could not possibly disbelieve in it, they would have to back it. If you vote for this amendment and let it be carried you will find it money well spent. As my colleague from Waco said, we have something to show on our part, and I think we have something to show you of the damage done by the floods in this district that is as large as most of the States. We are only asking you to give us a little to start with in addition to what we are going to spend. Please help us to put this dam over.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. RANKIN. Mr. Chairman, I move to strike out the last four words.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Pennsylvania.

Mr. SNYDER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. THOMASON. Mr. Chairman, I object.

Mr. SNYDER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 15 minutes.

The motion was agreed to.

Mr. RANKIN. Mr. Chairman, I am going to support the amendment offered by the gentleman from Texas [Mr. POAGE]. My distinguished friend the gentleman from Pennsylvania [Mr. SNYDER] went on to refer to a large number of other projects over the country that also are entitled to consideration. But now is the time to consider them. We are in the postwar period, and if we are ever going to promote a program of internal development in America now is the time.

Mr. Chairman, you are soon going to be asked to vote about $4,000,000,000 for Great Britain; then you are going to be asked to vote about $6,000,000,000 for Russia; then you are going to be asked for two and a half billion dollars for Italy; then you are going to be asked to vote three and a half billion dollars for France, and many billions to other countries.

Now you are being asked to appropriate money for a worth-while project on the Brazos River in Texas, United States of America. It is about time we look after the internal affairs of America and make it possible for our own people to live in our own country.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Pennsylvania.

Mr. RICH. Well, the gentleman refers to all that money we are going to be asked for. Can the gentleman or any other Member of Congress tell me where we are going to get the money?

Mr. RANKIN. I can tell the gentleman where we are going to get the money to develop the Brazos River if this amendment is adopted. We will get it right here in America where we will have to get the money to pay these foreign debts.

Mr. RICH. You are not going to get the money to pay these foreign debts. If you keep on you are going to wreck the country.

Mr. RANKIN. Do not misunderstand me; I am not advocating those foreign loans. But I am advocating this improvement.

The development of this project on the Brazos River will add 10 times as much to the wealth of America as it will ever cost.

Mr. RICH. I have heard Members on that side of the aisle talk about doing that for the last 12 years. Where have you got us? You have us $269,000,000,000 in debt. You are going to swamp us. If you do not do something pretty soon to stop this it will be all over over here.

Mr. RANKIN. The gentleman is talking about money that has been spent in a foreign war. Do not ever get the idea that the people of Texas are a burden, or that the State of Texas is a burden, on the United States.

Mr. RICH. I am not talking about Texas any more than I am talking about Mississippi or Alabama or Florida or Tennessee or those States that have been getting everything out of the Government and not putting anything back.

Mr. RANKIN. Let me say to the gentleman from Pennsylvania that it is just a question whether or not you want to let the internal development of America go down or whether you want to keep the pace along which we started toward making this the greatest country the world has ever seen. This project will not be a dead burden on the people of the United States. The truth of the matter is that this Brazos River project will be a money maker in the long run.

Mr. RICH. If it were only this project you were asking for, if that were the only thing, I would say give it to them, but you have your finger in the pie all the time, you have pie smeared all over your face; the only trouble with you is you do not want to stop.

Mr. RANKIN. That is not pie you see on my face; it is just a smile over the success of the TVA and other similar improvements.

This project is down in the State of Texas. I have no financial or political interest in the State of Texas any more than any other individual American. I do know that this is a worth-while project. I have gone over it time and again, and I say the House can make no mistake in approving it.

I am surprised at my distinguished economic friend the gentleman from Pennsylvania [Mr. RICH] opposing a project that means so much to the people of the State of Texas, and one which will not be a burden on the American people as a whole.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Louisiana.

Mr. BROOKS. May I say that the Army engineers have shown that we lost $103,000,000 last year in flood damages and if this appropriation and other flood-control appropriations will save some of that $100,000,000, it will be money in the bank.

Mr. RANKIN. Those men who have opposed me for the last 15 years on the internal development of America's water resources overlook the fact that hundreds of millions of dollars and thousands of lives are destroyed by floods

every year because we did not develop projects of this kind.

Mr. RICH. If these members from Texas will vote for this appropriation to give this money to help Texas, how many of those Members from Texas will vote to give Great Britain $3,000,000,000; how many of them will vote to give $6,000,000,000 to Russia; how many will vote to give away other money; how many will vote to bankrupt us in trying to save these other nations of the world? Why do they not do something for America?

Mr. RANKIN. They want to take care of Texas, just as the gentleman takes care of Pennsylvania, and I want to take care of Mississippi. But this is a Federal project on one of the longest rivers in America, and it is our duty to develop it just as we have done on the other great rivers of the country.

This amendment should be adopted.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

The Chair recognizes the gentleman from Texas [Mr. MANSFIELD].

Mr. MANSFIELD of Texas. Mr. Chairman, I do not know how long it has been since I addressed a committee of the House, but, may I say during the 29 years I have been a Member I believe I have said less than any other Member of the House. I never talk unless I have something to talk about that I know something about.

The project under consideration here was authorized in a flood-control bill before the war. During the war we asked for no appropriations for it, that I recall. If there was a request made it was not called to my attention.

If there ever was a meritorious project for flood protection I know that this is one of them. If there is anything I know it is something about the rivers and harbors of this country. I have been working on them for 29 years. I know the conditions on nearly every river in the United States to a certain extent.

Mr. Chairman, this river is practically 1,000 miles long. Its headwaters are across the State line in New Mexico, up in the Great Plains region. It flows southeast a thousand miles into the Gulf of Mexico.

In the great flood of 1913 the Colorado River and the Brazos River flowed together down in the Coastal Plains. They both flowed into an intervening stream known as the San Bernard River. The river was 63 miles wide at that point, not continuously, but from its eastern edge to its western edge the width was 63 miles. The valley of the river on the lower 175 miles ranges from 3 to 15 miles in width and consists of very fine, fertile land.

Every acre in that area overflows every few years whenever we have an extremely heavy rainfall. The damage in the past has run into the hundreds of millions of dollars. The loss of human life has been enormous. I have seen people floating down the river on fragments of driftwood, who had to be hauled out. I have been present when they brought in 40 or 50 Coast Guard boats from the Gulf to rescue the people and save their lives. We have spent millions and hundreds of millions of dollars on projects that to my positive knowledge are not half as meritorious as this one. The trouble is that this is not a power dam. It is a flood-protection dam. If it had power connected with it we would have thousands of people all over the country clamoring for it, as a matter of course. But it is strictly for the protection of property and for the protection of human life.

I hope that the committee will authorize the commencement of this work. I do not remember when it was authorized, but it was several years ago, and it has been lying dormant on account of the war. My district will not get a cent out of this bill, and I am not asking for it, because I know what the committee has been up against. But this is a thing that ought not to be neglected any longer.

BRAZOS RIVER PROJECT

The CHAIRMAN. The gentleman from Texas [Mr. PATMAN] is recognized for 5 minutes.

Mr. PATMAN. Mr. Chairman, I am very much in favor of this amendment. This river does not touch the district that I have the honor to represent, but I know it is a worthy project.

DEPLORE SECRET HEARINGS BEFORE APPROPRIATIONS COMMITTEE

One of the reasons I asked for this time is to deplore the system we have in this House in the Committee on Appropriations. I am not criticizing the present members of the Appropriations Committee. Doubtless the system has been handed down or inherited. Anyway, I think it is undemocratic. I think it is unfair to the other Members of Congress. Here is a case where a committee gets together and they hold what might be construed star-chamber proceedings—at least, secret sessions, and only certain members, members of the subcommittee, are privileged to attend. If another Member of the House makes a request to get in and attend the hearing, he is denied that privilege.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Pennsylvania.

Mr. SNYDER. Any Member can appear before my committee at any time and stay as long as he wants to.

Mr. PATMAN. All right. Can he stay there and listen to other witnesses?

Mr. SNYDER. No, sir; he cannot.

Mr. PATMAN. Well, then, that is what I am complaining about. That is undemocratic, according to my opinion.

Mr. SNYDER. No; it is not a star-chamber proceeding.

Mr. PATMAN. You do not advise them what is going on, do you?

Mr. SNYDER. That rule has been in force since the days of George Washington.

Mr. PATMAN. I do not care in whose time it commenced. It is undemocratic. I am not complaining about any present member of the Appropriations Committee. I commend all of them for faithful, able service, but I still say the system is wrong. Here is a committee that gets into a room, closes the doors, and we must assume they have their biases and their prejudices just the same as other Members of this House, and if they happen to be biased in favor of certain projects they can build up a case if they want to—I do not say they have—to bring to this House and substantiate what they have reported. If they are against certain projects it is possible for them to build up their case to suit their own feelings in the matter. I do not think it is fair to allow such privileges, even though up to now they have not been abused. I do think it is undemocratic. I think it ought to be changed. Here we are always opposing undemocratic things. Let us know what is going on. Let us have no secret undertakings here among our own colleagues when testimony of witnesses is being taken. We are denying our own colleagues the privilege of knowing what is going on in those secret committees. I do not think it is right. I think it is wrong, and this is a fine example of what can happen at a secret session. After all testimony is taken, it would be all right for the committee to have an executive session to pass on it.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Michigan.

Mr. RABAUT. There is not a scintilla of truth in what the gentleman is saying, and the gentleman knows that better than any man in this House.

Mr. PATMAN. The statement I made is absolutely true.

Mr. RABAUT. No; it is not presented correctly.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Wait just a minute; let us get this straight. Is it not a fact that you will not let Members get in there and hear other witnesses? Is that not a fact?

Mr. RABAUT. No; it is not a fact. If Members wish to testify they may arrange to come to testify when other witnesses are present on the same project.

Mr. PATMAN. Well, the chairman of the committee said so. He is your chairman.

Mr. RABAUT. Oh, well; that has been a rule for a long time.

Mr. PATMAN. I do not care how long it has been here; it is wrong. I do not care how long it has been, I say it is wrong, and they admit it and you have to admit it.

Mr. RABAUT. No; I do not admit it.

Mr. PATMAN. You will not tell anybody what goes on there until the bill comes out on the floor. You hold your secret sessions, you make your case, and you do not let any Member of this House know what is in your report until you bring the bill up on the floor. When you bring the bill up, then you give us the benefit of what you want us to know. I am not charging any unfairness. I deplore the system regardless of who started it and when. It should be changed.

Mr. RABAUT. The gentleman is not?

Mr. PATMAN. No, I am not; I am just telling you the possibilities. I am not attacking any Member, just the system. That is my personal opinion. If the gentleman wants to defend that secret system, that is up to him, but I want to deplore the fact that we have a secret system here in our House of Representatives that will deny our colleagues the

privilege and opportunity of knowing what is going on affecting their own districts.

Mr. RABAUT. The gentleman has made some pretty broad statements here.

Mr. PATMAN. No. I do not like it a bit. It is unfair, it is not democratic.

Mr. RABAUT. Is it a policy of the committee or is it a rule of the House under which the Committee on Appropriations acts?

Mr. PATMAN. I do not care whether it is a rule of the House, it is just as wrong. I do not care if it has existed 100 years, it is still wrong. I am not blaming any Member, I am not criticizing any Member. I am denouncing it as wrong and as undemocratic.

Mr. NORRELL. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Arkansas.

Mr. NORRELL. In view of the fact that I think the gentleman's statement was so unfair to this committee, may I ask the gentleman if the Committee on Appropriations has ever refused to hear him before any subcommittee?

Mr. PATMAN. No; it only came about this way.

Mr. NORRELL. This subcommittee has not refused to hear the gentleman.

Mr. PATMAN. The policy of the committee is not to let any Member come in but the committee members, and we do not know what is going on. It came to my notice several years ago when I complained about it. They were just slaughtering the Farm Security Administration. I thought I could come over here and stay and hear the witnesses. I came and testified. Although treated with every courtesy, when I mentioned about remaining in the committee room, I was told, "No; you have to go out now; we are going to hear the other witnesses." "Can I wait and find out what is being brought up against it?" "No; you cannot do that. You will get that information when the bill comes before the House; then and not before." Imagine a Member of this body being denied the right to know what is being presented in the way of testimony concerning a problem he is vitally interested in.

Mr. ELLIOTT. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from California.

Mr. ELLIOTT. May I say to the gentleman from Texas that on two occasions I had the pleasure of appearing before this committee, and before this morning I knew what I had in my own congressional district, and I found out by going down to the committee.

Mr. PATMAN. That is fine.

Mr. ELLIOTT. I have no complaint to make. I just want to make that statement.

Mr. PATMAN. I am not attacking any member of this committee, I am just attacking the policy. I think it is wrong.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, I am not trying to contribute to making this a Texas day, but as a member of the subcommittee I do want to testify to the vigorous and continuous and persistent efforts of the gentleman from Texas [Mr. LUTHER A. JOHNSON], the gentleman from Texas [Mr. POAGE], the gentleman from Texas [Mr. RUSSELL], and other Members who are interested in this project. It would probably have been in the deficiency bill last December except for a lapse of a few days. The Army engineers did not have their plans quite ready to go. Shortly after the deficiency bill was presented they had their plans ready to go. I talked to General Wheeler yesterday. He is ready to go. He is for the project and everything is all set. It is a project of great merit. While it is not in the Budget, it is in the recommendation of the Army engineers. It vitally affects my State. May I respectfully request the very serious consideration of the House on this important project.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. SNYDER].

Mr. SNYDER. Mr. Chairman, my good friend and colleague just said that General Wheeler was ready to go on the project. He is ready to go on 500 other projects like this. I ask that the Committee vote it down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. POAGE) there were—ayes 62, noes 81.

So the amendment was rejected.

Mr. ALLEN of Louisiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ALLEN of Louisiana: On page 8, line 5, strike out the figures "$110,814,000" and insert "$111,816,300."

Mr. ALLEN of Louisiana. Mr. Chairman, I probably may be considered a brave fellow to undertake another amendment like the amendment of my good friend from Texas, which was defeated a moment ago, but I am doing exactly that. The only difference is that my amendment embraces smaller projects than his, and if my good friend from Texas will pardon me for disagreeing with him, I think my projects are perhaps the most meritorious projects in the Nation.

In my amendment I seek to increase the sum of $110,814,000 provided for flood control on page 8, line 5, to the sum of $111,816,300. The object of this amendment is to include two projects in the district which I have the honor to represent. These projects are as follows:

The Pineville, La., project: The plan of improvement provides for the enlargement of 0.8 mile of levee on the Pineville city front; the enlargement of the Louisiana and Arkansas bridge approach fill; the construction of 0.6 mile of new levee and the construction of one floodgate. It also provides for the enlargement of 0.5 mile of existing levee in the Rocky Bayou loop. The project was authorized in the Flood Control Act of August 18, 1941. Amount of estimate for 1947 was $128,300.

The Aloha-Rigollette project: The plan of improvement provides for the enlargement of the authorized levee along the Red River between miles 171 and 151 above the mouth; extension of the levee along the Red River from the north bank of Bayou Darrow to the hills on the south side of Bayou Rigollette, mile 125 above the mouth; construction of a drainage ditch, two floodgates, and the provision of sump storage areas at the mouth of Bayou Darrow and at the mouth of Bayou Rigollette; improvement of Bayou Rigollette from the vicinity of United States Highway No. 71 to the mouth by clearing and snagging of the old channel; and construction of an embankment at the head of Bayou Darrow to isolate the Bayou Darrow and Bayou Rigollette drainage areas. The project was authorized in the Flood Control Act of August 18, 1941. Estimate for 1947 was $874,000.

You will thus see that I ask to add $128,300 to start the project first named and the sum of $874,000 to start the second project.

I say to the gentlemen on my left, some of you manifested interest when I spoke on this floor a few months ago about the flood on Red River in 1945 when much of that valley was ruined with several feet of water. I drove over the country in a motor boat and had to duck my head when I went under the telephone wires which were over the railroad tracks. I appeal to you gentlemen on the left. I beg you. I want to importune like the importunate widow in the Bible, if I may. I plead with you. Let these two small projects go into this bill. They were authorized back in 1941. One of them is near the city of Pineville. Just above there is splendid land, yet it is overflowed, and it may be overflowed again if you do not put these projects in this bill.

Both of these projects have been approved by the Engineers. The Engineers are ready to proceed with the work. These projects, like the project presented by my good friend the gentleman from Texas [Mr. POAGE], were left out of the bill by the Bureau of the Budget. Of course, that was done at the behest of the administration. We all understand that the administration determines how much money it can spend for this or that purpose in a given year, and the Budget Bureau simply cuts out enough projects to bring the sum in line with what the administration determines it can spend. The chairman of the committee has just told us that the Budget Bureau cut out about 500 projects which had formerly been approved by Congress and the engineers. But it seems to me that this is a thing for Congress to decide.

May I ask this House, in all seriousness, who is running this Congress? Who is running the country? The elected representatives of the people or the Budget Bureau that knows nothing about a single project? The Budget Bureau has no opportunity to weigh the merits or demerits of the project as have Members of Congress, yet they cut out 500 good projects, including the two I am now discussing. Then the Appropriations Committee takes the position that it will not put in any projects that have not been approved and recommended by the Budget Bureau. As I understand it, the Budget Bureau, representing the ad-

ministration, takes the position that it cannot begin any new projects right now that were not included in the deficiency bill late last year. They therefore refuse to put in any new projects and turn a deaf ear to 500 projects, which the chairman has just admitted a few minutes ago. Frankly, I do not like the way this is handled. I am doing what I can to stop this procedure.

Who is running this country? Is it being run by the Congress?

Mr. THOMAS of New Jersey. Will the gentleman yield right there? I will tell you.

Mr. ALLEN of Louisiana. I yield.

Mr. THOMAS of New Jersey. I will tell you who is running the country. The New Deal administration has been trying to run the country, and if you do not watch out, they are going to run it into a hole.

Mr. ALLEN of Louisiana. The gentleman knows I am not a New Dealer, and never have been. I am a southern Democrat and I am contending for the rights, prerogatives, and authority of Congress, and I ask the gentleman to support me in that.

Now, I appeal to you Members to go along and help me put these projects in this bill. The House has just turned down the amendment of my friend from Texas [Mr. POAGE], but I hope that you will not visit that fate upon my amendment, for I consider my amendment most meritorious.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. ALLEN of Louisiana. I yield.

Mr. BROOKS. It is not flood control that is ruining this Government or this administration or this country.

Mr. ALLEN of Louisiana. I thank my colleague. No; it is not what we are spending for flood control. Our expenditures for flood control are not too large. Those expenditures are investments.

Now, it has already been said on this floor that you are going to be asked to make great loans to Great Britain, to Russia, and to other nations.

How can this administration ask us to do that and at the same time deny flood-control money for our own internal deserving projects? Suppose there are 500 projects deserving and left out, as the chairman says. They have all been carefully considered by the Flood Control Committee and by the Army engineers and declared worthy. They are important to their States and communities.

Let me say this to you people from the industrial sections: I hope with all my heart that I may be able to appeal to you so that, at least, if you cannot vote with me, please sit down. Please vote with me or sit down for once, because I am appealing to you as one whose people need this relief. They cannot get relief unless you gentlemen come to their rescue. We have no large industrial projects like you have up North.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. ALLEN of Louisiana. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

Mr. VORYS of Ohio. Reserving the right to object, Mr. Chairman.

Mr. ALLEN of Louisiana. I need three additional minutes.

Mr. SNYDER. Very well; we will give it to you.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ALLEN of Louisiana. I appreciate the generosity of the gentleman from Pennsylvania [Mr. SNYDER].

Now, we have no industrial plants down there, and we need these two small projects to help our employment situation, in addition to the need for the protection from floods. We have had a lot of veterans return. As I stated, we have no large industrial plants. We cannot secure industrial jobs for all of them. Ours is largely an agricultural section. Get up and vote against this project if you want to, but remember you are turning down veterans who need this work.

Let me tell you something. Now is the time we should have these projects. If we ever needed projects like this, we need them now. We have had no work done for four long years during the war. Like all other sections, we have remained patient. Now we have got veterans down there who need these jobs, who are finding it hard to secure proper jobs. The inclusion of these projects will not only help solve our flood problem, but it will be a great blessing to our returning veterans.

I plead with you gentlemen that we may have this. We ought not only to begin these two projects, but I think we ought to do our best to begin as many projects as we can as soon as we can to meet the situation which I have just described. I know there are other deserving projects. The chairman says there are 500 and he seems to feel that they are all deserving. That may be. No doubt they are. But these two projects are urgent. To fail to include them in this bill just puts them off that much longer. I serve notice that I am going to hammer away with all my power until I do get them included. I will drive at every appropriation bill that comes up for flood control until it is done. But we need it now. The flood protection may be needed again soon and the veterans need the work now. Why, Mr. Chairman, if there are 500 deserving projects that were left out, as the chairman of the committee advises us there were, then it is obvious that only a handful of projects will be started, for this bill covers only a handful of projects, compared to the 500 he says were left out.

A few minutes ago this House in its wisdom cut out a project for $15,000,000. Now that that was cut out, Mr. Chairman, I say let us put a part of that $15,000,000 back in the bill where it is badly needed and where it will be of great help to veterans and all other people. The sum that the House has just cut out will take care of a lot of these other worthy projects.

We need your help. I beg you, I beg you gentlemen on my right, I beg you gentlemen on my left, stay with me and write this project in the bill.

I thank you.

Mr. SNYDER. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in 5 minutes.

The motion was agreed to.

Mr. BROOKS. Mr. Chairman, I would like a minute and a half of the time.

The CHAIRMAN. The gentleman from Missouri [Mr. CANNON] is recognized for 2 minutes.

Mr. CANNON of Missouri. Mr. Chairman, I am always entertained by the inflammatory pronunciamentos of my flamboyant friend the gentleman from Texas [Mr. PATMAN]. And his invectives today are particularly unrestrained. "The Committee on Appropriations is unfair. It is unjust. It is undemocratic." The indictment is characteristically Patmanesque.

The complaint seems to be that the Texas delegation has not been allowed to sit in on the hearings on this bill, and therefore has been denied a particularly delectable piece of pork.

Now, I am constrained, reluctantly, to disagree with the distinguished gentleman from Texas. The great State of Texas and the Texas delegation have not been discriminated against in the matter of admission to the hearings of the Committee on Appropriations. In fact the Texas delegation has had the advantage in that respect over every other State in the Union. For Texas alone of all the States has two members on the Committee on Appropriations. No other State has more than one. Some States have none at all. But Texas has two. And Texas therefore has twice the representation at the meetings of the committee that any other State has. On the subcommittee that conducted the hearings and formulated this bill Texas had a representative while 40 other States of the Union had none. There never was a session of the subcommittee or of the whole committee at which the Texas delegation was not represented.

Furthermore, Texas has more chairmanships than any other State in the Union, and the Speaker in addition. And every chairman, and the Speaker in particular, reflect honor upon the great State which they so ably represent. We are glad and honored to have these two Texans on the committee. They are among the most valuable members of the committee. But certainly it is startling, to say the least, to hear the gentleman's contention that Texas has not sat in on this bill or any other appropriation bill.

And Texas has not been neglected in this bill. This bill carries more money for Texas than for any other State in the Union. States with vastly larger rivers receive less. No State in the Union has as much money in this bill as Texas. And yet the gentleman from Texas is not satisfied. He is so accustomed to monopolize committee assignments, committee chairmanships, House and committee patronage and Federal appropriations that he is never satisfied. Like Oliver Twist, he continually cries for more. And when he does not get more and more and more, he begins to abuse the committee and its procedure. "The committee is unfair. The committee is unjust. The committee is undemocratic."

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I only have 2 minutes. If the gentleman will get me more time, I shall be glad to yield to him.

Mr. PATMAN. I only complained about the procedure and the secrecy. Will the gentleman deny that?

Mr. CANNON of Missouri. Yes; I am going to talk about that if the gentleman will just give me the time. He had 5 minutes and I have 2. He not only wants to monopolize the committee assignments and the chairmanships and the appropriations, he also wants to monopolize the time.

The sessions of the Committee on Appropriations or its subcommittees are not secret. They are executive. Everybody is admitted who has any business before the committee. Everybody is heard who asks to be heard. The hearings are published in full and are free to anyone who asks for them. There is nothing secret about them.

But the committee is a workshop. It is not a bull pen for daily exhibitions. It deals in facts and figures and works under continuous pressure 6 days in the week, mornings and afternoons. It cannot have its work interfered with by idle spectators and lobbyists. If it did it would be delayed indefinitely in getting its bills to the floor.

The same is true of the Committee on Ways and Means and other committees of the House. They do not admit spectators. And yet I have never heard the gentleman condemn them because he could not walk in and bring influence to bear whenever he had a pet project before them. And although the Committee on Appropriations has repeatedly brought in appropriation bills this session he has never expressed his discontent with its procedure until today. Perhaps allowance should be made for his pique at being pushed—as gently as possible—from the "pork barrel," from which he has already had a larger share than anybody else.

Mr. Chairman, the appropriation which the gentleman asks is unbudgeted. There is no budget estimate for it. The Committee on Appropriations has received no official request for or notification of the need for any such expenditure. The attempt to gang up on the committee and force this additional expenditure into the bill here on the floor without Budget recommendation or committee consideration is unwarranted and out of keeping with budgetary government. If I should use the gentleman's words I would say truthfully that it is unfair, unjust, and un-American.

This bill is already too large. The committee has been too generous. There is already too much money in the bill, considering the condition of the Treasury. To agree to the gentleman's amendment would be to take that much more money out of the pockets of the taxpayers of the Nation to be spent for the sole benefit of this particular section of Texas. It is time we started paying the national debt and protecting the Nation from inflation and depreciation of its bonds instead of dishing out pork to the querulous gentleman from Texas.

To recapitulate, the hearings of the committee are not secret. They are published in full and are free to any who want a copy. The Texas delegation, instead of being discriminated against have more members on the committee than any other State. The State of Texas has more appropriations committee assignments. It has more chairmanships. It has more patronage here in the House. It has more money in this bill than any other State in the Union. And yet the gentleman is not satisfied. Mr. Chairman, it is about time the United States issued a second declaration of independence declaring its independence from Texas.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

The gentleman from Louisiana [Mr. BROOKS] is recognized for one-half minute.

Mr. BROOKS. Mr. Chairman, I think this is a most worthy project. Here is a river, the Red River, which is 1,300 miles long. It rises in New Mexico, flows through Texas, Oklahoma, Arkansas, and north Louisiana. The waters of New Mexico, Texas, Oklahoma, and Arkansas last year descended on this little community and put it under some 12 or 15 feet of water.

Again I say this is a most worthy project, and I should like very much to see it approved.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

The gentleman from Pennsylvania [Mr. SNYDER] is recognized for one-half minute.

Mr. SNYDER. Mr. Chairman, all I have to say is that it is unfortunate that we cannot always allow our desire to accommodate our friends control our actions. Under the circumstances I feel we should stand by the Board of Army Engineers and the Bureau of the Budget, and vote the amendment down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. ALLEN].

The question was taken; and on a division (demanded by Mr. ALLEN of Louisiana) there were—ayes 30, noes 64.

So the amendment was rejected.

Mr. MAHON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to take just a moment now to more or less clarify this situation, if I can. I do not think anyone will be critical of those who offer amendments to the bill because they know about the projects in their districts, just like the gentleman from Texas and the gentleman from Louisiana. There is no doubt but what those projects are meritorious, there is no doubt but what construction should be started.

Here is the situation: The President has requested a reduction in expenditures and has recommended that a certain number of millions of dollars will be allocated for the flood-control program. The Army engineers were, therefore, unable to proceed in making request before the committee with more projects than the money requested by the President would allow. They could not exceed the President's program.

This bill is pretty liberal as it is. It provides for more than $300,000,000 and personally I am not willing to go further than $300,000,000 at this time. I am one of those who voted against the Florida barge canal because I do not think it is sufficiently urgent at this time. I see the gentleman from Arkansas [Mr. NORRELL] on his feet, a member of the committee, who I am sure shares the same view.

Mr. NORRELL. May I say to the gentleman that I voted as he did against the Florida barge canal and I have been compelled to vote against these other amendments, not because I am not convinced they are good, meritorious projects, but because of the financial condition of the country at this time.

Mr. MAHON. Yes. As I stated, this bill provides $300,000,000. Let me make the further statement that when the engineers came in here with a program following the end of the war they submitted to the Congress last December a program which we put into operation. No project that was not submitted by the engineers to the Budget for deficiency action is in this bill today. In other words, the fiscal year 1947 program of the Army engineers for flood control insofar as new projects are concerned is not in this bill. It has been completely excluded and, of course, Members are disappointed, we are all disappointed, but if we are going to hold these expenditures down for rivers and harbors and flood control to $300,000,000 they have to be cut. That is the fault of nobody. It is simply a matter of trying to protect and preserve the Federal Treasury by deferring these projects until conditions may be more desirable for the prosecution of the projects. The money included in this bill is for the continuation of flood-control projects originally recommended last fall by the engineers to the Budget Bureau. There are some new river and harbor projects.

Mr. ALLEN of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Louisiana.

Mr. ALLEN of Louisiana. The gentleman said the program will be to defer these projects. That is exactly what I want to know. If it is going to be the plan of the Budget Bureau and of the committee not to permit any new projects to begin at all until these projects are finished, and if it takes years to finish these projects now in the bill and approved by the Budget Bureau, when can we folks who represent other projects ever expect to get relief?

Mr. MAHON. I cannot answer the question. Of course, I know that Congress can increase the amounts if it wants to, but I think most of us want to reduce expenses as much as possible. That is the reason why these projects are not in here. It is not because they are not meritorious. It is not because many of us were not for them. It is because we wanted to conform to the President's request to keep this expenditure within this $300,000,000 limit.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Idaho.

Mr. WHITE. The gentleman speaks of economy, and here is the Panama Canal that carries a $19,000,000 appropriation. How does the gentleman account for his support of that item?

Mr. MAHON. The Panama Canal is the cheapest project that has ever been constructed in the history of America, as anyone familiar with it knows. This Congress would not think for a moment of hamstringing the Panama Canal or of not taking the necessary precaution to keep it in shape. It has helped save our lives once, and we might call upon it again to help us in an emergency. It is a very important peacetime project as well.

Mr. BAILEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BAILEY: Page 8, line 5, strike out the sum "$110,814,000" and insert "$112,814,000, and for the construction of a flood-control project at Sutton, on Elk River, in West Virginia, $1,000,000, and for flood-control work at Ridgeway, Johnsonburg, Brockway, St. Marys, in Elk County, Pa., the sum of $500,000."

Mr. BAILEY. Mr. Chairman, we have been hearing projects discussed here that cost fifty to sixty million dollars. I want to talk to the Committee for a short time of one item that costs in the initial appropriation only $1,000,000, and certainly not anything like the $60,000,000 projects that are being discussed here this afternoon.

I also want to discuss briefly another item of $500,000 which involves the State of Pennsylvania. When I was elected to the Seventy-ninth Congress I surveyed the Federal improvements, public improvements in my district, and I found there were eight federally approved flood-control projects, all of which had been approved by the Congress. I immediately contacted the War Department engineers and inquired whether any of those projects were ready to be constructed, and I was advised that the project at Sutton on the Elk River, the Sutton flood-control dam, was ready to be let to contract; that plans were drawn and specifications written up. They told me that it was top priority in my State of West Virginia.

I appeared before the subcommittee of the Committee on Appropriations on the deficiency appropriation bill. I was asked not to press the item at that time; that it would be included in the 1947 program. I, of course, accepted the committee's interpretation of it that it would be in the 1947 program and did not press the matter and did not offer an amendment on the floor of the House to include it. I did not ask my Senator to have it put in over in the Senate later on. I abided by the understanding I had with the Committee.

When I came back before the committee this time to discuss the 1947 appropriations, I learned that my item was not certified to the Committee on Appropriations. Here is what happened. When the President recommended that the budget be reduced from $50,000,000,000 to $38,000,000,000, the Bureau of the Budget found it was necessary to cut out certain items of expenditures, and they worked out on this flood-control program. Now, why could that committee not have spread that amount over these various projects? No. Instead of giving me even one-third of what the Army engineers had recommended, the Bureau of the Budget saw fit to have a $3,000,000 appropriation tacked onto a $1,000,000 appropriation set up in the deficiency bill for the Buggs Island power project. That is the kind of a budget we have. I have said on the floor in general debate that it was favoritism and discrimination and I insist that that is the situation.

Why cannot I have some of the appropriation the Army engineers approved for my project? It is on the watershed of the Allegheny. Ten million dollars spent for flood control there is worth $50,000,000 spent on the lower Mississippi and the Ohio River Valley. Not a single cent of Federal money has been spent in my district despite the fact that these projects have been approved. This was approved as early as 1941, and no work has been done because of the progress of the war.

Now I am insisting that this committee give consideration to this matter and r ctify the discrimination and favoritism shown by the Budget Bureau. I trust that the distinguished gentleman from Pennsylvania, who is interested in this amendment, will make it plain that he appeared before the committee at the same time I appeared. In other words, the gentleman from Pennsylvania and I are being discriminated against because we acted as gentlemen and kept faith with the committee on the understanding. I trust it will be the pleasure of this committee to insert these two items, one for the Sutton flood-control project and one for the project in Elk County, Pa.

Mr. SNYDER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, it is rather with fear and trepidation that I present the Elk County flood-control project, knowing the attitude of my good friends on the left side of the aisle. I am of the opinion that they are rather ruthless in their determination to eradicate anything in the way of an amendment that might change the complexion of this appropriation bill.

The project I am talking about is the $6,500,000 project up in my State of Pennsylvania. In 1942 I went through my district and I saw the three towns of Johnsonburg, Ridgway, and St. Marys after a disastrous flood, where the devastating flood waters had swooped down and destroyed their property, destroyed their homes, and destroyed their industries, and upset the whole economic life of the area with a loss of hundreds of thousands of dollars.

The question I want to present to my colleagues is the fact of the economic justification to make investments to prevent these devastating and recurring floods that are periodically visited on these areas, or are we going to continue to permit these floods which harass and haunt and torture these people, who appeal to us for protection from these devastating waters and terrific losses. They are asking for relief and they come to their Government for relief. Just do not brush all these projects off lightly as though they were of no great concern. They are, and these conditions should be and must be corrected.

As my distinguished friend from West Virginia has said, we appeared before the Board of Engineers last year. They said, "Your project will be included in the appropriation bill next year." Therefore, we let the matter rest and did not insist that it be placed in the deficiency appropriation bill last year as we had faith in Army engineers' recommendation that an appropriation would be in this bill. We then came before the Civil Functions Committee. I want to pay my respects to the committee. They were very fair and considerate. After I presented my case, they informed me that the Elk County project was not in the bill, except $120,000 for engineering work.

I was very much surprised and I was very much shocked to find that even though the engineers had said that an appropriation would be in the bill nothing other than appropriations for engineering was included. My project had been deleted by the Bureau of the Budget.

Suddenly we in the Congress get economy-minded. Is that not wonderful? After 14 years of prolific spending and with a $300,000,000,000 debt we talk about economy where people are being punished from damaging floods. At the same time we float an $11,000,000,000 loan that we ask the American taxpayer to pay for, and we are going to give $4,000,000,000 to the British and $6,000,000,000 to Russia. So I am appealing to you on this side of the aisle to support this amendment, to give us an opportunity to bring relief to the people who for the last 35 or 40 years have been suffering from these devastating floods and spend some of our own money in our own back yards for the relief of our own people who are paying the taxes.

Up in my district there is the most prolific watershed in the world—11,580 square miles, coming down many tributaries into the Allegheny River contributing four-fifths of the flow of the Ohio River at Pittsburgh, causing tremendous floods and damage every spring and fall in the Ohio and Mississippi Valleys. These projects, that of the gentleman from West Virginia and mine, will be a contributing factor to the relief of the flood stage at Pittsburgh. Now, I find we do not have an appropriation other than one hundred and twenty thousand for engineering. To whom can we appeal? We represent the people. They ask us for the help, for relief from these flood waters. We come to you, the Congress, and ask for honest consideration and you say nothing can be done at this time. This certainly will not satisfy a people who ask for help. Now, I do not think this is the logical solution of the problem. The projects that already are in this bill possibly are in some cases essential and some not so necessary but the project I am talking about and that of the gentleman from West Virginia, are very important and

action should be taken here today so work can be undertaken. This will bring relief to a suffering people who are appealing to you just as my friends and colleagues here from Louisiana and West Virginia have requested consideration for their projects to help people from devastating flood waters.

Mr. PITTENGER. Mr. Chairman, will the gentleman yield?

Mr. GAVIN. I yield.

Mr. PITTENGER. Are the Susquehanna and Monongahela Rivers in this?

Mr. GAVIN. They are not. This is the Allegheny-Ohio project.

Mr. PITTENGER. I would support it anyhow if they were.

Mr. GAVIN. Well, that is perfectly splendid. I thank the gentleman for his contribution. I think in flood-control projects we are making an investment, an investment that is justified to wisely spend the money of the American taxpayers, rather than to carry on these over-all global expenditures like the $4,000,000,000 loan to Britain that means nothing to the 11,000,000 people of my State, as well as to the people of your States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. BAILEY].

The question was taken; and on a division (demanded by Mr. BAILEY) there were—ayes 29, noes 54.

So the amendment was rejected.

The Clerk read as follows:

For civil government of the Panama Canal and Canal Zone, including gratuities and necessary clothing for indigent discharged prisoners $2,424,000.

Mr. SNYDER. Mr. Chairman, I offer a committee amendment, which is at the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. SNYDER: On page 14, line 10, after the figures, strike out the period, insert a colon and the following language: "*Provided*, That $18,000 of such amount shall be immediately available."

The committee amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. SNYDER. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

According the Committee rose; and the Speaker having resumed the chair, Mr. STIGLER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 5400), making appropriations for the fiscal year ending June 30, 1947, for civil functions administered by the War Department, and for other purposes, directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. SNYDER. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent that on Monday next, after other special orders, I may address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks and include therein a letter from a gentleman in St. Petersburg, Fla.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SPECULATIVE REAL-ESTATE BUILDERS HOARD SCARCE MATERIALS, SMALL BUILDERS BEING DRIVEN TO WALL—TIME HAS COME FOR BOLD ACTION TO MEET HOUSING CRISIS—$4,000 HOMES SOLD FOR $15,000

Mr. PATMAN. Mr. Speaker, 3 months ago I stood before the House and made the prediction that, unless swift and drastic action was taken to meet the housing crisis, the speculative real-estate builders would gobble up available building materials and bankrupt their legitimate small competitors.

Today I have a concrete example of a real-estate speculator who has done just that. I would like to point out, Mr. Speaker, that this is but one example of similar occurrences that are taking place in every State in the Union. I maintain that it is a national disgrace for us to sit here idly, doing nothing—permitting these speculative profiteers to gobble up little competitors, build houses for the wealthy—while our returning veterans walk the streets of our cities, unable to find shelter.

Mr. Speaker, we already have delayed too long in taking the proper steps to stop such monopolistic practices. We must bring back a business climate where smaller, responsible builders can compete on a fair basis.

I first brought the scarcity of homes to the attention of the House last October. Since then some action has been taken, but there has been stalling, quibbling, arguing over half-way measures that do not begin to attack the problem with the vigor and imagination that is required to meet it. I want to urge now, with every force that is within me, that the administration leaders discard the timid cautiousness it has so far exhibited and take the bold steps necessary to bring housing for our veterans.

Under permission to extend my remarks in the RECORD, I should like to include this letter from Mr. Herman R. Price, of St. Petersburg, Fla.:

GENERAL DRAFTING SERVICE,
St. Petersburg, Fla., February 3, 1946.

Hon. WRIGHT PATMAN,
Member of Congress, Washington, D. C.

Subject: The reasons back of material shortages in our city which prevent the building of GI homes.

DEAR SIR: We have on file complete plans and specifications for 28 GI homes and 64 other small homes, which cannot be built, because of the following reasons:

1. Previous to the enactment of the present priority laws, big developers completely stripped the local lumber dealers of all types of materials which they stacked up on the site of the proposed building for future use.

2. They purchased in advance, paying exorbitant prices, all materials before they were delivered.

3. They temporarily purchased the whole lumber yard to prevent anyone else from getting materials until after they had an opportunity to sell at inflation prices the houses which they have already built or plan to build.

4. They have tied up all labor at premium prices, to an extent that none of the old reliable contractors which would normally build GI homes can meet them.

5. They are charging $15,000 for a home that can be built with a fair and reasonable profit to all for $4,000.

Trusting that the foregoing information may be helpful to you in your important work.

Yours truly,

HERMAN R. PRICE.

EXTENSION OF REMARKS

Mr. BOYKIN (at the request of Mr. ALLEN of Louisiana) was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. TRIMBLE asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. VOORHIS of California asked and was given permission to extend his remarks in the RECORD and include an account of a case delivered by the Secretary of Agriculture, in the Pennsylvania Farm Bureau Federation magazine.

Mr. MONRONEY asked and was given permission to extend his own remarks in the RECORD.

Mr. WHITE asked and was given permission to extend his remarks in the RECORD and include an article or a speech by Charles Lindbergh.

LEGISLATIVE PROGRAM FOR TOMORROW

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. I would like to ask the majority leader if he can tell us the program for tomorrow.

Mr. McCORMACK. I will be glad to do so. The first order of business will be House Joint Resolution 265. That resolution has passed the Senate, and the Senate resolution is on the Speaker's desk. It provides for proceeding with certain river and harbor improvements to be prosecuted after the termination of the war, striking out a provision that no project herein authorized shall be appro-

priated for or constructed until 6 months after the termination of the present wars, and so forth.

After that is disposed of, if time permits, it is my intention to call up H. R. 1118. That is a bill to make the Hatch Act more humane.

Mr. MARTIN of Massachusetts. Is that possible?

Mr. McCORMACK. That is very doubtful, I will agree; nevertheless this is a legislative attempt to put a little humanity into the Hatch Act.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. HOFFMAN. Just as a matter of information: On yesterday the House put through a bill sentencing a man to deprivation for life of the benefits of sections 8, 9, and 10 of the National Labor Relations Act under certain circumstances. Are you going to put some humanity into that?

Mr. McCORMACK. The gentleman from Michigan and I voted the same way on that today.

Mr. HOFFMAN. I do not know how the gentleman from Massachusetts voted.

Mr. McCORMACK. I voted "no" on the Case bill.

Mr. HOFFMAN. So did I. I am glad to know how the gentleman from Massachusetts voted.

Mr. McCORMACK. The gentleman from Michigan and I were on the same side.

Mr. HOFFMAN. For once.

Mr. McCORMACK. For once; yes.

I say that in all sincerity. I have the greatest respect for the gentleman from Michigan. I want him to know that even in disagreement I know the gentleman is sincere in his motives, and I want the gentleman to understand that no matter how much we may disagree I profoundly respect him.

Mr. HOFFMAN. And that respect is exceeded only by my respect for the gentleman from Massachusetts.

Mr. McCORMACK. I thank the gentleman from Michigan.

EXTENSION OF REMARKS

Mr. COCHRAN (at the request of Mr. McCORMACK) was given permission to extend his remarks in the Appendix of the RECORD and include therein a release from the Treasury Department.

Mr. CURTIS asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and include certain excerpts and correspondence and an editorial from the New York Herald Tribune of February 2.

Mr. RAMEY asked and was given permission to extend his remarks in the RECORD and include an editorial from the Toledo (Ohio) Times.

BILLIONS FOR BRITAIN, AND SO ON

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include therein a copy of a resolution I am introducing today.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, very shortly a House committee will begin hearings on the President's proposal to lend $3,750,000,000 to Great Britain, carrying with it the cancellation of almost $30,000,000,000 of old debts from the First World War and of the lend-lease transactions arising out of our advancements to Britain before and during World War II. The joint resolution upon which these hearings will be based is entitled "To further implement the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom and for other purposes."

I have today introduced a joint resolution bearing exactly the same title, but proposing a different plan to carry out the administration's agreement with the United Kingdom.

The wave of propaganda flowing out of this administration to put over the British loan, and, consequently, other loans to other nations that will be expected to follow, is already coming at the American people like a torrent. We hear it on the radio. We read it in official publications of the Government. Recent issues of the Department of State Bulletin, a fancy publication printed on the finest of scarce paper, and paid for by the American taxpayers, carry stories on the British loan. All of them predict the dire consequences that will follow to American trade and commerce if we do not swallow all of this loan propaganda in one gulp. The January 20 issue of this publication carries an article, The British Loan—What It Means to Us, by the Secretary of the Treasury and Dean Acheson, Acting Secretary of State. The January 27 issue of this same publication carries an article entitled "The Significance of the British Loan" by Clair Wilcox. Mr. Wilcox, incidentally happens to be the Director of the Office of International Trade Policy, Department of State. And so, on and on we watch this process of taxpayers' money being used to propagandize the same taxpayers to carry out the administration's program.

Under the joint resolution that I have introduced, the Secretary of the Treasury is authorized to sell bonds not in excess of $3,750,000,000, and any money derived from the sale of such bonds shall be used to carry out the proposed loan to Great Britain. Payments of either principal or interest to the holders of such bonds shall be made solely from amounts repaid to us by Great Britain under the agreement. Express provision is made that the United States shall be under no obligation to the holders of such bonds with respect to either principal or interest. Each bond shall bear on its face a statement to the effect that it is not backed by the credit of, or guaranteed by, the United States.

Doubtless there are many people in these United States who favor the proposed loan to Great Britain. To contend otherwise would be to admit that the program of propaganda emanating from this Government had failed completely in its mission. All those people who desire to participate in the loan would, under this proposal, have the opportunity of doing so. On the other hand, these additional billions of dollars of charges would not be placed upon the backs of the rest of the American people, who, neither as individuals nor as taxpayers nor as bond buyers, feel that they are able to carry the load.

Let those who are so anxious that this loan be made buy as much of it as they want. But do not saddle it on the backs of the rest of us who want none of it.

The following is a copy of the joint resolution:

Joint resolution to further implement the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes

Whereas in the Bretton Woods Agreements Act the Congress has declared it to be the policy of the United States "to seek to bring about further agreement and cooperation among nations and international bodies, as soon as possible, on ways and means which will best reduce obstacles to and restrictions upon international trade, eliminate unfair trade practices, promote mutually advantageous commercial relations, and otherwise facilitate the expansion and balanced growth of international trade and promote the stability of international economic relations"; and

Whereas in further implementation of the purposes of the Bretton Woods agreements, the Governments of the United States and the United Kingdom have negotiated an agreement dated December 6, 1945, designed to expedite the achievement of stable and orderly exchange arrangements, the prompt elimination of exchange restrictions and discriminations, and other objectives of the above-mentioned policy declared by the Congress: Therefore be it

Resolved, etc., That the Secretary of the Treasury, in consultation with the National Advisory Council on International Monetary and Financial Problems, is hereby authorized to carry out the agreement dated December 6, 1945, between the United States and the United Kingdom which was transmitted by the President to the Congress on January 30, 1946.

SEC. 2. (a) In order to provide funds for carrying out the agreement dated December 6, 1945, between the United States and the United Kingdom, the Secretary of the Treasury is hereby authorized to borrow, from time to time, not in excess of $3,750,000,000, and to issue therefor bonds in the form and subject to the conditions hereinafter set forth. The Secretary of the Treasury is authorized to use the proceeds of such bonds for the purpose of carrying out the agreement.

(b) Bonds issued pursuant to the authority of this section shall be subject to the same provisions for amortization and interest (including waiver of interest) as are provided in the agreement with respect to repayment by the United Kingdom. Payments on account of principal and interest shall be made solely from amounts paid by the United Kingdom under the agreement, but the United States shall be under no obligation to the holders of such bonds with respect to principal or interest.

(c) Bonds herein authorized shall from time to time be offered as a popular loan under such regulations prescribed by the Secretary of the Treasury as will in his opinion give the people of the United States as nearly as may be an equal opportunity to participate therein.

(d) Except as otherwise provided in this section, the bonds herein authorized shall be issued in the same manner, so far as is consistent with the provisions of this section, as bonds issued under the Second Liberty Bond Act, as amended. They shall be of distinctive design and shall bear on their face a statement to the effect that they are not backed by the credit of, or guaranteed by, the United States.

(e) No payments shall be made to the United Kingdom under the agreement or this joint resolution except from the proceeds of bonds issued under the provisions of this section.

(f) Inasmuch as bonds issued under this section are not obligations of the United States, such bonds shall not be considered for the purpose of the debt limit of the United States.

(g) The Secretary of the Treasury shall provide by regulation for the distribution on an equitable basis among the holders of such bonds of payments of principal and interest received from the United Kingdom.

CONGRESS SHOULD NOT WASTE TOO MUCH TIME

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to attach thereto an editorial on Congress.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RAMEY. Mr. Speaker, I am reading part of an editorial, which states:

These issues should keep Congress pretty busy. How each Congressman votes, of course, is important; but it is even more important that each casts his vote according to his convictions on the will of all of the people in his district, rather than listen to the pressure groups who, without having been elected, would appropriate the votes of Congressmen.

(The editorial referred to follows:)

CONGRESS SHOULD NOT WASTE TOO MUCH TIME

Trains and air liners headed for Washington today will carry most of Congress back to their seats, where they will face a difficult session with five finger-burning issues to shape into legislation.

Congress would have a much easier job pleasing the people if only the people would agree on the laws they want. But Congress always finds there are at least two sides to every major question. The Congressman's problem is which way to go—which side to select in casting his vote.

The issue which will get the most attention, and probably the most delicate for the vote-minded legislators, is labor and strike legislation. The labor blocs are strong in Washington, and they talk straight to Congressmen. It is not unusual for a Congressman to be threatened with defeat in the next election unless he bends to the will of the labor bloc. Some Congressmen tell the labor lobby to go fly a kite, while others, weaker, surrender their own convictions in the interest of keeping their jobs.

What any legislator should consider foremost in making a decision is what is good for his district. He must decide this himself. If he tries to please everyone, he finds he cannot do it. If he straddles an issue, he usually finds he pleases no one. This leaves him uncomfortably in the middle when he starts his next campaign.

Congress should remember that the public at large does not like strikes. The public wants production to get under way. The public wants cars, radios, household equipment, clothing, telephone, and telegraph service. To enable the Government to be helpful in settling labor disputes quickly, the Congressman should keep only the public in mind and let the pressure groups, whether they are labor or management, howl their heads off. Any self-respecting Congressman will follow this course.

Loans to foreign countries will occupy attention. If unemployment continues widespread, or gets worse, there may be some feeling against foreign loans. But in this issue Congress should remember that we have just sacrificed a quarter of a million lives and some $300,000,000,000 to win a war. If money will destroy the seeds of unrest which might grow into another war, we had better let the impoverished countries of Europe and the Orient have a few dollars, at least, until they can get their own business and agriculture operating.

Congress is almost sure to extend price controls for another short period. Such a step would not be popular with manufacturers or the producers of raw materials, but the general public is in favor of continued price controls until the edge is taken off the backlog of demand.

Two phases of the military will come before Congress. One is the merger of the Army and Navy. The other is a program for compulsory military training in peacetime. It is doubtful, if the merger will became a fact without considerable compromise, even though the President is in favor of it. Compulsory military training should be adopted, first, to relieve soldiers now in service who deserve to be released, and secondly, to provide the nucleus of a defensive army so we cannot be caught flat-footed again should a war break out suddenly.

These issues should keep Congress pretty busy. How each Congressman votes, of course, is important, but it is even more important that each casts his vote according to his convictions on the will of all of the people in his district rather than listen to the pressure groups who without having been elected would appropriate the votes of Congressmen.

Congress can expedite the postwar adjustment and settle most of the major issues very promptly by using a little courage and a little common sense. But the legislators should not exercise their vocal cords too long while Rome burns.

The SPEAKER. Under the previous order of the House, the gentleman from New Hampshire [Mr. MERROW] is recognized for 1 hour.

THE BRITISH LOAN

Mr. MERROW. Mr. Speaker, House Joint Resolution 311, which was introduced on January 30, 1946, is a resolution, according to its title, "To further implement the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes."

The agreement referred to in this resolution is the British loan. I am opposed to this loan and in the remarks which are to follow I will state the reasons why. On December 6, 1945, President Truman and Prime Minister Attlee announced Anglo-American financial and commercial agreements which include three documents:

First. Financial agreement.

Second. Joint statement regarding the understanding reached on commercial policy.

Third. Joint statement regarding settlement for lend-lease and reciprocal aid, surplus war property, and claims.

The joint settlement regarding lend-lease, surplus and war claims provides for the payment by the United Kingdom of six hundred and fifty million in full settlement for such items. This sum is repayable on the same terms as the repayment of the proposed line of credit in the financial agreement. This sum agreed upon in settlement of lend-lease and reciprocal aid, surplus war property, and claims is unduly small. At the time lend-lease was extended administration spokesmen claimed that it would be repaid. At this point I am inserting in the RECORD information relative to lend-lease.

Lend-lease aid, by country, March 1941 to Oct. 1, 1945

Country:	*Amount*
British Empire	$30,269,210,000
U. S. S. R.	10,801,131,000
France	1,406,600,000
China	631,509,000
American Republics	421,467,000
Netherlands	162,157,000
Greece	75,416,000
Belgium	52,443,000
Norway	34,640,000
Turkey	28,063,000
Yugoslavia	25,885,000
Other countries	43,284,000
Aid not charged to foreign governments	2,088,249,000
Total lend-lease aid	46,040,054,000

We gave the British Empire approximately $30,000,000,000 worth of goods through lend-lease; reverse lend-lease amounts to slightly more than $4,000,000 000. We have agreed to settle for six hundred and fifty million and this is to be paid over a period of 50 years.

PROPOSALS CONCERNING WORLD TRADE AND EMPLOYMENT

The proposals on world trade and employment, to which Great Britain promises her support, call for an international conference on this subject to be held not later than the coming summer, with a view to removing barriers to international trade, and to setting up a world-trade organization. Draft plans for such an organization are included. Approval of the Bretton Woods agreements is also recognized as desirable. Great Britain does not agree to relinquish the system of imperial preference, but does agree to negotiate the reduction of special tariff privileges in return for tariff reductions on the part of the United States. Britain is permitted to continue bulk buying by the Government for the present.

FINANCIAL AGREEMENT

The financial agreement provides for extension by the United States to the United Kingdom of a line of credit, amounting to $3,750,000,000 to be drawn upon at any time between the effective date of the agreement and December 31, 1951. The effective date will be the date on which the United States Government notifies the United Kingdom Government that the Congress of the United States has made available the funds necessary to extend the line of credit. The amount drawn is to be repaid with interest at 2 percent per year, in 50 annual install-

ments, beginning December 31, 1951. The Government of the United Kingdom may accelerate the repayment.

Current payments of interest shall be waived in any year by request of the United Kingdom, if the Government finds that such a waiver is necessary in view of present and prospective international exchange conditions and the International Monetary Fund makes a stipulation of necessity based on certain stipulated factors.

The proceeds of the loan may not be used by the United Kingdom to discharge its obligations to other countries. Nor may interest be waived unless other countries to which Britain owes money also waive interest.

Within 1 year after the effective date of the agreement, or less, the Government of the United Kingdom will complete arrangements to remove any discrimination arising from the sterling-area dollar pool. Subject to the articles of agreement of the International Monetary Fund, the United Kingdom agrees not to impose restrictions on payments and transfers on current transactions and to eliminate such controls, with certain exceptions, within 1 year of the effective date of the agreement.

The two countries also agree to lift quantitative restrictions against imports from the other country not later than December 31, 1946, again with certain exceptions. The United Kingdom also agrees to enter into early negotiations with other countries for settling blocked sterling accounts.

THE LOAN IS TOO GREAT A BURDEN

In the first place the loan is too great a burden on the already overburdened American taxpayers. We have heavy obligations to meet, such as pensions for veterans. Furthermore, the public debt is between $278,000,000,000 and $279,000,000,000. I doubt the ability of the United States to lend money to other countries when we have such a heavy burden of debt in our own country. In contrast to our public debt, I am informed that the public debt of Great Britain is approximately $98,000,000,000. I cannot see how we can obtain the money to lend the United Kingdom unless we borrow it from our people by floating bonds or raise it by means of taxation. Furthermore, if we extend this loan it will be a precedent for loans to other countries. All the demands for loans should be reviewed since to refuse to lend money to others would generate ill-will toward the United States. It is most important that we determine just what our lending policy is going to be. As far as the British loan is concerned, it should be emphasized that the 50-year period allowed for repayment is far too long.

RATE OF INTEREST

The rate of interest on the proposed British loan is exceedingly low. It is in reality not 2 percent but 1.62 percent since payments do not begin until the end of 1951. This rate of interest is lower than the rate the Treasury must pay to obtain the money it borrows from our people. The average rate of interest our Government pays on all types of securities is 1.94 percent. This difference of course will have to be made up by a gift from our people. In this connection it is well to point out that the rate charged is lower than that charged to our veterans, which rate is not to exceed 4 percent. It is not good business to lend money in this manner.

LOAN IS UNSECURED

The loan is risky because it is unsecured. No bank or no individual lends money without security. I am opposed to lending the British Commonwealth or any other nation money without adequate security. There might well be provisions for acquisition of bases and for other rights. Consideration should be given to the pledging of British assets in the United States as security. The British investments in the United States at the end of 1944 according to the United States Department of Commerce are—

[In millions of dollars]

Long-term investments:		
Common stocks at market value	505	
Preferred stocks at market value	118	
Bonds at market value	12	
		635
Direct investments:		
British controlled property at book value		1,031
Miscellaneous investments:		
Asset value estimated by capitalizing income		335
Total long term		2,001
Short-term investments:		
Reported by bankers and brokers, total		869
Total		2,870

Foregoing are rough estimates.

I call attention to an excerpt from a radio address by my colleague the gentleman from Indiana, Congressman GERALD W. LANDIS, over Station WLW, Cincinnati, Ohio, February 2. Complete address is in the RECORD of February 4.

Why should we make this loan to Britain? They now own 1,500,000 shares in United States industries. They have unmined gold reserves of $24,500,000,000, unmined diamond reserve of $8,800,000,000, and $14,000,000,000 in foreign investments. Let her use these assets before coming over here with cup in hand.

We should not lend money without definite security and I for one am opposed to voting for this loan unless we get something in return.

BRITAIN WILL NOT BE ABLE TO PAY

Britain cannot repay the loan. She will not be able to produce sufficient exports quickly enough. Even if she did, we should not be willing to take them since her goods would compete with our domestic production to the detriment of our workers. If the loan is not paid, loss will result to the United States through loss of capital assets. Evidence that Britain will not be able to pay is the fact that she has not paid her World War I debt to us.

I am including in the RECORD the United States loans to Great Britain and British payments on these loans for World War I.

United States loans to Great Britain and British payments on these loans, World War I

Principal of obligations received by the United States from Great Britain under Liberty bond acts World War I		$4,277,000,000.00
Payments received from Great Britain prior to funding of the debt (Dec. 15, 1922):		
Principal		202,181,641.56
Principal at time of funding		4,074,818,358.44
Interest	$357,896,657.11	
Interest due		529,307,727.30
Total indebtedness of Great Britain at time of funding		4,604,128,085.74
Less: Credit allowances and cash payments on execution of agreement		4,128,085.74
Debt as funded		4,600,000,000.00
Payments received from Great Britain subsequent to funding up to July 1, 1945:		
Principal		232,000,000.00
Principal outstanding July 1, 1945		4,368,000,000.00
Interest	$1,232,770,518.42	
Interest due, July 1, 1945		2,047,664,782.58
Total indebtedness as of July, 1945		6,415,664,782.58
Principal and interest paid amounts to a total of		2,024,848,817.09

Source: U. S. Treasury Department memorandum covering the World War indebtedness of foreign governments.

SOCIALISM AND IMPERIALISM

The loan would be used to finance socialism in Great Britain through a broad program of reconstruction and nationalization of industry, to the detriment of our system of free enterprise. The loan may be a detriment to the cause of world peace, because it will bolster British imperialism in the Far East. Also it will foster friction between Britain and the United States.

Mr. Speaker, I am opposed to the British loan because, in my opinion, this country cannot afford to make it; that it is unsecured and therefore poor business; that it will not be repaid to the United States; and that we will not obtain anything in return for the extension of this line of credit. It appears to me that we will again be attempting to finance our export trade. It is time for the United States to pay some attention to its own interests. We cannot continue to give this country away and maintain our position of leadership. We cannot continue to give this country away and remain prosperous.

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

SECRET DIPLOMACY

Mrs. ROGERS of Massachusetts. Mr. Speaker, I hold in my hand last week's Life, in which there is contained the second secret speech carried by Life that Mr. Churchill, former Prime Minister of England, made to the House of Commons during the war. This is the secret speech made to the House of Commons on December 10, 1942, and explains why Mr. Churchill dealt with Admiral Darlan and the Vichy Government.

Mr. Speaker, Life states in part as follows:

Last week Life published for the first time one of the secret speeches made by Mr. Churchill to closed sessions of the House of

Commons during the war. That historic address concerned principally an explanation of the fall of Singapore. Herewith Life presents another such secret speech by Mr. Churchill, also never before published. This address was made to the House of Commons on December 10, 1942, a month and 2 days after the Allied landings in north Africa, and is an answer to the protests aroused by Allied dealings with Admiral Darlan, No. 2 man of the Vichy regime and an open advocate of collaboration with Germany. In referring to these eventful utterances, Mr. Churchill states, "They are far more interesting than anything that could be written subsequently about these tremendous situations. The effect they produced upon the House of Commons was of course decisive, and all opposition and most of the criticism faded away before the gravity of events." As straightforward documents of living history, these speeches will doubtless come to be considered among the most significant commentaries of the war.

These secret speeches made by Mr. Churchill to the Parliament bring to my mind very vividly the contrasting policy of our own administration in dealing with the Congress of the United States during the tragic and crucial war period through which we have just passed. The administration will continue to keep many international matters secret from the Congress of the United States. I am not suggesting that all of these things should be made public to all the people of the United States because there are many enemies in our midst today, and war secrets should not be given to them, but I do maintain, and have always maintained, that no secret should be kept from the Congress, the most direct representatives of the people of the United States. Repeatedly in the past on this floor of Congress I have urged the administration to give the Congress information on foreign affairs so that we may be informed of the policies of our Government. We should not be kept in the dark. During the war tragic errors were made, and during the war and since the war costly international commitments have been made which could have been averted if the Congress had been kept informed. However, the administration will continue to keep matters secret from the chosen representatives of the people just so long as the Congress is willing to put up with that sort of thing. The responsibility, Mr. Speaker, is therefore ours to see that we are given full and complete information as to what is to be done in our international affairs. Only then can we vote wisely and effectively.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. WASIELEWSKI, from February 8 to February 14, on account of official and personal business.

To Mr. COURTNEY (at the request of Mr. KEFAUVER), for 4 days, on account of illness.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 3 minutes p. m.) the House adjourned until tomorrow, Friday, February 8, 1946, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1042. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1947 in the amount of $836,000 for the Department of Agriculture, in the form of amendments to the Budget for said fiscal year (H. Doc. No. 453); to the Committee on Appropriations and ordered to be printed.

1043. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1947 in the amount of $29,844,208, together with a draft of a proposed provision, for the Department of State, in the form of amendments to the Budget for said fiscal year (H. Doc. No. 454); to the Committee on Appropriations and ordered to be printed.

1044. A letter from the Attorney General, transmitting a report reciting the facts and pertinent provisions of law in the cases of 350 individuals whose deportation has been suspended for more than 6 months by the Commissioner of the Immigration and Naturalization Service under the authority vested in the Attorney General, together with a statement of the reason for such suspension; to the Committee on Immigration and Naturalization.

1045. A letter from the Attorney General, transmitting a draft of a proposed bill to amend subsection (c) of section 19 of the Immigration Act of 1917, as amended; to the Committee on Immigration and Naturalization.

1046. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to authorize certain expenditures by the Alaska Railroad, and for other purposes; to the Committee on the Territories.

1047. A letter from the Secretary, Department of Agriculture, transmitting a draft of a proposed bill to provide for the protection of forests against destructive insects and diseases, and for other purposes; to the Committee on Agriculture.

1048. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to authorize the availability for certain necessary administrative expenses of appropriations for the Department of the Interior; to the Committee on Expenditures in the Executive Departments.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLMER: Special Committee on Postwar Economic Policy and Planning. Pursuant to House Resolution 60 (79th Cong., 1st sess.), submitting part 2, Eighth Report (Rept. No. 1527). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLE of New York: Committee on Naval Affairs. H. R. 1498. A bill to correct the naval record of former members of the crews of the revenue cutters *Algonquin* and *Onondaga;* with amendment (Rept. No. 1528). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Naval Affairs. H. R. 5356. A bill to provide assistance to the Republic of China in augmenting and maintaining a naval establishment, and for other purposes; with amendment (Rept. No. 1529). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1530. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PHILLIPS:

H. R. 5417. A bill to authorize the construction of irrigation and reclamation works and protective works therefor, to carry out the provisions of a contract with the Coachella Valley County Water District; to the Committee on Irrigation and Reclamation.

By Mr. EDWIN ARTHUR HALL:

H. R. 5418. A bill to prohibit the export of grain from the United States for a certain period; to the Committee on Ways and Means.

By Mr. O'BRIEN of Michigan:

H. R. 5419. A bill to establish a national housing policy and provide for its execution; to the Committee on Banking and Currency.

By Mr. KEFAUVER:

H. R. 5420. A bill to expedite making homes available for veterans at lower costs and in greater volume and speed by facilitating private industrial production of homes through the use of surplus plants and facilities and new types of materials; to the Committee on Banking and Currency.

By Mr. HARTLEY:

H. J. Res. 314. Joint resolution to amend the Emergency Price Control Act of 1942, as amended, so as to achieve maximum production, eliminate impediments thereto created by certain policies, and for other purposes; to the Committee on Banking and Currency.

By Mr. GRANT of Indiana:

H. J. Res. 315. Joint resolution to further implement the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes; to the Committee on Banking and Currency.

By Mrs. LUCE:

H. Con. Res. 126. Concurrent resolution to establish a joint committee on equal pay for equal work without regard to race, color, or creed; to the Committee on Rules.

By Mr. KEFAUVER:

H. Res. 512. Resolution for the relief of Catherine L. Harrington; to the Committee on Accounts.

By Mr. VINSON:

H. Res. 513. Resolution providing for the consideration of H. R. 5356, a bill to provide assistance to the Republic of China in augmenting and maintaining a naval establishment, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GORE:

H. R. 5421. A bill for the relief of E. W. Mitchell; to the Committee on Claims.

By Mr. HEFFERNAN:

H. R. 5422. A bill for the relief of the Aero-Bocker Knitting Mills, Inc.; to the Committee on Claims.

By Mr. IZAC:

H. R. 5423. A bill for the relief of Lester A. Desse; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1532. By Mr. HAVENNER: Petition signed by 471 citizens of California, stating that the United States Employment Service and its

northern California operations, does not have an adequate staff and space to assist citizens in finding employment and that thousands of citizens have great difficulty in obtaining any assistance from the United States Employment Service; to the Committee on Labor.

1533. By Mr. SMITH of Wisconsin: Letter from F. C. Seideman, Kenosha, Wis., in appreciation for the Congressional Medal of Honor awarded him as a member of the Selective Service System; to the Committee on Military Affairs.

1534. Also, petition of the American Legion, Department of Wisconsin, relating to reconversion and industrial disputes, etc.; to the Committee on Labor.

1535. By the SPEAKER: Petition of Central Trades Council, petitioning consideration of their resolution with reference to their objection to passage of House bill 5262; to the Committee on Labor.

1536. Also, petition of Local Union 131, United Construction Workers, United Mine Workers of America, A. F. of L., petitioning consideration of their resolution with reference to their opposition to the Case bill; to the Committee on Labor.

1537. Also, petition of John C. Burt, 15 Park Row, New York, N. Y., petitioning consideration of his resolution with reference to vindicating authority in delimiting the powers of judges; to the Committee on the Judiciary.

SENATE

FRIDAY, FEBRUARY 8, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Most holy and merciful God, the strength of our weakness, the refuge of our weariness, the Good Shepherd of our waywardness, in the searching light of Thy presence, we acknowledge and bewail our manifold sins and wickedness which we from time to time most grievously have committed, by thought, word, and deed, against Thy righteous law of love. In an hour of dire human need, Thou hast opened before us a potent ministry to all the earth. Save us from the pride of self-will, from enfeebling faults of judgment, from the blindness of prejudice, from vagueness of purpose, and from discouragement in temporary failure. Lift up our hearts in glad expectation because, with a new era of world cooperation at the door, redemption draweth nigh; enable us to trim our lamps and at the midnight cry go forth to meet the Bridegroom. In the dear Redeemer's name. Amen.

THE JOURNAL

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Journal of the Senate for the days from the 18th of January to the 7th of February, both inclusive, be approved without reading.

The PRESIDENT pro tempore. Without objection, the Journal for the various days mentioned by the Senator from Kentucky is approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 4908. An act to provide additional facilities for the mediation of labor disputes, and for other purposes; and

H. R. 5400. An act making appropriations for the fiscal year ending June 30, 1947, for civil functions administered by the War Department, and for other purposes.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

REPORT ON UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

The PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States, which will be read.

The Chief Clerk read the message.

(For President's message, see today's proceedings of the House of Representatives on p. 1161.)

The PRESIDENT pro tempore. The report will be referred to the Committee on Foreign Relations.

The account of expenditures set forth in the report is of so important a nature that the Chair thinks the report should be printed in the RECORD, and, without objection, the report will be printed in the RECORD, without the illustrations, for the information of the Senate.

The report, without the illustrations, is as follows:

CHAPTER 1. SUMMARY OF THIRD QUARTER DEVELOPMENTS

The third quarter of 1945 brought final military victory to the United Nations. The end of hostilities greatly affected the problems of relief. VE-day enabled UNRRA to enter into full-scale operations in the liberated countries of Europe which required its aid, as well as to assist in the care and repatriation of millions of displaced persons freed from years of Nazi slave labor. With VJ-day, UNRRA could begin operations on a world-wide scale, as ports were opened in China. Shipping and supplies in adequate quantities became available for UNRRA's accelerated operations, including large supplies of military surplus stocks. As the supply problem diminished the financial problem grew, and by the end of the third quarter of 1945 virtual exhaustion of UNRRA's financial resources became its most immediate problem.

SUMMARY OF PRINCIPAL ACTIVITIES

1. At the end of the third quarter of 1945 cumulative shipments of relief materials from all sources totaled 2,126,222 long tons, valued at $433,816,000—landed cost. Whereas about half of the shipments included in the total for the second quarter of 1945 were taken over from the civilian relief stocks of military authorities, almost all the supplies shipped during the third quarter were directly procured and shipped by UNRRA. Third quarter shipments, equivalent to more than 135 full shiploads, were more than double those of the preceding quarter. Included were 616,840 tons of food, 237,150 tons of industrial rehabilitation supplies, 106,865 tons of agricultural rehabilitation supplies, 56,558 tons of clothing, textiles, and footwear, and 7,811 tons of medical supplies.

2. As of September 30, UNRRA had expended or committed over 88 percent of its available resources. Of the $1,268,750,254 comprising operating contributions to date—including the entire United States contribution—the sum of $1,122,131,582 had been committed for relief and rehabilitation supplies and services. Of the $15,415,334 available for administrative expenditures, $11,692,128 had been committed. For all purposes, UNRRA had a balance of $150,341,878 available for commitment as of the end of the third quarter of 1945.

3. Operations were stepped up during the third quarter in the countries of central, eastern, and southern Europe. Agreements were signed between UNRRA and the Governments of Poland, Albania, and the Dodecanese Islands. Increased quantities of supplies were shipped into Greece, Yugoslavia, Czechoslovakia, and Poland. Unloading problems were in part overcome by the opening of the ports of Gdynia and Gdansk for Poland, Bremerhaven and Hamburg for Czechoslovakia, and Trieste for Yugoslavia.

4. As of September 30, 4,323 UNRRA workers were employed in the operation of assembly centers established by the military for Allied displaced persons in Germany, while 449 other UNRRA personnel were in a forward staging area awaiting deployment into the field. About 1,300,000 displaced persons were still being cared for in these assembly centers. While negotiations were under way for UNRRA to take over direction of displaced persons operations from the military, UNRRA personnel were "winterizing" the centers.

5. Over 27,000 displaced persons had been repatriated from UNRRA's Middle East camps by the beginning of September, and a remaining 13,000 were being sent home as fast as shipping permitted.

6. The wrecking of inland transport systems during the war constituted a grave threat to the relief program. To overcome this, UNRRA had arranged for the procurement of approximately 50,000 trucks for Czechoslovakia, Greece, Poland, and Yugoslavia.

7. UNRRA's program of limited aid to Italy was in full operation, and most of the $50,000,000 authorized for the Italian program had been committed. About 800,000 children and expectant and nursing mothers were receiving supplementary food in provinces south of Florence. Operations were beginning in certain northern provinces. School lunch programs were operating in Rome and Naples and soon would be extended throughout Italy.

8. VJ-day necessitated a rapid increase of UNRRA personnel in China. The draft of a basic UNRRA-Chinese Government agreement was in the final stages of negotiation in September. UNRRA medical personnel combated a cholera epidemic in the Chungking area during the third quarter. From June 2 to August 18 over 2,300 persons were given emergency hospitalization, and 500,000 were inoculated. Mortality among patients fell from 40 percent to about 10 percent. Procurement for China got under way on a large scale during this quarter.

9. While the countries of western Europe have been financing most of their own relief and rehabilitation needs, they have received through UNRRA large shipments of clothing contributed by citizens of the United States, Canada, Australia, and New Zealand. At the end of September approximately 3,000,000 pounds had been sent to Belgium, 7,000,000 to France, 4,000,000 to the Netherlands, and 1,000,000 to Norway.

10. Emergency relief shipments arrived in the Philippines in September. The shipments included 12,398,400 pounds of food and over 93,000 pounds of medical supplies. More than 4,000,000 pounds of contributed clothing were made available for shipment to the islands.

11. UNRRA doctors, nurses, and sanitation engineers were assisting various governments to reestablish public health and sanitation organizations for epidemic control. Portable X-ray units and hospital facilities were being shipped to liberated areas. UNRRA airplanes were spraying malaria-breeding swamps in Greece with DDT, and UNRRA welfare specialists were assisting the Greek Government to organize a nation-wide system of feeding and physical rehabilitation centers.

12. UNRRA continued to administer the International Sanitary Conventions, 1944, in connection with which a total of 15 issues of the Epidemiological Information Bulletin were published and distributed to health officials throughout the world.

EFFECT OF VICTORY

In September 1945 it was estimated that from 10,000,000 to 12,000,000 tons of food would be required within the next 12 months to augment supplies in the liberated countries of Europe, if millions of people were to be able to assume their responsibilities in rebuilding their homelands.

The transition from war to peace in almost every liberated country of Europe and the Far East was being met on empty stomachs. Europe faced its grimmest winter in modern times. Tragedy was not confined to hunger and the prospect of mass starvation. The Mediterranean countries reported millions of cases of malaria and tuberculosis, while diphtheria was of epidemic proportions in a large part of central and northern Europe. And while the European continent is in need of thousands of tons of medical supplies and hospital equipment, no region of the earth is in greater need of medical assistance than China. Authorities in China expect that the coming year will bring 200,000 cases of cholera, 6,000,000 of dysentery, 700,000 of typhoid, 500,000 of smallpox, 360,000 of diphtheria, and 100,000 of spinal meningitis. In urban centers few persons over 20 have escaped tubercular infection, and tuberculosis mortality runs to 3 per 1,000.

The desperate need of the liberated United Nations populations for relief and rehabilitation supplies and services is the aftermath of years of enemy occupation and military operations which turned their cities and farms into battle grounds. Under successive impacts of conquest, occupation, and military liberation, economic and physical deterioration was inevitable. The winter of 1945-46 brings a crisis in the recovery of the world from war.

However, military victory in all threaters of war opened the way to application of remedial measures on a world-wide basis, permitting the rapid acceleration of relief and rehabilitation assistance to areas where the needs were most urgent.

After the victory, supplies became available in sufficient quantities so that their lack no longer constituted a major handicap to UNRRA's operations. Prior to VE-day, shipping space and essential commodities were in extremely short supply, and UNRRA's requirements frequently gave way to military necessity. VJ-day removed additional supply restrictions and released many items which had been in short supply during the war. UNRRA was placed in a position to purchase large amounts of Army surpluses stock piled both in the United States and overseas, and also to obtain supplies for which procurement contracts had been canceled as a result of Army cut-backs. By the end of September UNRRA had procured $60,000,000 worth of United States Government surpluses which were stored in this country. In addition, a joint mission of UNRRA and United States Government officials had gone to Europe to procure an additional $150,000,000 worth of supplies from United States military surpluses available in the European and Mediterranean theaters, and plans were developed for the procurement of United States military surpluses in the Far Eastern theater. Further large-scale purchases of military surpluses both in the United States and abroad were contemplated as additional funds from the initial United States contribution became available.

Victory not only improved the supply situation but also eased transportation. By the end of the third quarter of 1945 UNRRA had enough shipping space to take care of its overseas consignments, barring unforeseen contingencies. The liberation of China opened up that country's seaports to the Allies, and enabled UNRRA to go into its planned operation there. Hitherto, relief and rehabilitation activities had been negligible, as land routes into Free China were crowded with military transports and the cost of moving supplies by air was prohibitive for large-scale relief operations. In similar fashion, on the other side of the world, opening of new ports in the Baltic during the third quarter of 1945 permitted substantial increases in the movement of goods to Poland.

Because of the critical state of inland transport in Europe and the Far East, UNRRA has been sending trucks to these areas in increasing quantities. These trucks were procured principally from Army surpluses abroad.

Improvements in supply and shipping meant speedier procurement. By the end of the third quarter the principal factor limiting UNRRA was the lack of financial resources to continue procurement.

CHAPTER 2. UNRRA COUNCIL DECISIONS

The third session of the Council of UNRRA—composed of one representative from each member nation—was held in London between August 7 and August 25. The United States was represented at this session by Assistant Secretary of State William L. Clayton.

At its third session the Council adopted several resolutions expanding UNRRA's membership and its scope of operations and recommending that member nations provide additional financial support. Those resolutions are summarized below:

1. New members: The Council voted to admit three United Nations—Denmark, the Byelorussian Soviet Socialist Republic, and the Ukranian Soviet Socialist Republic—which had not previously applied for membership in UNRRA. By general resolution the Council also authorized the Central Committee of UNRRA—consisting of the delegates of Canada, China, France, the Union of Soviet Socialist Republics, the United Kingdom, and the United States [1]—to accept applications for membership from any other governments that are signatories to the Charter of the United Nations.

2. Scope of UNRRA operations: At its second session in September 1944 the UNRRA Council authorized a limited program of aid to Italy, supplementing the extensive relief operation conducted by the armies of the United States, the United Kingdom, and Canada, and paid for by the governments of those nations. At the third session of the Council the United States delegate proposed that the burden of furnishing relief to Italy be transferred from the Governments of the United States, the United Kingdom, and Canada to UNRRA, and the Council agreed to authorize UNRRA operations in Italy to the extent necessary "to meet the urgent needs of the Italian population." The Council also agreed to authorize UNRRA operations in Austria when invited to do so by "the appropriate authorities exercising administrative control of that country." The burden of relief is now being met by France, the U. S. S. R., the United Kingdom, and the United States as the occupying authorities. Another resolution passed by the Council authorized UNRRA to operate in Korea and Formosa "upon the same terms and conditions as in other liberated areas."

Upon the recommendation of the United States delegate, the Council also clarified UNRRA's responsibilities with respect to displaced persons. UNRRA is now authorized to provide care on a temporary basis for the displaced nationals of any member nation; whether or not they desire to return to the territory of that nation at the present time.

3. Additional financial support: The Director General advised the Council that the supplies and services financed by the original contribution of each uninvaded member nation which was approximately equal to 1 percent of estimated national income for the year ending June 30, 1943, would be entirely consumed by midwinter. After considering the volume of urgent relief and rehabilitation needs falling within the scope of UNRRA's responsibility and comparing those needs with the ability of the uninvaded nations to meet them, the Council resolved to recommend a second contribution equal to 1 percent of the estimated annual national income of the uninvaded member nations. It is estimated that the additional 1 percent contributions will total approximately $1,883,000,000, bringing the total contribution of the uninvaded nations to $3,766,000,000. In making its recommendation, the Council expressed the expectation that UNRRA would complete its shipments to Europe not later than the end of December 1946 and to the Far East not later than the end of March 1947.

CHAPTER 3. OPERATIONS BY COUNTRY

CENTRAL, EASTERN, AND SOUTHERN EUROPE

In the countries of central, eastern, and southern Europe in which UNRRA was supplying relief and rehabilitation supplies and services, operations moved into high gear during the quarter. Agreements were signed with Poland, the Dodecanese Islands, San Marino, and Albania. Supplies in increasing volume were dispatched to those countries and to Greece, Yugoslavia, and Czechoslovakia. In the case of Czechoslovakia and Poland supply obstacles were partially overcome by the opening of the ports of Gdynia and Gdansk for Poland, and the recent opening of Bremerhaven and Hamburg for Czechoslovakia. Large-scale shipment of trucks to the countries in which UNRRA was operating had substantially eased the problem of internal distribution of supplies. In Italy the limited program for nursing and expectant mothers, children, and displaced Allied nationals was in full operation.

ALBANIA

The administration's operations in Albania got under way during the quarter. The UNRRA—Albania agreement was signed on August 1, and on August 8 the UNRRA mission entered that country.

The first shipload of UNRRA supplies reached Albania on August 21. By September 30, UNRRA had shipped a total of 20,000 tons there; 70 percent consisted of foodstuffs, primarily wheat and flour. Other supplies shipped to Albania during the quarter included clothing, medical supplies, fuel, and lubricants.

One of the difficulties in the handling of supplies for Albania is the small capacity of its ports. Until recently the chief port, Durres, was able to handle only 10,000 tons a month.

During the typhoid epidemics in Tirana and Durres, vaccines, water supply materials, and other medical supplies were airshipped to Albania. The Albanians have requested UNRRA to provide supplies for the maintenance of 25,000 Chamerian refugees. Tents for housing this group and an estimated 20,000 homeless Albanians are under procurement from Army surpluses in the Mediterranean theater.

[1] Canada and France were added to the membership of the Central Committee at the third session of the Council.

CZECHOSLOVAKIA

Cumulative shipments to Czechoslovakia through September 30, 1945, amounted to 154,000 gross long tons, valued at $43,000,000. Of this figure 103,000 tons were shipped during the third quarter. Seventy-five percent of shipments originated in the Western Hemisphere and 25 percent in the Eastern.

Most of the cargoes continued to be shipped over the long sea route to Constantsa and the single-track rail line across Rumania and Hungary to Czechoslovakia. Operations in Czechoslovakia have been seriously hindered by the overloading of the harbor facilities at Constantsa and the rail route into the country. The German North Sea ports of Bremerhaven and Hamburg, the normal entry for Czechoslovakia, were expected to become available to UNRRA and aid materially in supplying the country.

Food supplies constituted approximately half of shipments, agricultural rehabilitation supplies, including seeds, were 30 percent; and clothing, textiles, and footwear, 12 percent. The balance consisted of industrial, medical, and sanitation supplies.

Despite UNRRA shipments total food resources provided an average of only 1,800 calories per person per day in September.

Perhaps the most serious damage suffered by Czechoslovakia during the final stages of the war was to its transportation system. This is still a major problem, because few of the destroyed bridges have been rebuilt and only 19 of the 29 bombed tunnels have been put into operation again. Since the railway and river systems cannot be adequately restored until 1946, trucks are essential. During September UNRRA started regular and substantial deliveries of surplus military trucks, and more than 2,000 of them had been delivered by September 30.

A survey of Slovak hospitals by an UNRRA health officer showed that they had been deprived of all essentials by the enemy. To relieve the situation the distribution of UNRRA hospital units and medical supplies has been speeded up. Small emergency depots of medical supplies are being assembled in Prague, Bratislava, and Kosice. UNRRA welfare officers have completed comprehensive surveys through Czechoslovakia and report that unless there is a continuous flow of supplies for children's welfare centers, nurseries, and other institutions, tuberculosis and malnutritional diseases will continue to increase.

THE DODECANESE ISLANDS

Under agreement of August between the military administration of the Dodecanese Islands and UNRRA, UNRRA will assume supply responsibility early in 1946. UNRRA assumed financial responsibility for relief to the Dodecanese on August 1, 1945.

GREECE

UNRRA's task in Greece has continued to be complex in character and difficult in execution, not only because of the degree of destruction and destitution brought about by the war and occupation, but also because of the country's peculiar economy.

In years of normal production some 30 percent of the food needed to meet Greece's annual food requirements must be imported. Current import needs are considerably higher because of a drastic decline in domestic cereal production as a result of the war and occupation. For example, although the average annual production for the years 1938-39 was 1,705,200 metric tons, the estimated 1945 production is only 713,000 metric tons.

Since UNRRA became responsible for relief operations in Greece, it has provided that country with an average of approximately 100,000 tons of food monthly. At the same time over 2,000 tractors and large quantities of fertilizers and pesticides have been delivered to rehabilitate local production. By September 30 UNRRA shipments had made available 50 percent of the fall and winter requirements of nitrogenous fertilizers and two-thirds of the requirements for rock phosphate.

The number of draft and pack animals in Greece was reduced in appalling proportions as a result of the war. Out of the 965,000 head in 1938 only 487,000 remained by mid-June 1945. UNRRA has imported into the country an aggregate of 13,619 head of livestock, of which approximately 25 percent came from Cyprus and Italy. UNRRA also has provided bulls for artificial insemination to increase the livestock. Additional shipments are programmed for the future, but it is far beyond UNRRA's ability to replace all the lost livestock.

Before the war Greece had 1,660 miles of railways and 7,700 miles of roads. The railway system is totally destroyed, and its rehabilitation is a task UNRRA cannot undertake. If the transport burden is shifted to the highways, some 16,000 motor trucks would be required to transport the amount of freight that moved over the roads and railroads of Greece in 1939. To date UNRRA has made available to Greece some 4,500 trucks and plans to raise the number to more than 6,000 by the end of 1945.

Allied agencies working in Greece during the occupation agreed that 54 percent of the population were in desperate need of clothing and footwear. UNRRA has imported quantities of finished apparel and enough raw materials to keep the country's clothing industry fully occupied for at least 6 months. As of August 31, 10,299 long tons of raw material, clothing, textiles, and footwear had been shipped, and during September and October 2,243 long tons of used and new clothing were shipped. However, it will not be possible to clothe adequately the Greek population for some years to come.

War and occupation left behind an immense job in the fields of health and welfare. Malaria, tuberculosis, and other diseases prevail throughout the country. UNRRA field observers report that the malaria-infected population in some areas is more than 70 percent. According to estimates, half of the country's children are tubercular. To date UNRRA has provided approximately 1,250 tons of medical supplies. In addition, 12 airplanes have been allocated to Greece for malaria control. Of these, eight had reached the country by September 30. To combat tuberculosis, medical teams were organized to operate throughout Greece and radiological apparatus for mass examination was in operation in Athens and Salonika. Two-thirds of the displaced Greeks in UNRRA's Middle East camps have been repatriated. UNRRA refugee camps were operating in the northern part of Greece, furnishing food and clothing to the Greek refugees streaming in from Yugoslavia and Bulgaria.

ITALY

During the months of July, August, and September, 1945, the operations of the Italy mission increased in range and in scope, within the limitations of the $50,000,000 program established by the Council at its session in Montreal. Shipments through September 1945 amounted to 101,675 tons of supplies, of which about 28,000 tons were shipped during the third quarter.

By the end of the third quarter about 800,000 expectant and nursing mothers and children were receiving UNRRA supplementary food in provinces south of Florence and operations were under way in the provinces of Florence and Pistoia. School-lunch programs were being operated by UNRRA in Rome and Naples and will soon be extended throughout Italy.

In Italy UNRRA has been assisting in the care of three classes of displaced persons: United Nations nationals, stateless persons, and Italians displaced within the country. Care for displaced persons in the north was still largely in the hands of the military, but the Allied Commission has authorized UNRRA to extend its program of financial assistance to displaced persons in northern Italy, heretofore closed to civilian agencies. At the end of September about 10,000 non-Italian displaced persons were being assisted through cash grants and assistance in kind.

UNRRA relief operations in Italy had been limited to $50,000,000 and restricted to special fields in accordance with the Montreal resolution. Until August 31, 1945, the United States, United Kingdom, and Canadian military authorities were responsible for supplying Italy with the essential foodstuffs and raw materials necessary for the prevention of disease and unrest. For the months of September through December 1945 the United States Government participated through the Foreign Economic Administration and subsequently the Department of State. To avoid the interruption of the pipeline flow of vitally needed supplies, such as wheat, coal, etc., UNRRA was expected to initiate substantial shipments to Italy in January 1946. Under the expanded program approved at the third council session in London, it is estimated that about $450,000,000 will be expended.

Relief and rehabilitation needs for Italy are estimated to be well in excess of a billion dollars. Years of warfare, internal upheaval, military operations, German demolition, and Allied bombing have left crucial shortages of food, clothing, medical services, and shelter. More than 1,000,000 persons were homeless, and 350,000 were refugees. The average daily ration provided about 900 calories. Ninety percent of the bridges were blown up, rolling stock and power lines were largely destroyed, and motor transport was badly depleted.

Flooding of reclaimed land, disintegration of drainage facilities, and shortage of food, clothing, medical services, and shelter combined to undermine health. The incidence of tuberculosis is three times the prewar rate, and several hundred tons of medical and sanitation supplies were needed immediately.

About 2,700 cases of medical supplies had been transferred to the Italian Government by UNRRA. These contained atabrine, digitalis, vitamins, baby feeding requirements, surgical instruments, etc. UNRRA penicillin has been the only supply officially available in Italy for civilian use. Fifty ambulances have been given to the Italian Government thus far.

POLAND

On September 14 UNRRA and the Polish Provisional Government of National Unity signed an agreement outlining the scope of UNRRA's activities in Poland and providing for the establishment of an UNRRA mission there. This agreement is similar to UNRRA agreements with other countries in which it is operating, providing for nondiscrimination in the distribution of supplies and for UNRRA observation of distribution. Because of the desperate need existing in Poland, UNRRA supplies have been sent there since March. By September 30 supplies shipped to Poland had reached a total of about 160,000 tons valued at nearly $61,185,000. During the third quarter about 90,000 tons were shipped to Poland.

Until mid-August all shipments to Poland had to be made to Constanza and to be moved by rail and truck into the country. Now, however, the ports of Gdynia and Gdansk are open and the physical difficulties of supplying Poland are reduced. Destruction of Poland's transportation system made impossible full use of the port capacity and trucks now being delivered by UNRRA for the distribution of supplies are essential. As of October 12, approximately 3,000 trucks had arrived in Poland.

Reports from UNRRA's staff in Poland disclose the desperate situation in that country.

The food situation is critical and livestock is scarce. In 1945 the number of pigs, in comparison with 1938, decreased 74.1 percent; cattle decreased 48.4 percent; milk cows, 56.3 percent, and sheep 90 percent. Home production cannot supply the nonagricultural population with any animal proteins whatsoever. All animal proteins for the nonfarm population must be imported. The amount of milk available is not sufficient to cover even the lowest needs of the agricultural population. Furthermore, a serious reduction in the expected production of bread, grains, and potatoes has resulted in a grave shortage of the basic food needs for the entire population.

It has been estimated that 80 percent of the clothing of the Polish population has been worn out, looted, or destroyed. UNRRA staff members report that practically all children and women and at least half the men are without shoes. Quantities of supplies of contributed clothing, purchased textiles and footwear have been sent to Poland by UNRRA.

The health problem in Poland is also very serious. Tuberculosis, typhoid fever, venereal diseases, and dysentery are rampant. Estimates of reliable observers indicate that 10,000 persons are succumbing to diseases each month. Infant mortality is extremely high. The incidence of typhus in western Poland is particularly high as the result of war dislocation and break-down of sanitary facilities in the great movements of people from east to west. The need for medical supplies of all kinds is urgent, and as many of such supplies as possible are being sent by UNRRA.

YUGOSLAVIA

UNRRA shipments to Yugoslavia during the third quarter of 1945 amounted to about 330,000 tons. Yugoslavia was supplied entirely by UNRRA procurement beginning July 1, 1945. Prior to that time military supplies had been the primary means of civilian relief, but supplies shipped into the country between April 15 and June 30 were bought by UNRRA from Allied military authorities.

UNRRA supplies discharged in Yugoslavia during July amounted to 71,000 gross long tons, an increase of 40 percent over the June total. The rise in deliveries was due primarily to the use of the port of Trieste. About half of the supplies docked consisted of industrial and agricultural rehabilitation goods, medical supplies, and clothing and textiles.

During August 77,400 gross long tons of UNRRA supplies were landed in Yugoslavia, and in September 24 UNRRA ships landed 117,000 tons of supplies, more than two-thirds of which was food. Since September 1 a substantial increase in shipments to Yugoslavia was scheduled to help build stock piles in the interior areas of the country, which are isolated during the winter months.

To break Yugoslavia's transport bottleneck in the distribution of relief supplies, UNRRA dispatched more than 5,700 trucks and trailers during September. A majority of the vehicles were bought from the military surpluses in Italy.

Until the 1946 harvest, Yugoslavia will have to depend on imported cereal supplies and protective foods. Clothing and textiles, agricultural and industrial rehabilitation goods and medical supplies will have to be imported for some time to come. About 50 to 60 percent of all livestock was destroyed by war, and large segments of Yugoslavia's communications and industrial plants were destroyed or sabotaged during the occupation. The 1945 harvest will be only about 50 percent of normal because of the smaller area under crops and the severe drought that hit all of southeastern Europe.

UNNRA is helping Yugoslavia in reequipping and reestablishing its badly damaged hospital and medical services. A survey of nutritional deficiency diseases undertaken in Sarajevo showed the majority of the children were suffering from rickets and other nutritional diseases. Similar surveys are planned on a larger scale. Health officers and staff personnel have started to work in the field. Work on typhus control continued, as did the survey on malaria control. A nurses' training program was in process of development. UNRRA welfare specialists were surveying children's institutions to determine their requirements for continued operations.

ETHIOPIA

A mission to Ethiopia, with the primary purpose of instituting a program of training in the fields of welfare, health, and medical services, was being organized and a chief of the mission was appointed.

WESTERN AND NORTHERN EUROPE

UNRRA had been engaged in a limited program to provide some emergency relief supplies to liberated countries that had not applied for general assistance. None of the member governments of western and northern Europe has requested UNRRA to provide relief and rehabilitation supplies and services on a broad scale, but some food and considerable quantities of contributed clothing were sent to help alleviate immediate distress in the months immediately following the end of the war in Europe.

FRANCE

Emergency supplies consigned to France were destined for use by war victims whose homes and household goods had been destroyed, and for Allied nationals displaced in the country. By the end of September 227 tons of food and clothing were consigned for shipment for the use of French war victims and 265 tons of food, clothing, and medical supplies were sent for displaced persons in France. In addition, 7,406,000 pounds of used clothing had been shipped to France, chiefly to clothe returning prisoners of war and deportees.

BELGIUM AND LUXEMBURG

The allocation of used clothing to Belgium and Luxemburg was 3,000,000 pounds. The Belgium authorities were responsible for reallocation and delivery of 10 percent of the total to the Grand Duchy of Luxemburg. As of September 28, 3,098,420 pounds had been shipped to Belgium.

At the end of September 46 tons of emergency supplies allocated to Belgium had been shipped or handed over for shipment, and 76 tons of supplies allocated to Luxemburg had been delivered for shipment.

DENMARK

During the third quarter of 1945 Denmark requested supplementary relief supplies for Allied and stateless displaced persons in her territory. The number of such persons requiring assistance was estimated at 7,500. UNRRA undertook to supply quantities of used blankets, footwear, and medical supplies.

THE NETHERLANDS

One hundred ninety-eight tons of emergency relief supplies had been handed over to The Netherlands Government and an additional 75 tons were allocated. Final arrangements have been made for turning over 4,000,000 pounds of used clothing for The Netherlands proper and 2,000,000 pounds for the Netherland East Indies.

NORWAY

UNRRA has delivered for shipment to Norway 136 tons of emergency relief supplies, and final arrangements have been made for turning over to the Norwegian authorities 1,000,000 pounds of contributed clothing. Norway has requested UNRRA's aid in obtaining quantities of gypsum, molasses, household equipment, hemp, and optical instruments.

THE FAR EAST AND THE PACIFIC

China

VJ-day represented the sudden transition of UNRRA activities in the Far East from a planning to an operational stage. Plans called for a rapid increase of field personnel. As of September 30, 1945, the staff of the China office consisted of 53 persons on regular appointments and 21 en route to China to assume their duties. Requests have been received from the China office for a total of 974 additional personnel for service there, about half of the persons to be recruited are scheduled for work with Chinese National Relief and Rehabilitation Administration and the Chinese Government.

Prior to VJ-day UNRRA activities in China were valuable even though necessarily limited in scope. An UNRRA medical mission arrived in Chungking early in August to combat the spread of cholera. UNRRA also shipped in 4 tons of anticholera supplies. From June 2 to August 18 more than 2,300 persons were hospitalized and 500,000 more were inoculated. Mortality among cholera cases, which reached 40 percent before the establishment of emergency hospitals, was reduced to between 5 percent and 15 percent, and the crisis in Chungking passed. UNRRA personnel was assisting the Chinese National Relief and Rehabilitation Administration in setting up medical establishments and in developing the relief and rehabilitation machinery in two liberated provinces, Kwangsi and Kweichow.

Following the Japanese surrender, UNRRA has been accelerating its program of supply shipments to China. In addition UNRRA has sought to develop a program of procurement of surplus military supplies. This program is being developed in categories which command high priority within the 6 months requirements for China and the China office has been provided with an advance of $2,000,000 against which to make emergency purchases of locally available United States Government-owned excess and surplus supplies in China.

The Philippines

The first shipment of the emergency supplies, under UNRRA's $1,000,000 emergency relief program for the Philippines arrived in the Philippines in mid-September and the second was scheduled to arrive at the end of September. These shipments included about 12,500,000 pounds of food and over 93,000 pounds of medical supplies. The arrival of these supplies resulted in an immediate and marked decrease in the prevailing inflated market prices.

In addition to the above supplies, contributed clothing amounting to 4,019,479 pounds was made available for shipment to the Philippines.

The UNRRA office established in Manila assisted the Philippine Government authorities. This office is also making preliminary arrangements for the purchase of suitable Army surpluses in the Philippines.

Korea and Formosa

At the third session of the UNRRA Council held in London in August Korea was designated as an area in which UNRRA was authorized to operate under the same terms and conditions as in other liberated areas. Letters have been dispatched to the American and Soviet military authorities occupying respectively the southern and northern zones of Korea, informing them of that country's eligibility for assistance and requesting liaison arrangements to enable UNRRA to plan appropriately for its activities in the areas concerned.

Relief and rehabilitation operations in Formosa are included in the general program for China.

CHAPTER 4. SERVICE PROGRAMS

The UNRRA program is designed to relate supplies and services in a manner to bring maximum assistance to the people of the liberated countries. War and occupation not only resulted in physical destruction of hospitals and other institutions and facilities vital to the health and welfare of the liberated populations, but also in the disorganization and disruption of the administrative organizations which managed these institutions and facilities. For these reasons UNRRA is being called upon by governments of liberated areas to provide the services of a number of technical experts in the fields of health, welfare, displaced persons operations, and agricultural and industrial rehabilitation in order to aid the liberated nations in such fields and making maximum use of imported relief supplies and in developing programs which will make it possible for the countries to take care of their own problems in these fields as speedily as possible.

Each of the following sections describes a major type of service provided by UNRRA technicians.

HEALTH AND EPIDEMIC CONTROL

UNRRA doctors, nurses, and sanitary engineers have been aiding the governments to reestablish and strengthen their public health and sanitation organizations, for the purposes of epidemic control and of raising the level of public health above its critically low state. Widespread undernourishment and the lack of proper clothing and footwear have made the populations of liberated areas particularly vulnerable to disease. The threat is increased by extensive war damage to housing, water systems, drains, sewers, and other facilities, creating conditions that lead to outbreaks of typhoid, typhus, and malaria.

The UNRRA program of health and epidemic control includes the publication of a semimonthly. Epidemiological Information Bulletin, distributed to health officials throughout the world, informing them of the danger spots in diseases and epidemics. Publication of this bulletin is part of UNRRA's larger task of administering the International Sanitary Conventions of 1944. A Bulletin of Communicable Diseases and Medical Notes is also prepared in the European Regional Office in London.

By September 30 approximately 200 doctors, nurses, and sanitary engineers were employed on the UNRRA staffs of the various country missions, exclusive of those employed in the displaced persons operations in Europe and the Middle East. In addition to helping governments determine their needs for medical and sanitary supplies, and advising them on the general organization of public health services, these technicians have been organizing immediate programs to combat malaria and tuberculosis, two diseases so prevalent in Europe that they have lowered the level of health to the point where elementary economic reconstruction has been placed in jeopardy.

MALARIA CONTROL

Substantial increases in the incidence of malaria have occurred in much of Europe, particularly in the Balkan states. About 85 percent of the area of Greece is now malarial, with an annual rate of over a million cases resulting in approximately 5,000 deaths.

In the Pontine area of Italy the percentage of malaria has jumped from 2 to 35 as a result of war damage to the pumping system which formerly drained the marshes. UNRRA doctors and sanitary engineers have been working closely with Greek and Italian officials in setting up programs for ditching and draining mosquito-breeding areas. They were training local personnel in the use of DDT for spraying infested areas and were spraying swamp areas in Greece with DDT, using aircraft purchased from United States Army surpluses. In addition UNRRA supplied large quantities of atabrine and quinine for treatment of approximately 2,500,000 victims.

TUBERCULOSIS CONTROL

Although exact statistics are not yet available on the incidence of tuberculosis in the liberated areas, it is apparent that it has increased to epidemic proportions. In Rome, for example, it is known to have more than doubled between 1940 and 1944, and in Poland it has reached unprecedented proportions.

To aid in the detection and isolation of active cases, UNRRA is supplying portable X-ray units to the liberated areas and UNRRA physicians are helping the governments organize surveys in both urban and rural areas. Thus far, Greece, Italy, and Yugoslavia have been particularly active in this respect. In these countries UNRRA physicians have been helping organize local groups to conduct antituberculosis educational campaigns.

War damage to hospitals has made it difficult to hospitalize even serious tuberculosis cases. Approximately half of the prewar tubercular hospital facilities were destroyed in Greece, and about one-fifth of all hospitals beds in Italy are demolished. As one of the elements in its health and epidemic control programs, UNRRA has been procuring and shipping equipment to reestablish destroyed hospital facilities.

WELFARE SERVICES

As an aftermath of the war, governmental authorities in the liberated areas are faced with urgent problems in providing both the basic necessities and satisfying the special needs of the more vulnerable groups in the population—the children, the aged, the disabled, and those totally without resources. To assist the governments in developing programs to meet the needs of these groups, UNRRA had made available the services of about 50 welfare specialists, exclusive of those employed in displaced persons operations. Major welfare problems which these experts were helping the authorities to solve include:

1. The organization of administrative machinery for the distribution of relief supplies to persons without resources.

2. The restoration and development of facilities and programs for the care of war-victimized, orphaned, homeless, and other children and other groups requiring special care, such as the aged and physically handicapped.

3. The organization and training of local personnel to operate the various welfare programs.

RESTORATION OF SOCIAL WELFARE MACHINERY

The war disorganized welfare administration in the areas occupied by the enemy. In Italy and in Greece particularly, the governments have found it necessary to develop new channels for distribution of relief supplies. In Greece, UNRRA has been helping the Government to organize a nation-wide system of feeding centers to distribute relief in an effective and equitable manner, and UNRRA personnel have been assisting in the training of officials who will administer the country's welfare programs.

In Italy, where UNRRA has been providing a limited program of aid, its personnel was helping to determine which areas were most in need of aid and which mothers and children were most in need of supplementary feeding from UNRRA supplies. UNRRA personnel has also been providing instruction in the use and preparation of UNRRA foods.

CHILD CARE

It is reported that 600,000 children in Poland, 575,000 children in Yugoslavia, and 50,000 in Greece have been deprived of one or both parents or been left homeless by the war. Moreover, the inadequacy of food rations available to the general population requires that the governments organize supplementary feeding programs for children. The magnitude of the special programs being undertaken or planned by the governments receiving UNRRA aid may be seen from the following table:

TABLE 1.—*Child-welfare programs planned by governments receiving UNRRA aid*

Country	Estimated population 18 years of age and under	To receive supplementary feedings [1]	To receive day, residential, and other care [1]
Albania	450,000	[2]	[2]
Czechoslovakia	4,700,000	750,000	800,000
Greece	2,500,000	1,000,000	430,000
Italy	15,000,000	1,750,000	1,250,000
Poland	7,000,000	600,000	600,000
Yugoslavia	6,000,000	500,000	575,000

[1] Columns (3) and (4) are not exclusive.
[2] No information available on programs planned by the government

UNRRA welfare specialists have been aiding the various governments in surveying the over-all child-care problem and in determining the supplies necessary to reestablish children's institutions and facilities for feeding. They were also helping to train local workers to assume the child-care job.

CARE AND REPATRIATION OF DISPLACED PERSONS

A major responsibility of UNRRA has been the care of United Nations nationals displaced in other countries as a result of enemy action and arranging for their return to their national homelands. This job required that additional emergency supplies be sent for the use of persons displaced into areas not in themselves eligible for UNRRA assistance—such areas as the Middle East and Germany.

In countries receiving general assistance through UNRRA shipments included supplies for the needs of displaced persons as well as for those of the indigenous population. In Germany UNRRA was providing supplementary commodities such as blankets, clothing, and welfare supplies for use of displaced persons.

MIDDLE EAST

In May 1944 UNRRA assumed the responsibility of caring for about 40,000 Greek, Yugoslav, and Polish refugees in the Middle East. They were housed in six camps taken over from the British military authorities. In addition to providing the basic essentials of food, clothing, shelter, and medical care, UNRRA worked with the refugees to develop workshops, schools, nurseries, recreational programs, and other community activities.

Repatriation of these refugees began as soon after their countries were liberated as shipping became available, and at the beginning of September slightly more than 27,000 of the refugees, comprising about 8,400 Greeks, 15,400 Yugoslavs, and 2,900 from the Dodecanese Island had been repatriated. The 13,000 who remained in the Middle East camps were being sent home as quickly as transportation facilities became available.

The repatriation of another group, approximately 40,000 Polish refugees now in camps scattered throughout Africa, may also become UNRRA's responsibility.

GERMANY

In Germany UNRRA has assisted the American, British, and French military authorities in their displaced persons operations. UNRRA's activities have been based upon an agreement signed with SHAEF in November 1944, under which UNRRA undertook to supply teams of workers to assist the military authorities in the care and repatriation of displaced persons in the SHAEF zones. The first UNRRA staff was called forward in

March 1945. As of September 30, 4,323 UNRRA workers were working in camps and assembly centers established by the military, 449 additional personnel were in a forward staging area awaiting deployment into the field.

TABLE 2.—*Status of displaced persons in western Germany on selected dates, June to September 1945*

Date	Number repatriated	Number remaining
June 18	3,076,000	2,084,000
July 30	4,166,000	2,031,000
Sept. 30	5,276,000	1,342,000

UNRRA teams consisted of up to 13 persons, including doctors, nurses, welfare specialists, and administrative officers. They worked under the direction of military authorities who have had final responsibility for supplies, shelter, and transport, as well as for determining basic policies. However, responsibility for administration of the centers was being assumed increasingly by the UNRRA teams, and in a large number of centers the military detachment had already been withdrawn.

Of the 6,600,000 displaced persons and slave laborers handled by the military authorities in western Germany, about 5,300,000 have been repatriated and 1,300,000 were still being cared for in the assembly centers as of September 30. About two-fifths of these remaining displaced persons were in the American zone. The progress of repatriation is indicated in table 2.

The rate of repatriation of those still remaining would necessarily be slower than in the past. A relatively large number were "stateless," and many had not yet indicated a wish to return to their countries.

The following table indicates the number of displaced persons remaining in assembly centers in western Germany, on selected dates.

TABLE 3.—*Number of displaced persons in Germany, by nationality, July to September 1945*

Nationality	July 12	Aug. 1	Sept. 4	Sept. 30
Total	2,276,000	2,174,000	1,491,000	1,342,000
Czechoslovak	11,000	5,000	3,000	4,000
Greek	10,000	9,000	5,000	1,000
Italian	278,000	238,000	83,000	10,000
Polish	881,000	900,000	846,000	817,000
Russian	568,000	475,000	62,000	35,000
Yugoslav	113,000	94,000	46,000	28,000
Western European	13,000	10,000	6,000	6,000
Ex-enemy	402,000	240,000	211,000	207,000
Miscellaneous and unclassified		203,000	229,000	234,000

Negotiations were proceeding with the military for UNRRA to take over the direction of the displaced persons operations. Pending the conclusion of these discussions UNRRA was assisting the military in "winterizing" the displaced persons centers and in introducing certain health and welfare measures necessary for the comfort and well-being of the displaced persons.

AUSTRIA

In June 1945, UNRRA agreed to assist the United States military authorities in Austria with their displaced persons operations under arrangements similar to those made with authorities in Germany. Later, similar arrangements were made with the British and French military staffs in the country. On September 30, 276 UNRRA workers had been deployed into assembly centers and camps in Austria. Military authorities reported about 120,000 displaced persons of United Nations nationality in the United States and British zones in Austria at the end of October. An additional 25,000 were estimated to be in the French zone. Reports indicated that these totals might be increased because of the large number of displaced persons now outside assembly centers who might ask for aid when cold weather sets in.

THE FAR EAST

The staggering problem of repatriating the war-dislocated populations of the Far East was the subject of exploratory discussions between UNRRA and the member governments concerned during the third quarter of 1945. Although precise information as to the number and location of displaced persons was not immediately available, UNRRA was attempting to ascertain the conditions and needs which will govern its activities in this connection and is prepared to assume responsibility as called upon to act by the member governments.

UNRRA already had participated in these areas in movements of displaced persons back to their homelands. In September UNRRA and the American Advisory Committee, a voluntary agency, assisted the Chinese National Relief and Rehabilitation Administration in a movement of persons dislocated within China. In August, at the request of Chinese authorities and the Philippine Government, UNRRA undertook the repatriation of Chinese nationals who had been brought to the Philippines by the Japanese as forced labor.

CHAPTER 5. SUPPLY OPERATIONS

As of June 30, 1945, UNRRA's cumulative shipments totaled 1,100,993 tons, with a landed cost value of $217,431,000. Three months later the shipment totals had approximately doubled. As of September 30, cumulative shipments amounted to 2,126,222 tons, with a landed cost value of $433,816,000.[2]

By the end of September the availability of shipping was no longer a major limiting factor in UNRRA's operations. Commodities were also available in sufficient quantities, except for a few items such as sugar, oils and fats, rice, and cotton textiles, which remain in seriously short supply throughout the world. The principal limitation on UNRRA's ability to meet relief and rehabilitation needs is now the amount of money and materials which the member nations are willing to contribute.

RATE OF COMMITMENT OF FUNDS

UNRRA must commit its funds to procure supplies several weeks or months before the supplies are actually shipped, the time varying with the nature of the commodity. Most staple foods can be ordered, delivered to port, and loaded on board ships within a relatively short time, but items such as drugs, tractors, and trucks may take several months or longer to obtain.

In order to keep up a steady flow through the supply pipe line, UNRRA had found it necessary by September 30—when, as already noted, $433,816,000 worth of supplies had been shipped—to commit an additional amount of approximately $600,000,000 for the purchase of other commodities. Those funds were being used to procure materials in the United States and many other areas, including the United Kingdom, Australia, New Zealand, India, South Africa, Southern Rhodesia, Egypt, Iraq, Iran, and Latin America.

[2] The cumulative figures are computed on the basis of the vessels which have cleared port during the period. The cumulative figures given in previous reports were computed on the basis of the vessels which were being loaded during the period, and are therefore slightly higher for any given period.

TABLE 4.—*Composition of UNRRA supplies shipped from all sources as of Sept. 30, 1945* [1]

Supply program	Estimated cost		Gross long tons	
	United States dollars	Percent	Tons	Percent
Food	136,203,000	48	1,058,199	67
Clothing, textiles, and footwear	87,967,000	31	81,539	5
Agricultural rehabilitation	23,919,000	8	169,480	11
Industrial rehabilitation	22,538,000	8	250,689	16
Medical and sanitation	13,223,000	5	11,315	1
Total (FAS basis)	283,850,000	100	1,571,222	100
Ocean transportation	44,966,000	------	----------	------
Supplies acquired from military through June 30, 1945 [2]	105,000,000	------	555,000	------
Grand total	433,816,000	------	2,126,222	------

[1] Does not include supplies estimated to amount to $10,000,000 taken over from the military for the UNRRA camps, or supplies procured from Army surpluses in continental Europe since Aug. 1, 1945.

[2] Pending a complete inventory, final figures on the composition and total amount of these supplies are not available. These supplies were originally purchased by the military authorities for civilian relief in the Balkans and were transferred to UNRRA on the termination of military responsibility for relief.

PROCUREMENT IN THE UNITED STATES

As of September 30, Congress had appropriated $800,000,000 for UNRRA. After deducting allocations for administrative expenses, relief and rehabilitation services, and the cost of warehousing and ocean shipping, $753,316,000 remained for the purchase of supplies. UNRRA had committed this entire amount by September 30, $660,316,300 going for the purchase of supplies from sources within the United States and from United States military surpluses overseas. The remaining $93,000,000, the so-called convertible funds which UNRRA is authorized to expend outside the United States, was committed for the purchase throughout the world of scarce supplies which cannot be procured in this country.

SURPLUSES

Of the $660,316,300 committed from the United States contribution by September 30, approximately $64,000,000 had been earmarked for the purchase of surpluses from agencies of the United States Government. The effect of those purchases—and the sizable purchases of Government surpluses which UNRRA plans to make in the future—is to return the purchase price to the United States Treasury.

Also in September a joint mission was sent to Europe by the United States Government and UNRRA to procure an additional $150,000,000 worth of supplies from the United States military surpluses located in the European and Mediterranean theaters of war. A tentative break-down of the surplus supplies to be requisitioned in those theaters follows:

Industrial rehabilitation items	$83,000,000
Agricultural rehabilitation items	27,000,000
Food	22,000,000
Clothing, textiles, and footwear	10,000,000
Medical supplies and equipment	8,000,000
Total	150,000,000

The above list includes some 200 locomotives and more than 40,000 trucks. Available food supplies include individual Army field rations, canned meats, meat hash and stew, concentrated citrus fruit juices, and miscellaneous foodstuffs. Substantial quantities of soap, blankets, footwear, and medical sup-

plies are included in the surplus supplies. By the end of September surplus United States Army trucks were being delivered by UNRRA to Greece, Yugoslavia, Poland, and Czechoslovakia.

PROCUREMENT IN OTHER COUNTRIES

As in the United States, the rate of procurement in other countries has been sharply accelerated since VJ-day.

As of September 30, UNRRA had committed virtually the entire Canadian operating contribution of approximately $69,000,000, since many items which are not obtainable elsewhere have recently been available in Canada. Deliveries of Canadian trucks, for example, were being made to Poland and Czechoslovakia at the rate of 200 per day late in September.

Because the supply situation in the United Kingdom is still tight, UNRRA had only committed approximately one-half, the equivalent of $149,828,166 of the United Kingdom operating contribution by September 30. A substantial part of those funds is being used to pay for British military surpluses, including trucks and medical supplies, now available to UNRRA. The equivalent of an additional $40,000,000 has been allocated for the payment of freight charges on British vessels.

Funds contributed by Australia, New Zealand, India, and South Africa have been committed for a variety of commodities obtainable in those countries, such as raw wool, raw cotton, surplus military clothing, structural steel, peanuts, tea, jute, and burlap. Almost $25,000,000 had been committed by September 30 for purchases in Latin America of items such as sugar, rice, fish, animal feeds, pulses, cotton fabrics, hides, and twine.

SHIPMENTS THROUGH SEPTEMBER 30

As shown in table 4, page 32, food accounted for the largest share of UNRRA shipments through September 30, 1945, amounting to two-thirds of the total tonnage and to about 50 percent of the total value. Food shipments probably will continue in first place until the receiving countries bring in their 1946 harvests. Finished clothing and footwear and the raw materials required to manufacture those items followed food in importance. Recipient governments have asked that the highest priority be placed on shipments of medical supplies, and the speedy delivery of UNRRA drugs and medicines already has helped to prevent widespread epidemics in Europe and China. Shipments of agricultural and industrial rehabilitation supplies, difficult to procure but most useful in getting the war-shattered economies on a self-sustaining basis, have been steadily mounting.

Table 5, page 39, breaks down shipments through September 30 according to countries of destination. Limitations on port-reception capacity and inland transport facilities continued to hamper deliveries during the July–September quarter, but these obstacles were being gradually overcome.

SHIPMENTS OF FOOD

During the third quarter UNRRA shipped 616,840 tons of food, with an estimated value of $75,591,000. Over 75 percent was in the form of grain, mainly wheat and flour. Except for wheat and wheat products, however, UNRRA's food shipments failed to augment local food supplies sufficiently to meet minimum subsistence requirements.

CLOTHING, TEXTILES, AND FOOTWEAR

By September 30 UNRRA had shipped 81,539 tons of clothing, textiles, footwear, and raw materials for their manufacture, having a total value of $87,967,000. UNRRA was increasing shipments of raw materials for the manufacture of clothing by the liberated areas themselves. Eighty-seven percent of the UNRRA raw-cotton program for 1945 will be met from United States supplies, involving a total expenditure of $43,200,000. The procurement of raw wool in the United States has thus far amounted to $21,000,000.

Supply shortages continued to limit UNRRA's shipment of blankets, footwear, and piece goods during the quarter. At the end of September about 2,000,000 pairs of shoes had been shipped to liberated areas.

MEDICAL AND SANITATION SUPPLIES

By the end of the quarter approximately 75 percent of the basic program for medical supplies to Albania, Czechoslovakia, Greece, Italy, Poland, and Yugoslavia had been procured and made available for shipment. A large portion of this amount had already been shipped, including drugs, hospital equipment, surgical instruments and dressings, X-ray equipment, laboratory equipment and supplies, dental equipment, DDT and sprayers, which are urgently required in malaria control.

The medical program has not been hampered by shortages of supplies except in the case of penicillin, for which the need far exceeds the supplies available to UNRRA. Thus far about 75 percent of the medical supplies purchased have come from military surpluses, which are expected to continue to be the chief source of future procurement.

AGRICULTURAL REHABILITATION SUPPLIES

By the end of the third quarter, UNRRA had shipped 69,480 tons of agricultural rehabilitation supplies with a value of $23,919,000. Greece, Albania, Czechoslovakia, Poland, and Yugoslavia had received the essential supplies and equipment for their 1945 fall harvesting and seeding operations, and the delivery of those vital items should substantially reduce the need for imported food in 1946. Thirty-six thousand tons of seeds had been shipped by the end of September. The short supply of pesticides, however, prevented 1945 requirements from being fully met. Shipments of farm tractors were small during the July-September quarter, but a sizable procurement program has been initiated.

The depletion of European livestock has been so great that UNRRA supplies will fill only a very small part of the loss. Despite the shortage of livestock boats, however, some 20,000 animals had been delivered by the end of September.

INDUSTRIAL REHABILITATION SUPPLIES

Shipments of industrial rehabilitation supplies increased sharply during the third quarter. The value of shipments in September was several times that of shipments in July. Most of the increase resulted from the movement of trucks, essential to the efficient and economical management of a relief program. The trucks permit wider distribution and consumption of local supplies, thus reducing the need for bulk imports and they also facilitate the rapid distribution of the supplies which UNRRA itself brings into the country. Most of the trucks are being obtained from United States military surpluses.

CONTRIBUTED SUPPLIES

Over 100,000,000 pounds of used clothing contributed by the people of the United States in the national clothing collection last spring were on their way to the liberated areas of Europe and the Far East by the end of September. The outstanding success of this collection, sponsored by UNRRA in cooperation with American voluntary agencies for foreign relief, stimulated the organization of a second Nation-wide victory clothing collection, to begin on January 7. UNRRA also organized a victory collection of canned food, in cooperation with the Department of Agriculture, the United States Department of Education, and other agencies, to provide an opportunity to individuals, groups, and organizations to donate commercially canned food for overseas relief.

TABLE 5.—*Quantities and estimated value of supplies shipped by UNRRA, cumulative through Sept. 30, 1945* [1]

Type of supply	Total	Country							Other UNRRA operations [2]
		Albania	China	Czechoslovakia	Greece	Italy	Poland	Yugoslavia	
	Gross long tons								
Total	2,126,222	20,044	213	153,868	1,215,112	101,675	156,008	471,212	7,490
Food	1,058,199	14,219	13	83,428	514,127	97,445	84,733	262,993	1,241
Clothing, textiles, and footwear	81,539	337	-------	18,532	13,004	2,313	25,358	21,090	905
Agricultural rehabilitation	169,480	2,459	6	41,678	55,774	73	28,292	41,186	12
Industrial rehabilitation	250,689	2,895	-------	8,305	185,962	503	14,872	32,857	5,295
Medical and sanitation	11,315	134	194	1,925	1,245	1,341	3,353	3,080	37
Supplies acquired from military [3]	555,000	-------	-------	-------	445,000	-------	-------	110,000	-------
	Thousands of United States dollar equivalents								
Total	433,816	2,570	219	42,840	168,194	20,475	61,185	89,666	3,701
Food	136,203	1,274	4	13,589	56,832	14,189	18,954	31,085	276
Clothing, textiles, and footwear	87,967	548	-------	17,865	12,808	4,506	27,517	23,795	928
Agricultural rehabilitation	23,919	326	3	5,904	5,924	35	6,139	5,582	6
Industrial rehabilitation	22,538	272	-------	2,912	7,099	250	4,556	5,032	2,417
Medical and sanitation	13,223	150	212	2,570	1,342	1,495	4,019	3,361	74
Ocean transportation	44,966	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)
Supplies acquired from military [3]	105,000	-------	-------	-------	84,189	-------	-------	20,811	-------

[1] The figures cover the cargo of the vessels that actually sailed (cleared) from their ports of loading. They do not include cargoes on ships which presented for loading (berthed) during the period but has not yet cleared. They also do not include supplies estimated to amount to $10,000,000, taken over from the military for the UNRRA camps or trucks procured from Army surpluses in continental Europe since Aug. 1, 1945.

[2] Includes shipments to UNRRA camps, shipments under the Emergency Relief Program for Western Europe, and shipments for displaced persons operations.

[3] Estimated supplies bought from the military through June 30, 1945; final figures are not yet available.

[4] Ocean freight costs not distributed by country.

CHAPTER 6. UNRRA FINANCE

During the third quarter of 1945 the Administration was reaching the limit of its available fiscal resources, despite the fact that its job was only partially completed. In order to stave off mass epidemics, starvation, and unrest this coming winter in the liberated lands, UNRRA looked to the 31 uninvaded nations for additional contributions. At the end of September the fulfillment of various national authorizations of funds, in particular that of the United States, was required to provide UNRRA with the means for continuing adequate operations through the remainder of the calendar year.

CONTRIBUTIONS OF MEMBER GOVERNMENTS

At its first session, held in November 1943, the UNRRA Council recommended that each member government whose home territory had not been occupied by the enemy should contribute an amount approximately equivalent to 1 percent of its national income for the year ending June 30, 1943. During the third UNRRA Council session, held in August 1945, it was recommended that the 31 uninvaded nations make available an additional 1 percent contribution to enable UNRRA to terminate operations in Europe by the end of 1946 and in the Far East by the end of the first quarter of 1947.

UNRRA's funds are earmarked for two purposes—operating and administrative. The operating budget is financed from the contributions of the uninvaded nations. The administrative budget is financed not only from the above contributions of the uninvaded nations, but also from administrative contributions levied on the 16 nations which were liberated from enemy occupation.

By September 30, 1945, total contributions authorized by the 47 member governments, or in process of authorization, amounted to $1,882,759,991. Of this amount $1,866,116,241 consisted of operating contributions of 26 uninvaded countries, including the United States. Five nations had not made contributions by September 30. Amounts totaling three-fourths of these operating contributions, or $1,268,750,254, had been paid or were available on request and the balance of $597,365,987 was in process of contribution.

An amount less than 1 percent of the total contributions or $16,643,750 was to be provided for administrative purposes by the 47 member governments. By September 30, 1945, $15,415,334 had been paid and the balance of $1,228,416 was payable in the remaining months of 1945.

Total contributions, operating and administrative, are summarized below:

TABLE 6.—*Status of UNRRA funds as of Sept. 30, 1945*

[In United States dollar equivalents]

	Total funds	Operating funds	Administrative funds
Total contributions authorized or in process of authorization	1,882,759,991	1,866,116,241	16,643,750
Less: Contributions in process	598,594,403	597,365,987	1,228,416
Contributions paid or available on request	1,284,165,588	1,268,750,254	15,415,334
Less: Contributions committed by UNRRA	1,133,277,798	1,122,131,582	11,146,216
Contributions available for commitment by UNRRA	150,887,790	146,618,672	4,269,118

TABLE 7.—*Allocations, obligations, and expenditures of funds from United States appropriation for UNRRA as of Sept. 30, 1945*

Classification	Allocations	Obligations	Expenditures
Supplies:			
Clothing, textiles, and shoes	$162,270,203	$131,313,322	$31,779,678
Food	133,309,421	133,309,421	29,483,800
Agricultural rehabilitation supplies	36,042,516	20,513,271	15,246,915
Industrial rehabilitation supplies	65,522,317	36,743,436	23,071,454
Medical and sanitation supplies	31,199,784	20,221,055	78,222
United States property located overseas	157,190,100	151,419,106	----------
Reserve for accessorial costs	28,035,662	28,035,662	1,030,887
Unallotted allocation balances	44,720,297	----------	----------
Total supplies	658,090,100	531,555,273	101,590,956
Services:			
Ocean transportation	21,700,000	21,346,321	388,255
Relief and rehabilitation	893,805	790,852	700,065
Administrative expenses	1,573,600	1,573,600	1,285,020
Total services	24,167,405	23,710,773	2,973,340
Funds transferred to UNRRA:			
United States share of UNRRA's administrative expenses	7,000,000	7,000,000	7,000,000
Emergency revolving fund	3,300,000	3,300,000	3,300,000
Chinese training program	145,000	145,000	145,000
Overseas working fund	250,000	250,000	250,000
United national clothing collection fund	350,000	350,000	350,000
Administrative expense adjustment fund	6,418,500	6,418,500	6,418,500
Handling and accessorial services fund	750,000	750,000	750,000
Currency fund to finance purchases outside United States	75,000,000	75,000,000	75,000,000
Canning program fund	50,000	50,000	50,000
Total funds transferred	93,263,500	93,263,500	93,263,500
Grand total	775,521,005	648,529,546	197,827,796

Further detail on contributions by each member government appears in table 9.

UNITED STATES CONTRIBUTION TO UNRRA

By joint resolution of Congress, March 28, 1944, a contribution of not more than $1,350,000,000 was authorized as the United States share toward the work of UNRRA, representing approximately 1 percent of our total national income during the base year. This resolution provided that funds appropriated pursuant to it were to be expended under the direction of the President.

On June 30, 1944, Congress appropriated an initial $450,000,000 toward UNRRA operations—UNRRA Participation Appropriation Act—and authorized transfer of an additional $350,000,000 in supplies, services, and funds available for disposition or expenditure under the Lend-Lease Act, provided that the state of war permitted the utilization of these items for UNRRA purposes, and provided that the FEA Administrator approved the transactions.

On June 27, 1945, the items represented by this $350,000,000 were declared available to UNRRA without prejudice to military plans (letter to FEA Administrator from Admiral William D. Leahy, acting for the Joint Chiefs of Staff). The FEA Administrator thereupon directed use of $100,000,000 of lend-lease funds for procurement of commodities, supplies, and services for UNRRA. A portion of the remainder of the authorized $350,000,000 was designated for the purchase of supplies originally procured for lend-lease purposes, but now in the surplus stocks of United States agencies.

TABLE 8.—*Allocations, obligations, and expenditures of funds from United States appropriation for UNRRA*

	Allocations	Obligations	Expenditures
Cumulative to—			
Sept. 30, 1944	$79,324,900	$4,465,335	$4,253,423
Dec. 31	161,165,885	38,306,690	6,173,417
Mar. 31, 1945	272,213,689	163,077,667	41,141,536
June 30	425,713,689	299,011,073	115,643,317
Sept. 30	775,521,005	648,529,546	197,827,796

EXPENDITURES AGAINST CONTRIBUTED FUNDS: ALL NATIONS

By September 30, 1945, UNRRA had expended or committed over 86 percent of its available resources.

Of the $1,268,750,254 operating contributions paid (or available on request) $1,122,131,582 had been expended or committed for relief and rehabilitation supplies and services.

Of the $15,415,334 available for administrative expenditures, $11,146,216 had been expended or committed.

For all purposes, operating and administrative, UNRRA had a balance of $150,887,790 available for commitment as of September 30.

By adding $598,594,403 in process of appropriation, UNRRA had total resources of $749,482,193 in prospect with which to continue its operations.

Of this approximately $750,000,000, more than $300,000,000 were earmarked for procurement of military surpluses.

Commitments planned for the fourth quarter of the year, based on the urgent requirements of Europe and the Far East, indicated that UNRRA's total financial resources—the $1,882,759,991 which represented the initial contributions of the member governments—would be virtually exhausted by the end of 1945. In recognition of this fact, the UNRRA Council in August 1945 recommended that a second contribution of 1 percent of national income be made by each of the contributing nations, for the continuance of UNRRA shipments through the coming year for Europe and through the first quarter of 1947 for the Far East.

EXPENDITURES AGAINST UNITED STATES CONTRIBUTED FUNDS

Virtually all of the $800,000,000 appropriated by Congress by September 30, 1945, for UNRRA's operations had been made available to UNRRA by that date. This amount was almost double the $425,000,000 allocated 3 months earlier. (See table 8.) Of the $775,000,000 allocated, $726,000,000, or 94 percent, was for supplies; $8,000,000, or 1 percent, for services; and $41,000,000, or 5 percent, for ocean freight and other purposes.

TABLE 9.—*Status of contributions by member governments as of Sept. 30, 1945*

[In United States dollar equivalents]

Government	Total	Operating contributions		Administrative contributions	
		Paid or available on request	In process of contribution	Paid	Due in 1945
Australia	38,400,000	38,137,500	0	262,500	0
Belgium	175,000	(1)	(1)	175,000	0
Bolivia	95,238	25,913	51,825	5,833	11,667
Brazil	30,000,000	9,737,500	20,000,000	262,500	0
Canada	69,369,369	68,844,369	0	525,000	0
Chile	2,153,312	0	2,118,312	0	35,000
China	875,000	(1)	(1)	875,000	0
Colombia	2,356,493	0	2,303,993	52,001	499
Costa Rica	400,000	0	391,250	0	8,750
Cuba	35,000	0	0	35,000	0
Czechoslovakia	175,000	(1)	(1)	100,000	75,000
Denmark	18,750	(1)	(1)	0	18,750
Dominican Republic	350,000	236,250	105,000	8,750	0
Ecuador	150,000	0	141,250	0	8,750
Egypt	4,255,833	0	4,133,333	70,000	52,500
El Salvador	128,750	0	120,000	5,000	3,750
Ethiopia	8,750	(1)	(1)	8,750	0
France	700,000	(1)	(1)	700,000	0
Greece	87,500	(1)	(1)	87,500	0
Guatemala	8,750	0	0	8,750	0
Haiti	48,750	40,000	0	8,750	0
Honduras	58,750	50,000	0	8,750	0
Iceland	717,975	709,225	0	8,750	0
India	24,042,072	23,342,072	0	700,000	0
Iran	17,500	0	0	0	17,500
Iraq	17,500	0	0	17,500	0
Liberia	8,750	0	0	8,750	0
Luxembourg	8,750	(1)	(1)	8,750	0
Mexico	3,601,500	1,078,000	2,401,000	70,000	52,500
Netherlands	262,500	(1)	(1)	262,500	0
New Zealand	8,476,000	8,423,500	0	52,500	0
Nicaragua	128,750	0	120,000	5,000	3,750
Norway	52,500	(1)	(1)	52,500	0
Panama	408,750	133,333	266,667	8,750	0
Paraguay	38,449	9,600	19,799	0	8,750
Peru	1,000,000	767,692	188,558	25,000	18,750
Philippines	8,750	(1)	(1)	8,750	0
Poland	175,000	(1)	(1)	100,000	75,000
Union of South Africa	18,135,000	3,955,000	14,005,000	175,000	0
Union of Soviet Socialist Republics	1,750,000	(1)	(1)	1,000,000	750,000
United Kingdom	322,400,000	319,775,000	0	2,625,000	0
United States of America	1,350,000,000	793,000,000	550,000,000	7,000,000	0
Uruguay	520,000	485,000	0	0	35,000
Venezuela	1,017,500	0	1,000,000	17,500	0
Yugoslavia	122,500	(1)	(1)	70,000	52,500
Total	1,882,759,991	1,268,750,254	597,365,987	15,415,334	1,228,416

(1) Liberated country. The Council recommended that contributions for operations be made primarily by member governments whose home territory was not occupied by the enemy

APPENDIX

JOINT RESOLUTION TO ENABLE THE UNITED STATES TO PARTICIPATE IN THE WORK OF THE UNITED NATIONS RELIEF AND REHABILITATION ORGANIZATION

Resolved, etc., That there is hereby authorized to be appropriated to the President such sums, not to exceed $1,250,000,000 in the aggregate, as the Congress may determine from time to time to be appropriated for participation by the United States (including contributions in funds or otherwise and all necessary expenses related thereto) in the work of the United Nations Relief and Rehabilitation Administration, established by an agreement concluded by the United Nations and Associated Governments on November 9, 1943, reading as follows:

"AGREEMENT FOR UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

"The governments or authorities whose duly authorized representatives have subscribed hereto,

"Being United Nations or being associated with the United Nations in this war,

"Being determined that immediately upon the liberation of any area by the armed forces of the United Nations or as a consequence of retreat of the enemy the population the of shall receive aid and relief from their sufferings, food, clothing, and shelter, aid in the prevention of pestilence and in the recovery of the health of the people, and that preparation and arrangements shall be made for the return of prisoners and exiles to their homes and for assistance in the resumption of urgently needed agricultural and industrial production and the restoration of essential services,

"Have agreed as follows:

"ARTICLE I

"There is hereby established the United Nations Relief and Rehabilitation Administration.

"1. The Administration shall have power to acquire, hold, and convey property, to enter into contracts and undertake obligations, to designate or create agencies and to review the activities of agencies so created, to manage undertakings and in general to perform any legal act appropriate to its objects and purposes.

"2. Subject to the provisions of article VII, the purposes and functions of the Administration shall be as follows:

"(a) To plan, coordinate, administer, or arrange for the administration of measures for the relief of victims of war in any area under the control of any of the United Nations through the provision of food, fuel, clothing, shelter, and other basic necessities, medical and other essential services; and to facilitate in such areas, so far as necessary to the adequate provision of relief, the production and transportation of these articles and the furnishing of these services. The form of activities of the Administration within the territory of a member government wherein that government exercises administrative authority and the responsibility to be assumed by the member government for carrying out measures planned by the Administration therein shall be determined after consultation with and with the consent of the member government.

"(b) To formulate and recommend measures for individual or joint action by any or all of the member governments for the coordination of purchasing, the use of ships and other procurement activities in the period following the cessation of hostilities, with a view to integrating the plans and activities of the Administration with the total movement of supplies, and for the purpose of achieving an equitable distribution of available supplies. The Administration may administer such coordination measures as may be authorized by the member governments concerned.

"(c) To study, formulate, and recommend for individual or joint action by any or all of the member governments measures with respect to such related matters, arising out of its experience in planning and performing the work of relief and rehabilitation, as may be proposed by any of the member governments. Such proposals shall be studied and recommendations formulated if the proposals are supported by a vote of the Council, and the recommendations shall be referred to any or all of the member governments for individual or joint action if approved by unanimous vote of the Central Committee and by vote of the Council.

"ARTICLE II

"Membership

"The members of the United Nations Relief and Rehabilitation Administration shall be the governments or authorities signatory hereto and such other governments or authorities as may, upon application for membership, be admitted thereto by action of the Council. The Council may, if it desires, authorize the Central Committee to accept new members between sessions of the Council.

"Wherever the term 'member government' is used in this agreement it shall be construed to mean a member of the Administration, whether a government or an authority.

"ARTICLE III

"The Council

"1. Each member government shall name one representative, and such alternates as may be necessary, upon the Council of the United Nations Relief and Rehabilitation Administration, which shall be the policy-making body of the Administration. The Council shall, for each of its sessions, select one of its members to preside at the session. The Council shall determine its own rules of procedure. Unless otherwise provided by the agreement or by action of the Council, the Council shall vote by simple majority.

"2. The Council shall be convened in regular session not less than twice a year by the central committee. It may be convened in special session whenever the Central Committee shall deem necessary, and shall be convened within 30 days after request therefor by one-third of the members of the Council.

"3. The Central Committee of the Council shall consist of the representatives of China, the Union of Soviet Socialist Republics, the United Kingdom, and the United States of America, with the Director General presiding, without vote. Between sessions of the Council it shall, when necessary, make policy decisions of an emergency nature. All such decisions shall be recorded in the minutes of the Central Committee which shall be communicated promptly to each member government. Such decisions shall be open to reconsideration by the Council at any regular session or at any special session called in accordance with article III, paragraph 2. The

Central Committee shall invite the participation of the representative of any member government at those of its meetings at which action of special interest to such government is discussed. It shall invite the participation of the representative serving as chairman of the Committee on Supplies of the Council at those of its meetings at which policies affecting the provision of supplies are discussed.

"4. The Committee on Supplies of the Council shall consist of the members of the Council, or their alternates, representing those member governments likely to be principal suppliers of materials for relief and rehabilitation. The members shall be appointed by the Council, and the Council may authorize the Central Committee to make emergency appointments between sessions of the Council, such appointments to continue until the next session of the Council. The Committee on Supplies shall consider, formulate, and recommend to the Council and the Central Committee policies designed to assure the provision of required supplies. The Central Committee shall from time to time meet with the Committee on Supplies to review policy matters affecting supplies.

"5. The Committee of the Council for Europe shall consist of all the members of the Council, or their alternates, representing member governments of territories within the European area and such other members of the Council representing other governments directly concerned with the problems of relief and rehabilitation in the European area as shall be appointed by the Council; the Council may authorize the Central Committee to make these appointments in cases of emergency between sessions of the Council, such appointments to continue until the next session of the Council. The Committee of the Council for the Far East shall consist of all the members of the Council, or their alternates, representing member governments of territories within the far-eastern area and such other members of the Council representing other governments directly concerned with the problems of relief and rehabilitation in the far-eastern area as shall be appointed by the Council; the Council may authorize the Central Committee to make these appointments in cases of emergency between sessions of the Council, such appointments to continue until the next session of the Council. The regional committees shall normally meet within their respective areas. They shall consider and recommend to the Council and the Central Committee policies with respect to relief and rehabilitation within their respective areas. The Committee of the Council for Europe shall replace the Inter-Allied Committee on European Postwar Relief established in London on September 24, 1941, and the records of the latter shall be made available to the Committee for Europe.

"6. The Council shall establish such other standing regional committees as it shall consider desirable, the functions of such committees and the method of appointing their members being identical to that provided in article III, paragraph 5, with respect to the Committees of the Council for Europe and for the Far East. The Council shall also establish such other standing committees as it considers desirable to advise it, and, in intervals between sessions of the Council, to advise the Central Committee. For such standing technical committees as may be established, in respect of particular problems such as nutrition, health, agriculture, transport, repatriation, and finance, the members may be members of the Council or alternates nominated by them because of special competence in their respective fields of work. The members shall be appointed by the Council, and the Council may authorize the Central Committee to make emergency appointments between sessions of the Council, such appointments to continue until the next session of the Council. Should a regional committee so desire, subcommittees of the standing technical committees shall be established by the technical committees in consultation with the regional committees, to advise the regional committees.

"7. The travel and other expenses of members of the Council and of members of its committees shall be borne by the governments which they represent.

"8. All reports and recommendations of committees of the Council shall be transmitted to the Director General for distribution to the Council and the Central Committee by the secretariat of the Council established under the provisions of Article IV, paragraph 4.

"ARTICLE IV

"The Director General

"1. The executive authority of the United Nations Relief and Rehabilitation Administration shall be in the Director General, who shall be appointed by the Council on the nomination by unanimous vote of the Central Committee. The Director General may be removed by the Council on recommendation by unanimous vote of the Central Committee.

"2. The Director General shall have full power and authority for carrying out relief operations contemplated by article I, paragraph 2 (a), within the limits of available resources and the broad policies determined by the Council or its Central Committee. Immediately upon taking office he shall in conjunction with the military and other appropriate authorities of the United Nations prepare plans for the emergency relief of the civilian population in any area occupied by the armed forces of any of the United Nations, arrange for the procurement and assembly of the necessary supplies, and create or select the emergency organization required for this purpose. In arranging for the procurement, transportation, and distribution of supplies and services, he and his representatives shall consult and collaborate with the appropriate authorities of the United Nations and shall, wherever practicable, use the facilities made available by such authorities. Foreign voluntary relief agencies may not engage in activity in any area receiving relief from the Administration without the consent and unless subject to the regulation of the Director General. The powers and duties of the Director General are subject to the limitation of article VII.

"3. The Director General shall also be responsible for the organization and direction of the functions contemplated by article I, paragraphs 2 (b) and 2 (c).

"4. The Director General shall appoint such Deputy Directors General, officers, expert personnel, and staff at his headquarters and elsewhere, including field missions, as he shall find necessary, and he may delegate to them such of his powers as he may deem appropriate. The Director General, or upon his authorization the Deputy Directors General, shall supply such secretariat and other staff and facilities as he shall be required by the Council and its committees, including the regional committees and subcommittees. Such Deputy Directors General as shall be assigned special functions within a region shall attend meetings of the regional standing committee whenever possible and shall keep it advised on the progress of the relief and rehabilitation program within the region.

"5. The Director General shall make periodic reports to the Central Committee and to the Council covering the progress of the administration's activities. The reports shall be made public except for such portions as the Central Committee may consider it necessary, in the interest of the United Nations, to keep confidential; if a report affects the interests of a member government in such a way as to render it questionable whether it should be published, such government shall have an opportunity of expressing its views on the question of publication. The Director General shall also arrange to have prepared periodic reports covering the activities of the administration within each region and he shall transmit such reports with his comments thereon to the Council, the Central Committee, and the respective regional committees.

"ARTICLE V

"Supplies and resources

"1. Insofar as its appropriate constitutional bodies shall authorize, each member government will contribute to the support of the administration in order to accomplish the purposes of article I, paragraph 2 (a). The amount and character of the contributions of each member government under this provision will be determined from time to time by its appropriate constitutional bodies. All such contributions received by the administration shall be accounted for.

"2. The supplies and resources made available by the member governments shall be kept in review in relation to prospective requirements by the Director General, who shall initiate action with the member governments with a view to assuring such additional supplies and resources as may be required.

"3. All purchases by any of the member governments, to be made outside their own territories during the war for relief or rehabilitation purposes, shall be made only after consultation with the Director General, and shall, so far as practicable, be carried out through the appropriate United Nations agency.

"ARTICLE VI

"Administrative expenses

"The Director General shall submit to the Council an annual budget, and from time to time such supplementary budgets as may be required, covering the necessary administrative expenses of the Administration. Upon approval of a budget by the Council the total amount approved shall be allocated to the member governments in proportions to be determined by the Council. Each member government undertakes, subject to the requirements of its constitutional procedure, to contribute to the Administration promptly its share of the administrative expenses so determined.

"ARTICLE VII

"Notwithstanding any other provision herein contained, while hostilities or other military necessities exist in any area, the Administration and its Director General shall not undertake activities therein without the consent of the military command of that area, and unless subject to such control as the command may find necessary. The determination that such hostilities or military necessities exist in any area shall be made by its military commander.

"ARTICLE VIII

"Amendment

"The provisions of this agreement may be amended as follows:

"a. Amendments involving new obligations for member governments shall require the approval of the Council by a two-thirds vote and shall take effect for each member government on acceptance by it;

"b. Amendments involving modification of article III or article IV shall take effect on adoption by the Council by a two-thirds vote, including the votes of all the members of the Central Committee;

"c. Other amendments shall take effect on adoption by the Council by a two-thirds vote.

"ARTICLE IX

"Entry into force

"This agreement shall enter into force with respect to each signatory on the date

when the agreement is signed by that signatory, unless otherwise specified by such signatory.

"ARTICLE X

"Withdrawal

"Any member government may give notice of withdrawal from the Administration at any time after the expiration of 6 months from the entry into force of the agreement for that government. Such notice shall take effect 12 months after the date of its communication to the Director General subject to the member government having met by that time all financial, supply, or other material obligations accepted or undertaken by it."

SEC. 2. Amounts appropriated under this resolution shall be expended under the direction of the President pursuant to section 1 hereof. The President shall submit to the Congress quarterly reports of expenditures made under any such appropriations and of operations under the agreement.

SEC. 3. In the adoption of this joint resolution the Congress expresses its approval of and reliance upon the policy adopted by the United Nations Relief and Rehabilitation Administration at the first session of the Council, summarized in paragraph 11 of Resolution No. 12, and reading as follows:

"11. The task of rehabilitation must not be considered as the beginning of reconstruction—it is coterminous with relief. No new construction or reconstruction work is contemplated, but only rehabilitation as defined in the preamble of the agreement. Problems such as unemployment are important, but not determining factors. They are consequences and, at the same time, motives of action. The Administration cannot be called upon to help restore continuous employment in the world."

SEC. 4. In expressing its approval of this joint resolution, it is the recommendation of Congress that insofar as funds and facilities permit, any area (except within enemy territory and while occupied by the enemy) important to the military operations of the United Nations which is stricken by famine or disease may be included in the benefits to be made available through the United Nations Relief and Rehabilitation Administration.

SEC. 5. No amendment under article VIII (a) of the agreement involving any new obligation for the United States shall be binding upon the United States without approval by joint resolution of Congress.

SEC. 6. In adopting this joint resolution the Congress does so with the following reservation:

That in the case of the United States the appropriate constitutional body to determine the amount and character and time of the contributions of the United States is the Congress of the United States.

SEC. 7. In adopting this joint resolution the Congress does so with the following reservation:

That it is understood that the provision in paragraph 11 of Resolution No. 12 adopted at the first session of the Council, referred to in section 3 of this joint resolution, and reading, "The task of rehabilitation must not be considered as the beginning of reconstruction—it is coterminous with relief," contemplates that rehabilitation means and is confined only to such activities as are necessary to relief.

SEC. 8. In adopting this joint resolution the Congress does so with the following reservation:

That the United Nations Relief and Rehabilitation Administration shall not be authorized to enter into contracts or undertake or incur obligations beyond the limits of appropriations made under this authorization and by other countries and receipts from other sources.

SEC. 9. The authorization contained in this joint resolution shall expire on June 30, 1946.

Public Law 267, Seventy-eighth Congress, approved March 28, 1944.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on February 7, 1946, he presented to the President of the United States the following enrolled bills:

S. 480. An act to authorize the sale of the allotment of Henry Keiser on the Crow Indian Reservation, Mont.;

S. 815. An act for the relief of Ogden & Dougherty, and for other purposes;

S. 831. An act for the relief of James Alves Saucier;

S. 845. An act for the relief of Mabel Fowler;

S. 905. An act for the relief of Harold E. Bullock;

S. 991. An act for the relief of Mr. and Mrs. Marion M. Hill;

S. 1077. An act for the relief of Oscar S. Reed;

S. 1081. An act for the relief of Aftab Ali;

S. 1142. An act for the relief of Florence Barrows;

S. 1158. An act for the relief of Winter Bros. Co.;

S. 1231. An act for the relief of Paul E. Tacy;

S. 1294. An act for the relief of Mr. and Mrs. Allan F. Walker;

S. 1296. An act for the relief of John A. Hatcher;

S. 1323. An act for the relief of the estate of William Carl Jones;

S. 1338. An act for the relief of the legal guardian of Wayne Edward Wilson, a minor;

S. 1360. An act to compensate Benali El Oukili Boucheta, an inhabitant of French Morocco, for the wrongful death of his son Mohamed Ben Boucheta Ben Ali El Oukili, near Marina, Algeria, on September 30, 1944;

S. 1361. An act to compensate Clement Euziere, an inhabitant of French Morocco, for personal injuries caused by a naval vehicle near Oran, Algeria, on September 21, 1943;

S. 1448. An act for the relief of William Wilson Wurster; and

S. 1590. An act to authorize the President to appoint Graves Blanchard Erskine, major general, United States Marine Corps, to the office of Retraining and Reemployment Administrator, without affecting his service status and perquisites.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

CERTAIN FUNCTIONS AND ACTIVITIES OF THE NATIONAL PARK SERVICE

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide basic authority for the performance of certain functions and activities of the National Park Service (with an accompanying paper); to the Committee on Public Lands and Surveys.

AVAILABILITY OF CERTAIN ADMINISTRATION EXPENSES OF APPROPRIATIONS FOR INTERIOR DEPARTMENT

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize the availability for certain necessary administrative expenses of appropriations for the Department of the Interior (with an accompanying paper); to the Committee on Territories and Insular Affairs.

CERTAIN FUNCTIONS AND ACTIVITIES OF THE BUREAU OF MINES

A letter from the Secretary of the Interior transmitting a draft of proposed legislation to provide basic authority for the performance of certain functions and activities of the Bureau of Mines (with an accompanying paper); to the Committee on Mines and Mining.

PROTECTION OF FORESTS AGAINST DESTRUCTIVE INSECTS AND DISEASES

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide for the protection of forests against destructive insects and diseases, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

DANVERS SHOE CO., INC., *v.* THE UNITED STATES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, his report and recommendations concerning the claim of the *Danvers Shoe Co., Inc.*, v. *the United States* (with an accompanying report); to the Committee on Claims.

REPORT OF DIRECTOR OF ADMINISTRATIVE OFFICE IN UNITED STATES COURTS

A letter from the Director of the Administrative Office in the United States Courts, transmitting, pursuant to law, his annual report for that office for the fiscal year 1945 (with an accompanying report); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITION

The PRESIDENT pro tempore laid before the Senate a letter in the nature of a petition from the Veterans' Cooperative Housing Association, Washington, D. C., signed by William A. Roberts, counsel, praying for the enactment of the joint resolution (S. J. Res. 132) clarifying the Surplus Property Act in regard to sale of defense housing for veterans, which with an accompanying paper, was referred to the Committee on Military Affairs.

THE WHEAT AND BREAD PROBLEM

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a very interesting statement in the form of a telegram from Mr. M. W. Thatcher, president of the National Federation of Grain Cooperatives, with respect to the problem of the wheat market at the present time.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ST. PAUL, MINN., *February 4, 1946.*

The Honorable JOHN W. FLANNAGAN, Jr.,
Chairman, Committee on Agriculture, United States House of Representatives, Washington, D. C.

The Honorable ELMER THOMAS,
Chairman, Committee on Agriculture and Forestry, United States Senate, Washington, D. C.:

There is a wheat problem, but not one that calls for bread rationing or for use of more wheat in flour, which admittedly would be a coarser and darker flour. Based on the United States Department of Agriculture's

figures of January 1, 1946, we had 689,000,000 bushels of wheat on hand. A new wheat crop will pour into market after July 1. Present indications are for at least 700,000,000 bushels of winter wheat. There will be a heavy spring wheat acreage.

Allowing for a January disappearance of 89,000,000 bushels, we will need up to July 1st no more than 200,000,000 bushels for flour and 50,000,000 bushels for spring wheat seeding and miscellaneous farm use. This would leave 350,000,000 bushels of present stocks for export, carry-over, and livestock feeding. It would be better to stop feeding wheat than to ask flour mills and bakeries and consumers to adapt themselves to a new product, with all the changes necessary to make a straight run of flour, using 85 percent of the wheat, instead of the normal 72 percent. The public and the processors would resist these far-reaching changes.

Farmers will move the wheat to town and sell it if they are given parity treatment. Farmers know that Congress is in doubt about extending the OPA price control law. That makes farmers doubt that it is wise to sell wheat under present ceilings. Farmers know that on July 1 there will be a big increase in wheat prices, if Congress does not extend the OPA law for another year.

Farmers have the same intelligence as business people, who have been and are withholding merchandise for the much higher prices which they hope will be realized either through dropping of OPA or through making exceptions, as for example in the steel industry. Farmers also know that with wage levels in the process of rising, eventually such increases will be reflected in a new and higher parity price, which under law will force the OPA to lift present ceilings on all farm prices.

From the standpoint of price, the farmer sees about every advantage in not marketing wheat now. He is not going to succumb alone to any patriotic call when he sees the United States Steel Corp. and General Motors Corp. and others getting away with theirs.

The farmer feels that all he has to do is wait.

Another point: the farmer is accustomed to carrying an inventory of wheat on his farm. It is his ever-normal granary and his base money supply. Not for patriotism alone does he intend to market this year both his present inventory and also his new wheat crop. He would then be compelled to pay a 2-year or double income tax.

In brief, he is not a fool. He intends to be treated as well as other groups in the economy of the Nation, even if he is the most patriotic. He as much as any other person wants to see wheat shipped to the starving people in other parts of the world.

But the National Federation of Grain Cooperatives cannot honestly urge its wheat-producing members to market their wheat so long as the wheat farmer is at a disadvantage as regards ceilings and double taxation.

If the farmer knew now what wheat ceiling prices would be until July 1, 1947, and if he could be relieved of double taxation from marketing two crops in the same year, and if he could be assured that he would not be subject to a third tax by the repeal of laws protecting his marketing cooperatives—as advocated by the National Tax Equality Association—then we would be on sound ground to ring the bell of patriotism and save the starving families abroad.

Further, if all these economic disadvantages were corrected, there is still a transportation break-down, not only from lack of boxcars, but from disorganization on the railroads. Now the movement of cars just from the Dakotas to Minnesota frequently takes weeks.

We want to emphasize that you can get wheat from export, without upsetting the operations of flour mills and bakeries or changing the food habits of consumers, if you act now on these three problems:

First. Give us boxcars and transportation facilities that will work and move the wheat.

Second. Decide now, one way or the other, on the future of OPA and price ceilings for 1946–47.

Third. Protect the farmer against double and triple taxation.

If and when these three needs are met, the National Federation of Grain Cooperatives and the general farm organizations will advise farmers to move their wheat off the farms.

People all over the Nation are now questioning the political integrity and economic sense of both the Congress and the administration. This problem of wheat is not in the hands of the millers or the bakers or the farmers. It is in the hands of the Congress and the administration.

We have called a meeting of our grain cooperatives in Chicago on February 8 and 9, and have called officials from the United States Department of Agriculture to confer with us. We also are inviting through this wire the chairmen of the House and Senate Committees on Agriculture to be with us in Chicago.

Our National Federation of Grain Cooperatives is comprised of the regional grain cooperatives from Ohio to the Pacific Northwest, and from the Canadian border to the Gulf of Mexico. Its annual handle of grain is close to 400,000,000 bushels a year. Most of the farmers who own these cooperatives also are members of the Farm Bureau, the Farmers Union, or the Grange. Thus you can rest assured that you can have the solid mobilized support of agriculture to move the wheat that is needed if the Congress and the administration will just move first.

Respectfully submitted.

M. W. THATCHER,
President, National Federation of Grain Cooperatives.

Mr. LANGER. Mr. President, I was about to ask unanimous consent to have printed in the RECORD a telegram received from Mr. M. W. Thatcher, president of the National Federation of Grain Cooperatives, dealing with the proposition of our having black bread, and having to do with the wheat situation in general. Inasmuch, however, as the Senator from Kansas has presented and had printed in the RECORD the identical telegram, I shall not ask that it be duplicated in the RECORD, but I do ask unanimous consent to have printed a telegram from Mr. R. M. Stangler, general manager of the North Dakota Mill and Elevator, dealing with the question covered in the telegram from Mr. Thatcher.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

GRAND FORKS, N. DAK.,
February 4, 1946.

Hon. WILLIAM LANGER,
United States Senator,
Washington, D. C.:

Have information through Northwestern Miller that there is a possibility an order will be issued by Secretary of Agriculture in effect ordering mills to make dark flour for public consumption figured on percentage basis to the effect that 51 pounds flour would be ground out of 60 pounds wheat, which naturally necessitates grinding millfeed into the flour. This is one way to reduce the use of bread when normally speaking there generally is far more wheat in the country than can properly be used. It certainly would be a blow to the grain farmers of this country. From the information I can gather I am told that we have exported too much wheat and flour to the extent some countries have far more than they can properly use. I might refer to England, who, I understand, has over 6 months' supply of wheat and flour on hand at this time. Asking the mills to grind black or dark flour putting in millfeed naturally reduces the feed supply when there is a shortage of feed as it is. Surely such an order should not be issued before the mills, through a committee, could be heard. It does not seem reasonable we should get to the point of rationing bread and then tell the people they must eat black bread. That in itself will have a tendency to reduce the consumption of bread that will take years to rebuild. It is a detriment to the wheat grower. Speaking for myself I think it is the most ridiculous thing I have heard for a long time. I think the details on the exporting of wheat should be investigated. This same wire going to each of our Congressmen and Senators.

R. M. STANGLER,
General Manager, North Dakota Mill and Elevator.

Mr. WHEELER. Mr. President, I, too, have received a telegram from Mr. Thatcher, president of the National Federation of Grain Cooperatives, which seems to be identical with the one inserted in the RECORD by the Senator from Kansas [Mr. CAPPER]. I shall not ask, therefore, that it be again printed, but I desire to read a portion of the telegram:

There is a wheat problem, but not one that calls for bread rationing or for use of whole wheat in flour, which admittedly would be a coarser and darker flour. Based on the United States Department of Agriculture's figures of January 1, 1946, we had 689,000,000 bushels of wheat on hand. A new wheat crop will pour into market after July 1. Present indications are for at least 700,000,000 bushels of winter wheat.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH:

S. 1811. A bill to amend Public Law 277, Seventy-ninth Congress, so as to provide the Coast Guard, at such time as it is transferred back to the Treasury Department, with a system of laws for the settlement of claims, and for other purposes; to the Committee on Claims.

S. 1812. A bill to provide reimbursement for personal property lost, damaged, or destroyed as the result of explosions at the Naval Ammunition Depot, Hastings, Nebr., on April 6, 1944, and September 15, 1944; to the Committee on Naval Affairs.

By Mr. LUCAS:

S. 1813. A bill to provide authorization for the village of Cahokia, Ill., to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cahokia, Ill., and for other purposes; to the Committee on Commerce.

By Mr. McCARRAN:

S. 1814. A bill to amend the Civil Aeronautics Act of 1938, as amended; to the Committee on Commerce.

(Mr. McFARLAND (for himself, Mr. MURRAY, Mr. HAYDEN, Mr. JOHNSON of Colorado, Mr. THOMAS of Utah, Mr. MURDOCK, Mr. TAYLOR, Mr. HATCH, and Mr. CHAVEZ) introduced Senate bill 1815, to permit the continuation of certain premium payments with respect to copper, lead and zinc, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

(Mr. MAYBANK (for himself, Mr. O'MAHONEY, Mr. MURRAY, Mr. REVERCOMB, and Mr. WILSON) introduced Senate joint resolution 140, to extend in the case of the Government-owned pipe lines known as Big Inch and Little Big Inch the time during which disposition of such pipe lines is prohibited under the Surplus Property Act of 1944, as amended, which was passed, and appears under a separate heading.)

CONTINUATION OF CERTAIN PREMIUM PAYMENTS ON COPPER, LEAD, AND ZINC

Mr. McFARLAND. Mr. President, on behalf of the Senator from Montana [Mr. MURRAY]; my colleague, the senior Senator from Arizona [Mr. HAYDEN]; the Senator from Colorado [Mr. JOHNSON]; the senior Senator from Utah [Mr. THOMAS]; the junior Senator from Utah [Mr. MURDOCK]; the Senator from Idaho [Mr. TAYLOR]; the senior Senator from New Mexico [Mr. HATCH]; the junior Senator from New Mexico [Mr. CHAVEZ]; and myself, I ask unanimous consent to introduce for appropriate reference a bill to permit the continuation of certain premium payments with respect to copper, lead, and zinc.

There being no objection, the bill (S. 1815) to permit the continuation of certain premium payments with respect to copper, lead, and zinc, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. McFARLAND. Mr. President, in connection with the bill just introduced I wish to make it plain that I have at all times insisted that a fair and proper price should have been placed upon copper, lead, and zinc. I believe that should be done now. But if the present prices are to be maintained, then it is absolutely necessary that the premiums upon these metals be continued, if we are to have an adequate supply of them for reconversion and are to continue to provide jobs for returning veterans.

I do not want to take the time of the Senator at this hour to make a speech upon this subject, so I ask unanimous consent to have printed in the RECORD a statement in support of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

1. The metals situation for reconversion purposes is still very tight, especially as regards copper and lead.

(a) This is shown by the fact that we have just contracted for 120,000 tons of South American copper during the next 6 months.

(b) England has tied up Rhodesian and Canadian copper. When reconversion in Europe gets into full swing there may be strong competition for South American copper that would raise the world price to the point where we either would have to raise ceilings or subsidize imports.

(c) It is estimated that there will be a minimum shortage of 150,000 tons of lead in the world picture.

(d) England has just raised her lead price one-half cent above our OPA ceilings to funnel foreign lead to the British Isles instead of the United States, making it imperative that we either raise the lead ceiling or subsidize imports. OPA so far has refused to raise the ceiling.

2. It is clear that we need every pound of copper, zinc, and lead that can be produced in the United States.

3. The premium-price plan is an important factor in carrying out a conservation program of mining out marginal ores developed during the war which might be lost if mines had to be abandoned due to lack of market for high-cost ores.

4. The premium-price plan stands on its own feet regardless of whether or not present ceilings are retained, raised, or removed.

(a) If ceilings are retained without premiums, the largest part of the tri-State lead-zinc properties and many of those located elsewhere will shut down, as well as practically all of the copper mines, except for a few of the largest.

(b) If ceilings were raised somewhat, say, copper to 14 cents a pound (which most people think would be the figure on a free market); lead, 9 cents a pound; and zinc, 10 cents a pound, the premium price plan still would be necessary to keep hundreds of marginal mines operating. However, payments under the plan would be reduced to perhaps 40 percent of the present amount. In effect, the , part of the cost would be passed along to the public and part carried by the Government.

(c) If all ceilings were removed and prices sought their own level, continued operation of the premium price plan would cost the Government very little should fairly high prices prevail (and current shortages indicate that good prices would prevail) but still would permit marginal mines to get out what ore they have developed, and, in fact, develop more, which would be a conservation measure as we are going to have to utilize lower-grade ores.

5. Certainly we can now use all the copper, lead, and zinc we can produce. Every pound we get here is that much we will not have to import.

6. Government statements by Bureau of Mines officials relating to potential exhaustion of certain minerals are based only on known commercial reserves. Not only can present ore bodies be additionally developed but the use of ore at present noncommercial will greatly expand the potential of our mineral production, just as new discoveries will extend these horizons indefinitely. Ore reserves are increased by active operations, development, and discovery, and true conservation is not accomplished by abandoning active mining. Premiums have resulted in opening literally thousands of small and marginal operations (and some large ones, such as Castle Dome) which could not have been operated without the premium price plan, and many of which may have to discontinue without it.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H. R. 4908. An act to provide additional facilities for the mediation of labor disputes, and for other purposes; to the Committee on Education and Labor.

H. R. 5400. An act making appropriations for the fiscal year ending June 30, 1947, for civil functions administered by the War Department, and for other purposes; to the Committee on Appropriations.

FAIR EMPLOYMENT PRACTICE ACT—AMENDMENTS

Mr. McCLELLAN. Mr. President, I ask unanimous consent to submit 11 amendments intended to be proposed by me to the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, and request that they may be printed and lie on the table. I also ask unanimous consent that they may be considered as read under the rule and that they be printed in the RECORD.

There being no objection, the amendments submitted by Mr. McCLELLAN were received, read, ordered to lie on the table, to be printed, and printed in the RECORD, as follows:

On page 1, line 7, after the word "ancestry", insert a comma and the following: "or by reason of their affiliation with or membership in or lack of affiliation with or membership in a labor union."

On page 2, line 9, after the word "ancestry", insert "or because of affiliation with or membership in or lack of affiliation with or membership in a labor union."

On page 2, line 17, after the word "ancestry", insert "or because of such person's affiliation with or membership in or lack of affiliation with or membership in any labor union."

On page 2, line 20, after the word "ancestry", insert "or because of such person's affiliation with or membership in or lack of affiliation with or membership in any labor union."

On page 2, line 24, after the word "ancestry", insert "or because of such person's affiliation with or membership in or lack of affiliation with or membership in any labor union."

On page 3, line 5, after the word "ancestry", insert "or to confine or limit such recruitment or hiring to persons who are affiliated with or members of any labor union."

On page 3, line 10, after the word "ancestry", insert "or to interfere with, limit, or restrict the employment of any person by any employer because such person is affiliated with or is a member of or is not affiliated with or not a member of any labor union."

On page 3, line 13, after the word "ancestry", insert "or to expel any person from membership for the purpose of preventing or interfering with his employment by any employer because such person is not affiliated with or not a member of any labor union."

On page 3, line 16, after the word "ancestry", insert "or to discriminate against any employee because of his affiliation with or membership in or lack of affiliation with or membership in any labor union."

On page 3, line 22, after the word "act", insert "or because he is affiliated with or a member of or is not affiliated with or not a member of any labor union."

On page 12, line 20, after the word "ancestry", insert "or because of affiliation with or membership in or lack of affiliation with or membership in any labor union."

PRINTING OF COPIES OF CERTAIN HEARINGS OF JOINT COMMITTEE ON ORGANIZATION OF CONGRESS

Mr. LA FOLLETTE submitted the following concurrent resolution (S. Con.

Res. 52), which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Joint Committee on the Organization of Congress be, and is hereby, authorized and empowered to have printed for its use 3,000 additional copies of the summary of hearings, index to hearings, and parts 1, 2, 3, 4, and 5 of the hearings held before the said joint committee during the first session, Seventy-ninth Congress, relative to the organization of Congress.

LOCATION OF PERMANENT HEADQUARTERS OF UNITED NATIONS ORGANIZATION

Mr. LANGER. Mr. President, I ask unanimous consent to submit for appropriate reference a concurrent resolution, which reads as follows:

Whereas numerous objections have been made to the location of the permanent headquarters of the United Nations Organization in the Stamford-Greenwich area presently under consideration by such Organization; and

Whereas among the grounds for objection to such site is the excessive cost to the Organization of acquiring the necessary land in such area; and

Whereas publicly owned land which could be utilized at no cost to the Organization is available within the International Peace Garden situated between the State of North Dakota and the Province of Manitoba: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that a site within the International Peace Garden situated between the State of North Dakota and the Province of Manitoba be designated as the permanent headquarters of the United Nations Organization; and be it further

Resolved, That a copy of this resolution be sent to the appropriate authorities of the United Nations Organization for their consideration.

The PRESIDENT pro tempore. Without objection, the concurrent resolution submitted by the Senator from North Dakota, will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 53), submitted by Mr. LANGER, was referred to the Committee on Foreign Relations.

ALLEGED REAL ESTATE SPECULATION NEAR PROPOSED SITE OF UNITED NATIONS ORGANIZATION HEADQUARTERS

Mr. LANGER. Mr. President, I ask unanimous consent to submit for appropriate reference a resolution which reads as follows:

Resolved, That a special committee composed of five Senators to be appointed by the President pro tempore of the Senate is authorized and directed to make a full and complete investigation with respect to alleged speculation in real estate situated at or near the proposed permanent site of the United Nations Organization with a view to ascertaining (1) whether options on such property were obtained prior to selection of such site, (2) the identity of the person or persons engaged in such activities, and particularly, whether or not such persons are citizens of the United States, (3) whether such person or persons are acting as agents for a foreign or international syndicate, (4) whether any such persons have acted in violation of the laws of the United States, or whether additional legislation is necessary with respect to such activities. The committee shall report to the Senate at the earliest practicable date the results of its investigation together with such recommendations as it may deem desirable.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventh-ninth Congress, to employ such experts, and such clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

The PRESIDENT pro tempore. Without objection, the resolution submitted by the Senator from North Dakota will be received and appropriately referred.

The resolution (S. Res. 227), submitted by Mr. LANGER, was referred to the Committee on Foreign Relations.

INVESTIGATION OF CAUSES OF PENDING AND THREATENED LABOR DISPUTES

Mr. KILGORE (for himself, Mr. TUNNELL, Mr. MORSE, Mr. MEAD, and Mr. LA FOLLETTE) submitted the following resolution (S. Res. 228), which was referred to the Committee on Education and Labor:

Whereas the Nation is now faced with widespread labor-management disputes and the prospect of further dispute which vitally affect all aspects of the economy and the vital interests of the general public; and

Whereas it is essential for any continued peaceful and free labor-management relations to examine the basic causes of labor-management disputes and the basic economic and other factors, including governmental policies and decisions, affecting free collective bargaining: Therefore be it

Resolved, That the Committee on Education and Labor is authorized and directed to make an investigation into the causes of current and threatened labor disputes, the economic and other factors and governmental policies affecting such disputes. The committee shall report to the Senate as soon as practicable the results of its investigation.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings; to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-ninth Congress; to employ and to call upon the executive departments for clerical and other assistants; to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; to administer such oaths; to take such testimony; and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate, upon vouchers approved by the chairman.

RELIEF WHEAT COMMITMENT FOR EUROPE—ARTICLE BY CHRISTINE SADLER

Mr. WHERRY. Mr. President, I call attention to an article in the Washington Post, written by Christine Sadler, entitled "Relief Wheat Commitment for Europe Actually Cut." The subhead is "Food authorities consider return to meat rationing as unnecessary." The article gives a rather detailed report relative to the grain situation, and also the furnishing of food by different agencies, including UNRRA. It further discusses and gives opinions of Senators and others high in authority relative to the food situation in Europe.

I ask that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RELIEF WHEAT COMMITMENT FOR EUROPE ACTUALLY CUT—FOOD AUTHORITIES CONSIDER RETURN TO MEAT RATIONING AS UNNECESSARY

(By Christine Sadler)

President Truman revealed at his news conference yesterday that this country has lowered its relief wheat commitments abroad for the first 6 months of this year.

This apparently contradicts the belief of Americans that they would increase relief shipments abroad by going on a dark-bread diet and cutting down on their liquor.

Food officials admitted that the amount of wheat saved by these two actions would not be considerable—nor do much to bring the Nation's livestock and feed situation into balance.

WILL DRAMATIZE SITUATION

They agreed, however, that it would dramatize the situation and possibly result in greater marketing of grains and live animals.

The President said the new goal of wheat shipments was 200,000,000 bushels by mid-1946. The goal formerly had been 225,000,000 bushels.

Meantime, food officials discounted any idea that a return to meat rationing would be necessary for this country to meet its current foreign relief goals.

The goals as they now stand, it was pointed out, are the same as announced several months ago for all foods except wheat.

NOT VIEWED AS CRUX

Feed officials admitted the wheat shortage around the world and pointed out that bread is the basis of the relief diet, but some of them frankly could not see that relief feeding was the crux of the current tightrope position in which this country finds itself in regard to livestock and feed.

UNRRA wheat commitments have lagged, but not because the wheat has all disappeared. Transportation difficulties inside this country are the No. 1 reason wheat men give for the failure to get relief wheat to UNRRA boats. Other reasons include:

Pricing: Belief that wheat prices would go higher has delayed marketing. Also grains fed to animals bring more money than grain marketed straight.

MILLER IS HEARD FROM

One St. Paul miller wired Senator KENNETH WHERRY, Republican, of Nebraska, this week: "Farmers are not going to sell their grain as long as the price picture is not clear. They have as much sense as industrialists."

The Government, during war years, was in a better position to change prices quickly than it is now. In other years it has changed the subsidy or price supports. Price supports now are promised for 1946—to encourage farmers to up their pig crops and to get cattle back into feed lots so the Nation could have better beef.

There's not much need asking farmers to get their cattle to market in a hurry or market their pigs at lighter weights as long as the price incentive is geared the other way. Secretary Anderson has repeatedly urged a

culling of poultry flocks and heavier animal marketing, but to not much avail.

The present approach, through dark bread and less liquor, supplies a dramatic and emotional appeal to which it is hoped the farmers will respond.

Senator WHERRY yesterday termed corn the key to the wheat situation. "There's a terrific black market in corn," he said. "Farmers are not sending it to market, but they are selling it and it is being trucked away."

Considerable amounts of wheat have been going into feeds as a result of the rapid disappearance of other grains and also the lag in marketing of other grains. Similar situations prevailed several times during the war.

Last year's wheat crop was a record one of well over a billion bushels. The winter wheat crop to date is said to look good. Goals this year are higher than ever.

On the other hand, large relief shipments have not been possible until this year and the domestic drain on wheat is heavy. The expected carry-over of 200,000,000 bushels will not materialize, officials believe, and may drop to perhaps 150,000,000 bushels. Unless there should be a failure of this year's crops, some officials believe, this carry-over has an adequate margin of safety.

As one official put it last night: "I am not arguing that we are going to have a wheat surplus, nor that there may not be strains on our supply—but I am arguing that we have done nothing yet to bring the situation into balance. And it is evident we are not even meeting our relief commitments, let alone raise them."

Meantime, Paul Willis, president of the Grocery Manufacturers of America, declared: "We feel that we are entitled to more advance information before such drastic steps as this are taken in the future. * * * No one in Washington has yet completed the elemental job of pulling together in one place all the pieces of the European food problem, let alone prescribing an over-all attack on it commensurate with the crisis involved."

Senator JOHN H. BANKHEAD, Democrat, of Alabama, said he was in favor of doing everything "we can to help prevent starvation." But, he added that he wanted "some more information."

Legislation to halt exports of grain and flour temporarily was introduced in the House by Representative EDWIN A. HALL, Republican, New York.

Director General Herbert H. Lehman of the United Nations Relief and Rehabilitation Administration meanwhile appealed to the United Nations Assembly for help in relieving critical storages of grain, rice, and fats in war-devastated countries.

In a cablegram to Trygve Lie, United Nations secretary general, Lehman urged the Assembly now meeting in London to take "such action as may seem fit" to get countries to increase such exports.

He said he was making this appeal "in view of the impending disaster facing the nations liberated from the enemy."

He transmitted recommendations by the UNRRA's councils committee on supplies which asked member governments to "reconsider most urgently" their decision in removing wheat and flour from international allocation.

In documenting his assertion of inadequate supplies for the relief agency, Lehman said:

"1. Only 299,000 tons of the 3,200,000 tons of wheat needed for the first half of 1946 has been allocated to UNRRA.

"2. Only 47,800 of the 720,900 metric tons of rice requested for 1946 had been granted by the combined food boards. This represented only 26.6 percent of China's needs alone.

"3. Only 185,000 long tons, or 24.2 percent of the Administration's requirement of 765,900 long tons of fats and oils have been allocated to it.

MRS. ROOSEVELT'S PROPOSED VISIT TO GERMANY

Mr. WHERRY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a news article entitled "Mrs. Roosevelt Will 'Find Time' to Visit Germany." She, in company with the senior Senator from Texas [Mr. CONNALLY] and Frank Walker, is going to Germany, not only to visit German cities and our own soldiers in the occupied zones but also to investigate conditions there.

I ask that the article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MRS. ROOSEVELT WILL "FIND TIME" TO VISIT GERMANY

LONDON, February 7.—Mrs. Eleanor Roosevelt hopes to leave London for Germany on Monday, if the United Nations General Assembly, to which she is a delegate, has concluded its first session by then.

She said: "No matter when the Conference ends, I am definitely going to find time to visit our soldiers in Germany. I wish all the United States delegates could come and so realize conditions on the European Continent.

"In my opinion, it is most important that our Senators and Congressmen should see the true state of life today in Europe. I am very happy that Senator CONNALLY and his wife are going with me on an Army tour of Germany, and I hope that Frank Walker will be able to come, too."

THE MORGENTHAU PLAN FOR TREATMENT OF GERMANY

Mr. WHERRY. Mr. President, I ask unanimous consent to have printed in the RECORD an article by the Associated Press entitled "Morgenthau Plan Blamed by Landon." The article is self-explanatory.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MORGENTHAU PLAN BLAMED BY LANDON

TOPEKA, February 7.—President Truman's order to Americans for informal rationing of food is a direct result of the "cruel and inhuman Morgenthau plan for treatment of Germany," Alf M. Landon, 1936 Republican Presidential candidate, said today.

In New York, Morgenthau said: "I recommend that Mr. Landon buy a copy of my book and read it. He obviously doesn't know what he is talking about. I think his statement is vicious.

FEEDING OF PEOPLE OF HUNGARY

Mr. WHERRY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article appearing under a Budapest date line entitled "Hungary's Premier Appeals for Help in Feeding People." The article is self-explanatory.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HUNGARY'S PREMIER APPEALS FOR HELP IN FEEDING PEOPLE

BUDAPEST, February 7.—Ferenc Nagy, new Premier of Hungary, in his first address before the national assembly today pleaded for foreign aid to feed his people and asked the return from Germany of Hungarian assets valued at $3,000,000,000.

Nagy said Hungary would be unable to feed its population without the help of other nations.

"Hungary always gave food to others," he said, "and this is the first time she begs for bread to maintain her people's life."

UNITED NATIONS' EDUCATIONAL, SCIENTIFIC, AND CULTURAL CONFERENCE—ADDRESS BY SENATOR MURRAY

[Mr. MURRAY asked and obtained leave to have printed in the RECORD a radio address relative to the United Nations' Educational, Scientific, and Cultural Conference held in London, November 1-16, 1945, delivered by him on the program Congressional Record On the Air from New York City, December 3, 1945, which appears in the Appendix.]

LET'S GET OUR BEARINGS—ADDRESS BY SENATOR HAWKES

[Mr. BYRD asked and obtained leave to have printed in the RECORD an address entitled "Let's Get Our Bearings," delivered by Mr. Hawkes at the Brand Names Research Foundation, New York area testimonial dinner at Hotel Astor, New York, February 5, 1946, which appears in the Appendix.]

SEA POWER AND ITS MEANING—ADDRESS BY ADMIRAL NIMITZ

[Mr. WALSH asked and obtained leave to have printed in the RECORD an address on the subject of sea power and its meaning, delivered by Fleet Admiral Chester W. Nimitz, USN, before the National Geographic Society in Washington on January 25, 1946, which appears in the Appendix.]

CITATION AWARDED B'NAI B'RITH

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD the remarks of Gen. Dwight D. Eisenhower on the occasion of the presentation of a citation awarded by the War Department to B'nai B'rith for their contribution to the morale and welfare of Army personnel; the reply of Mr. Henry Monsky, of Omaha, Nebr., national president of B'nai B'rith; and a statement entitled "B'nai B'rith serves the Army," which appear in the Appendix.]

THE PEOPLE'S HEALTH; A NATIONAL ASSET—ADDRESS BY WATSON B. MILLER

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address entitled "The People's Health—A National Asset," delivered by Watson B. Miller, Federal Security Administrator, before the Medical Society of the County of New York, on December 17, 1945, which appears in the Appendix.]

THE PARLIAMENT OF MAN—ARTICLE BY GEORGE E. SOKOLSKY

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an article entitled "The Parliament of Man" by George E. Sokolsky, published in the New York Sun of January 26, 1946, which appears in the Appendix.]

LET'S TRADE—ARTICLE BY FRANK C. WALDROP

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an article entitled "Let's Trade," by Frank C. Waldrop, published in the Washington Times-Herald of February 8, 1946, which appears in the Appendix.]

A JERSEY FARM BOY

[Mr. HAWKES asked and obtained leave to have printed in the RECORD an article entitled "A Jersey Farm Boy," which appears in the Appendix.]

ALBERT CANTALUPO

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 1089) for the relief of Albert Cantalupo, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ELLENDER. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. ELLENDER, Mr. O'DANIEL, and Mr. MORSE conferees on the part of the Senate.

CATHERINE BODE

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 2223) for the relief of Catherine Bode, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ELLENDER. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. EASTLAND, Mr. O'DANIEL, and Mr. WILEY conferees on the part of the Senate.

HARRIET TOWNSEND BOTTOMLEY

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 2267) for the relief of Harriet Townsend Bottomley, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ELLENDER. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. O'DANIEL, Mr. JOHNSTON of South Carolina, and Mr. WHERRY conferees on the part of the Senate.

MRS. S. P. BURTON

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 2487) for the relief of Mrs. S. P. Burton, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ELLENDER. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. HUFFMAN, Mr. ELLENDER, and Mr. MORSE conferees on the part of the Senate.

SIGURDUR JONSSON AND THOROLINA THORDARDOTTIR

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 314) for the relief of Sigurdur Jonsson and Thorolina Thordardottir, which was, in line 14, after "son", to insert a colon and the following proviso: *"Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Mr. ELLENDER. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

ESTATE OF MANUEL ROSE LIMA

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1101) for the relief of the estate of Manuel Rose Lima, which was, on page 1, line 6, strike out "$5,000" and insert "$4,000."

Mr. WALSH. Mr. President, I move the Senate concur in the House amendment.

Mr. WHITE. Mr. President, I was talking with another Senator when the Senator from Massachusetts rose and I did not hear his request.

Mr. WALSH. My request was that the Senate concur in the House amendment to this personal relief bill. The bill which passed the Senate fixed the compensation at $5,000, and the House reduced it to $4,000. My motion is to concur in the action taken by the House.

Mr. WHITE. I thank the Senator.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to.

PAY AND ALLOWANCES OF CERTAIN OFFICERS OF THE RETIRED LIST OF THE REGULAR NAVY AND COAST GUARD

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 473) relating to pay and allowances of officers of the retired list of the Regular Navy and Coast Guard performing active duty in the rank of rear admiral, which was, to strike out all after the enacting clause and insert:

That any officer of the retired list of the Navy or Coast Guard of the permanent grade or rank of rear admiral who is entitled to the pay of the lower half of that grade and who is, has been, or may be recalled to active duty and who in time of war or other national emergency served, serves, or may serve satisfactorily on active duty for a period of 2 years or more in the grade or rank of rear admiral or in a higher grade, shall be entitled when on active duty to the pay and allowances of a rear admiral of the upper half unless he is entitled under other provisions of law to higher pay and allowances, and he shall be entitled when on inactive duty to retired pay equal to 75 percent of the pay of a rear admiral of the upper half unless he is entitled under other provisions of law to higher retired pay or allowances: *Provided*, That no back pay or allowances shall be held to have accrued under this act prior to the date of its approval.

Mr. WALSH. Mr. President, this bill passed the House and the Senate, but a certain amendment was attached to it in the House which should be acted on by the Committee on Naval Affairs, and I ask that the amendment be referred to the Committee on Naval Affairs.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SETTLEMENT OF ACCOUNTS OF CERTAIN DECEASED OFFICERS AND ENLISTED MEN OF THE ARMED SERVICES, ETC.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives, to the bill (S. 50) to permit settlement of accounts of deceased officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and of deceased commissioned officers of the Public Health Service, without administration of estates, which were, on page 3, after line 2, to insert:

SEC. 4. The paragraph of the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1907, and for other purposes," approved June 30, 1906 (34 Stat. 750), as amended by the act of December 7, 1944 (58 Stat. 795), which related to the settlement of accounts of deceased officers and enlisted men of the Army, is amended to read as follows:

"Hereafter in the settlement of the accounts of deceased officers or enlisted persons of the Army, where no demand is presented by a duly appointed legal representative of the estate, the accounting officers may allow the amount found due to the decedent's widow, widower, or legal heirs in the following order of precedence: First, to the widow or widower; second, if decedent left no widow or widower, or the widow or widower be dead at time of settlement, then to the children or their issue, per stirpes; third, if no widow, widower, or descendants, then to the father and mother in equal parts; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, widower, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes: *Provided*, That this act shall not be so construed as to prevent payment from the amount due the decedent's estate of funeral expenses, provided a claim therefor is presented by the person or persons who actually paid the same before settlement by the accounting officers."

And to amend the title so as to read: "An act to permit settlement of accounts of deceased officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard, and of deceased commissioned officers of the Public Health Service, without administration of estates."

Mr. WALSH. Mr. President, the amendments added to this bill by the House of Representatives are of such importance that I ask that they be referred to the Committee on Military Affairs.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REAR ADM. EARLE W. MILLS—JOINT RESOLUTION REFERRED TO THE COMMITTEE ON COMMERCE

Mr. WALSH. Mr. President, I ask unanimous consent that the joint resolution (H. J. Res. 300) to authorize the President to appoint Rear Adm. Earle W. Mills, United States Navy, to the office of Chairman and member of the United States Maritime Commission and Administrator of the War Shipping Administration without affecting his naval status and perquisites, be taken from the calendar and referred to the Committee on Commerce. That is the measure in which the Senator from Maine [Mr. WHITE] is interested.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REAR ADM. EARLE W. MILLS—JOINT RESOLUTION INDEFINITELY POSTPONED

Mr. WALSH. Mr. President, I ask unanimous consent that the joint resolution (S. J. Res. 130) to authorize the President to appoint Rear Adm. Earle W. Mills, United States Navy, to the office of Chairman and member of the United States Maritime Commission and Administrator of the War Shipping Administration without affecting his naval status and perquisites be indefinitely postponed.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LOCATION OF PERMANENT HEADQUARTERS OF THE UNITED NATIONS ORGANIZATION

The PRESIDENT pro tempore. The Senator from Louisiana [Mr. ELLENDER] has the floor.

Mr. TAFT. Mr. President, will the Senator from Louisiana yield to me to make a 3-minute statement on a different subject?

Mr. ELLENDER. I yield.

Mr. TAFT. Mr. President, my attention has been called to the fact that the United Nations Organization desires to establish itself in the States of Connecticut and New York and proposes to acquire an area more than 40 square miles in extent.

I cannot imagine any possible need for such space, and I do not think our Government should agree to any such establishment. It is beyond my comprehension why anything is needed other than a site comparable to the campus of a college with adequate meeting halls and office quarters. I see no reason why those attending the organization should not find their living quarters in neighboring cities or towns.

In December Congress passed a bill giving certain privileges to international organizations and providing, in effect, that these organizations should have the same status in the United States as the embassies of foreign governments. No foreign government has ever suggested such an establishment as is now proposed. The bill which Congress passed on the assumption that there was to be an embassylike location, provides that the property and assets of international organizations shall be immune from search, and also provides that the representatives of such organizations shall be immune from suit relating to acts performed by them in their official capacity. This is all very well as to an embassy, but if applied to a site containing 40 square miles it would seem to give a kind of extraterritorial status contrary to the intention of the law, and contrary to the necessary powers which should be retained by the United States and the States of Connecticut and New York.

Mr. President, I believe that our State Department should immediately protest and that the United Nations should make over their plans and confine their establishment to a reasonable size. Incidentally, any such plan as they propose would be tremendously expensive to the nations associated in this undertaking.

Mr. WHITE. Mr. President, will the Senator from Ohio yield to me for a question?

Mr. TAFT. I yield for a question.

Mr. WHITE. I am interested to know by what process the UNO is to acquire title to these lands and this property within the States of Connecticut and New York. Have we given to this organization the power of eminent domain?

Mr. TAFT. No; the United Nations has no power of eminent domain. And I do not think the United States would have the right to exercise any power of eminent domain and hand it over to the United Nations, which is, in effect, a foreign government. The effect of the act was to say that we would recognize that the United Nations, acting together, should have the same status as an individual foreign government. That was the effect of the act.

Mr. WHITE. Yes; but the individual foreign government has no power of condemnation in the United States.

Mr. TAFT. None whatever, and I do not think the United Nations Organization has any power of condemnation.

Mr. WHITE. I was curious to know, then, by what right or on what hope they base their assumption of the acquisition or the right to acquire this property.

Mr. TAFT. I suppose they intended to buy it. I have no knowledge of that, however. What rather concerned me was that immunity from search which we conferred might be construed to give a kind of extraterritorial status to this 40 or 50 square miles; to take it out of the control of the public officials and of the States of Connecticut and New York.

Mr. LA FOLLETTE. Mr. President, will the Senator yield on that point?

Mr. TAFT. Certainly.

Mr. LA FOLLETTE. I should like to ask the Senator if either the Federal Government or the States concerned can alienate territory of the United States and give extraterritorial rights to an organization which is not a nation, but a combination of nations that have joined together in an association for certain purposes?

Mr. TAFT. I do not quite see why an act of the Congress declaring that the United Nations Organization should be considered the same as one government should not be a valid act. I assume that we could give them the same rights probably, so far as the Constitution is concerned, as we give a foreign government. That is what we intended to do. But I certainly do not feel that that should be extended to cover 40 or 50 square miles of territory.

Mr. LA FOLLETTE. That is just the point. Extraterritorial rights are given to an embassy and its buildings in a community; but it seems to me that to acquire a large area of territory and alienate it from the jurisdiction of the United States and of the States poses an entirely different question.

Mr. TAFT. I think so, too. I urged the Senate to pass the bill, and I feel some responsibility for it; but I want to say that I do not think this kind of a setup was in any way contemplated by the bill or by the Senate when it passed the bill.

FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed the consideration of the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin or ancestry.

Mr. McCLELLAN. Mr. President, will the Senator from Louisiana yield to me so I may make a point of no quorum?

Mr. ELLENDER. I yield for that purpose, if by so doing I do not lose my right to the floor.

Mr. McCLELLAN. I make the point of no quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Myers
Austin	Hawkes	O'Daniel
Bailey	Hayden	Overton
Ball	Hickenlooper	Radcliffe
Bankhead	Hill	Reed
Barkley	Hoey	Revercomb
Bilbo	Huffman	Robertson
Bridges	Johnson, Colo.	Russell
Briggs	Johnston, S. C.	Saltonstall
Buck	Kilgore	Shipstead
Bushfield	Knowland	Smith
Butler	La Follette	Stanfill
Byrd	Langer	Stewart
Capehart	Lucas	Taft
Capper	McCarran	Taylor
Carville	McClellan	Thomas, Okla.
Cordon	McFarland	Thomas, Utah
Downey	McKellar	Tobey
Eastland	McMahon	Tunnell
Ellender	Magnuson	Tydings
Ferguson	Maybank	Walsh
George	Mead	Wheeler
Gerry	Millikin	Wherry
Gossett	Mitchell	White
Green	Moore	Wiley
Guffey	Morse	Willis
Gurney	Murdock	Wilson
Hart	Murray	

Mr. HILL. The Senator from New Mexico [Mr. CHAVEZ], the Senator from Virginia [Mr. GLASS], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS], and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Florida [Mr. PEPPER] are detained on public business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a

representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Maine [Mr. BREWSTER], the Senator from Illinois [Mr. BROOKS], and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The Senator from North Dakota [Mr. YOUNG] has been excused and is absent on official business.

The Senator from Missouri [Mr. DONNELL] has been excused and is necessarily absent.

The PRESIDENT pro tempore. Eighty-three Senators having answered to their names, a quorum is present.

EXTENSION OF TIME DURING WHICH DISPOSITION OF CERTAIN PIPE LINES IS PROHIBITED

Mr. MAYBANK. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield if thereby I do not lose the floor.

Mr. MAYBANK. Mr. President, I send to the desk a joint resolution and ask unanimous consent for its present consideration. The joint resolution concerns several pipe lines upon which the Surplus Property Subcommittee of the Committee on Military Affairs has been working. The joint resolution is introduced by me on behalf of the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. REVERCOMB], the Senator from Iowa [Mr. WILSON], and myself. We ask for a 30-day extension of the time during which disposition of certain pipe lines is prohibited under the Surplus Property Act of 1944, as amended, because several companies have taken exception to the report and wish to be heard.

The PRESIDENT pro tempore. The joint resolution will be read for the information of the Senate.

The joint resolution (S. J. Res. 140) to extend in the case of the Government-owned pipe lines known as Big Inch and Little Big Inch the time during which disposition of such pipe lines is prohibited under the Surplus Property Act of 1944, as amended, was read, as follows:

Resolved, etc., That subsection (c) of section 19 of the Surplus Property Act of 1944, as amended, is amended by inserting after the word "facilities" the following: "and in the case of the Government-owned pipe lines known as Big Inch and Little Big Inch, extending from Texas to the New York-New Jersey area."

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. MURDOCK. Mr. President, reserving the right to object, I should like to ask the distinguished Senator from South Carolina a question. As I understand the joint resolution, it would have the effect of extending, for a period of 30 days, the expiration date in connection with the report from the Surplus Property Administration having to do with the disposition of the two pipe lines mentioned in the joint resolution.

Mr. MAYBANK. Mr. President, I wish to read to the Senate the report submitted unanimously by all the members of the committee:

The purpose of this resolution is to give the subcommittee an additional 30 days, until March 15, to consider the recommendations contained in the report.

That is all.

Mr. McCARRAN. Mr. President, I cannot yield for the purpose of having this matter taken up if there is to be debate on the subject. It seems to me that the joint resolution should go over until we may know what it is all about.

Mr. MURDOCK. The only point I wish to clear up is that the joint resolution has nothing whatever to do with the disposition of high-octane gasoline plants.

Mr. MAYBANK. Nothing whatsoever. It merely gives us 30 days more to hold hearings so that we may be more enlightened.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. OVERTON. Mr. President, reserving the right to object, I should like some further information on this question if we are to take it up at this time. What is the necessity for the joint resolution?

Mr. MAYBANK. Under the Surplus Property Act, no disposition may be made of pipe lines, among other properties, until 30 days after the submission of a report by the Surplus Property Administration setting forth disposal policies. In the case of the so-called Big Inch and Little Big Inch pipe lines, such report was submitted on January 4. Under the provisions of the Surplus Property Act the time would expire on February 13, next Wednesday, 30 days after Congress convened. The purpose of the joint resolution is merely to give the subcommittee an additional 30 days until March 15, to consider the recommendations contained in the report.

Mr. WHITE. Mr. President, reserving the right to object——

Mr. OVERTON. Mr. President, I should like to ask another question.

Mr. WHITE. I should like to have this matter go over until I have an opportunity to talk with some of the minority members of the committee. It is all new to me. I know nothing about it, and I have had no opportunity to discuss the question.

The PRESIDENT pro tempore. Objection is heard.

Mr. MAYBANK. I should like to state to the distinguished Senator from Maine that the coauthors of the bill who are minority members are the Senator from West Virginia [Mr. REVERCOMB] and the Senator from Iowa [Mr. WILSON].

Would the Senator from Maine object to my bringing up the resolution later this afternoon?

Mr. WHITE. I should not object if I have an opportunity to talk to the minority members, unless I find them in disagreement with the Senator from South Carolina.

I suggest that the request be deferred now, and renewed later in the afternoon.

The PRESIDENT pro tempore. Objection is heard to the request for present consideration of the resolution.

The resolution (S. J. Res. 140) was read twice by its title and ordered to lie on the table.

Mr. MAYBANK subsequently said: Mr. President, I ask unanimous consent for the present consideration of Senate Joint Resolution 140. Earlier today I asked unanimous consent for consideration of the joint resolution, but objection was made. Since then I have conferred with both the majority and minority leaders and understand that they have no objection to the present consideration of the joint resolution.

Mr. TAFT. Mr. President, may we have the calendar number of the joint resolution?

The PRESIDING OFFICER. The joint resolution is not on the calendar. It was introduced earlier today. The title will be stated for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 140) to extend in the case of the Government-owned pipe lines known as Big Inch and Little Big Inch the time during which disposition of such pipe lines is prohibited under the Surplus Property Act of 1944, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. WHITE. Mr. President, earlier in the day I voiced objection to immediate consideration of the joint resolution. I have since spoken to minority members of the Military Affairs Committee. I find some measure of approval from individual members, but I am able to say that the Senator from Vermont [Mr. AUSTIN] has gone over this matter with his usual care and he assures me there can be no reasonable objection to acceptance of the proposal.

Mr. TAFT. Mr. President, with what does the joint resolution deal?

Mr. MAYBANK. The joint resolution would extend for 30 days longer the time during which disposition may be made of the Big Inch and Little Big Inch pipe lines. The time expires next week. This would give opportunity for further hearings before the subcommittee of the Military Affairs Committee.

Mr. TAFT. It is not a legislative measure?

Mr. MAYBANK. It is a joint resolution prohibiting the sale of the pipe lines until the hearings can be completed.

Mr. TAFT. The sale of the pipe lines is now prohibited by law?

Mr. MAYBANK. Yes.

Mr. TAFT. So the joint resolution would actually prohibit for 30 days longer the sale of these pipe lines?

Mr. MAYBANK. It would extend the time, as was done in the case of aluminum sales, until the committee could finish its hearings.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (S. J. Res. 140) to extend in the case of the Government-owned pipe lines known as Big Inch and Little

Big Inch the time during which disposition of such pipe lines is prohibited under the Surplus Property Act of 1944, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That subsection (c) of section 19 of the Surplus Property Act of 1944, as amended, is amended by inserting after the word "facilities" the following: "and in the case of the Government-owned pipe lines known as Big Inch and Little Big Inch, extending from Texas to the New York-New Jersey area."

TREATY OF PEACE SIGNED BY UNITED KINGDOM AND INDIA WITH SIAM

Mr KNOWLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the RECORD a photostat from the New York Times of Wednesday, January 2, 1946, giving the text of a treaty of peace signed by the United Kingdom and India with Siam. I wish to say that when the subcommittee of the Mead committee, of which I was a member, were overseas we obtained some information on the matter which I felt affected the sovereignty of Siam, prohibiting Siam from building a canal across her own territory. Upon our return, I requested a copy of the treaty from the State Department. The State Department had no copies for distribution, but referred me to the New York Times, from which I was able to obtain the full text of the treaty, which was published in that newspaper. At a later date I shall have something to say regarding this matter.

There being no objection, the treaty was ordered to be printed in the RECORD, as follows:

TEXT OF TREATY OF PEACE SIGNED BY UNITED KINGDOM AND INDIA WITH SIAM

Whereas by a proclamation made in Bangkok on the 16th August 1945, the Regent of Siam did, in the name of His Majesty the King of Siam, proclaim the declaration of war made by Siam on the 25th January 1942 against the United Kingdom to be null and void in that it was made contrary to the will of the Siamese people and in violation of the constitution and laws of Siam; and

Whereas the proclamation of the 16th August 1945 aforesaid was the same day unanimously approved by the National Assembly of Siam; and

Whereas the Siamese Government have repudiated the alliance entered into by Siam with Japan on the 21st December 1941, together with all other treaties, pacts, or agreements concluded between Siam and Japan; and

Whereas the Siamese Government are anxious to play their full part in mitigating the effects of war, particularly in such measures as may be designed to assist in the restoration of international security and general economic welfare; and

Whereas the Government of the United Kingdom and the Government of India, in consideration of the acts of repudiation already carried out by the Siamese Government, and not unmindful of the services rendered by the resistance movement in Siam during the war with Japan, desire to bring the state of war to an immediate end;

Now therefore the Government of the United Kingdom and the Government of India on the one hand and the Siamese Government on the other, being desirous of renewing the relations of close friendship which existed before the war, have resolved to conclude an agreement for these purposes and have accordingly appointed as their plenipotentiaries:

The Government of the United Kingdom of Great Britain and Northern Ireland: Mr. M. E. Dening, CMG, OBC.

The Government of India: Mr. M. S. Aney.

The Siamese Government: His Serene Highness Prince Viwat Anajai Jaiyant.

Who, having communicated their full powers, found in good and due form, have agreed as follows:

RESTITUTION AND READJUSTMENT

Article I

The Siamese Government agree to repudiate all measures pursuant to the abovementioned declaration of war made on the 25th January 1942, and to take the necessary legislative and administrative measures to give effect to that repudiation.

Article II

The Siamese Government declare as null and void all purported acquisitions of British territory made by Siam later than December 7, 1941, as well as all titles, rights, properties and interests acquired in such territory since that date either by the Siamese state or by Siamese subjects. The Siamese Government agree to take the necessary legislative measures to give effect to the foregoing declaration and in particular:

(A) To repeal and declare null and void ab initio all legislative and administrative measures relating to the purported annexation by, or incorporation in, Siam of British territories effected after the 7th December 1941.

(B) To withdraw as may be required by the competent civil or military authority all Siamese military personnel from all such British territories and all Siamese officials and nationals who enter these territories after their purported annexation by, or incorporation in, Siam.

(C) To restore all property taken away from these territories, including currency except to the extent to which it can be established that fair value has been given in exchange.

(D) To compensate for loss or damage to property, rights, and interests in these territories arising out of the occupation of these territories by Siam.

(E) To redeem in sterling out of former sterling reserves current Siamese notes collected by the British authorities in British territory occupied by Siam since the 7th of December 1941.

Article III

The Siamese Government agree to assume responsibility for safeguarding, maintaining, and restoring unimpaired British property, rights, and interests of all kinds in Siam and for payment of compensation for losses or damage sustained. The term "property, rights, and interests" shall include inter alia the official property of the Government of the United Kingdom and of the Government of India, property whose ownership has been transferred since the outbreak of war, pensions granted to British nationals, stocks of tin, teak, and other commodities, shipping and wharves, and tin, teak, and other leases and concessions granted to British firms and individuals prior to the 7th of December 1941, and still valid at that date.

Article IV

The Siamese Government agree to desequestrate British banking and commercial concerns and permit them to resume business.

Article V

The Siamese Government agree to accept liability, with the addition of interest, at an appropriate percentage, in respect of payments in arrears, for the service of the loans and for the payment of pensions in full since the date when regular payments ceased.

SECURITY

Article VI

The Siamese Government recognize that the course of events in the war with Japan demonstrates the importance of Siam to the defense of Malaya, Burma, India, and Indo-China, and the security of the Indian Ocean and Southwest Pacific areas and the Siamese Government agree to collaborate fully in all international security arrangements approved by the United Nations Organization or its Security Council which may be pertinent to Siam and especially such international security arrangements as may relate to those countries and areas.

Article VII

The Siamese Government undertake that no canal linking the Indian Ocean and the Gulf of Siam shall be put across Siamese territory without the prior concurrence of the Government of the United Kingdom.

COMMERCE AND ECONOMIC COLLABORATION

Article VIII

The Siamese Government agree to take all possible measures to reestablish import and export trade between Siam on the one hand and neighboring British territories on the other, and to adopt and maintain a good neighborly policy in regard to coastal shipping.

Article IX

The Siamese Government undertake to negotiate with the Government of the United Kingdom as soon as practicable a new treaty of establishment, commerce, and navigation and a consular convention based on the reciprocal application of the principles in article XI below.

Article X

The Siamese Government undertake to negotiate with the Government of India as soon as practicable a new treaty of commerce and navigation based on the reciprocal application of the principles in the following article.

Article XI

(1) Pending the conclusion of the treaties and convention referred to in articles IX and X above and subject to paragraph 2 of this article, the Siamese Government undertake to observe the provisions of the Treaty of Commerce and Navigation signed at Bangkok on the 23d of November 1937, and further undertake, except where the treaty specifically authorizes such action, not to enforce any measures, excluding British commercial or industrial interests or British professional men on grounds of nationality from participation in Siam economy and trade, or any measures requiring them to maintain stocks or reserves in excess of normal commercial, shipping, industrial, or business practice.

(2) The above-mentioned undertakings of the Siamese Government (A) shall be subject to such exceptions, if any, as may at any time be agreed between the Government of the United Kingdom or the Government of India, as the case may be, and the Siamese Government; (B) shall, unless prolonged by agreement, lapse if the treaties and conventions referred to in articles IX and X have not been concluded within a period of 3 years from the coming into force of this agreement.

(3) Nothing in this article shall be deemed to preclude the grant of equally favorable treatment to nationals and enterprises of any or all of the other United Nations.

Article XII

The Siamese Government undertake to participate in any general international arrangement regarding tin or rubber which conforms with such principles regarding commodity arrangements as may be agreed

by the United Nations Organization or its Economic and Social Council.

Article XIII

Until a date or dates not later than September 1, 1947, the Siamese Government undertake to prohibit, except in accordance with the recommendations of the combined boards in Washington, or any successor body, and in the case of rice, under the direction of a special organization to be set up for the purpose, any exports of rice, tin, rubber, and tea and to regulate trade in and stimulate the production of these commodities.

Article XIV

The Siamese Government undertake to make available free of cost at Bangkok to an organization to be indicated by the government of the United Kingdom, and as quickly as may be compatible with the retention of supplies adequate for Siamese internal needs, a quantity of rice equal to the accumulated surplus rice at present existing in Siam, subject to a maximum of one and a half million tons, or, if so agreed, the equivalent quantity of paddy or loonzain. It is agreed that the exact amount of rice to be made available under this article shall be determined by the organization above mentioned and that the rice, paddy, or loonzain delivered under this article shall conform to agreed standards of quality to be determined by the same authorities.

Article XV

Until a date not later than the 1st of September 1947, the Siamese Government agree to make available to the rice organization mentioned in article XIII and XIV, all rice surplus to the internal needs of Siam. Such rice, with the exception of rice delivered free in accordance with the undertaking given in article XIV, will be supplied in such manner as the special organization mentioned in articles XIII and XIV shall indicate and at prices fixed in agreement with it, having regard to the controlled prices of rice in other Asiatic rice exporting areas.

CIVIL AVIATION

Article XVI

The Siamese Government shall accord to civil air services of the British Commonwealth of Nations by means of agreements to be negotiated with governments of the members of the British Commonwealth of Nations treatment in regard to the establishment, maintenance, and operation of regular air services not less favorable than that accorded to Imperial Airways by the notes exchanged at Bangkok on the 3d of December 1937.

WAR GRAVES

Article XVII

The Siamese Government undertake to enter into an agreement with the Government of the United Kingdom and the Government of India for the mutual upkeep of war graves with a view to the permanent establishment and future care of British and Indian war graves and of Siamese war graves in their respective territories.

MISCELLANEOUS

Article XVIII

The Siamese Government agree to regard as in force such bilateral treaties between the United Kingdom and Siam and India and Siam as may respectively be specified by the Government of the United Kingdom and the Government of India, subject to any modifications the Government of the United Kingdom or the Government of India may indicate and to regard as abrogated such treaties not so specified.

Article XIX

The Siamese Government agree to regard as being in force between the United Kingdom and Siam and between India and Siam all multilateral treaties, conventions, or agreements concluded prior to the 7th of December 1941, (A) to which Siam and the United Kingdom or India, as the case may be, were then and still are parties; (B) to which the United Kingdom or India, as the case may be, was then and still is a party, but to which Siam has not become a party.

On receipt of such notification, the Siamese Government shall immediately take the necessary steps, in accordance with the provisions of any such treaty, convention, or agreement to which Siam is not a contracting party, to accede thereto, or, if accession is not possible, shall give effect to the provisions thereto, in respect of the United Kingdom or India, as the case may be, by such legislative or administrative means as may be appropriate. The Siamese Government agree also to accept any modifications thereto which may have come into effect in accordance with the terms of such instruments since that date.

Article XX

Pending admission to any international organization set up since the 7th of December 1941, being an organization of which the United Kingdom or India is a member, the Siamese Government agree to carry out any obligations arising out of or in connection with any such organization or the instrument constituting it as may at any time be specified by the Government of the United Kingdom or the Government of India, as the case may be.

Article XXI

In consideration of the above undertaking made by the Siamese Government, the Government of the United Kingdom and the Government of India agree to regard the state of war as terminated and to proceed at once to the resumption of normal relations with Siam and to the exchange of diplomatic representatives.

Article XXII

The Government of the United Kingdom and the Government of India also undertake to support Siam's candidature for membership of the United Nations.

DEFINITIONS AND DATE OF ENTRY INTO FORCE OF AGREEMENT

Article XXIII

It is agreed by the contracting parties that the terms "British" in this agreement, (1) when applied to physical persons, shall mean all the subjects of His Majesty the King of Great Britain, Ireland, and the British Dominions Beyond the Seas, Emperor of India, and all persons under His Majesty's protection; (2) when applied to territory, shall mean any territory under His Majesty's sovereignty, suzerainty, protection, or mandate, as the case may be; (3) when applied to legal persons, shall mean all legal persons deriving their status as such from the law in force in any such territory; and (4) when applied to property, rights, or interests, shall mean the property, rights, or interests of persons specified under (1) or (3) above, as the case may be.

Article XXIV

This agreement shall enter into force as from today's date.

In witness whereof the undersigned have signed the present agreement and have affixed thereto their seals.

Done in triplicate at Singapore this 1st day of January, in the nineteen hundred and forty-sixth year of the Christian era, corresponding to the twenty-four hundred and eighty-ninth year of the Buddhist era in the English and Siamese languages, of which, in case of dispute, the English shall prevail.

RATES AND FREQUENCIES OF OVERSEAS AIR COMMERCE

Mr. McCARRAN. Mr. President, I occupy the floor through the courtesy of the Senator from Louisiana [Mr. ELLENDER], and without in any way interfering with his right to the floor. I wish to have that understood.

The PRESIDENT pro tempore. It is so understood.

Mr. McCARRAN. Mr. President, this week will see the conclusion of a conference between representatives of the British Government and representatives of our own Government, with representatives of the three American air lines operating in international air commerce present as observers. This conference began on January 15. Although originally expected to continue for only a week or 10 days, it has continued for more than 3 weeks. Among the important matters which have been considered at this conference are rates and fares for international air transportation and frequency of flights in such transportation.

Part of the background for this conference is a rate war in air transportation across the Atlantic. I assume that most Senators are generally familiar with this background; but as a basis for better understanding of the situation by all of us, let me sketch it briefly.

The Civil Aeronautics Board, in deciding the North Atlantic route case, granted certificates to three American air carriers for flights across the Atlantic. The three carriers are Pan-American Airways, American Air Lines, and Transcontinental and Western Air. The Civil Aeronautics Board based its action largely on the premise that competition between a number of American-flag air carriers was necessary in the public interest, in order to promote better service and lower fares.

In taking the action which it took, the Civil Aeronautics Board disregarded warnings by Members of this body, and by others, that such a policy would permit foreign nations to play off one American air carrier against another, to the detriment of the best interests of this country, and to the benefit of the interests of foreign nations. Evidence that these warnings should not have been so lightly disregarded was not long in coming.

Pan-American Airways, which previously had announced its goal as 10-hour flights across the Atlantic at a fare of approximately $100 a passenger one way, took the first postwar step toward that goal by announcing a one-way fare of $275 from the United States to England. Great Britain, whose own air carrier presumably had determined that it could not fly the Atlantic profitably at such a fare, promptly retaliated by refusing to permit Pan-American Airways' planes to land in the British Isles on more than the two flights a week which were guaranteed by treaty. The additional scheduled flights which had been allotted to Pan-American Airways were then offered by the British to American Air Lines, competitor of Pan-American Airways on the North Atlantic route, which had kept its fares in line with British ideas of what they should be. Under this pressure, Pan-American Airways was forced to increase its proposed fare from $275 to $375, and thereby charge the traveling public $100 more than it thought necessary for a one-way flight across the Atlantic.

Remember, now, one of the avowed purposes of the Civil Aeronautics Board in granting certificates to several carriers for the North Atlantic flights was to improve service and reduce rates. Yet the very first result from this policy is that American air travelers are forced to pay $100 more for the North Atlantic flight than they would be charged if Pan-American Airways had been permitted to put into effect its originally announced rate of $275.

Just before the Bermuda Conference began, Pan-American Airways announced its intention to resume clipper service to France on February 15, and announced that its fare to Marseilles would be $295. A day or so later, dispatches from Paris said the French Government would refuse to permit Pan-American Airways to fly to France with such low fares, and had demanded that transatlantic fares be made subject to international agreement.

One of the purposes of the conference now under way in Bermuda was admittedly to arrive at some form of international agreement, on a bilateral basis, between the United States and Great Britain for control of fares and frequencies. The conference has, in fact, reached such an agreement, according to newspaper reports, and has submitted it to London and Washington for approval.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. ROBERTSON. Is it not a fact that the fare which is charged by the Pan-American lines from New York or Washington to Shannon, Ireland, is $275 and not $375?

Mr. McCARRAN. Yes.

Mr. ROBERTSON. So the charge of an extra $100 for the short distance from Shannon, Ireland, to an airport near London is because of the attitude of the British Government.

Mr. McCARRAN. In order to land in England, an air passenger must pay a fare of $375, but he can land in Ireland for a fare of $275.

Mr. ROBERTSON. I invite also the Senator's attention to the instruction which the pilot received on a recent flight which I made on a TWA Constellation to Paris. When we left Paris there was some question as to whether we would be able to land at Shannon, Ireland. The instruction given to the pilot was that the alternate port would be Brussels, Belgium. If we could not land in Ireland we would be compelled to land in Belgium.

Mr. McCARRAN. May I ask where the Senator landed.

Mr. ROBERTSON. We managed to land in Ireland.

Mr. McCARRAN. Mr. President, it seems to me that this Conference and its purposes, so far as I have outlined them, are in sharp conflict with the basic assumptions of our own Government departments. Those departments have asserted time and time again that they want free and open competition; that they are opposed to any form of cartel arrangement.

I will not take the time of the Senate to document that statement in too great detail. However, I should like to quote from a few of our responsible officials on this subject.

Mr. WHEELER. Mr. President, in one breath some of the departments of the Government are denouncing cartels and shouting about them from one end of the country to the other. In the next breath they are promoting cartels.

Mr. McCARRAN. They are not only promoting them but they are forcing them.

Mr. WHEELER. Yes; the Senator is correct. They are not only promoting them but they are forcing them. That statement is not only true with reference to air transportation but it is also true with reference to radio and other matters.

Mr. McCARRAN. I thank the Senator.

In a report to the Senate Committee on Commerce, with reference to my bill for the creation of an all-American flag line, Mr. Oswald Ryan, then Acting Chairman of the Civil Aeronautics Board, said:

> The stimulus to an imaginative management that results from the competitive efforts of business rivals to secure patronage and trade cannot be matched as a motivating force for public welfare even by the private profit incentive; for the latter might be gratified by moderate traffic at high rates, while the public welfare requires a large volume at lower fares and charges.

Let me repeat:

> Public welfare requires a large volume at lower fares and charges.

I do not see how that statement jibes with the actions of the Civil Aeronautics Board in standing by and condoning British coercion of an American air carrier to tack an extra $100 on its announced fare for trans-Atlantic flight; or the further action of the Board in entering upon the Bermuda Conference with a view to perpetuating the higher rate thus arrived at.

Mr. W. L. Clayton, in testifying for the State Department before the Subcommittee on Aviation of the Senate Committee on Commerce, said:

> It has been suggested that foreign air lines will provide all the competition needed to assure efficiency of operation, reasonable rates, and technical progress. In my opinion, competition with foreign air lines is not sufficient to stimulate the keen and aggressive development and improvement of services which would be forced upon an American air line by competition from another air line of the same nationality.

Today, Mr. President, we have the report that representatives of the State Department, in Bermuda, have assented to British demands for a typical cartel-type, rate-fixing agreement which will not only prevent competition between American air lines but will also prevent American air lines from competing with the British, so far as rates are concerned.

Now let me quote further from Mr. Clayton's testimony. He said:

> Between the two World Wars the movement throughout the world in the direction of restrictive practices in international economic affairs, such as trade discriminations of all kinds, and cartels, etc., was very strong. The policy of the Department of State is opposed to all such restrictive practices, and we are trying to bring about, by collaboration with other nations, a movement in the opposite direction.

Mr. President, if an international agreement fixing rates for air travel across the North Atlantic at an arbitrary figure, more than 50 percent higher than the rate at which the largest, oldest, and most successful American air carrier figures it can operate profitably, is a movement in the opposite direction from restrictive practices and cartels, then I have no conception of what is meant by those terms.

In its decision in the North Atlantic route case, the Civil Aeronautics Board said:

> A reduction in travel costs to the American public which Pan-American advances as an objective under its plan, of course, is earnestly desired by the Board. In our opinion, however, the objective can be reached most surely through regulated competition between United States international air carriers rather than by relying upon a world-wide monopoly. The stimulus imparted to energetic managemnt under a sound competitive system would insure the establishment of a fare level for international service which would result in maximum development of the traffic potential.

Mr. President, we will never reach the objective of a reduction in travel costs to the American public, which the Civil Aeronautics Board in that decision said it earnestly desired, by participating in any kind of an international agreement which denies to energetic management the right to reduce fares; or which, as in this present case, actually requires that fares be increased by more than 50 percent above the level at which energetic management determined it could profitably operate.

Mr. President, not so long ago the Department of Justice spent 2 years investigating Pan-American Airways to see if it had entered into any such agreements as are now being proposed from Bermuda. The Department of Justice made that investigation with a view to taking antitrust action if it found that any such agreement had been entered into. It found no such agreements. And yet, today, there is a serious threat that exactly such an agreement will be forced upon American air carriers as a result of the Bermuda Conference.

Mr. SALTONSTALL. Mr. President, I wish to ask a question which came to my mind as the Senator was speaking with reference to establishing rates, and the Civil Aeronautics Board agreeing to higher rates. Under the Interstate Commerce Commission Act with reference to railroads, maximum rates are established, but I have never understood that there was anything which would prevent a railroad from charging rates under the maximum rates established, providing that it desired to do so, and providing also that it filed proper notice. Is there anything of which the Senator knows which would prevent Pan-American, or any other air carrier, from charging rates less than those which the Civil Aeronautics Board has established if the carrier so desired?

Mr. McCARRAN. I know of nothing except the illustration which I gave of a foreign country stating, in effect, "If you go under this rate you may not land on our soil."

Mr. President, what is the form of agreement which the British went to

Bermuda to get, and which, according to news reports, they have persuaded the United States delegates to recommend to Washington?

The proposal is substantially this: That our two Governments shall jointly agree to a minimum fare—probably $375—for the North Atlantic flight, for which fare there is to be substituted, at some undetermined future time, whatever lower fare the International Air Transport Association shall determine is fair and reasonable.

Now, Mr. President, that probably sounds to many Senators like a completely innocuous proposal. The British want a temporary agreement on a fare. They say they are willing to accept any lower fare which the International Air Transport Association will approve. But there is a catch to it. The wood pile is not completely uninhabited. The International Air Transport Association, under its rules, cannot agree to a rate except by unanimous vote of its members. The British are members. Therefore, what they are saying is, in effect, that they want a rate of $375 as a minimum, and that this rate is to continue unless, at some future time, they are willing to agree to recommend a lower rate.

That is the proposition, Mr. President. Like all proposals for action by international agreement, this one carries the basic defect that international agreement does not involve the democratic process. It is not rule of the majority.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. JOHNSON of Colorado. As I understand the statement of the Senator, such an agreement would not only give Great Britain control over flights to Britain, but it would give them control of rates to all foreign countries.

Mr. McCARRAN. Practically so.

Mr. JOHNSON of Colorado. That is, Britain could control the rate to Ireland, to Belgium, to France, and to every other nation.

Mr. McCARRAN. She could do so indirectly, by saying, "If your rates to Ireland, Belgium, or France, are not in conformity with what we want, you cannot land in England."

Mr. JOHNSON of Colorado. Yes; and through that pressure she could get the rates up, and once she got them up, they could not come down without her consent.

Mr. McCARRAN. That is correct. If one nation disagrees, there is no agreement. And so we are being asked, from Bermuda, to bind ourselves to a minimum fare for trans-Atlantic flights which is not what we want, but what the British want; which is not the fare at which our most aggressive and energetic management can operate, but the fare at which the British have determined their air line can operate. We are asked to accept this fare not on a temporary basis, but on an indefinite basis; and, Mr. President, there is a world of difference. The indefinite can, in this case, become permanent for as long as the British decline to approve a lower rate.

Mr. President, the Aviation Daily of February 4 reports that delegates at the Bermuda Conference are awaiting word from Washington and London on two principal points on which agreement was reached at the Conference. One of these points, according to the report, concerns opening American military airfields leased from the British on a 99-year basis to international commercial use. The language of the report with regard to the other point upon which, it is said, agreement has been reached, is interesting language and I wish to read it to the Senate.

> Organizations of air-line operators in England and the United States will decide among themselves the rate structure and number of flights on trans-Atlantic and other intercountry flights, based on a conference formula. Their decisions will be subject to approval of the CAB in cases involving United States terminal points.

Then there is a note, which I also wish to read.

> While details of the conference formula were not announced, observers took the organization to mean IATA—

That is, the International Air Transport Association—

> These observers also interpreted the agreement to imply CAB approval of the IATA structure for determination of rates and frequencies—a point which stymied the January rate conference of IATA in New York.

Remember that IATA means the International Air Transport Association, and remember the rule I have cited, that there must be unanimity or no rule of that association prevails.

Mr. President, in even considering such an agreement, the State Department and the Civil Aeronautics Board are again trying to bypass the Congress and to assume authority which Congress has never delegated.

It is significant that the Civil Aeronautics Act contains no conference provision such as the Shipping Act contains. It does not provide for rate-fixing agreements by the IATA or any other form of conference, domestic or international.

Furthermore, Mr. President, the Civil Aeronautics Act of 1938 did not provide for regulation by the Civil Aeronautics Authority of the rates charged by air carriers operating in foreign air transportation. Such regulation was provided in the case of domestic air carriers, but air carriers operating in foreign air transportation were specifically left free from such regulation on the basis of the argument that in the foreign field no rate regulation was desirable, since such regulation would place American carriers at a disadvantage in competing with air carriers owned by foreign governments.

As the author of the act I may say that weeks were spent in argument of that very subject. I was happy to prevail in the thought that we should not tie the hands of our liners that would fly abroad, because I realized that they would be in competition with lines operating planes from other countries, and we had no power whatever to regulate fares or frequencies, at least fares, of lines from other countries.

The Civil Aeronautics Act specifically provided for a study of this subject by the CAA, and for a report and recommendations to the Congress based upon such a study. That study was made and that report was transmitted. It recommended against regulation of rates in foreign air transportation.

Mr. President, the fact that the Civil Aeronautics Board has now changed its views and favors amending the Civil Aeronautics Act so as to give the Board the power to regulate these rates, does not in and of itself change the law. The Civil Aeronautics Board today has no authority to prescribe and regulate rates in international air transportation, or to approve conference or cartel agreements fixing or regulating such rates.

Neither does the Board have any authority to regulate frequencies of flights. In fact, the act specifically provides that—

> No term, condition, or limitation of a certificate shall restrict the right of an air carrier to add to or change schedules, equipment, accommodations, and facilities for performing the authorized transportation and service as the development of the business and the demands of the public shall require.

I have quoted the exact language of the law of 1938.

Mr. President, so that Senators may have a complete understanding of this point, and may not be misled, let me point out that section 403 of the Civil Aeronautics Act permits the Civil Aeronautics Board to reject tariffs filed by air carriers in certain cases. But, Mr. President, that power to reject may be utilized only with respect to tariffs inconsistent with that section of the act, and with regulations of the Board issued thereunder. In other words, tariffs may be rejected only when they are not filed in the form required by regulations of the Authority, as in the cases when they are incomplete, or when they are improperly filed, posted, or published, or when they are otherwise incompatible with section 403 of the act.

The Board may not prescribe fares in any case, and may not reject tariffs solely because the Board considers them too high or too low.

I have stressed this point because it is important to understand that the Civil Aeronautics Board has no authority by law to prescribe or regulate rates or fares or the frequency of flights in international air transportation, or to approve any international agreement which does so.

Again departing from my prepared remarks, may I say that the law made this provision because we knew we were going into competition with the air lines of other countries, and we wanted to give a free hand to our people who flew the American flag in the air so that they might succeed, and so that the air commerce of America would not go down as did our sea commerce, time and time again, regardless of the money we appropriated to sustain it.

It must be obvious, therefore, that any purported agreement respecting minimum rates and fares, or frequency of operation, which has come out of the Bermuda Conference, is an agreement of curious invalidity, which no form or formality of approval by the CAB, or by the State Department, will cure.

Since the Civil Aeronautics Board has no authority to regulate such matters,

and since no other agency of our Government has such authority, any agreement which we enter into with a foreign nation respecting these matters is an agreement which we cannot perform. The only coercion which can be applied to American air lines to force their adherence to such an agreement, and their observance of it, will be the coercion which foreign nations may apply.

To say that any agency of our own Government can enforce such an agreement is to contend that the mere making of an agreement with a foreign government vests in the Civil Aeronautics Board or in the State Department powers which it does not by law possess.

This might be true if the agreement entered into should be a treaty obligation, for treaties become part of the supreme law of the land, and it might be argued that the Government, or some agency of the Government, must be presumed to possess the necessary powers to carry out treaty obligations.

In the case of the Bermuda Conference, however, no treaty is proposed. What is proposed is an Executive agreement. I do not believe anyone would seriously contend that an Executive agreement can confer any powers upon any agency of the Government. If such a contention should be made, I feel sure it would be vigorously resisted by most of the Members of this body. It is a well-established principle of law that an Executive agreement may only cover the exercise of powers already created and established by law.

Now, Mr. President, since it is clear that the Civil Aeronautics Board has no authority over rates, fares, and frequencies in international air transportation, it is obvious that adherence by the United States, otherwise than by treaty, to any agreement which would require the Board to exercise jurisdiction in such matters would be a fraud upon the other party to the agreement, and perhaps it is unjust to assume that the representatives of our Government in Bermuda would be a party to any such fraud. Doubtless the British are fully advised concerning the extent of the powers vested in the Civil Aeronautics Board.

But, Mr. President, if the British delegates and our own representatives at the Bermuda Conference understand that no such agreement as they are reported to have negotiated can be valid and binding, when what is the purpose of the Bermuda Conference? Is the whole thing just window dressing for an attempt to bring about, through government pressure, and by a show of authority not actually possessed, an assent by the American air carriers themselves to an agreement restraining them from making available to the American public any further benefits in the way of reduced fares? Is that the situation? If it is, what we have witnessed in Bermuda is an unholy spectacle indeed.

Mr. President, I have been ridiculed for warning, on this floor, that if we persisted in the policy enunciated by the Civil Aeronautics Board in the North Atlantic case we should eventually find ourselves either behind the eight ball of international power politics, or unwilling participants in a shotgun wedding with foreign cartels. Mr. President, if the purpose of the representatives of our Government at the Bermuda Conference was not to negotiate for an invalid and unlawful agreement binding them to exercise authority which they do not possess, then clearly we have been witnessing the shotgun wedding of three American air carriers with a foreign cartel, and representatives of our State Department and our Civil Aeronautics Board have been helping to hold the shotgun.

Mr. President, I hope Senators will not dismiss this matter lightly on the ground that, after all, what is involved is only the question of whether the fare across the Atlantic by air shall be $275 or $375. Aside from the fact that very important principles are also involved, as I have tried to point out, it should also be remembered that the $100 difference in fare relates to just one person, going one way. Remember that probably 80 percent of trans-Atlantic air travel will originate in the United States. Consider the fact that conservative estimates of the traffic on the North Atlantic air lanes predict a quarter million round trips per year. On that basis, Mr. President, this $100 fare increase could cost the American traveling public $40,000,000 per year.

Mr. President, it is discouraging, to say the least, to see representatives of the Government of the United States exerting their influence in aid of an agreement for the benefit of a foreign nation and in derogation of the interests of the American public.

I want to be fair, and so I will say that I have heard it said in extenuation of the weak-kneed and subservient attitude being taken by our State Department and by the Civil Aeronautics Board, that they have no other choice. I have heard it said that the British have us over a barrel because of the fact that unless we give them what they want, they can deny to American air carriers the right to land in the British Isles. I suppose the same thing could be said, and perhaps has been said, with regard to the French and their ability to prevent American air carriers from landing in France. However that may be, Mr. President, and whatever the rights of Great Britain and France may be in that regard, in the light of existing agreements and international comity, those who make that plea in extenuation overlook a basic and material fact. What they overlook is the fact that London and Paris are no longer, per se, the capitals of the world. London and Paris can become whistle stops or branch-line terminals on the international airways of the world if Great Britain and France elect to make them so.

We do not have to fly to London, or to Paris. Mr. Welch Pogue, Chairman of the Civil Aeronautics Board, has testified that 10 foreign countries are earnestly and ardently seeking the location in those countries of the terminals of United States air lines. We are in no danger of being denied access to the European Continent, or even to the British Isles. We can land in Sweden; in Norway; in Belgium; in Ireland; in Spain; or in Italy.

It is my firm conviction that it means more to Great Britain to have United States air lines fly to London instead of to Ireland, than it means to us. Mr. President, we are being bluffed, in the best traditional British manner. We are being bluffed into a deal designed to tie the hands of American air carriers from now on. I say to the Senate we should call that bluff.

In spite of the weaknesses inherent in the present situation, fostered by the Civil Aeronautics Board, in which we are competing with ourselves as well as with foreign nations, our American-flag air lines might still have a chance to come out on top, or at least to hold their own against foreign competition, if they are given free and unhampered opportunity to pass on to the traveling public the savings which American efficiency and American know-how will make possible. But if their hands are tied, how can they possibly win?

Mr. President, the conference in Bermuda raises two points. One is the point of policy, what our national policy shall be, and who shall determine it. The other point is legality; the question of the legality or illegality of such an agreement as is now being considered at Bermuda.

It seems evident the time has arrived when the policy-making body of this Nation should have a voice in this matter. From the standpoint of sheer legality, the closest scrutiny should be given not only to the proposed Bermuda agreement, and to the implications of similar agreements to follow, but also to the attempt of agencies in the executive branch of the Government to usurp the policy-making function of the Congress with respect to international civil aviation. And with respect to our international aviation policy, the Congress should refuse longer to accept the ready-made edict of an administrative agency, or to tolerate the line-of-least-resistance reasoning of an appointed board, and should itself deal with this matter.

This is a job for the Congress, and for the Congress alone. Until the Congress has expressed itself, and has established our national policy with respect to international civil aviation, we have no such policy in the truest sense. At best, we can have only a de facto policy to be ascertained from the acts of our administrative and executive agencies and their officials. When the Congress has acted, and has established a policy, we shall know where we stand, and we shall have a yardstick to guide our dealings with foreign nations.

Mr. President, I have my own views on what our national aviation policy should be. Other Senators may have their own views. Members of the other House may view the matter in still a different light. But that is all the more reason why the Congress should act on this question, and determine it once and for all. When the Congress has established a policy, individual Members of this body, or of the other House, will be fully within their rights in working to change that policy, but not one of us would think of opposing it, while it remains the policy of the United States by

statutory enactment of the Congress. On the other hand, a Member of this body, or of the other House, is not only within his rights in opposing with all the force at his command the attempted illegal and improper exercise, by an executive agency of the Government, of powers constitutionally vested in the Congress; he is doing less than his sworn duty if he fails to oppose it.

FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed the consideration of the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry.

Mr. WILEY. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield to the Senator from Wisconsin.

Mr. WILEY. Mr. President, I was interested the other day in looking up a little history on the subject of filibusters, and I wish to say a few words in relation to that subject.

One of Wisconsin's great statesmen was Senator Robert M. La Follette, Sr., who, when I attended law school, fought valiantly for those great issues for which he thought he should fight. In 1908 he engaged in a 28-day filibuster against the Vreeland-Aldrich currency law, and spoke on that occasion for 18 hours continuously. Our former colleague and friend the late Senator Norris, who departed this life several years ago, and who once sat in the seat immediately in front of me, in 1914 engaged in a filibuster for approximately 31 days on a bill proposing to repeal the act exempting American vessels in the coastwise trade from the payment of tolls for passage through the Panama Canal

When the armed-ship bill came up in 1917 it was filibustered for 23 days. Engaged in that filibuster were Senator Robert M. La Follette, Sr., of Wisconsin, Senator Norris, Senator Clapp, of Minnesota, Senator Cummins, of Iowa, and others.

Thus one could go on through the years. In 1933 the antilynching bill was under consideration. Among those who filibustered on that occasion was the present Secretary of State, then Senator Byrnes.

The point on which I wish to speak for a few moments is this: When men, because of their convictions, fight valiantly for a cause, they should not be condemned. Senators will remember the general in the Battle of the Bulge in Belgium, when Hitler's troops unexpectedly smashed our lines. He was asked to surrender or die, and he said, "Nuts!" He was fighting for a cause. When Wainwright fought until his ammunition was gone, he was fighting for a cause.

The trouble is that when great causes are at stake smoke screens are thrown up. The purpose is to befog the issue. I question no Senator's right to filibuster. I have voted for cloture. In this instance I shall vote against cloture. Why? Because in my opinion this bill is a misnomer. It is like many other high-sounding quack bills.

This is my position on the bill:

(a) I am against the bill.

(b) I am against the move to muzzle my southern colleagues who have been speaking against this bill.

I have probed the very depths of my convictions and come to these inescapable conclusions. Why?

1. BECAUSE THIS BILL IS A MISNOMER LIKE SO MANY OTHER HIGH SOUNDING NEW DEAL QUACK BILLS. IT WOULD NOT CREATE FAIR EMPLOYMENT PRACTICES BUT RATHER WOULD STIMULATE UNFAIR EMPLOYMENT PRACTICES

This bill is supposed to prevent discrimination by employers of more than six people and by unions, against any individual because of his race, creed, color, or national ancestry. Actually it would discriminate against a man simply because he was a member of a majority rather than a minority.

Let us take a simple example. Say an employer hires a white man rather than a particular colored men merely because the employer believes the particular white man is more able. The employer has no prejudice, as he ought not to have, against the colored man, but bases his decision simply on the fact that the colored man has less ability than the white man whom he is hiring. But the so-called Fair Employment Practice Commission created by this bill could step in and say: "You must fire the white man whom you have just employed. You must hire the colored man. We have been reading your mind and believe that you acted against the colored man because of prejudice." The employer could protest against this ruling of the Commission until doomsday. He would have to fight out the order in the court if he were so inclined. He would be risking fine and imprisonment if the court did not sustain him.

Can anyone call that fair? Of course not. This would be unfair to the employer. It would be unfair to the white man. It would be unfair to the colored man, because he should be considered on his own merits rather than on the basis of some special privilege because of the fact that he is a member of a minority.

I have said that this high-sounding bill is a misnomer. All that glistens is not gold; a rose by any other name smells as sweet, but a skunkweed called a rose still has an obnoxious odor. Senators will remember the old German legend of the Lorelei about which Goethe wrote. The sirens combed their golden hair on the rocks and lured sailors to destruction. Let us beware of the siren voices of those who would lure us away from our free way of life.

So when great issues are debated the question is not that of calling names. On next Tuesday I expect to speak in Louisville, Ky., in memory of a great American. He said that he noticed, in the trial of a lawsuit, that when a lawyer damned his opponent it was clear evidence that he had a damned poor case of his own.

That is the point I am getting at. The issue here is simple. Would this bill, if it were passed, do the job? I am convinced that it would not do the job. This bill would create prejudice instead of ending it. The bill is one more example of the worship of legislation as a fetish.

2. THIS BILL WOULD CREATE PREJUDICE INSTEAD OF ENDING IT

Take the instance I have just cited. The employer would be prejudiced against all colored men simply because he had been forced by the Government to hire one against his will. So, too, the white man who had been deprived of his employment unjustly, although he was more able, would be prejudiced against the colored man. Obviously, then, this bill would make for prejudice instead of ending it.

Let me make clear that I am absolutely against prejudice of any kind or form. I believe that we are all children of the same God and that we should be considered on the basis of our own individual abilities and natures rather than on the basis of what our faith is or who our fathers were or what the color of our skin is.

I have worked with my fellow citizens of all races and all creeds and colors—Catholics, Protestants, and Jews, white and black, men of every nationality. I have never judged them on any basis other than the basis I myself want to be judged by; namely, the standards of honesty, of loyalty, of industry, of ability.

I repeat, I am absolutely against prejudice, and that is why I am against this bill, because it would create prejudice.

3. THIS BILL IS ONE MORE EXAMPLE OF THE WORSHIP OF LEGISLATION AS A PANACEA

For 13 years now the people have been fooled into making a fetish of legislation. We have tried to solve every problem by legislation, and it simply cannot be done.

We cannot legislate brotherhood. That is a matter of education, of understanding, of faith.

Instead of worshipping the idol of legislation, we ought to go out in our individual lives and make a contribution to human brotherhood by our own individual thoughts and deeds.

Let me take a few moments on that point. What do I mean? The first commandant is: "Thou shalt have no other gods before me."

Men have worshiped many gods—golden calves, material success, and power. In the past 12 years one of the fetishes that has become a golden calf among our people is the fetish of legislation. Pass a law to make John Jones, a criminal, into an angel, and how far do we get? Pass a law that yonder desk shall raise wheat, and how far do we get? Pass a law that 2 times 2 equals 6, and how far do we get? Pass a law which would change any natural, physical, or chemical law, and how far do we get?

This bill, I repeat, is one more example of the worship of legislation as a panacea, making a fetish, out of legislative process.

Mr. President, as I have said, I have no prejudice against any human being of any class. I come from a State where there is little or no prejudice. In the past we have seen the days of the Ku Klux, which burned itself out. In the past few years I have seen a Government agency put fear into the minds of men.

4. THIS BILL WOULD CREATE A SUPER GESTAPO IN EVERY CORNER OF OUR LAND, A GESTAPO WHICH WOULD DESTROY THE CONSTITUTIONAL RIGHTS OF AMERICAN CITIZENS, WHICH WOULD DRAIN THE FEDERAL TREASURY OF NEEDED REVENUE, WHICH WOULD MAKE LIFE MISERABLE FOR COUNTLESS EMPLOYERS, WHICH WOULD BE A DANGEROUS INSTRUMENT IN THE HANDS OF SPITEFUL AND VICIOUS INDIVIDUALS AND BUSINESS COMPETITORS

This bill would be a dangerous instrument for statism. By it, the State bureaucracy could get a stranglehold over big and little business. We know that there are many collectivists in our midst who would want to nationalize our industry. This bill would be an entering wedge for such nationalization. Surely, we have not forgotten how the bureaucratic agency known as WPA became mired deep in the muck of political activities. The same thing would probably happen to the FEPC. Such a situation must not be allowed to come to pass.

I invite attention to section 10–a of the bill which reads as follows:

> The Commission is empowered to prohibit any person from engaging in any unfair employment practices. (a) Whenever it is alleged that any person has engaged in any such unfair employment practices the Commission or any referee, agent, or agency designated by the Commission which have power to issue and caused to be served upon such person a complaint stating the charges.

The bill defines unfair practices for the employer as refusing to hire or discharging any person or discriminating against any person in compensation or other terms of condition of employment on account of race, creed, color, nationality, origin, or ancestry. Cannot one see what this would lead to?

A spiteful individual having a grudge against a particular employer could go to the local gestapo. This spiteful individual could there lodge a complaint against the particular employer for allegedly practicing discrimination. This would start the whole complicated and costly legal machinery of the FEPC into motion. Who could foretell the eventual outcome? The employer might be forced into bankruptcy or into disrepute in his particular community. Yet in the long run he may be proved entirely innocent of the false charges against him.

If Senators could see the hundreds of letters which have come to my office from small businessmen in relation to OPA, they would appreciate the force of the point I am making. The letters have been written by men who during the war period have been striving to make ends meet. In some instances they have made minor mistakes, but Government agents, with no concept of the fact that they were agents and servants, have acted as though actuated by a master complex. Men have been filled with fear. They have been dragged into court and fined by the hundreds.

Senators will remember WPA. What a disintegrating influence that was upon the industry of the American citizen. We all know what it did to men who wanted to get a hold on the public faucet.

If we interpret the pending bill literally, it says, in substance, to any individual who employs six or more persons, "You must hire whom the Government says." Would that help any group? Suppose A were not hired—call him black, white, Protestant, Jew, Catholic, or of any race—but suppose B were hired. Under the bill A would not even have to complain; anyone could file a complaint. When a complaint was filed, the machinery of government would begin to operate. Then what would happen? The employer would be summoned to appear. Suppose he had no prejudice, but suppose he were found by the Government agent to have prejudice. The bill contains no provision by which B would be taken care of. B would be let out. A would be put to work. How would the employer feel? How would you feel, Mr. President, if you were the employer?

But that is not all. What would happen to the employer who did not hire the worker whom the Government agent said he should hire? The employer could be dragged through the Federal courts. But suppose he had a competitor who wanted to put him out of business, and suppose complaints were filed repeatedly. Suppose a labor racketeer did not like the employer and kept on complaining, and suppose the agents of the Government continued to call at the employer's establishment and inspect his books, and suppose they continued to find him guilty of discrimination and continued to fine him. Mr. President, do you not see what I have in mind? In other words, this bill is not what it is called. It is not a fair employment practice bill. I am in favor of fair employment practices. Everyone knows that there is prejudice in the human breast, but no law-making body can legislate brotherhood any more than it can legislate love.

I need not discuss in detail the historical background of this matter. Never in the history of the United States, from the days of the founding fathers, was it contemplated that the Government should be able to tell an employer of six or more persons whom he should employ—except as a condition applying to a contract with the Government. Mr. President, if the Government can tell an employer of six or more persons whom he should employ, why should it not be able to dictate in the same way to an employer of only one person? If the bill is good as to those who employ six persons, why is it not good as to those who employ only one person? If the bill is passed, in a short time, it will be amended accordingly. If it could be found that that one person was incidentally engaged in interstate commerce, the employer of that person might be told whom he should employ.

I know there will be those who will say, "fascist." But that is no argument. There will be those who say that many of us are prejudiced against the Negroes. Mr. President, I have talked to the Mu-So-Lit Club, here in this great city. I have never heard more beautiful language or finer expression of English. I have sat down at the table with black and with Jew. Why should I not? Am I any better than they? No.

I wish all America could get rid of prejudice and of the misrepresentation which has gone out over this great land of ours. I wish our people—those who have telegraphed and written—would read the bill. The other night one person called me saying, "Pass the fair employment practice bill. Senator, I want you to vote for this fair employment practice bill."

I said to him, "Have you read the bill?"

"No," he said.

"And you are telling me to vote for something that you have not even read?"

"Yes," he said, "I am ashamed to say that is so. But I have heard over the radio and I have read in the columns of the newspapers that many men are against fair employment practices."

Mr. President, there is not a Member of the Senate who is against fair employment practices. But that is not the issue. The issue is, Does this bill provide for fair employment practices or, as I have said, is its title a misnomer?

5. A MOVE TO MUZZLE MY SOUTHERN COLLEAGUES WOULD BE UNTHINKABLE FOR ME BECAUSE I WOULD NOT VOTE FOR THIS BILL WHICH THEY ARE TRYING TO DEFEAT

Let me make this clear. I have voted for motions to end filibusters, the so-called cloture motions, in the past. I may vote for such cloture motions on other occasions and in respect to other bills in the future. But that is something which must be decided in each individual case. I cannot vote at this time for the cloture motion because I cannot vote for this bill.

There has been much loose talk against the filibuster as a parliamentary device. In the past the filibuster has often proven a valuable constitutional instrument for preventing the enactment of hasty, unseasoned, and ill-considered legislation. In view of all this, I must take my stand in opposition to the cloture motion and to this bill.

Mr. President, I feel that any move to muzzle debate by anyone on the floor of the Senate is unthinkable. There are many arguments pro and con. I have referred to some of the so-called greatest liberals and I have spoken of how they fought for their convictions. Is it wrong in the United States or anywhere else for men to have convictions and to fight and die for them? It was not so a few months ago on the battlefields of the world, and it will not be so again.

The Senate of the United States is made up of men, no two of whom have the same economic, political, social, racial, and geographical backgrounds. It is only natural, therefore, for these men to approach such a problem as the present one from different angles. I, who come from the Middle West, might not see the problem in the same light as would one who comes from New York City or the South. But I have to be guided by my own judgment.

This is no time to indulge in wordy warfare. Such a practice never leads to truth. Let me say that I credit every Senator with being honest. I do not question his motive or his judgment.

Please understand as I have said, that we all realize that in this great body there are no two men who have the same economic, social, political, racial, religious, and geographic backgrounds. If that be true, it manifestly follows that no two members of the Senate will take precisely

the same views on all subjects. Thank God for that, because here in the Senate we see in operation the fundamental American philosphy of the maintenance of a system of checks and balances. Under that system if there is a current running one way and if it has a tendency to go to extremes, someone checks it and sends it back in the other direction. We do not want to go away to the left; we do not want to go away to the right. We wish to preserve the Constitution and the Bill of Rights. We wish to preserve them, not so much for ourselves—because we shall have only a few years here and our voices will not long be heard—but for our children and grandchildren. We want them to have the same opportunities we have had.

Recently, I read a great book, The Life of George Washington Carver. No man, white or black, has done more for the South than that black man has. He infused into the economy of the South a new blood stream. When we read his book we understand how he did it. He did it by using his talents to develop new uses for the commodities already available to the South. He found hundreds of new uses for peanuts and various vegetables. He made tremendous contributions to the science of agriculture.

Likewise, we could speak of Booker T. Washington. He also made a great contribution. But a discussion of what he and other outstanding members of his race have contributed to the economy of the United States is really not relevant to this discussion. The point is, shall every employer of labor be put into a position where he can be hounded? Shall we create a government gestapo which will make life perfectly miserable for the men who produce and create and build? That is the issue.

Most of us remember the story of the old colored man who, during the depression, had no home to go to. He wandered up and down the highways and byways of the Southland. He had no place to rest his head. Mr. President, once there was a white man like that; He was called Jesus of Nazareth, and of Him it was said that He was so poor that He had no place to put his head.

This colored man roamed up and down the Southland. One day he was told, "Mose, you can go up there in that half-acre lot. There is an old shack there that you can live in." Mose went there, and he found that the shack was in very bad condition. The windows were broken, the shutters were about to fall off, the doors were falling off their hinges, and the roof was caved in. The half-acre lot was filled with stones, vines, and weeds. But Mose went to work. By the next spring, Mose had fixed up the little shack. He had put the doors back on the hinges; he had repaired the windows and the roof, and he had painted the little building. Roses were climbing over it. Out in the half-acre lot the weeds and rocks were gone. Flowers were blooming there. Just about then the old colored parson came by. He said, "Mose, you and the Lord is sure done a good job here." Mose replied, "Parson you should have seen it when the Lord had it alone."

Mr. President, that little story exemplifies a fundamental bit of America's success. That colored man, not by legislation but by work and industry, did the job. So in adherence to Christian principles, every individual recognizing that it is man's obligation not only to love his God, but to love his fellow man as well, will we find the proper solution. But when we are told from the housetops, by those who try to create schism and hatred, that the correct way is the legislative way, I have a conviction that says, "No; you cannot do it the legislative way."

It was work by Mose that eradicated the weeds; it requires work by each of us to eradicate prejudice.

CONCLUSION

I know, Mr. President, that my position in opposition to the FEPC will be misrepresented, that I will be denounced as having prejudice against my fellow citizens. But I hope through this statement that I may reach the minds of those fair-minded citizens who will clearly evaluate the reasons which I have presented.

May I say in conclusion that my own State of Wisconsin has considered legislation of this sort and after careful review has decided that such legislation would only serve to stimulate inequity, prejudice, and discrimination.

In the light of all this, I must take my stand in opposition to this unconstitutional, un-American, and prejudice-making bill.

The inalienable rights of American citizens have already been whittled away to a dangerous extent without any resultant good to the Nation. I cannot aid and abet that unconstitutional process. I shall do all that is within my humble power to reverse that process and restore to every American his full rights.

Mr. ELLENDER. Mr. President, just before the Senate recessed yesterday I was discussing the arrests which were made in the city of Cincinnati during the year 1938. I was attempting to show the difference between the number of arrests which were made in northern cities, and those which were made in southern cities. I presented facts which indicated that, although we in the South have a colored population which is 3 times greater than that in the North, yet the colored population of the North commit more crimes than are committed by the colored population residing in the South. I think that the comparison which I made between the cities of Washington and New Orleans should be studied in order that it may be seen that we in the South feel that we are more capable of handling the Negro problem than are the people in the North.

I now desire to continue to show the number of arrests which were made in the city of Cincinnati during the year 1939. It will be recalled that the crimes, a record of which has been made, include murder, manslaughter, rape, robbery, aggravated assault, burglary, larceny, and auto theft.

As I stated yesterday, in the city of Cincinnati the colored people constitute 11 percent and the white population 89 percent of the entire population; yet 11 percent of the colored people commited more of the crimes to which I have referred than did the 89 percent of the remaining population, or, in other words, the whites.

In the case of murder and manslaughter, the whites committed 12 such crimes during 1939 in the city of Cincinnati while the Negroes committed 36. Bear in mind, Senators, that the proportion of the population is 11 for the colored and 89 for the white. For the other crimes the figures are as follows:

Rape, whites 19, Negroes 12; robbery, whites 114, Negroes 158; aggravated assault, whites 40, Negroes 130; burglary, whites 284, Negroes 335; larceny, whites 662, Negroes 666; auto theft, whites 124, Negroes 57.

Rate per 10,000 population, whites 31, Negroes 290.

In other words, for each white man who committed a crime in the categories to which I have referred, 9.4 Negroes committed similar crimes in Cincinnati. The figures which I have given are for the year 1939, and it will be noted that the ratio as between colored and white runs pretty steadily in all the northern cities. Of course, there are some years in which the ratio is greater, just as in Cincinnati, but in most years the ratio is 1.7 to about 9 in the cities of Cincinnati and St. Louis, as I indicated yesterday.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Cincinnati, 1939

	Whites	Negroes	Total
Murder, Manslaughter	12	36	48
Rape	19	12	31
Robbery	114	158	272
Aggravated assault	40	130	170
Burglary	284	335	619
Larceny, theft	662	666	1,328
Automobile theft	124	57	181
Total	1,255	1,394	2,649
Rate per 10,000 population	31	290	

Population:	
White (89 percent)	403,112
Colored (11 percent)	47,818
Total	450,930
Other	230
Total	451,160

Crime figures taken from the Annual Report of Division of Police, Department of Safety, City of Cincinnati, 1939.

Population figures taken from 1930 census (U. S. Bureau of the Census).

Mr. ELLENDER. I now have before me a table of the arrests made in the city of Cincinnati during the year 1940. I may state that the population ratio has changed somewhat, as indicated by the 1940 census. It will be recalled that according to the 1930 census the ratio was 89 to 11. For 1940 the whites constituted 87.8 percent of the entire population and the Negroes constituted 12.2 percent of the entire population.

In other words, there was a gain of approximately 1.2 percent. But that gain affected the ratio, it would seem,

only slightly. In examining the figures I note that the lowest ratio was 7.9.

I now read from the table of figures with reference to 1940.

Murder and manslaughter, whites 19, Negroes 33; rape, whites 25, Negroes 11; robbery, whites 95, Negroes 138; aggravated assault, whites 36, Negroes 119; burglary, whites 257, Negroes 267; larceny, whites 591, Negroes 675; auto theft, whites 98, Negroes 72.

Rate per 10,000 population, whites 16, Negroes 191.

Stated in another way, the figures show that each time a white person committed any of the crimes in the categories I have mentioned, Negroes committed 11.9 crimes, or, a ratio of almost 12 to 1.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Cincinnati, 1940

	Whites	Negroes	Total
Murder, Manslaughter	19	33	52
Rape	25	11	36
Robbery	95	138	233
Aggravated assault	36	119	155
Burglary	257	267	524
Larceny, theft	591	675	1,266
Auto theft	98	72	170
Total	1,121	1,315	2,436
Rate per 10,000 population	16	191	

Population:	
White (87.8 percent)	719,811
Colored (12.2 percent)	69,315
Total	789,126
Others	183
Total	789,309

Crime figures taken from the Annual Report of Division of Police, Department of Safety, City of Cincinnati, 1940.

Population figures taken from 1940 census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, I have some figures relating to some of the southern cities. I do not mean to say that the white people of the South commit more crimes than do the white people of the North, or vice versa, but the ratio as between the whites and the Negroes in the southern cities, such as in New Orleans, and in Houston, has been about 1 to 2.1, or more. In other words, every time a white man committed a crime in the categories which are shown in the table from which I have read, 2.5 colored men committed similar crimes, and in the North the ratio runs as high as 13.6.

I shall now proceed with the figures for Cincinnati for the year 1941:

Murder and manslaughter, whites 18, Negroes 41; rape, whites 27, Negroes 21; robbery, whites 69, Negroes 203; aggravated assault, whites 49, Negroes 139; burglary, whites 167, Negroes 211; larceny-theft, whites 557, Negroes 638; auto theft, whites 118; Negroes 57.

Total, whites, 1,005; Negroes, 1,310.

In other words, the white population, constituting 87.8 percent of the whole, and the colored 12.2 percent, committed 305 less of the crimes than did the colored people.

The rate per 10,000 was, whites 14; Negroes, 190, or a ratio of 1 white to 13.6 colored.

Mr. President, I ask unanimous consent that the table be inserted in the RECORD.

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Cincinnati, 1941

	Whites	Negroes	Total
Murder, Manslaughter	18	<1	59
Rape	27	21	48
Robbery	69	203	272
Aggravated assault	49	139	188
Burglary	167	211	378
Larceny, theft	557	638	1,195
Automobile theft	118	57	175
	1,005	1,310	2,315
Rate per 10,000 population	14	190	

Population:	
White (87.8 percent)	719,811
Colored (12.2 percent)	69,315
Total	789,126
Others	183
Total	789,309

Crime figures taken from the Annual Report of Division of Police, Department of Safety, City of Cincinnati, 1941.

Population figures taken from 1940 census (U. S Bureau of the Census).

Mr. ELLENDER. Mr. President, these figures are significant, and I hope the people of the country will study them. I have stated on this floor on many occasions that we of the South know how to handle the Negro. We of the South, I think, are better friends of the colored people than are the people of the North. If let alone, the progress of the colored people which we have maintained for the past 25 or 30 years will be continued. We were unable to do more because of our economic condition.

During my own lifetime I have seen gradual progress from year to year. There was a time in my State when there were no high schools for colored people, because we could not afford them, but today our whole State is dotted with them. We have several Negro colleges in the State, and we have provided for the colored by way of establishing throughout the State six fine hospitals, which are maintained by the State, and in all of them the colored people are treated to the same extent and by the same doctors as are the white people.

Mr. President, as I stated yesterday and the day before, I do not mean to say that if this bill were enacted it in itself would stop progress, but it would be a step in the wrong direction. We have been taking care of the situation in the South on a more or less voluntary basis. The bill if enacted would simply be a trouble maker, and would impede the fine progress of the white people of the South in their efforts to aid the colored people.

In my State there is no agitation among the colored people that I know of for a bill of this nature. It is brought forward by virtue of the "brain trust," as I stated, located here in Washington, composed of a few colored leaders, about 25, as I pointed out to the Senate day before yesterday.

These 25 colored leaders preach that they represent 13,000,000 of their kind. If the truth were known, I doubt if as many as 1 percent of the colored people of the Nation know what all this is about. They are being mulcted out of fees here and there to maintain a lobby in Washington with a view of having certain legislation passed, or preventing certain legislation which may affect the colored race.

Many of my good colleagues, for whom I have much respect, are prone at times to listen to the wailing of some of the groups who are in Washington trying to agitate and threatening that unless so-and-so is done "we will remember you at the polls next November."

Mr. President, I shall continue with the figures as to arrests in the city of Cincinnati for the year 1942. I notice that the distinguished Senator from Illinois [Mr. LUCAS] is present, and Cincinnati happens to be quite close to his State. I tried to get figures for the city of Chicago, but I could not obtain them. I am satisfied that the figures as to the city of Chicago would probably be as bad as those with reference to the city of Cincinnati, or perhaps worse.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LUCAS. Since the distinguished Senator from Louisiana has referred to the Senator from Illinois in speaking of certain conditions in Cincinnati, Ohio, I happen to notice the senior Senator from Ohio [Mr. TAFT] present in the Chamber. I think he lives in Cincinnati. If the Senator has anything he wishes to discuss with me about Chicago, I shall be glad to join in the debate with him.

Mr. ELLENDER. I hope the Senator will not misunderstand me. I merely mentioned the Senator's name to show that he was present. I called the attention of the distinguished Senator from Ohio to these figures yesterday, and we had a brief colloquy at that time.

Mr. LUCAS. As I understand, this is a filibuster, and it would not do any harm to call his attention to the same figures again.

Mr. ELLENDER. Not at all. As a matter of fact, I notice the presence of the distinguished Senator from California [Mr. KNOWLAND], who has been a constant attendant, and I commend him for it. Of course, I know he appreciates the great speech I am making, and I assume that is why he is present. I also notice that the Senator from Nebraska [Mr. BUTLER] is present, as well as the Senator from Ohio [Mr. TAFT], the Senator from Kentucky [Mr. BARKLEY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Alabama [Mr. HILL], the Senator from Delaware [Mr. TUNNELL], and and the Senator from New Mexico [Mr. HATCH].

Mr. HATCH. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. HATCH. It was not necessary for the Senator to call my name today to do me the favor of showing that I was present. He did that yesterday.

Mr. ELLENDER. The Senator is correct. Of course, I know that many of

my colleagues are unable to be present because of the huge amount of work they have before committees. I realize that.

Mr. LUCAS. Will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LUCAS. I merely wanted to say to the Senator that he is disturbing the Senator from New Mexico [Mr. HATCH] very much, because the Senator from New Mexico is writing a speech, and really the speech of the Senator from Louisiana is rather disturbing some serious thoughts on the part of the Senator from New Mexico. I know it will help the Senator from New Mexico to have the Senator from Louisiana conclude.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. BARKLEY. I should like to bring up a conference report at this time.

Mr. ELLENDER. Will the Senator permit me to get through with these figures? I have just a few more pages. It will take me but a few minutes.

Mr. BARKLEY. Very well.

Mr. ELLENDER. I now turn to the figures of arrests in the city of Cincinnati for the year 1942, with the population ratio the same, 87.8 percent white and 12.2 percent colored.

Murder and manslaughter, whites, 14, Negroes, 39; rape, whites, 23, Negroes, 23; robbery, whites, 72, Negroes, 162; aggravated assault, whites, 60, Negroes, 139; burglary, whites, 248, Negroes, 218; larceny-theft, whites, 539, Negroes, 534; auto theft, whites, 116, Negroes, 42.

Total: whites, 1,072; Negroes, 1,157.

Rate per 10,000 population: whites, 15, Negroes, 168; or 1 white to 11.2 colored.

I ask unanimous consent that the table be inserted in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Cincinnati, 1942

	Whites	Negroes	Total
Murder, Manslaughter	14	39	53
Rape	23	23	46
Robbery	72	162	234
Aggravated assault	60	139	199
Burglary	248	218	466
Larceny, theft	539	534	1,073
Automobile theft	116	42	158
Total	1,072	1,157	2,229
Rate per 10,000 population	15	168	

Population:	
White (87.8 percent)	719,811
Colored (12.2 percent)	69,315
Total	789,126
Others	183
Total	789,309

Crime figures taken from Annual Report of the Division of Police, Department of Safety, City of Cincinnati, 1942.

Population figures taken from 1940 census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, I now turn to the figures for the city of Cincinnati for 1943.

Murder-manslaughter, whites, 19, Negroes, 30; rape, whites, 23, Negroes, 19; robbery, whites, 83, Negroes, 134; aggravated assault, whites, 72, Negroes, 119; burglary, whites, 390, Negroes, 245; larceny-theft, whites, 648, Negroes, 456; auto theft, whites, 116, Negroes, 43.

Total: Whites, 1,351; Negroes, 1,046.

Rate per 10,000 population: Whites, 19, Negroes, 151. The ratio is 7.9 Negroes to 1 white.

I ask unanimous consent that the table be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Cincinnati, 1943

	Whites	Negroes	Total
Murder, Manslaughter	19	30	49
Rape	23	19	42
Robbery	83	134	217
Aggravated assault	72	119	191
Burglary	390	245	635
Larceny, theft	648	456	1,104
Automobile theft	116	43	159
Total	1,351	1,046	2,397
Rate per 10,000 population	19	151	

Population:	
White (87.8 percent)	719,811
Colored (12.2 percent)	69,315
Total	789,126
Others	183
Total	789,309

Crime figures taken from Annual Report of the Division of Police, Department of Safety, City of Cincinnati, 1943.

Population figures taken from 1940 census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, I may say that, as shown by the records I have which extend from 1936 to 1944, 1943 and 1944 are the only years in which the whites committed more crimes than did the Negroes; but the ratios were 7.9 colored to 1 white in 1943, as I have just indicated, and 8 colored to 1 white in 1944.

I shall now give the figures for arrests in the city of Cincinnati in 1944.

Murder and manslaughter, whites, 16, Negroes, 33; rape, whites, 40, Negroes, 24; robbery, whites, 82, Negroes, 94; aggravated assault, whites, 81, Negroes, 133; burglary, whites, 321, Negroes, 208; larceny and theft, whites, 681, Negroes, 511; auto theft, whites, 144, Negroes, 54.

Total of arrests in Cincinnati in 1944: Whites, 1,368; Negroes, 1,057.

Rate per 10,000 of population: Whites, 19; Negroes, 153; or on a ratio basis of 1 white to 8 colored.

Mr. President, I ask that the table showing the number of arrests in the city of Cincinnati in 1944 be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Cincinnati, 1944

	Whites	Negroes	Total
Murder, Manslaughter	16	33	49
Rape	40	24	64
Robbery	82	94	176
Aggravated assault	81	133	214
Burglary	324	208	532
Larceny, theft	681	511	1,192
Automobile theft	144	54	198
Total	1,368	1,057	2,425
Rate per 10,000 population	19	153	

Population:	
White (87.8 percent)	719,811
Colored (12.2 percent)	69,315
Total	789,126
Others	183
Total	789,309

Crime figures taken from Annual Report of the Division of Police, Department of Safety, City of Cincinnati, 1942.

Population figures taken from 1940 Census (U. S. Bureau of the Census)

Mr. ELLENDER. Mr. President, that completes the picture insofar as the city of Cincinnati is concerned. I shall continue, since the Senator from Kentucky is not at the moment present on the floor, but I wish to say that I shall gladly yield to him when he returns, if thereby I do not lose my right to the floor.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TAFT. I think the Senate majority leader is ready to proceed. If the Senator will yield to me for the purpose, I shall suggest the absence of a quorum.

Mr. ELLENDER. Mr. President, I yield for that purpose provided I do not thereby lose my right to the floor.

Mr. TAFT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Myers
Austin	Hawkes	O'Daniel
Bailey	Hayden	Overton
Ball	Hickenlooper	Radcliffe
Bankhead	Hill	Reed
Barkley	Hoey	Revercomb
Bilbo	Huffman	Robertson
Bridges	Johnson, Colo.	Russell
Briggs	Johnston, S. C.	Saltonstall
Buck	Kilgore	Shipstead
Bushfield	Knowland	Smith
Butler	La Follette	Stanfill
Byrd	Langer	Stewart
Capehart	Lucas	Taft
Capper	McCarran	Taylor
Carville	McClellan	Thomas, Okla.
Cordon	McFarland	Thomas, Utah
Downey	McKellar	Tobey
Eastland	McMahon	Tunnell
Ellender	Magnuson	Tydings
Ferguson	Maybank	Walsh
George	Mead	Wheeler
Gerry	Millikin	Wherry
Gossett	Mitchell	White
Green	Moore	Wiley
Guffey	Morse	Willis
Gurney	Murdock	Wilson
Hart	Murray	

The PRESIDENT pro tempore. Eighty-three Senators having answered to their names, a quorum is present.

FULL EMPLOYMENT ACT OF 1946—CONFERENCE REPORT

Mr. BARKLEY. Mr. President, I ask the Senator from Louisiana to yield to me in order that I may submit a conference report on the full-employment legislation.

The PRESIDENT pro tempore. Does the Senator from Louisiana yield for that purpose?

Mr. ELLENDER. I yield with the understanding that I do not thereby lose my right to the floor.

Mr. BARKLEY. Mr. President, I submit a conference report which I send to the desk and ask to have read.

The PRESIDENT pro tempore. The report will be read.

The Chief Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 380) to establish a national policy and program for assuring continuing full employment and full production in a free competitive economy, through the concerted efforts of industry, agriculture, labor, State and local governments, and the Federal Government, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Employment Act of 1946'.

"DECLARATION OF POLICY

"SEC. 2. The Congress hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means consistent with its needs and obligations and other essential considerations of national policy, with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power.

'ECONOMIC REPORT OF THE PRESIDENT

"SEC. 3. (a) The President shall transmit to the Congress within sixty days after the beginning of each regular session (commencing with the year 1947) an economic report (hereinafter called the 'Economic Report') setting forth (1) the levels of employment, production, and purchasing power obtaining in the United States and such levels needed to carry out the policy declared in section 2; (2) current and foreseeable trends in the levels of employment, production, and purchasing power; (3) a review of the economic program of the Federal Government and a review of economic conditions affecting employment in the United States or any considerable portion thereof during the preceding year and of their effect upon employment, production, and purchasing power; and (4) a program for carrying out the policy declared in section 2, together with such recommendations for legislation as he may deem necessary or desirable.

"(b) The President may transmit from time to time to the Congress reports supplementary to the Economic Report, each of which shall include such supplementary or revised recommendations as he may deem necessary or desirable to achieve the policy declared in section 2.

"(c) The Economic Report, and all supplementary reports, transmitted under subsection (b), shall, when transmitted to Congress, be referred to the joint committee created by section 5.

"COUNCIL OF ECONOMIC ADVISERS TO THE PRESIDENT

"SEC. 4. (a) There is hereby created in the Executive Office of the President a Council of Economic Advisers (hereinafter called the 'Council'). The Council shall be composed of three members who shall be appointed by the President, by and with the advice and consent of the Senate, and each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret economic developments, to appraise programs and activities of the Government in the light of the policy declared in section 2, and to formulate and recommend national economic policy to promote employment, production, and purchasing power under free competitive enterprise. Each member of the Council shall receive compensation at the rate of $15,000 per annum. The President shall designate one of the members of the Council as chairman and one as vice chairman, who shall act as chairman in the absence of the chairman.

"(b) The Council is authorized to employ, and fix the compensation of, such specialists and other experts as may be necessary for the carrying out of its functions under this Act, without regard to the civil-service laws and the Classification Act of 1923, as amended, and is authorized, subject to the civil-service laws, to employ such other officers and employees as may be necessary for carrying out its functions under this Act, and fix their compensation in accordance with the Classification Act of 1923, as amended.

"(c) It shall be the duty and function of the Council—

"(1) to assist and advise the President in the preparation of the Economic Report;

"(2) to gather timely and authoritative information concerning economic developments and economic trends, both current and prospective, to analyze and interpret such information in the light of the policy declared in section 2 for the purpose of determining whether such developments and trends are interfering, or are likely to interfere, with the achievement of such policy, and to compile and submit to the President studies relating to such developments and trends;

"(3) to appraise the various programs and activities of the Federal Government in the light of the policy declared in section 2 for the purpose of determining the extent to which such programs and activities are contributing, and the extent to which they are not contributing, to the achievement of such policy, and to make recommendations to the President with respect thereto;

"(4) to develop and recommend to the President national economic policies to foster and promote free competitive enterprise, to avoid economic fluctuations or to diminish the effects thereof, and to maintain employment, production, and purchasing power;

"(5) to make and furnish such studies, reports thereon, and recommendations with respect to matters of Federal economic policy and legislation as the President may request.

"(d) The Council shall make an annual report to the President in December of each year.

"(e) In exercising its powers, functions; and duties under this Act—

"(1) the Council may constitute such advisory committees and may consult with such representatives of industry, agriculture, labor, consumers, State and local governments, and other groups, as it deems advisable;

"(2) the Council shall, to the fullest extent possible, utilize the services, facilities, and information (including statistical information) of other Government agencies as well as of private research agencies, in order that duplication of effort and expense may be avoided.

"(f) To enable the Council to exercise its powers, functions, and duties under this Act, there are authorized to be appropriated (except for the salaries of the members and the salaries of officers and employees of the Council) such sums as may be necessary. For the salaries of the members and the salaries of officers and employees of the Council, there is authorized to be appropriated not exceeding $345,000 in the aggregate for each fiscal year.

"JOINT COMMITTEE ON THE ECONOMIC REPORT

"SEC. 5. (a) There is hereby established a Joint Committee on the Economic Report, to be composed of seven Members of the Senate, to be appointed by the President of the Senate, and seven Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The party representation on the joint committee shall as nearly as may be feasible reflect the relative membership of the majority and minority parties in the Senate and House of Representatives.

"(b) It shall be the function of the joint committee—

"(1) to make a continuing study of matters relating to the Economic Report;

"(2) to study means of coordinating programs in order to further the policy of this Act; and

"(3) as a guide to the several committees of the Congress dealing with legislation relating to the Economic Report, not later than May 1 of each year (beginning with the year 1947) to file a report with the Senate and the House of Representatives containing its findings and recommendations with respect to each of the main recommendations made by the President in the Economic Report, and from time to time to make such other reports and recommendations to the Senate and House of Representatives as it deems advisable.

"(c) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

"(d) The joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings as it deems advisable, and, within the limitations of its appropriations, the joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants, to procure such printing and binding, and to make such expenditures, as it deems necessary and advisable. The cost of stenographic services to report hearings of the joint committee, or any subcommittee thereof, shall not exceed 25 cents per hundred words. The joint committee is authorized to utilize the services, information, and facilities of the departments and establishments of the Government, and also of private research agencies.

"(e) There is hereby authorized to be appropriated for each fiscal year, the sum of $50,000, or so much thereof as may be necessary, to carry out the provisions of this section, to be disbursed by the Secretary of the Senate on vouchers signed by the chairman or vice chairman."

And the House agree to the same.

That the title of the bill be amended to read as follows: "An Act to declare a national policy on employment, production, and purchasing power, and for other purposes."

ROBERT F. WAGNER,
ALBEN W. BARKLEY,
GEORGE L. RADCLIFFE,
ABE MURDOCK,
GLEN TAYLOR,
CHAS. W. TOBEY,
ROBERT A. TAFT,
Managers on the Part of the Senate.

CARTER MANASCO,
JOHN J. COCHRAN,
WILLIAM M. WHITTINGTON,
Managers on the Part of the House.

Mr. BARKLEY. I ask unanimous consent for the present consideration of the conference report.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to consider the report.

Mr. BARKLEY. Mr. President, I wish to make only a brief explanation of the conference report, which has already been agreed to by the House of Representatives, and which I am anxious to have agreed to by the Senate. As Senators are all aware, the Senate passed Senate bill 380, known as the full employment legislation, in which it declared a national policy on the question of employment, provided for the creation of a joint committee of the two Houses, and undertook to set a goal for employment, and production, and purchasing power, in order that we might never again be caught in a widespread unemployment situation without some previous effort to avert it, and to provide a method by which it could be met, if we could not avert it.

The difference in philosophy between the Senate and House bills was very marked, and it was not an easy task to resolve the differences between the two bills. The House of Representatives had in a large measure discarded the Senate bill and had written an entirely different bill. In the declaration of policy the House had restricted the area of the bill very considerably. It declared it to be the responsibility of the Federal Government to take an interest in employment, to avert unemployment, but largely to solve it by public expenditure for the construction of public works such as highways, flood control projects, river and harbor improvements, and other similar projects authorized and appropriated for by Congress.

It was not an easy matter to compose the differences between the two Houses on the question of policy. The House objected to the expression "full employment" because it carried with it the implication that every single human being in the United States, who was out of work at any given time, would be afforded employment by the Federal Government. That was never the intention of the Senate in the use of the expression "full employment" because we all know that there will always be times when there will be some unemployment. There will be frictional unemployment and transitory unemployment arising from the fact that workers are passing from one job to another. There never can be a time when every available human being will have a job. The House conferees took the position that if we used the word "full" it would carry with it an implied guaranty on the part of the Federal Government that if there were not employment for everyone at all times the Federal Government would step in and provide employment by some method to be paid for by the public.

Another question arose with respect to the use of the word "assured." When we first began to consider this legislation, as it was originally introduced the word "guarantee" was used, which carried the same implication. In the Committee on Banking and Currency of the Senate the word "guarantee" was changed to "assured." In the conference the word "assured" seemed to carry with it in the minds of the House conferees the same implication which was originally carried by the word "guarantee." So the House conferees would not agree to that word. The House conferees finally became convinced that in order to arrive at an agreement on the declaration of policy we would have to go further than merely declare the obligation of the Federal Government to spend money out of its Treasury to give people work in case of an emergency. So what we did was to write what I think is a better declaration of policy than was contained in either the Senate or the House bill. We shortened it very materially. Both in the House bill and in the Senate bill there were sections and subsections, and a great deal of repetitious language meaning the same thing. We worked out a declaration of policy which I think is much more easily understood, and which accomplishes the purpose of the two Houses and of the President in recommending the legislation. It is very brief, and I shall read it:

SEC. 2. The Congress hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means consistent with its needs and obligations and other essential considerations of national policy with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power.

So without using either the word "full" or the word "assured" we have written in the policy section language which it seems to me covers the entire scope and field within which the Federal Government might operate with all its policies, all its plans, and all its functions, in cooperation with industry, agriculture, labor, and State and local governments to create conditions under which maximum employment will be afforded—not only maximum employment, but maximum production and maximum purchasing power.

If we can by governmental policies create conditions under which those three things can take place, we shall have set a standard and a goal with respect to which I think no one can raise any serious objection.

The virtue of this section is that it is brief and covers the entire ground. It is free from subsections and long terminology which might be subject to misinterpretation. So I think the conferees really improved the declaration of policy, without yielding anything with respect to the obligation and responsibility of the Federal Government. The conferees have spelled out in that section what is equivalent to maximum possible employment, maximum production, and maximum purchasing power, all three of which must go together in order to afford what we have been pleased to call full employment.

The Senate bill provided, in section 3, that the President should make what was called a budgetary report to the Congress. The use of the word "budget" made it possible to confuse the economic budget referred to in this legislation with the President's annual budget sent to Congress, upon which we base our appropriations and outline the financial requirements of the Government for the ensuing fiscal year. In that section also there was a large amount of what we found later to be unnecessary terminology. The House bill, instead of setting up a budget and requiring the President to send an economic budget to the Congress annually, or as often as he might see fit to do so, provided in section 3 for an economic report. It seemed to the Senate conferees that the use of the term "economic report," in order that it might be differentiated from and not confused with the President's annual budget message, was a better term than the term used in the Senate bill. So we have provided in section 3 for what we call an economic report from the President. We provide as follows:

SEC. 3. (a) The President shall transmit to the Congress within 60 days after the beginning of each regular session (commencing with the year 1947) an economic report (hereinafter called the "Economic Report") setting forth (1) the levels of employment, production, and purchasing power obtaining in the United States and such levels needed to carry out the policy declared in section 2; (2) current and forseeeable trends in the levels of employment, production, and purchasing power; (3) a review of the economic program of the Federal Government and a review of economic conditions affecting employment in the United States or any considerable portion thereof during the preceding year and of their effect upon employment, production, and purchasing power; and (4) a program for carrying out the policy declared in section 2, together with such recommendations for legislation as he may deem necessary or desirable.

In other words, under those categories in the third section of the conference report the President is to make an economic report to Congress, reviewing the conditions which have existed in the previous year, the trends in employment, production, and purchasing power currently, together with any prospective viewpoint with respect to employment, production, and earning capacity or purchasing power, and any recommendations he may see fit to make to Congress to carry out the policies set forth in section 2.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. May I ask if there was any discussion in the conference committee as to the interpretation to be placed upon the words "economic program of the Federal Government"? I have in mind the question of a public-works program, and I have also in mind that during the war the Federal Government really went into industry and competed with industry. I take it that the words "economic program" could not be interpreted to mean or to imply in the future, possibly, that the Federal Government would go into business and compete with industry, and that sort of thing. I judge, rather, that the activities of the Federal Government under the authority granted would be confined to public works.

Mr. BARKLEY. Mr. President, there was considerable discussion in regard to the whole scope of what the Senate in its bill called the President's budget message, and what the House of Representatives, in its amendments, called the President's economic report. The House of Representatives in its amendments and the House conferees at the outset of the conference took the position that the Federal Government's responsibility and obligation did not go beyond actual public works of the nature I have mentioned, namely, highways, river-and-harbor developments, flood-control works, public buildings and so forth. But it was the theory of the Senate bill, which the House conferees accepted, that beyond the mere expenditure of money from the Treasury, there is a field which envisages a greater obligation on the part of the Federal Government in coordinating its policies, performing its functions and carrying out its plans, always emphasizing, as the bill does, policies which are calculated to foster and promote private industry, the competitive system which we so frequently discuss. For instance, in connection with the policy of the Government, toward trade matters, and in cooperation with labor and with agriculture, with industry, and with State and local governments, there is a responsibility more or less of a moral nature which goes beyond the mere expenditure of money out of the Treasury for public buildings, river-and-harbor projects, and similar matters. But in the conference discussion it was at no time understood that the Government of the United States, as a matter of policy under the section declaring our purpose, was to embark upon enterprises competitive with private factories, and so forth.

Of course, that could not be done anyway, unless Congress authorized it. If there should occur, as there did in 1932, 1933, and the following years, an acute depression accompanied by widespread unemployment, Congress then would have to determine what its policy would be with respect to the expenditure of money. But I do not think the Senator from Massachusetts or the Senate or the country should consider the war period as an analogy to be used and considered in connection with our effort to bring about economic conditions which will foster and promote employment to the fullest possible extent and production and purchasing power to the fullest possible extent, which is the goal of this legislation.

The Senate provided for the creation of a joint committee, to be composed of Members of the two Houses, for the purpose of considering the recommendations of the President and the reports of the Commission or Board.

The fourth section, following provision for the four categories of things on which the President would make his economic report to the Congress within 60 days from the beginning of each session of the Congress, provides for the creation of a Council of Economic Advisers to the President. In arriving at the provisions for creation of that Board, we acceded very substantially to the provisions of the House amendments. We finally agreed that there should be created in the Executive Office of the President a Council of Economic Advisers whose duty it should be to advise the President in connection with the preparation of his economic report to the Congress, that the President should appoint the three members of the Council by and with the advice and consent of the Senate, and that they should be persons who would be exceptionally qualified to analyze and interpret economic developments, to appraise the programs and activities of the Government in the light of the policy declared in section 2, and to formulate and recommend a national economic policy to promote employment, production, and purchasing power under free competitive enterprise. It is provided that the salaries of those outstanding men shall be $15,000 a year, because as we all know the Board must have excellent men if it is to function as it is expected to function in advising the President with respect to economic conditions and trends of employment and production and purchasing power, all of which we wish to have considered together, for all through the bill we have linked the questions of employment, production, and purchasing power, which we think must go together in order to bring about the economic conditions under which competitive enterprise may give the highest possible maximum of employment, as a result of the necessity for production and purchasing power.

Mr. SMITH. Mr. President, will the Senator yield for a question?

Mr. BARKLEY. I yield to the Senator from New Jersey.

Mr. SMITH. I have been considerably troubled by finding at some of the committee hearings which have been held that occasionally there is great diversity between the evidence given as to levels of employment, numbers of employees, and so forth. I am interested in knowing whether the members of the economic council would be the ones to determine what were the accurate figures in such respects, so that there would be no dispute.

Mr. BARKLEY. I can say to the Senator that it was the purpose of both the House of Representatives and the Senate, after getting together and in the process of getting together, to provide for the creation of a board whose members, by reason of their character and experience and training, would be able to report to the President accurate figures with respect to employment, unemployment, and all related subjects bearing on the problem we are seeking to solve. Whether anyone or any board can be accurate down to knowing about the last man who is unemployed, I suppose none of us knows, and none of us would be so exacting as to expect that. But the Board is to be set up to advise the President regarding all the conditions upon which he is to be required within 60 days from the beginning of each session of Congress to make his economic report to the Congress. We also have provided that the reports, as well as the recommendations made to the President, may become available to the joint committee which would be set up, for its information and benefit in determining both the facts relative to and the wisdom of any legislation or any policy which might be brought befor it for consideration.

Mr. SMITH. The economic report probably would be based, would it not, on the recommendations of the council?

Mr. BARKLEY. Yes.

Mr. SMITH. I am troubled by the fact that at our hearings we have frequently found differences of opinion in regard to what are the accurate figures. There have been differences between the figures submitted by the Department of Labor and the figures submitted by various other organizations. I am wondering whether it will be possible for us to satisfy the public as to what the trends are by providing for the creation of this Commission.

Mr. BARKLEY. It is true, as the Senator from New Jersey has said, that divergent figures have been given by the Bureau of Labor Statistics of the Department of Labor and various other organizations, through their boards and committees, and at any given time there has been a divergence of opinion as to the number of persons employed and the number of persons unemployed. We have provided for the creation of this Board and we have provided, we hope, for payment to its members of sufficient compensation to justify the employment and service of the best qualified men in the country to perform that task—to gather the facts and make the information official and to be as nearly accurate as any board composed of human beings can be.

Mr. SMITH. It would be a clearing house for such information, would it not?

Mr. BARKLEY. Undoubtedly.

Mr. SMITH. I thank the Senator.

Mr. BARKLEY. Because, of course, in arriving at their figures they would consult all elements in the country—industry, labor, and all other elements, as well as Government and State agencies.

Mr. SMITH. I thank the Senator.

Mr. BARKLEY. In discussing the next provision of the conference report, let me state that the Senate may remember that, in the Senate bill, provision was made for the creation of a joint committee of 30 members, 15 of them to be selected from the Senate and 15 to be selected from the House of Representatives. The House of Representatives provided in its amendment that the persons appointed by the Speaker should be the chairmen of various committees, as set out in the House amendment.

One of our first conclusions was that a joint committee of 30 would be entirely too large, and, then, there is always a question as to the efficacy of joint committees in dealing with legislation. We have had some unfortunate experiences in the Congress with respect to the creation of joint committees dealing with many subjects. We felt that there should be a joint committee of the two Houses to function in receiving and appraising the economic reports which, from time to time, the Congress will receive from the President and, through him, from the economic board which will be created. So we agreed upon a reduction of the number of members of

the joint committee from 30 to 14—7 to be selected from each House of Congress, the members selected to be appointed by the Presiding Officer of each House. We did not designate any committees from which he would appoint them, so he will be able to make his selections from the entire membership of the House concerned. We did provide that the respective party membership of the committee members from each House should be as nearly as possible in proportion to the majority and minority representation in each House. So we have reduced the number of members of the joint committee and we have made provision that the Speaker of the House and the Presiding Officer of the Senate shall have a free hand in making appointments to the joint committee.

In the main, those are the provisions of the conference report. We have shortened the bill very materially. We have made it simpler, without eliminating anything essential to the attainment of the goal of the highest possible maximum of employment of which our country and our economic system are capable.

Mr. President, I wish to say that the conferees from both sides of the Chamber, both Democratic and Republican, represented as far as possible the attitude of the Senate. Of course, the House conferees felt that it was their duty to represent the viewpoint of the House. But we eventually came to the conclusion that in view of the different philosophies of the two bills it was necessary to make concessions on both sides in order to arrive at a satisfactory conclusion. After we had discussed the matter for many days, the light began to break. The House conferees and the Senate conferees were very cooperative and very sincere in their effort to bring about legislation which would foster the highest possible employment, and link it up with production and purchasing power, all of which must go together in order to afford employment to the largest number of available persons throughout the country. So, by incorporating in section 2 of the bill the language, "for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power" we feel that we have gone as far as possible, and as far as we should be required to go in providing what may be called full employment. If there are any persons in this country who are unwilling or unable to work, this bill is not intended for them. The bill is intended for those who are willing, and able to work, and are seeking employment.

Mr. CORDON. Mr. President, I congratulate the conference committee on the job which it has done. I hope that the joint committee provided for in the conference committee's report will be as successful in performing the job assigned to it as the committee of conference has been in the task it has completed. However, that is beside the point.

Mr. BARKLEY. Mr. President, on behalf of the conferees I wish to thank the Senator for his generous comment.

Mr. CORDON. I note that the bill provides for a council of economic advisers to the President to consist of three members. I wonder if perhaps the conference committee had in mind the three great divisions of effort in this country, namely, agriculture, management or industry, and labor, and that perhaps it had the thought that in selecting the members of the council the President might be able to place upon it men each of whom would be well versed in one of the great divisions of effort to which I have referred. It would appear that if that were done, it would be a consummation devoutedly to be wished.

Mr. BARKLEY. Mr. President, the conferees discussed the very question to which the Senator has referred. Inasmuch as the council was to be within the executive department for the purpose of assisting the President in arriving at conclusions, after all the facts had been assembled on which he would base his report, it was felt that a council consisting of three members would be sufficient. We also discussed whether we should set out in the statute a provision that the President should make the appointments from three groups. We decided that if the law were to make it mandatory for the President to appoint a representative of each of the three groups, the appointees would automatically consider themselves as spokesmen and representatives of their respective groups, and that it would be more difficult for them to arrive at a consensus of opinion if they were made to believe they were acting merely as representatives of their respective groups.

Therefore, we left the President's hands free in looking over the country and in selecting men of experience and vision when making such appointments. The idea of the conferees was that in making these appointments without designating the appointees as representatives of groups, the President would choose men who would be able to speak in a broad way for all the people, and at the same time have adequate knowledge with reference to any particular segment of the population.

Mr. CORDON. Mr. President, I am in entire accord with the Senator's view that the President should not be limited in his selections. I hope, however, that the President will have in mind the three great economic divisions when he makes his selections.

Mr. BARKLEY. I thank the Senator.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. Of course, practically, these appointees would have the rank of cabinet officers.

Mr. BARKLEY. Yes.

Mr. TAFT. And while they might tend to represent one or another of the groups I should hope that they would be of such broad experience and knowledge that they would not be merely representatives of any particular group.

Mr. BARKLEY. The Senator is correct, and what he has stated was the feeling of the conferees. It was hoped that the appointees would be men of such outstanding ability and experience that they would be representing the whole country, and at the same time bring to the service of the council whatever experience they may have had in their respective callings.

Mr. CORDON. Mr. President, I am in accord with the views of the Senator from Ohio. I did not intend to convey in my brief remarks the suggestion that each of the members of the council should represent one of the great segments of effort in this country, but, rather, that it might be possible that one of them would be well versed and well informed with reference to one of the three great divisions of effort, so that the three would bring full and broad information with reference to the questions which might come before them.

Mr. BARKLEY. That was our viewpoint, and I think it was the unanimous viewpoint of the conferees on both sides.

Mr. President, that is all I have to say.

Mr. TAFT. Mr. President, as a member of the conference committee, and as one who has been struggling with the bill since last August, I am very glad to urge Members of the Senate on this side of the aisle to vote in favor of the conference report. I believe that if the bill had contained originally what it now contains it would have been passed by both Houses of Congress in one month. There is now nothing in the bill to which any Member of the Congress should take exception. I think the Senate conferees did the best they could do with the bill which had already been extensively modified in the Senate, but the House took the attitude, practically, that it would not make any substantial change, and that if we wanted any bill at all we had to agree substantially to this bill. So far as I was concerned, I was glad indeed to do so.

The conferences which were held by the conferees were fairly numerous. First of all, we were doubtful about the words "full employment." I voted rather reluctantly for the bill which finally passed the Senate, although it contained the words "full employment," because of the testimony of many persons who stated that although the words "full employment" were used, the bill did not mean exactly that. It was stated that always there are people who do not wish to work, and therefore "full employment" means only substantially full employment. I was willing to accept the change of language, and I did so. Therefore, there is now no full employment bill, and the bill which we now have before us allays all the fears of those who thought that the actual conditions were being misconstrued.

In the second place, the bill which passed the Senate contained the words "the right to work." From the beginning a violent controversy took place in the Senate as to whether there was such a thing as a right to work. It seemed quite obvious that under our economy there was no legal right to work. I voted for the bill in a slightly modified form, because the authors of the bill explained

that they did not mean to construe its language as a legal right to work, that that was not the meaning, and that it should not be so construed. So I took their word for it, although it seemed to me it was somewhat ambiguous, and we might be accused of fooling the people.

Those who have any doubt on that score may eliminate their doubt, because there is no right to work provided for anywhere in the conference-report bill.

The third controversy that arose, both in the committee and in the Senate, was over the word "assurance" or "guaranty" by the Government of a job. The distinguished Senator from Maryland [Mr. RADCLIFFE] was particularly concerned about such an assurance, which he thought could not be given by the Government as a practical matter, even if it wished to do so, and it would only be misrepresenting the situation if it were claimed such assurance was given.

Anyone who has any fear on that score n ed not vote against the conference report on that ground, because the word "assurance" is completely eliminated from the bill, and by the bill there is no longer any assurance of any kind pinned on the Government.

The original bill contained one thing about which I was most concerned, the provision embodying the so-called compensatory spending theory, by which we would figure up the number of jobs there would be—60,000,000 jobs—and how much income would be required to provide for them—$20,000,000,000. Then, if we found we were not going to get the money, a program was provided to make up the difference, the so-called compensatory spending theory. To some extent the Senate modified that provision by adopting my amendment proposing that if a spending plan were presented, a tax plan should be presented along with it to take care of it. It was not in very satisfactory language, but no one need be concerned any longer, because there is no provision for the compensatory spending theory, no suggestion in the bill anywhere that the Federal Government has to balance its budget to cover the difference caused by spending anywhere from five, to ten, to twenty billion dollars, as might be necessary to meet the calculations which were required by the original bill.

A national-budget idea suggested the same thought, and while I voted for the bill with the national-budget provision in it, I have some doubt as to the wisdom of the suggestion of a spending program to make up the so-called deficit in the Budget. Anyone who is concerned about that can be completely at ease, because the words "national budget" are completely eliminated from the bill, and all that is provided for in the bill is an economic report.

I do not think, either, that the Republicans on this side of the aisle need fear voting for the report because of apprehension that it might be construed as a victory for President Truman, because President Truman endorsed first the original bill containing all the provisions which have been completely eliminated. Then in his message of September 6, he said he wanted—

> A national reassertion of the right to work for every American citizen able and willing to work—a declaration of the ultimate duty of Government to use its own resources if all other methods should fail to prevent prolonged unemployment. These will help to avert fear and establish full employment. The prompt and firm acceptance of this bedrock public responsibility will reduce the need for its exercise.
>
> Full employment means full opportunity for all under the American economic system.

The "full employment" is eliminated, the "national reassertion of the right to work" is eliminated, and the bill does not bear any resemblance to the bill which was originally recommended.

On January 3 the President said:

> A satisfactory full employment bill was passed by the Senate. Another bill was passed by the House of Representatives which is not at all acceptable, and which does not accomplish any of the purposes sought.

There is a slight variation in the conference report bill from the House bill, but it is so slight that it can hardly be recognized. So that we regretfully gave up the full employment, we regretfully gave up the right to work, we gave up the assurance, but I am afraid that the President will have to accept a bill which is substantially the House bill, which he disapproved so strongly on January 3.

So I do not think any Republican need fear voting for the bill because of any apprehension that there is a victory in the passage of the full employment bill, because there is no full employment bill any more. The bill is one which I would have supported from the beginning. It is a bill which provides in effect that the Government shall take thought and shall provide the machinery for eliminating economic depression.

We create a Commission of three, who will have the duty of studying economics, determining how the law can be carried out, and making their report, and we declare a general policy of the Government to use all its means to bring about a prosperous condition so that people looking for work may expect to find work.

As I have said, if that had been the original character of the bill, I would have supported it from the beginning, and I think we would have passed the bill immediately with whatever good effect on the morale of the country we might have expected to obtain by the passage of the bill.

For the reasons I have stated, Mr. President, I very strongly hope that the Members of the Senate on this side of the aisle will support the conference report.

Mr. MURRAY. Mr. President, a little more than a year ago, a group of Senators joined me in sponsoring legislation to commit the Federal Government to a policy of maintaining full employment in a free competitive economy. At that time, we were still engaged in all-out war against the Axis Powers—Germany, Italy, and Japan. The Normandy beachhead had already been established, and the prospects for eventual victory seemed quite certain. We were looking forward to what might happen in America following the inevitable day of victory.

During the course of the war, America had built up the greatest productive machine in history, and a period of great industrial and business expansion seemed certain to follow our expected military success.

We were confronted, however, with the disturbing record of recurring booms and depressions in our somewhat imperfect economy. We had learned that unless something could be done to influence the operations of the so-called business cycle, we would again be certain to experience a postwar boom followed by an unprecedented collapse. We knew that a repetition of the depression which followed in the wake of the last war would again bring widespread unemployment and frustration to millions of our citizens, wrecking the hopes of our veterans, and perhaps undermining faith in the capitalistic system throughout the world.

We could not agree with those who, looking ahead into the future, undertook to bolster their courage with the notion that if we maintained a nicely balanced Budget to keep business from losing confidence, Government relief and charity would see us through.

We could not agree with those who maintained that depressions were inevitably in a free society, and that without regimentation and loss of our freedoms nothing could be done to maintain continuing employment opportunities for our growing population.

It was then our conviction, Mr. President, that the welfare of American business, American farmers, American workers, and American veterans depends more than anything else upon whether or not the Federal Government shall assume the responsibility for maintaining a balanced economy and conditions of full employment in our country. Every practical businessman knows that unless the Government develops a positive and farsighted economic program, business operating as in the past cannot by itself maintain continuous employment opportunities for workers.

During the 1920's the Government had failed to recognize its responsibilities in this respect. Instead of providing a program designed to level off the peaks and valleys in industry, commerce, and agriculture, the Government in that period, adhering to laissez faire principles, gave business a free rein to manage our economy. Our productive capacity during that period was expanded at a tremendous rate—with fabulous profits and high savings for a favored section of the Nation, and no attempt to maintain a general purchasing power in the hands of the people. The inevitable result was the great depression starting in 1929, which created widespread bankruptcy and destitution—all but wrecking the capitalistic system.

Mr. President, it was our conviction in sponsoring this legislation that a full employment program on the part of the Government is essential to the preservation of free enterprise. Any failure in this responsibility will be certain to threaten our system of free enterprise as well as our political system upon which it is based.

During the last depression, our economy had failed to provide for a third or more of our people. It failed to provide these people with jobs and hence failed to provide them with a livelihood. A situation was thus created in which millions of our citizens were forced to become more interested in obtaining the wherewithal for food, clothing and shelter than in maintaining the system which meant so little to them.

With all these considerations in mind, we drafted a bill designed to provide a framework within which the Federal Government at the end of the war could develop and administer a program of full employment and full production.

Upon introducing this bill on January 22, 1945, I made the following statement:

In the past, we have made many attempts to grapple with the problem of unemployment. But we have lacked the essential weapons to deal with this problem effectively. We have never had a consistent and openly arrived at national policy on employment. We have never had a businesslike method of appraising the operations of our economy and our Government. We have never had a real understanding of the economic responsibilities of the President as Chief of the executive branch, and of the Congress of the United States.

The proposed full employment bill supplies us the three elements we have lacked in the past.

First, it establishes a national policy on the maintenance of employment opportunities. Second, it creates a budgetary system to appraise the operations of both the national economy and the Government. Third, it defines the economic responsibilities of the President and the Congress.

These three elements, when added together, provide the opportunity for full and wholehearted cooperation between industry, agriculture, labor, State and local governments and the Federal Government—the cooperation which is essential to our hopes and plans for a stronger and better America.

THE ORIGINAL BILL

At the time of introduction, this legislation was cosponsored by the Senator from New York [Mr. WAGNER], the Senator from Utah [Mr. THOMAS], the Senator from Wyoming [Mr. O'MAHONEY] and myself. A few months later, the following group of distinguished Senators from the minority party offered certain amendments and joined in the sponsorship of the bill: the Senator from Oregon [Mr. MORSE], the Senator from New Hampshire [Mr. TOBEY], the Senator from Vermont [Mr. AIKEN], and the Senator from North Dakota [Mr. LANGER].

In the House of Representatives, the bill was sponsored by the distinguished chairman of the House Committee on Small Business [Mr. PATMAN], and cosponsored by a group of 115 Members of the House. As in the Senate, a number of the House sponsors were Members of the minority party.

From the day this bill was introduced, it has been bitterly opposed by those extremists who fight every advancement which has been proposed to make our economic system work in the interests and welfare of the whole people. Special lobbyists were rushed to Washington to work against the bill. An organized letter-writing campaign was initiated to misrepresent the bill in the eyes of the Congress. Scores of pamphlets and brochures denouncing the bill were printed and distributed widely.

Despite this barrage of propaganda and great expenditure of money, the bill evoked enthusiastic and widespread support. Far-sighted businessmen, economists, mayors, governors, religious leaders, farm leaders, representatives of organized labor—all joined in publicly recognizing that the principles of the bill provided an indispensable foundation for an intelligent program to provide employment opportunities for all who are willing and able to work.

The bill was officially endorsed by a large group of American organizations. I offer but a partial list of such organizations, as follows:

The American Federation of Labor; Railroad Labor Executives Association; Congress of Industrial Organizations; United Mine Workers; American Association of Social Workers; American Jewish Congress; Americans United for World Organization; American Veterans Committee; Brotherhood of Maintenance of Way Employees; Brotherhood of Railroad Trainmen; Business Men of America, Inc.; Central Council of American Rabbis; Council for Social Action of the Congregational Christian Churches; Disabled American Veterans; Hosiery Wholesalers National Association; Independent Citizens' Committee of the Arts, Sciences, and Professions; League of Women Shoppers; Methodist Federation for Social Service; National Association for the Advancement of Colored People; National Catholic Welfare Conference; National Conference of Jewish Women; National Consumers League; National Council of Negro Women; National Council of Scientific, Professional, Art, and White Collar Organizations; National Council for the Social Studies; National Education Association of the United States; National Farmers Union; National Grange; National Lawyers' Guild; National Urban League; National Women's Trade Union League of America; Non-Partisan Council of Alpha Kappa Alpha; Southern Conference for Human Welfare; Synagogue Council of America; Union for Democratic Action; United Christian Council for Democracy; United Council of Church Women; United States Conference of Mayors; and the United Steelworkers of America.

I cannot at this time attempt to review the long and detailed history of this legislation as it has progressed through the two Houses of Congress.

Let me merely state that after careful hearings and intensive consideration by the Senate Banking and Currency Committee, under the able leadership of the distinguished Senator from New York [Mr. WAGNER], the bill passed the Senate on September 28, 1945, by a vote of 71 to 10.

THE SENATE BILL

Let me briefly review the basic provisions of the Senate bill.

The declaration of policy, set forth in section 2, provided the following:

First, the objective of full employment—which was defined in terms of employment opportunities for all who are able to work and seeking work;

Second, a declaration of the Federal Government's responsibility for assuring full employment;

Third, a declaration that all Americans able to work and seeking work are entitled to an opportunity for employment;

Fourth, a requirement of a consistent and carefully planned economic program;

Fifth, the policy of providing whatever Federal investment and expenditure might be needed, as a last resort, to achieve full employment; and

Sixth, the policy that the full employment program should aim at expanded foreign trade without economic warfare.

In section 3, the Senate bill provided for an annual Presidential message to Congress, to be called the National Production and Employment Budget. This message was to contain the following:

First, economic goals on employment, production, and consumption;

Second, an appraisal of current and foreseeable trends on employment, production, and consumption;

Third, a review of the Government's economic program during the preceding year and of its impact upon economic trends; and

Fourth, a general program for achieving the desired goals.

In section 4, the Senate bill dealt with the preparation of the President's message. This section left the question of administrative machinery entirely to the discretion of the President but merely provided consultation with the heads of departments and agencies. It also provided for mandatory consultation with industry, agriculture, labor, consumers and State and local governments and authorized the creation of whatever advisory committees might be needed for this purpose.

In section 5, the Senate bill set up a joint committee to analyze the President's message. This committee was to be composed of 15 Members from each House, to be selected at the discretion of the President of the Senate and the Speaker of the House of Representatives.

As compared with the original measure, the Senate bill was in some respects weakened. In other respects it was strengthened. All in all, it was a good measure and a credit to the Senate.

THE HOUSE BILL

In the House of Representatives the bill did not fare so well. The House Committee on Executive Expenditures reported out a substitute measure which was totally inadequate.

On the floor of the House there was no record vote through which the Members of the House could express themselves on the merits of the Senate bill, and the proposed substitute was accepted. After this action by the House, President Truman wrote to the chairman of the Senate conferees, the Senator from New York [Mr. WAGNER], and the chairman of the House conferees, Mr. MANASCO, and expressed his preference for the Senate bill. I and the other sponsors of the measure fully agreed with the President's position. In fact, I have always maintained that it would be better to have no legislation whatso-

ever than to have enacted into law this wholly inadequate measure proposed by the House.

The conference committee wisely rejected the House measure and worked out a bill of its own.

THE FINAL ACT

Now we have before us the bill as reported by the Senate and House conferees. It is for us to consider whether or not this bill should be accepted and approved.

On the day that the conference bill was made public I expressed my great disappointment that the basic concepts of the bill were not set forth in more clear-cut and vigorous language. However, it seemed to me that the conference measure, as explained by the distinguished leader of the majcrity in submitting the conference report, contained all the essentials of a full employment program, which, if properly and firmly administered, would constitute a real contribution to the sucessful operation of our economic system.

First of all, the conference bill declares a full employment policy. The House conferees succeeded in eliminating from the bill the words "full employment" and other forthright language. They did not succeed in eliminating the fundamental concept that the Federal Government has the ultimate responsibility for creating and maintaining conditions of full employment.

Second, the bill provides an employment, production, and consumption budget. The term "national production and employment budget" was eliminated and the term "economic report" used instead. However, the content of the national production and employment budget has not been changed in any material fashion.

Third, the bill accepts the House recommendation that a Council of Economic Advisers be established to help the President discharge his responsibilities under the act. At the same time the House provisions were substantially improved.

Fourth, the bill follows the line of all previous versions and sets up a Joint Committee on the Economic Report. In my opinion, the conference provisions on the joint committee constitute an important improvement over previous versions.

I should like to take this opportunity to congratulate our distinguished majority leader, the Senator from Kentucky who served as chairman of the conference committee in the absence of the able Senator from New York [Mr. WAGNER], who has contributed so much to the handling of this bill in the Senate. Despite his other duties as majority leader, as chairman of the Pearl Harbor Investigating Committee, and as ranking member of many other important Senate committees, the Senator from Kentucky accepted the responsibility of serving as chairman of the conference committee and devoted two continuous weeks to detailed and intensive work on the bill that is now before us.

When the conference committee started its sessions, there were many who were firmly convinced that no adequate bill could be developed which would be acceptable to the House conferees. I, for one, doubted that it could be done. The fact that it has been done is eloquent testimony to the statesmanship, perseverence, and persuasiveness of our majority leader.

I should now like to comment upon the major sections of the conference bill.

SECTION 2

The declaration of policy is set forth in section 2. This declaration reads as follows:

> The Congress hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means consistent with its needs and obligations and other essential considerations of national policy, with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power.

Does this declaration set forth the objective of full employment?

The answer to this question is "Yes," but instead of using the words "full employment," the bill uses the accepted definition of full employment. The specific language used is—

> conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work.

This concept embraces the entire labor force. It is the substance of what is meant by the words "full employment."

Does the declaration recognize the Government's basic responsibility for maintaining conditions of full employment?

The answer to this question is also in the affirmative. Section 2 provides that the responsibility of the Federal Government is one of "creating and maintaining" conditions of full employment. Although the term "assure" which appeared in the original bill and the Senate bill is not used, the words "creating and maintaining" are substantially equivalent.

The conference bill also provides that it is the responsibility of the Federal Government "to promote maximum employment, production, and purchasing power." This is a constructive addition to the original bill. Under this provision, in addition to maintaining employment opportunities, the Government is to promote conditions under which those seeking work are able to take advantage of these opportunities, and we will have maximum employment. The use of the concept "maximum production" emphasizes the fact that our objective is not only full employment but also full production—that is, a constantly rising production of goods and services. The use of the concept "maximum purchasing power" recognizes the fundamental fact that full production depends upon attaining a constantly rising level of consumption.

The Senate bill contained the declaration that—

> All Americans able to work and seeking work are entitled to an opportunity for useful, remunerative, regular and full-time employment.

While the precise language of this provision is not contained in the conference bill, nevertheless it is obvious that the right to work is implicit in the language of the conference bill which declares the Government's responsibility to create and maintain employment opportunities "for those able, willing, and seeking to work." Implementation of the right is the important thing. The exact words defining the right are unimportant so long as the intent is there. Here the intent is clear: to create a responsibility on the part of the Government to create and maintain job opportunities for citizens "able, willing, and seeking to work."

The original bill and the Senate bill committed the Federal Government, with certain qualifications, to provide whatever Federal investment and expenditure might be needed, as a last resort, to maintain full employment. But the conference bill does not refer to specific methods of affecting the level of employment. It makes no mention of Federal investment and expenditure, public works, loans, monopoly and competition, taxation or any other specific function of the Federal Government. Instead it calls upon the Federal Government to "coordinate and utilize all its plans, functions and resources" to achieve the desired objective.

This concept of utilizing all the vast resources of the Federal Government for the purpose of maintaining conditions of full employment appeared in none of the previous versions of this measure. It is a constructive and statesmanlike method of defining the Government's obligation to its citizens. I regard it as an improvement in the bill.

The declaration uses the phrase "to use all practicable means." This emphasizes that the Government's responsibility must be discharged effectively.

Like the Senate bill, it uses the phrase "consistent with its needs and obligations and other essential considerations of national policy." This provision recognizes that the maintenance of employment opportunities is not the sole objective of Federal policy. There are many other important objectives of national policy—such as the promotion of a higher standard of living, the protection of human rights, the maintenance of friendly economic relations with other nations, sound fiscal policy, national defense and security, and so forth. Obviously, there should be no conflict between our full employment program and measures intended to attain these other objectives of national policy. In fact, by creating and maintaining conditions of full employment and full production we shall be making an indispensable contribution to the attainment of these other important objectives.

The declaration also uses the language "with the assistance and cooperation of industry, agriculture, labor, and State and local governments." This provision, which was taken from the Senate bill

recognizes that the Federal Government does not have the sole responsibility with respect to employment. It recognizes that the creation and maintenance of employment opportunities must be a joint undertaking, that in a democracy a government program must reflect the will of all its citizens.

Finally, there is the language "in a manner calculated to foster and promote free competitive enterprise and the general welfare." This concept was contained in all of the previous versions of the bill.

SECTION 3

Section 3 of the conference bill contains the full substance of the Senate provisions on the National Production and Employment Budget. According to its provisions, the President shall transmit to the Congress an annual message setting forth:

First, the levels of employment, production, and purchasing power needed to carry out the declaration of policy;

Second, current and foreseeable trends in the level of employment, production, and purchasing power;

Third, a review of the economic effects of the Government's program; and

Fourth, a program for carrying out the policy declared in section 2.

The only substantive change that has been made is that while the Senate bill called for quarterly reports to Congress, the conference bill provides that the President may transmit supplementary reports from time to time. The use of the term "Economic Report," instead of the term "National Production and Employment Budget," is merely a verbal change which has no material effect on the content of the section.

SECTION 4

Section 4 of the conference bill sets up a Council of Economic Advisers composed of three persons exceptionally qualified to analyze economic developments. These men are to be paid $15,000 per year and are to be confirmed by the Senate.

The House version of this section provided that all of the studies, reports, and recommendations of these three advisers to the President be available for use by the joint committee. If this provision had been maintained it would have given the three economic advisers an independent status apart from the Presidency. Conference bill eliminates this provision, thereby emphasizing the fact that their function is to assist the President in discharging his responsibilities under the act.

The Senate bill had contained mandatory provisions on consultation with industry, agriculture, labor, consumers, and State and local governments. To my regret, the consultation provision in the conference bill is permissive instead of mandatory. Moreover, the responsibility for the consultation is to be discharged by the Council of Economic Advisers rather than the President. I assume, however, that a really conscientious Council would lose no time in calling upon industry, agriculture, labor, consumers, and State and local governments to make their most effective contribution to the development of our full-employment program.

Section 5 establishes a Joint Committee on the Economic Report to analyze the President's report to Congress and to help coordinate the diverse activities of the several committees of Congress.

It follows the Senate version by leaving the appointment of the committee's members entirely to the discretion of the President of the Senate and the Speaker of the House of Representatives.

It follows the House version by reducing the membership of the joint committee. In fact it goes even further than the House version by limiting the committee to 7 members from each House. This, I think, is an improvement in the bill, for a committee of 14 will be able to act in a more unified and decisive manner than would a committee of larger membership.

Section 6, on interpretations, which appeared in all previous versions, has been eliminated. This is an improvement, because the section was really unnecessary.

SUMMARY OF THE ACT

The more I study the bill as reported by the conference committee, the more I am convinced that it can carry out the original intentions of its sponsors. Its declaration of policy is historic in its implications. When the history of this period is written it will record that just as Federal responsibility for relief was accepted during the great depression, Federal responsibility for maintaining conditions of full employment was proclaimed by the Congress following the end of World War II.

The provisions on the economic report should be of incalculable value in giving the entire country an annual appraisal of how our economy is operating.

The provisions for a Council of Economic Advisers should be of great help to the President and the Executive Office in coordinating the vastly expanded operations of the executive branch.

The Joint Committee on the Economic Report should be a tremendous contribution to the improved organization and operation of the Congress.

But the passage of the Employment Act should give no one a sense of false security. Full employment cannot be maintained without hard work and hard thinking on the part of all our people.

Moreover, let us not underestimate the opposition to full employment. We have still in this country those extremists who fight every advancement proposed to make our economic system work in the interest and welfare of the whole people. From the day this legislation was first introduced, it has been misrepresented by its enemies.

Because of this bitter opposition, while the true purpose and intent of the bill is there, it lacks some of the forthright language contained in the original bill. A desperate effort will be made by its enemies to misconstrue and thereby destroy it. This should be a warning to any who might suspect that the road to full employment is short and easy. Many things, of course, remain to be done in order to carry out the policy of the bill.

EXECUTIVE ADMINISTRATION OF THE EMPLOYMENT ACT

The first task under the Employment Act of 1946 will be to develop a sound administrative structure in the executive branch.

When new legislation is enacted, it often happens that many months and sometimes many years are spent in the trial-and-error process of developing an administrative organization. This is what occurred with the Smaller War Plants Corporation. It is what happened with the Surplus Property Administration. Other Members of the Senate will name many other examples. It would be a tragic commentary upon the vast efforts that have been expended in obtaining a sound employment act if the passage of this legislation were to be followed by the usual period of groping and fumbling.

During the past year, therefore, I have had an intensive study made of the problems that must be faced in the administration of a full employment program. At this point I should like to set forth the conclusions I have arrived at—in the hope that they will be of value in the months that lie ahead.

First of all, the basic responsibility for developing the employment program within the executive branch is that of the President, not of the Council of Economic Advisers.

Some proposals that have been made for economic planning have aimed at placing the responsibility in the hands of planning boards. The effect of this act, however, is to underscore the responsibility of the President as the elected representative of the entire country, and as head of the executive branch of the Government. The Council set up in this bill is entirely subordinate to the President. It has no independent nor autonomous authority. Its members, like other officials in the Executive Office, can be removed by the President at any time and for any cause.

The purpose of creating a Council of Economic Advisers is merely to provide additional assistance to the President in order to help him in discharging his responsibilities. The successful operation of the Council will depend not only upon the qualifications of the men selected, but also upon their ability to cooperate with the President's other assistants and advisers.

Second. The members of the Council of Economic Advisers must be wholeheartedly devoted to the principles of the bill.

The employment bill as reported by the conference committee provides that the members of the Council of Economic Advisers be exceptionally qualified to "appraise programs and activities of the Government in the light of the policy declared in section 2." This means that they must subscribe without reservation to the policy declared in section 2. It means that they must believe in the objective of full employment, in the basic responsibility of the Federal Government for maintaining conditions of full employment, and in the need for the Government to utilize all its resources

for the purpose of discharging this responsibility.

Third. The facilities of the Bureau of the Budget must be used to the fullest.

In recent years the Bureau of the Budget has demonstrated that it is the major organ in the executive branch capable of coordinating the many and diverse activities of all the agencies and establishments. Every agency must come to this Bureau and justify its requests for appropriations. In so doing it must give a full explanation of its plans and policies. Accordingly, in its efforts to achieve the most efficient use of Federal funds, the Budget Bureau must necessarily perform the function of coordinating, under the direction of the President, the plans and policies of all the various agencies. As President Truman stated in his combined state of the Union and Budget message transmitted on January 21, 1946:

> The budgetary program and the general program of the Government are actually inseparable. The budget is the annual work program of the Government.

With the enactment of this legislation, the coordinating function of the Budget Bureau must be developed still further. Unless this is done, the President will be unable to perform the task assigned him by the bill.

Fourth. Program offices should be established in all the various agencies.

The planning function should be decentralized as widely as possible throughout the various agencies, departments, and commissions. In this way, the full employment program can be planned with the full participation of specialized experts in every branch of the Federal Government. This would also contribute to keeping the size of the central staff to a minimum and to carrying out the intent of section 4 (c) (2), which calls for fully utilizing the services of other Government agencies.

Fifth. There should be more effective use of interdepartmental committees to handle problems that cut across agency lines.

Very effective work has been done in recent months through the Interdepartmental Committee on Foreign Economic Relations, which was organized by the State Department. Similar committees might well be established to deal with the complicated interagency problems involved in fiscal policy, monopoly regulation, construction and capital investment, development of underdeveloped areas, public welfare, and similar matters.

Sixth. Funds should be available for research work by State and local planning boards, universities, and similar agencies.

The Federal Government should not try to do all the research. Significant contributions to a full employment policy can be made by planning boards, universities, and research institutions throughout the country. Section 4 (c) (2) of the bill specifically calls for an effort in this direction. This section should be implemented by adequate appropriations.

Seventh. A complete economic statistic program is essential.

It would be a sad mistake to think that the only statistical information needed in the preparation of the economic report is data on employment, production, and purchasing power. Nothing less than a complete program of economic statistics—covering prices, profits, wages, productivity, and so forth—will meet the need. This means central statistical planning, along the lines already established under the Federal Reports Act, to first, fill in the gaps; second, adjust the time lags; third, analyze and interpret the data; fourth, make full use of nongovernment sources; fifth, establish statistical standards; and sixth, keep reports and questionnaires to a minimum.

Eighth. Special attention should be given to the question of Federal-State-local relationships.

The policies of States and local governments have an important role to play in our full employment program. This matter has been seriously neglected in the past. The successful administration of this act calls for a serious and concerted approach toward coordinating the taxation and expenditure programs of State and local governments, toward eliminating interstate trade barriers and toward developing grass roots planning throughout the country.

Ninth, and last, there must be provision for coordinated administration and continuous check-up on progress.

Legislative and executive policies have repeatedly been frustrated through ineffective administration. In many cases, moreover, the President has no means of knowing in what manner important programs are being carried out. Accordingly, it is essential that major attention be given to obtaining accurate reports of what is really going on throughout the executive establishment, and to achieving the full coordination of executive activities.

CONGRESSIONAL ADMINISTRATION OF THE EMPLOYMENT ACT

From the day this legislation was first introduced, the provision for a joint congressional committee to analyze the President's over-all program has been hailed as a distinct contribution to the improvement of congressional operations.

There is general agreement that such a committee could be extremely helpful in coordinating the separate and diverse activities of the many committees in the Senate and the House of Representatives. For example, let me quote from the Senate Banking Committee's minority report on the full employment bill:

> We believe there should be such a joint committee studying the effect of proposed legislation on conomic stability. We question somewhat whether the standing committees will pay much attention to the report of the joint committee, but it should be helpful by revealing to these committees and the individual Members of the Senate the relationship of this measure to an overall economic program.

Accordingly, we must take great care to establish this joint committee on sound principles.

First of all, careful consideration should be given to the idea of having the chairmanship and the vice chairmanship of the joint committee held by the majority leader of the Senate and the majority leader of the House of Representatives.

Let us not forget the fact that this joint committee is to serve as an economic policy committee. Its chairman and vice chairman, therefore, might well be those Members of Congress who are responsible for over-all policy. If any other Members of the Congress were selected as chairman and vice chairman of the joint committee and if they succeeded in discharging their duties successfully, then they might find themselves, in large part, performing certain functions of majority leadership

For the same reason, the leaders of the minority party in both Houses might well serve as the ranking minority members of the joint committee.

Second, the joint committee should submit regular reports on the progress of the full employment program in Congress.

Both the general public and Members of the Congress themselves need regular information on the status of the various measures that make up the President's full employment program. This information should be provided in a regular report of the joint committee explaining the status of each proposal and indicating what changes, if any, have been made by the various committees and Houses of Congress.

Third, the members of the Joint Committee on the Economic Report should limit their activities on other committees.

Effective work by congressional committees becomes impossible when individual Members have too many committee assignments. In view of the importance of the Joint Committee on the Economic Report, therefore, the members of the joint committee should limit their activities on other committees. Since committee assignments in the Senate are much heavier than in the House of Representatives, this applies particularly to the Senate.

Fourth, more rapid progress is needed toward the general improvement of congressional organization.

The successful operation of the joint committee would be merely a first step in the improved organization of the Congress. It cannot be regarded as a substitute for more adequate staffing in our legislative committees, for closer cooperation between committees dealing with related topics, for closer relationships between the two Houses, and for the many other fundamental improvements.

I am looking forward with great anticipation to the forthcoming report of the Joint Committee on the Organization of Congress, headed by the distinguished Senator from Wisconsin [Mr. LA FOLLETTE]. It is my earnest hope that this report will be acted upon, not merely filed away for future study. Unless we achieve a comprehensive strengthening of the Congress, I see little hope that the legislative branch of our Government will be able to do its part in maintaining an economy of full production and full employment.

THE NEED FOR PUBLIC SUPPORT

But even with the most effective planning within the executive branch, even with the most effective operations by the Joint Committee on the Economic Report, there is no guaranty that the Congress will make the correct decisions.

The Members of Congress are the representatives of the American people. The wisdom of their decisions, therefore, will depend on how well the American people understand the economic problems facing our country and how effectively they take a position on these matters and present their views to their elected representatives in the Congress. If the American people fail to take a strong position back of this program and demand that this act be effectively enforced, it will become dormant and useless to carry our country through the dangerous days ahead. But if this legislation is given wholehearted support, it will provide a firm foundation upon which we may go forward to a golden age of full employment and prosperity. It will become the framework within which industry, agriculture, labor, State and local governments, and the Federal Government can work together to translate into a living reality our hopes and plans for a stronger and better America.

Mr. President, millions of our citizens have high hopes for the success of this program. The future of our system of free enterprise depends upon its capacity with the cooperation of our Government to build an economy of full production, employment and prosperity for the American people.

I urge that those who in the past have declared that full employment is a policy foreign to our system of Government and cannot be maintained under our system set aside their doubts and join with the sponsors of this legislation in an all-out effort to preserve our country from a major depression 5 or 6 years hence.

Let us provide for all our people the opportunity and security that is their rightful heritage as Americans.

Mr. RADCLIFFE. Mr. President, I rise to express the hope and wish that the pending conference report will be agreed to. It represents the beneficial results of much careful study.

A few moments ago the Senator from Ohio [Mr. TAFT] stated that in the beginning of the so-called full employment legislation I was one of those who felt that the bill, as originally drafted, should be modified. Such was the case, as I thought that substantial changes should be made in it. I was and am heartily in favor of doing everything which will help to promote employment and production by sound and reasonable methods, but I felt that there was language in the bill which probably would attempt to commit us to a program which we could not succeed in following out in a spirit of wisdom, and that the language in various respects was unfortunately chosen. I suggested various amendments, some of which were adopted in committee and on the floor. The language of one amendment I submitted which was opposed in committee and on the floor of the Senate was to the effect that whatever the Federal Government did in attempting to promote employment should be consistent with its needs and obligations, and other essential considerations of national policy. In other words, the Government should, in formulating its policies, consider each phase of the problem on its intrinsic merits as of the moment and judge accordingly in a true sense of proportion. The actual language itself is not important, but I am very glad that that is its underlying idea, and in fact my phraseology has been embodied in the conference agreement and is now before us. I think the amendment gives us a much better balanced situation and sets forth a true sense of relative values.

The bill has been studied very carefully throughout its various phases of legislative procedure. An unusual amount of time has been devoted to it. I believe that we have at last evolved a measure which will be satisfactory. It has been accepted unanimously by the conferees of both Houses of Congress, of which I was one, and is now before the Senate for action. I am confident that this measure will in its operation be helpful to labor, to industry, and to the country as a whole. I certainly trust that the conference report will be adopted.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

QUOTAS ON BURLEY TOBACCO

Mr. BARKLEY. Mr. President, is the Senator from North Carolina [Mr. HOEY] in the Chamber? There is a bill on the calendar in which he is interested.

Mr. ELLENDER. Mr. President, I have the floor.

Mr. BARKLEY. I beg the Senator's pardon. I wanted him to yield to me for a moment.

The PRESIDING OFFICER. The Senator from Louisiana has the floor. Does the Senator yield to the Senator from Kentucky?

Mr. ELLENDER. I had agreed to yield to the Senator from Alabama [Mr. BANKHEAD].

Mr. BARKLEY. The Senator from Alabama wishes to address the Senate. I think I can dispose of this bill in 5 minutes. I wish to go to the Pearl Harbor Committee as soon as possible.

Mr. BANKHEAD. The Senator has taken a great deal of time since he first told me about that committee.

The PRESIDING OFFICER. To whom does the Senator from Louisiana yield?

Mr. ELLENDER. I yield to the Senator from Alabama.

Mr. BANKHEAD. Mr. President, I will waive my opportunity in favor of the Senator from Kentucky.

Mr. ELLENDER. If that may be done with the understanding that my rights will not be jeopardized.

The PRESIDING OFFICER. With the understanding that the Senator from Louisiana does not lose the floor, the Senator from Kentucky may proceed.

Mr. BARKLEY. Mr. President, House bill 5135, to amend the Agricultural Adjustment Act of 1938, as amended, was unanimously reported in the House by the Committee on Agriculture, and passed without objection in the House. Full hearings were held on it before the Senate Committee on Agriculture and Forestry, and it was unanimously reported to the Senate and is now on the calendar. I ask that I may call it up at this time only because of the urgency of it. It is a bill which affects the production of burley tobacco for the crop year of 1946. I may say that two or three weeks ago representatives of all the tobacco organizations from all the tobacco-growing States met in Washington in consultation with the Department of Agriculture, and agreed on this proposed legislation.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. McKELLAR. Does the Senator mean the producers' organizations?

Mr. BARKLEY. Yes; the producers' organizations, the American Farm Bureau Federation, the Grange, the Department of Agriculture, and all the Members of the House of Representatives representing tobacco-growing States.

The reason for the bill is very simple. During the war there was an increase in consumption of tobacco for cigarette purposes, which resulted in an increase in the price of tobacco. Of course, labor costs also went up.

The total crop of burley tobacco for 1945 amounted to 603,000,000 pounds. The market ordinarily opens the 1st of December, and when it opened last December the average price of burley tobacco in the State of Virginia was $52 a hundred. In Kentucky it was $48 or $50 a hundred but immediately, when it was discovered that there was a surplus as a result of the enormous production of 1945, the price began to slip, until it went from $48 or $50 a hundred down to a level between $25 and $30.

The only way to remedy that situation for this year's crop is to bring about a reduction in the quotas. Under an amendment to the Agricultural Adjustment Act the burley tobacco growers, the flue-cured-tobacco growers, and others voted for a quota system. It must be submitted to the growers, and they must vote for it by a vote of 75 percent. However, the election will not be held until next November. That would affect the crop of the following year. Nothing but the legislation which this bill proposes can result in a reduction of the quotas on that particular type of tobacco for 1946.

The bill would authorize the Secretary of Agriculture to reduce the quota for burley tobacco by 10 percent for 1946, and also authorize him to increase the penalty for overproduction on the part of any grower. The present law provides a penalty of 10 cents a pound. When tobacco was selling at 20 cents a pound, that represented 50 percent of its value as a penalty against overproduction. With present prices, the quota system which had been voted by the farmers is nullified.

The bill would amend the law so as to provide for a 40-percent penalty, instead

of a penalty of 10 cents a pound. That is satisfactory to the farmers. They have all endorsed it. The reason why it is necessary to act on the matter now is that farmers are now burning their beds to sow the seed for the production of plants which will be replanted in the spring, and they must know in advance what will be done with respect to quotas before they go too far with their crops.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHITE. Someone has indicated to me that the bill comes before us with a unanimous report from the Committee on Agriculture and Forestry. Can the Senator confirm that statement?

Mr. BARKLEY. That is true. The same situation was true in the House. It was unanimously reported. It passed the House on the 22d of January without opposition. We had a full day's hearing before the Committee on Agriculture and Forestry in the Senate. The bill was unanimously reported from that committee, and is now on the calendar with the unanimous endorsement of the committees of both Houses. The tobacco-growing organizations are behind it, as are the Farm Bureau Federation and the Department of Agriculture, which participated in writing the bill. All have endorsed it.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CORDON. Can the Senator tell me the calendar number of the bill?

Mr. BARKLEY. It is Calendar No. 932.

The Senator from North Carolina [Mr. HOEY], who reported the bill, is now present in the Chamber, and I yield to him to make a further explanation of it.

Mr. HOEY. Mr. President, the Senator from Kentucky has stated the facts. The growers of flue-cured tobacco and burley tobacco, as well as the farm organizations, the warehousemen, and everyone connected with the industry, feel that this is a very necessary measure.

The emergency arises from the fact that the time has now arrived to begin planting, and unless this bill is passed so that quotas may be fixed, this year's production will be interfered with. The bill would not change the quotas on flue-cured tobacco, but only on burley tobacco. The reason for that is that there is a foreign market for flue-cured tobacco, whereas the foreign market for burley tobacco has not been developed. Therefore a surplus has accumulated, depressing the price.

I hope the bill may be passed.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 5135) to amend the Agricultural Adjustment Act of 1938, as amended.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. BARKLEY. I thank the Senator from Louisiana [Mr. ELLENDER] and also the Senator from Alabama [Mr. BANKHEAD].

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Perry, one of its clerks, announced that the House insisted upon its amendments to the bill (S. 1152) to effectuate the purposes of the Servicemen's Readjustment Act of 1944 in the District of Columbia, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCGEHEE, Mr. HARRIS, and Mr. DIRKSEN were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 380. An act to declare a national policy on employment, production, and purchasing power, and for other purposes; and

S. 1480. An act for the relief of Charles R. Hooper.

FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed the consideration of the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry.

Mr. ELLENDER. I now yield to the Senator from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. President, I wish to submit a few observations on the pending measure, the FEPC bill. I assure the Senate that I shall not detain it very long.

In the first place, I wish to add to the RECORD additional evidence from farm leaders and officers of some of the large agricultural organizations. A few days ago when I addressed the Senate on this subject I placed in the RECORD a letter from the American Farm Bureau Federation, signed by Mr. Edward O'Neal, its president. I now have a letter from Mr. A. S. Goss, Master of the National Grange, one of the oldest farm organizations in the country, if not the oldest. It has a very large and intelligent membership. I send to the desk my letter to Mr. Goss and his reply, and I ask that they be read at the desk.

The PRESIDING OFFICER. Without objection, the letters will be read as requested.

The legislative clerk read as follows:

Mr. A. S. Goss,
Master, the National Grange,
Washington, D. C.

DEAR MR. GOSS: I have your letter of January 31, 1946, in response to my inquiry as to how the Grange stands on H. R. 2232. I am glad to have the information contained in your letter, and I thank you for writing me.

Sincerely yours.

THE NATIONAL GRANGE,
Washington, D. C., January 31, 1946.

Hon. JOHN H. BANKHEAD, 2d,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: You have asked what our stand is upon H. R. 2232, the so-called fair employment practice bill. The National Grange has never passed on this particular measure, but the executive committee has reviewed the measure in the light of our general policies.

We are opposed to the constant tendency of the Government to regulate our daily lives. We do not believe this sort of regimentation is a constructive approach to the race problem. We believe an employer must have the right to employ whomsoever he wishes and we think the best interests of the minority groups are not being served by thus making the problem a political issue.

Yours sincerely,

A. S. GOSS,
Master, the National Grange.

Mr. BANKHEAD. Mr. President, I have received a telegram from the Utah Wool Growers Association, signed by Mr. James A. Hooper, secretary, and Mr. Don Clyde, president. I ask that the telegram be read.

The PRESIDING OFFICER. Without objection, the telegram will be read.

The legislative clerk read as follows:

SALT LAKE CITY, UTAH, *February 4, 1946.*

Senator J. H. BANKHEAD,
Senate Office Building,
Washington, D. C.:

Honesty and hard work are prerequisites for winning the peace. Idleness and coddling are enemies to progress. Labor must prove worthy of its hire. Producers and consumers must receive consideration. Domestic as well as foreign policies must be based "upon justice no less than upon power." Free enterprise and production will receive serious set-back if the FEPC bill should become law. We are opposed to the bill.

UTAH WOOL GROWERS,
DON CLYDE, *President,*
JAMES A. HOOPER, *Secretary.*

Mr. BANKHEAD. Mr. President, I hold in my hand a telegram from the Texas and Southwestern Cattle Raisers Association, signed by Judge Montague. I ask that it be read into the RECORD.

The PRESIDING OFFICER. Without objection, the clerk will read.

The legislative clerk read as follows:

FORT WORTH, TEX., *February 6, 1946.*

Hon. JOHN H. BANKHEAD,
United States Senate:

The membership of Texas and Southwestern Cattle Raisers Association is unalterably opposed to the FEPC bill now being discussed by the Senate. The relationship of employer and employee should always be one voluntarily arranged between the parties Any forced arrangement such as that which would result from the FEPC bill would be slavery in reverse in that the employer would be deprived of freedom. We sincerely commend the fight being made against this bill and hope that it will be defeated.

THE TEXAS AND SOUTHWESTERN
CATTLE RAISERS ASSOCIATION,
By JOE G. MONTAGUE, *Attorney.*

Mr. BANKHEAD. Mr. President, in the course of this discussion something has been said about the authorship of the pending bill. I think that subject should be clarified insofar as it can be. I am sorry the Senator from New Mexico [Mr. CHAVEZ] is not now in the Chamber. He made a statement about being the author of the bill. I have no purpose to impeach his statement on that subject, and probably he prepared the bill which was offered. But it is important to examine the source of the material from which the bill was prepared.

In the first place, this subject was brought to the attention of the Congress by Executive Order 8802, issued by

President Roosevelt on June 26, 1941. I ask that that Executive order be printed at this point in the RECORD, as a part of my remarks. I do not wish to take the time to read it just now.

There being no objection, the Executive Order (No. 8802) was ordered to be printed in the RECORD, as follows:

EXECUTIVE ORDER 8802

Whereas it is the policy of the United States to encourage full participation in the national defense program by all citizens of the United States, regardless of race, creed, color, or national origin, in the firm belief that the democratic way of life within the Nation can be defended successfully only with the help and support of all groups within its borders; and

Whereas there is evidence that available and needed workers have been barred from employment in industries engaged in defense production solely because of considerations of race, creed, color, or national origin, to the detriment of workers' morale and of national unity:

Now, therefore, by virtue of the authority vested in me by the Constitution and the statutes, and as a prerequisite to the successful conduct of our national defense production effort, I do hereby reaffirm the policy of the United States that there shall be no discrimination in the employment of workers in defense industries or Government because of race, creed, color, or national origin, and I do hereby declare that it is the duty of employers and of labor organizations, in furtherance of said policy and of this order, to provide for the full and equitable participation of all workers in defense industries, without discrimination because of race, creed, color, or national origin;

And it is hereby ordered as follows:

1. All departments and agencies of the Government of the United States concerned with vocational and training programs for defense production shall take special measures appropriate to assure that such programs are administered without discrimination because of race, creed, color, or national origin;

2. All contracting agencies of the Government of the United States shall include in all defense contracts hereafter negotiated by them a provision obligating the contractor not to discriminate against any worker because of race, creed, color, or national origin;

3. There is established in the Office of Production Management a Committee on Fair Employment Practice, which shall consist of a Chairman and four other members to be appointed by the President. The Chairman and members of the Committee shall serve as such without compensation but shall be entitled to actual and necessary transportation, subsistence and other expenses incidental to performance of their duties. The Committee shall receive and investigate complaints of discrimination in violation of the provisions of this order and shall take appropriate steps to redress grievances which it finds to be valid. The Committee shall also recommend to the several departments and agencies of the Government of the United States and to the President all measures which may be deemed by it necessary or proper to effectuate the provisions of this order.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 26, 1941.*

Mr. BANKHEAD. Mr. President, thereafter President Roosevelt issued Executive Order 9346. It was issued on May 27, 1943, and it amended the previous order, No. 8802. I ask unanimous consent that Executive Order 9346 be printed at this point in the RECORD.

There being no objection, the Executive Order, No. 9346, was ordered to be printed in the RECORD, as follows:

EXECUTIVE ORDER 9346

In order to establish a new Committee on Fair Employment Practice, to promote the fullest utilization of all available manpower, and to eliminate discriminatory employment practices, Executive Order No. 8802 of June 25, 1941, as amended by Executive Order No. 8823 of July 18, 1941, is hereby further amended to read as follows:

"Whereas the successful prosecution of the war demands the maximum employment of all available workers regardless of race, creed, color, or national origin; and

"Whereas it is the policy of the United States to encourage full participation in the war effort by all persons in the United States regardless of race, creed, color, or national origin, in the firm belief that the democratic way of life within the Nation can be defended successfully only with the help and support of all groups within its borders; and

"Whereas there is evidence that available and needed workers have been barred from employment in industries engaged in war production solely by reason of their race, creed, color, or national origin, to the detriment of the prosecution of the war, the workers' morale, and national unity;

"Now, therefore, by virtue of the authority vested in me by the Constitution and statutes, and as President of the United States and Commander in Chief of the Army and Navy, I do hereby reaffirm the policy of the United States that there shall be no discrimination in the employment of any person in war industries or in Government by reason of race, creed, color, or national origin, and I do hereby declare that it is the duty of all employers, including the several Federal departments and agencies, and all labor organizations, in furtherance of this policy and of this order, to eliminate discrimination in regard to hire, tenure, terms, or conditions of employment, or union membership because of race, creed, color, or national origin.

"It is hereby ordered, as follows:

"1. All contracting agencies of the Government of the United States shall include in all contracts hereafter negotiated or renegotiated by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin and requiring him to include a similar provision in all subcontracts.

"2. All departments and agencies of the Government of the United States concerned with vocational and training programs for war production shall take all measures appropriate to assure that such programs are administered without discrimination because of race, creed, color, or national origin.

"3. There is hereby established in the Office for Emergency Management of the Executive Office of the President a Committee on Fair Employment Practice, hereinafter referred to as the Committee, which shall consist of a chairman and not more than six other members to be appointed by the President. The chairman shall receive such salary as shall be fixed by the President not exceeding $10,000 per year. The other members of the Committee shall receive necessary traveling expenses and, unless their compensation is otherwise prescribed by the President, a per diem allowance not exceeding $25 per day and subsistence expenses on such days as they are actually engaged in the performance of duties pursuant to this order.

"4. The Committee shall formulate policies to achieve the purposes of this order and shall make recommendations to the various Federal departments and agencies and to the President which it deems necessary and proper to make effective the provisions of this order. The Committee shall also recommend to the Chairman of the War Manpower Commission appropriate measures for bringing about the full utilization and training of manpower in and for war production without discrimination because of race, creed, color, or national origin.

"5. The Committee shall receive and investigate complaints of discrimination forbidden by this order. It may conduct hearings, make findings of fact, and take appropriate steps to obtain elimination of such discrimination.

"6. Upon the appointment of the Committee and the designation of its chairman, the Fair Employment Practice Committee established by Executive Order No. 8802 of June 25, 1941, hereinafter referred to as the old Committee, shall cease to exist. All records and property of the old Committee and such unexpended balances of allocations or other funds available for its use as the Director of the Bureau of the Budget shall determine shall be transferred to the Committee. The Committee shall assume jurisdiction over all complaints and matters pending before the old Committee and shall conduct such investigations and hearings as may be necessary in the performance of its duties under this order.

"7. Within the limits of the funds which may be made available for that purpose, the chairman shall appoint and fix the compensation of such personnel and make provision for such supplies, facilities, and services as may be necessary to carry out this order. The Committee may utilize the services and facilities of other Federal departments and agencies and such voluntary and uncompensated services as may from time to time be needed. The Committee may accept the services of State and local authorities and officials and may perform the functions and duties and exercise the powers conferred upon it by this order through such officials and agencies and in such manner as it may determine.

"8. The Committee shall have the power to promulgate such rules and regulations as may be appropriate or necessary to carry out the provisions of this order.

"9. The provisions of any other pertinent Executive order inconsistent with this order are hereby superseded."

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 27, 1943.*

Mr. BANKHEAD. Mr. President, the next development was the introduction of a bill in the House of Representatives by Representative MARCANTONIO. I do not intend to make any offensive remark about him. I suppose he is proud of his record. But I am advised that he voted against every appropriation bill to carry on the war until Russia entered the war, and that after that time he voted for all appropriation bills. I do not know whether he believes in a communistic form of government. The Members of the Senate know something about Mr. MARCANTONIO'S record. He is not a Democrat; he is not a Republican. I do not know whether he is a Socialist. Of late, since the American Labor Party was organized, he has belonged to it. I do not know what his record was prior to that time. However, he is the author of the first legislative bill which was introduced on this subject in the Congress of the United States. It is surprising to see so many able, strong Members of the Congress, both in the House of Representatives and in the Senate, following

the leadership of Mr. MARCANTONIO on this subject.

Now let us consider the record. Mr. MARCANTONIO introduced his bill on July 20, 1942. It is House bill 7412. I ask unanimous consent that it may be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the bill (H. R. 7412) was ordered to be printed in the RECORD, as follows:

Be it enacted, etc.—

FINDINGS AND POLICY

SECTION 1. The practice of some employers in denying employment opportunities to and in discriminating in employment against persons because of race, color, creed, religion, national origin, or citizenship is obnoxious to the fundamental democratic principle of equal opportunity for all, denies basic civil rights and liberties to large sections of the population, is destructive of workers' morale, impairs national unity, and wastes essential manpower.

It is hereby declared to be the policy of the United States to repudiate and prohibit discrimination in employment because of race, color, creed, religion, national origin, or citizenship by employers engaged in the manufacture or furnishing of materials, supplies, articles, equipment, or services to or for the use of the United States or any agency or instrumentality thereof.

DEFINITIONS

SEC. 2. 1. The term "committee" means the Committee on Fair Employment Practice appointed by the President pursuant to Executive Order No. 8802 of June 25, 1941.

2. The term "person" includes one or more individuals, partnerships, associations, corportions, legal representatives, trustees, trustees in bankruptcy, or receivers.

3. The term "employer" includes any person acting on behalf of or in the interest of an employer, directly or indirectly.

4. The term "Federal agency" means any executive department, independent establishment, or other agency or instrumentality of the United States, any corporation, all of the stock of which is beneficially owned by the United States, the District of Columbia, or any Territory or possession of the United States.

5. The term "contractor" means any employer who enters into a contract with a Federal agency for the manufacture or furnishing of materials, supplies, articles, equipment, or services.

6. The term "subcontractor" means any employer who enters into a contract with a contractor for the manufacture or furnishing of materials, supplies, articles, equipment or services for use in, or in connection with, or necessary for, the performance by the contractor of its contract with a Federal agency.

7. The term "fair employment practice provisions" means (a) the provisions contained in any contract between a Federal agency and a contractor, or between a contractor and a subcontractor pursuant to the requirements of section 4 of this act, and (b) the provisions contained in any defense contract pursuant to the requirements of paragraph 2 of Executive Order No. 8802 dated June 25, 1941.

FAIR EMPLOYMENT PRACTICE PROVISIONS

SEC. 3. It shall be an unfair employment practice for any contractor or subcontractor to refuse to hire any person, or in solicitation for hire, hiring, training, tenure, or any other term or condition of employment to discriminate against any person because of race, color, creed, religion, national origin, or citizenship: *Provided*, That it shall not be an unfair employment practice to deny employment in specified occupations to noncitizens or alien enemies, where such denial of employment is required by the terms of any Executive order issued by the President of the United States.

SEC. 4. Every contract entered into by a Federal agency with a contractor shall include the following fair employment practice provisions:

(a) That the contractor will not, in the performance of such contract or otherwise, engage in any unfair employment practice;

(b) That the contractor shall include in every contract executed by it with a subcontractor, an agreement, for the use and benefit of the United States, that such subcontractor will not engage in any unfair employment practice in the performance of such subcontract or otherwise.

ENFORCEMENT

SEC. 5. 1. The committee is empowered and directed, as hereinafter provided, to prevent the violation of and to enforce fair employment practice provisions.

2. Whenever the committee has reason to believe or whenever a charge has been made that any contractor or subcontractor has violated or is violating the fair employment practice provisions of any contract to which it is a party, the committee shall have power to issue and cause to be served upon such contractor or subcontractor a complaint stating the charges in that respect, and containing a notice of hearing before the committee at a place therein fixed to be held not less than 7 days after the serving of said complaint. Any such complaint may be amended by the committee or its agent conducting the hearing at any time prior to the issuance of an order based thereon. The person so complained of shall have the right to file an answer to the original or amended complaint not less than 5 days after the service of such original or amended complaint and to appear in person or otherwise to give testimony at the place and time set in the complaint. In the discretion of a member or agent conducting the hearing, or of the committee, any other person may be allowed to intervene in the proceeding and to present testimony. In any such proceeding the rules of evidence prevailing in the courts of law or equity shall not be controlling.

SEC. 6. The testimony taken at the hearing shall be reduced to writing and filed with the committee. Thereafter, in its discretion, the committee, upon notice, may take further testimony or hear argument. If upon all the testimony taken the committee shall determine that the respondent has violated or is violating any fair employment practice provision, the committee shall state its findings of fact and shall issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such violations and from any and all other violations of such fair employment practice provisions and to take such of the following further action as the committee may direct:

(a) Payment into the Treasury of the United States, as liquidated damages for such violation, the sum of $500 per day for each day of the continuance of such violation.

(b) The hiring of any person refused employment or the reinstatement of any person discharged or laid off in violation of such fair employment practice provisions.

(c) The transfer of any person from an occupation in which he is employed to an occupation in which he was denied employment or from which he was transferred in violation of such fair employment practice provisions.

(d) The award of back pay from the date of any refusal to hire, lay off, discharge, or other discrimination in hiring, tenure, or other term or condition of employment in violation of such fair employment practice provisions.

(e) Such other affirmative action as will effectuate the policy of this act.

(f) The making of reports to the committee from time to time showing the extent to which the order has been complied with.

If upon all the testimony the committee shall be of the opinion that the person or persons named in the complaint have not violated and are not violating such fair employment practice provisions, then the committee shall make its findings of fact and shall issue an order dismissing the complaint.

Until a transcript of the record in a case shall have been filed in a court, the committee may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

SEC. 7. Unless the committee shall otherwise determine and state in its order, no contractor or subcontractor against whom the committee has entered an order pursuant to section 6, and no person exercising a controlling interest in such contractor or subcontractor shall be awarded a contract as a contractor or subcontractor until 3 years have elapsed from the date of such order of the committee. The Comptroller General is authorized and directed to distribute a list to all Federal agencies, and such Federal agencies are authorized and directed to distribute a list to all contractors containing the names of persons who have been barred from becoming contractors or subcontractors pursuant to the provisions of this section.

ENFORCEMENT AND REVIEW

SEC. 8. Proceedings for the enforcement of any order of the committee may be taken and prosecuted by the committee and proceedings for the review of any final order of the committee may be taken and prosecuted by any person aggrieved thereby in the same manner and form and with the same effect as is provided by subdivisions (e) to (i), inclusive, of section 10 of the National Labor Relations Act with reference to proceedings for the enforcement or review of orders of the National Labor Relations Board: *Provided*, That the court in which a petition for enforcement or review shall be filed and which shall have jurisdiction of the proceeding shall be any circuit court of appeals of the United States (including the Court of Appeals of the District of Columbia) within any circuit wherein the violation in question of the fair employment practice provisions occurred or wherein the respondent named in the order of the committee resides or transacts business, or (in the case of a petition to review an order of the committee) in the Court of Appeals of the District of Columbia.

INVESTIGATORY POWERS

SEC. 9. For the purpose of all hearings and investigations which, in the opinion of the committee, are necessary or proper for the exercise of the powers vested in it by this Act, the committee, its members, and its duly authorized agents or agencies shall have and may exercise all of the powers vested in the National Labor Relations Board by subdivisions (1) to (6), inclusive, of section 11 of the National Labor Relations Act, and all of the provisions of said subdivisions shall be applicable to hearings and investigations conducted by the committee under this act.

SEC. 10. Any person who shall willfully resist, prevent, impede, or interfere with any member of the committee or any of its agents or agencies in the performance of duties pursuant to this act shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both.

MISCELLANEOUS

SEC. 11. The committee may, by one or more of its members or by such agents or

agencies as it may designate, prosecute any inquiry necessary to its functions in any part of the United States. The committee may establish or utilize such regional, local, or other agencies and utilize such voluntary and uncompensated services as may from time to time be needed. Attorneys appointed by the committee may appear for and represent the committee in any court proceeding.

SEC. 12. The committee shall have authority from time to time to make, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of this act. Such rules and regulations shall be effective upon publication in the manner prescribed by the committee.

SEC. 13. If any provision of this act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SEC. 14. This act may be cited as the "Fair Employment Practice Act."

Mr. BANKHEAD. Mr. President, who introduced the next bill on the subject? It was introduced by Mr. Scanlon, a Member of the House of Representatives from the State of Pennsylvania, and a Democrat. He introduced House bill 3986. It is strange to find that the bill pending before us, Senate bill 101, is stated in language almost exactly the same as that used in the Scanlon bill, which was introduced several months before Senate bill 101 was introduced. I send to the desk a copy of the Scanlon bill, House bill 3986, and ask unanimous consent that it be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the bill (H. R. 3986) was ordered to be printed in the RECORD, as follows:

Be it enacted, etc.—

FINDINGS AND DECLARATION OF POLICY

SECTION 1. The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production and defense, and burdens, hinders, and obstructs commerce.

It is hereby declared to be the policy of the United States to eliminate such discrimination in all employment relations which fall within the jurisdiction or control of the Federal Government as hereinafter set forth.

RIGHT TO FREEDOM FROM DISCRIMINATION IN EMPLOYMENT

SEC. 2. The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity, of all citizens of the United States, which shall not be abridged by any State or by an instrumentality or creature of any State.

UNFAIR EMPLOYMENT PRACTICES DEFINED

SEC. 3. (a) It shall be an unfair employment practice for any employer within the scope of this act—

(1) to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry;

(2) to discharge any person from employment because of such person's race, creed, color, national origin, or ancestry;

(3) to discriminate against any person in compensation or in other terms or conditions of employment because of such person's race, creed, color, national origin, or ancestry.

(b) It shall be an unfair employment practice for any labor union within the scope of this act—

(1) to refuse membership to any person because of such person's race, creed, color, national origin, or ancestry;

(2) to expel from membership any person because of such person's race, creed, color, national origin, or ancestry; or

(3) to discriminate against any member, employer, or employee because of such person's race, creed, color, national origin, or ancestry.

(c) It shall be an unfair employment practice for any employer or labor union within the scope of this act to discharge, expel, or otherwise discriminate against any person because he has opposed any practices forbidden by this act or because he has filed a charge, testified, or assisted in any proceeding under this act.

SCOPE OF ACT

SEC. 4. (a) This act shall apply to any employer having in his employ more than five persons, who is (1) engaged in interstate or foreign commerce; (2) under contract with the United States or any agency thereof; or (3) performing work, under subcontract or otherwise, called for by a contract to which the United States or any agency thereof is a party.

(b) This act shall apply to any labor union which has five or more members in the employ of one or more employers covered by the preceding paragraph.

(c) This act shall apply to the employment practices in the United States and of every Territory, insular possession, agency, or instrumentality thereof, except that paragraphs (3) and (f) of section 10, providing for petitions for enforcement and review, shall not apply in any case in which an order has been issued against any department or independent agency of the United States; but in any such case the Fair Employment Practice Commission established by section 5 of this act may petition the Attorney General of the United States for the enforcement of such order, and it shall thereupon be the duty of the Attorney General to take such measures as may secure obedience to any such order. Every official who wilfully violates any such order shall be summarily discharged from the Government employ.

FAIR EMPLOYMENT PRACTICE COMMISSION

SEC. 5. For the purpose of securing enforcement of the foregoing rights and preventing unfair employment practices on the part of employers and labor unions, there is hereby established a commission to be known as the Fair Employment Practice Commission, which shall consist of a chairman and six additional members to be appointed by the President, by and with the advice and consent of the Senate, who shall serve for a term of 7 years except that the terms of the members originally appointed shall expire seriatim at intervals of 1 year. Any member of the commission may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Four members of the Commission shall at all times constitute a quorum.

REPORTS

SEC. 6. The Commission shall at the close of each fiscal year make a report in writing to the Congress and to the President concerning the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Commission, and an account of all moneys it has disbursed, and shall make such recommendations for further legislation as may appear desirable.

SALARIES

SEC. 7. Each member of the Commission shall receive a salary of $10,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment.

TERMINATION OF COMMITTEE ON FAIR EMPLOYMENT PRACTICE

SEC. 8. Upon the appointment of the members of the Commission, the Committee on Fair Employment Practice, established by Executive Order No. 9346 of May 27, 1943, shall cease to exist. All employees of the said Committee shall be transferred to and become employees of the Commission. All records, papers, and property of the Committee shall pass into the possession of the Commission, and all unexpended funds and appropriations for the use and maintenance of the Committee shall be available to the Commission.

LOCATION OF OFFICES

SEC. 9. The Commission shall hold its sessions in the District of Columbia and at such other places as it may designate. The Commission may, by one or more of its members or by such referees, agents, or agencies as it may designate, prosecute any inquiry or conduct any hearing necessary to its functions in any part of the United States or any Territory or insular possession thereof.

PROHIBITION OF UNFAIR EMPLOYMENT PRACTICES

SEC. 10. (a) The Commission is empowered as herein provided to prohibit any person from engaging in any unfair employment practices within the scope of this act.

(b) Whenever it is charged that any person has engaged in any such unfair employment practice, the Commission, or any referee, agent, or agency designated by the Commission for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect and containing a notice of hearing before the Commission or a member thereof, or before a designated referee, agent, or agency at a place therein fixed not less than 10 days after the serving of said complaint.

(c) The person so complained of shall have the right to file an answer to such complaint and to appear in person or otherwise, with or without counsel, and give testimony at the place and time fixed in the complaint.

(d) If upon all the testimony taken the Commission shall be of the opinion that any person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair employment practice and to take such affirmative action, including hiring or reinstatement of employees with or without back pay, as will effectuate the policies of this act. If, upon all the testimony taken, the Commission shall be of the opinion that no person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue an order dismissing the said complaint.

(e) The Commission shall have power to petition any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) or, if all the circuit courts of appeals to which application might be made are in vacation, any district court of the United States, within any circuit or district, respectively, wherein the unfair employment practice in question occurred, or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court to which petition is made a transcript of the entire record in

the proceeding, including the pleadings and testimony upon which such order was entered and the findings and the order of the Commission. Upon such filing, the court to which petition is made shall conduct further proceedings in conformity with the procedures established by law governing petitions for enforcement of the orders of the National Labor Relations Board.

(f) Any person aggrieved by a final order of the Commission granting or denying in whole or in part the relief sought may obtain a review of such order in any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) within any circuit wherein the unfair employment practice in question was alleged to have occurred or wherein such person resides or transacts business by filing in such court a written petition praying that the order of the Commission be modified or set aside. Upon such filing, the reviewing court shall conduct further proceedings in conformity with the procedures established by law governing petitions for review of the orders of the National Labor Relations Board.

INVESTIGATORY POWERS

SEC. 11. (a) For the purpose of all hearings and investigations which in the opinion of the Commission are necessary and proper for the exercise of the powers vested in it by this act, the Commission, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question. Any member of the Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question, before the Commission, its member, agent, or agency conducting the hearing or investigation. Any member of the Commission, or any agent or agency designated by the Commission for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

(b) In case of contumacy or refusal to obey a subpena issued to any person, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(c) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

RULES AND REGULATIONS

SEC. 12. The Commission shall have authority from time to time to make, amend, and rescind such regulations as may be necessary to carry out the provisions of this act. Such regulations shall be effective 60 days after transmission to the Congress unless the Congress has in the interim amended or nullified such regulations by appropriate legislation or has adjourned within 10 days after the submission of such regulations. Such regulations shall set forth the procedure for service and amendment of complaints, for intervention in proceedings before the Commission, for rules of evidence to be applied by the Commission, for the taking of testimony and its reduction to writing, for the modification of the findings or orders prior to the filing of records in court, for the service and return of process and fees of witnesses, and with respect to the seal of the Commission, which shall be judicially noticed, the payment of expenses of members and employees of the Commission, the qualification and disqualification of members and employees and any other matters appropriate in the execution of the provisions of this act.

GOVERNMENT CONTRACTS

SEC. 13. (a) All contracting agencies of the Government of the United States shall include in all contracts hereafter negotiated or renegotiated by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, national origin, or ancestry, and requiring him to include a similar provision in all subcontracts.

(b) Unless the Commission shall otherwise determine and state in its order, no contract shall be awarded by the United States or any agency thereof to any person found by the Commission to have violated any of the provisions of this act or to any firm, corporation, partnership, or association in which such person has a controlling interest, until 3 years have elapsed from the date when the Commission determines such violation to have occured. The Comptroller General is authorized and directed to distribute a list to all agencies of the United States containing the names of such persons

OFFENSES AND PENALTIES

SEC. 14. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Commission or any of its referees, agents, or agencies, in the performance of duties pursuant to this act, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both.

SEPARABILITY CLAUSE

SEC. 15. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the remainder of such act or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

DEFINITIONS

SEC. 16. (1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

(2) The term "employer" includes any person acting in the interest of any employer, directly or indirectly.

(3) The term "labor union" includes any organization in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning the terms or conditions of employment.

(4) Unless otherwise specified, the term "Commission" means the Fair Employment Practice Commission created by section 5 of this act.

(5) The term "Committee" means the Committee on Fair Employment Practice established by Executive Order No. 9346 of May 27, 1943.

(6) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or Territory or the District of Columbia or any foreign country.

SEC. 17. This act may be cited as the "Fair Employment Practices Act."

Mr. BANKHEAD. Mr. President, for the benefit of students who hereafter may study the proceedings taken in connection with pending legislation, I ask unanimous consent to have Senate bill 101 printed at this point in the RECORD.

There being no objection, the bill (S. 101) was ordered to be printed in the RECORD, as follows:

Be it enacted, etc.—

FINDINGS AND DECLARATION OF POLICY

SECTION 1. The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production, endangers the national security and the general welfare, and adversely affects commerce.

It is hereby declared to be the policy of the United States to eliminate such discrimination in all employment relations which fall within the jurisdiction or control of the Federal Government as hereinafter set forth.

RIGHT TO FREEDOM FROM DISCRIMINATION IN EMPLOYMENT

SEC. 2. The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity, of all citizens of the United States, which shall not be abridged by any State or by an instrumentality or creature of the United States or of any State.

UNFAIR EMPLOYMENT PRACTICES DEFINED

SEC. 3. (a) It shall be an unfair employment practice for any employer within the scope of this act—

(1) to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry;

(2) to discharge any person from employment because of such person's race, creed, color, national origin, or ancestry;

(3) to discriminate against any person in compensation or in other terms or conditions of employment because of such person's race, creed, color, national origin, or ancestry; and

(4) to confine or limit recruitment or hiring of persons for employment to any employment agency, placement service, training school or center, labor union or organization, or any other source that discriminates against persons because of their race, color, creed, national origin or ancestry.

(b) It shall be an unfair employment practice for any labor union within the scope of this act—

(1) to deny full membership rights and privileges to any person because of such person's race, creed, color, national origin, or ancestry;

(2) to expel from membership any person because of such person's race, creed, color, national origin, or ancestry; or

(3) to discriminate against any member, employer, or employee because of such person's race, creed, color, national origin, or ancestry.

(c) It shall be an unfair employment practice for any employer or labor union within the scope of this act to discharge, expel, or otherwise discriminate against any person because he has opposed any practices forbidden by this act or because he has filed a charge, testified, or assisted in any proceeding under this act.

SCOPE OF ACT

SEC. 4. (a) This act shall apply to any employer having in his employ six or more persons, who is (1) engaged in interstate or foreign commerce or in operations affecting such commerce; (2) under contract with the United States or any agency thereof or performing work, under subcontract or otherwise, called for by a contract to which the United States or any agency thereof is a party, awarded, negotiated, or renegotiated as hereinafter provided in section 13 of this act.

(b) This act shall apply to any labor union which has six or more members who are engaged in interstate or foreign commerce or operations affecting such commerce or employed by the United States or any Territory, insular possession, or instrumentality thereof.

(c) This act shall apply to the employment practices of the United States and of every Territory, insular possession, agency, or instrumentality thereof, except that paragraphs (e) and (f) of section 10, providing for petitions for enforcement and review, shall not apply in any case in which an order has been issued against any department or independent agency of the United States; but in any such case the Fair Employment Practice Commission established by section 5 of this act may petition the President for the enforcement of any such lawful order, and it shall thereupon be the duty of the President to take such measures as may secure obedience to any such order. Every officer, agent, or employee who willfully violates any such order shall be summarily discharged from the Government employ.

FAIR EMPLOYMENT PRACTICE COMMISSION

SEC. 5. For the purpose of securing enforcement of the foregoing rights and preventing unfair employment practices on the part of employers and labor unions, there is hereby established a Commission to be known as the Fair Employment Practice Commission, which shall consist of a Chairman and four additional members to be appointed by the President, by and with the advice and consent of the Senate, who shall serve for a term of 5 years, except that the terms of the members originally appointed shall expire seriatim at intervals of 1 year. Any member of the Commission may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for not other cause. Three members of the Commission shall at all times constitute a quorum.

REPORTS

SEC. 6. The Commission shall at the close of each fiscal year make a report in writing to the Congress and to the President concerning the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Commission, and an account of all moneys it has disbursed, and shall make such further reports on the cause of, and means of alleviating discrimination, and such recommendations for further legislation as may appear desirable.

SALARIES

SEC. 7. Each member of the Commission shall receive a salary of $10,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment.

TERMINATION OF COMMITTEE ON FAIR EMPLOYMENT PRACTICE

SEC. 8. Upon the appointment of the members of the Commission, the Committee on Fair Employment Practice, established by Executive Order No. 9346 of May 7, 1943, shall cease to exist. All employees of the said Committee shall be transferred to and become employees of the Commission. All records, papers, and property of the Committee shall pass into the possession of the Commission, and all unexpended funds and appropriations for the use and maintenance of the Committee shall be available to the Commission.

LOCATION OF OFFICES

SEC. 9. The Commission shall hold its sessions in the District of Columbia and at such other places as it may designate. The Commission may, by one or more of its members or by such referees, agents, or agencies as it may designate, prosecute any inquiry or conduct any hearing necessary to its functions in any part of the United States or any Territory or insular possession thereof.

PROHIBITION OF UNFAIR EMPLOYMENT PRACTICES

SEC. 10. (a) The Commission is empowered as herein provided to prohibit any person from engaging in any unfair employment practices within the scope of this act.

(b) Whenever it is alleged that any person has engaged in any such unfair employment practice, the Commission, or any referee, agent, or agency designated by the Commission for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect and containing a notice of hearing before the Commission or a member thereof, or before a designated referee, agent, or agency at a place therein fixed not less than 10 days after the serving of said complaint.

(c) The person so complained of shall have the right to file an answer to such complaint and to appear in person or otherwise, with or without counsel, and give testimony at the place and time fixed in the complaint.

(d) If upon the record, including all the testimony taken, the Commission shall find that any person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair employment practice and to take such affirmative action, including reinstatement or hiring of employees with or without back pay, as will effectuate the policies of this act. If upon the record, including all the testimony taken, the Commission shall find that no person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue an order dismissing the said complaint.

(e) The Commission shall have power to petition any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) or, if all the circuit courts of appeals to which application might be made are in vacation, any district court of the United States, within any circuit or district, respectively, wherein the unfair employment practice in question occurred, or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court to which petition is made a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and the order of the Commission. Upon such filing, the court to which petition is made shall conduct further proceedings in conformity with the procedures and limitations established by law governing petitions for enforcement of the orders of the National Labor Relations Board.

(f) Any person aggrieved by a final order of the Commission granting or denying in whole or in part the relief sought may obtain a review of such order in any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) within any circuit wherein the unfair employment practice in question was alleged to have occurred or wherein such person resides or transacts business by filing in such court a written petition praying that the order of the Commission be modified or set aside. Upon such filing, the reviewing court shall conduct further proceedings in conformity with the procedures and limitations established by law governing petitions for review of the orders of the National Labor Relations Board.

INVESTIGATORY POWERS

SEC. 11. (a) For the purpose of all hearings and investigations which in the opinion of the Commission are necessary and proper for the exercise of the powers vested in it by this act the Commission, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question. Any member of the Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question, before the Commission, its member, agent, or agency conducting the hearing or investigation. Any member of the Commission, or any agent or agency designated by the Commission for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

(b) In case of contumacy or refusal to obey a subpena issued to any person, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(c) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

RULES AND REGULATIONS

SEC. 12. The Commission shall have authority from time to time to make, amend,

and rescind such regulations as may be necessary to carry out the provisions of this act. Such regulations shall be effective 60 days after transmission to the Congress unless the Congress has in the interim amended or nullified such regulations by appropriate legislation or has adjourned within 30 days after the submission of such regulations. Such regulations shall include the procedure for service and amendment of complaints, for intervention in proceedings before the Commission, for the taking of testimony and its reduction to writing, for the modification of the findings or orders prior to the filing of records in court, for the service and return of process and fees of witnesses, and with respect to the seal of the Commission, which shall be judicially noticed, the payment of expenses of members and employees of the Commission, the qualification and disqualification of members and employees, and any other matters appropriate in the execution of the provisions of this act.

GOVERNMENT CONTRACTS

SEC. 13. (a) All contracting agencies of the Government of the United States shall include in all contracts hereafter awarded, negotiated, or renegotiated by them, except such classes of contracts as may be exempted from the scope of this provision by regulation adopted pursuant to section 12 of this act, a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, national origin, or ancestry, and requiring him to include a similar provision in all subcontracts.

(b) No contract shall be awarded or executed by the United States or any agency thereof to any person found by the Commission to have violated any of the provisions of this act or to any firm, corporation, partnership, or association in which such person has a controlling interest, for a period to be fixed by the Commission not to exceed 3 years from the date when the Commisison determines such violation to have occurred. The Commission may by subsequent order, for good cause shown, reduce any period so fixed. The Comptroller General is authorized and directed to distribute a list to all agencies of the United States containing the names of such persons.

WILLFUL INTERFERENCE WITH COMMISSION AGENTS

SEC. 14. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Commission or any of its referees, agents, or agencies, in the performance of duties pursuant to this act, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both.

SEPARABILITY CLAUSE

SEC. 15. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the remainder of such act or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby:

DEFINITIONS

SEC. 16. (1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

(2) The term "employer" includes any person acting in the interest of any employer, directly or indirectly, and includes the United States and every Territory, insular possession, and agency or instrumentality thereof.

(3) The term "labor union" includes any organization in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning the terms or conditions of employment.

(4) Unless otherwise specified, the term "Commission" means the Fair Employment Practice Commission created by section 5 of this act.

(5) The term "Committee" means the Committee on Fair Employment Practice established by Executive Order No. 9346 of May 27, 1943.

(6) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or Territory or the District of Columbia or any foreign country.

(7) The term "affecting commerce" means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

SEC. 17. This act may be cited as the "Fair Employment Practice Act."

Mr. BANKHEAD. Mr. President, I wish to call attention to the similarity between Senate bill 101 and the Marcantonio bill. I ask students of the subject to compare section 1 of the Marcantonio bill with the corresponding section of the pending bill. I ask them to compare section 3 of the pending bill, Senate bill 101, which defines unfair employment practices with section 3 of the Marcantonio bill. I ask them to compare section 10 of the pending bill with section 5 of the Marcantonio bill. I ask them to make a comparison of subsection (e) of section 10 of the pending bill, Senate bill 101, with section 8 of the Marcantonio bill. I ask them to make a comparison of subsection (f) of section 10 of the pending bill, Senate bill 101, with section 8 of the Marcantonio bill. I ask students of the subject to compare section 12 of the pending bill with section 12 of the Marcantonio bill. I ask them to make a comparison of section 13 of the pending bill with section 5 of the Marcantonio bill. I ask them to make a comparison of section 15 of the pending bill with section 13 of the Marcantonio bill. I ask them to make a comparison of section 16 of the pending bill with sections 2 and 3 of the Marcantonio bill.

Mr. President, much has been said about the politics involved in this bill. The subject has been raised on several occasions during the course of this debate. I have endeavored to appraise as best I could the attitude of both parties, from a political standpoint, on this measure. Of course, as we recall, this subject was originally presented to us by President Roosevelt, by means of his Executive orders; but those Executive orders, as will be found by reading them, are exceedingly mild and without force or compulsion such as that provided for in these bills. Still, those Executive orders came from the Democratic Party.

Then, following the introduction of Mr. MARCANTONIO'S bill, Mr. Scanlon introduced his bill. It is exactly like the one we are now considering, Senate bill 101. Mr. Scanlon was a Democrat.

Then along came Mr. DAWSON. On the day after Mr. Scanlon introduced his bill, Mr. DAWSON introduced exactly the same bill. He is a Democrat from Illinois.

Then came Mr. LAFOLLETTE. On the same day he introduced House bill 4005. He is a Member of the House of Representatives, and is a Republican from the State of Indiana. The bill he introduced follows the real pattern or fashion set in the Marcantonio bill.

Then came the first Chavez bill, on June 23, 1944. It is to be noted that all the other bills were introduced in January, nearly 5 months before the Chavez bill—as we shall call it here—the bill now under consideration—was introduced. That bill was the one which was introduced by the Senator from New Mexico [Mr. CHAVEZ] and other Senators, the same authors as those of the pending bill, except that I believe the Senator from Vermont [Mr. AIKEN] has been recorded as an author of the pending bill and not of the other bill. I refer to Senate bill 2048, which was introduced on June 24, 1944, a bill which was word for word, "t" for "t," and "i" for "i" the same as the bills which were introduced by Representatives Scanlon, Dawson, and LaFollette. Later, on January 6, 1945, the pending bill was introduced. The authors of that bill are the same as those of the bill which was introduced June 24, 1944.

On January 3, 1945, Representative NORTON introduced House bill 523.

On January 4, 1945, Representative BALDWIN of New York introduced House bill 679.

On January 6, 1945, the pending bill was introduced.

On January 11, 1945, Representative HOOK, a Democrat, from Michigan, introduced a similar bill.

On January 17, 1945, Representative DIRKSEN of Illinois introduced a bill which I have not compared with the pending bill.

On January 24, 1945, Representative POWELL introduced House bill 1743. He is a Democrat and a Negro. He may be proud of that fact, and I do not criticize him for it.

On January 25, 1945, Representative BENDER of Ohio, a Republican, introduced the same bill as the one which is now before us.

On January 29, 1945, Representative DOUGLAS of California introduced House bill 1806.

On January 29, the same day, Representative CLASON of Massachusetts, a Republican, introduced a similar bill.

On January 31 Representative DOYLE, a Democrat from California, introduced substantially the same bill.

On the same date, January 31, Representative HOFFMAN, a Republican from Michigan, introduced the same kind of a bill.

On February 4, 1946, the Senator from Ohio [Mr. TAFT] introduced a bill, but it was not patterned after the others, and that may be said to his credit. I am glad to say it, because he is opposed to the pending bill, although he is in favor of cloture. I have been advised that he was opposed to the bill being reported by the committee.

Mr. President, the authors of those bills comprise about six Republicans and about six Democrats. It looks as though there were a scramble of Representatives

to secure a good position on this subject. The number of Republicans and the number of Democrats in this respect are about equal.

I do not believe that politically there is any advantage to be gained by either party in this situation. I do not believe that either party will get out of this matter any particular credit, because north of the Mason and Dixon's line we find in the main Democrats and Republicans, all of whom want to make a record, especially in the States in which there is a substantial number of Negro votes.

What is the next step by which we can determine whether one party has an advantage over the other, or can appeal to the colored vote through the type of work which is being done in connection with the fostering of the pending bill? I do not know the price which they are willing to pay for serving their country, but I know that so far as many of the States of this country are concerned, they are doing a disservice.

Mr. President, we find that a cloture petition has been brought into the picture. What has happened with respect to it? We find on the petition the names of 48 signers. How do they stand politically? Twenty-four Democrats and 24 Republications signed the petition. The filing of the petition was delayed for almost a week. I do not know whether it was done by shuffling around to see whether the Democrats could obtain one or more additional signers, or whether the Republicans could obtain one or more additional signers, and thereby have a majority. I do not make such a charge, but I know that before the petition was filed some of us were advised that neither party had obtained any additional signers to the petition. But the whole thing looks like a horse race without our leader taking the position of the leading jockey. That is the position which we now occupy. It is a horse race between the two parties, with the contestants running neck and neck until they go under the wire.

Mr. President, it is very regrettable that political issues of the character which have been raised here are being pressed at this time upon the Congress of the United States. In the South very few complaints have been made by the Committee on Fair Employment Practive. Yet, various newspapers have carried articles, and commentators have talked from time to time about the southern filibuster, as though we southern Senators were the cause of the entire situation.

In the first place, I wish to say—and I think every Senator on this floor will agree with me—that the debate which has taken place in connection with the pending bill has been one in which information, logic, and arguments on economics, on the Constitution, and on many legal phases of this bill have been brought forward. The time has not been consumed in reading from newspapers, books, and roll calls which took up much of the time of previous filibusters. Still, there are those who talk about these southern filibusterers. We have discussed the proposal. We have pointed out the viciousness of this bill and its unconstitutionality of it until there are not many Members of the Senate who, in my judgment, would be willing to vote for the bill in its present form. At any rate, we believe that we have rendered a splendid service to the people of the United States. I shall not go into the merits of the matter at this late hour. I want the RECORD to show, however, that there has been no filibuster upon this measure, although I am not ashamed of filibustering if the very foundations of my section are threatened, whether the threats be of an economic, social, or other character. When proposed legislation is brought before the Senate which appears to be directed at any section of this country, be it the West, East, North, or South, I will join any group of Senators in filibustering it to death. I have no apologies to make in that regard. But, I repeat, Mr. President, there has been no filibustering in the Senate in connection with the pending bill, and all the statements made to the contrary in the newspapers from day to day, are incorrect. Statements have been made that the southern filibusterers are still filibustering the bill, and those statements are made for the purpose of striking at the South.

Mr. President, I have before me a table listing the complaints which were filed with the Committee on Fair Employment Practice during the period from August 1, 1943, to January 1, 1946, including complaints made in Southern States during the same period. I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Total number of cases docketed by States Aug. 1, 1943, to Jan. 1, 1946

Connecticut	63
Massachusetts	130
New Hampshire	1
Maine	1
Rhode Island	3
Vermont	0
New York	1,313
New Jersey	253
Delaware	9
Pennsylvania	852
Maryland	144
District of Columbia	280
Virginia	119
West Virginia	20
North Carolina	44
Ohio	502
Michigan	708
Kentucky	43
Illinois	703
Indiana	162
Wisconsin	26
Alabama	116
Georgia	222
Tennessee	138
Mississippi	14
South Carolina	35
Florida	113
North Dakota	0
South Dakota	1
Nebraska	29
Iowa	26
Minnesota	16
Missouri	534
Kansas	78
Oklahoma	24
Arkansas	24
Texas	437
Louisiana	146
New Mexico	39
Utah	9
Idaho	0
Colorado	34
Wyoming	10
Montana	12
California	1,080
Washington	97
Oregon	33
Arizona	77
Nevada	30
Total	8,750

Mr. BANKHEAD. Mr. President, as shown by the table, 8,750 complaints were filed with the Committee on Fair Employment Practice during the period from August 1, 1943, to January 1, 1946. Of those complaints only 1,450 were filed in the 12 Southern States. That constitutes 16 percent of the total number of complaints filed before the Commission charging unfair employment practices.

In the Southern State 26 percent of the total population of this country resides, and out of that whole 26 percent of the population only 16 percent of the complaints have been made about unfair trade practices and discriminations against the Negro.

I do not want to take further time. I know the Senate is anxious to proceed to other matters. I wish to put into the RECORD at this point, however, a list of the Southern States showing the number of complaints filed in each Southern State, constituting 16 percent of the complaints, and the population of the same States, showing that it is 26.4 percent of the total population of the country.

The PRESIDING OFFICER (Mr. MCCLELLAN in the chair). Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Total FEPC cases in United States	8,750
FEPC cases in Southern States	1,451

Southern FEPC cases are 16.6 percent of total cases.

	Cases
Virginia	119
North Carolina	44
South Carolina	35
Kentucky	43
Alabama	116
Georgia	222
Tennessee	138
Mississippi	14
Florida	113
Arkansas	24
Texas	437
Louisiana	146
Total	1,451

Total population of United States	131,669,275
Population of Southern States	34,676,653

Population of Southern States is 26.3 percent of total population.

Southern States:	*Population*
Virginia	2,677,773
North Carolina	3,571,623
South Carolina	1,899,804
Georgia	3,123,723
Florida	1,897,414
Kentucky	2,845,627
Tennessee	2,915,841
Alabama	2,832,961
Mississippi	2,183,796
Arkansas	1,949,387
Louisiana	2,363,880
Texas	6,414,824
Total	34,676,653

Mr. BANKHEAD. Mr. President, in conclusion I wish to express the hope

that such a legislative proposal as the one before us will not be brought here again at an early date. I am sure the Senate has been convinced that the South is doing its full part by the Negro, that it is spending of the taxes collected as much per capita upon the colored people as upon the white people. Notwithstanding the small income of the people of the South as compared with the Northern and Eastern States, the South is forgetting that, and doing all anyone could expect of it to improve the condition of the Negro in that section.

Why does anyone wish to disturb that situation? The Negroes in the South are not asking, the intelligent Negroes do not want social race equality, which is involved in the program, and we all know it. They do not want to have such a thing as that forced on them. They are proud of their own race. Some of the northern folk do not understand that. They have not the same type of Negro in the North as in the South, constituting the great majority of the Negro race in this country. The Negroes are proud of their race, they are educating their children, they are seeking to improve their condition economically and otherwise.

Why not let us alone? The Negroes of the South are not appealing to anyone. There is no society for the advancement of the colored race in the South, as there is in the North—a political organization. They are going along making progress, are proud of their race, and we feel great interest in them.

All we ask the northern people to do is to let us alone. If the northern people have trouble in their own States, let them settle it within their legislatures, settle it locally, where the people understand their situation, and where they have their court procedure.

We know the trouble that occurred in some States during the prohibition era. A great many States had adopted prohibition for themselves, and then there arose a clamor among enthusiasts that it should be put on States which did not want it. That view prevailed, and what was the result? Did that advance the cause of temperance? Did it advance the cause of effective prohibition? No; it did not. On the contrary, it broke down, weakened, and destroyed sentiment which had been built up by temperance advocates over a long period of years, because compulsion in a national way was put upon the States of this Nation.

Why should not the Senators from the North, from above the Mason and Dixon's line, proceed with their effort to get legislation in the various States where some relief is needed from unfair race practices? There is no use of legislation if there is not an evil, and if there is an evil, there is more chance of regulating it under the police power of the States than there is under the Federal Constitution. No one doubts the right of the States to regulate such an evil.

If there really is a desire to serve the cause of the colored people in the matter of employment, if there is a desire to promote them in the matter of social equality with the white people, or intermarriage, whatever anyone wants to do for them, let the States take such action as they may see fit. We are not interfering with that. But I submit, in the interest of fairness and justice, in the interest of the colored people, that we who have been here fighting this measure know them better than any of the Northern people know them or could possibly know them. We have been reared among them, our fathers were reared among them, we understand them. We are trying to help them. We have been helping them all the years since slavery was abolished.

I appeal to Senators. We know the proposed legislation will not pass this week, but some zealous for it may want to bring it up again, or something similar to it. I appeal to them to consider carefully whether a national program of this sort is better than individual State programs applied where conditions demand. If such measures cannot be passed in the States, then I submit the proponents of this measure are going beyond reasonable bounds in coming here and voting to put it on States other than their own States, if their own States do not want it, as shown by the action of their State legislatures.

FIRST SUPPLEMENTAL APPROPRIATION RESCISSION ACT, 1946

Mr. McKELLAR. Mr. President, it will be remembered that after the war closed the Appropriations Committees of the two Houses reported a bill for rescission of many of the appropriations which had been made by the Congress for carrying on the war. The appropriations amounted to over $50,000,000,000.

The bill passed both Houses, but the President vetoed it because of one item concerning USES. The bill was not acted upon by the two Houses after that, until the House passed H. R. 5158. That bill came to the Senate and was referred to the Committee on Appropriations, and on February 4 was reported favorably to the Senate by that committee.

The bill as recommended by the committee, with one exception, is precisely the same in form and content as the similarly entitled bill—H. R. 4407—as finally approved by the House and Senate and transmitted to the President, except that it excludes the provision contained in H. R. 4407 for the return to the States of the employment services which were loaned to the Federal Government at the beginning of 1942. The following is a summation of the rescissions provided for in the former and accompanying measures:

	Amounts rescinded
Executive departments and various independent agencies:	
Cash	$2,945,503,585
Contractual authorization	929,961,208
Military Establishment:	
Cash	30,263,923,993
Naval Establishment:	
Cash	14,370,159,964
Contractual authorization	3,276,072,671
Corporate funds	1,190,500
Total	51,786,811,921

The earlier bill, as passed by the House, included provision for the States to resume control of their loaned employment services on the thirtieth day after the enactment of such bill. A more comprehensive provision was substituted by the Senate, and, as finally agreed to by the House and Senate, provided for the return of the employment services to the States on or before the one hundredth day after the enactment of the bill.

The President's objection to H. R. 4407 is because of his opposition to the provision contained therein for the return to the States of their loaned employment services at the height of the period of demobilization and reconversion. His position is made clear in his memorandum announcing that he had not approved the bill, issued on December 22, 1945, and which appears on pages 12547–12549 of the CONGRESSIONAL RECORD of December 21, 1945.

On January 29, 1946, the House of Representatives passed H. R. 4437 entitled "An act to provide for the return of public employment offices to State operation, to amend the act of Congress approved June 6, 1933, and for other purposes," and that bill is now pending in the Senate Committee on Education and Labor.

The bill as originally presented to the President and the pending bill carries a provision that the Secretary of War and the Secretary of the Navy shall on or before January 3, 1946, submit to the Congress a joint recommendation for revision of the Pay Adjustment Act of 1942, as amended, including but not restricted to recommendations with respect to increases authorized for flying pay, parachute pay, glider pay, submarine pay, and similar special pay and allowances. Inasmuch as January 3 is long past and in order that the departments may have sufficient time in which to make their recommendations as contemplated by the provision referred to, the committee is amending the bill by striking out the date "January 3, 1946," and inserting in lieu thereof the date "February 28, 1946." This is the only amendment recommended by the committee.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. WHITE. This is what is known as the rescission bill is it not?

Mr. McKELLAR. Yes. What it proposes to do is merely to cancel an enormous number of appropriations which are no longer necessary because the war has ended.

Mr. WHITE. I did not know the bill was to be taken up this afternoon and I have had no opportunity of consulting minority members of the committee. Let me ask specifically, is this arrangement satisfactory to the senior Senator from New Hampshire [Mr. BRIDGES], the ranking minority member of the Committee on Appropriations?

Mr. McKELLAR. It is.

Mr. WHITE. Then, I have no objection.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 5158) reducing certain appropriations and contract authorizations available for

the fiscal year 1946, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 5158) reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes, which had been reported from the Committee on Appropriations with an amendment on page 39, line 4, after the word "before", to strike out "January 3" and to insert "February 28."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed the consideration of the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry.

Mr. CAPEHART. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. CAPEHART. Mr. President, I ask unanimous consent that the amendments proposed by me on January 25 to S. 101, the FEPC bill, be printed in the RECORD, and that that may be deemed to be in compliance with the cloture rule as to their presentation for proposing at a subsequent time.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Without objection, it is so ordered.

The amendments intended to be proposed by Mr. CAPEHART are as follows:

On page 12, line 13, strike out "(a)."

On page 12, beginning with line 23, strike out all down through line 10 on page 13.

On page 2, line 10, after "United States" strike out all down through the word "State" in line 12.

On page 1, line 6; page 3, line 1; and page 3, line 4, strike out the word "persons" in each case and insert in lieu thereof the word "citizens."

On page 2, line 16; page 2, line 18; page 2, line 21; page 3, line 9; page 3, line 11; and page 3, lines 19 and 20, strike out the word "person" in each case and insert in lieu thereof the word "citizen."

On page 2, line 17; page 2, line 19; page 2, line 23; page 3, line 9 page 3, line 12; and page 3, line 15, strike out the word "person's" in each case and insert in lieu thereof the word "citizen's."

On page 3, line 14, after the word "any" insert the word citizen."

On page 3, line 25; and page 4, line 9, strike out the word "six" in each case and insert in lieu thereof the word "fifty."

On page 13, line 16, strike out "$5,000" and insert in lieu thereof "$1,000."

On page 13, line 17, strike out "one year" and insert in lieu thereof "thirty days."

Mr. HATCH. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield to the Senator if by doing so I do not lose the floor.

Mr. HATCH. I have not heretofore participated in the debate on the pending bill except possibly to ask a question or two. I think, however, that my attitude toward the bill is quite generally known, as I have in no way attempted to conceal my views. I have said, Mr. President, that I cannot support or vote for Senate bill 101. More than that, I have said that I cannot support and will not support cloture. Some of my friends, both in and out of the Senate, have expressed some surprise at my attitude in this regard. Perhaps therefore I should make a brief explanation of why I assume this position. That I shall endeavor to do, and I shall be as brief as possible.

Mr. President, this measure in its opening paragraph recites:

That the Congress finds—

This is a finding of fact made by the Congress of the United States that conditions in this country are such—

that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production, endangers the national security and the general welfare, and adversely affects commerce.

Mr. President, if Congress should pass this proposed legislation in its present form it would adopt the language I have just read as an absolute finding of fact as to the actual conditions which exist in the United States today. If I had no other reason in the world for opposing the bill than that I would vote against it, because I believe such a finding of fact would be false. It is plain, Mr. President, why that finding is set forth in the bill. It is an attempt to justify the exercise by the Federal Congress of the power to enact such legislation by giving color of compliance with the Constitution of the United States. I do not know whether from a legal standpoint, it could have that effect or not, but I know, even if such attempt is made to make the bill constitutional, that no law can justly rest upon a false foundation.

I sat on the bench at one time during my career. I heard many cases without the aid of a jury, and I necessarily made findings of fact and conclusions of law, and in nearly every case the conclusions of law had to be based upon the facts which were found. I am not speaking of myself now as a judge, but I know of no judge in the United States, either State or Federal, who would willfully and deliberately make a false finding of fact in order to render the kind of legal judgment he wanted to make. I do not at all challenge the motives of those who sponsor this legislation; I do not question their sincerity and good intentions, but as I read this measure and as I view conditions in the United States, if I voted for the bill and made that finding of fact I would be in exactly the same position as a judge on the bench who deliberately made a false finding of fact in order that he might sustain a legal judgment he wanted to make. That Mr. President, of course, I cannot do.

The paragraph refers to discriminations because of race, creed, national origin, and ancestry, placing, perhaps, on the same basis with the color line, which has been mentioned, the question of religious freedom in this country. Mr. President, I do not know of any place in the United States where a man is denied a chance to work on account of any particular creed to which he may adhere. There was a time when the differences between our religious denominations were such that there may have been discriminations of this kind, and perhaps they exist in some degree in some places today. I do not know. But I know that in the process of the years we have decidedly gotten away from those differences of religion, until, I think, today in America it can be said that we truly have religious freedom, and men are not discriminated against because of their religious views. I would regret deeply to insert in a bill of this kind the statement that in my country differences of religion are such that the welfare of America is jeopardized and the commerce of the Nation is interfered with because men by reason of their religious beliefs cannot secure employment. I simply do not believe that to be true.

It may be that in some sections of the country there is discrimination on the ground of nationality, other than the question of race. If that be true, it is to be deeply regretted. I would do anything I could to remove any such discriminations which might exist. As I shall presently say with respect to the colored race, I believe that when we attempt to force by law tolerance, respect, mutual good will, and such things, we are only aggravating the conditions which we seek to improve. I am eliminating from this consideration of the bill all those things relating to religion, to creed, to ancestry, and to national origin—everything except the question which I consider to be paramount, and that is so-called discrimination in America against the black man.

Mr. President, I am not begging the question. I concede that in this country there is discrimination against the black man. But in making that statement I do not confine it to the South. Discrimination against the colored man can be found in the North. It can be found to some extent in every section in America where the colored man lives, in every State in the Union.

But, Mr. President, even though I agree that such discrimination exists—and I do admit it, and regret it—I cannot agree that it can be cured by an act of Congress. I agree that the opportunities to work are limited for the colored man. I know that there are many places where he cannot secure a job simply because he is a black man. I say that that is a tragedy. It represents a failure of the white man, and to some extent a failure of the black man. But I repeat that it is not a thing that we can cure by law. Equality of opportunity to work, economic equality—yes, political equality—cannot be forced by law.

Perhaps some may be startled when I say that political equality is not enforced by law in America. We come nearer to it than any other nation in the world, but true political equality does not exist in America. Again, that condition is not confined to the South. The lack of political equality exists today in the North, in the East, and in the West. If we are to be truthful and candid we must admit that to be true. Yet we fought a bloody civil war in this coun-

try; we amended the Constitution of the United States; we had the Emancipation Proclamation; and statute after statute was enacted by Congress in an effort to confer political equality. Senators know, and I know, that those attempts have not been altogether successful.

I am not discouraged, although nearly 75 years have passed and that goal has not yet been attained. I believe that eventually, by using wisdom and understanding on both sides, we may approach nearer to true political equality. I mention that only to say this: After all the trials and tribulations, the bloodshed, the laws, and the constitutional amendments, when nearly 75 years have passed and political equality does not truly exist, how can Senators deceive themselves into thinking that by enacting an unconstitutional law we can create economic equality? It may be all right for Senators to deceive themselves if they desire to do so. It may be all right to enact a law declaring that certain conditions exist, and setting up the machinery which the bill would establish, in an effort to force upon American citizens a system of which they do not approve and for which they will not stand, by a law which they will not obey, in the belief that we are helping the situation. If Senators wish to deceive themselves by doing so, let them pass this type of bill. But I for one will not deceive myself, or the people whom I represent, by saying that this bill will do that which I know it will not do.

Mr. President, I have stated that in my opinion the bill is unconstitutional. I think it is. I shall not take the time today to discuss the constitutional phases of the bill; but I wish to say that, in addition to violating some of the fundamental principles of the Constitution itself, I feel that this measure will, if it ever becomes a law, transgress and invade the most sacred American principles contained in the Bill of Rights. I do not believe that we can create freedom of equality or opportunity in one group by transgressing the principles of freedom and equality with respect to other groups. I say that members of the group which this bill is intended to help might well be the ones most seriously injured by a violation of the fundamental principles of the Constitution and the Bill of Rights.

No, Mr. President; I do not believe that the bill is constitutional. I believe that it transgresses the Bill of Rights. For those reasons I cannot vote for the measure. But I am still not begging the question. Even if the bill were constitutional, even if it did not transgress the Bill of Rights, I would still vote against it. I would vote against it simply because I happen to know—or at least I think I know—of some of the conditions and some of the feelings which exist in certain sections of the country, even though such feelings may represent a minority sentiment. I know how strongly certain of our people feel about legislation of this kind, in sections where the greatest number of the people who would be affected by the bill dwell. It is my judgment—and it is a considered judgment, one which has not been quickly arrived at—that if we should attempt to enforce the principles of this bill in those sections of the country we would create a far worse condition than the one which we are attempting to cure. I do not say that the conditions in those sections of the country are right. I know that they are deplored by many people who live there, and that honest, intelligent men and women are trying their best to cure some of those conditions. I hope that eventually they will succeed.

There are some things that cannot be done by law. There are some things that men will do voluntarily because they are right; but the minute an attempt is made to force them to do even that which is right, they rebel. I know that the proposed law could not and would not be enforced. I believe that if an attempt were made to enforce it in accordance with the language of the bill, it would create antagonisms; it would create conditions which would take many years to cure, and might result in situations which I do not care to discuss today. In short, I can sum up that point in one sentence, namely, that regardless of the good intentions and good motives of every man who believes in this legislation—and I concede them to be good—if this bill were passed and were enforced it would do vastly more harm than good to the very citizens whom it is intended to help.

Believing that, Mr. President, I say again that I cannot support the pending legislation. I do not wish to take much time on this matter, but, I come now to the question of cloture, upon which we shall vote tomorrow. A few days ago I heard one Senator say on this floor that he would always vote for cloture, meaning that he has a hard-and-fast rule on the subject of cloture. I do not have. There are some instances when I would vote for cloture, and there are others when I would not. As the Senator from Maine stated yesterday, I believe there are times when a minority can protect itself against an overwhelming and sometimes ruthless majority only by using every legitimate and available means at hand. A great leader of our own party, Thomas Jefferson, warned more than once of that situation. I believe it was in his first inaugural address that he expressed fear, perhaps, of legislative domination, rather than Executive domination; and I know that he warned then against arbitrary rule by the majority against the minority. He always respected the rights of the minority.

It is true we must have majority rule. But when fundamental rights are involved, when the conditions affect the safety and welfare of a man's own people in his own State, or when he honestly believes that they do—I do not think it is necessary that he be correct in that belief; he does not have to be right, but if he sincerely and honestly believes that the measure is of that importance, I think he is untrue to himself, untrue to his people, and untrue to his State unless he exercises every means he can to protect against what might be the arbitrary and ruthless overriding of the minority by the majority.

So there are times when I believe in free and unlimited debate, even though it amounts to a filibuster; and when those conditions arise, I will not vote for cloture. I do not think any man who has been in the Senate for any length of time, when he realizes the nature of the questions which this bill presents can doubt the sincerity and the honesty of the motives of those Senators who have stood here, day after day, exercising the rights and privileges which are theirs under the rules of the Senate, in their endeavor to protect their States from what they believe to be an invasion of their rights by a majority. They are sincere and they are honest in those views. Whether they are correct is immaterial. I uphold their right to use the methods of unlimited debate, even to the extent of filibustering, to protect the things in which they believe so strongly; and I would not have a great deal of respect for them if, entertaining those beliefs, they did not do so.

Therefore, I will not vote for cloture.

There is another reason why I will not vote for cloture on this particular bill and under such circumstances as these, and that is the very practical situation. Some Senators have said on the floor of the Senate, "I am opposed to the bill, but I am going to vote for cloture." Mr. President, the situation is that, as has repeatedly been claimed—and probably correctly so, I think—a majority will vote for this measure if it comes to a vote, and that it will carry. Therefore, from my own standpoint and speaking only for myself—every man has a right to form his own opinion, of course—if I were to vote for cloture I would feel that I was voting for the bill itself. I might "kid" myself a little by saying that I was not doing that; but the ultimate fact would remain the same: By my vote on cloture, I would be making it possible to pass legislation to which I am opposed. Mr. President, I simply will not do that. I oppose the legislation and I will oppose it the first place I meet it, and that will be on the vote for cloture. I will vote against cloture.

Mr. President, I think I have said sufficient to enable my position to be understood. I do not think there has been any doubt as to the fact that I am going to vote against the bill and against cloture.

I wish to make it plain that, while there are many other reasons which I have not discussed, I have mentioned only a few of the outstanding ones which prevent me from supporting the legislation.

AID FOR STARVING EUROPEAN PEOPLES—DECREASE OF WHITE FLOUR CONTENT OF BREAD

Mr. President, I wish to digress at this point. I desire to mention another matter, one entirely foreign to the subject I have been discussing.

Yesterday afternoon, the President of the United States made an appeal to the American people which dealt with the use of wheat in our flour and the kind of bread we shall use. I see nothing extraordinary in that appeal, in the light of conditions which we know exist all over the world. But, Mr. President, I have been amazed to hear some of the comments which have been made and to read some of the things which have appeared in the newspapers. I have not been too

pleased with what I have seen and heard. Lest I be misunderstood as to what I mean when I refer to newspapers, let me say that this morning I examined all the newspapers which I could obtain and which I had time to examine, and I looked at their editorial comment. I find that, without exception, the newspapers editorially support the plea of the President. But I have heard on the radio and I have read statements to the effect that the housewives of America will rise in revolt against using a shade darker flour in making bread. I even heard that it was a grave political mistake for the President of the United States to ask the people of America to make one small, slight—I started to say sacrifice, but I shall not use the word "sacrifice" in that connection—to make a slight concession—"concession" would be a better word to use—in order that we may send some wheat from our storehouse to the starving peoples of Europe.

I was shocked when I heard it said that this would be a political blunder. My God, Mr. President! Have we come to such a pass in the United States that the President cannot make an appeal for the hungry and the starving without being besmirched with the taint of party politics or without having someone try to take political advantage of a situation of that kind? I repeat that I was shocked, and I think I say for the people of America that all our people would be shocked if such a construction were placed upon an honest effort to send a little wheat to hungry men, women, and little children. But, Mr. President, I was more shocked when I learned today that there has been introduced in the Congress of the United States, immediately following that appeal of the President, a bill which would prevent our doing it.

I am not reflecting on the House of Representatives. The rules of the Senate forbid me doing so. I am not reflecting on the individual who introduced the bill. I do not know what motives prompted him. But I have on my desk a copy of House bill 5418, which was introduced in the House of Representatives yesterday, and referred to the Committee on Ways and Means. It reads as follows:

That no grain or flour shall be exported from the United States until (1) it is determined by the Secretary of Agriculture that sufficient quantities of said grain have been distributed to areas of the United States now suffering from shortages of livestock and poultry feeds.

Mr. President, I could wax sarcastic about that. I intend to deal a little in scarcasm, and say that the author of that bill is placing the feeding of chickens above the feeding of human beings. That, however, was not the intention of the author of the bill. In the West we have had serious shortages of grain for our livestock, and in some sections of the country there have been serious shortages of feed for poultry. It is necessary that our livestock and chickens be fed in order to produce food for the purpose not only of feeding ourselves but of feeding peoples in other lands. But that can be done without an act of Congress, and without a proposal such as this, which, if enacted into law, would cause us to be ridiculed all over the country. The bill provides that before we may export grain to starving nations we must first have enough for our own livestock and our chickens. That is what the bill says, but it does not express the temper of the American people or the temper of the Congress. We will find means to feed our livestock in the West. It will not be long before grass will begin to grow, and then we will have feed for our livestock. There will be feed for poultry, and there will be a sufficient quantity of food to enable us to send at least some of it to the victims of the war.

I continue reading from the bill:

(2) It is determined by the Secretary of Agriculture that there are sufficient supplies of flour to assure the American people of the present amount of white bread.

Mr. President, by an act of Congress it is proposed that before we send one bushel of wheat abroad to keep men, women, and children from starving, we in America must be assured by our Secretary of Agriculture that our bread shall be white.

Mr. President, one could be facetious, but this is not a facetious matter. I know that it is right that we should care for our own. I want to care for our own, but we are caring for our own. No person in America hungers today.

I happened to pick up in the reading room a copy of today's issue of the Washington Daily News which contains two pictures. I wish those pictures could be printed in the RECORD itself. The following statement appears under the pictures:

These two pictures taken from thousands in the files of UNRRA's Washington office show why President Truman has asked Americans to reduce their diets 800 calories a day, to get along with 30 percent less beer and 25 percent less booze.

Mr. President, I wish to look at this bill again. I am sure it has no reference to booze or to beer. It relates only to livestock and poultry food and white bread.

I continue reading from the language appearing under the pictures to which I have referred.

It's to keep millions of youngsters like the little Yugoslavian fellow at left from slowly starving to death this year. It's to bring healthy round cheeks and big smiles like that on the Greek youngster, at right, so contentedly nibbling away on a hunk of bread—brown bread. Other pictures on page 26.

Mr. SALTONSTALL. Mr. President, will the Senator yield to me in order that I may make a 3-minute statement on the FEPC?

Mr. HATCH. Will the Senator permit me to finish what I was about to say?

Mr. SALTONSTALL. Yes.

Mr. HATCH. I may say to the Senator from Massachusetts that I shall be through in a moment.

Mr. President, I do not wish to say anything relating to the sacrifices which the people of this Nation made during the war. In every home where death has come—and it has come in thousands of homes—as great sacrifices have been made as human beings can make. For the sacrifices our brave men and their families have endured I, as an American, pay the highest honor and tribute which I can pay to them. But, aside from those sacrifices, this country has not sacrificed. It is true that we have an unparalleled national debt. It is true that at the present time we are confronted throughout the country with labor difficulties, and that strikes are taking place. It is also true that the period of reconversion through which we are now going presents many problems. It is a serious matter to convert from a wartime economy to a peacetime economy. I know there are serious questions of many kinds facing this country today, as well as problems which are perplexing and bewildering. We do not have the answers to them all.

Some men are born to be pessimists. We hear complaints about this and that, and fault finding with the conditions of unemployment in America, as well as many other things which have been discussed in the Senate during the past several days. There is much which can be done to improve conditions in this land of ours. But, Mr. President, in America men, women, and children are not going hungry. We are not starving. There is work in America for every man who wants a job. Our cities have not been bombed. Our industries have not been destroyed. Our merchants are not bankrupt. Our fields have not been devastated. Marching armies have not swept across our land. Our homes have not been violated, and our women have not been desecrated.

Mr. President, I thank God I live in the United States of America, and not boastingly, but humbly and gratefully, I am thankful for America and her free institutions. I wish to say that I do not want to give merely out of our surplus; I do not want to send to Europe only the wheat which we do not need to feed our livestock and our poultry and which we do not need to keep our bread white. I am willing to share with the starving nations of the world out of the abundance which Providence has given to us as a nation, and to us as a people.

Mr. President, I wanted to say these words because I was shocked and amazed at the reception received by the President's appeal that we send to hungry and starving peoples a little of our grain, that we let our bread be a little less white, perhaps a shade darker, which perhaps would be more beneficial to our health. I think the American people will be glad to respond to that call of the President.

Mr. SALTONSTALL. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. SALTONSTALL. Mr. President, on February 7 I offered two amendments to Senate bill 101, the bill now under discussion. I should like very briefly to explain the amendments.

Senate bill 101 contains subject matter seeking to solve a problem which has concerned me greatly for some years, and which in the past 2 years has been brought many times to my attention in various ways.

In 1943 a New York newspaper published an article about race riots in Boston. I was at that time the Governor of Massachusetts, and the report upset me greatly, because I was proud of the way we got along with each other in

Boston. We are a truly metropolitan city, with citizens of many different racial origins and diverse religious beliefs. But as there was trouble we did not know of, I was determined that we should know of it. So I appointed a commission of five distinguished citizens of different racial and religious beliefs, and asked them to ascertain the truth of the charges. They investigated carefully, and reported. The charges did have some basis in fact, but were greatly exaggerated. At that time I requested that the Commission continue its work. It has done so, and is still functioning.

The recommendations of the Commission from time to time emphasizes education and understanding as the greatest means of eliminating racial and religious jealousies. Education takes time, patience, and much careful work. In the meantime, in the difficult period through which we are passing, we want to do our best to make each one of us conscious that we each have a share of responsibility for improving conditions. Senate bill 101 is an effort to make us feel that consciousness. It contains a statement of the problem, and contains clauses providing compulsory means of enforcing the views of the Commission set up under the bill.

Last year New York and New Jersey enacted laws similar to the bill we are considering, and a similar bill failed in Massachusetts by one vote.

My amendments go to the enforcement provisions of the bill. As I have said, I believe what we need most is education. That ultimately provides the solution, without using any compulsory means. But if in the meantime we take some other steps, we want to be sure we make them as helpful as possible.

My first amendment is taken from the New Jersey act. It provides, in brief, that if the Commission shall determine, after investigation into the complaint that has been brought before it "that probable cause exists for crediting the allegations of the complaint, it shall immediately endeavor to eliminate the unlawful employment practice complained of by conference, conciliation, and persuasion. Neither the Commission nor any officer or employee of the Commission shall disclose what has transpired in the course of such endeavors."

In other words, the first effort of the Commission would be to persuade the person against whom a complaint was filed to change his attitude, and to do it without publicity, off the record, as we say in Government circles.

If that should not work, and there was a hearing and a finding and an appeal for enforcement, my second amendment would give the circuit court a chance to hear further evidence if it believed there was a real reason for the evidence not having been presented to the Commission. The important words in the amendment are:

If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Commission, its member, or designated referee, agent, or agency, the court may take and consider such additional evidence. The jurisdiction of the court shall be exclusive.

Then it proceeds further in legal language.

This procedure is similar to that employed at the present time under the laws now in force with relation to the National Labor Relations Act and under the Federal Trade Commission, except that the court and not the Commission, as provided in those acts, hears the additional evidence.

The purpose of the amendment is to give the court which has not done the preliminary work a better opportunity to be as impartial as possible, and to bring a new mind to the problem that is under consideration.

I hope that if cloture prevails and the bill is considered, these amendments will be adopted. I believe they improve the language of the bill, and make its purpose clearer and the fulfillment of its objectives more nearly possible; but its final objective will be accomplished only by greater education. On that I feel confident there is reasonable agreement.

BRITISH GOVERNMENT OWNERSHIP OF AMERICAN BUSINESS SECURITIES

Mr. MOORE. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. MOORE. Mr. President, recently I made a statement for the RECORD concerning the ownership by the British Government of certain segments of American private enterprise. I pointed out that the United Kingdom, that is, the Government itself—not the citizens or nationals of the United Kingdom, but the British Government—was the owner of American stocks in more than a hundred American business corporations, with a total value in excess of three-fourths of a billion dollars.

In some cases this ownership represents a controlling interest. In most of the larger corporations, such as General Motors, American Locomotive, Standard Oil Co. of New Jersey, Radio Corp. of America, Celanese Corp., United States Steel, Socony-Vacuum Oil Co., American Telephone & Telegraph, and other similar corporations, the ownership represents, of course, much less than a controlling interest.

I have been somewhat amazed that the disclosure with respect to the British ownership of American business enterprises failed to arouse more public interest. Apparently, however, many people misunderstood my statement in this connection, because I have received numerous inquiries asking if these securities were not owned by British citizens and nationals rather than the British Government. I have noticed editorial comments stating that the securities referred to were owned by British nationals and citizens. That, however, is not a fact. The securities involved were expropriated from British citizens and nationals by the British Government, and were paid for in pound sterling. The British Government has complete ownership, control, and all voting rights. No individual has any claim, right, title, or interest in these stocks. The British Government is the sole, direct, and absolute owner of these stock interests in American private companies. The management of several of these companies has expressed considerable anxiety with respect to this movement into American private business by the British Government.

Presently, these American corporate securities have been pledged by the British Government to the Reconstruction Finance Corporation as collateral against a $390,000,000 loan made by that agency to the British Government in July 1941. The net balance remaining due on the loan after crediting accumulated reserves from dividend payments is approximately $240,000,000. At existing market values the British Government has a dollar equity in these stocks exceeding half a billion dollars. The stocks are so widely distributed and the volume of shares being traded in at the present time are such that the stocks can be liquidated without a depressing effect upon the market. If the British Government will convert these paper assets into usable American dollars which they so badly need, the presently proposed Treasury loan can be reduced by more than half a billion dollars. Liquidation of the loan would not only give the British Government a half-billion-dollar equity, but it would remove this foreign government ownership from American business and serve to protect our traditional system of private enterprise.

I suggest that we exercise ordinary practical business judgment and request the British Government to convert these assets, which are now frozen as collateral against the RFC loan, into liquid dollar exchange, before we further burden the American people with the presently proposed Treasury loan. Recently, I appealed to the State Department to give consideration to such action in their negotiations with the British financial representatives. In that connection I should like to place in the RECORD a letter from Under Secretary Dean Acheson, dated January 21, 1946, and my reply thereto of February 7, 1946.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, January 21, 1946.

The Honorable E. H. MOORE,
United States Senate.

MY DEAR SENATOR MOORE: I refer further to your letter of November 30, 1945.

You indicate in that letter your belief that the United Kingdom should be required to liquidate the collateral behind the Reconstruction Finance Corporation loan, and that the line of credit which it is proposed to extend to that country should be reduced by the United Kingdom's equity in the collateral, or approximately $500,000,000. For this position you advance two chief arguments. First, that such action would provide the United Kingdom with dollars and thus relieve that country's dollar shortage; secondly, that it is unhealthy for foreign governments to own large segments of American enterprise.

May I point out, with reference to the first argument, that among the stated purposes of the proposed line of credit are the following:

1. "To assist the United Kingdom to meet transitional postwar deficits in its current balance of payments."

2. "To help the United Kingdom to maintain adequate reserves of gold and dollars."

As you are aware, the British liquidated a considerable portion—approximately $4,500,000,000—of their foreign investments during the war, including some of their investments in the United States. Further liquidations are contemplated in connection with accumulated sterling balances. In view of these facts, I would very much doubt the wisdom of requiring the British to go still further and liquidate the Reconstruction Finance Corporation loan collateral. While it is true that the proceeds would help the British meet their current deficit, the income which the assets in question are presently earning—and which was taken into account in estimating their anticipated balance-of-payments deficit—would be lost. The result would be that in the long run the difficulties which the British are encountering in balancing their international payments would be increased.

I am convinced, moreover, that if the United Kingdom is to be able to cooperate in the financial and commercial policy of this Government, it must be permitted to retain foreign assets which can be quickly converted into liquid international reserves. I believe that the ownership of such assets is of the utmost importance to the financial stability of the United Kingdom and to the maintenance of confidence in the pound sterling. It is probably as inadvisable in international finance as it is in domestic to insist that a prospective borrower liquidate and consume all of his assets before he is granted financial assistance.

With regard to the ownership of shares in American enterprises by foreign governments, the securities in question were, as you know, originally owned by individual British subjects and were vested by the British Government when the Government was attempting to mobilize the United Kingdom's foreign assets for war purposes. I have no reason to believe that these assets will not eventually be returned to private ownership, though possibly not to the original owners. It may be pointed out, moreover, that except for the British owned or controlled insurance companies (and possibly some small or unimportant enterprises) the share ownership involved represents only minority holdings, in no case approaching control.

The whole question of the conditions under which foreign persons or governments are permitted to own, or exercise the rights of ownership in, American business enterprises is, of course, one for the Congress to determine. May I be permitted to suggest, however, that this is a highly involved issue which should be decided on its own merits and which has no necessary connection with the proposed line of credit. The problems which arise in connection with this matter would exist regardless of the extension of the line of credit, and would exist, moreover, with respect to other governments than that of the United Kingdom.

I hope that the foregoing satisfactorily answers the questions you raise in your letter. I shall be pleased, however, to consider any other points you may wish to bring up in connection with this matter.

Sincerely yours,

DEAN ACHESON,
Acting Secretary.

FEBRUARY 8, 1946.

Hon. DEAN ACHESON,
Under Secretary of State,
Washington, D. C.

DEAR MR. ACHESON: I have yours of January 21 with further reference to my letter of November 30, 1945, in which the suggestion was made that the existing RFC loan to the British Government should be liquidated in connection with the granting of the presently proposed Treasury loan.

You suggest two reasons why the State Department would not favor such procedure. First, that it would weaken the economic position of the United Kingdom and therefore such action would be contra to the policy announced with respect to the presently proposed Treasury loan; and, second, that except for the British owned or controlled insurance companies and possibly some small or unimportant enterprises, the share ownership of the United Kingdom in American enterprises represents only minority holdings and thus presents no practical economic danger to American interests. You also express the confidence that these holdings will eventually be liquidated and acquired by individual investors.

You premise your first proposition on the statement that if the United Kingdom is to be able to cooperate in the financial and commercial policy of this Government, it must be permitted to retain foreign assets which can be quickly converted into liquid international reserves. This is exactly the objective sought to be reached by the liquidation of the paper assets now owned by the United Kingdom in the United States. The pressing need of dollar exchange for the United Kingdom in the United States at the present time is the motivating philosophy behind the proposed Treasury loan. Liquidation of the United Kingdom's paper assets is in complete accord with such policy. You suggest that it is inadvisable to insist that the British Government as a prospective borrower liquidate and consume all of its assets before it is granted financial assistance. The analogy is not applicable. There is no suggestion that the British Government consume these assets. The suggestion is that they merely convert them to a liquid usable dollar exchange.

If the British Government should see fit to leave this half-billion-dollar equity on deposit in the United States, either in private or governmental agencies, it would constitute a liquid reserve that would be the best possible stabilizing influence for the pound sterling. Under their present status the securities are frozen as collateral against a comparatively small loan balanced against the presently and probably temporary tremendous value of the securities. The suggestion of liquidation goes much farther than a mere conversion of the paper assets to usable dollars. Under existing conditions the United Kingdom would be the beneficiary of over $250,000,000 in net profits. Incidentally, the United States would have no taxable share in these capital gains, whereas if the same profits were taken by private owners the interest of the United States would be very substantial. Measured by every financial standard, the liquidation of the British-RFC loan is sound business from the viewpoint of both parties. The market is high. The trading volume is such that the sale of the British-owned shares now could be absorbed by the market without depressing effect. In any case where this could not be done, private investment houses are available at this time. If these securities remain frozen as collateral and if it should become necessary to market them under unfavorable economic conditions, the turn-over volume might be so limited that liquidation of the loan would have a serious depressing effect on the American securities market generally, and certainly under such conditions the United Kingdom will have been deprived of the profit advantages of the present high level of securities generally. These are indeed real hazards to be considered in any plan to assist the United Kingdom to meet its transitional postwar deficits in its current balance of payments, or to help the United Kingdom maintain its adequate reserves of gold and dollars.

Your second premise seems to be predicated on the belief that the ownership of a foreign government in American private enterprise, so long as such ownership represents a minority interest, is not necessarily an unhealthy situation. Such view is contrary to the American system of private enterprise and a denial of our constitutional form of government. The American principle that any government should be excluded from the ownership of our private enterprise is as seriously breached by the ownership of a single share as it would be if this or any other government should acquire a controlling interest. Only the effect of the ownership would be different. Our revulsion to government partnership with private interest would be as great in either case.

You express complete confidence that these assets will eventually be returned to private ownership. May I suggest that we be realistic enough to understand that the United Kingdom has seen fit to adopt a socialist government that believes in nationalization of business and industry? In view of that fact, I am unable to share your placidity. Assuming, however, that we may expect the United Kingdom to pay off the present RFC loan and thereafter offer these securities to either American or British private investors, the stability of the American securities market becomes subject to the judgment, whim, or caprice of the British financial agents, who would choose the time and manner of disposing of these securities. Conceivably, these securities could be marketed at a time and in a manner wholly advantageous to the international position of the United Kingdom but with disastrous economic effect on the American securities market.

I have noted the very significant remark on page 3 of your letter that the problems arising in connection with this matter, namely, the ownership of American private industry by foreign governments exists with respect to other governments than that of the United Kingdom. It will be greatly appreciated if you will advise me what other foreign governments and the extent to which they have acquired and now own securities or other forms of tangible or intangible assets in the United States.

There are some who believe that there are sound and convincing social and economic arguments to support approval of the recently negotiated Treasury loan to the United Kingdom. Personally, I am in considerable doubt on this issue. Certainly the liquidation of the existing British-RFC loan would make available to the United Kingdom over $500,000,000 of its own money and would be sufficient to furnish substantial temporary assistance in meeting current postwar deficits in the United Kingdom's balance of payments. If there are sound arguments for approval of the proposed Treasury loan, our failure to suggest to the British the desirability of liquidating the RFC loan in order that they may make available to themselves this large dollar equity which the British already have in the United States, in large measure nullifies the effectiveness of such arguments.

Yours very truly,

E. H. MOORE.

EXPORTATION OF LUMBER FROM THE UNITED STATES

Mr. KNOWLAND. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. KNOWLAND. On Wednesday, February 6, I addressed the Senate on the matter of the export of lumber from the United States to foreign countries, and pointed out at that time that, according to a press release from the Civilian Production Administration, they had set up a quota for export of Ameri-

can lumber amounting to 225,000,000 board feet for the first quarter. If that were followed out for the four quarters of the year—and we have reason to believe it will not be—it would mean the exportation of more than a billion feet of lumber from the United States during a period when there is a most critical housing shortage in all sections of the United States.

I inquired of the Civilian Production Administration for some figures relating to the export of lumber during the year 1945. I find, on obtaining the figures, that for January 28,000,000 feet in round figures, were exported; in February, 32,000,000 feet; in March, 29,000,000 feet; in April, 26,000,000 feet; in May, 30,000,000 feet; in June, 24,000,000 feet; in July, 38,000,000 feet; in August, 44,000,000 feet; in September, 41,000,000 feet; in October, 43,000,000 feet; in November, 39,000,000 feet; and in December, 49,000,000 feet, or a total of something over 427,000,000 feet for the year 1945.

Under the quota set up by the Civilian Production Administration in the first two quarters of this year we will export more than we exported during the entire year of 1945.

I wish to call the attention of the Senate to the fact that, taking a figure of approximately 10,000 board feet as the necessary amount for building one home, the lumber exported under the quota prevailing, if continued for a full year, would be sufficient to construct more than 100,000 homes in the United States. If there were no other way of meeting some of the problems abroad perhaps an excuse could be given for the export of this lumber. The fact remains, however, that there are lumber resources in Europe, including those of Germany, which could be called upon to meet the European situation, and there is lumber in the Philippines which, provided the sawmill facilities are available, could meet the requirements in the Pacific area.

We also asked for some figures as to where this lumber was going, and I shall take just a few moments of the Senate's time to read some of the figures into the RECORD. Taking now only the 3 months since September, because VJ-day came in September, we find the following:

To Canada, there was exported from the United States, in October, 5,249,000 board feet; November, 5,710,000 board feet; December, 4,539,000 board feet.

To Mexico, in October, 1,253,000 board feet; in November, 892,000 board feet; and December, 1,363,000 board feet.

To Cuba, in October, 1,705,000 board feet; November, 2,053,000 board feet; and December, 1,506,000 board feet.

There are some other countries with lesser amounts.

We come to the United Kingdom. In October, 20,247,000 board feet; November, 11,141,000 board feet; and December, 29,310,000 board feet.

To the Netherlands: October 1,100,000; November, 622,000, and December, 613,000.

To Palestine and Trans-Jordan: In October, 3,898,000, and in November 2,795,000 board feet.

Mr. President, I ask that the complete list of figures be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Sawmill products (this includes all lumber exports)

1945:	*Feet*
January	28,250,000
February	32,041,000
March	29,820,000
April	26,117,000
May	30,851,000
June	24,148,000
July	38,196,000
August	44,280,000
September	41,446,000
October	43,590,000
November	39,429,000
December	49,229,000
Canada:	
October	5,249,000
November	5,710,000
December	4,539,000
Mexico:	
October	1,253,000
November	892,000
December	1,363,000
Cuba:	
October	1,705,000
November	2,053,000
December	1,506,000
Trinidad and Tobago:	
October	893,000
November	320,000
December	460,000
Curaçao:	
October	623,000
November	422,000
December	50,000
Venezuela:	
October	623,000
November	1,702,000
December	786,000
United Kingdom:	
October	20,247,000
November	11,141,000
December	29,310,000
Netherlands:	
October	1,100,000
November	622,000
December	613,000
Greece:	
October	7,000
November	5,719,000
December	N. e. s.
Palestine and Transjordan:	
October	3,898,000
November	2,795,000
December	None
India and dependencies:	
October	835,000
November	712,000
December	622,000
Ceylon:	
October	442,000
November	503,000
December	459,000
Australia:	
October	190,000
November	1,093,000
December	489,000
Union of South Africa:	
October	2,401,000
November	3,194,000
December	345,000

These were the substantial countries. Peru had a good bit in December, 2,000,000 feet. Ireland, France, Chile, Liberia, Libya, Egypt were big distributors but didn't compare with the above.

Mr. KNOWLAND. Mr. President, I wish to say that from all sections of the United States comes the same information respecting the very critical housing shortage. Particularly it is adversely affecting the veteran returning home after service overseas. We have heard discussed in both Houses of Congress, and in the public press, the possible necessity, in order to prevent increased inflation, of establishing very rigid controls in the matter of housing.

It is, I think, rather elementary that unless we can build new homes and increase the number of homes, we of course have a greater demand than we have a supply, and when we have such a situation in housing, just like in any other commodity, we have a highly inflationary condition. Yet, while the national administration is talking about the necessity—and it may be necessary—of setting up rather rigid controls over housing, at the same time it is permitting the export of lumber from this country at this critical period on a basis that will amount to more than 1,000,000,000 board feet of lumber. I think the administration should take immediate cognizance of the situation, and, before coming to Congress and suggesting other remedies, it should forthwith bring to a stop this exportation of lumber.

FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed the consideration of the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry.

Mr. ELLENDER. Mr. President, at the request of the junior Senator from Mississippi [Mr. EASTLAND] I send to the desk amendments to the pending FEPC measure, and ask that the reading of the amendment be dispensed with, but that it be printed in the RECORD, and that the printing of the amendment in the RECORD be considered to be a compliance with the rule concerning the offering of amendments after cloture.

The PRESIDENT pro tempore. Without objection, it is so ordered, and the amendment will be received, printed, lie on the table and be printed in the RECORD.

The amendments intended to be proposed by Mr. EASTLAND are as follows:

On page 1, line 7; on page 2, lines 9, 17, 20, and 24; on page 3, line 5; and on page 12, line 20; insert after "origin", the following: "membership or nonmembership in or affiliation or nonaffiliation with any labor union."

Amend the title so as to read: "A bill to prohibit discrimination in employment because of race, creed, color, national origin, membership or nonmembership in or affiliation or nonaffiliation with any labor union, or ancestry."

Mr. BALL. Mr. President, I ask unanimous consent that the two amendments which I proposed for myself, the Senator from New Jersey [Mr. SMITH] and the Senator from Oregon [Mr. MORSE] to Senate bill 101, the FEPC bill, be printed in the RECORD, and that that be considered to be a compliance with rule XXII so far as offering amendments after cloture is concerned.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

The amendments intended to be proposed by Mr. BALL (for himself, Mr. SMITH, and Mr. MORSE) are as follows:

On page 3, line 25, strike out the word "six" and insert in lieu thereof the word "twenty-five."

On page 4, line 9, strike out the word "six" and insert in lieu thereof the word "twenty-five."

On page 9, line 2, strike out the words "National Labor Relations Board" and insert in lieu thereof the following: "Federal Trade Commission: *Provided, however,* That the findings of fact by the Commission shall be conclusive only when supported by substantial evidence."

On page 9, line 15, strike out the words "National Labor Relations Board" and insert in lieu thereof the following: "Federal Trade Commission: *Provided, however,* That the findings of fact by the Commission shall be conclusive only when supported by substantial evidence."

Mr. HATCH. Mr. President, the Senator from Louisiana [Mr. ELLENDER] has been very courteous to all of us today in yielding. I ask unanimous consent that the Senator from Louisiana may have the floor upon the convening of the Senate tomorrow.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Louisiana will be considered as having the floor when the Senate convenes tomorrow.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Civil Engineer Joseph F. Jelley, Jr., to be a civil engineer in the Navy, with the rank of rear admiral, for temporary service, to continue while serving as Deputy Chief of Civil Engineers, United States Navy, and the Assistant Chief of the Bureau of Yards and Docks, which was referred to the Committee on Naval Affairs.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. BARKLEY, from the Committee on Banking and Currency:

George E Allen, of the District of Columbia, to be a member of the Board of Directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1946.

CONSIDERATION OF NOMINATIONS ON THE CALENDAR

Mr. HATCH. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. HATCH. At the request of the majority leader, I ask unanimous consent that, as in executive session, we may consider the Executive Calendar, first passing over that part of the calendar dealing with the promotions in the Army, and beginning with the nomination of Henry A. Mulligan to be a member of the Board of Directors of the Reconstruction Finance Corporation.

I ask unanimous consent that the Senate now proceed, as in executive session, to consider the nominations beginning with that to the Reconstruction Finance Corporation.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the clerk will state the nominations on the calendar following those in the Army.

RECONSTRUCTION FINANCE CORPORATION

The legislative clerk read the nomination of Henry A. Mulligan, of New York, to be a member of the Board of Directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1946.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. HATCH. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

Mr. HATCH. Mr. President, I ask that the President be immediately notified of all nominations this day confirmed.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

RECESS

Mr. HATCH. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until tomorrow, Saturday, February 9, 1946, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate February 8 (legislative day of January 18), 1946:

IN THE NAVY

Civil Engineer Joseph F. Jelley, Jr., to be a civil engineer in the Navy, with the rank of rear admiral, for temporary service, to continue while serving as deputy chief of civil engineers, United States Navy, and the Assistant Chief of the Bureau of Yards and Docks.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 8 (legislative day of January 18), 1946:

RECONSTRUCTION FINANCE CORPORATION

BOARD OF DIRECTORS

Henry A. Mulligan, to be a member of the Board of Directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1946.

POSTMASTERS

CALIFORNIA

John G. Walsh, Auburn.
Pansy Lockett, Calimesa.

FLORIDA

Josephine Blondheim, Atlantic Beach.
Ethel Godbold, Gifford.
Thornton B. Mills, Summerfield.

ILLINOIS

Dwight C. Beatty, Galesburg.
Martha Ramsey, Oak Forest.

KANSAS

Mary Fanny Brown, Hardtner.
Helen G. Noel, Muncie.

LOUISIANA

Joseph M. Wilbanks, Deville.
Fred F. Duhon, Garyville.
John H. Henry, Melrose.
Moise E. Chenevert, Plaucheville.

MAINE

Wilfrid L. Spruce, Milford.

MISSOURI

Dorothy B. Bohr, Easton.
Bernadine M. Dickherber, Old Monroe.

MONTANA

Eleanor H. O'Connor, Livingston.

NORTH CAROLINA

Ella M. Felton, Macclesfield.

NEBRASKA

Jeanette Reinmiller, Staplehurst.
Pauline N. Sweet, Wood Lake.

OHIO

Mabel Stone, Empire.
Mark Emerson Allen, Highland.
LaMar L. Hahn, Malinta.
Pauline D. Tussing, Pataskala.
Augusta A. McPherson, Rockland.
Earl C. Davis, Trimble.
Ruth W. Scott, Vienna.
Watson S. Rice, West Farmington.
Glenn D. Heuberger, Wharton.

OKLAHOMA

Mary F. Cavender, Porum.

OREGON

Bryan Dieckman, Myrtle Creek.

TENNESSEE

Clyde C. Buck, Armathwaite.
Flora B. Williams, Buena Vista.
Ervin M. Peters, Clarkrange.
Martha S. Bass, Gordonsville.
Raymond E. Scott, Scotts Hill.

TEXAS

Henry C. Martin, Easterly.
Blanche Schimmelpfening, Helotes.
Livy Atwell, Hutchins.
Clarence B. Keeney, Whitharral.

WISCONSIN

Bessie L. Severson, Couderay.
Violet M. Wiita, Iron Belt.
Stanley Jasicki, Weyerhauser.

HOUSE OF REPRESENTATIVES

FRIDAY, FEBRUARY 8, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God our refuge and strength, we praise Thee at the altar of our hearts. Life holds no motive for stimulating goodness in man, like unto the divine love which moves in quiet calm. Help us to discern beneath every rough exterior something good, something noble. Unto those multitudes that travel the weary rounds of care and hardship, grant them the sanctuary of hope and promise.

O command Thy blessings upon those rich forms of freedom—home, religion, and industry. Grant that we may protect and maintain them with an increasing sense of devotion. As patriots, we would remember our providential past, which was inspired in individual liberty and individual self-reliance. O help us to keep this inheritance in our hearts, believing that in many and in unexpected ways Thou wilt make our work fruitful and bring it to a fine consummation; so grant it, blessed Lord.

O compassionate Father, the light behind the shadows, the love behind the sorrows, shine forth upon the pathway of our most honored Member who has

lost the companion of his years. By the very hush of Thy presence, soothe his aching heart and give him peace. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

THE LATE MRS. ROBERT L. DOUGHTON

The SPEAKER. The Chair recognizes the gentleman from North Carolina [Mr. BULWINKLE].

Mr. BULWINKLE. Mr. Speaker, I know every Member of the House grieves with Mr. DOUGHTON, who lost his wife today. She died here in Washington. Knowing your sympathy and knowing your love for Mr. DOUGHTON, I thought you would appreciate my so advising you.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Mississippi.

Mr. RANKIN. I just want to say a word. Our hearts go out to Mr. DOUGHTON and his family in this solemn hour. They lived in the same building with us, and we all loved Mrs. Doughton. I never met a finer Christian lady. Her death is a loss to the country as well as to the State of North Carolina.

May God bless her distinguished husband and all the other members of her sorrowing family.

Mr. BULWINKLE. I thank the gentleman from Mississippi.

The SPEAKER. The Chair recognizes the gentleman from North Carolina [Mr. KERR].

Mr. KERR. Mr. Speaker, I wish to add to the sentiment just expressed here by our distinguished colleague from Mississippi. I was fortunate to know Mrs. Doughton well. She was a lovely woman in every sense of that word. Everyone who knew her, in her home, in her community, and even where she lived temporarily and made friends, was acquainted with her fine characteristics and her lovely character. The great influence which she exerted for good in North Carolina and wherever she moved will never abate in this world, and her contribution to the success of her splendid husband, our distinguished colleague, Hon. ROBERT L. DOUGHTON, can never be measured. The love and affection which she bestowed upon her loved ones and her acquaintances has made this world a better place in which to live and has been a great contribution to the attainments of her distinguished family. The North Carolina delegation is deeply grieved and our immeasurable sympathy is extended to our beloved colleague and his whole family.

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, I am deeply grieved to hear of the passing of Mrs. Doughton. For 10 years I served as a member of the Committee on Ways and Means under the leadership of her distinguished husband, and on many occasions I met Mrs. Doughton. We are all proud of BOB DOUGHTON. As we see him in this Chamber at his age, carrying on in his dynamic manner, it is an inspiration to all of us to follow his example of devotion to duty, with virility of mind and body at his age.

Those of us who see that can look behind it, and those of us who knew Mrs. Doughton know of the very important part she has played in his life. A good wife is an example and an inspiration to any man. In the life of BOB DOUGHTON, Mrs. Doughton has been his inspiration, going with him through time in his troubles and trials and tribulations and helping him to carry on in his successes.

As previous speakers have said, Mrs. Doughton was a lady of noble character. She loved God. I do not like to use the phrase "a God-fearing person." To me "a God-loving person" is the best phrase to use in relation to any person who has lived a fine and noble religious life, no matter what his or her religion might be. I know that her soul will meet the seal of approval of the Great Judge of all. My deepest sympathy is extended to my valued friend, BOB DOUGHTON, in his great loss and sorrow.

DISTRICT OF COLUMBIA SERVICEMEN'S READJUSTMENT ENABLING BILL OF 1945

Mr. MCMILLAN of South Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1152) to effectuate the purposes of the Servicemen's Readjustment Act of 1944 in the District of Columbia, and for other purposes, with a House amendment thereto; insist upon the House amendment; and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. MCGEHEE, HARRIS, and DIRKSEN.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—FIFTH REPORT ON THE OPERATIONS OF UNRRA

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed, with illustrations:

To the Congress of the United States of America:

I am transmitting herewith the fifth quarterly report on operations of UNRRA and on expenditures of funds appropriated by the Congress under the act of March 28, 1944.

With complete victory over the Axis Powers, UNRRA has been able to expand its operations in relieving the ravages of war. The improvement in shipping and the release of supplies have made it possible for UNRRA to ship sharply increased quantities of relief goods to the liberated peoples.

The recent action of the Congress in approving additional funds for the work of UNRRA has assured a continuing flow of needed supplies.

HARRY S. TRUMAN.

THE WHITE HOUSE, *February 8, 1946.*

EXTENSION OF REMARKS

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend in the RECORD a statement on the cost of living. I have an estimate from the Public Printer and am advised that the statement will run four pages and cost $208. I ask unanimous consent, notwithstanding the cost, that the extension may be made.

The SPEAKER. Notwithstanding the cost, without objection, the extension may be made.

There was no objection.

Mr. THOMAS of Texas asked and was given permission to extend his remarks and include a resolution by the Houston Cotton Exchange and the Board of Trade.

Mr. MCKENZIE asked and was given permission to extend his remarks in the RECORD in two instances, in one to include a letter from a constituent and in the other a news item from the Evening Star.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a statement by Ed. C. Burris on the Red River. I have an estimate from the Public Printer who states that it will cost $130. This is a very important statement and I ask unanimous consent, notwithstanding the cost, that the extension may be made.

The SPEAKER. Notwithstanding the cost, without objection, the extension may be made.

There was no objection.

Mr. BROOKS asked and was given permission to extend his remarks and include therein a statement by E. B. Wilson before the Rivers and Harbors Commission on the development of Red River as a lateral canal.

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD and include therewith a letter from Mr. C. B. Anderson, chairman of the airways committee of the Great Falls Chamber of Commerce, and also a brief in support of the retention of the Army air base at Great Falls, Mont., as a permanent Army air base.

Mr. PATTERSON (at the request of Mr. DOYLE) was given permission to extend his remarks in the RECORD.

Mr. DOYLE asked and was given permission to extend his own remarks and include therein an editorial from the Long Beach newspaper.

Mr. CHELF asked and was given permission to extend his remarks and include therein a letter which he has sent to the Members of the House.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein a copy of a letter from a constituent.

Mr. ANGELL asked and was given permission to extend his remarks in four instances on four subjects and include some short excerpts.

Mr. RAMEY asked and was given permission to extend his remarks in two instances, in one to include an editorial on the labor bill from the Toledo (Ohio) Times.

LEAVE OF ABSENCE

Mr. RAMEY. Mr. Speaker, I ask unanimous consent that I be granted leave of absence next week on account of official business.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. ROBERTSON of North Dakota asked and was given permission to extend his own remarks in the RECORD and to include therewith a statement on the production of wheat in the State of North Dakota.

Mr. SPRINGER asked and was given permission to extend his remarks in the RECORD and include therewith an address delivered by Hon. JOSEPH W. MARTIN, minority leader, last night at the annual Lincoln Day banquet in the city of Washington.

SHORTAGE OF BUILDING MATERIALS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks and include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

[Mr. SPRINGER addressed the House. His remarks appear in the Appendix.]

STATE DEPARTMENT APPROPRIATION FOR INFORMATION PROGRAM

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GAVIN. Mr. Speaker, here is one that compares favorably with the proposed British loan. According to a press report the President requests $30,000,000 to finance the State Department for an information program to be conducted abroad—I quote:

> An information program designed to disseminate abroad through press, publications, radio, motion pictures, and other media, information about the United States, its people and its policies.

This should take care of most of the OWI crowd.

Now the Bureau of the Budget cut the flood-control appropriation in the civil-functions bill from $220,000,000 to $110,000,000. An economy-minded House sustained their recommendations. I shall be anxious to see what consideration the Bureau of the Budget will give this proposed $30,000,000 for the State Department for a program they state "to conduct research required for proper formulation of foreign policy."

As far as I am concerned I would rather spend the money to afford relief to the American people from these disastrous and devastating floods that each year destroy their homes and property and upset the economic life of the Nation rather than spend $30,000,000 in propagandizing abroad.

In view of the action of the House yesterday and its attitude toward necessary and needed flood-control projects I will be anxious to see what position the House will take on this $30,000,000 propaganda recommendation.

SHIPMENTS OF WHEAT

Mr. HOPE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks and include a letter from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

[Mr. HOPE addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. KNUTSON asked and was given permission to extend his remarks in the RECORD and include a short newspaper article.

THE SUGAR SITUATION

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks and include a letter from the Secretary of Agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

[Mr. McGREGOR addressed the House. His remarks appear in the Appendix.]

AMERICAN BORN WIVES DENIED COMMISSARY RIGHTS IN CANADA

Mr. WEICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

[Mr. WEICHEL addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the late Harry Hopkins, and to include an editorial from his home-town paper.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CHURCH asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Chicago Daily News of Tuesday, February 5, 1946, entitled "These People Need Help."

PERMISSION TO ADDRESS THE HOUSE

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes today, following the special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes today, following the gentleman from Kansas.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent that I may address the House for 15 minutes today, following the other special orders.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes on Tuesday next following the legislative business of the day and special orders heretofore entered for that day.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

THE REPUBLICAN STAND ON THE FEPC BILL

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SAVAGE. Mr. Speaker, I notice in today's issue of the Washington Post a story giving some of the high lights of speeches made by various members of the Republican Party at the Lincoln Day dinner here. Of course we all know that if Lincoln were alive today he would be branded a radical by the Republican high command who would certainly not subscribe to his liberal ideals and love of humanity.

I was particularly interested in the speech delivered by the gentlewoman from Connecticut [Mrs. LUCE] who said, and I quote:

> Republican leaders in both the House and the Senate have worked untiringly in support of the FEPC bill.

Yesterday afternoon the Republican leader of another legislative body declared that the FEPC bill was unconstitutional and that he would vote against its passage.

Now this is all very confusing. Here we have one Republican declaring that the leaders of her party are working untiringly for passage of the FEPC bill and then one of those leaders repudiates the bill.

We have also heard rumors that the minority leader in this body, the gentleman from Massachusetts [Mr. MARTIN] was going to lead a parade of Republicans down to the rostrum to sign the FEPC petition, but I have not seen anyone bowled over in this rush, and venture to say that you would find very few Republican signatures on the petition.

I am looking forward to the day when the Grand Old Party will either admit they are against the bill or will quit pussyfooting and trying to fool the people and join wholeheartedly in support of the bill.

CONDITIONS IN POLAND

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, the course of events in Poland today have brought about a deterioration of all the rights and privileges that the Allied Governments indicated the people of Poland should possess. I believe the time has come to focus the attention of this House and throw the white spotlight of a truly democratic assemblage on those conditions. The ruthlessness with which a democratic people is being destroyed, and the manner in which political murders are being committed in that traditionally and historically liberty-loving nation is a disgrace and a reflection calling for a reexamination of the situation to which we were a party between Russia and Poland.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

DISPOSAL OF SURPLUS PROPERTY

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CURTIS. Mr. Speaker, I take this opportunity to call attention to an extension I shall place in the Appendix of the RECORD today dealing with surplus property. If there is anyone who contends that the disposal of surplus property is being done efficiently and in accordance with the intent of Congress, I have been unable to locate such individual.

A great deal of complaint is coming from farmers, veterans, small businessmen, and educational institutions. Certainly there is a reason why such outstanding men as former Senator Guy Gillette would leave the Surplus Property Administration. Great hope was placed in the ability of Mr. Symington, but the press now tells us he is going to another job.

Mr. Speaker, somewhere behind the scenes a muddle is resulting in connection with this surplus property job that constitutes a major scandal. I favor a fearless and searching investigation of the entire program.

The SPEAKER. The time of the gentleman from Nebraska has expired.

EXTENSION OF REMARKS

Mr. LANE asked and was given permission to extend his remarks in the RECORD and include an address delivered by Rev. Charles F. Hart, of St. Mary's Parish, Lawrence, Mass., on the Order of St. Augustine.

SENATOR WHITE'S SPEECH AGAINST FEPC

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, after listening to the gentleman from Washington [Mr. SAVAGE] extol that communistic asinine piece of stupid legislation known as FEPC, I thought of another speech made on yesterday on this same subject.

When I came to Congress there was sitting on the Republican side one of the finest men I have ever known, a little dark-haired fellow, a gentleman in every sense of the word, one who was courteous and courageous at all times, a real American. His name was WALLACE WHITE.

On yesterday, in another body, he made one of the greatest speeches against this communistic monstrosity known as the FEPC that has been made on Capitol Hill in 100 years. I hope you will all read it carefully and that the gentleman from Washington may be able to understand it.

The SPEAKER. The time of the gentleman from Mississippi has expired.

RIVER AND HARBOR PROJECTS

Mr. SABATH. Mr. Speaker, I call up House Resolution 510 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 265) to provide for proceeding with certain river and harbor projects heretofore authorized to be prosecuted after the termination of the war. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Rivers and Harbors, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, this resolution makes in order consideration of House Joint Resolution 265 and provides for 1 hour of general debate. It is an open rule.

House Joint Resolution 265 aims to repeal certain restrictions contained in the act of March 2, 1945. The original act that we passed provided for the authorization, construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

But there was a restriction as to when that work should be allowed to commence. This resolution aims to strike out this provision:

That no project herein authorized shall be appropriated for or constructed until 6 months after the termination of the present wars.

This resolution will permit the Federal Government to proceed with river and harbor improvements and other activities. I favor the passage of this resolution. However, Mr. Speaker, I feel that even before we start on the construction of river and harbor improvements or the road-building program, every effort should be made to insure that all available materials needed for the construction of homes will receive priority.

Most Members will recall that I called attention to the approaching danger of lack of housing years ago when I urged that some of the departments should be moved out of Washington in order to make it possible for the thousands upon thousands of employees needed to do the work in the Navy and other departments to find a place to live in, as well as to make room for needed enlargements of the various departments.

At that time some Members were under the impression that I was unduly alarmed as to the future. You may remember, also, that 4 years ago some of us advocated increasing appropriations to provide for additional housing. Well, some increase has been made but nowhere near the amount necessary to eliminate the terrific shortage that now exists.

Therefore, I hope, notwithstanding the passage of this resolution, that the Government will not proceed with any work that may in any way interfere with the construction of housing, not only in Washington, but throughout the country. The housing shortage here is acute; but I hope that gradually the number of employees in Washington will be reduced, and should be. There is a housing shortage in nearly every section of our country. There are thousands and thousands of boys returning from across the seas now, and they find it impossible to obtain living quarters.

Therefore I hope the Government, notwithstanding passage of this resolution, will not proceed with any work that can or will interfere with construction of houses for people to live, right here in Washington, and throughout the country. Bad as the situation is here, I have hope that the number of employees here will be reduced, as it should be, in due time. There is scarcely a section of our country with enough houses to go around. Thousands and thousands of our boys are returning from overseas, ready and anxious to establish homes; but they cannot find a place to live.

To begin any public works on rivers and harbors or highways now, which might absorb any materials or any manpower needed to provide homes for Americans, would be manifestly unfair and unjustified.

Therefore, Mr. Speaker, though I favor passage of the resolution, I hope and expect that the departments involved will not proceed at once to the construction authorized by the resolution, but rather that they will have an opportunity to investigate the needs for river and harbor improvements and prepare

plans and specifications and make surveys. I hope, also, that no projects will be approved under authority of this resolution except those genuinely needed, and which will aid and benefit the localities involved and the country as a whole.

Mr. Speaker, I reserve the balance of my time and yield 30 minutes to the gentleman from Michigan.

Mr. MICHENER. Mr. Speaker, I know of no opposition to this rule. I do not believe there is any opposition to the joint resolution. I quite agree with what my distinguished chairman has said as to the necessity for adequate housing. I think the housing problem is the outstanding, paramount problem as far as public works are concerned, and that all other public works, like public buildings in the District of Columbia or elsewhere, should be submerged for the moment if by so doing the housing situation can be improved.

Of course, that has nothing to do with the particular resolution this rule makes in order. These river and harbor projects were authorized, but no money can be spent on them until 6 months after the war. The War Powers Acts are still in force and effect. There are some powers that should be, and must be removed from those acts. I think this provision is one of them.

I yield 5 minutes to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

IS THIS THE PAY-OFF?

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I noticed an Associated Press dispatch in the Washington Star of February 5, which called attention to certain alleged flagrant violations of OPA regulations by the A. & P. chain stores. There are around 6,000 stores in the A. & P. chain system. The news story stated that OPA enforcement and investigating officers had found that the A. & P. stores were short 51,851,251 pounds of sugar in their allowable inventory as of August 31, 1945. And what did Mr. Bowles of the OPA do about it?

Had some small merchant in Fort Wayne or in the State of Minnesota been found short on inventory by the OPA gestapo, or found to have unintentionally overlooked one of the thousands of OPA regulations, it would have brought immediate high-handed prosecution by the agency with a demand for a stiff monetary penalty, which the small merchant could ill afford to pay, to say nothing of headline publicity which the OPA always publishes when it comes to the small businessman. The OPA seldom gives the small merchant a second chance to correct an unintential violation. But what happened to the A. & P. chain store violation?

The OPA took the A. & P. case to court, and requested the court to issue a permanent injunction to restrain this firm from continuing to violate OPA regulation. And that was the penalty assessed against this chain-store system, which is largely owned by one Mr. Hartford, who made the headlines last year for having made a loan, grant, or gift of $200,000 to Elliott Roosevelt. This loan was charged off as a bad debt by the parties involved in making income-tax returns, as I recollect it. There was no demand by the OPA that this large chain-store system should pay a heavy penalty for violating regulations. The company was set scot free, with the warning: please do not do it again.

What I would like to find out, is the action of the OPA in the A. & P. case a part of the pay-off because of the unbusinesslike loan made by Mr. Hartford to young Roosevelt? This is something that Congress should concern itself with in the interest of protecting honest business in this country.

I feel that many of the activities of the OPA are of serious concern to all of us and to the future welfare of the country. The practice of the OPA in purposely laying traps against small merchants in order to catch them in some unintentional violation of regulations, is contrary to our American system and should not be tolerated. I do not condone willful violations, but, in my opinion, an overwhelming majority of businessmen are honest and strive in every way to comply with laws and Government regulations. They should not be persecuted and we, their Representatives, should not tolerate the continuance of foreign-originated gestapo methods in this country.

In the A. & P. case, I again state that it is up to Congress to find out if the settlement was a pay-off to Mr. Hartford for the loan made to Elliott, or if the case was handled by the OPA on its merits and does this agency give the same consideration to all men engaged in business.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I am glad to yield to the gentleman.

Mr. MASON. May I say that some of us thought we had done that when we extended its life before. I am afraid if that is what we are going to depend upon, we are going to be just as badly mistaken as we were then.

Mr. AUGUST H. ANDRESEN. I am inclined to agree with the gentleman because the law is very clear and the amendments which were adopted by the House have made it clear that the OPA shall function in accordance with customary business practices and permit reasonable and equitable margins of profit. They are not functioning according to the intention of Congress. Therefore, it is up to us, if we want our country to recover and secure the production of necessary goods for the people of the country and stop inflation, to see that the OPA functions in accordance with law or otherwise repeal the law.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to my colleague the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, as a member of the Committee on Rules, I questioned the wisdom of this matter when the rule was applied for. But after looking into the matter, I withdrew my objection. As a member of the Committee on Postwar Economic Policy and Planning, I had given some thought to this matter, and, like my distinguished chairman, I was apprehensive that we might turn loose a flood of Federal projects at a time when they would conflict with private enterprise getting back on its feet, as we want private enterprise to do. Therefore, our committee recommended to the Congress that no action be taken by the House in the matter of public works that would interfere with the orderly reconversion on a private-enterprise basis. In other words, what we wanted to do, and what I am sure you want to do and the country wants to do, is to have a shelf of public works that will be available to be activated when and if unemployment becomes an acute problem. Of course, we are not going to have any unemployment in this country to amount to anything for at least 2 or 3 years. That was my objection in the beginning. However, after looking into the matter, I have come to the conclusion that this is a meritorious resolution in that it would merely do for rivers and harbors projects what has already been done for the highways of the country through the highway program.

In other words, this resolution would simply make in order these projects which have already been authorized by the Congress in March 1945, when that bill was passed, covering a large number of projects all over the country.

The passing of this resolution does not mean we are going to do what I said I was apprehensive of, that is, go into a gigantic spending spree of Federal funds which would be in competition with private enterprise; but it does mean that money can be appropriated by the Congress if the Congress sees fit to put into operation certain meritorious projects which may be greatly needed in some instances. In the final analysis, the Congress will control that by passing upon appropriation bills.

Mr. PACE. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield.

Mr. PACE. In addition, while there has been no formal declaration by Congress, the wars have been terminated for more than 6 months.

Mr. COLMER. Of course, that is very true. I would like to see the whole thing handled together rather than piecemeal, but I merely wanted to make these observations in view of the fact that I had raised some question about it in the Rules Committee.

Mr. LARCADE. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield.

Mr. LARCADE. Is it not a fact that work had been stopped on many of these projects and it would be economically sound to resume work on them as soon as possible?

Mr. COLMER. In response to the gentleman from Louisiana, I am sure there are meritorious projects which should be consummated. At the same time I hope that those responsible, both for the appropriation of these funds and for the starting of these projects, will not do that except in extraordinary cases, until there is need for relieving the unemployment

situation which we anticipate will eventually come.

Mr. Speaker, in this connection I am advised that this is the birthday of that outstanding gentleman from Texas, the dean of the Texas delegation and chairman of the Rivers and Harbors Committee, which reported this resolution. I do not know how old Judge MANSFIELD is today, but I do know that he is one of the oldest Members in point of service in the House. I know, too, that he has rendered monumental service to his congressional district, his State, and his Nation. It was my privilege when I first came to Congress to serve on the Rivers and Harbors Committee, which then as now was so graciously and effectively presided over by this great Texan. I doubt if there is a man in the United States who is more familiar with the rivers and harbors of these United States than is Judge MANSFIELD. He is a great asset to his district, to the Congress, and to the country. I felicitate him on this his birthday, and hope for him many more years of useful life and constructive service to the country in the capacity of chairman of the Rivers and Harbors Committee of the House.

The SPEAKER. The time of the gentleman from Mississippi [Mr. COLMER] has expired.

Mr. SABATH. Mr. Speaker, I shall take about 2 minutes.

I see the youngster, chairman of the Committee on Rivers and Harbors, the gentleman from Texas [Mr. MANSFIELD] in the Chamber. I understand he will today celebrate his eighty-fifth birthday. I hope he will be here with us to celebrate his ninety-fifth birthday. In the splendid health which he now enjoys, I am sure he will be. I know that each and every Member who has known him as long as I have will be only too pleased to have him continue to act as chairman of the great and important Committee on Rivers and Harbors for many, many years, where he will continue to render valuable service to the country.

I have known Judge MANSFIELD well and favorably from the day that he became a member of this House. Not only has he been a great chairman of the Rivers and Harbors Committee and brought about legislation of vast importance to the Nation; he has ever maintained the liveliest and most intelligent interest in general legislation.

I recall when Judge MANSFIELD, the then Senator Kenyon of Iowa, myself, and a few others were constituted a reception committee to welcome Professor Masaryk, the man who was to become President of Czechoslovakia, and under whose inspired leadership Czechoslovakia set an example to other peoples in democratic government and democratic living. Judge MANSFIELD represents a congressional district that contains a large number of people born in Bohemia, just as I was, and who came to this country seeking freedom and liberty and opportunity, settled in Texas, and have helped to develop their adopted State and country. They have set an enviable example to all in their conduct, their citizenship, and their efficient farming.

I know, for I hear frequently from many of these Bohemians who are now Americans, that they all hold Judge MANSFIELD in the highest esteem, and properly so, for he has always shown himself to be be friendly, broad-minded, and of liberal inclination. For those qualities he is loved as no other man is or can be in that great State. My compatriots deserve a great deal of credit in helping to develop the State of Texas, and especially that congressional district which has given to the country that grand old man, my friend, Judge MANSFIELD.

This gives me the opportunity of talking about another matter that is near and dear to my heart, and which is closely related to Judge MANSFIELD'S committee. For many years I have been interested in waterways. Over 50 years ago I advocated the great canal that joins the Great Lakes with the Gulf of Mexico, and which, unlike other canals and waterways, was built and paid for by the city of Chicago at an expense of about $200,000,000. I believe it is for the best interests of our Nation to have waterways, and I have been advocating for years a national policy of developing the natural water highways.

I understand that the international commission and the engineers have finally agreed on the St. Lawrence Waterway project. I know that Chairman MANSFIELD'S committee made an investigation some years ago and looked with favor upon the project then. I hope that the view of the Committee on Rivers and Harbors continues to be favorable when the question comes before the House. As you may know, hearings will be held soon by a subcommittee of the Senate Committee on Foreign Relations on the bill as introduced in the other Chamber. It seems to me wholly proper and desirable that the Senate should act first because the entire proposal involves international agreements with Canada.

I fully appreciate the fact that some interests, for selfish reasons, and for selfish reasons only, are opposed to this great project, which will bring vast benefits, not only to the Middle West but to the whole Nation. For my part, I do not and cannot see why we should be compelled to pay a tribute of 10 to 15 cents for carrying our wheat and corn and other products through New York and other eastern ports when, by completion of this project, the same products could be loaded aboard ship at our Lake ports and move directly from the Great Lakes across the sea, saving time and money.

I hope some of these gentlemen, representing specially privileged eastern interests and some railroads, who have been so unnecessarily alarmed and have opposed construction of the St. Lawrence seaway, and who in the past have enjoyed advantages and benefits they now would deny the Middle West, will show themselves broad enough, big enough, and fair enough, to desist from their opposition. I hope that within a few years we may look back on completion of this great waterways project with the same pride of achievement we now have in viewing the Panama Canal and other great accomplishments in harnessing the forces of nature to the needs of modern man, with the added satisfaction of knowing we have added to and stabilized the prosperity of the interior of the country.

The SPEAKER. The gentleman from Illinois has consumed 2 minutes.

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. MANSFIELD of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 265, to provide for proceeding with certain river and harbor projects heretofore authorized to be prosecuted after the termination of the war.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 265, with Mr. PACE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. DONDERO. Mr. Chairman, I yield myself 5 minutes.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. DONDERO. Mr. Chairman, I wish to join my colleagues in paying tribute to the distinguished chairman of the Committee on Rivers and Harbors, the gentleman from Texas [Mr. MANSFIELD], who celebrates his eighty-fifth birthday today.

It has been my privilege to serve under his leadership on that committee for 13 years. He has always directed the affairs of the committee in a fair, impartial, and generous manner. He has always displayed uniform kindness, no matter on which side of the aisle a Member sat. He is the best informed man in Congress on rivers and harbors. He is an able and distinguished American. It has been a pleasure to serve the Nation, the committee, and the Congress under the wise leadership of such a splendid gentleman as Mr. MANSFIELD. No Member of this body is more respected or held in higher esteem.

I think he is the symbol of what the poet said in a verse which went something like this:

If in life you take the best,
And in life you see the jest,
  And love you hold;
Then, no matter how the years roll by,
No matter how the birthdays fly,
  You are not old.

We pause to pay tribute to him and join unanimously in wishing him many happy returns of this day.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from New Jersey.

Mr. CANFIELD. May I add this brief word? The distinguished gentleman from Texas likes to put his arm around the younger Members of the House. He is an inspiration to all of us. I have a great affection for him, even as did my late chief and predecessor, Mr. Seger, who served so long with him on the Rivers and Harbors Committee. I salute

him on his anniversary and wish him well.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. PETERSON of Georgia. Mr. Chairman, I wish to join my colleagues in paying tribute to a great American, the chairman of my Committee on Rivers and Harbors.

It has been my privilege to serve under Judge MANSFIELD now for over 11 years as a member of this great committee of the House. He is one of the finest gentlemen I have ever had the pleasure of sitting with on any committee. I marvel at his great knowledge of the rivers and harbors and the waterway facilities of this country. In my opinion, he is the leading civilian authority in America on these questions.

He is truly a great American and an able, conscientious public servant. I wish for him many, many more years of useful service in this House, together with continued good health and prosperity.

Mr. DONDERO. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota, [Mr. PITTENGER].

Mr. PITTENGER. Mr. Chairman, there is not anything that gives me more pleasure than to reecho and reiterate the sentiments that have been expressed today in connection with the birthday of one of the grandest men not only in Congress but anywhere in the United States, Judge MANSFIELD.

It was my privilege in 1939 to become a member of the Rivers and Harbors Committee of the House of Representatives. I was a comparative stranger to Judge MANSFIELD at that time, but from that time to this there has been no Member of the House who has been more helpful to me, or more helpful to the people of my district and my State in connection with his official work than has Judge MANSFIELD, chairman of that great committee.

I am very proud and very happy to pay this little tribute to him and to wish him unbounded joy and happiness in the future and many more birthdays such as he is enjoying today.

Mr. PETERSON of Georgia. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. LARCADE].

Mr. LARCADE. Mr. Chairman, it is a very fine coincidence that on today the chairman of the Rivers and Harbors Committee on the anniversary of his birth presents to the House another bill to continue to build great waterway systems in the United States of America for which program he has labored so many years in the Congress of the United States.

It has been my pleasure to serve with Judge MANSFIELD since I have been in Congress as a member of the Rivers and Harbors Committee. I know he is one of the most able and one of the best informed men on rivers and harbors and flood-control matters in the Congress of the United States.

On the occasion of a visit last summer to the State of Texas I was impressed to see a monument in honor of Judge MANSFIELD built at the site of one of the great dams constructed under his administration. I remarked at that time I was glad to see that monument because so often public servants work hard for the public, they labor and slave in the interest of the public and their works are never given attention and appreciated until after they are dead. There was an evidence that the people of Texas and of the United States by erecting a very fine monument in honor of this great builder of waterways, harbors, and dams, Mr. MANSFIELD, had taken note of all the fine things he had done for his State and for his country while he lived.

Mr. Chairman, I desire at this time to join with the rest of my colleagues in extending to our committee chairman the very best wishes for a happy birthday and the hope that he may live 86 years longer.

Mr. PETERSON of Georgia. Mr. Chairman, I yield 2 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Chairman, one of the first men I met when I came to Congress was JOE MANSFIELD. Our offices were next to each other. I have been associated with him closely from that day to this. For many years I have served on the Committee on Rivers and Harbors, of which he is chairman.

I do not hesitate to say that I have never known a finer character in this House or elsewhere. He is rendering one of the greatest services of any man in public life today in helping to develop America's internal resources.

Someone said that:

An old man traveling on a lonely highway
Came at evening, cold and gray,
To chasm deep and dark and wide,
Through which there flowed a sullen tide.

The old man crossed in the twilight dim,
For the sullen stream had no fear for him.
He turned when he'd crossed to the other side
And built a bridge to span the tide.

"Old man," said a fellow pilgrim, near,
"You waste your strength in building here;
Your journey will end with the ending day,
You never again will pass this way.

"You've crossed this chasm deep and wide;
Why build a bridge at eventide?"
The builder lifted his old gray head,
"Good friend, in the path I've trod," he said,

"There follows after me today
A youth whose feet must pass this way;
This chasm, which was naught to me,
To that fair-haired lad may a pitfall be.
He, too, must cross in the twilight dim—
Good friend, I am building this bridge for him."

Judge MANSFIELD is building not for himself, but for the coming generations of America. They will always owe him a lasting debt of gratitude.

Mr. DONDERO. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. AUCHINCLOSS].

Mr. AUCHINCLOSS. Mr. Chairman, I am for the rule, I am for the bill, and I am for Judge MANSFIELD. I came down here a few years ago, and the first committee I was assigned to was Rivers and Harbors. I have never regretted it because of his leadership. Judge MANSFIELD's vast knowledge of the problems that committee has to deal with is only exceeded by his thoughtful courtesy, his generous impulses toward neophytes, like myself, all tinged by a wonderful sense of humor. It makes the world brighter. It makes our work here easier and to me and to all of us I am sure it has been a great privilege and honor and distinction to be associated with a man of his type.

Mr. PETERSON of Georgia. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DOYLE].

Mr. DOYLE. Mr. Chairman, not least of all because I am happy to be a member of the Committee on Rivers and Harbors is the fact that there presides over that important committee this young man, 85 years young today, and whose birthday we are observing today. Always sweet and generous, fair and firm is he. Since I came to this Congress as a freshman more than a year ago he has been a great inspiration to me and helpful at all times. I think it might not be inappropriate also to observe that by his side today and always there sits a most unusual secretary, Mr. McGann, who has been secretary of this committee for 44 years. This distinguished legislator and authority on rivers and harbors make an unbeatable team. I just wish to add my felicitations to the distinguished chairman again this year as I did last. It is an honor and privilege for me as a native son of California, and for the California delegation, to extend many happy birthdays.

Mr. DONDERO. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. GILLIE].

Mr. GILLIE. Mr. Chairman, on this the eighty-fifth birthday of that fine gentleman the Member from Texas, Judge MANSFIELD, I want to say for the RECORD that he is one of the grandest men I have ever known. I remember well when I first met him after coming to Congress. I was a brand-new Member; I introduced myself to him, and he contributed greatly to making me feel at home and getting me acquainted with procedures in the Halls of Congress. Ever since that time I have deeply appreciated and thoroughly enjoyed the warmth and kindness and friendship of Judge MANSFIELD. His distinguished service in the House, his fine character, and his loyal friendship have won for him the recognition and love of the people of his State and of his colleagues here. On this auspicious anniversary, I say to you Judge MANSFIELD "Happy birthday and lang may your lum reek!"

Mr. DONDERO. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Chairman, I would certainly feel derelict in my duty if I did not add a word to those that already have been spoken on this, the eighty-fifth anniversary of the birth of our beloved chairman, Judge MANSFIELD.

When I came to Congress I was fortunate in being assigned to the Committee on Rivers and Harbors, and have served on it during my entire service here. I can say with those who have preceded me that I doubt if there is any committee in the House that is presided over with greater dignity or integrity and more understanding and kindness to the members of the committee, without regard to the side on which they may sit, than the committee headed by Judge MANSFIELD. I want to add my word of

appreciation of the fine service that has been rendered by this distinguished American, and I wish for him many, many happy returns of the day.

Mr. PETERSON of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. THOMASON].

Mr. THOMASON. At the request of the chairman of the Texas congressional delegation, the gentleman from Texas [Mr. WEST], I rise to say that we thank you members of his great committee, and all others, for the high and deserved tribute you have paid him. He is frequently referred to as the youngest and most loved man in our delegation. Along with his fine mind he has a heart and disposition as gentle as a child. Judge MANSFIELD is a very modest man, and probably thinks we may be saying too much, but he deserves everything that has been said about him. No man in the Texas delegation, or for that matter within our great State, is held in higher esteem and affection than Judge MANSFIELD. His ability, his character, and his integrity are the highest. Speaking for the Texas delegation and at their request, I join with all the members of his great committee, both Republican and Democratic, and likewise those of you from all parts of the Nation in wishing for him many, many happy returns of the day.

Mr. DONDERO. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. RODGERS], a member of the committee.

Mr. RODGERS of Pennsylvania. Mr. Chairman, I do not wish to embarrass the judge further by adding to the wonderful things that have been said about him, but I do want to endorse all those nice things and to add my congratulations and wish him many happy returns of the day. The country is to be congratulated on having him serve so long and so faithfully on this important committee. As long as it is my honor and pleasure to serve on that committee, I hope I shall continue to serve under my good friend, the judge.

Mr. PETERSON of Georgia. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, my colleague from El Paso has expressed the views of the Texas delegation, but I think I should say to the House that we are making a mistake here today in thinking of Judge MANSFIELD as the oldest Member of the House. Those of us in the Texas delegation who have known him most intimately long ago recognized in him the youngest member of the Texas delegation. We believe that Judge MANSFIELD has all of that spirit of youth and all of that activity that is supposed to characterize a younger man, and he exemplifies all these qualities. He has the virtues of age and the activity of youth.

I am one of those described in the poem quoted a while ago for whom his experience has helped to build a bridge. As one individual and as one of his fellow Texans, I want to express my personal appreciation, and I take this opportunity to say to Judge MANSFIELD that I will never forget the fine things he has done for me, for my delegation, for the Members of Congress, and for the Nation.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Arkansas.

Mr. HAYS. I have asked my friend from Texas to yield purely to indulge myself the pleasure of joining with Judge MANSFIELD'S colleagues in this tribute to him, and to give expression to the profound affection and admiration which we entertain for him.

Mr. POAGE. I know his colleagues all appreciate the splendid work he has done, and I know it is appreciated all over the country as well.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I am glad to yield to the gentleman.

Mr. PATMAN. I consider Judge MANSFIELD not only one of the ablest Members of this body but one of the grandest men I have ever known. A few years ago the Texas delegation unanimously voted Judge MANSFIELD as the most popular member of the Texas State delegation.

Mr. DONDERO. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. ENGEL] a member of the Committee on Appropriations.

Mr. ENGEL of Michigan. Mr. Chairman, I am a member of the War Department Subcommittee of the Committee on Appropriations. It is this committee which has the responsibility of appropriating the money which is authorized by the Committee on Rivers and Harbors. I am doing here today what I believe the chairman of that subcommittee would do if he were not unavoidably absent. I am sure I am echoing the sentiments of every member of my subcommittee from both sides of the aisle when I extend to Judge MANSFIELD our congratulations on his eighty-fifth birthday. Judge MANSFIELD has appeared before our committee many times during the 10 years that I have been a member. He has always presented his case and given us the facts fully. There is no one who has ever sat in this House who had more information with regard to rivers and harbors than Judge MANSFIELD. I sometimes smile when I hear men speak of age terminating the usefulness of a man in the Congress. Had we had a retirement law at 60 or 65 years of age and had Judge MANSFIELD been retired at 60 or 65, the House of Repsentatives and the Nation would have lost 20 to 25 years of service of an able and distinguished legislator. No one could have taken his place here because no one else has the information and the great fund of knowledge regarding the subject matter with which he has dealt so many years. I have in mind others in this House, such as BOB DOUGHTON and Mr. SABATH. Mr. SABATH was a Member of this House when I was a student in law school at Northwestern University. We have many able men here who are doing a wonderful job and giving great service at an advanced age. I congratulate Judge MANSFIELD on his eighty-fifth birthday; I also congratulate the Nation for having had so able a man here for so many years as Judge MANSFIELD. I again extend my congratulations and the congratulations of my subcommittee to Judge MANSFIELD on his eighty-fifth birthday. I am sure I echo the sentiment of every member of our subcommittee.

Mr. PETERSON of Georgia. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia [Mr. NEELY].

Mr. NEELY. Mr. Chairman, Judge JOSEPH MANSFIELD is one of the most illustrious of all the good and great who were ever born on the historic hills of West Virginia. In the early morning of his useful life he went from his native State to the promised land of Texas. Although West Virginia will forever regret her loss of this beloved son, she will never cease to rejoice in the brilliant success he has achieved as a Texas Member of the Congress for 29 eventful years. Judge MANSFIELD undoubtedly supplied the poet the inspiration which impelled him to write the following memorable lines:

They who can love when others hate,
Nor bind the heart with frosts of fate,
Their feet will go with laughter bold,
The green roads of the Never-Old.

They who can let the spirit shine,
And keep the heart a lighted shrine,
Their feet will glide with fire-of-gold
The bright roads of the Never-Old.

They who can put the self aside,
And in Love's saddle leap and ride,
Their eyes will see the gates unfold,
To the glad roads of the Never-Old.

Regardless of calendars, birth certificates, or birthdays, our distinguished colleague is still very young. Methuselah lived 969 years. A less famous Biblical character, one Peleg, lived 239 years before he slept with his fathers. And if a man by the name of Peleg could live more than 200 years, one bearing the celebrated, melodious name of MANSFIELD should live at least half a dozen centuries before going to his reward on high. But even this unusual earthly span of life would not fully satisfy my desire for the longevity of this very dear and greatly honored friend. So bless you, Mr. MANSFIELD—

May you live a thousand years,
Just to keep things lively in this vale of human tears;
And may I live a thousand, too—no, a thousand less a day,
For I shouldn't want to be on earth to hear you'd passed away.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. PETERSON of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Chairman, I would be a traitor to my feelings if I did not say something on this occasion on the birthday of our good friend from Texas, Judge MANSFIELD.

I am one who believes in giving flowers while you live. Do not send them after you have gone and when you cannot smell them. That is my philosophy.

As a freshman Congressman, I want to make this testimony to my good friend Judge MANSFIELD, as was said of Moses, "His eyes are not dimmed or his mental strength abated."

When I first came here I had occasion to meet Judge MANSFIELD. I found him courteous. I found him affable. I found him interesting. Because I was a freshman, that did not make any difference to Judge MANSFIELD. I feel that Judge MANSFIELD is one of the outstanding Members of this House and think he has rendered and is rendering a great public service. I wish we had more men in this Congress of the caliber and character of Judge MANSFIELD to help us solve the pressing problems facing us today. I hope his life will continue for many years to come. He is a great man and a great American.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. DONDERO. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. CHURCH].

Mr. CHURCH. Mr. Chairman, it would take a great many minutes for me to say all the nice things I would like to say about my friend and colleague, Judge MANSFIELD, whom I have known for over 10 years in our work together in the Congress. Because of his being one of the most active men, not only in committees but on the floor in Committee of the Whole and in the House, I admire him. He is now a member of two other committees of which I am a member, as well as being chairman of the Committee on Rivers and Harbors: the Committee on Expenditures in the Executive Departments and the Committee on the Merchant Marine and Fisheries. He is active on both those committees and can always be depended upon.

I want to commend the gentleman from Texas on his activity, and his being able to attend these committees at their many hearings as well as attend to his many duties in his office and on the floor of this House.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. PETERSON of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. CHELF].

Mr. CHELF. Mr. Chairman, I wish to go on record by adding a remark or two here at this time in the interest of our beloved friend, Judge MANSFIELD, on this, his eighty-fifth birthday.

I am another freshman Member of the House, and I want everyone to know and understand that he took all of us under his wing, within his heart, and into his confidence. He has been my very dear friend, and I am sure the friend of every young fellow who came to serve in the Seventy-ninth Congress. His counsel has been most helpful, timely, generous, and sincere.

I recall a little verse that this great man's kindness and friendship brings to my mind very forcibly:

Making friends is a lot of fun,
Shaking hands with everyone;
Hearing what each has to say,
As we meet them day by day;
Swapping smiles and trading cheer,
Makes us happy while we're here,
All the joy of life depends,
Just on the art of making friends.

The sunshine of his smile, the warm clasp of his handshake, and his friendly attitude establishes him very high in our estimation, esteem, respect, and admiration. As a veteran of War II, I want to take this opportunity to thank the good judge for his support and sympathetic understanding of all measures pertaining to the veterans.

God bless you, Judge. You certainly have taught your young colleagues the art of making friends. "May your leaf never wither and whatsoever you do, may it prosper," and may you be preserved for many, many years yet to come. Texas and the Nation need more men of the caliber, wisdom, and courage of Judge MANSFIELD.

Mr. DONDERO. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. MCDONOUGH].

Mr. MCDONOUGH. Mr. Chairman, I am glad to add my congratulations and best wishes to Judge MANSFIELD on this eventful period in his life. As a junior member of the committee I have been influenced by his genial and friendly attitude.

Judge MANSFIELD did not need to take any lessons from Dale Carnegie on how to make friends and influence people. Dale Carnegie ought to come down and take some lessons from Judge MANSFIELD.

Naturally I am for this resolution and I wish to congratulate the judge for bringing it to the attention of the House in the interest of the Nation, because these projects must go ahead. We need these projects as well as the work for the men they will employ.

I hope I shall have the privilege of serving with Judge MANSFIELD for a long time to come. Congressmen may come and Congressmen may go, but Judge MANSFIELD goes on forever.

Mr. PETERSON of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. LINK].

Mr. LINK. Mr. Chairman, I wish to add my sincere wishes for many more happy birthdays for our chairman, Judge MANSFIELD.

Mr. DONDERO. Mr. Chairman, I have but one more request, but it is so unusual it should be granted; that is, from the gentleman from West Virginia, in whose district Judge MANSFIELD was born [Mr. ELLIS].

Mr. ELLIS. Mr. Chairman, it is with considerable pride that I bring to the attention of my colleagues the fact that Judge MANSFIELD was born in the district I now have the honor of representing. He was born in the county adjoining my home county. While he left the State about the time I was born, yet we have many mutual acquaintances; he knows many of the families I have the pleasure of knowing. And now when I go back to the State, especially to Wayne County, the place of his birth, great numbers of people inquire as to the welfare of Judge MANSFIELD.

Mr. Chairman, I join today with his thousands of friends in congratulations on his eighty-fifth birthday, and wish him many happy years to follow.

Mr. DONDERO. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman, there is a poem that goes something like this:

If with pleasure you are viewing any work a man is doing,
If you like him or you love him, tell him now.
Don't withhold your approbation 'til the priest makes his oration,
And he lies with snowy lilies on his brow.
For no matter how you shout it, he'll not know about it,
For he cannot read his tombstone when he's dead.

Mr. Chairman, I cannot recite poetry as well as some of the other Members, but in any event you get the idea.

I come from Cleveland, Ohio. A former chairman of the Rivers and Harbors Committee, whose place I now occupy on that committee, was Theodore E. Burton, a great man and a fine chairman of this committee. I do not know of a man in the United States who was a more worthy successor to my fellow townsman, Theodore E. Burton, than Judge MANSFIELD. When I became a member of this committee 8 years ago I did not know that Judge MANSFIELD knew where the Cuyahoga River was and where Rocky River was, but he knows every stream and every shoal; he knows all about them. I was amazed to learn how completely informed Judge MANSFIELD was about rivers, harbors, and streams everywhere throughout the Nation. He does not have to refer to books, to look at maps; he knows in his mind exactly what we are talking about, even though it is but a little stream.

Mr. MANSFIELD of Texas. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Texas.

Mr. MANSFIELD of Texas. I may say to the gentleman that I have a niece who has lived in Rocky River for some 10 years.

Mr. BENDER. The Judge says he has a niece who has lived in Rocky River for 10 years, but I am sure he does not have relatives in every county in the United States, because what Judge MANSFIELD knows about Cuyahoga County he knows about every other county in the country. So I am happy to join with my colleagues in paying tribute to a great man, a great statesman, and I hope the voters of Texas appreciate the kind of representation they have, and I hope they will continue the Judge here as long as he wants to serve.

Mr. PETERSON of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. BELL].

Mr. BELL. Mr. Chairman, I am certainly happy to be here today to join with my other friends in paying tribute to a man whom I believe is one of the great men of this body. I have been a member of his committee, I have served under him, for more than a decade. I have seen him again and again as he presided over the deliberations of that committee and through all of those years I have been repeatedly confirmed in the first impression I ever had of him, namely, that he was a man of such ster-

ling character that everybody knew that when he made a decision that decision was absolutely fair and honorable. In the first place, he has a rare quality of courage. I have seen him when other men might have faltered a little bit in the things they were called upon to do, but I have never seen Judge MANSFIELD falter for a moment when it became a question of what he believed to be his duty to the country and to the State of Texas which he loves so well.

I deem it a rare privilege to have known and served with him.

Mr. PETERSON of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Chairman, it is a privilege to have served more than two decades in this body with the distinguished gentleman from Texas, and it is a particular pleasure and privilege to have the opportunity on this happy occasion to felicitate him on his passing another notable milestone, in his life, and in the service of the House.

He is one whom his State, and this House, and the Nation delight to honor.

The Nation is under obligation to Judge MANSFIELD. Under his wise and far-seeing administration, millions of acres of wasteland have been reclaimed and made to bloom and blossom as the rose, and a vast empire of the richest land upon the globe has been added to our national resources.

We people, especially, who live on the great rivers, in the great valleys subject to torrential overflow and periodical devastation from floods and miasma, and who have seen him solve the most difficult problems and overcome seemingly insurmountable obstacles and bring to fruition the fondest dreams of the most optimistic conservationists, are under particular obligation to him. He has contributed more directly and effectively to the welfare and prosperity of these sections than many captains of industry and commanders of commerce. He has evinced the highest order of statesmanship. His works will live after him.

And the best of his life and the most fruitful years of his service are yet ahead of him.

Come grow old with me.
The best is yet to be,
The last for which the first was made.

Mr. PETERSON of Georgia. Mr. Chairman, I ask unanimous consent that all Members who desire to speak on this subject may be permitted to extend their remarks in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GARY. Mr. Chairman, I rise for two purposes: One to keep the RECORD straight, the other to extend the felicitations to Judge MANSFIELD from his real native State. It is claimed that the Judge was born in West Virginia when as a matter of fact at the time he was born there was no West Virginia. Judge MANSFIELD was born in 1861. It was not until 1863 that West Virginia was separated from Virginia and admitted to the Union. Judge MANSFIELD was therefore born in Virginia, the mother of States, and Virginia, proud of her native son, wishes him many happy returns of the day and the return of many more such happy days.

Mr. PETERSON of Georgia. Mr. Chairman, I yield to the distinguished gentleman from Texas [Mr. MANSFIELD].

Mr. MANSFIELD of Texas. Mr. Chairman, I am very thankful to the gentlemen who have so kindly eulogized me on this occasion, and I have been wondering whether I am really dead or alive. It is so seldom that anybody speaks a good word for a Member of Congress until after he is dead. I am just wondering whether or not I have been dreaming. I have been here quite a while, though some Members have been here longer than I. Perhaps no man in the country has been continuously in public office longer than I have been. If I live until next November I will have been continuously in office 58 years, and strange as it may seem, I was a poor man when I started, so you see what I have accomplished along that line.

Mr. Chairman, I want to say one thing about the work of the Committee on Rivers and Harbors. I have been blessed with fine gentlemen on that committee ever since I have been chairman of it. When I came here 29 years ago I first served on other committees, one of which was the Committee on Flood Control. In a year or two I was assigned to the Committee on Rivers and Harbors. I have served on it ever since and have now been chairman of it for about 15 years. I have never had occasion to doubt any member of that committee. We have raised that committee from what it was at one time, I am sorry to say, regarded as a pork-barrel concern. We have now reached a point where that is absolutely out of the question in river and harbor legislation.

Mention was made of Mr. Burton a while ago by my good friend the gentleman from Ohio [Mr. BENDER]. Mr. Burton was chairman of that committee for 10 years, and he is the gentleman who started Mr. McGann in the service 44 years ago. Mac, as you know, is a Republican, but we have kept him as secretary of the committee under all Democratic administrations. We have no politics in that committee. We have come to the point where we regard the means of transportation of the commerce of this country as not a political issue. It is an American issue, and no politics has ever slipped into that committee since I have been a member of it that I have been able to discover. No sectionalism has crept into it We adopt the same rules for the North, for the South, for the East, for the West, for Alaska, and for our insular possessions. We have improved the ports of Hawaii, of Midway and of Wake Island, and quite a number in Alaska, all of which have been so important in this present war. We also have done the same thing for Puerto Rico and for the Virgin Islands. No complaint can come from any of these possessions that they have been neglected so far as the work of the Committee on Rivers and Harbors is concerned and I believe so far as any other committee of Congress is concerned.

When I first came here the chairman of the Committee on Rules, the gentleman from Illinois [Mr. SABATH], was one of the first gentlemen I met. He and Senator Kenyon and I were appointed on a committee to meet the President of Czechoslovakia when he came here during World War I and escort him to his hotel. The gentleman from Illinois [Mr. SABATH], as you know, was born in Czechoslovakia, and Senator Kenyon was a great friend of Czechoslovakia. I introduced a resolution for the recognition of that country in the peace treaty which followed, and Senator Kenyon introduced a like resolution in the Senate.

Now I want to say just a word or two about the matter that is before us. The river and harbor bill of last February was the first general river and harbor bill we have in a period of 5 years, approximately 6 years from this time. It contained a large number of projects. Quite a number of them were considered very urgent in the war, and they have already been taken care of by appropriation of Congress and the projects have been completed. A number of them were not. In order to assure Congress that we did not want to interfere with the appropriation of money for war purposes we inserted a provision in that bill that appropriations for projects embraced in it would not be eligible until 6 months after the war. The public roads bill had a like provision. As I am informed, that provision has been repealed, and the Senate has passed a resolution repealing it as to rivers and harbors. The Committee on Flood Control, which embraces projects valued at nearly a billion dollars, did not put such a provision in their bill, consequently those projects have been eligible for appropriation all the time.

My good friend the gentleman from Florida [Mr. ROGERS] made a very eloquent speech yesterday in behalf of some projects in his State and in his district. He was wondering why they were not embraced in the appropriation bill we adopted yesterday. I say to him now that the reason they were not included in that bill was on account of this 6-month provision in the bill in which they were adopted. If this provision is repealed then the gentleman from Florida, and all the others who have projects, can fight their way out before the Budget and before the Committee on Appropriations and, if they are successful, can get appropriations for their projects.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Texas. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. What amount of money would be involved in carrying out the projects in this proposal?

Mr. MANSFIELD of Texas. You understand they have all been approved by the Congress.

Mr. SMITH of Ohio. I understand that.

Mr. MANSFIELD of Texas. The total cost during the 6-year period was $381,968,000.

Mr. SMITH of Ohio. Would that complete all that is involved in this particular resolution?

Mr. MANSFIELD of Texas. Yes; but not all of that is involved here. There are quite a number of these which have been taken care of heretofore as war measures.

Mr. SMITH of Ohio. Do you mean of these projects that are mentioned in the resolution?

Mr. MANSFIELD of Texas. Yes. This makes them eligible for appropriation without waiting for 6 months after the treaty of peace.

Mr. SMITH of Ohio. The thing I am wondering about is the distressed condition the country is in financially and whether these things could not go over until we get our Budget balanced and put these matters on the basis of balancing our Budget first. This removes the limitation of 6 months after the war. It seems to me that this is a very important matter. The Government is printing money to pay its bill. From that standpoint alone, I wonder if these things could not wait.

Mr. MANSFIELD of Texas. They await the pleasure of the Congress hereafter. This does not appropriate the money. This simply makes them eligible to the Bureau of the Budget and to the Committee on Appropriations for such action as they may want to take.

Mr. SMITH of Ohio. I just feel that the action is in that direction anyway.

Mr. MANSFIELD of Texas. You understand they have already been adopted and this is the first and only time in our history that we have ever put a provision like this in a river and harbor bill. Here is the way it will work. Unless this resolution is adopted, the amount recommended by the Budget hereafter will be allocated by the Chief of Engineers, not to these projects, but to other projects that have been authorized heretofore which are not subject to that provision, many of which are not as urgent as some projects in this bill. This simply widens the field from which our splendid Committee on Appropriations can make their selection when they appropriate the money.

Mr. SMITH of Ohio. I congratulate the committee and others on their sincerity, but at the same time I do have in mind the financial condition of our country.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Texas. I yield to the gentleman from Michigan.

Mr. DONDERO. All this resolution does is to release a wartime restriction.

Mr. MANSFIELD of Texas. That is it exactly.

Mr. DONDERO. It does not cost any money whatsoever.

Mr. MANSFIELD of Texas. It does not cost one cent.

Mor DONDERO. It simply makes these projects eligible at such time as Congress sees fit to appropriate money for their construction.

Mr. MANSFIELD of Texas. The gentleman from Michigan is entirely correct. He is the ranking Republican member of our committee. I will not say he is second in importance—I rather consider him first in importance in our work, because he has always been so helpful.

Mr. DONDERO. Thank you, sir.

The CHAIRMAN. The time of the gentleman from Texas has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

Resolved, etc., That section 2 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 2, 1945 (Public Law 14, 79th Cong.), is amended by striking out the following: "That no project herein authorized shall be appropriated for or constructed until 6 months after the termination of the present wars in which the United States is engaged unless the construction of such project has been recommended by an authorized defense agency and approved by the President as being necessary or desirable in the interest of the national defense and security, and the President has notified the Congress to that effect: *Provided further,*".

Mr. PATMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think what I shall say will be in order, but in order to be sure, I ask unanimous consent to speak out of order for 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

CAPITAL OF MISSOURI ONE TIME IN TEXAS

Mr. PATMAN. Mr. Chairman, on yesterday the gentleman from Missouri [Mr. CANNON], who is usually very careful about his statements and so seldom utters a statement that is not correct, I think made a statement about Texas that is not a correct statement. I expect to answer his statement fully at another time, but at this time I particularly want to call the attention of the membership to the fact that one statement is untrue.

The gentleman from Missouri [Mr. CANNON] stated:

For Texas alone of all States has two members on the Committee on Appropriations. No other State has more than one, and some States have none at all, but Texas has two, and Texas therefore has twice the representation at a meeting of the committee than any other State.

In order to keep the record straight, the State of Michigan has two members on the Committee on Appropriations; so does the State of Ohio; so does the State of Missouri, the State of Indiana, the State of Pennsylvania, the State of Massachusetts, the State of New York, and the State of Washington.

Now, the manner in which they are selected is fair and equitable and right. There is no question about the way they are selected being the right and fair method.

May I invite the gentleman's attention to the fact that one coming from Missouri should be the last to attack, even indirectly, the great State of Texas, and particulary the district that I have the honor to represent.

Back in 1861 to 1865, during the War Between the States, the State of Missouri had their own militia. In the Battle of Booneville they lost to the Federals and they retreated to Carthage, Mo., and they lost there; and they wanted to find a good, safe place to remain during the War Between the States. So the government in exile of the great State of Missouri, the Governor, the attorney general, and all the staff of officers sought a place that would be safe, where they would have protection against people in the North who were at that time referred to by a hyphenated name.

They wanted plenty of food and plenty of clothing, and they wanted everything, the finest place in the world they could get, where they would be absolutely safe. That was No. 1. Where did they go? That Missouri State government not only went to the great State of Texas but they went to my district and to one of the finest and best places in the Southwest, Marshall, Tex., and there the State government in exile remained during the War Between the States.

So, I insist, the gentleman from Missouri should be the last one to even indirectly attack the State that I have the honor to live in or the district that I have the honor to represent. For the purposes of the record I want to insert a statement that was printed in a newspaper in Kansas City, Mo., concerning this matter. It has a picture of the governor's mansion in Marshall, Tex. It has a picture of the statehouse of Missouri that is now at Marshall, Tex. Of course, I cannot put the pictures in the RECORD, but I will place the statement in the RECORD.

I made the statement in St. Louis at a meeting of the chamber of commerce one time, and it was challenged. They said, "That cannot be true. It might be Marshall, Mo., but not Marshall, Tex." So an investigation was made, and this newspaper story recounts the facts and they corroborate every word I say.

So I insist the gentleman from Missouri [Mr. CANNON] should not be attacking Texas. I am certainly not going to attack Missouri. If I were to talk 1 hour about Missouri, every word I would say would be a compliment either to the great State or the people who live in that State or who represent that State.

The newspaper article referred to is as follows:

RELICS OF FUGITIVE MISSOURI CAPITOL OF CIVIL WAR DAYS SURVIVE IN TEXAS—WHEN STATE VOTED LOYALTY TO UNION IN 1861, ITS EXECUTIVE, CLAIBORNE F. JACKSON, WENT TO MARSHALL IN LONE STAR STATE, TAKING OFFICIAL SEAL AND ESTABLISHING GOVERNMENT IN EXILE IN BUILDINGS STILL STANDING

(By Allene Reeves)

Missourians in true "show me" fashion refused to believe, and demanded proof of Representative WRIGHT PATMAN, of Texas, when he said a few years ago that a Texas town had once served as the capital of their State for 4 years.

It all happened in the Civil War when Missouri's Gov. Claiborne F. Jackson and Lt. Gov. Thomas C. Reynolds remained loyal to the South. In 1861 when Missouri voted to remain in the Union, and when Federal troops threatened to attack the capital in Jefferson City, Jackson, Reynolds, and their staff fled, seeking a safe place in which to establish a temporary seat of government.

The place they finally chose was Marshall, a small town in a broad and beautiful section

of east Texas. At that time an inland town of only 2,000 inhabitants, Marshall was narrowly separated from the Arkansas and Louisiana State lines; located 18 miles south of Jefferson, Tex., the head of navigation, and 40 miles west of Shreveport, La., the seat of military authority for the trans-Mississippi region. The homes which were occupied by the Missouri government as executive offices and by Jackson as the Governor's mansion are still standing, tenanted, and in good repair.

AGAINST SECESSION, 80–1

Elected on the Douglas Democratic ticket in 1860, Jackson and Reynolds were inaugurated on the following January 3. In March of that year, after a winter filled with disturbances and minor clashes between political groups, a constitutional convention was called. This convention was supposed to "carry the State out of the Union," but it surprised its promoters by refusing to do so. Francis Preston Blair, Jr., a strong antislavery leader, was largely responsible for the swaying of the convention which decided 80 to 1 not to secede.

Governor Jackson, favoring the proslavery faction, opposed the decision and instead of raising troops as ordered by Lincoln, he called for 50,000 volunteers of his own to resist Federal forces. He was commander in chief of the volunteers, appointing Col. John S. Marmaduke in full command of the troops.

Missouri remained in the Union, but the people were about equally divided in sentiment so it was inevitable that the factions should clash. Early in 1861, the Federalists, under Gen. Nathaniel Lyon defeated proslavery troops under Sterling Price, a former governor.

Defeated in his first military engagement and with Federal troops almost ready to enter Jefferson City, Governor Jackson and his troops went to Boonville in June 1861. Following the battle, Jackson, Reynolds, the secretary of state who carried the great seal, and various departmental heads went farther south.

FROM CARTHAGE TO MARSHALL

They stopped at Carthage, where Governor Jackson intended to set up his government, but another battle ensued with northern troops. Although the Confederates sustained only minor casualties in killed and wounded, and were successful in driving the Unionists from Carthage, Jackson decided it would be best if he went still farther from the fighting zones. Leaving Colonel Marmaduke in command, the governor and his associates continued their trek across the country.

Arriving in Marshall, Tex., they decided they had found an ideal location for the Missouri capital in exile. Governor Jackson rented the home of Judge Asa Willie, on the corner of South Bolivar and Crockett Streets, for executive offices. Judge Willie, a member of the supreme court of Texas, had moved his family to Austin. This building now is occupied by two families.

On Crockett Street, directly across Bolivar from the temporary capitol, was the home of Mrs. Mary Key, which Jackson rented for his living quarters. A typical southern home, it provided ample room for the extensive entertaining done in those turbulent days. Various wings have been added to the house which make it appear quite different from the governor's mansion of Civil War days. It is owned by Mrs. Dudley Crawford, of Austin, Tex., whose husband was a direct descendant of Mrs. Mary Key.

Very little is known about the original capitol building which is now owned by Mr. and Mrs. Lew Bates, of Marshall, but it supposedly was only two or three rooms to which a number of rooms have been added. The capitol has been changed less than the mansion, and is now surrounded by many trees.

JACKSON HAD THE LEAD

When Governor Jackson left Missouri, Hamilton R. Gamble was elected to replace him, but Jackson based his authority on the fact that he had been duly elected and installed as Missouri's chief executive. All of his orders, decrees and various documents issued from Missouri's Texas capital bore the great seal of State which made them recognized legally by his fellow fugitives, including many Missourians he found in Marshall.

Soon after he established his government in Marshall, Governor Jackson left affairs in the hands of Lieutenant Governor Reynolds, and returned to New Madrid, Mo., where he issued a call for the meeting of the General Assembly at Neosho, Mo., on October 21, 1861. A part of that body met at the designated time and place and declared that Missouri had withdrawn from the Union.

Jackson did not again return to Marshall after the meeting at Neosho, but rejoined Missouri's secession forces in southern Arkansas. He remained with them until his death December 6, 1862, in an improvised hospital near Little Rock, Ark. Lieutenant Governor Reynolds assumed the title of Governor which he retained until Lee's surrender in 1865.

Marshall not only served as capital of Missouri, but when Vicksburg, Miss., and Port Hudson, Miss., fell in 1863, it was chosen as headquarters of the trans-Mississippi area, communication with Richmond, Va., having been suspended.

The only fortified city outside of Galveston at that time, such departments of government as the post office and treasury were set up in Marshall. The Army established its ordnance, hat, shoe, saddle, harness, and cartridge departments there.

LUCY HOLCOMBE

The Post Office Department was located in the home of Lucy Holcombe, famous Texas belle who married Francis Wilkinson Pickens, Governor of South Carolina. A regiment of South Carolina troops was named the Holcombe legion in her honor, and she was the only Texas woman to have her picture engraved on Confederate currency.

One and a half miles northwest of the town, a powder mill was erected in which ammunition for the trans-Mississippi department was made and stored.

Fortifications, some of which may still be seen, were built on the surrounding hills for the protection of the mill. These would have no doubt been used had not Gen. Dick Taylor disobeyed orders and intercepted General Banks at Mansfield and Pleasant Hill, La.

Gen. Kirby Smith, a Confederate, thought Banks' objective was to gain Shreveport, but Taylor thought differently and events proved that Banks was attempting to capture Marshall. The battles of Mansfield and Pleasant Hill, 75 miles away, were the nearest fought to Marshall, but General Taylor succeeded in driving Banks down the Red River, saving Marshall from invasion.

Frank Dalton, 96-year-old resident of Gladewater, Tex., claims that he was with Quantrill's raiders, a group which acted as escorts to the Jackson party, and who, according to Dalton, helped Governor Jackson move the official seal and many of the official records to Marshall.

With Lee's surrender in 1865, the Missouri government in Marshall ceased to exist. The great seal, however, remained a wanderer until May 26, 1869, when it was returned to Missouri by Thomas C. Reynolds and given to Gov. Joseph W. McClurg, who had been elected in 1868.

Mr. CANNON of Missouri. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I have enjoyed, as I have no doubt all Members have enjoyed, this unusual chapter in Missouri history recounted by the gentleman from Texas [Mr. PATMAN].

Of course we went to Texas—most appropriately. Why not? We Missourians had more to do than anybody else had to do with the establishment of the State of Texas. When the call came, in the morning of the Nation's history, to make the far trek into the unknown vastness of the great Southwest and establish there a new commonwealth, it was Missourians, like Kit Carson and Davy Crockett, and a thousand other adventurous spirits from imperial Missouri who led the van. Missouri blood stained the crimson field of San Jacinto and martyred Missourians were in the last six to fall in defense of the Alamo.

Mr. MANSFIELD of Texas. And Stephen F. Austin.

Mr. CANNON of Missouri. Yes, and Stephen F. Austin. As the gentleman from Texas [Mr. MANSFIELD], who knows more about Texas history than any man alive, well says, the heroic figure of Missouri's son, Stephen F. Austin, contributed both military prowess and statesmanship to the foundation of the Republic of Texas and her ultimate admission to the Union.

And a decade later, when the issue again wavered in the balance, it was another Missourian, Gen. Alexander W. Doniphan, with his Missouri cavalrymen who turned the tide of battle from certain defeat to incredible victory.

In what has been termed by military authorities as "the most remarkable military campaign in American history," General Doniphan in command of picked volunteers, all of them Missourians by birth or adoption, marched thousands of miles across desert and plain, without a commissary, penetrated the heart of the enemy country without support of any kind, where a single defeat meant annihilation, and there routed an entrenched army five times its size—and added an empire to the growing domain of the United States.

They compelled the enemy to divide his forces and thereby saved the American army under General Taylor from certain defeat and extermination.

When they again reached civilization, on their way back to Missouri, after an expedition equaled only by the march of Xenophon and his immortal 10,000, they had no supplies, no clothing, and no equipment except their rifles—but every rifle was oiled and in perfect working condition.

So, when the days of adversity came, and the hand of oppression was heavy upon us, whither should we turn but to the lintel of our daughter, flesh of our flesh, blood of our blood, and bone of our bone—to the lone star of Texas shining like a beacon of welcome in the dark hour of our need?

How could I attack the State of Texas? I am certain the remark of the genial gentleman from Texas was inadvertent there. On the contrary, I complimented the State of Texas. I felicited the Texas delegation on writing into the bill the largest appropriation secured by any State, and on representing the only State

in the Union having two majority members on the Committee on Appropriations. It is a distinction reserved to no other State. And I congratulate the State of Texas that it is represented by so able and devoted a son as the gentleman from Texas]Mr. PATMAN.[

Mr. MANSFIELD of Texas. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I am glad to yield to the chairman of the Committee on Rivers and Harbors, the gentleman from Texas, Judge MANSFIELD.

Mr. MANSFIELD of Texas. I understood the gentleman to say that Texas had more in this bill than any other State. The gentleman did not mean the bill under consideration, did he?

Mr. CANNON of Missouri. I am glad to be corrected. I had in mind the bill under consideration yesterday and the colloquy referred to the gentleman from Texas [Mr. PATMAN].

Mr. MANSFIELD of Texas. We have very little involved in the present bill; practically nothing.

Mr. CANNON of Missouri. That is one of the gentleman's notable characteristics. He is the benevolent distributor of benefits to every State in the Union. I count it a privilege to again pay tribute to his service and to again have the opportunity to testify to the regard and esteem in which he is held by the House and the Nation.

Mr. SMITH of Ohio. Mr. Chairman, I rise in opposition to the pro forma amendment, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Mr. Chairman, it is true, as claimed by Members, that House Joint Resolution 265, before us, does not authorize the expenditure of any funds for public works on rivers and harbors. What it does, however, is, for all practical purposes, tantamount to such authorization. It opens the way for the Committee on Appropriations to appropriate funds for these purposes. To all who know the workings of matters of this sort, it should be clear that the passage of this resolution means that appropriations for the projects mentioned will be forthcoming in due course of time.

Why cannot such Government ventures as are proposed in this measure be deferred until such time as the Federal Budget is brought in balance and the financial house put in order? Where is the money to come from to finance these projects? Will it be raised by further deficit financing? Under present conditions I fear much of it will.

The Nation is now at grips with one of the most destructive forces society has had to contend with, namely, inflation. How many people in this country know that there is now in circulation and in the banking system well over $100,000,000,000 of Government printing-press money? Few people realize that more than 40 percent of war costs were financed by Government printing-press money.

It is a most erroneous conception to think that rising prices are the same as inflation. All real or serious inflation is caused by Government printing-press money, not by shortage of goods. Shortage of goods can and does cause price rises which may on occasion be material but never true inflation. Assuming no increase in the total amount of money in use, price rises readjust themselves as soon as production has relieved the shortage of commodities. The pressure of rising prices with which the Nation is now confronted is not inflation itself but merely a symptom of inflation.

It is not shortage of goods that OPA and all the other agencies involved in the control of prices are really struggling against, but the more than $100,000,000,000 of Government printing-press money. It is the desperate attempt which these agencies are now making to stem the tide of Government printing-press money that has the home-building industry and many other industries almost on dead center, where those industries know not whether to go backward or try to go forward.

It is not a question of whether these are worthy projects; it is a question rather of whether we can afford them under the dire financial condition the Nation is in. I am convinced that we cannot afford to spend one penny on any of these projects at the present time.

It would seem that the experience which many European countries went through during the last 25 or 30 years should be warning enough to the Congress not to leave a stone unturned to prevent anything similar happening to us. Or are we so foolish as to believe that the kind of printing-press money that has been issued by our Government is somehow so different from that which European government indulged in that we shall escape its evil effects? If we are, there is a rude awakening ahead for us.

I implore the House to stop and seriously consider the condition of our finances and to discontinue the spending of any money that is not absolutely necessary to the preservation of our national safety and the operation of those Federal Government functions which are essential to the maintenance of justice and order and the national integrity. This should always be the rule.

Mr. SAVAGE. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I dislike to have to disagree with the gentleman from Ohio but there are a lot of worthy projects being held up by this provision, and if we adopt this bill it will give us the opportunity to develop some badly needed projects. For instance, on the Columbia River I know of a new cannery that has been built recently, but the harbor development has been held up. The passage of this bill as is, will repeal the 6 months after the war restriction so it will be possible to go ahead with necessary harbor development. Such work might be held up for years if we fail to pass this bill. We do not know just when peace will be declared. Perhaps not until after the Peace Conference.

Mr. Chairman, as far as balancing the Budget is concerned, it has not been long since we lowered taxes considerably and we did not worry very much about balancing the Budget at that time. I look at these projects as investments.

I think sometimes the United States has to conduct its business in the same manner as a private business and that is to invest money in order to build a healthy economy to carry this heavy burden of debt.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. SAVAGE. I yield to the gentleman from Michigan.

Mr. HOFFMAN. I agree with the gentleman. I value the gentleman's opinion very highly. I am wondering now about something. I realize that men have to invest money and the Government has to do likewise. Does the gentleman think this $70,000,000 invested in a site for the UNO is a worth-while investment? Is that an investment or an expenditure?

Mr. SAVAGE. Of course, this bill does not cover that.

Mr. HOFFMAN. I know that. I was asking for future guidance.

Mr. SAVAGE. That is an investment in a permanent peace, and I am glad that the United States pays only a fair portion of that amount, which will be infinitesimal compared to the cost of another war.

Mr. HOFFMAN. Then the gentleman regrets this quarrel over it, does he not?

Mr. SAVAGE. Oh, certainly but the gentleman knows that that is not germane to this bill.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SAVAGE. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Possibly the gentleman missed my point. I was not objecting to the Federal Government borrowing money; I was objecting to the Federal Government printing money. The Constitution provides that the Government shall have authority to borrow money but the Constitution does not provide that the Government shall have authority to print money.

Mr. SAVAGE. The gentleman spoke about balancing the Budget and I agree with him that we want to balance the Budget, but sometimes the easiest way to do it is to make wise investments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PACE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the joint resolution (H. J. Res. 265) to provide for proceeding with certain river and harbor projects heretofore authorized to be prosecuted after the termination of the war, pursuant to House Resolution 510, he reported the joint resolution back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. MANSFIELD of Texas. Mr. Speaker, the Senate has passed an iden-

tical joint resolution—Senate Joint Resolution 105. I ask unanimous consent for the immediate consideration of that joint resolution.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

Resolved, etc., That section 2 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 2, 1945 (Public Law 14, 79th Cong.), is amended by striking out the following: "That no project herein authorized shall be appropriated for or constructed until 6 months after the termination of the present wars in which the United States is engaged unless the construction of such project has been recommended by an authorized defense agency and approved by the President as being necessary or desirable in the interest of the national defense and security, and the President has notified the Congress to that effect: *Provided further,*".

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

By unanimous consent, the proceedings by which House Joint Resolution 265 was passed were vacated, and the joint resolution (H. J. Res. 265) was laid on the table.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. PATMAN asked and was given permission to revise and extend the remarks he made in the Committee of the Whole today and insert therein an article that appeared in the Kansas City Star, Kansas City, Mo., relative to the capital of Missouri being at Marshall, Tex.

VETERANS' ADMINISTRATION

Mr. CANNON of Missouri. Mr. Speaker, the independent offices appropriation bill for the fiscal year 1947, which passed the House on January 24, includes an appropriation of $2,148,387,000 for readjustment benefits, and the bill provides as to such appropriation that it shall be immediately available.

Fearful that such bill might be delayed in its legislative processes, under date of February 2, the President, in a communication to the Speaker—House Document No. 445—recommended that $500,000,000 of the amount estimated and approved by the House in the independent offices appropriation bill be made available in advance of the passage of the independent offices appropriation bill.

The committee has considered this proposal to advance the time of availability of additional funds for the fiscal year 1946, and its Deficiency Subcommittee, which considers such proposals, has agreed to recommend to the whole Committee on Appropriations that $500,000,000 of the 1947 appropriation be made immediately available. Subsequently, General Bradley orally has advised the committee that the current appropriation is now overdrawn and that additional funds should be made available at the earliest possible moment.

Consequently, I am presenting a joint resolution, a copy of which is at the desk, and ask unanimous consent that it be immediately considered.

The Clerk read the title of the joint resolution.

The Clerk read the joint resolution, as follows:

Resolved, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $500,000,000 for the fiscal year 1946 for "The payment of benefits to or on behalf of veterans as authorized by titles II, III, and V of the Servicemen's Readjustment Act of 1944," to remain available until expended.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. CASE of South Dakota. Reserving the right to object, Mr. Speaker, may I ask the chairman what understanding or arrangement has been made so that this $500,000,000 may be applicable to the $2,148,000,000 which was carried in the independent offices appropriation bill as it passed the House?

Mr. CANNON of Missouri. If the joint resolution is agreed to, the half billion dollars which it proposes for appropriation will be subtracted from the $2,148,387,000 carried for the Veterans' Bureau in the independent offices appropriation bill now pending in the Senate. As a matter of fact, the Senate committee has already agreed to recommend the reduction. This half billion dollars thus advanced will be used for the 1946 Budget, and the remainder of the $2,148,387,000 will remain in the independent offices appropriation bill to be taken up when the bill is reported to the Senate.

Mr. CASE of South Dakota. With that understanding, Mr. Speaker, I withdraw my reservation of objection.

Mr. HENDRICKS. Reserving the right to object, Mr. Speaker, may I ask the chairman this question: There is no change in the amount of the appropriation at all?

Mr. CANNON of Missouri. There is no change in the amount. The total appropriation for the Veterans' Administration remains at the figure fixed by the gentleman from Florida [Mr. HENDRICKS] and his committee, as reported to and passed by the House. The proposition here is merely to make this half billion dollars available immediately to take care of the current requirements of the Veterans' Administration.

Mr. HENDRICKS. The bill made it available immediately, but the bill has not been passed. Therefore, the Senate left it out of the bill so that it may be used for this purpose?

Mr. CANNON of Missouri. That is correct. The gentleman from Florida, the chairman of the subcommittee, was in charge of the independent offices appropriation bill and handled the appropriation for the Veterans' Administration so admirably that no change of any kind is required or proposed. The joint resolution is in response to a situation which has developed unexpectedly and which could not have been foreseen at the time the original bill passed the House.

Mr. McCORMACK. If the gentleman will yield, I understand the gentleman from Missouri has talked with General Bradley, and General Bradley has advised him, and through him the members of the committee, of the immediate urgency for action of this kind. Is my understanding correct?

Mr. CANNON of Missouri. That is true. This request is made in response to the recommendation of General Bradley.

Mr. TABER. Reserving the right to object, Mr. Speaker, I am satisfied this sum will be required to meet the immediate demands for veterans' compensation. I would not want to go on record as promising the Congress that as a result of this operation the Veterans' Administration will be able to get along in the fiscal year 1947 on less money. Frankly, they may yet need the full amount that was carried in the bill that was reported out and passed in January. The Administration and the Budget have recommended that this amount be taken out of the independence offices bill as it goes to the Senate and appropriate it in this resolution for immediate use. There is nothing for us to do except provide the requirements to pay the veterans what they are entitled to.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I understand the Veterans' Administration is very anxious to speed up the payment of compensation claims, which were held up for 4 months at one time because the Army was moving the AGO reports and the medical clinical reports from one point to another so that they could not get those records. I understand the Veterans' Administration is very anxious to get the money now so that every claim can be settled promptly.

Mr. CANNON of Missouri. Every claim has been paid as soon as adjudicated. There has been no delay from lack of funds. This joint resolution is to insure a continuation of that policy.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, as has been explained, the immediate need for this money was not foreseen at the time of the passage of the independent offices appropriation bill in the House.

General Bradley told me this morning that he is entirely out of money in this fund; that his requisitions amount to something like $25,000,000 a week; and that unless prompt action is taken there is a likelihood that funds for the purpose may be deficient in the next few days.

For that reason the subcommittee on deficiencies which has jurisdiction has recommended the joint resolution. And in view of the urgency, after consultation with members of the committee en banc and with the approval of the majority leader and the ranking minority member of the Committee on Appropriations now asks for immediate action on the resolution without a formal report.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi, the chairman of the Committee on World War Veterans' Legislation, who knows as much about this subject as anyone in the House.

Mr. RANKIN. Mr. Speaker, General Bradley and his entire staff in the Veterans' Administration are doing everything they possibly can to take care of the load that is literally growing by leaps and bounds. It is absolutely necessary for them to have this additional fund in order to meet that demand. I am sure there will be no objection to the passage of the legislation.

Mr. WIGGLESWORTH. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. Mr. Speaker, I yield to the gentleman from Massachusetts such time as he may require.

Mr. WIGGLESWORTH. Mr. Speaker, there is no question in my mind whatsoever that this appropriation should be made and should be made now. We can save time by including the necessary funds in this bill rather than waiting for the independent offices appropriation bill.

At the time the independent offices appropriation bill was on the floor of the House carrying the funds for this purpose, I made certain reference to criticism by the Comptroller General of the financial operations of the Maritime Commission and the War Shipping Administration.

The House will have in mind that as a part of my remarks, commencing at page 277 of the CONGRESSIONAL RECORD of January 23, 1946, I inserted two audits by the Comptroller General, the most recent available, one for the Maritime Commission and the other for the War Shipping Administration, both for the fiscal year 1943. The Comptroller General stated that he expects to complete the audit for the fiscal year 1944 by June 30, 1946.

The findings and recommendations embodied in these audits constitute a major indictment of the financial operations of both agencies.

Attention is called to the fact as appears from a letter dated January 28, 1946, received from Captain Macauley, Acting Chairman of the Maritime Commission, that upon issuance of the CONGRESSIONAL RECORD of January 23, 1946, it was first brought to the official notice of himself and his two colleagues, that the Comptroller General had addressed to the Commission his letter of November 19, 1945, and his audit report of the Commission's balance sheet and financial operation as of June 30, 1943. In other words, a period of over 2 months had elapsed before notice of the action by the Comptroller General was brought to the attention of the Congress as a whole or to that of either of the present Commissioners.

This most recent indictment by the Comptroller General, taken in connection with his previous criticism in reference to purchase prices, charter hire rates, and Government insurance values allowed, to which I have repeatedly called attention on the floor of the House, is presumably responsible for the summary removal yesterday of R. Earl Anderson, the Commission's Director of Finance since 1938, and would seem to call for a thorough house cleaning in both agencies.

If the public interest is to be protected, if the people's money is not to be squandered, surely there must be a vast improvement in the financial operations of both agencies.

The situation raises the question if the conference report on the ship sales bill now pending should not be returned to the conferees for further consideration in the light of the picture painted by the Comptroller General since the consideration of the bill by both Houses, and with a view to obtaining the opinion of the members of the present Maritime Commission, who will be charged with responsibility for its administration.

Under leave to extend my remarks, I include at this point the letter referred to from the Maritime Commission and an article appearing in today's edition of the New York Journal of Commerce:

UNITED STATES MARITIME COMMISSION,
Washington, D. C., January 28, 1946.

Hon. RICHARD B. WIGGLESWORTH,
Committee on Appropriations,
House of Representatives,
Washington, D. C.

MY DEAR MR. WIGGLESWORTH: Upon the issuance of the CONGRESSIONAL RECORD on January 23, 1946, it was brought to the official notice of myself and my two colleagues for the first time that the Comptroller General had addressed to the Commission his letter of November 19, 1945, and his audit report of the Commission's balance sheet as of June 30, 1943.

I am writing so that you will be advised that the Commission has this day taken action in connection therewith. An inquiry is now in progress to determine the status of the Commission's reply to the Comptroller General, and instructions have today been issued to expedite the reply.

Very truly yours,

EDWARD MACAULEY,
Acting Chairman.

[From the New York Journal of Commerce of February 8, 1946]

MARITIME COMMISSION REORGANIZES ITS FISCAL DIVISION—ANDERSON OUT IN UPSET AFTER CRITICISM BY ACCOUNTING OFFICE

(By Lee P. Hart)

WASHINGTON, February 7.—In an action believed to have had the prior approval of President Truman, the Maritime Commission today terminated the services of R. Earl Anderson, the Commission's Director of Finance since 1938.

Announcing the anticipated shake-up of its Division of Finance, the Commission said it has appointed Joseph M. Quinn as Director of Finance for Operations, and William L. Slattery as Director of Finance for Construction.

The President's concurrence in the ouster of Mr. Anderson was understood to have been conveyed to the Commission through Commissioner Raymond S. McKeough, who was a White House visitor yesterday. During his visit, it is reported that Commissioner McKeough acquainted the President with an alleged lack of a proper auditing system covering the Commission's $15,000,000,000 wartime shipbuilding program.

The first inkling of the Commission's concern about the construction auditing system was given on January 27 when Mr. Slattery was designated as a special assistant. Mr. Slattery had served as general auditor of construction since 1943 in the Division of Finance, headed by Mr. Anderson.

WIGGLESWORTH CHARGES

A few days before Representative WIGGLESWORTH, Republican, Massachusetts, had inserted in the CONGRESSIONAL RECORD a report of the Comptroller General raising questions about the financial operations of the Maritime Commission and its wartime ship operating counterpart, the War Shipping Administration.

Mr. Anderson, who was out of the city at the time the Commission relieved Mr. Slattery of his duties under the Director of Finance and designated him a Special Assistant, is now in Florida.

The proposed reorganization of the five-member agency, necessitated by the resignations of Admirals Land and Vickery, is believed here to bear a close relationship to the Commission's termination of Mr. Anderson's services.

Admiral Land as Chairman of the Commission brought Mr. Anderson to the finance post 8 years ago, and when the latter was under fire because of Representative WIGGLESWORTH'S broadside in the CONGRESSIONAL RECORD he consulted the admiral, who is now president of the Air Transport Association. A luncheon-conference is said to have been arranged by Admiral Land for Mr. Anderson with Rear Adm. Earl W. Mills, who, the White House has announced, would be appointed Chairman of the Commission.

MENTIONED FOR POST

Following his talk with Admiral Mills, Mr. Anderson made plans for a trip to Florida. He notified Acting Chairman Edward Macauley he would be away from the Commission about 2 weeks. He told members of his staff he would return February 14, adding that Admiral Mills planned to assume the Commission chairmanship on February 15 and "everything would be all right."

Commissioner McKeough's visit to the White House yesterday followed persistent reports that Mr. Anderson, who is said to have been recommended to the President by Admiral Land for appointment to the Commission as a Republican, was slated for a Commission vacancy in the event Admiral Mills would have to be appointed as a Democrat. These reports included a plan to shift Commissioner John M. Carmody to another Government post.

The President has yet to send the Mills nomination to the Senate, reportedly because he is awaiting final approval of legislation permitting the admiral to serve in the civilian post. His nomination of Richard Parkhurst, succeeding Admiral Vickery, has been confirmed by the Senate and Commissioner Parkhurst plans to assume his new duties next Monday.

Mr. Speaker, I ask unanimous consent to extend my remarks in this connection and to include a letter from the Maritime Commission, as well as a recent newspaper article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I wish in this connection to express my appreciation and the appreciation of the committee of the efficiency with which General Bradley is administering the affairs of the Veterans' Administration and the desire of the committee to cooperate with him in providing promptly and adequately for every veteran need as soon as processed. His request in this instance has the approval of every member of the committee.

Mr. Speaker, if no one else desires to speak on the subject, I move the previous question on the joint resolution.

The previous question was ordered.

The SPEAKER. The question is on engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. CASE of South Dakota asked and was given permission to extend his own remarks in the Appendix of the RECORD and to include therein certain excerpts from newspaper editorials and correspondence.

PROGRAM FOR NEXT WEEK

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Mr. Speaker, I do so for the purpose of asking the majority leader what the program will be for next week.

Mr. McCORMACK. Mr. Speaker, Monday next is District day. There is one bill on the District Calendar, H. R. 5061, pertaining to the salaries of policemen and firemen. I understand there is no opposition to that bill.

No legislation is scheduled to be called up on Tuesday.

On Wednesday and Thursday, the Treasury and Post Office appropriations bill will be considered. General debate will be had on Wednesday. After the disposition of that bill on Thursday, or whenever it is disposed of, there is an urgent deficiency appropriations bill that will come out of the Committee on Appropriations covering four other items.

The program for Friday is undetermined.

Mr. MICHENER. I thank the gentleman from Massachusetts.

EXTENSION OF REMARKS

Mr. SPRINGER asked and was given permission to extend his own remarks in the RECORD and include therewith an address made last night at the annual Lincoln Day dinner in Washington by Gov. Edward Martin, of Pennsylvania.

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD on the subject of the location of the capital of the United Nations, and to include therewith a brief filed with the United Nations Committee on behalf of the Governors of Nebraska, Wyoming, and South Dakota.

Mr. FARRINGTON asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an article from the Christian Science Monitor and in the other to include a resolution adopted by the San Francisco Chamber of Commerce.

Mr. HALE asked and was given permission to extend his remarks in the RECORD and include a speech recently delivered by the gentlewoman from Maine [Mrs. SMITH].

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDING THE HATCH ACT

Mr. SABATH. Mr. Speaker, I call up House Resolution 504 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1118) to amend the Hatch Act. That after general debate, which shall be confined to the bill and shall continue not to exceed one hour to be equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, I am immensely pleased and gratified at how nicely and pleasantly we have been getting along today. I hope, in spite of what I have just read in the newspapers about speeches made here at the Lincoln Day dinner, that we shall continue to be friendly and to act in the best interests of our Nation, giving credit where credit is due, as in the case of this grand old man of Texas, Judge MANSFIELD; and I hope we shall not unjustly and unfairly attack those who, rather, should be praised and commended for their courageous expressions of opinion.

Mr. Speaker, I offer a rule which makes in order a bill amending the ill-advised Hatch Act. It provides for 1 hour of general debate, and that the bill then shall be taken up under the 5-minute rule. As one who was originally opposed to the Hatch Act, I am happy that the Committee on the Judiciary, which has proper jurisdiction over amendments to the act, has taken positive action to remove the harsh penalties provided for so-called transgressions under the act, and to extend the discretion given the Civil Service Commission in case of violations. Consequently I favor the rule, and regret only the committee has not recommended repeal of the whole act.

I am informed that this bill originated in an instance in which a civil-service employee merely circulated a petition on behalf of a lifelong friend and neighbor. He was found guilty of violating the act and dismissed from the Federal service, after having served with distinction, honor, and efficiency for 30 years.

By passage of the Hatch Act, miscalled the Clean Politics Act, we have precluded any civil-service employee from so much as aiding his friends and relatives in their political careers. We have penalized good citizenship. The language of the law is so vague that the only salvation is to rigorously refrain from any of the political activities of good citizenship except voting, and the penalties are so harsh that when a violation is proved the Civil Service Commission has no recourse except to discharge the violator. This means an economic death sentence. Once dismissed from Government service under such a stigma, the victim has little chance of further employment, though his violation may have been wholly unintentional and unknowing, since it is almost impossible for a layman to determine what is permitted under the law and what is forbidden.

On the other hand, Mr. Speaker, while we have passed the Hatch Acts to keep the little man from taking his proper part in civic affairs, and passed the Smith-Connally amendment to the Corrupt Practices Act to keep the unions out of politics, we have done not one thing to keep corporations out of primaries, and nothing whatever to restrain the officers and stockholders of corporations, with their great salaries and their vast purchasing power, except for the ineffectual provisions of the Hatch Act limiting the legal gift of one individual to one political organization in 1 year to $5,000. We are all familiar with how that prohibition has worked. Political committees mushroomed all over the land. Each State now has its own Republican State committee, authorized to accept gifts either directly or through a finance committee. It would be legally possible, under the Hatch Act, for a Pew or a du Pont or a Mellon, greedy for power, to divide a million dollars among 200 State and national Republican committees, if he so desired, without violation of the act. He could do that every year. The Corrupt Practices Act, which forbids banks, corporations, and unions to make contributions to candidates, applies only to general elections, and every Member here knows of instances in which corporations have entered directly and actively into primary election campaigns.

This, of course, is an election year, and I read in the papers how the Republicans at the Lincoln Day celebration went on record as to what they were going to do to the poor Democrats. Personally, I do not know what more they want. They have control of the House, it seems; somehow or other, they get everything they want, they pass any kind of legislation they desire, no matter how bad.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Not now.

Mr. HOFFMAN. Oh, come on now, yield; now, please.

Mr. SABATH. The gentleman has been so nice lately that I cannot refuse to yield to him.

Mr. HOFFMAN. Who passed that legislation yesterday? Democrats or Republicans?

Mr. SABATH. The Republican majority. The record shows that 149 Democrats and 149 Republicans voted "aye," and 120 Democrats and 33 Republicans voted "no." So I give credit where credit is due; and that is the reason I am crediting the Republican Party, which, of course, was strengthened by the so-called coalition of gentlemen who dislike organized labor or unions, which have done so much for labor and for the Nation these many years past.

Mr. HOFFMAN. Now, Mr. Speaker, will the gentleman yield once more, please?

Mr. SABATH. Not now.

Mr. HOFFMAN. Yes, just this once more; then I will quit.

Mr. SABATH. Not now.

Mr. HOFFMAN. I will sit down if you will just yield to me once more.

Mr. SABATH. Very well.

Mr. HOFFMAN. How could the Republicans, in the minority, pass legislation when the Democrats opposed it?

Mr. SABATH. The gentleman is very well informed and has a statistical mind. He knows that nominally there are 238 Democrats in the House, 191 Republicans, and 2 from minor parties who vote with the Democrats. He knows there are a few, too few, Republican Members who believe in fair play, and will vote with the Democrats on outrageous legislation of this kind which serves and can serve no useful purpose, not even to elect more Republicans like the gentleman. I will wager that the gentleman and his brethren on that side of the aisle have pored over the statistics of this Congress, over the voting records of individual members, over the figures on the constituencies, far into the night. In my mind's eye there is a picture of the great brains of the Republican National Committee studying commercial reports, atlases, census reports, and making digests to be submitted to the leadership of the minority party. I can see how each Member's voting record has been examined, and how all that is known about him is tabulated, and then the heat is put on. They know every slight ever offered, however unintentional, to one of our Democrats in name only, and how to magnify that into a major insult, and how to fan the fires of wrath and resentment until Members who should know better are prevailed upon to come onto this floor and vote for a disgraceful, stupid bill like this.

Yes; the Democrats have a majority, and I am hopeful that after this bad dream of ours has passed away they will see that they have done nobody any good.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Not just now; I am sorry. Yes; a majority of the Members of the House were elected on the Democratic platform and on the Democratic ticket. Unfortunately, certain plausible Republicans, with their eyes on this Democratic majority, have persuaded many of the Democratic Members to try to commit political suicide, and this vote shows how it works.

The propaganda machine comes into play. Every national organization that has any interest in this legislation sends a barrage of letters, telegrams, telephone calls, and personal lobbyists to call on Members who might be influenced. A similar barrage is poured into the congressional districts by the Big Berthas of the reactionary business organizations, and the psychology of fear and division is used to scare people in the districts into writing a lot of letters. They do not know they are acting against their own interest. Finally, under this onslaught, some Democrats who certainly should know better are persuaded to vote for vicious, unreasonable bills like this one we have just sent to the Senate.

Mr. BRADLEY of Pennsylvania. I think the gentleman might point out that the same situation existed as existed yesterday when we passed the Case bill; the overwhelming majority of the Democrats in the House voted against that bill, but practically all the Republicans, with very few exceptions, voted for it. That is the reason it passed this House.

Mr. SABATH. I fully realize that, and I may say to my colleague from Pennsylvania that I have said many times that there are some Republicans who do think for themselves, who do have the best interests of the whole country at heart, and who have progressive ideas. I felt sorry for them during debate on the Case bill. They wanted to do the right thing. They wanted to come back to Congress. But they are so few and so weak, and the pressure of party leadership is so great, they could not withstand the whip and the club and the spur. I know; I am not blind or deaf. I think the whole country is going to rise up against the Republicans who, with an unfortunately large number of those on my side, engineered this vote, and I think in the Eightieth Congress there is going to be a bigger majority of Democrats than we have today. I think, too, that even on the Republican side of the House there will be new faces, for I believe that Republican voters in districts where Democrats cannot be elected—and there are some such places—are going to nominate liberal and progressive Republicans who, when elected, will vote in accordance with the pledges on which they were elected, and will join with other progressives to legislate for the whole country and not for the privileged few.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Nebraska.

Mr. CURTIS. I am interested in the gentleman's observation about Republicans controlling the House of Representatives. Would the gentleman say that the Republicans control the all-powerful Committee on Rules, over which the gentleman presides?

Mr. SABATH. They have a great deal to say on that committee. The gentleman knows how that committee is constituted, and many times, unfortunately, they have their way on that committee.

Mr. CURTIS. They have not taken control yet.

Mr. SABATH. At times they go along. There are members of that committee who are broad-minded and liberal gentlemen, and they go along with me on legislation that the Nation needs and the administration recommends and feels should be enacted into law. Unfortunately, they are forced to go against organized labor, and they go out of their way to support any legislation which they think will hurt unions, no matter how unreasonable, unjust, or unjustified it may be.

Mr. STEWART. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Oklahoma.

Mr. STEWART. Does the distinguished dean think his analogy of the party coalition helps matters any?

Mr. SABATH. My analogy is nowhere as bad nor does it do as much harm as the fact of the vote yesterday. The act speaks for itself. My words speak for me and for those who think like me. You know, I am fond of all my colleagues, even those who campaign like Democrats and then vote like Republicans, when they go along on the right kind of legislation; but, naturally, as a progressive Democrat, and as one who believes in fair play and justice to all, I feel that the Democrats who have joined with the Republicans in their political suicide pact are not helping themselves, or their party, or their country. The benefits we have all gained in the last 14 years were brought about by a Democratic administration with the loyal support of the Democratic majority in Congress. The Republicans have never done anything for the South, the gentleman from Oklahoma may recall. He may remember cotton rotting in the fields under Republican administrations because the market price did not pay for the labor to pick it and haul it to the gins. He may remember the worn-out lands, the poverty-stricken people, the lack of industries to balance the agricultural economy of the South.

Now, I want to see the South prosper. I have never refused to give my support to any legislation that would aid the South or would aid agriculture. It delights me to read about the new factories in Oklahoma and Texas and Mississippi and in all the Southern States. I am very happy, and the gentleman from Oklahoma should be happy, that the South is more prosperous today than ever before. The South has been Democratic ever since there was a Democratic Party, proving the wisdom of the southern people; and I cannot understand how some good and lifelong Democrats can permit themselves to be seduced by the wiles of the clever Republican sirens.

Yesterday the Republicans celebrated at a Lincoln Day dinner. I hope my Democratic colleagues took notice that the main object of all the speakers at the dinner was to throw the Democrats out of office and take formal control of the House of Representatives. They think they are strong enough to do that, deluded by the flood of party contributions coming in because of these Lincoln Day dinners. Lincoln's memory should be honored by all patriotic Americans, and these dinners should be patriotic memorial services for that great friend of the common man, not arranged as celebrations and misused for the purpose of collecting large sums for the coming election campaigns to accomplish what was

uppermost in the minds of all the speakers and all those present. The Republicans are going to try to buy the votes of the American people by pouring out money for propaganda and influence, and if need be even by trying to purchase the votes in some of the districts. Personally, I do not believe the votes of the American public are for sale. The Republicans tried and failed in 1940 and 1944, when they spent more than $20,000,000, and still could not make a sale. I do not believe that any amount of money spent for political propaganda could fool the American people into voting for a Republican House and going back to the days of Hoover. Since the Republicans sponsored and passed the Case bill I am sure they have not a chance in the coming election.

In connection with the Lincoln Day dinners held in the East, the North, and the West, I cannot refrain from calling attention to what happened in my own city of Chicago. There the Republican leaders were, unfortunately, extremely avaricious, and bent upon securing greater campaign contributions than ever before. They employed threats and coercion, and even misrepresentation in attempting to wring from every potential contributor the last penny. Unfortunately for them, they were so brazen that some of the former contributors to the Republican campaign resented the demand for contributions twice and even five times as great as they formerly had given, and the entire scandal came to light and caused such a furore that the Governor, although a practical politician and a Republican, called off the dinner in Chicago. He feared that the solicitors for the dinner had gone too far astray, and that the resulting bad publicity was so harsh, and the businessmen and manufacturers and State officeholders who had been high-pressured were so resentful, that he had to stop the whole affair to save the Republican Party from disgrace.

I cannot but wonder, Mr. Speaker, how many more such Lincoln Day dinners would have been canceled had all the methods used to force large contributions come to light in other cities, which surely were tantamount to the sandbagging methods used in Chicago?

Let Members take note that of all the high Republican personages at the Lincoln Day dinner here in Washington not one expressed disapproval of that high-handed effort to extort huge contributions through the excuse of a patriotic celebration.

Not one Republican voice was raised in condemnation of the solicitation in the past of huge sums from rich and powerful families such as the du Ponts, the Pews and others who disgorged the $20,000,000 in 1940, and even more in 1944, for the benefit of the various Republican campaign funds. These gifts met with the approval of the Republican leaders and of the financial planners of the Republican National Committee, the House Republican campaign committee, and the Senate Republican campaign committee. Yet these same gentlemen will tell us it should be against the law for union members to give a dollar each for political education, and they have demanded the passage of the Smith-May-Arends bill which would make it a crime for a union worker to contribute $1.

Mr. STEWART. Mr. Speaker, will the gentleman yield again?

Mr. SABATH. I yield to the gentleman from Oklahoma.

Mr. STEWART. What does the distinguished gentleman think of a Cabinet member in the Department of Commerce recommending an American Labor candidate for Congress from New York?

Mr. SABATH. I know the Secretary of Commerce, and I have faith that any candidate he may have endorsed is a man of high reputation and ability. I say that notwithstanding that the Democratic candidate is a personal friend of mine who made a splendid record in the House of Representatives, a record with which the Secretary of Commerce perhaps is not familiar.

The mere fact that a man is friendly to labor is not detrimental. Free of any obligations to special interests, almost invariably the legislator who stands up for the rights of labor, and for whom labor stands up, can vote according to the dictates of his conscience and the public welfare. He does not, as so many of our Republican brethren do, promise one thing in the campaign for election and then do something entirely different in office. We need more Members of Congress who represent the whole Nation, and have the national interests and welfare at heart, and who are not elected and controlled by vested interests. I will go so far as to say that I hope we have more like that, regardless of where they sit in this House.

Mr. JOHNSON of California. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from California.

Mr. JOHNSON of California. Let me say that the gentleman had a piece of land in my district at one time, so I feel he is a constituent of mine. The gentleman made a comment awhile ago that interested me. It was this: He said he could not understand why the southern Members of the House voted the way they did, because they had received very lavish appropriations from this administration. My question is this: Does the gentleman believe that by making those appropriations the administration was buying the votes of southern Democrats, against their own convictions?

Mr. SABATH. I say to the gentleman that I did not mention appropriations. I say that the Southern States and all the States have derived tremendous benefits and advantages under the Democratic administration. I think that appreciation should be shown for the Democratic administration that has done so much for the people not only in the South, to which the gentleman has called attention, but in every section of the country.

Mr. JOHNSON of California. The gentleman mentioned the Democratic group who voted for the Case bill, and I thought he was referring to southern Democrats, many of whom voted that way.

Mr. SABATH. But I refrained from saying anything against southern Democrats. I said not one unkind word about any southern gentleman or against any Southern State. Nevertheless I will say now that I regret that Members on this side of the House have on occasion seen fit to aid the Republicans, and have voted with the Republicans. I hope they will soon see the error of their ways, and will not continue to cut their noses in spite at their faces.

Mr. JOHNSON of California. It happens in this instance that I did vote against the Case bill, as the gentleman also did. I thought the bill would not produce the results claimed for it; in fact, that it will produce more industrial unrest. What I was interested in was this: Does the gentleman believe there is any connection between the appropriations that a Congressman may get and the way he should vote?

Mr. SABATH. No; and there should not be, and I hope there never will be any. But I will say this: California has not suffered in the appropriations we have made. California, like other Western States, and like all the States of the Union, has benefited from a wise and energetic Democratic administration. California has proved its appreciation of administration conduct of the Nation's business by increasing the Democratic membership of its congressional delegation. I believe firmly that in the coming election California will send more Democratic Members to this House, and will return a Democrat to the Senate and to the Governor's chair. I believe with equal firmness that a Democratic administration and a Democratic Congress will continue to serve the Nation. I know, and we all know, that under Democratic administrations the rights and interests of the people have been and are preserved, protected, and safeguarded.

I am pleased to be reminded that the gentleman did vote against the Case bill. Knowing him as I do, I should have known he would not let himself be clubbed into line and forced to vote for that indefensible bill he so accurately described. He was, indeed, one of those 33 Republicans with the courage to follow the dictates of their own conscience and intelligence. I regret there were not more like him on his side. I am confident that the people of his district will approve, as do the people of the Nation, of the gentleman's vote against this monstrosity, indeed, as the people of the Nation applaud all who voted against it.

Mr. Speaker, I yield 30 minutes to my smiling, splendid colleague, the gentleman from Michigan [Mr. MICHENER.]

Mr. MICHENER. Mr. Speaker, I am sure we have all been entertained. I am sure we appreciate that habit is sometimes a bad thing. The habit of talking out of order is a worse thing. We have been talking labor for 5 days. We have gotten the habit. The bill is now in the Senate, a post mortem will not help any. When some people get in a habit, the habit gets the best of their better judgment and they just do not think what effect it is having on the people who are compelled to undergo certain things because of the habit. I hope that in the future my distinguished chairman will

think and talk in prospect rather than retrospect. Retrospect is a fine thing when we sit down and soliloquize and talk about the past and what has happened in other days, but it does not have much to do with where we are going, only as we profit by experience.

I am not going to take any more time. All this talk has nothing to do with what is before the House. There is a rule before the House to make in order a certain bill reported unanimously by the Committee on the Judiciary. There will be 1 hour of general debate under that rule, if the House sees fit to take that time. Then the bill will be read for amendment under the 5-minute rule.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Michigan.

Mr. HOFFMAN. I want to thank the gentleman from Illinois for the tribute he paid Governor Green for doing the right thing when he canceled the banquet for which funds were improperly solicited. I also want to join with my distinguished leader in hoping that the advice he is giving the young man from Illinois, the chairman of the Rules Committee, will be appreciated.

Mr. SABATH. I thank the gentleman.

Mr. MICHENER. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Speaker, when General Eisenhower issued a statement regarding the release of men and officers from the Army, there was a certain group that I feel were prejudiced by the particular plan he laid down. On the whole the plan was specific, definite, and just, but there are a few instances in which I think it is very unjust and unfair. In order to present the picture to you specifically, I shall read a letter from a young lawyer, a very good friend of mine, and a constituent, which points out the injustice to a group of men who are now in the Pacific. The letter is as follows:

JANUARY 17, 1945.

DEAR MR. JOHNSON: I have written to you, Mr. JOHNSON, as an old friend and a member of the House Military Affairs Committee to point out that behind the verbiage of the War Department order of January 15 in respect to demobilization is hidden the virtual abandonment of the point system. This system was adopted after polling of GI's and competent consultation at home and its balancing of length of service, dependency, overseas service, and combat experience met with general agreement among the troops.

That the new system signalizes the abandonment of the point system is painfully illustrated by my own plight. As of September 2, 1945, I had 1 year of overseas service, 4 campaign stars, and 64 points. As of January 1, 1946, I had 3 years of service. Under the former system of gradual diminution of the critical point score, I anticipated discharge in March. But under the War Department program of January 15, the diminution in the critical point score has virtually ceased (for officers it will drop from 68 to 67 between January 15 and April 30 and 67 to 65 between April 30 and June 30). Some time in June I will be discharged as an officer with 3 years and 6 months of service. But if I had spent the entire time in the States I would also be released in June. Those four bitter, miserable, dangerous campaigns in the southwest Pacific won't get me out 1 minute sooner.

The many thousands of Pacific veterans once more feel that those far from home are forgotten. When the House and Senate were informed on January 14 by the War Department that "release of all personnel will follow the principle of priority release for those with highest points and longest length of service, particularly combat," they were given a bald misstatement of fact.

This young man is a man who is a graduate of a university and law school. He was a highly successful young lawyer. I think men of that kind who have served in bitter campaigns far away from home, where they fight the elements as hard as they fight the enemy, ought to be given a better break than this man and thousands of others are going to get. I know there are many thousands of young officers in the American Army at domestic posts who are not occupied except for a very small portion of their time. Some of those men should go over and take the place of these young officers who have had these very bitter and very hard experiences. I do hope that the War Department will find some way to ameliorate this condition and change their rule so as to let some of these men come home to resume their occupations where they left off when they went into the Army.

The SPEAKER pro tempore (Mr. MILLS). The time of the gentleman from California has expired.

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution.

The resolution was agreed to.

Mr. HOBBS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1118), to amend the Hatch Act.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 1118, with Mr. PACE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HOBBS. Mr. Chairman, as I said the other day in discussing this bill, there is only one point in it and that is whether or not the Civil Service Commission, in administering this act, shall have some discretion as to whether they will inflict the supreme penalty of firing a civil servant, as the one in Philadelphia was, who had served 30 years in the postal service, and who, to accommodate a former colleague in the service, circulated a petition to put his name on the list of candidates for justice of the peace or some other minor office of that kind, without realizing, of course, that he was violating any law. Now, the Civil Service Commission says they think it would be outrageous, but they have no discretion except to fire the man and to deny him any part of the retirement fund to which he has contributed for 30 years. The Civil Service Commission that is administering the act, and the Budget, and all other agencies agree in requesting the passage of this bill. I understand there is an amendment to which, so far as I am concerned, I am perfectly agreeable. In addition, the committee has a couple of amendments. So I do not see any use in taking up any further time. I have no requests for time on our side, Mr. Chairman, and I reserve the balance of my time.

Mr. SASSCER. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I yield.

Mr. SASSCER. I just by chance heard the remarks of the distinguished gentleman from Alabama. I wish to commend him for this amendment, which is certainly in the right direction. I hope the day will soon come when the Hatch Act will be repealed, and American citizens can freely express themselves, both in primary and in general elections.

Mr. HOBBS. I neglected to say the distinguished author of the act is in favor of this amendment.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I yield.

Mr. HAYS. It seems to me this is certainly a step in the right direction. All of us who have had occasion to observe the actual application of the Hatch Act in its present form have felt that in many instances the punishment was entirely too drastic. I am thinking, for example, of a case that came up in the State of Louisiana, in which a Federal employee serving as judge or clerk in a school election was forced to resign from his position in one of the Government departments because, not knowing this was a violation of the Hatch Act, he had taken 1 day off in which to help his school district in conducting a school election.

The gentleman will agree, I am sure, that is a good illustration of the law in its present form, and that we should correct such situations as I have described.

Mr. HOBBS. I thank the gentleman for his contribution.

Mr. Chairman, I yield back the remainder of my time.

Mr. HANCOCK. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I was pleased and gratified that the gentleman from Illinois [Mr. SABATH] admitted a while ago that there are some splendid Republicans. I join with him in the hope that there will be more in the next Congress, but I cannot agree with him that the Hatch Act should be repealed.

It is a necessary law. It is designed to eliminate some serious abuses in our elective system, and it has had that effect. I doubt if any of the gentlemen advocating its repeal favor the use of the official power and authority of a man in high position—an executive—to browbeat or intimidate those about him for political purposes. That is wrong. We all know it is wrong. I doubt if anybody will justify an officer of the Government offering employment as a consideration for political assistance. I doubt if anyone will justify the threat or attempt to deprive a man of his position in the Government to compel political support as the price of holding his job. I will not go through all the provisions, but I will say the Hatch Act is necessary. It has accomplished a great deal of good and should remain on the books. Although it is not a perfect law, it is designed to protect the free right of suffrage of Gov-

ernment employees, and has that result in many instances.

Incidentally, may I say this act was passed in the Seventy-sixth Congress. It was sponsored by a distinguished Democratic Senator from the State of New Mexico. At that time the Republicans in the House were at their lowest ebb, so far as numbers are concerned. As I remember, there were about 90 Republicans in this body when the Hatch Act was passed overwhelmingly. So let us not get any politics into this discussion, or describe it as a Republican measure, although we supported it almost unanimously.

Mr. SASSCER. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK. I yield.

Mr. SASSCER. Does the gentleman feel that a person holding office in the Federal Government, the Treasury Department, the Government Printing Office, or wherever he may be employed, should be precluded on primary day or on election day or a few days prior to those dates from expressing his opinion as to who is the best candidate for sheriff or for county commissioner, or Congressman or what not?

Mr. HANCOCK. There is a provision in the act answering the gentleman's question which reads as follows:

> All such persons, as people in the executive branch of the Government, shall retain the right to vote as they may choose and to express their opinions on any political subject.

I am not here to claim that the Hatch Acts, either the one passed in August 1939 or the second Hatch Act, passed a year later, are perfect. There are many inconsistencies between the two acts. One affects Federal employees and the other State employees whose compensation is paid in whole or in part with Federal appropriations. Their rights and the prescribed procedure differ in the two laws and they should be made to harmonize. Those inconsistencies should be ironed out, but we cannot do it here today in the Committee of the Whole in the consideration of the bill before us.

Let us understand exactly what is attempted to be accomplished by this bill. It is the opinion of the Judiciary Committee, and we are unanimous, that the punishment provided for the violation of any of these provisions in the first Hatch Act, that is, the one of August 1939, is altogether too severe. There is only one penalty imposed by that act, and I quote it:

> Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by any act of Congress for such position or office shall be used to pay the compensation of such person.

No other penalty is provided. That is an exclusive and in many cases an excessive penalty. It means the loss of a man's livelihood even though he may have held a civil service position and accumulated rights for 30 or more years. There are some violations by people in executive positions which perhaps should be met with dismissal from the service, but there are many trivial ones such as the one cited by the gentleman from Alabama. For example, if the superintendent of mails in the city post office requires his letter carriers to distribute political literature, to wear a political button, to sign some particular candidate's petition, and to promise to exert his influence in behalf of his superior's candidate, that is such a misuse of power as does warrant dismissal. Dismissal is not too severe a penalty for that sort of thing. On the other hand, however, if a letter carrier after hours, on his own time, goes to his own personal friends in his own neighborhood and says: "Now, my friend, John Jones, is a candidate for alderman. Will you please sign his nominating petition?" That to my mind is a trivial offense, and certainly we are not justified in saying that such an individual shall lose his position in the Federal Government for life. We are all agreed on that.

All this bill does is to give the Civil Service Commission the right to impose some penalty less than the extreme and mandatory penalty prescribed by the law, which in its discretion will be adequate for the offense.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HANCOCK. Mr. Chairman, I yield myself five additional minutes.

Now, to get down to the first committee amendment. I am sure there will not be any opposition at all to the bill itself, because it is right. The bill as introduced by the gentleman from Georgia provides:

> If the Commission—

That is, the Civil Service Commission—

> finds the violation does not warrant removal, a lesser penalty shall be imposed by direction of the Commission.

That is the way the bill reads as introduced. As I understand, that is the language that was approved by the Civil Service Commission.

The committee proposes to offer an amendment making this language read as follows:

> If the Commission finds that violation does not warrant removal, a lesser penalty not to exceed a fine of 3 months' compensation may be imposed by direction of the Commission.

It seems to me that divides the offenses against the Hatch Act into two categories: One, those which are appropriately punished with dismissal from the service; and, two, those which could be punished under the language of this proposed amendment only with what is the comparatively light sentence of 3 months' fine, or less.

It occurs to me there is a great twilight zone of offenses which are neither so trivial that a 3 months' fine would be adequate or appropriate, or so severe that the punishment should be permanent dismissal from holding public office. I am therefore opposed to the committee amendment. I can visualize offenses where punishment of a fine of more than 3 months' pay, or suspension for an indefinite period, or reduction in rank in the office the man holds, or transfer to another job, or a mere reprimand and warning, might be adequate and more fitting than a fine of 3 months' compensation, or any fine at all.

It seems to me the present law is too inflexible in one direction and that perhaps the committee amendment is too inflexible in the other. So when the committee amendment is offered I am going to move to reject the committee amendment.

I hope I have made myself sufficiently clear that you will support me in my position.

Mr. SASSCER. Mr. Chairman, will the gentleman yield for one further question?

Mr. HANCOCK. I yield.

Mr. SASSCER. The gentleman from New York stated, and I believe correctly, that under the Hatch Act a man can express his opinion as to a candidate——

Mr. HANCOCK. And issues.

Mr. SASSCER. And issues. It is also quite apparent under the Hatch Act that he cannot electioneer after hours; as in the case of the mail carrier the gentleman just cited, he cannot solicit votes for a candidate of his choice.

Would the gentleman be kind enough to clarify that twilight zone and explain the difference between expressing your opinion and electioneering; that is, when you cease to express an opinion and when you get into the realm of electioneering?

Mr. HANCOCK. That is a very interesting and difficult question. The Civil Service Commission is the body to determine it. You cannot accurately define the difference by law. But, as I said a moment ago, I think the two Hatch Acts are inconsistent and imperfect. There are many things that ought to be corrected and improved, but we cannot do that today. All we are attempting to do today is to take out of the law that inflexible proposition that a man found guilty of violating any provision of the Hatch Act must be dismissed from the service permanently. That, in my opinion, is excessive punishment and I am opposed to it. I hope you will agree with me in rejecting the committee amendment.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. HANCOCK. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Do I understand that as the gentleman wants the bill amended it will prohibit the assessment of any penalty greater than 3 months' compensation?

Mr. HANCOCK. No; the way I want it read is the way it was approved by the Civil Service Commission and as introduced by the gentleman from Georgia, so that it would read that if the Commission finds that the violation does not warrant removal, a lesser penalty shall be imposed by direction of the Commission. The committee amendment would make the maximum punishment short of dismissal a 3 months' fine. That might not be adequate in many cases, and it might not be the appropriate form of punishment.

Mr. Chairman, I reserve the balance of my time and now yield 5 minutes to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, we carefully considered this bill in the Judiciary Committee and may I say that I am

in accord with the view expressed by my colleague from New York [Mr. HANCOCK]. I am wholeheartedly in favor of the bill in the exact language in which it was introduced by the gentleman from Georgia. I make that statement for the reason that the bill in that form provides a flexible provision which is given to the Commission to determine what should be done in each particular case based upon the facts in that case. As the bill was introduced it contains the provision that if the Commission finds the violation does not warrant removal a lesser penalty shall be imposed at the direction of the Commission. In other words, under that language the Commission will have the power and the authority to impose a fine of 1 day's or 2 day's pay, or a week's pay, whatever the facts might justify, or they could suspend a man for a day, for a week, for a month, or for 6 months if the facts justified such action. There is not any limitation in that language. It places the entire matter with the Commission, and the Commission is the body that has the power, and should have the control, over all matters coming within the purview of its authority in such cases.

I will read the amendment proposed:

If the Commission finds that the violation does not warrant removal, a lesser penalty not to exceed a fine of 3 months' compensation may be imposed by direction of the Commission.

It might be that the Commission would not want to impose a fine of 3 months' compensation or some lesser fine. It might be that under the facts of a given case the Commission might want to suspend a man for a month or for 2 months or for 3 months; but that could not be done under the provisions of this committee amendment.

After we have analyzed this entire situation it is my considered judgment that the bill in the original form in which it was introduced by the gentleman from Georgia is far more preferable, because it leaves the matter entirely in the discretion of the Commission.

With respect to the remainder of the amendment, I have no objection to that provision. That provision reads:

The Commission is authorized and directed to reopen and reconsider all cases heretofore determined under this act in which a penalty of removal from office or position has been imposed and in lieu of such penalty of removal to impose a penalty within the limits hereinbefore authorized in this section if in the judgment of the Commission the violation would not have warranted removal if this amendment had been in force and effect at the time of such violation.

My distinguished colleague and friend from Alabama has mentioned some of the cases which were specifically brought before our committee. There were one or two cases in which there had been some slight infraction of the Hatch Act, but not intentional on the part of the person who had violated the provisions of that law. But under the law as it then was written, and under the law as it then existed, the Commission could do but one thing, and that was to remove the person from office; but under the provisions of this law, as it is proposed by the gentleman from Georgia [Mr. GIBSON], with that provision which I have just mentioned, reading:

If the Commission finds th t the violation does not warrant removal, a lesser penalty shall be imposed by direction of the Commission.

That means that the Commission could impose a penalty of a fine of so many days' pay, or they could suspend a person for so many days. It is all left to the discretion and in the hands of the Commission to determine under the particular facts of the case; under the latter provision which I have mentioned just a few moments ago, that gives the Commission the right and the power to return and reconsider those cases where discharges and dismissals have been absolutely imposed under the law as it existed, and those cases reviewed, and a lesser penalty could be imposed, all within the purview of the discretion and decision of the Commission.

It is my hope, Mr. Chairman, that the bill will be passed in its orig'nal form introduced, and with the amendment at the end of the bill, as I have suggested, approved and concurred in by the House.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. SPRINGER], has expired.

Mr. HOBBS. Mr. Chairman, I have the honor to yield to the distinguished gentleman from Georgia [Mr. GIBSON], the author of the bill, 5 minutes.

Mr. GIBSON. Mr. Chairman, I do not know that anything that I may say on this bill will be of any benefit, because I do not think there is a great deal of opposition to the measure. Any statement that I may make in regard to the Hatch Act being repealed I am sure would have no place in this debate, for the reason that the Hatch Act as a whole is not on trial today. I will state, though, that it is my personal view that the Hatch Act should be repealed in its entirety. Since I have been in Washington I have heard so much about certain laws being made for the common man. If there was ever a law that was made for the common man it was the Hatch Act, because he is the only man it is permitted to function against. The boys in the higher brackets can go out and contribute up to the extent of $50,000 and make speeches throughout the land, and nothing is said, but the little fellow who totes a mail bag or performs some other small job is pinched. So it is clearly a law made for the common man.

What we seek to do in this instance is to give the Civil Service Commission, in common parlance, some discretion in measuring the punishment to fit the violation, whatever it may be or to whatever extent it may go. The Hatch Act as originally written and as it operates today would be similar to a State legislature writing a bill saying, "It shall be unlawful in the State of so-and-so to commit murder, to steal hogs, to whip your wife, or to drive your automobile over 50 miles an hour. Anyone who violates any of these laws shall be punished by death by electrocution," because the Hatch Act sets out that if anyone violates the act in any degree the punishment shall be expulsion from the service. All this amendment seeks to do is to give the Civil Service Commission some leverage, some discretion, in measuring the punishment by the degree of the crime.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. GIBSON. I yield to the gentleman from Indiana.

Mr. SPRINGER. Is it not the thought of the distinguished gentleman that the entire question of what penalty should be imposed should be left with the Civil Service Commission?

Mr. GIBSON. Frankly, I think so, but the committee handling the bill thought otherwise. I am perfectly willing to accede to the committee's views, but that is my personal view.

Mr. SPRINGER. Does not the gentleman believe that in many instances the provision for a fine of 3 months' compensation might not be proper, because the fine might not be justified whereas suspension might be justified?

Mr. GIBSON. Yes; I am inclined to agree with the gentleman. If the gentleman will read closely the amendment proposed by the committee, he will find that it says not to exceed 3 months' compensation. It could be a day's compensation.

Mr. SPRINGER. Under that provision there could be no suspension imposed?

Mr. GIBSON. No; I think the gentleman is correct about that.

Mr. SPRINGER. It would be far better to leave the matter entirely to the discretion of the Civil Service Commission, would it not?

Mr. GIBSON. That is my personal view, because in very minor cases they could punish by a reprimand, under the original amendment.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. GIBSON. I yield to the gentleman from North Carolina.

Mr. BARDEN. I have drawn an amendment which would leave the bill as it is and leave the committee amendment as it is, but strike out the words "not to exceed a fine of 3 months' compensation." That would leave it in the discretion of the Commission to apply anything from a reprimand up to and including dismissal from the service. If we try to limit it to 3 months or 6 months, then there is a long breach in between 6 months and dismissal. So I am inclined to think that to leave it in the discretion of the Commission would be a better proposition, and not harness them with the restriction that they will either have to kick a man out or give him something that is very mild in the way of punishment.

Mr. GIBSON. That is clearly my personal view, but I am willing to accede to the committee's wishes or to that amendment, either one.

Mr. HOBBS. Mr. Chairman, I yield myself 1 minute for the purpose of calling attention of the House to what might be called the third "hatch" act. Selma, Ala., my home town, occasionally has a spell of cold weather. In one of those, a taxi driver had just discharged a passenger in the downtown section, and a little later discovered an egg rolling around on the back seat. Not wishing

to run the risk of his next fare's mashing the egg and soiling his suit, and in the hope that he might return the egg to its owner, he put the egg into one of his fur-lined gloves and into the cowl compartment. The taxi ran 24 hours a day and kept warm, and in due season the inevitable happened and we had the third "hatch" act. The chicken lived, and was exhibited in one of the show windows of one of our department stores.

The Clerk read as follows:

Be it enacted, etc., That section 9 (b) of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, is amended to read as follows:

"SEC. 9. (b) If in the case of any person violating the provisions of this section it is found by the United States Civil Service Commission that such violation warrants removal he shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by any act of Congress for such position or office shall be used to pay the compensation of such person. If the Commission finds that the violation does not warrant removal, a lesser penalty shall be imposed by direction of the Commission."

With the following committee amendment:

Page 1, line 6, strike out "Sec. 9."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 4, strike out the word "shall" and insert "not to exceed a fine of 3 months' compensation may."

Mr. BARDEN. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. BARDEN: On page 2, line 4, strike out the words "not to exceed a fine of 3 months' compensation."

Mr. BARDEN. Mr. Chairman, my amendment makes the bill read as follows:

If the Commission finds that the violation does not warrant removal, a lesser penalty may be imposed by direction of the Commission.

Mr. HOBBS. Mr. Chairman, we are in absolute accord with such a change in the committee amendment.

Mr. HANCOCK. Mr. Chairman, if the gentleman will yield, I will concede that his amendment substituting the word "may" for "shall" is an improvement on the language of the bill as introduced.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina to the committee amendment.

The amendment was agreed to.

The committee amendment as amended was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 6, after the period insert "the Commission is authorized and directed to reopen and reconsider all cases heretofore determined under this act in which a penalty of removal from office or position has been imposed and in lieu of such penalty of removal to impose a penalty within the limits hereinbefore authorized in this section if in the judgment of the Commission the violation would not have warranted removal if this amendment had been in force and effect at the time of such violation."

The CHAIRMAN. The question is on agreeing to the amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly the Committee rose; and Mr. MILLS having resumed the chair as Speaker pro tempore, Mr. PACE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 1118) pursuant to House Resolution 504, he reported the same back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore [Mr. MILLS]. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

H. R. 5117—MINORITY REPORT

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to file a minority report on the bill H. R. 5117.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, I find but one fault with H. R. 1118. It does not go far enough. I think the Hatch Act should be repealed. In my opinion, there is not to be found in force today a more undemocratic piece of legislation. Free and open discussion of political matters has, under the American system, been one of our most jealously guarded rights.

To say that men and women cannot, because their daily bread comes from the Federal Government, enjoy freedom of speech is going a long way. Yet, that is what we do under the Hatch Act as it stands today.

H. R. 1118 as it is now written places in the discretion of the Civil Service Commission the right to impose lighter penalties for violations of the Hatch Act, or to impose no penalty at all if the so-called offense is trivial. Consequently, I support the measure.

Its passage is a tribute to the work of its author, the able and distinguished gentleman from Georgia [Mr. GIBSON], and to the chairman of the Committee on Banking and Currency, that great and good Alabamian [Mr. HOBBS]. They are to be commended for bringing the measure before the House.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. PRICE] is recognized for 20 minutes.

HOUSING

Mr. PRICE of Illinois. Mr. Speaker, I want to speak again to the membership of the House of Representatives on the Nation's No. 1 problem—housing.

When the House reconvened back in October 1945 after a very brief late summer recess I took the floor to discuss this subject, because everywhere I went through my congressional district it was the one which evoked the most thought, and the most concern.

I said then that the war-weary young man who spent from 2 to 4 years fighting the battle of freedom in the remote parts of the world had returned to his home community in the hope of reestablishing his home, or perhaps, as in the majority of cases, with the thought of having his own home for the first time in his life.

But he found no homes and little material with which to build one if he has the money to do so.

America today is housing conscious. And well it should be. We face an immediate shortage of 3,000,000 homes. We must start today to solve the problem of housing, or at the present rate, this national shortage will grow to 8,000,000 in 10 years. That is how serious this problem is.

The housing shortage did not begin with the war. It was merely aggravated by it. It has been a major problem for 15 years. It started in the late twenties. During the depression years there was no construction except for the higher-income groups.

The national administration with the beginning of Franklin D. Roosevelt's first term had the foresight to see the seriousness of the housing shortage and there were steps taken for the first time on a public housing program—and a gradual increase in earning power of the low-income groups brought a brief era of private home building. Several Federal agencies gave encouragement to persons desiring to build and own their own homes and many new residential areas sprung up in every community in the country.

But the war stopped that home-building boom. When it came we were nowhere close to having taken up the slack a long period of no building at all had brought upon us. With the war all materials were needed for war building and little went into home building, except of a temporary nature.

All through the war, even with defense housing projects, every community faced a housing problem. Returning war veterans today only exaggerated the crying need for more and more homes—made Americans finally conscious of the housing shortage.

I believe it is Congress' responsibility to immediately take steps to solve this No. 1 problem. Action should be taken promptly upon the best of the housing legislation already proposed. The committees before which this problem has been laid are, I know, doing their best to

bring out the best possible measures but we cannot stress too much the need for action without further delay.

Congress must seek to eliminate all obstacles that are holding up building by private enterprise. The fact is there is no real construction in progress now and we dare not delay any longer in getting building under way.

During the war our Government quickly built war plants to save our Nation, and it is equally important in the fight for the preservation of our country that the Government take steps to provide decent homes in which American families can be raised.

We met all emergencies in time of war. Why cannot we meet this housing emergency with the same determination? If we were at war today and we needed houses we would build our way out of it.

Time is of the essence now, and we must bypass all obstacles. We should lend to industry the great war powers of Government as an investment in the security of our Nation and for the welfare of our returning veterans. It is the solemn obligation of our Government to relieve this acute housing situation.

President Truman, 4 months ago, in his 21-point program for the Nation, emphasized the need for broad and comprehensive housing legislation at an early date. One measure introduced which seems to carry out the President's proposal in the field of housing is the Wagner-Ellender-Taft proposal now under consideration before a Senate committee.

It proposes the complete postwar program for which people throughout the country have waited long. The bill recognizes that decent housing is an American right and an indispensable requirement for good citizenship. It further recognizes that there are different income groups in the United States, with different housing problems.

It contemplates that unaided private enterprise will serve as many of these people as it can with decent housing within their means. It contends that the Government has already been successful, through various plans, in helping private enterprise to serve more people with better housing at lower costs.

The bill provides a new type of insurance to help private enterprise more, and it also provides a method of clearing slums and preparing urban land for redevelopment. By it the low-rent public housing program would be extended and improved. Special emphasis is placed on the problems of veterans and their families. A single National Housing Agency, set up under the bill, would give uniformity to whatever the Government may do in the housing field.

It is time for the Government to use all the power at its command to take control of the housing situation through the enactment of legislation that will comply with President Truman's request. There should be no room left for failure in this matter. It must be tackled as a problem equally important as winning the decisive battle of the war.

John B. Blandford, Jr., National Housing Administrator, recently stressed the appalling need for new homes before a Senate committee.

By the end of next year—

Blandford said—

the number of families forced to double up in whatever accommodations they can find will reach 6,480,000, or more than the combined number of families in our three largest cities.

He estimated that it will take 12,600,000 new homes, about 66 percent of them at charges not to exceed $40 a month, to meet the demands during the next 10 years. He pointed out that 20 percent of existing housing is more than 40 years old and about 40 percent was built more than 30 years ago. Thirty-nine percent is in a rundown condition and 25 percent lacks even running water and plumbing.

Most of these dwellings are in slum areas, the largest percentage of which, incidentally, are in cities of less than 500,000 population. In his testimony before the committee Administrator Blandford, hitting at opponents of proposed public housing, remarked: "They would rather sink the whole ship than look at the whole need."

Buyers of whatever homes are to be built must also look to the Government for protection from inflationary prices. President Truman has asked Congress for price control on all residential property and legislation is under consideration now to accede to his wishes. It is felt by many such control should have come at the same time as rent control, when they would have prevented real-estate prices from soaring fantastically.

It was almost 10 years ago that President Roosevelt raised the dramatic challenge of a third of a Nation ill-housed. Progress was made under his leadership, but we entered the war with an inadequate housing situation. We built over a million and a half permanent private and public dwellings during the war for essential workers, but neither the material nor the manpower could be spared from the war effort to keep pace with the country's total housing needs, to say nothing of catching up with the existing prewar shortage.

Touching on the housing shortage in his message to Congress President Truman said:

The largest single opportunity for rapid postwar expansion of private investment and employment lies in the field of housing. A decent standard of housing for all is one of the irreducible obligations of modern civilization. The housing challenge is now squarely before us. The people of the United States, so far ahead in wealth and productive capacity, deserve to be the best housed in the world. We must begin to meet that challenge at once.

I feel there has been too much delay since the President delivered his message to Congress. I believe the country is well equipped to do a building job of the size necessary to meet the problem. It is time we get started.

In Washington the prime need is for immediate legislation to provide for the unified approach on the part of the Federal Government which is needed to tackle effectively the present emergency.

Locally, it is the obligation of the communities to measure their need, map out plans and objectives, and mobilize their home forces on the problem along a front embracing industry, labor, the community, and the public who are prospective home builders.

At the same time we must face the hard facts that the Nation's housing supply is in a depleted condition. Government must be giving its attention to this problem and must find a way soon to start the flow of much-needed building material into the sections of the country where it is most needed.

Let us not make the mistake of looking at the housing shortage as a temporary problem. It is a long-range problem.

Housing is long lived—

It says in a report of the Senate Subcommittee on Housing and Urban Development—

and the improvement of housing conditions requires foresight and many years of planning and work. Housing is substantial and visible to all and determines a large part of the aspects of our cities and our countryside. Slums are not only a deterrent to the development of a sound citizenry, but they lower the people's desire for healthful and attractive surroundings and the hope of improving their conditions.

EXTENSION OF REMARKS

Mr. SHAFER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore (Mr. MILLS). Is there objection to the request of the gentleman from Michigan?

There was no objection.

RECOGNITION OF THE PRO-SOVIET GOVERNMENT OF RUMANIA

Mr. SHAFER. Mr. Speaker, the press reports that the United States will recognize Premier Groza's pro-Soviet government of Rumania.

This is not news to the Communists. They have known for many weeks that this would be done.

I wish to call the attention of the Members of Congress to remarks which I inserted in the RECORD on November 6, 1945, in which I charged that our State Department was being "Stalined" and that it would seem that "we are no longer masters of our own house."

In the course of my remarks I quoted a dispatch from the New York Times written October 19 by Sam Pope Brewer to the effect that the appointment of Mark Ethridge to be special representative of the State Department to investigate conditions in the Balkans was paving the way for the recognition of the Groza government.

Now that we know that the State Department is making such a recommendation what more proof do we need that the Communists are dictating changes in policy and personnel to suit their purposes?

In my remarks of November 6, which are published on pages A4730 to A4732 of the Appendix of the RECORD, I outlined many reasons for my charge that the State Department was being "Stalined"

and warned that it was high time to call a halt to this alarming disintegration and infiltration of our most important Government Department.

Since making those remarks much has happened to bear out my charges which, incidentally, have never been answered by anyone in the State Department.

Frankly, the situation is becoming gravely alarming and this Congress should wait no longer to investigate and learn what is actually going on.

Only recently an open invitation was extended by George Seldes, editor of In Fact, Communist publication, to Communists within the State Department to reveal state secrets, when he wrote, in the issue of January 21:

Although the Benton directives are marked "secret" and "confidential" there are hundreds of State Department employees, the majority from the OWI and the OIAA (the former Rockefeller agency), who subscribe to the belief that they are American citizens first and State Department employees second. Unless the State Department sets up a United States gestapo to intimidate its employees into silence, the secret and confidential directives will continue to reach the light.

There are few Members of Congress who will not agree that when such an article can be written in America something should be done about it.

I urge Members of Congress to refer to my remarks of November 6, and consider what has happened since then.

The State Department has sent Soviet sympathizers as aides to General MacArthur. These include:

Former Assistant Secretary of War John J. McCloy, who pressed for the secret directives which permitted Communists to gain Army commissions and assignments to secret War Department posts. Another Red sympathizer, if not Communist, is Owen Lattimore, special economic adviser to Tokyo. Then there are Harold Glasser and Josiah DuBois. Glasser formerly was military research director in the Treasury and DuBois is a close friend. Glasser's wife was corresponding secretary of the League of Women Shoppers, which was regarded by the Special House Committee on Un-American Activities as a Communist-front organization. Glasser himself was a member of another such organization, the Washington Committee for Democratic Action.

Among members of the party of civilian and military advisers with McCloy was John H. Vincent, one of the men who was included in the indictments of State Department employees for removing secret files.

The Washington Post, on October 25, 1945, said:

Both Lattimore and DuBois have definite convictions on rooting out of Jap militarism and building up a Japanese democracy.

James Angell, former Columbia University professor, now with the Foreign Economic Administration, has been named to carry on Pauley's work on European reparations. Angell is listed in appendix 9 of the Dies committee as being a fellow traveler.

Jack Burling of the Justice Department was sent to Tokyo to help prosecute Jap war criminals. Burling is the attorney who sought to intern and deport Jan Valtin, author of the book Out of the Night, based on charges of the Communists.

Julian Friedman, now in China for the State Department, is a pro-Communist.

As stated before, the Congress needs no more proof of what is going on than it already has in its possession. What are we waiting for?

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Kansas [Mr. REES] is recognized for 10 minutes.

THE NATION'S WHEAT SUPPLY

Mr. REES of Kansas. Mr. Speaker, the President has recently issued an order to conserve the supply of food in this country, especially wheat. I am in sympathy with his desire to provide grain and other food for people who are on the verge of starvation.

The objective of this order is to furnish larger allocations for the starving people of other countries. The order provides, among other things, that distilleries and breweries shall not use wheat until further orders are issued, but does not prevent them from using other grains that are likewise needed for food.

It is extremely unfortunate that his directive has been made rather suddenly and without notice to our people, with respect to the entire problem involved. The people of this country should have been informed with regard to the seriousness of the situation and should also know approximately the plans of the administration, as to the amount of food we are expected to provide other countries, as well as the kind of food that ought to be sent and how much we can afford to provide for them. I feel that whatever food is allocated, it ought to be done promptly and with the least red tape and delay as possible.

Many months ago, other Members of this House, together with myself, called attention to the need of diverting grains for food that was consumed for liquor, it being our contention that it was more important that we have food than liquor.

During the past 5 years, millions of bushels of wheat, corn, and other grains have been used for making liquor. These grains should have been used for food. It would have greatly relieved the situation in which we find ourselves today.

I am informed there is about a 3½ years' supply of hard liquor on hand. No one, surely, can seriously complain if we cease making hard liquor for 2 or 3 years, or, at least, until this emergency is over.

A great amount of food can be saved if we divert all grain for food that is now going for liquor. I really believe people who are accustomed to the use of hard liquor will be willing to go along, especially in view of conditions.

Mr. Speaker, there is, after all, only a certain amount of food in this country. I do not believe the order directed to the millers and processors will provide as much additional food as might be expected. I doubt whether it will supply an increase in food that will offset the confusion that will come about in the milling and processing industries.

After all, wheat and other grains contain a certain amount of food value. Nearly all of the wheat processed goes directly for food under present operations. The remainder goes for feed and that in turn is fed to poultry and livestock to produce meat, that helps give a balanced food ration. It all goes for food either directly or indirectly.

I am anxious that this problem be worked out in a practical manner so that in the long run the biggest supply of food may be provided, not only for our own people, but to other countries where allocations are made. There is one important thing we can do, and that is quit wasting so much food.

I would like to add that I do not like the criticism that has been made to the effect that the farmers of this country have been hoarding wheat. An investigation will disclose that such is not the case. Farmers and producers have cooperated in every way they could and are doing it now. Statistics will show a normal supply of wheat in the hands of the farmers.

Mr. Speaker, the President's order should have been made only after a report was made to the people of this country as to conditions of people where the food is allocated. An estimate of the needs of the countries and people where the food is to be allocated. Then have an estimate of our supplies, and an estimate of our own needs and requirements.

In other words, let the American people have a fair picture of the whole situation. They have a right to all this information, and ought to have it.

Mr. CARLSON. Mr. Speaker, will the gentleman yield?

Mr. REES of Kansas. I yield to my colleague the gentleman from Kansas [Mr. CARLSON] who is quite familiar with this problem.

Mr. CARLSON. I am fearful that many of our people believe that large stocks of grain are being withheld on the farms of this Nation. It is true a large amount of this grain has not been moved because of the shortage of cars; but I checked with the grain market at Kansas City and found that in January of 1946 they received 4,960 carloads of wheat, which is the largest receipts in the history of the grain market at Kansas City. Not only that but for the first 7 months of the crop year of 1945 they received 50,664 cars, which is the second largest carlot receipt of wheat in our grain market's history at Kansas City, showing that the farmers are shipping wheat to market and it is not the result of hoarding on the farm that we get this scare about the shortage of wheat.

Mr. REES of Kansas. I appreciate the statement of the gentleman from Kansas. He comes from one of the greatest wheat-producing districts in the United States and he has given this matter a great deal of study. I am in accord with his view when he says that the farmers of this country are not hoarding wheat. We have no more than the usual supply

of wheat on the farms at this time of the year in the State of Kansas or in the country as a whole.

Mr. Speaker, it should be remembered, too, that we have heretofore imported some wheat into our country during recent years but now we are exporting wheat.

Wheat is going out of this country faster than we realize. What I would like to get across to the membership of this House is that the President's plan comes rather suddenly and without sufficient careful study. We should have the information I have outlined in my statement. The plan will not bring the results that the President hopes may be accomplished.

Mr. CARLSON. May I say that I agree with the gentleman from Kansas [Mr. REES] about this new order. It will not result in getting food supplies for our own people and for our allies across the seas. I think the President was sold a bill of goods without thoroughly studying this problem. As a matter of fact, the Department of Agriculture figures show that we had 689,000,000 bushels of wheat on hand on January 1, 1946. Allowing 89,000,000 bushels for the month of January, that will leave 600,000,000 bushels until July 1 of this year. We are going to use about 200,000,000 bushels for flour, 50,000,000 for seed for spring wheat, which will leave 350,000,000 bushels as a carry-over for food and for export.

Mr. REES of Kansas. Out of that 350,000,000 bushels, I understand we have agreed to allocate something like 225,000,000 bushels to Europe.

Mr. CARLSON. The gentleman is correct. Everyone will agree that as much as we might want to send 225,000,000 bushels over there between now and July 1, it is a physical impossibility to do so because of transportation. This order, which upsets our mills, our grain markets and our baking is unfortunate and was acted on with undue haste.

SALINA, KANS., *February 7, 1946.*

Hon. FRANK CARLSON,
House of Representatives:

I repeat telegram I have just sent to the President: "In behalf of the wheat growers, the flour millers, the bakers and the consuming public, we wish to protest the order requiring 80 percent extraction flour. In our opinion this move will cause tremendous damage without producing the result hoped for. It is also a disappointment that in view of the manner in which the milling industry has at all times cooperated in the Government program that such area no order should be issued without prior consultation with the industry in our opinion the order will not make available additional food for Europe. It is urged that the action be reconsidered and that you avail yourself of the judgment of representative millers in attaining the ends desired without a drastic dislocation which we hope will not be effective."

ELMER W. REED,
Vice President and General Manager,
The Shellabarger Mills.

Mr. REES of Kansas. I appreciate the gentleman's views. Let me assert again that we want to do the best we can in helping the starving people of foreign countries. We know that they need food and that the situation is perhaps even more critical than we realize, but this situation should have been carefully studied and worked out with respect to the amount of food we are expected to provide to the foreign countries and which people need it most. We should know more about the whole over-all picture. I am informed that we have little to say about the allocation and distribution of our food after it reaches foreign countries. We should see to it that it goes to the people who need it most and with as little red tape as possible.

Mr. Speaker, I do not suggest any delay in dealing with this matter. There has been a lot of delay in getting at it. I do hope the President provides us, from the information at hand, his plans with respect to the amounts of food promised or expected to be furnished to the various countries of the world. Also an estimate of our own supplies of food and food products. In other words, give the American people a little clearer picture of the whole situation. They are vitally interested in this matter. Then let him go on down the line and withdraw from the liquor industry grain of all kinds. Corn is just about as valuable as wheat for food purposes. Other grains, too, are needed for food purposes. Withdraw the grain from these distilleries until our situation is a whole lot better than it is now because, as I said before, grain is certainly more important for food than it is for liquor, especially when we do not have an adequate supply of grain.

The SPEAKER pro tempore. The time of the gentleman from Kansas has expired.

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to extend in my remarks a telegram that the President received from Elmer Reed, one of the outstanding millers and grain operators in the Middle West.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

SPECIAL ORDER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

Mr. HOFFMAN. Mr. Speaker, very few who desire to aid in feeding the hungry people in other parts of the world will disagree with the gentleman from Kansas that if it comes to a show-down bread is far more important than beer or whisky, no matter how much some may dislike seeing the supply of it undiminished.

If there is anyone who knows anything about the wheat situation and the possibility of sending increased supplies abroad, certainly the gentleman from Kansas [Mr. REES], and the gentleman from Kansas [Mr. CARLSON], who we all hope will be the next Governor of Kansas, know that subject. Not knowing anything about wheat farming nor the amount we have on hand nor how it should be made into bread, nor how much of our wheat can go abroad—here is the point, and I would like the opinion of my friends from Kansas. I will read this letter which gives you a picture of a farm organization in southwestern Michigan. All during the war, while the farm boys were being drafted and sent abroad, old men and old women, not as old as I am, but some of them 65 and better, up to 70—yes, some 80—instead of complying with union rules and doing but 40 or 48 hours work a week, were driving tractors with lights on them over the fields at night, putting in 12 and 14 hours, some of them; some doing what my other friend, the gentleman from Michigan [Mr. CRAWFORD] calls "stoop work" down in the swamps, planting and weeding onions, cauliflower, cabbage, and crops of that kind. And they did produce an enormous amount of foodstuffs. Here is what this gentleman says that bears upon our present situation. He wrote:

We have just received a notice of cancellation of 250 tons of ammonia nitrate fertilizer after these orders had been accepted last fall. Now, due to conditions beyond the suppliers' control, these have been canceled.

We are advised by Mr. J. W. Wizeman, Chemical Division, Civilian Production Administration, Social Security Building, Washington, D. C., has removed from American civilian use 10,000 tons of ammonium fertilizer to be given to UNRRA for use in China, and 60,000 tons of potash for UNRRA for use in foreign countries.

Besides the above cancellations of ammonium we also had canceled today 10 cars of fertilizer containing potash mixtures. It is regrettable that our farmers, who during the depression years depleted their soil to a large extent because of poor prices, are not now able to secure these materials. For the past several years during the war every effort was made by them to help the war effort. Now with the war over, everyone is sadly disappointed, desiring to produce as good a crop as possible, not being able to do so due to Mr. Wizeman's allocation to UNRRA.

Won't you contact this gentleman?

I did call Mr. Wizeman. He said he did not know anything about the situation but would investigate at once and learn what, if anything, could be done. He was very kind about it and I am sure he will try to remedy the trouble.

I will say to my colleague the gentleman from Michigan [Mr. SHAFER] that is just one of those many errands which we are so happy to do for our constituents, whether it is getting them tractor tires, plow points, a harrow, or a rake to go out in the garden to produce vegetables for home use and cut down the cost of living. I am glad to perform those tasks.

Permit me to read:

We had one grower in this afternoon who had his soil analyzed and they advised him that he should use an 0-9-27 mixture. What good is it for a farmer to have his soil analyzed by the Government agency and then find out that because of another Government agency's ruling he cannot get the fertilizer?

When the President made his order about bread someone who advised him should have taken into consideration—maybe they did, I do not know—the question of whether the Chinaman over there with his hand labor can produce a greater tonnage of crops of greater food value if he gets all this fertilizer than can be produced by our farmers here at home if they use it and then we ship the grain grown over there.

I would like to know from my Kansas friends, just being an agriculturist and not a real farmer, whether we can con-

tinue to grow crops, sow the seed, harvest the grain, and take away from the land forever without coming to the end and being unable to comply with the President's request.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Kansas.

Mr. REES of Kansas. I want to say that the distinguished gentleman who now has the floor is well informed with respect to farmers' problems and has at all times taken a deep interest in agricultural matters. The gentleman from Michigan [Mr. HOFFMAN] has on many occasions risen to speak on the floor of this House in defense and on behalf of the farmers of his State and of this country, and has many times called attention to the fact that the farmers of our country could not have provided the food they have produced if it had not been that they and their wives and their children worked not only 8 or 12 hours a day, but 18 hours a day in many cases in order to provide food not only for our own people and for our armed forces but for our allies abroad as well.

I want to pay tribute to the gentleman who has the floor for the splendid way in which he has at all times defended and protected and tried in every way he could to help the farmers of this country. As he has suggested, American farmers have performed a magnificent service without a whimper of complaint. They have been short of implements with which to farm, on many occasions, and have of course been short of the fertilizer which is so much needed.

With respect to the question of fertilizer, there is no question of doubt but that our farmers, especially in the State from which the gentleman comes, are in dire need of fertilizer. While it may be well for us to divide with other countries of the world we certainly cannot provide the food we are asked to produce unless we have a supply of fertilizer. One of the most essential things we need for growing food is fertilizer. We have not had an adequate supply for 3 or 4 years. So, as I said in the remarks I made a few minutes ago, we ought to get full and complete information from the agencies concerned to find out what supplies we have on hand and what allocations are being made. We cannot give away all our fertilizer and expect to raise crops to feed our own people and share in feeding the people of the world as well. Let us be fair and reasonable about it and find out where we stand with respect to this problem. We want to help these people, of course we do, but we cannot give away all of our fertilizer or anything else that is necessary to produce our crops and then expect an abundance of food for our people and those of foreign countries.

I appreciate the gentleman's calling our attention to this important matter.

Mr. HOFFMAN. I thank the gentleman. The thing that is worrying my correspondent is that, knowing as he does that the farmers in that vicinity, and that is all of southwestern Michigan, have been short of farm machinery—they cannot buy tractors, they cannot buy plows, they cannot buy harrows. Much of that machinery is short because of the strike in the International Harvester Co.'s plants. Now, the old folks can do something, and they have performed marvelously, but they cannot put the fertilizer in the ground if they cannot buy it. That is what is worrying my friend. That is what I have taken up with the Department. I hope the gentleman will back my efforts and just convince Mr. Wizeman, and I am sure he is willing to be convinced, that there is no use in sowing wheat on sand or on muck or even on good ground unless the farmer has fertilizer now and then.

Mr. REES of Kansas. I will be glad to cooperate in any way I can to see that the farmers of this country are provided with a reasonable amount of fertilizer and much-needed farm machinery.

Mr. HOFFMAN. I will be glad to go along with the gentleman when it comes to this question of bread versus beer and whisky.

Mr. REES of Kansas. I thank the gentleman for his cooperation with respect to this problem.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Gatling, its enrolling clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 5135. An act to amend the Agricultural Adjustment Act of 1938, as amended.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 314. An act for the relief of Sigurdur Jonsson and Thorolina Thordardottir;

S. 1101. An act for the relief of the estate of Manuel Rose Lima; and

S. 1480. An act for the relief of Charles R. Hooper.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 1089) entitled "An act for the relief of Albert Cantalupo," disagreed to by the House, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. O'DANIEL, and Mr. MORSE to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 2223) entitled "An act for the relief of Catherine Bode," disagreed to by the House, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. EASTLAND, Mr. O'DANIEL, and Mr. WILEY to be the conferees on the part of the Senate.

The message also announced that he Senate insists upon its amendment to the bill (H. R. 2267) entitled "An act for the relief of Harriet Townsend Bottomley," disagreed to by the House, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. O'DANIEL, Mr. JOHNSTON of South Carolina, and Mr. WHERRY to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 2487) entitled "An act for the relief of Mrs. S. P. Burton," disagreed to by the House, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HUFFMAN, Mr. ELLENDER, and Mr. MORSE to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 380) entitled "An act to establish a national policy and program for assuring continuing full employment and full production in a free competitive economy, through the concerted efforts of industry, agriculture, labor, State and local governments, and the Federal Government."

The message also announced that the President pro tempore has appointed Mr. BARKLEY and Mr. BREWSTER members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the departments and agencies:

1. Department of the Navy.
2. Department of War.
3. Post Office Department.
4. Federal Works Agency.
5. Maritime Commission and War Shipping Administration.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. SAVAGE] is recognized for 15 minutes.

OPA AND THE STRIKE SITUATION

Mr. SAVAGE. Mr. Speaker, despite newspaper headlines which would lead us to believe that nearly all the country's workers are on strike, we now have over 52,000,000 workers on the job—more than ever before in America's peacetime history. Instead of leading us to believe that the economy is about to crack up, why do the papers not remind the country that a much smaller percentage of our workers are on strike today than there was in the peak of the strike in 1919? Right now only about 1 out of 50 of our workers are on strike.

Even though the country may be riled to almost hysteria over such yellow journalism and radio stories, Members of Congress should remain in a cool and judicious mood.

Let us consider for the moment the actual cause of the present wave of strikes. During the war the workers made a no-strike pledge and lived up to it better than 99 percent. Their wages were held down by the Little Steel formula, which permitted a wage raise not to exceed 15 percent above January 1941. In the meantime, the cost of living for workers' families had gone up about 50 percent, but the workers were still able to manage as long as they were still getting overtime in war production. But when their income was suddenly cut by the loss of 6 days' wages per month, by the loss of overtime, coupled with inflation, it made it practically impossible for the workers to provide for their families. Their purchasing power amounted

to a little more than half of what it did with the overtime, prior to the drastic raise in the cost of living.

In the meantime, the workers had watched our Nation's corporations pile up the greatest profits in the history of the Nation. This, also, brought some resentment because our people did not want to see war profiteering.

The natural thing for the worker to do, and the only thing he could do, was to ask for more wages. The requests for wage increases were turned down by the corporations which the Congress had so kindly provided with carry-back tax provisions that would allow them to pay dividends without producing by drawing on the United States Treasury.

Americans, whether workers or soldiers, are of the same courageous, pioneering spirit. They are of the same courageous stock that braved all kinds of hazards to build a free country—to see that all people are treated equally. American workers are not the weak, spineless creatures that are going to bow down to corporate wealth and vested interests.

Being denied higher wages and refusing to take desperate cuts in their living standards at a time when the Nation was more prosperous than it ever was before, the workers could do nothing less than use their only weapon—to strike. The picture is very plain. Inflation is the real cause of the strikes. Of course, it could have been prevented for a while if the big companies would have been willing to divide some of their excess profits with their employees.

And I want to again direct your attention to the speech made on the floor by the gentleman from West Virginia, Congressman NEELY, Friday, February 1, 1946, page 756 of the CONGRESSIONAL RECORD, where he points out the excessive salaries being paid out to corporation officials.

It is the organized workers who protect the American standard of living. The floor under living standards below which organized workers refuse to go without striking becomes what is commonly called the American standard of living. Farm income is governed largely by what the workers receive. The amendment that was proposed February 4 to the Case bill by the Republican gentleman from Minnesota [Mr. O'HARA] would completely abolish the workers' right to strike. Should Congress depress the workers' standard of living with any such oppressive legislation, the farm income would also immediately drop. Business of our entire Nation depends upon the purchasing power of these two major economic groups. When their income falls down goes the prosperity of the Nation.

So, gentlemen, I submit that what we do here to curb labor's freedom, the freedom to refuse to go below a certain standard of living, will also curb the prosperity and living standards of the whole Nation to a very similar degree. It well behooves us to legislate with calm and cool judgment without being carried away on a false hysteria whipped up by someone trying to write sensational headlines about ordinary stories. Although many independent newspapers have refrained from such journalism, we all must realize that the big chain newspapers have always been antilabor and, of course, they write their headlines accordingly. Just keep in mind that America became great with free labor.

A lot has been said lately about mutual responsibilities to a contract. We have that now. As many contracts are violated by employers as are violated by employees. The inference is, of course, that the workers violate a contract every time they strike. Such is not the case. Some working agreements contain a clause stating that the workers have the right to strike. In such a case, the strike would be in accordance with the working agreement and not in violation of it. Some contracts provide that if the parties have not reached an agreement after a certain period of negotiating, the workers may strike at will. It is very seldom that contracts are written so workers cannot strike for the life of the agreement.

Many are saying we should crush unions because they are not democratic. Almost without exception, unions adopt a national or an international constitution and then the local unions, chartered under the parent organization, adopt local bylaws.

Unions usually hold weekly or semimonthly regular meetings and many special meetings. A large portion of the members are democratically elected to serve as officers or on committees or boards. Practically all unions urge the members to attend the meetings. Records are kept of the business conducted for all members to refer to. No other organizations demand such frequent reports to the membership by their officers as do labor unions, and no other organization is so quick to criticize an official who acts contrary to the wishes of the membership.

Many contended, while advocating the passage of the Smith-Connally bill, that if the workers could vote there would be no strikes, that it was just the officials leading the workers out on strike against their will. The country now has ample proof that such contention was in error. The Smith-Connally votes have been overwhelmingly to strike. In fact it legalized strikes.

I have been a member of many clubs and organizations, but none are so democratically controlled as a labor union. Parliamentary rules are seldom used to take a speaker off his feet or to prevent him from speaking as many times as he likes. Unions are a little too democratic, if anything. They do too much of the business in membership meetings, that often makes the meetings too long. Union meetings are very educational. We should all attend a few because there we could really learn about human problems.

Most unions elect their officers by secret ballot following nominations in a membership meeting or a convention. No corporation has enough democracy to compare in any way with that of a labor union.

I think, at this point, I ought to describe what is meant by labor when it is used in this sense.

In the first place, we have over 52,000,000 workers in the United States now. I believe that it would be conservative to say that workers and their families make up considerably more than 100,000,000 of our population. Perhaps three-fourths of the population could be considered as labor, because when we say labor, we mean the workers and their families. So when you hear someone say we have to crush labor in order to protect the public, they are actually saying that we have to crush labor in order to protect labor. It just does not make sense.

Now let us consider what has caused inflation. Of course, the scarcity of goods is really the only thing that can make inflation possible, but inflation can be prevented by controlling prices. All during the war and since its end labor has been urging strong price controls. Women's organizations have written many letters and adopted many resolutions urging strong price control. Labor papers have been constantly urging that we hold the price line. Professional people have been doing the same thing. Government employees, teachers, and other workers who have been on a set salary, have been urging that we hold the line on the cost of living. Now we have many businessmen joining forces to curb inflation. President Roosevelt constantly urged Congress to prevent inflation and hold down the cost of living. He was always pointing out the danger of inflation.

President Roosevelt's supporters in Congress tried to control prices, but they were not always able to maintain a majority. Sometimes a coalition, the same one that President Truman recently referred to, of Republicans and some reactionary southern poll-tax Democrats, were able to muster a majority and weaken the price-control program. This was accomplished mainly by cutting appropriations to OPA, like was done on June 17, 1944, when the House cut $4,500,000 off the OPA appropriations.

This wrecking crew, on June 27, 1945, cut $6,000,000 from OPA appropriations without rhyme or reason. The gentleman from Illinois [Mr. SABATH] offered an amendment to restore the full amount, which was defeated. I took notes of that off the record vote that defeated Mr. SABATH's amendment and saw that the Republicans stood up in a solid bloc against the amendment. That is what happened when OPA needed money to head off the black market.

The price-control program has also been hampered by weakening amendments, such as the Taft amendment, adopted in July 1943, which prevents grade labeling. Another such amendment is the Republican amendment introduced by the gentleman from New Jersey [Mr. HARTLEY] in 1944, which reads as follows:

> That no regulation, order, or price schedule issued under this act shall, after the effective date of this subsection, require any seller of goods at retail to limit his sales with reference to highest-price line offered for sale by him at any prior time.

Also on June 27, 1945, the gentleman from New York [Mr. TABER], a Republican, offered an amendment to make an additional cut from OPA funds—$1,600,000. Fortunately this amend-

ment was defeated, as were many other amendments offered by the Republicans which were intended to cripple or destroy the price-control program. A number of Republican amendments that have been adopted are very minior compared to the number that they have attempted to pass. I could enumerate such amendments at length. In fact, the CONGRESSIONAL RECORD is full of Republican speechess against OPA. It seems that every derogatory editorial they could find about OPA is in the CONGRESSIONAL RECORD. However, I guess the Republicans in Congress, in this destructive work against OPA, are only following Republican leaders of the country, because I have here a newspaper article from the Washington Post of February 3, which says:

GOP leaders in Midwest make abolition of OPA for No. 1 objective.

It says:

Republican chairman of the 12 Midwestern States today pledged themselves to campaign for immediate elimination of the OPA.

These Republican leaders are entirely out of line as to what the people of the Nation want in regard to price control. For 3 years the Republicans have been using OPA as a political target. They have been trying to appeal to the prejudices that they think the people ought to have against price control. I am glad to see that the public is taking a much more intelligent position in their attitude toward preventing inflation despite Republican propaganda to the contrary.

At the conclusion of my remarks, I am including a joint statement presented to the Special House Committee on Postwar Economic Policy and Planning by 14 different national women's organizations. These organizations represent many thousands of women throughout the country and their statement shows that they are using more rigid price control and a greater effort to prevent inflation. The Republicans have either made a bad guess or else they are deliberately trying to sabotage the administration's price-control program, hoping to reap the political benefits of its failure. I think the Republicans should have put the war effort of reconversion and the general welfare of the country ahead of politics.

I do not mean to say that OPA has not been able to do some good. I think it has done a lot of good, because if it had not been for OPA the cost of living would probably be two or three times as high as it is, judging from what happened to prices in a much shorter time in World War I, when we had no price control. But I say it is definitely Congress' fault that a better job has not been done.

If there is inefficiency in OPA it has been brought about by Congress through the efforts of the Republicans and a few antiadministration Democrats. But OPA gets the blame for it.

You will find that the present strike situation is only a ripple compared to the tempest of strikes that will prevail if the Republicans succeed in carrying out their pledge to abolish OPA.

Now I have just shown you how the high cost of living was brought about because of the Republican fight against price control, and I have shown you that this inflation is the direct cause of the present strike situation. This indisputable evidence, taken from the CONGRESSIONAL RECORD, shows that the Republicans in Congress are directly to blame for the conditions causing the present strikes.

These same forces, who are responsible for the strike condition, have been on this floor for the last several days making speeches against labor and proposing bills and amendments to crush free labor. They have been blaming labor for things they are responsible for.

This Republican travesty, known as the Case bill, has grown out of weaknesses in Congress. While the present economic conditions prevail we can no more solve our industrial disputes by crushing the workers right to strike and compelling them to submit to a lower standard of living than we could put out a fire by pouring water on the smoke.

The Congress has passed a terrible burden to the administration. The President is going to have to try to solve our present economic problems by making some basic economic changes to help until our economy is again stabilized. Our system of free collective bargaining between labor and management worked very well before inflation hit and it would work the same way again when they get rid of this inflationary period. The present condition is only temporary. And I believe that any governmental interference in any labor-management relations should be only temporary. But some of the very people who are to blame for the cause of this industrial strife are shouting the loudest to crush labor forever. The few dollars saved by the Republicans cutting down funds for OPA is now costing the Nation many millions of dollars per day. In addition to millions in inflationary costs the strikes alone are costing in wages, and so forth, nearly $20,000,000 a day.

Mr. Speaker, now to prove that the Republican fight against OPA is contrary to the wishes of the people of the United States, I ask unanimous consent to include this joint statement which was presented to the Special House Committee on Postwar Economic Policy and Planning by 14 national women's organizations:

JOINT STATEMENT PRESENTED TO THE SPECIAL HOUSE COMMITTEE ON POSTWAR ECONOMIC POLICY AND PLANNING

By the American Association of University Women, American Home Economics Association, Consumers Union of the United States, Inc., League of Women Shoppers, Inc., National Consumers League, National Council of Catholic Women, National Council of Jewish Women, National Council of Negro Women, Non-Partisan Council on Public Affairs of the A. K. Sorority, National Women's Trade Union League, Potomac Cooperative Federation, National Federation of Settlements, National League of Women Voters, and the General Federation of Women's Clubs, January 31, 1946.

THE URGENT NEED FOR IMMEDIATE EXTENSION OF PRICE AND RENT CONTROLS

This joint statement is presented in behalf of American consumers, who believe that immediate renewal by the Congress of the price- and rent-control legislation which expires on June 30 is an essential prerequisite for the Nation's successful transition to high level postwar employment, production, and national income. Our country is faced with the imminent threat of a runaway price and rent inflation, unless Congress serves notice that the line will be held by continuing price control until at least June 30, 1947, and rent control until at least June 30, 1948.

President Truman has warned the Congress and the Nation that pent-up inflationary pressures have reached the critical explosion point. Wherever there are no controls, major inflationary price advances have taken place. The prices of uncontrolled urban real estate have risen more than 50 percent since the beginning of the war. In the absence of adequate controls on speculation industrial stock prices have more than doubled since the spring of 1942.

Five months after VJ-day, the overriding economic fact is that for a considerable period to come, we face a sellers' market in consumer durable goods, clothing, and housing. Cumulative shortages will not be overcome even at high levels of production for a couple of years in consumer durables, and in housing the shortage may continue for a decade. In the face of such major and acute shortages, record-breaking demand will precipitate an inflationary explosion unless prices are held down, until the supply of scarce goods comes into approximate balance with postwar demand.

The Nation's experience after World War I underscores the pressing need for renewing and maintaining price and rent controls. Although the pent-up demand at that time was much less than today, an inflationary price advance was generated when the Government dropped all controls after the armistice. The cost of living soared and reached a peak 108 percent above the prewar level. The purchasing power of the dollar dropped to 40 cents, as 43 percent of the general price inflation and 91 percent of the rise in rents came after the war was over.

The American people have not forgotten the World War I inflation which ended in an economic crash and an acute depression. By 1920 industrial production fell 40 percent in 1 year, farm prices dropped 50 percent and the prices of manufactured goods declined 45 percent. The American people are determined that they will not again suffer the disastrous consequences of a postwar inflationary boom-and-bust cycle. That is why they support the President's appeal for the continuation of price and rent controls to keep the lid on speculative price advances.

We cannot afford to forget that the inflationary threat today is far more dangerous than it was back in 1919. The pent-up demand for civilian goods has been conservatively but incompletely estimated at $50,000,000,000, chiefly for consumer durables and housing. Everywhere on the price front ceilings are at the cracking point. Without price and rent controls, the fuse would be set for the worst inflationary explosion in our history.

More than that, unless price and rent controls are renewed as soon as possible the country will be threatened with another sellers' strike that will cripple reconversion. Last fall some manufacturers and businessmen held back goods from the market because they wanted to make windfall profits this year after the repeal of the excess-profits tax. Unless Congress immediately makes clear that price and rent controls will be renewed, there is grave danger that many manufacturers, builders and other businessmen will curb production and construction and hold back goods in anticipation of higher prices after the end of price control.

Your committee which has been studying postwar economic policy should consider the threat to the Nation, if a sellers' strike should develop in the next few months just when the largest possible expansion of civilian

production is needed. This potential danger illustrates how the transition to the peacetime economy with high levels of employment and production necessarily must be safeguarded by price and rent controls.

In fact, reconversion was hampered and inflationary pressures were increased when essential controls were dropped by the Government after VJ-day. These mistakes led to hoarding of scarce materials, to the sellers' strike and to sharp intensification of the housing shortage. The fact is that it was not the retention of wartime controls but their premature abolition that slowed down reconversion. If controls had not been removed prematurely, there would have been no basis for the sellers' strike.

The renewal and extension of price and rent controls will safeguard, not harm, reconversion. If businessmen and consumers know that the lid will be kept down on inflationary price increases, they can plan their operations and expenditures for 1946 and 1947. The businessman will know that it will pay him to get capacity operations going as quickly as possible in a sellers' market where he can sell everything he can turn out. And the consumer will purchase what he needs, and not scramble for everything in sight because the value of the dollar is going down from week to week.

It is generally agreed that the most effective defense against inflation is capacity production. But maximum output will not be attained if it will be more profitable for businessmen to hoard stocks of materials and products, because they will receive higher prices and make bigger profits further along the inflationary spiral. Business and industry are guaranteed markets for all they can produce in the next several years—if prices do not get out of control. With capacity operations, they will make the greatest profits they have ever earned. And high level production will gradually ease and dissipate the inflationary pressures that were generated during the war. At some safe point in this process, the inflationary threat will have been defeated and price controls can be abolished.

The issue, therefore, is not the abolition of price and rent controls. No one proposes that they be continued indefinitely. The real issue is to avoid inflation and that cannot be done without the continuation of price and rent controls. What has happened since VJ-day shows that we would be courting economic disaster if these controls were abolished before we were certain that the inflation threat has been definitely overcome. It will be incomparably better for the economic welfare of the Nation, if the controls are removed 6 months after they are no longer needed than 6 months too soon when there may still be danger that inflation will get out of hand.

This conclusion becomes inescapable when we examine the situation in food where the supply picture is better than in any other group of commodities or goods. Prices are pressing very hard against ceilings even in those foods where supplies are relatively ample. For example, last November OPA lifted the ceilings on fresh citrus fruits in response to appeals from the industry. Within a week or so, retail prices doubled in many communities. Here was a laboratory test proving that in the absence of a ceiling, the price of a commodity in relatively good supply will have an inflationary rise because of the abnormal conditions that now prevail in the economy.

What was true of citrus fruits would also apply to consumer durables, to clothing, to housing, to most foods. Current price ceilings are actually a floor below which prices do not fall, no matter what the available supply. Consequently, the elimination of ceilings would pave the way for major price increases of 25, 50, and 100 percent in a year. What we would have for all practical purposes would be the price conditions of a national black market, with constant upbidding of prices and the whole speculative, inflationary process legitimized by the ending of price and rent controls.

In the face of this threat to our future, with the prospect of having the peace undermined by a catastrophic depression in 1 or 2 years, theoretical arguments against price and rent controls cannot be taken seriously. It is not a question of being for or against price and rent controls. The line-up is actually for or against inflation. On the one hand, we have the overwhelming majority of our citizens against inflation and for price and rent controls. On the other hand, there are a small number of selfish interests willing to gamble with the economic health of the Nation by playing around with what they call a small dose of inflation. But inflation cannot be taken in controlled doses. Once price and rent controls are abolished prematurely, there will be a galloping inflation with disaster as its inevitable end.

Because of their critical importance, it is essential that Congress reject all efforts to emasculate price and rent controls through amendments. Consumers are especially concerned over the drive to cripple or abolish OPA's cost-absorption principle. OPA is applying this policy in line with the President's Executive Order 9599 which directed the Price Administrator "so far as reasonable, practicable and necessary" to see to it that unavoidable manufacturing price increases do not cause prices increases at later levels of distribution.

Without the principle of cost absorption, we would have price control in name only. Substantial price increases would take place in the cost of food, clothing, reconversion goods, and dozens of other cost-of-living items. Even worse, abolition of cost absorption would pyramid price increases throughout the economy, as one increase after the other would be passed along to subsequent economic levels, thus putting the inflationary spiral into motion, whether we continued to have a price-control law on the statute books or not.

A cost-plus formula as a substitute for cost absorption would simply mean a formula for legalized inflation. Price control requires holding down prices. When some unavoidable manufacturing increases can be absorbed, they must be absorbed in whole or in part as an integral part of the price-control program. But you cannot have price control unless there is partial or complete absorption of cost increases at some level of economic activity, so that the full impact is not felt by the consumer in the form of ever-higher inflationary retail price increases.

We believe your committee in its deliberations on postwar economic policy should recommend to the House of Representatives that it renew the price and rent-control legislation as soon as possible. This legislation by stabilizing the economy during the transition back to peacetime production will help us construct a solid foundation for postwar prosperity.

We believe that the price-control provisions should be extended until at least June 30, 1947. That will give business and industry about a year and a half in which to take the edge off the current abnormal demand. Along with renewal of the price-control provisions, it is essential that the Second War Powers Act be renewed until at least June 30, 1947. This act is the basis for the Government's priority and inventory controls. Without these controls, hoarding of scarce materials will block the channels of distribution, with consequent pressure on the entire price structure.

We believe that the rent-control provisions should be renewed until at least June 30, 1948. Housing is our most critical shortage and the present crisis will not be overcome in the next 2 years. Renewal of rent controls until at least June 30, 1948, will reassure our people that there will be no rent inflation. It will also stimulate housing construction if builders realize that they cannot sit out rent control in the hope that it will be ended in 6 or 12 months.

If rent control is to be effective, we must have ceilings on the prices of new and old housing. We already have a major inflation in real-estate prices. Unless it is checked at once by congressional action, spiralling housing prices will exert such pressure on the rest of the economy that the whole reconversion stabilization program will break down.

Finally, we believe that the consumer food subsidy program must be continued until at least June 30, 1947. Instead of declining after VJ-day, food prices today are at their maximum ceiling levels. If the consumer food subsidy program is not continued, the cost of food to the average family will go up about 10 percent after July 1, thus raising the over-all cost of living by 4 percent. These increases would be only the beginning of a spiral of price rises, and consumers as after World War I would face the prospect of retail food prices skyrocketing to a peak more than 125 percent above the prewar level. With the consumer subsidy program this inflationary danger could be blocked until food demand and price levels were stabilized.

We have presented our views to your committee because we believe that immediate action along the lines we have indicated is a necessary prerequisite for a successful postwar economic policy. No postwar economic program will succeed if it is not based on meeting and curbing the inflationary threat now. Your committee can render a great service to the future welfare of the Nation by requesting the House of Representatives and its appropriate committees to consider the urgent need for immediate extension of price and rent controls, the Second War Powers Act and the consumer food subsidy program, and the enactment of legislation for imposing ceilings on the prices of new and old housing.

Kathryn McHale, General Director, American Association of University Women; Lelia Massey, Executive Secretary, American Home Economics Association; Colston E. Warne, President, Consumers Union of the United States, Inc.; Katherine Armatage, Chairman, League of Women Shoppers, Inc.; Elizabeth S. Magee, General Secretary, National Consumers League; Ruth Craven, Executive Secretary, National Council of Catholic Women; Mrs. Joseph M. Welt, President, National Council of Jewish Women; Mary McLeod Bethune, President, National Council of Negro Women; Thomassina Johnson, Legislative Representative, Non-Partisan Council on Public Affairs of the A. K. A. Sorority; Elisabeth Christman, Secretary-Treasurer, National Women's Trade Union League; Helmuth F. Kern, Executive Secretary, Potomac Cooperative Federation; Mildred Gutwillig, Chairman, Consumer Interest Committee, National Federation of Settlements; Anna Lord Strauss, President, National League of Women Voters; Mrs. La Fell Dickinson, President, General Federation of Women's Clubs.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SAVAGE. I yield.

Mr. HOFFMAN. I wonder if the gentleman has ever read the hearings held by the Smith committee where representatives of several thousand CIO workers of the garment industry came down and protested because of the OPA ruling

which closed factories which were manufacturing low-price clothing of quality. They complained bitterly because of that ruling. Beyond any question, that ruling did drive low-price garments of good quality off the market and threw those men out of their jobs.

Mr. SAVAGE. I know about that ruling. I know the CIO people did come to Congress and ask that that ruling be changed because the employer had offered them a raise if they could only do that. They wanted the rule changed. They wanted the rule changed because they were the real, low-income group in the textile industry and they really did need the raise.

Mr. HOFFMAN. They needed it in order to live, did they not?

Mr. SAVAGE. That is right.

Mr. HOFFMAN. And that rule put the manufacturer out of business; so, finally, they were out of jobs.

Mr. SAVAGE. That is right. I am saying there is some inefficiency in the OPA, but I am saying also that Congress is to blame for not giving sufficient money to do a more efficient job.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SAVAGE. I yield.

Mr. HOFFMAN. I gather from your statement that you have been or now are a member of some union, and so you speak from first-hand knowledge.

Mr. SAVAGE. I have been in the past a member of several different unions.

Mr. HOFFMAN. Do those men representing the unions who announce the results of these votes, men like Reuther, and Thomas, and other officials, when the men are on strike, do they draw their compensation from the union just the same, while the workers in the plants who do not get pay checks are out?

Mr. SAVAGE. In most cases the top officials draw monthly salaries, and they do continue to draw their salaries while the workers are on strike. But in some cases I have known, where unions were short of funds, when the officials did not draw any wages. In fact, I knew one official one time, where they were on strike, where the union owed him a thousand dollars. He kept on doing the same efficient work.

Mr. HOFFMAN. Does the gentleman have any information as to the amount Mr. Reuther draws per year? Is it not true the CIO 600 in Detroit has an expense account of a thousand dollars a month for the use of one official?

Mr. SAVAGE. I do not know about that, but I do know that you can take the top three highest-paid officials which are $25,000, $20,000, and $18,000, and the three of them still receive less than one-seventh of what the president of General Motors receives per year.

Mr. HOFFMAN. General Motors, as a whole, provides quite a number of jobs—several hundred thousand, does it not?

Mr. SAVAGE. Yes.

Mr. HOFFMAN. And the presidents of these unions do not provide any jobs or control any pay rolls for industrial workers?

Mr. SAVAGE. The union officials do make jobs in this way: They help keep up the buying power of the worker so that his purchasing power helps keep the farmers prosperous, and he creates a great many jobs by his ability to buy things. The prosperity of the farmers depends upon the prosperity of the workers. It is the workers who defend and protect the American standard of living. By refusing to work for anything less than a certain wage, they set the standard. If they were to work at any price that any employer wanted to pay, any low wage, a competitor of the company would be forced to cut wages in order to keep going, and the workers' wages would be so low that they would not be able to purchase, and the farm income would go down. When you lower the standard of those two large economic groups you lower the entire national prosperity.

Mr. HOFFMAN. Will the gentleman yield further?

Mr. SAVAGE. I yield.

Mr. HOFFMAN. Conceding that philosophy, as far as it goes, to be correct, and that the farmer cannot produce without fairly good wages so that the workers can buy his products, after all, the farmers and the rest of us pay those wages, do we not?

Mr. SAVAGE. That is right. We all pay the wages for the commodity that we purchase. If you stop the purchasing power of the workers, you stop all prosperity. In fact, when we speak of labor in this sense we are talking about over 52,000,000 workers in this country at the present time. It is very conservative to say that they are connected with more than 100,000,000 people in America and including the families of this country—52,000,000 workers.

Mr. HOFFMAN. Will the gentleman yield right there? Then I will try to avoid interrupting further.

Mr. SAVAGE. I do not mind the gentleman's interrupting.

Mr. HOFFMAN. Of those 52,000,000 workers no one claims that more than 15,000,000 are organized. All the balance are unorganized. Is not that right?

Mr. SAVAGE. That is right, but usually when the organized workers better their standard of living it automatically helps the unorganized workers to raise their standard of living, too. So the organized workers in a way represent all workers.

Mr. HOFFMAN. I agree with the gentleman, but here is what is happening: We have what we may call an aristocracy of workers, for example, in steel, electrical equipment, and in General Motors. Those wages are up, way up, compared to some others. General Motors, we will say, because of its large capital can purchase machines which do the work of many, many men, but here is a smaller industry that employs maybe 10, 15, 50, or 100; that man or corporation cannot compete with General Motors, or the suppliers of General Motors. For example, I know one concern in my own district where some workers get $2.48 an hour. It is a small town, too. I know other places near there where the business just will not stand the traffic and the worker cannot get over a dollar an hour. Is it not true that when you pay these high wages in some localities to some certain trades it is putting out of business the smaller industries?

Mr. SAVAGE. It is true that some companies cannot pay as high wages as others, but the fact that there are those who can pay high wages does help to raise the ability of other companies to pay, because of additional prosperity in the Nation.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield there before he proceeds further?

Mr. SAVAGE. I yield.

Mr. HOFFMAN. The gentleman says that some of the trouble grows out of amendments to OPA.

Mr. SAVAGE. That is right.

Mr. HOFFMAN. And the gentleman is saying now that the Republicans are to blame. What I cannot get through my head is that as long as we have 435 Members in the House and the Democrats have an overwhelming majority and are responsible for what legislation comes out of here, you lay it to us.

Mr. SAVAGE. I thank the gentleman for bringing the point up.

The SPEAKER pro tempore. The time of the gentleman from Washington has expired.

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SAVAGE. Mr. Speaker, the gentleman from Michigan raises a very pertinent point there, because I had the opportunity of telling him that I do not blame his party alone. There is an occasional sprinkling on the other side, for some reason or other that helps them out. It was better brought out by President Truman a few days ago as the real cause.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SAVAGE. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Will the gentleman not concede that when, after the war, the present administration issued a statement that industry could pay 20 percent higher wages without increasing prices, that was an inducement and encouragement to labor all over the country to ask for another 20 percent increase?

Mr. SAVAGE. Yes. He was talking at the time about a specific company that he said could pay it. I do not believe anyone thinks that everyone can pay that much additional wages and not raise prices.

Mr. GAVIN. Mr. Speaker, will the gentleman yield?

Mr. SAVAGE. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. Does the gentleman think that the hold-the-line policies of the OPA are preventing inflation?

Mr. SAVAGE. I think the weakening of OPA by our action here has broken the line and it is going to be very difficult to hold the line on all the other things now. It may be absolutely necessary to see what

point we have reached now, as far as inflation is concerned, and allow some of the other things to come up to that line.

Mr. GAVIN. Is the gentleman familiar with the fact we set up $4,750,000,000 to pay subsidies to hold the line, we are not holding the line and we have inflation? The only thing we are doing is forestalling paying the bill. What are we going to do? How are we going to pay that $4,750,000,000 which we paid out in subsidies? We are asking the boys who were over there, who were doing the fighting, to come back, take off their coats, go out and earn the money to pay the taxes for that which we have already spent. That is why their policies of holding the line are not proper.

The SPEAKER pro tempore. The time of the gentleman from Washington has again expired.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that the gentleman may have five additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SAVAGE. I thank the gentleman.

Mr. HOFFMAN. There is another question I want to ask. I come from southwestern Michigan where we have some cold weather, some snow and quite a lot of unemployment. The same is true in Detroit, where it is also cold. Does the gentleman know that many of the men who were former employees of General Motors and other companies are cold, that fuel is short, that food is sometimes short in their homes. They are in a pretty hard situation up there. The gentleman realizes that, does he not?

Mr. SAVAGE. Yes, they are.

Mr. HOFFMAN. Has the gentleman any explanation why it is some of these labor leaders are down here in Florida and some of the rest of them are over in big hotels in Detroit, Washington, and New York?

They do not seem to be suffering any. I am not criticizing them. No doubt they have business there, but I was just calling the gentleman's attention, as well as others on his side who criticize the General Motors officials so much, that the steel workers have their counterpart in the labor organization, when they sleep in nice beds and have good food.

Mr. GAVIN. Mr. Speaker, will the gentleman yield?

Mr. SAVAGE. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. In paying these salaries to Wilson, who it is claimed gets $465,000—I do not know how much he pays in income taxes, but it must be terrific—I would say that 75 to 80 percent is going to income taxes. Now, if we take away that income on which he pays that enormous tax, how are we going to pay for these subsidies? Somebody has to pay the taxes. How are we going to pay this bill? Is the gentleman going to be in favor, when the Commodity Credit Corporation comes in this year for another four or five billion dollars, of continuing these subsidy payments? Those men who, by the sweat of their brows, that the gentleman is talking about, have to earn that money to pay those taxes to pay that bill. Is the gentleman going to be in favor of another five billion in subsidies, or whatever they may ask for, when the time comes in the near future?

Mr. SAVAGE. I would rather discuss the subject of wages now and take up the subsidies when they come before the House. I might say that if the President of General Motors got less salary and the workers got more—it must be remembered that the workers also pay taxes, and if they received higher wages they would pay more taxes, under the circumstances, so I do not think we would be entirely out of taxes.

Another thing, the president of General Motors receives as much pay as 197 of the employees, and that is no equality; 197 people that have families to take care of as well as the president, and there should be more nearly equal salary. I do not say they should not compensate an able man at the head of a corporation. I think they should, but 197 times as much as the employees get is a lot of money.

Mr. HOFFMAN. Mr. Speaker, will the gentleman again yield?

Mr. SAVAGE. I yield.

Mr. HOFFMAN. A short time ago the gentleman made the argument that if good wages were paid it would increase the purchasing power, of course, of the workers, and hence the prosperity of the farmers and all the rest of the people; did he not?

Mr. SAVAGE. That is right.

Mr. HOFFMAN. All right. No matter what you pay the president of General Motors, he cannot eat it, he cannot take it with him; he has to spend it or reinvest it, and if he throws a big party—I do not know if he does—but if he did, or if Mr. Ford did, he has to pay someone, and he has to pay for the food he gets, so all the money goes back into circulation, and to that extent it helps general prosperity, does it not?

Mr. SAVAGE. That is right, but awhile ago I heard the gentleman say he did not like to see whisky made due to the shortage of wheat. I agree with him. Does the gentleman not think that some of this money is spent for whisky, and if the worker had it, it would go for food and clothes?

Mr. HOFFMAN. Please do not misunderstand me. I do not care what individuals want to drink or what they drink, that is all right with me, that is their business. But what I said was that if it came to a show-down between bread and butter, and whisky, I would take the bread and butter.

Mr. SAVAGE. And I would, too.

Mr. HOFFMAN. And milk would do more good, and my farmers produce a lot of milk.

EXTENSION OF REMARKS

Mr. HOFFMAN asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mr. HARE, for 3 days, on account of important business.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 280. An act to declare a national policy on employment, production, and purchasing power, and for other purposes; and

S. 1480. An act for the relief of Charles R. Hooper.

ADJOURNMENT

Mr. SAVAGE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 7 minutes p. m.), under its previous order, the House adjourned until Monday, February 11, 1946, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1049. A letter from the Archivist of the United States, transmitting report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

1050. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to provide basic authority for the performance of certain functions and activities of the Bureau of Mines; to the Committee on Mines and Mining.

1051. A letter from the Director, Administrative Office of the United States Courts, transmitting a copy of his annual report as Director for the fiscal year, bound under one cover with the report of the 1945 meeting of the Judicial Conference of Senior Circuit Judges, which precedes it; to the Committee on the Judiciary.

1052. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to provide basic authority for the performance of certain functions and activities of the National Park Service; to the Committee on the Public Lands.

1053. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $883,000 for the Federal Works Agency (H. Doc. No. 457); to the Committee on Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MARCANTONIO: Committee on Interstate and Foreign Commerce. H. R. 5117. A bill to amend title V of the Communications Act of 1934 so as to prohibit certain coercive practices affecting radio broadcasting (Rept. No. 1508, pt. II). Ordered to be printed.

Mr. HESS: Committee on Naval Affairs. H. R. 5121. A bill authorizing the Secretary of the Navy in his discretion to deliver to the custody of the State of Arkansas the silver service presented to the United States for the battleship *Arkansas*; without amendment (Rept. No. 1531). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. MORRISON: Committee on Claims. S. 323. An act for the relief of Thomas F. Gray; without amendment (Rept. No. 1532). Referred to the Committee of the Whole House.

Mr. MORRISON: Committee on Claims. S. 400. An act for the relief of Elisabeth Andersen; without amendment (Rept. No. 1533). Referred to the Committee of the Whole House.

Mr. MORRISON: Committee on Claims. S. 683. An act for the relief of Mrs. Marie Nepple, as executrix of the estate of Earl W. Nepple, deceased, and Mrs. Marie Nepple, individually; without amendment (Rept. No. 1534). Referred to the Committee of the Whole House.

Mr. MORRISON: Committee on Claims. S. 1400. An act for the relief of Robert R. Rowe, Jr.; without amendment (Rept. No. 1535). Referred to the Committee of the Whole House.

Mr. MORRISON: Committee on Claims. S. 1423. An act for the relief of Charles L. Phillips; without amendment (Rept. No. 1536). Referred to the Committee of the Whole House.

Mr. MORRISON: Committee on Claims. S. 1588. An act for the relief of Mrs. Lona Wilson; without amendment (Rept. No. 1537). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 210. A bill for the relief of Jack Williams and Mrs. Lora Sally Williams; with amendment (Rept. No. 1538). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 238. A bill for the relief of William M. Silk and Henrietta Silk; with amendment (Rept. No. 1539). Referred to the Committee of the Whole House.

Mr. HEDRICK: Committee on Claims. H. R. 1269. A bill for the relief of Virge McClure; with amendment (Rept. No. 1540). Referred to the Committee of the Whole House.

Mr. BARRETT of Pennsylvania: Committee on Claims. H. R. 1850. A bill for the relief of Louise Zerweck; with amendment (Rept. No. 1541). Referred to the Committee of the Whole House.

Mr. BARRETT of Pennsylvania: Committee on Claims. H. R. 2288. A bill for the relief of Columbus Thomas; with amendment (Rept. No. 1542). Referred to the Committee of the Whole House.

Mr. BARRETT of Pennsylvania: Committee on Claims. H. R. 2813. A bill for the relief of J. W. Greenwood, Jr.; without amendment (Rept. No. 1543). Referred to the Committee of the Whole House.

Mr. COMBS: Committee on Claims. H. R. 3513. A bill for the relief of Braxton B. Folmar, William Ernest Evans, Joseph Thomas Avery, and Roger H. Phillips; with amendment (Rept. No. 1544). Referred to the Committee of the Whole House.

Mr. MORRISON: Committee on Claims. H. R. 3523. A bill for the relief of Sam Damico and Clint Hamm, operating as the D and H Grocery; without amendment (Rept. No. 1545). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on Claims. H. R. 3525. A bill for the relief of Owen Young; with amendment (Rept. No. 1546). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 4056. A bill for the relief of Mrs. Jud Hendry and her daughter, Gladys Hendry; without amendment (Rept. No. 1547). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on Claims. H. R. 4121. A bill for the relief of Augusta Board of Education; with amendment (Rept. No. 1548). Referred to the Committee of the Whole House.

Mr. STIGLER: Committee on Claims. H. R. 4297. A bill for the relief of Joseph Schell; with amendment (Rept. No. 1549). Referred to the Committee of the Whole House.

Mr. STIGLER: Committee on Claims. H. R. 4300. A bill for the relief of the county of Hawaii, T. H.; with amendments (Rept. No. 1550.) Referred to the Committee of the Whole House.

Mr. STIGLER: Committee on Claims. H. R. 4545. A bill for the relief of George Leslie Dobson; with amendment (Rept. No. 1551). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. H. CARL ANDERSEN:

H. R. 5424. A bill to prohibit the exportation of logs, lumber, and certain lumber products until the housing and other construction requirements for lumber are being currently met; to the Committee on Ways and Means.

By Mr. SADOWSKI:

H. R. 5425. A bill to release married men from the armed services; to the Committee on Military Affairs.

By Mr. VINSON:

H. R. 5426. A bill to provide for the training of officers for the naval service, and for other purposes; to the Committee on Naval Affairs.

By Mr. HAGEN:

H. R. 5427. A bill providing that all domestic air mail be transmitted at the same rate for each ounce or fraction thereof; to the Committee on the Post Office and Post Roads.

By Mr. KUNKEL:

H. R. 5428. A bill to increase the monthly family allowances paid under the Servicemen's Dependents Allowance Act of 1942, as amended; to the Committee on Military Affairs.

By Mr. MILLER of California:

H. R. 5429. A bill to amend the Immigration Act of 1924; to the Committee on Immigration and Naturalization.

By Mr. O'BRIEN of Michigan:

H. R. 5430. A bill to amend the act of July 6, 1945, relating to the classification and compensation of employees of the postal service, so as to provide proper compensation to supervisors in the largest post offices and in other postal services; to the Committee on the Post Office and Post Roads.

By Mr. SIKES:

H. R. 5431. A bill to further the development and maintenance of an adequate and well-balanced American merchant marine, to promote the commerce of the United States, to aid in the national defense, to repeal certain former legislation, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

H. R. 5432. A bill to provide for Federal aid to the several States in carrying out plans for industrial rehabilitation in the counties thereof; to the Committee on Ways and Means.

By Mr. MAY:

H. R. 5433. A bill to amend section 540 of title 10 and section 441 (a) of title 34 of the United States Code providing for the detail of United States military and naval missions to foreign governments; to the Committee on Military Affairs.

By Mr. MURDOCK:

H. R. 5434. A bill reauthorizing the Gila Federal reclamation project, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. DE LACY:

H. R. 5435. A bill to extend pensions and other benefits to those serving during the war with Spain, the Philippine Insurrection, or the China Relief Expedition to those serving in the United States revenue cutter service, and for other purposes; to the Committee on Pensions.

By Mr. CANNON of Missouri:

H. J. Res. 316. Joint resolution making an additional appropriation for the fiscal year 1946 for readjustment benefits, Veterans' Administration; to the Committee on Appropriations.

By Mr. GEELAN:

H. Res. 514. Resolution proposing methods for maintaining and preserving peace and at the same time eliminating compulsory military service from the policies and practices of all nations; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, relative to the use of the aircraft carrier *Saratoga* as a national shrine or its assignment for some other useful purpose in the San Francisco Bay area; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHELF:

H. R. 5436. A bill for the relief of Leslie H. Ashlock; to the Committee on Claims.

By Mr. FALLON:

H. R. 5437. A bill for the relief of Charles L. Wallace; to the Committee on Claims.

By Mr. MORRISON:

H. R. 5438. A bill for the relief of Maurice T. Sharp; to the Committee on Claims.

By Mr. McMILLAN of South Carolina:

H. R. 5439. A bill for the relief of Thomas W. Williamson, Sr.; to the Committee on Claims.

By Mr. PRICE of Florida:

H. R. 5440. A bill for the relief of George Ledford, Sr.; to the Committee on Claims.

By Mr. WEST:

H. R. 5441. A bill for the relief of Mrs. Josephine Wagnon Walker; to the Committee on Claims.

By Mr. WINSTEAD:

H. R. 5442. A bill for the relief of Frank L. Armistead; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1538. By Mr. GRAHAM: Two petitions containing the names of 200 Pennsylvania Railroad employees, in support of House bill 1737, the Railroad Pension Act; to the Committee on Interstate and Foreign Commerce.

1539. By Mr. SMITH of Wisconsin: Petition of members of faculty of the Lincoln School, Racine, Wis., favoring continuance of the present OPA program; to the Committee on Banking and Currency.

1540. By the SPEAKER: Petition of Local Union 112, United Construction Workers, United Mine Workers of America, A. F. of L., petitioning consideration of their resolution with reference to their opposition to all legislation designed to curb or curtail the activities of local unions; to the Committee on Labor.

1541. Also, petition of Local Union 178, United Construction Workers, United Mine

Workers of America, A. F. of L., petitioning consideration of their resolution with reference to their opposition to all antilabor and antiunion legislation; to the Committee on Labor.

1542. Also, petition of the executive committee of the Catholic State League of Texas, petitioning consideration of their resolution with reference to the reestablishment of postal service between this country and our former enemies; to the Committee on the Post Office and Post Roads.

SENATE

SATURDAY, FEBRUARY 9, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou who dost lift up our hearts to visions of a larger good:

"The world is weary of its pain
Of selfish greed and fruitless gain,
Of tarnished honor, falsely strong,
And all its ancient deeds of wrong.

"Almighty Father, who dost give
The gift of life to all who live,
Look down on all earth's sin and strife
And lift us to a nobler life."

In the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, February 8, 1946, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On February 8, 1946:

S. 1590. An act to authorize the President to appoint Graves Blanchard Erskine, major general, United States Marine Corps, to the office of Retraining and Reemployment Administrator, without affecting his service status and perquisites.

On February 9, 1946:

S. 1467. An act to provide for adjustment between the proper appropriations of unpaid balances in the pay accounts of naval personnel on the last day of each fiscal year, and for other purposes.

READING OF WASHINGTON'S FAREWELL ADDRESS

The PRESIDENT pro tempore. Under the authority of the order of the Senate of January 24, 1901, the Chair designates the Senator from New Mexico [Mr. CHAVEZ] to read Washington's Farewell Address to the Senate on February 22 next.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Perry, one of its clerks, announced that the House had passed without amendment the joint resolution (S. J. Res. 105) to provide for proceeding with certain rivers and harbors projects heretofore authorized to be prosecuted after the termination of the war.

The message also announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 1118. An act to amend the Hatch Act; and

H. J. Res. 316. Joint resolution making an additional appropriation for the fiscal year 1946 for readjustment benefits, Veterans' Administration.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

BOARD OF VISITORS TO UNITED STATES MILITARY ACADEMY

The PRESIDENT pro tempore laid before the Senate a letter from the chairman of the Committee on Military Affairs (Mr. THOMAS of Utah), which was ordered to lie on the table and to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON MILITARY AFFAIRS,
February 9, 1946.

Hon. KENNETH MCKELLAR,
President pro tempore,
United States Senate,
Washington, D. C.

DEAR SENATOR MCKELLAR: In accordance with law, I wish to submit the names of the following Senators as representatives of the Senate Military Affairs Committee on the Board of Visitors to the United States Military Academy for 1946: TOM STEWART, BURNET R. MAYBANK, FRANK P. BRIGGS, THOMAS C. HART, and H. ALEXANDER SMITH.

Most sincerely,

ELBERT D. THOMAS.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on February 8, 1946, he presented to the President of the United States the following enrolled bills:

S. 380. An act to declare a national policy on employment, production, and purchasing power, and for other purposes; and

S. 1480. An act for the relief of Charles R. Hooper.

PETITION AND MEMORIAL

A petition and a memorial were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A memorial of the Reno (Nev.) Detachment of the Marine Corps League, remonstrating against the proposed merger of the Army and Navy; to the Committee on Military Affairs.

By Mr. DOWNEY:

A joint resolution of the Legislature of the State of California; to the Committee on Naval Affairs:

"Assembly Joint Resolution 13

"Joint resolution relative to the use of the aircraft carrier *Saratoga* as a national shrine or its assignment for some other useful purpose in the San Francisco Bay area

"Whereas the Navy Department has announced that the historic aircraft carrier *Saratoga* is to be inactivated and utilized with other designated naval vessels in atomic bombing experiments by the United States Government; and

"Whereas the *Saratoga*, throughout the recent war, operated in the Pacific with San Francisco as her continental home port; and

"Whereas this gallant warship has a remarkable war record, including participation in the battles of Guadalcanal, the Solomons, Bougainville, Tarawa, the Marshalls, Rabaul, Iwo Jima, and many others, as well as using its planes for successful air raids on Tokyo and enemy installations in various parts of the Pacific; and

"Whereas the *Saratoga* was credited officially with the destruction or disabling of several enemy cruisers, destroyers, and other warcraft that helped insure safe landings for our armed forces on enemy-held territory; and

"Whereas th San Francisco Call-Bulletin and the people of San Francisco have launched a drive to save this great aircraft carrier from destruction, even for scientific research, and to convert it into a national shrine or make it available for naval training purposes or other useful objectives in San Francisco Bay; and

"Whereas the designation of the vessel for such purposes would be a memorial to the men who served on the *Saratoga* and sacrificed their lives in action on her, as well as an honor to those members of the armed forces who served aboard her during the recent war: Now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California (jointly)*, That the President of the United States and the Secretary of the Navy are respectfully requested to withdraw the aircraft carrier *Saratoga* from the list of warships scheduled for destruction in the contemplated atomic bombing experiments, pending arrangements that are being made by the people of San Francisco to perpetuate the vessel as a national shrine, or its assignment for some other useful purpose in the San Francisco Bay area; and be it further

"*Resolved*, That the chief clerk of the assembly is directed to transmit copies of this resolution by air mail to the President of the United States, the Secretary of the Navy, the President pro tempore of the Senate of the United States, the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

REPORT OF A COMMITTEE

Mr. MCKELLAR, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 4652) to provide credit for past service to substitute employees of the postal service when appointed to regular positions; to extend annual and sick leave benefits to war service indefinite substitute employees; to fix the rate of compensation for temporary substitute rural carriers serving in the place of regular carriers in the armed forces; and for other purposes, reported it with amendments and submitted a report (No. 927) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Oklahoma:

S. 1816. A bill to authorize the return of the Grand River Dam project to the Grand River Dam Authority and the adjustment and settlement of accounts between the Authority and the United States, and for other purposes; to the Committee on Commerce.

By Mr. LANGER:

S. 1817. A bill to provide for hospitalization and treatment of veterans in nongovernmental hospitals; to the Committee on Finance.

S. 1818. A bill to amend the Civil Service Retirement Act, approved May 29, 1930, as

amended, so as to make such act applicable to officers and employees of national farm-loan associations; to the Committee on Civil Service.

(Mr. LANGER also introduced Senate bill 1819, to amend the Rural Electrification Act of 1936, as amended, so as to authorize the making of loans for the purpose of financing individual electric plants, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

By Mr. LANGER:

S. 1820. A bill providing for increased pay for personnel of the Navy, Marine Corps, and Coast Guard who incurred combat injuries; to the Committee on Naval Affairs.

By Mr. MEAD:

S. 1821. A bill to amend section 502 of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, so as to authorize the appropriation of funds necessary to provide an additional 100,000 temporary housing units for distressed families of servicemen and for veterans and their families; to the Committee on Education and Labor.

By Mr. WILLIS:

S. 1822. A bill to extend Letters Patent No. 1,734,445; to the Committee on Patents.

By Mr. JOHNSON of Colorado:

S. 1823. A bill to provide for continuing the reemployment rights of veterans under the Selective Training and Service Act of 1940, as amended, and for other purposes; to the Committee on Military Affairs.

S. 1824. A bill to provide temporarily for the development and control of atomic energy; to the Special Committee on Atomic Energy.

(Mr. MORSE introduced Senate Joint Resolution 141, authorizing the President to proclaim April 19, 1946, as Students and Teachers Day in commemoration of their contributions in helping to bring about victory in the present war, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

PROPOSED LOANS TO FARMERS TO FINANCE INDIVIDUAL ELECTRIC PLANTS

Mr. LANGER. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to amend the Rural Electrification Act of 1936, as amended, so as to authorize the making of loans for the purpose of financing individual electric light plants.

I may state what the purpose of this bill is. Sometimes a farmer is many miles away from a transmission line and it is cheaper to loan him the money so that he can build a wind charger or engine-driven generating plant rather than to extend the transmission line.

There being no objection, the bill (S. 1819) to amend the Rural Electrification Act of 1936, as amended, so as to authorize the making of loans for the purpose of financing individual electric plants, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred as indicated:

H. R. 1118. An act to amend the Hatch Act; to the Committee on Privileges and Elections.

H. J. Res. 316. Joint resolution making an additional appropriation for the fiscal year 1946 for readjustment benefits, Veterans' Administration; to the Committee on Appropriations.

RETIREMENT OF CERTAIN OFFICERS AND ENLISTED MEN OF THE NAVY, MARINE CORPS, AND COAST GUARD—CONFERENCE REPORT

Mr. WALSH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1405) to authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 3, 5, 6, and 7.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 4, 8, 9, 10, and 11, and agree to the same.

DAVID I. WALSH,
MILLARD E. TYDINGS,
CHARLES W. TOBEY,
Managers on the Part of the Senate.

CARL VINSON,
P. H. DREWRY,
W. STERLING COLE,
Managers on the Part of the House.

The report was agreed to.

NATION-WIDE MAPPING PROGRAM—EXCERPT FROM ADDRESS BY SENATOR CARVILLE

[Mr. CARVILLE asked and obtained leave to have printed in the RECORD an editorial entitled "Nation-wide Mapping Program Should Be Encouraged," published in the October 1945 edition of Surveying and Mapping, embodying an excerpt from an address delivered by Senator CARVILLE, then Governor of Nevada, at the Conference of State Governors at Mackinac Island, Mich., July 3, 1945, which appears in the Appendix.]

ADDRESS BY ATTORNEY GENERAL CLARK AT MEETING OF TENNESSEE STATE BAR ASSOCIATION

[Mr. STEWART asked and obtained leave to have printed in the RECORD an address delivered by Hon. Tom Clark, Attorney General of the United States, at a session of the Tennessee State Bar Association at Knoxville, Tenn., on November 1, 1945, which appears in the Appendix.]

RELIGION, COMMON SENSE, AND THE RACE QUESTION—ADDRESS BY REV. A. POWELL DAVIES

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address on religion, common sense, and the race question, delivered by Rev. A. Powell Davies, pastor of All Souls Church, Washington, D. C., January 13, 1946, which appears in the Appendix.]

FARMERS CONDEMN STRIKES IN ESSENTIAL INDUSTRIES

[Mr. MOORE asked and obtained leave to have printed in the RECORD an editorial entitled "Grady County Farm Revolt," published in the Daily Oklahoman of January 29, 1946, which appears in the Appendix.]

CORRECTION

Mr. HATCH. Mr. President, it is not often that I have occasion to correct the representatives of the press who occupy the Press Gallery here in the Senate. Often I marvel at the accuracy of the stories they daily write of the doings in the Senate. Even though there might be some discrepancy or error, so far as I am concerned I would ordinarily overlook it. But a story appears under the signature of the United Press, which was published in today's issue of the Washington Daily News, concerning the debate on yesterday. The story is manifestly incorrect. I am sure that it is the result of a typographical error, but I wish to correct the statement. The part of the story to which I refer reads as follows:

Senator HATCH, Democrat, New Mexico, also spoke against FEPC, borrowing some time from Senator ELLENDER, Democrat, Louisiana, who technically has held the floor since Wednesday.

That is correct. I did borrow time from the Senator from Louisiana, for which I thanked him then, even as I am borrowing time from him now, for which I thank him again.

The story continues:

HATCH completely ignored plans for killing FEPC. He kept referring to FEPC defects which he planned to take up in the "middle" part of his speech "next week."

Mr. President, I made no such statement. I have no intention of making a speech either at the first, the middle, or the latter part of the week.

He has been citing figures to show northern Negroes commit more crimes than southern Negroes.

I made no such statement as that. I cited no figures whatever on that phase of the question, and I have no information about it. Manifestly the reference is to the speech of the Senator from Louisiana [Mr. ELLENDER]. Perhaps the Senator said something about making a speech next week.

Mr. ELLENDER. I did.

Mr. HATCH. It is apparent, then, that the story is correct, except that it contains the name "Senator HATCH" instead of "Senator ELLENDER."

Mr. ELLENDER. The Senator should not mind a little mistake like that.

Mr. HATCH. I do not mind it; but not having made that statement, I wished to have the record corrected.

FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed the consideration of the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry.

The PRESIDENT pro tempore. The Senator from Louisiana [Mr. ELLENDER] has the floor.

Mr. TAFT. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield to the Senator from Ohio.

Mr. TAFT. Mr. President, my views on the Fair Employment Practice Commission bill were stated by me in the Senate on February 5, 1945. I have not changed those views, but I feel that in the present situation I should restate them to the Senate, and also my position on the question of cloture which will arise this afternoon at 4 o'clock.

Mr. President, it has seemed to me that there is a substantial discrimination in the United States against the employment of Negroes. I have seen it in Ohio cities and I believe the same condition exists in other cities. When a depression occurs the Negroes are likely to be the first to be laid off, and when employment comes back they are the last

to be put on. I believe that discrimination does exist and that it is a serious problem which we should consider. I believe that it exists probably to a greater extent in the northern cities than it does in the southern cities. It is a problem, however, which does concern all sections of the United States.

Of course, the failure to obtain employment or the fact that there is discrimination in employment and that Negroes find it more difficult to get jobs is not the only cause of the condition in which they find themselves; but today it is a matter of great concern because in our dealing with the housing problem, in our dealing with health, in our dealing with relief, in our dealing with crime, as pointed out by the Senator from Louisiana, we find that the greatest part of our problem relates to the condition of the Negroes, certainly in the northern cities, and I think also in the South. They have the lowest income of any group; they have a much lower average income than the white people have.

Of course, discrimination in employment is not the only cause of that condition. It also results from an inequality in the education of many of them in the various States, and it results, of course, from the lack of family background, the lack of position acquired by their families in the communities in which they live, and to other causes. But, nevertheless, discrimination in employment is one of the causes which brings about the condition which we have to meet in nearly all parts of the United States.

The question has been raised in the debate as to whether the Federal Government should properly concern itself with this problem. It was raised particularly by the distinguished Senator from New Mexico [Mr. HATCH]. I believe that it is a problem in which the Federal Government should concern itself. The thirteenth, fourteenth, and fifteenth amendments to the Constitution are concerns of the Federal Government.

Furthermore, the Federal Government more and more has had to concern itself with health, education, housing, and relief throughout the United States.

It seems to me that a problem so serious as this is a concern of the Federal Government, particularly insofar as it relates to interstate commerce and employment in interstate commerce, which is made by the Constitution the concern of the Federal Government.

The Federal Government has concerned itself with child labor. It has concerned itself with labor conditions in all interstate relationships, and by the wage-hour law has extended that interest to employment in many industries throughout the United States.

If the Federal Government is going to concern itself with the problem of discrimination against Negroes in employment, how should it do so? In my opinion, it should do so by appointing a commission which would constantly concern itself with methods by which those conditions should be relieved. I believe such a commission should operate on a voluntary basis and not on a force basis.

At the time I made the statement on February 5, 1945, I introduced a bill, which is known as S. 459, and which embodies the method which I believe would be effective. It sets up a Commission, and directs the Commission to study the problem in every community in the United States. Is there discrimination in a particular city against Negroes, or is there not discrimination? What number of Negro jobs are there? Is that a proper proportion? If every white man is employed, are all the Negroes employed? Is the character of the work which the Negroes perform equal to the capacity which they may have? Such problems require a detailed study, and the Commission would make that kind of a study.

When the Commission determines that in any city there is a condition under which Negroes are discriminated against, I believe the Commission should formulate a plan designed to eliminate the discrimination and to provide for the creation of more jobs for which Negroes may be available.

I do not believe the Commission should necessarily study individual discrimination, or say that one particular man does not like Negroes, so he does not employ them, while others do. I believe the Commission should make a general plan, and should call in all the employers in the city and all the leaders of the city, and say, "Here is a problem. How are you going to work it out? How many of you can increase the number of jobs for Negroes? How many of you will help in working out a plan?"

If they run up against a stone wall in some fields, it is better for them to go around it than by main force to beat down human prejudices which have existed from the beginning of time, and are likely to continue to exist.

I believe that during the war the Fair Employment Practice Committee succeeded in removing a good deal of prejudice, and in increasing the amount and character of Negro employment in a great many cities throughout the North. I believe they have shown that progress can be made by voluntary, persuasive methods by educating people to the employment of Negroes in jobs from which formerly they may have been excluded. I believe the record shows the committee has made a success.

I may say that, in my opinion, the bill which I introduced carried out exactly the pledge of the Republican platform. I was chairman of the committee on resolutions at the Republican National Convention held in Chicago in 1944. The matter was argued in the committee. There was in existence a Fair Employment Practice Committee, but it had no power, not a semblance of the powers contained in the Chavez bill, which is now pending before this body. It was a committee which operated largely on a voluntary basis, by education, and it had been successful. We put into the platform merely the proposal that that temporary Fair Employment Practice Committee should be made permanent.

In war, of course, when the Government made many contracts, the Committee had more power than it would have in time of peace. It had some enforcement powers, but in substance it operated on a voluntary basis, and the declaration in the Republican platform, in my opinion, meant the continuation of that kind of a commission, and making it permanent.

The pending bill may have been introduced before, but I certainly never saw it until after the Republican convention in 1944, and I stated in February of last year, my unalterable opposition to the methods proposed in the bill to deal with this question.

The bill is based primarily on the procedure of the National Labor Relations Act. It creates a Fair Employment Practice Commission like the Fair Labor Practice Board under the National Labor Relations Act. I think that is a most unfortunate method for enforcing any law. I think it gives arbitrary and unlimited power to a group of men who are practically unrestrained by any consideration, and may be governed by whatever prejudices they may have, and it gives complete power over all employment by employers throughout the United States.

In 1940, as I recall, I sat through the hearings on the National Labor Relations Act, which created very much the same machinery as is now proposed. When the hearings had been concluded I was convinced that more outrages against justice had occurred through the administration of that procedure than had ever occurred in the United States under any similar condition. The Board set up was practically able to act as a crusader. They regarded themselves as crusaders to put a CIO union in every plant in the United States. They went so far that President Roosevelt himself finally replaced the entire personnel of the Board. The method proposed was, in my opinion, subject to serious and dangerous abuse.

In the case we are considering the proposal goes even further than the National Labor Relations Act, because it covers every phase of employment, every individual case. Every man who applies for employment is a different case, and it is necessary to analyze the employer's motives, as to whether he did not like the man's looks—perhaps, though, he had too "cocky" a look—or whether the refusal to employ him had some connection with his race or national origin.

The whole thing rests on the determination of a vague fact which cannot be determined, but which the Board is given arbitrary power to determine, with practically no appeal provided to a court on the question which the Commission may have in mind, although it is one, I have said, which I think has to be decided largely on the prejudices of the man who hears the case.

I believe that the bill as framed and introduced would absolutely bring about a complete regimentation of all employers in the United States and all employment in the United States. So I stated to the representatives of the Negroes who came to see me a year ago that under no circumstances would I support the bill. I said that it violated every principle I had declared as a Republican in the speeches I had made on the general subject of the regulation of business and the extension of the arbitrary power of the Government.

Mr. President, at that time I prepared a bill, Senate 459, which I introduced. If the cloture motion shall be adopted, I intend to urge upon the Senate the adoption of that bill as an amendment, and I shall offer it as an amendment at the close of my remarks.

On the question of cloture, however, which will be decided this afternoon at 4 o'clock, I believe very strongly indeed in rule XXII, and the power of the Senate to invoke cloture as a necessary instrument if we are to continue as a functioning body of the United States Congress. I feel as strongly as I can that we cannot permit an indefinite filibuster to prevent action by the Senate on the pending measure. If it can be done in connection with this measure, it can be done in the case of other measures.

I have stated, since before the time I was elected to the Senate, that after there had been afforded a reasonable opportunity for full debate, I would vote for cloture on any bill, whether I approved the bill or not, because I believe very strongly that the Senate has the right—certainly two-thirds of the Senate have the right—to consider any measure which may properly be before it.

I have the highest respect for the distinguished minority leader, the senior Senator from Maine [Mr. WHITE], but I cannot agree with the statement he made 2 days ago to the effect that, if I vote for cloture, in practical effect I give my approval to a bill which is unconstitutional and unwise. I do not think that by voting for cloture I in any way give approval to the bill which is before the Senate. That bill will be open to amendment. Many amendments have been suggested. I intend to urge upon the Senate the adoption of my substitute. But unless the bill can come before the Senate, there is no way that that amendment can even be considered.

It has been said that perhaps the cloture petition was filed a little too soon. The cloture petition was filed because we were unable to debate the bill, by reason of the procedure adopted which tied up proceedings by a motion to amend the Journal.

Mr. President, when a Senator who is as conscientious and wise as is the Senator from Maine disagrees with me and cannot vote for cloture because a particular bill, unamended, is unsatisfactory or is unconstitutional, it only shows that the advocates of this bill, the radical wing of the Negro movement of the United States, if you please, have made the greatest tactical mistake they could have made in forcing what I also consider to be an unconstitutional and unwise bill as the issue in this transaction. Yet they have been utterly unwilling to compromise in any way or support the bill which I suggested, or, so far as I know, any other amendment. Nevertheless, I think the Senator from Maine is incorrect. I believe that all those who think a bill should be passed, or even those who think a bill should not be passed, ought to be willing, after 3 weeks or 4 weeks debate, to vote for cloture to bring the bill before the Senate so that it may act on the subject matter, so that it may act on the amendments which have been offered.

Mr. President, I now offer my amendment, and ask unanimous consent that it may be printed in the RECORD, and that it be considered as presented and read under rule XXII, and as being in compliance with that rule.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment intended to be proposed by Mr. TAFT to the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, was received, ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

Strike out all of the bill after the enacting clause except section 17, and insert:

"SEC. 1. The Congress hereby finds and declares—

"(a) That the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of race, creed, or color is contrary to the principles of freedom and equality of opportunity upon which this Nation is built, is incompatible with the provisions of the Constitution, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production and defense, and burdens, hinders, and obstructs commerce.

"(b) That it is the policy of the United States to bring about the elimination of discrimination because of race, creed, or color in all employment relations which fall within the jurisdiction or control of the Federal Government.

"SEC. 2. (a) There is hereby created a commission to be known as the Fair Employment Practice Commission (hereinafter referred to as the 'Commission'), which shall be composed of five members who shall be appointed by the President, by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of 1 year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years, and one for a term of 5 years, but their successors shall be appointed for terms of 5 years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as Chairman of the Commission. Any member of the Commission may be removed by the President upon notice and hearing for neglect of duty of malfeasance in office, but for no other cause.

"(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission and three members of the Commission shall at all times constitute a quorum.

"(c) The Commission shall have an official seal which shall be judicially noticed.

"(d) Each member of the Commission shall receive a salary at the rate of $10,000 a year, and shall not engage in any other business, vocation, or employment.

"(e) When three members of the Commission have qualified and taken office, the Committee on Fair Employment Practice established by Executive Order No. 9346 of May 27, 1943, shall cease to exist. All employees of the said Committee shall then be transferred to and become employees of the Commission, and all records, papers, and property of the Committee shall then pass into the possession of the Commission.

"(f) The principal office of the Commission shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place and may establish such regional offices as it deems necessary. The Commission may, by one or more of its members or by such agents or agencies as it may designate, conduct any investigation, proceeding, or hearing necessary to its functions in any part of the United States.

"(g) The Commission shall have power—

"(1) to appoint such officers and employees as it deems necessary to assist it in the performance of its functions;

"(2) to cooperate with or utilize regional, State, local, and other agencies and to utilize voluntary and uncompensated services;

"(3) to pay to witnesses whose depositions are taken or who are summoned before the Commission or any of its agents or agencies the same witness and mileage fees as are paid to witnesses in the courts of the United States;

"(4) to issue, from time to time, such regulations as it deems necessary to regulate its own procedure and the appearance of persons before it, and to amend or rescind, from time to time, any such regulation whenever it deems such amendment or rescission necessary to carry out the provisions of this act;

"(5) to serve process or other papers of the Commission, either personally, by registered mail, or by leaving a copy at the principal office or place of business of the person to be served; and

"(6) to make such technical studies as are appropriate to effectuate the purposes and policies of this act and to make the results of such studies available to interested Government and nongovernmental agencies.

"SEC. 3. (a) It shall be the duty of the Commission to bring about the removal of discrimination in regard to hire, or tenure, terms, or conditions of employment, or union membership, because of race, creed, or color—

"(1) by making comprehensive studies of such discrimination in different metropolitan districts and sections of the country and of the effect of such discrimination, and of the best methods of eliminating it;

"(2) by formulating, in cooperation with other interested public and private agencies, comprehensive plans for the elimination of such discrimination, as rapidly as possible, in regions or areas where such discrimination is prevalent;

"(3) by publishing and disseminating reports and other information relating to such discrimination and to ways and means for eliminating it;

"(4) by conferring, cooperating with, and furnishing technical assistance to employers, labor unions, and other private and public agencies in formulating and executing policies and programs for the elimination of such discrimination;

"(5) by receiving and investigating complaints charging any such discrimination and by investigating other cases where it has reason to believe that any such discrimination is practiced; and

"(6) by making specific and detailed recommendations to the interested parties in any such case as to ways and means for the elimination of any such discrimination.

"(b) The Commission shall at the close of each fiscal year report to the Congress and to the President describing in detail the investigations, proceedings, and hearings it has conducted and their outcome, the decisions it has rendered, and the other work performed by it, and shall make such recommendations for further legislation as may appear desirable. The Commission may make such other recommendations to the President or any Federal agency as it deems necessary or appropriate to effectuate the purposes and policies of this act.

"SEC. 4. (a) For the purpose of all investigations, proceedings, or hearings which the Commission deems necessary or proper for the exercise of the powers vested in it by this act, the Commission, or its authorized agents or agencies, shall at all reasonable times have the right to examine or copy any evidence of any person relating to any such investigation, proceeding, or hearing.

"(b) Any member of the Commission shall have power to issue subpenas requiring the

attendance and testimony of witnesses and the production of any evidence relating to any investigation, proceeding, or hearing before the Commission, its member, agent, or agency conducting such investigation, proceeding, or hearing.

"(c) Any member of the Commission, or any agent or agency designated by the Commission for such purposes, may administer oaths, examine witnesses, receive evidence, and conduct investigations, proceedings, or hearings.

"(d) Such attendance of witnesses and the production of such evidence may be required, from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

"(e) In case of contumacy or refusal to obey a subpena issued to any person under this act, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the investigation, proceeding, or hearing is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony relating to the investigation, proceeding, or hearing; any failure to obey such order of the court may be punished by it as a contempt thereof.

"(f) No person shall be excused from attending and testifying or from producing documentary or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

"SEC. 5. The Commission shall make a study and investigation of discrimination in regard to hire, or tenure, terms, or conditions of employment, in the departments and agencies of the Federal Government because of race, creed, or color, and shall recommend to the Congress a specific plan to eliminate it and such legislation as it deems necessary to eliminate it.

"SEC. 6. Any person who shall willfully resist, impede, or interfere with, any member of the Commission or any of its agents or agencies in the performance of duties pursuant to this act shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both."

Mr. TAFT. Mr. President, I feel very strongly that this amendment is the proper way to improve the condition of the Negro. I feel that the Chavez bill, unless amended, will do the Negro far more harm than it will do him good. I feel very strongly, therefore, that when this matter is considered by the Senate, the type of approach provided by my amendment should be the solution to what I think is a serious and extremely dangerous problem in the United States of America.

Mr. BARKLEY. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield to the Senator from Kentucky.

Mr. BARKLEY. I wish very briefly to discuss the pending matter because I am supporting the legislation and I intend to vote for the cloture petition, and, therefore, I wish, if for no other purpose, for the record, in order that that record may be clear, so far as I am individually concerned, to occupy the time of the Senate very briefly before the vote on the cloture motion is taken.

I think every Member of this body, or of any other legislative body, who supports or opposes controversial legislation, owes it to himself and to the body of which he is a member, as well as to those who have honored him with membership, to give the reasons that impel him to support or oppose such legislation.

I desire to express my gratification, Mr. President, that, notwithstanding the controversial nature of this legislation, and notwithstanding my unbroken attitude toward what have become known as filibusters, the debate on this matter for the last 4 weeks has been in a spirit of respectful consideration of the views of all those who have participated in it. That is as it should be. Sometimes our prejudices and emotions are aroused over matters that affect our particular sections, or upon which we have strong convictions, and sometimes here, as in all other legislative bodies, expression is given to views and attitudes which in calmer moments would not be indulged in. But I think it may be said that during this discussion there has been less of that on previous occasions when similar subjects have been before the Senate, and that is a matter for gratification, I think, on the part of the Senate and the country.

Mr. President, I have since the establishment of the Fair Employment Practice Committee by Mr. Roosevelt, as a war measure primarily, and since discussion of it as a possible permanent agency and policy of the Government, felt that the question presented an issue which was Nation-wide, just as the discrimination which was previously indulged in by some transportation companies against others, or against communities which enjoyed some degree of favoritism, constituted such a national problem by way of discrimination in the operation of our great transportation systems that Congress finally was compelled to deal with it as a national problem.

The commerce clause of the Constitution, as we all know, gave Congress the right to regulate commerce, but we did not attempt it for 100 years after the Constitution was adopted. There was no need for it. Finally there grew up a practice among the railroads of discriminating against other railroads, discriminating against whole towns and communities, and against businesses, which created in the minds of the American people the feeling that the time had come when the clause authorizing Congress to regulate commerce should be implemented by legislation. Of course, that was extended not only to railroads but subsequently to steamships and busses, ultimately to telegraphs and telephones and all other forms of communication, and finally to airplanes, and to all agencies, not only of physical transportation and property, but all agencies of communication that might go beyond any State line, because they were engaged in operations that affected the free flow of commerce among the States. Based upon that consideration, the Interstate Commerce Commission was set up. The Federal Trade Commission was created based upon the commerce clause of the Constitution. The Federal Communications Commission, the Civil Aeronautics Board—all these agencies have seen set up in order to keep as nearly as possible the channels of commerce and communications open in interstate transactions.

Furthermore, Mr. President, based upon the same theory, we passed the National Labor Relations Act, known as the Wagner Act, because the relations between employers and employees in industries engaged in interstate commerce or in the manufacture of articles which went into interstate commerce, affected interstate commerce. So Congress passed the Wagner Act, which has been justified and confirmed by the decisions of the Supreme Court of the United States. The Wages and Hours Act, as well as the Wagner Act, stem from that provision of the Constitution which gives Congress the right to regulate commerce among the States and with foreign countries.

I have supported such legislation heretofore when it involved railroads, steamships, bus lines, airplanes, radio communications, telegraph and telephone, and all other agencies and activities that came within the purview of the power and the right and the duty of Congress to regulate commerce among the States. So from that basis, Mr. President, since the creation of the Fair Employment Practice Committee by former President Roosevelt, I have come to the conclusion that it is a matter which is a national problem, that it does affect in a way the commerce among the States, and the production of articles that go into commerce among the States, and for that reason I have in my own mind no doubt about the constitutionality of legislation upon the subject. That does not mean that I am passing, in my own mind even, upon the bill that is now before the Senate. There are provisions in the bill which I think should be changed. I will come to that question in a moment. I wished to give the background for my general support of this legislation.

I believe that when we come to deal with discriminatory practices under our power to regulate commerce we have as great an obligation to deal with the human element as with the physical element of mere property or transportation facilities. I think there is a human element, which we have recognized in our labor legislation.

Back in 1916 I was a Member of the House of Representatives. I was a member of the Committee on Interstate and Foreign Commerce when the Adamson law was enacted by the Congress. Being a member of that committee, I was called into conference by Hon. William C. Adamson, then chairman of the Committee on Interstate and Foreign Commerce of the House, because of a labor situation which had developed in the transportation field which required action. It involved the 8-hour day on rail-

roads, as well as the 8-hour day in other industries which affected or were affected by interstate commerce.

In that capacity I helped to draft the Adamson Act as a Member of the House of Representatives in conference with the chairman and others on the committee which handled the legislation. We were convinced that if we had the right to regulate the freight rates charged by railroads for carrying freight from one State to another, and if we had the right to regulate by inspection the kind of cars and engines not only for the safety of property but for the safety of travel, we had the right to enact a law to undertake to establish machinery by which to settle labor disputes on railroads, which we undoubtedly had the right to regulate under the commerce clause of the Constitution.

That law has been on the statute books for 30 years. It was enacted in 1916. It is now 1946. That statute has not only been on the books for 30 years, but it has been sustained, and it has become the recognized policy of the Government, supplemented by another law with which I had something to do, the law establishing the Board of Mediation and Conciliation for the settlement of disputes on railroads, based upon the same principle of constitutional authority.

So I have always felt that Congress has the right to deal with human problems and labor problems in any field which involve interstate commerce, in connection with any agency engaged in interstate commerce. Therefore I feel that we have as much right to deal with this problem as with any other labor problem resulting from the growing complexity of life in our country and the growing interdependence of one community upon other communities, and one State upon other States. I believe that the more complex our civilization becomes, the more widely scattered our industries and our problems of commerce and trade, the more we must continue to go into the field of dealing with these problems from the standpoint of the whole country, and not a particular section of the country. Therefore I am convinced in my own mind that we have the consitutional power to deal with the subject which is under discussion at this time.

With reference to the bill which is now before the Senate, as I have stated, I think it is susceptible of improvement by amendments. One of the distinguished Senators who opposed the bill called my attention to one amendment which should be made, and I agreed that the bill ought to be changed in that regard. The suggested amendment has to do with the situs of the trial of anyone who is charged with a violation of the law. There seems to have been an interpretation that anyone charged with a violation of the law might be taken far beyond the jurisdiction of the court in the district where he lives, and tried in a strange community, among strange surroundings. I had not had my attention called to that possibility, but if that were possible, I certainly would vote for an amendment requiring that when a man is charged with violating the law he should be tried in the district in which the offense is alleged to have been committed.

To my mind it is a fundamental right of an individual charged with an offense to be tried in the vicinage. It is one of the ancient doctrines of the common law and of Anglo-Saxon jurisprudence that a person who is charged with an offense shall be tried in the community where the offense is committed, except that under certain circumstances in our State courts, as we all realize, when there is widespread prejudice against a defendant in a certain county or locality, either the State, which prosecutes the offender, or the offender himself, may ask the court to change the venue of the trial to some other jurisdiction, so that he may get away from any prejudice which may exist. But I think it is a fundamental principle of our American jurisprudence that men shall be tried within the area of the jurisdiction of the court within whose jurisdiction the offense is alleged to have been committed. If there is anything in this legislation which would violate that principle, I would certainly vote for an amendment to correct it. But, of course, we have not yet had an opportunity to vote on amendments, because we have not reached the stage where they can be more than presented for the information of the Senate.

I wish to call attention to some facts which have been developed in regard to this situation, not only in this war but in the previous war. War production in the last war, which we call World War II, drew approximately 600,000 Negroes and 100,000 Mexican-Americans from the South and Southwest to industrial cities in the North, East, and West. Of the more than 1,000,000 Negro war workers who were engaged in the production of war supplies during the war, the majority were employed in aircraft, shipbuilding, and munitions industries, which have now shut down, leaving the workers to seek peacetime jobs. Lack of housing and overcrowded facilities have caused racial tensions and antagonisms in industrial cities which imported Negro and other workers—Negroes, Mexican-Americans, and probably some others—into highly industrialized centers where they were employed in the production of aircraft, in shipbuilding, and in munitions manufacture. They were drawn there because of war conditions. Those plants have been largely shut down. The 600,000 or 700,000 workers who migrated, or who were induced to go to the industrial centers, find themselves without jobs; and because of housing conditions they find themselves in an undoubtedly embarrassing situation, in which racial antagonisms and jealousies may follow the pattern which occurred after the First World War. The situation which now exists existed at the close of the First World War. The condition at the close of the First World War was greatly intensified, because statistics show that during that war, and immediately following, more than 1,000,000 Negroes migrated from the South to the North, into the industrial sections of the country. Many of them did not see fit to return to their homes in the South. Many of them possibly could not, and, for one reason or another, large numbers of them remained in the industrial centers to which they had migrated as a result of war activities in World War I. By reason of the friction which sprang up in those industrial communities—and they were not in the South but in the North and East—riots occurred following World War I, which created a very great problem in the communities where the migrant laborers had gone, and where they remained.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. RUSSELL. The Senator does not mean to create the impression, does he, that the migrant laborers involved in the tremendous shift of population consisted entirely of Negroes and Mexicans?

Mr. BARKLEY. Not altogether.

Mr. RUSSELL. Hundreds of thousands of white people were left without employment by reason of plants closing.

Mr. BARKLEY. That is true; but, as I am sure the Senator will realize, the migration of those people did not necessarily create, as a result of unemployment or efforts to secure employment, a racial problem. I am speaking of the tendency to create a racial problem in industrial communities where there has been migration of a type of workers whose presence might create racial friction in neighborhoods to which they have moved. The Senator is correct in stating that large segments of the white population moved into industrial centers.

Mr. RUSSELL. And the closing down of the war plants has denied them jobs, just as it has denied jobs to members of minority groups.

Mr. BARKLEY. Yes; undoubtedly that is true. But the closing down of the war plants and their unemployment and their efforts to secure employment, of course would not create the racial friction which might be created in those communities because of antagonism against race or ancestry.

Mr. RUSSELL. Competition for jobs is what creates the antagonism.

Mr. BARKLEY. Not necessarily. Of course, it is a factor which enters into the situation, but it is not the only element. It might create jealousy between two persons, each of whom was trying to obtain a job; but it does not create the element of racial antagonism which might be calculated to break out into some form of outward demonstration for or against one or the other. That is the point I am seeking to emphasize.

Mr. President, the problem we are discussing here is not, as I see it, a southern problem. The truth of the matter is that the South is in a better position and its record is better with respect to the observance of the fair employment practice policy inaugurated by President Roosevelt than is any other section of the country, and I shall show that by the statistics which I am about to read.

Mr. RUSSELL. Mr. President, of course the Senator knows that the Committee did not undertake to enforce exactly the same kind of policy in the South that it did in other sections of the country. Under the temporary Committee which had authority over only

those having contracts with the Government, the Committee did not in the South order them to have the same dining facilities and the same rest room facilities, as it did in other sections of the country, thereby causing strikes.

Mr. BARKLEY. I think the Committee wisely took into consideration the conditions existing in various parts of the country. But I am now calling attention to the number of cases which have come to the attention of the FEPC.

Mr. RUSSELL. I agree as to that; I am familiar with those figures.

Mr. BARKLEY. In the Midwest and far West there were 39 percent of all cases which were brought to the attention of the FEPC. In the East there were 33 percent. In the South there were 28 percent. In the South compliance with the wartime policies of the FEPC was higher than in the far West. I refer to the compliance of industry and of the people generally. In the South it was higher—and I say it to their credit—in proportion to the number of cases brought to the attention of the FEPC. It was higher in the South than in any other part of the country. I think that is something that it is fair to say because the operations of the FEPC during wartime did not create the difficulties, as I see it, which might have been anticipated, and as to which fear is sometimes expressed. No violence occurred anywhere in the South during the operation of the FEPC over the employment practices which it undertook to inaugurate. There was no violence anywhere in the South. I think that is also a matter to be mentioned with commendation. Under the wartime FEPC, many Mexican-Americans and Negroes were given the jobs for which they were trained, by means of informal negotiations of the FEPC's representatives between industry and the labor which sought employment.

I am a southerner. I was educated partly in Georgia. I was born in Kentucky within 18 miles of where I now live. I think I am not unmindful of the feelings and traditions of the people of that great section of the United States. I know that in my State, chambers of commerce, Rotary clubs, Kiwanis clubs, Lions clubs, and all sorts of organizations are seeking to bring into the State industrial plants, and I feel that the same is true in nearly every State of the South. For a long time we have been trying to bring about greater industrialization in the Southern States. I will say to my good friend who now presides over the Senate, our beloved President pro tempore, the senior Senator from Tennessee [Mr. MCKELLAR], that during the war someone in my State undertook to take a census of industrial plants which had been located in Kentucky and those which had been located in Tennessee; and they put up to me the proposition that the census showed up much better for Tennessee than it did for Kentucky, and they attributed that difference to my lack of influence and to the great influence of the Senator from Tennessee who presides over this Chamber. It was perfectly natural, of course, I denied that the Senator from Tennessee had any more influence than I did, and I did so very bitterly, although I may have been attempting to boost my own stock, somewhat at the expense of tearing down his. But we all know that the Southern States do seek now to obtain greater industrialization.

During World War I, as I said a while ago, a million Negroes migrated to the North and stayed there. Following that war, in the 1920's and 1930's another million Negroes migrated to the North. Six hundred thousand Negroes left the South during the war from which we have just emerged. So, Mr. President, in considering the industrialization of the South, in which most organizations of a business or commercial nature are interested, I think there must be considered the problem of the labor supply.

There are approximately 13,000,000 Negroes in the United States, mostly in the South, of course. I think the statistics will show that, considering the entire market for labor, including all sorts of labor, both skilled and unskilled, common labor, and all other types, Negroes make up a large portion of the labor market in the South. So if it is the ambition of our people to bring more industries into our States and to be able to employ our labor in such industries and to be able to send our products into other sections of our country and the world, we must give consideration to the problem of distributing the work among those who are available to perform it, because the ability of our people to find work measures in a large sense their ability to buy the commodities which we produce in our States, thus creating a home market for those products. During the existence of the Fair Employment Practice Committee, 80 percent of the cases brought before it were due to complaints of discrimination against Negroes throughout the country and 20 percent were complaints from other portions of the population.

As I have already said, if we are to bring about a reasonable amount of industrialization in all sections of the country, it seems to me that we must ourselves give consideration to the employment of highly competent persons, no matter what their race, creed, color, national origin, or ancestry may be. They should be given employment if they are qualified to work.

As the Senator from New Mexico [Mr. HATCH] said yesterday, there is discrimination. The Senator from Ohio emphasized the fact. Discriminations are not limited merely to white and colored people. Discriminations are practiced with respect to race and religion not only in the South but in all parts of the country. It results largely from prejudice; and I agree that we cannot wipe out deep-seated and long-lived prejudices by law. No one is so naive as to believe that we can wipe out prejudices by the enactment of a law. We cannot wipe out hatred by legislation. But if hatred goes to the point of creating a desire to murder a fellowman, we can provide for a punishment to fit the crime which has been committed as the result of such hatred. In every State of the Union, and all over the civilized world, those who have committed murder as a result of hatred or animosity are punished. However, as I have said, we cannot wipe out hatred and animosities by law. We cannot wipe out prejudices by enacting a statute. I would not attempt to say that it could be done, because it is one of the imponderable things with which we cannot deal merely by enacting a law. The only thing which legislation can do is to try to mollify, so far as possible, the result of prejudice which denies to men and women in the United States an opportunity to make a living for themselves and their families.

Mr. President, no discriminations take place in respect to the tax laws. All people of this country, without regard to their racial status, their religion, or ancestry, are required to pay taxes in support of the Government of the United State, the State, the county, the city, and the school district in which they live. If they own homes their homes are assessed. If they receive an income within the taxable brackets, they must pay taxes on such income. They are under obligation to pay such taxes. Inasmuch as they are under equal obligation to support their Government, not only in respect to the payment of taxes but in respect to taking part in a war effort in defense of the country, as has been demonstrated within only the past four years, and without any regard to race, creed, religion, national origin, or ancestry, do they not have a right to have equal opportunities for making a living for themselves?

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. ELLENDER. I am very much interested in what the distinguished Senator is now saying. I wish to ask him. Is there as much discrimination taking place as the Senator is telling us about? Does he know that during the period from August 1, 1943, to January 1, 1946, there were only 8,750 cases of alleged discrimination filed with the FEPC throughout the entire country?

Mr. BARKLEY. What dates did the Senator give?

Mr. ELLENDER. I was speaking of the entire period since the creation of the committee under the Executive order, namely, from August 1, 1943, to January 1, 1946, which includes the war period when employment was in full swing, and when the Committee was empowered to look into and attempt to correct all matters about which complaints had been filed with it. During that period, as I have said, there were only 8,750 cases reported.

Mr. BARKLEY. I do not have such figures before me.

Mr. ELLENDER. Those figures were taken from the records.

Mr. BARKLEY. If there were no more than that number of cases, it is an element for which our country may be congratulated. The period, however, was one during which employment ran high, and we were looking for people who were able to work. The figure which the Senator has given would not prevail during a period of unemployment when there was great competition among our people in obtaining jobs. I have no doubt that if we should arrive at a period of widespread unemployment, and a

shift in the population took place, many more cases would occur than those which the Senator has indicated.

Mr. ELLENDER. I do not know of any demand ever having been made for a committee on fair employment practice prior to some time in 1941.

Mr. BARKLEY. Mr. President, I feel that inasmuch as I am supporting this legislation I should give some reasonable ground for my position from the standpoint of the experiences of the Committee which was established by the late President Roosevelt. As I have already said, I am willing to support an amendment to the pending bill requiring that a trial in the Federal court of anyone charged with a violation of the law shall be afforded in the district in which the violation is said to have been committed.

Mr. ELLENDER. The pending bill does not provide for a trial in any court, but only for a hearing before a commission.

Mr. BARKLEY. The Commission is to be established for the purpose of negotiating and correcting the violation. But if anyone charged with a violation is tried, he must be given a trial in the Federal court.

Mr. ELLENDER. But the Commission is to be the final arbiter of the facts, and all the court is empowered to do is to determine whether or not the law has been violated.

Mr. BARKLEY. I do not think the Commission is the final arbiter of the facts. If a man is indicted, the court has the right to determine his guilt or innocence. The Commission, either as it now exists, or as it is provided for in the pending bill, may not punish either by fine or imprisonment, or both, any person found guilty of a violation under the law. That is for the court.

Mr. ELLENDER. According to my interpretation of the terms of the bill, an employer would be required to employ the person seeking employment, and if he were found guilty, according to the facts set forth by the Commission, the court would have no jurisdiction.

Mr. BARKLEY. I doubt that the interpretation which the Senator has stated is a correct interpretation. If it be correct, I am sure that the Senate could rectify the error by an amendment which it has not yet had an opportunity to consider.

Mr. HOEY. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. HOEY. Does not the Senator feel that a man should be entitled to a trial by jury?

Mr. BARKLEY. Yes, I do.

Mr. HOEY. The bill not only denies him any trial in court at all, but it denies him a trial by jury at any time or under any circumstances.

Mr. BARKLEY. I think anyone who is indicted for a crime in violation of the law of the United States, whether it is the proposed law or some other law, is entitled to a trial by jury.

Mr. HOEY. The bill provides for a fine of $5,000 and 1 year's imprisonment, without any opportunity for a man to be tried by jury.

Mr. BARKLEY. Is it the Senator's contention that the bill itself denies that right, or merely does not guarantee that right?

Mr. HOEY. It denies it specifically. It provides that whenever the Commission wants to enforce its decree it may call an employer into court, before any circuit judge of the United States, taking him across any State, taking him before a circuit judge, and when he gets there he has no opportunity to combat the facts the Commission has found, and the judge can impose the penalty.

Mr. BARKLEY. That is one of the things with which we can deal by way of amendment when we get to the consideration of the bill, if we ever do. I myself would not discriminate against any violator of the proposed law by denying him the right to be tried in the same way others are tried for violating a Federal law. That is my position in regard to that. But that is one of the things we could correct if we got to the point where we could consider the form of the proposal as drawn.

Mr. ELLENDER. Then I understand the Senator to say that he is not for the bill as written.

Mr. BARKLEY. I have said I would vote for several amendments to the bill if we could get to the point where amendments could be considered. One is regarding the jurisdiction of the Federal courts. Another is as to the minimum number, to which question I was just about to come. I think there would be a fair chance in this body to amend the bill in the manner I have indicated.

Mr. ELLENDER. Would the Senator vote for the bill as it is, without amendment?

Mr. BARKLEY. I do not have to answer that question, but I will say that if the Senate of the United States were unwilling to adopt any amendment to it, and I concluded it would be better to adopt it without amendment than to have no law at all, I would vote for it as it is written. But I would help to amend it so that it would be fair and just to every community and every citizen in the United States. I think we could do it. I think in doing so we would have the cooperation of the Members of this body from every part of the country, because certainly in describing a crime against the laws of the United States we do not wish to set any particular law aside and put it upon a pedestal, and make violation of it different from violations of other laws, so that the same judicial processes cannot be invoked.

Now, just one other matter, namely, with respect to the minimum number. I think that under the present Executive order the minimum number is six—that there must be six employees involved—and that is provided in the bill.

Amendments have been suggested, I think, raising the number to 25, perhaps higher. I think that as an experimental law, feeling our way to see how it works and acting on experience, six is too small a number. I, myself, would vote for an amendment raising the limit to 25. That would get away from household assistants, it would get away from farm labor, it would get away from the small retail stores all over the United States, and would practically limit the law to industrial plants where there is more or less mass employment. I think that in the beginning it would be wise to do that. If the law worked well, as I think it would, we could make other modifications as time went on.

I am willing to vote for amendments which will make the law more just and fairer and wiser in the beginning of the process of trying to eliminate discrimination in the right of Americans to have work which will enable them to support their families. Of course, we have not been able to reach the point where amendments could be considered.

Now, as to cloture, I said practically all I wanted to say about that a few days ago. I believe in majority rule; I believe in giving every minority a right to a voice; I believe in giving every minority the right to a voice in their Government, which means they would have a right to participate if they qualified under the laws of the States or under any Federal law which might be applicable. They have a right to a voice in their Government.

Thomas Jefferson and Abraham Lincoln agreed fundamentally in the right of every man and every women to enjoyment of equal rights under a democratic form of government. Both of them said practically the same thing when they stated that no man is wise enough to govern another man without that man's consent. That is a general principle of democracy which we have followed in this country for a century and a half.

I believe that minorities have their rights, not only in legislative bodies but I think minorities have their rights in the body politic. I think they have their rights in expressing their views with respect to their government, and the laws, and the men who shall represent them in the lawmaking bodies. But when they have been allowed to express their views, when they have been allowed to express their convictions, and participate in every legal way in their government, by voting, by attending conventions, or by any other public participation in the processes of government, they have had all they are entitled to enjoy under the Constitution, and when they have been permitted to exercise those rights, they are, by the same token and under the same theory, obligated to accept the will of the majority.

Neither in a legislative body nor in the country at large, in any process of government, does the majority have a right to run rough-shod over the minority. I think the minority must be given the right of expression and the right of vote, but I believe in majority rule in this country. If we abolish that rule, then we have nothing but the mob left. If we ever abolished the right of the people of our country to govern our country, no Presidential election we might hold would ever be worth the paper upon which the ballots were written. We must respect the right of the majority.

I believe that the majority in any legislative body has the right to express its will, and for that reason I have supported cloture heretofore. Because I supported it on one bill I have not felt obligated to support it on every other bill. Every bill stands on its own bottom, and

if in any case I did not feel that there had been thorough understanding and full debate on any proposition, and a motion were brought in for cloture, I would not vote for it. But when I do believe there has been ample time for debate and that the debate has been ample, and that everyone understands the proposition being discussed, I have always felt it my duty, as an individual Senator, to vote to bring the matter to a conclusion, and let the Senate express itself on it. For that reason I have heretofore supported cloture motions, and the Senate has on a few occasions voted cloture on measures which it felt should be passed.

Mr. President, that is the way I feel about cloture on any legislation, without regard to its character, when there has been ample opportunity given for discussion of it.

For the reasons I have stated— and I apologize to the Senate for taking as much time as I have taken—I shall support the motion for cloture when it is voted on this afternoon. If the motion shall prevail, I shall support the bill that is now under consideration. I shall also be glad, and I would welcome the opportunity, to vote upon some amendments which I think would improve the bill very materially.

Mr. ELLENDER. Mr. President, I had agreed to yield to several other Senators, but I do not see them present. I want them to know that at any time they come in and desire to speak for or against the FEPC bill, I shall be glad to yield.

Yesterday, Mr. President, at the close of the debate I had completed giving to the Senate the figures for the city of Cincinnati respecting the number of arrests. I attempted to show the ratio which existed between the whites and the colored.

As I pointed out, in the city of Cincinnati, with a population of 11 percent colored and 89 percent white, from 1930 to 1940, and then with a population increase of 12.6 percent from 1940 on, the ratio ranged from a minimum of 7.9 to as much as 13.6. In other words, the figures showed that for every white person who committed a crime covered by the category of murder, manslaughter, rape, robbery, aggravated assault, burglary, theft, or auto theft the number of colored people who committed such crimes ranged from 7.9 to as high as 13.6.

I wish to repeat what I stated some time ago, that in giving these figures I do not want anyone to think I am expressing malice or hatred or animosity against the colored people. Far be it from me to have that in mind. I am merely presenting the figures to show that there must be something wrong in the manner and method in which the colored people are treated in the North in contrast with the treatment they receive in the South, because, as I pointed out 3 days ago, when I began this speech, the figures respecting crimes committed throughout the country, show that the colored people of the South, where the ratio of colored population compared with that in the North is 3 to 1, committed fewer crimes, or fewer of them were incarcerated in Federal and State prisons, than in the North.

Then I compared the ratios, as between white and colored, in cities of about similar population, such as Washington and the city of New Orleans from which I come. In the city of New Orleans, where the colored population compared to white is about the same as in the city of Washington, the ratio was for every white person was 2.1 to 4 colored. In Washington, however, for one white it ranged from 5.4 to as much as 9.6 colored.

I now propose to take another city, Houston, Tex. I am sorry, as I indicated yesterday, that I was unable to get for today the entire over-all picture for the city of Houston. It is rather a big job for the police department of that city to furnish the figures for all the years for which I asked. But I did obtain from the chief of police of the city of Houston the facts and figures respecting the years 1935, 1936, and 1937. I have the facts and figures for the city of Detroit for the years 1935 and 1936, but I was unable to get them for the years 1937 to 1942, inclusive. Promise was made that in the course of time those figures would be furnished me, and if and when I receive them during the course of next week, when I continue this speech, I expect to put them in the RECORD.

Mr. President, I shall now give the figures furnished me for the city of Houston and the city of Detroit for the years 1935 and 1936. In 1935 the whites constituted 74 percent and the Negroes 21 percent of the entire population of the city of Houston.

In 1935 the whites constituted 91 percent plus and the colored constituted 8 percent plus of the entire population of Detroit. In other words, there were 13 percent more colored in Houston than in Detroit, when we consider the total population of those cities.

Let us now see what the figures show as to crimes committed. The crimes for which I have heretofore submitted figures are those of murder, manslaughter, rape, robbery, aggravated assault, burglary, theft, and auto theft.

The number of whites arrested in the city of Houston for murder during 1935 was 8. The number of Negroes 28.

In Detroit the number of whites arrested for murder and manslaughter was 103, and Negroes 39.

In other words in Detroit the Negroes, who constituted only 8 percent of the total population, as compared with a Negro population of 21 percent in Houston, committed 11 more murders than were committed by Negroes in the city of Houston.

Five white persons were arrested in Houston for committing rape, in contrast with eight colored persons arrested for the same crime. In Detroit 49 white persons were arrested for the crime of rape, in contrast with 28 colored.

For robbery in Houston, 112 whites were arrested in contrast with 100 colored. In Detroit 150 whites were arrested for robbery and 70 colored.

For aggravated assault, 172 whites were arrested in Houston and 82 Negroes. In Detroit 53 whites were arrested, in contrast with 87 colored.

For the crime of burglary, 198 whites were arrested in Houston, compared to 256 colored. In the city of Detroit 238 whites were arrested for burglary, compared to 163 colored.

For the crime of larceny, 239 whites were arrested in Houston, compared to 151 colored. In Detroit the number of whites arrested was 1,079 and the colored 674.

Arrests for auto theft in the city of Houston, 351 whites, in contrast to 46 colored. In Detroit the number of whites arrested for auto theft was 98, compared with 23 colored.

Mr. President, bear in mind the difference in the percentage of population between the colored of Detroit and the colored of Houston. The colored in Houston represent 21 percent of the total population, and the colored in Detroit represent 8 percent of the total population.

I now give the total number. In the city of Houston the total number of whites arrested was 1,085, and in the city of Detroit the total number of whites arrested was 1,770.

In Houston the total number of colored arrested was 671, in contrast to a total number of colored arrested in Detroit of 1,084.

On the basis of 10,000 the population of the city of Houston, 50 whites were arrested for the categories of crimes I have just enumerated, compared to 106 colored. The ratio of colored was 2.1 to 1 white.

On the basis of 10,000 of the population of the city of Detroit the number of whites arrested was 12 and the number of colored arrested was 90.

Or, to put it in another way, for every white person arrested in Detroit for any of the crimes enumerated, the figure for colored persons was 7.5, whereas for every white person arrested in Houston for committing these crimes, the figure for colored was 2.1. I think the figures I have just given are significant, Senators—I mean Senator. [Laughter.]

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Utah.

Mr. MURDOCK. I have enjoyed listening to the address being made by the distinguished Senator. I am wondering now, inasmuch as we have the Senate Chamber pretty much to ourselves, that is since there are only three on this side of the aisle——

Mr. ELLENDER. Mr. President, I overlooked the Senator from Massachusetts [Mr. SALTONSTALL]. I beg his pardon.

Mr. MURDOCK. Will the Senator now in simple terms which I can understand tell me what conclusion he draws from the statistics he has just given? They are interesting to me, but I wonder what conclusion would be the proper one to draw, and what the distinguished Senator concludes from the statistics he has given.

Mr. ELLENDER. Mr. President, as I indicated on two or three occasions on the floor of the Senate in the last 2 or 3 days——

Mr. MURDOCK. I apologize to the Senator for not having been here.

Mr. ELLENDER. I am sorry the Senator was not here, but I shall cheerfully repeat some of the reasons I have given for the situation which exists, as shown

by the figures I have placed in the RECORD. One reason is that when a colored man goes up North he attempts to rub elbows with the white people. The white people in the North have less regard for him than do the people of the South, where a colored man would never attempt to rub elbows with the white people.

Then again there are laws on the statute books in Northern States, which I expect to read to the Senate next week, passed by 18 States, which permit the colored to eat and drink in the same restaurants and barrooms and to sleep in the same hotels, and even to be buried in the same cemeteries with the whites. Laws have been passed which permit Negroes to swim in the same swimming pool as the white people use, and when the poor devils come to exercise that right they get into trouble.

We do not do that down South. We never place a law on the statute books which gives the colored man a certain right unless we expect him to exercise it. My contention is that the laws in question were placed on the statute books of the various Northern States in order to appease a small, miserable political group of colored people in the large cities so they probably would vote "with us" in a certain election. For example, in the great State of Pennsylvania the colored population represents approximately 4.7 percent of the total population; and the major segment of the colored population is in Pittsburgh and Philadelphia. Is it possible to believe that the influence of the colored people in Pittsburgh and Philadelphia is so powerful that they can go to the legislature at Harrisburg and have laws enacted giving the colored people the right to swim in the same swimming pools with white people? I know that the white people do not want that, but politicians try to win votes by appeasing the colored people. They say, "We will help you in the legislature to put over anything you want to protect your race in Pennsylvania." The Legislature of Pennsylvania even enacted a law giving colored people the right to marry white persons. A similar law was enacted in Illinois. Do Senators know that 18 States of the Union have enacted laws permitting whites and blacks to marry? Why was that done? Does anyone suppose that the white people of those States had anything to say about it? I know very well that they did not.

Mr. MURDOCK. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HOEY in the chair). Does the Senator from Louisiana yield to the Senator from Utah?

Mr. ELLENDER. I yield.

Mr. MURDOCK. The facts which the Senator is giving us are very interesting; but it seems to me that he is trying to prove a point by statistics——

Mr. ELLENDER. That is one way to do it.

Mr. MURDOCK. In my opinion it is rather unfair, unless more facts are presented than the Senator has given.

The Senator is very much interested in housing. I do not know of any Senator who has given more intelligent study to housing problems than has the distinguished Senator from Louisiana. I, too, have given considerable study to that question. The mayors of the great metropolitan centers of the country who have testified before the Committee on Banking and Currency have told us that a large percentage of the crime and disease found in those cities occurs in the slums, the blighted districts. That indicates that the housing of people—in other words, their environment—has a tremendous influence on their lives, on whether or not they commit crimes, and whether or not they enjoy good health. While the statistics with respect to crime are revealing, before coming to a definite conclusion I should like to know the housing relationship as between the white people in Detroit and the colored people in Detroit. I should like to know whether the housing relationship in Detroit is similar to the housing relationship in Houston, New Orleans, and other southern cities. I wish to be fair in this matter. I cannot come to a conclusion merely from the criminal records of the two groups in the various cities unless I also have information as to the conditions under which they live. Am I correct or am I mistaken?

Mr. ELLENDER. The Senator is eminently correct. I am satisfied that environment has a great deal to do with crime. However, the Senator must not overlook the fact that there are many poor white people in our large cities. The figures which I am submitting are not selected figures dealing with people in the upper crust of society. They deal with all the people; and the same argument which applies to the poor white people in the South and the North also applies to the poor colored people in the South and in the North.

The Senator mentions housing. About 3 months ago I was in New Orleans attending a meeting with respect to the housing bill which, as the Senator knows, I am sponsoring before the Senate. I was shown places in the city of New Orleans where as many as 14 families lived in buildings with one toilet and one bathroom. The places were formerly occupied by 2 or 3 families instead of 14. I admit that such a situation is bound to aggravate conditions affecting crime; but do not forget that the same argument applies to the poor white people in the larger cities as applies to the poor colored people. There is no difference.

Mr. MURDOCK. Mr. President, will the Senator further yield?

Mr. ELLENDER. I yield.

Mr. MURDOCK. The Senator says that, as a result of the laws which have been enacted in the North, when the Negro comes from the South to the North he begins rubbing elbows with the white people in Detroit, Pittsburgh, or Philadelphia. Before coming to a conclusion from the criminal records which the distinguished Senator has pointed out, I should like to know something about the white people with whom the Negro rubs elbows. That factor may have something to do with the statistics related by the Senator. The fact that there is more crime among Negroes in those cities than there is in the South may result from the fact that the Negro, by reason of his economic status, is forced to rub elbows constantly with the criminal elements in the large cities.

Mr. ELLENDER. That is not the case.

Mr. MURDOCK. I say, if that is the case, it may be an explanation of the condition. I do not know, and the Senator's statistics do not tell me anything on that point. If that be the case, I should like to look a little deeper than the Senator is looking.

Mr. ELLENDER. I have only started. This is only a cog in the wheel. I am laying the foundation to show the condition which exists, and as I proceed I shall offer further proof.

Mr. MURDOCK. The Senator, I am sure, wishes to be fair. Before he comes to definite conclusions it might pay him to find out just what the relationship is, and the type of white people with whom the Negro, because of his economic status, is forced to rub elbows in those cities.

Mr. ELLENDER. To my way of thinking, the white people of the North do not like the Negro as much as we like him in the South. Every effort was made to prevent Negroes from working in factories in the North. It has been only lately that the unions in the North have permitted colored people to join them. Why was that? I say it was because they did not like them. Whenever Negroes tried to work in factories side by side with the white people of the North, the white people did not like them. But I could show the Senator any number of factories in the South in which, over a period of years, the two races have been working together continuously; and no serious objection has been urged to giving Negroes full employment, in whatever jobs they are best qualified to fill. But the situation in the North is different; at least, it was different before the war. The Committee on Fair Employment Practice may have brought about some change.

As I have said on many occasions, the colored people of the South are the wards of the white people of the South. We understand them. We never attempt to give them a right by law which we do not expect them to exercise. We do not coddle them. We do not appease them, as is being done in the North. To my way of thinking, that is one of the reasons why there is such a large difference in the ratio of crimes committed by the two races, and the number of crimes committed by the colored people of the South as compared with those committed by Negroes in the North. Probably there are more poor Negroes in the South than there are in the North. The statistics which I have presented for the RECORD during the past 3 days show that 3,600,000 colored people who live in the North commit more crimes than all the colored people in the South.

Mr. TUNNELL. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TUNNELL. I should like to know how many of the 3,600,000 were born in the South.

Mr. ELLENDER. Practically all of them.

Mr. TUNNELL. It is the criminal element which is driven North.

Mr. ELLENDER. Oh, no.

Mr. TUNNELL. Oh, yes. We encounter that situation right along.

Mr. ELLENDER. Many good colored people go from the South to the North. I would not want to bring such an indictment against the colored people.

Mr. TUNNELL. I simply wish to say that in Delaware we have very little trouble with the Negroes born there. The trouble we have is with what are generally known as "roadsters," those who come from the South, who work their way north with the crops, as they mature. They seem to be the criminal element from the South. I do not know why there should be any criminals left in the South.

Mr. ELLENDER. The figures show that the colored people in the South commit far fewer crimes than those in the North commit.

Mr. TUNNELL. I do not think any criminals are left in the South; I think they have gone to the North.

Mr. ELLENDER. I hope so, and I trust they will be punished for the crimes they may commit.

Mr. TUNNELL. We have some who commit crimes; but, as the Senator said, a very large percentage of the 3,000,000 Negroes in the North have come from the South. If the statistics are presented in such a way as to show the facts, it will be found that the convictions among Negroes in the North are coming from that element.

Mr. ELLENDER. Perhaps the Senator has something there. I never ventured to look at the matter from that standpoint. But I venture to say that of the 3,600,000 Negroes now in the North, perhaps as few as 35 percent of them were born in the North.

Mr. TUNNELL. I imagine that more than 35 percent of the Negroes in my State were born there.

Mr. ELLENDER. I am speaking generally. I do not have the figures available now. But, for instance, in the city of Detroit, between 1930 and 1940 the Negro population increased by 29,000.

Mr. TUNNELL. I do not think the statistics will show that the northern-born Negro is very much different, in respect to his obedience to the law, from the whites around him. On the other hand, in Delaware we have Negroes who have left their homes in the South, principally in North Carolina, South Carolina, and Virginia. They pass through our State. Some of them dodge it because we have the whipping post. But they are the ones whose names get into the criminal records of our State—Negroes who come from the South and pass through Delaware on their way to the North. As a rule they do not live in Delaware; they do not stay there. They simply pass through our State.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MURDOCK. I assume that the statistics to which the Senator from Louisiana has referred are for convictions in the courts.

Mr. ELLENDER. Yes. They were furnished to me by the chiefs of police of the city of Detroit and the city of Houston.

Mr. MURDOCK. Of course, I assume that the statistics are not segregated as between convictions before a jury and convictions simply by a plea of guilty.

Mr. ELLENDER. No; they are not.

Mr. MURDOCK. I wonder whether the larger percentage which is found in the northern cities may result from the fact that the Negro criminals are not financially able to hire or employ the same grade of attorney as the white criminals are able to employ. In my opinion, if that be a fact, we could charge some of the difference in percentage to that factor.

Mr. ELLENDER. It is possible; but the same factor would apply to the white poor folk. Many of them cannot afford to employ attorneys.

Mr. MURDOCK. That is true.

Mr. ELLENDER. The figures I have submitted apply to the whole white population and the whole colored population. In the statistics there is no effort to present separate figures for the various classes of either the white people or the colored people. The statistics apply to the upper crust as well as to the lower.

Mr. MURDOCK. But does not the Senator think that therein lies a fallacy in the statistics? If people in the same economic status were compared, it seems to me, the picture would be much more conclusive than the one the Senator has portrayed.

Mr. ELLENDER. I do not think the statistics are in anywise fallacious. If I were to cite statistics applicable to only one city, for which the ratio was, let us say, 1 to 6, and if the corresponding ratio for the other cities was far different, I should say there might be some substance to what the Senator suggests. But for all the cities I have mentioned—Washington, Detroit, Cincinnati—and for many of the other cities to which I shall presently refer, the proportion or the ratio runs about the same. The ratio between the whites and the blacks is approximately the same for all those cities. It ranges up to as high as 5½. In one instance—and it is only one—it is 13.6, as I pointed out yesterday. I think I have another set of statistics for Detroit which shows a ratio of 16.4. But those are exceptions; I do not mean to say that all are the same. But as between all the large cities, the ratio is generally very much the same. All the ratios are quite close together; generally they are almost on an even keel, so to speak. That is what is convincing to me.

Mr. President, I concluded reading the statistics for 1935 for the cities of Detroit and Houston, and I now ask unanimous consent to have the tables from which I have read printed at this point in the RECORD, as a part of my remarks.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Arrests, city of Houston, 1935

	Whites	Negroes	Total
Murder	8	28	36
Manslaughter	0	0	0
Rape	5	8	13
Robbery	112	100	212
Aggravated assault	172	82	254
Burglary	198	256	454
Theft, felony	239	151	390
Auto theft	351	46	397
Total	1,085	671	1,756
Rate per 10,000 population	50	106	

Population:	
Whites (74 percent)	214,687
Negroes (21 percent)	63,337
Others	14,328
Total	292,352

Crime figures furnished by chief of police, Houston, Tex.

Population figures taken from 1930 census (U. S. Bureau of the Census).

Persons charged resulting in prosecution, city of Detroit, 1935

	Whites	Negroes	Total
Murder, Manslaughter	103	39	142
Rape	49	28	77
Robbery	150	70	220
Aggravated assault	53	87	140
Burglary	238	163	401
Larceny	1,079	674	1,753
Automobile theft	98	23	121
Total	1,770	1,084	2,854
Rate per 10,000 population	12	90	

Population:	
White (91 percent)	1,440,141
Colored (8 percent)	120,006
Other	8,455
Total	1,568,602

Crime figures taken from Annual Report of Detroit Police Department, 1935.

Population figures taken from 1930 census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, now let us consider the statistics for the year 1936. I shall read the statistics by cities, and then shall give the totals, just to show the ratio, for that is what I now wish to emphasize more than anything else.

Let us begin with the city of Houston, for which I now hold in my hand a tabulation of the statistics for the year 1936. Please bear in mind that the Negro population in Houston is 21 percent of the whole population. Of course, the remainder of the population is chiefly white, although there are a few others. Whenever reference is made to "others," it must be borne in mind that in Houston there are a few Indians and a few Mexicans, just as there are groups of others in the city of Detroit. But in 1936, the proportion of the population as between whites and colored in the city of Houston was 74 percent to 21 percent, and in Detroit it was 91 percent to 8 percent.

The following are the statistics for the city of Houston for the year 1936: Murder, whites 15, Negroes 40; manslaughter, none reported; rape, whites 11, Negroes 9; robbery, whites 63, Negroes 75; aggravated assault, whites 166, Negroes 73; burglary, white 189, Negroes 227; theft,

felony, whites 214, Negroes 138; auto theft, whites 275, Negroes 48.

Total: Whites 938, Negroes 610. Rate per 10,000 of population: Whites 44, Negroes 96. The ratio was 2.2. For the previous year it was 2.1.

Now let us consider the situation in the city of Detroit, where, I repeat, the population was 8 percent colored and 91 percent white. These are the statistics for the year 1936: Murder and manslaughter, 84 whites, 31 colored; rape, 33 whites, 42 colored; robbery, 184 whites, 54 colored; aggravated assault, 68 whites, 111 colored; burglary, 163 whites, 121 colored; larceny, 839 whites, 522 colored; auto theft, 84 whites, 21 colored.

Total: 1,455 whites, 899 colored. Rate per 10,000: Whites 10, colored 75. The ratio in that case happens to be the same as that for the previous year, namely, for every white man who committed one of those crimes in the city of Detroit 7.5 colored people committed similar crimes--in contrast to the situation in the city of Houston, where, for the same year, the ratio was 2.1.

I ask unanimous consent to have these tables printed at this point in the RECORD, as a part of my remarks.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Arrests, city of Houston, 1936

	Whites	Negroes	Total
Murder	15	40	55
Manslaughter	0	0	0
Rape	11	9	20
Robbery	68	75	143
Aggravated assault	166	73	239
Burglary	189	227	416
Theft, felony	214	138	352
Automobile theft	275	48	232
Total	938	610	1,548
Rate per 10,000 population	44	96	

Population:	
Whites (74 percent)	214,687
Negroes (21 percent)	63,337
Others	14,328
Total	292,352

Crime figures furnished by chief of police, Houston, Tex.

Population figures taken from 1930 census (U. S. Bureau of the Census).

Persons charged resulting in prosecution, city of Detroit, 1936

	Whites	Negroes	Total
Murder, Manslaughter	84	31	115
Rape	33	42	75
Robbery	184	54	238
Aggravated assault	68	111	179
Burglary	163	121	284
Larceny	839	522	1,361
Automobile theft	84	21	105
Total	1,455	899	2,344
Rate per 10,000 population	10	75	

Population:	
White (91 percent)	1,440,141
Colored (8 percent)	120,066
Total	1,560,207
Other	8,455
Total	1,568,662

Crime figures taken from Annual Report of Detroit Police Department, 1936.

Population figures taken from 1930 census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, I have one other table for the city of Houston. As I indicated a while ago, I do not have the 1937 figures for the city of Detroit. I understand the officials of Detroit could not furnish them. But for the benefit of the Senate, I shall present the figures for the city of Houston for 1937. They are as follows: Murder, 20 whites, 31 Negroes; manslaughter, not reported; rape, 6 whites, 20 Negroes; robbery, 106 whites, 83 Negroes; aggravated assault, 203 whites, 103 Negroes; burglary, 149 whites, 332 Negroes; theft, felony, 186 whites, 140 Negroes; auto theft, 294 whites, 62 Negroes.

Total: 964 whites, 771 Negroes. Rate per 10,000 of population: Whites 45, Negroes 122—or a ratio of 2.7. The increase of ratio, as compared to the ratio for the previous year, is one-half of 1 percent.

I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD, as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Houston, 1937

	Whites	Negroes	Total
Murder	20	31	51
Manslaughter	0	0	0
Rape	6	20	26
Robbery	106	83	189
Aggravated assault	203	103	306
Burglary	149	332	481
Theft, felony	186	140	326
Auto theft	294	62	356
Total	964	771	1,735
Rate per 10,000 population	45	122	

Population:	
Whites (74 percent)	214,687
Negroes (21 percent)	63,337
Others	14,352
Total	292,352

Crime figures furnished by chief of police, Houston, Tex.

Population figures from 1930 census (U. S. Bureau of the Census).

Mr. ELLENDER. I now continue with the remainder of the statistics which I have for the city of Detroit, covering the year 1943. In that year the Negro population had increased, as I indicated a while ago to the distinguished Senator from Delaware, from 8 percent to 9.2 percent as compared with 1940. The whites represented 90.7 percent of the total population, and the colored represented 9.2 percent of the total population.

Murder and manslaughter, whites 66, Negroes 63; rape, whites 77, Negroes 71; robbery, whites 154, Negroes 158; aggravated assault, whites 82, Negroes 185; burglary, whites 90, Negroes 314; larceny, whites 226, Negroes 393; auto theft, whites 90, Negroes 41. Total: Whites 785, Negroes 1,225.

Here we have the following situation: The white population consists of 90.7 percent of the entire population, as I have heretofore indicated, and the colored consists of 9.2 percent of the entire population. Yet Negroes committed 350-plus more of these crimes in 1943 than did the whites. Putting the situation another way, the rate per 10,000 population is, whites, 5; Negroes, 82. The ratio was 16.4. In other words, for every white man who committed one of these crimes in the city of Detroit during the year 1943, 16.4 Negroes committed similar crimes.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Persons charged resulting in prosecution, city of Detroit, 1943

	Whites	Negroes	Total
Murder, Manslaughter	66	63	129
Rape	77	71	148
Robbery	154	158	312
Aggravated assault	82	185	267
Burglary	90	314	504
Larceny	226	393	759
Auto theft	90	41	131
Total	785	1,225	2,250
Rate per 10,000 population	5	82	

Population:	
Whites (90.7 percent)	1,472,662
Colored (9.2 percent)	149,119
Total	1,621,781
Other	1,671
Total	1,623,452

Crime figures taken from Annual Report of Detroit Police Department, 1943.

Population figures taken from 1940 census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, I now proceed to the year 1944 and conclude the figures for the city of Detroit:

Murder and manslaughter, whites 56, Negroes 48; rape, whites 69, Negroes 61; robbery, whites 124, Negroes 181; aggravated assault, whites 284, Negroes 98; burglary, whites 234, Negroes 175; larceny, whites 392, Negroes 410; auto theft, whites 120, Negroes 46.

Total: Whites 1,279, Negroes 1,019.

The rate per 10,000 population: Whites 9, Negroes 68.

The ratio of crimes committed is 1 white to 7.6 Negro. I repeat that the difference in population was 9.2 percent colored and 90.7 percent white.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Persons charged resulting in prosecution, city of Detroit, 1944

	Whites	Negroes	Total
Murder, Manslaughter	56	48	104
Rape	69	61	130
Robbery	124	181	305
Aggravated assault	284	98	186
Burglary	234	175	409
Larceny, theft	392	410	804
Auto theft	120	46	162
Total	1,279	1,019	2,100
Rate per 10,000 population	9	68	

Population:	
White (90.7 percent)	1,472,662
Colored (9.2 percent)	149,119
Total	1,621,781
Other	1,671
Total	1,623,452

Crime figures taken from Annual Report of Detroit Police Department, 1944.

Population figures taken from 1940 census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, I shall now give some figures with respect to the city of Baltimore. Baltimore is not far from the city of Washington. Strange as it may seem, for the years 1935 up to 1940, when the census was taken, the city of Washington had about a 10 percent greater colored population than did the city of Baltimore. The ratio as between the whites and colored in Baltimore was somewhat less than the ratio between the whites and the colored in the city of Washington. That fact may perhaps account—I would not say that it would account for a certainty—for the ratio of crimes as between the whites and colored people in the city of Baltimore being a little lower than in the city of Washington.

Here are the figures for the city of Baltimore during 1935: Murder, whites 19, Negroes 34; manslaughter, whites 151, Negroes 24; rape, whites 36, Negroes 28; robbery, whites 154, Negroes 216; aggravated assault, whites 62, Negroes 66; burglary, whites 615, Negroes 746; larceny, whites 1,490, Negroes 1,575. No record was kept for auto theft for the year 1935. I note that in the data which I have concerning the city of Baltimore, the record as to auto theft was not kept separate from other forms of theft. I ask Senators to bear in mind that the white population of the city of Baltimore was 82 percent of the whole, and that the colored population was 18 percent of the whole. Yet we find that almost 162 fewer white persons committed crimes in the categories to which I have referred than did Negroes. The total is: Whites 2,527, Negroes 2,689. The rate per 10,000 population, whites 38, Negroes 189. The ratio was 1 to 5.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Baltimore, 1935

	Whites	Negroes	Total
Murder	19	34	53
Manslaughter	151	24	175
Rape	36	28	64
Robbery	154	216	370
Aggravated assault	62	66	128
Burglary	615	746	1,361
Larceny	1,490	1,575	3,065
Auto theft	(1)	(1)	(1)
Total	2,527	2,689	5,216
Rate per 10,000 population	38	189	

Population:	
White (82 percent)	662,124
Colored (18 percent)	142,106
Total	804,230
Other	644
Total	804,874

Crime figures taken from Report of the Police Commissioner for the City of Baltimore for the year 1935.
Population figures taken from 1930 census (U. S. Bureau of the Census).
[1] Not shown separately in report; probably included under larceny.

Mr. ELLENDER. I now read the figures for the year 1936 for the city of Baltimore. I repeat that the statistics which I have been reading were furnished to me from the reports of the police commissioner for the city of Baltimore. The population figures referred to in the table were taken from the 1930 United States Census.

Murder, whites 12, Negroes 58; manslaughter, whites 97, Negroes 28; rape, whites 21, Negroes 45; robbery, whites 152, Negroes 256; assault, whites 98, Negroes 97; burglary, whites 652, Negroes 903; larceny, whites 1,357, Negroes 1,625.

I ask Senators to bear in mind that, as I indicated a while ago, the population of Baltimore consists of 82-percent white and 18-percent colored. The whites committed approximately 700 fewer of these crimes than did the Negroes. The rate per 10,000 population was whites 36, Negroes 212. For each white man who committed one of these crimes during the year 1936 in Baltimore, 5.9 Negroes committed similar crimes.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Baltimore, 1936

	Whites	Negroes	Total
Murder	12	58	70
Manslaughter	97	28	125
Rape	21	45	66
Robbery	152	256	408
Assault	98	97	195
Burglary	652	903	1,555
Larceny	1,357	1,625	2,982
Total	2,389	3,012	5,401
Rate per 10,000 population	36	212	

Population:	
White (82 percent)	662,124
Colored (18 percent)	142,106
Total	804,230
Other	644
Total	804,874

Crime figures taken from Report of the Police Commissioner for the City of Baltimore for the year 1936.
Population figures taken from 1930 census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, I now give the figures for the city of Baltimore for 1939: Murder, whites 15, Negroes 73; manslaughter, whites 152, Negroes 43; rape, whites 24, Negroes 44; robbery, whites 155, Negroes 295; assault, whites 1,925, Negroes 2,530; burglary, whites 579, Negroes 798; larceny, whites 1,547, Negroes 1,645. Total, whites 4,397, Negroes 5,428.

In other words, in a population of which the whites consisted of 82 percent and the colored consisted of 18 percent, the Negroes committed 1,000-plus more of these crimes than did the whites. The rate per 10,000 was whites 66, Negroes 382. The ratio was 1 white for 5.8 Negroes.

Mr. President, I ask unanimous consent to have the table from which I have just read printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Baltimore, 1939

	Whites	Negroes	Total
Murder	15	73	88
Manslaughter	152	43	195
Rape	24	44	68
Robbery	155	295	450
Assault	1,925	2,530	4,455
Burglary	579	798	1,377
Larceny	1,547	1,645	3,192
Total	4,397	5,428	9,825
Rate per 10,000 population	66	382	

Population:	
White (82 percent)	662,124
Colored (18 percent)	142,106
Total	804,230
Other	644
Total	804,874

Crime figures taken from Report of the Police Commissioner for the City of Baltimore for the year 1939.
Population figures taken from the 1930 census (U. S. Bureau of the Census).

Mr. ELLENDER. Mr. President, the 1940 census showed a very slight change in the colored population of Baltimore. The difference was less than 1 percent, as compared to the previous decade. In other words, the population of the city of Baltimore was: Whites, 82.1 percent; colored, 17.9 percent, or almost the same as under the previous census. The ratio was about the same as for the years I have given—just under 5 to 1.

For the year 1940, the figures are as follows:

Murder, whites 16, Negroes 72; manslaughter, whites 120, Negroes 23; rape, whites 29, Negroes 43; robbery, whites 172, Negroes 384; assault, whites 1,961, Negroes 2,636; burglary, whites 717, Negroes 769; larceny, whites 1,577, Negroes 1,731.

Total: Whites 4,592, colored 5,658.

In other words, 18 percent of the population of Baltimore, consisting of colored people, committed almost 1,100 more of these crimes than the white population, which constituted 82 percent of the total. The rate per 10,000 was, whites 66, Negroes 341, or, to put it in another way, the ratio was 1 to 5.2.

Mr. President, I ask that the table referred to be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Baltimore, 1940

	Whites	Negroes	Total
Murder	16	72	88
Manslaughter	120	23	143
Rape	29	43	72
Robbery	172	384	556
Assault	1,961	2,636	4,597
Burglary	717	769	1,486
Larceny	1,577	1,731	3,308
Total	4,592	5,658	10,250
Rate per 10,000 population	66	341	

Population:	
White (82 percent)	692,705
Colored (17.9 percent)	165,843
Total	858,548
Others	552
Total	859,100

Crime figures taken from Report of the Police Commissioner for the City of Baltimore for the year 1940.
Population figures taken from the 1940 census (U. S. Bureau of the Census).

Mr. ELLENDER. In the same city for 1941 the figures were as follows: Murder, whites 10, Negroes 87; manslaughter, whites 7, Negroes none; rape, whites 20, Negroes 73; robbery, whites 127, Negroes 419; assault, whites 2,692, Negroes 3,296; burglary, whites 713, Negroes 926; larceny, whites 1,881, Negroes 2,220; total, whites 5,450, Negroes 7,021.

The difference between the two amounts to almost 1,600. In other words, 18 percent of the population of Baltimore, consisting of colored people, committed 1,600 more crimes than the rest of the people of that city, who constituted white persons, and were 82 percent of the entire population. To put it another way, the ratio per 10,000 was whites 79, Negroes 423, or a ratio of 1 to 5.3.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Baltimore, 1941

	Whites	Negroes	Total
Murder	10	87	97
Manslaughter	7	0	7
Rape	20	73	93
Robbery	127	419	546
Assault	2,692	3,296	5,988
Burglary	713	926	1,639
Larceny	1,881	2,220	4,101
Total	5,450	7,021	12,471
Rate per 10,000 population	79	423	

Population:	
White (82.0 percent)	692,705
Colored (17.9 percent)	165,843
Total	858,548
Other	552
Total	859,100

Crime figures taken from the Report of the Police Commissioner for the City of Baltimore, for the year 1941.

Population figures taken from the 1940 census (U. S. Bureau of the Census).

Mr. EASTLAND. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. EASTLAND. I have been struck by the statements just made by the distinguished Senator. I should like to know whether the Senator has the figures for the city of New York, where all the racial demagoguery is found, and where live those who preach racial equality.

Mr. ELLENDER. I have made every effort to obtain the figures for New York, but I understand the authorities do not segregate the colored from the whites, put them all in the same pot. No distinction is made. I think the same course is followed in Chicago. There is no attempt to differentiate between the whites and the colored in the commission of crimes. They seem to put them all on the same basis.

Mr. EASTLAND. Is it the Senator's opinion that the same ratio would hold true?

Mr. ELLENDER. I would say it might be more. I may be wrong in my conclusion, but I would say to the Senator that wherever colored people are permitted to congregate to themselves they usually commit more crimes than if they are segregated over an area. In Harlem, where there are I think 450,000 colored people living together, the Lord only knows what goes on. The police of New York cannot keep up with them. I am sure that if the facts were known and we were able to separate the figures the ratio as between whites and colored in the city of New York would probably be shown to be what it is in Cincinnati. I presume the Senator was not present yesterday when I read the figures for Cincinnati. In some instances the ratio was as high as 16.6 colored to 1 white man in that city.

Mr. EASTLAND. I think the ratio is higher in places where there is a great amount of racial demagoguery, and agitation about racial equality.

Mr. ELLENDER. That is the cause of all this discussion. As I indicated, and as the Senator from Mississippi has indicated, the measure which is now being considered, and similar measures which were considered in the past, such as the antilynching bill, and the anti-poll-tax bill, were submitted to the Congress with a view to appeasing a certain group of demagogs in New York. There are some in the city of Washington. I have referred to them several times, the colored "brain trust."

Mr. EASTLAND. Is Judge Hastie one of them?

Mr. ELLENDER. I do not know. He is not named among them. He might be one. I do not want to do him an injustice. This small group of colored leaders say they represent all the colored people throughout the country. I doubt that very much. As I indicated on two or three occasions, I doubt that they represent a hundred thousand of them.

Mr. EASTLAND. As the distinguished Senator knows, the mulattoes are the ones who want racial equality. The real Negro does not want racial equality.

Mr. ELLENDER. I do not know, but I think all of them would like to get it, and they will continue coming to Congress every year. Pass this bill and the next time they will want to go a step further.

Mr. EASTLAND. But they are not going to get this bill passed.

Mr. ELLENDER. Of course not; not if I can prevent it.

Mr. EASTLAND. The bill will be on ice in a few hours.

Mr. ELLENDER. I hope so. I do not wish to express too much optimism, but, so far as I am concerned, if talking can put it to death, I am going to talk as long as God gives me breath. I have said that on two or three occasions. This is the fourth day I have been speaking, and I am not the least bit tired yet. I think I can go five or six more days without any effort.

Mr. EASTLAND. The distinguished Senator has made a marvelous speech, but if he should become tired he would have plenty of assistance.

Mr. ELLENDER. Do not say it is a fine speech. I am merely submitting figures, which is something one of the page boys of the Senate could do as well as I.

Mr. EASTLAND. Does not the Senator think the cure for all the racial agitation is taking the doctrine of white supremacy to the American people?

Mr. ELLENDER. Of course.

Mr. EASTLAND. And showing the American people the value of race—showing them that race is everything in American life?

Mr. ELLENDER. The quicker the politicians of the Nation realize that this country will not survive unless we have white supremacy, the better off we will be. There can be no question about that. The Senator is becoming a little bit excited about the matter. I should like to discuss what occurred not far from here, in Haiti, during Napoleon's time. I note the senior Senator from Louisiana [Mr. OVERTON] sitting before me. He will recall, no doubt, that there was in Haiti a population of several hundred thousand—50,000 of them white.

At that time Haiti was a province of France. Napoleon, who was then Emperor of France, was under the impression that the British, who had a navy superior to that of France, would capture Haiti and declare it an English possession. In order to thwart the design of the British, Napoleon gave the Haitians their freedom. Before their freedom was given them, 50,000 white people ruled the several hundred thousand colored without any effort, without any trouble. Ever since the colored people obtained their independence and took charge of Haiti, there has been chaos. As Senators know, in 1915 we had to send marines to Haiti to keep order, and the trouble has been going on ever since the colored people have been in charge of Haiti.

I do not want to see such a condition as that ever exist in this country and that is why I am willing to stand on this floor as long as God gives me breath, to stop such laws as that now proposed from passing.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. KNOWLAND. I understood the Senator a few moments ago to mention the anti-poll-tax legislation as being in somewhat the same category with the bill now pending.

Mr. ELLENDER. Yes.

Mr. KNOWLAND. I should like to inquire of the distinguished Senator whether he is serving notice on the Senate that the same type of filibuster will be conducted on that proposal when it comes before the Senate for action?

Mr. ELLENDER. Worse. I say that bill is worse than the one now pending, because it is in the teeth and face of the Constitution. With other Senators, I spoke on this floor during a little filibuster, which lasted for about 2 weeks, when the poll-tax bill came up, and I think we proved to the satisfaction of any reasonable man that to abolish the poll taxes through Federal law was absolutely unconstitutional. But that did not disturb many Senators on this floor. I say that the bill now being considered trespasses

on many of the sacred rights of our country. It takes away cherished freedoms. There is no question in my mind that we may as well say good-by to private enterprise if a law of this nature is passed, and, as I indicated day before yesterday, if the companion bill, the gold-dust twin of this bill were also to pass—that is the minimum wage bill in its original form—we might as well say a final good-by to free enterprise. When I speak of the minimum wage bill I do not have in mind that portion of the bill which would fix wages, but the provisions of the bill which in effect says that the administrator would have the right to select industry committees for every industry throughout the country, which committees would have the right to go into every man's business, to classify every job holder, and fix a minimum wage for everyone, from the lowest paid to the highest paid. In other words, if that bill were passed in its present form there would be created a commission which would tell industry whom to employ, and how much it should pay. If such a commission as that were created we might as well say good-by to private industry.

Mr. KNOWLAND. Mr. President, will the Senator yield to me again?

Mr. ELLENDER. I yield.

Mr. KNOWLAND. Am I to assume from that statement that on the minimum-wage legislation the Senator would feel justified in conducting the same kind of filibuster?

Mr. ELLENDER. I did not clearly understand the question.

Mr. KNOWLAND. Am I to assume from the most recent statement made by the distinguished Senator that he would feel justified in conducting the same type of filibuster against the minimum-wage legislation?

Mr. ELLENDER. If the provision to which I referred were in the bill, yes. But, fortunately, the committee struck it out, and it will not be presented to the Senate. The same question was asked of me yesterday by the distinguished Senator from Oregon [Mr. MORSE]. No; I would not filibuster against such a bill as the minimum-wage bill. I voted for the minimum-wage law of 1938, and I expect to vote for the present bill if we can have placed in the bill a provision for a minimum wage that is within reason, and a provision as to exemptions. The bill is still before the committee, and I am very hopeful that we can write into the bill a minimum equal to that which prevailed during the war, with a condition that the minimum can be raised to 65 cents if industry committees find that any industry can pay that much. If such a bill as that shall come before the Senate I will not only vote for it but I will do all I can to have it passed.

Mr. OVERTON. Mr. President, will my colleague yield to me?

Mr. ELLENDER. I yield.

Mr. OVERTON. I have been unable to be present during all the remarks made by my colleague. I want to ask him whether he has referred to the repeal of the law which made the payment of the poll tax a prerequisite to voting in the State of Louisiana, and what effect that had by way of increasing the Negro vote in Louisiana? Has the Senator referred to that?

Mr. ELLENDER. No; I have not, but I am glad my colleague has mentioned it.

Mr. OVERTON. Let me ask this question: It is a fact, is it not, that a number of years ago Louisiana repealed the law providing for the payment of a poll tax as a prerequisite to voting?

Mr. ELLENDER. In 1934, and I handled the bill before the Louisiana Legislature.

Mr. OVERTON. Has the repeal of that law increased the number of Negroes who have voted in the State of Louisiana elections?

Mr. ELLENDER. Not to any appreciable extent.

Mr. OVERTON. Is it not a fact that only a comparatively small handful of Negroes vote in Louisiana?

Mr. ELLENDER. Yes.

Mr. OVERTON. Is it not a fact that the Negroes of the State of Louisiana are perfectly well satisfied with the white man's government as being administered in that State?

Mr. ELLENDER. There is no doubt about that, Mr. President, and there is no prohibition whatever against the colored people voting in any of our general elections, as the Senator knows.

Mr. OVERTON. Mr. President, if my colleague will yield further to me, I wish to make the bold statement on the floor of the Senate that, if the junior Senator from Louisiana were up for reelection now, and if his candidacy were submitted to the colored vote of Louisiana only, he would be reelected by a very large majority. That is the attitude the colored race in our State takes toward the white man's government as administered in our State.

Mr. ELLENDER. Mr. President, we never hear of such a proposal as that contained in the legislation now before the Senate unless it is precipitated by agitation on the part of misguided individuals from the North who come to the South and try to stir up sentiment. Of course, we hear such things from colored people from the North who come down South to agitate. Otherwise we never hear of it. As I have pointed out on many occasions, the records show that last year the State of Louisiana spent more for education of the colored people of that State than the State paid in 1909 for education for both the white and colored of the State. That shows the progress we have made in Louisiana. As I have previously stated, up to 25 years ago we had no high schools in my State for the colored people. Today we have them all over the State. At that time we had no colleges for the colored people. We have such colleges now. We have hospitals for the colored. Let us consider the great Charity Hospital in the city of New Orleans. Remember that the colored people comprise about 37 percent of the total population of Louisiana. Forty percent of the patients treated in the great New Orleans Charity Hospital are colored, and they are treated by the same doctors and the same nurses as are the whites. We make no distinction.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. MILLIKIN. I should like to have the Senator yield to me for the purpose of making a few remarks.

Mr. ELLENDER. If the Senator will permit me to finish with three pages with respect to Baltimore, I shall be glad to yield to him.

The figures of arrests in the city of Baltimore for the year 1942 are as follows:

For murder, whites 21, Negroes 112; for manslaughter, whites 183, Negroes 31; for rape, white 43, Negroes 61; for robbery, whites 129, Negroes 606; for assault, whites 3,172, Negroes 3,619; for burglary, whites 488, Negroes 636; for larceny, whites 2,195, Negroes 2,452.

The totals are: Whites, 6,231; Negroes, 7,517. To put it in another way, the rate per 10,000 population is, for whites, 90, and for Negroes, 453, or a ratio of 5 to 1. Bear in mind that the ratio of population for that year and the succeeding years for which I shall read figures was 82 percent whites and 17.9 colored.

I ask unanimous consent that the table for the city of Baltimore for 1942 be printed in the RECORD at this point as part of my remarks.

There being no objection, the table was ordered to be printed the RECORD, as follows:

Arrests, city of Baltimore, 1942

	Whites	Negroes	Total
Murder	21	112	133
Manslaughter	183	31	214
Rape	43	61	104
Robbery	129	606	735
Assault	3,172	3,619	6,791
Burglary	488	636	1,124
Larceny	2,195	2,452	4,647
Total	6,231	7,517	13,748
Rate per 10,000 population	90	453	

Population:	
White (82.0 percent)	692,705
Colored (17.9 percent)	165,843
Total	858,548
Other	552
Total	859,100

Crime figures taken from the Report of the Police Commissioner for the City of Baltimore, for the year 1942.
Population figures taken from the 1940 census (U. S. Bureau of the Census).

Mr. ELLENDER. The figures showing arrests in the city of Baltimore during the year 1943 are as follows:

For murder, whites 25, Negroes 85; for manslaughter, whites 154, Negroes 35; for rape, whites 34, Negroes 56; for robbery, whites 287, Negroes 554; for assault, whites 3,094, Negroes 3,324; for burglary, whites 870, Negroes 772; for larceny, whites 1,768, Negroes 1,867.

The totals are: For whites 6,232 and for Negroes 6,693. The rate per 10,000 population is 90 for whites and 403 for Negroes, or a ratio of 1 to 4.4. By the way, that happens to be the lowest ratio of any of the years between 1935 and 1944.

I ask unanimous consent that the table for 1943 be printed in the RECORD at this point as part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Baltimore, 1943

	Whites	Negroes	Total
Murder	25	85	110
Manslaughter	154	35	189
Rape	34	56	90
Robbery	287	554	841
Assault	3,094	3,324	6,418
Burglary	870	772	1,642
Larceny	1,768	1,867	3,635
Total	6,232	6,693	12,925
Rate per 10,000 population	90	403	

Population:	
White (82.0 percent)	692,705
Colored (17.9 percent)	165,843
Total	858,548
Other	552
Total	859,100

Crime figures taken from the Report of the Police Commissioner for the City of Baltimore, for the year 1943.
Population figures taken from the 1940 census (U. S. Bureau of the Census).

Mr. ELLENDER. The figures showing arrests in the city of Baltimore in the year 1944 are as follows:

For murder and manslaughter, whites 143, Negroes 39; for rape, whites 27, Negroes 58; for robbery, whites 151, Negroes 442; for assault, whites 2,771, Negroes 3,248; for burglary, whites 696, Negroes 711; for larceny, whites 1,866, Negroes 1,926.

The totals are: For whites, 5,648, and for Negroes, 6,426.

To put it another way, the rate per 10,000 population was 82 for whites and 387 for Negroes, the ratio being 1 to 4.8.

I ask unanimous consent that the table for 1944 be printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Arrests, city of Baltimore, 1944

	Whites	Negroes	Total
Murder, Manslaughter	143	39	182
Rape	27	58	85
Robbery	151	442	593
Assault	2,771	3,248	6,019
Burglary	696	711	1,407
Larceny	1,860	1,926	3,788
Total	5,648	6,426	12,074
Rate per 10,000 population	82	387	

Population:	
White (82 percent)	692,705
Colored (17.9 percent)	165,843
Total	858,548
Other	552
Total	859,100

Crime figures taken from the Report of the Police Commissioner for the City of Baltimore, for the year 1944.
Population figures taken from the 1940 census (U. S. Bureau of the Census).

Mr. ELLENDER. As I have indicated on several occasions, 82 percent of the population of Baltimore is white, as compared with approximately 17.9 percent colored. In the city of Baltimore, in every year of the 9 years since 1935, including 1944, more colored people committed these crimes than did whites.

THE WHEAT AND BREAD PROBLEM

During the delivery of Mr. ELLENDER'S speech,

Mr. HATCH. Mr. President, will the Senator yield to me for about 5 minutes?

Mr. ELLENDER. I yield to the Senator from New Mexico.

Mr. HATCH. On yesterday I was mildly irritated at some of the comments I saw coming from certain sources concerning the proposal to have the American people eat bread which would be a little darker than our present white bread. I have not read all the news dispatches which appeared in the newspapers of yesterday, both morning and evening, but yesterday I made some comments in which I expressed my disapproval of anyone who would selfishly try to inject a political issue into this generous program for saving men, women, and little children from starvation. I shall not discuss the question today, but as I said in the beginning, I was mildly irritated when I read some of the comments, but when I read the article I hold in my hand, last night, I was really considerably incensed. I read now from an article which was clipped from the Washington Daily News of yesterday afternoon—a news story. The headline is: "Truman bread health menace?"

This story follows:

Although no public stand has been taken so far by the Department of Agriculture on President Truman's wheat-saving dark-bread program, unofficial antagonism was sharp today—on grounds of the health of the Nation.

Branding the Presidential order "short-sighted," a high Agriculture official said the President had made no provision for the thousands of persons who cannot eat roughage. There absolutely will have to be some provision made for persons who must have white bread, he said.

Under the President's voluntary program, which Government sources called "pretty definite," 80-percent-flour extraction is to be made from wheat kernels, where 70 percent has been normal for white bread.

Then quoting this so-called official again, the article proceeds:

"Eighty-percent extraction will mean gray bread, looking as though dirt were in it," this official said. It will have a course bran content, he added, which will cause intestinal upsets in thousands of allergic persons.

In 1917, when a similar bread compaign was tried in Europe, he said, "11,000,000 persons were casualties of intestinal upsets," and special certificates for white bread had to be issued.

This official said President Truman was apparently "giving orders first and looking into details second."

The Department of Agriculture will meet Monday with representatives of the bakery industry, at which a sample loaf of the 80 percent extraction bread will be studied, if the Department can get it made up in time.

The whole purport and content of that article, Mr. President, is that the Department of Agriculture, through one of its high departmental officials, has taken sharp issue with the President of the United States on the President's proposal to send some of our grain to help feed the starving peoples of Europe. I could not believe that was true when I read it, and today I got in touch with the Secretary of Agriculture, Mr. Clinton P. Anderson, who comes from my State, and asked him if any high official in his department had made such a statement or had been authorized to make such a statement. Mr. Anderson said he had not seen the news story. When I showed it to him he was as shocked and as amazed and dumbfounded as I was. On the contrary, he said, he was certain that no person in the Department of Agriculture had made any such statement as that. And he asked that if any such person has made such a statement, that the name of the person be produced. I join in that request.

I do not criticize the reporters. Someone gave out that story, but it is definitely laid at the door of the Department of Agriculture, under the name of a high official of that Department. In justice to the Department, in justice to the President of the United States, and in justice to the American people, the name of that official ought to be revealed. If any official of the Government has the courage to make a statement like that, then let him have the courage to give his name to his own department head, the Secretary of Agriculture, to the President of the United States, and to the people. Let him not hide under the anonymous title of "a high department official."

FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed the consideration of the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry.

Mr. ELLENDER. Mr. President, I now yield to the Senator from Colorado, provided I do not lose my right to the floor.

Mr. RUSSELL. Mr. President, we have not had a quorum call all day. I know that a quorum of Senators is available. I should like to have a quorum present to hear the distinguished Senator from Colorado.

The PRESIDENT pro tempore. Does the Senator from Louisiana yield for that purpose?

Mr. ELLENDER. I yield for that purpose.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Guffey	Morse
Andrews	Gurney	Murdock
Austin	Hart	Murray
Bailey	Hatch	Myers
Ball	Hawkes	O'Daniel
Bankhead	Hayden	Overton
Barkley	Hickenlooper	Radcliffe
Bilbo	Hill	Reed
Brewster	Hoey	Revercomb
Bridges	Huffman	Robertson
Briggs	Johnson, Colo.	Russell
Buck	Johnston, S. C.	Saltonstall
Bushfield	Kilgore	Shipstead
Butler	Knowland	Smith
Byrd	La Follette	Stewart
Capehart	Langer	Taft
Capper	Lucas	Taylor
Carville	McCarran	Thomas, Okla.
Chavez	McClellan	Thomas, Utah
Cordon	McFarland	Tobey
Downey	McKellar	Tunnell
Eastland	McMahon	Tydings
Ellender	Magnuson	Walsh
Ferguson	Maybank	Wheeler
Fulbright	Mead	Wherry
George	Millikin	White
Gerry	Mitchell	Willis
Green	Moore	Wilson

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Wyoming [Mr. O'MAHONEY] is necessarily absent.

The Senator from Idaho [Mr. GOSSETT] and the Senator from Florida [Mr. PEPPER] are absent on public business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Illinois [Mr. BROOKS] and the Senator from Kentucky [Mr. STANFILL] are necessarily absent.

The Senator from Missouri [Mr. DONNELL] has been excused by the Senate to make a trip to his home State.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The Senator from North Dakota [Mr. YOUNG] has been excused and is absent on official business.

The PRESIDING OFFICER (Mr. EASTLAND in the chair). Eighty-four Senators having answered to their names, a quorum is present.

Mr. MILLIKIN. Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks, immediately following this request, the pending bill, S. 101.

There being no objection, the bill (S. 101) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, was ordered to be printed in the RECORD, as follows:

Be it enacted, etc.—

FINDINGS AND DECLARATION OF POLICY

SECTION 1. The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production, endangers the national security and the general welfare, and adversely affects commerce.

It is hereby declared to be the policy of the United States to eliminate such discrimination in all employment relations which fall within the jurisdiction or control of the Federal Government as hereinafter set forth.

RIGHT TO FREEDOM FROM DISCRIMINATION IN EMPLOYMENT

SEC. 2. The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity, of all citizens of the United States, which shall not be abridged by any State or by any instrumentality or creature of the United States or of any State.

UNFAIR EMPLOYMENT PRACTICES DEFINED

SEC. 3. (a) It shall be an unfair employment practice for any employer within the scope of this act—

(1) to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry;

(2) to discharge any person from employment because of such person's race, creed, color, national origin, or ancestry;

(3) to discriminate against any person in compensation or in other terms or conditions of employment because of such person's race, creed, color, national origin, or ancestry; and

(4) to confine or limit recruitment or hiring of persons for employment to any employment agency, placement service, training school or center, labor union or organization, or any other source that discriminates against persons because of their race, color, creed, national origin or ancestry.

(b) It shall be an unfair employment practice for any labor union within the scope of this act—

(1) to deny full membership rights and privileges to any person because of such person's race, creed, color, national origin, or ancestry;

(2) to expel from membership any person because of such person's race, creed, color, national origin, or ancestry; or

(3) to discriminate against any member, employer or employee because of such person's race, creed, color, national origin, or ancestry.

(c) It shall be an unfair employment practice for any employer or labor union within the scope of this act to discharge, expel, or otherwise discriminate against any person because he has opposed any practices forbidden by this act or because he has filed a charge, testified, or assisted in any proceeding under this act.

SCOPE OF ACT

SEC. 4. (a) This act shall apply to any employer having in his employ six or more persons, who is (1) engaged in interstate or foreign commerce or in operations affecting such commerce; (2) under contract with the United States or any agency thereof or performing work, under subcontract or otherwise, called for by a contract to which the United States or any agency thereof is a party, awarded, negotiated, or renegotiated as hereinafter provided in section 13 of this act.

(b) This act shall apply to any labor union which has six or more members who are engaged in interstate or foreign commerce or in operations affecting such commerce or employed by the United States or any Territory, insular possession, or instrumentality thereof.

(c) This act shall apply to the employment practices of the United States and of every Territory, insular possession, agency, or instrumentality thereof, except that paragraphs (e) and (f) of section 10, providing for petitions for enforcement and review, shall not apply in any case in which an order has been issued against any department or independent agency of the United States; but in any such case the Fair Employment Practice Commission established by section 5 of this act may petition the President for the enforcement of any such lawful order, and it shall thereupon be the duty of the President to take such measures as may secure obedience to any such order. Every officer, agent, or employee who willfully violates any such order shall be summarily discharged from the Government employ.

FAIR EMPLOYMENT PRACTICE COMMISSION

SEC. 5. For the purpose of securing enforcement of the foregoing rights and preventing unfair employment practices on the part of employers and labor unions, there is hereby established a commission to be known as the Fair Employment Practice Commission, which shall consist of a Chairman and four additional members to be appointed by the President, by and with the advice and consent of the Senate, who shall serve for a term of 5 years except that the terms of the members originally appointed shall expire seriatim at intervals of 1 year. Any member of the Commission may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Three members of the Commission shall at all times constitute a quorum.

REPORTS

SEC. 6. The Commission shall at the close of each fiscal year make a report in writing to the Congress and to the President concerning the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Commission, and an account of all moneys it has disbursed and shall make such further reports on the cause of, and means of alleviating discrimination, and such recommendations for further legislation as may appear desirable.

SALARIES

SEC. 7. Each member of the Commission shall receive a salary of $10,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment.

TERMINATION OF COMMITTEE ON FAIR EMPLOYMENT PRACTICE

SEC. 8. Upon the appointment of the members of the Commission, the Committee on Fair Employment Practice, established by Executive Order No. 9346, of May 27, 1943, shall cease to exist. All employees of the said Committee shall be transferred to and become employees of the Commission. All records, papers, and property of the Committee shall pass into the possession of the Commission, and all unexpended funds and appropriations for the use and maintenance of the Committee shall be available to the Commission.

LOCATION OF OFFICES

SEC. 9. The Commission shall hold its sessions in the District of Columbia and at such other places as it may designate. The Commission may, by one or more of its members or by such referees, agents, or agencies as it may designate, prosecute any inquiry or conduct any hearing necessary to its functions in any part of the United States or any Territory or insular possession thereof.

PROHIBITION OF UNFAIR EMPLOYMENT PRACTICES

SEC. 10. (a) The Commission is empowered as herein provided to prohibit any person from engaging in any unfair employment practices within the scope of this act.

(b) Whenever it is alleged that any person has engaged in any such unfair employment practice, the Commission, or any referee, agent, or agency designated by the Commission for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect and containing a notice of hearing before the Commission or a member thereof, or before a designated referee, agent, or agency at a place therein fixed not less than 10 days after the serving of said complaint.

(c) The person so complained of shall have the right to file an answer to such complaint and to appear in person or otherwise, with or without counsel, and give testimony at the place and time fixed in the complaint.

(d) If upon the record, including all the testimony taken, the Commission shall find that any person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair employment practice and to take such affirmative action, including reinstatement or hiring of employees with or without back pay, as will effectuate the policies of this act. If upon the record, including all the testimony taken, the Commission shall find that no person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue an order dismissing the said complaint.

(e) The Commission shall have power to petition any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) or, if all the circuit courts of appeal to which application might be made are in vacation, any district court of the United States, within any circuit or district, respectively, wherein the unfair employment practice in question occurred, or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court to which petition is made a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and the order of the Commission. Upon such filing, the court to which petition is made shall conduct further proceedings in conformity with the procedures and limitations established by law governing petitions for enforcement of the orders of the National Labor Relations Board.

(f) Any person aggrieved by a final order of the Commission granting or denying in whole or in part the relief sought may obtain a review of such order in any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) within any circuit wherein the unfair employment practice in question was alleged to have occurred or wherein such person resides or transacts business by filing in such court a written petition praying that the order of the Commission be modified or set aside. Upon such filing, the reviewing court shall conduct further proceedings in conformity with the procedures and limitations established by law governing petitions for review of the orders of the National Labor Relations Board.

INVESTIGATORY POWERS

SEC. 11. (a) For the purpose of all hearings and investigations which in the opinion of the Commission are necessary and proper for the exercise of the powers vested in it by this act, the Commission, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question. Any member of the Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question, before the Commission, its member, agent, or agency conducting the hearing or investigation. Any member of the Commission, or any agent or agency designated by the Commission for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

(b) In case of contumacy or refusal to obey a subpena issued to any person, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(c) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

RULES AND REGULATIONS

SEC. 12. The Commission shall have authority from time to time to make, amend, and rescind such regulations as may be necessary to carry out the provisions of this act. Such regulations shall be effective 60 days after transmission to the Congress unless the Congress has in the interim amended or nullified such regulations by appropriate legislation or has adjourned within 30 days after the submission of such regulations. Such regulations shall include the procedure for service and amendment of complaints, for intervention in proceedings before the Commission, for the taking of testimony and its reduction to writing, for the modification of the findings or orders prior to the filing of records in court, for the service and return of process and fees of witnesses, and with respect to the seal of the Commission, which shall be judicially noticed, the payment of expenses of members and employees of the Commission, the qualification and disqualification of members and employees and any other matters appropriate in the execution of the provisions of this act.

GOVERNMENT CONTRACTS

SEC. 13. (a) All contracting agencies of the Government of the United States shall include in all contracts hereafter awarded, negotiated, or renegotiated by them, except such classes of contracts as may be exempted from the scope of this provision by regulation adopted pursuant to section 12 of this act, a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, national origin, or ancestry, and requiring him to include a similar provision in all subcontracts.

(b) No contract shall be awarded or executed by the United States or any agency thereof to any person found by the Commission to have violated any of the provisions of this act or to any firm, corporation, partnership, or association in which such person has a controlling interest, for a period to be fixed by the Commission not to exceed 3 years from the date when the Commission determines such violation to have occurred. The Commission may by subsequent order, for good cause shown, reduce any period so fixed. The Comptroller General is authorized and directed to distribute a list to all agencies of the United States containing the names of such persons.

WILLFUL INTERFERENCE WITH COMMISSION AGENTS

SEC. 14. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Commission or any of its referees, agents, or agencies, in the performance of duties pursuant to this act, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both.

SEPARABILITY CLAUSE

SEC. 15. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the remainder of such act or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

DEFINITIONS

SEC. 16. (1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

(2) The term "employer" includes any person acting in the interest of any employer, directly or indirectly, and includes the United States and every Territory, insular possession, and agency or instrumentality thereof.

(3) The term "labor union" includes any organization in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning the terms or conditions of employment.

(4) Unless otherwise specified, the term "Commission" means the Fair Employment Practice Commission created by section 5 of this act.

(5) The term "Committee" means the Committee on Fair Employment Practice established by Executive Order No. 9346 of May 27, 1943.

(6) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or Territory or the District of Columbia or any foreign country.

(7) The term "affecting commerce" means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

SEC. 17. This act may be cited as the "Fair Employment Practice Act."

Mr. MILLIKIN. Mr. President, I voted against immediate consideration of the pending bill. I shall vote against cloture. I shall vote for the displacement of the pending bill by any important measure which may be ready for our consideration. I would vote against the pending bill as it is now written. I would vote against the pending bill if it were amended unless the amendments would be certain to assure a sound measure resting on persuasion as distinguished from the coercive base of that which is before us. If in the future a sound persuasion bill shall come before the Senate, I shall vote for it. I shall vote for a change in the rules, if given an opportunity, to provide for cloture by a two-thirds vote on debate on the correction of the Journal, and on appeals from the Chair.

The Senate finds itself in the anomalous position of giving its consideration to a bill which no one wants, which has been expressly repudiated in debate by a number of those who aided in moving the bill out of committee onto the floor of the Senate and who joined in the following recommendation, as shown on page 1 of the only report accompanying Senate bill 101:

The Committee on Education and Labor to whom were referred the bill (S. 101) to prohibit discrimination in employment because

of race, creed, color, national origin or ancestry, and the bill (S. 459) to establish a Fair Employment Practice Commission and to aid in eliminating discrimination in employment because of race, creed, color, national origin or ancestry, after holding hearings and giving consideration to the two bills, report favorably on the former of these bills, S. 101, and recommend that it do pass.

Nothing here or elsewhere is contained in the report to show that the majority of the members of the committee who voted to report the bill favorably were divided among themselves as to the kind of bill they wanted, as to the kind of amendments they wanted, or that some of the members of that majority were against the bill as reported.

Nothing here or elsewhere is contained in the report to show that a number of those who voted to report the bill favorably based their action on a speculative hope that the bill could be improved by amendments.

The Senate voted to give immediate consideration to the bill; it did not vote for or against the bill. I repeat, the Senate merely voted to consider the bill. The motion for immediate consideration of the bill was not debatable, and so there was no opportunity prior to the vote to ventilate the matters which I have mentioned if anyone had reason or felt inclined to do so.

On January 24, 1946, the distinguished junior Senator from New Jersey [Mr. SMITH], who helped to vote the bill out of committee, and for whom I have great affection and respect, said with characteristic candor during a colloquy with the distinguished senior Senator from Alabama, according to page 321 of the CONGRESSIONAL RECORD:

I feel as the Senator feels with regard to the matter of trial by jury, and, for my part, I shall be glad to work with Senators on the other side of this question for an amendment which will adequately take care of the question of trial by jury.

On the same day, a little further on in the debate, the same able Senator from New Jersey said, on page 321 of the RECORD of that date:

I may say to the distinguished Senator from Alabama that I hope amendments will be offered to take care of those fundamentals which I agree with the Senator from Alabama should be taken care of.

The RECORD will show, on page 322, on the same day, that the distinguished junior Senator from New Mexico [Mr. CHAVEZ], leading sponsor of the bill before us, while debating with the distinguished senior Senator from Alabama on the question of the absence of provision in the bill for jury trials, said:

Any time the Senator from Alabama offers that kind of amendment, the Senator from New Mexico will approve it, because he believes in the contention being made by the Senator from Alabama.

On January 24, 1946, 7 days after the Senate had agreed to give immediate consideration to the bill, the distinguished junior Senator from Oregon [Mr. MORSE] enlightened us for the first time as to the unreconciled objectors of the promoters of the bill and as to the tactics which they had pursued in committee, and which they intended to pursue in the Senate. The Senator said, in part, on page 322 of the RECORD:

I want to say to the Senator from Alabama that I think the time has come for the RECORD to show that this bill was voted out of the committee without amendment because amendments to the bill could not be adopted in the committee. There was a group in the committee that took the position that they would not consider any amendments to the bill because they were unalterably opposed to the principle of the bill. With that block of votes against those of us who wanted to see the bill amended in the committee, we were confronted with the situation of voting the bill out in this form so that the Senate of the United States could be turned into a Committee of the Whole and the bill could be amended on the floor of the Senate in accordance with the views of some of us who are proponents of the principle of FEPC, but who feel that the bill is sadly in need of amendment.

I interject at this point to say that there is no rule and there is no recognized practice in the Senate which calls for action by the Senate as a Committee of the Whole, except in connection with treaties, and all of our practices and customs, and, I submit, sound legislative procedures, are opposed to the plan presented by the distinguished Senator from Oregon.

On January 24, 1946, the same distinguished Senator, in debate with the distinguished senior Senator from Alabama [Mr. BANKHEAD], and with reference to the lack of provision in S. 101 for jury trials for those accused of violating the provisions of the bill, said, on page 323 of the RECORD:

I wish to say to the Senator from Alabama that his comments on the procedures provided for by the bill in its present form impress me just as thoroughly as did some of the comments made the other day by the Senator from Georgia [Mr. RUSSELL].

And on the same page of the RECORD of that date appear the following remarks by the same distinguished Senator [Mr. MORSE]:

But I repeat to the Senator from Alabama that I think the fundamental issue now facing the Senate is whether a majority of the Senate are to be allowed, under our democratic legislative processes, to vote on the merits of legislation or whether they are to be permitted to vote only at the sufference of a minority of Senators who say, in effect, "You shall vote on legislation only in accordance with our choice." I cannot reconcile that procedure with democratic processes or even with the principles of the Democratic Party:

On January 25, 1946, the distinguished junior Senator from New Jersey [Mr. SMITH] said on page 376 of the RECORD:

It is my judgment, Mr. President, that the bill as it has been presented to the Senate needs substantial amendment in order that some of the limitations of the bill which I and others of my colleagues see in it may be corrected before we present it for final passage.

On January 29, 1946, the same distinguished Senator [Mr. SMITH] said on page 494 of the RECORD of that date:

I am finding myself supporting a measure which I hope will be drastically amended before action is taken on it, and I hope to help prepare amendments. Fundamentally, for many of the reasons the distinguished Senator [Mr. GEORGE] has stated, I do not approve the measure as it is now drawn.

On the same date, and on the same page of the RECORD, this distinguished Senator [Mr. SMITH] said:

We were forced to the position either of abandoning having the subject considered or else reporting a bill which we hoped to have debated on the floor by the Senate, acting as a Committee of the Whole, as the Senator from Oregon [Mr. MORSE] has said, whereby we might find some way of getting together.

On January 29, 1946, the distinguished junior Senator from Oregon [Mr. MORSE] said on page 503 of the RECORD of that date:

Adverting to the speech which was made by the Senator from Georgia [Mr. RUSSELL], I may say that I do not find myself in disagreement with the point which the Senator continues to make on the floor of the Senate with regard to the procedural provisions of the bill. I have expressed myself in sympathy with judicial rather than administrative processes in connection with other bills which have been considered by the Senate. I wish the RECORD to show that one reason that I did not become one of the cosponsors of the pending bill was the objection which I raised, when the bill was first discussed with me, with regard to its procedures. I happen to be one who believes that when dealing with criminal penalties, judicial functions should not be turned over to administrative tribunals.

On the same day, the distinguished junior Senator from Indiana [Mr. CAPEHART] voiced a sentiment which is in complete accord with my own. I quote from page 504 of the RECORD of that day:

Unfortunately, or fortunately, depending upon the Senator's point of view, my personal observation—and this is purely my own personal observation, without committing anyone whatsoever—is that possibly a great majority of the proponents of the bill, including the able Senator from Oregon [Mr. MORSE], are opposed to the bill in its present form.

The able junior Senator from Oregon commented—page 505 of RECORD of that date:

No matter what anyone proposes by way of an FEPC bill, this group will vote against it. Then there is another group who have a common belief in the basic principle of a fair employment practice act, but they are not in agreement as to just what amendments should be made to the bill. The result is, to be practical about it, that we could not get a bill out of committee unless we did what we did in reporting this bill out. We were practical and realistic in the committee discussions. We said, "All right; the majority of us do believe in the principle of an FEPC. We will vote this bill out in order to turn the Senate into a Committee of the Whole, in the hope that we can have amendments adopted on the floor of the Senate, so that we can then have a bill for which a majority of the Senate will vote." That happened to be the practical situation in which we found ourselves in the committee. I am sure the Senator from Arkansas—

I believe that at that point the Senator was having a colloquy with the senior Senator from Arkansas [Mr. MCCLELLAN]—

I am sure the Senator from Arkansas, a member of the committee, is well aware of the fact that my position in the committee was that I hoped the bill would be amended. However, it was a question of counting noses, I say to the Senator from Indiana, and in the committee we could not get a majority of the Senators in support of any particular amendment. I do not think we should let a bill, declaring a principle like that involved in the

bill we are discussing, die because of such a situation as existed in our committee.

I recall to the attention of Senators that the committee report made an unequivocal recommendation that the bill do pass.

I continue to quote the distinguished junior Senator from Oregon [Mr. MORSE]:

I do not think we should make use of the rules of the Senate to prevent the Senate from coming to a vote on the merits of any proposal that is called up for a vote. This is our difference, and I think it is an honest difference. I respect the Senator's views, and I am sure he does mine. This is the difference between us. I think that as United States Senators we should be willing at all times to stand up on our hind legs, so to speak, and vote up or down on its merits any legislation that is proposed in the Senate. I do not think we should use parliamentary techniques such as the filibuster, to prevent a manifestation of majority rule in the Senate.

It goes without saying that these fine Senators adopted these extraordinary means for capturing the consideration of the Senate on the theory that they were warranted by objectives which, to them, seemed to be of the noblest character. In passing I would suggest, and I do it most respectfully and in a friendly way, that those who joined in this strange tactic—and I am using deliberate understatement—are hardly in position to criticize the traditional and rule-warranted tactics adopted by those who have different ideas as to how to achieve the objective, and that it is somewhat inconsistent for those gentlemen to argue that a majority of the Senate is being oppressed by a minority other than themselves.

Now a few remarks as to those amendments. The majority of the committee, under the testimony which I have read to the Senate could not agree among themselves as to what they should be. The majority of the committee who voted out the bill favorably and urged that it should pass as it could not agree as to what the bill should be in its final form.

Was it not a speculative hope of fantastic order that caused those gentlemen to believe that the Senate could achieve a unity of thought and purpose which they, with all of their zeal and good intentions, had been unable to achieve among themselves? Does this not represent, and I do not say this in a waspish way, a strong element of imposition on sound committee practice and on sound Senate practice?

It was the hope of those well-intentioned and able Senators that some indefinable kind of legislation would evolve that would prove satisfactory to them through the action, as they describe it, of the Senate operating as a Committee of the Whole, that is to say, operating without the benefit of hearings on the amendments, and without knowing the full scope of amendments to be presented, without any plan that would reconcile the conflicting views of the promoters of the bill.

I venture to doubt whether, if the Senate had been informed as to this state of affairs in the committee, if this had been frankly stated in the committee's report, the Senate would have voted to give the bill consideration.

Be that as it may, I had read the bill, and I was not persuaded by the report. From the face of the bill I saw that almost every sentence of it is redolent of conceptions and procedures which in my judgment do not square with the American system of government, and therefore I voted against its present consideration.

I shall always be glad that I did so, for if at any place in the procedures of the Senate I am given the opportunity of free choice of what shall come here, what shall stay here, how long it shall stay here, what consideration it shall receive while here, I expect to align my vote against the possibility, remote as it may be, of the triumph of the kind of transparent viciousness that is concentrated and multiplied in this bill.

I know of no obligation upon me or upon any other Senator to act as a midwife to a legislative monstrosity at any stage of the labor.

Let me add that whenever I have a free choice I shall not vote for speculation of the type which has been admitted and to which I have referred, with the orderly and established procedures and practices of the Senate. I do not feel myself under the slightest obligation to aid in Trojan-horse tactics for the achievement of unspecified and improbable objectives, no matter how laudable the moving wish-philosophy may be.

Until and unless compelled to do so by a change in the rules, I prefer not to function as a member of the Senate Committee of the Whole on this kind of a measure. A regular committee can do a better job in drafting, in coordination, and in acquiring the basic information and criticism necessary to sound legislation.

Because of the pendency in these critical times of so much legislation of transcendent importance, I prefer not to give time to the consideration of a bill which, regardless of amendments, will continue to rest on a coercive basis. Under the circumstances mentioned I do not want to give time to the consideration of amendments in the speculative and farfetched hope that in the end the nauseating measure before us can be given a savory odor and can be made palatable and digestible.

If we defeat cloture this farce will come to an end. I want it to come to an end, and therefore I shall vote against cloture.

Now, to summarize some of my objections to the bill as it stands before the Senate:

The bill, with false proclamations, expands to the vanishing point the already grotesquely overexpanded commerce clause of the Federal Constitution.

Whatever may be said against discrimination because of race, creed, color, national origin, or ancestry, there is nothing in our history to give validity to what I submit is the real theory of the bill, that a citizen has the right to work because of his race, creed, color, national origin, or ancestry, or has the right to work for a particular employer.

The bill does not prescribe even a semblance of working standards for the determination of whether there has been a discrimination.

Under the bill as drawn it could be argued that there is an irrebuttable presumption that any particular pay roll does not represent what may be termed the composite religious, racial, and ancestral origin man. What kind of a man is this? What does he look like? What is represented in the amalgam of his make-up?

There are more than 250 different denominations in this country within the Protestant faith. Some of these denominations have greater hatreds, bigotries, and intolerances for each other than exist between the main divisions of religious faiths.

So, in the make-up of this composite man some weighting will have to be given to each of those more than 250 independent Protestant denominations.

We have orthodox and nonorthodox Jewish churches, and weighting will have to be given for each of them. We have several branches of the Catholic Church, and these pose the same problem.

From the over-all standpoint about 7 percent of the church enrollment of the country consists of members of the Jewish faith, about 34 percent of members of the Catholic church, about 55 percent of Protestant faith, represented, as I stated, by more than 250 denominations. These percentages will have to be fairly represented in this composite man.

The racial elements of this composite man are something like this—1940 census, total population, 131,669,275:

White	118,214,870
Negro	12,865,518
Indian	333,969
Chinese	77,504
Japanese	126,947
Filipino	45,563
Korean	1,711
Hindu	2,405
All others	788

These percentages will have to receive their proper weight.

The ancestral origin part of the formula so far as the white race is concerned figures out as follows, according to the 1940 census, and I list about 50 ancestral origin nations with the number of our inhabitants attributed to each. This will have to be given proper weight. Mr. President, I ask unanimous consent that the list may be printed in the RECORD at this point in my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

England	1,975,975
Scotland	725,861
Wales	148,260
Northern Ireland	377,236
Irish Free State	410,951
Norway	924,688
Sweden	1,301,390
Denmark	443,815
Iceland	6,584
Netherlands	372,384
Belgium	130,358
Luxemburg	27,166
Switzerland	293,973
France	349,050
Germany	5,236,612
Poland	2,905,859
Czechoslovakia	984,591
Austria	1,261,246
Hungary	662,068

Yugoslavia	383,393
Russia	2,610,244
Latvia	34,656
Estonia	394,811
Finland	284,290
Rumania	247,700
Bulgaria	15,688
European Turkey	8,372
Greece	326,672
Italy	4,594,780
Spain	109,407
Portugal	176,407
Other Europe	41,459
Palestine	12,807
Syria	138,599
Asiatic Turkey	95,839
Other Asia	85,924
Canada, French	908,386
Canada, British	2,001,773
Newfoundland	47,001
Mexico	1,076,653
Cuba	32,257
Other West Indies	33,457
Central America	12,738
South America	54,830
Australia	26,898
Azores	74,351
Other Atlantic islands	8,592
All other countries not previously reported	194,009

Mr. MILLIKIN. Mr. President, it will be replied that, of course, nothing of that kind is intended, that it will not be cut that thin, that it is not intended to reproduce this composite man on the Nation's pay rolls. It will be said that the bill is intended to deal with specific cases of discrimination and that the thing will have to be painted with a broader brush.

What is the standard for determining a specific case of discrimination? The act is silent. It comes to this: Unless the ridiculous task of trying to create the composite man is undertaken on an arbitrary and automatic basis and independent of actual motive, we must run an inquest on the mind of the employer and also on the mind of the employee.

And that to my mind is the most vulnerable and offensive part of the bill. How much blood must be spilled, how much hatred and discrimination must be accentuated, how much ugly human history must be endured and repeated before we learn law cannot and should not coerce conformity in human thinking.

It may be said that the law often tests motive and that is true. When a man is tried for murder or for almost any felony, motive becomes an indispensable element of proof. But please mark this: Wherever we have succeeded in testing motive in the field of criminal law it is because the crime is universally abhorred and indulged in by only an infinitesimal part of the people. When that is not the case we have nullification.

It is not necessary, I am sure, to recall in any detail the terrible consequences of all past experiments in trying by criminal law to coerce conformity in fields where universal abhorrence of the crime did not exist. Reflect again on the past religious wars in Europe.

Please reflect again on the history of attempts to secure religious conformity in our own country. This Nation was founded by people who escaped from England because they did not accept religious conformity. Unhappily, the early history of this country is marred by the very thing which caused those men and women to flee from their mother country.

We have known state religion in our own country. But happily that has all passed. The first amendment to the Federal Constitution declares the enlightened policy which now controls us that—

> Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

A similar provision is common to our State constitutions.

As we were challenged to do the other day by the great senior Senator from Georgia [Mr. GEORGE], let us look it fairly and squarely in the face. People of any given faith, race, or ancestral origin have a right in peaceful ways to dislike people of other faiths, races, and ancestry; have a right to give or withhold their personal, business, and employment associations. This goes for the employee, the sadly neglected man in these debates, as well as the employer.

Does this mean that we are to stumble along forever living with intolerance, bigotry, and other forms of foolishness and evil? There will always be some of it, unless and until man becomes completely free of sin. But the point I make is that, bad and foolish as the exercise of such rights may appear to you, Mr. President, or to me, it cannot be eliminated by law—with a policeman's night stick.

As we know, the nature of man is an inconsistent thing, and it carries on warfare within itself. It holds stores of cruelty, greed, meanness, bigotry, intolerances, discrimination, and badness of all kinds. But there is also an inexhaustible mine of goodness.

Let us not draw on the store of everything in us that is bad and has been repudiated as such in the patently foolish hope that this is the way to promote that which is good. In the furtherance of our great objective let us draw from the better side of man's nature. Let us do that in the field that we are discussing—by education in the home, in schools, in the churches, by personal example, by legitimate arts of persuasion.

Our progress in this way will not be as rapid as many of us would desire, but it will be far more rapid than if we try to expedite it by force, by trying to legislate conformity which on the evidence of history can only increase hatreds and the discriminations between our creeds and races. That road is the road of repudiated reaction.

We have been rather successful in cultivating the goodness in man's nature. Our churches, many of our colleges, our myriad philanthropies, and daily individual acts of kindness and helpfulness come voluntarily from men and women who have become convinced without the compulsion of law that they should add their mite to human progress and decency.

We have not done so badly in this country. Let any of us trace back his ancestral origin and I do not care to what country it takes him he will find that his condition here is infinitely better than it would be if he were there. Let any person of any race trace the condition of his people to the racial homeland and he will find that the condition of his race here is infinitely better than anywhere else.

I favor a sound persuasion measure and will vote for such a measure whenever I have the opportunity to do so and I will join in promoting such a measure by like-minded Senators.

At this point I should like to make something clear which has become much obscured. I was a member of the resolutions committee of the last National Republican Convention and was a member of its drafting subcommittee. That committee recommended, and the convention adopted, the following plank on fair employment practice legislation:

> We pledge the establishment by Federal legislation of a permanent Fair Employment Practice Commission.

Let me say that I know of my personal knowledge that the only kind of a bill that was under consideration by that committee was one which would rest on persuasion. I make this statement because a number of the Members on this side of the aisle have been of the opinion that we were considering legislation along the line of the bill before us and that we had promised to support such a bill.

This bill goes so far as to require the employer to snoop into the beliefs and possible prejudices of the employees of an employment agency in which the employer may have no interest other than as a source for recruiting workers.

It even provides for the possible destruction of a business which may be entirely innocent of discrimination. Section 13 (b) of the bill excludes from Government business any firm in which a discriminator has a controlling interest. As a matter of fact, his controlling interest may not be used in shaping in any way the policies or actions of the company aimed at. The control may be, as it often is, merely potential rather than an existing fact. It may be of an entirely absentee nature. The firm aimed at by this provision of the bill may afford a perfect example of fair and nondiscriminating labor practice. Government business may be vital to its continued existence and yet under the circumstances mentioned it can be destroyed through the power of the Commission to withhold Government business for a period not to exceed 3 years.

This bill bludgeons the spirit of numerous provisions of our Federal Constitution. Its cavalier indifference to protective venue provisions for the citizen is an example. Its failure to provide a jury trial for an alleged violator, its failure to provide the accused with the right to confront and cross-examine the witnesses against him, are others. Its nonexisting standards of admissible evidence is another example. The use of hearsay, ex-party affidavits and unsworn statements are not precluded. And in this connection please do not forget that the use of such so-called evidence against a citizen is not without precedent among our Government agencies.

The loose and vague provisions of the bill for selecting and assigning and controlling the work of the field inquisitors who will make the reports on which the commission will place primary reliance, its failure to penalize discrimination

among the members and employees of the commission, are others. Its provisions for indiscriminate search and seizure, for violations of individual privacy, are others. Likewise its failure to include specific time limitations within which actions may be brought against the citizen. The punishment for guilt seems to me to be excessive. The bill fails to protect against multiplicity of prosecutions; it gives no relief or protection against the malicious who wish more to punish and destroy the employer than to abolish discrimination. It is a perfect instrument for blackmail and vengeance unrelated to discrimination.

These are examples which will illustrate why I view the bill as a legislative monstrosity.

Now as to cloture: The Senate of the United States is one of the few legislative forums in the world which operates on, and guards the right of, free speech. If my country were confronted with the horrible choice of surrendering all of the individual rights of its citzens under our Constitution save one to be selected by it I should unhesitatingly counsel the preservation of the right of free speech, for so long as this right remains unimpaired all other rights, if lost, may be regained.

History confirms this. Every dictator knows it well and selects free speech as the first victim of his aggression.

Is the right abused? Of course, it is abused. It is abused everywhere where it exists—it is abused at times in the Senate. But there are reasonably adequate measures against abuse which do not destroy or seriously violate the right.

We have laws against obscenity. We have laws against speech which incites public disorder. We have laws against slander. Men have always had their own ways, outside the courts, some of them regrettable and to be abhorred, to end or punish on the spot certain forms of personal insult.

The Senate has its law for temporarily ending free speech in this Chamber. It is by operation of the rule of cloture which requires a two-thirds vote.

I have heard it argued that this is unfair to the rights of the majority, that the operation of the rule subjects the majority to the will of the minority, that this is a violation of democratic practices, from which the conclusion necessarily follows that a majority of one should have the power to do as it pleases.

There is so much error in this argument and it has so much significance because of its studious cultivation by people who do not know better, by people who should know better, and by those who wish to destroy our system of government that it calls for full treatment. But on this occasion I shall limit myself to touching on some of the highlights of the matter in rather summary fashion.

It is manifest that if a majority of one could end free speech in the Senate it would not be long until there would not be any free speech.

The majority of any party in power would find the suppression of free speech a convenient method of expediting what it conceived to be useful and urgent legislation. It is always annoying to have errors exposed, and it would not be long until a majority of one decided that for political purposes it should retain the illusion of infallibility by preventing exposure here of its errors. And then it would not be long until corrupt and even more ominous legislation might be shepherded through this Chamber in enforced silence.

It should never be forgotten, I respectfully suggest, that the rules of a legislative body in a country which understands, appreciates, and desires to conserve the principles of human freedom are adopted not to enhance or render unshakable the power of the majority of its members but rather to protect those in the minority.

The other day, in his classic speech on cloture, the senior Senator from Maine [Mr. WHITE], in developing the same theme in a manner which I cannot equal, found support in Jefferson's Manual on Paliamentary Practice which appears on page 237 of our Senate Manual. It deserves frequent repetition. I read from what is said there:

> Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man from old and experienced members that nothing tended more to throw power into the hands of administration and those who acted with the majority of the House of Commons than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority; and that they were, in many instances, a shelter and protection to the minority against the attempts of power. So far the maxim is certainly true, and is founded in good sense; that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary from time to time and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities.

When we talk of the rights of the majority of one, when we would give such a majority all-embracing power over our actions here, we simply overlook the fact that in this Chamber and outside of it, rules and practice and law, out of the wisdom of centuries of experience, provide that in many of the most important decisions in life those rights are qualified so as to protect the minority.

The rights of the minority have not been imposed by a minority; they have been freely granted by majorities which realize the fact that majorities are not always right, that there is an inherent tendency in majorities to oppress minorities, which realize that under natural or moral law the individual and minority groups have certain rights which should not be subjected to the caprice of others, no matter how numerous, that these minority rights by their nature and by the formal mandates and consents and relinquishments of power, by thoughtful, just, and civilized majorities, when they are engaged in laying out the long-term rules for the government of all, are truly and deservedly unalienable.

Let me give a few illustrations of the qualifications which have been found wise and just on the unrestrained power of bare majorities.

I have pointed out that the very rules under which we operate here in the Senate are primarily intended to protect Senate minorities. The Federal Constitution, under which we are supposed to operate, establishes many qualifications to bare majority rule. That instrument had to be ratified by a minimum of nine of the Original Thirteen States. To amend it requires the consent of three-fourths of the States. To propose an amendment requires a two-thirds vote of the Congress or of two-thirds of the States.

The make-up of the Senate itself rests on the arbitrary rule of two Senators for each State, large or small. Indeed, in practical effect this is the only provision of the Constitution which cannot be amended, for it is provided in article V, dealing with amendment procedure, "that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

The Senate has the power to try impeachments, but no person, under the terms of the Constitution, shall be convicted without the approval of two-thirds of the Members of this body who shall be present. Each House may determine the rules of its own proceedings, but it takes at least a two-thirds vote of either of the two Houses to expel one of its Members. The President of the United States may veto a bill passed by 531 Members of the Congress and for it to be repassed it must secure a two-thirds vote of the Senate and the House. The President has the power, by and with the advice and consent of the Senate, to make treaties provided two-thirds of the Senators present concur. After the Congress has passed a law and the President has approved it, it may, nevertheless, be voided by the action of our Supreme Court.

In this matter we should not overlook the rights vested in the individual by the Bill of Rights. Bringing his troubles within any one of these rights the humblest, most poverty-stricken—yes, even the most knavish of our citizens—can interpose that right as a protective shield between himself and the opposing clamor of any number of our citizens, or against the opposing clamor, if the case can be imagined, of all of the rest of our 140,000,000 citizens. And if this lonely and hated outcast takes his case to the courts, and if those courts preserve their integrity and courage—as they usually do—then, if that lone dissenter makes his case, he will prevail and frustrate the opposition of the multitude against him.

In our everyday life we have many examples where important action requires more than a bare majority vote. And always remember, please, that in governmental practice and in private life where such a rule prevails it does not represent a power seized by the minority, but is one granted by the majority itself.

I believe that every State in the Union requires the votes of more than a bare majority of the stock of a corporation to take one of several actions, such as

changing the name of a corporation, dissolving it, consolidating or merging it, or disposing of its assets.

Mr. President, I ask unanimous consent that there may be added as an annex to my remarks a memorandum covering a part of this subject made under the supervision of the Legislative Reference Service of the Library of Congress.

(See exhibit A.)

Let me emphasize that these laws reflect what is considered to be sound public policy. They have been established to protect not the large stockholder, not the controlling stock interests in the company which, without such laws, are amply able to protect themselves, but, rather, the small stockholder, the minority stockholding interest. These statutes resulted from the abuse of corporate power by the holders of actual or working majorities of the shares.

In organizations such as lodges, where complete congeniality is aimed at and where complete agreement on the beliefs and purposes of the organization are considered of paramount importance, it is well known that a single member can prevent admission of a candidate, even though all of the other members may be for it.

It takes the unanimous vote of 12 men to convict a person for a serious criminal offense.

The principle that in matters of great importance more than a bare majority should decide, has been widely accepted in the constitution and laws of other governments. Mr. President, I ask unanimous consent that there may be added as annexes to my remarks the following memoranda on this subject, prepared for me under the supervision of the Legislative Reference Service of the Library of Congress:

Constitution provisions in dominions of Great Britain concerning parliamentary vote requirements.

(See exhibit B.)

Subject matter which must be decided by other than ordinary majority by the legislatures of Latin American countries.

(See exhibit C.)

Early American Colonial constitutions requiring more than majority vote.

(See exhibit D.)

Subjects requiring more than a majority vote for decision in the Confederate Constitution of March 11, 1861.

(See exhibit E.)

Excerpts from the Articles of Confederation relative to acts of Congress requiring more than a simple majority vote.

(See exhibit F.)

Subject matter which must be decided by other than ordinary majority by the legislatures of European countries.

(See exhibit G.)

Religious organizations frequently require that action on certain types of questions shall be taken by a vote of more than a majority of one. For example, the Congregational Church requires that in its assemblies there shall be a two-thirds vote on the suppression of a question, the suspension of the rules, the amendment of the rules, the limitation or extension of debate, the previous question, the making of a special order, or the taking up of a question out of order, and also a motion to lay on the table when it is used to limit debate or suppress a question—see page 70 of Congregational Manual and Rules of Order, by William E. Barton.

The Methodist Episcopal Church requires that to change its constitution a vote of two-thirds of the general conference is sufficient—see page 76 of One Thousand Questions and Answers Concerning the Methodist Episcopal Church, by Henry Wheeler, D. D.

The Presbyterian Church in the United States requires that before there can be a full organic union and consolidation of that church with any other ecclesiastical body there must be the advice and consent of three-fourths of the presbyteries—see page 44 of Presbyterian Law and Procedure, by Rev. J. D. Leslie, D. D., LL. D.

The canons of the Protestant Episcopal Church require that sentence shall not be imposed upon a bishop found guilty of holding and teaching doctrine contrary to that held by the church unless and until the said finding shall have been approved by a vote of two-thirds of all the bishops entitled to seats in the house of bishops, canonically assembled in the said house—see page 610 of the Protestant Episcopal Church Constitution and Canons.

There is an interesting historical facet of the subject in the fact that the popes of the Catholic Church are elected by a two-thirds vote of the cardinals, and that this goes back unbroken to the year A. D. 1179 when the pope of that church was Alexander III.

When the question of cloture arises here on Senate bill 101, each Senator will have a free choice on the action he will take and a free choice of the reasons which may move him to his decision.

So far as I am concerned, I must reserve the right to consider each case as it arises. I do not say that I shall never vote for cloture, but there will always be in my mind a strong presumption against it, which for all of the reasons I have mentioned has not been overcome.

EXHIBIT A

Merger, consolidation, or voluntary dissolution of corporations in general: Percentage of stock required to give effect to proposals in the various States

Consolidation or merger	Dissolution
Alabama (Code, 1940, title 10, sec. 95): Two-thirds in value of capital stock.	(Title 10, sec. 104, 105): All stockholders, but two-thirds in value of capital stock may institute equity proceedings.
Arizona (Code Annotated, 1939, sec. 53-504): Two-thirds of stock.	(Sec. 53-306): Two-thirds of stock; unanimous consent if no meeting held.
Arkansas (Popes' Digest, 1937, sec. 2224): Majority of voting power, or other proportion fixed in articles.	(Sec. 2202): Two-thirds of voting power.
California (Civil Code, sec. 361): Two-thirds of stock of each class.	(Civil Code, sec. 400): Majority of voting power.
Colorado (Session Laws, 1943, ch. 89, sec. 2): Two-thirds of stock.	(Colorado Statutes Annotated, 1935, ch. 41, sec. 64): Two-thirds of entire stock.
Connecticut (General Statutes, sec. 3464; Cum. Supp., 1939, sec. 1130e): Two-thirds of outstanding stock of each class.	(Sec. 3470): Three-fourths of outstanding stock of each class.
Delaware (Laws, 1941, ch. 132, sec. 12): Two-thirds of capital stock	(Laws, 1943, ch. 122, sec. 4): Two-thirds in interest of stockholders; unanimous consent if no meeting held.
Florida (Florida Statutes, 1941, sec. 612.37): Majority of voting power, or such other proportion as fixed in certificate of incorporation.	(Sec. 612.46): Two-thirds of all voting power; unanimous consent if no meeting held.
Georgia (Code of Georgia, and Supplement, sec. 22-1839): Majority of votes.	(Sec. 22-1873): Two-thirds of all voting power.
Idaho (Idaho Code Annotated, 1932, sec. 29-151): Two thirds of voting power of all shareholders.	(Sec. 29-302): Two-thirds vote of all stockholders.
Illinois (Laws, 1943, p. 474, sec. 1): Two-thirds of each class having right to vote.	(Business Corporation Act, sec. 76): Two-thirds of each class having right to vote.
Indiana (Laws 1941, ch. 226; Burns' Annotated Statutes, 1933, sec. 25-232): Majority of outstanding shares entitled to vote.	(Burns' Annotated Statutes, 1933, sec. 25-241): Two-thirds of the outstanding shares entitled to vote.
Iowa: No provision found..	(Code, 1939, sec. 8363): Unanimous consent, or in accordance with provisions of articles.
Kansas (General Statutes, 1935, Supp. 1943, sec. 17-3703): Two-thirds of capital stock.	(Sec. 17-3602): Two-thirds in interest; unanimous consent if no meeting held.
Kentucky (Kentucky Revised Statutes, 1944, sec. 271.250): Two-thirds of outstanding capital stock.	(Sec. 271-300): Majority of stock unless otherwise provided in articles.
Louisiana (Louisiana General Statutes (Dart), 1939, sec. 1128): Unless otherwise provided in articles, two-thirds of each class of stock.	(Sec. 1134, 1144): Two-thirds of voting power unless articles provide for larger proportion; unanimous consent if no meeting held.
Nebraska (Revised Statutes, 1943, sec. 21-1104): Two-thirds of capital stock.	(Sec. 21-183): Two-thirds in interest of stockholders; unanimous consent if no meeting held.
Nevada (Statutes, 1937, ch. 7, sec. 4): Majority (or larger proportion if required by articles) of each class of stock, even though its right to vote be otherwise restricted.	(Compiled Laws, 1929, sec. 1663): Two-thirds of voting power or nine-tenths of stockholders without a meeting.
New Hampshire (Revised Laws, 1942, ch. 274, sec. 41): Two-thirds of each class of stock entitled to vote.	(Ch. 274, sec. 96): Majority of stock (one-fourth in case of impending insolvency) may petition superior court.
New Jersey (Revised Statutes, 1937, sec. 14:12-3): Two-thirds of all capital stock.	(Sec. 14:13-1): Two-thirds of stockholders without regard to voting power or class of stock; unanimous consent of all stockholders if no meeting held.
New Mexico (Statutes, 1941, sec. 54-902): Two-thirds of capital stock.	(Sec. 54-501): Two-thirds in interest, unanimous consent if no meeting held.
New York (Stock Corporation Law, sec. 86): Two-thirds vote of shares entitled to vote; unanimous consent if no meeting held.	(Stock Corporation Law, sec. 105): Two-thirds vote of shares entitled to vote; unanimous consent if no meeting held.
North Carolina (General Statutes, 1943, sec. 55-165): Majority of stock entitled to vote.	(Sec. 55-121): Two-thirds in interest of all stockholders; unanimous consent if no meeting held.
North Dakota (Laws 1931, ch. 113): Majority of outstanding capital stock; unanimous consent if no meeting held.	(Supplement to the 1913 Compiled Laws, 1925, sec. 4565): Two-thirds vote of all stockholders.
Maine (Laws 1937 Ch. 195): Majority of voting power.	(Revised Statutes, 1930, ch. 56, sec. 90): Stockholders upon vote may file bill in equity for dissolution.
Maryland (Flacks' Code, 1939, art. 23, sec. 33): Two-thirds of each class of shares outstanding and entitled to vote.	(Art. 23, sec. 93): Two-thirds of each class of shares outstanding and entitled to vote.
Massachusetts (Acts and Resolves, 1941, ch. 514): Two-thirds of each class of stock outstanding and	(Acts and Resolves, 1933, ch. 66): Majority (in some cases 40 percent) of each class of stock may

Merger, consolidation, or voluntary dissolution of corporations in general: Percentage of stock required to give effect to proposals in the various States—Continued

Consolidation or merger	Dissolution
Massachusetts—Con. entitled to vote, or by larger vote if charter requires.	petition court for dissolution.
Michigan (Michigan Statutes Annotated, 1937, sec. 21.52): Two-thirds of total shares of each class of stock outstanding.	(Sec. 21.67, 21.73): Two-thirds of total shares of each class of stock outstanding may surrender franchise, and three-fourths of total shares of each class of stock outstanding may approve dissolution.
Minnesota (Masons' Minnesota Statutes, 1927, Supplement, 1940, sec. 7492-41): Two-thirds of voting power (or some other proportion not less than one-half as may be prescribed by the articles).	(Sec. 7492-46): Two-thirds of voting power.
Mississippi: No provision found.	(Mississippi Code Annotated, 1942, sec. 5352): Two-thirds of stock.
Missouri (Laws 1943, p. 410, sec. 65): Two-thirds of outstanding shares entitled to vote.	(Laws 1943, p. 410, sec. 80): Two-thirds of outstanding shares entitled to vote; unanimous consent if no meeting held.
Montana: No provision found.	(Revised Codes, 1935, sec. 9923): Two-thirds vote of all stockholders.
Ohio (Page's General Code, 1938, Supp. 1943, sec. 8623-67): Two-thirds of voting power, or other fraction, not less than a majority, or vote by classes, as articles require.	(Sec. 8623-79): Two-thirds of stock in voting power, or such proportion, though less than majority, as articles may require; unanimous consent if no meeting held.
Oklahoma: No provision found.	(Oklahoma Statutes, 1941, title 18, sec. 152): Two-thirds vote of all stockholders.
Oregon (Oregon Laws, 1943, ch. 366, sec. 2): Two-thirds of voting power of all shareholders.	(Compiled Laws Annotated, 1940, sec. 77-235): Majority of stock.
Pennsylvania (Purdon's Pennsylvania Statutes Annotated, 1940, Supp. 1944, sec. 2852-902): Majority of stock of each class entitled to vote.	(Sec. 2852-1102): Majority of outstanding shares of each class entitled to vote; unanimous consent if no meeting held.
Rhode Island: No provision found.	(General Laws, 1938, ch. 116, sec. 57): One-half or more of all outstanding capital stock.
South Carolina (Code of Laws, 1942, sec. 7757): Majority of outstanding shares entitled to vote.	(Sec. 7708): Majority of capital stock.
South Dakota: No provision found.	(Code, 1939, sec. 11.0902): Two-thirds of outstanding stock.
Tennessee (Williams' Tennessee Code, 1932, sec. 3750): Majority of voting power.	(Sec. 3750): Two-thirds of shares entitled to vote.
Texas: No general provisions found.	(Vernons' Texas Statutes, 1936, art. 1387): Four-fifths in interest; unanimous consent if no meeting held.
Utah (Laws, 1943, ch. 27): Majority of stock entitled to vote.	(Sec. 104-62-1): Two-thirds vote of all stockholders.
Vermont (Acts and Resolves, 1943, ch. 115, sec. 2): Two-thirds of each class of stock, or as the articles may otherwise provide.	(Public Laws, 1933, sec. 5872): By vote in legal meeting stockholders may apply for bill in chancery.
Virginia (Virginia Code, 1944, sec. 3822 (b)): Majority of votes cast at meeting.	(Acts of Assembly, 1944, ch. 367): Two-thirds in interest; unanimous consent if no meeting held.
Washington (Pierce's Code, 1943, sec. 443-15): Two-thirds of voting power.	(Sec. 446-3): Two-thirds of voting power.
West Virginia (Code, 1943, sec. 3075): Two-thirds of shares.	(Sec. 3092): 60 percent of stock entitled to vote.
Wisconsin: No provisions found.	(Wisconsin Statutes, 1943, sec. 181.03): Two-thirds of stock entitled to vote, unless articles otherwise provide.
Wyoming: No provisions found.	(Revised Statutes, 1931, sec. 28-1104): Two-thirds of stock.

EXHIBIT B

CONSTITUTIONAL PROVISIONS IN DOMINIONS OF GREAT BRITAIN CONCERNING PARLIAMENTARY VOTE REQUIREMENTS

AUSTRALIA

Commonwealth of Australia Constitution Act, 63 and 64 Victoria chapter 12 (July 9, 1900):

Section 23: Senate. Majority.

Section 40: House of representatives. Majority.

Section 57: Passage of laws at joint session convened by governor general upon disagreement of both houses. Absolute majority of total number of members of senate and house of representatives.

Section 128: Constitutional amendment. Absolute majority of each house.

Section 22: Senate quorum. One-third of whole number.

Section 39: House of representatives quorum. One-third of whole number.

CANADA

The British North American Act, 1867, 30 and 31 Victoria chapter 3:

Section 36: Senate questions decided by majority.

Section 35: Senate quorum, 15.

Section 49: House questions decided by majority.

Section 48: House quorum, 20.

IRELAND

Constitution of the Irish Free State, 1937:

Section 12 (10) 4: Impeaching Presidents. Two-thirds of total membership of the Houses of the Oireachtas by which the charge was investigated.

Section 15 (8) 2: In special emergency either House may hold private sitting with assent of two-thirds.

Section 15 (11) 1: All questions, except otherwise provided by constitution, determined by majority of votes of members present.

NEW ZEALAND

Consolidated Statutes of the Dominion of New Zealand (1908), volume 111, page 507; legislature, 1908, No. 101; council:

Section 6 (2): All questions decided by majority.

Section 6 (1): Quorum. Regulated from time to time by standing orders of the council.

Legislative Council Act, 1914; 5 George V, No. 59 (November 5, 1914):

Part 1, section 7: Passage of law at joint session convened by Governor General upon disagreement. Majority of total number of members of both Houses present.

UNION OF SOUTH AFRICA

An act to constitute the Union of South Africa, 9 Edward 7, chapter 9 (September 20, 1909); part IV:

Section 31: Senate. All questions determined by majority.

Section 30: Senate quorum, 12.

Section 50: House of representatives. All questions determined by majority.

Section 49: House of representatives quorum, 30.

Section 35: Disqualification of voters in the Colony of Cape of Good Hope. After third reading by two-thirds of total members of both houses.

Section 63: Passage of law at joint session convened by Governor General upon disagreement. Majority of members of senate and house present at joint meeting.

EXHIBIT C

SUBJECT MATTER WHICH MUST BE DECIDED BY OTHER THAN ORDINARY MAJORITY BY THE LEGISLATURES OF LATIN-AMERICAN COUNTRIES

1. CONSTITUTIONAL AMENDMENTS AND PROPOSALS OF SUCH AMENDMENTS

In this respect the following variety of provisions was observed:

A. Two-thirds of all members of the legislature is required under the constitutions of:

Argentina (1853), article 30 (to declare the necessity for such amendments).

Bolivia (1938), article 174 (to declare the necessity for such amendments).

Paraguay (1940), article 94 (to declare the necessity for such amendments).

Venezuela (1936), article 126 (to declare the necessity for such amendments).

Costa Rica (1871), article 134 (to reform).

Cuba (1940), article 286 (to reform).

Dominican Republic, article 103 (to reform).

Guatemala (1879), article 99 (to reform).

Honduras (1936), article 200 (to reform).

Mexico (1917), article 135 (to reform).

Nicaragua (1939), article 348 (to reform).

Panama (1941), article 193 (to reform).

Salvador (1939), article 188 (to reform).

Uruguay (1934), article 284 (to reform).

B. Simple or absolute majority of legislature is required under the constitutions of:

Brazil (1937), article 174 (to reform).

Colombia (1936), article 209 (to reform).

Chile (1925), article 108 (to reform).

Peru (1931), article 236 (to reform).

C. Venezuela requires a three-quarters majority to declare a necessity for amendment.

Ecuador and Haiti do not specify the necessary majority to amend or propose amendments.

2. THE BRINGING OF CRIMINAL CHARGES OR IMPEACHMENT AGAINST MINISTERS OR THE PRESIDENT (WHERE THIS IS ESPECIALLY MENTIONED)

A. Two-thirds majority of all the members of the senate is required by the constitutions of:

Bolivia (1938), articles 65, 69.

Colombia (1936), article 90.

Costa Rica (1871), articles 73, 9a.

Cuba (1940), article 121.

Chile (1925), articles 42, 1.

Dominican Republic (1934), articles 19, 4 (¾).

Uruguay (1934), article 93.

3. VOTING ON RECONSIDERED LEGISLATION

A. A majority of over one-half of the members is required under the constitution of:

Bolivia (1938), article 72.

Colombia (1936), article 74.

Mexico (1917), article 72d and 72e (absolute majority of members present).

B. A majority of two-thirds is required by:

Argentina (1853), article 71.

Brazil (1937), article 44.

Costa Rica (1871), article 89.

Cuba (1940), article 137.

Chile (1925), article 49.

Dominican Republic (1934), article 37.

Guatemala (1879), article 59.

Nicaragua (1939), article 185.

Panama (1941), article 95, 97.

4. OVERRIDING THE PRESIDENT'S VETO

A. Two-thirds of majority of all the members of, required under the Constitution of—

Argentina (1853), article 72.

Bolivia (1938), article 76.

Brazil (1937), article 66, No. 3.

Costa Rica (1871), article 89.

Cuba (1940), article 137.

Chile (1925), article 64.

Dominican Republic (1934), article 37.

Guatemala (1879), article 59.

Honduras (1936), article 108.

Mexico (1917), article 72c.

Nicaragua (1939), articles 191 and 192.

Panama (1941), articles 95, 97.

Paraguay (1940), article 79 (legislation vetoed in toto cannot be revoted; two-thirds majority needed by vote on that vetoed in part).

Salvador (1939), article 81.

B. Three-fifths of members present must vote for, in the Constitution of Uruguay:

Uruguay (1934), article 128.

5. TO APPROVE TREATIES

A. A two-thirds majority of the legislature must approve treaties:

Guatemala (1879), article 54, No. 9.

Nicaragua (1939), article 162, No. 9, and article 4.

Salvador (1939), article 77, No. 32.

6. TO SUSPEND CONSTITUTIONAL GUARANTIES

A. A majority of two-thirds of those present.

Costa Rica (1871), article 73, No. 7.

B. Special law, requiring majority roll-call vote.

Cuba (1940), article 41.

7. QUORUMS PROVIDED FOR BY CONSTITUTIONAL PROVISIONS VARY

A. Absolute majority:

Argentina (1853), article 56.

Bolivia (1938), article 48.

Brazil (1937), article 49.

Cuba (1940), article 128.

Dominican Republic (1934), article 23.

Guatemala (1879), article 42.

Nicaragua (1939), article 144.

B. Two-thirds majority.

Costa Rica (1871), article 76.

Ecuador (1906–7), article 35.

Honduras (1936), article 94.

Mexico (1917), article 63 (two-thirds of senators; more than half of deputies).

Venezuela (1936), article 63.

C. Other variations:

Colombia (1936), article 64, one-third of each house.

Chile (1925), article 58, one-fifth of house. One-fourth of senate.

Peru (1931), article 109, 55 out of every 100 members of each house.

Salvador (1939), three-fourths of the assembly.

The foregoing represent topics expressly provided for in all or a majority of the constitutions of the 20 Latin-American Republics. Other subjects provided for by one or more of the countries are the following:

A. Special session:

Bolivia (1938), article 47, requires absolute majority of members.

B. Election of judges by House of Deputies:

Bolivia (1938), article 65, absolute majority.

C. Adoption of laws granting pensions.

Chile (1925), article 49, two-thirds of members present in each house.

D. Approval of laws issued by executive during recess.

Guatemala (1879), article 54, No. 18, absolute majority of deputies present.

This list is not inclusive, but merely illustrative.

Several of the republics also provide for certification of election of members to their own body or of the executive, ministers, etc., by a specified majority. Also, dismissal from office of such officials is sometimes provided for by a specified vote.

EXHIBIT D

EARLY AMERICAN COLONIAL CONSTITUTIONS REQUIRING MORE THAN MAJORITY VOTE

Connecticut: Charter, 1662. No provision.

Delaware: Constitution, 1776. Article 30: Consent of five-sevenths of the assembly and seven-ninths of legislative council required to amend constitution.

Georgia: Constitution, 1777. No provision.

Maryland: Constitution, 1776. Article XXX, declaration of rights: Two-thirds of each house for removal of judges. Article LX, form of government: Two-thirds of general assembly to alter form of government. Amendment, article IX: Two-thirds of each House for removal of district judges. Amendment, section 27: Unanimous vote of general assembly to abolish relation of master and servant.

Massachusetts: Constitution, 1780. Part II, chapter 1, legislative power, section I: Two-thirds of both houses of legislature to override veto of Governor. Part II, chapter VI, section X: Two-thirds of qualified voters to propose amendments to constitution. Amendment, article IX: Two-thirds members of house present and voting on proposed amendments to constitution.

New Hampshire: Constitution, 1776. No provision.

New Jersey: Constitution, 1776. No provision.

New York: Constitution, 1776. Article III: Two-thirds of legislature to override veto. Article VI: Two-thirds of legislature present to change voting methods from ballot to viva voce. Article XXXIII: Two-thirds members present in house to impeach State officers.

North Carolina: Constitution, 1776. Amendment, article III, section 1: Two-thirds of senate to impeach. Section 2: Two-thirds of both houses to remove judges. Amendment, article IV, section 1 (one): Two-thirds of all members of both houses to call convention. Section 1 (two): Three-fifths of all members of both houses to agree to bill to amend constitution; and two-thirds (of next session) to agree to amend constitution.

Pennsylvania: Constitution, 1776. Section 47: Two-thirds of total of council of censors to call convention.

Rhode Island: Charter, 1663. No provision.

South Carolina: Constitution, 1776. No provision.

Virginia: Constitution, 1776. No provision.

EXHIBIT E

SUBJECTS REQUIRING MORE THAN A MAJORITY VOTE FOR DECISION IN THE CONFEDERATE CONSTITUTION OF MARCH 11, 1861

Any judicial or other Federal officer resident and acting solely within the limits of any State may be impeached by a vote of two-thirds in both branches of the legislature thereof. (Art. I, sec. 2.)

Conviction of officers of the government required a two-thirds vote of the members present in the senate. (Art. I, sec. 3.)

Each house could expel member by a vote of two-thirds. (Art. I, sec. 5.)

Bills passed by two-thirds majority of both houses after presidential veto became law. (Art. I, sec. 7.)

Congress can appropriate no money from the treasury except by vote of two-thirds of both houses unless requested by the head of a department and submitted to congress by the president, or for the purpose of paying congress' own expenses and contingencies, or for payment of claims against the Confederate States as established by a proper tribunal. (Art. I, sec. 9.)

The president could make treaties with the concurrence of two-thirds of the senate. (Art. II, sec. 2.)

New States could be admitted by vote of two-thirds of each house, the senate voting by States. (Art. IV, sec. 3.)

Amendments to the constitution required a vote of two-thirds of the State legislatures or State conventions. (Art. V, sec. 1.) (Source: Jefferson Davis. The Rise and Fall of the Confederate Government, vol. 2, pp. 640 ff.)

EXHIBIT F

EXCERPTS FROM THE ARTICLES OF CONFEDERATION RELATIVE TO ACTS OF CONGRESS REQUIRING MORE THAN A SIMPLE MAJORITY VOTE

ART. IX: * * * The united states in congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expences necessary for the defence and welfare of the united states, or any of them, nor emit bills, nor borrow money on the credit of the united states, nor appropriate money, nor agree upon the number of vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine states assent to the same: nor shall a question on any other point, except for adjourning from day to day be determined, unless by the votes of a majority of the united states in congress assembled.

ART. X. The committee of the states, or any nine of them, shall be authorised to execute, in the recess of congress, such of the powers of congress as the united states in congress assembled, by the consent of nine states, shall from time to time think expedient to vest them with; provided that no power be delegated to the said committee, for the exercise of which, by the articles of confederation, the voice of nine states in the congress of the united states assembled is requisite.

ART. XI. Canada acceding to this confederation, and joining in the measures of the united states, shall be admitted into, and entitled to all the advantages of this union: but no other colony shall be admitted into the same, unless such admission be agreed to by nine states. (Source: Documents of American History, ed. by Henry Steele Commager, pp. 114, 115.)

EXHIBIT G

SUBJECT MATTER WHICH MUST BE DECIDED BY OTHER THAN ORDINARY MAJORITY BY THE LEGISLATURES OF EUROPEAN COUNTRIES

The provisions of the constitution in individual countries vary considerably, submitting to special majority requirements a great variety of subjects, important and unimportant.

The Constitutions of Switzerland, Denmark, and Sweden do not carry any provisions requiring a specified majority. This is also true of France[1] to the extent that no specified majorities such as two-thirds, three-fourths, etc., are provided for in the French constitutional laws. But, constitutional amendments, the convocation of an extra session, and the election of the president of the Republic require an "absolute majority," i. e., no less than one-half of all the members plus one vote (Constitutional Law of February 25, 1875, art. 8; of July 16, 1875, arts. 2 and 5).

Common to a more or less large number of countries is the requirement of a special majority for constitutional amendments (Albania, Austria, Belgium, Bulgaria, Czechoslovakia, Germany (before Hitler), Greece, Latvia, Lithuania, Netherlands, Norway, Poland, Portugal, Rumania, and Yugoslavia); and impeachment (Austria, Czechoslovakia, Hungary, Latvia, Lithuania, Spain, Rumania, and Yugoslavia). The requirement of a special majority for overriding the veto of the president or the dissenting vote of another house may also be observed in several countries.

Other subjects are not typical of any large number of countries. The procedure also varies according to the country. The required majority (two-thirds, three-fifths, etc.) is sometimes calculated from the total number of members or from the number of members present which should not be below a certain quota at another time.

1. Constitutional amendments and proposals of such amendments:

In this respect the following variety of provisions was observed:

A. Two-thirds of all members of the legislature is required under the constitutions of—

Albania (1928), article 225. In case such majority is not reached, three-fourths of those present at the second vote suffices.

Bulgaria (1879), article 169. This majority is required at the national assembly vote for proposal and at the grand national assembly which passes on the amendment.

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[1] And also Italy, prior to Mussolini.

Greece (1911), article 108. This majority is required for the proposal.

Norway (1814), article 112.

Portugal (1911), article 82; (1933), article 133, section 1.

Spain (1931), article 125 (for the first 4 years only).

B. Three-fifths of all members is required under the Constitutions of—

Czechoslovakia (1920), article 33.

Greece (1927), article 125.

Lithuania (1928), article 104. Such a vote is required for the proposal. The amendment is then submitted to the popular vote.

Yugoslavia (1921), article 126; (1931), article 115.

C. Two-thirds majority at a session at which at least two-thirds of the members are present is required under the Constitutions of—

Belgium (1831), article 131.

Germany (1919), article 76. Including any change in the territory of the states unless the states concerned agree.

Latvia (1922), article 76.

Rumania (1923), articles 129, 130. Such a majority is required for both the proposal and the passing of an amendment.[2]

D. Two-thirds majority at a session at which at least one-half of the members are present is required under the Constitutions of—

Austria (1934), article 60; (1920), article 44

Poland (1921), article 125; (1935), article 80.

Netherlands (1887), article 198.

2. The bringing of criminal charges (impeachment) against ministers or the President (where this is especially mentioned):

A. Two-thirds of all members is required under the Constitutions of—

Latvia (1922), article 54. Against the President.

Hungary (Law No. 1 of 1920), article 14. Against the Regent.

Yugoslavia (1931), article 79. Against the ministers.

B. Three-fifths of all members is required under the Constitutions of—

Lithuania (1928), article 64. Against the members of the Cabinet. The charge against the President of the Republic must be voted by three-fourths of the members. (1928), article 65.

Spain (1931), article 85.

C. Two-thirds vote at a session at which not less than two-thirds of the members are present is required under the Constitutions of—

Czechoslovakia (1920), article 34.

Germany (1919), articles 59, 76.

D. Two-thirds majority at a session at which at least one-half of the members are present is required under the constitution of—

Austria (1934), article 88; (1920), article 76. Required only the presence of one-half the members.

Rumania (1923), article 48.

E. Three-fifths majority at a session at which at least one-half of the members are present is required under the Constitution of Poland (1921), article 59; (1925), article 80.

3. Voting on reconsidered legislation:

A. A majority of over one-half of all the members is required under the Constitution of Greece (1927), article 30.

B. Two-thirds majority of all the members is required under the Constitutions of—

Germany (1919), article 74.

Norway (1814), article 76.

C. Three-fifths of the vote at a session at which at least one-half of the members are present is required under the Constitution of Poland (1935), article 53.

D. Two-thirds majority at a session with at least two-thirds of the members present is required in Iceland (1918), article 41.

E. An ordinary majority vote in the presence of one-half of all the members is required under the Constitution of Austria (1920), article 42.

4. Overriding the President's veto:

A. Two-thirds majority of all the members is required under the Constitutions of—

Czechoslovakia (1928), article 48.

Finland (1919), article 19.

Germany (1919), article 74.

Portugal (1933), article 98.

Spain (1931), article 83.

5. Election of the President of the Republic:

A. More than one-half majority at a session at which one-half of all members are present is required under the constitution of Czechoslovakia (1920), article 57.

B. A majority of 51 votes is required under the Constitution of Latvia (1920), article 36.

C. An absolute majority of all deputies is required in France (Constitutional Law of February 25, 1875, art. 8; of July 16, 1875, arts. 2 and 5).

6. Election of the officers of the legislature:

A. An absolute majority at a session at which at least four-fifths of the members are present is required in Greece (1927), article 44.

B. Two-thirds majority at a session at which at least one-half of the members is present is required in Rumania (1923), article 44.

7. A vote of confidence in the cabinet:

A. An absolute majority of members is required in—

Czechoslovakia (1920), article 75.

Spain (1931), article 64.

B. An ordinary majority, provided at least one-half the members were present sufficed under the Constitution of Austria (1920), article 74.

8. Permission granted to the King to occupy another throne simultaneously:

A. Two-thirds majority of all members under the Constitutions of—

Bulgaria (1879), articles 7, 141.

Norway (1814), article 11.

B. Two-thirds majority at a session with at least two-thirds of the members present is required under the Constitution of Rumania (1923), article 98.

C. Two-thirds majority of all members is required for the election of a new King in the absence of a legitimate successor in—

Greece (1911), article 52.

Bulgaria (1879), article 142.

D. Two-thirds majority at a session at which at least three-fourths of the members are present is required for the election of a new King in the absence of a legitimate successor in Rumania (1923), article 79.

E. Three-fourths majority of all members is required for the establishment of a regency under the Constitution of Greece (1911), article 53.

9. The resignation of the President:

A. The President may be forced to resign by two-thirds vote of the members under the Constitutions of—

Latvia (1922), article 51.

Germany (1919), article 43. Such a majority was required for the proposal which was to be decided by popular vote.

B. Three-fifths majority vote was required in Spain (1931), article 82.

C. The Polish Constitution provided for a "declaration of the President's office being vacant if he fails to performs his duties." Such declaration had to be passed by three-fifths majority at a session with at least one-half of the members present under the 1921 constitution (art. 42) and by three-fifths majority of all members under the 1935 constitution (art. 22).

10. A law may be declared urgent (not subject to the President's veto) by a vote of two-thirds majority of all members under the Constitutions of—

Latvia (1922), article 75.

Spain (1931), article 83.

11. To declare a session secret a vote of two-thirds majority of the members present who should constitute at least one-half of all the members is required under the Constitutions of—

Estonia (1920), articles 46, 47.

Germany (1919), article 29.

Latvia (1922), articles 20, 23.

12. For a declaration of war, Czechoslovakia is the only country which requires a three-fifths majority of all members. (Constitution of 1920, art. 33.)

13. For the ratification of treaties, if these affect constitutional laws, the following special requirements were set up only in Austria: Two-thirds majority at a session with at least one-half of the members present is required. (Constitution of 1920, art. 50; constitution of 1934, art. 60.)

14. A. In Czechoslovakia (1920), article 28 provided that two-thirds majority of all members is required to call an extra session.

B. The same vote is required in Bulgaria (1879), article 141, to change the territory.

C. The Austrian constitution (1920), article 30, required a two-thirds vote at a session with one-half of the members present to pass the rules.

15. In Rumania (1923) a two-thirds vote of the members present, provided these represent more than one-half of the members, is required to extend political rights to women (art. 48) and to establish a ground for the exercise of eminent domain other than for transportation, public health, and public works.

[2] Under the 1938 constitution a two-thirds majority of all the members is required (1938), art. 97.

Mr. ELLENDER. Mr. President, I now yield the floor to my distinguished friend and colleague the Senator from Georgia [Mr. RUSSELL].

Mr. RUSSELL. Mr. President, I would that I had the words to express my congratulations to the great Senator from Colorado [Mr. MILLIKIN] for the historical address he has just delivered. No greater statement of sound American principles has fallen from the lips of any Senator in this body since my tenure here. Back in the days of the intellectual giants in this Chamber, those whose debates are often quoted here to sustain the position of Senators, there may have been efforts which equal that of the Senator from Colorado, but I have never read any speech delivered in this forum or any other forum that the people of this Nation might read and study with greater profit.

I make bold to assert, Mr. President, that if the address just delivered by the distinguished Senator from Colorado could be made a part of the course of study in every high school and college of this land, it would result in infinitely more progress in establishing tolerance in this country, in affording the proper balance of human relations between our people, than could any number of force bills which the Congress might pass under the lash of pressure groups. I salute the Senator from Colorado and the other members of his party who have put principles so much higher than politics and who have expressed themselves fearlessly upon the pending issue.

Mr. President, in but a moment the Senate will proceed to vote upon cloture. We shall determine by that vote whether the Senate will gag itself. We shall determine by that vote whether we shall

strike down the freedom and fullness of discussion in this body which have marked the Senate of the United States as the last repository of individual rights, and have made it different from any other legislative body in contemporary times. A vote on cloture, a vote to gag the Members of the Senate of the United States, a vote to make speechless ambassadors from sovereign States, is always a thing of consequence. In connection with any measure it is a vote of great moment, and particularly is that true when an attempt to gag and to stop discussion is being made upon a measure so ruthless and so far-reaching in its terms as is the bill now pending before the Senate.

Mr. President, I shall not undertake to discuss what constitutes a filibuster. I do know, however, that so long as the merits or demerits of a measure are under discussion, and so long as Senators who wish to speak have not had an opportunity to do so, it cannot be strictly said that a filibuster is in progress. I do not deny that those who are opposed to the pending bill have been and are perfectly willing to conduct a filibuster. But I assert that there has been no measure before the Senate in recent years in connection with which the discussion so closely followed the merits or demerits of the proposal as has the discussion relating to Senate bill 101.

I point to the fact that almost before the pending bill was made the unfinished business a petition for cloture was circulated in this body seeking signatures of Senators in order that the petition might be filed and thereby stifle debate. Since then most of the discussion in the press has been about the alleged filibuster, and, despite the fact that the merits of the question have consumed the time of the Senate, the issue involved in this proposed legislation has not yet been fully presented to the American people.

Mr. President, to invoke cloture in the Senate of the United States is a serious thing. We are living in a totalitarian world. Here in America we are struggling to keep lighted the beacons of democracy. The right of unlimited discussion in the Senate of the United States is the last bulwark of constitutional government. It is the only shield of the minority in this Nation, whether that minority be of the whole country or some particular section of it. It is the last refuge of the individual who seeks to protect his rights. The Senate of the United States should not invoke cloture. It should not gag its Members, or gag a minority of its Members, so long as Senators are present who wish to discuss the measure under consideration. I can make an argument no stronger against the invocation of gag rule in this body than by pointing out that if the Senate had invoked cloture in connection with the pending bill the Senator from Colorado [Mr. MILLIKIN] could not have made the magnificent speech which we have just heard in which he demolished the contentions of the proponents of this bill.

Mr. TAFT and other Senators addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Georgia yield; and if so, to whom?

Mr. RUSSELL. Mr. President, I decline to yield. I have left only 5 minutes.

The PRESIDENT pro tempore. The Senator from Georgia declines to yield.

Mr. RUSSELL. Mr. President, the Senator from Colorado spoke for more than 1 hour. Had cloture been invoked he would not have been able to present his views on this question to the Senate. There are other Members of this body who have not yet spoken who likewise would require more than 1 hour in order to present their views.

Mr. President, I was amazed by some of the suggestions which were made during the course of the debate. I was dumbfounded by seeing Senators from small States, some of which were small in area and others small in population, sign petitions to gag the Senate and stand on the floor of the Senate and talk about pure democracy, and the right of the majority to run roughshod over the minority whenever it chooses to do so. If we had a pure democracy in this country there would be States having two Members in this body at the present time, which would not have one-tenth of one Senator present here. There are small States in this Union whose welfare is bound up with issues which might not appeal to the majority of Senators, or to the majority of the people of the United States. What rights would Senators have on another day if a legislative lynching by cloture were imposed upon them and upon their constituencies in connection with an issue which they regarded as fundamental? Senators should remember that if today they go out on a legislative lynching with cloture, tomorrow they may be on the other end of the rope.

Mr. President, we have seen other unusual procedures take place in the Senate. I have insisted that a great majority of the people of the United States are not interested in the pending bill, nor are they aware of the viciousness of the provisions which the bill contains. We are living in a chaotic age. If today Senators yield to a small and vocal minority group and invoke cloture, what answer will they make tomorrow, when larger numbers and more vocal minority groups come and ask them to invoke cloture on some other measure? We should preserve the dignity of the Senate of the United States. We should save that last weapon of freedom in this Republic, namely, the right of full discussion. We must continue to protect the rights of the small and weak States, as well as the sections of the country which might be ruthlessly trampled by a sheer majority.

Mr. President, the impending vote is one of the most important which the Senate has taken in many years. We have seen the beginning in this country of delegations coming to Congress to sandbag Senators and intimidate them into voting against their better judgment. We have seen picket lines thrown around hotels in which Senators live because, forsooth, they have not seen eye to eye with certain minority groups. Today we are about to test whether we have the courage to preserve the freedom of discussion in the Senate, the last citadel of individual rights in this Republic. Ours is the greatest democracy the world has ever known, but there were democracies in other days. In the palmy days of Rome the Roman Senate was a forum for the protection of the rights of the citizens of Rome. Minorities invaded that body and intimidated the timid members of the Roman Senate. When they had not the courage to longer reject the demand for "bread and the circus," it was but a day before the advent of rule by the mob. Shall we repeat that situation in this fair land of ours, or shall we preserve the rights of unlimited discussion in the Senate of the United States?

The suggestion has been made during the debate that the majority of the Senators could even take a Senator off the floor if they thought that an amendment being discussed was frivolous or that his remarks did not appeal to the majority. If we are to start whittling away the rights of the States and the rights of individual Senators by adopting cloture, and then move on to the time when the majority can silence a Senator if his remarks do not appeal to the majority, we should adjourn the Senate sine die and for eternity while it still has left some remnant of dignity, and go out of that door and place above it a bronze plaque having on it the words, "Here fell the last citadel of individual rights in an authoritarian world, betrayed by those selected and sworn to defend it. February 9, 1946."

The PRESIDENT pro tempore. The hour of 4 o'clock having arrived, the Chair, in accordance with the unanimous consent agreement, lays before the Senate the motion submitted on the 7th instant to bring to a close the debate on the bill (S. 101), to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, and directs the Clerk to call the roll for the purpose of ascertaining the presence of a quorum.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Guffey	Morse
Andrews	Gurney	Murdock
Austin	Hart	Murray
Bailey	Hatch	Myers
Ball	Hawkes	O'Daniel
Bankhead	Hayden	Overton
Barkley	Hickenlooper	Radcliffe
Bilbo	Hill	Reed
Brewster	Hoey	Revercomb
Bridges	Huffman	Robertson
Briggs	Johnson, Colo.	Russell
Buck	Johnston, S. C.	Saltonstall
Bushfield	Kilgore	Shipstead
Butler	Knowland	Smith
Byrd	La Follette	Stewart
Capehart	Langer	Taft
Capper	Lucas	Taylor
Carville	McCarran	Thomas, Okla.
Chavez	McClellan	Thomas, Utah
Cordon	McFarland	Tobey
Downey	McKellar	Tunnell
Eastland	McMahon	Tydings
Ellender	Magnuson	Walsh
Ferguson	Maybank	Wheeler
Fulbright	Mead	Wherry
George	Millikin	White
Gerry	Mitchell	Willis
Green	Moore	Wilson

The PRESIDENT pro tempore. Eighty-four Senators having answered to their names, a quorum is present.

The Chair submits to the Senate the question, Is it the sense of the Senate that the debate shall be brought to a close? Under the rule, the question is not debatable, and is to be determined by a yea-and-nay vote. The Clerk will call the roll.

The legislative clerk called the roll.

Mr. HILL. I beg to announce that the Senator from Florida [Mr. PEPPER] and the Senator from New York [Mr. WAGNER], who, if present and voting, would vote "yea," are paired with the Senator from Texas [Mr. CONNALLY], who, if present and voting, would vote "nay."

The Senator from Wyoming [Mr. O'MAHONEY] is necessarily absent. I am advised that, if present and voting, he would vote "nay."

I announce that the Senator from Virginia [Mr. GLASS] and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Florida [Mr. PEPPER] is absent on public business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Idaho [Mr. GOSSETT] is absent on important public business. I am advised that if present and voting he would vote "yea."

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] and the Senator from Illinois [Mr. BROOKS], both of whom would vote "yea" if present, are paired with the Senator from North Dakota [Mr. YOUNG], who would vote "nay" if present.

The Senator from Kentucky [Mr. STANFILL] and the Senator from Missouri [Mr. DONNELL], both of whom would vote "yea" if present, are paired with the Senator from Wisconsin [Mr. WILEY], who would vote "nay" if present.

The Senator from Missouri [Mr. DONNELL] was excused by the Senate to make a trip to his home State.

The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Illinois [Mr. BROOKS] and the Senator from Kentucky [Mr. STANFILL] are necessarily absent.

The Senator from North Dakota [Mr. YOUNG] has been excused and is absent on official business.

The yeas and nays resulted—yeas 48, nays 36, as follows:

YEAS—48

Aiken	Downey	Lucas
Austin	Ferguson	McMahon
Ball	Green	Magnuson
Barkley	Guffey	Mead
Brewster	Hart	Mitchell
Briggs	Hickenlooper	Morse
Buck	Huffman	Murdock
Butler	Johnson, Colo.	Murray
Capehart	Kilgore	Myers
Capper	Knowland	Reed
Chavez	La Follette	Revercomb
Cordon	Langer	Saltonstall
Shipstead	Thomas, Okla.	Walsh
Smith	Thomas, Utah	Wherry
Taft	Tobey	Willis
Taylor	Tunnell	Wilson

NAYS—36

Andrews	Gerry	Maybank
Bailey	Gurney	Millikin
Bankhead	Hatch	Moore
Bilbo	Hawkes	O'Daniel
Bridges	Hayden	Overton
Bushfield	Hill	Radcliffe
Byrd	Hoey	Robertson
Carville	Johnston, S. C.	Russell
Eastland	McCarran	Stewart
Ellender	McClellan	Tydings
Fulbright	McFarland	Wheeler
George	McKellar	White

NOT VOTING—12

Brooks	Gossett	Vandenberg
Connally	O'Mahoney	Wagner
Donnell	Pepper	Wiley
Glass	Stanfill	Young

The PRESIDENT pro tempore. On this vote the yeas are 48, the nays are 36. Two-thirds of the Senators present not having voted in the affirmative, the motion is rejected.

INDEPENDENT OFFICES APPROPRIATIONS, 1947

Mr. CHAVEZ. Mr. President, it took the crucifixion of Christ to redeem the world. It took intestinal fortitude to bring about the Declaration of Independence. It took ordinary American decency to bring about the Constitution of the United States. It took the death of Americans during the Civil War to find out that this was one country. It took this vote today to find out that a majority cannot have its will.

Mr. President, notwithstanding what has happened today and heretofore, America will go forward. This is only the beginning. Please believe me, this is one country, as Lincoln said. We cannot have it divided. We cannot have one country for the South and another country for the other States of the United States.

Mr. President, I am satisfied with the vote; I am strictly satisfied with the vote; and I am strictly satisfied with the crucified Christ this day.

Mr. President, I now withdraw Senate bill 101 from consideration, and I make the motion that in its place the Senate proceed to the consideration of H. R. 5201.

The PRESIDENT pro tempore. The question is on the motion of the Senator from New Mexico.

Mr. MEAD. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. MEAD. I doubt very much whether the bill can be withdrawn. However, a motion may be made to consider another bill.

My parliamentary inquiry is: If that motion is voted down, will the Senate still be considering Senate bill 101? Is that the parliamentary situation?

The PRESIDENT pro tempore. The question before the Senate is on the motion to proceed to the consideration of H. R. 5201.

Mr. MEAD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BARKLEY. Mr. President, I feel that I have a responsibility in this situation which I must assume. I have said repeatedly that the vote on cloture would test whether the Senate of the United States could ever reach a vote on Senate bill 101. Much as I regret the result of that vote, I have indicated my willingness to accept that vote as a test of whether the bill could ever be brought to a vote, and I do accept it. And I do so especially in view of the fact that the author of the bill, who has been in charge of it, recognizes the result of the vote we have just had, and has moved to displace the bill with another bill.

If I believed or had the slightest hope that by a continuation of the consideration of S. 101 we could come to an ultimate vote upon it, I would not vote for the motion of the Senator from New Mexico. But I do not believe we can reach a vote upon it, and therefore I am not willing to assume the responsibility, or any part of the responsibility, for prolonging these deliberations in a futile effort to bring the bill to a vote.

We have much important business to consider that can be voted upon. Therefore, I think we should proceed to the consideration of that business, and for that reason I shall vote for the motion of the Senator from New Mexico that the bill, H. R. 5201, which is the appropriation bill involving the independent offices, shall now be taken up and considered. Under no other consideration would I vote to displace the pending bill except that it is my confirmed conviction that it cannot reach a vote under present conditions, no matter how long we may delay the final test upon it.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. MAGNUSON. If the vote is carried to take up the other bill, where does that leave S. 101, insofar as the calendar is concerned? Is it still on the calendar?

The PRESIDENT pro tempore. It retains its place on the calendar.

Mr. CHAVEZ. Mr. President, I do not see why there should be any worry. I am the only one who has been taking care of S. 101. There should be no worry whatsoever respecting it so far as other Senators are concerned.

The PRESIDENT pro tempore. The question is on the motion of the Senator from New Mexico [Mr. CHAVEZ] that the Senate proceed to the consideration of House bill 5201. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 71, nays 12, as follows:

YEAS—71

Andrews	Chavez	Hoey
Austin	Cordon	Huffman
Bailey	Downey	Johnson, Colo.
Ball	Eastland	Johnston, S. C.
Bankhead	Ellender	Kilgore
Barkley	Fulbright	Lucas
Bilbo	George	McCarran
Brewster	Gerry	McClellan
Bridges	Green	McFarland
Briggs	Guffey	McKellar
Buck	Gurney	McMahon
Bushfield	Hart	Maybank
Butler	Hatch	Millikin
Byrd	Hawkes	Murdock
Capehart	Hayden	Murray
Capper	Hickenlooper	Myers
Carville	Hill	O'Daniel

Overton	Shipstead	Walsh
Radcliffe	Smith	Wheeler
Reed	Stewart	Wherry
Revercomb	Taft	White
Robertson	Thomas, Okla.	Willis
Russell	Thomas, Utah	Wilson
Saltonstall	Tydings	

NAYS—12

Aiken	Langer	Morse
Ferguson	Magnuson	Taylor
Knowland	Mead	Tobey
La Follette	Mitchell	Tunnell

NOT VOTING—13

Brooks	Moore	Wagner
Connally	O'Mahoney	Wiley
Donnell	Pepper	Young
Glass	Stanfill	
Gossett	Vandenberg	

So Mr. CHAVEZ' motion was agreed to; and the Senate proceeded to consider the bill (H. R. 5201) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1947, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. BARKLEY. Mr. President, it is my information that the Senator from Tennessee [Mr. MCKELLAR], acting chairman of the Committee on Appropriations, desires that this bill shall go over until next Wednesday. Under the rules we may take a recess from today until next Wednesday.

Furthermore, the Committee on Military Affairs has indicated to me that it desires to have the Executive Calendar go over also. Therefore, if there is nothing further——

Mr. MCKELLAR. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER (Mr. HATCH in the chair). Does the Senator from Kentucky yield to the Senator from Tennessee?

Mr. BARKLEY. I yield to the Senator from Tennessee.

ADDITIONAL APPROPRIATION FOR FISCAL YEAR 1946 FOR READJUSTMENT BENEFITS, VETERANS' ADMINISTRATION

Mr. MCKELLAR. Mr. President, from the Committee on Appropriations I report favorably, without amendment, House Joint Resolution 316, making an additional appropriation for the fiscal year 1946 for readjustment benefits, Veterans' Administration, and ask unanimous consent for its present consideration. The House passed the joint resolution yesterday. It is very brief, and I shall read it:

Resolved, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $500,000,000 for the fiscal year 1946 for the payment of benefits to or on behalf of veterans as authorized by titles II, III, and V, of the Servicemen's Readjustment Act of 1944, to remain available until expended.

As I have stated, the joint resolution passed the House of Representatives on February 8, 1946. It has been taken up by the Committee on Appropriations and submitted to the various members, and they have approved it. I ask unanimous consent that the Senate proceed to the immediate consideration of the joint resolution. I am advised by the Veterans' Administration that it is absolutely necessary to have this money appropriated at this time, and I hope it may be done.

Mr. WHITE. Mr. President, I have talked with the Senator from New Hampshire [Mr. BRIDGES], ranking minority member of the Committee on Appropriations, and such other members of the minority as I have been able to see. So far as I know they are all in agreement as to the importance of the joint resolution and the necessity which the Veterans' Administration faces for additional funds immediately. I hope the request of the Senator from Tennessee will be granted.

Mr. MCKELLAR. I hope it may be granted.

The PRESIDING OFFICER. The Senator from Tennessee requests unanimous consent to proceed to the immediate consideration of House Joint Resolution 316.

Mr. MCKELLAR. Without displacing the unfinished business, of course.

The PRESIDING OFFICER. Without displacing the unfinished business. Is there objection?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

Mr. MCKELLAR. I thank the Senate.

AUTHORIZATION FOR COMMITTEES TO REPORT BILLS, ETC

Mr. BARKLEY. Mr. President, I ask unanimous consent that during the contemplated recess of the Senate, which will be until next Wednesday, committees of the Senate may be authorized to make reports on bills and resolutions which may be pending before them.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR SIGNING OF BILLS, ETC., AND FOR RECEPTION OF MESSAGES

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Presiding Officer be authorized, during the recess, to sign bills and resolutions ready for his signature, and that the Secretary of the Senate be authorized to receive messages from the House of Representatives.

The PRESIDENT pro tempore. Without objection it is so ordered.

LEAVES OF ABSENCE

Mr. BUTLER. Mr. President, I ask unanimous consent to be absent from the sessions of the Senate until Thursday of next week, beginning with tonight.

The PRESIDENT pro tempore. Without objection, leave is granted.

Mr. WILLIS. Mr. President, I ask the consent of the Senate to be absent next week, and on Monday of the following week, because of some important business in my home State.

The PRESIDENT pro tempore. Without objection, leave is granted.

Mr. TAFT. Mr. President, I ask unanimous consent to be excused from the sessions of the Senate to and including the February 15 session.

The PRESIDENT pro tempore. Without objection, leave is granted.

Mr. HICKENLOOPER. Mr. President, it will be necessary for me to be absent all of next week. I have some duties to perform in the West in connection with the Atomic Energy Committee. I ask consent to be excused for the whole of next week.

The PRESIDENT pro tempore. Without objection, leave is granted.

PROCLAMATION COMMEMORATING CONTRIBUTIONS OF STUDENTS AND TEACHERS TO THE WAR EFFORT

Mr. MORSE. Mr. President, I ask unanimous consent to introduce a very brief joint resolution, and make a few comments in respect thereto. The joint resolution reads as follows:

Joint resolution authorizing the President to proclaim April 19, 1946, as Students and Teachers Day in commemoration of their contributions in helping to bring about victory in the present war

Resolved, etc., That th President is authorized and requested to issue a proclamation designating April 19, 1946, as Students and Teachers Day and calling upon the people throughout the United States to observe the day with appropriate ceremonies honoring students and teachers for their contributions in helping to bring about victory in the present war.

Mr. President, I think it is particularly fitting that such honor should be paid to the students and teachers of America on April 19, 1946, because April 19 is a historic day of freedom in America. It is Concord and Lexington Day. I think it is proper that public attention be directed to the school system of America on the day commemorating "the shot heard round the world" which started the fight for American independence. I think it is perfectly clear that if we are to remain a free and enlightened nation, the greatest responsibility rests upon the school system. I happen to be convinced that free education in America is more important in preserving our rights and freedom than is even the Congress of the United States. Hence, I think it is particularly fitting, because of the great contributions which the school children of America and the teachers of America made during the war, in the great fight to preserve this Nation as a free nation, that the President should issue a proclamation in their honor, as I suggest.

In support of the suggestion I should like to quote from Mr. C. C. Harvey, the very able superintendent of schools of Nyssa in my State. He makes the following points:

Some of the arguments in favor of making the project national in scope are: (1) During the war, students accepted more responsibility than ever before, and they deserve to be honored in some appropriate way. (2) By recognizing the students, it will in a sense be recognition for faculty members, school administrators, and patrons who composed the remainder of the team which made the accomplishments of students possible. (3) It would have a wholesome influence on the morale of students, teachers, and schools at large. (4) It will bring public attention to the part played by the schools during the war, not only in carrying on in the face of many serious obstacles, but in doing a superb job and making a vital contribution toward victory, as well.

Mr. President, lastly I wish to call the attention of the Senate to an excerpt

from a letter written by a great American educator, Mr. Willard E. Givens. In his letter he comments on the contributions of the educational system of this country to the war, as follows:

The armed forces could not have been so quickly trained in the intricate specialties demanded in modern warfare without the educational preparation provided by the schools and colleges. The resources could not have been so effectively mobilized without the skills and knowledge developed in our educational institutions. The basic educational program of the Nation also provided the foundation for the high morale and clear understanding of the purposes for which we were fighting.

The schools and colleges of the Nation quickly and effectively trained 12,000,000 men and women for war jobs in industry; gathered millions of tons of scrap paper and other materials; provided the services of teachers for rationing and registration programs which could not have been handled so effectively in any other way; and adjusted courses to permit older pupils to do part-time work, thus relieving the manpower shortage.

Above all else, in the face of many difficulties the schools and colleges have carried on during the war their regular responsibility—the education of 25,000,000 girls and boys.

So I say, Mr. President, that I think it particularly fitting and proper that the people of America should, under Presidential proclamation on April 19, 1946, pay homage to the great contributions to the war efforts made by the students and school teachers of America.

The PRESIDENT pro tempore. Without objection, the joint resolution introduced by the Senator from Oregon will be received and appropriately referred.

The joint resolution (S. J. Res. 141) authorizing the President to proclaim April 19, 1946, as Students and Teachers Day in commemoration of their contributions in helping to bring about victory in the present war was read twice by its title and referred to the Committee on the Judiciary.

LEAVE OF ABSENCE

Mr. MORSE. Mr. President, in view of the fact that I find it necessary to leave the Senate for a few days in order to go to my home State for a series of speeches on issues which I think of vital importance not only to the future welfare of my party but to the future welfare of the country, I beg leave of the Senate to be excused.

The PRESIDENT pro tempore. Without objection, leave of the Senate is granted.

THE FEPC

Mr. MORSE. Mr. President, I close with one other comment. I would not wish the Senate to take a recess this afternoon without having some word of compliment paid to the Senator from New Mexico [Mr. CHAVEZ] for the leadership he has given to the fight on the floor of the Senate in support of Senate bill 101. The record is clear that I do not agree with all the strategy which was followed in the attempt to break the filibuster which has prevailed on this floor for the past month, but I do think the Senator from New Mexico is entitled to the sincere thanks of those of us who believe that the principle of FEPC is so fundamental to the preservation of American economic rights that it must be brought before the Senate from time to time again. I, for one, serve notice that so long as I am in the Senate, I shall see to it that periodically that principle of economic equality of opportunity and justice comes back to the floor of the Senate, because I do not believe that this Nation can truly endure as a free nation so long as the principle of minority rule which was defended on the floor of the Senate this afternoon is permitted to survive in the Senate of the United States. In spite of the arguments which were made here this afternoon—in my judgment, I respectfully say, highly fallacious arguments—the issue before the American people now is whether the Senate of the United States is going to be permitted to continue to operate under rules whereby minorities can block the will of the majority of the Senate. In my judgment, no issue is more important to representative government than that one. I stand ready to meet the issue, and I think the American people will demonstrate in the elections of 1946 and 1948 that they want that issue met by the Senate of the United States.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. GEORGE, from the Committee on Foreign Relations:

Raphael O'Hara Lanier, of Texas, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Liberia.

RECESS TO WEDNESDAY

Mr. BARKLEY. Mr. President, I move that the Senate take a recess until 12 o'clock noon on Wednesday next.

The motion was agreed to; and (at 4 o'clock and 43 minutes p. m.) the Senate took a recess until Wednesday, February 13, 1946, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 9 (legislative day of January 18), 1946:

RETRAINING AND REEMPLOYMENT ADMINISTRATOR

Maj. Gen. Graves Blanchard Erskine, United States Marine Corps, to be Retraining and Reemployment Administrator.

DEPARTMENT OF THE NAVY

THE ASSISTANT SECRETARY

W. John Kenney, of California, to be the Assistant Secretary of the Navy.

APPOINTMENT IN THE REGULAR ARMY

ASSISTANT TO THE SURGEON GENERAL

Col. Thomas Lovet Smith, Dental Corps, for appointment in the Regular Army of the United States as Assistant to the Surgeon General, with the rank of brigadier general, for a period of 4 years from date of acceptance, vice Maj. Gen. Robert Hilliard Mills, whose term of office expires March 16, 1946.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 11, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, who art ever near and ever ready to help those who put their trust in Thee, clear and strengthen our vision. Free us from the fret and worry of distempered words that provoke confusion and irritation. Put Thy cooling hand upon the hot pulses of any who are willful and fail to see Thy way.

O lead us to the moral heights of personal honesty and political integrity. In all our relations we pray, not to be understood but to understand, not to be loved but to love. Heavenly Father, sustain us with a fine sense of human rights: the right to be well-born; the right to know the meaning of religion; the right to worship Thee according to the voice of conscience; the right to work; and the right to have a share in the good things of life. We pray in the name of Him whose love was small enough to embrace a child and big enough to encircle the world, Jesus Christ our Lord. Amen.

The Journal of the proceedings of Friday, February 8, 1946, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 316. Joint resolution making an additional appropriation for the fiscal year 1946 for readjustment benefits, Veterans' Administration.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5158. An act reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 140. Joint resolution to extend in the case of the Government-owned pipe lines known as Big Inch and Little Big Inch the time during which disposition of such pipe lines is prohibited under the Surplus Property Act of 1944, as amended.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1405) entitled "An act to authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes."

ELIZABETH THOMAS

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I offer a privileged resolution (H. Res. 515) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there shall be paid out of the contingent fund of the House to John H. Thomas, son of Elizabeth Thomas, late an employee of the House, an amount equal to 6 months' salary at the rate she was receiving at the time of her death, and an additional amount not to exceed $250 toward defraying the funeral expenses of the said Elizabeth Thomas.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. OUTLAND asked and was given permission to extend his own remarks in the RECORD.

SPECIAL TAX EXEMPTION FOR VETERANS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I am introducing a bill today to grant a special tax exemption to the veterans which would be equal to $25 multiplied by the number of months served by the veterans. The whole theory of this bill is based on the idea that it is manifestly unjust to expect the veteran who fought the war to also pay the interest on the bonds that were bought by people who stayed home. This tax exemption is proposed for the purpose of relieving the veteran of that burden. Surely the rest of us can be responsible for paying the interest on these bonds in order that it may not be said that the veterans fought the war and were then asked, in addition, to pay interest on that portion of its financial cost which we failed to raise by current taxation, as we should have done.

HOUSING

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GOSSETT. Mr. Speaker, on the subject of housing I have observed some queer things going on in my immediate neighborhood here in Washington. A few months ago a big theater building was completed at Twenty-eighth and Alabama Avenue SE. Another theater is under construction a short distance away on Good Hope Road SE. The brick, steel, and other material going into these big theater buildings could and should have been used to build housing for at least a hundred returning veterans.

Within a few blocks of my apartment two big, first-class homes in good condition that could have furnished housing for several families have just been torn down and removed to make room for some business construction which apparently is not needed in that vicinity.

Whoever is responsible for the use of building material in the city of Washington has doubtless not heard of the housing shortage.

PAYMENT OF UNUSED FURLOUGH TIME

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCRIVNER. Mr. Speaker, it was gratifying to learn that a subcommittee, under the chairmanship of the gentleman from Florida [Mr. SIKES] has brought out a clean bill providing for the payment for unused furlough time of enlisted men in the Army. I sincerely hope the full Committee on Military Affairs will give immediate consideration to this proposal so that justice, too long delayed, can be done.

The SPEAKER. The time of the gentleman from Kansas has expired.

EXTENSION OF REMARKS

Mr. LEFEVRE asked and was given permission to extend his remarks in the RECORD and include a resolution passed by the Lumber Trade Association.

Mr. LEFEVRE asked and was given permission to extend his remarks in the RECORD and include an article by Mark Sullivan.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the RECORD and include a statement from the St. Paul Pioneer-Press.

Mr. PITTENGER asked and was given permission to extend his remarks in the RECORD in two instances and to include in connection with each extension newspaper items and other documents.

Mr. BUFFETT asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. O'HARA asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mrs. SMITH of Maine asked and was given permission to extend her remarks in the RECORD on the resignation of the Director of the WAVES, Capt. Mildred McAfee Horton, and include therein the citation for the Distinguished Service Medal.

THE OPA

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, it is my understanding that Mr. Bowles, of the OPA, has called in the farm leaders of this country and informed them that he proposes to increase the wages of organized workers, the prices of steel, and perhaps certain other items, and freeze that as a bulge, preventing price advances on farm products, resulting in an increase in wages to farm workers and farm operators.

If that is true, in my opinion, it is so putrid that it is nauseating. Have not the unorganized workers in this country any rights at all? Is the administration determined to turn the United States and all of its industries over to the organized workers by reason of their political pressure which they put on the administration? It is my guess that the farm leaders of this country and the farm people will not accept that ruling.

The SPEAKER. The time of the gentleman from Michigan has expired.

EXTENSION OF REMARKS

Mr. HOEVEN asked and was given permission to extend his own remarks in the Appendix in two instances, and include certain newspaper articles.

Mr. HOPE asked and was given permission to extend his own remarks in the Appendix of the RECORD in two separate instances, and in one to include a newspaper article.

Mr. GORDON asked and was given permission to extend his remarks in the RECORD and include a copy of a telegram that was sent to Secretary of State Byrnes, and also a copy of a statement that appeared in the American press.

Mr. KEOGH (at the request of Mr. TRAYNOR) was given permission to extend his remarks in the Appendix of the RECORD and include an address by Maj. Gen. Thomas H. Green, Judge Advocate of the Army.

Mr. DIRKSEN (at the request of Mr. MICHENER) was given permission to extend his own remarks in the RECORD and to include three editorials.

Mr. MUNDT. Mr. Speaker, on Friday I asked consent to include a brief statement in the RECORD from the Governors of Wyoming, Nebraska, and South Dakota, to the United Nations Organization. I am advised by the Government Printing Office that this exceeds the limit established by the Joint Committee on Printing by two-thirds of a page, at a cost of $138.80.

I again ask unanimous consent, notwithstanding this excess, that it may be printed in the RECORD.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, I do not understand the nature of the brief.

Mr. MUNDT. It was a brief submitted by the Governors of Wyoming, Nebraska, and South Dakota to the United Nations Organization on the subject of locating the United Nations capital.

Mr. HOFFMAN. In the West, the gentleman means?

Mr. MUNDT. Yes.

Mr. HOFFMAN. Just so long as you take it across the river; put it west of the Mississippi.

Mr. MUNDT. That is what we want.

The SPEAKER. Notwithstanding the cost, without objection, the extension may be made.

There was no objection.

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD and include therein statements concerning the food situation.

PERMISSION TO ADDRESS THE HOUSE

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that I may address the House for 10 minutes today following the other special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes today following the special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes today following the special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent that on Wednesday, February 20, I may address the House for 1 hour following the legislative business of the day and the special orders heretofore entered for that day.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. HORAN] may address the House for 30 minutes today following the special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

WHERE ARE YOU GOING TO GET THE MONEY?

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I hold in my hand the United States daily Treasury statement published by the Secretary of the Treasury as of February 5. It is printed in black, but it is the reddest sheet that is printed in America. The color of the ink should be changed. The statement is $279,000,000,000 in the red, and I ask you: Where are you going to get the money? I have asked this question numerous times. It can and could have been accomplished by practicing efficiency and economy in the operation of government.

I can tell you where you can get the money. You can get it if President Truman will now do what the Congress gave him power to do, reorganize the Government downward. He can save millions—yes, billions—of dollars annually if he will do it. That power has been granted to him. I voted for it myself, with the expectation that he was going to carry out the promises made to Congress on the floor of the House that if this power were granted, the Chief Executive would consolidate departments, eliminate functions of government, and change these bureaus by sending the employees back to the industries of the country and get this country to work. That is the greatest problem we have now—work.

Mr. Speaker, with the strikes now in progress in steel, automobile, electric, and many other industries, most everything will be tied up in strikes. The workers suffer, the industries suffer, the people of America generally suffer, everybody loses, commodities become scarce. Oh, what needless waste. Why do not men realize this and combat the forces that would now destroy our form of government? Behind it all are those who care nothing for themselves and those who want to have our country become communistic. Let the President and Congress come to the rescue before it is too late.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

STALIN'S CHARGE AGAINST THE CAPITALIST SYSTEM

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include excerpts from a speech made on last Saturday by Premier Joseph Stalin of the Russian Soviet Union.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. RANDOLPH (at the request of Mr. SPARKMAN) was given permission to extend his remarks in the RECORD.

PRIORITIES ON BUILDING MATERIALS

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I do not take this time for the purpose of answering the gentleman from Mississippi, because what he said does not deserve notice. I have risen to call attention to the remarks made by the gentleman from Texas, in which he described the building of big residences, theaters, and other such structures at a time when an ordinary American citizen cannot find a place to live. For at least a year I have been urging that a preferential priority rating should be assigned to all building materials, and even to construction and labor used for homes. I am mighty glad that finally some action is going to be taken, and I hope this means that some of the 5,000,000 homes this country needs will be built now.

I desire to call attention to another matter. It has come to my notice that the Veterans' Administration is looking for a place to build a new hospital for the District of Columbia, but does not know what site to choose. Let me point out that there is a great deal of space at the Soldier's Home, readily accessible, and containing 400 acres or more. I do not believe we should pay forty or fifty thousand dollars for an acre of land outside the bounds of the District of Columbia for a veterans facility. The Soldier's Home is a most suitable place for a hospital, and I hope the Veterans' Administration will take notice. I am sure that 30 to 40 acres taken for use of disabled veterans will not seriously inconvenience soldiers who live there. That would be larger than most sites for veterans facilities of which I have read as being contemplated. I believe that necessary arrangements could be made with the commissioners of the Soldier's Home. In a sense, th Congress is trustee of the funds and property of the home. I would not disturb the comfort of the former soldiers who live there; perhaps the golf course, which I am told is chiefly for the benefit of a few officers, could be utilized.

DISTRICT DAY

The SPEAKER. This is District Day. The Chair recognizes the gentleman from South Carolina [Mr. MCMILLAN].

SALARIES OF OFFICERS OF MEMBERS OF METROPOLITAN POLICE, UNITED STATES PARK POLICE, AND FIRE DEPARTMENT

Mr. McMILLAN of South Carolina. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 5060) to amend section 1 of the act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia," approved May 27, 1924, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That so much of section 1 of the act entitled "An act to fix salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia", approved May 27, 1924, as reads: "members of said force detailed to detective headquarters in the prevention and detection of crime shall each receive extra compensation of $600 per annum; members of said force who may be mounted on bicycles shall receive an extra compensation of $70 per annum; members of said force detailed for special service in the various precincts in the prevention and detection of crime shall each receive an extra compensation of $240 per annum; and members detailed to motorcycle service shall each receive an extra compensation of $120 per annum," be, and the same hereby is, amended to read as follows: "members of said force assigned to detective headquarters in the prevention and detection of crime shall have their basic salaries increased by $600 per annum; members of said force who may be mounted on bicycles shall have their basic salaries increased by $70 per annum; members of said force assigned for special service in the various precincts in the prevention and detection of crime shall have their basic salaries increased by $240 per annum; and members assigned to motorcycle service shall have their basic salaries increased by $120 per annum."

SEC. 2. This act shall be effective as of the effective date of said act of May 27, 1924.

Mr. MAY. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, as we approach the anniversary of the birth of the immortal Abraham Lincoln, I feel that it is not inappropriate that I at this time should make a few remarks about another great Kentuckian. Kentucky is the birthplace of many great men; for instance, Jefferson Davis, the President of the Confederacy; Abraham Lincoln, President of the United States; John C. Breckenridge, John G. Carlisle, Henry Clay, and Ephriam McDowell, the statues of two of whom, Clay and McDowell, adorn Statuary Hall in the Nation's Capitol.

I come today to speak briefly of another unheralded, yet great American. His name is Green Haywood Hackworth, who has just been selected as one of the members of the International Court of Justice. Green Hackworth was born in Floyd County, Ky., just a few miles out of Prestonsburg at the mouth of a little ravine on a little creek called Spurlock. Mr. Hackworth has been counsel for the State Department for the last 20 years.

At this point, Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an article from the Floyd County Times, a newspaper published in Prestonsburg, the county seat of his native county; also a press release from the State Department dated February 6, 1946, No. 85.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MAY. The article and press release are as follows:

[From the Floyd County Times, Prestonsburg, Ky.]

FLOYD COUNTY NATIVE WORLD COURT JUDGE—GREEN H. HACKWORTH, STATE DEPARTMENT ADVISER, INTERNATIONAL FIGURE

Green Haywood Hackworth, who was born on Spurlock Fork, of Middle Creek, near what is now Dock post office, Wednesday reached another milestone in a distinguished career with his appointment as one of the 15 judges of the International Court of Justice.

News of Mr. Hackworth's appointment reached his uncle, Will Haywood, postmaster at Dock, several miles up Middle Creek from here, via radio.

For almost 20 years legal adviser to the State Department and "man behind the scenes" in many the international agreement, Mr. Hackworth at 62 becomes a world figure with his appointment to the tribunal.

A son of Jonathan T. Hackworth, eastern Kentucky teacher, and Lydia Haywood Hackworth, he was born on Spurlock January 23, 1883, and, his mother dying when he was quite young, he lived at Dock with his grandparents, Mr. and Mrs. Robert M. Haywood, till he was 10 years old. During this time, in a little one-room school reached over a road of mud and rocks, he received his first taste of learning.

When his father moved to Greenup County young Green went with him. From there he went to the Willard (Ky.) Normal School, then to Valparaiso (Ind.) University, Georgetown Law School, and finally George Washington University.

Starting in the Government service as a clerk in 1909, Mr. Hackworth worked 7 years before he was paid as much as $2,000 a year. He became attorney for the State Department in 1916 and the Department's legal adviser in 1931. In 1937 he succeeded the late Elihu Root as a member of the Permanent Court of Arbitration, The Hague.

Father of Mrs. Hackworth, the former Miss Clara E. Christy, of Huntington, W. Va., at one time resided in Prestonsburg.

GREEN H. HACKWORTH, LEGAL ADVISER, DEPARTMENT OF STATE, ELECTED JUDGE OF THE INTERNATIONAL COURT OF JUSTICE

DEPARTMENT OF STATE,
February 6, 1946.

The Security Council and the General Assembly of the United Nations Organization, voting separately but concurrently, have today voted on the membership of the new International Court of Justice, which will be composed of 15 judges. Among the 13 elected on the first ballot is Green H. Hackworth, legal adviser of the Department of State.

Judge Hackworth has been head of the legal office of the Department since 1925 when he was selected for that position by Secretary of State Charles Evans Hughes, subsequently a judge on the Permanent Court of International Justice. Secretary of State Kellogg, also later a judge on the same Court, retained him in that position. No other person in the history of the Department has been Chief of the legal office for such a long period. He entered the Department's legal office in 1916.

Two former Secretaries of State, Henry L. Stimson and Cordell Hull, as members of the Permanent Court of Arbitration, participated in nominating Judge Hackworth. Another former Secretary of State, Edward R. Stettinius Jr., cast the vote of the United States in the Security Council for Judge Hackworth.

The Permanent Court of International Justice under the League of Nations and also the new International Court of Justice under the United Nations Organization have drawn heavily for judges on men experienced as legal advisers to foreign offices. Upward of a dozen men who had served in such capacity were from time to time elected judges of the old Court. Sir Cecil Hurst, President of the Court from 1934 to 1936 was legal adviser to the British Foreign Office from 1918 to 1929. Judge John Read, legal adviser to the Canadian Ministry of External Affairs, has been elected to the new Court. Others elected to the new Court are Prof. Charles de Visscher, legal adviser to the Belgian Foreign Office, who was also a judge of the Permanent Court of International Justice, Prof. Jules Basdevant, legal adviser to the French Ministry of Foreign Affairs, and Abdel Hamid Badawi Pasha, legal adviser to the Egyptian Ministry of Foreign Affairs.

Judge Hackworth has been assigned to numerous international conferences, including the Conference on the Codification of International Law held at The Hague in 1930, and—more recently—the Eighth International Conference of American States in Lima in 1938, the Inter-American Scientific Congress in Washington in 1940, the second meeting of the Ministers of Foreign Affairs of the American Republics at Habana in 1940, the Moscow Conference in 1943, the Dumbarton Oaks International Security Conversations in 1944, the Inter-American Conference on Problems of War and Peace held in Mexico City in 1945, the United Nations Committee of Jurists, Washington, D. C., 1945, the United Nations Conference on International Organization at San Francisco, 1945, and the first meeting of the United Nations, held in London, 1946.

At the Dumbarton Oaks Conference Judge Hackworth aided in drawing up the original text of the United Nations Charter. He was made chairman of the United Nations Committee of Jurists, composed of representatives of some 40 countries which met in Washington prior to the San Francisco Conference and prepared the preliminary draft of a Statute for the International Court. He was adviser, at San Francisco, on both the text of the Charter and the Statute, participating in the work of Committee IV/1 (Judicial Organization—International Court of Justice) which recommended the adoption of the final text of the Statute. At San Francisco he was also chairman of the Advisory Committee of Jurists, a committee composed of a legal representative of each of the Big Five powers and one Spanish-speaking representative, which gave final consideration from a legal standpoint to the various texts concluded.

Judge Hackworth is a native of Kentucky. He received his bachelor of arts degree at Valparaiso University and his bachelor of laws at Georgetown, doing graduate work at George Washington University. He is the author of the recently published Digest of International Law in eight volumes.

Mr. Speaker, Judge Hackworth's views have long been regarded by Members of this House and of the Senate as entitled to the greatest weight. His advancement to the high position of judge on the International Court of Justice is a great loss to the Department of State and to the officialdom of Washington.

As an attorney in the Department of State since 1916, and as head of its legal office since 1925, he has given unsparingly of himself. In his office he gave instructions that no one should be told that he was too busy to see him. A tireless worker, he has given Secretaries of State, Presidents, and other officers of the Government the benefit of his views. With years of experience, even his off-hand expressions of opinion are remarkably accurate. Each succeeding Secretary of State has learned to rely heavily upon him.

Judge Hackworth is a pillar of strength in the Department of State. He knows his field, but thinking in terms of the practical, of what is possible, he is not bogged down by theories. His views on international law are progressive, without being fantastic. Those who have observed him in action realize that his feet are planted firmly on the solid earth. Time and again the suggestions of this mild-mannered jurist—who has sought no publicity for himself—have broken the fission of what otherwise appeared to be unsolvable situations.

Realizing the need for a modern Digest of International Law, Judge Hackworth, in 1935, set about preparing one. This collection of precedents and opinons on international relations and international law in eight volumes constitutes an invaluable work on international law. This Kentucky mountaineer from my native county of Floyd furnishes a thrilling example of what can be accomplished by those who have the ambition to achieve true greatness. Such was Abraham Lincoln, and such is Green Hackworth.

Mr. Speaker, if and when the time ever comes that any State may have more than two statues in Statuary Hall, I believe that the name of Green Haywood Hackworth will then be presented by my State as another one of the illustrious men of Kentucky.

ABRAHAM LINCOLN AND JEFFERSON DAVIS WOULD SUPPORT COMMITTEE ON UN-AMERICAN ACTIVITIES IN THEIR EFFORTS TO PROTECT THIS COUNTRY AGAINST SUBVERSIVE ELEMENTS

Mr. RANKIN. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Pennsylvania.

Mr. RICH. Why not reserve the place for that special statue for the gentleman from Kentucky, Mr. ANDREW JACKSON MAY? He is one of our finest living Americans, and richly deserves such an honor.

Mr. RANKIN. Well, I thought I would leave that to be decided by the people of Kentucky.

On last night, Mr. Speaker, a little slimemongering kike named Walter Winchell, in his weekly attack on the decent white people of America, trained his guns on the Committee on Un-American Activities, of which he is deathly afraid, and he singled me out as one of the objects of his persecution, as usual.

He said that if Abraham Lincoln were here today he would be investigated by the Committee on Un-American Activities. Now, as a southern Democrat whose people all were on the Confederate side, and whose able-bodied men were in the Confederate Army, I want to pause a moment to pay my tribute to that distinguished American who happened to be President of the United States during the dark and trying years of the War Between the States.

If Abraham Lincoln were here today Walter Winchell could not get in his back door, much less his front door.

If Abraham Lincoln were here today he would be one of the most enthusiastic supporters of the Committee on Un-American Activities in the United States, because we are trying to save the American institutions, we are trying to save the American Government and the American way of life, which Lincoln cherished, from being undermined and destroyed by the very elements that Lincoln would bitterly oppose if he were here today.

The white people of the South have long since ceased to criticize Abraham Lincoln. In fact, when I was a boy I asked my father what it was that Booth said when he shot Lincoln. My father was a school teacher. He said, "He leaped onto the stage and uttered that Latin expression, 'Sic semper tyrannis.'" I said, "Well, what does it mean?" He said, "So be it ever to tyrants," or words to that effect. He said it meant to imply that Lincoln was a tyrant. My father said, "He was as far from being a tyrant as any man who ever sat in the Presidential chair." I never forgot that statement.

These smearing Communist papers, the Communist Daily Worker, and PM, the uptown edition, are today smearing and lambasting great statesmen at the other end of the Capitol who joined hands in helping to save America from the FEPC, the most dangerous piece of communistic legislation with which this country has been threatened in half a century. They accuse us of an unholy alliance between northern Republicans and southern Democrats, because they joined hands in a righteous battle for the safety of our country.

If Jefferson Davis and Abraham Lincoln could appear again on this floor, where they both served with honor and distinction, they would reach across the aisle, join hands, and say "Godspeed" to the men, Democrats and Republicans, who are striving to save this country from destruction at the hands of these subversive elements.

I have no apology to offer to Walter Winchell and his slimy ilk for what I have done to try to save my country.

Mr. Speaker, if those great men who faced each other at Gettysburg could press back the veil that hides us from that mysterious realm where they have taken their places in the silent halls of death, and look down upon this House and upon the United States Senate, and see their sons and their grandsons joining forces in their efforts to save America, there would be such a shout of hallelujah go up as would resound throughout the pantheon of eternity.

It is time for all real Americans to join us in this fight to save this Republic, to save our Nation, and to save the American way of life from destruction at the hands of the Communists and their fellow travelers.

Mr. CASE of South Dakota. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two instances, in one to include a letter from General Vandegrift on the record of the Marine Corps on demobilization, and in the other to include a statement of the Methodist World Peace Commission on military training.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I move to strike out the last two words.

Mr. Speaker, this is the first bill out of the Committee on the District of Columbia that our distinguished colleague from South Carolina [Mr. MCMILLAN], the new chairman, has handled on the floor of the House. I know we are all glad to see him as chairman of the committee. We all know that as chairman of the committee he will give to the District of Columbia, and the people, and to the House, legislation that will be for their best interests, and that our distinguished friend from South Carolina will carry on in the high manner his predecessor, the distinguished gentleman from West Virginia [Mr. RANDOLPH], did.

I want to congratulate the gentleman from South Carolina on his elevation to the position of chairman of this committee, a committee with serious responsibilities, having before it many matters of detail requiring close attention. Service on the District of Columbia Committee is very trying, particularly when members of that committee and the chairman in particular have other duties to perform in relation to the people of their own districts and in the consideration of legislation generally applicable throughout the country. As majority leader I want to assure the gentleman from South Carolina, and I know that the acting minority leader, the gentleman from Michigan [Mr. MICHENER], who I see nodding his head, speaking for the minority leader, my distinguished friend from Massachusetts [Mr. MARTIN], will cooperate with our friend from South Carolina in every way possible in expediting the passage of legislation that is or may be reported out of his committee which relates to the best interests of the people of the District of Columbia. During my 5 years as majority leader, and only with the support and cooperation and concurrence of the minority leader, both of us joining with the Speaker of the House, we have permitted legislation reported out of the committee on the District of Columbia to come up on days other than those specified under the rules of the House as District Day for the consideration of District legislation, whenever, in the judgment of the Committee on the District of Columbia or the chairman of that committee, it was felt that the importance of the legislation required action immediately rather than to wait for the next District Day. That policy has been very beneficial to the District of Columbia and its people. I assure the present chairman of the committee that there will be a continuance of that policy, and whenever the gentleman from South Carolina desires to bring up legislation which can be passed by unanimous consent without waiting for District Day, I want the gentleman to know that the custom and policy of the past 5 years, which operated when the gentleman from West Virginia [Mr. RANDOLPH] was chairman of the Committee on the District of Columbia, will still operate in relation to the gentleman from South Carolina. I believe that custom and policy has brought about a closer understanding between the people of the District and Congress itself.

In addition, on the Democratic side, a few years ago, as a result of a conference between the Speaker, myself, and the gentleman from West Virginia [Mr. RANDOLPH], we submitted to the Democratic caucus the matter of permitting Democratic members of selective committees to continue to serve on the Committee on the District of Columbia. Prior to that time, when a Democratic member of the Committee on the District of Columbia was selected by the Democratic members of the Committee on Ways and Means, to serve on what is a selective committee, he could serve only on that committee, with the exception of the Committee on Accounts and the Committee on Elections, and probably one other committee. Such member could not serve on any other committee and the member of the District of Columbia Committee had to resign from it. The result was that there was a rapid turn-over of Democratic Members which tended to bring about instability insofar as the consideration of legislation for the District was concerned. We recognized that situation and recommended to the Democratic caucus the rule be changed so that a Member serving on the District of Columbia Committee and later assigned to a selective committee could continue his service upon the District of Columbia Committee, giving to the District the continued benefit of his experience. I think that has had a very strengthening effect in assuring continuance on the committee of men of experience, thereby giving stability of consideration and stability in connection with the reporting of legislation affecting the committee.

I want to assure the gentleman from South Carolina in his position as chairman of that committee that the same policies will continue; that we will cooperate with the gentleman in every way possible. We appreciate his trying task and responsibility. We desire to cooperate with him in giving to the people of the District of Columbia the greatest benefit possible from a legislative angle.

With those assurances I also want to extend to the gentleman from South Carolina my congratulations and my very best wishes for his success as chairman of the Committee on the District of Columbia.

The SPEAKER. The time of the gentleman from Massachusetts [Mr. McCORMACK] has expired.

Mr. RICH. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. Speaker, I am very much interested in the remarks of the majority leader with reference to the Committee on the District of Columbia. I hope that committee will assume the responsibility, if that be their prerogative, of trying to do something for the parking problem in the District of Columbia. I think it can be made a business proposition and something that would be well worth while if we would take some of the public park space that we have and make underground parking lots, similar to the Senate garage. It will cost some money to do that, but if we do it and charge a small rental fee for service rendered, we can make it pay. We will then be doing two things for the District of Columbia. We will be getting the cars off the streets and the public will have the satisfaction of knowing they can park their cars without a great deal of difficulty. It is just a good business proposition if done in the business way.

I think if the new chairman of the committee will give that study, we will see that happen in the not far-distant future. That would give employment to people in the District of Columbia when men need jobs. If we have a program like that to start with, we can keep the people of the District of Columbia busy, we can invest our money and give people jobs and make it pay for itself, and the returns will go back to the Treasury of the United States and we will not have to tax the people back in Pennsylvania, Texas, or Oregon if we do a good job in a sound business manner. We need more business in government to work out our problems in a sound business way.

Mr. COFFEE. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. COFFEE. Mr. Speaker, Mr. McMILLAN'S committee has a subcommittee of which the chairman is the gentleman from Louisiana [Mr. HÉBERT], and that subcommittee has made an exhaustive and extended study of the problem to which the gentleman's remarks are addressed. I heartily agree with the conclusions and arguments of the gentleman from Pennsylvania. Certainly there is need in the District of Columbia for taking practical steps to provide for the storage and disposal of the cars which clutter up the streets of the District of Columbia.

If the gentleman will recall, during the time we had an appropriation bill before the House, we tried to secure the enactment of an appropriation for $5,000, which would have given a special committee in the District of Columbia the means with which to make that study. Opposition was directed by the gentleman from Missouri [Mr. CANNON] chairman of the Committee on Appropriations, and, listening to his advice, in its wisdom, the House decided to postpone that appropriation. I, as chairman of the Subcommittee on Appropriations for the District of Columbia, am hoping that we can bring before the House that proposition again and secure favorable action.

The SPEAKER. The time of the gentleman from Pennsylvania [Mr. RICH] has expired.

Mr. SMITH of Ohio. Mr. Speaker, I move to strike out the last two words.

I would like to ask a few questions of the chairman of the District Committee about this salary schedule. This involves, in the first instance, only special services. Is that correct?

Mr. McMILLAN of South Carolina. That is correct.

Mr. SMITH of Ohio. What is the average annual salary now of each member detailed to detective headquarters in the prevention and detection of crime?

Mr. McMILLAN of South Carolina. He receives an extra salary of possibly $600 a year.

Mr. SMITH of Ohio. What is the present salary?

Mr. McMILLAN of South Carolina. He gets the salary of a private on the regular Metropolitan Police force, plus $600.

Mr. SMITH of Ohio. I know, but what is the salary?

Mr. McMILLAN of South Carolina. About $3,000.

Mr. SMITH of Ohio. That is his present salary; so this will make it $3,600?

Mr. McMILLAN of South Carolina. No; the $3,000 includes the $600.

Mr. SMITH of Ohio. What is the average annual salary of the mounted force on motorcycles at the present time?

Mr. McMILLAN of South Carolina. About $2,700.

Mr. SMITH of Ohio. Does that include the $70?

Mr. McMILLAN of South Carolina. That includes the $75.

Mr. SMITH of Ohio. The $2,700 includes that. And what is the annual average salary of the special service in the various precincts in the prevention and detection of crime?

Mr. McMILLAN of South Carolina. I would say on the average about $2,500 per annum.

Mr. SMITH of Ohio. Including this increase?

Mr. McMILLAN. Yes.

Mr. SMITH of Ohio. And of those detailed to the motorcycle service, what is the average annual salary?

Mr. McMILLAN of South Carolina. Two thousand and six hundred dollars plus.

Mr. SMITH of Ohio. That includes the proposed increase?

Mr. McMILLAN of South Carolina. These are approximate figures, of course. I do not have the exact figures, but these are approximate.

Mr. SMITH of Ohio. The gentleman does not have the exact figures?

Mr. McMILLAN of South Carolina. Not before me; no; but these are approximate figures.

Mr. SMITH of Ohio. What does the gentleman mean by approximate?

Mr. McMILLAN of South Carolina. I would say within $50.

Mr. SMITH of Ohio. Then the force assigned to detective headquarters in the prevention and detection of crime: What is the present annual average salary of those members?

Mr. McMILLAN of South Carolina. What we call precinct detectives. About $2,600.

Mr. SMITH of Ohio. And that includes the proposed increase?

Mr. McMILLAN of South Carolina. Yes. The gentleman should understand this is not an increase, the pending bill does not increase anybody. This bill clarifies the act, that is all this bill does, interprets the act, gives the Comptroller General permission to do something he has been doing for 25 years.

Mr. SMITH of Ohio. Then this bill does not increase any salaries?

Mr. McMILLAN of South Carolina. Not a penny.

Mr. SMITH of Ohio. What is the annual average salary, then, of the force mounted on motorcycles, whose basic salaries are to be increased by $70.

Mr. McMILLAN of South Carolina. About $2,500 or $2,600. They have been getting that all the time, of course; they are not getting any increase under this bill. They have been getting that $75 for 30 years.

Mr. SMITH of Ohio. I just wanted to know what their salary schedules were.

Then the service in the various precincts in the prevention and detection of crime, whose average salaries are increased by $240 per annum. What are they receiving?

Mr. McMILLAN of South Carolina. I would say $2,600.

Mr. SMITH of Ohio. And that includes the $240?

Mr. McMILLAN of South Carolina. Yes. They usually detail a private to a precinct detective's position and give him the extra $240.

Mr. SMITH of Ohio. Now, members assigned to the motorcycle service whose salaries are increased by $120 per annum; what is their present salary?

Mr. McMILLAN of South Carolina. I think most of them are getting around $2,700.

Mr. SMITH of Ohio. I thank the gentleman.

Mr. PITTENGER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. PITTENGER. I listened to the majority leader a moment ago. As a member of the minority who has an office in the Old House Office Building next door to that of the chairman of the Committee on the District of Columbia, I want to add my congratulations and tell the gentleman from South Carolina that so far as the occupants of the Old House Office Building are concerned,

it is the best office building in Washington.

We are very proud of the new mayor of the city of Washington and the District of Columbia, and we want to congratulate him on the fine way he is handling District legislation.

Mr. McMILLAN of South Carolina. I thank the gentleman from Minnesota and also wish to thank the majority leader and the gentleman from Pennsylvania.

Mr. HOOK. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. Speaker, in 1620 there landed on the shores of this Nation a little group that came here because of the fact they wanted freedom. They wanted freedom from tyranny, they wanted the right to worship God according to the dictates of their own conscience, they wanted to be free, they wanted the right to live in a land where a man would not be persecuted either on account of race, religion, or national origin.

These peoples went through many trials and tribulations, but they laid the foundation for the greatest Nation in the world. In 1776 we fought a war to further establish those principles of freedom, the right of men to be free, the right of men to have liberty.

They developed this Nation because of the fact that they were free to carry on. They developed the greatest democracy in the world, based on the capitalistic system and the right of free enterprise and the right to profit.

This Nation has become the strongest Nation in the world. We are ready and willing and have demonstrated in the past our readiness to fight to keep that freedom.

Mr. Speaker, we fought World War I, to help establish freedom as we know it in our democratic America; however to a certain extent we fought it in vain. I am one of the veterans of that war. We were told at that time that we were fighting a war to make the world safe for democracy. How disillusioned we became. There arose in Germany and in the Orient the ugly head of fascism, nazism, the racketeers, led by a man named Hitler and the Jap war lords that were ready to tear down the very freedom that hundreds of thousands of lives were lost for in the First World War to preserve.

Then came the Second World War.

Mr. Speaker, I am wondering whether or not the millions of boys who spilled their blood in the South Pacific, who now lie in the cemeteries of the Old World, have died in vain when I hear such purveyors of hate as Gerald L. K. Smith and those mouthpieces of Hitlerism and nazism working and speaking within our own midst. I am wondering what we are doing to stop this kind of thing right within our own Nation. We are capable of fighting communism, fascism, nazism, Shintoism, or any kind of ism taking over a free America. We have demonstrated that. We fought them on the battlefields of Europe and Asia, but what are we doing to fight them within the confines of our beloved America? Poison is not harmful unless taken internally, and if this poison dished out by these purveyors of hate, if allowed to be administered within the United States of America, it will kill freedom and democracy. Yes, it will kill and destroy America.

Joe Stalin cannot and never will be a witness before any committees of this Congress. He cannot use a committee of this Congress to make statements against freedom in America. That is fine. Let him stay where he belongs. This is our Nation—not the Kremlin's. We will protect our liberties against all comers from without.

A great American, Philip Murray, in answer to a charge that he was taking over America for communism said, "They claim I am taking over America, but they cannot make up their minds as to whether I am taking it over in the name of the Pope or the Kremlin." We are Americans. We fought nazism. We beat them. We can fight any ism or ideology that is the antithesis of democracy. We can beat them on the field of battle. But the question that is bothering me is, Can Gerald L. K. Smith, one of the dirtiest, lowest, Fascist-minded, anti-Catholic, anti-Jewish, and anti-American individuals come before a committee of this House and give testimony for the purpose of using it as a sounding board against the promotion of the principles for which our boys fought and died. It it about time we do something about that. Let us stop fascism in this Nation. We cannot stop fascism in America by leaving the un-American Fascist groups use the Committee on Un-American Activities as a sounding board for hate and un-American utterances for the purpose of destroying America. If we do, God help America.

By the way, we should not allow any of the above to happen any more than we would allow any back-stage maneuvers along these lines by either the Veterans' Affairs Committee or the Military Affairs Committee, or both.

Mr. SUMNERS of Texas. Mr. Speaker, I am prompted by some observations made by a Member of the House today to insert in the RECORD some observations of my own along the general line of his discussion. It would seem clear from an examination of the facts and of the trends in the world that the various philosophies of government are coming under reexamination. Democracy is under challenge as it has not been at any other time during the last century and a half. Unfortunately for ourselves and unfortunately for the attitude of the world toward democracy we are not making too good a demonstration of its efficiency in this country or that we ourselves really believe in it; we who are the loudest in the praise of its virtues. We all know that a democracy is an association of private people engaging in a common enterprise of governing themselves, and that such a people must have the capacity and the will to govern, and that general governmental power must be held in agencies of government susceptible of popular control. Those are two things undisputable. Those ought to be recognized as self-evident facts. But despite them, despite these facts, we are very busy moving governmental power out of the smaller units of government which are close to the people, reducing the necessity of individual effort and capacity, and creating a general attitude of dependence. As these powers are moved up to Washington, they are beyond the reach of the power of the people and accumulate beyond the comprehension of the private citizenship, and beyond the comprehension of the people's representatives and beyond the capacity of democratic machinery of government.

We are not going to preserve our democracy merely by criticising other forms of government by which other peoples are being governed while we ourselves are operating under basic policies of government which are changing our distinguishing characteristics from that of a democracy to that of a bureaucracy, a nondemocratic system of government, in many respects, after its complete development, less efficient and as susceptible of tyranny, oppression, and corruption as that of a dictatorship of an ordinary type.

Mr. Speaker, there is another important development in progress. I venture the observation and the warning that Washington had better begin to share sovereign power and responsibility with these States before the swing back now in progress gets under full momentum. There is the definite possibility that the Federal Government will not have left enough popular support to enable it to discharge its necessary Federal duties. It seems to me that anybody who cannot see that must be blind to the most obvious development. There is an observation I want to make. It is not that our system of government would be best or even possible for many other peoples. We have no occasion to quarrel with other peoples who are governed differently from the way we want to be governed. That is their business. It would be well if the nations could adopt that attitude toward each other. We do not want to be governed as many of them are, and many of them are not suited to our form of government. They could not operate under it. It is not that they are inferior or worse than we are. We should avoid any such intimations. For centuries we have been undertaking to maintain the sort of government which we profess to believe in; it is best for us. I believe it is the sort of government designed by nature. It seems to me to fit into the plan as the sort of government most conducive to the development of people. People from other lands who come here should understand that they are invited to help assist us in maintaining our system of government. When they seek to destroy it they violate the privileges of hospitality, and they have no right or place among us. We profess to be the champion of democracy in the world, but we are not going to be able to broaden and strengthen the support of democracy in the world by profession, of devotion to it or by denunciation of other forms of government. We have got to demonstrate belief in it, and by demonstration show that it is the best sort of government for peoples to live under.

I have a great many people write me and wonder why Congress does not do this, that, and the other thing. Many of these inquiries ask why is Congress

listening to organized minorities and not to the great unorganized majority. Well, the answer to that is because the organized minorities constitute dependable political support, and a candidate for office in many districts, with that support, has a good chance for one reason or another to get enough votes plus those who get their golf engagements mixed up with election day, to win. If we could ever get the realization in this country that the people speak the voice of Government, that the Government is not resident in Washington, that we do not have an "it" government, or a "they" government, but have an "us" government, then we would have a chance to work out of this mess. I am not parading myself. I am taking my share of the blame. One reason why the people do not correct these conditions is because we have not told them the truth. The disposition to please has so dominated the public utterances of the country that we do not tell the people the truth. The people are not jittery. They can take it. This is their Government. We are their hired men and women. We brag on ourselves too much. There is too much "if you will elect me I will fix everything all right and you will not have to bother." Eternal vigilance and being on the job is the price of liberty for every people. There is much to indicate they are getting on the job. When they do, minority control in this country will disappear. We will stop this swinging of the pendulum from one extreme to the other, the most dangerous thing that can happen in a democracy. Whatever happens in America, basically, the responsibility and the power to control it rests with the people. I am not minimizing the responsibility of public officials or to excuse ourselves for not dealing courageously and candidly with the people who have us employed, but, a democracy is not the sort of government where authority is spoken from the top downward. If we ever forget that as a basic practical fact, we will fail in our attempt to operate this as a system of democratic government.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that the gentleman be permitted to proceed for five additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SUMNERS of Texas. I do not want to impose on the House, but I think these are things we have to consider.

When you examine the history of democratic progress, you find that all the great monuments that have been erected along the line of democratic progress have been monuments which have marked the time and the place when Governmental power has moved from the center back toward the people. In the very nature of things it has to be that sort of a thing because ours is a Government by the people, with no king and no hereditary nobility. God Almighty never made a little handful of supposed-to-be-great people that could do the thinking for a nation of free people. Public opinion is the supreme law and the people have to provide it.

Talk about freedom; what we need in America is for our people to think with their own thinking machines. There is much to indicate now that at last the American people are becoming conscious that nature has not made a few big people that should run things. There are no big people. Maybe we try to make the people think we are. Suppose we admit it. We ought to be ashamed of ourselves and reform. We have reached the time when we must tell the people the truth, tell them this outfit up here in Washington is no bigger than they are at home.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Mississippi.

Mr. RANKIN. A great preacher once said that God Almighty never permitted a situation to arise that He did not raise up someone to take care of it. Right along the line the gentleman is talking, in another body men rose to a degree of statesmanship on both sides of the aisle on last Saturday that will immortalize them and take their names down to future centuries because they were carrying out the very policy advocated by the distinguished gentleman from Texas of saving America from that concentration of power that would destroy our free American institutions and make everybody a slave of the state.

Mr. SUMNERS of Texas. I am stressing the thing from the standpoint of fundamental basic philosophy, the laws of God Almighty that have been provided for the governing of people.

I am going to ask permission to place in the RECORD a statement I made 21 years ago, discussing the subject Our Choice, the Decentralization of Governmental Power or Government by a Great Federal Bureaucracy.

That which I said then resulted from a discovery of facts, not because I was smart but because I knew I was not and sought to learn the truth from an examination of government, of human nature and of the plan of nature with reference to government. When we realize our limitations and begin to examine things basically, we learn that if we follow around after the theories of men we do not get anywhere, if we get down to study the plan of nature, the plan of God Almighty, the plan of the Big Boss with reference to government, just like people do in everything else in which they succeed, then we have a chance to do this governing job as nature intends it should be done.

Men and women of this House, I declare to you for whatever it may be worth, and I have studied these questions, that unless we discover the fundamental natural laws that govern government, and put our policy into harmony with those laws, we have not a chance to win through our difficulties, not a chance on earth. That time has gone. We cannot operate a great system of free government in a highly developed scientific age guided by the theories of men. I hope you will read this statement that I made 21 years ago, which I am going to put in the RECORD.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN of South Carolina. Mr. Speaker, that concludes the business of the Committee on the District of Columbia for today.

EXTENSION OF REMARKS

Mr. SUMNERS of Texas asked and was given permission to revise and extend his remarks and include a statement.

THE AMERICAN ECONOMY

Mr. STEWART. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter from E. O. White, Durant, Okla., and resolution passed by the farmers of Bryan County, Okla.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STEWART. Mr. Speaker, the farmers of southeast Oklahoma, particularly in Bryan County, as set forth in a letter from Mr. E. O. White, a very prominent farmer, a former member of the Oklahoma House of Representatives, and Director of the Farmers Union of that State, have become so enraged over the present-day economy that they met in a mass meeting on February 2 in the courthouse of the city of Durant, and passed a resolution against strikes, resolving to withdraw their votes and support from any Member of Congress who does not support remedial legislation to that end. They further condemned an economy that runs with the fox and barks with the hounds. They are all fed up with these strikes. They demand that we, as Members of Congress, offer a solution so that the entire citizenship of America can be treated equally. I would appreciate it if those of you present would read in the RECORD this letter from Mr. White and resolutions passed by the farmers of Bryan County, Okla.

Since being elected to Congress, I have advocated the passage of laws that would put agriculture on a parity with labor and industry in every particular and such an economy cannot be brought into being unless strikes are brought to a halt to where worn-out farm machinery can be replaced, to where the farmers of America, by working on an average 2 hours to every 1 hour worked by organized labor, can continue to feed the world. Yes, with all these long hours and worn-out machinery they have produced crops in abundance, ample to feed the world but strikes go on until this good minute.

The letter from Mr. White and the resolution adopted at the mass meeting in Durant, are as follows:

DURANT, OKLA., *February 2, 1946.*

Hon. PAUL STEWART,
Member of Congress, Washington, D. C.

DEAR MR. STEWART: Please be advised that the farmers of this county, in a mass meeting assembled on Saturday, February 2, 1946, adopted the enclosed resolutions.

Please accept these resolutions as the sentiment of the farmers in this community about the strike situation from observation, as it covers the people in my community.

Thanking you to give this your usual attention, and to act in accordance with our views, I remain,

Yours respectfully,

E. O. WHITE.

P. S.—Please see that this gets before the Oklahoma delegation.

E. O. W.

Resolution adopted at mass meeting of farmers held in the courtroom, Durant, Okla., Saturday, February 2, 1946

Whereas the United States is, and will continue to be, a great land with abundant supplies of natural resources, labor, and capital; and

Whereas there exists today many unnecessary shortages of vitally needed implements, tools, and materials of every kind necessary to the smooth functioning of a progressive economy; and

Whereas many of these unnecessary shortages are due primarily to the present methods employed by labor unions and industry in settling their disputes without regard to the rights and welfare of the general public; and

Whereas the present strikes against the major industries at a time when the Nation's supply of normal civilian goods is at an all-time low are directly against the best interests of the general public, and specifically against the interests of the farmers of the Nation, who were ever ready and willing to meet the increased demands made upon them for increased food production during the war, and who in so doing greatly depleted the productive capacity of their present farm machinery, thus making it imperative that new machinery and parts be made available to them for continued operation; and

Whereas under existing national laws, the general public and the farmers in particular, have no way to protect their interests when a dispute exists between capital and labor, and it is imperative that the general public take such actions as are within their power to assure the protection of their interests: Therefore be it

Resolved by the farmers of Bryan County, in open and public assembly gathered, That we here go on record as being opposed to the present wasteful methods of settling disputes between capital and labor; and that we here announce our intent to withhold our votes and support from any Member of Congress who does not lend his complete support to a workable and effective program which will provide an equitable and peaceful means for settling these disputes between capital and labor, and assure this Nation the necessary clothing, farm machinery, tools, and implements, and materials of all knids essential to assure the high scale of production and standard of living to which our country is entitled.

PREVENTION OF JUVENILE DELINQUENCY

Mr. BUNKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. BUNKER. Mr. Speaker, I am today introducing a bill to create a Federal bureau for the prevention of juvenile delinquency and crime. I am prompted to do this by startling official statistics.

The Federal Bureau of Investigation reports, for instance, that 1 of every 23 persons in the United States has been arrested and fingerprinted.

Those are challenging figures. They command the same action by Congress that brought the Children's Bureau into being a quarter of a century ago—to write a brilliant chapter into American history by its reduction of infant and maternal mortality.

The legislation I am proposing would create in the Department of Commerce a medium to enlist the Nation's best and most practical minds in a continuous fight to prevent crime and to coordinate the forces everywhere that now are carrying on feebly.

One does not have to be a prophet to foresee the disaster that will come to our country if the moral decadence of our time persists.

The Pathfinder magazine reports:

Barmaids outnumber co-eds; criminals are three times more numerous than college students. The Nation has 60 suicides a day, murder every 40 minutes, a major crime every 22 seconds. Seven out of eight children quit Sunday school and church before they are 15 years old. Only 1 of 12 Americans attends church regularly.

Such figures need no elaboration. They call for the same decision and action that united the leadership of the Nation to record victory after victory over physical problems that confronted our country during the direst days of the war.

Juvenile delinquency and lawlessness are wrecking countless homes and lives, besmirching the national escutcheon and casting an ominous shadow over the future of our country.

The following terse statements from a recent address by J. Edgar Hoover, Director of the FBI, will answer any possible arguments against the need for the establishment of such a bureau:

The whole problem becomes more serious when we observe the shocking spectacle of the rise in youth offenders during the war years. * * * Parent responsibility is no longer in style. This causes me to suggest that a new approach is necessary.

Too much already has been written about mounting juvenile delinquency and the postwar crime wave. Too little has been done to prevent it.

One cause of juvenile delinquency and lawlessness is that too many folks still think they are not their brother's keeper.

Too much of our justice is geared to this proposition: Wait until the crime is committed. Get your man. Prosecute him vigorously. Throw him into a penitentiary or reformatory. Then let the course of retributive justice go its haphazard way.

A bureau to prevent juvenile delinquency and lawlessness should be headed by an inspired man, an executive, a sound American and a proven leader.

It must bring together the Nation's and the world's best psychiatric, philosophic, religious, educational, and judicial minds, social workers and any others who can throw any light on the causes and cures of the malady of lawlessness. Out of the studies of such a group should come an intelligent, effective program.

The newspapers, magazines, theaters, radio stations, and other such mediums must be enlisted to eliminate adverse publicity, motion pictures, cartoons, and radio programs that are psychologically undesirable.

Guidance must be offered to those who have erred, so that they will not again become offenders. The mounting number of laws creating statutory crime must be analyzed and reduced.

By scientific approach the tragedies of life that are written behind a thousand prison walls can be tremendously reduced, the homes of multitudes can be spared the infamy of crime and the cost of lawlessness can be substantially diminished.

The strongest argument against the creation of such a bureau is the formation of still another agency, but like others, it must come when private agencies can no longer cope with the problem. And it stands a chance—like the Children's Bureau—of writing an immortal chapter into the history of our great land.

TRANSPORTATION OF INFLAMMABLE FABRICS

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a short bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I am today introducing a bill to prohibit the manufacture and transportation in interstate commerce of dangerous fabrics, inflammable fabrics.

The State of California passed a similar law which has worked very well, and I hope this bill will safeguard and protect the numerous people who buy these use fabrics which, unbeknown to the consumer, are dangerous.

As you have all read in the papers, within the last year a great many people have been fatally burned, and many others have been seriously injured due to the fact that we have these inflammable fabrics on the market.

My bill lays down a formula whereby the type of fabric that is dangerous will not get into interstate commerce. I am inserting the bill in the RECORD, and I respectfully request you to read the bill. It will safeguard these people and, incidentally, safeguard the merchants who have no way of knowing which fabrics or which clothing is dangerous. The merchants are subjected to lawsuits, harassment, and loss of goodwill by the sale of these articles which should not go into commerce at all and for which the manufacturers alone are responsible.

A bill to prohibit the transportation of certain inflammable textile fabrics in interstate commerce, and for other purposes

Be it enacted, etc., That it shall be unlawful for any person to carry or cause to be carried any inflammable textile fabric in interstate commerce.

SEC. 2. (a) Whoever violates the provisions of this act shall, upon conviction thereof, be subject to a fine of not more than $500 or to imprisonment for not mare than 6 months, or to both such fine and imprisonment.

(b) Whenever in the judgment of the Attorney General or any district attorney of the United States any person has engaged in, or is about to engage in, any acts or practices which constitute or will constitute a violation of this act, he may make application to any court of the United States of competent jurisdiction for an order enjoining such acts

or practices, and upon a showing that such person has engaged in or is about to engage in any such act or practice, a permanent or temporary injunction, restraining order, or other order shall be granted without bond.

SEC. 3. As used in this act the term—

(a) "person" means an individual, corporation, partnership, association, or other organized group of persons, or any legal successor or representative of any of the foregoing; and

(b) "inflammable textile fabric" means any textile fabric of combustible fibers which have a nap or pile and which flash or burn in horizontal position with the nap or pile on the upper face at greater average rate than 1 inch per second the size and conditioning of samples and method of testing to be in accordance with the procedure prescribed in National Bureau of Standards Letter Circular No. 818 on flameproofing of textiles.

The SPEAKER. The time of the gentleman from California has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that on tomorrow after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, the gentleman from Pennsylvania [Mr. GRAHAM] may address the House for 15 minutes.

EXTENSION OF REMARKS

Mr. HANCOCK asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein an article which recently appeared in the New York Sun containing an interesting and timely discussion of legal and constitutional questions involved in the acquisition of the proposed site of the UNO headquarters in New York and Connecticut.

Mr. ANDERSON of California asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein a letter written by General Vandegrift to the publishers of the Washington Post.

Mr. HENRY asked and was given permission to extend his remarks in the RECORD and include an editorial which appeared on February 8, 1946, in the Waukesha Daily Freeman, of Waukesha, Wis.

Mr. STEVENSON asked and was given permission to extend his remarks in the RECORD and to include therein a letter from a constituent.

Mr. SUMNERS of Texas asked and was given permission to extend his remarks in the RECORD and include therein an editorial in the Washington Post.

Mr. SHAFER and Mr. WOODRUFF asked and were given permission to extend their remarks in the Appendix of the RECORD.

The SPEAKER. Under previous order of the House, the gentleman from Washington [Mr. SAVAGE] is recognized for 15 minutes.

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. SAVAGE. Mr. Speaker, I am still very much concerned about the Un-American Committee. It is not that I dislike the members of this committee. In fact, I have several friends on the committee.

It is the organized activities of the committee that I am concerned about, and the free hand that they give their counsel. Every member of the committee is responsible for the activities of the counsel, whether they are able to be present at the committee meetings or not. To set up a counsel, give him free hand and thousands of dollars to work with, is very dangerous. It will not take him long to defame every member of the committee.

It seems to me that all Gerald L. K. Smith has to do is yell "sick 'em" and the committee's counsel takes out after whatever party Mr. Smith is peeved at. I refer to Smith's attack on Hollywood, for instance. If the counsel follows the dictates of Gerald L. K. Smith, he will continue to attack the New Deal program and will continue to attack liberal commentators and columnists. Together they will endeavor to destroy the most aggressive labor leaders in the country and eventually will get around to the more conservative labor leaders, with a view to destroying labor organizations entirely.

Since this is a committee of the House of Representatives, every Member of the House is responsible for the activities of the counsel, as well as are the members of the committee. If I did not attempt to prevent such a travesty against liberal American democracy, the people in my State would reach the conclusion that I was devoid of all the early American spirit possessed by my forefathers.

So far, the activities of this committee have not been anti-un-American but the activities of the committee have been just plain antiliberal.

It has long become notorious for its abuse of the powers granted to it by the House. It has employed its mandate to investigate un-Americanism as a general license for the persecution and villification of individuals and groups whose sole offense was the exercise of the rights and privileges guaranteed them by the Constitution and the Bill of Rights.

If unchecked, the fantastic antics of this committee will have the effect of undermining the confidence and respect of the American people in this body. For the American people cannot and will not tolerate that, under the cloak of congressional immunity, a group of men and their irresponsible employees shall flagrantly wage a war against freedom of speech, against freedom of religion, against the traditional American succor for the oppressed and the underprivileged, against the extension of friendship and cooperation among the United Nations.

Having won a costly war against fascism, the people of this country will not submit themselves to the shame of cultivating within the halls of their Congress a body which not only offers a platform to well-known Fascist seditionists such as Gerald L. K. Smith but actually dares to question the right of Americans to project and support the concept of democracy.

Mr. Drew Pearson recently made public during the course of a radio broadcast the text of a letter addressed to him by the counsel for the Un-American Activities Committee, Ernie Adamson, whose gestapo-like tactics and ignorance have become a national scandal:

Several people—

Wrote Adamson—

have called to my attention the closing line of your Sunday night broadcast, "make democracy work." I should like very much to have your definition of the word "democracy" as you are using it over the radio. If you will be good enough to supply this information, I will give the matter further consideration to determine whether it should be called to the attention of the members of the committee for such action as they deem proper.

Mr. Pearson's suggestion that a padded cell be warmed up to receive Mr. Adamson is just and reasonable. I heartily welcome it. But the ludicrousness of the situation must not make us lose sight of the truly sinister character of this Nazi hang-over.

For Mr. Pearson's experience is unfortunately only one of the most recent in a long series of actions intended to gag free speech. Several months ago, the Un-American Activities Committee requested the scripts of nine important radio commentators, on the grounds that their utterances were to be scrutinized to see if they are subversive. The attendant smear and unfavorable publicity has already resulted in driving off the air two of these commentators. Hans Jacob was fired by WOV. Station WJZ, over which William S. Gailmor broadcast for Electronics Corp., refused to renew the company's contract.

It is my contention that the committee's action constitutes an abridgement of free speech, which is expressly forbidden by the Constitution. It is not the function of any congressional committee to regulate free speech. There are adequate laws to punish abuse of the right of speech—laws against seditious utterances; laws prohibiting obscenity; and laws imposing criminal and civil penalties for libel and slander. It is the function of the courts to enforce these laws. No congressional committee has a right to investigate the speech of any person to determine whether it is subversive or otherwise illegal.

The real motivation behind the unconstitutional persecution of the radio commentators becomes apparent in examining House Resolution 4775, introduced by Chairman WOOD, of the committee. This bill states itself to be for the purpose of regulating subversive and un-American propaganda. The unconstitutional clause of this proposed bill is paragraph A, which reads:

By proper and frequent announcements clearly separate and distinguish programs consisting of news items from these programs based upon, or consisting of, personal opinion or propaganda.

This would indicate that the House committee proposes to set itself up not only as a supercensor of the words of American citizens but would actually attempt to regulate their thoughts and bear judgment on their intentions.

These are serious charges. I base them not on prejudiced suppositions, as is the custom of the committee, but on the public statements of the committee's counsel. On January 23 Mr. Adamson

announced the committee's intention—and I quote verbatim—to "investigate all organizations aiming to influence public opinion." Our schools, our universities, our churches, our clubs—every institution of enlightenment and progress—would thus be exposed to unlawful prying of a group whose delusions of grandeur and paranoic ambitions apparently exceed the late lamented Himmler's.

Is it any wonder then that citizens throughout our Nation are vigorously expressing their alarm and demanding the end of this travesty of congressional authority? You have read the condemnations of the committee by such responsible and respected organs as the New York Times and the Washington Post. Typical of the indignant protests we have all received is a recent communication from a group of distinguished citizens of Boston branding the committee "a menace to civil liberty" and calling for its abolition. The statement, signed by leading educators, church and civil leaders, concluded:

The failure of the House of Representatives to dissolve this committee will bring discredit on its own head.

Mr. Speaker, I call upon the House of Representatives to heed the demands of these patriotic Americans, so that we and they may bend all our energies to urgent problems of building peace and security confronting our Nation.

Mr. Speaker, it has been demonstrated that the House Committee on Un-American Activities is undermining the fundamental tenets of our American democracy by open violations of the Constitution and the Bill of Rights. It has been shown how this committee is fomenting disunity and prejudice by its attacks against individuals and groups endeavoring to combat various forms of race hatred and discrimination.

But the committee does not stop here. It is now embarked on an effort to disrupt the activities of organization dedicated to the vital task of promoting harmonious relations between the United States and its allies. I refer specifically to the subpenaing of officers and records of the National Council of American-Soviet Friendship which has received the support and cooperation of the most distinguished citizens of our country, including Gen. Dwight D. Eisenhower, who recently wrote the council:

As an American soldier and lover of peace, I wish your council the utmost success in the worthy work it has undertaken.

Here is an organization whose patriotic efforts in support of our Government's policy for American-Soviet friendship has enjoyed the frequent cooperation of the United States Army, the United States State Department, and other official agencies. President Roosevelt and President Truman, Speaker RAYBURN, and Senator PEPPER are among the many outstanding Americans who have sent the national council special messages of encouragement. Speakers at national council meetings have included Edward R. Stettinius, Donald Nelson, Henry Kaiser, the Earl of Halifax, Andrei Gromyko, General Ulio, Joseph E. Davies, Bishop G. Bromley Oxnam, Dean Acheson, and more than a score of Members of this House of Representatives.

The activities of the National Council are obviously open, aboveboard, and constantly reported in the press. Its publications and educational services are available to everyone. In promoting American-Soviet friendship it takes no position on domestic issues or legislation in the United States and has never advocated directly or indirectly the adoption in America of any of the economic or political tenets of the Soviet system.

What, therefore, can be the purpose of the Un-American Activities Committee in subjecting its distinguished chairman, Dr. Corliss Lamont, to the indignity of repeated cross-examinations and the unwarranted demand that the Council submit its books and records? I maintain that inherent in the committee's attempted investigation of this group is the inference that helping the American people to understand our Soviet ally and promoting American-Soviet amity, in accord with official American policy, are un-American and subversive. For the National Council to yield to a demand based on this preposterous inference would not merely cause wanton injury to the work of the National Council, but would also have a deleterious effect upon America's foreign relations and thus be of disservice to our country.

It is my considered opinion that the House of Representatives should not only halt this interference with the work of the National Council of American-Soviet Friendship but should express it gratitude and appreciation to Mr. Lamont and his organization for their splendid contribution to world peace and security.

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. CHURCH] is recognized for 10 minutes.

DEMOBILIZATION—CONGRESS SHOULD ACT

Mr. CHURCH. Mr. Speaker, we have been entirely too patient with the War Department and Navy Department, particularly the former, in connection with release of the young men who were taken from their homes and families to serve in the armed forces. It is only because of our repeated urgings as Members of Congress that the demobilization program has advanced as far as it has. I have long been convinced that the Army's apparent resistance to speedy demobilization, the inconsistencies and confusion in the whole program, could best be met by Congress enacting demobilization legislation. Had we done that, instead of simply accepting the War Department's assurances and reassurances, we would not today have thousands of our boys scattered throughout the world when they could well be, as they have a right to be, at home with their wives and children, or in school, or back in private pursuits.

Some time ago I signed the petition on the Speaker's desk to discharge the Committee on Military Affairs and bring H. R. 4125 to the floor of the House for immediate consideration. This bill was introduced on September 19, 1945. It provides for the immediate release of all men who have had 18 months' service, or who are married, or have dependent parents, or who desire to resume their education interrupted by reason of entrance into the service. Some such legislation is necessary in view of the attitude of the War Department, and I respectfully urge that others join with us in signing the petition.

On January 22, 1946, a subcommittee of the Senate Committee on Military Affairs filed its report on demobilization with the full committee. Among other things, the subcommittee recommended that—

The rate of demobilization of the past few months must continue until the approximately 2,000,000 surplus men now in the Army are discharged.

And that—

Right now fathers, other than volunteers, should be discharged as rapidly as possible, but in no event should any father be held in the Army after July 1, 1946, unless he agrees.

In my opinion, and I believe in the opinion of the overwhelming majority of Members of Congress, both those recommendations are sound. But the War Department does not intend to adopt them. In a letter to the chairman of the Senate Military Affairs Committee, under date of February 6, 1946, the Secretary of War took exception to both recommendations.

The proposal of the subcommittee is that the War Department should discharge 2,000,000 men in the period between January 1 and March 1. The Secretary of War, on the other hand, takes the position that only 1,500,000 men can be discharged by March 1 because of alleged tasks to be performed and lack of replacements.

I am not unmindful that Japanese and German munitions and war plants must be destroyed, that the United States has surplus materials scattered about the globe that must be guarded until disposed of, and that a certain amount of policing in the conquered countries is necessary during the transition period. To be sure, there are unfinished tasks to be performed, but they are tasks for a volunteer army and not an army raised by conscription. To such an extent that replacements are necessary for foreign service, they should be obtained from recruiting. And it is my frank opinion that the War Department has not made the effort that could be made to obtain enlistments. A campaign, such as made for the sale of bonds, would produce thousands of volunteers. The Army simply has not made the effort. The Navy, however, is filling practically all its replacement requirements with volunteers.

Not only has the Secretary of War failed to make the necessary effort to obtain volunteers for the Army; but, as is clearly evident from the hundreds of letters I have received from men in the service, the Army has 12 men where perhaps only one is required for a given job. One of my constituents in the European theater wrote me in part as follows:

It is impossible to take exception to the number of men declared by commanders to be essential. Yet I might mention that the

men in my outfit average 2 hours' work a day, 10 hours a week. There is no more to do. Yet certain officers consider it their main duty to get more, and more, and more men. I know. I have seen it happen. Letters from friends in France and Germany detail similar situations. In the final issue of Yank magazine, you will find articles amply portraying the sort of life that is turning occupation men into loafers, not by their own desires.

A pilot on Okinawa says:

These pilots, on the whole, consider themselves lucky to put in 4 hours a month, in many different types of planes, and it would be extremely foolish for anyone to claim this reduced activity can maintain these pilots at anything like proficiency.

The father of an officer on Iwo Jima wrote:

They are idle so much of the time that they are asking why they should be kept there instead of being transferred to a place where they are needed or demobilized altogether. They are beginning to suffer a kind of mental torture from such apparent disregard by the Department of War.

Those are only a few cases which came to my desk during the last few days. I have hundreds of others, and I know that every Member of Congress has received similar letters. When the Secretary of War speaks of the tasks to be performed and the necessity of having men to perform them, I am constrained to ask if the War Department is making effective use of manpower.

On January 1 there were 625,000 nonvolunteer enlisted fathers in the Army. Their immediate discharge would not endanger the proper performance of the existing tasks of the Army. If the Army made effective use of its available manpower, the replacement problem would be relatively small and could be readily handled by volunteers. The subcommittee of the Senate Committee on Military Affairs called attention to the fact that—

Last October the Army estimated that 300,000 men would volunteer for Army service by July 1, 1946. However, by January 1, 400,000 had already volunteered.

That in itself is an indication of what could be done if the War Department made a strenuous effort to get volunteers.

The Secretary of War stated in his letter to the Senate Military Affairs Committee chairman that the War Department is proud of its demobilization record. I personally do not consider it a record in which one can take pride. The whole program has been filled with confusion and inconsistencies. I think the American people have been very patient, too patient. I, for one, have been weary and exhausted with the War Department's excuses and explanations. It is time that we stop listening to the excuses and explanations, and enact legislation which will require the War Department to carry through a rapid demobilization in the fullest sense of the word. Our boys were drafted to fight a war. They fought that war. They did their duty, and did it well. We have a duty to them—to see that they are returned to their homes and schools at the earliest possible date.

SPECIAL ORDER

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Pennsylvania [Mr. EBERHARTER] is recognized for 10 minutes.

Mr. EBERHARTER. Mr. Speaker——

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from Arkansas.

BOY SCOUT WEEK

Mr. HAYS. Mr. Speaker, the Boy Scouts of America are observing their thirty-sixth anniversary, 36 years of service to the Nation. We are all familiar to some extent with the fine work of Boy Scouts. Not everyone realizes, however, that the Boy Scout movement is organized in practically every civilized country of the world and that Scouts in every country have been carrying on the same fine program of character building and citizenship training that our American lads have received.

During the war years Boy Scouts in the invaded countries were singled out as the particular objects of the wrath of the oppressors because these Scouts were dedicated to ideals of democracy.

Now these Scouts of the world are reorganized and making plans for the future. Scouts all over the world observe the same laws of friendliness, tolerance, and mutual respect and good will. It is my belief that they will become an important influence in preserving the peace of the world.

In our country we have nearly 2,000,000 Boy Scouts. There should be five times that number. There could be five times that number if exertions in that direction were encouraged. Boys want to come into Scouting. The reason why so many millions of them are denied the privilege of Scout training is because troop leaders and sponsoring groups for the Scouting units are lacking. I hope to see a continuing expansion of the Scout movement with enthusiastic support from community leadership throughout the country. I am sure that the Members of Congress recognize the Boy Scout organization as a great national asset.

I appreciate the courtesy of the gentleman from Pennsylvania.

Mr. EBERHARTER. The gentleman is entirely welcome.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOOK. Mr. Speaker, I ask unanimous consent that the special order I have today be transferred to tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SPECIAL ORDER

Mr. EBERHARTER. Mr. Speaker, as Members of the House know, a Federal regulation today requires heavy down payments when consumers buy furniture, refrigerators, and many other things. They are also required in most instances to complete all payments for these purchases within 12 months.

This is known as regulation W, issued and administered by the Federal Reserve Board of Governors. I think it was an excellent wartime measure, but now that peace is here it should be abolished. I am afraid that there is even a feeling among some members of the Board of Governors that this regulation should be made permanent law. Of course, this would require congressional action.

Mr. Speaker, there are millions of people who just do not have the cash to make heavy down payments, as President Truman well pointed out in his radio address of October 30 of last year. As a matter of fact, many people are cashing their war bonds to buy household necessities—the very thing none of us want them to do. Certainly very few returning veterans have the full cash required to reestablish themselves in civilian life.

The argument that regulation W holds down prices simply does not make sense. Yet this is the principal reason for the continuation of regulation W, according to a letter sent me by the Federal Reserve Governors last summer. This was after I had told the House of Representatives of conditions about to develop, and had warned against the continuation of this regulation as it affected veterans returning to their homes and private life.

Prices already are controlled by the specific orders of the Office of Price Administration. Regulation W has had nothing to do with these.

I should like to read to Members of the House a letter I have just sent to the Federal Reserve Board, after waiting for 6 full months to be sure of the accuracy of the statements I made on the floor June 13, 1945:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., February 6, 1946.
FEDERAL RESERVE BOARD,
Washington, D. C.

GENTLEMEN: I have not overlooked the letter you wrote me on June 23 last, in reply to my letter of June 15. My letter called the attention of the Board of Governors to my remarks on the floor of the House asking for special exemption of returning veterans from regulation W, as they undertake their personal rehabilitation. You replied that "there is much to be said from that point of view" but the rest of your letter indicated that regulation W must remain in effect to prevent spiralling prices more harmful to the veteran than the present restraint of his credit.

The matter has given me much concern. I have watched the price situation particularly to see what effect, if any, the exemption of the veteran from regulation W would have upon it.

There have been many factors impelling prices upward against which the Government has taken little if any stand and probably rightly so. The Federal Reserve System has expanded currency circulation to a point possibly four times what it was a few years ago.

The Treasury has made it much simpler for people to cash their war bonds in a period when, according to your own philosophy, it would have been fiscally wiser to make this more difficult Other considerations, public opinion for example, have caused the Government to take what might be called the inflationary course.

In every wage consideration the Government has taken what might be termed the

"practical" course realizing that increased pay, widespread, has in the aggregate, many times the inflationary effect of the complete elimination of regulation W. I do not mean here to criticize the Government wage position, but to point out that it follows the "practical" course rather than academic fiscal conservatism.

Meanwhile, daily as you know the Office of Price Administration is issuing price ceilings for all sorts of consumers goods, as fast as the new models are offered for official pricing. Regulation W has no effect on prices, since prices already are fixed by the OPA.

And would the governors contend that the prices of radios or refrigerators right now being issued by OPA would be set at a higher level if veterans were exempt from regulation W? It is ridiculous to assume so. In the face of all factors which have been inflationary the OPA has held to its projected pricing course, setting prices in accordance with an entirely different set of formulas that, as you know, disregards completely, takes no account of in any way the supply-demand ratio of the moment. No OPA price has been raised because of either shortage or demand—has it?

Another group, just for the sake of illustration, the Federal Government employees, bases its plea to Congress for increased pay right now on inability to maintain a reasonable standard of living on present income to say nothing of laying aside money in the form of war bonds or other savings for any emergency or use. If, as they contend, they can prove this, it is obvious that regulation W serves no purpose in retarding their use of any excess wealth.

All regulation W does here is to see to it that the returning veteran cannot place his order on file for a radio or washing machine or furniture or a watch, even at the price OPA has set for all Americans to pay. The veteran (and there are many other Americans in the same spot with him, financially) understands the ceiling prices set by the Federal Government for these goods but likewise realizes that the Federal Reserve System bars him personally from obtaining these things, until other Americans have bought all they want, not 1 but 10 or 20 of each product if they like, as fast as these things become available on the market.

The ridiculous situation is that we have placed a premium on the ownership of cash after employing our boys in war at almost no cash pay at all Here, too, we invite other Americans to sacrifice, sell their war bonds, contrary to wise Federal fiscal policy. We make it necessary for a man to cash his bonds or to borrow from friends, that he may have some equality of right to command his share of what products are available.

The Federal Reserve Board's policy, in plain English, is that in this period of reconversion, until the man with plenty of cash has been fully satisfied by the purchase of one or a dozen of each consumer's convenience or necessity, the man without cash shall have none. Veterans of the war by the hundreds of thousands belong in this second category, whom you would deny any share of returning consumer durable goods until those who, by the grace of God, or war incomes, have cash have been satisfied.

This is not secure public policy. It does not dovetail with the policy of the administration in other directions.

It is untenable to hold that through regulation W you are bringing about any change whatever in the pricing policy of the OPA. Nor does it make much difference whether we have a few thousand more orders for refrigerators and other scarce items on our books, when as fast as they are produced they must be sold at the price set by the OPA.

The oft-repeated contention that the American worker sits back snugly entrenched behind hoards of wartime savings in banks and bonds, is pretty much exploded as a truth when the Washington Star, January 30, reports Dr. John W. Rustin, pastor of the Mt. Vernon Place Methodist Church here has rallied all churches in the District of Columbia for the collection of money to support the families of men on strike in Detroit and elsewhere. According to the theory on which you would continue regulation W, these families should have plenty of money of their own available to live for many many months. The fact is, they do not have it. Regulation W as well as any other adverse economic factor militates against them, just as it does against the veteran. Nor, as you know, is the Washington church crusade an isolated situation.

There is another point of view which I think is important. The opinion seems prevalent that regulation W effectively is holding back buying power which the veterans might otherwise exert in the market. Obviously, in the succeeding months after a purchaser has entered his credit transaction, his buying power is cut by the amount of his contracted payments. In the course of a year or 15 months, his total purchasing power cannot be larger than his salary. I think it is safe to say that all the regulation does is to prevent men from buying durable goods, that it shifts purchasing demand to soft goods and to things and services that are consumed rapidly. In any event, the returning veteran and, I believe, most of our working people, are already today spending as much as they get. Therefore the regulation cannot be reducing their economic pressure materially, merely deflecting it into other channels.

I understand from the Office of Price Administration that the cotton textile situation is about as critical as any, and of course you are aware of the wool-clothing condition. Regulation W throws purchasing emphasis upon these critical markets, in your attempt to relieve the pressure from the markets for refrigerators, washing machines, and other durables. Again I say this seems ridiculous, for if, as you say, you are attempting to help hold the price lines you must realize that the soft-goods situation being what it is, you are doing just the opposite.

I believe sincerely that the veteran should not be held accountable to regulation W, which no Federal Reserve official has ever claimed was written to apply to him. As a matter of fact, I doubt the wisdom of continuing the regulation at all, and for the reasons I have stated.

I hope the Board of Governors will continue to consider this very carefully before serious social and economic effects really take hold, to the disadvantage of both the Nation and the administration.

Sincerely yours,

HERMAN P. EBERHARTER.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. J. Res. 140. Joint resolution to extend in the case of the Government-owned pipe lines known as Big Inch and Little Big Inch the time during which disposition of such pipe lines is prohibited under the Surplus Property Act of 1944, as amended; Expenditures in the Executive Departments.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 314. An act for the relief of Sigurdur Jonsson and Thorolina Thordardottir;

S. 1101. An act for the relief of the estate of Manuel Rose Lima;

S. 1405. An act to authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes; and

S. J. Res. 105. A joint resolution to provide for proceeding with certain rivers and harbors projects heretofore authorized to be prosecuted after the termination of the war.

ADJOURNMENT

Mr. EBERHARTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 24 minutes p. m.) the House adjourned until tomorrow, Tuesday, February 12, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE POST OFFICE AND POST ROADS

The Post Office and Post Roads Committee will meet in executive session on Tuesday, February 12, 1946, at 10 a. m., for further consideration of H. R. 5186, authorizing certain administrative expenses in the Post Office Department, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

1054. Under clause 2 of rule XXIV, a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $122,000 for the legislative branch, Architect of the Capitol (H. Doc. No. 459), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1553. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COCHRAN: Committee on Accounts. House Resolution 515. Resolution granting 6 months' salary and $250 funeral expenses to John H. Thomas, son of Elizabeth Thomas, late an employee of the House; without amendment (Rept. No. 1552). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUNKER:

H. R. 5443. A bill to establish a bureau for research into the causes and prevention of juvenile delinquency; to the Committee on the Judiciary.

By Mr. CLIPPINGER:

H. R. 5444. A bill to revive and reenact and amend the act entitled "An act authorizing

the county of Gallatin, State of Illinois, its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near the city of Shawneetown, Gallatin County, Ill., to a point opposite thereto in the county of Union, State of Kentucky," approved July 18, 1939; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California:

H. R. 5445. A bill to prohibit the transportation of certain inflammable textile fabrics in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MANASCO:

H. R. 5446. A bill to authorize the availability for certain necessary administrative expenses of appropriations for the Department of the Interior; to the Committee on Expenditures in the Executive Departments.

By Mr. VOORHIS of California:

H. R. 5447. A bill to amend the Internal Revenue Code by granting special tax exemption to veterans; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES of Kentucky:

H. R. 5448. A bill granting a pension to Shelby Thomas; to the Committee on World War Veterans' Legislation.

By Mr. O'BRIEN of Michigan:

H. R. 5449. A bill for the relief of Walter Blaine Stevens; to the Committee on Invalid Pensions.

By Mr. RABAUT:

H. R. 5450. A bill for the relief of Frank A. Constable; to the Committee on Claims.

By Mr. TRAYNOR:

H. R. 5451. A bill granting a pension to Frances Leonard Barnes; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1543. By Mr. GRAHAM: Petition of 100 Pennsylvania Railroad employees, in support of House bill 1737, the Railroad Pension Act; to the Committee on Interstate and Foreign Commerce.

1544. By Mr. SMITH of Wisconsin: Petition of local 180, Harvey Kitzman, president, Racine, Wis., favoring the Wagner-Ellender-Taft housing bill; to the Committee on Banking and Currency.

1545. By Mr. MERROW: Petition signed by 47 residents of New Hampshire, opposing Senate bill 1678; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 12, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Spirit of the living God, whose breath made the world, the tender vine, and the smoking flax, teach us that truth is wisdom and that wisdom is truth. Lead us to follow the example of our Saviour, who was fairer than the children of men, loving righteousness, hating sin, yet loving the sinner.

We wait in sacred silence in memory of the immortal Lincoln, whose great soul sprang out of the loins of the common soil. Neither the call of duty, the sob of grief, nor words of praise can disturb his heavenly repose. His legacy to free government lives in the evolution of the right; it lives in our democratic institutions; it lives in the devotion of womanhood, in the courage of manhood, and in the eager spirit of youthhood. With malice toward none and with charity for all, he preserved our Union; his memory is a Nation's heritage. In default of our little understanding, O purge the evil leaven that poisons the arteries of our country, and pour into its veins a new life, rich in health, in unity, and blessings. Through Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. DE LACY asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. BARRY asked and was given permission to extend his remarks in the RECORD and include an article by George Sokolsky on the FBI.

Mr. FLANNAGAN asked and was given permission to extend his remarks in the RECORD and include excerpts from a letter from a veteran.

Mr. COFFEE asked and was given permission to extend his remarks in the RECORD in three instances and include articles from newspapers, magazines, and letters.

Mr. DOYLE asked and was given permission to extend his remarks in the RECORD in three instances and include one on the subject of Abraham Lincoln.

PERMISSION TO ADDRESS THE HOUSE

Mr. DE LACY. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. LUDLOW, from the Committee on Appropriations, reported the bill (H. R. 5452) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1947, and for other purposes (Rept. No. 1554), which was read a first and second time and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. TABER reserved all points of order on the bill.

FLOOD-CONTROL DAMS ON KIAMICHI AND BOGGY RIVERS, CHOCTAW COUNTY, OKLA.

Mr. STEWART. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial from the Southeastern Oklahoman.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STEWART. Mr. Speaker, this morning I received a copy of the January 24 edition of the Southeastern Oklahoman, a weekly paper of Hugo, Okla., and I read with a great deal of interest the editorial in the left-hand column of the front page written by Hon. Ennis DeWeese, editor of the paper and mayor of the city of Hugo. Mr. DeWeese is analyzing a mass meeting of January 22 where by overwhelming vote the citizens of Choctaw County expressed sentiment against location of flood-control dams on the Kiamichi and Boggy Rivers as has been recommended by the United States Army engineers in an interim report.

Mr. DeWeese points out that as much as 100,000 acres in Choctaw County would be put out of actual and potential production for all time, which would be nearly 20 percent of their total acreage. He further points out that it would raise their ad valorem tax as much as 15 percent.

During the holidays, I secured a map from the Army engineers of these two recommended flood-control projects and submitted it to the writer of this editorial for the purpose of eliciting the sentiment of the people of that area, and as a Member of Congress I want to assure my colleagues that I shall support the position thus taken by my constituents in Choctaw County. The editorial by the able editor is as follows:

A COLUMN OF COMMENT

(By E. M. DeWeese)

"I wholly disapprove of what you say but will defend to the death your right to say it." (Voltaire.)

"Honesty and competency require no shield of secrecy." (Woodrow Wilson.)

WE HAVE JUST BEGUN TO FIGHT

Democracy worked at the mass meeting held here Tuesday on the question of downstream locations in Choctaw County of dams on Kiamichi and Boggy Rivers.

It was agreed that the gathering was well representative of the county. The vote was 96 percent in favor of locating the dams upstream where they will protect Kiamichi and Boggy bottom lands so that all of the area may be put into production.

Faint suggestions that holding the mass meeting was a bad idea were silly, to our way of thinking. The dam locations most certainly are the people's business. The people have a right to know and to make up their own minds. If we can't get together and discuss our own problems, we might as well give this country back to the Indians.

We're not against flood control. Quite the opposite. We favor dams, but we favor putting them where they'll do the most good—not the most harm. We're unalterably opposed to putting dams where the engineers recommended in their emergency report—solely for the benefit of the Shreveport area. Not that we blame the Louisiana planters, but we have as good a right to value our bottom lands as they to value theirs.

We can't agree to a plan that would, counting marginal and isolated land as well as flooded areas, put as much as 100,000 acres in Choctaw County out of actual and potential production for all time. That would be nearly 20 percent of our total acreage. It probably would raise the tax rate on remaining property as much as 15 percent.

Why make Choctaw County bottom lands of two streams the dumping ground for water from here into Arkansas and far into Oklahoma? What is our sin that we should be thus crucified?

We want to be helped—not hurt. We want to conserve—not destroy. We need to increase—not decrease our assets.

The engineers have said that they would not force any such project on any community whose people do not want it. Our people have spoken. They do not want the dams as recommended. Now, what say the engineers?

Our Congressmen and Senators are elected to carry out the will of the people. We expect them to go to bat for us—and we expect favorable results.

For, if sentiment shown here Tuesday was any indication, we have just begun to fight.

ABRAHAM LINCOLN

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an address on Abraham Lincoln.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. COLE of New York. Mr. Speaker, today marks the anniversary of the birth of one of America's truly great men—a man whose name will always be spoken with reverence and humility so long as Christian emotions course the heart of mankind. Abraham Lincoln, born of obscure American parentage in a rude and humble frontier cabin, moved across the stage of American history but his works and the principles of life and conduct which he personified carried him far beyond the borders of America and his name and memory are honored by freemen everywhere. He is America's contribution to the roster of great mortals who have profoundly affected the dignity of the common man.

So much has been written and spoken of Lincoln during the years intervening since his death that now our utterances are repetitious of something which has been written or spoken on some previous occasion. Out of the volumes that have been composed in testimony to Lincoln's greatness, none is more touching, more revealing, and more powerful than a memorial address delivered in this House exactly 30 years ago today by a Representative from Illinois, William A. Rodenberg. From the days of my early boyhood, this oration has made a deep and lasting impression and whenever the name of Lincoln is spoken some phrase or some passage from it immediately comes to my mind.

In the present Congress there are but five Members of the House who were privileged to have actually heard Mr. Rodenberg deliver his masterpiece in the first session of the Sixty-fourth Congress in 1916: the gentleman from Illinois [Mr. SABATH], the gentleman from North Carolina [Mr. DOUGHTON], the distinguished gentleman from Texas and present Speaker [Mr. RAYBURN], the gentleman from Texas [Mr. SUMNERS], and the gentleman from Georgia [Mr. VINSON].

In order that this memorable address may be brought to those who are now Members of the House and through these pages to the rest of the country, I am seeking permission to have it contained as a part of my remarks today.

[From the CONGRESSIONAL RECORD of February 12, 1916]

Mr. RODENBERG. Mr. Speaker, fivescore and seven years ago today the star of destiny shone resplendent over the cradle of an infant boy who, in the years to follow, was to be acclaimed by history as one of America's grandest contributions to the world's heritage of great and noble men. On that day, in a cabin home, amid the hills of Kentucky, Abraham Lincoln was born, and on this anniversary of his birth the memory of that great and Godlike life thrills the soul of every American, giving him an inspiration of true nobility. [Applause.]

Abraham Lincoln! What a flood of mighty memories is awakened by that name. What a glorious panorama of patriotic achievement it presents to view. How it seems to fathom the very depths of duty and devotion, the innermost springs of sympathy and of sorrow. As we pronounce it reverently today the trials and tragedies and triumphs of the Nation's supremest struggle pass again in review before us and, rising above the stress and strife of conflict, grand and majestic, like some tall cliff "that midway leaves the storm," we behold the one great central figure of that epoch of heroism, the one never-failing beacon light of national patriotism—our Lincoln—the world's Lincoln. [Applause.]

As I attempt today to pay tribute to a personality so great, a character so grand, so complex, and yet so simple, I am overwhelmed with a sense of my inability to do even partial justice to his name and fame. I shall content myself, therefore, with a brief reference to a few of his great traits of character which I believe have left a profound and lasting impression upon the American mind.

Why is it that no other name in the long roll of distinguished American statesmen stirs the heart of the Nation so deeply as that of Abraham Lincoln? Orators never weary of singing his praise, and hearers never tire of listening. Books on Lincoln multiply each year, and interest in them never flags. Every trivial relic of his homely life, every scrap of his writing, every prophetic saying, every jest, every anecdote, is treasured today by the people and bequeathed by them "as a rich legacy unto their issue."

It is not enough to say that Lincoln was a wise and patriotic President who died a martyr to a great cause. We have had other wise and devoted Presidents, and he is not the only martyr, but there is only one Lincoln. Washington we reverence, Jackson we admire, Lincoln we love. His memory is enshrined more deeply in the heart of the Nation than that of any other man, and there is none so close as he to the source of tears and of emotion.

This cannot be explained by the fact that Lincoln rose by manly effort from the humblest ranks of backwoods life to the highest position in the gift of any people. It cannot be accounted for by the fact that he was a noble embodiment of that splendid spirit of self-reliance that is bred of generations of lonely struggle under the shadow of the forest primeval. It is not even because he signed the great proclamation of emancipation.

These things are a part of the reason for the esteem in which we hold Lincoln, and so are his inexhaustible humor, his tense earnestness, his tireless industry, his honesty and fairness, his courage, and his steadfastness of purpose. His homely and unaffected words and ways had something to do with his popularity, and so had his sturdy common sense. But not all of these sterling traits could make a Lincoln without something additional; nor is the secret revealed by naming what is usually regarded as the crowning trait of his magnificent character—the fact that he always sought the right as God gave him to see the right, and that he devoted his life to a steadfast pursuance of it when once he was convinced he had found it. This will explain much, but it will never explain the flood of tender emotion that wells up from American hearts at mention of his incomparable name.

Mr. Speaker, I believe that the true secret of our love for Lincoln was his own love for his fellow man. [Applause.] In his ungainly, giant form there was a heart of infinite human sympathy, and this it was that illumined all his other traits of greatness and has made the imperishable halo that lingers around his head. [Applause.] Without these he might have achieved greatness, might have become President, might have freed the slaves as a political necessity, might even have brought the war to a successful close, and have fallen a victim to an assassin's bullet, and yet we should not today be speaking of him as we do. It is this one supreme trait of human sympathy that carries his name out of the realm of intellect into that of emotion. [Applause.]

It was this same deep human sympathy that caused Lincoln to hate slavery and to throw all of the power of his logic and eloquence against it. It was this, too, that enabled him to hold that marvelous balance of judgment which could put the Union above all else and could hold back emancipation until the right time. He could put himself in the place of the citizen of the border States and feel that any radical move would imperil the cause of freedom itself. This note of human sympathy sounded forth in his first inaugural; it ran throughout his relations with the soldiers during the great war, and animated his last acts as it had his first. The soldiers fighting on the field and dying in the hospital thought of him, and they said to each other: "He cares. He makes us fight, but he cares"; and they fought on as they never would have fought without that warmth of feeling for the head of the Nation.

Looking at the matter from any aspect and at any period of Lincoln's life, the prime cause of his greatness and of our present reverence for him is the fact that he was human in the best and truest sense of that fine word, and this is reason enough why the Nation loves the name of Abraham Lincoln. [Applause.]

Mr. Speaker, the fast-falling shadows of the past leave few names of men not enshrouded by their gloom. Many of the heroes of today will be lost to sight in the dimness of the approaching twilight. Tomorrow's sun will lighten up new shrines surrounded by tireless hosts of hero worshipers. As we look toward the past, earth's greatest heroes seem in strangest company—Christ and the condemned men, the missionary and the cannibal, Lincoln and the despised black man—there they stand together in the crowd, on Calvary, surrounded by jeering multitudes; but today they are together among the immortals. [Applause.] These saviors of the race will never be forgotten. Lincoln's heart solved more problems than his brain. His very gentleness made him the great emancipator, reconciler, the composite character of the American people. Hope, which is the prophet in every heart, was king and priest besides in his. It ruled his life and consecrated his deeds. Other men turned their backs in despair on the Republic's future; he, through densest darkness, saw with prescient light and gaze the glory of the coming dawn. [Applause.]

In the city of Springfield, in beautiful Oak Ridge Cemetery, he sleeps the sleep of eternity. Many are the times that I have stood with bowed head beside that sacred tomb and thought of the great soul that once inhabited the tenement of clay now moldering into

the dust from whence it came. And standing there in the presence of the mighty dead, my faith in humanity has been strengthened and my confidence in the perpetuity of the Republic and its glorious destiny has been made secure. [Applause.]

History tells us that when Robert Bruce, King of Scotland, was dying he asked that his heart be removed from his body and borne by knightly hands to the sacred sepulcher of the Saviour. Upon his death the Earl of Douglas, his trusted friend and companion, removed the heart from the body, placed it in a beautiful golden casket, and, surrounding himself with a number of brave young Scotch warriors, they set out on their holy mission. On the way they were attacked by a large body of Moors, who almost overcame them by force of superior numbers. When defeat seemed almost certain, Douglas took in his hand the sacred casket and hurled it far out into the midst of the enemy, shouting:

"Lead on, heart of Bruce,
We follow thee!"

And the knights of Scotland, never having been defeated when following the leadership of Bruce, took new courage. They rushed upon the enemy with the fury of the whirlwind and gained the day. [Applause.]

Today when those who, unmindful of the spirit that animated the founders of this Republic, would fan the flames of racial fury and kindle into life the dying embers of bigotry and intolerance; when those who, for base and ignoble purposes of self-exploitation, would place the brand of treason upon the brows of men whose loyalty and devotion in the darkest days of the Nation's life were never questioned—today, when the enemies of that broader and better fraternalism, which lies at the very foundation of national peace and national unity, are advancing upon us, the true and loyal citizens of this Republic, of whatever creed or ancestry, catching the inspiration that breathes upon them from the glorious memories of the past, with true American patriotism will take in their hand the great heart of Abraham Lincoln, incase it in their love, and hurl it far out into the midst of the enemy, shouting:

"Lead on, heart of Lincoln,
We follow thee;
We follow thee!"

[Prolonged applause.]

EXTENSION OF REMARKS

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD.

COMMITTEE ON RULES

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I expect to call a meeting of the Committee on Rules shortly. I hope a quorum will be present and that a rule will be granted on the Treasury-Post Office appropriation bill, which has in it a provision that might otherwise be subject to a point of order. I have been requested to call a meeting for the purpose of reporting a rule waiving points of order against that provision.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Michigan.

Mr. MICHENER. Do I correctly understand that there is to be a special meeting of the Committee on Rules today?

Mr. SABATH. Yes. I expect to call it for 1:30 this afternoon.

Mr. MICHENER. It is to make in order the silver provision in the Treasury-Post Office appropriation bill?

Mr. SABATH. The gentleman is correct.

Mr. MICHENER. It is one of those rules to which my chairman strenuously objects?

Mr. SABATH. Yes, I do, but this is a matter which came up unexpectedly and everybody is in favor of it. I want to do everything to expedite the business of the House and promote orderly procedure. I am willing to call this meeting, and am calling it for 1:30 this afternoon. I hope a quorum will be present.

EXTENSION OF REMARKS

Mr. CARLSON asked and was given permission to extend his remarks in the Appendix of the RECORD and include a copy of a telegram.

Mr. PITTENGER asked and was given permission to extend his remarks in the RECORD and to include an editorial.

LINCOLN

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore (Mr. SPARKMAN). Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I have asked unanimous consent to address the House for 1 minute at this time to read a sonnet written especially for Lincoln's Birthday by Dr. Glen Levin Swiggett, recognized as one of the great poets and eminent sonnet writers of this day and generation:

LINCOLN

(By Glen Levin Swiggett)

If living now, with the authority
Of thy high office, to disorders and
Division threat'ning peace of native land
And world as well, what would thine action be?
But why such question ask, for one can see
From thine achievements what would be thy stand
Confronting issues that today demand
For their solution moral bravery.

For thou didst ne'er for selfish ends betray
The hope and process of democracy
Or liberty in service of the State;
And true to principle thou gav'st away
Thy life that, under God, men shall be free
Their lives to liberty to dedicate.

FEBRUARY 12, 1946.

THE NATION NEEDS ANOTHER LINCOLN

Mr. ROBERTSON of North Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. ROBERTSON of North Dakota. Mr. Speaker, today the Nation pauses to pay tribute to the birth of Abraham Lincoln. It is fitting that this occasion should make recognition of this event because Abraham Lincoln was truly an American. Like his noble predecessor, Thomas Jefferson, he reestablished on the continent of America and before the world the principle that men must be free.

As I find my country involved with many questions, I am wondering if it would not be exceedingly fortunate if we could find another Lincoln, and as I utter these words I am not thinking in terms of politics.

So much has been said about the traits of Abraham Lincoln that it ill becomes me to attempt to offer any degree of eulogy in this limited time. I do feel that from the life of Abraham Lincoln we can take a chapter that will fit well into the troubled situation of today.

They tell us he blazed the trail that led to human brotherhood. He, too, said that all men are created equal and he gave to the world its treasured concept of the nobility of man.

Mr. Speaker, as our Nation finds itself involved with troubles from every section of the world, I am concerned to ask this question: Is it not the result of hate and extremes that produces our situation? Take from Lincoln his many attributes and strip them down to the final end, the greatest of them all, and we find it was his compassion for his fellow man. Yes; a great heart of love that has endeared him not alone to Americans but to the civilized world.

As our Nation is torn with strife, as men hate one another, employees hate their employers, I am concerned to ask this question: Are we failing to follow the concepts of Abraham Lincoln? We have heard much in public places that stirs the spirit of man in the direction of class consciousness. This has been going on for a long span of time and all too often it has an ulterior motive. Yes; men are alleging in public utterances that the common man must triumph.

Mr. Speaker, my story is this: We are all common men, some perchance more common than we think. But if we are going to rise in this reconversion period and give to the world a new day, we shall need not alone the common man but we shall need the compassion of Abraham Lincoln. We shall need the love of Abraham Lincoln as expressed toward one another. Yes, Mr. Speaker, on this birthday of Abraham Lincoln, in this hour of distress among the nations of the world, and particularly in our own Nation, we need another Lincoln.

EXTENSION OF REMARKS

Mr. McGREGOR asked and was given permission to extend his remarks in the Appendix of the RECORD and include a resolution passed by the City Council of Mansfield, Ohio, by a vote of 7 to 2.

Mr. BLACKNEY asked and was given permission to extend his own remarks in the RECORD and to include certain quotations.

FUEL OIL AND COAL SUPPLY SITUATION IN NEW YORK CITY

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I read of the chaos in New York City today with the feeling that a great tragedy has come to America in that the business places and all meeting places in New York City are being forced to close because of the shortage in fuel oil and coal supplies created by the tugboat strike. During the debate on the Labor Disputes Act some of my colleagues from New York City said, "Leave us alone, you from South Dakota; let us settle our industrial problems where we know what industry is. Leave it to employer and employee to get together."

The suffering and hardship and dangers in the Nation's great metropolis make a tragic commentary on the words that were uttered by my New York City colleagues during the debate.

What labor and management do, or fail to do, does concern the general public when the dispute involves an industry with vital services to perform for the life of any community. And, as a rancher from my own South Dakota pointedly asked me this morning, "How am I going to handle my crops this year, if the steel strike goes on and I cannot get repairs and parts for my tractor, or a replacement for my 19-year-old binder?" And when he and his fellow farmers find it impossible to maintain the production of food, my friends in New York City will feel the pinch of that, too.

So, I rise to point out that what is happening in New York City today is exactly the thing we hope to avoid by the bill which the House passed last week.

It recognizes the public's stake in these disputes, and says to labor and management alike, "Before you interrupt vital services, before you actually shut down, give us a chance to have a mediation board step in and see if we cannot work things out. Give us at least 30 days to do that." Such a solution would lessen the likelihood of such situations as prevail in New York City today.

The pity of it seems to be that the tugboat workers are ready to accept arbitration, which is one of the procedures suggested in the so-called Case bill. The only difference is that under the provisions of the bill, arbitration could have been considered without first calling the strike and throwing the life of the Nation's largest city into chaos. Our aim is to try mediation and conciliation and arbitration before the strike comes.

Mr. Speaker, the situation in New York City today is abundant evidence of the public's interest in industrial relations. The Nation can no longer afford to leave to employer and employee the settlement of disputes where substantial public interest is involved.

NEW HOUSING BILL

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore (Mr. SPARKMAN). Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the new housing bill (H. R. 4761) has been favorably reported out of the Committee on Banking and Currency with amendments. It is expected to be considered in the House sometime next week, I am advised by the chairman of the committee, the gentleman from Kentucky [Mr. SPENCE].

The principal floor fight left in the bill is the problem involving fixing ceiling prices on existing homes. That question is very much misunderstood. There is no attempt to have appraisers go out and determine the value of existing homes. A very simple formula is set forth in the bill. That is, to let any person sell his home after the law becomes effective, for any price he can get—twice as much as it is worth, ten times as much, or any other price—but that price becomes the fixed price, the maximum price during this emergency, for the next 2 years. I can see why a speculator could have serious objection to it, but I cannot see why owners of existing homes could have any objection to it. I am certainly not calling everyone who opposes the proposal a speculator. Members of Congress who oppose it I concede to be just as sincere in their views as I am in supporting it. The point is it will prevent what happened after the other war—runaway inflation in prices of houses.

I think it will do a lot of good, and I hope the House will pass that amendment.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

EXTENSION OF REMARKS

Mr. BARRY asked and was given permission to extend his remarks in the RECORD and include a statement by the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. BRYSON asked and was given permission to extend his remarks in the RECORD and include a poem on Abraham Lincoln.

Mr. HAYS asked and was given permission to extend his remarks in the Appendix of the RECORD and include certain comments regarding Abraham Lincoln.

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD and include two short editorials.

Mr. DAVIS asked and was given permission to extend his remarks in the RECORD and include two or three resolutions passed by the United States Conference of Mayors.

Mr. LUDLOW asked and was given permission to extend his remarks in the RECORD and include an editorial from the Indianapolis News.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that in connection with the remarks already made today I may include an address on the life of Abraham Lincoln, delivered in this House on February 12, 1916, by former Congressman William A. Rodenberg of Illinois.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

ABRAHAM LINCOLN

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I believe one of the greatest qualities that Abraham Lincoln possessed was his capacity to take a reasonable, defensible, understanding position on a public question, and then to stand on that position resolutely and without flinching no matter how powerful the forces that might be brought against him.

I believe that in our country today it is precisely that quality which we shall need if we are to solve our problems, both domestic and international.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

ABRAHAM LINCOLN, AN HUMBLE AMERICAN WHO MADE DESTINY

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, since coming to Washington as Representative in Congress from the Eighteenth Congressional District of my native State of California, it has been a great inspiration to me to be able to frequently go to the Ford Theater, wherein is the National Lincoln Museum, and wherein Lincoln was shot; and then saunter directly across the street to the house and the room wherein this great American became deceased. And then to saunter into the living room of the former tailor shop wherein Stanton called the Cabinet together almost immediately upon Lincoln's demise. This, I say, is a frequent inspiration to me—just to be where this homely, but humble, and this strong, but sweet, man was both in life and in death. Then, too, I frequently go to the Lincoln Memorial here in the District and walking up the steps thereof into the presence of the great statue of the emancipator, I feel almost as though I was walking into his living presence. It has been my pleasure and profit for many years to gather together books, tokens, and other remembrances of this great President of ours. And I would feel remiss this day if I did not join with others and speak out on account of the great inspiration his life has been to me. In my law office, at Long Beach, Calif., for many years I have had what my friends have affectionately termed as a "Lincoln wall" and its unusually wide expanse is almost entirely covered with appropriate pictures, paintings, and replicas of the life and experiences of Lincoln and his loved ones.

One thing which has been a great source of inspiration to me has been the universal appraisement of this American by the representatives of the greatest

thinkers and authorities since his death. And in the Appendix of this RECORD I will make a few additional remarks, and will there insert a list of some of the appraisements made about Lincoln by great men of other nations as well as some of our own American statesmen and leaders. For instance, do you know that H. G. Wells, the great English historian, has placed Lincoln as one of the six greatest men of our history? And do you know that Lord Curzon, the great English literary critic, placed the three greatest writings in the English language in order as follows: First, the oration of William Pitt in the House of Commons after the Battle of Trafalgar; second, the second inaugural address of Abraham Lincoln; and third, the Gettysburg address by Abraham Lincoln. But I will not now speak longer, Members of the House, but I think you will enjoy reading the other appraisements of Lincoln as I have them placed in the Appendix of this RECORD.

FREEDOM OF SPEECH

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, the gentleman from Texas has a habit of getting up here on the floor and referring to those of us who do not agree with some of his ideas not directly, but by innuendo, as evil-minded persons, speculators, even Fascists. As a Member of this body I resent this sort of tactics. A Member can be opposed to placing ceiling prices on homes without necessarily approving speculation or fascism.

I believe it to be a fact that the gentleman from Texas has been as influential as any man in Congress in causing the inflation which is threatening the Nation. As his record, I think, will clearly indicate, he has been one of the most ardent advocates of deficit spending, that is, loading up the Government with more functions than it can pay for with taxes and financing the difference with Government printing-press money. Government printing-press money was the greatest force for the creation of fascism in Europe, and is the greatest force now operating in this country to bring our people under its domination.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PITTENGER. Mr. Speaker, I was out of the Chamber for a moment, but I hope my ears heard wrong when somebody said that one of our colleagues branded everybody on the floor of this House as a Fascist who did not agree with him.

I believe in the right of free speech. I believe that every person, even though he be wrong, has the right to express his opinion, has the right to be treated as a man of sincerity until the contrary is proved. I am one of those who does not believe in the philosophy of this bunch that is running OPA. And I want to tell you that I am not a Fascist. I am an American. My folks were born here, my children were born here, and I believe I possess the necessary credentials. Some of them came over here early enough to take part in the unpleasant episode known as the American Revolution. You might say that they fought in that war, but I would not exactly call the colonists Fascists. I rather think they were just the opposite. Of course, it does not make much difference whether or not a person was born in this country. Some of our best citizens came here from foreign countries and so appreciated the advantage of our form of government that they set good examples for some of the native-born.

So this matter of having your opinion is one that is common to all liberty-loving people. When you start to talk about legislative programs, opinions will differ. I have a perfect right to my belief that OPA wants to regiment everything and everybody; and, as I have said on many occasions, the philosophy of that kind of a Government bureau is thoroughly bad. Do not forget the Communists are the daddies of the idea that the Government should take over.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. PITTENGER. I yield.

Mr. RANKIN. I think the gentleman misunderstood the gentleman from Ohio. I think he said "faddist," not "Fascist."

Mr. PITTENGER. What is the difference between "Tweedledee" and "Tweedledum"? It all amounts to the same.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

CULTURAL RELATIONS BETWEEN THE UNITED STATES AND EUROPE

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. MUNDT. Mr. Speaker, shortly before the holiday recess, the House Committee on Foreign Affairs, acted favorably on a motion which I had made to approve H. R. 4982, which is a bill to extend and expand the cultural relations between the United States and Europe. Since that time, Hugh Bailey of the UP and Kent Cooper and Robert McLean of the AP, have voiced some protests against that legislation, against one section in particular. Because of this, at the next meeting of the Committee on Foreign Affairs, I propose to move to recall that legislation, to reopen the hearings, and to invite Mr. Cooper, Mr. McLean, and Mr. Bailey to appear before us and explain in detail their opposition.

I hope that out of such a conference may come some kind of understanding whereby we can report the bill back favorably once again in such form as to receive the support of these eminent Americans.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MUNDT. I yield.

Mr. McCORMACK. What is the number of the bill?

Mr. MUNDT. H. R. 4982.

Mr. McCORMACK. The gentleman refers to the bill H. R. 4982 which is before the Committee on Rules.

Mr. MUNDT. That is right.

Mr. McCORMACK. I hope my friend will persevere in his efforts to get a rule out on that.

Mr. MUNDT. Correct. But we also want to get this bill in such shape that it will attract the support of Messrs. McLean, Cooper, and Bailey.

Mr. McCORMACK. I hope the gentleman will find his road will be easier.

Mr. MUNDT. I hope so. It will be if we can get the support of these two great American news agencies.

PERMISSION TO ADDRESS THE HOUSE

Mr. HORAN. Mr. Speaker, on yesterday I had a special order of 30 minutes which I did not use.

I ask unanimous consent that I may address the House for 30 minutes today following the special orders heretofore entered, so I may report the findings of a study on the Bonneville-Grand Coulee-Columbia Basin projects in the State of Washington.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

EXTENSION OF REMARKS

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD and include some personal remarks on labor that were made on the floor of the Senate in 1926 by the Honorable James Eli Watson, of Indiana.

PERMISSION TO ADDRESS THE HOUSE

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that on Thursday next after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

FLOUR PRODUCTION

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a telegram as well as a letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Speaker, it was Jefferson who said, "Were we to look to Washington as to when to plant and when to reap, the people will want bread."

I do not know that we have as yet reached that point or are about to reach it, but I am greatly disturbed at the approach that is being advised toward flour production in this country. I received a telegram from Richard K. Hammel, of the Southern Illinois Millers Association, and from Mr. Seimer, of the same organ-

ization, located in my district. These men are outstanding in ability and in years of experience in producing flour. They are practical and are issuing a warning the Congress and the President should heed before a great mistake is made. I am willing and anxious to join my efforts with other Members in an attempt to study this problem, find the right answer, and prevent such a mistake being made.

I hope the Members of Congress will read and study the telegrams and letter that I am inserting in the CONGRESSIONAL RECORD today so that they may be able to get some idea of the confusing situation the millers of this country are going to be in if we carry out in toto the recommendations as they have been given to the press by the President. We must not make a bad situation worse, and I believe unless a better and more practical approach is made that will be the result. We will slow down production, we will get less flour, less offal feed for stock, less flour for the needy and suffering people we seek to help.

The letter and telegram follow:

TRENTON MILLING CO.,
Trenton, Ill., February 8, 1946.

Hon. C. W. VURSELL,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN VURSELL: The following is a telegram which the Southern Illinois Millers Association yesterday wired President Harry S. Truman and Secretary of Agriculture Anderson. We are members of the Southern Illinois Millers Association, and I am also chairman of the executive committee.

"The Southern Illinois Millers Association, representing the milling industry in southern Illinois and southeast Missouri, protest the proposal of the enforced processing of flour on the 80-percent extraction basis for the following reasons: Firstly, to mill 80-percent extraction flour would require radical changes in mill equipment not now available because of critical shortage of machinery. Secondly, because of the bulkiness of the proposed product present flour sacks cannot be used to pack 80-percent extraction flour, and new bags cannot be obtained due to the critical shortage of cotton bags and paper. Thirdly, resultant offal will not meet present State feed analysis regulations, and would force the increased feeding of wheat on the farms. Fourthly, the long-range effect of such a program of offering to the American consumer this inferior product will permanently reduce the per capita consumption of bread and wheat products and permanently lose to the American farmer his best market for wheat. The needed saving of wheat can better be accomplished by various programs without disturbing the eating custom of the American people. We appeal to you for a conference with representatives of the milling industry."

I urgently request that you take immediate action to do everything possible to defeat the President's order for 80-percent extraction flour, for this order is ruinous to the milling industry and the American farmer. It would discourage the American consumer from using flour, and its ultimate effect would be that the per capita consumption of flour and wheat products would again decline after we had returned to white flour, providing the 80-percent extraction was in effect.

This also means the outlet for wheat grown by the American farmer would decline and as a result would be confronted with terrible surpluses and low prices for the farmer.

You cannot take a flour mill under its present operations and overnight start making the 80 percent extraction flour. It would necessitate additional machinery and equipment which is not available due to the scarcity of metal and wood. When this machinery would be available it would also mean shutting down the plant for a period of time to reconvert same, meaning that no flour would be manufactured or shipped. Flour inventories on hand are not large enough to permit this action.

This proposed program would greatly reduce wheat mill feeds which are badly needed by the feeders and as a result would force the farmer to retain his wheat on the farm and feed same to his poultry and livestock. This would defeat the purpose of the President's order in lieu of that it would further tighten the supply and sale of wheat instead of releasing more wheat from the farms which is the idea behind this program.

Because of the bulkiness of this product none of our present bags are of sufficient size to pack same and it would require entire new bags of larger size to pack the product in. This would mean the entire loss of our present bag supply, and it must be emphasized that there is now a critical shortage of cotton bags and paper stocks, and it is also my understanding that bag manufacturers do not have the material to make these bags with and if they did it would require several months before they could convert their plant to make these new sizes necessary.

During the war when a food item became scarce and rationing was necessary did we find the Government forcing an industry to change its processes and the quality of their merchandise?

If wheat is scarce thereby creating a scarcity of flour it would seem more practical to reduce the amount available to the consumer and still maintain the high quality they are accustomed to handling rather than to force on them an inferior product which would require new methods of handling and therefore create a greater wastage.

The President's 80-percent extraction would not bring about the results desired and would create a greater loss, so again I urge you to bend every effort to defeat this program which means a greater hardship on the American people.

Very sincerely yours,
RICHARD K. HAMMEL,
President, Trenton Milling Co.

TEUTOPOLIS, ILL., *February 9, 1946.*

Hon. C. W. VURSELL,
House of Representatives,
Washington D. C.:

We strongly protest proposed 80 percent flour extraction order and urge you to use every effort to defeat its enactment. Believe order will prove disastrous to milling industry. Creating resentment on part of most consumers and tend to destroy part of wheat farmers' postwar domestic market. In addition this order will reduce drastically amount of feed byproducts available for production of milk, meat, and poultry, causing farmers to feed whole grain wheat instead. This helping defeat purpose of the intended order urge other means to effect wheat conservation desired be investigated first.

SEIMER MILLING CO.

EXTENSION OF REMARKS

Mr. FEIGHAN asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD.

ABRAHAM LINCOLN AND THADDEUS KOSCIUSKO

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, today and yesterday I have had the privilege of hearing my distinguished colleagues address themselves to the birthday of one of America's greatest statesmen and greatest patriots, Abraham Lincoln, the preserver of our Union.

May I at this time also direct the attention of the House to the significant part that today is the birthday as well of another great patriot who strove mightily with George Washington to create this Union, Thaddeus Kosciusko, who came to America and offered his life, his fortune, and his sacred honor for our cause of liberty, freedom, and independence.

With my mind's eye looking down through the corridor of time, realizing the proud tradition and the noble patriotism of the brave people of Poland, I see Lincoln and Kosciusko hand in hand, heartbeat in heartbeat, at the foot of Almighty God paying tribute again to this great country, America, and to the great cause of liberty. May God grant that soon again Poland and from then on and forever will enjoy the freedom and the democracy and the independence that Kosciusko aided us to achieve in America and that, sad to relate, Poland does not enjoy today.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. SAVAGE asked and was given permission to extend his remarks in the RECORD and include an editorial on the virtues of Abraham Lincoln

COMMITTEE ON RULES

Mr. SABATH. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that I may have until midnight tonight to file a privileged report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

EQUAL JUSTICE UNDER LAW

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SAVAGE. Mr. Speaker, a great deal has been said on the floor of the House against labor for taking part in political action. I call your attention to an editorial from the Washington Post dated February 7 commenting on the travesty against workers which occurred in Alexandria recently. Goons came in to a central labor council meeting and beat up the secretary of the council, and the secretary instead of the goons was fined because of the political machine controlling the law. The chairman of the meeting, who never left his seat while trying to maintain order, was also fined and put in jail. That is why the workers

take political action. If they do not take political action, that kind of politics will oppress them. Further, less than 5 percent of the people in Alexandria vote because of the poll tax. You cannot expect the workers to sit idly by without taking some action.

MARINES IN CHINA

Mr. POAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, while I was recently in north China I met a number of our men who protested vigorously against the publicity that has evidently been given to an entirely false report to the effect that these marines were all in China as a result of their own choice. It appears that some overzealous officer made a statement or was understood to have made a statement which was widely publicized in the United States to the effect that every man who is serving in north China volunteered for that service.

Mr. Speaker, that statement simply is not true. These boys are not in north China because they wanted to go there. They are there simply because they were ordered to go there. They are not on a pleasure trip, and it is ridiculous to try to tell the public that they are.

Of course, such a statement could normally be dismissed as of no importance were it not for the fact that a number of the wives of men who are assigned to this difficult and unpleasant service have believed this unfounded story. Naturally when officers of the Marine Corps are quoted as making such statements there will be wives and sweethearts who believe them and there will be broken hearts and broken homes as a result. It is hard enough for these boys who are out in China under the best of circumstances. They are performing a vital and an important service to our Nation. They are making a real sacrifice. The least we can do is to let their loved ones know the facts. The facts are that every man in north China is there because he was ordered to go.

I have talked with the Marine Corps since I returned. I am authorized to state that the Marine Corps realizes that these men are not volunteers and that every effort is now being made to replace them with men who do expect to make the Marine Corps their profession. I want to assure the loved ones of these men now in China that they want to get home just as sincerely as any group of men. They are heroes and should be so recognized.

THADDEUS KOSCIUSKO

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, it is my desire to join the distinguished gentleman from Pennsylvania [Mr. FLOOD] in his tribute to Poland's great hero, Thaddeus Kosciusko.

When I realize the great sacrifices that indomitable patriot made in order to bring freedom to the people of Poland, and I see them today enslaved in Communism, and the suffering Poles made slaves of the State, I am forced to agree with the sad words of Thomas Campbell in commenting on the life of that great man, when he said:

Hope for a season bade the world farewell.
And freedom shrieked as Kosciusko fell.

WALTER WINCHELL

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, it is a matter of regret to me that yesterday the gentleman from Mississippi [Mr. RANKIN] should have again attacked Walter Winchell, an officer of the Naval Reserve, a loyal, patriotic, and generous American citizen, and one of the most fearless radio commentators we have, who needs no defense from me.

The gentleman from Mississippi has unfortunately chosen to attack Walter Winchell, not on a rational basis of their difference in ideas, but on grounds of religion and emotion, just as on other occasions he has attacked Drew Pearson, another outstanding commentator who is unafraid to give the truth, on an emotional basis. With the same lack of restraint, the gentleman has not hesitated to extend his attacks to Members of Congress who advocate the cause of labor and of progressive legislation. He has often accused patriotic and loyal Representatives of the people being tainted with communism merely because he disagrees with their views. I hope he will desist from these personalities, for otherwise I shall be compelled to object to his unjustifiable, unwarranted, and unfair attacks.

Yesterday, Mr. Speaker, the gentleman resorted to the use of billingsgate which I dislike even to repeat. He called Mr. Winchell a "slime-mongering kike." The use of this word is insulting to the whole American people. It is contrary to the spirit and intent of the Constitution and of our institutions of government. It is a vicious word which violates that spirit of tolerance and understanding essential to a democratic way of life. It is un-American to use such a word about another American. It has no place in congressional debate. It is an inflammatory word which can serve only those divisive forces which would like to see American set against American because of differences in religion or race. Such language should be and is condemned by all decent-minded persons, who will share with me my devout hope that never again shall such a word, or any similar word, be used in this House to describe any American, or any group of Americans.

Of course, the gentleman's charge that Mr. Winchell "attacked the decent white people of America" is absurd. As to the Committee on Un-American Activities, the record of the gentleman on that committee speaks louder than any words of mine in this Chamber, and louder than any words of Walter Winchell on the radio. Remember that Walter Winchell was defending decent Americans of every race and religion when he first crossed words with the gentleman from Mississippi. So far as I am aware, every broadcast in which Winchell has mentioned the gentleman has continued to be a defense of good Americans accused of disloyalty without hearing, without foundation, without apparent motive except the gentleman's hatred of everyone who disagrees with his own concepts.

The gentleman said that if Abraham Lincoln were here today he would be one of the most enthusiastic supporters of the Committee on Un-American Activities. Mr. Speaker, Abraham Lincoln despised bigotry and intolerance. I am inclined to believe that if he were here today he would himself be subject to the gentleman's attacks.

HOUSING BILL

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that I may file additional views in connection with the housing bill that is to be reported by the Committee on Banking and Currency.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. RANKIN. Mr. Speaker, reserving the right to object, I want to serve notice on the Member from Illinois [Mr. SABATH] who has just left the floor of the House, after a mouthy attack on me, that whenever he gets ready to debate on this floor I am ready at all times; and when he comes here to defend some slime-monger who goes on the radio and lies about me, then I am ready to meet him anywhere.

Mr. SABATH. Mr. Speaker, I demand that the words of the gentleman from Mississippi be taken down.

The SPEAKER pro tempore. The Clerk will report the words objected to.

Mr. PATMAN. Mr. Speaker, I wonder if it would be in order to ask for the regular order on my unanimous consent request pending the determination of this matter?

Mr. RANKIN. I withdraw my reservation of objection.

The SPEAKER pro tempore. The pending business is the demand by the gentleman from Illinois that the words of the gentleman from Mississippi be taken down. All other business will remain pending until this matter is disposed of.

The Clerk will report the words objected to.

The Clerk read, as follows:

Mr. RANKIN. Mr. Speaker, reserving the right to object, I want to serve notice on the Member from Illinois [Mr. SABATH] who has just left the floor of the House, after a mouthy attack on me, that whenever he gets ready to debate on this floor, I am ready at all times; and when he comes here to defend some slime-monger who goes on the radio and

lies about me, then I am ready to meet him anywhere.

Mr. SABATH. Mr. Speaker——

Mr. CHURCH. Mr. Speaker, a point of order. The gentleman from Illinois has no right to speak at this time.

Mr. SABATH. Mr. Speaker, I want to call attention to the language if it is read carefully.

Mr. CHURCH. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The Chair is ready to rule on the point of order raised by the gentleman from Illinois.

From the words that have been reported by the Clerk, it is apparent that the remarks of the gentleman from Mississippi were directed, concerning not a Member of this House, but concerning a news commentator who he alleges has made these remarks regarding him. Therefore, the words are not objectionable as reflecting upon any Member of the House.

Mr. SABATH. Mr. Speaker, the gentleman from Mississippi stated that I left the floor.

Mr. PATMAN. Mr. Speaker, I demand the regular order.

Mr. RANKIN. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DE LACY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. DE LACY. Mr. Speaker, when the gentleman from Illinois sought to call the gentleman from Mississippi to account for his outrageous attack upon an American citizen who has been voicing his opinion on the air, Mr. Winchell——

Mr. RANKIN. Mr. Speaker, I demand those words be taken down. I make a point of order against them. I am tired of these attacks on me in this manner, and I demand that those words be taken down.

The SPEAKER pro tempore. The Clerk will report the words objected to.

Mr. RANKIN. Mr. Speaker, I withdraw the point of order.

Mr. HOOK. Mr. Speaker, I object.

The SPEAKER pro tempore. The Chair wishes to state that if the request of the gentleman from Mississippi was to withdraw the point of order he does have the right to do that without asking unanimous consent.

Mr. RANKIN. I would rather do that than take up the time of the House. So I withdraw the point of order.

The SPEAKER pro tempore. The gentleman from Washington [Mr. DE LACY] is recognized.

Mr. DE LACY. Mr. Speaker, if there is no parliamentary means of stopping the use of such language as "slime-mongering kike," which appears in yesterday's RECORD, then certainly we who believe in the right of people to stand up and express their opinions should protest it visibly and audibly upon this floor.

I am standing here today to state to the gentleman from Mississippi that we do not propose to permit this kind of language to be indulged in on this floor. It is disgraceful.

Mr. RANKIN. Mr. Speaker, I demand that those words be taken down. I am not going to sit here and listen to these communistic attacks made on me.

Mr. COFFEE. Mr. Speaker, I demand that those words be taken down.

Mr. SABATH. Mr. Speaker, I demand that the words of the gentleman from Mississippi be taken down.

The SPEAKER pro tempore. The gentlemen will both take their seats, and the words will be taken down.

The Clerk will report the words objected to.

The Clerk read as follows:

I am standing here today to state to the gentleman from Mississippi that we do not propose to permit this kind of language to be indulged in on this floor. It is disgraceful.

Mr. RANKIN. Mr. Speaker, I demand that those words be taken down. I am not going to sit here and listen to these communistic attacks made on me.

Mr. COFFEE. Mr. Speaker, I demand that those words be taken down.

The SPEAKER. The Chair will be compelled to hold that both gentlemen used language that was unparliamentary.

Mr. McCORMACK. Mr. Speaker, I move that both gentlemen be permitted to proceed in order.

Mr. RANKIN. Mr. Speaker, may we be heard on the motion?

Mr. McCORMACK. Mr. Speaker, I withdraw the motion.

RESCISSION OF APPROPRIATIONS

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. CANNON.]

Mr. CANNON of Missouri. Mr. Speaker, by direction of the Committee on Appropriations, I call up from the Speaker's table the bill H. R. 5158, an act reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes, with a Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 39, line 4, strike out "January 3" and insert "February 28."

Mr. CANNON of Missouri. Mr. Speaker, as will be noted, the Senate amendment relates to a minor matter in that it merely changes a date in the bill, a change made necessary by the passage of time.

The date amended pertains to a provision which originated in the Senate, and deals with an amendment under which the Secretary of War and the Secretary of the Navy were, on or before January 3, 1946, directed to submit to the Congress a joint recommendation for revision of the Pay and Adjustment Act of 1942. In view of the fact that the date, January 3, has passed, the Senate proposes to amend the date by making it February 28. This is the only change, Mr. Speaker, and I desire to move to agree in the Senate amendment.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. TABER. Mr. Speaker, I can see no objection to this amendment to this bill, which we passed a couple of weeks ago.

The SPEAKER. Without objection, the Senate amendment is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. CANNON of Missouri. I ask unanimous consent to extend my remarks in the RECORD by inserting an editorial written by Mr. Kenneth Romney, Sergeant at Arms of the House, 2 or 3 years ago, and applicable to present conditions.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. McCORMACK asked and was given permission to extend his remarks in the RECORD and include a radio speech by Governor Tobin, of Massachusetts.

Mr. MANSFIELD of Texas asked and was given permission to extend his remarks in the RECORD and include an article on the subject of stream pollution, which appeared in a recent issue of the Reader's Digest.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on tomorrow, Calendar Wednesday, of this week, may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

GENERAL KOSCIUSKO

Mrs. DOUGLAS of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. DOUGLAS of Illinois. Mr. Speaker, it is fitting today that General Kosciusko's name should be linked with that of Abraham Lincoln. These truly noble men, whose anniversaries lie so closely together, have more in common than is generally realized.

While everyone knows that General Kosciusko fought for freedom in both his native Poland and in America, the fact that he was a true liberal is not so clearly understood. General Kosciusko tried to abolish serfdom in Poland, to extend popular education, to provide fair opportunities for the common man. He was overcome in life in his struggle, but he died still fighting for these causes. In fact, on his death he freed his serfs, and left money for a school to educate them. He also left his mark on democracy in America, because the lands which a grateful country had given him in Ohio he had sold to establish the first school in America for Negroes. This showed his passionate belief in the worth and dignity of all mankind.

ABRAHAM LINCOLN

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, a number of Members have made reference to one of the greatest Americans of all time, Abraham Lincoln, and also to Thaddeus Kosciusko. All of their remarks are appropriate on this occasion. In connection with Gen. Thaddeus Kosciusko I shall include in the RECORD some remarks of my own.

At this time I want to make a few observations about Abraham Lincoln. Everything said about the great emancipator and preserver of our country is correct; but there is one outstanding impression that is indelibly engraved upon the minds of all persons and that is, that it was under the leadership of Abraham Lincoln that the Union was preserved. Without regard to where one's ancestors were in that conflict, whether on the side of the North or the South, both having fought sincerely for a principle, we are all glad we have one united Nation today.

The significant contribution of Lincoln was that he saved our country because if the outcome of that War Between the States had not been as it was, we would not only have lost the war but we would have lost our country as well.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

EXTENSION OF REMARKS

Mr. BROOKS asked and was given permission to extend his remarks in the RECORD and include a speech he made before a four-State conference on flood control and navigation at Shreveport, La.

DEFICIENCY APPROPRIATIONS

Mr. CANNON of Missouri, from the Committee on Appropriations reported the bill (H. R. 5458) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for other purposes (Rept. No. 1556), which was read a first and second time, and with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. TABER reserved all points of order on the bill.

The SPEAKER. Under previous order of the House the gentleman from California [Mr. MILLER] is recognized for 20 minutes.

THE CENTRAL VALLEY PROJECT MUST HAVE PUBLICLY OWNED TRANSMISSION LINES

Mr. MILLER of California. Mr. Speaker, I beg leave of the House to speak today of my district and the large area surrounding my district as a "depressed area," which, in fact, it is from the standpoint of the Pacific coast hydroelectric power situation. In relation to the industrial West, which is coming into being, my area will surely assume other familiar attributes of the "depressed area" if the power situation there is to remain as it is today. For that reason and for the significance of this accumulating depression to the rest of the Nation, I wish today to make a few remarks about the power situation in the great Central Valley of California.

The Congress is facing a decision on a matter so basically simple that one can only marvel at the welter of figures, claims, and counterclaims which has been raised to assist you gentlemen in deciding.

To the north of the Central Valley of California, which is my area, and to the south of the Central Valley, the Pacific coast is a region of federally generated, federally supplied, and publicly distributed low-cost hydroelectric power. But between these two great regions, between the Pacific Northwest and southern California, lies the Central Valley and the San Francisco Bay region of California, where the high rates, the low per capita use, and the throttling of industrialization by the private-power monopoly still prevail.

This fact is a mockery of the action of this Congress in providing funds for the construction of the great Shasta Dam and its Keswick afterbay, which shortly will be generating to their full capacity of 450,000 kilowatts of hydroelectric power. It is a mockery of the prescriptive legislation for distribution of that Federal power under which such funds were voted by the Congress and which stipulate that public agencies benefit from the development. It is further a mockery of the excellent 15-year program for the development of multiple-purpose dams in the Central Valley outlined by the Bureau of Reclamation, which will make 915,000 kilowatts of power capacity available to this area by 1960.

We have, you see, the basis in resources for a large development; we have begun the development. But we must remain a shrunken pocket of private monopoly along the expanding Pacific coast until this publicly generated electricity is made available to the public on public transmission lines.

Three major transmission lines at least are going to have to be constructed down the Sacramento Valley—two down the west side, one down the east. Additional lower-voltage lines are needed. The simple question is: Who will build them? To me, and to the public-minded people of my area, the answer is just as simple. The Government must build them. To the Pacific Gas & Electric Co. the answer is also simple. That company has already begun to construct one of these west-side lines.

The Congress in December of 1945 voted funds for the east-side line to be built by the Bureau of Reclamation. The other two must be constructed by that same agency; they quite simply must be a project of the Bureau of Reclamation, or my district and the whole area of which my district is a part must remain the "depressed area" of the Pacific coast with respect to power rates and usage and a region of lost opportunity to the Nation.

We have mineral resources the Nation needs. We have taken in—but not yet assimilated—a great number of the workmen who left the Dakotas, Nebraska, Montana, and other States, and shifted to the coast's war plants. It is apparent that many of them wish to stay, and we should all be concerned that they stay not as a liability upon society but as gainfully employed members of a productive society. We have the resources, we have the manpower. We lack the third element—the industry which can put these two to work, for the Nation's benefit. The industry goes to the north of us; it goes to the south. The industry which goes west, gentleman, goes to the West of low-cost power. It divides before us—to the north, to the south. We remain in our high-powered isolation.

The private utility company which serves us makes capital of the fact that our electric rates are less than the national average. But, gentlemen, is it fair to compare our rates with those of the coal-burning Middle West and East? Really low-cost power is one prime advantage our West, with its torrential rivers, should be able to offer as an inducement to industry. And I would point out that in this it offers little real competition to eastern and midwestern industry. Coal-burning industries will remain here, where they settled; we have no coal. But the new metallurgy and the new chemistry will inevitably move to the electrical West. What I am saying to you is that the Nation will lose the development of our northern California resources if the plants fail to locate there because to do so is economically unfeasible.

As I say, the P. G. & E. has again and again stated that its territory is blessed with low power rates. I should like to explode that assertion once and for all. The fact is power under the P. G. & E. is neither cheap nor abundant in northern California. According to reports of the Edison Electric Institute, the California residential electric consumption in 1944 averaged 1,153 kilowatt-hours at a cost of 3.07 cents per kilowatt-hour. This compares to an average residential consumption in the State of Washington of 2,530 kilowatt-hours at 1.68 cents and in the State of Oregon to 2,378 kilowatt-hours at 1.86 cents.

In the Pacific Northwest, meanwhile, new plants are under study for production of cellulose and rayon products, chemicals, plastics, phosphates and electric metallurgical products, while wartime plants which plan to continue operations include five aluminum pig plants, one aluminum rolling mill, three shipyards, three carbide and alloy plants, three chemical plants, one manganese operation and one metallurgic company.

But the rich hills which surround our Central Valley will hold their ores for lack of a hand to move them and our chemical processing must be shipped out—unless we can establish the kind of western economy which is building an asset to the Nation in the Northwest.

The importance of a sound power-marketing program to California and the need for a full understanding of it are apparent in the light of these present-day events. Of major significance is the tremendous increase in California's population, from approximately 6,900,000

in 1940 to an estimated 9,000,000 in 1945, and an estimated increase to 12,000,000 by 1960. Certainly these population figures alone must bring home the fact that realism must govern thinking as to the part the marketing of power will play in attaining the full development of our water resources to meet the critical conditions ahead.

Marketing of power developed by the Federal Government in a manner most beneficial to the people, the community and the State has involved serious clashes of philosophies. For the mandates of the Congress it is only necessary to quote the pronouncement contained in the Flood Control Act of 1944. This provides that surplus power generated at reservoir projects shall be disposed of by the Secretary of the Interior "in such a manner as to encourage the most widespread use at the lowest possible rates to consumers consistent with sound business principles."

Low-cost power for the Central Valley will beget, as it has for the Pacific Northwest, high consumption and increased power revenues. It will provide a maximum of financial assistance toward low-cost irrigation in this area where two-thirds of the irrigation is by pumping water from underground. The opposing philosophy of high prices and low consumption is a threat to the development of the Central Valley project. Equally threatening is the argument that the marketing field has been preempted and none should trespass. The Bureau of Reclamation's right to sell Central Valley project power has been determined by the Congress. Both private utilities and public agencies may buy this power with preference to the latter. Implication that any private utility company cannot continue to buy and resell Federal power because the transmission lines are Government-owned is not correct.

The Bureau of Reclamation takes the position that the project requires large quantities of power to operate the irrigation pumps and that transmission lines from the power plants at Shasta and Keswick to the pumping plants near Tracy are an indispensable part of the project and should be built and operated by the Government. Once these lines are provided, the surplus power which is available on them should be delivered at wholesale to the project's legal market which is municipalities, public bodies, cooperatives, and privately owned power companies, with preference in the right to purchase in the order named but without special preference as to price. This is the only practical method of complying with the preferences which the Congress has given, since the Pacific Gas & Electric Co., which owns all existing transmission lines and desires to build all such facilities in the future, will not agree to the use of its lines by the Government for this purpose at a reasonable cost. The existing transmission plant of the company is loaded practically to capacity now so that the construction of the proposed Government system, which is dependent upon the growth of power use in the territory for most of its load, will not be a duplication except to the extent to which present customers of the company may transfer their existing loads to the Government.

The Government should not be in the position of having but one customer for its power nor dependent entirely upon the provisions of one contract and the good will of that one customer. The Government should dispose of its power to numerous customers, including the company, with such individual contract provisions as would be most appropriate to protect the interests of the Government and satisfy the requirements of each of these customers. In other words, the Government should have the advantage of a diversified market.

The Congress has voted funds to construct one 230-kilovolt line down the Sacramento Valley. This line will furnish a portion of the Shasta-Keswick power to the project pumps at the Delta and thereby make a start toward providing low-cost irrigation to farmers throughout the valley. Or, it will serve to furnish low-cost power to some of the more than 40 public agencies which, exercising their prerogative under the law, have asked for federally delivered Federal power. One of these public agencies, gentlemen, is the city of Roseville—a small town—but one which would realize an $18,000 yearly saving if the contract it has signed with the Bureau of Reclamation became possible of realization. To a small town that represents a tremendous amount of money. To the city of Sacramento, which has a municipal utility district in process of clearance from litigation brought by the private-power monopoly, the saving of Federal power would be proportionately great.

But with a single line, one or the other of these public benefactions must suffer. Either the additional power must be sold to the private utility at the dams and then bought back in order to energize the project water-lifts—thus working a hardship on the valley farmers; or power must be sold at the dams to the private company and then bought by the local public agencies—thus working a hardship on the town and city dwellers, who assume increasing importance in our western society. Engineers tell me that a single line, moreover, cannot furnish completely reliable service to either of these elements of our population. Should the one line break down, there is no alternate, as there would be in the complete grid of transmission which is contemplated by the Bureau of Reclamation for serving this area.

The Pacific Gas & Electric Co., which is now the only customer for Shasta and Keswick power, even wanted to provide the lines to serve the Delta pumps. You gentlemen saw the simple answer to that, because you saw the economic folly of the private company's suggestion. I would suggest to you that the solution to the other half of the dilemma—the town and city-dwellers' power—is equally simple and involves an equal hazard to my area's basic economy.

We have been told that any construction by the Bureau of Reclamation down the west side of the Sacramento Valley would be a wasteful duplication of existing facilities owned by the private company—that is one of the arguments used to obscure the simplicity of this situation. But, gentlemen, even while we were being told that story, the private company was beginning construction of a new line of its own down the west side. The steel towers of this line will support two 150,000-kilowatt circuits, as I understand it, and the company plans to use one of them as a spare for its own Pit River developments northeast of Shasta Dam. Or it will be used for Shasta and Keswick power, gentlemen, as will most certainly the second one—if, as the company hopes, the P. G. & E. is to remain the sole customer for this public power.

I do not believe that this will happen. It is my experience that we do meet here in the public interest, not to satisfy the commercial hopes of specific commercial companies. I believe that we shall continue to see this elementary problem in its plain issues, that we shall serve the public agencies which now desire low-cost power, the scores of other public groups for which this Shasta project was authorized and constructed and which will spring up to avail themselves of its advantages. I believe that we shall act here to relieve this large section of our Pacific coast from its archaic distinction of being the last stronghold of power monopoly on the coast and the most backward industrial area.

But today I wanted to bring you up to date on this power situation in the area of my district. When we come to vote on transmission lines for the Central Valley, Calif., we must know that the private utility company has gambled $6,000,000 of its stockholders' funds on a transmission line in order to cry duplication, although its present apology for the line is that it is needed as a spare for Pit River power. We shall know enough to leave this company with its spare line and to provide, ourselves, a line for the people's benefit. We shall know that the company gambled on a toadying Congress—which we are not—and, in so doing, put its cart before its horsepower.

GEN. THADDEUS KOSCIUSKO

Mr. McCORMACK. Mr. Speaker, subject to the approval of the other Members who have special orders, I ask unanimous consent to address the House for 5 minutes at this time.

The SPEAKER pro tempore (Mr. SPARKMAN). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, America today pays tribute to Gen. Thaddeus Kosciusko, Polish soldier and patriot, American officer and friend. Two hundred years have failed to dim the luster of his glory—achieved in the cause of freedom. His name will live forever—symbolic of the struggle of man against the forces of oppression. The name Kosciusko means to the world emancipation from human bondage. We are proud on this the centennial anniversary of his birth to join in honoring the memory of this valiant hero and stanch defender of the ideals of liberty and justice, not only for Poland but for all mankind.

Kosciusko was educated at the military schools of Warsaw and Versailles, attaining at early age the rank of Polish captain. When the American Revolution broke out, he embarked for this country, joining Washington's army and receiving a commission as colonel of engineers in October 1776. He served America with distinction for 6 years, won the rank of brigadier general, and was voted the thanks of Congress. He then returned to Poland, was appointed major general in the Polish Army, and fought with exceptional valor in the war against the Russians in 1784. He, true to his idealism that man was born for freedom, headed an abortive revolution in Poland in 1794. Wounded in battle, he was captured by the Russians and imprisoned for 2 years. Liberated by Emperor Paul, with many marks of esteem, he passed the remainder of his life in retirement.

He revisited America in 1797 and was received everywhere with great honor and distinction. Congress voted him a grant of land and an addition to his pension. On his return to Europe he took up his residence near Paris. Honored by Napoleon, whose forces he refused to join in an invasion of Poland because he felt bound by the terms of the parole granted him by Emperor Paul, he took up residence in Switzerland, where he died as result of an accident. His remains, by direction of Emperor Alexander, were taken to Krakow where they were interred with extreme pomp in the cathedral where lie the kings of Poland and her most honored dead. To his memory 3 years after his death his nation raised a monument unique in history, fashioned by the men, women, and children of Poland out of the earth taken from the battlefields where Kosciusko had so nobly fought for the land he so deeply loved.

Kosciusko was a close friend of Thomas Jefferson, who, as Secretary of State, wrote:

> I see Kosciusko often. He is the purest son of liberty among you that I have ever known, the kind of liberty which extends to all, not only the rich.

Jefferson was given a power of attorney by Kosciusko and also made the holder of his last will and testament—a document expressive of the nobility of this great Polish patriot. He left his property in the United States to Thomas Jefferson to purchase—

> Negroes from among his own as any others and giving them liberty in my name, in giving them education, and in having them instructed for their new condition in the duties of morality which may make them good neighbors, good fathers and mothers, husbands or wives, and in their duties as citizens teaching them to be defenders of their liberty and country and of the good order of society and in whatsoever may make them happy and useful.

This testamentary disposition, dated May 5, 1798, more than a half century before the Civil War, marked his zeal, not only for the Negro slaves, but for morality and liberty, good citizenship and love of country, social order and individual freedom wherever men foregather. His principles were made to be honored. His character was given to man to be revered. True to a single object, the freedom and happiness of man, his teaching by example never wavered, never veered from his belief that the dignity of man would prevail triumphant over the forces of tyranny.

America today also celebrates the anniversary of the birth of Abraham Lincoln—great American President—great humanitarian. He, too, like Kosciusko believed in human liberty. He understood the meaning of the word. He knew, as did Kosciusko, that to some liberty means the opportunity to do with one's life as one pleases while to others liberty means the right to do with other men as one pleases. Both these great heroes whose birthdays we celebrate today knew that the difference between the two meanings spells the incompatible difference between liberty and tyranny—and both men abhorred the despot.

Kosciusko had faith that right makes might and in that faith he lived his life according to the light of justice as he understood it.

This great Polish patriot whose contribution to the defense of his land and America we honor may well be said to have had a rendezvous with destiny. He lived nobly in a manner the world applauded and which merits the blessings of God. He planted his heart in the soil of America. The flower of his life has ever been an inspirational guide to those who would keep the lamp of liberty the burning beacon of true democracy.

The glory of Kosciusko was not mere personal glory. It was the glory and greatness of Poland. The valor of his spirit has marked her struggle through the centuries. His courage has been her courage. His belief that the forces of totalitarianism can never triumph over truth has been the belief of Poland that economic and imperial determinism will never destroy the free people of the world.

America will never forget the heroic efforts of this great Polish warrior in the battle of this country for freedom. His name will ever be remembered and respected for his idealism in the hours when the foot of the oppressor would have stifled our struggle for independence. His life, dedicated as it was against bitterness and hate, evidenced that measure of devotion for charity and tolerance which marks him as an exemplar of true virtue who sought but one reward—to plant the flower of freedom where he thought the flower would grow and to live to pluck the fragrant blossoms of liberty and equality under God for his fellow man.

THADDEUS KOSCIUSKO

Mr. SABATH. Mr. Speaker, the life of the distinguished Polish soldier and patriot, Gen. Thaddeus Kosciusko, who not only fought for the liberty of his native land but who, with George Washington, fought for the freedom and liberty of our beloved country, emulates that of our Emancipator and great President, Abraham Lincoln, in that he advanced the cause of emancipation more than a half century before the Civil War. As we eulogize our revered President Lincoln who saved our Nation and abolished slavery in our country, it is also fitting, therefore, that we pay our respect to the great Thaddeus Kosciusko on the occasion of the two hundredth anniversary of his birth. In this connection, I wish to insert in the RECORD a short biography of this great freedom- and liberty-loving man prepared by the Polish-American Congress, that I feel must appeal to every freedom-loving American.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

(The biography referred to is as follows:)

THADDEUS KOSCIUSKO

February 12, 1946, marks the two hundredth anniversary of the birth of Thaddeus Kosciusko, Poland's great patriot and national leader and America's Revolutionary War general and aide to Washington.

Thaddeus Kosciusko was born February 12, 1746, at Siechnowicze, Poland. He passed his early childhood on his father's estate, then attended the school of the Piarist Fathers, in Lubieszow, from where he went to the Warsaw Cadet School, to graduate with highest honors. The King of Poland, impressed with Kosciusko's natural ability for engineering and proven brilliance, sent him to France to pursue further studies.

After 7 years in the leading French military schools, he was commissioned a captain in charge of Krakow's fortifications. But under the conditions prevailing in Poland shortly after the First Partition, 1772, there was little opportunity for his talents; a commission in the reduced army was to be had only by purchase, and Kosciusko was without funds.

Observing no chance to serve his country, Kosciusko again left Poland, pledging his share of the parental estate as security for the loan which enabled him to journey to Paris. Here the news of the outbreak of hostilities in America kindled his imagination, and he determined to go to the aid of America—a Polish knight in the cause of liberty.

KOSCIUSKO IN AMERICA

In the summer of 1776, Kosciusko arrived in America at his own initiative and at his own expense. Pending the decision of the Board of War upon his application, he found employment at Philadelphia, in the construction of fortifications against the expected attack by the Delaware. This gained him his commission from Congress, October 18, 1776, as an engineer in the Continental service with pay of $60 a month, and the rank of colonel. In the spring of 1777, he joined the Northern Army, where his ability as an engineer was of invaluable use in the campaign against Burgoyne. His fortification at Van Schaick and elsewhere, his able judgment in the choice of battlegrounds, contributed much to the skillful retreats and the firm stands of the Continental Army before Burgoyne's rash advance. He was ordered by General Gates to erect the fortification in the defense of Saratoga, and his task was accomplished with great brilliancy and speed.

With justified pride Poles regard the role played by their national hero in the victory at Saratoga, a victory which won for America not only a campaign but France's recognition of her independence.

FORTIFIED WEST POINT

For long, the question of the defense of the Hudson had been of paramount importance; the brief respite gained by the defeat of Burgoyne rendered this a favorable moment to render it impregnable. West Point was chosen for its commanding position, and its fortification was finally conferred, over the head of the French engineer, Radiere, upon the Pole. "Mr. Kosciusko," wrote McDougall now in command of the Northern Army, to Washington, "is esteemed to have more practice than Colonel Radiere, and his manner of treating the people is more ac-

ceptable than that of the latter." Little is now left of the fortifications, but the monument erected to his memory at West Point by American youth will remain a grateful tribute forever. That America today can regard West Point with pride is, in large measure, due to Kosciusko, who first suggested for a national military school the spot where it now stands.

THE SOUTHERN CAMPAIGN

In the summer of 1780, General Gates requested Washington to transfer Kosciusko to the South, where the army was now under his command. But before the Pole was able to reach him, his old friend had been defeated at Camden—deprived of his command, and General Nathaniel Greene—after Washington the finest general in the Continental service—had been appointed his successor. While awaiting Greene's arrival, Kosciusko spent some time in Virginia among the planters. He saw there the Negroes at close quarters and was brought face to face with the Negroes in slavery. It was then that, with his keen susceptibility to every form of human suffering, he acquired that profound sympathy for the American Negro, which, 17 years later, was to dictate his parting testament to the New World.

Kosciusko was present through the whole campaign of the Carolinas and was regarded with strong affection and admiration by General Greene. True to his ideals, at the Battle of Eutaw Springs, he restrained a carnage which outraged his feelings, and he is said personally to have saved the lives of 50 Englishmen. When the campaign changed to one of guerilla warfare, he fought as a soldier, not as an engineer. At length Charleston fell. And on December 14, 1782, the American Army entered the town in a triumphal procession in which Kosciusko rode with his fellow officers, greeted by the populace with flowers and cries of "Welcome."

Peace soon followed.

Kosciusko had fought for 6 years in the American Army. Nathaniel Greene best sums up what the Pole had done for America and what he had been to his brother soldiers. "Colonel Kosciusko belonged," wrote Green, "to the number of my most useful and dearest comrades in arms. I can liken to nothing his zeal in the public service, and in the solution of important problems, nothing could have been more helpful than his judgment, vigilance, and diligence. He was fearless of every danger. He never manifested desires or claims to himself, and never let opportunity pass of calling attention to and recommending the merits of others." Congress, in 1783, belatedly conferred upon Kosciusko the rank of brigadier general with an acknowledgment of its "high sense of his long, faithful, and meritorious service."

KOSCIUSKO RETURNS TO POLAND

In the fall of 1784 Kosciusko reached his native country. A great wave of effort—a nation's magnificent effort to save herself by internal reform, which culminated in the democratic constitution of the 3d of May, 1791—was sweeping at that time over Poland.

After the second partition, in 1792, a further wave of patriotic ardor swept over Poland. General Thaddeus Kosciusko, the hero of the American War of Independence, hastened to Krakow, summoned the people to arms, proclaiming new decrees in favor of the peasants Hosts of peasants armed with scythes answered Kosciusko's call. On April 29, 1794, Kosciusko attacked the Russians at Raclawice. Ill-disciplined and poorly equipped, the peasants took by assault batteries of Russian field guns and routed the enemy. After this battle Kosciusko wore a "sukmana," a coat of homespun cloth such as the peasants wore.

Infuriated, Catherine of Russia sent a large army to fight Kosciusko, and at Maciejowice, in the south of Poland, the two forces met on the 10th of October. Kosciusko dashed into the thickest of the fight. Three horses were killed under him, and bleeding from many wounds he was taken prisoner. With him fell the independence of Poland, and as the poet, Campbell, says, "Freedom shrieked when Kosciusko fell." Kosciusko was cast into a dungeon in Petersburg, and only after Catherine's death her successor Paul I liberated the Polish hero.

KOSCIUSKO REVISITS AMERICA

On the 19th of December 1796 Kosciusko left St. Petersburg with his friend and fellow prisoner, Juljan Ursyn Niemcewicz and a young officer, Libiszewski, who offered to serve the maimed Kosciusko on his trip to America. By way of Stockholm, Gothenburg, London, and finally Bristol, Kosciusko and his party sailed for Philadelphia on June 18, 1797.

For 2 months the ship carrying Kosciusko and his companions tossed on the Atlantic, on one occasion near shipwreck. They reached their destination on August 18, 1797.

Yellow fever prevailed at Philadelphia at this time, so Kosciusko, with his poet-friend Niemcewicz, journeyed to New Brunswick, the home of Gen. Anthony Walton White. Later he proceeded to New York, where he was the guest of General Gates at Ros Hill, where he remained until September 29, 1797. Before leaving New York he received from Congress a grant of 500 acres in recognition of his military services. This property was located on the extreme western border of the United States military lands, on the east side of the Scioto River, in Perry Township, Franklin County, Ohio, the site of the present city of Columbus.

After a short visit in Elizabethtown, he returned to the home of General White in New Brunswick, where he remained until November 28. Kosciusko, whose convalescence was slow, spent nearly all his time reclining on a sofa, sketching and painting in water color and india ink. From General White's home Kosciusko repaired to Philadelphia and took residence on Second Street. Bevies of visitors and admirers again surrounded him, and Kosciusko drew into great intimacy with Thomas Jefferson, at this time Secretary of State. Jefferson wrote to Gates: "I see Kosciusko often. He is the purest son of liberty among you all that I have ever known, the kind of liberty which extends to all, not only to the rich." On January 23, 1798, Congress authorized the Secretary of the Treasury to issue to Kosciusko a certificate of indebtedness of $12,260.54 with interest at 6 percent, from January 7, 1793, to December 31, 1797. The final settlement of the account was made by a payment amounting to $15,227.87.

Sometime in March 1798 a packet of letters from Europe was handed to Kosciusko. His emotion on reading the contents was so strong that, despite his crippled condition, he sprang from his couch and stepped without a helping hand to the middle of the room. "I must return at once to Europe," he said with no explanation. Jefferson procured his passport to France under the name of Thomas Kanberg and, with only Jefferson's knowledge, with no word either to Niemcewicz or to his servant, Stanislaus, for both of whom he left a roll of money in his cupboard, he sailed for France. Before embarking at Baltimore he gave Jefferson his power of attorney and wrote out the will in which, more than half a century before the Civil War, the Polish patriot advanced the cause of emancipation:

KOSCIUSKO'S WILL

"I, Thaddeus Kosciusko, being just in my departure from America, do hereby declare and direct that should I make no other testamentary disposition of my property in the United States thereby authorize my friend Thomas Jefferson to employ the whole thereof in purchasing Negroes from among his own as any others and giving them liberty in my name, in giving them an education in trades and otherwise, and in having them instructed for their new condition in the duties of morality which may make them good neighbors, good fathers or mothers, husbands or wives, and in their duties as citizens, teaching them to be defenders of their liberty and country and of the good order of society and in whatsoever may make them happy and useful, and I make the said Thomas Jefferson my executor of this.

"T. KOSCIUSKO.

"5th Day of May 1798."

There was difficulty in putting this testament into effect as Jefferson was of advanced age at the time of Kosciusko's death. It was never carried out; but in 1826 the legacy went to found the colored school at Newark, the first educational institute for Negroes in the United States, and which bore Kosciusko's name.

BACK IN EUROPE

By the end of June or early in July 1798, Kosciusko reached Paris. His arrival centered upon him the gaze of the whole world. Sympathy with himself and the Polish cause he heard expressed upon all sides. At the news of his return the Polish legions awakened to renewed life. He negotiated at length with the Government of France for France's help in the restoration of Polish independence. This was promised him many times, but his cautious request for guarantees was never complied with. When Napoleon was proclaimed First Consul, Kosciusko, mistrusting him, commenced to withdraw from relations with him or his officials. After the disastrous expedition of the Polish legions to San Domingo, Kosciusko severed all relations with him.

Napoleon, in 1806, from Berlin, now summoned Kosciusko to assume the leadership of the revolting Poles. But the former Polish commander in chief had little faith in the fortune of the Emperor and none in his promises He declined to obey the call and remained in Paris.

In May 1815, Russia, Austria, and Prussia signed an agreement for a new partition of Poland. An autonomous Kingdom of Poland was, it is true, to be formed, with the Tsar as King, but it would be but a small part of the true Poland. Kosciusko refused all offers of office and honor in the newly partitioned Poland. He felt that his very presence even would lend sanction to the new partition. He chose, therefore, a voluntary exile. Not desiring to live in a Bourbon France, he settled in Switzerland with his devoted friends the Zeltners in Soleure.

LAST DAYS AND RESTING PLACE

Here, in serene communion with nature, among eternal mountains, in unceasing mediation upon the future of Poland, he spent the two last years of his life. And here, on the sad autumn evening of October 15, 1817, far from his motherland, though close in spirit, among strangers, with not a Polish face nor a Polish word to gladden his heart, Kosciusko died. Even in his loneliness he was faithful to Poland—her purest soul and the greatest of Poles. And his greatness was greatest in that it was not his own personal greatness merely; it was the greatness of Poland.

Kosciusko's body now rests in the Wawel Cathedral in Krakow, where lie Poland's kings and her most honored dead; but his heart is in the Polish conquerors. To his memory, 3 years after his death, the nation raised a monument perhaps unique of its kind. Outside of Krakow towers the Kosciusko Hill, fashioned by the hands of Polish men, women, and children, bringing earth from the battlefields where Kosciusko had fought. The act is typical. To this day the name of Thaddeus Kosciusko lives in the hearts of the Polish people, not only as the object of their profound and passionate love, but as the symbol of their dearest national aspirations. His pictures, his relics, are venerated as with the devotion paid to a patron

saint. Legend and music have gathered about his name.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. GRAHAM] is recognized for 15 minutes.

ABRAHAM LINCOLN

Mr. GRAHAM. Mr. Speaker, this is the one hundred and thirty-seventh anniversary of the birth of Abraham Lincoln and it seems to me it is exceedingly appropriate and befitting that we celebrate his birthday. While over a thousand books have been written on this man and innumerable stories have been told of his life and character, I believe on this anniversary of his natal day we should review for a few minutes the great and outstanding characteristics of his life, his contribution to his time, his country, and to all mankind throughout the world—for in honoring him we honor ourselves.

It does seem to me that it is eminently befitting that here on the floor of the House of Representatives of the United States we honor our former colleague, for he served in the Thirtieth Congress from 1847 to 1849—not, of course, in this Chamber in which we meet today but within the sound of my voice, in the adjoining Chamber, which is now Statuary Hall. As we go back 99 years that have elapsed since he was a Member of this Congress, we do well to pause and think of his contemporaries and those with whom he crossed swords in the legislative debates of that day. I often wonder, when I think of those men, whether they saw in the Great Emancipator of the future the man whose name would be known the length and breadth not only of this land but of the whole world, whose statue would adorn the cities of our country, and children and children's children would revere his name. Do you believe that Jefferson Davis, then serving as a Senator from Mississippi, would recall, as he met him passing through the Halls of that yonder room, the great, gangling youth whom he had sworn in as an officer in the Black Hawk War, and that later he, too, Jefferson Davis, would become the President of the Confederacy? I wonder if another great man, Hannibal Hamlin, then serving as a Senator of the United States, dreamed that some day he would run for Vice President on the same ticket with Abraham Lincoln and would serve the 4 years for which he was elected?

I wonder if Alexander Stevens, the Representative from Georgia, realized as they met and passed each other in the Hall, and where there arose that friendship between them, that Lincoln would become the President of the United States and he the Vice President of the Confederacy? Or whether Howell Cobb, another Member from Georgia, the man who was to preside over the first Confederate conference to be held, for the organization of the Confederate States, and later to become major general in the Confederate Army, would realize that someday he was to surrender at Macon, Ga., and how he felt toward the man he was then dealing with and who was soon to be the President of the United States of America. I think of John Quincy Adams, the man who retired from the Presidency of the United States to serve on the floor of the House in that adjacent Chamber, there to be stricken and die within a few feet of that Chamber; what he thought of that raw youth of the then great West, for unquestionably Abraham Lincoln witnessed this event. There was one man who had been a President, looking upon the form and figure of a man who would someday fill the august chair of President of the United States. Truly, those were marvelous days. They were the days of Daniel Webster, of John C. Calhoun and John Crittenden, Stephen A. Douglas and John Bell—those great Americans of that day. They were truly the giants of that day. This may give some lead or some indication of what made Abraham Lincoln great. But something in the man made him great despite all the difficulties he had encountered.

I think, too, it is very fitting that I as a Member from Pennsylvania should rise and say a word on this day, for in my humble judgment Abraham Lincoln rose to his greatest heights on the soil of Pennsylvania on the 19th day of November 1863, when at Gettysburg he delivered that immortal address. On the night before, November 18, when he went to his room, as he said "to polish off his few remarks," he knew he would follow Edward Everett, the greatest orator of his day. Our country was torn by civil war, the outcome of the Union was in doubt, but his great faith stood out through it all and the next day that faith was testified to in that undying address.

I think one of the greatest things we can think of today is the unchanging faith of Abraham Lincoln, his faith in his fellow man, his country, and his God; and then think of this, if you will, that man imbued with mystic insight as he peered down through the ages and with the voice of the prophet when he said on December 1, 1862, in his Second Annual Message to Congress—think how true the words are today:

> The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew and act anew. We must disenthrall ourselves, and then we shall save our country.
>
> Fellow citizens, we cannot escape history. We of this Congress and this administration will be remembered in spite of ourselves. No personal significance or insignificance can spare one or another of us. The fiery trial through which we pass will light us down, in honor or dishonor, to the latest generation. We say we are for the Union. The world will not forget that we say this. We know how to save the Union. The world knows we do know how to save it. We—even we here—hold the power and bear the responsibility. In giving freedom to the slave, we assure freedom to the free—honorable alike in what we give and what we preserve.

Then one of the noblest lines in the English language:

> We shall nobly save or meanly lose the last, best hope of earth. Other means may succeed; this could not fail. The way is plain, peaceful, generous, just—a way which, if followed, the world will forever applaud, and God must forever bless.

Have we any finer chart today in this troubled, turbulent period of our world's history than those words?

Then we think of his masterpiece, his Second Inaugural Address, and those lines when he said,

> With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the Nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations.

Surely that man was speaking as no man before or since has spoken.

Then I like to think that maybe back of that speech was this. I think of when he left his home on the 11th day of February 1861 and as he stood on the rear platform of the train at Springfield, Ill., he said to the people:

> I now leave, not knowing when or whether ever I may return, with a task before me greater than that which rested upon Washington.

Then he expressed his faith in Almighty God and His benevolence and His comfort.

Where can we turn today, where men have failed with plans, with designs, with views on how to save the world, other than to the God of our fathers, who has made, protected, and defended us and will continue if we obey His commands. In humble humility we should go upon our knees asking for His guidance.

Then I like to think of him again as, standing as he stood that day on the 22d day of February 1861, before Independence Hall in my native State, and with his own hands raised the flag of the United States, he made this prophetic utterance when he was speaking of the Declaration of Independence and what it had meant to him and how much he thought of its principles, the realization that the Constitution of the United States had been written within those walls. A few miles beyond was the Gethsemane of America, Valley Forge, where Washington had gone down upon his knees in prayer for guidance from Almighty God. He raised that flag, and said, rather than surrender the principles of the Declaration of Independence, "I would rather be assassinated." Did he know what was coming? Did he realize it? If he did, with greater courage than you or I could dream of, he went forth. Now, what of Lincoln? One night when Edwin M. Stanton, Secretary of War, who was reared within a few miles of my home, was listening to him, he said, "Listen to that baboon telling some crude stories." But the night that Lincoln passed on, he said, "He is now a part of the ages." No finer tribute has ever come from any man than that. Who gave us the finest definition of representative government? Who gave us the world's finest memorial speech? None other than Abraham Lincoln. On the sacred soil of Pennsylvania where the high water mark of the rebellion was reached, where the brave men of the North and South fought together, he came and said:

> Fourscore and seven years ago our fathers brought forth on this continent a new Na-

tion, conceived in liberty and dedicated to the proposition that all men are created equal.

Now we are engaged in a great Civil War, testing whether that Nation or any nation so conceived and so dedicated can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that that Nation might live. It is altogether fitting and proper that we should do this.

But, in a larger sense, we cannot dedicate—we cannot consecrate—we cannot hallow—this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this Nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. HOOK] is recognized for 30 minutes.

THE COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. HOOK. Mr. Speaker, I have long been an advocate of the fact that investigating committees should be governed by certain proper and democratic rules of procedure. The activities of the old so-called Dies committee gave rise to Nation-wide criticism of the procedure of that committee. On the opening day of the first session of this Congress the rules of the House were amended so as to create a standing permanent Committee on Un-American Activities. I opposed this move at the time and later introduced Resolution 58, which would repeal that amendment, thus abolishing the Committee on Un-American Activities. Following this, I also introduced a bill, H. R. 1834, setting up rules of procedure which, in my opinion, are necessary toward the protection of the rights of citizens in setting up certain rules of procedure necessary to be followed by the committee.

Mr. Speaker, I am still of the opinion and more firmly convinced today that Resolution 58 should be adopted, which would abolish this standing committee, because instead of the adoption of proper rules and regulations governing this committee we lent dignity to the committee by establishing it as a duly constituted standing committee in the House, with all the protection of any other committee. In my opinion, investigating committees stand in a different light and their duties are much different from the other regular standing committees of the Congress.

It is because of the fact that this committee deals with all types of citizens in this Nation that special precaution should be taken to see that the committee should not be used either inadvertently, innocently, or deliberately as a sounding board for real un-American activities.

My reason for making the above statement is that I find that certain happenings have been going on with regard to the committee which disturb me and I know are disturbing many outstanding Americans in this Nation. Caution should be the watchword in the selection of a staff for a committee that can be used for good or bad because of the fact that the membership of this House, and I might include the members of the standing Committee on Un-American Activities, are busy with their manifold problems and are not able to follow the actions of the staff who guide the Un-American Activities Committee, not only in the type of investigation that is to be carried on but the individuals who are given the privilege of appearing before the committee. I have noted certain things that have happened of late, by the staff of this committee, that in my opinion violate real democratic practice and procedure. I am going to relate the latest activities of the staff of this committee. I am sure that the President's War Relief Control Board, knowing the un-American utterances of Gerald L. K. Smith and his America First group, whose mouthpiece is the Cross and the Flag, would not honor Gerald L. K. Smith with a license. Still, this man, Gerald L. K. Smith, head of the America First Fascist party and America's most raucous purveyor of anti-Semitism, antiracial, and antireligious bigotry, was invited to come before the committee, which invitation he accepted because, in my opinion, this man loses no opportunity to try to go before bodies and testify legally where he can dignify his rotten anti-American Fascist principles.

I know that the good Members of this body would not knowingly lend themselves to be a party to promoting the un-American activities of this man, Gerald L. K. Smith, and his group of Hitler-Nazi sympathizers. We fought a war and spilled the blood of millions of young Americans—yes, offered up the lives of hundreds of thousands of young men to stop these Nazi gangsters in both Germany and Japan, and I hope and pray that we in our zealousness to protect our democratic principles do not allow them to be violated with testimony from the American mouthpiece of this group now dead and gone in Germany and Japan and raising their ugly heads within the confines of our own Nation.

I could go on giving you specific illustrations, but time will not permit me to refer to all those illustrations. My duty as a Member of this House impels me, however, to refer to the following.

Gerald L. K. Smith, in a letter sent out from Detroit in October, 1945 said:

> I went to Washington. We filed a petition 150 feet in length congratulating Representative RANKIN on the investigation of Hollywood Communists which he and certain fellow Congressmen are now conducting. We Christian Nationalists must give this investigation our full support, because the anti-Christians and anti-Americans are doing all in their power to smear Mr. RANKIN and the committee with which he is associated.

This was in October. The January 1946 issue of Smith's Fascist publication, the Cross and the Flag, had an editorial praising Congressman RANKIN and an even more laudatory comment on Martin Dies, who, Smith said, would make a fine candidate for President on the Nationalist ticket.

What happened when Mr. Smith appeared before the Un-American Committee at an open hearing 2 weeks ago? The House committee did not really question Smith. Smith attacked American citizens because of their religion in Nazi fashion. Smith told the Un-American Committee that the only effective Fascist agency he knew of in this country was Roosevelt's New Deal bureaucracy. He called for an investigation of Walter Winchell, Ingrid Bergman, Frank Sinatra, Eddie Cantor, and Edward G. Robinson. He extolled Huey Long and assailed F. D. R., Philip Murray, and Sidney Hillman. My colleague Congressman EMANUEL CELLER, has declared that what the committee did in inviting Smith to testify was to give him a national pulpit for his anti-Semitic and Fascist ravings. A number of newspapers take the same view. The Des Moines Register, commenting on the kid-glove treatment of Smith by the Un-American Committee, said about the committee:

> This performance and others show that it is continuing the tradition established by its father, Martin Dies. It baits Communists, smears liberals, opposes international cooperation and is most kind to the un-American activities which really threaten our liberty.

On top of this incredible performance, it appears that we have the amazing spectacle of certain members of the committee being ready to accept what Smith says as gospel. Daniel M. Kidney, Scripps-Howard staff writer, reported in the Washington Daily News last week that the gentleman from Indiana said that he was in disagreement with Congressman RANKIN and Congressman THOMAS of New Jersey that Smith's charges about communism in Hollywood should be taken seriously.

Smith is not only the committee's adviser on un-Americanism. He is also the confidant of the committee's plans. The close link between the Un-American Committee and Smith is established by the following facts. The gentleman from California, Congressman ELLIS PATTERSON, represents the district in California which covers Hollywood. He went to the committee office to get some information on the progress of their "investigation" and, if possible, to see the files on his constituents. According to the gentleman from California, Congressman PATTERSON, the committee's counsel refused to give him any information whatsoever. Yet, and I quote the gentleman from California, Congressman PATTERSON:

> On the very same day my attention was called to the November issue of Gerald K. Smith's Cross and Flag. On page 660 of this November issue was an article entitled "Hollywood Exposed," which listed 13 points in the committee's recent investigation of Hollywood by the committee counsel or some of its members.

It seems really astonishing that an admittedly Fascist paper and its Fascist editor have access to facts denied to the

Congressman whose constituents are concerned. The Un-American Activities Committee does not believe in clearing through Congress—it clears through Gerald.

It is not strange that a committee which a notorious native Fascist hails as his friend, and which uses this same Fascist as a confidant of its plans and a prime source of information, should give aid and comfort to the Fascist dictator Franco and his supporters. This is exactly what the committee is doing by its attempt to destroy the Joint Anti-Fascist Refugee Committee, a national organization engaged in helping Spanish Republican refugees.

The Joint Anti-Fascist Refugee Committee is helping to keep alive Spanish Republican refugees in France, Portugal, Switzerland, north Africa, Mexico, and other countries. It is licensed by the President's War Relief Control Board, a Government agency. Its license limits it to relief work and prohibits propaganda activities. It makes quarterly statements to the President's War Relief Control Board of all income and expenses. It obtains United States Treasury Department licenses to send funds abroad. Among other relief activities, this fine organization maintains a hospital in Mexico City, a hospital in Toulouse, France, and a hospital and rest home at Lourdes, France. The President's Board has control over all its activities. It has access to all its books and records at all times.

The Un-American Committee had no business investigating an organization over which another Government agency has full control. The fact that the unwarranted and unjust attacks on this relief organization by the Un-American Committee has endangered the lives of numerous refugees because of the forced diversion of this committee's activities from raising funds for the refugees to defending itself from the attacks of the Un-American Committee.

I am sure that my colleagues and all thinking people will be shocked and alarmed by the undemocratic and unprincipled procedure followed in the so-called investigation of this relief organization.

On December 1, before beginning any investigation, Ernie Adamson, committee counsel, asked the President's War Relief Control Board to revoke the license of the Joint Anti-Fascist Refugee Committee. The absolute lack of basis of this astounding action is clearly shown by the fact that on December 8, a week later, Adamson sent the Joint Anti-Fascist Refugee Committee a letter which said in part:

> In the interest of saving time, I suggest that you permit one of our investigators to make a preliminary investigation of your organization to determine whether or not this committee is interested in your organization.

Thus, he asked the Control Board to revoke the Joint Anti-Fascist Refugee Committee's license before there had been any determination that the House committee was interested in the organization. He followed this action by issuing on December 10 a subpena for all its books and records. The Nation, well-known liberal magazine, commenting on the sequence of events related before, said, "Thus, after trying to execute a death sentence on the organization whose work for the relief of Franco's victims is a matter for public record, the Un-American Committee now wishes to launch a fishing expedition in the hope of finding something that looks like evidence to back the verdict it has already reached." Here I want to add that the work of this committee in helping Spanish Republican refugees has been praised by Dr. Juan Negrin, the last Premier of the Spanish Republican Government before its overthrow by the forces of Franco, Hitler, and Mussolini, and by Dr. José Giral, present Premier of the Spanish Republican Government in exile.

If the actions described above were not enough to show the disregard by the House committee of proper House procedures and proper concern for the rights of citizens, the committee's behavior toward Miss Helen R. Bryan, executive secretary of the Joint Anti-Fascist Refugee Committee, when she appeared before it on January 24 gives the final proof. She had been asked to produce all the books and records of her organization. She came before the committee prepared to answer all questions on the activities of her organization. She was given no opportunity to answer any questions. She was denied the right to consult with counsel during the hearing. She was given no chance to explain that to comply with the committee's request for all books and records would have brought a halt to the vital work of her organization. She was given no chance to state her objections to the breadth of the subpena. She was told that she could make only a "yes" or "no" answer to whether she had produced all her books and records. Under such un-American circumstances, she could only say "no" to the request for her books and records.

The committee with no further ado cited her for contempt. I believe that on the basis of the facts in this case and the events presented by my colleagues that it is the House committee which has been contemptuous of Congress, and not Miss Bryan. The Washington Post, in commenting on the citation of Miss Bryan for contempt by the House committee, said in an editorial:

> In truth, Miss Bryan has not been in contempt of Congress; she has only been in contempt of a committee which has itself been contemptuous of its congressional mandate and of democratic procedure.

But that is not all to the story of the Joint Anti-Fascist Refugee Committee. In a further effort to harass this relief organization, the House committee has subpenaed Dr. Edward K. Barsky, national chairman of the Joint Anti-Fascist Refugee Committee, to appear before it Wednesday, February 13.

The facts presented to you today constitute an overwhelming indictment against the procedures, activities, and plans of the House Committee on Un-American Activities. The Constitution of the United States and the free heritage of this Nation state clearly what is American and what is not. There are proper enforcement agencies to control subversive activities.

There is no more urgent business before the House than the termination of this committee's activities. And I dare say that the great majority of the committee's own members would be the first to welcome our action to dissolve it.

I recall to you the recent declaration of Representative J. W. ROBINSON, of Utah, a member of the Committee on Un-American Activities, who said:

> I never voted to create such a committee as this and I would never do so. It has no function. Nor has it performed any special service to the country. It should be abandoned and I would vote for that.

The American people owe a debt of gratitude to Representative ROBINSON for his clear-thinking, forthright position. I urge you all to sign Discharge Petition 12 to abolish the committee.

Mr. COFFEE. Mr. Speaker, will the gentleman yield?

Mr. HOOK. I yield to the gentleman from Washington.

Mr. COFFEE. Is the gentleman familiar with the various writings indulged in by the counsel of the Rankin Un-American Committee, Mr. Ernie Adamson, in which he directs the attention of various recipients to the fact that there is no such word as "democracy" in the Constitution, and rebukes in effect the recipients of his letters for having spoken a word in praise of democracy at any time?

Mr. HOOK. I am certainly pleased that the gentleman brought that point up. I am well aware of it, and I think the full membership of the House should acquaint themselves with it.

Before any contempt proceedings should be honored or approved by this House, in view of the statements I have made, I believe that the membership of the House should be aroused to such an extent that they should demand a full, complete, chronological statement of all the happenings both before the committee and by the staff of this committee in the case of the Joint Anti-Fascist Refugee Committee and the proposed citation of contempt of Miss Bryan before this Congress.

Gentlemen, America is at the crossroads in the matter; we can go down the road toward real, democratic principles for which we fought two world wars and which is the road to true democracy where men may live in freedom without fear of Gestapo, or we can take the other road, which is the read to dictatorship and fascism. I choose the first road. I hope each Member of this House will choose that road by refusing to allow the issuance of any contempt proceedings against this true American, who is standing out against great odds. I know that a citation of contempt by this Congress against Miss Bryan would be welcomed by Gerald L. K. Smith and his Hitler-Nazi friends.

Stop, look, and listen. There are danger signals ahead.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. HORAN] is recognized for 30 minutes.

COLUMBIA RIVER

Mr. HORAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and include certain tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Speaker, one of these days we will have an Interior appropriation bill before this House. The Subcommittee on Interior Appropriations under the able leadership of the gentleman from Oklahoma, the Honorable JED JOHNSON, is now holding hearings.

Theirs is a big job. There are many, many items for their consideration that require expert and technical examination.

What I have asked this time for today concerns one of these items. I trust that my remarks will constitute an effort at helpful cooperation. What I wish to talk about, specifically, is the development of the Columbia River.

The Columbia River is a national asset. We in the Pacific Northwest realize the responsibility of our stewardship over this national asset. The Columbia, while by no means the longest river in the world, is, for the purposes of development, one of the most potential.

This river, with its 73 tributaries, carries an enormous volume of water. Its river beds are rocky and well lined, and the river runs clear even in periods of high water. Erosion is not yet, at least, one of the Columbia's problems.

The Columbia enters the United States from Canada and falls some 1,400 feet as it travels to the sea. The Columbia River system is capable of development of some 25,000,000 kilowatt-hours of electricity. It is but natural that we should look to this potentiality as a means for liquidating the Federal Government's investments in the Columbia River development. It is true that these developments can and should largely pay for themselves. It is to discuss this phase that I have asked for this time today.

Last April, when the 1946 Interior Department supply bill was before the House, a great deal of confusion crept into the debate resulting in an erroneous impression that the Bonneville and Grand Coulee projects on the Columbia River were uncertain as to financial feasibility under existing rate structures. I participated in this debate. Because of my sincere desire that all doubt of the ability of these projects to pay out be removed, I proposed to introduce a bill calling for an independent investigation and audit of the books of the Bonneville Power Administration and the other agencies which were operating these associated projects. Subsequently, upon detailed investigation, I concluded that an independent audit, although desirable, would not furnish sufficient information to answer all the questions which were raised during the debate. Therefore, on July 16, 1945, I wrote to the Secretary of the Interior the following letter:

During the recent floor fight on the Interior Department appropriation bill, efforts were made to discredit the accounts of the Bonneville Power Administration and create uncertainty as to the financial feasibility of the Northwest projects on the basis of their present rate structures. I asserted on the floor of the House that I hoped to present data which would conclusively demonstrate that the administration of the Northwest projects has been definitely in the national interest and has resulted in tremendous savings to the Government. I indicated that I proposed to introduce a bill calling for an independent investigation and audit of the books of the Bonneville Power Administration. However, I have concluded that an independent audit, although desirable, would not be completely adequate to answer all of the questions that have been raised.

Within the last few days I have given careful consideration to the matter in an attempt to devise the most effective and practicable means of obtaining and presenting to the House the information which I feel must be submitted to refute the charges that have been made and to prevent the recurrence of similar attacks when future appropriations are sought.

I believe the most feasible approach is to obtain the necessary information directly from you. A brief report in the simplest terms possible would be very valuable in my discussions with the Appropriations Committee and could be presented by me to the House. I therefore request that you submit to me a report on the adequacy of the rates of the Bonneville Power Administration to return to the United States Government over a reasonable period of years the costs of producing, transmitting, and marketing the surplus electric energy from the Bonneville and Columbia Basin projects under the integrated and coordinated operation of such projects and the Bonneville transmission system, and to meet the legal requirements of the Federal reclamation laws and the Bonneville Project Act.

Inasmuch as the Coulee allocation has been completed, and according to my understanding, the Bonneville allocation will be released by the Federal Power Commission within the course of the next few days, it should be possible to commence the preparation of such a report promptly and to submit it to me by the end of the year.

I will appreciate it very much if you will advise me whether my suggestion meets with your approval, and if so, whether you will be in a position to submit the report to me by the time requested.

To which he replied under date of July 25, 1945, as follows:

I will be glad to send you the data on the adequacy of the Bonneville power rates requested in your letter of July 16 as soon as they can be compiled. I am sure that such a report can be made available to you before the end of the year. I appreciate your interest in this matter and your helpfulness in connection with the power program in the Northwest.

On February 7, 1946, Secretary Ickes advised me as follows:

In accordance with your request of July 16, 1945, I am pleased to send you two reports demonstrating the adequacy of the power rates of the Bonneville Power Administration.

The first report is the audit certificate and financial statements of the Bonneville Power Administration and power components of the Bonneville dam project and the Columbia Basin project as certified by Arthur Andersen & Co., accountants and auditors. This report covers the financial statements from the beginning of operations of the projects to June 30, 1945.

The second is the report on repayment of all reimbursable operating expenses and construction costs of the three projects. It was prepared by the Bonneville Power Administration in cooperation with the Bureau of Reclamation, Department of the Interior, the Corps of Engineers, United States Army, and the staff of the Division of Power in my office.

I feel certain that these reports will give all the needed information for a detailed examination of the $17.50 per kilowatt-year rate upon the basis of which Columbia River power is sold in the Northwest.

Accompanying the Secretary's letter to me were two substantial documents entitled "Audit Certificate and Financial Statements as of June 30, 1945," and "Report on Repayment of Operating Expenses and Construction Costs of Bonneville Power Administration, Bonneville Dam Project and Columbia Basin Project."

THE AUDIT

The audit was prepared by Arthur Andersen & Co., a nationally known, independent public accounting firm.

At the time the audit was initiated, the matter was placed before the Comptroller General for decision. He held at that time that his office was not presently organized to handle a commercial audit of this proportion and gave approval to the engagement of an outside organization to audit the books of the Bonneville Power Administration, the Columbia Basin project of the United States Bureau of Reclamation, and the Bonneville project of the Corps of Engineers, United States Army.

Arthur Andersen & Co. was the low bidder for this task. This concern has been auditing the books of the substantial part of the largest private power companies in the country. Their experience is beyond question, and they have put out perhaps the most comprehensive and accurate audit that is possible to obtain.

WHAT THE AUDIT SHOWS

The audit and accompanying certificate comprises 17 printed pages with full substantiation and explanation of every figure used. The over-all key exhibits in this audit are designated schedules 1 and 2, which are the combined balance sheet of all the components of every project now operating on the Columbia River, and a complete statement of combined revenues and expense.

These consolidated statements are then followed by similar schedules applying to the Columbia Basin project, the Bonneville Power Administration, and the Bonneville Dam project, operated by the Corps of Engineers, United States Army. These audits cover the entire period from the beginning of operations to June 30, 1944, and in addition, for the fiscal year ended June 30, 1945.

The auditors, in their certificate, state that they have reviewed all systems of internal control so that they can certify as to the financial position of the power components of all of these projects. The audit also allocates revenue in accordance with memorandum of agreements with the Corps of Engineers, United States Army, and the Bureau of Reclamation, Department of the Interior. The amounts so allocated cover operation, maintenance, interest at 2½ percent, plus an additional interest component on the Columbia Basin project to bring this interest component on the basin project to 3 percent. All interest charges are calculated and included in the statement

and cover the unamortized portion of the Federal investment. This audit was on an actual cost basis. The audit is available for examination and study.

I feel certain that when this document is closely examined that every Member of this House will find the demonstration of the fiscal position of the projects and the soundness of these undertakings. The audit also shows that the projects have become increasingly sound as operations have progressed. The balance sheets show that aggregate revenues have been sufficient to meet all financial requirements from the start of construction and at the end of the last fiscal year have accumulated net revenues of $11,572,052 above all cost of power operations, including all interest and depreciation on the Federal investment. Anyone who wants to satisfy himself as to the correctness of my statement, can find the evidence in schedules 1 and 2 of the audit.

Out of the $11,000,000, plus accumulated revenues, more than $3,000,000 has been applied in addition to the $10,000,000 depreciation provision as advanced repayments on the Government investment.

After these operations, there is still a net surplus of more than $7,500,000 over and above all cost and scheduled amortization of investment.

This net surplus, together with $5,800,000 of estimated net surplus from the current year's operations will enable the administration to continue its full obligations through the reconversion period despite the temporary loss of war loads. The audit is a report to the people of the United States and to the Congress.

In analyzing these documents, it will be found that Administrator Raver has reported to the Secretary of the Interior that the audited results of operations to June 30, 1945, demonstrate that the Bonneville Administration's power customers have paid all costs of power and have provided in addition a substantial surplus.

The audit on the basis of operations to date shows beyond any measure of doubt, the pay-out capability of these projects under the basic rate of $17.50 per kilowatt-year.

PAY-OUT TEST

This is a comprehensive printed report comprising over 125 pages and covering every detail of operation from the beginning of the operating period to the end of the repayment period. This pay-out test shows that these projects have met their financial obligations to the Treasury of the United States to date and that it will, under reasonable and conservative assumptions, fully satisfy its future obligations with a substantial margin of safety.

The pay-out test shows that this can be accomplished under the basic Bonneville rate structure of $17.50 per kilowatt-year. In order to remove any possibility of doubt, all of the pay-out exhibits for each of the component projects is broken down into a year-by-year analysis by the various parts or purposes of the projects involved.

From such a comprehensive analysis the financial status of any part of any of the component projects at any selected time can be readily seen. The pay-out test covers the obligations of the Bonneville Power Administration for the payment of all costs of the Bonneville Dam project, built and operated by the Corps of Engineers, United States Army. It also covers the obligation to the Columbia Basin project—including the Grand Coulee Dam—which was built and is being operated by the Bureau of Reclamation, Department of the Interior, and the Bonneville-Grand Coulee transmission system, built and operated by the Bonneville Power Administration.

These tests are all made under the applicable laws applying to each project for which the administration bears financial responsibility.

The basic figures used in this test report are taken from the allocation cost from the Bonneville Dam project as determined by the Federal Power Commission, in compliance with the act of August 20, 1937. The allocation of costs for the Columbia Basin project has already been presented to Congress as House Document No. 172, Seventy-ninth Congress, first session. The audit which I have previously covered also is the starting point for investment and cost used in the preparation of the schedules.

Revenues from the sale of Grand Coulee and Booneville power by the Power Administration are required under existing law in the regulations to repay, first, the estimated completed cost of the power component of the Bonneville Dam; second, all of the cost of the Bonneville-Grand Coulee transmission system, representing a current investment of $82,000,000 and an estimated completed investment that by the end of the repayment period of $168,000,000; and, third, the $382,000,000 of the $506,000,000 estimated ultimate cost of the Columbia Basin project. The Columbia Basin project amount includes $382,000,000 for irrigation costs to be repaid from power revenues and $35,000,000 for river regulation benefits to be secured from future downstream hydroelectric plants. The over-all project assumes these downstream benefits until such time as future projects can pick up these costs. Anyone who desires a quick and comprehensive estimate of the situation can secure all the necessary detailed information from table No. 1 of the pay-out test. This table shows that power revenues during the repayment period will amount on a conservative basis to $1,800,000,000. This table shows that the power revenues over the entire repayment period will provide 93 percent of the total funds required to repay all reimbursable, constructive, and operating cost, including interest, depreciation, and, in addition, will provide a surplus over all costs to the amount of $160,000,000.

The pay-out study also shows that the present $17.50 wholesale rate will cover all cost with interest within the 50-year period from the date that such construction costs are incurred. It will be noted from these tables that the allocated costs to other purposes are a very small portion of the total and are far less than the surplus of $160,000,000. Power revenues are assuming irrigation costs to the extent of $228,000,000, which is, in fact, a contribution to the Federal Treasury in lieu of taxes. The Administrator has asserted the comment on the pay-out test that full consideration has been given to the cut-backs of war loads to the extent of the actual cut-backs of 500,000 kilowatts during the latter part of 1945.

Columbia River Basin development (Bonneville Power Administration, Bonneville Dam project, and Columbia Basin project)—Summary of pay-out schedules

	Reference		Detail	Subtotal	Total
	Schedule	Column			
1. Power sales revenue of Bonneville Power Administration.[1]	A-1	2			$1,863,223,279
2. Bonneville Dam project, per schedule B-1:					
3. Operating and maintenance expenses.	B-1	5	$29,064,256		
4. Interest	B-1	6	44,584,769		
5. Replacements	B-1	9	28,261,677		
6. Initial construction costs allocated to power.	B-1	8	58,708,309		
7. Subtotal for Bonneville Dam.	B-1	4		$160,619,011	
8. Columbia Basin project, per schedules C-1 and C-2:					
9. Operation and maintenance expenses:					
10. Commercial power	C-2	5	$141,738,175		
11. Irrigation pumping power	C-2	19	10,190,476		
Total	C-1	12	151,928,651		
Replacements:					
12. Commercial power	C-2	11	68,057,588		
13. Irrigation pumping power	C-2	20	4,862,412		
14. Total	C-1	13	72,920,000		
Construction costs, multipurpose allocation to—					
15. Commercial power	C-2	9	46,844,665		
16. River regulation	C-2	23	35,519,577		
17. Irrigation	C-2	24	64,714,758		
18. Total			[2] 147,079,000		
Construction costs, power plant allocation to—					
19. Commercial power	C-2	10	71,778,150		
20. Irrigation pumping	C-2	25	5,819,850		
21. Total			77,598,000		
22. Construction costs, irrigation works.	C-2	26	280,782,180		
23. Total construction costs (lines 18+21+22).	C-1	14		[2] 505,459,180	

[1] Covers the total repayment period of approximately 50 years.
[2] Exclusive of $1,000,000 nonreimbursable allocation to navigation.

Columbia River Basin development (Bonneville Power Administration, Bonneville Dam project, and Columbia Basin project)—Summary of pay-out schedules—Continued

		Reference		Detail	Subtotal	Total
		Schedule	Column			
	Columbia Basin project—Con.					
24.	Surplus of payments over requirements included in schedules C-1 and C-2.	C-2	29	$3,187,372		
25.	Earmarking of 3-percent interest on construction costs allocated to power.	C-2	6	65,850,977		
26.	Gross requirements, Columbia Basin project (lines 11+14+23+24+25).			799,346,180		
	Deduct:					
27.	Miscellaneous income of Columbia Basin project.	C-1	9	744,990		
28.	Payments by water users for pumping power.	C-1	6	50,500,000		
29.	Payments by water users for irrigation works.	C-1	5	87,465,000		
30.	Net amount to be applied for the account of the Columbia Basin project from the commercial power revenues of Bonneville Power Administration.	C-1	2		$660,636,190	
31.	Bonneville Power Administration, per schedule A-1:					
32.	Operation and maintenance expenses and miscellaneous items.	A-1	5	366,341,153		
33.	Cost of power purchased from non-Federal sources.	A-1	6	1,604,231		
34.	Interest expense	A-1	9	108,013,200		
35.	Replacements during over-all repayment period.	A-1	14	237,046,800		
36.	Initial construction costs and additions.	A-1	18	168,332,747		
37.	Subtotal for Bonneville Power Administration.				881,338,131	
38.	Total repayments from Bonneville Power Administration power revenues for all 3 projects.					$1,702,593,332
39.	Surplus power revenues (simple surplus exclusive of interest accumulation).	A-1	12, 21			160,629,947

REVENUES

The revenue estimate included in the pay-out schedules, shows a conservative approach. The total revenue for the fiscal year 1945 was, in round numbers, $23,000,000. It was estimated that in 1946 it would drop to $20,50C,000, and in 1948 to $14,000,000, and then will advance until a level of $25,500,000 annually is reached.

I am in position from my own information to state that the load estimates are conservative. Two of the largest war power-consuming units on the power system are located in my district. The Kaiser-Frazer Automobile Co. has now placed a bid with the Reconstruction Finance Corporation to take over these projects and if the bid is accepted in the next 2 weeks, the RFC power revenues not included in the pay-out test will accrue to the extent of around $3,000,000 per year.

There is another plan which for security reasons I cannot detail, that which is shown in the pay-out test on the cutback basis. The information I have leads me to believe that this security load will continue on a revenue basis in excess of what is shown in the pay-out test.

The separation of the Federal investment in these projects by purposes can be found on page 17 of the pay-out test.

WAR CONTRIBUTION

All of the power generating units in these cited projects were continuously at an overload during the war period to provide the tools of victory, such as the basic atomic-bomb metal, plutonium, nearly 40 percent of the light metals for the air program and its substantial part of the war, shipping, and ordnance program.

It will be noticed on examination of the pay-out test that no deduction has been made in any of the cost because of war contributions.

CONCLUSION

I feel that through my efforts I have provided the instrumentalities which will demonstrate to this House the full repayment capability of all the Columbia River projects presently constructed. In presenting this information, I am doing so with the earnest hope that every known test would be applied to these exhibits in order that the complete financial stability can be assured.

I wish at this time to compliment the Subcommittee on Interior Appropriations. They are having their hearings now, and I know of no other committee in the whole House of Representatives that is working harder.

This pay-out study which I have just outlined is one of the special jobs they have to consider and understand so that they will know any Budget recommendations for the further development of the Columbia River are based on a sound fiscal policy.

I wish to inform the House that without exception this subcommittee has been most gracious and most generous in granting all the available spare time they have in an attempt to go over these studies and to understand them in every phase. It is this type of hard work, often unheralded and unsung, that makes the work of the entire Congress of true and lasting benefit to the whole Nation. Their labors reflect credit on all.

The Columbia River will be developed. It is a national asset, and the national interest demands it. It must be done on a sound and fiscal foundation. I feel that credit at this time should go to the Secretary of the Interior and those in his Department who have contributed to this big job. My colleagues from the Pacific Northwest have also shown their interest in this pay-out study, and I am hopeful that we have cleared a barrier and pointed a way for a sound development of one of the last great remaining frontiers of this Nation—last, but in many ways the greatest.

ENROLLED JOINT RESOLUTION SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 316. Joint resolution making an additional appropriation for the fiscal year 1946 for readjustment benefits, Veterans' Administration.

ADJOURNMENT

Mr. HAVENNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 37 minutes p. m.) the House adjourned until tomorrow, Wednesday, February 13, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

There will be a meeting of the Committee on Expenditures in the Executive Departments at 10 a. m. on Wednesday, February 13, 1946, in room 304–A Old House Office Building on Wednesday, February 13, 1946, on H. R. 4586, a bill to authorize certain administrative expenditures in government services and for other purposes.

There will be a meeting of the Committee on Expenditures in the Executive Departments at 10 a. m. on Thursday, February 14, 1946, to consider the disposition of surplus property, in room 304–A Old House Office Building.

SECURITIES SUBCOMMITTEE OF THE COMMITTEE ON INTERSTATE COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Thursday, February 14, 1946, also 2:00 p. m.

Business to be considered: Resume hearings in its study of operations pursuant to the Public Utility Holding Company Act of 1935.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1055. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to the Procurement Division, Treasury Department (H. Doc. No. 462); to the Committee on Appropriations and ordered to be printed.

1056. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $28,000 for the Bureau of the Budget (H. Doc. No. 463); to the Committee on Appropriations and ordered to be printed.

1057. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $1,000,000, together with drafts of proposed provisions pertaining to existing appropriations, for the Veterans' Administration (H. Doc. No. 464); to the Committee on Appropriations and ordered to be printed.

1058. A letter from the Secretary of State, transmitting a draft of a proposed bill to provide basic authority for the performance of certain functions and activities of the Department of State; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LUDLOW: Committee on Appropriations. H. R. 5452. A bill making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1947, and for other purposes; with amendments (Rept. No. 1554). Referred to the Committee of the Whole House on the State of the Union.

Mr. FLANNAGAN: Committee on Agriculture. H. R. 4362. A bill to abolish the Parker River National Wildlife Refuge in Essex County, Mass., to authorize and direct the restoration to the former owners of the land comprising such refuge, and for other purposes; without amendment (Rept. No. 1555). Referred to the Committee of the Whole House on the State of the Union.

Mr. CANNON of Missouri: Committee on Appropriations. H. R. 5458. A bill making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for other purposes; without amendment (Rept. No. 1556). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1557. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. STOCKMAN: Committee on the Public Lands. H. R. 2593. A bill relating to the administrative jurisdiction of certain public lands in the State of Oregon; without amendment (Rept. No. 1564). Referred to the Committee of the Whole House on the State of the Union.

Mr. SABATH: Committee on Rules. House Resolution 521. Resolution waiving points of order against language under the heading "Bureau of the Mint" in title I of H. R. 5452; without amendment (Rept. No. 1565). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MORRISON: Committee on Claims. S. 543. An act for the relief of Felix Frederickson; without amendment (Rept. No. 1558). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. S. 976. An act for the relief of the estate of Howard Francis Waldron; without amendment (Rept. No. 1559). Referred to the Committee of the Whole House.

Mr. MORRISON: Committee on Claims. S. 1084. An act for the relief of John C. May and Eva Jenkins May; without amendment (Rept. No. 1560). Referred to the Committee of the Whole House.

Mr. MORRISON: Committee on Claims. S. 1126. An act for the relief of Alice A. Murphy; without amendment (Rept. No. 1561). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 4047. A bill for the relief of Edward A. Hollis, Sr.; with amendments (Rept. No. 1562). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 2380. A bill for the relief of Fred E. Weber; with amendments (Rept. No. 1563). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 5453. A bill to authorize certain expenditures by the Alaska Railroad, and for other purposes; to the Committee on the Territories.

By Mr. EBERHARTER:

H. R. 5454. A bill to amend the act of February 5, 1917, as amended by the act of June 28, 1940, providing for the deportation of undesirable aliens; to the Committee on Immigration and Naturalization.

By Mr. LANHAM:

H. R. 5455. A bill to amend section 502 of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, so as to authorize the appropriation of funds necessary to provide an additional 100,000 temporary housing units for distressed families of servicemen and for veterans and their families; to the Committee on Public Buildings and Grounds.

By Mr. McGEHEE:

H. R. 5456. A bill to provide a method of paying unsettled, uninsured claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts recommended by the Secretary of the Navy; to the Committee on Claims.

By Mr. MURDOCK:

H. R. 5457. A bill to permit the continuation of certain premium payments with respect to copper, lead, and zinc; to the Committee on Banking and Currency.

By Mr. PETERSON of Florida (by request):

H. R. 5459. A bill to fix the salary of the Solicitor of the Department of the Interior; to the Committee on the Public Lands.

By Mr. SMITH of Wisconsin:

H. Con. Res. 127. Concurrent resolution expressing the sense of the Congress with respect to the relief of distress in foreign countries; to the Committee on Foreign Affairs.

By Mr. HAVENNER:

H. Res. 516. Resolution requesting information from the Secretary of the Navy concerning release of office space now rented by the Navy Department; to the Committee on Naval Affairs.

H. Res. 517. Resolution requesting information from the Secretary of War concerning release of office space now rented by the War Department; to the Committee on Military Affairs.

By Mr. LANDIS:

H. Res. 518. Resolution making H. R. 4747, a bill providing for the payment of direct Federal old-age assistance to citizens 60 years of age or over, a special order of business; to the Committee on Rules.

By Mr. SMITH of Wisconsin:

H. Res. 519. Resolution requesting the Secretary of the Navy to furnish the House of Representatives information with respect to materials in the possession of the Navy Department suitable for use in relieving the housing shortage; to the Committee on Naval Affairs.

H. Res. 520. Resolution requesting the Secretary of War to furnish the House of Representatives information with respect to materials in the possession of the War Department suitable for use in relieving the housing shortage; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DE LACY:

H. R. 5460. A bill for the relief of Mrs. D. G. Kirk; to the Committee on Claims.

By Mr. HAVENNER:

H. R. 5461. A bill for the relief of Yee On Wong also known as Wong Yee; to the Committee on Immigration and Naturalization.

By Mr. McGEHEE:

H. R. 5462. A bill for the relief of the Danvers Shoe Co., Inc., Manchester, N. H.; to the Committee on Claims.

By Mr. PETERSON of Florida:

H. R. 5463. A bill for the relief of Hiram H. Wilson; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1546. By Mr. HAVENNER: Petition of the California State Legislature relative to protein feed concentrates; to the Committee on Agriculture.

1547. Also, petition of the California State Legislature relative to a proposed conference for the prevention of juvenile delinquency; to the Committee on the Judiciary.

1548. Also, petition of the California State Legislature relative to the use of the aircraft carrier *Saratoga* as a national shrine or its assignment for some other useful purpose in the San Francisco Bay area; to the Committee on Naval Affairs.

1549. By Mr. MURDOCK: Petition of certain citizens of Arizona, demanding an investigation of the charge that this country is selling arms and machinery to unfriendly countries; to the Committee on Foreign Affairs.

1550. By Mr. WELCH: Resolution of the House of Representatives, California State Legislature, memorializing Congress and certain governmental departments to take steps to alleviate shortage of buildings and office space in San Francisco Bay area for veterans of World War II engaged in business and professions; to the Committee on World War Veterans' Legislation.

1551. Also, resolution of the California Assembly, Joint Resolution No. 5, relative to the modification of the application of price controls to retailers in the sale of lumber; to the Committee on Banking and Currency.

1552. Also, resolution of the California Assembly, Joint Resolution No. 7, relative to memorializing Congress to provide a wage readjustment for postal-service employees;

to the Committee on the Post Office and Post Roads.

1553. Also, resolution of the California Assembly, Resolution No. 4, relative to memorializing Congress to allocate housing appropriations upon the basis of need and of present population; to the Committee on Public Buildings and Grounds.

1554. Also, resolution of the California Assembly, Joint Resolution No. 12, relative to protein feed concentrates; to the Committee on Agriculture.

1555. Also, resolution of the California Assembly, Joint Resolution No. 10, relative to a proposed conference for the prevention of juvenile delinquency; to the Committee on the Judiciary.

1556. Also, resolution of the California Assembly, Joint Resolution No. 13, relative to the use of the aircraft carrier *Saratoga* as a national shrine or its assignment for some other useful purpose in the San Francisco Bay area; to the Committee on Naval Affairs.

1557. By Mr. WOLCOTT: Petition of 14 residents of Melvin and Almont, Mich., expressing their opposition to the proposed legislation for compulsory military training; to the Committee on Military Affairs.

SENATE

WEDNESDAY, FEBRUARY 13, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Dr. Oscar Fisher Blackwelder, pastor of the Lutheran Church of the Reformation, Washington, D. C., offered the following prayer:

God of our fathers and our God, we would pause at this noonday hour to place ourselves in harmony with Thy purposes for us, for our Nation, and for this hour of destiny.

Thou who art the fountain of goodness, grant us strength of character and health of mind and heart.

Thou who art the source of wisdom, give to the Congress, to the President, and to all in authority Thy guidance and the increasing understanding of Thy purposes for our country.

Thou who art the Saviour of the world, save us from choosing the lesser and lower ways of life; save us as men and as a nation by the power of Thy outpoured life.

We ask our prayer in Jesus' holy name. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Saturday, February 9, 1946, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 5158) reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes.

The message also announced that the House had passed a bill (H. R. 5060) to amend section 1 of the act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia," approved May 27, 1924, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 5158) for reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes, and it was signed by the President pro tempore.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED DURING THE RECESS

Under authority of the order of the Senate of the 9th instant,

The PRESIDENT pro tempore announced that on February 12, 1946, he signed the following enrolled bills and joint resolutions, which had been previously signed by the Speaker of the House of Representatives:

S. 314. An act for the relief of Sigurdur Jonsson and Thorolina Thordardottir;

S. 1101. An act for the relief of the estate of Manuel Rose Lima;

S. 1405. An act to authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes;

S. J. Res. 105. Joint resolution to provide for proceeding with certain rivers and harbors projects heretofore authorized to be prosecuted after the termination of the war; and

H. J. Res. 316. Joint resolution making an additional appropriation for the fiscal year 1946 for readjustment benefits, Veterans' Administration.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on February 12, 1946, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 314. An act for the relief of Sigurdur Jonsson and Thorolina Thordardottir;

S. 1101. An act for the relief of the estate of Manuel Rose Lima;

S. 1405. An act to authorize the President to retire certain officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and for other purposes; and

S. J. Res. 105. Joint resolution to provide for proceeding with certain rivers and harbors projects heretofore authorized to be prosecuted after the termination of the war.

INDEPENDENT OFFICES APPROPRIATIONS, 1947

The PRESIDENT pro tempore. The Chair will state that the unfinished business of the Senate is the independent offices appropriation bill. By reason of the failure of the committee to look into one paragraph of the bill, it will be necessary for more proof to be taken, and the Chair asks unanimous consent of the Senate that the bill may go over until Friday at noon.

Mr. HILL. Mr. President, in view of the statement of the distinguished Presiding Officer, who is also acting chairman of the Appropriations Committee, it is my intention to move a recess, unless Senators desire to present matters for the RECORD or transact routine business and not to proceed with the consideration of the appropriation bill.

The PRESIDENT pro tempore. Is there objection to the request that the unfinished business go over until Friday at noon? The Chair hears none, and it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AUTHORITY FOR PERFORMANCE OF CERTAIN FUNCTIONS AND ACTIVITIES OF THE STATE DEPARTMENT

A letter from the Secretary of State, transmitting a draft of proposed legislation to provide basic authority for the performance of certain functions and activities of the Department of State (with accompanying papers); to the Committee on Foreign Relations.

REPORT OF ARCHIVIST OF THE UNITED STATES

A letter from the Archivist of the United States, transmitting, pursuant to law, the eleventh annual report of the Archivist of the United States for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on the Library.

STATEMENT OF COSTS, CANCELLATIONS, AND MISCELLANEOUS DATA OF INDIAN IRRIGATION PROJECTS

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, the annual statement of costs, cancellations, and miscellaneous irrigation data of Indian irrigation projects for the fiscal year 1945 (with an accompanying statement); to the Committee on Indian Affairs.

PETITIONS AND MEMORIAL

Petitions and a memorial were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by San Francisco Lodge, No. 63, International Association of Machinists, San Francisco, Calif., protesting against the enactment of the so-called Case antistrike bill; to the Committee on Education and Labor.

A letter in the nature of a petition from Lillian Marcineak, of Detroit, Mich., praying for the immediate discharge of married men from the armed forces; to the Committee on Military Affairs.

A letter in the nature of a petition from Ford Local No. 600, UAW-CIO, Political Action Committee, of Dearborn, Mich., praying for the enactment of Senate bill 101, the Fair Employment Practice Act; ordered to lie on the table.

GEN. OMAR BRADLEY—RESOLUTION OF VETERANS OF FOREIGN WARS, EMPORIA, KANS.

Mr. REED. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by members of the Lowry-Funston Post, No. 1980, Veterans of Foreign Wars, Emporia, Kans. The resolution commends Gen. Omar Bradley in his efforts in changing the operation of the Veterans' Administration, and condemns the recent attacks upon General Bradley.

There being no objection, the resolution was received, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Whereas a seemingly unwarranted attack has been launched against Gen. Omar Bradley, able head of the Veterans' Administration, by a private individual with all the ardor and fervency of a Caesar Petrillo; and

Whereas this post of the Veterans of Foreign Wars, after much experience and close contact with the work of General Bradley, a daily office routine in fact: Be it

Resolved by Lowry-Funston Post, No. 1980, That we do hereby commend Gen. Omar Bradley for his successful and commendable changes in the Veterans' Administration, which he introduced and secured by congressional action; be it

Resolved, That it is the considered judgment of the overseas veterans of the Spanish-American War, World War I, and World War II, here assembled, that General Bradley is using the same sound and conservative judgment in the care of returning veterans, in the securing of their inalienable rights in peace as in war, in seeing that their general welfare, their rehabilitation rights are firmly established, and that the boys are again positioned to enjoy life, liberty, and the pursuit of happiness equal to the place they occupied in the community before donning the uniform. These boys made the sacrifice of jobs, property, schooling, and society to enter service, and they bore the brunt of battle and its attendant ills and have a just claim to a fair start in returning to civilian life; and since General Bradley personalizes these rights; be it

Resolved, That we condemn all charges hurled against him from the side lines and rear echelons by private individuals, whatever the capacity of their vocal chords; and be it further

Resolved, That copies of this resolution be mailed to President Truman and all members of the Kansas congressional delegation.

LETTER AND RESOLUTIONS OF ARIZONA STATE FEDERATION OF LABOR

Mr. McFARLAND. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a letter I received from the Arizona State Federation of Labor, signed by Wade Church, together with copies of resolutions adopted at the thirty-fourth annual convention of that organization held in Phoenix, Ariz., on October 18, 19, and 20, 1945.

The PRESIDENT pro tempore. Without objection, the letter and resolutions will be received, printed in the RECORD, and appropriately referred.

To the Committee on Banking and Currency:

ARIZONA STATE FEDERATION OF LABOR,
Phoenix, Ariz., December 12, 1945.

Hon. E. W. MCFARLAND,
United States Senate, Washington, D. C.

DEAR SENATOR MCFARLAND: We are enclosing herewith copies of Resolutions 9, 10, 14, 16, 17, 18, 38, and 42, adopted at the thirty-fourth annual convention of the Arizona State Federation of Labor, held in Phoenix, Ariz., on October 18, 19, and 20, 1945.

Yours very truly,
WADE CHURCH,
Secretary-Treasurer.

"Resolution 38

"Whereas under public law passed by the Federal Legislature returning veterans entitled to start or continue their education in a high school, college, or university of their choice; and

"Whereas many of them as returning veterans are entitled to start or continue their education in a high school, college, or university of their choice; and

"Whereas many of the veterans are married and have families; and

"Whereas many of the schools are located in places that do not have sufficient housing for said veterans and their families: Be it

"Resolved, That the Arizona State Federation of Labor here assembled recommend to the Federal, State, and municipal government that all in their power be done to have low-cost housing built and made available for the veteran desiring to continue his education.

"HELEN R. HALLADAY.
"THEODORE BERLIN.
"FRED A. BONE.
"M. W. STEVENSON.
"A. H. MOORE."

To the Committee on Education and Labor:

"Resolution 17

"Whereas the continued prosperity of the American people is dependent upon the maintenance of the purchasing power of the workers; and

"Whereas one of the prime functions of the American Federation of Labor is the struggle to raise the wage levels of the American worker: Now, therefore, be it

"Resolved, That the Arizona State Federation of Labor, in convention assembled, give its wholehearted support to the 65-cent minimum-wage bill, S. 1282, now in the United States Congress; and be it further

"Resolved, That copies of this resolution be sent to the Arizona congressional delegation and President Truman.

"COMMITTEE."

"Resolution 18

"Whereas Senator CLAUDE PEPPER, of Florida, and others, have introduced a bill into Congress raising the floor of the minimum-wage law from 40 cents to 65 cents; and

"Whereas such a bill, if enacted into law, will benefit all classes of working people through the country, both union and nonunion: Therefore be it

"Resolved, That this thirty-fourth annual convention of the Arizona State Federation of Labor hereby instructs its officers to apprise the Arizona Senators and Representatives in Washington of the federation's sanction of such a law, requesting their support for its passage.

"GEO. L. ALLISON.
"M. A. DEFRANCE.
"FRANK LUTHER.
"CHET WHELAN.
"MARSHALL E. JACKEL."

To the Committee on Military Affairs:

"Resolution 42

"Whereas with the cessation of hostilities in all the far-flung theaters a great supply of surplus war equipment and goods has accumulated at home and abroad; and

"Whereas these surplus properties will not now be needed for the purpose for which they were originally produced; and

"Whereas the Government of the United States and its various departments have no further use for these commodities and products; and

"Whereas these goods have been paid for by the people of the United States through the purchase of war bonds; and

"Whereas it has come to the attention of the Arizona State Federation of Labor in convention assembled that some surplus goods have been deliberately destroyed at Army camps upon orders of higher authority; and

"Whereas the citizens of this country are desirous of obtaining certain classes of these surplus commodities for their own use; and

"Whereas the citizens are prepared to pay with cash or war bonds for what they require: It is therefore hereby

"Resolved, That these goods be made available through State agencies as well as through dealers and/or commission brokers, such dealers to be confined to a reasonable profit, not over 15-percent net; and it is further

"Resolved, That copies of this resolution be forwarded to our Washington delegation, to the Federal Surplus Board, to the Governor of Arizona, and to the press.

"COMMITTEE."

"Resolution 14

"Whereas since the cessation of hostilities with Japan, war-contract terminations have caused either partial or total shutdown of the war industries of Arizona, thereby throwing thousands of workers out of jobs; and

"Whereas it will be necessary for the war plants of Arizona to operate at a peacetime productive level closely approximating their wartime level in order to provide jobs and a decent standard of living for the thousands of war veterans that will be coming to Arizona as well as the present unemployed war workers; and

"Whereas it will be impossible for Arizona to maintain its wartime growth and prosperity without the conversion and continued operation of its war-acquired industries; and

"Whereas a large pool of unemployed workers constitutes a threat to the wage standards and existence of organized labor; and

"Whereas the Surplus Property Board has disapproved of the sale of war plants to monopolistic corporations in order to stimulate industrial employment and lower market prices by competition: Now, therefore, be it

Resolved, That the Arizona State Federation of Labor, in convention assembled, do all in its power to see that the war plants of Arizona are converted to peacetime production by nonmonopolistic private interests; and be it further

"Resolved, In the event that private industry fails to fully utilize and operate the aforesaid war plants for peacetime production, the Arizona State Federation of Labor shall demand that the plants be operated by either the city, State, or Federal Governments; and be it further

"Resolved, That copies of this resolution be sent to the Arizona congressional delagation, President Truman, Governor Osborn, the press, and the Surplus Property Board.

"(Reconversion Committee recommends that a standing committee be appointed to act for furtherance of these principles; said committee to continue as long as is necessary.)

"COMMITTEE."

Ordered to lie on the table:

"Resolution 16

"Whereas the continued prosperity of the people of Arizona and the Nation is dependent upon the maintenance of the purchasing power of the workers; and

"Whereas the purchasing power of the workers is dependent upon full employment and full employment is not possible without full capacity production to provide 60,000,000 jobs; and

"Whereas the antilabor elements in Congress have watered down the original bill by amendments, thereby nullifying the main purpose of the bill, which was to assure jobs to all workers able and willing to work: Now, therefore, be it

"Resolved, That the Arizona State Federation of Labor, in convention assembled, demands that the full employment bill be restored to its original form; and be it further

"Resolved, That the Arizona congressional delegation is strongly urged to work for the restoration of the bill and its passage.

"COMMITTEE."

"Resolution 9

"Whereas the right to vote is a great democratic principle which the American people hold dear; and

"Whereas millions of Americans, both black and white, are deprived of this right by the undemocratic device of the poll tax; and

"Whereas in Congress the largest bloc of die-hard enemies of labor come from the poll-tax States, which are instrumental in blocking legislation of vital importance to the American people as a whole; and

"Whereas their continued return to Congress, election after election, is mainly due to disfranchisement of a large portion of the qualified voters in their districts: Now, therefore, be it

"Resolved, That the Arizona State Federation of Labor, in convention assembled, strongly urges Arizona's congressional delegation to vigorously support passage of H. R. 7, known as the anti-poll-tax bill, by voting for cloture to prevent endless filibustering and voting for passage of this bill; and be it further

"Resolved, That Senator BARKLEY be sent a telegram urging him to give priority to H. R. 7 over the constitutional amendment; and be it further

"Resolved, That copies of this resolution be sent to the National Anti-Poll-Tax Committee, Washington, D. C., and William Green, president of the A. F. of L.

"(Phoenix, Ariz., this 18th day of October 1945.)"

"Resolution 10

"Whereas there is in America today a widespread form of racial discrimination; and

"Whereas this racial discrimination is not only unjust and undemocratic, but constitutes a great danger to organized labor's interest; and

"Whereas unless organized labor itself, takes the initiative to help eliminate this condition, it will be confronted with dire results, such as a large mass of discriminated unemployed Negroes, Mexicans, etc., threatening all other workers and their high wage standards: Therefore be it

"Resolved, That the State Federation of Labor, now in convention assembled in this State, do everything within its power to make possible the establishment of a permanent FEPC, both nationally as well as in the State of Arizona; be it further

"Resolved, That copies of this resolution be sent to President William Green of the A. F. of L., President Truman, all our Representatives in Washington, Governor Osborn, and the Eighteenth Arizona Legislature with recommendations that likewise they do everything possible to establish this FEPC.

"Done at Phoenix, Ariz., this 18th day of October 1945.

"D. A. BALDWIN.
"JOHN J. DURKIN.
"HARRY O. PAYTON.
"CHARLES A. SNOVER.
"J. L. BALDWIN."

REESTABLISHMENT OF COMMUNICATIONS AND BANKING SERVICES WITH GERMANY, AUSTRIA, AND HUNGARY

Mr. LANGER. Mr. President, I have a petition signed by some 30 citizens of Ashley, N. Dak., which reads as follows:

We, the undersigned citizens, respectfully petition the Government of the United States to reestablish postal, wireless, and banking services with Germany, Austria, and Hungary and to allow relief shipments of clothing, food, and other necessities to save the lives of millions of people in Germany, Austria, and Hungary.

I might say that more than a month ago the distinguished senior Senator from Michigan [Mr. VANDENBERG] presented a petition signed by more than a thousand citizens of the State of Michigan. Time and again, Mr. President, since then I have filed petitions from various sections of the United States; but up to the present time nothing has been done by the Department of State, I am informed, to open up even the postal service so that citizens of this country who have relatives in Austria, in Hungary, and in Germany and Poland can write to them.

RESOLUTIONS OF SPOKANE PUBLIC FORUM

Mr. LANGER. Mr. President, I present and ask to have printed in the RECORD sundry resolutions adopted by the Spokane Public Forum on a number of different subjects.

The PRESIDENT pro tempore. Without objection, the resolutions will be printed in the RECORD.

Whereas our violation of neutrality in the internal affairs of China by United States armed forces is contrary to the principles we fought for: Be it therefore

Resolved, The Spokane Public Forum protest said violation; that we call for immediate withdrawal of American forces in China; that we condemn the use of American arms by any nation attempting to suppress the efforts of colonial people to win independence.

JACK C. KNIGHT,
JOE L. NAPIER,
HORACE H. SPALDING,
Resolutions Committee.

Whereas thousands of our citizens in public life and the Army are disfranchised by the Hatch Act; and

Whereas the Hatch Act boldly stands out the most asinine and diabolical piece of legislation enacted by the legislature: Be it therefore

Resolved, The Spokane Public Forum go on record demanding the immediate repeal of said vicious and un-American act.

JOSEPH E. NESBITT:
LILIAS H. DEFOE.

Whereas 100,000,000 laying hens will be taken out of production at the turn of the year and other food surpluses will be dealt with accordingly for the purpose of price control; and

Whereas a report comes from Sidney, Australia, dated November 28, that United States equipment, including millions of pounds of gears, Hellcat fighters, jeeps, radio sets, dental outfits, windproof jackets, clothing, and tons of food are being dumped into the sea; and

Whereas millions of people are starving in Europe and Asia, we the members of the Spokane Public Forum protest such a program and suggest that surpluses in the United States and abroad be conserved and that all necessary supplies be speedily dispatched to where this need exists.

JOE D. NAPIER,
HORACE H. SPALDING,
JACK C. KNIGHT,
Resolutions Committee.

Whereas the British Government is now asking for a loan to maintain its system of exploitation; and

Whereas the British Government is now waging the most dastardly war, since their opium war in China, in modern history, against the people of Java, using late enemy Japanese troops and American equipment, for the purpose of returning the voluntary exiled Dutch exploiters to their lost power in direct violation of their solemn signature on the Atlantic Charter: Be it

Resolved by the Spokane Forum, That we direct our Representatives in Congress that they vote against such loan to Great Britain until they withdraw all troops or assistance from all places where force is being used to destroy self-government of peoples.

JOSEPH E. NESBITT,
President.
LILIAS H. DEFOE,
Secretary.

Whereas in response to Churchill's clever diplomatic plea for assistance to protect democracy from the Fascists, we financed them through lend-lease along with the help of our armed forces; and

Whereas the armed forces of Great Britain are now invading Java in behalf of the Fascist monarchy of the Netherlands: Be it therefore

Resolved, The Spokane Public Forum go on record protesting the military invasion of Great Britain, tending to continue the enslavement of Java by the Dutch; and

Whereas it is apparent that our lend-lease program is assisting Great Britain in hindering these colonial people from establishing the democratic principles for which we fought.

J. C. KNIGHT,
JOE H. NAPIER,
H. H. SPALDING,
Resolutions Committee.

Resolution on price control

Whereas we, the members of Women's Progressive Democrat Club, realize that the prospects of inflation are probably greater today than at any time since the war started; and

Whereas we are aware of the fact that following the armistice in World War I, competition for scarce goods resulted in prices rising faster than wages and in salaries and fixed incomes remaining practically stationary; and

Whereas we view with alarm an increasing pressure toward removal of price controls, and wish to do all in our power to avoid running the risk of the same disasters this postwar period: Therefore be it

Resolved, That we, the members of Women's Progressive Democrat Club—

1. Pledge ourselves to fight these inflationary forces which will increase our cost of living and threaten our financial stability.

2. Request our duly elected Representatives in Congress to help us in this fight by strengthening present price-control laws.

3. That copies of these resolutions be sent to the President of the United States, to Senator Warren Magnuson, Senator Hugh Mitchell, and Congressman Walt Horan, and to Price Administrator Chester Bowles.

Concurred in by Public Forum.

JOSEPH E. NESBITT,
President.
LILIAS H. DEFOE,
Secretary.

RESOLUTION OF EDDY COUNTY (N. DAK.) FARMERS' UNION ADVOCATING MISSOURI VALLEY AUTHORITY

Mr. LANGER. Mr. President, I ask unanimous consent to place in the RECORD a letter I received from New Rockford, N. Dak., embodying resolutions adopted by the Eddy County (N. Dak.) Farmers' Union, signed by the president and secretary, advocating the creation of a Missouri Valley Authority.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

NEW ROCKFORD, N. DAK.,
December 18, 1945.

Hon. WILLIAM LANGER,
United States Senate, Washington, D. C.

DEAR MR. LANGER: Whereas certain officials and small organized groups in State and National capacity are selfishly endeavoring to

retard economic progress by using false and ignorant propaganda methods in order to confuse and befuddle the minds of many American citizens to the true facts so that private corporations and some individuals may continue building wealth and power for themselves; and

Whereas most of this United States and its resources are practically undeveloped as far as serving mankind is concerned; and

Whereas technological and scientific research developments are sufficiently at our disposal to make in a few short years in this country an utopia compared to what 150 years of restricted progress has attained: Therefore be it

Resolved, That we members of the Eddy County Farmers' Union hereby, assembled in annual meeting at the Memorial Building in the city of New Rockford, N. Dak., this 18th day of December 1945, unanimously voted to support and fight for an all-out Missouri Valley Authority similar to the Tennessee Valley Authority, and keeping in mind for our future guidance the individuals and groups that are opposed to a progressive economic program that will render the greatest service to all mankind.

EDDY COUNTY FARMERS' UNION,
LELAND SHROYER, *President;*
LAWRENCE SANDERSON, *Secretary.*

RECOMMENDATIONS OF DEVILS LAKE (N. DAK.) CHAMBER OF COMMERCE ON LABOR LEGISLATION

Mr. LANGER. Mr. President, I ask unanimous consent to place in the RECORD a resolution adopted by the Devils Lake Chamber of Commerce signed by Lyle Harrington, president, of Devils Lake, N. Dak.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas after 4 years of the most horrible conflict in history we have emerged victorious only to be threatened by the paralysis of business and industry throughout the Nation, caused by the uncontrolled ambitions and demands of certain unions; and

Whereas almost from its inception business has been subject to Government regulation and held accountable for its acts on every score; and

Whereas unless Congress places appropriate controls on unions, the very foundation of the structure of American business will be destroyed by the proposal of the unions to seize the books of business through the innocent sounding Government fact-finding panels, virtually permitting them to dictate the specifications for production, sales, and administration of business, and thus rupture the American pattern of free enterprise that has developed the highest standard of living and wages on earth today: Now, therefore, be it

Resolved, That the board of directors of the Devils Lake Chamber of Commerce in meeting on January 15, 1946, does urgently recommend to the delegation from North Dakota in the Congress of the United States that the members of such delegation exert all possible effort to the enactment of legislation to:

1. Adjust basic labor laws to recognize industry as well as labor.
2. Prohibit union contracts in restraint of trade.
3. Establish effective penalties and preventive measures to avoid breaking of contracts by labor.
4. Require the same degree of legal responsibility of labor unions as from industry.
5. Make closed-shop contracts illegal.
6. Make legislative corrections of Supreme Court ruling permitting interference with traffic on highways.
7. Prohibit union contributions to political campaigns on the same basis as corporations.

DEVILS LAKE CHAMBER OF COMMERCE,
LYLE HARRINGTON, *President.*
DONALD J. DONOHUE, *Secretary.*

EXPEDITION AND DELIVERY OF BUILDING MATERIALS

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Civic Club of West Fargo, N. Dak., requesting the enactment of legislation to expedite the delivery of building materials to the communities where they are needed.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

CIVIC CLUB,
West Fargo, N. Dak., January 22, 1946.

Hon. WILLIAM LANGER,
Senator from North Dakota, Senate Office Building, Washington, D. C.

DEAR SIR: At the annual meeting of our civic club on January 9 instant the following resolution was adopted which we submit to you for your support in Congress:

"Whereas there is a critical housing shortage in the community comprising Southwest Fargo, West Fargo, and Barnes Township as well as in the State of North Dakota as a whole; and

"Whereas the manpower, tools and required machinery are locally available; and

"Whereas servicemen are returning daily from service in the armed forces without being able to obtain housing facilities for themselves and their families; and

"Whereas the only obstacle in the way of providing adequate housing is the shortage of building materials; and

"Whereas building materials as now being channeled, are now going to large contract buyers and chain stores and prefabrication centers leaving the smaller building suppliers' stocks depleted; and

Whereas there is now no unity between the OPA and the lumber manufacturing industry which is causing a shortage of lumber used in home construction: Be it hereby

"*Resolved*, That the Commercial Club of Southwest Fargo and West Fargo urge our Representatives in Congress of the United States to inaugurate and support the necessary legislation to expedite the delivery of building materials to the communities where they are so badly needed."

We plead with you, sir, to give this your whole-hearted support.

Yours very truly,
SOUTHWEST AND WEST FARGO CIVIC CLUB,
By M. E. PEDERSON, *Secretary.*

LOANS TO SERVICEMEN AND OCCUPATION OF PUBLIC LANDS BY THEM

Mr. LANGER. Mr. President, in view of the fact that we are planning on loaning England $4,400,000,000, a subject which will be debated here in a short time, I ask permission to place in the RECORD two letters showing the rotten deal servicemen are getting here in the United States. First, I ask to place in the RECORD a letter received by me from Hazen, N. Dak., signed by Robert F. Fetch, together with a reply by Francis X. Pavesich, Director, Loan Guarantee Service, in reply to a letter written to him by me.

I also ask unanimous consent to have printed in the RECORD a letter received by the mother of a serviceman of Van Hook, N. Dak., together with replies signed by William Zimmerman, Assistant Commissioner of Indian Affairs. This letter shows that in the matter of obtaining public lands veterans have no preference of any kind or character.

The PRESIDENT pro tempore. Without objection, the letters will be printed in the RECORD.

The letters are as follows:

HAZEN, N. DAK., *January 9, 1946.*

DEAR MR. LANGER: In regard to your very respectful and welcome letter, Mr. LANGER, I am so happy that I did hear from you. I respect you for such information.

Yes, I, too, am glad that I have returned from the service, and especially holding two citations from the service—the Silver Star and the Navy Cross medal. I have a perfect service record and was honorably discharged on June 12, 1945. My folks have been residents of North Dakota since their childhood, and have always farmed, and that makes me want to keep on farming, also. I plan to make it my career, too. So I got an FSA loan for $2,500 to buy machinery, seed, and cattle, and I have my father's farm leased for 1 year. I tried so hard to get a loan large enough to buy this farm, but that's all I got. Seems like being a serviceman I should get a larger loan. I want very much to buy this farm of my father's, as he wants to sell quite bad. There is 400 acres of good land and buildings. There is 310 acres under cultivation, and the rest pasture, two coal mines, and plenty of running water, a good well, close to school, on and near mail route. I have sufficient machinery to take care of the land. I was 25 years old on September 10, 1945. And was married November 22, 1945. My wife and I would like so much to buy this farm.

My father's name is Nick Fetch, son-in-law of Bill Tjaden, of whom I am quite sure you knew Bill. We all were very grateful for all the good things you did for North Dakota while you were Governor of North Dakota.

This leaves myself of the best and the same stands for the rest of the folks around. Am hoping this finds you of the best, and that I hear again from you soon. My service records should be in the White House if you'd like to look at them. I wish you would, Mr. LANGER.

Like to hear from you soon.
Thanking you very kindly.
Yours sincerely,

ROBERT F. FETCH.

JANUARY 31, 1946.

Hon. WILLIAM LANGER,
United States Senate,
Washington, D. C.

MY DEAR SENATOR LANGER: Reference is made to your letter of January 28, 1946, and to the letter of Robert F. Fetch, of Hazen, N. Dak., which was attached.

It appears that Mr. Fetch has obtained a loan of $2,500 from the Farm Security Administration to buy farm machinery, seed, and cattle, and has leased his father's farm for a year. He now wishes to buy the farm and to know if it will be necessary for him to repay the other loan before he can obtain a guaranty of a loan under the Servicemen's Readjustment Act of 1944, as amended.

As you know, the act does not give the Veterans' Administration the right to make loans, but authorizes it to guarantee loans upon application of an eligible and qualified veteran and his lender. It is not required that at the time of guaranty the veteran have no other indebtedness.

It is suggested that Mr. Fetch see some lender who makes farm real-estate loans and discuss his situation with him. The county agricultural agent in his home county can

probably furnish him the names of lenders interested in making loans for the purchase of farms. Lenders generally have the forms and know the procedure for obtaining guaranty. Any lender in North Dakota who does not may obtain the forms and information from the Veterans' Administration in Fargo, where the guaranties of loans for North Dakota are issued.

A qualified veteran may have $4,000 or 50 percent, whichever is lesser, of loans for the purchase of farm realty guaranteed.

Very truly yours,

FRANCIS X. PAVESICH,
Director, Loan Guarantee Service.

VAN HOOK, N. DAK., *November 19, 1945.*

SENATOR LANGER.

DEAR SIR: Will you please tell me why the returning servicemen of this community that come back and want to farm and have none of their own and are unable to find any to rent, are absolutely unable to get one acre of Indian reservation land? Well, I can tell you. There are men here that farm thousands of acres down there that have never done one thing for their country (except invest some of their gains in war bonds, which is an investment) and will not let go of a quarter to any of these boys. Some I know have a section of land in their name, another in their wife's, another in their daughter's or son's in another State, another in some in-law relation or other. This in-law business of renting and running it all yourself is worked to death in lots of cases.

These fellows have stayed home, farmed big, gathered immense profits these years of good crops and good prices, and intend to go on doing the same. While our boys have gone to war, risked their lives, suffered miseries beyond description, been parted from home and loved ones, received $50 per month for all this, and now they come back longing to get a piece of land and farm. None can be had for love or money. They are held firmly by the monied hands that stayed home through it all. I know you can't legislate against anyone buying or renting and I'm not foolish enough to expect it, but the Government has the say of this Indian reservation land. Why can't the people who had it during war years and made good on it, be compelled to relinquish it for servicemen. No serviceman to have more than one section and rigorous laws about wife, sister, in-laws, etc., names being used to hide behind for more. Give these boys a chance. You may think these big guns have a vote, and so they do, but it is chaff compared to the power of the American Legion.

If you want to do these boys that want to farm a favor, they'll never forget, get busy on this.

I am not talking for my own son who is home from service, because we can rent him our farm if he wants it, but I'm talking for justice to these other lads who make my heart ache to hear their longings to farm now they are back, and not a farm to be had save this Indian land and can't get any of that. Did you know that these big farms not only pay the Indian who leases them the land a part of the crop, but a bonus on the side? What chance for an ex-soldier?

I am signing my name to this but I want it kept strictly confidential, and nothing printed of this. You are the one to act, not I. I have to live here.

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Chicago, Ill., January 15, 1946.

Hon. WILLIAM LANGER,
United States Senate.

MY DEAR SENATOR LANGER: This is in reference to your letter of December 21, 1945, enclosing a letter from one of your constituents of Van Hook, N. Dak., concerning the desire of returned servicemen to lease farming land. We are writing our local representative at the Fort Berthold Indian Agency as to the availability of lands for rental there, and will write you upon the receipt of his report. Your enclosure is returned herewith.

Sincerely yours,

WILLIAM ZIMMERMAN, JR.,
Assistant Commissioner.

UNITED STATES,
DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Chicago, Ill., February 1, 1946.

Hon. WILLIAM LANGER,
United States Senate.

MY DEAR SENATOR LANGER: This is in reference, further, to your letter of December 21, 1945, enclosing a letter from one of your constituents of Van Hook, N. Dak., concerning the desire of returned servicemen to lease farming land on the Fort Berthold Indian Reservation. We are informed by our superintendent in charge of that reservation that all lands there are being leased in accordance with rules and regulations made by the Secretary of the Interior, under which there is no discrimination between servicemen and others. The leasing regulations provide that, as a rule, no person, firm, or corporation shall be permitted to lease more than 640 acres of farming land.

I sympathize with your correspondent in his desire to find a suitable location for men returning from the armed services. I am sure that the superintendent and members of his staff, in negotiating new leases, will have in mind the urgent needs of veterans and will make every effort to find land for them. Your correspondent overlooks the circumstances which surely you yourself have in mind, that the existing leases are all contracts which cannot be terminated except for cause or by mutual consent. It just is not possible to do what your correspondent asks, that the present lessees "be compelled to relinquish it for servicemen."

If there is any further information about this matter which you desire for your constituent, please let us know, and further inquiry will be made.

Sincerely yours,

WILLIAM ZIMMERMAN, JR.,
Assistant Commissioner.

PROTEST AGAINST PROPOSED LOAN TO GREAT BRITAIN

Mr. LANGER. Mr. President, I ask to have printed in the RECORD a resolution dealing with proposed financial loan to Great Britain, which was denounced at an election meeting of the Pennsylvania State Directorate, American Association for Recognition of the Irish Republic.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PHILADELPHIA, January 11.—The proposed financial loan to Britain was denounced at an election meeting of the Pennsylvania State Directorate, American Association for Recognition of the Irish Republic, held here tonight.

"If there is any convincing reason why Britain should be granted such a tremendous sum of American taxpayer's money, and on such fantastic terms, we have not yet heard it," said John J. Reilly, national president.

Further denouncing the proposed loan, Reilly continued: "The ambiguous phrasing of the loan document constitutes an invitation to dishonesty. If we can afford such an expenditure, we should certainly consider our war veterans to be entitled to at least the same terms as the British. To this end, we should revise the GI bill of rights so as to permit those young men to borrow at 1.6 percent instead of 4 percent, and without security, as is the case in the British loan terms.

"We should be prepared," Reilly continued, "to trust our own youth to at least the same extent that we trust the British—a nation that has violated eight solemn agreements made with us since the Civil War.

"It will be interesting," he continued, "to note the reaction of our ex-soldiers when they are to finance the Empire they so recently saved from political extinction."

Resolutions were adopted, condemning the loan, and also Britain's continued adherence to her foreign policy of imperialism.

CEILING PRICES ON BUTTER AND OTHER DAIRY PRODUCTS—RESOLUTION OF MINNEAPOLIS (MINN.) CIVIC AND COMMERCE ASSOCIATION

Mr. LANGER. Mr. President, I ask to have printed in the RECORD a resolution adopted by the board of directors of the Minneapolis (Minn.) Civic and Commerce Association.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

The Minneapolis Civic and Commerce Association recognizes the importance of agriculture in its trade area, of which dairying provides the major source of agricultural income. It is also fully apprised of the part the great creamery system of the Northwest has played in the development of the dairy industry, and the fact that these creameries in the future as in the past will constitute the bulwark of defense in dealing with the problems of farm surpluses when normal conditions again prevail. They also constitute the foundation of success of a great business enterprise here in the Northwest.

Facts disclose that considerably less than half of the creameries in this trade area are now churning butter that were manufacturing butter before the war, and many of these may be compelled to close their doors and may not reopen. This situation is the result of policies adopted by the OPA in placing low-ceiling prices on butter and cheese while no ceiling prices has ever prevailed on cream. Maldistribution of the fat produced in this area has been accentuated by price control which has not been applicable to all phases of the industry and allocation for utilization of milk fat and solids that has caused extreme disadvantage to the production and manufacture of butter and cheese.

This situation is of extreme importance to both agriculture and business, and it is with this in mind that we, as the Board of Directors of the Minneapolis Civic and Commerce Association, urge that immediate action be taken to restore the industry to its proper place in our agricultural economy and a proper balance with respect to price relationships within the industry itself. To accomplish this purpose there should be:

1. Immediate restoration of war-food orders dealing with allocations which come under the headings of orders Nos. 79, 13, 8, and 93.

2. A new ceiling on butter and cheese that will restore these items to proper relationship with cream and other dairy products, governed by normal supply and demand.

3. A ceiling price placed on cream.

By the restoration of the proper price relationship between cream and butter and other dairy products, each section of the country will again be able to obtain its fair share of these essential foods.

Be it therefore

Resolved, That copies of this statement be sent to the following: The President of the

United States, the Northwest delegation in Congress, the Secretary of Agriculture, the Office of Price Administration, and the Chief of the Dairy and Poultry Branch of the Department of Agriculture in Washington, D. C.

JANUARY 8, 1946.

Mr. LANGER. Mr. President, a parliamentary inquiry. Am I limited to 5 minutes at this time?

The PRESIDENT pro tempore. The Senator can proceed longer by unanimous consent.

Mr. LANGER. I ask unanimous consent that I may be given a few minutes more than 5 minutes.

The PRESIDENT pro tempore. The Chair thinks it would be well for the Senator from North Dakota to permit other routine business to be transacted.

Mr. LANGER. Very well.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HILL, from the Committee on Military Affairs:

S. 1185. A bill to change the designation of Custer Battlefield National Cemetery, in the State of Montana, to "Custer Battlefield National Monument", and for other purposes; without amendment (Rept. No. 928).

By Mr. GURNEY, from the Committee on Military Affairs:

S. 1657. A bill to amend Public Law 779 of the Seventy-seventh Congress, entitled "An act to provide for furnishing transportation for certain Government and other personnel necessary for the effective prosecution of the war, and for other purposes," approved December 1, 1942, and for other purposes; without amendment (Rept. No. 929).

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

S. 1776. A bill to authorize the exchange of certain land at the Benicia Arsenal, Calif.; without amendment (Rept. No. 930).

By Mr. AUSTIN, from the Committee on Military Affairs:

H. R. 2240. A bill to credit certain service performed by members of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service prior to reaching 18 years of age for the purpose of computing longevity pay, or for other pay purposes; without amendment (Rept. No. 931).

By Mr. BANKHEAD, from the Committee on Irrigation and Reclamation:

H. J. Res.136. Joint resolution changing the name of the Shoshone Dam and Reservoir to Buffalo Bill Dam and Reservoir in commemoration on the one hundredth anniversary of the birth of William Frederick Cody, better known as Buffalo Bill; without amendment (Rept. No. 932).

By Mr. McFARLAND, from the Committee on Irrigation and Reclamation:

H. R. 4932. A bill to amend section 9 of the Boulder Canyon Project Act, approved December 21, 1928; without amendment (Rept. No. 933).

By Mr. HATCH, from the Committee on the Judiciary:

S. 1105. A bill to amend the Hatch Act; with an amendment (Rept. No. 934).

By Mr. WHEELER, from the Committee on Interstate Commerce:

H. R. 2764. A bill to amend section 409 of the Interstate Commerce Act, with respect to the utilization by freight forwarders of the services of common carriers by motor vehicles; without amendment (Rept. No. 935).

INTERIM REPORT ON INVESTIGATION OF MATTERS RELATING TO FOOD PRODUCTION AND CONSUMPTION (S. REPT. NO. 936)

Mr. THOMAS of Oklahoma. Mr. President, on behalf of the subcommittee of the Committee on Agriculture and Forestry, I ask unanimous consent to submit an interim report on Senate Resolution 92, providing for an investigation of matters relating to food production and consumption, and I submit a report (No. 936) thereon. I also ask unanimous consent that the report may be printed in the RECORD.

There being no objection, the report was received and ordered to be printed in the RECORD, as follows:

The Committee on Agriculture, to whom was referred resolution (S. Res. 92) providing for the investigation of matters relating to food production and consumption, makes the following interim report on the buying, selling, and handling of grain.

The committee had before it not only representatives of the Commodity Credit Corporation, the Department of Agriculture, and the Office of Price Administration, but representatives of the producers, dealers, exporters of grain, and officials of the Chicago Board of Trade. In addition, the committee gave consideration to confidential reports, also findings made by its special investigator. The findings of fact and recommendations herein are based upon the testimony and reports which, in the opinion of this committee, warrants immediate action.

FINDINGS OF FACT

1. The Commodity Credit Corporation has in effect ceased to function as a public corporation as was intended by the various laws creating and extending the life of the Corporation. With respect to the powers and duties of the said Commodity Credit Corporation, we find the following statement on page 17 of the Reference Manual of Government Corporations, prepared by the General Accounting Office as of June 30, 1945:

"The Corporation is authorized by the law to use its funds to encourage the expansion of production of any nonbasic agricultural commodity (commodities other than cotton, corn, wheat, tobacco, peanuts and rice) through a commodity loan, purchase, or other operation, so as to support, * * *.

"A price, for the producers of such commodities, of not less than 90 percent of the parity or comparable price therefor. * * *"

(NOTE.—The foregoing interpretation is based upon Public Law 147 approved July 1, 1941, and Public Law 729 approved October 2, 1942.)

Its funds are now being used by the various branch directors of the Production and Marketing Administration, a branch of the Department of Agriculture, to buy, store and sell commodities, domestically and for export, not only for other Government agencies but for UNNRA and foreign governments, all in competition with private enterprise.

2. The Under Secretary of Agriculture, who is also acting as President of the Commodity Credit Corporation, is so occupied with other duties as Under Secretary that he cannot give proper attention to the organization and administration of the Corporation.

3. The Director of the Grain Branch of the Production and Marketing Administration, who is also a vice president of the Commodity Credit Corporation, is using the corporation's funds to buy, store and sell grains, monopolizing the grain trade to the extent of restricting competition and depressing prices to the producers, especially during harvest seasons, when a majority of the producers sell their crops.

4. The Director of the Grain Branch of the Production and Marketing Administration purchases grain by secret negotiations or upon offers from preferred grain dealers, such purchases running into hundreds of millions of bushels annually. The committee could not find where any purchases of grain were made by the regular Government procedure or upon open competitive bidding.

5. The procedures used in buying, storing, selling grain as purchased by the Commodity Credit Corporation and later the grain branch of the Production and Marketing Administration, which are not subject to approval by the Comptroller General, are open to possible graft, collusion, and favoritism, depending solely upon the integrity of the employees of the branch to protect the interests of the Government.

6. Some branches of the Production and Marketing Administration issue reports of the day-to-day purchases that enable farmers, handlers, processors, and others to follow the current operations, and to know what commodities are bought, from whom, what grade, and at what prices. However, the Grain Branch, although requested by the trade, has refused to issue such reports, which has caused much dissatisfaction and suspicion as to its activities. The failure to issue such reports has contributed substantially to the present critical grain situation, as the public has not been kept properly informed of the purchases and sales of grain, both for domestic use and for exports.

7. The Office of Price Administration has announced that it will impose a ceiling on all rye, irrespective of the year produced, effective June 1, 1946, which will create a roll-back overnight to the producer, of an average of 75 cents per bushel from present prices. Rye, like wheat, is a world commodity and has a world price. The announced action, if followed through, will be nothing short of confiscation. Such action will depress the price to our producers just before harvest, far below the world price, discouraging much needed production and also encouraging an export black market as prices cannot be controlled abroad. Reports of crop conditions indicate at this time the 1946 crop will be only approximately 60 percent of domestic requirements with no allowance for exports.

RECOMMENDATIONS

1. The President of the Commodity Credit Corporation should be a well-qualified executive and should give full time to the organization and the administration of the Corporation.

2. The Commodity Credit Corporation should operate solely as a public corporation, with its president as its chief administrative officer and with an active board of directors.

3. The activities of the Commodity Credit Corporation should be confined to acquiring and disposing of surplus commodities to support farm prices as required by law, and refrain from acting as a monopoly or a dealer in competition with the private grain industry.

4. Daily reports should be issued by the Commodity Credit Corporation giving full information as to acquiring and disposal of all commodities so as to keep the public well informed as to its activities.

5. The Office of Price Administration should reconsider imposing its announced ceiling on rye and should rescind such announcement. No action should be taken which will discourage production or impose a ceiling below the world market.

ELMER THOMAS,
Chairman.
HARLAN J. BUSHFIELD,
B. K. WHEELER,
TOM STEWART,
Subcommittee.

PRINTING OF COPIES OF CERTAIN HEARINGS OF JOINT COMMITTEE ON ORGANIZATION OF CONGRESS

Mr. HAYDEN. Mr. President, from the Committee on Printing, I ask unanimous consent to report favorably, without amendment, a concurrent resolution (S. Con. Res. 52) authorizing the printing of 3,000 additional copies of the hearings of the Joint Committee on Organi-

zation of Congress. It is the understanding that 2,000 copies will be placed on sale by the Superintendent of Documents. I ask unanimous consent for the present consideration of the concurrent resolution.

The PRESIDENT pro tempore. Without objection, the report will be received, and the concurrent resolution will be considered.

There being no objection, the concurrent resolution (S. Con. Res. 52) was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Joint Committee on the Organization of Congress be, and is hereby, authorized and empowered to have printed for its use 3,000 additional copies of the summary of hearings, index to hearings, and parts 1, 2, 3, 4, and 5 of the hearings held before the said joint committee during the first session, Seventy-ninth Congress, relative to the organization of Congress.

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation two lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate a report for the month of January 1946, from the chairman of a certain committee, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which was ordered to lie on the table and to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON BANKING AND CURRENCY,
February 1, 1946.

Hon. KENNETH MCKELLAR,
President pro tempore of the Senate, Senate Office Building, Washington, D. C.

DEAR MR. PRESIDENT: Pursuant to Senate Resolution 319, I am transmitting herewith a list of employees of the Senate Banking and Currency Committee who are not full-time employees of the Senate. Included with this list is the name and address of each such employee, the name and address of the department paying the salary of such employee, and the annual rate of compensation for each such employee.

Respectfully yours,
ROBERT F. WAGNER,
Chairman, Banking and Currency Committee.

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Bertram Gross	613 S. Quincy St., Arlington, Va	Reconstruction Finance Corporation	$8,750
Doris Phippen [1]	40 Plattsburg Ct. NW., Washington, D. C	Navy Department	2,650
Eve Zidel	24-C Crescent Rd., Greenbelt, Md	Reconstruction Finance Corporation	2,650

[1] Temporarily borrowed from Surplus Property Subcommittee (S. Res. 129).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RUSSELL:

S. 1825. A bill to amend subsection (c) of section 19 of the Immigration Act of 1917, as amended; to the Committee on Immigration.

S. 1826. A bill granting an increase in pension to John R. Robertson; to the Committee on Pensions.

By Mr. WALSH:

S. 1827. A bill to provide for the transportation of dependents of personnel of the Naval Establishment from overseas stations to inland destinations in the United States, and for other purposes; to the Committee on Naval Affairs.

By Mr. BUSHFIELD:

S. 1828. A bill authorizing the issuance of a patent in fee to Adelia Charging Thunder; to the Committee on Indian Affairs.

By Mr. TYDINGS (by request):

S. 1829. A bill to authorize certain expenditures by the Alaska Railroad, and for other purposes; to the Committee on Territories and Insular Affairs.

(Mr. KNOWLAND introduced Senate bill 1830, to enable the people of Hawaii to form a constitution and State government to be admitted into the Union on an equal footing with the original States, which was referred to the Committee on Territories and Insular Affairs and appears under a separate heading.)

By Mr. MCCARRAN:

S. 1831. A bill to cancel authority under the act of June 23, 1936, for the conveyance of certain lands owned by the United States to the city of Los Angeles, Calif.; and

S. 1832. A bill to repeal an act which withdrew certain public lands of the United States in the State of California from settlement; to the Committee on Public Lands and Surveys.

STATEHOOD FOR HAWAII

Mr. KNOWLAND. Mr. President, I ask unanimous consent at this time to introduce for appropriate reference a bill and in connection with it to make a very few remarks.

It is a bill to give statehood to the Territory of Hawaii. Hawaii was organized as a Territory on June 14, 1900, and since that time has functioned as a Territorial government. In the election held in 1940 the people of Hawaii, by more than a 2-to-1 vote, expressed their desire for statehood. The companion bill to the bill I am now introducing was introduced a short time ago in the House of Representatives by the Delegate from Hawaii [Mr. FARRINGTON].

There being no objection, the bill (S. 1830) to enable the people of Hawaii to form a constitution and State government to be admitted into the Union on an equal footing with the original States was received, read twice by its title, and referred to the Committee on Territories and Insular Affairs.

HOUSE BILL REFERRED

The bill (H. R. 5060) to amend section 1 of the act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia," approved May 27, 1924, was read twice by its title and referred to the Committee on the District of Columbia.

AMERICA'S FOREIGN POLICY—ADDRESS BY SENATOR WILLIS

[Mr. BUSHFIELD asked and obtained leave to have printed in the RECORD an address on America's foreign policy, delivered by Senator WILLIS at the Mayflower Hotel, January 25, 1946, before the American Coalition, which appears in the Appendix.]

ADDRESS BY SECRETARY WALLACE BEFORE NATIONAL CITIZENS' POLITICAL ACTION COMMITTEE

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an address delivered by Secretary of Commerce Wallace before the National Citizens' Political Action Committee, New Haven, Conn., February 8, 1946, which appears in the Appendix.]

ASSISTANCE FOR CENTRAL EUROPE—ADDRESS BY DOM ODO

[Mr. EASTLAND asked and obtained leave to have printed in the RECORD an address regarding conditions in Central Europe, delivered at the Willard Hotel, Washington, D. C., January 29, 1946, by Dom Odo, Duke of Wurttemberg, O. S. B., honorary chairman of the Central European Rehabilitation Association, Inc., and chairman of the International Catholic Help for Refugees and War Victims, which appears in the Appendix.]

POLICIES UPON WHICH THE PRESIDENT AND CONGRESS DO NOT AGREE—ARTICLE BY FRED BRENCKMAN

[Mr. EASTLAND asked and obtained leave to have printed in the RECORD an article entitled "Policies Upon Which the President and Congress Do Not Agree," by Fred Brenckman, from the National Grange Monthly for February 1946, which appears in the Appendix.]

NO GESTAPO AND NO DISCRIMINATION—EDITORIAL BY JOSEPHUS DANIELS

[Mr. HOEY asked and obtained leave to have printed in the RECORD an editorial entitled "No Gestapo and No Discrimination," written by Josephus Daniels and published in the Raleigh News and Observer of February 11, 1946, which appears in the Appendix.]

INCONSISTENT—EDITORIAL FROM THE CHARLOTTE (N. C.) OBSERVER

[Mr. HOEY asked and obtained leave to have printed in the RECORD an editorial entitle "Inconsistent," published in a recent issue of the Charlotte (N. C.) Observer, which appears in the Appendix.]

PUBLIC LAND GRAZING POLICIES—LETTER FROM CENTRAL COMMITTEE, NEVADA STATE GRAZING BOARDS

[Mr. CARVILLE asked and obtained leave to have printed in the RECORD a letter addressed to him under date of January 17, 1946, by the Central Committee Nevada State

Grazing Boards, dealing with public land-grazing policies, which appears in the Appendix.]

DISTRICT OF COLUMBIA SUFFRAGE—ARTICLE BY JESSE C. SUTER

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an article by Jesse C. Suter in support of the Sumners-Capper bill, granting suffrage to the citizens of the District of Columbia, published in the Washington Star of February 10, 1946, which appears in the Appendix.]

CITATION AND INVESTITURE OF LEO T. CROWLEY—REMARKS OF ARCHBISHOP KILEY

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD the remarks of Archbishop Kiley made on the occasion of the citation and investiture of Leo T. Crowley as knight commander with star of the Order of Pius IX, on January 10, 1946, which appears in the Appendix.]

FOOD SAVING TO RELIEVE HUNGER IN EUROPE

Mr. JOHNSON of Colorado. Mr. President, in his broadcast Tuesday evening, February 12, 1946, over Station WOL, Mr. Albert Warner made this statement:

Secretary of Agriculture Clinton Anderson sampled today and found good the dark bread we will use so that more wheat may be sent overseas.

A former serviceman writes me the following letter:

"DEAR MR. WARNER: People in this country, without ever thinking about it, probably waste enough bread to feed 10,000,000 starving foreigners in this world bread crisis. When I was in service in Italy we fed scores of Italians on the bread scraps from the camp mess. Wherever my outfit camped, there were always Italian women and children lined up at chow time next to the GI garbage cans. They would stand there in the rain and sleet, barefoot in the cold and mud, begging the scraps off our mess kits after we finished eating.

"Now if those same pitiful women and kids could stand by the garbage pail in your kitchen and grab the waste food off the plates from your dinner table, they would be mighty happy for the chance, Mr. Warner.

"It would make you feel a little ashamed to see human beings living off your garbage, but you would still rather they did that than died. Of course, they can't be there, but maybe we can imagine that they are there, stretching out hungry hands for the precious scraps we throw away.

"Surely any man lucky enough to live in America where there is such a plenty of bread for everybody ought to be willing to eat those heels and bread scraps and save a few slices of bread each week, to leave more flour and wheat that this country can spare for people abroad.

"I'll make you a deal, Mr. Warner: I'll agree that not a scrap of bread will be wasted in the kitchen of my house if you will make the same promise for the kitchen of your house. And if enough people would do the same thing, there will be a lot less kids dying of bloated up empty bellies between now and next fall."

So writes this GI—it's a bargain he offers to everyone. A Nation-wide drive to save food would help to meet the crisis of starvation.

I agree with Mr. Albert Warner that the idea suggested is a splendid one—one which should have the attention of big-hearted America. The cause is urgent, and the remedy proposed is the least that can be suggested.

It is to be hoped that some public-spirited citizen will adopt the idea which is suggested and promote it on a Nation-wide scale, with the vigor and effectiveness shown by Mr. Henry Kaiser in the old-clothes drive.

RELIEF OF DISPLACED UKRAINIANS

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD resolutions adopted at a mass meeting of all organizations affiliated with St. Michaels Ukrainian Orthodox Church, held at Minneapolis, Minn., on December 16, 1945.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Whereas in recent months many letters and much reliable documentary information have been received from various Ukrainian and American sources to the effect that on the territories of Germany, under present American, British, and French occupations, as well as in the adjacent western European states, there are now hundreds of thousands of Ukrainians who were liberated by the Allied armies from German concentration camps and slave labor; and

Whereas many of these stranded Ukrainians are now being classed as displaced persons and political refugees under Allied control, and who, in many instances, are being forcibly repatriated by Soviet officials, who employ cruel and brutal treatment reminiscent of the medieval ages; and

Whereas many of these displaced Ukrainians and political refugees originally came from the territories of western Ukraine, formerly under the rule of Poland, Rumania, and Czechoslovakia, and who never have been citizens of Russia or of the Soviet Union prior to the beginning of World War II, and who are unwilling to return to their native land, because they know they will be subjected to unjust maltreatment, deprivation of human rights, exile into the Asiatic domain of the Soviet Union or even to the loss of their lives under various false accusations and pretexts, but mainly because they are nationally conscious Ukrainians, and struggle for their national freedom and sovereignty; and

Whereas every man and living creature instinctively loves its native home and abode, and all of these stranded Ukrainians would like to return to their native land, but they know by bitter experience and previous maltreatment that only torture, exile, and even death may await them upon their return to the Soviet Union, and many who are forced to return prefer to take their own lives rather than to undergo the miseries and tortures in Soviet prisons, concentration camps at hard labor, or to meet death in exile in the Siberian wastes, or to be liquidated outright; and

Whereas the secret Yalta Agreement, which provides for the repatriation of the Soviet citizens liberated by the American armed forces, is basically unjust to those unfortunate Ukrainians from eastern Ukraine, who happened to be citizens of the Soviet Union, endangering their lives and essential freedoms by such repatriation which infringes upon the principles proclaimed in the Atlantic Charter and those incorporated in the Charter of the United Nations Organization, as well as many commitments by the Allied Governments in regard to the aims and purposes of Allied cooperation in the recent struggle against the various phases of aggression, in which justice, dignity, and worth of human beings may be threatened; and

Whereas the Ukrainian people, by their heroism and active participation in the organized Ukrainian armed forces, and through the guerrilla efforts on their native territories or in the service in the Allied armies throughout the world have immeasurably contributed to the Allied success in the recent struggle against the forces of aggression; and

Whereas among the Ukrainian displaced persons and political refugees there are to be found many relatives of American citizens of Ukrainian descent: Be it therefore

Resolved, That we, American citizens of Ukrainian descent, assembled at this mass meeting appeal to the Government of the United States as well as to the Allied Governments of western Europe, especially of Great Britain and France, in the name of the dignity of man and justice, as well as for the sake of the basic principles of which lasting peace is to be founded, that—

1. The American Government and western Allies provide the right of adequate asylum to all Ukrainian displaced persons and political refugees, driven by war from either western or eastern Ukraine, who now may be found either on the territories of Germany under Allied occupations, or are stranded in western sovereign states, and give them protection from forceful repatriations to the Soviet Union; and

2. That immediate efforts by the United States Government be made to create authoritative Ukrainian agencies, which in cooperation with the American Government and the Allies of western Europe may develop appropriate plans in order to resettle and establish these displaced persons in the countries willing to absorb them, and where they could find livelihood and a haven, without fear of persecution, reprisals, and unnecessary hardship; and

3. In the meantime equitable efforts be made to provide for the displaced Ukrainian people and political refugees now living in various zones of Allied occupations, supplying them with adequate food, clothing, shelter, and medical care until they could be satisfactorily resettled according to their own wishes, with the aid of the western Allied Governments. To this end American citizens of Ukrainian descent pledge their cooperation and assistance.

Mr. LANGER. Mr. President, "with liberty and justice for all" is a phrase that motivates the thinking of every good American. It was the cornerstone of this Nation. It was the heritage of Abraham Lincoln when he said that "government of the people, by the people, for the people shall not perish from the earth." It was incorporated in the Atlantic Charter, which bears upon the rights of people to select governments of their own choice by the will of the people themselves.

It is now our duty to see that the phrase does not sink into nothingness. We must see that liberty and justice for all are not mere words spoken rhetorically as we pledge allegiance to the flag, but living words breathed into actual facts. The great well of good will about which Wendell Willkie spoke in his One World is fast drying up in all parts of the world, as we allow power politics to prevail and minority groups to be persecuted.

It is my belief that unless we allow such national groups as the Jews, the Indians, the Indonesians, and the Ukrainians to express themselves through their own duly elected governments we are allowing to ferment injustices that will one day again boil into another world war.

In Europe there are 30,000,000 Ukrainians who for generations have been pawns in the hands of the Russians, the Poles, and the Germans. Today thousands are

scattered all over western Europe, homeless, starving, lonely, and afraid.

The Ukrainians have lived for centuries in the territory that is now one of the 18 Soviet Socialist Republics of the Soviet Union. Back in the time of the Russian Revolution the Ukrainians had their own Ukrainian National Republic and waged war to preserve its sovereignty. When finally it was overthrown by Russia, the struggle for freedom went underground. The Russians did all they could to quell the desire for freedom of religion and of press by a state-fostered famine in 1930, by banishments, and executions. Intellectuals and the clergy were the chief victims.

It is understandable that there was a mass exodus of Ukrainians westward soon after the World War started. It will be recalled that it was victims of persecution who trekked westward to the promised land of America and wrote the Declaration of Independence.

It is regrettable that the man who defined the four freedoms involuntarily helped to revive a form of slavery in Europe when he secretly agreed at the Yalta Conference that American military authorities had to deliver to the Soviet authorities those persons in American zones of occupation who were Soviet citizens in 1939. That secret agreement is now being ruthlessly carried out. It is directed especially at the Ukrainians, thousands of whom do not wish to return to the Soviet Union for fear of being banished or liquidated. In their desperate way, many of them are by committing suicide protesting this forceful shipment of people as mere cattle.

I might say, Mr. President, that some of them have relatives in the United States, many of them in the great State of North Dakota.

Because of unrest and dissatisfaction, Hitler undoubtedly believed that it was advisable to attack the Ukraine for he would find less resistance there. This was another of Hitler's miscalculations. The Ukrainians who remained, the bulk of the population, were Russians first. Ukrainia resisted. Ukrainia fought back. In fact, Ukrainian leadership in the Russian Army helped break the military might of the German Army.

The result, when the Germans overran the countryside, was that hundreds became handcuffed to the Nazi war lords and were sent into Germany to labor for the Reich. In the meantime their homeland was ravaged by armies that plundered as they advanced and carried out a scorched-earth policy as they retreated.

When the American and British arrived on the Continent, Ukrainians flocked to the American and British zones of occupation. One letter from a relative of a North Dakota farmer said, "We feel as if heaven beset the earth when the American and Allied armies liberated us and took care of us."

But now we have forsaken our role as protector of oppressed people and are actually forcing the return of Ukrainians to the USSR whether they want to go or not. If anyone is unable to prove he is not a Soviet citizen, he can be herded into a truck and secreted away.

It is hard to believe in this country, but many of these people, especially the intellectuals, are marked men, and face the prospect of death upon their return to Russia.

A letter written by a western Ukrainian leader of the democratic intellectuals and an admirer of Anglo-Saxon culture states:

> We are in a very tragic situation. Our only hope is in God's mercy. If we are not worthy of it, we shall perish. American democracy has been for us a great disillusionment. We were persecuted by the Poles, we were persecuted by the Germans, we were persecuted by the Bolsheviks, and now under the democratic occupation our fate is uncertain.

It is high time that our professed principles of liberty and justice for all which have encouraged the peoples of the world for over a hundred years, be brought to focus again. Under the flag of the United States, every individual, regardless of color, race, or creed, should be granted liberty. He should not be forcibly tracked down like a criminal. A man has a right to his own political beliefs. If he is guilty of disagreeing with those in authority, he should not be forced to return to a country where such disagreement is synonymous with death.

We must give the Ukrainians an asylum where they will have freedom of speech, freedom of religion, freedom from want, and freedom from fear.

When we do this, we are recognizing and thanking the hundreds of thousands of veterans of Ukrainian descent in this country who fought so valiantly. As an example I cite the case of George Klym, of North Dakota, who fought bravely the Japanese invaders in the Pacific, and killed more than 20 of them even after the loss of his eyesight.

When we do this we are announcing to all oppressed peoples of the world that the words we speak so fluently come from the heart and are not merely "sound and fury signifying nothing."

The decisions reached at the San Francisco Conference are not helping the small races in their desire for self-determination. The great powers seem to be a law unto themselves. That state of affairs must cease if we are to have peace. It is high time the United States realized she is a country formed in the first place to resist persecution. She must take to heart the problems of people like the Ukrainians, the Jews, the Indonesians, and the Indians who are being treated unjustly. If we do not, the cantankerous boils caused by discrimination will burst open and the poison of hate will spread throughout the world, resulting in another World War.

SMALL BUSINESS AND CIVIC WELFARE (S. DOC. NO. 135)

Mr. MURRAY. Mr. President, the Senate Small Business Committee has been conducting some studies of small business and its relation to civil welfare. In this connection the committee has requested and received from the Smaller War Plants Corporation a report entitled "Small Business and Civic Welfare," which deals with this matter. I ask unanimous consent that it may be printed as a Senate document, with illustrations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. MURRAY. I yield.

Mr. LANGER. I should like to ask what the situation is in reference to the Big Inch and Little Big Inch pipe lines? What is the present attitude of the Senator's committee respecting the sale or leasing of the Big Inch and Little Big Inch pipe lines? Has the committee taken any action of any kind on that question?

Mr. MURRAY. The committee has not taken any action in the matter. It has carried on some studies, but it has not made any report on the subject. I think the matter is probably before the subcommittee of the Military Affairs Committee, headed by the Senator from Wyoming [Mr. O'MAHONEY]. The matter has only incidentally been looked into by the Small Business Committee, but it has not made any report on the subject.

Mr. President, as chairman of the Senate Small Business Committee, I wish to bring to the attention of the Senate a report which the committee is making public today—and which is being published in line with the committee's program to study and investigate problems of small business and to make available the findings of such studies to the President, the Congress and the people of the United States.

Along with the Senate Small Business Committee's concern with the day-to-day problems of small business throughout the reconversion period, is also its program to study and report upon broader economic trends affecting the interests or survival of small business. The increasing concentration of economic power in the hands of a few is one of our deepest concerns, and the report which is presented today deals with a vital aspect of this trend, the relation of small business to civic welfare.

War production has given great impetus to the concentration of industrial power—gains superimposed upon an already extremely high level of economic concentration. A few gigantic corporations are now responsible for the bulk of America's entire industrial production and employment. In 1944, 2 percent of the manufacturing concerns in the United States employed 60 percent of the industrial workers.

How does this concentration of economic power affect the general welfare of our cities and their inhabitants? This is one aspect of the concentration problem which has received little attention, despite its obvious importance.

The committee looks upon the report presented today as a pioneer study of its kind. Its material was made available through the cooperation of the Smaller War Plants Corporation, which has submitted the results of its findings on an over-all study of concentration trends to the Senate Small Business Committee for consideration. This report—the first in a series—was prepared by Dr. C. Wright Mills, associate professor of sociology at the University of Maryland, and by Mr. Melville J. Ulmer, who was senior economist with the

Smaller War Plants Corporation, under the direction of Dr. John M. Blair, formerly Director of the Office of Reports, Smaller War Plants Corporation. The committee's decision to publish the report came after a thorough examination of its methodology, validity and reliability of the findings by Dr. Dewey Anderson, executive secretary of the Senate Small Business Committee, who is also an authority in the field of social sciences.

The report reveals, for the first time, by scientific measures, that communities in which small business predominates have a higher level of civic welfare than comparable communities dominated by big business. As the report states, other studies of larger areas and more cities should be made to clarify the situation further, but even these tentative findings are so important as to warrant the careful consideration of all of us in America who are concerned with establishing and maintaining the forms of economic organization which will provide the most healthful and desirable way of life.

In urging my colleagues to read the copy of the report which will be supplied them, I can avoid taking up the time of the Senate, Mr. President, in a detailed comment on the data it reveals. The broad conclusions are—

First. That small-business cities provide a considerably more balanced economic life than do big-business cities. In small-business cities employment is more diversified, not only in numbers of firms and different manufacturing lines, but a much greater proportion of workers are engaged in wholesale, retail, and distributive pursuits. On the other hand, the entire pay roll of big-business cities are largely dominated by one or a few great industrial firms. The mere decision of one corporation to move its local plant to some other area would be sufficient for economic collapse in a big-business-dominated city. Unemployment is greater and fluctuations in wages and number of business enterprises are larger in big-business than in small-business cities.

Second. The gap between the incomes of the few very rich and those of the poor appear to be greater in big-business cities. In small-business cities a larger proportion of the population earn medium or high incomes, own their own homes, pay more taxes.

Third. The most important test applied to big- and small-business cities was the measurement of the general level of civic welfare—including such factors as health, housing, sanitation, education, and recreation. It was found, for instance, that an infant's chances of surviving his first year of life were greater in a small-business city than in a big-business city. Public expenditures on libraries—per capita—were 10 times greater, and on education—per student—20 percent greater in the small-business than in the big-business city. The development of a strong independent middle class was more evident in a small-business than in a big-business city, civic spirit more pronounced, and participation in civic activities more widely shared.

This report is not final, for Nation-wide studies should be made of this important topic. Even this limited exploration, however, presents conclusions which high light problems of deepest concern to those of us who would preserve and strengthen free enterprise. Economic concentration can never be justified if it tends to develop cities in which business instability is high and where there exists overcrowding—high infant mortality—low per capita public expenditures for education, health, and recreation—low per capita installations of electricity, gas, telephone—and lack of other improvements and necessities of life.

The Senate Small Business Committee hopes in further reports and investigations to trace the effects of economic concentration upon our national welfare and to present those facts forcefully to the Congress and to the American people.

THE STRIKE SITUATION

Mr. BRIDGES. Mr. President, I have just returned from a brief visit to New Hampshire during which I talked with hundreds of people. The people with whom I talked represented a cross section of every occupation of life. I want to tell the Senate that I have never found the people of New Hampshire more confused than they are today. They are not only confused but they are sick of conditions which prevail throughout the country. They are sick of strife and they are sick of strikes. At every turn I made I heard a demand for intelligent leadership.

The people of New Hampshire, as did all the American people, took wartime difficulties without complaint. They are not taking present conditions without complaint. There is no reason why they or any of the American people should.

Let me list a few of the items of which this greatest of all nations has always claimed an abundant supply but which today, apparently, only the chiselers can get. The people cannot get butter. They cannot get meat. They cannot get sugar. They cannot get shirts. They cannot get suits. Women cannot get stockings—any kind of stockings. No one can get underwear. Mothers cannot get diapers for their babies. There is no lumber for the repair of homes or for construction of new homes. There is not sufficient coal to heat the homes.

There is existing at this very moment in the State of New Hampshire and in the New England area one of the most critical shortages of all. I refer to the shortage of grain. For example, whole flocks of poultry which have been developed to very high standard over a period of approximately 40 years are already in forced liquidation. There is only a meager and disappearing supply of feed for poultry and other livestock.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. LANGER. I can tell the Senator, if he is interested, why his people are unable to obtain grain for poultry.

Mr. BRIDGES. Certainly I am interested.

Mr. LANGER. Our elevators in North Dakota are blocked with grain. Perhaps the chief reason why the Senator's constituents cannot obtain grain for poultry and other livestock is that there is a shortage of boxcars. When I investigated the subject I learned that our Government had built 36,000 new boxcars for England; 2,000 new boxcars for Mexico; and 4,000 new boxcars for Argentina. If we had those, our grain could be transported to New Hampshire to feed poultry.

Mr. BRIDGES. The Senator from North Dakota has made a very interesting observation as to one of the contributing factors. There are other things to which I should like to invite the attention of the Senate. I was told by a flour manufacturer of New England that his concern had been in business for 80 years, and that this was the first time in 80 years that it had been unable to buy wheat from which to make flour.

The reaction of the returning serviceman is already beginning to set in. He is returning to a home front where conditions are almost as serious as any which existed in any of the theaters of war. The Army and Navy makes him a civilian, but he cannot get civilian clothes. He cannot get a suit of clothes or a white shirt. He cannot get underwear. He cannot buy an overcoat. I know a serviceman who is very close to me, who has been overseas and who had been seriously wounded and who has now returned to civilian life. He has been unable to buy an overcoat in the city of Washington to fit him. He is wearing now a coat I wore for years.

We tell the servicemen that they no longer have to live in barracks, but we provide no place for them to go. We tell them that they no longer must live on C or K rations, but when they return home they find that they cannot get the foodstuffs they have gone without so long. That is what they are up against when they return to this country.

I have told a little about the conditions which prevail in the United States, the greatest country in the world. This is an inadequate picture of a situation which is growing more serious every hour. I have heard the rumblings, Mr. President. I know that the people—certainly those in my section of the country—are sick of inaction. They are becoming convinced that those with authority to act not only are unwilling to act, but apparently lack the ability, the courage, and the vision to take the necessary steps to place this country on an even keel.

Something must be done, Mr. President. The farmers must have feed. We cannot simply drive the producers of food out of business. It does not make sense, because supplies on the market are meager. The farmers of New Hampshire and cff all the other States of the Union deserve the consideration which will enable them to continue their operations.

In my State of New Hampshire there has been developed a large poultry industry. There has been developed in my State a breed of hens known as New Hampshires. This is the outstanding utility breed of poultry in the world. Hatching eggs and day-old chicks are shipped all over the country and all over the world. If those who have been building up this breed for the past 20 or 25 years and who have brought it to its present state of perfection are forced to

liquidate their flocks, their work will be set back 20 or 25 years.

These are conditions which we face, and there is no excuse for them. The men who are returning from the war deserve at least a shirt, a suit of clothes, an overcoat, and underwear. They deserve jobs, too. If those in high places do not know what to do, I hope they will be fair enough to tell the American people so and let the American people or Congress prepare to take some of the steps which are necessary to correct these conditions.

Mr. President, I have received a letter dated February 11, 1946, from Frederick E. Cole, commissioner and secretary of the New England Feed Conference, and also commissioner of agriculture of the State of Massachusetts. He states in the letter that some 300 representatives of farming interests, including farmers, members of the grain trade, commissioners of agriculture, and other agricultural officials from all over New England, met in Boston on February 8 to discuss the feed situation; and with his letter he encloses a copy of the resolution which was adopted there. I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

COMMONWEALTH OF MASSACHUSETTS,
DEPARTMENT OF AGRICULTURE,
State House, Boston, February 11, 1946.

Hon. STYLES BRIDGES,
United States Senate,
Washington, D. C.

DEAR SENATOR: Three hundred representatives of the agricultural industry, consisting of farmers, the grain trade, commissioners and other agricultural officials from all of the New England States, met in Boston on February 8 to discuss the feed situation.

The attached resolutions were born in the desperation of the moment and in the fear of insufficient feed to meet minimum requirements. These farmers cannot stand increased prices for feed. The recommendations for increases in the cost of corn and byproducts were only admitted as a last resort to keep a supply coming into the area to meet the daily requirements of the stock on hand.

Our farmers are perfectly willing to make an adjustment in the numbers of poultry and request only that farmers in other sections of the country make a corresponding adjustment.

New England farmers have done well to maintain cow numbers as well as they have. They have not been able to increase during the war, in contrast to some sections of the country. The milk shortage that we have been experiencing since October is the worst remembered by present operators. It looks now as if there would be another milk shortage next fall. The amount of dairy feed coming into New England should not be cut 1 pound. These men however, with an unsubstantiated hope that somehow the income for their product would be increased to offset increased cost, have gone on record in favor of increasing the price of feed merely to get enough to meet current requirements.

These resolutions should be read carefully and interpreted as a desperate effort to meet a desperate situation. They try to present a solution that would not seriously endanger the price controls that are considered to be by ever-increasing numbers, a vital safeguard.

Please do your best to get some feed into this area at once. You can pledge an equitable adjustment of livestock numbers to fit the over-all grain supply in the long pull.

Very truly yours,
FREDERICK E. COLE,
Commissioner and Secretary, New England Feed Conference.

REPORT OF THE SPECIAL COMMITTEE APPOINTED AT THE NEW ENGLAND FEED CONFERENCE

Whereas New England livestock and poultry producers are facing an immediate and critical feed shortage; and

Whereas our New England citizens are largely dependent upon regional production of milk, eggs, and poultry for food: Be it therefore

Resolved, That the 300 representatives assembled here, consisting of farmers, feed dealers, commissioners, and other agricultural officials of all the New England States, recommend:

1. That the Government adjust the ceiling price of corn so that it is at least as profitable for corn producers to sell corn to regular trade channels as to feed it to livestock;

2. That the Government increase its effort to provide adequate transportation to effect an immediate movement of grain to deficit feed areas;

3. That Congress immediately establish its policy in regard to price control for the next fiscal year;

4. That all feeder and trucker differentials unfavorable to the movement of carload shipments of grain through normal trade channels be eliminated immediately;

5. That the Government adjust the ceiling prices of hogs to encourage marketing at lighter weights;

6. That Congress complete its study of the parity formula in the light of present conditions to the end that a balance between livestock production and feed supplies may result;

7. That the Government adjust the ceiling price of all by-product feeds to an equitable relationship with grain price.

RAYMOND G. BRESSLER,
Chairman.
FREDERICK E. COLE,
Secretary.

Mr. BRIDGES. Mr. President, in closing, I wish to say that although our Nation has vast natural resources and powerful forces of production, and although we have emerged victorious from a great war—the German war was over 9 months ago and the Japanese war was over 6 months ago—yet today we find that we are worse off in many ways than we were at the height of the war, and nothing seems to be done about it. Mr. President, it is time that the economic balance of this country is properly appraised, and it is time that steps are taken to correct the terrific and terrible conditions which hourly are growing worse all over this Nation. We need forward-looking and courageous leadership in high places—we are not getting it now.

ARGENTINE NAZI COMPLICITY—STATE DEPARTMENT MEMORANDUM

Mr. HATCH. Mr. President, I have received so many telephone calls this morning and have heard so many comments with reference to the memorandum issued by our State Department with respect to the Argentine situation that I desire briefly to comment upon the memorandum.

The memorandum issued by our Government for release to the papers this morning is a comprehensive document dealing with Argentine Nazi complicity. In a way, this memorandum constitutes a departure from the usual course of diplomatic dealings. It is a bold, frank statement of facts—facts which have been rather generally known for a long time. Heretofore, the situation in Argentina has been described by Department of State officials in general terms. Even though general, the statements have been sufficient for most of us to appreciate the existing state of affairs in our neighboring country. We knew Nazi and Fascist influences had been strong and that actual collaboration between Argentina and the enemy countries had been great even in time of war.

Notwithstanding this general information, the document this morning sets forth a bill of particulars, with a forthright statement of facts amounting to an absolute indictment of the present and preceding regimes in Argentina—to an extent shocking, even to us who have long believed this condition existed.

I do not know how this frank approach to a delicate situation will be received in our own country. Probably there will be some who will deplore the statement. There may be some who will accuse our Government of "meddling" where we have no business to "meddle"; and some may even say this is an indictment of internal policies of another nation, and, therefore, is wrong; that it is none of our business. If such an attitude on these or other points is taken I want to disagree in advance with such positions.

In the first place, the indictment brought by our Government against the Argentine Government does not relate solely to the internal affairs of that country. It does relate positively to Argentina's dealings with other and enemy nations, and which was a course diametrically opposed to the institutions of free government, not only in our own country, but in every nation of the Western Hemisphere. It rightly indicts and condemns a government within Argentina which would destroy, if it could survive and control, every vestige of free government in this hemisphere. That certainly is our business. It is the business of every nation in this hemisphere.

We not only have the right to expose and condemn openly such course of conduct in Argentina, but it is our duty and obligation to do so, not only in the interest of our own safety and welfare, but in the interest of the safety and welfare of every nation in this hemisphere and also throughout the world.

While it is universally accepted that any nation has the right to adopt such form of government as it may choose and to be free from external control or direction, nevertheless, that rule has long been subject to limitations.

Mr. BRIDGES. Mr. President, will the Senator yield at this time, or does he prefer to wait?

Mr. HATCH. No; I am glad to yield.

Mr. BRIDGES. I am interested in what the distinguished Senator from New Mexico is saying. I, too, have been interested in the memorandum issued last night by the State Department. I should particularly like to know how it could have been that, when our Government had assembled these facts, we should have been the nation which

recommended the admission of Argentina as a member of the United Nations, at San Francisco.

Mr. HATCH. Mr. President, the document itself deals with that point. If the Senator will read all of it, he will find that it is dealt with there.

Mr. BRIDGES. I am sorry I have not been able to read all of it thus far. I have read principally the newspaper accounts.

Mr. HATCH. I will say frankly that some of us disapproved of that action at the time, but the document itself deals with that situation.

Mr. BRIDGES. I thank the Senator.

Mr. HATCH. Mr. President, today, more than ever, it is generally recognized that no nation has the right to adopt a form of government notoriously opposed to the welfare of the society of nations as a whole. In proceeding as she did with setting up a totalitarian rule, destroying the freedom of her own citizens, collaborating with the Nazi powers, Argentina brought herself, by her own conduct, within the exceptions to the general rule that she had the right to pursue whatever course she might choose.

I have spoken generally of a rule long recognized by international law. Surely it is not necessary to point out that the course Argentina has pursued is in direct conflict with the principles, aims, and purposes of the United Nations Organization. Without discussing the propriety of her admission as a member of the United Nations Organization, a course of which some of us disapproved at the time, it may be pointed out that the covenant agreed upon at San Francisco contains provisions which, under the indictment brought by our Government, would be sufficient to warrant expulsion of Argentina from the society of nations created by that document. Certainly it was well within the province of our nation to submit this indictment, this plain, forthright memorandum, to our sister countries of this hemisphere. Surely we have actually furthered the solidifying of the nations of the Western Hemisphere by making this frank statement and suggesting the desire of this Government to receive the views of the governments of other American Republics.

Mr. President, I further approve this document because I have been one who has not agreed with the concealment of essential facts concerning relations with other nations, as has been so often the case when the ordinary diplomatic channels are followed. In an address made by me in the Senate on the 23d day of November, I strongly condemned the whole system of diplomatic negotiations which has existed for generations. I condemned secrecy, intrigue, and deception, in dealings among nations. I even said "that much of the misery of war and human suffering and sacrifice on the battlefields have been occasioned by the unholy acts of so-called diplomatic dealings among nations."

Only recently I have been disturbed by revelations of secret agreements and understandings which were not made known to the American people. While I fully realize that preliminary discussions and negotiations cannot always be help in a public forum in the way we conduct our deliberations here in the Senate, nevertheless, every secret agreement which is revealed only impresses upon me more strongly than ever that the statement of last November that deception, intrigue, and secrecy only lead to greater evils than the evil at which they are sometimes directed, was absolutely correct.

Because I am so opposed to secrets and deceptive arts, I wholeheartedly approve the bold and comprehensive statement of the Argentine situation which has just been released. Let the consequences be what they may temporarily, nevertheless I am certain that in the long run the long-term relations between us and our sister nations in this hemisphere will be strengthened by this frank indictment of practices in one nation which, if permitted to grow and continue, might eventually spread into all other nations to the ultimate destruction of whatever freedom may exist today.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. BRIDGES. Does the Senator believe that it would be constructive if the Foreign Relations Committee, of which the Senator and I happen to be members, were to look into this matter in some detail?

Mr. HATCH. I certainly do believe that it would be constructive. I think it would be most instructive and informative if every Member of this body were to take the document to which I have referred and study it carefully. I know how busy we all are. We receive these matters constantly in our mail, and we simply do not have the time to give them the detailed study which they deserve. But I think it is most important for every Member of this body, as well as every person in the country, to read this comprehensive and complete document.

DARK BREAD

Mr. CAPPER. Mr. President, I am sure that if going to "dark bread" in the United States will save human beings from starvation in Europe, everyone in the United States will make the change cheerfully. Changing the wheat extraction rate in milling flour from 72 to 80 percent will result in a darker, coarser flour. The Department of Agriculture estimates that, on the basis of 225,000,000 bushels of wheat, the change would make available as flour between twenty and twenty-five million bushels more than at the 72-percent extraction rate.

However, I myself am in doubt whether such a move will make more food for human beings. Under present procedures in milling, approximately 28 percent of the wheat which is milled comes out in the form of mill feeds for animals, particularly cattle and poultry. If the extraction is increased to 80 percent, the mill feeds residue is reduced by nearly one-third. Yet the number of animals, including poultry, in this country is still at almost an all-time high. The reduction in meat, dairy, and poultry products may more than offset the promised saving in wheat by going to dark bread. I am informed that it is likely also to result in an increase in production costs for bread and pastries, as well as for meats and dairy products. This sudden discovery of the critical food shortages in the Old World and the sudden decision that one of the solutions is to make these overnight changes affecting the entire food and feed practices of the Nation are, I must admit, rather confusing to me. I am ready and anxious to divert to the starving people of the rest of the world every pound of food that can be scraped together for that purpose, and I am equally certain that that is the way all our people feel about it. But I am far from certain that this "robbing Peter to pay Paul" program will result in more food for a hungry world.

That part of the program which reduces the allowance of wheat and other grains for making alcoholic beverages is all right with me. Too much of our food and feed supplies are already being distilled and brewed into liquors and beer.

I was much interested in the reports of a press conference held by Secretary of Agriculture Clinton P. Anderson at which he said, in substance, that this is just another case of the United States Government making more promises—he used the the word "commitments"—than it can perform. The administration promised to hold corn-ceiling prices down, and the hog-price ceilings up until September 1946, at a ratio intended to get heavy hogs, because of the shortage of fats and oils. Now it is proposed to force the immediate marketing of all heavier than 225-pound hogs, and then place a penalty on hogs over that weight, offset by a premium on marketing lightweight hogs, to conserve feed supplies. The Secretary said further, that the food commitments to Europe are such that, if they are kept, the corn-hog promises cannot be kept. The corn-price ceilings, he is quoted as having said, cannot be changed. The European feed commitments must be kept. So the hog-price promise is the one which will have to be broken.

One of the reasons for the program undoubtedly is what some call "psychological." Britain has gone back to the 85 percent wheat extraction, and other peoples abroad are on the "dark bread" ration. Therefore, as our State Department sees it, these peoples will be better satisfied with their lot, and with the contributions which the United States make toward feeding them, if they know that the people of the United States also are sacrificing in their own eating habits. Furthermore, if the American people are being required to make sacrifices because of the desperate plight of the people of Europe, that fact ought to help condition the American people and the Members of Congress for approval of the loan-subsidies—officially loans—to Britain, Russia, France, and other nations who expect to get theirs following the approval of the $4,400,000,000 loan to Britain.

It also seems to me that back of all these programs is the intention to get congressional approval of the extension of the price and material controls for another year, at least, and to extend and

increase the consumer food subsidies through which the Treasury—meaning all of us—is to help pay everybody's grocery bill to the tune of more than $2,000,000,000 a year: And, of course, the more activities in which the Government engages, the more Federal employees will be required to carry on the activities.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks several telegrams dealing with this subject from citizens and business concerns of Kansas.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

BUHLER, KANS., *February 9, 1946.*
Hon. ARTHUR CAPPER,
Senator:

The proposed drastic directives by our President seem most ill advised and unwarranted; neither will these regulations relieve the critical food shortage in any way. We think it high time that the Congress, who is the governing body in a republican form of government, make use of the right vested in them by the people and forthwith repossess such powers as were delegated to the Chief Executive for the duration of the war. In our Government the constituency who elect the Members of the Congress are directly responsible for what these elected representatives do or do not do. We, the people, are the Government whom you represent in Washington and we ask sound and sane legislation promulgated by those whom we elected. We sincerely plead that the will of the people be heeded religiously. We ask that your full influence and prestige be used to block the present directives of the executive department.

THE BUHLER MILL & ELEVATOR CO.,
HIEBERT.

TOPEKA, KANS., *February 8, 1946.*
Hon. ARTHUR CAPPER,
United States Senate, Washington, D. C.:

The proposal by the President to lengthen the wheat extraction and produce a low-grade flour for domestic use is unfair to consumers and the baking industry. This action would lessen consumption of wheat for many years to come, which is unfair to wheat farmers. Either lowering standards or rationing of flour will increase an already serious problem for wholesale bakers as volume will decrease. Bread prices have not been permitted to advance while costs have steadily risen, and if volume is decreased, bread prices must rise. Lowering of volume of business means further unemployment. There is enough wheat in this country if Government will adopt proper methods to bring it out. Situation is serious and must not be tampered with.

JORDAN BAKING CO.,
By G. L. JORDAN.

JUNCTION CITY, KANS., *February 9, 1946.*
Hon. ARTHUR CAPPER,
Senate Office Building,
Washington, D. C.:

Presidential orders to down-grade flour and bread place wholesale bread bakers in an untenable position with relation to present price structure. Volume production alone has enabled bakers to maintain 1942 price ceilings. This plan will seriously decrease volume of bakery production and will result in the long-term reduction in wheat consumption and the wheat farmers' income. If bakery products lose consumer acceptance now it will be years before we again reach 1946 levels.

KANSAS BAKERS ASSOCIATION, INC.,
J. H. SHELLHAAS, *Secretary.*

Senator ARTHUR CAPPER,
Washington, D. C.:

We are opposed to 80 percent mill extraction as American people will stop eating brown bread and that means a tremendous potential future loss of legitimate markets from our consumers. Our winter crop still looks good and should the Northwest also come through with bumper crop we will need all of the markets available and then some.

PUBLIC TERMINAL ELEVATOR CO.,
SAM P. WALLINGFORD, *President.*

FOOD AND HEALTH CONDITIONS IN EUROPE

Mr. WHERRY. Mr. President, on January 29, 1946, a group of Senators submitted a concurrent resolution asking the President of the Senate to appoint a nonpartisan investigating commission or committee to visit Europe and study there the food situation in not only our own zone of occupation, but in all zones in which we, as Americans, should be interested, and also investigate policies which are now in full force and effect to which we subscribed in the Potsdam agreement.

Several articles have been published relative to the resolution. I believe that one of the outstanding ones was written by Dorothy Thompson. It not only discusses the resolution, but adds some very timely observations which I think are of value to the Members of the Senate. I ask unanimous consent to have Miss Thompson's article printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ON THE RECORD

(By Dorothy Thompson)

If President Truman's imposition of wheat controls and informal rationing comes as a shock to the American people, it is only because the facts about conditions in Europe have not been aired, but instead have been suppressed. Even now, President Truman's order does not illuminate the desperation of the situation. More can be learned from a discussion which took place in the Senate January 29, when Senator WHERRY, Republican, of Nebraska, introduced a concurrent resolution, signed by six other Senators, calling for a joint congressional group to make an official visit to Germany and other places to obtain information regarding conditions, and actions which might be taken to improve them.

The resolution states: "Whereas, reports reaching the United States from both Europe and Asia indicate that the policies of the major victors are subjecting millions to mass starvation; and whereas, the United States has been party to commitments and agreements reached among the victor powers which have led to these conditions; and whereas, Congress has been bypassed and the American people ignored in the formulation and implementation of these policies; and whereas, it is essential that Congress should obtain necessary information to request the President to take Executive action; therefore be it resolved * * *" Whereupon follows the proposal for first-hand study and report.

The discussion attending the introduction of this resolution brought out innumerable facts regarding hunger and health conditions, especially in Germany, and revealed that attempts to interest the administration, both by congressional groups and by various overseas millions of the Christian churches, and Mrs. Dwight Morrow's Food for Freedom, had been coldly received in the White House. The discussion occupies 11 pages in the CONGRESSIONAL RECORD, and the facts revealed were not challenged by anyone, but no news service carried the story.

The only organized attempts to tell the American people the facts about starvation conditions have come from outside the Government, and in order to get real light it has been necessary to read church publications like the Christian Century, the Commonweal, the Unitarian, and Quaker reports, etc., all of which have been predicting since fall exactly the state of affairs that the President now, very late, admits, and now, very late, takes steps to rectify. The situation was thoroughly aired in the British House of Commons as far back as October, but our administration made no move further to publicize the facts or to follow the warnings of Sir Arthur Salter that wheat stocks must be diverted from unnecessary uses if millions of human beings were to escape famine.

Mass appeals, participated in by thousands of Americans, to open Axis countries—where conditions are worst—to American relief, and to reestablish postal services for personal relief to relatives and friends have been ignored. The President is not ahead of the people. He is way behind those who have managed to learn what is going on. The real trouble is that the terrible disorganization caused by the war, accompanied by political demoralization and break-down in all the Axis countries, and highly unstable conditions in liberated Allied countries, have been compounded by the Potsdam program, which will go down in history as the blindest, most stupid peace program ever enunciated.

Compounded of Morgenthauism, revengism, economic moronity, and the suspicions of the victors of each other; made to compensate the Poles for their loss of territory in the east by awarding them vast stretches of German territory in the west, which they have neither the proper governmental authority, the people, or the tools to resettle and manage; agreeing in principle to the evacuation from eastern countries of the entire German-speaking population, numbering 10,000,000 or 12,000,000; deciding for the immediate collection of reparations in the form of industrial plant and agricultural machines and implements; dividing Germany into five zones, only four of which are under the four-power command in Berlin, the Polish zone being left entirely to the Poles, who are themselves demoralized by the alienation of legitimate government and any army with disciplined morale; destroying not only the political but also the economic unity of Germany, so that there is no intercourse between the Rhinelands and Silesia or Leipzig and Munich—the Allies at Potsdam made what is now coming to pass with mounting horror an inevitability.

It meant a sentence of death on millions of German, Hungarian, and other European women and children.

Its results are reflected in an official report from the Russian zone, where infant mortality was 90 percent in November.

We must now make sacrifices to help undo what our own policies have contributed to create. We must get food, medicaments, and relief into the Axis countries, from which UNRRA is barred. Starving masses are soil for anarchy, chaos, crime, insanity, epidemics, nihilism. Conditions in parts of Germany duplicate the horrors of Buchenwald and Belsen—and all in the name of democracy, Christianity, humanity.

PRICE-CONTROL POLICIES

Mr. WHERRY. Mr. President, I invite the attention of the Senate to an article written by Frederick C. Othman entitled "Current Shirt Crisis Stirs Our Hero to Strong Words." In his humorous way, Mr. Othman brings out the difficulties in which we find ourselves relative to our nonflexible price-control program. I am quite sure that in nearly all

our committee meetings Mr. Othman has been present. At times, in his humorous way, he drives home arguments either for or against flexible price control, and his arguments are of timely interest. Here is one which appeared in a newspaper last Saturday:

CURRENT SHIRT CRISIS STIRS OUR HERO TO STRONG WORDS

(By Frederick C. Othman)

The studious little men in long rows fiddle with their slide rules and make marks about the cost of living on their charts. Senator KENNETH WHERRY of Nebraska and I think they're blowing bubbles.

We believe they ought to get their noses out of their electric calculating machines, actually buy themselves a shirt—wow!—and guess again about the high cost of living.

NOW, ABOUT SHIRTS

The Senator told A. F. Hinrichs, Acting Commissioner of Labor Statistics, that his totals were screwy; that anybody knew the H. C. L. was far higher than the official figures showed. I remained neutral until the last of my old shirts, sorry day, went to the laundry and came back as locomotive wiping rags. I had to get new ones; that or a coat of paint.

There are plenty of shirts on sale in Washington; one leading haberdasher has shelf upon shelf of cotton shirts. The cheap ones I wouldn't even wear to a laundrymen's oyster roast. They cost $7.95 each.

AND, OH, THE COLOR!

They come in gravy color, streaked with egg and/or cinnamon drops. They are the ugliest shirts, bar none, I ever saw.

The medium-grade shirts, a little better in quality and a little less wild-eyed in shade, sell for $8.50. That's one for $8.50, not four. Fool that I was, cold and desperate, too, I bought one of these. I've got it on now. It is the color of a cloudy day at sea, just before the dawn, but with white stripes every inch. I told the man it didn't look decent.

He said, no, it didn't. He said he'd show me his good shirts. I must report they were beauties. They were in solid shades of soft yellow, blue, gray, green, and pink; they had good buttons properly sewn. The material was excellent.

BUT LISTEN

"Ten dollars each," the man said, "They're going fast; you better stock up."

That made me sore. I told him I'd phone the OPA and that Chester Bowles, himself, would be over within 20 minutes to jail him as chiseler No. 1. He smiled a superior smile. He said he was used to hot-tempered but ignorant fellows like me.

Then, so help me, he showed me the OPA ceiling price tag on each shirt. He said the reason they were expensive was because the cloth was imported. "From Shangri La?" I demanded. "From Brazil," he said, "and made up special, strictly under all price regulations."

CALLING MR. BOWLES

Chester, what's going on here? Bureau of Labor Statistics, why don't you buy a shirt?

Statistician Hinrichs insisted his figures were correct, except for quality deterioration. He told Senator WHERRY he couldn't take every item going into his list of necessities and decide whether it was worth the price.

Let's take one item: My new pair of $4.50 pajamas. They have no collar, they look sleazy, and they are speckled like a pup, but pajamas are pajamas.

TRICK OF THE TRADE

I put on the pants and drew the woven drawstring, and blooie! It busted. I pulled it out and it turned out to be two 1-foot pieces of drawstring, each sewn with three loose stitches to a doubled-up piece of cheesecloth. Only the woven cord showed; the cheesecloth was invisible.

What good is a pair of pajama pants that won't stay up? Chester, I'm asking you. Hinrichs, what do your statisticians figure pants like these are worth? You name the price and I'll sell 'em to you.

Mr. President, despite the humorous way in which the article is written, it drives home the unhappy fact that we are not getting production in the textile industry in this country, and the reason why we are not getting production is that we do not have a flexible price program.

I wish to thank Mr. Othman for this very timely article. Anyone who will go to a haberdashery store and investigate conditions will find that the problem is a real one. I know the situation is exactly as has been described by this newspaper columnist.

Mr. President, with that as a foundation I should like to state to the Members of the Senate that the Small Business Committee, over a period of 5 or 6 weeks, held numerous hearings on orders and amendments to orders and regulations which affect the production of some of the largest industries of the Nation. The small businessman is affected because the large industries are not in production. During the Christmas vacation, and during the intervening weeks since then, some of us have made a diligent study of the transcripts of the hearings before the Small Business Committee. From what appears in those transcripts five members of the committee have made a special report embodying their findings, and before Chester Bowles testifies Monday before the House Committee on Banking and Currency I think the findings by the five members of the committee should be printed in the RECORD. We had hoped to make it a majority report, but time does not permit the circulation of the report, if the Senate is to recess to Friday.

I ask unanimous consent at this point, Mr. President, that this special report of five members of the Small Business Committee, be considered as a report which will be filed as a minority report in the event a majority report shall be filed which the entire membership cannot sign. I thought first that I would ask that the report be inserted in the RECORD, but so important are the findings, that if the distinguished acting minority leader does not object, I should like to read them into the RECORD, and I think it will take me about 15 minutes. Is there any objection to my request?

Mr. HILL. To the request that the Senator shall read the findings into the RECORD?

Mr. WHERRY. Yes.

Mr. HILL. Of course, the Senator is well within his rights in doing that.

The PRESIDING OFFICER. The Senator can have the report inserted without reading.

Mr. WHERRY. If it goes into the RECORD in that way, it must appear in small type. I do not like to take the time of the Senate with only the two leaders present, but I believe that for the RECORD the report should be in the body of the RECORD, and I think it should be printed in a form that will be readable.

The PRESIDING OFFICER. It will be in the body of the RECORD, anyway, but will be printed in small type.

Mr. HILL. The Senator could have it put in the body of the RECORD; but the Presiding Officer is correct in saying that it would appear in small type.

The PRESIDING OFFICER. It will be in small type in either event, whether the Senator from Nebraska reads it or not, and it will appear in the RECORD in exactly the same place.

Mr. WHERRY. Am I to understand that if I read this as my report, it will be in small type in the body of the RECORD?

The PRESIDING OFFICER. The Chair is advised that under the rules that is the way it will appear.

Mr. WHERRY. It is not yet a report. It represents the findings of five members of the committee, and my understanding is that it will have the force of any other observation in the RECORD.

The PRESIDING OFFICER. The rule of the Joint Committee on Printing controls as to the character of type used.

Mr. WHERRY. Is it the ruling of the Chair that the rules of the Joint Committee on Printing provide that it will be printed in small type, anyway?

The PRESIDING OFFICER. Yes. The Chair is advised that, under the law, the Joint Committee on Printing determines such matters and gives instructions which control the Government Printing Office. Whatever the rule is, it will be followed.

Mr. WHERRY. Mr. President, I know of no rule which requires that if a Senator makes a speech on the floor of the Senate or reads something on the floor of the Senate it must appear in small type. My understanding is that such matter would be a Senator's own words, and would be printed in the same type as any of his speech. Am I correct?

The PRESIDING OFFICER. Of course, all speeches are printed in large, or 7½-point, type, but all excerpts, reports, articles and statements by others appear in small type.

Mr. WHERRY. Mr. President, I abide by the decision of the Chair, and I shall call attention to the topics which are discussed in the report. I ask, then, that the report be printed in the body of the RECORD following the observations I may make.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. WHERRY. Mr. President, the first part of the report, as I started to say, gives the reasons for making the investigation. It goes quite thoroughly into the different regulations and the orders which have been issued, and their impact upon business generally, especially upon the small businessman.

All people are in agreement with the premise that the stabilization of our Nation's economy is an objective toward the attainment of which it is the private and public duty of every citizen to strive with the same unrelenting singleness of purpose and tireless zeal that characterized our national effort toward the defeat of our enemies in war. All are equally in agreement with the premise

that increasingly abundant production is our best defense against inflation and our principal bulwalk against the inevitable ravages of unemployment and the devastation of deflation.

I think we can all start from the premise that what is necessary is to get maximum production. As to the question of how to arrive at maximum production there are two schools of thought. I happen to believe that it is necessary, in order to get production, that business be permitted to operate under flexible prices. It is my contention, and that of the other Senators who signed the report, that unless maximum prices are so fixed that a profit may be made, production will not be obtained, and if we fail to get production, we will not be able to control inflation. There are others who feel that under Chester Bowles' system, now in operation, which is not flexible and under which only prices are controlled, we will somehow get production, but all the experience we have had since VJ-day establishes that the contrary is true, and the result is we are not getting production.

We have lived under that policy since VE-day, for nearly a year, and the fact is that we have not achieved maximum production in any of the industries of this country; so we cannot help coming to the conclusion that something must be done. We must either control all the factors that go into prices in order to set prices which will be stabilized with the wages of labor, or we will have to have price increases which will permit production, where increases in wages are granted.

We members of the Small Business Committee have found that the cost of living has gone even higher than is indicated by the statistics given out by Chester Bowles and by those prepared by different labor organizations. I think there is no dispute that we have discovered some hitherto hidden increases in the actual figures. I think there are places where wages must be increased. Where wage increases are made, we have to consider what the prices will be for the goods produced by that labor, because if we increase the cost of wages and materials to the point where manufacturers cannot produce at a profit we will not get production, and if we do not get production we cannot control inflation.

This is not a partisan view; this is not a party problem. It is the gravest problem the Nation faces. We must get production.

We begin on page 3 of the report with a statement under the heading "Contending arguments." The contending arguments of the two schools of thought on the subject are given in detail.

The next heading in the report is "The problem presented." That is the problem as to how vitally needed production can best be obtained.

On page 5 of the report we consider "Current economic factors." Under that subheading we go into the current economic factors which must be considered if we are to have a sound price program for our present needs.

Then we take testimony from the transcript and reveal it to Members of the Senate, if they care to read it, and every Senator ought to read it, because if we are to control inflation, one way of doing so is to obtain production, and if we are to have price control for the next year and a half, all sections of the country, especially the cotton section of the South, are interested in profits sufficient to produce materials in order to give the consumers of the country the goods which they so badly need now, goods which are in great demand, but are scarce in the market.

All of us are interested, I am sure, not only in the production of raw materials but in seeing to it that other segments of industry shall fabricate the raw materials into the products demanded by the people of the country. We are interested in seeing to it that prices are sufficient to bring about abundant production and thereby enable us to eliminate the black market and do away with the high prices which were described by Mr. Othman in the news release I mentioned a moment ago respecting shirts.

Beginning on page 7 of the report we discuss existing legislation and how in the past it has been changed from time to time to meet current needs. We point to war standards being pursued today although our needs have changed.

On page 9 of the report we find the heading "Effect of postwar price administration." Under that heading we discuss what the effect will be under the present system without any amendment being made to the Price Control Act. That subject is discussed in detail.

Throughout the report we refer, in notes at the bottom of each page, to the transcript of the testimony offered by Government officials, by businessmen, by producers, by those representing labor, and by those representing management. We submit a very comprehensive report to the Members of the Senate. That is especially true with reference to the discussion of the effect of postwar price administration.

Beginning on page 13, we discuss the question of price and business incentive. A question the Senate will have to consider is, Can we get production without business incentive? Can we get it by allowing producers only to break even or by requiring them to stay in business at a loss? How do we want to provide the incentive? What do we want to pay to provide it?

Let me give an illustration. It will be recalled that about a year ago we were confronted with a difficulty respecting production of milk. The distinguished minority leader [Mr. WHITE] will remember that situation. There was a scarcity of milk, and we could not get a sufficient production of milk. I recall distinctly that one morning 17 Senators met under the chairmanship of the Senator from Vermont [Mr. AIKEN]. The Administrator of Production appeared before us, as well as the Administrator of Price Control and the Secretary of Agriculture, and the head of the Commodity Credit Corporation, and of the Reconstruction Finance Corporation, and others who were interested in this subject matter. The purpose was to find out how greater production of milk could be had. What was the best way to obtain greater milk production? Was it by the subsidy payment incentive route, or was it by the route of passing the increased cost on to the consumer? Whether one believes in the subsidy payment incentive route or the route of passing the increased price through to the consumer is entirely aside from the question. If it is necessary that there be price increase made in order to obtain increased production, then that price increase must be had, whether it goes through the subsidy route or through to the consumer. That is the matter which is discussed beginning on page 13. It was finally determined that it was necessary to increase price paid for milk 3 cents a quart in order to obtain increased production. When that price increase was made production increased, and milk became available. We got the milk, however, through the subsidy route. It was the contention made by those of us who are of the old school that the 3-cent increase should be granted, but that the price increase should be passed on directly to the consumer. I do not believe in the general policy of the subsidy. But in this case we obtained increased production through the subsidy incentive.

What do Senators want to do? This subject was ably discussed by the senior Senator from Georgia [Mr. GEORGE] on a previous occasion. He asked whether we wanted to obtain increase production through subsidies, or through the establishment of a price policy and also a comparable wage policy, in order that production could be increased and consumers could buy he things they need. Shall we establish a policy of increasing the price paid to industry so it may make a sufficient profit to enable it to bring about maximum production? I think both sides of that question are ably discussed beginning on page 13 of the report. On page 16 we find the heading "Need for suitable controls." I do not think any Member of the Senate wants inflation. We are all trying to curb inflation. We all agree on that matter. Some Senators feel we should immediately lift controls. Other Senators feel we should go along with the present controls which are not flexible. Others again feel we should have a flexible price control program in order to increase production; so beginning on page 16 of the report we discuss the need for suitable controls.

Mr. President, while I have many times resisted the policies of OPA, I am one of those who believe—and I want this indelibly stamped on the minds of Senators—that if we can obtain suitable controls, that is controls which are sufficiently flexible to assure production by establishing a maximum ceiling price, that can be done, providing all other factors which enter into the matter are likewise controlled. All other factors must be controlled as well. If not, it is my personal feeling that we can get along better without the price stabilization program we now have.

On page 21 of the report we make four recommendations. The first is:

That the maximum average price regulation and any and all regulations issued in whole or in part in pursuance of the cost

absorption policy presently being administered to be withdrawn and rescinded.

That, Mr. President, must be done if we are to get maximum production. The Price Administrator has no right to step into a private contract and take out of it, let us say, a 5-percent dealer's commission, which has been established through the years of competitive enterprise, and give it to some other segment of industry. If any saving at all can be made, it should go to the 140,000,000 people of this country, and should not go to one particular segment of an industry to which the Price Administrator might give it in order to secure production.

Furthermore, when we step into the field of the sacred rights of contract and take away what an individual has rightly earned down through the years, or will earn, based upon a traditional percentage mark-up which has been established by the competitive free-enterprise system, then we are taking away the rights of the individual. Such a thing should not be tolerated on the part of the Price Administrator.

The second recommendation is:

No maximum price shall be established or maintained for any commodity under authority of this act or the Stabilization Act of 1942, as amended, or otherwise, (1) below a price which will reflect to producers, manufacturers, wholesalers, distributors, jobbers, and retailers dealing in such commodity a percentage profit per unit, based on current costs, equal to the average percentage profit per unit earned during the calendar years 1937 to 1941, inclusive, or (2) which will reduce or result in the reduction of trade discounts or percentage mark-ups, with respect to such commodity, below the average established trade discounts or percentage mark-ups applicable with respect to such commodity during such calendar years.

The third recommendation is:

That Congress declare the obtaining of production paramount to the maintenance of existing price levels and prescribe legislative standards to assure that price controls be exercised in a manner calculated to secure maximum production.

I think all Members of the Senate can agree with that recommendation. We go even so far as to say—and I think it is correct—that possibly greater production could be obtained if production and price control were under one head, under one branch of the Government, because at this very time there is a constantly increasing breach between the branches of Government which are responsible for production and for price control. I am one who believes that if we could combine the two and put them under one head, and make one head responsible for price control and for production, we would have a much better stabilization program.

The fourth recommendation is:

That the appropriate committees of Congress give immediate consideration to legislation restoring jurisdiction to the District Courts of the United States to hear and determine any and all questions which may be raised by persons affected by any regulation promulgated under the authority of the Emergency Price Control Act and under the authority of any legislation which may be enacted in lieu thereof.

If that recommendation were carried out, Mr. President, the people of this country would once again be free to go to their own local Federal courts instead of going through a no-man's land of OPA reviews only to wind up in a war court at the end of the labyrinth. The individual would be given his day in court which he does not have now because under present law if OPA issues an order which puts an individual out of business because he cannot operate under it, he has no right to go into the district court and obtain a restraining order setting aside the OPA order and allowing him to operate until a judicial decision is made.

In all the years during which the Republic has existed in every civil action and in every criminal action the right to appeal to any court of law has been in existence. Why should we not have it under the Price Control and Stabilization Act? What is done now? An order is issued, and in effect it is said, "You must operate under this order, even though it may take 6 months to get a judicial decision, and in the meanwhile you are wiped out, because the order discriminates against you."

Mr. President, it is only American justice that the citizen be given the right to go into a civil court of the land and there challenge the order and obtain a judicial decision, and prior to the time the judicial decision is made he should have the right to enjoin the Price Administrator from enforcing an order which is illegal and unjust, and which discriminates to the extent that it puts a man completely out of business.

Finally, if the determination is not made in the lower court he should have the right to appeal to the circuit court and then to the Supreme Court by certiorari. Why should he not have that right? What is done now is to protest the order to OPA and appeal to some department in the administration, and then go to the Emergency Court of Appeals, instead of being able to go to the Federal court in the individual's home State. A man charged in Nebraska must go all the way to Washington to this one departmental court in order to obtain judicial relief. This is wrong and should no longer be tolerated. The existing situation must be rectified, and I believe that my amendment will do it.

Mr. President, I did not intend to speak as long as I have spoken about this report. I hope Senators will read the report, and that Chester Bowles will read it before he testifies before the House Committee on Banking and Currency on Monday morning. I am satisfied that he should be made responsible for production and prices as well. We must have a price control program under which we can achieve production, because production is the only thing that will enable Chester Bowles or anyone else to whip inflation.

EXHIBIT 1

VIEWS ON EXISTING PRICE-CONTROL POLICIES BY SENATORS WHERRY, BUCK, CAPEHART, WILSON, AND CAPPER, MEMBERS OF THE SENATE SMALL BUSINESS COMMITTEE

FOREWORD

Soon after the cessation of hostilities it became increasingly evident that it would be necessary to examine Government policies regulating and affecting small business enterprise. Small business is such a substantial force in the national economy that the problems of one are synonymous with those of the other. Internal factors affecting the domestic economy in the transitional period challenge the sufficiency of the policies and the forces of Government to meet the needs of the Nation's economy. The following report deals with that problem in the light of developments which have ensued since the cession of hostilities. It is respectfully submitted to the Congress and through it to the Nation in the hope and belief that it may tend toward the proper solution of that problem.

February 13, 1946.

KENNETH S. WHERRY,
C. DOUGLASS BUCK,
HOMER E. CAPEHART,
GEORGE A. WILSON,
ARTHUR CAPPER,
United States Senate.

The Senate Small Business Committee, charged with the duty of studying the problems of the Nation's small business enterprises, is seriously concerned with the numerous and insistent complaints emanating from all parts of the country that businessmen engaged in almost every field of endeavor are experiencing hardship and difficulty in their activities as a result of certain price and other regulatory restrictions imposed upon them by OPA. Hearings were called and for 3 weeks the committee heard testimony from witnesses as to their day-to-day experiences under OPA regulations and their administration. The Price Administrator and others charged with the administration of these regulations testified, as did Government officials whose activities and functions bore upon the problems and were germane to the matters raised. The committee heard the testimony and views of officials, economists in private and public life, merchants, large and small, and those of other public-spirited individuals who gave sincere voice to their grievances, experiences, beliefs, and contentions.[1]

Among those who appeared before the committee were persons who urgently insisted upon the immediate discontinuance of further governmental regulation and supervision of business activity, advocating the prompt return of the free, competitive system of enterprise which prevailed prior to the imposition of the controls authorized by the Emergency Price Control Act and other wartime legislation, as well as others who with similar urgency insisted upon a continuation of existing regulations. These views, though diametrically opposed and wholly irreconcilable, were urged with equal vigor upon the committee as they have been and are being urged upon the Congress and other departments of Government.

It is common knowledge that persons in every walk of life and in every field of endeavor are divided in their views concerning this problem. However, the testimony before this committee established that, the conflict of opinion and the diversity of their views notwithstanding, all people are in agreement with the premise that the stabilization of our Nation's economy is an objective toward the attainment of which it is the private and public duty of every citizen to strive with the same unrelenting singleness of purpose and tireless zeal as characterized our national effort toward the defeat of our enemies in war. All are equally in agreement with the premise that increasingly abundant production is our best defense against inflation and our principal bulwark against the inevitable ravages of unemployment and the devastation of deflation. Here, however,

[1] Hearings were held on December 4, 5, 6, 11, 12, 13, 17, 18, and 19, 1945. During the 3 weeks 36 witnesses testified before the committee.

agreement ends and opinion divides as to the means whereby this keystone of the desired stability of our economy can be attained. It is no more singular to find one merchant opposed to another in his concept of what course Government should take to preserve and enhance our way of life than it is to find the views of one official of Government opposed to those of another.

CONTENDING ARGUMENTS

The proponents of continued governmental regulation point to various factors which constitute an inflationary menace—the existing scarcity of needed consumer goods of all kinds, the backlog of consumer demand built up by warborn restrictions of civilian production, the unprecedented accumulation of savings, the inordinate volume of currency in circulation, the necessity for continued deficit financing by Government. These and others are real and not fancied dangers and cannot be lightly viewed. The proponents contend that the only effective method of dealing with these inflationary dangers is to continue existing governmental regulation and even strengthen it.

The opponents of continued governmental regulation acknowledge the existence of the inflationary factors but they point to the existing disorganization of industrial output and attribute it in large measure to unsound governmental regulation imposed upon industry. They decry the regulations imposed upon the distributive outlets of our industrial economy as disruptive and undesirable. They urge the restoration of free competitive enterprise even during the transitional period as the best safeguard against the dangers of continued scarcity and contend that unless the benefits of that system are now restored, the unbalance between supply and demand will be inordinately protracted and the critical period prolonged with all of the dangers implicit therein. They point to technological advances in industrial operations gleaned from wartime experience and to the unprecedented productive capacity of the Nation which concededly is infinitely greater than that which existed prior to the war. They insist that the productive capacities of the Nation be immediately released from governmental controls which they assail as fetters to full production and maximum employment, and contend that if the Nation's productive potential is permitted to function freely and without the impediment of governmental restriction, supply will be brought into balance with demand and the Nation's present and future needs provided in ample abundance.

These and other arguments which are advanced by the contending forces are meritorious and commend themselves to the serious consideration of all persons concerned with the problem.

THE PROBLEM PRESENTED

Upon analysis it is apparent that both proponents and opponents of further governmental regulation rely upon the same force to defeat existing scarcities and other inflationary pressures; namely, the productive potential of the Nation. The real problem, therefore, is whether vitally needed production can best be attained through the medium of existing regulation, through the medium of other regulation, or without any regulation.

The determination of this problem necessarily requires consideration of existing conditions, the adequacy and adaptability of existing legislation to meet present conditions and study of the character of the regulations which have been imposed and/or administered since the cessation of hostilities.

CURRENT ECONOMIC FACTORS

Candor necessitates recognition of the plain fact that conditions presently extant have changed substantially from those which prevailed at the time of the enactment of the Emergency Price Control Act, the Stabilization Act, and other wartime measures still in effect. Notwithstanding all effort to the contrary, the cost of living has risen substantially from that which prevailed prewar.

During the course of your committee's hearings, merchants from all parts of the country testified in detail concerning the disappearance from the market of low-priced, high-quality merchandise which characterized prewar production, and the deterioration of quality in almost all consumer goods, notably in apparel lines, household goods, and electrical appliances. A visual demonstration of the extent and degree of quality deterioration which has occurred in day-to-day consumer goods was afforded the committee through an exhibit compiled by a national retailers' association, which vividly portrayed and graphically illustrated hitherto hidden increases in the cost of living in an emphatically convincing manner.[2]

While the rise in the cost of living has been expressed in percentage figures in various published reports and governmental surveys, it is plainly evident that significant and substantial hidden increases have taken place which are not and cannot be expressed in percentage terms. These hidden increases are discernible in the widespread substitution of inferior commodities for the high-quality lines which were standard and predominated prewar, in the general deterioration of the quality of commodities and consumer goods of all kinds, and the disappearance of low-cost commodities from the market. Reports of the rise in the cost of living expressed in percentage figures, whether by Government or Government officials, are therefore wholly deceptive and entirely misleading—for the actual and experienced increase is substantially higher than that which is so reported.

Wage rates have risen 73 percent over the 1936–39 level. The price of raw materials has increaced 53 percent and other legitimate business costs have risen substantially. Service costs, delivery, packaging, exchanges, and trade-ins in appliance and other lines, largely eliminated in wartime, are once again factors which inevitably have to be considered, as well as write-offs now being experienced due to sleazy ersatz wartime merchandise.[3]

SCARCITY OF GOODS

Almost 6 months have now elapsed since the cessation of hostilities toward the victorious termination of which the energies of the Nation had been solely directed for almost 4 years. Despite many and insistent reports that reconversion is proceeding with infinitely more speed than was anticipated,[4] the fact is that scarcities of all kinds and classes of consumer goods still pervade the market; inventories are virtually nonexistent; the Nation's raw materials are not flowing in the normal channels of distributive trades, and the volume processing of such materials is not proceeding in a manner that augurs well for the Nation's economy.[5]

Merchants in every field of endeavor, long inured to wartime shortages, are necessarily relinquishing their understandable desire to replenish depleted stocks of goods normally carried by them to meet the requirements of business. All marketing effort instead is concentrated upon securing sufficient merchandise to keep doors open. They uniformly find that but a mere fraction of these requirements is available. Raw materials and finished products are painfully slow in reappearing on the market. The consumer's inability to purchase low-cost quality items and the necessity for compromising between what is desired and what is available is widespread and well known.

EXISTING LEGISLATION

It may be contended that sufficient time has not yet elapsed for sound conclusions to be drawn as to the efficacy and adaptability of existing legislation to the needs of the transitional period. While it would be manifestly unfair to evaluate legislative enactments in the light of subsequent conditions with which they were not designed to cope, the desirability of expediting the transition from all-out war production to all-out peace production is beyond question. It would seem sound, therefore, that government should be the first to proclaim the inadequacies or insufficiencies of existing legislation and administrative policies to deal with the problems which now beset us, if in fact they are found to be wanting in effectiveness.

The legislative enactments which are the tools and means now being utilized by the executive department in the dealing with the problems of these times were enacted by the Congress at the outbreak of hostilities and were calculated to meet the war needs of the Nation. The authority being exercised by the executive department of the Government flows from the Emergency Price Control Act, the First and Second War Powers Acts, and the Stabilization Act. These enactments were war powers, conceived, born in, and dedicated to an emergency brought on by hostilities and intended to be utilized solely for the duration thereof. For that reason, during the existence of hostilities the legislature extended the life and efficacy of such enactments for specified and limited periods and from time to time modified them by appropriate amendatory provisions deemed mete to deal with specific problems and changes as they arose. In some instances, amendments were enacted because of the manner in which those powers were being administered, in others, because of the authority asserted and contended for thereunder.

Thus Congress, in accordance with its prerogatives, placed limitations upon the authority of the Price Administrator to deal with cotton except in accordance with the Bankhead amendment; specifically prohibited grade labeling of commodities by the Price Administrator by the passage of the Taft amendment; prescribed certain standards with regard to personnel in the Dirksen amendment to the Appropriations Act; and directed the Price Administrator to deal with meat in accordance with the Barkley-Bates amendment.

The cessation of hostilities found the Government no longer engaged in active war but the state of belligerency brought on by hostilities still exists as its termination has neither been proclaimed by the President nor by Congress. A residue of power and authority intended to be applicable to the economy of a nation at war thus remains

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[2] The National Retail Dry Goods Association compiled an exhibit of several hundred items consisting of men's, women's, and children's apparel, toys, household appliances, electric irons, and other consumer goods of common demand. The exhibit was displayed in both Houses of Congress and was presented to the committee by Robert A. Seidel, vice president of W. T. Grant & Co., on December 5, 1945.

[3] See testimony of Wade McCargo, of Richmond, Va., on December 5, 1945; Charles Barhydt, of Walden, N. Y., on December 11, 1945; Walter J. Hollands, of Western, N. Y., on December 11, 1945; Otto Swanson, of Omaha, Nebr., on December 13, 1945; John B. Greer, of Louden, Tenn., on December 13, 1945; Louis C. Knobbe, of Madrid, Iowa, on December 13, 1945.

[4] See testimony of Chester Bowles on December 4, 1945; John B. Small on December 11, 1945.

[5] Monthly Report on Civilian Production issued by the Civilian Production Administration on January 28, 1945.

vested in the executive branch of our Government and is being utilized with regard to our present economy. It was scarcely within the contemplation of Congress that these powers, in their present form, should extend beyond the cessation of hostilities and that administrative policies formulated thereunder be utilized to regulate, govern, or direct a nation no longer at war.

EFFECT OF POSTWAR PRICE ADMINISTRATION

Since the cessation of hostilities, the discernible impact upon the Nation's economy of existing price authority and administrative policies leaves little to commend their suitability to our present needs. Regulatory measures intended to maintain a semblance of stability among forces affecting the Nation's wartime economy have hindered and obstructed civilian production although after the cessation of hostilities, such production became the Nation's prime objective. Reconverting manufacturers desiring to resume the production of prewar items, found themselves frozen to levels which rendered the resumption of normal business activity and the production of needed civilian goods impossible. Inept pricing policies and provisions for relief from hardship occasioned thereby have hampered production and fostered the deterioration of quality. Processes for obtaining relief were and still are complicated, almost endlessly time-consuming and frequently wholly unavailing.[6] Resort to artifice and subterfuge in securing price action has even been suggested by price officials.[7]

There can be little doubt that the Nation's economy and the success of our reconversion effort is suffering and will continue to suffer from the impact and application of administrative standards, policies, and processes not adapted to its present needs. The plain fact is that administrative methods pursued today are those which were calculated to regulate our war economy. Nevertheless they are still being superimposed upon the Nation's industry in the transitional period, notwithstanding the chaotic consequences of such action.

Distortions in the production and distribution of manufactured commodities urgently needed by consumers throughout the land have been and are now being engendered by various regulations, notable among which is the maximum average price regulation. Because of MAP urgently needed finished goods produced to sell at lawful ceiling prices have been withheld from the market, their sale at such prices being interdicted and rendered illegal through the inability of the manufacturer to offer lower priced commodities of the same class for reasons beyond his control—usually the impossibility of securing the raw materials necessary for the manufacture of the lower priced goods. Tie-in sales, although a violation of law, are virtually compelled by MAP and its strangulating effect upon commercial activity. Because of its provisions, the production of textile mills so vitally needed to meet war-created shortages of clothing is impeded and disrupted.

To say the least, it is curious that MAP is still in effect. An investigation conducted by a special committee of the House[8] brought to light the fact that it had been promulgated over the unanimous protest of the only persons in OPA competent to evaluate its worth and effect. The judgment of the agency's own experts was overridden by others within OPA admittedly lacking in experience and wholly unqualified to overrule the opinions voiced in opposition to the promulgation of MAP. Its declared objective was twofold. The first and foremost was to restore low-priced clothing to the market, and the second to require a pattern of production similar to that which existed in a specified base period. High agency officials, when pressed on the point, plainly admitted that MAP was a complete and absolute failure with respect to its primary objective—the restoration of low-cost clothing. In the face of insistent protests from all segments of industries affected thereby that MAP was disruptive and oppressive, the agency insisted that the secondary objective—restoration of a pattern of production—was being attained and this onerous regulation was continued despite all protests.

Upon analysis, it is plainly evident that MAP is not a price regulation but is clearly beyond the purview, scope and authority of the Price Administrator. In operation and effect it is as devious an endeavor to regulate production as it is obnoxious and impeding to full production. Recommendations for its abandonment by a committee of the House, as well as by Members of both Houses of Congress, by textile mills, manufacturers, and merchants have all been unavailing.

The importance of attaining maximum production of textiles as one of the prime contemporaneous needs of the Nation cannot be over-emphasized. Yet the disruptive effect of price policies imposed upon textile mills and maintained since the cessation of hostilities is such as to cause many mills to abandon traditional methods of production and to integrate their operations with functions historically performed by converters. In consequence, mills today are finishing or partly finishing their products instead of distributing them in the greige state. This results in the disruption of efficient channels of distribution established under the prewar competitive system indispensable to the proper functioning of our economy and causes finished goods to be narrowly distributed among comparatively few large manufacturers in a position to use a substantial portion if not all of a given mill's products. Small manufacturers are thereby afforded little or no materials for their operations except as assisted by CPA priority allocations.[9]

In its endeavor to correct inequities suffered by the meat packing industry, Congress made specific provision with regard to the imposition of price ceilings on meat. By the enactment of the Barkley-Bates amendment, Congress directed that a prewar margin of profit be provided on each specie of meat slaughtered and distributed. In direct violation of this mandate OPA made no change in then existing prices. Four months later it announced a retroactive subsidy of 8 cents per hundredweight stating that it "had erred in its prognostications." In the interim, however, the very existence of many packers was threatened by enforced deficit operations. Relief from OPA being unattainable they sought financial assistance from the local banks only to learn that commercial credit would not be extended on the premise of administrative action expected at some future date. Faced with obstacles which were insurmountable and apparently insoluble, many packers were forced out of business. In one community—Buffalo, New York—21 packers were forced to suspend operations and cease business. Characteristically enough, the relief eventually granted by OPA was set at a level which left more than 25 percent of the industry in a deficit position. A further subsidy recommended by OPA left only 10 percent of the industry in a deficit position. Despite this acknowledgement that such prices were inadequate and not in accordance with the Barkley-Bates amendment OPA continued them without change, the law to the contrary notwithstanding.[10] At the hearings before this committee OPA, through its General Counsel, gave oral assurance that in the future the congressional mandate would be obeyed.[11]

The lumber industry is faring no better than other industries whose experiences and grievances were related to the committee. In consequence, the prospect of alleviating existing housing shortages is rendered more remote than ever. Full production and proper distribution in this industry, though vital to the economy of the Nation, is being stifled by unrealistic pricing policies and OPA techniques. Distribution of its products, as vital as production itself, is distorted and almost destroyed. Preprice control, the industry was divided into segments, each of which performed a valuable and significant function. The margin of each was established in relation to the service performed. The mill-shipping wholesaler rendered important distributive and consultative functions which greatly assisted small retail yards throughout the Nation, and financed both operations of mills and purchases of retail yards. His knowledge, experience and functions constituted a valuable adjunct in the industry. Throughout the war his knowledge and experience was utilized by the Government in securing and expediting the delivery of needed products. Because of present shortages and existing price levels mills are selling all of their production to other than normal outlets. Large-line distributive yards, being allowed a mark-up, can pay mill ceiling prices and most lumber is shipped to them. The mill wholesaler cannot compete because he must buy at mill ceiling prices but is allowed no mark-up on sales and is therefore actually being forced out of business. Although repeated protests have been made to OPA by all segments of the industry, this condition has prevailed for many months and nothing has been done to alleviate it.[12]

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[6] J. D. Kappeler, of Carlstadt, N. J., testified before the committee on December 6, 1945. His firm, the Kappeler Brush Co., made over 4,700 items in the prewar period. Increased material prices and labor costs necessitated the filing of an application for price relief on February 7, 1944. After considerable delay, on August 2, 1944, an unsatisfactory price adjustment was made and the company was compelled to discontinue 51 percent of its business. The company now operates at a loss on its 432 remaining items, but must wait an additional 3 months before it can apply for relief from OPA.

[7] Testimony of Robert A. Seidel, on December 5, 1945. The Climax Hosiery Mills, of Athens, Ga., made split-foot hosiery prewar. During the war it was entirely in war production. When it desired to reconvert to civilian production it discovered that its ceiling price was inadequate. An official in OPA pricing branch could find no regulation that would afford the company the required relief, but suggested that an application might be filed on the grounds that the character of the business had changed. Window and door screen manufacturers, in order to obtain needed increases in prices, had to change their screening from 16 mesh to the inch each way to a new kind 18 mesh to the inch one way and 14 mesh to the inch the other way.

[8] Hearings before the Select Committee of the House of Representatives to Investigate Executive Agencies—June 1945.

[9] See testimony of Irwin Feldman on December 18, 1945.

[10] See testimony of Wilbur LaRoe on December 17, 1945; F. E. Wernke of Louisville, Ky., on December 17, 1945; C. Elsen of Cincinnati, Ohio, on December 17, 1945; Joseph P. McCarthy on December 17, 1945.

[11] See testimony of Richard Field on December 17, 1945.

[12] See testimony of Donald R. Meredith, of New York, on December 12, 1945; Austin P. Braun on December 12, 1945; Jerome M. Ney on December 12, 1945; Edwin W. Elmer, of Minneapolis, Minn., on December 12, 1945; Robert B. Cowles, of Springfield, Mass., on December 12, 1945; C. O. Aschman, of Chicago, Ill., on December 12, 1945; C. W. Matthews, of Seattle, Wash., on December 12, 1945; W. T. Turner, of Spartanburg, S. C., on December 12, 1945.

PRICE AND BUSINESS INCENTIVE

Prior to price control consumer goods were competitively produced in tremendous quantities and were efficiently distributed and priced. Dollar margins of profits above the then level of costs were competitively established and were calculated to yield a return which in the light of risks involved would provide an incentive to business. Quality standards were high and always tended to higher levels because of competition. Research for the development of improvements was continually fostered. Profits received from business activity depended largely upon volume and efficiency of business organization and management.

Control as now exercised, broadly speaking, limits the producers and processors of raw materials, as well as manufacturers and merchants at all levels of the distributive outlets of our economy, to prices which prevailed in 1942, except as varied by in-line pricing techniques or adjusted by the application of other available pricing standards none of which gives full effect to experienced increases in legitimate costs of doing business. In consequence many commodities which otherwise would be available to meet consumer demands cannot be produced, handled, or distributed except at a loss or at prices which permit one only to break even.

Sound business judgment dictates the wisdom of abstaining from any endeavor which mathematically entails a loss. For our Government to expect or attempt to require, by policy or otherwise, that business enterprise be carried on with no hope or incentive other than to break even is sheer folly. Yet such is the effect which inevitably flows from regulations which deny producers of raw materials, their processors, the manufacturers of finished goods and the merchants who distribute them the right to recapture presently experienced costs except through a progressive diminution of prewar dollar margins of profit. The policy from which this stems, termed "cost absorption," is as fallacious as it is corrosive and destructive of business enterprise. It constitutes nothing less than attempted regulation of profit margins and proceeds upon the hypothesis that the Administrator and his staff are competent to better determine the margins of manufacturers and merchants than they themselves, that the judgment of OPA economists and other theorists can be substituted for the practical experience of businessmen in the management of their affairs and the operation of their enterprises, and that the activities of industry can be accommodated to absentee government management charged with no direct responsibility for the consequences of such policies. No nation's industry can long endure such regulation and survive.

The views of merchants throughout the Nation with respect to this OPA policy were aptly expressed by one of the witnesses who appeared before the committee:

"It appears to me that OPA's cost absorption policy is most unsound, unfair, and impossible.

"For all of 20 years that we have been in business, our percentage of mark-up has been about the same. I believe it was about the same as others in our line of business. We never seem to be making too high a mark-up. It seemed like a safe margin. At the same time it was pretty hard to keep going with the mark-up that we took.

"Now, OPA comes along and tells me, after 20 years' experience, that I should absorb additional costs, or in other words, cut my margin of profit.

"Have I been wrong all these 20 years? If so, why could I stay in business with competitors selling like merchandise all around?

* * * * *

"In cost absorption as well as other OPA policy, merchants are lumped together, and the same label used for all. There is real danger in the careless use of this one label for all merchants, because we have so many different kinds of merchants. We have large merchants in large cities, and large merchants in small cities and small towns; we have small merchants in large cities and small merchants in small towns; chain stores; department stores, cash stores and credit stores; stores that give lots of extra service and stores that just hand you the goods and take the money.

"All these stores have a place in our economy. They each fill a place in their respective communities. Their methods of doing business and their needs are so different that there is real danger in permitting ourselves to think that what one could do, all the others could also do.

"I think that cost absorption might be very bad for many of our small town merchants. I am speaking for the small town merchants, because most of our business is in small towns.

"I have not been able to bring myself around to the line of thought that OPA's so-called price line is more important than the business firms of the country. The very fact that competition has kept my mark-up down to a certain figure through all these years and never forced me much below that figure is plenty proof that the mark-up figure must be right, and I am afraid that if it is tampered with the result will be ruinous." [13]

NEED FOR SUITABLE CONTROLS

No fair minded individual can justly minimize the benefits which inured to the Nation during the war years through the exercise by the Executive of the war powers granted by Congress to safeguard the Nation's economy, or decry the advantages which flowed from the administration of those powers. During the war years price controls were effective in minimizing price advances. To the limited extent that percentage figures afford an index to the effectiveness of the administration of price control it is noteworthy that prices increased only about 40 percent between 1939 and VJ-day in August 1945. One-half of the current increase in living costs occurred between September 1939, and the promulgation of the hold-the-line order in May 1943. Rents were held to approximately 4 percent over those prevailing at the time controls were put into effect. The effectiveness of the Government's effort to "hold-the-line" would have been tremendously augmented if the line had been authorized and applied to all forces affecting the economy instead of merely at price levels. But there is much to be grateful for in the task that was accomplished. The cooperation of the American people was a factor without which the administration of price control would have been nothing but a dismal failure.[14]

Having benefited from the administration of those powers during the period of hostilities, care should now be exercised lest the advantages gained be frittered away and dissipated through unwise administration of unsound policies and through the attempted development of a peacetime economy under inapplicable regulations and standards. A specific remedy successful in treating one ailment is rarely desirable for the treatment of another. Restraints necessary at the time they are imposed become shackles when their timely removal is neglected and delayed. Legislation, administrative policies, and standards designed to regulate and control the economy of a nation at war do not constitute appropriate instrumentalities for the assistance of the Nation's economy after the cessation of hostilities. It must always be remembered that freedom is a way of life and regulation a habit which once indoctrinated is destructive of initiative and confidence. Long-enforced submission to regulation encourages addiction thereto.

Any reasonable interpretation of the testimony adduced at the hearings before the Senate Small Business Committee, as well as a reasonable survey of existing conditions convincingly establishes the necessity for the abandonment of war-born price policies and standards in administering to the present needs of the Nation's economy.

Of what avail is it that prices have been held within calculable limits if commodities are not obtainable at such prices? Of what avail is it that rents have been held to minimum levels if under present policies the construction of needed housing is rendered virtually beyond the ingenuity of man?

The returning veteran in need of clothing can derive little comfort, if any, to learn that price levels are being vigorously maintained in the apparel lines, if he is unable to obtain his requirements. He will derive less comfort from the action of Government officials who urge the amendment of War Department regulations so that he may lawfully wear his uniform beyond the 90-day period now authorized in lieu of eliminating impediments to the production of clothing which were created by their action. It will afford the veteran in search of housing little cause to rejoice in the extraordinary stability attained in rental levels, if under existing policies housing continues to be nonexistent and his search for quarters proves unavailing.[15]

Doubtless these conditions are in a measure attributable to the lack of harmony and strife in industrial relations, and to charge the administration of price control with their sole responsibility would be as manifestly unjust as the continuation of existing standards, policies, and criteria is inherently dangerous. While it is entirely true that without price control throughout the war the Nation's economy would have suffered infinitely more than it has, it is equally true that standards more suitably adapted to our present needs should take its place. It is plain that the continued imposition of existing policies and standards in dealing with contemporaneous problems and the present needs of our Nation's economy can only invite the disaster which it is the professed objective of government to avert. Thoughtless or ill-considered advocacy of continued application of existing legislative administrative standards to the present economy, if successful, may prove equally disastrous.

It is significant that even now, when the Nation is no longer preoccupied with the exigencies of war, no effective means is available to anyone whereby the legality and propriety of any regulation or policy being administered can effectively be challenged in any court in the land. The exhaustion of interminable, interlocutory administrative processes within OPA itself is a condition precedent. The challenge thereafter can only be tendered to a court intended to function during a period of hostilities. Compliance, in the interim, is mandatory regardless of the effect upon the protestant. Patent illegality on the face of a regulation does not alter the procedure which must be followed. More frequently than not irreparable damage occurs before relief can be obtained by judicial process. Continued insistence upon such procedures in the transitional period and the denial to persons affected by such regulations of access to the courts of the United States can only tend to bring the administration of government into disrepute.

[13] The statements were quoted from the testimony of Van H. Priest of Madison, Fla., and a past member of the Florida Legislature, who appeared before the committee on December 11, 1945.

[14] See testimony of Chester A. Bowles on December 4, 1945.

[15] See Testimony of Ford Hinrichs, Acting Commissioner of Labor Statistics, Department of Labor, on December 19, 1945.

There is no gainsaying the fact that the price policies administered since the cessation of hostilities have seriously hampered and impeded the production of needed consumer goods. Thus the scarcity which it is the professed objective of government to minimize, and which is cited in support of continued control, is aggravated and perpetuated by the control itself. This inevitably limits the opportunity for full employment and aggravates the difficulties of war-dislocated workers and returning veterans. The advocacy of further continuance of price control as it exists today is tantamount to an assertion that this war-born standard is as well adapted to serve our current needs as it was to meet the Nation's needs when sponsored and adopted. The assertion defeats itself, for what is needed today is production to end scarcities and stabilization at existing levels of cost factors to permit and stimulate the resumption of war-interrupted production of civilian consumer goods, whereas the Nation's needs at the time of the act's sponsorship and passage were totally different.

Restrictive control of the productive potential of the Nation and of business enterprise at every level of our economy can only be reconciled with a philosophy of fear and a lack of confidence in the inherent and proven productive capacities of our Nation. It is unthinkable that such a fear is well-founded or that the philosophy on which it is based is sound. To the precise extent that existing price policies impede that attainment of full production, the interests of the Nation have suffered. To the extent that they are further endured, the interests of the Nation must continue to suffer.

Factors influencing our economy today are such as to plainly indicate the necessity for, and wisdom of, maintaining controls, particularly for the purpose of limiting the few who through greed or cupidity might otherwise seek means of exploiting existing scarcities to their own advantage in disregard of their fellow citizens' welfare. The foreseeable needs of the Nation's economy require that authority to allocate scarce materials and commodities be strengthened and that all controls be exercised in a manner calculated to stimulate maximum production. Policies which are unrealistic and deny recognition to experienced cost increases, such as those presently administered, constitute a tremendous deterrent to needed production and tend to perpetuate the evil for the correction of which the control was sanctioned.

It is argued that the regulations and policies complained of are temporary in nature and will be promptly removed whenever supply is brought into a relative state of balance with demand but it is plain that the restoration of such a condition will not be facilitated and at all events must necessarily be delayed unless present policies are abandoned. Business incentive and price control are entirely compatible if the control that is exercised is realistic and sound. Prewar dollar margins of profit were competitively established. Their restoration above existing costs would neither be inflationary nor extortionate. If permitted today the scarcity properly cited as an inflationary menace would rapdily be overcome and stability restored. Such a program must be undertaken at once and applied at all levels of our economy. Its administration should be simplified and carried out without reservation.

RECOMMENDATIONS

We recommend:

1. That the maximum average price regulation and any and all regulations issued in whole or in part in pursuance of the cost-absorption policy presently being administered to be withdrawn and rescinded.

2. That no maximum price shall be established or maintained for any commodity under authority of this act or the Stabilization Act of 1942, as amended, or otherwise, (1) below a price which will reflect to producers, manufacturers, wholesalers, distributors, jobbers, and retailers dealing in such commodity a percentage profit per unit, based on current costs, equal to the average percentage profit per unit earned during the calendar years 1937 to 1941, inclusive, or (2) which will reduce or result in the reduction of trade discounts or percentage mark-ups, with respect to such commodity, below the average established trade discounts or percentage mark-ups applicable with respect to such commodity during such calendar years.

3. That Congress declare the obtaining of production paramount to the maintenance of existing price levels and prescribe legislative standards to assure that price controls be exercised in a manner calculated to secure maximum production.

4. That the appropriate committees of Congress give immediate consideration to legislation restoring jurisdiction to the district courts of the United States to hear and determine any and all questions which may be raised by persons affected by any regulation promulgated under the authority of the Emergency Price Control Act and under the authority of any legislation which may be enacted in lieu thereof.

EXECUTIVE SESSION

Mr. HILL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. HOEY in the chair) laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Jacob Weinberger, of California, to be United States district judge for the southern district of California, vice Harry A. Hollzer, deceased.

By Mr. WALSH, from the Committee on Naval Affairs:

Civil Engineer Joseph F. Jelley, Jr., to be a civil engineer in the Navy, with the rank of rear admiral, for temporary service, to continue while serving as Deputy Chief of Civil Engineers, United States Navy, and the Assistant Chief of the Bureau of Yards and Docks.

By Mr. BAILEY, from the Committee on Commerce:

Commodore Merlin O'Neill to be Assistant Commandant with the rank of rear admiral in the United States Coast Guard, for a period of 4 years, to fill an existing vacancy; and

Clarence M. Young, of California, to be a member of the Civil Aeronautics Board for the term expiring December 31, 1946, vice Edward P. Warner.

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

Maj. Gen. Everett Strait Hughes (colonel, Ordnance Department), Army of the United States, for appointment in the Regular Army of the United States as Chief of Ordnance, with the rank of major general, for a period of 4 years from date of acceptance, vice Lt. Gen. Levin Hicks Campbell, Jr., who retires on May 31, 1946; and

Several officers for appointment in the Regular Army of the United States.

NOMINATION OF FRANK M. SCARLETT TO BE UNITED STATES DISTRICT JUDGE, SOUTHERN DISTRICT OF GEORGIA

Mr. McCARRAN. Mr. President, from the Committee on the Judiciary I report favorably the nomination of Frank M. Scarlett, of Georgia, to be United States district judge for the southern district of Georgia, vice Hon. Archibald B. Lovett, deceased, and ask unanimous consent for its present consideration, as in executive session.

Mr. WHITE. Mr. President, if the Senator is asking for the present consideration of a nomination just reported from the Committee on the Judiciary, I feel that I ought to object. Many Senators are absent. I do not know what Senators may be interested in the nomination. I do not know what the interest of any Senator may be; but I feel that a regard for absent Senators compels me to object.

Mr. McCARRAN. Mr. President, will the Senator listen for a moment while I make an explanation?

Mr. WHITE. I am glad to withhold the objection.

Mr. McCARRAN. Mr. President, this place has been vacant for some time, due to the death of a former justice. The Committee on the Judiciary had this nomination before it and gave it 1 week's consideration. No objection was made. The nominee has the whole-hearted support of both Senators from Georgia. Because of the condition of the court docket, and because of certain events which are scheduled to take place in Georgia, I ask unanimous consent for the present consideration of the nomination. Otherwise, I would not ask for an exception to the rule. I hope the Senator may see fit to consent.

Mr. RUSSELL. Mr. President, I hope no objection will be interposed to the confirmation of this nomination. An objection could serve no very useful purpose, and it would cause considerable confusion. A term of the court for the southern district of Georgia is supposed to begin in Savannah on Monday. Due to the fact that the judge who recently passed away in that circuit had not been able to hold court for a long time, there is a very crowded docket, and the public interest demands that the new judge be qualified and assume office as soon as possible.

In addition to the public interest involved, there is also a personal matter, but it is a human matter. Notice has gone out among the members of the bar that the judge will be sworn in on Saturday of this week. Quite a luncheon party has been arranged for the swearing-in ceremonies. If there is any possibility of substantial objection, of course the ceremony could be deferred. It is perhaps a little thing in the Senate of the United States, but it is a large thing in the lives of the in-

dividuals affected. I trust that there will be no objection.

Mr. WHITE. I understand the Senator from Nevada that this is a nomination for United States district judge?

Mr. McCARRAN. That is correct.

Mr. WHITE. In large part, it is a matter of local interest, rather than general public concern. If a banquet has been arranged or is in prospect for any of the citizens of Georgia, I should not wish to feel that I had deprived them of the delights of such an occasion, and I withdraw my objection.

Mr. RUSSELL. I thank the Senator.

Mr. McCARRAN. I thank the Senator.

The PRESIDING OFFICER. The nomination will be stated for the information of the Senate.

The legislative clerk read the nomination of Frank M. Scarlett to be United States district judge for the southern district of Georgia.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination? The Chair hears none. Without objection, the nomination is confirmed; and without objection, the President will be immediately notified.

RECOMMITTAL OF ARMY NOMINATIONS

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent that the Senate recommit to the Military Affairs Committee the nominations of approximately 300 colonels which appear on pages 1 to 17, inclusive, of today's Executive Calendar.

Mr. WHITE. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Colorado. I yield.

Mr. WHITE. Does the Senator's request include all the names appearing in connection with the Army nominations, or only those having before them a cross?

Mr. JOHNSON of Colorado. The request includes all the nominations in the Army.

Mr. WHITE. It includes all of them?

Mr. JOHNSON of Colorado. Yes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado? The Chair hears none, and it is so ordered.

If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar, following those previously disposed of.

RECONSTRUCTION FINANCE CORPORATION

The legislative clerk read the nomination of George E. Allen to be a member of the board of directors of the Reconstruction Finance Corporation.

Mr. WHITE. Mr. President, I ask that this nomination be passed over.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

FOREIGN SERVICE

The legislative clerk read the nomination of Raphael O'Hara Lanier to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Liberia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. HILL. I ask that the President be immediately notified of all nominations confirmed this day.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

REFERENCE OF NOMINATIONS AND TREATIES

Mr. HILL. Mr. President, it has been the custom of the Senate to authorize the Presiding Officer of the Senate, when no executive session is held on a particular day, and when there is no objection, to refer nominations and treaties to the appropriate committees. Following this custom and precedent of the Senate, I send to the desk a resolution and ask for its present consideration.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The legislative clerk read as follows:

Resolved, That on calendar days of the present session of Congress, when no executive session is held, nominations or treaties received from the President of the United States may, where no objection is interposed, be referred, as in executive session, to the appropriate committees by the Presiding Officer of the Senate.

Mr. WHITE. Mr. President, I believe, as the Senator from Alabama has stated, that this resolution conforms to long-established practice of the Senate, and I see no objection to it.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

RECESS TO FRIDAY

Mr. HILL. As in legislative session, I move that the Senate take a recess until 12 o'clock noon on Friday next.

The motion was agreed to; and (at 1 o'clock and 26 minutes p. m.) the Senate took a recess until Friday, February 15, 1946, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, February 13 (legislative day of January 18), 1946:

DIPLOMATIC AND FOREIGN SERVICE

Monnett B. Davis, of Colorado, to be a foreign-service officer of class 1, a secretary in the diplomatic service, and a consul general of the United States of America.

Walton C. Ferris, of Wisconsin, now a foreign-service officer of class 3, and a secretary in the diplomatic service, to be also a consul general of the United States of America.

CONFIRMATIONS

Executive nominations confirmed by the Senate, February 13 (legislative day of January 18), 1946:

FOREIGN SERVICE

Raphael O'Hara Lanier to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Liberia.

UNITED STATES DISTRICT JUDGE

Frank M. Scarlett to be United States district judge for the southern district of Georgia.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 13, 1946

The House met at 12 o'clock noon.

Rev. Dr. Philip F. Mulhern, Dominican Order, Immaculate Conception College, Washington, D. C., offered the following prayer:

In the name of the Father, and of the Son, and of the Holy Ghost. Amen.

Eternal Father, we come to You to ask Your blessing on this gathering of the lawmakers of our country, whom You have called to take part with You in governing the lives of men. You have chosen these men to be instruments of Your will in making laws which will affect the lives of their own countrymen and of all other peoples. Look down upon them with friendly concern; show them their need for Your guidance; enlighten them with the wisdom and strengthen them with the justice their mighty task demands.

Father of all men, the work of our Congress is Your work; their task is Your task—to bring from the chaos and confusion of today the regulated order of tomorrow. What they do here reaches out from these walls to the far stretches of our own great land and beyond, for here, as to a great light, the prostrate, broken people of the world look. Here they look in hope. Light of the world, kindle here the flame of Your wisdom. Fire these minds and hearts with Your truth which does not pass away that they may truly be a light in this dark world. Lift the eyes of our Congressmen to You that, seeing their great need for guidance in the confusions of the moment, they may seek Your wisdom, which alone endures.

As the sons of this Nation went forth to battle for the justice and liberty which You have freely made the right of all men, so these, our Representatives, gather here to extend and assure that justice and liberty to our own people and to all peoples. As You have blessed and upheld the arms of our soldiers, so bless the works of our Congress. Guide their minds to see the right and direct their wills to follow it. You are the wise and farseeing lawgiver. Share, we beg You, that farseeing wisdom with these, Your servants, the lawmakers of our land. Direct, guide, and enlighten their councils and decisions that this, our Congress, may shed into the lives of our people and of all peoples the light of Your free and generous gifts. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 52. Concurrent resolution authorizing the Joint Committee on the Organization of Congress to have printed for its use additional copies of the summary of hearings, index to hearings, and parts 1, 2,

3, 4, and 5 of the hearings held before said joint committee during the first session, Seventy-ninth Congress, relative to the organization of Congress.

PAN-AMERICAN DAY

Mr. JARMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 522.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. RANKIN. Mr. Speaker, reserving the right to object, will the gentleman from Alabama explain what this resolution is about?

Mr. JARMAN. The resolution designates April 15, which is Monday, following Pan-American Day on Sunday for the celebration by the House of Pan-American Day. It is a repetition of a similar occasion last year. But the death of President Roosevelt last year postponed it until April 24.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, That the House of Representatives hereby designates Monday, April 15, 1946, for the celebration of Pan-American Day, during which no business or remarks except appropriate to such an occasion may occur.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING A REVISED EDITION OF THE PAMPHLET, OUR AMERICAN GOVERNMENT, ETC.

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report (Rept. No. 1566) a privileged resolution (H. Res. 508), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That a revised edition of House Document No. 228, Seventy-ninth Congress, first session, entitled "Our American Government: What Is It? How Does It Function?" compiled by Representative WRIGHT PATMAN, of Texas, be printed as a public document.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CORRECTION OF THE RECORD

Mr. SMITH of Virginia. Mr. Speaker, I offer a privileged resolution (H. Res. 523), which I send to the desk.

The Clerk read the resolution, as follows:

Whereas on Tuesday, February 12, the gentleman from Washington, Mr. SAVAGE, asked and obtained unanimous consent to print an editorial from the Washington Post in the CONGRESSIONAL RECORD as an extension of his remarks, and

Whereas in lieu of such editorial, the Member inserted an anonymous letter to the editor containing an attack upon the officials of the State of Virginia, in general, and the city of Alexandria, in particular; and

Whereas the insertion of extraneous matter in the RECORD, without previous specific authorization from the House, is a violation of the rules of the House: Therefore be it

Resolved, That the RECORD be corrected by striking therefrom all of the matter spoken and inserted by the gentleman from Washington, on page 1267 of the [daily] RECORD, beginning with "The editorial comment reads as follows" in column 1, and ending with "Washington, February 7" in column 2.

Mr. SMITH of Virginia. Mr. Speaker, I ask for recognition on the resolution.

The SPEAKER. The gentleman from Virginia is recognized.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry; for how long is the gentleman from Virginia recognized?

The SPEAKER. The gentleman from Virginia is under the 1-hour rule.

Mr. SMITH of Virginia. Mr. Speaker, I want to assure the House I will consume but a few minutes, but I do think this is a matter that devolves upon me to reply to an attack that has been made upon my city and upon my State.

Mr. Speaker, yesterday, in my absence, the gentleman from Washington [Mr. SAVAGE], under a 1-minute speech and permission to extend what he termed an editorial with his remarks, made a savage and unjustifiable attack upon the people of Virginia and upon my native city of Alexandria.

I wish to state in the beginning, so that the House may understand just what was done, there appeared a few days ago in the Washington Post an anonymous letter containing this attack upon the officials and the people of my city and State. This letter was signed "An American."

The gentleman from Washington [Mr. SAVAGE] asked leave to insert an editorial from the Washington Post. I was not present, and when I heard of this attack I went to the reporter's office and asked permission to look at the article that was being inserted. I found that the article had been very carefully trimmed from the paper so as to omit the headline indicating that it was a letter to the editor. Then, by a fancy piece of trimming at the bottom of the article, the anonymous signature, "An American," was clipped from the supposed editorial, and the remainder was inserted, under a unanimous-consent request to insert an editorial from the Washington Post.

The resolution I have offered is to correct the RECORD by striking out this anonymous letter which the gentleman from Washington told the House was an editorial in the Washington Post. That is the gravamen of the resolution.

I am very sorry this has happened. It was a matter of great embarrassment and regret to me, but I feel it my duty, as the only spokesman from my city, to take the floor in response to this attack. The material alleges, in effect, that the whole staff of officials of the city of Alexandria are not what they ought to be.

I do not know what the gentleman from Washington knows about the city of Alexandria, I do not know what he knows about the history of his own State. Perhaps he is excusable for the statements which he made on yesterday—and I desire to make no personal attack upon him; perhaps he can be excused because of the varied and active life he has led, according to his biography. Perhaps so much of his time has been taken up in his organizational work of the CIO and as walking delegate for various and sundry unions that he has not had time to study the history of his State.

I wonder if the people of that great State approve such an attack upon a sister State. I wonder if they approve the attack upon the great Old Dominion of Virginia.

I wonder if the gentleman knows the origin of his State. I wonder if he knows that in the early days the Commonwealth of Virginia sent out those intrepid explorers, Lewis and Clark, who first planted the standard of Virginia upon the Columbia River in the gentleman's State. And I wonder if he knows that by right of discovery all of the great Northwest Territory belonged to the great Commonwealth of Virginia. And I wonder if he knows when the time came that we were having difficulties in forming this Union that Virginia, with a generosity unexceeded anywhere in the history of the world, gave up that great territory in order that the Union might be formed. That this great Commonwealth of Virginia said to the other Colonies: "Have an empire on me!" And gave that great territory, including the gentleman's State, in order that this Union might be formed.

I wonder if he had known that, and known that that gracious and generous action on the part of the Commonwealth of Virginia made possible the State which he represents, and made it possible for him to occupy a seat in this Chamber yesterday, if he would have made this attack? As I say it is the busy and varied life he has led that perhaps denied him the opportunity to know these historical facts, but I expect the people of his State who have read their history books will regret, as I regret, the error which he made in attacking his mother State on yesterday.

Now I want to comment briefly upon the statements which he made. He said that on account of the poll tax—that is between the statements made by the gentleman and the statements made by the anonymous person who would not sign his name to the communication—between those two it is said that only 5 percent of the people of Virginia are permitted to vote. It so happens that in the last election in 1944 in my district 16½ percent of all the men, women, and children in that district cast their ballots. Nobody is prevented from voting in Virginia. We do have a little law down there that indicates that a person who is sufficiently interested in the affairs of his State might well pay a little tax if he is going to help say what taxes shall be imposed upon the rest of the people of the State. That does not suit some folks; in fact, we have several old-fashioned customs down in Virginia which do not appeal to the ideology of those with whom the gentleman from the State of Washington consorts. We cling to some old-fashioned ideas. We believe in the Constitution which, by the way, had its very foundations and beginning in the good old city of Alexandria in Gadsby's tavern, that city which the gentleman so ungraciously attacked on yesterday. There George Washington called a convocation of a number of people from other States and they first discussed the Constitution, and in a few

days from his home in Mount Vernon he sent out a call for the first constitutional convention. Perhaps the gentleman was not aware of that. But being grounded and rooted in those old constitutional ideologies which made this Nation what it is today, our people in their old-fashioned way cling to those views. They have never been willing to wed with the foreign views that come from some countries and some foreign shores. That seems to be resented by certain factions in this country.

Then we have another old-fashioned habit down there that is out of date now. We have the old-fashioned habit of attending to our own business and letting the other fellow do likewise. That old-fashioned notion is very offensive to certain folks. It also seems to us down in Virginia, for instance, that if the gentleman from Washington would attend to the wants and needs of his 250,000 people whom he represents in the State of Washington and who apparently need a great deal, if he would attend to them and let me, feeble and inadequate as I am, attend to the wants and needs of the 500,000 people whom I represent in Virginia, we would both get along much better and much more harmoniously.

The gentleman complains that very few people voted for our officials down in Alexandria and in justice to them I think I ought to say something about that to you because of his violent and vicious, and to use a longer but prettier word, inaccurate statement with reference to the officials of the city of Alexandria. I may say in their behalf that we are a peaceful folk down there. We get along together very nicely if some of these foreigners will stay away and leave us alone. We are not always changing our ideas. You know, some folks want a row and a racket, and if during election time there is not a row and a racket they are disappointed. We do not feel that way down in Alexandria. It may sound to you like a remarkable fact but many of our city officials have held their offices term after term without opposition. It is perhaps a more remarkable fact, and one of which the gentleman from Washington and his ilk will complain, that last year, in 1944, all our city officials were reelected. If they had not been good officials, some one person down there would have gotten up and made a noise about it. I want to tell you that every one of those city officials was elected without opposition either in the general election or in the primary.

The gentleman states than only 5 percent of our people vote. I think I should put the figures in the RECORD. The official census figures show a population of 33,523 people in Alexandria. That is the last census. In 1944 the official figures showed that 7,823 of those people voted, not counting spoiled ballots. That is approximately 25 percent of all the men, women, and children in Alexandria.

We have another old-fashioned idea. They say our people do not vote. You see, only those over 21 years vote in my State, only people who still live there and who have not passed on to their reward vote in my State, and only people who are duly registered and qualified vote in my State. As those under 21 do not vote, we have another old-fashioned habit down in Virginia that has gone out of date apparently and which some people do not like. Our folks down there have children and love their children, and some of them have the old-fashioned big families; so that we have a great many children in Virginia. If the gentleman will compare the figures which I have just quoted with the figures in his own State, and taking into consideration that our folks like to raise big families as their forefathers did before them, he might be induced to soften his attitude toward the alleged sins and shortcomings of my community.

But I want to conclude by saying this, if it is repetition, that in the future I do hope that some of these folks who are always jumping on the people of the South will pay a little heed to the admonition I have just given the gentleman from Washington and a little heed to that old-fashioned but good custom that we still entertain down in Virginia, and that is, you attend to your business and we are going to attend to ours, and if you do not like it we are going to do what we can about it to keep your nose out of our affairs.

The letter advising the gentleman from Washington that I would take this action, is as follows:

FEBRUARY 13, 1946.

Hon. CHARLES R. SAVAGE,
House of Representatives,
Washington, D. C.

DEAR SIR: When the House meets today, I shall, as soon as I can obtain the floor, move to correct the RECORD with respect to the matter placed therein by you under unanimous consent on yesterday, at page 1267 [daily RECORD].

Sincerely yours.

Mr. Speaker, I move the adoption of the resolution.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. SMITH of Virginia. Mr. Speaker, I demand a division.

The House proceeded to divide.

Mr. DE LACY (interrupting the division). Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The House is dividing now. Nothing else is in order now.

Mr. DE LACY. Are there not two sides to a debate, Mr. Speaker?

The SPEAKER. The Chair is putting the question. The Chair is going to be fair to everybody in this House; the Chair wants the gentleman from Washington and everybody else to understand that. The Chair has always thought that each man, being elected by his own State has a right to speak.

The division was concluded.

The SPEAKER. On this vote by division the ayes are 74 and the noes are 2.

So the resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to include as part of my remarks a letter which I had delivered to the gentleman from Washington this morning advising him that I would take this action.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MARTIN of Massachusetts asked and was given permission to extend his remarks in the RECORD and include an address delivered by his colleague the gentlewoman from Connecticut [Mrs. LUCE] at Nashville, Tenn.

Mr. STEWART asked and was given permission to extend his remarks in the RECORD and include a letter from Corp. Maurice A. Schade, a veteran of World War II.

Mr. MCKENZIE (at the request of Mr. LARCADE) was given permission to extend his remarks in the RECORD and include a copy of an editorial from the Shreveport (La.) Times.

RADIO BROADCASTING

Mr. COX, from the Committee on Rules, reported the following privileged resolution (H. Res. 524, Rept. No. 1567), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5117) to amend title V of the Communications Act of 1934 so as to prohibit certain coercive practices affecting radio broadcasting, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of the bill (H. R. 5117), the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill (S. 63), and it shall then be in order to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H. R. 5117.

STATEMENT OF POSTMASTER GENERAL HANNEGAN

Mr. SLAUGHTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SLAUGHTER. Mr. Speaker, the statement of Postmaster General Hannegan, appearing in this morning's press, disposes of the rumor first printed by a Chicago newspaper to the effect that President Truman has said he would not be a candidate for reelection in 1948.

The rumor, which was not based upon fact, did not start by accident. It was deliberately promoted by the left wingers who attempted to take over the Democratic Party at the 1944 Democratic

Convention. They, of course, do not want Mr. Truman in 1948, nor any other Democrat who believes in the private enterprise system and a constitutional form of government. Mr. Truman has never been and never will be popular with the long-haired and left-wing hoodlums who shrieked and howled their protests in the galleries at Chicago.

Mr. Hannegan's statement definitely disposes of this falsehood, designedly made and carefully timed to injure the influence of the administration, particularly in its dealings with certain current questions of foreign policy.

EXTENSION OF REMARKS

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a speech I made a long time ago.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOOK (at the request of Mr. SAVAGE) was given permission to extend his remarks in the RECORD.

Mr. IZAC asked and was given permission to extend his remarks in the RECORD and include an article from Naval Affairs.

Mr. HOFFMAN (at the request of Mr. WOODRUFF) was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD in two instances and include in one an editorial.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a short, juicy article entitled "The Tale of a Door Knob."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mrs. BOLTON (at the request of Mr. MICHENER) was given permission to extend her remarks in the RECORD and include a newspaper article.

Mr. ANDERSON of California (at the request of Mr. MICHENER) was given permission to extend his remarks in the RECORD and include a telegram.

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. O'HARA asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. D'EWART asked and was given permission to extend his remarks in the RECORD and include a clipping from the Cut Bank (Mont.) Pioneer Press.

Mr. COLE of Kansas asked and was given permission to extend his remarks in the RECORD and include a petition by the students of Hamlin (Kans.) High School.

Mr. PITTENGER asked and was given permission to extend his remarks in the RECORD and include an article and an editorial.

Mr. RANKIN asked and was given permission to extend his remarks in the RECORD and include a letter from the Daughters of the American Revolution.

SETTLEMENT OF A STRIKE

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a newspaper article with reference to the settlement of a strike.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[Mr. MICHENER addressed the House. His remarks appear in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. O'HARA. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent that on Monday next, following any special orders heretofore entered, I be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

STOP NAGGING THE SOUTH

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, at this time I desire to address my remarks to the three gentlemen from Washington [Mr. DE LACY, Mr. COFFEE, and Mr. SAVAGE].

I want to warn them that their attacks on the white people of the South are not doing them any good.

I want to remind them that in the years past and gone the State of Washington reached out its hand and asked for help at the hands of the white people of the Southern States, and got it. The great Columbia River development got its support largely from men from the Southern States, including the State of Mississippi and the State of Virginia. I was one of them. There never has been a more enthusiastic, consistent supporter of the Columbia River development than I have been at all times.

But I am tired of hearing these men get on this floor and attack the white people of the South, the best friends the people of the Columbia River Basin ever had in Congress. You are doing your State more harm than any other three men I have heard talk on the floor of this House. I implore you to get back "on the beam" and stop these attacks on the people who have helped you in the past and who will have to help you in the future—if you get any help.

PERMISSION TO ADDRESS THE HOUSE

Mr. DE LACY. Mr. Speaker, I ask unanimous consent that after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore entered, I be permitted to address the House for 15 minutes today.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DE LACY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. DE LACY. Mr. Speaker and Members of the House, I always listen to the gentleman from Mississippi, not because I admire his choice of epithets or because I like the content of his speeches, but because he is clever. I think the State of Washington and its Representatives will contrive somehow to take care of themselves. Our delegation here is united in its belief that everybody in this country deserves a fair and equal break, regardless of race, creed, or color. Our actions in support of that great American principle will speak for themselves and for us.

PERMISSION TO ADDRESS THE HOUSE

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SAVAGE. Mr. Speaker, it seems to me pretty good to be so popular here this morning. I will say to the gentleman from Virginia I am one of the 500,000 constituents of his, but I have no vote there just like a lot of others; but I vote in the State of Washington where voting is free, I do not pay a poll tax there. I am sorry if I have accidentally referred to a letter from the editorial page as an editorial. I might say to the gentleman from Mississippi that I do not attack the white people of the South nor do I attack the colored people of the South. To me America is 140,000,000 people trying to live and cooperate together. I like all people. I like to cooperate and associate with them all. Whatever help the gentleman gives us in the way of public power, and so on, which he refers to, I appreciate very much. Now, when I make attacks, those attacks are on certain principles or some action that has taken place, or is taking place and I attack no people or personalities. I like the 140,000,000 people we have in America and I am going to cooperate with them to make it the best possible America that we can. I am working for the highest possible standard of living for all the people of the United States without regard to race, creed, color, or what section of the country they live in. I like the South and the people that live there.

In fact some of those who live in the South are my own relatives.

I expect to make more savage attacks but they will be on issues and not on personalities.

EXTENSION OF REMARKS

Mr. ANGELL asked and was given permission to extend his remarks and include a short editorial from the Portland Oregonian on the forty-ninth State.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL, 1947

Mr. LUDLOW. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5452) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1947, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate may run throughout the day, the time to be equally divided and controlled by the gentleman from New York [Mr. TABER] and myself, and that we shall read the first paragraph of the bill before the Committee rises this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Indiana.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 5452, with Mr. PRIEST in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The gentleman from Indiana [Mr. LUDLOW] is recognized.

Mr. LUDLOW. Mr. Chairman, I yield myself 40 minutes.

Mr. Chairman, one fact which we should bear distinctly in mind in making appropriations for the Treasury and Post Office Departments is that these are preeminently service establishments. While there are some items for supplies and equipment involved, it is true in the main that the measure of the appropriations in both of the Departments is the need of supplying funds for vital services.

While your subcommittee is in thorough accord with the policy of reducing expenditures to the lowest possible minimum, this is a bill that does not lend itself to reductions by any arbitrary rule of thumb. Every item in it had to be considered with meticulous care to see that not one unnecessary dollar was appropriated but always with the thought that we should, and must, supply all of the funds required to perform essential services. Our task was delicate and difficult. The postal service touches intimately every person in the United States and its possessions and its arms reach all around the world. The Treasury Department is scarcely less embracing in its ramifications and operations. The mails must be moved. Personnel must be provided to move them. Treasury checks must be processed in tremendous volume. Taxes must be collected and the Internal Revenue Bureau must be provided an army of personnel to collect them, else the revenues will suffer. Bonds must be sold to meet the continued heavy demands of our national financing; and so forth. Our problem was to try to meet these needs adequately and at the same time to avoid appropriating $1 more than the actual requirements.

LONG AND GRUELING HEARINGS

To the accomplishment of this task your subcommittee devoted its best efforts, diligently and conscientiously, over a long period of time. We began our hearings on November 28 and closed them on January 18. To the members of the subcommittee, of which I have the honor to be chairman—Mr. O'NEAL, Mr. KOPPLEMANN, Mr. D'ALESANDRO, Mr. TABER, Mr. KEEFE, and Mr. CANFIELD—I wish to pay my humble tribute of praise for the notable contribution they rendered in the preparation of this bill. I am proud to be permitted to cooperate with these fine men in the service of our country. All of us worked with a unity of purpose to bring out a bill under which the departments can operate efficiently and which at the same time will be fair and just to the taxpayers. In our efforts we had the assistance of a clerk who is gifted with sound judgment and equipped with a most comprehensive knowledge of the Government, Mr. George Harvey. It is my opinion that no subcommittee ever had a better clerk than Mr. Harvey.

POSTAL SERVICE BACK IN THE RED

In approaching our task of framing this bill we found a situation basically different from that which has obtained for a long time. Heretofore, in recent years we have been appropriating in the light of a rising tide of volume and revenues in the postal service and a postal surplus and a rising tide of volume in the Treasury Department. Now the picture changes, and for the first time in years we encounter the factor of diminishing volume and revenues in the postal establishment and diminishing volume in the Treasury Department except in the Internal Revenue Service and the Division of Disbursement. Suddenly this year the postal surplus has vanished and the postal service has switched from the black to the red. How much it is in the red no one knows.

We have rightly, I think, taken cognizance of this reversal of trends in preparing the bill now before you. We have reduced estimates all along the line to conform to anticipated reductions in the work load. We have not had very definite landmarks to guide us but we have done the best we could to meet this changed conditions. I ask the officials who may think their appropriations have been cut too deeply to recognize, as we have tried to do, that the country is staggering under a stupendous debt and that it wants appropriations held to the lowest possible minimum and I assure those in charge of vital operations that if the amounts fixed in the bill should prove in some instances to be actually lower than is necessary to perform essential services they may have their day before the deficiencies subcommittee. We believe, however, that with careful administration the two Departments can get along on the amounts we have allowed.

POSTAL VOLUME DROPS

The general decline in the postal business is so marked as to be reflected in the work loads of the various offices of that Department. The decline first became noticeable last September, when postal revenues fell 6.50 percent below revenues for September 1944, and the decline has been steady ever since, the percentages of decrease of revenues in subsequent months being as follows: October, 9.11; November, 3.10; December, 7.10, and January is proving to be about the same as December. When the Post Office Department officials were before our subcommittee in December they estimated that postal revenues in the fiscal year 1946 would be $1,300,000,000. On the basis of the full 6 months' experience the Department has now revised its estimate of revenues for the fiscal year downward to $1,248,000,000, or a reduction of $52,000,000 below former estimates. It is impossible, of course, to foretell what the actual volume of mail in 1947 will be, but all information now available is indicative of a lesser volume of mail than was used as a basis for the estimates submitted in the Budget. On account of similar reduction in volume and a slowing down of operations we found it possible to make heavy cuts in the Treasury Department, especially in the appropriations for Foreign Funds Control, the handling of penalty mail, administering the public debt, and the Office of United States Treasurer.

HOW THE PRUNING KNIFE WAS APPLIED

There are 107 appropriation titles in this bill. In no single instance did our subcommittee raise any one of the 107 estimates and we cut 81 of them. Only 26 titles remain untouched.

The total of the appropriations carried in this bill is $1,604,556,940, a reduction of $64,395,020 below the 1946 appropriations and $29,660,250 below the 1947 estimates.

The Treasury Department appropriations in the bill total $325,495,500, a reduction of $39,403,460 below the 1946 appropriations and $10,482,500 below the 1947 estimates.

The Post Office Department appropriations in the bill total $1,279,061,440, a reduction of $24,991,560 below the 1946 appropriations and $19,177,750 below the 1947 estimates.

NONPOSTAL CREDITS

Our subcommittee went rather exhaustively into the matter of nonpostal credits, which relate to services performed by the Post Office Department for other branches and agencies of the Government for which postage is not paid. We inquired particularly into the operation of Public Law 364, the penalty-mail statute.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. LUDLOW. I yield to the gentleman from Illinois.

Mr. CHURCH. The gentleman spoke about the hearings on penalty mail and stated that the hearings contributed nothing. I have been receiving complaints that the Penalty Mail Division and the auditing of it, the reports of it, the cost of it, are not accurate; they do not state the full cost of carrying penalty mail. Is that part of the confusion to which the gentleman refers?

Mr. LUDLOW. It is. I will go into that a little later.

Mr. CHURCH. I would appreciate it if the gentleman would.

Mr. LUDLOW. Mr. Chairman, this is the law which requires the various departments and agencies using penalty mail to file reports with the Post Office Department. The War Department, Navy Department, and Post Office Department were specifically exempted from the law; all others come under its provisions. It was felt when the law was enacted that it would exercise a restraining influence that would reduce the cost of penalty mailings.

I think it is a fair statement to say that the hearing on penalty mail contributed nothing except to add to the bewilderment and mental obfuscation of members of the subcommittee. J. F. Gartland, director of budget and administrative planning, testified that in the fiscal year 1945 there was a decrease from 2,195,000,000 to 1,908,000,000 in pieces of penalty mailings, or a reduction of 287,000,000 pieces, and that at an average handling cost of 1½ cents per piece the resultant saving in money would appear to be $4,300,000. But it developed that in making his computation he had included the War, Navy, and Post Office Departments, which are exempted by law, and this gave rise to a question as to the accuracy of his estimate of the operations of the penalty-mail law. A statement subsequently submitted to the subcommittee by Mr. Gartland, found on page 61 of the hearings, shows estimated postal revenue lost by penalty mailings to be $18,163,589 less in fiscal year 1945 than in fiscal year 1944.

On the other hand, there was a good deal of testimony, rather intangible but, nevertheless, impressive, tending to show that the penalty-mail law is piling up administrative costs in the various bureaus and agencies which may more than offset the savings from reduced mailings. This was hinted by Mr. Gartland in his testimony, page 4 of the hearings, when he said:

> We know that some departments do not favor the law. They feel that it is costing them a great deal of money to carry out its provisions.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. LUDLOW. I yield to the gentleman from Utah.

Mr. GRANGER. I notice under the rule making this legislation in order a rule was adopted waiving all points of order which effects what, I think, is a repeal of the Silver Act. It seems to me this great Committee on Appropriations is going a long way to take unto itself the responsibility of repealing an act that has been in effect in the Congress for a good number of years. It is a backdoor approach to destroying the great silver industry of this country, and it seems to me that the Committee on Appropriations should hearken to the words expressed by the President of the United States in attaching riders onto appropriation bills that have the effect of repealing other laws.

Mr. LUDLOW. I am glad to have the gentleman's contribution. I expect to discuss that a little later.

On pages 611 and 612 of the hearings are found illuminating excerpts from letters received from various agencies relative to the reasons for a reduction in penalty mail, all of which contribute to show that the influence of the penalty-mail law on the volume of penalty mail was virtually nugatory and that it possibly increased rather than reduced the cost of government. After reviewing the conflicting testimony I think our subcommittee was in doubt as to whether the penalty-mail law is accomplishing anything worth while and whether in the public interest it should not either be strengthened or repealed. Anyhow, that is a matter for the consideration of the legislative Committee on Post Office and Post Roads and does not come under the purview of the Appropriations Committee.

THE CONGRESSIONAL MAIL

In reference to franked mail—the mail of Members of Congress—Mr. Gartland testified as follows—page 62 of the hearings:

> The amount of mail franked by Members of Congress is negligible. In 1944 it amounted to but 23,969,664 pieces and from preliminary figures there was not an appreciable difference in 1945. There has been less franked mail sent out in the last 2 or 3 years than there has been in any but 2 of the 17 years preceding.

In a table found on page 61 of the hearings the Department estimated that if postage had been paid on the franked mail sent out by Members of Congress in the fiscal year 1945, the revenue accruing therefrom would have been $1,080,134 as against $1,069,495 in 1944. As 1946 is a campaign year a slight rise in franked mail may be expected this year. It will be somewhat comforting for Members of Congress to know that the franked mail cost in 1945 was $76,088 less than in 1943, and $137,425 less than in 1940, indicating that Members are showing a commendable restraint in the volume of their free mailings.

POSTMASTER GENERAL HAS AUTHORITY TO KEEP MAILS MOVING

While our subcommittee has made drastic cuts in postal estimates as an incentive to economy this does not mean that our cuts will in any way or degree hamper the postal establishment or be a deterrent to the achievement of that perfection of service which the public has a right to expect. As the able clerk of our subcommittee so truthfully says in the report on this bill:

> The Budget for the postal service presents a problem to the Committee on Appropriations and to the Congress generally which is unlike that involved in the consideration of other Budget items. The factors making up the largest elements of cost are predetermined by statute and by other authority. The Postmaster General has authority—as he must have in order to be able to move the mail whenever and wherever it is delivered to the post offices—to appoint certain types of employees in such numbers, regardless of amounts of appropriations, as are required to render the service which the Department is bound under law to render. The rates charged by the railroads are fixed and cannot be curtailed by the simple process of cutting appropriations. The rates of compensation to be paid employees are fixed by law. The rates for air-mail transportation are under the the jurisdiction of the Civil Aeronautics Board and even the postal officials have little voice in their costs for that service.
>
> So, in arriving at amounts to be appropriated for the postal service, it is not a question of how much the taxpayers of the Nation can afford to spend or, as a matter of policy, ought to spend on a particular activity as is the case with other agencies of the Government. It is purely a matter of estimating as accurately as possible what the mail load will be and how much—within the limits of the controlling statutes—it will cost to move it. Whenever the amount appropriated is found to be insufficient there is no alternative but to supply the additional amount required through a deficiency appropriation.

MAJOR REDUCTIONS

Acting under this philosophy and with complete recognition of this understanding our subcommittee reduced the estimate for the salaries of postmasters $1,000,000, clerks at first- and second-class post offices $3,000,000, carriers $1,300,000, railway mail transportation $1,000,000, and a number of other items in proportion, believing that our cuts are justified by the marked downward trend in postal business. If we are wrong and postal business resumes an upward trend the Postmaster General will be entirely at liberty at all times to provide whatever force of clerks and carriers and to buy whatever railroad space and to buy whatever railroad space may be necessary to handle the mails and then come to Congress with deficiency estimates for the additional amounts that may be needed.

To the Postmaster General we gave substantially the amount requested by the Budget. His office is the focal point of postal administration and he needs and is entitled to a strong and capable force. We allowed the Second Assistant Postmaster General three additional employees on account of the international postal service and 13 on account of air mail. These two services are certain to expand despite the marked decrease in postal business and additional personnel is required on that account. We have provided for a far-reaching step in sound postal administration by allowing the Bureau of Accounts $85,200 to complete the retirement record of employees in the postal service. This is a necessary job that has been too long deferred. It is the hope of our subcommittee that by the end of the fiscal year 1947, all postal retirement records will be current and that it will be possible to maintain them on a current basis thereafter. Whenever an employee makes an application for retirement it is necessary to

check his service record and the administration of the law has too often been delayed and handicapped by the imperfect records.

FIVE ADDITIONAL INSPECTORS

Inspectors are proverbially known as "the eyes and the ears of the Postmaster General" and during the 16 years I have been a member of the Appropriations Committee, I do not remember a year when there have not been insistent appeals to augment the inspection force. The field of service of inspectors appears to be about as broad as all outdoors and all postal authorities agree that efficient administration depends on a large, well-organized inspection department. For one thing, inspectors are supposed to inspect post offices at least once a year, but this program, so necessary to check on improper practices, embezzlements, and so forth, has fallen down miserably on account of a lack of manpower.

This year the Department asked the Budget Bureau for 80 additional inspectors. The Budget Bureau approved 40. There are currently 795 inspectors, in addition to 15 inspectors in charge. Our subcommittee is loathe to approve accretions to the high-salaried permanent personnel of the Government, except for the most substantial reasons. It occurred to us also that the inspectors who have been assigned in connection with military operations will now be available to return to their regular work, so we decided to allow 5 additional inspectors, increasing the force to 800. We established as a condition that the cost of these five inspectors, about $20,000 for the first year, shall be absorbed from the appropriation of $3,898,000 which we allow the inspection service.

COMPENSATION OF POSTMASTERS

The amount which we recommend for compensation of postmasters, $74,000,000, is $1,000,000 less than the Budget estimate and $2,180,533 over the amount appropriated for 1946, plus the cost of new pay legislation. The salaries of postmasters are based on the receipts of their offices and as the trend of postal business and revenues is distinctly downward we believe the amount we have allowed will cover the bill. If it does not, no harm will be done. The salaries are statutory and must be paid and the amount of the appropriation in this bill does not in any way affect the salary of any postmaster.

ASSISTANT POSTMASTERS DISAPPROVED

The Budget estimated the salaries of assistant postmasters at $12,011,000 and we reduced the amount $571,000 by disallowing a proposal of the Post Office Department for the appointment of 200 additional assistant postmasters. There are 4,521 post offices of a type that makes them eligible for assistant postmasters and the Department has long sought to have every eligible post office provided with an assistant postmaster, but our subcommittee has constantly taken the position that most of these post offices can get along very well without assistant postmasters and that appointments to that position should only be made where there is a demonstrable need. The law is so phrased as to permit the appointment of assistant postmasters at all first- and second-class post offices, but it is not mandatory and we believe that no real need for assistant postmasters exists at many of the smaller offices.

CITY DELIVERY TO BE RESTORED

During the war city-delivery service necessarily was curtailed in many areas. Particularly was this true in the residential sections of many cities. Where there had been two deliveries a day, the service was reduced to one delivery a day. The Department intends to restore this suspended service as rapidly as the manpower situation will permit and the appropriation we have allowed will not interfere with this program of service restoration.

RURAL DELIVERY

For rural-delivery service we approved $114,500,000 which, while $500,000 less than the Budget estimate, is ample, in our opinion, to take care of all of the needs of that service in view of the anticipated decrease in the cost of substitutes and in the allowances for heavy duty and other items resulting from decreased postal volume. We have protected the future expansion of this service by carrying a limitation on the appropriation which reads:

Of which not less than $200,000 shall be available for extensions and new service.

As a matter of fact the Department officials advised us that they have set up as their objective the following program of expansion in 1947.

For extensions of existing service, $205,525; for new service, $225,000; total, $430,525.

There are now 32,106 rural routes, well distributed over the entire country. Consolidations have reduced the number of routes from a peak of 45,315 in 1927. C. B. Uttley, Deputy First Assistant Postmaster General, in his testimony before our subcommittee indicated that in his opinion the process of consolidation has gone entirely too far. He said:

A lot of these long routes have become so heavy in patronage that we have got to break them up and establish new routes, and we have a number of investigations pending right now.

VILLAGE DELIVERY

We approved the full Budget estimate of $273,400 for village delivery, which will provide for operating the existing service and for some extensions but for no new services. The last village-delivery service in continental United States was established in 1934. One was established a few months ago in Puerto Rico on account of peculiar conditions existing there, but the Department does not contemplate the establishment of any new village deliveries within the continental boundaries of this country. C. B. Uttley, Deputy First Assistant Postmaster General, testified that the Department has been influenced to take that attitude because of resentment not only of the village carriers but of the public in support of the carriers, and he added:

The village delivery carriers are working just as hard or harder than the city delivery carriers are working for much less money. The city delivery carriers start from $1,700 and they can go up to $3,000 a year, and the village carriers start from $1,200 and they can go only to $1,700.

When the receipts of a village post office reach $10,000 it becomes eligible for city delivery. Ninety-one village deliveries will be transformed this year to city deliveries, which will leave only 159 village deliveries in the entire country. The evolution of this service indicates that the time may not be far distant when village delivery will become extinct.

FOREIGN MAIL

For foreign mail transportation by surface and foreign air-mail transportation we have allowed what can be described at best as token appropriations of $4,000,000 and $5,000,000 respectively. Our foreign mail service to many parts of the world was so badly disorganized and disrupted by the war that more progress must be made in unraveling the tangled skein of reconstruction before we shall have definite bearings for appropriation purposes. Shipping stringencies entering into the transportation of mail by boats promise to last a long time. For the current fiscal year the appropriation for transportation of foreign mail by boats was only $400,000. To provide the necessary financial needs for restoration of the service as rapidly as possible we have allowed 10 times that amount, or $4,000,000, which is a guess in the dark. For foreign air-mail transportation we have allowed the full Budget estimate of $5,000,000, which is less than one-third of the amount required for this service in 1941. For the past 4 years there has been practically no paid service outside of the Western Hemisphere and there is no experience on which to base an estimate of cost in 1947 which would be realistic. Potential air carriers are evincing great interest in the establishment of new foreign air-mail routes and the increasing of frequencies on existing routes but the extent of our appropriating liability will remain unknown until the rates are fixed by the Civil Aeronautics Board and in order to clarify the picture the Civil Aeronautics Board in the report on this bill is being asked to reduce the lag between the issuance of the certificates of convenience and necessity and the fixing of the rates. One year from now we should have a much better understanding of the appropriation needs for both foreign mail by boats and foreign air mail.

DOMESTIC AIR MAIL

The Budget Bureau sent us an estimate of $50,000,000 for domestic air service during the fiscal year 1947. We reduced the estimate an even million dollars, on the theory that an appropriation of such magnitude could stand a relatively small cut and in view of the further fact that from the appropriation of $43,315,000 for the fiscal year 1946 there is an estimated saving of $716,436. The growth of the domestic air-mail service has been spectacular. During the fiscal year 1945 61,698,222 ton-miles of air-mail service were performed, an increase of 19,408,377 ton-miles, or 45.89 percent in 1945 over the 42,289,845 ton-miles performed in 1944. It is a foregone conclusion that there will be a vast and rapid expansion of all phases of air transportation in the

not distant future, with a consequent increase in the number of air-mail routes and the volume of air mail. A very large number of proposals for new routes are now under consideration by the Civil Aeronautics Board. Postmaster General Hannegan is advocating a reduction in air-mail postage from 8 cents to 5 cents an ounce. If that change is made it undoubtedly will greatly increase the volume of air mail and the burden on this appropriation. No attempt has been made to provide in this appropriation for the expansion that is already foreseen and we will face that problem when the time comes.

OMNIDENOMINATIONAL MACHINES

In the equipment appropriation of the Fourth Assistant Postmaster General we earmarked $1,000,000 for the purchase of omnidenominational postage meters, stamp-vending machines, coin-operated postage meters and other modern mechanical postal devices. The experts of the Post Office Department stressed the great advantage of these inventions and lauded them as an important feature of postal equipment in the years to come. It was represented that these machines will be a great convenience to the public as they will enable people to buy stamps in post-office lobbies at hours when the post-offices are closed, and that they will be of inestimable value in nore readily handling the long lines of customers that for min post-offices during the Christmas rush and other heavy mailing periods.

LARGE TRUCK REPLACEMENT PROGRAM

We authorized the Fourth Assistant Postmaster General, Mr. Myers, to start on a large motortruck replacement program. We feel that this program is perhaps overdue and that under Mr. Myers' capable supervision it will be in good hands. The Department's truck fleet has become badly worn and run down, some of the old trucks having run up to 200,000 miles. There are now 149 trucks more than 25 years old in use in the postal service. Vehicles of that age are very expensive to maintain. The Budget Bureau sent us an estimate of $6,257,000 for the purchase of 5,780 motortrucks for the postal service. We reduced the amount proposed for 1947 truck purchases to $3,500,000 in the belief that not more than that amount can be judiciously expended during the year. We are convinced that the Department needs these replacements.

FOREIGN FUNDS CONTROL

The Treasury Department activity known as Foreign Funds Control is heading toward a rapid termination. We allowed that activity $1,000,000 for the fiscal year 1947, exactly 50 percent of the appropriation for 1946 which in turn was 50 percent of the appropriation for 1945. The downward spiral is certain to continue with accelerated speed.

The testimony of Orvis A. Schmidt, the Director, was that it probably will be possible to completely liquidate Foreign Funds Control during the next fiscal year.

We feel—

He said—

that by the end of the fiscal year about which we are now talking we will be in such shape that any residual problems will no longer justify the maintenance of a separate organization and that we will have so nearly completed our obligations that whatever residual obligations there may be can be handled by a few men.

It is believed that the Treasury Department will be the logical liquidating agency to finish the operation.

The Budget Bureau sent us an estimate of $1,300,000 to continue Foreign Funds Control during fiscal year 1947. We believe that the tempo of liquidation can be speeded so that a million dollars will suffice. Only residual defrosting problems will remain for solution in 1947. The precise number and scope of these problems will depend on basic political developments and other high policy decisions. Foreign Funds Control is now generally recognized as one of the most effective defensive and offensive economic weapons ever created. It was put into operation a year and 8 months before Pearl Harbor and was extended until it covered over 30 countries and funds aggregating $8,500,000,000 were frozen. China was the only one of the blocked countries that came under the control voluntarily. For managing and conserving all of these tremendous foreign assets our Government has not rereived and will not receive one dollar. The control was established solely as a protection to the United States and not for pecuniary profit. The blacklist—a list of persons in foreign countries who cooperated with Germany—will remain in effect for some time, Director Schmidt testified.

"The people who cooperated with the Allied war effort sacrificed the profits they could have made by trading with Germany and we feel that we should now repay them by keeping the list in effect," he said.

THE BLACKLIST

There are approximately 6,000 names on the blacklist, about 3,900 in the Western Hemisphere and 2,100 in Europe. As long as these names are on the list no American businessman can do business with them. Americans cannot communicate with them. They cannot sell goods to them. They cannot receive payments from them or make payments to them. It is a complete shut-out and people on the blacklist are precluded from doing business with anybody in any of the United Nations. It is believed that this ban on trade intercourse will certainly lead to the forced liquidation of many firms on the blacklist.

DIVISION OF DISBURSEMENT

The Division of Disbursement is feeling the impact of an enormous increase of work due to the increasing load of social security and veterans' checks. During the fiscal year 1945 the Bureau handled 84,298,027 items of payments, collections, and bonds. This grew to 114,281,200 items in fiscal 1946, and it is expected to take on the proportions of a rolling snowball in 1947 when 128,108,400 items are scheduled to be processed. We allowed the Bureau an appropriation of $7,100,000, or $100,000 less than the Budget estimate.

BUREAU OF PUBLIC DEBT

Due to the end of the war the operations of the Bureau of the Public Debt will be conducted on a greatly reduced scale in fiscal year 1947, and we made the appropriation for that Bureau conform to the reduced work load. We decided that $64,700,000 would be sufficient to operate the Bureau during the next fiscal year. This is $5,000,000 below the Budget estimate and $18,550,000 below the appropriation for 1946. It is estimated that sales of United States Savings Bonds during 1947 will be about 55 percent under estimated sales for 1946, and redemptions of such bonds approximately 31 percent under the estimated number to be redeemed during 1946.

WAR FINANCE DIVISION

The part of the 1947 appropriation of the Bureau of the Public Debt that is allocated to the War Finance Division is $2,000,000, a reduction of $9,249,316 below the total obligations of that Division for the fiscal year 1945 when the war was at its height. It is this Division that has had the job of selling bonds to the public during the war. It has been a stupendous task which at its peak engaged the services of some 6,000,000 people, all volunteers except a small paid staff. It was through the efforts of this Division that the pay-roll savings plan, which has proven to be quite popular throughout the country, was inaugurated, and the purpose of the estimate for 1947 is largely to carry forward this pay-roll savings activity. About 100,000 business firms have the pay-roll savings plan in effect and nearly all of them are manifesting a willingness to continue it as a peacetime service to their country.

Economists regard a wide distribution of savings securities as a wholesome indication, since it gives so many people a direct interest in their Government, and from this viewpoint it is interesting to know that 700,000,000 pieces of savings bonds are now outstanding and that 85,000,000 Americans now hold savings bonds.

CUSTOMS ENTRIES INCREASING

All indications point to a high level of import activity in 1947 and we allowed the Bureau of Customs $29,430,000 to carry on its operations. This was a net reduction of $600,000 below the Budget estimate. It is a curious fact that customs receipts are declining while customs entries are increasing. Receipts for the fiscal year 1945 totaled $358,133,042 as against $434,202,040 in 1944, but at the same time entries increased from $2,249,317 to $2,977,882. Customs authorities are agreed that the work load of the customs service is determined by the number of entries and not by the receipts. The drop in customs receipts in 1945 was due entirely to three circumstances. Duties on alcoholic beverages, imports of which were far greater in 1944 than ever before owing to the diversion of domestic alcohol for the production of synthetic rubber and other war purposes, declined sharply in 1945 with the moderating of previous restrictions to a mere 55.5 percent of the total for the previous year. Even so, the 1945 collections on such imports ex-

ceeded by 19.9 percent the duties on alcoholic beverages in 1937, the peak year prior to 1944. Most of the imports of sugar were admitted free of duty in 1945 with the extension of the scope of Executive Order No. 9177 to include sugar, and as a result the imports of cane sugar yielded less than one-sixth as much revenue in 1945—$8,578,683—as in the previous year—$53,286,873. In addition, there was a decline in duties on imports of unmanufactured wool, which yielded $14,674,987 less revenue than in the previous year when such collections were the greatest in customs history. Exclusive of the three tariff schedules covering sugar, distilled liquors, and wool, duties increased from $136,168,400 in 1944 to $160,527,753 during the past year.

The customs service has a heavy task guarding vessels in port. The appropriation allowed will give the service 658 more guards than it had for the average of the 1936–39 period, but even that force will permit only 65-percent coverage. The Bureau's 1947 appropriation, as fixed in this bill, is an increase of $814,990 over its total obligations for the fiscal year 1946.

ENORMOUS GROWTH OF INTERNAL REVENUE

The growth of the Bureau of Internal Revenue during the present decade staggers the imagination. Its personnel and appropriations have shot upward at an amazing rate and very little criticism, if any, of its expansion is ever heard because through its operations comes the stream of revenues that is the red blood of the Nation's finances, and it is generally conceded that it must be adequately staffed. New tax laws enacted in recent years have greatly magnified the Bureau's burdens and responsibilities. The elaborate hearings which we conducted relating to the internal-revenue service, lasting 2 days, gave us a comprehensive idea of the Bureau's work load, and we fixed its appropriation for the next fiscal year at $184,700,000, an amount which not long ago would have been considered beyond all reason, but which now means that to live within it the Bureau will have to practice real economies. We reduced the Budget estimate $2,000,000, a relatively slight reduction, directing the cut to such items as travel and communications, for which substantial increases were proposed in 1947. No longer ago than 1940, the turn of the decade, the appropriation for the Bureau of Internal Revenue was only $59,877,500, the cost of collecting the revenue was $1.12 per $100, the total number of employees was 22,423, and the revenue collected amounted to $5,340,452,346.78

LOW COST OF COLLECTION

In 1945, the last fiscal year, the appropriation was $146,900,000, the cost of collecting the revenue had dropped to 32 cents per $100, the total number of employees had grown to 49,814, and the revenue collected amounted to the enormous total of $43,675,865,945.25. On January 4, 1946, there were 55,337 employees actually on the roll, comprising a vast army of tax gatherers. Secretary Morgenthau last year asked for 5,000 additional people for his drive against tax evasion. Our Committee on Appropriations gave him the green light and many of those agents already have been fused, or are in process of being fused, into the tax-gathering organization.

TAX-EVASION PROGRAM

Assistant Commissioner William T. Sherwood, who appeared before our committee as the over-all representative of the Bureau, said concerning the extent of tax avoidance and the goal that has been set for the tax-evasion force:

It is very widespread. There are many thousands of leads that have been successfully followed up, and I think Secretary Vinson, in his statement on the 1947 Budget, advised you that our collections in the period when we had partly trained and recruited these new men exceeded $125,000,000 of collections for a like period in the last fiscal year. We have information that for the first 6 months of this year they will be $185,000,000 in excess of the collections for the like period of last fiscal year. Now, the consequences of the work of these men to the total extent is not demonstrated by immediate collections. We believe sincerely that we will, at least, equal the estimate of $1,000,000,000 that might be collected upon a proper enforcement schedule in the first full year of operation of these new people.

SECRET SERVICE

Our subcommittee was satisfied that the Secret Service branch of our Government is operating efficiently under Chief Frank J. Wilson and we allowed $1,800,000, an increase of $144,380 over the total obligations for the fiscal year 1946 for suppressing counterfeiting and other crimes. We approved the purchase of 60 new automobiles against the Chief's request for twice that number. He asked to be allowed to appoint 60 new agents at an estimated cost of $284,000. We allowed $215,000 for that purpose, believing that the reduced amount will provide for such operational expansion as seems warranted at this time. The number of new counterfeits has grown less year by year, due, it is believed, in part to the Secret Service crime-prevention educational campaign, but the forgery of Government checks and bonds has become an extremely serious problem. Last year the Secret Service received a total of 16,380 checks for investigation and 1,722 forgers were arrested. Most of the forged checks were for Army and Navy allowances and allotments to the families of soldiers and sailors.

VAST COINAGE PROGRAM

The Bureau of the Mint is planning to manufacture 2,600,000,000 coins in the fiscal year 1947, as against 2,646,131,101 in 1945, and 2,195,451,000 in 1946. Of the 2,600,000,000 pieces to be produced 1,655,000,000 will be 1-cent coins. There is a tremendous demand for pennies, especially in States that impose a sales tax.

NEW EQUIPMENT PROGRAMS

With the war over, there is great need for new equipment in the Bureau of the Mint and the Bureau of Engraving and Printing to supplant worn-out and deteriorated machines that could not be replaced as long as the war was on. Some of the machines used in the mints are a century old. Director Ross, of the Bureau of the Mint, requested $374,100 for modernized mechanized mint equipment. Director Hall of the Bureau of Engraving and Printing, asked for $655,000 as the first installment of a 10-year equipment replacement program, including various presses to be especially designed and manufactured for the work of the Bureau. We have allowed a total appropriation of $6,000,000 for mints and assay offices as against total obligations of $5,642,900 in the fiscal year 1946. For the Bureau of Engraving and Printing we allowed $11,755,500 as against total obligations of $11,684,700 in 1946. We believe that these sums will give administrative leeway to purchase needed equipment as rapidly as deliveries can be accomplished.

A SURGICAL OPERATION

In drafting the bill that is before you your subcommittee performed a surgical operation that makes appropriation history. From time immemorial our annual Treasury supply bill has carried an appropriation for salaries of the Office of Comptroller of the Currency. This year we have eliminated this appropriation entirely and hereafter the salaries of the Comptroller's force will be paid out of the fund derived by assessments on the national banks. It is from this assessment fund, now totaling in excess of $4,000,000 that the salaries of bank examiners are paid and since the services of the Comptroller's office, like the services of the examining force, are beneficial to the banks it seem logical that the banks should pay the entire bill. The excision of this appropriation from our bill transfer 105 persons from the Federal pay roll and saves the Government $281,000 a year. The subcommittee before taking this step made careful inquiry as to its effect on the retirement and other benefits of the transferred personnel and was informed that no disadvantage to any employee will result. The amount in the assessment fund is ample to cover the slight additional cost without raising the assessment. The departmental officials indicated to the subcommittee that the Department has no objection to this plan and that it is in accord with law.

SILVER FOR THE ARTS

In our hearings we had a good deal of testimony in regard to silver. The Secretary of the Treasury is under a statutory mandate to buy silver until the price reaches $1.29 an ounce or until the supply of silver, reaches one-fourth of the total monetary stock in the country. As neither goal is in sight and perhaps never will be reached the Secretary of the Treasury goes on buying silver. The monetary silver stock of the United States on September 30 last was about 2,500,000,000 ounces held largely in the depositories at West Point and San Francisco, and some in New York City.

The Treasury Department now has on hand 243,000,000 ounces of free silver, which it does not require for any Treasury operation. Knowing how great is the need of silver for manufacturing purposes many persons believe that the Treasury's free silver, lying idle in the vaults, should be made available for use in the arts and industries but that, of

course, is a matter for congressional consideration. Our bill carries a provision, inserted in the full committee, under which this accumulated silver would be sold for manufacturing purposes at 71.11 cents an ounce.

In conclusion permit me to say that the bill we bring to you has been prepared with the most meticulous care and with the most painstaking attention to each and every item involved. We would not add $1 to it and we believe that further reductions would be harmful to the public interest. We hope that it will merit your approval.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. LUDLOW. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. What is the total appropriation?

Mr. LUDLOW. It is, roughly, $1,604,000,000, I believe.

Mr. SMITH of Ohio. What is the total amount, including the permanent appropriations?

Mr. LUDLOW. Of course, those are appropriations that we never touch. The total appropriation carried in this bill amounts to $1,604,556,940. That is the regular operating appropriation for the Treasury Department. There are quite a large number of permanent appropriations that go right on without any legislative action.

Mr. SMITH of Ohio. That is the figure I would like to have, including the permanent appropriations.

Mr. TABER. If the gentleman will yield, it is a little over $11,000,000,000, including everything.

Mr. LUDLOW. I may say to the gentleman from Ohio that the interest on the public debt alone is estimated to be $5,000,000,000 in the next fiscal year.

Mr. SMITH of Ohio. That is included in the figure?

Mr. LUDLOW. That is included in the $11,000,000,000 over-all figure.

Mr. O'NEAL. Including the trust funds of $2,800,000,000, it would be $11,600,000,000, but without the trust fund it would be $8,884,000,000. In that amount are permanent appropriations for such things as the interest on the public debt and matters of that sort, bringing the total permanent appropriations to $5,594,000,000, but the actual operating amounts are those given by the gentleman from Indiana.

Mr. SMITH of Ohio. What is the exact figure for the interest on the public debt?

Mr. LUDLOW. Five billion dollars even; $4,750,000,000 for the present fiscal year, and the next fiscal year it will be $5,000,000,000. I now yield the floor and I thank the House for its patience.

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Chairman, I can see nothing but confusion and very few houses getting built for veterans if the Wyatt scheme is carried through. I must say it was one of the greatest surprises and shocks I have ever experienced to learn that the House Banking and Currency Committee would agree to such an ill-advised and unnecessarily costly scheme as the Wyatt plan to subsidize this proposed building program to the tune of $850,000,000 out of an already bankrupt Treasury. Surely the gentleman from Texas [Mr. PATMAN] and his followers on that committee should know that the primary factor in getting these houses built is to make it possible for the producers of lumber to get a price for that lumber that will justify paying a good wage to his employees, pay all running expenses, and make a fair profit. If that is done, all the mills will start to hum pronto. Then, within a few months supply will meet demand and then our traditional competitive system will keep prices down where they belong; but no, that is not the New Deal way.

When, oh when, I ask, are we going to stop these unnecessary raids on the Federal Treasury? Every dime of which must be paid back after being earned by the sweat of some workingman's brow.

Mr. Wyatt talks about using surplus war plants in which to build prefabricated houses. I wonder how the bricklayers, carpenters, painters, and other workmen in the trade, many of them veterans, in other sections of the country will feel about that, to say nothing about the building-material dealers, too? The facts are that all these needed houses can be built quicker and better by local labor in every community and for far less money if only they could get the material needed. And they could soon get that material by simply adjusting the OPA ceiling prices on certain lumber and building material, as I have stated before; actually it is that simple. And then Mr. Wyatt talks about a one-bedroom prefabricated house to cost around $3,500. My own knowledge and experience in the manufacture of prefabricated houses with the information I have right now from reliable sources and my 24 years of experience in the retail lumber and home-building business makes it my plain duty to speak out now and say that no one, regardless of where he lives, should pay over $2,000 for a good prefabricated house built of regular materials up to a size of 20 by 22 feet, or 18 by 24 feet, with one bedroom, living room, dining nook, small kitchen, and shower bathroom, exclusive of utilities and foundation material.

Our veterans will surely be taken for a ride if the Wyatt scheme goes through. A few builders of homes would make millions upon millions at the expense of the veterans, who would get it in the neck twice; first, by a needlessly high price for a house, and, secondly, by paying his share of the tax to pay the $850,000,000 subsidy proposed by Wyatt in his bureaucratic plan. This must not happen.

I do not propose to sit idly by and see it happen to the American veterans. Yes, they must have homes, but they demand and have a right to expect their representatives in Congress to see to it that they are not fooled or cheated. So, for heaven's sake let us use our own heads.

If there is the slightest question in anybody's mind as to who is holding down production of lumber and other materials needed to build homes for returning veterans and other Americans, all they need to do is to read the facts as set out so clearly in the following editorials and releases by men who know the lumber business and the building business from A to Z.

President Truman, the OPA, and Housing Director Wyatt can plan and scheme and talk until they are blue in the face, while everyone who knows something about the lumber business and the building industry listen with utter disgust, knowing full well there is but one solution to the problem, and that is an adjustment in the ceiling prices on certain lumber items set by OPA Director Bowles and O. K.'d by President Truman.

Of course, a better solution would be a complete hands-off by the bungling OPA czars whose primary purpose it seems is to force private operators out of business, then declare another emergency exists as an excuse for the Government to take over the mills and lumber yards, or pay a huge subsidy out of an already bankrupt Treasury, which is the New Deal's stock in trade whenever their bungling in business reaches the climax, as it now has in the lumber industry, as well as in most every line of business where they have interfered with their silly regulations. The OPA must be stopped before the OPA stops America.

If I were in business today I would keep a good vermin exterminator handy for self protection against unlawful search and seizure by any scoundrel. Every law-abiding American citizen has that right under our Constitution. I certainly would make at least one OPA wise-guy cite me the law which gave him the right to nose around in my business. I said the law, not some rule or regulation or edict which possibly he himself had concocted. Then, if I felt myself guilty under the law, I would pay my fine, but if not, I would fight them if it took the last cow in the barn; for surely, the time has come to fight tooth and tong for principle, or lose our birthright. What I have just said may sound out of order, but I have lost all patience with this OPA outfit and a lot of other un-American rot emanating from and condoned by the party in power to enslave the American people by the same methods so successfully used to destroy free, private enterprise and to bankrupt many of the other nations on this globe during the past decade. Certainly that is not what our fighting men fought, bled, and died for all over the world in this last year, or any other war.

The House Banking and Currency Committee are holding hearings right at this time to determine what to do with OPA. Let us hope and pray that that committee will either bring in a bill speaking out in clear, concise, understandable language just what the duties of the OPA shall be, or else a recommendation for an immediate liquidation of the whole outfit.

Now, why do I say that? Simply because the present operations of the OPA are accomplishing the exact opposite of what it was intended to do, to say nothing about the abuses suffered by millions of law-abiding citizens in their struggle to stay in business. Thousands have already thrown in the sponge, and many more thousands are about ready to give up the fight, close out, shut down, or sell out to some big competitor who has an

"in" with the party in power and can get by with most anything and everything because they have the kind of salve it takes. How, I ask, can prices be kept down when competition and production is kept down to a minimum; and, mark you, that is exactly what OPA is doing today as every fair-minded person must know, and as the following editorials and news releases prove conclusively.

Mr. Wyatt proposes to build 2,700,000 so-called low-cost homes during 1946 and 1947. How in heaven's name, I ask, does he expect anybody to take him seriously in the light of the conditions the OPA has brought about and seem determined to carry through in the lumber industry, to hold down production. These homes, they say, will be low-cost homes, costing $6,000 or less. But to 75 percent of the American people a $6,000 home is a high-cost home. So, even if lumber is made available by some hook or crook, a $6,000 or even a $5,000 home is more money than 75 percent of the veterans can afford to spend, or will want to go in debt for; or at least should go in debt for, regardless of whose money is used, unless they are settled at sure, permanent employment at a wage or salary that will justify the monthly payments. I speak from experience, for I was one of those many veterans of the World War I who built a better home than my income warranted, and believe me, it was mighty tough going to hold that home for many long years. So, my advice to all prospective home builders with limited means, is, build a home to fit your income, add to it as you can afford, but above all, own your own home, be it ever so humble. First, because you owe it to your family and yourself, and, second, because your America will always live if America has a majority of its people living in their own homes. Property and home owners are capitalists, you know. You will find very few Communists living in homes of their own in the United States of America, and not one person has a home of his own choosing in Russia, remember that. But again, I warn you, build to fit your pocketbook, do not take chances. Even Uncle Sam is a ruthless collector at times, and it must be awful to lose the place you love to call Home Sweet Home. Deal with your home town building-material dealers, carpenters, and contractors. They will give you sound advice and 100 cents worth of house for every dollar you should spend, which is to their advantage as well as yours.

Mr. Chairman, I have introduced a bill to stop all exportation of lumber until our needs are supplied.

Now read what others have to say about this most important matter. After you read I am sure you will agree with what I have just said.

[From the Red Oak (Iowa) Express of February 4, 1946]

SOMETHING SHOULD BE DONE

Not long ago Representative BEN JENSEN was in this town calling on friends. A lumberman, himself, he was naturally interested in the problems of that important business. He told friends of the unhappy feelings of servicemen who came home to find that they could not buy lumber to build a house. Yet, these same servicemen may have passed on the high seas ships loaded with lumber going abroad.

In this issue we publish an editorial which is reprinted from the American Lumberman. It shows that lumber manufacturers are allowed to get a higher price for export than permitted by our good friends in the OPA at Washington when the same lumber is sold for home consumption.

Oh, yes; the OPA is protecting us on prices, but darned little lumber can we buy. It is obvious that manufacturers cannot continue to sell it at a loss, nor will they do so when any profitable sale presents itself. Lumber companies, cannot print money or charge up losses to taxes. This the Government does not seem to understand.

We can never straighten out our shortage problems as long as the OPA, with its tangle of red tape, proceeds to cause months or a year of delay in finding out things that other people already know.

Farmers, businessmen, prospective home owners in this community know that they cannot get material with which to build. They also probably know that if we continue shipping our lumber abroad they will never get it. It resolves into the question of who's country is this?—ours, the people's—or the OPA's? Apparently, the only answer is to put sufficient pressure on your representatives and to write to the OPA in the hopes of getting a stick of lumber when you need it. We recommend that every interested person read the editorial from the American Lumberman.

IMMEDIATE REVISION OF OPA'S PRICE SCHEDULES IMPERATIVE TO GET HOME BUILDING LUMBER IN VOLUMES

Five months have elapsed since VJ-day, but the late moves in Washington, supposedly aimed at improving the Nation's critical building material supply situation are not practical, and will not alleviate the housing shortage. Until an all-out program to stimulate production of building materials is launched, home building will be stymied. A review of OPA ceiling price schedules on lumber reveal the reasons why mills are not producing the items needed for home construction.

The Nation's lumber industry is capable of producing more lumber than can be consumed in the greatest building boom ever experienced. Lumber production has always been governed by the volume of construction—home building has never, until now, been dependent on the amount of lumber available. But under a price structure designed to encourage production for war, lumber items needed for home building are not being produced in volume, and many operations in some regions are entirely out of production because of inability to show a profit.

In the southern producing area, OPA's refusal to recognize that private business is different from Government—in that it must operate within its income, has thrown more than 25 percent of that production out of operation and the decline is continuing. F. o. b. mill ceiling prices on southern pine have increased 24 percent since MPR No. 19 was issued in 1941. That looks good until it is learned direct labor costs have risen 93.3 percent in the same period and the cost of operating materials and supplies have increased 107.5 percent along with a 33-percent increase in living costs. Normally about 65 percent of southern pine lumber goes into building construction.

West coast producers have not been forced to discontinue operation as generally as those in the South, but they have not been able to cut many home building lumber items at a profit because of OPA ceiling maladjustments. For example, rough green vertical grain B and better clear fir 4" x 12"—12' can be sold for $75 per thousand board feet. When the same item, put through many expensive additional operations, comes out as 1" x 4"—12' B and better flat grain flooring, the OPA ceiling price is only $45—the same price that prevailed in 1942. Or, if the firm deals in export trade, the 4 x 12's mentioned can be sold for export at $87 per thousand instead of being cut into $45 flooring—the result, a substantial footage of our lumber is being exported. Even when flat grain cants are cut into 1" x 4"—12' vertical grain B and better fir flooring, it sells at the 1942 price of $60. Fir 6" x 12"—12' rough green B and better vertical grain sell for $74 per thousand, but when run into 1" x 6"—12' B and better flat grain flooring or drop siding, the price is only $50 per thousand—the 1942 price. Framing lumber as compared to plank and timbers must be repriced if mill operators are to be interested in cutting logs to dimension rather than the easily cut less-wanted items. Instead of lumber manufacturers being able to adjust their cutting schedules to satisfy the market, they are forced, under OPA ceilings, to produce items which are not suitable for home construction.

Unless OPA price schedules are revised lumber production will remain down and what production there is will not develop items needed for home building in any quantity. Furthermore, because OPA price schedules on lumber should have been revised last September it is imperative they be changed immediately—and not after the conventional 6 to 9 months of study and research.

[Telegram]

NEW ORLEANS, LA., *January 30, 1946.*

Hon. JOHN W. SNYDER,
Director, Office of War Mobilization and Reconversion, East Wing, The White House, Washington, D. C.:

On September 10, 1945, we advised you fully of the distressing conditions existing in the southern-pine industry and warned you that the responsibility for any shortage in southern pine lies directly upon Government agencies having control of the industry through their actions or through their lack of action. Since that time, on November 29, OPA authorized an increase which was wholly inadequate and too late to meet the situation. At a meeting of southern-pine lumbermen widely representing the industry here today, Judge Collet's directive No. 94 came as a shocking surprise to those present. It was the unanimous opinion of these lumbermen that the directive is utterly unsound, wholly impractical, and will be ineffective. It will not increase production. To the contrary, in the opinion of those present, it will reduce production and certainly, under the conditions set forth in this directive, there will not be any price increase for this distressed industry. The suggested basic goal of 9,000,000,000 feet for 1946 is absolutely impossible of attainment under directive 94, and it will add materially to the chaotic conditions already obtaining in this industry. In fact, we believe this directive will have the effect of destroying any hope for an increase in price to southern-pine producers. Since you are responsible for the reconversion program, we feel that you should have this warning that directive 94 will be disastrous. It gives no relief and will further tend to discourage the present inadequate production of lumber which threatens to become the major bottleneck in the housing and reconversion programs. We strongly urge its immediate withdrawal.

SOUTHERN PINE WAR COMMITTEE,
C. C. SHEPPARD, *Chairman,*
H. C. BERCKES, *Secretary.*

(The above telegram has also been sent to the following with the explanation that the original was addressed to Hon. John W. Snyder: Judge J. C. Collet, Stabilization Administrator, Office of War Mobilization and Reconversion, Washington, D. C.; Mr. Chester Bowles, Administrator, Office of Price Administration, Washington, D. C.; Mr. Wilson

Wyatt, Housing Expediter, room 323, Washington Bldg., Washington, D. C.; Mr. M. W. Niewenhaus, Director, Forest Products Division, Civilian Production Administration, Washington, D. C.; Mr. J. D. Small, Administrator, Civilian Production Administration, Washington, D. C.)

[From Lumber Buyers Weekly Market Letter of January 25, 1946]

MILLS MUST SUPPLY CONSTRUCTION LUMBER

On February 1 the manufacturers of softwood lumber must set aside 40 percent of their output to be applied on HH priority ratings. This 40 percent must be made up of "housing construction lumber," such as flooring, ceiling, siding, partition, casing, base, molding strips, boards, 2-inch dimension, finish, shop lumber, and lath.

Each sawmill must reserve 40 percent of its total production for February and each month thereafter, to be applied on HH orders. In case the lumber reserved is not sold by the twentieth of the month in which production is reserved, the stock may be sold on orders other than those carrying an HH priority.

The above sounds very nice, and if 40 percent of the fir and pine mills' production is diverted to the purpose intended, we will see a lot of lumber moving through dealers' yards, but it may not work out exactly as planned. Already some lumber manufacturers claim they cannot and will not obey the "edict" unless the ceiling prices on construction material are raised. The whole order will be shot full of holes unless the OPA revises the price ceiling so that the lumber manufacturers can make construction material without a heavy loss. If the CPA tries to enforce this ruling without the cooperation of the lumber industry, we can visualize all kinds of evasions and an active black market.

RETAILERS TO FEEL OPA SQUEEZE

The OPA has just issued amendment 15 to Second Revised MPR 215, which has the effect of freezing retail prices on northern hemlock and other softwood from Minnesota, Wisconsin, and Michigan, and western red cedar shingles, on the basis of the prices in effect on December 1, 1945. This means, in the case of western red cedar shingles, the retail dealer must absorb the 20 cents a square advance allowed the shingle manufacturers, effective December 17, 1945.

This ruling is in line with Chester Bowles' idea of holding the line against inflation. Labor may get higher wages, but the extra cost of manufacturing or distribution must be absorbed by the manufacturers or distributors. This is one way to control profits and do away with competition. The next step, no doubt, will be to freeze lumber prices, and then allow labor and increasing manufacturing and distributing costs to squeeze the manufacturers and distributors still further.

In theory, the plan to control prices and, incidentally, profits, appears workable to men who have learned economy out of a book, but in practice it fails to work. If the manufacturing profit on an item is not satisfactory, the manufacturer simply will not make that item, and if the retailer is not allowed a fair profit, he will not stock the item. If you do not believe this is a fact, try to buy a shirt or a pair of shorts.

In our business, we have a good example of how a price squeeze can affect the supply of any commodity. The prices on flooring, drop siding, boards, and 2-inch dimension are out of line, so the lumber manufacturers simply do not make these items, but, instead, they make plank, timbers, and rough green clears. In this instance, Mr. Bowles is holding the line, but the supply of necessary items to build homes is about nil.

FIR DIMENSION

Practically all the fir manufacturers out here are taking advantage of the footnote in RMPR 26 applying to 2-inch dimension, which reads as follows: "Odd or fractional widths, add $1 to and compute footage on next wider even width except 2 by 3." In order to comply with this footnote, a manufacturer can cut 2 by 4¼-inch dimension, surface to 1⅝ by 3⅞ inches and charge for 2 by 6 inches, using a price $1 over the ceiling price on 2 by 6 inches. The same rule applies to other widths; that is, stock can be sawn to 2 by 10¼ inches and surfaced to 1⅝ by 9⅝ inches, and the purchaser must pay not only for 2 by 12 inches but $1 over 2 by 12 inches ceiling price. The fir mills are working this to the limit. Buyers are willing to pay the extra in order to get stock. Everyone knows it is only a question of time until OPA stops the practice, but it is a good graft as long as it lasts.

WHY IT IS SO HARD TO BUY LUMBER

We know some of our clients cannot understand why we cannot place mixed-car orders and orders calling for flooring, drop siding, boards and 2-inch dimension, but when one knows all the circumstances, it is easy to understand why yard items are practically impossible to buy.

The lumber manufacturer is only human, and he is going to cut the stock that nets the most money, and that means rough plank, timbers, and green clears. This deplorable condition has been brought about by the stupidity of the OPA, and we do not blame the lumber manufacturers too much. We probably would do the same if we were in their place, but it is going to take lumber other than plank, timbers, and green clears if we are to build a million homes this year.

On account of price ceilings being made by edict rather than by the law of supply and demand, it is only natural for the lumber manufacturers to take advantage of every loophole to get more money for their stock, just as we all do when figuring our income tax. If we had a natural market, based on supply and demand, there would be no reason for manufacturers to resort to the subterfuges they are now using, as each item manufactured would be priced on the basis of supply and demand.

Our clients, of course, would like to buy kiln dried 2-inch dimension, but no manufacturer is going to make 2 by 4—R/L No. 1 Common K. D. S4S at $34.50 f. o. b. mill when he can sell 4 by 12—R/L No. 1 Common Rough Green at $27.50. The OPA will allow reworking plants to rework these 4 by 12's into kiln-dried 2 by 4's, and for doing this the reworking plants can charge $18 or $20 per thousand feet, but the legitimate manufacturer can charge only $7 difference between kiln dried 2 by 4's and the rough green 4 by 12's. No wonder legitimate lumber manufacturers are not making kiln dried dimension. The same discrepancy applies to 1 by 4—R/L B and better F. G. Flooring. The ceiling price on flooring is $45 mill basis, but 4 by 6—R/L B and better rough green clear is priced at $57. No manufacturer, in his right mind, is going to cut 4 by 6 rough green clear into flooring and sell it for $12 less than he can get for 4 by 6's.

We are told there are to be new fir ceiling prices that are more in line with needs and conditions, but we are afraid we will be given another patch-work job that will cure nothing. What we need is a major operation.

HOW OPA WORKS

The ceiling price of fir railroad ties is $28.50 per thousand feet f. o. b. mill. If for export, the mills can charge $32 per thousand feet. This is an example of why the mills like foreign business. Another laugh—a tie measuring 6 by 8—8 feet is supposed to weigh 3,500 pounds per thousand feet, but a tie 6 by 8—9 feet is figured at 3,300 pounds. No one knows why.

The Canadian Government does not try to regulate prices on export shipments. The fir mills in British Columbia have just sold 32,000,000 feet of ties to China on the basis of $36 to $47.50 per thousand feet. If our mills could have furnished them the price could not have been over $32.

SALES, PRODUCTION, AND SHIPMENTS

The confidential report of the West Coast Lumbermen's Association for the week ending January 19, which was mailed to the association's member mills today, will show the following:

[In millions]

Week ending	Dec. 22	Dec. 29	Jan. 5	Jan. 12	Jan. 19
Production	76	36	44	78	78
Sales	69	55	60	76	85
Shipments	71	47	46	78	84
Unfilled orders	599	612	618	604	595
Mill inventories	307	298	294	292	284

Sales were divided as follows:

[In millions]

Week ending	Dec. 22	Dec. 29	Jan. 5	Jan. 12	Jan. 19
Rail shipment	52	39	40	54	58
Domestic cargo	5	7	7	8	9
Export	5	2	6	6	9
Local sales	7	6	7	8	8

Unfilled orders:

[In millions]

Week ending	Dec. 22	Dec. 29	Jan. 5	Jan. 12	Jan. 19
Rail shipment	495	501	495	483	476
Domestic cargo	35	37	43	40	40
Export	69	74	81	81	79

The Western Pine Association's report for the week ending Jan. 12 showed the following:

[In millions]

Week ending	Dec. 15	Dec. 22	Dec. 29	Jan. 5	Jan. 12
Production	26	18	12	16	24
Sales	23	20	10	21	45
Shipments	28	19	12	22	33
Unfilled orders	242	208	202	196	246

[From Crow's Pacific Coast Lumber Digest of December 15, 1945]

INDUSTRY IS QUITTING THE UNEQUAL BATTLE

(By C. C. Crow)

This week Mr. Frank Ransom, President of the Eastern & Western Lumber Co., of Portland, announced that within the next few days they will close for all time. This is one of the top sawmills of the Northwest that has been in operation for 45 years and at its peak produced over a long period an average of 110,000,000 feet of lumber annually.

Only a comparatively short time ago numerous other well-known sawmill concerns took the same steps as the Eastern & Western Lumber Co. To name a few, there have been the Clark & Wilson Lumber Co. with its three big plants on the Columbia River, Pacific National Lumber Co., Tacoma, Wash.; Silver Falls Timber Co., Silverton, Oreg.; Westport Lumber Co., Westport, Oreg.; and the big Bellingham division of Bloedel-Donovan Lumber Co.

Keep in mind that, with possibly one exception, all of these mills have or had standing timber of their own when they

closed. Keep in mind that all of these concerns were in a good financial position and enjoyed the prestige of long-established connections with the very best trade both domestic and foreign who had come to know that they were capably managed and well equipped and their product of dependable, high-class uniformity.

Why have these mills quit? No one who knows the conditions under which they have been operating can criticize them.

Some would have you believe they closed because of the inability to get timber. That has been a small factor only. In former years all of these concerns brought timber from greater distances than they did in the last days of their sawing. During the peak of Columbia River production, logs were being towed at snail's pace up the river against the current from the very mouth of this stream 100 miles from Portland. Plenty of timber is available today in the opposite direction from Portland up the Willamette Valley at shorter distances and it all moves down grade to the mills. True, it is not on the average as good Douglas fir as was harvested on the lower Columbia River, but it does make excellent lumber even though carrying a smaller percentage of clears.

While the managers of these liquidated mills have never openly made such an admission, it has not been the inability to get logs that has been the major reason for their quitting. They have tired of fighting Government bureaus. They have tired of constantly struggling for elbow room from the never-ending stream of red tape turned out and wrapped around them by Government crackpots. They have tired of spending half of each day arguing with Government-backed, red labor racketeers. They have tired of waiting for months for the OPA to make decisions that should not take them more than a few days, as that bureau fails utterly to make urgently needed and clearly deserved adjustments to regulations and prices to meet the changing conditions while production costs mount. They have tired of having the worst radical element in their organizations preach and teach contempt for the employer. They have tired of having these same reds first encouraging and later demanding of loyal employees that they hold to a minimum the personal effort which they expend as they did during the war when lumber was so indispensable, and the output per man per hour dropped to a ruinously low level. They have tired of labor demands for more and more concessions while their efficiency continues to drop. They have tired of having Government-employed labor trouble-makers constantly circulating amongst their employees, figuring out ways to make satisfied men dissatisfied. They have tired of the constant threat of unauthorized "quickie" strikes and the progressive infringements upon the authority to direct their own businesses, a result of the insolent and overbearing Government-schooled policy of organized labor.

The facts are, these excellent, well-equipped mills capable of employing thousands of men and turning out millions of feet of lumber each day, which is urgently needed, have sickened of studied dictation imposed upon them by a Government administered by a spineless Congress of self-seeking politicians led by an accidental President, a weakling, the impotent spawn of ward-heeling, gangster politics who is satisfied to do the only thing he is capable of doing and that is to drift along with the New Deal flotsam on which he was born politically.

The liquidation of sawmills has only started. The OPA and numerous other bureaus, with their dilatory tactics and impractical hamstringing of all industry, are making it necessary for a businessman to become a crook if he stays in business and remains solvent. More good mills have been sold for a song during the past year than in any 10 years previously. This has also been liquidation. Sawmill operators, who have put in a lifetime building up such organizations as those already mentioned, have with full justification come to realize that it is futile and certainly not worth while to continue in the one-sided battle against merged subversion of entrenched Federal parlor pinks and the soap-box radicals they are forced to employ.

What is true of the lumber industry in the Northwest is true of other industries in all sections of the United States. Any man who with hard work and close application has built up a business is not going to continue it, lose what he has, and shorten his own life by trying to do the impossible just to keep grasping politicians in office to test out the theories of a lot of academic nit-wits who could not run a peanut stand and come out whole even if furnished free of charge the necessary equipment and materials.

It will take someone bigger than a group of demagogues headed by a necktie salesman to keep this country from losing its indispensable industry leadership, without which it is destined to sacrifice the democracy and free enterprise with which we at one time became the greatest Nation in the world and the hope and ambition of oppressed people the world over.

[From Improvement Bulletin of January 3, 1946]

IN PERSPECTIVE

(By G. L. Anderson)

We enter this, the first new year of peace, with altogether too many difficulties in the way of a prompt and prosperous return to the normal business of the nation.

It becomes more and more evident that the pains of transition from war to peace do not spring from the defects of capitalism nor the errors of labor but from the exploits of government.

We are reaping, whether we like or not, the harvest of too much governmental control and regimentation of both employer and employe, of too much interference in those functions which are not properly the province of the government, and of too many ignorant, inefficient and even vicious bureaus and bureaucrats which have become the tares in the wheat of our national industrial economy.

As a consequence even the great construction program which was to be depended on for much of the immediate employment of our returning veterans and displaced war-industry workers, is being slowed to a halting state and may even come to a complete standstill.

At this moment, capital and industry are ready and willing to go forward in the greatest era of productivity this Nation has ever known, bulwarked by a consumer demand which would assure full employment and round-the-clock operation for every major and minor industry in the country. Unemployment, for everyone willing to work, would cease to exist for the next 5 years at least, if it were not for the unfortunate struggle between labor and industry which, basically, stems from government interference and restrictions.

Industry wants to go ahead and labor wants to be employed and between them, by intelligent consideration of mutual problems, there lies a solution for all difficulties but from within and without, both are plagued by too many committees and agencies who, in the guise of settling, only succeed in widening the breach between the two factions.

The latest suggestion that Government delve into the private records of corporations with fact-finding committees to determine whether or not higher wages can be paid out of capital is probably the most arrogant assumption of any governmental power advanced thus far in a long series of preliminary regimentations. It is a direct reversal of the old economic rule that the selling price is the determining factor in the price of the component parts of any article or service.

Where the serious damage is done, however, is in the relationship between industry and labor. Erroneous premises are set up and equally erroneous conclusions result, which widen the breach between the two factions and lessen the possibility of reasonable conclusions.

Dividends to stockholders are the wages of capital. Investors have as much right to these wages as do the workers for their money provides the opportunity for employment. Capital is the safeguard of industry. Industry does not have the limitless assets of Government on which to draw. When industry needs huge sums of money it comes either from capital or from investors and where there is little of the former, and no reasonable assurance of dividends to the latter * * * no financing is possible.

All of these things are known to reasonable, intelligent men, but for some reason, for the sake of political opportunities, they are ignored by Government or bypassed through some wild-eyed theory which is born in the minds of men who wish to control everything.

No government-controlled economy has ever paid workers anything but a bare subsistence. We have had opportunity to see that in the past 5 years. No nation, under any kind of political system, has ever approached the level of living conditions which has been reached in our Nation under private industry and profit system.

Nor is there any better system yet devised which promises so much to the individual who works to produce and may none of us ever forget it.

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. CHIPERFIELD].

Mr. CHIPERFIELD. Mr. Chairman, the State Department is planning to establish a new information and cultural relations program all over the world. It will soon ask Congress to approve H. R. 4982, entitled "The interchange of persons, knowledge, and skills between the people of the United States and the peoples of other countries," so that it may undertake a radical departure and expansion from its existing programs and functions.

Originally, at the request of the State Department, a bill, H. R. 4368, was introduced before the Foreign Affairs Committee to authorize such a program. This original bill, in my opinion, was a legislative monstrosity. It proposed to establish programs for the interchange of persons, knowledge, and skills without in any manner defining what those programs were to be, without placing a limit on the amount to be authorized, or placing a time limit as to the period of the authorization. The language was so broad in its terms that it was almost impossible of definition.

What program could not be undertaken under the pretext of interchange of knowledge and skills? Almost any program within one's imagination could come under such broad terms.

So, during the hearings before the Foreign Affairs Committee it soon became apparent there was a need for a more specific bill, and H. R. 4368 was abandoned and the bill H. R. 4982 has now been substituted in its place.

The State Department was so anxious to have this bill pass the Congress before the last session expired it was pushed through our committee, in my opinion, without adequate hearings. That this was the case became apparent when the Rules Committee refused to grant a rule on this measure even though there appeared before it bipartisan proponents of the bill.

It is also apparent there is dissatisfaction with this measure from sources outside of Congress, because after the Foreign Affairs Committee had approved it both the AP and UP news syndicates publicly notified the State Department of their refusal to cooperate in such a program. If the reports in the press are correct, opposition was also encountered from the School of Journalism in New York City.

Before Congress acts upon this bill I believe there should be further hearings upon it by the Foreign Affairs Committee so these interested parties can be heard. If such an opportunity is not afforded, I believe the proper action for this House would be, when this bill is presented, to recommit it to the committee for further consideration.

Certainly serious consideration should be given to amending this bill in several particulars.

First. There should be a ceiling established as to the amount to be authorized. This has been the usual practice in most authorization bills. A recent example is the UNRRA bill which established a ceiling beyond which appropriations could not be authorized. I believe this is sound legislative practice.

The appropriations for the State Department 7 or 8 years ago, in peacetime, only amounted to around $25,000,000. While their appropriations have increased materially during the war period, and I realize they have a greater responsibility now, I do feel we should put some limit on this program because it is apparent, from reading the hearings on this measure, it is intended to spend annually on such a program more than the entire cost of the State Department was some 7 or 8 years ago.

It is my understanding under this program for the first year, when it is just getting started, we will be asked to appropriate $29,000,000. We all know when these bureaus once are established they never, in succeeding years, ask for less but keep growing like Topsy.

Second. While there has been an attempt to classify the different programs under the revised bill, let us examine some of the language it still contains:

Under section 3 (b) the Secretary of State is authorized to make grants of money, services, or property to governmental institutions, public or private nonprofit organizations, and individuals, both in the United States and in other countries for technical projects undertaken and jointly financed by the United States and another government, or by the United States and a private nonprofit organization, for the common benefit of the United States and another country.

What is meant by technical projects? I am unable to state. I hope we are not to judge the future by the past. Under a program undertaken by the Coordinator of Inter-American Affairs such programs as providing a technical basis for planning was undertaken in Paraguay at a cost of $105,500; a program to improve agricultural technique in Peru costing $101,701; to introduce ideas and techniques designed to effect an increase in production of food products in Venezuela, costing $40,000; public baths and lodgings in Chile at a cost of $185,000; water supply system in Honduras at a cost of $51,282; sewerage system in Ecuador at a cost of $36,496; and a road project in Honduras of $1,222,000.

All of these projects and literally hundreds like them have been carried on in Central and South America under the guise of improving cultural relations with these countries, mostly at our expense. I believe we should clearly define the language of this bill so that such projects will not be permitted under this new program.

Third. Let us take another classification. Section 3 (f) provides that we give assistance to American-founded, American-affiliated, and American-sponsored schools, libraries, and community centers abroad. Does this mean we are going to subsidize every privately endowed American school established all over the world and have these institutions clamoring and competing for our taxpayers' hard-earned dollars? Why not define by conditions in the bill how and when this aid is to be granted?

Fourth. The bill also provides for interchange of students, professors, and outstanding persons. Is there any reason why the United States should bear the entire burden of such an interchange? If not, why do we not specify in this bill that the countries with whom we are making such exchanges should pay a proportionate share of such expenses?

Fifth. Do you believe it is good legislative practice for us to authorize, as is done in section 5 (d), and pay the expenses of, attendance at meetings or conventions of societies and associations concerned with furthering the purposes of this act; or section 5 (b) to furnish for citizens and subjects of other countries such entertainment as the Secretary determines to be advisable for the achievement of the purposes of this act, both in the United States and in other countries, when there is no limit of any character as to what might be classed as entertainment, or the nature of meetings or conventions to be held? Why should not this be on a cooperative basis rather than at our expense?

Sixth. Furthermore, there are waivers in a great many instances in this bill of existing statutes with reference to travel allowances, civil-service classifications, and so forth. I do not believe there is a single member of the committee who could explain on the floor of the House intelligently the provisions which are waived and their legal effect. Is it not a dangerous practice to wipe out with one fell swoop existing legislation which has been on the statute books for years to protect against abuses?

But the main purpose of this act is to set up an information service for radio, news, and motion pictures, to be disseminated all over the world. The Congress attempted to do away with the OWI in peacetime, but under this bill not only the remnants will be saved but there will be again authorized a full-grown peacetime propaganda and information service.

Under this act it will be proposed to have in this portion alone, by July 1, approximately 2,600 people employed, classified as follows:

Short-wave broadcasting	850
Staff in the Department of State handling both information and cultural-relations work	700
Staff in the American Embassies and consulates abroad (400 officers, 120 clerks)	520
Information staff attached to the United States Army in Germany, Austria, and Japan	500
Total	2,570

Now, this service will either be a propaganda service, a factual service, or a combination of the two. Undoubtedly it will be the function of this Department of Information to see that the peoples of other countries understand United States foreign policy, and so far as possible sympathize with it. This will be a difficult task indeed. Before you can make other peoples understand our foreign policy we must avoid a weathervane policy. Before you can ask someone to stand behind and support a program you must stand still long enough for him to be able to do so.

Nevertheless, to obtain the proper sympathy for our foreign policy the State Department will necessarily engage in a program of propaganda. Anyone who is familiar with psychological warfare and the techniques used therein, knows they are neither necessarily true or necessarily false. The object is to mobilize a person's emotions in such a way they will dominate his reason. I do not mean by this that by doing so there would be any evil design, but do you believe for one moment if the State Department has a positive policy on some important issue affecting the foreign field, and there was controversy over this issue in Congress, that as much information would be sent abroad in opposition to this policy as would be sent in favor of it? It seems obvious this would not be the case but that the information disseminated would necessarily be weighted in favor of the State Department's own policy. This is the reason we must not have the Government enter into competition with private news agencies who are so careful to maintain standards of complete objectivity in the handling of news.

But if it should be the case, instead of propaganda being sent out as information from this country that only factual information is used, are we not invading the legitimate field of the regularly established news agencies by setting up such an information service? Certainly we should not sponsor any agency which would enter into direct competition in this field.

What is there in this bill which limits such service so there would be assurance it would be facilitative and supplemental to the normal currents of private interchange through the medium of the press, radio, camera, and screen?

While I believe there are certain legitimate programs in the international field in which this country should engage so it could properly carry out its responsibilities in the postwar years, yet I am convinced that in authorizing such programs there should be very definite limitations and conditions which would prevent our Government from competing with privately established institutions, industries, and other enterprises.

Mr. Chairman, let us look before we leap. Let us not establish a world-wide WPA with Uncle Sam playing the role of Santa Claus.

Mr. TABER. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill altogether carries enormous sums of money because it carries as permanent appropriations an estimated $5,000,000,000 for interest on the public debt, nearly $600,000,000 for sinking funds, $1,500,000,000 for tax refunds and customs draw-backs, and $2,800,000,000 for trust funds. The regular operating fund involved in the bill is $1,604,000,000.

I find I was wrong when I interrupted the gentleman from Indiana on the total amount involved and in the first statement I just made. It should have been $11,600,000,000 for the gross total. I shall correct that figure as I get to it.

There are presented here proposed cuts of Budget estimates of $29,660,000. Of these, $10,508,000 came out of the Treasury Department and $19,000,000 out of the Post Office Department.

There are some sores in the Treasury Department that are not cleaned up. I am going to talk about some of them because I think the attention of the House should be called to them. Their is, first, the Division of Research and Statistics headed by Doc Haas, the pay-roll expert in the Treasury Department. Doc, you know, likes to be on a good many pay rolls. We have him down now to two pay rolls, namely, the Division of Research and Statistics and the Bureau of the Public Debt. The worst trouble with that is that with an expenditure over-all of $350,000 or $400,000 the statistics he gets out are none too dependable. He used to be on two or three other pay rolls. Frankly, I believe that efficiency in the Treasury Department would be promoted if the outfit were abolished, because I have seen many cases before the Committee on Ways and Means and before our own committee where their statistics did not hold up.

There is another sore right in the office of the Secretary of the Treasury that has only partially been cleaned up. That is their publicity set-up. You know these Government publicity agencies are a menace to the agency that they are in. If these people themselves would get up their press releases and that sort of thing and get them out, it would take less of their time in a long run, because they would not have so many questions to answer and so much explaining to do. There would not be so everlastingly many items put out which they have to explain afterward. I do not know, but I think the whole publicity picture in the Government is terrible. For instance, we can all remember that press release of General Eisenhower, which was put out right around Christmas, which not only caused him a whole lot of trouble, but caused all of us here in the House a great deal of trouble in connection with the discharge of men from the armed forces. It was an ill-advised statement, and very poorly done, and gave wrong impressions. That is what we get when people who know nothing about the job and have nothing to do but publicity get out statements. Here in the Secretary's office there is a set-up of $59,000 for publicity. We took $20,000 out of that item. Personally, I would have liked to have seen the whole of it out. But that could not be done at one time. I hope that we cannot only do that another year, but that we will be able to clean that whole picture up all through the Government. Perhaps the most notorious offender along publicity lines is the OPA. They spend millions of dollars for propaganda, and the result of that propaganda is misinformation. I do not know how people in responsible positions can stand it to have folks get up interviews and statements to give out for them who do not have the slightest comprehension of what the job is about. When you have that going on all through the Government it is absolutely no wonder that the people back home have a misconception of what the situation in the Government of the United States is. The taxpayers are paying for that false impression. It is about time we came to an end of that way of doing business.

What pleases me most about this bill is the fact which appears on page 2 of the report. The way we have set up our operating expenses we are going to require nearly $40,000,000 less to operate the Treasury Department in the fiscal year 1947 than in 1946.

The CHAIRMAN. The time of the gentleman from New York [Mr. TABER] has expired.

Mr. TABER. Mr. Chairman, I yield myself five additional minutes.

Mr. MAY. Mr. Chairman, will the gentleman yield for a brief statement and a question based on what I am going to say?

Mr. TABER. I yield.

Mr. MAY. The gentleman knows that during the war a great many temporary war agencies were set up in the Government which were heavily manned with unprecedented numbers of employees.

Mr. TABER. That is true.

Mr. MAY. I have noticed that when Congress passed the bill to authorize the President to reorganize the Government so as to eliminate bureaucracy and unnecessary expenses, they have adopted the practice downtown of finding some bureau that has been set up with several thousand employees and has performed its functions and is no longer essential, instead of just leaving those employees out and letting them seek employment in industry, they transfer them to some other larger bureau or agency. There they are paid the same amount they would be paid if they were in the temporary agency.

Mr. TABER. Do they not generally get a raise when they are transferred?

Mr. MAY. In a great many instances; yes. They have some kind of an arrangement with the Civil Service Commission by which they will lop them into an old agency in a new position by the wholesale.

Has the gentleman's committee given any attention to that problem by way of cutting appropriations so that they will have to reduce the number?

Mr. TABER. We have tried to do that in this bill just as far as we could.

There is one other thing in the bill that I am rather proud of. If the gentleman has the report and will turn to page 20, he will see there a schedule of items contained in the bill. If the gentleman will look in the last column, he will see that cuts were made below the Budget estimates. The gentleman will notice that, with the exception of a very few items, there was not a single item that was not cut.

I think on the first two pages there are three items that were not cut: Printing and binding, a $28,000 item in the Secretary's office; the Treasury building operating force which covers the janitors and the cleaners; and distinctive paper for United States securities. It was absolutely impossible to cut these three items. Every other item on those two pages was cut; there is not a single item of increase.

As I told the gentleman, there are some things I have not been able to accomplish in this bill, such as that Research Statistics outfit which is absolutely no good—the one with the Treasury pay-roll expert on it.

Mr. MAY. Mr. Chairman, may I ask the gentleman another question?

Mr. TABER. Yes.

Mr. MAY. I agree with the gentleman that practically every one of the items referred to in the last column carries a minus sign which means they have been reduced; but there are a lot of plus signs in other columns, and at the end of the last column there is a plus of $272,203,054. Does that mean that the bill taken as a whole is that much in excess of the Budget Bureau estimate, or what?

Mr. TABER. It means that the whole bill is that much in excess of the appropriations that have so far been made for 1946. The reason this situation exists is because the appropriations for 1946 were made prior to the passage of Public Laws 106 and 134 increasing the pay of the civilian employees of the Government and the pay of the post-office employees.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. TABER. Mr. Chairman, I yield myself five additional minutes.

The total estimate for those items which will have to be taken care of in deficiency bills—and those figures all appear on page 2—total almost $280,000,000 in estimates that are pending at the present time before the Congress to cover those items almost entirely—they have to be taken into consideration before we take into consideration the increase of $272,000,000 or whatever it is that the bill is above the appropriation for 1946.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I think possibly I should call attention to the fact that the figure the gentleman from Kentucky used, $272,000,000 with a plus sign, was a figure that applied to the increase of permanent and indefinite annual appropriations rather than to the operating expense fund.

Mr. TABER. That, of course, includes a two-hundred-and-fifty-million-cdd dollars increase for interest on the public debt alone.

Mr. CASE of South Dakota. And $345,000,000 for the Federal old-age and survivors insurance trust fund.

Mr. TABER. Yes.

Mr. CASE of South Dakota. The net totals for the Post Office Department and for the Treasury Department in operating funds show a minus $10,000,000 for the Treasury Department, and a minus $9,000,000 for the Post Office Department as against Budget estimates.

Mr. TABER. That is right. If you will look on page 2 you will find the Treasury shows a minus of almost $40,000,000, as compared with the 1946 appropriations as they will be after the increased pay bills are covered.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. The fact is that both the Treasury and Post Office Departments do show an increase over the 1946 appropriations, this increase being largely due to the pay increases the gentleman has cited?

Mr. TABER. Yes. That will have to be covered by deficiencies later.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Is there any foundation for the stories that we get to the effect we are letting contracts for post-office buildings without submitting them to competitive bidding?

Mr. TABER. When the bill is being read for amendment and we get to the Fourth Assistant Postmaster General's office I will have information indicating that in at least one particular case bids were advertised for and rejected. Then they chased around for 2 or 3 months and finally let a contract without any bids to somebody else. There were four bids submitted in all, including the one to whom the contract was let. The one to whom the contract was let was an original bidder, but he bid more money than the low bidder. None of these bidders complied with the specifications in the original advertisement, including the one to whom the contract was let without competitive bidding. I will get the details out here when the bill is read for amendment.

Mr. KNUTSON. Is that not contrary to law?

Mr. TABER. I think it is. I do not think they have the authority to do that but I would not want to answer that until the bill is read for amendment.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. TABER. Mr. Chairman, I yield myself five additional minutes.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Did the committe grant all that the Bureau of Narcotics asked in the way of appropriations for inspectors, and so forth? I am very much interested in stopping the misuse of barbiturates, which are doing great damage to the high-school boys and girls today. I am told that in the veterans' hospitals the patients are given barbiturates to keep them quiet. This is a very dangerous drug-forming habit and I am wondering if some of the money could not be used for the control of the use of barbiturates.

Mr. TABER. We gave the Bureau of Narcotics an increase of $100,000 above their this year's appropriation.

Mrs. ROGERS of Massachusetts. To be expended chiefly for inspection and supervision?

Mr. TABER. It will be used entirely for that purpose.

Mrs. ROGERS of Massachusetts. Is there an appropriation in this bill for operations under the pure food and drug law?

Mr. TABER. Oh, no; that is not in this bill at all.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Kentucky.

Mr. MAY. I notice since I have been in Congress that we vote deficiency bills year after year. That, as I understand it, derives from the practice of bureaus obligating themselves for funds beyond the fiscal year for which the appropriation has been made in excess of the amount of the appropriation. Are they still carrying on that kind of practice downtown in these various executive bureaus of obligating the departments with contracts running beyond the fiscal year where it involves an increase that you have to consider?

Mr. TABER. The abuse of it comes largely in the spending of funds in the early part of a fiscal year in excess of a proper apportionment of the funds. In my opinion these funds should be apportioned so that not more than one-twelfth could be spent in any one month, because if you do not do something of that kind a lot of them, although it is in violation of the law, will go ahead and create a situation where they do not have money enough to carry on their activities in the last months of the year, and they will come back here and ask for a deficiency appropriation. They cannot let contracts without having the money in full providing for the amount of the contracts.

Mr. MAY. In other words, what they do is to spend more money in the early part of the fiscal year than they should spend, and they run out of money for the latter part of it, and then come back to Congress and ask them to make it up.

Mr. TABER. That is one of the games. Then they have another game that is bad.

Mr. MAY. I think they ought to stop those things, and I think the Committee on Appropriations is the one to do it.

Mr. TABER. They have another game. They will save a little money as they go along, and then in the last month they will raise the salaries of all of the chief officers of the Bureau involved so that there will be an extra burden on the appropriation the next year. That is a regular trick. They will not come before the committee and justify that increase, but they will sneak it in.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I am very much interested in the reduction which the committee proposed of $343,000 in the Office of the Secretary of the Treasury on the cost of handling penalty mail. I wonder if the gentleman would say something about how he was able to accomplish that saving?

Mr. TABER. Well, there is only one way to do it, and that is to stop these people from sending out a lot of foolish stuff.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. TABER. Mr. Chairman, I yield myself 10 additional minutes.

I came prepared for that question, although I did not know it was going to be asked. Can you see that folder? That is a product of the Treasury Department which was sent out. That has been broadcast all over. It is the most foolish thing you ever saw, just as if anybody did not know enough to get out an income-tax statement and make a return, without getting up a lot of such posters as that and sending them out, costing thousands and thousands of dollars. You cannot get that kind of a thing out and broadcast it all over the United States for nothing. That is one of the things that this $300,000 cut was aimed at. They not only get up these things to put out and pay a lot of artists in connection with it, when they are absolutely worthless and will not be effective and will not serve any useful purpose, but they load up the mails with that sort of thing. This penalty-mail statute is valuable largely as a deterrent. It will not actually stop half of the propaganda that ought to be stopped.

This penalty-mail business is not only $343,000 below the Budget but it is $1,300,000 below the current-year figure, indicating that the Budget had an idea that they needed to have a little halter put on them. I am hopeful that a lot of this penalty-mail business can be stopped.

There are one or two things in connection with the post-office situation about which I should like to talk. We are in a period of declining post-office revenue. On page 10 of the report that is taken up. For the last 4 months, according to the report, there has been a decline in revenue. There was a decline in September of 6.50 percent, in October of 9.11 percent, in November of 3.10 percent, and in December of 7.10 percent, and I understand that the figures for January show a 7.35-percent decline.

Mr. LUDLOW. That is a preliminary figure, based on reports from the 208 largest offices.

Mr. TABER. That, of course, is subject to correction. It may run larger. This indicates that the volume of mail is going down. It indicates a much larger decrease in the volume of mail annually than the percentage shows. The percentage is the dollar revenue. We all know there will not be over 50 percent, yes, there will not be over 25 percent as much soldier mail handled in the coming fiscal year as there is in this, and not more than 25 percent this year as compared with last year, because the number in the armed forces today is presently only about 50 percent of what it was at the peak on the 1st of July. The volume of free mail will be very, very largely reduced.

With that picture in mind, of course, it was impossible to provide as many clerks and carriers and rural carriers and others as the Budget has estimated. There were increases in the volume of mail in sight, according to the Post Office Department, at the time they submitted their figures to the Budget first in September, so we had to go over those figures and make certain reductions, which appear in the bill. There is no sense in loading up the Department with a great lot of help that it cannot use.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I am interested in getting the gentleman's interpretation of the silver paragraph on page 25. As I read it, it authorizes the Secretary of the Treasury to sell or lease for certain purposes any silver held or owned by the United States at not less than 71.11 cents per fine troy ounce. Then the proviso says:

> Providing at all times the ownership and possession or control in the United States of an amount of silver of a monetary value equal to the face amount of all outstanding silver certificates heretofore or hereafter issued by the Secretary of the Treasury shall be maintained by the Treasury.

That is, at what valuation would the silver be computed to determine the monetary value equal to the face value of all silver certificates outstanding—at what price per ounce?

Mr. TABER. The statute in force at this time, according to my understanding, requires silver to be computed for the purpose of backing a silver certificate at $1.29 per ounce. On the other hand, the market price of silver, without the Government purchase, would probably go down to 25 or 30 cents at the present time. This permits the sale at 71.11 cents, which is the price that I understand the Government is currently paying.

Mr. CASE of South Dakota. Is not the effect of this provision to reduce the actual value of a dollar silver certificate in the ratio of 71.11 cents to $1.29?

Mr. TABER. No, because the silver certificate would not be affected in any way by this language.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. HILL. It is my information that the world price of silver today is considerably higher than 71.11 cents. Is that a fact?

Mr. TABER. I understand it is not. I understand that the world price is only maintained at near 71 cents because of the statute which we have which requires the Treasury Department to go into the market and purchase.

Mr. HILL. I think the gentleman is mistaken on that because I am certain that the price of silver in the world market is much higher than 71.12 cents.

Mr. TABER. We will find out so that we will know when the bill is being read.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. TABER. Mr. Chairman, I yield myself another 5 minutes.

Mr. HILL. Mr. Chairman, will the gentleman yield for another question?

Mr. TABER. I yield.

Mr. HILL. It seems to me from a reading of this provision that if we are going to sell, that is, if the Government is going to sell silver to the manufacturing concerns for 71.12 cents and if that same silver is worth $1.20 or $1.29 per ounce and if it is put into the Treasury and we issue silver certificates against it, are we not absolutely losing the difference between 71.12 cents and $1.29? That is the way we figured mathematics when I attended school.

Mr. TABER. Of course, I am afraid that is not correct and I must tell the gentleman why. The reason is that for monetary purposes the price of silver is $1.29, which is a purely artificial price and not an actual price. That has been the law for a long time. Frankly, I do not believe it is a good law, but this provision, may I say to the gentleman, requiring the sale of silver is very much in the interest of the silver States. I am going to give you the picture so that you will understand it because I do not want you to be confused. I want you to know what the picture is. If we do not carry this provision, it is going to be absolutely impossible under the conditions as they exist at the present time for silversmiths in this country to go on manufacturing silver. That means that the silversmiths outside of the United States will be able to get silver at a cheaper price than the silversmiths here can get it, and the silversmith industry in the United States will be wiped out, and the market for domestic silver, which is the mainstay for these silver producers, will be wiped out and gone. If you want to put those people who are keeping you alive, out of business, then you should oppose this provision. Otherwise you should be for it.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. HILL. Is the gentleman informed as to the price these silversmiths are going to charge us for this silver material or products we are going to buy? Are they going to bring them down so that we will get the benefit of the 71.12?

Mr. TABER. They cannot figure any more into it than the 71.11, under the OPA.

Mr. HILL. Does the gentleman know any silversmith on the public pay roll to whom we are paying a pension?

Mr. TABER. No; not unless they are under the Social Security Act.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. SMITH of Ohio. I should like to answer the question propounded by the gentleman from South Dakota [Mr. CASE]. The gentleman from South Dakota asked whether the sale of this silver at 71.11 would not reduce the monetary value of silver. The thing is a little ridiculous when you stop to reflect that here are two prices of silver. If the Treasury can buy silver at 71.11 per ounce, is that not what silver is worth?

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield to me?

Mr. TABER. I yield.

Mr. CASE of South Dakota. If the Treasury has silver on hand, it can issue silver certificates and get $1.29 for an ounce of silver in the silver certificates. Why should the Treasury sell it for 71 cents when they can get $1.29? Why would it not be better to issue silver certificates and use that extra 58 cents toward reducing the public debt?

Mr. TABER. You have to get it into circulation. It is hard work.

Mr. SMITH of Ohio. Will the gentleman yield further?

Mr. TABER. I yield.

Mr. SMITH of Ohio. That statement by the gentleman from South Dakota really bypasses any real answer. You would go right into the inflation proposition. That is what you are advocating here—inflating the value of the currency. In other words, you are advocating a debasement of the currency. The gentleman's question really is, Would it not be better to debase the currency than to sell silver at the price the Treasury pays for it?

Mr. CASE of South Dakota. You are debasing silver certificates when you are selling it at 71 cents rather than $1.29, but the gentleman from Ohio is an ardent advocate of reducing the public debt, and I think we could use the silver for its best value in that regard.

Mr. SMITH of Ohio. Not with printing-press money.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield for a question?

Mr. TABER. I yield to the gentleman from Arizona.

Mr. MURDOCK. The gentleman asked a moment ago about the price of silver on the world market at 71.11¢. I would like to ask how much silver has been purchased at that price within the last year. It is my impression that that is not the world price. There is a great deal of silver in Mexico right now that you cannot buy for 71 cents an ounce.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield to me?

Mr. TABER. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. Let me say for the information of the gentleman that up to a few months ago you could buy silver in Mexico for 40 cents an ounce.

Mr. TABER. That is what I figured it was.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. WHITE. If you can buy silver on the world market for 71.11, why do these jewelers come in here with this bill to make a raid on the Treasury?

Mr. TABER. Because they cannot buy it, under the law, anywhere else.

Mr. WHITE. Another question. There are 300,000,000 ounces of silver lend-leased to England. Does the gentleman know what England did with that silver and what price it is today?

Mr. TABER. No.

Mr. WHITE. I will tell the gentleman for his information, that the English have coined and put most of it into circulation at a higher price than our dollar value of silver at $1.29. You can get those figures at the Treasury if you will ask for them.

Mr. TABER. We all expect our friends to make money out of their transactions.

Mr. WHITE. Not at our expense, I hope. I think the gentleman is a proponent of economy.

Mr. TABER. We gave it to them, did we not? Did we not give it to them?

Mr. WHITE. They will probably give it back to us and demoralize our market as they did in 1929.

Mr. TABER. The gentleman does not expect that, does he?

Mr. WHITE. Let me tell the gentleman something else: If he will compare the prices of silver throughout the world, and particularly India, he will find it is around almost a dollar an ounce—the world market for silver. There is a brisk demand all over the world; and these jewelers want to come in here and make a raid on the Treasury; and the gentleman would let them. The gentleman is running counter to all his pronouncements here on the floor on economy and protecting the United States Treasury.

Mr. TABER. I want to give the people of the United States half a chance, instead of wiping out the silver industry, as the gentleman would want to do.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield further?

Mr. TABER. I yield.

Mr. SMITH of Ohio. I have a clipping here on the world price of silver by Handy and Harmon. They give it at 70⅝ cents per ounce.

Let me point out that there is no real world market for silver today because of the fixed price which our Government and other governments are placing upon silver. There is no such thing as a free world market of silver.

Mr. TABER. Of what date is that figure, if the gentleman would tell us?

Mr. SMITH of Ohio. This is dated February 11.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield for a question?

Mr. TABER. I yield.

Mr. MURDOCK. If that is the world market price for silver why do they not buy silver abroad and take advantage of the price instead of buying it from the United States Treasury?

Mr. TABER. They are not allowed to.

Mr. MURDOCK. The law could easily permit it.

Mr. MANSFIELD of Montana. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MANSFIELD of Montana. The gentleman said something about the difficulty of getting silver into circulation. I have here in my hand a clipping from a newspaper in Montana which states that at Wilkinsburg, Pa., a few months ago a gentleman called at the bank requesting that a check he had be cashed in silver dollars. The teller said: "Sorry; I am allowed to let you have only one."

It would appear that there is no desire on the part of the banks of this part of the country to help keep and bring more silver into circulation so that we can have that money as backing for our currency.

Mr. TABER. I do not believe very many banks in this part of the country have any demand for silver dollars.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. LUDLOW. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. BROOKS].

Mr. BROOKS. Mr. Chairman, I asked for this time to say a word in reference to the air-mail service. I am interested in what is now being done, but I am especially interested in the future plans for the air-mail service.

As you know, several months ago a group of Congressmen from the States of Texas, Arkansas, Mississippi, and Louisiana petitioned the Civil Aeronautics Board asking this Board to speed up its findings and its decision in reference to the expansion of aeronautics in the United States, and especially in reference to the lower Mississippi Valley. During the past number of months the Civil Aeronautics Board has held hearings in many sections of the United States with the thought of expanding the air transportation throughout the country. It held hearings in New England, out on the Pacific coast, in California, and in a number of other sections of the country, including the city of New Orleans, La. They are accumulating, I am told, a vast amount of data on aviation expansion.

Mr. Chairman, it seems to me, however, they are moving very slowly in this respect. I went over to see some of these officials the other day to discuss this matter with them, and made a special appeal that the Civil Aeronautics Board speed up its work and its decisions so as to take advantage of the possibility of using some of the surplus Army and Navy equipment which might be available for air service at the present time.

In spite of our efforts, it seems it is going to require months, maybe years, to get these decisions out of the Civil Aeronautics Board. In the meantime many airports throughout the country are lying in disuse. I have had occasion to fly over various parts of the country and I have seen these abandoned Army airports, I have seen other local ports not in use, and it seems to me the program could be speeded up, and at least the airports which have been built during the war, now abandoned, could be put to some good commercial use. I know of a number of applications pending to use the airports which have been abandoned for transportation purposes. These applications could certainly be acted upon promptly, permitting our people to use the facilities at hand and permitting them to fly and the mail to be carried.

I am especially interested in having air-mail service extended to the smaller towns. It is a matter of common knowledge that last year the air-mail service produced a surplus revenue of $60,000,000, which shows that the air-mail service in the past has been on a most profitable basis. These towns, not merely the cities that presently have air-mail service, but the small towns and villages throughout the country are likewise entitled to air-mail service. Some of these towns can be given this service even before the local airport is built. If air-mail service were extended to some of the small towns in my area in Louisiana, there would be a difference of 24 hours in the service between Washington and those towns in my district.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield to my distinguished friend from the West.

Mr. MURDOCK. I am heartily in accord with the plea the gentleman is making. He is presenting a good substantial statement. My area is far different from the State of Louisiana. We not only could use the airports and airfields that have been abandoned for air-mail service, but we ought to extend the pick-up service so that we can furnish air-mail delivery and gathering of the mail from the back doors of America, in the mountain districts where the inaccessible spots are located, and we could do that in cooperation with the gentleman's plan.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. LUDLOW. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. BROOKS. Mr. Chairman, the gentleman from Arizona indicates by his statement that he has given thought to this matter. We who come from the South and the Far West, like the gentleman does, realize the tremendous advantage of air-mail service in handling business and in governmental matters. I may say that in the interest of good government, in the interest of good democratic and republican government, and I use those terms in the generic sense, air-mail service means a great deal. It means bringing the outposts of the country close to the seat of government; it means bringing your Representatives close to the people, putting them on notice more quickly of things that go wrong back home, and giving them a readier means of correcting the trouble.

Mr. Chairman, we are rapidly approaching the time when all first-class mail ought to be carried by air. With the experience of the past showing a tremendous profit in the air-mail service, the carrying of the mail can be further expanded and we should reach the point where first-class mail, wherever it is sent in the United States, will go by air. This will insure fast delivery, with resulting benefit to our people. I venture the statement that the Postmaster General is in harmony with the thoughts

that I express in sending all first-class mail by air.

If the Civil Aeronautics Board can proceed with its decision with a little more dispatch, we will find aviation reaching out commercially in this country into the remote sections, to the small villages and hamlets, thereby giving our people the advantages of close and quick contact by reason of communications, which they are entitled to. My purpose in making these few remarks today is to urge upon the Civil Aeronautics Board to speed up its hearings and its decision. I realize that in a country the size of the United States, there are tremendous clashes and complications, and ramifications. I realize that it is not an easy job for that Board to sit in California and after learning the local situation to move then in a few days to Florida or on the Atlantic seaboard and take up hearings again. It is not an easy job to harmonize the whole thing into one great picture of commercial aviation on a national scale. Yet, it is a job that has to be done, and I hope it will be done with dispatch.

Mr. LUDLOW. Mr. Chairman, I yield to the gentleman from Texas [Mr. PATMAN] such time as he may desire.

THE HOUSING BILL—H. R. 4761

Mr. PATMAN. Mr. Chairman, within a few days the Congress will consider H. R. 4761, the bill which I introduced to provide housing for our returning veterans. This is an urgent piece of legislation, desperately needed to meet the housing problem, which is daily growing more critical.

One of the most important features of the program designed to attack this situation is the need to hold down the skyrocking prices on homes until production of new dwellings can act as a brake on the present inflationary market. If home prices are permitted to continue to rise unchecked, any housing program will be of little benefit to the average serviceman. Even now, prices have risen to the point where many servicemen cannot buy a home.

Foreseeing this situation, I included a provision in my original bill to put ceiling prices on existing homes. This provided that any present owner of a home could sell it at whatever price he could get. This price would then become an automatic ceiling for the duration of the housing crisis, which we estimate will be some 18 months.

I considered that provision a very mild and equitable form of price control. It completely protected the present home owner from loss. Its sole purpose was to hold down speculative selling and reselling of homes in a boom market for a very short period of time. The Banking and Currency Committee saw fit to strike out this just provision, but offered no other proposal to adequately curb the speculative profiteering, which all of us know is racing over the country at the present time.

Mr. Wilson Wyatt, the new Housing Expediter, whom we have charged with the responsibility of meeting this crisis, needs this provision as one of the keystones of his program. Three times he has publicly requested that such a provision be included in the legislation needed to meet this crisis. In this testimony before the House Banking and Currency Committee he said this was the most practical formula he had seen for curbing inflation. In his report to the President, outlining his program, he said, and I quote:

> Existing laws do not provide sufficient authority to enable us to achieve the objectives of this program. The prompt passage of additional legislation is imperative. * * * In addition to these measures which are needed to increase and accelerate the construction of permanent housing, legislation is needed which will * * * stop inflation in the prices of homes through price control on housing and housing sites. While production is the long-range solution for inflation, we should protect the veteran against excessive prices if he buys a home now.

As late as last Monday, in a public statement at a press conference, Mr. Wyatt reiterated his need for control of prices on existing homes, as set forth in my provision.

I wish to put myself on record that, when the housing bill reaches the floor, I will ask that this amendment be adopted to provide the Government with a most essential tool in keeping our economy safe from the ruinous prospects of inflation during the reconversion period.

Mr. CANFIELD. Mr. Chairman, I yield to the gentleman from Washington [Mr. HORAN] such time as he may desire.

Mr. HORAN. Mr. Chairman, I am very much opposed to this rider on page 25 of the bill, which presumes to duplicate action already taken by this House in regard to silver.

This rider is, of course, legislation on an appropriation bill, but a rule waiving all points of order has been granted. I opposed both this rider and the request for the rule in committee, and I hope the Committee of the Whole House, when the bill is read for amendment tomorrow, will take corrective action, first, because this action is taken without hearings or a proper weighing of facts by the committee, is therefore snap judgment; and, second, because it duplicates action already taken by this House when H. R. 4590 passed this body on December 19 last.

This rider is, therefore, both hasty and unnecessary. It should be stricken from the bill.

Mr. CANFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, I take this time to make a few observations with respect to this appropriation bill and with respect to appropriation measures in general. First, I do want to commend the chairman of the subcommittee, the gentleman from Indiana [Mr. LUDLOW], as well as the ranking Republican member of this committee, the gentleman from New York [Mr. TABER], for the diligent work that has been done on this particular measure. They are both outstanding Members of the House deeply interested in the welfare of our people. I want to say, however, that I think it is extremely unfortunate that a bill that appropriates as much as $11,000,000,000 directly or indirectly should come to the floor of the House with so little notice. I know it is the way appropriation bills are brought before the House. This is not an exception. Here is a bill that I think comprises some fifty-odd pages, with about 35 or 40 pages in the report, and hearings involving some 1,200 pages, yet the Members of the House do not have a chance to become familiar with the contents of this legislation until only a few hours before it comes to the floor for consideration. I realize we are expected to depend largely upon the good judgment of the membership of the subcommittee who hold these hearings as well as the committee itself, to whom the report is made.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the distinguished gentleman from Indiana.

Mr. LUDLOW. I appreciate very much the gentleman's kind personal reference, and thank him, but it is a matter of fact there is only $1,604,000,000 in this bill that is subject to any kind of control. All the rest of it, up to the total the gentleman mentions, is continuing appropriations, over which we have no jurisdiction at all.

Mr. REES of Kansas. It is fair, I believe the gentleman will agree, to call the attention of the House to the fact that we are spending, after all, $11,000,000,000 when we put through this legislation. The gentleman says we control only $1,604,000,000; after all, that is a considerable amount.

Mr. LUDLOW. Exactly the same appropriation procedure has been followed on this bill as on all other bills. It is reported one day and then considered the next day. Everybody has a chance to read it.

Mr. REES of Kansas. I agree that it is the method that has been followed, but I do not believe it is a procedure that ought to be followed. I think legislation of this importance should have much more consideration and the Members and the country should know about it before it is considered. I am talking about the procedure generally; I will say to the gentleman, that I am not directing my remarks at him, not at all. I think the gentleman is inclined to agree with me.

Mr. LUDLOW. Does the gentleman have in mind a longer period, then, between the reporting of the bill and the taking up of the bill on the floor?

Mr. REES of Kansas. That is what I have in mind.

Mr. LUDLOW. That is a matter that might well have attention, I think.

Mr. REES of Kansas. Members of the committee have spoken of the cuts that have been made here and there. I commend the committee for having made cuts where the bill has been trimmed down in some places as against the amounts asked for by the Bureau of the Budget, but let it be understood that you have agreed to spend even under this bill some $241,540,875 more than you spent last year. I think that should be recognized. One of the reasons given for it is an increase in salaries of employees in the Federal Government.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield further?

Mr. REES of Kansas. I will be glad to yield for a correction if I am incorrect in my statement. I am looking at page 33 of the committee report, where it says, "Grand total, titles I and II," and there is a plus sign before the figure $241,540,875.

Mr. LUDLOW. Public Law 106 enters into that. On a comparable basis this bill carries $64,395,000 below the 1946 appropriation. We cut the 1946 appropriation for the two departments by over $64,000,000, on a comparable basis.

Mr. REES of Kansas. I am talking about your own figures, shown in the table included in the committee report.

Mr. LUDLOW. The table is not entirely obvious on its face. It does not make allowance for the Pay Act. When you place the comparison on a strictly comparative basis, this bill is nearly $65,000,000 lower than the appropriation for the fiscal year 1946.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. CANFIELD. Mr. Chairman, I yield five additional minutes to the gentleman from Kansas.

Mr. REES of Kansas. The gentleman has just stated that it does not take into consideration the Pay Act, but we must admit that we are spending more money than we spent before. Of course, the Pay Act does increase the cost of the bill. We are spending more money than we spent during the fiscal year 1946, according to the committee's own figures.

Mr. LUDLOW. You spend $65,000,000 less in 1947 than in 1946.

Mr. REES of Kansas. Does the gentleman mean this is all the money we are going to spend for these departments during the fiscal year?

Mr. LUDLOW. On a comparable basis it is less in 1947 than in 1946 by $65,000,000.

Mr. REES of Kansas. I am just taking your own figures here.

Mr. LUDLOW. The table to which the gentleman refers does not take into consideration the differential on account of the Pay Act.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. In other words, there is an absolute increase in the amount?

Mr. REES of Kansas. I cannot see it any other way. It is right here in this bill. I want to call your attention to two or three items under "Salaries and expenses." Look on page 22, for example. We have here under Customs Service, and, of course, whether you should spend the money or not is another question, but you say here you are spending this year an increased amount compared with the 1946 appropriations of $5,232,000. You have increased it over the 1946 appropriation $5,232,000. You have put in the next column that the increased cost of the Pay Act is $1,548,000. So you are actually spending under that particular item more for expenses and more for help in the amount of $1,548,000.

Mr. LUDLOW. The gentleman is correct. In certain offices we have to spend more, and in certain offices we spend less.

Mr. REES of Kansas. I am talking about this particular item, Mr. Chairman.

Mr. LUDLOW. The figures I gave the gentleman were the over-all figures for the two departments which are $65,000,000 less than in fiscal year 1946.

Mr. REES of Kansas. All right. What I want to say is if you go through this report and examine it carefully, you will find that we are not carrying out policy that you have heard so much on the floor of the House about cutting down the expenses of personnel in Government. You will not find very much in this particular bill or in the bill that came up last week where cost of personnel is reduced. Many Members spoke on the floor of the House about operation of the Government by bureaus and about the tremendous number of people we have on the pay rolls and all that sort of thing, but up to this time the Committee on Appropriations has not done very much about it. As a matter of fact, if you examine the Budget report and the Budget report is not complete, that it not only asks for as much money as before for personal service but for even more funds. The Bureau of the Budget does not cut out very much in the personnel in government. The gentleman points out reduction in the over-all picture, but if he can show me where he and his committee have cut down the personnel employment in government so far as this bill is concerned, I would like to have him tell approximately how many individuals the gentleman thinks will be cut from the pay roll because of this particular piece of legislation. Maybe it should not be done. I am asking whether he has done that sort of thing and, if so, where?

Mr. LUDLOW. I am glad the gentleman expresses doubt as to whether that should be done because these two departments are service establishments and of all the departments of government lend themselves less to a reduction of personnel. May I say further to the gentleman, as he well knows, the members of our subcommittee belonging to this party are among the very best cutters in the House of Representatives. They do not allow anything to remain uncut that should be cut. This bill comes to the House as the unanimous report of the committee.

Mr. REES of Kansas. I am glad that the gentleman from Indiana, the distinguished chairman of the subcommittee, is giving credit to Members on my side of the House for paring down the expenses of government. I am sure he is in accord with my view that we need to do a lot of trimming.

Mr. LUDLOW. I surely do want to give a full meed of praise to the gentlemen on your side of the subcommittee, Mr. TABER, Mr. CANFIELD, and Mr. KEEFE. They and the entire membership of this subcommittee all believe in economy, and we have cut to the very bone, I am sure, every dollar that ought to be cut from this bill in the public interest. That is the way I feel about it.

Mr. REES of Kansas. I appreciate the gentleman's statement, but still I feel we should lay the whole thing on the line and show just how much expenditures have actually been reduced.

The CHAIRMAN. The time of the gentleman from Kansas has again expired.

Mr. CANFIELD. Mr. Chairman, I yield the gentleman one additional minute.

Mr. REES of Kansas. Mr. Chairman, the Committee on Appropriations does have a tremendous job, but I do feel that now is the time of all times to really cut to the core all the way down the line and pare down the expenses of government. It should be done under scrutiny of absolute needs, and a realization that we have an almost depleted Treasury.

Mr. LUDLOW. I believe that philosophy motivates the entire subcommittee as well as the three Members from the gentleman's side.

Mr. LUDLOW. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I want to register my protest, as did my friend on the Republican side of the aisle from the State of Washington, to the rider on page 25 of this bill. This concerns the sale of silver from the Treasury at about 71 cents per ounce.

I notice that the resolution which made this bill in order waives points of order against that one particular phase of the bill. I do not particularly object to such a rule on an appropriation bill, and less so on a revenue bill, because I do know that is the ordinary thing to get a gag rule on certain bills. However, as the gentleman from Washington pointed out, this rule permits a reenactment of a measure that passed the House on the 19th of last December. I am not exactly sure, the House having passed this identical measure on the 19th of last December, that I see why we should put it on an appropriation bill as a rider in order to pass it in the House again. Of course, I do know that it will have hard sledding in the other body, and I presume there may be some advantage in repeating it in this bill.

I have been tremendously interested in and concerned about this matter of inflation. A great many people have been writing me saying, "Enact the Green bill, H. R. 4590." It took me quite a while to find out what they meant by the Green bill, H. R. 4590. I knew such a bill was introduced by Senator GREEN. I noticed it was introduced in this House by the minority leader from Massachusetts. I noticed that the people who asked me to support that measure said, "We want to avoid inflation, and if the Government converts silver at the rate of $1.29 per ounce into money it will be disastrous inflation." What a calamity. Talk about straining at a gnat and swallowing a camel! As if we did not have inflation already and from other causes, and as if we were not likely to have 10 times the amount of inflation in another way than this would permit.

Today I understand the Treasury Department has 240,000,000 ounces of silver that is not being used. Suppose you turned the entire 240,000,000 ounces into silver certificates at $1.29 per ounce, it

would amount to about $300,000,000. That would be an awful blowing up of our monetary system, would it not? That would be ruinous inflation. Yet we have easily 10 times that volume of money blown up through the inflation of Federal Reserve notes. Now every time we add a dollar of paper money in Federal Reserve notes, that is based on an interest-bearing debt and increases a burden on someone.

I have heard a great many of my friends cry out against printing-press money. They say, "Let us not have a flood of printing-press money. God save us from printing-press money." There are two kinds of printing-press money, and I feel those friends are thinking of only one kind. They can both be bad in different directions.

There is one school of thought which says, "Let us not think of having Lincoln money." I should speak of it as Lincoln money, the day after Lincoln's birthday. What was Lincoln money? Of course, I refer to Civil War greenbacks. In the midst of the Civil War when the bankers of the country were holding up Uncle Sam and charging usurious interest, Abraham Lincoln sanctioned the issuing of $450,000,000 worth of paper money, known later as greenbacks—United States Treasury notes. It saved the country in wartime when the bankers would not do it. That was the only way he could finance the war at that critical juncture. Now, such a type of money is called printing-press money. I admit the possible evils of it and the dangers of it, but we have gotten away from that now and have gone to another type of printing-press money.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. LUDLOW. Mr. Chairman, I yield three additional minutes to the gentleman from Arizona.

The CHAIRMAN. The gentleman from Arizona is recognized for three additional minutes.

Mr. MURDOCK. We have another kind of printing-press money now. It is true Uncle Sam's printing presses are doing the printing. We are issuing bank currency, bank notes, Federal Reserve notes, and the sound money men say they have backing, they are backed by United States bonds. We financed World War II by backing Federal Reserve notes with United States bonds just as we used to back national bank notes by Federal bonds. They have got that backing yes, but I want to assure you that Lincoln's money had that same kind of backing, the credit of the United States. In the latter case of Lincoln's money it was without the burden of interest.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I am glad to yield briefly to the gentleman from Ohio.

Mr. SMITH of Ohio. Is that all the backing that the greenbacks received, the credit of the United States?

Mr. MURDOCK. Later there was a hard money reserve; we had gold and silver back of the greenbacks too, and that is exactly what I am contending for today, if the gentleman will let me conclude on this important point.

I do not want an unsound paper currency, printing-press money issued either by the Government or by the banks. I believe the founding fathers knew what they were talking about when they made gold and silver the basis of our monetary system, and when they forbade any States using anything but gold or silver as legal tender for payment of debts. It is that hard money that I am pleading for, and we are getting away from it. Secretary Morgenthau and others have said we do not need gold in reserves; that gold has only a psychological effect in our monetary system; that if we want to reduce the reserve ratio from 40 percent to 25 percent, all right. We might just as well reduce it to 5 or 1 percent, or zero.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I yield.

Mr. WHITE. The gentleman is on a very interesting subject, the policy of the Government, and particularly the contrast between the Lincoln administration and the present administration. As a matter of fact, President Lincoln and his cabinet were far more considerate of the people of these United States and posterity when they issued Treasury notes, non-interest-bearing Treasury notes. Today every dollar of the $29,000,000,000 bears interest that must be paid by the taxpayers. Is that right?

Mr. MURDOCK. That is exactly true of all bank currency—and most of our money today is bank currency.

Mr. WHITE. And as a further matter of fact, they never issued over a billion of so-called greenbacks or Treasury notes at any portion of that period.

Mr. MURDOCK. If we took all of the 240,000,000 ounces of silver now in the Treasury and turned it into money at $1.29 per ounce, we would have more than $300,000,000, and have that money without paying bankers or anybody else interest in order to get it. Such a step would be in the direction of reconversion more than this proposal.

Naturally, I am anxious that silver be used in industry and I want to see expanding uses of it in industry. Silver was probably used earlier in the arts and trades in my section of the country than it was on the Atlantic seaboard. Prehistoric men in Arizona made great use of silver long before Columbus came to America. To this day the Hopi Indians of Arizona in their sky cities perched like eagles on a rock are living as their forbears lived centuries before America was known to white men, and they are now, as their forefathers were, skilled workers in silver, and their neighbors, the Navajos, are almost equally proficient as silversmiths and craftsmen. I want them to continue thus to work in silver.

I am anxious enough to have silver used in the industries here in our eastern cities, and I can see it plays a small part in the reconversion for which we all strive. I know there is a great demand for tableware, knives and forks, and spoons and plates. I do think that the new crop of babies, with which we are now blessed, would stand a better chance of surviving the ills of childhood and get a better start in life if each had, not necessarily a silver spoon but at least a silver cup. However, I cannot think that the proponents of this legislation are thinking about baby's health or its mother's convenience in demanding cheap raw silver for their industry out of the United States Treasury at the expense of the American taxpayer. I say, let these silversmiths and jewelry makers get their silver where they can, from the mines that produce it, and let them pay what the law of supply and demand determines. We can more easily change any law or any OPA regulation that would bring such about and make it possible.

I have already explained my attitude toward the precious metals as a basis of our monetary system as the fathers decreed it in the Constitution of the United States. However, I cannot pass this moment by without a word concerning the great advantage which our Nation has today in this postwar period, because of the large stocks of precious metal which we are fortunate enough to possess. It pains me deeply that influential people will ignore the great advantage which this country has as a financial and monetary leader in the world and fail to see to what advantage that could be placed, if we put the proper emphasis upon the use of gold and silver in our monetary system. Today and for many years to come the whole world is going to be hungry, not only for food, but for goods, and especially for a sound medium of exchange with which to purchase goods, a medium in which they can have confidence. The peoples of the world do not want paper money. They want hard money, and that is why the British Government has taken from us many millions of ounces of silver, every ounce that they could get from us, and coined it into coins at a rate far exceeding in value our $1.29 per ounce. The British, the Australians, the Canadians, the South Africans, and the Anglo-Saxon leaders in India know very well what they are about. They know the kind of money their people insist on having, and will strive to obtain, while we look upon the white metal as merely fit for knives and forks and spoons.

Think of the last piece of silverware you bought. Assume that it is sterling. Weigh it, and you'll find that under the terms of this bill the silver obtained from the United States Treasury is at the rate of 50 cents and you paid for the finished product at the rate of 10 dollars. The spread is all of that and more, and yet to enable the poor manufacturers and dealers to get that spread of profit with this legislation you propose to sell that which is worth $1.29 to Uncle Sam for 71 cents. You who favor this are certainly anxious to do the right thing by those who work in silver.

However, I cannot believe that all the pressure brought to bear favoring this type of legislation and providing for what to me is a raid on the United States Treasury is prompted by desire to help silversmiths and those that use silver in the arts and trades. I cannot believe

that the anxiety to enact this into law is occasioned altogether by the new uses of silver in making delicate instruments and in high-class modern machinery, which has lately come about during this war. Well, what do I believe? I believe that some people want to eradicate silver from having any significant place in American money in order that some other kind of money may be used instead. Perhaps such are the chief backers of this legislation. If we no longer use as money the precious metals which our fathers knew and provided for its metallic backing, we can then use that superior type of bank-paper currency which causes somebody to pay interest on a bonded indebtedness for the privilege of having such a medium of exchange.

The CHAIRMAN. The time of the gentleman from Arizona has again expired.

Mr. LUDLOW. Mr. Chairman, I yield such time to the gentleman from Montana [Mr. MANSFIELD] as he may desire.

Mr. MANSFIELD of Montana. Mr. Chairman, on December 19, 1945, this House passed a bill, H. R. 4590, whereby jewelers and industrial users would be allowed to buy silver at 58 cents per ounce less than its actual statutory value. Why should we suffer this loss and thereby increase our indebtedness in this manner? Now H. R. 4590 is again before this body as a rider to the current appropriation bill now being considered. I can see absolutely no justification for this rider, and as one of four Members who voted against H. R. 4590, I feel that the silver provisions of this bill should be referred to the House Committee on Coinage, Weights, and Measures under the able chairmanship of the gentleman from Idaho, Mr. COMPTON WHITE. There it will receive every possible consideration, and full and open hearings on this matter will be conducted.

We all know, Mr. Chairman, what silver means to the West and the great part it played in winning the war. If this silver measure passes, it is going to work a hardship on our small-mine operators and hinder our reconversion and recovery. I can see no need for our miners and small operators under such a price differential as is proposed in this measure, and I urge the House to think twice before acting on this measure.

I would much prefer the House to give its support to a measure on the order of S. 1728, introduced by Senator MCCARRAN, of Nevada, and which has the following provisions:

First. An increase in the price paid by the mint for newly mined silver to its full monetary value of $1.29 per fine ounce. Under the act of July 6, 1939, domestic producers are now receiving $0.7111 per fine ounce.

Second. Repeal of the sections of the Silver Purchase Act of 1934, which—

(a) Imposes a tax of 50 percent on the profits made through the sale of silver bullion;

(b) Gives the Secretary of the Treasury, with the approval of the President, the power to regulate silver transactions, including exports and imports.

Third. The sale of silver to industry for manufacturing purposes. The silver is to be sold at not less than its full monetary value, $1.29 per fine troy ounce.

Mr. Chairman, the silver which the Government owns should be put into circulation as money, which in turn will increase the value of our currency, give our dollars more solid backing, and reduce the amounts of bonds the Government must sell to pay for its operating expenses.

I cannot understand why this important silver legislation is being rushed through in this manner without full and proper hearings. It is my hope, and I shall fight to have it done, to refer this particular silver legislation to the Committee on Coinage, Weights, and Measures, where I know the gentleman from Idaho [Mr. WHITE] will give it his full attention.

Mr. CANFIELD. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, at Bucyrus, Ohio, located in my district, with a population of about 12,000, a strike is taking place at the Crawford Steel Foundry Co. This concern employs approximately 200 men. One hundred and thirty-two, which is a vast majority of the employees, signed a petition appealing to the management of the Crawford Steel Foundry Co. to permit them to return to work which they published in the local newspaper, the Bucyrus Telegraph-Forum, Monday, February 11, 1946. It reads as follows:

AN APPEAL TO THE MANAGEMENT OF THE CRAWFORD STEEL FOUNDRY CO.

We, the undersigned residents of Bucyrus and vicinity, constituting a majority of the employees of the Crawford Steel Foundry Co., who have been forced into idleness for the past 3 weeks by the steel strike ordered by persons whom we contend, cannot, and do not know our local problems, renounce the CIO, and are hereby asking that the management of the Crawford Steel Foundry Co. open its plant and allow us, at the earliest possible date, to resume our respective jobs at what we consider to be currently fair and satisfactory wage terms.

We feel it is our constitutional right to work if we so choose to do—and we feel we are the best judge of our local needs in determining satisfactory wage terms.

We no longer wish to be represented by the USA-CIO.

We want to go back to work at once.

We ask the management to reopen the Crawford Steel Foundry Co. as soon as possible.

We are fully satisfied with our working conditions and our current wages.

We ask public support of our right to work.

Mr. Chairman, I am reliably informed that about 200 pickets from Lima, Mansfield, Shelby, Marion, and Bucyrus were on hand this morning at the plant, some of them arriving as early as midnight, to prevent these men from returning to their work, and that they virtually formed a blockade to accomplish their purpose. A group of the returning workers took one look at the picket force and decided not to try to enter the plant. The returning workers, who had huddled together in a group, were virtually surrounded by pickets. A veteran of the late war among them shouted: "So this is what we fought for."

This is a sad picture. If the time has come when citizens are forbidden by law or failure to enforce the law to work to provide bread for themselves and their dependents, even the pretense of freedom has been lost and the working people reduced to serfdom. Can there be any doubt that the excesses of irresponsible persons involved in management-labor disputes have reached the point where the real interests of those who toil with their hands are being jeopardized? Here we have a majority of the employees of a steel foundry forced to strike, not because they are dissatisfied with any treatment they receive from their employer, but because the heads of the organization to which these men belong, who live at some distant point from such plant, order them to strike. These men categorically assert:

We are fully satisfied with our working conditions and our current wages.

And:

We feel it is our constitutional right to work if we so choose to do—and we feel we are the best judge of our local needs in determining satisfactory wage terms.

Nevertheless, forces from the outside were brought to Bucyrus to prevent them from doing so. The right to work is a God-given right. I can conceive of no greater wrong that one man can do to another than arbitrarily prevent him from working to produce the necessaries to sustain his own life and that of his family. I believe it is a basic responsibility of every political subdivision, from the Federal level to the smallest, to join in a united movement to guarantee to each individual the free right to work wherever he pleases, at whatever compensation he can agree upon with his employer, without having to pay tribute to anyone. This would be no more than a reassertion of the rights of labor and all other groups guaranteed by the Constitution. Such protection is now vitally needed by the rank and file of working people.

I should like to add that corrupt politics must bear a large share of the responsibility for the present sad plight of the working people. Except for this corruption, the strife that exists today between employer and employees would be infinitely less than it now is. Could the workingmen but learn the truth that some politicians are more interested in their votes than they are in their welfare, much of the hardship that they are now undergoing would be greatly reduced.

I join with the soldier in asking, "Is this what we fought for?"

Mr. LUDLOW. Mr. Chairman, I yield 20 minutes to the gentleman from Idaho [Mr. WHITE.]

Mr. WHITE. Mr. Chairman, as a boy I was very much impressed in reading an account of the speech of the great abolitionist, Wendell Phillips, addressing an abolitionist meeting and there was a great deal of tumult in opposition and he could not be heard as he spoke to his audience, when he turned to the press gallery and said, "I speak to 100,000 here."

Well, coming before the House on as important a piece of legislation and as important a policy as this is this afternoon, and having the privilege to speak to about seven or eight members on the

Democratic side and about four or five on the Republican side, I am reminded of Wendell Phillips. And I am wondering what I could say under these circumstances that would in any way influence the action of the House unless in speaking to the press and the people of the United States through the press, in telling them what is being undertaken to be done here, I may get an audience. I am wondering how the Members of this House would feel to read a little ad that I thought of putting into the magazines and papers of the country:

"The man who does not understand money and refuses to study the money question has no business to represent you in Congress."

I think that statement should be blazoned from every paper in the United States. I speak from 12 years of experience in an effort and a struggle that has been made to give this country a fundamental, sound, workable, and adequate monetary system with sufficient cash with which to transact the business of the country. As a result of my 12 years' experience in Washington in endeavoring to work with the Congress as a Member of Congress, as a member of the board of directors of this great corporation called the United States of America, I have come to the conclusion that there are two great essentials to a sound and balanced national economy: The first is a sound, workable, and adequate monetary system, and the next is the free and fair play of competition. If this Congress had come to Washington and had done those two little simple things, had put those two policies of government into operation and strengthened the agencies that enforce the law, such as the Federal Trade Commission, and seen to it that business was given a square deal and that free enterprise was preserved in this country, we could have gone home, and the industry and thrift of the American people would have done the things we have tried to accomplish with all these legislative expedients.

I was very much encouraged just lately by the message from our great President. We took heart when he told us in his message:

As a result, estimated expenditures will exceed estimated receipts by 4.3 billion dollars. This amount can be provided by a reduction in the cash balance in the Treasury. Thus, after a long period of increasing public debt resulting from depression budgets and war budgets, it is anticipated that no increase in the Federal debt will be required next year.

When we talk about reserves in the Treasury, what do we have there? We are borrowing, and we are borrowing every day. In the financial statement of the Treasury, which comes to the office of every Congressman every day, if he will ask for and is inclined to read it, we find that we have only a small cash balance accumulated from borrowings left over for expenditure. We are over $260,000,000,000 in debt, but over there in the Treasury we have a pile of money metal, the best money the country has ever used, the best money that has ever been used in any country of the world. I speak of silver, the coin of the realm of most governments in the family of nations.

We have in that Treasury, or did have before we sent 300,000,000 ounces of silver as a lease-lend gift to England, silver which England has coined and put into circulation at a higher coinage value than the dollar value of our silver here, which is $1.29 an ounce, we have laying there in the Treasury silver that the Treasury officials have refused to use under the authority of law and issue into circulation in the form of silver dollars or silver certificates. That is probably what the President had in mind when he said he was going to draw on the Treasury reserve to reduce the borrowing. But now there is a well-organized campaign of these silver profiteers, and I mean profiteers. I tried to buy a little wedding present, a little silver bowl, in a department store in Chicago the other day. It weighed only about 11 ounces, and they wanted $54 for it. Go to any store anywhere in the United States where silver jewelry or silver service is purveyed and you will find that the price is exorbitant.

They do not want to pay the coinage value of $1.29 an ounce for pure silver, they want to make a raid on the monetary reserves of the American people, reserves that are in the Treasury and that should be put into circulation as money. If they can do that they will make a little profit, the difference between 71.11 cents and $1.29.

How do we get the figure of 71.11? There is no provision in law that sets up the price of 71.11 as the price of silver. In the closing hours of the debate in the deliberations on silver in the Senate on July 6, 1939, the leaders in the Senate succeeded in accomplishing what we have been trying to do ever since silver was demonetized in 1873. Silver was remonetized. The silver in the United States is remonetized. Let me read you the law:

Each United States coinage mint shall receive for coinage into standard silver dollars any silver which such mint, subject to regulations prescribed by the Secretary of the Treasury, is satisfied has been mined subsequent to July 1, 1939, from natural deposits in the United States or any place subject to the jurisdiction thereof.

The director of such mint with the consent of the owner shall deduct and retain of such silver so received 45 percent as seigniorage for services performed by the Government of the United States relative to the coinage and delivery of silver dollars. The balance of such silver so received, that is 55 percent, shall be coined into standard silver dollars and the same or any equal number of other standard silver dollars shall be delivered to the owner or depositor of such silver, and no provisions of law taxing transfers of silver shall extend or apply to any delivery of silver to a United States mint under this section.

Does that say anything about 71.11? It simply says that silver miners of this country who produce the silver, bring it to the mint where it will be coined, and the Government will take 45 percent for its share and the miner will get back 55 percent in silver dollars to spend as he pleases. Under that arrangement, there is no interest feature attached to the issuance of this kind of money. The producer of silver simply gets silver back and proceeds to put it into circulation. The price of 71.11 cents was established by the Treasury as a basis under the law for paying for the miners' share of silver. Let me tell the members of this committee, to the two or three who are here, that I hold in my hand an old silver dollar minted in 1879. I was curious to know what that silver dollar, worn as it is, saved the American people in the wage of interest. I asked the Federal Reserve bank to give me a calculation of the interest on this silver dollar from that date figured out at 6 percent compounded from that time; it comes to $39.40. Today, computing the interest, that old silver dollar has saved the people of these United States in the form of interest over $40. It is worth more when we calculate its service than its weight in gold. Do not make a mistake about that. If that had been a Federal Reserve dollar or a national bank dollar put into circulation by being loaned on somebody's note, they would have had to pay interest all the time they kept the dollar and would either have had to bring that dollar back or another dollar and pay interest and take up the note. Somebody would have to stand behind the man that brought in the dollar to pay his note to get this same dollar in circulation again. As long as that Federal Reserve dollar was circulated, somebody would have been paying interest. If you compound that interest as the bank would compound it by taking their short-term notes and putting out the money over again, which makes the service of this silver dollar worth $40. Do not make any mistake about that. That is the meat in the coconut, gentlemen. If the bankers of this country and if their friends in the Treasury could have their way, all the silver in the world and all the silver in the United States would be loaded into some old hulks and taken out to the deepest spot in the ocean and there sunk so it would never come back to earth again. Sunk so it would never bother or interfere with the collection of interest on this paper currency on which we must pay current rates of interest—on every Federal Reserve dollar which is now in circulation.

We had a celebration here in Washington back in the days of Andrew Jackson, just a little over 100 years ago. We celebrated the cancellation of the last Federal debt. This country in 1835 was out of debt. If this country were out of debt today and business was on a cash basis there would not be a single dollar in circulation except these silver certificates and silver dollars.

The gentleman from New York [Mr. TABER], the leader of the opposition on the Republican side on this Appropriations Committee, makes light of silver and tries to say there is no market value for silver. Do you know what the English did with this 300,000,000 ounces of silver they got from the United States Treasury? They coined it. In the United Kingdom it is worth 88.1 cents per ounce. In India it is worth $2.26; in Arabia it is worth $1.809. Silver is worth more than its coinage value in this country all over the world. If the restrictions were taken off of silver, and the law of

supply and demand should come into play, silver would go higher than its coinage value here just as it did after the last war, when it went to $1.49 in the Orient. To think that we are going to permit the silversmiths to go into the Federal Treasury and make a raid, is preposterous to me.

Let me call attention to just what has been done. It was astounding to me, knowing the rules of the House and the laws governing this body, when I ascertained what is being attempted in this bill. Under the rules governing this House, no legislation can be placed on an appropriation bill. That is a law that has been in force ever since I have been a Member of this Congress, for over 12 years. We are protected from a small minority tacking objectionable legislation onto an appropriation bill. We are protected by the rules of this House, so that any Member on this floor can rise and make a point of order that the item is legislation on an appropriation bill, and it goes out. We have had some heartbreaking experiences with western appropriations because the appropriation contained legislation and it was thrown out on a point of order. We rely on that law. I rely on that law in trying to follow a course that will protect the people I have the honor to represent.

But what do we find on page 25 of the bill, line 7?

For a period of 2 years following the enactment of this act, the Secretary of the Treasury is authorized to sell or lease for manufacturing uses, including manufacturing uses incident to reconversion and the building up of employment in industry, upon such terms as the Secretary of the Treasury shall deem advisable, to any person, partnership, association, or corporation, or any department of the Government, any silver held or owned by the United States at not less than 71.11 cents per fine troy ounce: *Provided*, That at all times the ownership and the possession or control within the United States of an amount of silver of a monetary value equal to the face amount of all outstanding silver certificates heretofore or hereafter issued by the Secretary of the Treasury shall be maintained by the Treasury.

Well, there is nothing to that. All I had to do or all any other Member had to do would be to rise in his place and say, "Mr. Chairman, I make a point of order against that provision on the ground that it is legislation on an appropriation bill." But what do we find? Somebody got to the powerful Rules Committee. We are always reading in the papers about this powerful Rules Committee. This is what the Rules Committee did in this case: Before a bill can be brought to this House for consideration, under the ordinary procedure, it is necessary to get authority from the Rules Committee under a resolution brought to the floor to make that bill in order by which they prescribe the time for general debate. In this case we have a very brief resolution. House Resolution 521 reads as follows:

Resolved, That in the consideration of H. R. 5452 all points of order against the paragraph relating to the disposition of silver owned by the United States, under the heading "Bureau of the Mint" in title I of such bill, shall be considered as waived.

There we are, tied up; we have got to take our medicine. The jewelers can make the raid, they can get silver that is worth over $1.29 an ounce when this country is over $260,000,000,000 in debt. They are making a raid on our Treasury and getting this silver at 71.11 cents on the excuse that that was all the Govenment paid for it. I cannot understand why any committee, any small group, would put that kind of deal over on the House of Representatives of the American people.

I hope we may be able to get the ear and attention of the Members of Congress, when this bill is read for amendments, that we may explain the transaction that is proposed here and that we may have support for an amendment to strike it out of the bill. In that way we will take into consideration all the taxpayers and the need for silver, and follow the President's program, follow the program of reducing this tremendous tax load by using $2,000,000,000 of idle money that is all bought and paid for and lying idle over in the Treasury.

When silver was purchased under the Silver Purchase Act and the silver came into the Treasury they made two piles. The first pile was put over here to equal the amount of money paid out for the silver purchased; the other pile was placed over there as surplus. The first pile was revalued in a plan by which the Treasury brought it up to $1.29 an ounce, which is the coinage value, not the purchase price, and this silver equivalent was issued in silver certificates by the Secretary of the Treasury acting under the terms of the Silver Purchase Act. I now read to the Members the essential portions of the Silver Purchase Act and ask you to bear in mind that we happen to have over 1,750,000,000 ounces of silver in the Treasury. It was put to a partial use during this war when we had to have something to conduct electricity to the smelters to make aluminum for our airplanes. It would have served a double purpose if it could have been used as backing for silver certificates monetarily and at the same time have been used industrially for the conducting of electric current.

I read the following from the Silver Purchase Act:

SEC. 3. Whenever and so long as the proportion of silver in the stocks of gold and silver of the United States is less than one-fourth of the monetary value of such stocks, the Secretary of the Treasury is authorized and directed to purchase silver, at home or abroad, for present or future delivery with any direct obligations, coin, or currency of the United States, authorized by law, or with any funds in the Treasury not otherwise appropriated, at such rates, at such times, and upon such terms and conditions as he may deem reasonable and most advantageous to the public interest: *Provided*, That no purchase of silver shall be made hereunder at a price in excess of the monetary value thereof: *And provided further*, That no purchases of silver situated in the continental United States on May 1, 1934, shall be made hereunder at a price in excess of 50 cents a fine ounce.

SEC. 4. Whenever and so long as the market price of silver exceeds its monetary value or the monetary value of the stocks of silver is greater than 25 percent of the monetary value of the stocks of gold and silver, the Secretary of the Treasury may, with the approval of the President and subject to the provisions of section 5, sell any silver acquired under the authority of this act, at home or abroad, for present or future delivery, at such rates, at such times, and upon such terms and conditions as he may deem reasonable and most advantageous to the public interest.

SEC. 5. The Secretary of the Treasury is authorized and directed to issue silver certificates in such denominations as he may from time to time prescribe in a face amount not less than the cost of all silver purchased under the authority of section 3, and such certificates shall be placed in actual circulation. There shall be maintained in the Treasury as security for all silver certificates heretofore or hereafter issued and at the time outstanding an amount of silver in bullion and standard silver dollars of a monetary value equal to the face amount of such silver certificates.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. WHITE. In other words, it is mandatory for the Secretary of the Treasury to issue dollars or silver certificates in the equivalent of monetary value to the cost of all the silver bought, but there is exactly where the Secretary stopped. He could just as well lighten the interest load on the American people by putting all the silver that comes into the Treasury out in the form of silver dollars. But, no, he wants to protect the Federal Reserve banks in their interest-gathering privilege. Interfering with that privilege was the last thing he wanted to do. The bank will not tolerate any interference with their program of issuing interest-bearing currency. As I said earlier in my statement, if all the silver in the world today could be gathered up, loaded in some old hulks and taken out to the deepest spot in the ocean and sunk irretrievably, it would be the grandest thing in the world so far as the banks of this country are concerned; it would be the finest thing that could happen to silver according to them. We must destroy this silver, we must keep it out of circulation as money. Ever since I have been a Member of Congress, some 12 years, they have been fishing around trying to find some industrial use for silver, trying to find a disposition for silver and get the country away from the hard money, the money that made America great, the kind of money that bought every foot of territory in continental United States. That was the money that bought Louisiana, that was the money that bought Florida, that was the money that brought in Texas and all of the southwest country that we wrested from Mexico. That was the money that brought in Alaska. That is the money that has made America great. Ever since silver was demonetized in 1873 we have had a series of depressions and booms. That has worked untold hardships on the American people.

I want to show the members of the Committee the benefits, the actual profits that have been made by the Government in connection with silver. Every month the Treasury gets out a bulletin. I have

the January 1946 bulletin before me and on page 82 of that bulletin there is the seigniorage table and I call the attention of the members of the Committee to the fact that the total seigniorage on silver has come to $917,400,000. There has been a neat profit in the operation of that law I read you, the Silver Purchase Act, to the extent of almost a billion dollars.

In the last column of the same table we find the potential seigniorage on silver bullion at cost of the general fund, the silver that these jewelers are trying to get so that it can be taken away from our Treasury. Had this silver been coined and put into circulation in the form of silver certificates issued against it we would have had an additional seigniorage profit of $377,600,000.

The gentleman from New York [Mr. TABER], the ranking minority member of the Appropriations Committee, stands up here year after year and tells the Members of this House that silver is an expense to the Federal Government, that silver has not any value, that it is a drug on the economy of this country and on the taxpayers of the Government. I wish that every day, every month, he would read the tables that come in the official Treasury statement and note the big profit that the Government makes on silver. That is the profit alone. But what about the interest on $2,000,000,000 which is now in circulation, silver dollars and silver certificates? And the other $2,000,000,000 we have laying idle ready to put in circulation. Profit to the Government and the saving of interest. Of course, that is all wrong. It is amusing to me to hear the gentleman from New York [Mr. TABER] and other gentlemen on the other side of the aisle preach economy. They want to cut appropriations, they want to save whenever they get a chance, by their way of doing it, but when these same gentlemen get a chance to make a real saving, to do something substantial for the taxpayers of this Government, they turn the other way.

This provision of the bill violates the rules of the House, and then they bring a rule in here to protect that violation which runs counter to the recommendation of the President of the United States. We are running counter to the rules of this great House. To do what? To give the jewelers a little insignificant profit on silver and keeping $2,000,000,000 out of circulation in the form of silver certificates, or silver dollars, which would lighten our interest load by that much.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield to the gentleman from New Jersey.

Mr. CANFIELD. In all fairness to the gentleman, has not the House already passed on this issue?

Mr. WHITE. If the House has already passed on this issue, why bring it back in this form? Why sneak this thing in here with this kind of a rule? That is what I am complaining about. Are we keeping faith with the Members of the House, are we keeping faith with the President of the United States, are we protecting the interests of the people of the United States in doing this thing that sponsors of this plan are attempting to do today? That is what I would like to have the gentleman answer me. Let me ask the gentleman a question. Does he think we are keeping faith, does he think we are doing the right thing with this sort of parliamentary procedure?

Mr. CANFIELD. Mr. Chairman, if the gentleman will yield, I think this legislation is very much in order, and the House tomorrow will merely emphasize what it has already tried to emphasize in previous legislation.

Mr. WHITE. I assume that the gentleman has been in this House for quite some time. I assume the gentleman knows the rules of the House. I assume the gentleman knows that there is a rule that legislation is to be ruled off an appropriation bill. Why make an exception for silver? Why do you do that? Why do you make an exception for the silver dealers? Can the gentleman answer that question? He thinks that this plan is right. Does he want that to go to his constituents?

Mr. Chairman, this is a big subject, and I could talk and present facts all afternoon. I would like to call attention to one thing. Efforts are being made here today to dispose of this silver, and take just that much out of the possibility of having it made into money. I would like to call the attention of the Nation to the fact that in reconversion and employment and in the production of essential metals, copper, zinc, and lead, and all those things associated with the mining of silver, that when you strike down the value of silver you are only increasing the cost load on the mining industry, and I want to call attention to the further fact that under present operations, with increased wages, social security, unemployment insurance, and all of these things that these companies have to bear, we need the best price that we can possibly get. We need the full use of silver as money as well as industrially, and there is plenty of silver to be had. It has been the established policy of the Treasury that if these jewelers want silver, they can get all they want at the coinage value of $1.29. There is nothing to prevent them redeeming the silver certificate and securing silver in the form of silver dollars and having it melted down.

I thank the leadership of this House, and I want to thank the chairman of this committee who has always been fair in giving me at least this opportunity after all these years to tell the House a few of the facts about silver.

Mr. CANFIELD. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. GWINN].

Mr. GWINN of New York. Mr. Chairman, in Yonkers bids were solicited for a new post office in November 1945. Two were received, one entirely acceptable. But those bids were held for weeks. After the amount of the bids became public knowledge the Post Office Department negotiated with one Hyland, who was not a bidder, and entered into a contract with him privately to build the post office. It was for the same space as one of the bidders provided and at exactly $85 a month less. The old bidders were not asked to revise their bids or to submit new bids, but were deliberately precluded from bidding.

In the Post Office Department advertisement for bids there is a clause specifically reserving the right to endeavor after the closing date of bids to secure other offers in addition to those submitted in response to the advertisement. The Post Office Department now reserves the right to negotiate for post-office buildings at private treaty and without public bidding. This is wrong and should be stopped. For big Government operating a political department, the most political of all departments cannot be permitted to prefer contractors of one party as against contractors of another party.

No exception to the sound principle of law requiring acceptance of the lowest bid in Government construction can be tolerated.

At Pleasantville, N. Y., the Post Office Department proposed a new building in the summer of 1945. The city council, the mayor, and the citizens generally protested against the erection of a new post office on the Public Plaza for the following reasons:

First. The United States Government, through the Federal Deposit Insurance Corporation, became the owner of a large building under foreclosure which was entirely vacant and available to the post office for use on the same plaza.

Second. There was space in the present post-office building that could be used.

Third. The Reader's Digest business constitutes 88 percent of the total business in the Pleasantville post office. The Reader's Digest in writing notified the post office of its intention to build its own post-office building in its plant 5 miles away as soon as building should be permissible. So the new proposed post-office building would then become approximately 88 percent vacant.

Nevertheless the Post Office Department aided in securing priorities for materials from the War Production Board. The new building has just been completed costing approximately $90,000, using building materials greatly needed for houses, even a veterans' hospital in our district on which construction is stopped for lack of building material.

Mr. LUDLOW. Mr. Chairman, I yield 5 minutes to the distinguished chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Chairman, may I suggest to any who may be interested in committee procedure that they give particular attention to the hearings on this bill and to the report and the address of the gentleman from Indiana [Mr. LUDLOW] in presenting the bill to the House. In my opinion they are as complete and effective as ever submitted for the consideration of the Congress.

The Subcommittee on Treasury and Post Office is the ranking subcommittee and the gentleman from Indiana is the ranking member of the Committee on

Appropriations and his long experience in legislation and his exceptional knowledge of the important field covered by this appropriation make it one of the notable appropriation bills of the session.

If I were called upon to point out the ideal Representative in Congress, I would unhesitatingly select the gentleman from Indiana [Mr. LUDLOW]. His early experience as a newspaperman, in which he served as Washington correspondent for some of the major newspapers of the country, his ability and sincerity and wide human interest, and his popularity on the floor and in the committees, make him one of the outstanding figures in the Congress.

He is not a partisan. He votes with the Republicans when they are right and he votes with the Democrats when they are right, but always he votes with the people of Indianapolis and the State of Indiana and the Nation at large.

He is neither a factionalist nor a sectionalist. He is identified with no faction or section. He is interested in all classes, everywhere, and the United State of America in general.

I need not mention his great service in the Committee on Appropriations. That speaks for itself. Personally, I would be unwilling to see the committee report to the House on any vital matter until it had the benefit of his wise counsel and seasoned judgment.

I am certain I speak for the committee—and I trust for the House—when I express appreciation to the people of his discriminating congressional district on their sending him to Congress, and keeping him in Congress, through every political vicissitude, in these crucial years of the Nation's history.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc.—

TITLE I—TREASURY DEPARTMENT

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1947, namely:

Mr. LUDLOW. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRIEST, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 5452, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. TALLE (at the request of Mr. CANFIELD) was granted permission to extend his remarks in the Appendix of the RECORD and include certain letters.

The SPEAKER. Under previous order of the House, the gentleman from Washington [Mr. SAVAGE] is recognized for 20 minutes.

SCHOLARSHIP AND FELLOWSHIP PROGRAM

Mr. SAVAGE. Mr. Speaker, I have today introduced a bill which, if enacted into law, will authorize a scholarship and fellowship program throughout the Nation. Many brilliant high-school students among the 1,200,000 graduating each year in the United States are deprived of the opportunity of obtaining higher education because of the lack of money. This situation should be corrected. My proposal will provide about 70,000 new scholarships each year and provide each scholarship student with $30 a month while in college. It would also authorize fellowship awards of $50 a month for students taking a graduate course.

This is not a large amount of money but it would be a great help for the student who is trying to work his or her way through school and, in many cases, the family may be able to contribute something to the expense of going to college.

First it was my idea to make larger monthly awards, but most educators seemed to believe that it would be better to have a more modest amount and make it apply to more students. The way the bill is presently written, about 7 to 10 percent of the students in each high school will win scholarships. This scholarship award will be made to all students without regard to financial position, but students with adequate finances—those who can afford to pay their own way through college—will be urged to forego the financial assistance so the award can be made to other top students of more limited means. Students who can afford to pay their own way and are scholarship winners will still have the honor of being winners, even though they forego the financial assistance.

The scholarship will give financial assistance all the way through a student's college years, if needed. If the student goes on to graduate work, such as medicine, dentistry, law, and scientific studies, the scholarship will change to a $50-per-month fellowship when the preparatory college course is finished and the student begins the final specialized studies.

The increase in financial assistance at that particular time is needed because a student studying medicine, for instance, has very little time to do anything else outside of his studies. Students may use the benefit of scholarships to go to any approved, private, or State-owned junior college, college, or university. Whenever a good, intelligent high-school student graduates with high honors and is unable to continue his education, it is a most serious loss to our Nation. Wealth has no monopoly on brains. Often the most healthy and intelligent students come from the farm, where they have been able to live an outdoor life and they grow up on the best possible diet. Such young people can be of much greater service to our country if they are able to obtain a reasonably good education. I do not propose to hand them anything on a platter, because this $30 per month will not let them live on the fat of the land. They would still have to use their initiative to make good, but with some personal ambition it would enable them to make the grade.

Everybody helps to support our institutions of higher learning by paying taxes. The cost of higher education is thereby made very reasonable, but still there are many families which cannot quite carry the additional burden of sending a son or daughter to college. I believe that the modest sum of $30 a month will bridge that gap and open the doors of our colleges and universities to many more students.

The program is to start gradually. Right now our institutions of higher education are filled to capacity with thousands of veterans trying to complete their education. But as GI's leave these institutions, our new high-school graduates with scholarship awards will enter. The full effect of this scholarship program will not be realized until 4 years after the passage of the bill. However, students of the first high-school graduating class, following the passage of this bill, will receive scholarship awards.

There is still a great need for expansion of facilities for higher education. When this expansion is made, it may be possible to grant scholarship awards to a greater percentage of the students graduating each year.

Each year the United States Commissioner of Education will allocate the scholarship appropriations to each State according to the number of high-school graduates in that State in ratio to the number graduating in the Nation. This allocation, of course, will have to be made on figures based on a prior year.

Then the bill provides that each State legislature establish a board of not less than seven members to administer this scholarship program. These boards will determine the method of selecting students for the scholarships and other details to assist the students in receiving higher education. Thus, each State will have complete control over the money given it by the Federal Government.

I am amazed at the comparatively small amount of money needed to carry on the program, when compared with the great amount of benefit the Nation derives from it. The amount of money that this Nation spent in one day to wage World War II would run my proposed scholarship program for 3 years, during which time it would graduate 210,000 college seniors, 75,000 doctors, lawyers, technicians and scientists and would open the doors of opportunity for 210,000 high-school seniors anxious to continue their education.

In the first year after the passage of the bill, the Federal Government would make available to the States, $35,000,000, to inaugurate the program. This would permit scholarships for 60,000 entering freshmen; 40,000 students already in college and 18,000 fellowships for advanced studies. The second year's appropriation would jump to $50,000,000, allowing an increase in the number of entering freshmen and fellowship awards. In the third year the appropriation would increase to $65,000,000 to take care of those students who had entered during the first 2 years. For the fourth year, and each year thereafter, the appropriation would remain at $80,000,000, since by that time

the program would be in full swing and the first year's class would be graduating.

I believe this educational bill will solve a great many of our youth problems. As you no doubt remember, during the depression young people who graduated from high school were unable to get jobs and most of them were unable to finance a higher education. The result—youth delinquency and crime—cost us many times what this scholarship program will cost.

One thing that brought sharply to my mind the need for this educational program was the fact that the 1940 census showed us that there were over 5,000,000 boys and girls under 19 working in industries. About one-third of them were girls. This does not include the great number of the same age group working in agricultural pursuits on farms, and so forth. Keeping these young people in school will take them off the labor market and will have a beneficial effect on our entire economy.

Our social-security program is beginning to retire old people on an income. I think the age of retirement should be lowered considerably below the age of 65, so as to leave more jobs open for young people as they finish their education. I consider this educational idea as part of a whole program which will make it possible for a young person to finish his education, immediately obtain employment, and then be able to earn money constantly throughout his productive span of life.

Retirement at the age of 55 or 60 will leave an opening in the productive field for another young person.

We will find it increasingly necessary to retire our people at a younger age, as technological advancements are made. I want to add that I do not believe in compulsory retirement because in some types of work, age is no handicap, and the more who work beyond the minimum retirement age, the lower the minimum retirement age can be for those doing heavy work and getting crippled up, such as in the logging industry, mining, and construction. Men who do physical work are encountering more and more difficulty in obtaining employment as their hair begins to turn gray.

Most people of the retirement age have their heavy expenses behind them while young people want to get married, buy homes, furniture, and raise a family. They need greater purchasing power than the people over 60. Young people are more likely to turn to crime, if denied a chance to work, than older people who do not have as great an economic necessity and can devote more of their time to citizenship responsibilities.

This scholarship-fellowship program will help turn the attention of young people back to education from their wartime pursuits of jobs and high wages.

During my years as a legislator, I have noticed a constantly growing need for giving more of our high-school graduates higher education. We have a very technical economy which requires a well-educated people to operate. We need skilled personnel to keep pace with our rapid technological development. We have a great need for many more scientists to help apply the latest scientific methods for the advancement of our society.

A great many scientists, technicians, and professional men are needed in fighting modern war, and the more education we give our people, the better able we will be to defend ourselves, if necessary. However, on this particular point, I hope the United Nations Organization will be able to save us from that fate by maintaining a permanent peace.

The SPEAKER. Under the previous order of the House the gentleman from Washington [Mr. DE LACEY] is recognized for 15 minutes.

HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES OPPOSES FIGHT AGAINST ANTI-SEMITISM AND DISCRIMINATON

Mr. DE LACY. Mr. Speaker, there are occasionally some words that pass that seem personal in application. I certainly regret any part I may have had in them. I like to stick to issues and discuss persons not at all, but only as they may be connected with issues. Sometimes, however, there arise occasions on which a person has to be something less than a man not to protest.

Yesterday the gentleman from Washington, my colleague [Mr. COFFEE] put into the RECORD an exchange of correspondence between the Committee on Un-American Activities, its chief counsel, Mr. Adamson, and the Veterans Against Discrimination.

I have here today a similar piece of correspondence which, much as I regret the necessity of bringing to the attention of the Members and having it included in the RECORD, seems to me beyond the bounds of anything that is proper in the conduct of an inquiry into what may be un-American activities. This communication is addressed by Mr. Adamson to some sincere and honest constituents of mine in Seattle, Wash.

These citizens had dared to protest some of the activities and actions of the House Committee on Un-American Activities in the name of "true democracy."

Here is part of the reply which they received:

> The fifth amendment to the Constitution of the United States was enacted for the purpose of preventing this Government from ever being a true democrac-

It is signed: Ernie Adamson, chief counsel, and is on the stationery of the House of Representatives, Committee on Un-American Activities.

This perversion of the Constitution of the United States—carefully conceived by those who fought and bled in revolution that democracy might be born—comes straight from the lips of Elizabeth Dilling. These are the teachings of American Fascists, indicted for sedition by the Government of the United States.

By what right, Mr. Speaker, dares the chief counsel of the House Committee on Un-American Activities to repeat the words of Fascists in the name of the United States House of Representatives?

Under what procedure does any committee of this House declare that Elizabeth Dilling's native Nazi doctrine is the belief and understanding of Congress?

But this is not the only action of the Committee on Un-American Activities which is bringing this Congress into disrepute before the American people.

The Committee on Un-American Activities has even written the able columnist and radio commentator, Drew Pearson, probing his use of the word "democracy" at the close of his widely heard Sunday evening broadcasts.

The inference is clear. To the Committee on Un-American Activities, democracy is an alien and a dangerous concept.

Plainly, the Committee on Un-American Activities, through Mr. Adamson, its counsel, has accepted the preachings of Elizabeth Dilling, which are the preachings of the enemies of democracy and justice throughout the world. Elizabeth Dilling no more originated that lie than did Mr. Adamson. It originated in Berlin, Tokyo, and in Madrid.

It seems beyond belief that the House of Representatives should establish a committee and finance its activities to destroy those seeking to secure the democratic peace so recently won at the cost of millions upon millions of lives.

Let me recite a few more facts.

Our former colleague, the gentleman from New York, Mr. Samuel Dickstein, introduced in this Congress, House Concurrent Resolution 89, condemning anti-Semitism and racism as un-American. I support that resolution as a recognition of the fact that anti-Semitism is the trademark of the Nazis and the Fascists and their blood brothers in this Nation.

The Dickstein resolution received wide support among the American people. Among the organizations which exercised its constitutional right to petition the Government in behalf of this resolution was the National Committee to Combat Anti-Semitism.

This committee is dedicated to the proposition that anti-Semitism in any form serves fascism and is repugnant to the idea of democracy.

Its membership includes such outstanding Americans as Secretary of the Interior Harold L. Ickes, Bishop G. Ashton Oldman, Senator Olin D. Johnston, Philip Murray, Daniel Tobin, Judge Ferdinand Pecora, Thomas Mann, and Edward G. Robinson.

On December 27, on the letterhead of the Committee on Un-American Activities, Mr. Adamson wrote this organization:

> I have received a copy of a formal petition being distributed by you, together with the solicitation of money for the purposes of controlling the thoughts of American citizens. I should be very glad to have you write me the purpose of this campaign and also the directors of your organization.

Listen to that, gentlemen. The petitioning of Congress for action on a resolution condemning anti-Semitism is, in the words of the committee:

> Controlling the thoughts of American citizens.

Mr. Speaker, I am proud of the sturdy Americanism in the reply which this organization sent to the committee:

> Your smear letter will not deter us from waging a ceaseless struggle against un-American anti-Semites and racists in high or low places. Your false characterization of

our petition campaign leads to no other conclusion than that you are opposed to the fight against anti-Semitism. It seems to us that you are far more concerned with protecting Fascists and anti-Semites than in exposing them.

What sound American reading this correspondence could not but agree.

Only shortly after this exchange of correspondence the committee demanded the books and records of the National Federation for Constitutional Liberties. This organization has a long record of fighting for the rights of the American people and opposing pro-Fascist and antidemocratic elements in this Nation. In these activities it has won the support of outstanding religious, farm, labor, and public-spirited leaders.

The national board of the organization replied in part to this effort to destroy its effective work for democracy:

The activities of the NFCL, widespread and publicly known, do not permit the imputation that they are un-American or subversive. These activities include support of the soldiers' right to vote, the poll tax repeal, the Fair Employment Practice Committee, the rights of all democratic minorities to full participation in the war and in civilian life. The NCFL has been active in support of labor's rights and in the fight against anti-labor legislation and activities. It fights antisemitism, discrimination against Negroes, red-baiting, and all other Hitlerite disruptive and divisive tacts. Particularly, the NFCL has urged and supported every action against the seditionists and all native Fascists.

Then the letter refers to similar actions of the committee against other organizations which, like the NFCL, fight for greater benefits from democracy for the American people.

Unquestionably these organizations have incurred the enmity of members of the Un-American Committee because their program, if carried out, would mean the end of Jim Crow, the poll tax, antisemitism, discrimination, and other ant .lemocratic practices which deny to millions of Americans the rights and privileges to which they are entitled.

Mr. Speaker, there can be no doubt from this record that the Committee on Un-American Activities is using its power and the authority of this body to undermine the very principles upon which our country was founded. It has become a menace to the liberties of our Nation.

There is no way to reform this committee. It must be abolished.

EXTENSION OF REMARKS

Mr. SAVAGE asked and was given permission to extend his remarks in the RECORD and include a letter from the Post and a news article from the News.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HOOK, until March 4, 1946, on account of official business.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con Res. 52. Concurrent resolution authorizing the Joint Committee on the Organization of Congress to have printed for its use additional copies of the summary of hearings, index to hearings, and parts 1, 2, 3, 4, and 5 of the hearings held before said joint committee during the first session, Seventy-ninth Congress, relative to the organization of Congress; to the Committee on Printing.

ENROLLED BILL SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 5158. An act for reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill and a joint resolution of the House of the following titles:

H. R. 5158. An act reducing certain appropriations and contract authorizations available for the fiscal year 1946, and for other purposes; and

H. J. Res. 316. Joint resolution making an additional appropriation for the fiscal year 1946 for readjustment benefits, Veterans' Administration.

ADJOURNMENT

Mr. LUDLOW. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 51 minutes p. m.) the House adjourned until tomorrow, Thursday, February 14, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

There will be a meeting of the Committee on Expenditures in the Executive Departments at 10 a. m. on Thursday, February 14, 1946, to consider the disposition of surplus property, in room 304–A, Old House Office Building.

SECURITIES SUBCOMMITTEE OF THE COMMITTEE ON INTERSTATE COMMERCE

There will be a meeting of the Securities Subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Thursday, February 14, 1946, also 2 p. m.

Business to be considered: Resume hearings in its study of operations pursuant to the Public Utility Holding Company Act of 1935.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Aviation Subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Tuesday, February 19, 1946.

Business to be considered: To begin hearings on H. R. 1814 (meteorology) and H. R. 164 (thunderstorms).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1059. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to provide for the transportation of dependents of personnel of the Naval Establishment from overseas stations to inland destinations in the United States, and for other purposes; to the Committee on Naval Affairs.

1060. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to provide basic authority for the performance of certain functions and activities of the Bureau of Reclamation; to the Committee on Irrigation and Reclamation.

1061. A letter from the Archivist of the United States, transmitting the eleventh annual report of the Archivist of the United States, which covers the fiscal year ending June 30, 1945; to the Committee on the Library.

1062. A letter from the Acting Secretary of the Interior, transmitting two copies of the annual statement of cost, cancellations, and miscellaneous irrigation data of Indian irrigation projects for the fiscal year 1945; to the Committee on Indian Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JARMAN: Committee on Printing. House Resolution 508. Resolution authorizing the printing as a public document of a revised edition of House Document No. 228, Seventy-ninth Congress, first session, entitled "Our American Government: What Is It? How Does It Function?"; without amendment (Rept. No. 1566). Referred to the House Calendar.

Mr. COX: Committee on Rules. House Resolution 524. Resolution providing for the consideration of H. R. 5117, to amend title V of the Communications Act of 1934 so as to prohibit certain coercive practices affecting radio broadcasting; without amendment (Rept. No. 1567). Referred to the House Calendar.

Mr. CELLER: Committee on the Judiciary. H. R. 2710. A bill to provide for the detention, care, and treatment of persons of unsound mind in certain Federal reservations in Virginia and Maryland; without amendment (Rept. No. 1568). Referred to the Committee of the Whole House on the State of the Union.

Mr. PETERSON of Georgia: Committee on the Territories. H. R. 5453. A bill to authorize certain expenditures by the Alaska Railroad, and for other purposes; without amendment (Rept. No. 1569). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HOOK: Committee on Claims. S. 1131. An act for the relief of Jess Hudson; without amendment (Rept. No. 1570). Referred to the Committee of the Whole House.

Mr. HOOK: Committee on Claims. S. 1371. An act for the relief of Reginald Mitchell; without amendment (Rept. No. 1571). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 2736. A bill for the relief of Norman Abbott; with amendment (Rept. No. 1572). Referred to the Committee of the Whole House.

Mr. SCRIVNER: Committee on Claims. H. R. 2931. A bill for the relief of Edward Oatneal, John N. Oatneal, Jr., and James R. Oatneal; with amendment (Rept. No. 1573).

Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 3360. A bill for the relief of Mrs. W. H. (Agnes) Holmes; with amendment (Rept. No. 1574). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 3618. A bill for the relief of Mrs. Vannas H. Hicks; with amendments (Rept. No. 1575). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 3751. A bill for the relief of Mrs. Theodora O. Anzures and the legal guardian of Bernice Anzures and Andrew Anzures; with amendments (Rept. No. 1576). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 3985. A bill for the relief of Kilpatrick Bros. Co.; with amendments (Rept. No. 1577). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 4074. A bill for the relief of Mrs. Jennie Burnison; without amendment (Rept. No. 1578). Referred to the Committee of the Whole House.

Mr. SCRIVNER: Committee on Claims. H. R. 4560. A bill for the relief of Nicholas T. Stepp; with amendment (Rept. No. 1579). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HAGEN:

H. R. 5464. A bill authorizing a per capita payment of $50 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation; to the Committee on Indian Affairs.

By Mr. SAVAGE:

H. R. 5465. A bill to aid the States in establishing and maintaining a scholarship and fellowship program in the colleges and universities; to the Committee on Education.

By Mr. WELCH:

H. R. 5466. A bill to provide for the licensing of marine radiotelegraph operators, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. ENGLE of California:

H. R. 5467. A bill to cancel authority under the act of June 23, 1936, for the conveyance of certain lands owned by the United States to the city of Los Angeles, Calif.; to the Committee on the Public Lands.

By Mr. MANASCO:

H. R. 5468. A bill to authorize certain administrative expenses for the National Advisory Committee for Aeronautics, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. LUDLOW:

H. J. Res. 317. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1946, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to initiate an immediate investigation of all possible sources of domestic and foreign protein feed concentrates, methods, and amounts of domestic allocations by Federal agencies, and problems of maldistribution; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COFFEE:

H. R. 5469. A bill for the relief of Bertha Lillian Robbins and Charles Robbins to the Committee on Claims.

By Mr. DE LACY:

H. R. 5470. A bill for the relief of Mitaka Matsumoto Harada; to the Committee on Immigration and Naturalization.

By Mr. DWORSHAK:

H. R. 5471. A bill for the relief of the Elmore Cooperative Hatchery; to the Committee on Claims.

By Mr. GRANT of Indiana:

H. R. 5472. A bill granting a pension to James A. Garfield Smith; to the Committee on Pensions.

By Mr. McCORMACK:

H. R. 5473. A bill for the relief of Ghidu Davidescu; to the Committee on Immigration and Naturalization.

By Mr. VOORHIS of California:

H. R. 5474. A bill for the relief of Robert Knittel; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1558. By Mr. ANGELL: Petition of Norman F. Coleman and other citizens of Portland, Oreg., petitioning the Congress of the United States; to the Committee on Military Affairs.

1559. Also, petition of the duly elected representatives of the citizens of Franklin County, Wash., L. L. Howton, chairman, in regular meeting assembled the 28th day of January 1946, respectfully petition the Congress of the United States to make no increase in the wholesale resale rate of Bonneville Power Administration electrical energy but maintain the present rate; to the Committee on Rivers and Harbors.

1560. By Mr. CLASON: Petition of Raymond G. Bressler, chairman, and Frederick E. Cole, secretary, of a special committee appointed by the New England Feed Conference in Gardner Auditorium, State House, Boston, Mass., on February 8, 1946, urging immediate action by Congress which would lead to alleviation of the very critical shortage of feed for poultry and stock in New England; to the Committee on Agriculture.

1561. By Mr. SMITH of Wisconsin: Petition of members of the Lake Geneva Town and Country Garden Club, supporting the urgent need for establishing a forest research center in Wisconsin; to the Committee on the Public Lands.

1562. Also, petition of voters of the first Congressional District urging signing of discharge petition No. 4 to bring House bill 2232, the bill for a permanent Fair Employment Practice Committee, to a vote on the floor of the House of Representatives; to the Committee on Labor.

1563. By the SPEAKER: Petition of the Military Order of the World Wars, petitioning consideration of their resolution with reference to the exemption of all persons honorably separated from the armed forces after serving in war from joining any organization as a condition of employment; to the Committee on World War Veterans' Legislation.

1564. Also, petition of the Council of the City of Philadelphia, petitioning consideration of their resolution with reference to enactment of a fair employment practice statute; to the Committee on Labor.

1565. Also, petition of the chairman, Employees' League, Pacific Naval Air Bases, Manila, P. I., petitioning consideration of their resolution with reference to the request that their status be defined by legislation on the same basis as that of the civilian employees of the United States Navy at Cavite and Mariveles, P. I.; to the Committee on Naval Affairs.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 14, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou Eternal One, who commanded the light to spring out of darkness, come in fuller measure into our lives; speak and make Thy purpose with us sure and clear. In this hour, so freighted with demanding responsibilities, we pray that we may be true disciples of Christian freedom; under all circumstances let forgiveness take the place of retaliation and sacrifice the place of indulgence. O arm and sustain us with an unyielding faith, without doubt or hesitation.

Almighty God, we pray that our tired country may grow young again. Preserve it from the race of selfishness that is surging with its disintegrating power through our industrial centers; cleanse it from this sore plague which leaves wreck and ruin in its mad trail. O increase in all men respect for law; rend the chains with which freemen are wrestling, that they may be able to stand strong and steadfast in the face of all adversaries. In the very soul of the Nation, do Thou establish righteous stability and confidence in our institutions that make for happiness and prosperity. May Thy overruling providence, which has hitherto shaped and guided our Republic, bless and guide our President with the riches of Thy grace. In the name of Christ our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. MORRISON asked and was given permission to extend his remarks in the RECORD in three instances, and to include in one a poem by Lewis Smith, in another a letter to Mayor Higginbotham, of Baton Rouge, from a GI in Manila, and in the other a letter to Administrator Bowles; also a letter from Harry D. Wilson, commissioner of agriculture, to Mr. Chester Bowles.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD in two instances and include in each an article.

Mr. GRANAHAN asked and was given permission to extend his remarks in the RECORD and include an address made before the American Legion in Philadelphia.

CONDITIONS IN EUROPE AND THE MIDDLE EAST

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a statement.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

[Mr. FEIGHAN addressed the House. His remarks appear in the Appendix.]

THE HOUSING BILL

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SPENCE. Mr. Speaker, I have just filed the report of the Banking and Currency Committee on H. R. 4761, the housing bill.

The hearings on the bill were concluded before Hon. Wilson Wyatt, the Expediter, now the Housing Administrator, had made his comprehensive report and plan which has been approved by the President. The bill as reported does not meet fully the requirements for carrying out the plan of Mr. Wyatt. He has recommended that premium payments be authorized in an amount not exceeding $600,000,000 to stimulate the production of building materials of which there is an acute shortage. It is also requested that title VI of the National Housing Act be extended and the provisions of that act made applicable to this program.

I shall introduce amendments when the bill is considered by the House to carry out this purpose. I cannot discuss those amendments at this time.

I anticipate there will be other amendments introduced to carry out the plan more effectively.

The SPEAKER. The time of the gentleman from Kentucky has expired.

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks and include therein an address by Rear Adm. Robert B. Carney, United States Navy.

VETERANS' STOCK-IN-TRADE LOAN

Mr. BUCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BUCK. Mr. Speaker, not so long ago the Congress amended the GI bill of rights to authorize loans for stock in trade for veterans desiring to open their own businesses. The objective was excellent.

I hold in my hand—and I show you a reason why the objective may never be accomplished—17 feet of six complicated, involved forms requiring some 360 answers or computations. To supply these answers and computations, the veteran would apparently need a tax lawyer, a real-estate lawyer, an ex-Washington bureaucrat, and a certified public accountant. A veteran who could afford to pay such a staff would have no need for the loan.

I am drawing the matter to General Bradley's attention and I am confident that he will take prompt corrective action.

EXTENSION OF REMARKS

Mr. ANDERSON of California asked and was given permission to extend his remarks and to include an exchange of correspondence between Mr. Wilson Wyatt and himself.

Mr. McGREGOR asked and was given permission to extend his own remarks in the Appendix of the RECORD and include therein certain information relative to lumber exports.

EXPORTATION OF CRITICAL BUILDING MATERIALS

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McGREGOR. Mr. Speaker, I am today inserting in the Appendix of the RECORD information which I trust each and every Member of Congress will carefully examine showing exactly what has happened to some of the lumber which was produced in the United States in 1945 and what is contemplated being done with at least a portion of it, in 1946. The record will show, Mr. Speaker, that 423,000,000 feet of lumber was exported in 1945 and 1,000,000,000 feet of lumber is contemplated being exported in 1946. Definite arrangements have been made to export 225,000,000 feet per month for the first 3 months of 1946. Mr. Speaker, these charts do not include all of the lumber, but the supply which is so critical at this time. In addition to that, Mr. Speaker, we exported last year 300,000 doors and trims, and so forth, per month and 3,000,000 square feet of plasterboard. Mr. Speaker, this may be a small percent of our production of lumber, but a billion feet of lumber represents lots of houses.

I hope that the membership will carefully analyze the remarks that I have inserted in the Appendix and join with me in having immediately stopped the exporting of critical building material.

PERMISSION TO ADDRESS THE HOUSE

Mr. WOODRUFF. Mr. Speaker, I ask unanimous consent that tomorrow, after the disposition of matters on the Speaker's table and the special order of the gentleman from Minnesota [Mr. GALLAGHER] I may address the House for 45 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

LOAN TO GREAT BRITAIN

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[Mr. JONKMAN addressed the House. His remarks appear in the Appendix.]

PREVENTION OF STRIKES IN PUBLIC UTILITIES

Mr. HAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

[Mr. HAND addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. MASON asked and was given permission to extend his remarks in the RECORD and include an article by Frank Kent.

Mr. SCRIVNER asked and was given permission to extend his remarks in the RECORD and include an article from the Kansas City Labor Bulletin.

Mr. CHURCH asked and was given permission to extend his remarks in the RECORD and include an editorial from the January edition of National Food Distributors' Journal entitled "A Halo for Herbert Hoover" and an additional statement attached thereto.

Mr. HOFFMAN (at the request of Mr. MICHENER) was granted permission to extend his remarks in the RECORD and include a statement by the president of the Evans Products Co., of Detroit.

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD in two instances, in one to include a news release on the Bonneville Administration and in the other to include a short article.

Mr. BUFFETT asked and was given permission to extend his own remarks in the RECORD.

Mr. STEFAN asked and was given permission to extend his remarks in the RECORD and include resolutions adopted on Founders' Day at Lincoln, Nebr.

EXPORTATION OF CRITICAL BUILDING MATERIALS

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RABAUT. Mr. Speaker, a few minutes ago our colleague the gentleman from Ohio [Mr. McGREGOR] spoke concerning the exportation of lumber from this country. I brought up this very subject with representatives of the Department of Commerce in the Committee on Appropriations, had them check the figures; and they have reported to the committee that the amount of lumber exported was 1.36 percent. They said further that most of the lumber was sent in order that sugar, so badly needed in this country, might be properly cared for to be brought back to this country, and that other lumber exported was not of a quality that could be used for building purposes.

We should try to be fair in bringing this subject to the attention of the people of the country.

The SPEAKER. The time of the gentleman from Michigan has expired.

EXTENSION OF REMARKS

Mr. RANKIN asked and was given permission to extend his remarks in the

RECORD and to include therein the legislative objectives of the Veterans of Foreign Wars.

Mr. IZAC asked and was given permission to extend his remarks in the RECORD and include an open letter to Congress.

THE COMMITTEE ON UN-AMERICAN ACTIVITIES — COMMUNISTS EXPEL BROWDER AND EXTOL DE LACY

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include therein certain newspaper excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, on yesterday while I was off the floor the Member from Washington [Mr. DE LACY], following the Communist line, made a vicious attack on the Committee on Un-American Activities, in which he said it had "become a menace to the liberties of our Nation," which statement is absolutely false, as every Member of Congress knows.

This morning I find the Communist Daily Worker has two interesting articles in it. One gloats over the expulsion of Earl Browder from the Communist Party on yesterday because they thought Earl was becoming too American. On the back page appears a picture of the gentleman from Washington [Mr. DE LACY] and a report commending his attack on the Committee on Un-American Activities.

The Committee on Un-American Activities is doing its best to protect America from those subversive influences that threaten the safety of this country; and we are not disturbed at the attacks being made by the Communist Party, which the Attorney General said was subversive, or the fellow travelers who follow the Communist line.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, the gentleman from Mississippi [Mr. RANKIN] has just concluded another attack on our colleague, the gentleman from Washington [Mr. DE LACY]. Yesterday he castigated three of the four Democratic Members from Washington, Mr. COFFEE, Mr. DE LACY, and Mr. SAVAGE. From time to time he has assailed many other Democratic Members; but my memory fails to recall at this moment an occasion when he has so berated any Republican Member.

I wonder why? I wonder why?

May it be due to his close cooperation with the Republicans on the Soldiers' Vote Act, which deprived approximately 90 percent of our fighting men of their constitutional right to vote in the last Presidential election? I recall his cooperation with the Republicans, in speaking and in voting, on the infamous Smith-Connally Act and on the nefarious Smith-May-Arends bill. He voted with the Republicans on the Republican-written, Republican-sponsored, Republican-passed antilabor monstrosity called the Case bill. Those are not the only instances in which he has aided the Republicans, notwithstanding that he was elected as a Democrat in a Democratic State.

I certainly have never heard any one of the three gentlemen whom he has attacked say anything reflecting in any way on the white man in the South, as he charges. They have at all times sought to safeguard the voting privileges and promote the economic welfare of all the American people. They may have criticized the gentleman, or may have taken exception to his threadbare charges that every progressive has Communist tendencies; but not the South.

The facts are that every one of these three gentlemen from Washington is a real honest Democrat who follows the Christian teachings of faith, hope, charity, and good works. Personally, I am sure there is no gentleman in this Chamber who does not recognize the Democratic Members from Washington as outstanding, honorable, and able. I have served here many years, and in all that time I have seen no State better represented, nor by any representatives more sincere, loyal, and patriotic than Mr. COFFEE, who has served here through five consecutive terms, and Mr. DE LACY and Mr. SAVAGE, who are in their first terms but who have in this short space of time demonstrated their value and ability, and have at all times been of service to their congressional districts, their State, and our country. If I seem to omit mention of their colleague Mr. JACKSON, it is only because the gentleman from Mississippi has likewise omitted to include him in his castigation. Mr. JACKSON deserves to share in any praise given to the Democratic members of the delegation from Washington.

I am certain there is no Member of this House who would rise to support Mr. RANKIN'S ridiculous and unfounded insults to these three gentlemen, and I know that nearly every Member considers the remarks of the gentleman from Mississippi insulting.

The gentleman stated that he had helped with the passage of the Columbia River Project Act, and warned the gentlemen from Washington they must desist from the so-called opposition to him or, he threatened, he will see that no further aid is given to that or any other project in their State. The gentleman just takes himself too seriously. Since when does he speak for Congress? Are we to admit that he controls this body? That, of course, is laughable and ridiculous.

I hope these gentlemen, Mr. COFFEE, Mr. DE LACY, and Mr. SAVAGE, will continue as they have in the past, regardless of that empty threat, fearlessly to serve the people whom they represent, and this Nation. I am sure they will continue to obtain full cooperation and aid for any and all needed projects in Washington, regardless of the threat of the gentleman from Mississippi, just as their predecessors in the House, the present Governor of Washington, Hon. Mon C. Wallgren, and the present Senator from Washington, Senator WARREN G. MAGNUSON, did for many years before them.

I hope sincerely the people of their State continue to return them to their seats in Congress; their ability and loyalty and patriotism in the service of their State and country is, I am sure, being appreciated and recognized and will be rewarded.

The gentleman from Mississippi is, it seems to me, color blind—he sees everything red. Of course, that, too, is all part of the Republican political technique. As to his daily quotations from this paper and that, I, too, if I cared to waste the time of the House and space in the RECORD, could quote from many, many publications unfavorable comments regarding his activities, even from the Republican papers for whom he seems always to be talking.

I have heard him rumbling and grumbling about birds of a feather. I say to you, Mr. Speaker, I should consider flocking together with these three Democratic gentlemen from the State of Washington a hundred times more preferable than flocking with him.

EXPORTATION OF CRITICAL BUILDING MATERIALS

Mr. RICHARDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

[Mr. RICHARDS addressed the House. His remarks appear in the Appendix.]

MORE LUMBER IMPORTED THAN EXPORTED

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, in connection with the question of export of lumber, that question came before the Committee on Banking and Currency, and we interrogated Mr. John W. Snyder, Director of the Office of War Mobilization and Reconversion, about it. Mr. Snyder obtained the information for us, which was to the effect that there is more lumber imported into the United States than has been exported, and he says there should be no criticizing the administrators of the different agencies on that point, that there has been since VJ- and VE-days more lumber imported into the United States than there has been exported from the United States.

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, we have heard a good deal this morning about the lack of lumber in the

United States. The record will show that some 700,000,000 feet of lumber was exported during 1945. The State Department has indicated that they would export 225,000,000 feet in the first quarter of 1946.

During the recent holiday, I went down to the Rio Grande Valley, in Texas, on business. I was amazed to learn from a lumberman in one of the small valley towns, which is located just across the Rio Grande from Mexico, that he was building quite a few houses. I asked him where he was getting the lumber and he said, "I am getting it from Mexico." I then asked him where Mexico was getting the lumber he was using, and he said, "He understood they were importing it from the United States." I believe this is a perfectly legitimate procedure. It comes about because the lumber mills may get more for their lumber through the export method and there seems to be no ceilings when it is sold in the United States. The gentleman from Texas [Mr. PATMAN], who just preceded me, spoke about the large amount of lumber which is imported in the United States every year. I am wondering if some of this imported lumber might not be following the vicious circle of first coming from the United States. The lumberman in this small river town said he was paying as high as $140 a thousand for lumber which was not too good, but they were building a few houses.

I also found that it was possible to buy some American-made nylon hose in the towns across the Rio Grande in Mexico. The ladies, if they have someone in the valley, may buy these nylon hose from $3 to $5 a pair. It would be interesting to know just how many pairs of nylon hose, either legitimately or through the black market, find their way into Mexico.

Mr. Speaker, it is my considered judgment that lumber should not be exported from the United States when it is so badly needed in our own country. I have contacted the State Department about permitting lumber to be exported, but it seems to be a part of our good-neighbor policy or some other type of policy to follow this procedure. In my own humble opinion, this should cease.

EXTENSION OF REMARKS

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the RECORD and include two letters from constituents.

EXPORTATION OF CRITICAL BUILDING MATERIAL

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a telegram from the Governor of California.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. McDONOUGH addressed the House. His remarks appear in the Appendix.]

RECONSIDERING THE INTERNATIONAL INFORMATION BILL

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VORYS of Ohio. Mr. Speaker, I have asked the chairman of the Committee on Foreign Affairs to reconsider H. R. 4982 and to have further hearings on it. This is the so-called international information bill authorizing a program of what might be called cultural propaganda all over the world under Assistant Secretary of State, Mr. Benton.

Mr. Speaker, I supported this bill when it came from the committee. As a matter of fact, I helped rewrite it, but the Rules Committee has failed to bring it to the floor. Developments since the bill came from the committee are such that I feel the only way to have intelligent consideration of this matter is to have further hearings before our committee, so that representatives of the AP and UP and others who have criticized Mr. Benton's proposed program may be heard.

Mr. Speaker, I believe we should spread information about America and the American way of life all over the world; I believe we should exchange information and skills with other countries; I believe that the governmental promotion and correlation of this work should be in the State Department. I also realize the possibility of conflict between a free press and subsidized Government propaganda. We want to avoid that conflict in this legislation. That is why I want it to be reconsidered. On this bill we can speed things up by taking more time.

EXPORTATION OF CRITICAL BUILDING MATERIALS

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, with reference to the question of lumber and other things that come before this House, I think the people would be better off if they did less criticizing and would bring forth a program that would help us now.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I listened with a great deal of interest to the statement made by the gentleman from Ohio [Mr. VORYS]. In the Committee on Rules this morning we had up for consideration the bill from the Committee on Foreign Affairs which the gentleman has mentioned. We have had that measure before us on previous occasions. The gentleman from Ohio, as a member of the Committee on Foreign Affairs, did offer certain amendments to the bill in an effort to put it in better shape. I want to compliment the gentleman and congratulate him on the statement that he made here that he desires to have the bill sent back to the Committee on Foreign Affairs for further consideration. I have talked to other members of the Committee on Foreign Affairs, and I believe that that is a very worthy objective. I hope that the measure will be sent back to the Committee on Foreign Affairs and reconsidered.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. SABATH. Mr. Speaker, I call up House Resolution 521 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That in the consideration of H. R. 5452 all points of order against the paragraph relating to the disposition of silver owned by the United States, under the heading "Bureau of the Mint" in title I of such bill, shall be considered as waived.

Mr. SABATH. Mr. Speaker, I shall later yield 30 minutes to my colleague the gentleman from Illinois [Mr. ALLEN].

Mr. Speaker, there is nothing personal or political in this resolution. All this resolution aims to do is to provide that points of order should be waived against the paragraph which will permit the Treasury to sell a certain amount of silver at a certain price. I understand there is no opposition to it. In fact, the resolution has been unanimously reported and both sides are in favor of it. Industry is sadly in need of this silver.

Mr. GRANGER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Utah.

Mr. GRANGER. I hope the gentleman is speaking only for the committee in saying that there is no opposition to it. I certainly am opposed to it.

Mr. SABATH. I did not know the gentleman was opposed to it, or anyone else. I have only heard from those who appeared before the committee, and I was informed that the majority leader, the minority leader, and the Committee on Appropriations had unanimously recommended that this rule waiving points of order be granted, because the provision is in the appropriation bill, and being in the nature of legislation, it might be subject to a point of order. Both the Democratic and the Republican members representing the Committee on Appropriations were present at the Rules Committee meeting, and I did not hear from anyone, with the exception of the gentleman from Idaho [Mr. WHITE] who yesterday, while I was entering the elevator, said something to me about it, which I construed to mean that he might be opposed to it. But personally I do not know of any reason for any opposition.

Mr. MANSFIELD of Montana. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Montana.

Mr. MANSFIELD of Montana. Why is it necessary to bring in this bill in this manner, when the so-called Martin bill, H. R. 4590, covering the same object matter, was passed on December 19 by this House, and is now in the Senate Committee? Why not let it go at that and forget this rider, because to me it has no connection at all with the legislation under discussion.

Mr. GRANGER. Mr. Speaker, will the gentleman yield further?

Mr. SABATH. With pleasure.

Mr. GRANGER. I am surprised to hear the chairman of the Committee on Rules make the statement that he has just made. I have heard him time and time again deplore the actions of committees placing legislation in appropriation bills.

We had the experience only a short time ago of the President vetoing such a procedure, and now the distinguished chairman of this committee, who has my love and respect, comes in here and says he is in favor of a rule of this kind. I cannot understand it.

Mr. SABATH. I will explain my position, and I know the gentleman will agree with me and not feel resentful against me for my action. As I said, when the chairman of the Committee on Appropriations and the chairman of the subcommittee came before the committee, together with a minority member of the Committee on Appropriations, stating that they had agreed on this matter and that the bill was pending on the floor, and that a point of order might be raised against the provision although there was no opposition to it, in view of the fact that there was no opposition and with the purpose of expediting the business of the House a rule was granted. No objection was raised by any member of the Committee on Rules or any member of the Committee on Appropriations.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Idaho.

Mr. WHITE. I suppose the gentleman remembers that many items of appropriation for the West have been stricken from appropriation bills because they contained legislation. We have relied on that plan of procedure. Changing the rules in this particular instance puts me in mind of an incident that happened out West, where some men were playing poker with an easterner. When the easterner's opponent drew cards he got a jack. He laid it out and took the money. The easterner said, "Why, how could that jack win? It is not as good as an ace." His opponent said, "There is a sign up behind you on the wall saying that Max Hoyt takes everything, and this is Max's day." So the easterner waited until he got a jack, and he went to take the pot, and he was told, "Max Hoyt plays only once a night." That is what we are doing; we are playing this game just once a night, and this is the time.

Mr. SABATH. The gentleman must realize there are exceptions to every rule.

Mr. WHITE. Well, this is the exception.

Mr. SABATH. Since the gentleman has talked about poker, I can assure him that I know very little about it. I know some gentleman who will bear me out in my statement that I know very little about it.

Mr. WHITE. The taxpayers never got skinned in any poker game to the extent they are getting skinned by this bill.

Mr. BUNKER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Nevada.

Mr. BUNKER. Did I correctly understand the gentleman from Illinois to say that this was unanimous in the Committee on Appropriations? My understanding is that it was not unanimous in that committee, that the decision to ask for this rule was not unanimous.

Mr. SABATH. I was informed by the gentlemen who appeared before the Rules Committee that it was the unanimous action of the committee, and further, it was a unanimous action of the Committee on Rules.

Mr. BUNKER. But not unanimous on the part of the House.

Mr. SABATH. That is the reason I am bringing it up. If it had been unanimous, this rule would not be necessary.

Mr. HOLMES of Washington. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Washington.

Mr. HOLMES of Washington. I wish to register my protest against this rule and the method it permits of bringing this legislation before the House as a rider on an appropriation bill.

Mr. SABATH. I feel the same as the gentleman from Washington, but the legislation that is embodied in this appropriation bill was unanimously reported and the request for the rule was unanimous on both sides of the House. I felt that it was our duty to grant that request and report the rule in order to save the time of the House and expedite business.

Mr. HILL. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Colorado.

Mr. HILL. How many times in the last 4 years has the great Committee on Rules brought out resolutions to consider appropriation bills? Why do you want a resolution to consider an appropriation bill, and do you intend to make that the custom of the House?

Mr. SABATH. I will explain that to the gentleman. I feel that the Committee on Appropriations should not abuse its rights and privileges and bring in legislation on an appropriation bill. I fought that practice, and I am fighting it now. But now and then conditions develop whereby both sides of a committee, that is, all of the members of a committee, make a request and urge such action. I feel it would be unfair in such a case for the committee to deny a unanimous request for a rule of this kind. I hope I do make myself clear.

Mr. COFFEE. Mr. Speaker, will the gentleman permit me to ask him a question?

Mr. SABATH. I am always ready to yield to the genial gentleman from Washington [Mr. COFFEE], who when he makes a statement imparts real information, or when he asks a question seeks factual information.

Mr. COFFEE. The gentleman is being very generous, but may I ask him if somebody represented to the Committee on Rules that the action of the Committee on Appropriations was unanimous in this matter?

Mr. SABATH. That is, the action of the subcommittee was unanimous.

Mr. COFFEE. That is the subcommittee only?

Mr. SABATH. Yes. It was submitted to the full committee, I believe—yes, it has been stated that it was submitted to the full committee and approved by the committee. But I am not in a position to say that the entire Committee on Appropriations unanimously approved it. That has not been stated to my knowledge.

Mr. COFFEE. I am sure the gentleman from Illinois is perfectly innocent in the matter.

Mr. SABATH. The gentleman from Illinois is always innocent of any wrongful act.

Mr. COFFEE. Certainly no one of us would charge such a thing, but for the purpose of the record it should be incorporated in the CONGRESSIONAL RECORD that the action of the Committee on Appropriations was not unanimous in this regard and that there were several of us who voted against this amendment and several of us who voted against asking the Committee on Rules for a rule to waive points of order against this amendment.

Mr. SABATH. I did not have that knowledge, and that knowledge was not imparted to me or to the committee, I regret to say.

Mr. MANSFIELD of Montana. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. MANSFIELD of Montana. Have hearings been held on this particular rider before any accredited committee, such as, for example, the Committee on Coinage, Weights, and Measures, under the chairmanship of the able gentleman from Idaho [Mr. WHITE] who should handle matters of this sort, or is it being brought in as the Case bill was brought in last week and about which you spoke and about which I had something to say at the time? If this is going to be the practice by means of which legislation is to be introduced, then I wish you would bring out my terminal leave bill in that manner and give some succor to our veterans who really need help at this time.

Mr. SABATH. I assure the gentleman I would not hesitate to bring out a rule on his bill or any bill that will give succor, aid, or assistance to any needy or deserving veterans.

Mr. ROBINSON of Utah. Mr. Speaker, will the gentleman yield for a question?

Mr. SABATH. I yield.

Mr. ROBINSON of Utah. I understand the gentleman to say that he had no knowledge or that the Rules Committee had no knowledge that there was a disagreement in the Appropriations Committee with reference to the bringing in of this rule.

Mr. SABATH. That is correct.

Mr. ROBINSON of Utah. Did the Committee on Rules have any knowledge that a bill carrying this very provision had been previously passed by the House?

Mr. SABATH. I think something was said that a similar bill was passed by the House. That was the reason I felt that in view of that action the action of the Committee on Rules was a step in the right direction.

Mr. ROBINSON of Utah. My question is whether that was presented to the Committee on Rules when they granted this rule. It seems to me if it was not, then those two facts are so pertinent to this problem that the gentleman should have considered the matter in the light of such facts.

Mr. SABATH. Before I answer the gentleman, may I ask the gentleman a question?

Mr. ROBINSON of Utah. Yes.

Mr. SABATH. Is it not a fact that a bill containing this provision has been passed by the House?

Mr. ROBINSON of Utah. Yes; it is.

Mr. SABATH. All right. That is what I was given to understand. In view of the fact that the House already has taken action on this legislation, I thought the Committee on Rules would be doing the right thing in granting a rule, especially in view that the House had acted on the matter and that the bill was tied up in the other body on some technicality. So that is the reason we thought we merely would follow the action of the majority of the House.

Mr. ROBINSON of Utah. But you are not doing that. Under the present rules of the House we have a right to have that bill considered by a conference committee of the members of the legislative committees of the two Houses. Under this rule, we have no right to have it considered by a conference committee other than those who are members of the Appropriations Committee. That is depriving us of an absolute right with reference to this legislation.

Mr. SABATH. Well, that matter has not received thought and consideration on my part, I admit.

Mr. ROBINSON of Utah. It seems to me under those circumstances the gentleman should withdraw the rule.

Mr. SABATH. I hope, if there is any real opposition and objection—in fact, I know that this rule making this in order will be submitted to the House. If a majority of the membership is opposed, naturally it will not go in. Furthermore, the resolution waiving points of order is presented, and again a majority of the House will have its will. After all, a majority controls at all times and should have its will.

Mr. MANSFIELD of Montana. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Once more.

Mr. MANSFIELD of Montana. And I hope the last time. However, this is the first experience in my 3 years here where I have seen some measure brought in twice. After being passed the first time and sent to the Senate, it is now being brought back here attached as a rider to an appropriation bill. I do not quite understand this type of hijacking. I am certain that, as far as the bill is concerned, no committee of the House, least of all the Appropriations Committee, has given any consideration whatsoever to it, because I do not believe they understand what is in this bill. Furthermore, I for one, could not appear before the Rules Committee in opposition to this measure because I was not informed that this silver rider was to be considered. It is high time for this House to defeat a rule of this nature and I will vote against it.

Mr. GRANGER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. GRANGER. I think I do understand what the hijacking is in this bill. The people who are trying to put this bill over know that if it goes to a legislative committee in the Senate it will never become law. This is a backdoor approach to circumvent the legislative committees of both branches of the Congress. That is what is back of it. They are trying to repeal the Silver Act by attaching a rider to an appropriation bill, which the gentleman knows is wrong, and every Member of this House knows is wrong.

Mr. SABATH. I would not favor anything that would repeal the Silver Act, because it reminds me of my first start in national politics. I recollect a gentleman by the name of William Jennings Bryan in 1896. The silver issue, of course, was a great issue. I had the pleasure, honor, and distinction to know the gentleman, and to accompany him to the Democratic National Convention. I was there when he was nominated, and I supported him. I feel strongly that no act on the statute books which is in the interest of the West and, in fact, the interest of the entire country, should be repealed by any action wherein the House would not have full opportunity to express itself. But here we have an opportunity, and it is up to you. If you think this provision should not be adopted, you can vote against it. I admit I do not know enough about it, although I have been greatly interested in the silver question as long as 50 years ago and for many years thereafter, but I cannot see where this provision could do any harm. It provides that some surplus silver should be released to these manufacturers who need it, at a price at which the Government is buying it. The Government cannot lose anything by it and that is the reason I feel it cannot do any harm.

Mr. MURDOCK. I am glad to learn that the gentleman has no ill will toward the silver legislation now on the statute books and that he will not lead in any way in the repeal thereof. We appreciate his interest and support.

As I said yesterday, I am opposed to the rule which raises points of order against the language on sale of silver on page 25 and I want to serve notice now that in case the rule is adopted I am going to move to strike that provision from the bill.

Mr. SABATH. That will be the gentleman's privilege, of course.

I now yield to the majority leader, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, this is a very simple rule. I can understand the position of the gentlemen who oppose, but we have to look at the over-all picture.

The purpose of this amendment and the rule is to waive points of order against a provision of the bill which enables an important business to continue.

Mr. ROBINSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I do not yield at the moment.

Mr. ROBINSON of Utah. I do not think that is the purpose of it.

Mr. McCORMACK. Just a minute. This is nothing but an extension of the Green Act, which has been on the statute books for at least 2 years, and maybe 3. Some tens of thousands of people are employed in the manufacture of jewelry. The whole purpose of this amendment is to enable the American silvercraft business to continue and permit the continued employment of these tens of thousands of people.

The price of silver is the same—71.11 cents an ounce. Certainly the silver-producing States are not suffering any, and this would enable business in other sections of the country to continue.

Mr. ROBINSON of Utah. Mr. Speaker, will the gentleman yield?

Mr McCORMACK. It is all right, the gentlemen from the silver-producing States may make their record, but in the over-all picture I do not see why they should have any anxiety about the silver situation and why they should wish to impose conditions upon other sections of the country which would be harmful to and destructive of legitimate business, a business which unless something like this is done will have to be curtailed and possibly stopped, with the resultant throwing out of employment of tens of thousands of workers. That is the situation from the broad angle. It should not be looked at from a limited angle.

Mr. ROBINSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. ROBINSON of Utah. I merely wish to ask the distinguished and lovable majority leader if he really takes that position whether he does not care anything about the rules of the House.

Mr. McCORMACK. What does the gentleman mean by that?

Mr. ROBINSON of Utah. I mean just this, that by what is being done here you are absolutely violating the rules of the House in the fact that we do not have a chance—

Mr. McCORMACK. Do not have a chance to do what?

Mr. ROBINSON of Utah. Do not have a chance to have this legislation acted upon by the appropriate legislative committee.

Mr. McCORMACK. A bill accomplishing this purpose was reported out of the committee only last December; it passed this House and now lies in the other body. The gentleman knows what the situation is as well as I do.

Mr. ROBINSON of Utah. I certainly do.

Mr. McCORMACK. Now, let us not get into that phase of the picture because this provision is nothing but an extension of the Green Act. The Green Act was passed by this body a couple of years ago. It expired on December 30 of last year. This very body, as I say, passed a bill just before Christmas extending the Green Act, but the other body did not act on it. Unless something like this is done it means that legitimate business will be curtailed or stopped for some time and tens of thousands of employees will

be affected. This is an effort to bring about practical justice. It should be enacted.

Mr. ROBINSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I cannot yield; I am sorry, but my time is nearly up.

Mr. ROBINSON of Utah. I merely wish to answer that statement. In the first place, the majority leader is entirely mistaken when he says nobody is going to be hurt.

Mr. McCORMACK. I want the gentleman to understand that I am speaking in my individual capacity; I want that distinctly understood; I want to be fair.

Mr. ROBINSON of Utah. If the Green Act lapses or goes out of operation it simply means that the people who purchase silver must purchase it at the market. The market price seems to be about 30 cents more than what they have been paying for it under the Green Act. The price they are purchasing it at is taken right away from the miner who is mining this silver so he is going to be injured; the silversmith has just got to pay a little more for his silver. That is the answer to that proposition. Now, I want to answer the other proposition. I do not think we are following fairly and squarely the rules of this House when we come to consider appropriation bills by putting legislation on the appropriation bill that has previously passed this House, and proceed to legislate with reference to silver or any other matter on an appropriation bill.

Mr. McCORMACK. Mr. Speaker, this is a little different situation than something being put on by the Appropriations Committee. There has been a custom or practice which I have observed that once a bill passes this body and is over in the other body then there is a clear line of distinction between putting a provision in an appropriation bill under those circumstances and putting it in when it has not been acted on by either branch. It has not been unusual when a bill has passed this House and it has not passed the other body for the Appropriations Committee, where the circumstances justify it and it constitutes an emergency, to then include a provision in the appropriation bill and a rule acted upon waiving a point of order. So that we have a different situation here than the one the gentleman complains about. Furthermore, in response to his first observation, the committee report shows that the silver which would be sold is not presently required by the Treasury for monetary purposes and would be sold at the price the Treasury is required by law to pay for newly mined silver. In other words, the Treasury pays 71.11 cents and this provides that those who purchase for business purposes the silver that is not needed for monetary purposes have got to reimburse the Government for the amount it pays.

I respect the gentleman's views and I am not going to get into any kind of controversy with him because I understand his position and I think he is to be complimented. Each one of the other gentlemen is to be congratulated, and I emphasize that. But in the over-all picture, we have a situation here that has got to be met and we are only carrying on in justice what we did some 3 years ago.

Mr. SABATH. Mr. Speaker, in conclusion, let me say, you gentlemen realize one thing, and that is this is not an exception. Our committee has followed a course which we believe is fair, because the legislative committee has already acted upon the very provision and the House has acted upon it; consequently, we thought that our duty was plain and we had to grant the rule.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Mississippi.

Mr. COLMER. With reference to the charges that have been made of sharp practices on the part of the Rules Committee, I want to ask the distinguished chairman of the Rules Committee if this is not what happened: A meeting of that committee was called. The chairman of the committee, the ranking member of the committee, and the majority leader appeared before the Rules Committee asking for this rule, but nobody appeared in opposition to it?

Mr. SABATH. I think that statement is true.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I am sorry I cannot yield any more.

Mr. WHITE. Mr. Speaker, we do not get any time. The way this is handled by the chairman of the Rules Committee and the leader of the House, we are all kept from talking or giving any facts. Let us have a little time here. Let us get a little fairer statement.

Mr. SABATH. Mr. Speaker, I now yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Speaker, there is little, if any, opposition to the adoption of the rule on this side of the aisle. I have not any requests for time. I reserve the balance of my time.

The SPEAKER. The question is on the resolution.

Mr. WHITE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WHITE. Mr. Speaker, this is one of the most peculiar parliamentary situations that has come up in my experience of 12 years in this House. We have got a rule here in reference to one provision in the bill. If this proposed rule is voted down, can we proceed with the bill in regular order?

Is this rule in any way necessary to pass this bill?

The SPEAKER. That is hardly a parliamentary inquiry. Of course, the House can vote down the rule if it desires, and then this part of the bill will probably not be in order.

Mr. WHITE. A further parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WHITE. In the event that this rule is voted down, does that in any way interfere with the orderly consideration of the appropriation bill on the floor of this House?

The SPEAKER. Not the remainder of the bill; no.

Mr. WHITE. Then this rule is in no wise necessary for the consideration of this bill in the regular order.

The SPEAKER. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. ROBINSON of Utah) there were—ayes 59, noes 35.

So the resolution was agreed to.

URGENT DEFICIENCY APPROPRIATION ACT, 1946

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5458) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on this bill be limited to 2 hours, the time to be equally divided and controlled by the gentleman from New York [Mr. TABER] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 5458, with Mr. HARRIS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CANNON of Missouri. Mr. Chairman, this is a small bill, but a very important one. Time is of the essence in the consideration of this measure. It should be disposed of promptly.

The bill relates to only four items. One is an item for the House of Representatives, the usual provision for a year's pay for the wife of a deceased Member. The remainder of the bill is distributed among three governmental agencies in process of liquidation.

While this bill is in the form of an appropriation bill, in a sense it is not actually an appropriation measure. It simply provides for the restoration of money previously rescinded on the assumption that the activities of the agencies involved would be dispensed with or by this time be so contracted that the amount of money we took from their appropriation would not be required. However, due to unexpected changes in the economic situation—changes which at the time the rescission was made could not have been, and were not, foreseen—a portion of the money we took from them is now required for their continued operation.

I doubt whether there has been any period in recent times in which the Congress and the country were so mistaken in their assumptions. Even late last year it was assumed that by this time we would be in the midst of a great wave of

unemployment, that armies of men would be walking the streets and hitchhiking on the highways looking for jobs. It was presumed at that time, and practically all economists agreed, that there would be a plethora of agricultural products, that there would be a vast surplus of wheat, cotton, and meat. It was presumed at that time that before this period had been reached reconversion would be in full swing, and that an ample supply of all manufactured products would be available upon the shelves of merchants and other distributing agents.

None of these expectations has been realized. Today employers are frantically advertising for labor. Almost any man can get a job almost anywhere. There is no unemployment. Instead of a surplus of agricultural products, we discover that we have not enough to feed ourselves on the scale which was anticipated, much less feed a large part of the rest of the world, a task which we find devolving upon us as the only remaining nation in the world capable of preventing widespread starvation throughout Europe and other sections of the globe. The ample supply of manufactured commodities which was anticipated has not materialized. Labor-management difficulties have interfered with the reconversion program, and none of the conditions which were so confidently foreseen and predicted by the Nation's economists and executives a few months ago have materialized. The result is that these three agencies, especially, instead of reducing or discontinuing their functions, find that their activities must be continued and in many respects amplified.

So it is necessary for us to go back and reconsider their appropriation needs. We took out of the appropriations for these agencies at that time a total in round figures of $39,000,000. We now propose in this bill to restore approximately $3,500,000 of the $39,000,000 previously rescinded.

The first of these agencies taken up in the bill is the Civilian Production Administration. As you will recall, the Civilian Production Administration took over the activities of the old War Production Board. It deals with the disposition of every commodity, and especially, at this time, housing items, lumber, steel, and building materials, of which the whole country is so desperately in need. It has already relaxed many of its restrictions, but due to the change in the economic situation and delay in the reconversion program, it is necessary now to continue many of its activities and resume some of those discontinued to insure an adequate supply of materials and facilitate their distribution. So, out of the $10,000,000 we took away from them under the assumption that their activities could shortly be dispensed with, we here provide for the return of $1,500,000. I think no one will question the importance of continuing these essential activities until war conditions are more fully alleviated and the reconversion program is further advanced.

The second item carried in the bill is a provision for the Office of Defense Transportation. There is wide agreement that no war agency has been more efficiently and effectively managed than the Office of Defense Transportation. Against seemingly insurmountable obstacles, this activity carried on. It kept the roads open. It provided rolling stock. It kept the trains moving. It regulated the flow of shipping and maintained highway traffic. It rendered during the crucial days of the war, when a breakdown in transportation would have been catastrophic, a service which stands out as one of the great accomplishments of the war. We expected that by this time the agency would be approaching liquidation. It was scheduled for discontinuance by the end of the fiscal year. Proceeding on that assumption, we took out of the appropriation, on the premise that it would not be needed, the substantial sum of $3,075,000.

It now develops there is an unexpected and urgent shortage of all character of rolling stock, but especially boxcars and refrigerator cars, and to such an extent that it has become critical just at a time when needed commodities must be moved rapidly and delivered promptly. So the committee recommends to the House that out of the $3,075,000, taken out of the appropriation in anticipation of liquidation of the agency, the sum of $159,000, a comparatively small amount be returned to them for the continuation of their service during the remainder of the current fiscal year.

Lastly, the Office of Price Administration is further provided for. The OPA has rendered indispensable service during the war. It has prevented inflation. It has kept down the cost of living which threatened every day to advance to proportions which would have been disastrous to our wartime economy. The OPA, operating throughout the war, has kept down prices, services, rents, and the cost of living so that the economic structure of the United States has not been subject to excessive stress and disintegration, although in many countries throughout the world inflation has proceeded to a point where it has paralyzed and demoralized the entire economic structure in the latter years of the war and the early months of reconversion.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Arizona.

Mr. MURDOCK. I did not hear all the gentleman's statement. Does this bill before us have a deficiency appropriation for OPA?

Mr. CANNON of Missouri. Yes. It is in the form of a deficiency appropriation. As a matter of fact, it returns to the several agencies a part of the money originally appropriated for them but which we took away from them under the assumption that their functions would be so largely curtailed that the amounts rescissioned would not be needed. We now discover that reconversion has been retarded and that supplies of goods which were expected have not been produced and are not available to the consumer, the scarcity of which would result in a tremendous rise in prices which would influence not only the price of the articles immediately affected but would start a wave of inflation that would affect every item in the cost of living. With this in view, out of the $25,929,000 which we took from OPA in the last rescission bill, we here propose to return, in the form of a deficiency appropriation, $1,854,000.

Mr. MURDOCK. Will the gentleman yield further?

Mr. CANNON of Missouri. I am glad to yield further to the gentleman from Arizona.

Mr. MURDOCK. On two or three different occasions in the recent past I have complimented the gentleman for bringing in these several rescission bills so that we might save the American taxpayers' money. I think the Appropriations Committee has done well to attempt to take back any money already appropriated but not further needed for the real war effort. The gentleman as chairman has heard me on two or three other occasions in committees say, "Do not cut too deeply; do not cut back too much, because you may hamper work that should be continued, work that is really war work." I am glad the gentleman is doing just exactly that for OPA. Without my knowing fully whether the amount taken back was too much and the amount now reappropriated is sufficient or not, I think the general policy is certainly wise, and I commend the gentleman.

Mr. CANNON of Missouri. I am glad to have the gentleman approve the action of the committee in both instances, both in its original rescissions and in its return of money now required.

The House must understand that the Committee on Appropriations is now operating under an entirely different policy from that under which it operated during the war. During the war, when the maintenance of armies abroad and the achievement of victory itself hung in the balance, we could not afford to be too discriminating. Always, when there was uncertainty, we resolved that uncertainty in favor of liberality. Always, during the war, when it was a matter of supporting the men in the field, if we had to make a mistake we made the mistake of giving them too much rather than too little. We erred, if at all, on the side of prodigality.

But now that the war is over and we are faced with the problems of reconversion, with a debt such as no country ever shouldered before, we have revised our policy. Our policy now is, in case of doubt, resolve the doubt in favor of economy. When we bring in these rescission bills always if there is any uncertainty we cut too deeply rather than not deeply enough. That was the policy we pursued and on which the gentleman from Arizona has just commented. It now develops that in some instances we cut a little too deeply; but always we had the recourse of coming back to the House as we are doing today after learning what the true picture is from actual observation and experience. We know now exactly the amount needed and we have provided the minimum amount needed to continue the indispensable activities of these agencies which have contributed so successfully to the winning of the war and are now contributing so materially to the solution of the problems of reconversion.

So, out of the $25,929,000 we originally took away from OPA, on the theory that money would not be needed, we are now putting back the much smaller sum of $1,854,000 to continue needed activities in stabilizing the cost of living and the prevention of inflation.

The OPA has followed during the year a drastic policy of reduction. It has in this fiscal year cut its personnel practically 50 percent. It began the fiscal year with a pay roll in excess of 63,000 employees. This has been cut down so rapidly that today they have a little over 32,000 employees. We have reduced it almost 50 percent. Certain of its activities must be continued, activities which if relaxed for a minute would skyrocket the price of food, the price of clothing and rents, the cost of living throughout the country, and start a wave of inflation that would engulf the Nation. It would be difficult to estimate the disastrous effects which would accrue from even the partial release of basic controls now exercised by OPA. To avoid this situation we propose to restore to this agency $1,854,000.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. The OPA is asking for a restoration of a part of the funds taken from it in the rescission bill.

Mr. CANNON of Missouri. That is correct. We took $25,929,000 from their funds but now that they have come in and justified the return of a comparatively small portion of it we are giving $1,854,000 of it back to them. It is in effect a restoration of that amount, but we present it as an additional appropriation.

Mr. SMITH of Ohio. I am talking about the 1947 appropriations.

Mr. CANNON of Missouri. This does not affect the 1947 appropriations. This merely gives them sufficient additional funds to enable them to operate during the balance of the fiscal year 1946.

Mr. SMITH of Ohio. I understand OPA is carrying on a propaganda campaign to have part of that restored, and I just wondered whether the gentleman knew anything about the likelihood of OPA making a request that that be done.

Mr. CANNON of Missouri. I am not familiar with any OPA propaganda. The only basis on which the committee proceeded was the evidence actually submitted in the hearings. After hearing the testimony it was the opinion of the committee that we should return this amount of money. It was the sense of the committee that this money should be returned in order that they might continue their operations the remainder of the fiscal year.

If conditions had turned out as anticipated, and as everybody believed, we would have been able by this time to relax most of these regulations. As a matter of fact, the OPA has already released many of its restrictions. Many of those irksome regulations have been lifted. But under the changed conditions in which the country finds itself; in the face of a scarcity of goods, coincident with heavy deposits in the banks of the country; with an unprecedented surplus of money at hand, if we should at this time remove or relax restrictions, the immediate result would be a tremendous upsurge of inflation and if the situation should once get out of control we could never expect to get it back. So this is the critical time; and this is a critical problem of the reconversion period.

In bringing in this report the committee feels that if we are to act and act in time to stabilize prices, services, rents, and the cost of living, this amount at least must be provided. In the opinion of the committee this is the minimum amount required to maintain economic equilibrium.

Mr. SMITH of Ohio. Is this all the OPA asked for?

Mr. CANNON of Missouri. I do not recall the amount that they asked the Budget Bureau for, but after we had sifted the evidence, we felt they ought to be able to get along with a minimum of $1,854,000 for the remainder of the fiscal year. As the gentleman knows, it is not the habit of the Committee on Appropriations to grant the full amount requested by any of these Government agencies unless it is fully justified. We explore every alternative and frequently find they should be able to get along on less money. And where we think they can get along on less money we cut them down to what we think is the minimum they should have.

Mr. SMITH of Ohio. The reason I bring the point up is if they can get along with this amount, then it certainly seems they will have no good ground for asking for more for the year 1947.

Mr. CANNON of Missouri. The testimony before the committee indicated that they planned to release restrictions, liquidate activities, and discontinue all OPA controls in the coming fiscal year. The desire of the committee, the Congress, and the country, is to get away from these wartime restrictions just as quickly as we can. We do not expect to continue the OPA; we do not expect to continue any of these wartime agencies one day beyond the time they can be dispensed with, and we do not expect to provide them with a single dollar beyond the necessary funds required for their work. So, in the coming fiscal year we hope completely to dissolve all wartime restrictions. The OPA has already liquidated half or more than half of its forces. It has discontinued a great number of restrictions and has vacated many fields of activity. We are getting down as rapidly as we can to a peacetime status and it is our hope and expectation that large appropriations will not be necessary in the fiscal year 1947 for any of these wartime agencies.

Now, Mr. Chairman, may I turn to an item not reported in the bill. Since the bill was reported to the whole committee a need for further funds by the Rural Electrification Administration has developed. The committee has held hearings on an estimate received from the Bureau of the Budget for the Rural Electrification Administration. In response to needs which had not previously developed but which the committee now recognizes, I shall, when the bill is read for amendment under the 5-minute rule, submit by direction of the subcommittee having jurisdiction, an amendment to provide further funds for REA.

As heretofore indicated, these items in the bill as presented pertain to matters which affect immediately and directly the policies of reconstruction and the liquidation of the war agencies. They are urgent. We have had many estimates from the Bureau of the Budget on other items for other departments of the Government, but we present here today only those items we consider so urgent that they should have immediate action, and the House should at this time pass upon them one way or the other. In passing upon this bill we are passing upon policies of far-reaching importance which will either expedite or retard the transition from a war economy to a peacetime economy.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Kansas.

Mr. REES of Kansas. Does not the gentleman think that $1,854,000 of additional funds is quite an amount to allow OPA to just carry on? Does not the gentleman think that is a little excessive?

Mr. CANNON of Missouri. I fully agree with the gentleman that it is a large amount, and we had not anticipated such an appropriation, but conditions have developed under which it has become necessary to spend this amount in order to maintain restrictions which we had hoped could be dispensed with. After going over in detail all the evidence submitted, the committee decided that this was the smallest amount with which the job could be handled acceptably at this time. If we had thought it could be done for a dollar less, we would have recommended $1,853,999 instead of $1,854,000.

I now yield to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, this bill does not call for an enormous sum of money. The total involved is something in the neighborhood of three and one-half millon dollars. One of the major items is the Office of Civilian Production. I can see where a very considerable additional activity, temporarily and for a few months after the severe strike situation that the country is facing, will be placed upon that Administration, because there probably will have to be for a little while allocations of some of the critical materials. We probably could not break away from that immediately.

The Office of Defense Transportation has had a very large burden placed upon it as the result of the shipment of goods to the Atlantic seaboard for shipment to Europe in connection with relief operations. Those operations have been so much larger than anyone anticipated that requirements for all sorts of things like refrigerator cars have pyramided to such an extent that shortages have resulted. I presume they may have some additional activities which should be given consideration.

When it comes to the OPA, I am going to be perfectly frank with you and I am going to tell you just what I think about it. I think the OPA is at the present time the chief promoter of inflation in America. They have promoted shortages by their ridiculous regulations and the penalties they have imposed upon those who would produce. They have allowed higher prices for articles designed to be exported than they have for those for domestic consumption. While they state that that is only the normal differential that is usually incident to the extra expense of handling accounts, many of the people in the industries do not bear that out.

This request for additional funds for the OPA comes about in this way, and I am going to give you the detail of it because I think the Congress should have the detail of it. For their Office of Information—and that means the office of propaganda, and that office of propaganda is being used not for the purposes of enforcement but for the purpose of procuring continuation of the OPA statute, and very largely misrepresenting what the OPA is doing and has accomplished—they want 53 more people than their schedule they brought to us before called for, 53 additional people involving $35,969, besides an enormous expense for other items than personal services.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Kansas.

Mr. REES of Kansas. In explaining the need for this expenditure before the gentleman's committee, what did they allege these 53 individuals are expected to do? What are their duties with respect to the problem of running the Office of Price Administration? How can they help the country?

Mr. TABER. They claim that these people are being used for supplying information to the public. As a matter of fact, they are being used almost entirely for propaganda purposes.

Mr. REES of Kansas. To build up the OPA organization?

Mr. TABER. To build up the OPA and its activities.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. As a matter of fact, they are just a small portion of the army of 46,000 propaganda experts we now have on the Federal pay roll at the expense of the people.

Mr. TABER. That is correct. On top of the 53 they are asking, they would have according to their original schedule 434 propaganda artists.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. REES of Kansas. Could we not save a little money there and cut that 434 down by probably 50 percent and do just as well?

Mr. TABER. I would think the OPA would be in better odor today with a lot of people if their propaganda machine were wiped out. I think it has been a menace to the OPA and its administration throughout.

Mr. REES of Kansas. I am inclined to agree with the gentleman.

Mr. ROBERTSON of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. ROBERTSON of North Dakota. Would the gentleman care to express himself on the question of lumber and the export of lumber at this particular moment?

Mr. TABER. The price of lumber generally is $2 a thousand more for export than it is for the domestic market. They attempted to justify that because of normal differentials in those operations. Frankly, I think that that figure greatly exaggerates the additional cost of export handling. I think it makes it much easier for lumber producers in a scarce market to sell for export than for the domestic market.

Mr. ROBERTSON of North Dakota. The same thing would apply to nylon hosiery, would it not?

Mr. TABER. They seemed to have exported a very considerable item of that. We asked them about that and there seems to be a report which they had that the volume of exports was not very large. Frankly, I have not been able to obtain statistics of my own to go into that question intelligently.

Mr. ROBERTSON of North Dakota. I thank the gentleman.

Mr. SMITH of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. SMITH of Wisconsin. Does the gentleman know how much of this money is being used to influence Federal legislation by way of propaganda?

Mr. TABER. Their appropriation for that item was set up and allocated for the fiscal year 1946 at $1,826,326. I think that is the correct figure. They want here an additional $35,969 for that purpose.

Mr. SMITH of Wisconsin. It is a fact they are actually engaged in a great propaganda campaign to influence legislation at this time.

Mr. TABER. I think that is correct.

Mr. JENKINS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Ohio.

Mr. JENKINS. Is it not true that it is against the laws and statutes of the United States to use Federal money to influence legislation through propaganda?

Mr. TABER. That is correct.

Mr. JENKINS. May I call the gentleman's attention to this matter? I have been thinking of introducing a bill to prevent any Government agency from using any Government money for the purposes of propaganda. I have had a little difficulty in getting the figures which would justify me in making a rounded statement on the matter at this time. But I think there is absolutely no question about the genleman's position that literally millions of dollars are spent for that purpose. I will cite an outstanding example as proof of that.

For instance, they took Benton and Bowles out of a great advertising firm, and they put Bowles at the head of the Food Administration. Nobody claims he knew anything about food or prices. They took Benton and put him in the office of Secretary of State. He is supposed to do nothing in the world but propagandize. I have often thought, of all the departments, why would the State Department need a propagandizer? There is a department of Government that has been more or less secretive. It has been a department that should do everything else but propagandize. But that is what he is there for. He does not know anything about diplomacy. He and Bowles are two of the most artful advertisers in the Nation.

Mr. TABER. If the gentleman would like to have that developed a little, I would ask the gentleman how he would like to be ambassador to some foreign country and have somebody else with Mr. Benton's background and experience in foreign affairs broadcasting into that country that he was supposed to serve and deal with, without any control by him? How would he like that position?

Mr. JENKINS. I would not have it at all. I think it is inconsistent with the duties and prerogatives of that great Department. I do not see why it is necessary. Indeed, I think it is going to cause trouble. It is bound to do so. Here is the position I take: I think for the Government to propagandize is absolutely wrong, because propaganda is not an attribute nor an incident of sovereignty. A government is sovereign. A government ought not to put out anything except the truth, and the truth does not need any propaganda. It is absolutely wrong.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. SMITH of Ohio. Why not put a restriction in the bill providing that none of these funds shall be used by OPA for propaganda purposes or to influence legislation policies?

Mr. JENKINS. I understand that the law provides now that it is a crime to use money for propaganda purposes, but how are you going to tell whether it is propagandizing or what it is? They can disguise it so as to make it difficult to stop it. And, again, you cannot expect to have it done by persons who are not in favor of doing it.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TABER. Mr. Chairman, I yield myself 10 additional minutes.

The next item where they want an increase is 155 for their accounting set-up. That would bring them up above where they are now. It would cost $106,000, and it would bring them back to the strength they had at the first of the year. They claim they must have that to go into the accounts of all business in figuring out what prices they can give them. Frankly, I do not believe they need it.

The next item is an increase proposed of 1,585 for enforcement, on top of a present figure of about 5,200, and they want to build it up to a figure of 5,964. That would cost $858,000.

The next item is a proposed increase in their pricing outfit. There they want an increase of 538. I have had some experience with that organization. They have closed plants in my territory because they would not give them an ad-

vance in price commensurate with the increased wages which the plants had to pay. I have known of cases when after all the information had been submitted to them that they wanted, and after they had made up their minds as to what they were going to do, they would wait 3, 4, and 5 months to make a decision. That has stifled production. They have had too many units involved in the thing and there has been too much monkey work. They have failed to make decisions because of their bureaucracy and the monkey work. That has resulted in their becoming the chief promoters of inflation and the chief throttlers of production here in America.

They have plenty of help to do the job if they only wanted to do it, but they will not meet their responsibilities. If you give them more help, it will not result in their doing the job. On top of that they want 550 more in their rent set-up; they want to build that up to 5,038. It was 4,402 at the beginning of the period. Frankly, it seems to me they have gone far enough with their build-up and that they should not be allowed to make that kind of build-up. I hope when that item is reached an amendment will be adopted that will change the picture and prevent these people from putting on more help than they need.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. I call attention to the fact that if this request is allowed in full the agency not only will slow down its contemplated reduction but will put 366 more people on the rolls than it had on July 1, 1945.

Mr. TABER. That is correct, and that is one of the worst things about the picture.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. SMITH of Ohio. Does the gentleman from New York see any reason why the OPA should increase its personnel?

Mr. TABER. I do not at this time. I want to see price control operated right. I frankly feel that I must say one thing more.

I have been astounded by the suggestion that Paul Porter be made the head of that organization. It has been broadcast in the newspapers. He was head of the rent outfit when the thing first started, and he made a mess of that. That was covered thoroughly in the report of the Smith Committee to this House after they had investigated it thoroughly. I would hate to see somebody placed in that office where the control would be purely and totally political.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Kansas.

Mr. REES of Kansas. At the beginning of the gentleman's discussion something was said about the price of lumber sold abroad.

Mr. TABER. Yes.

Mr. REES of Kansas. As I understood the gentleman, those exporters of lumber get more money for it than they do if the lumber is sold in this country. Is that the gentleman's understanding also?

Mr. TABER. They get $2 per thousand more, or about that. That figure may not be exactly right but it is for all practical purposes—something like $2 per thousand more for lumber abroad on the ground that the extra $2 is to cover the added expense of handling foreign accounts.

Mr. REES of Kansas. Naturally, if the foreign market were higher than the domestic market the lumbermen would want to sell it abroad, would they not?

Mr. TABER. They would unless the extra expense of handling is over $2.

Mr. REES of Kansas. One thing more, and I am not sure the gentleman can answer the question. There has been considerable complaint and publicity recently about the alleged shipment of something like 250,000,000 feet of lumber out of the country during the month of January. Does the gentleman have any knowledge or information in reference to that?

Mr. TABER. Two hundred and fifty million feet?

Mr. REES of Kansas. That is right. That has been shipped out of this country during the month of January.

Mr. TABER. I cannot answer that. I know there have been very considerable foreign shipments, but I have no figures on them.

Mr. REES of Kansas. I cannot understand why our administration would follow the policy of permitting a tremendous amount of lumber being exported from this country when we are in such dire need of it for the building of homes in our own country. It seems to me it is a thing, if it is going on, that should be looked into and stopped.

Mr. TABER. I have not been able to go into that question fully enough to know how much has been shipped or how much should fairly be shipped considering our obligations to take care of the distress across the water. Frankly, I feel that we should try, in so far as we can and without too much damage to ourselves, to meet our fair obligations; on the other hand, we should protect the interests of the people of the United States.

Mr. REES of Kansas. I think that is a fair statement. We should, as far as we can, share with foreign countries.

Mr. TABER. I do not know enough about that picture to be able to make an intelligent statement on whether we have been overdoing it or not. I would not know what the production was, I would not know what was available, and I would not know the types that have been shipped.

Mr. REES of Kansas. I thank the gentleman.

Mr. JENKINS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Ohio.

Mr. JENKINS. Along that same line, but not dealing with lumber, may I say that this morning I received a letter from a company in my district. It is quite an organization too. They do a lot of business. The head of that organization said he had been all through the East trying to buy a certain commodity, but he could not buy it. He knew of some other companies, much larger than his company, that could not buy the commodity either. He asked me to find out about it. So I called up one of the Departments here in Washington, and I found that in some conference somewhere someone had bound the production in the United States under a quota. Under this quota system a large portion of the production of that commodity had been exported. There was not enough retained to supply our demand. There is none to be had now. This man from my district says he can buy the commodity from one of his own subsidiaries in Canada. The article goes from the United States to Canada to one of these subsidiaries, but he cannot buy it here.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TABER. Mr. Chairman, I yield myself five additional minutes.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I am told that there is a great deal of lumber in Germany. I do not see why that lumber cannot be used to assist the distress over in Europe and keep our own lumber in this country where it is needed by so many different industries. I am constantly receiving requests and justified complaints that too much lumber is going abroad. That lumber over there could be used in those countries, which would obviate the necessity of sending it abroad.

Mr. CLASON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Massachusetts.

Mr. CLASON. I notice from a prepared speech by the gentleman from Ohio [Mr. McGREGOR] it is stated that during the year 1945 the Foreign Trade Division of the Bureau of the Census has announced that the exports of lumber were 423,000,000 during the year 1945, but that during the first 3 months of 1946 they planned to export 225,000,000 feet of this lumber, which would be substantially a 50-percent increase per month for January, February, and March over the 49,000,000 feet exported in December, which was the largest number of feet of lumber exported in any month during 1945. I would like to know if the gentleman knows any reason why at a time when our veterans and our people are facing the greatest and most critical scarcity of housing in history it is necessary for us to ship this lumber abroad on an increased basis?

Mr. TABER. I would think that it was, but frankly I do not know the types of lumber shipped. I do not know the amount of production or anything of that character, so I would not be able to form a real intelligent judgment on what the practice should be. I know that the shortage of lumber at this time in my territory is much worse than it was during the critical stages of the war, and I know that it is impossible for farmers to even get material to fix their barn roofs and things of that sort.

Mr. CLASON. The gentleman referred to the farmers. That raises another question. A few years ago the Department of Agriculture thought up the wise idea of killing the young pigs and other livestock and poultry throughout the country on some theory of scarcity. Today in New England we are told that the OPA, by its manipulation of ceiling prices, is determining the distribution of feed products which would be available for poultry and dairy stock. They are so manipulating it that it is likely that at least 25 percent of our dairy herds will be slaughtered within the next few days or weeks, and that the poultry production will be cut substantially. I am wondering if the gentleman is in a position to tell us whether the OPA could not handle its powers on a basis which would be more fair to the farmers of our country.

Mr. TABER. I have criticized the OPA here, but I feel that I must put the blame for that operation where it belongs. That operation is being handled by the Department of Agriculture.

Mr. CLASON. And they are using the OPA for that purpose?

Mr. TABER. They are using the Price Control and Stabilization Act and the rationing proposition as a means of handling it.

Mr. HENRY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Wisconsin.

Mr. HENRY. Does not the distinguished gentleman from New York believe that we should take care of our own desperate needs in this country before we permit a substantial exportation of lumber?

Mr. TABER. I think it should be fairly allocated as between the domestic demand and the foreign demand, and I think that before we can pass on it we ought to know something about it. Frankly, I do not know as much as I would like to know to pass on it from a legislative standpoint. I know it is a very serious situation and I know that our own people are in a critical condition on account of the lumber situation.

Mr. HENRY. The gentleman also knows that we have heard a great deal about one-third of our population being ill-housed, ill-fed, and ill-clothed. Does he not agree that charity should begin at home?

Mr. TABER. We should at least do something for the home folks.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY of Wisconsin. Mr. Chairman, we are drifting along to the end of February. In December, President Truman set fire under all the Members of Congress in a fireside chat. I did not think at the time that he was talking to me. I was and am sure he does not need to set any fires under me. I would like to get a little of that fire and put it under some of the committees, and administration leaders here in Washington. We have been waiting day after day and week after week to see the price and subsidy question brought before the committee. We see frustration supplanting the confusion. Many people in the administration do not seem to know what direction they are going, as is evidenced by the statements of our distinguished Secretary of Agriculture. One day he is against subsidies. The next day he is for them because the people have so much money in their pockets they do not know what to do with it. The Republicans have had a food-study committee. They at least did bring out some things to show exactly the road we are going and what we would have to do if we expected to eat in this country, but I guess our majority did not want to be outdone, so they had a special committee of their own set up. Now they are trying to find it out. Until we find out what is to be done about prices and subsidies there isn't any use of appropriating more money to any agency.

We have seen this happen. The President after VJ-day told labor: "The straitjacket is off; go out and get all the increase you can; we recommend it." He threw the WLB out the window. High men in the administration said to get 10, 15, or 20 percent. They went out and did it. They just did what the President asked them to do. That is the reason why I do not feel they should be criticized very much for doing it, because I believe that if he had told the wheat farmers of this country that they never had had parity during the war and that they ought to have $2 a bushel for their wheat instead of a dollar and a half, the wheat farmers of this country would have been willing to take the $2. Especially if they had seen rye, with less food value, selling for over $2 per bushel. Until these prices and subsidy questions are settled we can appoint all the fact-finding committees we want, but we are going to end up just exactly where we started. With all due respect to Lloyd K. Garrison, of the great University of Wisconsin and the great State of Wisconsin, and to Mr. Witte, of Wisconsin, who is on the packing-house panel, I must say they are not smart enough, nor are any men in any university in this country smart enough, to bring in a recommendation of any value until they know what the price, the cost of living, is going to be, and what we are going to do on subsidies. This question of 2, 3, 4, 5, or 6 cents an hour is more than offset by the price and subsidy question.

I am not an alarmist, and I have never told anyone any time that they were going to go hungry. However, I do not care to vote for any more money for the OPA and thus increase the dangers of starvation. Remember Chester Bowles is right on the necks of the farm people of this country. "Oh, we will hold you down on your hourly return per hour." Chester Bowles and the other agencies are there to keep businessmen from making a profit. So I just say here today, before I vote any more money for OPA, I do not want to be a party contributing to any more of the confusion and the frustration that is apparent in every single piece of legislation that is brought here on the floor of this House.

Mr. HENRY. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from Wisconsin.

Mr. HENRY. I take it the gentleman feels that they are putting the cart before the horse in handling this price-wage situation.

Mr. MURRAY of Wisconsin. Yes; I think they have put the cart before the horse, or before the mule, whichever it may happen to be in this particular case. Until some decision is made on price control and on subsidies we will continue to run around in circles.

Mr. TABER. Mr. Chairman, I yield 2 minutes to the gentleman from North Dakota [Mr. ROBERTSON].

Mr. ROBERTSON of North Dakota. Mr. Chairman, due to the fact that I find it necessary to go downtown with some Senators from potato-producing States to meet with the Secretary of Agriculture, I probably will not be on the floor when the vote is taken on this bill. I understand the gentleman from Missouri [Mr. CANNON] will offer an amendment adding $100,000,000 for rural electrification. I should like to make my position clear on that particular item. If I am on the floor when that provision is voted on, I shall vote for it as I am strongly in favor of it. I hope to be back before the vote is taken. Also, I follow my friend from Wisconsin in strongly disapproving any additional funds for the Office of Price Administration.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Chairman, on yesterday I had considerable to say on the floor of this House relative to the Wyatt plan for getting homes built for veterans. I honestly believe the Wyatt plan would work the exact opposite, for the simple reason that we never will get production in the lumber manufacturing industry until we make it possible for the lumber mills to produce lumber without going bankrupt.

I direct your attention to my remarks on page 1282 of the CONGRESSIONAL RECORD of yesterday, February 13. I also inserted a number of letters and articles from lumber magazines and from other people in the know, to substantiate the position I take relative to the present underproduction of lumber and building materials and the causes thereof. The facts of the matter are that we could get lumber production in great quantities within a very short time if the OPA would permit certain items to be raised to a price that would encourage the mills to produce to capacity. Hundreds of little mills and big mills have already closed throughout the country. So I say again that if Mr. Bowles and Mr. Wyatt want production, which seems debatable, and want these veterans to have homes, there is just one way to get them, and that is to adjust these prices. Mr. Wyatt is asking that we appropriate money from an already bankrupt Treasury to the tune of $850,000,000 to subsidize the building of these homes. Mind you, the veteran is not going to get these homes or that money. They say it is going to be used to encourage the people who are

in the production end of the business. Because of that, and because of the facts I have endeavored to point out in my remarks of yesterday and today, I certainly cannot and will not vote for more money to help bungle this thing up worse than it is now. If we give the OPA this $1,854,000 they ask for here, it will simply mean that the Congress is giving the green light in this bungling mess which will make conditions worse than they are today, if this is possible. About all they do is go around the country and abuse good American people. And who are the fellows who are doing it—fellows who do not know a thing about the business they ride herd on with spurs.

Mr. Chairman, I understand an amendment will be offered to cut out this item of $1,854,000 for OPA which I certainly shall support. This additional money is requested to put more OPA snoopers on the taxpayers' backs and to abuse more good Americans. Not with my vote.

Mr. CANNON of Missouri. Mr. Chairman, I ask that the Clerk read the bill.

Mr. TABER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-three Members are present; not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 22]

Adams	Flood	Outland
Anderson, Calif.	Fuller	Pace
Andresen, August H.	Gamble	Patterson
Arnold	Gathings	Peterson, Fla.
Barden	Gavin	Pfeifer
Bates, Mass.	Gearhart	Philbin
Bender	Goodwin	Ploeser
Bennett, Mo.	Gore	Powell
Bennett, N. Y.	Gorski	Quinn, N. Y.
Bland	Grant, Ind.	Ramey
Bolton	Gross	Rayfiel
Bonner	Hall, Leonard W.	Reece, Tenn.
Boren	Halleck	Reed, N. Y.
Bradley, Mich.	Harness, Ind.	Rich
Bradley, Pa.	Harness	Rizley
Buckley	Hartley	Robertson, N. Dak.
Burgin	Hébert	Roe, N. Y.
Butler	Hedrick	Rogers, N. Y.
Byrne, N. Y.	Heffernan	Rowan
Byrnes, Wis.	Hendricks	Sadowski
Campbell	Herter	Schwabe, Mo.
Cannon, Fla.	Hoffman	Shafer
Carnahan	Holmes, Mass.	Sharp
Celler	Hook	Sheridan
Chenoweth	Huber	Short
Clark	Johnson, Ill.	Sikes
Clements	Judd	Smith, Va.
Clevenger	Keefe	Snyder
Coffee	Kelley, Pa.	Stigler
Cole, N. Y.	Kelly, Ill.	Sumners, Tex.
Courtney	Kerr	Talbot
Crawford	Kilburn	Taylor
Crosser	Kopplemann	Thom
Curley	Kunkel	Thomas, Tex.
Dawson	LaFollette	Tolan
De Lacy	Lane	Torrens
Delaney, James J.	Lea	Towe
Dingell	Lesinski	Wadsworth
Dondero	Luce	Walter
Doughton, N. C.	Lynch	Wasielewski
Douglas, Calif.	McCowen	West
Eaton	McKenzie	White
Eberharter	Marcantonio	Wilson
Ellsworth	May	Winter
Elsaesser	Merrow	Wolcott
Fellows	Monroney	Worley
Fisher	Murphy	
	Norton	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HARRIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 5458) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for other purposes, and finding itself without a quorum, he had directed the roll to be called, when 289 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The SPEAKER. The Committee will resume its sitting.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

For payment to the widow of Joe W. Ervin, late a Representative from the State of North Carolina, $10,000.

Mr. WIGGLESWORTH. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. WIGGLESWORTH: On page 2, after line 4, insert a new paragraph as follows:

"Contested-election expenses: For payment to GEORGE A. DONDERO, contestee, for expenses incurred in the contested-election case of Hicks versus Dondero, as audited and recommended by the Committee on Elections, number 3, $1,000 to be disbursed by the Clerk of the House."

Mr. WIGGLESWORTH. Mr. Chairman, this is simply a routine amendment to take care of a contested-election expense which has been duly certified as due by the Committee on Elections No. 3. I have talked to the chairman of the committee and I understand there is no objection to the amendment.

Mr. CANNON of Missouri. Mr. Chairman, the committee has no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

The Clerk read as follows:

OFFICE OF PRICE ADMINISTRATION

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses," including the objects specified under this head in the Second Deficiency Appropriation Act, 1946, $1,854,000.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read, as follows:

Amendment offered by Mr. TABER: On page 2, line 20, strike out all of lines 20 to 24 inclusive.

Mr. TABER. Mr. Chairman, I am offering this amendment to strike out the proposed increase for the Office of Price Administration. I do not believe they need it. I do not believe they would have any trouble in getting along on the $148,571,000 that has been made available to them in previous appropriations with a large portion of it still available at this time. This is a request for $1,854,000 and involves additional help for their propaganda division of 53, making a total of 487 in that set-up; additional help in their accounting set-up of 155; in their enforcement set-up of 1,585; in their price set-up of 558; and in their rent set-up of 550. I believe they have plenty of help if they would do their job in a regular way and in a businesslike way do what they have to do. I do not want to hamper them, but when I find they take cases and after they have decided them and they have been through about 10 or 12 bureaus and after they have made up their minds what they want to do about them, they hold up the proceedings for 3 and 4 months, then I am satisfied they are wasting much of their help and wasting a lot of their time, and we ought not give them more money. I hope this amendment will be adopted and that we will not permit them to go on in the same way they have been going on, really promoting inflation by their failure to operate promptly and decisively and put people to work in production.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. REES of Kansas. Do I understand we have already appropriated something over $148,000,000 for OPA?

Mr. TABER. $148,575,000.

Mr. REES of Kansas. And they are asking today for a million and a half more?

Mr. TABER. $1,854,000, almost two million more.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CANNON of Missouri. Mr. Chairman, I wonder if we can arrive at some agreement on time for debate on this amendment.

I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ROE of Maryland. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York.

Mr. Chairman, during the recent World War II, America was beset by two foes—Germany on the east, and Japan on the west. Now that peace has come, we are still beset by two foes—the CIO, with its communistic tie-up, doing all in its power to destroy our form of government and create economic chaos by senseless strikes on the one hand, and bedeviled by the OPA and its impractical, impossible of understanding rules, regulations and restrictions, on the other hand.

I am past middle life and have been pretty observant. I have seen our beloved country go through many panics. All these panics were caused by overexpansion, overproduction, underconsumption, lack of demand, and lack of buying power. We are now entering upon a depression, fundamentally caused by the misinterpretation of laws passed by the Congress. Production is being stifled by the OPA and its senseless rules. There is work in abundance, but the workers do not want to work. There is unlimited demand for the commodities our manufacturers produce, and unlimited money with which to pay for this merchandise, but we are creating an artificial scarcity, and an artificial underproduction so that we face an uncertainty greater than ever faced our Nation before, an uncertainty caused by Government agencies who think it their job to regulate profits and to control everything our people do from

the time they get up in the morning till the time they go to bed at night.

The chief excuse for the OPA is inflation. Inflation is held up as a terrible bugaboo, the monster that would destroy us all. The only inflation I am afraid of is the inflation of worthless currency, like the paper money of the Confederacy after the Civil War, and like the marks of Germany after the First World War, when this money actually was not worth the paper it was printed on.

It is true that if OPA restrictions were taken off we would have some advance in prices for a short period of time, but we would have production almost immediately; and competition, production, and the law of supply and demand would very speedily solve all of our troubles. I believe the law of supply and demand is a natural, divine, God-given law that cannot be set aside by man any more than we can stop the sun from shining or the tide from ebbing and flowing. The sooner we get down to common sense and get rid of the OPA, and let God's laws function without human interference, the sooner we will have peace and prosperity in our beloved Nation.

Mr. O'HARA. Mr. Chairman, I rise in support of the amendment.

Mr. O'HARA. Mr. Chairman, during the life of the OPA I have not been one to condemn or make statements about their multitudinous mistakes and inefficiency, as some may have been inclined to do. However, in considering what the OPA has been doing in this country, I have concluded I shall never vote to continue OPA unless it is so restricted that we know definitely what its jurisdiction is and limit it as to its existence.

The little businessman considers OPA as the greatest bunch of snoopers and officious meddlers that could have been created, taking peculiar delight in harassing the businessman rather than helping him. It has been charged to be the darling of the CIO and the "pinks" and the "punks" of this country, and I believe it is doing more to destroy American economy than any other combination of circumstances we have to meet. As far as I am concerned the quicker it is terminated the quicker we get back to reconversion, the quicker we get back to a normal stability in this country. But we are not going to get them out of there until such time as we start cutting off their appropriations.

I support heartily the amendment which is offered to cut down this appropriation.

I have had some experience in dealing with them. For instance a little company started out in my district to make trailers. I do not recall the exact cost of those trailers with tires and all, but finally when it got down to the point of getting a price from the OPA, the only thing they would allow them a price on was the cost of the tires, nothing at all for the steel and other work on the trailer.

My greatest criticism of OPA is when they have made some ridiculous, destructive ruling. They pay no attention whatever to the testimony of people who have been in the particular industry all their lives, whom they summon before it, who explain the way it operates; yet this agency never gets around to correcting obvious mistakes. It has run more people out of business than any other cause in the past 5 years; and as far as I am concerned I refuse from now on to vote further OPA appropriations, at this time.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The Chair regrets to inform the gentleman that time has been fixed.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that I may yield to the gentleman from Massachusetts the time allotted to me.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. McCORMACK. I thank the gentleman from Texas very much.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. McCORMACK. Mr. Chairman, the last two speeches we have heard ought to convey to the people of this country just what the situation will be in the near future when the extension of OPA comes up.

Price-control legislation during the war, with all of its mistakes, rendered valuable service to our country and to our people. Price-control legislation of necessity is an emergency matter and must be arbitrary in its nature because it is the product of conditions brought about by the war at a time when we were responding to the law of the jungle or, in milder language, self-preservation, when we were fighting for our very existence as a country, a time when we simply could not have this constant pyramiding of prices and have satisfactory conditions existing at home while our country was engaged in war.

Furthermore, price-control legislation saved our country many billions of dollars in expenditures. If it had not been for price-control legislation the very munitions of war we manufactured to help preserve our country and to defeat the enemy would have cost billions of dollars more. Furthermore, the cost of living for the average person, the person of the middle class, the poor—and there are a lot of poor people still left in this country—the people with fixed incomes, would have been considerably higher than it has been to date.

As I say, the two speeches we have just heard are a forecast of what is to come, and the people of this country might just as well realize what is going to take place when the extension of OPA comes up in this House and the other body.

The OPA has performed a very valuable service. They have made mistakes, yes. There should be constructive criticism and I will continue to constructively criticize. Should it be a part of our normal economy? No. It has no place there, but it was necessary in the emergency that existed throughout the war and it is necessary now in the emergency which confronts our people for at least a reasonable period in the future. Unless something is done to control prices the same situation will exist after controls are taken off that existed after Armistice Day in World War I when the average cost of living for the first year after the termination of the war increased over 75 percent within a period of 1 year. The cost of living increased on an average of well over 75 percent. The same situation will exist unless we do something at this time.

Mr. Chairman, the country might just as well realize now what is going to happen. We have heard some of these speeches already, and I respect the views of those who may be in disagreement with me. Those gentlemen have honestly spoken their views and I thoroughly respect their views though they may be in disagreement with mine. I respect those gentlemen personally; however, my views disagree with theirs, not as to whether this law should be a part of our national economy under normal conditions, because I agree with them on that. I disagree with them on the conditions that exist at the present time which justifies, in the national interest, extension of the OPA law for some little time.

So far as striking this item is concerned, let me say, Mr. Chairman, as I understand it, the principal purpose of this appropriation is to meet the black-market situation. Whether one believes in the OPA or not, whether one agrees it should be extended or not, it is in existence and will be until June 30. Every one of us, whether we agree that the OPA law should be in existence or not, and it will be with us at least until June 30 this year, does not want to see black marketing go on. That is brought about by the unjustifiable and criminal selfishness of individuals; therefore none of us want to see black-market operations continue. The main purpose of this appropriation is to try to meet the black-market situation that exists, whether one feels that the law should be in existence or not, and, as I say, it is here until June 30.

Let us vote to keep this amount in because its primary purpose is to try to get at that enemy of society who engages in black-market operations, under the conditions which exist today, making the people of the country pay much higher for their food than they should under the price ceilings. So whether one agrees with the law or not, so far as this amendment to strike out is concerned, I respectfully submit that the purpose of it is to meet the black-market situation. So let us vote for this appropriation and defeat the motion to strike it out.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

The Chair recognizes the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Chairman, I trust the Committee will not underrate the disastrous effect of the adoption of the pending amendment. It is difficult to conceive of anything which would strike more disastrously at our national economy than to agree to this amendment at this critical time.

The gentlemen on the other side who have spoken in favor of this amendment

and urged the immediate liquidation of OPA have been ringing the fire-alarm bell on OPA ever since it was established.

Of course, in the very nature of the situation, OPA has not been perfect at all times. It was something entirely new. We had no blueprints. We had to start from the beginning. We had to employ untrained and inexperienced personnel. We had to combat the ruffled exasperation of a great people accustomed to do what they wanted to do when they wanted to do it. Notwithstanding these heavy handicaps, the fact is that to December 1 last the OPA had saved the housewives of this country $66,000,000,000. Without OPA they would have had to pay that much more for what they actually bought. For example, just a short while ago we took OPA control off of some immaterial items like coconuts and citrus fruits. Immediately the price of coconuts jumped 400 percent and the price of citrus fruits skyrocketed so precipitously that a ceiling had to be reinstated. Although we did everything we could in the last World War to hold prices down, sugar sold for as high as 35 cents a pound. Today it sells for a little over 6 cents per pound.

Nylon hose were mentioned just now. If you should lift the ceiling on nylons tomorrow morning, what do you suppose a pair would cost by night? The sky would be the limit.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Texas.

Mr. PATMAN. Is it not a fact that we would be breaking faith with the veterans of this war, when we offer them so much money as mustering-out pay and for disability, if we depreciate the value of that money immediately? Would we not to that extent be breaking faith with them?

Mr. CANNON of Missouri. Unquestionably. Let us consider that situation for a moment.

Let me read you part of a letter I received in this morning's mail:

> I was recently honorably discharged from the Navy after 2 years of service. Eighteen months was sea duty riding the "sub" lanes. When I arrived home I found my landlord had raised my rent 50 percent, now another increase in rent is being made. I will be paying 125 percent more rent than I did a year ago. I have a wife and two small children and the new landlord does not want children. We are desperate for a roof over our heads and thousands of other ex-servicemen are in the same predicament we are in.

Mr. Chairman, the great need of the times is housing. Unless we keep down the prices of building material, of lumber, and steel, and unless we keep down the price of everything that goes into houses and its furnishings, these veterans are going to go without a decent habitation and their children will be raised under conditions which no American family should be required to experience. It is incredible that we should loose all of these restraints at a critical time like this. It is impossible to predict the result—to visualize the effect—of such a short-sighted policy, but we can get some faint idea of what the result would be by noting conditions abroad where OPA or its equivalent has failed to operate.

I was in France a few weeks ago and visited the markets in Paris. It took $20 in good American money to buy an ordinary dinner. A pair of shoes, secondhand, cost $160 in United States currency. I saw a woman pay $18 worth of francs for a chicken—and it was not much of a chicken at that. The woman who sold the chicken claimed that the cost of feed was so high she lost money in the fowl. Mr. Chairman, this is what we have been saved from here in America—and OPA has saved us, and is still saving us.

The lexicographers the other day at their annual meeting listed the 300 words most commonly in use. If they had heard the debates here this afternoon they would have included another word—the word "propaganda." About all that was talked about in connection with OPA for half an hour was propaganda. Do you know what they mean by propaganda? This law must necessarily be enforced through the influence of public sentiment, and public sentiment to be effective must be informed. This money which they have claimed is used for propaganda is the most important part of this appropriation. When people come in and ask questions there must be someone to answer their questions. This money provides that personnel. When complaints are received from consumers, producers, or middlemen, an employee visits them and explains the situation. In 9 out of every 10 cases the complaint is based on a misunderstanding and when the situation is explained everybody is satisfied. Without this money that could not be done. Without this money OPA could not be enforced. Without this money OPA would have failed long ago and we would today be in the grip of uncontrolled inflation. The situation in France would not be a circumstance. If this money is being spent for propaganda then the money paid for text books in the public schools is being spent for propaganda. Both are being spent for education.

Mr. Chairman, there is no feature of reconversion so important as the control of inflation. And the support of OPA is the only means we have of combating it. To adopt this amendment is to open the doors to uncontrolled rises in the price of every necessity. There is an unprecedented supply of money and there is an unprecedented scarcity of goods—scarcity of everything from nylons to automobiles. Without OPA we would shortly have to be carrying our money around in a basket as they do in China today. I trust the amendment will be voted down.

The CHAIRMAN. The time of the gentleman from Missouri has expired. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 80, noes 93.

So the amendment was rejected.

Mr. CANNON of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CANNON of Missouri: On page 3, before line 1, insert the following:

"DEPARTMENT OF AGRICULTURE

"RURAL ELECTRIFICATION ADMINISTRATION

"Loans: For an additional amount, fiscal year 1946, for 'Loans', Rural Electrification Administration, $100,000,000, which sum shall be borrowed from the Reconstruction Finance Corporation in accordance with the provisions of section 3 (a) of the Rural Electrification Act of 1936, as amended."

Mr. CANNON of Missouri. Mr. Chairman, this amendment is offered to provide an additional $100,000,000 loan authorization to supply the needs of Rural Electrification for the balance of this fiscal year.

There are accumulating demands by the farmers of the country for this service. In 20 States loan funds have for all practical purposes been exhausted. There is now left only $47,500,000 from authorized funds to cover the more than 290 applications on hand or in process of preparation. Included in this backlog are borrowers from 20 States, and this is the serious part of it, Mr. Chairman. The construction in these 20 States will be halted by the end of this coming March, and further construction cannot begin, unless additional funds are authorized for the current year.

These borrowers are from the following States: Arizona, Florida, Georgia, Indiana, Kansas, Louisiana, Michigan, Missouri, Montana, Nebraska, North Dakota, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Washington, and Wyoming.

Of course, in addition to the borrowers from these States there will be many additional borrowers whose projects will be halted or curtailed before the end of the fiscal year unless this money can be provided.

There are applications on hand or in process totaling over $78,751,000, from 192 cooperatives in 37 States who have received no allocations this year. The balance of this backlog is accounted for by borrowers in 36 States of the Union. This additional $100,000,000 is requested to enable the REA to meet these urgent requests for loans during the present fiscal year in order that cooperatives may get under way with their plans.

There is no service which the Government has provided which has been financed under more advantageous terms to the Government. This service is not a gratuity. It is not a grant. Not a penny is being given away. It is a gilt-edged investment. Every dollar put in REA is being paid back—much of it before it is due. All of it will be paid back with interest.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to my colleague from Missouri.

Mr. ZIMMERMAN. May I say to my colleague from Missouri that I have received many letters in recent weeks about the urgent need of the farmers in my part of Missouri to get this great benefit which they are ready for. All they need is the money to go forward. As the gentleman has well said, this is not

giving away money—it is the making of bona fide loans. These cooperatives are in splendid shape. They are paying back and will pay back every dollar of these loans. It seems to me this is one way in which we can serve the farmers of this country, and that is by giving them this appropriation.

Mr. CANNON of Missouri. The experience of the gentleman is the experience of practically every Member of Congress representing a rural district. We are receiving letters in every mail urging that this service be extended to areas which have not heretofore been served.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Nebraska.

Mr. STEFAN. Is the State of Nebraska mentioned in the list that the gentleman read?

Mr. CANNON of Missouri. Yes; Nebraska is one of the States in which construction will be reduced or discontinued next month if this money is not provided.

Mr. SMITH of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Wisconsin.

Mr. SMITH of Wisconsin. Assuming that your amendment is adopted, what will the amount then be in total for this fiscal year for this agency?

Mr. CANNON of Missouri. Authority has already been given for borrowing $200,000,000 from the RFC during the current fiscal year. The committee is advised that $142,000,000 of this amount had been allocated as of December 31, 1945, leaving $58,000,000 for allocation during the balance of this fiscal year to cover applications on hand and in process of application amounting to more than $200,000,000.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. RANKIN. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. CANNON of Missouri. The testimony is that only $35,000,000 has been expended during the first half of this fiscal year out of all previous allocations, which exceed $400,000,000. But they are not in a position to continue at this time to make allocations unless they are certain that they will have this amount of money. If this money is provided and is not needed, it will not be expended.

Mr. HOEVEN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Iowa.

Mr. HOEVEN. I notice the State of Iowa is not listed among the States which the gentleman mentioned a while ago. Can the gentleman explain that?

Mr. CANNON of Missouri. Iowa is not listed in the first 21 States, but it is listed in the 36 States which will eventually be in need unless this money is provided.

Mr. HOEVEN. I know there are hundreds and hundreds of applications that cannot be taken care of, and I wonder in what position the State of Iowa would be.

Mr. CANNON of Missouri. This amendment would provide money which would prevent the discontinuance or the slackening of the program in Iowa.

Mr. HOEVEN. Does this give preference to the States named?

Mr. CANNON of Missouri. No; it gives no preference to any State. Under the amendment, all States of the Union are on precisely the same basis. The amendment provides the necessary funds for the maintenance, extension, and completion of the REA program of any State applying for it. With the extra $100,000,000 here proposed, the rural electrification program of every section of the country can proceed without interruption.

Mr. HOEVEN. What is the purpose of listing those States prior to others?

Mr. CANNON of Missouri. Those States are listed which by the end of March would have to discontinue REA activities unless this money is provided. Other States would have to be discontinued later in the fiscal year.

Mr. HOEVEN. The State of Iowa is not being prejudiced by this amendment in any way?

Mr. CANNON of Missouri. On the contrary, the adoption of this amendment will insure the continuance of the work in Iowa as rapidly as supplies, labor, and materials are available.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi.

Mr. RANKIN. Along the lines suggested by the gentleman from Missouri [Mr. ZIMMERMAN] every dollar of this money comes back with interest. There have been millions of farm homes electrified since this program started 12 years ago. So far, I have never heard of a single farmer who has ever asked to have the electricity taken out of his home.

Today every Member of Congress who represents a rural district has letters piling up on his desk from farmers pleading for this service. I am delighted that the committee has brought in this deficiency appropriation bill because it is so badly needed at this time, and I congratulate the gentleman from Missouri [Mr. CANNON], the chairman of the committee, on this much-needed amendment. He is rendering a great service to the farmers of the Nation.

Mr. CANNON of Missouri. The testimony is that already over $97,000,000 have already been repaid and that the repayments include millions in excess of the schedule required in the amortization of the principal.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I am glad to yield.

Mr. RANKIN. May I say also that two cooperative associations in my district paid out long ago.

One of them paid out in 5 years; the other one paid out in 8 years. They are using their surplus money to extend their lines. Of course, whatever money they would borrow would be doubly secured. Every dollar that is spent on rural power lines adds from 10 to 50 dollars to the wealth of the country.

Mr. CANNON of Missouri. One of our great problems in reconversion is to make farm life attractive. The number of young men and women who are leaving the farm in the last 2 years is alarming and is becoming a national problem. Millions are deserting the farm. Something must be done to preserve the rural springs of life from which the dying populations of the cities must be constantly fed. Nothing contributes as much to the comfort, health, wealth, welfare, and attractiveness of the farm as does electric power, heat, and light.

And nothing will provide a market for the electrical appliance products of the city like that provided by rural electricity. The numbers employed in the factories producing refrigerators, vacuum cleaners, irons, light fixtures, radios, washing machines, sewing machines, and similar commodities will be increased immeasurably by REA.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Texas.

Mr. POAGE. There seems to be some misapprehension about the gentleman's statement. The gentleman has listed the States that are out of money.

Mr. CANNON of Missouri. States that will be out of money and must for that reason discontinue work in March.

Mr. POAGE. There are a great many more States that will shortly be out of money and a great many projects that will shortly close down if this appropriation is not made. Some Members are under the misunderstanding that this money will be made available for those States which the chairman has listed. This money is being made available to the Rural Electrification Administration and will be available to every State in the Union and any project in the Union without limitation. Those are only States that are now shut down, and many more will be shut down shortly and this appropriation will take care of everybody—not simply those that were named.

Mr. CANNON of Missouri. I am glad to have the gentleman make that plain. Every State in the Union will be eventually affected unless this money is made available.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The Rural Electrification Administration program has strengthened and extended the American system which is based on private enterprise.

Mr. CANNON of Missouri. Beyond the peradventure of a doubt.

Mr. McCORMACK. The powers of Government are used and it is then for the benefit of private industry and private individuals and private capital.

Mr. CANNON of Missouri. Laissez faire.

Mr. RANKIN. Mr. Chairman, will the gentleman yield further?

Mr. CANNON of Missouri. With pleasure.

Mr. RANKIN. In that connection, let me say that nothing that has been done by this Government, at any time, has done more to strengthen individualism

in this country than has this rural electrification program, which makes it possible for the farmer to live comfortably in his own home and to enjoy the comforts and conveniences of modern life and lift the drudgery from his shoulders as well as from the shoulders of his wife and children.

Mr. CANNON of Missouri. Mr. Chairman, I fully agree with the gentleman. This amendment brings health and happiness to the American farm. It opens a vast and profitable market to industry. It provides remunerative employment for labor. It affords increased educational opportunities to our children. It insures a greater, more prosperous, more independent, more progressive, more cultured America. I trust the amendment will have the support of the House.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California is recognized.

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto conclude in 30 minutes, not to infringe on the time of the gentleman who now has the floor.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HINSHAW. Mr. Chairman, in listening to the distinguished gentleman from Missouri [Mr. CANNON] I am afraid there may have been some misapprehension of the facts received by those who listened to him.

Actually, the only thing that the REA is running out of is authorizations. We have already authorized to them for loaning this year, in the fiscal year 1946, $200,000,000. As the gentleman from Missouri stated, $142,000,000 have already been allocated to new projects. There is no possibility whatsoever of any of the projects which have been allocated and approved running out of money. Insofar as the various States are concerned, the only restriction there is upon them at the present time is the amount of money that may be left available for new, heretofore unauthorized, unallocated projects.

There is nothing in the world to stop projects that are already in process and authorized. No one need have any fear whatsoever that any project presently authorized and allocated will not receive the full amount of the allocation.

The Subcommittee of the House Committee on Interstate and Foreign Commerce of which the distinguished occupant of the chair at the present time, the gentleman from Arkansas [Mr. HARRIS] is chairman, the Subcommittee on Federal Power, has for some time been considering certain bills, principally a bill by the distinguished gentleman from Texas [Mr. POAGE] to provide for additional allocations in the total of $550,000,000. It would include all of the allocations made in the year 1946. The bill we are considering was introduced early last year. The committee has not yet reported on that bill.

There are a great many considerations and amendments to the law that might well be made in accordance, in part, with the terms of that bill and in part with the terms of the hearings the committee conducted. It is felt, I believe, that the committee will have a bill ready for presentation to the House before too long. We have been working hard and diligently. We have asked the Bureau of the Census to make reports, also, the Rural Electrification Administration to make reports, and the Edison Electrical Institute, on how many farms there are, how many are now receiving service, and how many remain to be served that can be reasonably served. We are having considerable difficulty in putting those three sets of figures together into one set of figures that can be believed, because there is wide variation between the figures submitted by the three sources. We are doing our utmost to prepare this; but in the meantime please understand that this additional amount proposed by the gentleman from Missouri is for additional allocation, for applications which may now or may hereafter be pending before the REA. It will in nowise interfere with the construction of projects already allocated in the various States.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Mississippi.

Mr. RANKIN. These projects that are already allocated for have been held up to a large extent because of want of materials, wires, poles, and transformers.

Mr. HINSHAW. Yes; but not for allocations.

Mr. RANKIN. Not for allocations. But now those materials are being made available and warm weather is coming; so you will see those funds expended and those lines constructed with great rapidity from now on.

Mr. HINSHAW. But those are from funds already allocated and this is a complete new sum to be made available for allocation. I just wanted the House to understand that it had no effect whatsoever on the present allocations, but only on allocations for the future.

Mr. RANKIN. But many allocations are now pending.

Mr. HINSHAW. There are many applications presently pending and it is presumed that those applications will come in in larger and larger volume as time goes on.

For my part I hope that rural America is electrified as soon as possible. On the other hand, you can appropriate, or allocate, $500,000,000 for that matter right now and they could probably allocate the whole amount, but you could not get the material to start the work.

Mr. RANKIN. But we can get them within a few months.

The CHAIRMAN. The time of the gentleman from California has expired.

The gentleman from Wisconsin [Mr. HULL] is recognized for 5 minutes.

Mr. HULL. Mr. Chairman, I come from a section of the country in which we have had a large amount of rural electrification, but the demand for it grows constantly and I know of many projects in my district in which there is insistent demand that the lines be extended. In the past three and a half years it has been almost impossible to obtain the extension of many lines because of lack of material and lack of labor. Both are now becoming available and the pressure for the increase of allocations is growing.

It is true there may be before the Committee on Interstate and Foreign Commerce a bill that will award $500,000,000 additional for rural electrification loans. This $100,000,000 may be in addition to that amount, but there is no possibility of any waste or extravagance in making this appropriation asked for today because there will be none of this money spent, none of it will be obligated, unless it is actually required by the farmers who are in need of this service.

At this particular time we have a serious situation on the dairy farms in Wisconsin. Help is scarce. We are not getting back the labor which some people expected would come to us after the war. There is a shortage of butter, there is a great decline in the production of milk, and in consequence the farmers are looking more and more to rural electrification in order to enable them to carry on their dairy farms to increased production.

It seems to me the pending amendment should be adopted because I think it would be wise. Furthermore, I want to say it is one of the best expenditures which we can make. It will be expended for loans, all of which will be repaid with interest.

Mr. Chairman, this is not a proposition to buy $70,000,000 worth of real estate around New York City for the UNO. It is not that kind of a proposition at all. It is a proposition to lend funds for electrification of farms, just as we have been lending, and in furtherance of the same kind of policy we have adopted in the past to enable the farmers of America to carry on an increased production under the advantages of a modern system.

Mr. CARLSON. Mr. Chairman, will the gentleman yield?

Mr. HULL. I am pleased to yield to the gentleman from Kansas.

Mr. CARLSON. I thoroughly concur in the gentleman's remarks. This is a worth-while program and I sincerely hope the amendment will be adopted, so that we can get material to bring rural electrification to many more farm homes of this country.

Mr. HULL. I thank the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, the rural electrification program is one of the very best and most progressive programs that we have had in recent years. Looking forward into the future I am naturally interested in it from the standpoint of the whole West in connection with irrigation and reclamation, and I also am interested in extending electric power to the farm homes of America, in every nook and corner of this land east or west of the Missisippi River.

I do not know the real situation in other States concerning applications and need for REA, but I can say something with regard to my own State. We have in Arizona certain allotments already made. One project near my own home will take about half of the funds allotted for the State of Arizona. With the present funds available there are only two projects now possible unitl more money is provided which will take all of Arizona's allotments. Yet there are many other plans and projects being made for our State which will require additional allotments and funds. I want those additional funds made available for immediate use.

Mr. HARLESS of Arizona. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I yield to the gentleman from Arizona.

Mr. HARLESS of Arizona. I want to confirm what my colleague from Arizona has said regarding our State. We have reached our limit until further appropriations are made and I think that is true in many other districts. Unless this amendment is agreed to we are stymied in further progress with our rural electrification program.

Mr. MURDOCK. The gentleman means that in Arizona we have reached our limit with the present allotments?

Mr. HARLESS of Arizona. That is right.

Mr. MURDOCK. The two that are now proposed are only a beginning. There are at least two dozen necessary in the immediate future for the full development of that area.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I yield to the gentleman from Missouri.

Mr. ZIMMERMAN. On my recent visit home during the holidays I found that a great number of farm homes were vacant. Men who had gone to defense plants to work and who enjoyed the benefits of electricity did not want to come back to a house that did not have electricity. It is only fair to the young people of our country who want to start a home to give them in the country the advantages of electricity that are enjoyed in our towns and in our cities where people do have these benefits.

Mr. MURDOCK. The gentleman is exactly right. It is not only a comfort and a luxury but it is a necessity now. All of us who want to improve rural America want better homes, well-lighted, even-heated, with all of the modern facilities of electric irons, vacuum cleaners, power-driven washers, and that sort of thing. That is what rural America can have and what rural America ought to have, especially for those who are returning after having sacrificed and saved America so that they and their loved ones might have the right kind of America in the future. This is a new phase of the American way of life which is now possible for the many.

Mr. LEMKE. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I yield to the gentleman from North Dakota.

Mr. LEMKE. I want to say that in my State we just about got started with rural electrification when the war started. Many of the boys who went into the armed forces are now returning and they are anxious to have this extension and the opportunity to have electricity in their homes after they have saved the world from dictatorship. They feel the time has come that their own Government should at least give them this opportunity. I have hundreds of letters in favor of the Poage bill and I am sure this is a drop in the right bucket along the same line.

Mr. MURDOCK. I was greatly shocked when the gentleman from Mississippi called my attention to the fact that prior to the war Japan had made greater progress in rural electrification than we had in America. I know that the same thing has been done in Europe before the war. Let us catch up and surpass all other nations. We have the brains, the capital, and the natural features to surpass all others. We ought to be ashamed of ourselves if we do not take and maintain leadership in rural electrification. I favor the Cannon amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. D'EWART].

Mr. D'EWART. Mr. Chairman, Montana is one of 21 States which have used already all the funds which REA is able to give them under its current budget. The Loans and Application Division of REA has requests for new developments and extensions of old developments in Montana which total more than $5,000,000.

All of the funds available for Montana out of the $200,000,000 REA budget for 1945 already have been allocated. The REA set aside $6,026,600 for Montana, and a total of $6,092,000 has been used for Montana, $66,000 more than the original allocation.

Latest available figures for December 1, 1945, show that 3,375 miles have been energized and 8,288 customers are being served, a total of 27.1 percent of the farms of Montana.

When funds already set aside for various cooperatives but not yet used have been spent the REA estimates 6,508 miles will have been energized and a total of 14,833 customers will be receiving electricity.

Funds advanced to cooperatives and used up to November 30, 1945, totaled $3,530,000. Additional funds which have been approved but have not yet been spent will make the total REA allotment to Montana $7,536,598.

One of the principal requests is that of the new Hill Cooperative, No. 32, of Havre, with some 887 miles to be energized. They will need slightly more than $1,000,000. All new cooperatives are given A priority, and will receive some money before money is given to the old cooperatives for expansion. It is estimated they will be given about half of what they need if the proposed deficiency appropriation is approved, and the remainder with the new fiscal year.

Beartooth Electric Cooperative, Inc., will get some of what it needs out of the deficiency appropriation. Another new cooperative is being organized this week in Carter, Custer, Powder River, and part of Rosebud Counties, with probable headquarters at Ekalaka, and if their papers are in order they too presumably would get some of the deficiency money.

The REA also is considering using some funds in Montana to purchase two generating plants in the northwestern section of the State which have been built by the power company and which are the only solution to the electrification program in that section, where farms are so widely scattered that they could not bear the cost without help of this kind.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. KEFAUVER].

Mr. KEFAUVER. Mr. Chairman, I sincerely hope the amendment offered by the gentleman from Missouri [Mr. CANNON], chairman of the Appropriations Committee, will be accepted. The Rural Electrification Administration is one of the most valuable of our Government agencies. Its work is helpful not only to farmers but people in all strata of our society. The REA has been stymied for 4 years. During the past 4 years of the war the REA has been unable to secure copper and other materials with which to build hundreds of thousands of miles of lines which are greatly needed. There is now the greatest demand for REA extension in the history of the Administration. Only 43 percent of our farms have been electrified. I hope to see the day when every farm will have electricity on it. Electricity is necessary for the farm of today. Farmers are entitled to electricity not only for the benefit to them in the actual running of their farm but farmers are entitled to the conveniences that come from having electricity. We must make the farm attractive to the youth of today, and electricity adds greatly to the attraction. Many nations before the war had as many as 90 percent of their farms electrified, and this added much to the return from their soil. This authorization is absolutely necessary for the REA to make its plans for the future. The REA has a criteria of a certain number of electrical users per mile. Unless this authorization is granted this great backlog of extensions that should be made will go by the board.

In a few months copper and other materials are going to be available. If these lines can be built, think of the employment it is going to produce. It will give work not only in the actual building of the lines but in the factories where the copper wire and electric appliances are made. So approval of this amendment is not only in the interest of the farmer but also in the interest of the factory worker and industry.

Today I received a letter from the Volunteer Electric Cooperative, of Decatur, Tenn., saying that on the basis of present allotments they only had authority to complete 180 miles of line. This co-op has 600 additional miles signed up. These additional miles of line should be built. The same is true with every co-op all over the country.

It should be pointed out that actually there would be no financial loss if this authorization is granted. The RFC loans the money to the REA at 1⅞ percent; the REA loans the money to the co-ops at 2 percent. There has been no loss on previous loans. On this one the Gov-

ernment will eventually get the principal back plus interest. Let us enable these co-ops to get started. Let us help the farmers get the electricity they have been waiting for.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, it seems to me that possibly we should clear up one or two things in this discussion, because there seems to be some misunderstanding about some phases of this amendment. The chairman has stated very clearly, I think, but I want to restate, the fact that this amendment provides money which would be available to any rural electrification cooperative in the United States that needs it when the time arrives. It is not limited to the States listed by the chairman or in any printed list that anyone may have seen.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Texas.

Mr. MAHON. Actually, none of the money is earmarked for any State or any project.

Mr. POAGE. That is right. I took it upon myself to go up to the Speaker's desk and read the amendment which very clearly provides, "Loans, for an additional amount, for the fiscal year 1946, for the Rural Electrification Administration," which means the Rural Electrification Administration in every State in the Union and not simply those that are listed. I want to repeat that and emphasize it, because there are those who represent States who know that your people will shortly be out of money, and when you do not find those States listed, you naturally become alarmed. Your States are taken care of in this amendment just the same as every other State.

Another matter that has been often misunderstood in regard to these rural electrification loans is the question as to why it should be necessary to make additional money available so long as the money has not all been spent that has been heretofore provided. The reason is that you cannot enter into contracts to build new lines until the money is authorized, until, first, you and I authorize the loan to the REA, and, second, the REA authorizes the loan to the local cooperative. Remember that this money comes first from the Reconstruction Finance Corporation, which borrows it from private agencies at 1 percent or less and loans it to the Rural Electrification Administration at 1⅞ percent. The Administration in turn loans it to the local cooperatives at 2 percent, a profit to the Government every time this money is turned over. But until that money is actually available to the local cooperative, in the form of a definite allocation, the local cooperative cannot enter into construction contracts. You cannot buy wire, poles, and transformers in a short market with nothing better to offer than the hope that Congress will along next July provide the funds. Before any contractor is going to move onto a job, and before any supply house is going to put materials on a job, the local cooperative is going to have to show that it has already completed its loan and that the money is ready. It just will not get the job done to say that we think that we will be able to get the money before the work is done. That is exactly why there is still a rather large amount of unspent money that has been allocated to specific projects. The money must be allocated long before actual construction begins. The REA is out of funds from which future allocations can be made. Of course, I realize that there is more than $40,000,000 which have not been allocated to any specific projects, but under the operation of the REA Act, there is always a large sum that simply cannot be allocated because the entire amount made available to REA is required to be divided among the States. Most States have used all the REA can let them have. There are, however, some States that never have used their share of the funds. They possibly will not ask for their share, but REA must keep it available for them. It cannot allocate this money to projects in other States.

In addition, it must also be remembered that until a cooperative has an actual allocation of funds, it simply cannot develop a well-planned construction program and cannot get the greatest advantage out of the money it has. It is for this reason that I offered the legislation to which the gentleman from California [Mr. HINSHAW] referred and which is now pending before the Committee on Interstate and Foreign Commerce. It is to enable these local cooperatives to develop a plan for some kind of orderly development of their territory. This proposition of requiring the REA and the local cooperatives to live from hand to mouth costs, in the long run, much more than it would cost to lay out a well-planned long-time program such as we give our highway program. We should have such a program, but we cannot wait. If we do not provide these funds now, construction is going to stop.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. The gentleman's bill, to which he refers as being before the Committee on Interstate and Foreign Commerce, is a good one. I commend the gentleman for sponsoring that legislation and hope it will be reported out by the committee.

Mr. POAGE. I thank the gentleman, but we need this $100,000,000 now. We need this bill for long-time planning. Right now we need this money to stop a complete break.

Mr. LUTHER A. JOHNSON. I agree and will vote for the $100,000,000 now.

Mr. ERVIN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from North Carolina.

Mr. ERVIN. Does not the gentleman think the appropriation to the REA could be decreased if the REA would abolish its asinine policy of denying contracts to contractors who sometimes do work for private utilities?

Mr. POAGE. I do not know of such a policy on the part of the REA. I know that our local cooperatives let the contracts to any contractor who can do the job and who will undertake it at a fair price. Of course, there are some contractors who think that they are too big to fool with little REA jobs, and unless we make this money available there will be a lot of contractors who will work for private utilities who can pay them who will not work for local REA cooperatives who will not be able to pay them. Possibly my people cannot pay as much money as the utilities in the gentleman's district, but if he knows of any reliable contractors who can make a good bond and who want to bid on rural lines, send them out. Our cooperatives would like to figure with them, and if they can save our farmers money we would like to do business with them.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I feel that I should tell the House just what this situation is and just what you are voting on. There have been appropriations to date of $725,628,288 for this purpose. Out of this money there remains unallotted $47,000,000, but there remains unexpended $203,000,000; in other words, it has not been possible to expend the funds that have been appropriated for this purpose because of the shortage of copper, poles, and labor, and the impossibility of getting priorities in the last 3 or 4 years for these things.

Giving rough figures, the amount of allotments in the month of September was $19,000,000, in the month of October $16,000,000, and in the months of November and December $24,000,000 altogether, with $47,000,000 remaining unallotted. One hundred million dollars would permit allocations at a very rapid and seemingly unnecessary rate, and would pile up a tremendous backlog which would take a very long time to fill. I am not opposed to reasonable operations by this agency but I do feel that you are going too far at this time and that you are asking for much more money than is good for this organization to have in a backlog. That is 10 times as much for 5 months as has been used for allotments on the average in any of the last 5 months. It seems to me it is going too far.

Mr. ZIMMERMAN. Along that line, may I call the attention of the gentleman to the fact that the rural-electrification program has been in effect long enough to sell the farmer of America on the benefits of that program. They are ready now to embrace the program. Why delay giving the farmers electricity and power which they so badly need?

Mr. TABER. You are not speeding up or stepping up the process of giving them electricity by giving this organization a very large backlog of funds which, if it allots the money to their projects, the projects cannot be embarked upon and put through.

Mr. SAVAGE. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman.

Mr. SAVAGE. I just want to comment on the gentleman's remarks that this is as much as has been spent in 5 years.

Mr. TABER. No, no; I did not say that.

Mr. SAVAGE. Well, whatever the time was, I want to point out that no materials have been available throughout the war period.

Mr. TABER. I was speaking about months.

Mr. SAVAGE. No materials have been available during the war and they could not expand.

Mr. TABER. Well, they are not now anyhow.

Mr. SAVAGE. They will be by the time we get started here. I know some of them are loosening up and they are beginning to build lines.

Mr. TABER. They have only spent $35,000,000 in this fiscal year so far.

Mr. TRIMBLE. Mr. Chairman, it is my earnest hope that the amendment offered by the committee will be adopted. No greater boon has ever come to rural America than the Rural Electrification Administration. It is reaching into homes and brings light and power and progress. I am happy to support this amendment. We should not cease until electricity is put into every home in this land, besides every cent put in these projects comes back to the Government with interest. It is simply good business.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. It is very necessary that this amendment should be adopted.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield for a question?

Mr. RANKIN. I yield.

Mr. CASE of South Dakota. Is it possible for the Rural Electrification Administration to go ahead and make allocations on new applications unless they have this authority for additional funds?

Mr. RANKIN. No. That is the trouble. If we do not make this appropriation, the REA cannot make these allocations.

Let me say in reply to the distinguished gentleman from New York [Mr. TABER] that the Rural Electrification Administration has been stymied for about 4 years on account of the war. There is the greatest demand for rural power lines today that we have ever known in this country.

We only have about 43 or 44 percent of our farms in this country electrified now. I pointed out some time ago that 10 years ago Germany had 90 percent of her farms electrified, Japan had 90 percent, France 94 percent, Italy had 94 percent, and Holland and Switzerland had about 98 percent of their farms electrified, and New Zealand had about 65 percent of her farms electrified, whereas we had at that time only about 10 percent of our farms electrified.

In 1938, when we secured the first $100,000,000 appropriation for REA, rural electrification really came to life. The farmers saw what it meant. There was the greatest demand for rural power that any country had ever seen up to that time. Rural electrification spread by leaps and bounds up until the war shut off materials.

You remember last year I led the fight here for $120,000,000 for REA for this fiscal year, which, added to what we had, gave us $200,000,000.

That money has all been allocated, and the farmers are begging for more. They need this extra $100,000,000.

The gentleman from New York [Mr. TABER] is wrong when he states that materials will not be available. Why, today there are no materials being taken for war purposes. Plenty of aluminum and plenty of copper are now being produced. We have poles galore, and every cresoting plant in America is ready willing, and anxious to treat them. We have the greatest movement forward, not only in the REA, but in the improvement of rural homes in America generally, as a result of REA that this Nation has even known. I just want to refer to one project in my own district, in Alcorn County, Miss. Fourteen years ago they were paying 10 cents a kilowatt-hour for their electricity which the power company was buying at Muscle Shoals, just 50 miles away, at 2 mills a kilowatt-hour. At that time the farmers of the county got no electricity at all.

Then the Alcorn County Electric Power Association was organized. It not only included Corinth, the county seat, but the rural sections of the county as well. At that time the residential consumers were using an average of about 42 kilowatt-hours a month. Now they are using 227 kilowatt-hours a month on an average, and the average cost to them is 1.16 cents a kilowatt-hour.

They are using the same power from the Tennessee River the power company was supplying them 14 years ago. While the power company was buying this power from the Government at Muscle Shoals at less than 2 mills a kilowatt-hour wholesale and selling it to them at an average of 10 cents a kilowatt-hour, the Alcorn County Association is now buying this same power at 4.3 mills a kilowatt-hour wholesale and selling it to them at an average of 1.16 cents a kilowatt-hour.

They paid out their association in 5 years and have used their surplus income to extend their lines.

Not a single one of these cooperative power associations will default if we will give them time and encourage them. Now, since the war is over and materials are made available, it would be a great mistake not to provide this extra $100,000,000 which Mr. Wickard, Administrator of the REA, says it needs and which the Bureau of the Budget has approved.

Mr. LYNDON B. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. LYNDON B. JOHNSON. In a small area in central Texas we have two REA cooperatives serving the Tenth Congressional District. We have more than 10,000 farmer members in those cooperatives. They are years ahead with their loan payments. We have 10,000 farmers who live in that same area without electricity because the war cut off the material supply. They have put the money up for their membership fee. Today they are applying for a loan, from the REA but they cannot get $1. There will not be 1 mile of line built in that large fertile area of central Texas unless this amendment is adopted.

Mr. RANKIN. And that applies to almost every other congressional district in the United States. The same condition prevails in certain areas in my own district. This money will do more to relieve drudgery on the farm, to make the farm home more attractive, and to increase the farmer's profits and improve his living conditions than anything else we have ever undertaken.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. HINSHAW. In connection with the statement of the gentleman from Texas [Mr. LYNDON B. JOHNSON], he should qualify his statement by saying that not any more work will be done between now and July 1, when all of the present allocations are expected to be used, and the allocation for 1947 have not yet been made and the appropriations have not been made.

Mr. RANKIN. But, surely, if a member votes against this appropriation he would vote against the appropriation for 1947.

This is an emergency and this money is badly needed.

This amendment should be adopted. Let us extend these rural power lines to reach every farmhouse in America that can be reached by the tax collector in times of peace or by the draft in times of war.

In other words, let us electrify every farm home in America—at rates the farmers can afford to pay.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that at this point in the RECORD the gentleman from Texas [Mr. LYLE] and the gentleman from Texas [Mr. COMBS] may extend their remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LYLE. Mr. Chairman, it is most difficult, I am sure, for those who have never lived on a farm, never tried to read by the dim, flickering light of a coal-oil lamp, or groped and stumbled around in the unlighted room of a farm house, to realize how much the rural electrical program has meant to the people of this country. It has truly "lightened" the lives of hundreds of thousands of people.

In order that you may see the progress of the program in my district, I submit to you some figures which I am sure will be most interesting and will serve as an example of what is being accomplished throughout this country.

The total amount of funds allotted to the Fourteenth Congressional District of Texas is $2,624,000, and of that amount $1,879,917.78 has been advanced to the four rural electric cooperatives serving 10 of my 19 counties.

This means that 2,380 miles of line have been built out of a possible 3,327 under the allotment for the district, and that 5,061 rural families are now using electricity out of a possible 6,950.

In addition, there are 1,025 more potential consumers on the waiting lists of 2 of the 4 cooperatives in my district who will become consumers if additional allotments totaling $500,000 are authorized.

Construction work also has been started on a refrigeration cooperative

which has received an allotment of $34,000 for the construction of a rural refrigerated locker plant.

Of the amounts loaned to these four cooperatives, $102,480.64 in principal has been repaid, and interest payments have aggregated $168,587.49. Of the total amount of principal paid, $75,435.36 represents payments of principal made before they were due.

That is how the record stands in my district.

Notwithstanding all other progress and advancement made in this great country of ours, many of us fail to realize how dependent we are on those who till the soil and produce our food. It should be a source of pride to all Members of this Congress to know that they have contributed to the lives, welfare, and happiness of those to whom we owe so much.

Private industry has contributed a great deal to help light the homes and farms of America, but neither the Government nor private industry will have completed the task until electricity has been brought to all who desire it at prices they can afford to pay.

It should be borne in mind that the additional $100,000,000 authorization is not an expenditure of money, but an investment that will return unprecedented dividends.

Mr. COMBS. Mr. Chairman, I desire to speak briefly in support of the amendment for the authorization of $100,000,000 for rural electrification. These funds are urgently needed and must be provided immediately for the great rural electrification program if it is to continue without delay. Throughout the Nation many thousands of farmers are awaiting the extension of electrical services to them. In today's mail I had letters from three farmers from three different parts of my own district stating that they have had in their application for service for a number of months and that services cannot be extended to them and many of their neighbors until additional funds are available. The great work the Rural Electrification Administration is doing for the rural people of this Nation has been well stated by several of the speakers who have preceded me. I desire to add here a few facts in regard to what has already been accomplished by the three rural electrification cooperatives which serve the 11 counties in eastern Texas which I have the honor to represent.

The Deep East Texas Cooperative with headquarters in San Augustine, Tex., has 700 miles of lines serving more than 2,500 consumers. Two hundred and sixty-five thousand dollars was allocated for the year of 1945. A heavy construction program is now under way and an application for additional funds for extending its services is pending. The Sam Houston Cooperative, with headquarters at Livingston, Tex., has 500 miles of lines serving more than 1,200 consumers. Three hundred and thirty thousand dollars was allocated to it for the year 1945. It has an application pending for additional funds and is ready to go ahead with large construction plans. The Jasper-Newton Cooperative, with headquarters in Jasper, has 250 miles of lines serving more than 1,000 consumers. Two hundred and fifty thousand dollars were allocated to it for 1945. It has spent all available funds, and has application pending for additional funds. It has a good supply of materials and is ready to proceed in enlarging its services.

I am reliably informed that construction programs of these three cooperatives will result ultimately in carrying electrical service to a total of 20,000 people in the rural areas of eastern Texas, who would not be served except for the Rural Electrification program.

It should be remembered that the funds advanced by the Government for this great program are not expenditures; they are mere loans and every cent will in due course come back to the Treasury. The Rural Electrification cooperatives of my area are in healthy financial condition and every obligation to the Government has been met on time and they are accumulating substantial reserves. In my judgment, the Rural Electrification program is one of the most constructive and beneficial services rendered to the American people by our Government. It gives the benefits of electrical service to the rural areas and makes farm life more attractive, thus encouraging farm settlement and making it more and more desirable for our young people to settle down upon the land. To sum it up, and I must be brief, let me say that this authorization should be voted unanimously by this House. Surely no like expenditure that we could authorize will bring greater benefits, or serve more people.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I am sure it is unnecessary for me to add anything to what has been said in support of the committee amendment for a hundred million dollars as an emergency fund for the REA to carry it over until next July. Although there are a few who are opposed to this appropriation, just as there have been a few who opposed it from its very beginning, I feel sure the amendment will be adopted by an overwhelming vote of this House.

As a member of the deficiency subcommittee that heard the evidence in support of this appropriation, I simply want to say I am giving it my wholehearted support. In fact, I made the motion in the committee that the full amount of a hundred million dollars, as recommended by the Bureau of the Budget, be allowed. I am sure I am giving away no secrets of the committee when I say there is less opposition to REA today, so far as the Appropriations Committee is concerned, than there has ever been since the first appropriation was made.

It will be recalled that last year the subcommittee handling the regular appropriation for REA reduced the appropriation considerably below the Budget estimate. If I remember correctly, there was a Budget estimate of $160,000,000. The committee reduced the amount to $120,000,000 because of a serious shortage of materials. Then the full committee, to the great surprise and disappointment of many of us, further reduced the amount—or attempted to do so—to $50,000,000. At that time I gave notice I would offer an amendment to restore the amount to $120,000,000, as recommended by the committee that heard the evidence. This I did, as will be shown on page 6854 of the CONGRESSIONAL RECORD of June 27 last, and the same RECORD further shows there were only 29 votes cast against my amendment in the House to restore the full $50,000,000.

I recite this record to remind Members that the amount appropriated last year was still $40,000,000 below the Budget estimate and over $80,000,000 below what the REA stated it would be possible for them to operate on during the current year. So those who are familiar with the history of REA, of its needs and the fact that it did not receive the full amount requested last year, although the demand for additional REA lines and the extension of them is far greater than then anticipated, were not at all surprised when Mr. Wickard told the Appropriations Committee yesterday that he would need a minimum of $100,000,000 to continue the REA program until July 1. Mr. Wickard also advised the committee that of the 800 REA co-operatives in the country that applications for 297 of them cannot be considered until additional funds are forthcoming. Another statement made by the former Secretary of Agriculture, who I am glad to say is doing a splendid job as head of the REA, was that there are 21 States whose present loans have been entirely exhausted or allocated, with an urgent need for extensions in all of them. So to say that there is no need for the funds as proposed in the pending committee amendment, is, of course, absurd. Another interesting statement of Mr. Wickard's before our committee, which I am glad to say is backed by the record, is that these REA loans have been repaid in a remarkably fine way; in fact many such loans are paid far ahead of schedule.

We have just gone through a terrible World War in which we have paid dearly in lives of the flower of American manhood. Of course, no money can possibly begin to repay for the loss of these heroic men who gave their all for what we have been pleased to call the American way of life. Millions of these fine clean-cut young men who put on the uniform came from the farm homes of America and the least we can do is to make life a little easier and a little more pleasant on the farm for those who are now returning, their parents, wives, and children and for children yet unborn. Within the next few days we will be called upon to make a loan to Great Britain in the sum of more than $4,000,000,000. We have spent millions of dollars to rehabilitate war-torn Europe. Surely, we can do no less for the farmers of America who, after all, must feed the world, than for those across the seas. Let us vote for the full $100,000,000 today and thus make the American way of living richer, fuller, and happier. Let us continue these appropriations as they

are needed and further expand rural electrification until every farmer in the country who wants cheap electricity and who is willing to pay for it, is given the opportunity that he so richly deserves.

The CHAIRMAN. The gentleman from Texas [Mr. MAHON] is recognized to close the debate.

Mr. MAHON. Mr. Chairman, I thank the able chairman of the committee for permitting me to make the final remarks in support of this important amendment—the amendment providing $100,000,000 in additional loan authorizations for the Rural Electrification Administration. I compliment the gentleman from Missouri [Mr. CANNON], chairman of the Committee on Appropriations, for having offered this amendment. I discussed such an amendment 2 days ago at a meeting of the Committee on Appropriations. But at that time no hearing had been held on the amendment. Yesterday, however, Mr. Wickard appeared before the deficiency subcommittee on behalf of REA, and I think prompt action today will meet with wide approval.

There is good reason why the REA is such an important thing with the city people and the country people of America. It is a popular program because it costs the Government very little money and because it does the people so much good. It does the people in the cities so much good, because it puts industry to work. It puts labor to work. Just think of the pay-roll increases in the industrial cities of America that have been brought about by the electrical equipment that has gone into 4 out of every 10 rural homes—the homes that have been electrified under this program. Just think of the employment that has been offered, the profits that have been made, the happiness that the industrial worker in the city has gotten out of his own labor, and out of the consciousness in his own heart that he has helped promote the happiness of rural America. Yes; it takes a vast quantity of electrical gadgets and equipment to supply the needs of REA customers on the farms.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield.

Mr. LUTHER A. JOHNSON. Will it not also help solve the housing problem? So many people are leaving the farms because of lack of convenience, and moving to the cities.

Mr. MAHON. The gentleman is correct. In some portions of the country there is housing available, when it is not available in the city areas.

If we turn on the electric lights in the rural areas, we will make that life more attractive. As the gentleman knows, through victory in this war we stopped the black-outs and we turned on the lights all over the world. So why should we not continue now with this program of rural electrification and turn on the lights throughout the countrysides of America? Think of the happiness, comfort, and convenience that the program is bringing and will bring. The job is not quite half done. Let us complete it now, within the next 3 or 4 years, if possible.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the distinguished gentleman from Minnesota.

Mr. GALLAGHER. If this rural electrification is carried out, what effect will it have on the production on the farm?

Mr. MAHON. Rural electrification means much to the production of the farms, and not only that, it means much in the preservation of the things that are produced. This is true because it makes possible modern methods of refrigeration. If we are interested in public health, then we are interested in the REA because it promotes sanitation and greater efficiency in the handling of foodstuffs.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield.

Mr. RANKIN. It is impossible to operate a grade A dairy without electricity. It is having that effect where this power is taken. It is not only increasing dairy production, but it enables farmers to operate grade A dairies and get the milk out.

Mr. MAHON. I think we want, then, to bear this in mind: Here is our opportunity, and to me it is a golden opportunity, to vote for a measure that in the long run is not going to cost the taxpayer any money. We are not only doing that, we are saving money in this particular, because if we do not get this money by March 1, in a number of the States REA co-ops are going to have to shut down their construction programs and tell their engineers to go away and come back another day. That is going to cost additional money on the projects. That would mean waste. So, by giving this even flow and permitting the co-ops to know what they can do we are going to bring about economy in the program as well as give aid to agriculture and the farmers.

The benefits of this amendment will not be confined to any State or group of States. It will be helpful to Texas; it will be helpful to Illinois; it will be helpful to States north, south, east, and west.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield.

Mr. RANKIN. I have been asked how far we expect to go with rural electrification and I always answer: We expect to reach every house the tax collector reaches and we expect to reach every home that is reached by the draft in time of war.

Mr. MAHON. It is the program of this administration to reach all of rural America at the earliest possible date.

The CHAIRMAN. The time of the gentleman from Texas has expired.

All time has expired.

The question is on the amendment offered by the gentleman from Missouri.

The amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. SPARKMAN) having resumed the chair, Mr. HARRIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 5458) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

If not, the Chair will put them en gross.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. HENRY. Mr. Speaker, I move to recommit the bill.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HENRY. Mr. Speaker, I am in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HENRY moves to recommit the bill to the Committee on Appropriations with instructions to report the same back forthwith with the following amendment:

Page 2, strike out lines 20 to 24, inclusive.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. HENRY) there were—ayes 67, noes 78.

Mr. KNUTSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. PATMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. PATMAN. Mr. Speaker, the motion eliminates part of the bill. Is that the OPA appropriation?

Mr. TABER. Mr. Speaker, a point of order. That is not a parliamentary inquiry.

Mr. RANKIN. Mr. Speaker, may we have the motion again reported so that we will know what we are voting on?

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk again reported the motion to recommit.

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent that the lines stricken from the bill by this motion be read to the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read as follows:

Page 2, line 20:

"OFFICE OF PRICE ADMINISTRATION

"Salaries and expenses: For an additional amount, fiscal year 1946, for 'Salaries and expenses', including the objects specified under this head in the Second Deficiency Appropriation Act, 1946, $1,854,000."

The SPEAKER pro tempore. The Clerk will call the roll.

The question was taken; and there were—yeas 108, nays 185, not voting 137, as follows:

[Roll No. 23]

YEAS—108

Allen, Ill.	Graham	Michener
Andersen, H. Carl	Griffiths	Miller, Nebr.
	Gwynne, Iowa	Murray, Wis.
Anderson, Calif.	Hagen	Norblad
Arends	Hall, Edwin Arthur	O'Hara
Auchincloss	Hancock	O'Konski
Barrett, Wyo.	Hand	Phillips
Bates, Mass.	Hébert	Pittenger
Beall	Henry	Plumley
Brehm	Hess	Rankin
Brown, Ohio	Heven	Reed, Ill.
Brumbaugh	Holmes, Wash.	Rees, Kans.
Buck	Horan	Robertson, N. Dak.
Byrnes, Wis.	Howell	Robsion, Ky.
Carlson	Jenkins	Rockwell
Chiperfield	Jennings	Rodgers, Pa.
Church	Jensen	Roe, Md.
Clason	Johnson, Ind.	Rogers, Mass.
Clevenger	Jones	Schwabe, Okla.
Clippinger	Jonkman	Scrivner
Cole, Kans.	Kearney	Sharp
Cole, Mo.	Kinzer	Simpson, Ill.
Corbett	Knutson	Smith, Ohio
Cunningham	Landis	Smith, Wis.
Curtis	Latham	Springer
D'Ewart	LeCompte	Stockman
Dolliver	LeFevre	Sundstrom
Dworshak	Lemke	Taber
Ellis	Lewis	Talle
Ellsworth	McConnell	Thomas, N. J.
Elston	McGregor	Tibbott
Fenton	McMillen, Ill.	Vorys, Ohio
Gerlach	Martin, Iowa	Wadsworth
Gifford	Martin, Mass.	Welchel
Gillespie	Mason	Wigglesworth
Gillette	Mathews	Woodruff
Gillie		

NAYS—185

Abernethy	Delaney, John J.	Herter
Allen, La.		Heselton
Almond	Domengeaux	Hinshaw
Andrews, Ala.	Douglas, Ill.	Hobbs
Bailey	Doyle	Hoch
Baldwin, N. Y.	Drewry	Holifield
Barrett, Pa.	Durham	Hope
Bates, Ky.	Earthman	Hull
Beckworth	Eberharter	Izac
Bell	Elliott	Jackson
Biemiller	Engel, Mich.	Jarman
Blackney	Engle, Calif.	Johnson, Calif.
Bland	Ervin	Johnson, Luther A.
Bloom	Fallon	
Boren	Feighan	Johnson, Lyndon B.
Boykin	Fernandez	
Brooks	Flannagan	Johnson, Okla.
Brown, Ga.	Fogarty	Kean
Bryson	Folger	Kee
Bulwinkle	Forand	Kefauver
Bunker	Fulton	Kilday
Burch	Gallagher	King
Burgin	Gary	Kirwan
Camp	Geelan	Kopplemann
Canfield	Gibson	Lanham
Cannon, Mo.	Gordon	Lea
Case, N. J.	Gorski	Link
Chapman	Gossett	Ludlow
Chelf	Granahan	Lyle
Clark	Granger	McCormack
Clements	Grant, Ala.	McDonough
Cochran	Green	McGlinchey
Coffee	Gregory	McMillan, S. C.
Colmer	Hale	Madden
Combs	Hare	Mahon
Cooley	Harless, Ariz.	Maloney
Cooper	Harris	Manasco
Cravens	Hart	Mansfield, Mont.
D'Alesandro	Havenner	
Daughton, Va.	Hays	Mansfield, Tex.
De Lacy	Healy	Miller, Calif.
Mills	Randolph	Stefan
Morgan	Resa	Stevenson
Mundt	Richards	Stewart
Murdock	Riley	Stigler
Murphy	Rivers	Sullivan
Murray, Tenn.	Robertson, Va.	Tarver
Neely	Robinson, Utah	Thomason
Norrell	Rogers, Fla.	Tolan
O'Brien, Ill.	Rooney	Traynor
O'Brien, Mich.	Rowan	Trimble
O'Neal	Russell	Vinson
O'Toole	Ryter	Voorhis, Calif.
Patman	Sabath	Weaver
Patrick	Sasscer	Welch
Peterson, Ga.	Savage	White
Pickett	Sheppard	Whitten
Poage	Slaughter	Whittington
Price, Fla.	Smith, Maine	Wickersham
Price, Ill.	Somers, N. Y.	Winstead
Priest	Sparkman	Wood
Rabaut	Spence	Woodhouse
Rains	Starkey	Zimmerman

NOT VOTING—137

Adams	Fuller	Norton
Andresen, August H.	Gamble	Outland
	Gardner	Pace
Andrews, N. Y.	Gathings	Patterson
Angell	Gavin	Peterson, Fla.
Arnold	Gearhart	Pfeifer
Baldwin, Md.	Goodwin	Philbin
Barden	Gore	Ploeser
Barry	Grant, Ind.	Powell
Bender	Gross	Quinn, N. Y.
Bennet, N. Y.	Gwinn, N. Y.	Rabin
Bennett, Mo.	Hall, Leonard W.	Ramey
Bishop		Rayfiel
Bolton	Halleck	Reece, Tenn.
Bonner	Harness, Ind.	Reed, N. Y.
Bradley, Mich.	Hartley	Rich
Bradley, Pa.	Hedrick	Rizley
Buckley	Heffernan	Roe, N. Y.
Buffett	Hendricks	Rogers, N. Y.
Butler	Hill	Sadowski
Byrne, N. Y.	Hoffman	Schwabe, Mo.
Campbell	Holmes, Mass.	Shafer
Cannon, Fla.	Hook	Sheridan
Carnahan	Huber	Short
Case, S. Dak.	Johnson, Ill.	Sikes
Celler	Judd	Simpson, Pa.
Chenoweth	Keefe	Smith, Va.
Cole, N. Y.	Kelley, Pa.	Snyder
Courtney	Kelly, Ill.	Sumner, Ill.
Cox	Keogh	Sumners, Tex.
Crawford	Kerr	Talbot
Crosser	Kilburn	Taylor
Curley	Kunkel	Thom
Davis	LaFollette	Thomas, Tex.
Dawson	Lane	Torrens
Delaney, James J.	Larcade	Towe
	Lesinski	Vursell
Dingell	Luce	Walter
Dirksen	Lynch	Wasielewski
Dondero	McCowen	West
Doughton, N. C.	McGehee	Wilson
Douglas, Calif.	McKenzie	Winter
Eaton	Marcantonio	Wolcott
Elsaesser	May	Wolfenden, Pa.
Fellows	Merrow	Wolverton, N. J.
Fisher	Monroney	Worley
Flood	Morrison	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Short for, with Mr. Morrison against.

Mr. Reed of New York for, with Mr. Sheridan against.

Mr. Bennett of Missouri for, with Mr. Keogh against.

Mr. Hartley for, with Mr. Pfeifer against.

Mr. Ploeser for, with Mrs. Luce against.

Mr. McCowen for, with Mr. Davis against.

Mr. Schwabe of Missouri for, with Mr. Outland against.

Mr. Campbell for, with Mr. Worley against.

Mr. Eaton for, with Mr. Patterson against.

Mr. Towe for, with Mr. Wasielewski against.

Mr. Larcade for, with Mr. Dingell against.

Mr. Dondero for, with Mrs. Douglas of California against.

Mr. Elsaesser for, with Mr. Barry against.

Mr. Halleck for, with Mr. Roe of New York against.

Mr. Taylor for, with Mr. Heffernan against.

Mr. Bishop for, with Mr. Courtney against.

Mr. Gamble for, with Mr. Gore against.

Mr. Buffett for, with Mr. Rayfiel against.

General pairs until further notice:

Mr. Cox with Mr. Johnson of Illinois.

Mr. Barden with Mr. Keefe.

Mr. Hendricks with Mr. Hill.

Mrs. Norton with Mr. Bender.

Mr. James J. Delaney with Mr. Hoffman.

Mr. Kelley of Pennsylvania with Mr. Ramey.

Mr. Gathings with Mrs. Bolton.

Mr. Hook with Mr. Arnold.

Mr. Kerr with Mr. Bradley of Michigan.

Mr. Lynch with Mr. Chenoweth.

Mr. May with Mr. Dirksen.

Mr. Sumners of Texas with Mr. Cole of New York.

Mr. Walter with Mr. Fellows.

Mr. Byrne of New York with Mr. Goodwin.

Mr. Bradley of Pennsylvania with Mr. Fuller.

Mr. Crosser with Mr. Harness of Indiana.

Mr. Thomas of Texas with Mr. Grant of Indiana.

Mr. Celler with Mr. Holmes of Massachusetts.

Mr. Rabin with Mr. Judd.

Mr. Smith of Virginia with Mr. Rizley.

Mr. Quinn of New York with Mr. Shafer.

Mr. Monroney with Mr. Wolcott.

Mr. Powell with Mr. Wolverton of New Jersey.

Mr. Doughton of North Carolina with Mr. August H. Andresen.

Mr. Lane with Mr. Wolfenden of Pennsylvania.

Mr. Pace with Mr. Adams.

Mr. BALDWIN and Mr. JOHNSON of California changed their vote from "aye" to "no."

Mr. O'KONSKI changed his vote from "no" to "aye."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that all Members who have spoken on the bill just passed may have 5 legislative days in which to extend their remarks on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

EXTENSION OF REMARKS

Mr. WHITE asked and was given permission to extend his remarks in the RECORD in three instances.

Mr. WHITE. Mr. Speaker, I have an extension of remarks with an estimated cost of $156. I ask unanimous consent that I may be permitted to extend this matter in the RECORD notwithstanding the cost.

The SPEAKER pro tempore. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that on Tuesday next after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. KEFAUVER. Mr. Speaker, I secured unanimous consent to extend my remarks and include an article from the Foreign Service Journal. I am informed by the Public Printer that will exceed 2 pages of the RECORD and will cost $173, but I ask that it be printed notwithstanding that fact.

The SPEAKER pro tempore. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mrs. DOUGLAS of California (at the request of Mr. MILLER of California) was given permission to extend her remarks in the Appendix of the RECORD and include a magazine article.

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. HAGEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject Winds Can Be Harnessed for Electric Power on Farms. I am informed by the Public Printer that this will exceed 2 pages of the RECORD and will cost $130, but I ask that it be printed notwithstanding that fact.

The SPEAKER pro tempore. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. WEICHEL (at the request of Mr. MARTIN of Massachusetts) was given permission to extend his remarks in the RECORD and include a discussion upon the subject, An Approach to Moral Justice.

Mr. LEMKE asked and was given permission to extend his remarks in the RECORD and include a letter addressed to the President by former Congressman Coffey, of Nebraska.

Mr. DE LACY asked and was given permission to extend his remarks in the RECORD in two instances, and include a letter from five correspondents and part of an article from the New Republic, and also to include considerable discussion of a question relating to the Philippine Islands by his friend, Mr. Rajo.

Mr. LYNDON B. JOHNSON asked and was given permission to extend his remarks in the RECORD and include a speech by Walter Rolfe, of the University of Texas.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein part of an address delivered by our former colleague, Mr. Ramspeck; and also to quote from an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD in two instances; to include in one an editorial and in the other a newspaper article.

Mr. FULTON asked and was given permission to extend his remarks in the RECORD and include a letter from Capt. George S. Urichinich, winner of the Congressional Medal of Honor.

Mr. HAGEN asked and was given permission to extend his remarks in the RECORD on the subject Aged Entitled to Pension, Not a Dole, and include an article appearing in the Townsend National Weekly.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent that on Tuesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 1 hour on the subject Take-Home Pay to American Agriculture.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

TREASURY AND POST OFFICE DEPARTMENTS APROPRIATION BILL, 1947

Mr. LUDLOW. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 5452) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1947, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr. COCHRAN) there were—ayes 103, no 1.

Mr. COCHRAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and seventy-four Members present; not a quorum.

Mr. WHITE. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. WHITE) there were—ayes 31, noes 103.

So the motion was rejected.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana [Mr. LUDLOW].

The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 243, nays 16, not voting 171, as follows:

[Roll No. 24]

YEAS—243

Abernethy	Buck	Curtis
Allen, Ill.	Buffett	D'Alesandro
Allen, La.	Bulwinkle	Daughton, Va.
Almond	Canfield	De Lacy
Andersen, H. Carl	Cannon, Mo.	Delaney, John J.
Anderson, Calif.	Carlson	D'Ewart
Andrews, Ala.	Case, N. J.	Dirksen
Angell	Chapman	Dolliver
Arends	Chelf	Domengeaux
Auchincloss	Chiperfield	Dondero
Barrett, Pa.	Church	Douglas, Ill.
Barrett, Wyo.	Clason	Doyle
Bates, Mass.	Clements	Dworshak
Beall	Clippinger	Earthman
Beckworth	Coffee	Eberharter
Biemiller	Cole, Kans.	Elliott
Bishop	Cole, Mo.	Ellis
Blackney	Colmer	Ellsworth
Boren	Combs	Engel, Mich.
Brooks	Cooley	Ervin
Brown, Ga.	Cooper	Fallon
Brown, Ohio	Corbett	Feighan
Brumbaugh	Cox	Fenton
Bryson	Cravens	Fernandez
Fogarty	Cunningham	Flannagan
Forand	Kirwan	Rees
Fulton	Kopplemann	Richards
Gerlach	Landis	Riley
Gifford	Lanham	Rivers
Gillette	Latham	Robertson, N. Dak.
Gillie	Lea	Robinson, Utah
Gordon	LeCompte	Robsion, Ky.
Gorski	LeFevre	Rockwell
Gossett	Lemke	Rodgers, Pa.
Graham	Lewis	Roe, Md.
Granahan	Link	Rogers, Fla.
Grant, Ala.	Ludlow	Rogers, Mass.
Green	Lyle	Rooney
Gregory	McConnell	Rowan
Gwinn, N. Y.	McCormack	Russell
Gwynne, Iowa	McDonough	Ryter
Hagen	McGehee	Sasscer
Hall, Edwin Arthur	McGlinchey	Savage
Hancock	McGregor	Schwabe, Okla.
Hand	McMillan, S. C.	Scrivner
Hare	McMillen, Ill.	Sharp
Harless, Ariz.	Madden	Sheppard
Harris	Mahon	Simpson, Ill.
Hart	Maloney	Slaughter
Havenner	Manasco	Smith, Maine
Hays	Mansfield, Tex.	Smith, Wis.
Healy	Martin, Iowa	Sparkman
Henry	Martin, Mass.	Spence
Heselton	Mathews	Springer
Hess	Michener	Starkey
Hill	Miller, Calif.	Stefan
Hobbs	Miller, Nebr.	Stevenson
Hoch	Mills	Stigler
Hoeven	Morgan	Stockman
Holmes, Wash.	Mundt	Sundstrom
Hope	Murdock	Taber
Howell	Murray, Tenn.	Talle
Hull	Murray, Wis.	Tarver
Izac	O'Brien, Ill.	Thomas, N. J.
Jackson	O'Hara	Thomason
Jarman	O'Konski	Tibbott
Jenkins	O'Neal	Tolan
Jensen	O'Toole	Trimble
Johnson, Calif.	Pace	Vinson
Johnson, Ind.	Peterson, Ga.	Voorhis, Calif.
Johnson, Luther A.	Pickett	Vorys, Ohio
Johnson, Lyndon B.	Pittenger	Vursell
Johnson, Okla.	Plumley	Weichel
Jones	Poage	West
Jonkman	Price, Fla.	Whitten
Kean	Price, Ill.	Whittington
Kee	Priest	Wickersham
Kilday	Rabaut	Wigglesworth
Kinzer	Rains	Winstead
	Randolph	Wood
	Rankin	Woodhouse
	Reed, Ill.	Woodruff
	Rees, Kans.	

NAYS—16

Bell	Geelan	Mansfield, Mont.
Bland	Gillespie	Somers, N. Y.
Bunker	Granger	Sullivan
Cochran	Hale	White
Engle, Calif.	Holifield	
Folger	King	

NOT VOTING—171

Adams	Crawford	Hébert
Andresen, August H.	Crosser	Hedrick
Andrews, N. Y.	Curley	Heffernan
Arnold	Davis	Hendricks
Bailey	Dawson	Herter
Baldwin, Md.	Delaney, James J.	Hinshaw
Baldwin, N. Y.	Dingell	Hoffman
Barden	Doughton, N. C.	Holmes, Mass.
Barry	Douglas, Calif.	Hook
Bates, Ky.	Drewry	Horan
Bender	Durham	Huber
Bennet, N. Y.	Eaton	Jennings
Bennett, Mo.	Elsaesser	Johnson, Ill.
Bloom	Elston	Judd
Bolton	Fellows	Kearney
Bonner	Fisher	Keefe
Boykin	Flannagan	Kefauver
Bradley, Mich.	Flood	Kelley, Pa.
Bradley, Pa.	Fuller	Kelly, Ill.
Brehm	Gallagher	Keogh
Buckley	Gamble	Kerr
Burch	Gardner	Kilburn
Burgin	Gary	Knutson
Butler	Gathings	Kunkel
Byrne, N. Y.	Gavin	LaFollette
Byrnes, Wis.	Gearhart	Lane
Camp	Gibson	Larcade
Campbell	Goodwin	Lesinski
Cannon, Fla.	Gore	Luce
Carnahan	Grant, Ind.	Lynch
Case, S. Dak.	Griffiths	McCowen
Celler	Gross	McKenzie
Chenoweth	Hall, Leonard W.	Marcantonio
Clark	Halleck	Mason
Clevenger	Harness, Ind.	May
Cole, N. Y.	Hartley	Merrow
Courtney		Monroney
		Morrison

Murphy	Reece, Tenn.	Sumners, Tex.
Neely	Reed, N. Y.	Talbot
Norblad	Rich	Taylor
Norrell	Rizley	Thom
Norton	Robertson, Va.	Thomas, Tex.
O'Brien, Mich.	Roe, N. Y.	Torrens
Outland	Rogers, N. Y.	Towe
Patman	Sabath	Traynor
Patrick	Sadowski	Wadsworth
Patterson	Schwabe, Mo.	Walter
Peterson, Fla.	Shafer	Wasielewski
Pfeifer	Sheridan	Weaver
Philbin	Short	Welch
Phillips	Sikes	Wilson
Ploeser	Simpson, Pa.	Winter
Powell	Smith, Ohio	Wolcott
Quinn, N. Y.	Smith, Va.	Wolfenden, Pa.
Rabin	Snyder	Wolverton, N. J.
Ramey	Stewart	Worley
Rayfiel	Sumner, Ill.	Zimmerman

So the motion was agreed to.

The Clerk announced the following pairs:

Additional general pairs:

Mr. Heffernan with Mr. Taylor.
Mr. Morrison with Mr. Short.
Mr. Sheridan with Mr. Reed of New York.
Mr. Keogh with Mr. Bennett of Missouri.
Mr. Pfeifer with Mr. Hartley.
Mr. Dingell with Mr. Ploeser.
Mr. Larcade with Mrs. Luce.
Mr. Davis with Mr. McCowen.
Mr. Outland with Mr. Schwabe of Missouri.
Mr. Worley with Mr. Campbell.
Mr. Patterson with Mr. Eaton.
Mr. Wasielewski with Mr. Towe.
Mrs. Douglas of California with Mr. Dondero.
Mr. Barry with Mr. Elsaesser.
Mr. Roe of New York with Mr. Halleck.
Mr. Courtney with Mr. Bennet of New York.
Mr. Gore with Mr. Gamble.
Mr. Rayfiel with Mr. Butler.
Mr. Clark with Mr. Elston.
Mr. Baldwin of Maryland with Mr. Baldwin of New York.
Mr. Burch with Mr. Horan.
Mr. Flannagan with Mr. Crawford.
Mr. Bates of Kentucky with Mr. Knutson.
Mr. Drewry with Mr. Reece of Tennessee.
Mr. Neely with Mr. Kilburn.
Mr. McKenzie with Mr. Wadsworth.

The result of the vote was announced as above recorded.

The doors were opened.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for further consideration of the bill H. R. 5452, with Mr. PRIEST in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the first paragraph of the bill had been read. The Clerk will continue the reading of the bill for amendment.

The Clerk read as follows:

FOREIGN FUNDS CONTROL

Foreign funds control: For all expenses necessary in carrying out the functions of the Secretary of the Treasury under sections 3 and 5 (b) of the act of October 6, 1917, as amended (50 U. S. C. (App.) 3, and 50 U. S. C. (Suppl. 1941) 5 (b)), and any proclamations, orders, regulations, or instructions issued thereunder; and in exercising fiscal, financial, banking, property-control, and related functions, authorized by law, administered by the Treasury Department in foreign countries and arising out of military operations of the United States; including personal services; purchase of lawbooks, books of reference, periodicals, and newspapers; printing and binding; maintenance, repair, and operation of a motor-propelled passenger-carrying vehicle; and reimbursement of any other appropriation or other funds of the United States or any agency, instrumentality, Territory, or possession thereof, including the Philippine Islands, and reimbursement of any Federal Reserve bank for printing and other expenditures; $1,000,000.

Mr. ROBINSON of Utah (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and that amendments may be in order to any part thereof.

Mr. BUNKER. Mr. Chairman, I object.

The Clerk read as follows:

Additional income tax on railroads in Alaska: For the payment to the Treasurer of Alaska of an amount equal to the tax of 1 percent collected on the gross annual income of all railroad corporations doing business in Alaska, on business done in Alaska, which tax is in addition to the normal income tax collected from such corporations on net income, the amount of such additional tax to be applicable to general Territorial purposes, $7,000.

Mr. WHITE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to discuss the parliamentary situation with the Members of the Committee for a few minutes. As I see it, this is just a scheme to bypass the committee of the Senate. You know, this is one of the most confusing and irregular parliamentary proceedings that has been undertaken on the floor in my 12 years as a Member of the House of Representatives. We are learning new parliamentary tricks all the time, and this is certainly an irregular proceeding. The bill that we are discussing is privileged. It took no rule to bring it to the floor. It was discussed yesterday and debated when there were very few Members on the floor. I wish that the attendance we have here now—and I question whether we have a bare quorum of the Committee of the Whole—had been here yesterday to hear some of the facts concerning this proposed legislation and the plan that is being attempted to be put over on the Members of the House of Representatives.

After the bill was discussed all day yesterday, then this morning a rule was brought in to circumvent, if you please, the fixed policy and the rules of the House—a long-established rule—that no legislation would lie on an appropriation bill. Today a special rule was brought in and it was voted upon, being limited to one provision of the bill: the silver provision. Then after that was done, another irregularity took place. The bill was withdrawn and we proceeded to debate and pass another appropriation bill. Now we are back on the original bill here at this hour of 5 o'clock, when everybody wants to get away and sign their mail. That is certainly irregular. I cannot believe, if all Members of the Committee knew the true situation, that they would let this plan of circumventing the rules of the House be put over in this manner.

We were very much encouraged lately by a message of the President in which he said it was intended to reduce borrowing by drawing on the reserves of the Treasury, but what do we have in the way of reserves in the Treasury? We have a small balance on hand in the Treasury of borrowed money, but we have over in the Treasury sufficient silver to put out in the form of silver certificates about $1,500,000,000. We did have the equivalent of $2,000,000,000, but we have dissipated that amount by making sales and making a loan under lease-lend to the British Empire of $300,000,000. They proceeded immediately to coin that money and put it into circulation in the realms of the British Empire at a price higher than the coinage value of our dollar. We now propose to let silversmiths and jewelers come in here and make a raid on this money stock of the Treasury, this reserve which we looked forward to the President's putting out in circulation to reduce the interest load on the people, by putting it out just as we have $2,000,000,000 of other silver certificates. But no; the silver jewelers must have silver with which to manufacture the high-priced jewelry and silverware they want to use. If you do not think they are profiteering today on that silverware, just go into any jewelry store or any department store where silverware or jewelry is sold and find out. I had occasion in Chicago the other day to try to buy a little wedding present that weighed about 11 ounces, and they wanted $54 for it. Everywhere you go you find the same profiteering on silverware.

When the President is trying so valiantly to reduce expenditures and bring the budget somewhere near a balance I cannot believe that the House will oppose his plan by sacrificing this silver metal that is lying over in the Treasury that should have been put into circulation in the form of money years ago, and that we have lost the interest on all of these years. I cannot see any sense in taking that silver and giving it to these jewelers when it is worth $1.29 here and all over the world. I think it is a mistaken policy, and what safeguard have we that speculators will not obtain this silver allegedly for industrial use and make the 58 cents an ounce, to which the Government is entitled, by selling it abroad?

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. ROBINSON of Utah. Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with, and that amendments to any part of the remainder of the bill be in order.

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BUNKER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BUNKER: On page 25, line 7, strike out lines 7 to 20, inclusive.

Mr. LUDLOW. Mr. Chairman, it is getting late, and this subject has been pretty thoroughly discussed. I move that all debate on this paragraph and all amendments thereto close in 20 minutes, the last 2 minutes to be reserved to the committee.

The motion was agreed to.

Mr. BUNKER. Mr. Chairman, the pending amendment to the Treasury-Post Office appropriation bill on the surface may seem to some Members of this body to be mild and harmless. The advocates of this legislation, of course, realize that under the rules of the House it will not be difficult to secure sufficient votes

needed for its adoption. They are also fully cognizant of the great difficulties—yes, the impossibility—of its final enactment into law. The Senate, in my judgment, will never approve it.

The proponents of this amendment have as their ultimate objective the establishment of a peacetime precedent designed to permit their constituents, jewelry and silverware manufacturers and the manufacturers of photographic supplies, to use the United States Treasury as a source of supply of silver so vitally needed in the processing of their goods. Not only that, but they want the Treasury to sell silver at 71.11 cents an ounce, a price that is 58 cents less than the Treasury for the past 154 years has been coining and issuing silver, under law, as legal tender to the American public in exchange for goods and services required in the normal transactions of our Government.

There is no valid reason whatsoever for granting such authority to the Treasury. With very few exceptions every article manufactured by the constituents of the proponents of this legislation carries a luxury tax, and therefore, is regarded as nonessential. The goods from which silver is made are not taken into account as a necessary part of our cost-of-living index. This proposal, if enacted into law, would result in a subsidy to the manufacturers of luxury goods at the expense of the taxpayer and would not be attempted if the Treasury Department had performed its duty by monetizing the silver it has acquired under law for the sole purpose of serving as a medium of exchange and as an integral part of the foundation of our currency system.

I wonder if the Members of the House of Representatives are aware of the fact that only on two occasions has the Treasury been authorized by Congress to sell silver at less than $1.29 an ounce, its monetary price. One of these instances occurred in 1918, during the First World War, and the second in 1943, during the Second World War.

Both were wartime measures. In the first instance, silver was sold at $1 an ounce, and in the second one at 71.11 cents an ounce, the lowest price at which silver was ever authorized to be sold by the Treasury of the United States. If this amendment is adopted it will establish a market price for silver at least 58 cents an ounce less than the market price that would now prevail, if the price of silver were not restricted.

Instead of subsidizing the manufacturers of nonessential luxury goods, all of the nonmonetized silver in the Treasury, amounting to approximately 250,000,000 ounces, should be coined and circulated at its full monetary value of $1.29 an ounce so that the people of the United States would receive the benefit of the difference between $1.29 and 71.11 cents an ounce, the prewar price at which it was acquired from the miner.

Mr. HARLESS of Arizona. Mr. Chairman, will the gentleman yield?

Mr. BUNKER. I yield to my colleague from Arizona.

Mr. HARLESS of Arizona. I want to reiterate what the gentleman from Nevada has said. This is just a plain case of subsidy for the benefit of a certain industry, at the expense of the taxpayers of this country. Let us not be mistaken about the claim that it is going to help the average citizen. To pass this particular law and circumvent the real intent of Congress would be a definite expense to the people of this country.

Mr. BUNKER. I thank the gentleman from Arizona.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Chairman, the authority granted in the bill is not giving anyone a subsidy. It gives industries providing work for millions of our countrymen a chance to work. It will not affect adversely any miner. On the contrary, it keeps going industries which have been, and will continue to be, his best customer. The silversmiths, the manufacturers of film for the movies, the manufacturers of photographic equipment, and other industries are going to pay for his silver without any loss to the Government.

Mr. GILLESPIE. Mr. Chairman, will the gentleman yield for a question?

Mr. MARTIN of Massachusetts. No. I have very little time.

Mr. GILLESPIE. There is not a silver mine operating in America today, anywhere.

Mr. MARTIN of Massachusetts. What the gentleman says is partially true. There are very few silver mines operating. It is because silver is a by-product and is generally derived from the mining of copper and gold. This indicates of itself the legislation will not affect the miner. He will keep on working as long as there is a demand for copper and gold. The Treasury officials, the WPB, and all Government officials are in favor of this legislation which is incorporated in the bill. The House has already, on three occasions, passed identical legislation with very little opposition.

Mr. GILLESPIE. Does the gentleman know what silver is selling for in Mexico? Is is selling for $1.05 now.

Mr. MARTIN of Massachusetts. Because we have a closed market in the world. Silver sold in Mexico before the United States Government commenced pegging prices at 35 cents an ounce. You could buy silver in Mexico for less than 40 cents an ounce. When the United States Government fixed the price at 71.11 cents and started out to buy all the silver the price, of course, advanced to a fraction under that figure, and our Government also regulated and practically prevented private buying of silver abroad.

This legislation will not hurt anyone. It puts to useful work idle silver and fully compensates the Government. If we are going to have prosperity in this country we must give business a chance to get the raw materials for processing purposes. I say this legislation will benefit both the silver miner and the processors.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

The Chair recognizes the gentleman from Utah [Mr. GRANGER].

Mr. GRANGER. Mr. Chairman, I am learning new wrinkles on the rules of this House as we go along. It seems to me that this is a most unusual procedure. The fact is, the people who are endeavoring to pass this legislation knew very well that if the legislation should follow its normal course it would never become the law of the land. So they have contrived this means of legislating on an appropriation bill to increase the possibilities of passing this legislation. In my judgment, it will never become law, in spite of the practice that has been engaged in this afternoon.

No one will benefit by this legislation. We claim that the miners of the West, the men who dig the silver from the bowels of the earth, are entitled to make a living. This legislation takes it away from the miners and gives it to a few fabricators of silver and other articles, and even some junk which they sell at tremendously high prices.

The CHAIRMAN. The time of the gentleman from Utah has expired.

The Chair recognizes the gentleman from Massachusetts [Mr. BATES].

Mr. BATES of Massachusetts. Mr. Chairman, in common with other Members of the House who have silver industries in their districts, I hope this amendment offered by the gentleman from Nevada will not prevail this afternoon.

I have a letter from which I want to quote a few paragraphs, in brief time at my disposal. It comes from an industry that is one of the major industries in a small city in my State. They say:

> Our problem and that of many other industries using silver in their peacetime product seems to hinge on the renewal of the Green Act, now in committee, which terminates on December 31, 1945.
>
> The supply of newly mined domestic and foreign silver in 1946 and probably 1947 will not take care of the increased use of silver in industry. Unless some Treasury free silver is made available, this company and other companies and the industry will be subject to great hardship, and production and sales will be curtailed at a time in the postwar period when the economy of our country requires increasing rather than decreasing production, sales, and the employment of manpower.

So it seems to me if we wanted to encourage those industries which are old established industries in our communities that we ought to make available to them the raw material they need to carry on their industrial activities and give employment to men and women.

There seems to be no logical reason why the Treasury Department should not make available this silver to the silversmiths of the country, who are greatly in need of it for manufacturing purposes. It is well known that there is a great shortage of free silver in this country, and because of this condition the silversmiths will be compelled to greatly curtail their activities unless they are permitted to purchase it from the Treasury Department, which has a tremendous amount, far in excess of the monetary requirements, stored away in the vaults. It ought to be put to some practical use and in my opinion no better way can be found than to make it available to those manufacturers who need it to keep their industries going and which in the

postwar period will provide employment for their workers. I sincerely trust that the amendment just offered will be defeated.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

The gentleman from Utah [Mr. ROBINSON] is recognized.

Mr. ROBINSON of Utah. Mr. Chairman, I desire to take the minute and a half that is allotted to me to call the attention of the House to the legislative situation we find ourselves in. I believe every Member of the House owes a duty to see to it that legislation which comes before the House is considered by the appropriate legislative committee. I think it is wrong for us to permit members of the Appropriations Committee, no matter how conscientious they may be, to write legislation on an appropriation bill in that committee without any hearings, without any consideration, then get a rule from the Committee on Rules whereby they can bring it before the Committee of the Whole House on the State of the Union without the right on the part of the rest of us to raise a point of order against the legislation.

The ones who are injured this time, and I believe vitally injured, are the silver miners of the West. The next time it may be the farmers of the South. In either case the principle is just as wrong. I believe we ought to get away from this idea of legislating the way we are today.

The CHAIRMAN. The time of the gentleman from Utah has expired.

The gentleman from Wyoming [Mr. BARRETT] is recognized.

Mr. BARRETT of Wyoming. Mr. Chairman, the purpose of this amendment is to make silver a little cheaper for the boys down East here who manufacture silverware; but the over-all effect of this amendment is to reduce the income of the people who dig the only wealth there is right out of the soil, right out of the earth.

The records show that once you reduce the income of the farmer and the miner you destroy the basis upon which the prosperity of the entire country is built, because the national income is now at exactly and precisely nine times the income of all farmers and about five times the income of the farmers and the miners combined.

What does silverware amount to? It is a luxury. Why should we here legislate to give those people that commodity at less than it costs to produce? It just does not make sense to me and I hope this amendment will be agreed to and this provision stricken from the bill.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

The gentleman from California [Mr. ENGLE] is recognized.

Mr. ENGLE of California. Mr. Chairman, I am supporting the Bunker amendment.

The Treasury at the present time pays the silver producer 71.11 cents an ounce for his silver. When the Treasury monetizes this silver it is monetized at $1.29. In other words, an ounce of silver in the United States Treasury is worth $1.29. That has been the price of silver in the Treasury for the past 154 years.

The effect of this provision of the bill would be to give the jewelry manufacturers of this country that silver at 71.11 cents an ounce rather than $1.29 an ounce. In other words it is like giving them 58 cents out of the Treasury of the United States on every ounce they buy. Why should we give the silver manufacturers—a luxury industry—a subsidy of 58 cents an ounce out of the Federal Treasury?

They are asking the privilege of going to the United States Treasury on the basis of the amount of money paid by the Treasury to the producer. There is no reason why the Treasury of the United States should lose 58 cents on every ounce of silver that goes to the silver manufacturers. If the jewelers are out of silver, they can go to the miners in order to get some more. Unless the OPA takes the ceiling off the price which they put on—that is, 71.11 cents, which is the price the United States Treasury pays to the producers of silver—they will not have to pay more than 71.11 cents per ounce. It all boils down to this: We are giving the silver manufacturers 58 cents out of the United States Treasury unless this amendment is adopted. If this amendment is adopted the jewelers will pay the ceiling price until the ceiling is taken off, and thereafter the price fixed in a free competitive market. Maybe that is what they are afraid of. I hope the amendment will be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. D'EWART].

Mr. D'EWART. Mr. Chairman, I wish to oppose the rider on House bill 5452 which would permit the Secretary of the Treasury to sell or lease Government-owned silver to private manufacturers at the price of 71.11 cents per ounce—page 25, lines 7–20—and to support the proposed amendment eliminating the paragraph.

Montana is third among silver-producing States of the Nation, and in 1945 produced 6,219,000 ounces. I have had a great deal of correspondence, both letters and telegrams, from my constituents protesting the provisions of the Green bill, S. 1508, and House bill 4509, both of which are almost identical to the section of this bill to which I refer.

In Montana many mines were closed during the war because of the manpower shortage and, in the smaller mines, because their operators were busy in war work or enlisted in the services. These men are returning now to their properties, hoping to reestablish themselves in the industry. Government sale of silver at this price will make it difficult and in some cases impossible for them to succeed.

My constituents believe, and I agree wholeheartedly, that continuation of the Treasury policy of selling silver to jewelers, silversmiths, and others at 71.11 cents per ounce works a grievous hardship on the silver industry, and is, in effect, a Government subsidy of a group of manufacturers whose luxury products are sold at enormous profit.

More than $2,000,000,000 of silver money based on the full coinage of $1.29 per ounce is now in use in this country. Lend-lease silver, of which we furnished more than a half billion—600,000,000—ounces to the British, has been coined and is in circulation at coinage values well above the Treasury's proposed selling price.

We believe that the manufacturers should be required to pay at least as much for Government-owned silver as the people of the United States, who do business with the $1.29 dollar. If the manufacturers must buy Government silver, let them pay the price, and let the taxpayers of the entire Nation benefit if a profit accrues to the Treasury.

I oppose the inclusion of lines 7 to 20, page 25, in House bill 5452, and ask that the amendment be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, if the amendment striking out this language should be adopted and the language not become law, it would be the most serious blow that could be struck at the silver-mining industry, because it would destroy their legitimate market for silver. It would drive our photographic industry and our silversmith industry out of the United States. They would have to go to foreign sources to get silver.

Let us keep this language in, and let mining and industry in the United States have a chance.

The CHAIRMAN. The Chair recognizes the gentleman from Idaho [Mr. WHITE].

Mr. WHITE. Mr. Chairman, a minute and a half is a pretty short time in which to dispose of $2,000,000,000 of good money metal in the Treasury of the United States, money metal that is already bought and paid for, ready to be issued and put into circulation in the form of silver certificates or silver dollars.

The issue here is clear-cut. It is a question whether the American people shall use their silver metal that has been bought and paid for, now idle in the Treasury of the United States, for money, thereby saving a great deal of money in the form of interest that they will have to pay for its equivalent in Federal Reserve money. Take out your pencil and figure 6 percent on $2,000,000,000 and you will realize that that is what the American people will lose if the silver is disposed of to the jewelry trade under the provisions of this bill. Figure it out.

The jewelry trade is already profiteering. Silver is worth $1.29 all over the world.

I wish the gentleman from New York who is always harping on silver would get the Treasury's bulletin and read the seigniorage tables and he will find out where Uncle Sam has made a billion dollars in seignorage in connection with silver that has been converted into money under the Silver Purchase Act. There has been a tremendous saving in interest, which is all in the form of economy that he advocates, if he advocates economy at all, and I sometimes wonder if he does.

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I support the amendment on the desk. I had a similar amendment to offer if this had not been offered. I want to strike the language on page 25 permitting the sale of silver from the United States Treasury at 71.11 cents per ounce. There are many different angles to this proposal and the minute and a half will not permit me to touch on many of them. But following what my good friend the gentleman from Idaho has just said, this bill will immediately affect about 240,000,000 ounces of silver which is in the Treasury without monetary obligation.

Now, what can we do with it? We can sell 240,000,000 ounces of silver to the trade at 71.11 cents, silver which they want and which this bill will permit them to buy if the amendment is not carried. What should we properly do with that silver? We can convert that 240,000,000 ounces of silver into paper money, silver certificates, or coin it into dollars, as we have already done with many other millions of ounces, and it will give us $300,000,000 of good money, the very kind that you get from the Sergeant at Arms when you go down to cash your check. Now we need $300,000,000 of money in the Treasury.

You have your choice. What kind of money do you want? Perhaps some of you want money which costs 5 percent interest in order to call it into being. What is 5 percent interest on $300,000,000? Figure it out. That is exacly what you can save for the country annually by using this silver in the Treasury as it was intended to be used instead of selling it for loving cups and paying banks to furnish us $300,000,000 of another kind of money instead. Where are the guardians of the Treasury?

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. LUDLOW] to close debate.

Mr. LUDLOW. Mr. Chairman, a good deal of heat has been generated by this discussion, and I shall be happy if I can generate just a little bit of light. The Secretary of the Treasury is under statutory mandate to buy silver until the price of silver reaches $1.29 an ounce or until the stock of silver equals one-fourth of the entire monetary stock of the country. The total silver stock of the United States is 2,500,000,000 ounces, of which 1,377,328,371.3 ounces is pledged to redeem the silver certificates. There is quite an element of silver dollars entering into the equation there, but there is also an accumulation of $243,000,000 of free silver for which the Treasury of the United States paid on the average 46⅔ cents an ounce. It is proposed to sell this silver to the trade at 71.11 cents an ounce which will give a profit of 24.45 cents an ounce to the Treasury. On the whole the Treasury will make about $59,413,500 profit if it sells all this silver under the provisions of this bill at 71.11 cents an ounce.

The question is whether this great reservoir of silver lying idle in the vaults of the Treasury shall be put to some good use. It is serving no useful purpose where it is. The silversmiths are crying for silver. It is very much needed to give employment to the people of this country, and it seems to me the wise and the sensible thing to do is to make it available for that purpose. The House has passed on this proposition. I have in my hand here a copy of the bill H. R. 4590, which passed the House on December 19 last. It is identical with the proposal in this bill.

The CHAIRMAN. The time of the gentleman from Indiana has expired. All time has expired.

The question is on the amendment offered by the gentleman from Nevada [Mr. BUNKER].

The question was taken; and on a division (demanded by Mr. BUNKER) there were—ayes 26, noes 56.

So the amendment was rejected.

Mr. HARE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARE:

On page 37, line 22, after "substitutes", insert a comma and the following: "for delivery service on all holidays except Sundays."

On page 38, line 1, strike out "$114,500,000" and insert "$116,500,000."

Mr. LUDLOW. Mr. Chairman, I move that all debate on the bill close in 10 minutes, 1 minute of that time to be reserved to the committee.

The motion was agreed to.

Mr. HARE. Mr. Chairman, a number of years ago the Congress provided for rural delivery service. Paragraph 191 of the act provided that rural delivery should be extended so as to serve as nearly as practicable the entire rural population of the United States. The same act provided that this service should be for 6 days per week. It also provided there should be substitute carriers for every carrier. Under present arrangements there are several holidays during the year, and the regular carriers under another act of the Congress have holidays on those days. This amendment only provides that on holidays substitute rural carriers will be permitted to deliver mail to rural communities.

This afternoon this branch of the Congress appropriated $100,000,000 for the extension of rural electrification, and I was glad to vote for this item. The idea, I understand, is to furnish electric lights to as many of the people who live in those rural areas as possible. In other words, we are proposing by the appropriation of $100,000,000 to give them electric lights to read by at night. Here we are only asking in this amendment an appropriation for $2,000,000 to provide services that will furnish people who live on rural routes with their daily papers, magazines, and other materials that they have something to read at night. It frequently happens that a holiday comes on a Saturday or a Monday; in either case patrons are without mail for 2 or 3 days. If it comes on a Sunday, the regular carrier has a holiday on Monday and the people who live on a rural route are again without mail for 2 or 3 days. To illustrate, suppose a national holiday comes on Sunday or Monday, the patrons would receive no mail or service from Saturday until Tuesday, which means they have no mail facilities for 3 days from the Saturday previous to the Tuesday following.

We are doing a great deal and we have been doing a great deal for people who live in our great rural communities. The passage of this amendment would be a mere pittance, and in my judgment the additional income to the Post Office Department would practically pay for the service. It will not interfere with the regular carrier. It only permits a substitute carrier to deliver the mail on these holidays that come about eight or nine times a year. It will mean a great deal for these people. It will mean a great deal in the way of dispatching their business and increasing their facilities for business. You would hate very much in your business, I know I would, if we did not have any mail for 3 days. If we were deprived of mail facilities, we could not carry on our business. I do not know of anything in this world that would paralyze the economy of this country more quickly than to stop the mail for 24 or 48 hours. It would virtually paralyze all business. Why, then, should we attempt to penalize people who live in these rural areas?

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. HAYS].

Mr. HAYS. Mr. Chairman, some time ago I introduced a bill similar to the amendment offered by the gentleman from South Carolina designed to accomplish the same purpose, that is to provide mail delivery on the holidays for the rural routes. When the suggestion first was made to me by the editor of one of the daily papers in my district, I was inclined not to attach much weight to it. Eight days a year seemed of minor importance but I have concluded that this would be a great help to rural patrons. I received a good deal of mail on the subject when I indicated that I was giving some consideration to Mr. HARE's suggestion. The editor of the daily paper who wrote me stated that many of his patrons complained because they could not get their daily papers on the holidays. This is only one item on the list of inconveniences. The city dweller is not so handicapped. He can buy his newspaper at the corner store. Other facilities are available to him but the only way the rural patron can get his holiday mail is through the method described by the gentleman from South Carolina.

We ought to do this to mitigate to some extent the disadvantages suffered by the rural patrons. We ought to do everything we can to add to the comforts and conveniences of farm life. I join with my colleague, the gentleman from South Carolina, in agreeing that we have had much support in recent years in efforts to increase service to the farm population in various departments but many things remain to be done. The item is not large considered in relation to the total Department budget, but it is a matter of great importance to those to whom the daily mail means so much.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I think this amendment should not be agreed to. It will cost ten or twelve million dollars and nobody wants rural mail delivery on holidays.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. O'NEAL] to close debate.

Mr. O'NEAL. Mr. Chairman, there is no more zealous or forceful advocate of the farm people than the gentleman from South Carolina [Mr. HARE], but this is a rather strange situation. He is asking that we provide money for rural delivery service on holidays, and I am informed that all the post offices, except first-class post offices, are closed on holidays. So you would be providing money for the delivery of mail when the post office itself is not open.

Now, that is just untenable. The amendment the gentleman has offered will cost $2,000,000 more and will accomplish nothing.

I regret very much to have to oppose anything the gentleman from South Carolina is asking for, but certainly, just to put money for holiday deliveries in the bill when the post offices are closed on holidays accomplishes nothing. Incidentally, I have always thought the carriers were entitled to holidays as well as other people. While you are favoring some of the people you might continue to think of the carriers and give them a holiday also. But let us not provide for something in the bill for holiday delivery service when the post offices themselves will not be open; the mail will be locked up and cannot be delivered. The amendment should be defeated.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. Yes, I yield.

Mr. HARE. This does not interfere with the carriers. The substitute will carry the mail and he has no holidays.

Furthermore, the gentleman should know that all second-class offices are open on holidays and the people who live in the towns and vicinities can go there and get their mail.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

All time has expired.

The question is on the amendment offered by the gentleman from South Carolina [Mr. HARE].

The amendment was rejected.

Mr. LUDLOW. Mr. Speaker, I move that the Committee do now rise and report the bill back to the House, with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and Mr. MCCORMACK having assumed the chair as Speaker pro tempore, Mr. PRIEST, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 5452, had directed him to report the bill back to the House, with the recommendation that the bill do pass.

Mr. LUDLOW. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. HILL asked and was given permission to extend his remarks in the RECORD and include a letter written by the Secretary of the Interior, Mr. Ickes, to the President of the United States.

Mr. WHITE asked and was given permission to extend his remarks in the RECORD and include certain excerpts.

Mr. CANFIELD asked and was given permission to extend his remarks in the Appendix of the RECORD and include a poem written by a constituent.

The SPEAKER. Under the previous order of the House, the gentleman from Wisconsin [Mr. SMITH] is recognized for 20 minutes.

RELIEF FOR THE NEEDY OF OTHER LANDS

Mr. SMITH of Wisconsin. Mr. Speaker, this country has invoked a savage policy of vengeance against starving and clothless people of enemy countries. President Truman is adamant in his refusal to permit the shipment, by private agencies, of clothing and medicine to the people who need it so badly in Germany. This is a matter, Mr. Speaker, that demands the attention of the Congress, notwithstanding the attitude of the President.

Mr. Speaker, I have introduced a resolution whereby the Congress expresses itself to the end that the President should grant permission to organizations engaged in relief activities to distressed peoples in foreign countries be allowed to give to those nations with whom we were at war. By so doing we in no way condone the acts of the war leaders of those countries, nor is it an admission that we are going "soft." It is nothing less, Mr. Speaker, than common decency.

I am reliably informed, Mr. Speaker, that shoes and clothing in large amounts are waiting shipment by private agencies to Germany and Austria but clearance has been denied by our authorities. If we are engaged in a policy of vengeance, if we plan to maintain life there on a starvation basis, then we violate every law of man and God and we are bound to fail. Let us remember, forever, that scripture, "Vengeance is mine," said the Lord. This is a Biblical injunction that needs to be emphasized.

It is indeed unfortunate, Mr. Speaker, that the Congress should be bypassed in this important matter for it involves a national policy and the responsibility does not rest with the Executive alone. It is an unfortunate fact that the American people are not being advised as to the situation existing in Europe except by way of news stories that appear only occasionally in the press. The New Deal still does not take the people into its confidence. If these conditions persist in Germany then we can expect that the basis of World War III is being definitely laid. And that is a terrible responsibility. If the present administration was alert and abreast of the thinking of the great majority of our people, it would realize that there is an urgent demand for a plan to permit relief to go to people who are dying from starvation and freezing to death because they have insufficient food and clothing. It is reported that in the Russian zone of occupation the infant mortality rate last November was 90 percent. Such a figure should snap us out of our lethargy. If it continues the words of a high-ranking United States Army officer will be true. Said he: "We are making a cesspool of central Europe by our tactics."

Dorothy Thompson, columnist, recently wrote:

> Starving masses are soil for anarchy, chaos, crime, insanity, epidemics, nihilism. Conditions in parts of Germany duplicate the horrors of Buchenwald and Belsen—and all in the name of democracy, Christianity, humanity.

Mr. Speaker, as a part of my remarks, I include herein a copy of House Concurrent Resolution 127 which I introduced on February 12. Also an editorial from the Christian Century of January 2, 1946, and an article by Dorothy Thompson which appeared in the Washington Star on February 11, 1946.

Mr. Speaker, I urge prompt consideration of my resolution. Time is of the essence.

[From the Christian Century of January 2, 1946]

ASK LIFTING OF BAN OF CLOTHES TO GERMANS

While large numbers of people are freezing in Germany, 1,000 bales of clothing, shoes, and bedding contributed by American church people are waiting at an east coast warehouse for permission from the Department of State for shipment. On December 12, Rosswell P. Barnes, acting general secretary of the Federal Council of Churches, and Leslie B. Moss, secretary of the Church Committee on Overseas Relief and Reconstruction, wired an appeal to President Truman that "church bodies * * * are besieged with pleas to send supplies to the Evangelical Church in Germany, the officially constituted Protestant relief agency, for distribution. * * * State Department ruling prevents granting license. * * * We offer immediately 1,000 bales clothing, shoes, bedding with further supplies to come later if you will open doors. * * * Believe this excellent opportunity to help win German Christians' support for democratic ideals." There is reason to believe that if this appeal is backed up sufficiently by the churches it will be granted. These 1,000 bales of clothing may therefore be the opening wedge for a partial reversal of the Potsdam policy of complete isolation for the German people. A ruling on this appeal will constitute a precedent. Meanwhile the machinery is being oiled for a "victory collection" of clothing throughout the country in January under the chairmanship of Henry J. Kaiser. This clothing will be used by UNRRA to meet the crisis of suffering which engulfs all Europe. It cannot be distributed in Germany or Japan

except among so-called displaced persons. Private agencies, including the churches, must therefore continue their efforts to collect supplies and to obtain permission to send them to these countries.

[From the Washington Star of February 11, 1946]

ON THE RECORD

(By Dorothy Thompson)

If President Truman's imposition of wheat controls and informal rationing comes as a shock to the American people, it is only because the facts about conditions in Europe have not been aired, but instead have been suppressed. Even now, President Truman's order does not illuminate the desperation of the situation. More can be learned from a discussion which took place in the Senate January 29, when Senator WHERRY, Republican, of Nebraska, introduced a concurrent resolution, signed by six other Senators, calling for a joint congressional group to make an official visit to Germany and other places to obtain information regarding conditions, and actions which might be taken to improve them.

The resolution states: "Whereas reports reaching the United States from both Europe and Asia indicate that the policies of the major victors are subjecting millions to mass starvation; and whereas the United States has been party to commitments and agreements reached among the victor powers which have led to these conditions; and whereas Congress has been bypassed and the American people ignored in the formulation and implementation of these policies; and whereas it is essential that Congress should obtain necessary information to request the President to take Executive action; therefore be it resolved * * *." Whereupon follows the proposal for first-hand study and report.

The discussion attending the introduction of this resolution brought out innumerable facts regarding hunger and health conditions, especially in Germany, and revealed that attempts to interest the administration, both by congressional groups and by various overseas millions of the Christian churches, and Mrs. Dwight Morrow's "Food for Freedom," had been coldly received in the White House. The discussion occupies 11 pages in the CONGRESSIONAL RECORD, and the facts revealed were not challenged by anyone, but no news service carried the story.

The only organized attempts to tell the American people the facts about starvation conditions have come from outside the Government, and in order to get real light it has been necessary to read church publications like the Christian Century, the Commonweal, the Unitarian, and Quaker reports, etc., all of which have been predicting, since fall, exactly the state of affairs that the President now, very late, admits, and now, very late, takes steps to rectify. The situation was thoroughly aired in the British House of Commons as far back as October, but our administration made no move further to publicize the facts or to follow the warnings of Sir Arthur Salter that wheat stocks must be diverted from unnecessary uses if millions of human beings were to escape famine.

Mass appeals, participated in by thousands of Americans, to open Axis countries—where conditions are worst—to American relief, and to reestablish postal services for personal relief to relatives and friends have been ignored. The President is not ahead of the people; he is way behind those who have managed to learn what is going on. The real trouble is that the terrible disorganization caused by the war, accompanied by political demoralization and break-down in all the Axis countries, and highly unstable conditions in liberated Allied countries, have been compounded by the Potsdam program, which will go down in history as the blindest, most stupid peace program ever enunciated.

Compounded of Morgenthauism, revengism, economic moronity, and the suspicions of the victors of each other; made to compensate the Poles for their loss of territory in the east by awarding them vast stretches of German territory in the west, which they have neither the proper governmental authority, the people, or the tools to resettle and manage; agreeing in principle to the evacuation from eastern countries of the entire German-speaking population, numbering 10 or 12 millions; deciding for the immediate collection of reparations in the form of industrial plant and agricultural machines and implements; dividing Germany into five zones, only four of which are under the four-power command in Berlin, the Polish zone being left entirely to the Poles, who are themselves demoralized by the alienation of legitimate government and any army with disciplined morale; destroying, not only the political but also the economic unity of Germany, so that there is no intercourse between the Rhinelands and Silesia or Leipzig and Munich—the Allies at Potsdam made what is now coming to pass, with mounting horror, an inevitability.

It meant a sentence of death on millions of German, Hungarian, and other European women and children.

Its results are reflected in an official report from the Russian zone, where infant mortality was 90 percent in November.

We must now make sacrifices to help undo what our own policies have contributed to create. We must get food, mendicaments, and relief into the Axis countries, from which UNRRA is barred. Starving masses are soil for anarchy, chaos, crime, insanity, epidemics, nihilism. Conditions in parts of Germany duplicate the horrors of Buchenwald and Belsen—and all in the name of democracy, Christianity, humanity.

House Concurrent Resolution 127

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President should take such action as may be necessary to secure permission for organizations engaged in relieving the distress of the people in foreign countries to carry on their activities in any foreign country, including any country which has been at war with the United States on or after December 7, 1941.

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include as part thereof a copy of House Concurrent Resolution 127, which I have introduced; also an editorial and a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. THOM (at the request of Mr. MCCORMACK), for 1 week, on account of illness in family.

To Mr. WASIELEWSKI for today and Friday, on account of official business.

ADJOURNMENT

Mr. LUDLOW. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 46 minutes p. m.) the House adjourned until tomorrow, Friday, February 15, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Aviation Subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Tuesday, February 19, 1946.

Business to be considered: To begin hearings on H. R. 1314 (meteorology) and H. R. 164 (thunderstorms).

EXECUTIVE COMMUNICATIONS, ETC.

1063. Under clause 2 of rule XXIV, a letter from the Chairman, Reconstruction Finance Corporation, transmitting a report of its activities and expenditures for the month of August 1945, was taken from the Speaker's table, referred to the Committee on Banking and Currency, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SPENCE: Committee on Banking and Currency. H. R. 4761. A bill to amend the National Housing Act by adding thereto a new title relating to the prevention of speculation and excessive profits in the sale of housing, and to insure the availability of real estate for housing purposes at fair and reasonable prices, and for other purposes; with amendment (Rept. No. 1580). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 1389. A bill providing for the transfer of a certain fish hatchery in Comanche County, Okla., to the city of Lawton, Okla.; without amendment (Rept. No. 1581). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HAVENNER:

H. R. 5475. A bill to promote on the retired list officers and enlisted personnel of the Army commended for gallantry in the performance of duty in actual combat in World War II; to the Committee on Military Affairs.

H. R. 5476. A bill to amend the act of July 2, 1945, by changing the basis of award of merit for uncompensated personnel of the Selective Service System from 2 years of service for 1 year of service; to the Committee on Military Affairs.

By Mr. KEAN:

H. R. 5477. A bill to amend the definition of dependent for the purposes of the credits for individual income tax; to the Committee on Ways and Means.

By Mr. MCCORMACK:

H. R. 5478. A bill to provide for making certain articles and equipment available for use at the convention of the Veterans of Foreign Wars to be held in Boston, Mass., in September 1946; to the Committee on Military Affairs.

By Mr. MORRISON:

H. R. 5479. A bill to provide that retired enlisted personnel of the Army who served as commissioned officers during World War II shall receive the pay of retired warrant officers; to the Committee on Military Affairs.

By Mr. O'BRIEN of Michigan:

H. R. 5480. A bill to amend the act of June 4, 1936, as amended, to include the appoint-

ment of substitute special-delivery messengers; to the Committee on the Post Office and Post Roads.

By Mr. PRICE of Illinois:

H. R. 5481. A bill to provide for the orderly and fair demobilization of the armed forces of the United States and to maintain the strength of the armed forces necessary to carry out America's peace objectives; to the Committee on Military Affairs.

By Mr. BALDWIN of Maryland:

H. R. 5482. A bill to provide for financial assistance to States, counties, parishes, municipalities, and other public bodies for the prompt clearance of slum and blighted areas with provision for the sale of such cleared areas for private or public redevelopment enhancing the public health, safety, and welfare, and for other purposes; to the Committee on Banking and Currency.

By Mr. KEARNEY:

H. R. 5483. A bill to repeal section 800 (b) of the Servicemen's Readjustment Act of 1944; to the Committee on World War Veterans' Legislation.

By Mr. SCHWABE of Oklahoma:

H. R. 5484. A bill to exempt certain earned income of persons 65 years of age or over from the Federal income tax; to the Committee on Ways and Means.

By Mr. BARRY:

H. R. 5485. A bill providing for the issuance of marine insurance within the United States; to the Committee on Banking and Currency.

By Mr. MURDOCK:

H. R. 5486. A bill to provide basic authority for the performance of certain functions and activities of the Bureau of Reclamation; to the Committee on Irrigation and Reclamation.

By Mr. HAND:

H R. 5487. A bill to provide for a service credit for veterans for purposes of title II of the Social Security Act; to the Committee on Ways and Means.

H. Res. 525. Resolution authorizing the Committee on Labor to study means of preventing strikes in public utilities, hospitals, and processing and distribution of essential foods and fuel; to the Committee on Rules.

By Mr. EDWIN ARTHUR HALL:

H. Res. 526. Resolution to assure the world's starving peoples of bread now; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Syrian Parliament, declaring its disapproval of and protests against decision of the British Government which permitted temporary entrance of 1,500 Zionist immigrants monthly to Palestine; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN of Maryland:

H. R. 5488. A bill for the relief of Alfred W. Burdick; to the Committee on Claims.

By Mr. D'EWART:

H. R. 5489. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Wilbur P. Lockman; to the Committee on Indian Affairs.

H. R. 5490. A bill authorizing the issuance of a patent in fee to Mr. and Mrs. James Archdale; to the Committee on Indian Affairs.

By Mr. HOCH:

H. R. 5491. A bill for the relief of the estate of the late Leroy C. Rider; to the Committee on Claims.

By Mr. MALONEY:

H. R. 5492. A bill for the relief of A. J. Crozat, Jr.; to the Committee on Claims.

By Mr. SASSCER:

H. R. 5493. A bill for the relief of Rex Daniels; to the Committee on Claims.

By Mr. SCHWABE of Oklahoma:

H. R. 5494. A bill for the relief of Edward B. Massie; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1566. By Mr. LEWIS: Petition of a portion of the Pennsylvania Railroad employees at Wellsville, Ohio, opposing the discontinuance of OPA regulations; to the Committee on Banking and Commerce.

SENATE

FRIDAY, FEBRUARY 15, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, to the white altar of Thy grace in the brightness of this new morning, we come, bowing in our ignorance and weakness, praying for strength and wisdom to face with courage the somber specters that stalk the darkened earth. Guide us, O Thou great Jehovah, in these chaotic days as we seem to wander between two worlds, one dead, the world of force and ruthless competition; the other, a world of understanding and cooperation, powerless to be born until ancient feuds and fears are melted in the refining fires of a common concern and destiny for all mankind. That we may be the servants of Thy redemption, wilt Thou put Thy law in our inward parts and write it in our hearts, so turning statutes into songs. In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, February 13, 1946, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On February 12, 1946:

S. 102. An act to amend section 2 (b) of the act entitled "An act extending the classified executive civil service of the United States," approved November 26, 1940, so as to provide for counting military service of certain employees of the legislative branch in determining the eligibility of such employees for civil-service status under such act;

S. 765. An act concerning the establishment of meteorological observation stations in the Arctic region of the Western Hemisphere, for the purpose of improving the weather forecasting service within the United States and on the civil international air transport routes from the United States;

S. 1545. An act to amend article 38 of the Articles for the Government of the Navy; and

S. 1631. An act to provide for the payment on a commuted basis of the costs of transportation of dependents of certain persons entitled to such transportation, and for other purposes.

On February 14, 1946:

S. 480. An act to authorize the sale of the allotment of Henry Keiser on the Crow Indian Reservation, Mont.;

S. 845. An act for the relief of Mabel Fowler;

S. 831. An act for the relief of James Alves Saucier;

S. 905. An act for the relief of Harold E. Bullock;

S. 991. An act for the relief of Mr. and Mrs. Marion M. Hill;

S. 1077. An act for the relief of Oscar S. Reed;

S. 1031. An act for the relief of Aftab Ali;

S. 1101. An act for the relief of the estate of Manuel Rose Lima;

S. 1142. An act for the relief of Florence Barrows;

S. 1158. An act for the relief of Winter Bros. Co.;

S. 1294. An act for the relief of Mr. and Mrs. Allan F. Walker;

S. 1296. An act for the relief of John A. Hatcher;

S. 1323. An act for the relief of the estate of William Carl Jones; and

S. 1338. An act for the relief of the legal guardian of Wayne Edward Wilson, a minor.

On February 15, 1946:

S. 1360. An act to compensate Benali El Oukili Boucheta, an inhabitant of French Morocco, for the wrongful death of his son, Mohamed Ben Boucheta Ben Ali El Oukili, near Marnia, Algeria, on September 30, 1944; and

S. 1448. An act for the relief of William Wilson Wurster.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 5452. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1947, and for other purposes; and

H. R. 5458. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for other purposes.

ADDRESS BY THE SECRETARY OF STATE ON ANGLO-AMERICAN ECONOMIC AND FINANCIAL AGREEMENTS

Mr. AUSTIN. Mr. President, I am about to ask unanimous consent to have printed in the RECORD, following a brief statement by me, an address delivered by the Secretary of State concerning the extension of a line of credit to Great Britain, to be available during the 5 years ending December 31, 1951, aggregating three and three-quarter billions of dollars.

I favor approving this credit on the conditions stated in the financial agreement between the Governments of the United States and the United Kingdom, signed at Washington the 6th day of December 1945.

In omitting from this brief discussion many of the important considerations, I do not disregard their probity as reasons for establishing the economic arrangement which involves the credit by the United States.

For brevity, I mention only a few characteristics of the arrangement which seem to me to interest all political parties and which would place the legislation necessary for the credit in a nonpartisan status.

The welfare of the United States depends upon our ability to pay our national debt. This debt is so large that it constitutes a cloud upon the confidence and the hopeful effort of our people. Therefore, it is important to the attainment of a high level of employment and to our prosperity that we expand production in a degree that will give us a larger national income than would be possible if the outlets for our production should remain as they were in peacetime.

Expansion of both production and markets is necessary to the expeditious payment of our debt.

Such expansion depends materially upon removal or reduction of trade barriers, such as Britain's sterling area dollar pool and inter-imperial preferences and her lack of dollars which are necessary to restoration to even her prewar economic intercourse.

Before the war, the British people bought about one-fifth of all the goods that were exported by all the other countries in world trade. They were our largest single customer. Without this credit, Britain's purchases cannot reach the old volume, much less an expanded volume.

Probably the most significant benefit of the agreement, from our point of view, is that which provides for participation in next summer's negotiations to support our proposals for the expansion of world trade and employment which were published last December.

Secretary Byrnes has stated in the address which I shall ask to have printed:

> The British credit is a large investment undertake to gain an ever larger objective. Without it, our efforts to construct an expanding world economy may well be frustrated. With it, we shall have won the support of a powerful ally in our efforts to break down those harmful economic practices which throttle trade, perpetuate poverty, engender ill will among nations, and sow the seeds of conflict.
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> * * * * *
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> Unless the British receive this loan of dollars from the United States, only one course will be open to them. They must buy what they need almost exclusively from the countries which normally buy equal or larger amounts from them. Or they must buy from countries which are willing to accept payment in pounds and spend the pounds for goods in Great Britain or in some other part of the sterling area.

There is reason to believe that the employment of this credit under the terms of the agreement would stimulate employment and production that will enable the United States to retire its debt expeditiously, and reconvert to a sound peacetime economy.

I ask unanimous consent to print in the RECORD, immediately following these remarks, the informative address delivered by the Secretary of State, the Honorable James F. Byrnes, before the Foreign Policy Association, Waldorf-Astoria Hotel, New York City, February 11, 1946, which was broadcast over the network of the American Broadcasting System.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Vermont?

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Mr. Chairman and ladies and gentlemen, I am honored by the invitation to speak to you this evening. The Foreign Policy Association has performed a great service to this country. It has persistently and effectively helped to impress upon all of us how closely the future of the United States is bound to the future of the world.

I am sure that had the members of this association traveled to London last month as I did, they would have shared my deep satisfaction with what I saw and heard there. It was a happy privilege for me to declare to the General Assembly, on behalf of the Government and people of the United States, that we are wholeheartedly committed to the success of the United Nations.

The newspapers and the radio broadcasts have been filled with accounts of the disputes which have been aired these past weeks in the Security Council. Iran and Greece have been the subject of direct and frank debate, particularly between the representative of the Soviet Union and the representative of Great Britain. I cannot feel that the open discussion of these disagreements is cause for alarm. Quite the contrary. Open discussion has not prevented agreement with respect to the disputes over Iran and Greece.

Yet the public expression of these divergent viewpoints reminds us of the difficulties which stand in the way of wholehearted international cooperation. We may wish that these difficulties did not exist, but we will be ill-advised to ignore their stubborn presence.

I wish to talk to you this evening about one of the most important of these difficulties and about our plan for helping to remove it. The problem I have in mind is the economic and financial dilemma into which the war has plunged Great Britain. The partial solution I am thinking about is the Anglo-American economic and financial agreements.

In the course of the discussion and debate that these agreements have evoked, the nature of the problem facing Great Britain has become familiar to all of us.

Before the war, the British people bought about a fifth of all the goods that were exported by all the other countries in world trade. They were our largest single customer. They were the largest customer of many other countries. They paid in goods, in the income from their overseas investments, and in the earnings of their merchant fleet.

Now, as they emerge from the war in which they suffered so bitterly, their exports are down to about a third of what they were in 1939. Many of their plants producing goods for export have been bombed out of existence. Many foreign investments have been sold and foreign properties damaged or destroyed. Much of Britain's merchant fleet has been sunk.

The British borrowed heavily abroad. At the same time they sacrificed their export trade and converted their entire economy to war. Now, Britain must reconvert, and on a much larger scale than the United States. Britain must reconstruct, which we do not have to do.

But unless credit is extended to the British, they cannot purchase abroad the goods and equipment they need in order to reconvert and to reconstruct. Until this is done, Britain's purchases cannot reach the old volume, much less an expanded volume. Such a situation cannot cure itself. Yet it is essential for the economic health of the world that it be cured quickly.

No one imagines that the financial agreements alone will remedy this situation. Whether or not the Congress approves the agreement, the British people face a lean period that will continue for some years. But the financial agreements will permit the British to buy food and machinery and raw materials—the first things they need in the effort to restore their economy.

Here in the United States we are in midpassage in our reconversion. Despite the pressure of events abroad, even a Secretary of State is aware of the storms that delay our passage. Certainly a Secretary of State who was formerly Director of War Mobilization is uncomfortably familiar with the thorny character of price and wage disputes.

But as Secretary of State I suggest to you that when we have settled the industrial disputes and other problems that are crowding in on us so insistently, we shall become more keenly aware that our ultimate prosperity heavily depends upon whether the economy of the world is free or in chains.

The lawsuits which the Supreme Court is called upon to decide continue to reveal a variety of attempts by the several States to burden or restrict interstate commerce. These suggest that we have not fully learned our lesson even at home.

But no American seriously contends in this day and age that the prosperity of the wheat farmer of the Dakotas, the cotton grower of the Carolinas, or the market gardener of California is not directly linked to that of the miner in Pennsylvania and the manufacturer in New York.

We take for granted the interdependence of the national economy. The interdependence of the world economy is less apparent. But it is quite as real. Prosperity here and abroad requires the expansion both of production and of markets.

We know that we in the United States cannot reach and maintain the high level of employment we have set as our goal unless the outlets for our production are larger than they have ever been before in peacetime.

Thus Britain's difficulties in returning to normal economic intercourse are of direct concern to us. The economic agreements we have drafted to help meet those difficulties have several objectives.

We have acted first to settle the war account. Those who remember how the last war's debts haunted the world will welcome the expeditious disposal of this issue.

Our claims on Britain and Britain's claims on us for materials delivered under lend-lease and reverse lend-lease and consumed before VJ-day have been disposed of. The victory was the payment we sought for these goods.

But Britain will pay us for American surpluses remaining in the British Isles. A multitude of claims running both ways has been considered, a balance struck, and Britain has agreed to pay, with interest and over 50 years, the sum of $650,000,000.

The provision of the agreements which has commanded the greatest public attention is the extension of a line of credit to the United Kingdom totaling $3,750,000,000. This credit may be drawn upon at any time from the date Congress approves the loan agreement until December 31, 1951. It will, of course, be used gradually.

The sums actually borrowed are to be repaid during the 50-year period beginning in 1951, with interest at 2 percent. The United Kingdom may request the United States to waive the collection of interest in any year in which British income from sales abroad and other sources is not enough to enable Great Britain to bring in imports at the average prewar level. This is a wise provision in a contract of such long duration.

It is not the course of wisdom to insist on interest payments when world trade conditions may sometimes make such payments impossible.

That, briefly, is the loan. To a transaction of this magnitude it is quite natural that objections should be raised.

I have heard it said, for example, that the credit will contribute to inflation in this country. If a sum of this size were all to be drawn at once and spent for scarce consumers' goods, it would indeed be serious. But that will not occur. The British certainly will conserve the funds, drawing from them only as needed between now and 1951.

They will not spend it for consumer-manufactured goods because these goods they make themselves. They will spend it for what they must buy abroad—food and basic raw materials.

Some of the things they buy, for instance, cotton, already are in surplus in this country, and other items doubtless will be in surplus before 1951. We shall soon be glad of British markets for lard, apples, tobacco, and no doubt also for wheat after the present shortage has been relieved.

Some of the credit will be spent in other countries, especially in South America. These countries will thus acquire additional dollars which they can use for purchases here.

What the South Americans wish to buy from us is mainly capital equipment: Machine tools, Diesel engines, generators, and machinery of every kind. The war enormously expanded our productive capacity for equipment of this kind, and increased foreign orders will be warmly welcomed.

The pressure for inflation in this country is great. I would be the last to minimize the danger. But the answer lies primarily in speedy, large-scale production of the things of which we are short. Restricting the ability of foreign purchasers to buy the things we have in abundance only adds an additional handicap to our economy.

Another objection has been suggested by history. This is the assertion that the credit will never be repaid. It should be realized, however, that the circumstances surrounding this credit are entirely different from those applying to the British debt after the First World War.

First. That debt was incurred for materials largely destroyed in the fighting, goods that created no new wealth or earning power. This time we are not treating burned out tanks as a commercial obligation. This credit is for new goods which will help create new production and new wealth. Like any good commercial loan, it helps create the means of its own payment.

Second. The earlier British debt was larger than this credit, and the interest rate was higher. The British made full payments all through the 1920's, and continued them until the great depression caused the moratorium of 1931. Even after that they made token payments in 1932 and 1933. Altogether they paid us over $2,000,000,000, principal and interest. That is not a record of intentional default.

Third. Last time we raised our tariffs in 1921, again in 1922, and again in 1930. The British could only pay us back by selling goods to us, and yet by increased tariff duties we made it harder and harder for British goods to enter this country.

Even more important, last time we and the rest of the world let the great depression happen. When it happened goods stopped moving, and earnings collapsed. It was that, more than anything else, which stopped the payments on the British debt.

This time we are firmly set on a different course. We are not going to raise tariffs. The settled policy of Congress and of the President for more than 12 years has been and is to seek their gradual reduction by negotiations under the Trade Agreements Act. We are seeking to expand trade, not reduce it. And we and other countries are going to take steps to avoid a repetition of 1929.

If business activity remains high and trade large, Great Britain should have little difficulty meeting the agreed payments. If we permit another great depression to occur, we shall lose much larger values than the installments on this credit.

The objection also is heard that, while this British credit is justified, it should not be granted because it will require us to make similar loans to other governments. With this argument I disagree.

This credit is not a precedent for anything. It is unique, because the position of Britain in world trade, her need for working capital and the effect upon world trade of her acquiring that working capital, all are unique.

Several countries do need capital to reconstruct and improve their industry and transport. The Export-Import Bank has made loans for these purposes under its existing powers and will make others, at least through 1946. By that time the International Bank for Reconstruction and Development, set up by the 34 nations signing the Bretton Woods agreement, should be ready to take over much of this activity.

Nor could a loan precedent be established by an agreement which is far more than an extension of credit; by an agreement which is an understanding on over-all commercial policy; by an agreement which thus becomes a joint advance by two of the world's largest economic units on the general problems of world trade.

I say that the agreements provide far more than an extension of credit, because they contain a pledge on Britain's part to remove as rapidly as possible the emergency controls over foreign exchange, to abolish the so-called sterling-area dollar pool, to abandon discriminatory import restrictions, to participate in in next summer's negotiations for reduction of world trade barriers, and to support the proposals for the expansion of world trade and employment, which our Government published last December.

In my judgment, among the most significant of the benefits which flow to us from this phase of these agreements is the British commitment to support the United States trade proposals. By this commitment the British take their place at our side as our economic allies and not our economic enemies.

Before the outbreak of the war the world was beginning to fall into narrow and tight commercial compartments. In many ways the war gave impetus to this development. Unless the most powerful and united effort is made now to achieve a sharp about-face, we cannot hope to realize the traditional liberal American dream of a freer world of trade.

The partnership of Great Britain in this undertaking is consequently of the first importance. But it matters not how much the British may wish it otherwise, they can join this partnership only if the financial agreements are approved.

If the loan is approved, we can look ahead with considerable confidence to a general reduction of tariffs and the elimination of preferences; to a minimum of quotas and embargoes; to an intelligent and restrained resort to Government subsidies; to general acceptance of the rule that international business should be conducted on a business basis and not as a phase of political action.

We can look ahead also to a loosening of the grip of cartels and combines upon world commerce; to multilateral arrangements for the handling of surplus commodities; and to progressive limitation upon export restrictions and price-fixing arrangements.

The United States believes that these objectives will be best served by the establishment of an international trade organization under the Economic and Social Council of the United Nations. We believe that the international trade organization can become one of the most important foundations of a lasting peace.

The organization gives promise of becoming a strong foundation if it is to include Great Britain. Without Great Britain it might succeed, but its prospects would not be bright. Clearly we have a great stake in this program.

The British credit is a large investment undertaken to gain an ever larger objective. Without it, our efforts to construct an expanding world economy may well be frustrated. With it, we shall have won the support of a powerful ally in our efforts to break down those harmful economic practices which throttle trade, perpetuate poverty, engender ill will among nations, and sow the seeds of conflict.

As you are no doubt aware, before the war the pound sterling and the dollar were the currencies in which over one-half of the world's trade was carried on. It is likely that even a higher share of it will be conducted in pounds and dollars in this postwar pericd.

It requires no abstract analysis to understand that the free interchange of these two currencies at a stable rate is basic to world prosperity. If interchange is not free and easy, the trade world tends to freeze into two separate areas, each contained within an economic Chinese wall. The commercial horizons for each businessman are narrowed, because a large fraction of his potential buyers or suppliers are placed beyond his reach.

But if interchange is free and easy, businessmen can operate with the assurance that the payments they receive for the goods they sell abroad can be spent anywhere in the world. They are free to seek their natural sources of supplies and their natural markets. When this is true, the volume of trade grows, smoke rises from the factories, jobs are plentiful and pay envelopes full, and farmers can expect a fair return on their crops

Against the background of these facts, the importance of the financial agreement is clear to see. The British today have very few dollars with which to pay for the imports they require. They are forced to conserve these dollars. As I read in the newspapers a few days ago, one way in which they have conserved dollars is by cutting from their menu the dried eggs they had been obtaining from the United States. The same newspaper account added that the British Admiralty has ordered British ships to avoid the Panama Canal as much as possible because of the dollars toll.

Unless the British receive this loan of dollars from the United States, only one course will be open to them. They must buy what they need almost exclusively from the countries which normally buy equal or larger amounts from them. Or they must buy from countries which are willing to accept payment in pounds and spend the pounds for goods in Great Britain or in some other part of the sterling area.

Since this is not the way trade arranges itself naturally, Great Britain would have to do this by government decree. The war controls would have to be continued, not relaxed, and they would have to be extended. These controls would necessarily discriminate against the United States, because in normal times our sales to British customers are always larger than our purchases from British sellers.

I have discovered in my own thinking about these matters that concrete examples are most helpful. As an illustration of how the United States suffers from the so-called sterling bloc arrangement, let us suppose that a businessman in India makes a sale of cotton to an importer in England.

The man from India receives pounds sterling for this cotton, not dollars. But he does

not even receive pounds sterling in a manner which permits him to convert them into dollars without an official license. The result is that the businessman in India cannot, even if he wishes, use the proceeds of the cotton sale to buy electric motors in the United States. If he needs electric motors, he must purchase them in England or in some other sterling country.

A further result is that the American electric motor manufacturer loses the opportunity to sell his wares.

Sooner or later, if this situation were prolonged, the United States might find it necessary to retaliate in kind against this discrimination. This is not a prospect which anyone in either Great Britain or the United States, or in any other country, can relish.

Fortunately, if the financial agreements are approved, this unhappy prospect is removed. For in the agreements, the British Government makes a firm commitment to terminate and modify these restrictive trade practices.

They agree that from the effective date of the agreement United States businessmen who sell to customers in Britain can get their payment in dollars, which they can use wherever they choose.

They agree that within a year of the effective date of the agreement and in countries where the principal international currency is the British pound, they will make arrangements for the free interchange of pounds sterling and dollars.

They agree that within a year, in transactions with all countries, pounds sterling will be exchangeable for any currency which may be desired by a seller to a British purchaser.

You will realize that I have not attempted a complete discussion of the problems of Empire preferences, the so-called sterling bloc, the $14,000,000,000 British sterling debt and other related matters, nor to describe in full the provisions of the agreements which deal with these problems.

But I have said enough, I think, to indicate how mistaken it is for some to say that the United States gains nothing from these agreements. The specific British commitments to which I have just referred, coupled with their commitment to support our trade and employment proposals, are tangible, firm gains for the United States and for the rest of the world.

What we gain is the chance for expanding world trade, for freedom for goods and money to flow where they may, for a prosperous world and not a lean world.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AUTHORITY FOR PERFORMANCE OF CERTAIN FUNCTIONS AND ACTIVITIES OF THE BUREAU OF RECLAMATION

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide basic authority for the performance of certain functions and activities of the Bureau of Reclamation (with an accompanying paper); to the Committee on Irrigation and Reclamation.

LIMITATION ON EXPENDITURES BY CERTAIN GOVERNMENT AGENCIES

A letter from the Director of the Bureau of the Budget, transmitting, pursuant to the National War Agencies Appropriation Act of 1946, copies of letters addressed by him to certain agencies of the Government, establishing limitations of amounts which may be expended for travel, printing and binding, and the purchase of motor-propelled passenger-carrying vehicles (with accompanying papers); to the Committee on Appropriations.

REPORT OF FEDERAL SECURITY AGENCY

A letter from the Acting Administrator of the Public Security Agency, transmitting, pursuant to law, the annual report of that Agency for the fiscal year 1945 (with an accompanying report); to the Committee on Education and Labor.

AUGUST 1945 REPORT OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report covering the activities and expenditures of the Corporation for the month of August 1945 (with accompanying papers); to the Committee on Banking and Currency.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following petitions, which were referred as indicated:

A resolution adopted by the Board of County Commissioners of Walsh County, N. Dak., favoring an appropriation by the Congress for the construction of a reservoir on the South Branch of Park River, N. Dak.; to the Committee on Appropriations.

A letter in the nature of a petition from Mrs. Nettie Sorkin, of Flint, Mich., relating to the discharge of members of the armed forces who are stationed in India; to the Committee on Military Affairs.

A cablegram from the President of the Senate and Speaker of the House of Representatives of Puerto Rico, San Juan, P. R., embodying a resolution adopted by the Legislature of Puerto Rico, favoring the enactment of legislation to authorize the Commodity Credit Corporation to pay sugar subsidies to Puerto Rico; to the Committee on Banking and Currency.

GEN. OMAR BRADLEY—RESOLUTION OF LOWRY-FUNSTON POST, VETERANS OF FOREIGN WARS, EMPORIA, KANS.

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by members of Lowry-Funston Post, No. 1980, at their meeting held in Emporia, Kans., in which they go on record as commending Gen. Omar Bradley in the management of the Veterans' Administration.

There being no objection, the resolution was received, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Whereas a seemingly unwarranted attack has been launched against Gen. Omar Bradley, able head of the Veterans' Administration, by a private individual with all the ardor and fervency of a Caesar Petrillo; and

Whereas this post of the Veterans of Foreign Wars, after much experience and close contact with the work of the Veterans' Administration under the supervision of General Bradley, a daily office routine, in fact: Be it

Resolved by Lowry-Funston Post, No. 1980, That we do and hereby commend Gen. Omar Bradley for his successful and commendable changes in the Veterans' Administration which he introduced and secured by congressional action; be it

Resolved, That it is the considered judgment of the overseas veterans of the Spanish-American War, World War I, and World War II, here assembled, that General Bradley is using the same sound and conservative judgment in the care of returning veterans, in the securing of their inalienable rights in peace as in war, in seeing that their general welfare, their rehabilitation rights, are firmly established, and that the boys are again positioned to enjoy life, liberty, and the pursuit of happiness equal to the place they occupied in the community before donning the uniform. These boys made the sacrifice of jobs, property, schooling, and society to enter service, and they bore the brunt of battle and its attendant ills and have a just claim to a fair start in returning to civilian life; and since General Bradley personalizes these rights, be it

Resolved, That we condemn all charges hurled against him from the side lines and rear echelons by private individuals, whatever the capacity of their vocal cords; and be it further

Resolved, That copies of this resolution be mailed to President Truman and all Members of the Kansas congressional delegation.

W. E. PEYTON,
Commander,
Lowry-Funston Post, 1980,
Emporia, Kans.

Attest:

JOHN W. ARNDT,
Quartermaster.

DEVELOPMENT AND USE OF ATOMIC ENERGY—LETTER AND PETITIONS FROM STUDENTS OF UNIVERSITY OF NORTH CAROLINA

Mr. HOEY. Mr. President, I ask unanimous consent to present a letter from Lennox P. McLendon, Jr., of the law school of the University of North Carolina, enclosing two petitions signed by students of the University of North Caroline, relating to the development and use of atomic energy. I request that they be appropriately referred and that the letter and one of the petitions, without the signatures attached, be printed in the RECORD.

There being no objection, the letter and petitions were received, referred to the Special Committee on Atomic Energy, and the letter and one of the petitions, without the signatures attached, were ordered to be printed in the RECORD, as follows:

LAW SCHOOL,
UNIVERSITY OF NORTH CAROLINA,
February 9, 1946.

HON. CLYDE R. HOEY,
Senate Building, Washington, D. C.

DEAR SENATOR: Under separate cover I am sending to you two petitions which were circulated among the students of the University of North Carolina in regard to the establishment of an international control authority over the development and use of atomic energy.

These petitions do not give, I fear, a true picture of the overwhelming sentiment in favor of the idea that we proposed; since several of the declarations originally distributed were lost or misplaced. Yet I do not think that it is an overstatement to say that to groups that we addressed the support of the bill was nearly 100 percent.

In the circulation of the petitions and in speeches made to that end we tried to express the idea to our audiences that the real motive behind the petition was to convey to

Congress our belief that the problem of controlling atomic energy is essentially a world problem and must be solved only on a world level. Our expressed objection to the United Nations Organization was not to the idea behind its creation, but rather to the limitations placed on that idea—power of veto by the large nations, control of atomic energy by the force and voice of the large allied powers alone, etc. It hardly seems conceivable in the light of the causes of past wars that we should expect the domination of the United Nations Organization to be accepted by the smaller nations of the world as an honest intent on our part to maintain a peace based on justice and common understanding.

In the light of the above brief outline of the purpose of the petitions, I think that is a true statement to say that the signers desired to convey to you their belief that the cause of international peace, especially as affected by the development of atomic power, must be heard and determined on an international level by representative world government. Whether the United Nations Organization can handle the problem would seem to depend entirely on whether the large nations are willing to delegate much of their power to the smaller nations; and secondly, on whether all the nations are willing to surrender a large portion of their sovereignty to the Organization.

With kindest regards, I am,

Sincerely yours,

LENNOX P. MCLENDON, Jr.

A PETITION TO THE CONGRESS AND PRESIDENT OF THE UNITED STATES OF AMERICA

We, the undersigned students, realizing—

1. That the application of atomic energy to warfare will lead to the veritable destruction of civilization; and

2. That so long as the control of atomic energy is vested in the hands of individual nations its application to humanitarian ends will be a virtual impossibility; and

3. That the present United Nations Organization is too limited, both in power and in scope, to prevent the use of atomic energy in warfare;

do hereby petition the Congress and President of the United States to assume the initiative in the establishment of a representative international authority, the purpose of which shall be to exercise complete control over the research in, and the utilization of, atomic energy throughout the world.

EXCHANGE OF STUDENTS AND TEACHERS BETWEEN UNITED STATES AND FOREIGN NATIONS

Mr. HOEY. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a petition signed by members of the Greensboro Council on International Relations, Greensboro, N. C., praying for the enactment of the so-called Fulbright bill, providing for the establishment of a fund for the exchange of students and teachers between this country and other nations.

There being no objection, the petition was received, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, without the signatures attached, as follows:

GREENSBORO COUNCIL ON INTERNATIONAL RELATIONS,
Greensboro, N. C., February 13, 1946.

Senator CLYDE R. HOEY,
United States Senate,
Washington, D. C.

DEAR SENATOR HOEY: We wish to urge your vigorous support of the Fulbright proposal that there be established a fund for the exchanges of students and teachers between this country and other nations, the fund to be financed from the proceeds of the sale of surplus property overseas. We are convinced that there could be no more worthwhile use of these funds, and we recall the invaluable results which stemmed from our use of the Boxer Indemnity to bring Chinese students to this country.

Please advise us as to your opinion of this proposal.

Respectfully yours.

VETERANS' COOPERATIVE FARM PROJECT AT ROSEMOUNT, MINN.

Mr. LANGER. Mr. President, I present and ask to have printed in the RECORD a resolution adopted by the Hennepin County Veterans D-F-L Club, of Hastings, Minn., requesting that certain property at Rosemount, Minn., be made available for a veterans' cooperative farm project.

There being no objection, the resolution was received and ordered to be printed in the RECORD, as follows:

Whereas the Government owns 11,000 acres of good farm land, about 30 houses, and several large buildings at the Gopher Ordnance Works at Rosemount, Minn.; and

Whereas these houses could now be used for homes, and the building easily remodeled into homes and barns; and

Whereas returning war veterans are in desperate need of homes and farms: Therefore be it

Resolved, That this Hennepin County Veterans D-F-L Club urge the Federal Government to make this property available for a veterans' cooperative farm project, and that any plans to dispose of this property to real-estate agencies be stopped at once.

HENNEPIN COUNTY
VETERANS D-F-L CLUB,
THOMAS J. SINNOTT,
Second Vice Chairman.

RESERVOIR ON SOUTH BRANCH OF PARK RIVER, N. DAK.

Mr. LANGER. Mr. President, I present and ask to have printed in the RECORD resolutions adopted by the county commissioners of Walsh County, N. Dak., the Civic Club of the City of Park River, N. Dak., and the City Council of the City of Park River, N. Dak., all requesting an appropriation by Congress for the construction of a reservoir on the south branch of Park River, N. Dak.

There being no objection, the resolutions were received and ordered to be printed in the RECORD, as follows:

Whereas flood control, water conservation, and stream-flow regulation in the basin of the South Branch of Park River, N. Dak., and in the Park River Basin of which it is a tributary, are necessary and important to the economy of that area: Be it

Resolved by the county commissioners of Walsh County, N. Dak., That the Committee on Appropriations of the United States Senate be, and it is hereby, requested and urged to recommend adequate funds in the War Department civil functions appropriation bill for 1947 for the construction of a reservoir on the South Branch of Park River for flood control and other purposes in the Park River Basin, N. Dak., substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 194 (78th Cong., 2d sess.), as authorized in the Flood Control Act of 1944; and be it further

Resolved, That this resolution be forwarded to the Honorable KENNETH MCKELLAR, acting chairman, Senate Committee on Appropriations, and that copies thereof be sent to Senators WILLIAM LANGER and MILTON R. YOUNG.

Dated this 6th day of February 1946.

COUNTY COMMISSIONERS OF WALSH COUNTY, N. DAK.,
By J. D. MATJYCEK,
Chairman, County Commissioners.

Attest:

CLARENCE MOE,
County Auditor.

Whereas flood control, water conservation, and stream-flow regulation in the basin of the South Branch of Park River, N. Dak., and in the Park River Basin, of which it is a tributary, are necessary and important to the economy of that area: Be it

Resolved by the Civic Club of the City of Park River, N. Dak., That the Committee on Appropriations of the United States Senate be, and it is hereby, requested and urged to recommend adequate funds in the War Department civil functions appropriation bill for 1947, for the construction of a reservoir on the South Branch of Park River for flood control and other purposes in the Park River Basin, N. Dak., substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 194 (78th Cong., 2d sess.), as authorized in the Flood Control Act of 1944; and be it further

Resolved, That this resolution be forwarded to the Honorable KENNETH MCKELLAR, acting chairman, Senate Committee on Appropriations, and that copies thereof be sent to Senators WILLIAM LANGER and MILTON R. YOUNG.

Dated this 9th day of February 1946.

CIVIC CLUB OF THE CITY OF PARK RIVER, N. DAK.,
By I. L. KELLY, *President.*

Attest:

M. F. WESTE,
Secretary.

Whereas flood control, water conservation, and stream-flow regulation in the basin of the south branch of Park River, N. Dak., and in the Park River Basin of which it is a tributary are necessary and important to the economy of that area; and

Whereas the cities of Grafton and Park River, N. Dak., in anticipation of the erection of a dam and the construction of a reservoir on the south branch of the Park River, hereinafter described, have made commitments totaling $50,000 for the purposes specified and the requirements made by the War Department: Be it

Resolved by the City Council of the City of Park River, N. Dak., That the Committee on Appropriations of the United States Senate be, and it is hereby, requested and urged to recommend adequate funds in the War Department civil functions appropriations bill for 1947, for the construction of a reservoir on the south branch of Park River for flood control and other purposes in the Park River Basin, N. Dak., substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 194, Seventy-eighth Congress, second session, as authorized in the Flood Control Act of 1944; and be it further

Resolved, That this resolution be forwarded to the Honorable KENNETH MCKELLAR, acting chairman, Senate Committee on Appropriations, and that copies thereof be sent to Senators WILLIAM LANGER and MILTON R. YOUNG.

Dated this 4th day of February 1946.

CITY OF PARK RIVER, N. DAK.,
[SEAL] By FRED HULTSTRAND, *Mayor.*

Attest:

ELSIE J. CATHERWOOD,
City Auditor.

PRICE CONTROL—RESOLUTION OF FARGO (N. DAK.) LABOR ADVISORY COMMITTEE

Mr. LANGER. Mr. President, I present and ask to have printed in the RECORD a resolution adopted by the labor

advisory committee to the Fargo district office, Office of Price Administration, Fargo, N. Dak., on the subject of price control.

There being no objection, the resolution was order to be printed in the RECORD, as follows:

Whereas America's peacetime prosperity depends upon full production and full employment; and

Whereas this goal can be achieved only by maintaining mass purchasing power so that there will be a steady demand for the products of industry and agriculture; and

Whereas inflation destroys the purchasing power of the masses and thus destroys the market for the plentiful supplies of goods that will become available when peacetime production is fully resumed; and

Whereas price control, during the transition period while goods are scarce and demands are heavy, will prevent inflation: Therefore be it

Resolved, That the labor advisory committee to the Fargo District OPA, whose members represent all branches of organized labor, call upon every union member to make price control work by checking ceiling prices and by refusing to buy or sell any commodity at an over-ceiling price; and be it further

Resolved, That the labor advisory committee request every union in the entire State of North Dakota to use every possible means of making their communities aware of the need for aggressive action in combating the efforts of a powerful minority who are trying to destroy price control in order to obtain inflationary profits; and be it further

Resolved, That copies of this resolution be sent to presidents and secretaries of every local affiliated with labor represented by the membership of this committee with the request that each member bring this action to the attenion of his or her family and join with their local community in active support of their price-control board so that the law will be observed and the interests of every American will be safeguarded.

CONSTRUCTION OF BALD HILL RESERVOIR ON SHEYENNE RIVER, N. DAK.—RESOLUTIONS

Mr. LANGER. Mr. President, I present and ask to have printed in the RECORD resolutions adopted by the City Council of the City of Moorhead, Minn., the City of Lisbon, N. Dak., the Board of County Commissioners of Cass County, N. Dak., and the Civic and Commerce Association of the City of Valley City, N. Dak., all requesting an appropriation by the Congress for the construction of Bald Hill Reservoir on the Sheyenne River, N. Dak.

There being no objection, the resolutions were received and ordered to be printed in the RECORD, as follows:

Whereas flood-control, water-conservation, and stream-flow regulation in the basin of the Sheyenne River, N. Dak., and in the Red River of the North Basin, of which it is the principal western tributary, are more important and necessary now, and will be even more so in the immediate future than when the proposed project for improving the same was recently justified, and approved by the Congress: Be it

Resolved by the City Council of Moorhead, Minn., That the Committee on Appropriations of the United States Senate be, and it is hereby, requested and urged to recommend adequate funds in the War Department, civil functions, appropriation bill for 1947, for the construction of the project for the Bald Hill Reservoir on the Sheyenne River, N. Dak., substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 193, Seventy-eighth Congress, second session, as authorized in the Flood Control Act of 1944; and be it further

Resolved, That this resolution be forwarded to the Honorable KENNETH MCKELLAR, acting chairman, Senate Committee on Appropriations, and that copies thereof be sent to Senators HENRIK SHIPSTEAD and JOSEPH H. BALL, of Minnesota and Congressman HAROLD HAGEN, of Minnesota, and to Senators WILLIAM LANGER and MILTON R. YOUNG, of North Dakota.

Dated this 21st day of January 1946.

Approved:

CITY OF MOORHEAD,
By R. B. BERGLAND,
Mayor.

Attest:

R. G. PRICE,
City Clerk.

Whereas flood control, water conservation, and stream-flow regulation in the basin of the Sheyenne River, N. Dak., and in the Red River of the North Basin, of which it is the principal western tributary, are more important and necessary now, and will be even more so in the immediate future than when the project for improving the same was recently justified, and approved by the Congress: Be it

Resolved by the City Council of the City of Lisbon, N. Dak., That the Committee on Appropriations of the United States Senate be, and it is hereby, requested and urged to recommend adequate funds in the War Department civil functions appropriation bill for 1947, for the construction of the project for the Bald Hill Reservoir on the Sheyenne River, N. Dak., substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 193, Seventy-eighth Congress, second session, as authorized in the Flood Control Act of 1944; and be it further

Resolved, That this resolution be forwarded to the Honorable KENNETH MCKELLAR, acting chairman, Senate Committee on Appropriations, and that copies thereof be sent to Senators WILLIAM LANGER and MILTON R. YOUNG, of North Dakota, and to Senators HENRIK SHIPSTEAD and JOSEPH H. BALL, of Minnesota.

Dated this 4th day of February 1946.

CITY OF LISBON, N. DAK.,
By M. O. GATRE, *Mayor.*

Attest:

W. R. SANDAGER,
City Auditor.

Whereas flood control, water conservation, and stream-flow regulation in the basin of the Sheyenne River, N. Dak., and in the Red River of the North Basin, of which it is the principal western tributary, are more important and necessary now, and will be even more so in the immediate future than when the proposed project for improving the same was recently justified and approved by the Congress: Be it

Resolved by the Board of County Commissioners, Cass County, N. Dak., That the Committee on Appropriations of the United States Senate be, and it is hereby, requested and urged to recommend adequate funds in the War Department civil functions appropriation bill for 1947, for the construction of the project for the Bald Hill Reservoir on the Sheyenne River, N. Dak., substantially in accordance with the recommendations of the Chief of the Engineers in Senate Document No. 193, Seventy-eighth Congress, second session, as authorized in the Flood Control Act of 1944; and be it further

Resolved, That this resolution be forwarded to the Honorable KENNETH MCKELLAR, acting chairman, Senate Committee on Appropriations, and that copies thereof be sent to Senators WILLIAM LANGER and MILTON R. YOUNG, of North Dakota, and to Senators HENRIK SHIPSTEAD and JOSEPH H. BALL, of Minnesota.

Dated this 5th day of February 1946.

BOARD OF COUNTY COMMISSIONERS
OF CASS COUNTY, N. DAK.,
By OSCAR COVERT, *Chairman.*

Attest:

MAE CLASSON,
County Auditor.

Whereas flood control, water conservation, and stream-flow regulation in the basin of the Sheyenne River, N. Dak., and in the Red River of the north basin, of which it is the principal western tributary, are more important and necessary now, and will be even more so in the immediate future than when the proposed project for improving the same was recently justified, and approved by the Congress: Be it

Resolved by the Civic and Commerce Association of the City of Valley City, N. Dak., That the Committee on Appropriations of the United States Senate be, and it is hereby, requested and urged to recommend adequate funds in the War Department civil functions appropriation bill for 1947 for the construction of the project for the Bald Hill Reservoir on the Sheyenne River, N. Dak., substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 193, Seventy-eighth Congress, second session, as authorized in the Flood Control Act of 1944; and be it further

Resolved, That this resolution be forwarded to the Honorable KENNETH MCKELLAR, acting chairman, Senate Committee on Appropriations, and that copies thereof be sent to Senators WILLIAM LANGER and MILTON R. YOUNG of North Dakota and to Senators HENRIK SHIPSTEAD and JOSEPH H. BALL, of Minnesota.

Dated this 6th day of February 1946.

CIVIC AND COMMERCE ASSOCIATION,
By LAURENCE MUDALL,
President of the Association.

Attest:

THOMAS C. HUTCHINSON,
Executive Secretary of the Association.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WILSON, from the Committee on Claims:

H. R. 854. A bill for the relief of Isabel Carlson; without amendment (Rept. No. 937);

H. R. 1464. A bill for the relief of Leonard Hutchings; without amendment Rept. No. 938); and

H. R. 3808. A bill for the relief of the estate of William N. Therriault and Millicent Therriault; with an amendment (Rept. No. 939).

By Mr. ELLENDER, from the Committee on Claims:

S. 983. A bill for the relief of A. F. Crawford; with an amendment (Rept. No. 948);

S. 1319. A bill for the relief of Mrs. Alice Condon; with an amendment (Rept. No. 949);

S. 1411. A bill for the relief of Alfred Osterhoff, doing business as Illini Reefer Transit, Champaign, Ill.; with an amendment (Rept. No. 950);

H. R. 1315. A bill for the relief of B. Pendino; without amendment (Rept. No. 940);

H. R. 1848. A bill for the relief of Max Hirsch; without amendment (Rept. No. 941);

H. R. 2270. A bill for the relief of Harry C. Westover; without amendment (Rept. No. 942);

H. R. 2483. A bill for the relief of the estate of Michael J. McDonough, deceased; with an amendment (Rept. No. 951);

H. R. 2724. A bill for the relief of the legal guardian of Forest Eldon Powell; without amendment (Rept. No. 943);

H. R. 2728. A bill for the relief of R. H. Sindle; without amendment (Rept. No. 944);

H. R. 2963. A bill for the relief of William Phillips; without amendment (Rept. No. 945);

H. R. 3514. A bill for the relief of the legal guardian of Olga Stanik, a minor; without amendment (Rept. No. 946); and

H. R. 4249. A bill for the relief of Lucy Delgado and Irma M. Delgado; without amendment (Rept. No. 947).

By Mr. CAPPER, from the Committee on Claims:

H. R. 2452. A bill for the relief of Sam Kalak; without amendment (Rept. No. 952); and

H R. 3046. A bill for the relief of Thomas A. Butler; without amendment (Rept. No. 953).

By Mr. WHERRY, from the Committee on Claims:

S. 1184. A bill for the relief of A. L. Clem and Ida M. Bryant; with an amendment (Rept. No 954).

By Mr. HUFFMAN:

From the Committee on the Judiciary:

H. R. 4160. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; with amendments (Rept. No. 959).

From the Committee on Claims:

H. R. 2168. A bill for the relief of Charles Zucker; without amendment (Rept. No. 955);

H. R. 2171. A bill for the relief of Solomon Schtierman; without amendment (Rept. No. 956);

H. R. 2289. A bill for the relief of Arnold Mecham; without amendment (Rept. No. 957); and

H. R. 2661. A bill for the relief of W. D. Jones and Ethel S. Jones; without amendment (Rept. No. 958).

By Mr. HATCH, from the Committee on the Judiciary:

S. J. Res. 85. Joint resolution proposing to amend the Constitution of the United States to exclude aliens in counting the whole number of persons in each State for apportionment of Representatives among the several States; with an amendment (Rept. No. 960).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. WHEELER:

S. 1833. A bill authorizing the Secretary of the Interior to convey certain lands in the State of Montana to Guy R. Madison, Jr.; to the Committee on Indian Affairs.

By Mr. WILSON:

S. 1834. A bill granting the consent of Congress to the Iowa State Highway Commission to construct and maintain a free bridge across the Des Moines River at the town of Farmington, Iowa; to the Committee on Commerce.

By Mr. WALSH:

S. 1835. A bill to provide for the uniform of administration of efficiency ratings; to the Committee on Civil Service.

(Mr. FULBRIGHT introduced Senate bill 1836, to provide for an annual National Small Industries Fair, and for other purposes, which was referred to the Committee on Commerce, and appears under a separate heading.)

By Mr. LANGER:

S. 1837. A bill for the relief of Hashim Ali; to the Committee on Immigration.

S. 1838. A bill to amend and extend the provisions of titles I, IV, and X of the Social Security Act; to the Committee on Finance.

(Mr. HATCH (by request) introduced Senate bill 1839, to provide basic authority for the performance of certain functions and activities of the National Park Service, which was referred to the Committee on Public Lands and Surveys, and appears under a separate heading.)

By Mr. ELLENDER (by request):

S. 1840. A bill for the relief of the Danvers Shoe Co., Inc.; to the Committee on Claims.

By Mr. BILBO:

S. 1841. A bill to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes," approved March 3, 1921, as amended; to the Committee on the District of Columbia.

By Mr. WALSH:

S. J. Res. 142. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1946, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. CAPPER:

S. J. Res. 143. Joint resolution for the relief of W. K. Richardson; to the Committee on Military Affairs.

ANNUAL NATIONAL SMALL INDUSTRIES FAIR

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to create an annual national small industries fair, under the Department of Commerce, which I request may be printed in the RECORD. I also request that an explanation of the bill be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and without objection the bill and statement will be printed in the RECORD.

The bill (S. 1836) to provide for an annual National Small Industries Fair, and for other purposes, introduced by Mr. FULBRIGHT, was read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That there is hereby established in the Department of Commerce the Office of Director of the National Small Industries Fair (hereinafter referred to as the "Director"), which shall be filled by appointment by the President by and with the advice and consent of the Senate. The Director shall receive compensation at the rate of $10,000 a year and, under the general supervision of the Secretary of Commerce, shall have charge of the National Small Industries Fair, which shall be held annually for one week during the month of May in a centrally located city.

SEC. 2. The Secretary of Commerce is authorized to appoint, without regard to the civil-service laws, 12 regional Assistant Directors of the National Small Industries Fair, who shall receive compensation at the rate of $6,000 a year. It shall be the duty of such regional Assistant Directors (1) to cause regional exhibits to be prepared for exhibition at the National Small Industries Fair; (2) to supply the necessary trained temporary personnel necessary for the preparation and presentation of such fair; (3) to bring knowledge of the holding of such fair annually to manufacturers, inventors, and other interested persons; (4) to receive and pass on applications for exhibits at such fair; (5) to prepare annually for exhibition at such fair an educational exhibit concerning the industries, products, and resources of their respective regions; and (6) to cooperate in the selection and preparation of such exhibits with State and land-grant colleges, trade associations, and other groups interested in the development of their region.

SEC. 3. (a) Exhibits at such fair may be composed of any of the following: (1) Products in actual production; (2) products not yet in production which the exhibitor wishes to test for buyer response; (3) products which are the property of inventors who are seeking to interest manufacturers.

(b) In order to provide for the presentation of exhibits of exhibitors who are unable to attend the fair in person, the director is authorized to display the products of such exhibitors in a central exhibit, arranged according to regions, and attended by personnel of regional offices of the Department of Commerce. The Director is further authorized to combine with such central exhibits, any educational or other exhibits illustrative of the natural resources and industrial potentialities of the several regions, as he may deem advisable.

SEC. 4. (a) Fees to be charged exhibitors for exhibition space shall be determined in the following manner: (1) For the exhibition of products with the exhibitor attending and displaying his own exhibit, a charge per square foot which shall not exceed the cost of such space to the Department of Commerce; (2) for the exhibition of products with the exhibitor not attending and the product exhibited in the central exhibit, not to exceed the cost of arranging and maintaining the exhibit of such products.

(b) The Director is authorized to limit the maximum footage to be rented any exhibitor, in any case in which he deems it advisable, and to make such other rules and regulations concerning the presentation of exhibits as he may deem necessary.

SEC. 5. Such amounts as may be necessary to carry out the provisions of this act are authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated.

The statement presented by Mr. FULBRIGHT in explanation of the bill was ordered to be printed in the RECORD, as follows:

I have today introduced a bill to create an annual national small industries fair, under the Department of Commerce, designed to help our small manufacturers with a vital problem which, under existing circumstances, they are finding it daily more difficult to cope with, more difficult and more costly and, in altogether too many cases, most discouraging. It is an effort to help in establishing necessary market contacts throughout the Nation for the products they are manufacturing or wish to manufacture.

The bill contains nothing that has not been done by most of the capitalistic countries of the world for centuries. In fact, the only thing unusual about it is that we, in this country, with all of the special problems our geography poses, have so long neglected developing and exploiting the instrument of the annual national fair to stimulate industry and business.

This bill simply proposes that the Government provide the place and the facilities, in a centrally located city, to enable our thousands of small manufacturers to show their products to thousands of distributors, at a given time and place each year. A national all-industries fair, non-profit making, with the costs kept so low that the smallest manufacturer may find them within his means, can obviously be managed only by the Federal Government.

There are many ways in which the Government can help the small manufacturer. We can and must shape tax policies that encourage small business, take proper measures to provide small business with adequate long-term capital at reasonable rates, and make all of the advantages of modern research and

modern technology readily accessible to the small industrialists.

We can, as we must, do all this, and yet, after doing it, we may fall seriously short of our real objective. For, under present conditions, manufacturing is only half the job. A small manufacturer with a good idea may be helped in the matter of capital. He may be able to achieve, with or without Government assistance, favorable competitive efficiency. He may be able successfully to cope with the problem of competitive prices. But with all this the small manufacturer may get nowhere, as we know only too well, should he fail to bridge the gap between successful manufacturing and successful marketing.

The banker knows this. A marketable product is but one ingredient. Know-how is another. Adequate equipment is a third. But how is the small manufacturer going to break into the market? The answer to that question is the decisive ingredient.

The marketing problem exists for reasons beyond the control of the small manufacturer. First of all, our country is very large. Our population is very unevenly distributed. In many cases we have serious discrepancies between population density and distribution of income. Our industry is also unevenly distributed. These are the facts that confront the small manufacturer whether he is in New England, the Northwest, or the South.

A small manufacturer in my own State of Arkansas, for instance, may have a special product for which the State offers him every ingredient as far as resources go. There may be a real need in the country for his product. He has the know-how to make it. But he finds himself with not enough customers in the immediate vicinity and at the same time very far removed from the areas where his large markets exist. The problem of distance, not in the sense of miles, but in the sense of unfamiliarity with distant marketing conditions, unfamiliarity with distant distributors, lack of distant contacts, proves, and it does so daily, the really limiting, the ultimately stifling problem.

What can the small manufacturer do under these circumstances? He generally hasn't the means to travel about the country to develop his own market. He generally hasn't the means to put on a staff of crack salesmen. The best he can do is write to a manufacturers' agent. This is a costly and indirect method. The manufacturer, capable of producing a fine product, is as often as not ill-equipped to present his product by letter to the manufacturers' agent.

It is obvious that the purchasing agents for the department stores, chain stores, and independent stores of San Francisco, Seattle, Los Angeles, Philadelphia, and Boston, cannot afford to scour the whole country, with its thousands of towns, for the products they need. For this reason, our marketing apparatus has become centralized in a few major centers.

This centralization is the result of natural and inevitable economic forces. If I were a buyer for a department store, or a chain store, or owned my own small store, I should want to do my buying with the least travel, with the least waste of time, and at the least cost. I should want to find the goods I need in one place, if possible, in as few places as possible at most, and displayed cafeteria fashion. I should want to spend as little time as possible buying and as much time as possible selling.

Yet I would welcome more products. I know that the purchasing agents for our wholesale and retail establishments, and for some of the manufacturers, would welcome more products, more competitive products, a greater variety of products, offering greater choices as regards type and more range as regards price. However, because of the size of our country and the peculiar distribution of our population the factors of time and cost limit the search of our purchasing agents. The market cannot but become centralized.

This centralization, in turn, has removed the market, in many ways, from the grasp of the small manufacturer. It is not my desire to indict anyone, or any group of interests, for this condition. I cite it simply as a fact. A fact which is having a pernicious influence on small industry.

We have a good example of the problem right here in Washington. We have in the Capital no less than 60 foreign purchasing agencies. Their combined purchasing power is enormous. How many of the small manufacturers scattered all over the country know about these agencies? How many of the small manufacturers would know how to write to them to present their products? These 60 foreign purchasing agencies deal of necessity with the large manufacturers. Even when the large manufacturers cannot make deliveries, and there may be a hundred small ones who could, how are these foreign purchasing agents going to find out about the hundred small ones in Minnesota, Washington, New Hampshire, Alabama, and Arkansas?

In reality, the same condition exists throughout the country as regards the relationship between the Nation's large distributing units and the small manufacturers. In some ways it works against the small, independent merchant. Competitive business involves competitive merchandise. The more small manufacturers are eliminated the more standardization becomes the rule. The more the merchandise that is offered to the public is standardized, the more price and price alone becomes the competitive factor. If all of the stores sell practically the same merchandise, the customer's attention to one store rather than another can be attracted largely by cuts in price, trade leaders, or special services. These competitive devices are ruinous to the small businessman. Had he access to specialties, merchandise more individualized, with more originality, a higher quality, his chances to survive against the competition of the chain stores would be greatly enhanced.

The case of the small manufacturer, our last hope against drab and hopeless standardization, involves in the last resort the case of the small merchant, which brings us inevitably to the problem of the market. Many Government agencies, and in particular the Department of Commerce, have recognized how gravely the marketing problem is menacing the life of American small industry and small business. Attempts have been made to help the small industrialist. These attempts have been largely in the shape of information on marketing. Pamphlets of many types have been published and distributed.

If the small manufacturer was so good that he could solve his marketing problem with the aid of one or all of these pamphlets, he could command a fancy salary as a marketing expert with some of our top firms. And if he were that good, the pamphlets with their necessarily vague generalities, would be no good to him at all. We should not blame these agencies. In fact, they deserve recognition for their alertness and credit for their efforts under very limiting conditions.

It is obvious that we cannot solve the marketing problem for the small manufacturers by a campaign aimed to make each small manufacturer a marketing expert. The advice and counsel we can offer the small manufacturers will come relatively cheap. But the money they will need to take advantage of the advice will run into billions. And the truth of the matter is that they are small manufacturers, rather than large, because they haven't the money to grow large. The problem is beyond the ability of the small industrialists themselves to solve. The solution proposed in this bill is not based on theory but upon the vitals of capitalistic history. The sample fair is as old as the middle classes. The sample fair is the simplest, the cheapest, and the most practical device that can be offered to bring manufacturer and buyer together. European countries have for many centuries supported the public fair as a basic and very successful device for stimulating industry and trade.

We cannot, of course, go in for single-industry fairs. Our purchasing agents cannot travel from year's beginning to year's end visiting fairs. The all-industry national annual small industries fair is the solution. Such an annual fair, if properly handled, can easily become one of the major merchandising events of each year. It will attract thousands of buyers and manufacturers' agents. It will attract many tens of thousands of people from all over the country. It can bring the products of our small manufacturers to the attention of the foreign purchasing agents, and stimulate foreign trade. We cannot do more for the small manufacturer than make it possible for him, at very small cost, to exhibit his wares before the buyers for the major distributors of this country. In a week, or 10 days, if his product is worth anything, he should succeed in establishing his marketing contacts. We cannot do more than that, and, under present circumstances, if we really wish to help the small businessman, we cannot do less. The bill provides that the fair be held annually in a centrally located city like Chicago, Kansas City, or St. Louis. It provides for three different types of exhibits at the annual fair. Exhibits may be attended by the exhibitor or his personnel. The manufacturer or inventor will rent space for this exhibit on the basis of his needs at a fixed price per square foot. The exhibits will be departmentalized, according to the nature of the product—food products, ceramics, building materials, clothing, paper products, and so on. The cost per square foot shall be calculated to cover actual expense to the Government. Estimates of what the average small manufacturer considers tolerable costs per square foot for such an exhibit should be presented at the hearings on the bill.

A second type of exhibit—products unattended by the exhibitor or his personnel is also provided, to cover the possibility that a great many small manufacturers will not be able, for many reasons, to attend the fair. They may not be able to spare the time. They may not have the personnel. They may not be able to afford the costs. These manufacturers would be able to exhibit their products in special displays, organized regionally, according to the 12 regional offices of the Department of Commerce and at very small cost per product. Each regional office would assume responsibility for such exhibits in its own territory, and supply temporary personnel to handle these exhibits. The special personnel will be trained in advance so as to be familiar with all the products, and possess all the essential information necessary to meet the questions of interested buyers. In this exhibit, products not in production but which the manufacturers may desire to show to test buyer response will also be included.

The third exhibit will consist of products that are the property of inventors seeking manufacturers. These also will be handled by each regional office.

The bill provides that the over-all arrangements for the fair shall be handled by a National Director of the Small Industries Fair, who is to be appointed by the President with the advice and consent of the Senate. The details of the fair are to be handled, however, by the 12 regional offices of the Department of Commerce. In this way the fair can be given a real grass-roots basis. Each region will receive equal treatment. The total space, of course, will have to be allocated according to the individual demands for space, regardless of region. But each regional office will in addition have a competitive interest in doing the best it can

for the small manufacturers who must depend on the regional display to show their products.

Each regional office will be limited to one general educational display, showing the resources and the potentialities of the region. For these and the other purposes the regional offices are given the authority to enlist the aid of State and land-grant colleges and of any and all organizations interested in promoting the economy of the region and of the States that comprise each region.

We may visualize the fair as consisting of the core of 12 large regional displays, each display devoted to promoting the products, in production and otherwise, of the small manufacturers and inventors unable to attend the fair and not in a position to rent space. This part of the fair may prove of the highest interest to the merchants and purchasing agents seeking the unusual. Here will be a display of the Nation's inventions, potential and actual products of small manufacturers which have never before been shown in this manner or in such numbers.

Grouped around this central core will be the largest part of the fair, the exhibits, ranged according to their nature, with the exhibitors in attendance and ready to do business. These exhibits will range from machinery and industrial equipment to novelties and jewelry. A free market economy, such as ours, can survive only if through daily vigilance, and through constant effort, we do everything possible, and everything obviously necessary, to stop the trends that undermine the essential conditions for a free market, as well as take measures as realities dictate to promote the free market. It is not merely the right but the duty of the government of a society based on a free market economy to maintain and to foster all conditions deemed essential to the survival of that economy. The marketing problem our small manufacturers face today strikes at the heart of our free market economy. This bill would provide a necessary step toward preserving and fostering small industry as well as preserving and fostering our whole American system.

AUTHORITY FOR PERFORMANCE OF CERTAIN FUNCTIONS AND ACTIVITIES OF THE NATIONAL PARK SERVICE

Mr. HATCH. Mr. President, by request of the Secretary of the Interior, I ask unanimous consent to introduce for appropriate reference a bill to provide basic authority for the performance of certain functions and activities of the National Park Service. I request that a letter from the Secretary of the Interior explaining the bill be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and the letter will be printed in the RECORD.

The bill (S. 1839) to provide basic authority for the performance of certain functions and activities of the National Park Service, was read twice by its title and referred to the Committee on Public Lands and Surveys.

The letter presented by Mr. HATCH was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,
Washington, D. C., February 7, 1946.

Hon. KENNETH MCKELLAR,
President of the Senate.

MY DEAR SENATOR MCKELLAR: Attached is a draft of bill "to provide basic authority for the performance of certain functions and activities of the National Park Service." I request that this proposed bill be referred to the appropriate committee for consideration, and recommend its enactment.

A number of subsidiary activities of the National Park Service, necessary to the proper administration of the areas under its jurisdiction, but not expressly mentioned in permanent legislation, would be specifically authorized by the proposed bill. The activities for which definite statutory recognition is here sought have, in the past, been authorized from year to year in acts appropriating moneys for the National Park Service. However, some of these customary appropriation provisions may conceivably be vulnerable to a point of order based upon the absence of any express mention of the particular activity concerned in the general language of the laws that they are designed to implement. Accordingly, it is requested that their availability for inclusion in future appropriation acts, to the extent such inclusion is then deemed advisable by the Congress, be insured beyond question by the enactment of appropriate permanent legislation.

The accompanying draft of bill has been prepared in collaboration with the Bureau of the Budget and is transmitted at its suggestion.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles, and referred to the Committee on Appropriations:

H. R. 5452. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1947, and for other purposes; and

H. R. 5456. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for other purposes.

INVESTIGATION OF DISRUPTION OF TRANSPORTATION ON TOLEDO, PEORIA & WESTERN RAILROAD

Mr. WHEELER submitted the following resolution (S. Res. 229), which was referred to the Committee on Interstate Commerce:

Whereas labor disputes have persisted on the Toledo, Peoria & Western Railroad since December 28, 1941; and

Whereas said disputes are with Standard Railway Labor Organizations, which, during the entire period said disputes have persisted, have exhibited outstanding regard for the public interest and pursuant thereto have utilized established governmental instrumentalities for the adjustment, without the interruption of transportation, of their disputes with the managements of other railroads throughout the country; and

Whereas the persistence of disputes on the Toledo, Peoria & Western Railroad, which have not been adjusted in the manner in which such disputes on other railroads are customarily adjusted, has resulted in the disruption of transportation on the said railroad during virtually the whole period that such unadjusted disputes have persisted, except while the railroad was under Government seizure; and

Whereas the attempts of the management of the Toledo, Peoria & Western Railroad to operate the said railroad without first making an adjustment of the existing disputes have recently eventuated in the killing and wounding of a number of employees of the railroad through the use of firearms by agents of the railroad; and

Whereas the public interest requires the adjustment of the disputes now existing, the immediate cessation of the use of firearms, and the restoration of transportation on the railroad: Therefore be it

Resolved, That the Committee on Interstate Commerce of the Senate is authorized and directed either as a committee, or through a duly constituted subcommittee thereof, to make an investigation, which shall be directed toward ascertaining the facts concerning, and the formulation of recommendations with respect to, the following subjects: (1) the reasons for the failure of the employer and employees involved in the said disputes to bring about a peaceable adjustment thereof in a customary manner; (2) the responsibility for the use of firearms and the killing and wounding of employees in the course of said disputes; (3) the action required to obtain a satisfactory adjustment of the disputes and reasonable assurances against their recurrence; (4) whether, in view of the long-continued failure to obtain adjustment of the disputes, the public interest in the restoration of transportation and the peaceful settlement of disputes in the railroad industry requires the condemnation of the property of the railroad by the Government of the United States and in the event of such condemnation, the extent to which the compensation to be paid should be influenced by the inability of the management over a course of years to operate the property and make it productive. The committee is directed to begin its investigation promptly, and to report to the Senate at the earliest practicable date the results of its investigation, together with such recommendations as to necessary legislative or other action as it may deem desirable.

For the purposes of this resolution, the committee is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of —— cents per hundred words. The expense of the committee under this resolution, which shall not exceed ————, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the said committee.

INVESTIGATION OF EXPORTATIONS OF LUMBER AND OTHER WOOD PRODUCTS

Mr. KNOWLAND. Mr. President, on behalf of the Senator from Nebraska [Mr. BUTLER] and myself, I ask unanimous consent to submit for appropriate reference a resolution calling for an investigation by the Committee on Agriculture and Forestry of the Senate of the export of lumber from this country.

I remarked in the Senate last week that the CPA had authorized the export, for the first quarter of this year, of 250,000,000 board feet of lumber, and that at that rate we will have exported from this country during the year 1946 1,000,000 000 board feet of lumber, which would be sufficient to build more than 100,000 homes at such a time as this when we have a serious housing shortage.

There being no objection, the resolution (S. Res. 230) was received and referred to the Committee on Agriculture and Forestry, as follows:

Whereas statements have been made recently to the effect that unusually large quantities of lumber and other wood products are being exported from the United States: Therefore be it

Resolved, That the Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof, is authorized and

directed to make a full and complete investigation with respect to (1) the volume of recent exports of lumber and other wood products, (2) the cause or causes of any increase in the volume of such exports, and (3) whether or not any legislative or executive action should be taken in the light of the facts disclosed with respect to the volume of such exports. The committee shall report to the Senate at the earliest practicable date the results of its investigation, together with such recommendations as to necessary legislative or other action as it may deem desirable.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, and to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, as it deems advisable.

Mr. BUTLER subsequently said: Mr. President, a few minutes ago the Senator from California [Mr. KNOWLAND] submitted a resolution, jointly with myself, to investigate the lumber industry. I merely wish to invite the attention of the Senate to the importance of the resolution, because I doubt if many of the Members of the Senate realize that a price ranging from $10 to $20 more per thousand board feet is allowed on export lumber than on lumber for domestic use. That explains the seriousness of the situation confronting us when we need so badly homes for the returning GIs, and for others all over the country.

Mr. LANGER. Does the 1,000,000,000 feet of lumber, referred to by the Senator from California, include 36,000 railroad cars which have been sent to England, 4,000 cars which have been sent to Argentina, and approximately 2,000 cars which have been sent to Mexico, or is it in addition?

Mr. BUTLER. I cannot answer definitely the Senator's question, but I can say definitely that it does include lumber exported to countries other than those who joined with us during the war, and to one country where the postwar emergency is not the same as it is with us.

Mr. LANGER. Is it true or not true that in the State of Nebraska, just as in such States as North Dakota and Montana, grain elevators are blocked, and that it is impossible to get grain out so that chickens in New Hampshire may be fed?

Mr. BUTLER. That is true.

Mr. President, I ask that the remarks which I have made in connection with this subject follow immediately the submission of the resolution by the Senator from California.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AVAILABILITY FOR CERTAIN NECESSARY ADMINISTRATIVE EXPENSES OF APPROPRIATIONS FOR THE INTERIOR DEPARTMENT—CHANGE OF REFERENCE

Mr. TYDINGS. Mr. President, I ask unanimous consent that the Committee on Territories and Insular Affairs be discharged from the further consideration of a letter from the Secretary of the Interior transmitting a draft of proposed legislation authorizing the availability for certain necessary administrative expenses of appropriations for the Department of the Interior, and that the letter and proposed legislation be referred to the Committee on Public Lands and Surveys.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE RAPIDO RIVER CROSSING IN THE ITALIAN CAMPAIGN

Mr. THOMAS of Utah. Mr. President, recently there was submitted and referred to the Senate Military Affairs Committee a Senate resolution asking for an investigation of the reasonableness of the Rapido River crossing in the Italian campaign.

A copy was sent to the War Department, as is customary, in order to attract its comment. The Secretary of War's reply is, of course, official and will be acted upon officially at an early meeting of the Military Affairs Committee. The topic is timely and of widespread public interest.

Mr. President, without reflecting the views of anyone else, or in any way committing the Military Affairs Committee to a policy, I believe it not out of order, in introducing this material, for me to say that war has few blessings, that its conduct has many sides, almost all of which are negative, even in victory, and that whenever a man is scratched or a unit is wiped out the natural instinct to find and hold someone blameworthy is restrained only because we realize that it is war and this must be so.

The business of war is killing one's enemies, and no commander can lead his men into battle without having some of them exposed to peril. We may reproach ourselves later and we may seek to reproach others, but almost always, in the analysis of a given situation, the only reproach that will stand up is that there was a war at all. Whatever the incidents, they generally lead to a reaffirmation of an understanding of the destructive nature of war itself.

Mr. President, if I may go on from here for just a few minutes, let me say that the conduct of the war was a tremendous responsibility for everyone concerned with making decisions. The winds of providence that beset the Spanish Armada were not providential winds from the Spanish viewpoint, but were an almost incredible frustration of a war plan. Our establishment of the Utah and Omaha beaches in Normandy was not 100 percent successful, but it was a brilliantly devised and certainly unorthodox scheme which opened France to us as a gateway to Germany. All we know for certain in connection with the presently ended or ending war is that we started out in the hole, and that for us to gain ground at all was a subject of self-congratulation, or, if we are inclined to be generous, congratulation and undying thanks to our military leaders, terms which I use in the broad sense to include all the armed forces of the air, land, and sea.

It is not a happy experience to see men die, and it is a natural presumption, in taking part in a fast moving pattern, to conclude, perhaps justly in many instances, that life was taken too cheaply. The plain fact is that in peacetime life is not cheap, except on the highways, and we now are weighing wartimes with peacetime minds. The danger then is that we look upon the accidents of war without any allowances for accidents, and in mistaken application of peacetime standards.

War is a blood bath by its very nature. It is wrong to ask men to leave peaceful pursuits and compel others to go forward to die if necessary and then accuse them of wantonness when one sector in a great pattern misfires or miscarries. Probably not a single American boy gave his life in this whole struggle without by some more providential indirection some other boy was saved or his tasks made less futile.

In World War I the term "suicide club" was invented and was applied to many different types of troops, so many in fact that one wonders to which arm it was first applied. Was it the infantry, or more properly speaking the first wave of an infantry outfit going over the top under a rolling barrage cover? Was it the awkward observation planes running liaison between the infantry and the artillery, and sometimes spotting bursts and directing fire with crude radio equipment, flying low all the time and within range of rather effective machine-gun fire? Who were these suicide clubbers who went forward with the chances running sometimes three to one that they would never return?

The world has almost forgotten the name of Rowan, but it remembers Garcia to whom Rowan carried a message of military importance, and will one censure the then President of the United States for risking Rowan's life? The gods of war are stern gods. The fortunes of war are almost all misfortunes. The tasks of war are almost all hopeless from the standards of right thinking, of peacetime thinking. It is an insane business, to use a lawyer's expression, "ab initio." The only thing that makes sense about it all is that unless one were willing and able to defend principles he would lose them to the unscrupulous, and for that men and women must die, sometimes like flies. It is not a matter of congratulation when one is elected to perform the tasks necessary in the prosecution of wars. Every general of any consequence suffers because of every scratch which the boys in his care receive in the execution of his orders, just as they suffer with one another.

The saddest picture of our war is not that boys had to die but that they had, for the time being, to be brutalized. It was not a happy situation when, through force of sheer competition, they were told to forget all the sportsmanship they had developed on the football field and elsewhere in American life and to destroy in every dirty way possible. Did we enjoy having, briefly enough, praise Heaven, to make such unnatural competition with our enemies? Was not the score against war heavy enough without this? May we not admit that such instillations into the minds and purposes of our boys were much more killing than were bullets and bombs? It is not good to destroy one's soul. The military scientist knows that war is ugly. He is a realist, and the war which his boys carried to the enemy was real.

How many horrible sides wars have defies the imagination. No one wants

them except a personally ambitious few who would usurp, usurp, usurp, Midas fashion, until they owned the earth. Wars do not come from the happy contracts of friendly nations. They come from the gangsters. When one deals with gangsters he must deal with bare knuckles and flying lead. When he thus takes life, having been compelled to do so, an unjustice has been done to him for the remainder of his natural life. For there should be no gangsters, great or small, and they should, in an age with so much pretended enlightenment as ours, be policed out of existence with mere restraints such as clubs and cages. There soon should come a day when good people should not have to shoot guns, unless, from sport, they wish to try their skill or need game to assuage hunger. Anything short of this is not civilization. It is not civilization when men hunt each other out, whether it be across rivers like the Rapido, oceans like the Atlantic and Pacific, or jungles. We may say wars are necessary, but in our hearts we know this is a lie, and that they are no more necessary than hangings for cattle rustling, or any other outmoded frontier practices wherein men are laws unto themselves.

These are the things with which we are angry—the fact of war itself, not its incidents. When great generals prove to be great Americans under the most grilling tests, living under the most primitive conditions with their men while those for whom they fight live in comfort, it is not fair to point fingers at them for the lesser aspects of their campaigns.

The letter of Judge Patterson, addressed to me as chairman, and for the consideration of the committee, together with a statement entitled "Thirty-sixth Division at the Rapido River, January 1944," and a statement entitled "Narrative of Operations of Thirty-sixth Division" are submitted for the RECORD. I ask unanimous consent that they be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter and statements were ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
Washington, D. C.

Hon. ELBERT D. THOMAS,
Chairman, Committee on Military Affairs, United States Senate.

DEAR SENATOR THOMAS: Herewith is submitted, in response to your letter of January 28, 1946, a report of the circumstances under which the Thirty-sixth Division was engaged at the Rapido River in January 1944.

These activities were an element of a large-scale operation in which the United States Fifth and British Eighth Armies were directed to pin down enemy reserves by aggressive action and thus prevent them from imperiling our Sixth Corps as it made its hazardous landings on the beaches at Anzio. The Thirty-sixth Division attacked on the day that the Anzio expedition was definitely committed to making its landings. Preceding attacks on that southern front having met increasing difficulties, unremitting pressure at the Rapido now became essential.

The division reported its casualties for the period in which the attacks were made as 155 killed, 1,052 wounded, and 921 missing, a total of 2,128.

The theater commander welcomed the views of political and military leaders of both countries, and military undertakings such as the Anzio landings were decided upon after these views had been considered. The responsibility for such decision rested with the theater commander. Operations of the Thirty-sixth Division, a relatively lower echelon, were planned by the local military commanders and no civilian views were involved.

I have carefully examined the reports in this case and it is my conclusion that the action to which the Thirty-sixth Division was committed was a necessary one and that General Clark exercised sound judgment in planning it and in ordering it. While the casualties are to be greatly regretted, the heroic action and sacrifices of the Thirty-sixth Division undoubtedly drew the Germans away from our landings at Anzio during the critical hours of the first foothold thus contributing in major degree to minimizing the casualties in that undertaking and to the firm establishment of the Anzio beachhead.

Sincerely yours,

ROBERT P. PATTERSON,
Secretary of War.

THIRTY-SIXTH DIVISION AT THE RAPIDO RIVER, JANUARY 1944

1. Actual command of the Mediterranean theater passed from General Eisenhower to Gen. Sir Henry Maitland Wilson on January 8, 1944. Decision for this change had been made in early December and arrangements gradually progressed so that final decision for future operations would devolve upon those who would necessarily be responsible for their execution. At that time the Allied ground forces in Italy consisted of the Fifteenth Army Group, commanded by Gen. Sir Harold R. L. G. Alexander, which in turn was composed of General Leese's Eighth Army and General Clark's Fifth Army. It was the Allied strategy in the theater to retain the initiative lest the enemy himself should seize the initiative and force us prematurely on the defensive, thus enabling him to withdraw divisions from the Italian front in time to oppose the invasion of France. In short, the enemy must be kept off balance by every means possible until early spring.

2. At a conference at General Eisenhower's advance headquarters on Christmas Day, 1943, it had been decided by the new Allied commander in chief who was soon to relieve General Eisenhower that our objective of containing in Italy the maximum number of German divisions would be best facilitated by operations threatening to destroy the German forces then on the winter defensive line. To this end it was decided that an amphibious operation should be launched in the Anzio area.

This conference was attended by Prime Minister Churchill, General Eisenhower, Gen. Maitland Wilson and General Alexander. Throughout the war the higher representatives of the two Governments which had placed their single commander in chief in the theater were free to express their views to him, as were his senior subordinate commanders. The Allied commander in chief made his own decisions and accepted responsibility for them.

Planning for the operations along the Rapido River, which concerned subordinate echelons of command, was undertaken later by the commanders concerned and not by the Allied commander in chief.

3. In execution of this decision the Fifteenth Army Group on January 2, 1944, issued the necessary instructions to the Eighth Army and Fifth Army, the latter being directed to make the landings at Anzio. These instructions also directed the Fifth Army to "make as strong a thrust as possible toward Cassino and Frosinone shortly prior to the assault landing to draw in enemy reserves which might be employed against the landing forces and then to create a breach in his front through which every opportunity will be taken to link up rapidly with the seaborne operation." On January 12 General Alexander directed that "these operations will culminate with an attack by the Second Corps across the Rapido River on or about January 20." He stated that since the enemy was regrouping his formations, the latter's dispositions would be out of balance for the next few weeks, preventing him from undertaking offensive action on a large scale. Nevertheless, the enemy could be expected to resist tenaciously, to counterattack vigorously and to delay our advance to the maximum with demolitions. General Alexander further directed that the Fifth Army would so conduct its operations as to force the enemy to withdraw north of Rome, and at the same time inflict the maximum losses on the German forces in the area south of Rome. The momentum of our advance must be maintained at all costs. The enemy should not be allowed any respite in which to reorganize or take up new positions; he must be compelled to react to the threat of his communications and rear, and advantage must be taken of this to break through his main defenses.

The Eighth Army was to maintain sufficient pressure to prevent the enemy from moving any troops from its front to that of the Fifth Army.

4. The timing of the separate phases of these operations was thus a matter of the greatest importance.

5. In compliance with the instructions of the Fifteenth Army Group, General Clark issued orders to effect a break-through in the Liri Valley with the forces at his disposal on the southern front, to exploit any success with his armored reserve over this, the only terrain offering possibilities for their employment, and to make the Allied landing at Anzio after enemy reserves had been committed south of Rome in the Liri Valley. The attack of the Thirty-sixth Division across the Rapido was therefore to be but one part of the continuing, phased, offensive of the Fifteenth Army Group between January 12 and January 31, 1944.

6. On January 15, 1944, it was estimated that the Germans had a total of 24 divisions in Italy. In front of the Fifth Army was the Fourteenth Panzer Corps of the German Tenth Army, holding a line extending inland from the German right flank with four divisions, viz, the Ninety-fourth Grenadier Division, the Fifteenth Panzer Grenadier Division, the Forty-fourth Grenadier Division, and the Fifth Mountain Division. In reserve were three Panzer Grenadier Divisions, somewhat depleted.

7. At this time the Fifth Army consisted of three corps, viz, the British Tenth Corps on the left, the United States Second Corps in the center, and the French Expeditionary Corps on the right. Our front extended from the sea a distance of about 35 air-line miles into the Appennines. The British Tenth Corps had the British Fifth, Fifty-sixth, and Forty-sixth Divisions in the line. In the line on the United States Second Corps front were the Thirty-sixth Division on the left (south) and the Thirty-fourth Division on the north. Combat Command B of the First Armored Division was to exploit any break-through of the Rapido line by the Second Corps forces. The French corps had two divisions in line, viz., the Second Moroccan Infantry Division and the Third Algerian Infantry Division.

8. The great mountain mass north and south of the Liri Valley constituted an imposing barrier to our advance. In these mountains the Germans had developed the Gustav line as a massive series of defenses in depth; in the Second Corps zone it crossed the Liri Valley just west of the Rapido River.

The Allied commanders recognized that casualties would probably result from an attack on such a position. Viewing the

problem from all sides, however, they believed that were the enemy left free to oppose our landings on the beaches at Anzio the casualties would, undoubtedly be higher because of the inherent vulnerability of a landing operation, with the great danger that the landing might be repulsed. The effect upon our operations as a whole would be far more disastrous.

9. Fifth Army's operations instructions No. 13, issued on January 10, 1944, prescribed the progressive series of attacks. These occurred as follows: On January 12 the French Corps attacked to secure the right flank; on January 15 it had advanced 4 miles, reaching the Gustav line north of Cassino. On January 15 the United States Second Corps attacked and captured Monte Trocchio in order to obtain favorable jump-off positions for its later main attack. On January 17–18 the British Fifth Division crossed the Garigliano River and established a bridgehead; the Fifty-sixth Division in the center of the Tenth Corps also crossed the river, but on January 19 the Forty-sixth Division, on the right of the Tenth Corps, encountered such strong reaction to its attack across the Garigliano that it had to relinquish its gains. It was now more than ever important that the next phase, the Second Corps attack, be pressed in order that the momentum on the southern front be maintained and to deny to the enemy the free use of his forces to oppose our imminent landings at Anzio. The immediate objective of the main attack by the Second Corps on January 20 was to establish a bridgehead across the Rapido River and to exploit a break-through into the Liri Valley (appendix A).

10. At 4 p. m. on January 20 the theater commander issued the order that definitely launched the amphibious operation against Anzio.

11. Field order No. 20, Second Corps, issued on January 16, 1944, had given to the Thirty-sixth Division, on the left, the major mission of establishing a bridgehead over the Rapido in the Sant' Angelo area as far as Pignataro. When the bridgehead had been established, Combat Command B of the First Armored Division was to pass through on corps order and attack northwestward up the Liri Valley toward Rome, with the hope of effecting a union of those elements of the Fifth Army on the southern front with those in the Anzio beachhead. The United States Thirty-fourth Division was to be prepared to attack Cassino from the east, or from the new bridgehead at Sant' Angelo, or to pass through the Thirty-sixth Division as the opportunity offered. The Thirty-fourth Division was to make a demonstration on January 20 in its area in front of Cassino as a feint to divert attention from the Thirty-sixth Division's attack.

Powerful artillery support was provided. Engineers, tanks, tank destroyers, and other units were attached to the division. Before the attack the Twelfth Air Support Command was to bomb strong points in the bridgehead area and to attack known enemy concentrations.

12. The Thirty-sixth Division, by field order No. 42, dated January 18, 1944, directed that the attack be made a 8 p. m., January 20, with the One Hundred and Forty-first and One Hundred and Forty-third Infantry Regiments abreast, One Hundred and Forty-first Infantry on the right. In effect, the operation was to be an envelopment from the south of the powerful Cassino position.

13. Despite its gallant efforts, the Thirty-sixth Division did not succeed either in establishing a firm bridgehead across the Rapido or in driving a gap in the Gustav Line for our armored forces. On the night of January 20–21, the One Hundred and Forty-first Infantry Regiment got two companies across, and the One Hundred and Forty-third Infantry succeeded in placing a battalion on the German side of the river. By late morning of the 21st the One Hundred and Forty-first Infantry had lost contact with its two companies across the river, and the remainder of the regiment withdrew to their assembly areas; likewise, the battalion of the One Hundred and Forty-third Infantry which had crossed withdrew to the American side.

The attack was resumed on the night of January 21–22 with little better success despite heroic efforts by the division. Two battalions of the One Hundred and Forty-first Infantry crossed and commenced fighting their way through the strong German position. Intense enemy fire prevented construction of bridges and knocked out communications. By 4 p. m., January 22, the battalions on the west bank were completely isolated; resupply, evacuation, and communication, were impossible. In the One Hundred and Forty-third Infantry sector the majority of the regiment crossed to the enemy side and started to fight westward. Enemy fire soon became intense, and in the open terrain casualties became serious. By 12:40 p. m. January 22, all three battalions had been driven back east of the river, except for a few isolated groups still in enemy territory, whose members were killed or captured.

After these repulses, the division's operations were limited to demonstrations in support of the attacks of the Thirty-fourth Division to the north, organizing defensive positions east of the Rapido, and patrolling along the river.

These operations are described in greater detail in appendix B.

14. The Thirty-sixth Division reported the following battle casualties during the month of January 1944:

	Officers	Enlisted men	Total
Killed	19	168	187
Wounded	71	1,070	1,141
Missing in action	31	896	927
Total battle casualties	121	2,134	2,255

Deducting from the above figure the casualties reported for the period January 1–19 which were 32 killed, 89 wounded, and 6 missing leaves a total of 2,128 which may be considered as resulting from the Rapido River operation. No attempt has been made to separate casualties reported for the period January 24–31 as the reports for this period would necessarily contain some casualties which resulted from the battle. Some of those reported as missing undoubtedly returned.

15. The sector assigned the Thirty-sixth Division was selected because it alone offered the possibility of exploiting by an armored advance up the Liri Valley a bridgehead forced across the Rapido River. In reaching this decision both the Fifth Army and the Second Corps commanders considered the area assigned the Thirty-fourth Division. The idea of a major attack in this sector was rejected because:

(a) This could not be considered a critical area for the enemy. The natural strength of the position insured its invulnerability with a minimum number of troops committed to its defense. Any local successes which did not include possession of Cassino and its controlling heights would not menace his defensive positions nor facilitate the contemplated link up of the main Fifth Army elements with the enveloping forces to be landed at Anzio.

(b) The terrain in this area was unsuitable for the employment of armor. The river, split into several courses, meanders through a flat, marshy valley. Immediately to the west of the valley lies the mountain mass dominating both the Rapido and Liri River Valleys and presenting a tremendous obstacle to any further advance of armor once it was across the river. This was demonstrated on January 24, 1944, when the Thirty-fourth Division, holding the sector on the right of the Thirty-sixth, attacked across the Rapido, making its main effort 1 mile north of Cassino. The tanks which went forward to assist the infantry bogged down. Each repeated effort resulted in more tanks becoming inextricably mired or being destroyed by the enemy fire which commanded all approaches. It was only on January 29 that 23 tanks finally crossed the Rapido to participate in a limited objective attack in the hills north of Cassino.

(c) Any attempt to move south after crossing the river and then northwes across the front of the Cassino defenses would have encountered that same opposition which some weeks later checked all our attacks.

16. The operations during January 1944 followed the orthodox pattern of an attack against a defensive position, viz, to pin the enemy down and attract his reserves by a vigorous frontal attack, making the main effort by a wide envelopment in force of one of his flanks and rear. In this instance the frontal attack was made by the British Tenth, the United States Second, and the French Corps, while the United States Sixth Corps, landing at Anzio, constituted the envelopment of the enemy's flank and the threat to his communications to the rear. A similar maneuver on a larger scale was successfully performed in France when the British forces and our own First Army maintained a grinding pressure, at the price of many casualties, against the Germans beyond Caen, while General Patton's Third Army swept wide to encircle the Germans' Seventh Army in the Falaise pocket.

17. After the attempts of the British Tenth Corps to gain the high ground to the northwest of the Garigliano River and to the south of the Liri had been checked by the enemy, time was too short to permit the remounting of a major effort in this area that would be of material assistance to the Anzio undertaking. The necessary regrouping in this area with its meager and rudimentary road net would have required a delay of a week or more. The schedule for the use of the amphibious equipment required for the Anzio operation and for its release for preparation of the invasion of Normandy was too tight to permit further delay. It was therefore essential that the Thirty-sixth Division attack proceed as planned.

18. On other occasions during this war, necessary attacks against strongly defended positions have resulted in numerous casualties. For example, on June 6, 1944, the two infantry regiments of the First Division assaulting the Normandy beaches suffered 1,164 casualties including 186 killed in action; on June 6 and 7 one regiment of the Twenty-ninth Division sustained 1,007 casualties including 247 killed in action. This was a frontal attack against a defensive wall which the enemy had strengthened to the maximum of its ability, yet the landings were successful. Throughout the war the success of our operations frequently hinged upon bold and incessant offensives against positions which at first view might seem to be impregnable. Not only the Normandy landings but the landings against the powerful defenses at Salerno, and those along the Riviera are cases in point. To cite a further example, our airborne operations just prior to the Normandy landings were needed to secure the exits from Utah beach; they were ordered despite the strongest discouragement by the troop commanders who warned that the casualties might run to 70 or 80 percent. Despite these forebodings, the casualties actually amounted to 10 percent.

19. That the sacrifices of the Thirty-sixth Division were not in vain is indicated by the first 3 days of the Anzio landing in which our Third Infantry Division suffered 236 casualties, including 56 killed. In the presence of an alert foe much heavier losses might have resulted. It is the view of the War Department that had the attacks on the southern front been discontinued because of difficul-

ties of terrain or enemy resistance, and had the Thirty-sixth Division remained inactive and allowed the enemy to use his reserves to our maximum disadvantage, the Anzio landings would have been heavily opposed with disastrous results. The German reaction to our landings at Salerno had been a warning. Prior to the Anzio landings our Intelligence had estimated that by dark on January 23 the enemy could have massed more than two divisions against the Anzio front. General Wilson reported that on the day of the Anzio landing it was apparent from the fierceness of his counterattack against the main Fifth Army front that the bulk of the enemy's reserve must be in line leaving only weak forces in the Rome area. The Allied Intelligence reports indicate that our unremitting pressure on the southern front, although unsuccessful locally, attracted three German reserve divisions which could have attacked our Anzio forces in the first few days of the beachhead.

20. A veteran division, victorious in the battles of Salerno, Monte Maggiore, and San Pietro, had suffered a serious repulse despite its heroic efforts. Its plans had been made carefully; supplies and equipment, with the exception of boats and foot bridges, were ample. This exception was not the decisive factor since many companies succeeded in crossing the river. Inability to erect and maintain bridges to permit the follow-through of strong reinforcements and supplies, lack of visibility for more effective artillery fire on enemy counterattacks, and the complete disruption of communications were all contributing factors. Even more important were the enemy's extremely strong and expertly defended fortifications west of the river.

NARRATIVE OF OPERATIONS OF THIRTY-SIXTH DIVISION

1. The front of the Thirty-sixth Division extended about 4 miles southward from the western slopes of Monte Trocchio. About 1,000 yards west of the foot of Monte Trocchio the Rapido River flowed southward. East of the river much of the land was marshy and covered with reeds and brush. The Rapido was about 50 feet wide, 10 to 15 feet deep, and flowed at about 4 miles an hour between nearly vertical banks about 5 feet high. Midway along the Thirty-sixth Division's front, on the west bank, were the rubble remains of Sant' Angelo, on a 40-foot bluff. East of the river the Germans had planted extensive mine fields; west of it they had organized a strong position with concrete bunkers and dugouts and barbed-wire protection about 100 to 200 yards from the river's edge.

2. Because of the natural strength of the Sant' Angelo position, the Thirty-sixth Division planned to capture it by envelopment from the north and south. Because the enemy positions on the heights flanking the Liri Valley dominated the battle area, the attack was to be made under cover of darkness; in addition, chemical smoke was provided to keep the area blanketed during daylight.

3. By midnight, January 15–16, the One Hundred and Forty-first and One Hundred and Forty-third Infantry Regiments had occupied positions east of the Rapido from which their attacks were to be launched. Patrols of the One Hundred and Forty-first Infantry having reported extensive mine fields on the east bank, the engineers were directed to clear lanes to the crossing sites. There were, however, some casualties from mines during the approach march to the crossings on the night of January 20.

JANUARY 20, 1944

4. From 7:30 to 8 p. m. on January 20 the artillery fired 31,000 rounds in preparation of the Thirty-sixth Division's attack. The needs of the Tenth Corps and the air preparation for the Anzio landing had imposed limitations on our air resources. On January 20 the Twelfth Air Support Command flew 124 sorties to support the Second Corps. Sixty-four sorties bombed strong points just west of the river north and south of Sant' Angelo; 60 hit roads and gun positions in the Cassino area.

ONE HUNDRED AND FORTY-FIRST INFANTRY

5. At 7 p. m. the assault echelons of the First Battalion, One Hundred and Forty-first Infantry, started from the boat dump east of La Pieta toward the river. Darkness had fallen and a thick fog hung over the river. En route to the crossing site Companies A and B were caught under enemy artillery fire and in mine fields.

6. The Third Battalion, the other assault battalion, likewise ran into difficulties. Of the four improvised foot bridges they were to install, one was found damaged in the dump by hostile artillery fire; a second was destroyed while being carried through a minefield; a third was knocked out by artillery fire; and the fourth was not put into place until 4 a. m. on January 21.

7. Neither of the two battalions was able to launch rubber boats because of the rapid current and steep banks encountered. Many of the boats were destroyed when their carrying parties strayed into mine fields. Finally at 4 a. m., January 21, Companies A and B and a few men of C Company crossed the river over the Third Battalion bridge. Hostile mortar and artillery fire caused this bridge to be abandoned. The Third Battalion did not effect its crossing.

8. Attempts by the engineers to install an 8-ton infantry support bridge were frustrated by enemy fire.

9. At 5:15 a. m., January 21, all elements which had crossed the river were ordered to dig in and hold their positions while those still waiting to cross were withdrawn to original assembly areas before dawn. By late morning contact was lost with the troops across the river.

ONE HUNDRED AND FORTY-THIRD INFANTRY

10. The One Hundred and Forty-third Infantry regiment's front extended from Sant' Angelo to the junction of the Liri and Gari Rivers. The One Hundred and Forty-third Infantry was to cross at two points. At 8 p. m. the leading elements of the First Battalion reached the more northerly crossing point carrying rubber boats provided by the engineers. Intermittent artillery and mortar fire was falling in the vicinity. Company C crossed first and immediately came under small arms and mortar fire. By the time C Company was across all the boats had been destroyed and the engineers had become disorganized. Artillery and mortar fire had caused losses in B and C Companies. By 5 a. m., January 21, the First Battalion had placed two foot bridges over the river and although these were damaged, the entire battalion had crossed by 6 a. m.

11. By 7:16 a. m. the First Battalion had been unable to make any progress and was pinned down under heavy machine gun, mortar, and artillery fire. The battalion commander requested permission to withdraw. The division commander directed that the battalion remain in position west of the river. Before these instructions reached the battalion commander he had withdrawn his men to the east bank.

12. At the southern crossing site, where the Third Battalion was to cross, the boat groups moving to the river lost their direction; some strayed into a minefield. Rubber boats were destroyed, and casualties among both the engineers and the infantry had caused dispersion and disorganization. By daylight the battalion had not succeeded in getting anyone across.

JANUARY 21 AND 22, 1944

13. At 10 a. m. January 21, the corps commander, Major General Keyes, directed that the attack be continued, and the division commander arranged for additional boats to replace those destroyed by the enemy.

ONE HUNDRED AND FORTY-FIRST INFANTRY

14. At 10 o'clock that night the Second Battalion, One Hundred and Forty-first Infantry, was at the river ready to cross. The same difficulties were experienced as on the preceding night; rubber boats capsized and sank when hit by fire, and prepared foot bridges proved unsatisfactory. However, using improvised foot bridges, the majority of the assault elements of the Second and Third Battalions had crossed by 5:30 a. m. on January 22. Again all attempts to install an infantry support bridge were unsuccessful. General Walker ordered the engineers to install a Bailey bridge regardless of enemy fire, which nevertheless prevented erection of the bridge.

15. A fog, together with the smoke used to screen our movements during daylight, blinded our own artillery observers. Complete dependence for location of hostile batteries fell upon sound locators. Heavy firing, however, practically nullified the effectiveness of the latter. Enemy snipers with automatic weapons took advantage of our smoke and took up prepared positions very close to our units across the river.

16. These units pressed the attack toward their objectives. They managed to break through the barbed wire to a distance of some 600 yards. Beyond this they were unable to advance because of machine-gun fire, mine fields, heavy mortar and artillery fire, and prepared defenses. The regiment was forced to stop and dig in.

17. Attempts to reorganize were futile. Communications were bad, casualties were serious, and by 5 p. m. January 22, the commanding officers and their staffs and all but one of the company commanders of the Second and Third Battalions had been either killed or wounded. Efforts to supply the units across the river were prevented by enemy fire.

18. At 4 p. m., January 22, the enemy launched counterattacks. The accounts of these counterattacks pieced together from the stories of individual survivors present an incomplete and fragmentary picture. After feeling out the positions of the One Hundred and Forty-first Infantry from 4 p. m. to 5 p. m., the enemy encircled them. Several attacks were stopped, but the regiment received repeated concentrations of all types of fire.

19. By 10:40 p. m. no more sounds of American fire were heard from the west bank. That night, personnel of the Second and Third Battalions who had worked their way back across the river organized on the east bank. Ferrying patrols were formed to bring back men left west of the river, but these operations were frustrated by heavy enemy fire.

ONE HUNDRED AND FORTY-THIRD INFANTRY

20. The attack on the One Hundred and Forty-third Infantry was renewed at 4 p. m. January 20. Smoke was placed on both sides of the river, and the third battalion completed crossing by 6:30 p. m. It then advanced slowly through the enemy wire, knocking out some machine guns but suffering heavy casualties from hostile gunfire.

21. The First Battalion crossed north of the Third Battalion. By 6:35 p. m., Companies A and B of this battalion succeeded in reaching the west bank under heavy machine-gun, mortar, and artillery fire. At 11:17 p. m., information was received from the First Battalion that Company C had not yet crossed, and that heavy machine-gun and mortar fire was holding up the progress of the battalion.

22. At 11:40 p. m. the Second Battalion was ordered to cross the river at the Third Battalion side. Some time was lost when the engineer guides lost their way, but two companies crossed the river to a position on the

right of the Third Battalion. Company G remained near the foot bridge to protect the rear. At 8 a. m., January 22 the two assault companies were stopped 200 yards west of the river by heavy fire of all kinds. Enemy rocket fire which plastered the position from 9 a. m. to 10 a. m. made it untenable.

23. By the morning of January 22 the First Battalion, One Hundred and Forty-third Infantry, had lost its battalion commander and its three rifle company commanders. All battalions became badly disorganized and for the most part were driven back to the east side of the river. The bridge and all boats had been destroyed. At 12:40 p. m. the battalions were reorganizing east of the river, and only a few isolated groups remained on the west bank. All three battalions of the regiment were now ordered to reorganize defensive positions on the high ground east of the Rapido in the vicinity of their previously occupied assembly areas.

JANUARY 23

ONE HUNDRED AND FORTY-FIRST INFANTRY

24. The Thirty-sixth Division was ordered to simulate crossings as a division to assist the Thirty-fourth Division in its attack on Cassino. The One Hundred and Forty-first Infantry complied by making three demonstrations on the night of January 23–24 and two demonstrations on the night of January 27–28 and by attempting to put patrols across the river.

25. On the morning of January 24 a patrol crossed the river with little opposition. However, the enemy spotted the attempt and put down heavy fires, whereupon the patrol returned.

ONE HUNDRED AND FORTY-THIRD INFANTRY

26. During the night of January 24–25 the One Hundred and Forty-third Infantry conducted demonstrations along the river. These demonstrations were countered by the enemy with heavy artillery and rocket fire. Patrols sent out every night subsequent to January 22 either failed to get across the river or were forced back shortly after reaching the far bank.

SETTLEMENT OF ACCOUNTS OF DECEASED OFFICERS AND ENLISTED MEN

Mr. THOMAS of Utah. Mr. President, I now wish to take up a privileged matter.

From the Committee on Military Affairs, to which were referred the amendments of the House of Representatives to the bill S. 50, to permit settlement of accounts of deceased officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and of deceased commissioned officers of the Public Health Service, without administration of estates, I report back the amendments.

Senate bill 50 is a bill relating to the settlement of accounts of deceased personnel. The principal purpose of the bill is to remove the $1,000 limitation now found in existing laws.

The measure was reported from the Naval Affairs Committee, with an amendment, and was passed by the Senate on December 20, 1945. It was further amended in the House Naval Affairs Committee, after consultation with the chairman of the House Military Affairs Committee, to include the Army. The measure as so amended and as passed by the House is approved by both the War and Navy Departments.

When the measure was returned to the Senate the Senator from Massachusetts [Mr. WALSH], chairman of the Senate Naval Affairs Committee, very graciously requested that it be referred to the Senate Military Affairs Committee, in order that that committee might examine it and ascertain just what the proposed legislation contains.

On behalf of the committee, I now move that the Senate concur in the House amendments. If it is necessary to lay aside the unfinished business, Mr. President, let me say that I understand that there is no objection to the bill, and that action on the amendments of the House will not require much time.

The PRESIDING OFFICER. The amendments of the House of Representatives have a privileged status.

Mr. WHITE. Mr. President, I understand that the motion is to concur in the amendments of the House of Representatives.

Mr. THOMAS of Utah. That is correct.

Mr. WHITE. Have they been presented to the Committee on Military Affairs?

Mr. THOMAS of Utah. They have been presented to the Committee on Naval Affairs and accepted, and referred to the Committee on Military Affairs, in order that we might ascertain if there was any addition which the committee wished to make. They were accepted by the committee, and as the agent of the committee I am making the motion to concur in the House amendments.

Mr. WHITE. Do they come before the Senate with the full approval of the Committee on Military Affairs?

Mr. THOMAS of Utah. They do, Mr. President. I might say that I am making this motion through the courtesy of the chairman of the Committee on Naval Affairs [Mr. WALSH]. Had he wished, he could have moved concurrence in the House amendments when they were first presented to the Senate.

Mr. BRIDGES. Mr. President, what are the amendments?

Mr. THOMAS of Utah. It will take only a short time to read the amendments. I suggest that they be read.

The PRESIDING OFFICER. The clerk will state the amendments.

The LEGISLATIVE CLERK. On page 3, after line 2, it is proposed to insert:

SEC. 4. The paragraph of the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1907, and for other purposes," approved June 30, 1906 (34 Stat. 750), as amended by the act of December 7, 1944 (58 Stat. 795), which related to the settlement of accounts of deceased officers and enlisted men of the Army, is amended to read as follows:

"Hereafter in the settlement of the accounts of deceased officers or enlisted persons of the Army, where no demand is presented by a duly appointed legal representative of the estate, the accounting officers may allow the amount found due to the decedent's widow, widower, or legal heirs in the following order of precedence: First, to the widow or widower; second, if decedent left no widow or widower, or the widow or widower be dead at time of settlement, then to the children or their issue, per stirpes; third, if no widow, widower, or descendants, then to the father and mother in equal parts; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, widower, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes: *Provided*, That this act shall not be so construed as to prevent payment from the amount due the decedent's estate of funeral expenses, provided a claim therefor is presented by the person or persons who actually paid the same before settlement by the accounting officers."

And amend the title so as to read: "An act to permit settlement of accounts of deceased officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard, and of deceased commissioned officers of the Public Health Service, without administration of estates."

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Utah [Mr. THOMAS] that the Senate concur in the amendments of the House to Senate bill 50.

The motion was agreed to.

THE LATE SENATOR REED, OF MISSOURI—ARTICLE BY ROBERT F. KLEPINGER

Mr. TYDINGS. Mr. President, during my early service in this body with some of the Members still here there was in the Senate a Member from Missouri—widely known even today, although he has passed on—James A. Reed. When he spoke in the Senate he commanded the attention of all the Members and his words were read with varying emotions throughout the whole country. He had many ardent followers and there were a great many who violently disagreed with him. But in my service here I think I may say that I cannot recall a more forceful speaker on this floor on a variety of subjects than the late Senator James A. Reed. Senators were lucky if they had him on their side, and Senators feared his eloquence and massing of logic if he appeared as an adversary. There were many positions which Senator Reed took on matters with which I did not find myself in accord, but there were many, many times when I did. He was the sworn enemy of hypocrisy and sham, the ready defender of the weak and the oppressed, and a stalwart in the defense of our Constitution and the rights of the individual, no matter what the station of the individual might be.

Mr. President, there has come to my attention a short article written by Mr. Robert F. Klepinger, of the Ohio and District of Columbia bars, about Senator Reed, quoting briefly from some of the speeches he made on the Senate floor, and I thought it might be fitting to have it printed in the RECORD because some of the gems of speech uttered by Senator Reed in some of the debates years ago are well worth rereading in our present situation.

Therefore, Mr. President, I ask unanimous consent to have printed in the RECORD immediately following my remarks some excerpts from speeches delivered in the Senate by the Honorable James Alexander Reed, a Senator from Missouri, and some notes concerning the same by Mr. Robert F. Klepinger, of the Ohio and District of Columbia bars.

There being no objection, the excerpts and notes were ordered to be printed in the RECORD, as follows:

JAMES ALEXANDER REED, 1861–1944, A SENATOR FROM MISSOURI

(By Robert F. Klepinger, of the Ohio and District of Columbia bars)

Each day for 18 years, 1911–29, the linotype operators at the Government Printing Office

pounded out for the CONGRESSIONAL RECORD listing of United States Senators the line: "James A. Reed—a Senator from Missouri." I suggest to those who may read this tribute to him that, as they gaze upon the reproduction of his likeness, they reflect for but a moment upon the career of this remarkable man. It is written by one of the opposite political faith, but who shall always admire this great Jeffersonian Democrat.

Man protests constantly that he seeks for truth and the eternal verities, yet for almost two decades Reed, of Missouri, thundered all of them upon the Senate floor. He was the scourge of hypocrisy—the anathema of false piety. He was the knight of American politics most dreaded by liars, cheats, and pretenders. He was the epitome of the real meaning of the title "A Senator of the United States." Let us begin at the beginning.

In 1911 one of Reed's first blasts in the Senate was to denounce some of his colleagues as "legislative assassins" for their attitude respecting proposals which, in his judgment, were inimical to the best interests of the American people. That attitude was to continue throughout his Senate service. Reed was a "lawyer's lawyer." His knowledge of the law and understanding of human nature were not only monumental but phenomenal. Over 20 years ago I wandered into the Senate Gallery by chance. Reed was speaking. It was the first time I saw or heard him. He was opposing the resolution of Underwood, of Alabama, which would have limited debate in the Senate. I listened out of curiosity. I remained fascinated. He was carrying the torch for those who had resisted oppression since time began. He said, in substance: "Let us not talk about majority rule. The majority has been more often wrong than right. The majority crucified Christ; it cut off the ears of John Pym; it burned men at the stake; it applied the thumbscrew and the rack; its intolerance has been demonstrated through the ages. Only upon the Senate floor," he said, "was the right preserved where a man could talk fearlessly until physically exhausted." The proposal was rejected, as it should have been.

After the experience, I became a constant habitue of the gallery for a decade. It was a delight to listen to Reed slay his foes in verbal combat and to observe the effect upon his audience by ridicule and, conversely, by pathos and tenderness. For instance, he could express disgust by exclaiming that a person or situation was so nauseating "as to make the gorge rise from the gizzard of an ostrich." Do those words illustrate sufficiently adverse feeling? On the other hand he could scale the peaks of eloquence. For example, his beautiful description of his friend Champ Clark at the latter's bier; never had he seen such devotion between father and family; even the very soil that soon was to receive the deceased Speaker would be enriched by the love he bore for the old Commonwealth of Missouri. Representative RANKIN, of Mississippi, recently referred to that speech as the equal of Ingersoll's delivered at the grave of his brother Ebon.

The student and anyone interested in American politics would do well to accumulate from the RECORD the remarks of Reed during those years which Senator JOHNSON of California once referred to as "grateful." The saga which would be revealed in its pages will reflect the near prescience of Missouri's first citizen. Read again, as current events crowd upon us, the magnificent debate and argument culminating in his famous speech in September 1919 when the Senate, unable to restrain its emotions, arose, and contrary to its rules, burst into applause. The Post, an uninfluential newspaper in Washington, in its lead editorial, grudgingly was compelled to admit, on the news of Reed's death, that he was the master of the art of legislative debate and oratory. Then read, too, the debate between Reed and Senator Borah on prohibition. I heard that one. If ever a man forced the long and bluenosed fringe to cover, it was upon that occasion. I see him now, striding down the Senate aisle at the conclusion of the morning hour, to begin his diatribe against that absurd but noble experiment. He referred to one Wayne Wheeler whose pontifications he excoriated. Reed read from a book by or about Wheeler and threw it on the floor in contempt.

The galleries listened, intent upon his every word and gesture. Finally he affected mock pride of being a poet albeit with limitations, and contributed a few words to the concluding lines of "America the Beautiful":

"God shed his grace on thee,
And crown thy good with brotherhood
From sea to shining sea."

Reed added:

"As an hundred thousand prisoners
Look through the bars at me."

For those who would refresh their memories of the language he used to pay his respects to the author of the Volstead law, they may also consult the text printed at the end of this article. It cannot be found in the permanent CONGRESSIONAL RECORD as it was deleted and appeared only in the temporary or daily issue.[1]

Looking back over the years, many scenes in the Senate Chamber come to mind wherein Missouri's senior Senator was cast in a leading role. Perhaps the most stirring was his swan song delivered January 30, 1929. It was one of his greatest speeches in my opinion. He warned of war. With fine scorn he pointed to colleagues who were complacent as "dreamers of dreams." To those who yawned, so to speak, at the suggestion this country prepare for war, he addressed the remarks appended to this article.[2]

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[1] Until the other day I never had the pleasure of seeing the distinguished author of the Volstead Act. His brief biography states that he was born in the United States. I am informed he speaks a very broken English. I do not know what his ancestry may be but I do know that I have gazed upon the pictures of the celebrated conspirators of the past, the countenances of those who have led in fanatical crusades, the burners of witches, the executioner who applied the torch of persecution, and I saw them all again when I looked at the author of this bill.

[2] "Would you hear the voice of the world, oh, you dreamers of dreams? Listen, and your ears will be greeted by the roar of furnaces which are forging the plates of ships of war. Listen, and you can hear the chorus of mighty hammers shaping the keels of great battleships. There will come to you the hum of countless lathes shaping rifles and machine guns. You can hear the whir of the wings of innumerable airplanes. Look, and you can behold the skilled engineers of every nation as they plan and direct the construction of armaments. They are calculating the distance of every shot, the elevation of every gun. Look again, and millions of men are marching and counter-marching in command of skilled officers; and back of these armies are peoples who believe in these policies and who support them uncomplainingly with taxes. The war councils of every great nation have prepared plans for the sinking of the American fleet, the bombardment of American cities, and they have laid out the roads over which the armies are to travel in case of war with the United States.

"The story of the world is a story of treaties made and broken. Every civilized nation at every point of history has had treaties of this kind with the other civilized nations. Yet these people seemed to imagine that because Mr. Bryan and some others had negotiated some treaties providing for arbitration, that that was the end of war, and they went around singing, 'I didn't raise my boy to be a soldier.' Of course no woman ever raised her boy to be a soldier, but she did not raise him to be a poltroon and a coward, I hope; she did not raise him to stand by, I hope, and see his mother abused; she did not raise him, I hope, beneath the American flag, to be a coward and a poltroon who would sacrifice the interests of his country.

"How many times must we learn this lesson? What kind of intellect is it that can say there will never be any more war, there is going to be eternal peace, we do not need any arms, we can rely on the doctrine of brotherly love, and at the same time can see that every great nation in the world is building warships, forging cannon, massing soldiers, preparing for some eventuality which we all hope will never occur but which we all know may occur?

"The world has not changed much. We may talk a great deal, but the old sun swings through the firmament as it did centuries ago. Men and women are much the same as they were back in the twilight of time. Ambition, hope, desire, hate, and revenge still play their part in this human life, and he is the most derelict of all men who does not provide for his own household and for the defense of his own country."

Senator Hale, of Maine, who was in charge of the naval cruiser bill which was the occasion of this speech, said very little-urging its passage. It was not necessary after Reed's masterpiece.

It should be recalled, however, that the Senator was confronted by others in the Senate of great ability. The Senator who was just about his match in resourcefulness, legal acumen and persistence, was, curiously enough, one bearing his own name. I refer to Dave Reed, of Pennsylvania. Shrewd, careful and possessed of an abundance of self-confidence, the Pennsylvania solon resisted with consummate skill his Missouri colleague in the election scandals matter when the latter was demanding a Senate investigation. But Reed, of Pennsylvania, lacked one thing: color. Jim exuded it. The investigation was directed by the Senate and Senator-elect Vare was denied his seat.

A study of Reed's career is superficial unless some reference is made to his appearance. He was arresting not only to hear but to see. An immaculate dresser, his hair was the shade of white that fitted in exactly with his piercing eyes, which seemed to literally bore through things mundane. But his voice, ah, many newsmen have tried to describe it. It did not admit of exact description. The tone was pleasing, yet at once a bit strange, almost "mystic, wonderful." The combination of talents possessed by Reed was largely responsible for the fact that all opponents avoided becoming entangled with him or having attempted to bait him in the heat of debate almost invariably rued having done so. One of the classic examples of such a mistake is that of former Senator Robinson, of Indiana, who one day sneeringly referred to him as the "venerable white-haired Senator from Missouri." Reed waited until Robinson had concluded, then arose and made the brief announcement: "On tomorrow I shall attend to my young friend from Indiana." To those who may have a penchant for research into such matters, it is recommended that they will enjoy the remarks which he directed to his "young friend from Indiana." The press feigned puzzlement on that occasion as to which was whiter, Reed's hair or Robinson's countenance.

With all his gift for invective, Reed could with equal zeal defend (if defense were needed) one allied with the opposite political party. When C. B. Warren was nominated for Attorney General and supporters of the nominee compared his activities to Repub-

lican Senator Knox, Reed said: "For a number of years I sat here and looked into the face of Philander C. Knox. He was an intellectual giant, and he was intellectually as honest as he was intellectually great. I challenge the right of any man to name him in the same breath, in the same sentence, in the same day, in the same chamber, in the same century, with Charles Beecher Warren. I stand to defend the honored dead against that aspersion."

Among the funnier observations of Reed was that one about the maternity bill debated in the Senate. It would have required every prospective mother to register that fact with some officer in every local courthouse or something of the kind. Jim waxed really humorous. He pointed out with oily unction that some female organization urged its enactment although, he said, it would have made the courthouses public snooperies. Then he slew its advocates. He added: "The Senate persisted in inquiring as to the background of the organization, demanding we pass the bill. What did we find? Every member of it was a spinster beyond the age of hope."

Some of us used to listen to the criticism of him that he was a destructionist; that he had contributed nothing to legislative affairs in that no public law bore his name, and so forth. Our best reply was that before any garden could grow, the weeds must be dug and their roots turned up to the sun. But Reed's answer to such criticism was devastating:

"I have been called a destructive man. It has been charged that all my energy and 'brilliant ability' have been devoted to obstructing legislation and tearing down the programs conceived by others. I have done a lot of that, thank God. My only regret is that I was not given the power to do more of it. Let Congress desist from its assaults upon the Constitution—let those 'constructive' legislators cease, for 30 days, their constant, insidious efforts to undermine the bulwarks of our liberties—and maybe I can find time to consider some legislation with some common sense and justice in it."

I have previously adverted to Senator Reed's legal capacity and knowledge. It was perhaps overshadowed by his political accomplishments. His record as a trial lawyer is impressive. When a young prosecutor, he lost but two cases out of nearly three hundred. If anyone should rise to challenge the assertion that he was a peerless cross-examiner, let his conduct of numerous Senate investigations speak for itself. I seem to recall reading in the Federal Reporter a judicial expression extolling him not only for the oral argument in a cause, but for the excellence of his briefs.

Listen again to his views respecting the obligation to defend the Constitution and to uphold the independence of the judiciary, in an address before the American Bar Association at Kansas City on September 27, 1937:

"How shall we regard those who having taken the oath to support and defend the Constitution put forth the plea that the Constitution is obsolete; that it is a dead thing? When did it become obsolete? Was it obsolete in January 1937 when every Member of the House of Representatives and one-third of the Members of the Senate solemnly took an oath to defend the Constitution? Was it obsolete when the President, on the same day, repeated in substance and effect the same solemn obligation? Was it obsolete 4 years earlier when these same men or their predecessors took that oath in order to take office? I repeat, when did it become obsolete?

"The doctrine of 'obsolescence' does not lie in the mouths of men who solemnly swore to defend and protect as a living thing the Constitution enacted by the people of the United States.

"The doctrine of obsolescence ought to sear the tongue and burn the lips of any man who took an oath to defend that Constitution.

"The Constitution is the law of the people. It springs directly from their authority. It is the measure of authority. It is the measure of authority of all Federal officeholders. There could be no Congress except for the Constitution. There could be no President except for the Constitution. And from the same Constitution the rights and authority of the courts are derived.

"Destroy the independence of the judiciary and the Congress becomes omnipotent. It will be the judge of the constitutionality of its own acts. Its arbitrary commands are substituted for the will of the people who created it and who solemnly limited its authority."

In the same address he repeated the ageless truths and alluded once more to majority rule and the dangers attendant upon it:

"Why was such a Constitution adopted?

"The patriots who framed it knew, as you know, that regardless of impulses of right and wrong, no single individual, no group of officials, can be trusted with unlimited authority.

"They understood, as you understand, that 'power feeds on power.' Equally well they knew that the will of a majority of citizens might become as oppressive as the decrees of a single despot. Accordingly, they determined that the rights of the minority should be guarded by a great and fundamental law against all manner of oppression.

"They had before them the fact that a majority nailed Christ to the cross; burned Joan of Arc at the stake; roasted Michael Servetus over a slow fire; fed the Christians to the lions; covered the world with scaffolds upon which the majority tortured and executed the minority. They remembered that the benign countenance of religion was once distorted into the cruel lineaments of fanaticism. They knew that an honest fanatic, whether of church or state, is the most dangerous beast ever turned loose to curse the earth, all the more dangerous if his cruel purposes are masked by gentle smiles and friendly protestations calculated to lull the intended victims into security. Reason cannot appeal to nor compassion mitigate the fury of a fanatic. Regarding his opinions as infallible, he considers all opposition as the devices of villainy and all opponents as emissaries of Satan. The degree of fanaticism is often the measure of sanity."

It may be that in the sealed book of fate it was not written that one of America's Presidents should have been Missouri's famous adopted son. But just inside the entrance to the magnificent home of the Supreme Court in the Nation's Capital are found these words in gold on a marble wall:

"James Alexander Reed, Senator from Missouri."

That inscription is enough for Americans who knew, admired, and appreciated him.

"Heu! Quanto minus est cum reliquis versari, Quam tui memisse!"

AGREEMENT WITH RUSSIA AT YALTA—EDITORIAL FROM THE WASHINGTON DAILY NEWS

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the lead editorial in the Washington Daily News of February 12, 1946, which expresses my own views on the "needless bribery of Russia" by the United States at the Yalta Conference. I agree thoroughly with the editorial caption, "Secret, Sordid, and Stupid."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SECRET, SORDID, AND STUPID

If there was ever a more sordid deal by the United States than the needless bribery of Russia to enter the Jap war, we can't recall it. Now that the text of the agreement by Roosevelt, Churchill, and Stalin at Yalta has been made public, it turns out to be even worse than feared.

It violated assurances by the President and State Department that no secret political agreements had been or would be made.

In giving the Kuriles and South Sakhalin to Russia, it violated the first and second pledges of the Atlantic Charter against territorial aggrandizement, and the United Nations Declaration. It violated the Cairo agreement which said Japan would be expelled from territories taken by violence and greed—which does not cover the Kuriles.

In agreeing to "hand over" to Russia the Jap territories, it usurped powers of the Allied peace conference. This peace conference authority was underlined by President Truman in his statement on Potsdam. It was reasserted by Secretary Byrnes last week in his comment that the secret Yalta pact—which had been hidden even from him for 7 months—would be subject to peace-conference decision. But the secret text provides that these Soviet claims "shall be unquestionably fulfilled"—regardless.

This was also a denial of the United States Constitution and the Senate's treaty powers.

Besides giving Russia the Jap territory, the pact invaded the sovereign rights of our Chinese ally. It gave Russia special privileges at Port Arthur and Dairen and in control of Manchurian railroads, and it separated Outer Mongolia from China. Since none of this could be delivered without the consent of Chiang Kai-shek, the President agreed to "take measures in order to obtain this concurrence on advice from Marshal Stalin." So the later Chinese-Russian treaty, making good on the Big Three deal, was under this duress.

The deal was stupid, because no bribe was needed. It was more to Russia's interest than to ours that she fight Japan; because Japan was a nearer threat to her than to us, and because only by fighting could Russia get a stake in the postwar far eastern settlement. We could lick Japan without her help—and virtually did anyway.

The deal was stupid not only for us, who had a reputation of international integrity to maintain, but also for Russia. She easily could have obtained from the legal peace conference legitimate trusteeship and bases in south Sakhalin and the Kuriles.

We believe the Big Three outsmarted themselves. Roosevelt and Churchill unwittingly undermined an orderly and just peace structure. And Stalin has tipped his hand to America, that he is playing a game in the Pacific of grab and ruthless power.

LINCOLN DAY ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address entitled "Abraham Lincoln and the New Emancipation," delivered by him at a banquet given by the Lincoln Club, at Louisville, Ky., on February 12, 1946, which appears in the Appendix.]

LINCOLN DAY ADDRESS BY GOVERNOR MARTIN, OF PENNSYLVANIA

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address delivered by Maj. Gen. Edward Martin, Governor of Pennsylvania, at the annual Lincoln Day banquet of Republican Members of Congress and the Women's Republican Club of the District of Columbia, in Washington,

D. C., February 7, 1945, which appears in the Appendix.]

THE PRESIDENT'S WHEAT PROGRAM—TELEGRAM FROM M. W. THATCHER

[Mr. WHEELER asked and obtained leave to have printed in the RECORD a telegram from M. W. Thatcher, president of the National Federation of Grain Cooperatives, on the subject of the President's wheat program, which appears in the Appendix.]

THE WHEAT SHORTAGE—ADDRESS BY GORDON ROTH

[Mr. LANGER asked and obtained leave to have printed in the RECORD a radio address on the subject of the wheat shortage, delivered by Gordon Roth, director of public relations of Farmers Union Grain Terminal Association, on February 3, 1946, which appears in the Appendix.]

HEALTH INSURANCE—ARTICLE BY ROBERT LASCH

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an article entitled "Drug Makers Waging Fight on Health Insurance; Why?" written by Robert Lasch, and published in the Chicago Sun of February 11, 1946, which appears in the Appendix.]

THE FULL EMPLOYMENT BILL

[Mr. MURRAY asked and obtained leave to have printed in the RECORD a letter addressed to the President, an editorial from the Christian Science Monitor, and an article by Peter Edson, in the Washington Daily News, in relation to the so-called full employment bill, which appear in the Appendix.]

MAXIMUM EMPLOYMENT — EDITORIAL FROM NASHVILLE TENNESSEAN

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an editorial entitled "As a Starter" from the Nashville Tennessean of February 6, 1946, which appears in the Appendix.]

UTILIZATION BY FREIGHT FORWARDERS OF SERVICES OF COMMON CARRIERS BY MOTOR VEHICLE

Mr. WHEELER. Mr. President, I ask unanimous consent that the unfinished business, the Independent Offices appropriation bill, be temporarily laid aside and that the Senate consider at this time House bill 2764.

The PRESIDENT pro tempore. Is there objection?

Mr. RUSSELL. Mr. President, I should like to know the nature of the bill.

Mr. WHEELER. It is House bill 2764, which proposes to amend section 409 of the Interstate Commerce Act with respect to the utilization by freight forwarders of the services of common carriers by motor vehicle.

The reason I am asking that the bill be considered now is that, unless extended, section 409 will expire at midnight tonight. The bill was unanimously passed by the House of Representatives and has been favorably reported by the Committee on Interstate Commerce of the Senate.

Mr. RUSSELL. I merely wished to know the subject matter of the bill.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (H. R. 2764) to amend section 409 of the Interstate Commerce Act with respect to the utilization by freight forwarders of the services of common carriers by motor vehicle.

The bill H. R. 2764 is as follows:

Be it enacted, etc., That section 409 of the Interstate Commerce Act, as amended, is amended to read as follows:

"UTILIZATION BY FREIGHT FORWARDERS OF SERVICES OF COMMON CARRIERS BY MOTOR VEHICLE

"SEC. 409. (a) (1) The Commission shall at the earliest practicable time determine and by order prescribe the reasonable, just, and equitable terms and conditions, including terms and conditions governing the determination and fixing of the compensation to be paid or observed, under which freight forwarders subject to this part may utilize the services and instrumentalities of common carriers by motor vehicle subject to part II of this act, under agreements between such freight forwarders and common carriers (which agreements may be required by the Commission to be subject to its approval, disapproval, or modification), in such manner as will be in futherance of the national transportation policy declared in this act: *Provided*, That in the case of line haul transportation between concentration points and break-bulk points in truckload lots, such terms and conditions shall not permit payment to common carriers by motor vehicle of compensation which is lower than would be received under rates or charges established under part II of this act, except to the extent that such lower compensation is found by the Commission to be justified by reason of the conditions under which the services and instrumentalities of common carriers by motor vehicle are utilized by freight forwarders and the character of the services performed by common carriers by motor vehicle and by freight forwarders.

"(2) The Commission, when it has prescribed such terms and conditions, shall by order specify a reasonable time after which subsection (b) of this section shall no longer be effective; and the order or orders issued under this paragraph may, if the Commission deems it to be in furtherance of the national transportation policy declared in this act, provide for the termination of the effectiveness of such subsection (b) at different times in different territories or sections.

"(3) The Commission is authorized, upon complaint or upon its own initiative without complaint, to investigate and determine whether, in order to carry out the purposes of paragraph (1) of this subsection, any terms and conditions prescribed thereunder should be modified or rescinded or whether additional terms and conditions should be prescribed thereunder, and, after such investigation, the Commission shall by order modify or rescind any such terms and conditions, or prescribe additional terms and conditions, to the extent it finds such action necessary or appropriate to carry out the purposes of such paragraph.

"(4) No order shall be entered under this subsection except after interested parties have been afforded reasonable opportunity for hearing.

"(b) Subject to the authority of the Commission to terminate by order the effectiveness of this subsection, as provided in subsection (a) (2), nothing in this part or in part II of this act shall be construed to make it unlawful for freight forwarders subject to this part and common carriers by motor vehicle subject to part II of this act to operate under joint rates or charges. The provisions of part II of this act shall apply with respect to such joint rates or charges and the divisions thereof, and with respect to the parties thereto, as though such joint rates or charges had been established under the provisions of such part II, and the provisions of this part shall not apply with respect thereto: *Provided, however*, That—

"(1) Joint rates or charges and concurrences contained in tariffs heretofore filed with the Commission shall become effective, without notice, as of the date of enactment of this part, unless the parties thereto file notice with the Commission, within 30 days after the date of enactment of this part, canceling such joint rates or charges and concurrences;

"(2) Joint rates or charges and concurrences, contained in tariffs heretofore offered for filing with the Commission, but rejected by the Commission, shall become effective, without notice, as of the date of enactment of this part, if filed with the Commission within 30 days after the date of enactment of this part;

"(3) Joint rates or charges and concurrences, under which freight forwarders and common carriers by motor vehicle subject to part II of this act were actually operating on July 1, 1941, may become effective, without notice, as of the date of enactment of this part, if tariffs covering such joint rates or charges and concurrences are filed with the Commission within 30 days after the date of enactment of this part;

"(4) No new additional joint rate or charge may be established under authority of this subsection for service from any point of origin to any point of destination with respect to any particular commodity or class of traffic unless at least one rate or charge for service from such point of origin to such point of destination with respect to such commodity or class of traffic, established by an individual freight forwarder or by a freight forwarder jointly with a common carrier by motor vehicle, is already lawfully in effect; but for purpcses of this paragraph the making of a change in a joint rate or charge which has been established, or which has become effective pursuant to this subsection, shall not be deemed to constitute the establishment of a new or additional joint rate or charge;

"(5) Any joint rate or charge or concurrence established, or which becomes effective pursuant to this subsection, may at any time be canceled or withdrawn in accordance with the provisions of part II of this act;

"(6) The filing of tariffs under paragraph (2) or (3) of this subsection may be in accordance with the requirements with respect to the form and manner of filing tariffs in effect under part II of this act prior to December 31, 1936;

"(7) For the purpose of computing the period of 30 days prescribed in paragraph (1), (2), or (3) of this subsection, the date of mailing by registered mail shall be deemed the date of filing; and

"(8) As used in this subsection the term 'rates or charges' includes classifications, rules, and regulations with respect thereto."

Mr. WHEELER. Mr. President, the bill amends section 409 of the Interstate Commerce Act.

Its purpose is to permit freight forwarders to continue to utilize the services of motor carriers under terms and conditions to be prescribed by the Interstate Commerce Commission.

For many years forwarders have rendered a very valuable service, especially to shippers in smaller towns and communities, by reason of their ability to make just and reasonable arrangements with the motor carriers.

The provisions included in part IV of the act when forwarders were regulated

in 1942 have proved inadequate as a means of insuring continuance of this business. This bill proposes to remedy that situation, so that the shippers of the country may continue to receive the benefit of forwarder service.

HISTORY OF SECTIONS 408 AND 409

When freight forwarders were brought under regulation by the passage of part IV of the Interstate Commerce Act in 1942, two sections were included in the law relating to the basis upon which freight forwarders might utilize the services of, and compensate, motor carriers. These were sections 408 and 409.

Section 408 authorizes "assembling and distribution" rates, to be published for use by freight forwarders and others who utilize the services and instrumentalities of the carriers under similar circumstances and conditions.

Section 409 contains authority for joint rates between freight forwarders and motor carriers. This section was originally limited to a period of 18 months, during which time it was contemplated that the rates authorized by section 408 would be established to take the place of the joint rates. The original period of 18 months has been extended to 45 months, by acts of Congress, and the section is now scheduled to expire at midnight February 15.

The rates authorized by section 408 have not been established by the motor carriers, and the situation with which we are confronted is that if section 409 expires tomorrow, in the absence of corrective legislation, there will be large-scale disruption of forwarder business.

The situation giving rise to sections 408 and 409 was that for many years prior to 1942 freight forwarders had made extensive use of the services of motor carriers, primarily to extend forwarder service into small communities throughout the country. The forwarders originally compensated the motor carriers on a contract basis. After the Motor Carrier Act of 1935 became effective, a system of joint forwarder-motor carrier rates was established in an attempt to comply with the terms of the Motor Carrier Act.

In 1939 the Commission held that the act did not then authorize joint rates between motor carriers—which were regulated—and freight forwarders—which were not then regulated. The courts sustained the Commission.

It should be made clear that neither the Commission nor the courts condemned the joint rates per se, but merely held that the act as it then stood did not authorize them. The United States district court said:

> The section (referring to sec. 216 (c) under which the tariffs were filed) prescribes under what circumstances there may be joint rates and we cannot suppose that its provisions are not exclusive. *Acme Fast Freight, Inc., et al.* v. *U. S. et al.* (30 Fed. Supp. 968, 1940).)

The Supreme Court affirmed this decision per curiam (309 U. S. 638, 1940).

In the original hearings on forwarder legislation two bills were considered, one containing permanent provision for continuance of joint rates, and one making no provision for any particular type of compensation arrangements between forwarders and motor carriers. The bills were S. 3665 and S. 3666, Seventy-sixth Congress, third session, June 1940. The bill passed by the Senate, S. 210, on March 24, 1941, contained no specific authorization for joint rates.

The House held hearings on a bill, H. R. 3684, in March 1941. This bill provided for permanent joint rates between forwarders and motor carriers. After the hearings the House committee, in executive session, wrote into its bill provisions which later were enacted as sections 408 and 409. This was in an apparent effort to compose differing views as to the basis of compensation arrangements. The House passed the bill with these sections included, substituting its bill for S. 210, but retaining the Senate number. Joint conference was held, and the conferees reported a bill retaining sections 408 and 409.

It is thus apparent that neither section 408 nor section 409 was in the draft of the legislation on which hearings were held by either House or Senate.

The provisions of section 408 were actually suggested to the House committee by the late Hon. Joseph B. Eastman, in a minority report attached to a letter of the Commission to the gentleman from California, Hon. CLARENCE F. LEA, chairman of the House committee, dated March 12, 1941. It is apparent that Mr. Eastman was suggesting a compromise, for in his letter to Mr. LEA he said:

> The joint rates between the forwarders and the motor carriers have been mutually satisfactory and profitable, notwithstanding that the divisions received by the latter out of those rates differ materially from the local less-truckload rates. If joint rates of this character are not to be allowed, I believe that it should be made clear in H. R. 3664 that it will not be unlawful for the common carriers whose services the forwarders utilize to establish and publish for their use, and the use of others under like conditions, rates which differ from the corresponding local rates.

Mr. Eastman went on to suggest language which was substantially incorporated in section 408. Thus, while preferring joint rates, Mr. Eastman conceived the so-called assembling and distribution rate method as a compromise of conflicting views.

SECTION 408 HAS NOT WORKED OUT

Section 408 did not work out in the manner contemplated. The motor carriers did not see fit to establish the rates authorized in that section for use by freight forwarders. Witnesses representing the motor carrier industry have testified that they consider the section impractical and unworkable from their standpoint. The rates are to be applicable to freight forwarders and others who utilize the services under similar circumstances and conditions. Fears were expressed that to publish the rates open to others than freight forwarders would deplete the motor carrier revenues, and result in attacks upon their local published rates.

While the motor carriers have testified that they wish to continue to handle the traffic of freight forwarders, under a workable arrangement, they have definitely stated that they will not publish rates under section 408.

CHANGES PROPOSED BY THE BILL

The bill makes no change in section 408. That section will remain in the law as originally enacted. Any motor carriers who desire to publish rates under that section may do so.

Section 409, as amended by the bill, contains two subsections, lettered (A) and (B).

SUBSECTION (A)

Paragraph 1 of this subsection makes it the duty of the Interstate Commerce Commission to determine and prescribe the reasonable, just, and equitable terms and conditions under which freight forwarders may utilize the services of common carriers by motor vehicle, under agreements between such forwarders and motor carriers, in such manner as will be in furtherance of the national transportation policy.

Under this paragraph the Commission will have broad powers to prescribe terms and conditions of general application. It is made clear, however, that the Commission will have authority to require individual agreements to be subject to its approval, disapproval, or modification in cases where such individual action is deemed necessary.

Paragraph (2) of this subsection provides that when the Commission has carried out its authority under paragraph (1) it shall specify a time after which subsection (b), which might be termed the carry-over provisions of the law, will no longer be effective.

Paragraphs (3) and (4) relate to the administrative powers of the Commission. It is made clear that the Commission may investigate, upon complaint or upon its own motion, whether any terms and conditions prescribed should be modified or rescinded, and whether additional terms and conditions are necessary properly to carry out the intent of the law.

Paragraph (4) requires the Commission to afford interested parties an opportunity for hearing before any orders are entered under the terms of the bill.

SUBSECTION (B)

Subsection (b) contains, in substance, the provisions of section 409 of the Interstate Commerce Act as now in force. This entire subsection will become ineffective as soon as the Commission has acted in prescribing the terms and conditions for permanent arrangements under subsection (A). It merely provides for maintenance of status quo while the Commission is working out the terms and conditions to govern the permanent arrangements.

Mr. AUSTIN. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from Montana yield to the Senator from Vermont?

Mr. WHEELER. I yield.

Mr. AUSTIN. I think it should be made clear, if it be true, that all that part of the bill from the point which the distinguished Senator has just discussed to the end, that is to say, from line 18 on page 3, through pages 4, 5, and 6, excepting the formal clause, is a direct reproduction of the existing statute.

Mr. WHEELER. The Senator is correct, and I thank him.

Mr. President, every person who appeared before the Senate committee agreed that the freight forwarders were doing a very fine job, particularly for the small businessman. The short-line railroads appeared objecting to the bill, but I have in my hand a statement from Fred A. Virkus, chairman of the Conference of American Small Business Organizations, which reads as follows:

The Conference of American Small Business Organizations, with a governing board of 48 directors from all sections of the United States, represents the opinions of trade associations, of small business groups, of individual small businessmen, and of chambers of commerce, particularly those of smaller communities. Our seventh national session, in St. Louis on December 6 and 7, 1945, unanimously passed a resolution urging the passage of S. 797 and H. R. 2764. That brief resolution, which pointed out the interest of small business in continued forwarder-motor carrier coordinated service, appears in the record of the hearings on H. R. 2764 at page 284.

My present statement is intended to amplify for this committee the reasons underlying the conference's position with regard to this legislation.

In a nation of magnificent distances, like our own, distribution is a major factor in business. American goods travel hundreds and thousands of miles from producer to consumer. The producer's problem is not merely to manufacture but to manufacture and distribute. The retailer's job is to obtain merchandise promptly when there is customer demand and at an over-all cost, including transportation, that will be competitive. The goal of our national transportation policy is to coordinate "a national transportation system by water, highway, rail, as well as by other means * * * to meet the needs of commerce of the United States." Forwarder-motor carrier transportation, available at a single published rate, more than any other form of transportation, does just that.

The cost of transportation is part of the cost of goods. And, since public transportation is a public service, Congress must be watchful that no one person or group is preferred over another. The shipper-producer in the small town should be given opportunity to enjoy the same transportation costs as the shipper-producer in the big city, if common carriers can furnish it on a sound economic basis. If transportation costs from the small manufacturing community are not on a competitive basis with those from the large manufacturing city, then the small manufacturer in the small town cannot compete in the same markets.

The small-town merchant must be able to buy transportation to his store, if common carriers can furnish it on a sound economic basis, at the same cost as the big store in the nearby metropolis or the chain stores with their great volume of traffic. Otherwise, the small-town merchant cannot meet the prices of the chain store or of the big store 20 or 40 or 60 miles away, and that is where his trade will go.

I have used the words "if common carriers can furnish it on a sound economic basis." I used those words because the American businessmen I represent want equality of competition not by Government subsidy but by free enterprise. If it takes a Government subsidy to put small-town transportation on an equal footing with that of big cities, then there is something economically unsound about it. But where that can be accomplished by free enterprise, where the forwarder and the motor carrier can handle that traffic to their mutual advantage and want to handle it, then I think the public nature of their coordinated service requires that Congress legislate to maintain that service in the public interest.

The fact is that the forwarders and the motor carriers have been furnishing this coordinated service for more than 20 years. In 1942 you enacted legislation in order to maintain that service. However, at that time, you required a change in the form of compensation arrangements between forwarders and motor carriers from the type of arrangement which the parties had established voluntarily and maintained over that period of time. Question has since arisen, among a considerable segment of the transportation world, about the practicability of the form of compensation arrangement you prescribed in 1942.

The present bill, S. 797, asks that you authorize the Interstate Commerce Commission to study the question of forwarder-motor carrier compensation arrangements and to determine and prescribe a proper basis—considering every possible factor and hearing every person having an interest—of relationship between these two public transportation agencies. The American Trucking Associations, the forwarders, and the vast majority of less-than-carload shippers are willing to leave the matter in the hands of the Commission.

I think you will agree that this is the old-fashioned, legal, orderly, American way of doing it.

With these brief remarks, Mr. President, I submit the bill for the consideration of the Senate.

Mr. REED. Mr. President, the freight forwarder question is again before the Senate, for the fourth time in 4 years. It is again before the Senate under the lash of an expiration date, at midnight tonight. This is the third time that the question has been before the Senate under those conditions. I respectfully submit that trying to legislate upon an important subject such as this admittedly is, under those conditions, is not good legislative practice.

Each time bills of this kind come before the Senate, Members of this body are flooded with letters and telegrams from their constituents, and from small businessmen and country merchants. Such letters are a part of a propaganda campaign always conducted by the freight forwarders. I do not know of anyone anywhere who wishes to interfere with the service which the country merchant, the city merchant, or anyone else, for that matter, receives from the freight forwarder. What we object to is directing a flood of letters to an issue which is not involved in this bill, and which is not before the Senate. No one wishes to cripple the service of the freight forwarders.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. REED. I shall be very happy to yield if it is in connection with the bill. I do not expect to consume more than 5 or 10 minutes.

Mr. AIKEN. I should like to have the Senator's definition of a freight forwarder. Who is included under the term "freight forwarder"?

Mr. REED. With the committee report which has been submitted I filed my individual minority views. On page 5 of the minority views the Senator from Vermont will find a history of the freight-forwarder business.

At that point the following appears:

For many years brokers representing shippers; groups of shippers in cooperation, and various cooperative organizations, consolidated less than carload traffic into carload quantities and thereby secured, under legal published tariffs, a lower freight rate. The larger of these brokers or individual car consolidators grew into what has come to be known as "freight forwarders."

The business of freight forwarders is that of collecting in small lots packages of merchandise or other commodities which would have to pay a less-than-carload freight-rate if shipped separately. The forwarder collects the packages, puts them into a carload, thereby securing a lower rate—a carload rate instead of a less-than-carload rate—and sends them forward to a point known as a break-bulk point, where the car is "broken down" and the goods are distributed to the consignees, wherever they may be. The forwarder makes his money out of the spread between the less-than-carload rate, which would be charged to the individual shipper, and the carload rate which he is able to secure after the shipments are consolidated.

It was testified at the hearings that the forwarder's rates are about 106 percent of the appropriate class rates published by the railroads.

Mr. AIKEN. Mr. President, will the Senator yield, to permit me to ask one more question?

Mr. REED. I yield.

Mr. AIKEN. Do I correctly understand that the freight forwarders will stop doing business if this bill is not passed by tonight?

Mr. REED. No; I do not think so, at all. There will still be legally published rates for motor carriers, and those rates are on file and are available for them or anyone else.

Mr. AIKEN. Does the Senator know why this bill has been placed before the Senate at what is claimed to be the last minute, at a time when very few Members of the Senate are in the Chamber; and does the Senator know why it is that we have been told that the bill must be passed before midnight or else something very serious will happen?

Mr. REED. I do not think anything terrible will happen.

Mr. President, this bill is brought here under the guise of a compelling necessity, which I do not think really exists. If the so-called unlawful rates now in effect between freight forwarders and motor carriers were abolished, there would still be in the files of the Interstate Commerce Commission legally published rates available to move the traffic. However, I do not wish to discuss that phase of the matter in detail.

The Senator from Montana has made a report for the majority of the committee. I, as I frequently do, find myself in the minority, but I still insist on being heard. The Senator from Montana has said that this matter is to be referred to the Interstate Commerce Commission, and that we should let it settle the whole

problem. However, Mr. President, let me call attention to what the Interstate Commerce Commission itself said about this very bill. I read now from the report on this bill made by of the Interstate Commerce Commission to the committee.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. WHEELER. The Senator is about to read what six members of the Interstate Commerce Commission said; but Commissioners Mahaffie, Rogers, and Splawn submitted a minority report, and I call attention to the further fact that two of the Commissioners did not take part in either the minority or majority reports. But Commissioners Mahaffie, Rogers, and Splawn, who really are the legislative members of the Interstate Commerce Commission and who, in my judgment, rendered the far more intelligent view in the interests of the small businessmen of the country, were in favor of the bill.

Mr. REED. Let me suggest to the Senator from Montana that in the report submitted by him for the majority of the committee he did not say anything about the fact that a majority of the Interstate Commerce Commission disapproved this bill——

Mr. WHEELER. The Senator is correct.

Mr. REED. Whereas in my minority views I make the following statement:

It might be repeated here that while a majority of the Interstate Commerce Commission disapproved this bill in the language set out above, a minority of the Commission believes this bill to be workable and recommends its passage.

In short, Mr. President, I have tried to present both sides of the picture.

I now wish to read what the majority of the Interstate Commerce Commission said about this bill, which I consider to be thoroughly unsound, an opinion which I believe is shared by a majority of the traffic experts of the United States. In a letter to the chairman of the committee, the Commission said:

S. 797—

Which is a companion bill to House bill 2764—

would authorize "rates, charges, compensation, or divisions" which freight forwarders would pay to common carriers by motor vehicle "under agreements between such freight forwarders and common carriers, in such manner as will be in furtherance of the national transportation policy declared in this act." The authority to make "agreements" between forwarders and motor carriers would perpetuate evils inherent in the present forwarder rate structure. Generally speaking, the larger and more influential forwarders have been able to prevail upon the motor carriers to accord them relatively lower divisions of their joint rates than have the smaller forwarders. The latter frequently have to pay the regularly published rates. This favors the few and unjustly discriminates against the many. The opportunity for "agreements" would permit these discriminations to continue, and would in effect recognize volume of tonnage offered as a sufficient reason for discriminating in rates as between large and small forwarders. It was to get away from the undue influence of large shippers in rate making that the act to regulate commerce was originally enacted, and it seems to us that the underlying purpose of this bill would be contrary to the dominant scheme of the Interstate Commerce Act.

Mr. WHEELER. Mr. President, will the Senator yield at that point to enable me to call attention to something in connection with the statement the Senator has made?

Mr. REED. I shall be happy to yield to the Senator as soon as I finish reading the statement of the Interstate Commerce Commission. I should like to have the statement of the Interstate Commerce Commission appear without interruption.

Mr. WHEELER. Of course, if the Senator does not wish me to call attention to what is the law today, a law whereby the Commission has the power to do the very things it complains about, I shall wait until the Senator is through.

Mr. REED. The Commission does not agree with the Senator from Montana on that point.

Mr. WHEELER. The Commission does not know what it is talking about when it makes such a statement; that is all.

Mr. REED. Perhaps I share the misfortune of the Commission in not knowing what I am talking about or what the Commission is talking about, in the opinion of the Senator from Montana.

At any rate, Mr. President, the Commission has its opinion and has expressed it in the language I am now reading.

Mr. LANGER. Mr. President, if the Senator from Kansas will yield, let me inquire whether the statement he is reading is that of a majority of the Interstate Commerce Commission.

Mr. REED. Yes; it is a statement by a majority of the Commission.

Mr. LANGER. How many members of the Commission are there?

Mr. REED. There are 11 members. Six of them participated in presenting the statement I am reading. Three of the members of the Commission took a different view. Two members of the Commission took no part in either one.

Mr. LANGER. Does the Senator know how Commissioner Patterson voted?

Mr. REED. He voted against this bill.

I continue reading from the statement by a majority of the Commission:

We are convinced that the only way to eliminate undue preference of the large forwarder is to forbid all joint rates or agreements in whatever form as between forwarders and common carriers subject to the act.

Mr. President, I particularly call attention to the following language, and I say again that a majority of the Commission are speaking:

It is no answer to say that under the bill the Commission would be expected to determine and prescribe the "reasonable, just, and equitable" compensation to be paid by the forwarder to the motor carrier under the agreements made, (1) because in our opinion, the powers thus conferred would in large measure be an ineffective means of preventing undue prejudice or preference both as between large and small motor carriers and between large and small forwarders; and (2) because such a determination would require an extensive period of investigation and consideration by the Commission, during which the opportunity for favoritism would continue largely unchecked. Above and beyond these objections, however, is the fundamental consideration that such favoritism should not be invited or encouraged by authorizing what in effect, at least at the time they became effective, would be secret agreements for the compensation to be paid to a common carrier by one who stands in a shipper relation to such carrier. Compensation for the transportation by motor carriers of shipments offered by freight forwarders should be published and filed in the form of rates and charges in the same manner as is now required for the transportation by part I, II, and III carriers of shipments offered by any other shipper. The appropriate approach to this problem, therefore, we believe, is not by the authorization of agreements, but by the filing in the regular manner of the rates and charges to be paid for the transportation performed.

Mr. President, the statement which I have read correctly and accurately, in my judgment, states the problem. For approximately 60 years since the Interstate Commerce Act was enacted, an attempt has been made to remove all discriminations and preferences as between large and small shippers. In the pending bill we are asked actually to legislate statutory recognition of agreements which are not made public, even though they may be filed with the Commission. I hope the Commission will require them to be made public, but even if they do so, it will not be adequate to meet the situation. As was stated before the committee, there will be approximately 10,000 of these agreements. The administration of them will be a tremendous task. Much time of the Commission will be required in checking, analyzing, and examining all these preferential agreements which may be in effect.

I repeat, Mr. President, the bill is unsound. It is one of the most unsound bills which have come to the Senate since my service as a Member of this body. I desire to preserve the service of the freight forwarder, but I agree with the Commission in its statement as follows:

The appropriate approach to the problem, therefore, we believe, is not by the authorization of agreements, but by the filing in the regular manner of the rates and charges to be paid for the transportation performed.

Mr. President, I have no desire unduly to take up the time of the Senate. I hope that the bill will not be passed.

I ask unanimous consent that the minority views which I have filed be printed at this point in the RECORD as a part of my remarks.

There being no objection, the minority views were ordered to be printed in the RECORD, as follows:

The freight forwarder "muddle" is again before the Senate. History of the proceedings before the Interstate Commerce Committee and of attempts by legislation to deal with the situation constitutes a most amazing chapter in legislation and administration. A full history of proceedings in various forms has been written in the reports of the Interstate Commerce Commission, and the Committees on Interstate Commerce in the two Houses of Congress.

Boiled down to bare outlines, the situation is—

For many years brokers representing shippers, groups of shippers in cooperation, and various cooperative organizations, consolidated less than carload traffic into carload quantities and thereby secured, under legal published tariffs, a lower freight rate. The

larger of these brokers or individual car consolidators grew into what has come to be known as "freight forwarders."

Currently the gross revenues of freight forwarders run from one hundred and eighty million to two hundred million dollars annually. Three large freight forwarders collect about 70 percent of the total revenue. Freight forwarders, especially the large ones, utilize the services of common carriers by motor vehicles. When motor carriers were under regulation through the Motor Carrier Act of 1935, proceedings before the Interstate Commerce Commission developed the fact that in many instances freight forwarders had established "joint rates" with motor carriers.

The Commission found (in which it was upheld by the courts, including the Supreme Court) that freight forwarders, in their relation to the other carriers, were "shippers." Obviously a "shipper or shippers" may not establish "joint rates" with a common carrier for hire. Therefore, the Interstate Commerce Commission held such tariffs to be unlawful and ordered them to be stricken from its files. This was in 1938 or 1939. The Supreme Court upheld the position of the Commission in 1940.

In 1942 S. 210 was enacted into law. This was known as the Freight Forwarder Act of 1942. It placed the freight forwarders under regulation and explicitly declined to give them a status as a "carrier." In order to permit a period of time in which the unlawful practices condemned by the Interstate Commerce Commission could be changed into a policy in line with that act, an "interim" period of 18 months was allowed for the publication of lawful tariffs.

The act was signed on May 16, 1942. The 18 months expired in November 1943. At that time the freight forwarders appeared before both Houses of Congress and asked further extension of time for the publication of lawful tariffs. The period of extension asked for and granted would expire on May 16, 1945. It was claimed that war conditions had interfered with such processes. They stated that publication of such tariffs would require large amounts of work involving skilled men who were not available.

In the 1943 legislative proceedings I filed a minority report in which I stated:

"If the freight forwarders had made an earnest effort to conform to the present statute, and had failed because of a lack of time, the situation would be different. They have made no such effort, and in all human probability they will not make such an effort. As we approach May 16, 945, the Congress will probably be confronted with the present situation unless the statute is changed to meet the views of the freight forwarders. They have no intention of undertaking to comply with the present statute."

That is precisely what happened when May 16, 1945, came around. H. R. 3038 came to the Senate floor on May 15, 1945. I again filed a minority report, detailing the history of these proceedings and again said that the freight forwarders had made no effort in "good faith" to file lawful tariffs to take the place of the unlawful tariffs which have been condemned.

Again an extension of 9 months was allowed. That period expires February 15, 1946. We are now told that unless H. R. 2764 is enacted, confusion will be created because there are no "lawful" tariffs ready to be filed, in lieu of the "unlawful" tariffs still on file with the Interstate Commerce Commission.

This is not the first time tha the whip and spur of a "dead line" have been invoked to aid legislation which is, to say the least, of doubtful wisdom. (I shall discuss this legislation in itself later.) The "dead line" argument was used for the first extension in time in 1943. (See Calendar 527, Interstate Commerce Committee Rept. No. 525, 78th Cong., 1st sess.) It was again used in May 1945. (See Calendar 260, Interstate Commerce Committee Rept. No. 264, 79th Cong., 1st sess.) It is again being used in the present instance.

I respectfully submit that in dealing with legislation of great importance under such circumstances, a legislative body stultifies itself and may do great injury to those we represent when it fails to observe and practice reasonable and sound legislative policy.

MERITS OF THE LEGISLATION

Following the customary practice, the Interstate Commerce Commission was asked for its views and recommendation on S. 797 (companion bill to H. R. 2764). The Commission, under date of April 16, 1945, addressed a letter to chairman of the Senate Committee on Interstate Commerce, in which it was stated in part:

"S. 797 would authorize 'rates, charges, compensation, or division's which freight forwarders would pay to common carriers by motor vehicle 'under agreements between such freight forwarders and common carriers, in such manner as will be in furtherance of the national transportation policy declared in this act.' The authority to make 'agreements' between forwarders and motor carriers would perpetuate evils inherent in the present forwarder-rate structure. Generally speaking, the larger and more influential forwarders have been able to prevail upon the motor carriers to accord them relatively lower divisions of their joint rates than have the smaller forwarders. The latter frequently have to pay the regularly published rates. This favors the few and unjustly discriminates against the many. The opportunity for 'agreements' would permit these discriminations to continue and would, in effect, recognize volume of tonnage offered as a sufficient reason for discriminating in rates as between large and small forwarders. It was to get away from the undue influence of large shippers in rate making that the act to regulate commerce was originally enacted, and it seems to us that the underlying purpose of this bill would be contrary to the dominant scheme of the Interstate Commerce Act.

"We are convinced that the only way to eliminate undue preference of the large forwarder is to forbid all joint rates or agreements in whatever form as between forwarders and common carriers subject to the act.

"It is no answer to say that under the bill the Commission would be expected to determine and prescribe the 'reasonable, just, and equitable' compensation to be paid by the forwarder to the motor carrier under the agreements made, (1) because in our opinion, the powers thus conferred would in large measure be an ineffective means of preventing undue prejudice or preference both as between large and small motor carriers and between large and small forwarders; and (2) because such a determination would require an extensive period of investigation and consideration by the Commission, during which the opportunity for favoritism would continue largely unchecked. Above and beyond these objections, however, is the fundamental consideration that such favoritism should not be invited or encouraged by authorizing what in effect, at least at the time they became effective, would be secret agreements for the compensation to be paid to a common carrier by one who stands in a shipper relation to such carrier. Compensation for the transportation by motor carriers of shipments offered by freight forwarders should be published and filed in the form of rates and charges in the same manner as is now required for the transportation by part I, II, and III carriers of shipments offered by any other shipper. The appropriate approach to this problem, therefore, we believe, is not by the authorization of agreements, but by the filing in the regular manner of the rates and charges to be paid for the transportation performed."

Several members of the Interstate Commerce Commission appeared before the committee and stated their views. This act contemplates the filing of "agreements" by freight forwarders and common carriers by motor vehicles, whose facilities are being used in the "assembling" or "distributing" of full truckload or carload freight. It was estimated that the number of "agreements" filed with the Commission under the terms of this act might well be in the range of 10,000. Those Commissioners present thought that the work of the Commission could be divided into two general parts:

1. Formal "investigation" for the purpose of setting up general rules and regulations. One of the Commissioners thought it could be done in 4 months, another thought 6 months, and the third thought a longer time, possibly a considerably longer time for this first step.

2. Examination of the "agreements," so as to prescribe the reasonable "compensation" to be paid by freight forwarders to motor carriers. This would involve examination and consideration of the 10,000 agreements. It was suggested that possibly this could be partially simplified by use of "motor-carrier freight tariff bureaus." There are a number of such bureaus operating throughout the country.

The extent to which these bureaus could be of assistance is not susceptible of determination. I share the belief that the aid of such bureaus is not only desirable, but may be essential. Without them it would seem to me that the passage of this bill might well impose an impossible administrative burden upon the Interstate Commerce Commission.

It might be repeated here that while a majority of the Interstate Commerce Commission disapproved this bill in the language set out above, a minority of the Commission believes this bill to be workable and recommends its passage.

I share the views of the majority of the members of the Interstate Commerce Commission, that the passage of this bill will legalize, extend, and continue the very practices for which the original Interstate Commerce Act of 1887 was enacted to abolish. Under the original act, "discrimination" as between shippers, was made unlawful.

It is a matter of common knowledge and well known to me because of my contact with numerous railroad officials, that, generally speaking, railroad common carriers are opposed to the policy of rate making authorized in this bill. J. M. Hood, president of the American Shortline Railroad Association, appeared in vigorous protest to its enactment. Joseph G. Kerr, chairman of the Southern Freight Association, appeared in opposition to the bill, on behalf of the following railroads: Atlanta & West Point Railroad; Atlantic Coast Line Railroad; Florida East Coast Railway; Gulf, Mobile & Ohio Railroad; Nashville, Chattanooga & St. Louis Railway; Seaboard Air Line Railway; Western Railway of Alabama; Atlanta, Birmingham & Coast Railroad; Central of Georgia Railway; Georgia Railroad; Louisville & Nashville Railroad; St. Louis-San Francisco Railway (lines east of Mississippi River); Southern Railway System.

The following important shippers' organizations appeared in opposition to the bill: National Industrial Traffic League, Chicago Association of Commerce, Southwest Shippers Advisory Board, Southwestern Industrial Traffic League, Terminal Freight Cooperative Association, Seattle Industrial Traffic Managers Association, Dallas Chamber of Commerce, Los Angeles Chamber of Commerce, Texas Industrial Traffic League, Atlanta Freight Bureau, Seattle Traffic Association, Shippers Consolidators Institute.

Officials of other railroads privately explain their failure to appear and express their

views on this matter because of the tremendous volume of traffic controlled by freight forwarders.

In its exhaustive investigation entitled "Freight Forwarding Investigation (229 ICC)," the Commission found numerous and glaring examples of preference, prejudice, and discrimination as between shippers and carriers, by the freight forwarders. Their report enumerated a large number of discriminatory practices on the part of railroads, which the railroads ascribed to pressure from freight forwarders. Through the hearings on Senate Resolution 146 (77th Cong.) railroad traffic officials testified to the great pressure put upon them from this source. In addition to their official testimony of record, many came to me personally and added to what they had stated publicly. The common pattern of their story was "for God's sake don't leave us at the mercy of freight forwarders by doing anything that would give them a status as common carriers, to enable them to demand a division of a joint rate. That is one thing we could not possibly withstand."

The enactment of this bill would turn back the clock of carrier regulation for 40 years. It would open the doors to the very types of discrimination and under-the-table arrangements as between classes of shippers that were prohibited by the Hepburn Act of 1906, by which Congress put the first real teeth into the Interstate Commerce Act.

By this bill a motor carrier would be authorized not only to discriminate in his charges to freight forwarders, on the one hand, as against other shippers for whom he renders exactly similar services, on the other, but he would be allowed to continue the practice of charging different rates for the same services to different freight forwarders. Never in the entire history of common-carrier regulation has such a violation of essential regulatory principles been authorized and fostered by legislative fiat. The principle of equal charges for equal services, under similar conditions, is an axiom of American carrier regulation, and is the foundation stone of the Interstate Commerce Act. Yet this bill would specifically allow this principle to be violated without compunction on a permanent basis by the Nation's regulated motor common carriers. It would be difficult to imagine a more effective blow to the rule of nondiscrimination in common carriage.

If the title of this bill were truly to reflect its contents, as reported by the majority of this committee, it might well be entitled—

"An act to promote discrimination and preference among the patrons of motor common carriers."

Such title would more fairly and much more truly reflect the purposes and the obviously intended effect of this bill than would its present title. Certainly, Congress can well afford to be candid in such a matter, and equally certainly Congress can ill afford to use six pages of words merely to conceal such a purpose.

At this very time, the motor carriers of the country are pleading with the Interstate Commerce Commission for an increase in their rates to their general patrons. Yet some of them came before this committee in favor of this bill, under which they would be allowed to grant secret rates to a few of their patrons. The reason can only be sought in the competitive situation in motor carriage, and the scramble of the motor carriers to secure forwarder traffic, at cut rates, regardless of the charges which, as a result, they will have to assess against other patrons, who have no recourse.

This bill is a departure from every basic principle of nondiscrimination in common carrier rate making. I fail to find adequate reason for enacting it into law.

CLYDE M. REED.

Mr. REED. Mr. President, I have tried to set forth objections raised by myself and by a majority of the Interstate Comerce Commission to the enactment of this bill.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. REED. I yield.

Mr. LANGER. Will the Senator give us a concrete example of how the secret rates or agreements would prejudice the small shipper in comparison with the large shipper?

Mr. REED. It should be remembered that in all these cases——

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. REED. I have promised to yield to the Senator from North Dakota. The less-than-carload business which is collected by the forwarder and sent on in carload or truckload lots aggregates about $200,000,000 a year in revenue, of which 70 percent is collected by three large forwarders. This is what the Commission has to say on that subject:

Generally speaking, the larger and more influential forwarders have been able to prevail upon the motor carriers to accord them relatively lower divisions of their joint rates than have the small forwarders. The latter frequently have to pay the regularly published rates. This favors the few and unjustly discriminates against the many.

If the Senator were a forwarder doing a large business, from the standpoint of revenue, with the railroads and motor carriers, he could use the volume of business transacted by him as an argument for securing discrimination in the way of lower rates. Up to the present time the division of rates between forwarders and motor carriers has never been published, although I think that some information concerning it has come to light in certain proceedings which have been held.

Have I answered the Senator's question?

Mr. LANGER. I wish the Senator would give a concrete illustration of how the secret agreements to which the Senator has referred would affect the small operator as against the large operator, say, in Topeka, Kans.

Mr. REED. I have no first-hand knowledge because these rates are not made public. The Commission states that the large forwarder obtains a lower rate from the motor carrier than the small forwarder can obtain.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. WHEELER. I wish to say, first of all, that every small merchant in this country is in favor of this bill. The large chain-store group is opposed to it. The traffic manager of Sears Roebuck testified against it. The large shipper who can ship in carload lots is opposed to the bill. The small merchant in North Dakota and in Montana is 100 percent in favor of the bill because of what the forwarder does.

I wish to invite attention to a definition of a freight forwarder.

Mr. REED. Mr. President, I yielded to the Senator for a question. I did not yield to him in order for him to make a speech in my time, and then not fairly state the problem.

Mr. WHEELER. I will state correctly the problem.

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Montana?

Mr. REED. I yield for a question.

Mr. WHEELER. Here is the language of the law as it prevails at the present time:

(c) It shall be unlawful for any common carrier subject to part I, II, or III of this act to make, give, or cause any undue or unreasonable preferences or advantage to any freight forwarder, whether or not such freight forwarder is controlled by such carrier in any respect whatsoever; or to subject any freight forwarder, whether or not such freight forwarder is controlled by such carrier, to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

Mr. AUSTIN. Mr. President, from what section of the act has the Senator from Montana been reading?

Mr. WHEELER. Section 404, subsection (c) of the present law.

Mr. REED. The Senator from Montana knows, or ought to know, he being chairman of the Committee on Interstate Commerce, that back in 1938 or 1939 the Interstate Commerce Commission found traffic to be moving under what it called joint rates between forwarders and motor carriers. Those rates, so-called, were not published so far as that part of the revenue paid over to the motor carrier was concerned. The Commission found those rates to be unlawful and ordered them to be stricken from its files. The forwarders appealed from the decision of the Commission, and finally reached the Supreme Court. The Supreme Court sustained the Commission. The Commission had held, and was subsequently supported by the courts, that the forwarder, in his relation to a carrier, is a shipper.

The Senator from Montana well knows that when the Freight Forwarder Act of 1942 was passed Congress expressly withheld from freight forwarders a status as a common carrier, or as a carrier at all.

Because these secret rates, unknown even to the Commission, were in existence, they would have to be replaced by regularly published lawful rates. So we granted the forwarders an 18-month extension, from May 16, 1942, to November 16, 1943, in which to get the lawful rates in and file them in place of the unlawful rates which had been condemned.

Again I opposed that, because I said the forwarders had had 18 months, that they had not acted in good faith, and that if we granted them this extension, which would take them to 1945, they would be back asking for a further extension; and that is precisely what happened.

Again I filed minority views. In 1943 we, by statutory enactment, granted a further extension of 18 months within which these unlawful tariffs could be replaced with lawful tariffs. Again, at the end of the second 18 months, after 3 years, the forwarders came and asked for a further extension. Again the committee reported the bill favorably. Again on May 15, 1945, I think it was, the Senator from Colorado [Mr. JOHNSON] and I discussed this matter on the floor of the Senate, and I said then that

when this additional period expired we would find ourselves in the same situation in which we had been for 4 years, so far as legislation was concerned.

Mr. President, let me state the situation. In 1938, I believe it was, the Commission found certain rates to be unlawful and ordered them to be taken out. It has been almost 8 years since that order of the Commission was made against these rates. The case has been in the courts. It went to the Supreme Court and the Commission was sustained. We still find those unlawful rates on file in the Interstate Commerce Commission, and what is now proposed is that by statute we legalize those rates. What is proposed in the bill is legalization by statute of the rates affecting a certain type of shipper, only one type. It is the only case of its kind that ever occurred in interstate commerce legislation. We are now asked to legalize a secret agreement—that is what the Commission called it and that is what it is, a secret agreement, limited to one class of shippers, the freight forwarders.

Mr. President, this is the most unsound proposal that has come to my notice since I have been a Member of the Senate. The objective traffic opinion of the country is profoundly opposed to it.

The Senator from Montana calls attention to the small country merchant, and it is correct to mention him in connection with the proposal. Years ago the Commission said, "What is the proper way to get at this? The appropriate approach to this problem, we believe, is not by authorization of an agreement, but by the filing, in the regular manner, of rates and charges to be paid for the transportation."

No common carrier in this country—railroad, water, motor vehicle, or any other carrier—can collect any rate for its service unless the rate to be charged is published and duly filed with the Interstate Commerce Commission. For the first time—and I wish to emphasize it—for the first time, it is proposed by legislation to perpetuate and continue a discriminatory situation to which a majority of the Interstate Commerce Commission itself is opposed.

Mr. AUSTIN. Mr. President, will the Senator yield for a question?

Mr. REED. The majority leader, the Senator from Kentucky [Mr. BARKLEY], is anxious to get the floor, but I yield to the Senator from Vermont for a question.

Mr. AUSTIN. I have so much confidence in the judgment of the distinguished Senator from Kansas on any question relating to rates, especially rates affecting common carriers by rail, that I have tried all through the hearings to follow his thought in this matter. But he has made a statement, which is in the RECORD, and I am confused about it, and ask him to clarify it. He speaks of these rates as unlawful, whereas the section proposed to be amended, section 409 (a), declares them to be not unlawful, if I interpret it correctly.

Mr. REED. I beg the pardon of the Senator from Vermont. There never has been any validation of these rates, except for a stated limited period.

Mr. AUSTIN. Very well. What is the meaning, in the Senator's opinion, of the section proposed to be amended, reading as follows:

> In order to provide a reasonable period of adjustment within which rates and charges may be established pursuant to the provisions of section 408, nothing in this act shall be construed to make it unlawful for freight forwarders and common carriers by motor vehicle subject to part II of this act to operate under joint rates or charges during a period of 18 months from the date of enactment of this part, but not thereafter.

Mr. REED. From what is the Senator reading?

Mr. AUSTIN. I am reading from the statute, the existing law, which we are about to modify. The law says that for the period mentioned it shall not be unlawful. So how can the rate be considered as unlawful if we make the amendment before the period expires?

Mr. REED. These rates were condemned and found unlawful by the Interstate Commerce Commission, I think, in 1938, perhaps 1939. The Commission's order that the tariffs should be taken out was still effective at the time the freight forwarder act of 1942 was passed. In order to allow a limited period of time in which to substitute lawfully published tariffs for the unlawful tariffs on file we have three times legalized those tariffs for a certain period of time. They would have been unlawful for the past 4 years except for the statutory protection we gave them through a period, which was understood to be temporary, and only for the purpose of affording opportunity for lawful tariffs to be prepared and filed to take the place of the unlawful tariffs.

Mr. AUSTIN. I thank the Senator. I think that clarifies the record, that is, so long as section 409 has been from time to time extended, the rates were not unlawful.

Mr. REED. That is correct.

Mr. AUSTIN. Very well. Then if before the expiration of this period we extend it they will not be unlawful?

Mr. REED. The bill does not even refer to tariffs. The bill provides that the freight forwarders may file agreements with the motor carriers, and those agreements will then be subject to action, approval or disapproval, as the Commission examines them, and there will be about 10,000 of them.

There is not a traffic man in this country who looks at this matter objectively—and by that I mean one who is not an advocate or opponent of the freight forwarders or some particular association—who does not believe that the proposal we are considering is unsound.

In addition, Mr. President, I doubt very much the administrative practicability of the bill and I venture the prophecy that within 2 years we will have to take this question up again.

I believe also that experience with this method of dealing with the question may develop discrimination and preference.

Mr. WHEELER. Mr. President, in order that some points may be cleared up in respect to the freight-forwarder bill which might be confusing in the minds of Senators, let me say, first of all, that the term "freight forwarder" is defined in the present law as follows:

> The term "freight forwarder" means any person which (otherwise than as a carrier subject to part I, II, or III of this act) holds itself out to the general public to transport or provide transportation of property, or any class or classes of property, for compensation, in interstate commerce, and which, in the ordinary and usual course of its undertaking (A) assembles and consolidates or provides for assembling and consolidating shipments of such property and performs or provides for the performance or break-bulk and distributing operations with respect to such consolidated shipments, and (B) assumes responsibility for the transportation of such property from point of receipt to point of destination, and (C) utilizes, for the whole or any part of the transportation of such shipments, the services of a carrier or carriers subject to part I, II, or III of this act.

So while they are not called in effect "common carriers," the definition of "freight forwarder" is that of a common carrier. While they are not designated simply as a common carrier, yet everyone acknowledges and admits that so far as the shipping public is concerned they are common carriers.

Mr. HAWKES. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from New Jersey?

Mr. WHEELER. I am glad to yield.

Mr. HAWKES. Might it not be well to impress upon the Senate that they are so near to being common carriers that they issue the bills of lading covering the shipments and that claims for damages are collected from freight forwarders the same as they would be if the dealings had been with railroads?

Mr. WHEELER. Exactly.

Mr. HAWKES. That in itself shows very definitely that they are at least quasi-common carriers.

Mr. WHEELER. That is correct.

Mr. HAWKES. I should like to ask the Senator a further question. Might it not be well to emphasize the fact that the freight forwarder renders a great service to the small manufacturers and businessmen throughout the United States by making it possible for a man who operates a plant which is not located on a railroad line to receive his shipments under the combination of rates provided by the freight forwarders and get his products to market on time?

Mr. WHEELER. That is correct.

Mr. HAWKES. The testimony before the Senator's committee, at which I was present most of the time, clearly showed that the preponderance of the evidence from all the small dealers, department stores, and little businessmen throughout the country was to the effect that this service is very important.

Mr. WHEELER. That is correct.

Mr. HAWKES. If I may make one further observation without trespassing too much on the Senator's time, it seems to me perfectly clear that the freight forwarder is rendering a very important service, and he must be rendering it at a price that is fair. Otherwise the railroads, motor carriers, or other transportation companies would be doing it themselves.

Mr. WHEELER. That is correct.

Mr. HAWKES. They are not prohibited from doing it. The freight forwarder is rendering a great service. Otherwise he would not be in existence.

Mr. WHEELER. That is absolutely correct, and I thank the Senator for his statement.

The truth of the matter is, as the distinguished Senator from Kansas [Mr. REED] has said, that the railroads probably should have done this business, but they never have done it, and they never will do it, because of the fact that it involves the handling of a great many details. Take the case of a small merchant in Billings, Mont., Sioux Falls, S. Dak., or Bismarck, N. Dak. Before the advent of the freight forwarder he had to make all his shipments in less-than-carload lots. He could not ship in carload lots because he did not have a sufficient volume of business. So he had to pay a higher freight rate. He received poorer service, because when one ships in less than carload lots it takes longer for the freight to be delivered. It is tied up here and there. The freight forwarder collects the shipments of many shippers in Bismarck, Fargo, and other places in North Dakota and Montana, and delivers them to the doors of the merchants. At the outset he did it at a lower rate than the less-than-carload rate.

Mr. HAWKES. Mr. President, will the Senator further yield?

Mr. WHEELER. I yield.

Mr. HAWKES. The evidence repeatedly brought out before the Committee on Interstate Commerce showed that through the work which the freight forwarder does, small packages of freight are collected and shipped in carloads, and that delivery is made, for example from New York City to Chicago, in less than 3 days.

Mr. WHEELER. That is correct.

Mr. HAWKES. Whereas, when the small shipper had to ship his material in less-than-carload lots, sometimes 3 or 4 weeks were required, and it was almost impossible to trace less-than-carload shipments.

Mr. WHEELER. That is correct.

Mr. HAWKES. I know a great deal about that situation. A carload shipment can be easily traced, and a report on it can be made promptly. Sometimes information with respect to a delayed less-than-carload shipment is not received for months.

Mr. WHEELER. That is correct. Moreover, if a shipper wished to ship from some point outside New York City to New York City, then to Chicago by truck, from Chicago to St. Paul by truck, and from St. Paul to some other city, and there was a loss in the freight forwarded by truck, the shipper had to find out who was responsible for the loss. The freight forwarder assumes responsibility for loss anywhere between New York City and Bismarck, N. Dak., or Billings, Mont. The shipper is not required to find out who is responsible for the loss.

The service of the freight forwarder is an important service to the rural communities. Small businessmen's organizations all over the country are absolutely in favor of it. We talk about helping the small businessman. This is an opportunity to help him.

On the other hand, the large chain stores can ship into Montana, or into Bismarck, N. Dak., by carload, and get a cheaper rate than can the small businessman. The result is, as was pointed out by the small businessmen's organization, that the large shipper not only gets better and quicker service, but likewise a cheaper rate, and they do not have to hunt around to find out where a loss occurred. The freight forwarder is held responsible for loss.

With reference to secret rates, it is impossible for me to understand how the Interstate Commerce Commission could talk about secret rates. Time and time again I have stood on the floor of the Senate and defended the Interstate Commerce Commission against attacks made upon it. However, in view of the law which is on the statute books, the report which was made by the majority of the Interstate Commerce Commission is beyond my comprehension, because it does not seem possible that the Commission was familiar with the law upon the statute books. Otherwise it could not have made such a report. It speaks of discriminations. This is the law which is upon the statute books at the present time. It relates to railroads, but it also applies, by reference, to freight forwarders.

(f) Whenever, after hearing, upon complaint or upon its own initiative, the Commission is of opinion that the divisions of joint rates, fares, or charges, applicable to the transportation in interstate or foreign commerce of passengers or property by common carriers by motor vehicle or by such carriers in conjunction with common carriers by railroad and/or express, and/or water are or will be unjust, unreasonable, inequitable, or unduly preferential or prejudicial as between the carriers parties thereto (whether agreed upon by such carriers, or any of them, or otherwise established), the Commission shall by order prescribe the just, reasonable, and equitable division thereof to be received by the several carriers, and in cases where the joint rate, fare, or charge was established pursuant to a finding or order of the Commission and the divisions thereof are found by it to have been unjust, unreasonable, or inequitable, or unduly preferential or prejudicial, the Commission may also by order determine what would have been the just, reasonable, and equitable divisions thereof to be received by the several carriers, and require adjustment to be made in accordance therewith.

In subdivision (c) of section 404, with relation to freight forwarders, the law provides as follows:

(c) It shall be unlawful for any common carrier subject to part I, II, or III of this act to make, give, or cause any undue or unreasonable preference or advantage to any freight forwarder, whether or not such freight forwarder is controlled by such carrier, in any respect whatsover; or to subject any freight forwarder, whether or not such freight forwarder is controlled by such carrier, to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

Four members of the Commission appeared before the committee. Two of them were called at the instance of the distinguished Senator from Kansas [Mr. REED]. We asked them to point to any complaint which had been made, which would support the statement in the report of the Commission. Not one of them could cite a single complaint which had been filed before the Commission.

Mr. TUNNELL. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. TUNNELL. I should like to invite attention to the last sentence in the report of the majority, as to the purpose of the bill. It seems to me to be very illuminating:

This bill is in effect a mandate to the Commission to provide a method for the continuance of coordinated freight forwarder-motor carrier service in furtherance of the national transportation policy.

Mr. WHEELER. That is correct.

Mr. TUNNELL. It seems to me that that statement sums it up very nicely.

Mr. WHEELER. I thank the Senator.

Mr. HAWKES. Mr. President, will the Senator yield to me?

Mr. WHEELER. I yield.

Mr. HAWKES. One of the reasons why I am so strongly in favor of the bill is that it compels motor carriers to file so-called secret agreements with the Interstate Commerce Commission. I do not believe that they can properly be called secret agreements.

Mr. WHEELER. Of course, they are not secret.

Mr. HAWKES. Such agreements must be filed with the Interstate Commerce Commission, and the Commission is charged with the responsibility of seeing that equity is done in transportation, and that the rights of all shippers and other parties are properly protected. That is one of the reasons why I am very strongly in favor of the bill being passed.

Mr. O'DANIEL. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. O'DANIEL. The Senator has stated that the service rendered by the freight forwarder is advantageous to the small shipper and manufacturer. Does the small shipper, or manufacturer, whose less-than-carload shipments are transported with other less-than-carload shipments receive the benefit of the carload rate, or does he still pay the less-than-carload rate?

Mr. WHEELER. He does not get the full benefit of the carload rate, for the simple reason that that is where the freight forwarder makes his money. He receives his compensation by reason of the difference between the carload rate and the less-than-carload rate. Otherwise, of course, he could not remain in business.

Mr. O'DANIEL. The freight forwarder, then, is sustained by the difference between the less-than-carload rates on the several shipments included in the car, and the carload rate.

Mr. WHEELER. That is correct.

Mr. O'DANIEL. But, as I understand the Senator, the forwarder does not necessarily retain all of that difference.

Mr. WHEELER. That is correct.

Mr. O'DANIEL. He makes his own rates.

Mr. WHEELER. That is correct; and his rates are published, as are the rates of the railroads. The small shippers are

not complaining about the rates as between the freight forwarder and the bus and truck operators, because the rates of the freight forwarder are published. The only ones who are complaining are some of the larger shippers. They want to throw the door open so that the larger shippers can get the same rates as the freight forwarder. On the other hand, they do not wish to be regulated, as the freight forwarder is regulated in many instances.

Mr. O'DANIEL. Do I correctly understand the Senator from Montana to say that in addition to the improved service by reason of small shipments being forwarded in carload lots, the shippers also receive, in many instances, or all instances, lower rates?

Mr. WHEELER. I would not say in all instances. In some instances they do. Rates vary over the country.

Mr. O'DANIEL. As I understand, in no instance do they pay more than the less-than-carload rates.

Mr. WHEELER. That is correct.

Mr. O'DANIEL. I thank the Senator.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. HAWKES. I may be able to answer that question. The shippers receive a great deal of benefit. I do not recall that there was any representative of a small shipper, small buyer, department store, or individual business of a small nature who appeared before the committee who did not feel that a great service was being rendered, and who did not wish to have the service continued.

Mr. WHEELER. That is correct. Not only that, but every witness who appeared before the committee, whether he was for or against the bill, agreed that the freight forwarders are rendering a fine service and that there is no desire to put them out of business. On the other hand, the very thing some persons are advocating would put them out of business insofar as truck operations are concerned. One witness who appeared before the committee said the bill would drive them out of business and would put the business into the hands of the railroads, and that the railroads should have this less-than-carload business.

Mr. O'DANIEL. Mr. President, let me inquire whether it is not also a fact that the rates of the forwarders are published, just as the railroad rates are.

Mr. WHEELER. Exactly the same.

Mr. O'DANIEL. And a shipper has the choice, does he not, of patronizing either the forwarder or the regular common carrier?

Mr. WHEELER. Exactly. Not only that, but no trucker has to carry freight-forwarder business unless he wishes to do so. If he wishes to do so, then his agreements will be filed with the Interstate Commerce Commission, and in that connection this bill contains the following provision:

(3) The Commission is authorized upon complaint or upon its own initiative without complaint, to investigate and determine whether, in order to carry out the purposes of paragraph (1) of this subsection, any terms and conditions prescribed thereunder should be modified or rescinded or whether additional terms and conditions should be prescribed thereunder, and, after such investigation, the Commission shall by order modify or rescind any such terms and conditions, or prescribe additional terms and conditions, to the extent it finds such action necessary or appropriate to carry out the purposes of such paragraph.

Could there be anything fairer than to say that if the Commission finds there is the slightest discrimination between one forwarder and another forwarder, the Commission not only will have a right to rescind the contract, but it will have the right to modify it in any way it sees fit, and that if the Commission finds there is a discrimination, that will be violation of the law itself. In short, all these agreements will be filed.

Now let me call attention to the fact that the railroads themselves have joint rates. The truth is that the joint rates between the Pennsylvania Railroad for instance, and any other railroad are not made public. But the Commission has authority to say to the railroads, "We want you to file with the Commission your agreements as to your joint rates." However, the Commission has not done so. As chairman of the committee, I have received complaints from some of the roads in the Middle West to the effect that they felt they did not receive a fair share of the joint rates.

The Commission talks about these agreements as being secret, and the Commission speaks of them as being unfair. The fact is that today the Commission has the power to require the publishing of the rates and to correct them if there is anything wrong about them, just as the Commission has done with respect to the railroads, rate agreements. But the Commission has not called upon the railroads to do so. The Commission is not criticizing the agreements made between the railroads themselves. The Commission is not criticizing them as secret agreements, and the Commission is not saying anything about the power of the railroads to discriminate against other railroads by not giving them a fair portion of the joint rates.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. WHEELER. I am happy to yield.

Mr. LANGER. How long have the freight forwarders been operating?

Mr. WHEELER. For approximately 20 years.

Mr. President, unless there are some questions, I do not care to take up further time. I wish to say in closing that unless this bill is passed there will be a terrific disruption of traffic. I do not know of any small merchant or any small businessman in this country who is not in favor of this legislation. I know that some of the railroads have protested against it and that some of the large chain stores have protested against it; but it is definitely in favor of, and particularly in the interest of, the small manufacturer who lives off the main line, and it is definitely in favor of the small merchant out in the sticks.

Mr. REED. Mr. President, I think it is in the interest of proper procedure in getting this matter out of the way to permit me to make a few remarks in connection with what the Senator from Montana has said.

The Senator from Texas [Mr. O'DANIEL] was asking about what are known as car consolidators. They are groups of shippers who get together and consolidate less than carload shipments in about the same way that freight forwarders do. At the present time they can obtain from the railroads—but not from the motor carriers—the same rates for carload lots that the freight forwarders obtain.

In response to a question of the Senator from North Dakota, the Senator from Montana used Bismarck, N. Dak., as an illustration. I fear that the Senator from Montana did not quite cover the matter; at least, I think he did not cover it as I think it should be covered. I am not raising any question about the service rendered to small shippers. I never have. It is a good service. I think the railroads should have rendered that service themselves, instead of letting an independent body come in and take away a part of their profits. But the railroads never did it. They are not doing it now. I do not know whether they ever will. The freight forwarders do render an excellent service in connection with the handling of less-than-carload freight. We have never raised any question about that. All we wish them to do is to do it lawfully; that is all. At the present time it is done by secret arrangement in connection with which the Interstate Commerce Commission has said discrimination exists.

The Senator from Montana referred to Bismarck, N .Dak. He said that Sears, Roebuck or some other firm there could have a better rate from the freight forwarder than a small shipper could. I do not know what is the exact rate from Chicago or the Twin Cities, or from any other place to Bismarck, N. Dak. The only evidence we have is with reference to Atlanta, Ga., where it was said that the freight forwarder rate was on an average of 106 percent of the railroad less-than-carload rate applicable to the same commodity. So the fact is that the small shipper at Bismarck, N. Dak., would be paying on that basis 6 percent more than the less-than-carload freight rate which, I do believe, is not excessive. I am not complaining of that. But I invite the attention of the Senator from Montana to the fact that Sears, Roebuck can continue and will continue to ship carload lots. There is nothing in the proposed legislation which would interfere in any way with anyone who ships a carload from always obtaining a more favorable rate than the person who ships less than a carload lot.

Mr. WHEELER. Of course, there is nothing in the bill which interferes with Sears, Roebuck in any way, shape, or form.

Mr. REED. Nor is there anything in the bill which would take away anything which Sears, Roebuck now has.

Mr. WHEELER. No. The only thing that we seek to do is to give the small shipper the advantage of a better rate.

Mr. REED. I think the clearest witness who appeared before the committee

was from a firm called Johnson & Johnson in New Jersey. It was pointed out that freight forwarder service was unavailable to them because it would require more time—and I am referring now to the testimony of the witness; not to any statement which I made—and involve them in delay, and for those reasons they did not use such service.

I agree with the Senator from Montana that there is considerable contention and muddling, and I think I can say incompetency, within the Interstate Commerce Commission. I think the Commission has been vacillating and uncertain in connection with this particular class of traffic. The Interstate Commerce Commission has injured its standing with the traffic opinion of the country in connection with a number of matters, including its vacillation and uncertainty in the handling of such questions as the one now before us. I believe that the Senator from Montana will perhaps agree with me in that statement. Both of us from time to time have defended in the Senate the Interstate Commerce Commission; but I think there is much to criticise in connection with the Commission's handling of this question. I fear there have been some unsound policies recommended by members of the Commission; at least the majority of the Commission said they were unsound.

Mr. President, I am opposed to the bill. I tell the Senator from Montana now that Congress will have to legislate on this subject again within 2 years, because I do not believe the Interstate Commerce Commission, administratively or otherwise, can satisfactorily handle this matter.

Together with the Senator from Montana I have had much to do with the original handling of this question since I have been in the Senate. I refer to the preparation of the freight forwarder bill. We have given freight forwarders almost 4 years extension of time from the time the original act was passed in order to enable them to get their house in order, publish their tariffs, and carry on their business in a lawful manner. They have not done so.

Mr. President, after reading about three lines from the Commission's statement, I shall yield the floor. I agree thoroughly with this statement by a majority of the Commission; it sets forth the only point which I regard as being important in connection with the proposed legislation:

> The appropriate approach to this problem, therefore, we believe, is not by the authorization of agreements, but by the filing in the regular manner of the rates and charges to be paid for the transportation performed.

Mr. President, that is the way every transportation charge in the United States is collected from a common carrier. The only exception would be the one being proposed by statute in connection with the pending bill in favor of a single class of shippers, namely, freight forwarders. I believe that to be unsound, and should not be allowed.

The PRESIDENT pro tempore. If there be no amendments to be proposed, the question is on the third reading of the bill.

The bill was read the third time.

The PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall it pass?

The bill (H. R. 2764) was passed.

Mr. WHEELER. Mr. President, I ask unanimous consent that the Presiding Officer be authorized to sign during the recess of the Senate following today's session the bill which has just been passed.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE PEARL HARBOR INVESTIGATION—EXTENSION OF TIME

Mr. BARKLEY. Mr. President, I have an emergent concurrent resolution to offer extending the time of the joint committee to investigate the attack on Pearl Harbor to make its report. Today is the last day under the last extension, and it is necessary to extend the time further. I ask unanimous consent that I may submit the concurrent resolution and have it considered at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will read the concurrent resolution.

The Chief Clerk read the concurrent resolution (S. Con. Res. 54), as follows:

> *Resolved by the Senate (the House of Representatives concurring)*, That the limit of time required, under the provisions of Senate Concurrent Resolution 27, as extended by Senate Concurrent Resolution 45, as amended, for the submission to the Senate and House of Representatives of the report of the Joint Committee on the Investigation of the Pearl Harbor Attack, be, and the same is hereby, further extended to June 1, 1946; and said Concurrent Resolution 27 is hereby continued in full force and effect until such date.

Mr. BARKLEY. Mr. President, the joint committee this morning unanimously agreed to the extension requested, and it is the wish and hope and purpose of the committee not to ask for further extension. That is why we have asked that the time be extended to June 1.

We have been holding hearings daily since the 15th of November. We had hoped to be able to conclude the hearings today, so that our extension would contemplate only further time for making the report, because we all agreed and understood that we could not get the report ready by today.

The committee has well-nigh concluded its public hearings, and it agreed today unanimously that, so far as prospective witnesses now scheduled to testify in the public hearings are concerned, we will end the hearings at not later than next Wednesday night. We have held night sessions this week in order to facilitate the termination of the hearings, and we agreed to hold three night sessions next week. I want the Senate to understand that we are making every effort to bring the hearings to a conclusion without omitting anything that is pertinent to be included in the inquiry.

Mr. BREWSTER. Mr. President, under the arrangements made, matters which, as we examine the record of the hearings, it may seem to members of the committee might require further exploration may be brought up for consideration by the joint committee, and the committee will have full power and authority to resume and take further evidence on any matter that may seem within the scope of the investigation.

Mr. BARKLEY. The agreement of the committee does not foreclose the right of any member of the committee to bring to the committee's attention anything that might be thought necessary to fill up the gaps in the testimony which we have been taking for such a long time.

I might say also that it does not exclude further examination of Secretary Hull, whose examination was interrupted by his indisposition, so that some of the members of the committee did not have an opportunity to examine him. He probably will not be able to reappear before the committee personally, but he has indicated his willingness to answer any questions that members of the committee wish to propound to him, either by personally coming to his home or by written interrogatories sent to him.

It also does not foreclose the right of the committee to seek information from Secretary Stimson, who also probably will not be able to appear personally on account of illness.

The committee did not foreclose the right in those two cases and did not foreclose the right of any Senator on the committee to bring to the attention of the committee anything that might be regarded as pertinent and have the committee then pass upon the question.

Mr. BREWSTER. I appreciate that statement regarding Secretary Stimson, as it is a matter of record that he has been indisposed ever since the hearings began. He indicated in his recent communication that he hoped his physical condition would be improved by the middle of this month. I certainly hope that it may be possible to have him appear before the committee at some time.

Mr. BARKLEY. In spite of the Senator's optimism, I may say that it is extremely doubtful whether he can appear personally before the committee.

Mr. BREWSTER. It was indicated very clearly by our distinguished chairman at the time the original resolution was presented that all the events immediately preceding Pearl Harbor, going back, as the chairman indicated in the copy of the discussion which I have before me, even so far as the Manchurian incident, which the committee should conceive to be relevant, should be inquired into, with particular emphasis on the situation at Manila. The Senator from Illinois [Mr. LUCAS] raised that question originally, and the Senator from Kentucky replied that that was fully within the scope of the investigation. That is one of the matters to which I shall at the proper time invite the attention of the committee, so it may consider whether that matter may be explored.

Mr. BARKLEY. That is a matter upon which the committee can pass whenever it is brought to the committee's attention.

Mr. BREWSTER. Furthermore, I wish to say that it seems to me we have made very thorough exploration of the military aspect, and taken testimony upon it, and that some of our unfortunate discussions in the inception of this matter have not been justified by the evidence. But in the field of diplomacy it seems to me there is considerable further room for clarification, and I hope that at the proper time, in the proper way, the committee may give prayerful consideration to further exploration of some of the diplomatic phases of the situation——

Mr. BARKLEY. I can assure the Senator from Maine that any consideration the committee gives to that or any other phase of the matter is prayerful.

Mr. BREWSTER. And thus disappoint the fears of some of us that it might be necessary for a Republican Congress to complete this investigation.

Mr. BARKLEY. I am satisfied that if there is no further investigation of the Pearl Harbor matter until there is a Republican Congress, the Senator's grandchildren, if he is blessed with them, will probably be mature men. But that is a matter for the future.

Mr. BREWSTER. I appreciate the Senator's optimism.

Mr. LANGER. Mr. President, will the Senator yield to me for a question?

Mr. BARKLEY. I yield.

Mr. LANGER. How much money has been appropriated for this investigation?

Mr. BARKLEY. Only $25,000 have been appropriated, but we will have to ask for more, I will say to the Senator from North Dakota, because we have taken voluminous testimony, and have held long hearings. In addition to that we have ordered to be printed as separate documents, but as appendages to our own hearings, all the hearings which have been held in all previous investigations, and all the reports, so it is going to cost quite an amount to have those matters printed.

Mr. LANGER. About how much more?

Mr. BARKLEY. I cannot say. I must get an estimate of the cost. However, I think it will be considerably more than the original $25,000.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. FERGUSON. So that the record will be clear, we are asking this extension of time until June 1, but that is not to be considered, nor is what is said here to be considered to be a limitation upon the committee from holding further hearings after the witnesses who are now on the list have been heard. I think that is clear.

Mr. BARKLEY. I thought I made it clear that the committee unanimously agreed to this extent: It unanimously agreed to wind up the hearings now in prospect with the witnesses now on schedule next Wednesday night, but that no member of the committee, or the committee itself, is foreclosed from hearing other witnesses if the committee should decide that it is necessary to do so.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution submitted by the Senator from Kentucky.

The concurrent resolution was agreed to.

CHANGE OF NAME OF SHOSHONE DAM AND RESERVOIR TO BUFFALO BILL DAM AND RESERVOIR

Mr. ROBERTSON. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to consider Senate Joint Resolution 136, Calendar No. 942. It is a joint resolution providing for changing the name of the Shoshone Dam and Reservoir, in Wyoming, to Buffalo Bill Dam and Reservoir.

Mr. President, the 26th of this month will be the one-hundredth anniversary of the birth of William Frederick Cody, better known to most people as Buffalo Bill. As everyone knows, Cody was a pioneer of the West. He attempted to bring the West to the people of the country by means of his Wild West shows. But he was also deeply interested in the development of the West, and particularly in irrigation and reclamation. Many years ago, as early as 1890, he had a water right covering thousands of acres of land in the Big Horn Basin. When he found that he, himself, was unable to develop it and that in the meantime the Bureau of Reclamation had come into being, he turned over to that Bureau his entire rights to that great area. The result was the establishment of the Shoshone project and the creation of the wonderful Shoshone Dam and Reservoir which now irrigate approximately 60,000 acres of land, producing much food.

The joint resolution provides that, in commemoration of the one-hundredth anniversary of the birth of William Cody, Buffalo Bill, the dam and reservoir shall henceforth be called the Buffalo Bill Dam and Reservoir.

The PRESIDENT pro tempore. The resolution will be read, for the information of the Senate.

The Chief Clerk read as follows:

Resolved, etc., That in commemoration of the one hundredth anniversary of the birth on February 26, 1846, of William Frederick Cody, better known as Buffalo Bill, the name of the Shoshone Dam and Reservoir in Park County, Wyo., is changed effective February 26, 1946, to the "Buffalo Bill Dam and Reservoir."

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wyoming?

There being no objection, the resolution (S. J. Res. 136) was considered, ordered to be engrossed for a third reading, read the third time, and passed.

INFORMATION RESPECTING LOANS AND COMMITMENTS TO FOREIGN COUNTRIES

Mr. BRIDGES. Mr. President, on behalf of the Senator from South Dakota [Mr. GURNEY], the Senator from Illinois [Mr. BROOKS], the Senator from Kansas [Mr. REED], the Senator from Indiana [Mr. WILLIS], the Senator from Michigan [Mr. FERGUSON], the Senator from Nebraska [Mr. WHERRY], the Senator from Oregon [Mr. CORDON], and myself, I ask unanimous consent to submit a resolution requesting the President to direct the Bureau of the Budget within 45 days of the adoption of the resolution to make in detail a certain report.

The PRESIDENT pro tempore. Does the Senator desire to submit the resolution at this time?

Mr. BRIDGES. I do.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the resolution may be submitted.

Mr. BRIDGES. Mr. President, the resolution I submit calls upon the executive branch of the Government for more detailed information on the international economic position of the United States.

As I have indicated, minority members of the Senate Appropriations Committee joining with me in sponsoring this resolution are the Senator from South Dakota [Mr. GURNEY], the Senator from Illinois [Mr. BROOKS], the Senator from Kansas [Mr. REED], the Senator from Indiana [Mr. WILLIS], the Senator from Michigan [Mr. FERGUSON], the Senator from Nebraska [Mr. WHERRY], the Senator from Oregon [Mr. CORDON].

We might have sought this information through a congressional investigation, but instead we have chosen the simpler method of requesting the executive department to furnish the facts. We extend a cordial invitation to all other Senators, regardless of partisanship, to join with us in this effort to secure for Congress more information on American commitments to foreign nations.

Mr. President, on my own behalf, I wish to make some observations on the conditions intended to be reached by this resolution. Congress faces the most singular situation in the history of the United States. From 1940–45, expenditures of the Federal Government on rearmament and war totaled $323,000,000,000, one-third of a trillion dollars. For purposes of contrast, this is almost equal to our entire national wealth at its prewar peak in 1929, estimated at $363,000,000,000.

Only one-third of this enormous amount spent on war was covered by taxes. The bulk of it was obtained by Government borrowing with the result that on January 30, 1946, the gross Federal debt exceeded $278,000,000,000—a mortgage in excess of $2,100 on every citizen of the country, including those who risked their lives in defense of the Nation and who now will have to begin paying the bill. They will also have to pay the current expenses for the swollen activities of the Federal Government, estimated at more than $36,000,000,000 for the first full peacetime year. In other words, we are planning to spend in this single peacetime year exactly what it cost us to fight the whole of World War I. To say the least, this is a totally outrageous amount for a peacetime Budget.

It is in these circumstances that the Federal Government has embarked upon

a vast program of expenditures in foreign affairs. Within the past year we have committed ourselves in various ways—under 3 (c) of the lend-lease agreements, the Bretton Woods program, Export-Import Bank, UNRRA, the International Food and Agriculture Organization, and on other international accounts. The State Department has just negotiated a large loan to Great Britain. In some reliable quarters the total of our present commitments abroad has been estimated to reach almost $20,000,000,000. From other reliable sources come reports that loans to other nations may soon follow.

Mr. President, transactions of this magnitude go far beyond the simple desire of our people to cooperate with other nations of the world. These transactions raise profound problems in our domestic life. The British loan agreement, for example, practically sets the pattern for lend-lease settlements of more than $42,000,000,000 in foreign obligations. It determines what we shall do about the billions of dollars of American-owned installations abroad. It sets a policy for the disposal of American surplus property in foreign countries. It is also another link in the chain of financial commitments abroad by which America is thrust into the role of world's banker.

The manner in which many of these transactions have come before Congress is astounding. The process begins with rumors—some of them undoubtedly planted—that the Government is about to make a loan or commitment to one or more foreign countries. If the reaction to such rumors is favorable we are soon confronted with the fact itself. If the reaction appears to be unfavorable the rumor is denied in official quarters. In any case, experience with Bretton Woods, Export-Import Bank, the British loan, and other transactions confirms the fact that rumors of this kind soon blossom into negotiations.

In most cases these negotiations are secret. In some, the press merely gets innocuous handouts in the form of cheerful communiques. Congress, of course, receives no official information. We are persuaded to accept all this on the theory that negotiations between the Executive and foreign nations must have some privacy. Although we are apprehensive of what commitments are being made to bind the interests and future conduct of the United States, we console ourselves with the thought that when the secret negotiations are over, when the deals have been made, the executive departments will give us the information we need to exercise our judgment as representatives of the American people.

At that point we are made participants in a most astonishing game. The executive department responsible for the foreign transaction presents us only with the end product in the form of a general agreement. The action is accompanied by a fanfare of publicity that amounts to little more than undisguised propaganda for the transaction.

Part of the transaction is in the form of outright commitments on which we can have nothing to say. They are hard and fast obligations, and, no matter how far-reaching they may be, they are accomplished facts. We do not even have the option of Judging them on a take-it-or-leave-it basis. The commitments are made for us, they bind the country, and there they are. This is certainly the case with certain aspects of the British loan.

We are consulted only on such aspects of these transactions which the executive departments cannot carry out on their own. Usually they involve an appropriation of funds which the executive departments cannot possibly maneuver out of existing appropriations. To that small extent, then, Congress gets a voice in these foreign transactions which are so important to the future of our people.

When we turn to consider the transactions to the extent permitted us, we soon find we lack the information indispensable to sound judgment. We get statements and speeches about the transaction—thousands of words telling us that it is a fine transaction, that we have solemn obligations to carry it out, that we shall gain untold benefits from it, that it meets the highest aspirations of mankind, and that it means peace and plenty to all.

This is accompanied by doing a little advance work and often couched in terms designed to squelch all opposition, as if there could not possibly be the slightest legitimate objection to the transaction.

The entire performance is almost wholly a show of words—of mere assertions—unsupported by the facts with which we might reach conclusions of our own. In the British loan agreements, for example, we were given only the text of the documents. Almost every paragraph cries out for explanation—precise factual data and information—yet no facts were offered.

The State Department, the Treasury, and other executive departments appear as vigorous advocates of transactions each or all of them negotiate. They approach their job as if they were hired to sell the transaction to Congress in a game where secrecy and double talk rather than facts are considered the most effective methods. They forget—and we in Congress permit them to forget—that they are employees of the American people, responsible to Congress, and that their first duty is to present to the Congress the full facts concerning the transactions they negotiate, and to allow us to come to our own conclusions. In place of that, we, the principals, have to pry out the facts bit by bit from our own agents in an atmosphere that often reaches the absurdity of a game of wits—we, to get the facts; they, to evade disclosing them. It almost seems at times that the executive departments act upon the principle that they are to give us the least information possible and to make that as confusing as they possibly can. The object seems to be to keep the issues on the vague general plane on which it is easy to mobilize and direct opinion in desired directions. Thus, we get reams of propaganda, but few facts.

Here we are setting a pattern for the settlement of lend-lease, for the disposal of untold billions of dollars' worth of American installations and surplus property abroad. We are embarking on a new policy involving Government lending abroad on a vast scale. We are formulating far-reaching policies concerning all other economic relations with the rest of the world.

Such transactions cannot be weighed only with the dollar sign. Our entire economy may be changed by these policies. Our people will be undertaking burdens for generations to come. The effects will show up in the taxes we pay. We have become so accustomed to dealing lightly with billions of dollars that we have lost sight of realities that lie behind the dollar sign. When we pour forth billions of dollars in foreign loans and other transactions, what is it we export? Certainly not paper dollars. We are exporting the resources of this country—the timber of our forests, the minerals from our mines, the fertility of our soil, the vast range of products from our shops and factories. We are exporting the genius of our scientists, the skill of our technicians, and the labor of millions of our workmen. These are the things that stand behind the dollar sign in these transactions with foreign countries.

Is it too much to ask that we be fully informed with hard facts about what we are doing, why we are doing it, and what we may expect will come of policies which export the substance of America to foreign lands and foreign peoples?

Yet what do we know of the facts involved? How can we judge the wisdom of such policies?

We do not know the total of the loans, investments, and other obligations to which we are already committed. We do not know what the executive department has yet in store for us in this regard. Projects have been presented to us piecemeal. Each has been offered on its own merits, and even here the full implications of our obligations have been obscured by technical features on which the executive departments have been not too candid.

Nowhere do we have the full picture of what foreign countries already owe us on past loans and investments, public and private. We know little or nothing about the capacity of the outside world to repay this country past, current, and contemplated loans and other obligations. We have no idea what assets they have here. We have yet to be informed as to what has happened to the billions of dollars of American investments in foreign securities and properties since World War I. We have reports that American properties in Europe and elsewhere are being taken over, and that some are being dismantled and moved elsewhere. What are the facts about these conditions? Do they not have a bearing on any new policy of American loans and investments abroad? The State Department has hundreds of representatives abroad who certainly should be reporting these developments. What do they say? The State Department has yet to tell us.

For 30 years, from 1914 to 1944, we have been exporting goods and services abroad and foreign countries have sent us goods and services in return. What

are the facts about this trade? Have we shipped more abroad than has been returned to us? Has the exchange been a fair one on balance, or have we shipped more of the substance and labor of this country abroad than we have received back from the world? What are the facts? Are we not entitled to know where we stand in this respect before we get too far along on much more of the same thing?

How are foreign nations going to repay us for the billions of dollars we propose to pour out in foreign transactions? What gold reserves do they have? What dollar balance have they accumulated? What further changes will we have to make in our tariff policies to insure repayment for goods we now propose to ship in such large volume? How can nations in debt to us pile up these dollar balances as fresh purchasing power without applying them on past obligations to us, long overdue and long unpaid? Why should we not have the facts about these conditions so that we might consider them before we adopt policies not tempered with past experiences?

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. OVERTON. In view of our experience with loans to Great Britain in the past, does the Senator think that if we make the contemplated loan it will be repaid?

Mr. BRIDGES. I do not know. That is what I am trying to find out, I will say to the distinguished Senator from Louisiana. I am trying to find out what the situation is. To date it has never been told. As has been suggested before, I believe that if a man goes to the Senator, for example, and solicits a loan from him as an individual, for use in his business, the Senator would like to know something about the character of that man, his past business experience, how much he owes, whether he intends to repay it, what his loan record is, and so on. By this resolution I am trying to find all such facts, so that when we come to pass on the British loan, or any other loan, the Senate can act intelligently.

Mr. OVERTON. I thought possibly the able Senator would have arrived at some conclusion in view of the experience we have already had with Great Britain. But let us assume that we conclude that, in the interest of trade and commerce of this Nation, and for other reasons, we should let Great Britain have several billion dollars, say between three and four billion dollars. What does the able Senator think of our making a grant of money to Great Britain instead of making a loan? Then Great Britain would be under no obligation to us to repay, and we would have accomplished the purpose which those who are advocating this loan have in mind. By making a grant in aid of Great Britain we would have gone very far toward establishing trade and commerce and promoting the export of our commodities, and at the same time no one could say that Uncle Sam again had been made a dupe. We would make a grant, and let it go at that.

Mr. BRIDGES. I think there is a good deal in what the Senator says, because I know that in the opinion of many who have studied the question very carefully a loan to almost any foreign nation will, in the end, amount to a grant and why not have the advantage of a grant to begin with.

Mr. OVERTON. Yes; in the very beginning, instead of using the word "loan," use the word "grant."

Mr. BRIDGES. But the point I am making now is that we are going forward with a loan program when no one in the Congress, so far as I am aware, knows what our foreign commitments are. The only thing I am after is to find out what all the commitments are, past, present, and future, so that we can proceed intelligently to make the wisest decision possible with respect to this matter. One of the things to consider, of course, would be whether, instead of making a loan to a country, an outright grant would not be a better way of accomplishing the objective, and at the same time, in the long run, promote better relations.

Mr. OVERTON. I thank the Senator. I think he is making a very valuable contribution to the general discussion. I am not wedded to the principle of a grant; I am not wedded to the principle of a loan. I have not made up my mind in respect to that subject. I simply throw out the suggestion.

Mr. BRIDGES. Mr. President, why should we not have factual comparisons of the public debt, tax burden, and income between the people of our country and those of foreign countries seeking loans, investments, and economic aid from us? Why should we not know how they propose to apply the money and goods we give to them? We sought to find this out in connection with UNRRA because we had reliable reports that our aid was being misdirected, but we only got vague generalities in reply.

The condition of American Government accounting in our foreign transactions borders on a national scandal. It took months to get some proper accounting detail on lend-lease and to this day—as shown by the lack of proper data on lend-lease to the United Kingdom—we do not know the true state of affairs.

We have the most unbusinesslike detail on American installations, surplus property, and Army supplies abroad, although it is rumored that we will be requested to transfer a great deal of this property to foreign countries without payment. The information I have seen as to the kind and value of this property abroad would not stand up for 1 minute on an accountant's tally sheet.

We have no working data on the economic facts and conditions necessary for us to form intelligent judgments on loan agreements with foreign countries. I could show this in detail in the matter of the British loan agreement, but I do not wish to dwell on this single transaction as if I were hostile to it. The condition I am discussing is far broader than that. It goes to the whole field of our economic relations with foreign nations. It goes to the whole practice of the executive departments of the Government in keeping us in the dark and confusing us.

Mr. President, I say this borders on a scandal in a Government which demands the most meticulous information in its dealings with its own people. If a manufacturer of baby's pants wants to change his price, the OPA compels him to present elaborate cost figures. If a corporation has a stock issue to market, the SEC requires it to file its life history and operations in full detail. The income-tax division of our Revenue Bureau makes every taxpaying corporation and individual set forth the innermost details of business and private affairs.

There are no glittering generalities, no vague conjectures, no slipshod methods permitted here. In every transaction between the Federal Government and our people, the full, unadorned figures and information are compelled. Yet in its dealings with Congress the same executive departments hand us loose inadequate figures, the minimum of information, and facts qualified to the point of uselessness. They are generous only with their propaganda.

Mr. President, I would not have you believe that the resolution we offer is an idea newly conceived. It is the result of patience held to the point of exasperation. So long as the war was on we recognized that much of the information we seek was either not obtainable or had best be kept confidential for security reasons. But the war is over and we are now formulating policies of the greatest importance to the American people. Frankness, not secrecy, is the order of the day. Public opinion will only support future policies if the public is reliably informed.

Many months ago the distinguished Senator from Michigan [Mr. VANDENBERG] called precisely for this information on the over-all economic position of the United States relative to foreign loans, investments, and commitments. Displaying the sober judgment of a great statesman, Mr. Herbert Hoover called publicly for the same information. Mr. Bernard Baruch, whose sound business sense and good judgment we have all learned to respect, had this to say only a few months ago:

> Before we can decide the question of inflation and all other economic problems, domestic and foreign, facing us, we must get an over-all picture of the balance sheet of the country.

Senate and House committees have repeatedly reported lack of information. In debates on American foreign policies during the past year I have heard many Senators and Representatives, Republicans and Democrats alike, call for a realistic display of facts on our commitments abroad.

If necessary I can produce yards of newspaper editorials and magazine articles calling for the same data. I have letters in my files from prominent and reliable private research organizations indicating a pressing need for full data on the American position relative to its dealings with foreign countries.

What is the corollary for this authoritative, widespread, insistent demand for

information? It is this: That the executive departments of our Government are not providing this information in the volume, in the form, and with the attention to detail that is required by the American people to enable them to form intelligent opinions on our current and future policies.

What irony it is that we should be asked for appropriations of millions of dollars to finance a public-relations agency in the State Department to tell the world about America, when this same State Department compels us to force them to give us the elementary facts about our own affairs? How long are we, who vote these huge sums, willing to be kept in the dark about the business our agents conduct for us?

The resolution I now present and ask to have printed in full immediately following my remarks has one prime purpose: to ask from authoritative sources of government full data pertinent to America's economic policies relative to foreign countries.

It involves no investigation. It involves no money aside from the cost of preparing the information. It sets forth 18 specific kinds of information we need for a better understanding of American foreign policy. No secrecy need shroud any of this data. Some of the information already exists and has been put out piecemeal to a limited extent. Other items can be quickly compiled by departments thoroughly conversant with the information which we seek.

We want this information in a form useful to us. We do not want it scattered through a score of references or delivered bit by bit uncoordinated and over long lapses of time. We want it brought together in one document where we can see our situation as a whole. That is why our resolution asks that the data be reported to the Secretary of the Senate, and directs him to print and publish the same in a document publicly available. We have consulted with technically competent persons who inform us that the bulk of the information we want can be brought together in 45 days or less, and we have asked that it be produced in that time.

Certainly, Congress would be ill-advised to implement our foreign economic policies, with appropriations or otherwise, without having this data to guide it. Policies not grounded in the full understanding of our people soon turn out to be costly delusions. We can only reach this understanding by a full report of the facts.

Mr. President, I ask unanimous consent that the resolution which I have submitted be printed in the RECORD following my remarks.

There being no objection, the resolution (S. Res. 231) submitted by Mr. BRIDGES (for himself, Mr. GURNEY, Mr. BROOKS, Mr. REED, Mr. WILLIS, Mr. FERGUSON, Mr. WHERRY, and Mr. CORDON) was received and referred to the Committee on Finance, as follows:

Whereas the United States Government is already committed to large-scale financial and economic aid to certain foreign countries and to international organizations to a total of billions of dollars; and

Whereas in the course of World War II, the United States at its own expense made vast installations in many foreign countries and now owns great quantities of goods and property abroad, the nature and extent of which is not adequately known to Congress; and

Whereas the United States is now engaged in settling certain of its accounts with other countries such as lend-lease, surplus property, and American installations abroad, including the extension of credit; and

Whereas additional commitments and requests for assistance are constantly rumored; and

Whereas Congress is lacking information as to the current and probable future total of such requests and commitments; and

Whereas the outside world is already a large debtor to this country on account of past investments and loans made by the American Government and by American citizens; and

Whereas information is lacking as to the capacity of the outside world to repay to this country past, current, and contemplated loans, investments, and other obligations; and

Whereas available reports of American loans and economic aid to foreign countries, such as lend-lease, have been lacking in adequate accounting detail; and

Whereas reports from responsible official departments of Government call attention to the rapid depletion of the Nation's resources; and

Whereas the question has been raised as to the ability of the United States to meet all the demands arising from existing international commitments and from future requests from abroad for financial and economic assistance; and

Whereas a coordinated policy as to loans and other economic aid to foreign countries is highly desirable; and

Whereas any policy of loans and economic aid by the United States to other nations is of the highest importance to the American people, requiring detailed information and most careful consideration: Now, therefore, be it

Resolved, That the President be, and is hereby, respectfully requested to direct the Bureau of the Budget, within 45 days of the adoption of this resolution, to report in detail:

1. The grand total of indebtedness on loans, investments, commitments, or other obligations outstanding as of December 31, 1945, of all foreign governments, their agencies, and their private citizens to the United States Government, its agencies, and its private citizens; and the same shown separately for public indebtedness and for private indebtedness.

2. The total loans made by the United States Government to foreign governments and agencies thereof from 1914 to 1932, inclusive, and from 1933 to the date hereof; itemized for each country, with the repayment history of each.

3. Existing commitments of the United States Government or representatives thereof, including alleged moral commitments, to extend American financial and economic aid to foreign countries and international organizations.

4. The amounts of American portfolio and direct investments abroad, by country, as of the end of 1914, 1932, 1939, and 1945.

5. The amounts of foreign portfolio and direct investments in the United States, by country at the end of 1914, 1932, 1939, and 1945.

6. Gold reserves, dollar balances, and other hard-money assets of countries whose governments are now in debt to the United States Government, or with whom loan and investment discussions have been held by any American official since 1939.

7. The full status of lend-lease obligations, showing with proper accounting detail shipments of goods, loading and unloading charges, transportation, storage, maintenance, and other charges, including services, in the case of each country obligated to the United States on lend-lease, with the corresponding accounting detail on reverse lend-lease.

8. The legal and actual status of American direct investments under the laws and current practices of the respective foreign countries in which such investments have been made.

9. The value, classification, and location of United States Government-owned property in foreign countries to December 31, 1945, including installations and surplus property.

10. So far as possible, the total value of American goods exported and services performed for foreigners, excluding reexports and financial and security transfers, annually from 1914 to 1945; together with the corresponding items supplied by foreigners to the United States in the same period.

11. The effects of the war on the public debt of the United States.

12. The per capita tax burden of the people of the United States classified (1) Federal, (2) State and local, and (3) total; and the total per capita tax burden of the people of each of the countries now in debt to the United States or with whom loan and investment discussions have been held by any American official since 1939.

13. The total per capita debt burden for each of the countries mentioned in item 12.

14. The latest reasonably reliable report on the national income, reduced to a per capita basis, for each of the countries mentioned in item 12.

15. The average interest rates for Government borrowing, according to the latest reasonably reliable report, in each of the countries mentioned in item 12.

16. An estimate year by year of the probable expeditures of foreign countries for American goods and services as a result of the loans and credits contracted with this country publicly or privately since VE-day and including transactions under 3 (c) of lend-lease, the Bretton Woods program, Export-Import Bank program, and all other extensions of credit to foreign countries.

17. Assuming the ultimate necessity of gold settlements under estimated total economic transactions (exclusive of extensions of American loans and credits) between foreign countries and the United States within the next 5 years, what gold is available for such settlements and how is it distributed so that nations likely to be liable for gold settlements to the United States will have the gold to make them?

18. What changes are necessary in this country's import tariffs to make possible the repayment of the loans and investment already made and contemplated by the United States and by private American interests; and be it further

Resolved, That immediately upon the receipt of the foregoing data and information from the Bureau of the Budget, the Secretary of the Senate shall cause the same to be printed and published as a Senate document in the number of 2,500 copies for the use of the Congress and the public.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 54) further extending the time for the submission of the report of the Joint Committee on the Investigation of the Pearl Harbor Attack.

INDEPENDENT OFFICES APPROPRIATIONS, 1947

The Senate resumed consideration of the bill (H. R. 5201) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1947, and for other purposes.

Mr. McKELLAR. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the amendments of the committee be first considered.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the first amendment of the committee.

The first amendment of the Committee on Appropriations was, under the heading "Title I—Executive Office of the President—the White House Office," on page 2, line 18, after the figures "$883,660", to strike out "which sum is hereby reappropriated out of the unexpended balances in the fund of $1,650,000 appropriated in the First Deficiency Appropriation Act, 1946 (Public Law, 269, 79th Cong., ch. 589, 1st sess.), under the head 'Executive Office of the President' and the subhead 'Executive Mansion and Grounds,' for an addition to the Executive Mansion, alterations, improvements, and furnishings and improvement of grounds, and any remaining unexpended balance of said appropriation of $1,650,000 shall be returned to the Treasury" and insert "*Provided*, That of the $1,650,000 appropriated in the First Deficiency Appropriation Act, 1946 (Public Law 269, 79th Cong., ch. 589, 1st sess.), under the head 'Executive Office of the President' and the subhead 'Executive Mansion and Grounds' for an addition to the Executive Mansion, alterations, improvements, and furnishings and improvement of grounds, $870,000 shall be returned to the Treasury, and of the remaining unexpended balance of said appropriation of $1,650,000 no part shall be used for an addition to the West Executive Office: *Provided further.*"

Mr. AIKEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Murdock
Austin	Gurney	Murray
Bailey	Hart	O'Daniel
Ball	Hatch	Overton
Bankhead	Hawkes	Pepper
Barkley	Hayden	Reed
Bilbo	Hill	Revercomb
Brewster	Hoey	Robertson
Bridges	Huffman	Russell
Buck	Johnson, Colo.	Saltonstall
Bushfield	Johnston, S. C.	Shipstead
Butler	Kilgore	Smith
Byrd	Knowland	Stewart
Capper	La Follette	Taylor
Carville	Langer	Thomas, Utah
Chavez	Lucas	Tunnell
Cordon	McClellan	Tydings
Donnell	McFarland	Walsh
Ellender	McKellar	Wheeler
Ferguson	McMahon	White
Fulbright	Magnuson	Wiley
George	Mead	Wilson
Gerry	Millikin	
Gossett	Mitchell	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Missouri [Mr. BRIGGS], the Senator from California [Mr. DOWNEY], the Senators from Pennsylvania [Mr. GUFFEY and Mr. MYERS], the Senator from South Carolina [Mr. MAYBANK], the Senator from Maryland [Mr. RADCLIFFE], and the Senator from Oklahoma [Mr. THOMAS] are detained on public business.

The Senator from Mississippi [Mr. EASTLAND] and the Senator from Nevada [Mr. McCARRAN] are absent on official business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

Mr. WHITE. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States attending the first session of the General Assembly of the United Nations, now being held in London.

The Senator from Iowa [Mr. HICKENLOOPER] is absent by leave of the Senate attending to duties as a member of the Atomic Energy Committee.

The Senator from Oregon [Mr. MORSE] is absent by leave of the Senate on matters of importance to his State.

The Senator from Ohio [Mr. TAFT] is necessarily absent by leave of the Senate.

The Senator from North Dakota [Mr. YOUNG] has been excused and is absent on official business.

The Senator from Illinois [Mr. BROOKS] is confined in a hospital recovering from a recent operation.

The Senator from Indiana [Mr. CAPEHART], the Senator from Oklahoma [Mr. MOORE], the Senator from Kentucky [Mr. STANFILL], and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The Senator from Indiana [Mr. WILLIS] is absent by leave of the Senate attending to important business in his home State.

The PRESIDING OFFICER. Seventy Senators having answered to their names, a quorum is present.

The question is on agreeing to the first amendment of the committee, on page 2 of the bill.

Mr. WHITE. Mr. President, I should like to have the amendment stated again.

The PRESIDING OFFICER. The amendment will be restated.

The CHIEF CLERK. On page 2, in line 18, after the figures "$883,660", it is proposed to strike out "which sum is hereby reappropriated out of the unexpended balances in the fund of $1,650,000 appropriated in the First Deficiency Appropriation Act, 1946 (Public Law 269, 79th Cong., ch. 589, 1st sess.), under the head 'Executive Office of the President' and the subhead 'Executive Mansion and Grounds' for an addition to the Executive Mansion, alterations, improvements, and furnishings and improvement of grounds, and any remaining unexpended balance of said appropriation of $1,650,000 shall be returned to the Treasury" and insert "*Provided*, That of the $1,650,000 apprcpriated in the First Deficiency Appropriation Act, 1946 (Public Law 269, 79th Cong., ch. 589, 1st sess.), under the head 'Executive Office of the President' and the subhead 'Executive Mansion and Grounds' for an addition to the Executive Mansion, alterations, improvements, and furnishings and improvement of grounds, $870,000 shall be returned to the Treasury, and of the remaining unexpended balance of said appropriation of $1,650,000 no part shall be used for an addition to the West Executive Office."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of the Budget," on page 4, line 4, after the word "exceeding", to strike out "$12,500" and insert "$25,000"; in line 5, after the word "exceeding", to strike out "$1,350" and insert "$1,800"; in line 7, after the word "exceed", to strike out "$1,570" and insert "$2,600"; in line 10, after the word "exceed", to strike out "$38,750" and insert "$42,500"; and in line 14, after the word "amended", to strike out "$3,044,880" and insert "$3,272,983."

The amendment was agreed to.

The next amendment was, on page 4, line 15, after the words "printing and binding", to strike out "$88,000" and insert "$125,000."

The amendment was agreed to.

The next amendment was, on page 4, after line 15, to insert:

> No part of the appropriations herein made to the Bureau of the Budget shall be used for the maintenance or establishment of any regional, field, or other office outside the District of Columbia.

The amendment was agreed to.

The next amendment was, under the heading "Federal Power Commission," on page 12, line 1, before the word "of", to strike out "$2,860,000" and insert "$3,115,000"; and in line 2, before the word "shall", to strike out "$1,674,500" and insert "$1,822,250."

The amendment was agreed to.

The next amendment was, on page 12, line 11, after the word "services", to strike out "$200,000" and insert "$235,000"; and in line 12, after the word "exceed", to strike out "$89,000" and insert "$100,800."

The amendment was agreed to.

The next amendment was, under the heading "Federal Trade Commission," on page 13, line 7, before the word "of", to strike out "$2,094,120" and insert "$2,333,620."

The amendment was agreed to.

The next amendment was, under the heading "Federal Works Agency—Public Roads Administration," on page 20, line 18, after the words "one hundred", to insert "and twenty-one."

The amendment was agreed to.

The next amendment was, under the subhead "Federal-aid highway system,"

on page 21, line 20, after the word "exceed", to strike out "$1,682,785" and insert "$1,812,500."

The amendment was agreed to.

The next amendment was, under the subhead "Federal-aid secondary or feeder roads," on page 24, line 19, after the figures "$14,500,000", to insert "a part of."

The amendment was agreed to.

The next amendment was, under the heading "Interstate Commerce Commission," on page 28, line 4, after the word "automobiles", to strike out "$8,000,000" and insert "$8,130,000."

The amendment was agreed to.

The next amendment was, on page 29, after line 18, to strike out:

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

Interstate Commission on the Potomac River Basin: For payment to the Interstate Commission on the Potomac River Basin, to assist in defraying the expenses of the Commission during the fiscal year 1947 in the administration of its business in the Conservancy District in accordance with Public Resolution No. 93, approved July 11, 1940 (54 Stat. 748), the whole to be payable on July 1, 1946, $5,000.

The amendment was agreed to.

The next amendment was, under the heading "Smithsonian Institution," on page 37, line 6, after the word "grounds", to strike out "$757,490" and insert "$772,490."

Mr. WHITE. Mr. President, I wish to say a word in connection with this amendment. I understand that the Smithsonian Institution requested $22,100. The committee has recommended $15,000, I believe, instead of the $22,100. I myself am sorry that the full amount of the request was not allowed the Smithsonian Institution. It is also a matter of regret on my part that no increase was made on the basis of the request of the Smithsonian Institution for approximately $88,000, as appears in a previous portion of the bill. The Smithsonian Institution is now in the one-hundredth year of its life, I believe. It has the greatest collection of treasure in these United States. It is probably one of the two or three greatest museums and collections of the best items of cultural, art, and scientific interest to be found in the entire world. The appropriations requested are largely for personnel to care for and protect the properties entrusted to the Institution, and it is a matter of regret to me that we should be reducing the items. I think we are placing in peril some of the great cultural, art, and scientific treasures of the United States. However, the committee acted in accordance with its judgment, and I do not intend to offer an amendment. I simply wish to state for the RECORD that I think we have pared too closely the items relating to the Smithsonian Institution.

Mr. BRIDGES. Mr. President, let me point out that we did increase the item for the National Gallery of Art. We did not allow them every cent they requested, but I think we allowed three-quarters of their request. I think that is a fair solution. I have always known of the interest of the Senator from Maine in the Smithsonian Institution, and his interest was at least one of the reasons for the restoration of a portion of the appropriation requested for the National Gallery of Art. But nothing of the sort was done in the case of the item for the Smithsonian Institution as such.

Mr. McKELLAR. They requested $22,100, and we recommended $15,000.

Mr. WHITE. That is correct.

There was another request—one for $88,000 for personnel necessary in connection with the care, preservation, and protection of the exhibits at the Smithsonian Institution, and I had hoped the committee might feel justified in granting that item. But I yield in my judgment and desires to the judgment of the committee.

Mr. McKELLAR. The Institution can always come before us at any time; we are glad to have it do so.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment on page 37, in line 6.

The amendment was agreed to.

The PRESIDENT pro tempore. The next amendment of the committee will be stated.

The next amendment was, under the heading "Veterans' Administration," on page 39, line 10, after the word "administering", to strike out "$553,805,915" and insert "$553,845,915, of which $40,000 shall be available for salaries and expenses of the Federal Board of Hospitalization."

The amendment was agreed to.

The next amendment was, on page 43, line 20, after the numerals "1944", to strike out "$2,148,387,000" and insert "$1,648,387,000."

The amendment was agreed to.

Mr. McKELLAR. Mr. President, I think I should explain to the Senate that reduction in appropriation is brought about by the fact that a day or two ago we appropriated $500,000,000 of this money by a special appropriation in a separate bill.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment was, on page 45, line 7, after "Total, Veterans' Administration", to strike out "$4,931,142,415" and insert "$4,431,182,415."

The amendment was agreed to.

Mr. BRIDGES. Mr. President, I think I should explain that amendment, because otherwise it might be misinterpreted. The reduction of $500,000,000 in the appropriation for the Veterans' Administration has already been covered by a supplemental appropriation.

Mr. McKELLAR. That is correct. I made such a statement a moment ago, and the total involved in the last amendment makes allowance for that $500,000,000.

The PRESIDING OFFICER. The bill is before the Senate and open to further amendment.

Mr. McKELLAR. Mr. President, I send forward an amendment, which I ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 11, line 6, after the word "amended", it is proposed to strike out "$5,560,000" and insert "$5,260,000."

Mr. LA FOLLETTE. Mr. President, will the Senator from Tennessee please explain the reason for the reduction?

Mr. McKELLAR. Yes; I shall be very happy to do so.

Last year the Federal Communications Commission received a certain amount which I shall state later. This year they asked for an appropriation of more than double what they previously had been granted. My recollection is that in 1939, before the war, they asked for and received a total of $1,700,000. Although the war is now over, they asked for this year an appropriation of $6,060,000. That is a very large increase over what was granted them the last year before the war. Moreover, it is double the amount they were granted last year.

The other House reduced the amount in considerable proportion. But the appropriation is still out of line with the appropriations made for other departments and agencies of the Government.

The committee took proof in connection with the matter, and upon the basis of such proof I suggested to the committee that a further reduction of $200,000 be made. An amendment was offered by the distinguished Senator from Oregon [Mr. CORDON] increasing the cut to $300,000, and his amendment was adopted. I had to leave the committee at the time, but after I left the amendment increasing the reduction to $300,000 was agreed to. I am inclined to believe that, under the circumstances, the cut is reasonable. I invite the attention of the Senator to the page of the House hearings where the subject was being considered. I refer to table 1 on pages 968 and 969. I believe that if the Senator from Wisconsin will examine the evidence taken before the committee he will be convinced of the justice of the amendment which I have proposed. The chairman of the Commission appeared before the committee. He was very fair in his statement, and I think that if the Senator will read his testimony he will come to the conclusion that the Appropriations Committee acted fairly, and have been generous in making a cut of only $300,000.

Mr. LA FOLLETTE. Mr. President, in the first place I cannot find in the index of the Senate committee hearings any reference whatever to the Federal Communications Commission.

Mr. McKELLAR. I now hand to the Senator from Wisconsin the reference.

Mr. LA FOLLETTE. All I can say is that this bill was reported by the committee on the 7th of February and, so far as I, a Senator who is not a member of the committee, am concerned, the only printed testimony I was able to obtain is that which has been printed and bound. The Senator has now handed me a page of proof or a print of the hearing in connection with the Federal Communications Commission. Of course, I have had no opportunity to read the testimony, or to learn anything about it. But I assert, Mr. President, that, as every Senator knows, the House committee goes over these items with great care. They have allowed the amount now appearing in the bill. Now, after the bill comes before the Senate, Senators who are not members of

the committee and had absolutely no notice that the Appropriations Committee intended to cut this item, are unable to get the information upon which the committee has predicated its judgment. So I am obviously at a great disadvantage in making any remarks about the action of the committee in reducing the item after they had reported the bill to the Senate and after their hearings had been bound and printed. But I know, Mr. President, that the backlog of work at the Federal Communications Commission piled up tremendously during the war because, obviously, its peacetime activities were greatly curtailed insofar as passing upon the matters which have to do with the consideration of applications in connection with radio stations, frequencies, and other peacetime activities of the Commission. It is true that they did have an enormous wartime work load.

I wish to say, Mr. President, that I, for one, am disappointed that the monitoring service of the Commission has been so greatly curtailed, because I think that in this day and age it is of vital importance for any government, and certainly one which has the position of power and influence in the world which the United States has today, to have adequate monitoring service in order that it may make available to those who are responsible in the legislative and executive branches of the Government information as to what is being done in world-wide propaganda and communications. But that is water over the dam. I have no way of knowing what was the justification in the evidence presented to the committee in connection with the reduction, because I have not seen the evidence. All I can say is that this item ran the gamut of the House Appropriations subcommittee and the full committee, as well as the House itself. I feel certain, in view of the statement of the able Senator from Tennessee, that the item was greatly increased by the Budget Bureau, and inasmuch as it could not have escaped the vigilant eyes of the House Appropriations Committee or the House itself, it is an appropriate amount for the Senate to consider. I myself seriously question the wisdom of making the proposed reduction knowing, as I do, the tremendous backlog of work which the Federal Communications Commission has on its hands today. I know that it is not by itself any argument to say that, so far as commissions are concerned they are not in a position to justify increased appropriations following the war, when their wartime activities are curtailed and their peacetime activities vastly increased, partly due to the fact that the war put a stop to their peacetime activities, and the entire backlog of that work is now in the grist of the Commission. Mr. President, I submit that the needs of the Commission should be considered and adequately provided for.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. McKELLAR. Let me say that we have just passed a rescission bill in the amount of $51,000,000,000. The bill has been passed by both Houses and signed by the Speaker of the House and the Presiding Officer of this body, and I believe the President of the United States has signed it. It was passed because, as we all know, expenses of government have been greatly reduced since the war was concluded. Another rescission bill will be sent over from the House in a few days carrying rescissions in the amount of six or seven billion dollars more.

There has been no rescission on the part of the Federal Communications Commission. Instead of a rescission, this agency is asking for a hundred percent more than it received last year. If we acceded to such a request for all the departments of Government, we would not be able to tax the people to the extent necessary to raise the money required to carry on our Government.

Mr. LA FOLLETTE. Mr. President, with all due respect to the Senator from Tennessee, I do not think the contention that, now that the war is over, we are in a position to pass rescissions of war appropriations made in anticipation of a continuation of the war is a logical argument for cutting the appropriations of an organization which is charged by statute with certain responsibilities. It is the obligation of Congress, until it relieves the Commission of those responsibilities to provide the money necessary to enable the Commission to perform its functions with dispatch and efficiency, and to the satisfaction of the people who are affected.

I now yield to the able Senator from Oregon.

Mr. CORDON. Mr. President, it is regrettable that a consideration of the budget of the Federal Communications Commission was not had initially by the subcommittee, so that the hearings might have been fully printed, and so have been made available to the Members of the Senate. Unfortunately, that did not occur. A cut had been made by the House, but no appearance was made by any member of the Commission, the Commission feeling itself satisfied with the House action, and by mischance in the Senate committee the item was not initially brought up. However, it was caught by the committee after the report, and a full hearing was had by the subcommittee, Mr. Porter and other members of the Commission being present, and the subject was gone into most fully.

I call the attention of my colleague from Wisconsin to certain figures which I believe will be of assistance, even at this late moment, in enabling us to arrive at a better understanding of the situation.

The acting chairman of the Committee on Appropriations, the distinguished Senator from Tennessee [Mr. McKELLAR], called attention to the fact that the 1939 budget of the Federal Communications Commission was $1,745,000. The 1940 budget was $2,038,175. The 1941 budget was $2,412,000. That was the last peacetime budget of the Federal Communications Commission. A comparison between the last budget and the current budget would not be particularly illuminating. It shows, however, the last figure of total expenditures by the Commission prior to the period it engaged chiefly in wartime activities.

Since 1941 the field of air communications has vastly expanded. That fact was the moving reason for the large increase granted the Commission for the year 1947 by the House of Representatives.

I call attention to the fact that the House cut the Budget estimate by $500,000, and yet, after that cut, the amount allowed by the House was $500,000 more than the total amount allowed for the Commission for 1946, in which year, in addition to peacetime activities, it had a national defense budget which was almost equal to its peacetime budget. Its budget for 1946, regular, was $2,554,400. In 1946 there was added $2,430,000 for national-defense activities by the Commission.

In fairness to the Commission, let me say that that did not represent, as would be indicated by the table, completely new activities of the Commission, or completely new additional personnel. To a very great extent the Commission dedicated to wartime purposes personnel ordinarily on the roll for peacetime purposes, and the division was to some extent at least purely an accounting matter. The point is that both budgets taken together are still less than the allowance for 1947.

Mr. President, a perusal of the House report shows that the increase in the allowance for 1947 is largely based on speculation and conjecture. True, as the distinguished Senator from Wisconsin has said, there is a backlog of applications which need to be attended to. On the other hand, there is an increased budget of 100 percent with which to do that—an increase of 100 percent over the last peacetime budget.

Let me now explain one other feature. The House report calls particular attention to an increase in work which may be expected in the field of television, radar, frequency modulation, and other forms of air communication. I think it is clear from the testimony that the extent to which it may be necessary for the Commission to have funds to control these additional activities is largely conjectural. It may need so much; it may not need so much. Mr. Porter in his testimony frankly said that the Commission did not know where their budget could level off, that this year's budget was intended to get them over the hump. Even so, his testimony, and all the other testimony, indicated that the additional services necessary in the newly developed fields could not at this time be foreseen.

The action taken by the committee still leaves $200,000 more in the appropriation than the combined appropriations for regular and national defense work for last year.

One further matter. The disinguished Senator from Wisconsin adverted particularly to the monitoring service. I am in entire agreement with him that the monitoring service is absolutely essential. It has existed ever since we had a radio commission. It is a part of the service necessary for policing the air. The reduction was not directed to that

service alone, or to any service particularly. It was general, and the Commission will be enabled to take up the slack wherever it finds the least necessity for carrying forward its projected functions.

I believe the action of the committee was based on a full consideration, and that its conclusions are sound.

Mr. LA FOLLETTE. Mr. President, I appreciate the Senator making an argument in my time in defense of the cut.

Mr. CORDON. I regret that; I am sorry.

Mr. LA FOLLETTE. I have tried to thumb through the page proofs of the hearing, tied up with a piece of red string. I do not find any such admission as the Senator from Oregon stated Mr. Porter and others made, that these increases were on a speculative basis. But in order that the Senate shall have some of the facts in the RECORD, I wish to read briefly from Mr. Porter's statement. It would appear from the report of the hearing that this matter was brought to the attenion of the committee two days after the bill was reported, by a letter written by the junior Senator from Tennessee [Mr. STEWART] to the senior Senator from Tennessee [Mr. MCKELLAR].

Mr. Porter stated:

I think that in our justification, copies of which are contained in the House report, that we have set forward very completely the increased problems that the Commission is confronted with.

I think you are all aware of the fact that during the war there was no construction in communications except for essential war communication purposes.

That means, of course, that all construction of radio stations was cut off during the war because of the necessity of having the materials and the facilities of the companies which made such installations diverted to war purposes.

As a result, we have an accumulation in the broadcast division, for example, of some 5 years of reduced activity. I think I could put it in very general terms by saying that the Commission has at least 5 to 6 years of normal work that is now pending before it and which we, of course, hope to discharge during the coming fiscal year.

That is not the fault of the Commission. That is because the war stopped that type of activity, and that backlog of work is now in the Commission's mill, and it requires additional personnel and additional money in order to grind it out.

I would like to emphasize to the committee that I have no present opinion as to what the permanent level of the appropriation for this agency should be.

I certainly do not think that that is intended to refer to the validity of the justification for the present appropriation. Naturally a man trying to look over the hump of a 4- or 5-year backlog cannot tell when that is going to level off, but I can make the prediction that, if the committee's cut stands as recommended, it will be a longer time before it levels off than would otherwise be the case.

I am concerned, however, that we, for the coming fiscal year, have the tools and the personnel to discharge the functions that have been accumulated during the war.

I could give you examples in the standard broadcast field of the applications that we have on hand at the present time. This is a list of these stations; that is, of applications for new stations by States. We have on hand as of January 31, 1946, 2,447 broadcast applications that were pending for action by the Commission, compared with 2,387 of such applications as of December 31, 1945. This includes 478 which have been designated "for hearing" and 298 frequency modulation applications for new stations which have been given conditional grants.

In the standard broadcast field, and I think that this is certainly relevant to the committee's consideration, and I am relying upon my recollection for this figure, we had about 950 standard broadcast stations as of October 8, 1945, when the Commission lifted its freeze and began processing applications. There were pending around 700 applications for new stations, or the improvement of existing facilities; in other words, there is an effort to expand the standard broadcast field by more than 50 percent immediately.

This is due, as I said before, to the fact that none of this activity could go on during the war. It was frozen; it was stopped.

I think you gentlemen know that it requires a detailed analysis by the Commission staff to determine questions of electrical interference and, likewise, other determinations as to the qualifications of the licensees involved.

We have in hearing at the present time some 629 matters. The Commission is running five hearings simultaneously. That 629 is for all classes of services within the Commission's jurisdiction. Four hundred and seventy-eight of these, or more than 75 percent, were in the broadcast field; that is, standard broadcast, frequency modulation, and television. And in the 2-week period since the 31st of January, the Commission has had to designate for hearing 174 additional broadcast applications.

Mr. President, I do not think that so far as frequency modulation is concerned, or even so far as television is concerned, the work of the Commission in the coming fiscal year is speculative in any degree. With respect to frequency modulation, the hearings have been held so far as the frequencies are concerned. They have been assigned. Since that time applications have been pouring into the Commission. I understand that a similar prospect faces the Commission so far as television is concerned. Senators have seen in the newspapers that a coaxial cable is now being extended between Washington, Baltimore, Philadelphia, and New York, as I recall, and it has just been announced that the District Commissioners had changed the zoning regulations so to permit the erection of a television tower at some place in the Northwest section, I believe, of Washington.

This is not speculation, Mr. President. This is the result of wartime experience and research which has tremendously accelerated this art being now attempted to be translated into peacetime service for the people of the United States. Here is the Commission that has to pass on every single one of these applications, and if the Commission is not properly equipped to do it, it will mean delay in the Commission, it will mean delay to those who have applied, and it will mean delay in extending this service to the people of the United States who are anxious to receive it.

That makes a total of 652 applications for new broadcasting stations that are now in hearing. * * * This figure may be broken down as follows: 460 for the existing standard broadcast station, 119 in frequency modulation.

These, Mr. President, are only the ones which have been set for hearing. Certainly that is not speculation. These are cases which have already gone to the point where the Commission has set them down for hearing or which are in the process of being heard.

Senator MCKELLAR. What is your entire personnel as of today?

Mr. PORTER. There are 1,282 * * * administrative, 370; engineering, 685; accounting, 136; and law, 91.

Mr. President, that is a summary of the testimony up to that point. The remainder of it, as I thumb it through, is devoted largely to the monitoring phases of the Commission's work.

Mr. President, I think it would be a mistake to reduce this appropriation as is now proposed. I do not believe, from hasty reading, as I have been forced to make, of this page proof hearing that the justification is here for this cut, excepting on the general statement that because the Commission received more money last year than previously and that this increase in appropriation is larger than ever granted before, therefore the reduction should be made.

Mr. President, I believe the work of the Commission is of great importance. I think we are looking for the development and advancement of new techniques in the arts of communication, and the Congress must accept the responsibility for delaying that development and advancement if they do not give the money which has been justified, first before the Bureau of the Budget, then cut by the House, and now on this brief hearing, cut by the Senate Appropriations Committee and offered here in typewritten form without any notice to any Senator who has not been privileged to be a member of the Committee on Appropriations.

Mr. MCKELLAR. Mr. President, I want to say merely a word. The only witnesses who appeared before the committee were Mr. Porter and those under him. There was no opposition testimony except their testimony. Mr. Porter very frankly said that it was very difficult to tell how much money the Commission would actually need. I wish to call attention to two of the projects. I shall not call attention to any more.

Mr. LA FOLLETTE. Will the Senator be kind enough——

Mr. MCKELLAR. Wait a moment, please.

The PRESIDING OFFICER. The Senator from Tennessee refuses to yield.

Mr. MCKELLAR. I do not want to refuse, but——

Mr. LA FOLLETTE. I only desire to ask the Senator if he will kindly refer me to Mr. Porter's testimony. Both he and the Senator from Oregon stated that the chairman of the Commission conceded that these estimates were made largely on speculative and anticipated work of the Commission.

Mr. MCKELLAR. Oh, no; he did not say that. He said just what the Senator

read a few moments ago. The Senator read from his testimony in which he said that the general level of what it would require could not be ascertained with accuracy.

Mr. LA FOLLETTE. Mr. President, that has nothing to do with this appropriation. That has to do with the question which the Senator asked him as to when he thought this work load would be out of the way, and he stated he could not say.

Mr. McKELLAR. That certainly has a great deal to do with this appropriation; in fact it has everything to do with it. If the Senator will think for a moment, he will concede that it is the only thing that has to do with the appropriation.

Mr. President, let us consider the monitoring stations. As I recall, there were about 122 or 123 monitoring stations during the war. About 100 have been discontinued. Some 22 have been retained. It is perfectly manifest that it does not cost as much to operate 22 monitoring stations as it does to operate 122. I think that conclusion must commend itself to any fair-minded man. That is what the committee has found in recommending this reduction.

What does the Commission wish to do with the monitoring stations? One of the stations to be retained is in Maryland. Listen to this:

Mr. PORTER. We are trying to get some land. Mr. Sterling can give you the details on this. This is on the west coast.

Mr. Sterling is a member of the force.

Mr. STERLING. We have at Laurel, Md., Senator, a monitoring station—

That is one of the 22 to be retained.

Mr. LA FOLLETTE. Mr. President——

Mr. McKELLAR. Mr. President, I shall be glad to yield to the Senator in a moment, if he will allow me to finish what I am trying to say without interruption. The Senator has made certain statements, and I wish to reply to him.

Mr. LA FOLLETTE. I only wish to ask the Senator if he will refer me, in the page proofs, to the point from which he is reading.

Mr. McKELLAR. I am reading from page 468.

Mr. LA FOLLETTE. I do not have that before me. I have the printed page proofs.

Mr. McKELLAR. I shall obtain a copy and hand it to the Senator. I will give him this copy. Listen to this:

Mr. STERLING. We have at Laurel, Md., Senator, a monitoring station—

This is one of the stations to be retained—

and a small building which we call a laboratory. We propose to double the size of that laboratory building on the property which the Commission owns.

Of course, it is a fine time to construct buildings for monitoring stations, for eavesdropping on the air. That is what it means.

The other monitoring station is to be erected in San Francisco, in the bay area. We have been renting property from the Pan-American Airways, a station that they gave up during the war.

Senator McKELLAR. What do you want to do with a monitoring station now that the war is over?

I hand the Senator the testimony. He can look at it himself.

After listening to the testimony of representatives of the Commission, and of no one else, it appeared to the committee that the Commission was very extravagant in its request of the Budget Bureau for appropriations. The House had reduced the amount by $500,000. It appeared that the Commission could not justify even that amount. It made no objection to the $500,000 reduction which the House made. It was willing to accept it. That was the reason for the failure of the committee to examine further into the question. The Commission made no objection to the amount granted, but now it wishes to erect buildings and other monitoring stations. What is proposed to be done with the money?

The Commission did not make a showing which convinced the committee. The House allowed a tremendous increase, and our committee has allowed a large increase, larger than I thought was necessary. My personal opinion was that there should have been a reduction of about $200,000. The committee overruled me. The committee believed that the reduction should be larger. I was not present when the vote was taken, because I had to preside over the Senate; but I have been informed that the committee unanimously fixed the reduction at $300,000. The committee had heard the proof. It was the proof of the Commission, and not of its opponents. Anyone who does not believe that Mr. Porter is an able witness is mistaken. Senators should hear him testify. He made as good a case as could possibly be made for this request for nearly double the appropriation which had previously been made. Our committee believes that it has been very generous with the Commission, and I certainly hope that the Senate will sustain the committee. The reduction was recommended by the committee without regard to party. I was informed that it was agreed to unanimously.

Now the recommendation of the committee is proposed to be set aside on the statement that there is a backlog. I believe that the Senator from Wisconsin [Mr. LA FOLLETTE] is one of the ablest Members of this body. I think Senators will agree with me in that statement. If ever anyone worked the backlog theory well, I think the Senator from Wisconsin has done it in this instance. If the Senator will read what Mr. Porter had to say about the backlog, and how necessary it was for the Commission to have a backlog to meet any emergencies which might arise in the future, he will find that Mr. Porter is a pretty good backlog argufier himself. He is a very able man, and no doubt a very fine man. But the committee has been very generous with Mr. Porter and his Commission. It has allowed more money for his organization than for any other independent organization for which appropriations are carried in this bill. I ask any Senator present who is a member of the committee if he does not believe that we allowed a larger amount than was allowed to any other organization in this bill. Yet the Commission is still complaining. I regret it very much. I believe that it ought to take the amount allowed and be glad that it has been so generously dealt with.

Mr. President, I hope the Senate will sustain the committee.

Mr. LA FOLLETTE. Mr. President, we now have more hearings, which are in the form of a typewritten transcript. There is only one copy available. The hearings were held yesterday morning, Thursday, February 14. They are not printed, and I am at an even greater disadvantage than I was when I was handed the page proofs of the hearings held on the 9th of February. I have had an opportunity only to thumb through the typewritten copy of the hearing held yesterday, from page 434 to page 456. That portion of the transcript is devoted to a discussion of such matters as veterans' preference in the granting of radio licenses, and a discussion of some case of which I have never heard, in which the Commission revoked the license of a licensee.

The Senator from Tennessee made the statement that the monitoring service is nothing but eavesdropping on the air. The fact is that the purpose of the monitoring service of the Federal Communications Commission is primarily to make certain that licensees of the Commission who are operating stations keep within their power, and hold to their assigned frequencies. It is the policing arm of the Federal Communications Commission in the broadcasting field. Now that frequency modulation is being developed, which will open up the situation so that a large number of stations can be placed in every community, the monitoring job of the Commission will be vastly increased.

Furthermore, the monitoring service performs the function of helping planes which are lost in the air to get their bearings. That certainly is not eavesdropping on the air. That is a service rendered to protect life and property of persons traveling by air.

As an individual Member of the Senate I wish to enter my vigorous protest that the Senate of the United States should be asked to consider and act on an amendment without previous notice until this very moment, with a part of the hearings not even printed, but in page proof form, and some of the additional testimony simply in the form of a typewritten transcript of a hearing held yesterday. Only one copy is available for the use of the Senate. I do not believe that that is proper legislative procedure. I believe that it puts at a disadvantage Senators who do not have the privilege of serving on the powerful Appropriations Committee of the Senate.

Moreover, Mr. President, in view of a statement made by the able Senator from Tennessee, I wish to state here on the floor of the Senate, on my responsibility as a Senator, that I never knew anything about the contemplated reduction, and I had not been told about it by anyone. It came as a complete surprise to me when the Senator pulled out of his pocket a typewritten amendment

and sent it to the desk. Of course, the amendment is not shown in the printed copy of the bill as reported. I still have not been able to get either the Senator from Tennessee [Mr. McKELLAR] or the Senator from Oregon [Mr. CORDON] to inform me where Mr. Porter acknowledged that these estimates and the work load of the Commission were speculative. If all there is is to be found on page 2 of the page proofs, I certainly submit that that is not such an admission. I read it again:

I think you are all aware of the fact that during the war there was no construction in communications except for essential war-communication purposes. As a result, we have an accumulation in the Broadcast Division, for example, of some 5 years of reduced activity. I think I could put it in very general terms by saying that the Commission has at least 5 to 6 years of normal work that is now pending before it, and which we, of course, hope to discharge during the coming fiscal year.

I would like to emphasize to the committee that I have no present opinion as to what the permanent level of the appropriation for this agency should be. I am concerned, however, that we, for the coming fiscal year, have the tools and the personnel to discharge the functions that have been accumulated during the war.

I submit, Mr. President, that that is no admission that the estimates are on a speculative basis. All that statement says is that because of the accumulation of the backlog during the war the Commission has an enormous amount of increased work, and that Mr. Porter is unable to say—and he would be a fool if he attempted to say—what the future demands upon the Commission will be once this backlog is worked off and the fiscal year comes to an end.

I do not wish to detain the Senate by reading all the testimony, although I am very much tempted to do so because so far I have been unable to find, either in the printed hearings or in the page proofs of the February 9 hearings, any justification for the cut; and after going from page 434 to page 469 in the typewritten transcript of the hearings held yesterday morning I have not been able to find any justification for it.

Certainly it is not correct to state that monitoring is merely eavesdropping on the air. It is absolutely essential if the Commission is to prevent an already chaotic situation which exists in the general broadcasting field—the AM field—from becoming so much more chaotic that the public will not have any decent service from it.

Mr. McKELLAR. Mr. President, how would the Senator explain the fact that the agency has reduced the monitoring service from 122 monitoring stations to 22 or 23—I have forgotten the exact number?

Mr. LA FOLLETTE. That is because, as I said before, unfortunately the Government of the United States decided to curtail the monitoring of foreign propaganda broadcasts. I think that was a tragic mistake. In this modern day and age, when governments use propaganda by short-wave radio as a means of implementing their foreign policies, it is sheer stupidity for any nation to close its ears to what is being done. But that is water over the dam; it has been decided; and I make no reference to it except to say that I regretted it at the time and I say now I regret that it was done.

Mr. McKELLAR. Mr. President, will the Senator yield again?

Mr. LA FOLLETTE. I am glad to yield.

Mr. McKELLAR. I wish to say that I do not agree with the Senator about that. Monitoring is the high-sounding word for eavesdropping. When we talk about monitoring the services of other nations that means that we cut in on them and find out what they are saying over their wires. Regardless of whether that is called monitoring or eavesdropping, it is the same thing. I do not believe it is the duty of the United States to monitor or to eavesdrop—whichever one may call it—on the affairs of other nations. I think we should be above that. That is my own judgment.

Mr. LA FOLLETTE. Mr. President, that is not the situation at all. Monitoring is not eavesdropping on some private conversation. This service has been engaged in monitoring the public propaganda broadcasts of nations all over the world, not only beamed to their own people, but beamed to and designed to influence the people of other nations, so as to get them to adhere to a particular policy which the nation conducting the propaganda desires to have them follow. But that issue is not involved here, and I simply mentioned it indirectly. I wish to proceed.

Mr. McKELLAR. Mr. President, if the Senator will further yield, I wish to make another statement. The Senator from Wisconsin makes great complaint. The truth of the matter is that I had no idea that there would be objection to this very just cut in the item containing the largest increase of appropriations which was submitted to our committee. I had no idea that there would be objection; I never dreamed that there would be any objection to it.

But since there is objection to it and since the Senator from Wisconsin seems to think there is something improper in having the bill considered by the Senate at a time when not all the hearings have been printed, I am perfectly willing to have the matter go over until Monday, and to have the hearings printed in the meantime, so as to let the Senator from Wisconsin find out everything in the world about monitoring. I should like to have him find out especially the difference between monitoring and eavesdropping on the air. I think it would be very enlightening. During the war we called it monitoring, but certainly then we were looking quietly into what other nations were doing. We did not tell them what we were finding out, of course. We were obliged to do that because they had made war on us. But that was a wartime measure; and the Commission itself has admitted it was a wartime measure, for it has stricken out four-fifths of it.

Yet, now, the Commission requests almost double the appropriation it had for the wartime service of monitoring.

Under those circumstances it seemed to our committee that that would be too much. For that reason the committee cut it down. The committee cut it down even more than I thought proper; the committee outvoted me on that matter. The committee cut it down to $300,000. I think that is a very modest cut under the circumstances.

I am utterly astounded at the Bureau of the Budget for recommending the tremendous increase over the wartime appropriation. It is perfectly astounding to me. I did not know anything about it until the junior Senator from my State [Mr. STEWART] wrote a letter to the committee as shown on the first page of the hearing. I shall read it:

UNITED STATES SENATE,
February 9, 1946.

Hon. KENNETH MCKELLAR,
United States Senate,
Washington, D. C.

DEAR SENATOR: I have just been looking over the independent offices appropriation bill and would like to specifically direct your attention to the appropriation for Federal Communications Commission. The amount appropriated in this bill is much larger than the amounts appropriated last year, in spite of the fact that the item "national defense" has been materially reduced since the war.

As a matter of fact, the amount appropriated for salaries in the District of Columbia for last year was over a million dollars less than it is for this year. There seems to have been no examination of this Commission by the Senate Appropriations Committee and, because this amount is so unusually high, I believe it should be carefully inquired into, and I hope you will call the members of the Commission before the committee before the bill is called up in the Senate.

Sincerely yours,

TOM STEWART.

After that letter was read before the committee, the committee directed that Mr. Porter, the head of the Commission, or anyone else whom he saw fit to call to defend the recommended appropriation, appear before the committee. They were questioned on Thursday and Friday.

The hearings have not yet been printed. They can be printed by Monday, and I shall be very happy indeed to let the Senator from Wisconsin and any other Senator who has the slightest doubt as to whether this is a proper appropriation have an opportunity to look at the hearings and pass upon them.

Mr. LA FOLLETTE. I appreciate the offer of the Senator from Tennessee and I shall take him up on it.

Mr. McKELLAR. That is quite all right. If the Senator has concluded, I shall move that the Senate take a recess until Monday.

Mr. WHITE. Before that is done, Mr. President, I believe there are some nominations on the calendar.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 2764) to amend section 409 of the Interstate Commerce Act, with respect to the utilization by freight forwarders of the services of common carriers by motor vehicle, and it was signed by the President pro tempore.

EXECUTIVE SESSION

Mr. McKELLAR. Under the circumstances, Mr. President, I move that the

Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. MURDOCK in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

W. John Kenney, of California, to be the Assistant Secretary of the Navy.

By Mr. MURRAY, from the Committee on Education and Labor:

Horace Chapman Rose, of Ohio, to be Director of Contract Settlement, vice Robert H. Hinckley, resigned.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

RECONSTRUCTION FINANCE CORPORATION—NOMINATION PASSED OVER

The Chief Clerk read the nomination of George E. Allen, of the District of Columbia, to be a member of the Board of Directors of the Reconstruction Finance Corporation for a term of 2 years.

Mr. WHITE. I ask that the nomination be passed over.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

UNITED STATES DISTRICT JUDGE

The Chief Clerk read the nomination of Jacob Weinberger to be United States district judge for the southern district of California.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

CIVIL AERONAUTICS BOARD

The Chief Clerk read the nomination of Clarence M. Young, of California, to be a member of the Civil Aeronautics Board.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES COAST GUARD

The Chief Clerk read the nomination of Commodore Merlin O'Neill to be Assistant Commandant of the United States Coast Guard, with the rank of rear admiral.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

THE ARMY

The Chief Clerk proceeded to read sundry nominations in the Army.

Mr. McKELLAR. I ask unanimous consent that the nominations in the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Army are confirmed en bloc.

THE NAVY

The Chief Clerk read the nomination of Joseph F. Jelley, Jr., to be civil engineer, with the rank of rear admiral, for temporary service, to continue while serving as Deputy Chief of Civil Engineers, United States Navy, and the Assistant Chief of the Bureau of Yards and Docks.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. McKELLAR. I ask unanimous consent that the President be notified forthwith of all nominations confirmed this day.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

RECESS

Mr. McKELLAR. As in legislative session, I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 47 minutes) the Senate took a recess until Monday, February 18, 1946, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 15 (legislative day of January 18), 1946:

DIPLOMATIC AND FOREIGN SERVICE

Winthrop S. Greene, of Massachusetts, now a foreign-service officer of class 3 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

Robert Grinnell, of New York, now a foreign-service officer of class 7 and a secretary in the diplomatic service, to be also a consul of the United States of America.

COAST AND GEODETIC SURVEY

Lorne G. Taylor to be junior hydrographic and geodetic engineer with rank of lieutenant (junior grade) in the Coast and Geodetic Survey, from the 24th day of October 1945.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

J. Kent Ellard, Ragland, Ala., in place of G. W. Morris, resigned.

ARKANSAS

Hays C. McArthur, Lepanto, Ark., in place of Manila Mills, resigned.

Charles A. Hill, Okolona, Ark., in place of P. B. Garrett, killed in action.

CALIFORNIA

Donald R. Ellis, Oxnard, Calif., in place of G. H. Kindred, deceased.

GEORGIA

Walter T. Britt, Grayson, Ga. Office became Presidential July 1, 1945.

Paul G. Laird, Hiram, Ga., in place of W. H. Turner, deceased.

Cecil W. Cox, Junction City, Ga. Office became Presidential July 1, 1945.

HAWAII

Alfred R. Menino, Hilo, Hawaii, in place of D. A. Devine, deceased.

LOUISIANA

Gladys H. Smith, Holden, La. Office became Presidential July 1, 1944.

MARYLAND

Frederick Mitchell Hopkins, Aberdeen, Md., in place of F. M. Hopkins. Incumbent's commission expired February 16, 1941.

Harry C. Kirk, Chesapeake City, Md., in place of K. S. Maloney, deceased.

MICHIGAN

Leonard L. Feuerstein, Chesaning, Mich., in place of V. E. Johnstone, resigned.

MINNESOTA

Sadie M. Miller, Bigelow, Minn., in place of F. L. Lane, resigned.

Henry S. Ness, Holler, Minn. Office became Presidential July 1, 1945.

MISSISSIPPI

Sam L. White, Anding, Miss. Office became Presidential July 1, 1943.

William E. King, Lambert, Miss., in place of V. M. Crothers, transferred.

Annie L. Chorley, Sledge, Miss., in place of E. L. Dear, transferred.

MISSOURI

William G. Smith, Climax Springs, Mo. Office became Presidential July 1, 1945.

Louis Taylor Bradfield, Gashland, Mo. Office became Presidential July 1, 1943.

NEBRASKA

D. Maye Chandler, Republican City, Nebr., in place of G. H. Woolman, deceased.

NORTH CAROLINA

Margaret T. Sides, East Spencer, N. C., in place of Brucette Ray, resigned.

Irene R. Autry, Hampstead, N. C. Office became Presidential July 1, 1943.

Edwin C. Eller, Lansing, N. C. Office became Presidential July 1, 1943.

Wayman C. Melvin, Linden, N. C., in place of A. B. Collier, transferred.

NORTH DAKOTA

Walter Herman Anderson, Wildrose, N. Dak., in place of M. L. Feldmann, resigned.

OKLAHOMA

Alice O. Beckham, Foss, Okla., in place of R. M. Peach, resigned.

PENNSYLVANIA

Victor D. Crum, Sinnamahoning, Pa. Office became Presidential July 1, 1945.

TENNESSEE

Ida B. Winningham, Allons, Tenn. Office became Presidential July 1, 1944.

TEXAS

Jennie H. Whitney, Brookston, Tex., to correct name.

Antonio G. Pena, Delmita, Tex. Office became Presidential July 1, 1945.

Waldemar T. Best, Maxwell, Tex. Office became Presidential July 1, 1944.

VERMONT

Corydon W. Cheney, Sharon, Vt. Office became Presidential July 1, 1945.

VIRGINIA

Harry B. Jordan, Bedford, Va., in place of H. B. Jordan. Incumbent's commission expired April 1, 1942.

WEST VIRGINIA

Luther Lacy Lilly, Coal City, W. Va. Office became Presidential July 1, 1945.

Okey L. Curry, Ellenboro, W. Va., in place of Gaylord Smith, resigned.

WISCONSIN

Ruth F. Steiner, Clam Falls, Wis. Office became Presidential July 1, 1945.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 15 (legislative day of January 18), 1946:

UNITED STATES DISTRICT JUDGE

Jacob Weinberger to be United States district judge for the southern district of California.

CIVIL AERONAUTICS BOARD

Clarence M. Young to be a member of the Civil Aeronautics Board for a term expiring December 31, 1946.

UNITED STATES COAST GUARD

Commodore Merlin O'Neill to be the Assistant Commandant of the United States Coast Guard, with the rank of rear admiral, for a period of 4 years, to fill an existing vacancy.

IN THE ARMY

APPOINTMENTS IN THE REGULAR ARMY

To be Chief of Ordnance, with the rank of major general, for a period of 4 years from the date of acceptance

Everett Strait Hughes

To be assistants to the Chief of Ordnance, with the rank of brigadier general, for a period of 4 years from date of acceptance

Gladeon Marcus Barnes
Henry Benton Sayler

IN THE NAVY

APPOINTMENT IN THE NAVY, FOR TEMPORARY SERVICE

Joseph F. Jelley, Jr., to be civil engineer, with the rank of rear admiral, for temporary service, to continue while serving as Deputy Chief of Civil Engineers, United States Navy, and the Assistant Chief of the Bureau of Yards and Docks.

HOUSE OF REPRESENTATIVES

FRIDAY, FEBRUARY 15, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord God of our salvation, we pray that our country may never discard the tested wisdom of history nor reverse the law of human experience. We pray that the forces which have made our land the envy and admiration of the world may be maintained. Mercifully grant, O Lord, that the waves of untrue and narrow predictions may never cause our people to retreat, nor to drift into the hollow shells of other nations, tragically divided and dormant. Create in the breasts of our citizens faithfulness and devotion of purpose, in which neither faint-heartedness nor the sense of failure can exist. We thank God, days without number, the wheels turn and cars drum and the dark lanes of our mines are bright with honest toil. Grant unto the public mind a respite from the insignificant things which trample its broad pathway, and we beseech Thee to call America to her knees in prayer, to work and sacrifice for the greatest good to all. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

ADDITIONAL COPIES OF HEARINGS HELD BEFORE THE JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report (Rept. No. 1582) a privileged concurrent resolution (S. Con. Res. 52), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Joint Committee on the Organization of Congress be, and is hereby, authorized and empowered to have printed for its use 3,000 additional copies of the summary of hearings, index to hearings, and parts 1, 2, 3, 4, and 5 of the hearings held before the said joint committee during the first session, Seventy-ninth Congress, relative to the organization of Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. FEIGHAN asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Cleveland Press of February 11, and to extend his remarks in the Appendix of the RECORD and include an address which he expects to deliver tomorrow night in celebration of Lithuanian Day.

Mr. STEWART asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Daily Ardmoreite on the death of Sam Daube.

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD and include an article from the New Republic.

WASHINGTON'S FAREWELL ADDRESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that on Friday, February 22, after the reading of the Journal, Washington's Farewell Address may be read by a Member to be designated by the Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

A MODERN PAUL REVERE

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. STEFAN. Mr. Speaker, it has come to my attention that lecturers, either employed by the State Department or who have received material prepared by the State Department on public time and at the American taxpayers' expense, are propagandizing the multi-billion-dollar British gift-loan throughout the United States. I have also carefully noted the similarity in style and in approach in ghost-written articles attributed to State Department officials on this subject and in the prejudicial and biased accounts which have evidently been fed to favored—and I quote—"liberal" newspapers.

This situation would be bad enough if the State Department had fed its British gift-loan propaganda to its approved loudspeakers in moderate doses, allowing some "cons," even if it retained its emphasis on "pros." However, under the existing circumstances, the State Department releases—either direct or indirect—make no pretense at telling both sides of the question. They speak only for Lord Keynes and the Socialist British Government.

What this country needs today—with the State Department acting as an active intermediary for a foreign power and with the avaricious eyes of a socialized foreign nation focused on our people's Treasury and hard-won taxes—is a twentieth century Paul Revere to gallop through our own countryside, shouting the same warning that was heard 171 years ago at every farmstead and in every village square, "The British are coming. The British are coming."

NEW DEAL POLITICS IN SMALL BUSINESS

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. ALLEN of Illinois. Mr. Speaker, ardent New Dealers have endeavored to convey the impression that the New Deal has been particularly solicitous of small business. Through the Smaller War Plants Corporation and various other agencies, the administration has endeavored to give the impression that small business has been the beneficiary of New Deal policies. The exact opposite is the uncontradictable truth

For many months I have studied this problem. I have made many inquiries, and have obtained figures which demonstrate conclusively that the small manufacturing industry has felt the repercussions of the New Deal panaceas in a very direct and destructive manner.

Frankly speaking, I think that most people do not realize the extent to which small business has been adversely affected by the New Deal policies. The little fellows who operate on small margins are the ones who have felt and are feeling the heel of the New Deal boot.

Figures taken from the Survey of Current Business of July 1944, page 13, Bureau of Foreign and Domestic Commerce, United States Department of Commerce, reveal these astonishing figures:

One hundred and three thousand eight hundred manufacturing industries employing 49 persons or less discontinued business in the 1940–43 years, inclusive. The break-down:

1940	27,100
1941	26,200
1942	27,500
1943	23,000

This is approximately 2,500 small manufacturing industry failures for each and every congressional district in the United States. Would you call this a good record? Do you not think we need a change from these "cracker barrel" policies?

Some New Deal exponents may take the position that the casualties from 1941 on were a byproduct of the war. An adequate answer to that is the fact that the casualties in 1940, a prewar period, were greater than those during the war. That attitude of this administration, in my opinion, based on undeniable facts, is an alarming threat to the future of the small manufacturing industry.

The Illinois Manufacturers' Association comprises approximately 4,000 firms engaged in a large variety of production. While these firms include industries of all sizes—large, small, and middle-sized—over 82 percent of the member firms of the association employ less than 100 per-

sons. The situation in Illinois with respect to the relative size of manufacturing industries is typical of other manufacturing States. The great bulk of manufacturing firms are small. It is significant that during the period from 1929 through 1939, according to the statistical abstract of the United States, the net loss in the number of manufacturing establishments in the United States employing 100 persons or less declined from 193,130 to 168,814. No figures are available showing the number of companies formed or the companies that discontinued operations during the period from 1929 to 1939. In other words, at least 24,000 small manufacturing firms employing 100 persons or less discontinued business during that period, or an average of over 2,200 small manufacturers going out of business each year.

During that period, more laws were enacted to regulate business firms and individuals, more Government bureaus and Government employees were added, more money was spent and more debt was incurred by the Federal Government than in any corresponding period in the peacetime history of any government since the beginning of time. During the period from 1932 through 1938 alone, the number of persons on the Federal Government pay roll was increased from 583,000 to 851,000—an increase of 47 percent. The Government debt increased during that same period from $19,487,000,000 to $42,020,000,000—an increase of approximately 110 percent. However, notwithstanding this period of experimentation with more laws, more taxes, more Government debt, more Government employees and more bureaucracy, there were 8,786,000 unemployed in 1939, and as indicated above there were, during the period from 1929 through 1939, over 24,000 casualties among small manufacturers.

Small manufacturing industry well recalls that experience with governmental economic planning and is accordingly alarmed over the implication in the so-called full-employment bill. Many of these small manufacturing firms operate on a close margin and with limited finances and they are particularly susceptible to the disturbing effects of unwise and discriminatory legislation, unfair tax burdens, and endless governmental regulation and interference.

DARK BREAD

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ELLIS. Mr. Speaker, after giving some study to the Presidential order for increased flour extraction from wheat, better known as the dark-flour order, some interesting facts have come to our attention.

The Department of Agriculture records show 689,000,000 bushels of wheat on hand January 1, 1946. Allowing 89,000,000 bushels for January, that leaves 600,000,000 bushels for use until July 1. We will use about 200,000,000 bushels for flour, 50,000,000 bushels for seed and other farm uses, which leaves 350,000,000 bushels as carry-over and for export. Therefore, it appears that we have sufficient wheat to supply the amount required for foreign shipments—at least as much as can be transported.

Now, why the dark-bread order? There is nothing in fact to substantiate the administration's claim.

I have here a flour sack for your inspection—the type that is being filled by the hundreds of thousands at this very moment by mills throughout the country. You will note that this sack is marked for Italy and is to be filled with bleached or white hard-wheat flour enriched.

If there is any foundation for the necessity of dark flour, why was the order not made effective months ago on the flour we are giving away through UNRRA. There is no dispute about dark bread being nutritious and the American people will eat it if impressed with the necessity, but this order seems to be one of those to fulfill a perpetual New Deal desire to punch the American people around and for imposing discomfort and hardship for the sheer joy of doing it.

The American people do not like dark bread. Bakeries and millers have spent millions of dollars trying to promote the consumption of whole wheat bread, but have accomplished very little. So the dark-bread order can well take its place along with the pants-cuff fraud, the aluminum and tin-can impositions.

The dark-bread order has all the earmarks of a softening-up process and a part and parcel of the propaganda campaign for the Truman loans to foreign governments.

EXTENSION OF REMARKS

Mr. HOEVEN asked and was given permission to extend his remarks in the RECORD and include a radio address by Secretary Ickes.

Mr. CHIPERFIELD asked and was given permission to extend his remarks in the RECORD and include an editorial from the Galesburg Register-Mail, of Galesburg, Ill.

Mr. SMITH of Wisconsin. Mr. Speaker, yesterday I was given permission to extend my remarks in the RECORD and include a speech by Admiral Carney. I am informed by the Public Printer that this will exceed two pages of the RECORD and will cost $130, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the RECORD and include an article on the shortage of housing materials, from the Fargo Forum, of Fargo, N. Dak.

HOUSING SHORTAGE

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the Appendix of the RECORD and include a letter and an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

[Mr. PITTENGER addressed the House. His remarks appear in the Appendix.]

EMPLOYMENT OF VETERANS

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JONKMAN. Mr. Speaker, another drama involving scandalous abuse of power by certain labor leaders has been and is being played in my district. Pvt. Charles F. Samalot, a veteran of World War II in the Pacific theater, who fought for the preservation of our country from the Japanese onslaught, was honorably discharged from the Army on December 1, 1944.

With the satisfaction of a military job well done, he returned to the United States to join his wife and ailing son, age 11, in the well-earned hope and expectation of finding a civil job to support his family and make further contribution to his country and her prosperity by performing that job diligently and faithfully.

But Charles was doomed to disappointment, and his hopes and expectations have been dashed to the ground. He finds that the country has changed; he finds that in many places—and he struck one of them—men who wish to work and work diligently and faithfully are not wanted in industry; that jobs in industry are not controlled by the employers, but in his experience by the CIO union which employs not workers but loafers.

After his discharge from the Army, Charles, on June 1, 1945, found employment with the Fox De Luxe Brewing Co., of Grand Rapids, Mich., at 90 cents per hour. The brewery employees are organized in a union affiliated with the CIO. The union scale for his work was $1.15 per hour. At the time of his employment, he immediately, and in regular manner, applied for membership in the union. He was told there was a waiting period of 3 months before he could be admitted. In the meantime, the shop steward regularly collected his dues of $1.50 per month, which was, of course, irregular, but on which he made no comment. At the end of 3 months he was told he would have to wait 6 months, and at the end of 6 months he was told he would have to wait 1 year. In the meantime, his nominal employer, Mr. Fox, raised his wages to $1.15 per hour.

Shortly after the last deferment, and on January 24, 1946, the blow struck out of a clear sky. Mr. Samalot came to work at 7 a. m. as usual that morning. The shop steward and two other union men were standing near the time clock. As he looked for his time card he noticed it was not in its place and remarked, "The timekeeper must have forgotten to put my card back." At that the three men laughed and the shop steward said,

"No; you're fired, you're working too hard, we don't want you here, you're doing too much work, you're fired."

Private Samalot then appealed to his nominal employer, Mr. Fox, who said, in substance: "I am sorry; your work is entirely satisfactory. But this is a closed shop, and if the CIO fires you, I can't keep you. I have no jurisdiction even though I am just as outraged as you are."

Next, Mr. Samalot applied to the Veterans' Council of Grand Rapids. They managed to call in a higher CIO official from Detroit, but he gave no solution. After a couple of weeks' delay the Veterans' Council informed him frankly and finally that it could not help him.

So now Mr. Samalot has come to Washington to see General Bradley. But General Bradley probably cannot help in his right to work.

I have appealed to the Committee on World War Veterans' Legislation and the Committee on Labor to give him a hearing. But the chairmen of these committees tell me, and I think perhaps they are right, that they have no jurisdiction to call meetings for a hearing on an individual case and matters of this kind.

So here is a middle-aged man, who has left his job and his family and risked life and limb in the hazards of war, in the dreadful Pacific theater, at small pay—while many of his fellow citizens remain in security at home and draw big wages—so that our country may be secure. He came back and is denied the right to work. He finds that if he wants to do an honest day's work for an honest day's pay he and his family will starve and there is no forum in which he can plead his cause as an American citizen.

Mr. Speaker, the only forum he has is in this House through his Congressman. And I say there is a remedy for this dreadful state of affairs in which Mr. Samalot finds himself, and in which many of his buddies will find themselves as time goes on.

The Committee on World War Veterans' Legislation has reported out H. R. 3384, which is on the calendar, and on which the committee has applied for a rule from the Rules Committee. Its provisions are as follows:

A bill to protect honorably discharged veterans in their rights to join or refrain from joining labor and other organizations

Be it enacted, etc., That title IV of the Servicemen's Readjustment Act of 1944 (relating to employment of veterans) is amended by inserting at the end thereof a new section, reading as follows:

"SEC. 608. Notwithstanding any other provision of law or of any contract or agreement, no veteran (discharged or released from the armed forces under honorable conditions) shall be required, as a condition of employment, to be or become a member of, or to maintain membership in, any labor organization, club, association, or other organization, or, as a nonmember thereof, to make payment thereto in the form of dues, assessments, charges, contributions, or other payments. The rights of any veteran under this section may be enforced upon his petition by mandatory injunction or other suitable process by the district court of the United States (including the District Court of the United States for the District of Columbia) for the district in which the alleged violation or threatened violation of such rights occurred, or in which the veteran resides, and for such purpose process of the court may be served at any place in the United States."

I appeal to the Rules Committee to hold hearings and grant a rule on this bill at the earliest possible moment. This will afford immediate relief, at least for our veterans, from a situation which is intolerable. While it is not aimed directly at the evil I have described herein, I think it will adequately cover the situation.

I realize that it will be said that it takes away from unions certain rights, and even some which are not necessary for a remedy in situations such as I have recited. However, this machinery has been set in motion by the racketeer union leaders themselves, and we at the very least owe it to our returning veterans that they shall have the right to work untrammeled in any way, shape, or manner by such racketeer union domination. This protection must be adequate and complete. I believe H. R. 3384 will do that job.

LEGISLATIVE PROGRAM FOR WEEK BEGINNING FEBRUARY 18

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Mr. Speaker, may I ask the majority leader if he can give us the program for next week?

Mr. McCORMACK. I will be very glad to do so.

On Monday the Consent Calendar will be called, and on Tuesday the Private Calendar, following which there will be the bill H. R. 3370, regarding the school-lunch program. As I recall the rule on this bill, it provides for 2 hours of general debate.

On Wednesday and Thursday the housing bill, H. R. 4761, reported out of the Committee on Banking and Currency, will be considered. On Friday there will be the reading of Washington's Farewell Address.

Following the housing bill will be the bill H. R. 5117, known as the Petrillo bill. Then, if there is time, there will be considered two bills out of the Committee on Naval Affairs, H. R. 5356 and House Joint Resolution 207.

This is a pretty heavy program, and, frankly, I am doubtful that we will be able to get through it, but I am scheduling the legislation in that order. After the housing bill and the so-called Petrillo bill are disposed of I am confident that on Friday the House Committee on Naval Affairs, through its able chairman, the gentleman from Georgia [Mr. VINSON], will convince the House very rapidly of the soundness of the bills reported from that committee, so their consideration will probably not take much time. The program I am scheduling is based on that probability.

Mr. MICHENER. The bill from the Committee on Naval Affairs is the one having to do with experiments with the atomic bomb?

Mr. McCORMACK. Yes.

Mr. MICHENER. I am inclined to think there will probably be some discussion on that bill.

Mr. McCORMACK. I should assume so. It would be healthy if there were. I always like to hear informative discussions on important matters. To me, it is always healthy to hear a good discussion on any legislation. The program I have outlined is what we have in mind, but I am frank in stating that I doubt we will get through with it. But that is the schedule we have arranged for next week.

Mr. MICHENER. The leader is always logical.

Mr. McCORMACK. I appreciate that very much, coming from my good friend.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. SABATH. In view of the gentleman's statement that you would like to see much time given to that important matter, I wonder whether you feel that more than 2 hours should be allocated for general debate on that important bill. I was of the opinion that there are a great many other bills coming up and I thought that 2 hours' general debate should suffice.

Mr. McCORMACK. Does the gentleman refer to the bill from the Committee on Naval Affairs?

Mr. SABATH. Yes; the Navy bill.

Mr. McCORMACK. That is the one relating to the atomic experiment?

Mr. MICHENER. The rule, as I recall, provides for 2 hours' debate; does it not?

Mr. SABATH. It has not been reported yet, but there is no opposition to it. Notwithstanding that some of you gentlemen agreed, there were three Members absent, and I did not wish to take action yet.

Mr. MICHENER. Of course, there is no opposition to the rule, as this is an important matter.

Mr. McCORMACK. My policy in respect to the time to be allotted for general debate has always been to leave that matter to the committee. Very rarely, in fact, I cannot think of any occasion at the moment, have I expressed an opinion as majority leader as to the time to be allowed for general debate because I feel that if I leave that to the Republican and Democratic Members of the committee I am better off. I believe in leaving that matter to the Committee on Rules. I never believe in troubling trouble unless trouble troubles me and this is one of the things I am not troubling with.

Mr. MICHENER. Again, the gentleman from Massachusetts is very logical.

Mr. McCORMACK. I thank the gentleman.

The SPEAKER. The time of the gentleman from Michigan has expired.

REPORT OF THE COMMITTEE ON TERRITORIES

Mr. PETERSON of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PETERSON of Georgia. Mr. Speaker, I call to the attention of the Members of the House a report that is being made today by the Committee on the Territories on the inspection trip made by the committee to Alaska last year, and the hearings that were held while the committee was in the Territory. The report is being printed and will be available to the public. The hearings are also being printed and will likewise be available within the next few days.

The committee is deeply impressed with the vital importance of the Territory of Alaska. As is pointed out in the report Alaska is now recognized as one of the strategic areas of the world.

In making the report the committee recognizes that much of the subject matter discussed deals with questions that would come before committees other than the Committee on the Territories. In the hearings the committee encouraged those who appeared to express their views on any matter in which they were interested. The committee felt that this was the best way to get an over-all picture of the conditions in Alaska and the problems confronting the Territory. It would have been impracticable to attempt to limit the hearings and general investigation strictly to matters that are entirely within the province of the Committee on the Territories. The committee wishes to emphasize the fact that in conducting the hearings and making the report it is not in any manner attempting to encroach upon the rights and prerogatives of any other committee, and such comments as are made by the committee in its report are made strictly in a spirit of cooperation.

It is almost impossible in making the report to touch upon every matter that was discussed in the hearings or that was investigated by the members of the committee while in the Territory. The report does attempt, however, to give a clear and concise picture of just what the comittee found in Alaska, and just what the committee feels is needed for the progress and development of that great section of our country.

PAUL PORTER

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include therein a short magazine article.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SPARKMAN. Mr. Speaker, on yesterday Mr. Paul Porter was designated to be Administrator of the OPA. In view of the importance of this office in which so many people throughout the country are interested, I have asked permission to insert as part of my remarks a short article from a trade magazine in the radio field known as Frequency Modulation. I think it will be interesting to read and learn something about Paul Porter who has so ably discharged the duties of the several different positions in which he has been placed in recent years.

The article referred to is as follows:

Inside radio circles, it is generally conceded that Chairman Porter is giving the FCC the best administration in its stormy dozen years of existence. That goes even among those who may sometimes disagree with the Commission's policies and rulings or, as is more often the case, with public utterances of some of its members.

Paul Aldermandt Porter at 41 is one of the youngest top administrators in the Government, and one of the ablest. The frequent rumors about new jobs for him, ranging from White House secretariat to Senator from Kentucky to big posts in private industry, attest to the fact that many see him destined for more big things. To all these rumors, his laconic reply usually is, "I have no present intention of resigning." But few expect him to remain through his present term, which expires in 1949.

Son of a Baptist minister, he was born in Joplin, Mo., October 6, 1904. His father had a call to a pastorate in Kentucky the following year, and he spent his childhood and youth there, attending Kentucky Wesleyan 1923–26, during which time he served as a reporter on the Lexington Herald, and then being graduated from the University of Kentucky Law School in 1928. One year's fling at law in the little town of Central, Ky., persuaded him he preferred journalism, so he became editor of little dailies in Mangum, Okla., and La Grange, Ga. In 1933 he came to Washington to do publicity work for the Agricultural Adjustment Administration. Soon he was back in law, as special counsel to AAA Administrator Chester Davis.

In 1937 Columbia Broadcasting System's Washington office beckoned him as counsel, and he worked the next 5 years with Harry Butcher, who later was to become General Eisenhower's naval aide and confidant. Soon after Pearl Harbor, President Roosevelt called him back into the Government as Deputy Administrator of the OPA in charge of rent control. In June 1943, he became associate administrator of the War Food Administration, but within a month he was sent to pinch hit as associate director of the Office of Economic Stabilization.

He was appointed to the FCC chairmanship to succeed James Lawrence Fly in November 1944, after handling campaign publicity for the Democratic National Committee. He performed the latter job with such notable diplomacy that he became—and still is—one of the Washington press-radio corps' favorites. A sparkling raconteur, he throws a pat quip into even the most serious hearings or conferences which he conducts with none of the stiff restraints that often betoken Federal officialdom.

EXTENSION OF REMARKS

Mr. VORYS of Ohio asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein a letter from the president of the Ranco Corp. and other excerpts.

HOW OPA PARALYZES BUSINESS

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VORYS of Ohio. Mr. Speaker, we have just heard about Paul Porter who is to be the new head of OPA in the latest price-control shake-up. I hope conditions are going to be better. They could not possibly be worse. I am going to put in the RECORD today a letter from Mr. E. C. Raney, the president of Ranco, an important manufacturing company back home, giving a case history of how and why OPA inequities paralyze production; how they permit production by a new company, or of new products, at high prices; how they paralyze and penalize the production of products a company has made for years, and knows about; how they penalize past efficiency and put a premium on inefficiency.

I am one of those who voted yesterday against the increase which OPA requested, to take care of the needless mess caused by its own stupidity and its own poor administration. I hope you will read this letter. It is unusual to find a company that is willing to tell its own case history in this way. I hope Paul Porter reads this letter.

The SPEAKER. The time of the gentleman from Ohio has expired

EXTENSION OF REMARKS

Mr. HOPE asked and was given permission to extend his remarks in the RECORD and include a statement signed by the heads of four farm organizations on the school-lunch program.

Mr. VOORHIS of California asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that on Monday, February 25, at the conclusion of other business, I may have permission to address the House for 40 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

JACKSON DAY DINNER—ONE HUNDRED DOLLARS A PLATE DINNER

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. MUNDT. Mr. Speaker, I have here an interesting letter, signed by Robert E. Hannegan, National Democratic chairman, addressed to me, on the stationery of the Jackson Day Committee. I quote excerpts from the letter:

We will keynote our 1946 campaigns with Jackson Day dinners in Washington and all the 48 States on March 23.

I know you will be glad to extend them every cooperation to the end that our 1946 dinner will be the most successful in our party's history. We face determined opposition in our Nation-wide campaign.

We are keenly aware that the contest will call for every ounce of the party's energy.

Attached to it is a letter signed by Mr. Max O'Rell Truitt, executive secretary, saying:

Invitations to this memorable event will be extended to all active supporters of the party who send in contributions of $100 or more.

I am very sorry I cannot accept this good invitation. I am happy I am a Republican who attended a Republican

Lincoln dinner in the same hotel costing only $5 instead of $100. So if any of you fail to get your invitation, you may have this one. I regret it costs our Democratic colleagues $100 to attend this dinner.

As for me, I will imitate Secretary Ickes on this one and stay home.

The SPEAKER. The time of the gentleman from South Dakota has expired.

WHEAT DELIVERIES

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, the world crisis in wheat has prompted the President of the United States to call for drastic steps in the milling of wheat. One of the big problems is to reach the wheat that is still on the farms. Farmers, naturally, are not going to sell the wheat in advance of prospective price increase. Nor, if they sell wheat carried over from prior years, will they sell all of their 1946 crops and put 2 years' income into 1 year's income tax return and thereby draw a higher tax bracket.

These points were brought forcibly to my attention in a telegram from M. W. Thatcher, president of the National Federation of Grain Cooperatives, this week following a 2-day discussion of the President's wheat program at the annual convention of the National Federation of Grain Cooperatives at Chicago, representing over 500,000 grain farmers in the central part of the country.

To meet this situation, I am, today, introducing a bill which reads as follows:

Be it enacted, etc., That if a grower in 1946 sells any wheat produced by him in a prior year, and thereafter in 1946 sells wheat produced by him in 1946, he may at his option carry over and report in his 1947 income-tax return an amount of income from his 1946 sales equal to the amount which he received for his wheat sold in 1946 from his harvestings of prior years.

S53. 2. The Commodity Credit Corporation is authorized upon the request of the Secretary of Agriculture to purchase from growers or their agents wheat harvested in 1946 or prior years and to pay therefor at a price not below 90 percent of the average parity price for wheat in the quarter in 1946 which the seller, prior to December 15, 1946, elects. The Commodity Credit Corporation may advance on such purchase price an amount not exceeding 90 percent of the parity for wheat in the quarter prior to the delivery of the wheat.

Mr. Speaker, I believe such a bill will meet the double problem to which the National Federation of Grain Cooperatives has called attention. It will permit a farmer to sell carry-over wheat and the new crop in this year without throwing 2 years' crop income into 1 year's tax return, and it will permit him to sell his wheat at any time in the year and get the benefit of any improvement in price that might take place were he to hold it longer. These steps will go a long way toward moving the wheat now on farms, which it is said, constitutes over half of the possible supply, and get it into channels where it will feed a hungry world.

The SPEAKER. The time of the gentleman from South Dakota has expired.

JACKSON DAY DINNER

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BULWINKLE. Mr. Speaker, I was very much intrigued by the fact that the gentleman from South Dakota received an invitation to the $100 Jackson Day dinner.

It would do the gentleman good to attend one of those dinners, because if there ever was in history prophets of gloom and disaster, it is on the Republican side of the aisle. This has been so since long before Pearl Harbor, there has been one complaint after another all these years. It would do the heart and soul good of any Republican and make him a better American to attend one of these dinners.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, yesterday I got permission to extend my remarks in the RECORD and include a digest of the legislative objectives of the Veterans of Foreign Wars. The Government Printing Office informs me that it will cover two and one-half pages and that the entire cost, if they include all the costs of printing this in the RECORD, will be $138. Notwithstanding the report from the Government Printing Office I ask that it be printed in the RECORD.

The SPEAKER. Notwithstanding the cost, without objection the extension may be made.

There was no objection.

Mr. ANDERSON of California asked and was given permission to extend his remarks in the RECORD and include therein correspondence between the Secretary of War and himself.

Mr. VURSELL asked and was given permission to extend his remarks and include a newspaper article.

Mr. PATMAN asked and was given permission to extend his remarks on three subjects and include therein certain statements and excerpts.

PERMISSION TO ADDRESS THE HOUSE

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes today following the special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

EXTENSION OF OPA

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, the recent appointment of Chester Bowles as the Economic Stabilizer will insure the people of America that they will have a firm, strong, and unwavering foe against inflation.

The appointment of Mr. Paul Porter in Mr. Bowles' place at the head of the Office of Price Administration will insure a like type of individual there. He proved his ability as Rent Control Director and his devotion to the American people.

We have heard a lot of complaints about OPA. I have made some myself and I am going to make some more. As a matter of fact I have asked for 30 minutes on Tuesday to make some complaints against OPA. But I know from the standpoint of the common, ordinary individual that if OPA had not existed during these war years it would have cost the people of America hundreds and hundreds of millions more to live than it has cost them under price control.

I am going to complain about some of the things that are wrong with price control, but I am not going to ask to eliminate price control. I am going to ask that certain faulty practices be abolished.

I believe the new wage-price formula which the President announced yesterday is going to eliminate 90 percent of the complaints against OPA by business; I believe it is going to make it possible for business to live and breathe and produce, and the American people to succeed in their fight against inflation.

The SPEAKER. The time of the gentleman from California has expired.

A NECESSARY STEP TO STOP INFLATION—CONTROLLING INFLATION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include a financial statement from the Treasury Department.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, it is my ardent desire to see President Truman's administration succeed in preventing wild inflation; but in order to check inflation he is going to have to change his tactics. He is going to have to stop the inflation of the currency instead of attempting to control prices while the expansion of the currency grows by leaps and bounds.

Some time ago I called attention to the fact that on July 31, 1930, we had $4,426,000,000 in circulation; on July 31, 1945, we had $27,100,000,000 in circulation; on the 30th of September we had $27,825,000,000 in circulation; on the 31st of October we had $28,049,000,000 in circulation; and on the 30th of November, the last report I have seen, we had $28,210,000,000 in circulation. By this time it is no doubt approaching $29,000,000,000.

In other words, while we are trying to fill the barrel by pouring water in at the bunghole, both ends are out; and the Federal Reserve banks continue to inflate the currency at the rate of $200,000,000 a month. You never can control inflation, which, as I said, is growing by leaps and bounds, until some check is put on the expansion of the currency.

Remember that prices in a free economy are governed by the volume of the nation's currency multiplied by the velocity of its circulation. When the volume is low and the circulation slow, we have a serious depression. Today we have the largest volume of currency in history, and the velocity of its circulation is limited only by the scarcity of purchasable articles of merchandise on the American market.

Prices have the same relation to the volume of the currency that a floating object has to the depth of the water in the vessel in which it floats.

Trying to prevent inflation by fixing prices while the expansion of the currency continues is just like trying to control the depth of the water by holding down the floating object and preventing it from rising with the increase in the volume of water.

If the administration wants to control inflation it is going to have to concentrate on the control of the expansion of the currency, the very root of the trouble.

INFLATION

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, if the President of the United States is interested in stopping inflation and if the Members of this House are interested in stopping inflation, we will have to cease deficit spending and discontinue financing Government costs with printing-press money. That comes first. Unless we do this, we might as well make up our minds that we are going to have everything that inflation can give us.

AMERICAN SMALL BUSINESS

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, early in the day my colleague the gentleman from Illinois [Mr. ALLEN] said in his remarks that small businessmen are complaining that nothing has been done for them, and he cited some figures as to the number of small businesses that have been forced out of business during the last 4 years. He states that he has devoted a great deal of time and study to these conditions. With all due regard to my friend, the figures, and indeed the whole statement, appeared to me to resemble one of those canned speeches put out by the propaganda bureau of the Republican National Committee and made available to Republican members.

I do not know whether or not I heard the gentleman correctly; but I construed from his remarks that he was quoting from a small businessmen's organization that claims to speak for small business. As one who is all too familiar with these many Republican-front small businessmen's organizations, I know they are not speaking for the small businessmen and have no interest in them. Beyond all reasonable doubt, these self-appointed spokesmen are financed and controlled by big interests antagonistic to this Democratic administration because the administration has, in every possible way, aided and assisted the small businesses, whether merchants or manufacturers or professions, of this Nation.

As to the figures the gentleman cited purporting to show the number of small businesses forced to close their doors in the last 4 years, the gentleman from Texas [Mr. PATMAN] gave us figures here on the floor not long ago showing that all the businesses which closed up in the 4 years, 1942, 1943, 1944, and 1945, were about 10 percent of all the failures in the 4 years of the Hoover administration, and that just about as many firms went out of business in the 13 years of Democratic administration as went out of business in 4 years under Hoover.

Now, does my colleague feel we should go back to the days of Hoover, who did so much for business that nearly all found themselves in bankruptcy or on the verge of it?

Surely he cannot intend that.

What he does intend is to create a prejudice among small businessmen; he and the master planners of the Republican National Committee and its propaganda bureau realize all too clearly that little businessmen, small manufacturers, professional men, recognize their obligation to the Democratic administration for saving them from the suffocation of unrestrained big business. They hope by these sophistries to win small businessmen away from the Democratic leanings. Not this administration, but big industry and big business—the combines, the cartels, the trusts, the monopolies, the trade agreements—who control the Republican Party, and who during the war and even now have blandly ignored the Sherman and Clayton Antitrust Acts and the Patman Fair Trade Practices Act, have been the exterminators of small businesses. The gentleman wants to know who they are. To cite only a few, let me mention only Montgomery, Ward & Co., headed by Sewell Avery; Sears, Roebuck & Co., under the direction of General Wood, who in addition to his efforts to penetrate every nook and corner with his stores found time to be the very active chairman of America First—and surely in those activities he could not have been thinking of America first; the so-called chain stores, A & P, Kroger, Woolworth, and dozens of others, destroying the small country store and the small neighborhood storekeeper by their corruptive, dishonest practices, as evidence under oath has disclosed in the suit in Federal court at Danville, Ill.

Since you have not been able to read much about that suit in the newspapers, I will remind you that it has been shown that although A & P stores have operated on a very low margin of profit, total profits of the company, through subsidiaries, stock gains—which is a polite way of indicating short-changing of the customer—and illegal rebates have run into the millions. These vicious practices are not confined to one chain: What is done successfully by one is emulated by all, or certainly by most.

So it is not this administration, sir; it is big business, aided in its legislation by the Republican Party in return for great campaign contributions, that is in fact endangering small businessmen and free enterprise of the Nation.

The Democratic Congress has passed many laws for the protection of the small businessman, to aid him financially, to insure him protection of the law against rapacity and greed, to protect him against strangulation by big enterprises. I cannot from memory recite all that has been done by this Democratic Congress to help and protect small business; but I can recall the Patman Fair Trade Practices Act, the Smaller War Plants Corporation Act; authorization for the Small Business Division of the Department of Commerce; and the Senate and House Small Business Committees have been alert to ferret out corruptive and destructive practices of unfair competition; to expose willful discrimination of big companies against small manufacturers and businessmen by refusing to allot these buyers their products, or by delays of weeks and months in filling orders, while they give their pets, the chain stores, the mail-order houses, the huge volume distributors and other favorites, preferential treatment in scarce commodities.

In conclusion, let me point out to my colleague that small businesses, notwithstanding discriminations by big business, and largely due to the legal and financial assistance given by Government, have done fairly well. They are in better position right now, and have made and are making more money in spite of all the headaches of a wartime economy, than ever before in the history of the country. Figures taken from Dun & Bradstreet's reports show that in 1944 only 1,224 firms went out of business, compared with 23,842 failures in 1928, when we switched "cautious" Coolidge for "hovering" Hoover. There is every indication that the final compilation for 1945 will show the lowest proportionate number of businesses going out of business in this century. These statements are supported by reports of the Department of Commerce and by eminently respectable and Republican financial and business reporting houses. I hope that no small businessman or manufacturer will be misled by the misleading statements of which my colleague, for purely political reasons, has been guilty.

INFLATION

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PRESIDENT TRUMAN WANTS TO STOP INFLATION

Mr. PATMAN. Mr. Speaker, doubt has been expressed that President Truman wants to stop inflation. I have no such doubt. One of the best steps he has

taken in that direction has been the appointment of Mr. Chester Bowles and Mr. Paul Porter. They are both excellent appointments. I do not agree with the gentleman from Mississippi about the President being responsible for the expansion of the country's currency.

Mr. RANKIN. I did not say anything of the kind. I never even intimated that President Truman is responsible for the expansion of the currency.

Mr. PATMAN. I am not yielding.

Mr. RANKIN. The gentleman evidently misunderstood what I said.

Mr. PATMAN. I will withdraw it then since I am mistaken about what the gentleman said. I understood the gentleman did make the statement but if he says he did not that is sufficient. Anyway, it has been said here that the Federal Reserve Board, I understood the gentleman to say that much at least, was responsible for the expansion of the currency.

Now, regardless of whether the charge was against President Truman or the Federal Reserve Board, just who is responsible for the currency's expansion? The people who want their own money are responsible. Much of the money of the people is in the banks of this country, 15,000 of them, in the form of demand deposits, and they have a right to get that money. Nobody can stand in their way. If they want money instead of a deposit they can get it any time they want it.

What is the remedy? Would you stop paying currency out through the windows if people demanded their own money? The reason, and the only reason, the currency has expanded is because people have deposits in the banks, they go there, give a check, and say that they want money instead of a deposit.

Mr. RANKIN. Does the gentleman ask me that question?

Mr. PATMAN. I do not yield, as I do not have the time.

Mr. RANKIN. I should like to answer the question.

The SPEAKER. The time of the gentleman from Texas has expired.

CAMPAIGN CONTRIBUTIONS

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SAVAGE. Mr. Speaker, I just want to say to the two Republican gentleman who said that they had received letters for the Jackson Day dinner that I hope they will contribute generously, because we in the Democratic organizations have all the poor people and the small business people. We do not have as members the du Ponts and the NAM who can make a contribution of $30,000, $40,000, or $100,000. We will appreciate all you can do. Of course, we are glad that you can go to a dinner for only $5. There are only a few Democrats who can rake up a hundred dollars since we do not have those large contributors.

GOVERNMENT PROPAGANDA

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I have enjoyed very much some of the thoughts which have been expressed here. I do not know who has all of the billions of paper money, this inflated money, which has been referred to by my colleagues, but I do know, from the records, that the Democratic Party has 45,778 men and women on the pay roll of the Government acting as publicity agents attempting to explain just why the country is in the sad and deplorable condition it is in today, and attempting to apologize for the actions the administration has taken, or has failed to take, to meet the present situation. I want to say to you it is a strange picture we see here today, with Members of that great majority party, which has been in control of this Government for more than 16 years, quarreling among themselves in an effort to find some answer to the problems which confront the country, with each one having a different solution, and each one having some different person or condition to blame for the situation that now exists. It is a sad but illuminating exhibition of the ineffectiveness of the leadership of the majority and the Democratic Party it represents. It explains, partially at least, why the Nation is in such a deplorable state today.

DECLARATION OF RECESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order during the remainder of the day for the Speaker to declare a recess, subject to the call of the Chair. I might say, so that the House may know, we are expecting a resolution to extend the life of the Pearl Harbor Investigating Committee for 15 days. The resolution must first pass the Senate, and that is what we are waiting for, because we want to act on it today.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Minnesota [Mr. GALLAGHER] is recognized for 30 minutes.

FRANKLIN DELANO ROOSEVELT DAY

Mr. GALLAGHER. Mr. Speaker, I am going to begin by paying tribute to the great State of Kentucky. Kentucky is the birthplace of Abraham Lincoln. Abraham Lincoln expressed such faith in America and in the interest of the common people of this land that he will be beloved forevermore.

Kentucky has passed a resolution declaring the birthday of our late President, Franklin Delano Roosevelt, a national holiday. Mr. Roosevelt was and still is a symbol of courage, a fighter of disease, who was an inspiration not only for those who were suffering, but for those who needed assistance and a larger life. I am the first author of a bill making his birthday a national holiday. Personally I am not so much interested in having that particular bill passed, but what I would like to see is the 30th day of January made a day, not for a parade of dimes to help out research and the cure of one disease, but a parade of hearts and dollars, a day on which the people would really think of the need of medical research in the field of cancer, in the field of mental diseases, as well as other terrible diseases now the subject of research and cure, the solution of which we all pray for. But, my friends, I call your attention to Mr. Roosevelt in a larger sense. When the war was on, he declared that labor and capital could get together and produce goods and accomplish things in a way that neither America nor any other country had done before, 50,000 airplanes a year, and that program was enlarged.

I want to know why, if we are going to have faith in America and in the American way of doing things, we cannot do such things in time of peace.

Mr Speaker, I want to refer you back to the end of the last war and how we entered the problem of reconversion at that time. The first thing we did, in place of building the railroads into the condition asked by Wilson, to take care of the business of this country at peak production, was to make them an outright gift, which was used for playing the stock market. The second thing that was done was to pass laws permitting the chain banking system and adding trust companies to the banking set-up, so that the banks, in place of giving disinterested financial advice, were the sponsors and salesmen for many securities that were not sound. We raped the countries of Europe, we raped America, and we distributed great profits that were made upon the stock markets of this country. There was the greatest inflation in some of these companies. Some of them did have a basis of soundness, but I know of one oil company whose stock went down from some $50 a share to $1.50 a share.

Not in 1929 but before 1929 the people of this country, not the Government, owed over $300,000,000,000. I should like a certain gentleman from Pennsylvania to reflect on that statement. We have paid that off. Today the small businessman owns his own stock of goods, and the manufacturer owns his stock of goods. The wholesaler owns his own stock of goods and the farmer is in the best condition he ever was in the history of this country. They seem to have forgotten the arguments they made for normalcy at that time. They talked of the widows and orphans that owned stock in these companies, and that the companies had a right to run their business. Samuel Insull and others took these widows and orphans and the other stockholders for the greatest ride they ever got in American history.

My friends, some of you seem to have forgotten. I want to use as my text the words of the Saviour who accomplished

so many miracles in restoring the health of the people of that time. Whenever He cured a person, He said, "Thy faith hath made thee whole." I want to appeal to the American people and to the Members on both sides of the aisle in the Congress to have that faith. I want to see them stand beside a man like Chester Bowles. I want to see them keep down inflation and also see to it that while we have such shortages in this country prices do not run away with us. I am not satisfied with the program that has been adopted for settling the strikes in the steel industry by raising the price of steel and other things because I believe just the opposite of Mr. Ford. Mr. Ford said we should take off all lids. Certainly you can have a settlement between capital and labor without legislation because they will both find out it pays them to come to an agreement. I believe if the Government and if this Congress stuck by their guns and kept price ceilings something could be accomplished, but the thing that I fear the most is the idea of those who want to see a lower wage scale and lower purchasing power at the present time than there was in 1944. I believe that the millions of boys who are being released from the Army and Navy are entitled to a wage scale that will bring them as great a reward as the workers received while they were doing such a magnificent job on the home front at the time that the boys in the service were facing the bullets of the enemy. I believe they are entitled to it.

My friends, I heard the statement of a man who said he believed the men should go back to work on the farms in his State. I have heard of others telling of the small amount that they received. I want to say that the States referred to, two of them, have the lowest per capita production of all the States in the Union. They have some wonderful natural resources. I wonder will they not devote their talent to solving these problems and getting some research for the development of their natural resources to see if they cannot build up their economy on a par with some of the other States. Take the case of farming. There is practically no city labor hired on the farms in the Northwest. It is all done by machinery and by the farmers themselves. They are doing a magnificent job.

The housing situation is the same. I believe the most we could do to relieve the housing situation is to call the attention of the various States to the principles of Henry George. I believe if taxation were reduced on housing, and more taxation concentrated on the natural resources of the Nation, and if recognition were given to the fact that land, the mines, and the oil wells belong to the children of men, it would go far toward relieving the housing situation. I can see no reason why, in the case of oil wells and mines, they should be given any reduction in their income taxes on account of depreciation. However, I understand that 27½ percent is allowed for depreciation. I have consulted big businessmen, small businessmen, manufacturers, and wholesalers, and I have never found one of them who was not making money. Our banks are overflowing with money. The city of Minneapolis, my home city, 3 months ago had occasion to borrow over $1,000,000. That money was borrowed at less than 1 percent interest. That is partly attributable to my home city and to my home State, and it is also attributable to the fact that the banks are in such a sound condition that they cannot loan money profitably and will not be able to until business takes on the expansion which it should take on in order to take care of our returning veterans.

Our railroads need finances. They should be built up. We must find a way to keep our production in peacetime at the same level or at a higher level than it was in wartime. Why should destruction cause more employment than satisfying the needs of the people who are looking for a better life?

So I say to all of you, let us have faith in America and see what we can do to accomplish better things. To all of you I commend the principles of Henry George.

Yes; let us have faith and not only use our prodigious resources to help the workers and farmers but also the aged, the sick, the crippled, and the blind. And furthermore we must not forget the veterans of this and past wars who deserve so much at the hands of the patriot people of this country.

Mr. GRANGER. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield.

Mr. GRANGER. May I compliment the gentleman on the excellent statement he has made. I think he voices the sentiment of a great many people in this country as well as many Members of the Congress.

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. WOODRUFF] is recognized for 45 minutes.

THE BRITISH LOAN

Mr. WOODRUFF. Mr. Speaker, allow me to suggest to my colleagues on both sides of this House that if one of the chief purposes of the British loan is the betterment of Anglo-American relations, it will go down in history as one of the most outstanding failures of American diplomacy.

Here is what the London Times had to say in an editorial published in its issue of December 12, 1945:

> By any computation, the bargain is hard. A Labor amendment asks the House to refuse its consent to a dollar credit which disregards the principle of mutual aid on which the war effort was based, which must deprive this country of effective control over its own currency and trade, and under which the nation will be committed to undertakings impossible of fulfillment
>
> Sir Hubert Henderson even contends that the conditions attached to the loan are "calculated to ensure default."

I beg my colleagues to take note of this statement further on in the editorial:

> The proposed payment on over £35,000,000 a year for half a century is frankly a concession to the "business principles" of the American Congress—and is no more likely to run its full course unaltered than the elaborate schedules of the Dawes and Young plans.

This clearly is an indication of the British intention to treat this loan exactly as they treated the loan we extended to them following the First World War. The honorable editor evidently had not forgotten that it was Britain who led the procession of debtor nations who in 1933 repudiated their debts to us. I refer to the debts growing out of the First World War. These debts today remain on our books unhonored and unpaid. In round figures they amount to $15,000,000,000. In view of these facts, it is amazing anyone should expect the American Congress to approve the agreement I am discussing.

In the course of the parliamentary debate on December 12, reported in the London Times of December 13, Sir J. Anderson's remarks were paraphrased as follows:

> He could not speak with expert knowledge, but he had always taken the very simple view that we were bound in fact, if not in honor, by the provisons of article VII of the lend-lease mutual aid agreement, read in the light of the exchanges between the former Prime Minister and Mr. Roosevelt, which came to this, that, while we were prepared to discuss the whole field, we were no more under an obligation to get rid of imperial preferences than the Americans were to get rid of their protective tariffs.

Then Sir J. Anderson went on to say, according to the London Times:

> Another thing that troubled him and which had been under very serious consideration for some time past was the position of agriculture. [Opposition cheers.] He had seen a statement to the effect that our position in this respect was fully protected, but it seemed to him that the right of the participating government to impose restrictions for the purpose of protecting home agriculture had been very considerably restricted. [Opposition cheers.]

Now, Mr. Speaker, this is a fact of vital interest to the farming community of America. Here is a member of the British Parliament whose views are given wide publicity in the London Times who believes there is a possible interpretation in the loan agreement which gravely restricts the power of the participating governments to protect domestic agriculture.

Speaking for the Government in the course of the debate, the London Times quotes Sir Stafford Cripps to this effect:

> We did not sell large quantities of particular lines in particular countries; we sold what might be considered comparatively small lines all over the world, and therefore it was not enough for us to get as against a preference the reduction of merely one person's tariff; we might want 26 countries to reduce their tariffs before we were prepared to drop a preference.
>
> We had agreed to the initiation of a process of argument which might lead to the elimination of preferences and the reduction of tariffs, but we were absolute masters of whether we would get to those objectives. If it was worth while, we should get there; if it was not, we should not.

In plain English, Sir Stafford Cripps, speaking on behalf of his Government,

makes it perfectly clear that it is not enough to obtain a concession from us in order for Britain to grant the United States a breach in the wall of imperial preferences, because, as he goes on to point out, the British Government may feel that they must have a concession from 26 other countries before it will be worth their while to grant the United States any reduction in the economic barriers they have set up.

Now, Mr. Speaker, permit me to assure the House that this important statement by Sir Stafford Cripps does not stand by itself. It is fortified by the following exchange of views between Mr. Churchill, the former Prime Minister, and Mr. Bevin, the present Secretary of State for Foreign Affairs, upon the true meaning of the terms of the loan agreement:

Mr. CHURCHILL. The position of imperial preference was absolutely safeguarded by me under article VII and by the insertion of the words in the Atlantic Charter "without prejudice to existing obligations."

Mr. BEVIN. I am talking to the right honorable gentleman about trade agreements. I will deal with imperial preference in a moment. I am not citicizing him, believe me. I say that, at that moment, I would have done what he did. I will go further tonight, and, from this box, will say that, even if we had been pressed to sacrifice imperial preference rather than be defeated by Hitler, I would have paid that price then in 1941. I know the issue that was at stake, but we did not have to pay the price, and, may I remind the House, we have not paid it now and it is not in these proposals.

Mr. Speaker, this is an amazing confession. May I repeat it in order that we may all appreciate its significance:

I am not criticizing him, believe me. I say that, at that moment, I would have done what he did. I will go further tonight, and, from this box, will say that, even if we had been pressed to sacrifice imperial preference rather than be defeated by Hitler, I would have paid that price then in 1941. I know the issue that was at stake, but we did not have to pay the price, and, may I remind the House, we have not paid it now and it is not in these proposals.

Now, Mr. Speaker, it must be clear to all of us that, if Mr. Bevin agrees that being beaten by Hitler was preferable to surrendering their imperial preferences, any attempts on our part to soften the minds of our British friends to the point where they will yield any trade advantage they may have in order to arrive at a real reciprocal trade agreement with us are doomed to failure before we start.

In his book, The Dawn of Liberation, the right honorable gentleman said: "Again, in February 1942, when the United States was our closest ally, I did not agree to article VII of the mutual aid agreement without having previously obtained from the President the definite assurance that we were no more committed to the abolition of imperial preference than the American Government were committed to the abolition of their high protective tariffs. The discussions on how great a volume and more harmonious flow of trade could be created in the postwar years under the agreement leaves us in every respect, so far as action is concerned, perfectly free."

Mr. CHURCHILL. Is not that so now?

Mr. BEVIN. Exactly. That is the basis of this agreement on imperial preference—not whether the tariff goes down 40 or 50 percent, but on trade for trade on the merits of trade. That is how I understand it. (Parliamentary Debates, House of Commons, official report, Thursday, December 13, 1945, pp. 729–730.)

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. WOODRUFF. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. As I understand from a reading of that proposed agreement in connection with the loan, each country agrees to work toward elimination of these so-called barriers or protective tariffs. It has been the policy of Great Britain throughout the years to get our protective tariffs out of the way.

Mr. WOODRUFF. Great Britain has left nothing undone throughout the years to destroy our tariff system. Of course, from her point of view she has a perfectly legitimate objective because she knows very well that if we will permit her to send her products into our markets without charge she, on account of her lower cost of production, can drive our own producers out of business.

Mr. ROBSION of Kentucky. Does not the gentleman construe that part of the agreement on the loan proposition, the doing away with these barriers, as an effort to eliminate our own protective tariffs?

Mr. WOODRUFF. I am rather suspicious of the reasons advanced by the British for this loan and I shall discuss those reasons further on in my remarks.

Mr. MURRAY of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. WOODRUFF. I yield to the gentleman from Wisconsin.

Mr. MURRAY of Wisconsin. I would like to ask the gentleman if he believes that this money, if they do obtain the loan, will be spent for American goods? The reason I ask that is because in the RECORD of yesterday there is an editorial or article inserted by our distinguished colleague the gentleman from Indiana [Mr. LUDLOW] in which it was very emphatically stated that this money was going to be spent here. He argued that was one reason why we should be in favor of the loan. I would like to ask the gentleman if he thinks there is anything in the agreement about that?

Mr. WOODRUFF. May I say to my distinguished friend the gentleman from Wisconsin that if he would let his mind run back 20 or more years to the day when our international bankers loaned billions and billions of dollars abroad upon the theory that by so doing we would increase our foreign trade and that a part of it would be spent here for goods produced in this country, I think the gentleman will recall the fact that instead of buying our goods some of those billions were sent into this country to invest in our productive enterprises.

Mr. MURRAY of Wisconsin. I just want to ask the gentleman one more question. We have heard a lot about reciprocal trade agreements and good-neighbor policy, and I would like to ask the gentleman if he does not agree with me that we have had more trade barriers erected in the last 10 years by the present administration than ever before in the history of the Government? I might mention the embargo that we have on cotton imports. I noticed on the radio the other night, participated in by our colleague the gentleman from Indiana, that there was discussion to the effect that they just want to get this loan because they then can sell this southern cotton, and I wonder how red their faces would be if they realize that at the present time they have erected a barrier that no one can ship any cotton into this country exceeding 135,000 bales.

Mr. WOODRUFF. I will say as the result of the reciprocal trade-agreement policy, which we initiated some years back, we have been confronted with more trade barriers throughout the world than we ever dreamed of having in all the history of this or any other country. There has been a constant increase in the numbers of such barriers.

Mr. MURRAY of Wisconsin. Did this country ever erect as many trade barriers as have been erected in the last 10 or 12 years?

Mr. WOODRUFF. I assume the gentleman is correct.

Mr. MURRAY of Wisconsin. Right there let me say that we are now hollering about wheat, and we have an embargo on wheat. We have an embargo on 800,000 bushels of wheat coming into this country.

Mr. WOODRUFF. Let me say this: If there was ever a time when an embargo on wheat coming into this country was not so important, it is now, because we are having much difficulty in finding wheat to ship to other countries in order to save the lives of many millions of people throughout the world.

Mr. LANDIS. Mr. Speaker, will the gentleman yield?

Mr. WOODRUFF. I yield to the gentleman from Indiana.

Mr. LANDIS. There has been some misunderstanding about our export trade. Could the gentleman tell us what the percentage in normal times of our export trade is, and then about what percentage of our export trade is with Great Britain?

Mr. WOODRUFF. In normal times exports do not exceed 7 percent.

Mr. LANDIS. It has been said over the radio that 40 percent of our export trade is with Great Britain.

Mr. WOODRUFF. That is an inaccurate statement. I think probably 90 percent or more of our export trade in the last 5 years has been in war equipment and supplies.

Mr. ROBSION of Kentucky. That is, we have been giving.

Mr. WOODRUFF. That was almost entirely, as you all know, handed out under the pseudo-lend-lease policy.

Mr. Speaker, here we have two authoritative statements which prove, in my opinion, that the agreement to negotiate for the elimination of the special privileges for Britain, envisioned in the sterling bloc and in the imperial preferences, is not worth the paper they are written on. To us they mean exactly nothing, except that unless we open our markets to her free and unrestricted trade, unless we place all her products on our free list, she, through her imperial preferences and her expanding sterling bloc, will drive us from the markets of the world.

Before leaving the reports of the English parliamentary debates, let me quote a remark by Mr. Bevin, which appears on page 725 of the official record:

I know the task of facing this loan leaves a good many people with a sense of discomfort. I do not know anybody who ever came away from a money lender's office and calculated the repayment who ever felt comfortable.

So, Mr. Speaker, we have graduated from the characterization of "Uncle Shylock" to that of a money lender's office, a pawnbroker in effect. There was thrust upon us the term "Uncle Shylock" some years back, as Members of the House will recall, because we sought the repayment of loans advanced to Great Britain and others following the First World War. Great Britain's debt to us on that account alone now aggregates for principal and interest, a sum of $6,500,000,000 in roung figures. That stupendous sum is in default, and there has not been a dollar paid therein since 1933. There is not the slightest prospect that it will ever be paid. In the recent negotiations that painful fact appears to have been treated by all concerned as a subject about which the least said the better.

In the light of these incontestable facts and the evidence afforded by the parliamentary debates, I suggest to my colleagues that there is no reasonable basis for belief that any substantial part of the present proposed loan will ever be repaid. I believe that the evidence which I have submitted demonstrates conclusively that our interpretation of the balance of the agreement, certainly as it is now commonly understood in this country, will never be met.

Mr. Speaker, I now quote from the Parliamentary Debates, Hansard, House of Lords official report, unrevised, volume 138, No. 40, Monday, December 17, 1945:

Lord Altrinchan speaking:

I fear, therefore, that these obligations may be the cause of grave misunderstanding in the future, and that the people of the United States should understand this, which is absolutely fundamental to these agreements. They do not understand that the conditions attaching to our acceptance of this line of credit—the only conditions on which we can pay for this credit if we take it up—involves a complete transformation and, indeed, a transfiguration of the American economic system if they are not to compel default. The Foreign Secretary in another place said very truly that what this is going to depend upon is not an argument as to whether or not the customs have been sufficiently reduced. It is going to be answered by the practical, the concrete, unavoidable test of whether our goods are actually going into the United States. The whole thing turns on that. I honestly wish I could feel that the American public understood that (pp. 735-736).

* * * * * * *

I am convinced that both His Majesty's Government and the Government of the United States will before long find reconsideration of these agreements imperative as the situation develops. Fortunately, as the noble lord (Lord Balfour of Burleigh) and others have pointed out, there is full provision for that in clause 12 of the financial agreement which Lord Balfour of Burleigh read out (p. 740).

Lord Croft speaking:

What is the heavy lasting grudge of the United States against this old country in spite of the reasons for great, real, and lasting friendship? It is that we who, at least at that time—the War of Independence—were the sovereign power interfered with the fiscal liberty of British colonists in America. But this today is the Boston Tea Party in reverse and an interference with the freedom of our country to manage its own affairs, an interference that I regard as unparalleled in the history of the world (p. 754).

Mr. Mallory Browne, of the New York Times staff in London, in a dispatch to his paper—New York Times, December 16, 1945—says:

Not for many years, not since the British defaulted on the last war loan, and perhaps not even then, has there been so much resentment, such widespread bitterness against the United States as one finds expressed in Parliament, in the press, and by the general public in Britain today.

Mr. MUNDT. Mr. Speaker, will the gentleman yield?

Mr. WOODRUFF. I yield to the gentleman from South Dakota.

Mr. MUNDT. If I understand the arguments made the other evening by Secretary of State Byrnes in support of this loan, he said the major dividend that we will get from Britain will be that hereafter we shall have free trade in the world. If that is the major dividend, it seems to me that the medicine which we will receive will be even worse than the price we had to pay for it.

Mr. WOODRUFF. May I say to the gentleman from South Dakota that this morning before the Committee on Ways and Means there came a man from the State Department speaking for the Secretary who conceded that the policy of this administration and its State Department, the thing they want above all things, is the elimination of all trade barriers everywhere in the world. That, of course, includes the United States of America. In other words, they want complete free trade. Apparently they will not be satisfied until we in America give up the best market in the world to producers in foreign countries.

Mr. MUNDT. In that connection, may I ask the gentleman a question since he comes from the great industrial State of Michigan. What does the gentleman think will be the impact upon the wage scales of the working people of America if we get the free trade which Secretary of State Byrnes hopes to buy with $4,400,000,000 of our money?

Mr. WOODRUFF. The gentleman of course knows that the impact will be such, if this policy is adopted—and they do not have much further to go to reach their objective, may I say—the result will be that our wage earners in this country will find it necessary to accept a mere fraction of the wages they now receive if they are going to command the markets of the United States of America to which they are rightfully entitled.

Mr. MUNDT. I think what the gentleman says is indisputably true. I believe, furthermore, if the labor leaders of this country, that is, the intelligent labor leaders, would cease simply accepting New Deal propaganda at its face value and if they instead studied the economics of the situation, every intelligent labor leader of the country would be against the British loan on the basis that it would bring about free trade and that it is going to mean a decrease in earning power for their wage earners.

Mr. WOODRUFF. I agree with the gentleman.

Mr. JONKMAN. Mr. Speaker, will the gentleman yield?

Mr. WOODRUFF. I yield to the gentleman from Michigan.

Mr. JONKMAN. The gentleman from South Dakota just referred to Secretary Byrnes' speech of last Monday or Tuesday. The gentleman from Michigan notices in that speech the Secretary was very cautious. You might say that he almost had mental reservations when he said that we had a chance for these gains which he enumerated and that we could expect those gains. Is it not true in the past that in many instances that is all we have had—chances and expectations which have never been fulfilled?

Mr. WOODRUFF. May I say to my friend from Michigan that if we can judge from the meager success we have had in the past under the trade-agreement policy in making conditions better for our trade throughout the world, then we have not a chance to get anything out of the negotiations in the future. I want to say to you that if our people are to be permitted to live on our boasted American standard of living such as we have had in the past, we simply cannot reduce our cost of production sufficiently to meet the competition which will come to us through this policy.

Mr. MUNDT. Mr. Speaker, will the gentleman yield?

Mr WOODRUFF. I yield.

Mr. MUNDT. I do not think my colleague on the Committee on Foreign Affairs should be too critical of Secretary of State Byrnes for his extreme caution and his mental reservations. Perhaps it comes from the fact that having competed with the Russian diplomats so frequently and having won a decision so seldom it has tended to make him quite timid.

Mr. WOODRUFF. I thank the gentleman for his observation.

Further on Mr. Browne says:

Rightly or wrongly the British believe, as one London paper put it, everything points to Britain being ultimately compelled to repudiate commitments whose fulfillment United States trade policy will make impossible.

Mr. Speaker, if that is the situation, and all the evidence I have seen confirms it, I do not see how any Member of the Congress can bring himself to vote for a measure to implement the British loan.

In the course of his article Mr. Browne quotes a paragraph from the Economist, upon which I wish to comment specifically. The Economist, let me say, is the foremost journal of its kind published in England. It accurately reflects, as indeed Mr. Browne points out, the feeling in British business circles generally. Here is what the Economist says:

It is aggravating to find that our reward for losing a quarter of our national wealth in

the common cause is to pay tribute for half a century to those who have been enriched by the war.

At this point I beg my colleagues to note, either the abysmal ignorance or the utter indifference of the editorial staff of this great English economic magazine to our costs and our losses in saving the British Empire. First, let me deal with the statement that Britain lost a quarter of her national wealth and compare it with our loss.

The National Industrial Conference Board, which is a great and highly respected institution devoted to economic research, estimated the national wealth of the United States in 1938 at $309,430,000,000.

Let me now direct your attention to an article published by the Department of Commerce, in its magazine entitled "Survey of Current Business." The article to which I refer is entitled "United States Debt Pattern in War and Peace," by Alvin Slater. Here is what the first paragraph of the article states:

> After more than 3½ years of war, outstanding indebtedness in this country surpassed all prior records. Continued public deficit financing engendered by war requirements and, to a lesser extent, expansion of short-term private business liabilities to meet the needs of increased business activity, resulted in raising total public and private indebtedness, as of the middle of 1945, to an estimated $441,000,000,000 in gross amount and $384,000,000,000 after elimination of certain duplicating debts.

Mr. Speaker, you will observe that Mr. Slater estimates the total of our governmental and private debt, in the middle of last year, at $384,000,000,000. The figure for our total debt at that time was, of course, higher, but M . Slater has been at pains to eliminate duplications. Let me say, however, that the figure $384,000,000,000 falls very far short of our total obligations today.

Our National and Federal agency debt on December 29, 1945, was according to daily statement of the Treasury for that date, $278,681,000,000. I am giving the data in round figures, so that no one may be confused.

For the information of the House, I would like to be permitted to add to that sum the most recent official figures I have been able to obtain for our State and local government debt and our total private debt which aggregate $176,400,000,000. The grand total produced by a combination of these Federal, State, local, and private debts reaches the stupendous sum of $455,081,000,000.

Now, Mr. Speaker, I ask my colleagues' attention once more to that authoritative estimate of our total national wealth in 1938, which was computed by the National Industrial Conference Board, at $309,430,000,000. In the light of the fact that since 1938, in the war effort, we have depleted our mines, stripped our forests, drained our oil fields, burned up the fertility of our soil, and suffered incalculable losses of war material and manpower, it would be a bold man who would dare to assert that our national wealth today exceeds that of 1938. With this assumption in mind, it would appear that now our liabilities exceed our assets by $145,651,000,000.

To this fabulous sum we are now asked by the administration to add a loan or gift, call it what you will, of $3,750,000,000 in cash credits, and $650,000,000 additional to cover American installations and equipment in England.

Again, let me say that I cannot conceive how, in the light of all the facts, any Member of this House can bring his conscience to a state where he can vote for such a proposition.

The London Economist says that we are enriched. Why, Mr. Speaker, the effrontery of that statement surpasses all bounds of reason. The United States has been impoverished by this war, and, what is more, we have poured out the priceless lifeblood of our nearest and dearest to save what is, by and large, an unappreciative British Empire.

Mr. HALE. Mr. Speaker, will the gentleman yield?

Mr. WOODRUFF. I yield.

Mr. HALE. Does the article in the Economist state the theory on which it is alleged that this country has been enriched?

Mr. WOODRUFF. No; they do not go into that; that is, the article I saw did not go into it.

Now, Mr. Speaker, let me carry this inquiry into our alleged enrichment a step further. From December 1941 to October 1945, the gold reserve of the United States declined by $2,701,000,000. That, let me say, is a very strange form of enrichment. It is the antithesis of enrichment. It is part of the story of our national impoverishment.

Permit me, if you will, to turn to a brief examination of British assets in the world of international finance. Please do not misunderstand me. I know the British Empire is insolvent. I know, as I have pointed out, that there is no probability that this so-called loan of $4,400,000,000 will ever be repaid, but at the same time the British Empire has assets, and there are some strange things to which I wish to direct your attention in connection with these assets.

In April of 1941, according to Mr. Dalton, the present Chancelor of the Exchequer, Great Britain's reserve of gold and dollars had fallen to only £3,000,000 in round figures, in American money $12,000,000.

On October 31, 1945, Britain's net gold and dollar reserves had risen to £450,000,000 net, or, let us say, in American money Britain's gold and dollar reserves reached the respectable total of $1,800,000,000. From our standpoint, of course, this was a wholly unexpected result of the lend-lease agreement. Inasmuch as that lend-lease agreement, so far as Great Britain is concerned, has cost us over $25,000,000,000, it certainly seems to me that we have an equitable claim on the difference between $12,000,000 and $1,800,000,000, or, let us say, a claim of $1,788,000,000.

Mr. Speaker, I suppose some of the proponents of this loan will say that it is inconceivable that we should strip our former ally of such a sum; that it would be ungenerous to leave her only the balance of gold and dollar assets which she claimed to have had in April 1941. That, however, would not appear to be the situation. I base this statement on a table embodied in an article by Donald F. Heatherington, which appears in the November 11, 1944, issue of Foreign Commerce Weekly, published by the Department of Commerce, page 8. This table sets forth an estimate of British external investments at the end of the war, as follows:

Estimated British investments at the end of the war

[In millions of pounds sterling]

Country or area:	*Amount or value*
Australia	475
New Zealand	145
India	250
Canada	250
Union of South Africa	100
Other British Africa	225
Other British areas	40
Total, British Commonwealth	1,485
Latin America	700
United States	[1] 210
Total	910
Grand total	2,395

[1] Excluding the investments pledged against the RFC loan which are not available in the same sense as others.

The grand total it will be observed reaches the very respectable figure of £2,395,000,000 sterling, or, let us say, in round figures, a grand total of $9,580,000,000 in American money.

These British foreign assets run, as you will observe, to a total somewhat larger than twice the amount of money the British Government now seeks as a gift or as a loan. I used the word "gift" advisedly because the British came to this country asking for a gift of $5,000,000,000, or, as they euphoniously call it, a grant in aid.

Perhaps, I should point out further that in this table which sets forth British assets in the United States, it specifically excludes investments pledged against the RFC loan, which are not available in the same sense as the others.

It seems to me, Mr. Speaker, that I have here set forth additional information taken from authoritative sources, which suggests that we should stop, look, and listen, before anyone casts a vote to lend the British $4,400,000,000.

Mr. Speaker, in the Wall Street Journal of January 3, 1946, a very important article was published under the heading "Outlook for 1946: Foreign loans, trade agreements to spur our exports this year—Sharp import rise likely in 1947—Crisis seen by 1951 as United States credits dwindle—Strategy could be tripped up." As the article is long, I submit a digest of its general tenor.

The article suggests that in 1946, when domestic goods are in urgent demand at home, the granting of a large credit to Britain will stimulate a demand that they be shipped abroad. In other words, as I see it, the granting of the loan which the State Department has negotiated with Britain will promote the very spiral of inflation which the President recognized, in his speech to the Nation a short time ago, as of such danger that he feels it necessary to call upon us to reimpose wartime controls. In 1947 and after, the article contemplates a general easing of the demand for domestic goods

in the American market, because, by then, our domestic products will face cut-throat foreign competition. I will quote two paragraphs from the article specifically in regard to 1951 and later:

Then is likely to come a new crisis. When foreign folk run out of American loans to buy American goods, will American world trade collapse?

The experts think it will, with disastrous consequences to our domestic economy, unless one or both of two possibilities occurs. First, imports might be bolstered still further by a change in United States buying habits. Second, lending abroad might be followed by investing abroad. It's suggested that the reconstruction type of loan be succeeded indefinitely by private or governmental investment in productive foreign enterprises, especially in economically backward lands.

Mr. Speaker, I lay emphasis on this paragraph which I have just read from the article in the Wall Street Journal, because it makes so evident the fact that making a loan now to Great Britain of $4,400,000,000 paves the way for a reembarkation on the very policies which brought about the disastrous economic crash of 1929.

Some of us recall that with wisdom gained after the event, the late President Roosevelt capitalized upon the errors of this period in his campaign for the Presidency in 1932. Referring to the sale of foreign bonds in the American market, he said, and I quote him:

This is an unsavory chapter in American finance. These bonds in large part are directly the fruits of a disastrous policy pursued by the present administration in Washington—none other, if you please—than the policy of lending to backward and crippled nations.

Now, Mr. Speaker, we may have made a mistake once insofar as we permitted the sale of securities of bankrupt nations in the American market to individuals, who, at least, had freedom of choice. To be sure, they were misled by shameful misrepresentations of fact by a group of international bankers as to the soundness of the securities they were offering. That was bad, and I do not condone that policy in the least, but, so far as the Federal Government was concerned, it was a sin of omission and not of commission. It was a thoroughly unsound policy. We learned our lesson, and Mr. Roosevelt profited by it; but now the present administration comes forward with a proposition that the American taxpayer, without any choice whatsoever, is to be mulcted of $4,400,000,000 in a loan which you and I know very well will never be repaid.

Franklin D. Roosevelt himself warned this Nation back in 1936 against foolish war and postwar loans—a warning which he himself grossly violated. That, however, is no excuse for us to compound the violations of his own advice. At Chautauqua, N. Y., on August 14, 1936, he said:

If war should break out again in another continent, let's not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fools' gold—would attempt to break down or evade our neutrality.

They would tell you—and unfortunately their views would get widespread publicity—that if they could produce and ship this and that and the other article to belligerent nations, the unemployed of America would all find work. They would tell you that, if they could extend credit to warring nations, that credit would be used in the United States to build homes and factories and to pay our debts. They would tell you that America once more would capture the trade of the world.

It would be hard to resist that clamor. It would be hard for many Americans, I fear, to look beyond—to realize the inevitable penalties, the inevitable day of reckoning, that comes from a false prosperity.

Every Member of this House knows that any man may make a mistake once without his intelligence being challenged, but if a man makes the same mistake twice, with fair warning given, he brands himself as anything but intelligent. There is an old saying, and a true one, that a fool and his money are soon parted. For myself, I do not propose, so far as lies within my power, to allow the intelligence of the American people to be so challenged. I do not propose that, as a nation, we should play the fool and be parted from more of our money.

Why, Mr. Speaker, to lend a bankrupt nation money which we in our hearts know will never be repaid is not trade. It is the granting of a gift, a subsidy, or, if you will in this instance, reparations for damages uncollectible from our common enemy. It is true that some of this money may be spent in the purchase of American goods, but what that amounts to is that we give the foreigner the money, and we give him the goods also. Perhaps, worse than that, we arouse in the minds of our domestic manufacturers, and in the minds of the labor they employ, an idea that we will sell in a real market; whereas, in fact, if we pursue this policy our people stand to lose anything up to 100 cents on the dollar. To assert that transactions of this sort will promote multilateral trade is not to state a fact; it is merely to propound a theory. So far as the United States is concerned, all it may actually do, as I have pointed out on a previous occasion, is to promote possibly the purchase of American securities in the course of speculations in the American market. Even now, without this loan, there is going on a large transfer of British capital to South Africa.

Mr. Speaker, we must concede that on this occasion while the British did not obtain all they wanted they have been well served by their negotiators. We have not been so fortunate. For some reason, which I wholly fail to understand, we do not seem to find in our international representatives that iron will to protect the American public purse which has been so recently demonstrated by agents of our Government dealing with unfortunate veterans of this war seeking loans to start in business, or to reestablish a business ruined by their absence from home while in the service of their country.

Permit me, Mr. Speaker, to digress a moment from the British loan and call the attention of my colleagues to the fact that out of 75,000 veterans in California asking for loans only 194 got credit, the others got advice. Just think of the contrast, Mr. Speaker, 194 American soldiers who faced death or mutilation in a war they did not seek out of 75,000 get some paltry loans, while here we have laid in our laps by the administration a proposal to strike $25,000,000,000 of debts off the record and loan an additional $4,400,000,000 to the British Nation. That, I venture to say, Mr. Speaker, when the American people understand this simple fact, no explanations will suffice as an alibi for the proponents of this loan.

Thank God, Mr. Speaker, I will not need an alibi. I am going to vote against this dangerous and preposterous loan to Great Britain, and I want the whole world to know it.

In conclusion, Mr. Speaker, there is one matter in connection with this loan which remains to be discussed. I refer to the fact running through all the discussions which have taken place in England, whether in Parliament or out of it; there is the theme that England alone stood in the breach for a long period while the United States refrained from engaging in battle for the common cause. Anyone would think, from reading or hearing the criticisms leveled at our country for its behavior, that this war was of our making and that we are as much responsible as Great Britain for its occurrence.

That, Mr. Speaker, is wholly untrue, and I believe now is the time to scotch this slander once and for all time. The Nuernberg trials have brought out in evidence information for all the world to read, that the genesis of this war dates from 1919, when the ink was barely dry upon the Treaty of Versailles. That fact was not news to any person who has made a study of international political developments throughout the past 26 or 27 years. The Treaty of Versailles, as everyone who has read it knows, embodied provisions for the disarmament and economic destruction of Germany. Those provisions were systematically and consistently breached by the Germans, and here is a point, Mr. Speaker, which I wish to emphasize. Every effort made by the French Government to secure the collaboration of the British Government in the enforcement of those provisions for the disarmament of Germany was treated with cold indifference or actually thwarted. When a British general, serving as adjutant general of the Inter-Allied Control Commission, exposed the flagrant violations of the treaty of which Germany was guilty, Mr. Lloyd George, the then British Prime Minister, sought to have him cashiered.

The policy of Great Britain throughout the critical years following the signing of the Treaty of Versailles and its ratification by the British Government was to promote a definite reconstruction of Germany as a powerful counterweight to what it characterized as a militaristic France—a France, be it said, Mr. Speaker, which bore the brunt of the hardest years of the struggle between 1914 and 1918—a France so depleted by extraordinary sacrifices that when once more the German avalanche was turned loose, her people, undermined in part by the persistent betrayals of her former ally, and demoralized by the infiltration of Communist propaganda, was unable to put up more than a mere nominal resistance.

Hitler, Mr. Speaker, was a mere incident—an important incident, if you will,

but an incident, nevertheless—in the conspiracy conceived by the German general staff to reopen the war at the first favorable opportunity.

I regret to say it, Mr. Speaker, but a careful study of the persistent breaches of most solemn engagements entered into by the British Government throughout this period, and our own experience to which I have already alluded, deprive me of any faith that the signature placed upon the agreement entered into by our Government with that of Great Britain for a loan of $4,400,000,000 will ever be honored.

I warn this House, Mr. Speaker, that the patience of the American people while almost infinite, is not all-enduring. We will not forever ignore charges of moral laxity and insinuations of cowardliness. We were not responsible for this war but we had to fight it, and, in fighting it, we saved the British Empire the second time. For me, and I believe, for the American people, the blood already shed by our heroes, and the hundreds of billions we have poured out to win this war should constitute the limit of our sacrifice for Britain.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 54. Concurrent resolution further extending the time for the submission of the report of the Joint Committee on the Investigation of the Pearl Harbor Attack.

EXTENSION OF TIME FOR SUBMISSION OF REPORT ON PEARL HARBOR INVESTIGATION

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 54.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That the limit of time required, under the provisions of Senate Concurrent Resolution 27, as extended by Senate Concurrent Resolution 45, as amended, for the submission to the Senate and House of Representatives of the report of the Joint Committee on the Investigation of the Pearl Harbor Attack, be, and the same is hereby, further extended to June 1, 1946; the said Concurrent Resolution 27 is hereby continued in full force and effect until such date.

A concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SIGNING OF ENROLLED BILLS DURING ADJOURNMENT OF THE HOUSE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House the Clerk of the House be authorized to receive messages from the Senate and the Speaker be authorized to sign enrolled bills.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD and include an editorial from the Honolulu Star-Bulletin of January 26, 1946.

Mr. O'HARA asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper article.

The SPEAKER. Under a previous order of the House, the gentleman from Mississippi [Mr. McGEHEE] is recognized for 10 minutes.

HAROLD ICKES

Mr. McGEHEE. Mr. Speaker, the crack in the old liberty bell which hangs in the tower at Philadelphia, I am sure, has been cemented and tod y is not discernible as ever existing. The reverberation from the exclamations of joy which have emanated from the hearts and souls of the patriotic American citizenship, I am sure, has caused this phenominal miracle, for one Harold Ickes announced to the world that he is resigning as a member of the Cabinet.

He should never have been placed in the Cabinet and remained there so long that the real American citizenship were beginning to despair of ever being relieved of this half-breed political mongrel. A Republican or Bull Mooser one day, a make-believe Democrat the next, but at heart a left winger and pinkish at all times, his color changing according to the political seasons and now it is said that it is his intention to make a connection with the ilk, clan, and class he has always belonged to, that is, Sidney Hillman and his communistic crowd.

Ickes is referred to as "Honest" Harold, and the patriotic American citizenship are still wondering why and how he received this title, because of his conduct and actions shortly after finishing school and his after life in the treatment meted out to certain members of his family, all of which is a matter of public record and the decisions of the courts.

Mr. Speaker, since when does it devolve upon a man of the type, character, background, and record as Harold Ickes to now assume and place on the robe of the lamb and declare to the world he refuses to commit perjury for the party's sake.

Take the remarks he claims Edwin Pauley made to him in reference to the oil situation, which no one interprets as any intention of bribery, because it is too well known the manner in which all parties approach people for the purpose of securing contributions to political campaigns. If Ickes was so insulted over the remarks he alleges were made to him by Pauley, why was it that after the death of President Roosevelt and long after the campaign for President was over, he invited Pauley and Davies to a lunch wherein he served plenty of cocktails and was seeking Pauley's influence with President Truman with a view of remaining as a member of the Truman Cabinet family?

It is said that Pauley asked Ickes why he should back him for a post in the Democratic Cabinet, saying "you have never been a good Democrat and I do not think you are now, but I am a Democrat and for the organization."

Now, Mr. Speaker, do you not think it was at that time that the usual Ickes venom began to bestir itself in his heart and soul to at the first opportunity stab Pauley in the back and he has no scruples as to the manner in which the stab is made. It is his purpose, because Pauley would not back him, to try and defeat Pauley in anything he may be recommended for.

In many key positions in the Department of the Interior, Ickes has surrounded himself with those as pinkish and leftist as they dare to be and stay on the public pay roll. The membership will recall that in considering the appropriation for the Department of the Interior, the bill was amended several times and the names of some who openly advocated the overthrow of our Government were specifically prohibited from receiving salary out of the funds, but these men were immediately placed back on by Ickes and he is backing them in the courts in an effort to now have them paid. I do not mean that all the personnel of the Interior Department are pinks, because a great majority are as fine patriotic American citizens as we have.

Mr. Speaker, I am saying that if I were President Truman, I would not withdraw the name of Edwin Pauley, but since those half-breed political mongrels are trying to destroy him for their own future political gain and with a view of destroying the Democratic Party so as to organize a left-wing outfit to secure control of our Government, and Harold Ickes has fired the opening gun of this left-wing bunch, I would accept the challenge and consolidate the Democratic Party against all left-wingers and pinks. If he does so, he will win at the polls in 1946 and again at the polls in 1948. There are enough patriotic American citizens who feel that it is time to clean house and get the pinks and Reds out of every department of our Government infested with them and they will back President Truman to the limit, whether Democrat or Republican.

I notice in this morning's paper, Mr. Speaker, it is said that one of the dignitaries of the GOP national headquarters has said:

We want to make damn sure that Harold Ickes doesn't get back into the Republican Party.

Practically the same remarks are made about the Secretary of Commerce, the

little pig killer, the plow-under-cotton advocate. The Republicans do not want them. The really and truly Democrats have never wanted them, and I am thinking now that they are beginning to get with their ilk and clan where they have always belonged; that is, with the racketeering leadership of the CIO and Sidney Hillman's PAC. Both parties—I mean the real Democratic and the Republican Parties—are denouncing them both today. So let us send them over where they belong, with that crowd.

The SPEAKER. The time of the gentleman from Mississippi has expired.

EXTENSION OF REMARKS

Mr. THOMASON asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. CHURCH asked and was given permission to extend his remarks and to include certain testimony by Mr. Leib before the Committee on Expenditures in the Executive Departments, and two articles from the Washington Times-Herald.

Mr. LANDIS asked and was given permission to extend his own remarks in the RECORD.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MCGREGOR, Mr. BEALL, and Mr. COLE of Kansas (at the request of Mr. MARTIN of Massachusetts), on account of official business.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 52 minutes p. m.), under its previous order, the House adjourned until Monday, February 18, 1946, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1064. A letter from the Acting Administrator, Federal Security Agency, transmitting the annual report of the Federal Security Agency for the fiscal year 1945; to the Committee on Ways and Means.

1065. A letter from the Director, Executive Office of the President, transmitting copies of letters addressed to the heads of various agencies which establish limitations on the amounts which may be expended for travel and printing and binding from sums set apart in appropriations to these agencies for special projects; to the Committee on Appropriations.

1066. A letter from the Chairman, Civil Aeronautics Board, transmitting the seventh annual report of the Board; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JARMAN: Committee on Printing. S. Con. Res. 52. Concurrent resolution authorizing the Joint Committee on the Organization of Congress to have printed for its use additional copies of the summary of hearings, index to hearings, and parts 1, 2, 3, 4, and 5 of the hearings held before said joint committee during the first session, Seventy-ninth Congress, relative to the organization of Congress; without amendment (Rept. No. 1582). Referred to the House Calendar.

Mr. PETERSON of Georgia: Committee on the Territories submits a report pursuant to House Resolution 236 (79th Cong., 1st sess.), on official trip to conduct a study and investigation of the various questions and problems relating to the Territory of Alaska (Rept. No. 1583). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURCH: Committee on the Post Office and Post Roads. H. R. 5186. A bill to authorize certain administrative expenses in the Post Office Department, and for other purposes; with amendment (Rept. No. 1584). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CASE of South Dakota:

H. R. 5495. A bill to increase the availability of wheat by protecting growers against losses for early delivery of wheat in 1946; to the Committee on Ways and Means.

By Mr. FLANNAGAN:

H. R. 5496. A bill to amend the provisions of the Agricultural Adjustment Act relating to marketing agreements and orders; to the Committee on Agriculture.

By Mr. LEMKE:

H. R. 5497. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. SABATH:

H. R. 5498. A bill for the relief of Ghidu Davidescu; to the Committee on Immigration and Naturalization.

H. R. 5499. A bill for the relief of Jehuda Rubinfield; to the Committee on Immigration and Naturalization.

By Mr. BUFFETT:

H. R. 5500. A bill for the relief of Jon Ovezia; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1567. By Mr. CANFIELD: Resolution of the St. Stanislav Society of Passaic County, protesting our Government's recognition of the present Polish Government and secret commitments made at Yalta; to the Committee on Foreign Affairs.

1568. By Mr. ELLSWORTH: Petition of the associated student body of Mapleton High School, Mapleton, Oreg., protesting the proposed loan to Britain; to the Committee on Foreign Affairs.

1569. By Mr. LUTHER A. JOHNSON: Petition of A. C. Allison, of Galveston, Tex., favoring H. R. 1213; to the Committee on the Civil Service.

1570. By Mr. ROWAN: Petition of Cook County Council, the American Legion, Chicago, Ill., on the atomic bomb; to the Committee on Military Affairs.

1571. Also, petition of Cook County Council, the American Legion, Chicago, Ill., on increase of allotment to families of servicemen; to the Committee on Military Affairs.

1572. By Mr. SHORT: Petition of G. W. Hailey and other citizens of Jasper County, urging the passage of House bill 1742; to the Committee on Interstate and Foreign Commerce.

1573. Also, petition of W. E. Hilton and other citizens of Lawrence County, urging the passage of House bill 1742; to the Committee on Interstate and Foreign Commerce.

1574. By the SPEAKER: Petition of Paul Davis, petitioning consideration of his resolution with reference to a writ of certiorari; to the Committee on the Judiciary.

SENATE

MONDAY, FEBRUARY 18, 1946

(Legislative day of Friday, January 18, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou God of our salvation, again as earth rolls onward into light and the dawn leads on another day, our voice shalt Thou hear in the morning; O Lord, in the morning will we direct our prayer unto Thee and will look up.

May the hush of Thy presence move us in this hallowed moment to adoration and may all voices be stilled that Thine may be heard. Come to us now through the silence and, ere duty lead us back to a noisy, crowded way, speak to our waiting hearts words of forgiveness, of empowering, and of cleansing, that as servants of Thine and of the people we may the more worthily serve this great day when the hearts of men are stirring with the throb of deep desire. In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, February 15, 1946, was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to be absent from the Senate on Tuesday, Wednesday, and Thursday of this week.

The PRESIDENT pro tempore. Without objection, leave of the Senate is granted.

Mr. CAPEHART. Mr. President, as a member of the Senate Small Business Committee, I have been requested by the able chairman of that committee, the Senator from Montana [Mr. MURRAY], to accompany him to California to hold hearings. I therefore ask unanimous consent that I may be absent from the Senate until March 3.

The PRESIDENT pro tempore. Without objection, leave of the Senate is granted.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Maurer, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On February 15, 1946:

S. 815. An act for the relief of Ogden and Dougherty, and for other purposes.

S. 1231. An act for the relief of Paul E. Tacy; and

S. 1361. An act to compensate Clement Euziere, an inhabitant of French Morocco, for personal injuries caused by a naval vehicle near Oran, Algeria, on September 21, 1943.

On February 18, 1946:

S. J. Res. 105. Joint resolution to provide for proceeding with certain rivers and harbors projects heretofore authorized to be prosecuted after the termination of the war.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 52) authorizing the Joint Committee on the Organization of Congress to have printed for its use additional copies of the summary of hearings, index to hearings, and parts 1, 2, 3, 4, and 5 of the hearings held before said joint committee during the first session, Seventy-ninth Congress, relative to the organization of Congress.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

MILITARY AND NAVAL MISSIONS TO FOREIGN GOVERNMENTS

A letter from the Secretary of State, transmitting a draft of proposed legislation to amend section 540 of title 10 and section 441 (a) of title 34 of the United States Code providing for the detail of United States military and naval missions to foreign governments (with accompanying papers); to the Committee on Military Affairs.

REPORT OF CIVIL AERONAUTICS BOARD

A letter from the Chairman of the Civil Aeronautics Board, transmitting, pursuant to law, the seventh annual report of the Board for the year 1945 (with an accompanying report); to the Committee on Commerce.

REPORT OF OFFICE OF PRICE ADMINISTRATION

A letter from the Administrator of the Office of Price Administration, transmitting, pursuant to law, the fifteenth report of that Administration for the period ended September 30, 1945 (with an accompanying report); to the Committee on Banking and Currency.

PETITIONS AND MEMORIAL

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the Muncie (Ind.) Chamber of Commerce, favoring the enactment of legislation providing equal protection under the laws relating to the rights and privileges of all classes of citizens, including labor, investors, farmers, etc.; to the Committee on Education and Labor.

A resolution adopted by the National Wool Growers' Association, Salt Lake City, Utah, protesting against the formula adopted by the Office of Price Administration relating to materials used in men's clothing; to the Committee on Banking and Currency.

By Mr. WALSH:

Resolutions of the General Court of the Commonwealth of Massachusetts; to the Committee on Foreign Relations:

"Resolution memorializing Congress in favor of Federal legislation looking to the restoration of Palestine as a homeland for the Jewish people

"Whereas it is the firm conviction of the members of the General Court of Massachusetts that the ruthless persecution of the Jewish people in Europe has demonstrated the need for a Jewish homeland and sanctuary for the large numbers who have become homeless as a result of this persecution; and

"Whereas there is now pending before the Congress of the United States House Joint Resolution No. 264, filed by the Honorable JOSEPH W. MARTIN, Jr., Member of the House of Representatives from Massachusetts, favoring action by the United States looking to the restoration of Palestine as a homeland for the Jewish people: Therefore be it

"Resolved, That the General Court of Massachusetts hereby urges the Congress of the United States to adopt the said joint resolution to the end that Palestine may be restored to the Jewish people as a free and democratic commonwealth, with full opportunity for colonization; and be it further

"Resolved, That copies of these resolutions be forwarded by the State secretary to the President of the United States, to the Presiding Officer of each branch of Congress, and to the Members thereof from this Commonwealth.

"In house of representatives, adopted February 4, 1946.

"LAWRENCE R. GROVE,
"Clerk.

"In senate, adopted, in concurrence, February 7, 1946.

"IRVING N. HAYDEN,
"Clerk."

(The PRESIDENT pro tempore laid before the Senate resolutions of the General Court of the Commonwealth of Massachusetts identical with the foregoing, which were referred to the Committee on Foreign Relations.)

By Mr. WALSH:

Resolutions of the General Court of the Commonwealth of Massachusetts; to the Committee on Banking and Currency:

"Resolution memorializing the President of the United States and Congress to the end that Massachusetts shall be assured of an equitable apportionment of building materials which might be available for the construction of new housing

"Whereas there is a definite lack of housing accommodations to accommodate the tremendous demand for living quarters for the returning veterans of World War II; and

"Whereas building materials on a Nationwide scale are inadequate to supply the full needs of all the people: Therefore be it

"Resolved, That the General Court of Massachusetts hereby urgently petitions the Congress of the United States in the name of all the citizens of this Commonwealth and particularly in the name of the returning veterans of World War II to take immediate steps to the end that the Commonwealth of Massachusetts shall secure an equitable apportionment of the building materials in the United States that are available for new housing; and be it further

"Resolved, That the State secretary forthwith send copies of these resolutions to the President of the United States, to the Presiding Officer of each branch of Congress, and to the Members thereof from this Commonwealth.

"In house of representatives, adopted February 4, 1946.

"LAWRENCE R. GROVE, *Clerk.*

"In senate, adopted, in concurrence, February 7, 1946.

"IRVING N. HAYDEN, *Clerk."*

(The PRESIDENT pro tempore laid before the Senate resolutions of the General Court of the Commonwealth of Massachusetts identical with the foregoing, which were referred to the Committee on Banking and Currency.)

SCHOOL-LUNCH PROGRAM — CONCURRENT RESOLUTION OF SOUTH CAROLINA LEGISLATURE

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a concurrent resolution adopted by the South Carolina Legislature memorializing Congress to adopt legislation relating to the school-lunch program.

There being no objection, the concurrent resolution was received, referred to the Committee on Agriculture and Forestry, and, under the rule, ordered to be printed in the RECORD, as follows:

Concurrent resolution memorializing Congress to support the pending legislation in Congress relating to school lunches

Whereas there is pending in the Congress of the United States a bill, unfavorable action on which may very seriously handicap the school-lunch program now in operation in South Carolina; and

Whereas the general assembly of the State is desirous of a continuation of the operation of said school-lunch program and to acquaint our representatives in the Congress of the very excellent work being done in South Carolina by that project: Now, therefore, be it

Resolved by the Senate of South Carolina (the House of Representatives concurring), That we affirm the preamble of the resolution and respectfully commend to our Congressmen and Senators the school-lunch program as operated in the State, and we endorse the general purport and tenor of the Flannagan bill, H. R. No. 3370, and request support for same.

SUFFRAGE IN THE DISTRICT OF COLUMBIA

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by National Cathedral Post, No. 10, the American Legion, Washington, D. C., favoring the enactment of the so-called Sumners-Capper joint resolution providing suffrage legislation for the District of Columbia.

There being no objection, the resolution was received, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas the District of Columbia has been voteless and the citizens thereof have been denied the inherent right of all Americans—the high privilege of suffrage; and

Whereas thousands of Washington men have served and defended their country prior to World War II, and in this last war over 100,000 men and women from the District of Columbia served in the armed forces; and

Whereas there is a resolution pending in Congress known as the Sumners-Capper resolution to rectify the grievous wrong to the

veterans of the wars, their families, and all residents of the District of Columbia by amending the Constitution of the United States to enable the Congress to prescribe suffrage for Washingtonians; and

Whereas it is the consensus of the members of National Cathedral Post, No. 10, Department of the District of Columbia, American Legion, that the people of the District of Columbia should be granted suffrage and national representation and a voice in the election of the President and Vice President of the United States: Therefore be it

Resolved, That National Cathedral Post, No. 10, hereby endorses the current Sumners-Capper resolution and urges its adoption, and respectfully authorizes and requests the post commander to present and seek adoption by the executive committee of the department of this resolution, with the added provision that the department commander, or his representative, join the central suffrage conference in furtherance of the purposes set forth herein; and

That a copy of this resolution be sent to Senator Pat McCarran, chairman, Senate Judiciary Committee; Senator Arthur Capper, cosponsor of Congress resolution; Hon. Hatton W. Sumners, chairman, House Judiciary Committee; Wilbur S. Finch, chairman, Central Suffrage Committee.

GEORGE A. KEYSER,
Commander.

PROTEST AGAINST LIQUOR ADVERTISING—RESOLUTION OF OFFICIAL BOARD OF FIRST METHODIST CHURCH, PEEKSKILL, N. Y.

Mr. CAPPER. Mr. President, I have received a resolution adopted by the official board of the First Methodist Church, Peekskill, N. Y., in which they take a strong stand against liquor advertising. The organization also expresses its opposition to radio advertising of intoxicating liquors and insists that magazines and newspapers which carry alcoholic-beverage advertising shall be denied the use of the mails for dissemination of their publications. I ask unanimous consent to have the resolution printed in the RECORD and appropriately referred.

There being no objection, the resolution was received, referred to the Committee on Interstate Commerce, and ordered to be printed in the RECORD, as follows:

Whereas liquor advertising over the radio is most objectionable and detrimental to the public welfare, tending to increase the consumption of intoxicating liquors; and

Whereas the advertising of whiskies, gins, brandies, beer, and wine in the newspapers of the Nation is also objectionable and detrimental to the public welfare for the same reason; and

Whereas there have been introduced into the Congress bills to outlaw all radio advertising of intoxicating liquors and also to deny magazines and newspapers which carry alcoholic-beverage advertising the use of the mails for dissemination of such magazines and newspapers: Therefore

Resolved, That we, members of the official board of the First Methodist Church, Peekskill, N. Y., meeting in monthly meeting this 4th day of February, 1946, hereby approve the passage of these bills and call upon the Senate and House of Representatives to do so at once; and

Resolved, That a copy of this resolution be forwarded to the Senate of the United States, to the House of Representatives, and to the President.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LANGER:

S. 1842. A bill for the relief of Azir Khan; to the Committee on Immigration.

By Mr. McMAHON:

S. 1843. A bill to provide for the relief of Orlando DiTomasso; to the Committee on Immigration.

By Mr. McFARLAND:

S. 1844. A bill to provide for the retirement of certain officers, warrant officers, and enlisted men of the reserve components of the Army and Navy; to the Committee on Military Affairs.

By Mr. WALSH:

S. 1845. A bill to increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States; to the Committee on Military Affairs.

By Mr. JOHNSON of Colorado:

S. 1846. A bill for the relief of Yoneo Sakai; to the Committee on Immigration.

By Mr. THOMAS of Utah:

S. 1847. A bill to amend the act of May 19, 1926 (44 Stat., pt. 2, p. 565), as amended by the act of May 14, 1935 (49 Stat. 218), providing for the detail of United States military and naval missions to foreign governments; to the Committee on Military Affairs.

By Mr. McMAHON (for Mr. MURRAY and Mr. WAGNER):

S. 1848. A bill to provide a national system of employment offices; to the Committee on Education and Labor.

LOAN TO GREAT BRITAIN—AMENDMENT

Mr. McFARLAND. Mr. President, I ask unanimous consent to submit an amendment to the joint resolution (S. J. Res. 138) to implement further the purposes of the Bretton Woods Agreements Act by authorizing the Secretary of the Treasury to carry out an agreement with the United Kingdom, and for other purposes. The amendment is in accordance with the address I delivered on the subject on the floor of the Senate a few days ago. I ask that the amendment be printed and referred to the Committee on Banking and Currency.

The PRESIDENT pro tempore. Without objection, the amendment will be received, referred to the Committee on Banking and Currency, and printed.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Ferguson	Lucas
Austin	Fulbright	McClellan
Bailey	George	McFarland
Ball	Gerry	McKellar
Bankhead	Gossett	McMahon
Barkley	Green	Maybank
Bilbo	Guffey	Mead
Brewster	Gurney	Millikin
Bridges	Hart	Mitchell
Buck	Hatch	Moore
Bushfield	Hayden	Murdock
Butler	Hickenlooper	Myers
Byrd	Hill	Overton
Capehart	Hoey	Radcliffe
Capper	Huffman	Reed
Carville	Johnson, Colo.	Revercomb
Chavez	Johnston, S. C.	Robertson
Cordon	Knowland	Russell
Donnell	La Follette	Saltonstall
Ellender	Langer	Smith
Stanfill	Tobey	White
Stewart	Tunnell	Wiley
Taft	Tydings	Wilson
Thomas, Okla.	Walsh	
Thomas, Utah	Wheeler	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from Texas [Mr. O'DANIEL], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Missouri [Mr. BRIGGS], the Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Washington [Mr. MAGNUSON], and the Senator from Florida [Mr. PEPPER] are detained on public business.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Nevada [Mr. McCARRAN], the Senator from Montana [Mr. MURRAY], and the Senator from Idaho [Mr. TAYLOR] are absent on official business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States to the General Assembly of the United Nations.

Mr. WHITE. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States to the General Assembly of the United Nations.

The Senator from Oregon [Mr. MORSE] is absent by leave of the Senate on matters of importance to his State.

The Senator from North Dakota [Mr. YOUNG] has been excused and is absent on official business.

The Senator from Illinois [Mr. BROOKS] is confined in a hospital recovering from a recent operation.

The Senator from New Jersey [Mr. HAWKES], the Senator from Minnesota [Mr. SHIPSTEAD], and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The Senator from Indiana [Mr. WILLIS] is absent by leave of the Senate attending to important business in his home State.

The PRESIDING OFFICER (Mr. HOEY in the chair). Seventy-three Senators having answered to their names, a quorum is present.

TRIBUTE TO GEN. THADDEUS KOSCIUSKO

Mr. MEAD. Mr. President, I wish to pay tribute to a gallant son of Poland, whose birthday we celebrated on February 12.

This is the two hundredth anniversary of the birth of Gen. Thaddeus Kosciusko, a champion of liberty and freedom in his native land and a gallant soldier and brilliant leader in our own war for independence.

General Kosciusko had bravely fought in his native land to preserve her freedom, but because of overwhelming odds, Poland was partitioned. Inspired by the news that this new country across the sea was waging a war for independence that all men might inherit the freedom for which he fought at home, General Kosciusko came to our shores. The contribution he made to the ultimate victory,

his leadership, and his daring are enshrined in the hearts of every American. We can repeat today the words of our first President, Gen. George Washington, delivered on the occasion of Kosciusko's arrival in America on his second visit after his unsuccessful struggle for the liberty of Poland: "No one more sincerely wished during your arduous struggle in the cause of liberty and your country that it might be crowned with success."

Today, as then, we in America, mindful of the contributions which the sons of Poland have made to our American way of life and to the cause of freedom everywhere, earnestly hope that the principles which guided and inspired General Kosciusko, and for which he fought, will be finally established in the land which gave him birth.

The world owes much to General Kosciusko and his famous compatriot, Casimir Pulaski, and to their successors down through the centuries. It was the brave stand of the people in Poland in the fall of 1939, in resisting the aggressions of Hitler, that electrified the world and made real the threat to the freedom of mankind. The blood of Poland has drenched the soil of Warsaw, Narvik, Torbruk, Mont Cassino, and the other battlefields where the Polish armies fought side by side with our own brave armies.

It is well, therefore, that we pause and pay tribute to the memory of General Kosciusko on the two hundredth anniversary of his birth, and that we rededicate ourselves to the cause of the rebirth of freedom in Poland.

Mr. President, I ask unanimous consent that there be printed in the RECORD a statement from the Washington Evening Star, and also a short biography of General Kosciusko.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

[From the Evening Star, Washington, D. C., of February 11, 1946]

TRUMAN PAYS TRIBUTE TO GENERAL KOSCIUSKO

President Truman paid tribute today to Polish Gen. Thaddeus Kosciusko, hero of the American Revolution, whose two hundredth birthday anniversary will be celebrated tomorrow.

In a statement, Mr. Truman said:

"February 12 of this year will mark the two hundredth anniversary of the birth of a great Polish patrict who is revered by all Americans—Gen. Thaddeus Kosciusko.

"The American Nation will never forget the prominent role he played in the early history of this country. They will never forget the great service which he so generously rendered to the cause of American independence and which contributed in such great measure to the ultimate success of that cause.

"But even more important than this, Kosciusko will be remembered by the people of America, as well as by the people of Poland and many other lands, for his unflagging devotion to the ideals of liberty, freedom, and justice to all mankind.

"To the attainment of these ideals Kosciusko, throughout his lifetime, devoted all his energies and talents. His heroic efforts in the cause of liberty have served as an inspiration to all peoples.

"It is most fitting that on February 12 the people of the United States join with the people of Poland—bound together as they are by historical ties—in honoring the memory of one of Poland's brave and gallant sons and one of America's great heroes."

A SHORT BIOGRAPHY OF THADDEUS KOSCIUSKO

Thaddeus Kosciusko was born February 12, 1746, at Siechnowicze, Poland. He passed his early childhood on his father's estate, then attended the school of the Piarist Fathers, in Lubieszow, from where he went to the Warsaw Cadet School, to graduate with highest honors. The King of Poland, impressed with Kosciusko's natural ability for engineering and proven brilliance, sent him to France to pursue further studies.

After 7 years in the leading French military schools, he was commissioned a captain in charge of Krakow's fortifications. But under the conditions prevailing in Poland shortly after the first partition, 1772, there was little opportunity for his talents; a commission in the reduced army was to be had only by purchase, and Kosciusko was without funds.

Observing no chance to serve his country, Kosciusko again left Poland, pledging his share of the parental estate, as security for the loan which enabled him to journey to Paris. Here the news of the outbreak of hostilities in America kindled his imagination, and he determined to go to the aid of America—a Polish knight in the cause of liberty.

KOSCIUSKO IN AMERICA

In the summer of 1776 Kosciusko arrived in America at his own initiative and at his own expense. Pending the decision of the Board of War upon his application, he found employment at Philadelphia, in the construction of fortifications against the expected attack by the *Delaware*. This gained him his commission from Congress, October 18, 1776, as an engineer in the Continental service with pay of $60 a month, and the rank of colonel. In the spring of 1777 he joined the Northern Army, where his ability as an engineer was of invaluable use in the campaign against Burgoyne. His fortification at Van Schaick and elsewhere, his able judgment in the choice of battlegrounds, contributed much to the skillful retreats and the firm stands of the Continental Army before Burgoyne's rash advance. He was ordered by General Gates to erect the fortification in the defense of Saratoga, and his task was accomplished with great brilliancy and speed.

With justified pride Poles regard the role played by their national hero in the victory at Saratoga, a victory which won for America not only a campaign but France's recognition of her independence.

FORTIFIED WEST POINT

For long the question of the defense of the Hudson had been of paramount importance; the brief respite gained by the defeat of Burgoyne rendered this a favorable moment to render it impregnable. West Point was chosen for its commanding position, and its fortification was finally conferred, over the head of the French engineer, Radiere, upon the Pole. "Mr. Kosciusko," wrote McDougall, now in command of the northern army, to Washington, "is esteemed to have more practice than Colonel Radiere, and his manner of treating the people is more acceptable than that of the latter." Little is now left of the fortifications, but the monument erected to his memory at West Point by American youth will remain a grateful tribute forever. That America today can regard West Point with pride is, in large measure, due to Kosciusko who first suggested for a national military school the spot where it now stands.

THE SOUTHERN CAMPAIGN

In the summer of 1780, General Gates requested Washington to transfer Kosciusko to the South, where the Army was now under his command. But before the Pole was able to reach him, his old friend had been defeated at Camden—deprived of his command, and Gen. Nathaniel Greene—after Washington the finest general in the Continental service—had been appointed his successor. While awaiting Greene's arrival, Kosciusko spent some time in Virginia among the planters. He saw there the Negroes at close quarters and was brought face to face with the Negroes in slavery. It was then that, with his keen susceptibility to every form of human suffering, he acquired that profound sympathy for the American Negro, which 17 years later, was to dictate his parting testament to the New World

Kosciusko was present through the whole campaign of the Carolinas and was regarded with strong affection and admiration by General Greene. True to his ideals, at the battle of Eutaw Springs, he restrained a carnage which outraged his feelings, and he is said personally to have saved the lives of 50 Englishmen. When the campaign changed to one of guerrilla warfare, he fought as a soldier, not as an engineer. At length Charleston fell. And on December 14, 1782, the American Army entered the town in a triumphal procession, in which Kosciusko rode with his fellow officers, greeted by the populace with flowers and cries of "Welcome."

Peace soon followed.

Kosciusko had fought for 6 years in the American Army. Nathaniel Greene best sums up what the Pole had done for America and what he had been to his brother soldiers. "Colonel Kosciusko belonged," wrote Greene, "to the number of my most useful and dearest comrades in arms. I can liken to nothing his zeal in the public service, and in the solution of important problems, nothing could have been more helpful than his judgment, vigilance, and diligence. He was fearless of every danger. He never manifested desires or claims to himself, and never let opportunity pass of calling attention to and recommending the merits of others." Congress, in 1783, belatedly conferred upon Kosciusko the rank of brigadier general with an acknowledgment of its "high sense of his long, faithful, and meritorious service."

KOSCIUSKO RETURNS TO POLAND

In the fall of 1784 Kosciusko reached his native country. A great wave of effort—a nation's magnificent effort to save herself by internal reform, which culminated in the democratic Constitution of the 3d of May 1791—was sweeping at that time over Poland.

After the second partition, in 1792, a furtheir wave of patriotic ardor swept over Poland. General Thaddeus Kosciusko, the hero of the American War of Independence, hastened to Krakow, summoned the people to arms, proclaiming new decrees in favor of the peasants. Hosts of peasants armed with scythes answered Kosciusko's call. On April 29, 1794, Kosciusko attacked the Russians at Raclawice. Ill disciplined and poorly equipped, the peasants took by assault batteries of Russian field guns and routed the enemy. After this battle Kosciusko wore a "sukmana," a coat of homespun cloth such as the peasants wore.

Infuriated, Catherine of Russia sent a large army to fight Kosciusko, and at Maciejowice in the south of Poland the two forces met on the 10th of October. Kosciusko dashed into the thickest of the fight. Three horses were killed under him, and bleeding from many wounds he was taken prisoner. With him fell the independence of Poland, and as the poet, Campbell, says "Freedom shrieked when Kosciusko fell." Kosciusko was cast into a dungeon in Petersburg, and only after Catherine's death her successor Paul I liberated the Polish hero.

KOSCIUSKO REVISITS AMERICA

On the 19th of December 1796 Kosciusko left St. Petersburg with his friend and fellow prisoner, Juljan Ursyn Niemcewicz, and a young officer, Libiszewski, who offered to serve

the maimed Kosciusko on his trip to America. By way of Stockholm, Gothenburg, London, and finally Bristol, Kosciusko and his party sailed for Philadelphia on June 18, 1797.

For 2 months the ship carrying Kosciusko and his companions tossed on the Atlantic, on one occasion near shipwreck. They reached their destination on August 18, 1797.

Yellow fever prevailed at Philadelphia at this time, so Kosciusko with his poet-friend Niemcewicz, journeyed on to New Brunswick, the home of Gen. Anthony Walton White. Later he proceeded to New York, where he was the guest of General Gates at Rose Hill, where he remained until September 29, 1797. Before leaving New York he received from Congress a grant of 500 acres in recognition of his military services. This property was located on the extreme western border of the United States military lands, on the east side of the Scioto River, in Perry Township, Franklin County, Ohio, the site of the present city of Columbus.

After a short visit in Elizabethtown, he returned to the home of General White in New Brunswick, where he remained until November 28. Kosciusko, whose convalescence was slow, spent nearly all his time reclining on a sofa, sketching and painting in water color and India ink. From General White's home Kosciusko repaired to Philadelphia and took residence on Second Street. Bevies of visitors and admirers again surrounded him, and Kosciusko drew into great intimacy with Thomas Jefferson, at this time Secretary of State. Jefferson wrote to Gates, "I see Kosciusko often. He is the purest son of liberty among you all that I have ever known, the kind of liberty which extends to all, not only to the rich." On January 23, 1798, Congress authorized the Secretary of the Treasury to issue to Kosciusko a certificate of indebtedness of $12,260.54, with interest at 6 percent, from January 7, 1793, to December 31, 1797. The final settlement of the account was made by a payment amounting to $15,227.87.

Some time in March 1798 a packet of letters from Europe was handed to Kosciusko. His emotion on reading the contents was so strong that, despite his crippled condition, he sprang from his couch and stepped without a helping hand to the middle of the room. "I must return at once to Europe," he said with no explanation. Jefferson procured his passport to France under the name of Thomas Kanberg, and with only Jefferson's knowledge, with no word either to Niemcewicz or to his servant, Stanislaus, for both of whom he left a roll of money in his cupboard, he sailed for France. Before embarking at Baltimore he gave Jefferson his power of attorney and wrote out the will in which, more than half a century before the Civil War, the Polish patriot advanced the cause of emancipation:

KOSCIUSKO'S WILL

"I, Thaddeus Kosciusko, being just in my departure from America, do hereby declare and direct that should I make no other testamentary disposition of my property in the United States, thereby authorize my friend Thomas Jefferson to employ the whole thereof in purchasing Negroes from among his own as any others and giving them liberty in my name, in giving them an education in trades and otherwise, and in having them instructed for their new condition in the duties of morality which may make them good neighbors, good fathers or mothers, husbands or wives, and in their duties as citizens, teaching them to be defenders of their liberty and country, and of the good order of society, and in whatsoever may make them happy and useful, and I make the said Thomas Jefferson my executor of this.

"T. KOSCIUSKO.

"5TH DAY OF MAY 1798."

There was difficulty in putting this testament into effect, as Jefferson was of advanced age at the time of Kosciusko's death. It was never carried out; but in 1826 the legacy went to found the colored school at Newark, the first educational institute for Negroes in the United States, and which bore Kosciusko's name.

BACK IN EUROPE

By the end of June or early in July 1798, Kosciusko reached Paris. His arrival centered upon him the gaze of the whole world. Sympathy with himself and the Polish cause he heard expressed upon all sides. At the news of his return the Polish Legions awakened to renewed life. He negotiated at length with the Government of France for France's help in the restoration of Polish independence. This was promised him many times, but his cautious request for guarantees was never complied with. When Napoleon was proclaimed first consul, Kosciusko, mistrusting him, commenced to withdraw from relations with him or his officials. After the disastrous expedition of the Polish Legions to San Domingo, Kosciusko severed all relations with him.

Napoleon, in 1806, from Berlin, now summoned Kosciusko to assume the leadership of the revolting Poles. But the former Polish Commander in Chief had little faith in the fortune of the Emperor and none in his promises. He declined to obey the call, and remained in Paris

In May 1815, Russia, Austria, and Prussia signed an agreement for a new partition of Poland. An autonomous Kingdom of Poland was, it is true, to be formed, with the Tsar as King, but it would be but a small part of the true Poland. Kosciusko refused all offers of office and honor in the newly partitioned Poland. He felt that his very presence even, would lend sanction to the new partition. He chose therefore a voluntary exile. Not desiring to live in a Bourbon France, he settled in Switzerland with his devoted friends the Zeltners in Soleure.

LAST DAYS AND RESTING PLACE

Here, in serene communion with nature, among eternal mountains, in unceasing meditation upon the future of Poland, he spent the two last years of his life. And here, on the sad autumn evening of October 15, 1817, far from his mothe land, though close in spirit, among strangers, with not a Polish face nor a Polish word to gladden his heart, Kosciusko died. Even in his loneliness he was faithful to Poland—her purest soul and the greatest of Poles. And his greatness was greatest in that it was not his own personal greatness merely; it was the greatness of Poland.

Kosciusko's body now rests in the Wawel Cathedral in Krakow, where lie Poland's kings and her most honored dead, but his heart is in the Polish conquerors. To his memory, 3 years after his death, the nation raised a monument perhaps unique of its kind. Outside of Krakow towers the Kosciusko Hill, fashioned by the hands of Polish men, women, and children, bringing earth from the battlefields where Kosciusko had fought. The act is typical. To this day the name of Thaddeus Kosciusko lives in the hearts of the Polish people, not only as the object of their profound and passionate love, but as the symbol of their dearest national aspirations. His pictures, his relics, are venerated as with the devotion paid to a patron saint. Legend and music have gathered about his name.

"His dust in Poland rests—
His urned heart a shrine!
Poland! He is thy son!
Columbia! Also thine!"

—*William Palmer.*

KOSCIUSKO'S OATH

On the old square at Krakow, Poland, on March 22, 1794, Kosciusko took the following, oath which was the signal for the Kosciusko insurrection:

"I, Thaddeus Kosciusko, swear to the Polish nation, in the presence of God, that I will never employ the power which has been entrusted to me against any citizen; but I will exert it only to defend the integrity of my country, to recover the nation's independence, and so strengthen the general liberty of our country. So help me, God!"

OPERATIONS AND POLICIES OF THE COMMODITY CREDIT CORPORATION

Mr. THOMAS of Oklahoma. Mr. President, a few days ago a subcommittee of the Committee on Agriculture and Forestry prepared and submitted to the Senate a report which was ordered printed in the body of the CONGRESSIONAL RECORD. The report made some suggestions and recommendations for the consideration of the Commodity Credit Corporation.

I have before me a letter signed by J. B. Hutson, Under Secretary of the Department of Agriculture, in reply to some of the suggestions made by the committee. I ask unanimous consent that the letter from Mr. Hutson be printed in the body of the RECORD so that it may have the same prominence given the report of the subcommittee on the former occasion.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, February 16, 1946.

Hon. ELMER THOMAS,
Chairman, Committee on Agriculture and Foresty, United States Senate.

DEAR SENATOR: I was surprised at the repetition, in your interim report to the Senate Wednesday, of certain criticisms and charges regarding Commodity Credit Corporation operations and policies. I was under the impression that previous discussion and testimony, especially the comprehensive statement which was submitted to you as chairman of the Senate Committee on Agriculture and Forestry, by Mr. Carl C. Farrington last December 21, had developed the facts quite fully. I am enclosing a copy of Mr. Farrington's statement, so that you may have it at hand for ready reference.

I note your suggestions with regard to the purchasing of farm commodities. As you know, many of the Commodity Credit Corporation acquisitions are made in price supporting operations under the Steagall amendment and to carry out the price supporting provisions of the Stabilization Act as amended. The policies and procedures of the Corporation in the acquisition of grain have been developed on the basis of experience through the years, and for the sound and practical reasons outlined in Mr. Farrington's statement. These procedures and the methods of effectuating purchases were approved by the War Food Administrator. They were reviewed by me when I returned to the Department of Agriculture last July 1. Later they were reviewed and approved by Secretary Anderson, after he heard the complaints of Mr. Cullum. Judging by my contacts with farmers and with representatives of the trade who are familiar with normal practices in handling grain and with the special problems of the times, I have thought that the methods are generally satisfactory to these groups.

All program and policy recommendations involving use of Commodity Credit Corporation funds are, of course, submitted to the CCC Board for approval or disapproval. The Board meets weekly, or more often if necessary. Under the present organization plan, program recommendations originate with the appropriate commodity branch of the Production and Marketing Administration. These recommendations, in carefully documented form, are then brought before the Board for full consideration and final action. The Secretary of Agriculture is the Chairman of the Board. This centralizes approval authority for procedural and policy decisions, as well as for program operations.

I wonder if, upon reflection, you would agree that the statement in the report that transactions are open to "graft, collusion, and favoritism" is misleading and, therefore, unfair. As I see it, the same thing could be said for any public or private business operation. All administrators, after going as far as is practicable in putting into effect operational procedures, but in the final analysis rely upon the integrity of the individuals who handle operations. I believe that a canvass of all the people who have had business contracts with the men handling the operations in question would reflect great credit on the Grain Branch personnel. It is unfortunate that they apparently antagonized Mr. Moore and Mr. Cullum. However, it does appear from Mr. Farrington's letter that these men have sought special information. In my judgment, the failure of the Grain Branch men to give out special information which was not available to the trade in general is to their credit.

Your subcommittee makes certain suggestions with regard to administrative organization. A special committee, composed chiefly of experienced and highly competent men outside the Department of Agriculture, advised with Secretary Anderson last summer on the reorganization of the Department. This committee recommended that the same individual serve as Administrator of the Production and Marketing Administration and as President of the Commodity Credit Corporation, to merge the administrative responsibilities of these closely related agencies. The Secretary asked me to assume the responsibilities for this combined work, as part of my duties as Under Secretary, until a suitable Administrator and CCC president could be found. We agree with you entirely that for permanent operation it is desirable to separate the duties of the Administrator from those of the Under Secretary.

Some of the points raised in the report are, of course, matters of judgment in regard to relative efficiency of operation. We shall be glad to discuss these with you at your convenience, or to submit additional information if the committee feels that this is desirable.

Sincerely,

J. B. HUTSON,
Under Secretary.

THE DARK-BREAD PROGRAM

Mr. CAPPER. Mr. President, in connection with the remarks I made in the Senate Wednesday, protesting the efficacy of the administration's "dark-bread" program, I ask unanimous consent to have printed in the RECORD at this point telegrams from two Kansas flour mills, protesting against this program.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

ATCHISON, KANS., *February 7, 1946.*
Senator ARTHUR CAPPER,
United States Senate:

Believe this dark-flour proposition a terrific mistake as this will reduce supply millfeed available for Kansas hogs and cattle. This one of the worst blows possible to Kansas industry. Your cooperation to fight this order appreciated.

THE BLAIR MILLING CO.

SALINA, KANS., *February 7, 1946.*
Senator ARTHUR CAPPER,
Senate Office Building:

I repeat telegram I have just sent to the President: "In behalf of the wheat growers, the flour millers, the bakers, and the consuming public we wish to protest the order requiring 80-percent extraction flour. In our opinion this move will cause tremendous damage without producing the result hoped for. It is also a disappointment that in view of the manner in which the milling industry has at all times cooperated in the Government program that such a far-reaching order should be issued without prior consultation with the industry. Food for opinion the order will not make available additional food for Europe. It is urged that the action be reconsidered and that you avail yourself of the judgment of representative millers in attaining the ends desired without a drastic dislocation which we hope will not be effective."

THE SHELLBARGER MILLS,
ELMER W. REED,
Vice President and General Manager.

EGG PRICES

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD several letters I have received from farmers in North Dakota dealing with egg prices, together with replies received from the United States Department of Agriculture. I ask that the replies be printed in the RECORD, following the various letters received by me.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

LARK, N. DAK., *September 13, 1945.*
Senator WILLIAM J. LANGER.

HONORABLE SIR AND FRIEND: In response to your appreciated favor of recent date, I wish to inform you of the following: Until 10 days ago we received 32 cents per dozen for eggs. At present the price, set by conspiracy—is 18 cents. Complying with the OPA's urgent request to keep up and increase egg production for 1945—at a stated price of 34 cents per dozen—we increased our flocks by 200 percent. During the past 2 weeks we bought boy's shoes for school—1 pair, No. 6, $9.25; one pair, No. 8, for $5.50; one pair man's shoes, $6.50; some little girl's dresses at proportionate prices; and fruit at least 60 percent above former years, with prospects of increasingly high prices. Two years ago the AAA urged us to raise all potatoes possible. We signed a contract with AAA to plant 5 acres with a contract price of $1.70 per hundredweight during September, $1.90 for October, and on up to $2.20 during the winter months until March. Well, we signed the contract with clause threatening $25 per acre penalty for failure to comply. When harvest was on we could have disposed of said crop, some 500 or 600 bushels, at a paying price, but wished to fulfill our contract with said AAA. This is what we received locally, when the second party failed to comply—$32 incentive payment, and we sold about $75 worth of potatoes in the spring and gave away about 350 bushels. From the above statement, and many others, such as wooden fence posts, 3 inch, 40 cents; barb wire, 16 gage, $5 per spool; honeycombed and knotty lumber, $75 per 1,000 feet; and an infinite list of disparities, you know my attitude toward OPA and Government meddling. Having been promised, and even guaranteed, parity prices for our products, and seeing the successful labor strikes for increased wages, for no increased production, we are naturally * * * form your own conclusion, and we'll agree very well. As to compulsory military training, we must demand a vote by returned veterans of World War II, plus the vote of veterans of World War I. This is all for now, as my writing material is about spent.

Very respectfully yours,
HENRY C. VANDENBURG.

WALCOTT, N. DAK., *September 11, 1945.*
Hon. WILLIAM LANGER,
Washington, D. C.

DEAR SIR: The price of eggs has dropped 9 cents here the past 4 days. Poultry for market is also dropping. Is this the assurance that farmers had, that an abrupt end of the war would not leave them holding the bag?

I hope you can look into the situation and expose it to some bright publicity. That might help. I have also notified the Secretary of Agriculture.

Yours truly,
RAY THOMPSON.

P. S.—Aandahl must be asleep, or don't care.

BARNEY, N. DAK., *September 26, 1945.*
Senator WILLIAM LANGER,
Senate Chamber, Washington, D. C.:

We are with you on your fight for farm prices. Eggs dropped 13 cents; poultry 7 cents per pound. Protect farm prices. We will all get along.

BARNEY MERCANTILE CO.,
RAYMOND OLSON, *Manager.*

JUDSON, N. DAK., *February 11, 1946.*

DEAR FRIEND BILL: Say, I am sending you a half dozen eggs that are fresh, and I want you to show some of them Senators how an egg looks for 11 cents a half a dozen; they are 22 cents per dozen. How in the world can a GI soldier make that work at high-priced feed and the Government promised us 27 cents at low ceiling sometime in late summer and now in February 11, 22 cents. Can't anything be done about it? I want you and Mrs. Langer to eat or use them eggs as they are fresh ones. What is wrong? Don't the Farmers' Union Patton or who is in Washington push no farm bill at all? Say, BILL, who is the big shot to see about the Garrison Dam, as we got a GI boy and he is married; was over in the Belgian Bulge and from there all way through Germany with Patton's Third Army, so we would like to know who to see about a job.

Yours truly,
HUBERT LOEHRKE.

TEMVIK, N. DAK., *September 17, 1945.*
Hon. WILLIAM LANGER,
United States Senator,
Washington, D. C.

DEAR SENATOR: I have been watching the news for action on farm prices. I am referring to egg prices. Our eggs have been stolen for the last 2 weeks. The reason for this is Government egg-drying plants shuting down. September 8 I had to take 26 cents, for eggs last Saturday, September 15, 19 cents. Where are the Government's support prices? Just who is responsible for this, and why isn't someone watching these things? And why isn't this given any publicity when such a rake-off is taken? I understand in the cities eggs to the consumer are still selling for as high as 61 cents per dozen—in Kansas City, for one place.

Sincerely yours,
ALBERT BECK.

UNITED STATES DEPARTMENT
OF AGRICULTURE, AGRICULTURAL
ADJUSTMENT ADMINISTRATION,
Washington, D. C., October 11, 1945.
Hon. WILLIAM LANGER,
United States Senate.

DEAR WILLIAM LANGER: This is in reply to your letters of October 4 regarding egg and poultry prices in North Dakota.

We are still unable to report that a program is available to carry out the price support commitment on eggs. The docket which we mentioned in an earlier letter as being under consideration has been set aside for the present although we understand that some progress is being made toward laying the foundation for a support program. This work is being done in the Poultry Branch of the Production and Marketing Administration. Prices appear to be holding up above support levels in other States so there is no

general emergency need for a support program.

We hope that prices have recovered by this time in North Dakota. There seems to be no justification for such low farm egg prices with the high consumer prices that are being paid in many areas.

The comparative chicken prices which Mr. Miller mentions in his letter coupled with the State's egg price situation would seem to indicate that the State's market outlets are not operating as well for the farmers as in other States. Poultry prices can be expected to decline from the war period when they stayed near ceiling levels. There are more chickens available to civilians now and also more red meat. It may be that both eggs and poultry will present the Department of Agriculture with difficult price support problems in 1946. The 90-percent of parity price support commitment on poultry excludes all broilers and other chickens below 3½ pounds.

We are returning your enclosure as requested. We will advise you when definite action is taken toward putting a support program for eggs into operation.

Sincerely yours,

J. M. THOMPSON,
Acting Director, Western Division.

UNITED STATES DEPARTMENT OF AGRICULTURE,
AGRICULTURAL ADJUSTMENT AGENCY,
Washington, D. C., October 18, 1945.

Hon. WILLIAM LANGER,
United States Senate.

DEAR SENATOR LANGER: This is in reply to your letter of October 9 with which you transmitted a letter relative to egg prices.

When the price of eggs first broke in the Middle West this fact was called to the attention of the Poultry Branch, Production and Marketing Administration, and preparations were started to set up a purchase program to support the price of eggs to farmers. Prices strengthened quickly in most areas and the proposed support program was not approved.

Over the country as a whole the demand for eggs is strong and the price is good. The areas where farm prices are abnormally low are apparently widely scattered and relatively few in number. For this reason preparations for the immediate Government purchase of eggs were dropped.

We are continuing to urge that a program be set up to support the price and are very hopeful that it can be ready to be put into operation no later than December 1, when the season of heavy production normally starts.

The letter from your constituent is returned, as you requested.

Sincerely yours,

J. M. THOMPSON,
Acting Director, Western Division.

UNITED STATES DEPARTMENT OF AGRICULTURE, PRODUCTION AND MARKETING ADMINISTRATION,
Washington, December 27, 1945.

SECRETARY ANDERSON ANNOUNCES 1946 EGG PRICE SUPPORT PROGRAM

Secretary of Agriculture Clinton P. Anderson today announced the 1946 egg price support program, which through Government purchases of dried, frozen, and graded shell eggs, is planned to reflect a United States average farm price of 29 cents a dozen during the flush production season next spring. For the Midwest, where prices historically average lower than on either the west or east coast, this will mean an average farm price of 27 cents per dozen for all grades and sizes of edible eggs.

"The 1946 price support program now ready for use is designed to handle the surplus of eggs which may develop in the spring," Secretary Anderson said. Operations under the price support program will begin as soon as heavy supply conditions threaten to force producer prices below the level which will reflect a United States average farm price of 90 percent of parity, the minimum support level required under the Steagall amendment. Based upon the present level of parity, this will mean a United States average farm price for all grades and sizes of edible eggs marketed of about 29 cents per dozen for the spring production period.

The program recognizes two important governmental responsibilities of major concern to producers and the trade, that surplus eggs acquired by Government will not be dumped on the domestic market, and that the Government stands ready to purchase all eggs necessary to maintain the United States average farm price of 29 cents for all edible eggs marketed.

"Producers throughout the Nation," Secretary Aderson continued, "have supplied eggs in record-breaking quantities to meet extremely high demands during the war period. Thus farmers find themselves geared for production in 1946 on a scale nearly 50 percent greater than prewar production, but with the prospect of sharply reduced wartime outlets for their product. Price supports were used during the war period to assure producers of a market for their full production. They will be used in 1946 to help producers through the difficulties of changing demand conditions in the period of reconversion.

"Goals for eggs and for chickens for 1946 were carefully worked out on the basis of needs for these and other livestock products and in relation to supplies of feed that will be available, particularly supplies of protein feed, which will continue to be very limited for some time to come. Shortage of protein feeds will be a limiting factor in the production of livestock products in 1946. Because it will be impossible to produce as much of all other livestock products as needed with the feed supplies available, and because, with the present numbers of layers, there is prospect of an egg surplus in the flush production period, the 1946 production goals suggest a 13-percent reduction in the number of hens in laying flocks and a 15-percent reduction in the production of eggs. The Department of Agriculture is counting on a Nation-wide producer cooperation in its program for the culling of laying flocks. Civilian consumption of eggs in 1946 is expected to be slightly more than 340 per capita, compared with a per-capita consumption of about 390 eggs indicated for 1945. Military and export requirements are expected to be much smaller than in 1945."

The 1946 program will stress the purchase of dried whole eggs as the principal method of price support buying operations. The purchase of frozen eggs will supplement dried egg purchases, while shell egg purchases will be limited to graded eggs bought in carlots from cooperative organizations or dealers. The United States Department of Agriculture will require the vendor to certify that, for all eggs purchased by him, producers have received not less than an average of 27 cents per dozen (loose basis) for marketable and edible eggs of an average net weight of 44 pounds per case. Official USDA graders will grade all Government purchases of dried, frozen, or shell eggs.

The decision to stress purchase of dried whole eggs as the chief phase of price support was made primarily because most of the Nation's drying plants are located in the Midwest, where the heaviest surpluses of eggs are expected. Wartime experience has demonstrated that dried eggs can be handled, stored, and distributed at relatively low cost, and with minimum losses through spoilage. Also eggs in dried form may be handled and shipped much more readily than in any other form and do not require the use of special facilities for short periods of transportation or storage. It is expected that sufficient wartime egg-drying capacity will remain in readiness to handle about 2,500,000 to 3,000,000 cases of shell eggs a month during the season of flush production. At the peak of wartime use of dried eggs United States plants handled about 3,500,000 cases a month.

The price support program, in a similar manner, will take advantage of egg-breaking and freezing facilities, which also are capable of processing eggs far in excess of domestic requirements. While frozen eggs cannot be shipped without special handling facilities, they can be held in freezers for drying in the future.

Purchases of graded shell eggs will be limited so far as possible to those areas in which drying and freezing capacity is not sufficient to take care of local surpluses, and where prices to producers threaten to drop below support levels because of temporary surpluses.

Disposition of the eggs purchased for price support purposes in dried, frozen, or shell form will include: (1) Sales for export; (2) sales to other Government agencies; or (3) transfers of eggs for use for school-lunch purposes and for distribution to public institutions.

Sales are to be made at the best prices obtainable in an effort to recover program costs, and no sales will be made at times or to outlets which would interfere with normal trade operations.

Mr. LANGER. Mr. President, in this connection, let me say that I have upon my desk half a dozen eggs sent me by a farmer in North Dakota, Mr. Hubert Loherke, of Judson, N. Dak. I ask unanimous consent that the eggs may be handed to the President pro tempore of the Senate, the Senator from Tennessee [Mr. MCKELLAR], who is at his seat in the Senate Chamber at this moment. I will state that this half dozen eggs brought the fabulous price of 11 cents in the State of North Dakota.

The PRESIDING OFFICER. Without objection, the eggs will be handed to the Senator from Tennessee.

THE LUMBER SITUATION IN THE UNITED STATES

Mr. LANGER. Mr. President, I ask unanimous consent to present for printing in the RECORD and to have referred to the committee which would deal with the lumber situation existing in the United States, a letter addressed to me by J. B. Bridston, secretary of the Grand Forks Builders and Traders Exchange, Grand Forks, N. Dak., together with a letter addressed to the Grand Forks Builders and Traders Exchange by the Northwestern Lumbermen's Association, of Minneapolis, Minn., under date of February 5, 1946, a letter from Chester Bowles to the Grand Forks Builders and Traders Exchange under date of January 25, 1946, and a copy of resolution adopted by the Grand Forks Builders and Traders Exchange dated January 11, 1946, on the same subject.

There being no objection, the letters and resolution were received, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

GRAND FORKS BUILDERS AND TRADERS EXCHANGE,
Grand Fords, N. Dak., February 13, 1946.

Hon. WILLIAM LANGER,
United States Senate,
Washington, D. C.

DEAR BILL: Enclosed find a file on the lumber situation that is quite interesting. You will find a copy of our original resolution that you received before which was also

sent to the President and to Mr. Bowles. You will then find a copy of Mr. Bowles' answer and a copy of a letter from Mr. Badeaux of the Northwestern Lumbermen's Association.

There is something screwy about this whole lumber situation and we believe our delegation in Washington wants to be informed.

Yours very truly,

J. B. BRIDSTON,
Secretary.

NORTHWESTERN
LUMBERMAN'S ASSOCIATION,
Minneapolis, Minn., February 5, 1946.

Mr. J. B. BRIDSTON,
Grand Fork Builders
and Traders Exchange,
Grand Forks, N. Dak.

DEAR MR. BRIDSTON: We have read the letter from Chester Bowles attached to your letter of January 30 with great interest.

Unfortunately Mr. Bowles does not tell the complete story and the percentage that he has quoted on export lumber does not agree with the information from the Civilian Production Administration and FEA.

Export licenses will be issued for 1 year from the date if issuance and due to the strike and low production last quarter exports of 1945 did not reach the amount authorized and hence have a carry-over into 1946. In addition the quota set up for exports in 1946 is 1,300,000,000 feet of which 225,000,000,000 feet is scheduled for the first quarter plus carry-over from the fourth quarter of 1945. Again, and as apparently admitted by Mr. Bowles, this export lumber is primarily housing items.

Not all of our domestic production of an estimated 28,000,000,000 feet for 1946 is house lumber by any matter of means and actually foreign shipments constitute about 4 percent under present quantity and not 1.22 percent as Mr Bowles states.

Figures themselves mean little unless they are coordinated and unfortunately Government agencies compile their own sets of figures without relationship to others and to substantiate their particular point. Who are we to believe? If things get in such a state of confusion in one small community, and supposedly generally, how can the public differentiate and have confidence in what is being passed out to them.

The labor answer to the problem insofar as production is concerned still lies with the OPA. It has been months since VJ-day and prices on building materials are still priced on a war economy and not transformed to a civilian economy. In the meantime housing demands are increasing and every citizen should make himself heard in the Halls of Congress for a change in pricing civilian economy.

Cordially yours,

BILL BADEAUX,
Secretary.

OFFICE OF PRICE ADMINISTRATION,
Washington, January 25, 1946.

GRAND FORKS BUILDERS AND TRADERS
EXCHANGE,
Grand Forks, N. Dak.

GENTLEMEN: I have copy of resolution passed by your exchange January 11, 1946, relative to housing shortage.

Referring to that portion in which you discuss the matter of export prices, I wish to advise you that you are misinformed when you state that the mills are getting from $15 to $25 per thousand more for export lumber than they do for domestic sales.

It is true that there is a differential in the prices between the two types of sales but this was a historical practice prior to price control, and was occasioned by the fact that there is an extra expense in accumulating export cargoes, and placing same free alongside ship. Also, export lumber is graded under different rules than those applying to domestic sales. With so many variables entering into the picture, it is impractical for anyone to say that export sales return the mill a definite dollar-and-cents per thousand feet more than domestic sales, or even that there is any extra return.

Even assuming that there is a greater return to the mills on export sales, I wish to point out that this would not permit the mills to sell their output in the export market, as no export sales may be made except under license by the FEA. The policy of setting aside a certain portion of the lumber production for rehabilitation of ravaged countries is established by the executive department of the Government, not by the Office of Price Administration.

Export licenses are then issued by the FEA to cover these shipments and we are advised that present licenses represent only 1.22 percent of the Nation-wide production of lumber, and further that only 35 percent of this amount represents items that would be suitable for residence construction.

I wish to advise you that the present extreme shortage of building lumber is of great concern to this office, and we are now actively engaged, after consultation with the industry, in revising price schedules in such manner that we believe will promote a greater production of those sizes and grades that are required for residence construction. This will not, of course, be a cure-all for the situation, as the shortage is caused by the pent-up demand during the war years, and will not be alleviated until after many months of all-out production.

The matter of allocating lumber in any manner is not within the province of OPA, hence I will not touch on that portion of your resolution.

I wish to thank you for your interest in this matter, and if I can be of any further assistance to you will be glad to hear from you again.

Sincerely,

CHESTER BOWLES,
Administrator.

Whereas the housing shortage is becoming progressively more and more critical as our service men and women are returning: Now, therefore, be it

Resolved, That the Grand Forks Builders and Traders Exchange urge the President of the United States, the Congress of the United States, and the Office of Price Administration to bend every effort to remedy the situation.

We call your attention to the fact that even with lumber stocks in this country at their lowest point, that American mills are exporting large stocks of lumber as they are getting from $15 to $25 per thousand more for exported lumber than allowed by the OPA for domestic sales; be it further

Resolved, That this situation as far as both lumber and other building materials are concerned be remedied by Congress or by the OPA; and

That consideration be given to a proposal of allotting lumber and all other building materials to all States on the basis of the number of returning service men and women in each State, the distribution within the State to be handled by a volunteer committee to be set up by the various trade associations affected. This proposal is to give the small communities and small house builders an opportunity to get material which otherwise might be corralled by mass-production contractors and prefabricated-house builders in the large centers.

Dated at Grand Forks, N. Dak., this 11th day of January 1946.

GRAND FORKS BUILDERS AND
TRADERS EXCHANGE,
FRED E. WESTON, *President.*
J. B. BRIDSTON, *Secretary.*

OFFICE OF PRICE ADMINISTRATION—RESOLUTION OF FARGO (N. DAK.) TRADES AND LABOR ASSEMBLY

Mr. LANGER. Mr. President, I ask unanimous consent to present and to have printed in the RECORD a resolution adopted by the Fargo Trades and Labor Assembly of Fargo, N. Dak., relating to the Office of Price Administration.

There being no objection, the resolution was received and ordered to be printed in the RECORD, as follows:

Whereas the trends of commodity prices, due to not enough of everything to go around, shows imperative need of price controls to prevent inflation; and

Whereas the Office of Price Administration is being flooded with letters and demands, from various pressure groups, that price control be lifted and Chester Bowles, Administrator, OPA, is making such a determined and sincere effort to avert the dangers of inflation; and

Whereas the continuance of price control is a national necessity as evidenced by the testimony of millions of consumers and by the public statements of our prominent statesmen and economists, to wit:

Bernie Baruch, known as the elder statesman and economist, and advisor to Presidents. "The huge, pent-up demand for products which we will see during the next 9 months is a very serious threat," said Baruch, stressing the importance of holding prices down.

The following are some of the things which will happen if Chester Bowles loses his battle to stop the inflation flood. If there is inflation the insurance dollar will be worth 75 cents, 50 cents, or even 30 cents; persons retired on pension will see his income shrink if there is inflation; every widow living on money left by her husband will see that income shrivel; every school teacher will have great difficulty having her salary move up when the value of the dollar moves down; every civil servant, whether working for city, State or Federal Government will be in the same boat as the teachers; every college endowment, every charity or other enterprise with fixed invested capital stands ready to have its investment evaporate with inflation. These groups are letting one solitary man, Chester Bowles, fight their battle for them. If they were wise they would make their own Congressmen do some fighting, too.

Quoting from Labor, a national weekly newspaper: "The Government has obtained data showing that major manufacturing industries expect about a 50-percent increase in labor productivity by June 1946, as compared with 1939. This sensational disclosure is contained in the third reconversion report, put out this week by the Civilian Production Administration, successor to the War Production Board. The report summarizes output forecasts obtained from 1,000 plants mostly in metal-working industries. By next June, according to the official document, these industries expect their production to be triple the 1939 level. Nothing has caused employers more pain in recent weeks than a report prepared by economists of the Office of War Mobilization and Reconversion showing that industry can afford to boost wages by at least 24 percent without raising prices"; and

Whereas the work load of the Office of Price Administration offices is so great that efficient operation cannot be maintained with reduced personnel: Now, therefore, be it

Resolved, That all remaining administration OPA offices be continued without reduction in personnel to enforce the price-control program for the protection of the consumer; and be it further

Resolved, That we commit ourselves in stating that we deplore the pressure being brought upon Congress by the various pres-

sure groups and demand that Congress maintain the price-control program and pricing policies of Chester Bowles, Administrator, Office of Price Administration; and be it further

Resolved, That this OPA Labor Advisory Committee, in official session assembled, go on record as demanding that the price-control and rent-control program be maintained, and there shall be no lifting of price control on any commodities until such time as the law of supply and demand will bring about a competitive basis; and be it further

Resolved, That a copy of this resolution be kept on the minutes of our organization and copies to be sent to the President of the United States; to all North Dakota Senators and Congressmen; Chester Bowles, Administrator, OPA; all local labor councils, labor organizations, and labor papers, with the plea that they use every honorable means to maintain the price-control and rental-control program.

FARGO (N. DAK.) TRADES AND LABOR ASSEMBLY,
CARL L. MAYNARD, *Secretary*.

PERMANENT HOME FOR UNITED NATIONS ORGANIZATION

Mr. LANGER. Mr. President, last week I submitted a resolution which provided that the location of the permanent home for the United Nations Organization be at the International Peace Garden, located in Canada and North Dakota. I ask unanimous consent to have printed in the RECORD a letter addressed to me under date of February 13, 1946, by Henry Sunderland, secretary of the Dunseith Commercial Club, of Dunseith, N. Dak., together with a description of the International Peace Garden. I ask that the letter and the description be printed in the RECORD in full.

There being no objection, the letter and description of the garden were ordered to be printed in the RECORD, as follows:

DUNSEITH COMMERCIAL CLUB,
Dunseith, N. Dak., February 13, 1946.

Hon. WILLIAM LANGER,
United States Senate,
Washington, D. C.

DEAR SENATOR: Please find enclosed illustrated and descriptive literature on the International Peace Garden. This literature gives the history and progress of development of the garden since its dedication, on July 14, 1932. As the garden is located almost exactly in the geographical center of North America, extending equally into the sovereign State of North Dakota and the Province of Manitoba, it is an ideal spot for the location of the permanent home for the United Nations Organization.

The Peace Garden commemorates more than a century of peaceful relations between the United States and the Dominion of Canada. It is away from the influences of dissension and strife so often found in the greater populated centers. After investigating its possibilities, I am sure you will agree that no better choice could be made for the permanent home of the UNO. Additional acreage can be supplied easily. In fact, it is quite certain that the State of North Dakota and the Province of Manitoba will give, free of charge, all land needed.

May I request that you use every effort to support Senator MILTON R. YOUNG's invitation to the UNO committee to establish the permanent home of the United Nations Organization in the International Peace Garden.

Respectfully,
HENRY SUNDERLAND,
Secretary.

Senator Ray Murry, Dunseith, wants me to extend to you greetings and thank you for all the work you have put on the United Nations Organization's home at the International Peace Garden.

Greetings.

H. S.

THE INTERNATIONAL PEACE GARDEN

The International Peace Garden is located in the central part of the Turtle Mountains, which lie in the north-central part of North Dakota and in the south-central part of Manitoba and almost on the geographical center of North America. These mountains comprise an area of very fertile table land of about 1,000 square miles. They are bisected east and west by the international boundary and north and south by Highway No. 3 in the United States and Highway No. 10 in Canada. They are approximately 800 feet higher than the surrounding country and have an elevation of about 2,500 feet above sea level. There are several buttes which rise much higher. More than 100 lakes are distributed in every nook and corner of these mountains. The area is covered with luxuriant vegetation of various kinds, such as oak, elm, poplar, cottonwood, diamond willow, and a large number of different varieties of small wild fruit trees. More than 100 varieties of wild song birds have been counted in this area. Wild game, such as deer, grouse, partridge, chicken, are found in great numbers. It seems that millions of years ago when the great glaciers were receding and left their alluvial deposits in the form of the Turtle Mountains this region was dedicated at that time by our Creator to become the Mount Sinai from which a new covenant should be delivered—international peace and good will. The International Peace Garden was placed in the center of these mountains for this purpose.

HENRY SUNDERLAND.
DUNSEITH, N. DAK.

INTERNATIONAL PEACE GARDEN UNO COMMITTEE TO CONFER WITH SENATOR YOUNG AT MINOT MONDAY

The following representatives from Rolla, Rugby, Dunseith, Bottineau, and San Haven met at Dunseith Friday evening, February 8, to discuss the telegram received from Senator Milton R. Young in reference to his recommending the permanent site of the United Nations Organization at the International Peace Garden. From Rolla, Bruce Theel, Theo B. Flagerlund, J. Marlin Kyle, Dr. W. L. Rothlisberger, Charles Sobelik, Fred Foley, Robert Foley, C. R. Jacobson, William J. Munro, Warren Munro. From Dunseith, R. H. Murry, W. A. Teal, John Kosmer, H. Sunderland, William Evans, William Johnson, Glen Shelver, Edwin Olson. From Rugby, Willard Anderson, Dr. W. Fox. From Bottineau, Roger Bond, B. J. Nelson, Carter Troyer. From San Haven, Dr. W. L. Wallbank, Charles Anderson. From Kelvin, S. R. Cook.

On Saturday forenoon a committee consisting of Robert Foley of Rolla, Senator R. H. Murry of Dunseith, Willard Anderson and Dr. W. Fox of Rugby, P. M. Christianson and Lester Holmes of Bottineau met in Dunseith in reference to the above.

Senator R. H. Murry, Robert Foley and Roger Bond left by plane for Rugby and from there with Willard Anderson by auto to Minot on Saturday to meet with Senator Young.

It was decided at the conference with Senator Young to send the following telegram to Senators Connolly and Vandenburg, Mrs. Eleanor Roosevelt, Edward R. Stettinius, John Dullas and all members of UNO Permanent Site Committee, President Truman, and King George at London, England. The telegram read as follows:

"I urge you to consider for UNO permanent headquarters International Peace Gardens on border between North Dakota and Manitoba and in geographical center of North America and on main air routes to Moscow, Chungking, London, and Paris; also located adjacent to both Canadian and United States transcontinental rail and highway lines. This beautiful, scenic tract of land located in the heart of the Turtle Mountains comprises 2,200 acres and is bounded by several thousand more to be made available for UNO. This Garden, established by 150,000,000 people of the United States and Canada, the only International Peace Garden in the world and is dedicated to international friendship and the peaceful solution of all controversies between nations. It is a living picture of the ideals upon which the United Nations Organization is founded. Is in close proximity to Russia-British Dominions and symbolizes longings of all peoples for a world free from war and aggression. UNO in reality had its birth on July 14, 1932, with the dedication of the International Peace Garden; it is a beautiful sanctuary and an ideal setting for the organization upon which all humanity builds its hopes.

Senator MILTON R. YOUNG.

THE DEVELOPMENT OF THE PEACE GARDEN AREA

The plan of development of the Peace Garden has been approved by the National Park Service of the United States and the National Parks Bureau of Canada, and the project is so designed that the entire area controlled by the International Peace Garden Corp. will form a harmonious unit.

Under supervision of the National Park Service of the United States, cooperating with the State Historical Society of North Dakota, development of the United States section has proceeded steadily. The Civilian Conservation Corps (CCC) camp, established in 1934, was actively engaged in the development work until the year 1942, and the building of a large dam, an artificial lake, a park drive and road system, bridges, buildings, picnic shelters, latrines, incinerators, open-air fireplaces, a large lodge building, a natural amphitheater, tourist cabins, fencing of the entire United States area, and many other improvements have resulted.

The formal area, comprising about 160 acres equally distributed on each side of the international boundary line, shown in the sketch on the inside of this pamphlet, now partially developed, awaits further improvement. In it, near the entrance, is located the cairn, built of native stones gathered from both sides of the boundary line on which it rests, and bearing upon it the pledge of peace of the two nations. Directly westward of the cairn will be build the Peace Tower, tallest structure contemplated at the Peace Garden, also on the soil of the two nations.

The program of development as worked out by the State and Federal park authorities of the United States includes the continuation of work on the formal area, extension of water and sewer systems, signs and markers, field planting, eight additional cabins, and a community building. The custodian's dwelling, a fine modern structure, was completed in 1943.

On the Canadian side a water reservoir, a dam to create a large artificial lake, and a gravelled road system were all constructed before 1939, while in 1939 $20,000 was spent in an extensive reforestation project, an adequate water supply, fencing, buildings, gravelled walks and drives, wells, and stone curbing. This work has been under the supervision of the Department of Public Works of Manitoba, and the money has been provided by the Dominion Government. Maintenance is being provided by the Province of Manitoba.

Plots on the formal area have been allotted to various organizations, who are providing the funds for the development and maintenance of such plots. The first panel west of the cairn will be developed by the American Junior Red Cross and the Canadian Junior Red Cross. The Women's Federated

Institute of Canada, the Independent Order of the Daughters of the Empire of Canada, the Daughters of the Empire in the United States, the Canadian Business and Professional Women's Clubs and the Manitoba and North Dakota Grand Chapters of the Order of the Eastern Star already have appropriated money and taken steps to develop portions of the formal area along the border line. The Canadian and American Red Cross societies have each contributed $500 for the development and construction of their plots. Some of these plots will be under construction and development this year, and other organizations plan to cooperate.

LOCATION AND GENERAL DESCRIPTION

The Turtle Mountains—so named by the Indians because of the turtle-like shape of the contours of the terrain, comprise a succession of overgrown, wooded hills, rising to an elevation of about 2,500 feet above sea level, or 1,000 feet above the adjacent area, extending 45 miles east and west and 20 miles north and south, being divided equally by the international boundary line. These fertile hills abound in small lakes, the largest being Lake Metigoshe—about 5 miles across—many of which provide good fishing, boating, and swimming facilities. Abundant wildlife, including the largest songbird population of any like area in either country—the antlered variety of game among others—multiformity of flower and plant species—quantities of wild fruits—coupled with copious rainfalls insuring luxurious growth, all combine to make a perfect setting for this, perhaps the first garden dedicated to the cause of international good will that ever was conceived.

The International Peace Garden comprises an area of about 2,200 acres, 888 of which are on the United States side, situated on the longest unfortified international boundary line in the world, and is 40 miles north of the monument marking the exact geographical center of North America at Rugby, N. Dak. It is easily accessible over numerous gravelled highways. "Canal to Canada" (C to C) highway (N. D. No. 3, Canada No. 10), commences in the far northern part of Manitoba, crossing the Riding Mountains approximately 125 miles north of the international boundary, traversing the American Continent until it connects with the Pan-American Highway in Mexico, thus significantly linking the Garden of Peace with the famous monument to good will on the border between Chile and Argentina, The Christ of the Andes. This monument, since 1904, has witnessed a continuation of peace pledged between those two countries in that year. The Peace Garden Highway (N. D. No. 43) extends east and west through the Turtle Mountains a distance of some 50 miles, connecting N. D. Highway No. 30 at St. John, N., Dak., with N. D. Highway No. 14 at Carbury, N. Dak.

TOURIST FACILITIES

The lodge building, an edifice 105 feet long with an L-wing 60 feet long, has been available for use since the middle of June 1940. The building has a dining room 25 feet by 45 feet complete with tables and chairs, and available for dinners and banquets. The lounge or assembly room, 30 by 50 feet in size, has a seating capacity of 200 and may be used for meetings and conventions by any group. Two hundred steel chairs for the lounge were provided by the Rolette County Old Settlers' Association. An office, kitchen, and washrooms comprise the rest of the lodge.

Fourteen double cabins containing 28 units are provided for in the work program, 7 of which have been completed, providing 14 modern units, and these are available during the season at reasonable rates. Tent camping and one picnic area containing tables, fireplaces, water, and toilet facilities, are adjacent to the lodge building. There are three more of these picnic areas, each containing covered shelters, throughout the Garden. There is an amphitheater with a seating capacity of 1,000, and natural outdoor stage, the seats being made of split logs. Nature lovers and hikers will find 5 miles of improved trails. Following a foot trail south of the Peace Tower site, the tourist will be interested to find an overlook shelter from which can be viewed the artificial lake and the great dam. These two projects and many other features throughout the Garden are so executed as to appear as though made, not by man, but by nature. At the beautiful artificial lake in the United States section it is expected that a swimming beach will be established very soon. Many international meetings, programs and various activities of different organizations are held each year, and the Garden is available for all types of gatherings. The annual meeting in September is an outstanding event.

In the Canadian section there is one improved picnic area with water, shelter, and other facilities, and several natural picnic areas with about 5 miles of improved graveled highways. The Manitoba telephone system maintains a telephone connection at the Peace Garden and there are also telephone connections available in the United States section.

APPROPRIATIONS AND CONTRIBUTIONS

So far the State of North Dakota alone has appropriated for development of the Peace Garden, $30,175 and provided 640 acres of land. The Province of Manitoba has contributed 1,300 acres of land, and through its department of public works and labor has given extensive cooperation and direction to the development of the work in the Canadian section. The Dominion Government of Canada has appropriated $42,000 to date, while the United States Government provided the area with a CCC camp which developed it over a period of years, prior to 1942.

The United States Congress has appropriated $60,000 for a customs and immigration border station. The Canadian Parliament has appropriated $35,000 for improving and enlarging their present customs and immigration station now at the Peace Garden. These projects are delayed by World War conditions.

Individual contributions have greatly aided in this work, showing the universal appeal of this ideal. Much encouragement has come from foreign lands, also.

VISUALIZING THE FUTURE

Visualizing the Peace Garden as only decades of effort and expenditure can make it, the visitor as he views this ambitious dream of a few men gradually being realized, appreciates the Garden not only for its present development, which is of necessity gradual, but for the vista which it opens unto him of a future where nations will be at peace, and the world free from the carnage of war. The consummation of these ideals may take years or even centuries, but with God's help, with faith, perseverance, and courage, it shall, it must, ultimately come about.

PURCHASE BY VETERANS OF SURPLUS WAR MATERIAL

Mr. BUTLER. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD a resolution adopted on February 12, by Glenvil, Nebr., Post of the American Legion. I have frequently protested at what appears to be unnecessary confusion accompanying the attempts of returned servicemen in getting a chance to purchase surplus war material. There have been and continue to be so many conflicting rules and regulations that servicemen become discouraged and disgusted, and in many cases have stopped even attempting to procure much needed material. I am hoping that orders may be issued by the proper authorities in charge, so that servicemen will be made immediately eligible for any available surplus material by simply presenting their honorable discharge certificates. I am communicating again today with General Gregory on this subject, and hope there will be no further delay in properly serving these men who have served their country.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas veterans are finding it more and more difficult to purchase surplus Government property, to which preferential right has been provided by law; and

Whereas the supply of such property is adequate but due to conditions beyond the veterans' control, little if any of this property is getting into their hands; and

Whereas the veteran is in need of such property, and as rules and regulations now laid down by the certification agency require that he spend considerable time and expense to appear personally at the headquarters of such certification agency to establish his eligibility and, after receiving such certification, he may find it necessary to travel many miles and in the opposite direction to make the purchase of property desired; and

Whereas the certification and disposal agencies have been changed numerous times by Executive order and regulations which further curtails and delays veterans' possibilities of obtaining such property for which he is otherwise eligible: Therefore be it

Resolved, That the Glenvil Post, No. 26, American Legion, hereby directs appropriate action be taken to make it possible that the presentation of a veteran's honorable discharge certificate to the disposal agency be sufficient evidence to establish priority and eligibility to purchase any surplus Government property within the limits of fair-share distribution. It is further directed that a more uniform method of notification of time, location, and type of surplus properties offered for sale be made available to veterans; be it further

Resolved, That a copy of this resolution be spread on the minutes of the meeting and copies mailed to all American Legion posts in Nebraska, the department and national headquarters of the American Legion, all Nebraska Members of the Congress, and chairman of Veterans' Affairs Committee of the Congress.

Adopted by Glenvil Post, No. 26, American Legion, Glenvil, Nebr., this 12th day of February 1946.

ARNOLD C. HINRICHS,
Post Commander.
A. T. BOOM,
Post Adjutant.

FOREIGN LOANS—ADDRESS BY SENATOR REVERCOMB

[Mr. REVERCOMB asked and obtained leave to have printed in the RECORD a radio address on the subject of foreign loans, delivered by him on February 5, 1946, which appears in the Appendix.]

LINCOLN DAY ADDRESS BY SENATOR STANFILL

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by Senator STANFILL on February 12, 1946, which apears in the Appendix.]

A SENATOR LOOKS AT OFFICE WORK—ARTICLE BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article entitled "A Senator Looks at Office Work," written by him and printed in the Office Economist, which appears in the Appendix.]

THE BRITISH LOAN

[Mr. WHEELER asked and obtained leave to have printed in the RECORD a discussion of the British loan, participated in by him, Senator Johnson of Colorado, and Sterling Fisher, director of the NBC University of the Air, in an NBC broadcast on Our Foreign Policy, which appears in the Appendix.]

PROCEEDINGS AND TRANSACTIONS OF BERMUDA CIVIL AVIATION CONFERENCE

[Mr. BAILEY asked and obtained leave to have printed in the RECORD certain portions of the proceedings and transactions of the Bermuda Civil Aviation Conference between representatives of the United States and representatives of the United Kingdom, which appear in the Appendix.]

THE ST. LAWRENCE SEAWAY—STATEMENT BY UNDER SECRETARY OF STATE ACHESON

Mr. AIKEN asked and obtained leave to have printed in the RECORD the statement on the St. Lawrence seaway and power project, made by Dean Acheson, Under Secretary of State, before the subcommittee of the Senate Foreign Relations Committee on February 18, 1946, and also a letter from the Secretary of War to the Secretary of State under date of February 16, 1946, which appear in the Appendix.]

THIRTEENTH ANNUAL VICTORY CHRISTMAS PARTY, ROCK HILL, S. C.

[Mr. JOHNSTON of South Carolina asked and obtained leave to have printed in the RECORD the speeches delivered at the thirteenth annual victory Christmas party sponsored by the Rock Hill Printing & Finishing Co., Rock Hill, S. C., which appears in the Appendix.]

THE SOUTH HOLDS THE BALANCE OF POWER—ARTICLE BY THURMAN SENSING

[Mr BILBO asked and obtained leave to have printed in the RECORD an article entitled "The South Holds the Balance of Power," by Thurman Sensing, director of research of the Southern States Industrial Council, Nashville, Tenn., which appears in the Appendix.]

STATISTICAL RECORD OF B'NAI B'RITH DURING WORLD WAR II

[Mr. MEAD asked and obtained leave to have printed in the RECORD a "statistical record of B'nai B'rith war service during World War II," which appears in the Appendix.]

TRIBUTE TO ALBERT GOLDMAN, POSTMASTER OF NEW YORK CITY

[Mr. MEAD asked and obtained leave to have printed in the RECORD a statement by him in tribute to Albert Goldman, postmaster of New York City, with a testimonial from the Association of Postal Supervisors, a letter from the Secretary of War, a letter from the Secretary of the Navy, and a letter from the admiral in charge of the Coast Guard, which appear in the Appendix.]

LINCOLN—EDITORIAL FROM THE BISMARCK (N. DAK.) LEADER

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled "Lincoln," published in the Bismarck (N. Dak.) Leader of February 14, 1946, which appears in the Appendix.]

ST. LAWRENCE SEAWAY PROJECT—ARTICLE FROM THE WASHINGTON POST

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article entitled "Hearings Open on St. Lawrence Seaway Project," published in the Washington Post of February 18, 1946, which appears in the Appendix.]

MILITARY JUSTICE—ARTICLE FROM THE ARMY AND NAVY JOURNAL

[Mr. KNOWLAND asked and obtained leave to have printed in the RECORD an article entitled "Military Justice," from the Army and Navy Journal of December 1, 1945, which appears in the Appendix.]

THE FEPC—EDITORIAL FROM THE GREENVILLE (S. C.) NEWS

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an editorial entitled "A Service by Senators From the South to All the People," from the Greenville (S. C.) News, which appears in the Appendix.]

CONDITIONS IN OCCUPIED COUNTRIES OF EUROPE

Mr. WILEY. Mr. President, about a week ago a very interesting discussion occurred on the floor of the Senate relating to the condition of the people in the occupied territories in Europe. At that time I called the attention of the Senate to the fact that I had written General Eisenhower, when he was in control, and I offered for the RECORD my letter and the general's reply.

I stated that since General Eisenhower had come to the United States, and had been succeeded by Gen. Joseph T. McNarney, because of new evidence which had come to light in relation to the under-feeding of civilians in Germany and Austria I had written General McNarney. I wish to have printed in the RECORD at this point in my remarks a letter I received last Friday from General McNarney dated February 7.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HEADQUARTERS, UNITED STATES FORCES, EUROPEAN THEATER,
OFFICE OF THE COMMANDING GENERAL,
February 7, 1946.

The Honorable ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR WILEY: Your letter of inquiry of January 10 concerning the policies governing relief and other conditions in the United States Zone of Germany has received my careful consideration. I welcome the opportunity which your letter affords me to explain relief policies and conditions now prevailing in the United States zone of Germany.

At the present time, United States dollar remittances to Germany are not possible as no interim rate of exchange has been established as yet between the Reichmark and the dollar. While the desirability of establishing such a rate is recognized, complex, and technical details still to be worked out have prevented its accomplishment. You will understand that this rate would have to receive quadripartite agreement to be effective in Germany as a whole.

United States citizens have not been permitted to send individual gift supplies to German nationals as the establishment of international postal services, while under study, is yet to be effected. Once such agreement has been reached, the distribution of packages within the United States zone can be reasonably well met by the parcel-post service which has now been reinstalled within Germany. In the interim we have been unwilling to receive and distribute with military facilities packages for the individual.

Meanwhile a committee on voluntary relief supplies, representatives of voluntary agencies in the United States, has visited the several zones in Germany, and that committee is now en route to the United States with full information on the German welfare organizations and the requirements for welfare supplies in the United States and other zones of Germany. This welfare group is in accord with the theater policy to equalize the distribution of food within Germany as a part of our effort to treat all Germans, except for the active Nazis, alike. Eventually distribution of packages for the individual will be possible although at present German rail and truck transportation resources are extremely limited. All gasoline required for German use, for example, has to be imported from the United States. All coal suitable for locomotive use is obtained from the British zone

There is certainly no objection on my part to the Red Cross participating in the collection of relief supplies in the United States, nor to its being represented in the group of welfare agencies which are now planning to send a total of eight representatives to Germany. However, the German welfare agencies have been reorganized and denazified. They are now doing a creditable job and are in a satisfactory position to receive and distribute any relief supplies which may be sent to the United States zone.

With regard to your question on why certain church groups are not permitted to operate their relief missions in Germany, the lack of internal transportation and the inability of nonmilitary groups actually to live and move in this country except with Army assistance precludes the operation of relief missions at this time. The provision of relief through German welfare agencies will be centralized through the German Council of Minister Presidents for the three states within the United States zone. I must reiterate that the dealing with one relief organization rather than with the various agencies who would like to work on their own in Germany is not due to the desire of the Army to maintain control over welfare agencies.

It is supported by the facts which I have stated above, and will, in my estimation, be the situation which will exist in Germany for some time. Recent congressional visitors, American businessmen, and others who have been authorized to travel within the American zone can provide ample testimony to these facts.

I agree with the statement of the Reverend Dr. Edward E. Swanstrom that American public opinion favors a program of private relief to German civilians. Were that not so, I believe that the Committee on Voluntary Relief Supplies would not have come to Germany to see for themselves what work has to be done here. I must, however, take exception to Dr. Swanstrom's statement that innocent children and the aged are dying from starvation in the streets of large German cities. It is true that the average ration for German civilians is presently 1,550 calories, supplemented by indigenous supplies which are not rationed, giving a total average caloric content of 1,800 to 1,950 calories per person, according to the area in which he resides. To provide for young children, nursing mothers and the sick, as well as for heavy workers, there is a sliding ration scale which permits supplementary items for these various categories of persons. You will recall also that the Potsdam agreement requires that the standard of living in Germany be not in excess of the average of surrounding countries. Even with this limitation it has been necessary to make available to the German people in the American zone more than 100,000 tons of food imported from the United States, and further shipments of wheat and other commodities in excess of 500,000 tons will be imported prior to June 1. While transportation to German ports is no longer a problem, I can assure you that transportation within Germany is still far below prewar standards.

Let me add further that the United States policy is not one of starvation in Germany, and I have neither seen nor heard of in my frequent travels throughout the United States zone any evidence of the allegations made by Dr. Swanstrom.

I am sending a copy of your letter to Gen. Mark W. Clark, commanding general of the United States forces in Austria, since Austria is not a part of my responsibility with respect to the questions which you raise in your letter. I have asked him to make direct reply to you.

Sincerely yours,

JOSEPH T. MCNARNEY,
General, United States Army, Commanding General.

Mr. WILEY. Mr. President, I call special attention to certain language in the letter which I think is important, and to which I think the Senate should give some attention. General McNarney says in the fourth paragraph of his letter:

Meanwhile a Committee on Voluntary Relief Supplies, representatives of voluntary agencies in the United States, has visited the several zones in Germany, and that committee is now en route to the United States with full information on the German welfare organizations and the requirements for welfare supplies in the United States and other zones of Germany.

This morning, Mr. President, a Catholic priest, who had just been in consultation with one of the members of this committee, called at my office.

The point I am making is that there is a great deal of conjecture, of misrepresentation, and of misinformation on this subject. It seemed to me advisable that the members of this very committee who are now in the United States, Protestant, Catholic, and Jewish, should be called before the appropriate committee of the Senate to give the information they have. That in conjunction with the policy outlined by General McNarney, I think would bring about immediately action on what we want to see done.

In my letter to him I asked why Catholic organizations, Protestant organizations, Quaker organizations, and the Red Cross, were not in a position to look after the job; why they were not permitted actually to engage in this very necessary work. The letter from General McNarney partially answers that inquiry. He suggests that the committee which has landed in the United States would have some of the answers.

Mr. President, which Senate committee they should be called before I cannot say at the moment, but I think it is important that appropriate action be taken. Our people, not simply those of German extraction, but of other racial extractions, are concerned with getting to relatives and to friends the parcels of food and clothing they want to send. Up to this time there are no facilities for handling private donations.

It is with that in mind that I at this time have brought the subject to the attention of the Senate.

INDEPENDENT OFFICES APPROPRIATIONS, 1947

The Senate resumed consideration of the bill (H. R. 5201) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1947, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. MCKELLAR] on behalf of the committee, on page 11, line 6.

Mr. MCKELLAR. Mr. President, the pending amendment involves a reduction of $300,000 in the appropriation for the Federal Communications Commission. After discussing the matter with a number of Senators on Saturday, I wish to modify the amendment so as to provide for a reduction of $200,000 instead of $300,000. The modified amendment would strike out "$5,560,000" and insert "$5,360,000."

The PRESIDING OFFICER. The amendment is modified accordingly.

Mr. LA FOLLETTE. Mr. President, this item in the budget estimate was reduced $500,000 by the House, and the modified amendment offered by the Senator from Tennessee would make a further reduction of $200,000. I have been over all the testimony taken, together with some of the justifications which were presented to the House committee. Personally, I do not feel that a reduction of $200,000, as now proposed, in addition to the House reduction of $500,000, is justified. I believe that the work load of the Commission is such that any further reduction to that made by the House will delay development in the communications and electronics fields. However, in view of the fact that the committee is willing to reduce the proposed cut by $100,000, I feel that perhaps it would be better, under the circumstances, so far as the ultimate outcome of the appropriation is concerned, to accept this compromise without a fight.

I wish personally to express my hope that this matter will be very carefully reviewed in the conference, and that all the evidence and justifications which have been presented will be given further consideration by the conferees. I hope that the item will not be so severely cut as is even now proposed in the modified amendment, because I do not wish to see penny-wise and pound-foolish action taken by the Congress which will have the ultimate effect of retarding development in this field, which has been so tremendously stimulated by research and development carried on in connection with the war effort.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment offered by the Senator from Tennessee, on page 11, line 6.

Mr. CORDON. Mr. President, I was a member of the committee which investigated this subject. It was on my motion that the amount of the reduction was set at $300,000. On Friday, in discussing the matter on the floor of the Senate, I expressed the view that the estimate submitted was in some respects speculative and conjectural. I stated at that time that a perusal of the House report showed the increased estimate to be largely based upon speculation and conjecture.

I also called attention to the fact that Mr. Porter had frankly stated that the Commission did not know where its budget would level off. He stated that this year's budget was intended to get the Commission over the hump. His testimony and all the other testimony indicated that the additional services necessary in the newly developed fields could not at this time be foreseen. I am still of the belief that all the testimony so indicated.

I wish to read one extract from the House hearings, and then I shall no longer detain the Senate. On page 40 of the House hearings, Mr. Smith, Director of the Budget Bureau, in discussing the Federal Communications Commission's budget, said, among other things:

We went into that very thoroughly. It is a pretty startling program, largely because of the technical developments. There, again, judgment factors are required, because it is very difficult to foresee the impact of this new technical development in the communications field; but it promises to be very startling and to throw a very considerable burden upon that agency.

I call particular attention to this language:

Now, the agency may be guessing wrong about that; we may be guessing wrong; when you look at it you may guess wrong about it; but the most I can say about it is that the Budget and the Commission have done the best intelligent guessing that we can supply on what is really a pretty volatile program as a result, largely, of these new developments during the war.

As I have previously stated, while I feel that the $300,000 cut, under the circumstances, considering the field of conjecture with which we are dealing, would not be too great, I join with my colleagues in the belief that a meeting of the minds on a $200,000 additional cut is preferable, and I shall raise no objection.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment offered by the Senator from Tennessee [Mr. MCKELLAR], on page 11, line 6.

The amendment as modified was agreed to.

Mr. MCKELLAR. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Tennessee will be stated.

The LEGISLATIVE CLERK. On page 11, line 7, it is proposed to strike out "$2,984,000" and insert "$2,884,000."

The amendment was agreed to.

Mr. MCKELLAR. Mr. President, I offer another amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Tennessee will be stated.

The LEGISLATIVE CLERK. On page 37, line 24, it is proposed to strike out "$975,000" and insert "$1,125,000."

The amendment was agreed to.

Mr. MCKELLAR. Mr. President, I offer another amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Tennessee will be stated.

The LEGISLATIVE CLERK. On page 4, after line 19, it is proposed to insert the following:

EMERGENCY FUND FOR THE PRESIDENT

Emergency fund for the President: Not to exceed $5,000,000 of the appropriation "Emergency fund for the President", contained in the First Supplemental National Defense Appropriation Act, 1943, as supplemented and amended, is hereby continued available until June 30, 1047:

Provided, That no part of such fund shall be available for allocation to finance a function or project for which function or project a budget estimate of appropriation was transmitted pursuant to law during the Seventy-ninth Congress and such appropriation denied after consideration thereof by the Senate and House of Representatives or by the Committees on Appropriations of both bodies.

Mr. McKELLAR. Mr. President, I wish to modify the amendment on page 2 by striking out the word "Congress" at the end of line 4 and inserting in lieu thereof "and Eightieth Congresses."

The PRESIDING OFFICER. The amendment is modified accordingly.

Mr. LA FOLLETTE. Mr. President, will the Senator explain the effect of the modification?

Mr. McKELLAR. It is in the usual form. The modification makes the amendment apply to the present Congress.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment offered by the Senator from Tennessee.

The amendment as modified was agreed to.

Mr. McKELLAR. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Tennessee will be stated.

The LEGISLATIVE CLERK. On page 14, after line 4, it is proposed to insert the following:

The Federal Works Administrator is authorized to accept payment, at par and accrued interest, of any obligations, held by him, of States or other public bodies or nonprofit corporations, notwithstanding the maturity dates or any premiums for the redemption thereof.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, I send to the desk an amendment which I wish to call to the attention of the Senator from Maine [Mr. WHITE] and the Senator from Kentucky [Mr. BARKLEY], although I do not see the latter in the Chamber. On page 36, in line 6, the amendment would strike out "$1,408,224" and insert "$1,452,512", an increase of approximately $44,000, for the Smithsonian Institution. The Senator from Kentucky was very much interested in that item; and the Senator from Maine [Mr. WHITE] not only was interested in it, but he made a speech on it the other day. We could not agree to recommend all that was requested, but the committee authorized the offering of the amendment I have just stated, which would give one-half of what was requested. I ask the Senator from Maine if that will be satisfactory—and I would ask the same question of the Senator from Kentucky [Mr. BARKLEY] if he were present.

Mr. WHITE. Mr. President, I am grateful that the amendment has been offered. I think the Smithsonian Institution asked for $88,000.

Mr. McKELLAR. That is correct.

Mr. WHITE. Originally I had hoped that the entire amount could be accorded that Institution. As we know, the Smithsonian Institution, as I said the other day, is now in the one hundredth year of its life. There are gathered together under the authority of that Institution treasures of simply untold value. I think the Smithsonian Institution probably ranks with the Louvre and the British Museum as a treasure box of the things which make for educational and cultural advantage and progress. Approximately 2,000,000 of our people go to the Smithsonian Institution and the National Gallery of Art every year. They go there as an aid to their education and to have their aesthetic tastes and aspirations satisfied. I think we should be generous in the extreme, in order that those collections of such great educational, cultural, and historic value may not come to harm.

I am glad the Senator from Tennessee has offered the amendment, and I hope it will be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee on page 36, in line 6.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendments to be proposed——

Mr. AIKEN. Mr. President, is the bill still open to amendment?

The PRESIDING OFFICER. It is.

Mr. AIKEN. Has any amendment been offered in regard to the Securities and Exchange Commission appropriation?

Mr. McKELLAR. No such amendment has been offered.

Mr. AIKEN. I know that the Senator from Wisconsin [Mr. LA FOLLETTE] is interested in that item. I am, too. I desire to offer an amendment in regard to it. In line 4, on page 35, where the appropriation for the Securities and Exchange Commission now reads "$4,791,700," I propose to restore the figure to the Budget estimate, which subsequently was reduced by the House of Representatives. Instead of having the figure read "$4,791,700," I offer an amendment to have it read "$5,186,000." That would restore the figure to the recommendation of the Bureau of the Budget, which subsequently was reduced by the House of Representatives. The cut amounted to approximately $394,000.

Mr. McKELLAR. What amount of increase would the amendment provide for?

Mr. AIKEN. Approximately $394,000, which was the recommendation of the Bureau of the Budget, as I understand.

Mr. McKELLAR. Would the Senator agree to modify his amendment so as to provide for an increase of $200,000, and then let us take the amendment to conference?

Mr. AIKEN. I would agree to that.

Mr. McKELLAR. I shall be glad to take the modified amendment to conference. I am not familiar with the item and I shall have to look into it. I shall be glad to hear from the Senator from Vermont about it, too.

Mr. AIKEN. I am sorry I do not have with me the data to substantiate the increase.

Mr. HILL. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. HILL. The Senator from Vermont has suggested that the estimate of the Bureau of the Budget was reduced or cut by $394,000; is that correct?

Mr. LA FOLLETTE. It was reduced $394,300.

Mr. HILL. The distinguished Senator from Tennessee has suggested that the amendment be modified so as to increase the amount provided by the House by $200,000.

Mr. McKELLAR. Yes; and then I shall be glad to take the amendment to conference.

Mr. HILL. Inasmuch as the Senator will take it to conference and since, so far as I can learn, there was no criticism of the item by the committee, and in fact there was no presentation as to this matter at the hearings held by the Senate committee——

Mr. McKELLAR. There was no request for it.

Mr. HILL. Was there a hearing on it?

Mr. McKELLAR. I am mistaken about that; I beg the Senator's pardon.

Mr. HILL. Since the Senator is going to take the amendment to conference, I wonder whether he will be willing to take to conference an amendment in the amount of the estimate of the Bureau of the Budget, because the whole matter would be in conference, anyway.

Mr. McKELLAR. It is a large amount.

Mr. HILL. If it is taken to conference, then the distinguished Senator from Tennessee and the House conferees can work it out, and the Senator from Tennessee will have the whole matter before him then in a way which he would not have if he took to conference an amendment providing an arbitrary increase of $200,000 in the amount fixed by the House.

Perhaps the Senator would be willing to have the amendment provide for an increase of $250,000.

Mr. McKELLAR. Yes; if that is agreeable to everyone concerned.

Mr. AIKEN. That will be agreeable, Mr. President.

Let me say that in reducing these appropriation items I think we should take into consideration the increased compensation pay which the various agencies are required to pay their employees under the act which the Congress passed last year.

I understand that the Securities and Exchange Commission believe that the increase in compensation of their employees will amount to approximately $500,000. So if we take off nearly $400,000 from the estimates which have been made, their working capital will thereby be reduced by 20 percent. If the Senator is agreeable to an increase in the amount of $250,000 above the present figure, I will agree to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont as

modified on page 35, line 4, striking out "$4,791,700" and inserting "$5,041,700."

The amendment as modified was agreed to.

Mr. AIKEN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a memorandum in relation to the appropriation of the Securities and Exchange Commission for the fiscal year 1947 as contained in the independent offices appropriation bill now before the Senate.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

APPROPRIATION OF THE SECURITIES AND EXCHANGE COMMISSION FOR THE FISCAL YEAR 1947 AS CONTAINED IN THE INDEPENDENT OFFICES APPROPRIATION BILL REPORTED TO THE HOUSE OF REPRESENTATIVES ON JANUARY 22, 1946

The 1947 budget estimates of the Securities and Exchange Commission, as approved by the President, provided $5,186,000 for salaries and expenses. The independent offices appropriations bill for 1947 provides only $4,791,700 for these salaries and expenses, a reduction of $394,300 below the estimates. The report of the Appropriations Committee of the House, which accompanied the bill, states that $100,624 of the total reduction is to be specifically applied to a proposed increase requested in the estimates for the compilation of certain corporate statistics. It is surprising to note that no reasons are assigned in the House committee report for any of the reduction which was made, even that of the specific $100,624 item. Consequently no more can be done than to emphasize again the reasons previously advanced for the total increase over the amount appropriated for the fiscal year 1946. Some advantage can be gained from the point of view of presentation by arbitrarily apportioning the reduction other than the $100,624 among the various projects for which increases were requested. The amounts applied to particular items are indicated below.

CORPORATE SIMPLIFICATION AND GEOGRAPHIC INTEGRATION OF PUBLIC UTILITY HOLDING COMPANY SYSTEMS

The budget estimates provided an increase of $111,470 for work incident to the corporate simplification and geographic integration of holding company systems as required by section 11 of the Public Utility Holding Company Act. Sixty-six thousand four hundred and seventy dollars of the total reduction has been applied to this project, leaving an increase of only $45,000 for 1947. The number of proceedings under section 11 at the close of the last fiscal year was the largest in the history of the administration of the act. This work requires the services of persons expert in the public utility field. Our work under this section of the act had been retarded to a great extent during the war because of our inability to recruit the necessary personnel. Many of the members of the Public Utilities Division entered the armed services and they are now returning to our employ in increasing numbers. The reduction of $66,470 in our estimates will no doubt retard the final consummation of the work under section 11.

SURVEILLANCE OF SECURITIES MARKETS, ETC.

The Commission's Trading and Exchange Division is responsible for the surveillance and supervision of trading on national securities exchanges and in the over-the-counter market. Exclusive of the funds requested in the estimate for the Compilation of Corporate Statistics, further increases totaling $62,696 were requested for the Trading and Exchange Division. An increase of $25,000 is now provided thereby reducing the estimate for the Trading and Exchange Division by $37,696. This decrease may have serious ill effects on our work in the investigation of manipulative and other illegal practices in the trading of securities. As is well known, the volume of trading both on the registered exchanges and in the over-the-counter markets is greater now than it has been for some years in the past. The likelihood of sustained and increasing speculation is apparent by the record level of public savings in cash and in war bonds. An active market always provides a fertile field for manipulation and other fraudulent practices. Increased vigilance is necessary in order that injury from security frauds may be kept at a minimum. There is little doubt but that our work in this field will be retarded in 1947 if the reduction is not restored, which might have an adverse effect on investors in securities.

EXAMINATION OF REGISTRATION STATEMENTS AND OTHER DOCUMENTS

The Budget estimate provided an increase of $193,700 for the Corporation Finance Division for the examination of registration statements and other documents filed with the Commission under the various acts it administers. It is necessary to allocate $115,700 of the total decrease to this Division, leaving an increase of $78,000 for 1947. Like other divisions and offices of the Commission, the staff of the Corporation Finance Division was reduced during the war period because of appropriation limitations and the unavailability of skilled analysts and accountants. There has been a 44-percent decrease in the personnel of this Division since August of 1942, whereas during the last year there has been a decided increase in the number of registration statements and other documents filed with this Commission and assigned to the examiners of the Corporation Finance Division. As a consequence, a backlog of work has accumulated. If the reduction of $115,700 is not restored the Commission will be faced with a serious problem in 1947 in providing the personnel to properly examine the many important documents reecived under the various acts.

LEGAL AND ACCOUNTING WORK

The estimates provided an increase of $12,470 for the Office of the Solicitor, which now has been reduced to $4,300, eliminating $8,170. The $8,170 is necessary to provide attorneys to appear as counsel for the Commission in various legal proceedings, and to generally assist in the Commission's legal work.

ACCOUNTING WORK

The Budget estimates provided $10,360 for the office of the chief accountant, of which $5,180 was eliminated. The chief accountant and his staff act in an advisory capacity to the Commission and its operating divisions in matters pertaining to accounting, and render opinions in such matters. In order to do this, it is necessary that much research work in the field of accounting be performed. Just prior to the war, a study had been started with respect to the compilation and restatement of the Commission's accounting principles. Much of the spade work on this project was finished but the work had to be discontinued during the war because of personnel shortages. All the work heretofore completed will be lost unless additional help can be provided for the office of the chief accountant. The $5,180 deducted from our estimates would provide funds to employ another research accountant.

FIELD INVESTIGATIONS

The estimates provided $54,084 to employ additional personnel to conduct trading investigations and investigations of suspected securities violations in the area covered by our New York regional office. An increase of $22,500 is now allowed and $31,564 eliminated.

There are certain conditions existing in the New York area which should receive our early attention. For example, there is need to investigate the practices of oil royalties dealers operating in that area; we should undertake investigations with respect to the use of the mails and long-distance telephone by Canadian operators who offer securities for sale in the United States, wherein there may be possible violations of the Securities Act of 1933; and we should undertake a great number of inspections of the books and records of brokers and dealers operating in that area. There is little hope of making any substantial progress in this program unless funds are available to employ all of the personnel requested in our estimate for the New York office.

COMPILATION OF CORPORATE STATISTICS

With respect to the elimination of $100,624 for the compilation of corporate statistics, it is to be noted that data from which these compilations are to be made are contained in the various annual and other reports required by law to be made to the Securities and Exchange Commission, and hence the compilation will not involve any increase in reporting requirements of any of the corporations affected. The compilation includes figures on sales, operating profit, net profit before income taxes, incomes taxes, net profit after income taxes, net worth, net profit before and after taxes as a percent of net worth, and a multitude of other information with respect to the financial affairs of corporations in specific industry groups.

This work was performed under a WPA project from 1935 to 1943 when it had to be discontinued because of the discontinuance of the WPA and because the Commission had no funds with which to continue the work. Even while the Commission had not undertaken this work as a special project, numerous requests for information of this type were received from various agencies of the Government, Members of Congress, and from private industry. The Commission supplied the information on a reimbursement basis where possible, or by detail of members of the staff to this work when their services could be spared. This arrangement had been unsatisfactory because we were able to furnish the information only on a very limited scale. It would be unfortunate if another year should go by without the resumption of these compilations which would constitute a valuable series of statistics which has always been very much in demand. It may be stated that this work is not duplicated by any other agency of the Federal Government, and emphasis placed on the fact that the basic data already in our files can be used more advantageously by tabulating and publishing it.

OTHER ITEMS

The remaining reduction involved $20,696 for the additional cost in 1947 of periodic promotions (required by Public Law 106) made in 1946; $6,000 for travel expenses, and $2,200 for the purchase of equipment. If these amounts are not all restored, it will be necessary to allocate funds from moneys received for other projects for these costs.

The PRESIDING OFFICER. The bill is still before the Senate, and open to further amendment. If there be no further amendment to be offered, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 5201) was read the third time and passed.

Mr. LANGER. Mr. President, the Senate has just passed a bill appropriating approximately $5,500,000,000. I no-

ticed in some of the newspapers of last Wednesday that the public debt had been reduced by approximately $3,000,000,000. Was the statement correct?

Mr. McKELLAR. I saw such a statement in the newspapers, but I have not verified it.

Mr. LANGER. I am curious to know from where the money came by which we are enabled to reduce the public debt by $3,000,000,000 when, at the same time, the Government is selling bonds.

Mr. McKELLAR. I cannot answer the question. I will make an effort to obtain information on the subject, and when I shall have done so I shall be glad to impart such information to the Senator from North Dakota.

Mr. President, I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. GLASS, Mr. McKELLAR, Mr. RUSSELL, Mr. GREEN, Mr. BANKHEAD, Mr. BRIDGES, Mr. WHITE, and Mr. REED conferees on the part of the Senate.

EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, inasmuch as we have an Executive Calendar which may occasion some discussion, I move that the Senate now proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. HOEY in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports of committees, the clerk will proceed to state the nominations on the calendar.

Mr. BARKLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Murdock
Austin	Guffey	Myers
Bailey	Gurney	Overton
Ball	Hart	Radcliffe
Bankhead	Hatch	Reed
Barkley	Hayden	Revercomb
Bilbo	Hickenlooper	Robertson
Brewster	Hill	Russell
Bridges	Hoey	Saltonstall
Buck	Huffman	Smith
Bushfield	Johnson, Colo.	Stanfill
Butler	Johnston, S. C.	Stewart
Byrd	Knowland	Taft
Capehart	La Follette	Thomas, Okla.
Capper	Langer	Thomas, Utah
Carville	Lucas	Tobey
Chavez	McClellan	Tunnell
Cordon	McFarland	Tydings
Donnell	McKellar	Walsh
Ellender	McMahon	Wheeler
Ferguson	Maybank	White
Fulbright	Mead	Wiley
George	Millikin	Wilson
Gerry	Mitchell	
Gossett	Moore	

The PRESIDING OFFICER. Seventy-three Senators have answered to their names. A quorum is present.

The clerk will state the nominations on the Executive Calendar.

RECONSTRUCTION FINANCE CORPORATION — NOMINATION PREVIOUSLY PASSED OVER

The legislative clerk read the nomination of George E. Allen, of the District of Columbia, to be member of the Reconstruction Finance Corporation.

Mr. TAFT obtained the floor.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the remainder of the nominations on the Executive Calendar be disposed of. I do not think there will be any controversy in regard to the other nominations on the calendar.

The PRESIDING OFFICER. Without objection, the remaining nominations on the calendar will be stated.

NAVY DEPARTMENT

The legislative clerk read the nomination of W. John Kenney, of California, to be the Assistant Secretary of the Navy.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

CONTRACT SETTLEMENT

The legislative clerk read the nomination of Horace Chapman Rose, of Ohio, to be Director of Contract Settlement.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc, and, without objection, the President will be notified of the nominations which have been confirmed.

That completes the calendar, with the exception of the nomination passed over, which will be again stated.

RECONSTRUCTION FINANCE CORPORATION—GEORGE E. ALLEN

The legislative clerk read the nomination of George E. Allen, of the District of Columbia, to be member of the Reconstruction Finance Corporation.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

Mr. TAFT. Mr. President, I rise in opposition to the confirmation of the nomination of George E. Allen to be a member of the Board of the Reconstruction Finance Corporation. It is generally understood, I think, that Mr. Allen, if appointed to the Board, will be elected chairman of the Board. Certainly that is within the range of the possibilities. Mr. Allen testified at the hearing before the committee that when the President suggested to him that he wished to nominate him he gave him a "thin hint" that he would become chairman. The present chairman is, I understand, only temporary. While the chairman is selected by the Board, they obviously will select anyone the President requests them to select as chairman, and, in view of Mr. Allen's own testimony, I think we can assume that we are, in effect, asked to confirm him as a successor to Mr. Jesse Jones as chairman of the Board of the Reconstruction Finance Corporation.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. Jesse Jones has not been chairman of the Board for quite a long time. He was chairman of it until he was appointed Secretary of Commerce and Loan Administrator, and from then on former Senator Henderson has been chairman. I do not think it is quite fair to former Senator Henderson to say he is merely temporary chairman.

Mr. TAFT. I quite agree. However, former Senator Henderson has been on the Board for a long time. He is quite well along in years, and I have not heard of any intention of continuing him indefinitely as chairman of the Board. In any event, it seems to me clear that we have to consider whether Mr. George E. Allen shall be chairman of the Board of the Reconstruction Finance Corporation.

Article II of the Constitution, with which we are all familiar, reads as follows:

> He [the President] shall nominate, and, by and with the consent of the Senate, shall appoint * * * all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law.

The appointment of officers is an Executive function in which the Senate participates and has a constitutional responsibility. This responsibility is perhaps not equal to that of the President, but it is of the same character. There is a general idea that before a man can be rejected he must be a criminal, or guilty of some sensational default. This is wholly untrue. We have the duty under the Constitution to pass on the character, ability, education, training, and competence of nominees. There is perhaps a slight presumption in favor of the President's nominations, but nothing that relieves us from making a complete examination ourselves. There is a suggestion that in the case of the President's own Cabinet he should have the right to appoint anyone he wishes. I answered this in the case of the nomination of Mr. Wallace a year ago, and showed that Cabinet nominees have been rejected a number of times. Undoubtedly, the presumption in favor of the nominee is stronger in the case of Cabinet officers, but that is all.

At the present time we have before the Senate three important nominations, none of them to Cabinet positions, but all of them to positions which are of tremendous importance to the people of the United States. Mr. Pauley is nominated to be Under Secretary of the Navy, a vitally important administrative job in the preparation of our postwar defense. Mr. Allen is nominated as a director of the Reconstruction Finance Corporation, with the implication, as I have said, that

without further action by the Senate he will become Chairman of the Board. Commodore Vardaman has been appointed to a 14-year term on the Federal Reserve Board at a salary of $15,000 a year. The character of these appointments has excited the indignation of the people of this country. Without considering the individual cases for the moment, they have certain characteristics in common. None of the nominees knows anything about the job to which he is appointed. Mr. Pauley knows nothing about the Navy. His semidiplomatic trips to Russia and the Far East apparently showed that he knew nothing about diplomacy or our relations with other countries. Mr. Allen knows nothing of banking, which is the main function of the Chairman of the Board of the RFC. Commodore Vardaman knows nothing about currency or the control of inflation, though he did have some background over 10 years ago for the banking functions of the Federal Reserve Board by serving in minor bank jobs.

Furthermore, they are all men who have no peculiarly outstanding position in their own field of activity outside that to which they are appointed, and no special qualifications for the jobs to which they are appointed. They are apparently all selected only because they are personal or political friends of the President.

Outside of these common characteristics, each case, of course, must stand on its own merits, and will be discussed here in the Senate.

It has been too easily the practice of the Senate to confirm appointments unless there is some outstanding disqualification. I believe that in these cases such disqualification will be shown to exist. But, apart from that question, I see no reason why I, or other minority members, should longer assume any responsibility for inadequate, incompetent, and unsuitable appointments to important positions. If the President wishes to make such appointments and the members of the majority party desire to confirm them, then theirs will be the responsibility for the kind of government we will get.

In many respects, Mr. President, the Reconstruction Finance Corporation is the most powerful body in the Government. It is authorized to borrow and relend an incalculable sum; no one can add up all the possibilities, but I think it fair to say a sum in the neighborhood of $20,000,000,000. Unlike the ordinary Government department, it is not limited to any specific field by authorization laws. It may make loans to foreign nations, to banks, to insurance companies, to railroads, to business undertakings of any kind. It has constructed thousands of manufacturing plants and leased them or engaged operators for them. It has bought vast quantities of machine tools and machinery and leased them to companies throughout the country. Today it has the important job of disposing of these plants and machinery, either to the companies now using them or to other companies. The RFC also has a considerable control over the subsidy policy of the Government.

Mr. President, the scope of the activities of the RFC was thoroughly considered by the Senate when we passed earlier this year the bill to take the RFC away from the Department of Commerce. Perhaps the most comprehensive statement of these powers was made by the distinguished Senator from Georgia [Mr. GEORGE] in his appearance before the Committee on Commerce of the United States Senate. He lists the various powers of the RFC beginning with:

1. Loans under section 5 of the Reconstruction Finance Corporation Act, as amended, to aid in financing agriculture, commerce, and industry, to—

(a) Financial institutions, banks, savings banks, trust companies, building and loan associations.

And so forth.

Mr. President, I think I do not need to read further, but I ask that there be inserted in the RECORD at this point in my remarks a list of the authorities of the RFC which were placed in the committee record by the distinguished Senator from Georgia [Mr. GEORGE], including some 4 pages of more or less fine print and including some 33 different statutes and powers conferred upon the RFC.

The PRESIDING OFFICER. Without exception, it is so ordered.

The matter referred to is as follows:

I. Loans, under section 5 of the Reconstruction Finance Corporation Act, as amended, to aid in financing agriculture, commerce, and industry, to—

(a) Financial institutions; banks; savings banks; trust companies; building and loan associations; insurance companies; mortgage loan companies; credit unions; Federal land banks; joint-stock land banks; Federal intermediate credit banks; agricultural credit corporations (including regional agricultural credit corporations); livestock credit corporations; banks, savings banks, and building and loan associations closed or in process of liquidation to aid in their reorganization or liquidation.

(b) State insurance funds established for paying or insuring payment of compensation to injured workmen and those disabled by disease contracted in the course of their employment, or to their dependents.

(c) State funds created for insuring repayment of deposits of public moneys of such States or of their political subdivisions.

(d) Railroads or receivers or trustees thereof to aid in financing, reorganization, consolidation, maintenance, or construction, by purchase or guarantee of railroad obligations or by loans—loans and commitments outstanding limited to $500,000,000 in addition to loans and commitments made prior to January 31, 1935, and renewals thereof.

(e) Parties to marketing agreements entered into by Secretary of Agriculture with processors, producers, et al., engaged in handling agricultural commodities or products (sec. 8b, Agricultural Adjustment Act, approved May 12, 1933, as amended April 7, 1934, and August 24, 1935).

(f) Persons, associations, or corporations for financing the production, and so forth, and orderly marketing of fish of American fisheries or products thereof (sec. 5, act approved June 19, 1934).

(g) Processors or distributors for payment of processing taxes (sec. 19 (c), Agricultural Adjustment Act, approved May 12, 1944).

II. Loans to facilitate the exportation of agricultural or other products and their sale in foreign markets—

(a) By acceptance of drafts and bills of exchange (sec. 5a, Reconstruction Finance Corporation Act, approved January 22, 1932).

(b) By loans (sec. 201 (c), Emergency Relief and Construction Act of 1932, approved July 21, 1932).

III. Subscriptions for or loans upon nonassessable stock and purchase of capital notes or debentures of national mortgage associations, mortgage loan companies, trust companies, savings and loan associations, and similar financial institutions whose principal business is lending on mortgages, and so forth; to assist in the reestablishment of a normal mortgage market; limited to $100,000,000 outstanding (sec. 5c, Reconstruction Finance Corporation Act, as amended January 31, 1935).

IV. Loans to and purchase of securities and obligations of business enterprises direct, or in cooperation with banks and other lending institutions through agreements to participate or by purchase of participations, or otherwise (sec. 5d, Reconstruction Finance Corporation Act, as amended April 13, 1938); loans to and purchase of the obligations of any business enterprise, including, when requested by the Federal Loan Administrator, subscription to the capital stock thereof, for any purpose advantageous to the national defense. The War Department and the Navy Department are authorized to participate in or guarantee any such loans (sec. 5d (2), Reconstruction Finance Corporation Act, as amended June 25, 1940, and June 11, 1942).

V. Loans upon or purchase of the assets of banks, savings banks, or trust companies closed 1930 to 1933, inclusive (sec. 5e (a), Reconstruction Finance Corporation Act, added by act of June 16, 1934, and amended by act of January 31, 1935).

VI. Purchase of debentures or other obligations of the Federal Deposit Insurance Corporation; outstanding limited to $250,000,000 (sec. 5e (b), Reconstruction Finance Corporation Act, added by act of June 16, 1934).

VII. Loans and contracts:

A. Under section 201 (a), Emergency Relief and Construction Act of 1932, approved July 21, 1932, as amended, to finance projects self-liquidating in character, to (power of Reconstruction Finance Corporation to approve applications under such sec. 201 (a) terminated June 26, 1933, pursuant to sec. 301, National Industrial Recovery Act, approved June 16, 1933):

(a) States, municipalities, and political subdivisions of States; public agencies of States, municipalities, and political subdivisions of States; public corporations; boards and commissions; and public municipal instrumentalities of one or more States.

(b) Corporations formed to provide housing for families of low income or for reconstruction of slum areas.

(c) Private corporations to aid in carrying out the construction, replacement, or improvement of bridges, tunnels, docks, viaducts, waterworks, canals, and markets devoted to public use.

(d) Private limited-dividend corporations to aid in financing projects for the protection and development of forests and other renewable natural resources.

(e) Aid in financing the construction of publicly owned bridges to be used for railroad, railway, and highway uses.

(f) Nonprofit corporations organized to finance the repair or reconstruction of buildings damaged by earthquake, fire, tornado, or cyclone in 1933; limited to an aggregate of $20,000,000—$8,000,000 in the case of private property, and $12,000,000 in the case of municipalities or political subdivisions of States or their public agencies, including public-school boards and districts.

B. Under section 301 of the National Industrial Recovery Act, approved June 16, 1933, as amended June 19, 1934; further loans and contracts for completion or proper functioning of projects or which will increase assurance of repayment of Corporation's investments in loans or contracts made under

section 201 (a) of the Emergency Relief and Construction Act of 1932, as amended (A (a) above).

C. Under section 5d, Reconstruction Finance Corporation Act, as amended April 13, 1938, to aid in financing projects authorized under Federal, State, or municipal law—

(a) States, municipalities, and political subdivisions of States.

(b) Public agencies and instrumentalities of States, municipalities, and political subdivisions of States.

(c) Public corporations, boards, and commissions.

VIII. Loans to finance the carrying and orderly marketing of agricultural commodities and livestock produced in the United States (sec. 201 (d), Emergency Relief and Construction Act of 1932, approved July 21, 1932).

IX. Subscriptions for preferred stock of national or State banks or trust companies, loans secured by such stock as collateral, and purchases of capital notes or debentures of State banks or trust companies (sec. 304, act approved March 9, 1933, as amended March 24, 1933).

X. Subscriptions for preferred stock and purchases of capital notes, or other forms of indebtedness, of insurance companies, and loans secured by such stock or notes, or other forms of indebtedness, as collateral; limited to $75,000,000 outstanding (secs. 1 and 2, act approved June 10, 1933, as amended June 19, 1934, and January 31, 1935).

XI. Mining loans (sec. 14, act approved June 19, 1934, as amended January 31, 1935, and September 16, 1940) to corporations, individuals, and partnerships engaged in—

(a) Mining, milling, or smelting of ores.

(b) Development of ore bodies containing gold, silver, tin, or strategic or critical minerals; limited to $10,000,000, and not over $40,000 to any corporation, individual, or partnership.

XII. Loans to or for the benefit of public-school districts or other public-school authorities—

(a) For payment of teachers' salaries due prior to June 1, 1934; outstanding limited to $75,000,000 (sec. 16, act approved June 19, 1934).

(b) To reduce and refinance outstanding indebtedness or obligations incurred prior to August 24, 1935; and for repairs, extensions, or improvements necessary to protect such loans; limited to $10,000,000 (act approved August 24, 1935).

XIII. Loans to corporations, partnerships, individuals, municipalities, or political subdivisions of States or of their public agencies, including public-school boards and public school districts, and water, irrigation, sewer, drainage, and flood-control districts for financing—

(a) The repair, construction, reconstruction, or rehabilitation—

1. Of structures or buildings, including necessary equipment, appliances, fixtures, machinery, and appurtenances;

2. Of water, irrigation, gas, electric, sewer, drainage, flood control, communication, or transportation systems, highways and bridges;

damaged or destroyed by catastrophe in the years 1935 or 1936.

(b) The acquisition of structures, building, or property in replacement of property destroyed or rendered unfit for use by catastrophe in the years 1935 and 1936.

Limited to $50,000,000 (act approved April 13, 1934, as amended July 26, 1935, and April 17, 1936).

XIV. Loans and advances to the Secretary of Agriculture to acquire, handle, and market cotton owned or held as collateral by other governmental departments and agencies (sec. 5, Agricultural Adjustment Act, approved May 12, 1933, as amended June 19, 1934).

XV. Loans to or for the benefit of agricultural improvement districts—drainage, levee, irrigation, etc.—to reduce and refinance outstanding indebtedness; purchase, acquire, construct, complete, repair, extend, improve, or make additions to, projects; or purchase or acquire additional drainage, levee, or irrigation works, or property, rights, or appurtenances in connection therewith. Limited to $125,000,000 (sec. 36, Emergency Farm Mortgage Act of 1933, approved May 12, 1933, as amended June 22, 1936).

XVI. Loans to managing agencies of farmers' cooperative mineral-rights pools for defraying the cost of organizing such pools (sec. 13, act approved June 19, 1934).

XVII. Loans to Administrator of the Rural Electrification Administration. Limited to $50,000,000 for fiscal year 1937 (Rural Electrification Act of 1935, approved May 20, 1936); $100,000,000 for fiscal year ending June 30, 1939 (Rural Electrification Act of 1936, approved May 20, 1936, as amended by sec. 401, Rural Electrification Act of 1938, approved June 21, 1938; $100,000,000 to the Secretary of Agriculture for loans in accordance with the Rural Electrification Act of 1936, as amended, by Department of Agriculture Appropriation Act, 1941, approved June 25, 1940; $100,000,000 by Department of Agriculture Appropriation Act, 1942, approved July 1, 1941; and $10,000,000 by Department of Agriculture Appropriation Act, 1943, approved July 22, 1942; and $25,000,000 by Department of Agriculture Appropriation Act, 1945, approved June 28, 1944).

XVIII. Loans to receivers appointed under section 29 of the Federal Farm Loan Act, as amended, or by a United States district court, to pay taxes on farm real estate owned or pledged to land banks (sec. 27, Emergency Farm Mortgage Act of 1933, approved May 12, 1933).

XIX. Loans to the Corporation of Foreign Security Holders, a corporation authorized to be created to protect, conserve, and advance the interests of holders of foreign securities in default. Limited to $75,000 (sec. 209, Corporation of Foreign Bondholders Act, 1933, approved May 27, 1933).

XX. Advances to the reclamation fund, upon request of Secretary of the Interior, for the completion of projects under construction or approved and authorized on May 12, 1933. Limited to $5,000,000 (sec. 37, Emergency Farm Mortgage Act of 1933, approved May 12, 1933).

XXI. Purchase of marketable securities from the Federal Emergency Administration of Public Works (now Public Works Administration, Federal Works Agency). Amount held limited to $400,000,000 (Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934; and Public Works Administration Extension Act of 1937, approved June 29, 1937).

XXII. Purchase from United States Housing Corporation certain mortgages on property in Lincoln Gardens project, New Brunswick, N. J. (act approved June 25, 1938).

XXIII. Purchase from Secretary of the Treasury of capital stock of Federal home-loan banks (sec. 2, Reconstruction Finance Corporation Act, as amended June 25, 1940, and sec. 304, act approved March 9, 1933, as amended June 25, 1940).

XXIV. Loans to or subscriptions for preferred stock of Export-Import Bank of Washington: Loans or other obligations of bank outstanding at any one time shall not exceed $700,000,000. Loans to or subscriptions for preferred stock of Export-Import Bank to enable bank to make loans to governments, their central banks, or other acceptable banking institutions and, when guaranteed by such government, a central bank or other acceptable banking institution, to a political subdivision, agency, or national of such government, not to exceed $500,000,000, outstanding at any one time (see 5d, Reconstruction Finance Corporation Act, as amended September 26, 1940, and sec. 9, act approved January 31, 1935, as amended September 26, 1940).

XXV. Loans to or purchase of capital stock of any corporation—

(a) For producing, acquiring, and carrying strategic and critical materials, and

(b) For plant construction, expansion, and equipment, and working capital, to be used by the corporation in the manufacture of equipment and supplies necessary to the national defense.

(Sec. 5, Reconstruction Finance Corporation Act, as amended September 26, 1940.)

XXVI. Creation or organization, at any time prior to July 1, 1943, of a corporation or corporations with power—

(a) To produce, acquire, carry, sell, or otherwise deal in strategic or critical materials;

(b) To purchase and lease land, purchase, lease, build, and expand plants, and purchase and produce equipment, facilities, machinery, materials, and supplies for the manufacture of strategic and critical materials, arms, ammunition, and implements of war, any other articles, equipment, facilities, and supplies necessary to national defense, and such other articles, equipment, supplies, and materials as may be required in the manufacture or use of any of the foregoing or otherwise necessary in connection therewith;

(c) To lease, sell, or otherwise dispose of such land, plants, facilities, and machinery to others to engage in such manufacture;

(d) To engage in such manufacture itself, if the President finds it necessary;

(e) To produce, lease, purchase, or otherwise require railroad equipment (including rolling stock), and commercial aircraft, and parts, equipment, facilities, and supplies necessary in connection with such railroad equipment and aircraft, and to lease, sell, or otherwise dispose of the same;

(f) To purchase, lease, build, expand, or otherwise acquire facilities for the training of aviators and to operate or lease, sell, or otherwise dispose of such facilities to others to engage in such training; and

(g) To take such other action as the President and the Federal Loan Administrator may deem necessary to expedite the national defense program.

Aggregate amount of funds of Reconstruction Finance Corporation outstanding at any one time to carry out clause (g) shall not exceed $200,000,000.

(Sec. 5d, Reconstruction Finance Corporation Act, as amended June 10, 1941.)

XXVII. To acquire real estate, or any right or interest therein, by purchase, lease, condemnation, or otherwise determined by the Corporation to be necessary or advantageous to the carrying out of any authority vested in any corporation created pursuant to section 5d of the Reconstruction Finance Corporation Act, as amended. (See previous item.) (Sec. 5d, Reconstruction Finance Corporation Act, as amended by sec. 1 of act approved March 27, 1942.)

XXVIII. Loans to foreign governments, to their central banks, or to any person, commission, association, corporation, or bank acting for or on behalf of such government, for the purpose of achieving the maximum dollar exchange value in the United States for the securities or property of any such government, central bank, person, commission, association, corporation, or bank (sec. 5d, Reconstruction Finance Corporation Act, as amended June 10, 1941).

XXIX. Loans to the Secretary of Agriculture for farm tenancy loans in accordance with Bankhead-Jones Farm Tenant Act approved July 22, 1937, $50,000,000 by Department of Agriculture Appropriation Act, 1941, approved June 25, 1940; $50,000,000 by Department of Agriculture Appropriation Act, 1942, approved July 1, 1941; $32,500,000 by Department of Agriculture Appropriation Act, 1943, approved July 22, 1942, and $30,000,000 by Department of Agriculture Appropriation Act, 1944, approved July 12, 1943, and

$15,000,000 by Department of Agriculture Appropriation Act, 1945, approved June 28, 1914.

XXX. Loans to the Secretary of Agriculture for rural rehabilitation loans, $125,000,000 by Emergency Relief Appropriation Act, fiscal year 1941, approved June 26, 1940; $120,000,000 by Department of Agriculture Appropriation Act, 1942, approved July 1, 1941; $97,500,000 by Department of Agriculture Appropriation Act, 1943, approved July 22, 1942; $60,000,000 by Department of Agriculture Appropriation Act, 1944, approved July 12, 1943. (Increased to $67,500,000 by First Supplemental National Appropriation Act, 1944, approved December 23, 1943, and $67,500,000 by Department of Agriculture Appropriation Act, 1945, approved June 28, 1944.)

XXXI. Loans or purchase of securities to cooperate with States to finance, or to aid in financing, the acquisition of right-of-way necessary or desirable for road projects eligible for Federal aid under the Federal Highway Act (Federal Highway Act of 1940, approved September 5, 1940).

XXXII. To supply funds to War Damage Corporation (created pursuant to section 5d of the Reconstruction Finance Corporation Act, as amended) only on the request of the Secretary of Commerce with the approval of the President, not exceeding $1,000,000,000 (sec. 5g, Reconstruction Finance Corporation Act, as amended by sec. 2 of the act approved March 27, 1942).

XXXIII. To purchase or make loans upon the security of any article or commodity the sale or distribution of which is rationed under authority of the United States (sec. 5h, Reconstruction Finance Corporation Act, as amended by act approved May 11, 1942).

Mr. TAFT. Mr. President, I shall read the statement which was then made by the distinguished Senator from Georgia. He said:

Now, Mr. Chairman, as I said before reading this summarized statement of the powers and authority given to the RFC and its various subsidiaries, organized under the Reconstruction Finance Corporation Act or otherwise, I think the vast powers and vast authority given is the strongest possible argument that anyone can make for the return, or for the hastening of the return, of these powers to an independent agency of the Government created by the Congress and responsible to the Congress.

I emphasize the fact that this is a position which is peculiarly responsible to the Congress. It is just the antithesis of the office held by a member of the President's Cabinet. The Congress created the RFC, and granted it extraordinarily wide powers, powers almost legislative in extent, and has granted those powers largely because of its confidence in the management of the Reconstruction Finance Corporation.

The Senator from Georgia proceeded:

More and more, the responsibility of Congress for the creation of these vast powers and for the grant of these vast authorities is placed upon the Senate of the United States as a member of the legislative branch of this Government.

I am firmly of the opinion, myself, that as we follow through the mobilization period to the end of the war, whenever it may come, and as we also enter into and follow through the reconversion period, that this direct responsibility ought to be recognized by the Congress and ought not to be placed, or continued, in an officer in the executive branch of the Government who is a part of the official family, so to speak, of the Chief Executive of the Nation.

Yet apparently Mr. Allen is appointed because he is a part, so to speak, of the close personal family, almost, of the President of the United States.

The Senator from Georgia then said:

These powers are too vast and are too sweeping; the economic control over this country, and the political controls, if I may be bold enough to say so, simply cannot be estimated. And for both reasons, and all reasons, and under all the circumstances, I hope that the committee will approve the bill which I have introduced.

That bill transferred from the Department of Commerce, to which Mr. Wallace had just been appointed, the control of the RFC, and set it up as an independent agency.

The RFC has made on the whole an excellent record. It has been conservatively administered under the general direction of Mr. Jesse H. Jones, who protected the Government's interest in making loans with the general point of view of a banker interested in the soundness of the proposal made to him, and at least the possibility of the loan being repaid. I might point out that Mr. Jones was not either a personal or political appointment, being a Democrat from Texas, appointed by President Hoover because he thought him qualified to do a job for the Government. Congress has always had confidence in Mr. Jones, and therefore granted far more unlimited powers to the RFC than would otherwise have been granted. I think Congress was too generous, and that the powers should be cut down, but certainly there seems to be no plan to cut down the powers at the present time, and we are asked to confirm Mr. Allen to a position to which all those powers are still adherent.

Mr. LUCAS. Mr. President——

The PRESIDING OFFICER (Mr. STEWART in the chair). Does the Senator from Ohio yield to the Senator from Illinois?

Mr. TAFT. I yield.

Mr. LUCAS. I am interested in ascertaining what Jesse Jones did when he became head of the Reconstruction Finance Corporation with respect to relinquishing his power or authority insofar as his position as director in different corporations was concerned.

Mr. TAFT. I do not know. I have no reason to believe that he remained director or drew salary as director of any corporation. We had only one witness before us on the nomination of Mr. Allen, and that was Mr. Allen himself, and the subject suggested by the Senator from Illinois was not discussed. I shall later discuss the position of Mr. Allen with reference to what he proposes to retain in the way of offices. He proposes to give up some of his connections but to retain others which I shall describe.

Mr. LUCAS. My only reason for raising the question was that the able Senator had referred to Jesse Jones as one who was fitted for the position to which Mr. Allen has been appointed, and I heartily agree with the Senator in that statement. I thought perhaps the Senator might have information on the subject, which seems to me to be rather important, in view of the Senator's opinion.

Mr. TAFT. I should have no objection to Mr. Allen retaining stock in any company, but the RFC Act provides that if a member of the Commission finds that he is interested in a company which comes before the Commission, he cannot participate in the proceedings regarding that company. The question here goes further: It is whether he may continue to draw salaries from various companies which may have business with the Government.

Congress has always regarded the RFC as practically an agency of Congress, authorized to some extent to exercise legislative powers which Congress desires closely to scrutinize. When it was proposed to turn over the administration of this vast agency to Mr. Henry Wallace, a bill was hastily prepared to make it independent of the Department of Commerce. We should, therefore, examine with special care the appointment of Mr. Allen to be a member of the Board. The Board selects its own chairman.

As I pointed out, Mr. Allen has received a "thin hint" from the President that he is to be chairman. I doubt that the President will go back on that implied understanding.

Mr. McMAHON. Mr. President, did the Senator from Ohio make any effort to ascertain just how thin the hint was?

Mr. TAFT. No. Mr. Allen testified that the President gave him a "thin hint" that he would be chairman, but when he was asked whether he would take it, he said he would, and later when he saw that his nomination to be merely a member of the Board had been sent to the Senate, it upset him a little that nothing was said about his being chairman. Then it was pointed out to him—not by the President, but by others—that the chairman was not appointed by the President, but was chosen by the Board itself. I do not know what Mr. Allen meant by a "thin hint," but in view of his relations with the President. I think it certainly was an implied statement that that was the probability, though it was probably not a promise.

Mr. President, we have to consider, therefore, whether Mr. Allen is competent to fill the position of Chairman of the Reconstruction Finance Corporation. No one testified except Mr. Allen, and so our story of his qualifications comes from him, and I think he was perfectly frank and perfectly truthful in the description of what his life has been and what his business is.

He is a public relations man. Exactly what a public relations man is, is not entirely clear from his testimony, nor is it entirely clear in my mind. But evidently the position is regarded as important, and is well paid, because Mr. Allen is receiving $28,000 a year from the Home Fire Insurance group, and other moneys he receives make his total income approximately $50,000 a year.

His entrance into other fields than that of public relations has not been for long periods or particularly successful. He practiced law for less than a year in Indianapolis, when he first came back from the World War, as I recall. He operated a few hotels for several years until they went into bankruptcy in 1933, when he was appointed a Commissioner of the District of Columbia. He was in the sales department of the General

Chemical Co. for a few months, and left, he said, not exactly on request, but because his services were not very satisfactory.

His success has been in the line of public relations, as a chamber of commerce secretary, promoter of conventions, and public relations man in Washington for fire insurance and other companies.

In 1938 Mr. Allen left the position of Commissioner of the District of Columbia and became the public relations man for the Home Fire Insurance Co. He is not an insurance man; he has never sold insurance for them; he has never attended to the other end of the business—that is, investing money for them. He merely is their public relations man. I suppose that means that he should be active in Washington and in New York; that he should indicate the general type of publicity which would be advisable in order to keep their relations on a more friendly basis with the public; that he would tell them how to operate on a more friendly basis with the Government; and that while in Washington he would report to them and indicate to them the general trend of affairs in Washington. Mr. President, there is nothing criminal in connection with that job. I do not want to imply anything of the sort. But it is apparently a job which is peculiarly a matter of contact with Government officials.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. McMAHON. The Senator does not seem to have had a great deal of experience or contact with public-relations representatives. Of course, it is a profession or a business, call it what you will, which has had a large development in recent years. But I happen to know several of them, men of great intelligence and great industry and of a considerable degree of wisdom, who are being paid by the great corporations of the country for their objective, disinterested advice on the myriad problems which arise in the operation of a great industry. I think the Senator will find that there is no large industry doing a Nation-wide business in the United States today that has not retained a public-relations counsel.

Mr. TAFT. Mr. Allen is not practicing as a public-relations counsel. He is living here in Washington, holding a couple of Government jobs, one with the War Damage Corporation and another with the Alien Property Custodian. He is associated with the Government, and at the same time drawing money from half a dozen large corporations—for what? For being their public-relations man in Washington to present their case to the Government, to tell them what the Government is thinking about the matters in which they are interested. That is a perfectly legitimate profession. I am only trying to say that it is not one which would qualify a man to be chairman of the board of the Reconstruction Finance Corporation.

Mr. President, why does the Home Fire Insurance group of companies employ a man in Washington at $28,000 a year? He was employed in that capacity in 1938. In 1935 the Home Fire Insurance group was one of a group of companies which got into trouble with the public, if you please. Their public relations were not so good. They joined with a great many other companies and went to Missouri and bribed Mr. Pendergast to have a case dismissed, or to obtain for them a rate increase, in effect, and Mr. Pendergast received $300,000 for that. That was in 1935, before the time Mr. Allen was appointed. Mr. Allen had nothing to do with it. I do not want to give that impression at all. But why did they want to get a public-relations man? They were sued in the courts of Missouri, and this group of companies paid $47,000 toward this bribe. That case is set out in the Federal reports. I do not care to read it, and do not mention it except to show why they wanted a public-relations man in Washington.

Furthermore, the Attorney General was bringing suit against all these fire insurance companies, alleging that they were engaged in unlawful practices under the Sherman Act, and trying to put them under Federal control. Obviously it was desirable that they have in Washington a man who knew officials of the Government, a man who could tell them what was going on, how much danger there was, a man who might even have something to say about the appointment of those who would be concerned with the prosecution. Certainly, it is a perfectly legitimate job. I only say it is not a job which qualifies a man to be chairman of the Board of the RFC. Of course, ever since then the insurance companies have been in trouble with the Government, and they also have had negotiations with the Government. For instance, take the case of the War Damage Corporation, which issued, I forget how many billion dollars' worth of war insurance. That corporation negotiated with the insurance companies and placed in its policies a 20 percent reinsurance provision, by which the companies reinsured war-damage insurance to a certain extent.

Mr. Allen not only represented the Home Fire Insurance group of companies but he sat on the Board of the War Damage Corporation. I do not think he did anything on that Board that would not have been done had he not been there. Nevertheless it was an advantage to the companies to have him on the War Damage Corporation, merely to be certain that the Government did not go permanently into the insurance business, if you please, or to see that the terms on which it dealt with the insurance companies were fair.

Mr. President, in addition to the $28,000 a year—and he has only 100 shares of stock in the company, and his connection is only that of public relations man—he also receives director fees from a list of some 15 other companies which are closely connected with the Home Fire Insurance group of companies.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. AIKEN. Will the Senator from Ohio tell us whether there was any testimony which indicated at what time Mr. Allen acquired shares in the various companies and became connected with them as an officer?

Mr. TAFT. I said his connection with the Home Fire Insurance group of companies began in 1938, and I shall take up each company as I come to it. Most of them were acquired, if the Senator is interested, before Mr. Truman became President—all except the Republic Steel, to which he was appointed after Mr. Truman became President.

Mr. AIKEN. What I am interested in knowing is whether the acquisition of stock in these corporations occurred about the time Mr. Allen became more influential in Government, or whether he was in the corporations and owned stock before he made his connections with the Government.

Mr. TAFT. The connection with the Government I think occurred in most cases afterwards. I think it was his personal friendship and his knowledge of people in Washington, rather than any particular Government connection, that led to his employment as public relations man. So far as the stock is concerned, the stock of most of these companies was bought on the market and paid for in full. There was only one exception, to which I shall refer. I think he bought the stocks as investments, because when he was made a director he had to qualify and probably brought the shares of stock in a perfectly proper way. I do not think his acquisition of stock in the companies is of much importance. The whole question is the drawing money from them. It is much more important to get a salary of $6,000 from a company. To get that much by way of dividends it would be necessary to buy a great deal of stock. The salary is the more important feature.

Mr. OVERTON. Mr. President——

The PRESIDING OFFICER (Mr. CARVILLE in the chair). Does the Senator from Ohio yield to the Senator from Louisiana?

Mr. TAFT. I yield.

Mr. OVERTON. The Senator has spoken of the different business in which Mr. Allen has been engaged. Will the Senator mention the fact that he was connected with the District of Columbia Government, as one of the Commissioners of the District? I want to know what the record shows with respect to the fact that at one time he was one of three Commissioners administering the affairs of a concern which spent at that time about $40,000,000 a year. So far as I know he has a very splendid record in the conduct of the affairs of that organization. That activity is the District of Columbia. For several years he was one of the Commissioners of the District of Columbia. At that time I happened to be the chairman of the subcommittee of the Committee on Appropriations which had in charge the appropriations relating to the District of Columbia, and I had considerable contact with Mr. Allen, not only before the committee but outside the committee. My association with him led me to believe that he was a rather able administrator. Is there anything in the record to the contrary?

Mr. TAFT. There is nothing in the record either way. Mr. Allen said that he performed the job he thought satisfactorily, or words to that effect. I do not know whether it is fair to use magazine articles or not. He probably could have answered what was set forth in Fortune magazine. Senators perhaps have read what Fortune said about him. The article says:

Very soon Allen made himself popular, and in 1934 Mr. Roosevelt made him one of the three District Commissioners of Washington. Allen used this comic-opera job as a stepping stone to wide publicity—he kissed movie stars for the photographers, vigorously managed with heavy personal publicity the annual President's birthday balls, and at no one's suggestion made a national WPA survey in 1936 (he solemnly announced that there was no trace of politics in the relief set-up).

That is only a rumor, and I cannot endorse it as evidence.

Mr. OVERTON. Does the able Senator endorse that statement?

Mr. TAFT. I should say that that is the general reputation which he has in Washington, but I do not endorse the statement, because it is not in evidence. I only bring this up because the Senator asked the question.

Mr. OVERTON. It is not only an intensely partisan presentation, but it is perfectly absurd and ridiculous. There is nothing in the administration of Mr. Allen as a Commissioner of the District of Columbia which justifies that comment and limitation upon his activities.

Mr. TAFT. I asked for the record to find out how many of the meetings he had attended, and the District Commissioners stated that that was not a matter of public record, and I could not get it. I think they would have given the information to the committee, but I did not move fast enough to get it. I should be interested to know how many meetings of the District Commissioners he attended. I was not going to make any point of it. The Senator brought up the point.

Mr. OVERTON. I brought up the point because I think it is a point which ought to be brought up. That was one position which he occupied which unquestionably did require administrative ability; and if the Senator has nothing to show against George Allen's administration as a Commissioner of the District of Columbia except what Fortune magazine has to say, I believe that on a very vital point in connection with this controversy the able Senator from Ohio is woefully lacking in evidence.

Mr. TAFT. Mr. President, even if a man conducted the relief activities, which I understand was his field as a Commissioner of the District of Columbia, I still do not see what relation that has to the banking functions of the Reconstruction Finance Corporation, or why such experience would qualify him. There have been many District Commissioners who I think would not in any sense qualify to be Chairman of the Board of the Reconstruction Finance Corporation.

I started to say, Mr. President, that in addition to the $28,000 a year from the Home company, Mr. Allen also received directors' fees ranging from $20 to $250, from approximately 15 other companies which he stated sometimes held four or five meetings in a day. So I believe that his total payment from the insurance companies would amount to considerably more than $28,000.

Mr. President, since May 1943, through his friend Victor Emanuel, Mr. Allen has been a director of the Aviation Corporation of America. He has received as director $6,000 a year. That is rather different from any other directorship I have ever heard of, because he receives the $6,000 a year whether he attends meetings or not. It is in effect a salary as director, and is not affected by his attendance at meetings.

We asked him what he was supposed to do for the $6,000. He said:

I think they really want my opinion. It is not to secure business for the aviation corporation.

I quite agree with him. He has not been here getting business for the aviation corporation. However, the Aviation Corp. is vitally concerned with many things which go on in Washington, and Allen's knowledge of those things is, I believe, what they are naturally concerned with getting, and what they pay for—and perfectly properly so. I said:

Of course, the aviation company is vitally concerned with many things that go on in Washington.

Mr. ALLEN. Yes, sir.

Senator TAFT. Do you think it is your knowledge of those things, or familiarity with them, that leads them to want to pay you $6,000 a year?

Mr. ALLEN. They pay the $6,000.

Senator TAFT. It seems to me if you are going to pay that, you want to get a man who is worth it.

Mr. ALLEN. I am sure they had that in mind.

I do not think he denies in any sense the statement which I made. I think it is perfectly obvious that he has been here in order to keep the Aviation Corp. advised as to what goes on in Washington. For a considerable part of the time he has been in the executive office. I believe that his job was to create a generally favorable attitude toward the corporation. I do not believe that he is a lobbyist. I do not say that he has gone to anyone and deliberately solicited any favor; but I am trying to show the character of job which he does, and what he is qualified for, and I say that it is diametrically opposed to the kind of job which we are now considering, to which he seeks to be appointed.

I think I might point out that the Aviation Corp. is a national company, of very wide interests. I believe that a man engaged with a local company, with one local interest, is in quite a different position from a man who represents very wide national interests, which are concerned every day with what goes on in Washington, and which have business every day in Washington.

The Aviation Corp. owns 6 percent of the stock of the Pan American Airways. It owns 86.34 percent of the New Idea Corp., which manufactures farm implements. It owns about 80 percent of the stock of the American Central Manufacturing Corp., which makes steel kitchen sinks and cabinets, jeep bodies, and refrigerators. There is considerable business with the Government in steel kitchen sinks, cabinets, and refrigerators, and, of course, there is considerable business with the Government in jeep bodies.

The Aviation Corp. owns 59.28 percent of the New York Shipbuilding Co., whose entire business is the construction of naval vessels. It owns 29.61 percent of Consolidated Vultee Co., manufacturers of airplanes, which has bought A. C. F. Brill, which manufactures busses. The Aviation Corp. itself manufactures the Lycoming engine, Spencer heaters, and Republic aircraft parts.

Of course, all these companies have a vital interest in what goes on in Washington, and they are naturally glad to have on their boards someone who can tell them what is going on. I have seen no indication that any of them ever thought of making Mr. Allen president of the corporation, must less the head of a $20,000,000,000 Government corporation.

Mr. Allen appeared before the Federal Communications Commission in 1945, when the Aviation Corp. bought the stock of the Crosley Corp., including Station WLW, and had difficulty in getting WLW transferred from the Crosley Corp. to the Aviation Corp. He appeared with the other directors of the company. At that time he was a close friend of the President, and in the White House every day. The Federal Communications Commission decided in favor of the transfer by a vote of 4 to 3, the opposition being on the ground that a company of that character should not own a radio station.

In 1944 Mr. Allen was made a director of the Cosolidated Vultee Co., manufacturing airplanes, and since that time has received a salary of $6,000 as director of that corporation. That corporation is associated with the Aviation Corp., and Mr. Victor Emanuel is in both.

In July 1935, which was quite a while after Mr. Allen's close association with the President began, he was made a director of the Republic Steel Corp. The Republic Steel Corp. pays $250 a meeting. He is not on the same basis with that corporation as with other corporations. So if he attended all meetings, he would receive $3,000. I should say that at $250 a meeting I would attend all the meetings, but I do not know whether Mr. Allen does or not.

From the time the President entered the White House Mr. Allen was closely associated with him. Mr. Allen says that he did not actually get a desk in the Executive Offices until about the 1st of August, when he was assigned to the job of preparing a plan for demobilization of the war agencies of the Government. Since then he has had a desk in the Executive Offices. Before that, he says he did not have a desk, but I think it is generally known, and I think he admitted, that he has been closely associated with the President.

I cross-examined Mr. Allen as to Republic Steel. I asked him:

At the time you were elected to the Republic Steel Co. Board it was known that you were a very close adviser to the President.

Mr. ALLEN. I know the Republic Steel Co. would never be interested in that, Senator.

You know that as well as I do. In fact, I am sure of that. You know that.

Senator TAFT. Well, do you think when you attended these board meetings and had any information from the White House which might be of interest to these gentlemen, were you expected to reveal that information?

He did not answer the question.

Mr. ALLEN. Senator, you would enjoy some of the meetings. You know, I am voted down quite often on my suggestions at board meetings.

Senator TAFT. I would not be surprised, but then I wondered why you were there if they don't respect your vote. Isn't it the knowledge you have of Washington that is of interest to them?

Mr. ALLEN. Well, Senator, I would not know why.

Senator TAFT. You say they don't respect your opinion——

Mr. ALLEN. Yes. sir.

Senator TAFT. They vote you down every time, but they keep you on the board.

Mr. ALLEN. Yes.

Mr. President, I do not think there was any further testimony of particular importance. I bring it out only to show the occcupation in which Mr. Allen has been engaged, to show that in my opinion it is a disqualification for the office he seeks.

Let me discuss for a moment the Steep Rock Mining Co. Mr. Allen was a director of the Steep Rock Mining Co. and quite a large stockholder in it. The Steep Rock Mining Co. started out to develop an ore body in Canada, just north of Minnesota. The Steep Rock Mining Co. borrowed $5.000,000 from the RFC in February 1943. That was before Mr. Allen was connected with the company. However, he went on the board of directors of that company within 3 months thereafter—in May 1943. He testified, however, that he knew nothing of the loan. He did get from Mr. Cyrus Dean, the promoter of the company, 10,000 shares of stock for what he said was "very little"—less than a dollar a share. When he went on the board of directors of the company, that was what he received, in addition to whatever fees were allowed for service on the board of directors of the company. The stock now is worth approximately $4 a share. The company still owes the RFC $5,000,000. Again I think it was Mr. Allen's knowledge of affairs in Washington that led the "insiders" on that proposition to ask him to become a member of the board of directors. I do not think he ever went to the RFC to get the loan. I am sure he did not go to the RFC to get subsequent loans which the company attempted to get but did not get.

Mr. Allen also represents the Alien Property Custodian. It appears that the Alien Property Custodian, Mr. Markham, has been associated with Victor Emmanuel, and still may be. At any rate, he has appointed Mr. Allen on two or three boards, one of which is the Stinnes board, and another the General Aniline Board. He receives $100 for each of the meetings of the Aniline board which he attends, and $50 for each of the meetings of the Stinnes board which he attends.

Mr. President, I have presented these facts in order to give a picture of the kind of work Mr. Allen has been doing. He does not sell insurance. He does not draw or make mortgages for the insurance companies. Certainly he is not an expert on aviation or mining or steel or manufacturing in general. Evidently he is on those boards and draws his salaries as a public-relations man. Just what is that job? Apparently it means keeping the companies on good terms with the public, and particularly with the Government, and keeping the companies advised about the inside details of what is going on in Washington. For that work he receives $30,000 a year from the fire-insurance companies, $6,000 from the Aviation Corporation, $6,000 from Consolidated-Vultee, $6,000 from Republic Steel, and he has received 10,000 shares of the stock of the Steep Rock Mining Co.

On the Government side, he was in the War Damage Corporation, a close friend of the Alien Property Custodian, and finally he was in the White House from April 1945 on, with a desk in the Executive Offices from August 1945 on, during all of which time he continued to draw $50,000 a year.

While I think there can be no question that it is perfectly proper for a man who comes to Washington from some other place, where he has been running a corporation, to continue to draw a salary from that corporation, I doubt somewhat whether a man whose business consists in representing companies in their relations to the Government and in obtaining information for them from the Government should continue to draw salaries from large corporations throughout the United States when he is serving closely in the Executive Offices.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. TAFT. I yield.

Mr. AIKEN. Does the Senator know how much salary Mr. Allen has drawn from time to time from the Government?

Mr. TAFT. I do not think Mr. Allen has drawn any salary from the Government, except in connection with the two boards I have mentioned, aside from the Government salary he drew while he was serving as one of the Commissioners of the District of Columbia. That was the only position he had at that time. He did not have the other connections when he was one of the Commissioners of the District of Columbia.

Mr. AIKEN. According to the article from which the Senator read, Mr. Allen drew a salary for kissing the movie stars.

Mr. TAFT. I am not referring to that. But he received no salary directly from the War Damage Corporation, so he testified. He receives no salary from the President of the United States, and he has never taken an oath, although he occupies a desk in the Executive Offices.

From the Alien Property Custodian's Office he receives only the director's fees to which I have referred.

Mr. AIKEN. What is the position which warrants his having a desk in the White House? What reason is given for that?

Mr. TAFT. It is stated that he has been preparing and has written a report on the demobilization of war agencies. When the reorganization bill was passed it was announced in the newspapers that Mr. Allen was to be in charge of reorganizing the war agencies of the Government. However, he denies that. He says he is not in charge of reorganizing the war agencies of the Government, and that the President has not entrusted to him the business of preparing a reorganization plan. He says his job is finished, and that he has made a report on the demobilization of Government agencies. He says it is a good report, but I have not seen it. I know that the agencies are not being very quickly demobilized, but I do not know whether that is Mr. Allen's fault.

Mr. AIKEN From what the Senator has said, I would say there are grounds for suspicion, but evidently a lack of evidence to go with the grounds for suspicion, so it makes it very difficult to know what to do.

Mr. TAFT. That is correct. I am simply saying that there is nothing which in any way qualifies him for appointment to the RFC.

I think the case is very well stated by several of the columnists, and I shall now read from several of their articles.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article by Joseph and Stewart Alsop, appearing in the Washington Post. I wish to have the article printed in full in the RECORD, and in a moment I shall read briefly from it.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GEORGE ALLEN THE NEW TYCOON

(By Joseph and Stewart Alsop)

WASHINGTON.—The shrewd politicians are much more interested in the President's nomination of George Allen to the board of the RFC than in his choice of Edwin Pauley for the under secretaryship of the Navy. Pauley's rich oil associations have naturally carried him into the headlines, since a blend of oil and politics has struck a chord in the American political memory for the past 20 years, but it is the Allen nomination that is causing the real talk, and the chieftains of the Democratic Party are by no means the least vocal.

Without any place on the public pay roll Allen has occupied one of the offices allotted to the Presidential staff in the State Department, and has served as one of the President's chief advisers almost since Mr. Truman took office. During the past year, he has also emerged as what can only be called a commanding figure in the business world. In 1944, he was already the director of 16 corporations, including 12 insurance companies, the Aviation Corp., the War Damage Corp., the Steep Rock Iron Mines, and the Washington Properties, Inc. Even then, he was no small potato.

HARRY, GEORGE, AND TOM

But in 1945, Allen's guidance and advice gained a wider appreciation. In that year he added to his list directorships in American Cable & Radio, Consolidated Vultee Aircraft Corp., General Aniline & Film Corp., Hugo Stinnes Corp., and the Republic Steel Corp. On the boards of Aviation Corp., Consolidated Vultee, and Republic Steel, Allen sits with an old friend, Victor Emmanuel. On American Cable & Radio he has among his colleagues members of a New York banking house which has long been known for its friendly interest in the Democratic Party.

And on the board of the Stinnes Corp., Allen finds himself halfway between being a public official and a businessman, since it is under the control of the Alien Property Custodian.

Merely as the man who makes the President laugh, and between laughs gives him much influential advice, Allen would now be a very big potato indeed, but as a man who can both play this role in the White House, and in his off hours act as the close associate of Tom Mercer Girdler, toughest of the steel masters, and advise such a variety of other leaders of American business, Allen is more than just a big potato. He is a phenomenon.

It is fascinating to speculate on how he combines his somewhat divergent duties.

He has claimed to have taken the lead in urging Mr. Truman to adopt the Roosevelt program as his own. Does he enliven the meetings of the Republic Steel directorate, for example, with expatiations on the social and economic virtues of the full employment bill and the new minimum wage bill? It must be a novel sight to see Tom Girdler hearing the pure New Deal doctrine in his own boardroom.

RETURN TO NORMALCY

Under the circumstances, it is only natural that the Allen nomination should have caused considerable comment, particularly since Allen is slated to be named Chairman of the RFC and therefore controller of the RFC's $15,000,000,000 of assets soon after his nomination is confirmed by the Senate.

It is no secret that the Democratic chieftains, like Postmaster General Robert Hannegan, are far from pleased by the President's highly personal choice for one of the key jobs in the Government. They console themselves with the thought that under the chairmanship of Jesse H. Jones, a good many enemies of the Democratic Party were cut in on RFC's business and jobs. At least, they say, Allen can be trusted to clear out these ingrates, and transform the RFC into a soundly partisan organ.

The desirability of making a partisan organ of such a vast engine of economic power as the RFC may of course be questioned, but that is not the real point of the Allen nomination, any more than the possibility that Ed. Pauley may continue to promote his views as to tidelands oil properties while serving as custodian of the naval oil reserves is the real point of the Pauley nomination.

The striking feature of both nominations is the insight they give into the present state of affairs in Washington.

There is nothing especially wicked about either of these two men. Their views and standards are no doubt equal, or even superior, to the views and standards of many of the men who sit with them on their boards of directors. They are different only in that one of them, Allen, has always mingled politics and business, rising simultaneously in both, while the other, Pauley, employed his large resources to become treasurer of the Democratic National Committee, and to rise from that eminence to a position of statesmanship. Nor have men like these ever been absent from the American Government in times of what was once called normalcy.

The only hitch is that these are not normal times. That is, fundamentally, what disquiets the Democratic chieftains, among others.

Mr. TAFT. I now read from the article to which I have just referred:

The striking feature of both nominations—

The article deals with both the Allen and Pauley nominations—

is the insight they give into the present state of affairs in Washington.

There is nothing especially wicked about either of these two men. Their views and standards are no doubt equal, or even superior, to the views and standards of many of the men who sit with them on their boards of directors. They are different only in that one of them, Allen, has always mingled politics and business, rising simultaneously in both, while the other, Pauley, employed his large resources to become treasurer of the Democratic National Committee, and to rise from that eminence to a position of statesmanship. Nor have men like these ever been absent from the American Government in times of what was once called normalcy.

The only hitch is that these are not normal times. That is, fundamentally, what disquiets the Democratic chieftains, among others.

At this point I ask unanimous consent to have printed in the RECORD an article entitled "Pauley and Allen," by Walter Lippmann.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PAULEY AND ALLEN

(By Walter Lippmann)

If Mr. Edwin W. Pauley wishes to show that he is fit to hold high office, the best way for him to begin will be to ask the President to withdraw his nomination for Under Secretary of the Navy. That would be a sign that he could learn to understand the elementary principles in the ethical code of a public servant. For having been until recently a collector of campaign contributions as treasurer of the Democratic Party, being still heavily interested personally in oil properties at home and abroad, he ought to know, and indeed the President ought to know, that he is disqualified for any high post in the Navy Department.

For not only is the Navy greatly concerned with our domestic oil supplies; it is also concerned with, and is bound to play an influential role in shaping our policy about, oil supplies in other parts of the world. Where oil is involved the high officials of the Navy Department should be above all suspicion, political or personal, warranted or unwarranted. Mr. Pauley would always be suspect, and every action of the United States Government in critical areas like the Middle East and Indonesia, where oil is so important, would be laid open to suspicion.

Since he has no other experience which makes him indispensable in the Navy Department, it is the plain duty of the Senate to refuse to confirm him if his nomination is not withdrawn.

The fact that it is necessary to argue the point is in itself disquieting. It is like having at this late date to explain to a lawyer why he should not accept fees from both parties in a lawsuit, or to a journalist why he should not be on the pay roll of the National Association of Manufacturors or of the CIO, or to the Secretary of the Treasury why he cannot be a stockbroker or an investment banker, or to a judge why he cannot practice law.

But apparently it is necessary to explain it. So for the benefit of Mr. Pauley let it be said that to have been treasurer of a political party and to have collected campaign contributions is not in itself a job he need be ashamed of or apologize for. Nor is being in the oil business. But being treasurer and in the oil business was already, to put it gently, a dubious combination; a sensitive politician or a sensitive businessman would shrink from the mixture. To compound it by seeking a high office in which great national and international decisions have to be made that deal with oil in domestic and international politics is to go completely beyond the limits of public morals. For no matter how honest and conscientious Mr. Pauley may be, he cannot come to these questions with a free, disinterested, and unembarrassed mind. And even if he could, he would not easily convince the American public or foreign governments that he had.

It will also be necessary for the Senate to scrutinize the nomination of Mr. George Allen to the Board of the Reconstruction Finance Corporation. The fact that Mr. Allen has the far-flung and complicated private business connections which the Alsop brothers described yesterday in their column, would not necessarily disqualify him But as they indicate, Mr. Allen's expanding career in business has been coinciding with his expanding influence at the White House. His many directorships would be more impressive testimony to his industrial genius if he did not devote so large a part of his genius to running the Truman administration.

The nomination should, therefore, be investigated carefully to find out why he has become a director of so many corporations when he spends so much of his energy governing the United States. Does he in fact produce and sell airplanes, steel, insurance, and no end of other useful goods and services, or does he produce and sell political influence? This is a fair question, and it is the obvious duty of the Senate to see that it is answered.

It is a disagreeable business to have to challenge two men who are as close as are Messrs. Pauley and Allen to the President of the United States. But the alternative is even more disagreeable: It is to admit that after this war, as after the other war, after the Civil War, and indeed after every other war, the standard of public morals must for a time inevitably fall.

We cannot admit this must happen. But it has been happening in Washington, and once the deterioration of standards sets in, things will go from not good enough to bad, and from bad to worse, as they did under Grant and under Harding. In the early phase of the deterioration there are no scandals; they come later, not because anyone in high place planned them, much less wished them, but because a general laxity develops, and a tolerance of dubious connections. The habit of scrupulous vigilance is weakened. Men who are true public servants become discouraged, are pushed aside, resign, will not accept office, and it is then that the seeds of scandal fall upon well-plowed ground.

So this is the time, and here is the occasion, for the responsible leaders of the Democratic Party to take a stand, and compel the President to see before it is too late where blind friendliness is taking him.

Mr. TAFT. From the article to which I have just referred, I wish to read a statement which states exactly my feeling in the matter:

It is a disagreeable business to have to challenge two men who are as close as are Messrs. Pauley and Allen to the President of the United States. But the alternative is even more disagreeable: It is to admit that after this war, as after the other war, after the Civil War, and indeed after every other war, the standard of public morals must for a time inevitably fall.

We cannot admit this must happen. But it has been happening in Washington, and once the deterioration of standards sets in, things will go from not good enough to bad, and from bad to worse, as they did under Grant and under Harding. In the early phase of the deterioration there are no scandals; they come later, not because any one in high place planned them, much less wished them, but because a general laxity develops, and a tolerance of dubious connections. The habit of scrupulous vigilance is weakened. Men who are true public servants become discouraged, are pushed aside, resign, will not accept office, and it is then that the seeds of scandal fall upon well-plowed ground.

So this is the time, and here is the occasion, for the responsible leaders of the Democratic Party to take a stand, and compel the

President to see before it is too late where blind friendliness is taking him.

Mr. President, I ask to have printed in the RECORD at this point as part of my remarks, an editorial from the St. Louis Post-Dispatch.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JOKESTER AS BANKER

President Truman's appointment of George Allen as a director of the Reconstruction Finance Corporation, with the expectation that he will become its chairman, elevates to a position of tremendous power and responsibility a man with almost no qualification for the job.

Before he became active in White House politics in the Roosevelt administration 13 years ago, Mr. Allen had never held a position of responsibility higher than that of hotel manager. He had been, in succession, a small-town lawyer, a speaker for the Indiana State Chamber of Commerce, and a hotel greeter who sold a joke service to luncheon-club speakers on the side.

As manager of a group of Washington properties, he met the late Senator PAT HARRISON, a fellow Mississippian, who introduced him into Democratic Presidential politics. In return for services rendered, President Roosevelt appointed him Commissioner of the District of Columbia, a job which he is said to have performed well.

From minor importance in the Roosevelt administration, Mr. Allen has risen in the Truman regime to a position approximating that of Colonel House under Wilson, or Harry Hopkins under Roosevelt. While he has received no salary for his services as confidant and adviser to the President, he has not done too badly for himself.

Since his entrance into politics, he has become vice president in charge of public relations of the Home Insurance Co. of New York, reportedly at $25,000 a year; a director of Aviation Corp., at $6,000; a director of Consolidated Vultee, at $6,000; and a director of Republic Steel, Penn Mutual Life Insurance Co. and other companies. Mr. Allen's business acumen seems to have received its accolade hand-in-hand with his rise in the councils of state.

Now, having ingratiated himself with the President, Mr. Allen, whose outstanding ability is for telling jokes, is to be entrusted with the largest financial institution in the world, the $35,000,000,000 RFC, a corporation with eight affiliates, one of which alone, the Defense Plant Corporation, owns, among many other things, 574 aircraft plants costing $3,000,000,000.

The appointment of Mr. Allen, like that of Edwin W. Pauley to be Under Secretary of the Navy, reflects no credit on Mr. Truman, either for his judgment of men or for the gravity with which he regards his office. Mr. Pauley has boasted that he uses politics in the interest of his business. Mr. Allen has said nothing so crude, but he has been remarkably skillful in not allowing his political success to keep him from getting on in a business way. Such appointments as these are a public affront, and cannot fail to provoke disquieting doubts of Mr. Truman's own competency.

Mr. TAFT. Mr. President, Mr. Allen discussed with the committee the question of what he would do with reference to these connections if he should become Chairman of the RFC. He said that he would resign entirely from the Home Fire Insurance Co. and give up his salary and directorship in connection with that company. He apparently, said, however, that he would retain his salary from the Aviation Corp., his salary from the Consolidated Vultee Aircraft Corp., and his directorship in the Republic Steel Co. From these companies he receives altogether, $15,000 a year.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. AIKEN. Did he say what he would do with reference to his directorship in the Steep Rock Co. which received a loan from the RFC?

Mr. TAFT. I do not believe that we asked him anything about that matter.

Mr. AIKEN. In other words, is he willing to give up a directorship in any corporation having an RFC loan, should he become a member of the RFC?

Mr. TAFT. I do not know, but I think he would be willing to do so.

Mr. AIKEN. Would he be required to give up the directorship?

Mr. TAFT. No; I do not think he would be required. He considers the retention of his stocks in these companies to be perfectly proper, because he proposes to comply with section 3 of the RFC Act which says, in effect, that no director of that corporation shall participate in the deliberation upon, or the determination of any question affecting his personal interests or the interests of any corporation, partnership, or association in which he is directly or indirectly interested. Mr. Allen has said that he would retain these salaries, and if any question arose within those companies bearing whatever upon his duties in the RFC he would have nothing to do with it.

Mr. AIKEN. The associates with whom he works every day may have something to do with it.

Mr. TAFT. My feeling is that a person does not, by dissociating himself from such interests, necessarily end the influence he may have on the other members of the board. Such influence can be exercised in many ways even though he does not participate in deliberations or decisions. The question arises, for example, When does a company become interested? Policies adopted by the RFC regarding the disposal of airplane plants will be of great interest to the Aviation Corp., even though when the question arises as to the disposal of a particular plant in which they are interested, he does not participate.

Mr. AIKEN. Does the Senator from Ohio know whether any other present members of the board hold directorships in corporations having dealings with the RFC?

Mr. TAFT. I do not know. I think it is clear that a man is not required to give up his investments in stock merely because he is a member of the RFC. I think it is true that if he possesses such stock interests he is perhaps not likely to be influenced. From my experience, that is true. If he holds such stocks as an investment he can sell them on the stock exchange tomorrow, and with the proceeds buy something else. Therefore he is not influenced very much. But when a man who is sitting as head of the RFC draws a salary, for example, of $500 a month from the Aviation Corp. and that salary may be discontinued if the company does not like what he is doing, or he receives a check from the Consolidated Vultee Aircraft Corp., which is also subject to being cut off, or receives a salary from the Republic Steel Co., I think it is a situation which the Senate should consider. I do not know whether the Republic Steel Co., for example, does business with the Defense Plants Corporation. But certainly, the disposal which the RFC may make of the Geneva plant in Utah may be of great interest to them.

I do not believe that so long as Mr. Allen actually retains salaries totaling approximately $15,000 a year from these large companies, his nomination for this position should be confirmed. The Crosley radio station WLW has a constant contact with the FCC. All these companies in which Mr. Allen is interested have a vital interest in various departments of government. It seems to me that if he proposes to retain salaries from companies that pay him for the only possible reason which I can see, namely, his position in Washington, his knowledge of what goes on in Washington, and what information he can supply them, it is a further argument against his confirmation. As an example, Mr. Allen's own evidence shows that the President has consulted him about appointments. It would make a tremendous difference to some of these companies as to who is appointed on various boards. It is of vital importance to radio station WLW to know who may be appointed on the Federal Communications Commission.

It may not be illegal to do these things, but I think it is a situation showing a certain lack of moral sense on the part of Mr. Allen, and indicating not only that he is not qualified for the position to which the President has nominated him, but, in my opinion, that he is positively disqualified for the position of chairman of the board of the Government's largest banking institution, whose powers are greater than those of any other department of the Federal Government.

Mr. LANGER. Mr. President, I do not know Mr. Allen personally but I shall vote against his confirmation because of what some of the Democratic newspapers have said about him. If the Democrats on the other side of the aisle want to vote for a man of this type, they are welcome to do so.

I hold in my hand a copy of the newspaper PM, which was perhaps the strongest supporter of the late President Roosevelt. The issue is dated February 11, and the article to which I refer reads as follows:

There is a report on the President's desk which dramatically illustrates the danger involved in the close and confidential relationship between Mr. Truman and George E. Allen, and in the Allen appointment to head the $15,000,000,000 network of Government corporations under the roof of the RFC.

That report, by one of the highest interdepartmental committees of the Government, recommends that German-owned patents in this country, especially those held by I. G. Farben's principal American subsidiary, General Aniline & Film, be made freely available to American industry.

Allen is a director of General Aniline & Film, and has been appealed to by James E. Markham, the Alien Property Custodian, to

block those recommendations either at the White House or by congressional legislation overriding those recommendations and leaving control of the patents in the I. G. Farben subsidiary, which was seized by the Government after Pearl Harbor.

Both Markham and Allen are financially obligated for lucrative directorships to Victor Emanuel, a once minor Wall Street banker who rose to control of Standard Gas & Aviation Corp. through the backing of the Anglo-German banking house of J. Henry Schroder & Co., of London. This bank worked closely with interests in the Third Reich before the war and was described by Time magazine on July 10, 1939, as "an economic booster of the Rome-Berlin Axis."

The patents involved in this undercover administration dispute are those on which I. G. Farben based the secret cartel agreements responsible for a long list of shortages in war materials at the time of Pearl Harbor, from aluminum and magnesium to atabrine and synthetic rubber. Should they ever revert to German control, they could again be used as instruments of economic warfare against the United States.

MARKHAM OPPOSED THROWING PATENTS OPEN

The Interdepartmental Executive Committee on Foreign Economic Policies, headed by Assistant Secretary of State Will Clayton, after a bitter battle with Alien Property Custodian Markham, recommended to the President that future economic warfare of this kind be made impossible by throwing these patents open to free licensing by all American industry.

I particularly ask Senators to listen to this:

Of the seven agencies represented on the committee—

Mind you, they are all Democratic agencies, every one of them—

Of the seven agencies represented on the committee—State, Treasury, Justice, Commerce, FEA, United States Tariff Commission, and Alien Property Custodian—all but the Alien Property Custodian were in favor of the decision taken. Only Markham was in opposition, and he ended up by threatening to "take the question up with the White House."

Markham got in touch with Allen. Allen, in a telephone conversation with this correspondent yesterday—

And the correspondent is an editor of PM, Mr. I. F. Stone, a man in whom I have confidence, in spite of the fact that that publication never supported me in any way—

Markham got in touch with Allen. Allen, in a telephone conversation with this correspondent yesterday, admitted that Markham had called him to tell Allen he had been outvoted on the committee and that Markham discussed with him the advisability of asking Congress for legislation which would leave these patents with General Aniline & Film.

One factor in the Interdepartmental Committee's decision is the fact that there is grave danger that General Aniline & Film may revert to I. G. Farben control. Although the $70,000,000 American subsidiary was indicted on three counts shortly after Pearl Harbor for its cartel conspiracies with I. G. Farben, no effort has yet been made by the Justice Department to move these indictments for trial or even to force General Aniline to accept a consent decree renouncing its cartel agreements with the parent German company—a company which played a key role in Nazi espionage, propaganda, economic warfare, and aggression.

Both General Aniline and its subsidiary, General Dyestuffs, are under Victor Emanuel influence. The first Alien Property Custodian, Leo T. Crowley, was beholden to Emanuel for a $75,000 a year job as head of the Standard Gas & Electric system—a job he held while serving as Alien Property Custodian.

CROWLEY RESIGNATION MADE LITTLE DIFFERENCE

Crowley resigned in 1944 as Alien Property Custodian after an unsuccessful effort to prevent this correspondent from printing in PM the facts about his relations with Emanuel, but his resignation made little difference. His deputy, Markham, took over as Alien Property Custodian. He has been drawing $4,850 a year as a director of Standard Gas, a Victor Emanuel controlled utility network, while also enjoying a $10,000 a year salary from the Government as Alien Property Custodian.

Certainly something no Senator and no Representative in Washington can do.

Allen, since his rise to prominence in Washington, has been given directorships on several Emanuel companies. He is said to draw $6,000 a year each as director of Consolidated Vultee, and Aviation Corp., both Emanuel companies, and also fees as a director of Republic Steel, another concern in which Emanuel is influential. Allen was also made a director of General Aniline & Film last year.

Allen, when reached by telephone, recalled a recent General Aniline directors' meeting at which it was decided to hire William H. Davis, the famous patent lawyer and former head of the War Labor Board, to argue General Aniline's case for retention of the German patents.

Although the Interdepartmental Committee's operations are supposed to be confidential and the meetings of the Committee and its subcommittees are confined to Government officials, Markham took the extraordinary step of bringing Davis to several meetings of the subcommittee on patents and cartels at which the question was first threshed out. Davis argued the case for General Aniline as though he were in a court of law.

There is a report around Washington that Allen said at a General Aniline directors' meeting that he would "handle the Washington end of this (patent dispute)." When asked about this report yesterday, Allen said that if he made any such statement it was because he regarded himself as a Government official on the General Aniline board, since the company is under Government operation.

General Aniline & Film, and its subsidiary, General Dyestuffs, were taken over by the Government after Pearl Harbor. But past disclosures by this correspondent (notably the four-part report to the President in PM, January 1–4, 1945), showed a curious continuity of personnel and policy, and that the boards of directors were jeopardizing the President's program for ending Axis influence in Latin-American drugs and pharmaceuticals.

Allen said he had not yet discussed the patents with the President, that the President probably did not even know that he was on the board of General Aniline, but that if he (Allen) felt it his duty to take the question up with Mr. Truman, he would. Allen said he was strongly against cartels and had not yet made up his mind on the patents issue, because he had not yet heard the other side.

Allen said he was disposed to think that throwing open the patents would only strengthen monopoly by making them available to such firms as the du Ponts. He said he thought it would be better to let General Aniline keep the patents, but sell the company to the public. But Allen said the Interdepartmental Committee "may be exactly right" in recommending otherwise.

Davis' argument as patent counsel for General Aniline was that to throw the patents open would merely give the du Ponts and Eastman Kodak a chance at these patents, and so strengthen monopoly. The Interdepartmental Committee's position was that the patents would be available not merely to du Pont and Eastman Kodak, but to any businessman and that competition in these products would thus be stimulated.

I repeat, Mr. President, that that position was taken also by the State Department, the Treasury Department, the Department of Justice, the Department of Commerce, the FEA, and the United States Tariff Commission, all of them Democratic organizations.

Mr. OVERTON. Mr. President, will the Senator from North Dakota yield?

Mr. LANGER. I yield.

Mr. OVERTON. Of course, the opposition to the nomination of George Allen can pursue any course it desires, but as a Member of the Senate I am here trying to get some information. I thought the opposition would deal with the record. Instead of that, so far we have been regaled with ex parte statements of people who never appeared as witnesses at all before the committee, whose veracity is unknown to me, some nameless editorial writers in PM, some scribbler for Fortune magazine, unknown to the Senate or its committee.

It seems to me that if any member of the committee opposed to the nomination, though these people knew anything at all which would militate against confirmation, they could have been summoned before the committee in order that they might have been examined and cross-examined. But, instead of that, the opposition rises here and reads these fairy stories, such as that the Senator from Ohio used from Fortune magazine, about the administration of the District of Columbia being merely a comic opera performance, when it has the yearly distribution and the expenditure of $40,000,000, now running up to some fifty or sixty million dollars. Then there is the story by the editor of PM. I am wondering why the opposition does not come forward with facts disclosed in the record.

Mr. TAFT. Mr. President——

Mr. LANGER. Let me say that I am not a member of the committee, and I do not know Mr. Allen, but I intend to make a motion to recommit the nomination to the committee, where the facts may be substantiated by the people who make the allegations. Certainly having a hearing of only a few hours on just one day, on an important job like the one involved in this case, is a disgrace to the United States Senate.

Mr. TAFT. Will the Senator yield?

Mr. LANGER. I yield to the Senator from Ohio.

Mr. TAFT. In the first place, so far as the allegations made in the statement of the Senator from North Dakota are concerned, they were not brought to my attention until today. I know nothing about them except what he has said. So there was no suggestion that there was anyone to call before the committee in regard to them.

I spoke on this nomination today for an hour, and every fact I stated was a fact from the record, with the single exception that when the Senator from Louisiana asked me about something as to

which there was nothing in the record, I read him an article from a magazine. I did not propose to use that as part of my case, nor is it part of my case. The Senator has a perfect right to claim that Mr. Allen was the best District Commissioner there ever was. I do not know anything about that. There was not any evidence one way or the other as to that. But when the Senator says we should use facts, I reply that I spoke today for an hour, and my argument was concerned nearly entirely with facts, and every fact came from the record of Mr. Allen's own testimony.

Mr. OVERTON. Mr. President, will the Senator from North Dakota yield?

Mr. LANGER I yield.

Mr. OVERTON. Whatever the Senator from Ohio said, speaking from the record, did not militate, in my view, against the confirmation of the nomination. But I infer from what the Senator from North Dakota has said, in response to my criticism, if I may use that term, of the method of approach by the opposition, that apparently he agrees with me that it is not the proper approach, and now he wants the whole matter referred back to the committee. I concur in his view that the attack of the opposition is unwarranted by the record.

Mr. LANGER. Let me say, Mr. President, that I do not know Mr. Allen. The chances are that after a hearing Mr. Allen could explain everything that is charged in this Democratic newspaper. I am not opposed to Mr. Allen. I do not know him. I never met him. But I know that when a magazine with such an enormous circulation as has PM makes these charges, the United States Senate will not be doing its duty unless it recommits the nomination so the committee may go into an examination of the charges. That is the reason why I shall move that the nomination be recommitted.

Mr. TAFT. Mr. President, what is the date of the article from which the Senator is reading?

Mr. LANGER. February 11.

Mr. TAFT. Of course, that was after the committee had voted to report the nomination favorably. As I said, the article was not brought to my attention until the Senator began to read it on the floor of the Senate.

Mr BUCK. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. BUCK. I may say to the Senator that I was one member of the committee who voted to report favorably the nomination of Mr. Allen. I do not know what charges are made in PM. I was not present on the floor when the Senator read them. Are they all contained in this newspaper article?

Mr. LANGER. They are contained in this issue of PM and in the next one, from which I shall read.

Mr. BUCK. What is the issue from which the Senator is reading?

Mr. LANGER. February 11. I shall also read from the issue of February 17.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. LUCAS. Is the Senator from North Dakota going to present additional charges?

Mr. LANGER. Yes. I am going to read the remainder of the editorial.

Mr. LUCAS. In a nutshell, what are the charges made against Mr. Allen?

Mr. LANGER. I suggest that the Senator from Illinois wait until I finish, and he will then have them all.

Mr. LUCAS. I thought the Senator had read them.

Mr. LANGER. No; I had merely made a good start.

Mr. LUCAS. The Senator in the last few minutes has been reading about another individual, a Mr. Markham.

Mr. LANGER. Yes; I have been reading mostly about Mr. Markham. He comes into the matter indirectly.

Mr. LUCAS. When the Senator finishes reading I should like to have him sum up the charges which are made in this newspaper, as briefly as he can do so.

Mr. LANGER. I shall read the editorials. They are very clear and very specific, and if the Senator from Illinois will listen to them I think he will understand them.

Mr. LUCAS. I cannot listen to statements respecting Mr. Markham and the other individuals and reach any clear understanding. That is why I ask that the Senator set forth a bill of particulars against Mr. Allen.

Mr. LANGER. PM, this Democratic newspaper, goes on to say:

Allen would be "in terrible shape" without political influence. For many years he made himself useful in Washington to the fire insurance companies. With his recent emergence as a major Truman adviser, he has entered the big league of business, not as a big businessman, but as an influential fellow to whom it might be wise to give a few directorships. He has worked his way up to $50,000 a year in income from these connections. But this hardly qualifies him to run the RFC.

Is it wise to put the retainer of a Wall Street financier like Emanuel in charge of the RFC? Is it wise to confirm this appointment without a full inquiry into the General Aniline affair and Emanuel's past relations with the Schroder banking firm? PM believes these questions warrant the reopening of the Senate Banking Committee hearings. It would be disastrous folly to investigate German influence in American business as fully as the Senate has done through the Kilgore committee and then let this appointment ride without further study.

Full inquiry may show our uneasy doubts unjustified, but it is in the public interest that these doubts be allayed before Allen is confirmed.

Mr. President, a week later, on February 17, we find another editorial in PM, a strong Democratic newspaper, which had perhaps more to do with the election of Mr. Roosevelt as President and Mr. Truman as Vice President than any other newspaper in the United States:

ALLEN, G. I., AND POLITICS

WASHINGTON.—I want to lift the lid a little further today on the George E. Allen appointment and the General Aniline & Film affair.

The reason why the State Department so strongly supports the demand to make General Aniline's German patents freely available to all American industry is this:

Within the next few weeks the Department, on behalf of the United States Government, will begin negotiations with the Government of Switzerland. The United States of America will ask the Swiss, as it has asked other neutrals, to eliminate German influence in their industries.

This influence, which played a substantial part in helping German war preparations, was largely exerted through patent agreements. Our Government will ask the Swiss to take German-owned patents in that country and make them freely available to Swiss industry.

This would mean that the Germans would be unable to exercise a monopoly in crucial chemicals and pharmaceuticals. The throwing open of the patents would enable other businessmen to manufacture these products and to compete with German firms.

While asking the Swiss to do this in Switzerland, we have failed to do so in America, notably in the case of the key German patents held by General Aniline & Film.

It is this embarrassing inconsistency which explains why the State Department has taken so strong a position in the behind-scenes fight going on here over the General Aniline & Film patents.

General Aniline's original name was American I. G. It was the American subsidiary of the giant German chemical trust, I. G. Farben. The name was discreetly changed when the war began in 1939 to General Aniline & Film, and the $70,000,000 concern was seized by the Alien Property Custodian after Pearl Harbor. General Aniline & Film was by far the largest German chemical company taken over in this war.

Harry S. Truman, as United States Senator, was chairman of the investigating committee which first revealed to the American people how successfully the Nazis had crippled war preparations here through the patent and cartel agreements of I. G., and its American subsidiary, General Aniline.

Truman, as President, will soon have to decide whether (1) to make such sabotage of American defense less likely in the future by throwing the General Aniline patents open to all American industry, or (2) to leave them in General Aniline's hands and risk a repetition of what happened after World War I. At that time, German chemical and drug firms slipped back into German control with their patent monopolies intact.

Key figures in the fight are:

The President's jester and favorite, George E. Allen, who recently became a member of the board of General Aniline, who has been asked to use his influence to keep the patents in control of the company.

Will Clayton, Assistant Secretary of State and Chairman of the Interdepartmental Committee on Foreign Economic Policies, who has been loyally trying to carry out a consistent anticartel policy abroad while the General Aniline & Film board's influence in Washington has blocked a consistent anticartel policy at home.

Nominally, the board of directors of General Aniline and its sales affiliate, General Dyestuffs, is controlled by the Office of the Alien Property Custodian. Actually, the Office of the Alien Property Custodian has from the beginning been controlled by the wishes of the board.

The dominant figure in these two companies is Victor Emanuel, a New York financier who rose to prominence before the war with the support of an Anglo-German bank which collaborated closely with interests in the Third Reich and helped Hitler obtain war materials.

Further on, the editorial has this to say:

The new Emanuel management had two ways to clear the company's skirts of its past German connections:

The Emanuel management could have gone voluntarily into court and accepted a consent decree breaking the cartel agreements between I. G. Farben and General Aniline, as requested by the Department of Justice.

Under these cartel agreements, General Aniline was obligated to leave the Latin-American market to its German parent company. With the acceptance of a consent decree breaking these agreements, General Aniline would have been free to invade the Latin-American market.

This is what General Aniline was asked to do by the various Government agencies working on the so-called replacement program. This program was designed to replace Latin-American subsidiaries of I. G. Farben with new concerns owned by nationals of these countries and to develop trade ties with American, instead of German, chemical, drug, and film companies.

Had the Emanuel management taken the two steps outlined above, it would have shown itself eager to break the old German ties and it could have expanded its own business in this hemisphere.

But the Emanuel management has done neither. On the contrary, the course of conduct pursued by the management in General Aniline and General Dyestuffs has often seemed strikingly like that to which they were obligated under the German cartel agreements.

The writer is in a position to reveal for the first time—

That, Mr. President, is why the distinguished Senator from Ohio did not have this information when the nomination was before the committee—

The writer is in a position to reveal for the first time that the Emanuel-influenced boards of directors have threatened to resign in the past if the Department of Justice insisted on a consent decree breaking the cartel agreement with the Germans and freeing the patents for general exploitation.

Shortly after Pearl Harbor, General Aniline was indicted in three different cases alleging a cartel conspiracy with German I. G. Farben to restrict production in this country of basic materials useful in war. The indictments, now 5 years old, have never been brought to trial.

Mr. President, if this had been a small corporation, the officers, if they were guilty, would have been in jail a long time ago; but we are now dealing with a big outfit.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. LANGER. I decline to yield at this time.

Mr. President, this is a big outfit, running into billions of dollars. So, although the indictment was returned five long years ago, there has been no trial up to the present time.

General Aniline hopes that George Allen—

The man whose nomination is now before this body for confirmation—

will prove its ace in the hole as the President's friend and his appointee to the Reconstruction Finance Corporation.

Having succeeded in fighting off trial and a consent decree, General Aniline is now trying to use its influence at the White House to keep its German-owned patents from being thrown open to American industry in the way that we will soon be asking the Swiss to do.

General Aniline hopes that George Allen will prove its ace in the hole as the President's friend and his appointee to the Reconstruction Finance Corporation.

Ordinarily, an affair of this kind would attract the attention of Senator HARLEY M. KILGORE, Democrat, of West Virginia, whose "Kilgore committee" has done an all but complete job of exposing the German cartel system. I say "all but complete" because he has never finished the job by investigating the way in which the Alien Property Custodian has been handling German concerns taken over here since the war began.

Senator KILGORE is up for reelection in November. Louis Johnson, a leading West Virginia corporation lawyer and politician, has a $75,000-a-year job as head of General Dyestuffs. The Emanuel crowd may hope that KILGORE will look the other way rather than risk a clash with Louis Johnson in an election year.

I repeat that this is a great Democratic newspaper, a newspaper which has supported practically every Senator on the other side of the aisle. This great newspaper says:

The question looks almost hopeless, but I raise it: Will the United States Senate, knowing how dearly German influence in American industry cost us in the war, confirm the Allen appointment without investigating the facts here presented?

The President has before him a report from the Interdepartmental Committee on Foreign Economic Policies recommending that the German patents held by General Aniline & Film be made freely available to all American industry. Alien Property Custodian Markham is the sole dissenter from these recommendations.

Will the President, who did such a grand job as Senator in the first I. G. Farben inquiry, resist pressure and approve these recommendations—or will he override them and take a step which may give the Germans a chance to get back into power in the chemical industry of the Western Hemisphere?

So, Mr. President, not knowing Mr. Allen, never to my knowledge having seen him, having nothing on which to base my opinion except these few editorials and the speech made today by the distinguished Senator from Ohio [Mr. TAFT] to which I carefully listened, I feel it my duty as one who has been supporting President Truman—I believe much more stanchly than many Democrats have done—to move that this nomination be recommitted to the Committee on Banking and Currency for further investigation, with the hope that in due time the committee will make a report to the Senate so that we may have more adequate information and know how to vote on this very important question.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from North Dakota [Mr. LANGER] to recommit to the Committee on Banking and Currency the nomination of George E. Allen to be a member of the Board of Directors of the Reconstruction Finance Corporation.

Mr. LUCAS. Mr. President, I rise in opposition to the motion made by the distinguished Senator from North Dakota [Mr. LANGER]. In the discussion of the motion I desire to refer to some of the statements which have been made by the distinguished Senator from Ohio [Mr. TAFT] and the distinguished Senator from North Dakota.

Mr. President, if we send this nomination back to the committee solely upon the basis of the information which has been read to us by the Senator from North Dakota, and contained in the article from the newspaper PM, and use such as a precedent, I undertake to say that it will be very difficult for the Senate of the United States ever to act upon any nomination with respect to which there may be controversial questions involving the nominee.

The Senator has read two statements from PM. I presume that if the nomination were recommitted to the Committee on Banking and Currency and it should report favorably the nomination of Mr. Allen, as I anticipate it would do, we would find another article from PM or some other newspaper which is hostile to this particular nomination, with another story of some kind which would excite the imagination of Senators as these articles seem to have excited the imagination of the Senator from North Dakota, and back to the committee would go the nomination.

Mr. President, this is an old trick, which is constantly being used. There seems to be an air of speculation, conjecture, doubt, suspicion about everything and every one at the present time. This sort of an article does not do any justice to the present situation. I have seen this sort of thing in the Pearl Harbor Committee from time to time. In this day and age a man may be indicted upon mere suspicion of wrongdoing, resulting in headlines throughout the country. It makes no difference whether it be the President of the United States or a minor official. If some one can be found who will say that he suspects that the person in question has a sordid record, or who has a suspicion he is not as he should be, the individual is unjustifiably castigated before the eyes of the public. If some one can be found who will say that because George Allen is connected with a corporation there is a suspicion that he is doing wrong, a false issue can be raised in the United States Senate and over the country.

Mr. President, it is a grave offense to indict a good man with a half-truth or a distorted fact or no truth at all. It is a vicious procedure. It is gradually gnawing at the fundamentals and basic institutions of Government in this free land of ours. It cannot go on indefinitely without seriously impairing the rights of free men.

I listen to commentators on the air night after night. If one could believe some of the commentators, they have a panacea for all the evils which exist in this country and in the world. Give them the opportunity to solve the problem and they can do it. I become so sick of them that at times I am nauseated and compelled to turn the radio off. I am amazed and alarmed when I listen to the distortion of actual facts which I have heard before committees. The type of commentator, columnist, or newspaperman who deliberately distorts the truth is doing a greater disservice to his country at the present time than any other individual of whom I can think.

What is the situation with respect to George Allen? Who is going to pay any attention to some bit of speculation as to the influence which George Allen might have upon someone in Washington with respect to I. G. Farbenindustrie? Mr. President, that is a matter for the Congress of the United States to consider. I do not believe that George Allen

is going to influence any Senator on that question.

I could not make heads or tails of what the Senator from North Dakota was reading. I asked him respectfully to point out a bill of particulars against George Allen when he finished; but did he do so? No. Until I read the statement and analyzed it, I cannot tell what charges the article makes against George Allen, and I do not believe any other Senator can tell.

The distinguished Senator from Ohio says that George Allen does not know anything about this job. Perhaps that is true in the main. When I came to the Senate in 1938 I did not know anything about my job in the United States Senate. I doubt if the Senator from Ohio knew very much about his job in the United States Senate when he came here. We must live and learn. The sole question is, Is George Allen honest? Does anyone challenge his integrity or honesty? Is a banker or high financier required to fill the job of Director of the Reconstruction Finance Corporation? I remember one man who came from my congressional district in Illinois. His name is Emil Schram. He came here as a farmer. I do not remember what job he took in the beginning, but he finally became a Director of the Reconstruction Finance Corporation.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BARKLEY. He became a Director of the Reclamation Division of the Reconstruction Finance Corporation, in charge of drainage and operations of that kind throughout the country, in connection with swamplands, farmlands, and so forth.

Mr. LUCAS. I thank the Senator for helping me. I knew that he came here without any knowledge of Washington. He came here as an honest farmer from my district, where he farmed thousands of acres of land. He was able to do the job, and he finally became Chairman of the Reconstruction Finance Corporation. Today this same farmer, who never had a day's banking experience, who never had any dealings in high finance, is president of the New York Stock Exchange. Why? Because he had a wholesome respect for his fellow men. He understood human nature. He had ordinary, plain, common, horse sense, which so many individuals in high Government and other positions today do not have. That is what is required. George Allen is keen. George Allen is smart. George Allen has horse sense. George Allen has a knowledge of human nature. He has been a success.

When I am told that the conduct of the affairs of the District of Columbia is comic opera, when the expenditure of $40,000,000 or $50,000,000 a year is involved, I say that anyone who makes such a statement does not want to know the facts. Fortune magazine does not know, or does not care to consider, the great administrative job which is necessary in conducting the affairs of the District of Columbia.

Is there any evidence in this record that George Allen was not a good administrator? Some would have us believe, on the basis of speculation and conjecture, that he was the worst District Commissioner ever to serve in that capacity. But there is not one iota of evidence in the record to indicate that he was not a good Commissioner. He did not obtain the position of vice president of the Home Insurance Co. merely because he knew a few people in Washington. I personally know that George Allen spent many months of each year in New York as vice president of that organization. He did that job long before he became closely associated with certain high officials in Washington; and yet we are asked to infer that he obtained his position with the Home Insurance Co. because of such associations.

Mr. President, I know George Allen personally. In my humble opinion he is the last man in the world who would attempt to use his influence in any way whatsoever with an individual Senator or Representative to try to put across a plan in which he might be interested or one in which he might not be interested.

Mr. President, all this is much ado about nothing; it is simply another attack upon one of the President's appointees. That is all it is. It is merely an attempt to make the headlines, merely an attempt to play politics, by some persons here in the Senate of the United States.

Mr. President, if you listen closely to the arguments which have been made against the appointee, you will find that you are asked to believe that George Allen is not capable and is not competent, and there is an inference at least that somebody is going to influence him some place along the line. I deny the charge. I challenge the accusation. I think it is wholly unwarranted and should not be made upon the floor of the Senate.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. TAFT. I wish to ask only one question. What does the Senator think of the propriety of having a director continue to draw a salary of $6,000 from the General Aviation Corp., $6,000 from the Consolidated Vultee Corp., and $6,000 from the Republic Steel Corp., while he serves as a director of the Reconstruction Finance Corporation?

Mr. LUCAS. I say to the Senator that is the same question as one which I asked the Senator a moment ago with respect to the Honorable Jesse Jones, whom the Senator praised very highly, and I agree with that praise. I do not know what the past practice has been in that respect. I say that George Allen should follow whatever practice has been followed in the past. I do not know what it is, and I do not believe the evidence before the committee shows what it is. It seems to me that perhaps the committee might have inquired as to what the practice has been. If the evidence shows that, I shall be glad to yield to the Senator to permit him to state it.

Mr. TAFT. No; the evidence does not show it. The evidence does show that George Allen says he proposes to retain those salaries.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. McMAHON. I was under the impression that when the law governing the Reconstruction Finance Corporation was framed, there was included in it a specific provision that a man might hold directorships and still be eligible for appointment to the Board of Directors of the RFC. I say to the Senator from Illinois that there has not been one director of the RFC, including Mr. Jesse Jones or any of the Republican members or Mr. "Chick" Fisher, from Detroit, who has not maintained every directorship he had before he took office as a member of the Board of Directors of the RFC. If there is any evidence to the contrary, why did not the Senator from Ohio produce it before the Banking and Currency Committee; and if that is not the law, let us be advised as to what the law is.

Mr. LUCAS. I thank the Senator. I do not know what the practice is and I do not know what the law is. I thank the Senator for calling my attention to what the practice has been. Of course, we must all follow the law, and, whatever the law and the practice are, that is what George Allen should do. That is what George Allen will do.

Mr. BARKLEY. Mr. President, at this point it might be worth while to read the provision which was included in the original act creating the Reconstruction Finance Corporation:

> No director, officer, agent, attorney, or employee of the Corporation shall in any manner, directly or indirectly, participate in the deliberation upon or the determination of any question affecting his personal interests or the interests of any corporation, partnership, or association in which he is directly or indirectly interested.

That provision of the law is bound to have presupposed that there might be appointed to be directors of the Reconstruction Finance Corporation men who would have financial interests, who might be stockholders or directors of corporations, or who might even be officers of corporations. The only inhibition in the law is that if the RFC has before it any matter in which a director of the RFC has a personal interest or with which any corporation, partnership, or association in which he may be interested is concerned, he shall not directly or indirectly participate in the Board's deliberations on or determination of that question.

Since the creation of the Reconstruction Finance Corporation there have been, altogether, 18 or 20 members of its Board of Directors. Many of them were, before they were appointed and confirmed—and all of them were confirmed by this body—members of boards of directors of private corporations. Under the law, none of them while serving as directors of the RFC could participate in any deliberation or consideration in which they or their concerns were interested. In other words, they had to absent themselves, they had to vacate their directorship for the time being; and under the law they could not participate directly or indirectly. If Senators wish me to interpret the phrase "directly or indirectly," I say that under the law such directors could not even attempt to influence the other directors of the RFC

with respect to any matter pending before the Board in which they or their companies were interested.

Mr. Allen in his testimony before the committee was very frank. He said he was giving up his position with the Home Life Insurance Co. The Home Life Insurance Co. is a fire insurance company in New York. It has several subsidiary insurance companies which are listed in Mr. Allen's testimony. From the Home Life Insurance Co. he draws a straight salary of $28,000; and, as he testified, he also draws fees of approximately $2,000 a year for attending meetings of the board of directors of the Home Life Insurance Co. So his total compensation from that insurance company and its subsidiaries has been $30,000. He is giving that up absolutely; he is severing his connection as a member of the board of directors of the Home Life Insurance Co.

He also stated that if his duties as a director of the RFC were inconsistent with his membership on the board of directors of the Aviation Corp. or the Consolidated Vultee Aircraft Corp., he would also surrender them, although he did not feel that he should be singled out from among all the directors who had served since the creation of the Reconstruction Finance Corporation and be required to give up everything he had anything to do with, because that had never been required of any of the other directors whose appointments had been confirmed by the Senate. But he told the committee that even though it had not been done in the past, if he found the duties of those directorships inconsistent with his duties as a member of the Board of Directors of the RFC, or if the Senate thought the retention of those directorships would put him in an inconsistent position, he would be willing to give up all of them, although it had not been required of any other member of the Board of the RFC.

Mr. President, I have known George Allen ever since he came to Washington. In his testimony before the committee he went into detail as to his past operations. He was born in Mississippi. He graduated from a law school in Lebanon, Tenn., as I recall. He practiced law for a while, and subsequently became secretary of the Indiana State Chamber of Commerce. He was associated with a convention association in the city of Louisville for a year or two. He was in Chicago, Ill., in connection with a string of hotels, for a number of years.

In 1932 he came to Washington. He became the manager of a series of hotels and apartment buildings in Washington, known as the Washington Properties, which included all the hotels and apartment houses built by Harry Wardman, including the Wardman Park Hotel, the Chastleton Apartment House, the Carleton Hotel, I believe—almost a dozen hotels and apartment houses in the city of Washington. George Allen became the manager of the Washington Properties. They were finally gradually distributed, and most of them were liquidated and put on a self-sustaining basis. Is not that in itself a fairly good business experience? It takes a man of some business acumen to manage a large property such as that in the city of Washington.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. Of course, all of them went into receivership 2 years after he took them over; is not that correct?

Mr. BARKLEY. No; it is not correct.

Mr. TAFT. My understanding is that the Wardman Park Hotel and all the other principal ones went into receivership in 1932.

Mr. BARKLEY. They went into receivership largely on account of the condition of the estate of Mr. Harry Wardman, not on account of anything George Allen did. All the Wardman properties had to be refinanced and some of them had to be liquidated and sold, sometimes three or four times, before they finally got into hands that could keep them.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. LUCAS. I simply wish to amplify the Senator's statement. As I recall, there were very few hotels in the United States that did not go into receivership at that time.

Mr. BARKLEY. Yes.

Mr. LUCAS. So to say that George Allen had anything to do with their going into receivership simply is not correct.

Mr. BARKLEY. One of the most important and best-known hotels in Washington with which Mr. Allen did not have anything to do was in receivership three times before it was completed, and before it had a guest in any of its rooms.

Mr. LUCAS. As a result of the depression, there was only one hotel in Washington in 1935 which was not in receivership.

Mr. BARKLEY. The Senator's statement is true.

Mr. President, as I have said, Mr. Allen came to Washington in 1932, and I have known him ever since. He came to Washington at first probably at the instance of former Senator Harrison, of Mississippi, between whom and George Allen there existed an intimate friendship. Mr. Allen was appointed a Commissioner for the District of Columbia. I suppose it would have been possible to have had the records brought to the committee showing how good a Commissioner Mr. Allen was. He was a Commissioner of the District for 5 years. No member of the committee saw fit to attack the efficiency of his administration. In a joking way he said himself that he had made a good Commissioner, and no one disputed him. Of course, that remark was a facetious one. The only unfortunate thing about Mr. Allen, I suppose, is that he has a sense of humor and is an amiable gentleman. I happen to remember, from my study of the life of Abraham Lincoln, that Mr. Lincoln had a sense of humor and had a good story to illustrate almost everything in which he believed. While he was President of the United States, even some Republican Members of Congress referred to him as the buffoon of the White House. I am not comparing George Allen to Abraham Lincoln, but I do not think that historically there should be held against a man the fact that he possesses a sense of humor and is an amiable person and can tell an appropriate story in illustrating a point. Once in a while I tell a few stories myself. [Laughter.]

Mr. LUCAS. And the Senator is pretty good at it, too.

Mr. BARKLEY. I thank the Senator. I have a new one which I shall distribute before long, but I shall not take the time to do so now. [Laughter.]

Mr. President, George Allen was a good Commissioner of the District of Columbia; he was an efficient Commissioner. Nobody ever claimed otherwise, and it is no mean tribute to say that a man has been able, with two others, to manage the District of Columbia with all the diverse interests which are involved in the management of the city of Washington, the Capital of the Nation.

With reference to the General Aniline & Film Corp., Mr. Allen has no interest in that company. Because of its German connections the company was taken over by the Government of the United States as a part of alien property, and it is now in charge of the Alien Property Custodian who was appointed by the Government of the United States. The Alien Property Custodian happens to be Mr. Markham, who was general counsel of the Federal Deposit Insurance Company for several years before the war broke out with Japan and Germany. When Mr. Crowley, who was the head of the FDIC, resigned as Alien Property Custodian, Mr. Markham, who had been associated with him and with the FDIC, became the Alien Property Custodian It is necessary that the Government have some person on the boards of directors of corporations which have been taken over by the Alien Property Custodian in order that he may vote on such boards and represent the Government of the United States, as well as the Alien Property Custodian. Mr. Markham appointed Mr. Allen as a member of the boards of directors of all these companies to represent Mr. Markham, but in another sense to represent the Government of the United States. So Mr. Allen is officially the representative of the Government of the United States on the boards of directors of General Aniline & Film Corp., the Hugo Stinnes Corp., and all the other corporations of German origin. Those corporations are now being administered by the Government of the United States through the Alien Property Custodian.

Mr. President, so far as the patents, to which reference has been made are concerned, I may say that I have read the article which appeared in PM. I read PM every day. I have respect for its opinions. I sometimes agree with them and sometimes I do not. I have great respect for their sincerity. I have respect for Mr. Stone, who, I believe, wrote the article to which reference has been made. The question of what will ultimately happen to these patents is a matter for Congress to determine. The board of directors of General Aniline &

Film Corp. will not determine it, the Alien Property Custodian will not determine it, and neither will the President of the United States determine it. When the time comes for disposition to be made not only of the patents owned by General Aniline & Film Corp. and the Hugo Stinnes Corp., as well as the other alien corporations which have been taken over, the determination will be made by Congress. I presume that the recommendation which was sent to the President of the United States was for the purpose of advising and informing him with respect to any future legislation which might be necessary in connection with the disposal of this alien property. Whether these patents should be returned to General Aniline & Film Corp. or be distributed generally throughout the United States is a matter upon which I would not wish to express a dogmatic opinion. As presently advised, I think I would be in favor of allowing them to become the property of the people of the United States. That is the way I feel about it now; but I should like to have an opportunity to look into the matter from the standpoint of law and ethics, as well as from the standpoint of the welfare of our people, because, inasmuch as we were compelled to take over the property as a war measure, we desire that it shall never be returned to anyone who may make war against us again. But that is not a question which can be passed upon today. As I see it, George Allen is not involved in that matter. Whatever might be his recommendation or his opinion, it will be worth only such weight as we are disposed to give to it when we consider it in connection with the subject of the disposal of alien property. That time may be years hence. If his nomination is approved by the Senate, George Allen's term as Director of the RFC might come to an end long before the time arrives for considering the subject of disposal of these patents. So, Mr. President, I do not believe that we need to become greatly excited about these particular patents, because we cannot settle the matter here today, and perhaps not for a long time. When the matter is settled it will be settled, in my judgment, by legislation enacted by the Congress.

Mr. President, George Allen is a man who has the peculiar facility for making friends. Perhaps that is a fault. Maybe he should go around with a sour face. Maybe he should drag his chin on the ground and kick it every time he takes a step. But he was not made that way. God Almighty created him as a human being with the milk of human kindness, and he has made friends all over the United States. His business experience and associations with men have created for him friendships everywhere.

Mr. President, it was testified that George Allen owned stock in several corporations in which he acts as a director. In the companies which were taken over by the Alien Property Custodian he has no interest or investment. But with reference to the other corporations in which he is a director, he testified that he had bought stock in those corporations and paid money for it. The stock was not given to him. He invested his money in it and the stockholders of those companies decided that George Allen would be a good member of their boards of directors. It may have been thought that his participation in the affairs of the companies as a director might bring a little of the human element into those boards. But, regardless of all that, he was chosen by the stockholders as a member of these various boards of directors, and was elected by them as such.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CORDON. As I understand, the hearings on this nomination have not been printed. At least, I have not been able to obtain a copy of them.

Mr. BARKLEY. They have not been printed, but I shall be glad to hand the Senator a transcript of the hearings.

Mr. CORDON. I appreciate the Senator's kindness. I should like to have an opportunity to read the hearings and acquaint myself with them in time to cast an intelligent vote, but I cannot do so if the vote is to be taken today.

Mr. BARKLEY. That may be true.

Mr. CORDON. I believe that is true as well of many other Senators. We have been listening to the debate. We are being apprised to that extent, but so far as having an opportunity to read and consider the testimony which was given is concerned, we do not have a copy of such testimony. I hope that after the debate is concluded, and before the vote is taken upon the confirmation of this nomination, this entire matter may be allowed to go over until such time as we can obtain a copy of the testimony and acquaint ourselves with its contents. The distinguished Senator from Kentucky said that Mr. Allen testified he owns stock in several corporations in which he is a director. I am interested, for example, in knowing, if he has such stock, how long he has held it, and whether he became a stockholder solely for the purpose of becoming a director. I am interested in knowing when he became a director. I should like to satisfy myself, for example, whether he became a member of the directorates of these several corporations by reason of the stock which he owned, or by reason of what he knew, or perhaps by reason of whom he knew. I hope we may be given an opportunity to examine a copy of the hearings.

Mr. BARKLEY. It will not take long to read the information which may apprise the Senator. Mr. Allen became vice president and secretary of the Home Fire Insurance Co. back in 1938. So his employment with that company could not have anticipated his appointment to the RFC.

The Baltimore-American Insurance Co.; the Carolina Insurance Co.; the City of New York Insurance Co.; the Franklin Fire Insurance Co., Philadelphia, Pa.; the Georgia Home Insurance Co.; the Gibraltar Fire & Marine Insurance Co.; the Home Indemnity Co.; the Homestead Indemnity Insurance Co., of Baltimore; National Liberty Insurance Co., of New York; New Brunswick Fire Insurance Co., of New Brunswick, N. J.; these are all owned and operated as divisions of the Home Fire Insurance Co., of which Mr. Allen became a director in 1938.

He has been a trustee of the Paul Revere Fire Insurance Co., of Buffalo, N. Y., from 1943 to this time, and of the Penn Mutual Life Insurance Co., of Philadelphia, which is one of the outstanding life insurance companies in the United States. He became a director of the Aviation Corp. of New York in 1943. He became a director in 1944 of the Consolidated Vultee Aircraft Corp., of San Diego, Calif. Certainly he did not become a director of that company so that it would have anything to do with his being on the Board of Directors of the RFC, because that was even before President Truman had been nominated for Vice President of the United States, and before anyone anticipated he would become President of the United States. So there could be no connection there.

Mr. Allen since 1945 has been a member of the board of directors of the General Aniline & Film Corp., as a representative, as I have said, of the Alien Property Custodian, and that office carries with it no investment of any kind.

Mr. Allen became a director of the Hugo Stinnes Corp. and of the Hugo Stinnes Industries, Inc., in 1944. He became director of the National Liberty Insurance Co. in 1944, of the Republic Steel Corp. in 1945, of the Home Indemnity Co. in 1938, of the War Damage Corporation in 1941, of Washington Properties, Inc., in 1938, and so on.

He has been active not only in business, but he has been active in charitable work. He has for years been an active member of the executive committee of the Red Cross. He has sometimes, as he testified, spent half his time in activity on behalf of the American Red Cross, as a member of the executive committee. He is a member of the executive committee and has been very active for many years in the Boy Scouts of America. It may be that to be a member of the executive committee of the Red Cross does not qualify him to be a member of the Board of Directors of the RFC; it may be that being connected for a long time with the Boy Scouts does not qualify him to be a member of the Board of Directors of the RFC. He also is a member of the Board of Directors of the Warm Springs Foundation, in Warm Springs, Ga., which is dedicated to the cure and amelioration of the condition of people in the United States who are suffering from infantile paralysis. Mr. Allen has, in addition to his business activities, found time to represent the public in these great humanitarian activities, and surely that does not disqualify him for membership on the Board of Directors of the RFC.

Mr. Allen is an honorable man, a man of the highest integrity, a man of business honesty. He is public-spirited. He has an interest in the welfare of his country, and in my judgment has a high estimation of the ethics that will be required of him in the performance of his duties as a member of the Board of Directors of the RFC.

Mr. Allen did not seek this appointment. I do not suppose anyone whose

compensation in the business world amounts to $50,000 a year would voluntarily look for an appointment which would bring in only $10,000 a year, and Mr. Allen testified that he agreed to serve only because the President had asked him to do so.

With reference to the hearing, no one asked that anybody be heard. We had a meeting of the committee one day, when we considered many nominations which were pending before the Committee on Banking and Currency. Some of them went over, some of them were acted upon because there was no opposition, no question about them. But no one wanted any hearings.

The Senator from Ohio has referred to the Pauley nomination and the Vardaman nomination. Those nominations have no connection with the Allen nomination, and they will stand on their own merits. The Senate of the United States will act upon each of them as it thinks it is its duty to act, when the time comes, but those nominations have nothing to do with the nomination of Mr. Allen.

George Allen's nomination was sent to the Senate on the 18th of January 1946, but, because of conditions which prevailed here at the time, it was not referred to the committee until January 25. From January 23 to the 8th day of February the nomination was pending before the Committee on Banking and Currency. No one asked to be heard; no one asked that anybody else be heard; no one suggested that any witness should be brought before the committee.

The committee examined Mr. Allen for probably an hour and a half, and then adjourned until the next day, and no one asked that any further hearing be held. No one on the committee, and no one outside of the committee, suggested any further hearing, and on the 8th day of February the nomination was reported to the Senate by a vote of 14 to 5. Therefore it comes here with as much validity as the nomination of any other man who has ever been considered by any committee.

Mr. President, in view of his character and his experience, and his public interest in the affairs of his country, I believe George Allen will make an excellent member of the Board of Directors of the Reconstruction Finance Corporation.

I do not know whether he is to be chairman or not. He did say that when he was asked by the President to go on the board there was a "thin" suggestion that he might become chairman, but he said that from that day to this it had thinned out so that he could not even see it, and that therefore he was not contemplating being elected chairman of the board, and there was no understanding he was to be. But that is a matter for the board of directors itself to determine. The President does not choose the chairman. He might make a suggestion to the board, I do not know whether Presidents are in the habit of doing that, but even if the President did, the board might elect any one it chose. Even, however, if he became chairman of the board, I do not think the affairs of the Reconstruction Finance Corporation of the United States would suffer by reason of his being the head of the board.

So, Mr. President, I am opposed to the motion made by the Senator from North Dakota, and I am in favor of confirmation of the nomination.

Mr. McMAHON. Mr. President, I shall speak but briefly upon the nomination, because the majority leader in his typical way has very well covered the situation as to Mr. Allen, his character, his ability, and the propriety of the nomination.

I could not let this occasion pass, however, without rising to speak a word on behalf of a man who has been my friend for a period of more than 10 years, and whom I have known intimately. I have associated with him in a business way, and have had the pleasure of his company in social and sports events. I have spent many a delightful hour with George Allen on the golf course.

The majority leader was right when he said that perhaps the thing that is the matter with Allen is that he has a sense of humor. I have heard it said that one of the colleagues of Nick Longworth, the late beloved Speaker of the House of Representatives, said to him one day, "Nick, you will never be nominated to be President of the United States. You have everything else, but it is too bad you have a sense of humor."

It has been my observation that if a man goes through life puffed up with his own importance, if he goes along the street with a sour expression on his face, if he comports himself as though he had the weight of all the world upon his shoulders, he does not become a very efficient public servant.

Yes; George Allen has a sense of humor. It has been a delight to his companions and to his friends. But behind that sense of humor is a keen intellect, a keen intelligence.

I am sure you have observed, Mr. President, as I have, that a man cannot have a keen sense of humor unless it is based upon intelligence, because the only animal that is able to laugh is the human animal, since man has the power to compare ideas, and it is the comparison of ideas that brings about situations which result in laughter.

Mr. CHAVEZ. Mr. President, will the Senator from Connecticut yield?

Mr. McMAHON. I yield.

Mr. CHAVEZ. Besides having a sense of humor, which I believe to be necessary, and besides having intellectual integrity, has not the Senator from Connecticut also observed that Mr. Allen has the milk of human kindness in his soul, which is apt to be needed in the Reconstruction Finance Corporation?

Mr. McMAHON. I thank the Senator for that suggestion. Yes; Allen is a generous person, generous in thought, generous in judgment. It all adds up to the fact that he is a real man.

I have every confidence, Mr. President, from my knowledge of George Allen, that when he enters upon his duties with the Reconstruction Finance Corporation he will be a good Government administrator and will serve in the position with honor and distinction.

Mr. BARKLEY. Mr. President, will the Senator yield a moment?

Mr. McMAHON. I yield.

Mr. BARKLEY. I have just received information which I did not have when I was speaking, that on last Thursday the present Chairman of the Board, Mr. Henderson, was reelected Chairman of the Board for a 2-year term.

Mr. TAFT. Will the Senator from Connecticut yield?

Mr. McMAHON. I yield.

Mr. TAFT. There is no statutory term for the Chairman of the Board of Directors of the Reconstruction Finance Corporation. The Board has the right to dismiss its officers. They serve at the pleasure of the Board. So that an election may mean nothing, if the President subsequently requests that another election be held. All the directors of the RFC are appointed for only 2 years, all of them must look to the President for reappointment, and it is fairly clear that they would not resist the request of the President to elect Mr. Allen chairman of the Board of the Reconstruction Finance Corporation.

Mr. BARKLEY. The point is that Mr. Henderson has already been reelected, and with the understanding that he is to serve for a 2-year period.

Mr. TAFT. I do not know what the understanding is. There can be no such understanding, because the statute very clearly provides that the Board may dismiss, at pleasure, such officials as it sees fit, and that it shall make its own regulation as to selection, so there is no statutory term of any kind.

Mr. McMAHON. Mr. President, the Senator from Ohio need not be perturbed and need not be worried; and the country need not be perturbed and need not be worried. I have a high regard for ex-Senator Henderson. If it be true that he has been elected chairman for 2 years, then the affairs of the RFC, so far as its chairmanship is concerned, are in honorable and capable hands. But if the position should be reversed the day after tomorrow, and George Allen were to be elected chairman of the Board, then I also say to the Senator that the affairs of the RFC and the affairs of the country, so far as the RFC is concerned, would be in honorable, decent, and courageous hands.

Therefore Mr. President, I shall vote for the confirmation of Mr. Allen's nomination and I shall vote against recommitting it.

The PRESIDING OFFICER. The question is on the motion to recommit the nomination.

Mr. HICKENLOOPER. Mr. President, I shall not take the time of the Senate for more than a very few minutes. I may say that I am under no delusion. I think the nomination of Mr. Allen is going to be confirmed by the Senate. I do not think the debate which has taken place on the Senate floor will have one iota of influence on the question of confirming or rejecting the nomination of Mr. Allen; but, in view of the fact that I am a member of the Committee on Banking and Currency, and that in the committee I voted against reporting fa-

vorably Mr. Allen's nomination, I should like to say why I voted against it.

When the committee meetings were held I had no knowledge of the allegations raised by the Senator from North Dakota a while ago. The charges or statements contained in the editorials came out several days after the hearings were held. I shall not discuss them because we have had no opportunity to probe them or to inquire into them; but I should like to refer the Members of the Senate to the record of the hearings before the Banking and Currency Committee, and I submit to the Members of the Senate that Mr. Allen proved in those hearings that, while he is an affable gentleman, an enjoyable companion, a man with a wide and jovial acquaintance in Washington, he has no experience, no training, and no ability—at least none was established in the record—to sit as a director and possibly as chairman of a nine billion- to fifteen billion-dollar Corporation in which the Government's responsibility for loans and for their collection is involved.

He is a man with no financial experience of any kind. He is a man who, by his own statement in the record, has never had any experience in financial matters. He is a man who all his life, with the exception of 1 year during which he practiced law immediately following World War I, has been engaged in the business of promoting conventions for hotels, acquiring patronage for hotels, or acting as a Commissioner of the District of Columbia.

In that connection, I may say that the latter subject was raised before the Committee on Banking and Currency. It was suggested that some persons connected with the District Committee had made the statement that Mr. Allen attended very few meetings of the Commissioners. He did not recall the number nor the percentage. We asked that the records of his attendance at the District Commissioners' meetings be released to the committee. It was my understanding that that record was to be given to the committee, but I understand that it has not yet been forthcoming. So I do not know how many times he attended the District Commissioners' meeting or how many times he was absent. The record, as it has been reviewed here, shows clearly that he started out to practice law immediately after World War I, for a very short time, and then his association was in promotion work for hotels and hotel chains.

There is an exception to his hotel association. In 1924 and 1925, I believe, he was associated with the General Chemical Co., of New York. I will read from the record of the hearings with respect to the General Chemical Co., with which he was associated for a while. I read as follows:

Senator TAFT. When you came to New York, to the General Chemical Co., at whose request did you come?

Mr. ALLEN. Senator AL HAWKES.

Senator TAFT. How did you happen to leave that company?

Mr. ALLEN. Well, Senator HAWKES—why did I leave it? I was not exactly fired. Let's see how I can put it nicely. There wasn't any enthusiasm for me to stay. I will say that. But it was very pleasant.

This hotel, convention, and publicity promotion activity, and his appointment to be a Commissioner of the District of Columbia, was about the only outside connection he had in business up to that time.

Then in 1938, for some mysterious reason—that is, I should say for some reason not adequately or properly or satisfactorily explained in the record—he suddenly became a vice president and secretary of the Home Insurance Co. of New York, and the various subordinate companies, and immediately went into the salary bracket from that employment of about $30,000 a year.

Then in the early forties he suddenly found that he was in great demand for directorships on another group of companies which further increased his income at that time to approximately $50,000 a year.

Mr. President, I believe, at least from what is shown by the record, that Mr. Allen is an honest, honorable gentleman. There is no doubt in my mind about that. I did not vote against reporting his nomination for any reason relating to personal honesty. But I did vote against reporting it because I thought the business of being a director of the Reconstruction Finance Corporation demands more than to be a good companion, a good story teller, and one who is adept at securing conventions for hotels.

He said in answer to a question I asked him, that he had had no experience in substantial financial operations. He does not belong to any committees of the boards of directors of the companies of which he is a director that have anything to do with the substantial financial transactions of the companies, either as lenders or as borrowers. As I recall, he said in effect before the committee that he thought perhaps the RFC might need some advice with respect to public relations, just as well as any other corporation. I submit Mr. President, that if that is his conception of his job on the RFC, and if that is the job he is to fill, then we should consider well the type and kind of experience possessed by those who are appointed to operate this great Corporation.

Again I want to be understood as having nothing personal against Mr. Allen. I think perhaps he knows more people in more right places in Washington than any other one individual in this city. I think he has built up that intimate and ramified and minute acquaintance for which so many people strive and which in the last few years many have acquired, to their own advancement and betterment. But I submit, Mr. President, that is not the type of man for whom, under my responsibility as a Member of the Senate in confirming a Presidential appointment, I can bring myself to vote. I honor him as an individual; I should like to play golf with him, I imagine; I should like to visit with him; I should like to have him entertain me with stories; and I would enjoy his company thoroughly, but I shall shiver just a little if the Reconstruction Finance Corporation is turned over entirely to him, and if its directorate and policies are submitted to the judgment and direction of publicity experts whose experience has been only that of directors of publicity, and similar and allied activities.

I say this with all respect to Mr. Allen personally; but I have a responsibility as a Member of the Senate to vote on the confirmation of his nomination. If confirmation mans anything, it is my judgment and my obligation, as I see it, to vote against confirmation for the reasons which I have stated.

Mr. BILBO. Mr. President, Mr. George E. Allen has lived in my State for 25 or 30 years. I do not wish this occasion to pass without expressing the interest and appreciation of all the people of Mississippi for Mr. Allen. Mr. Allen comes from one of the best families in my State. His relatives are lawyers, bankers, and business people. His uncle was the well-known Private John Allen, of Mississippi. The present Federal judge in the northern district of Mississippi is his first cousin.

I was Governor of the State during the First World War. One of the first companies organized in my State, which made application for admission to the First Mississippi Regiment, was from Prentiss County, Miss. It was my pleasure on that occasion to appoint the man selected by that volunteer company from Prentiss County. His name was George E. Allen. I appointed him as an officer. He joined the First Mississippi Regiment and served faithfully in World War I.

Returning from the war, he went into business in Chicago, and came from Chicago to Washington, where he has held various positions.

It is characteristic of the entire family to be successful. They are practically all successes. It is my judgment, after having known Mr. Allen through the years, that he has the ability, the intellect, and the personality to do anything he undertakes, and to do it well.

Mr. LANGER. Mr. President, I wish to emphasize again that I said nothing derogatory to the character or antecedents of Mr. Allen. As I previously stated, I do not know the gentleman. Nevertheless, the fact remains that we are voting on this confirmation today before the record of the hearings has been printed, before any of us have had an opportunity to read the hearings.

The distinguished Senator from Illinois [Mr. LUCAS] — very unjustifiably, I thought—stated that what I said about Mr. Allen was just another attack on the appointments of the President. Mr. President, I appeal to the RECORD. The RECORD shows that I have voted for measures advocated by Mr. Roosevelt more than has the distinguished Senator from Illinois who normally, at least, says he is a Democrat. Time and again I have voted for Democratic measures sponsored by the administration when the distinguished Senator from Illinois did not do so.

I submit that the time has not yet come when a Senator should be called upon to vote on a question about which he

knows nothing. I have not read the record. I do not know what is in it. The distinguished senior Senator from Kentucky [Mr. BARKLEY] says that the hearings were closed on the 8th day of February. Three days later a great newspaper, not an enemy of the Democratic Party, but one of its best friends, said what? I am sorry that the distinguished Senator from Illinois could not understand plain English, so I will repeat it. Everything I have said here is what was said by PM, which I understand is a newspaper which is very friendly to the senior Senator from Illinois.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. LUCAS. Will the Senator point out to me in that article the direct charges against Mr. Allen?

Mr. LANGER. I will read them.

Mr. LUCAS. I do not want the Senator to read them.

Mr. LANGER. I will read them because it is PM which is making the charges.

Mr. LUCAS. If the Senator is going to read those two articles again, I do not wish to hear them.

Mr. LANGER. I will not read all of them. I think I can make it plain by reading three paragraphs.

Mr. LUCAS. I think I understand the English language. If the Senator will get to the point instead of floundering around, I would appreciate it. What are the direct charges?

Mr. LANGER. If I had not read the articles in their entirety, I would have been accused of reading only a paragraph here and there, and misinterpreting the articles. That is why I read them in their entirety.

Let me read three paragraphs from PM of February 11, 1946, 3 days after the hearings were closed:

Both Markham and Allen are financially obligated for lucrative directorships to Victor Emanuel—

I come now to a subsequent paragraph:

The Interdepartmental Executive Committee on Foreign Economic Policies, headed by Assistant Secretary of State Will Clayton, after a bitter battle with Alien Property Custodian Markham, recommended to the President that future economic warfare of this kind be made impossible by throwing these patents open to free licensing by all American industry.

Of the seven agencies represented on the committee—State, Treasury, Justice, Commerce, FEA, United States Tariff Commission, and Alien Property Custodian—all but the Alien Property Custodian were in favor of the decision taken. Only Markham was in opposition, and he ended up by threatening to "take the question up with the White House."

Markham got in touch with Allen. Allen, in a telephone conversation with this correspondent yesterday—

That is Mr. Stone, the editor of this newspaper—

admitted that Markham had called him to tell Allen he had been out voted on the committee and that Markham discussed with him the advisability of asking Congress for legislation, which would leave these patents with General Aniline & Film.

That is the same outfit which is referred to in a previous paragraph, as having Mr. Markham and Mr. Allen on its pay roll in other corporations.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. HICKENLOOPER. Does the Senator have any explanation or reason why this newspaper published such statements after the hearings were closed, and why the newspaper failed to bring these charges to the attention of the Senate Committee on Banking and Currency at its hearings?

Mr. LANGER. The only explanation I have is that Mr. Stone himself says that the information was obtained only on February 10.

If Mr. Allen is an honest man, as I believe him to be, if Mr. Allen is the fine, generous gentleman he has been described as being, what possible objection can there be to having this nomination recommitted to the Committee on Banking and Currency? The chances are that after further hearings he would receive a unanimous vote. I certainly have nothing against the man. I believe that when charges of this character are made it is the duty of the Senate, in view of its constitutional responsibility, to bring before the committee Mr. Stone, or anyone else Mr. Stone may suggest, have Mr. Allen there, and conduct further hearings. That is why I made my motion to recommit; and I ask for the yeas and nays on that motion.

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Moore
Austin	Guffey	Murdock
Bailey	Gurney	Myers
Ball	Hart	Overton
Bankhead	Hatch	Radcliffe
Barkley	Hayden	Reed
Bilbo	Hickenlooper	Revercomb
Brewster	Hill	Russell
Bridges	Hoey	Saltonstall
Buck	Huffman	Smith
Bushfield	Johnson, Colo.	Stanfill
Butler	Johnston, S. C.	Stewart
Byrd	Knowland	Taft
Capper	La Follette	Thomas, Okla.
Carville	Langer	Thomas, Utah
Chavez	Lucas	Tobey
Cordon	McClellan	Tunnell
Donnell	McFarland	Tydings
Ellender	McKellar	Walsh
Ferguson	McMahon	Wheeler
Fulbright	Maybank	White
George	Mead	Wiley
Gerry	Millikin	
Gossett	Mitchell	

The PRESIDENT pro tempore. Seventy Senators having answered to their names, a quorum is present.

The question is on agreeing to the motion of the Senator from North Dakota [Mr. LANGER] to recommit the nomination to the Committee on Banking and Currency.

Mr. LANGER. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the senior Senator from New York [Mr. WAGNER]. On this question I understand he would vote "nay." I transfer my pair, for this vote, to the senior Senator from Iowa [Mr. WILSON], who I understand would vote "yea." Therefore, being at liberty to vote, I vote "yea."

Mr. MEAD (when Mr. WAGNER's name was called). My colleague the senior Senator from New York [Mr. WAGNER] is unavoidably absent. If he were present he would vote "nay" on this question.

The roll call was concluded.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from Texas [Mr. O'DANIEL], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from Missouri [Mr. BRIGGS], the Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Washington [Mr. MAGNUSON], and the Senator from Florida [Mr. PEPPER] are detained on public business.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Nevada [Mr. MCCARRAN], the Senator from Montana [Mr. MURRAY], and the Senator from Idaho [Mr. TAYLOR] are absent on official business.

The Senator from Texas [Mr. CONNALLY] is absent on official business as a representative of the United States to the General Assembly of the United Nations.

If present and voting, the Senator from Florida [Mr. ANDREWS], the Senator from Missouri [Mr. BRIGGS], the Senator from Texas [Mr. CONNALLY], the Senator from California [Mr. DOWNEY], the Senator from Mississippi [Mr. EASTLAND], the Senator from West Virginia [Mr. KILGORE], the Senator from Washington [Mr. MAGNUSON], the Senator from Nevada [Mr. MCCARRAN], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Florida [Mr. PEPPER], and the Senator from Idaho [Mr. TAYLOR] would vote "nay."

Mr. WHITE. The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a representative of the United States to the General Assembly of the United Nations.

The Senator from Oregon [Mr. MORSE] is absent by leave of the Senate on matters of importance to his State.

The Senator from North Dakota [Mr. YOUNG] has been excused and is absent on official business.

The Senator from Illinois [Mr. BROOKS] is confined in a hospital, recovering from a recent operation.

The Senator from New Jersey [Mr. HAWKES], the Senator from Minnesota [Mr. SHIPSTEAD], and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The Senator from Indiana [Mr. WILLIS] is absent by leave of the Senate, attending to important business in his home State.

The Senator from Wyoming [Mr. ROBERTSON] and the Senator from Iowa [Mr. WILSON] are detained on official business.

The Senator from Indiana [Mr. CAPEHART] has been excused on official business of the Senate.

The result was announced—yeas 27, nays 43, as follows:

YEAS—27

Aiken	Ferguson	Reed
Austin	Fulbright	Revercomb
Ball	Gurney	Saltonstall
Brewster	Hart	Smith
Buck	Hickenlooper	Stanfill
Bushfield	La Follette	Taft
Butler	Langer	Tobey
Cordon	Millikin	White
Donnell	Moore	Wiley

NAYS—43

Bailey	Hatch	Mitchell
Bankhead	Hayden	Murdock
Barkley	Hill	Myers
Bilbo	Hoey	Overton
Bridges	Huffman	Radcliffe
Byrd	Johnson, Colo.	Russell
Capper	Johnston, S. C.	Stewart
Carville	Knowland	Thomas, Okla.
Chavez	Lucas	Thomas, Utah
Ellender	McClellan	Tunnell
George	McFarland	Tydings
Gerry	McKellar	Walsh
Gossett	McMahon	Wheeler
Green	Maybank	
Guffey	Mead	

NOT VOTING—26

Andrews	Kilgore	Shipstead
Briggs	McCarran	Taylor
Brooks	Magnuson	Vandenberg
Capehart	Morse	Wagner
Connally	Murray	Wherry
Downey	O'Daniel	Willis
Eastland	O'Mahoney	Wilson
Glass	Pepper	Young
Hawkes	Robertson	

So Mr. LANGER's motion to recommit was rejected.

The PRESIDENT pro tempore. The question now is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

Mr. BARKLEY. I ask that the President be notified immediately of the confirmation of the nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. BARKLEY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

THOMAS C. LOCKE

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 75) for the relief of Thomas C. Locke, which was, on page 2, line 3, to strike out "$1,037.99" and insert "$313."

Mr. ELLENDER. Mr. President, I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. ELLENDER, Mr. O'DANIEL, and Mr. WILSON conferees on the part of the Senate.

SALE OF CERTAIN GOVERNMENT-OWNED MERCHANT VESSELS—CONFERENCE REPORT

Mr. RADCLIFFE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3603) to provide for the sale of surplus war-built vessels, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this act may be cited as the 'Merchant Ship Sales Act of 1946.'

"DECLARATION OF POLICY

"SEC. 2. (a) It is necessary for the national security and development and maintenance of the domestic and the export and import foreign commerce of the United States that the United States have an efficient and adequate American-owned merchant marine (1) sufficient to carry its domestic water-borne commerce and a substantial portion of its water-borne export and import foreign commerce and to provide shipping service on all routes essential for maintaining the flow of such domestic and foreign water-borne commerce at all times; (2) capable of serving as a naval and military auxiliary in time of war or national emergency; (3) owned and operated under the United States flag by citizens of the United States; (4) composed of the best-equipped, safest, and most suitable types of vessels, constructed in the United States and manned with a trained and efficient citizen personnel; and (5) supplemented by efficient American-owned facilities for shipbuilding and ship repair, marine insurance, and other auxiliary services.

"(b) It is hereby declared to be the policy of this Act to foster the development and encourage the maintenance of such a merchant marine.

"DEFINITIONS

"SEC. 3. As used in this Act the term—

"(a) 'Commission' means the United States Maritime Commission.

"(b) 'War-built vessel' means an oceangoing vessel of one thousand five hundred gross tons or more, owned by the United States and suitable for commercial use—

"(1) which was constructed or contracted for by or for the account of the United States during the period, beginning January 1, 1941, and ending with September 2, 1945; or

"(2) which, having been constructed during the period beginning September 3, 1939, and ending with September 2, 1945, was acquired by the United States during such period.

"(c) 'Prewar domestic cost', as applied to any type of vessel, means the amount determined by the Commission, and published by the Commission in the Federal Register, to be the amount for which a standard vessel of such type could have been constructed (without its national defense features) in the United States under normal conditions relating to labor, materials, and other elements of cost, obtaining on or about January 1, 1941. In no case shall the prewar domestic cost of any type of vessel be considered to be greater than 80 per centum of the Domestic war cost of vessels of the same type.

"(d) 'Statutory sales price', as applied to a particular vessel, means, in the case of a dry-cargo vessel, an amount equal to 50 per centum of the prewar domestic cost of that type of vessel, and in the case of a tanker, such term means an amount equal to 87½ per centum of the prewar domestic cost of a tanker of that type, such amount in each case being adjusted as follows:

"(1) If the Commission is of the opinion that the vessel is not in class, there shall be subtracted the amount estimated by the Commission as the cost of putting the vessel in class.

"(2) If the Commission is of the opinion that the vessel lacks desirable features which are incorporated in the standard vessel used for the purpose of determining prewar domestic cost, and that the statutory sales price (unadjusted) would be lower if the standard vessel had also lacked such features, there shall be subtracted the amount estimated by the Commission as the amount of such resulting difference in statutory sales price.

"(3) If the Commission is of the opinion that the vessel contains desirable features which are not incorporated in the standard vessel used for the purpose of determining prewar domestic cost, and that the statutory sales price (unadjusted) would be higher if the standard vessel had also contained such features, there shall be added the amount estimated by the Commission as the amount of such resulting difference in statutory sales price.

"(4) There shall be subtracted, as representing normal depreciation, an amount computed by applying to the statutory sales price (determined without regard to this paragraph) the rate of 5 per centum per annum for the period beginning with the date of the original delivery of the vessel by its builder and ending with the date of sale or charter to the applicant in question, and there shall also be subtracted an amount computed by applying to the statutory sales price (determined without regard to this paragraph) such rate not in excess of 3 per centum per annum in the case of a vessel other than a tanker, and not in excess of 4 per centum per annum in the case of a tanker, for such period or periods of war service as the Commission determines will make reasonable allowance for excessive wear and tear by reason of war service which cannot be or has not been otherwise compensated for under this subsection.

"No adjustment, except in respect of passenger vessels constructed before January 1, 1941, shall be made under this Act which will result in a statutory sales price which (1) in the case of dry-cargo vessels (except Liberty type vessels) will be less than 35 per centum of the domestic war cost of vessels of the same type, (2) in the case of any Liberty type vessel will be less than 31½ per centum of the domestic war cost of vessels of such type, or (3) in the case of a tanker will be less than 50 per centum of the domestic war cost of tankers of the same type. For the purposes of this Act, except section 5, all Liberty vessels shall be considered to be vessels of one and the same type.

"(e) 'Domestic war cost' as applied to any type of vessel means the average construction cost (without national defense features) as determined by the Commission, of vessels of such type delivered during the calendar year 1944, except in case of any type of vessel the principal deliveries of which were made after the calendar year 1944, there shall be used in lieu of such year 1944 such period of not less than six consecutive calendar months as the Commission shall find to be most representative of war production costs of such type.

"(f) 'Cessation of hostilities' means the date proclaimed by the President as the date of the cessation of hostilities in the present war, or the date so specified in a concurrent resolution of the two Houses of the Congress, whichever is the earlier.

"(g) 'Citizen of the United States' includes a corporation, partnership, or association only if it is a citizen of the United States within the meaning of section 2 of the Shipping Act of 1916, as amended. The term 'affiliated interest' as used in sections 9 and 10 of this act includes any person affiliated or associated with a citizen applicant for benefits under this act who the Commission, pursuant to rules and regulations prescribed hereunder, determines should be so included in order to carry out the policy and purposes of this act.

"SALES OF WAR-BUILT VESSELS TO CITIZENS

"SEC. 4. (a) Any citizen of the United States may make application to the Commission to purchase a war-built vessel, under

the jurisdiction and control of the Commission, at the statutory sales price. If the Commission determines that the applicant possesses the ability, experience, financial resources, and other qualifications, necessary to enable him to operate and maintain the vessel under normal competitive conditions, and that such sale will aid in carrying out the policies of this act, the Commission shall sell such vessel to the applicant at the statutory sales price.

"(b) At the time of sale, the purchaser shall pay to the Commission at least 25 per centum of the statutory sales price. The balance of the statutory sales price shall be payable in not more than twenty equal annual installments, with interest on the portion of the statutory sales price remaining unpaid, at the rate of 3½ per centum per annum, or shall be payable under such other amortization provisions which permit the purchaser to accelerate payment of the unpaid balance as the Commission deems satisfactory. The obligation of the purchaser with respect to payment of such unpaid balance with interest shall be secured by a preferred mortgage on the vessel sold.

"(c) The contract of sale, and the mortgage given to secure the payment of the unpaid balance of the purchase price, shall not restrict the lawful or proper use or operation of the vessel.

"CHARTER OF WAR-BUILT VESSELS TO CITIZENS

"SEC. 5. (a) Any citizen of the United States and, until July 4, 1946, any citizen of the Commonwealth of the Philippines, may make application to the Commission to charter a war-built dry-cargo vessel, under the jurisdiction and control of the Commission, for bare-boat use. The Commission may, in its discretion, either reject or approve the application, but shall not so approve unless in its opinion the chartering of such vessel to the applicant would be consistent with the policies of this Act. No vessel shall be chartered under this section until sixty days after publication of the applicable prewar domestic cost in the Federal Register under subsection 3 (c) of this Act.

"(b) The charter hire for any vessel chartered under the provisions of this section shall be fixed by the Commission at such rate as the Commission determines to be consistent with the policies of this Act, but, except upon the affirmative vote of not less than four members of the Commission, such rate shall not be less than 15 per centum per annum of the statutory sales price computed as of the date of charter. Except in the case of vessels having passenger accommodations for not less than eighty passengers, rates of charter hire fixed by the Commission on any war-built vessel which differ from the rate specified in this subsection shall not be less than the prevailing world market charter rates for similar vessels for similar use as determined by the Commissions.

"(c) The provisions of sections 708, 709, 710, 712, and 713, of the Merchant Marine Act, 1936, as amended, shall be applicable to charters made under this section.

"SALE OF WAR-BUILT VESSELS TO PERSONS NOT CITIZENS OF THE UNITED STATES

"SEC. 6. (a) Any person not a citizen of the United States may make application to the Commission to purchase a war-built vessel (other than a P–2 type or other passenger type and other than a Liberty type collier or tanker), under the jurisdiction and control of the Commission. If the Commission determines—

"(1) that the applicant has the financial resources, ability, and experience necessary to enable him to fulfill all obligations with respect to payment of any deferred portion of the purchase price, and that sale of the vessel to him would not be inconsistent with any policy of the United States in permitting foreign sales under section 9 of the Shipping Act, 1916, as amended; and

"(2) after consultation with the Secretary of the Navy, that such vessel is not necessary to the defense of the United States; and

"(3) that such vessel is not necessary to the promotion and maintenance of an American merchant marine described in section 2; and

"(4) that for a reasonable period of time, which in the case of tankers and "C" type vessels shall not end before ninety days after publication of the applicable prewar domestic cost in the Federal Register under subsection 3 (c) of this Act, such vessel has been available for sale at the statutory sales price to citizens of the United States, or for charter under section 5 to citizens of the United States, and that no responsible offer has been made by a citizen of the United States to purchase or charter such vessel;

then the Commission is authorized to approve the application and sell such vessel to the applicant at not less than the statutory sales price. In case of application submitted by a citizen of the Commonwealth of the Philippines, paragraph (4) of this subsection shall not apply. Notwithstanding paragraph (4) of this subsection, not to exceed ten C type vessels, except C–3's, may be sold to noncitizens at any time after such date of publication at not less than the statutory sales price.

"(b) Notwithstanding any other provision of law, no war-built vessel shall be sold to any person not a citizen of the United States, except in accordance with subsection (a), or upon terms or conditions more favorable than those at which such war-built vessel is offered to a citizen of the United States, but where the vessel so sold is being transferred to foreign register and flag, the mortgage securing the unpaid balance of the purchase price and interest thereon shall contain provisions according to such mortgage the priorities over other liens and encumbrances accorded such mortgages on merchant vessels under the laws of such registry and flag.

"ORDER OF PREFERENCE

"SEC. 7. (a) In exercising its powers under this Act and under other provisions of law with respect to the sale and charter of war-built vessels, the Commission shall give preference to citizen applicants over noncitizen applicants, and as between citizen applicants to purchase and citizen applicants to charter, shall, so far as practicable and consistent with the policies of this Act, give preference to citizen applicants to purchase. In determining the order of preference between citizen applicants to purchase or between citizen applicants to charter, the Commission shall consider, among other relevant factors, the extent to which losses and requisitions of the applicant's prewar tonnage have been overcome and shall in all cases, in the sale and charter of a war-built vessel, give preference in such sale or charter, as the case may be, to the former owner of such vessel, or to the person for whom the vessel was constructed but to whom delivery thereof was prevented by the United States. In determining the order of preference between noncitizen applicants to purchase, the Commission shall give preference to citizens of the Commonwealth of the Philippines, and in determining the order of preference between other non-citizen applicants to purchase shall consider the extent to which losses in prewar tonnage of the various member nations of the United Nations, incurred in the interests of the war effort, have been overcome, and the relative effects of such losses upon the national economy of such member nations.

"(b) After the cessation of hostilities, operation of vessels in commercial service by the United States, either for its own account or through operating agents under agency agreements, shall, except as to the Panama Railroad Company and other services specifically authorized by law, be continued only to the extent necessary to effect orderly transfer of vessels to private operation.

"EXCHANGE OF VESSELS

"SEC. 8 (a) The Commission is authorized to acquire, in exchange for an allowance of a credit on the purchase of any war-built vessel under section 4 or any vessel acquired through exchange under subsection (d) of this section—

"(1) Any vessel owned by a citizen of the United States, other than a vessel purchased under this Act; or

"(2) Any vessel owned by a foreign corporation, if—

"(A) the vessel was constructed in the United States, and has, after December 7, 1941, been chartered to, or otherwise taken for use by, the United States; and

"(B) the controlling interest in such corporation is, at the time of acquisition of such vessel hereunder, owned by a citizen or citizens of the United States, and has been so owned for a period of at least three years immediately prior to such acquisition; and

"(C) such corporation agrees that the war-built vessel purchased with the use of such credit shall be owned by such citizen or citizens and shall be documented under the laws of the United States.

Such allowance shall not be applied upon the cash payment required under section 4. A war-built vessel shall be deemed a 'new vessel' for the purpose of section 511 of the Merchant Marine Act, 1936, as amended, and section 510 (e) of such Act shall be applicable with respect to vessels exchanged under this section to the same extent as applicable to obsolete vessels exchanged under section 510 of such Act.

"(b) (1) If, prior to December 31, 1946, the owner of a vessel eligible for exchange under subsection (a) makes a firm offer binding for at least ninety days, to transfer the vessel to the Commission in exchange for an allowance of credit provided in subsection (a), the amount of such allowance shall be the fair and reasonable value of the vessel as determined by the Commission under this section. In making such determination the Commission shall consider: (A) The value of the vessel determined in accordance with the standards of valuation established pursuant to Executive Order 9387 (8 F. R. 14105) as of the date of such offer, (B) any liability of the United States for repair and restoration of the vessel, (C) the utility value of the vessel, (D) the effect of this Act upon the market value of such vessel, and (E) the public interest in promoting exchanges of vessels as a means of rehabilitating and modernizing the American merchant marine. In no event shall the amount of such allowance, in case of dry cargo vessels and tankers, exceed (A) (1) if the vessel or vessels tendered in exchange are of equal or greater dead-weight tonnage than the war-built vessel or vessels being acquired, 33½ per centum of the statutory sales price (unadjusted) of the war-built vessel or vessels, or (2) if the vessel or vessels tendered in exchange are of lesser dead-weight tonnage than the war-built vessel or vessels, such proportionate part of 33⅓ per centum of the statutory sales price (unadjusted) of such war-built vessel or vessels as the dead-weight tonnage of such vessel or vessels tendered in exchange bear to the dead-weight tonnage of such war-built vessel or vessels, or (B) the liability of the United States in connection with the repair or restoration of such vessel under any charter to which the United States is a party, whichever is the higher.

"In the case of passenger vessels tendered in exchange, the amount of the allowance shall not exceed the percentages of statutory sales price computed under (A) (1) and (2) above by gross tons instead of dead-weight

tons, or such liability for the repair or restoration of such passenger vessel, whichever is the higher. In any case where the vessel tendered in exchange was acquired from the United States, the exchange allowance under this section shall not exceed the price paid the United States therefor plus the depreciated cost of any improvements thereon. In the case of any vessel tendered in exchange which has been restored to condition by the United States for the purpose of redelivering such vessel to its owner in compliance with the charter of such vessel with the United States, or where, for such restoration a cash allowance has been made to the owner, there shall be deducted from the amount of the allowance of credit for such vessel determined by the Commission under this section, an amount equal to the liability of the United States for such restoration or such cash allowance made to the owner.

"(2) If, after such offer is made, and prior to its acceptance, or prior to the acquisition of the vessel, by the Commission, the vessel is lost by reason of causes for which the United States is responsible, then in lieu of paying the owner any amount on account of such loss, the offer shall, for the purposes of subsection (a) and this subsection, be considered as having been accepted and the vessel as having been acquired by the Commission under subsection (a) immediately prior to such loss.

"(c) The Commission is also authorized to make available any war-built vessel for transfer in complete or partial settlement of any claim against the United States (1) for just compensation upon requisition for title of any vessel, or (2) for indemnity for the loss of any vessel which was acquired for use by the United States, but only to the extent such vessel is available for sale to the claimant.

"(d) In the case of any vessel constructed in the United States after January 1, 1937, which has been taken by the United States for use in any manner, the Commission, if in its opinion the transfer would aid in carrying out the policies of this Act, is authorized to transfer to the owner of such vessel another vessel which is deemed by the Commission to be of comparable type with adjustments for depreciation and difference in design or speed, and to the extent applicable, adjustments with respect to the retained vessel as provided for in section 9, and such other adjustments and terms and conditions, including transfer of mortgage obligations in favor of the United States binding upon the old vessel, as the Commission may prescribe.

"ADJUSTMENT FOR PRIOR SALES TO CITIZENS

"SEC. 9. (a) A citizen of the United States who on the date of the enactment of this Act—

"(1) owns a vessel which he purchased from the Commission prior to such date, and which was delivered by its builder after December 31, 1940; or

"(2) is party to a contract with the Commission to purchase from the Commission a vessel, which has not yet been delivered to him; or

"(3) owns a vessel on account of which a construction-differential subsidy was paid, or agreed to be paid, by the Commission under section 504 of the Merchant Marine Act, 1936, as amended, and which was delivered by its builder after December 31, 1940; or

"(4) is party to a contract with a shipbuilder for the construction for him of a vessel, which has not yet been delivered to him, and on account of which a construction-differential subsidy was agreed, prior to such date, to be paid by the Commission under section 504 of the Merchant Marine Act, 1936, as amended;

"shall, except as hereinafter provided, be entitled to an adjustment in the price of such vessel under this section if he makes application therefor, in such form and manner as the Commission may prescribe, within sixty days after the date of publication of the applicable prewar domestic costs in the Federal Register under section 3 (c) of this Act. No adjustment shall be made under this section in respect of any vessel the contract for the construction of which was made after September 2, 1945, under the provisions of title V (including section 504) or title VII of the Merchant Marine Act, 1936, as amended.

"(b) Such adjustment shall be made, as hereinafter provided, by treating the vessel as if it were being sold to the applicant on the date of the enactment of this Act, and not before that time. The amount of such adjustment shall be determined as follows:

"(1) The Commission shall credit the applicant with the excess of the cash payments made upon the original purchase price of the vessel over 25 per centum of the statutory sales price of the vessel as of such date of enactment. If such payment was less than 25 per centum of the statutory sales price of the vessel, the applicant shall pay the difference to the Commission.

"(2) The applicant's indebtedness under any mortgage to the United States with respect to the vessel shall be adjusted.

"(3) The adjusted mortgage indebtedness shall be in an amount equal to the excess of the statutory sales price of the vessel as of the date of the enactment of this Act over the sum of the cash payment retained by the United States under paragraph (1) plus the readjusted trade-in allowance (determined under paragraph (7)) with respect to any vessel exchanged by the applicant on the original purchase. The adjusted mortgage indebtedness shall be payable in equal annual installments thereafter during the remaining life of such mortgage with interest on the portion of the statutory sales price remaining unpaid at the rate of 3½ per centum per annum.

"(4) The Commission shall credit the applicant with the excess, if any, of the sum of the cash payments made by the applicant upon the original purchase price of the vessel plus the readjusted trade-in allowance (determined under paragraph (7)) over the statutory sales price of the vessel as of the date of the enactment of this Act to the extent not credited under paragraph (1).

"(5) The Commission shall also credit the applicant with an amount equal to interest at the rate of 3½ per centum per annum (for the period beginning with the date of the original delivery of the vessel to the applicant and ending with the date of the enactment of this Act) on the excess of the original purchase price of the vessel over the amount of any allowance allowed by the Commission on the exchange of any vessel on such purchase; the amount of such credit first being reduced by any interest on the original mortgage indebtedness accrued up to such date of enactment and unpaid. Interest so accrued and unpaid shall be canceled.

"(6) The applicant shall credit the Commission with all amounts paid by the United States to him as charter hire for use of the vessel (exclusive of service, if any, required under the terms of the charter) under any charter party made prior to the date of the enactment of this Act, and any charter hire for such use accrued up to such date of enactment and unpaid shall be canceled; and the Commission shall credit the applicant with the amount that would have been paid by the United States to the applicant as charter hire for bare boat use of vessels exchanged by the applicant on the original purchase (for the period beginning with date on which the vessels so exchanged were delivered to the Commission and ending with the date of the enactment of this Act).

"(7) The allowance made to the applicant on any vessel exchanged by him on the original purchase shall be readjusted so as to limit such allowance to the amount provided for under section 8.

"(8) There shall be subtracted from the sum of the credits in favor of the Commission under the foregoing provisions of this subsection the amount of any overpayments of Federal taxes by the applicant resulting from the application of subsection (c) (1), and there shall be subtracted from the sum of the credits in favor of the applicant under the foregoing provisions of this subsection the amount of any deficiencies in Federal taxes of the applicant resulting from the application of subsection (c) (1). If, after making such subtractions, the sum of the credits in favor of the applicant exceeds the sum of the credits in favor of the Commission, such excess shall be paid by the Commission to the applicant. If, after making such subtractions, the sum of the credits in favor of the Commission exceeds the sum of the credits in favor of the applicant, such excess shall be paid by the applicant to the Commission. Upon such payment by the Commission or the applicant, such overpayments shall be treated as having been refunded and such deficiencies as having been paid.

"For the purposes of this subsection, the purchase price of a vessel on account of which a construction differential subsidy was paid or agreed to be paid under section 504 of the Merchant Marine Act, 1936, as amended, shall be the net cost of the vessel to the owner.

"(c) An adjustment shall be made under this section only if the applicant enters into an agreement with the Commission binding upon the citizen applicant and any affiliated interest to the effect that—

"(1) depreciation and amortization allowed or allowable with respect to the vessel up to the date of the enactment of this Act for Federal tax purposes shall be treated as not having been allowable; amounts credited to the Commission under subsection (b) (6) shall be treated for Federal tax purposes as not having been received or accrued as income; amounts credited to the applicant under subsection (b) (5) and (6) shall be treated for Federal tax purposes as having been received and accrued as income in the taxable year in which falls the date of the enactment of this Act;

"(2) the liability of the United States for use (exclusive of service, if any, required under the terms of the charter) of the vessel on or after the date of the enactment of this Act under any charter party shall not exceed 15 per centum per annum of the statutory sales price of the vessel as of such date of enactment; and the liability of the United States under any such charter party for loss of the vessel shall be determined on the basis of the statutory sales price as of the date of the enactment of this Act, depreciated to the date of loss at the rate of 5 per centum per annum; and

"(3) in the event the United States, prior to the termination of the existing national emergency declared by the President on May 27, 1941, uses such vessel pursuant to a taking, or pursuant to a bareboat charter made, on or after the date of the enactment of this Act, the compensation to be paid to the purchaser, his receivers, and trustees, shall in no event be greater than 15 per centum per annum of the statutory sales price as of such date.

"(d) Section 506 of the Merchant Marine Act, 1936, as amended, shall not apply with respect to (1) any vessel which is eligible for an adjustment under this section, or (2) any vessel described in clause (1), (2), (3), or (4) of subsection (a) of this section, the contract for the construction of which is made after September 2, 1945, and prior to the date of enactment of this Act.

"LIMITATION ON ELIGIBILITY FOR BENEFITS OF ACT

"SEC. 10. No person shall be eligible to purchase or charter a war-built vessel under this Act, or to receive an adjustment under section 9, unless such person makes an agreement with the Commission binding upon such person and any affiliated interest to the

effect that the liability of the United States under any charter party or taking for use, made or effected prior to the date of the enactment of this Act, for the loss, on or after such date of enactment and prior to September 3, 1947, of any vessel owned by such person and under charter to the United States (excluding a vessel with respect to which an adjustment is made under section 9) shall be limited to an amount equal to just compensation as of the date of said loss, determined pursuant to existing law, or such amount as may be mutually agreed upon subsequent to the date of the enactment of this Act as just compensation under the provisions of existing law.

"NATIONAL DEFENSE RESERVE FLEET

"SEC. 11. (a) The Commission shall place in a national defense reserve (1) such vessels owned by it as, after consultation with the Secretary of War and the Secretary of the Navy, it deems should be retained for the national defense, and (2) all vessels owned by it on December 31, 1947, for the sale of which a contract has not been made by that time, except those determined by the Commission to be of insufficient value for commercial and national defense purposes to warrant their maintenance and preservation, and except those vessels, the contracts for the construction of which are made after September 2, 1945, under the provisions of the Merchant Marine Act, 1936, as amended. A vessel under charter on December 31, 1947, shall not be placed in the reserve until the termination of such charter. Unless otherwise provided for by law, all vessels placed in such reserve shall be preserved and maintained by the Commission for the purpose of national defense. A vessel placed in such reserve shall in no case be used for commercial operation, except that any such vessel may be used during any period in which vessels may be requisitioned under section 902 of the Merchant Marine Act, 1936, as amended.

"(b) Any war-built vessel may be made available by the Commission to any State maintaining a marine school or nautical branch in accordance with the Act of July 29, 1941 (Public Law 191, Seventy-seventh Congress; 55 Stat. 607).

"GENERAL PROVISIONS

"SEC. 12. (a) The Commission is authorized to reconvert or restore for normal operation in commercial services, including removal of national defense or war-service features, any vessel authorized to be sold or chartered under this Act. The Commission is authorized to make such replacements, alterations, or modifications with respect to any vessel authorized to be sold or chartered under this Act, and to install therein such special features, as may be necessary or advisable to make such vessel suitable for commercial operation on trade routes or services or comparable as to commercial utility to other such vessels of the same general type.

"(b) The provisions of section 202 of the War Mobilization and Reconversion Act of 1944 shall not apply to contracts of the Commission for or relating to construction of ships.

"(c) Notwithstanding the provisions of section 27 of the Merchant Marine Act, 1920, as amended (U. S. C., title 46, sec. 883), no vessel sold or chartered by the Commission under this Act to a citizen of the United States shall be prohibited from engaging in the coastwise trade of the United States while owned by or chartered to such citizen or citizen successors in interest merely because it was under foreign registry on or after May 27, 1941, and prior to its sale or charter under this Act to such citizen, if it is otherwise entitled under the laws of the United States to engage in such trade.

"(d) All moneys received by the Commission under this Act shall be deposited in the Treasury to the credit of miscellaneous receipts. The provisions of sections 201 (d), 204 (b), 207, 209 (a), and 905 (c) of the Merchant Marine Act, 1936, as amended, shall apply to all activities and functions which the Commission is authorized to perform under this Act.

"REPORTS

"SEC. 13. The Commission shall on July 1, 1946, and every three months thereafter, make a report to Congress with respect to all activities or transactions under this Act which have not been covered by any previous such report.

"TERMINATION DATE

"SEC. 14. No contract of sale or of charter shall be made under this Act after December 31, 1947."

And the Senate agree to the same.

GEORGE L. RADCLIFFE,
JOSIAH W. BAILEY,
JOHN H. OVERTON,
OWEN BREWSTER,
THOS. C. HART,
Managers on the Part of the Senate.

S. O. BLAND,
J. J. MANSFIELD,
FRANK W. BOYKIN,
RICHARD J. WELCH,
FRED BRADLEY,
Managers on the Part of the House.

Mr. RADCLIFFE. Mr. President, I ask unanimous consent for the immediate consideration of the conference report.

The PRESIDENT pro tempore. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BARKLEY. Mr. President, while Senators are present, assuming that the conference report now before the Senate will be disposed of today, I wish to announce that it has been proposed that the Senate take a recess until next Thursday, and on Thursday the calendar will be called for the consideration of bills to which there is no objection. I make that announcement for the benefit of Senators.

Mr. WHITE. Mr. President, will the Senator from Maryland make some explanation of the changes which have been made in the bill?

Mr. RADCLIFFE. Mr. President, this bill is known as the ship sales bill. I can say that there was no fundamental difference between the general concept of the Senate bill and that of the House bill. There were, however, a number of changes which were worked out in efforts to apply the general theory underlying the legislation. In other words, both the House and the Senate felt that there should be an attempt made to fix by formula the prices of the various types of ships to be sold. Both bills provided that there should be an adjustment in certain cases where purchases of ships had been made prior to the enactment of the bill at prices higher than those provided in this legislation.

Both Houses provided for trade-in of ships when new purchases were made from the United States Government. Both Houses believed there should be provision made for the limitation of time in which negotiations and sales could take place under this bill. It was fixed at 2 years. However, when the time came to set up the formulas there were many differences of opinion between the House and the Senate. Those differences were considered very carefully by the conferees of the two Houses. We had a number of sessions in which the divergent views of the two Houses were discussed at considerable length. Eventually a solution was reached which was so satisfactory that every member of the conference signed the report of agreement.

Mr. President, that does not mean that each conferee, or, in fact, each Member of the Senate and House, was fully in accord with every provision in the bill which is essentially long and complicated in structure. It was, however, the deliberate opinion of the conferees that the agreement which they reached was the best to be had under the circumstances. In some respects the Senate receded from its position, and at times, the House withdrew. In many cases the changes which were made were more or less explanatory and made merely in the interest of better phraseology. In some cases decided matters of substance were involved. Agreement was sought and found in all of these cases.

I shall be very glad to attempt to explain any features which Senators may desire to have discussed.

Mr. LANGER. Mr. President, I should like to know about the sale of tankers. What was finally agreed to with respect to that subject?

Mr. RADCLIFFE. The House was of the opinion that the sales price of tankers should be 75 percent of the prewar cost. The Senate was of the opinion that 60 percent was correct. Mr. President, allow me to amplify my statement. What I have reference to is the reports of the various committees. However, when the bill got to the floor of the House, by motion the sales price of tankers was raised there from 75 percent to 100 percent. Likewise, when the matter reached the floor of the Senate and was under consideration here, due very largely to the insistence of my friend, the Senator from North Dakota [Mr. LANGER], the figure was raised to 75 percent. So the conferees had before them two figures, namely, 100 percent as provided by the House and 75 percent as provided by the Senate. We agreed upon the figure of 87½ percent. Personally I believe that is very high, but it represents at least the average between the opinions of those who were considering the matter.

Mr. President, some changes were made which I emphasize. The House was of the opinion that a different price should be fixed for ships sold to subsidized companies as contrasted with those sold to nonsubsidized companies. The Senate struck out that point of difference. After careful thought, the conferees came to the conclusion that it was best to have one price, for all, that is 50 percent. That was an instance in which the House yielded to the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the conference report?

Mr. AIKEN. Mr. President, I have no questions to ask, but I wish to speak for a few moments upon the subject if the

Senator from Maryland has yielded the floor.

The PRESIDENT pro tempore. The Chair understood that the Senator from Maryland had yielded the floor.

Mr. AIKEN. I do not wish to take the Senator off the floor if he is not through.

Mr. RADCLIFFE. I will now discuss somewhat in detail the important differences and show how an agreement was reached.

The Senate amendment struck out all of the House bill after the enacting clause. The conference agreement is a substitute for both the House bill and the Senate amendment. The conferees, however, have limited their changes in the text to those portions wherein the House bill and the Senate amendment differed in language, with only such incidental changes as were necessary because of the language changes made by the conferees in the differing portions of the House bill and the Senate amendment.

Language was inserted to clarify the status of Philippine citizens who are nationals—but not citizens—of the United States, pending independence, making them eligible until July 4, 1946, to apply for charters of dry-cargo vessels as may citizens of the United States. They were also given a preference over other noncitizens in buying vessels as noncitizens.

The conference bill provides that the short title of the act shall be "Merchant Ship Sales Act of 1946."

Section 2 (a) of the House bill and of the Senate amendment both follow very closely the declaration of policy in the Merchant Marine Act, 1936. The House bill added clause (5) and the Senate amendment transposed the reference to foreign and domestic commerce in the declaration to emphasize the necessity for an American merchant marine sufficient to provide for all the domestic water-borne commerce and to emphasize the maintenance (as well as the development) of both the domestic and foreign commerce. The Senate amendment also added to clause (5) a reference to shipbuilding and ship-repair facilities. The conference agreement includes all these changes. The changes from the declaration of policy in the 1936 act only state more specifically some points heretofore largely left to implication.

The Senate amendment inserted a clause in section 2 (b) adding a negative statement which might be construed so as to give rise to conflict in the application of policies otherwise affirmatively expressed in both the House and Senate versions of the bill. The conference bill omits this clause.

The House bill—section 3 (b)—applied to war-built vessels of 2,00^ gross tons or more, whereas the Senate amendment applies to such vessels of 1,500 gross tons or more. The Senate figure would extend the coverage of the measure to smaller vessels suitable for coastwise trade—such as the N3 type—and is included in the conference bill.

The House bill—section 3 (b) (1) and (2)—applied to war-built vessels—Government-owned—constructed or contracted for by or for the account of the United States, on or before June 30, 1945, or which were constructed and acquired or reacquired by the United States on or before June 30, 1945. The Senate amendment covers vessels contracted for, or acquired by, the Commission or the War Shipping Administration—rather than the United States—on or before September 2, 1945—instead of June 30, 1945.

The conference bill retains the House provisions as to construction or acquisition by the United States (rather than by the Commission only), and adopts the date of September 2, 1945 (instead of June 30, 1945).

Both the House bill (section 3 (c)) and the Senate amendment used prewar domestic-construction costs as the basis for computing selling prices. The House bill fixed the selling price for dry-cargo vessels at 55 percent to subsidized operators, and 50 percent to nonsubsidized operators, of the prewar domestic cost; and for tankers fixed at 100 percent of the prewar domestic cost (section 3 (d)). The Senate amendment fixed the price of dry-cargo vessels to all at 50 percent of prewar domestic cost and the tankers at 75 percent of the prewar domestic cost.

The conference bill fixes the price for dry-cargo vessels to all at 50 percent of the prewar domestic cost, and for tankers at 87½ percent of such cost.

Both the House bill and the Senate amendment establish floor prices below which selling prices cannot be reduced by adjustments for depreciation and other adjustment factors (sec. 4 (d)).

The House bill provided that in the case of dry-cargo vessels the floor price could not be less than 35 percent of the average construction cost (by types) for a nonsubsidized operator, nor less than 40 percent for any other operator, and in the case of a tanker could not be less than 50 percent of the construction cost. The Senate amendment fixes the floor price for dry-cargo vessels generally at 35 percent of cost, for Liberty types at 31½ percent, and 42 percent for tankers.

The conference agreement fixes the floor price for dry-cargo vessels to all buyers at 35 percent, for Liberty-type vessels at 31½ percent, and 50 percent for tankers.

The Senate amendment inserted a definition of "domestic war cost" which gives that term the same meaning as "average construction cost" in the House bill, and the conference agreement adopts the definition as a drafting simplification.

Under the Senate amendment all Liberty vessels are to be considered of one and the same type, whereas under the House bill this provision was limited to dry-cargo vessels. The conference bill adopts the former provision, thereby including Liberty tankers under the pricing provisions generally applicable to Liberty-type vessels, but with a perfecting corollary amendment which prevents Liberty-type tankers from being chartered under section 5, chartering provisions, which include Liberty dry-cargo vessels.

In section 3 (g) the Senate amendment adds a definition of the term "affiliated interest" as used in sections 9 and 10 of the measure. The conference report includes this definition as being a protective amendment.

Section 4 of the House bill and of the Senate amendment both prescribe terms of sale of war-built vessels to citizens and differ only in that the House bill required a determination that the applicant possess "the ability, experience, and financial resources, and other qualifications necessary to enable the applicant to operate and maintain the vessel purchased under normal competitive conditions." The Senate amendment required only the possession of "qualifications necessary to enable the applicant to operate and maintain the vessel purchased under normal competitive conditions." The conference bill restores the House language.

In section 5 of both the House bill and the Senate amendment provision is made for charter of war-built vessels to citizens, but under the House bill tankers were not included, while the Senate amendment did include tankers. The conference agreement restores the House limitation so that tankers may not be chartered under the measure.

The House bill, in section 5, contains a prohibition on charter of a vessel until it had been offered for sale with no acceptance for at least 3 months. The Senate amendment had no comparable provision. The conference bill provides in lieu of this provision that no vessel may be chartered under the section until 60 days after publication of the prewar domestic cost as required in section 3 (c) of the measure. The bill would not affect the existing authority of the War Shipping Administration and the Maritime Commission to charter vessels to citizens of the United States, which may be necessary for limited periods to speed up the resumption of private steamship operation.

The Senate amendment included an additional provision forbidding the Maritime Commission from rejecting any application for the purpose of denying lawful operation of any kind and restricting or limiting competition in the ocean trade of the United States. The conference bill does not include this provision, inasmuch as the discretion placed in the Commission by the section as to chartering will be governed by the declaration of policy and other provisions of the bill.

Both the House bill and the Senate amendment—section 6—prescribe terms of sale of war-built vessels to persons not citizens of the United States. Both prohibit the sale to noncitizens of passenger-type and bulk dry-cargo Liberty-type vessels—colliers. To this prohibition is added in the conference bill a prohibition against the sale to noncitizens of Liberty tankers as a corollary action of the conferees with respect to the pricing provisions for Liberty-type tankers for sale to citizens.

The conference agreement adopts certain minor changes in the Senate amendment relating to the administration of section 6 and procedure preliminary to sale of vessels.

The House bill permitted the immediate sale to noncitizens of not more than

five C-type vessels which were under charter to noncitizens. The Senate amendment increased this number to 10, but excluded therefrom C3-type vessels. The conference bill adopts the larger number.

Section 7 (b) of the House bill prohibits, except to the extent necessary to effect transfer of vessels to private operation, the operation of vessels in commercial services by the Maritime Commission. The Senate amendment in section 7 (b) made this prohibition applicable to the United States—including, of course, the Maritime Commission—but excepted from the prohibition any operation specifically authorized by law. The conference agreement adopts the Senate amendment with a further amendment expressly excepting the Panama Railroad Co. in addition to other services which may be specifically authorized by law.

The House bill and the Senate amendment in section 8 of each contain provisions with regard to the acquisition by the Commission of vessels in exchange for an allowance of credit on the purchase of war-built vessels.

The House bill provided that the trade-in allowances, to be determined by the Commission, should not exceed 10 percent of the average construction cost, having regard to the tonnage of the vessel being exchanged.

The Senate amendment fixed the maximum allowance at 33⅓ percent of the unadjusted statutory sales price where the vessel in exchange is of equal or greater dead-weight tonnage than the war-built vessel, and where the vessel in exchange is of lesser tonnage than the war-built vessel, the allowance should not exceed such fraction of one-third of the statutory sales price as the ratio of the dead-weight tonnage of the vessel offered in exchange bears to the tonnage of the war-built vessel.

The Senate amendment includes various standards for consideration by the Commission in making its determination of the credit allowance for the vessel turned in. These include values established under rules of the Advisory Board on Just Compensation, the liability of the United States for repair and restoration of the vessel, the utility value of the vessel, the effect of the measure upon the market value of the vessel, and the public interest in promoting exchanges in order to rehabilitate and modernize the American merchant marine.

The conference agreement adopts the aforesaid standards of determination as a means of prescribing guides for the discretion of the Commission in making determinations.

The conference agreement also adopts the Senate provision for the limitation on the amount of the trade-in allowance.

The Senate amendment on trade-ins authorizes the trade-in allowance to be equal to but not more than the liability of the United States in connection with the repair or restoration of the trade-in vessel under any charter party with the United States. This provision was adopted in the conference agreement as in the interest of the Government and the merchant marine through placing war-built vessels in operation rather than expending large sums on restoring old vessels for return under charter.

Both the House bill and the Senate amendment—section 8 (b) (1)—contain a restriction against turning in of vessels for credit when the vessel had been restored by the United States for return under the charter or a cash allowance therefor had been made to the owner. The conference agreement adopts a modification of this restriction, which provides that any such vessel may not be turned in for a credit allowance on a new vessel unless the amount of the liability of the United States for restoration or the cash allowance therefor is repaid to the United States. This does not prevent turning in a vessel which has been returned to the owner, or is to be returned to the owner, with the removal only of the defense features at the expense of the United States, which cost is to be borne by the United States in any event.

The House bill—section 8 (b) (1)—contained a provision limiting the trade-in allowance on a turned-in vessel in any case where the vessel was acquired from the United States to the price paid the United States therefor—plus the depreciated cost of betterments—unless the vessel has subsequently been acquired by a "bona fide purchaser for value." Under the Senate amendment, no such exception is made. The conference agreement adopts the Senate provision.

The Senate amendment, in connection with the limitation on the amount of the allowance when passenger vessels are traded in, uses gross tonnage in lieu of the dead-weight tonnage. The conference agreement adopts this provision.

Both the House bill and the Senate amendment—section 8 (c)—include special provision for transfer of war-built vessels in settlement of claims arising in this war against the United States, for just compensation in title-requisition cases, and for indemnity for loss in case of vessels lost while in use by the United States. The House provision limited this authority to such claims by citizens.

The Senate amendment does not so limit the status of the claims, but provides that no vessels may be transferred in settlement of a claim unless the vessel is available for sale under the bill to the claimant in question to prevent evasion of the provisions of the bill with respect to the sale of vessels to noncitizens.

The conference agreement adopts this amendment.

The Senate amendment—section 8 (d)—included the transfer of vessels in exchange for vessels constructed in the United States since January 1, 1937, and taken for use by the United States in any manner. The vessels transferred in exchange must be a comparable type, that is of the same general type and adjustments are to be made for depreciation and differences in design and speed of the vessels involved. The conference agreement includes these provisions.

Section 9 in the House bill and the Senate amendment provides for the adjustment of prior sales to citizens. The House bill—section 9 (a)—excluded from adjustment any vessel, the contract for the construction of which was made after June 30, 1945, under the Merchant Marine Act, 1936, as amended. The Senate amendment would change the date to September 2, 1945, and the conference agreement adopts the latter date.

Both the House bill and the Senate amendment provided for (1) adjustment of the original purchase price, (2) adjustment of the charter hire, (3) adjustment of trade-in allowance in connection with the prior original purchase, and (4) adjustments of taxes paid on account of ownership of the vessel.

Under the House bill the owner would receive as an adjustment the difference between the statutory sales price of the vessel computed as of the date of enactment of the act and the price he originally paid for the vessel. The owner would return all charter hire previously received or allowed by the Government during his ownership of the vessel. The owner would be allowed 3½ percent interest on his original purchase price (but where there was a trade-in, only on the difference between his original purchase price and the allowance under the trade-in). Under the House bill where the original purchase involved the trade-in of an old vessel, the trade-in allowance is adjusted in accordance with the trade-in standards prescribed under section 8 of the House bill—top limit 10 percent of the war cost. The owner would be allowed charter hire on the traded-in vessel.

Under the Senate amendment the owner would receive as an adjustment the difference between the original price (depreciated at 5 percent plus 3 or 4 percent war service) and the statutory sales price for the vessel determined as of the date of enactment of the measure. Under the Senate amendment the owner would return the difference between the charter hire he received from the Government while he owned the vessel and the charter hire he would have received had the price of the vessel been the adjusted price arrived at under the act. Under the Senate amendment the owner would receive credit for the interest he actually paid to the Government on the deferred account of his original purchase price. The Senate amendment also provides for an adjustment of the trade-in allowance for a vessel traded in on the original purchase, in accordance with section 8 of the Senate amendment (which prescribes a top limit of one-third of the unadjusted statutory sales price). Under the Senate amendment no provision is made for allowance for charter hire of the traded in vessel.

The conference agreement restores the House provisions on the points stated in the two preceding paragraphs.

The House bill and the Senate amendment both contain provisions relating to the adjustment of taxes and, in accord with the action of the conferees on the above-described differences, the conference agreement adopts the House text with a modification. The modification is in section 9 (c) (1) of the House bill and provides that amounts credited the applicant for interest under subsection (b) (5) shall be treated for Federal tax

purposes as having been received and accrued as income in the taxable year in which falls the date of enactment of the act.

Under the House bill the owner desiring an adjustment on one vessel would be required to adjust on all vessels (sec. 9 (c)). Under the Senate amendment the owner may choose the vessels on which he wants an adjustment of price (sec. 9 (d)). The conference agreement adopts the latter provision.

The House bill—section 9 (d) (2)—requires the owner who adjusts to agree that the liability of the United States under a charter party for the use of the vessel on or after the enactment of the act shall be limited to 15 percent of the statutory sales price of the vessel as of the date of enactment. Under the Senate amendment—section 9 (d) (1)—the owner who adjusts must agree that the liability on the part of the United States for the use of the vessel under any charter party made prior to the enactment of the act shall be limited to 15 percent of the adjusted price of the vessel. The conference agreement restores the House provision on this point

The House bill—section 9 (c) (1)—requires the owner to agree that in case of the loss of the vessel under any charter party, the liability under the charter shall be determined on the basis of the statutory sales price as of the date of enactment of the act, depreciated at the rate of 5 percent per annum plus 3 percent war-service depreciation. The Senate amendment—section 9 (d) (2)—required the owner to agree that in such case the liability of the United States shall be determined on the basis of the adjusted purchase price of the vessel depreciated at the rate of 5 percent per annum. The conference agreement restores the House provision omitting the provision for 3 percent war-service depreciation.

The Senate amendment—section 9 (d)—provided that, in order to receive an adjustment of a prior sale, the owner must agree that any payment or claim on account of loss or requisition of any vessel built subsequent to January 1, 1935, shall be determined or settled in an amount not to exceed the adjusted basis of the vessel in the hand of the owner determined under section 113 (b) of the Internal Revenue Code. There was no such provision in the House bill, and the conference agreement omits the Senate provision.

Under section 9 (d) of the House bill, section 506 of the Merchant Marine Act, 1936 (relating to the use of a vessel in coastwise service), would not apply with respect to any vessel on which an adjustment is made under section 9. The Senate amendment—section 9 (f)—provides that such section 506 should not apply with respect to any vessel eligible for an adjustment under section 9 nor to any vessels described in section 9 (a) (1), (2), (3), or (4), the contract for the construction of which is made after September 2, 1945, and prior to the date of enactment of the act. The conference agreement adopts the latter provisions.

The House bill and the Senate amendment—section 10—include provisions applicable to the purchasers or charterers of war-built vessels, and to persons receiving adjustments under section 9, requiring such persons, in cases of use by the United States or loss of a vessel while under charter to the United States, prior to September 3, 1947, to accept in settlement of the liability of the United States an amount equal to just compensation. Such compensation is to be determined or agreed upon pursuant to section 902 of the Merchant Marine Act, 1936, in the House bill, and pursuant to existing law under the Senate amendment. The reference to existing law includes recent determination of various controversies in connection with the determination of just compensation. The conference agreement adopts the reference to existing law in the interest of clarifying the intent and avoiding disputes.

The conference agreement adopts a change of date in section 11 from September 3, 1947, to December 31, 1947, with respect to the closing date for placing vessels in the defense reserve when not sold within the time limit. Vessels contracted for under the provisions of the Merchant Marine Act, 1936, after September 2, 1945, are excluded as provided in the Senate amendment, inasmuch as there is no intent to place new postwar construction in the defense reserve if it should come back to or be retained in Government ownership.

Both the House bill and the Senate amendment contain similar provision authorizing war-built vessels to be made available to State marine schools or nautical branches, and the conference agreement—section 11 (g)—adopts the Senate language which includes specific reference to the applicable existing law involved.

Both the House bill and the Senate amendment contain in section 12 (c) a provision to make it clear that war-built vessels covered by the bill which were placed under foreign registry for war purposes, may be eligible to operate in the coastwise trade. The conference agreement includes the insertion of the Senate language "or after" with reference to the clause "on May 27, 1941, and prior to its sale or charter under this act," to make it clear that vessels of this class may be admitted to domestic trade when owned or chartered to citizens of the United States under the act.

The Senate amendment definitely required receipts under the act to be deposited in the Treasury to the credit of miscellaneous receipts. The conference agreement includes this provision.

The House bill provided for reports of activities and transactions under the measure at the beginning of the second regular session of the Seventy-ninth Congress and every 6 months thereafter. The Senate amendment required a weekly report to be made within 10 days after the expiration of each calendar week and also a report every 6 months summarizing the weekly reports. The conference agreement provides for the first report of activities and transactions under the measure on July 1, 1946, and requires a report every 3 months thereafter.

Mr. BILBO. Mr. President, will the Senator from Maryland yield?

Mr. RADCLIFFE. I yield.

Mr. BILBO. While we had the bill before the Committee on Commerce the question was raised about the giving away of about 600 vessels to England, of which they got possession during the lend-lease days. What was the final decision on that?

Mr. RADCLIFFE. The House bill contained no such provision and the Senate bill, as it came from the committee, contained no such provision. However, a committee amendment was offered to that effect but the Senate voted it down, so the conferees did not have that subject before them.

Mr. BILBO. I am glad to hear that.

Mr. AIKEN. Mr. President, several times during the last few years, I have presented to this Senate reports and other information compiled by the Comptroller General's Office, which indicated that huge sums of money entrusted to those in control of the Maritime Commission and War Shipping Administration had not been properly expended or accounted for.

With four of my colleagues, I voted against the confirmation of Admiral Land, not because I had any personal feelings against the man; not because I thought that he was personally profiting at the taxpayers' expense; not because I did not appreciate what was being accomplished in the building of ships for war purposes, but because the Comptroller General's reports, statements, and letters to me indicated beyond a doubt that possibly billions of dollars were being illegally and wastefully expended without being accounted for.

In my opinion, the fact that the United States was at war gave no excuse for violating the law or failing to make a proper accounting of the money expended.

I have tried unsuccessfully to get the Senate sufficiently interested in the welfare of the American taxpayer and the honest administration of government so that at least the Comptroller General's reports would be recognized as worthy of an honest servant of the Government and that an investigation of Maritime Commission affairs be made.

I have tried unsuccessfully to get the Committee on Expenditures in the Executive Departments to exercise the duties which would naturally fall to that committee.

The first report alleging illegal or wasteful expenditures on the part of the Maritime Commission, the case of the Tampa Shipbuilding Corp. was referred to the Committee on Expenditures in the Executive Departments, and was printed for the benefit of the Members of this body.

Thereafter, all complaints of the Comptroller General against the Maritime Commission have been referred to the Commerce Committee and, to the best of my knowledge, none of them have been printed, or acted upon by either committee.

I wish at this time to call the attention of the Senate to the audit report of the United States Maritime Commission for the year ending June 30, 1943.

This report is the severest indictment of any agency of Government that I

know of during the time I have been a Member of the Senate.

It was addressed to the Maritime Commission with an accompanying letter under date of November 19, 1945. No copy was submitted to the Committee on Expenditures in the Executive Departments of the Senate, so I am informed.

This audit report and its contents appear to have been carefully concealed and its existence appears to have been known only to the Chairman of the Maritime Commission and his director of finance, Mr. R. E. Anderson.

I do not know whether Admiral Howard L. Vickery was aware of this report or not, but the other three members of the Maritime Commission, Captain Macauley, Mr. McKeough, and Mr. Carmody were apparently kept in the dark as to the report and its contents.

Except for the fact that Congressman WIGGLESWORTH, of Massachusetts, had learned of the existence of such a report and demanded a copy of it, these members of the Maritime Commission, as well as Members of the Congress, might not yet have learned about the report.

To substantiate this statement, I shall read a letter addressed to Congressman WIGGLESWORTH by Edward Macauley, Acting Chairman of the Maritime Commission at the present time. This letter is dated January 28, 1946, addressed to Mr. WIGGLESWORTH, and reads as follows:

UNITED STATES MARITIME COMMISSION,
Washington, D. C., January 28, 1946.

Hon. RICHARD B. WIGGLESWORTH,
Committee on Appropriations,
House of Representatives,
Washington, D. C.

MY DEAR MR. WIGGLESWORTH: Upon the issuance of the CONGRESSIONAL RECORD on January 23, 1946, it was brought to the official notice of myself and my two colleagues for the first time that the Comptroller General had addressed to the Commission his letter of November 19, 1945, and his audit report of the Commission's balance sheet as of June 30, 1943.

I am writing so that you will be advised that the Commission has this day taken action in connection therewith. An inquiry is now in progress to determine the status of the Commission's reply to the Comptroller General, and instructions have today been issued to expedite the reply.

Very truly yours,

EDWARD MACAULEY,
Acting Chairman.

Now I wish to read to the Senate some of the findings and comments of the Comptroller General which are contained in this audit report.

The report is in two sections, one relating to the United States Maritime Commission and the other to the War Shipping Administration.

Mind you, this audit is for the year ending June 30, 1943. When an examination of Maritime Commission affairs has been brought up to date, it will be the most shocking story of collusion, corruption, and disregard of public interest ever presented against an agency of the United States Government.

Here are the comments of the Comptroller General accompanying the audit of the United States Maritime Commission for the year ending June 30, 1943.

COMMENTS ON MARITIME COMMISSION BY COMPTROLLER GENERAL

The following comments have been divided into three general classes:

A. Those involving incompleteness or inadequacies of the accounting procedures and practices.

B. Major errors of omission or commission.

C. Operational practices that do not protect the Government interests.

The recommendations will in a large part be directed toward curing these conditions.

A. ACCOUNTING PROCEDURES AND PRACTICES

1. The Commission's method of preparing its financial statements as at June 30, 1943, was in three steps:

(a) Balances taken from books totaling $8,058,391,378.09.

(b) Changes and corrections of the foregoing figures in the amount of $1,857,877,238.14.

(c) Further changes and corrections totaling $2,100,059,819.93 to close the gap between recorded fact and actual fact.

These three steps disclose the incompleteness of the recorded accounting facts for current operational-management purposes.

2. Incomplete control over adjustments for closing the gap between recorded fact and actual fact resulting in accounts being indirectly affected that would not ordinarily be involved in a less complicated procedure.

3. The internal audit incomplete as evidenced by payments from the wrong appropriations in the amount of approximately $30,000,000 and the voluntary repayment by contractors and vendors of over $200,000 erroneous payments during 1943.

B. MAJOR ERRORS OF OMISSION OR COMMISSION

1. An advance of $2,000,000 to the Kaiser Co., Richmond, Calif., was charged to shipways and facilities. This was incorrect. The item should have been set up as an account receivable. It was actually collected July 27, 1943.

2. The recorded cost of ship construction for the Navy Department exceeded the funds advanced by the Navy Department for such construction by $7,213,693.44. No account receivable was set up to cover these costs.

3. Twenty-three accounts receivable involving renegotiated contracts amounting to $8,069,340.09 were not set up.

4. Duplication of adjusting entries involving working funds totaling $66,812,880.50.

5. Erroneous billing to the Navy Department in the amount of $3,186,342 for a vessel transferred to War Shipping Administration.

6. Billing to the Navy Department in the amount of $1,480,000 properly includible in 1944 transactions.

7. Erroneous change and correction entry of a collection of $2,246,726.78 from the American Hoist & Derrick Co., resulting in an overstatement of accounts receivable and an overstatement of prior year earnings in a like amount.

8. Failure to reclassify "completed small craft" resulting in an understatement of completed construction and an overstatement of "deferred charges and prepaid expenses."

9. Classification of $1,019,483.04 as "deferred credit" when it actually represented a potential account payable to the American Mail Line, Ltd., for prepaid construction of new ships.

10. Failure to credit "ship construction" with $278,624.53 shown as "deferred credits" but identified as inventories turned over to operators of newly constructed vessels.

11. Classification of $3,877,186.22 as "deferred credit" when it actually represented a potential account payable for prepaid construction of new ships.

12. Failure to record $2,663,186.22 of inventory actually on hand in Commission's own warehouse at Emeryville, Calif.

13. Failure to record liabilities of $1,123,664.43 relating to the small-craft program resulting in an understatement of both assets and liabilities.

14. Failure to record liabilities of $5,272,100.10 representing a judgment by the Supreme Court in favor of the Bethlehem Shipbuilding Corp., Ltd., resulting in an understatement of accounts payable and overstatement of the capital account of a like amount.

15. Reduction of book value of Hoboken Terminal to nominal amount of $1 without official Commission action when records reflect adjusted cost of acquisition to be $7,093,203.

16. Duplication of change and correction entries resulting in an overstatement of interest receivable in the amount of $644,871.95.

17. Failure to include $3,955,000 of vessels transferred to other agencies in the adjustment of capital for such transfers.

18. Improper charging to ship construction costs of advance payments totaling $1,150,483.41 to the Worthington Pump & Machinery Corp. instead of accounts receivable.

19. The over-all control of payments to shipbuilding contractors is not maintained in the accounts and the effectiveness of the internal audit can only be determined by test and sampling methods or a complete duplication of the audit processes.

I now wish to read comments from that part of the audit which concerns the War Shipping Administration. I read from the report:

The following comments have been divided into three general classes:

A. Those involving incompleteness or inadequacies of the accounting procedures and practices.

B. Major errors of omission or commission.

C. Operational practices that do not protect the Government interests.

The recommendations will in a large part be directed toward curing these conditions.

A. ACCOUNTING PROCEDURES AND PRACTICES

1. The Administration's method of preparing its financial statements as at June 30, 1943, was in three steps:

(a) Balances taken from the books totaling $2,175,117,686.26, including $705,668,909.62 cash on deposit with the Treasury which was not adjusted.

(b) Changes and corrections of the foregoing figures in the amount of $326,413,253.96.

(c)—

This is what I particularly call to the attention of the Senate:

Further changes and corrections totaling $3,722,813,678.57 to close the gap between recorded fact and actual fact.

These three steps disclose the incompleteness of the recorded accounting facts for current operational management purposes.

2. Incomplete control over adjustments for closing the gap between recorded fact and actual fact.

3. The internal audit is incomplete. Specific examples are:

(a) Failure to reconcile War and Navy working fund reserves with related cash balances.

(b) Credit memoranda affecting accounts receivable in most cases do not bear the approval of a responsible official.

(c) Delinquent submission by agents of voyage accounts resulting in further advances being made without proper accounting for prior advances.

(d) Lack of current control over income involving millions of dollars.

(e) Lack of accounting technique necessary to accomplish elimination of interagent accounts.

(f) Inadequate verification of the actual receipts of all insurance premiums properly receivable. (Certain policy numbers were not accounted for.)

(g) Amounts paid by insurers to Federal Reserve banks not taken up currently in accounts.

(h) Checks for insurance premium unrecorded in the accounts, held for considerable periods and returned to debtors for substitution.

It would appear from this that the War Shipping Administration was financing certain companies with respect to their insurance operations by the procedure of taking their checks and holding them as long as they could, and then giving them back to them, and then getting more checks and holding them and giving them back, and so on.

(i) Payment of over $800,000 for charter hire that was not due.

(j) No time and material checkers on repair jobs.

(k) Repairs properly reimbursable from shipowners, insurance companies, or others not charged or billed on current basis.

(l) Insufficient accounting control over lend-lease deliveries.

(m) No control maintained over issued, unissued, and voided policies and binders.

I go on to item 4:

4. In preparing its balance sheet as at June 30, 1943, the Administration failed to give effect to a return of $108,045,328 from the war-risk insurance fund to the revolving fund representing 40 percent of the self-insurance premiums applicable to the period prior to October 1, 1942.

5. The item of "Supplies and equipment, Training Division," $10,071,152.51, included in the Administration's balance sheet under the general caption of "Stores, equipment, and automobiles" was not reflected in the books of the Administration at June 30, 1943, but was brought into the balance sheet by year-end adjusting entry. Of the total valuation in the balance sheet, an amount of $2,000,000 was reflected in the accounts as having been received from the United States Coast Guard without transfer of funds, and the remainder, $,071,152.51 was estimated as having been expended by the Administration in the fiscal year 1943 (first recorded in the accounts as expenses). No inventory records were made available for examination during the course of the audit nor was information furnished as to the whereabouts of the records, if any. The available information indicates that the inventories were classified as follows:

Equipment, nonexpendable	$4,722,887.39
Supplies, expendable	684,767.46
Clothing	4,229,278.00
Provisions	434,219.66
Total	10,071,152.51

Mr. LANGER. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. LANGER. Has the Attorney General of the United States received a copy of this report?

Mr. AIKEN. If he has not received one I think he ought to have one.

Mr. LANGER. Has anyone been prosecuted, tried, or punished for any of these things?

Mr. AIKEN. No. There have been some dismissals. The new Maritime Commission is trying to clean up this situation. The Commission has dismissed one of the principal culprits. Two of the Commissioners have left, and one has been replaced.

Mr. LANGER. As I understand, approximately $3,000,000,000 is in controversy here?

Mr. AIKEN. About $3,700,000,000 was needed to close the gap between the recorded fact and actual fact as of June 30, 1943, according to the Comptroller General's account. That does not mean that $3,700,000,000 was stolen, but it means that that amount represented the juggled accounts.

Mr. LANGER. I am interested in what the Senator said respecting some checks of builders of ships being turned over and held for some time.

Mr. AIKEN. I did not undertake to explain that. The Comptroller General could not find all the records necessary to explain it. I am going to read some major errors of omission and commission which the General Accounting Office did find in making the audit of the War Shipping Administration. I shall read quite a number of them.

REPORTED BY COMPTROLLER GENERAL IN WAR SHIPPING AUDIT

B. MAJOR ERRORS OF OMISSION OR COMMISSION

1. Collections of insurance premiums prior to June 30, 1943, in the amount of $3,084,728.89 were not recorded. Cash was consequently understated and accounts receivable overstated in this amount.

2. Collateral deposits, $68,650, pertaining to Warshipopencargo insurance policies were received prior to June 30, 1943, but were not recorded. Cash and accounts payable were thereby understated.

3. Unrecorded checks on hand or in transit at June 30, 1943, in the amount of $300,862.96, resulted in an overstatement of accounts receivable $234,842.65, and understatement of the reserve for war-risk insurance, $66,020.31.

4. An incomplete transfer of cash, $956,128.20 from Navy working funds to the War Shipping Administration revolving fund resulted in an understatement of cash and accounts payable.

5. Included as a reduction of accounts receivable, Navy Department, at June 30, 1943, was the amount of $1,200,000, representing a collection from the Navy Department to cover the purchase of the steamship *President Madison*. An official of the accounting department stated that the vessel will not be purchased for the Navy Department, and the collection is to be refunded. The credit balance of $1,200,000 was therefore transferred as an increase to accounts payable.

6. Erroneous charges to the reserve for war-risk insurance, $4,983,394, and vessels lost in operation, $1,284,706, which pertain to the steamship *Wakefield* (ex *Manhattan*). These accounts are recoverable from the Navy Department under agreements in effect at June 30, 1943.

7. Erroneous payments for charter hire aggregated more than $844,000.

8. Failure to record completely the recapture of excess profits on repair and conversion contracts resulting in an understatement of accounts receivable, $1,110,749.98, and overstatement of deferred credits, $1,477,258.02, and deficit, $2,588,008.

9. Warshipopencargo insurance premiums aggregating $617,502.38 were unrecorded at June 30, 1943.

10. Insurance claim payments by agents, $3,953,533.30, were applied incorrectly as a reduction of the reserve for war-risk insurance rather than as contingent receivables.

11. Failure to record more than $350,000,000 revenues receivable at June 30, 1943, for the transportation of lend-lease cargoes.

12. Erroneous year-end adjusting entries aggregating $12,770,576.03, resulted in an overstatement of accounts receivable and Navy working-fund reserves.

13. Erroneous year-end adjutisng entries aggregating $530,271.92, resulted in an overstatement of accounts receivable and the working-fund reserves of the War Department.

14. Erroneous year-end adjusting entries aggregating $10,731,335.74, resulted in an overstatement of accounts receivable and accounts payable.

15. Erroneous year-end adjusting entry of $11,487,701.35 involving repairs to the steamship *George Washington* included in accounts receivable.

16. Erroneous year-end adjustment resulting in an overstatement of accounts receivable by $1,202,000.

17. Erroneous year-end adjustment of $139,316.63 resulting in an overstatement of accounts receivable and unearned premiums.

18. Repairs under insurance claims improperly recorded as accounts receivable totaling $223,453.64.

19. Erroneous year-end adjustment indicating an account receivable of $100,000, which was actually collected prior to June 30, 1943.

20. Credit memorandums total $598,492.65, processed in 1944 covering insurance premium reductions applicable to insurance accounts receivable shown as outstanding at June 30, 1943.

21. Erroneous inclusion of $127,454,148 in accounts receivable which was actually expenses of voyages in progress.

22. Erroneous year-end adjustment of $378,193.96 resulting in an overstatement of accounts receivable.

23. Repairs and betterments to vessels prior to use of approximately $32,000,000 incorrectly charged to expense.

24. Acquisition cost of vessels aggregating more than $16,000,000 charged to deferred charges and prepaid expense.

25. Vessels lost at sea aggregating more than $13,000,000 still carried as an asset at June 30, 1943.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. LANGER. When were those vessels lost?

Mr. AIKEN. I do not know.

Mr. LANGER. In 1941, 1942, or 1943?

Mr. AIKEN. Previous to June 30, 1943, but they were still carried on the books as an asset.

Mr. LANGER. Even though they were at the bottom of the ocean?

Mr. AIKEN. Even though they were at the bottom of the ocean. Many of the vessels were of greater value as an asset to the owners after they hit the bottom of the ocean than they were before. In the case of one vessel, I believe that the insurance amounted to 64 times the actual legal value of the vessel. There were other cases in which the insurance was 10, 15, or 20 times the actual value of the vessels.

I continue with the list of items:

26. Failure to record depreciation on vessels in excess of $3,500,000.

27. Inclusion of over a billion dollars in assets of the Administration covering expenses paid for other Government agencies out of funds provided by them.

28. Failure to record over $50,000,000 of accounts payable for repairs prior to June 30, 1943.

29. Failure to disclose actual liability for war-risk insurance claims as at June 30, 1943, of over $250,000,000.

Mr. President, I hope I have not taken too long to read these items. I wish to have it understood that they are not my items. They are the items of the Comptroller General, and will be found in the audit report which was sent to the Maritime Commission on November 19, 1945, bringing the books of the Commission up to June 30, 1943, as nearly as it was possible for the General Accounting Office to do. As I recall, I received a letter from the General Accounting Office about that time, stating that it had found the books of the Commission in such shape, and with so many records missing, that it was virtually impossible to make an accurate audit.

Mr. HART. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. HART. In the case of these discrepancies in the accounts of the Maritime Commission and the War Shipping Administration, does the Senator know which particular divisions of those organizations were at fault?

Mr. AIKEN. No; but as I shall point out later, the Director of Finance has since been discharged—since the report became known to the other members of the Commission. I do not say that he was wholly to blame. He might have been doing his work as he was told to do it. The only place I would know to lay the blame would be the Commission, itself, because in the final analysis it is responsible.

Mr. HART. I am merely asking for information. I thought that certain activities were assigned to individual commissioners.

Mr. AIKEN. I do not know about that. Apparently for some time certain members of the Commission have not known all that was going on. As indicated by the letter from Captain Macauley to Representative WIGGLESWORTH, the three members of the Commission now remaining knew nothing whatsoever of the existence of this severe indictment by the Comptroller General until they read it in the CONGRESSIONAL RECORD.

Mr. HART. Mr. President, will the Senator yield for a further question?

Mr. AIKEN. I yield.

Mr. HART. Do subsequent audits by the Comptroller General throw any light on the situation? I understand that what the Senator has been describing is the situation existing at the end of the fiscal year on June 30, 1943. Quite a time has elapsed since then. Can the Senator give us anything to indicate whether any of those discrepancies have been explained, or whether the charges were shown to be not well-founded, indicating that the Government did not withstand real losses to the extent which the report indicates?

Mr. AIKEN. I do not understand that any explanation whatever has been made. I understand that the Chairman of the old Commission left office the day before Representative WIGGLESWORTH, at his own insistence, received a copy of this audit. I do not know who is going to explain the discrepancies—whether members of the old Commission or the new Commission.

Mr. HART. Is the Senator referring to Admiral Land?

Mr. AIKEN. Captain Macauley is now Acting Chairman. Admiral Land was Chairman.

Mr. HART. The Senator referred to one member who left office the day before this audit was made known.

Mr. AIKEN. Admiral Land was Chairman of the Commission at the time these entries, or lack of entries, were made, according to the Comptroller General.

Mr. HART. The Senator referred to a commisssioner who left the day before the audit was made known.

Mr. AIKEN. The three admirals left. I do not believe the fact that they were admirals had anything to do with this mix-up, because I suppose if they had been carpenters, or farmers, or perhaps even bookkeepers, the same errors might have been found.

Mr. President, I shall not take the time to read further from this report. I do not believe I shall ask to have any more of it printed in the RECORD. The figures accompanying it will be found in the RECORD of January 23. They were placed in the RECORD by Representative WIGGLESWORTH. Anyone who wishes to see the complete report will find it in the RECORD. I understand that it costs several hundred dollars a page to place these things in the CONGRESSIONAL RECORD, and I believe that we should save all we can.

Mr. President, I wish to repeat and reemphasize the assertion of the Comptroller General, "further changes and corrections totaling $2,100,059,819.93 to close the gap between recorded fact and actual fact," and that part of the report relating to the War Shipping Administration, "further changes and corrections totaling $3,722,813,678.57 to close the gap between recorded fact and actual fact."

Do Members of this Senate still think that the juggling of accounts to the tune of $5,822,873,498.50 up to June 30, 1943, is a matter to be dealt with lightly, particularly when such facts are presented by that agency of Government responsible to Congress alone—the General Accounting Office? The reason I have been insistent that Congress take notice of these reports and do something about it is that I believe that the Comptroller General, Lindsay Warren, is trying to do a good job, and should have his hands upheld by Congress.

If $5,822,873,498.50 of accounts had been juggled by the Maritime Commission and War Shipping Administration up to June 30, 1943, what must the situation be at the present time?

It is, of course, the prerogative of the Congress to ignore this report of the Comptroller General. The Congress may say that Comptroller General Lindsay Warren is wrong and that the old Maritime Commission and War Shipping Administration were always right; but we cannot expect honest government, we cannot expect efficient government, we cannot even expect representative government so long as reports and complaints from the Comptroller General's office are ignored, buried, or dealt with lightly, if at all.

The indictment of the Comptroller General against the Maritime Commission and War Shipping Board is severe enough to warrant the full attention of the Department of Justice, even if Congress chooses to ignore it.

Several times during the past 5 years I have asked this body to take notice of the Comptroller General's complaints against the Maritime Commission and take action on them. I have been unsuccessful in all these attempts.

I had intended to present further matters to this body in the fall of 1945, but I became satisfied that President Truman intended to correct conditions existing in the Maritime Commission and the War Shipping Board, even to the extent of changing the personnel of the Commission itself.

I did not want any action of mine to embarrass him or hinder him in the performance of this public duty.

I knew that he must be aware of the disgraceful conditions existing within the Commission.

Recently three members of the old Commission have severed their membership with that agency. The Commission, as it now exists, consists of Captain Macauley, Acting Chairman, John Carmody, and Raymond McKeough. These are the men from whom the audit report of the Comptroller General was concealed.

Those three men, who constitute the present Board, dismissed Mr. R. E. Anderson, Admiral Land's director of finance, on February 7.

I believe they are three honest men who are trying to do a real job for the people of the United States.

Under date of February 8, 1946, Acting Chairman Macauley wrote a letter to Representative WIGGLESWORTH. Copies of the letter were sent to members of various committees of the House and the Senate, and I also received one.

I ask leave to have this letter printed with my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES MARITIME COMMISSION,
Washington, D. C., February 8, 1946.

The Honorable RICHARD B. WIGGLESWORTH,
House of Representatives,
Washington, D. C.

MY DEAR CONGRESSMAN WIGGLESWORTH: This is to acknowledge your letter of February 4, 1946, referring to our letter of January 28, 1946, on the subject of the criticism of the United States Martime Commission's balance sheet, as of June 30, 1943, by the Comptroller General of the United States, which was inserted by you in the CONGRESSIONAL RECORD of January 23, 1946, in connection with your remarks in the House of Representatives on that date.

Prior to the receipt of your letter above mentioned, the Maritime Commission, as now constituted, had initiated a careful survey of its Division of Finance and, as of February 7, terminated the services of Mr. R. E. Anderson, who since 1938 had been the director of that division.

It is the determined purpose of the Commission as now constituted, to institute a system of accounting which will be entirely acceptable to the Comptroller General. Effective with their appointments yesterday Messrs. Slattery and Quinn, as Director of Finance for Construction and Director of

Finance for Operations, respectively, to whom have been delegated the duties heretofore under the jurisdiction of Mr. Anderson, have been instructed to cooperate closely with the Comptroller General, as well as with Members of Congress and other governmental officials in carrying out those obligations of the Maritime Commission under their jurisdiction.

As Acting Chairman of the Maritime Commission and on behalf of Commissioners Carmody and McKeough, I assure you of our desire to cooperate with you and other Members of the Congress and Government officials concerned in promptly acting upon suggestions, recommendations, or comments which may be offered with relation to the conduct of the Commission's affairs.

I am taking the liberty of sending copies of this letter and of yours of February 4, 1946, to the members of the Commerce Committee of the United States Senate, the Committee on the Merchant Marine and Fisheries of the House of Representatives, as well as the Finance Committee of the Senate, the Appropriations Committee of the House, and to the Comptroller General.

With every assurance of the willingness of Commissioners Carmody, McKeough and myself to be of every possible assistance to you and all others in fully meeting our responsibilities in the conduct of the important business of the United States Maritime Commission, believe me to be

Sincerely yours,

EDWARD MACAULEY,
Acting Chairman.

Mr. AIKEN. Mr. President——

Mr. WHITE. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. WHITE. To whom did the Comptroller General's report, from which the Senator has been reading, go?

Mr. AIKEN. It went to the Maritime Commission. I understand it was received by Mr. Anderson. But the three members of the Commission were kept in ignorance of its existence or of its contents. So far as I know, it was not sent to any committee of the Congress.

Mr. WHITE. Was it sent to the Maritime Commission generally, or to a particular member of the Commission?

Mr. AIKEN. Apparently it was received by the Director of Finance of the Maritime Commission, as I understand.

Mr. WHITE. Is the report confined to a criticism of the Maritime Commission or does it also include references to the activities and the bookkeeping methods of the War Shipping Administration?

Mr. AIKEN. It includes both.

Mr. WHITE. Does it include them separately, or are they merged in the report?

Mr. AIKEN. They are referred to separately, but I should say that the report on both of them was sent at the same time. The Senator will find the complete report in the CONGRESSIONAL RECORD of January 23, 1946.

The three present members of the Commission did not know of the existence of the report, as indicated in Captain Macauley's letter to Representative WIGGLESWORTH, until they read it in the CONGRESSIONAL RECORD.

Mr. WHITE. So far as the Senator knows, there have been no denials of the accuracy of the report or no efforts to correct any parts of it, have there?

Mr. AIKEN. No. I think the Commission is going into the matter just as rapidly as it can. Its first act was to dismiss Mr. R. E. Anderson as Director of Finance. In fact, the Commission dismissed him from the Commission altogether, as I understand, which would indicate that he was as responsible as anyone for withholding the report from the three members of the Commission.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. KNOWLAND. It seems to me that there may be some loophole in the law. Can the Senator inform us whether there is any requirement that when the Comptroller General finds matters of criticism, regardless of whether they are in relation to the Maritime Commission or any other agency of the Government, they must be reported to the Congress? If there is no such provision, I wonder whether there should be a provision of law that a copy of any such report must go to each House of the Congress of the United States for reference to the appropriate committee. It seems to me there might be a situation in which the Comptroller General would present very serious charges in regard to some agency. If there is no way for the Congress to have a copy of such reports, it seems to me there is a loophole in the existing law.

Mr. AIKEN. I believe the Comptroller General is required to submit such reports to the Congress; at least during the last 4 or 5 years he has submitted several of his reports to the Congress. But the Congress has taken no action on them. I think the House of Representatives has had some sort of investigation or has looked into some of them, but the Senate has taken no action whatsoever on them.

Mr. KNOWLAND. When the reports come to the Congress as a matter of routine—being new in the Senate, I ask this question because I do not know the answer—are they merely sent to the Senate or are they then referred to the Senate committees dealing with the subject matters of the reports?

Mr. AIKEN. During the 5 years I have been in the Senate, one report which came in was referred to the Committee on Expenditures in the Executive Departments. Since that time, other reports have been referred to the Commerce Committee. I am sure that the Committee on Expenditures in the Executive Departments did not receive a copy of this report. I am not sure whether any other committee of either House of Congress received a copy of the report. It would appear to me that someone in the Office of the Comptroller General—I do not think it was Lindsay Warren; I do not know who it was—did not transmit the report as perhaps he should have done.

The three present members of the Commission should be supported wholeheartedly by the Congress and the executive department in their efforts to put the Maritime Commission on a sound and honest basis.

These three men should have the right to be interested in any legislation of this Congress which concerns their Commission.

The Comptroller General is entitled to full support of the Congress and the executive department in his efforts to secure a sound and honest handling of appropriations made to any department of government.

I now wish to refer to the conference report on the ship-sales bill which now is before us.

It is my understanding that while this bill was under consideration by the conferees, Admiral Land, now ex-Chairman of the Maritime Commission and the War Shipping Board, served the conferees as adviser. However, I do not understand that his advice was always taken.

I further understand that not one member of the present Maritime Commission, which will have charge of applying any legislation enacted by this Congress, has been consulted in any way—none had been consulted up to 4 or 5 days ago—or asked to come before any committee of either House of Congress in reference to this bill or any other bill.

The question for us to decide here and now is whether we are going to stand by the old Commission which, as I said, is under the severest indictment ever rendered against an agency of Government by the General Accounting Office—at least, since I have been in the Senate—or whether we are going to support and uphold the new Commission which shows every indication of having the welfare of our country, rather than the desires of any special interests, uppermost in its mind.

I think this bill ought to go back to the conference committee for its further consideration and for the advice and consultation of the present Commission, rather than the advice of the discredited old Commission, or, I may say, the indicted old Commission. I am not sure that the committees of Congress should call on either the old Commission or the new Commission for advice. But if they call on either one I believe the new Commission is entitled to that consideration.

Mr. HART. Mr. President, will the Senator yield for an observation?

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Does the Senator from Vermont yield to the Senator from Connecticut?

Mr. AIKEN. I yield.

Mr. HART. I was one of the conferees. I recall no instance when any advice was requested, but I recall several instances when information was requested. I think that is what the various representatives of the Maritime Commission were there for.

Mr. AIKEN. I gladly accept the explanation given by the Senator from Connecticut. I knew that Admiral Land was called before the committee. I understand that he may have made several suggestions which were not accepted by the committee. I know that the members of the present Commission, which will have charge of the execution of the law, have not been before the committee at all, unless they have been within the past 4 or 5 days.

I further wish to say that even though the personnel of the Maritime Commission has been changed, the same interests which influenced it before apparently intend to control it in the future.

It is common gossip that an attempt is being made to get Commissioner Carmody off the Board. It is common gossip that certain special interests are seeking to dictate and dominate the newbership of the new Board.

I ask leave to have printed in the RECORD an article which appeared in the New York Journal of Commerce on February 8, 1946, after Mr. Anderson had been dismissed as Director of Finance for the Maritime Commission.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MARITIME COMMISSION REORGANIZES ITS FISCAL DIVISION—ANDERSON OUT IN UPSET AFTER CRITICISM BY ACCOUNTING OFFICE

(By Lee P. Hart)

WASHINGTON, February 7.—In an action believed to have had the prior approval of President Truman, the Maritime Commission today terminated the services of R. Earl Anderson, the Commission's Director of Finance since 1938.

Announcing the anticipated shake-up of its Division of Finance, the Commission said it has appointed Joseph M. Quinn as Director of Finance for Operations and William L. Slattery as Director of Finance for Construction.

The President's concurrence in the ouster of Mr. Anderson was understood to have been conveyed to the Commission through Commissioner Raymond S. McKeough, who was a White House visitor yesterday. During his visit it is reported that Commissioner McKeough acquainted the President with an alleged lack of a proper auditing system covering the Commission's $15,000,000,000 wartime shipbuilding program.

The first inkling of the Commission's concern about the construction auditing system was given on January 27 when Mr. Slattery was designated as a special assistant. Mr. Slattery had served as general auditor of construction since 1943 in the Division of Finance, headed by Mr. Anderson.

WIGGLESWORTH CHARGES

A few days before Representative WIGGLESWORTH, Republican, Massachusetts, had inserted in the CONGRESSIONAL RECORD a report of the Comptroller General raising questions about the financial operations of the Maritime Commission and its wartime ship-operating counterpart, the War Shipping Administration.

Mr. Anderson, who was out of the city at the time the Commission relieved Mr. Slattery of his duties under the Director of Finance and designated him a Special Assistant, is now in Florida.

The proposed reorganization of the five-member agency, necessitated by the resignations of Admirals Land and Vickery, is believed here to bear a close relationship to the Commission's termination of Mr. Anderson's services.

Admiral Land as Chairman of the Commission brought Mr. Anderson to the finance post 8 years ago, and when the latter was under fire because of Representative WIGGLESWORTH's broadside in the CONGRESSIONAL RECORD he consulted the admiral, who is now president of the Air Transport Association. A luncheon conference is said to have been arranged by Admiral Land for Mr. Anderson with Rear Adm. Earl W. Mills, who, the White House has announced, would be appointed Chairman of the Commission.

MENTIONED FOR POST

Following his talk with Admiral Mills, Mr. Anderson made plans for a trip to Florida. He notified Acting Chairman Edward Macauley he would be away from the Commission about 2 weeks. He told members of his staff he would return February 14, adding that Admiral Mills planned to assume the Commission chairmanship on February 15 and "everything would be all right."

Commissioner McKeough's visit to the White House yesterday followed persistent reports that Mr. Anderson, who is said to have been recommended to the President by Admiral Land for appointment to the Commission as a Republican, was slated for a Commission vacancy in the event Admiral Mills would have to be appointed as a Democrat. These reports included a plan to shift Commissioner John M. Carmody to another Government post.

The President has yet to send the Mills nomination to the Senate, reportedly because he is awaiting final approval of legislation permitting the admiral to serve in the civilian post. His nomination of Richard Parkhurst, succeeding Admiral Vickery, has been confirmed by the Senate and Commissioner Parkhurst plans to assume his new duties next Monday.

Mr. AIKEN. Mr. President, the duty of this Congress is clear. We must not let the make-up of the new Commission be dictated by special interests or members of the old Commission.

We must uphold the hands of the Comptroller General in his efforts to protect the interests of the taxpayers and to prevent illegal and wasteful expenditures.

We must help the new Commission in its efforts soundly and honestly to administer the affairs of the Maritime Commission and War Shipping Board.

We must uphold the President of the United States in his efforts to put any agency of Government on an honest and efficient basis.

We cannot escape these duties. If we attempt to sooner or later we shall surely and properly be held to account.

Mr. BAILEY. Mr. President, I hope we shall proceed to adopt the conference report. I am not sure that it is a piece of perfection. I am inclined to say it is not. But early last summer—in the month of May, I believe—I introduced the first bill providing for the sale of surplus ships. In the month of August, if I am not mistaken, I received from the President a letter urging that we proceed to enact the legislation.

There are various reasons why there should be no further delay. Our ship operators should be set to work. We should seize the present opportunity. There is a tide in the affairs of men and ships and of worlds, as well as of nations. The United States now has its opportunity. We have the ships. We have the organization. We want to place these ships back into the hands of the operators and, to that extent, restore free enterprise. We want to get hold of the freight traffic of the world. A great deal of competition which once hampered us is now out of the way. A great deal of competition will be in our way within 18 months or 2 years. It is altogether important, from the standpoint of the Government itself, that we make disposition of these ships. Now that the great need of wartime production is at an end, I do not think that we can afford to delay.

I sat with the conferees of the House and the Senate. They are very able and earnest men. They worked with all diligence and with great intelligence. I do not say that they hit the bull's-eye every time, but I will say that that group of men would come nearer to hitting the bull's-eye than would any other group in the Congress. They had studied the matter for months. They had heard the debates on this floor, and on the floor of the other House.

I think the time has come for action, and that we should not delay the matter any further. I do not believe that anything in the world could be gained by sending the report back to the conference committee. I think a great deal could be gained by agreeing to the conference report. If we find that the legislation is not all that we wish it to be, to be sure we can amend it. My observation, after many years, is that the Congress proceeds to a great extent by way of amendment. That is to say, the first time it tries, it always fails to do the best thing. It amends later.

So, on the part of timeliness and thoroughness of the study, I hope that we may go ahead with this matter and agree and send the report to the other House. We have assurances from the conferees on the part of the House that they will press consideration in all earnestness. It should be borne in mind that the President himself has manifested great interest in having this legislation go into effect, and he is speaking in the national interest.

Mr. President, that is all I wish to say about the proposed legislation, but I cannot allow this occasion to pass without saying in a humble way, and in a wholly inadequate way, that I think Admiral Land, the Chairman of the Maritime Commission, and Admiral Vickery, the naval architect, deserve at the hands of the country a debt of gratitude which will last as long as the flag flies above us. The task which they accomplished was herculean. Sometimes we use the word "miraculous."

Mr. President, just consider that in 1941 we were wholly unprepared for war. We have, as a Member of this body, an admiral who was commanding a fleet in the far Pacific, and who I have heard express himself with regard to the condition of our preparedness. This country was entirely unready for war. The Maritime Commission, under the leadership of Admiral Land, within less than 5 years constructed and launched upon the waters to serve this country and our allies 5,700 ships of 10,000 deadweight tons each. Those are only figures. But in all the history of nations nothing like that was ever achieved by any nation at any time in any previous war.

We have listened to debates about who won the war. I shall not say. I make no claims. We have listened to discussions about the crucial battles. About them I have no opinions. I am an amateur in such matters. But I heard Win-

ston Churchill say—and I think of him as a great warrior and a great war leader—that the Battle of the Atlantic was the supreme test, the crucial battle. I heard him say that we must win that battle first. He was speaking during the week of Christmas, 1941. At that time it was very questionable whether the battle could be won. It was very questionable whether we could transport goods to England in order to keep her people alive. Ships were being sunk in 1942 off the shores of my State in the Atlantic—five and six a day. Our seamen were trying to make their way by night through seas of burning oil. The situation was desperate.

It fell to Admiral Land, as Chairman of the Maritime Commission, to organize 90 shipbuilding plants. And he organized them. It fell to him, as Chairman of the Maritime Commission, to rehabilitate 24 shipbuilding yards and set them to work. He did that on the Great Lakes, on the Atlantic, on the Pacific, and on the Gulf. Within 12 months, thanks to the battleships of England, the blimps of the Coast Guard, the planes of the Navy and of the Coast Guard, and the concerted effort generally, we won the Battle of the Atlantic. Having won that battle, there was no question about winning the battle of Europe.

We kept England alive. It has been astonishing to me that we delivered 9,000 tons of food and goods on the shores of the embattled countries every hour—not every day, but every hour, and in American ships. That was an achievement for which this Nation ought to be grateful, and of which we and our children should be proud. I think that achievement set a standard for this Nation for all time to come. People will look back at the work of Admiral Land as leader, and of the work of Admiral Vickery as planner and architect, and say, in the event of another such emergency, "This is what we should do now."

So, Mr. President, I wish to express my gratitude to Admiral Land and to Admiral Vickery, now that they have gone. I would not have their departure marked by a note of criticism of them. I am perfectly willing, however, to say that they may have erred. Lately in America there seems to have developed an idea that if a public official is said to have committed a mistake, or made an error, he should resign and call his chief all kinds of bad names. I always thought that every person was subject to err. Ours is a very fallible world, a fallible President, a fallible Congress, a fallible court, and we have fallible citizens. There are even fallible Senators and fallible newspapers. The world was cast in the mold and in the circumstance of fallibility. But I know of no serious mistake having been made by the men to whom I have referred, namely, Admiral Land and Admiral Vickery. I know of nothing in the entire picture that mars the splendid record which they have made, which shines now and will shine even more brightly as the decades pass. If there are mistakes which should be corrected, it is a simple matter to have an investigation and ascertain their nature. The Comptroller General of the United States is my personal friend, and for his honesty and efficiency I willingly vouch. I may say that I had the honor of sponsoring his appointment as a Federal judge in North Carolina; so there can be no question of my faith in his integrity. I heard him say that he did not think of raising any question of the integrity or the honesty of the Maritime Commission or of Admiral Land.

Mr. President, I have not told the whole story although I have the figures. Look at the picture of a country without a merchant marine, and in dire need of one, and of its allies in need of food and no ships in which to carry it, the ocean infested with the German wolves and the air with German planes, and the Congress and our late President giving to Admiral Land and his associates a commission to build ships and to carry goods, to transport the great production of the American arsenal to the fields of battle, and transport across the seas 8,000,000 fighting men; and it is done.

Mr. President, far from meriting criticism, Admiral Land deserves everlasting honor and everlasting gratitude, and no less Admiral Vickery, his associate. I bid them farewell, but I shall remember them both as inspiring public servants, who set for their country, in their generation and in a great hour, examples of devotion and fidelity which will be a light to all the generations to come.

I hope, Mr. President, that the Senate will agree to the report and mark an end to this great period, and mark the end in praise and in gratitude.

Mr. RADCLIFFE. Mr. President, I am heartily in accord with the eloquent language of the Senator from North Caroline, the distinguished chairman of the Committee on Commerce, in the tribute he has paid to Admiral Land, Admiral Vickery, and their associates, which they fully deserve. They were called upon to do a job of colossal difficulty and importance. They succeeded to an extent which marks their achievement as an outstanding one in our history. The results of their work are so momentous as to have been indispensable.

Mr. President, this legislation has been studied for a very long time. I was chairman of the subcommittee of the Committee on Commerce——

Mr. BAILEY. If the Senator will yield for a moment, I intended to say that the Senator from Maryland was chairman of the subcommittee; and that he did magnificent work, and that we are all grateful to him.

Mr. RADCLIFFE. I appreciate very much the Senator's words of praise. I was also chairman of the conference committee, and I know this subject aroused unflagging interest and devoted attention. We do not come before the Senate with a perfect bill, but present a report of agreement which has been signed by every conferee, after many sessions in which the subject of the legislation was studied just as carefully as we were able to do it.

I hope the report will be adopted. Let us adopt it now and begin to dispose of the ships. It is not only a matter of the sale of ships, it also involves a transfer from public to private operation.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. RADCLIFFE. I yield.

Mr. AIKEN. The Commission has ample authority to dispose of the ships now. We made provision for disposing of the ships in the Surplus Property Act, and there was also provision for disposing of the ships in the Merchant Marine Act of 1936; and I presume there were subsequent amendments. The Senator does not mean, does he, that the Government cannot dispose of any ships now?

Mr. RADCLIFFE. I do not say we could not dispose of them at all, but the sale of ships under existing law is an extremely awkward matter, so cumbersome as to be quite unsatisfactory. There is, for instance, the question of advertising for bids, and there are many other difficulties in the way of action. I am sure that if the Senator from Vermont had been with us during all our long deliberations he would have reached the conclusion that the present law is totally inadequate to accomplish the purpose sought to be attained by the proposed legislation.

I ask that the report be agreed to.

Mr. LANGER. Mr. President, before we vote on the report, I wish to say that I think the distinguished junior Senator from Vermont [Mr. AIKEN] is entitled to the thanks of the people of this country for the clear and concise way he has time and time again brought the facts before the Senate and before the American people. He has rendered an outstanding service, and my deep regret is that he was ill at the time when we first considered the bill and when it was under discussion.

I wish to have the RECORD show that I shall vote against the adoption of the conference report.

Mr. RADCLIFFE. Mr. President, it is always a pleasure to have the cooperation of the Senator from North Dakota and the Senator from Vermont. They both have been very helpful in this matter. I hope that the Senate will now adopt the report.

Mr. AIKEN. Mr. President, I do not intend to suggest the absence of a quorum at this time of the evening, because I realize that it would not change the result, even if I did so, but I should like to have the RECORD show that I cast my voice vote against the adoption of the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

AUTHORIZATION FOR SIGNING OF BILLS AND SUBMISSION OF REPORTS BY COMMITTEES

Mr. RADCLIFFE. Mr. President, I ask unanimous consent that during the recess of the Senate the President pro

tempore be authorized to sign enrolled bills, and that committees be authorized to submit reports.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS TO THURSDAY

Mr. RADCLIFFE. I move that the Senate take a recess until Thursday next at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 7 minutes p. m.) the Senate took a recess until Thursday, February 21, 1946, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 18 (legislative day of January 18), 1946:

OFFICE OF PRICE ADMINISTRATION

Paul A. Porter, of Kentucky, to be Administrator, Office of Price Administration.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO ADJUTANT GENERAL'S DEPARTMENT

Lt. Col. Eustace Maduro Peixotto, Infantry (temporary colonel), with rank from August 18, 1940.

Maj. Elvin Hamilton Burger, Infantry (temporary colonel), with rank from July 3, 1940.

Maj. George Henry McManus, Jr., Field Artillery (temporary colonel), with rank from June 12, 1942.

TO QUARTERMASTER CORPS

First Lt. Joseph Stephen Kujawski, Infantry (temporary lieutenant colonel), with rank from June 14, 1941.

TO FINANCE DEPARTMENT

Capt. George Lowe Eatman, Infantry (temporary lieutenant colonel), with rank from June 12, 1944.

TO CORPS OF ENGINEERS

First Lt. Arthur Harold Lahlum, Infantry (temporary lieutenant colonel), with rank from July 1, 1943.

TO ORDNANCE DEPARTMENT

First Lt. Robert Sears Blodgett, Infantry (temporary colonel), with rank from June 12, 1939.

TO SIGNAL CORPS

Maj. Lee Roy Williams, Infantry (temporary colonel), with rank from June 14, 1944.

Capt. Ewing Chase Johnson, Cavalry (temporary lieutenant colonel), with rank from June 12, 1945.

TO FIELD ARTILLERY

Second Lt. Hanford Nichols Lockwood 3d, Air Corps (temporary first lieutenant), with rank from June 1, 1943.

TO INFANTRY

First Lt. Herbert Mead Bowlby, Jr., Cavalry (temporary major), with rank from June 11, 1943.

TO AIR CORPS

Maj Oscar Carl Maier, Signal Corps (temporary colonel), with rank from June 12, 1942.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

To be majors with rank from February 2, 1946

Capt. Wilbur Erickson, Air Corps (temporary lieutenant colonel).

Capt. Lilburn Dimmitt Fator, Air Corps (temporary colonel).

Capt. Archibald Meyer Kelley, Air Corps (temporary colonel).

Capt. Ralph Orville Brownfield, Air Corps (temporary colonel).

Capt. Joel Edward Mallory, Air Corps (temporary colonel).

Capt. Warren Herbert Higgins, Air Corps (temporary colonel), subject to examination required by law.

Capt. Willard Reno Shephard, Air Corps (temporary colonel), subject to examination required by law.

Capt. George Washington Hansen, Air Corps (temporary colonel).

Capt. Minton William Kaye, Air Corps (temporary colonel).

Capt. Aubry Lee Moore, Air Corps (temporary brigadier general).

Capt. Ronald Roosevelt Walker, Air Corps (temporary colonel).

Capt. Lloyd Harrison Tull, Air Corps (temporary colonel).

Capt. Frederic Ernst Glantzberg, Air Corps (temporary colonel), subject to examination required by law.

Capt. Eugene Herbert Rice, Air Corps (temporary colonel), subject to examination required by law.

Capt. Leland Samuel Stranathan, Air Corps (temporary colonel).

Capt. Ernest Keeling Warburton, Air Corps (temporary colonel), subject to examination required by law.

Capt. LeRoy Hudson, Air Corps (temporary colonel).

Capt. Roland Ogden Strand Akre, Air Corps (temporary colonel).

Capt. Paul Ellis Shanahan, Air Corps (temporary colonel).

Capt. Roger Vincent Williams, Air Corps (temporary colonel).

Capt. Frederick Archibald Pillet, Air Corps (temporary colonel).

Capt. Reginald Heber, Air Corps (temporary colonel), subject to examination required by law.

Capt. Homer LeRoy Sanders, Air Corps (temporary brigadier general).

Capt. Draper Frew Henry, Air Corps (temporary colonel).

Capt. Walter Robertson Agee, Air Corps (temporary brigadier general).

Capt. Hansford Wesley Pennington, Air Corps (temporary colonel).

Capt. Guy Frost Hix, Air Corps (temporary colonel).

Capt. Murray Clarke Woodbury, Air Corps (temporary brigadier general).

Capt. Paul Bernard Wurtsmith, Air Corps (temporary major general), subject to examination required by law.

Capt. William Alexander Robert Robertson, Air Corps (temporary colonel).

MEDICAL CORPS

To be colonel

Lt. Col. James Rhea McDowell, Medical Corps (temporary colonel), with rank from February 8, 1946.

To be lieutenant colonel

Maj. James Ogilvie Gillespie, Medical Corps (temporary colonel), with rank from February 1, 1946, subject to examination required by law.

To be majors

Capt. Fred William Seymour, Medical Corps (temporary lieutenant colonel), with rank from February 1, 1946.

Capt. Lester Orville Crago, Medical Corps (temporary lieutenant colonel), with rank from February 9, 1946.

Capt. Joseph Arthur Baird, Medical Corps (temporary colonel), with rank from February 17, 1946.

Capt. Allan Arthur Craig, Medical Corps (temporary colonel), with rank from February 19, 1946, subject to examination required by law.

DENTAL CORPS

To be major

Capt. John Castle Hampson, Dental Corps (temporary lieutenant colonel), with rank from February 14, 1946.

CHAPLAIN

To be colonel

Chaplain (Lt. Col.) Paul Bertram Rupp, United States Army, with rank from February 5, 1946.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 18 (legislative day of January 18), 1946:

RECONSTRUCTION FINANCE CORPORATION

George E. Allen to be a member of the Board of Directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1946.

NAVY DEPARTMENT

W. John Kenney to be the Assistant Secretary of the Navy.

CONTRACT SETTLEMENT

Horace Chapman Rose to be Director of Contract Settlement.

POSTMASTERS

COLORADO

Grace Warren, Dillon.
Myrtle L. Huffaker, Hot Sulphur Springs.

IOWA

Harvey Mason, Deloit.
Mary L. Smith, Holland.

MICHIGAN

Elmer O. Hoyer, Dollar Bay.
Eva B. Quivey, Fulton.
Pauline M. Wood, The Heights.

MINNESOTA

Lydia M. Parsley, Brownsdale.

NEW JERSEY

Charles A. Osborn, Breton Woods.

NEW MEXICO

Robert E. Jackson, Hobbs.

NEW YORK

Ruth E. Miller, Baldwin Place.
Charles E. Moston, Buskirk.
Roger John Ryan, Fabius.
Mildred F. Drennan, Kendall.
Bernard C. Putnam, Stockton.
Louis Nelson, Towners.
Donald S. Sutphen, Valois.
Doris C. Frosdick, Waterport.

NORTH DAKOTA

Sylvia L. Wright, Courtenay.

OREGON

Carl Burk, Hammond.

PENNSYLVANIA

Jean E. McCue, Atlasburg.
Loma Gwynne, Brownfield.
Agnes Duffy, Cardale.
Norman D. MacMullan, Center Square.
Besse Daugherty, East Millsboro.
Harriet B. Parkins, Elco.
Elisabeth L. Pierro, Hiller.
Edward R. Sparks, Indian Head.
Gertrude E. Shank, Normalville.
Leona S. Mansuy, Ralston.
Pete D. Lapenta, Uledi.
Robert B. Boerio, Wendel.
Harold P. Henry, Westland.

SOUTH DAKOTA

Lloyd E. Jackson, Fairfax.
Thomas E. Callan, Mitchell.
Frank X. Clarey, Sisseton.

TEXAS

Esther E. Walker, Blessing.
Madison G. Wilson, Maypearl.
Hattie M. Stadden, Wilmer.

UTAH

William A. Rhodes, Ferron.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 18, 1946

The House met at 12 o'clock noon.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. McCORMACK) laid before the House the following communication from the Speaker, which was read:

THE SPEAKER'S ROOM,
HOUSE OF REPRESENTATIVES,
Washington, D. C., February 18, 1946.

I hereby designate the Honorable JOHN W. McCORMACK to act as Speaker pro tempore today.

SAM RAYBURN.

PRAYER

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Incline Thine ear, O Lord, and hear us as we lean on the staff of prayer. Grant that we may be vital exponents of those principles touching the central life of our Republic, vocal in confidence, in service, and industry, challenging all Americans to make the honest adventure of hard work. We pray that our fellow citizens may have a wise, sound understanding of the best, avoiding any lesser thing. There is no higher service available to us than honoring our country's commission.

O God, inspire us to exercise with vigor and devotion a mutual self-respect, and give higher protection against lower dangers. Take our many faculties, our interests, our moral and social natures, and harmonize them with the social law of brotherhood. Preserve us from those divisive elements that nullify the spirit of love and good will.

"America! America! God shed His grace on thee,
And crown thy good with brotherhood
From sea to shining sea."

In the name of Him who is the Son of Man. Amen.

The Journal of the proceedings of Friday, February 15, 1946, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 136. Joint resolution changing the name of the Shoshone Dam and Reservoir to Buffalo Bill Dam and Reservoir in commemoration of the one hundredth anniversary of the birth of William Frederick Cody, better known as Buffalo Bill.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 50. An act to permit settlement of accounts of deceased officers and enlisted men of the Navy, Marine Corps, and Coast Guard, and of deceased commissioned officers of the Public Health Service, without administration of estates.

ENROLLED BILL SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title:

H. R. 2764. An act to amend section 409 of the Interstate Commerce Act with respect to the utilization by freight forwarders of the services of common carriers by motor vehicle.

COMMUNICATION FROM CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication which was read:

WASHINGTON, D. C., *February 18, 1946.*
The Honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to the authority granted by the House on February 15, the Clerk received from the Secretary of the Senate the engrossed bill H. R. 2764, to amend section 409 of the Interstate Commerce Act with respect to the utilization by freight forwarders of the services of common carriers by motor vehicle, attested by the Secretary as having passed the Senate without amendment February 15, 1946.

Very truly yours,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

PERMISSION TO ADDRESS THE HOUSE

Mr. RESA. Mr. Speaker, I ask unanimous consent that on Thursday next, after disposition of matters on the Speaker's table and at the conclusion of any special orders heretofore granted, I may be permitted to address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GIBSON. Mr. Speaker, I ask unanimous consent that on today, after any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LARCADE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

[Mr. LARCADE addressed the House. His remarks appear in the Appendix.]

Mr. LEFEVRE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

[Mr. LEFEVRE addressed the House. His remarks appear in the Appendix.]

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

[Mr. JENKINS addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the RECORD in two instances, to include in one a letter from the Farm Grain Dealers' Association of North Dakota and in the other a telegram from a lumber company dealing with the question of lumber today.

Mr. COCHRAN asked and was given permission to extend his remarks in the RECORD and include a brief speech by William E. Leahy concerning the career of Colonel Kelly, retired Superintendent of Police, Washington.

Mr. DONDERO asked and was given permission to extend his remarks in the RECORD and include an item on what communism stands for.

Mr. SULLIVAN asked and was given permission to extend his remarks in the RECORD and include certain excerpts from the Veterans' Administration Handbook.

Mr. STEWART asked and was given permission to extend his remarks in the RECORD in two instances, to include in one an article by C. F. Byrns appearing in the Fort Smith Times-Record and in the other an article by Mark Sullivan appearing in the Washington Post.

PERMISSION TO ADDRESS THE HOUSE

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 40 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RAMEY. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BUNKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

[Mr. BUNKER addressed the House. His remarks appear in the Appendix.]

DISPOSAL OF SURPLUS PROPERTY INVESTIGATION

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Speaker, numerous resolutions have been introduced to investigate the disposal of surplus property. The only reason that I asked for this brief time is to advise the House that the Committee on Expenditures in the Executive Departments is now making that investigation. It met several days last week. It will meet again tomorrow and hear the Navy, and, after the Navy is disposed of, will hear the Army. The committee is going into the entire question, and every Member of the House who desires to appear before the committee, I am assured by the chairman of that committee, will be given an opportunity to do so. Therefore, as long as this committee is investigating this question, I see no reason for another special committee of the House.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. How long does the gentleman think it will take his committee to hold its investigation and report to the House?

Mr. COCHRAN. I have no idea, but the committee will make a thorough investigation.

There is a matter I think should be called to the attention of the House and the country. All of us have had many communications relative to veterans desiring to purchase automobiles. A very frank statement was made by Maj. Gen. Glenn E. Edgerton, Vice Chairman of the War Assets Corporation. He admitted that 500,000 priority certificates have been issued to the veterans to purchase cars and then said they did not expect more than 11,000 additional passenger cars. That is a clear indication that the veteran must look elsewhere if he desires to secure an automobile. We should not issue priority certificates when the priority certificates are not worth the paper on which they are written. When a man receives a priority certificate, naturally he feels he is going to be able to buy what he wants, but when he finds it is not available he is not only disappointed but criticizes the administration of the act. General Edgerton said they had discontinued issuing priority certificates to the veterans for automobiles. I know this is going to be a disappointment to a half million men and women who served in the armed forces.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

[Mr. MURRAY of Wisconsin addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of lowering the pools in the 9-foot channel in the upper Mississippi River, and in connection therewith include a letter from the Badger State Sportsmen's Club. I am informed by the Public Printer that this will cover approximately two and two-thirds pages of the RECORD at a cost of $138.80. However, the subject matter of the letter is of such importance that I ask to have the letter printed in full notwithstanding the cost.

The SPEAKER pro tempore. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. NORBLAD asked and was given permission to extend his remarks in the RECORD and include a statement from the national VFW headquarters regarding the housing and education of veterans.

Mr. DOYLE asked and was given permission to extend his remarks in the RECORD and include two short editorials.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a proposal for amendment of the United Nations Charter. I am informed by the Public Printer that this will take four pages of the RECORD and cost $234, but I think it is so important that I ask that it be printed notwithstanding that fact.

The SPEAKER pro tempore. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. TRAYNOR asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD and include an editorial.

PERMISSION TO ADDRESS THE HOUSE

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent that on Wednesday, February 27, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

PRICE CONTROL

Mr. OUTLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. OUTLAND. Mr. Speaker, in the New York Times this morning and in many other newspapers all over the country appears a full-page advertisement sponsored by the National Association of Manufacturers. It seems to me that this ad kind of lets the cat out of the bag on price control, because the ad states:

> Nor will the raising of price ceilings solve the problem * * *. Remove price controls.

In other words, Mr. Speaker, what the National Association of Manufacturers wants to do is to take off all controls over prices in this country, and let us go on one grand spending spree. Inflation is invited—speculation is encouraged. I hope the American people, and I hope the American Congress, will repudiate this selfish and short-sighted appeal. The NAM is spending thousands of dollars to attempt to propagandize the American people into taking the steps to economic chaos; we here in Congress have the solemn duty to point out this plot and to frustrate it.

HOUSING FOR VETERANS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have in my hand the article which I think probably all Members of Congress have read in any one or all of the Washington papers yesterday, by Evalyn Walsh McLean. She is absolutely correct. I believe the administrations of the different departments could have acted to get the boys home, but they have not done it. She says, in part, in this open letter to the Congress of the United States:

> When the war was on our boys had priority over everything. They had priority on trains, on ships, and on planes—anything to get them quickly to the battle front where they could kill and be killed. Now that they have won the war they have apparently no priority on anything. Many of them with missing arms, legs, and eyes and the rest who have come through physically safe but mentally broken can now take a back seat.
>
> Big business steps in—the selfish interests and the leeches who will suck the last penny out of the great victory our veterans have given us. Why is this allowed to happen in our country? Why can't our veterans have a chance to buy safe and solid homes which are already built?

EXTENSION OF REMARKS

Mr. LECOMPTE asked and was given permission to extend his remarks in the Appendix of the RECORD and include an address by Mr. DOLLIVER delivered at Logansport, Ind., on February 12.

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD the Lincoln's Day address delivered by the distinguished Governor of the State of Kansas in Okla-

homa City on February 12. I am advised that the cost is in excess of the amount allowed. Notwithstanding, I ask unanimous consent that the extension may be made.

The SPEAKER pro tempore. Notwithstanding and without objection, the extension may be made.

There was no objection.

Mr. BENNET of New York asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. JUDD asked and was given permission to extend his remarks in the RECORD and to include a newspaper article.

Mr. PATMAN asked and was given permission to extend his remarks in the RECORD and include therein the statement by Mr. Chester Bowles on the extension of the Price Control Act made before the Committee on Banking and Currency this morning.

Mr. STIGLER asked and was given permission to extend his remarks in the RECORD and to include a letter from a GI with reference to statehood for Hawaii.

Mr. LYNDON B. JOHNSON asked and was given permission to extend his remarks in the RECORD and to include therein some radio comments by Paul Bolton.

PERMISSION TO ADDRESS THE HOUSE

Mr. BIEMILLER. Mr. Speaker, I ask unanimous consent that the special order I have for today be transferred to the first Monday in March.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. BIEMILLER asked and was given permission to extend his own remarks in the Appendix and include therein an editorial from the Capitol Times.

REDUCTION OF THE NATIONAL DEBT

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, you have noticed in the papers during the last week that the Secretary of the Treasury is going to reduce the national indebtedness $3,000,000,000. What he is going to do is to take $3,000,000,000 cash and pay off $3,000,000,000 worth of interest-bearing certificates or bonds of our Government. I suggest that since we have a debt of $279,500,000,000, and since we have $25,415,362,883.93 worth of cash on hand, we should pay off $15,000,000,000. If he pays off $15,000,000,000 we will save $375,000,000 a year in interest at 2½ percent, which is over a million dollars a day. That is a great deal of money, it seems to me. A saving that should be effected. Why should he carry $25,000,000,000 in the banks of this country and pay out interest on that sum? It does not make sense, certainly not business sense. The fact of the matter is, he could pay off $20,000,000,000 with this amount of money in the Treasury. Every $5,000,000,000 means $25,000,000 a year of a saving in interest at 2½ percent interest. I suggest the Treasury take a lot of this cash and pay off this indebtedness. It is the proper thing to do. Why pay the bankers and tax the people? I am in the banking business myself, but I am not for having the Government at this time carrying big balances and paying interest on same. We must be frugal. Save all we can, stop all unnecessary expense so we can pay off our debts, and cut down our taxes. We have run the Government long enough in deficit financing by the New Deal.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. REES of Kansas asked and was given permission to extend his own remarks in the Appendix of the RECORD and include a letter from a serviceman.

OPA ADMINISTRATION

Mr. BUFFETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BUFFETT. Mr. Speaker, last week the OPA issued a publicity release obviously designed to either undermine public confidence in the Ford Motor Co., or to browbeat Henry Ford 2d into ceasing to speak his convictions as an American citizen about the blundering of the administration on inflation and production problems.

If this mud-slinging attack had some other purpose, it should be promptly revealed. Otherwise, it seems that this agency is copying another leaf out of the Nazi propaganda minister's book, Mr. Goebbels, who ruthlessly used the irresistible instrument of Government propaganda to destroy businessmen who resisted Nazi price-control schemes.

I invite Mr. Porter to point out the chapter and verse of the Price Control Act that gives the OPA the authority to issue smear-attacks on this industrial leader who is taking large losses in a patriotic effort to get production going.

When bureaucrats, using tax funds, formally villify and snipe industrial leaders with the rabble-rousing tactics of the Communist Daily Worker, Congress should act to stop this evil practice.

The SPEAKER pro tempore. The time of the gentleman from Nebraska has expired.

EXTENSION OF REMARKS

Mrs. LUCE (at the request of Mr. MICHENER) was granted permission to extend her remarks in the RECORD.

Mr. HOFFMAN asked and was given permission to extend his remarks in the RECORD on three topics and to include newspaper articles.

ST. LAWRENCE SEAWAY AND POWER PROJECT

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PITTENGER. Mr. Speaker, I want to call attention to a proposition that is very important to the American people. A subcommittee of the Senate Foreign Relations Committee, under the leadership of Senator HATCH, of New Mexico, as chairman, began hearings this morning on legislation now pending to construct the St. Lawrence seaway and power project.

I see two of my distinguished colleagues of neighboring States sitting in front of me. When they talk about costs, I want them to bear this in mind: This proposed loan of $4,000,000,000, to Great Britain, if spent in America, would pay our share of the St. Lawrence seaway and power project 14 times over.

In other words Mr. Speaker, while I do not want to talk about the merits or the demerits of the proposed loan to Great Britain, I do want to suggest that one-fourteenth of that amount of money be spent to build the St. Lawrence seaway and power project and do it now. In 1941 our War Department engineers estimated that the share of the United States in connection with this project would be $285,000,000 and part of that would be paid by New York State in return for the power. I just figured out this morning that we could build 14 of these projects, or rather our share of the expense in 14 such projects would be only one-fourteenth of the amount of the proposed loan to Great Britain.

My colleagues who are listening to my figures and who are well-known for their desire to protect the American taxpayers, can well take heed of what I am saying. We talk about economy and expenditures, and we practice economy in connection with some development in our own country, and then the people who run the Government turn right around and give away $4,000,000,000. That sort of procedure does not make sense.

My real purpose just now Mr. Speaker, is to call attention to the fact that hearings on a bill which will authorize Canada and the United States to build the St. Lawrence seaway and power project is pending before the Senate subcommittee. It is interesting to note that proponents of the project were well represented this morning at the hearing. The proponents were there from New York State, from Wisconsin, from Michigan, from Minnesota, and elsewhere.

Of course, the opponents of the project were also greatly in evidence. While their numbers could have been enlarged, it was apparent to me that they made up in quality, for what they lacked in quantity. Powerful forces are at work to defeat this worth-while proposition. I want to urge every friend of the project in the House of Representatives to register his appearance before the Senate subcommittee, while these hearings are going on.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

EXTENSION OF REMARKS

Mr. RANKIN asked and was given permission to extend his remarks in the RECORD and to include an article from the New York Times including the Yalta agreement.

SPY RINGS IN CANADA AND THROUGHOUT THE UNITED STATES

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, Members of the House are expecting me to answer the slimy attacks made on me last night over the radio. I have sent for the manuscripts, and at the proper time I will not only answer the attacks on me, but I will also answer the attack made on Mrs. Truman.

It is about time that decent Americans were protected against these slime mongers of the air. Last week the Canadian Government uncovered a spy ring that literally shocked the civilized world. That spy ring extends throughout the United States. The Committee on Un-American Activities is on the trail of those subversive organizations through which they are working; yet we have been attacked on this floor, over the radio, and through some elements of the press. I say to you that America is in great danger from these enemies within our gates. Our committee is going to fight to protect this country, regardless of the opposition on this floor, in the press, on the radio, or elsewhere. We are going to save America for Americans, and protect her from sabotage at the hands of these subversives, if it is humanly possible to do so.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

SUPERIOR STATESMANSHIP OF PRESIDENT TRUMAN

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, President Truman, in the last 2 weeks, has, on three different occasions, demonstrated his capacity for superior statesmanship and his outstanding qualifications to be our leader during these trying times.

First. His practical and humanitarian motives in directing that starving and suffering humanity in the war-stricken countries must be fed and clothed during this emergency met with the unanimous approval of America and the world.

Second. His inauguration of the gigantic veterans' housing program which calls for 2,700,000 homes in the next 2 years revealed that President Truman will solve our mammoth housing problem in a way that will bring relief to millions of homeless veterans and reconversion workers at the earliest possible time.

Third. Our President, through remarkable leadership, tact, and ability to compromise, on last Friday settled the steel strike, the most important labor-management dispute in our Nation's history, which threatened to destroy our reconversion program.

When the history of the Truman administration is written, his humanitarianism toward the war-stricken countries, his consideration of the returning veterans, and his battle for a living wage for the workingmen of America, will occupy a high place in the accomplishments of his administration.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

PRICE CONTROLS

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, I wish to refer again to the ad of the National Association of Manufacturers in this morning's paper and to quote therefrom the following:

> Remove price controls on manufactured goods and production will step up fast. Goods will then pour into the market and, within a reasonable time, prices will adjust themselves naturally—as they always have—in line with the real worth of the things.

What does this mean, Mr. Speaker? It means to take off price control on every manufactured article in the United States. Let us consider automobiles. It will take at least 3 or 4 years to manufacture enough automobiles to supply the demand. In the meantime the automobile manufacturers can charge whatever the traffic will bear in the market. Prices on cars can go up without any regulation whatever and returning veterans and others who need to buy new automobiles will be crucified on the cross of inflationary prices of automobiles and other manufactured products.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

CONSENT CALENDAR

The SPEAKER pro tempore. This is Consent Calendar day.

The Clerk will call the first bill on the Consent Calendar.

ADMISSION TO THE UNITED STATES OF CERTAIN ALIEN CHINESE WIVES OF AMERICAN CITIZENS

The Clerk called the bill (H. R. 4844) to provide for the admission to the United States of the alien Chinese wives of American citizens who are admissible under the provisions of the immigration laws other than those authorizing exclusion on grounds of race or birth in a defined geographical area.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (c) of section 13 of the Immigration Act of 1924, approved May 26, 1924, as amended by the act of June 13, 1930 (43 Stat. 162; 46 Stat. 581; 8 U. S. C. 213 (c)), is amended by adding the word "or" at the end of clause (2), substituting a period for the comma at the end of clause (3), and striking out the rest of the subsection, which reads, "or (4) is the Chinese wife of an American citizen who was married prior to the approval of the Immigration Act of 1924, approved May 26, 1924."

SEC. 2. The first sentence of section 2 of the act entitled "An act to repeal the Chinese Exclusion Acts, to establish quotas, and for other purposes," approved December 17, 1943 (57 Stat. 600; 8 U. S. C. 212 (a)), is amended to read as follows: "With the exception of Chinese alien wives of American citizens and those Chinese aliens coming under subsections (b), (d), (e), and (f) of section 4, Immigration Act of 1924 (43 Stat. 155; 44 Stat. 812; 45 Stat. 1009; 46 Stat. 854; 47 Stat. 656; 8 U. S. C. 204), all Chinese persons entering the United States annually as immigrants shall be allocated to the quota for the Chinese computed under the provisions of section 11 of the said act."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to place Chinese wives of American citizens on a nonquota basis."

PROVIDING NECESSARY OFFICERS AND EMPLOYEES FOR CIRCUIT COURTS OF APPEALS AND DISTRICT COURTS

The Clerk called the bill (H. R. 4230) to provide necessary officers and employees for circuit courts of appeals and district courts.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

EMPLOYMENT OF NONCITIZENS IN CERTAIN INSTANCES BY NAVY DEPARTMENT

The Clerk called the bill (S. 1618) to exempt the Navy Department from statutory prohibitions against the employment of noncitizens, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That statutory provisions prohibiting the payment of compensation to any person not a citizen of the United States shall not apply to any person whose employment by the Navy Department shall be determined by the Secretary of the Navy to be necessary in order to obtain for the benefit of the military services of the United States special technical or scientific knowledge or experience possessed by such person and not readily obtainable from any citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed,

and a motion to reconsider was laid on the table.

TEMPORARY EXTENSION OF TIME FOR FILING PATENT APPLICATIONS

The Clerk called the bill (H. R. 5223) to extend temporarily the time for filing applications for patents, for taking action in the United States Patent Office with respect thereto, for preventing proof of acts abroad with respect to the making of an invention, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the rights of priority provided by section 4887 of the Revised Statutes (U. S. C., title 35, sec. 32), as amended, for the filing of applications for patent for inventions, discoveries, and designs, which rights had not expired on the 8th day of September 1939, or which rights have arisen since the 8th day of September 1939, shall be, and the same are hereby, extended until the expiration of a period of 12 months from the passage of this act in favor of the citizens of the United States and of citizens or subjects of all countries which have extended, or which now extend or which within said period of 12 months shall extend substantially reciprocal privileges to citizens of the United States, and such extension shall apply to applications upon which patents have been granted, as well as the applications now pending or filed within the period herein: *Provided*, That no such extension shall apply to any patent unless a request in writing was made therefor during the pendency of the application for such patent in the United States Patent Office, or within 6 months after the passage of this act, which request must be accompanied by (1) a copy of the original foreign application, certified to by the patent office of the country in which it was filed; (2) a sworn translation of the same if it is not in the English language; and (3) if the foreign application was not made by the inventor himself, an affidavit by the applicant or patentee stating that such application was filed for his benefit and that such procedure is in accordance with the procedure in the foreign country: *Provided, further*, That no patent granted or validated by reason of any such extension shall in any way furnish a basis of claim against the Government of the United States: *Provided further*, That such extension shall in no way abridge or otherwise affect the right of any citizen of the United States, or of any firm, association, company, or corporation, organized or associated under the laws of the United States or the laws of any State or the District of Columbia and doing business in the United States, who, before the passage of this act was bona fide in possession of any rights in or under patents or applications for patents conflicting with rights in patents granted or validated by reason of such extensions to exercise such rights by itself or himself personally, or by such agents, or licensees as derived their rights from it or him before the passage of this act, and such persons shall not be amenable to any action for infringement of any patent granted or validated by reason of such extension.

A patent shall not be refused on an application coming within the provisions of this section, nor shall a patent granted on such application be held invalid, by reason of the invention having been patented or described in any printed publication or in public use or on sale in the United States prior to the filing of the application, unless such patent or publication or such public use or sale was prior to the filing of the foreign application upon which the right of priority is based.

SEC. 2. Whenever, prior to the 8th day of April 1946, an invention, discovery, or a design has been communicated in writing or embodied in any article supplied to the Government of the United States or to any person, firm, or corporation in the United States at the request of said Government, pursuant to and by reason of an agreement or arrangement between the Government of the United States and the government of a foreign country for the supply or mutual exchange of information or articles for use for national defense purposes during the periods of the national emergencies declared by the President of the United States preceding World War II, or for use for war purposes during World War II—

(a) A patent based on an application filed by the inventor of the invention, discovery, or design so communicated or supplied shall not be refused or held invalid merely because of the fact that the invention, discovery, or design had been in public use or on sale in the United States, or described in a printed publication, if such public use or sale or publication was in consequence of and attributable to the communication or supply and subsequent to the date of the communication or supply; and

(b) For use in any action in a United States court or proceeding in the Patent Office involving a patent for an invention, discovery, or a design, or involving an application for patent for an invention, discovery, or a design so communicated or supplied any court of the United States for any district or Territory thereof, and the Commissioner of Patents shall have the power to call upon any department or agency of the Government of the United States to produce information or papers in its possession relating to the communication or supply or relating to the further communication of the invention, discovery, or design by said department or agency to any person, firm, or corporation in the United States: *Provided, however*, That the head of any department or agency may refuse and omit to comply with any call for information or papers when in his opinion such compliance would jeopardize the national defense.

No benefit under section 2 of this act shall be extended to any person unless (1) an application for patent for the same invention, discovery, or design which was communicated or supplied as aforesaid is filed in the United States Patent Office prior to the expiration of 12 months from the date of this act; and (2) unless sufficient information in writing and under oath as to what was communicated or supplied, the date thereof and to whom made, is furnished to the Commissioner of Patents by the owner of such application while it is pending, or prior to the expiration of 6 months from the date of this act to enable him to judge of the identity of the invention so communicated or supplied with the invention claimed in such application, which information shall be made a part of the record of such application and shall have no evidentiary value as proof of the facts stated therein; and (3) unless the country of which such person is a national extends substantially reciprocal privileges to citizens of the United States.

SEC. 3. That whenever it shall be shown to the satisfaction of the Commissioner of Patents that the time now fixed by law for the payment of any fee, or for the taking of any action, with respect to an application for patent for an invention, discovery, or design has lapsed because of conditions growing out of World War II, which time had not expired on the 8th day of September 1939, or which commenced after the 8th day of September 1939, such time may be extended by the Commissioner for a period not in excess of 12 months from the date as determined by him on which the condition which prevented the timely payment of such fee or the taking of such action had ceased to exist, but in no case later than the expiration of 12 months after the passage of this act, without the payment of extension fees or other penalty, in favor of citizens of the United States and the citizens or subjects of countries which have extended, now extend, or shall extend prior to the expiration of 12 months after the passage of this act substantially reciprocal privileges to citizens of the United States: *Provided*, That no extension herein shall confer such privileges upon the citizens or subjects of a foreign country for a longer term than the term during which such privileges are conferred by such foreign country upon the citizens of the United States, but nothing in this act shall give any right to reopen interference proceedings where final hearing before the Examiner of Interferences or the Board of Interference Examiners has taken place.

SEC. 4. That no patent granted or validated by reason of any extension of time provided for by sections 1 and 3 of this act shall abridge or otherwise affect the right of the United States, or of any citizen of the United States or of any country allied with the United States in World War II, or his agent or agents, or his successor in business, to continue or to resume any manufacture, use, or sale bona fide commenced by it or him before the passage of this act, or, in the case of an application claiming the benefits of section 3 hereof, commenced by it or him before the taking of action or the payment of any fee under that section if such action or payment was later than the passage of this act, nor shall the further manufacture, use, or sale by it or him, or its or his agents or successors in business or the use or sale of the devices resulting from such manufacture or use constitute an infringement: *Provided*, That the benefits of this section shall not apply to the manufacture, use, or sale as aforesaid if and to the extent that it is based upon or attributable to a communication of the invention, discovery, or design so manufactured, used, or sold to the United States or to any person, firm, or corporation in the United States at the request of said Government under an agreement or arrangement between the Government of the United States and the government of another country for the supply or mutual exchange of information or articles for use for national defense purposes during the periods of the national emergencies declared by the President of the United States preceding World War II, or for use for war purposes during World War II.

SEC. 5. Notwithstanding the provisions of sections 4885 and 4887 of the Revised Statutes (U. S. C., title 35, secs. 41 and 32, respectively) no patent issued subsequent to July 17, 1945, which was scheduled for issue on that date, or on July 24, July 31, or August 7, 1945, shall be held invalid because of the deferment of the issuance of such patent due to the failure to issue patents on July 17 and July 24, 1945.

SEC. 6. Notwithstanding the provisions of the act of Congress approved July 1, 1940 (54 Stat. 710; U. S. C., title 35, sec. 42), as amended by the act approved August 21, 1941 (55 Stat. 657; U. S. C., title 35, secs. 42a–42f), and as further amended by the act of June 16, 1942 (56 Stat. 370), no person shall be debarred from receiving a patent for an invention made in the United States, nor shall any patent issued for such invention be deemed or held invalid under said act, merely because authorization to file an application for patent for such invention in any country foreign to the United States was not first obtained from the Commissioner of Patents: *Provided*, That the Commissioner subsequently authorized the filing of the application in such foreign country.

SEC. 7. That all applications for patents for inventions, discoveries, or designs officially accepted by the Patent Office and given a serial number and date of filing since the 8th day of September 1939, and prior to the passage of this act, which were executed by an agent of the applicant, and in which a duplicate copy of the specification and a new petition and oath, all duly signed and executed by the inventor or his executor or administrator has been or shall have been filed within a period of 12 months from the approval of this act, and the patents granted on such applications, shall have the same force and effect as if the papers signed and executed by the inventor, or his executor or administrator, had been filed on the date on which the papers signed by his agent were deposited in the United States Patent Office.

SEC. 8. That all applications for patents for invention, discoveries, or designs filed since the 8th day of September 1939, in which the oath was executed before or authenticated by a consular officer, or other representative qualified to administer oaths, of a government acting in the interest of the Government of the United States, shall have the same force and effect as if said oath had been executed by the applicant before a consular officer of the United States.

SEC. 9. That in proceedings in the Patent Office and in the courts of the United States an applicant for a patent for an invention, discovery, or a design, or a patentee, shall not be permitted to establish the date of invention or discovery by reference to knowledge or use thereof, or other activity with respect thereto, in a country foreign to the United States, other than the filing in a foreign country of an application for a patent for the same invention, discovery, or design which, in accordance with the provisions of section 4887 of the Revised Statutes, as amended, or in accordance with and subject to the provisions of this act, is entitled to have the same force and effect as it would have had if filed in the United States on the date on which it was filed in such foreign country: *Provided*, That where an invention was made by a person, civil or military, during the time such person was domiciled in the United States or its possessions and was serving on duty with or as a member of any armed force of the United States located in a foreign country, the inventor thereof shall be entitled, in interference and other proceedings arising in connection with such invention, to the same rights of priority with respect to such invention as if the same had been made in the United States.

SEC. 10. No patent for an invention or a discovery granted under the provisions of sections 1 and 3 of this act shall extend for a longer term than 20 years from the filing date of the first application regularly filed in any country disclosing the same invention, and in no event for a period in excess of 17 years from the date of the grant of such patent.

SEC. 11. That no claim shall be made or action brought in respect of the use since the 8th day of September 1939, up to the passage of this act, by the United States, or by any persons acting on behalf of, or under contract with, or with the assent of the United States, or of governments or their representatives associated with the United States in World War II, under any patent rights owned in whole or in part since the 8th day of September 1939, by a national of any country with which the United States shall have been at war, nor in respect of the use of any process during such period, or the sale, offering for sale, or use, at any time, of any products, articles, or apparatus whatsoever manufactured during such period to which such patent rights applied.

SEC. 12. That nothing in this act shall affect any act which has been or shall be done by virtue of the special measures taken during World War II under legislative, executive, or administrative authority of the United States in regard to the rights of any enemy, or ally of an enemy, as defined by the Trading With the Enemy Act of October 6, 1917 (40 Stat. L. 411), as amended, in patents for inventions and designs.

SEC. 13. That subsection 10 (a) of the said Trading With the Enemy Act, relating to the filing and prosecution of applications for patents and the registration of trade-marks, prints, labels, and copyrights, by an enemy, or ally of an enemy, is hereby amended by repealing the last sentence thereof, so that the said subsection shall read as follows:

"(a) An enemy, or ally of an enemy, may file and prosecute in the United States an application for letters patent, or for registration of trade-mark, print, label, or copyright, and may pay any fees therefor in accordance with and as required by the provisions of existing law and fees for attorneys or agents for filing and prosecuting such applications."

SEC. 14. The benefits of this act shall not extend in favor of the nationals of any country with which the United States shall have been at war since the 8th day of September 1939.

SEC. 15. Nothing contained in this act shall be effective to nullify any judicial finding upon the validity of any patent for an invention, discovery, or a design heretofore made by a court of competent jurisdiction.

SEC. 16. If any clause, sentence, paragraph, or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECORDING OF AGREEMENTS RELATING TO PATENTS

The Clerk called the bill (H. R. 3756) to require the recording of agreements relating to patents.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, in view of the fact that the report accompanying this bill does not comply with the rules of the House, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

PUBLIC REGISTERING OF PATENTS AVAILABLE FOR LICENSING

The Clerk called the bill (H. R. 3757) to provide for the public registering of patents available for licensing.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, reserving the right to object, I see the distinguished gentleman from Texas [Mr. LANHAM], who is familiar with all bills relating to patents, is on the floor. I suggest that he briefly explain the purpose of the bill.

Mr. LANHAM. I am very glad, Mr. Speaker, to make that explanation.

There are a great many inventors who after they have acquired their patents have no knowledge whatever of any way in which they can market those patents. This bill simply provides for the keeping of a register in the Patent Office permitting those who have obtained patents to state the terms upon which they will grant licenses under their patents. It also gives them permission to withdraw their offer of license or assignment or sale under certain conditions. It is for the protection of the inventor who is not familiar with markets, and it will give the manufacturers an opportunity to see upon the register what is offered. It is thought in that way many of these small inventors who have no opportunity to market their inventions will find an opportunity through this method.

Mr. COLE of New York. May I inquire what effect this bill will have upon the situation where an inventor registers his offer in accordance with the provisions of the bill, then subsequently sells his invention and transfers title to some other person. Is that offer which has been previously filed and registered, as made by the inventor, binding upon the transferee under the patent?

Mr. LANHAM. A record of any transaction into which he may enter is kept in the Patent Office and will there be available to any manufacture who may inspect those records. The Patent Office has endeavored, even without this legislation, to be as helpful as possible to these small inventors and they strongly recommend this, although it entails a little additional burden upon them. It is merely to put into legislation a practice they have been trying through the years to follow in order to be helpful to these small inventors.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

CORRECTING NAVAL RECORD OF FORMER MEMBERS OF THE CREWS OF THE REVENUE CUTTERS "ALGONQUIN" AND "ONONDAGA"

The Clerk called the bill (H. R. 1498) to correct the naval record of former members of the crews of the revenue cutters *Algonquin* and *Onondaga*.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, reserving the right to object, in spite of the fine sponsorship of this bill, the House will remember that at the beginning of the session the unofficial objectors stated they would object to any bill to which the department concerned was opposed. The Navy Department is against this bill. I therefore ask unanimous consent that the bill be passed over without prejudice.

Mr. VINSON. Mr. Speaker, reserving the right to object, let me call attention to the fact it is true that the Navy De-

partment is opposed to this bill, but in a previous Congress it was passed by both the House and Senate. The bill was vetoed by the President. After a rehearing on this matter, notwithstanding the fact that the bill had been vetoed by the President in some previous Congress and notwithstanding the fact that the Navy did not recommend favorable consideration, the Naval Affairs Committee was of the opinion that the facts and circumstances warranted favorable consideration of this bill. I trust the gentleman will not insist on his objection because the matter has been thoroughly investigated by the Committee on Naval Affairs. May I say also to the distinguished gentleman the question involved is whether or not these men enlisted in the Navy or enlisted in the Revenue Cutter Service. There can be no doubt that their service was in the Navy and not in the Revenue Cutter Service; therefore, they are entitled to be classified as enrollees in the United States Navy.

Mr. KEAN. I may say to the distinguished chairman of the Committee on Naval Affairs that if he can get a letter from the Navy Department saying it does not disapprove of the bill I shall not object.

Mr. VINSON. I think the objectors are on sound ground when they interpose an objection if the Navy Department does not act favorably on it. But what are we here for? Are we not just as well qualified to reach a decision upon the facts of the case as the Navy Department? Has the time come when the Congress will only legislate when the Budget says, "Do so," or whenever the Navy Department or War Department says so? I hope the gentleman will not put the Congress in that kind of position. I think the gentleman, as well as the members of my committee, is qualified to pass upon these questions, notwithstanding the fact there may be a difference of opinion in the Navy Department or some other department. I hope it never will be said that the Congress only legislates when some bureaucrat or some bureau says it can legislate.

Mr. KEAN. I would say to the gentleman that my objection does not prevent Congress acting upon it. All I am objecting to is it being passed by unanimous consent, and when the Department objects that means that there is some controversy in the legislation.

Mr. VINSON. It has been heard by a committee of 27 men, and that committee has unanimously passed on it. The distinguished gentleman from New York, one of the objectors, is the ranking minority member of that committee. He heard all of the facts. All the members heard the facts. As I said, it has been passed once by the House and the Senate, and it was vetoed, in my judgment, on a misapprehension.

Mr. KEAN. I would say that perhaps the objectors on this side made a mistake when they made the statement at the beginning of the session that they would object to any bills which the Department objected to, but we did make the statement, and therefore I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

BATTLESHIP "ARKANSAS" SILVER SERVICE

The Clerk called the bill (H. R. 5121) authorizing the Secretary of the Navy in his discretion to deliver to the custody of the State of Arkansas the silver service presented to the United States for the battleship *Arkansas*.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized in his discretion to deliver to the custody of the Governor of Arkansas for the Arkansas Historical Museum, for preservation and exhibition, the silver service which was presented to the United States for the battleship *Arkansas* by the citizens of that State: *Provided*, That no expense shall be incurred by the United States for the delivery of such silver service.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TREATMENT OF PERSONS OF UNSOUND MIND IN CERTAIN FEDERAL RESERVATIONS

The Clerk called the bill (H. R. 2710) to provide for the detention, care, and treatment of persons of unsound mind in certain Federal reservations in Virginia and Maryland.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any United States Commissioner specially designated for that purpose by the District Court of the United States for the Eastern District of Virginia or by the District Court of the United States for the District of Maryland shall have jurisdiction and authority to commit to St. Elizabeths Hospital in the District of Columbia for observation and diagnosis any person found in any place over which the United States has exclusive or concurrent jurisdiction in Arlington County, Fairfax County, or the city of Alexandria in the State of Virginia or in Montgomery County or in Prince Georges County in the State of Maryland who is alleged and is believed by the Commissioner to be of unsound mind. Such commitment shall be for a period not exceeding 30 days and may be made only after a hearing before the Commissioner upon the testimony of at least two witnesses and in addition upon the testimony or certificates of two physicians at least one of whom is skilled in the treatment and diagnosis of nervous and mental disorders who shall testify or certify in writing that they have examined the said person alleged to be of unsound mind and believe said person to be of unsound mind and not fit to remain at liberty and go unrestrained, and that such person should be in custody in a hospital for the treatment of mental or nervous disorders for his own safety and welfare and for the preservation of the peace and good order. The agency of the United States in control of the place where such person is apprehended is authorized to employ physicians for the aforesaid purpose and to pay compensation for their services and to pay expenses of witnesses in such proceedings out of funds available therefor. Physicians who are officers or employees of the United States or who are members of the armed forces of the United States are hereby authorized to render such services without additional compensation.

SEC. 2. Any officer or employee of the United States authorized to make arrests, and any guard or watchman employed by the United States, is hereby authorized and empowered to apprehend and detain any person whom he believes to be of unsound mind and found in any of the aforesaid places and to bring such person for a hearing before a United States Commissioner for the district where such person was apprehended and designated as provided in section 1 hereof. If an immediate hearing before a Commissioner cannot be had, such officer or employee is authorized and empowered to take such person to St. Elizabeths Hospital and the Superintendent of St. Elizabeths Hospital is authorized to detain such person pending a hearing before a United States Commissioner for a period not exceeding 72 hours. The United States Commissioner shall hold a hearing as promptly as practicable after the apprehension of such person and in any event not later than 72 hours thereafter. If the Commissioner commits such person to St. Elizabeths Hospital, any officer, employee, guard, or watchman above-mentioned is authorized to transport such person to St. Elizabeths Hospital in accordance with the order of the Commissioner.

SEC. 3. The Superintendent of St. Elizabeths Hospital is hereby authorized and directed to receive for observation and diagnosis any person apprehended or committed as provided in sections 1 and 2 hereof for the periods therein prescribed, unless such person is sooner discharged or returned to his home or to the State of his residence.

SEC. 4. The Superintendent of St. Elizabeths Hospital shall examine any person committed as provided in sections 1 and 2 of this act and (a) if found to be of sound mind, shall forthwith discharge said person, or (b) if found to be of unsound mind, shall report his findings to the Federal Security Administrator, who shall return such person to the State of his residence or to his relatives, if practicable. Proceedings for the adjudication of such person as a person of unsound mind and for the appointment of a committment of his person or property may be instituted in the District Court of the United States for the District of Columbia by the Federal Security Administrator or by any party interested. The laws of the District of Columbia shall be applicable to such proceedings. Nothing in this act shall be construed as imposing upon the District of Columbia the expense of care and treatment of any person apprehended, detained, or committed under this act unless such person be a resident of the District of Columbia as defined in section 8 of the act entitled "An act to provide for insanity proceedings in the District of Columbia", approved August 9, 1939.

SEC. 5. Any person belonging to the Army, Navy, Marine Corps, or Coast Guard arrested, apprehended, detained, or committed under the provisions of this act shall, upon the request of the head of the department having jurisdiction over the service to which the individual belongs, be transferred forthwith to the custody of such department.

SEC. 6. If any person adjudicated to be of unsound mind under the provisions of this act is entitled to care and treatment in a Veterans' Administration facility, he may be committed by the District Court of the United States for the District of Columbia to the custody of the Administrator of Veterans' Affairs for placement in an available facility or may be transferred by the Superintendent of St. Elizabeths Hospital to any such facility.

SEC. 7. The Superintendent of St. Elizabeths Hospital is authorized to arrange for and pay the expenses of the transfer of any person committed to his custody pursuant to the provisions of this act, to his relatives or to a hospital in the State of his residence and

in connection with such transfer is authorized to pay the transportation and expenses of attendants necessary to insure safe travel.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALASKA RAILROAD EXPENDITURES

The Clerk called the bill (H. R. 5453) to authorize certain expenditures by the Alaska Railroad, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. DWORSHAK. Mr. Speaker, reserving the right to object, I would like to have a brief explanation of the bill which might indicate whether any new authority would be given for additional activities on the part of the Alaska Railroad, which activities it does not already engage in. Is there some Member present who can give me that information?

Mr. COLE of New York. I am not as fully advised on the effect of the bill as perhaps a member of the committee is, but I understood that the purpose of this bill was to make it unnecessary for a corresponding provision to be included in an appropriation bill, which was legislation on an appropriation bill, and therefore subject to a point of order. It does not enlarge the authority to spend funds.

Mr. DWORSHAK. I would make no objection if that be the case, because I think it would merely eliminate the possibility of certain points of order to activities engaged in by the Alaska Railroad which might not already be authorized by law. But I would like to know whether any new activities are contemplated.

Mr. COLE of New York. The letter from the Secretary of the Interior dated February 6 relative to this bill says that every provision in the attached draft has been incorporated in this department's appropriation acts year after year by the Congress.

Mr. DWORSHAK. Then that would indicate there was no new innovation contemplated.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That funds available for the operation of the Alaska Railroad shall be available for maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; for purchase of stores for resale; and for payment of claims for losses and damages arising from operations, including claims of employees of the railroad for loss and damage resulting from wreck or accident on said railroad, not due to negligence of the claimant, limited to clothing and other necessary personal effects used in connection with his duties and not exceeding $100 in value.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGISTERING OF PATENTS

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Calendar No. 338, the bill (H. R. 3757) to provide for the public registering of patents available for licensing.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the record owner of any United States patent or any person authorized of record to grant a license thereunder may submit to the Commissioner of Patents a written offer to sell his patent or to grant licenses thereunder, which offer may or may not specify terms and conditions of such licenses or sale. The offer to sell or to grant licenses shall be entered upon a public register of patents available for licensing established and maintained within the United States Patent Office. A notice of the entering of the offer on the register shall be published in the Official Gazette of the Patent Office.

SEC. 2. In the event the owner of any patent which has been placed upon the register provided by this act refuses or fails to grant a license or to sell his patent, the applicant for a license or the prospective purchaser may apply to the Commissioner of Patents, and the Commissioner is empowered, after notice and opportunity for hearing, to fix reasonable terms and conditions thereof to the extent they are not stated or specified in the offer and the parties have been unable to agree thereon, and thereafter to order a license or sale, the terms and conditions of which shall be binding upon the parties: *Provided*, That the patent owner has previously authorized the Commissioner of Patents to so act.

SEC. 3. Upon request of the owner of any patent which has been placed on the register and not less than 30 days after notice of the intention so to do has been given to the Commissioner of Patents, his offer to grant licenses or to sell his patent may be withdrawn from the register or amended to add other terms or conditions to those stated in the offer, and/or modify the terms and conditions stated: *Provided*, That the offer may be withdrawn at any time in case such owner sells or assigns his interest in the patent, or upon the issuance of a license under the patent. Notice of such withdrawal, amendment, or modification shall be published in the Official Gazette of the Patent Office. Removal of the offer from the register or any change in the terms and conditions stated in the offer shall not affect any license in force or any application for license or for the purchase of the patent then pending before the Commissioner.

SEC. 4. Any party to proceedings under this act who is dissatisfied with the decision of the Commissioner of Patents may appeal to the United States Court of Customs and Patent Appeals and the provisions of sections 4912, 4913, and 4914 of the Revised Statute. (U. S. C., title 35, secs. 60, 61, and 62) shall govern such appeals insofar as said sections may be applicable.

SEC. 5. This act shall take effect upon approval.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MADDEN. Mr. Speaker, that completes the call of the Consent Calendar.

EXTENSION OF REMARKS

Mr. MADDEN asked and was given permission to extend his remarks in the RECORD and include two editorials by H. B. Snyder, editor of the Gary Post-Tribune.

Mr. LUTHER A. JOHNSON asked and was given permission to extend his remarks in the RECORD and include a brief article about the Argentine situation.

Mr. HAYS (at the request of Mr. HARRIS) was given permission to extend his remarks in the RECORD and include an editorial.

UTILIZATION BY FREIGHT FORWARDERS OF THE SERVICES OF COMMON CARRIERS BY MOTOR VEHICLES

The SPEAKER pro tempore. The Chair desires to announce that pursuant to the authority granted the Speaker on February 15, 1946, the Speaker did on that date sign the enrolled bill of the House (H. R. 2764) to amend section 409 of the Interstate Commerce Act, with respect to the utilization by freight forwarders of the services of common carriers by motor vehicles.

Under previous order of the House, the gentleman from Georgia [Mr. GIBSON] is recognized for 20 minutes.

HAROLD ICKES

Mr. GIBSON. Mr. Speaker, Harold Ickes seems to be so disturbed over who and what he is until I have decided to try and assist him in solving what seems to be quite a problem to him. The answer is simple to anyone who knows his life's record. Possibly we can see him best if we look through the big end of the funnel. I do not propose to go back to his college days in Chicago and his associates there and the culmination of those associations unless the future should make it necessary, but if it should I shall not hesitate, and the picture will not be beautiful.

The nicest thing that could be said about him is that he is an opportunist without regard to principle or scruple. His entire life has been patterned after the philosophy of a robber. He has always taken more out of everything he touched than he put in.

His recent action should be a lesson to our party. For many years now our party has dragged in anything that could swing a few votes, regardless of the detriment to the Nation. For years he has gone about shouting the virtues of the Democratic Party. Now, he says, which is one of the few truths he has ever spoken, that he has never been a Democrat. He nursed at the bosom of the Democratic Party for 13 years—way past weaning time. When he had grown to be a big fat boy and mother pushed him away from the breast, he shouted in an angry voice, "You ain't my mamma anyway, I have just been stealing your milk."

We in the South have only one thing that is comparable to old Honest Harold. We have a species of lizard that goes from sprig to sprig and limb to limb of trees, but is always certain not to impose itself on anything that will not support it, and immediately turns to the color of the thing on which it has imposed itself for support. The color of its benefactor is not considered, but only the benefactor's ability to afford full support.

He speaks of honor and loyalty—he is not on speaking terms with either. The never-failing sign of a man without honor is one that has gone so far that

he must have as a windbreak, a sort of protection annexed to his name—"Honest"—as he resorted to the self-styled Honest Harold. I wonder, through the many sordid pages in the history of his life, which was the one act that stood up before him so strong in condemnation as to cause his conscience to seek shelter, and that big brain of his to bring out the shield "Honest Harold."

For several years our Government and our colleges have been honeycombed with pinks and fellow travelers like dear old Honest Harold, working day and night from within to destroy our way of life, and set up for our posterity a reign of statism to hold our future generations in serfdom and slavery. This same Honest Harold, while floating under a flag of democracy and working with its tools, has betrayed the trust imposed in him—yes, violated his oath, and has used Puerto Rico and the Virgin Isles as guinea pigs in his efforts, in conjunction with the gang he has alined with him, to communize the United States. This charge is fully borne out by the record. He has surrounded himself with pinks in practically every place of authority he controlled.

Sometime in the summer of last year the Communist Party of the United States met in New York and pledged to overthrow our form of government, and stated that it would be done through the medium of a workers' revolution. There is no one that is not afraid to speak the truth that will deny that the CIO is controlled by the Communists. If you will check up on the strike wave that has swept the country since the cessation of hostilities, it will be seen that the great majority of them have been by the CIO. There can be no doubt that this strike wave is a part of their planned workers' revolution. Where has Honest Harold gone? Straight to the ranks of the striking CIO—right where he has been all the time, covered with the protection of a Cabinet post and armed with its power to destroy the Government he swore to protect.

If this lesson does not open the eyes of President Truman and others in control of the Democratic Party, and cause them to clean the hundreds of the same ilk from within the Government, they may expect the American people to take from them the control of the destiny of this Nation. Would someone with authority please tell me why the Department of Justice permits an organization to openly function with the avowed purpose of overthrowing our form of government? It is open treason. Have we reached the point in the party of Jefferson and Jackson where a few votes of an organized enemy of our country is worth more than the freedom bought by the blood of patriots through the life of this Nation? This is the question the people must answer.

Had it not been for the power of this un-American gang within our Government, the Congress would never have been plagued by so many demands for the passage of legislation cutting the very heart out of the fundamentals of our Government. The sooner public officials look to the welfare of their Nation instead of to a bunch of racketeers for votes, the better they, as well as the cause they are sworn to serve, will fare.

Let us watch old Honest Harold get in bed with Sidney Hillman, or at least stick his ugly head from under the cover and let the people know he is there. He has been there all the while. Let us be realistic and look at our national picture. Had our people not been plagued by this enemy organization and proceeded in the American way we could well have had 15 years of real prosperity and placed our Nation further ahead of the nations of the world than we have ever been in our entire national life. However, we have permitted this gang to become so powerful that they have completely demoralized our industrial and commercial life. We have been at a standstill for months now at the most strategic period in our national life. This stoppage of production has not only kept from our people the tools to produce food, build hospitals for our sick and wounded heroes, schools for the education of our children, and houses for our returning veterans, but it has caused the flow of revenue into the Federal Treasury to cease by billions of dollars. Yet it is this same gang that says we must send to Russia and other countries food, lumber, and every conceivable raw material without regard for our own needs, with billions of dollars for reconstruction. It is perfectly plain that their purpose is to strengthen other nations and weaken our own. Yet we sit by and let them destroy us before our eyes. If this gang, including old Honest Harold, were truly interested in starving people, they would be at work producing tools for farmers that farmers may produce food. How long will our good American citizenry suffer this outrage? Some of you may be surprised when this answer comes.

Sidney Hillman and Reuther, of course, are masters in communistic technique; it has been their life's work, and old Honest Harold is no piker himself in this field of endeavor. Who has ever heard of anyone seeking higher wages immediately following a war? These strikes were not called for that purpose. They are political strikes, called to create a state of chaos among our people. What is old Honest Harold now trying to do? Is his action that of a normal man who has resigned from a position of trust? Of course, you could not expect him to act as a normal man. His act is being put on just as directed by the communistic gang he is a part of and working with. Strictly designed to try to so blacken President Truman as to cause the American people to lose complete confidence in constitutional government and be an easy mark for their nefarious scheme and purpose to destroy them.

I have not agreed with a great majority of President Truman's program, but I do not charge this to our form of government. It is my sincere opinion that had he long ago run all this gang out of the Government and had other sources of advice, that the portions of his program to which I have objected would never have been advanced.

My advice to the American people is to think some for yourself, and by all means give the President your support and confidence in all matters with which you can agree. In courses you cannot follow and policies you cannot support, then do not condemn the form of government, but, finally, if weighed all together, his course you must condemn, then correct it by your ballot in the American way. We have not yet reached Russia's form of elections where you have only one man to vote for, but if such political perverts as old Honest Harold are not read out of the life of this Nation, that is the kind of ballot you will soon vote.

I hold no brief for Mr. Pauley, as his fate is in the hands of the Senate, and I have no disposition to encroach upon the powers and authority of that body. However, amid the wail and cries of the lamenting Honest Harold, I wish it were possible to place before the American people in boxcar letters how each of those parties got their money, and, also, what else Honest Harold got along with his first big grab. I wonder if old Honest Harold would scream in desperation at that record.

The courage President Truman has displayed in dealing with this creature of perversion will stand out to his eternal credit.

When we remember Brutus' contemplation of the murder of Julius Caesar, which in history goes down as the greatest act of ingratitude, treachery, and treason to a trust, excepting, of course, Judas Iscariot's betrayal of his Lord, we remember the words:

> Lowliness is young ambition's ladder whereto the climber upward turns his face, but when he once attains the upmost rounds, he then unto the ladder turns his back, looks in the clouds, scorning the base degrees by which he did ascend.
>
> To me he is such a little thing
> Disturbing the even surface of my mood
> More lightly than the tilted swallow's wing
> Disturbs the limpid, glassy solitude of some clear pool.
> Now that he is gone is just the same
> Nothing to remind me that he ever came
> To the vile dust whence he sprung
> Unwept, unhonored, and unsung.

EXTENSION OF REMARKS

Mr. CHENOWETH asked and was given permission to extend his remarks in the RECORD and include therein an article which appeared in the Denver Post of February 10.

Mr. ARENDS asked and was given permission to extend his remarks in the RECORD and include an editorial from the New York Times.

Mr. WHITE asked and was given permission to extend his remarks in two instances and in each to include excerpts.

THE POSITION OF THE LABOR UNIONS

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 40 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, the first session of this Congress left much undone in the way of laying the groundwork for postwar prosperity in the United States and elsewhere. I say this in a spirit of self-criticism, for the responsibility for the situation rests upon each of us individually, as well as upon Congress collectively,

We have been criticized by one of the largest of the railroad labor organizations, the Brotherhood of Railroad Trainmen, which says that—

The Congress of the United States has ended a year of legislation for the greedy in a fresh burst of antilabor hysteria. (A Turning Point for Labor the Railroad Trainmen, January 1946, p 8.)

Of course, there are those who would write off such a comment as partisan, since it stems from a labor union, but every fair-minded person who noted the speed with which this body enacted a bill repealing the excess-profits tax on business, as well as the gusto manifested on this floor whenever antilabor legislation such as the Case bill, H. R. 5262, was being considered, will have to admit that the Brotherhood has some basis for its remarks. No similar diligence was displayed with regard to unemployment compensation legislation or the minimum wage bill or the matter of full employment.

When the second session of the Seventy-ninth Congress opened on January 14, we heard the gentleman from Michigan [Mr. CRAWFORD] refer to organized labor leaders as participating in "a minority-monopoly form of violence." Another Member of this body [Mr. CHURCH] darkly hinted that the labor policy of the Federal Government "is to coddle and encourage labor gangsters."

Still others made public their antilabor utterances as statements to the press. A whole series of proposals to hamstring unions through compulsory arbitration, revision of the Wagner Act, subjecting labor to civil damage suits, cooling-off periods, among others, were announced.

Why the eagerness on the part of some Members to open what may well be the most momentous session in the history of the United States Congress with shouts for curbs on labor?

In my humble opinion, the time has come for Congress to do a little fact finding of its own in regard to labor unions, their history and functions in American life. It is not enough to deplore strikes; we must seek out their causes. Then we shall be in a better position either to legislate—or not to legislate—whatever the situation demands.

No one can fully appreciate the problem of the present-day labor-management relations without knowledge of the many years of struggle on the part of the American workingman to raise his standard of living and to participate without discrimination in the political life of his country. A little over a hundred years ago the courts of the land were convicting workers for engaging in "criminal conspiracies," merely because they banded together to improve their wages and working conditions. In 1842 a Massachusetts judge held that trade unions were not illegal per se, but that did not prevent courts subsequently from making unlawful many legitimate activities of unions through the issuance of injunctions. "Government by injunction" was the rule until the passage of the Norris-LaGuardia Anti-Injunction Act in 1932.

From the very first signs of organization of labor, employers bitterly opposed unionisms. It was against such opposition that the labor movement of the early nineteenth century conducted militant strikes for higher wages and a shorter workday. Labor's economic program was supplemented by political action. Workingmen's parties campaigned for slates in New York, Philadelphia, and up and down the eastern seaboard. As a result of this early political activity by labor lasting reforms were achieved, such as the abolition of imprisonment for debt and the free public-school system.

Employer opposition to organized labor was particularly sharp following the Civil War, when the tempo of the industrial revolution was stepped up considerably and national labor unions were organized. The conflict between labor and capital was often bloody, as in the railroad strikes of 1877 against wage cuts, irregularity of employment, and the displacement of engineers through the introduction of the double-header freight trains. Not only did the owners of industry have available Federal and State troops to smash picket lines but they employed the "yellow dog" contract, the blacklist, labor spies, and other devices to attempt to prevent workingmen from organizing for the purpose of collective bargaining. The Antitrust Act, originally intended to prevent the growth of monopoly corporations, was corrupted to shackle the activities of labor unions, and it became necessary to amend the law to spell out that labor is not a commodity.

Following World War I, conditions were ripe for a rapid growth of labor organizations in the United States. The cost of living had skyrocketed. Well-planned movements were on foot to organize employees in the steel and meat-packing industries. If these organizing drives had succeeded, the large body of unskilled and semiskilled workers in the basic industries would have enjoyed the benefits of collective bargaining that much sooner, and the labor history of the twenties would have been different.

As it was, however, many American employers refused to accept the principle of bargaining collectively with labor unions, but instead launched a vicious open-shop campaign with the objective of weakening, if not destroying, existing labor organizations, while preventing the extension of unionism to the most exploited group of workers in society, the unskilled. Organized labor's membership fell from a high of 5,047,800 in 1920 to a low of 2,973,000 in 1933—Florence Peterson, American Labor Unions, table I on page 56.

This decline in union membership strength was reversed under the New Deal. Today there are approximately five times as many men and women enrolled in labor unions as there were in 1933. The Wagner Act made it unlawful for employers to prevent workers from organizing for purposes of collective bargaining, to interfere in the choice of union representatives, and to engage in other unfair labor practices. While most employers have finally learned that the Wagner Act is the law of the land, there are a few who still do not accept that fact and are laboring incessantly to emasculate or to repeal the law. These are the inveterate labor haters who cannot grant that 15,000,000 organized workers should have a voice in determining their wages and their conditions of employment.

The philosophy of such opponents of democracy in industry is adequately summed up by the remarks of John W. Scoville, economist for the Chrysler corporations, who said to the Detroit Kiwanis Club on August 1, 1944:

If you believe in economic freedom and competition, then you will be opposed to collective bargaining. * * *

Collective bargaining, like all other monopolistic practices, is wrong in principle * * *

It is probable that public sentiment will change in regard to collective bargaining. As industrial turmoil increases, more and more people will see the evils generated by collective bargaining, and we should look forward to the time when all Federal labor laws will be repealed. (Pt. 28, hearings before Senate's Special Committee To Investigate the National Defense Program, pp. 13666–13667.)

In 1806 a Philadelphia judge found the journeymen cordwainers—shoemakers—guilty of joining together, of being "a combination of workmen to raise their wages." That was a "criminal conspiracy." He said it was against the law for workers to join unions. Present day spokesmen for reaction, like Mr. Scoville, would turn the clock back 140 years.

During the war against the Axis, the enemies of labor lost no opportunity to carry on civil war behind the lines. The call to the colors was sounded on December 4, 1942, when, at the War Congress of American Industry sponsored by the National Association of Manufacturers, Harley L. Lutz, professor of public finance at Princeton University, urged American businessmen to sign up 100 percent for "a kind of desperate civil war."

Against the men and women on the production line was leveled the false charge of absenteeism. Paid advertisements appeared in many newspapers charging labor with hamstringing the war program by insisting upon time and one-half for overtime, while the boys in the fox holes were fighting for democracy at straight time GI rates of pay. This propaganda was followed by accusations that labor was taking advantage of patriotic employers by organizing workers for the purpose of robbing them of their hard-earned wages in order that a few union bureaucrats might live in luxury. On top of all this, every rep. or fancied work stoppage was inflated into a "strike wave" bordering on treason or, at the very least, sabotage.

More such false charges were leveled against organized labor during the war, but I have no intention of burdening the Members of this House with their full recitation. Unfortunately, too many of them saw the light of day through the convenient pages of the CONGRESSIONAL RECORD, and there is no point in lending currency to any more of this nonsense.

Labor is proud of its war record, and, I would say, justly so.

A few days after Pearl Harbor the leaders of labor pledged their organizations to maintain a no-strike policy for

the duration. That pledge was fulfilled practically 100 percent. The amount of man-days of production lost on account of strikes or lock-outs during the war averaged five one-hundredths of 1 percent in 1942, fifteen one-hundredths of 1 percent in 1943, nine one-hundredths of 1 percent in 1944, and forty-two one-hundredths of 1 percent in 1945. Despite the squeeze between a wage freeze and mounting living costs, despite numerous provocations on the part of management, labor stayed on the job.

The charge of absenteeism was a smokescreen to cover up the undisputed fact that a great deal more time was lost as a result of sickness and industrial accidents than through the soldiers of production going a. w. o. l.

This Congress is all too familiar with the production records registered by American labor during the past war.

In the very heat of the battle, the leaders of our forces, from the Commander in Chief down, took time out to salute labor's achievements. Here is what some of them said:

President Roosevelt:

Our soldiers, sailors, and marines are carrying on an amazing offensive all over the world. They are doing it with the finest weapons in the world—weapons which have been made possible only by the unwavering loyalty and unflagging resolution of the workers and managers of our industries.

James V. Forrestal:

The good news from every battle front today—is a tribute to the achievement of American labor over the past year.

Dwight D. Eisenhower:

From this battle front American fighting troops send their grateful thanks to the workers of America for having made this the best equipped fighting force in all history.

Robert P. Patterson:

The men and women in our war plants have done a job worthy of the highest commendation.

Donald Nelson, former Chairman of the War Production Board, striking a note seldom heard, declared:

Workers have traveled from one end of the country to the other to do the job that was necessary.

Had Mr. Nelson elaborated on his statement, he could have explained that the tens of thousands of workers who migrated from farms and villages to the centers of war production did so at their own expense. They did not wait for Government guaranties of traveling expenses or the assurance of decent and adequate housing at the end of their journey. They knew that there was an important job to be done on the home front, and they hastened to do it. How different was the response of certain industrialists, the "summer soldiers and the sunshine patriots" who had to be bribed by higher profit guaranties before they enlisted in the battle for production.

An industrialist who has to work without making a decent profit has not enthusiasm to work.

That statement is not simply an expression of the profit motive. Its significance lies in the fact that it was made by one of America's most powerful industrialists, Lammot du Pont, at a closed meeting of the resolutions committee of the National Association of Manufacturers on September 17, 1942, at the Hotel Pennsylvania in New York City, at a time when the Government of the United States was at war with Germany and Japan and making a desperate effort to complete the conversion of the American economy from peace to war.

"War or peace, profits must obtain," cried the munitions king. I'll leave it to the public relations talents to sweeten up the bitter pill—and as far as Washington is concerned, the less sugar the better.

Corporate profits, before taxes, reached the unprecedented annual rate of $25,000,000,000 in 1944 and the first half of 1945. Total profits, before taxes, from 1941 to 1944 amounted to $84,700,000,000. The increase from 1939 to 1944 was 365 percent.

Profits, after taxes, rose from $5,800,000,000 in 1940 to $9,900,000,000 in 1944, receding slightly to $9,300,000,000 in 1945. Total profits, after taxes, for the war years, 1940 to 1945, were $52,000,000,000, an average of $8,700,000,000 a year. Contrast this with the profits for the prewar years, 1936 to 1939, which averaged $3,400,000,000 annually.

Of the $52,000,000,000 in war profits after taxes, the corporations paid out $25,900,000,000 to their stockholders and held back $26,100,000,000 in undistributed profits. According to the Securities and Exchange Commission, industry started the year 1946 with a net working capital of $50,000,000,000.

As if this gigantic horde of cash were not enough, the corporations have been assured through the carry-back feature of the tax law a guaranty of profits for the next 2 years at a level exceeding most years in the prewar period.

There is little doubt in the minds of most people that this guaranty is one of the basic reasons why big business has been engaged in a virtual sit-down strike against labor's legitimate demands for wage boosts and the Nation's desire to get on with the vital job of production. Business Week, in its issue of December 1, 1945, admitted:

Never before, perhaps, has a major employer had so little direct economic incentive to end a stoppage by making concessions to a union. General Motors' Federal tax structure is such that the net cash cost of the strike, even if it lasts well into next year (i. e., 1946), will be relatively inconsequential.

In the same vein, the United States News on December 7, 1945, frankly stated that the tax laws provide "a cushion for employers" during strikes while unions can expect "no such cash advantage from the tax laws."

Now we can begin to understand the attitude of certain employers, whose rejection of compromise wage agreements forced nearly 2,000,000 workers to strike in the steel, auto, electrical, and meatpacking industries, and why a strike vote is now being canvassed by two of the railway operating unions, the Brotherhood of Railroad Trainmen and Brotherhood of Locomotive Engineers, representing a majority of the employees in engine, train, and yard service. Industrial paralysis can be laid directly to the refusal of the giant trusts and monopolies to grant reasonable wage requests of their employees. Present wage demands are the minimum necessary to maintain living standards in the face of reduced hours of work, lower take-home pay, and rising living costs.

Industry by industry, the issues shape up clearly:

The steel workers originally asked for a 25-cents-an-hour pay raise. They later accepted President Truman's compromise offer of 18½ cents an hour and signed on that basis with Henry J. Kaiser and other small steel manufacturers, and finally with United States Steel. The employees were compelled to strike to get 18½ cents an hour. Profits before taxes in the steel industry—excluding hidden or concealed profits—were 276 percent higher from 1940–1944 than in the peacetime years 1935–1939. The steel industry is in the strongest financial position in its history—yet it has deliberately stalled in order to force price concessions from the Government. The concessions will result in higher prices, and everyone will pay.

Packing-house workers also asked for 25 cents an hour more. They later offered to settle for 17½ cents, but the companies would not budge. So Uncle Sam went into the meat-packing business, and subsequently a fact-finding board recommended a general wage increase of 16 cents an hour.

At General Motors the workers asked for a 30-percent wage boost. After months of futile negotiations, they took to the picket line. Then a fact-finding board recommended a pay increase of 19½ cents an hour; the auto union accepted, but the company turned thumbs down.

Meanwhile, wage increases of 18 cents and 18½ cents have been agreed upon between labor and management at Ford and Chrysler, respectively. Agreement was previously reached with the Kaiser plant at Willow Run.

Not much has been said about the dispute in the railroad industry. That deserves a story in itself, because there is much confusion in the public mind about the so-called peace on the rails due to the Railway Labor Act. I will not go into the matter at this time, but merely want to indicate that the carriers have displayed the same attitude toward the legitimate demands of their employees as the industries previously cited. Take, for example, the experience of the operating brotherhoods. Notices for changes in rates of pay and working conditions were filed on July 24, 1945, after several informal conferences had been held between a committee of railroad presidents and the chiefs of the labor organizations. But it was not until November 27 that railway management granted their employees a formal hearing on these demands. Negotiations continued until December 13, when management invoked the services of the National Mediation Board.

Mediation began on January 4, 1946, only to end in failure 15 days later. During the course of mediation, conferences

were resumed, but there has been no disposition on the part of the railroad officials to effect a settlement.

Today 300,000 members of the Brotherhood of Locomotive Engineers and the Brotherhood of Railroad Trainmen are balloting on the question of authorizing their chief executives to order a peaceful withdrawal from the service in the event a satisfactory settlement cannot be reached. These organizations are determined to secure relief by way of wage increases and improved working conditions.

The eyes of the Nation are centered on the Brotherhood of Locomotive Engineers and the Brotherhood of Railroad Trainmen since these brotherhoods hold the key to the final settlement on the rails, just as the outcome in steel affects the settlements in the auto industry.

May I call your attention at this point to the support which has recently been given to labor's demand for higher wages by three prominent churchmen. I quote first from an address which was delivered on February 8 by the Most Reverend Richard Cushing, Archbishop of Boston:

The truth is that capital and labor are both entitled to a fair share of the surplus product. Nor must we forget that neither can do without the general body of consumers who are also entitled to benefit by being offered goods at fair prices, because justice, charity, and right reason demand that industry be run for the common good of the purchasing community as well as the private good of the employer and the employee. The rights of all three groups will not be served unless there be (a) a family living wage for the male worker; (b) that reward which the common estimation of just men and the fair competition of markets allow to capital; and (c) a just price for the commodity produced.

Of these three, the one which is traditionally most neglected is the first. We ask an absolute family living wage: not a subsistence wage but what would suffice for the reasonably decent maintenance of a worker, his wife, and his dependent children. It is not an "individual" wage, considering the worker alone, nor "relative," considering the actual number of his children: but "absolute," reckoning the family a worker would have in the ordinary course of nature, if he exercised his right to found a family, for nature expects us to provide for what normally happens.

And a reasonably decent maintenance allows for a truly human way of life for every member of the family: the care of body and soul, the provision for ordinary contingent sickness, old age, and the education of children; a living wage means a "saving wage," affording to the frugal worker the opportunity to acquire a modest fortune and the avoidance of a hand-to-mouth existence. Many of these things it must be remembered may be state-provided, though as a general principle the less the state provides and the more the worker pays for out of his wages, the better is the regime. "It is right, indeed, that the rest of the family contribute according to their power toward the common maintenance. * * * But it is wrong to abuse the tender years of children or the weakness of women," said Pope Pius XI, adding, "It is an intolerable abuse that the mothers of families, because of the insufficiency of the father's wage, are forced to engage in gainful occupations outside the domestic walls."

A few weeks earlier the Most Reverend Bernard J. Sheil, auxiliary bishop of Chicago, addressed a distinguished gathering in Washington, D. C., in a similar vein:

Here in the United States, more than 300 years after our forefathers came to this great land that God has blessed so magnificently with His abundance, we are faced with the fact that 70 percent of all American families have an annual income of less than fifteen hundred dollars a year. Roughly speaking, the vast majority of wage earners who fall into this group take home considerably less than $30 a week. In an urban community, from seven to thirteen dollars of these earnings will go to pay rent for a dwelling that the wage earner will consider himself fortunate to have. I am only too familiar with the many miserable hovels in the Negro district of Chicago which command as much as $65 a month. From the pitiful remainder of their take-home pay, these millions of workingmen must feed, clothe, and provide for the medical, educational, recreational needs of themselves and their families. The appalling truth is that 20 percent of all the wage earners in manufacturing industries had straight-time hourly earnings of less than 65 cents in the summer of 1945, when the United States Government was pouring millions of dollars into the war-swollen coffers of industry and when a popular misconception pictured the war worker as a person who spent many absentee hours carousing in a high-priced automobile. Even the American mass production has been unable to produce an automobile that a worker earning $24 a week can afford.

We must make no mistake. This great evil of maldistribution which confronts us is very real. It is not an imaginary dragon conjured up by the nightmares of alarmists.

And it is a very ugly evil; because it is filled with the heart-wrenching tears of little children who cannot understand why they should be hungry and cold and malformed; because it is filled with the dry-eyed torment of women, who, having steeled their hearts to the pitiful cries of their little ones, find small solace only in their simple prayers; and because it is filled with the despair and the curses of frustrated men who have been told of the American dream of equality and brotherhood and the pursuit of happiness, but have heard only the mocking laughter of injustice.

My dear friends, God has been good to us. He has given us great natural wealth that has made us the envy of the world. It is not ours to keep, but to use as He intended it should be used—to bring to all of His creatures a modicum of decency and happiness in order that they might act in keeping with the human dignity that derives from their immortal souls. It is our solemn duty to devote all of our efforts toward the fulfillment of that divine plan.

Finally, I quote the testimony of a man who is nationally recognized as an authority in the field of industrial relations, the Most Reverend Francis J. Haas, bishop of Grand Rapids. Bishop Haas, in addressing a mass meeting of the United Auto Workers in Grand Rapids did not pass judgment on the specific issues involved in the General Motors strike, but he did make it very clear that industry by and large is well able to pay just and decent wages. I quote:

Fortunately, in our country, at the present time, the inability of managements generally to pay just wages is not something that we need be concerned about, certainly not in most of the corporations in which major strikes are now in progress or are threatening. The release of the Securities and Exchange Commission of November 7, 1945, showed that in the 6-year period alone from 1939 to 1945, the net working capital of the United States corporations increased from $24,600,000,000 to $48,000,000,000, that is, almost doubled, and with a "substantial proportion" of the total in cash and United States securities.

I have quoted these distinguished churchmen, and I could refer to many similar statements from other leaders of the three faiths, to prove that labor's demands are not unreasonable or radical. Labor's demands are sanctioned by the solid principles of the three faiths and have the wholehearted support of numerous religious spokesmen. Labor is fighting, not for its own selfish interests, but for the general welfare.

There are some who profess ignorance as to what the unions are fighting for. As far as I am concerned, the issues are clear:

They are fighting to preserve hard-won collective bargaining rights. They are fighting to maintain, and to improve, living standards of workers, both organized and unorganized. They are in the last analysis, fighting to strengthen the purchasing power of the American consumer—which includes everyone—so that our economy will not bog down in the swamp of another stifling depression.

In short, American labor is fighting for America. Let us recognize and welcome that fact. For Congress to take the opposite course of action, by adopting hastily conceived, ill-advised legislation calculated to shackle the labor organizations, is to take a long step in the direction of national chaos. We have had one such experience in the Smith-Connally Act. Shall we again commit the same folly?

EXTENSION OF REMARKS

Mr. POAGE asked and was given permission to extend his remarks in the RECORD and include a statement by Hon. Claude Wickard.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent that the time I have for tomorrow be vacated and that I may be allowed to address the House on Wednesday of this week.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. PATMAN asked and was given permission to extend his remarks in the RECORD and include a letter from the American Veterans Committee, Inc., endorsing the provisions of H. R. 4761, the housing bill.

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD in three instances, in two to include newspaper articles.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that upon Thursday and also upon Friday of this week after disposition of matters on the Speaker's desk and at the conclusion of other special orders heretofore entered, I may be

permitted to proceed for 15 minutes on each occasion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

FREEDOM OF THE PRESS

Mr. RAMEY. Mr. Speaker, I had a special order for today but at the time my name was called I was out of the Chamber. I ask unanimous consent that I may address the House at this time for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RAMEY. Mr. Speaker, I ask unanimous consent that at the conclusion of my address the gentlewoman from Massachusetts [Mrs. ROGERS] may have permission to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. RAMEY] is recognized for 10 minutes.

Mr. RAMEY. Mr. Speaker, to begin this little commentary on the freedom of the press, I am going back to a man whose name was Henry and he was king of England, the eighth of his name. It was in the reign of Henry the Eighth that the first effort to kick the press around, as the saying goes, began. Henry got himself involved in several political, matrimonial and religious complications, and thus being vulnerable, he became the first person of consequence to realize the possibilities of an unfavorable press. There had not been much of a press prior to his day or, no doubt, someone else would have set out to hamstring it.

Anyway, old Henry and his daughter, Elizabeth, for nearly a hundred years developed some amazing types of regulations whether the press happened to be pamphlet, a flyleaf or a newspaper. It took a hundred more years to get rid of the regulations Henry and Elizabeth set up, and to institute others. And so, in time, with the development of the United States, English-speaking people came into possession of the Bill of Rights, which is not a bill of rights at all, but a bill of prohibitions; definite restrictions on government if you please.

The first amendment to the Constitution, the first article therein, and therefore the first prohibition is that involving the freedom of the press, with which you are all familiar. However, just in case you are not, I shall read it to you again. It says:

> Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press; or the right of people peaceably to assemble and to petition the Government for a redress of grievances.

You might say that the freedom of the press, as far as the Constitution is concerned, is limited to four words: "or of the press." Any strict constructionist could read and reread this and say that the freedom-of-the-press amendment means that Congress cannot pass a law abridging the freedom of the press. That is what the amendment means, that is what it says, and that is all it says and all it means, he might say.

However, if you were that emphatic and went that far, you would find yourself in a lot of trouble, for freedom of the press now is a broad and, to a great extent, unwritten law. Behind it is the moral conscience of the people; the universal admission that the press should be free; the evidence of the years that wherever the press is shackled society suffers and progress is retarded.

Our publishers just now are engaged in a great campaign to have the freedom of the press reaffirmed, and more power to them. They want it extended as far as it can be extended to other lands, and that is worth while also, and a consummation devoutly to be supported, as well as wished for.

They are fighting for the retention in the Constitution of the simple, crystal-clear words I have read, and they are fighting for something else. That something else is the popular conception of what a free press is and should be—its duties, its freedoms, its protection, and the exercise of its self-assumed obligation.

They are fighting, I think, also for a fair press—a reasonably objective press—and while they defend their rights to say what they think editorially, they commendably are devoted to objectivity in the reporting of news. There is nothing in the Constitution about that, but by most of us it is regarded as a necessary concomitant of freedom of the press.

Throughout history the traditional enemy of the free press has been, not as our leftists seem to think—large advertisers—but government itself.

Let us go back to Henry the Eighth. His first device, to quote the able Dr. Frederick S. Siebert, of the University of Illinois; was censorship. His more astute daughter, Elizabeth, found bribery and created monopoly and subsidy most effective. Under James, suppression again was tried. Then he later developed licensing and revocation at will. Treason and sedition charges were next tried. Then bureaucratic regulations. Again licensing and finally taxation. It is interesting to note that John Milton who in Areopagitica wrote the finest defense of press freedom of his time, later became a licensor, and thus, quieted down. And it is notable that taxation sent the penny newspaper of the early 1700's to sixpence, a considerable amount of money. Sixpence, Dr. Siebert comments, was a day's wage for a man. Taxation, tried effectively under Queen Anne, also was tried by the late Huey Long. It did not work in Louisiana because of the brief first amendment I have quoted. Huey had a way, not of devising new things, but of resurrecting old ones. He was a well-read and studious man, though how he found time to be that way I do not know.

It so happened that when the first amendment was written we in these States had inherited the methods of England and our colonial history is filled with instances of government endeavoring to regulate the press.

It also so happens that the first 50 years after the passage of that amendment were the real Dark Ages of the press in America, as Dr. Frank L. Mott has so well put it. What happened then—that we were given one of the most cherished guaranties in the history of the world and allowed ourselves a lifetime of 50 years during which little worth while emerged from the press of the young Nation? I think you will find the answer in the fact that we abused that freedom. A paper could be published, so the saying goes, if a man had a pistol and a shirt tail full of type. Our press of the period was partisan, bitter, vitriolic, libelous—more often than not. It made no pretense to objectivity or fairness.

The change to respectability was gradual and it was commercial. It made itself felt as the papers became advertising media. They began to earn their way and the more self-supporting they became the more independent they became. Obviously a paper which cannot pay its bills is not an independent paper. It is a part of something else, a government, a power company, a gang of politicians, whoever puts up the money to keep it out of the red.

In recent years some of our public officials have had a cynical and contemptuous view of press freedom. I think the effort of the former Postmaster General to discipline the magazine Esquire is a case in point, though I hold no brief for that particular—and I am told—told, mind you—exciting magazine. The threat frequently uttered during the past 12 years to revoke the licenses of the radio station was a putative abuse of the first amendment.

On the other hand, the modern newspapers themselves have not been wholly in the clear. They argued that freedom of the press was an issue in the Associated Press-Chicago Sun case. It was not. They used press freedom as a battle cry to resist the NRA. They did not want the guild and they argued that unionization of editorial men was an invasion. Again it was not. And again, the effort of the newspapers to surround their carriers with a freedom-of-the-press covering against laws applying to all others was, to put it mildly, straining the point. The late Heywood Broun howled mightly about freedom of the press, when the paper which employed him edited the copy he wrote.

Thus, we have some rare and incredible notions of what freedom of the press means, both on the part of newspaper and magazine owners and on the part of individuals who write for pay for these publications.

Freedom of the speech, Mr. Justice Holmes once remarked, does not mean that a man has a right to scream "Fire!" in a crowded theater. And freedom of the press does not mean either that a newspaper has a right to violate the privacy of the citizen, or dash through fire lines, or resist the ordinary forms of

taxation. It does not mean that any newspaper or magazine is obliged to print the views of anybody who wants to air them.

If the early eighteen forties were the Dark Ages of journalism in this country, the nineteen forties are its golden age. For newspapers, made free by the salability of space to advertisers as well as by the Constitution, have achieved a splendid objectivity, for the most part. If they fail to interpret the news as they might, or to take positive positions on public issues, they at least give us the story, both sides of it, and rather completely.

I think that the American people, when they say they will insist on a free press, have this latter-day understanding of American newspapers in mind rather than the first amendment as an abstract principle. They have reason to know. They know that the free press in England and in the United States, selling its by-product which is advertising, and thus independent, has done a good job. They know that on the continent of Europe where the nonadvertising press, the multiplicity of so-called newspapers, were venal and vicious and nonobjective, economic collapse came quickly and the reign of dictators followed as a necessary consequence.

Our papers will be free as long as the first amendment is a part of the law. They will be powerful and respected and profitable only so long as they do that which is becoming, only so long as they give to their readers what their readers have come to expect—objectivity, fairness, completeness.

Very few men you meet on the street can quote the first amendment to you, but most of them will give you his views on any domestic or international issue, loudly and as long as you will listen. In 99 cases out of a hundred, the facts he has on which his views are based came to him through his newspaper.

It is, I think, the duty of every American citizen to defend to the limit the preservation under the first amendment of a free press. It is the obligation of the press to do those things which merit public respect and confidence. By and large they do a splendid job, and when they get a little confused, as they sometimes do, and invoke the first amendment to gain a selfish end, they invite the attack the public so far has been willing to resist.

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

HOUSING FOR VETERANS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have already read into the RECORD part of a letter which appeared as a paid advertisement by Mrs. Evalyn Walsh McLean in the three Sunday newspapers of Washington under date line of February 15, 1946.

This advertisement is addressed to the Congress of the United States and Mrs. McLean says:

FEBRUARY 15, 1946.

The Congress of the United States.

GENTLEMEN: I respectfully bring to your attention the following situation regarding our veterans:

When the war was on, our boys had priority over everything. They had priority on trains, on ships, and on planes, anything to get them quickly to the battle front where they could kill and be killed. Now that they have won the war they have apparently no priority on anything. Many of them, with missing arms, legs, and eyes, and the rest who have come through physically safe but mentally broken, can now take a back seat.

Big business steps in—the selfish interests and the leeches who will suck the last penny out of the great victory our veterans have given us! Why is this allowed to happen in our country? Why can't our veterans have a chance to buy safe and solid homes, which are already built? Why must our Government-owned houses like McLean Gardens, Naylor Gardens, and others, be denied our war veterans when they were bought by the Government and run by the Government and should be sold by the Government to the veterans who saved our democracy? Why are things made so hard for our boys who a year ago were heroes, who a year ago could have had anything we could give them if only they would win the war? Why now must these same lads live in wretched cheap little houses (if they can find one) when the Government has houses already built that should be made available to them?

Why is the great pool of real-estate interests who are able to bid on these houses just to make money, allowed to carry their plans through? I'll tell you why. Our veterans are being double-crossed. Our great heroes of a year ago can't now even have the right to bid on the housing plan and pay for it with their own money. They say it is too big for them to handle. Why? We can give billions to Europe but we can't, apparently, take a chance on a few millions to back our boys. We could so easily give them a 20-year lease on the different Government-owned houses throughout the United States, and if they can't make good in that time our Government won't go broke.

Let's start right here in the capital of the world to let veterans buy these decent, well-built, available houses, and this should be carried out all through the great cities of this country. If there is no law now to give our veterans the right to have the first bid on these Government projects, why shouldn't the Congress of the United States manage to take a few hours off a day and see that our veterans get their just due?

It will be 2 years before new homes can be built. Meanwhile, what happens to our veterans? Our boys, who saved democracy for us, who gave everything they had when they were called upon, should now be the first to be considered, to be protected, and to have the best that our Government can give, without red-tape delays or any of the other foolish, wicked obstructions which are put up in argument against a peaceful and happy life for them all.

Respectfully,

EVALYN WALSH MCLEAN.

(P. S.—I have absolutely no financial interest whatever in McLean Gardens or any other housing project under construction.)

McLean Gardens was built on property which Mrs. McLean sold to the Government.

Mr. Speaker, Mrs. McLean is absolutely right in stating that the veterans should be given priority in housing all over the United States. These are the men whom we promised so much to when they were fighting for us overseas, whose beds day after day, and day after day, literally were in fox holes, covered with mud, snow, and sleet day after day. They never knew when they would be attacked. They were at the front for days and days, weeks, if you will, without replacements. Many of them gave their lives because there were no replacements. We promised those who lived that when they came back that we would take care of them; we would give them houses; we would give them jobs; we would give them automobiles. We know very well, Mr. Speaker, that the so-called automobile priority for veterans has been a farce. I believe scarcely a dozen men have been able to buy automobiles. I know how it is in my own State of Massachusetts. I have introduced a bill which would give the veterans first priority on surplus Army and Navy automobiles, after the War and Navy Departments needs had been fulfilled. I have a bill which would give them priority in all surplus property after the Army and Navy. Why those automobiles are kept by the War Department, I do not know. I do not know where those that have been declared surplus have gone. It is very difficult to find out.

As to the housing situation it seems to be even worse. Here in Washington, I think many of the Members know, Amvets, a group of disabled veterans, have wanted to buy the McLean Gardens, Government-owned property. To date that has not been accomplished. I understand that last week they appeared before Chairman MANASCO'S committee, and I understand were asked to present certain facts and figures at a later date to the committee for consideration.

Certainly, it seems to me that if necessary the House should pass legislation to give the veterans an opportunity to purchase McLean Gardens, if they so wish, if it takes legislation, and I am not at all sure that it does. The administration has authority to act without it. I think it can be done administratively. If the administration will not act the Congress should act. If the veterans decide they do not want to buy it, my belief is that the Government should maintain the homes and allow the men to live there at a very nominal rent. I think it is for the veterans to decide what they want.

I am having a conference myself this afternoon with the representatives of the War Assets Corporation and with the Federal Housing Authority. I think they are anxious to work something out for the veterans. Those priorities should not apply only to the Government-owned buildings in the city of Washington but should apply to the Government-owned buildings all over the country. I know in the housing authorities in different cities the veterans are having an extremely difficult time getting into those housing authorities, although there are many persons living there who are not veterans. In some instances perhaps the veteran may be earning a few dollars more a month than the law provides in connection with being able to rent one of those homes. I am of the belief that there are persons living in those Federal houses who are earning more than the law states shall be the income in order to entitle the rental of one of the houses to any person or persons.

This advertisement gives us a great deal of food for thought. As Mrs. McLean says, it seems as if we could take a few hours off to consider the problem. The veterans are tired of lip service. I know my colleagues are just as anxious

as I am to work out a satisfactory solution for the veterans, but the truth is that we do not do it. There is much veterans' legislation I would like to see passed, and I hope it will be passed very soon. General Bradley inherited in the Veterans' Administration a very difficult task, with a very widely increased veterans personnel to care for, veteran beneficiaries, the disabled, those who have to be hospitalized, those who have insurance claims, and then the many veterans who have rights under the GI bill. He inherited a condition where there was lack of foresight and planning shown. I can find no plans to meet the load that everyone must have known was coming. I believe we can give General Bradley a little longer time to work out a solution. It is not the Congress that is to blame alone for our not seeing that matters that we felt could be adjusted in an administrative way have been carried out. It is our duty to do something if legally it cannot be done. Anyway, we should not let this unfortunate situation progress. The public is certainly very much to blame in not assisting the veterans more. Just the same conditions existed after the last World War. The public has chosen to forget and neglect the veterans.

HOUSING FOR VETERANS

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MURRAY of Wisconsin. Mr. Speaker, supplementing what our distinguished colleague from Massachusetts, the Honorable Mrs. EDITH ROGERS, has just told us, I may say that there were two situations that developed during the period following World War I that have made me pay considerable attention to exactly what has been happening to the veterans of World War II. I give you one concrete illustration.

Out in the great State of Wisconsin we had a president of the university by the name of Dr. Clarence Dykstra. In the twenties he issued a pamphlet entitled "Civil Service and Lip Service." Dr. Dykstra in this pamphlet bemoaned the fact so many veterans were on the Federal pay roll. He contended at that time the reason we did not have a more efficient Federal administration was because 25 percent of the personnel were veterans of World War I.

When the Congress had the soldiers' vote bill up here a couple of years ago people seemed to be getting themselves all excited about whether they voted them or not. Many Members evidently wanted to vote the soldiers but were not so anxious for them to vote because I never heard them say anything about letting them vote before they entered the Army; and I do not hear them say anything about wanting them to vote now that the war is over and they are home from the Army.

When Dr. Dykstra attended the Wisconsin State Society in 1944 he got up with tears in his eyes and told about the bad, bad, bad men here in Congress who were not going to let his boys and other boys vote. The hypocrisy of that statement was absolutely apparent to me at the time. I do not think Members of Congress have any right to try to tell the Administrator of Veterans' Affairs where the hospitals are going to be. I want the hospitals to be where they will serve the best interests of the boys of this war. I do not want to see any more of this false and fake interest in veterans as exhibited by Dr. Dykstra. When the war was on, sure, they were great heroes. Now we want to remember that our first obligation is to see that the Congress fulfills every commitment that has been made to the veterans of World War II.

The SPEAKER pro tempore (Mr. MILLS). The time of the gentleman from Wisconsin has expired.

LEAVES OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BEALL, from February 18 to March 7, on account of official business with the House Committee on Roads.

To Mr. HAYS, for 1 week, on account of necessary absence from Washington.

To Mr. RANDOLPH, from February 18 to March 8, on account of official business with House Committee on Roads.

To Mr. CHIPERFIELD (at the request of Mr. MARTIN), on account of official business.

To Mr. STARKEY, for Tuesday, Wednesday, and Thursday of this week, on account of important business.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. J. Res. 136. Joint resolution changing the name of the Shoshone Dam and Reservoir to Buffalo Bill Dam and Reservoir in commemoration of the one hundredth anniversary of the birth of William Frederick Cody, better known as Buffalo Bill; to the Committee on Irrigation and Reclamation.

BILL PRESENTED TO THE PRESIDENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on February 15, 1946, present to the President, for his approval, a bill of the House of the following title:

H. R. 2764. An act to amend section 409 of the Interstate Commerce Act, with respect to the utilization by freight forwarders of the services of common carriers by motor vehicle.

ADJOURNMENT

Mr. ALMOND. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 52 minutes p. m.) the House adjourned until tomorrow, Tuesday, February 19, 1946, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Aviation Subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Tuesday, February 19, 1946.

Business to be considered: To begin hearings on H. R. 1314 (meteorology) and H. R. 164 (thunderstorms).

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

The Committee on Expenditures in the Executive Departments will hold hearings on surplus property at 10 a. m. Tuesday, February 19, 1946, through Friday, February 22, 1946.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1067. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to establish the civilian position of academic dean of the postgraduate school of the Naval Academy and compensation therefor; to the Committee on Naval Affairs.

1068. A letter from the Archivist of the United States, transmitting report on records proposed for disposal by various Government agencies; to the Committee on Disposition of Executive Papers.

1069. A letter from the Administrator, Office of Price Administration, transmitting the fifteenth report of the Office of Price Administration, covering the period ended September 30, 1945 (H. Doc. No. 469); to the Committee on Banking and Currency and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANHAM: Committee on Public Buildings and Grounds. H. R. 5407. A bill to grant to the Federal Works Administrator certain powers with respect to site acquisition, building construction, purchase of buildings, and other matters; with amendment (Rept. No. 1585). Referred to the Committee of the Whole House on the State of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 5449) for the relief of Walter Blaine Stevens, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUNKER:

H. R. 5501. A bill to broaden the scope and raise the rank of the veterans' preference provided for in the Surplus Property Act of 1944; to the Committee on Expenditures in the Executive Departments.

By Mr. BULWINKLE:

H. R. 5502. A bill to amend the Civil Aeronautics Act of 1938, as amended, with respect to the recordation of ownership of civil aircraft, aircraft engines, propellers, and appliances; to the Committee on Interstate and Foreign Commerce.

By Mr. LECOMPTE:

H. R. 5503. A bill to provide for equitable adjustment of the insurance status of certain members of the armed forces; to the Committee on World War Veterans' Legislation.

By Mr. LEMKE:

H. R. 5504. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. RIVERS:

H. R. 5505. A bill to grant to enlisted personnel in the armed forces of the United States upon their separation from the service certain benefits with respect to accumulated leave; to the Committee on Military Affairs.

By Mr. VOORHIS of California:

H. R. 5506. A bill to prevent the sale of patents, processes, techniques, or inventions under the Surplus Property Act; to the Committee on Expenditures in the Executive Departments.

By Mr. BARTLETT:

H. R. 5507. A bill to authorize the Export-Import Bank of Washington to aid in the financing and facilitating of exports and imports and the exchange of commodities between the United States and any of its Territories or insular possessions; to the Committee on Banking and Currency.

By Mr. STIGLER:

H. R. 5508. A bill to authorize the return of the Grand River Dam project to the Grand River Dam Authority and the adjustment and settlement of accounts between the Authority and the United States, and for other purposes; to the Committee on Flood Control.

By Mr. THOMAS of New Jersey:

H. J. Res. 318. Joint resolution to provide for the incorporation and registration of labor organizations and to impose certain responsibilities upon such organizations, and for other purposes; to the Committee on the Judiciary.

By Mr. NORRELL:

H. J. Res. 319. Joint resolution requesting the President to issue a proclamation designating the 31st day of October of each year as National Arthritis Day; to the Committee on the Judiciary.

By Mr. BUNKER:

H. Res. 527. Resolution creating a select committee to investigate and study the disposition of surplus property; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to the end that Massachusetts shall be assured of an equitable apportionment of building materials which might be available for the construction of new housing; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States in favor of Federal legislation looking to the restoration of Palestine as a homeland for the Jewish people; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to enact Senate bill 1592, to establish a national housing policy and to provide for its execution; to the Committee on Banking and Currency.

Also, memorial of the Legislative Assembly of the Virgin Islands, memorializing the President and the Congress of the United States to amend the Organic Act of the Virgin Islands to provide for a Resident Commissioner; to the Committee on Insular Affairs.

Also, memorial of the Legislative Assembly of the Virgin Islands, memorializing the President and the Congress of the United States to include in Senate bill 1415 all Federal employees in the Virgin Islands of the United States; to the Committee on the Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENNET of New York:

H. R. 5509. A bill for the relief of Elizabeth Gardner; to the Committee on Claims.

By Mr. DURHAM:

H. R. 5510. A bill for the relief of Newton William Lowery; to the Committee on Claims.

By Mr. NORRELL:

H. R. 5511. A bill granting a pension to Mrs. Lillian P. Seale, widow of Auva A. Seale, deceased; to the Committee on Pensions.

By Mr. O'TOOLE:

H. R. 5512. A bill for the relief of Beryl Williams; to the Committee on Claims.

By Mr. PACE:

H. R. 5513. A bill for the relief of Elbert R. Miller; to the Committee on War Claims.

By Mr. TOWE:

H. R. 5514. A bill for the relief of William Williamson; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1575. By Mr. ANGELL: Petition of Waldo E. Miller and others protesting against loan of money or goods to debtor nations; to the Committee on Banking and Currency.

1576. By Mr. GOODWIN: Petition of the General Court of Massachusetts, for restoration of Palestine as a homeland for Jewish people; to the Committee on Foreign Affairs.

1577. Also, petition of the General Court of Massachusetts, seeking an equitable apportionment of building materials available for construction of new housing; to the Committee on Banking and Currency.

1578. Also, petition of Mount Benedict Council, No. 75, Knights of Columbus, relative to effects upon United States of conduct of Russian Government in its relations with other nations; to the Committee on Foreign Affairs.

1579. By Mr. GRAHAM: Petition of 100 Pennsylvania Railroad employees in support of House bill 1737, the Railroad Pension Act; to the Committee on Interstate and Foreign Commerce.

1580. By Mrs. ROGERS of Massachusetts: Petition of the Commonwealth of Massachusetts to the end that Massachusetts shall be assured of an equitable apportionment of building materials which might be available for the construction of new housing; to the Committee on Banking and Currency.

1581. Also, petition of the Commonwealth of Massachusetts in favor of Federal legislation looking to the restoration of Palestine as a homeland for the Jewish people; to the Committee on Foreign Affairs.

1582. By Mr. SMITH of Wisconsin: Petition of Paul Munns, commandant, Navy Club, Ship No. 40, 615 Fifty-seventh Street, Kenosha, Wis., petitioning establishment of a veterans contact office in Kenosha County, Wis.; to the Committee on World War Veterans' Legislation.

1583. Also, petition of Harry J. Grimesey, 614 McKinley Street, Janesville, Wis., and others (re S. 1678); to the Committee on the Judiciary.

1584. Also, petition of M. L. Lund, 312 Jackman Street, Janesville, Wis., and others (re S 1678); to the Committee on the Judiciary.

1585. Also, petition of August W. Webber, 625 Chestnut Street, Janesville, Wis., and others (re S. 1678); to the Committee on the Judiciary.

1586. By Mr. WELCH: Resolution No. 5240, passed by the Board of Supervisors of the city and county of San Francisco, urging the Federal authorities—the Army and Navy and other governmental agencies—to release all possible space in San Francisco to the end that all possible space be made available for returning veteran professional men; to the Committee on World War Veterans' Legislation.

1587. By the SPEAKER: Petition of the Carroll Service Council, Inc., Carrollton, Ga., petitioning consideration of their resolution with reference to their request to expedite passage of the Poage bill; to the Committee on Rules.

1588. Also, petition of the Filipino Guerrilla Veterans Legion, petitioning consideration of their resolution with reference to requesting recognition of the remaining unrecognized and rejected bona fide guerrillas in the Philippines; to the Committee on Military Affairs.